



Planning and Zoning
 1975 Lakeside Parkway, Suite 350
 Tucker, GA 30084
 Phone: 678-597-9040
 Email: permits@tuckerga.gov
 Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: Rezoning Comprehensive Plan Amendment Special Land Use Permit
 Concurrent Variance Modification

APPLICANT INFORMATION

Applicant is the: Property Owner Owner's Agent Contract Purchaser

Name: Lennar Georgia, Inc. c/o G. Douglas Dillard, Esq.

Address: 1776 Peachtree Street, Suite 390N

City: Atlanta State: Georgia Zip: 30309

Contact Name: Doug Dillard

Phone: 404-665-1241 Email: ddillard@dillard sellers.com

OWNER INFORMATION

Name: Burns Golf Course, LLC

Address: 2570 Lake Erin Drive

City: Tucker State: Georgia Zip: 30084

Contact Name: Loyd S. Burns, III

Phone: Email:

PROPERTY INFORMATION

Property Address: 4312 Webb Rd. (18 0260 01 210); 4445 Britt Rd. (18 289 01 001); 2939 Templar Knight Dr. (18 260 01 001)

Present Zoning District(s): RE Requested Zoning District(s): R-60 & R-75

Present Land Use Category: Suburban Requested Land Use Category: Suburban

Land District: 18 Land Lot(s): 260 & 289 Acreage: approx. 103.06

Proposed Development: Single-family homes with accessory subdivision amenities

Concurrent Variance(s): None

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units: 228 Dwelling Unit Size (Sq. Ft.): 1,600 - 3,800 SF Density: approx. 2.19 units/acre

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: N/A Total Building Sq. Ft.: N/A Density: N/A

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27-20-0001

APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

Andrew C. Hill 9/2/20
Signature of Applicant Date

Andrew C. Hill - Vice President
Type or Print Name and Title

Sandy M Kidd 9/2/2020 _____
Signature of Notary Public Date Notary Seal



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DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

1. CIRCLE ONE: **Party to Petition** (if party to petition, complete sections 2, 3 and 4 below)
 In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. Burns Golf Course, LLC	5.
2. Lennar Georgia, Inc.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Andrew C. Hill
 Signature: *Andrew C. Hill*

Date: 9/2/20

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DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

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In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)

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- | | |
|---------------------------|----|
| 1. Burns Golf Course, LLC | 5. |
| 2. Lennar Georgia, Inc. | 6. |
| 3. | 7. |
| 4. | 8. |

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
Anne Lerner	\$250.00	8/14/2019	Donation to reelection campaign

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Lloyd S. Burns III

Signature: *Lloyd S. Burns III*

Date: 9/1/2020

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PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, Burns Golf Course, LLC, authorize, Lennar Georgia, Inc.,
(Property Owner) (Applicant)

to file for RZ, at 4312 Webb Rd. (18 0260 01 210); 4445 Britt Rd. (18 289 01 001);
(RZ, CA, SLUP, M, CV) (Address)
2939 Templar Knight Dr. (18 260 01 001)

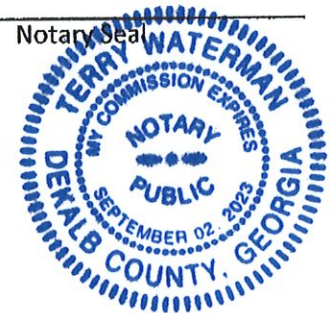
on this date _____, 20 20
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Lloyd S. Burns III 9/1/2020
Signature of Property Owner Date

Lloyd S. Burns III owner
Type or Print Name and Title

Jerry Waterman 9.01.2020
Signature of Notary Public Date



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DILLARD *Sellers*
ATTORNEYS AT LAW

G. Douglas Dillard
404.665.1243

Email:
ddillard@dillardsellers.com

September 30, 2020

Courtney Smith
Director of Planning & Zoning
City of Tucker
1975 Lakeside Parkway
Suite 350
Tucker, Georgia 30084

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RZ-20-0001

Re: Letter of Intent/Rezoning Standards for Heritage on the Lake

Dear Director Smith:

This firm represents rezoning applicant Lennar Georgia, Inc. (“Lennar” or “Applicant”). Lennar applies to rezone approximately 103.06 acres of real property (“Property”) from RE (“Current Zoning”) to R-60 and R-75 (“Proposed Zoning”), as such Property is more fully described in the enclosed legal description and depicted in the enclosed survey (“Survey”). The proposed site layout and zoning line separating R-60 from R-75 is depicted on the Tucker Rezoning Plan sealed by Kenneth J. Wood, P.E. and submitted herein (hereafter “Site Plan”). Additional detail, such as landscaping and vegetative buffers is provided in the enclosed Site Rendering and Exhibits

Upon rezoning, Lennar currently proposes to subdivide the Property, as shown on the Site Plan, into a 228 lot single-family residential subdivision known as Heritage on the Lake lots, fully within the City of Tucker.¹ Of the 228 lots, 101 lots are proposed for R-60 zoning and are located interior to the development and northwest of Burns Lake. The balance of 127 lots are proposed for R-75 zoning and are located along the development edges that abut existing residential as well as to the interior to the development southeast of Burns Lake. At 228 lots on approximately 103.06 acres, the proposed residential density is approximately 2.19 units per acre (“Proposed Density”). In addition, approximately 23.3 acres, constituting approximately 22.6% of the Property is preserved as open space consisting, of among other things, pocket parks stream buffers, Burns Lake, sidewalks, amenities, and vegetative external buffers.

¹ Previous site plan concepts proposed split-jurisdiction lots. Based on Staff input in pre-application meetings, the Site Plan proposes no split-jurisdiction lots or streets.

Current Zoning

The Current Zoning of the Property is RE (Residential Estate). The current use of the Property is the Heritage Links Golf Course. The Property's Current Zoning is both dissimilar and under-zoned for the area, as evidenced by Tucker's Official Zoning Map. It is dissimilar because there is no other property within miles that is zoned RE. It is under-zoned because all property abutting the Property is zoned more intensely. For example, the Property abuts R-85 zoned property on all sides within the City of Tucker. Other zoning districts in the area to the south include R-75, while districts to the west include MR-1, RSM, O-I, C-1, C-2. R-85, R-75, MR-1 and RSM permit more residential density than R-E. O-I, C-1 and C-2 permit nonresidential uses unlike R-E.

Proposed Zoning

Interior lots to the northwest of the Lake are proposed for R-60. There is precedent for R-60 in the area: CZ-90035 consisting of 21 residential lots abutting Providence Lane off Chamblee Tucker. There, like here, all surrounding Tucker property is zoned R-85. The underlying FLUM designation is Suburban.

Exterior lots and interior lots to the southeast of Burns Lake are proposed for R-75. There are hundreds of lots zoned R-75 to the southeast² of the Property, and like the Property, abut R-85 zoned lots.

The R-60 and R-75 lots shown on the Site Plan are compliant with the minimum dimensional and yard requirements for the respective zoning districts. In addition, the proposed exterior lots (e.g. abutting existing subdivisions) meet the lot compatibility requirement of Tucker Code Sec. 46-1279, through the provision of a 20' transitional greenspace buffer and lot width that is at least 80% of the lot width of adjacent existing subdivision lots. Within the 20' greenspace buffer, where existing tree stands are not present, Lennar proposes to plant two rows of columnar evergreen trees (i.e. green giant arborvitae, southern magnolia 'alta') and a 6' privacy fence. This buffer will be provided within the Tucker limits where the Property line abuts existing subdivision lots, as depicted on the enclosed Site Renderings and Exhibits.

Service Delivery

Through pre-application meetings with Staff as well as other Tucker officials, the Site Plan layout has been refined. All lots and streets observe the DeKalb County/Gwinnett County boundary thereby eliminating a split-jurisdiction circumstance. This layout will facilitate more efficient delivery of public services. For example, because of the observance of this jurisdictional boundary, separate subdivision infrastructure, such as water, sewer, streets, sidewalks and

² Leonora Drive, Esquire Way, Crest Road, Westhampton Drive, Westhampton Way, Oswood Court, Oswood Drive, Imperial Hills Drive, Lawrenceville Highway, Summit Hills Drive, Summit Hills Way, Summit Hills Lane, Sterling Acres Drive, Pounds Court, Darlene Way, Cherry Lane, Carson Valley Drive, Sims Court, Cofer Circle, Indian Trail Drive, Doaks Run Court, Ginson Drive.

stormwater facilities will be built and proposed for dedication to the corresponding governmental unit.

More specifically with regard to water and sewer, the development will separate water and sewer between the respective counties, meaning all water and sewer for lots in Tucker/DeKalb County will be served by DeKalb County. Likewise, all water and sewer for lots in Gwinnett County will be served by Gwinnett County. For additional background information, currently, water and sewer in the surrounding neighborhoods on the Tucker/ DeKalb County side gravity flow into Gwinnett water and sewer infrastructure. This development will be the catalyst, as desired by both counties, to reverse flow property in DeKalb County back into DeKalb County via a regional pump station for treatment at DeKalb County's existing treatment plants. Said pump station is located south (above) of Lake Burns, just across the proposed road that connects the single-family homes on either side of the lake. It is denoted on the site plan as "regional lift station" and has a footprint size of 150' x 150'. Applicant is in conversation with DeKalb County and Gwinnett County to coordinate this undertaking.

In addition, the Applicant will work with relevant public agencies to ensure the correct police, fire, and other emergency service jurisdiction respond to service calls. Also, the Applicant will work with the respective county school systems to ensure correct bus service. Primary access to the Tucker portion of the development is anticipated at the western most subdivision entrance off Britt Road, with Tucker/DeKalb service delivery vehicles only crossing into Gwinnett County for a few hundred feet before crossing back into DeKalb County/City of Tucker limits. The Site Plan proposes secondary emergency and sewer maintenance access off Templar Knight. This access point currently exists. The access point will be controlled by gate that is only accessible to DeKalb County vehicles. Frequency of access is expected to be minimal.

Amenities

First-class amenities are proposed for the development. The biggest amenity will be Burns Lake which condition will be improved. In addition, pocket parks, sidewalks and walking paths, clubhouse (approx. 9,000' – 10,000' size), Olympic-style pool, tennis courts, and playgrounds are planned. In addition, both the multi-family and townhome uses east of Old Tucker Norcross Road will have its own amenity package (e.g. clubhouse and pool). The existing overhead golf-cart path over Old Tucker Norcross Road will be retained to provide pedestrian connectivity for residents to access the retail portion of the development as well as for recreation purposes.

ANALYSIS OF ZONING STANDARDS

The following standards and factors set forth in City Code Sec. 45-1560 are found to be relevant to the exercise of the city's zoning powers, govern the review of all proposed amendments to the official zoning map and are discussed in detail below as applied to this Property:

(1) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The Proposed Zoning is consistent with the Tucker Tomorrow Comprehensive Plan (“Comprehensive Plan”)³. The Comprehensive Plan’s Character Area Map (“CAM”) and Future Land Use Map (“FLUM”)⁴ designation for the Property are both Suburban.⁵ The Suburban CAM and FLUM designation consists of “largely single-family homes and lower density residential development.”⁶ This is the same designation for all abutting property and the majority of the property in the area with the exception of commercial properties at the intersection of Chamblee-Tucker Road and Britt Road which according to the FLUM are designated Neighborhood Center. The Proposed Zoning is consistent with the FLUM’s Suburban land-use designation for the Property. The Proposed Density (1.68 units per acre) is well under the Comprehensive Plan’s “up to 4 units per acre” allowance within the Suburban Character Area.⁷

In addition to compliance with the CAM and FLUM, the Proposed Zoning furthers numerous goals of the Comprehensive Plan, including:

- a) “In the development of new residential uses within Tucker, focus on creating more urban, walkable neighborhoods that provide enhanced connectivity to jobs and amenities.”⁸
- b) “Ensure that Tucker continues to provide a range of quality housing choices at a variety of price points.”⁹
- c) “Preserve and Improvement Neighborhoods” “with the expansion of opportunities for households of all ages and income levels to remain Tucker or move into our community”.¹⁰
- d) “ensure the City’s housing stock continues to include a range of prices, including affordable homes that would be attractive to first-time home buyers.”¹¹
- e) “The most common type of single-family homes, the ranch style home, was observed over the course of this study to be a major contributor to Tucker’s success as a community”. “Additionally, the one-level living [of ranch homes] is desirable to those with mobility limitations.”¹²

³ The Comprehensive Plan serves to help “guide to future land development” Comprehensive Plan, pg. 2.

⁴ The FLUM “is the guiding document that [City planning] staff uses in developing recommendations for rezoning applications.” Comprehensive Plan, pg. 58.

⁵ Comprehensive Plan, pg. 48, 59.

⁶ Comprehensive Plan, pg. 12.

⁷ Comprehensive Plan, pg. 49.

⁸ Comprehensive Plan, pg. 9.

⁹ Id.

¹⁰ Comprehensive Plan, pg. 14.

¹¹ Comprehensive Plan, pg. 32.

¹² Comprehensive Plan, pg. 32.

- f) "To preserve the stability of Tucker's existing neighborhoods into the future, it will be important to ensure development of properties in close proximity to neighborhoods provide adequate transition through setbacks, buffering and other measures."¹³

The Character Area Plan and Land Use Recommendations are tools to help direct future zoning and land use decisions.¹⁴

(2) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The Proposed Zoning's single-family residential dwelling use is suitable in view of the single-family residential use of adjacent and nearby properties. The proposed use will reinforce the desirability and stability of the surrounding single-family residential uses. The Site Plan proposes lots that are compatible with adjacent existing subdivisions. These lots are efficiently configured and respect the county jurisdictional line, allowing logical dedication and separation of development infrastructure between the jurisdictions. The Site Plan proposes approximately 22.6% open space over the Property. The Site Plan proposes a generous amenity package. The biggest amenity will be Burns Lake which condition will be improved. In addition, pocket parks, sidewalks and walking paths, clubhouse (approx. 9,000' – 10,000' size), Olympic-style pool, tennis courts, and playgrounds are planned.

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Property does not have a reasonable economic use as currently zoned. More specifically, the Current Zoning constitutes a significant detriment to the property owner and applicant and is unsubstantially related to the public health, safety, morality and welfare. Only the City Council's approval of the Proposed Zoning will cure this condition.

(4) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

The Proposed Zoning will not adversely affect the existing residential use or usability of adjacent or nearby properties. Exterior lots (e.g. abutting existing residential) are laid out on the Site Plan to meet the lot compatibility requirements of the Tucker Coe. In addition, the Site Plan shows at least 20' wide greenspace buffer anywhere that abuts existing residential uses. This buffer is between the development property line and the property lines of the proposed new lots. In addition to the 20' greenspace buffer, the rear lot setback is 40' meaning new homes will be at least 60' setback from the property line of the existing abutting lots. Within the buffer, developer will plant a mixture of sizes and species, including cryptomeria, arborvitaes, green giants and the like that are hardy, grow quickly and evergreen in species to give a year-round buffer.

Within the Tucker development, and consistent with Comprehensive Plan, Applicant proposes different housing types: 1) Single-family ranch homes (1,600 SF – 2,500 SF) with a

¹³ Comprehensive Plan, pg. 34.

¹⁴ Comprehensive Plan, pg. 7.

base pricing starting in the \$340's+; 2) Single-family two-story homes (2,200 SF – 3,000 SF) with a base pricing starting in the \$370's+; and 3) Single-family two-story homes (3,000 SF+) with a base pricing starting in the \$420's+. These values are consistent with or higher than home values in the area.

Finally, there will be no adverse effects to adjacent Tucker subdivisions such as Lake Ivanhoe. The natural hydrology flows from Lake Ivanhoe downstream into the development via Lucky Shoals Creek and Burns Lake. Applicant is currently studying the Burns Lake dam for upgrades both the dam and Burns Lake.

(5) 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 zoning proposal.

There are existing and changing conditions affecting the use of the Property which give supporting grounds for approval of the Proposed Zoning. First, the proposed development will be the catalyst, as desired by both counties, to reverse flow property in DeKalb County back into DeKalb County via a regional pump station for treatment at DeKalb County's existing treatment plants. Applicant is in conversation with DeKalb County and Gwinnett County to coordinate this undertaking. Without approval of the Proposed Zoning, and therefore the proposed development undertaking, completing the mandated sewer separation is less likely as the Property is the optimal and natural location for such separation. Second, approval of the Proposed Zoning, and therefore the proposed development undertaking, will result in upgrades both to Burns Lake and the dam, that might otherwise be cost-prohibitive for the current operator of the golf course on the Property. Lastly, without approval of the Proposed Zoning, development of the Property is not economically viable under the Current Zoning, which as discussed previously is both dissimilar and under-zoned relative to surrounding properties.

(6) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.

According to the Survey, there are no historic buildings, sites, districts, or archaeological resources on or surrounding the Property. The Proposed Zoning will therefore not adversely affect these resources.

(7) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Approval of the Proposed Zoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools for the reasons specified previously. The Current Zoning of the Property authorizes the same residential use sought in the Proposed Zoning, but at a lower density than all adjacent zoning in Tucker.

The development's main street frontages are Britt Road and Old Tucker Norcross Road at which access is proposed. Multiple subdivision streets dead-end into the property. These streets are: Tuckersham Lane, Templar Knight Drive, Doyle Street, Lashley Drive, Atlas Place, Royal Oak Court and Rocky Shoals Court. Based on pre-application input, no public vehicular access is proposed from/to these streets. Additional streets proximate to the development are Bonaparte Drive, Bonaparte Court, St. Helena Drive, Waterloo Circle and Lake Ivanhoe Drive. It is anticipated that improvements will be proposed for intersections upon completion of the DRI report by ARC/GRTA. It is too early to identify specific improvements until the DRI report is completed.

(8) Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The Site Plan protects all wetlands and creeks (Lucky Shoals Creek) with substantial natural and vegetative buffers. Any development will comply with local, state and federal environmental requirements.

CONSTITUTIONAL NOTICE

Georgia law and the procedures of the City of Tucker require us to raise Federal and State constitutional objections during the rezoning application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the City of Tucker Code of Ordinances, facially and as applied to the Property, which restrict the Property to any uses, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of Tucker Code of Ordinances, facially and as applied to the Property, which restricts the Property to any uses, or to any zoning classification other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the City of Tucker without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the rezoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the City of Tucker to grant this rezoning application in accordance with the criteria requirements as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the rezoning application meets the requirements of the City of Tucker Code.

STANDING OBJECTION

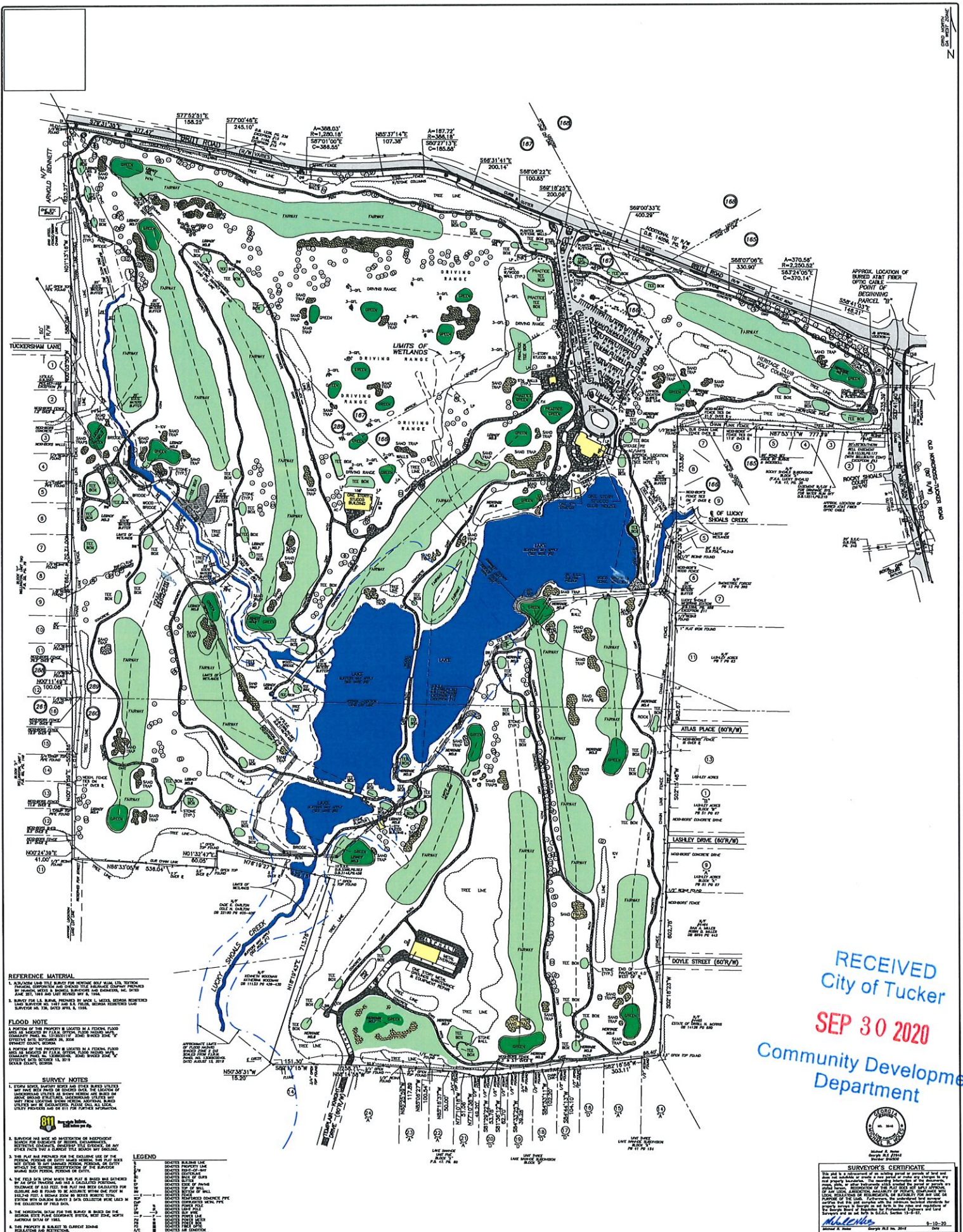
The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before the City Council or any court of competent jurisdiction, any zoning decision by the City Council in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the City Council and requests the City Council to determine the standing of any individual who challenges or objects to the City Council's decision to rezone the Property. Applicant further raises this objection before the City Council to preserve said objection on appeal, if any, to any court of competent jurisdiction.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this rezoning application be granted as requested by the Applicant. If there are any questions about this rezoning request, you may contact me at 404-665-1243 or jhaymore@dillard sellers.com

Sincerely,

/s/: G. Douglas Dillard
G. Douglas Dillard
Jeffrey S. Haymore



REFERENCE MATERIAL

1. AUCONOR LAND TITLE PLANS FOR 'HERITAGE CLUB GOLF COURSE'...
2. AUCONOR LAND TITLE PLAN FOR 'LUCKY SHOALS CREEK'...
3. AUCONOR LAND TITLE PLAN FOR 'TUCKERSHAM LANE'...

FLOOD NOTE

1. PORTIONS OF THE PROPERTY ARE LOCATED IN A FLOOD FLOOD...
2. PORTIONS OF THE PROPERTY ARE LOCATED IN A FLOOD FLOOD...

SURVEY NOTES

1. STUMP REMOVAL, SURVEY BOUNDS AND OTHER BARRIERS...
2. SURVEYOR HAS BEEN IN POSSESSION OF THE PROPERTY...
3. THIS PLAN WAS PREPARED FOR THE HOLDING USE OF THE...
4. THE FIELD DATA FROM WHICH THIS PLAN IS BASED WAS OBTAINED...
5. THE HORIZONTAL ALIGNMENT FOR THIS SURVEY IS BASED ON THE...
6. THIS PROPERTY IS SUBJECT TO EASEMENTS...
7. ALL MEASUREMENTS ARE IN FEET UNLESS OTHERWISE NOTED...
8. THE SURVEYOR HAS BEEN ADVISED OF ANY ADVERSE RIGHTS...
9. THE FLOOD INFORMATION ON THIS PLAN HAS BEEN OBTAINED...

LEGEND

1	BOUNDARY LINE
2	PROPERTY LINE
3	DRIVING RANGE
4	FAIRWAY
5	TEE BOX
6	GREEN
7	OBSTACLE
8	WETLANDS
9	WATER
10	ROAD
11	CRACK
12	UTILITY
13	STUMP
14	POST
15	STONE
16	CONCRETE
17	WOOD
18	IRON
19	COPPER
20	ZINC
21	LEAD
22	STEEL
23	ALUMINUM
24	GLASS
25	PLASTER
26	CEMENT
27	BRICK
28	ROOF
29	FOUNDATION
30	FOUNDATION
31	FOUNDATION
32	FOUNDATION
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39	FOUNDATION
40	FOUNDATION

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SURVEYOR'S CERTIFICATE

I, the undersigned, Jonathan Howard, a duly licensed Surveyor in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client.

Jonathan Howard
Surveyor
September 30, 2020

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DeKalb Parcels

PARCEL DESCRIPTION

R-60

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 260 & 289 of the 18TH District, DeKalb County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from a point at the intersection of the westerly right-of-way line of Old Norcross-Tucker Road (80' R/W) and the southerly right-of-way of Britt Road (R/W Varies); thence along said right-of-way line of Old Norcross-Tucker Road South 0 degrees 35 minutes 56 seconds West a distance of 235.39 feet to a point; thence leaving said right-of-way line North 87 degrees 58 minutes 55 seconds West a distance of 777.79 feet to a point; thence South 0 degrees 34 minutes 9 seconds West a distance of 733.80 feet to a point; thence South 02 degrees 10 minutes 4 seconds West a distance of 208.97 feet to a point, thence North 73 degrees 16 minutes 59 seconds West a distance of 427.93 feet to a point, thence North 43 degrees 29 minutes 05 seconds West a distance of 324.77 feet to a point and the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING, thence South 45 degrees 18 minutes 50 seconds West a distance of 753.34 feet to a point; thence South 22 degrees 45 minutes 05 seconds West a distance of 536.04 feet to a point; thence North 76 degrees 25 minutes 11 seconds West a distance of 309.52 feet to a point; thence North 21 degrees 42 minutes 08 seconds West a distance of 150.00 feet to a point; thence with a curve turning to the right with an arc length of 49.44 feet, with a radius of 125.00 feet, with a chord bearing of South 80 degrees 02 minutes 23 seconds West, with a chord length of 49.12 feet, to a point; thence North 88 degrees 37 minutes 43 seconds West a distance of 155.79 feet to a point;

thence with a curve turning to the right with an arc length of 193.83 feet, with a radius of 125.00 feet, with a chord bearing of North 44 degrees 12 minutes 25 seconds West, with a chord length of 174.98 feet, to a point; thence North 00 degrees 12 minutes 54 seconds East a distance of 955.21 feet to a point; thence South 89 degrees 47 minutes 06 seconds East a distance of 25.00 feet to a point; thence North 13 degrees 00 minutes 02 seconds East a distance of 80.00 feet to a point; thence North 53 degrees 02 minutes 17 seconds West a distance of 100.92 feet to a point; thence North 89 degrees 47 minutes 06 seconds West a distance of 138.57 feet to a point; thence North 00 degrees 18 minutes 36 seconds West a distance of 83.74 feet to a point; thence North 00 degrees 11 minutes 33 seconds West a distance of 582.06 feet to a point; thence North 01 degree 19 minutes 0 seconds West a distance of 623.27 feet to a point on the southerly right-of-way line of Britt Road (80' R/W); thence along said right-of-way line the following courses and distances: South 79 degrees 37 minutes 19 seconds East a distance of 11.79 feet to a point; thence South 43 degrees 30 minutes 56 seconds East a distance of 764.44 feet to a point; thence South 43 degrees 27 minutes 33 seconds East a distance of 595.94 feet to a point; thence South 43 degrees 34 minutes 13 seconds East a distance of 278.75 feet to a point; thence South 43 degrees 27 minutes 32 seconds East a distance of 336.36 feet to a point; thence South 43 degrees 29 minutes 5 seconds East a distance of 353.68 feet to a point; thence South 45 degrees 18 minutes 50 seconds West a distance of 753.34 feet to a point; thence South 22 degrees 45 minutes 5 seconds West a distance of 566.20 feet to a point to a point and the TRUE POINT OF BEGINNING.

Said tract containing 50.290 acres.

PARCEL DESCRIPTION
R-75 Parcel


ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 260 & 289 of the 18TH District, DeKalb County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from a point at the intersection of the westerly right-of-way line of Old Norcross-Tucker Road (80' R/W) and the southerly right-of-way of Britt Road (R/W Varies); thence along said right-of-way line of Old Norcross-Tucker Road South 0 degrees 35 minutes 56 seconds West a distance of 235.39 feet to a point; thence leaving said right-of-way line North 87 degrees 58 minutes 55 seconds West a distance of 777.79 feet to a point; thence South 00 degrees 34 minutes 09 seconds West a distance of 733.80 feet to a point; thence South 02 degrees 10 minutes 04 seconds West a distance of 208.97 feet to a point and the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING, thence South 02 degrees 10 minutes 4 seconds West a distance of 773.70 feet to a point; thence South 02 degrees 12 minutes 39 seconds West a distance of 602.78 feet to a point; thence South 82 degrees 11 minutes 12 seconds West a distance of 303.11 feet to a point; thence South 84 degrees 38 minutes 29 seconds West a distance of 104.10 feet to a point; thence South 84 degrees 47 minutes 27 seconds West a distance of 102.20 feet to a point; thence South 84 degrees 27 minutes 41 seconds West a distance of 39.28 feet to a point; thence South 81 degrees 30 minutes 28 seconds West a distance of 62.70 feet to a point; thence South

81 degrees 23 minutes 38 seconds West a distance of 53.78 feet to a point; thence North 77 degrees 16 minutes 22 seconds West a distance of 49.20 feet to a point; thence North 77 degrees 16 minutes 02 seconds West a distance of 51.06 feet to a point; thence North 85 degrees 22 minutes 21 seconds West a distance of 50.00 feet to a point; thence North 85 degrees 12 minutes 11 seconds West a distance of 100.54 feet to a point; thence North 85 degrees 31 minutes 43 seconds West a distance of 117.89 feet to a point; thence North 88 degrees 20 minutes 42 seconds West a distance of 258.71 feet to a point; thence South 89 degrees 11 minutes 31 seconds West a distance of 151.30 feet to a point; thence North 50 degrees 44 minutes 15 seconds West a distance of 15.20 feet to a point; thence North 18 degrees 13 minutes 59 seconds East a distance of 713.76 feet to a point; thence North 76 degrees 25 minutes 11 seconds West a distance of 114.91 feet to a point; thence North 76 degrees 25 minutes 11 seconds West a distance of 314.23 feet to a point; thence South 01 degrees 27 minutes 04 seconds West a distance of 60.05 feet to a point; thence North 86 degrees 38 minutes 49 seconds West a distance of 536.04 feet to a point; thence North 00 degrees 18 minutes 55 seconds East a distance of 41.00 feet to a point; thence North 00 degrees 13 minutes 15 seconds East a distance of 552.86 feet to a point; thence North 00 degrees 06 minutes 05 seconds East a distance of 100.06 feet to a point; thence North 00 degrees 18 minutes 36 seconds West a distance of 715.77 feet to a point; thence South 89 degrees 47 minutes 06 seconds East a distance of 138.57 feet to a point; thence South 53 degrees 02 minutes 17 seconds East a distance of 100.92 feet to a point; thence South 13 degrees 00 minutes 02 seconds West a distance of 80.00 feet to a point; thence North 89 degrees 47 minutes 06 seconds West a distance of 25.00 feet to a point; thence South 00 degrees 12 minutes 54 seconds West a distance of 955.21 feet to a point; thence with a curve turning to the left with an arc length of 193.83 feet, with a radius of 125.00 feet, with a chord bearing of South 44 degrees 12 minutes 25 seconds East, with a chord length of 174.98 feet, to a point; thence South 88 degrees 37 minutes 43 seconds East a distance of 155.79 feet to a point; thence with a curve turning to the left with an arc length of 49.44 feet, with a radius of 125.00 feet, with a chord bearing of North 80 degrees 02 minutes 23 seconds East, with a chord length of 49.12 feet, to a point; thence South 21 degrees 42 minutes 08 seconds East a distance of 150.00 feet to a point; thence South 76 degrees 25 minutes 11 seconds East a distance of 309.52 feet to a point; thence North 22 degrees 45 minutes 05 seconds East a distance of 536.04 feet to a point; thence North 45 degrees 18 minutes 50 seconds East a distance of 753.34 feet to a point; thence South 43 degrees 29 minutes 05 seconds East a distance of 324.77 feet to a point; thence South 73 degrees 16 minutes 59 seconds East a distance of 427.93 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 52.770 acres.

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2011081717 DEED BOOK 22450 Pg 113

Filed and Recorded:
4/28/2011 10:23:07 AM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia
Real Estate Transfer Tax \$0.00

After recording return to:
Cheryl K. Short, Esq.
Cohen Pollock Merlin & Small P.C.
3350 Riverwood Parkway, Suite 1600
Atlanta, GA 30339-3359

STATE OF GEORGIA
COUNTY OF DeKalb

EXECUTOR'S DEED
(DeKalb County)

THIS INDENTURE made and entered into as of the 22 day of April, 2011, by and between **LLOYD SANFORD BURNS, III, NOT INDIVIDUALLY, BUT SOLELY AS EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF MARY ALICE GRIM, A/K/A MARY ALICE BURNS GRIM, DECEASED** (hereinafter referred to as the "Deceased"), late of Fulton County, Georgia (hereinafter referred to as "Grantor"), and **BURNS GOLF COURSE, LLC**, a Georgia limited liability company, (hereinafter referred to as "Grantee")(the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

GRANTOR (acting under and by virtue of the power and authority contained in Item XX of the Will of the Deceased, dated April 22, 2009, it having been duly probated and filed on January 19, 2010, in the Court of Probate of Fulton County, Georgia), for and in consideration of the sum of Ten Dollars (\$10) in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee, all of Grantor's right, title and interest in and to all those tracts or parcels of land, more particularly described in the Exhibit "A", attached hereto and made a part hereof, together with all improvements, structures or fixtures located therein or thereon (the "Property"), subject to ad valorem real property taxes for the year 2011 and subsequent years, not yet due and payable, all easements, rights of way, encumbrances, liens, leases, agreements, covenants and restrictions of record, if any, all matters that would be shown by a current and accurate survey and inspection of the Property, and zoning

672658

ordinances.

AND Grantor's interest in the Property is more particularly set forth as follows: Tracts 1, 2, 5, 6, and 7 (an undivided 1/2 interest as tenant in common), Tract 3 (an undivided 1/4 interest as tenant in common) and Tract 4 (an undivided 3/8 interest as tenant in common).

TO HAVE AND TO HOLD the Property with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, IN FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

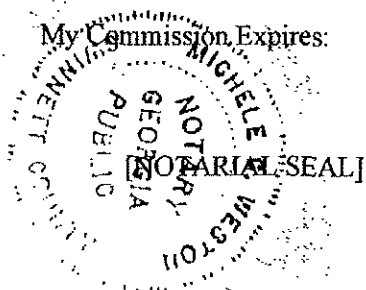
IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, the day and year first above written.

Lloyd Sanford Burns, III
LLOYD SANFORD BURNS, III, NOT INDIVIDUALLY, BUT SOLELY AS EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF MARY ALICE GRIM, A/K/A MARY ALICE BURNS GRIM, DECEASED

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

Michele C Weston
Notary Public



672658

EXHIBIT "A"

LEGAL DESCRIPTION

Tract 1:

all that tract or parcel of land lying and being in Land Lots 260 and 289 of the 18th Land District of DeKalb County, Georgia, and in Land Lot 165 of the 6th Land District Gwinnett County, Georgia, and more particularly described as follows:

Beginning at an iron pin on the Southeast corner of the D. D. Ingersoll lands, where said lands corner with lands formerly owned by Paul Matthews, now Lashley (said pin being at a point South 87 and 3/4 degrees West 932 feet from the center of the old Norcross road and the dividing line between the Ingersoll and Matthews, now Lashley lands); thence running South 1 degree and 14 minutes West 1582.8 feet, more or less, to an iron pin on old road if projected; thence West along old road 1454.1 feet to an iron pin on line between the Harrington and Moore properties, thence North 17 degrees 17 minutes to an iron pin on line between the Carlton lands and ~~xxxx~~ property of grantor, thence Northeasterly along the property line between the Carlton lands and property of grantor to the center of branch or creek; thence Northwesterly along the center of said branch or creek to, and across the dam and on to the Ingersoll property line, and thence South along the Ingersoll property line to the point of beginning, containing fifty two acres, more or less

Tract 2:

Land Lots 260 and 289 of the 18th Land District of DeKalb County, Georgia, and more particularly described as follows: Beginning at a rock corner at the corner of land lots 288, 289, 260 and 261 of said land district and running thence N. 1 degree 27 Min., West along the line between land lots 288 and 289 of said land district, a distance of 1022 feet to an iron pin at a branch; running thence along the center of said creek or branch before lake was built, a distance of 1700 feet, more or less, to an iron pin on the land line of grantees by deed from grantor dated December 1, 1965 and recorded in deed book 2055, page 153, of the deed records of said county; thence running in a southerly direction along the property line of grantees, as aforesaid, to an iron pin, a distance of approximately 795 feet on the southern boundary of grantor's lands; running thence N. 77 degrees 32 minutes West 357 feet to an iron pin and thence S. 0 degrees 15 minutes West a distance of 60 feet to an iron pin, and thence N 87 degrees 48 minutes West 536.4 feet to an iron pin, ^{on} the land lot line of land lots 260 and 261; and running thence North 0 degrees and 55 minutes West, along said land lot line 553 feet to the point of beginning, and containing 25 acres, more or less, according to survey made by S. H. Fields, Gwinnett County Surveyor, of L. S. Burns property dated April 6, 1966, to which reference is hereby made for a more accurate description.

672658

EXHIBIT "A" (Continued)

LEGAL DESCRIPTION

Tract 3:

all that tract or parcel of

land lying and being in Land Lot 289 of the 18th Land District of DeKalb county, Georgia, and more particularly described as follows:

Beginning at an iron pin on the land line between Land Lots 288 and 289, a distance of 1022 feet from the corner of Land Lots 260, 261, 288 and 289, and thence running North along the land line between Land Lots 288 and 289 to the Gwinnett County line; running thence in a ~~Northwesterly~~ ^{Northwesterly} direction on and along the Gwinnett County line to a creek on the land line of lands owned by Sanford Burns and Mary Alice Grim, thence in a Southwesterly direction on and along the land line between said property and the Sanford Burns and Mary Alice Grim property to the land line between said parties on the South, and running thence on and along the land line between the property hereby conveyed and lands belonging to Sanford Burns and Mary Alice Grim to the point of beginning, said property being in the Northwest corner of Land Lot 289 of said county, and more particularly described and indicated as ~~xxx~~ ^{thirty-four acres (34 A.)} on plat of S. R. Fields, Gwinnett County Surveyor made for L. S. Burns on April 6, 1966. Said lands bounded on the North and Northeast by the Gwinnett County line; on the west by a creek and the property of Sanford Burns and Mary Alice Grim; on the South and Southwest by lands of Sanford Burns and Mary Alice Grim; and on the West lands of Sanford Burns and Mary Alice Grim and the line between Land Lots 288 and 289 from the point of the above named beginning.

~~Tract 4:~~

All that tract and parcel of land

~~lying and being in Land Lot 167 of the 6th District of Gwinnett County, Georgia and more particularly described as follows: Beginning at the point where the Gwinnett & DeKalb county line intersects with Britt road and running thence southeasterly along said county line to the Land Lot line between Land Lots 166 and 167 of said Land District; thence running north-easterly along the land lot line between Land Lots 166 and 167 to the corner of Land Lots 166, 167, 165 and 168 of said land district; thence running northwesterly along the land lot line between Land Lots 167 and 168 to Britt road; and running thence westerly along Britt road to the point of beginning, and containing approximately twenty-five acres of land.~~

672658

EXHIBIT "A" (Continued)

LEGAL DESCRIPTION

~~Tract 5:~~

all that tract and parcel of land lying and being in
Land Lots Numbers 165 and 166 of the Sixth Land District of Gwinnett
County, Georgia, and more particularly described as follows:

Beginning at the point where Land Lot line between Land Lots 165 and 168 of said Land District intersects with the South side of Britt road and running thence Southeasterly along the South side of Britt road to the West side of the old Norcross road; thence running in a Southerly direction along the West side of the old Norcross road, a distance of 240 feet, more or less, to the lands now, or formerly, owned by D. D. Ingersoll, running thence N. 89 degrees, 15 minutes W. along the fifty foot road set apart by Lloyd Sanford Burns and D. D. Ingersoll between their respective lands, a distance of 778.6 feet, more or less, to an iron pin located at the Northeast corner of the said Ingersoll property; running thence South 0 degrees, 38 minutes E, in a Southerly direction to Lucky Shoals Creek at or near the lake spillway; thence running in a Southwesterly direction along the course of said Lucky Shoals Creek as it was before the building of said lake and through said lake to the Gwinnett-DeKalb County line; running thence in a Northwesterly direction along said county line to the point where the line between Land Lots 166 and 167 of said Land District, intersects with said county line; and running thence Northeasterly along the Land Lot line between Land Lots 166, 167, 165 and 168 to the South side of Britt road and the point of beginning, containing 26 acres, more or less, and being all the lands belonging to said testate lying and being North of the Gwinnett-DeKalb county line and South of Britt road in Gwinnett County, and more particularly described in a plat of a survey made by S. R. Fields, Gwinnett County Surveyor, dated April 6, 1966.

~~Tract 6:~~

~~that tract or parcel of land lying and being in Land Lot 165 of the 6th land district of Gwinnett County, Georgia, and being more particularly described as follows:~~

~~Beginning at an iron pin corner of Paul Matthews property and other property of L. S. Burns, which said iron pin corner is S. 87 3/4 degrees W. 932 feet from the center of the Tucker and Norcross Road, some times called the Old Tucker and Norcross Road; thence running N. 31 degrees W. 495 feet to an iron pin corner of other property of L. S. Burns; thence N. 68 1/2 degrees E. 350 feet, more or less, to an iron pin corner of and being the southwest corner of the property this day deeded by L. S. Burns to Nelle E. Ingersoll, and thence running due south 515 feet, more or less, to the point of beginning, and being tract two (2) of the plat and survey made by S. R. Fields on Sept. 18, 1954.~~

EXHIBIT "A" (Continued)

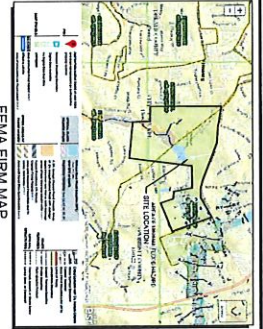
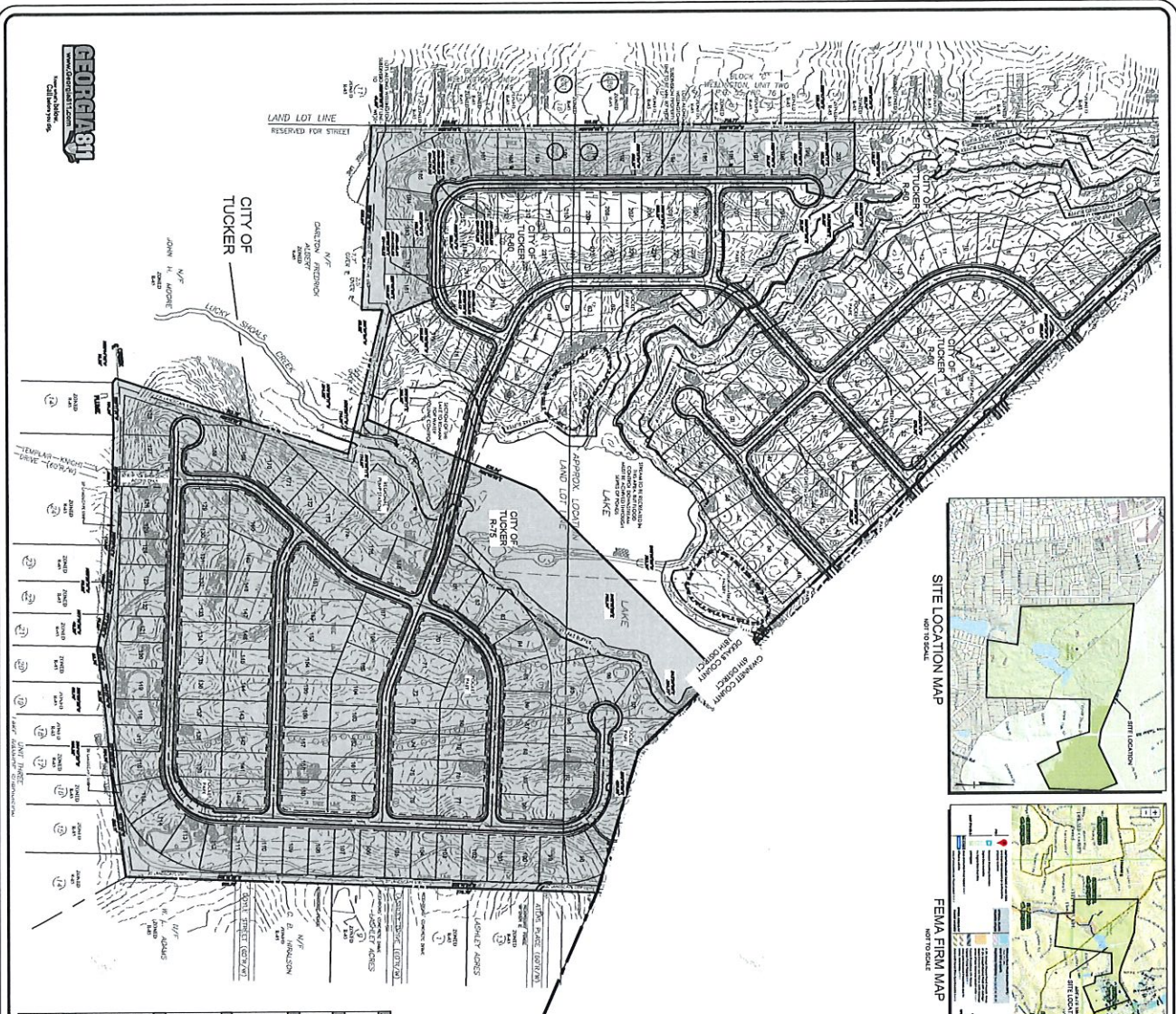
LEGAL DESCRIPTION

Tract 7:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 165 of the 6th District of Gwinnett County, Georgia, containing 46.2936 acres, and being depicted and designated as Tract No. 1, containing 20.8794 acres and Tract No. 2 containing 25.4142 acres, on that certain plat of survey for Lloyd S. Burns, Jr. dated June 27, 1996 and prepared by Hannon, Meeks and Bagwell, Surveyor and Engineers, Inc., Miles H. Hannon, GRLS No. 1528, and being more particularly described as follows:

Beginning at the intersection of the easterly right of way of Old Norcross-Tucker Road (an 80 feet right of way) with the southerly right of way of Britt Road (an 80 feet right of way); running thence along the southerly right of way Britt Road following the curvature thereof an arc of 466.23 feet, a radius of 1300.06; north 71 degrees 37 minutes 19 seconds east, 463.74 feet to a point; thence continuing along the southerly right of way of Britt Road north 61 degrees 20 minutes 53 seconds east 213.50 feet to a point; continuing thence along the southerly right of way of Britt Road and following the curvature thereof an arc of 180.37 feet, a radius of 2054.78, north 58 degrees 50 minutes 00 seconds east a distance of 180.31 feet to a point; continuing thence along the southerly right of way of Britt Road north 56 degrees 19 minutes 07 seconds east 81.14 feet to a point; continuing thence along the southerly right of way of Britt Road and following the curvature thereof an arc of 301.78 feet, a radius of 2247.22 feet, north 63 degrees 09 minutes 57 seconds east, 301.55 feet to a 1/2 inch rebar located on the southerly right of way of Britt Road; thence leaving said right of way south 22 degrees 23 minutes 21 seconds east 404.40 feet to a point; continuing thence south 22 degrees 23 minutes 21 seconds east a distance of 1,159.45 feet to a 1/2 inch rebar in concrete; thence south 65 degrees 31 minutes 46 seconds west 1,252.19 feet to a 1/2 inch rebar; thence north 20 degrees 59 minutes 40 seconds west 284.86 feet to a 1/2 inch rebar; thence 21 degrees 09 minutes 37 seconds west 221.58 feet to a 1/2 inch pipe; thence south 70 degrees 52 minutes 53 seconds west 213.28 feet to 1/2 inch rebar located on the easterly right of way of Old Norcross-Tucker Road; thence along the right of way of Old Norcross-Tucker Road north 15 degrees 44 minutes 53 seconds west 191.41 feet to a point; thence continuing along the Old Norcross-Tucker Road right of way north 15 degrees 05 minutes 37 seconds west 162.23 feet to a point; thence continuing along the Old Norcross-Tucker Road right of way north 15 degrees 05 minutes 37 seconds west 151.08 feet to a point; thence continuing along the easterly right of way of Old Norcross-Tucker Road following the curvature thereof an arc of 354.26 feet, a radius of 1392.39 feet, north 07 degrees 48 minutes 17 seconds west, 353.30 feet to a point; thence continuing along the easterly right of way of Old Norcross-Tucker Road north 00 degrees 30 minutes 58 seconds west 188.25 feet to a point located at the intersection of the easterly right of way of Old Norcross-Tucker Road with the southerly right of way Britt Road, which is the point of beginning.

LESS AND EXCEPT those portions of the above-described tracts conveyed by Right of Way Deeds recorded in Deed Book 251, page 575; Deed Book 1196, page 310; Deed Book 1229, page 236; Deed Book 1596, page 110; Deed Book 13853, page 219; and Deed Book 14059, page 67, Gwinnett County, Georgia records.



**CITY OF TUCKER
R-75 ZONED AREA**

- HEATED FLOOR AREA CRITERIA:**
1. ATTACHED HOME: 1,600 SF
 2. DETACHED 40' MANCH: 1,000 SF
 3. DETACHED 40' 2 STORY: 1,800 SF
 4. DETACHED 50' 2 STORY: 2,500 SF

PROPERTY ADDRESS	OWNER	HEATED FLOOR AREA	ZONING
1000 W. WINDY HILL	R-75
...	R-75
...	R-75

PROPERTY ADDRESS	OWNER	HEATED FLOOR AREA	ZONING
1000 W. WINDY HILL	R-75
...	R-75
...	R-75

HERITAGE ON THE LAKE

A MASTER PLANNED MIXED USE COMMUNITY

FOR

LENNAR-Georgia

LAND LOT 163
880 DISTRICT, DUNWOODY COUNTY, GEORGIA

LAND LOTS 293 & 292
16th DISTRICT, DEKALB COUNTY, GEORGIA

PLANNERS AND ENGINEERS COLLABORATIVE
 SITE PLANNING ■ LANDSCAPE ARCHITECTURE ■ CIVIL ENGINEERING ■ LAND SURVEYING
 ■ 350 RESEARCH COURT ■ PEACHTREE CORNERS, GEORGIA 30092 ■ (770) 451-2741 ■ FAX (770) 451-3915 ■

REVISIONS:

NO.	DATE	BY	DESCRIPTION
1

TUCKER ZONING AREA EXHIBIT

SCALE: 1" = 150'

DATE: AUGUST 31, 2020

PROJECT: 20076.00A

THIS SCALE ONLY VALID IF COURTESY SIGNED AND DATED WITH AN ORIGINAL, SIGNATURE.

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Community Development Department

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LENNAR

Alden



Elevation P



Elevation N



Elevation M



Elevation H



Elevation G



Elevation F



Elevation E
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Department

RZ-20-0001

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* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

Briarwood



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E

Brunswick



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E



Elevation F



Elevation G



Elevation H

LENNAR

Chatsworth II



Elevation A



Elevation B



Elevation C



Elevation D

LENNAR.COM/ATLANTA

* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

LENNAR

Chesapeake



Elevation A



Elevation B



Elevation C

LENNAR.COM/ATLANTA

* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

Crestwood



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E

LENNAR

Darlington



Elevation P



Elevation N



Elevation M



Elevation L



Elevation K



Elevation H



Elevation G



Elevation F

LENNAR.COM

* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

LENNAR

Fraser



Elevation I



Elevation H



Elevation G



Elevation F



Elevation E



Elevation D



Elevation C



Elevation B



Elevation A

LENNAR.COM/ATLANTA

* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

Wilmington II



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E

Environmental Site Analysis Form

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN. Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project. Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

The Tucker Tomorrow Comprehensive Plan's ("Comprehensive Plan")¹ Character Area Map ("CAM") and Future Land Use Map ("FLUM")² designation for the Property are both Suburban.³ The Suburban CAM and FLUM designation consists of "largely single-family homes and lower density residential development."⁴ This is the same designation for all abutting property and the majority of the property in the area with the exception of commercial properties at the intersection of Chamblee-Tucker Road and Britt Road which according to the FLUM are designated Neighborhood Center. The Proposed Zoning is consistent with the FLUM's Suburban land-use designation for the Property. The Proposed Density (1.68 units per acre) is well under the Comprehensive Plan's "up to 4 units per acre" allowance within the Suburban Character Area.⁵

In addition to compliance with the CAM and FLUM, the Proposed Zoning furthers numerous goals of the Comprehensive Plan, including:

- a) **"In the development of new residential uses within Tucker, focus on creating more urban, walkable neighborhoods that provide enhanced connectivity to jobs and amenities."⁶**
- b) **"Ensure that Tucker continues to provide a range of quality housing choices at a variety of price points."⁷**
- c) **"Preserve and Improvement Neighborhoods" "with the expansion of opportunities for households of all ages and income levels to remain Tucker or move into our community"⁸**
- d) **"ensure the City's housing stock continues to include a range of prices, including affordable homes that would be attractive to first-time home buyers."⁹**
- e) **"The most common type of single-family homes, the ranch style home, was observed over the course of this study to be a major contributor to Tucker's**

¹ The Comprehensive Plan serves to help "guide to future land development" See, pg. 2.

² The FLUM "is the guiding document that [City planning] staff uses in developing recommendations for rezoning applications." Comprehensive Plan, pg. 58.

³ Comprehensive Plan, pg. 48, 59.

⁴ Comprehensive Plan, pg. 12.

⁵ Comprehensive Plan, pg. 49.

⁶ Comprehensive Plan, pg. 9.

⁷ Id.

⁸ Comprehensive Plan, pg. 14.

⁹ Comprehensive Plan, pg. 32.

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Department

RZ-20-0001

success as a community”. “Additionally, the one-level living [of ranch homes] is desirable to those with mobility limitations.”¹⁰

- f) “To preserve the stability of Tucker’s existing neighborhoods into the future, it will be important to ensure development of properties in close proximity to neighborhoods provide adequate transition through setbacks, buffering and other measures.”¹¹

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT. For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

- a. Wetlands

There are two wetlands on the Tucker Property, one to the west and the other to the south of Burns Lake. See attached Site Waters Map. Applicant will comply with applicable law governing wetlands.

- b. Floodplain

There is one open waterbody on the Tucker Property, Lake Burns. See attached Site Waters Map. Applicant will comply with applicable law governing floodplains

- c. Streams/stream buffers

There is both the perennial Lucky Shoals Creek and in intermittent stream that flow into Burns Lake on the Tucker Property. Applicant will comply with both the 50’ undisturbed natural vegetative buffer and the 25’ foot beyond the undisturbed natural vegetative buffer in which all impervious cover is prohibited.

- d. Slopes exceeding 25 percent over a 10-foot rise in elevation

The topography across the site is medium sloping with few slopes exceeding 3:1 in steepness.

- e. Vegetation

There will be no unauthorized removal of vegetation within any required buffers. Removal of trees will be accomplished only after approval by Tucker of developer’s tree plan. Tree replacement will occur as required by Tucker City Code.

- f. Wildlife Species (including fish)

Currently, there is wildlife on the golf course and surrounding neighborhoods. During construction, wildlife migration is typical and expected but not far and, based

¹⁰ Comprehensive Plan, pg. 32.

¹¹ Comprehensive Plan, pg. 34.

on experience, returns upon completion. Burns Lake and streams feeding into it will be rehabilitated and preserved and protected by buffers which is the natural habitat for wildlife.

g. Archeological/Historical Sites

Based on field observations, there are no known archeological/historic sites on the Property. Nor are there any noted in the chain of title.

3. PROJECT IMPLEMENTATION MEASURES. Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

Grading, erosion control, sedimentation control, water quality control and drainage plans will be prepared under the supervision of a currently state-registered professional for project planning and design. These plans will be reviewed and first approved by responsible government officials before any land disturbance activity occurs.

b. Protection of water quality

The stormwater measures will meet the strict requirements of the City of Tucker. All stormwater runoff will be captured in on-site stormwater management ponds, stored and released into Burns Lake and/or Lucky Shoals Creek consistent with applicable environmental requirements. Burns Lake will be upgraded to meet stormwater requirements for the site. Applicant is conducting studies, known as bathymetric surveys, for lake topography. Applicant will work with the Environmental Protection Division to study the entire drainage area. The development will provide extra volume storage within Burns Lake as well as water quality/filtration ponds adjacent to the lake. Applicant will study the dam breach zone downstream from the development and also any hydrology impact to ensure no adverse downstream impacts.

c. Minimization of negative impacts on existing infrastructure

The development will separate water and sewer between the respective counties, meaning all water and sewer for lots in Tucker/DeKalb County will be served by DeKalb County. Likewise, all water and sewer for lots in Gwinnett County will be served by Gwinnett County. For additional background information, currently, water and sewer in the surrounding neighborhoods on the Tucker/ DeKalb County side gravity flow into Gwinnett water and sewer infrastructure. This development will be the catalyst, as desired by both counties, to reverse flow property in DeKalb County back into DeKalb County via a regional pump station for treatment at DeKalb County's existing treatment plants. Applicant is in conversation with DeKalb County and Gwinnett County to coordinate this undertaking.

- d. Minimization on archeological/historically significant areas

Based on field observations, there are no known archeological/historic sites on the Property. Nor are there any noted in the chain of title.

- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

The areas surrounding the Property do not meet the definition of ‘environmentally stressed community’. As such, this consideration is not applicable.

- f. Creation and preservation of green space and open space

A 20’ greenspace buffer where the Property abuts residential zoning in Tucker. Existing natural tree buffers and sidewalks between Britt Road and the Property will be maintained. Burns Lake as well as existing green and open space surrounding the lake will be preserved and rehabilitated as the flagship amenity. Pocket parks are proposed throughout the development as shown on the site plan. There will be sidewalks that connect to these pocket parks as well as to amenities including Burns Lake and the neighborhood retail.

- g. Protection of citizens from the negative impacts of noise and lighting

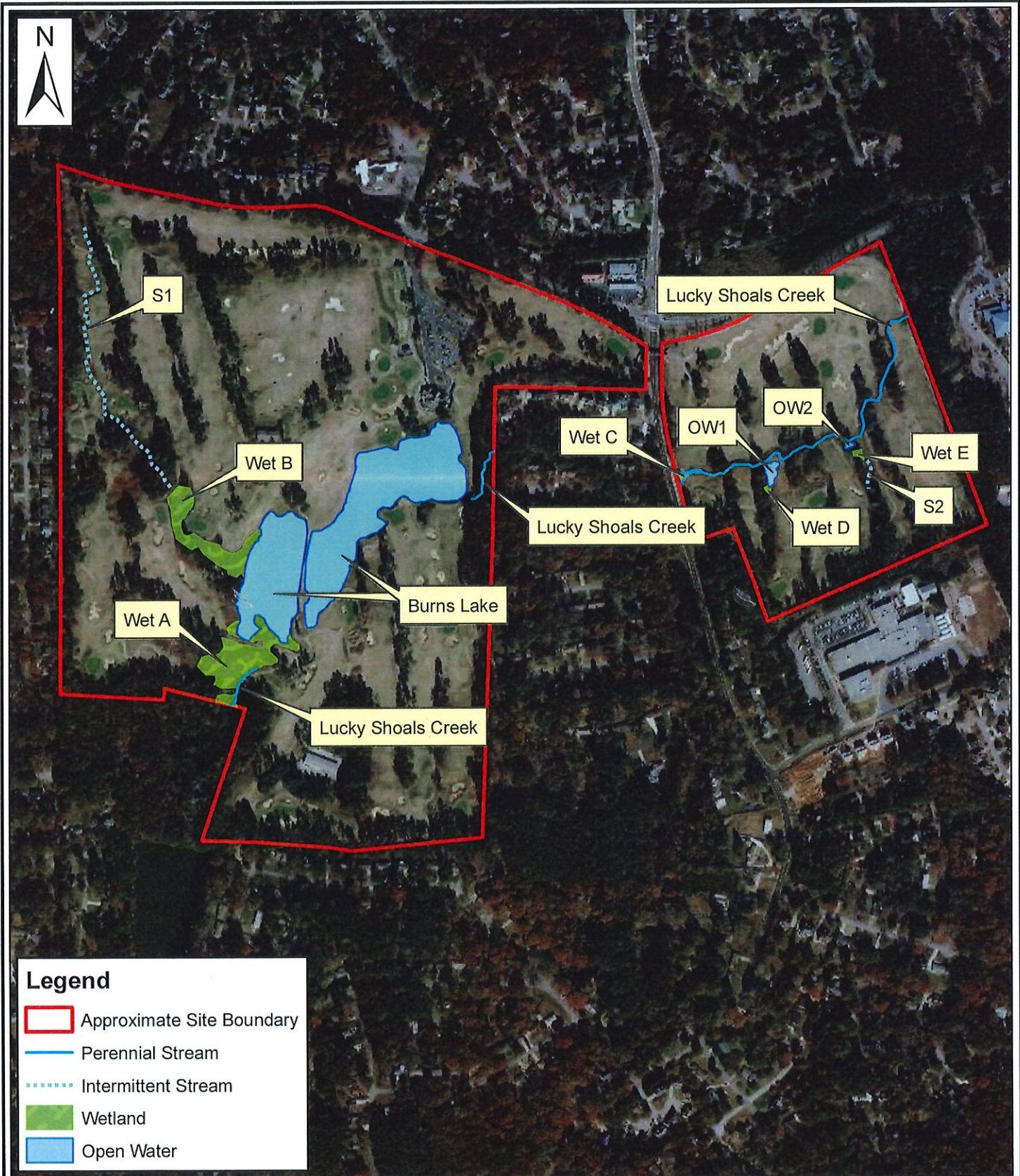
All construction traffic will enter and leave from Britt Road only. Development will comply with hours of operation for construction based on the jurisdiction. Currently, construction hours in Tucker are 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. In addition, construction signs will be posted which include contact information.

- h. Protection of parks and recreational green space

A 20’ greenspace buffer where the Property abuts residential zoning in Tucker. Existing natural tree buffers and sidewalks between Britt Road and the Property will be maintained. Burns Lake as well as existing green and open space surrounding the lake will be preserved and rehabilitated as the flagship amenity. Pocket parks are proposed throughout the development as shown on the site plan. There will be sidewalks that connect to these pocket parks as well as to amenities including Burns Lake and the neighborhood retail.

- i. Minimization of impacts to wildlife habitats

Best-management environmental practices such as silt fences and observance of mandated stream buffers will help to minimize impact to existing wildlife habitats. Rehabilitation of Burns Lake will help long-term to ensure continuance of wildlife habitat.



Base Map Source: ESRI Aerial Imagery

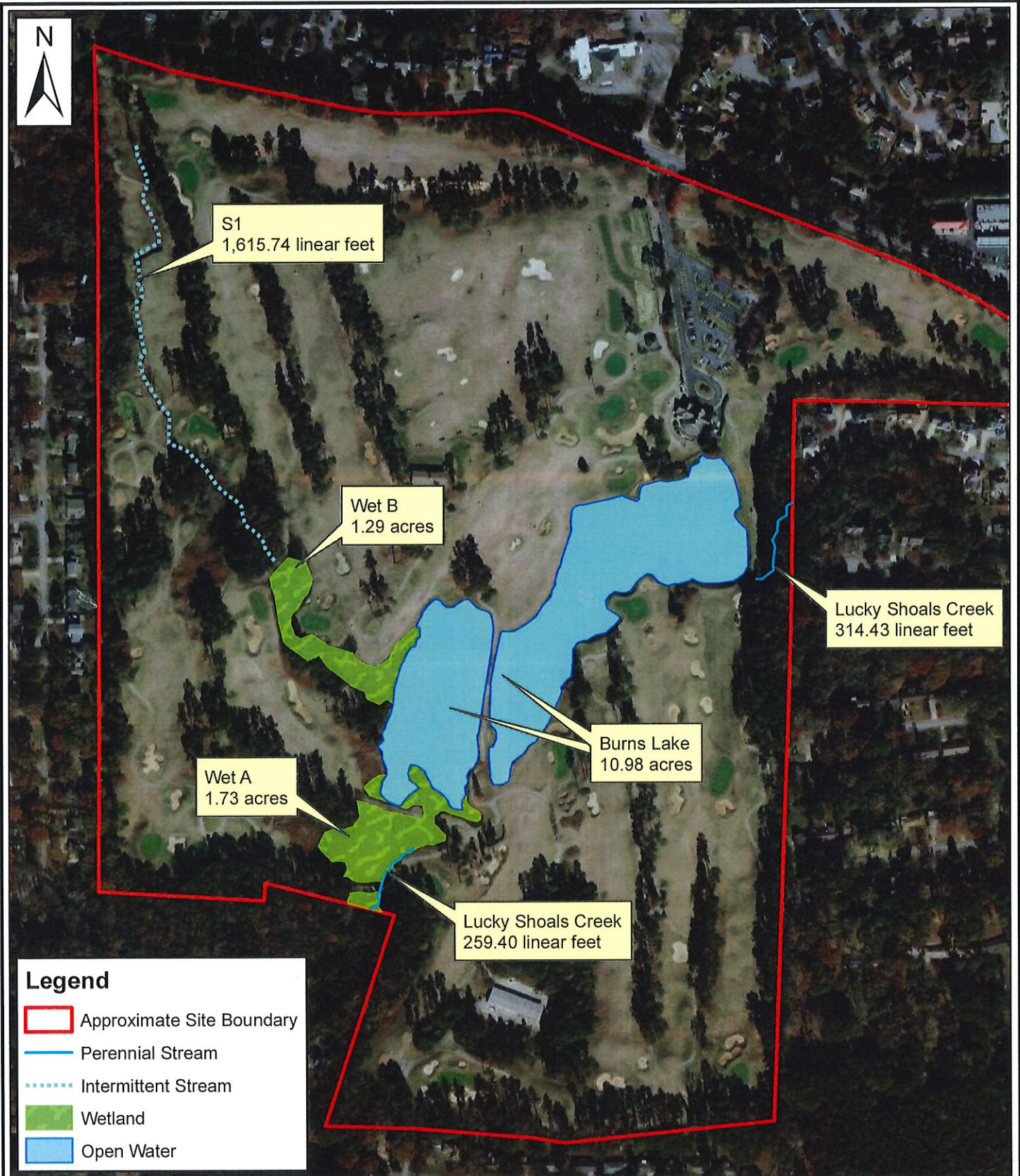
1:8,000



Heritage Golf Links
 Lennar Homes
 DeKalb and Gwinnett
 Counties, Georgia



Figure 3
 Site Waters Overall Map
 Project No. 02-061620



Base Map Source: ESRI Aerial Imagery
 Please Note: All Measurements are Approximate

1:5,000



Heritage Golf Links
 Lennar Homes
 DeKalb and Gwinnett
 Counties, Georgia



Figure 3a
 Site Waters Map
 Project No. 02-061620



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.aren.com

RZ-20-0001

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Community Development
Department

Heritage Golf Links, City of Tucker, GA (DRI #TBD)

Methodology Meeting

General Description of the Development

The proposed development is located to the southwest and southeast of the intersection of Britt Road and Old Norcross Tucker Road. Part of the site is located in Gwinnett County, while another part is located in the City of Tucker. The proposed development includes 341 single family homes, 325 multifamily homes, and 11,000 sf of retail space.

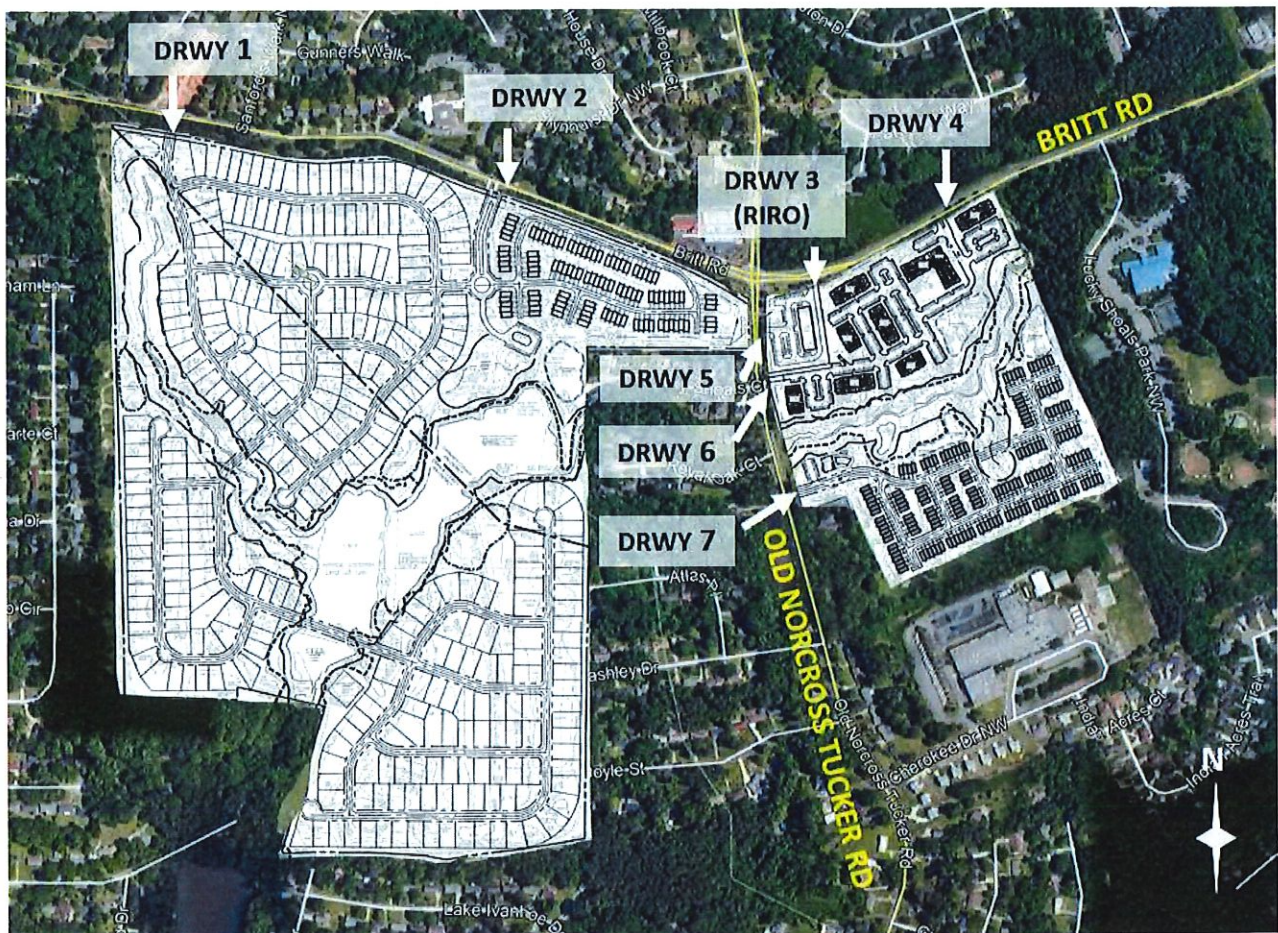


Figure 1 – Site Overlay

In general, the site is located to the east of I-285 and to the south of I-85. The site is also located north of Lawrenceville Highway and to the west from Jimmy Carter Boulevard. The location of the site with respect to the adjacent roadway network is shown as Figure 2 on the next page.

Project Phasing and Build-out Schedule

For this preliminary traffic study, the proposed site build-out is estimated to be completed in four years.

Site Access

The proposed development includes 7 site accesses along Britt Road and Old Norcross Tucker Road. There is a lake and stream along the middle of the western and eastern side of the properties, requiring multiple access points.

The western side of the development proposes the following site access points:

1. Driveway 1: Full access driveway on Britt Road for residential trips, to the west of Old Norcross Tucker Road
2. Driveway 2: Full access driveway on Britt Road for residential trips, to the west of Old Norcross Tucker Road

The eastern side of the development proposes the following site access points:

3. Driveway 3: Right-in/Right-out driveway on Britt Road for retail trips, to the east of Old Norcross Tucker Road
4. Driveway 4: Full access driveway on Britt Road for residential trips, to the east of Old Norcross Tucker Road
5. Driveway 5: Full access driveway on Old Norcross Tucker road for retail trips, to the south of Britt Road
6. Driveway 6: Full access driveway on Old Norcross Tucker for residential trips, to the south of Britt Road
7. Driveway 7: Full access driveway on Old Norcross Tucker road for residential trips to the south of Britt Road

Peak Periods

It is proposed that the AM peak hour (highest between 7:00 – 9:00 AM) and the PM peak hour (highest between 4:00 – 6:00 PM) be included in the analysis.

LOS Standards

The level-of-service standard for the roadways and intersections in the study area is LOS "D". Roadways that are found to currently operate at LOS "E" or "F" in the area will be evaluated for the LOS standard "E".

Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 10th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the following ITE Land Use: 210 – *Single Family Detached Housing*, 220 – *Multifamily Housing (Low Rise)* and 820 – *Shopping Center*. The calculated total trip generation for the western portion of the development is shown in Table 1 and the eastern portion of the development is shown in Table 2. The ITE published pass-by rate for the land use shopping center was included in the trip generation calculation, as shown in Table 2.

Land Use	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	2-way
Single-Family Detached Housing	341	62	185	247	208	122	330	3,214
Multifamily Housing (Low-Rise)	104	11	39	50	39	22	61	745
Total		73	224	297	247	144	391	3,959

Land Use	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	2-way
Multifamily Housing (Low-Rise)	175	19	62	81	61	36	97	1,282
Multifamily Housing (Mid-Rise)	325	28	81	109	84	53	137	1,770
Shopping Center	11,000	6	4	10	20	22	42	415
Pass-by Trips (0%) 34%		0	0	0	-7	-7	-14	-140
Total without Reductions		53	147	200	165	111	276	3,467
Total with Reductions		65	156	221	191	141	332	4,017

Proposed Methodology for Traffic Distribution and Assignment

A distribution for the site traffic was developed to estimate trips entering and exiting the development. The trip distribution was estimated based on GDOT ADT volumes as well as the locations of major roadways and highways that will serve the development. The trip distribution is included as Figure 3 on the next page.

Future Year Background Traffic

Since the background growth factor that was determined by local GDOT count data in the area for the last three years results in negative growth, we propose to use 1% as the growth factor in this analysis to determine background traffic growth.

Study Network Determination

Appropriate service flow volume for the roadway segments in the vicinity of the site were assigned based on a LOS standard “D” as per Table 5.4 of the DRI Review Technical Guidelines. The percent of service flow volume used by the project’s traffic was calculated. Every roadway segment starting from the site that consumed more than 7% of the service flow volume was included in the study network. These calculations are shown in a table attached in the Appendix.

The results of the calculations indicate that (in addition to the site driveway intersections) the following intersections meet the criteria of $\geq 7\%$ of the service volume:

1. Britt Road and Old Norcross Tucker Road
2. Britt Road and Tucker Norcross Road
3. Britt Road and Jimmy Carter Boulevard
4. Old Norcross Tucker Road and S Norcross Tucker Road

A location map with the study intersections is shown is included as Figure 4 on the next page.

Proposed Data Collection

We will collect AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak hour turning movement counts at the intersections listed below. Since traffic patterns are abnormal due to school closures and increased number of people working from home to minimize the spread of COVID-19, we will determine an adjustment factor based on an established GDOT ADT count in the study area. The adjustment factor will be used to increase the AM and PM peak hour data to reflect normal traffic conditions.

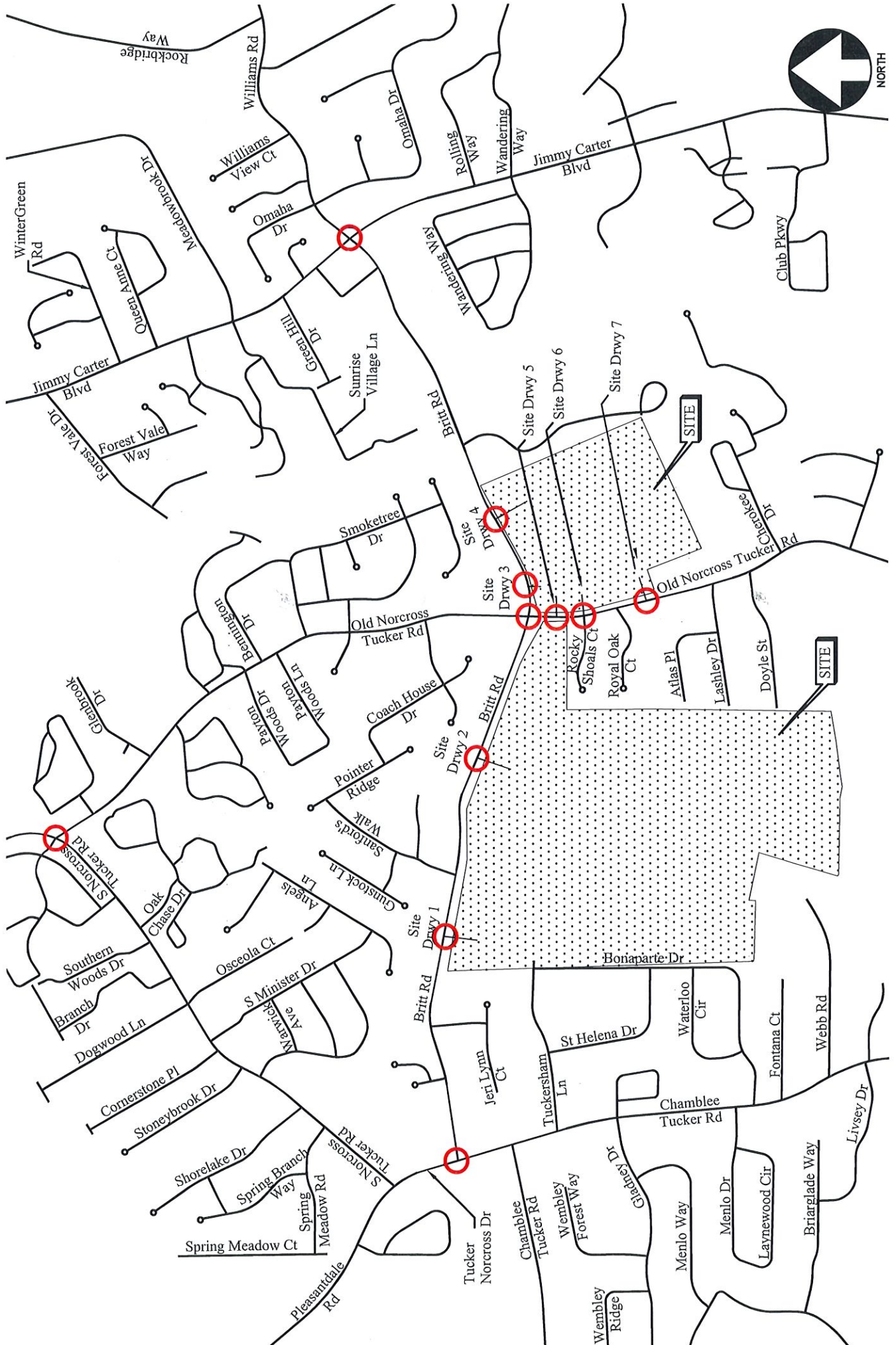
1. Britt Road and Old Norcross Tucker Road
2. Britt Road and Tucker Norcross Road
3. Britt Road and Jimmy Carter Boulevard
4. Old Norcross Tucker Road and S Norcross Tucker Road

Proposed Capacity and Analysis Procedures

The Highway Capacity Manual (6th Edition) methodology using Synchro software (Version 10 or Version 11) will be used to analyze intersection capacity and queuing at study intersections. At specific intersections in which HCM 6 is unable to report results, HCM 2010 or HCM 2000 will be used instead.

The future traffic operations will be analyzed for the “No-Build” and “Build” conditions. This provides a basis of reference for determining both the contribution of the site to overall traffic conditions and the additional improvements needed to provide sufficient site access and capacity for passing traffic.

Improvements that are identified as “System Improvements” address deficiencies that are found within the existing road network prior to any impacts from the proposed development’s added traffic. Improvements that are identified as “Site Mitigation Improvements” address further impacts that are a result of the proposed development’s added traffic.



STUDY NETWORK

FIGURE 4
A&R Engineering Inc.

Planned and Programmed Improvements in the Study Area

The following improvements have been identified in the Regional Transportation Plan (Plan 2040), GDOT GeoPi, and/or the local comprehensive transportation plan. These improvements are within the vicinity of the proposed development.

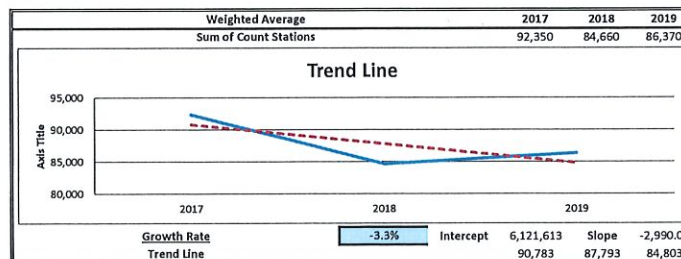
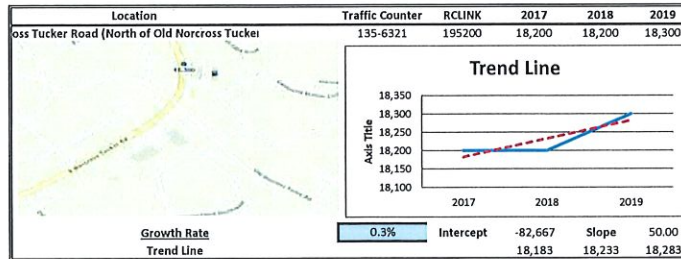
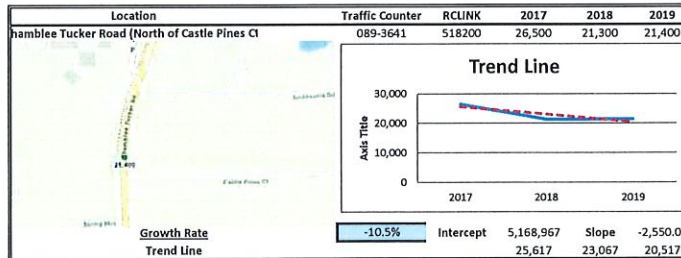
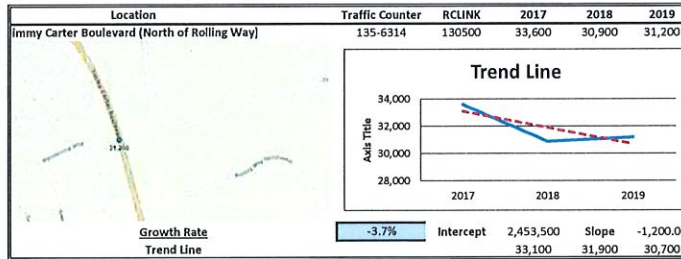
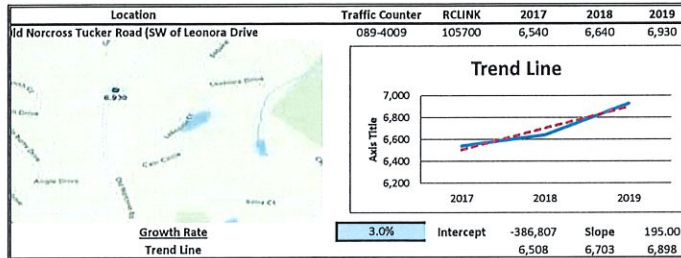
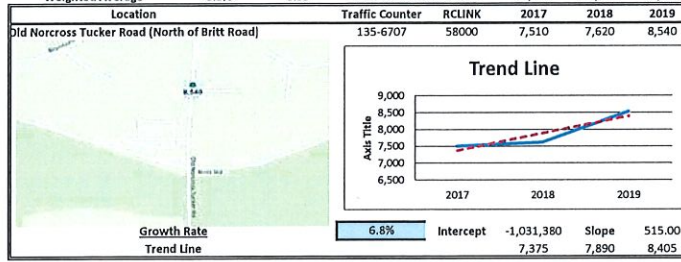
TABLE 4 – PLANNED AND PROGRAMMED IMPROVEMENTS				
Project ID	Project	Type of Improvement	Program Year	Source
0017180	OFF-SYSTEM SAFETY IMPROVEMENTS @ 4 LOCS IN TUCKER	Safety	-	GDOT GeoPi
M005808	SR 8 FROM FULTON COUNTY LINE TO GWINNETT COUNTY LINE	Maintenance	2021	GDOT GeoPi
0008268	FLAT SHOALS RD; HENDERSON RD & SALEM RD - SIDEWALKS	Enhancement	-	GDOT GeoPi
M006178	SR 8 FROM DEKALB COUNTY LINE TO CR 7238/RONALD REAGAN PKWY	Maintenance	-	GDOT GeoPi

APPENDIX

Study Network Analysis

20-073 Heritage Golf Links		Study Network Analysis										7,976	veh/day
Roadway Segment	State or Local	Signal Density	# of Lanes	Divided?	Left Turn Bays?	Class.	Volume (LOS D)	Adj. Factor	Capacity	Project Trips Assigned	% Service Volume Consumed	Study Segment?	Trips Generated by the Site
1 Britt Rd WEST of Site	Local	Major	2	N	Y	L-Mjr-2LU	14,600	0%	14600	3589	24.6%	Yes	3589
2 Britt Rd EAST of Site	Local	Major	2	N	Y	L-Mjr-2LU	14,600	0%	14600	1196	8.2%	Yes	1196
3 Old Norcross/Tucker Rd NORTH of Britt Rd	Local	Major	2	N	Y	L-Mjr-2LU	14,600	0%	14600	1595	10.9%	Yes	1595
4 S Norcross Tucker Rd NORTH of Old Norcross/Tucker Rd	Local	Major	4	N	Y	L-Mjr-4LU	31,700	-5%	30115	1595	5.3%	No	1595
7 Old Norcross/Tucker Rd SOUTH of Britt Rd	Local	Major	2	N	Y	L-Mjr-2LU	14,600	0%	14600	798	5.5%	No	798
8 Jimmy Carter Blvd NORTH of Britt Rd	Local	Major	4	N	Y	L-Mjr-4LU	31,700	-5%	30115	638	2.1%	No	638
9 Jimmy Carter Blvd SOUTH of Britt Rd	Local	Major	4	N	Y	L-Mjr-4LU	31,700	-5%	30115	319	1.1%	No	319
10 Williams Rd to the EAST of Jimmy Carter Blvd	Local	Major	2	N	Y	L-Mjr-2LU	14,600	0%	14600	239	1.6%	No	239
11 Tucker Norcross Rd NORTH of Britt Rd	Local	Major	4	N	Y	L-Mjr-4LU	31,700	-5%	30115	1196	4.0%	No	1196
12 Tucker Norcross Rd SOUTH of Britt Rd	Local	Major	4	N	Y	L-Mjr-4LU	31,700	-5%	30115	1994	6.6%	No	1994
13 Chamblee Tucker Rd WEST of Tucker Norcross Rd	Local	Minor	4	N	Y	L-Mnr-4LU	23,800	-5%	22610	0	0.0%	No	0
14 Chamblee Tucker Rd SOUTH of Tucker Norcross Rd	Local	Minor	4	N	Y	L-Mnr-4LU	23,800	-5%	22610	0	0.0%	No	0

Location	Growth Rate	R Squared	Station ID	Route	2017	2018	2019
Old Norcross Tucker Road (North of Britt Road)	6.8%	0.83	135-6707	58000	7,510	7,620	8,540
Old Norcross Tucker Road (SW of Leonora Drive)	3.0%	0.93	089-4009	105700	6,540	6,640	6,930
Jimmy Carter Boulevard (North of Rolling Way)	-3.7%	0.66	135-6314	130500	33,600	30,900	31,200
Chamblee Tucker Road (North of Castle Pines Ct)	-10.5%	0.74	089-3641	518200	26,500	21,300	21,400
S Norcross Tucker Road (North of Old Norcross Tucker)	0.3%	0.75	135-6321	195200	18,200	18,200	18,300
Weighted Average	-3.3%	0.55	Sum of Count Stations =	92,350	84,660	86,370	



OFF-SYSTEM SAFETY IMPROVEMENTS @ 4 LOCS IN TUCKER

Project ID: 0017180
Project Manager: Charity L. Belford
Office: Local Grants Office
County: DeKalb
Congressional District: 004, 006
State Senate District: 040, 041
State House District: 081, 087, 088
Project Type: Safety
Project Status: Construction Work Program
Right of Way Authorization:

Notice to Proceed Date:
Construction Percent Complete: %
Current Completion Date:
Work Completion Date:
Construction Contract Amount:
Construction Contractor:
Preconstruction Status Report
Construction Status Report
Contact US

Project Description:
 Off-system safety project includes the installation of enhanced pedestrian crossings known as Rectangular Rapid Flash Beacons (RRFB) along 2 routes in DeKalb County. In addition, school zone flashers will be installed along 2 routes in DeKalb County. 1. Idlewood Road 2. Chamblee Tucker Road 3. Idlewood Rd @ Elmdale Dr 4. Main St @ Lynburn Dr

Activity	Program Year	Cost Estimate	Date of Last Estimate
CST (Construction)	2021	\$64,000.00	
PE (Preliminary Engineering)		\$8,000.00	



Project Documents
 There are no items to show in this view.

SR 8 FROM FULTON COUNTY LINE TO GWINNETT COUNTY LINE

Project ID: M005808
 Project Manager: Arthur McKinley Wilson II
 Office: Maintenance
 County: DeKalb
 Congressional District: 004, 005, 006
 State Senate District: 041, 042
 State House District: 082, 083, 084, 085, 086, 087, 088, 089
 Project Type: Maintenance
 Project Status: Under Construction
 Right of Way Authorization:

Notice to Proceed Date: 3/17/2020
 Construction Percent Complete: 50.29%
 Current Completion Date: 1/31/2021
 Work Completion Date:
 Construction Contract Amount:
 Construction Contractor: PITTMAN CONSTRUCTION COMPANY
 Preconstruction Status Report
 Construction Status Report
 Contact Us

Project Description:
 This project, selected by the District Maintenance Office, is the resurfacing of SR 8 to improve the roadways current PAVES rating of 63.

Activity	Program Year	Cost Estimate	Date of Last Estimate
MCST (Maintenance Construction)	2020	\$6,766,234.49	6/20/2019



Project Documents
 There are no items to show in this view.

FLAT SHOALS RD; HENDERSON RD & SALEM RD - SIDEWALKS

Project ID: 0008268
 Project Manager: Obi Ezenekwe
 Office: Program Delivery
 County: DeKalb
 Congressional District: 004, 005, 006
 State Senate District: 10, 40, 41, 43, 44
 State House District: 81, 83, 84, 87, 89, 90
 Project Type: Enhancement
 Project Status: Under Construction
 Right of Way Authorization: 11/5/2010

Notice to Proceed Date:
 Construction Percent Complete: %
 Current Completion Date:
 Work Completion Date:
 Construction Contract Amount:
 Construction Contractor:
 Preconstruction Status Report
 Construction Status Report
 Contact Us

Project Description:
 The proposed project would construct 5-foot sidewalks with 2-foot grass strips, along with curb and gutter to fill in the voids between the existing segments of sidewalks to provide connectivity along Bouldercrest Road from the intersection of Clifton Church Road to Eastland Road at Atlanta City limits. Flat Shoals Road from the intersection of Second Avenue to the intersection of Lawrenceville Highway to the intersection of La Vista Road, Henderson Road, from the intersection of Henderson Mill Road to the intersection of La Vista Road, McAfee Road, from the intersection of Second Avenue to the intersection of Candler Road and at Salem Road from the intersection of Panola Road to Fannin Drive.

Activity	Program Year	Cost Estimate	Date of Last Estimate
PE (Preliminary Engineering)	2015	\$0.00	4/24/2015
ROW (Right of Way)		\$3,110,000.00	



Project Documents

- Approved Concept Reports
 - 0006685_0008266_0008267_0008268_CR_APR2006.pdf
 - 0006685_0008266_0008267_0008268_CR_APR2006.pdf
 - 0008266_REV_JUL2008.pdf
 - 0008266_REV_JUL2008.pdf

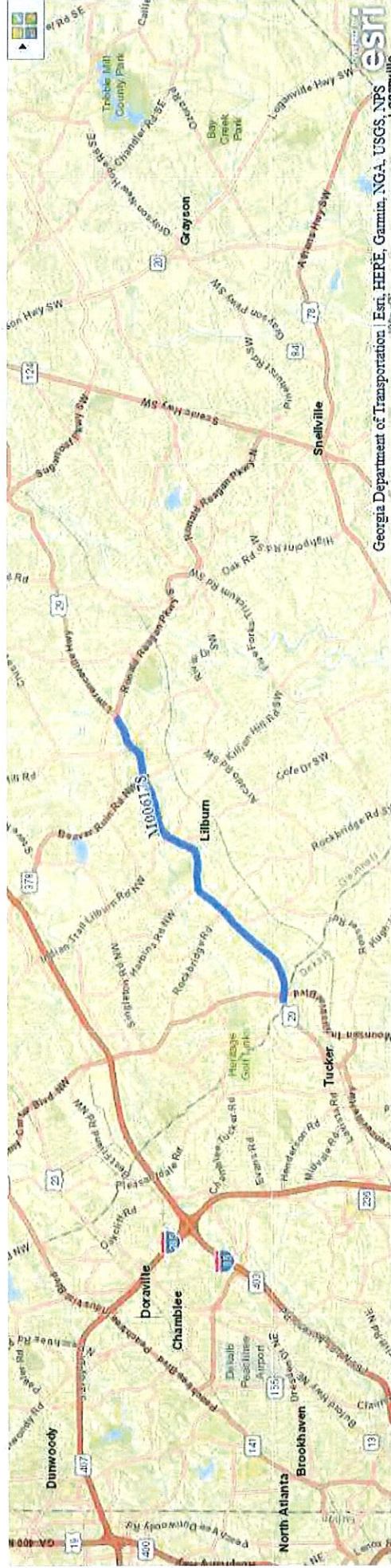
SR 8 FROM DEKALB COUNTY LINE TO CR 7238/RONALD REAGAN PKWY

Project ID: M006478
 Project Manager: Arthur McKinley Wilson II
 Office: Maintenance
 County: Gwinnett
 Congressional District: 004, 007
 State Senate District: 041
 State House District: 099, 100, 108
 Project Type: Maintenance
 Project Status: Construction Work Program
 Right of Way Authorization: Construction Work Program

Notice to Proceed Date: %
 Construction Percent Complete: %
 Current Completion Date:
 Work Completion Date:
 Construction Contract Amount:
 Construction Contractor:
 Preconstruction Status Report
 Construction Status Report
 Contact Us

Project Description:

Activity	Program Year	Cost Estimate	Date of Last Estimate
MCST (Maintenance Construction)		\$5,274,630.60	



Project Documents

There are no items to show in this view.



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SEP 30 2020

PRE-APPLICATION FORM

Community Development
Department

**REZONING, COMPREHENSIVE PLAN AMENDMENT,
SPECIAL LAND USE PERMIT, AND CONCURRENT VARIANCE**

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Planning and Zoning Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

Applicant: Lennar Georgia, Inc.

Site Address: 18 0260 01 210; 18 289 01 001; 18 260 01 001 Parcel Size: 103.85 acres

Proposal Description: Applicant proposes rezoning for approximately 226 lot single-family residential subdivision within City of Tucker. Applicant proposes additional single-family residential lots as well as townhomes, apartments and limited neighborhood retail within Gwinnett County. The current use of the property is a golf course. Applicant is the contract purchaser of the property

Existing Zoning Designation and Case Number: R-E

Proposed Zoning Designation: R-60 & R-75

CV: _____

Proposed SLUP Request: N/A

CV: _____

Comprehensive Land Use Map Designation: Suburban

Overlay District: N/A

Staff: _____

Date: August 14, 2020