



REGIONAL REVIEW FINDING

Atlanta Regional Commission • 40 Courtland Street NE, Atlanta, Georgia 30303 • ph: 404.463.3100 • fax: 404.463.3105 • www.atlantaregional.com

DATE: April 18, 2017

ARC REVIEW CODE: R17040302

TO: Chairman Charlotte Nash, Gwinnett County Board of Commissioners
ATTN TO: Jerry Oberholtzer, Manager, Current Planning
FROM: Douglas R. Hooker, Executive Director, ARC
RE: Development of Regional Impact Review (DRI) – ***Notification Only***

Digital signature
Original on file

The Atlanta Regional Commission (ARC) has completed a regional review of the following development. ARC reviewed the development with regard to its relationship to regional plans, goals and policies – and impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. This final report does not address whether the development is or is not in the best interest of the local government.

Name of Proposal: Legacy Park

Submitting Local Government: Gwinnett County

Review Type: DRI – *Notification Only*

Date Opened: April 3, 2017

Date Closed: April 13, 2017

Description: This proposed development is located north of Duluth Highway (Georgia State Route 120) near its intersection with Meadow Church Road and Primerica Parkway. This proposed mixed-use development will consist of office, retail and residential uses.

Comments: According to the ARC Unified Growth Policy Map (UGPM), part of The Atlanta Region's Plan, this DRI is located in the Developed Suburbs Area of the region. Developed Suburbs are areas that have developed from roughly 1995 to today and are projected to remain suburbs through 2040. ARC's Regional Development Guide (RDG) details recommended policies for areas on the UGPM. General information and recommendations for Developed Suburbs and Regional Industrial and Logistics Areas are listed at the bottom of these comments.

Further to the above, regional policy recommendations for Developed Suburbs include:

- New development should connect to the existing road network and adjacent developments and use of cul-de-sacs or other means resulting in disconnected subdivisions should be discouraged
- Maximize the usefulness of existing recreational facilities in addition to providing new recreational opportunities
- Eliminate vacant or under-utilized parking areas through mechanisms such as out-parceling or conversion to community open space
- Use rain gardens, vegetated swales or other enhanced water filtration design to enhance the quality of stormwater run-off
- Identify other opportunities to foster a sense of community by developing town centers, village centers or other places of centralized location

Comments received during this review are attached to this report.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC COMMUNITY DEVELOPMENT
ARC RESEARCH AND ANALYTICS
GEORGIA DEPARTMENT OF NATURAL RESOURCES
CITY OF DULUTH

ARC TRANSPORTATION ACCESS
ARC AGING AND HEALTH RESOURCES
GEORGIA DEPARTMENT OF TRANSPORTATION

ARC NATURAL RESOURCES
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
GEORGIA REGIONAL TRANSPORTATION AUTHORITY

If you have any questions regarding this review, please contact Andrew Smith at (404) 463-5581 or asmith@atlantaregional.com. This finding will be published to the ARC review website located at <http://www.atlantaregional.com/land-use/planreviews>.

LEGACY PARK DRI
Gwinnett County
Natural Resources Division Comments
April 4, 2017

Watershed Protection and Stream Buffers

The proposed project is located in the Yellow River Watershed, which is not a water supply watershed in the Atlanta Region and no Part 5 Environmental Minimum Planning Criteria for water supply watersheds apply.

The USGS coverage for the project area shows one perennial stream to the east of the project property that appears to be across Primerica Parkway from the project. Any portion of this stream that is actually on the property, as well as any unmapped streams that may be on the property may be subject to the Gwinnett County stream buffer ordinance. All streams, as well as any other waters of the state will be subject to the State 25-foot Erosion and Sediment Control Buffer. Any intrusion into these buffers may require a variance from the appropriate authority.

Stormwater / Water Quality

The project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality. During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements. After construction, as with all development, water quality will be impacted due to polluted stormwater runoff. The amount of pollutants that will be produced after construction of the proposed development are dependent on the type and intensity of the use and the impervious coverage, which will affect the design of stormwater controls for the project.

In order to address post-construction stormwater runoff quality, the project should implement stormwater management controls (structural and/or nonstructural) as found in the Georgia Stormwater Management Manual (www.georgiastormwater.com) and meet the stormwater management quantity and quality criteria outlined in the Manual. Where possible, the project should utilize the stormwater better site design concepts included in the Manual.

Andrew Smith

From: Jonathan Tuley
Sent: Monday, April 10, 2017 5:13 PM
To: Andrew Smith
Subject: FW: ARC DRI "Notification Only" Review - Request for Comments - Legacy Park

Jon Tuley, AICP
Senior Principal Planner
Atlanta Regional Commission
regional impact + local relevance
40 Courtland Street, NE
Atlanta, Georgia 30303-2538
P | 404.463.3307
F | 404.463.3254
jtuley@atlantaregional.com
atlantaregional.com

From: Weiss, Megan J [<mailto:MWeiss@dot.ga.gov>]
Sent: Monday, April 3, 2017 9:19 AM
To: Jonathan Tuley <JTuley@atlantaregional.com>
Cc: Mertz, Kaycee <kmertz@dot.ga.gov>; Fowler, Matthew <mfowler@dot.ga.gov>
Subject: RE: ARC DRI "Notification Only" Review - Request for Comments - Legacy Park

Jonathan.

GDOT Planning has reviewed the Legacy Park DRI Preliminary report and show no additional GDOT projects, other than those already mentioned in the report. For further information that may be needed concerning this review, please contact Megan Weiss at 404-631-1779 or mweiss@dot.ga.gov.

Megan Weiss, AICP
Transportation Planner II
Georgia Department of Transportation
Office of Planning-5th Floor
P:404-631-1779 E:mweiss@dot.ga.gov

From: Jonathan Tuley [<mailto:JTuley@atlantaregional.com>]
Sent: Monday, April 03, 2017 7:31 AM
To: VanDyke, Cindy; Fowler, Matthew; Comer, Carol; Hood, Alan C.; Zahul, Kathy; Weiss, Megan J; DeNard, Paul; Regis, Edlin; Woods, Chris N.; Boone, Eric; Humphrey, James; Johnson, Lankston; Annie Gillespie; Parker Martin; 'DRI@grta.org'; 'Jon West'; richard.dunn@gaepd.org; 'jud.turner@gaepd.org'; gfloyd@itsmarta.com; 'Gerald.Oberholtzer@gwinnettcounty.com'; 'Vince.Edwards@gwinnettcounty.com'; 'Chuck.Bailey@gwinnettcounty.com'; Michael.Johnson2@gwinnettcounty.com; 'Lewis.Cooksey@gwinnettcounty.com'; baiken@duluthga.net
Cc: Mike Alexander; Samyukth Shenbaga; Andrew Smith; David Haynes; Marquitrice Mangham; Jim Santo; Jim Skinner;

Jared Lombard

Subject: ARC DRI "Notification Only" Review - Request for Comments - Legacy Park

ARC Development of Regional Impact "Notification Only" Review – Request for Comments

This e-mail serves as notice that the Atlanta Regional Commission (ARC) staff has begun a Development of Regional Impact (DRI) "Notification Only" review for Legacy Park.

This proposed development does not cross the applicable ARC DRI review threshold. This is a "Notification Only" review, triggered because the project crosses the applicable Georgia Department of Community Affairs (DCA) base level, statewide DRI review threshold. This review is intended to notify potentially affected jurisdictions and agencies of the proposal and to serve as a forum for parties to register comments or open a dialogue for intergovernmental or interagency coordination.

This proposed development is located north of Duluth Highway (Georgia State Route 120) near its intersection with Meadow Church Road and Primerica Parkway. This proposed mixed-use development will consist of office, retail and residential uses.

We request that you or a member of your staff review the attached Preliminary Report and provide comments to ARC by 5:00 p.m. on **April 13, 2017**. You may also view or download the preliminary report by visiting the [ARC Plan Reviews webpage](#) and searching for "Legacy Park."

Review opened on: April 3, 2017

Comments due on: April 13, 2017

Review will close on: April 13, 2017

For more information regarding the DRI process or other DRIs reviewed by ARC, please see the [ARC DRI webpage](#).

Please let me know if you have any questions.

Best,

Jon Tuley, on behalf of:

Andrew Smith
Senior Planner, Community Development Division

Atlanta Regional Commission
regional impact + local relevance

40 Courtland Street, NE
Atlanta, Georgia 30303-2538

P | 404.463.5581

F | 404.463.3254

asmith@atlantaregional.com

atlantaregional.com

Pedestrian deaths continue to surge in Georgia - 236 walkers died in 2016. That's a 40% increase in just two years! Georgia DOT's **SEE & BE SEEN** campaign, in partnership with PEDS, aims to make it safer to walk in Georgia. Safety is a shared responsibility. Walkers and drivers: Pay attention. Walkers: make sure you can SEE & BE SEEN. Drivers: Slow

down (speed kills). Visit www.dot.ga.gov/DS/SafetyOperation/SBS. #ArriveAliveGA

Andrew Smith

From: Hood, Alan C. <achood@dot.ga.gov>
Sent: Tuesday, April 11, 2017 8:29 AM
To: Jonathan Tuley; Andrew Smith
Cc: Brian, Steve; Comer, Carol; Edmisten, Colette; Matthew.Smith@gwinnettcounty.com
Subject: RE: ARC DRI "Notification Only" Review - Request for Comments - Legacy Park
Attachments: Preliminary Report - Legacy Park.pdf

Jon,

The proposed mixed-use development consisting of office, retail and residential uses, and is located within 7.5 miles west of Gwinnett County Airport – Briscoe Field (LZU), but is located outside of any FAA surface, and compatible land use areas, and does not appear to impact the airport.

However, if the proposed project's vertical construction, or equipment exceeds 200ft above ground level, an FAA Form 7460-1 must be submitted to the Federal Aviation Administration. That may be done online at <https://oeaaa.faa.gov>. The FAA must be in receipt of the notification, no later than 90 days prior to construction. The FAA will evaluate the potential impact of the project on protected airspace associated with the airports and advise the proponent if any action is necessary.

Thank you for the opportunity to comment on the proposed development.

Alan Hood | Airport Safety Data Program Manager
Georgia Department of Transportation - Aviation Programs
600 West Peachtree Street, N.W. | 2nd Floor | Atlanta, Georgia 30308
M: 404-660-3394 | F: 404-631-1935 | E: achood@dot.ga.gov

View our website at <http://www.dot.ga.gov/IS/AirportAid>

From: Jonathan Tuley [mailto:JTuley@atlantaregional.com]
Sent: Monday, April 03, 2017 7:31 AM
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Cc: Mike Alexander; Samyukth Shenbaga; Andrew Smith; David Haynes; Marquitrice Mangham; Jim Santo; Jim Skinner; Jared Lombard
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Jon Tuley, on behalf of:

Andrew Smith
Senior Planner, Community Development Division

Atlanta Regional Commission
regional impact + local relevance

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asmith@atlantaregional.com
atlantaregional.com

Georgia DOT observes **National Work Zone Awareness Week** Apr. 3-7 to bring attention to the dangers of driving in roadway work zones. 59 GDOT workers have died in work zones since 1973. And many more drivers as well. Check out our work zone safety video at www.dot.ga.gov/WZS. Remember - work zone safety is in your hands.



REGIONAL REVIEW NOTICE

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DATE: April 3, 2017

ARC REVIEW CODE: R17040302

TO: Chairman Charlotte Nash
ATTN TO: Jerry Oberholtzer, Manager, Current Planning Section
FROM: Douglas R. Hooker, Executive Director
RE: Development of Regional Impact Review – Notification Only

For Doug Hooker
Digital signature
Original on file

The Atlanta Regional Commission (ARC) has completed a preliminary regional review of the following development. ARC reviewed the development with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions as well as state, federal, and other agencies.

Name of Proposal: Legacy Park

Review Type: DRI – Notification Only **Submitting Local Government:** Gwinnett County

Date Opened: April 3, 2017 **Deadline for Comments:** April 13, 2017 **Date to Close:** April 13, 2017

Description: This proposed development is located north of Duluth Highway (Georgia State Route 120) near its intersection with Meadow Church Road and Primerica Parkway. This proposed mixed-use development will consist of office, retail and residential uses.

PRELIMINARY COMMENTS: According to the ARC Unified Growth Policy Map (UGPM), part of The Atlanta Region's Plan, this DRI is located in the Developed Suburbs Area of the region. Developed Suburbs are areas that have developed from roughly 1995 to today and are projected to remain suburbs through 2040. ARC's Regional Development Guide (RDG) details recommended policies for areas on the UGPM. General information and recommendations for Developed Suburbs and Regional Industrial and Logistics Areas are listed at the bottom of these comments.

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CITY OF DULUTH

ARC TRANSPORTATION ACCESS
ARC AGING AND HEALTH RESOURCES
GEORGIA DEPARTMENT OF TRANSPORTATION

ARC NATURAL RESOURCES
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
GEORGIA REGIONAL TRANSPORTATION AUTHORITY

If you have any questions regarding this review, please contact Andrew Smith at (404) 463-5581 or asmith@atlantaregional.com. This finding will be published to the ARC website.

The ARC review website is located at: <http://www.atlantaregional.com/landuse>.



REGIONAL REVIEW NOTIFICATION

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DEVELOPMENT OF REGIONAL IMPACT REQUEST FOR COMMENTS

Instructions: The project described below has been submitted to this Regional Commission for review. A DRI is a development of sufficient project of sufficient scale or importance that it is likely to have impacts beyond the jurisdiction in which the project is actually located, such as adjoining cities or neighboring counties. Although this proposed development does not cross ARC DRI review thresholds, we would like to consider your comments on this proposed development in our DRI Notification Only review process. Therefore, please review the information about the project included on this form and give us your comments in the space provided. The completed form should be returned to the RC on or before the specified return deadline.

Preliminary Findings of the RDC: **Legacy Park** See the Preliminary Report.

Comments from affected party (attach additional sheets as needed):

Please see attached.

Individual Completing Form:

Bill Aiken

Local Government:

City of Duluth

Department:

Community Development

Telephone: ()

770.476.1790

Signature:

[Signature]

Date:

4/13/2017

Please return this form to:

Andrew Smith, Atlanta Regional Commission
40 Courtland Street NE
Atlanta, GA 30303
Ph. (404) 463-5581 Fax (404) 463-3254
asmith@atlantaregional.com

Return Date: *April 13, 2017*



Development Summary

Current Zoning	O-1/C-2
Proposed Zoning	MU-R
Site Acreage	21,709 ac (945,663 sf)
Gross Acreage	21,624 ac
Net Acreage*	21,624 ac
*Excludes 50% of 100-year floodplain (0.17 ac/2 = 0.085 ac)	
Residential	302 units (340,872 sf)
Multi-family	14.0 u/acre
Density	0.360
FAR	26,783 sf
Retail	100,000 sf
Office	453 sp
Provided Parking	89 sp
Residential	800 sp
Office	842 sp
Total Parking	1,642 sp
Common Area	21,709 ac
Total Site Area	0.21 ac
100-yr Floodplain	3.22 ac (136'*)
Required Common Area	6.02 ac (286'*)
Provided Common Area	6.23 ac
Total Open Space	6.23 ac
**Based on total site area minus floodplain and wetlands	





Community Development Department

February 28, 2017

Mr. Jerry Oberholtzer
Gerald.Oberholtzer@gwinnettcountry.com
One Justice Square
446 West Crogan Street, Suite 250
Lawrenceville, Georgia 30046

RE: Gwinnett County Rezoning Case RZC2017-00011 (2200-2400 BLOCKS OF MEADOW CHURCH ROAD & 2100-2200 BLOCKS OF DULUTH HIGHWAY, PARCEL R7116 083)

Dear Mr. Oberholtzer,

On Friday February 17, 2017, the City of Duluth Department of Community Development received information regarding the rezoning proposal of a +/-29.47 acre lot (R7116 083) from C-2 & O-I to MU-R (RZC2017-00011). The mixed-use proposal calls for 323,400 square feet of residential development containing 294 units and 123,100 square feet of non-residential development. Duluth staff notes that the information provided to City included a Letter of Intent from the applicant, a site plan (not to scale) for the proposal and a survey of the land. Our staff has reviewed the proposal and provides the following comments.

City of Duluth Comments:

1. The proposed mixture of uses is consistent with the requested County MU-R zoning district.
2. The proposed mixture of uses is consistent with the County's Character Area, the Regional Mixed-Use Area.
3. The boundary of the project is unclear based on the survey provided. It appears the proposed site is 21.709 acres. However, the survey and cover sheet reference 29.47 acres. This could drastically affect the floor area ratio (FAR) and density for the proposal. Furthermore, unless the County allows it, the City recommends prohibiting the application to be processed in a way so that the non-residential FAR and residential density are calculated using the entire site area. It would be more appropriate for the applicant to base the calculations on the land area for each use.
4. It appears all of the parking is proposed to be surface level. We recommend requiring the developer to incorporate structured parking for a true regional mixed-use project. Similar projects are being constructed in the same market with decks wrapped by buildings.
5. There were no design guidelines or elevations submitted as part of the proposal. We recommend requiring the developer to submit elevations of the buildings, a development summary report, and a design guideline.
6. Although this phase of the project may not exceed the threshold, this project may be considered a Development of Regional Impact (DRI). It's possible the original developer already went through the DRI process since this project appears to be a multi-phase project.



Community Development Department

7. There is a large tract of land identified as "Common Area" to the north of the proposed office building. Is the intent that the area will remain open space in perpetuity or will it be for future development? We recommend placing the Common Area land in a conservation easement if it is to remain undeveloped.
8. Are all of the parcels identified on the site plan part of one common property owner association? Is there a Covenants, conditions and restrictions document regulating the association?
9. The City of Duluth recommends that the applicant be required to submit a traffic impact analysis or similar document prior to zoning consideration to determine the impact of the project to the existing transportation system and also to determine what improvements should be required by the developer if the project is approved.
10. The City of Duluth recommends that the applicant be required to submit a market study or similar document prior to zoning consideration to provide evidence that there is a market demand for the style of housing being proposed.

Thank you for the opportunity to provide comments. We respectfully request the following information to complete a more thorough review of the proposal:

1. The original site plan in pdf format, to scale,
2. Elevations of the buildings,
3. Development summary report establishing the type, nature, size, intent and characteristics of the proposed development.

Please let us know if you have any questions.

Sincerely,

Bill Aiken
Planning Manager
City of Duluth
baiken@duluthga.net

CC: James Riker, Duluth City Manager
Nick Colonna, Duluth Community Development Director
Kathy Holland, Gwinnett Planning and Development Director

Current Zoning	O-I/C-2
Proposed Zoning	MU-R

Site Acreage

Gross Acreage	21.709 ac (945,663 sf)
Net Acreage*	21.624 ac

*Excludes 50% of 100-year floodplain ($0.17 \text{ ac}/2 = 0.085 \text{ ac}$)

Residential	
Multi-family	302 units (340,872 sf)
Density	14.0 un/acre
FAR	0.360

Retail	26,783 sf
---------------	-----------

Office	100,000 sf
--------	------------

Provided Parking	
Residential	453 sp
Retail	89 sp
Office	300 sp
Total Parking	842 sp

Common Area	
Total Site Area	21.709 ac
100-yr Floodplain and Wetlands	0.21 ac
Required Common Area	3.22 ac (15%**)
Provided Common Area	6.02 ac (28%**)
Total Open Space	6.23 ac
**Based on total site area minus floodplain and wetlands	

Parcel 4
10.338 ac

Parcel 3
3.693 ac

Parcel 2
7.161 ac

Parcel 1
2.358 ac

Parcel 5
7.729 ac

Parcel 8
7.869 ac

Parcel 6
4.399 ac

Parcel 7
7.663 ac

- Split level multi-family with 4 levels over amenity area, and 3-5 levels along frontage, +/- 66 un

— 3/4 split with ground level retail and multi-family, and multi-family above, +/- 56 un

- 3/4 split levels of multi-family, +/- 46 un

- Tie into existing sidewalk

- 3/4 split levels of multi-family, +/- 46 un

- 3/4 split with ground level retail and multi-family, and multi-family above, +/- 88 un

- Gates located for private access to residential, typical

— Existing vegetation line

- Multi-use trail throughout site to tie into existing trail

- Pedestrian connection between Retail/Residential and Office