



## PLANNING COMMISSION MEETING AGENDA

Thursday, January 25, 2024 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

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1. **CALL MEETING TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
  - A. **Approval of Minutes from August 24th 2023**
5. **NEW BUSINESS**
  - A. **Case #R24-001** – Koch Orthodontics filed an application requesting to rezone approximately 0.854+/- acres located at 123 Bobby Boss Road, Loganville, GA 30052, Map/Parcel #LG060141, Walton County, GA. The property owner is Strive Real Estate Loganville, LLC. The current zoning is CBD and the requested zoning is CH with the proposed development of an office for orthodontic practice.
  - B. **Case #R24-002** – Koch Orthodontics filed an application requesting to rezone approximately 2.68+/- acres located at 115 Bobby Boss Road, Loganville, GA 30052, Map/Parcel #LG050036, Walton County, GA. The property owner is Strive Real Estate Loganville, LLC. The current zoning is CBD and the requested zoning is CH with the proposed development of an office for orthodontic practice
  - C. **City of Loganville Official Zoning Map**
6. **ADJOURN**

Public is welcomed to attend.



## PLANNING COMMISSION PUBLIC HEARING MINUTES

Thursday, August 24, 2023 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

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### 1. CALL MEETING TO ORDER

#### PRESENT

Chairman Keith Colquitt  
Commissioner Tiffany Ellis  
Commissioner Barbara Forrester  
Commissioner Lisa Luttrell  
Commissioner Amanda Soesbe  
Commissioner William Williams II  
Director Tim Prater

#### ABSENT

Commissioner Alma Thomas

### 2. INVOCATION

### 3. PLEDGE OF ALLEGIANCE

### 4. APPROVAL OF MINUTES

#### A. Approval of Minutes from 6.22.23

Motion made by Commissioner Forrester to approve the minutes from 6.22.23, Seconded by Commissioner Soesbe.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Soesbe, Commissioner Williams II

Motion for approval passed 5-0.

### 5. NEW BUSINESS

#### A. **Case # R23-008**– Jose Hurtado - filed an application to rezone 5.1+/- acres located on 827 Lee Byrd Road Map/Parcel # LG100049, Walton County, Georgia. The property owner is Jose Hurtado. The current zoning is OI. The requested zoning is R-44 for the purpose of residential zoning.

Karen Pena was the translator for the applicant Jose Hurtado. Mr. Hurtado wants to have his property be his residential dwelling and does not plan to use it for any business use. The Future Land Use Map that the City has, also reflects this parcel as being residential.

Melinda Johns at 866 Lee Byrd Road, wanted to verify that the property is only going to be used as a residential dwelling and that no business would be at the property.

Ms. Pena stated that no commercial use would happen at the property and Chairman Colquitt suggested that there be a stipulation to the rezone that no home occupation can be held at the residence.

Commissioner Williams asked the applicant about the large vehicles he had seen at the property. He wanted to know if a business is currently operating at this parcel. He also wanted to know if the zoning code of R-44 would allow other residences to be built on the parcel.

Ms. Pena verified that the large vehicles are a temporary issue due to cosmetic work was being done at the home. Mr. Hurtado has no intention of adding any other homes to the property.



Tim Prater responded that the City Ordinance is 1 residence per lot. The applicant would have to apply for a rezone or variance to add any other properties to the lot.

Commissioner Ellis wanted to know about the applicant's business located at 316 Walking Way in Lawrenceville, Gwinnett Construction LLC. She asked if this business continues, where will it operate it from?

Mrs. Pena replied that the business owned by Mr. Hurtado would remain in Lawrenceville and he will just live as his primary property at 866 Lee Byrd Road.

Motion to approve rezone made by Commissioner Forrester, Seconded by Commissioner Soesbe with the condition that no home occupations will be held at the residence.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Soesbe and Commissioner Williams II.

Motion for approval passed 5-0.

- B. Case # R23-009** – Twin Lakes Road, LLC c/o Mahaffey Pickens Tucker, LLP- filed an application to rezone 27.85+/- acres located on 3520 Atlanta Hwy Map/Parcel # LG140020, Walton County, Georgia. The property owner is Twin Lakes Road, LLC. The current zoning is PUV. The requested zoning is CH for the development of contractor's office with outdoor storage of equipment and materials.

Tim Prater stated that there were issues with the microphones/internet, so please speak clearly.

Gabrielle Schaller with Mahaffey Pickens Tucker, LLP of 1550 N Brown Road Suite 125 Lawrenceville, GA, spoke on the behalf of the applicant E R Snell. The applicant is asking to rezone the property from CH to PUV to allow 20,000 sq. ft. of office space, equipment storage and a training area/facility. The applicant states they will maintain the existing lake and conserve some areas and also maintain a tree buffer along Twin Lakes Road. The Staff report from the City of Loganville states that the rezone be approved with the condition that trucks with more than 6 tires would not be able to use Twin Lakes Road. Applicant states that this is not necessary and that they have spoken with DOT about the concern of trucks on Twin Lakes Road. Trucks will drop off training equipment at 1-2 trucks a month maybe for the moving of training equipment only. Ms. Schaller asked for the approval of the rezone without this condition presented by the Staff Analysis.

The floor was open to the public for comment.

Jerry Shoals wanted to know what training would be held at this property since the letter of intent never said anything about a training facility.

Mark Schumacher with E.R. Snell stated that the applicant would be training contractors to build roads and that the employees would be using equipment - backhoes, moving dirt etc. - to learn how to fill a road/build a road. It would be an opportunity for the employees to gain a certain skill set.

Mr. McConnell, of 3540 Hwy 78, stated he was excited about this project and that it would provide for the safety for the treatment of young truckers. Behind the approval of this rezone 100%.

Lauri Granted owns property that adjoins this property. Twin Lakes Road is busy already and she is concerned about having big heavy trucks on the small road as well as there not being a red-light at 81 and Twin Lakes.

Mrs. Conner wanted to know if the training would involve how to load equipment onto tractor trailers? Would the training be on the property or off-site as well, i.e. driving the trucks up and down Twin Lakes?

Mr. Schumacher stated that the training will not include putting the trucks on the road and Ms. Schaller stated that Hwy 78 would be used first, for any trucks/entering/exiting the facility. The only time Twin Lakes Road would be used is to deposit equipment. Applicant is intending to put a road between Hwy 78 to another parcel.

Commissioner Luttrell made a motion to approve the rezone with the condition of the staff report that no vehicles with 6 wheels or more be allowed to travel on Twin Lakes Road.

Commissioner Williams asked if the applicant could access the south end of the property through the road next to the Ford Dealership.

Mr. Schumacher stated he doesn't think that is possible due to the wetlands.

Tim Prater stated that it would be determined during the development process and having a talk with the Transportation Department.

Commissioner Ellis wanted to know if the equipment storage on the property was equipment for training purposes only and where is the equipment stored currently.

Ms. Schaller answered that yes, for the most part the equipment being stored would be for training purposes only and that is why they are urging Commissioners to have the access of Twin Lakes Road. The equipment is currently being stored in Snellville and they will continue to use that property.

Commissioner Soesbe wanted to know if the training would be held on weekends, how long does the training take? A day, a few hours? She also asked how many employees were with the company and how many employees would be at the training facility daily.

Mr. Schumacher stated that training would be morning/afternoon- no weekends. That E.R. Snell has 950 employees but the training would just be new employees, about 20-30 people a few days a week. Usually it is a day or two of training on a piece of equipment/simulators.

Woman in the public (no name given) wanted to know why it was necessary for equipment to be brought in twice a month if the facility is supposed to store the equipment.

Man in the public (no name given) - Concern, we have been here before, major effort to rezone and was absolutely killed because of the traffic. Already have an issue with a multi-use zoning code.

Woman in the public (no name given) wanted to know if the proximity of the police and fire stations that use Twin Lakes Road be of concern.

Mr. Schumacher stated they would rotate the equipment at the facility based on different training sessions. Example- backhoe out there, train on it, then move in another piece of equipment to train on. Worst case scenario with a zoning issue, the applicant would just have 2 offices on the property. He does not think that their presence would be much of a difference on the traffic footprint.

John - Lee Byrd Road stated that he has worked on roads and wanted to know what the largest piece of equipment being transported would be.

Mr. Schumacher stated that ~11,000 lb. vehicle. No cranes or anything like that would be transported to the property.

Motion made by Commissioner Luttrell to approve with condition of no vehicles over 6 wheels on Twin Lakes Road without first discussion with the Transportation Department, Seconded by Commissioner Forrester.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Soesbe and Commissioner Williams II.

Motion for approval passed 5-0.

## 6. ADJOURN

Motion made by Commissioner Ellis to adjourn, Seconded by Commissioner Forrester.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Soesbe and Commissioner Williams II.

Adjourn passed 5-0.

Meeting adjourned at 7:14pm.



CITY OF LOGANVILLE
Department of Planning & Development
P.O. Box 39 • 4303 Lawrenceville Road
Loganville, GA 30052
770.466.2633 • 770.466.3240 • Fax 770.554.5556

Date: \_\_\_\_\_

Application # R 24-001

REQUEST FOR ZONING MAP AMENDMENT

A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

Form with sections: APPLICANT INFORMATION, PROPERTY OWNER INFORMATION\*, CONTACT PERSON, PROPERTY INFORMATION. Includes fields for Name, Address, City, State, Zip, Phone, and Proposed Development.

You must attach: [ ] Application Fee [ ] Legal Description [ ] Plat of Property [ ] Campaign Contribution Disclosure
[ ] Letter of Intent [ ] Site Plan [ ] Names/Addresses of Abutting Property Owners [ ] Impact Analysis

Pre-Application Conference Date: 11-30-2023

Accepted by Planning & Development: [Signature] DATE: 1/30/23 FEE PAID: \$500.00

CHECK # 4330 RECEIPT # 20249244 TAKEN BY: [Signature] DATE OF LEGAL NOTICE: 1/7/24 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: [ ] Approve [X] Approve w/conditions [ ] Deny [ ] No Recommendation

Commission Chairman: [Signature] DATE: 1/25/24

CITY COUNCIL ACTION: [ ] Approved [X] Approved w/conditions [ ] Denied [ ] Tabled to
[ ] Referred Back to Planning Commission [ ] Withdrawn

Lee "Skip" Rubin Mayor [Signature] City Clerk [Signature] Date 2/8/24

Application # R

**Applicant's Certification**

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

[Signature]  
Applicant's Signature 11/29/23  
Date

Jacob Koch, President  
Print Name and Title

Sworn to and subscribed before me this 29 day of November 2023.  
(Seal) [Signature]  
Signature of Notary Public



**Property Owner's Certification**  
(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

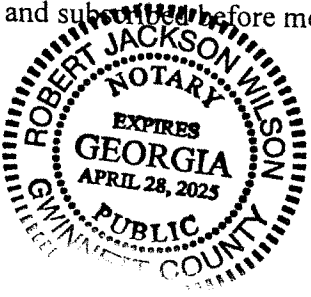
- a)  the owner of record of property contained in this application, and/or
- b)  the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

[Signature]  
Owner's Signature 11/29/23  
Date

Jacob Koch, President  
Print Name and Title

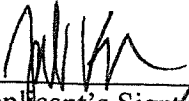
Sworn to and subscribed before me this 29 day of November 2023.  
(Seal) [Signature]  
Signature of Notary Public

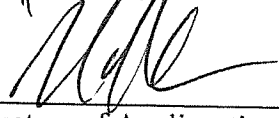


Application # **R** \_\_\_\_\_

### DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

The undersigned, making application for rezoning with the City of Loganville, Georgia, have complied with the Official Code of Georgia, Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information as requested below.

	11/29/23	Jacob Koch, President
Applicant's Signature	Date	Print Name

	11/29/23	Robert Jackson Wilson
Signature of Applicant's Attorney or Agent	Date	Print Name

**Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?**

\_\_\_\_\_ YES        X   NO

**If YES, complete the following:**

NAME OF INDIVIDUAL MAKING CONTRIBUTION \_\_\_\_\_

NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all aggregating to \$250 or more)	DATE OF CONTRIBUTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Attach additional sheets as necessary to disclose and describe all contributions.**

Application # **R** \_\_\_\_\_**APPLICANT'S RESPONSES TO EVALUATION CRITERIA**

In the space provided or in a separate attachment, provide responses to the following questions:

1. **How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?**  
The proposed use will greatly improve the appearance and aesthetic conditions by providing a new Class A office building in place of older, declining structures.
2. **How does the proposed use impact thoroughfare congestion and traffic safety?**  
The use will reduce overall congestion by providing a needed service in close proximity to citizens. Access from Bobby Boss Dr. will ease congestion on Highway 78 and provide for safe traffic flow to and from the office.
3. **How does the proposed use impact population density and the potential for overcrowding and urban sprawl?**  
The use will relieve overcrowding and sprawl by providing for a medical office use near residents for ease of travel and shorter vehicle trips.
4. **How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;**  
The proposed use will not make significant demands or have any adverse impact on water or sewer infrastructure. The use will reduce the number and length of vehicle trips for City residents.
5. **How does the proposed zoning provide protection of property against blight and depreciation?**  
The rezoning will eliminate blight and depreciation by allowing for a new office building to be constructed.
6. **How is the proposed use and zoning consistent with the adopted Comprehensive Plan?**  
Yes. Office use is appropriate along the Highway 78 corridor.
7. **In what way does the proposed zoning affect adjacent property owners if the request is approved?**  
The rezoning will improve the value of neighboring properties and provide for a new office to stabilize the neighborhood.
8. **What is the impact upon adjacent property owners if the request zoning is not approved?**  
If the rezoning is not approved, adjacent owners will suffer from unsightly buildings and diminished values.
9. **Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.**  
The rezoning will allow a new medical office to provide needed services in close proximity to citizens of the City. This will promote the health and welfare of citizens and enhance the services provided within the City. The rezoning will also reduce the number and distance of vehicle trips for citizens, improving traffic in the City and region.

All that tract or parcel of land lying and being in Land Lot 186 of the 4<sup>th</sup> District, Walton County, Georgia and within the City of Loganville, Georgia containing 0.854 acres shown as Parcel 2 on that Survey for Strive Real Estate Loganville, LLC prepared by J. Chris Whitley, Georgia Registered Land Surveyor No. 2672, dated August 5, 2021, said plat being incorporated herein by reference for a complete description thereof also known as Tax Parcel LG 060 141.





Letter of Intent  
Koch Orthodontics  
123 Bobby Boss Road  
Tax Parcel LG060 141

Koch Orthodontics is a specialized practice by providing services for orthodontics, braces, dental and related patient needs. Koch Orthodontics opened its first office in 2011. It seeks rezoning of the property at Bobby Boss Drive and U.S. Highway 78 to allow for construction of its new practice and office at this location. It also seeks an administrative setback variance along a portion of Highway 78 to allow a 10 foot encroachment for the building and window shade overhang. The property is bounded by a stream to the North which provides a hardship to justify the minor variance along Highway 78. The applicant seeks rezoning to the City's CH designation to permit this use. This use would benefit the community and the City by providing needed orthodontic services in close proximity to residents and citizens. The owner, Strive Real Estate Loganville, LLC, is affiliated with Koch Orthodontics.

The applicant would be happy to meet with neighbors and City personnel to discuss this matter further. To satisfy the requirements of state law, the applicant notes that the denial of this application nor the inclusion of any conditions of zoning not acceptable to the applicant would constitute a taking under Georgia law.

LIST OF ADJACENT PROPERTY OWNERS

Melanie Elaine Long  
P.O. Box 1642  
Loganville, GA 30052

David Michael Ortiz  
229 Covington Street  
Loganville, GA 30052

JLB Enterprises, LLC  
4460 Atlanta Hwy.  
Loganville, GA 30052

The City of Loganville, Georgia  
P.O. Box 39  
Loganville, GA 30052

TLJ Loganville, LLC  
324 West Grand Canyon Drive  
Chandler, AZ 85248

Rewetie Singh  
2417 Wood View Court  
Snellville, GA 30078



Proposed Conditions of Zoning

RZ24-001 and 002

1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:

- Automotive body repair
- Automotive car wash
- Automotive parts stores
- Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)
- Automotive service stations, with or without fuel pumps.
- Convenience food stores with or without fuel pumps
- Drive-in restaurants.
- Garages.
- Hotels
- Lawnmower repair shops
- Machine, welding, radiator or muffler repair shops
- Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)
- Recovered materials processing facility
- Restaurants and lounges

2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.

3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.

4. The dumpster shall be screened in accordance with the City's regulations.

5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.

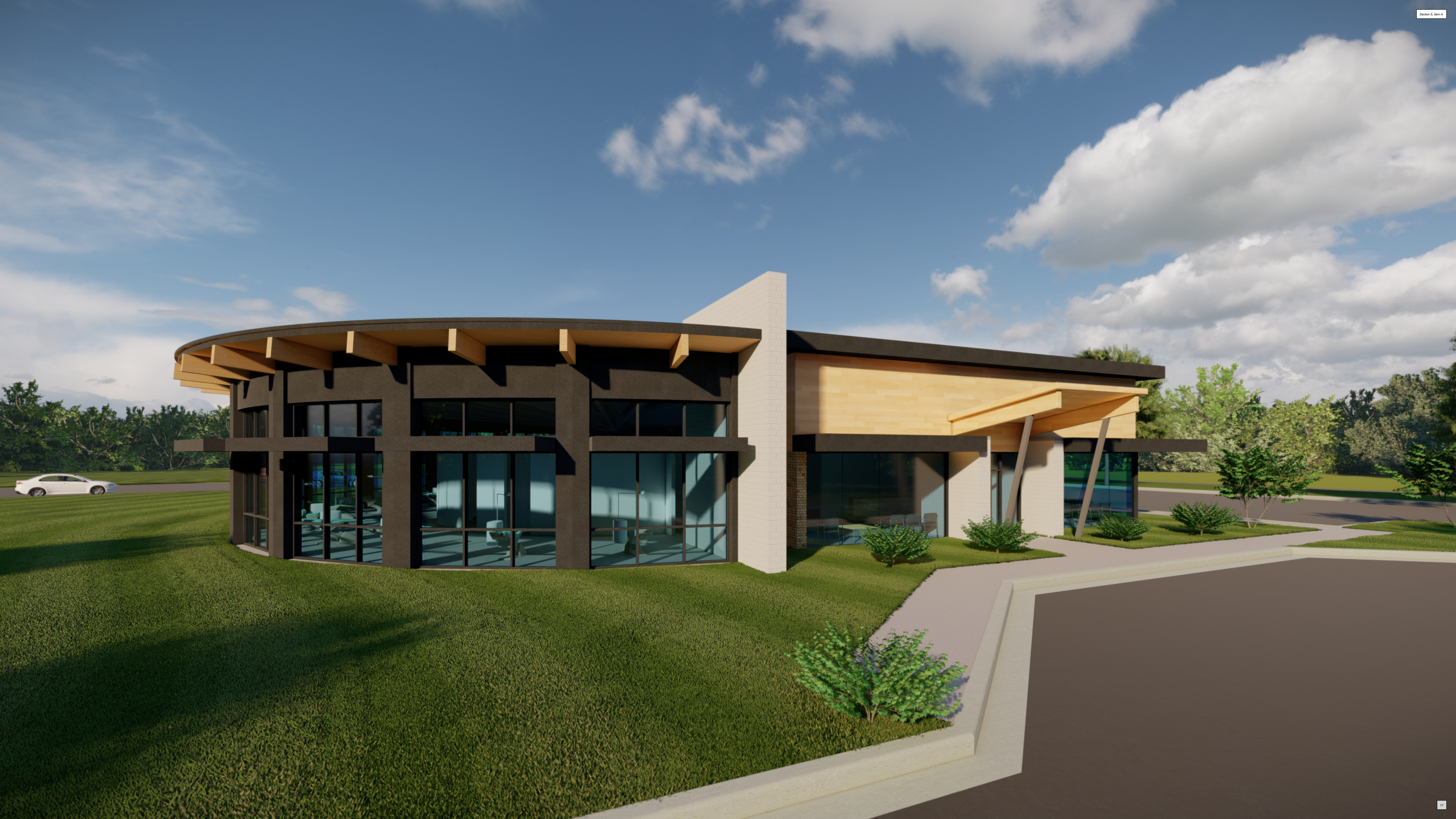
















Planning & Development  
4303 Lawrenceville Road  
Loganville, GA 30052  
Phone 770.466.2633  
Fax: 770.554.5556

**Case #:** R24-001

**Applicant:** Koch Orthodontics

**Property Owner:** Strive Real Estate Loganville LLC

**Property Location:** 123 Bobby Boss Road

**Tax Map/Parcel:** LG060141

**Property Size:** .854

**Current Zoning:** CBD

**Request:** CH

**Proposed Use:** Combine 3 parcels together for an orthodontics office.

**Applicant’s Request**

The applicant is seeking to combine three parcels – two currently zoned CBD and the other CH – to provide a suitable location for an orthodontist’s office.

**Existing Conditions**

Previous structures on the property – including a house and two accessory structures – were left vacant for more than two years and eventually torn down in August of 2023. The site is currently vacant.

**Impact Analysis**

**What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels?** While the parcel was zoned Commercial Central Business District, the property remained residential until its most recent sale in 2021. While the loss of an older home can be viewed as a negative to the character of the community, the fact that it had fallen into disrepair and will be replaced with a service potentially needed in the area will help the aesthetic conditions of the overall area.



**What is the impact upon thoroughfare congestion and traffic safety?** Staff have determined the change of commercial zonings for the addition of an orthodontics' office will not have a major impact on congestion and traffic safety in the immediate area. Staff would like to note that any potential future addition to this site would likely require the addition of a deceleration lane on Bobby Boss Drive from Highway 78 leading to the development.

**What is the impact upon population density and the potential for overcrowding and urban sprawl?** The change in commercial designations would likely not have a significant impact on population density nor overcrowding / urban sprawl.

**What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services?** The impact would be minimal.

**How does the proposed use provide protection of property against blight and depreciation?** The project will replace dilapidated structures.

**Is the proposed use consistent with the adopted Comprehensive Plan?** The City's future land use map shows this property maintaining its CBD zoning.

**What is the impact upon adjacent property owners if the request is approved?** With its close proximity to both Main Street and Highway 78, this area is a unique blend of residential and commercial properties. The overall project will fall in line with much of the other developments along Highway 78, which are predominantly CH. The fact a stream exists on the northern side of the project, combined with the minimum setback requirements for CH and residential parcels (30 feet), means there should be enough protection for the adjacent R16 properties.

**What is the impact upon adjacent property owners if the request is not approved?** The property will likely sit vacant as the project will likely not move forward.

**Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville?** No.

**Recommended action:** Staff recommendations are to approve the rezone.

**Planning Commission Recommended Conditions**

- 1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:  
 Automotive body repair  
 Automotive car wash  
 Automotive parts stores  
 Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)  
 Automotive service stations, with or without fuel pumps.  
 Convenience food stores with or without fuel pumps  
 Drive-in restaurants.  
 Garages.  
 Hotels  
 Lawnmower repair shops  
 Machine, welding, radiator or muffler repair shops  
 Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)  
 Recovered materials processing facility  
 Restaurants and lounges
- 2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.
- 3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- 4. The dumpster shall be screened in accordance with the City's regulations.
- 5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.

**City Council Conditions**

- 1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:  
 Automotive body repair  
 Automotive car wash  
 Automotive parts stores  
 Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)  
 Automotive service stations, with or without fuel pumps.  
 Convenience food stores with or without fuel pumps  
 Drive-in restaurants.  
 Garages.  
 Hotels  
 Lawnmower repair shops

Machine, welding, radiator or muffler repair shops

Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)

Recovered materials processing facility

Restaurants and lounges

2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.
3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
4. The dumpster shall be screened in accordance with the City's regulations.
5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.



CITY OF LOGANVILLE
Department of Planning & Development
P.O. Box 39 • 4303 Lawrenceville Road
Loganville, GA 30052
770.466.2633 • 770.466.3240 • Fax 770.554.5556

Date: 11-30-2023

Application # R 24-002

REQUEST FOR ZONING MAP AMENDMENT
A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

Form with sections: APPLICANT INFORMATION, PROPERTY OWNER INFORMATION, CONTACT PERSON, PROPERTY INFORMATION. Includes fields for Name, Address, City, State, Zip, Phone, and Property details.

You must attach: [ ] Application Fee [ ] Legal Description [ ] Plat of Property [ ] Campaign Contribution Disclosure
[ ] Letter of Intent [ ] Site Plan [ ] Names/Addresses of Abutting Property Owners [ ] Impact Analysis

Pre-Application Conference Date: 11-30-2023
Accepted by Planning & Development: [Signature] DATE: 11/30/23 FEE PAID: \$500.00
CHECK # 4026 RECEIPT # 200149244 TAKEN BY: SB DATE OF LEGAL NOTICE: 1/7/24 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: [ ] Approve [X] Approve w/conditions [ ] Deny [ ] No Recommendation
Commission Chairman: [Signature] DATE: 1/25/24

CITY COUNCIL ACTION: [X] Approved [ ] Approved w/conditions [ ] Denied [ ] Tabled to
[ ] Referred Back to Planning Commission [ ] Withdrawn
Mayor: [Signature] City Clerk: [Signature] Date: 2/8/24

Application # **R** \_\_\_\_\_

**Applicant's Certification**

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

*[Handwritten Signature]*

11/29/23

Applicant's Signature

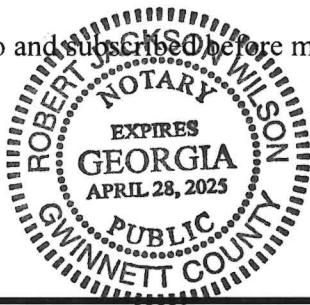
Date

Jacob Koch, President

Print Name and Title

Sworn to and subscribed before me this 29 day of November, 2023.

(Seal)



*[Handwritten Signature]*

Signature of Notary Public

**Property Owner's Certification**

(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

- a)  the owner of record of property contained in this application, and/or
- b)  the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

*[Handwritten Signature]*

11/29/23

Owner's Signature

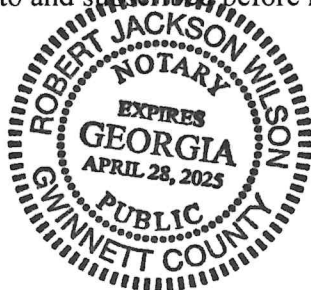
Date

Jacob Koch, President

Print Name and Title

Sworn to and subscribed before me this 29 day of November, 2023.

(Seal)



*[Handwritten Signature]*


Signature of Notary Public




Application # **R** \_\_\_\_\_

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

The undersigned, making application for rezoning with the City of Loganville, Georgia, have complied with the Official Code of Georgia, Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information as requested below.

	11/29/23	Jacob Koch, President
Applicant's Signature	Date	Print Name

	11/29/23	Robert Jackson Wilson
Signature of Applicant's Attorney or Agent	Date	Print Name

**Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?**

\_\_\_\_\_ **YES**        X   **NO**

**If YES, complete the following:**

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____		
NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all aggregating to \$250 or more)	DATE OF CONTRIBUTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Attach additional sheets as necessary to disclose and describe all contributions.**

**APPLICANT'S RESPONSES TO EVALUATION CRITERIA**

In the space provided or in a separate attachment, provide responses to the following questions:

1. **How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?**  
The proposed use will greatly improve the appearance and aesthetic conditions by providing a new Class A office building in place of older, declining structures.
2. **How does the proposed use impact thoroughfare congestion and traffic safety?**  
The use will reduce overall congestion by providing a needed service in close proximity to citizens. Access from Bobby Boss Dr. will ease congestion on Highway 78 and provide for safe traffic flow to and from the office.
3. **How does the proposed use impact population density and the potential for overcrowding and urban sprawl?**  
The use will relieve overcrowding and sprawl by providing for a medical office use near residents for ease of travel and shorter vehicle trips.
4. **How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;**  
The proposed use will not make significant demands or have any adverse impact on water or sewer infrastructure. The use will reduce the number and length of vehicle trips for City residents.
5. **How does the proposed zoning provide protection of property against blight and depreciation?**  
The rezoning will eliminate blight and depreciation by allowing for a new office building to be constructed.
6. **How is the proposed use and zoning consistent with the adopted Comprehensive Plan?**  
Yes. Office use is appropriate along the Highway 78 corridor.
7. **In what way does the proposed zoning affect adjacent property owners if the request is approved?**  
The rezoning will improve the value of neighboring properties and provide for a new office to stabilize the neighborhood.
8. **What is the impact upon adjacent property owners if the request zoning is not approved?**  
If the rezoning is not approved, adjacent owners will suffer from unsightly buildings and diminished values.
9. **Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.**  
The rezoning will allow a new medical office to provide needed services in close proximity to citizens of the City. This will promote the health and welfare of citizens and enhance the services provided within the City. The rezoning will also reduce the number and distance of vehicle trips for citizens, improving traffic in the City and region.

Letter of Intent  
Koch Orthodontics  
4450 Highway 78  
Tax Parcels LG050036 and LG060 140 and 141

Koch Orthodontics is a specialized practice by providing services for orthodontics, braces, dental and related patient needs. Koch Orthodontics opened its first office in 2011. It seeks rezoning of two parcels at the intersection of Bobby Boss Drive and U.S. Highway 78 to allow for construction of its new practice and office at this location. It also seeks an administrative setback variance along a portion of Highway 78 to allow a 10 foot encroachment for the building and window shade overhang. The property is bounded by a stream to the North which provides a hardship to justify the minor variance along Highway 78. The applicant seeks rezoning to the City's CH designation for Tax Parcels LG060 140 and LG050 036 to permit this use. This use would benefit the community and the City by providing needed orthodontic services in close proximity to residents and citizens. The owner, Strive Real Estate Loganville, LLC, is affiliated with Koch Orthodontics.

The applicant would be happy to meet with neighbors and City personnel to discuss this matter further. To satisfy the requirements of state law, the applicant notes that the denial of this application nor the inclusion of any conditions of zoning not acceptable to the applicant would constitute a taking under Georgia law.



All that tract or parcel of land lying and being in Land Lot 186 of the 4<sup>th</sup> District, Walton County, Georgia and within the City of Loganville, Georgia containing 2.68 acres shown as Parcel 1 on that Survey for Strive Real Estate Loganville, LLC prepared by J. Chris Whitley, Georgia Registered Land Surveyor No. 2672, dated August 5, 2021, said plat being incorporated herein by reference for a complete description thereof, also known as Tax Parcel LG 050 036.

LIST OF ADJACENT PROPERTY OWNERS

Melanie Elaine Long  
P.O. Box 1642  
Loganville, GA 30052

David Michael Ortiz  
229 Covington Street  
Loganville, GA 30052

JLB Enterprises, LLC  
4460 Atlanta Hwy.  
Loganville, GA 30052

The City of Loganville, Georgia  
P.O. Box 39  
Loganville, GA 30052

TLJ Loganville, LLC  
324 West Grand Canyon Drive  
Chandler, AZ 85248

Rewetie Singh  
2417 Wood View Court  
Snellville, GA 30078



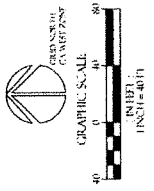
**MDA**  
MARTIN L. ANDERSON & ASSOCIATES  
SURVEYORS

THE PROFESSIONAL SURVEYOR'S BOARD OF THE STATE OF GEORGIA  
REGISTERED PROFESSIONAL SURVEYOR  
NO. 12345  
EXPIRES 12/31/2024

THE PROFESSIONAL SURVEYOR'S BOARD OF THE STATE OF GEORGIA  
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THE PROFESSIONAL SURVEYOR'S BOARD OF THE STATE OF GEORGIA  
REGISTERED PROFESSIONAL SURVEYOR  
NO. 12345  
EXPIRES 12/31/2024

Section 5, Item B.



**PARCEL 1: 2.697 AC.**  
**PARCEL 2: 0.860 AC.**  
**PARCEL 3: 0.832 AC.**  
**TOTAL: 4.389 AC.**

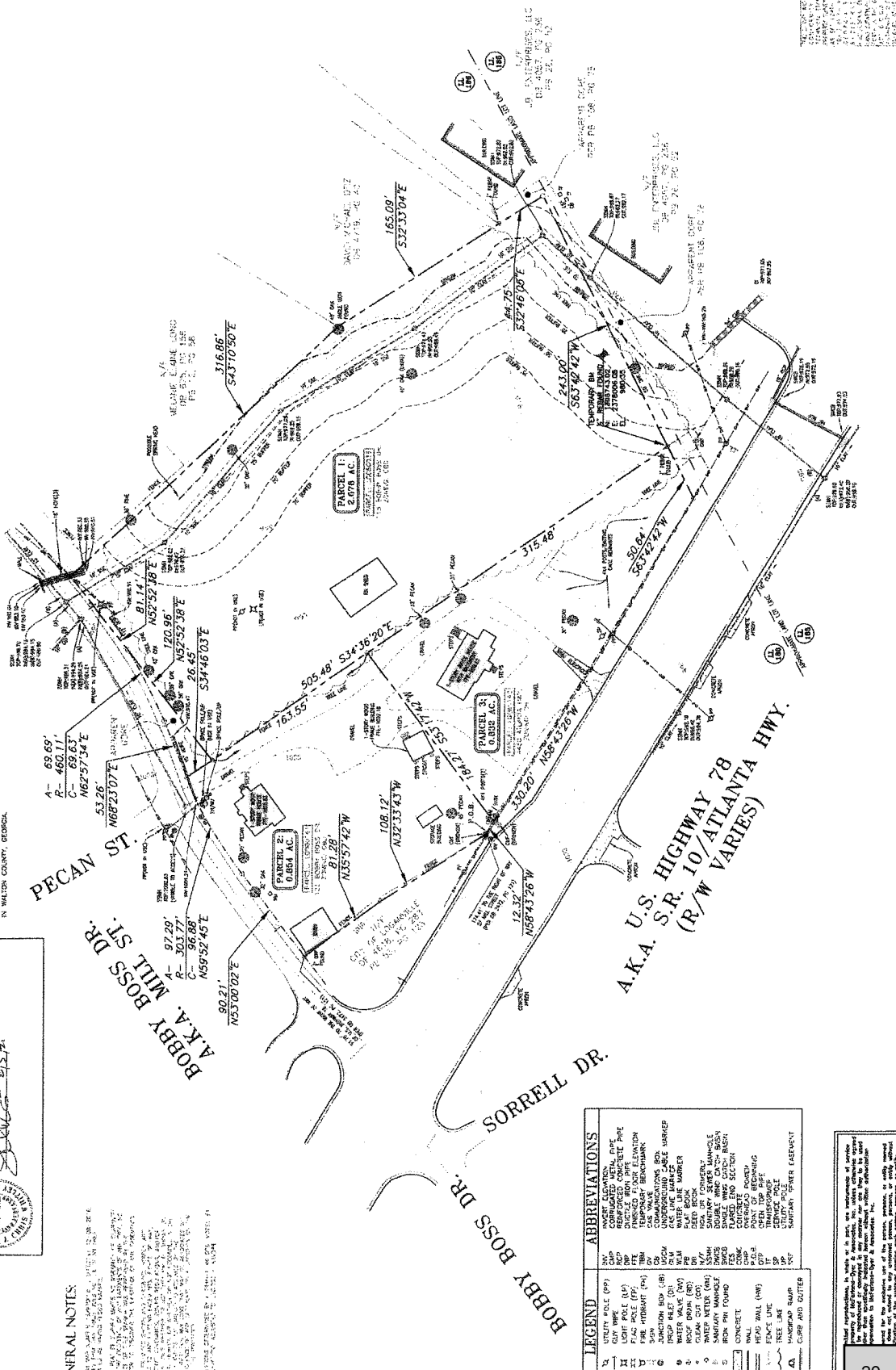
- REFERENCES:**
- DEED BOOK 355, PAGE 25
  - DEED BOOK 3855, PAGE 313
  - DEED BOOK 3855, PAGE 314
  - PLAT BOOK 6, PAGE 6
  - PLAT BOOK 13, PAGE 21
  - PLAT BOOK 65, PAGE 185
  - DEED BOOK 222, PAGE 489
  - UNRECORDED DEED FROM MRS. G.W. ROBERTS TO MISS POLLA ROBERTSON, DATED JULY 10, 1981, IN WALTON COUNTY, GEORGIA.

**SURVEYOR'S CONTINUUM BOX**  
This plat is a continuation of an existing plat or plat of land and does not constitute a new plat. The recording information of the monuments, measurements, bearings, distances, and other data herein shall be taken as if they were part of the original plat. The surveyor certifies that the plat complies with the minimum requirements of the Georgia Board of Registered Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-10-07.

*[Signature]*  
2/1/24

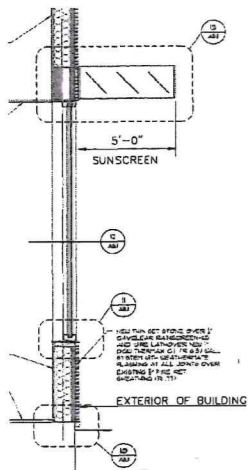
**GENERAL NOTES:**

- ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- ALL BEARINGS ARE TRUE BEARINGS.
- ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.
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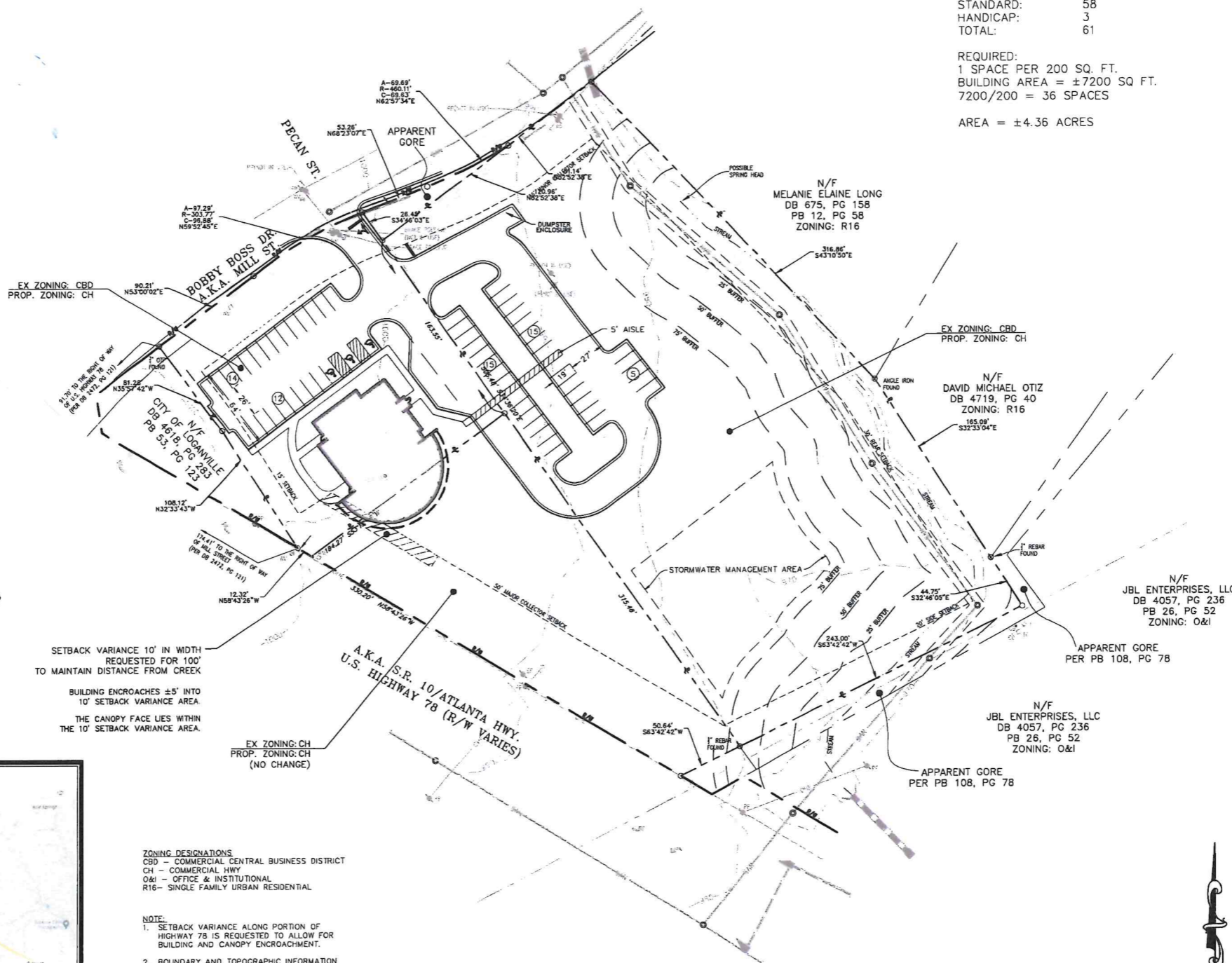


LEGEND	ABBREVIATIONS
1	ANGST LOCATION
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100	CONCRETE METAL PIPE

These abbreviations, in which the S.P.C. was represented of service in the State of Georgia, are hereby adopted as the standard abbreviations for use in all surveys conducted by the Surveyors' Association of Georgia. The Surveyors' Association of Georgia is hereby authorized to use these abbreviations in all surveys conducted by its members.



WALL SECTION AT PATIENT AREA



**PARKING SUMMARY:**

STANDARD: 58  
 HANDICAP: 3  
 TOTAL: 61

REQUIRED:  
 1 SPACE PER 200 SQ. FT.  
 BUILDING AREA = ±7200 SQ. FT.  
 7200/200 = 36 SPACES

AREA = ±4.36 ACRES

SETBACK VARIANCE 10' IN WIDTH  
 REQUESTED FOR 100'  
 TO MAINTAIN DISTANCE FROM CREEK

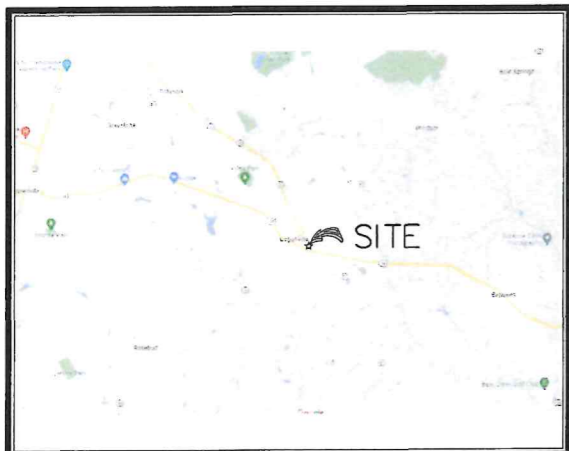
BUILDING ENCROACHES ±5' INTO  
 10' SETBACK VARIANCE AREA.  
 THE CANOPY FACE LIES WITHIN  
 THE 10' SETBACK VARIANCE AREA.

EX ZONING: CH  
 PROP. ZONING: CH  
 (NO CHANGE)

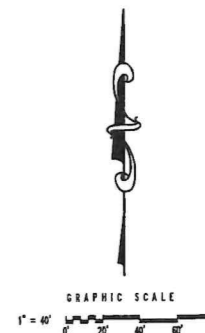
**ZONING DESIGNATIONS**  
 CBD - COMMERCIAL CENTRAL BUSINESS DISTRICT  
 CH - COMMERCIAL HWY  
 O&I - OFFICE & INSTITUTIONAL  
 R16 - SINGLE FAMILY URBAN RESIDENTIAL

**NOTE:**  
 1. SETBACK VARIANCE ALONG PORTION OF  
 HIGHWAY 78 IS REQUESTED TO ALLOW FOR  
 BUILDING AND CANOPY ENCROACHMENT.  
 2. BOUNDARY AND TOPOGRAPHIC INFORMATION  
 FROM SURVEY BY MCFARLAND-DYER &  
 ASSOCIATES DATED 8-5-2021.

**OWNER/DEVELOPER**  
 KOCH ORTHODONTICS  
 55 TOWLER ROAD  
 LAWRENCEVILLE, GA 30046  
 PHONE: 770-962-9560



VICINITY MAP



**HUSSEY GAY BELL**  
 Established 1958

3100 BRUCKNER RD., BLDG. 300, DULUTH, GA 30096 / T: 770.923.1600

REVISIONS:	10/29/23
REVISION #	
DATE	

DESIGNED	XX	DRAWN	BT	CHECKED	MB
DATE:	9/15/2023				
JOB NO.	23040				
SCALE:	XX				

DR. KOCH ORTHODONTICS  
 BOBBY BOSS RD.  
 LOGANVILLE, GA  
 FOR  
 DR. KOCH  
 ZONING PLAN

DRAWING NUMBER  
**C01**

Proposed Conditions of Zoning

RZ24-001 and 002

1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:

Automotive body repair

Automotive car wash

Automotive parts stores

Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)

Automotive service stations, with or without fuel pumps.

Convenience food stores with or without fuel pumps

Drive-in restaurants.

Garages.

Hotels

Lawnmower repair shops

Machine, welding, radiator or muffler repair shops

Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)

Recovered materials processing facility

Restaurants and lounges

2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.

3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.

4. The dumpster shall be screened in accordance with the City's regulations.

5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.

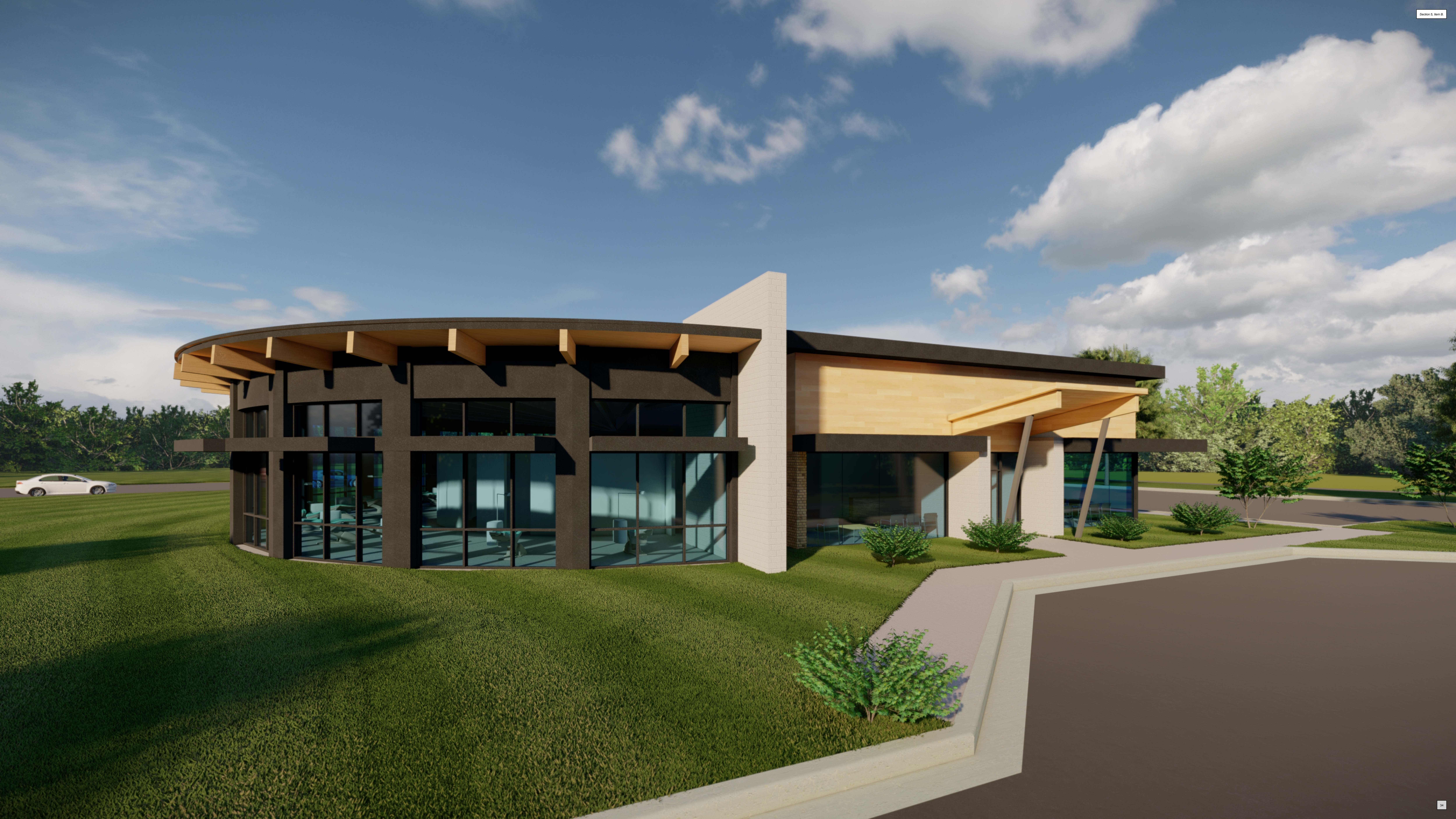
















Planning & Development  
4303 Lawrenceville Road  
Loganville, GA 30052  
Phone 770.466.2633  
Fax: 770.554.5556

**Case #:** R24-002

**Applicant:** Koch Orthodontics

**Property Owner:** Strive Real Estate Loganville LLC

**Property Location:** 115 Bobby Boss Road

**Tax Map/Parcel:** LG050036

**Property Size:** 2.68

**Current Zoning:** CBD

**Request:** CH

**Proposed Use:** Combine 3 parcels together for an orthodontics office.

**Applicant’s Request**

The applicant is seeking to combine three parcels – two currently zoned CBD and the other CH – to provide a suitable location for an orthodontist’s office.

**Existing Conditions**

Previous accessory structures on the property were torn down in August of 2023. The site is currently vacant.

**Impact Analysis**

**What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels?** No residential structures were located on this property – only an old barn. The immediate area will likely benefit from the aesthetic improvements in the area.

**What is the impact upon thoroughfare congestion and traffic safety?** Staff have determined the change of commercial zonings for the addition of an orthodontics’ office will not have a major impact on congestion and traffic safety in the immediate area. Staff would like to note that any potential future addition to this site would likely require the addition of a deceleration lane on Bobby Boss Drive from Highway 78 leading to the development.

**What is the impact upon population density and the potential for overcrowding and urban sprawl?** The change in commercial designations would likely not have a significant impact on population density nor overcrowding / urban sprawl.

**What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services?** The impact would be minimal.

**How does the proposed use provide protection of property against blight and depreciation?** The project will replace dilapidated structures.

**Is the proposed use consistent with the adopted Comprehensive Plan?** The City’s future land use map shows this property maintaining its CBD zoning.

**What is the impact upon adjacent property owners if the request is approved?** With its close proximity to both Main Street and Highway 78, this area is a unique blend of residential and commercial properties. The overall project will fall in line with much of the other developments along Highway 78, which are predominantly CH. The fact a stream exists on the northern side of this parcel, combined with the minimum setback requirements for CH and residential parcels (30 feet), means there should be enough protection for the adjacent R16 properties.

**What is the impact upon adjacent property owners if the request is not approved?** The property will likely sit vacant as the project will likely not move forward.

**Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville?** No.

**Recommended action:** Staff recommendations are to approve the rezone.

**Planning Commission Recommended Conditions**

- 1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:  
Automotive body repair  
Automotive car wash

Automotive parts stores  
 Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)  
 Automotive service stations, with or without fuel pumps.  
 Convenience food stores with or without fuel pumps  
 Drive-in restaurants.  
 Garages.  
 Hotels  
 Lawnmower repair shops  
 Machine, welding, radiator or muffler repair shops  
 Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)  
 Recovered materials processing facility  
 Restaurants and lounges

2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.
3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
4. The dumpster shall be screened in accordance with the City's regulations.
5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.

**City Council Conditions**

1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:

Automotive body repair  
 Automotive car wash  
 Automotive parts stores  
 Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)  
 Automotive service stations, with or without fuel pumps.  
 Convenience food stores with or without fuel pumps  
 Drive-in restaurants.  
 Garages.  
 Hotels  
 Lawnmower repair shops  
 Machine, welding, radiator or muffler repair shops  
 Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)  
 Recovered materials processing facility  
 Restaurants and lounges

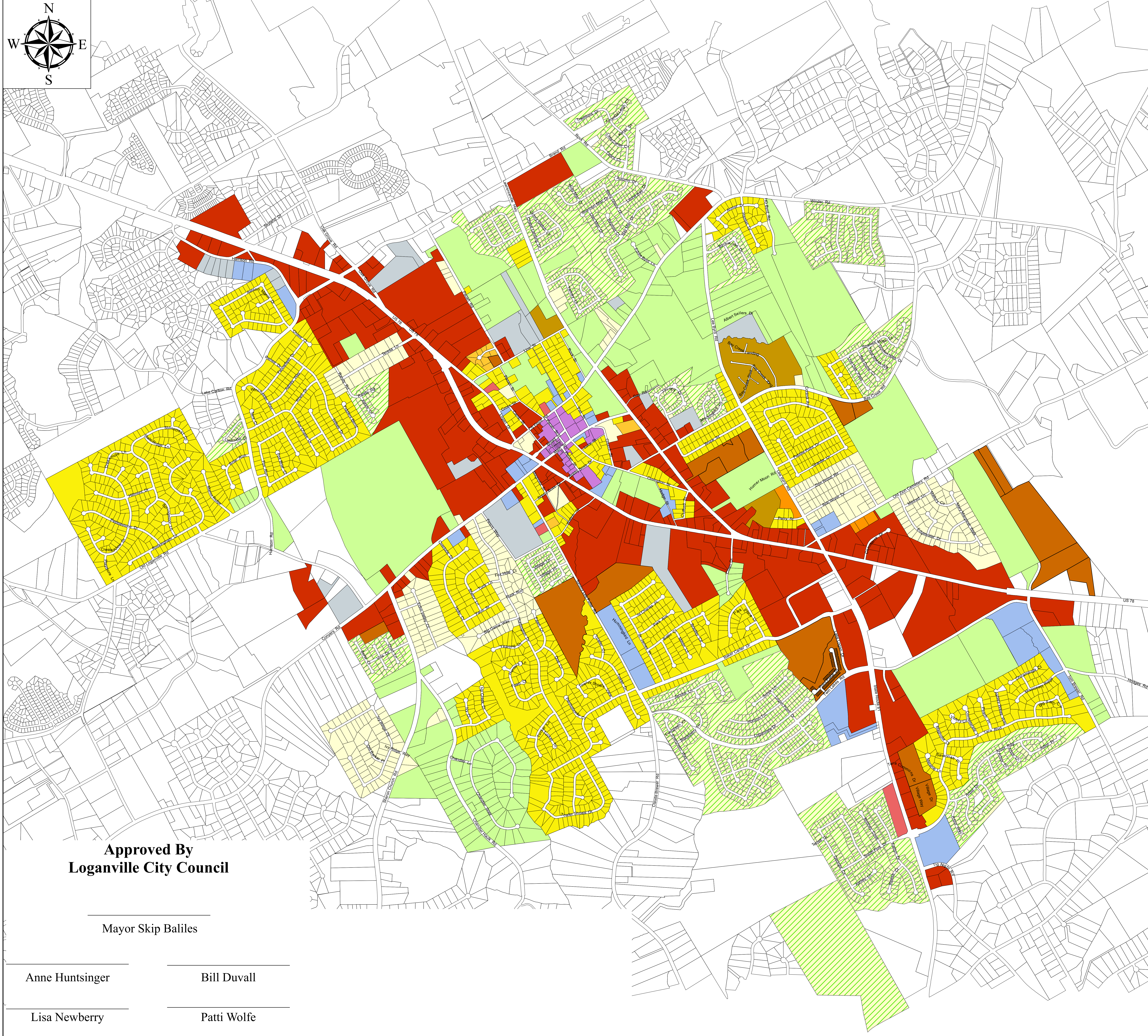
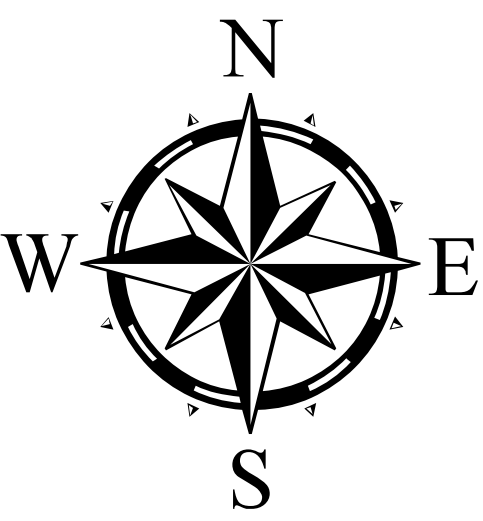
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# City of Loganville Official Zoning Map

FEBRUARY 8TH, 2024



- R-4 - Single Family Rural Residential
- R-22 - Single Family Suburban Residential
- CSO - Open Space Subdivision Overlay
- R-16 - Single Family Urban Residential
- RM-4 - Multifamily Residential Apartments
- RM-6 - Multifamily Medium Density Apartments
- RM-8 - Multifamily Residential Moderate Density Apartments
- MHP - Manufactured Home Park
- O&I - Office & Institutional
- CH - Commercial Highway
- CN - Commercial Neighborhood
- CBD - Commercial Central Business District
- LI - Light Industrial
- HI - Heavy Industrial
- PUV - Planned Urban Village

**Legal Notifications:**  
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**Production Notes:**  
 The compilation methods employed during the production of this map include, but are not limited to, the following mapping processes: plot and/or direct research, coordinate geometry, traditional and GIS field surveys and orthophoto rectification.

**Data Sources:**  
 • Aerial Photography: ESRI, Digital Globe, USDA, USGS, and KDN  
 • City Limits: Gwinnett County GIS, and Walton Co Tax Assessors  
 • Digital Elevation Model: USDA Natural Resources Conservation Services National Elevation Dataset (DEM)  
 • Parcels: Gwinnett County GIS and Walton Co Tax Assessors

**Revisions:**  
 This map may be revised periodically by the City. Should the user find conditions other than as shown, the City would appreciate user input. Input may be email, in person, and your proposed revision, and send the information to the City for consideration.

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This information has been provided from general sources and the City of Loganville Planning Department. TerraMark Geospatial assumes no liability for accuracy or for any decisions which may be made based on this information. This Zoning Map has been compiled for the City of Loganville by TerraMark Geospatial. The City of Loganville does not assume responsibility for the accuracy of information herein.

**Approved By  
Loganville City Council**

Mayor Skip Baliles

Anne Huntsinger                      Bill Duvall

Lisa Newberry                         Patti Wolfe

Melanie Long                         Branden Whifield

Date of Last Map Revision / Update: November 22, 2023

Date of Adoption: February 8th, 2024

**This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted April 8th, 2021, as part of the Zoning Ordinance of the City of Loganville.**

