



## PLANNING COMMISSION MEETING AGENDA

Thursday, June 27, 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. MINUTES FROM 4.25.24

**5. NEW BUSINESS**

A. Vote to elect a new Chairperson for the Planning Commission.

B. Vote to elect a new Co-Chairperson for the Planning Commission.

C. **Case #A24-012** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP requests Annexation of property located at Tuck Road, Conyers Road, Loganville, GA 30052. Map/Parcel #LG060010ADP, LG0600100DP, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co between Foxbury Commons and LG0600100DP) of 61.213+/- acres.

D. **Case #R24-013** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP filed an application requesting to rezone approximately 201.376+/- acres located at Tuck Road, Conyers Road, Loganville, GA 30052. Map/Parcel #LG060010, LG060010A00, LG060010ADP, LG0600100DP, LG060009, LG060011, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co between Foxbury Commons and LG0600100DP) The property owner is Tuck Family Farm LLP C/O Sherry S Grider. The current zoning is A2, R-44, CH, unzoned and the requested zoning is PUV with the proposed development of mixed-use development with 232 single-family homes, 150 townhomes, and 23,200 square feet of commercial space as well as greenspace.

E. **Case #V24-014** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP requested a Major Variance for the property located Tuck Road, Conyers Road Loganville, GA 30052 at Parcels #LG060010, LG060010A00, LG060010ADP, LG0600100DP, LG060009, LG060011, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co between Foxbury Commons and LG0600100DP). Present zoning is A2, R-44, CH. Ordinance and Section from which relief is sought is Zoning Ordinance 119-221(d)(2) to allow phase development.

F. **Case #R24-021** – Terry L. Clayton filed an application requesting to rezone approximately 0.49+/- acres located at 180 C.S. Floyd Road Loganville, GA 30052. Map/Parcel #LG050133, Walton County, GA. The property owner is Terry L. Clayton. The current zoning is R16 and the requested zoning is CH with the proposal of hosting two commercial business's; a residential cleaning service and a home renovation company.

**6. ADJOURN**

Public is welcomed to attend.



**PLANNING COMMISSION MEETING MINUTES**

**Thursday, April 25, 2024 at 6:30 PM**

**Municipal Council Chambers, 4303 Lawrenceville Road**

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**1. CALL MEETING TO ORDER**

PRESENT

Chairman Keith Colquitt

Commissioner Linda Dodd

Commissioner Tiffany Ellis

Commissioner Michael Joyner

Commissioner Cathy Swanson

Commissioner William Williams II

ABSENT

Commissioner Barbara Forrester

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES**

**A. Approval of Minutes from 2.22.2024**

Motion made by Commissioner Williams II to approve the Minutes from 2.22.24, seconded by Commissioner Ellis.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Minutes approved 5-0.

**5. NEW BUSINESS**

**A. Case #A24-012** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP requests annexation of property located at the intersection of Tuck Road, Conyers Road, Loganville, GA 30052. Map/Parcel #LG060010ADP, LG0600100DP, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co between Foxbury Commons and LG0600100DP) of 61.213+/- acres.

**B. Case #R24-013** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP filed an application requesting to rezone approximately 201.376+/- acres located at the intersection of Tuck Road, Conyers Road, Loganville, GA 30052. Map/Parcel #LG060010, LG060010A00, LG060010ADP, LG0600100DP, LG060009, LG060011, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co. between Foxbury Commons and LG0600100DP) The property owner is Tuck Family Farm LLP c/o Sherry S. Grider. The current zoning is A2, R-44, CH, unzoned and the requested zoning is PUV with the proposed development of mixed-use development with 232 single-family homes, 150 townhomes, and 23,200 square feet of commercial space as well as greenspace.

**C. Case #V24-014** – Green Rivers Builders, Inc. c/o Mahaffey Pickens Tucker, LLP requested a Major Variance for the property located at the intersection of Tuck Road, Conyers Road Loganville, GA 30052 at parcels #LG060010, LG060010A00, LG060010ADP, LG0600100DP, LG060009, LG060011, Walton County, GA and portion of 4580 Tuck Road (un-zoned parcel in Gwinnett Co between Foxbury Commons and LG0600100DP). Present zoning is A2, R-44, CH. Ordinance and Section from which relief is sought is Zoning Ordinance 119-221(d)(2) to allow phase development.



Chairman Colquitt referred the above three cases over to Planning Director Robbie Schwartz. Mr. Schwartz stated a letter was received from the applicant, asking to table the cases for 60 days. The reason for tabling was to update the proposal of the project based off the Town Hall meeting.

Motion made by Commissioner Dodd to table the case, seconded by Commissioner Ellis.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion to table approved 5-0.

- D. Case #V24-015** – E&S Rentals LLC requested a Major Variance for the property located at 164 Bobby Boss Drive, Loganville, GA 30052, Walton County. Map/Parcel#LG060163. Present zoning is CH. Ordinance and section from which relief is sought is Zoning Ordinance 119-432(a) Minimum Buffer Specifications which requires a 30-foot buffered strip between the CH zoning of this parcel and the R-16 of the adjacent parcel. The applicant has requested this reduced to 15 feet.

Robert Gardner represented E&S Rentals for both case V24-015 and V24-018. The entrance off of Bobby Boss Road is on a large slope, which has caused serious drainage issues and flooding. For the property to do a 4-1 slope within regulations, it would cause the detention pond to take up that whole area. They are proposing to fix this issue, to 1<sup>st</sup> make an entrance to the property off of Tommy Lee Fuller and 2<sup>nd</sup> due to the size of the detention pond, they would need to encroach up to 15ft to the property. At the moment, a hardship is not shown, but it will be once the large detention pond is placed on the property. The applicant will do landscaping as well to make the property look better with these changes.

Jane Williams, property owner at 220 Tommy Lee Fuller Drive, had a question in reference to why the beautification of the property is only promised with the passing of these variances and not beforehand.

Tonya Haney, who lives on the corner of Bobby Boss, wanted to know exactly where the pond would go on the property and what kind of landscaping was being proposed.

Mr. Gardner went over the proposed drawing of where the pond, landscaping, parking and deceleration lane would be. The property has a new owner and are just beginning to beautify the property. The engineer for the cases stated that the buffers will be heavily planted to create a nice buffer. He also stated that the detention pond is more of a runoff reduction, meaning that if it is 1 inch of rain or less, the water will not be seen since it will infiltrate into the ground.

Commissioner Williams II asked "What kind of businesses will be placed on this property? Can a condition be made that multiple vehicles not be parked on the property overnight?"

The property owner stated they would like a tint shop or an online retailer, they were not looking to host a paint or automotive type shop that would make the property have multiple vehicles on sight or "look like a junkyard."

Commissioner Ellis questioned if the proposed buildings were for single tenant use, which was verified by the property owner.

Commissioner Dodd questioned who is responsible for the upkeep of a privacy fence/landscaping? The property owner stated they would keep it up.

Commissioner Swanson stated that the property as a whole should be kept uniform. Pave the whole property, landscape it, update the older buildings etc.

Motion made by Commissioner Ellis to approve with the conditions of a privacy fence, evergreen trees being planted. Seconded by Commissioner Williams II.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Williams II. Voting Nay: Commissioner Swanson.

Motion to approve case 4-1.

**E. Case #V24-018** – E&S Rentals LLC requested a Major Variance for the property located at 164 Bobby Boss Drive, Loganville, GA 30052, Walton County. Map/Parcel#LG060163. Present zoning is CH. Ordinance and section from which relief is sought is City of Loganville Development Regulations 6.3.3 (C) as it relates to the length of a deceleration lane required for this project to place additional commercial buildings on the site.

Motion made by Commissioner Dodd to approve, Seconded by Commissioner Ellis.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion approved 5-0.

**F. Case #V24-016** – Southern Yankee requested a Major Variance for the property located at SW corner of Covington St and Hodges St, Loganville, GA 30052, Walton County. Map/Parcel#LG110008 & LG11008A. Present zoning is R44. Ordinance and section from which relief is sought is Zoning Ordinance 119.208(C) Minimum lot width for minor subdivision.

Mark Myers presented the case for property owner Ann Jones. The builder wants to build \$500k homes on large lots, however, with the four homes they want to build, need have the lot width adjusted in order to create the maximum amount of space for the homes.

Commissioner Dodd wanted to know where the driveways would come out at and if sidewalks would be involved in the builds. The builder stated the driveways would either go on the left hand or right-hand side of each lot, based off the slope of the property. The builder is not planning on creating sidewalks.

Motion made by Commissioner Dodd to approve, Seconded by Commissioner Ellis.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion approved 5-0.

**G. Case #24-019** – That Chapter 119 of the Code of the City of Loganville, Georgia shall be amended by replacing the current zoning map dated April 8, 2021 and replaced with zoning map dated May 9, 2024 to be known as and to certify that this is the Official Zoning Map referred to in the 2005 Zoning Ordinance of the City of Loganville, GA.

Motion made by Commissioner Williams II to adopt updated zoning map, Seconded by Commissioner Joyner.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion to adopt new zoning map approved 5-0.

**H. Case #24-020** – Amend Chapter 119-211 of the City of Loganville Zoning Ordinance regarding RM-4 Multifamily Residential Duplex District.

Motion made by Commissioner Ellis to amend 119-211, Seconded by Commissioner Dodd.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion to amend approved 5-0.


**6. ADJOURN**


Motion made by Commissioner Williams II to adjourn, Seconded by Commissioner Ellis.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.

Motion to adjourn approved 5-0.

Meeting adjourn 7:46pm.

 Date 7/27/24

 Date 7/27/24



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

Date: 3/8/24

Application # A 24-012

REQUEST FOR ANNEXATION

A PETITION TO ANNEX PROPERTY INTO THE CITY OF LOGANVILLE, GEORGIA

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

You must attach: [X] Application Fee [X] Legal Description [X] Plat of Property [X] Letter of Intent
[ ] Names/Addresses of Abutting Property Owners [ ] Shape file of property (GIS File) - Lm 3/8/24 1:00pm

Pre-Application Conference Date: February 2nd 2024

Accepted by Planning & Development: Sean Biack DATE: 3/8/24 FEE PAID: \$300.00

CHECK # 45396 RECEIPT # 202166942 TAKEN BY: SB DATE OF LEGAL NOTICE: 3-14-24 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: [X] Approve [ ] Approve w/conditions [ ] Deny [ ] No Recommendation
Commission Chairman: [Signature] DATE: 3/27/24

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

Mayor: [Signature] City Clerk: [Signature] Date: 10/16/24

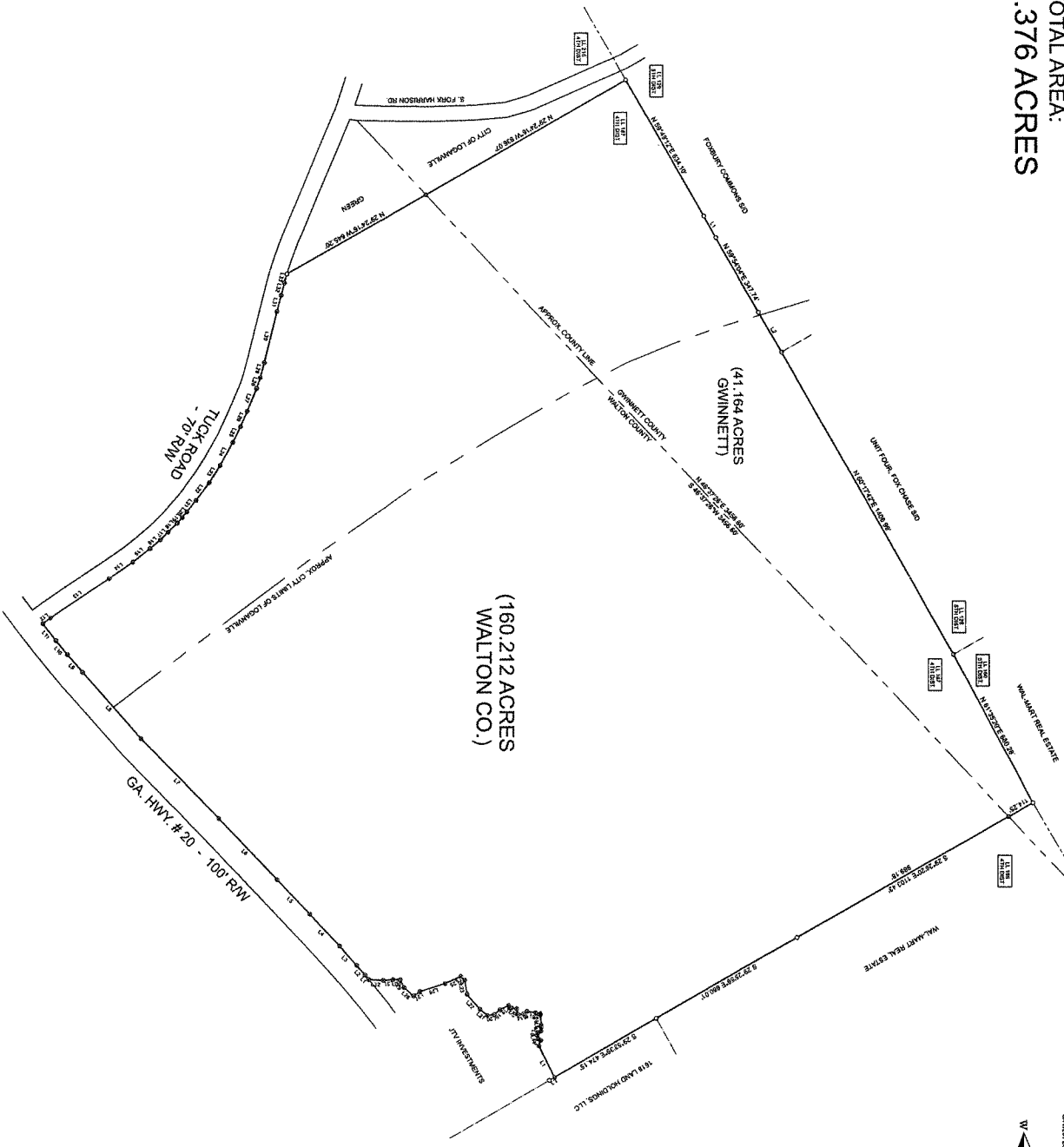
Section 5, Item C.

FOR  
DURING  
POSES

TOTAL AREA:  
201.376 ACRES

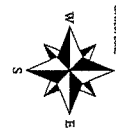
TYPICAL OF THE SURFACE COAST  
OF THE STATE OF GEORGIA

- LEGEND
- = SURFACE COAST
  - = DRAINAGE
  - = CONDUIT
  - = UTILITY
  - = TELEPHONE
  - = FIBER OPTIC
  - = GROUNDWATER
  - = WETLANDS
  - = OPEN SPACE
  - = ROAD
  - = HIGHWAY
  - = AIRPORT
  - = RAILROAD
  - = CANAL
  - = DAM
  - = BRIDGE
  - = TOWER
  - = MAST
  - = ANTENNA
  - = STRUCTURE
  - = OBSTACLE
  - = SIGN
  - = MARKER
  - = BENCHMARK
  - = MONUMENT
  - = PERMANENT WATERS
  - = INTERMITTENT WATERS
  - = SEASONAL WATERS
  - = POND
  - = LAKE
  - = RIVER
  - = STREAM
  - = CREEK
  - = RAIN SWELL
  - = EARTH QUAKE
  - = VOLCANIC
  - = TROPICAL STORM
  - = HURRICANE
  - = TORNADO
  - = OTHER



Station	Easting	Northing	Distance
1	14923.25	11717.50	1.00
2	14923.25	11717.50	1.00
3	14923.25	11717.50	1.00
4	14923.25	11717.50	1.00
5	14923.25	11717.50	1.00
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29	14923.25	11717.50	1.00
30	14923.25	11717.50	1.00

NOTES:  
1. THIS SURVEY IS A ZONING SURVEY AND IS NOT A BOUNDARY SURVEY.  
2. THE BOUNDARY SURVEY SHALL BE CONDUCTED BY A LICENSED SURVEYOR.  
3. THE ZONING SURVEYOR SHALL BE RESPONSIBLE FOR DETERMINING THE APPLICABLE ZONING DISTRICT AND THE PERMITTED USES.  
4. THE ZONING SURVEYOR SHALL BE RESPONSIBLE FOR DETERMINING THE APPLICABLE ZONING DISTRICT AND THE PERMITTED USES.  
5. THE ZONING SURVEYOR SHALL BE RESPONSIBLE FOR DETERMINING THE APPLICABLE ZONING DISTRICT AND THE PERMITTED USES.



**SURVEYORS CERTIFICATION**

I, the undersigned, being a duly licensed Surveyor of the State of Georgia, do hereby certify that I am the author of the foregoing and that it is a true and correct copy of the original as the same appears in my office.

**LOGANVILLE**  
GWINNETT CO, GA 30054  
ELEV. 1000

**SMITH PLANNING GROUP**  
289 W. Main Street  
Lawrenceville, GA 30046  
(770) 962-1818  
www.smithplanning.com

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<p><b>SMITH PLANNING GROUP</b></p> <p>289 W. Main Street Lawrenceville, GA 30046 (770) 962-1818 www.smithplanning.com</p>		<p><b>ZONING SURVEY</b></p> <p>PREPARED FOR: <b>GREEN RIVER BUILDERS, INC.</b></p> <p>PROJECT: <b>24110</b></p> <p>DATE: <b>11/20/2023</b></p> <p>SCALE: <b>1"=100'</b></p> <p>DRAWN BY: <b>J. BROWN</b></p> <p>CHECKED BY: <b>J. BROWN</b></p> <p>DATE: <b>11/20/2023</b></p>	
<p>STATE: <b>GEORGIA</b>    COUNTY: <b>GWINNETT/WALTON</b>    CITY: <b>AS SHOWN</b></p>		<p>MAP SCALE: <b>1"=100'</b></p>	

**PROPERTY OWNER LIST - REZONING**

<b>Name</b>	<b>Address</b>	<b>Parcel No.</b>	<b>County</b>
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010A00	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010ADP	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG0600100DP	Walton
Stephens, Chad Tuck & Stephens, Sandra Pendley	P.O. Box 1058 Loganville, GA 30052	LG060009	Walton
CSAT Enterprises LLC	P.O. Box 1058 Loganville, GA 30052	LG060011	Walton



Application # A

**Applicant's Certification**

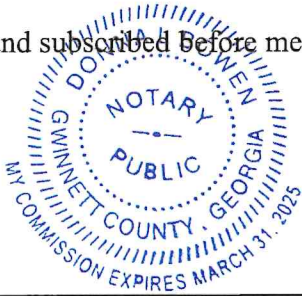
The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

[Signature] \_\_\_\_\_ Date 3/7/24

Shane Lanham, Attorney for Applicant  
Print Name and Title

Sworn to and subscribed before me this 7th day of March, 2024.

(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.

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name and Title \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public

Application # A

**Applicant's Certification**

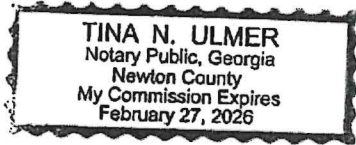
The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

*Charles P. Richards* 03/07/2024  
Applicant's Signature Date

CHARLES P. RICHARDS CFO  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)



*Tina N. Ulmer*  
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

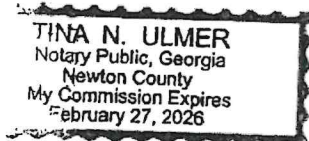
that all information contained in this application is complete and accurate to the best of their knowledge.

*Sherry S. Grider* \_\_\_\_\_  
Owner's Signature Date

Sherry S. Grider, Managing Partner, Juck Family Farm LLP  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)



*Tina N. Ulmer*  
Signature of Notary Public

Application # A

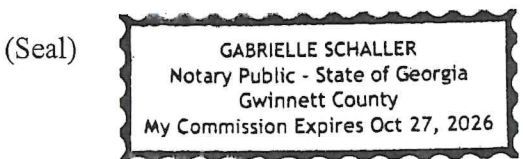
*Owner's*  
**Applicant's Certification**

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.

Chad T. Stephens 3-7-24  
Applicant's Signature Date

Chad T. Stephens  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.



Gabrielle Schaller  
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.

\_\_\_\_\_  
Owner's Signature Date

\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public



Application # A

*owner's*

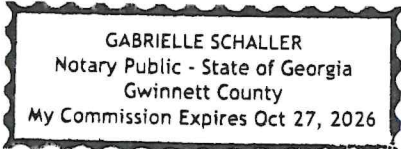
**Applicant's Certification**

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.

Chad T. Stephens 3-7-24  
Applicant's Signature Date

Chad T. Stephens Member  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)  Gabrielle Schaller  
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

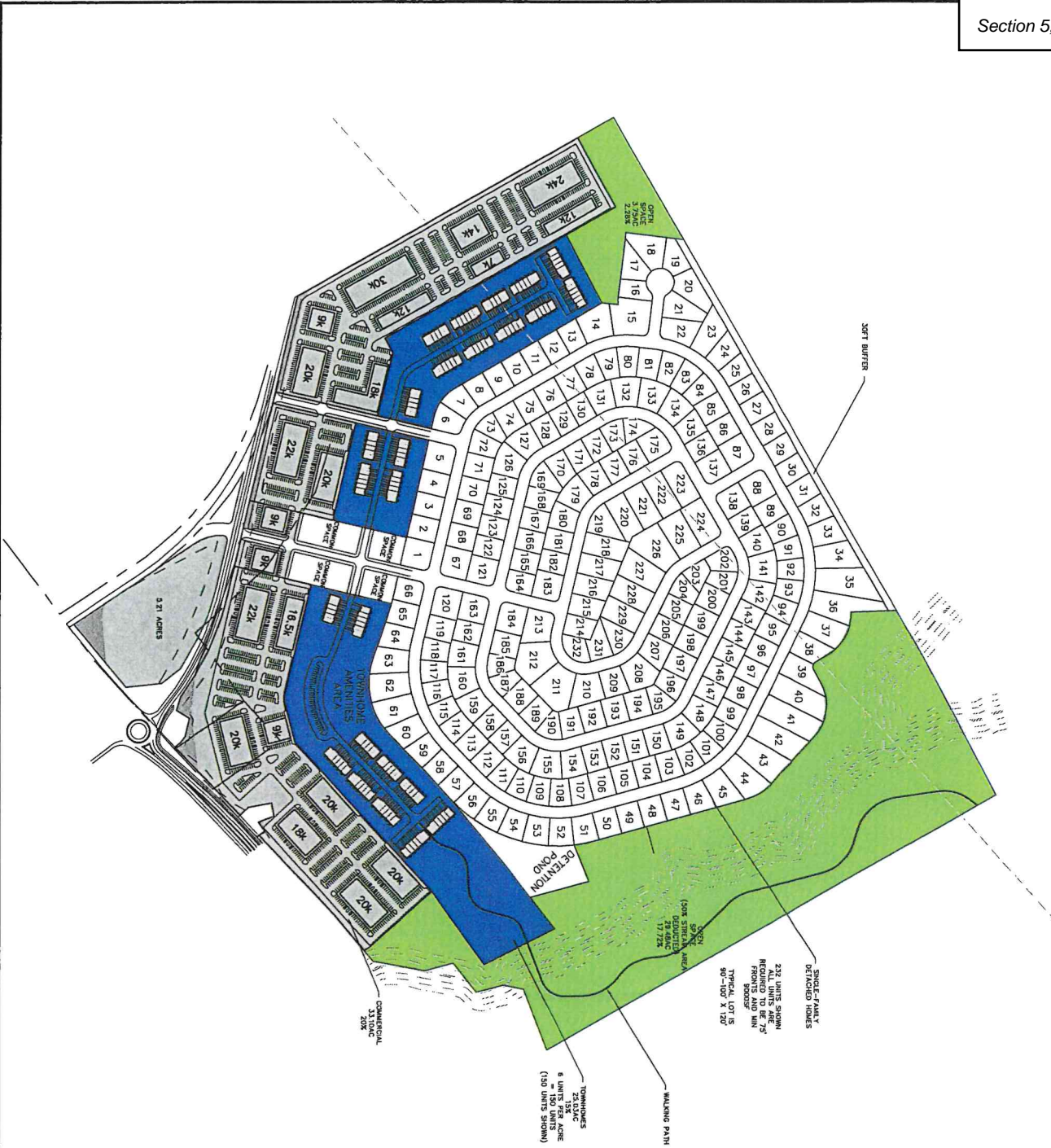
that all information contained in this application is complete and accurate to the best of their knowledge.

\_\_\_\_\_  
Owner's Signature Date

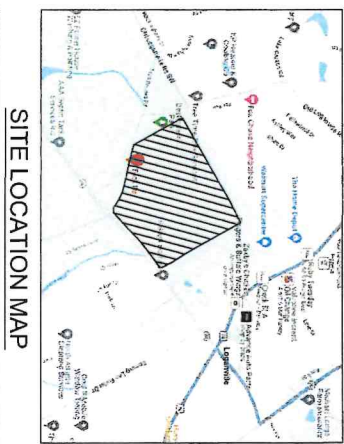
\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public



SITE DATA	
EXISTING TRACT	201.49 AC
OUTPARCEL	9.09 AC
PROPOSED PD TRACT	192.40 AC
ZONING	
EXISTING ZONING	RA-200
PROPOSED ZONING	PUV
CITY OF LOGANVILLE	
USE CALCULATIONS	
RESIDENTIAL R/W	16.44AC
DETENTION POND	3.22AC
STREAM AREA (50%)	5.87AC
PD USABLE AREA	166.87AC
SINGLE FAMILY HOMES	75.09AC
RES AMENITY AREA	20,000 S.F.
TOWNHOMES	25.03AC
COMMERCIAL	33.10AC
OPEN SPACE	33.65AC
COMMERCIAL SF REQ'D	10KSF*232/100 = 23,200SF
COMMERCIAL PROV.	333,500SF
SINGLE-FAMILY MAX	75.09AC *
SINGLE-FAMILY PROV.	232 UNITS
TOWNHOME MAX	6 UNITS/AC
TOWNHOME PROV.	150 UNITS



**CAUTION**

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE.

**GRAPHIC SCALE**

1 Inch = 500 Feet

**DO NOT DISTURB EXISTING**

**WITHOUT PERMISSION**

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOGANVILLE.

**TUCK FAMILY FARM**

TUCK ROAD AT HWY 20  
LOGANVILLE, GA

**MOORE CIVIL**  
CONSULT-DESIGN-ENGINEER

706.224.1629 ROBERT@MOORECIVIL.COM

**REVISIONS**

NO.	DATE	DESCRIPTION
1		ISSUED FOR CONSTRUCTION

**24 HOUR CONTACT**

**C-200**

**ABUTTING PROPERTY OWNERS LIST**

<b>Name/Address</b>	<b>Parcel Number</b>
GREEN CHRISTOPHER JAMES & GREEN MICHELLE YVONNE 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009B00
GREEN CHRISTOPHER J & GREEN MICHELLE Y 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009D00
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060008
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060007
1618 LAND HOLDINGS LLC 1550 NORTH BROWN RD SUITE 130 LAWRENCEVILLE, GA 30043	LG060005
WAL-MART REAL ESTATE BUSINESS TRUST %RE PROPERTY TAX DEPT PO BOX 8050 MS 0555 BENTONVILLE, AR 727160555	LG040001
WAL-MART REAL ESTATE BUSINESS PO BOX 8050 BENTONVILLE AR 72716-8055	R5160 001
EPIC ENDEAVORS REAL ESTATE LLC 4560 TRUMBLE TER SNELLVILLE GA 30039	R5160 258
MARTINEZ ANA MARINA 4411 FIDDLERS BND LOGANVILLE GA 30052	R5129 191
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 190
CANALES JOSE G 4391 FIDDLERS BND LOGANVILLE GA 30052	R5129 189
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 188

FYR SFR BORROWER LLC PO BOX 4090 SCOTTSDALE AZ 85261	R5129 187
BTR SCATTERED SITE OWNER LLC 5001 PLAZA ON THE LK STE 200 AUSTIN TX 78746	R5129 186
POLMAN SHARON 4351 FIDDLERS BND LOGANVILLE GA 30052	R5129 185
CAULDER REX A & LINDA S 4341 FIDDLERS BND LOGANVILLE GA 30052	R5129 184
CALDERON ISABELLA RINADA 4331 FIDDLERS BND LOGANVILLE GA 30052	R5129 183
BUSTAMANTE LUIS HERRERA MONCADA MARTHA J. AQUIRRE 4310 FOX CHASE DR LOGANVILLE GA 30052	R5129 175
FELDER KATHLEEN 4325 FOX CHASE DR LOGANVILLE GA 30052	R5129 174
TAMAYO HECTOR A PEREZ IRLINY TEJEDA 4315 FOX CHASE DR LOGANVILLE GA 30052	R5129 173
MORRIS THUYTIEN MORRIS BRUCE 293 FOX RUN LOGANVILLE GA 30052	R5129 297
BURKE DAVID W BURKE KAREN 177 FOX RUN LOGANVILLE GA 30052	R5129 331
ROBERTSON DARRYL B Jr ROBERTSON LACINDA MICHELLE 179 FOX RUN LOGANVILLE GA 30052	R5129 332
IJITIMEHIN CHERLYN M IJITIMEHIN OLARINDE 181 FOX RUN LOGANVILLE GA 30052	R5129 333
HUMANS ANGELA V 183 FOX RUN LOGANVILLE GA 30052	R5129 334

DEPIETRO CLAUDIO DEPIETRO SANDRA S 185 FOX RUN LOGANVILLE GA 30052	R5129 335
JONES KIM R WILSON TONISHA 187 FOX RUN LOGANVILLE GA 30052	R5129 336
VALDEZ JENNY ZAVALETA MARTHA ROJAS 189 FOX RUN LOGANVILLE GA 30052	R5129 337
COLGATE JAMES A ETAL 191 FOX RUN LOGANVILLE GA 30052	R5129 338
WASHINGTON JAPRITA MATICE WASHINGTON ALFONSO 195 FOX RUN LOGANVILLE GA 30052	R5129 339
HOPKINS JAN LISA 199 FOX RUN LOGANVILLE GA 30052	R5129 340
CITY OF LOGANVILLE 4385 PECAN ST LOGANVILLE GA 30052	R4216 024



\*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in Land Land 187 in the 4th District of Gwinnett County, Georgia, being partially in the City of Loganville containing 41.164 acres and being more fully described as follows:

Commencing at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road;

Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point;  
Thence N 33°36'59" W a distance of 286.04' to a Point;  
Thence N 34°20'52" W a distance of 118.18' to a Point;  
Thence N 37°49'15" W a distance of 88.43' to a Point;  
Thence N 40°30'54" W a distance of 53.72' to a Point;  
Thence N 43°33'55" W a distance of 44.86' to a Point;  
Thence N 45°34'10" W a distance of 50.92' to a Point;  
Thence N 48°44'24" W a distance of 29.83' to a Point;  
Thence N 49°17'45" W a distance of 30.39' to a Point;  
Thence N 50°52'14" W a distance of 59.25' to a Point;  
Thence N 53°13'13" W a distance of 88.83' to a Point;  
Thence N 57°25'45" W a distance of 81.86' to a Point;  
Thence N 60°57'34" W a distance of 106.61' to a Point;  
Thence N 64°04'09" W a distance of 71.10' to a Point;  
Thence N 65°54'41" W a distance of 67.48' to a Point;  
Thence N 67°46'51" W a distance of 98.69' to a Point;  
Thence N 71°07'45" W a distance of 46.85' to a Point;  
Thence N 74°41'11" W a distance of 62.13' to a Point;  
Thence N 75°57'11" W a distance of 211.32' to a Point;  
Thence N 75°59'01" W a distance of 67.61' to a Point;  
Thence N 75°12'02" W a distance of 51.85' to a Point;  
Thence N 73°57'56" W a distance of 36.70' to an IPF;  
Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point, said point being the True Point of Beginning;

Thence N 29°24'16" W a distance of 936.07' to a Point;  
Thence N 59°49'12" E a distance of 634.10' to an IPF;  
Thence N 59°37'56" E a distance of 100.02' to an IPF;  
Thence N 59°54'04" E a distance of 347.74' to an IPF;  
Thence N 59°46'07" E a distance of 185.38' to an IPF;  
Thence N 60°17'42" E a distance of 1406.99' to a Point;  
Thence N 61°35'20" E a distance of 680.28' to an IPF;  
Thence S 29°26'20" E a distance of 114.25' to a Point;  
Thence S 46°37'26" W a distance of 3456.60" to the True Point of Beginning.

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

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

\*Of Counsel

**COMBINED LETTER OF INTENT FOR ANNEXATION, REZONING, AND  
CONCURRENT VARIANCE APPLICATIONS OF  
GREEN RIVER BUILDERS, INC.**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached annexation, rezoning, and concurrent variance applications (the “Applications”) on behalf of Green River Builders, Inc. (the “Applicant”), relative to a proposed mixed-use development on an approximately 201.376-acre tract of land (the “Property”) located at the intersection of Tuck Road at Conyers Road (State Route 20). The Property straddles the Gwinnett and Walton County line and includes portions that are within the municipal boundary of the City of Loganville as well as unincorporated portions. The Property is currently zoned A2, R-44, and CH and also includes a portion in Gwinnett County that appears to be unzoned according to Gwinnett County’s official zoning map.

The proposed development would include a mix of land uses including single-family detached homes, single-family attached townhomes, commercial/retail/office, and open space. Two central boulevards provide access to the Property off of Tuck Road. The eastern boulevard would proceed through the commercial component into an area designated for common area which could accommodate a plaza, town green, or other gathering space. The commercial component is focused along the exterior right-of-way of Tuck Road and Highway 20 with building facades pushed up towards the road with the majority of parking to the sides or rear of the commercial buildings. This design will enhance the aesthetics of those roadways and contribute to the neighborhood village concept encouraged by the PUV zoning classification. The proposed townhome component would provide a transition between the commercial and single-family detached components. The proposed single-family detached component is located internal to the

Property with convenient access to open space areas and the proposed commercial areas. An internal sidewalk network and trails would provide walkability for residents and visitors with a potential trail connection to adjacent commercial uses which front on Highway 78. The proposed open space is provided in two main areas. The larger open space area is located in the northeastern portion of the site along an existing creek. This area would remain mostly natural and would provide passive recreational opportunities for residents. A smaller, +/-3.75-acre open space area is provided in the western corner of the Property adjacent to the City's Destination Park.

The proposed mixed-use development is designed to activate the existing node at the intersection of Tuck Road and Highway 20 while providing an appropriate transition to single-family detached homes to the north. The proposed development would also enhance the walkability of the surrounding area by creating opportunities for people to live, work, and play within walking distance of downtown Loganville. The proposed development is compatible with existing land uses and zoning classifications of the surrounding area, is in line with the policy and intent of the Comprehensive Plan, and is an appropriate land use due to the Property's location on and in close proximity to major transportation corridors. The surrounding area is characterized by a mix of zoning classifications and land uses including commercial, office, industrial, and residential. In fact, the Property lies in between two developed nodes—Tuck Road at Highway 20 and Highway 20 at Highway 78. To the east, the Property is located adjacent to land zoned CH including the Walmart as well as a large undeveloped commercial tract. To the west across Tuck Road are existing heavy commercial and/or industrial uses including land in the City zoned LI (Light Industrial) and CH (Commercial Highway). The proposed mixed-use development continues the existing development pattern of commercial uses along major corridors and then provides an appropriate internal transition. Moving north away from Highway 20, the proposed land uses step down from commercial, to townhomes and then to detached homes. The proposed development would also include a 30-foot wide buffer adjacent to the Foxbury Commons and Fox Chase subdivisions.

In order to develop the Property as depicted on the site plan, the Applicant also requests the relief from the Loganville Zoning Ordinance building permit concurrency requirements. As described in the Applicant's Responses to the Variance Evaluation Criteria, the concurrency requirements, as set forth in the Zoning Ordinance, would create an unnecessary hardship on the Property owner and Applicant. The subject property is exceptionally large and has significant



topography. A creek runs along the easterly property boundary line, which also presents challenges for the development of the property and construction of buildings. Moreover, the proposed GDOT project to align Tuck Road with Sharon Church Road and construction of a roundabout provide significant challenges relative to the timing of construction. Forcing development of the commercial component of the mixed-use development to occur before planning and/or construction of such major road improvements would create an unnecessary hardship on the Applicant and the property owner. Moreover, as evidenced by commercially-zoned, but vacant properties in the area, commercial development relies on residential critical mass to be successful. Prematurely constructing commercial uses before a stable market is present would result in unnecessary risk and cost to the Applicant and property owner. Moreover, artificially restraining residential development would prolong the development timeline and unnecessarily expose the project to market risks. On the other hand, allowing the development to proceed according to timelines dictated by the free market would allow the natural development of the project while also increasing the attractiveness of the commercial component as residential units come online and establish a built-in customer base.

The proposed development is compatible with surrounding zoning classifications and land uses, is inline with the land use policy of the Comprehensive Plan, and would provide a vibrant, attractive mixed-use development along a major transportation corridor. The Applicant welcomes the opportunity to meet with staff of the City of Loganville Department of Planning and Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 8th day of March, 2024.

**MAHAFFEY PICKENS TUCKER, LLP**

*Shane Lanham*

Shane M. Lanham  
*Attorneys for the Applicant*



**MOORE CIVIL**  
**CONSULTING ENGINEER**  
 ROBERT@MOORECIVIL.COM  
 706.224.1629

**CAUTION**

CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING THE SERVICES OF A PRIVATE UTILITY LOCATOR FIRM DURING THE ENTIRE COURSE OF CONSTRUCTION. CONTRACTOR SHALL PAY FOR SAID SERVICES. CONTRACTOR SHALL REPAIR ALL UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES, AT NO ADDITIONAL COST TO THE OWNER/DEVELOPER.

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SITE DESIGN PROFESSIONAL ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF UTILITIES WITHIN THE LIMITS OF THE WORK. DAMAGE TO EXISTING UTILITIES BY THE CONTRACTOR, FROM HIS/HER OPERATIONS SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR SHALL BE RESPONSIBLE FOR COMPACTION OF BACKFILL OF ALL UTILITY TRENCHES WITHIN SITE WORK LIMITS. THIS INCLUDES TRENCHES DUG AND BACKFILLED BY LOCAL UTILITIES, SUCH AS POWER, GAS, TELEPHONE, ETC. CONTRACTOR SHALL PROVIDE ADDITIONAL BACKFILL AND COMPACTION AS NECESSARY, IF SETTLEMENT OCCURS.

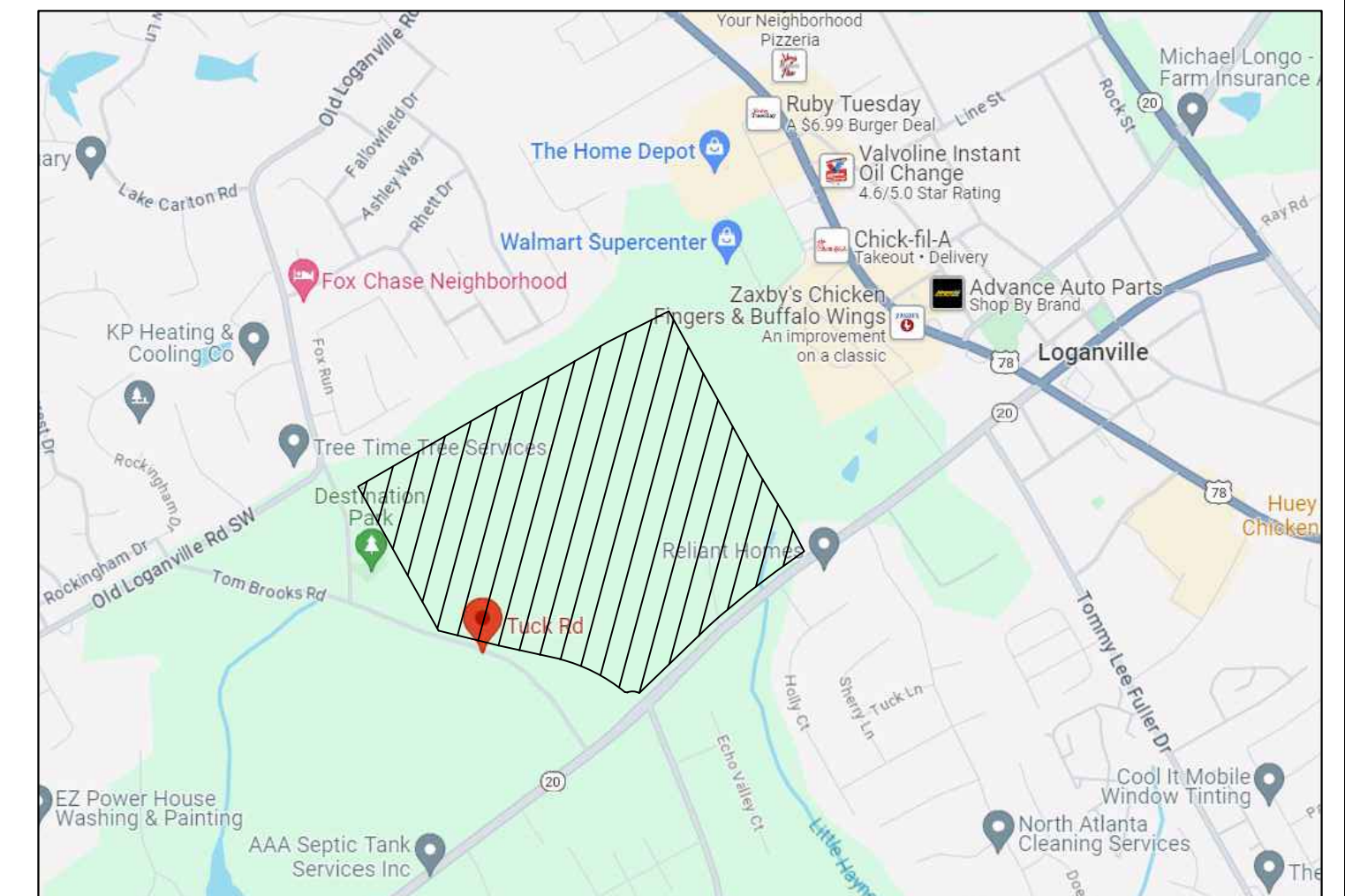
DO NOT DUPLICATE DRAWINGS WITHOUT PERMISSION

SINGLE-FAMILY DETACHED HOMES

73.37AC  
 36.85%  
 225 UNITS SHOWN  
 ALL UNITS ARE  
 REQUIRED TO BE 75'  
 FRONTS AND MIN  
 9000SF

TYPICAL LOT IS  
 90'-100' X 120'

GRAPHIC SCALE



SITE LOCATION MAP

SITE DATA	
EXISTING TRACT	201.376 AC
ACREAGE NOT ANNEXED	2.291 AC
PROPOSED PD TRACT	199.085 AC

ZONING	
EXISTING ZONING	RA-200
PROPOSED ZONING	PUV
ZONING JURISDICTION	CITY OF LOGANVILLE

USE CALCULATIONS		
RESIDENTIAL R/W	16.05AC	
DET POND + STRM BUF.	14.13AC	
SINGLE FAMILY RES	73.37AC	36.85%
SFR + RES R/W	89.42AC	44.92%
TOWNHOMES	27.01AC	13.57%
COMMERCIAL	39.81AC	20.00%
OPEN SPACE	42.845AC	21.52%
COMMERCIAL SF REQ'D	10KSF*385/100	38,500SF
COMMERCIAL PROV.		288,000SF
SINGLE-FAMILY MAX	73.37AC *	227 UNITS
SINGLE-FAMILY PROV.	3.1 UNITS/1AC	227 UNITS
TOWNHOME MAX	6 UNITS/AC	158 UNITS
TOWNHOME PROV.	6 UNITS/AC	158 UNITS

NOT RELEASED FOR CONSTRUCTION

This document, together with the concepts and designs presented herein, as an instrument of services, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization by Moore Civil Consulting, Inc. shall be without liability to Moore Civil Consulting, Inc. Copyright Moore Civil Consulting, Inc. 2018

24 HOUR CONTACT  
TBD

CLIENT:  
TBD

OWNER INFORMATION:  
TBD

REVISIONS:

01/19/24	CONCEPT LAYOUT
02/20/24	CONCEPT LAYOUT
03/04/24	CONCEPT LAYOUT
04/24/24	CONCEPT LAYOUT
05/15/24	CONCEPT LAYOUT
05/22/24	CONCEPT LAYOUT
05/31/24	CONCEPT LAYOUT
06/10/24	CONCEPT LAYOUT
06/13/24	CONCEPT LAYOUT

**TUCK FAMILY FARM**  
 TUCK ROAD AT HWY 20  
 LOGANVILLE, GA

SHEET TITLE:  
SITE LAYOUT

SHEET NUMBER:  
**C.200**



PROPERTY NOT BEING ANNEXED

COMMERCIAL 8.43AC

COMMERCIAL 32.53C

OPEN SPACE 42.845AC

DETENTION POND 2.38AC

OPEN SPACE

OPEN SPACE

OPEN SPACE 3.27AC

30 FT BUFFERS

TOWNHOMES - 24 UNITS  
7.28AC

TOWNHOMES  
19.73AC  
134 UNITS SHOWN

OPEN SPACE





**TYPICAL COMMERCIAL CHARACTER ELEVATION**

# TUCK FAMILY FARM

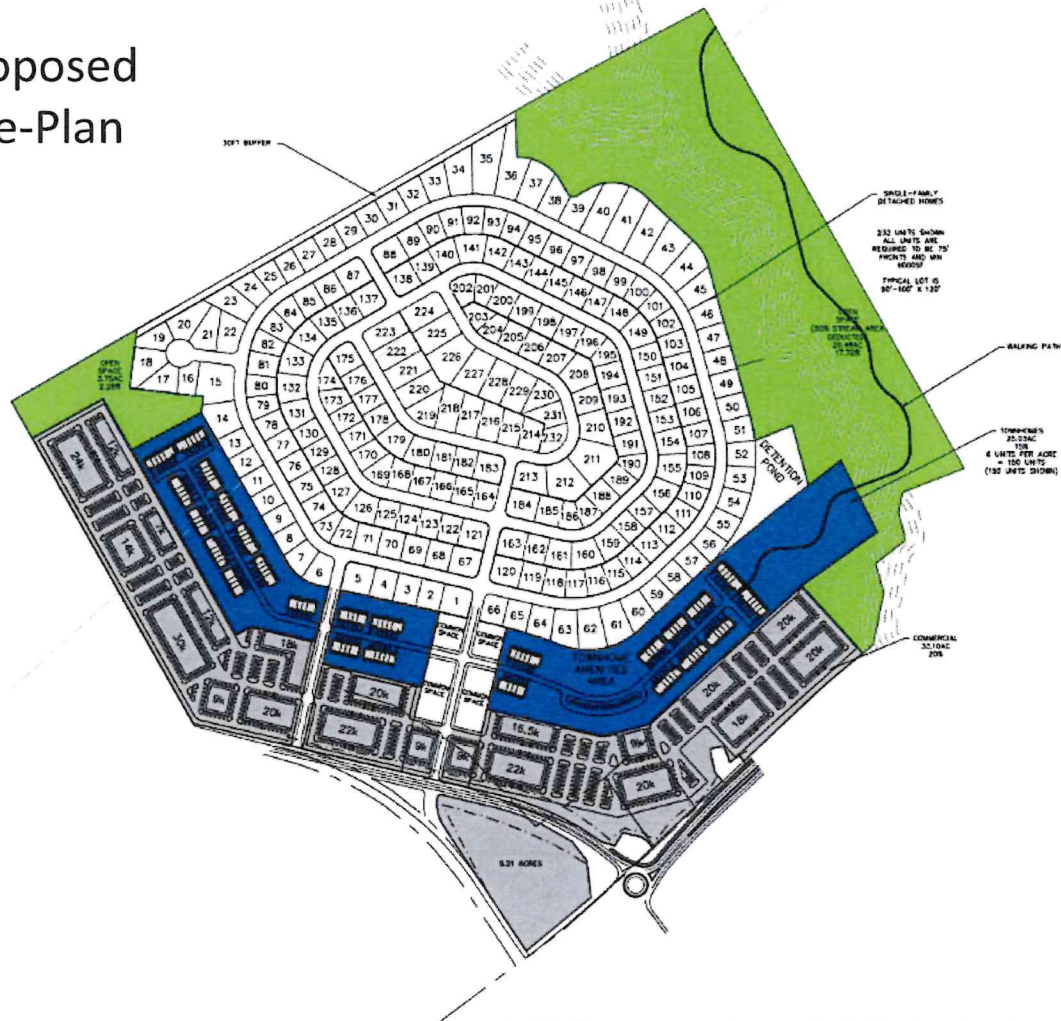
GREEN RIVER BUILDERS, LLC.



# The Landing @ Tuck Farm

Loganville, Ga

# Proposed Site-Plan



**CAUTION**

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND ADEQUATE LIABILITY INSURANCE COVERAGE. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND ADEQUATE LIABILITY INSURANCE COVERAGE.

THE UTILITIES SHOWN ARE BASED ON THE CONTRACTOR'S INVESTIGATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND ADEQUATE LIABILITY INSURANCE COVERAGE.

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND ADEQUATE LIABILITY INSURANCE COVERAGE.



**SITE DATA**

EXISTING TRACT	201.49 AC
OUTPARCEL	9.09 AC
PROPOSED PD TRACT	192.40 AC

**ZONING**

EXISTING ZONING	RA-200
PROPOSED ZONING	PLV
ZONING JURISDICTION	CITY OF LOGANVILLE

**USE CALCULATIONS**

RESIDENTIAL R/W	16.44AC	
DETENTION POND	3.22AC	
STREAM AREA (50%)	5.87AC	
PD USABLE AREA	166.87AC	
SINGLE FAMILY HOMES	75.09AC	45%
RES AMENITY AREA	20,000 S.F.	
TOWNHOMES	25.03AC	15%
COMMERCIAL	33.10AC	20%
OPEN SPACE	33.65AC	20%
COMMERCIAL SF REQ'D	10KSF*232/100 = 23,200SF	
COMMERCIAL PROV.	33,300SF	
SINGLE-FAMILY MAX	75.09AC *	232 UNITS
SINGLE-FAMILY PROV.	3.1 UNITS/AC	232 UNITS
TOWNHOME MAX	6 UNITS/AC	150 UNITS
TOWNHOME PROV.	6 UNITS/AC	150 UNITS

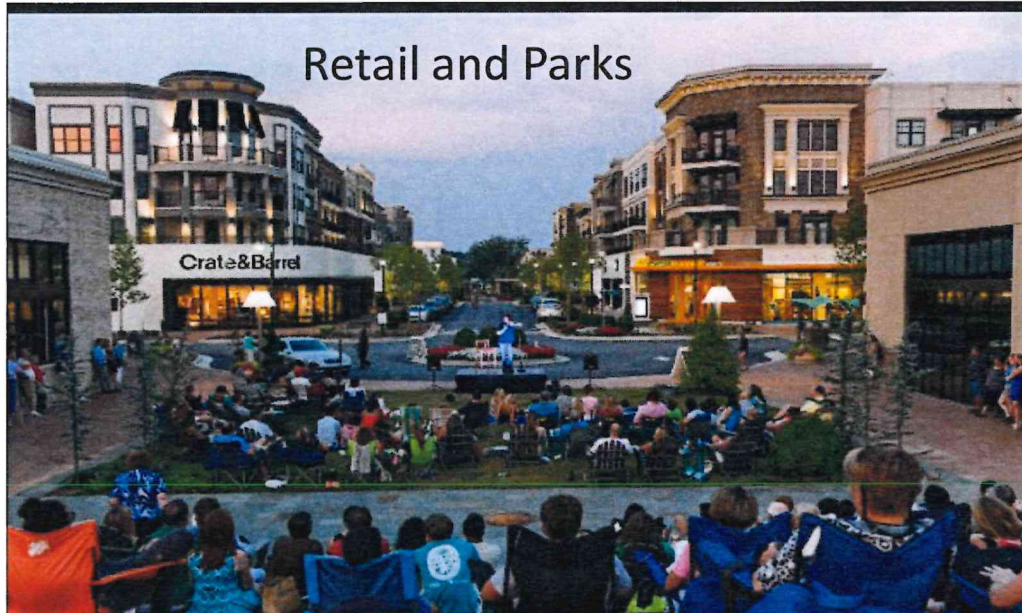
**MOORE CIVIL**  
CONSULTING ENGINEER

24 HOUR CONTACT

**TUCK FAMILY FARM**  
TUCK ROAD AT HWY 20  
LOGANVILLE, GA

DATE: 11/2023  
SHEET: 1/1000  
**C.200**



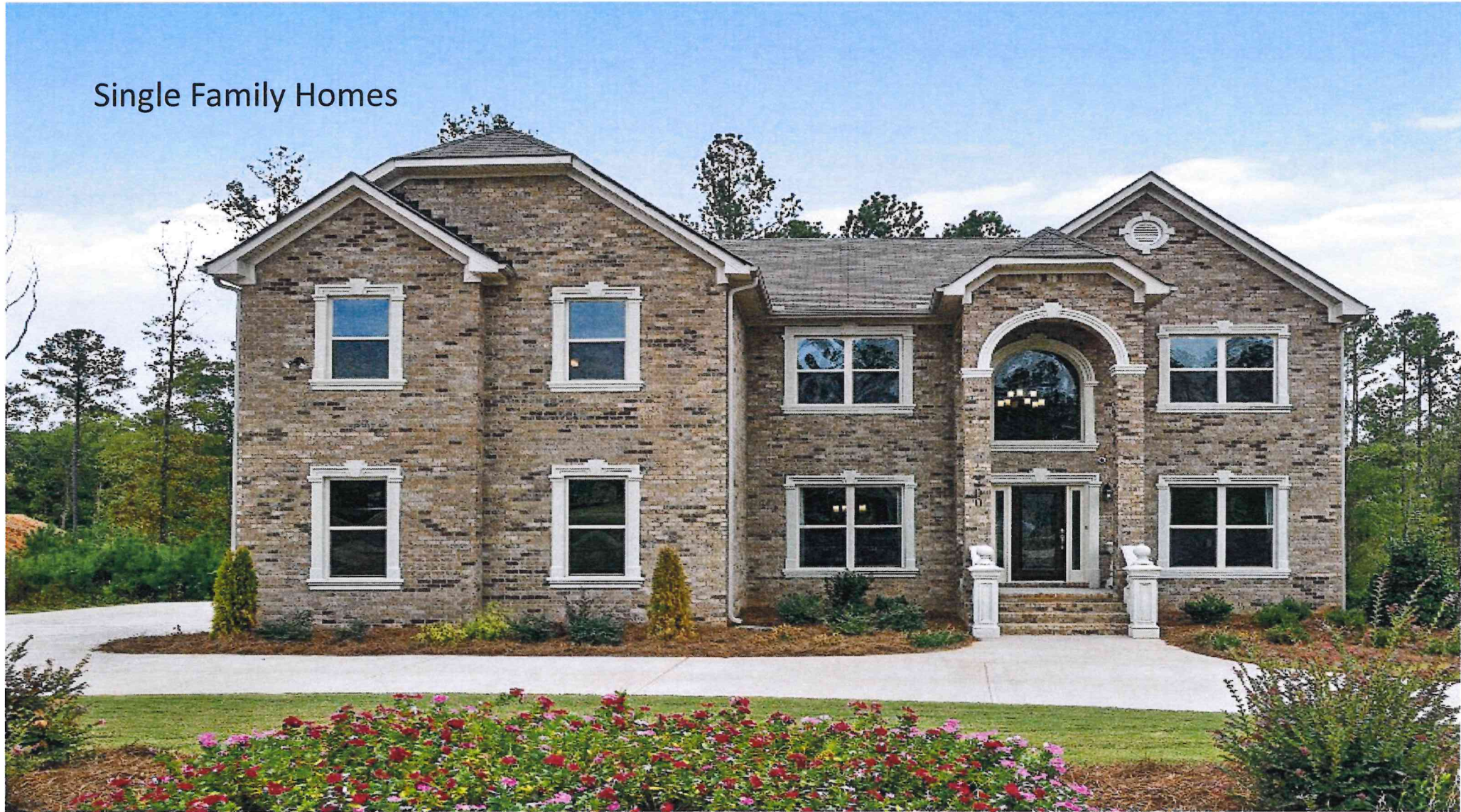








Single Family Homes





# Single Family Street Scape



\*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in Land Land 187 in the 4th District of Gwinnett County, Georgia, also being in 417th G.M.D. of Walton County, Georgia containing 61.213 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road;  
Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point;  
Thence N 33°36'59" W a distance of 286.04' to a Point;  
Thence N 34°20'52" W a distance of 118.18' to a Point;  
Thence N 37°49'15" W a distance of 88.43' to a Point;  
Thence N 40°30'54" W a distance of 53.72' to a Point;  
Thence N 43°33'55" W a distance of 44.86' to a Point;  
Thence N 45°34'10" W a distance of 50.92' to a Point;  
Thence N 48°44'24" W a distance of 29.83' to a Point;  
Thence N 49°17'45" W a distance of 30.39' to a Point;  
Thence N 50°52'14" W a distance of 59.25' to a Point;  
Thence N 53°13'13" W a distance of 88.83' to a Point;  
Thence N 57°25'45" W a distance of 81.86' to a Point;  
Thence N 60°57'34" W a distance of 106.61' to a Point;  
Thence N 64°04'09" W a distance of 71.10' to a Point;  
Thence N 65°54'41" W a distance of 67.48' to a Point;  
Thence N 67°46'51" W a distance of 98.69' to a Point;  
Thence N 71°07'45" W a distance of 46.85' to a Point;  
Thence N 74°41'11" W a distance of 62.13' to a Point;  
Thence N 75°57'11" W a distance of 211.32' to a Point;  
Thence N 75°59'01" W a distance of 67.61' to a Point;  
Thence N 75°12'02" W a distance of 51.85' to a Point;  
Thence N 73°57'56" W a distance of 36.70' to an IPF;  
Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point;  
Thence N 29°24'16" W a distance of 936.07' to a Point;  
Thence N 59°49'12" E a distance of 634.10' to an IPF;  
Thence N 59°37'56" E a distance of 100.02' to an IPF;  
Thence N 59°54'04" E a distance of 347.74' to an IPF;  
Thence N 59°46'07" E a distance of 185.38' to an IPF;  
Thence N 60°17'42" E a distance of 193.37' to a Point;  
Thence with a curve turning to the left with an arc length of 3157.40', with a radius of 5280.00', with a chord bearing of S 22°25'21" E, with a chord length of 3110.56', to a point on the northern Right-of-Way of Georgia Highway #20;  
Thence along said Right-of-Way S 48°28'15" W a distance of 93.50' to a Point;  
Thence S 49°11'16" W a distance of 94.58' to a Point;  
Thence S 50°29'06" W a distance of 73.73' to a Point;

Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.

**AMENDMENT TO AN APPLICATION TO AMEND THE OFFICIAL  
ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA**

APPLICANT: Green River Builders, Inc. c/o MAHAFFEY  
PICKENS TUCKER, LLC

ZONING CASE NUMBER(S): A24-012, R24-013, V24-014

PRESENT ZONING DISTRICT(S): A2, R44, CH, and unzoned

REQUESTED ZONING DISTRICT(S): PUV

PROPERTY: Tuck Farm

SIZE: +/- 201.376 Acres

PROPOSED DEVELOPMENT: Mixed-use development

The Applicant, Green River Builders, Inc., hereby amends its application to amend the official zoning map of The City of Loganville, Georgia heretofore filed with the Planning Department of Loganville, Georgia by the addition of the attached Exhibit to the original application.

MAHAFFEY PICKENS TUCKER, LLP

---

Shane M. Lanham

*Attorneys for Applicant*

## **JUSTIFICATION FOR REZONING APPLICATIONS**

The portions of the Zoning Ordinance of Loganville, Georgia (the “Ordinance”) which classify or may classify the property which is the subject of this application (the “Property”) into any less intensive zoning classification other than as requested by the Applicant, are or would be 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 II 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 Ordinance as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner’s property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and 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 denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the PUV zoning classification as requested by the Applicant, and is not economically suitable for development under the present AZ, R44, CH, and Unzoned zoning classification of City of Loganville, Walton County and Gwinnett County. A denial of the Application would constitute an arbitrary and capricious act by the Loganville City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II 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 by the Loganville City Council to rezone the Property to the PUV zoning classification as set forth in the application with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of 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 subject Property to the PUV zoning classification, subject to conditions which are different from the conditions by which the Applicant may amend its Application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner’s utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an

unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the rezoning Application submitted by it relative to the Property be granted and that the Property be rezoned to the zoning classifications as shown on the application.

This 3<sup>rd</sup> day of April 2024.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

---

Shane M. Lanham  
*Attorneys for Applicant*



## STAFF APPLICATION ANALYSIS REPORT

**ZONING CASE #:** A24-012

**LANDOWNERS:** Tuck Family Farm LLLP C/O Sherry S Grider

**APPLICANT:** Green River Builders Inc. C/O Pickens Tucker LLP

**PROPERTY ADDRESS:** Tuck Road, Conyers Road

**MAP/PARCEL #:** LG060010ADP, LG0600100DP, portion of 4580 Tuck Road (unzoned parcel in Gwinnett County between Foxbury Commons and LG0600100DP)

**PARCEL DESCRIPTION:** Vacant Property

**AREA:** 61.213 acres

**EXISTING ZONING:** A2, Unzoned

**PROPOSED ZONING:** PUV

**FUTURE LAND USE MAP:** Neighborhood Residential (Walton) / Established Neighborhood (Gwinnett)

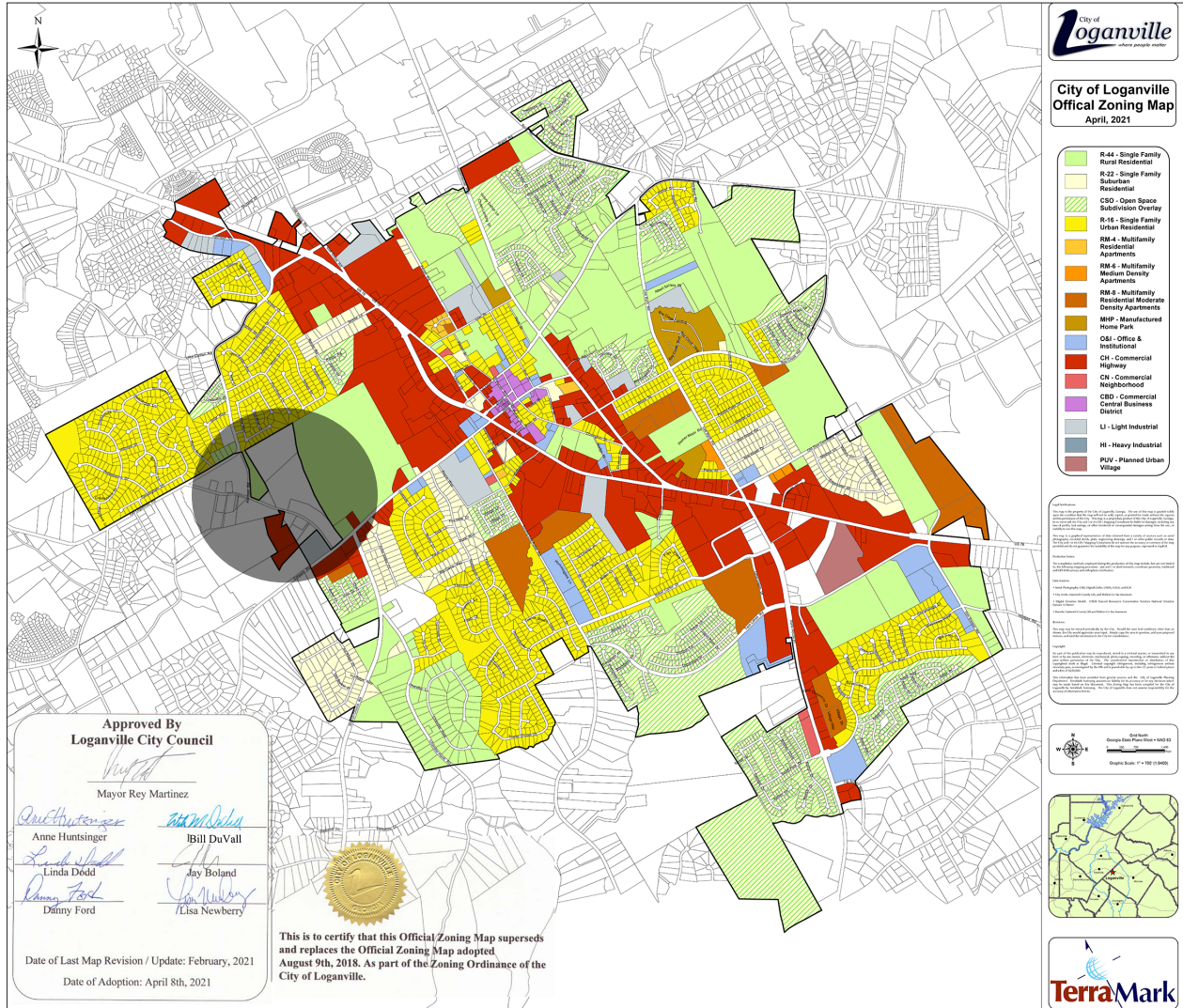
**REASON FOR REQUEST:** Annexation is part of a 200+-acre mixed use development

**PLANNING COMMISSION HEARING:** Was tabled April 25, 2024 until June 27, 2024

**CITY COUNCIL HEARING:** July 8, 2024 and July 11, 2024

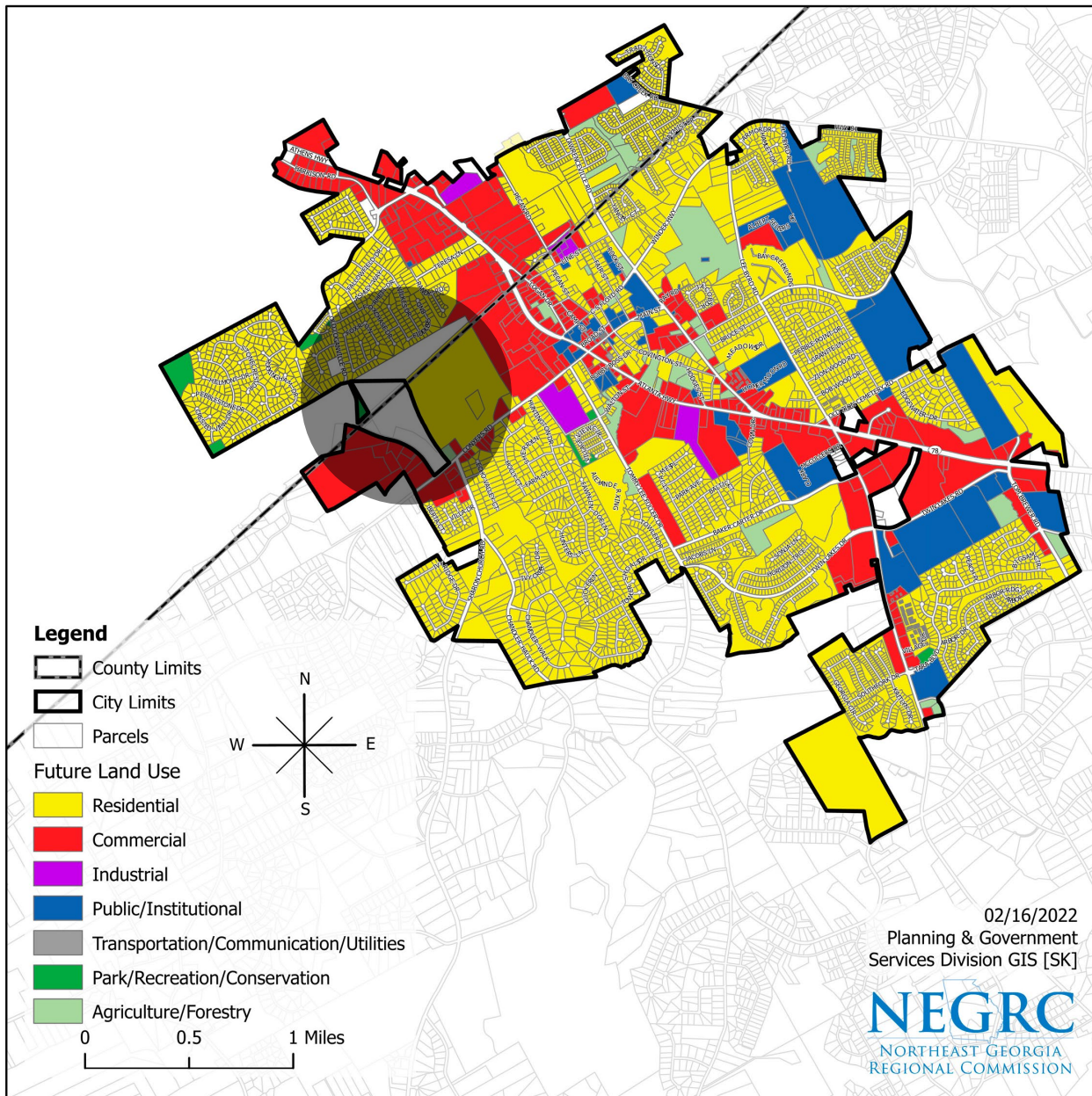


## ZONING MAP



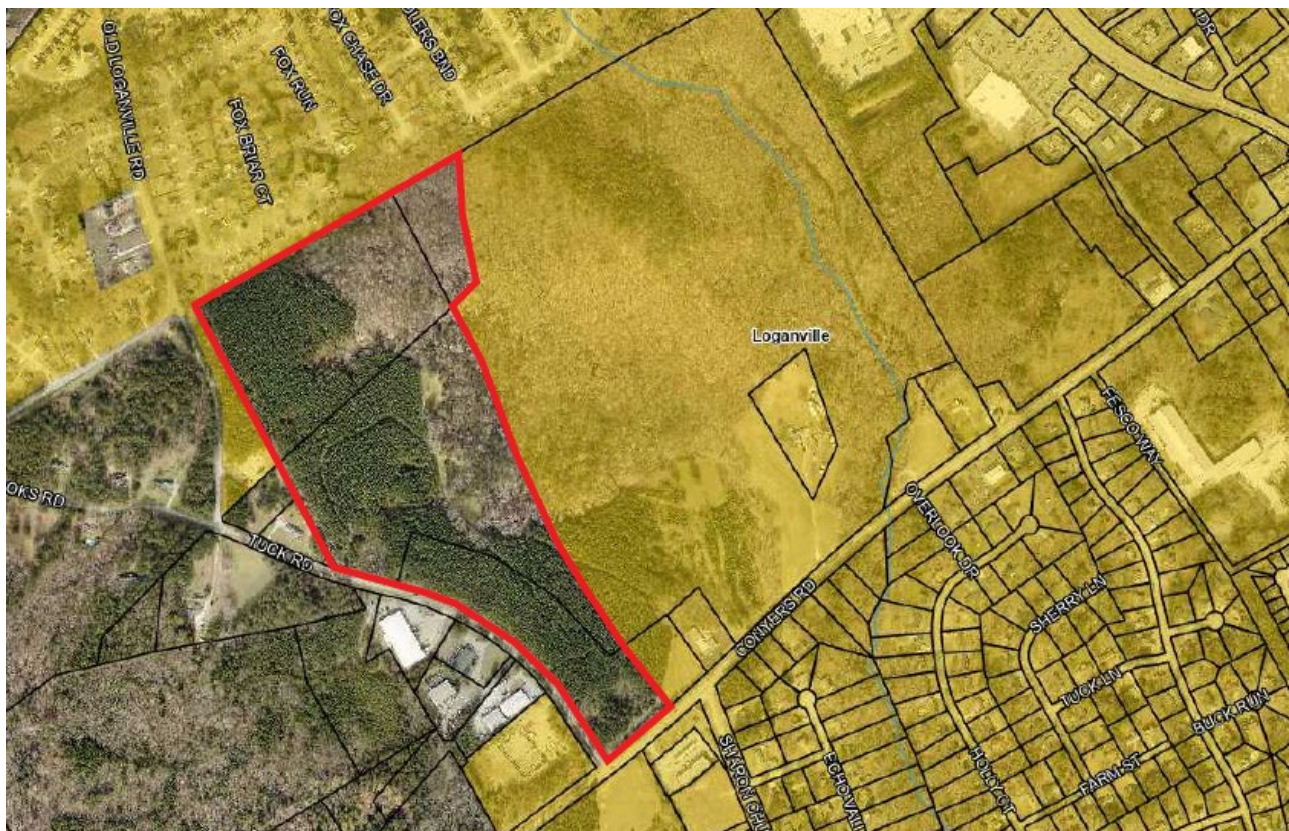


**FUTURE LAND USE MAP**





## AREA ZONING







**Applicant's Request**

The applicant is applying to annex in 61.213 acres of land to become part of a larger project that will entail more than 200 acres of mixed use, including townhomes, single-family homes and commercial space.

**Existing Conditions**

The parcels are undeveloped and have been a part of the larger family farm. Both parcels are abutted by City limits by parcels LG060010 and LG060010A00.

**Impact Analysis/Recommendation**

**What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels?** This annexation would bring inside city limits parcels that are almost completely encircled by land already part of the City of Loganville.

**What is the impact upon thoroughfare congestion and traffic safety?** Annexations by themselves do not have an inherent impact on congestion and traffic safety.

**What is the impact upon population density and the potential for overcrowding and urban sprawl?** Annexations by themselves do not have a direct impact on overcrowding and urban sprawl.

**Is the proposed use consistent with the adopted Comprehensive Plan?** The Future Land Use map of Walton and Gwinnett both show the areas as being residential.

**What is the impact upon adjacent property owners if the request is approved?** There would be no impact as an annexation does not change the character of the land itself.

**What is the impact upon adjacent property owners if the request is not approved?** The land would likely continue to remain undeveloped.

**Recommended action:** The parcels of land meet the requirements to be annexed into the City limits. Recommendation is for approval of these annexations.

**Planning Commission Recommended Conditions**

The Planning Commission vote was 3-3, with the Chairman casting the tiebreaking vote in favor of recommending approval of the annexation.

**City Council Conditions**



## DATA APPENDIX

### WATER

**Is a water line adjacent to the property? If not, how far is the closest water line?** No, water is not adjacent to the property. The closest water line is at the intersection of Tom Brooks Road and Tuck Road.

**Size of the water line?** 8 inches

**Capacity of the water line?** Unknown

**Approximate water usage by proposed use?** To be determined.

### SEWER

**Is a sewer line adjacent to the property? If not, how far is the closest sewer line?** Yes, a sewer line is adjacent to the property.

**Size of the sewer line?** 8 inches that feeds into Highway 20 pump station

**Capacity of the sewer line?** Upgrade to the pump station will be required

**Estimated waste generated by proposed development?** To be determined.

### DRAINAGE AND ENVIRONMENTAL CONCERNS

**Does flood plain exist on the property? What percentage of the property is in a floodplain?** Unknown.

**What is the drainage basin for the property?** Little Haynes Creek

**Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency? If so, is the use compatible with the possible presence of wetlands?** Unknown.

**Do stream bank buffers exist on the parcel?** Yes.

**Are there other topographical concerns on the parcel?** Unknown.

**Are the storm water issues related to the application?** No.



**TRANSPORTATION**

**What is the road affected by the proposed change? What is the classification of the road?**

Highway 20 (state route), Tuck Road (minor collector), Old Loganville Road (minor collector)

**What is the traffic count for the road?** No official traffic counts exist for the immediate area of this project. Nearby traffic counts include 8,000 cars per day on Old Loganville Road south of Chase Court and 10,800 on Highway 20 at Center Hill Church Road.

**Estimated number of cars generated by the proposed development?** Unknown.

**Estimated number of trips generated by the proposed development?** Unknown.

**Do sidewalks exist in the area?** There are some along Old Loganville Road but none along Tuck Road or Highway 20.

**Transportation improvements in the area? If yes, what are they?** GDOT plans to expand Highway 20 to four lanes, adding sidewalks along the state route, as well as realigning Tuck Road with Sharon Church Road for the installation of a roundabout.

**EMERGENCY SERVICES**

**Nearest city fire station from the development?** Station 18 @ 180 Old Loganville Road

**Distance of the nearest station?** 2 miles

**Most likely station for 1st response?** Station 18

**Service burdens at the nearest city fire station (under, at, or above capacity)** No service burdens to the fire department.





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: 3-8-24

Application # R 24-013

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 checkboxes for Applicant type.

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

Pre-Application Conference Date: February 2nd 2024

Accepted by Planning & Development: Sarah Black DATE: 3/8/24 FEE PAID: \$500.00

CHECK # 45397 RECEIPT # 202406943 TAKEN BY SB DATE OF LEGAL NOTICE: 6-2-24 / 6-14-24 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 6/27/24

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

Mayor: [Signature] City Clerk: [Signature] Date: 10/16/24

**Planning Commission Recommended Conditions**

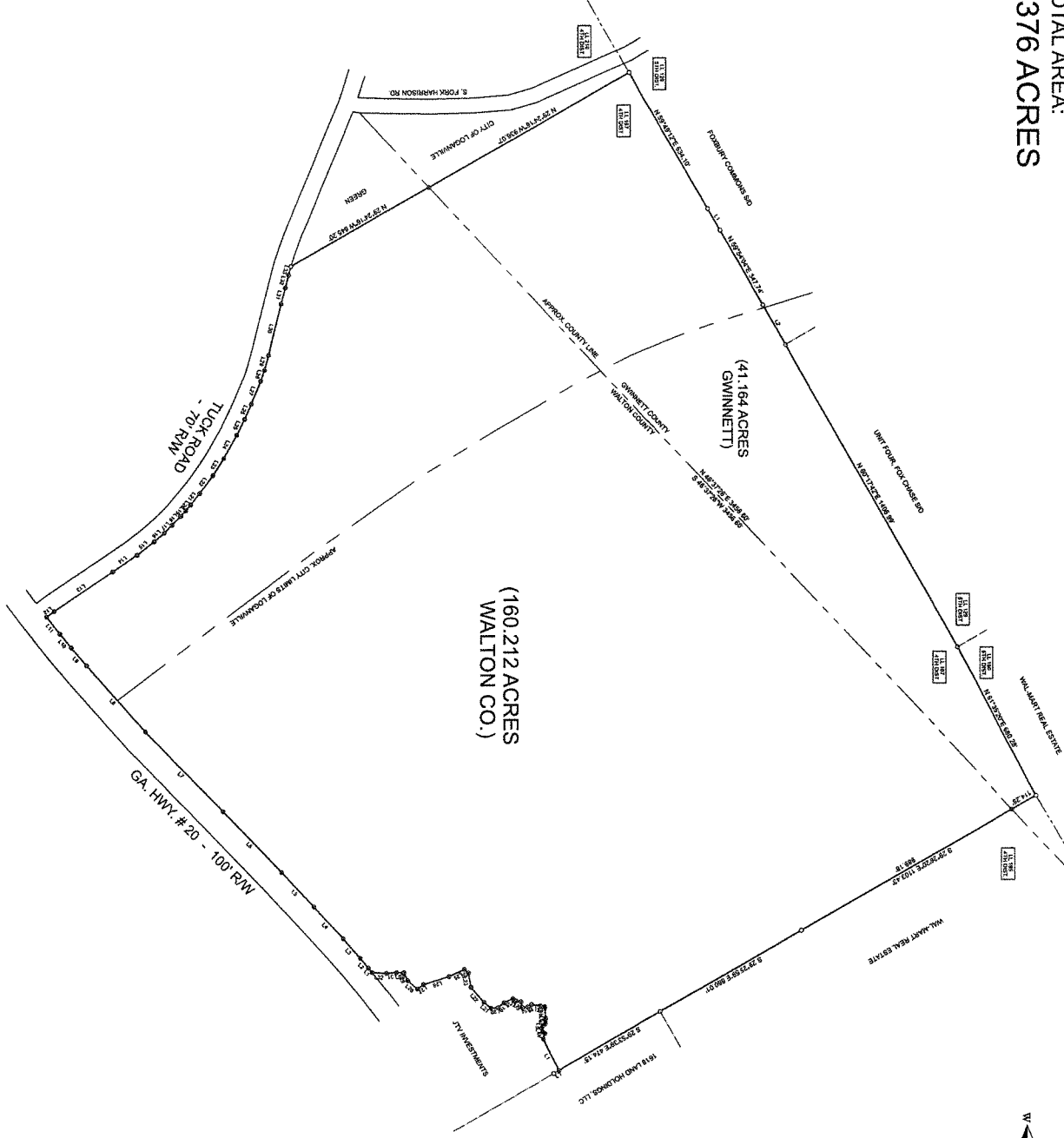
The Planning Commission vote was 3-3, with the Chairman casting the tiebreaking vote in favor of recommending approval of the rezone with the following conditions:

- The mailbox kiosk be placed in a central location that is not exclusively inside area of the townhomes or single-family residences but rather in between
- The project features an enclosed meeting space in a centralized location to both the single-family residences and townhomes
- The project includes a paved walking trail in the open space adjacent to Tuck Road connecting to Destination Park
- As allowed, develop a nature trail along the townhomes to the Walmart property
- Have it expressly state in the covenants that commercial and residential owners help maintain the trails at a minimum of once a year
- 8-foot privacy fence between the buffer and the property of Chris Green at 4565 Tuck Road
- Minimum of two community swimming pools as allowed

FOR  
PENDING  
POSSES

TOTAL AREA:  
201.376 ACRES

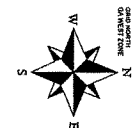
LEGEND:  
1. - 1" PER 100' SCALE  
2. - 1" PER 100' SCALE  
3. - 1" PER 100' SCALE  
4. - 1" PER 100' SCALE  
5. - 1" PER 100' SCALE  
6. - 1" PER 100' SCALE  
7. - 1" PER 100' SCALE  
8. - 1" PER 100' SCALE  
9. - 1" PER 100' SCALE  
10. - 1" PER 100' SCALE



CALLIE ALONG RIVER

Corner	Survey	Distance	Bearing
1	1	1.111	S 89° 50' 00" W
2	1	1.111	S 89° 50' 00" W
3	1	1.111	S 89° 50' 00" W
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45	1	1.111	S 89° 50' 00" W
46	1	1.111	S 89° 50' 00" W
47	1	1.111	S 89° 50' 00" W
48	1	1.111	S 89° 50' 00" W
49	1	1.111	S 89° 50' 00" W
50	1	1.111	S 89° 50' 00" W

NOTES:  
1. THIS SURVEY WAS MADE FOR THE PURPOSE OF RECORDING THE BOUNDARIES OF THE LANDS SHOWN HEREON AND FOR THE PURPOSES OF THE CITY OF LOGANVILLE AND THE CITY OF WALTONVILLE.  
2. THE BOUNDARIES SHOWN HEREON ARE THE RESULT OF A SURVEY MADE BY THE SURVEYOR AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE SURVEY.  
3. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE LANDS SHOWN HEREON ARE NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.  
4. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE LANDS SHOWN HEREON ARE NOT SUBJECT TO ANY TAXES OR OTHER CHARGES.  
5. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE LANDS SHOWN HEREON ARE NOT SUBJECT TO ANY OTHER LAWS OR REGULATIONS.  
6. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE LANDS SHOWN HEREON ARE NOT SUBJECT TO ANY OTHER CONDITIONS.



**SMITH PLANNING GROUP**  
LAND PLANNING  
LAND SURVEYING  
LANDSCAPE ARCHITECTURE  
100 W. MAIN ST. SUITE 100  
WALTONVILLE, GA 30785  
PHONE: 770.855.1111  
WWW.SMITHPLANNINGGROUP.COM

**LOGANVILLE**  
FOR SALES LOT 1285  
IN WALTON CO. 4.150  
ELEV. 1000  
DATE: 11/20/2022

**SUPERVISOR'S DESCRIPTION:**  
This is a plat of a subdivision of land in the City of Loganville, Georgia, and is subject to the provisions of the Georgia Subdivided Land Act, O.C.G.A. § 44-10-101 et seq. and the Georgia Surveying Act, O.C.G.A. § 47-10-101 et seq. The land is shown on the attached map and is to be divided into lots for sale.

CALLIE ALONG BOUNDARY

Corner	Survey	Distance	Bearing
1	1	1.111	S 89° 50' 00" W
2	1	1.111	S 89° 50' 00" W
3	1	1.111	S 89° 50' 00" W
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39	1	1.111	S 89° 50' 00" W
40	1	1.111	S 89° 50' 00" W

**ZONING SURVEY**  
PREPARED FOR:  
**GREEN RIVER BUILDERS, INC.**

STATE: GEORGIA    COUNTY: GWINNETT / WALTON    CITY: AS SHOWN    G.M.O.: 417 WALTON CO.    L.L.O.R.: AS SHOWN

PROJECT NO.: 26218    DRAWING BY: AFS    DATE: 11-20-22

SCALE: AS SHOWN    SHEET: 1 OF 1

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.

3/7/24

Applicant's Signature

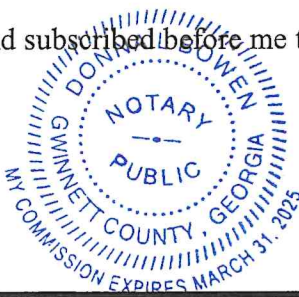
Date

Shane Latham, attorney for Applicant

Print Name and Title

Sworn to and subscribed before me this 7<sup>th</sup> day of March, 2024.

(Seal)



Donna L. Bowen  
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.

Owner's Signature

Date

Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

Signature of Notary Public

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

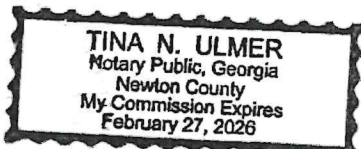
**Applicant's Certification**

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.

*Charles P. Richards* 03/07/2024  
Applicant's Signature Date

CHARLES P. RICHARDS CFO  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)  *Tina Ulmer*  
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.

*Sherry S. Grider* 3-7-24  
Owner's Signature Date

Sherry S. Grider, Managing Partner, Luck Family Farm LLLP  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)  *Tina Ulmer*  
Signature of Notary Public



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

*Owner's*

**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.

*Chad T. Stephens*

*3-7-24*

Applicant's Signature

Date

*Chad T. Stephens*

Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)



*Gabrielle Schaller*

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.

Owner's Signature

Date

Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

Signature of Notary Public

*Owner's*

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.

*Chad T. Stephens*  
Applicant's Signature

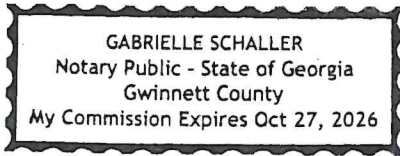
3-7-24  
Date

Chad T. Stephens  
Print Name and Title

Member

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)



*Gabrielle Schaller*  
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.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
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.

Applicant's Signature

Date

Print Name



3/7/24

Shane Lanham

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

\_\_\_\_\_  NO

**If YES, complete the following:**

NAME OF INDIVIDUAL MAKING CONTRIBUTION N/A

NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL

CONTRIBUTIONS (List all aggregating to \$250 or more)

DATE OF CONTRIBUTION

N/A

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

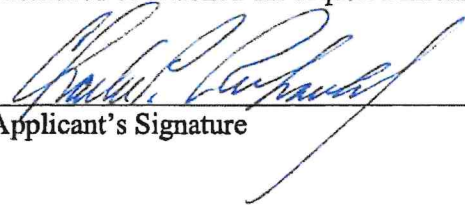
\_\_\_\_\_

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

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.

  
Applicant's Signature

03/07/2024  
Date

CHARLES P. RICHARDS  
Print Name

\_\_\_\_\_  
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**       **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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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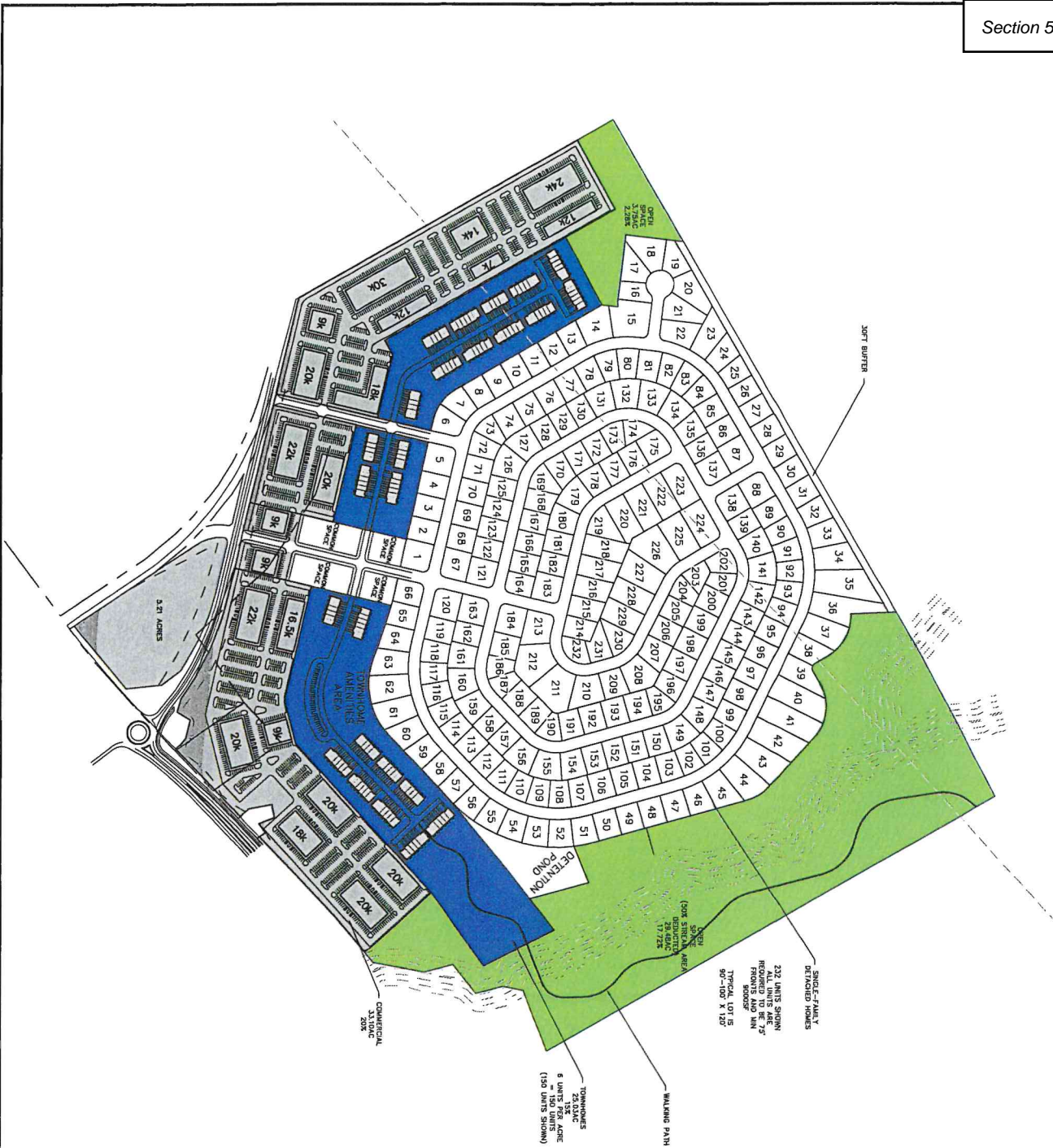
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**Attach additional sheets as necessary to disclose and describe all contributions.**

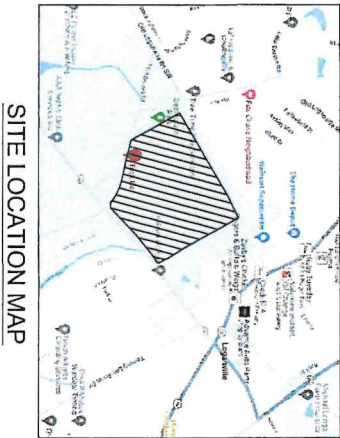
**PROPERTY OWNER LIST - REZONING**

<b>Name</b>	<b>Address</b>	<b>Parcel No.</b>	<b>County</b>
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010A00	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010ADP	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG0600100DP	Walton
Stephens, Chad Tuck & Stephens, Sandra Pendley	P.O. Box 1058 Loganville, GA 30052	LG060009	Walton
CSAT Enterprises LLC	P.O. Box 1058 Loganville, GA 30052	LG060011	Walton





SITE DATA	
EXISTING TRACT	201.49 AC
OUTPARCEL	9.09 AC
PROPOSED PD TRACT	192.40 AC
EXISTING ZONING	RA-200
PROPOSED ZONING	PUV
ZONING JURISDICTION	CITY OF LOGANVILLE
USE CALCULATIONS	
RESIDENTIAL R/W	16.44AC
DETENTION POND	3.22AC
STREAM AREA (50%)	5.87AC
PD USABLE AREA	166.87AC
SINGLE FAMILY HOMES	75.09AC
RES. AMENITY AREA	20,000 S.F.
TOWNHOMES	25.03AC
COMMERCIAL	3.3, 10AC
OPEN SPACE	3.3, 6.5AC
COMMERCIAL SF REQ'D	10KSF+232/100 = 23,200SF
COMMERCIAL PROV.	3,33, 500SF
SINGLE-FAMILY MAX	75.09AC *
SINGLE-FAMILY PROV.	232 UNITS
TOWNHOME MAX	3.1 UNITS/AC
TOWNHOME PROV.	150 UNITS
TOWNHOME /AC	6 UNITS/AC
TOWNHOME PROV.	150 UNITS



**CAUTION**

CONSTRUCTION SHALL BE RESPONSIBLE FOR SECURING THE SERVICES OF A PRIVATE UTILITY LOCATION FIRM DURING THE PLY FOR SHOT SERVICES. CONSTRUCTION SHALL BE RESPONSIBLE FOR ALL ADDITIONAL COSTS TO THE OVERSEER/OWNER.

THE UTILITY SHOWN ARE FROM THE CONSTRUCTION DOCUMENTS AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES WITHIN THE WORK AREA. LOCAL UTILITIES SHOULD BE LOCATED AND IDENTIFIED BY THE CONTRACTOR AS NECESSARY FOR ADEQUATE CONSTRUCTION WITHOUT RESUBMISSION.

**GRAPHIC SCALE**  
1" = 500' FT.

**MOORE CIVIL**  
CONSULT-DESIGN-ENGINEER  
706.224.1628  
ROBERT@MOORECIVIL.COM

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?  
Please see attached.
  
2. How does the proposed use impact thoroughfare congestion and traffic safety?
  
3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
  
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;
  
5. How does the proposed zoning provide protection of property against blight and depreciation?
  
6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
  
7. In what way does the proposed zoning affect adjacent property owners if the request is approved?
  
8. What is the impact upon adjacent property owners if the request zoning is not approved?
  
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.

## APPLICANT'S RESPONSES TO EVALUATION CRITERIA

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?

The proposed use is compatible with the overall appearance of the City and aesthetic conditions of adjacent parcels. Adjacent land uses include commercial, residential, and civic uses as well as vacant land. The proposed mixed-use development with residential, commercial, and open space/recreational amenities is compatible with existing land uses. The proposed commercial components of the development are located along exterior right-of-way and would provide an attractive streetscape for motorists travelling along Conyers Road (State Route 20) and Tuck Road.

2. How does the proposed use impact thoroughfare congestion and traffic safety?

The proposed development is located along Conyers Road, which is a major transportation corridor and a State Highway. Additionally, GDOT has announced plans to align Tuck Road with Sharon Church Road with the construction of a new roundabout. The Applicant is coordinating with GDOT relative to this road improvement, which will enhance connectivity and traffic flows in the area.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?

The proposed development would not contribute to overcrowding or urban sprawl as the property is located near the urban core of Loganville and the proposed land uses and densities are compatible with surrounding development. The subject property is located less than 1,500 feet from Atlanta Highway (U.S. Route 78), which is Loganville's most heavily developed corridor. The proposed development is not an isolated, out-of-place development at Loganville's fringes. It includes a mix of land uses that are already present in the area and continues established development patterns along major transportation corridors.

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?

The proposed development would utilize public water, sewer, and other utilities, providing upgrades where necessary. Given the intensity of surrounding development and the property's proximity to major transportation corridors, the proposed development would not negatively impact the provision of urban infrastructure or other municipal services.

5. How does the proposed zoning provide protection of property against blight and depreciation?

The proposed development would provide high-quality, attractive homes at price points that would be commensurate with homes in the surrounding area. First-class amenities and a mix of housing types would provide additional stability to the proposed development. The proposed development would provide necessary residential critical mass to support proposed commercial components of the development as well as existing commercial uses in the surrounding area.

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?

The proposed development would provide a mixture of residential, commercial, and recreational/open space uses that is compatible with the Future Land Use designations of Residential, Commercial, and Park/Recreation/Conservation. While the unincorporated portions of the subject property are not assigned Future Land Use designations, they are compatible with the designations of adjacent land. That is, one of the proposed open spaces portions of the subject property is located adjacent to Destination Park, which is designated as Park/Recreation/Conservation. The proposed commercial portions of the proposed development are located across the street from land designated as Commercial across Tuck Road and Conyers Road. The balance of the proposed development is the residential component, which is consistent with the Residential Future Land Use designation.

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?

The proposed development would complement surrounding properties by enhancing the walkability of the surrounding area, increasing housing options in the City, and providing a high-quality, attractive mixed-use development near major transportation corridors.

8. What is the impact upon adjacent property owners if the request zoning is not approved?

The property would remain a large, underutilized tract near the center of Loganville. It would not meaningfully contribute to the tax base or provide residential critical mass to support local businesses. Large tracts are often difficult for families to maintain and have the potential to negatively impact the aesthetics of the surrounding area, if not maintained.

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 subject property is located along a State Highway with convenient access to downtown Loganville. The proposed alignment of Tuck Road and Sharon Church Road with the construction of a roundabout enhances the subject property's vehicular access and will improve existing traffic flows. The proposed mixed-use development is compatible with the mixed-use character of the surrounding area which includes, residential, commercial, and recreational uses.



**ABUTTING PROPERTY OWNERS LIST**

<b>Name/Address</b>	<b>Parcel Number</b>
GREEN CHRISTOPHER JAMES & GREEN MICHELLE YVONNE 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009B00
GREEN CHRISTOPHER J & GREEN MICHELLE Y 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009D00
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060008
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060007
1618 LAND HOLDINGS LLC 1550 NORTH BROWN RD SUITE 130 LAWRENCEVILLE, GA 30043	LG060005
WAL-MART REAL ESTATE BUSINESS TRUST %RE PROPERTY TAX DEPT PO BOX 8050 MS 0555 BENTONVILLE, AR 727160555	LG040001
WAL-MART REAL ESTATE BUSINESS PO BOX 8050 BENTONVILLE AR 72716-8055	R5160 001
EPIC ENDEAVORS REAL ESTATE LLC 4560 TRUMBLE TER SNELLVILLE GA 30039	R5160 258
MARTINEZ ANA MARINA 4411 FIDDLERS BND LOGANVILLE GA 30052	R5129 191
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 190
CANALES JOSE G 4391 FIDDLERS BND LOGANVILLE GA 30052	R5129 189
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 188

FYR SFR BORROWER LLC PO BOX 4090 SCOTTSDALE AZ 85261	R5129 187
BTR SCATTERED SITE OWNER LLC 5001 PLAZA ON THE LK STE 200 AUSTIN TX 78746	R5129 186
POLMAN SHARON 4351 FIDDLERS BND LOGANVILLE GA 30052	R5129 185
CAULDER REX A & LINDA S 4341 FIDDLERS BND LOGANVILLE GA 30052	R5129 184
CALDERON ISABELLA RINADA 4331 FIDDLERS BND LOGANVILLE GA 30052	R5129 183
BUSTAMANTE LUIS HERRERA MONCADA MARTHA J. AQUIRRE 4310 FOX CHASE DR LOGANVILLE GA 30052	R5129 175
FELDER KATHLEEN 4325 FOX CHASE DR LOGANVILLE GA 30052	R5129 174
TAMAYO HECTOR A PEREZ IRLANY TEJEDA 4315 FOX CHASE DR LOGANVILLE GA 30052	R5129 173
MORRIS THUYTIEN MORRIS BRUCE 293 FOX RUN LOGANVILLE GA 30052	R5129 297
BURKE DAVID W BURKE KAREN 177 FOX RUN LOGANVILLE GA 30052	R5129 331
ROBERTSON DARRYL B Jr ROBERTSON LACINDA MICHELLE 179 FOX RUN LOGANVILLE GA 30052	R5129 332
IJITIMEHIN CHERLYN M IJITIMEHIN OLARINDE 181 FOX RUN LOGANVILLE GA 30052	R5129 333
HUMANS ANGELA V 183 FOX RUN LOGANVILLE GA 30052	R5129 334

DEPIETRO CLAUDIO DEPIETRO SANDRA S 185 FOX RUN LOGANVILLE GA 30052	R5129 335
JONES KIM R WILSON TONISHA 187 FOX RUN LOGANVILLE GA 30052	R5129 336
VALDEZ JENNY ZAVALETA MARTHA ROJAS 189 FOX RUN LOGANVILLE GA 30052	R5129 337
COLGATE JAMES A ETAL 191 FOX RUN LOGANVILLE GA 30052	R5129 338
WASHINGTON JAPRITA MATICE WASHINGTON ALFONSO 195 FOX RUN LOGANVILLE GA 30052	R5129 339
HOPKINS JAN LISA 199 FOX RUN LOGANVILLE GA 30052	R5129 340
CITY OF LOGANVILLE 4385 PECAN ST LOGANVILLE GA 30052	R4216 024

## \*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in the 417th G.M.D. of Walton County, Georgia being partially in the City of Loganville containing 160.212 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road;  
 Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point;  
 Thence N 33°36'59" W a distance of 286.04' to a Point;  
 Thence N 34°20'52" W a distance of 118.18' to a Point;  
 Thence N 37°49'15" W a distance of 88.43' to a Point;  
 Thence N 40°30'54" W a distance of 53.72' to a Point;  
 Thence N 43°33'55" W a distance of 44.86' to a Point;  
 Thence N 45°34'10" W a distance of 50.92' to a Point;  
 Thence N 48°44'24" W a distance of 29.83' to a Point;  
 Thence N 49°17'45" W a distance of 30.39' to a Point;  
 Thence N 50°52'14" W a distance of 59.25' to a Point;  
 Thence N 53°13'13" W a distance of 88.83' to a Point;  
 Thence N 57°25'45" W a distance of 81.86' to a Point;  
 Thence N 60°57'34" W a distance of 106.61' to a Point;  
 Thence N 64°04'09" W a distance of 71.10' to a Point;  
 Thence N 65°54'41" W a distance of 67.48' to a Point;  
 Thence N 67°46'51" W a distance of 98.69' to a Point;  
 Thence N 71°07'45" W a distance of 46.85' to a Point;  
 Thence N 74°41'11" W a distance of 62.13' to a Point;  
 Thence N 75°57'11" W a distance of 211.32' to a Point;  
 Thence N 75°59'01" W a distance of 67.61' to a Point;  
 Thence N 75°12'02" W a distance of 51.85' to a Point;  
 Thence N 73°57'56" W a distance of 36.70' to an IPF;  
 Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point;  
 Thence N 46°37'26" E a distance of 3456.60' to a Point;  
 Thence S 29°26'20" E a distance of 989.18' to an IPF;  
 Thence S 29°25'59" E a distance of 660.01' to an IPF;  
 Thence S 29°53'39" E a distance of 474.15' to a Point in the centerline of creek;  
 Thence along said centerline of creek S 63°24'16" W a distance of 141.13' to a Point;  
 Thence N 72°18'08" W a distance of 24.03' to a Point;  
 Thence S 28°13'12" W a distance of 11.41' to a Point;  
 Thence S 74°19'31" W a distance of 15.83' to a Point;  
 Thence N 74°51'49" W a distance of 8.68' to a Point;  
 Thence N 32°37'40" W a distance of 16.39' to a Point;  
 Thence S 89°31'15" W a distance of 14.08' to a Point;  
 Thence N 87°57'38" W a distance of 10.17' to a Point;  
 Thence S 86°26'17" W a distance of 41.00' to a Point;



Thence S 77°33'48" W a distance of 5.21' to a Point;  
 Thence S 09°52'21" W a distance of 19.06' to a Point;  
 Thence S 08°28'09" W a distance of 35.33' to a Point;  
 Thence S 33°04'51" E a distance of 16.99' to a Point;  
 Thence S 09°36'40" E a distance of 21.74' to a Point;  
 Thence S 74°01'58" W a distance of 25.01' to a Point;  
 Thence S 07°03'34" W a distance of 20.14' to a Point;  
 Thence S 38°47'34" W a distance of 16.52' to a Point;  
 Thence S 25°21'37" E a distance of 38.69' to a Point;  
 Thence S 39°19'43" E a distance of 31.34' to a Point;  
 Thence S 06°18'24" E a distance of 27.60' to a Point;  
 Thence S 40°13'36" W a distance of 38.09' to a Point;  
 Thence S 48°59'18" W a distance of 80.30' to a Point;  
 Thence S 80°00'00" W a distance of 57.67' to a Point;  
 Thence S 42°51'22" W a distance of 22.27' to a Point;  
 Thence S 24°46'13" E a distance of 68.30' to a Point;  
 Thence S 17°08'22" E a distance of 108.56' to a Point;  
 Thence S 35°15'33" E a distance of 30.52' to a Point;  
 Thence S 40°44'31" W a distance of 51.28' to a Point;  
 Thence S 64°31'43" W a distance of 35.70' to a Point;  
 Thence S 01°26'06" W a distance of 29.16' to a Point;  
 Thence S 04°56'23" E a distance of 41.60' to a Point;  
 Thence S 03°45'26" W a distance of 58.16' to a Point at the intersection of the centerline of creek and the northern Right-of-Way of Georgia Highway #20;  
 Thence along said Right-of-Way S 50°22'30" W a distance of 23.62' to a Point;  
 Thence S 49°12'47" W a distance of 51.16' to a Point;  
 Thence S 48°33'09" W a distance of 105.67' to a Point;  
 Thence S 47°10'43" W a distance of 175.36' to a Point;  
 Thence S 46°31'43" W a distance of 191.40' to a Point;  
 Thence S 46°15'11" W a distance of 343.08' to a Point;  
 Thence S 45°37'12" W a distance of 451.87' to a Point;  
 Thence S 48°28'15" W a distance of 359.08' to a Point;  
 Thence S 49°11'16" W a distance of 94.58' to a Point;  
 Thence S 50°29'06" W a distance of 73.73' to a Point;  
 Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.

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

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

\*Of Counsel

**COMBINED LETTER OF INTENT FOR ANNEXATION, REZONING, AND  
CONCURRENT VARIANCE APPLICATIONS OF  
GREEN RIVER BUILDERS, INC.**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached annexation, rezoning, and concurrent variance applications (the “Applications”) on behalf of Green River Builders, Inc. (the “Applicant”), relative to a proposed mixed-use development on an approximately 201.376-acre tract of land (the “Property”) located at the intersection of Tuck Road at Conyers Road (State Route 20). The Property straddles the Gwinnett and Walton County line and includes portions that are within the municipal boundary of the City of Loganville as well as unincorporated portions. The Property is currently zoned A2, R-44, and CH and also includes a portion in Gwinnett County that appears to be unzoned according to Gwinnett County’s official zoning map.

The proposed development would include a mix of land uses including single-family detached homes, single-family attached townhomes, commercial/retail/office, and open space. Two central boulevards provide access to the Property off of Tuck Road. The eastern boulevard would proceed through the commercial component into an area designated for common area which could accommodate a plaza, town green, or other gathering space. The commercial component is focused along the exterior right-of-way of Tuck Road and Highway 20 with building facades pushed up towards the road with the majority of parking to the sides or rear of the commercial buildings. This design will enhance the aesthetics of those roadways and contribute to the neighborhood village concept encouraged by the PUV zoning classification. The proposed townhome component would provide a transition between the commercial and single-family detached components. The proposed single-family detached component is located internal to the

Property with convenient access to open space areas and the proposed commercial areas. An internal sidewalk network and trails would provide walkability for residents and visitors with a potential trail connection to adjacent commercial uses which front on Highway 78. The proposed open space is provided in two main areas. The larger open space area is located in the northeastern portion of the site along an existing creek. This area would remain mostly natural and would provide passive recreational opportunities for residents. A smaller, +/-3.75-acre open space area is provided in the western corner of the Property adjacent to the City's Destination Park.

The proposed mixed-use development is designed to activate the existing node at the intersection of Tuck Road and Highway 20 while providing an appropriate transition to single-family detached homes to the north. The proposed development would also enhance the walkability of the surrounding area by creating opportunities for people to live, work, and play within walking distance of downtown Loganville. The proposed development is compatible with existing land uses and zoning classifications of the surrounding area, is in line with the policy and intent of the Comprehensive Plan, and is an appropriate land use due to the Property's location on and in close proximity to major transportation corridors. The surrounding area is characterized by a mix of zoning classifications and land uses including commercial, office, industrial, and residential. In fact, the Property lies in between two developed nodes—Tuck Road at Highway 20 and Highway 20 at Highway 78. To the east, the Property is located adjacent to land zoned CH including the Walmart as well as a large undeveloped commercial tract. To the west across Tuck Road are existing heavy commercial and/or industrial uses including land in the City zoned LI (Light Industrial) and CH (Commercial Highway). The proposed mixed-use development continues the existing development pattern of commercial uses along major corridors and then provides an appropriate internal transition. Moving north away from Highway 20, the proposed land uses step down from commercial, to townhomes and then to detached homes. The proposed development would also include a 30-foot wide buffer adjacent to the Foxbury Commons and Fox Chase subdivisions.

In order to develop the Property as depicted on the site plan, the Applicant also requests the relief from the Loganville Zoning Ordinance building permit concurrency requirements. As described in the Applicant's Responses to the Variance Evaluation Criteria, the concurrency requirements, as set forth in the Zoning Ordinance, would create an unnecessary hardship on the Property owner and Applicant. The subject property is exceptionally large and has significant

topography. A creek runs along the easterly property boundary line, which also presents challenges for the development of the property and construction of buildings. Moreover, the proposed GDOT project to align Tuck Road with Sharon Church Road and construction of a roundabout provide significant challenges relative to the timing of construction. Forcing development of the commercial component of the mixed-use development to occur before planning and/or construction of such major road improvements would create an unnecessary hardship on the Applicant and the property owner. Moreover, as evidenced by commercially-zoned, but vacant properties in the area, commercial development relies on residential critical mass to be successful. Prematurely constructing commercial uses before a stable market is present would result in unnecessary risk and cost to the Applicant and property owner. Moreover, artificially restraining residential development would prolong the development timeline and unnecessarily expose the project to market risks. On the other hand, allowing the development to proceed according to timelines dictated by the free market would allow the natural development of the project while also increasing the attractiveness of the commercial component as residential units come online and establish a built-in customer base.

The proposed development is compatible with surrounding zoning classifications and land uses, is inline with the land use policy of the Comprehensive Plan, and would provide a vibrant, attractive mixed-use development along a major transportation corridor. The Applicant welcomes the opportunity to meet with staff of the City of Loganville Department of Planning and Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 8th day of March, 2024.

**MAHAFFEY PICKENS TUCKER, LLP**

*Shane Lanham*

Shane M. Lanham  
*Attorneys for the Applicant*



## \*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in Land Land 187 in the 4th District of Gwinnett County, Georgia, also being in 417th G.M.D. of Walton County, Georgia being partially in the City of Loganville containing 201.376 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road;  
 Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point;  
 Thence N 33°36'59" W a distance of 286.04' to a Point;  
 Thence N 34°20'52" W a distance of 118.18' to a Point;  
 Thence N 37°49'15" W a distance of 88.43' to a Point;  
 Thence N 40°30'54" W a distance of 53.72' to a Point;  
 Thence N 43°33'55" W a distance of 44.86' to a Point;  
 Thence N 45°34'10" W a distance of 50.92' to a Point;  
 Thence N 48°44'24" W a distance of 29.83' to a Point;  
 Thence N 49°17'45" W a distance of 30.39' to a Point;  
 Thence N 50°52'14" W a distance of 59.25' to a Point;  
 Thence N 53°13'13" W a distance of 88.83' to a Point;  
 Thence N 57°25'45" W a distance of 81.86' to a Point;  
 Thence N 60°57'34" W a distance of 106.61' to a Point;  
 Thence N 64°04'09" W a distance of 71.10' to a Point;  
 Thence N 65°54'41" W a distance of 67.48' to a Point;  
 Thence N 67°46'51" W a distance of 98.69' to a Point;  
 Thence N 71°07'45" W a distance of 46.85' to a Point;  
 Thence N 74°41'11" W a distance of 62.13' to a Point;  
 Thence N 75°57'11" W a distance of 211.32' to a Point;  
 Thence N 75°59'01" W a distance of 67.61' to a Point;  
 Thence N 75°12'02" W a distance of 51.85' to a Point;  
 Thence N 73°57'56" W a distance of 36.70' to an IPF;  
 Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point;  
 Thence N 29°24'16" W a distance of 936.07' to a Point;  
 Thence N 59°49'12" E a distance of 634.10' to an IPF;  
 Thence N 59°37'56" E a distance of 100.02' to an IPF;  
 Thence N 59°54'04" E a distance of 347.74' to an IPF;  
 Thence N 59°46'07" E a distance of 185.38' to an IPF;  
 Thence N 60°17'42" E a distance of 1406.99' to a Point;  
 Thence N 61°35'20" E a distance of 680.28' to an IPF;  
 Thence S 29°26'20" E a distance of 1103.43' to an IPF;  
 Thence S 29°25'59" E a distance of 660.01' to an IPF;  
 Thence S 29°53'39" E a distance of 474.15' to a Point in the centerline of creek;  
 Thence along said centerline of creek S 63°24'16" W a distance of 141.13' to a Point;  
 Thence N 72°18'08" W a distance of 24.03' to a Point;  
 Thence S 28°13'12" W a distance of 11.41' to a Point;

Thence S 74°19'31" W a distance of 15.83' to a Point;  
 Thence N 74°51'49" W a distance of 8.68' to a Point;  
 Thence N 32°37'40" W a distance of 16.39' to a Point;  
 Thence S 89°31'15" W a distance of 14.08' to a Point;  
 Thence N 87°57'38" W a distance of 10.17' to a Point;  
 Thence S 86°26'17" W a distance of 41.00' to a Point;  
 Thence S 77°33'48" W a distance of 5.21' to a Point;  
 Thence S 09°52'21" W a distance of 19.06' to a Point;  
 Thence S 08°28'09" W a distance of 35.33' to a Point;  
 Thence S 33°04'51" E a distance of 16.99' to a Point;  
 Thence S 09°36'40" E a distance of 21.74' to a Point;  
 Thence S 74°01'58" W a distance of 25.01' to a Point;  
 Thence S 07°03'34" W a distance of 20.14' to a Point;  
 Thence S 38°47'34" W a distance of 16.52' to a Point;  
 Thence S 25°21'37" E a distance of 38.69' to a Point;  
 Thence S 39°19'43" E a distance of 31.34' to a Point;  
 Thence S 06°18'24" E a distance of 27.60' to a Point;  
 Thence S 40°13'36" W a distance of 38.09' to a Point;  
 Thence S 48°59'18" W a distance of 80.30' to a Point;  
 Thence S 80°00'00" W a distance of 57.67' to a Point;  
 Thence S 42°51'22" W a distance of 22.27' to a Point;  
 Thence S 24°46'13" E a distance of 68.30' to a Point;  
 Thence S 17°08'22" E a distance of 108.56' to a Point;  
 Thence S 35°15'33" E a distance of 30.52' to a Point;  
 Thence S 40°44'31" W a distance of 51.28' to a Point;  
 Thence S 64°31'43" W a distance of 35.70' to a Point;  
 Thence S 01°26'06" W a distance of 29.16' to a Point;  
 Thence S 04°56'23" E a distance of 41.60' to a Point;  
 Thence S 03°45'26" W a distance of 58.16' to a Point at the intersection of the centerline of creek and the northern Right-of-Way of Georgia Highway #20;  
 Thence along said Right-of-Way S 50°22'30" W a distance of 23.62' to a Point;  
 Thence S 49°12'47" W a distance of 51.16' to a Point;  
 Thence S 48°33'09" W a distance of 105.67' to a Point;  
 Thence S 47°10'43" W a distance of 175.36' to a Point;  
 Thence S 46°31'43" W a distance of 191.40' to a Point;  
 Thence S 46°15'11" W a distance of 343.08' to a Point;  
 Thence S 45°37'12" W a distance of 451.87' to a Point;  
 Thence S 48°28'15" W a distance of 359.08' to a Point;  
 Thence S 49°11'16" W a distance of 94.58' to a Point;  
 Thence S 50°29'06" W a distance of 73.73' to a Point;  
 Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.



## STAFF APPLICATION ANALYSIS REPORT

**ZONING CASE #:** R24-013

**LANDOWNERS:** Tuck Family Farm LLLP C/O Sherry S Grider

**APPLICANT:** Green River Builders Inc. C/O Pickens Tucker LLP

**PROPERTY ADDRESS:** Tuck Road, Conyers Road

**MAP/PARCEL #:** LG060010, LG060010A00, LG060010ADP, LG0600100DP, portion of 4580 Tuck Road (unzoned parcel in Gwinnett County between Foxbury Commons and LG0600100DP), LG060009, LG060011

**PARCEL DESCRIPTION:** Mixture of residential, commercial, vacant properties

**AREA:** 201.36 acres

**EXISTING ZONING:** A2, R-44, CH, Unzoned

**PROPOSED ZONING:** PUV

**FUTURE LAND USE MAP:** Neighborhood Residential (Walton) / Established Neighborhood (Gwinnett)

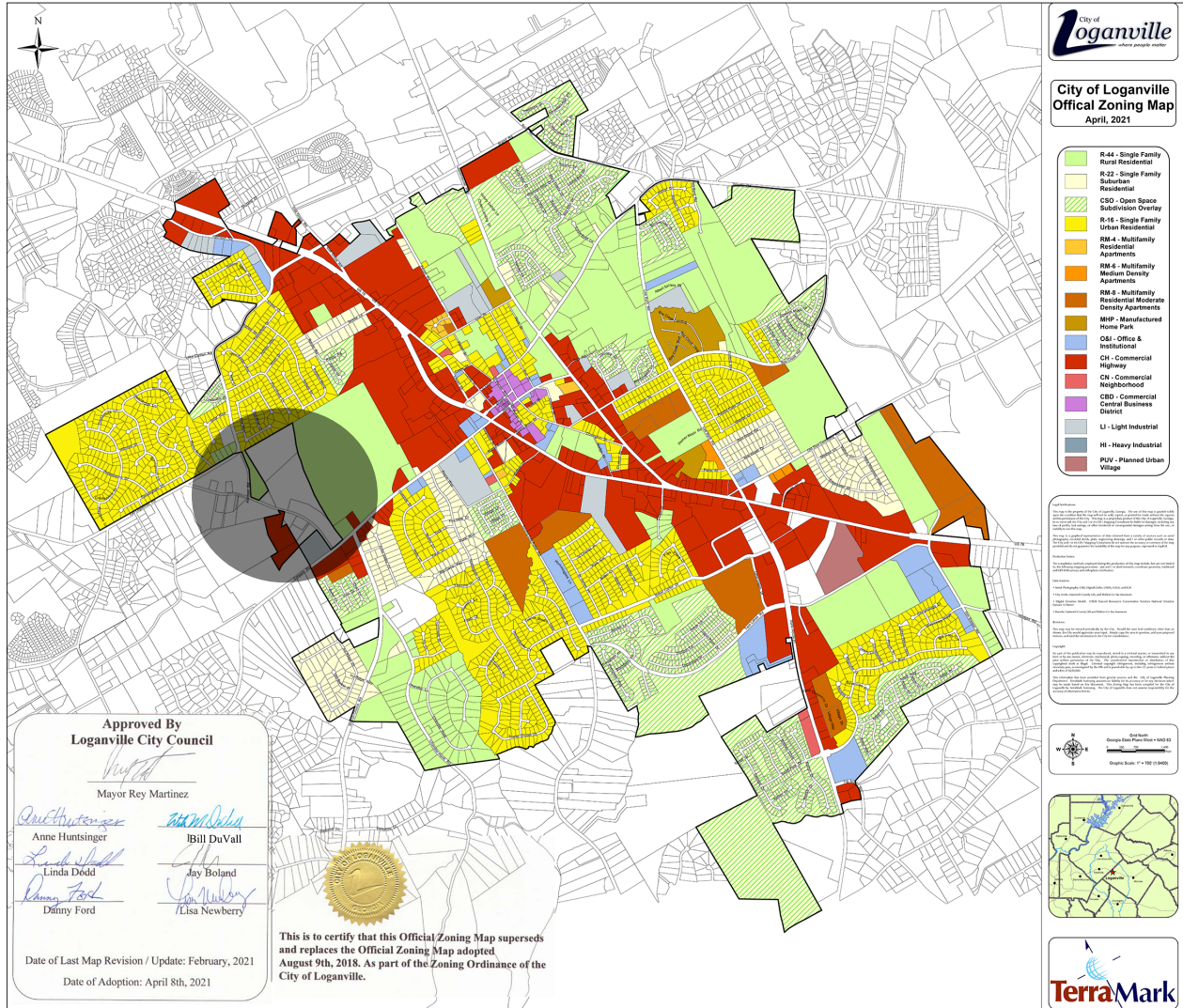
**REASON FOR REQUEST:** Creation of a mixed-use development with 232 single-family homes, 150 townhomes, and 23,200-square-feet of commercial space as well as greenspace.

**PLANNING COMMISSION HEARING:** Was tabled April 25, 2024 until June 27, 2024

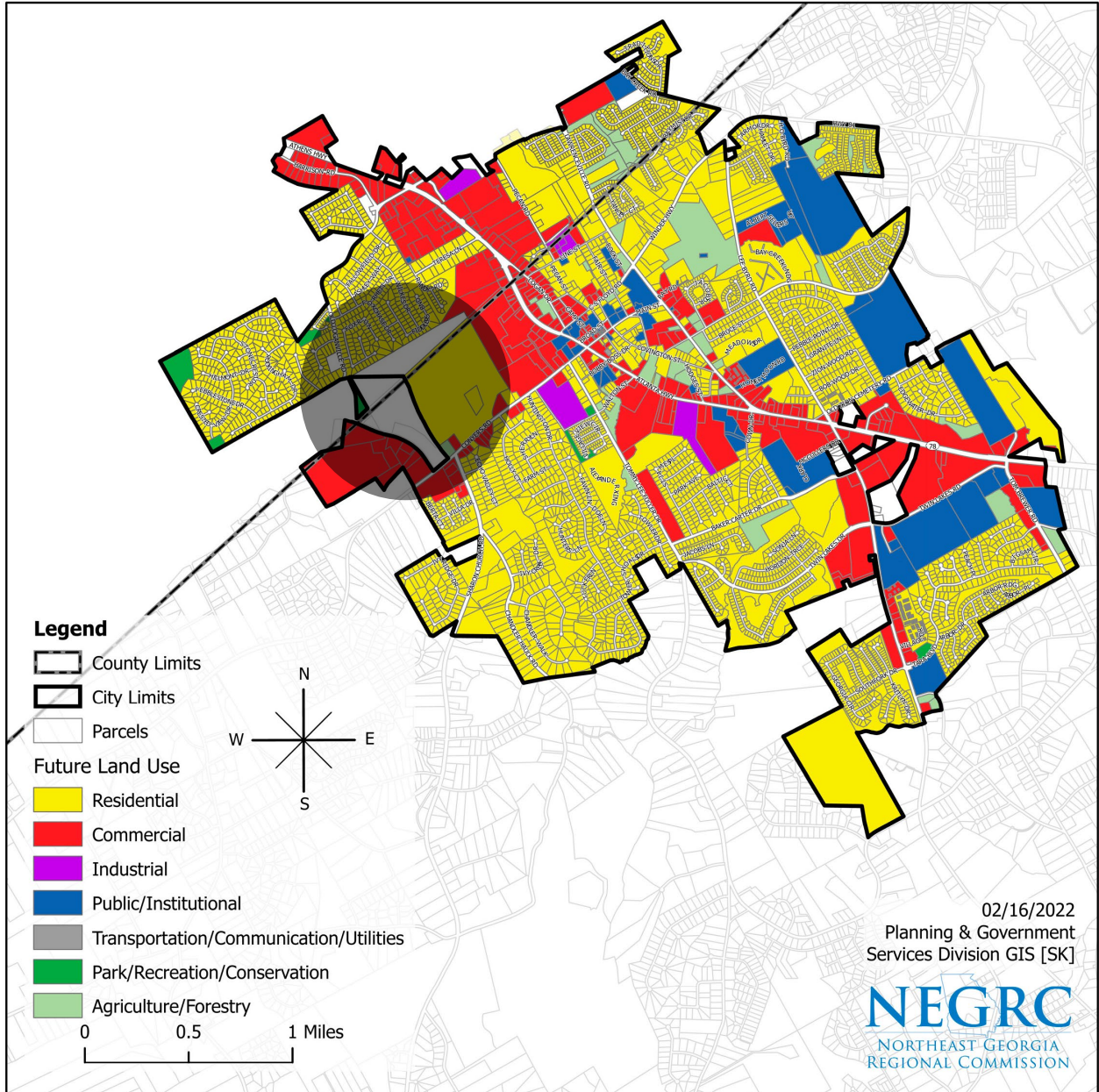
**CITY COUNCIL HEARING:** July 8, 2024 and July 11, 2024



# ZONING MAP

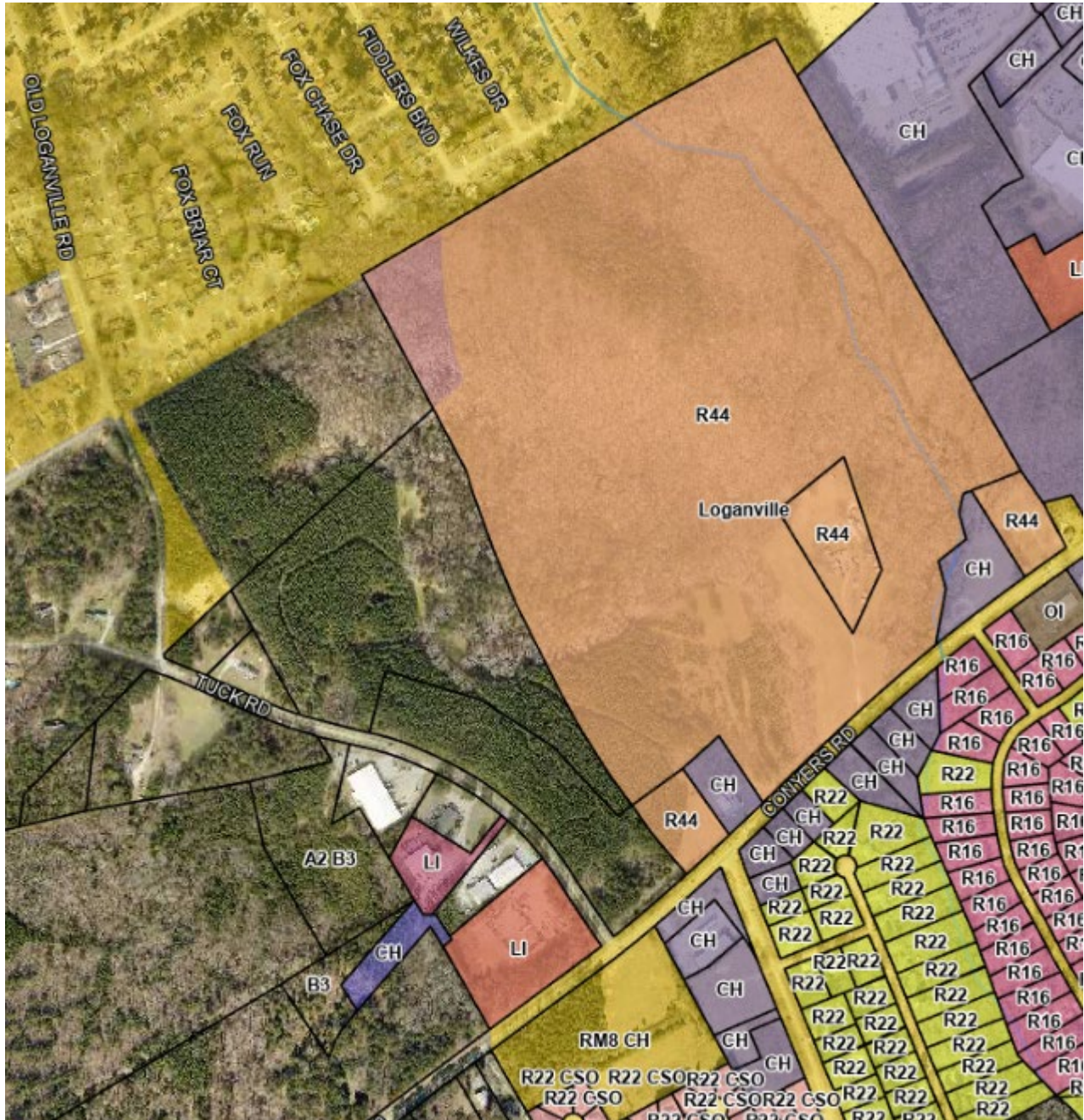


## FUTURE LAND USE MAP





## AREA ZONING







**Applicant's Request**

Rezone the property to allow for a proposed development that would include a mix of land uses including single-family detached homes, townhomes, commercial/retail/office and open space.

**Existing Conditions**

Most of the land is undeveloped, though there is a 2,844-square-foot home dating back to 1865 with accessory structures on one of the parcels being considered for this project and another parcel contains a 4,400-square-foot metal commercial building dating back to 2000.

**Impact Analysis/Recommendation**

**What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels?** This project would alter the aesthetic landscape in the area as it transitions from an old family farm to a large tract of land with both residential and commercial purposes being proposed.

**What is the impact upon thoroughfare congestion and traffic safety?** There is some uncertainty that remains with the future improvements planned for Highway 20 and Tuck Road. The last known plans included a two-lane roundabout, with construction scheduled to start in the summer of 2025. The secondary outlet for traffic will be Tuck Road or Tom Brooks Road and Old Loganville Road, which will likely be impacted by this project.

Traffic counts in the area include about 8,000 cars per day at Old Loganville Road south of Chase Court and 10,800 cars per day on Highway 20 at Center Hill Church Road. The City's comprehensive traffic study included comments from the citizenry that included the difficulty of pulling out from Tuck Road onto Conyers Road and the curve on Old Loganville Road being dangerous and prone to flooding for those near the intersection of Tuck Road. Another comment included that, due to the increase in housing in the area of Tuck Road, the speed limit on Highway 20 should not go up to 55 mph until after the intersection with Tuck Road if you are heading toward Conyers.

**What is the impact upon population density and the potential for overcrowding and urban sprawl?** Considering the fact most of the land sits vacant at the moment, there will be a noticeable increase in population density with the addition of a large-scale project such as this one being proposed. A development such as this would meet the definition of urban sprawl.

**Is the proposed use consistent with the adopted Comprehensive Plan?** The Future Land Use map of Walton and Gwinnett both show the area as being residential. While the City of Loganville's future land use map does not include these parcels, it is reasonable to assume that continued development of CH along the Highway 20 would be consistent with existing trends and then residential developments being created along Tuck Road.



**What is the impact upon adjacent property owners if the request is approved?** Due to the scale of the project, traffic would likely increase in the immediate area. But the project will also provide residents of the area potential commercial options that may afford them and the new residents alike the opportunity to enjoy commerce in the area without having to get into a car. This would also place commercial across the street on Tuck Road from residences.

**What is the impact upon adjacent property owners if the request is not approved?** The land would likely continue to remain undeveloped.

**Recommended action:** The purpose of the PUV is to encourage cultural, retail and residential uses in a mixed-use, urban setting with uses in close proximity to maximize opportunities for pedestrian traffic, thereby reducing the need of automobile dependency and demand for parking. This project achieves that goal and does so with access to a state highway that is in the process of being improved upon by GDOT. The staff recommendation is for approval of this rezone with the condition that the applicant work with the Utilities Department to ensure adequate water and sewer can be made available to the area.

**Planning Commission Recommended Conditions**

The Planning Commission vote was 3-3, with the Chairman casting the tiebreaking vote in favor of recommending approval of the rezone with the following conditions:

- The mailbox kiosk be placed in a central location that is not exclusively inside area of the townhomes or single-family residences but rather in between
- The project features an enclosed meeting space in a centralized location to both the single-family residences and townhomes
- The project includes a paved walking trail in the open space adjacent to Tuck Road connecting to Destination Park
- As allowed, develop a nature trail along the townhomes to the Walmart property
- Have it expressly state in the covenants that commercial and residential owners help maintain the trails at a minimum of once a year
- 8-foot privacy fence between the buffer and the property of Chris Green at 4565 Tuck Road
- Minimum of two community swimming pools as allowed
- 

**City Council Conditions**



## DATA APPENDIX

### WATER

**Is a water line adjacent to the property? If not, how far is the closest water line?** No, water is not adjacent to the property. The closest water line is at the intersection of Tom Brooks Road and Tuck Road.

**Size of the water line?** 8 inches

**Capacity of the water line?** Unknown

**Approximate water usage by proposed use?** To be determined.

### SEWER

**Is a sewer line adjacent to the property? If not, how far is the closest sewer line?** Yes, a sewer line is adjacent to the property.

**Size of the sewer line?** 8 inches that feeds into Highway 20 pump station

**Capacity of the sewer line?** Upgrade to the pump station will be required

**Estimated waste generated by proposed development?** To be determined.

### DRAINAGE AND ENVIRONMENTAL CONCERNS

**Does flood plain exist on the property? What percentage of the property is in a floodplain?** Unknown.

**What is the drainage basin for the property?** Little Haynes Creek

**Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency? If so, is the use compatible with the possible presence of wetlands?** Unknown.

**Do stream bank buffers exist on the parcel?** Yes.

**Are there other topographical concerns on the parcel?** Unknown.

**Are the storm water issues related to the application?** No.



**TRANSPORTATION**

**What is the road effected by the proposed change? What is the classification of the road?**

Highway 20 (state route), Tuck Road (minor collector), Old Loganville Road (minor collector)

**What is the traffic count for the road?** No official traffic counts exist for the immediate area of this project. Nearby traffic counts include 8,000 cars per day on Old Loganville Road south of Chase Court and 10,800 on Highway 20 at Center Hill Church Road.

**Estimated number of cars generated by the proposed development?** Unknown.

**Estimated number of trips generated by the proposed development?** Unknown.

**Do sidewalks exist in the area?** There are some along Old Loganville Road but none along Tuck Road or Highway 20.

**Transportation improvements in the area? If yes, what are they?** GDOT plans to expand Highway 20 to four lanes, adding sidewalks along the state route, as well as realigning Tuck Road with Sharon Church Road for the installation of a roundabout.

**EMERGENCY SERVICES**

**Nearest city fire station from the development?** Station 18 @ 180 Old Loganville Road

**Distance of the nearest station?** 2 miles

**Most likely station for 1st response?** Station 18

**Service burdens at the nearest city fire station (under, at, or above capacity)** No service burdens to the fire department.

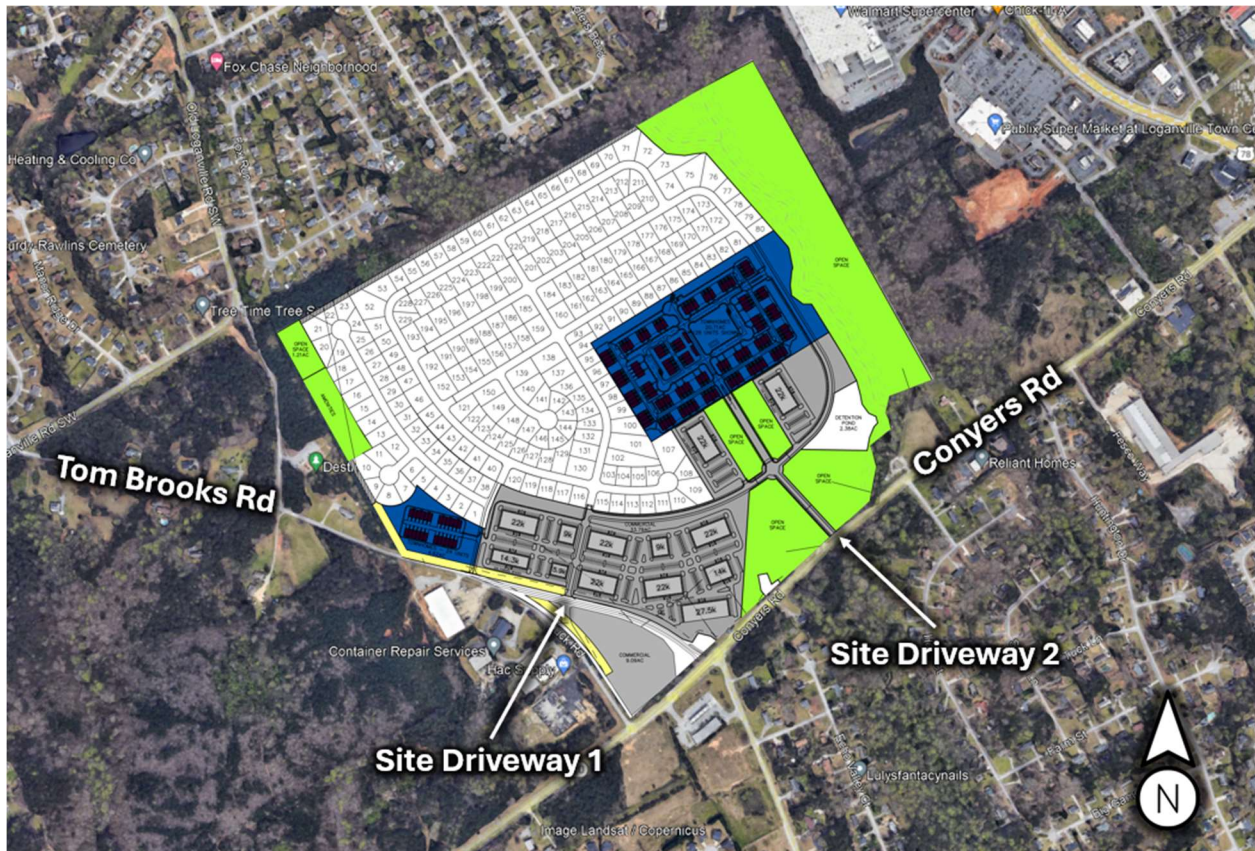




**e**  
**Memorandum**

To: Green River Builders, Inc.  
From: Abdul Amer, PE  
Date: June 5<sup>th</sup>, 2024  
Subject: Trip Generation Memorandum for Proposed Mixed-Use Development,  
Walton County, Georgia | A&R 24-108

The purpose of this memorandum is to estimate the trip generation that will result from the proposed mixed-used development that will be located in Walton County, Georgia. The development will consist of 229 single-family houses, 152 townhomes, and 233,650 square feet of combined retail, restaurant, office space. The location of the development is shown below.





## METHODOLOGY

Trip generation estimates for the project were based on the rates and equations published in the 11th 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 referenced is based on the following ITE land uses below:

Land Use: 210 – Single-Family Detached Housing: A single-family detached housing site includes any single-family detached home on an individual lot. A typical site surveyed is a suburban subdivision.

Land Use: 215 – Single-Family Attached Housing: A single-family attached housing includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space.

Land Use: 821 – Shopping Plaza (40-150k): A shopping plaza is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Each study site in this land use has between 40,000 and 150,000 square feet of gross leasable area (GLA).

Land Use: 932 – High-Turnover (Sit-Down) Restaurant: This land use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. This type of restaurant is usually moderately priced, frequently belongs to a restaurant chain, and is commonly referred to as casual dining.

Land Use: 930 – Fast Casual Restaurant: A fast casual restaurant is a sit-down restaurant with no (or very limited) wait staff or table service. A customer typically orders off a menu board, pays for food before the food is prepared, and seats themselves.

Land Use: 710 – General Office Building: A general office building is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building houses multiple tenants that can include, as examples, professional services, insurance companies, investment brokers, a banking institution, a restaurant, or other service retailers.



**TRIP GENERATION**

The calculated site-generated peak hour traffic volumes for the development are shown in Table 1, below.

TABLE 1 — TRIP GENERATION FOR PROPOSED DEVELOPMENT								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Total
ITE 210 - Single-Family Detached Housing	229 Units	40	118	158	136	81	217	2,163
Mixed-use reduction		-12	-20	-32	-39	-41	-80	-772
ITE 215 - Single-Family Attached Housing	152 Units	18	55	73	51	36	87	1,108
Mixed-use reduction		-6	-10	-16	-20	-21	-41	-395
ITE 710 – General Office Building	46,730 SF	77	10	87	15	73	88	599
Mixed-use reduction		-8	-2	-10	-5	-18	-23	-117
ITE 821 – Shopping Plaza (40-150k) – Supermarket - Yes	116,825 SF	125	77	202	297	309	606	7,888
Mixed-use reduction		--17	-14	-31	-41	-33	-74	-667
Pass-by Trips (0%) 40%		0	0	0	-102	-110	-212	-2,120
ITE 930 – Fast Casual restaurant	35,048 SF	25	25	50	337	277	614	3,405
Mixed-use reduction		-7	-6	-13	-18	-14	-32	-288
ITE 932 – High-Turnover Sit-Down restaurant	35,048 SF	184	151	335	193	124	317	3,757
Mixed-use reduction		-8	-6	-14	-20	-16	-36	-318
Pass-by Trips (0%) 43%		0	0	0	-74	-47	-121	-1,210
<b>Total Trips without Reductions</b>		<b>469</b>	<b>437</b>	<b>906</b>	<b>1,029</b>	<b>900</b>	<b>1,929</b>	<b>18,919</b>
<b>Total Trips with Reductions</b>		<b>411</b>	<b>379</b>	<b>790</b>	<b>710</b>	<b>600</b>	<b>1,310</b>	<b>13,032</b>

Based on trip generation rates published in the ITE Trip Generation Manual, 11<sup>th</sup> edition, the mixed-use development generates 411 entering and 379 exiting trips in the AM peak hour, 710 entering and 600 exiting in the PM peak hour and 13,032 overall two-way trips in a 24-hour duration.



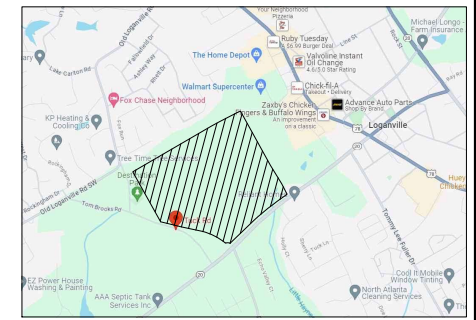
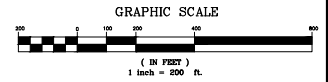
**CAUTION**

CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING THE SERVICES OF A PRIVATE UTILITY LOCATOR FIRM DURING THE ENTIRE COURSE OF CONSTRUCTION. CONTRACTOR SHALL PAY FOR SAID SERVICES. CONTRACTOR SHALL REPAIR ALL UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES, AT NO ADDITIONAL COST TO THE OWNER/DEVELOPER.

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SITE DESIGN PROFESSIONAL ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF UTILITIES WITHIN THE LIMITS OF THE WORK. DAMAGE TO EXISTING UTILITIES BY THE CONTRACTOR, FROM HIS/HER OPERATIONS SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

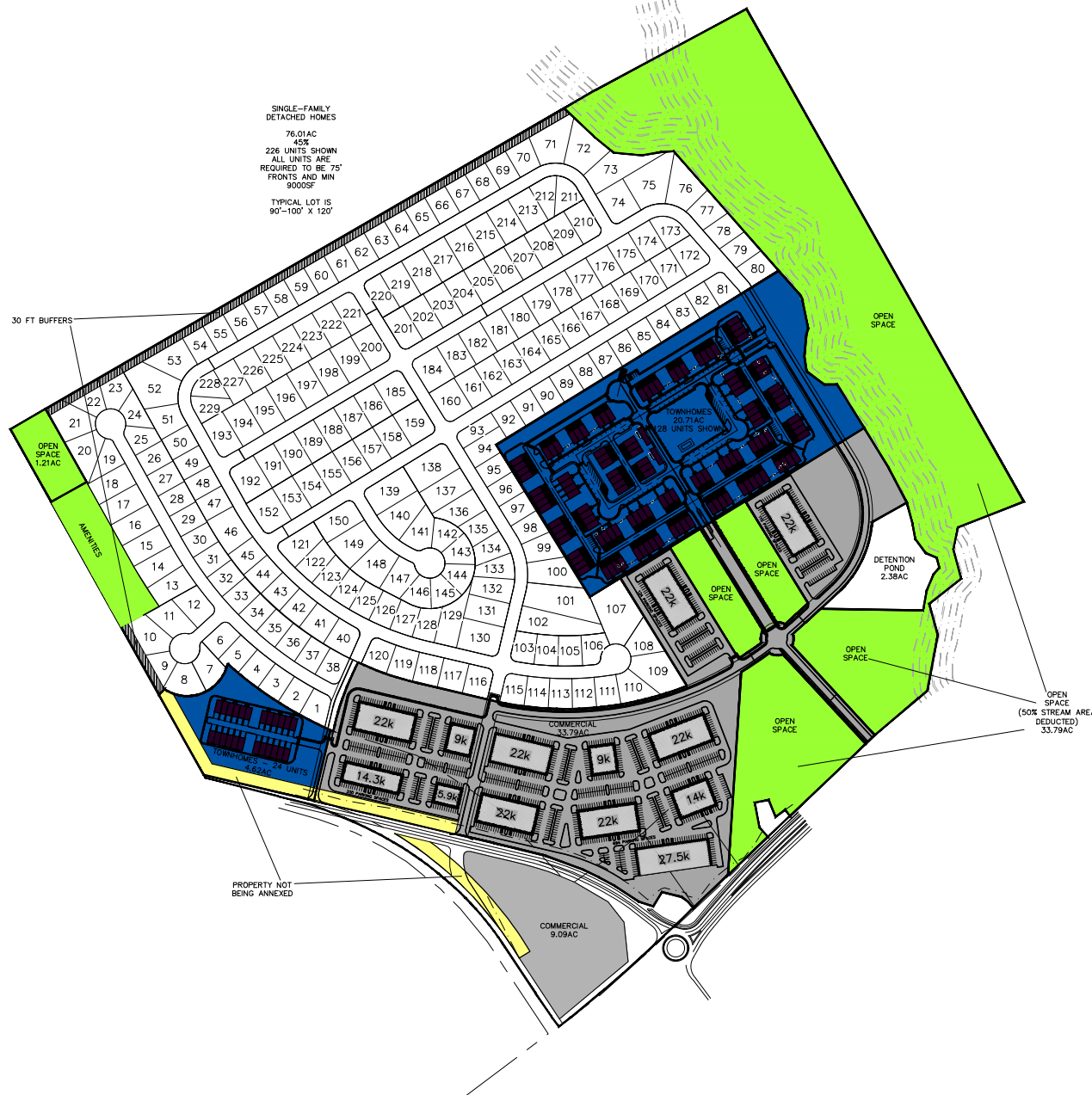
CONTRACTOR SHALL BE RESPONSIBLE FOR COMPACTION OF BACKFILL OF ALL UTILITY TRENCHES WITHIN SITE WORK LIMITS. THIS INCLUDES TRENCHES DUG AND BACKFILLED BY LOCAL UTILITIES, SUCH AS POWER, GAS, TELEPHONE, ETC. CONTRACTOR SHALL PROVIDE ADDITIONAL BACKFILL AND COMPACTION AS NECESSARY, IF SETTLEMENT OCCURS.

DO NOT DUPLICATE DRAWINGS WITHOUT PERMISSION



**SITE LOCATION MAP**

SITE DATA		
EXISTING TRACT	201.49 AC	
OUTPARCEL	9.09 AC	
PROPOSED PD TRACT	192.40 AC	
ZONING		
EXISTING ZONING	RA-200	
PROPOSED ZONING	PUV	
ZONING JURISDICTION	CITY OF LOGANVILLE	
USE CALCULATIONS		
RESIDENTIAL R/W	15.23AC	
DETENTION POND	2.38AC	
STREAM AREA (50%)	5.87AC	
PD USABLE AREA	168.52AC	
SINGLE FAMILY HOMES	76.01AC	45.0%
RES AMENITY AREA	161,828 S.F.	
TOWNHOMES	25.33AC	15.0%
COMMERCIAL	33.79	20.5%
OPEN SPACE	33.79AC	21.2%
COMMERCIAL SF REQ'D	10KSF*226/100	22,600SF
COMMERCIAL PROV.		233,650SF
SINGLE-FAMILY MAX	75.82AC *	235 UNITS
SINGLE-FAMILY PROV.	3.1 UNITS/1AC	226 UNITS
TOWNHOME MAX	6 UNITS/AC	152 UNITS
TOWNHOME PROV.	6 UNITS/AC	152 UNITS



**MOORE CIVIL**  
CONSULT-DESIGN-ENGINEER  
706.224.1626  
MOORE@MOORECIVIL.COM

LEVEL II CERTIFIED DESIGN PROFESSIONAL  
GSVCC #0000046990  
EXPIRATION: 06/30/2026

NOT RELEASED FOR CONSTRUCTION

This document, together with the schedule and design presented herein, is an instrument of service. It is intended only for the specific purpose and client for which it was prepared. It is not to be relied upon for any other purpose without the express written consent of Moore Civil Consulting, Inc. Copyright Moore Civil Consulting, Inc. 2016

**24 HOUR CONTACT**  
TEL: TDD

OWNER INFORMATION:  
TDD

**REVISIONS:**

DATE	DESCRIPTION
01/19/24	CONCEPT LAYOUT
02/01/24	CONCEPT LAYOUT
03/04/24	CONCEPT LAYOUT
04/04/24	CONCEPT LAYOUT
05/15/24	CONCEPT LAYOUT
05/22/24	CONCEPT LAYOUT
05/31/24	CONCEPT LAYOUT

**TUCK FAMILY FARM**  
TUCK ROAD AT HWY 20  
LOGANVILLE, GA

SHEET TITLE:  
SITE LAYOUT

SHEET NUMBER:  
**C.200**





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: 3-8-24

Application # V 24-014

APPLICATION FOR MAJOR VARIANCE

Form with sections: APPLICANT INFORMATION, PROPERTY OWNER INFORMATION\*, CONTACT PERSON, PROPERTY INFORMATION, MAP & PARCEL #, PRESENT ZONING, ACREAGE, ADDRESS, COUNTY, Ordinance and Section from Which Relief is Sought, Description of Request.

You must attach: [ ] Application Fee [x] Legal Description [x] Plat of Property [x] Letter of Intent [x] Site Plan [x] Names/Addresses of Abutting Property Owners [x] Justification Analysis

Pre-Application Conference Date:

Accepted by Planning & Development: Sarah Black DATE: 3/8/24 FEE PAID: \$500.00

CHECK # 45899 RECEIPT # 20166945 TAKEN BY: SB DATE OF LEGAL NOTICE: 6-2-24 8-14-24 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 6/27/24

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

Mayor: [Signature] City Clerk: [Signature] Date: 10/10/24



**PROPERTY OWNER LIST - REZONING**

<b>Name</b>	<b>Address</b>	<b>Parcel No.</b>	<b>County</b>
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010A00	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG060010ADP	Walton
Tuck Family Farm, LLLP	1221 Dials Plantation Dr Statham, GA 3066	LG0600100DP	Walton
Stephens, Chad Tuck & Stephens, Sandra Pendley	P.O. Box 1058 Loganville, GA 30052	LG060009	Walton
CSAT Enterprises LLC	P.O. Box 1058 Loganville, GA 30052	LG060011	Walton

Application # V

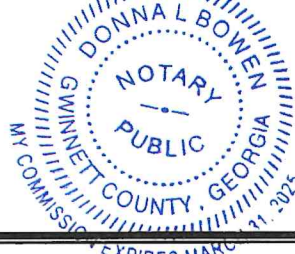
**Applicant's Certification**

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 3/7/24 Date

Shane Lanham, attorney for Applicant  
Print Name and Title

Sworn to and subscribed before me this 7th day of March, 2024.

(Seal)  Donna L. Bowen  
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.

\_\_\_\_\_  
Owner's Signature Date

\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public



Application # V

**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.

*Charles P. Richards* CFO 03/07/2024  
Applicant's Signature Date

CHARLES P. RICHARDS CFO  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)  *Tina Ulmer*  
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)

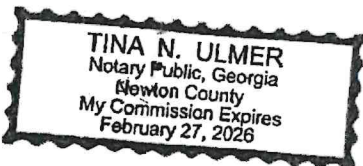
- a)  the owner of record of property contained in this application, and/or
- b)  the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

*Sherry S. Grider* 3-7-24  
Owner's Signature Date

Sherry S. Grider, Managing Partner, Juck Family Farm LLP  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal)  *Tina Ulmer*  
Signature of Notary Public

Application # V

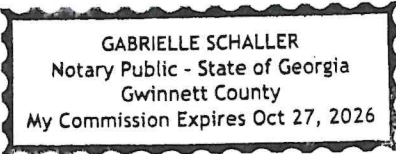
*Owner's*  
**Applicant's Certification**

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.

Chad T. Stephens 3-7-24  
Applicant's Signature Date

Chad T. Stephens  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal) 

Gabriele Schaller  
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.

\_\_\_\_\_  
Owner's Signature Date

\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public

Application # V

*Owner's*


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.

Chad T. Stephens 3-7-24  
Applicant's Signature Date

Chad T. Stephens Member  
Print Name and Title

Sworn to and subscribed before me this 7 day of March, 2024.

(Seal) 

Gabrielle Schaller  
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.

\_\_\_\_\_  
Owner's Signature Date

\_\_\_\_\_  
Print Name and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal) \_\_\_\_\_  
Signature of Notary Public







**ABUTTING PROPERTY OWNERS LIST**

<b>Name/Address</b>	<b>Parcel Number</b>
GREEN CHRISTOPHER JAMES & GREEN MICHELLE YVONNE 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009B00
GREEN CHRISTOPHER J & GREEN MICHELLE Y 4565 TUCK ROAD LOGANVILLE, GA 30052	C0040009D00
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060008
JTV INVESTMENT GROUP LLC PO BOX 235 LOGANVILLE, GA 30052	LG060007
1618 LAND HOLDINGS LLC 1550 NORTH BROWN RD SUITE 130 LAWRENCEVILLE, GA 30043	LG060005
WAL-MART REAL ESTATE BUSINESS TRUST %RE PROPERTY TAX DEPT PO BOX 8050 MS 0555 BENTONVILLE, AR 727160555	LG040001
WAL-MART REAL ESTATE BUSINESS PO BOX 8050 BENTONVILLE AR 72716-8055	R5160 001
EPIC ENDEAVORS REAL ESTATE LLC 4560 TRUMBLE TER SNELLVILLE GA 30039	R5160 258
MARTINEZ ANA MARINA 4411 FIDDLERS BND LOGANVILLE GA 30052	R5129 191
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 190
CANALES JOSE G 4391 FIDDLERS BND LOGANVILLE GA 30052	R5129 189
SWH 2017-1 BORROWER LP PO BOX 803467 DALLAS TX 75380	R5129 188

FYR SFR BORROWER LLC PO BOX 4090 SCOTTSDALE AZ 85261	R5129 187
BTR SCATTERED SITE OWNER LLC 5001 PLAZA ON THE LK STE 200 AUSTIN TX 78746	R5129 186
POLMAN SHARON 4351 FIDDLERS BND LOGANVILLE GA 30052	R5129 185
CAULDER REX A & LINDA S 4341 FIDDLERS BND LOGANVILLE GA 30052	R5129 184
CALDERON ISABELLA RINADA 4331 FIDDLERS BND LOGANVILLE GA 30052	R5129 183
BUSTAMANTE LUIS HERRERA MONCADA MARTHA J. AQUIRRE 4310 FOX CHASE DR LOGANVILLE GA 30052	R5129 175
FELDER KATHLEEN 4325 FOX CHASE DR LOGANVILLE GA 30052	R5129 174
TAMAYO HECTOR A PEREZ IRLINY TEJEDA 4315 FOX CHASE DR LOGANVILLE GA 30052	R5129 173
MORRIS THUYTIEN MORRIS BRUCE 293 FOX RUN LOGANVILLE GA 30052	R5129 297
BURKE DAVID W BURKE KAREN 177 FOX RUN LOGANVILLE GA 30052	R5129 331
ROBERTSON DARRYL B Jr ROBERTSON LACINDA MICHELLE 179 FOX RUN LOGANVILLE GA 30052	R5129 332
IJITIMEHIN CHERLYN M IJITIMEHIN OLARINDE 181 FOX RUN LOGANVILLE GA 30052	R5129 333
HUMANS ANGELA V 183 FOX RUN LOGANVILLE GA 30052	R5129 334

DEPIETRO CLAUDIO DEPIETRO SANDRA S 185 FOX RUN LOGANVILLE GA 30052	R5129 335
JONES KIM R WILSON TONISHA 187 FOX RUN LOGANVILLE GA 30052	R5129 336
VALDEZ JENNY ZAVALETA MARTHA ROJAS 189 FOX RUN LOGANVILLE GA 30052	R5129 337
COLGATE JAMES A ETAL 191 FOX RUN LOGANVILLE GA 30052	R5129 338
WASHINGTON JAPRITA MATICE WASHINGTON ALFONSO 195 FOX RUN LOGANVILLE GA 30052	R5129 339
HOPKINS JAN LISA 199 FOX RUN LOGANVILLE GA 30052	R5129 340
CITY OF LOGANVILLE 4385 PECAN ST LOGANVILLE GA 30052	R4216 024

Application # **V** \_\_\_\_\_

**APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)**

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

- 1. What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief?**

Please see attached.

- 2. What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?**

- 3. How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship?**

- 4. Would the requested relief, if granted cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance?**

- 5. Does the relief requested grant a use of land or building or structure that is otherwise prohibited by the applicable ordinance?**



**APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)**

1. What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief?

The subject property is exceptionally large and has significant topography. A creek runs along the easterly property boundary line, which also presents challenges for the development of the property and construction of buildings. Moreover, the proposed GDOT project to align Tuck Road with Sharon Church Road and construction of a roundabout provide significant challenges relative to the timing of construction. Forcing development of the commercial component of the mixed-use development to occur before planning and/or construction of such major road improvements would create an unnecessary hardship on the Applicant and the property owner. Moreover, as evidenced by commercially-zoned, but vacant properties in the area, commercial development relies on residential critical mass to be successful. Prematurely constructing commercial uses before a stable market is present would result in unnecessary risk and cost to the Applicant and property owner. Moreover, artificially restraining residential development would prolong the development timeline and unnecessarily expose the project to market risks. On the other hand, allowing the development to proceed according to timelines dictated by the free market would allow the natural development of the project while also increasing the attractiveness of the commercial component as residential units come online and establish a built-in customer base.

2. What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?

The Applicant is not seeking relief from the prescribed land use mix as set forth in the Ordinance. Rather, the Applicant is merely seeking flexibility from the timing of construction. The Applicant would welcome the opportunity to establish certain other development requirements and conditions of approval to safeguard the surrounding community and ensure the timely construction of the project.

3. How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship?

The application of the ordinance to the subject property creates unnecessary hardship by forcing an unnecessary and artificial development timeline. Prematurely forcing construction of commercial components before the market has matured undermines the stability of the greater development. Moreover, the unpredictable GDOT timeline impacts the attractiveness of the commercial component to end users.

4. Would the requested relief, if granted cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance?

No. To the contrary, granting the requested relief would reduce the risks of a failed development and would provide a benefit to the public good without impairing the purpose and intent of the applicable ordinance.

5. Does the relief requested grant a use of land or building or structure that is otherwise prohibited by the applicable ordinance?

No. The Applicant is not requesting to alter the required land use mix or to allow a use of land or building or structure that is otherwise prohibited by the applicable ordinance. Rather, the requested relief relates only to the timing of construction for land uses that are otherwise allowed by the ordinance.

\*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in Land Land 187 in the 4th District of Gwinnett County, Georgia, also being in 417th G.M.D. of Walton County, Georgia being partially in the City of Loganville containing 201.376 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road;  
Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point;  
Thence N 33°36'59" W a distance of 286.04' to a Point;  
Thence N 34°20'52" W a distance of 118.18' to a Point;  
Thence N 37°49'15" W a distance of 88.43' to a Point;  
Thence N 40°30'54" W a distance of 53.72' to a Point;  
Thence N 43°33'55" W a distance of 44.86' to a Point;  
Thence N 45°34'10" W a distance of 50.92' to a Point;  
Thence N 48°44'24" W a distance of 29.83' to a Point;  
Thence N 49°17'45" W a distance of 30.39' to a Point;  
Thence N 50°52'14" W a distance of 59.25' to a Point;  
Thence N 53°13'13" W a distance of 88.83' to a Point;  
Thence N 57°25'45" W a distance of 81.86' to a Point;  
Thence N 60°57'34" W a distance of 106.61' to a Point;  
Thence N 64°04'09" W a distance of 71.10' to a Point;  
Thence N 65°54'41" W a distance of 67.48' to a Point;  
Thence N 67°46'51" W a distance of 98.69' to a Point;  
Thence N 71°07'45" W a distance of 46.85' to a Point;  
Thence N 74°41'11" W a distance of 62.13' to a Point;  
Thence N 75°57'11" W a distance of 211.32' to a Point;  
Thence N 75°59'01" W a distance of 67.61' to a Point;  
Thence N 75°12'02" W a distance of 51.85' to a Point;  
Thence N 73°57'56" W a distance of 36.70' to an IPF;  
Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point;  
Thence N 29°24'16" W a distance of 936.07' to a Point;  
Thence N 59°49'12" E a distance of 634.10' to an IPF;  
Thence N 59°37'56" E a distance of 100.02' to an IPF;  
Thence N 59°54'04" E a distance of 347.74' to an IPF;  
Thence N 59°46'07" E a distance of 185.38' to an IPF;  
Thence N 60°17'42" E a distance of 1406.99' to a Point;  
Thence N 61°35'20" E a distance of 680.28' to an IPF;  
Thence S 29°26'20" E a distance of 1103.43' to an IPF;  
Thence S 29°25'59" E a distance of 660.01' to an IPF;  
Thence S 29°53'39" E a distance of 474.15' to a Point in the centerline of creek;  
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 Thence S 01°26'06" W a distance of 29.16' to a Point;  
 Thence S 04°56'23" E a distance of 41.60' to a Point;  
 Thence S 03°45'26" W a distance of 58.16' to a Point at the intersection of the centerline of creek and the northern Right-of-Way of Georgia Highway #20;  
 Thence along said Right-of-Way S 50°22'30" W a distance of 23.62' to a Point;  
 Thence S 49°12'47" W a distance of 51.16' to a Point;  
 Thence S 48°33'09" W a distance of 105.67' to a Point;  
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 Thence S 48°28'15" W a distance of 359.08' to a Point;  
 Thence S 49°11'16" W a distance of 94.58' to a Point;  
 Thence S 50°29'06" W a distance of 73.73' to a Point;  
 Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.



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

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

\*Of Counsel

**COMBINED LETTER OF INTENT FOR ANNEXATION, REZONING, AND  
CONCURRENT VARIANCE APPLICATIONS OF  
GREEN RIVER BUILDERS, INC.**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached annexation, rezoning, and concurrent variance applications (the “Applications”) on behalf of Green River Builders, Inc. (the “Applicant”), relative to a proposed mixed-use development on an approximately 201.376-acre tract of land (the “Property”) located at the intersection of Tuck Road at Conyers Road (State Route 20). The Property straddles the Gwinnett and Walton County line and includes portions that are within the municipal boundary of the City of Loganville as well as unincorporated portions. The Property is currently zoned A2, R-44, and CH and also includes a portion in Gwinnett County that appears to be unzoned according to Gwinnett County’s official zoning map.

The proposed development would include a mix of land uses including single-family detached homes, single-family attached townhomes, commercial/retail/office, and open space. Two central boulevards provide access to the Property off of Tuck Road. The eastern boulevard would proceed through the commercial component into an area designated for common area which could accommodate a plaza, town green, or other gathering space. The commercial component is focused along the exterior right-of-way of Tuck Road and Highway 20 with building facades pushed up towards the road with the majority of parking to the sides or rear of the commercial buildings. This design will enhance the aesthetics of those roadways and contribute to the neighborhood village concept encouraged by the PUV zoning classification. The proposed townhome component would provide a transition between the commercial and single-family detached components. The proposed single-family detached component is located internal to the

Property with convenient access to open space areas and the proposed commercial areas. An internal sidewalk network and trails would provide walkability for residents and visitors with a potential trail connection to adjacent commercial uses which front on Highway 78. The proposed open space is provided in two main areas. The larger open space area is located in the northeastern portion of the site along an existing creek. This area would remain mostly natural and would provide passive recreational opportunities for residents. A smaller, +/-3.75-acre open space area is provided in the western corner of the Property adjacent to the City's Destination Park.

The proposed mixed-use development is designed to activate the existing node at the intersection of Tuck Road and Highway 20 while providing an appropriate transition to single-family detached homes to the north. The proposed development would also enhance the walkability of the surrounding area by creating opportunities for people to live, work, and play within walking distance of downtown Loganville. The proposed development is compatible with existing land uses and zoning classifications of the surrounding area, is in line with the policy and intent of the Comprehensive Plan, and is an appropriate land use due to the Property's location on and in close proximity to major transportation corridors. The surrounding area is characterized by a mix of zoning classifications and land uses including commercial, office, industrial, and residential. In fact, the Property lies in between two developed nodes—Tuck Road at Highway 20 and Highway 20 at Highway 78. To the east, the Property is located adjacent to land zoned CH including the Walmart as well as a large undeveloped commercial tract. To the west across Tuck Road are existing heavy commercial and/or industrial uses including land in the City zoned LI (Light Industrial) and CH (Commercial Highway). The proposed mixed-use development continues the existing development pattern of commercial uses along major corridors and then provides an appropriate internal transition. Moving north away from Highway 20, the proposed land uses step down from commercial, to townhomes and then to detached homes. The proposed development would also include a 30-foot wide buffer adjacent to the Foxbury Commons and Fox Chase subdivisions.

In order to develop the Property as depicted on the site plan, the Applicant also requests the relief from the Loganville Zoning Ordinance building permit concurrency requirements. As described in the Applicant's Responses to the Variance Evaluation Criteria, the concurrency requirements, as set forth in the Zoning Ordinance, would create an unnecessary hardship on the Property owner and Applicant. The subject property is exceptionally large and has significant

topography. A creek runs along the easterly property boundary line, which also presents challenges for the development of the property and construction of buildings. Moreover, the proposed GDOT project to align Tuck Road with Sharon Church Road and construction of a roundabout provide significant challenges relative to the timing of construction. Forcing development of the commercial component of the mixed-use development to occur before planning and/or construction of such major road improvements would create an unnecessary hardship on the Applicant and the property owner. Moreover, as evidenced by commercially-zoned, but vacant properties in the area, commercial development relies on residential critical mass to be successful. Prematurely constructing commercial uses before a stable market is present would result in unnecessary risk and cost to the Applicant and property owner. Moreover, artificially restraining residential development would prolong the development timeline and unnecessarily expose the project to market risks. On the other hand, allowing the development to proceed according to timelines dictated by the free market would allow the natural development of the project while also increasing the attractiveness of the commercial component as residential units come online and establish a built-in customer base.

The proposed development is compatible with surrounding zoning classifications and land uses, is inline with the land use policy of the Comprehensive Plan, and would provide a vibrant, attractive mixed-use development along a major transportation corridor. The Applicant welcomes the opportunity to meet with staff of the City of Loganville Department of Planning and Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 8th day of March, 2024.

**MAHAFFEY PICKENS TUCKER, LLP**

*Shane Lanham*

Shane M. Lanham  
*Attorneys for the Applicant*

\*\*\*\*\* Legal Description \*\*\*\*\*

All that certain tract or parcel of land, lying and being in the 417th G.M.D. of Walton County, Georgia being partially in the City of Loganville containing 160.212 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road; Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point; Thence N 33°36'59" W a distance of 286.04' to a Point; Thence N 34°20'52" W a distance of 118.18' to a Point; Thence N 37°49'15" W a distance of 88.43' to a Point; Thence N 40°30'54" W a distance of 53.72' to a Point; Thence N 43°33'55" W a distance of 44.86' to a Point; Thence N 45°34'10" W a distance of 50.92' to a Point; Thence N 48°44'24" W a distance of 29.83' to a Point; Thence N 49°17'45" W a distance of 30.39' to a Point; Thence N 50°52'14" W a distance of 59.25' to a Point; Thence N 53°13'13" W a distance of 88.83' to a Point; Thence N 57°25'45" W a distance of 81.86' to a Point; Thence N 60°57'34" W a distance of 106.61' to a Point; Thence N 64°04'09" W a distance of 71.10' to a Point; Thence N 65°54'41" W a distance of 67.48' to a Point; Thence N 67°46'51" W a distance of 98.69' to a Point; Thence N 71°07'45" W a distance of 46.85' to a Point; Thence N 74°41'11" W a distance of 62.13' to a Point; Thence N 75°57'11" W a distance of 211.32' to a Point; Thence N 75°59'01" W a distance of 67.61' to a Point; Thence N 75°12'02" W a distance of 51.85' to a Point; Thence N 73°57'56" W a distance of 36.70' to an IPF; Thence leaving said Right-of-Way N 29°24'16" W a distance of 645.20' to a Point; Thence N 46°37'26" E a distance of 3456.60' to a Point; Thence S 29°26'20" E a distance of 989.18' to an IPF; Thence S 29°25'59" E a distance of 660.01' to an IPF; Thence S 29°53'39" E a distance of 474.15' to a Point in the centerline of creek; Thence along said centerline of creek S 63°24'16" W a distance of 141.13' to a Point; Thence N 72°18'08" W a distance of 24.03' to a Point; Thence S 28°13'12" W a distance of 11.41' to a Point; Thence S 74°19'31" W a distance of 15.83' to a Point; Thence N 74°51'49" W a distance of 8.68' to a Point; Thence N 32°37'40" W a distance of 16.39' to a Point; Thence S 89°31'15" W a distance of 14.08' to a Point; Thence N 87°57'38" W a distance of 10.17' to a Point; Thence S 86°26'17" W a distance of 41.00' to a Point; Thence S 77°33'48" W a distance of 5.21' to a Point;



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 Thence S 49°11'16" W a distance of 94.58' to a Point;  
 Thence S 50°29'06" W a distance of 73.73' to a Point;  
 Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.



## STAFF APPLICATION ANALYSIS REPORT

**ZONING CASE #:** V24-014

**LANDOWNERS:** Tuck Family Farm LLP C/O Sherry S Grider

**APPLICANT:** Green River Builders Inc. C/O Pickens Tucker LLP

**PROPERTY ADDRESS:** Tuck Road, Conyers Road

**MAP/PARCEL #:** LG060010, LG060010A00, LG060010ADP, LG0600100DP, portion of 4580 Tuck Road (unzoned parcel in Gwinnett County between Foxbury Commons and LG0600100DP), LG060009, LG060011

**PARCEL DESCRIPTION:** Mixture of residential, commercial, vacant properties

**AREA:** 201.36 acres

**EXISTING ZONING:** A2, R-44, CH, Unzoned

**PROPOSED ZONING:** PUV

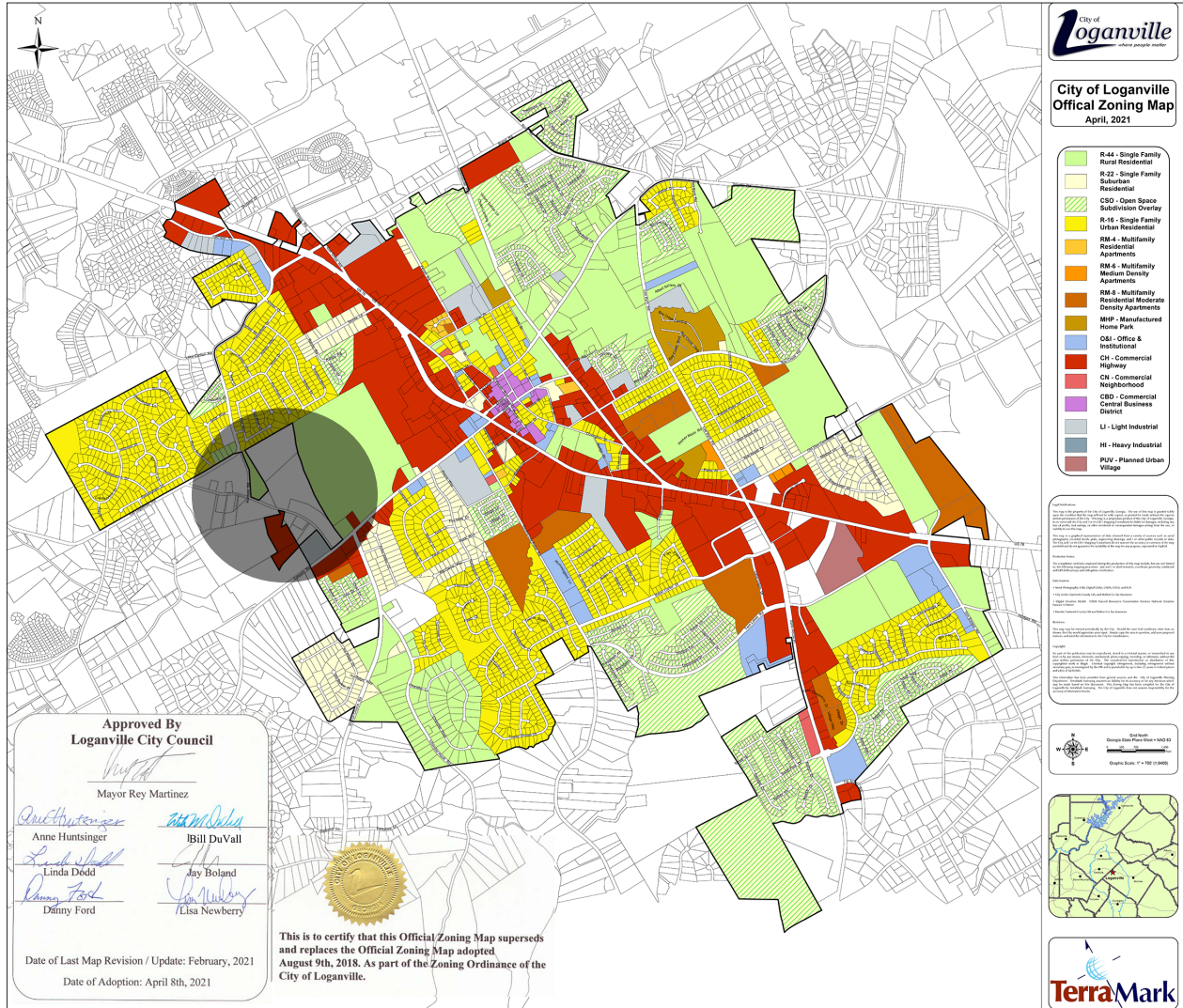
**FUTURE LAND USE MAP:** Neighborhood Residential (Walton) / Established Neighborhood (Gwinnett)

**REASON FOR REQUEST:** Seeking relief from Sec. 119-221(d)(2): Building permits in the PUV zoning classification will be issued in 25 percent increments of the total amount of proposed development of each of the three types of structures allowed in this classification (i.e., 25 percent of the total proposed commercial development; 25 percent of the total proposed single-family dwellings; and 25 percent of the total proposed townhomes). No additional building permits shall be issued until the previously permitted 25 percent of each type of structure has been fully completed and a certificate of occupancy has been issued for all of the structures subject to the previous permit.

**PLANNING COMMISSION HEARING:** Was tabled April 25, 2024 until June 27, 2024

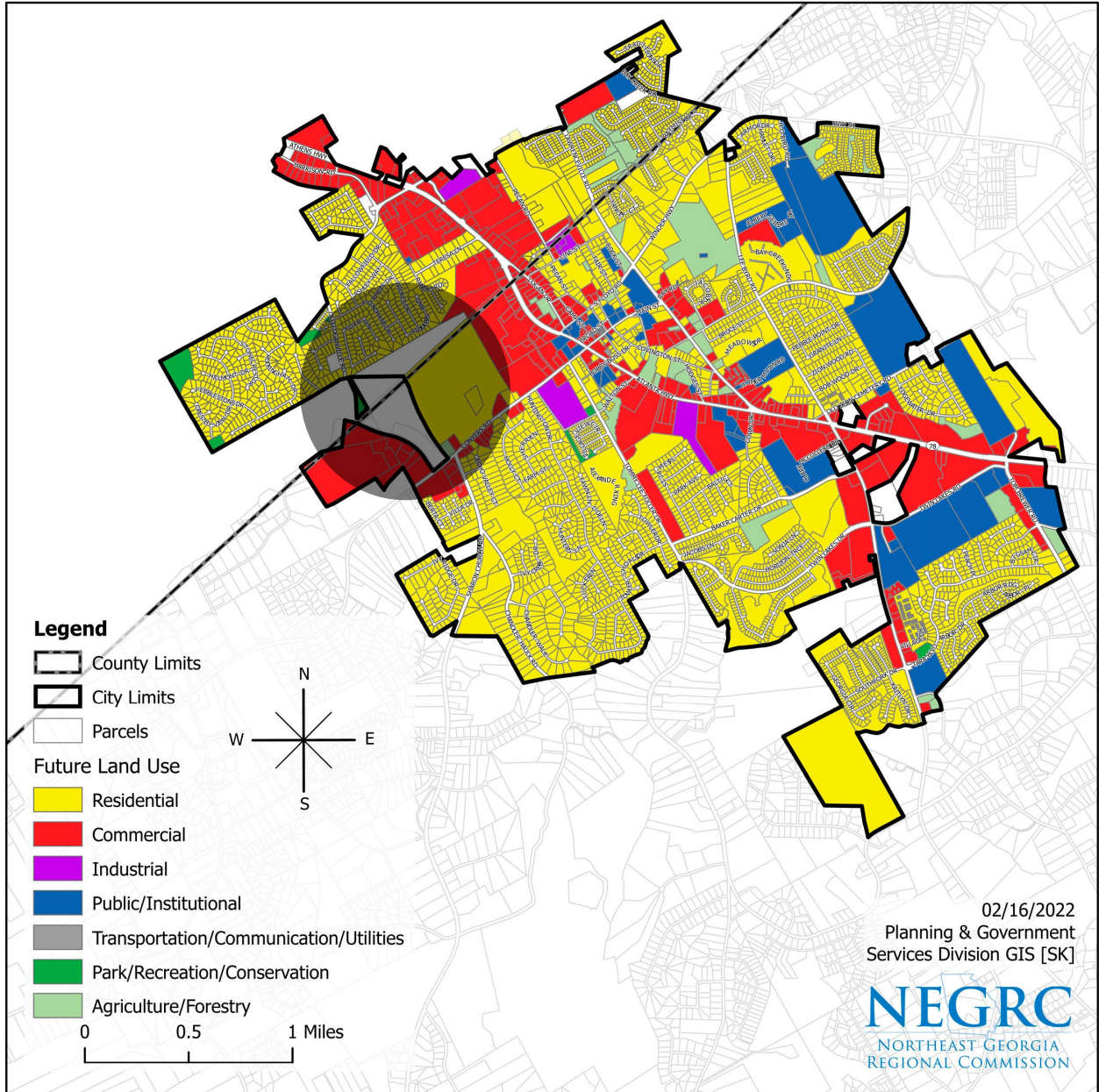
**CITY COUNCIL HEARING:** July 8, 2024 and July 11, 2024

## ZONING MAP



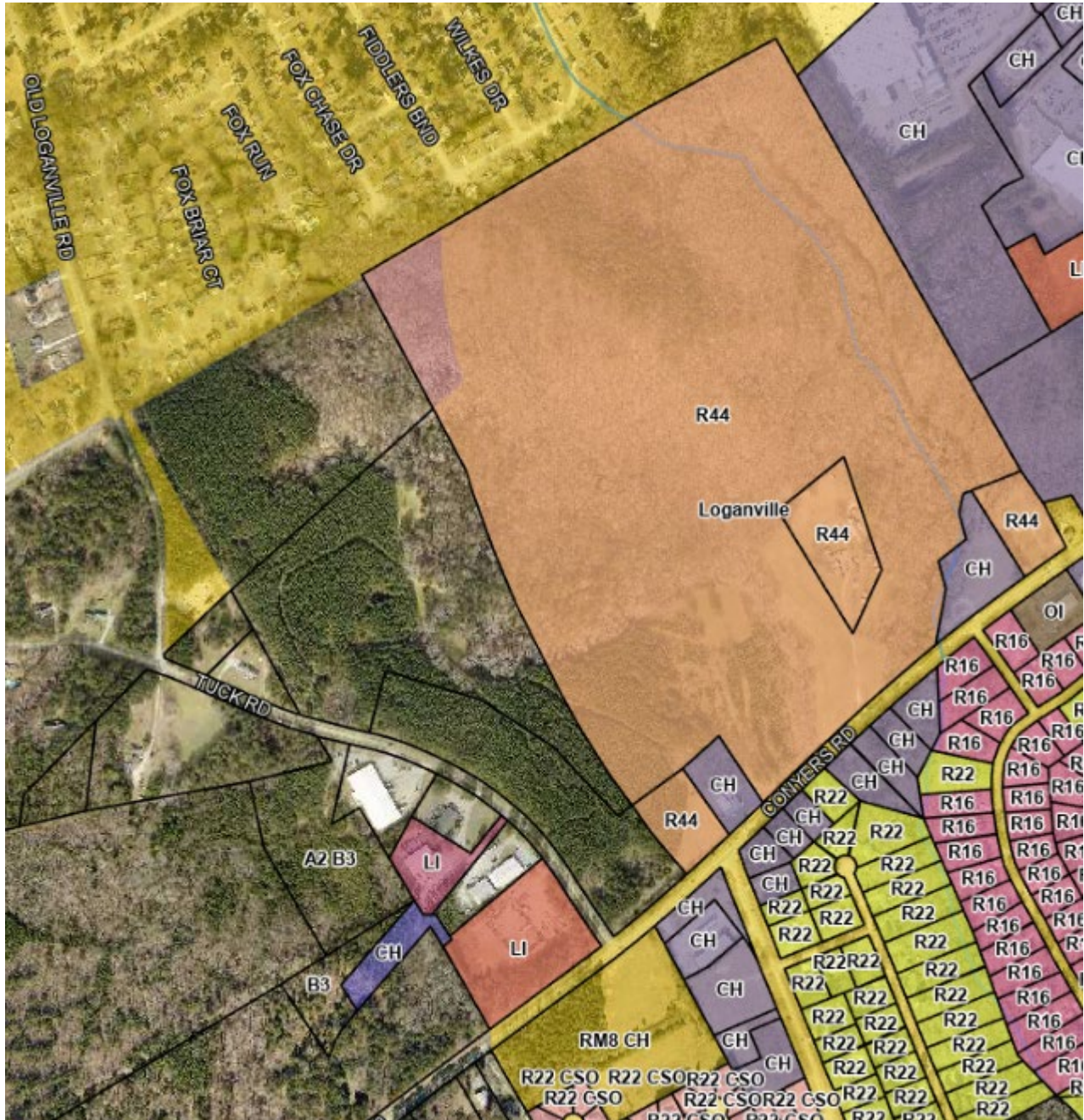


**FUTURE LAND USE MAP**





## AREA ZONING





**Applicant's Request**

The applicant is seeking a variance from the PUV requirement to develop each of the three categories – commercial, single-family home, multi-family residential – in 25 percent increments. More specifically, the developer wants relief from the requirement that each of the three classifications is completed before building permits are issued for the next 25 percent of the development.

**Existing Conditions**

The proposed GDOT project re-aligning Tuck Road with Sharon Church Road and the expanding of Highway 20 will directly impact this project's ability to meet construction deadlines established by the ordinance.

**Impact Analysis/Recommendation**

**What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief?** None.

**What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?** The planned GDOT improvements in the area, and the continually moving timeline for construction to begin, could potentially have an impact on the ability of the developer to build out some of its commercial space.

**How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship?** There is no refuting that the GDOT improvements will likely have an impact on this project and its ability to build each of the three categories in the phased in approach. But the question that remains is why the project could not go ahead and develop the commercial properties that front Tuck Road that will not be impacted by the GDOT project? The applicant's comments about the market maturing are superficial and do not meet what should be considered a true hardship.

**Would the requested relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance?** Granting relief would not have a substantial detriment to the public good but could be viewed as a way to get around a specific criterion established for this zoning: building concurrency. As mentioned above, the project could develop along Tuck Road which is outside the scope of work being done as part of the GDOT project.

**Recommended action:** The lack of a viable timeline for the GDOT project at the time that this application was filed does create a potential for hardship of the overall development of this project. Absent the concerns related to the GDOT project, the applicant's concerns seem to correlate more with economic viability rather than true hardship. While the applicant has suggested the willingness to create other timeline requirements, it is hard to see where these can



be shifted and still assuage concerns that led to the creation of the standards for project concurrency. The staff recommendation is for denial of this variance.

**Planning Commission Recommended Conditions**

The Planning Commission voted 6-0 to recommend denial of this variance request.

**City Council Conditions**



## DATA APPENDIX

### WATER

**Is a water line adjacent to the property? If not, how far is the closest water line?** No, water is not adjacent to the property. The closest water line is at the intersection of Tom Brooks Road and Tuck Road.

**Size of the water line?** 8 inches

**Capacity of the water line?** Unknown

**Approximate water usage by proposed use?** To be determined.

### SEWER

**Is a sewer line adjacent to the property? If not, how far is the closest sewer line?** Yes, a sewer line is adjacent to the property.

**Size of the sewer line?** 8 inches that feeds into Highway 20 pump station

**Capacity of the sewer line?** Upgrade to the pump station will be required

**Estimated waste generated by proposed development?** To be determined.

### DRAINAGE AND ENVIRONMENTAL CONCERNS

**Does flood plain exist on the property? What percentage of the property is in a floodplain?**  
Unknown.

**What is the drainage basin for the property?** Little Haynes Creek

**Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency? If so, is the use compatible with the possible presence of wetlands?**  
Unknown.

**Do stream bank buffers exist on the parcel?** Yes.

**Are there other topographical concerns on the parcel?** Unknown.

**Are the storm water issues related to the application?** No.





**TRANSPORTATION**

**What is the road affected by the proposed change? What is the classification of the road?**

Highway 20 (state route), Tuck Road (minor collector), Old Loganville Road (minor collector)

**What is the traffic count for the road?** No official traffic counts exist for the immediate area of this project. Nearby traffic counts include 8,000 cars per day on Old Loganville Road south of Chase Court and 10,800 on Highway 20 at Center Hill Church Road.

**Estimated number of cars generated by the proposed development?** Unknown.

**Estimated number of trips generated by the proposed development?** Unknown.

**Do sidewalks exist in the area?** There are some along Old Loganville Road but none along Tuck Road or Highway 20.

**Transportation improvements in the area? If yes, what are they?** GDOT plans to expand Highway 20 to four lanes, adding sidewalks along the state route, as well as realigning Tuck Road with Sharon Church Road for the installation of a roundabout.

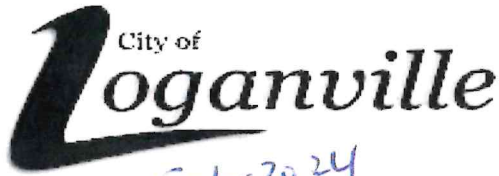
**EMERGENCY SERVICES**

**Nearest city fire station from the development?** Station 18 @ 180 Old Loganville Road

**Distance of the nearest station?** 2 miles

**Most likely station for 1st response?** Station 18

**Service burdens at the nearest city fire station (under, at, or above capacity)** No service burdens to the fire department.



Department of Planning & Development

P.O. Box 39 • 4303 Lawrenceville Road

Loganville, GA 30052

770.466.2633 • 770.466.3240 • Fax 770.554.5556

Robbie

Date: 5-6-2024  
4/26/2024

Application # R24-021

**REQUEST FOR ZONING MAP AMENDMENT**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Terry L. Clayton</u>	NAME: <u>Terry L Clayton</u>
ADDRESS: _____	ADDRESS: <u>180 CS FLOYD ROAD</u>
CITY: _____	CITY: <u>Loganville</u>
STATE: _____ Zip: _____	STATE: <u>GA.</u> Zip: <u>30052</u>
PHONE: _____	PHONE: <u>770-480-1420</u>
(*attach additional pages if necessary to list all owners)	
Applicant is: <input checked="" type="radio"/> Property Owner <input type="radio"/> Contract Purchaser <input type="radio"/> Agent <input type="radio"/> Attorney	
CONTACT PERSON: <u>Terry L Clayton</u> PHONE: <u>770-480-1420</u>	
EMAIL: <u>tlccont@bell south.net</u> FAX: <u>X</u>	
PROPERTY INFORMATION	
MAP & PARCEL # <u>LG050133</u> PRESENT ZONING: <u>Res</u> REQUESTED ZONING: <u>Commercial</u>	
ADDRESS: <u>180 C.S. Floyd Rd</u> COUNTY: <u>Walton</u> ACREAGE: <u>0.49</u>	
PROPOSED DEVELOPMENT: <u>Convert to commercial zoning</u>	

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

Pre-Application Conference Date: N/A

Accepted by Planning & Development: [Signature] DATE: 5/6/2024 FEE PAID: \$500.00

CHECK # 3375 RECEIPT # R00176472 TAKEN BY: SB DATE OF LEGAL NOTICE: 6/2/2024 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION:  Approve     Approve w/conditions     Deny     No Recommendation

Commission Chairman: [Signature] DATE: 6/27/24

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

[Signature] Mayor    [Signature] City Clerk    7/11/24 Date

Application # **R**

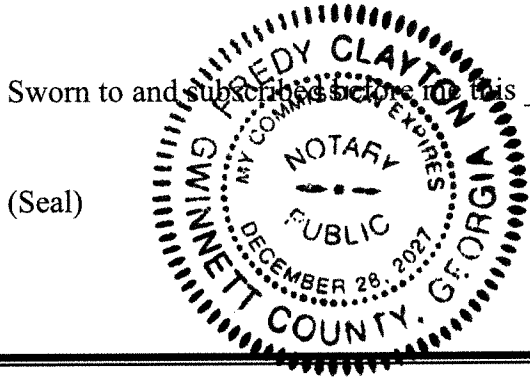
**Applicant's Certification**

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.

Calvin Clayton 4/26/2024  
Applicant's Signature Date

Calvin Clayton  
Print Name and Title

Sworn to and subscribed before me this 26 day of April, 2024.



[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)

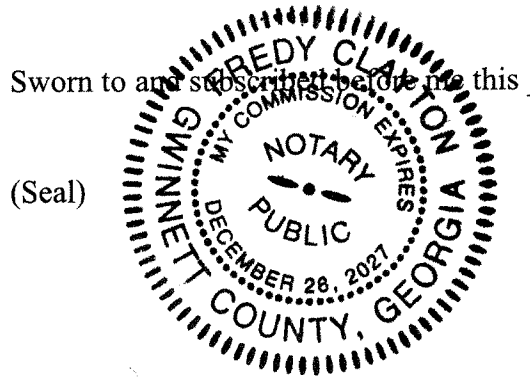
- a)  the owner of record of property contained in this application, and/or
- b)  the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

Terry L. Clayton 4/26/2024  
Owner's Signature Date

TERRY L. CLAYTON owner  
Print Name and Title

Sworn to and subscribed before me this 26 day of April, 2024.



[Signature]  
Signature of Notary Public

**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.

Calvin Clayton                      4/26/2024                      Calvin Clayton  
Applicant's Signature                      Date                      Print Name

\_\_\_\_\_  
Signature of Applicant's                      Date                      Print Name  
Attorney or Agent

**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**                       **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?

Home has been Fully Remodeled, Will improve aesthetics

2. How does the proposed use impact thoroughfare congestion and traffic safety?

It should not have any adverse impact

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?

No impact

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;

No impact

5. How does the proposed zoning provide protection of property against blight and depreciation?

Home will be maintained to Highest standards

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?

None

8. What is the impact upon adjacent property owners if the request zoning is not approved?

None

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.

None

Return document to:  
Rebecca Polston Dally, P.C.  
P.O. Box 745  
Social Circle, GA 30025  
(770) 464-3330  
File No: 23-11684

**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF WALTON

THIS INDENTURE, made this 28<sup>th</sup> day of August, 2023 between, **CLAYTON BROOKS and ROBERT BROOKS**, as parties of the first part, hereinafter called Grantors, and **TMC REAL ESTATE, INC**, as party of the second part, hereinafter called Grantee (the words “Grantors” and “Grantee” to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH**, That Grantors, for and in consideration of the sum of TEN DOLLARS AND OTHER CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Grantee:

All that tract or parcel of land lying and being in Land Lot 186 of the 4<sup>th</sup> Land District, Buncombe GMD 417, City of Loganville, Walton County, Georgia, containing 0.445 acre, more or less, as more particularly described on plat of survey for **SHIRLEY A. & C. E. BROOKS**, dated January 10, 1984, prepared by Sims Surveying Co, certified by Kenneth C. Sims, Ga. R.L.S. No. 1783, which is recorded in Plat Book 32, page 55, Walton County Records. Said plat of survey and the record thereof are incorporated herein by reference for a more complete description of the subject property.

Subject property is improved with a dwelling known as 180 C. S. Floyd Road, Loganville, Georgia 30052 according to the current system of numbering property in the City of Loganville, Walton County, Georgia.

**Tax Map No: LG050133**

**TO HAVE AND TO HOLD**, The said bargained premises, together 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 **TMC REAL ESTATE, INC**, the said Grantee, forever in **Fee Simple**.

AND THE SAID Grantors will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals the day and year first above written.

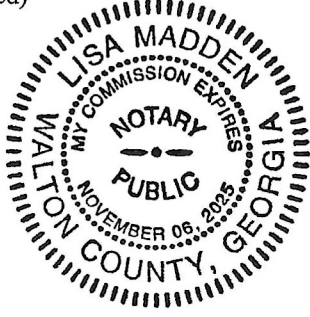
Signed this 28<sup>th</sup> day of August, 2023  
in the presence of.

*[Handwritten Signature]*  
Unofficial Witness

*[Handwritten Signature]*  
CLAYTON BROOKS (SEAL)

*[Handwritten Signature]*  
Notary Public  
(My commission expires) 11-6-25  
(Notary Public Seal Affixed)

*[Handwritten Signature]*  
ROBERT BROOKS (SEAL)



Letter of Intent for Rezoning of Property from Residential to Commercial

Dear City of Loganville,

I am writing to express my intent to apply for the rezoning of my property located at [Property Address], from its current Residential zoning classification to a Commercial zoning classification. This letter serves as a formal request to initiate the rezoning process, and I am prepared to follow through with all necessary steps and comply with local zoning laws and regulations.

The property in question is currently zoned as Residential. However, due to its strategic location I believe that rezoning it for commercial use would not only be in my best interest but also serve the community and local economy. The intended commercial use of the property is to provide two services, one is a residential cleaning service and the other is a home renovation company, both of which I believe will complement the area's development and meet the needs of the local population.

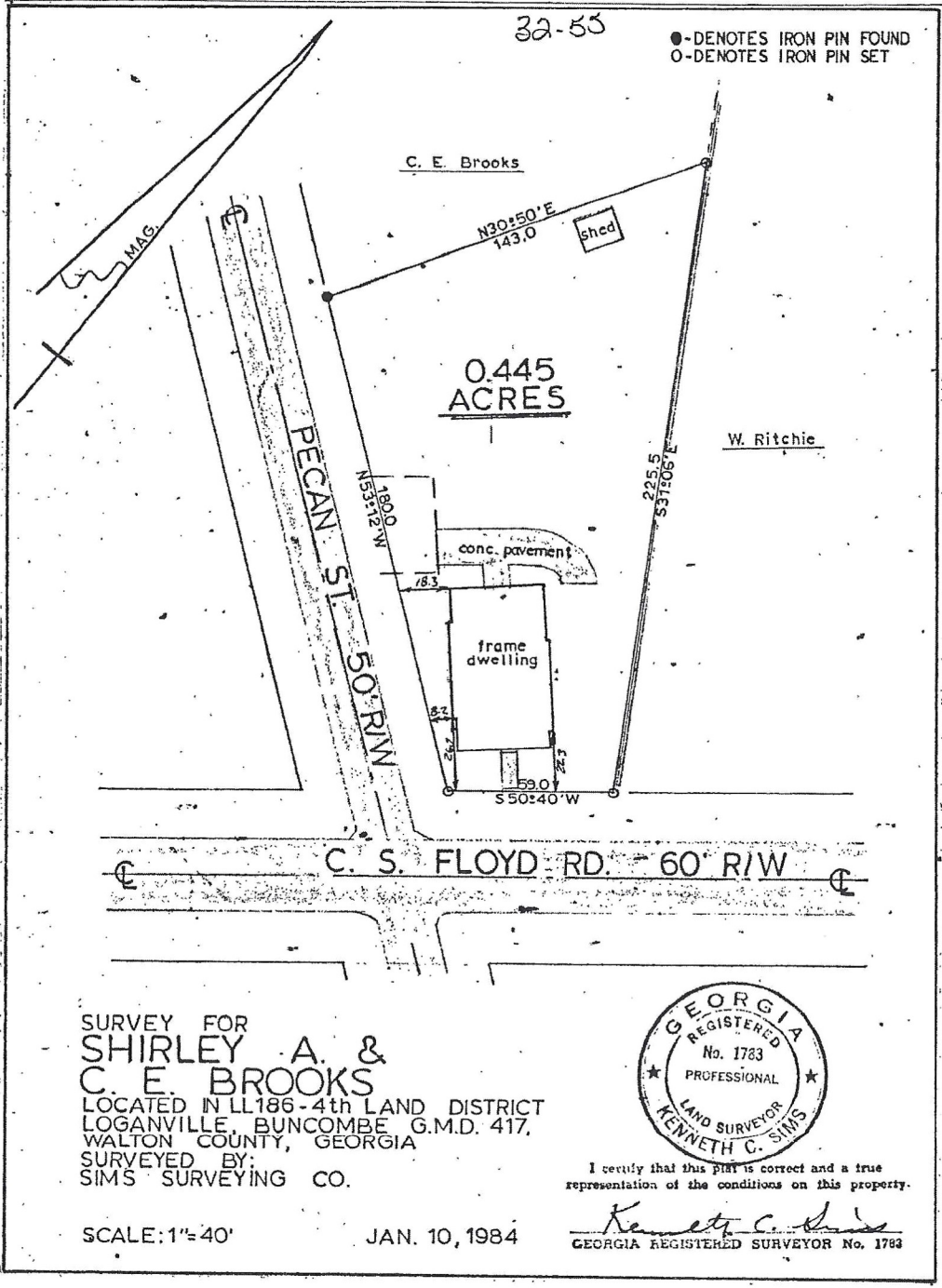
In conclusion, I respectfully request that the Planning Department consider my application for rezoning the aforementioned property from Residential to Commercial. I believe that this change will not only benefit my proposed business venture but also contribute positively to the community and local economy. I look forward to the opportunity to discuss this proposal further and am available at your convenience for a meeting or to provide additional information as required.

Thank you for considering my request. I am eager to contribute to the growth and development of our community through this initiative.

Sincerely,

Terry Clayton





RECORDED  
This 17 day of Jan, 1984  
*Thomas S. Batchelor*  
Clerk, Walton Superior Court

## Abutting properties per COL

**Jimmy L Woodward & Linda K Woodward**  
**295 Chattahoochee Glen Rd**  
**Clarkesville, GA 30523-3574**

**Rossana S Martinez Mangual**  
**PO Box 202**  
**Lawrenceville, GA 30046**

**Loganville Flower Basket LLC**  
**PO Box 674**  
**Lawrenceville, GA 30046**

**Arko Holdings LLC**  
**2842 Hawthorne Dr NE**  
**Atlanta, GA 30345**



## STAFF APPLICATION ANALYSIS REPORT

**ZONING CASE #:** R24-021

**LANDOWNERS:** Terry L. Clayton

**APPLICANT:** Terry L. Clayton

**PROPERTY ADDRESS:** 180 CS Floyd Road

**MAP/PARCEL #:** LG050133

**PARCEL DESCRIPTION:** Residence on corner of CS Floyd Road, Pecan Street

**AREA:** 0.49 acres

**EXISTING ZONING:** R-16

**PROPOSED ZONING:** CH

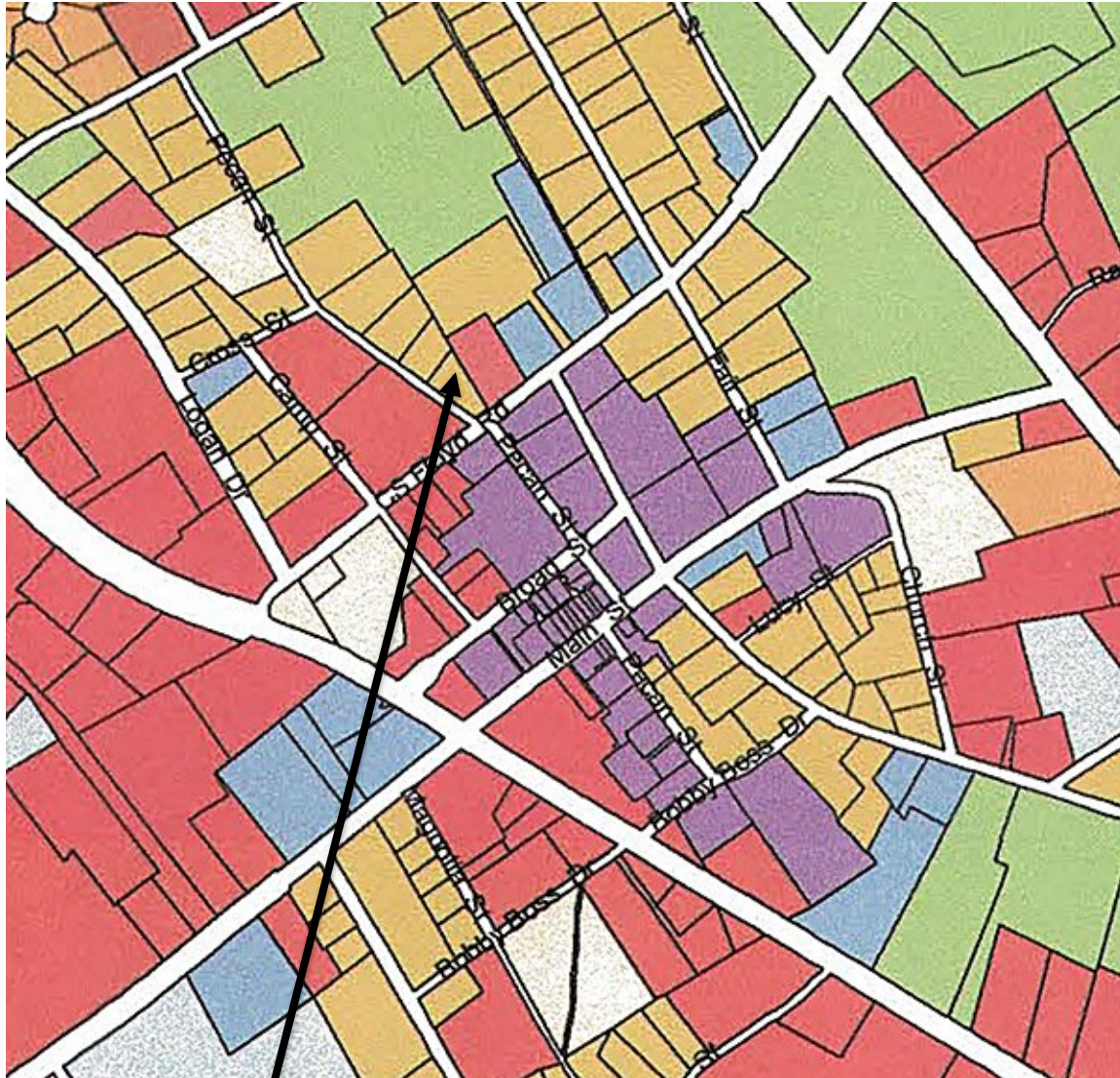
**FUTURE LAND USE MAP:** Residential

**REASON FOR REQUEST:** Convert from residential to commercial purpose.

**PLANNING COMMISSION HEARING:** June 27, 2024

**CITY COUNCIL HEARING:** July 8 & 11, 2024

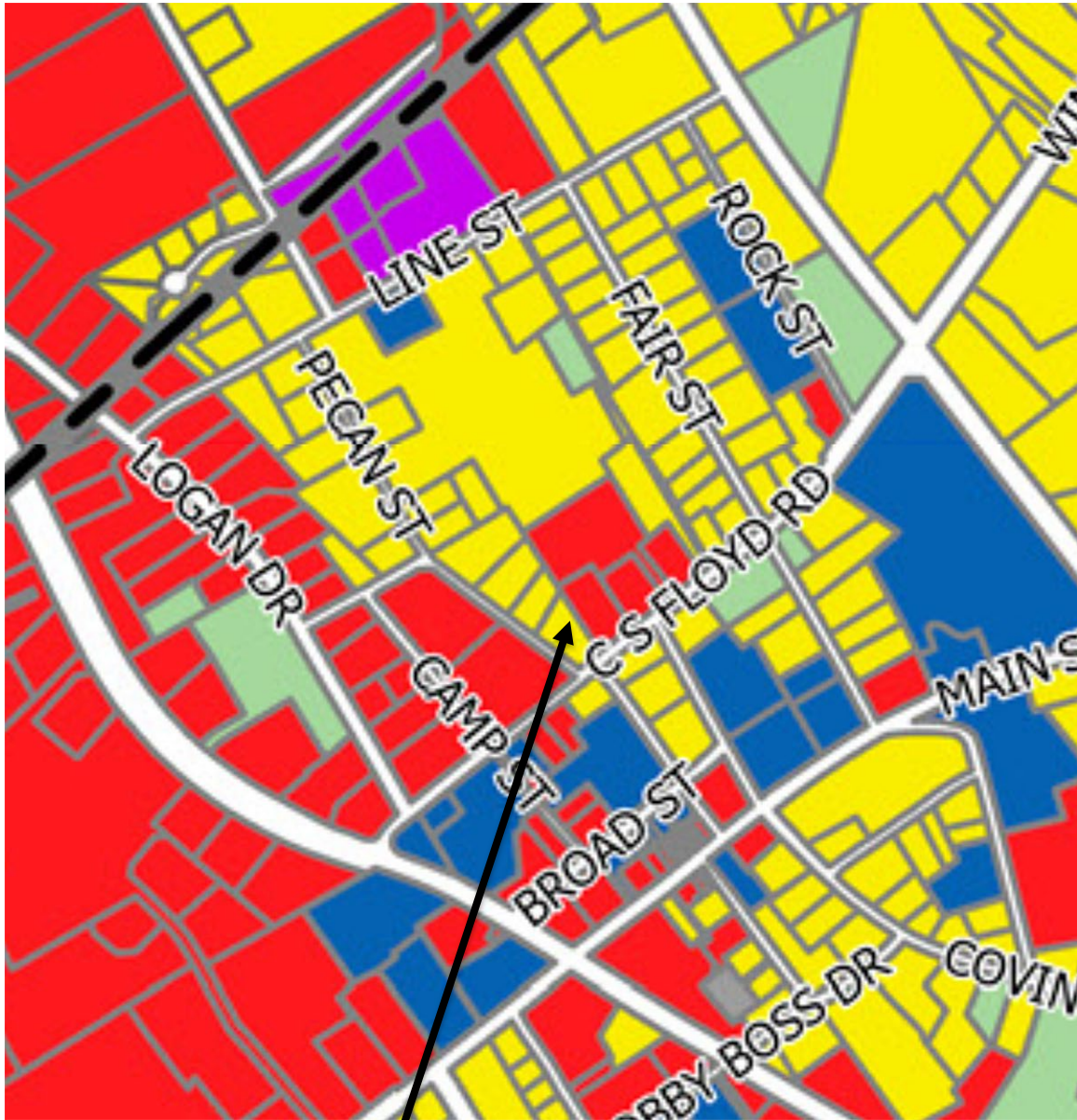
### ZONING MAP



Subject Property



### FUTURE LAND USE MAP



Subject Property



## AREA ZONING



### Applicant's Request

After recently remodeling the house, the applicant is seeking to transition the property from a residential purpose to commercial for a residential cleaning service and office for a home renovation company.

### Existing Conditions

According to County records, the house was built in 1920 and has 1,627 square feet of heated space. The house is located on .49 acres of land and in 1980 a hay barn / pole shed was added to the site. The house was purchased in 2023 with improvements done to the property, according to their permit, including repairing the floors, installing new windows as well as board and batten siding, new doors and bringing an old addition to the house up to code, as well as re-doing the plumbing and electrical. A fence was also installed on the property.



**Impact Analysis/Recommendation**

**What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels?** Improvements to the site have drastically improved the aesthetics that the property has on adjacent parcels. One potential issue on aesthetics in the area would be related to signage. If re-zoned for commercial purposes, signage should be limited to CS Floyd Road as Pecan Street still remains primarily residential.

**What is the impact upon thoroughfare congestion and traffic safety?** Any shift from a residential usage to commercial would naturally result in additional traffic in the area.

GDOT traffic counts on CS Floyd Road northeast of this property has shown an increase of traffic from 4,290 in 2020 to 4,550 in 2021 and 4,670 in 2022. The City of Loganville Comprehensive Traffic Study projects a traffic count between Logan Drive and Camp Street to be 6,675 in 2025 and 8,550 by 2045. The study also identified the capacity of the road to be 11,500 before the level of service decreases and negatively impacts traffic flow due to density.

It is likely that due to parking requirements, and taking into consideration similar properties in the area that have transitioned from residential to commercial, the number of additional cars would be negligible.

**What is the impact upon population density and the potential for overcrowding and urban sprawl?** The transition of a single-family house to commercial would have a minor impact on population density and overcrowding. Due to its proximity to the downtown area, and mimicking the transition of other properties along CS Floyd Road, this project does not represent any significant amount of urban sprawl.

**Is the proposed use consistent with the adopted Comprehensive Plan?** The Future Land Use map shows this property maintaining its residential status. That being said, CS Floyd Road is transitioning from its residential roots to serve a variety of commercial endeavors, with nearby zoning including Commercial Highway, Commercial Neighborhood, Commercial Central Business as well as Office & Institutional. Most of the remaining residential on this road is located at the other end of CS Floyd Road near Fair Street.

**What is the impact upon adjacent property owners if the request is approved?** This project would likely complement other business parcels along CS Floyd Road but could potentially impact the residence currently under construction at 4352 Pecan Street.

**What is the impact upon adjacent property owners if the request is not approved?** The site will likely remain residential for a period of time before another request will likely be filed.



**Recommended action:** As mentioned before, the end of CS Floyd Road starting at Highway 78 and going toward SR20 is transitioning from residential to commercial. While this reality is not reflected in the Future Land Use Plan, it is still something that is taking shape. There are concerns about the types of permitted uses allowed under Commercial Highway and whether or not all of them are conducive to the area. The purpose of the CH designation is to accommodate the traveling public and for uses that benefit from direct access to major streets. A better fit for this project would be either Commercial Central Business District but Commercial Neighborhood is also acceptable. In all cases, if the property is granted a rezone for commercial purposes, it is staff recommendation that signage be limited to CS Floyd Road.

**Planning Commission Recommended Conditions**

The Planning Commission voted 6-0 to recommend approval of the re-zone of this property to Commercial Central Business District with the condition that signage for the businesses is limited to the property’s road frontage on CS Floyd Road.

**City Council Conditions**





## DATA APPENDIX

### WATER

**Is a water line adjacent to the property? If not, how far is the closest water line?** Yes, a water line is adjacent to the property.

**Size of the water line?** 6 inches

**Capacity of the water line?** Unknown

**Approximate water usage by proposed use?** To be determined.

### SEWER

**Is a sewer line adjacent to the property? If not, how far is the closest sewer line?** Yes, a sewer line is adjacent to the property.

**Size of the sewer line?** 8 inches

**Capacity of the sewer line?** Unknown

**Estimated waste generated by proposed development?** To be determined.

### DRAINAGE AND ENVIRONMENTAL CONCERNS

**Does flood plain exist on the property? What percentage of the property is in a floodplain?** Unknown.

**What is the drainage basin for the property?** Little Haynes Creek

**Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency? If so, is the use compatible with the possible presence of wetlands?** Unknown.

**Do stream bank buffers exist on the parcel?** No.

**Are there other topographical concerns on the parcel?** No.

**Are the storm water issues related to the application?** No.

### TRANSPORTATION

**What is the road effected by the proposed change? What is the classification of the road?** CS Floyd Road and Covington Street (both classified as minor collector)



**What is the traffic count for the road?** GDOT traffic counts on CS Floyd Road northeast of this property has shown an increase of traffic from 4,290 in 2020 to 4,550 in 2021 and 4,670 in 2022. The City of Loganville Comprehensive Traffic Study projects a traffic count between Logan Drive and Camp Street to be 6,675 in 2025 and 8,550 by 2045. The study also identified the capacity of the road to be 11,500 before the level of service decreases and negatively impacts traffic flow due to density.

**Estimated number of cars generated by the proposed development?** Unknown.

**Estimated number of trips generated by the proposed development?** Unknown.

**Do sidewalks exist in the area?** No.

**Transportation improvements in the area? If yes, what are they?** There are long-range goals for the intersections of CS Floyd Road with Highway 78 and State Route 20, but nothing in the immediate future.

### **EMERGENCY SERVICES**

**Nearest city fire station from the development?** Station 15 @ 789 Lee Byrd Road

**Distance of the nearest station?** 1.5 miles

**Most likely station for 1st response?** Station 15

**Service burdens at the nearest city fire station (under, at, or above capacity)** No service burdens to the fire department.