



PLANNING COMMISSION MEETING AGENDA

Thursday, February 22, 2024 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

1. CALL MEETING TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Minutes from 1.25.2024

5. NEW BUSINESS

A. **Case #R24-005** – The Revive Lane Group c/o Anderson Tate & Carr filed an application requesting to rezone approximately 11.602+/- acres located at 246 Line Street, Loganville, GA 30052, Map/Parcel #LG040062, Walton County, GA. The property owner is Lock N Roll Storage, LLC. The current zoning is MHP and the requested zoning is RM-6 with the proposed development of fee-simple townhomes.

B. **Case #R24-006** – The Revive Lane Group c/o Anderson Tate & Carr filed an application requesting to rezone approximately 4.981+/- acres located at 234 Line Street, Loganville, GA 30052, Map/Parcel #LG040063, Walton County, GA. The property owner is Ronald Clifford Peeler. The current zoning is LI and the requested zoning is RM-6 with the proposed development of fee-simple townhomes.

6. ADJOURN

Public is welcomed to attend.



PLANNING COMMISSION MEETING MINUTES

Thursday, January 25, 2024 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

1. CALL MEETING TO ORDER

PRESENT

- Chairman Keith Colquitt
- Commissioner Tiffany Ellis
- Commissioner Barbara Forrester
- Commissioner Lisa Luttrell
- Commissioner Alma Thomas
- Commissioner William Williams II
- Director Robbie Schwartz
- Sarah Black

ABSENT

- Commissioner Amanda Soesbe

Motion made by Commissioner Luttrell to commence meeting, Seconded by Commissioner Ellis.
 Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Thomas,
 and Commissioner Williams II.

Meeting called to order, 5-0.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes from August 24th 2023

Motion made by Commissioner Luttrell to approve Minutes from 8/24/23, Seconded by
 Commissioner Ellis.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Thomas, and
 Commissioner Williams II.

Minutes Approved 5-0.

5. NEW BUSINESS

A. Case #R24-001 – Koch Orthodontics filed an application requesting to rezone approximately
 0.854+/- acres located at 123 Bobby Boss Road, Loganville, GA 30052, Map/Parcel #LG060141,
 Walton County, GA. The property owner is Strive Real Estate Loganville, LLC. The current zoning is
 CBD and the requested zoning is CH with the proposed development of an office for orthodontic
 practice.

Jack Wilson with Robert Jackson Wilson PC Law, located at 295 Culver St., Lawrenceville, GA, was the
 attorney/applicant for case R24-001 and R24-002. He presented the proposal of the rezone cases
 to the planning commission. The office would take up three parcels off of Bobby Boss Road, one of

which was already zoned as CH. The other two parcels, those under R24-001 and R24-002, were looking to be rezoned to CH in order to submit a combination plat. The proposed rezones would only include the 1 office building on the parcel which would be about 7200 sq ft, 1 story and include 10 chairs for patients. Mr. Wilson stated that he had already spoken with abutting property owner, Melanie Long, in reference to some conditions that would be placed on the rezone and stated that his client would agree to these conditions, if rezone was granted.

Commissioner Ellis asked to clarify that the building being proposed would be 100% just the orthodontics office – no room for rentals/suites within the building. Mr. Wilson confirmed that yes, only the office would be on the parcel.

Chairman Colquitt asked if there were any questions from the public.

Melanie Long at 219 Covington Street stated that she requested a few conditions on this rezone. One being a 75 ft. stream buffer on the property. Another, a screened dumpster, in order to follow standard city restrictions.

The list of conditions was passed to members of the planning commission for them to review. They are as followed:

Proposed Conditions of Zoning R24-001 and 002

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

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

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

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

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

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

Joyce Davis at 4421 Pecan Street stated her concern for traffic increasing in the area and wanted to know where the entrance of the office would be at. Chairman Colquitt let her know that the entrance would be off of Bobby Boss. Mr. Wilson stated that it would align with Pecan Street and have a decelerated lane on 78. Mrs. Davis had one more question, to know if a service station would be put on the property. Mr. Wilson stated that no, it would just be the Orthodontics office.

Terry Malcolm also stated that he was concerned about traffic however, he was fine and for an orthodontic office going on that property.

Motion made by Commissioner Williams II to approve the rezone with the proposed conditions, Seconded by Commissioner Forrester.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Thomas, and Commissioner Williams II. Motion approved, 5-0.

- B. Case #R24-002 – Koch Orthodontics filed an application requesting to rezone approximately 2.68+/- acres located at 115 Bobby Boss Road, Loganville, GA 30052, Map/Parcel #LG050036, Walton County, GA. The property owner is Strive Real Estate Loganville, LLC. The current zoning is CBD and the requested zoning is CH with the proposed development of an office for orthodontic practice

Motion made by Commissioner Williams II to approved the rezone with the proposed conditions, Seconded by Commissioner Forrester.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Thomas, Commissioner Williams II. Motion approved, 5-0.

C. City of Loganville Official Zoning Map

The updated Official Zoning Map was presented to the Planning Commission by Director Robbie Schwartz. He stated that it was last adopted on April 8th, 2021 and this new one reflected any zoning changes since that adoption.

Motion made by Commissioner Luttrell to adopt the updated Official Zoning Map, Seconded by Commissioner Forrester. Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Thomas, and Commissioner Williams II. Motion approved, 5-0.

6. ADJOURN

Motion made by Commissioner Forrester to adjourn the meeting, Seconded by Commissioner Luttrell.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell, Commissioner Thomas, and Commissioner Williams II. Motion approved to adjourn, 5-0.

Adjourn at 7:00pm.



Planning and Development Director Date 2/23/24



Planning Commission Chairman Date 2/22/24



Section 5, Item A.

Section 5, Item A.

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: January 5, 2024

Application # R 24-005

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

Form with sections: APPLICANT INFORMATION, PROPERTY OWNER INFORMATION*, CONTACT PERSON, PROPERTY INFORMATION. Includes fields for Name, Address, City, State, Zip, Phone, and Property details like Map & Parcel #, Present Zoning, Requested Zoning, Address, County, Acreage, and Proposed Development.

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

Pre-Application Conference Date: 11/2/2023 @ 10am

Accepted by Planning & Development: SB DATE: 1/8/2024 FEE PAID: \$500.00

CHECK # 1343 RECEIPT # R00156139 TAKEN BY: SB DATE OF LEGAL NOTICE: 2/4/2024 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 2/22/24

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

Mayor: [Signature] City Clerk: [Signature]

Date: 3/14/24

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.

Melody A. Glouton 01/05/2024
Applicant's Signature Date

MELODY A. GLOUTON, ATTORNEY
Print Name and Title

Sworn to and subscribed before me this 5th day of January, 2024.

(Seal)

D. Wilson
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.

Jeff C. Henson 12-14-2023
Owner's Signature Date

Jeff Henson Manager Lock-n-Roll Storage, LLC
Print Name and Title

Sworn to and subscribed before me this 14th day of Dec, 2023.

(Seal)



Cameo L. Vandenburg
Signature of Notary Public

**DESCRIPTION OF
Tract 1 – 246 Line Street**

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found; thence leaving said right of way line of Line Street and proceeding North 29 degrees 50 minutes 14 seconds West a distance of 1717.41 feet to a 1/2 inch rebar found; thence North 58 degrees 11 minutes 21 seconds East a distance of 254.59 feet to a 1/2 inch rebar set; thence South 29 degrees 30 minutes 26 seconds East a distance of 1394.22 feet to a 1/2 inch rebar set; thence North 61 degrees 39 minutes 18 seconds East a distance of 233.27 feet to a 1/2 inch rebar set on the southwestern right of way line of Georgia State Route 20; thence proceeding along said right of way line of Georgia State Route 20 South 29 degrees 35 minutes 20 seconds East a distance of 322.00 feet to a 1/2 inch rebar set, said point being the Point of Beginning.

Said tract contains 505,371 square feet or 11.602 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)

**DESCRIPTION OF
Total Tract**

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street the following courses and distances: South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found and South 60 degrees 36 minutes 41 seconds West a distance of 121.25 feet to a 1/2 inch crimp top pipe found; thence leaving said right of way line of Line Street and proceeding North 30 degrees 11 minutes 34 seconds West a distance of 1711.41 feet to a 1/2 inch rebar found; thence North 57 degrees 57 minutes 13 seconds East a distance of 131.96 feet to a 1/2 inch rebar found; thence North 58 degrees 11 minutes 21 seconds East a distance of 254.59 feet to a 1/2 inch rebar set; thence South 29 degrees 30 minutes 26 seconds East a distance of 1394.22 feet to a 1/2 inch rebar set; thence North 61 degrees 39 minutes 18 seconds East a distance of 233.27 feet to a 1/2 inch rebar set on the southwestern right of way line of Georgia State Route 20; thence proceeding along said right of way line of Georgia State Route 20 South 29 degrees 35 minutes 20 seconds East a distance of 322.00 feet to a 1/2 inch rebar set, said point being the Point of Beginning.

Said tract contains 722,342 square feet or 16.583 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)



LINE STREET PROPERTIES

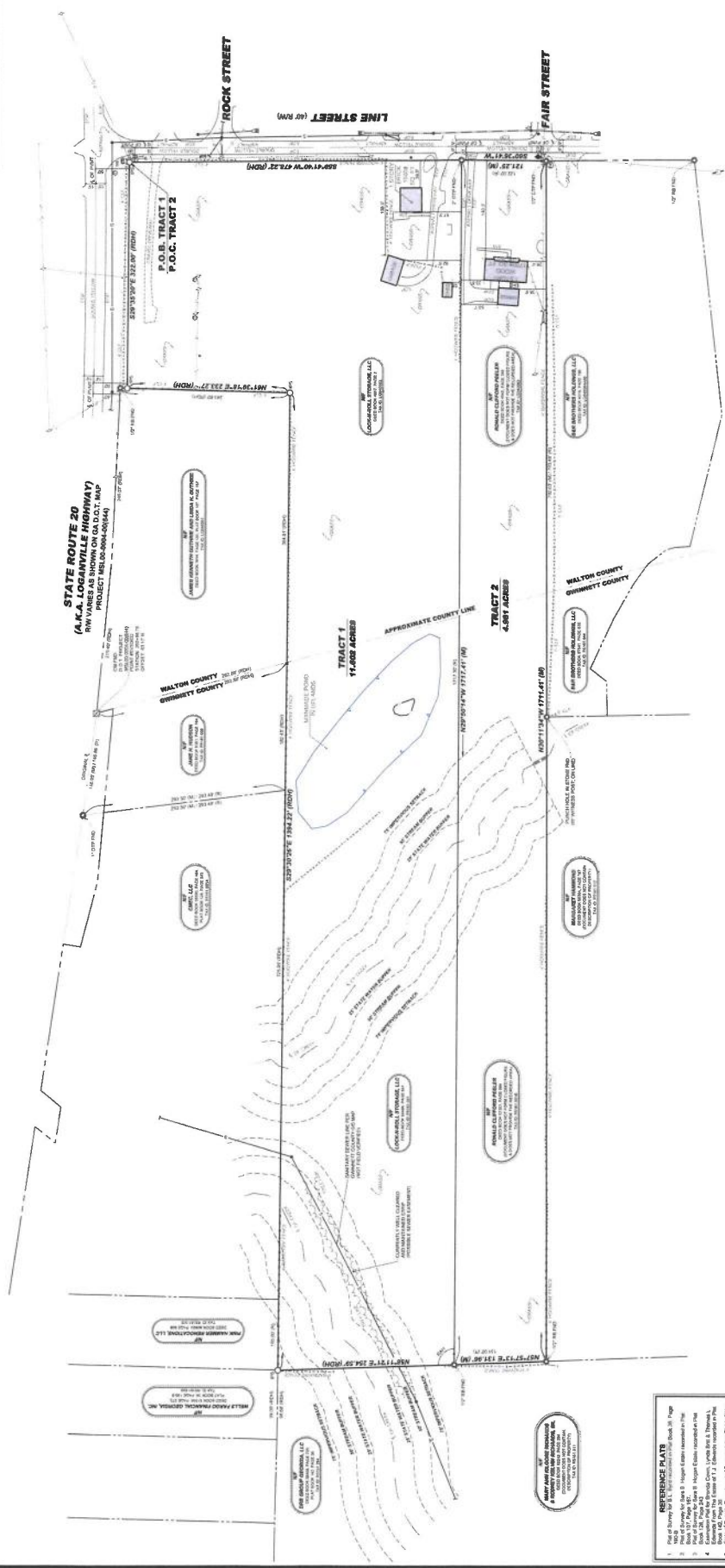
4217 Park Drive, Suite 203
Tampa, Florida 33610
Phone: (772) 418-1811
Fax: (772) 418-2828
www.travis-pugh.com



REVISIONS table with columns for NO., DATE, and DESCRIPTION.

LOCATION MAP showing SITE * in the context of surrounding roads like STATE ROUTE 20 and ROCK STREET.

LEGEND table defining symbols for various features like FENCE, POLE, and PROPERTY BOUNDARIES.



CERTIFICATION: I, Travis Pugh, Surveyor, No. 12, State of Florida, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the client...

PROPERTY DESCRIPTION - Tract 1: This tract is a portion of land being sold by the State of Florida to the City of Tampa...

PROPERTY DESCRIPTION - Tract 2: This tract is a portion of land being sold by the State of Florida to the City of Tampa...

PROPERTY DESCRIPTION - Tract 3: This tract is a portion of land being sold by the State of Florida to the City of Tampa...

PROPERTY DESCRIPTION - Tract 4: This tract is a portion of land being sold by the State of Florida to the City of Tampa...

PROPERTY DESCRIPTION - Tract 5: This tract is a portion of land being sold by the State of Florida to the City of Tampa...

NOTES: 1. This plat was prepared in accordance with the provisions of the Florida Statutes... 2. The survey was conducted in accordance with the Florida Surveying Code...

THIS SURVEY WAS MADE FOR THE CLIENT OF THE SURVEYING COMPANY.

Application # R 24-005

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 _____

Melody A. Glouton 1/5/24
Signature of Applicant's _____ Date _____
Attorney or Agent

Melody A. Glouton
Print Name _____

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

_____ YES x _____ NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

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

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

**COMBINED LETTER OF INTENT
AND JUSTIFICATION FOR REZONING**

**Rezoning Application
City of Loganville, Walton County, Georgia**

Applicant:

The Revive Land Group, LLC

Property:

Tax Parcel ID LG040062 (11.602 acres)

and

Tax Parcel ID LG040063 (4.981 acres)

Total: ±16.58 Acres of Land

Located at 246 and 234 Line Street, Loganville, Georgia 30052

From MHP and LI to RM-6

Submitted for Applicant by:

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

mglouton@atclawfirm.com

I. INTRODUCTION

This Application for Rezoning is submitted for a 16.58-acre assemblage of land located at 246 and 234 Line Street, just west of its intersection with Loganville Highway (hereinafter the “Property”).¹ The Property is an assemblage of two (2) tax parcels, with frontage along both Loganville Highway and Line Street. The Property is shown on the survey prepared by Travis Pruitt & Associates, Inc., dated December 20, 2023, and filed with this Application.

The Property is currently zoned MHP (Manufactured Home Park) and LI (Light Industrial) pursuant to the Code of the City of Loganville, Georgia (the “Code”). The Applicant, The Revive Land Group, LLC (the “Applicant”) now seeks approval to rezone the Property to RM-6 (Multifamily Residential Medium Density) to develop a distinctive and attractive townhome community with 93 units.

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Code.

I. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property consists of two (2) tax parcels and contains 16.58-acres. While there are two personal residences located on the Property, the majority of the site is undeveloped and partially wooded. As shown on the City of Loganville Zoning Map, the Property is surrounded by industrial and residential uses. The following is a summary of the surrounding zoning classifications:



¹ Tract 1, Tax Parcel ID LG040062, is located at 246 Line Street, and consists of 11.602 acres. Tract 2, Tax Parcel ID LG040063, is located at 234 Line Street, and consists of 4.981 acres.

II. PROJECT SUMMARY

As shown on the conceptual site plan dated November 10, 2023, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive residential townhome community. The Applicant is proposing to rezone 16.58 acres from MHP and LI to RM-6 to accommodate the development of a townhome community with 93 units for a proposed density of 5.61 units per acre. As indicated above, the site is surrounded by industrial and residential properties and the development would provide an opportunity for transition from industrial to medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for the revitalization of downtown Loganville. As shown in the Site Plan, the community would include townhomes with a minimum square footage of 1,800 and two-car garages. While market conditions can fluctuate, the Applicant anticipates the price range of the townhomes to range from \$300,000 to 375,000. The architectural style of the townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The site is designed for a full access driveway on Line Street. For reference, the Applicant has included sample elevations with this Application.

III. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to LI satisfies the responses to evaluation criteria as follows:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?
 - A. The Property is adjacent to existing industrial and residential uses. The site will be developed with quality architectural elements consistent with the City’s development regulations and will not adversely impact the overall appearance of adjacent parcels. Rezoning the Property to RM-6 will also permit a use that is suitable in view of the use and development of adjacent and nearby property.

2. How does the proposed use impact thoroughfare congestion and traffic safety?
 - A. Rezoning the Property to RM-6 will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities or schools. While the Property has frontage on both Line Street and Loganville Highway, the community has been designed for single access on Line Street. The Applicant completed a traffic impact analysis as part of this submittal and the results of the future conditions traffic analysis indicated that the stop-controlled approaches will continue to operate at a level of service “C” or better in both the AM and PM peak hours.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
 - A. The proposed residential use is suitable in view of the existing development of adjacent and nearby properties. The development will provide additional housing supply in the community and would not create overcrowding. More importantly, the development will provide housing to support the revitalization of downtown Loganville.

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
 - A. The proposed use is a medium density residential use compared to surrounding industrial and residential uses on adjacent properties as it relates to water, sewer, and transportation infrastructure. The development will not result in an excessive or burdensome use of the infrastructure. The City of Loganville Public Utilities department has further confirmed that sewer capacity is available and able to serve the development. Moreover, any potential impacts on public facilities such as traffic, utility demand, stormwater, and schools can be mitigated with appropriate zoning conditions and site development requirements.

5. How does the proposed zoning provide protection of property against blight and depreciation?
 - A. The proposed zoning activates a site that is currently zoned for manufactured homes and industrial uses. The development of a townhome community brings new economic investment to the City and provides additional housing options. The development would further help in the revitalization of downtown Loganville.

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
 - A. The proposed use is a less intense use of the Property than some permitted uses under the current zoning classification of LI (Light Industrial District). In addition, development of the site with townhomes as opposed to manufactured homes would serve existing residents in the community as well as new residents seeking housing in the City.

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?
 - A. The proposed rezoning will have little to no effect on adjacent property owners as the intended residential use will be less intensive than what is permitted under the industrial classification. Likewise, a townhome community will provide greater economic growth as opposed to a manufactured home community.

- 8. What is the impact upon adjacent property owners if the request is not approved?
 - A. The Property is currently occupied with two residential homes and some accessory structures. Should the Property not be rezoned to allow for townhomes, the area where the Property is located will be deprived of new residential investment that is complimentary to the surrounding uses. The proposed rezoning brings a complimentary use to the surrounding properties and will further support the existing business in the community.

- 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.
 - A. The proposed rezoning would have a positive effect on the aesthetics and prosperity of the present and future citizens of the City by bringing new development to an essentially undeveloped site. The proposed development will provide quality architecture and needed housing supply to the City's current and future residents. The proposed use would be of low impact compared to its current zoning classifications and would not affect the health, safety, or morals of the City's current or future residents.

IV. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that "The Code of the City of Loganville, Georgia" (the "Code"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a townhome community is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Code deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Mayor and Council of the City of Loganville to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classifications and any other zoning of the Property save for what has been requested as established in the Code constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's

private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning to RM-6 would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Mayor and Council of the City of Loganville cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government’s police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from MHP and LI to RM-6 be approved. The Applicant welcomes the opportunity to meet with the City of Loganville Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 5th day of January, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb

4880-9828-9818, v. 1

Adjoining Property Owners List
The Revive Land Group Rezoning Application

CMEC, LLC
627 EDGELEY LANE
LAWRENCEVILLE, GA 30044

5.43 ACRES
4075 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | R5161 001A

JANE H. HUDSON
4077 LAWRENCEVILLE ROAD
LOGANVILLE, GA 30052

1.04 ACRES
4077 LAWRENCEVILLE STREET, LOGANVILLE 30052 | R5161 038

KRISNA INVESTMENT LLC
3142 PINE CONE COURT
LILBURN, GA 30047

0.91 ACRES
4045 LAWRENCEVILLE STREET, LOGANVILLE 30052 | R5161 003

PINK HAMMER RENOVATIONS, LLC
1949 FLOYE DRIVE
LOGANVILLE, GA 30042

0.94 ACRES
4055 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | R5161 002

MARY ANN KILGORE RICHARDS AND RODNEY KELVIN RICHARDS, SR.
922 ULYSSES STREET
LEXINGTON, NC 27292

28.51 ACRES
3918 PECAN ROAD, LOGANVILLE 30052 | R5161 011

MARGARET HAMMOND
4128 PECAN STREET
LOGANVILLE, GA 30052

17.00 ACRES
4128 PECAN ROAD, LOGANVILLE 30052 | R5161 012

B&R BROTHERS HOLDINGS LLC
1210 WEBB GIN HOUSE ROAD
LAWRENCEVILLE, GA 30045

0.37 ACRES
4138 PECAN STREET, LOGANVILLE 30052 | R5161 044

B&R BROTHERS HOLDINGS LLC
1210 WEBB GIN HOUSE ROAD
LAWRENCEVILLE, GA 30045

3.12 ACRES
232 LINE STREET, LOGANVILLE 30052 | LG040064A00

JAMES KENNETH AND LINDA H. GUTHRIE
P.O. BOX 1245
LOGANVILLE, GA 30052

2.47 ACRES
4125 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | LG040061

4883-5668-0090, v. 1



Planners & Engineers
Collaborative+

SOMERSET AT WALTON

CITY OF LOGANVILLE, GA

SITE RENDERING







City of Loganville

Public Utilities
Brandon Phillips
Director
P.O. Box 39
Loganville, GA 30052

Tel: 770-466-3240

November 28, 2023

The Revive Land Group

Re: Proposed 234 and 246 Line Street Development Sewer Capacity

To Whom It May Concern:

The intent of this letter is to inform you that the City of Loganville does have the current capacity to service this development.

If you have any questions concerning this matter, please call my office at 770-466-0911

Travis Toney
City of Loganville
Sewer Supervisor



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

Case #: R24-005

Applicant: The Revive Land Group

Property Owner: Lock N Roll Storage LLC

Property Location: 246 Line Street

Tax Map/Parcel: LG040062

Property Size: 11.602

Current Zoning: MHP

Request: RM-6

Proposed Use: Combine two parcels together for 93 fee-simple townhome complex.

Applicant’s Request

The applicant is seeking to combine two parcels – one zoned MHP and the other LI – for the development of a neighborhood of townhomes.

Existing Conditions

The property has maintained the MHP zoning dating back to 1987, where the City’s official zoning map identified a piece of the current parcel with that classification. A 1,055-square-foot home dating back to the 1930s currently remains on the property, as do two accessory structures. County records indicate that the property reported a varying number of lots for mobile homes, though the last one was reportedly removed on Jan. 23, 2014.

Zoning in the area is mixed, with R-44, R-16 and Light Industrial zoning classifications in the immediate area. It should also be noted that there are four duplexes across the street which were zoned RM-4 dating back to 1987 but under the current zoning map they are classified as R-16.

The current owner purchased the property in 2021. The property spans two counties, with 6.09 acres in Walton and the remainder in Gwinnett.

Impact Analysis

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? The parcel of land along Lawrenceville Road has the appearance of overgrowth and a chain-link fence. The vacant lot appearance is continued along Line Street until you reach the house that remains on the property. The impact on the aesthetic conditions would be subjective, as some would prefer a more natural view versus one of townhomes. With most of the buildings being located on the Walton County side of the project, as a result of the detention pond location and identified water and resulting buffer, there is little impact from this project on the Gwinnett County side. It would likely also have no impact on the adjacent LI. While there is some multi-family housing already in the immediate vicinity, it is not to the scale of this project.

What is the impact upon thoroughfare congestion and traffic safety? Staff recommended a traffic study be completed by the applicant to assess the impact on an already burdened secondary street. The traffic study shows negligible impact from the project because the intersection already has difficulties that would not necessarily be made worse by this project. While there are a number of different routes that can be taken to access Lawrenceville Road, Main Street and even Highway 78, it is hard to overlook the likely congestion and subsequent safety issues that would arise in the immediate area with the addition of more than 100 cars to the area.

What is the impact upon population density and the potential for overcrowding and urban sprawl? While there is multi-family housing in the area, it is less than one-tenth the size of this project. So a project of this scale into an area that is mostly single-family housing will have a noticeable impact on population density and potentially create overcrowding in the vicinity.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? Water and sewer service are available to the project. The intersection of Line Street and Lawrenceville Road has already been identified as one in need of improvement by the City's own comprehensive traffic study, so the addition of this project would likely negatively impact transportation in the area.

How does the proposed use provide protection of property against blight and depreciation? While the property is not blighted, the current project would develop an otherwise underutilized piece of land. Research is inconclusive or mixed on the impact of townhomes on nearby property values, though townhomes are considered to be more beneficial to adjacent property values when compared to mobile homes.

Is the proposed use consistent with the adopted Comprehensive Plan? The City's future land use map shows this property maintaining a residential zoning (Note: the map does not make a distinction between single-family and multi-family housing).

What is the impact upon adjacent property owners if the request is approved? As outlined in the sections above, the biggest impacts will be traffic and aesthetics. While townhomes can be viewed as a natural transition from light industrial and other commercial uses in the area to residential, the fact remains that the project would stand out when surrounded by smaller single-family homes (the multi-family housing in the area is single story and blends in more with its surroundings). And while many residents in the area are likely to know a variety of different ways to get to where they are going, this may be hampered by the possibility that they may not even be able to get out of their driveways if traffic is backed up worse than current conditions.

What is the impact upon adjacent property owners if the request is not approved? The property will likely exist as it currently does because the project will likely not move forward, though the opportunity would still exist for the property to house up to 40 mobile homes.

Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville? The City of Loganville’s 2022 Comprehensive Plan, in its analysis of Planning, Land Use and Housing, noted that 78 percent of the housing stock in the City is single-family use while less than 1 percent are structures that have more than 20 units. The study identifies the need for of what is called the “Missing Middle” housing, or medium density housing. This is defined as being a range of multi-family or clustered housing types compatible in scale with single-family or transitional neighborhoods. The applicant has described his project as being a transitional neighborhood, though the scale of this development is on the larger side of what would be an ideal fit in this area.

Currently, the Mobile Home Park zoning designation is comparable to RM-4. The applicant is asking for RM-6, which would result in an increase in density in the area of about 22 residences for this parcel.

Recommended action: Staff recommendations are to approve the rezone with the following conditions:

- Create a second entrance to the project, ideally with access to Lawrenceville Road.
- Widen the roadway on Line Street, creating dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road.
- Planting of screening evergreen trees between the townhomes and 4125 Lawrenceville Road, 4077 Lawrenceville Road, and 4075 Lawrenceville Road (but not within the sewer easement) as well as 4138 Pecan St.

Amended Staff Recommendations: After a meeting on Feb. 9, 2024, with the applicant and representatives from the City’s Streets and Highway Department and Fire Department, the Staff Recommendation is to approve the rezone with the following conditions:

1. As a result of complications in meeting various roadway design criteria for a second entrance to the complex, staff amends its first recommendation to require a second driveway along Lawrenceville Road that will serve only as an emergency access point that will be gated with a Knox Box subject to GDOT approval.
2. No changes to the second condition. (Widen the roadway on Line Street, creating dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval).
3. Amend the third recommendation to state the need for the installation of a privacy fence and planting of screening evergreen trees as infill where necessary between the townhomes and abutting residential parcels located at 4077 and 4125 Lawrenceville Highway as well as along the property line with 4075 Lawrenceville Highway to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Staff before the issuance of a development permit.

Planning Commission Recommended Conditions

The Planning Commission voted 4-2 to approve the re-zone with the following conditions:

1. Require a second driveway along Lawrenceville Road that will serve as an emergency access point that will be gated with a Knox Box, subject to GDOT approval.
2. Widen the roadway on Line Street, creating a dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval.
3. Installation of an 8-foot, chain-link fence between the townhomes and abutting residential parcels located at 4077 and 4125 Lawrenceville Road and along the property line with 4075 Lawrenceville Road to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Department staff before the issuance of a development permit.
4. Ensure that the HOA is responsible for limiting the number of townhomes that can be rented to 15 percent of the total project at any given point in time.
5. Create a covered pavilion in the one of the common areas of the project.

City Council Conditions

1. Maximum of 64 fee simple single family detached units as depicted on the conceptual site plan submitted to the City on March 13, 2024.
2. Residences shall be a minimum of 1,800 SF heated.
3. All residences must have an enclosed two car garage.
4. Lot widths shall be a minimum of 40' at the front lot road frontage.
5. Minimum side yards shall be 5'.
6. Minimum distance between residences shall be 10'.
7. Roads within the project shall be private roads and the HOA shall be responsible for all upkeep and maintenance.
8. Mandatory HOA membership for all residence owners. The HOA shall own all common area property within the project and be responsible for maintenance and upkeep of all common areas.
9. For fire safety, no vinyl siding shall be permitted for exterior facades. All facades must be made of brick, stone or other masonry based product such as hardboard or hardiplank. Vinyl products may be permitted only in the construction of the eaves, soffits, drip edges, windows and doors of the residences.
10. Require a second driveway along Lawrenceville Road that will serve as an emergency access point that will be gated with a Knox Box, subject to GDOT approval.
11. Widen the roadway on Line Street, creating a dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval.
12. Installation of an 8-foot, chain-link fence between the residences and abutting residential parcels located at 4077 and 4125 Lawrenceville Road and along the property line with 4075 Lawrenceville Road to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Department staff before the issuance of a development permit. This chain-link fence shall be installed as soon as feasible after the issuance of the land disturbance permit for the project.
13. Ensure that the HOA is responsible for limiting the number of residences that can be rented to 10 percent of the total project at any given point in time.
14. Create a covered pavilion in one of the common areas of the project.
15. Remove hammerheads and replace with cul-de-sacs within the project.
16. Prior to construction of any residence located on or within 200 feet of the location of the existing pond on the property that is scheduled to be removed and backfilled, the building pads shall be evaluated by a licensed Geotechnical Engineer to determine if the allowable soil bearing pressure is adequate for the type of foundation proposed. Geotechnical Engineers evaluation summary shall be submitted along with each building permit application and building foundation design. The Geotechnical Engineer must evaluate each footing excavation prior to steel

reinforcement or concrete placement. Conditions observed during inspection should be compared to the foundation design requirements and verified by the Geotechnical Engineer.



Section 5, Item B.
Section 5, Item B.

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: January 5, 2024

Application # R 24-006

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:	The Revive Land Group	NAME:	Ronald Clifford Peeler
ADDRESS:	c/o Andersen Tate & Carr 1960 Satellite Blvd S-4000	ADDRESS:	P. O. Box 233
CITY:	Duluth	CITY:	Loganville
STATE:	GA Zip: 30097	STATE:	GA Zip: 30052
PHONE:	770-822-0900	PHONE:	
(*attach additional pages if necessary to list all owners)			
Applicant is: Property Owner <input checked="" type="checkbox"/> Contract Purchaser Agent Attorney			
CONTACT PERSON: Melody A. Glouton		PHONE: 770-822-0900	
EMAIL: mglouton@atclawfirm.com		FAX: 770-822-9680	
PROPERTY INFORMATION			
MAP & PARCEL #	LG040063	PRESENT ZONING:	LI
REQUESTED ZONING:	RM-6	ADDRESS:	234 Line Street, Loganville
COUNTY:	Walton	ACREAGE:	4.981
PROPOSED DEVELOPMENT: fee-simple townhomes			

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

Pre-Application Conference Date: 11/2/2023 @10am

Accepted by Planning & Development: Sarah Black DATE: 1/8/2024 FEE PAID: \$500.00

CHECK # 1343 RECEIPT # R00156139 TAKEN BY: SB DATE OF LEGAL NOTICE: 2/4/2024 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 2/22/24

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

[Signature] [Signature] 3/14/24
 Mayor City Clerk Date

Application # R 24-006

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.

Melody A. Glouton
Applicant's Signature

01/05/2024

Date

MELODY A, GLOUTON, ATTORNEY

Print Name and Title

Sworn to and subscribed before me this 5th day of January, 2024.

(Seal)

Daphne Wilson Boyd
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.

Cliff Rector
Owner's Signature

12/14/23
Date

CLIFF Rector
Print Name and Title

Sworn to and subscribed before me this 14 day of December, 2023.

(Seal)

Mandy Andrews
Signature of Notary Public



DESCRIPTION OF
Tract 2 – 234 Line Street

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

To find the Point of Beginning commence at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found, said point being the Point of Beginning.

From the Point of Beginning as thus established, continuing along said right of way line of Line Street South 60 degrees 36 minutes 41 seconds West a distance of 121.25 feet to a 1/2 inch crimp top pipe found; thence leaving said right of way line of Line Street and proceeding North 30 degrees 11 minutes 34 seconds West a distance of 1711.41 feet to a 1/2 inch rebar found; thence North 57 degrees 57 minutes 13 seconds East a distance of 131.96 feet to a 1/2 inch rebar found; thence South 29 degrees 50 minutes 14 seconds East a distance of 1717.41 feet to a 2 inch open top pipe found, said point being the Point of Beginning.

Said tract contains 216,971 square feet or 4.981 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)

**DESCRIPTION OF
Total Tract**

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street the following courses and distances: South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found and South 60 degrees 36 minutes 41 seconds West a distance of 121.25 feet to a 1/2 inch crimp top pipe found; thence leaving said right of way line of Line Street and proceeding North 30 degrees 11 minutes 34 seconds West a distance of 1711.41 feet to a 1/2 inch rebar found; thence North 57 degrees 57 minutes 13 seconds East a distance of 131.96 feet to a 1/2 inch rebar found; thence North 58 degrees 11 minutes 21 seconds East a distance of 254.59 feet to a 1/2 inch rebar set; thence South 29 degrees 30 minutes 26 seconds East a distance of 1394.22 feet to a 1/2 inch rebar set; thence North 61 degrees 39 minutes 18 seconds East a distance of 233.27 feet to a 1/2 inch rebar set on the southwestern right of way line of Georgia State Route 20; thence proceeding along said right of way line of Georgia State Route 20 South 29 degrees 35 minutes 20 seconds East a distance of 322.00 feet to a 1/2 inch rebar set, said point being the Point of Beginning.

Said tract contains 722,342 square feet or 16.583 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)

Application # R 24-006

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

Melody A. Glouton

1/5/24

Signature of Applicant's
Attorney or Agent

Date

Melody A. Glouton

Print Name

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

_____ YES x _____ NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

NAME & OFFICIAL POSITION
OF GOVERNMENT OFFICIAL

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

DATE OF
CONTRIBUTION

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

**COMBINED LETTER OF INTENT
AND JUSTIFICATION FOR REZONING**

**Rezoning Application
City of Loganville, Walton County, Georgia**

Applicant:

The Revive Land Group, LLC

Property:

Tax Parcel ID LG040062 (11.602 acres)
and
Tax Parcel ID LG040063 (4.981 acres)

Total: ±16.58 Acres of Land
Located at 246 and 234 Line Street, Loganville, Georgia 30052
From MHP and LI to RM-6

Submitted for Applicant by:

Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

I. INTRODUCTION

This Application for Rezoning is submitted for a 16.58-acre assemblage of land located at 246 and 234 Line Street, just west of its intersection with Loganville Highway (hereinafter the “Property”).¹ The Property is an assemblage of two (2) tax parcels, with frontage along both Loganville Highway and Line Street. The Property is shown on the survey prepared by Travis Pruitt & Associates, Inc., dated December 20, 2023, and filed with this Application.

The Property is currently zoned MHP (Manufactured Home Park) and LI (Light Industrial) pursuant to the Code of the City of Loganville, Georgia (the “Code”). The Applicant, The Revive Land Group, LLC (the “Applicant”) now seeks approval to rezone the Property to RM-6 (Multifamily Residential Medium Density) to develop a distinctive and attractive townhome community with 93 units.

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Code.

I. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property consists of two (2) tax parcels and contains 16.58-acres. While there are two personal residences located on the Property, the majority of the site is undeveloped and partially wooded. As shown on the City of Loganville Zoning Map, the Property is surrounded by industrial and residential uses. The following is a summary of the surrounding zoning classifications:



¹ Tract 1, Tax Parcel ID LG040062, is located at 246 Line Street, and consists of 11.602 acres. Tract 2, Tax Parcel ID LG040063, is located at 234 Line Street, and consists of 4.981 acres.

II. PROJECT SUMMARY

As shown on the conceptual site plan dated November 10, 2023, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive residential townhome community. The Applicant is proposing to rezone 16.58 acres from MHP and LI to RM-6 to accommodate the development of a townhome community with 93 units for a proposed density of 5.61 units per acre. As indicated above, the site is surrounded by industrial and residential properties and the development would provide an opportunity for transition from industrial to medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for the revitalization of downtown Loganville. As shown in the Site Plan, the community would include townhomes with a minimum square footage of 1,800 and two-car garages. While market conditions can fluctuate, the Applicant anticipates the price range of the townhomes to range from \$300,000 to 375,000. The architectural style of the townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The site is designed for a full access driveway on Line Street. For reference, the Applicant has included sample elevations with this Application.

III. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to LI satisfies the responses to evaluation criteria as follows:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?
 - A. The Property is adjacent to existing industrial and residential uses. The site will be developed with quality architectural elements consistent with the City’s development regulations and will not adversely impact the overall appearance of adjacent parcels. Rezoning the Property to RM-6 will also permit a use that is suitable in view of the use and development of adjacent and nearby property.

2. How does the proposed use impact thoroughfare congestion and traffic safety?
 - A. Rezoning the Property to RM-6 will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities or schools. While the Property has frontage on both Line Street and Loganville Highway, the community has been designed for single access on Line Street. The Applicant completed a traffic impact analysis as part of this submittal and the results of the future conditions traffic analysis indicated that the stop-controlled approaches will continue to operate at a level of service “C” or better in both the AM and PM peak hours.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
 - A. The proposed residential use is suitable in view of the existing development of adjacent and nearby properties. The development will provide additional housing supply in the community and would not create overcrowding. More importantly, the development will provide housing to support the revitalization of downtown Loganville.

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
 - A. The proposed use is a medium density residential use compared to surrounding industrial and residential uses on adjacent properties as it relates to water, sewer, and transportation infrastructure. The development will not result in an excessive or burdensome use of the infrastructure. The City of Loganville Public Utilities department has further confirmed that sewer capacity is available and able to serve the development. Moreover, any potential impacts on public facilities such as traffic, utility demand, stormwater, and schools can be mitigated with appropriate zoning conditions and site development requirements.

5. How does the proposed zoning provide protection of property against blight and depreciation?
 - A. The proposed zoning activates a site that is currently zoned for manufactured homes and industrial uses. The development of a townhome community brings new economic investment to the City and provides additional housing options. The development would further help in the revitalization of downtown Loganville.

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
 - A. The proposed use is a less intense use of the Property than some permitted uses under the current zoning classification of LI (Light Industrial District). In addition, development of the site with townhomes as opposed to manufactured homes would serve existing residents in the community as well as new residents seeking housing in the City.

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?
 - A. The proposed rezoning will have little to no effect on adjacent property owners as the intended residential use will be less intensive than what is permitted under the industrial classification. Likewise, a townhome community will provide greater economic growth as opposed to a manufactured home community.

8. What is the impact upon adjacent property owners if the request is not approved?
 - A. The Property is currently occupied with two residential homes and some accessory structures. Should the Property not be rezoned to allow for townhomes, the area where the Property is located will be deprived of new residential investment that is complimentary to the surrounding uses. The proposed rezoning brings a complimentary use to the surrounding properties and will further support the existing business in the community.

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.
 - A. The proposed rezoning would have a positive effect on the aesthetics and prosperity of the present and future citizens of the City by bringing new development to an essentially undeveloped site. The proposed development will provide quality architecture and needed housing supply to the City's current and future residents. The proposed use would be of low impact compared to its current zoning classifications and would not affect the health, safety, or morals of the City's current or future residents.

IV. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that "The Code of the City of Loganville, Georgia" (the "Code"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a townhome community is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Code deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Mayor and Council of the City of Loganville to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classifications and any other zoning of the Property save for what has been requested as established in the Code constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's

private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning to RM-6 would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Mayor and Council of the City of Loganville cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government’s police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from MHP and LI to RM-6 be approved. The Applicant welcomes the opportunity to meet with the City of Loganville Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 5th day of January, 2024.

ANDERSEN, TATE & CARR, P.C.

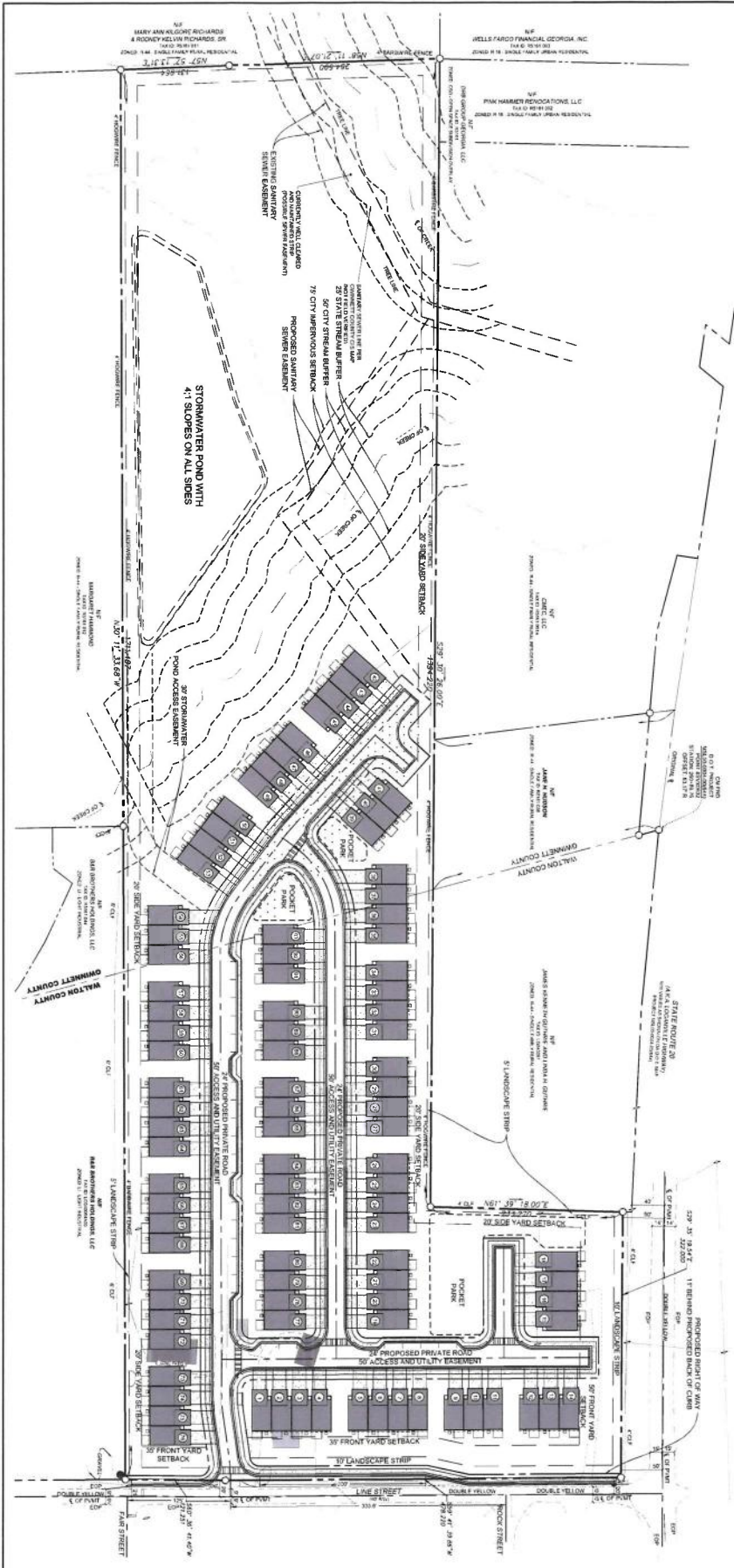
Melody A. Glouton
Melody A. Glouton, Esq.

Enclosures
MAG/dwb

4880-9828-9818, v. 1

GENERAL NOTES:
 1. THE INFORMATION ON THIS PLAN IS BASED ON THE SITE SURVEY AND RECORDS PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE REASONABLY ACCURATE. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY OF THE SITE TO VERIFY THE INFORMATION PROVIDED.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES.

GEORGIA811
 The Official Call Before You Dig Service
 24 HOUR CONTACT:
 NEVILLE ALISON
 678-223-8978



ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	CONCEPTUAL SITE PLAN	1	SHEET	100.00	100.00
2	PROPOSED SANITARY SEWER EASEMENT	1	SHEET	100.00	100.00
3	PROPOSED PRIVATE ROAD	1	SHEET	100.00	100.00
4	PROPOSED LANDSCAPE STRIP	1	SHEET	100.00	100.00
5	PROPOSED STORMWATER POND	1	SHEET	100.00	100.00
6	PROPOSED UTILITY EASEMENT	1	SHEET	100.00	100.00
7	PROPOSED FRONT YARD SETBACK	1	SHEET	100.00	100.00
8	PROPOSED SIDE YARD SETBACK	1	SHEET	100.00	100.00
9	PROPOSED REAR YARD SETBACK	1	SHEET	100.00	100.00
10	PROPOSED HOUSING UNIT	10	UNIT	100.00	1000.00
11	PROPOSED PARKING SPACE	20	SPACE	50.00	1000.00
12	PROPOSED LANDSCAPE STRIP	1	SHEET	100.00	100.00
13	PROPOSED UTILITY EASEMENT	1	SHEET	100.00	100.00
14	PROPOSED FRONT YARD SETBACK	1	SHEET	100.00	100.00
15	PROPOSED SIDE YARD SETBACK	1	SHEET	100.00	100.00
16	PROPOSED REAR YARD SETBACK	1	SHEET	100.00	100.00
17	PROPOSED HOUSING UNIT	10	UNIT	100.00	1000.00
18	PROPOSED PARKING SPACE	20	SPACE	50.00	1000.00
19	PROPOSED LANDSCAPE STRIP	1	SHEET	100.00	100.00
20	PROPOSED UTILITY EASEMENT	1	SHEET	100.00	100.00
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100	PROPOSED REAR YARD SETBACK	1	SHEET	100.00	100.00

THE SQUARE LAND GROUP
 Project Management Group

SOURCE: SHITTE, KEVIN

ONE ALLIANCE CENTER
 3500 SHILOH ROAD
 ATLANTA, GEORGIA 30316
 WWW.THEBROKERGROUP.COM

SOMERSET AT WALTON

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

314 & 346 LINE STREET

CITY OF LOGANSVILLE
 WALTON COUNTY, GEORGIA

LAND LOT 1

PROJECT NO. 23019

NOV 10, 2023

CONCEPTUAL SITE PLAN

Z-001

Adjoining Property Owners List
The Revive Land Group Rezoning Application

CMEC, LLC
627 EDGELEY LANE
LAWRENCEVILLE, GA 30044

5.43 ACRES
4075 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **R5161 001A**

JANE H. HUDSON
4077 LAWRENCEVILLE ROAD
LOGANVILLE, GA 30052

1.04 ACRES
4077 LAWRENCEVILLE STREET, LOGANVILLE 30052 | **R5161 038**

KRISNA INVESTMENT LLC
3142 PINE CONE COURT
LILBURN, GA 30047

0.91 ACRES
4045 LAWRENCEVILLE STREET, LOGANVILLE 30052 | **R5161 003**

PINK HAMMER RENOVATIONS, LLC
1949 FLOYE DRIVE
LOGANVILLE, GA 30042

0.94 ACRES
4055 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **R5161 002**

MARY ANN KILGORE RICHARDS AND RODNEY KELVIN RICHARDS, SR.
922 ULYSSES STREET
LEXINGTON, NC 27292

28.51 ACRES
3918 PECAN ROAD, LOGANVILLE 30052 | **R5161 011**

MARGARET HAMMOND
4128 PECAN STREET
LOGANVILLE, GA 30052

17.00 ACRES
4128 PECAN ROAD, LOGANVILLE 30052 | **R5161 012**

B&R BROTHERS HOLDINGS LLC
1210 WEBB GIN HOUSE ROAD
LAWRENCEVILLE, GA 30045

0.37 ACRES
4138 PECAN STREET, LOGANVILLE 30052 | **R5161 044**

B&R BROTHERS HOLDINGS LLC
1210 WEBB GIN HOUSE ROAD
LAWRENCEVILLE, GA 30045

3.12 ACRES
232 LINE STREET, LOGANVILLE 30052 | **LG040064A00**

JAMES KENNETH AND LINDA H. GUTHRIE
P.O. BOX 1245
LOGANVILLE, GA 30052

2.47 ACRES
4125 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **LG040061**







City of Loganville

Public Utilities
Brandon Phillips
Director
P.O. Box 39
Loganville, GA 30052
Tel: 770-466-3240

November 28, 2023

The Revive Land Group

Re: Proposed 234 and 246 Line Street Development Sewer Capacity

To Whom It May Concern:

The intent of this letter is to inform you that the City of Loganville does have the current capacity to service this development.

If you have any questions concerning this matter, please call my office at 770-466-0911

Travis Toney
City of Loganville
Sewer Supervisor



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

Case #: R24-006

Applicant: The Revive Land Group

Property Owner: Ronald Clifford Peeler

Property Location: 234 Line Street

Tax Map/Parcel: LG040063

Property Size: 4.981

Current Zoning: LI

Request: RM-6

Proposed Use: Combine two parcels together for 93 fee-simple townhome complex.

Applicant’s Request

The applicant is seeking to combine two parcels – one zoned MHP and the other LI – for the development of a neighborhood of townhomes.

Existing Conditions

The property has been residential for much of its history and was designated R-44 zoning according to the 2005 zoning map. In 2007, the re-zone application was filed to convert the parcel from R-44 to LI for a proposed business park that would house 11 buildings each totaling 5,000 square feet. The case was approved the Loganville City Council on May 10, 2007, with conditions to limit the property to those allowed by the LI District excluding truck and bus terminal, service station and auto or other vehicle sales as well as maintaining a buffer of at least 30 feet and the buffer is to contain a 4-foot chain-link fence and evergreen trees. This project was not developed and there exists a 1,700 square foot home built in the 1960s.

Zoning in the area is mixed, with R-44, R-16 and Light Industrial zoning classifications in the immediate area. It should also be noted that there are four duplexes across the street which were zoned RM-4 dating back to 1987 but under the current zoning map they are classified as R-16.

The current owner purchased the property in 1996. The property spans two counties, with 2 acres in Walton and the remainder in Gwinnett.

Impact Analysis

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? The overall appearance now is one of a single-family home. This would drastically change as one building is replaced with more than 20 townhomes. But there are 30-plus different uses that could be utilized on this lot in its current LI zoning that would potentially have a more detrimental impact on the aesthetics in the area.

What is the impact upon thoroughfare congestion and traffic safety? Going from the LI zoning to RM-6 would increase traffic in the area and, as a result, impact congestion. While this parcel does not have as much of a direct impact, the overall project itself will have a large impact on the intersection of Line Street and Lawrenceville Road, which has already been identified by the City’s comprehensive traffic study as an intersection in need of improvement.

What is the impact upon population density and the potential for overcrowding and urban sprawl? Going to RM-6 zoning will increase population density and overcrowding when compared to the LI zoning.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? Water and sewer service are available to the project. The intersection of Line Street and Lawrenceville Road has already been identified as one in need of improvement by the City’s own comprehensive traffic study, so the addition of this project would likely negatively impact transportation in the area.

How does the proposed use provide protection of property against blight and depreciation? While the property is not blighted, the current project would develop an otherwise underutilized piece of land. Any change of zoning is likely to impact valuation of land in the area but a return to residential zoning for this parcel would likely have a positive impact to nearby homeowners.

Is the proposed use consistent with the adopted Comprehensive Plan? The City’s future land use map shows this property with a residential zoning (Note: the map does not make a distinction between single-family and multi-family housing).

What is the impact upon adjacent property owners if the request is approved? The impact would be negligible as the parcel to the west/southwest is LI and the parcel to the east/northeast is part of the overall project being proposed. Impact to the other adjacent owners on the Gwinnett County side of the project would have limited impact as the detention pond and buffer areas around the creek limit building on that side of the project.

What is the impact upon adjacent property owners if the request is not approved? The property will likely sit as it has existed since the 2007 re-zone.

Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville? The City of Loganville’s 2022 Comprehensive Plan, in its analysis of Planning, Land Use and Housing, noted that 78 percent of the housing stock in the City is single-family use while less than 1 percent are structures that have more than 20 units. The study identifies the need for of what is called the “Missing Middle” housing, or medium density housing. This is defined as being a range of multi-family or clustered housing types compatible in scale with single-family or transitional neighborhoods. The applicant has described his project as being a transitional neighborhood, though the scale of this development is on the larger side of what would be an ideal fit in this area.

Recommended action: Staff recommendations are to approve the rezone with the following conditions:

- Create a second entrance to the project, ideally with access to Lawrenceville Road.
- Widen the roadway on Line Street, creating dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road.
- Planting of screening evergreen trees between the townhomes and 4125 Lawrenceville Road, 4077 Lawrenceville Road, and 4075 Lawrenceville Road (but not within the sewer easement) as well as 4138 Pecan St.

Amended Staff Recommendations: After a meeting on Feb. 9, 2024, with the applicant and representatives from the City’s Streets and Highway Department and Fire Department, the Staff Recommendation is to approve the rezone with the following conditions:

1. As a result of complications in meeting various roadway design criteria for a second entrance to the complex, staff amends its first recommendation to require a second driveway along Lawrenceville Road that will serve only as an emergency access point that will be gated with a Knox Box subject to GDOT approval.
2. No changes to the second condition. (Widen the roadway on Line Street, creating dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval).
3. Amend the third recommendation to state the need for the installation of a privacy fence and planting of screening evergreen trees as infill where necessary between the townhomes and abutting residential parcels located at 4077 and 4125 Lawrenceville Road as well as along the property line with 4075 Lawrenceville Road to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Staff before the issuance of a development permit.

Planning Commission Recommended Conditions

The Planning Commission voted 4-2 to approve the re-zone with the following conditions:

1. Require a second driveway along Lawrenceville Road that will serve as an emergency access point that will be gated with a Knox Box, subject to GDOT approval.
2. Widen the roadway on Line Street, creating a dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval.
3. Installation of an 8-foot, chain-link fence between the townhomes and abutting residential parcels located at 4077 and 4125 Lawrenceville Road and along the property line with 4075 Lawrenceville Road to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Department staff before the issuance of a development permit.
4. Ensure that the HOA is responsible for limiting the number of townhomes that can be rented to 15 percent of the total project at any given point in time.
5. Create a covered pavilion in the one of the common areas of the project.

City Council Conditions

1. Maximum of 64 fee simple single family detached units as depicted on the conceptual site plan submitted to the City on March 13, 2024.
2. Residences shall be a minimum of 1,800 SF heated.
3. All residences must have an enclosed two car garage.
4. Lot widths shall be a minimum of 40' at the front lot road frontage.
5. Minimum side yards shall be 5'.
6. Minimum distance between residences shall be 10'.
7. Roads within the project shall be private roads and the HOA shall be responsible for all upkeep and maintenance.
8. Mandatory HOA membership for all residence owners. The HOA shall own all common area property within the project and be responsible for maintenance and upkeep of all common areas.
9. For fire safety, no vinyl siding shall be permitted for exterior facades. All facades must be made of brick, stone or other masonry based product such as hardiboard or hardiplank. Vinyl products may be permitted only in the construction of the eaves, soffits, drip edges, windows and doors of the residences.
10. Require a second driveway along Lawrenceville Road that will serve as an emergency access point that will be gated with a Knox Box, subject to GDOT approval.
11. Widen the roadway on Line Street, creating a dedicated left turn and right turn lanes for no fewer than 5 cars attempting to turn onto Lawrenceville Road, subject to GDOT approval.
12. Installation of an 8-foot, chain-link fence between the residences and abutting residential parcels located at 4077 and 4125 Lawrenceville Road and along the property line with 4075 Lawrenceville Road to the stream buffer. Nothing is to be done within the sewer easement or stormwater pond access easement. This will be subject to review by Planning Department staff before the issuance of a development permit. This chain-link fence shall be installed as soon as feasible after the issuance of the land disturbance permit for the project.
13. Ensure that the HOA is responsible for limiting the number of residences that can be rented to 10 percent of the total project at any given point in time.
14. Create a covered pavilion in one of the common areas of the project.
15. Remove hammerheads and replace with cul-de-sacs within the project.
16. Prior to construction of any residence located on or within 200 feet of the location of the existing pond on the property that is scheduled to be removed and backfilled, the building pads shall be evaluated by a licensed Geotechnical Engineer to determine if the allowable soil bearing pressure is adequate for the type of foundation proposed. Geotechnical Engineers evaluation summary shall be submitted along with each building permit application and building foundation design. The Geotechnical Engineer must evaluate each footing excavation prior to steel reinforcement or concrete placement. Conditions observed during inspection should be compared to the foundation design requirements and verified by the Geotechnical Engineer.