



PLANNING COMMISSION MEETING AGENDA

Thursday, October 24, 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. Approval of Minutes from 7.25.24

5. **NEW BUSINESS**

A. **Case #A24-023** – Uprise Development LLC, requests annexation of property located at 4332 Tom Brook Road Loganville, GA 30052. Map/Parcel #C0040009A00, Walton County, GA. 9.34+/- acres.

B. **Case # R24-024** – Uprise Development, LLC, filed an application to rezone 9.34+/- acres located on 4332 Tom Brook Road Loganville, GA 30052. Map/Parcel #C0040009A00, Walton County, Georgia. The property owner is TN Brooks. The current zoning is A2. The requested zoning is PUV for the development of a planned urban village.

C. **Case #A24-025** – Uprise Development LLC, requests annexation of property located at 4332 Tom Brook Road Loganville, GA 30052. Map/Parcel #R4216 001, Gwinnett County, GA. 0.83+/- acres.

D. **Case # R24-026** – Uprise Development, LLC, filed an application to rezone 0.83+/- acres located on 4332 Tom Brook Road Loganville, GA 30052. Map/Parcel #R4216 001, Gwinnett County, Georgia. The property owner is TN Brooks. The current zoning is R100. The requested zoning is PUV for the development of a planned urban village.

E. **Case #A24-027** – Uprise Development LLC, requests annexation of property located at 4550 Tuck Road Loganville, GA 30052. Map/Parcel #C0040009, Walton County, GA. 47.15+/- acres.

F. **Case # R24-028** – Uprise Development, LLC, filed an application to rezone 47.15+/- acres located on 4550 Tuck Road Loganville, GA 30052. Map/Parcel #C0040009, Walton County, Georgia. The property owner is O H Brooks/Benny Stephenson, Trustee. The current zoning is A2/B3. The requested zoning is PUV for the development of a planned urban village.

G. **Case #A24-029** – Juan Ramon, requests annexation of property located at 520 Brand Road Loganville, GA 30052. Map/Parcel #R5160 059, Gwinnett County, GA. 3.0+/- acres.

H. **Case # R24-030**– Juan Ramon, filed an application to rezone 3.0+/- acres located on 520 Brand Road Loganville, GA 30052. Map/Parcel #R5160 059, Gwinnett County, Georgia. The property owner is Red Lion Acquisition & Management. The current zoning is R100. The requested zoning is LI for the development of an office suite.

I. **Case # R24-031**- BAMB Real Estate, LLC c/o Mahaffey Pickens Tucker, LLP, filed an application to rezone 5.09+/- acres located on Atlanta Hwy Loganville, GA 30052. Map/Parcel #LG060129, Walton County, Georgia. The property owner is Ann R Jones. The current zoning is R-44. The requested zoning is CH for the development of a medical office building.

J. **Case #V24-032** – BAMB Real Estate, LLC c/o Mahaffey Pickens Tucker, LLP requested a Major Variance for the property located on Atlanta Hwy Loganville, GA 30052 at Parcels #LG060129, Walton County, GA. Present zoning is R-44. Ordinance and Section from which relief is sought is Zoning Ordinance 119-432; relief from buffer requirements.

K. **Case #V24-033** – Bamm Real Estate, LLC c/o Mahaffey Pickens Tucker, LLP requested a Major Variance for the property located on Atlanta Hwy Loganville, GA 30052 at Parcels #LG060129, Walton County, GA. Present zoning is R-44. Ordinance and Section from which relief is sought is Zoning Ordinance 119-380; relief from the minimum parking requirements.

L. **Case # R24-034** – Kittle Homes, filed an application to rezone 26.07+/- acres located on 4615 Atlanta Hwy Loganville, GA 30052. Map/Parcel #LG110187, LG110187A00, LG110185C00, LG110185B00, Walton County, Georgia. The property owner is Camp Family Partnership. The current zoning is CH. The requested zoning is RM-6 for the development of a townhome community.

6. **ADJOURN**

Public is welcomed to attend.



PLANNING COMMISSION MEETING MINUTES
Thursday, July 25, 2024 at 6:30 PM
Municipal Council Chambers, 4303 Lawrenceville Road

1. CALL MEETING TO ORDER

PRESENT

Chairman Keith Colquitt
Commissioner Linda Dodd
Commissioner Tiffany Ellis
Commissioner Barbara Forrester
Commissioner Michael Joyner
Commissioner Cathy Swanson
Commissioner William Williams II

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes 6.27.24

Motion made by Commissioner Ellis to approve minutes, Seconded by Commissioner Forrester.
Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Forrester, Commissioner Joyner, Commissioner Swanson, Commissioner Williams II.
Minutes approved 6-0.

5. NEW BUSINESS

A. **Case #V24-022** – AMH Development LLC requested a Major Variance for the property located at 2467 Claude Brewer Road Loganville, GA 30052, Walton County. Map/Parcel#LG160005. Present zoning is R-22 CSO. Ordinance and Section from which relief is sought is Zoning Ordinance Section 119-249 (3)(d), design criteria-exterior materials. Applicant request to reduce rear elevations requirement to 3' brick or stone water tables which will include sides of 3rd car garages.

Shane Latham with MPT law firm represented the applicant in this case. The parcel is 101.78 acres and was rezoned and annexed into the city in 2018. The major variance request is due to the hardship that the property has given them during development; the rock on the property was more abundant than anticipated - causing delays, along with issues tying into the sewer line. The applicant would like to add 3rd car garages onto the house plans and 3' tall water tables on the rear elevations.

Ben Shoemaker, the VP of Land Acquisitions for AMH, stated that the community had already lost 18 lots due to the amount of rock in the area.

Mr. Latham listed the proffered conditions that the developer is offering if the variance is granted:

1. Siding on homes shall be of a fiber-cement material. Vinyl siding shall be prohibited.
2. Side elevations of homes shall include a minimum three-foot tall masonry water table.
3. All homes shall be constructed with three-car garages.

- 4. Covenants for the community shall include a provision prohibiting on-street parking.
- 5. The HOA/management company shall be responsible for all landscaping of residential lots and common area.
- 6. The area of the subject property depicted as Lots 81-82 and Lots 111-126 shall be provided as open space/common area with walking trails.
- 7. The minimum heated floor area of homes shall be 2,000 square feet. At least 50% of homes shall have a heated floor area of 2,400 square feet or larger.
- 8. They would also have to include the amenities that were voted on during their first rezone case in 2018, which would include a pool.

Motion made by Commissioner Forrester to approve with the proffered conditions, Seconded by Commissioner Joyner.

Voting Yea: Commissioner Dodd, Commissioner Ellis, Commissioner Forrester, Commissioner Joyner, Commissioner Swanson.

Voting Nay: Commissioner Williams II.

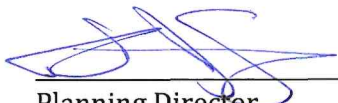
Motion passed 5-1.

6. ADJOURN

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

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

Meeting adjourned 6-0.



 Planning Director

10/24/24

 Date



 Planning Commissioner Chairman

10

 Date



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

Section 5, Item A.

Date: 7/9/24

Application # A 24-023

REQUEST FOR ANNEXATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Uprise Development, LLC</u> ADDRESS: <u>P.O. Box 2748</u> CITY: <u>Loganville</u> STATE: <u>Ga</u> Zip: <u>30052</u> PHONE: <u>(770)318-5329</u>	NAME: <u>T N Brooks</u> ADDRESS: <u>4332 Tom Brooks Road</u> CITY: <u>Loganville</u> STATE: <u>Ga</u> Zip: <u>30052</u> PHONE: <u>(</u> (*attach additional pages if necessary to list all owners)
Applicant is: Property Owner <input type="checkbox"/> Contract Purchaser <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Attorney <input type="checkbox"/>	
CONTACT PERSON: <u>Mark Streifert</u> PHONE: <u>(770)318-5329</u> EMAIL: <u>mark@buildres.com.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>C0040009A00</u> PRESENT ZONING: <u>A2</u> (Separate rezoning request required) ADDRESS: <u>4332 Tom Brooks Road</u> COUNTY: <u>Walton</u> ACREAGE: <u>9.34</u> PROPOSED DEVELOPMENT: <u>PUV</u>	

You must attach: Application Fee Legal Description Plat of Property Letter of Intent
 Names/Addresses of Abutting Property Owners Shape file of property (GIS File)

Pre-Application Conference Date: 3/5/2024
 Accepted by Planning & Development: Sarah Black DATE: 7/9/24 FEE PAID: \$300.00

CHECK # 18758 RECEIPT # _____ TAKEN BY: SB DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation
 Commission Chairman: _____ DATE: _____

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

 Mayor City Clerk Date

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 9-6-24

MARK STRELFORT - MANAGER / MEMBER
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER, 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.

[Signature] _____ Date 9-6-24

TONY BROOKS - EXECUTOR OF THE ESTATE OF THOMAS NATHAN BROOKS
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER, 2024.



[Signature]
Signature of Notary Public

Application # **R** _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

Mark Streifert
Applicant's Signature

7-3-24
Date

Mark Streifert
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

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.

Walton County, GA

Summary

Parcel Number C0040009A00
Location Address 4332 TOM BROOKS RD
Legal Description 9.34AC
(Note: Not to be used on legal documents)
Class R4-Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
Zoning A2
Tax District Walton County (District 04)
Millage Rate 33.44
Acres 9.34
Neighborhood RURAL AREA 6-06000 (06000)
Homestead Exemption Yes (L17)
Landlot/District 216 / 4

[View Map](#)



Owner

BROOKST N
4332 TOM BROOKS ROAD
LOGANVILLE, GA 30052

Rural Land

Type	Description	Calculation Method	Soil Productivity	Acres
RUR	Rural 5m Tract	Rural	1	4.34
RUR	Rural 5m Tract	Rural	1	1
RUR	Rural 5m Tract	Rural	1	4

Residential Improvement Information

Style Single Family
Heated Square Feet 1272
Exterior Walls Aluminum Siding
Foundation Masonry
Basement Square Feet 0
Year Built 1946
Roof Type Composite Shingle
Heating Type Baseboard
Number Of Full Bathrooms 1
Number Of Half Bathrooms 1
Value \$75,100
House Address 4332 TOM BROOKS RD

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
FB LAND	2002	33735x0 / 0	1	\$0
FB IMPROVEMENT	2002	40549x0 / 0	1	\$0
Barn-Economy	2000	36x20 / 0	1	\$1,700
Shop	2000	0x0 / 1841	1	\$7,600
Lean-To	2000	38x9 / 0	1	\$350

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
	030 166	055 131	\$0	Unqualified Sale		BROOKS T N

Valuation

	2024	2023	2022	2021	2020
Previous Value	\$249,050	\$230,450	\$187,950	\$169,950	\$160,350
Land Value	\$177,700	\$168,600	\$157,700	\$122,600	\$106,400
+ Improvement Value	\$75,100	\$70,800	\$63,100	\$55,700	\$53,900
+ Accessory Value	\$9,650	\$9,650	\$9,650	\$9,650	\$9,650
= Current Value	\$262,450	\$249,050	\$230,450	\$187,950	\$169,950



Overview



Legend

- Parcels
- Roads

Parcel ID	C0040009A00	Owner	BROOKS T N	Last 2 Sales			
Class Code	Residential		4332 TOM BROOKS ROAD	Date	Price	Reason	Qual
Taxing District	Walton County		LOGANVILLE, GA 30052	n/a	0	n/a	n/a
Acres	9.34	Physical Address	4332 TOM BROOKS RD	n/a	0	n/a	n/a
		Appraised Value	Value \$262450				

(Note: Not to be used on legal documents)

Date created: 6/28/2024
 Last Data Uploaded: 6/27/2024 8:58:20 PM

Developed by Schneider
 GEOSPATIAL

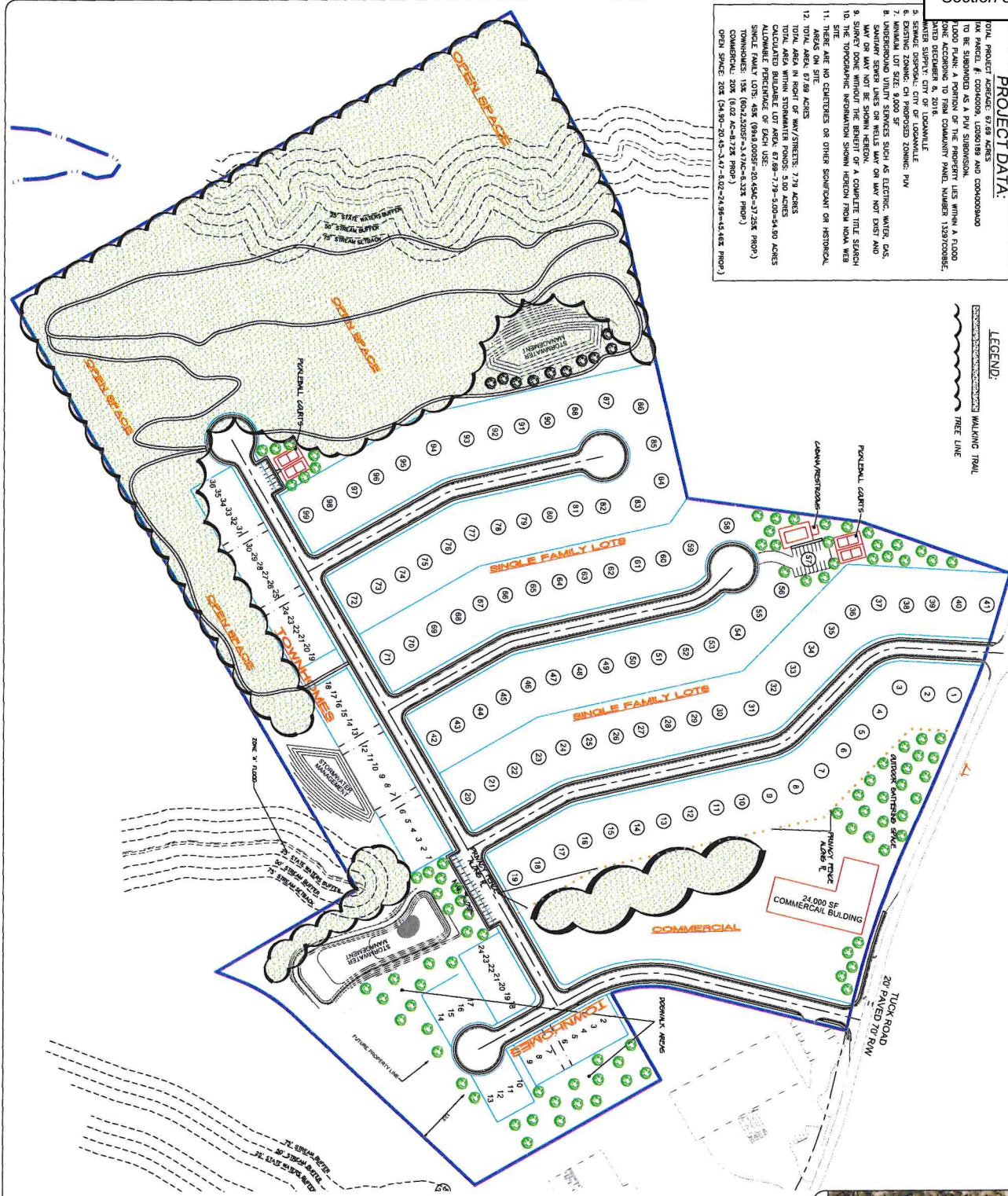
PROJECT DATA:

TOTAL PROJECT ACRES: 67.69 ACRES
 TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 CALCULATED BUILDABLE LOT AREA: 67.69-7.79=59.90 ACRES
 SINGLE FAMILY LOTS: 456 (98,000SF-20,456-27,258 S.F.)
 COMMERCIAL: 208 (24,900-20,456-3,477-8,027-24,964-45,462 S.F.)
 OPEN SPACE: 208 (24,900-20,456-3,477-8,027-24,964-45,462 S.F.)

1. TOTAL PROJECT ACRES: 67.69 ACRES
 2. TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 3. CALCULATED BUILDABLE LOT AREA: 67.69-7.79=59.90 ACRES
 4. SINGLE FAMILY LOTS: 456 (98,000SF-20,456-27,258 S.F.)
 5. COMMERCIAL: 208 (24,900-20,456-3,477-8,027-24,964-45,462 S.F.)
 6. OPEN SPACE: 208 (24,900-20,456-3,477-8,027-24,964-45,462 S.F.)

LEGEND:

--- MALTING TRAIL
 --- TREE LINE



GEORGIABIT
 Universal Professional Services, Inc.
 1877-216
 www.georgiabit.com
 Call before you dig. 570.292.7411

Scale 1" = 100'

REGIONS: _____ DATE: _____

DATE	09/02/24
SHEET	1 of 1

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LAND LOT-DISTRICT	CITY	SCALE
187-216	LOGANVILLE	1"=100'

CONCEPT PLAN A1 FOR:
BROOKS LANDING
 CITY OF LOGANVILLE, GA

OWNER & DEVELOPER
 UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770)318-5329

PREPARED BY
 CIVIL SOLUTIONS, INC.
 PHONE: (770)318-5329
 MARK STREIFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS - PLANNERS
 760 BELMONT ROAD
 ATHENS, GA 30606
 OFFICE 706 235-2443

ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the "Property").¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor's website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the "Applicant") now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to "encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape."

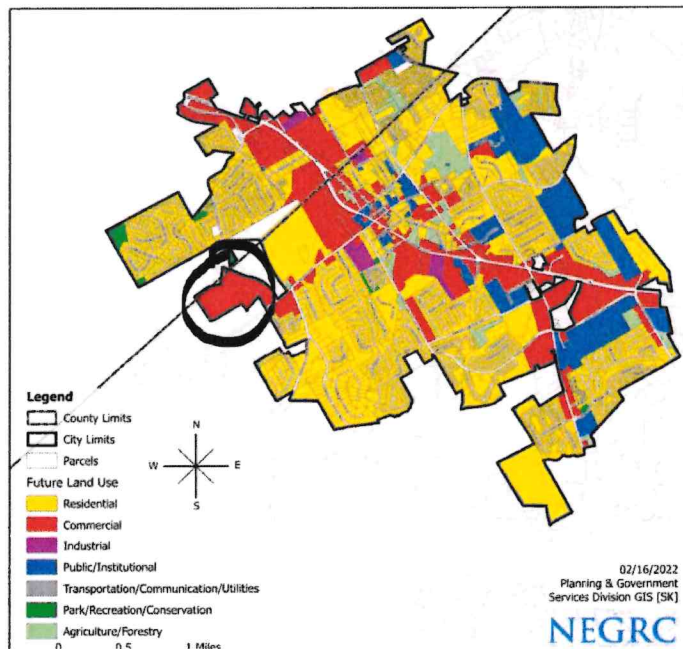
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. Planned Urban Village (PUV)

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
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.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
- A. The proposed use is a low to 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.
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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

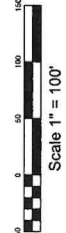
Enclosures
MAG/dwb
4874-4903-1905, v. 1

LAND LOT-DISTRICT	187-216
CITY	LOGANVILLE
SCALE	1" = 100'

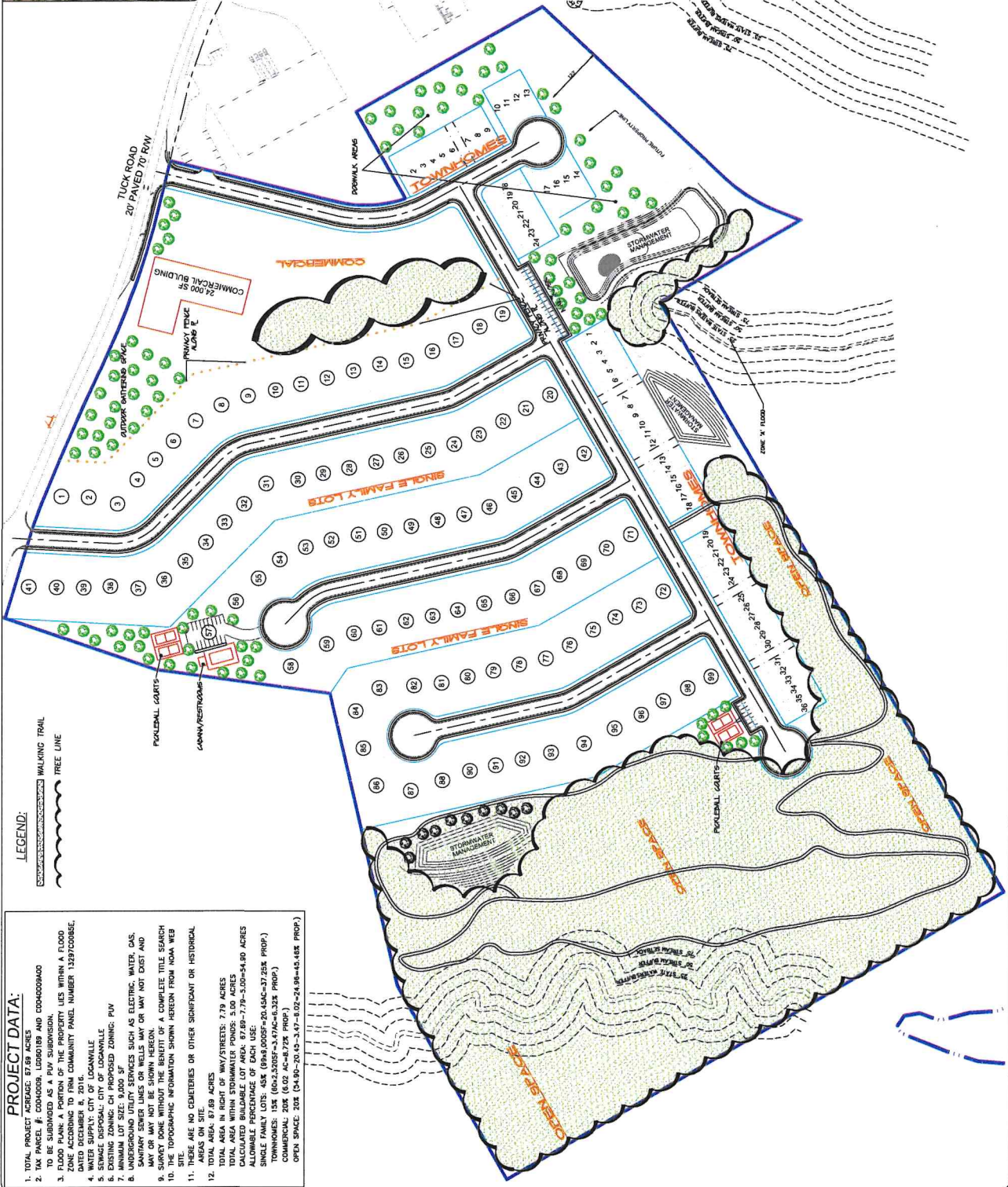
CITY OF LOGANVILLE, GA
CONCEPT PLAN A1 FOR:
BROOKS LANDING

OWNER & DEVELOPER
UPRISE DEVELOPMENT
P.O. BOX 2748
LOGANVILLE, GA 30052
PHONE: (770) 918-5329
FAX CONTACT: (770) 918-5329
MARK STREIFERT

CIVIL SOLUTIONS, INC.
ENGINEERS - PLANNERS
750 BRUNNEN ROAD
ATLANTA, GA 30308
OFFICE: 404-555-4443



REVISIONS	DATE



- PROJECT DATA:**
- TOTAL PROJECT ACRES: 87.89 ACRES
 - TAX PARCEL #F: C040088, L080189 AND C040090/80
 - TO BE SUBMITTED AS A PAV SUBMISSION
 - PLANNING ZONE: RESIDENTIAL (RES) (LES WITHIN A FLOOD ZONE ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13297C0088E, DATED DECEMBER 8, 2016.
 - WATER SUPPLY: CITY OF LOGANVILLE
 - SEWERAGE: SANITARY SEWER (SS) (LES WITHIN A FLOOD ZONE); POT (POT)
 - MINIMUM LOT SIZE: 9,000 SF
 - UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH SHOULD BE CONDUCTED TO DETERMINE THE EXISTENCE OF SUCH SERVICES.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREIN FROM NOAA WEB SITE.
 - THERE ARE NO CEMETRIES OR OTHER SIGNIFICANT OR HISTORICAL SITES ON THE PROJECT SITE.
 - TOTAL AREA: 87.89 ACRES
 - TOTAL AREA IN RIGHT OF WAY/STREETS: 779 ACRES
 - TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 - CALCULATED BUILDABLE LOT AREA: 87.89-7.76=80.13 ACRES
 - ALLOWABLE PERCENTAGE OF EACH USE:
 - SINGLE-FAMILY LOTS: 60% (80%+005P=20.50AC=37.25% PROP.)
 - COMMERCIAL: 20% (60%+005P=20.50AC=37.25% PROP.)
 - OPEN SPACE: 20% (24.90-20.40=4.50-8.02=24.90=45.4% PROP.)

- LEGEND:**
- WALKING TRAIL
 - TREE LINE
 - POLELINE GARITS
 - CANAL RESTROOMS



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292

C0040009A00 & C0040009

BAILEY WILMA YVONNE &
BAILEY DAVID MICHAEL
4303 TOM BROOKS ROAD
LOGANVILLE, GA 30052

BROOKS O H
% BENNY STEPHENSON
55 PAPAS TALK
SOCIAL CIRCLE, GA 30025

UPRISE DEVELOPMENT LLC
P O BOX 2748
LOGANVILLE, GA 30052

GREEN CHRISTOPHER J &
GREEN MICHELLE Y
4565 TUCK ROAD
LOGANVILLE, GA 30052

TUCK FAMILY FARM LLLP
C/O SHERRY S GRIDER
1221 DIALS PLANTATION DR
STATHAM, GA 30666

C0040009

PHE PROPERTIES LLLP
P O BOX 338
SUWANEE, GA 30024

MARSON HOLDINGS LLC
P O BOX 2748
LOGANVILLE, GA 30052

MURRAY LLOYD & JANE H
4966 DONALD DRIVE
LOGANVILLE, GA 30052

VELASQUEZ CARLOS HUMBERTO
4964 DONALD DR
LOGANVILLE, GA 30052

JORDAN ROBERT
4954 DONALD DR
LOGANVILLE, GA 30052

SHARPLE MATTHEW
4944 DONALD DR
LOGANVILLE, GA 30052



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605

Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

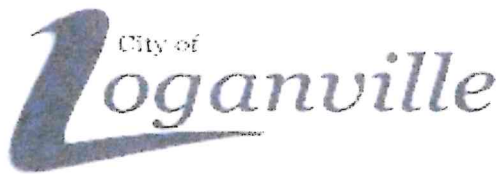
$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443



Date: 7/19/24

Application # R24-024

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>Uprise Development, LLC</u> ADDRESS: <u>P.O. Box 2748</u> CITY: <u>Loganville</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: <u>(770)318-5329</u>	NAME: <u>T N Brooks</u> ADDRESS: <u>4332 Tom Brooks Road</u> CITY: <u>Loganville,</u> STATE: <u>GA</u> Zip: <u>30054</u> PHONE: _____ (*attach additional pages if necessary to list all owners)
Applicant is: Property Owner <u>Contract Purchaser</u> Agent Attorney	
CONTACT PERSON: <u>Mark Streitfert</u> PHONE: <u>(770)318-5329</u> EMAIL: <u>mark@buildrescom.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>C0040009A00</u> PRESENT ZONING: <u>A2</u> REQUESTED ZONING: <u>PLV</u> ADDRESS: <u>4332 Tom Brooks Road</u> COUNTY: <u>Walton</u> ACREAGE: <u>9.34</u> PROPOSED DEVELOPMENT: <u>PLV</u>	

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: 3/5/24
Accepted by Planning & Development: Sarah Black

DATE: 7/19/24 FEE PAID: \$500.00

CHECK # 1878 RECEIPT # _____ TAKEN BY: SB DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation
Commission Chairman: _____ DATE: _____

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

Mayor _____ City Clerk _____ Date _____

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

9-6-24
Date

MARK STRELFORT - MANAGER / MEMBER
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER, 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.

[Signature]
Owner's Signature

9-6-24
Date

TONY BROOKS - EXECUTOR OF THE ESTATE OF THOMAS NATHAN BROOKS
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER, 2024.



[Signature]
Signature of Notary Public

Application # **R** _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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


Applicant's Signature _____ Date _____

Mark Streifert
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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

qPublic.netTM Walton County, GA



Overview




Legend

- Parcels
- Roads

Parcel ID	C0040009A00	Owner	BROOKS T N	Last 2 Sales			
Class Code	Residential		4332 TOM BROOKS ROAD	Date	Price	Reason	Qual
Taxing District	Walton County		LOGANVILLE, GA 30052	n/a	0	n/a	n/a
Acres	9.34	Physical Address	4332 TOM BROOKS RD	n/a	0	n/a	n/a
		Appraised Value	Value \$262450				

(Number of sales may not equal appraised value due to multiple sales)

Date created: 6/28/2024
Last Data Uploaded: 6/27/2024 8:58:20 PM

Developed by  Schneider
GEOSPATIAL

Walton County, GA

Summary

Parcel Number C0040009A00
Location Address 4332 TOM BROOKS RD
Legal Description 9.34AC
(Parcel Description of Legal Description)
Class R4-Residential
(State District designation and R4 is the residential district)
Zoning A2
Tax District Walton County (District 04)
Millage Rate 33.44
Acres 9.34
Neighborhood RURAL AREA 6-06000 (06000)
Homestead Exemption Yes (L17)
Landlot/District 216 / 4

www.wcga.gov



Owner

BROOKS T N
 4332 TOM BROOKS ROAD
 LOGANVILLE, GA 30052

Rural Land

Type	Description	Calculation Method	Soil Productivity	Acres
RUR	Rural Sm Tract	Rural	1	4.34
RUR	Rural Sm Tract	Rural	1	1
RUR	Rural Sm Tract	Rural	1	4

Residential Improvement Information

Style Single Family
Heated Square Feet 1272
Exterior Walls Aluminum Siding
Foundation Masonry
Basement Square Feet 0
Year Built 1946
Roof Type Composite Shingle
Heating Type Baseboard
Number Of Full Bathrooms 1
Number Of Half Bathrooms 1
Value \$75,100
House Address 4332 TOM BROOKS RD

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
FB LAND	2002	33735x0 / 0	1	\$0
FB IMPROVEMENT	2002	40549x0 / 0	1	\$0
Barn-Economy	2000	36x20 / 0	1	\$1,700
Shop	2000	0x0 / 1841	1	\$7,600
Lean-To	2000	38x9 / 0	1	\$350

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
	030 166	055 131	\$0	Unqualified Sale		BROOKS T N

Valuation

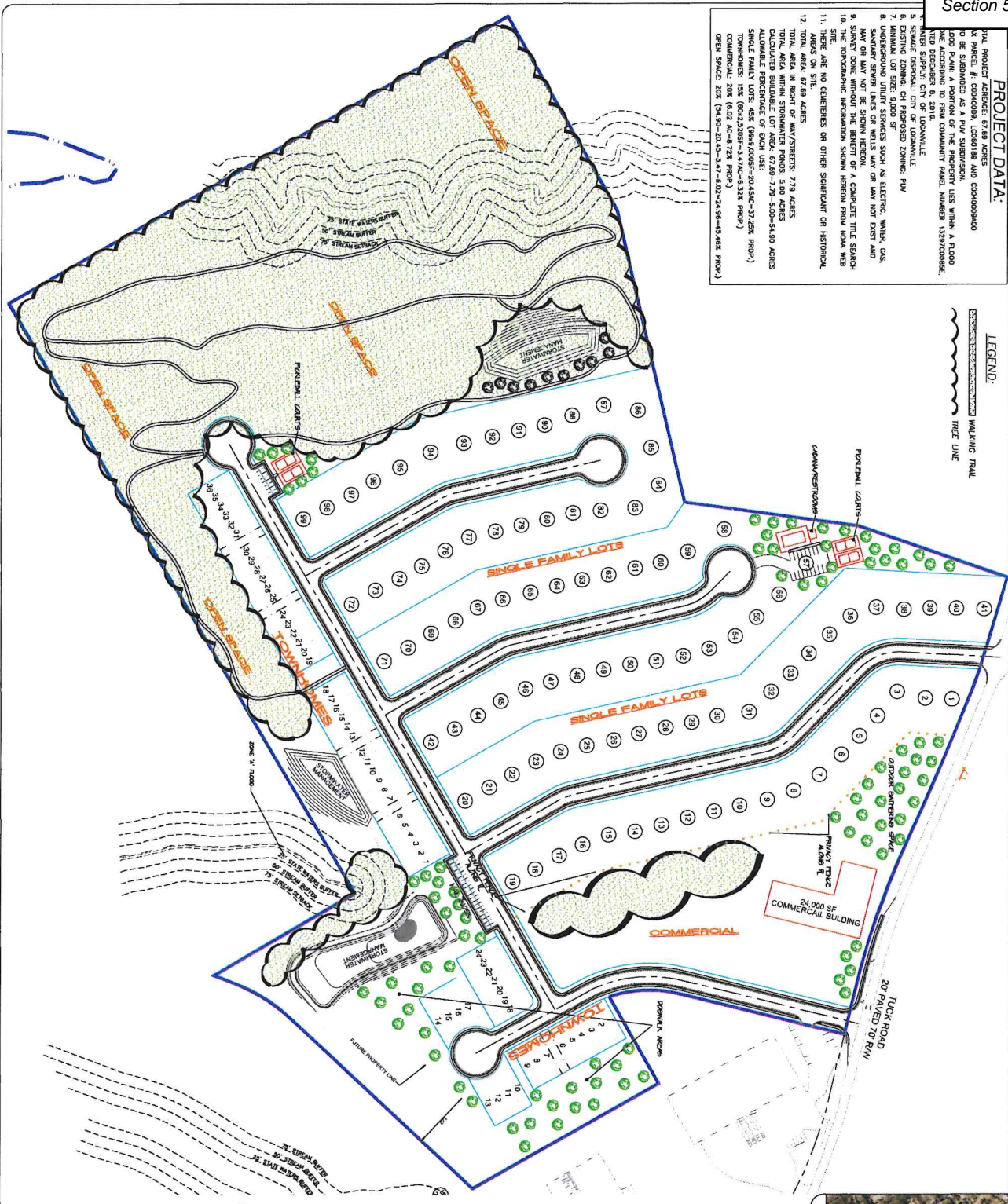
	2024	2023	2022	2021	2020
Previous Value	\$249,050	\$230,450	\$187,950	\$169,950	\$160,350
Land Value	\$177,700	\$168,600	\$157,700	\$122,600	\$106,400
+ Improvement Value	\$75,100	\$70,800	\$63,100	\$55,700	\$53,900
+ Accessory Value	\$9,650	\$9,650	\$9,650	\$9,650	\$9,650
= Current Value	\$262,450	\$249,050	\$230,450	\$187,950	\$169,950

PROJECT DATA:

1. PROJECT AREA: 67.89 ACRES
2. PARCEL # COORDINATES, LOTTERIES AND COORDINATES TO BE SUBMITTED AS A PLY SUBDIVISION
3. LOT AREA: A PORTION OF THE PROPERTY LIES WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE CITY OF LOGANVILLE FLOOD HAZARD MAP, REVISED DECEMBER 8, 2016.
4. WATER SUPPLY: CITY OF LOGANVILLE
5. SEWER DISPOSAL: CITY OF LOGANVILLE
6. MINIMUM LOT SIZE: 8,000 SF
7. MINIMUM LOT WIDTH: 30 FEET
8. UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON.
9. A COMPLETE TITLE SEARCH HAS BEEN CONDUCTED.
10. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA MAPS IS BELIEVED TO BE CORRECT.
11. THERE ARE NO CENTERS OR OTHER SIGNIFICANT OR HISTORICAL AREAS ON THE SITE.
12. TOTAL AREA IN RIGHT OF WAY/STREETS: 2.78 ACRES
13. TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
14. CALCULATED BUILDABLE LOT AREA: 67.89 - 7.78 = 60.11 ACRES
15. ALLOWABLE RESIDENCE OF EACH USE:
16. SINGLE FAMILY LOTS: 426 (994/0009-00-000-0-37 25% PRO-1)
17. COMMERCIAL: 208 (6/07 ACRA 228 PRO-1)
18. OPEN SPACE: 208 (6/07 ACRA 228 PRO-1)
19. OPEN SPACE: 208 (6/07 ACRA 228 PRO-1)
20. OPEN SPACE: 208 (6/07 ACRA 228 PRO-1)

LEGEND:

- WALKING TRAIL
- TREE LINE



GEORGIA811
 Utility Protection Center, Inc.
 Know What's Below. www.Georgia811.com
 Call before you dig. 800.282.7411

Scale 1" = 100'

REGIONS: _____ DATE: _____

DATE: 09/02/24
 SHEET: 10 of 1

This drawing and any permitted reproductions, in whole or part, are the sole property of Civil Solutions, Inc. and shall not be reproduced or conveyed in any way without the written permission of Civil Solutions, Inc.

LAND LOT-DISTRICT	CITY	SCALE
187~216	LOGANVILLE	1"=100'

CONCEPT PLAN A1 FOR:
BROOKS LANDING
 CITY OF LOGANVILLE, GA

OWNER & DEVELOPER
 UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770)318-5329
 MARK CONTACT
 PHONE: (770)318-5329
 MARK STREIFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS - PLANNERS
 750 BELMONT ROAD
 ATHENS, GA 30605
 OFFICE 706-255-2143

ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the “Property”).¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor’s website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the “Applicant”) now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to “encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape.”

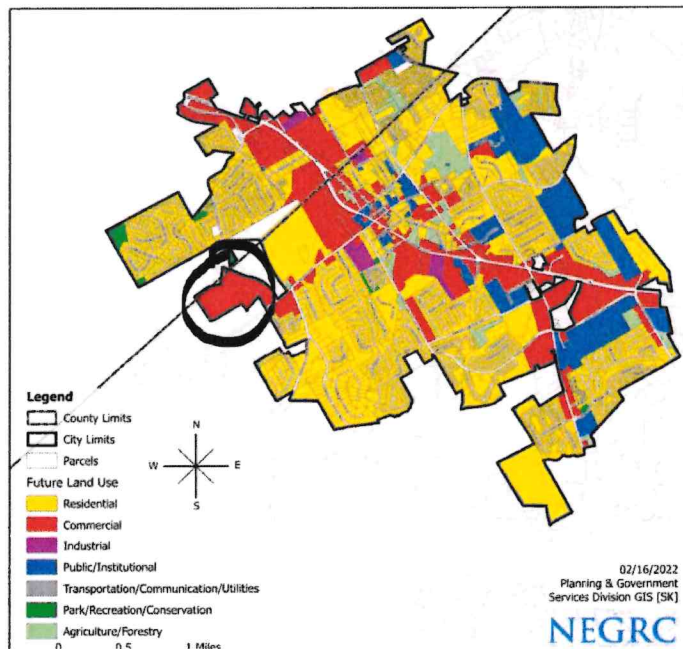
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. Planned Urban Village (PUV)

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
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.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
- A. The proposed use is a low to 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.
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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4874-4903-1905, v. 1

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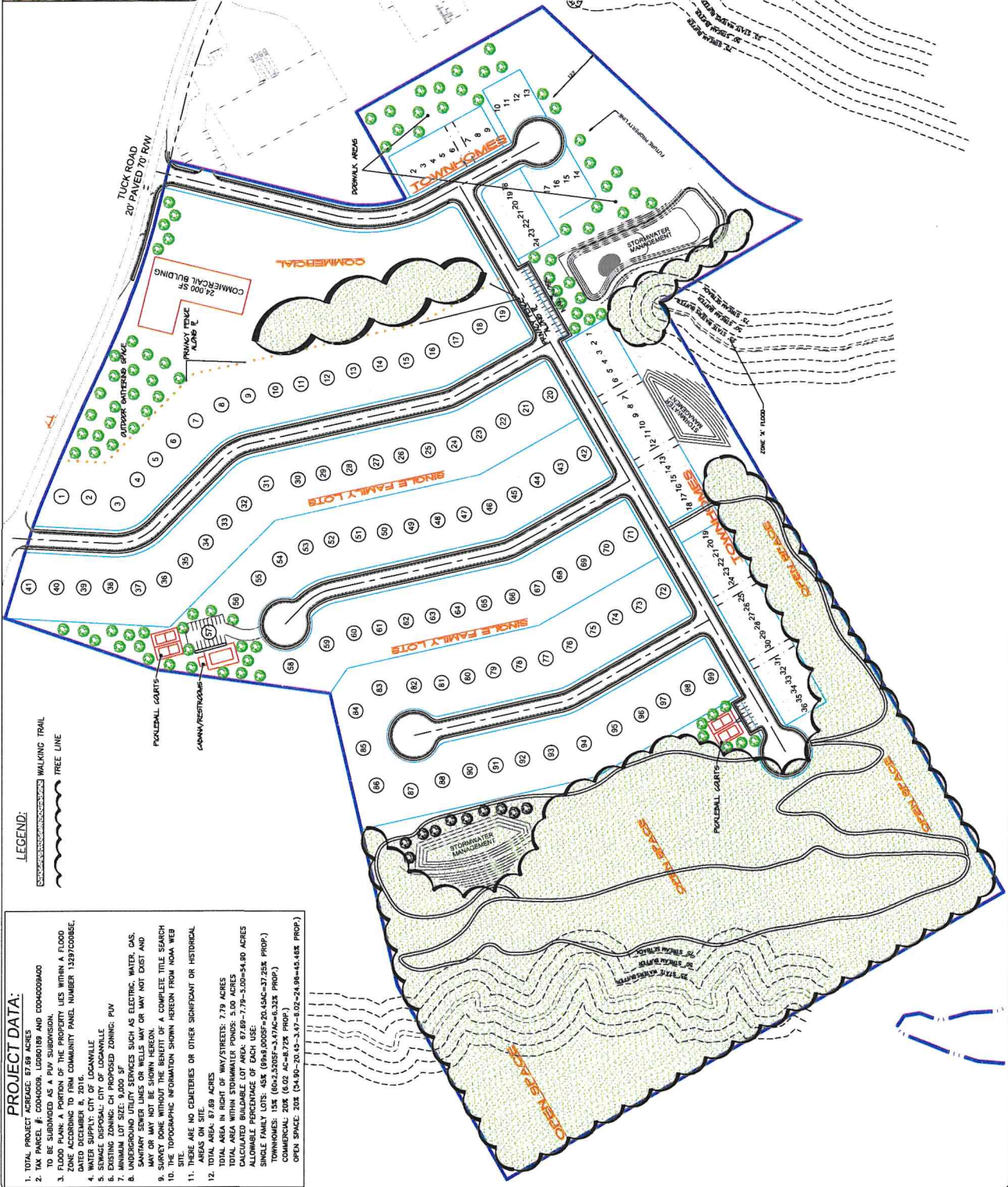


REVISIONS	DATE

CONCEPT PLAN A1 FOR:
BROOKS LANDING
CITY OF LOGANVILLE, GA

OWNER & DEVELOPER:
UPRISE DEVELOPMENT
P.O. BOX 2748
LOGANVILLE, GA 30052
PHONE: (770) 918-5329

ENGINEERS - PLANNERS
CIVIL SOLUTIONS, INC.
750 BRUNNEN ROAD
ATLANTA, GA 30308
OFFICE: (404) 555-4443



- LEGEND:**
- WALKING TRAIL
 - TREE LINE

- PROJECT DATA:**
1. TOTAL PROJECT ACRES: 87.89 ACRES
 2. TAX PARCEL #F: C040088, L080189 AND C040090/80
 3. TO BE SUBMITTED AS A PAV SUBMISSION
 4. ZONE: COMMERCIAL (C) (SEE MAP SHEET 10) (SEE WITHIN A FLOOD ZONE ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13297C0088E, DATED DECEMBER 8, 2016.
 5. WATER SUPPLY: CITY OF LOGANVILLE
 6. SEWERAGE: LOGANVILLE WASTEWATER TREATMENT PLANT (LOGANVILLE WASTEWATER TREATMENT PLANT)
 7. MINIMUM LOT SIZE: 9,000 SF
 8. UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH SHOULD BE CONDUCTED TO DETERMINE THE EXISTENCE OF SUCH SERVICES.
 9. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA WEB SITE.
 10. THERE ARE NO CEMETERIES OR OTHER SIGNIFICANT OR HISTORICAL SITES ON THIS PROPERTY.
 11. TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 12. TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 13. CALCULATED BUILDABLE LOT AREA: 87.89-7.79-5.00=54.90 ACRES
 14. ALLOWABLE PERCENTAGE OF EACH USE:
 15. SINGLE-FAMILY LOTS: 60% (99A-005P-20-05A-37.25% PROP.)
 16. COMMERCIAL: 20% (603-A-8275A PROP.)
 17. OPEN SPACE: 20% (04-80-20-10-3-47-51.02-24.98-45.45% PROP.)



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605
Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443

Application # R

Applicant's Certification

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

[Signature] _____ Date 9-6-24

MARK STRELFERT - MANAGER / MEMBER
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER 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.

[Signature] _____ Date 9-6-24

TONY BROOKS - EXECUTOR OF THE ESTATE OF
Print Name and Title
THOMAS NATHAN BROOKS

Sworn to and subscribed before me this 6 day of SEPTEMBER, 2024.




[Signature]
Signature of Notary Public

Application # R

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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


 Applicant's Signature _____ Date _____ Print Name Mark Streifert

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?

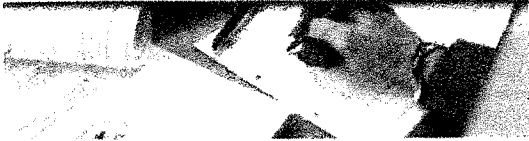
_____ YES NO

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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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



Property Detail

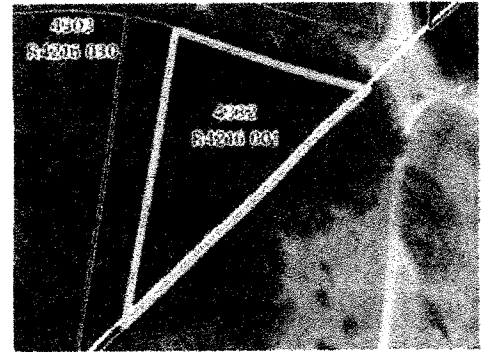
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[Neighborhood Sales](#)

[Property Report](#)

**BROOKS T N
4332 TOM BROOKS RD
LOGANVILLE GA 30052-7369**

Property ID: R4216 001
 Alternate ID: 256498
 Address: 4332 TOM BROOKS RD
 Property Class: Residential Vacant
 Neighborhood: 8012
 Dist. Acres: 0.8300



Year	2024	2023	2022	2021	2020
Reason	Notice of Current Assessment	Adjusted for Market Conditions	Notice of Current Assessment	Notice of Current Assessment	Adjusted for Market Conditions
Land Val	\$40,000	\$40,000	\$22,500	\$22,500	\$22,500
Imp Val	\$0	\$0	\$0	\$0	\$0
Plant Equip	\$40,000	\$40,000	\$22,500	\$22,500	\$22,500
Land Ass'd	\$16,000	\$16,000	\$9,000	\$9,000	\$9,000
Land Imp	\$0	\$0	\$0	\$0	\$0
Imp Ass'd	\$0	\$0	\$0	\$0	\$0
Total Ass'd	\$16,000	\$16,000	\$9,000	\$9,000	\$9,000

Sales history does not exist for this account.

Improvements do not exist for this account.

Primary Use

Land Use
Undeveloped

Area
0.83

Net Prompts
0

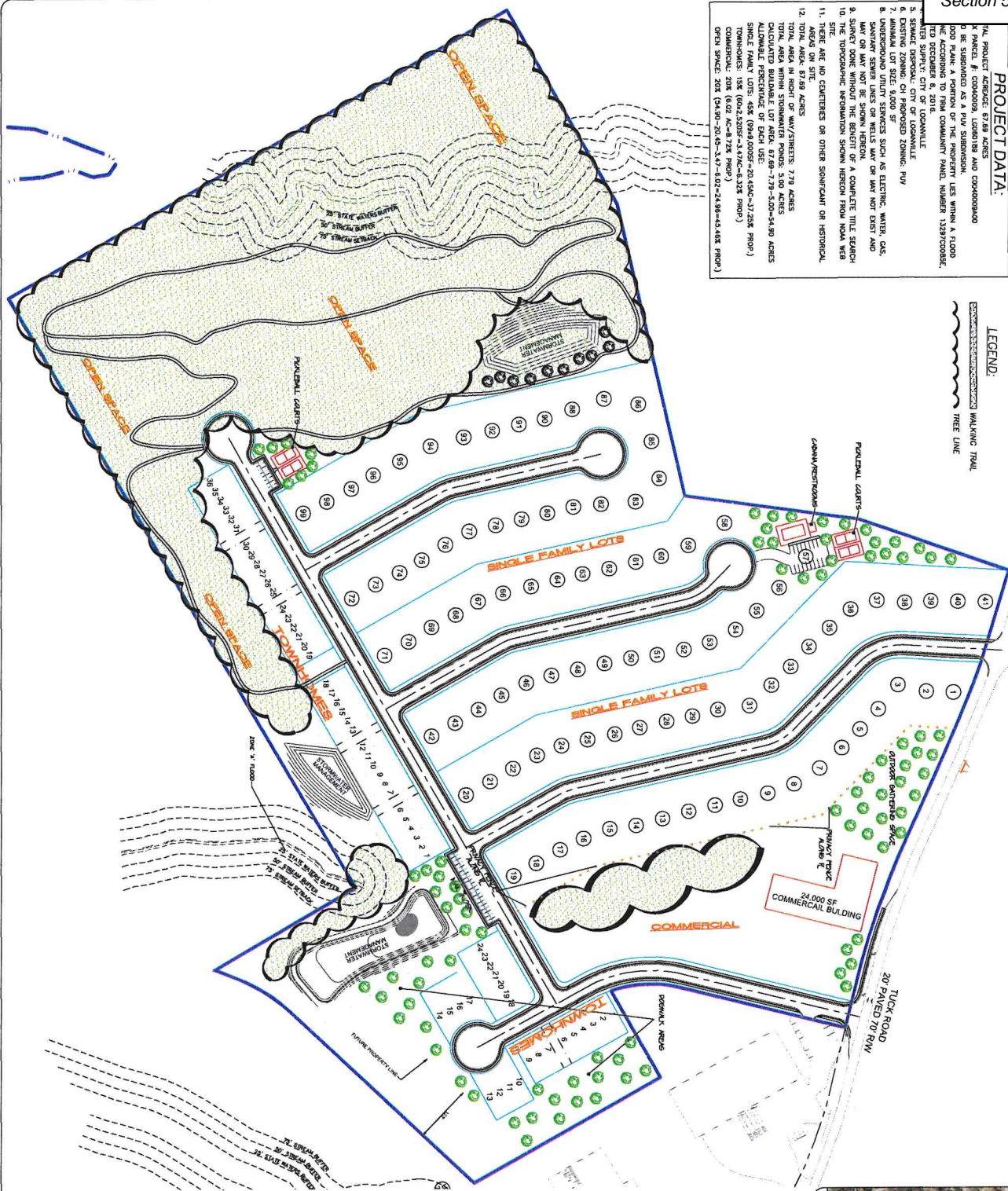
Net Points
0

Site
1

Use of Rights
HARRISON RD

PROJECT DATA:

1. PROJECT AGENCY: 6749 ACRES
 2. PROJECT AGENCY: 6749 ACRES
 3. PROJECT AGENCY: 6749 ACRES
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 99. PROJECT AGENCY: 6749 ACRES
 100. PROJECT AGENCY: 6749 ACRES



LEGEND:

WALKING TRAIL

TREE LINE

GEORGIA811
 Utilities Protection Center, Inc.
 Call before you dig. 404.542.7411

Scale 1" = 100'

REVISIONS

NO.	DATE	DESCRIPTION
1	09/02/24	10f1

DATE: 09/02/24
 SHEET: 10f1

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LAND LOT~DISTRICT	CITY	SCALE
187~216	LOGANVILLE	1"=100'

CONCEPT PLAN A1 FOR:
BROOKS LANDING
 CITY OF LOGANVILLE, GA

OWNER & DEVELOPER
 UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770)318-5329
 24 HR CONTACT
 PHONE: (770)318-5329
 MARK STREIFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS ~ PLANNERS

750 BELMONT ROAD
 ATHENS, GA 30605
 OFFICE 706-255-9443



ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the “Property”).¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor’s website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the “Applicant”) now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to “encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape.”

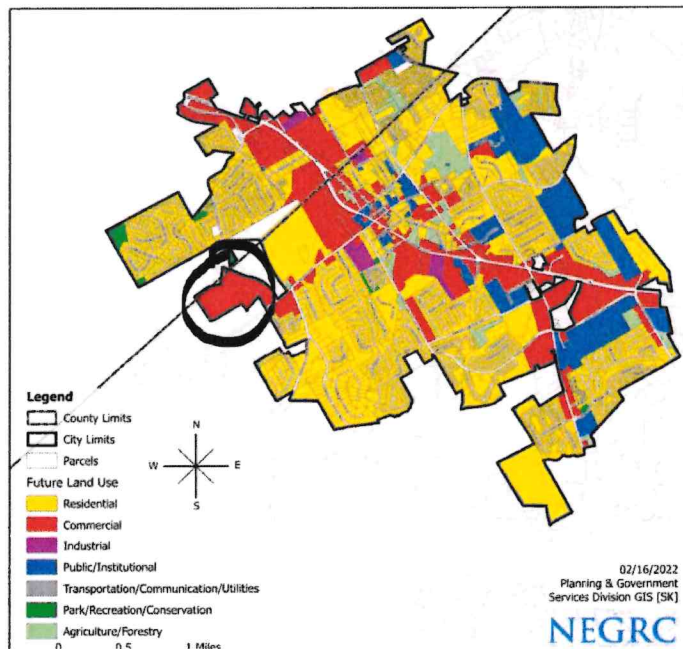
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. Planned Urban Village (PUV)

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
- 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.
- 4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
 - A. The proposed use is a low to 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.
- 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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4874-4903-1905, v. 1

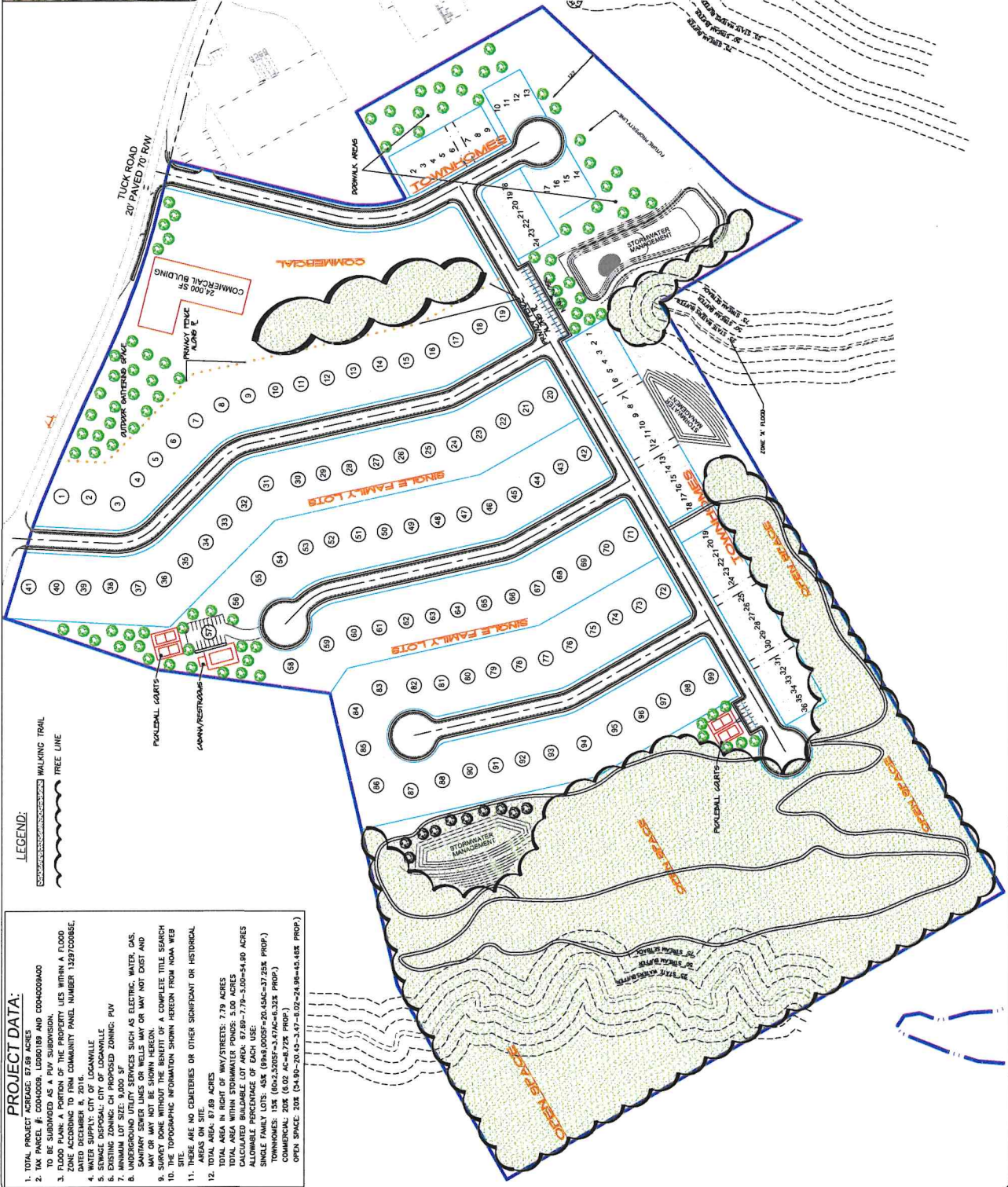
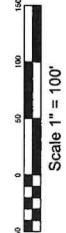
DATE	09/02/21
SHEET	1 of 1
REVISIONS	

LAND LOT-DISTRICT 187-216
 CITY LOGANVILLE
 SCALE 1"=100'

CITY OF LOGANVILLE, GA
 BROOKS LANDING
 CONCEPT PLAN A1 FOR:

UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770) 918-5329
 24 HR CONTACT
 MARK STIERFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS - PLANNERS
 750 BRUNNEN ROAD
 AUSTIN, TX 78748
 OFFICE: (512) 555-4443



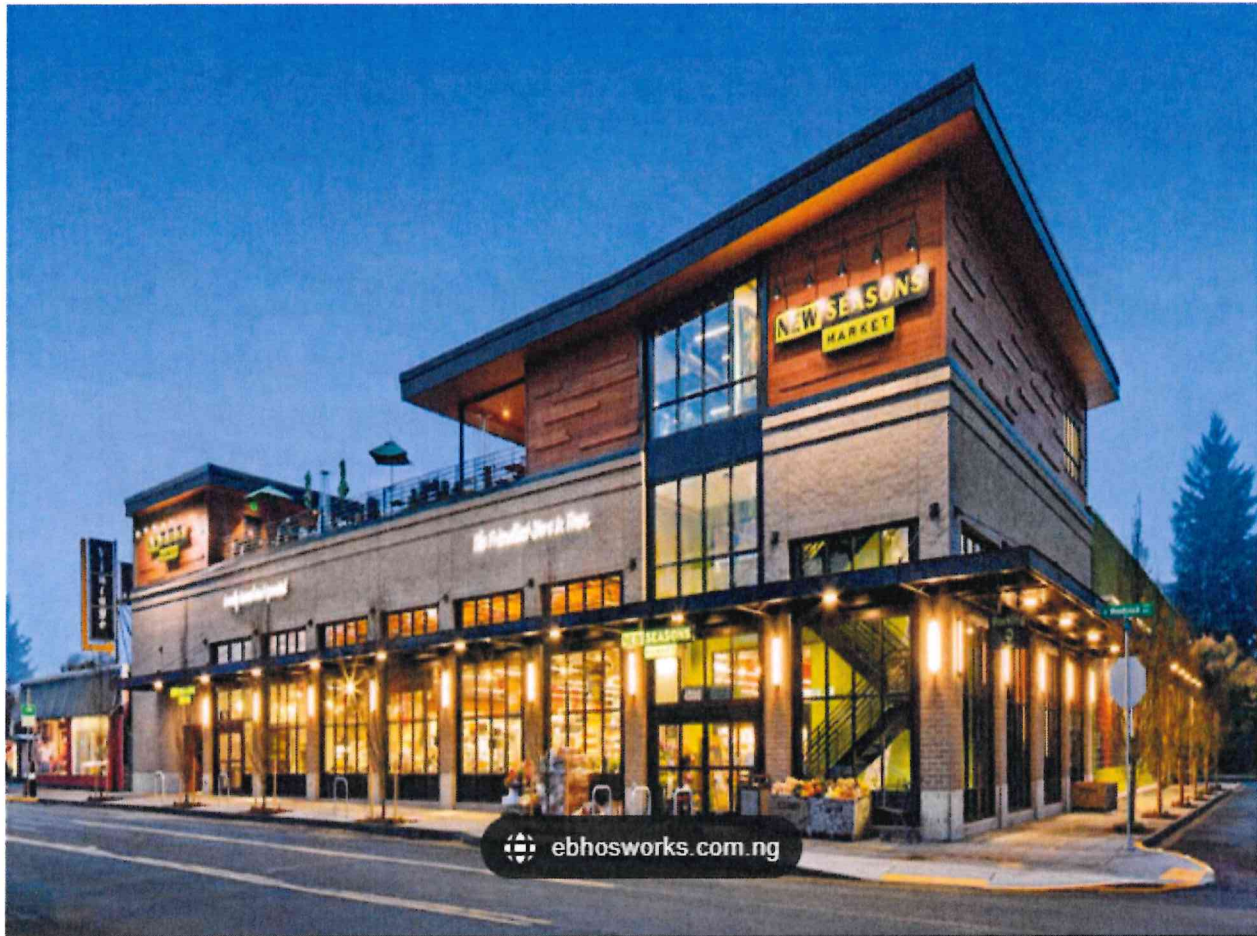
- LEGEND:**
- WALKING TRAIL
 - TREE LINE

- PROJECT DATA:**
1. TOTAL PROJECT ACRES: 87.89 ACRES
 2. TAX PARCEL #F: C040088, L080189 AND C040090/040
 3. TO BE SUBDIVIDED AS A P.U.V. SUBDIVISION
 4. ZONE: COMMERCIAL (C) (SEE MAP SHEET 187-216-0001) (SEE MAP SHEET 187-216-0002), DATED DECEMBER 8, 2016.
 5. WATER SUPPLY: CITY OF LOGANVILLE
 6. SEWERAGE: LOGANVILLE WASTEWATER TREATMENT PLANT (SEE MAP SHEET 187-216-0001)
 7. MINIMUM LOT SIZE: 9,000 SF
 8. UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH SHOULD BE CONDUCTED TO DETERMINE THE EXISTENCE OF SUCH SERVICES.
 9. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA WEB SITE.
 10. THERE ARE NO CEMETERIES OR OTHER SIGNIFICANT OR HISTORICAL MONUMENTS ON THIS SITE.
 11. TOTAL AREA IN RIGHT OF WAY/STREETS: 779 ACRES
 12. TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 13. CALCULATED BUILDABLE LOT AREA: 87,897.776-3,000=54,897.776 ACRES
 14. ALLOWABLE PERCENTAGE OF EACH USE:
 - SINGLE-FAMILY LOTS: 65% (9,000-25,000 SQ. FT. PER PROP.)
 - TOWNHOMES: 15% (10,000-25,000 SQ. FT. PER PROP.)
 - COMMERCIAL: 20% (10,000-25,000 SQ. FT. PER PROP.)
 15. OPEN SPACE: 20% (34,930-20,410-3,477-5,022=24,981-45,458 SQ. FT. PER PROP.)



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605

Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

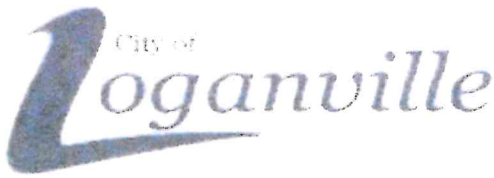
$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443



Date: 7/9/24

Application # R 24026

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>Uprise Development, LLC</u>	NAME: <u>T N Brooks</u>
ADDRESS: <u>P.O. BOX 2748</u>	ADDRESS: <u>4332 Tom Brooks Road</u>
CITY: <u>Loganville</u>	CITY: <u>Loganville</u>
STATE: <u>GA</u> Zip: <u>30052</u>	STATE: <u>GA</u> Zip: <u>30052</u>
PHONE: <u>(770) 318-5329</u>	PHONE: _____

(*attach additional pages if necessary to list all owners)

Applicant is: Property Owner Contract Purchase Agent Attorney

CONTACT PERSON: Mark Streifert PHONE: (770)318-5329
EMAIL: mark@buildrescom.com FAX: _____

PROPERTY INFORMATION

MAP & PARCEL # R4216 001 PRESENT ZONING: Residential REQUESTED ZONING: PUV
VR40+
ADDRESS: 4332 Tom Brooks Road COUNTY: Gwinnett ACREAGE: 0.83
PROPOSED DEVELOPMENT: PUV

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: 3/5/24
Accepted by Planning & Development: Sarah Black DATE: 7/9/24 FEE PAID: \$500.00

CHECK # 18750 RECEIPT # 2 TAKEN BY: SB DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation
Commission Chairman: _____ DATE: _____

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

Mayor _____ City Clerk _____ Date _____

Applicant's Certification

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

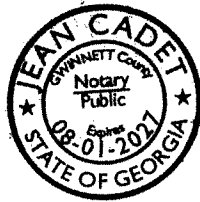
[Handwritten Signature]
Applicant's Signature

9-6-24
Date

MARK STRELFORT - MANAGER / MEMBER
Print Name and Title

Sworn to and subscribed before me this 6 day of SEPTEMBER 2024.

(Seal)



[Handwritten Signature]
Signature of Notary Public

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

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

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

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

[Handwritten Signature]
Owner's Signature

9-6-24
Date

TONY BROOKS - EXECUTOR OF THE ESTATE OF
Print Name and Title
THOMAS NATHAN BROOKS

Sworn to and subscribed before me this 6 day of SEPTEMBER, 2024.

(Seal)



[Handwritten Signature]
Signature of Notary Public

Application # **R** _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

	7-3-21	Mark Streifert
Applicant's Signature	Date	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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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


Property Detail
[Go Back](#)
[Neighborhood Sales](#)
[Property Report](#)

BROOKS T N
 4332 TOM BROOKS RD
 LOGANVILLE GA 30052-7369

Property ID R4216 001
Alternate ID 256498
Address 4332 TOM BROOKS RD
Property Class Residential Vacant
Neighborhood 8012
Deed Acres 0.8300



Year	2024	2023	2022	2021	2020
Reason	Notice of Current Assessment	Adjusted for Market Conditions	Notice of Current Assessment	Notice of Current Assessment	Adjusted for Market Conditions
Land Val	\$40,000	\$40,000	\$22,500	\$22,500	\$22,500
Imp Val	\$0	\$0	\$0	\$0	\$0
Total Appr	\$40,000	\$40,000	\$22,500	\$22,500	\$22,500
Land Assd	\$16,000	\$16,000	\$9,000	\$9,000	\$9,000
Land Use	\$0	\$0	\$0	\$0	\$0
Imp Assd	\$0	\$0	\$0	\$0	\$0
Total Assd	\$16,000	\$16,000	\$9,000	\$9,000	\$9,000

Sales history does not exist for this account.

Improvements do not exist for this account.

Primary Use	Land Type	Acres	Eff. Frontage	Eff. Depth
	Undeveloped	0.83	0	0

Line	Description
1	HARRISON RD

ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the “Property”).¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor’s website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the “Applicant”) now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to “encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape.”

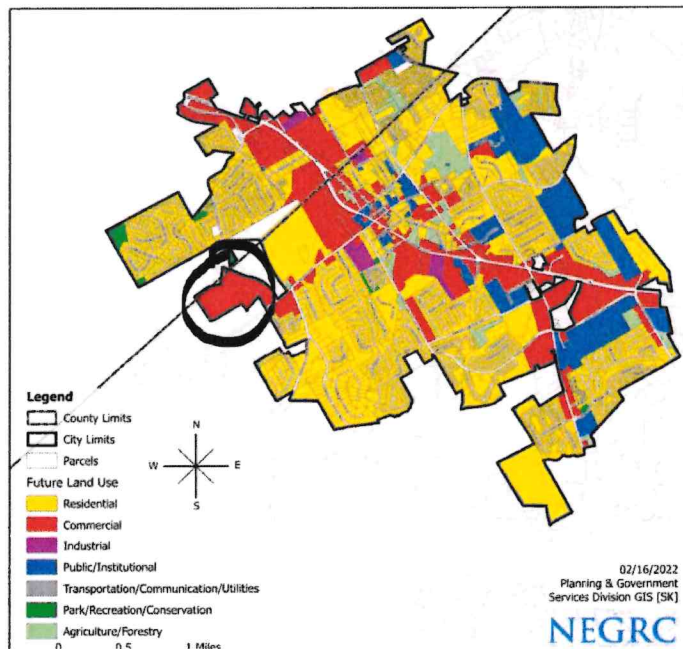
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. **Planned Urban Village (PUV)**

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
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.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
- A. The proposed use is a low to 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.
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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4874-4903-1905, v. 1

LAND LOT-DISTRICT	187-216
CITY	LOGANVILLE
SCALE	1" = 100'

DATE	09/02/21
SHEET	1 of 1
REVISIONS	

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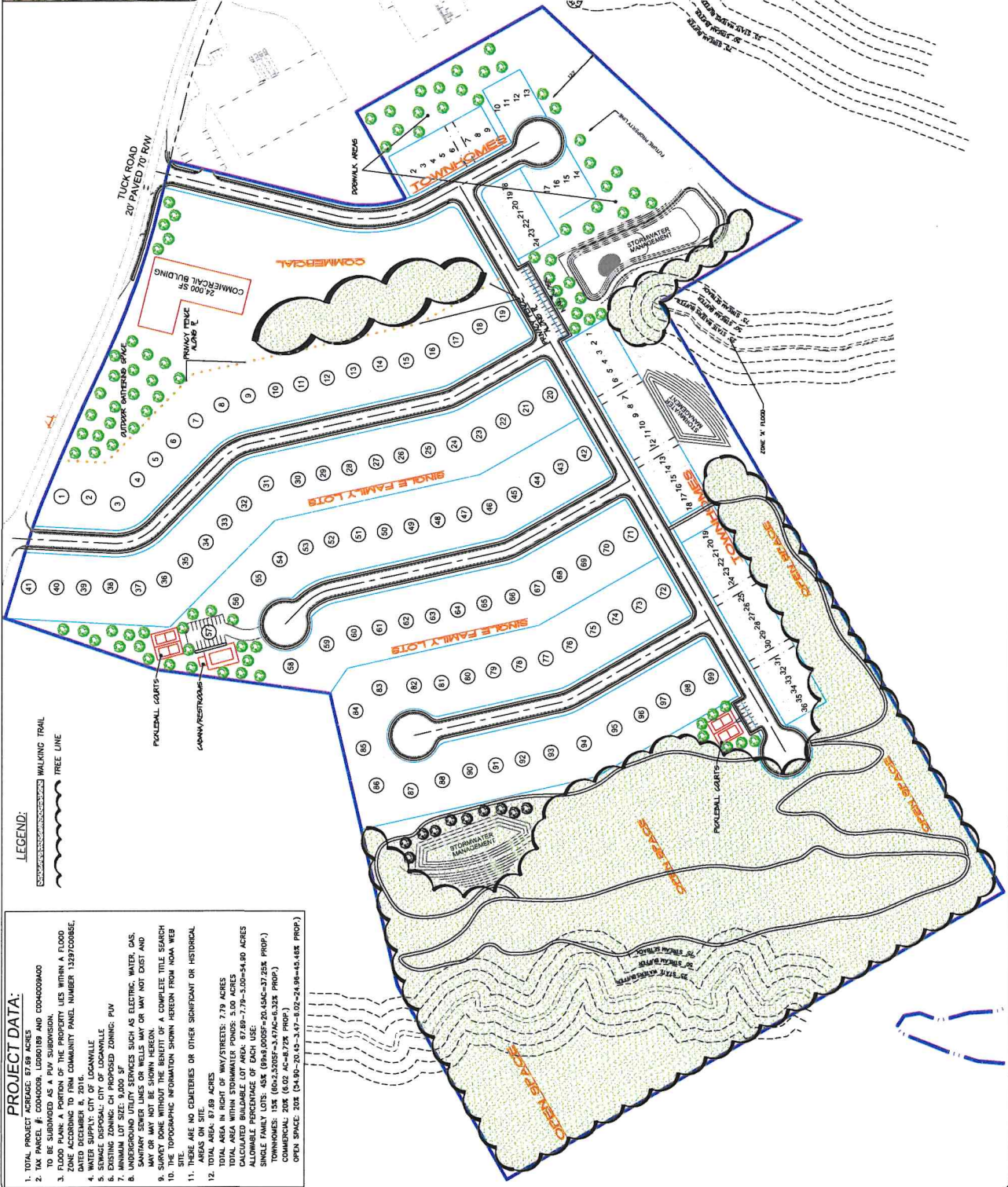
CIVIL SOLUTIONS, INC.
ENGINEERS - PLANNERS



LOCATION MAP

UPRISE DEVELOPMENT
P.O. BOX 2748
LOGANVILLE, GA 30052
PHONE: (770) 918-5329
FAX CONTACT: (770) 918-5329
MARK STREET

CONCEPT PLAN A1 FOR:
BROOKS LANDING
CITY OF LOGANVILLE, GA



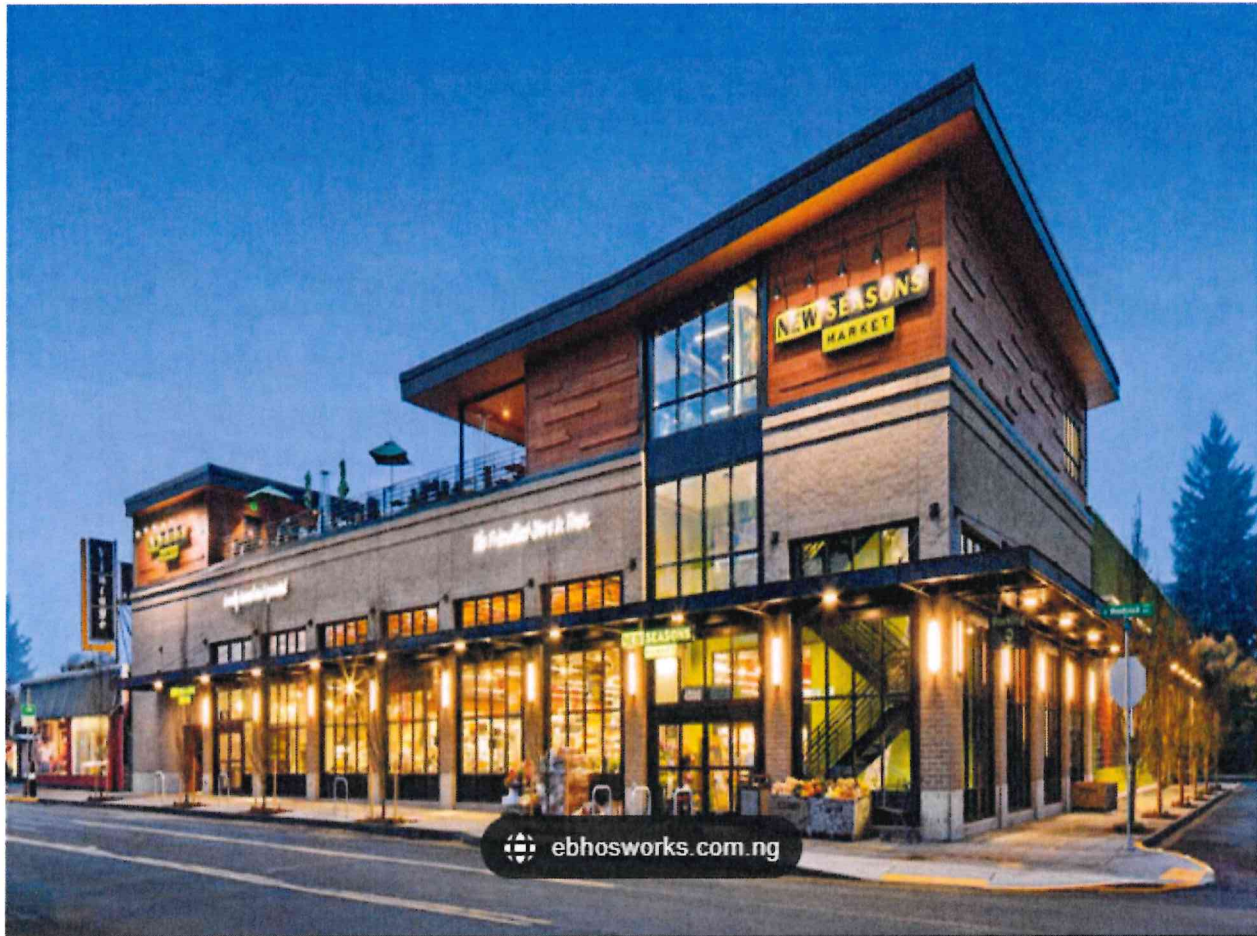
- PROJECT DATA:**
- TOTAL PROJECT ACRES: 87.89 ACRES
 - TAX PARCEL #F: C040088, L080189 AND C040090/80
 - TO BE SUBDIVIDED AS A P.U.V. SUBDIVISION
 - PLANNING COMMISSION MEETING (LES WITHIN A FLOOD ZONE ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13297C0088E, DATED DECEMBER 8, 2016.
 - WATER SUPPLY: CITY OF LOGANVILLE
 - SEWERAGE: LOGANVILLE WASTEWATER TREATMENT PLANT
 - MINIMUM LOT SIZE: 9,000 SF
 - UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH IS REQUIRED TO DETERMINE THE EXISTENCE OF ANY SUCH SERVICES.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREIN FROM NOAA WEB SITE.
 - THERE ARE NO CEMETRIES OR OTHER SIGNIFICANT OR HISTORICAL SITES WITHIN THE PROJECT.
 - TOTAL AREA: 87.89 ACRES
 - TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 - TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 - CALCULATED BUILDABLE LOT AREA: 87.89-7.79-5.00=54.90 ACRES
 - ALLOWABLE PERCENTAGE OF EACH USE:
 - SINGLE-FAMILY LOTS: (99%)(0.05)=50.45AC=37.25% (PROP.)
 - COMMERCIAL: (20%)(0.05)=10.57AC=7.62% (PROP.)
 - OPEN SPACE: (20%)(0.40)=8.17AC=9.27% (PROP.)

- LEGEND:**
- WALKING TRAIL
 - TREE LINE
 - PARKING GARAGE
 - CANNON RESTROOMS
 - STORMWATER MANAGEMENT
 - COMMERCIAL BUILDING
 - COMMERCIAL
 - SINGLE-FAMILY LOTS
 - TOWNHOMES
 - OPEN SPACE
 - ZONE X FLOOD
 - 20' BUFFER
 - TUCK ROAD 20' PAVED TO RW



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605
Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

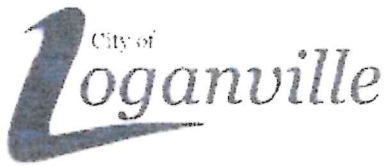
$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443



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

Section 5, Item E.

Date: 7/19/24

Application # A 24-027

REQUEST FOR ANNEXATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Uprise Development, LLC</u> ADDRESS: <u>P.O. Box 2748</u> CITY: <u>Loganville</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: <u>(770)318-5329</u>	NAME: <u>OH Brooks / Benny Stephenson, Trustee</u> ADDRESS: <u>55 Pappas Talk</u> CITY: <u>Social Circle</u> STATE: <u>GA</u> Zip: <u>30025</u> PHONE: <u>(678) 640-3620</u> (*attach additional pages if necessary to list all owners)
Applicant is: Property Owner <input type="checkbox"/> <u>Contract Purchaser</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Attorney <input type="checkbox"/>	
CONTACT PERSON: <u>Mark Streifert</u> PHONE: <u>(770) 318-5329</u> EMAIL: <u>mark@buildres.com.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>C0040009</u> PRESENT ZONING: <u>A2/B3</u> (Separate rezoning request required) ADDRESS: <u>4550 Tuck Road</u> COUNTY: <u>Walton</u> ACREAGE: <u>47.15</u> PROPOSED DEVELOPMENT: <u>PUV</u>	

You must attach: Application Fee Legal Description Plat of Property Letter of Intent
 Names/Addresses of Abutting Property Owners Shape file of property (GIS File)

Pre-Application Conference Date: 3/5/24
 Accepted by Planning & Development: Sarah Black DATE: 7/19/24 FEE PAID: \$300.00

CHECK # 18758 RECEIPT # _____ TAKEN BY: SB DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation
 Commission Chairman: _____ DATE: _____

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

Mayor _____ City Clerk _____ Date _____

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.

MS [Signature] _____
Applicant's Signature Date 7-3-24

Mark Streifert, Manager
Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

Benny Stephenson, Trustee
Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
Signature of Notary Public

Applicant's Certification

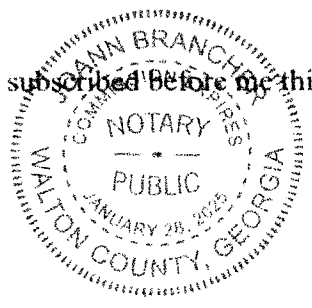
The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

Mark Streifert 7-2-24
Applicant's Signature Date

Mark Streifert, Manager
Print Name and Title

Sworn to and subscribed before me this 2 day of July, 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

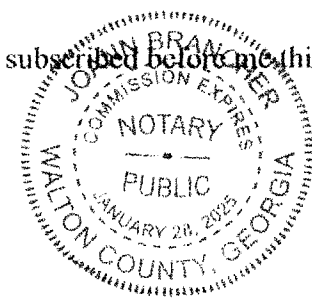
that all information contained in this application is complete and accurate to the best of their knowledge.

Benny Stephenson 07-2-24
Owner's Signature Date

Benny Stephenson, Trustee
Print Name and Title

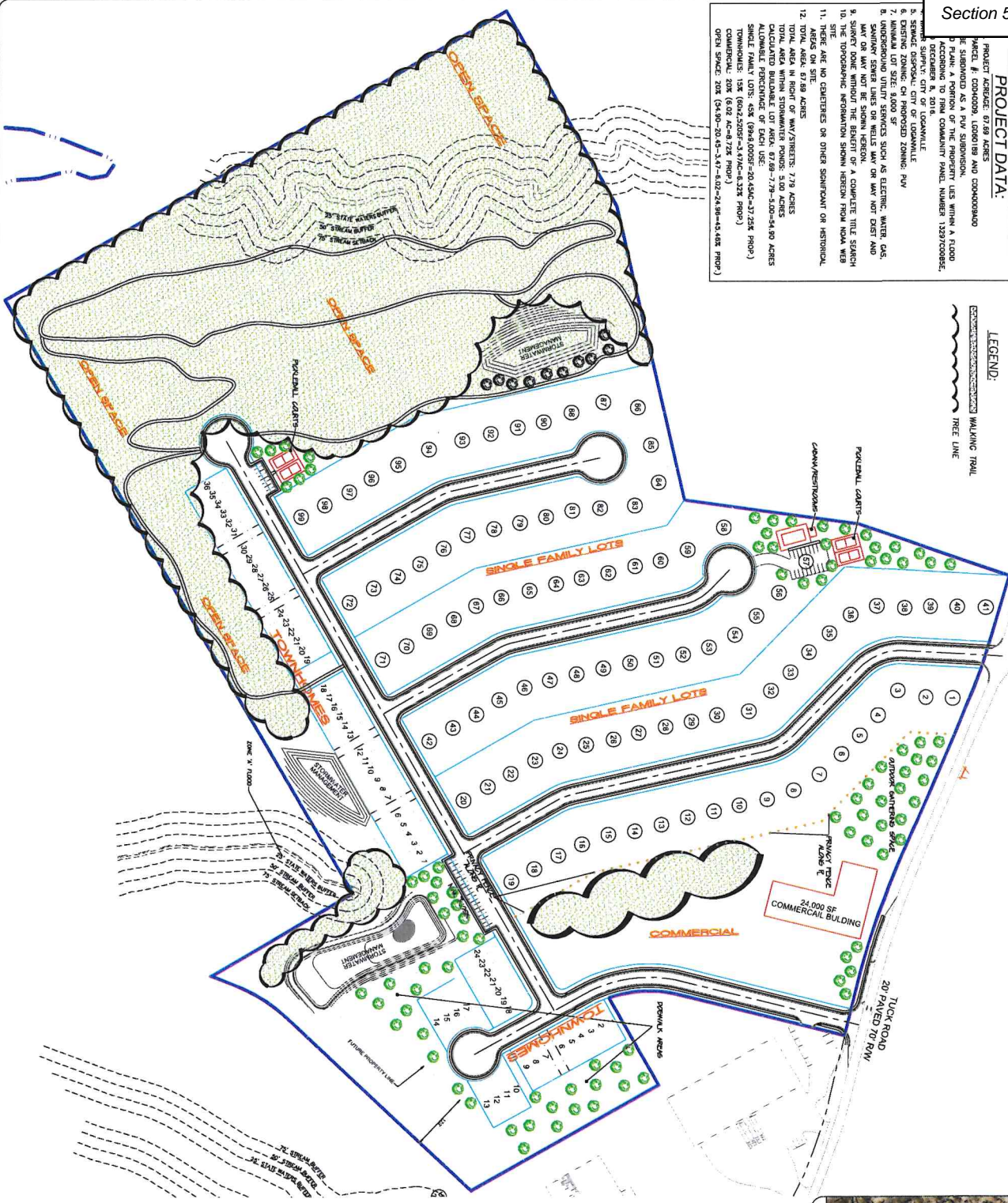
Sworn to and subscribed before me this 2 day of July, 2024.

(Seal)



[Signature]
Signature of Notary Public

PROJECT DATA:
 PROJECT ACREAGE: 87.89 ACRES
 PARCEL # COORDINATES: LOGANVILLE AND COUNDRIDGE
 BE SUBDIVIDED AS A PUD SUBDIVISION.
 A PORTION OF THE PROJECT LIES WITHIN A 1500
 FEET BUFFER OF THE LOGANVILLE CITY CENTER
 DISTRICT, AS SHOWN ON THE CITY CENTER MAP
 DATED OCTOBER 8, 2015.
 1. SUPPLY: CITY OF LOGANVILLE
 2. SERVICE: CITY OF LOGANVILLE
 3. SERVICE: CITY OF LOGANVILLE
 4. SERVICE: CITY OF LOGANVILLE
 5. SERVICE: CITY OF LOGANVILLE
 6. SERVICE: CITY OF LOGANVILLE
 7. MINIMUM LOT SIZE: 8,000 SF
 8. UNDERGROUND UTILITIES SUCH AS ELECTRIC, WATER, GAS,
 SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND
 MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH
 SHOULD BE CONDUCTED TO DETERMINE THE EXISTENCE OF
 9. ANY SUCH UTILITIES.
 10. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA NAD 83
 SITE.
 11. THERE ARE NO CEMETERIES OR OTHER SIGNIFICANT OR HISTORICAL
 12. MONUMENTS ON THE 87.89 ACRES.
 TOTAL AREA IN RIGHT OF WAY/STREETS: 7.73 ACRES
 TOTAL AREA WITHIN STORMWATER POND: 5.00 ACRES
 CALCULATED BUILDABLE LOT AREA: 87.69-7.73-5.00=74.96 ACRES
 ALLOWED PERCENTAGE OF EACH USE:
 SINGLE FAMILY: 10% (6.92 ACRES)
 COMMERCIAL: 20% (6.62 ACRES)
 OPEN SPACE: 20% (6.40 ACRES)



LEGEND:
 WALKING TRAIL
 TREE LINE



GEORGIA811
 Utilities Restoration Center, Inc.
 Call before you dig. 800.545.7444

Scale 1" = 100'

REGIONS: DATE: 09/02/24

DATE: 09/02/24

SHEET: 1 of 1

This drawing and any permitted reproductions, in whole or part, are the sole property of Civil Solutions, Inc. and shall not be reproduced or conveyed in any way without the written permission of Civil Solutions, Inc.

LAND LOT-DISTRICT	CITY	SCALE
187-216	LOGANVILLE	1"=100'

CONCEPT PLAN A1 FOR:
BROOKS LANDING
 CITY OF LOGANVILLE, GA

OWNER & DEVELOPER
UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770)318-5329
 24 HR CONTACT
 PHONE: (770)318-5329
 MARK STREIFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS - PLANNERS
 750 BELMONT ROAD
 ATHENS, GA 30606
 OFFICE 706 255-2143

ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the “Property”).¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor’s website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the “Applicant”) now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to “encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape.”

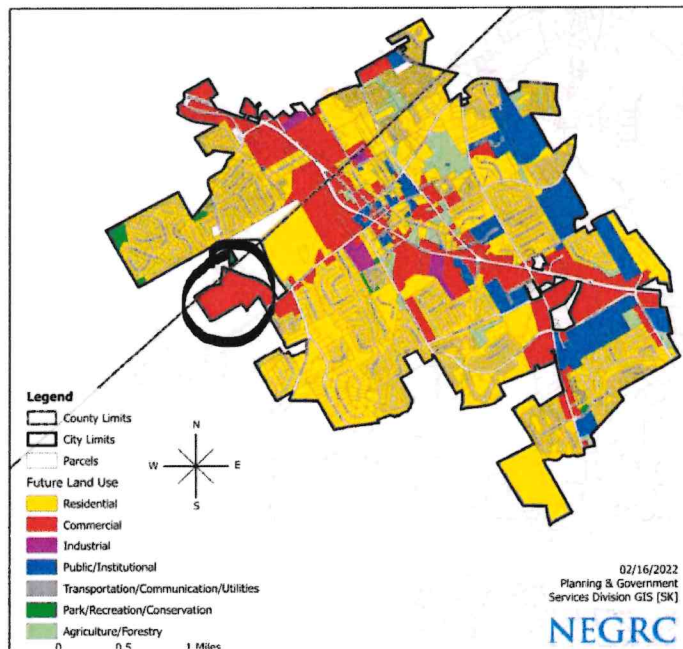
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. Planned Urban Village (PUV)

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
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.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
- A. The proposed use is a low to 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.
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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4874-4903-1905, v. 1

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REVISIONS	DATE

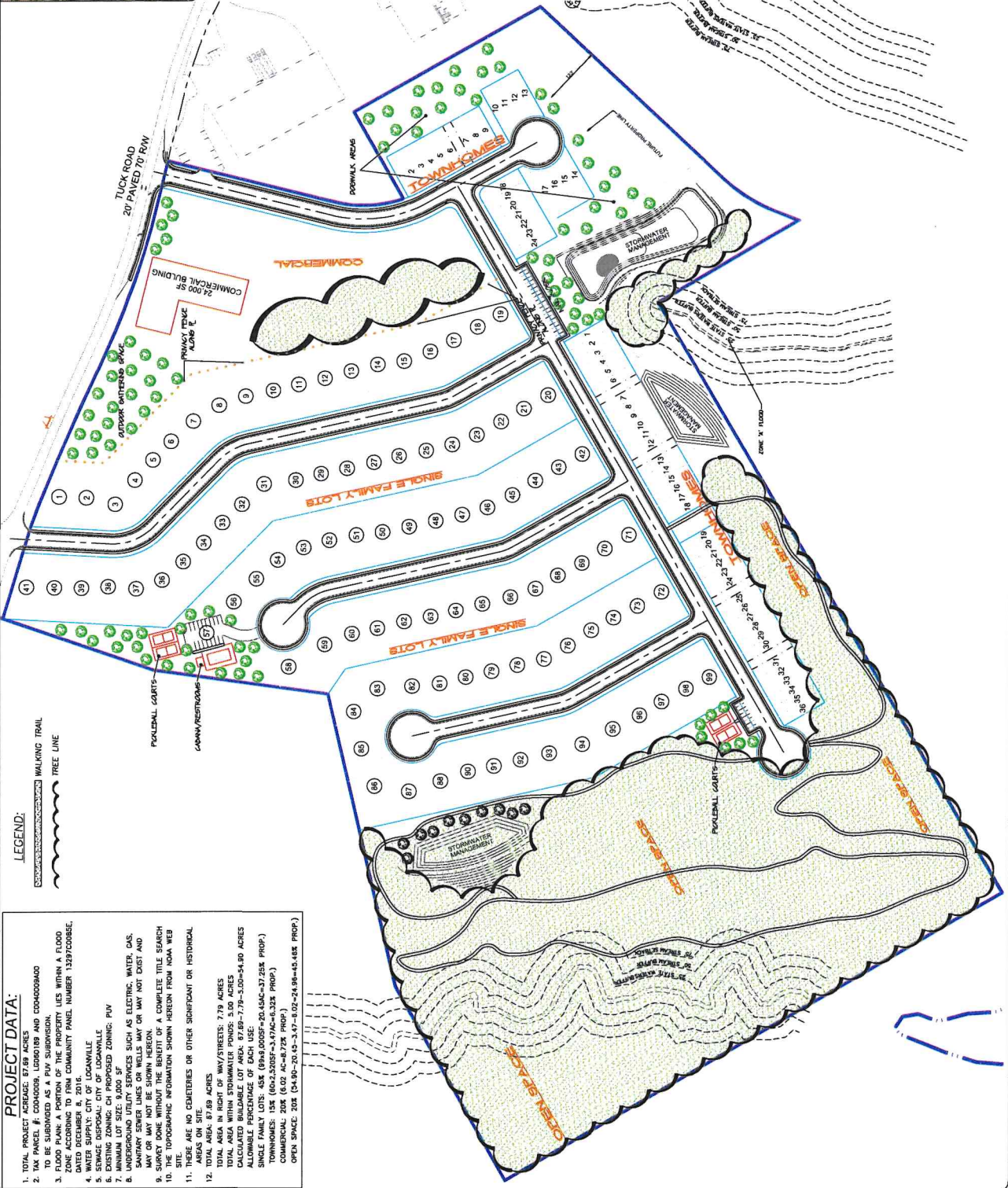
CIVIL SOLUTIONS, INC.
ENGINEERS - PLANNERS



LOCATION MAP

OWNER & DEVELOPER
UPRISE DEVELOPMENT
P.O. BOX 2748
LOGANVILLE, GA 30052
PHONE: (770) 918-5329
FAX CONTACT: (770) 918-5329
MARK STREET

CONCEPT PLAN A1 FOR:
BROOKS LANDING
CITY OF LOGANVILLE, GA



- PROJECT DATA:**
- TOTAL PROJECT ACRES: 87.89 ACRES
 - TAX PARCEL #F: C040088, L080189 AND C040090/80
 - TO BE SUBDIVIDED AS A P.U.V. SUBDIVISION
 - PLANNING COMMISSION MEETING (P.C.M.) HELD ON 11/11/2016 (P.C.M. # 11-11-2016) AND 12/14/2016 (P.C.M. # 12-14-2016) DATED DECEMBER 8, 2016.
 - WATER SUPPLY: CITY OF LOGANVILLE
 - SEWERAGE: LOGANVILLE SEWERAGE PLANT
 - UNDEGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS A COMPLETE TITLE SEARCH.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM NOAA WEB SITE.
 - THERE ARE NO CEMETERIES OR OTHER SIGNIFICANT OR HISTORICAL MONUMENTS ON THE SITE.
 - TOTAL AREA: 87.89 ACRES
 - TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 - TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 - CALCULATED BUILDABLE LOT AREA: 87.89 - 7.78 - 5.00 = 54.90 ACRES
 - ALLOWABLE PERCENTAGE OF EACH USE:
 - SINGLE-FAMILY LOTS: 65% (84,000 SF MIN. - 10,000 SF MAX. PROP.)
 - COMMERCIAL: 20% (60,000 SF MIN. - 10,000 SF MAX. PROP.)
 - OPEN SPACE: 20% (24,180 - 20,410 - 3,477 - 5,022 - 24,984 - 45,458 PROP.)

- LEGEND:**
- WALKING TRAIL
 - TREE LINE
 - POLELINE GARAGE
 - CANOPY RESTROOMS



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605

Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443

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.

<u><i>Mark Streifert</i></u>	<u>6-2-24</u>	<u>Mark Streifert</u>
Applicant's Signature	Date	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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Application # R

Applicant's Certification

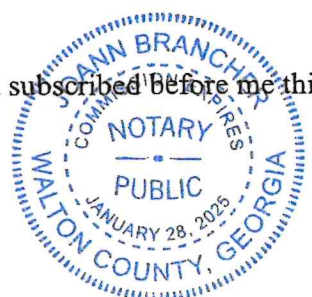
The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

Mark Streifert 7-2-24
Applicant's Signature Date

Mark Streifert, Manager
Print Name and Title

Sworn to and subscribed before me this 2 day of July, 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

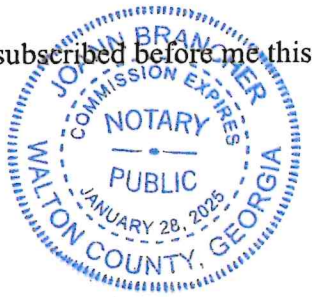
that all information contained in this application is complete and accurate to the best of their knowledge.

Benny Stephenson 07-2-24
Owner's Signature Date

Benny Stephenson, Trustee
Print Name and Title

Sworn to and subscribed before me this 2 day of July, 2024.

(Seal)



[Signature]
Signature of Notary Public

Walton County, GA - Property Tax

2023 Property Tax Statement

Tax Commissioner
303 South Hammond Drive STE 1000
Walton County Government Building
Milton, Florida 32675

PH: 770-267-1352, FAX: 770-267-1466

BRIDGES TO
55 PARKS TALK
SPECIAL CIRCLE, GA 30025

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2023 5495	11/05/2023	\$0.00	\$4,395.57	\$0.00	Paid 2023 11 09

Printed: 06/28/2024

Map: C0040000

Location: 4550 TUCK RD

Message:
The Tax Commissioner is the tax collector and is not responsible for values nor for rates. If you feel the assessed fair market value of your property is incorrect please contact the Tax Assessor's office at 770-267-1352

Payments made after the due date are subject to interest and penalties governed by Georgia Code. State law requires all tax bills to be mailed to owner of record on January 1st. If property has been sold, please contact our office.

Tax Commissioner
 205 South Hammond Drive STE 300
 710 West County Government Building
 Macon, Georgia 31205
 Tel: 770-266-4756 Fax: 770-207-1416



Tax Payer: BROOKS C.H.
 Map Code: 00960000 Real
 Description: 4715A
 Location: 4550 EUGEN RD
 Bill No: 2023-5405
 District: 06 COUNTRY

Section 5, Item F.

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date
\$0.00	\$562,500.00	54.2800	\$562,500.00	11/14/23	

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY MISO	\$562,500	\$144,920	\$0	\$144,920	0.000	\$1,509.05	\$0.00	\$1,509.05
COUNTY SCHOOL MISO	\$562,500	\$144,920	\$0	\$144,920	0.000	\$2,410.05	\$0.00	\$2,410.05
WALTON FUND	\$562,500	\$144,920	\$0	\$144,920	0.000	\$301.44	\$0.00	\$301.44
FIRE DISTRICT	\$562,500	\$144,920	\$0	\$144,920	0.000	\$265.93	\$0.00	\$265.93
TOTALS					0.000	\$4,395.57	\$0.00	\$4,395.57

State law requires all tax bills to be mailed to the owner of record on January 1st. If property has been sold, please contact our office.

This bill is not sent to your mortgage company. If you have an escrow account, please forward a copy of this bill to your mortgage company. We encourage you to pay by mail or on our website at www.waltoncountypay.com

Certain persons are eligible for certain homestead exemptions from ad valorem taxation. In addition, certain elderly persons are entitled to additional homestead exemptions. Applications must be filed by April 1st.

For eligibility requirements regarding exemptions or questions about your value, contact the Tax Assessors office at 770-267-1552.

Current Due	\$4,395.57
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$4,395.57
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	07/11/2023



Overview



Legend

- Parcels
- Roads

Parcel ID	C0040009	Owner	BROOKS O H	Last 2 Sales			
Class Code	Commercial		% BENNY STEPHENSON	Date	Price	Reason	Qual
Taxing District	Walton County		55 PAPAS TALK	n/a	0	n/a	n/a
Acres	50.28		SOCIAL CIRCLE, GA 30025	n/a	0	n/a	n/a
		Physical Address	4550 TUCK RD				
		Appraised Value	Value \$362300				

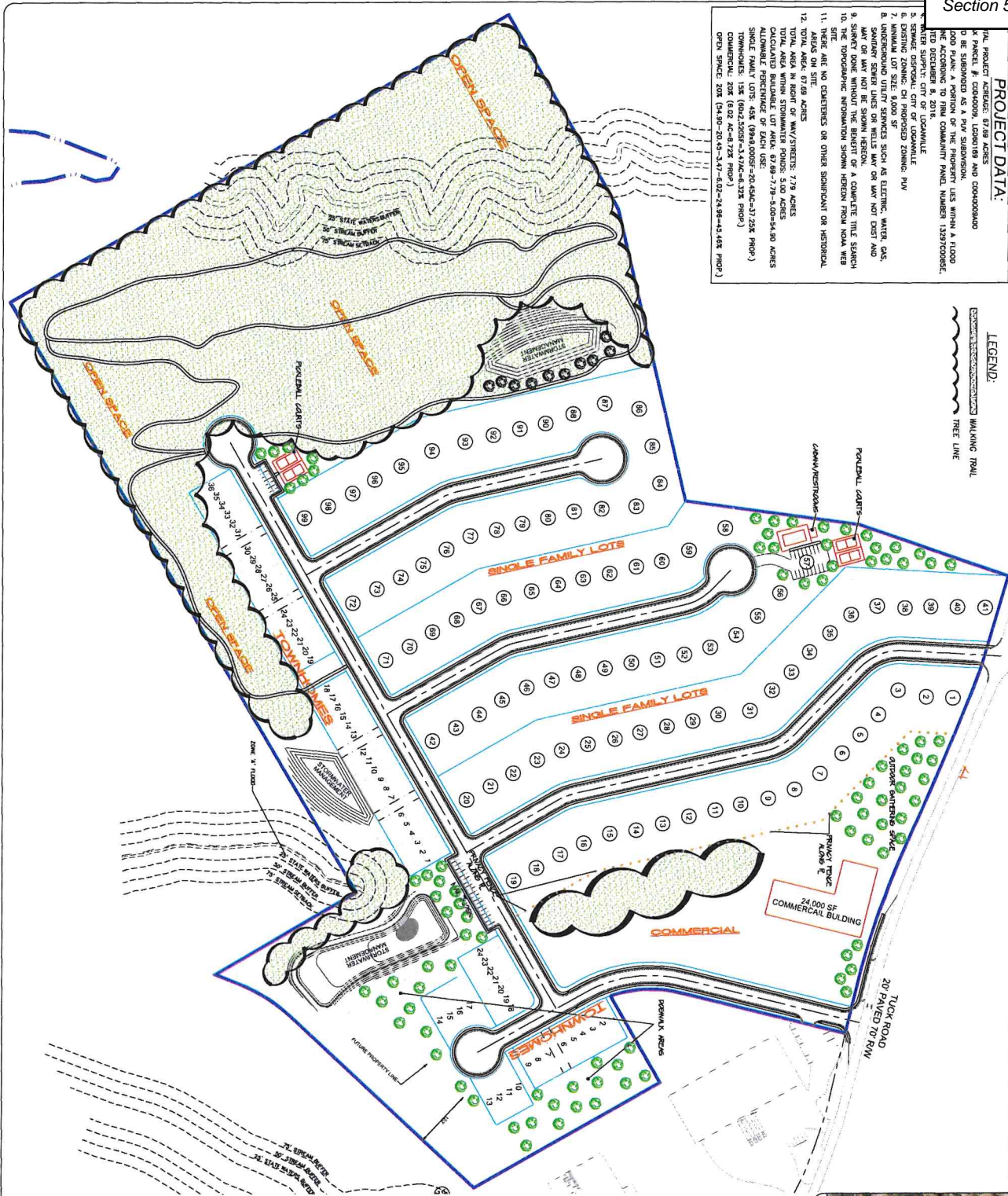
(Note: Not to be used on legal documents)

Date created: 6/28/2024
 Last Data Uploaded: 6/27/2024 8:58:20 PM

Developed by Schneider GEOSPATIAL

PROJECT DATA:

1. PROJECT AREA: 67.89 ACRES
 2. PARCEL #s: 00000000, 00000009 AND 00000000
 3. TO BE SUBDIVIDED AS A PUV SUBDIVISION
 4. PERMITTED UNDER THE PROVISIONS OF THE SUBDIVISION ACT ACCORDING TO THE CITY OF LOGANVILLE, MISSISSIPPI, CHAPTER 133.000000, EFFECTIVE OCTOBER 6, 2016.
 5. WATER SUPPLY: CITY OF LOGANVILLE
 6. SEWER: GEORGIA CITY OF LOGANVILLE
 7. MINIMUM LOT SIZE: 5,000 SF
 8. UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON. A COMPLETE TITLE SEARCH IS REQUIRED TO DETERMINE THE EXISTENCE OF ANY SUCH SERVICES.
 9. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA VECTOR LIGHT DATA IS NOT TO BE CONSIDERED AS A BASIS FOR ANY ENGINEERING OR SURVEYING.
 10. THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA VECTOR LIGHT DATA IS NOT TO BE CONSIDERED AS A BASIS FOR ANY ENGINEERING OR SURVEYING.
 11. THERE ARE NO CHANGES OR OTHER SIGNIFICANT OR HISTORICAL DATA ON SITE.
 12. TOTAL AREA IN FRONT OF HWY/STREET: 7.79 ACRES
 13. TOTAL AREA WITHIN STIPULATED PERIODS: 5.00 ACRES
 14. CALCULATED BUILDABLE LOT AREA: 67.89-7.79=60.10-54.50 ACRES
 15. ALLOWABLE PERCENTAGE OF EACH USE:
 SINGLE FAMILY: 100% (60.10-54.50 ACRES (88%))
 COMMERCIAL: 20% (6.02 ACRES (22%))
 OPEN SPACE: 20% (14.50-20.45-3.47=6.02-6.02-24.98=4.04 ACRES (6%))



GEORGIA811
 Utility Protection Center, Inc.
 Call before you dig. 800.585.7421
 www.Georgia811.com

Scale 1" = 100'

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 09/02/24
 SHEET: 1 of 1

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LAND LOT-DISTRICT	CITY	SCALE
187-216	LOGANVILLE	1"=100'

CONCEPT PLAN A1 FOR:
BROOKS LANDING
 CITY OF LOGANVILLE, GA

OWNER & DEVELOPER
UPRISE DEVELOPMENT
 P.O. BOX 2748
 LOGANVILLE, GA 30052
 PHONE: (770)318-5329
 24 HR CONTACT
 PHONE: (770)318-5329
 MARK STREIFERT

CIVIL SOLUTIONS, INC.
 ENGINEERS - PLANNERS

750 BELMONT ROAD
 ATHENS, GA 30605
 OFFICE 706-255-2443

ANDERSEN | TATE | CARR

September 6, 2024

COMBINED LETTER OF INTENT AND JUSTIFICATION FOR ANNEXATION AND REZONING

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

Applicant:
Uprise Development

Rezoning Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
LG060189 (8.07 acres)(City of Loganville)
LG060188 (2.53 acres)(City of Loganville)
R4216 001 (0.83 acres)(Gwinnett County)

Annexation Tax Parcel IDs:
C0040009 (50.28 acres)(Walton County)
C0040009A00 (9.34 acres)(Walton County)
R4216 001 (0.83 acres)(Gwinnett County)

±71.05 Acres of Land
Located at 4500, 4550 Tuck Road and 4332 Tom Brooks Road, Loganville, Georgia
From A2, B3, CN, R-100 to PUV

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 Annexation and Rezoning is submitted for a 71.05-acre assemblage of land located at 4500 Tuck Road, 4550 Tuck Road, and 4332 Tom Brooks Road, Loganville Georgia (hereinafter the “Property”).¹ The Property is an assemblage of five (5) tax parcels with frontage on Tuck Road and Tom Brooks Road.² The Property is identified below from the Walton County and Gwinnett County tax assessor’s website:



Walton County



Gwinnett County

The Property currently maintains several different zoning classifications: A2 (Rural Estate District), B3 (Rural Estate District/General Business District), CN (Commercial Neighborhood District), and R-100 (Single Family Residence District). The Applicant, Uprise Development (the “Applicant”) now seeks approval to rezone the assemblage of properties to PUV (Planned Urban Village District)³ to accommodate the development of the Property as a mixed-use development with single-family detached homes, townhomes, and neighborhood-serving commercial/retail uses. The rezoning of the Property will allow for a quality mixed-use development that will provide additional housing supply to the surrounding community and support the adjacent commercial development.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the City of Loganville Zoning Ordinance.

¹ The Applicant reserves the right to amend the proposed total acreage of the development pending confirmation of legal descriptions and/or property surveys.

² The Applicant is requesting to annex three tax parcels into the City of Loganville: C0040009 and C0040009A00 (Walton County), and R4216 001 (Gwinnett County).

³ Pursuant to the City of Loganville Zoning Ordinance, the purpose of the PUV district is intended to “encourage and accommodate high-quality, pedestrian oriented, unified design and combinations of retail, cultural, public and residential uses and facilities in accordance with an approved master plan. The district allows for flexibility and encourages creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities in order to best utilize special site features of topography, size or shape.”

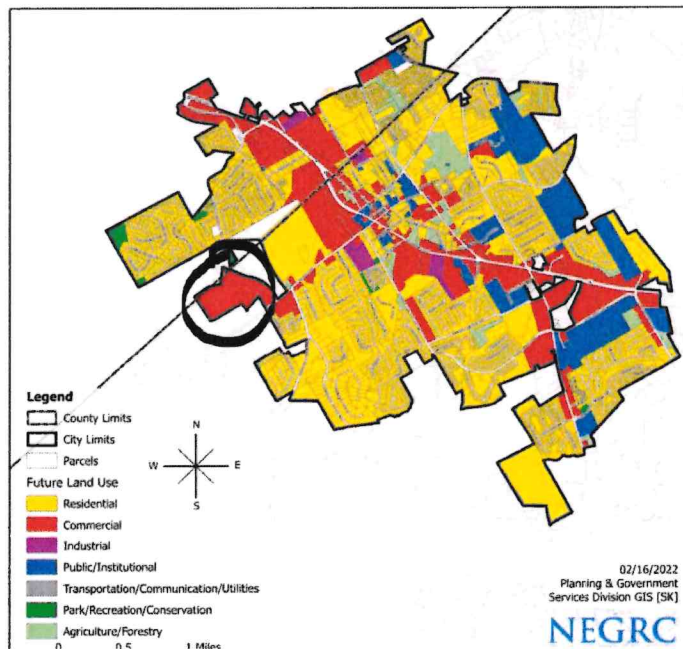
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage of five (5) tax parcels located on Tuck Road near its intersection with Tom Brooks Road. A portion of the Property is currently developed with a single-family residence; however, the majority of the site remains heavily wooded and undeveloped. The Property is surrounded by a variety of land uses, including single-family residential (Gwinnett County), commercial (Walton County), and industrial (Loganville). The proposed development is compatible with the surrounding land uses and would complement the adjacent properties by providing attractive and distinctive residential uses that are walkable to the proposed commercial component.

The City of Loganville 2022 Comprehensive Plan (the “2022 Plan”) classifies this Property as within the “Commercial” future development area. As outlined in the 2022 Plan, the Commercial area is anticipated to include retail, office space, and highway-commercial land uses, though small-scale neighborhood shops or offices may be desirable in certain places.

The Property is shown below on the City of Loganville Future Land Use Map:

Future Land Use Map



III. PROJECT SUMMARY

A. **Planned Urban Village (PUV)**

As shown on the conceptual site plan and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop a mixed-use development that includes combinations of residential, commercial, retail, and public uses. The rezoning of the Property will allow for the development of an otherwise underutilized site and allow for multiple uses to service the surrounding community.

The development would include 99 single-family detached homes, 60 townhomes, and approximately 24,000 square feet of commercial/retail space. The commercial/retail area would include a unique outdoor gathering space for patrons to enjoy. As indicated above, the site is surrounded by a variety of land uses, including residential, commercial, and industrial. The proposed development would provide an opportunity for transition from commercial and industrial to low and medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for other developments in the City. As shown in the Site Plan, the community would include both single-family detached homes and townhomes. The development will comply with the minimum/maximum floor areas as defined in Section 119-221(g)(6). While market conditions can fluctuate, the Applicant anticipates the starting price for single-family detached homes to be \$400k and the townhomes to be \$350k. The architectural style of both the single-family homes and townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The development would include several features and amenities such as an outdoor gathering space, dog park, pickleball courts, cabana, and open space. The site is designed for two driveways on Tuck Road. For reference, the Applicant has included sample elevations with this Application.

The Property’s location along Tuck Road, with close proximity to Conyers Road and Highway 20, provides a vibrant, community-focused development. The Property is in an appropriate location for the proposed development, which is surrounded by a mix of land uses. The proposed development is also compatible with the 2022 Plan and will provide a variety of housing types for Loganville residents.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to PUV 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 residential, commercial, and industrial 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 PUV 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 PUV 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 Tuck Road, the community has been designed for two-full access driveways on Tuck Road.
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.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
- A. The proposed use is a low to 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.
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 commercial zoning classification. In addition, development of the site with single-family detached and townhomes as opposed to entirely all commercial 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 minimal impact on adjacent property owners as the proposed residential use and commercial uses will be less intensive than what the future development

map calls for. Likewise, a single family detached and townhome community will provide housing options and further support existing and future commercial development.

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

A. The Property is currently occupied with a single family residence with the majority of the site being heavily wooded. Should the Property not be rezoned to allow for single-family detached homes, townhomes, and commercial, 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.

V. 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 planned urban village (PUV) 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 PUV 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).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Annexation and Rezoning to PUV 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 6th day of September, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

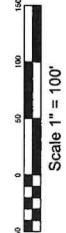
Enclosures
MAG/dwb
4874-4903-1905, v. 1

LAND LOT-DISTRICT	187-216
CITY	LOGANVILLE
SCALE	1" = 100'

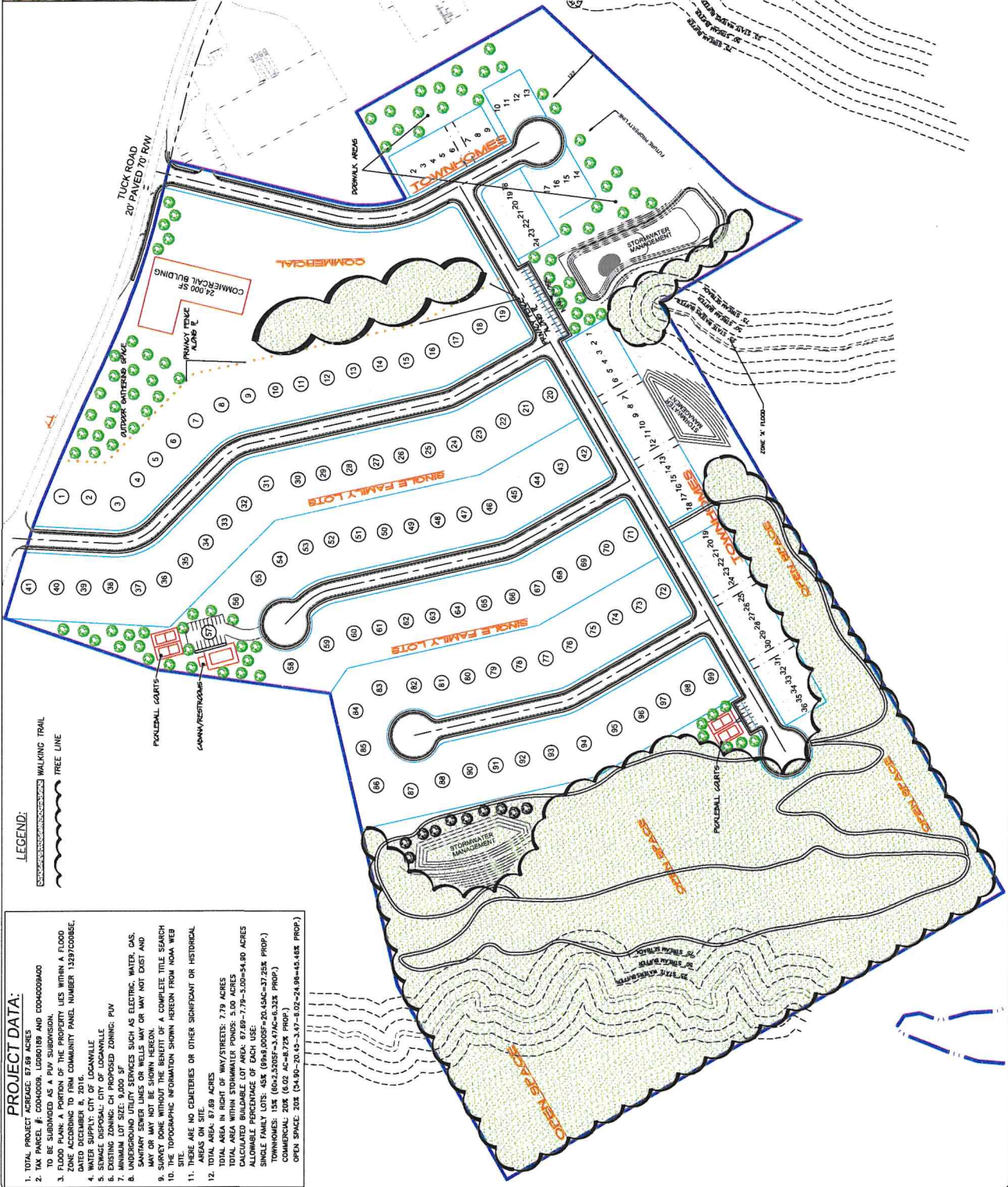
CITY OF LOGANVILLE, GA
CONCEPT PLAN A1 FOR:
BROOKS LANDING

OWNER & DEVELOPER
UPRISE DEVELOPMENT
P.O. BOX 2748
LOGANVILLE, GA 30052
PHONE: (770) 918-5329
FAX CONTACT: (770) 918-5329
MARK STREET

ENGINEERS - PLANNERS
CIVIL SOLUTIONS, INC.
750 BRUNNEN ROAD
ATLANTA, GA 30305
OFFICE: 770-555-4443



REVISIONS	DATE



LEGEND:
 WALKING TRAIL
 TREE LINE
 POLELINE GARTS
 CANALS/RESTROOMS

- PROJECT DATA:**
- TOTAL PROJECT ACRES: 87.89 ACRES
 - TAX PARCEL #F: C040088, L080189 AND C040090/800
 - TO BE SUBDIVIDED AS A P.U.V. SUBDIVISION
 - PLANNING ZONE: COMMERCIAL (C) (US WITHIN A FLOOD ZONE ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13297C0088E, DATED DECEMBER 8, 2016.
 - WATER SUPPLY: CITY OF LOGANVILLE
 - SEWERAGE: SANITARY SEWER (S) (US WITHIN A FLOOD ZONE)
 - MINIMUM LOT SIZE: 9,000 SF
 - UNDERGROUND UTILITY SERVICES SUCH AS ELECTRIC, WATER, GAS, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST AND MAY OR MAY NOT BE SHOWN HEREON.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREON FROM NOAA WEB SITE.
 - THERE ARE NO CEMETERIES OR OTHER SIGNIFICANT OR HISTORICAL SITES WITHIN THE PROJECT AREA.
 - TOTAL AREA: 87.89 ACRES
 - TOTAL AREA IN RIGHT OF WAY/STREETS: 7.79 ACRES
 - TOTAL AREA WITHIN STORMWATER PONDS: 5.00 ACRES
 - CALCULATED BUILDABLE LOT AREA: 87.89-7.79-5.00=54.90 ACRES
 - ALLOWABLE PERCENTAGE OF EACH USE:
 - SINGLE-FAMILY LOTS: 65% (99A)(005P)=54.646-37.256% (PROP.)
 - COMMERCIAL LOTS: 35% (602)(A)=29.254-17.644% (PROP.)
 - COMMERCIAL 20% (603)(A)=17.254-10.122-24.98-15.45% (PROP.)
 - OPEN SPACE: 20% (04-90-20-10-3-47-51-02-24.98-15.45% (PROP.)



Front Elevation

3 sided Masonry/Stone Waterfall





Front Elevation

End units to be 3 sided Masonry/Stone Waterfall

LAND PARCELS

Attribute	Value
OBJECTID	779636
Parcel ID (PIN)	4216 002
Location Address	4944
LOT	
Deeded Acreage	2.56
LOCADDR	4944 DONALD DR
LOCCITY	LOGANVILLE
Owner 1	SHARPLE MATTHEW
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256501
Property ID Link	R4216 002
PIN	4216 002
Location Address	4944 DONALD DR
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	SHARPLE MATTHEW
Owner2	
Mailaddr	4944 DONALD DR
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2819
Strnum	4944

LAND PARCELS

Attribute	Value
OBJECTID	773339
Parcel ID (PIN)	4216 006
Location Address	750
LOT	
Deeded Acreage	7.27
LOCADDR	750 OLD LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	GREEN MARIANNE
Owner 2	SPARKS TOBY M
DISTNUM	01
Assessor Information	
Lrsn	256536
Property ID Link	R4216 006
PIN	4216 006
Location Address	750 OLD LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	GREEN MARIANNE
Owner2	SPARKS TOBY M
Mailaddr	750 OLD LOGANVILLE RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2578
Strnum	750

LAND PARCELS

Attribute	Value
OBJECTID	782123
Parcel ID (PIN)	4216 005
Location Address	
LOT	
Deeded Acreage	6.76
LOCADDR	LOGANVILLE RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256528
Property ID Link	R4216 005
PIN	4216 005
Location Address	LOGANVILLE RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	

LAND PARCELS

Attribute	Value
OBJECTID	782178
Parcel ID (PIN)	4216 014
Location Address	4253
LOT	
Deeded Acreage	11.87
LOCADDR	4253 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS JACKIE W
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256609
Property ID Link	R4216 014
PIN	4216 014
Location Address	4253 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS JACKIE W
Owner2	
Mailaddr	4253 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4253

LAND PARCELS

Attribute	Value
OBJECTID	781913
Parcel ID (PIN)	4216 022
Location Address	4293
LOT	
Deeded Acreage	3.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256625
Property ID Link	R4216 022
PIN	4216 022
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781897
Parcel ID (PIN)	4216 032
Location Address	4293
LOT	
Deeded Acreage	2.00
LOCADDR	4293 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS BECKY R
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1919983
Property ID Link	R4216 032
PIN	4216 032
Location Address	4293 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS BECKY R
Owner2	
Mailaddr	4293 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4293

LAND PARCELS

Attribute	Value
OBJECTID	781889
Parcel ID (PIN)	4216 030
Location Address	4303
LOT	
Deeded Acreage	2.36
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY DAVID M ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	1630347
Property ID Link	R4216 030
PIN	4216 030
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY DAVID M ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781885
Parcel ID (PIN)	4216 017
Location Address	4303
LOT	
Deeded Acreage	0.65
LOCADDR	4303 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BAILEY WILMA YVONNE ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256617
Property ID Link	R4216 017
PIN	4216 017
Location Address	4303 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BAILEY WILMA YVONNE ETAL
Owner2	
Mailaddr	4303 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2654
Strnum	4303

LAND PARCELS

Attribute	Value
OBJECTID	781873
Parcel ID (PIN)	4216 001
Location Address	4332
LOT	
Deeded Acreage	0.83
LOCADDR	4332 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS T N
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256498
Property ID Link	R4216 001
PIN	4216 001
Location Address	4332 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS T N
Owner2	
Mailaddr	4332 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7369
Strnum	4332

LAND PARCELS

Attribute	Value
OBJECTID	780726
Parcel ID (PIN)	4216 011
Location Address	4322
LOT	
Deeded Acreage	14.92
LOCADDR	4322 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	BROOKS TONY N ETAL
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	256587
Property ID Link	R4216 011
PIN	4216 011
Location Address	4322 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	BROOKS TONY N ETAL
Owner2	
Mailaddr	4322 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-2653
Strnum	4322

LAND PARCELS

Attribute	Value
OBJECTID	782237
Parcel ID (PIN)	4216 064
Location Address	4292
LOT	
Deeded Acreage	1.00
LOCADDR	4292 TOM BROOKS RD
LOCCITY	LOGANVILLE
Owner 1	DUNCAN TAMMY LARUE
Owner 2	
DISTNUM	01
Assessor Information	
Lrsn	2943181
Property ID Link	R4216 064
PIN	4216 064
Location Address	4292 TOM BROOKS RD
Location City	LOGANVILLE
Location State	
ZIP Code	30052
Owner1	DUNCAN TAMMY LARUE
Owner2	
Mailaddr	4292 TOM BROOKS RD
Mailcity	LOGANVILLE
Mailstat	GA
Mailzip	30052-7393
Strnum	4292



Civil Solutions, Inc.
750 Belmont Road
Athens, Georgia 30605

Cell: 706-255-2443 Email: bwood.csi@gmail.com

Tuck Road Planned Urban Village
4550 Tuck Road
Loganville, Georgia 30052

June 24, 2024

RE: Water-Sewer Demands

To Whom It May Concern:

This letter is to confirm the water and sewer demands for a proposed Planned Urban Village project located at 4550 Tuck Road in Loganville, Georgia. The project is to include up to 100 single family lots, up to 60 townhome units, and 8 commercial lots.

Assuming:

100 Single Family Homes

60 Townhomes

Commercial lots are assumed to have up to 25 employees @ 25 gal/day per lot

Demand: $100 \times 400 \text{ gal/day} = 40,000 \text{ gal/day}$

$60 \times 400 = 24,000 \text{ gal/day}$

$25 \text{ employees @ } 25 \text{ gal/day} = 625 \text{ gal/day}$, $625 \text{ gal/day} \times 8 \text{ lots} = 5,000 \text{ gal/day}$

$40,000 + 24,000 + 5,000 = 69,000 \text{ gal/day} / 1440 = 47.92 \text{ gal/min}$

Peak Demand with pump station: $69,000 (2.5) = 172,500 / 1440 = 119.79 \text{ gal/min}$

Sincerely,

Brian Wood, P.E.

Civil Solutions, Inc ~ 750 Belmont Road, Athens Georgia 30605 ~ (706)255-2443



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

Section 5, Item G.
 Section 5, Item G.

Date: 8-6-24

Application # A 24-029

REQUEST FOR ANNEXATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Juan Ramon</u> ADDRESS: <u>3378 Marshall Ct</u> CITY: <u>Lawrenceville</u> STATE: <u>GA</u> Zip: <u>30045</u> PHONE: <u>678-462-5182</u>	NAME: <u>Red Lion Acquisitions S.M.A.R.T.</u> ADDRESS: <u>2382 P.O. Box TEC Way Suite A</u> CITY: <u>Loganville</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: <u>678-462-5182</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>Juan Ramon</u> PHONE: <u>678-462-5182</u> EMAIL: <u>Juan@myempirecenter.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>RS160-059</u> PRESENT ZONING: <u>R100</u> (Separate rezoning request required) ADDRESS: <u>500 BRAND Rd</u> COUNTY: <u>Franklin</u> ACREAGE: <u>3.5 Acres</u> PROPOSED DEVELOPMENT: <u>REHAB HOME INTO OFFICE</u>	

You must attach: Application Fee Legal Description Plat of Property Letter of Intent
 Names/Addresses of Abutting Property Owners Shape file of property (GIS File)

Pre-Application Conference Date: 8-22-24

Accepted by Planning & Development: [Signature]

DATE: 9/5/24

FEE PAID: \$300.00

CHECK # 1053 RECEIPT # R00197112 TAKEN BY: SD DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature]

DATE: 10/24/24

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

[Signature]
 Mayor

[Signature]
 City Clerk

11/14/24
 Date

Legal Description of Property

All that tract or parcel of land lying and being in Land Lots 159 and 160 of the 5th Land District of Gwinnett County, Georgia, containing 2.97 acres, more or less, and described in a Plat of Survey entitled “Survey for Juan Ramon”, dated June 24, 2024, prepared by Access Consultants, certified by Michael a. Hughes, RLS in Georgia No. 2569 and recorded in Plat Book 163, Page 184, Gwinnett County, Georgia Records.



Section 5, Item G.



**LETTER OF INTENT FOR ANNEXATION APPLICATION OF
RED LION ACQUISITIONS AND MANAGEMENT**

Tim Prater submits this Letter of Intent and the attached annexation application (the "Application") on behalf of Red Lion Acquisitions and Management (the "Property Owner") and Juan Ramon (the "Applicant"), relative to a proposed contractors office on approximately 3 +or- acres of land (the "Property") located at 520 Brand Road. The property is currently within unincorporated Gwinnett County and zoned R-100. The Applicant requests that the City annex the Property into the City and rezone to the (LI) Light Industrial classification.

The Property's location on Brand Rd would provide easy access for employees to the Highway 78 corridor as well as Highway 20 to the north. The Applicant is proposing to remodel the current structure on the Property for use as a contractors office. The structure will aesthetically remain to appear as a residential dwelling with the exception of closing in the garage to be converted into office space and adding parking as per city code. The contractor's office will be staffed by 4 employees with the remainder of employees having periodic visits to the office. The Applicant will require minimal outdoor storage which will be enclosed with a minimum 6 (six) foot high opaque fence as per code requirements.

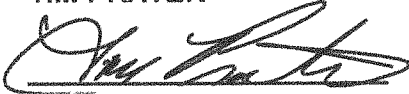
The proposed office is compatible with the surrounding uses and development on Brand Rd., which contains a mix of commercial and light industrial uses. The property is surrounded by property zoned Commercial Highway and Light Industrial within the City of Loganville. Abutting property to the east and rear of the Applicants property is zoned Light Industrial as well as the abutting property to the north. Abutting 2 (two) properties to the south are zoned Commercial Highway. The abutting property to the west is zoned R-100, however this property is owned by the Holy Cross Anglican Church.

Although the Property is not designated on the Future Land Use Map, as it is currently part of the County, the three sides surrounding the property that are within the City are zoned CH and LI on the Future Land Use Map. The proposed contractor's office is in line with that growth. The Comprehensive Plan specifically encourages office, retail, and industrial uses in areas designated as CH and LI on the Future Land Use Map. Due to the lack of a designation on the Future Land Use Map for the Property and the dominance of the CH and LI designation surrounding the Property, the applicant submits that the proposed contractors office is in line with the spirit and intent of the Comprehensive Plan and the Future Land Use Map.

The proposed contractor's office is compatible with existing land use and zoning classifications of the surrounding area, is in line with the spirit and intent of the Comprehensive Plan, and is an appropriate land use due to the Property's close proximity to a major transportation corridor. The Applicant and myself welcome 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 related 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 the _____ day of September, 2024

TIM PRATER



Representative of Applicant

ABUTTING PROPERTY OWNERS
520 BRAND ROAD

530 BRAND RD
BRIGHT STONE LENDING LLC
1147 TRANQUIL BROOK DR
NAPLES FL 34114

540 BRAND RD
BRIGHT STONE LENDING LLC
1147 TRANQUIL BROOK DR
NAPLES FL 34114

3900 OAK GROVE RD
NSA 110 V JV PO LLC
8400 E PRENTICE AVE FL 9
GREENWOOD VILLAGE CO 80111

(R5160) 183 BRAND RD
CAMTEC PROPERTIES LLC
418 BRAND RD SW
LOGANVILLE GA 30052

3836 OAK GROVE RD
HOLY CROSS ANGLICAN CHURCH INC
PO BOX 776
LOGANVILLE GA 30052

(R5159 115) BRAND RD
Owner 1
HOWARD C MCELHANNON
Owner 2
ROBBIE G MCELHANNON
520 BRAND RD SW
LOGANVILLE GA 30052

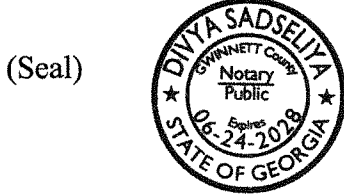
Applicant's Certification

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.

Applicant's Signature Juan Ramon Date 8/7/24

Print Name and Title Juan Ramon

Sworn to and subscribed before me this 07 day of Aug, 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)

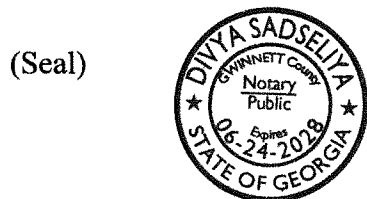
- a) the owner of record of property contained in this application, and/or
- b) the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

Owner's Signature Juan Ramon Date 8/7/24

Print Name and Title Juan Ramon owner

Sworn to and subscribed before me this 07 day of Aug, 2024.



(Seal) [Signature]
Signature of Notary Public



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: A24-029

LANDOWNERS: Red Lion Acquisitions & Management

APPLICANT: Juan Ramon

PROPERTY ADDRESS: 520 Brand Road

MAP/PARCEL #: R5160 059

PARCEL DESCRIPTION: Residential

AREA: 3 acres

EXISTING ZONING: R100 – Single Family Residence

PROPOSED ZONING: LI

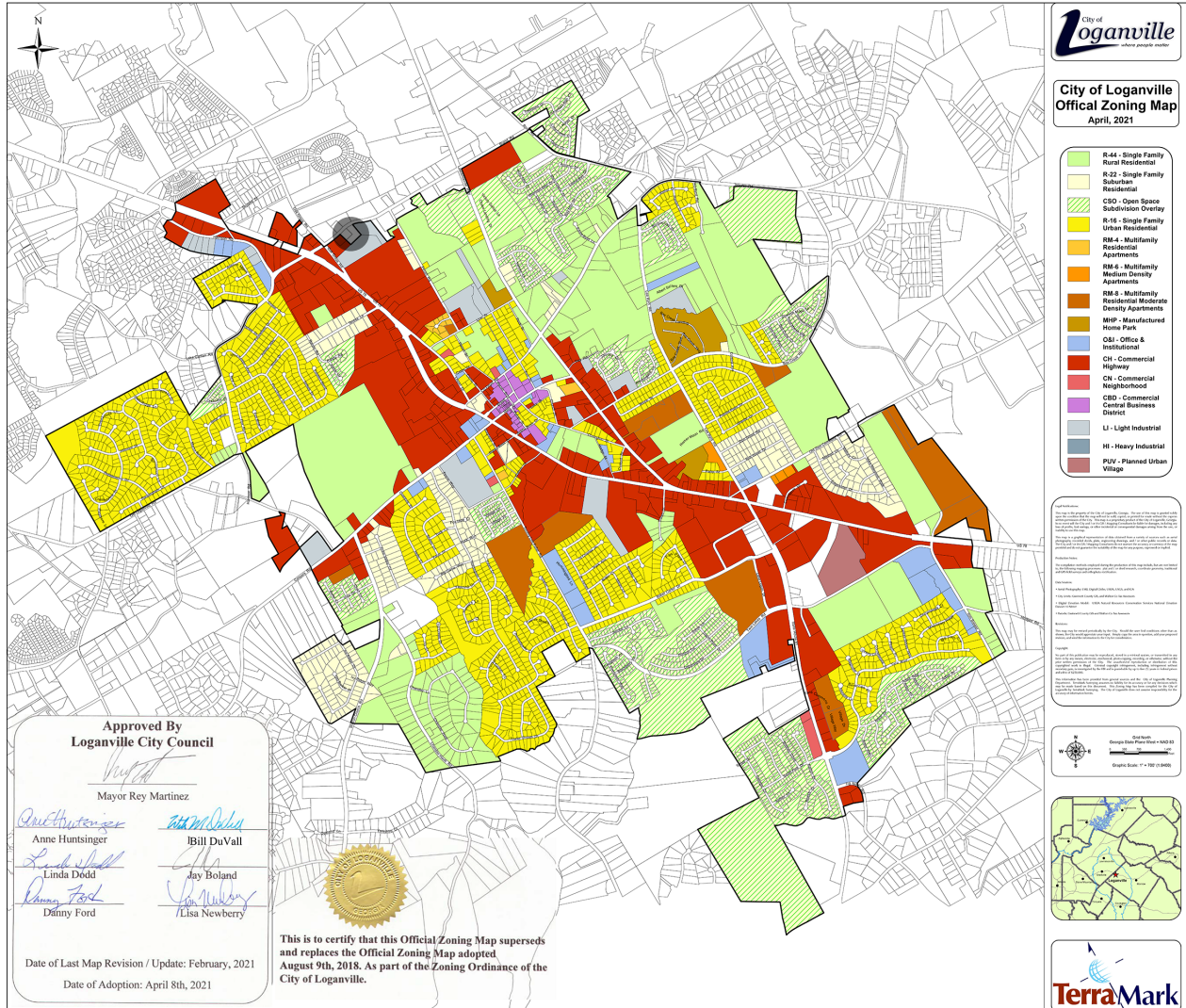
FUTURE LAND USE MAP: Community Mixed Use (Gwinnett)

REASON FOR REQUEST: Turn a residence into a contractor's office with plans for future growth

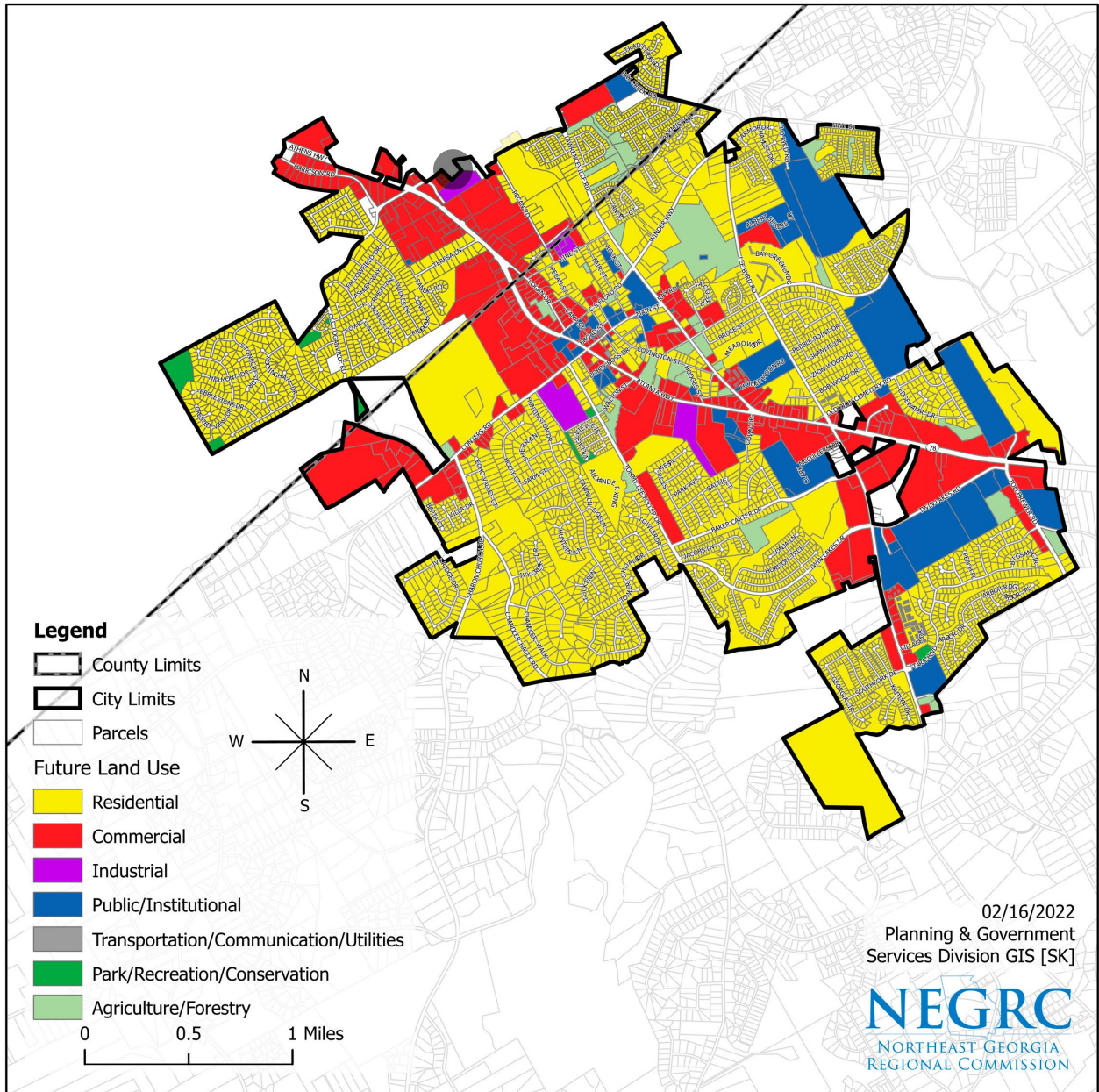
PLANNING COMMISSION HEARING: Oct. 24, 2024

CITY COUNCIL HEARING: Nov. 14, 2024

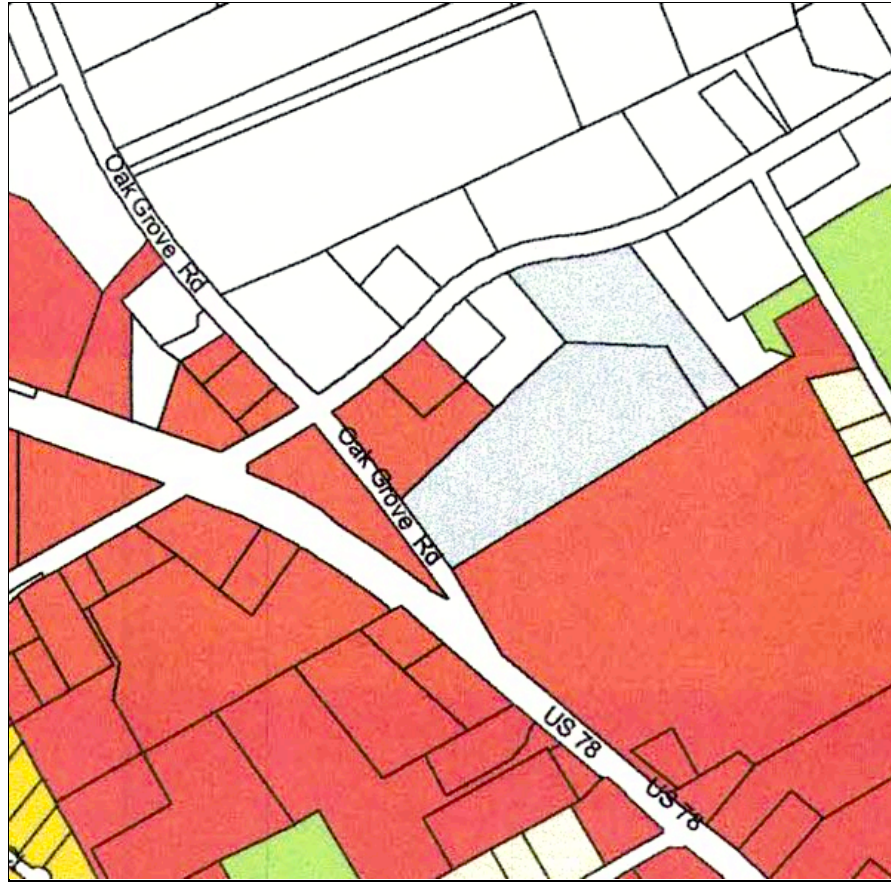
ZONING MAP



FUTURE LAND USE MAP



AREA ZONING





Applicant's Request

The applicant is applying to annex this 3-acre tract into the City to convert a current single-family home into office space for a contractor's office.

Existing Conditions

The current single-family home on the property was built in 1977 and has 1,680 square feet of space on the main floor as well as 832 square feet of space in a finished basement. Gwinnett County records indicate that a shed was placed on the property in 1977.

Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? This parcel is surrounded on three sides by property inside City limits that share similar zoning, so there should be little impact.

What is the impact upon thoroughfare congestion and traffic safety? Annexations by themselves do not have an inherent impact on congestion and traffic safety, though going from a residential purpose to a commercial typically generates more traffic.

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 Gwinnett County shows the parcel being Community Mixed Use.

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? None.

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

Planning Commission Recommended Conditions

City Council Conditions



DATA APPENDIX

WATER

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

Size of the water line? 8-inch

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8-inch

Capacity of the sewer line? Unknown

Estimated waste generated by proposed development? Unknown

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? Big Flat 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? Unknown

Are the storm water issues related to the application? No

TRANSPORTATION

What is the road affected by the proposed change? Brand Road

What is the classification of the road? Major Collector



What is the traffic count for the road? 9,529

Estimated number of cars generated by the proposed development?

Estimated number of trips generated by the proposed development?

Do sidewalks exist in the area? No

Transportation improvements in the area? If yes, what are they? None

EMERGENCY SERVICES

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

Distance of the nearest station? 1,200 feet

Most likely station for 1st response? Station 18

Service burdens at the nearest city fire station (under, at, or above) Station is fully staffed



Date: 8-6-2024

Application # R 24-30

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>Ivan Ramon</u> ADDRESS: <u>3378 Maxwell CT</u> CITY: <u>LAWRENCEVILLE, GA 30052</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: <u>678-462-5182</u>	NAME: <u>Red Lion Administration & Management</u> ADDRESS: <u>7382 Peachtree Way Suite A</u> CITY: <u>LOGANVILLE</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: <u>678-462-5182</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>Ivan Ramon</u> PHONE: <u>678-462-5182</u> EMAIL: <u>ivan@myempireadvertising.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>R5100-059</u> PRESENT ZONING: <u>R100</u> REQUESTED ZONING: <u>Light Industrial</u> ADDRESS: <u>520 BRAND RD</u> COUNTY: <u>Marion</u> ACREAGE: <u>35</u> PROPOSED DEVELOPMENT: <u>Residential Home (INTL OFFICE)</u>	

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: 8-22-24

Accepted by Planning & Development: [Signature]

DATE: 9/5/24

FEE PAID: \$500.00

CHECK # 1053
 RECEIPT # 20197112
 TAKEN BY: SB
 DATE OF LEGAL NOTICE: _____
 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature]

DATE: 10/24/24

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

[Signature]
 Mayor

[Signature]
 City Clerk

11/27/24
 Date

Legal Description of Property

All that tract or parcel of land lying and being in Land Lots 159 and 160 of the 5th Land District of Gwinnett County, Georgia, containing 2.97 acres, more or less, and described in a Plat of Survey entitled "Survey for Juan Ramon", dated June 24, 2024, prepared by Access Consultants, certified by Michael a. Hughes, RLS in Georgia No. 2569 and recorded in Plat Book 163, Page 184, Gwinnett County, Georgia Records.

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: [Handwritten Signature] Date: 8/6/24

Print Name: [Handwritten 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 _____ [checked] NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

Table with 3 columns: NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL, CONTRIBUTIONS (List all aggregating to \$250 or more), DATE OF CONTRIBUTION. Contains 4 empty rows.

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

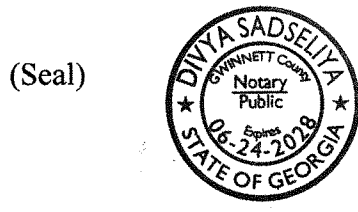
Applicant's Certification

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.

Juan Ramon 8/7/24
Applicant's Signature Date

Juan Ramon
Print Name and Title

Sworn to and subscribed before me this 07 day of Aug, 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)

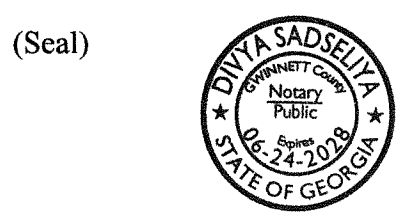
- a) _____ the owner of record of property contained in this application, and/or
- b) _____ the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

Juan Ramon 8/7/24
Owner's Signature Date

Juan Ramon owner
Print Name and Title

Sworn to and subscribed before me this 07 day of Aug, 2024.



[Signature]
Signature of Notary Public

**LETTER OF INTENT FOR REZONE APPLICATION OF
RED LION ACQUISITIONS AND MANAGEMENT**

Tim Prater submits this Letter of Intent and the attached rezone application (the "Application") on behalf of Red Lion Acquisitions and Management (the "Property Owner") and Juan Ramon (the "Applicant"), relative to a proposed contractors office on approximately 3 +or- acres of land (the "Property") located at 520 Brand Road. The property is currently zoned R-100. The Applicant requests that the City rezone the Property to the (LI) Light Industrial classification.

The Property's location on Brand Rd would provide easy access for employees to the Highway 78 corridor as well as Highway 20 to the north. The Applicant is proposing to remodel the current structure on the Property for use as a contractors office. The structure will aesthetically appear as a residential dwelling with the exception of closing in the garage to be converted into office space and adding parking as per city code. The contractor's office will be staffed by 4 employees with the remainder of employees having periodic visits to the office. The Applicant will require minimal outdoor storage which will be enclosed with a minimum 6 (six) foot high opaque fence as per code requirements.

The proposed office is compatible with the surrounding uses and development on Brand Rd., which contains a mix of commercial and light industrial uses. The property is surrounded by property zoned Commercial Highway and Light Industrial within the City of Loganville. Abutting property to the east and rear of the Applicants property is zoned Light Industrial as well as abutting property to the north. Abutting 2 (two) properties to the south are zoned Commercial Highway. The abutting property to the west is zoned R-100, however this is a church and not a single family dwelling.

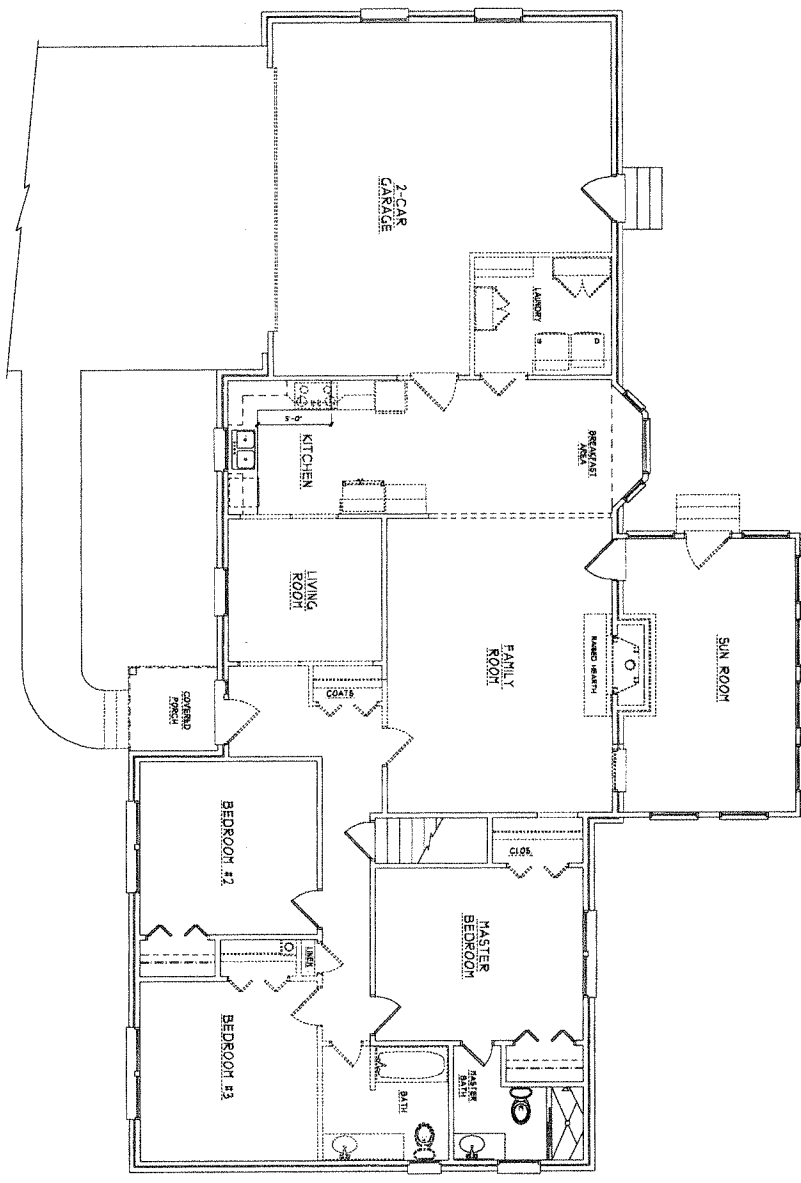
Although the Property is not designated on the Future Land Use Map, as it is currently part of the County, the three sides surrounding the property that are within the City are zoned CH and LI on the Future Land Use Map. The proposed contractor's office is in line with that growth. The Comprehensive Plan specifically encourages office, retail, and industrial uses in areas designated as CH and LI on the Future Land Use Map. Due to the lack of a designation on the Future Land Use Map for the Property and the dominance of the CH and LI designation surrounding the Property, the applicant submits that the proposed contractors office is in line with the spirit and intent of the Comprehensive Plan and the Future Land Use Map.

The proposed contractor's office is compatible with existing land use and zoning classifications of the surrounding area, is in line with the spirit and intent of the Comprehensive Plan, and is an appropriate land use due to the Property's close proximity to a major transportation corridor. The Applicant and myself welcome 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 related 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 the _____ day of September, 2024

TIM PRATER

Representative of Applicant



1 FIRST FLOOR - DEMOLITION PLAN
1/4" = 1'-0"

Scale: 1/4" = 1'-0" RLE\dwg\dwg\100001.dwg Date: 07/09/24 11:10 AM Plot by: RLE

REVISIONS	
NO.	DESCRIPTION
DATE	PROJECT NUMBER
07/09/24	2024-341

EMPIRE ROOFING
520 Brand Road, Loganville, Georgia 30052
770.315.4914
www.empireroofing.com

Empire Roofing
- Office Renovation -
520 Brand Road, Loganville, Georgia 30052

RLE Designs, LLC
Architect
3330 Cobb Parkway, NW
Suite 324-328
Acworth, GA 30101
(770) 315-4914
www.rle-designs.com

RLE DESIGNS

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

Section 5, Item H.

201



520 Brand Rd SW
Loganville, Georgia

ABUTTING PROPERTY OWNERS
520 BRAND ROAD

530 BRAND RD
BRIGHT STONE LENDING LLC
1147 TRANQUIL BROOK DR
NAPLES FL 34114

540 BRAND RD
BRIGHT STONE LENDING LLC
1147 TRANQUIL BROOK DR
NAPLES FL 34114

- 3900 OAK GROVE RD
NSA 110 V JV PO LLC
8400 E PRENTICE AVE FL 9
GREENWOOD VILLAGE CO 80111

(R5160) 183 BRAND RD
CAMTEC PROPERTIES LLC
418 BRAND RD SW
LOGANVILLE GA 30052

3836 OAK GROVE RD
HOLY CROSS ANGLICAN CHURCH INC
PO BOX 776
LOGANVILLE GA 30052

(R5159 115) BRAND RD
Owner 1
HOWARD C MCELHANNON
Owner 2
ROBBIE G MCELHANNON
520 BRAND RD SW
LOGANVILLE GA 30052

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?

It will Benefit the Appearance, because we will do a full Rehab and improve the property.

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

Does NOT impact TRAFFIC AT ALL. ON 4 to 5 office persons at a time will be in the building.

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

NONE.

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

NONE

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

Property will be improve Interior & Exterior.
It will add value.

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?

No way at all. Property to the right & left are already light industrial.

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.

NONE.



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: R24-030

LANDOWNERS: Red Lion Acquisitions & Management

APPLICANT: Juan Ramon

PROPERTY ADDRESS: 520 Brand Road

MAP/PARCEL #: R5160 059

PARCEL DESCRIPTION: Residential

AREA: 3 acres

EXISTING ZONING: R100 – Single Family Residence

PROPOSED ZONING: LI

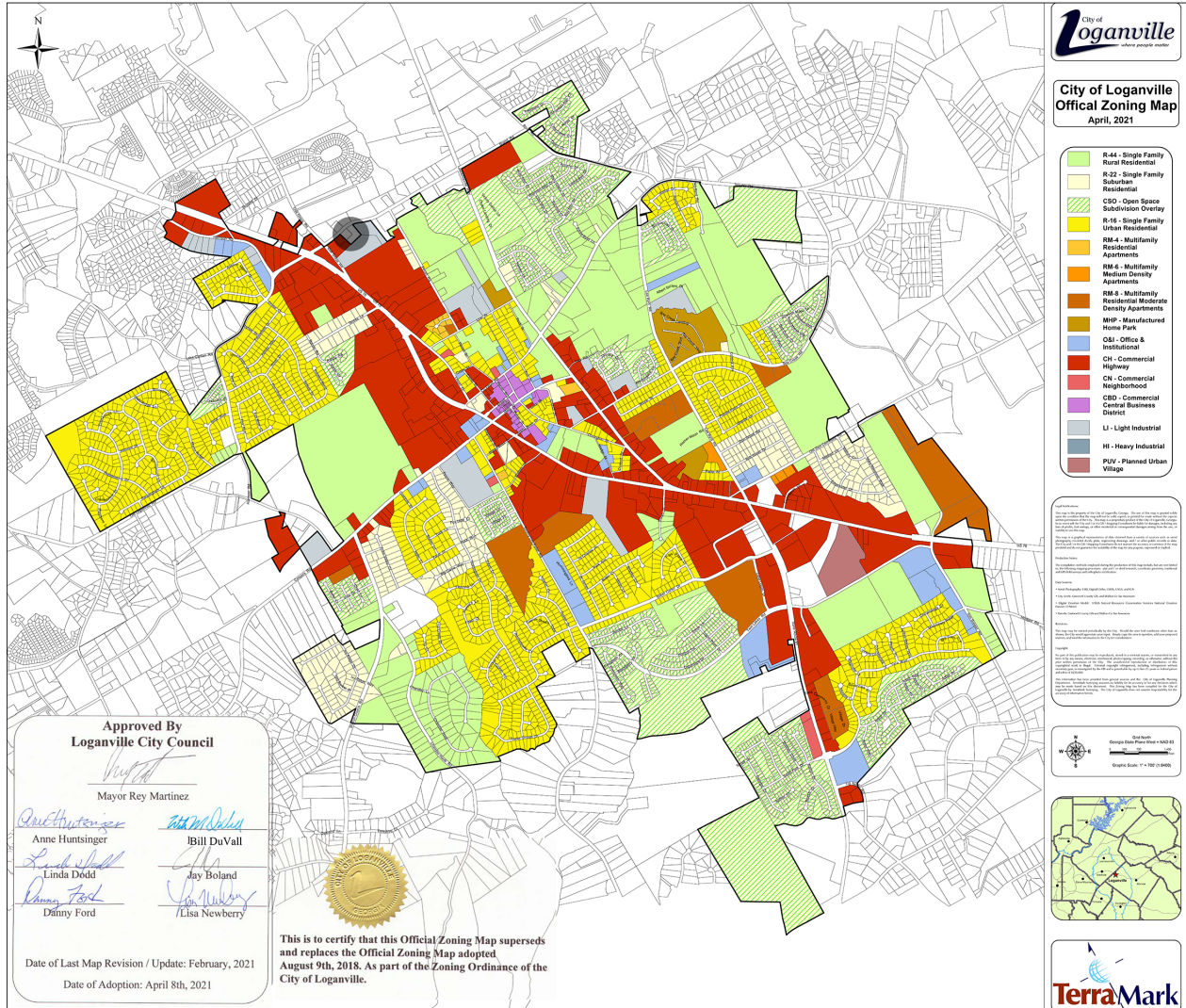
FUTURE LAND USE MAP: Community Mixed Use (Gwinnett)

REASON FOR REQUEST: Turn a residence into a contractor's office with plans for future growth

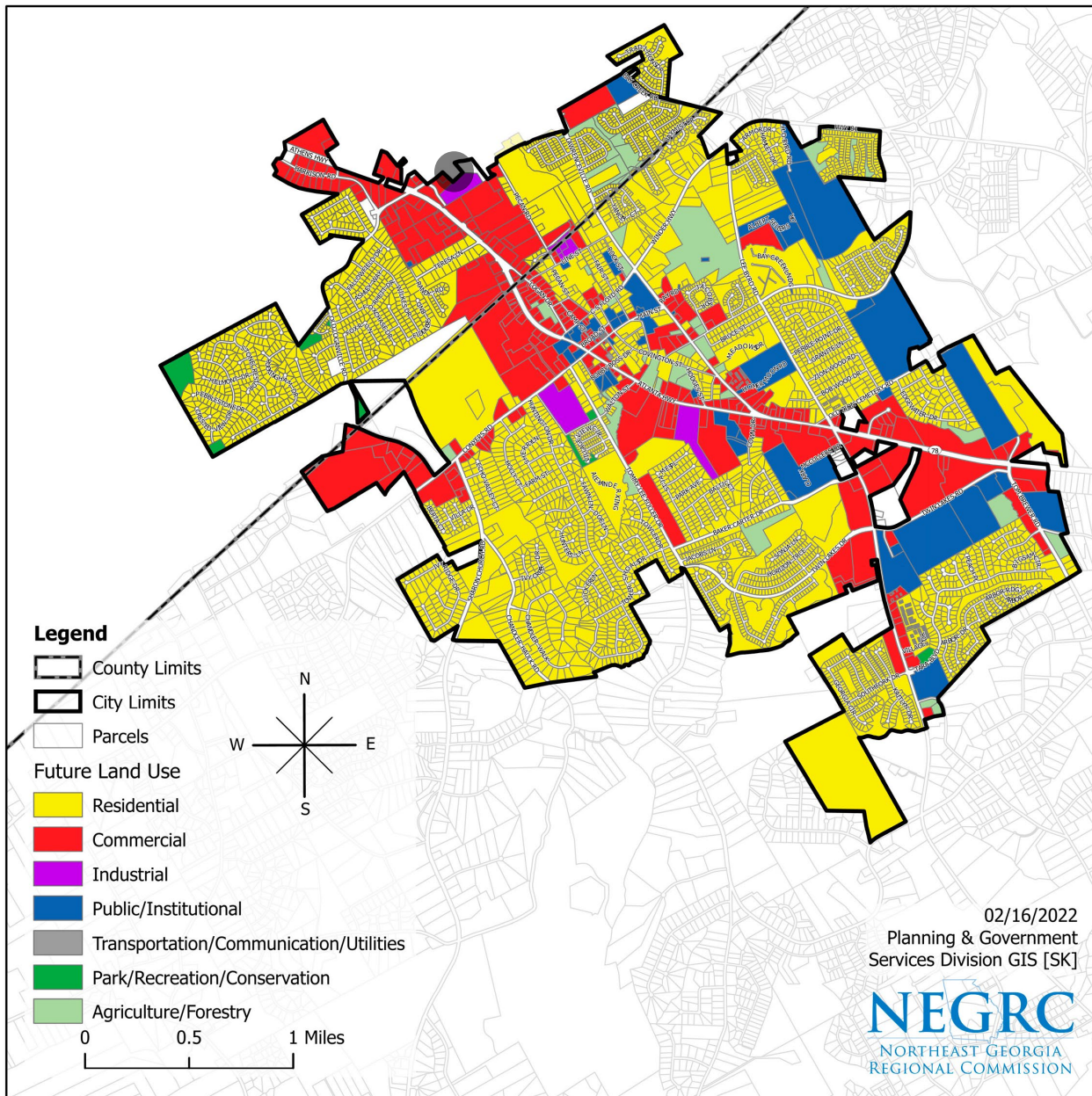
PLANNING COMMISSION HEARING: Oct. 24, 2024

CITY COUNCIL HEARING: Nov. 14, 2024

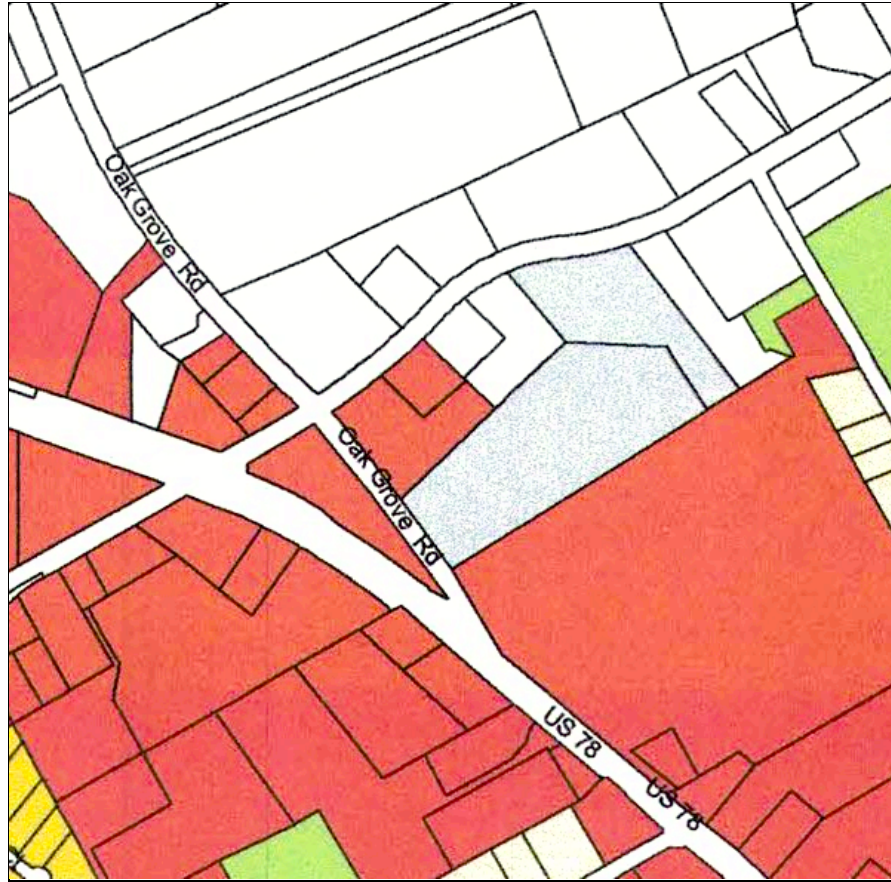
ZONING MAP



FUTURE LAND USE MAP



AREA ZONING





Applicant's Request

The applicant is applying to annex this 3-acre tract into the City to convert a current single-family home into office space for a contractor's office.

Existing Conditions

The current single-family home on the property was built in 1977 and has 1,680 square feet of space on the main floor as well as 832 square feet of space in a finished basement. Gwinnett County records indicate that a shed was placed on the property in 1977.

Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? The property is already surrounded on three sides by parcels that are already inside City limits, with Light Industrial Zoning to the northeast and south/ southeast as well as Commercial Highway to the southwest. As their intent initially is only to give the house a facelift and add fencing to the property, the aesthetic impact is minimal.

What is the impact upon thoroughfare congestion and traffic safety? Brand Road has developed into a major cut-through for traffic in the area, serving to connect Highway 78 with SR 20. The City of Loganville Comprehensive Traffic Study recorded 9,529 cars on Brand Road between Pecan Street and Oak Grove Road, an area that includes the property seeking annexation and re-zoning. Traffic growth is expected to be limited in the area, as traffic volume is expected to increase to 12,850 by 2045. This projection is based on Brand Road remaining a two-lane roadway.

Traffic in the area is already problematic, impacted by the close proximity of Oak Grove Road to the intersection of Highway 78, further complicated by the access points of the car wash and gas station. The traffic study put forth ideas for realigning Oak Grove Road away from Highway 78 to provide additional space to collect cars. As these are Gwinnett County roads, that would have to go through them for changes.

Going from a residential use to commercial will inherently generate more traffic. The applicant has noted that the contractor's office will have four employees to start, though the site will be visited by other staff periodically. The potential addition of trucks with trailers turning into the driveway may warrant the inclusion of a decel lane as determined by the Streets and Highway Department.

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



What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? The City will have to coordinate efforts with Gwinnett County on how water and sewer services will be provided to the site as both provide services in the area.

How does the proposed use provide protection of property against blight and depreciation? The project intends on providing a facelift to the property, potentially having a positive impact on the aesthetic of the area.

Is the proposed use consistent with the adopted Comprehensive Plan? The lot is not within City limits so is not part of our Comprehensive Plan, though Gwinnett County’s plan has this parcel as being Community Mixed Use.

What is the impact upon adjacent property owners if the request is approved? We are starting to see Brand Road transition away from its single residence roots, with commercial properties taking over at the intersections with Highway 78 as well as SR 20. This residential parcel already has CH and LI parcels adjacent to it, so it becoming a commercial property with the LI designation should have little impact on nearby property owners.

What is the impact upon adjacent property owners if the request is not approved? The property will likely remain in its current condition or the applicant can try a similar zoning with Gwinnett County.

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

Recommended action: Staff recommendation is to approve the rezone.

Planning Commission Recommended Conditions

City Council Conditions



DATA APPENDIX

WATER

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

Size of the water line? 8-inch

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8-inch

Capacity of the sewer line? Unknown

Estimated waste generated by proposed development? Unknown

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? Big Flat 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? Unknown

Are the storm water issues related to the application? No

TRANSPORTATION

What is the road affected by the proposed change? Brand Road

What is the classification of the road? Major Collector



What is the traffic count for the road? 9,529

Estimated number of cars generated by the proposed development?

Estimated number of trips generated by the proposed development?

Do sidewalks exist in the area? No

Transportation improvements in the area? If yes, what are they? None

EMERGENCY SERVICES

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

Distance of the nearest station? 1,200 feet

Most likely station for 1st response? Station 18

Service burdens at the nearest city fire station (under, at, or above) Station is fully staffed



CITY OF LOGANVILLE Section 5, Item 1.
 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: 9-5-24

Application # R 24-031

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>BAMM Real Estate, LLC c/o Mahaffey Pickens Tucker, LLP</u> ADDRESS: <u>1550 North Brown Road, STE 125</u> CITY: <u>Lawrenceville</u> STATE: <u>GA</u> Zip: <u>30043</u> PHONE: <u>(770) 232-0000</u>	NAME: <u>Ann R. Jones</u> ADDRESS: <u>P.O. Box 408</u> CITY: <u>Loganville</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: _____ (*attach additional pages if necessary to list all owners)
Applicant is: <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser <input type="checkbox"/> Agent <input type="checkbox"/> Attorney	
CONTACT PERSON: <u>Shane M. Lanham, Attorney for Applicant</u> PHONE: <u>(770) 232-0000</u> EMAIL: <u>slanham@mptlawfirm.com</u> FAX: <u>(678) 518-6880</u>	
PROPERTY INFORMATION	
MAP & PARCEL # <u>LG060129</u> PRESENT ZONING: <u>R-44</u> REQUESTED ZONING: <u>CH</u> ADDRESS: <u>Atlanta Highway</u> COUNTY: <u>Walton</u> ACREAGE: <u>+/- 5.09</u> PROPOSED DEVELOPMENT: <u>Medical Office Building</u>	

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: 9-3-24

Accepted by Planning & Development: [Signature]

DATE: 9-5-24 FEE PAID: \$500.00

CHECK # 10722 RECEIPT # R1019729 TAKEN BY: SD DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 10/24/24

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

[Signature] Mayor
[Signature] City Clerk

11/17/24
 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.

Applicant's Signature Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

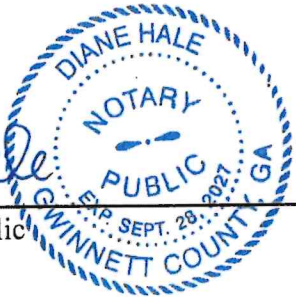
that all information contained in this application is complete and accurate to the best of their knowledge.

Ann R. Jones by [Signature] 8.30.2024
Owner's Signature Date

Michael R. Jones as agent for Ann R. Jones
Print Name and Title

Sworn to and subscribed before me this 30th day of August, 2024.

(Seal) Diane Hale _____
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.

Applicant's Signature Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

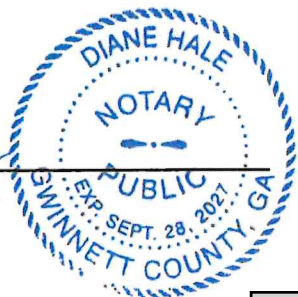
that all information contained in this application is complete and accurate to the best of their knowledge.

Ann R. Jones by Austin O. Jones as Agent 8/28/24
Owner's Signature Date

Ann R. Jones by Austin O. Jones as Agent
Print Name and Title

Sworn to and subscribed before me this 28th day of August, 2024.

(Seal) Diane Hale
Signature of Notary Public



Application # R

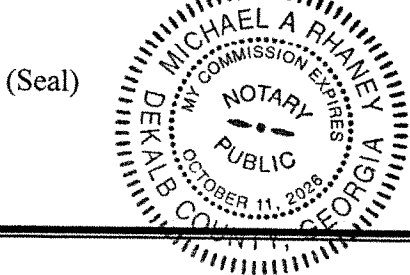
Applicant's Certification

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.

[Signature] 8-30-2024
Applicant's Signature Date

Michael Sunshine managing member of BAMM Real estate llc
Print Name and Title

Sworn to and subscribed before me this 30th day of August, 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.

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.

[Handwritten Signature]

8-30-2024

Michael Sunshine

Applicant's Signature

Date

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

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

Application # **R** _____

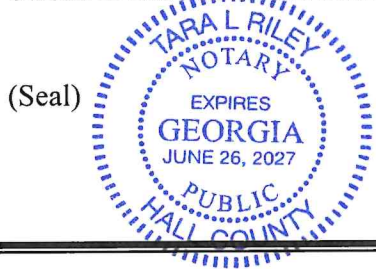
Applicant's Certification

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.

Julia Maxwell _____
Applicant's Signature Date 9/3/24

Julia Maxwell, Attorney for Applicant _____
Print Name and Title

Sworn to and subscribed before me this 3rd day of September, 2024.



Tara L. Riley _____
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 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 RESPONSE 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 commercial parcels. Adjacent land uses include commercial and residential uses. The proposed medical office building is compatible with existing land uses and will feature attractive architectural and landscape elements.

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

The proposed development is located along Atlanta Highway, which is a major transportation corridor and US Highway. The proposed development will not have a significant impact on thoroughfare congestion or traffic safety.

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

The proposed medical office building would not contribute to overcrowding or urban sprawl as the land use is compatible with surrounding development. The subject property is located along Atlanta Highway, which is Loganville's most heavily developed corridor. Additionally, the proposed development is not isolated or out-of-place and will continue the development of commercial uses along the Atlanta Highway corridor.

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

The proposed medical office building would utilize public water, sewer, and other utilities, providing upgrades where necessary. Given the property's location along a major transportation corridor, 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 the City with a high-quality, Class A medical office building that is much needed in the area. The medical office building would have attractive architectural features and would provide quality jobs to residents as well as increased access to medical care.

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

The proposed use and zoning are consistent with the adopted Comprehensive Plan because the subject property is surrounded by parcels designated as Commercial on the Future Land Use Map. The proposed medical office building would be a commercial use and is fitting with the character of the adjacent parcels.

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

The proposed rezoning will have minimal affect on the adjacent property owners if the request is approved. The proposed development is designed in a way so that the more intense portion of the use is situated close to and fronting Atlanta Highway and the less intense use is fronting Covington Street which is predominately residential.

ADJACENT PROPERTY OWNERS LIST:

Name	Address	Parcel No.	County
C3 Church Grayson, Inc.	1840 Silverstone Drive Lawrenceville, GA 30045	LG110010	Walton
Ann R. Jones	P.O. Box 408 Loganville, GA 30052	LG110007	Walton
Whitley Stalvey Properties, LLC	3132 US Highway 278 Covington, GA 30014	LG110009	Walton
JBL Enterprises, LLC	4460 Atlanta Highway Loganville, GA 30052	LG060139	Walton
Loganville Property c/o Flanagan Bilton, LLC	1 N. Lasalle Street Suite 2100 Chicago, IL 60602	LG060137	Walton
Ingles Markets, Inc.	P.O. Box 6676 Asheville, NC 28816	LG060138	Walton
Gallman Properties, LLC	4935 Shiloh Drive Loganville, GA 30052	LG060150	Walton

LEGAL DESCRIPTION

Tract 1

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 154, 155, and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street the following courses and distances: North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE North 72 degrees 06 minutes 38 seconds West a distance of 332.38 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**;

THENCE leaving said R/W line of Covington Street South 18 degrees 02 minutes 01 seconds West a distance of 300.15 feet to a 5/8" rebar found (disturbed); THENCE South 72 degrees 01 minutes 47 seconds East a distance of 51.24 feet to a metal fence post found; THENCE South 19 degrees 10 minutes 29 seconds West a distance of 442.98 feet to an iron pin set on the northeasterly R/W line of Atlanta Highway (aka U.S. Highway No. 78) (variable width R/W); THENCE running along said R/W line of Atlanta Highway the following courses and distances: THENCE North 58 degrees 48 minutes 27 seconds West a distance of 24.39 feet to a point; THENCE South 82 degrees 31 minutes 57 seconds West a distance of 32.01 feet to a right of way monument found; THENCE North 58 degrees 48 minutes 27 seconds West a distance of 325.00 feet to a right of way monument found; THENCE North 31 degrees 45 minutes 38 seconds West a distance of 15.42 feet to a 1/2" rebar with cap found; THENCE leaving said R/W line of Atlanta Highway North 32 degrees 29 minutes 00 seconds East a distance of 463.74 feet to a 5/8" rebar found; THENCE North 17 degrees 26 minutes 40 seconds East a distance of 218.11 feet to a 1/2" rebar with cap found on the southerly R/W line of Covington Street; THENCE running along said R/W line of Covington Street South 71 degrees 59 minutes 30 seconds East a distance of 224.99 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 211,248 square feet, or 4.850 acres.

**DESCRIPTION OF
Proposed Tract 2A**

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 155 and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); **THENCE** running along said R/W line of Covington Street North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; **THENCE** leaving said R/W line of Covington Street South 14 degrees 30 minutes 06 seconds West a distance of 507.09 feet to a 1/2" rebar found (disturbed); **THENCE** North 60 degrees 43 minutes 54 seconds West a distance of 150.20 feet to an iron pin set; **THENCE** North 58 degrees 47 minutes 28 seconds West a distance of 149.60 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**;

THENCE South 14 degrees 50 minutes 30 seconds West a distance of 314.48 feet to a R/W monument found on the northerly R/W line of Atlanta Highway (aka U.S. Highway No. 78); **THENCE** running along said R/W line of Atlanta Highway North 53 degrees 05 minutes 49 seconds West a distance of 21.97 feet to a point; **THENCE** continuing along said R/W line of Atlanta Highway North 58 degrees 48 minutes 27 seconds West a distance of 25.60 feet to an iron pin set; **THENCE** leaving said R/W line of Atlanta Highway North 19 degrees 10 minutes 29 seconds East a distance of 306.29 feet to a point; **THENCE** South 58 degrees 47 minutes 28 seconds East a distance of 22.70 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 10,437 square feet, or 0.240 acres.

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 REZONING AND CONCURRENT
VARIANCE APPLICATIONS OF BAMM REAL ESTATE, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached rezoning and concurrent variance applications (the “Applications”) on behalf of Bamm Real Estate, LLC (the “Applicant”), relative to a proposed medical office building on an approximately 6.238-acre assemblage made up of three tracts of land (the “Property”) located along Atlanta Highway (US Highway 78). Tracts 1 and 2A (as depicted on the survey submitted with the Applications) are currently zoned R-44 (Single-Family Rural Residential District). Tract 3 is currently zoned CH (Commercial Highway District) with no conditions and is not a part of the Applications. The Applicant respectfully requests the city to rezone the Property to the CH (Commercial Highway District) classification in order to develop the Property for use as a Class A medical office building.

The proposed development will consist of a two-story medical office building totaling approximately 50,000 square feet. The Property has road frontage on Atlanta Highway and Covington Street. The Property will have two access driveways: a main entrance off of Atlanta Highway and a smaller back entrance off of Covington Street. The medical office building will be designed with attractive architectural elements that are in line with the surrounding aesthetic. Attractive landscaping will be provided including a ten-foot wide landscape strip along the frontage of Atlanta Highway as well as landscape islands in the parking lot. Additionally, the Applicant will provide screening and a five-foot wide landscape strip between the Property and adjacent residentially-zoned property.

Additionally, the proposed development is compatible with the existing land uses on nearby and adjacent properties. The Property is adjacent to land already zoned CH which has frontage on Atlanta Highway. The Atlanta Highway corridor is one of Loganville’s most highly

developed areas and the proposed development would complement the existing commercial uses as well as bring a much-needed service to Loganville residents. The Atlanta Highway corridor, especially in the area surrounding the Property, is dominated by a wide array of commercial and retail uses including three medical office buildings located to the West of the Property. The proposed medical office building would complement the existing commercial uses and expand Loganville residents' access to healthcare. Further, the proposed development is compatible with the Loganville Future Land Use Map which designates the surrounding properties as "Commercial" future land use categories. The Applicant respectfully submits that the subject Property is a prime location for a medical office building due to a number of factors including its frontage on a major transportation corridor.

In order to develop the Property as depicted on the site plan submitted with the Applications, the Applicant also requests relief from the ZO buffer and parking requirements. Specifically, the Applicant requests the following variances:

1. ZO § 119-380: a variance to decrease the minimum number of parking spaces allowed for a professional office from 1 space per 200 square feet of building area plus 3 spaces for each operator to 4.5 spaces per 1,000 square feet of building area. Based on the proposed building area of 50,000 square feet, the ZO would currently require a minimum of approximately 400 parking spaces.
2. ZO § 119-432: a variance to decrease the minimum required buffer width for the CH zoning district from 30 feet to 0 feet. In lieu of the required buffer, the Applicant will provide a five-foot landscape strip and adequate screening between the Property and the adjacent residential parcel.

The Applicant submits that the requested variance from the minimum number of parking spaces required for a professional office is justified a strict application of the ZO creates an extreme result that does not serve the purpose and intent of the ordinance itself. The purpose and intent of the minimum parking ordinance is to ensure that businesses in Loganville provide adequate parking for their patrons. However, requiring 1 space per 200 square feet of building area plus 3 spaces per operator will result in an excessive amount of parking that will detract from the overall aesthetic of the development and surrounding area. The Applicant is proposing to build a medical office building and has a vested interest in providing an adequate number of parking spaces for their patrons. If strictly interpreted, the ZO requires 5 parking spaces per 1,000 square feet plus an

additional 3 spaces per “operator”. The ZO is currently being interpreted so that “operator” means “employee,” but the ZO specifically uses the word “employee” in other sections of the parking ordinance. Medical office buildings employ a large number of people and it is an unreasonable result to allow for 3 parking spaces per employee when there can be upwards of 40-50 employees. Additionally, parking spaces increase the amount of impervious surface on a parcel which can in turn increase the amount of storm water runoff and negatively affect surrounding property owners.

The Applicant submits that the requested buffer variance from the required 30 feet to 0 feet is justified because of the size and shape of the Property. Also, the home situated on the adjacent residential property is situated sufficiently far away from the Property so that the approval of the requested variance would not create a detriment to the adjacent property owner’s use and enjoyment of their home. The Applicant will provide adequate screening and landscaping to mitigate any light and/or noise pollution that would affect the adjacent property owner. Additionally, the adjacent residential property is located in a heavily commercial area and will most likely be converted into a commercial use in the future. Accordingly, it would not make sense to require a buffer for a property that will likely become commercial when the ZO encourages and requires inter-parcel access between two commercially zoned properties.

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 Loganville residents with access to healthcare facilities. 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 Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this 5th day of September, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

Ann R. Jones
P.O. Box 408 Loganville, GA 30052

JBL Enterprises, LLC
4460 Atlanta Highway Loganville, GA 30052

Loganville Property c/o Flanagan Bilton, LLC
1 N. Lasalle Street Suite 2100 Chicago, IL 60602

Ingles Markets, Inc.
P.O. Box 6676 Asheville, NC 28816

Myers Pascal
249 Covington Street Loganville, GA 30052

Kampsen Mandie
274 Covington Street Loganville, GA 30052

GEORGIA CUMBERLAND ASSOCIATION OF
SEVENTH DAY ADVENTISTS INC
P O BOX 12000
CALHOUN, GA 30703

BUTLER MARGARET HODGES &
HODGES STEVEN LEE &
HODGES MARK T
10143 DUN BARTON DR
HUNTSVILLE, AL 358031268

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

APPLICANT: Bamm Real Estate, LLC c/o MAHAFFEY
PICKENS TUCKER, LLP

PRESENT ZONING DISTRICT(S): R44

REQUESTED ZONING DISTRICT(S): CH

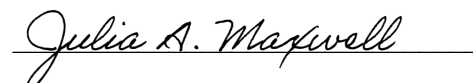
PROPERTY: Parcel # LG060129

SIZE: +/- 5.09 Acres

PROPOSED DEVELOPMENT: Medical Office Building

The Applicant, Bamm Real Estate, LLC, 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



Julia A. Maxwell
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 CH zoning classification as requested by the Applicant, and is not economically suitable for development under the present R44 zoning classification of City of Loganville. 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 CH 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 CH 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 10th day of October, 2024.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Julia A. Maxwell

Julia A. Maxwell
Attorneys for Applicant



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: R24-031

LANDOWNERS: Ann R. Jones

APPLICANT: BAMB Real Estate LLC c/o Mahaffey Pickens Tucker LLP

PROPERTY ADDRESS: Atlanta Highway

MAP/PARCEL #: LG060129, portion of LG110007

PARCEL DESCRIPTION: Vacant

AREA: 5.09 acres

EXISTING ZONING: R-44

PROPOSED ZONING: CH

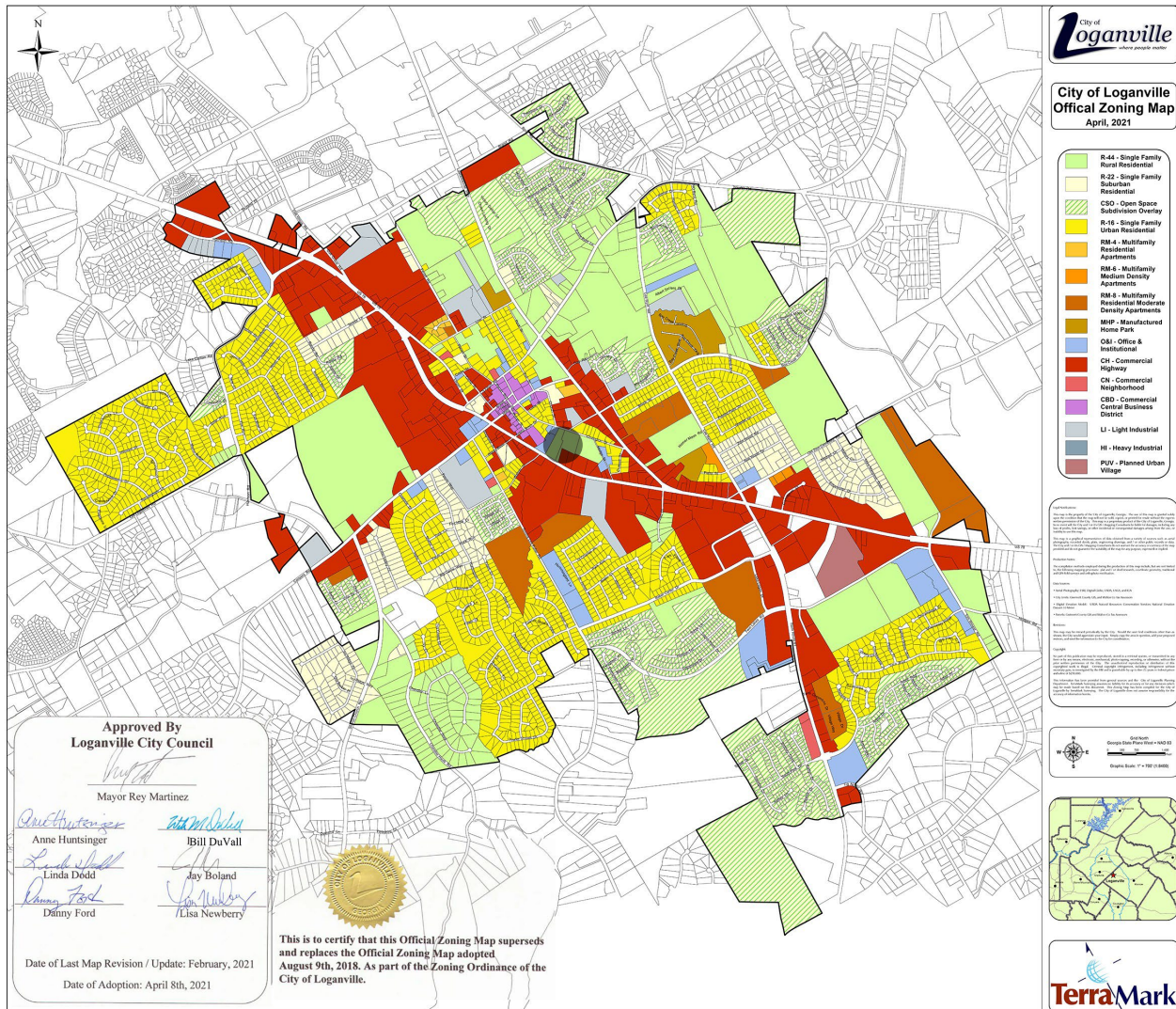
FUTURE LAND USE MAP: Agriculture / Forestry, Residential

REASON FOR REQUEST: To build a 50,000-square-foot medical building.

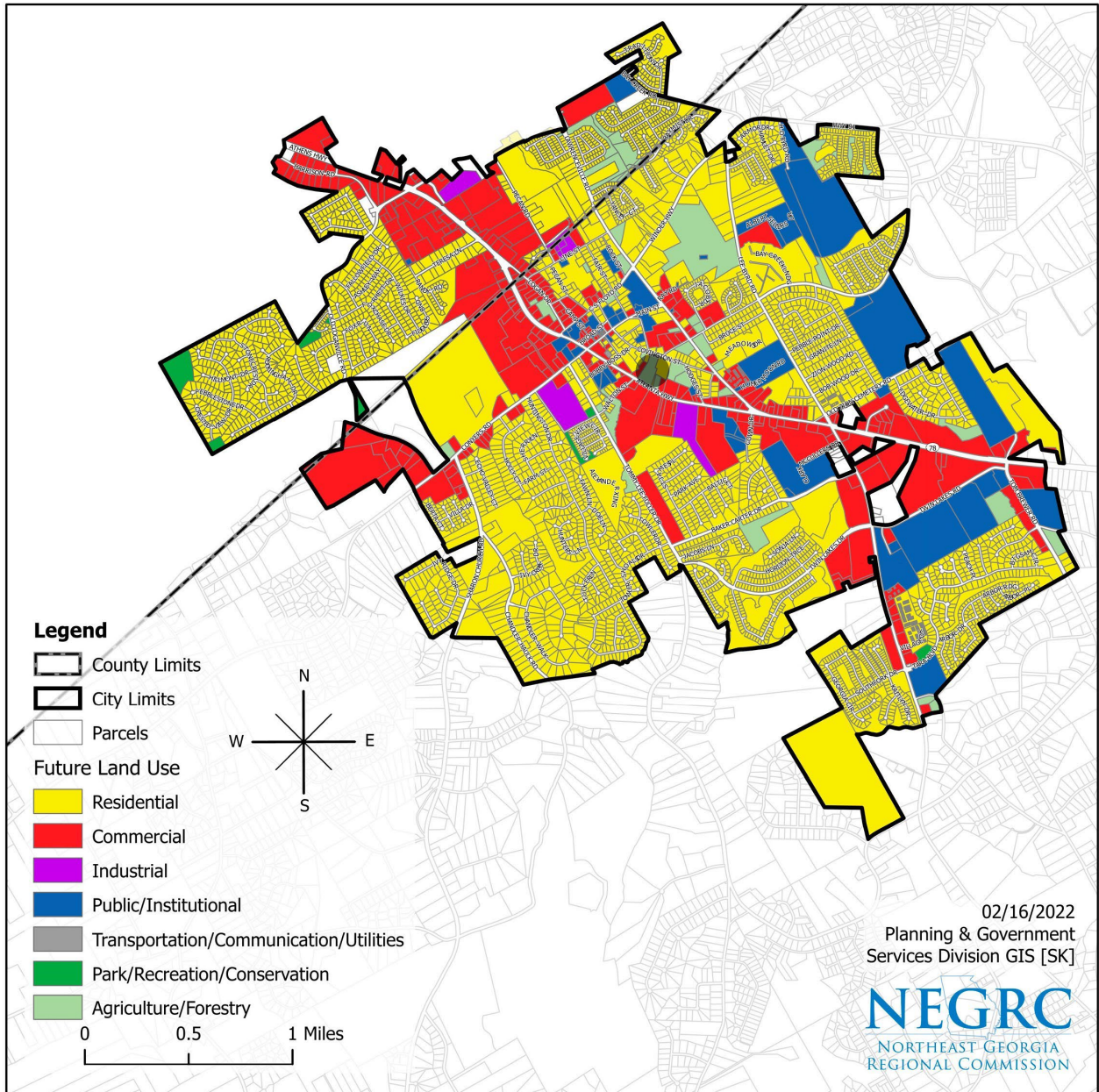
PLANNING COMMISSION HEARING: Oct. 24, 2024

CITY COUNCIL HEARING: Nov. 14, 2024

ZONING MAP



FUTURE LAND USE MAP



AREA ZONING



Applicant's Request

The applicant is seeking to combine all 5.02 acres of LG060129 plus .05 acres of LG110007, both currently zoned R-44, with all of the 1.16 acres of LG110009, currently zoned CH. If approved, the project will include a two-story, 50,000-square-foot medical building.

Existing Conditions

The land is currently vacant. There is a water feature on the property but City engineers agree with the applicant's engineers that this water immediately upstream of the US 78 culvert should be classified as a jurisdictional wetland with no stream buffers required.



Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? This project will result in the removal of most of the trees on the parcels of land and develop one of the few remaining tracts of land still vacant along Highway 78. It is adjacent to Office and Institutional zoning to its west, Commercial Highway and R-44 to the east, Commercial Highway to the south and CH to the north. As there are several two-story buildings already in the area, the addition of one more will not likely have much of an impact on the overall appearance and conditions of adjacent parcels.

What is the impact upon thoroughfare congestion and traffic safety? Georgia Department of Transportation reports the annual average daily traffic on Highway 78 was 37,400 in 2023, the most recent data available and steadily on the rise from 36,300 in 2021. The city’s Comprehensive Traffic Study projects that traffic in the area of Highway 78 between Walton and Hodges streets will be 48,025 by 2035 and 54,375 by 2045.

Long range goals in the area identified by the study include creating bicycle and pedestrian improvements along Bay Creek Road from Covington Street to Lee Byrd Road.

A property going from being vacant to being used for a commercial purpose will impact congestion and traffic safety in the area. While the Highway 78 entrance will be governed by regulations from GDOT, the applicant should be made aware of the potential need for a decel lane for those accessing the site while driving east along Covington Street, if the project is approved.

What is the impact upon population density and the potential for overcrowding and urban sprawl? A property going from residential to commercial use typically results in increased traffic but lessens the impact of population density and overcrowding.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? The applicant will have to coordinate with the Utilities Department for the necessary upgrades to the sewer pump station that will serve it. Water is readily available in the area. The applicant will also have to coordinate with GDOT for their curb-cut on Highway 78. If approved, and a decel lane is determined to be necessary on Covington Street, the applicant will likely have to shift their entrance to ensure the entry is done to current city standards.

How does the proposed use provide protection of property against blight and depreciation? This property is currently vacant so the development commercial purposes along the Highway 78 corridor would bring it more in line with neighboring properties, which in turn would likely result in increased property value.



Is the proposed use consistent with the adopted Comprehensive Plan? No, the future land use for this lot is Forestry / Agriculture and R-44.

What is the impact upon adjacent property owners if the request is approved? Minimal as the property is predominantly surrounded by properties that are already zoned for commercial purposes.

What is the impact upon adjacent property owners if the request is not approved? The property will likely remain vacant until another commercial developer comes along with another project.

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

Recommended action: Staff recommendation is to approve the rezone.

Planning Commission Recommended Conditions

City Council Conditions



DATA APPENDIX

WATER

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

Size of the water line? 12 inch on Atlanta Highway

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8-inch

Capacity of the sewer line? Unknown

Estimated waste generated by proposed development? Unknown

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? Big Flat 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? Unknown

Are there other topographical concerns on the parcel? Unknown

Are the storm water issues related to the application? Unknown



TRANSPORTATION

What is the road affected by the proposed change? What is the classification of the road?
Highway 78 (major collector), Covington Street (minor collector)

What is the traffic count for the road? 37,500 for Highway 78, unknown for Covington Street

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? Yes

Transportation improvements in the area? If yes, what are they? No, but a decel lane will likely be required for the entrance on Covington Street.

EMERGENCY SERVICES

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

Distance of the nearest station? 1 mile

Most likely station for 1st response? Station 15

Service burdens at the nearest city fire station (under, at, or above capacity) At capacity.



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: 9-5-24

Application # V 24-032

APPLICATION FOR MAJOR VARIANCE

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: [X] 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: 9-3-24
Accepted by Planning & Development: [Signature] DATE: 9-5-24 FEE PAID: \$500.00

CHECK RECEIPT 100177129 TAKEN BY: [Signature] DATE OF LEGAL NOTICE: 10-4-24 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: [X] Approve [] Approve w/conditions [] Deny [] No Recommendation
Commission Chairman: [Signature] DATE: 10/24/24

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

Mayor: "Skip" Balis City Clerk: [Signature] Date: 11/14/24

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.

Applicant's Signature _____ Date _____

Print Name and Title _____

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

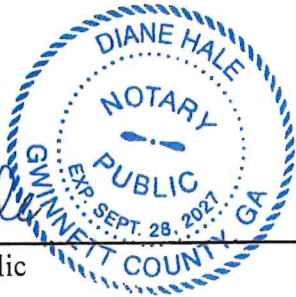
that all information contained in this application is complete and accurate to the best of their knowledge.

Ann R. Jones as agent _____ Date 8.30.2024
Owner's Signature

Michael B. Jones as agent for Ann R. Jones _____
Print Name and Title

Sworn to and subscribed before me this 30TH day of August, 2024.

(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.

Applicant's Signature _____ Date _____

Print Name and Title _____

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

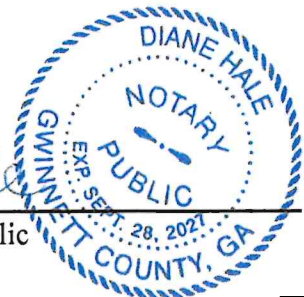
that all information contained in this application is complete and accurate to the best of their knowledge.

Ann R. Jones by Austin O. Jones as Agent _____
Owner's Signature Date 8/28/24

Ann R. Jones by Austin O. Jones as Agent _____
Print Name and Title

Sworn to and subscribed before me this 28th day of August, 2024.

(Seal) _____
Signature of Notary Public



Application # V

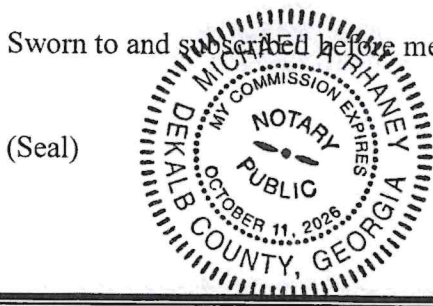
Applicant's Certification

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.

[Signature] 8-30-2024
Applicant's Signature Date

Michael Sunshine managing member of BAMM Real Estate LLC
Print Name and Title

Sworn to and subscribed before me this 30th day of August, 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.

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

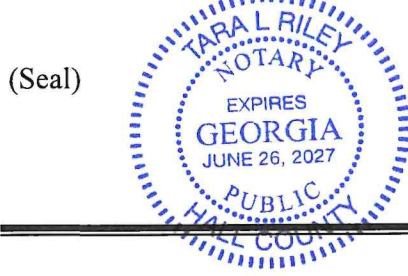
Applicant's Certification

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.

Julia Maxwell _____
Applicant's Signature 9/3/24
Date

Julia Maxwell, Attorney for Applicant
Print Name and Title

Sworn to and subscribed before me this 3rd day of September, 2024.



Tara L. Riley
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

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 RESPONSE 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 Property is wide at its front along Atlanta Highway and then tapers moving north towards its frontage along Covington Street. The Applicant submits that the subject property’s size, shape, and topography creates exceptional conditions that support the requested relief.

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 currently prescribed land use mix set forth in the Ordinance. Rather, the Applicant is seeking flexibility regarding the buffer requirements for its requested rezoning filed concurrently with this application.

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 Property creates an unnecessary hardship because it would require the Applicant to provide a buffer between the residential property to the East of the subject property when a natural buffer already exists. Additionally, the need for adequate parking and the size and shape of the parcel make providing the required buffer infeasible.

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

If granted, the relief sought would not create a detriment to the public good nor would it impair the purpose and intent of the applicable ordinance. The purpose and intent of the applicable ordinance is to ensure that there is sufficient screening between dissimilar land uses. However, the residential parcel adjacent to the subject property that would benefit from the buffer is situated in a way that the required buffer would not create a noticeable difference. Additionally, the adjacent residential property is located in a predominately commercial area and is surrounded by commercial uses. It is not unreasonable that the residential parcel will be converted into a commercial use sometime in the future and it would not make sense to require a buffer between two commercial parcels when the ZO requires inter-parcel access between two commercial parcels.

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

No. To the contrary, the granting of the requested relief would allow a productive use of the property that will be of great benefit to the community as a whole without impairing the purpose and intent of the applicable ordinance.

ADJACENT PROPERTY OWNERS LIST:

Name	Address	Parcel No.	County
C3 Church Grayson, Inc.	1840 Silverstone Drive Lawrenceville, GA 30045	LG110010	Walton
Ann R. Jones	P.O. Box 408 Loganville, GA 30052	LG110007	Walton
Whitley Stalvey Properties, LLC	3132 US Highway 278 Covington, GA 30014	LG110009	Walton
JBL Enterprises, LLC	4460 Atlanta Highway Loganville, GA 30052	LG060139	Walton
Loganville Property c/o Flanagan Bilton, LLC	1 N. Lasalle Street Suite 2100 Chicago, IL 60602	LG060137	Walton
Ingles Markets, Inc.	P.O. Box 6676 Asheville, NC 28816	LG060138	Walton
Gallman Properties, LLC	4935 Shiloh Drive Loganville, GA 30052	LG060150	Walton

LEGAL DESCRIPTION

Tract 1

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 154, 155, and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street the following courses and distances: North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE North 72 degrees 06 minutes 38 seconds West a distance of 332.38 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**;

THENCE leaving said R/W line of Covington Street South 18 degrees 02 minutes 01 seconds West a distance of 300.15 feet to a 5/8" rebar found (disturbed); THENCE South 72 degrees 01 minutes 47 seconds East a distance of 51.24 feet to a metal fence post found; THENCE South 19 degrees 10 minutes 29 seconds West a distance of 442.98 feet to an iron pin set on the northeasterly R/W line of Atlanta Highway (aka U.S. Highway No. 78) (variable width R/W); THENCE running along said R/W line of Atlanta Highway the following courses and distances: THENCE North 58 degrees 48 minutes 27 seconds West a distance of 24.39 feet to a point; THENCE South 82 degrees 31 minutes 57 seconds West a distance of 32.01 feet to a right of way monument found; THENCE North 58 degrees 48 minutes 27 seconds West a distance of 325.00 feet to a right of way monument found; THENCE North 31 degrees 45 minutes 38 seconds West a distance of 15.42 feet to a 1/2" rebar with cap found; THENCE leaving said R/W line of Atlanta Highway North 32 degrees 29 minutes 00 seconds East a distance of 463.74 feet to a 5/8" rebar found; THENCE North 17 degrees 26 minutes 40 seconds East a distance of 218.11 feet to a 1/2" rebar with cap found on the southerly R/W line of Covington Street; THENCE running along said R/W line of Covington Street South 71 degrees 59 minutes 30 seconds East a distance of 224.99 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 211,248 square feet, or 4.850 acres.

**DESCRIPTION OF
Proposed Tract 2A**

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 155 and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE leaving said R/W line of Covington Street South 14 degrees 30 minutes 06 seconds West a distance of 507.09 feet to a 1/2" rebar found (disturbed); THENCE North 60 degrees 43 minutes 54 seconds West a distance of 150.20 feet to an iron pin set; THENCE North 58 degrees 47 minutes 28 seconds West a distance of 149.60 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**;

THENCE South 14 degrees 50 minutes 30 seconds West a distance of 314.48 feet to a R/W monument found on the northerly R/W line of Atlanta Highway (aka U.S. Highway No. 78); THENCE running along said R/W line of Atlanta Highway North 53 degrees 05 minutes 49 seconds West a distance of 21.97 feet to a point; THENCE continuing along said R/W line of Atlanta Highway North 58 degrees 48 minutes 27 seconds West a distance of 25.60 feet to an iron pin set; THENCE leaving said R/W line of Atlanta Highway North 19 degrees 10 minutes 29 seconds East a distance of 306.29 feet to a point; THENCE South 58 degrees 47 minutes 28 seconds East a distance of 22.70 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 10,437 square feet, or 0.240 acres.

LEGAL DESCRIPTION

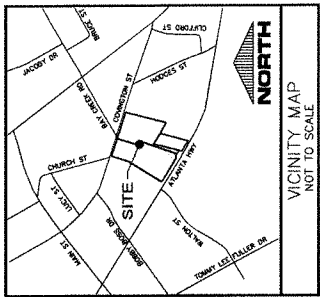
Tract 3

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 155 and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE leaving said R/W line of Covington Street South 14 degrees 30 minutes 06 seconds West a distance of 507.09 feet to a 1/2" rebar found (disturbed); THENCE North 60 degrees 43 minutes 54 seconds West a distance of 150.20 feet to an iron pin set; said point being the **POINT OF BEGINNING**;

THENCE South 14 degrees 52 minutes 36 seconds West a distance of 348.56 feet to a point on the northeasterly R/W line of Atlanta Highway (aka U.S. Highway No. 78) (variable width R/W); THENCE running along said R/W line of Atlanta Highway the following courses and distances: North 58 degrees 48 minutes 27 seconds West a distance of 149.44 feet to an iron pin set; THENCE North 14 degrees 57 minutes 20 seconds East a distance of 34.17 feet to a right-of-way monument found; THENCE leaving said R/W line of Atlanta Highway North 14 degrees 50 minutes 30 seconds East a distance of 314.48 feet to a 5/8" rebar found (disturbed); THENCE South 58 degrees 47 minutes 28 seconds East a distance of 149.60 feet to an iron pin set; said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 50,009 square feet, or 1.148 acres.



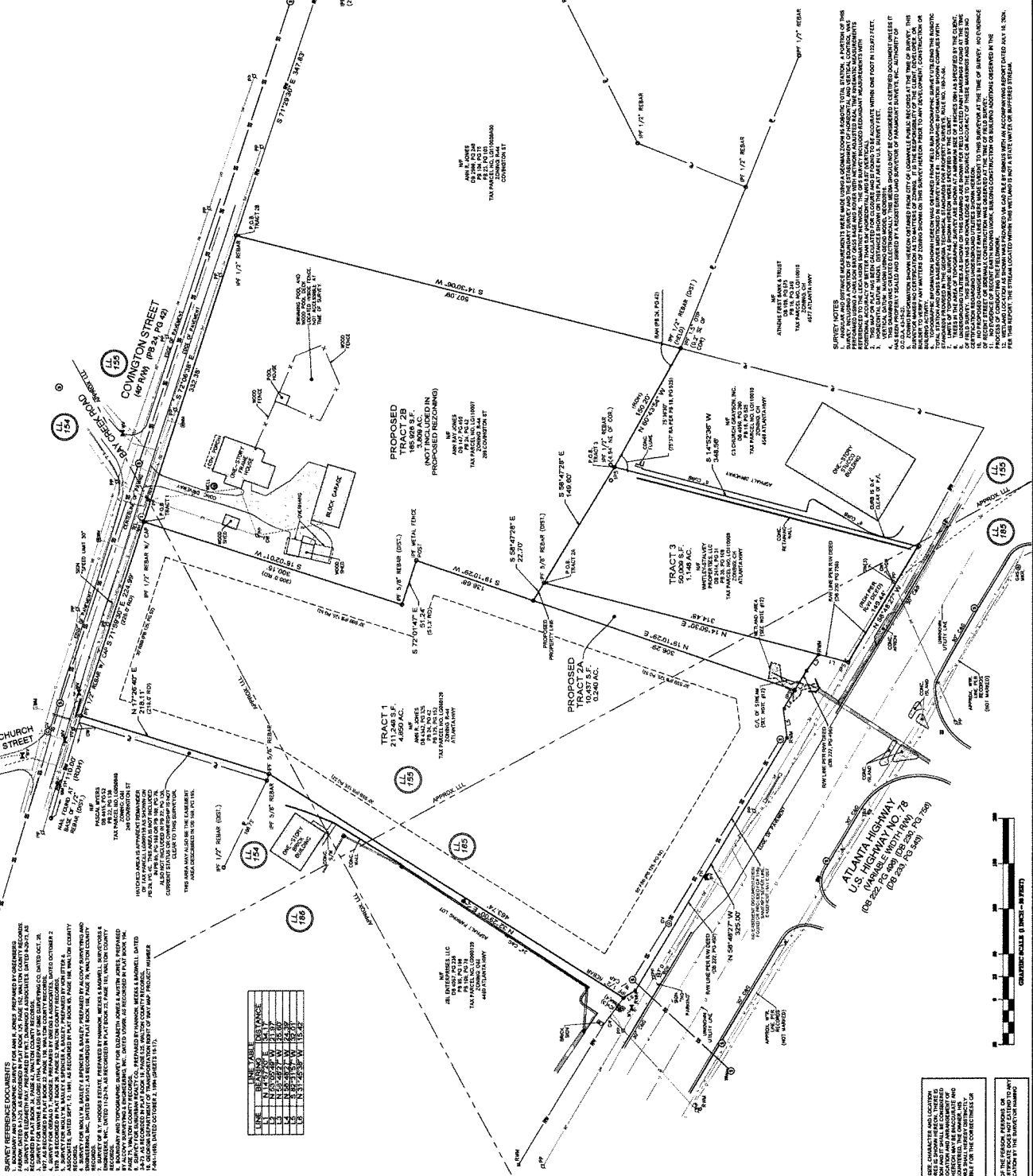
BANK REAL ESTATE L.L.C. A GEORGIA LIMITED LIABILITY COMPANY

PARAMOUNT SURVIVORS

Record Book: 14-135-1722
 Registration: 14-135-1722-001

DATE: JAN 11, 2024
 COUNTY: WALKER
 CHECKED BY: BD
 SCALE: 1" = 50'

FLOOD HAZARD NOTE
 THIS PROJECT IS LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD HAZARD ZONE MAP FOR WALKER COUNTY, GEORGIA, WHICH WAS RECENTLY UPDATED BY THE FLOOD INSURANCE RATE MAPS DIVISION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOOD HAZARD ZONE MAP FOR WALKER COUNTY, GEORGIA, WAS LAST UPDATED ON DECEMBER 4, 2015.



NOTICE TO CONTRACTORS
 1. THIS PLAN IS THE PROPERTY OF BANK REAL ESTATE L.L.C. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BANK REAL ESTATE L.L.C.
 2. THIS PLAN IS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON PERSONS OR ENTITY PERSONS WHOSE NAME(S) IS/ARE SPECIFICALLY MENTIONED HEREON AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF BANK REAL ESTATE L.L.C.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.
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 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.

LEGEND

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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 REZONING AND CONCURRENT
VARIANCE APPLICATIONS OF BAMM REAL ESTATE, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached rezoning and concurrent variance applications (the “Applications”) on behalf of Bamm Real Estate, LLC (the “Applicant”), relative to a proposed medical office building on an approximately 6.238-acre assemblage made up of three tracts of land (the “Property”) located along Atlanta Highway (US Highway 78). Tracts 1 and 2A (as depicted on the survey submitted with the Applications) are currently zoned R-44 (Single-Family Rural Residential District). Tract 3 is currently zoned CH (Commercial Highway District) with no conditions and is not a part of the rezoning application but is subject to the buffer and parking variance application filed concurrently herewith. The Applicant respectfully requests the city to rezone the Property to the CH (Commercial Highway District) classification in order to develop the Property for use as a Class A medical office building.

The proposed development will consist of a two-story medical office building totaling approximately 50,000 square feet. The Property has road frontage on Atlanta Highway and Covington Street. The Property will have two access driveways: a main entrance off of Atlanta Highway and a smaller back entrance off of Covington Street. The medical office building will be designed with attractive architectural elements that are in line with the surrounding aesthetic. Attractive landscaping will be provided including a ten-foot wide landscape strip along the frontage of Atlanta Highway as well as landscape islands in the parking lot. Additionally, the Applicant will provide screening and a five-foot wide landscape strip between the Property and adjacent residentially-zoned property.

Additionally, the proposed development is compatible with the existing land uses on nearby and adjacent properties. The Property is adjacent to land already zoned CH which has

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043
NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022
TELEPHONE 770 232 0000
FACSIMILE 678 518 6880
www.mptlawfirm.com

frontage on Atlanta Highway. The Atlanta Highway corridor is one of Loganville’s most highly developed areas and the proposed development would complement the existing commercial uses as well as bring a much-needed service to Loganville residents. The Atlanta Highway corridor, especially in the area surrounding the Property, is dominated by a wide array of commercial and retail uses including three medical office buildings located to the West of the Property. The proposed medical office building would complement the existing commercial uses and expand Loganville residents’ access to healthcare. Further, the proposed development is compatible with the Loganville Future Land Use Map which designates the surrounding properties as “Commercial” future land use categories. The Applicant respectfully submits that the subject Property is a prime location for a medical office building due to a number of factors including its frontage on a major transportation corridor.

In order to develop the Property as depicted on the site plan submitted with the Applications, the Applicant also requests relief from the ZO buffer and parking requirements. Specifically, the Applicant requests the following variances:

1. ZO § 119-380: a variance to decrease the minimum number of parking spaces allowed for a professional office from 1 space per 200 square feet of building area plus 3 spaces for each operator to 4.5 spaces per 1,000 square feet of building area. Based on the proposed building area of 50,000 square feet, the ZO would currently require a minimum of approximately 400 parking spaces.
2. ZO § 119-432: a variance to decrease the minimum required buffer width for the CH zoning district from 30 feet to 0 feet. In lieu of the required buffer, the Applicant will provide a five-foot landscape strip and adequate screening between the Property and the adjacent residential parcel.

The Applicant submits that the requested variance from the minimum number of parking spaces required for a professional office is justified a strict application of the ZO creates an extreme result that does not serve the purpose and intent of the ordinance itself. The purpose and intent of the minimum parking ordinance is to ensure that businesses in Loganville provide adequate parking for their patrons. However, requiring 1 space per 200 square feet of building area plus 3 spaces per operator will result in an excessive amount of parking that will detract from the overall aesthetic of the development and surrounding area. The Applicant is proposing to build a medical office building and has a vested interest in providing an adequate number of parking spaces for

their patrons. If strictly interpreted, the ZO requires 5 parking spaces per 1,000 square feet plus an additional 3 spaces per “operator”. The ZO is currently being interpreted so that “operator” means “employee,” but the ZO specifically uses the word “employee” in other sections of the parking ordinance. Medical office buildings employ a large number of people and it is an unreasonable result to allow for 3 parking spaces per employee when there can be upwards of 40-50 employees. Additionally, parking spaces increase the amount of impervious surface on a parcel which can in turn increase the amount of storm water runoff and negatively affect surrounding property owners.

The Applicant submits that the requested buffer variance from the required 30 feet to 0 feet is justified because of the size and shape of the Property. Also, the home situated on the adjacent residential property is situated sufficiently far away from the Property so that the approval of the requested variance would not create a detriment to the adjacent property owner’s use and enjoyment of their home. The Applicant will provide adequate screening and landscaping to mitigate any light and/or noise pollution that would affect the adjacent property owner. Additionally, the adjacent residential property is located in a heavily commercial area and will most likely be converted into a commercial use in the future. Accordingly, it would not make sense to require a buffer for a property that will likely become commercial when the ZO encourages and requires inter-parcel access between two commercially zoned properties.

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 Loganville residents with access to healthcare facilities. 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 Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this ___ day of September, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

Ann R. Jones
P.O. Box 408 Loganville, GA 30052

JBL Enterprises, LLC
4460 Atlanta Highway Loganville, GA 30052

Loganville Property c/o Flanagan Bilton, LLC
1 N. Lasalle Street Suite 2100 Chicago, IL 60602

Ingles Markets, Inc.
P.O. Box 6676 Asheville, NC 28816

Myers Pascal
249 Covington Street Loganville, GA 30052

Kampsen Mandie
274 Covington Street Loganville, GA 30052

GEORGIA CUMBERLAND ASSOCIATION OF
SEVENTH DAY ADVENTISTS INC
P O BOX 12000
CALHOUN, GA 30703

BUTLER MARGARET HODGES &
HODGES STEVEN LEE &
HODGES MARK T
10143 DUN BARTON DR
HUNTSVILLE, AL 358031268



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: V24-032

LANDOWNERS: Ann R. Jones

APPLICANT: BAMB Real Estate LLC c/o Mahaffey Pickens Tucker LLP

PROPERTY ADDRESS: Atlanta Highway

MAP/PARCEL #: LG060129, portion of LG110007

PARCEL DESCRIPTION: Vacant

AREA: 5.09 acres

EXISTING ZONING: R-44

PROPOSED ZONING: CH

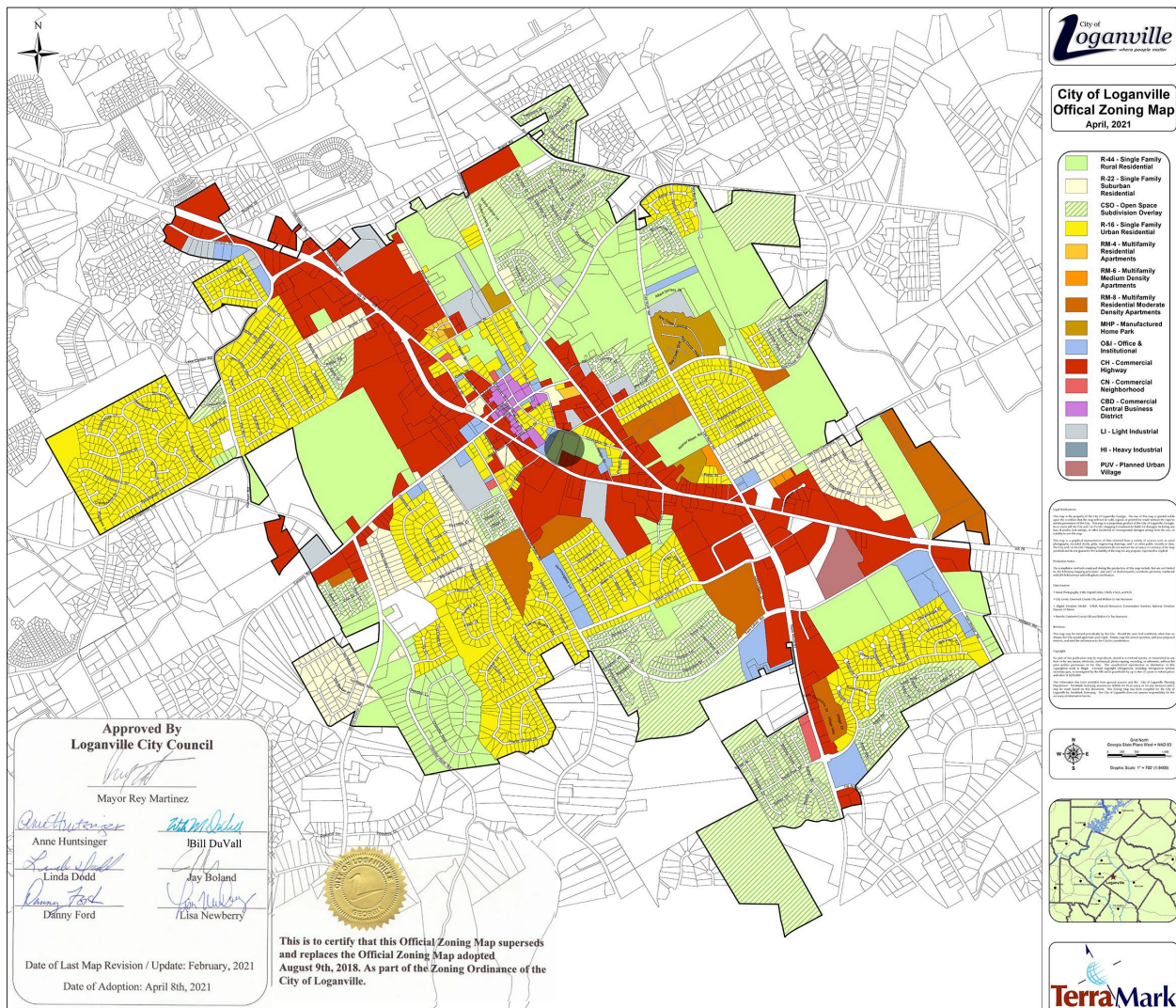
FUTURE LAND USE MAP: Agriculture / Forestry

REASON FOR REQUEST: Relief from City of Loganville Code of Ordinances 119-432 Minimum Buffer Specifications. Specifically, the applicant wants to reduce the 30 feet of buffer required between a parcel zoned Commercial Highway and a property with a residential designation.

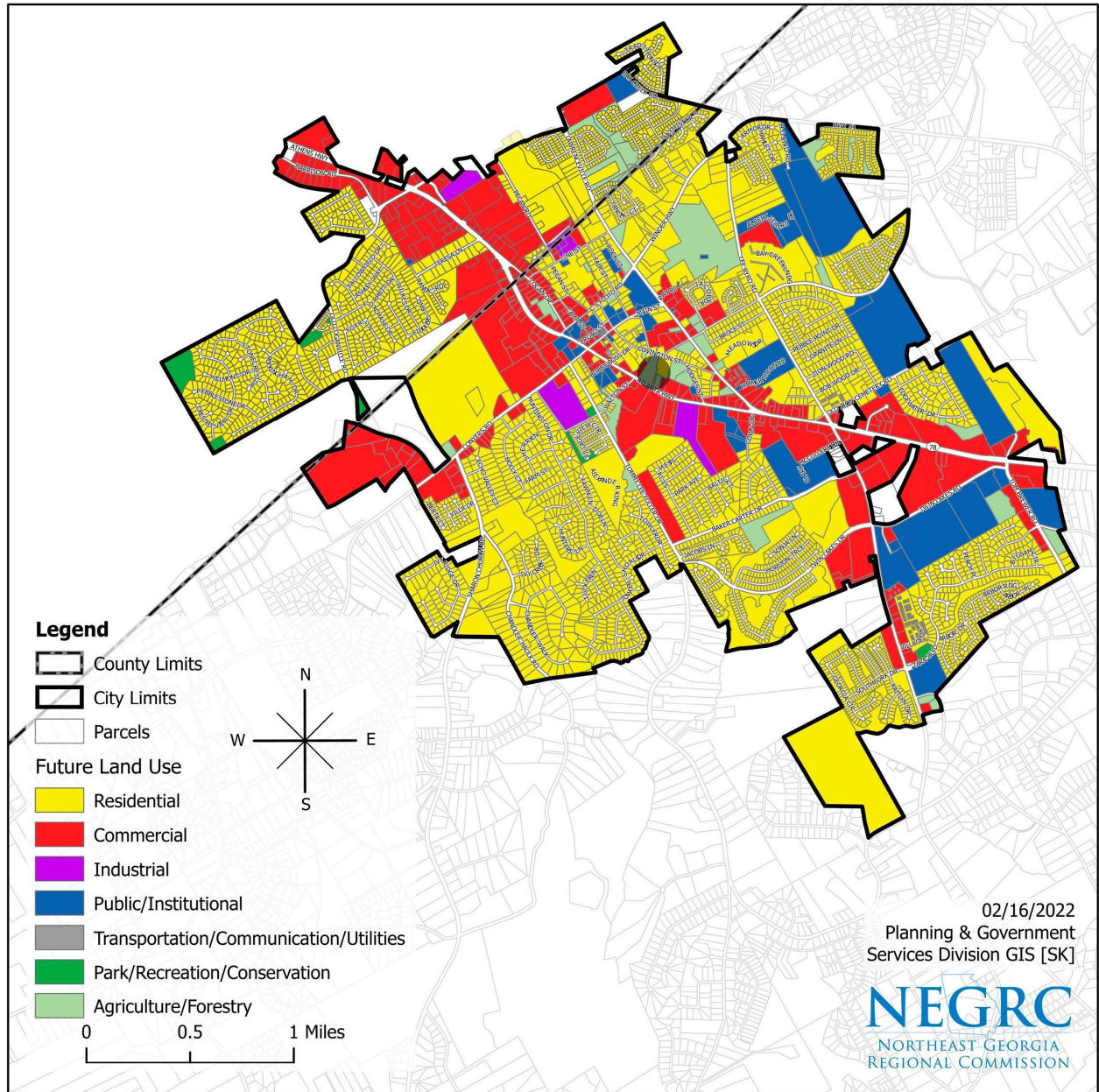
PLANNING COMMISSION HEARING: Oct. 24, 2024

CITY COUNCIL HEARING: Nov. 14, 2024

ZONING MAP



FUTURE LAND USE MAP





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? The applicant is pleading hardship based on the size and shape of the property, although the area in question is currently being proposed for parking purposes. While there is a water feature on the property, City staff have already worked with the applicant to address the potential impact of this. City staff do not see any other potential issues based on size, shape or topography.

What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned? The applicant claims that the residential parcel is in a “heavily commercial area and will likely be converted into a commercial use in the future.” That is not a criteria the City can base any decision upon.

How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship? It would appear that the applicant is seeking relief from the buffer standards to help the project meet its parking requirements. Applying the buffer regulations as written would require them to lose at a minimum of 20 parking spots but ultimately the buffer requirements do not create an unnecessary hardship.

Would the requested relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance? Per the City’s own ordinance, “A planted buffer strip is required to protect residential land uses from excessive heat, dust, wind, light, spill, unsightly views, odor and other characteristics commonly associated with commercial and industrial land uses and related vehicular and pedestrian traffic which can adversely impact the quality of residential life.” While the applicant states that they will provide a 5-foot landscape strip and adequate screening, it is hard to see how the elimination of 30 feet of undisturbed land can easily be replaced with something one-sixth of the size and still meet the same intent and purpose.

Recommended action: The purpose of buffers is to provide the necessary visual and acoustical privacy for the conduct of residential lifestyles in a pleasing environment. While the applicant argues that the house is sufficiently far enough away that their solution will work, it is hard to see a true hardship being presented. *The staff recommendation is for denial of this variance.*

Planning Commission Recommended Conditions

City Council Conditions



DATA APPENDIX

WATER

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

Size of the water line? 12 inch on Atlanta Highway

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8-inch

Capacity of the sewer line? Unknown

Estimated waste generated by proposed development? Unknown

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? Big Flat 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? Unknown

Are there other topographical concerns on the parcel? Unknown

Are the storm water issues related to the application? Unknown

TRANSPORTATION

What is the road affected by the proposed change? What is the classification of the road?
Highway 78 (major collector), Covington Street (minor collector)



What is the traffic count for the road? 37,500 for Highway 78, unknown for Covington Street
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? Yes

Transportation improvements in the area? If yes, what are they? No, but a decel lane will likely be required for the entrance on Covington Street.

EMERGENCY SERVICES

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

Distance of the nearest station? 1 mile

Most likely station for 1st response? Station 15

Service burdens at the nearest city fire station (under, at, or above capacity) At capacity.



Date: 9-5-24

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

Section 5, Item K.

Application # V 24-033

APPLICATION FOR MAJOR VARIANCE

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>BAMM Real Estate, LLC c/o Mahaffey Pickens Tucker, LLP</u> ADDRESS: <u>1550 North Brown Road, STE 125</u> CITY: <u>Lawrenceville</u> STATE: <u>GA</u> Zip: <u>30043</u> PHONE: <u>(770) 232-0000</u>	NAME: <u>Ann R. Jones</u> ADDRESS: <u>P.O. Box 408</u> CITY: <u>Loganville</u> STATE: <u>GA</u> Zip: <u>30052</u> PHONE: _____ (*attach additional pages if necessary to list all owners)
Applicant is: <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Contract Purchaser <input type="checkbox"/> Agent <input type="checkbox"/> Attorney	
CONTACT PERSON: <u>Shane M. Lanham, Attorney for Applicant</u> PHONE: <u>(770) 232-0000</u> EMAIL: <u>slanham@mptlawfirm.com</u> FAX: <u>(678) 518-6880</u>	
PROPERTY INFORMATION	
MAP & PARCEL #: <u>LG060129 LG110009 & a portion of LG110007</u> PRESENT ZONING: <u>R-44</u> ACREAGE: <u>CH</u> ADDRESS: <u>Atlanta Highway</u> COUNTY: <u>Walton</u> Ordinance and Section from Which Relief is Sought: <u>Sec. 119-432</u> Description of Request: <u>Relief from the buffer requirements</u>	

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

Pre-Application Conference Date: 9-3-24

Accepted by Planning & Development: [Signature] DATE: 9-5-24 FEE PAID: \$500.00

CHECK # 1072 RECEIPT # 1009725 TAKEN BY: [Signature] DATE OF LEGAL NOTICE: 10-4-24 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 10/24/24

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

[Signature] Mayor
[Signature] City Clerk

Date: 11/14/24

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.

Applicant's Signature Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

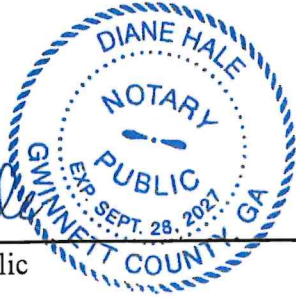
that all information contained in this application is complete and accurate to the best of their knowledge.

Ann R. Jones ^{as agent} _____
Owner's Signature 8.30.2024
Date

Michael B. Jones as agent for Ann R. Jones
Print Name and Title

Sworn to and subscribed before me this 30TH day of August, 2024.

(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.

Applicant's Signature

Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal)

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.

Ann R. Jones by Austin O. Jones as Agent 8/28/24
Owner's Signature Date

Ann R. Jones by Austin O. Jones as Agent
Print Name and Title

Sworn to and subscribed before me this 28th day of August, 2024.

(Seal)

Diane Hale
Signature of Notary Public



Application # V

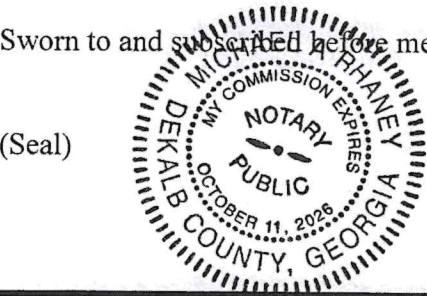
Applicant's Certification

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.

[Signature] 8-30-2024
Applicant's Signature Date

Michael Sunshine managing member of BAMM Real Estate LLC
Print Name and Title

Sworn to and subscribed before me this 30th day of August, 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.

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

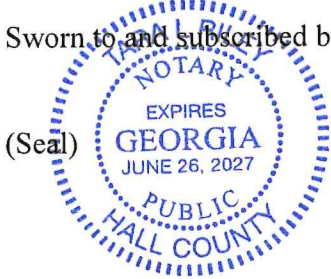
The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

Julia Maxwell
Applicant's Signature

9/3/24
Date

Julia Maxwell, Attorney for Applicant
Print Name and Title

Sworn to and subscribed before me this 3rd day of September, 2024.



Tara Blakey
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 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 RESPONSE 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 Property is wide at its front along Atlanta Highway and then tapers moving north towards its frontage along Covington Street. The Applicant submits that the subject property's size, shape, and topography creates exceptional conditions that support the requested relief.

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 currently prescribed land use mix set forth in the Ordinance. Rather, the Applicant is seeking flexibility regarding the minimum parking requirements for its requested rezoning filed concurrently with this application.

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 applicable ordinance to the Property creates an unnecessary hardship because it would require the Applicant to provide an unnecessary amount of parking for the type of establishment. The Applicant is keenly aware that a medical office building requires sufficient amounts of parking for the smooth operation of such a facility. The developer has years of experience and an expansive portfolio of successful medical office buildings all of which have sufficient parking at ratios lower than required by the ZO. However, the interpretation and application of the applicable code section creates an arbitrary and extreme result that will require an unreasonable amount of parking. The ordinance classifies medical/professional office buildings in the same category as barbershops and other dissimilar businesses. While it makes sense to require a square footage parking ratio plus an additional amount of parking per operator in the case of a barbershop where there are only around 5-10 employees, it creates an extreme result when applied to a medical office building where there are upwards of 40-50 employees.

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

If granted, the relief sought would not create a detriment to the public good nor would it impair the purpose and intent of the applicable ordinance. The purpose and intent of the applicable ordinance is to ensure that there are sufficient amounts of parking for each different type of business. However, when strictly interpreted and applied to this proposed development, the result becomes extreme.

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

No. To the contrary, the granting of the requested relief would allow a productive use of the property that will be of great benefit to the community as a whole without impairing the purpose and intent of the applicable ordinance.

ADJACENT PROPERTY OWNERS LIST:

Name	Address	Parcel No.	County
C3 Church Grayson, Inc.	1840 Silverstone Drive Lawrenceville, GA 30045	LG110010	Walton
Ann R. Jones	P.O. Box 408 Loganville, GA 30052	LG110007	Walton
Whitley Stalvey Properties, LLC	3132 US Highway 278 Covington, GA 30014	LG110009	Walton
JBL Enterprises, LLC	4460 Atlanta Highway Loganville, GA 30052	LG060139	Walton
Loganville Property c/o Flanagan Bilton, LLC	1 N. Lasalle Street Suite 2100 Chicago, IL 60602	LG060137	Walton
Ingles Markets, Inc.	P.O. Box 6676 Asheville, NC 28816	LG060138	Walton
Gallman Properties, LLC	4935 Shiloh Drive Loganville, GA 30052	LG060150	Walton

LEGAL DESCRIPTION

Tract 1

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 154, 155, and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street the following courses and distances: North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE North 72 degrees 06 minutes 38 seconds West a distance of 332.38 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**;

THENCE leaving said R/W line of Covington Street South 18 degrees 02 minutes 01 seconds West a distance of 300.15 feet to a 5/8" rebar found (disturbed); THENCE South 72 degrees 01 minutes 47 seconds East a distance of 51.24 feet to a metal fence post found; THENCE South 19 degrees 10 minutes 29 seconds West a distance of 442.98 feet to an iron pin set on the northeasterly R/W line of Atlanta Highway (aka U.S. Highway No. 78) (variable width R/W); THENCE running along said R/W line of Atlanta Highway the following courses and distances: THENCE North 58 degrees 48 minutes 27 seconds West a distance of 24.39 feet to a point; THENCE South 82 degrees 31 minutes 57 seconds West a distance of 32.01 feet to a right of way monument found; THENCE North 58 degrees 48 minutes 27 seconds West a distance of 325.00 feet to a right of way monument found; THENCE North 31 degrees 45 minutes 38 seconds West a distance of 15.42 feet to a 1/2" rebar with cap found; THENCE leaving said R/W line of Atlanta Highway North 32 degrees 29 minutes 00 seconds East a distance of 463.74 feet to a 5/8" rebar found; THENCE North 17 degrees 26 minutes 40 seconds East a distance of 218.11 feet to a 1/2" rebar with cap found on the southerly R/W line of Covington Street; THENCE running along said R/W line of Covington Street South 71 degrees 59 minutes 30 seconds East a distance of 224.99 feet to a 1/2" rebar with cap found; said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 211,248 square feet, or 4.850 acres.

**DESCRIPTION OF
Proposed Tract 2A**

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 155 and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE leaving said R/W line of Covington Street South 14 degrees 30 minutes 06 seconds West a distance of 507.09 feet to a 1/2" rebar found (disturbed); THENCE North 60 degrees 43 minutes 54 seconds West a distance of 150.20 feet to an iron pin set; THENCE North 58 degrees 47 minutes 28 seconds West a distance of 149.60 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**;

THENCE South 14 degrees 50 minutes 30 seconds West a distance of 314.48 feet to a R/W monument found on the northerly R/W line of Atlanta Highway (aka U.S. Highway No. 78); THENCE running along said R/W line of Atlanta Highway North 53 degrees 05 minutes 49 seconds West a distance of 21.97 feet to a point; THENCE continuing along said R/W line of Atlanta Highway North 58 degrees 48 minutes 27 seconds West a distance of 25.60 feet to an iron pin set; THENCE leaving said R/W line of Atlanta Highway North 19 degrees 10 minutes 29 seconds East a distance of 306.29 feet to a point; THENCE South 58 degrees 47 minutes 28 seconds East a distance of 22.70 feet to a 5/8" rebar found (disturbed); said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 10,437 square feet, or 0.240 acres.

LEGAL DESCRIPTION

Tract 3

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Loganville, Land Lots 155 and 185, 4th District, G.M.D. 417, Walton County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the southwesterly R/W line of Church Street (40' R/W) with the southerly R/W line of Covington Street (40' R/W); THENCE running along said R/W line of Covington Street North 71 degrees 29 minutes 30 seconds West a distance of 347.83 feet to a 1/2" rebar found; THENCE leaving said R/W line of Covington Street South 14 degrees 30 minutes 06 seconds West a distance of 507.09 feet to a 1/2" rebar found (disturbed); THENCE North 60 degrees 43 minutes 54 seconds West a distance of 150.20 feet to an iron pin set; said point being the **POINT OF BEGINNING**;

THENCE South 14 degrees 52 minutes 36 seconds West a distance of 348.56 feet to a point on the northeasterly R/W line of Atlanta Highway (aka U.S. Highway No. 78) (variable width R/W); THENCE running along said R/W line of Atlanta Highway the following courses and distances: North 58 degrees 48 minutes 27 seconds West a distance of 149.44 feet to an iron pin set; THENCE North 14 degrees 57 minutes 20 seconds East a distance of 34.17 feet to a right-of-way monument found; THENCE leaving said R/W line of Atlanta Highway North 14 degrees 50 minutes 30 seconds East a distance of 314.48 feet to a 5/8" rebar found (disturbed); THENCE South 58 degrees 47 minutes 28 seconds East a distance of 149.60 feet to an iron pin set; said point being the **POINT OF BEGINNING**.

Said tract or parcel of land containing 50,009 square feet, or 1.148 acres.

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 REZONING AND CONCURRENT
VARIANCE APPLICATIONS OF BAMB REAL ESTATE, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached rezoning and concurrent variance applications (the “Applications”) on behalf of BAMB Real Estate, LLC (the “Applicant”), relative to a proposed medical office building on an approximately 6.238-acre assemblage made up of three tracts of land (the “Property”) located along Atlanta Highway (US Highway 78). Tracts 1 and 2A (as depicted on the survey submitted with the Applications) are currently zoned R-44 (Single-Family Rural Residential District). Tract 3 is currently zoned CH (Commercial Highway District) with no conditions and is not a part of the rezoning application but is subject to the buffer and parking variance application filed concurrently herewith. The Applicant respectfully requests the city to rezone the Property to the CH (Commercial Highway District) classification in order to develop the Property for use as a Class A medical office building.

The proposed development will consist of a two-story medical office building totaling approximately 50,000 square feet. The Property has road frontage on Atlanta Highway and Covington Street. The Property will have two access driveways: a main entrance off of Atlanta Highway and a smaller back entrance off of Covington Street. The medical office building will be designed with attractive architectural elements that are in line with the surrounding aesthetic. Attractive landscaping will be provided including a ten-foot wide landscape strip along the frontage of Atlanta Highway as well as landscape islands in the parking lot. Additionally, the Applicant will provide screening and a five-foot wide landscape strip between the Property and adjacent residentially-zoned property.

Additionally, the proposed development is compatible with the existing land uses on nearby and adjacent properties. The Property is adjacent to land already zoned CH which has

frontage on Atlanta Highway. The Atlanta Highway corridor is one of Loganville's most highly developed areas and the proposed development would complement the existing commercial uses as well as bring a much-needed service to Loganville residents. The Atlanta Highway corridor, especially in the area surrounding the Property, is dominated by a wide array of commercial and retail uses including three medical office buildings located to the West of the Property. The proposed medical office building would complement the existing commercial uses and expand Loganville residents' access to healthcare. Further, the proposed development is compatible with the Loganville Future Land Use Map which designates the surrounding properties as "Commercial" future land use categories. The Applicant respectfully submits that the subject Property is a prime location for a medical office building due to a number of factors including its frontage on a major transportation corridor.

In order to develop the Property as depicted on the site plan submitted with the Applications, the Applicant also requests relief from the ZO buffer and parking requirements. Specifically, the Applicant requests the following variances:

1. ZO § 119-380: a variance to decrease the minimum number of parking spaces allowed for a professional office from 1 space per 200 square feet of building area plus 3 spaces for each operator to 4.5 spaces per 1,000 square feet of building area. Based on the proposed building area of 50,000 square feet, the ZO would currently require a minimum of approximately 400 parking spaces.
2. ZO § 119-432: a variance to decrease the minimum required buffer width for the CH zoning district from 30 feet to 0 feet. In lieu of the required buffer, the Applicant will provide a five-foot landscape strip and adequate screening between the Property and the adjacent residential parcel.

The Applicant submits that the requested variance from the minimum number of parking spaces required for a professional office is justified a strict application of the ZO creates an extreme result that does not serve the purpose and intent of the ordinance itself. The purpose and intent of the minimum parking ordinance is to ensure that businesses in Loganville provide adequate parking for their patrons. However, requiring 1 space per 200 square feet of building area plus 3 spaces per operator will result in an excessive amount of parking that will detract from the overall aesthetic of the development and surrounding area. The Applicant is proposing to build a medical office building and has a vested interest in providing an adequate number of parking spaces for

their patrons. If strictly interpreted, the ZO requires 5 parking spaces per 1,000 square feet plus an additional 3 spaces per “operator”. The ZO is currently being interpreted so that “operator” means “employee,” but the ZO specifically uses the word “employee” in other sections of the parking ordinance. Medical office buildings employ a large number of people and it is an unreasonable result to allow for 3 parking spaces per employee when there can be upwards of 40-50 employees. Additionally, parking spaces increase the amount of impervious surface on a parcel which can in turn increase the amount of storm water runoff and negatively affect surrounding property owners.

The Applicant submits that the requested buffer variance from the required 30 feet to 0 feet is justified because of the size and shape of the Property. Also, the home situated on the adjacent residential property is situated sufficiently far away from the Property so that the approval of the requested variance would not create a detriment to the adjacent property owner’s use and enjoyment of their home. The Applicant will provide adequate screening and landscaping to mitigate any light and/or noise pollution that would affect the adjacent property owner. Additionally, the adjacent residential property is located in a heavily commercial area and will most likely be converted into a commercial use in the future. Accordingly, it would not make sense to require a buffer for a property that will likely become commercial when the ZO encourages and requires inter-parcel access between two commercially zoned properties.

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 Loganville residents with access to healthcare facilities. 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 Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this ___ day of September, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

Ann R. Jones
P.O. Box 408 Loganville, GA 30052

JBL Enterprises, LLC
4460 Atlanta Highway Loganville, GA 30052

Loganville Property c/o Flanagan Bilton, LLC
1 N. Lasalle Street Suite 2100 Chicago, IL 60602

Ingles Markets, Inc.
P.O. Box 6676 Asheville, NC 28816

Myers Pascal
249 Covington Street Loganville, GA 30052

Kampsen Mandie
274 Covington Street Loganville, GA 30052

GEORGIA CUMBERLAND ASSOCIATION OF
SEVENTH DAY ADVENTISTS INC
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BUTLER MARGARET HODGES &
HODGES STEVEN LEE &
HODGES MARK T
10143 DUN BARTON DR
HUNTSVILLE, AL 358031268



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: V24-033

LANDOWNERS: Ann R. Jones

APPLICANT: BAMB Real Estate LLC c/o Mahaffey Pickens Tucker LLP

PROPERTY ADDRESS: Atlanta Highway

MAP/PARCEL #: LG060129, LG110009, portion of LG110007

PARCEL DESCRIPTION: Vacant

AREA: 6.25

EXISTING ZONING: R-44, CH

PROPOSED ZONING: CH

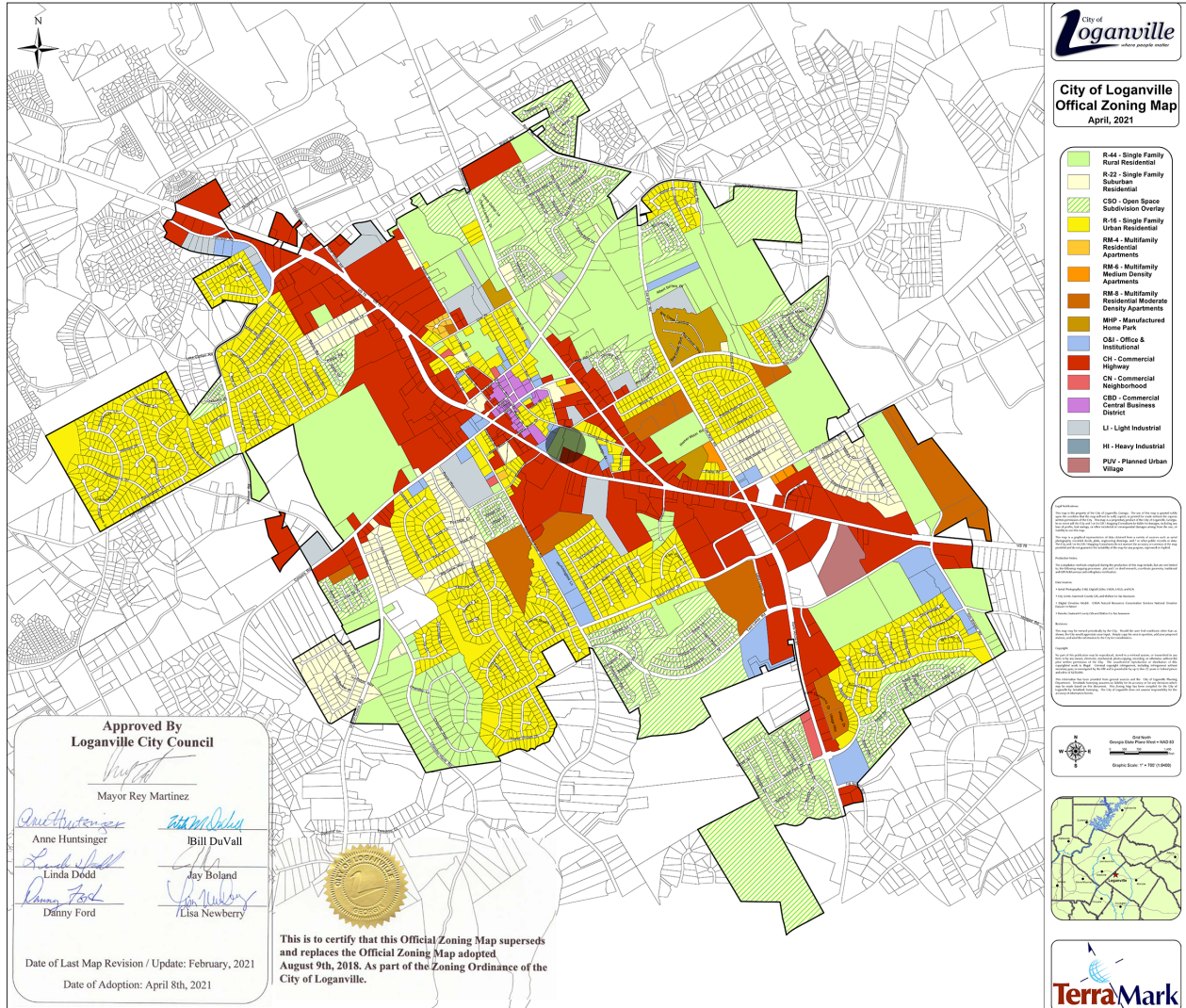
FUTURE LAND USE MAP: Agriculture / Forestry, R-44, CH

REASON FOR REQUEST: Relief from City of Loganville Code of Ordinances 119-380 Minimum Off-Street Parking and Loading Requirements. Specifically, the applicant wants to reduce the total number of parking spaces required for their project.

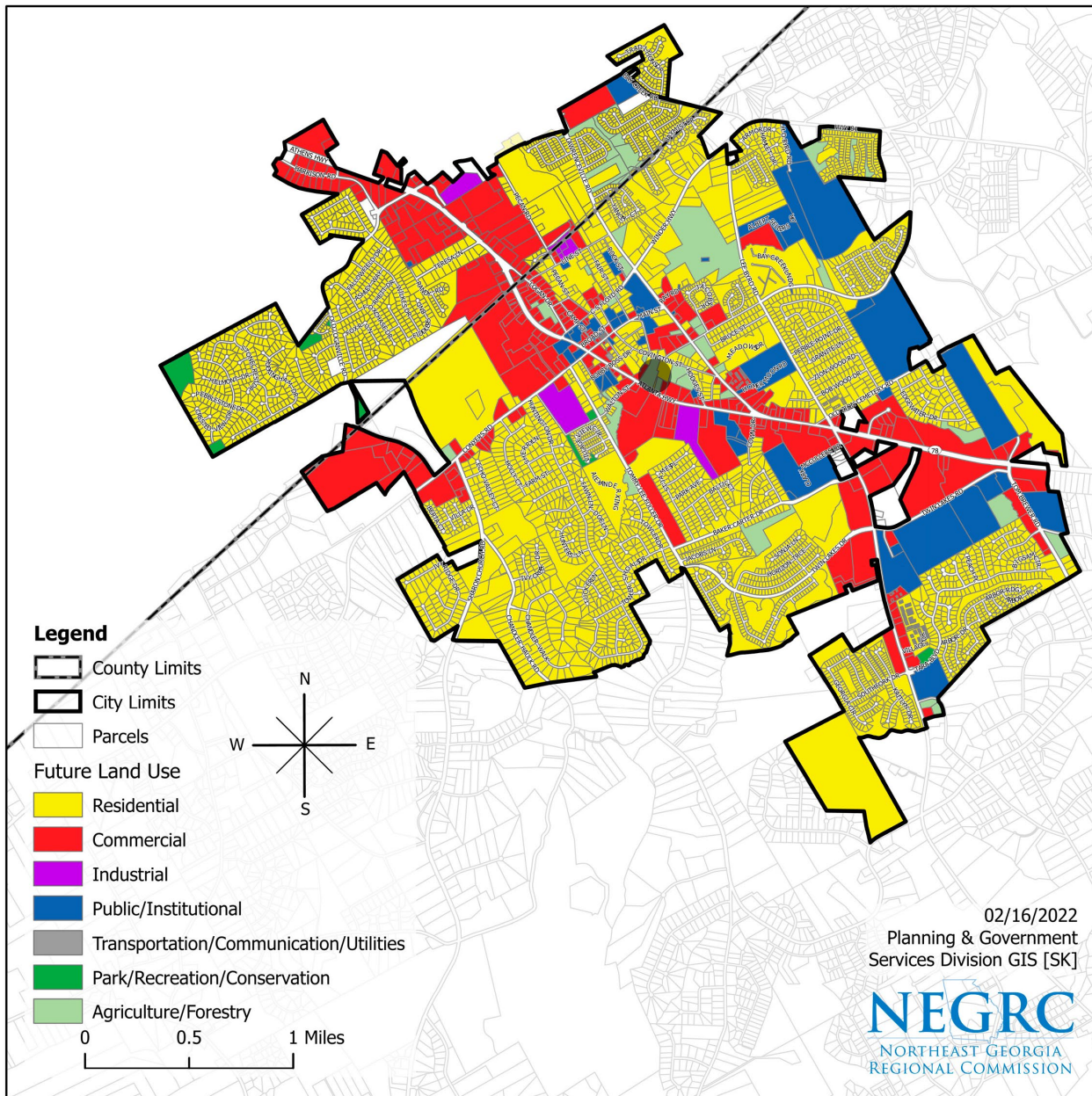
PLANNING COMMISSION HEARING: Oct. 24, 2024

CITY COUNCIL HEARING: Nov. 14, 2024

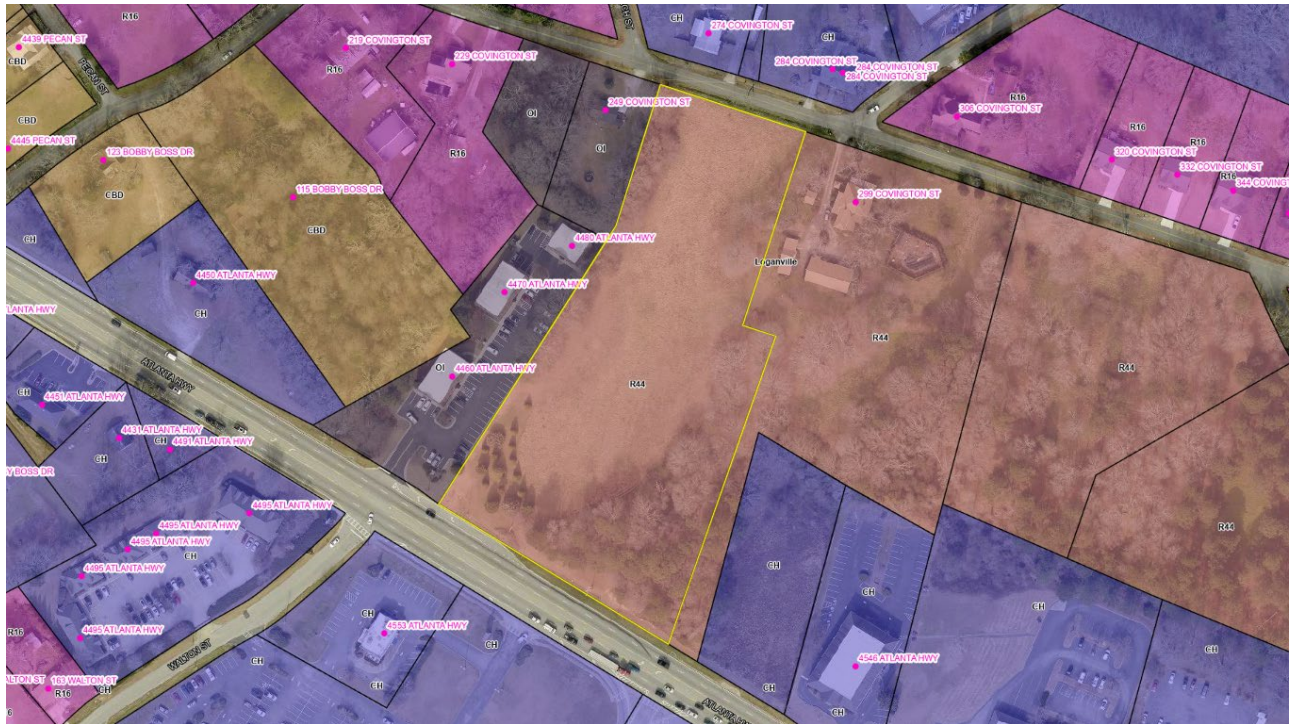
ZONING MAP



FUTURE LAND USE MAP



AREA ZONING



Applicant's Request

The applicant is seeking a variance from City of Loganville Code of Ordinances 119-380 Minimum Off-Street Parking and Loading Requirements. The ordinance states that the parking requirements for banks, professional and general offices, beauty shops and barbershops is one for each 200 square feet of gross floor space plus three for each operator. Initial conversations with the applicant resulted in the project requiring more than 400 parking spaces. The applicant wants to replace the way parking is calculated to be 4.5 per 1,000 square feet gross floor space, which would result in about 250 parking spaces for the same project.

Existing Conditions

The property is currently vacant.

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 parking criteria for 119-380 does not include medical offices specifically among its use classifications, so the medical offices would be considered professional and general offices. The applicant attempts to make a claim against the use of operator instead of employee, as is the case in other parts of the section, but this was done to accommodate beauty shops, who may not have typical employees but rather stylists who rent a space. There is a category for hospitals and rest homes, but this project has not been interpreted to be in the same category as a hospital and the manner in which parking is calculated does not directly correlate.

How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship? There are not many buildings that would be comparable in size to this project currently inside Loganville city limits, and none of them are medical facilities (Athens Orthopedics would be the closest in size but is only 28,284 square feet situated on 6.45 acres with 140+ parking spaces). Under current interpretations of the ordinances, the required parking would consumer almost 2 acres of space. Their proposal of 4.5 spaces per 1,000 square feet of space would be in comparison to the parking at Walmart, which had 5.02 parking spaces per 1,000 square feet of space when it opened.

Would the requested relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance? The intent of the ordinance is to provide enough parking “sufficient to meet the needs caused by the building ... and that such parking and loading spaces be so that they are in fact readily usable for such purposes.” Big parking lots do not help with the aesthetics of the City, but the perceived demand must be taken into account to ensure that there is no overflow parking spilling onto neighboring properties or adjacent streets.

Recommended action: This is a case where the intent of the ordinance can be seen just as easily as a shortcoming. This request falls into a middle area of not meeting the requirements but still being able to meet the intent of the applicable ordinance without being detrimental to the public good. The staff recommendation is for approval of the variance to allow for 4.5 parking spaces per 1,000 square feet of space of the building.



Planning & Dev Section 5, Item K.

4303 Lawrenceville Rd.

Loganville, GA 30052

770.466.2633 • planning@loganville-ga.gov

City Council Conditions



DATA APPENDIX

WATER

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

Size of the water line? 12 inch on Atlanta Highway

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8-inch

Capacity of the sewer line? Unknown

Estimated waste generated by proposed development? Unknown

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? Big Flat 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? Unknown

Are there other topographical concerns on the parcel? Unknown

Are the storm water issues related to the application? Unknown

TRANSPORTATION

What is the road affected by the proposed change? What is the classification of the road?
Highway 78 (major collector), Covington Street (minor collector)

What is the traffic count for the road? 37,500 for Highway 78, unknown for Covington Street



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? Yes

Transportation improvements in the area? If yes, what are they? No, but a decel lane will likely be required for the entrance on Covington Street.

EMERGENCY SERVICES

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

Distance of the nearest station? 1 mile

Most likely station for 1st response? Station 15

Service burdens at the nearest city fire station (under, at, or above capacity) At capacity.



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: 9/5/2024

Application # R 24-034

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

APPLICANT INFORMATION and PROPERTY OWNER INFORMATION*
NAME: Kittle Homes, ADDRESS: 243 Cashes Dr, CITY: Lilburn, STATE: GA, Zip: 30047, PHONE: 706 340 9186
NAME: Camp Family Partnership LLC, ADDRESS: PO Box 550, CITY: Snellville, STATE: GA, Zip: 30078, PHONE: 404 557 3131

Applicant is: Property Owner, Contract Purchaser, Agent, Attorney
CONTACT PERSON: Zac Kittle, PHONE: 706 340 9186
EMAIL: Zachary@KittleHomes.com, FAX:

PROPERTY INFORMATION
MAP & PARCEL #: LG110187, LG110187000, LG110185500, LG110185500
PRESENT ZONING: CH, REQUESTED ZONING: RM-6
ADDRESS: 4615 Atlanta Hwy, COUNTY: Walton, ACREAGE: 23.992607
PROPOSED DEVELOPMENT: New Townhomes

- 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: Sarah Black, DATE: 9/6/2024, FEE PAID: \$500.00

CHECK RECEIPT # 7 pm 162024, TAKEN BY: online, DATE OF LEGAL NOTICE: , NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve, Approve w/conditions, Deny, No Recommendation
Commission Chairman: [Signature], DATE: 10/24/24

CITY COUNCIL ACTION: Approved, Approved w/conditions, Referred Back to Planning Commission, Denied, Tabled to, Withdrawn
Mayor: [Signature], City Clerk: [Signature], Date: 11/14/24

Application # **R** _____

Applicant's Certification

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

Applicant's Signature Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

(Seal) _____
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

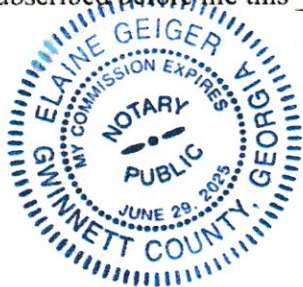
that all information contained in this application is complete and accurate to the best of their knowledge.

Owner's Signature 8/21/2024
Date

Print Name and Title

Sworn to and subscribed before me this 21 day of August, 2024.

(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.

[Handwritten Signature]

8/21/24

Applicant's Signature

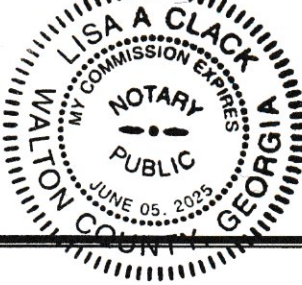
Date

Zac Kistle owner Kistle Homes

Print Name and Title

Sworn to and subscribed before me this 21 day of August, 2024.

(Seal)



[Handwritten Signature]
Signature of Notary Public

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

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

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

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

Owner's Signature

Date

Print Name and Title

Sworn to and subscribed before me this _____ day of _____, 20____.

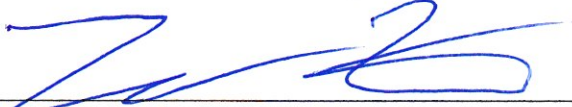
(Seal)

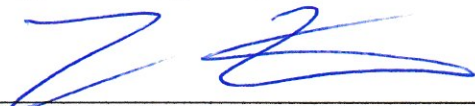
Signature of Notary Public

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.

	8/21/24	Zac Kisse
Applicant's Signature	Date	Print Name

	8/21/24	Zac Kisse
Signature of Applicant's Attorney or Agent	Date	Print Name

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

_____ YES X NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

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

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

Names and Adress of Adjoining property members Loganville

Otto Tract NO 2 LLC

4601 Atlanta HWY

Laurie A Barezykowski

111 Baltic CT

Loganville GA

Westervelt Tara Christine & Ledesma Chamir

1109 Baltic CT

Loganville GA

Vernon and Veronica Merrick

1107 Baltic CT

Loganville GA

Trinda L Moore

243 Cown Dr

Loganville GA

Juan A Choy

241 Cown Dr

Loganville Ga

American Legion Post #233

4635 Atlanta HWY

Dick and Maryke Tromp

0 Cown Dr

“Growers Outlet”

SITE INFORMATION

PROPERTY ADDRESS:
4615 ATLANTA HIGHWAY
LOGANVILLE, GEORGIA 30052

TOTAL SITE AREA:
TRACT 1 24.14 ACRES
TRACT 2 0.86 ACRES
TRACT 3 1.07 ACRES
TOTAL 26.07 ACRES

EXISTING ZONING: CH - HIGHWAY COMMERCIAL
PROPOSED ZONING: RM-6 - MULTI-FAMILY (TOWNHOMES)
20.92 (ACRES)

LAND USE:
CH (RETAIL TO REMAIN) 2.08 AC
RESIDENTIAL TOWNHOMES 23.99 AC
OPEN SPACE 7.72 AC (32.1%)

PROPOSED RESIDENTIAL DENSITY:
125 UNITS / 23.99 AC. = 5.20 UNITS / AC

MINIMUM FLOOR AREA: 1,400 S.F.
MAXIMUM BUILDING HEIGHT: 3 STORIES

THIS PROPERTY IS NOT LOCATED WITH A DESIGNATED FLOOD HAZARD AREA PER FEMA F.I.R.M PANEL NO. 13297C0085E DATED 12/08/16 FOR WALTON COUNTY, GEORGIA AND INCORPORATED AREAS.

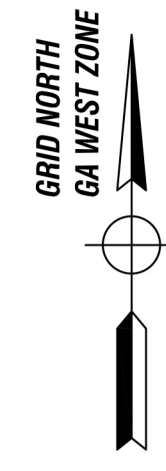
GENERAL NOTES

BOUNDARY INFORMATION IS APPROXIMATE. INFORMATION SHOWN HEREON IS BASED ON COMPILED PLAT, DEED, ADJACENT SURVEYS AND GA. DOT INFORMATION.

THIS PLAN IS CONCEPTUAL IN NATURE BASED ON PRELIMINARY COUNTY AND DEVELOPMENT INFORMATION AND RESEARCH. PLAN MAY CHANGE DURING PERMITTING AND GOVERNMENT APPROVAL PROCESS.



LOCATION MAP



Section 5, Item L.

PO Box 1074
Grayson, Georgia 30017
770.527.3450
www.acuminisconsulting.com

LEVEL II CERTIFIED DESIGN
PROFESSIONAL NO. 000026918

No.	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

PREPARED FOR:
KITTLE HOMES, LLC
412 SEAGRAVES DRIVE
ATHENS, GEORGIA 30605
24-HOUR CONTACT
ZAC KITTLE
(706) 340-9186

PROJECT NAME:
LOGANVILLE MIXED USE
4615 ATLANTA HIGHWAY SW (US78)
CITY OF LOGANVILLE
WALTON COUNTY, GEORGIA

TASK:

COLOR RENDERING PLAN

CAN DESIGN	AS SHOWN SCALE
CAN DRAWN	1 of 1
CAN CHECKED	SHEET
7/7/24 DATE	23-137 PROJECT No.

GRAVITY SEWER FLOW CALCULATIONS

Loganville Mixed Use
2669 Duluth Highway
City of Loganville - Walton County - Georgia

SEWAGE FLOW CALCULATIONS

Commercial Sewage Flow Schedule (Table B Gwinnett County Gravity Sewer Design)				
Proposed Use	Facility Type	GPD	QUANTITY	GPD
Tract 1 Retail	Food Service : Restaurant	50/Seat	120	6,000
Tract 2 Retail	Food Service : Restaurant	50/Seat	120	6,000
TOTAL GPD (Commercial)				12,000

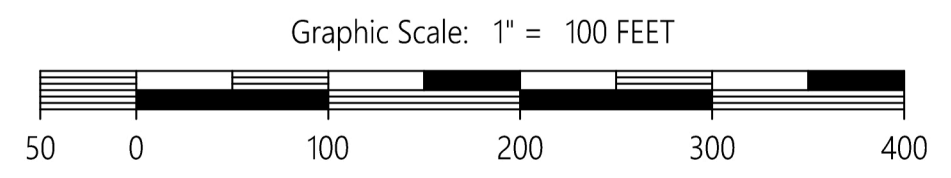
Residential Sewage Flow Schedule (Table B Gwinnett County Gravity Sewer Design)				
Proposed Use	Facility Type	GPD	QUANTITY	GPD
Townhomes	Residence Single Family, Condo, Townhome	400/Unit	125	50,000
TOTAL GPD (Residential)				68,000
TOTAL GPD (Mixed - Use)				80,000
Peaking Factor				2.5
TOTAL GPD (DESIGN)				200,000

OWNER / DEVELOPER:
KITTLE HOMES
412 SEAGRAVES DRIVE
ATHENS, GA 30605

24 HR. CONTACT:
ZAC KITTLE
(706) 340-9186
ZKITTLE18@GMAIL.COM

DESIGNER / ENGINEER:
ACUMINIS CONSULTING GROUP, LLC.

CONTACT:
ALEX NASH, P.E.
(770) 527-3450
ANASH@ACUMINISCONSULTING.COM



Application # R _____

Page 4 of 4

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? Only the two commercial tracts will be seen from Atlanta Highway. These tracts will mimic the existing Atlanta Highway commercial properties with restaurants.
2. How does the proposed use impact thoroughfare congestion and traffic safety? We plan on using right-in/right-out at the main entrance. Our side entrance uses the existing red light, which should be minor impact to traffic flow.
3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl? We are only adding 125 new homes mainly catering towards starter families or downsizing families.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services; We are upgrading the city’s pump station. We have been quoted around \$360,000 to upgrade the sewer pump station. Once upgraded, our project will be using only 50% of the designed capacity.
5. How does the proposed zoning provide protection of property against blight and depreciation? New homes or homes in general typically have a trend in upward value.
6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan? We are asking for a downzoning from CH to RM6.
7. In what way does the proposed zoning affect adjacent property owners if the request is approved? The project should have little to no effect on neighbors. Landscaping buffers will provide screening from adjacent neighbors.
8. What is the impact upon adjacent property owners if the request zoning is not approved? CH zoning will stay in place, which would allow for a recycling center to be approved causing neighbors to consistently hear the shredding of cans, glass, and plastics.
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 new housing will allow for new families to move to the City of Loganville and thrive.

Letter of intent for 4615 Atlanta HWY

Kittle Homes is requesting a down rezoning from CH to RM-6 for the property located at 4615 Atlanta HWY in Loganville. The parcels involved are LG110187, LG110187A00, LG110185C00, and LG110185B00. The plan is to leave the front as CH commercial for two commercial tracts for restaurants. The remaining back of the property will be rezoned RM-6 for single family attached townhomes. All the homes will be back entry with private drives. The homes will feature front porches or stoops depending on elevation. The homes will have 3 bedrooms and 2.5 baths, two-car garage, and over 1,600 heated square feet. A small park in the center of the project will welcome neighbors to connect. There will be a dog park for owners with pets on the outskirts of the project. Kittle Homes is excited to bring their award-winning style homes to the Loganville Area.

GENERAL/SITE NOTES:

- OWNER OF RECORD: CAMP FAMILY PARTNERSHIP, LLLP
P.O. BOX 550
SNELLVILLE, GA 30078
- THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED.
- SITE ELEVATIONS BASED ON NAVD 88 BY OBTAINED BY MEANS OF LOCAL GPS NETWORK.
- LAND DEVELOPMENT SURVEYORS, INC., IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
- ALL INTERIOR IMPROVEMENTS NOT SHOWN.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

REFERENCES

- DEED BOOK 3473, PAGE 234.
- PLAT BOOK 21, PAGE 120.
- PLAT BOOK 25, PAGE 20.
- PLAT BOOK 33, PAGE 69.
- PLAT BOOK 108, PAGE 157.
- UNRECORDED BOUNDARY SURVEY FOR DONALD CAMP, PREPARED BY HANNON, MEERS & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED 2/22/2005.
- UNRECORDED ALTA/ACSM BOUNDARY SURVEY FOR CAR ATLANTA USA, INC., PREPARED BY ARMSTRONG LAND SURVEYING, INC., DATED 11/8/01, LAST REVISED 12/12/01.

OTHER'S AS DENOTED ON PLAT.

FLOOD HAZARD NOTE

BY GRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA, PER FIRM PANEL 13297C0085E DATED DECEMBER 8, 2016. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATION(S) OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.

TRACT 1: 2.381 ACRES
TRACT 2: 21.863 ACRES
TRACT 3: 0.869 ACRES
TRACT 4: 0.997 ACRES
TOTAL: 26.110 ACRES
(INCLUDES EASEMENTS WITHIN)

CH (COMMERCIAL HIGHWAY)
MINIMUM LOT AREA: 30,000 S.F.
MINIMUM LOT FRONTAGE: 100 FEET
MINIMUM REAR SETBACK: 30 FEET
MINIMUM FRONT SETBACK: 50 FEET
MINIMUM SIDE SETBACK: 20 FEET
MAXIMUM BUILDING HEIGHT: 6 STORIES

LAND DESCRIPTION OVERALL

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 155, OF THE 4TH LAND DISTRICT, WALTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

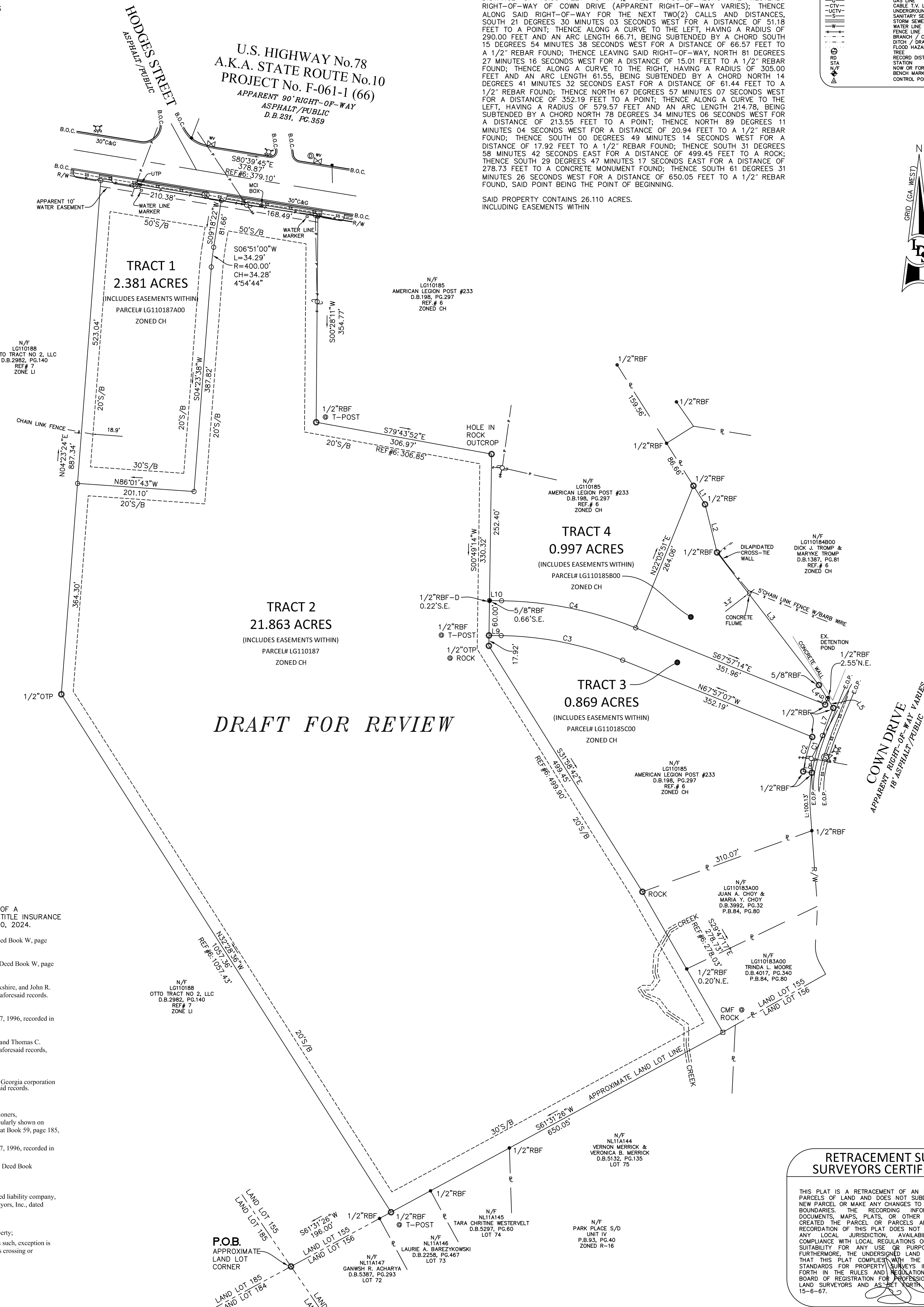
TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT A POINT FORMED BY THE INTERSECTION OF THE COMMON LAND LOT LINES OF LAND LOTS 155, 156, 184, & 185; THENCE FROM SAID POINT, NORTH 61 DEGREES 31 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 186.00 FEET TO A 1/2" REBAR FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT AS THUS ESTABLISHED NORTH 32 DEGREES 28 MINUTES 36 SECONDS WEST FOR A DISTANCE OF 1057.36 FEET TO A 1/2" OPEN TOP PIPE; THENCE NORTH 04 DEGREES 23 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 1057.3688734 FEET TO A POINT ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO.78 (APPARENT RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 80 DEGREES 39 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 378.87 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 00 DEGREES 28 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 252.40 FEET TO A POINT; THENCE SOUTH 89 DEGREES 16 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 20.88 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 639.57 FEET AND AN ARC LENGTH 237.01, BEING SUBTENDED BY A CHORD SOUTH 78 DEGREES 34 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 235.66 FEET TO A POINT; THENCE NORTH 22 DEGREES 05 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 264.06 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 32 DEGREES 00 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 37.63 FEET TO A 3/4" REBAR FOUND; THENCE SOUTH 14 DEGREES 01 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 85.35 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 37 DEGREES 31 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 288.05 FEET TO A 5/8" REBAR FOUND; THENCE SOUTH 32 DEGREES 12 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 28.05 FEET TO A POINT; THENCE SOUTH 32 DEGREES 12 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 18.50 FEET TO A 1/2" REBAR FOUND ALONG THE WESTERLY RIGHT-OF-WAY OF COWN DRIVE (APPARENT RIGHT-OF-WAY VARIES); THENCE ALONG SAID RIGHT-OF-WAY FOR THE NEXT TWO(2) CALLS AND DISTANCES, SOUTH 21 DEGREES 30 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 51.18 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 290.00 FEET AND AN ARC LENGTH 66.71, BEING SUBTENDED BY A CHORD SOUTH 15 DEGREES 54 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 66.57 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 81 DEGREES 27 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 15.01 FEET TO A 1/2" REBAR FOUND; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET AND AN ARC LENGTH 61.55, BEING SUBTENDED BY A CHORD NORTH 14 DEGREES 41 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 61.44 FEET TO A 1/2" REBAR FOUND; THENCE NORTH 67 DEGREES 57 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 352.19 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 579.57 FEET AND AN ARC LENGTH 214.78, BEING SUBTENDED BY A CHORD NORTH 78 DEGREES 34 MINUTES 06 SECONDS WEST FOR A DISTANCE OF 213.55 FEET TO A POINT; THENCE NORTH 89 DEGREES 11 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 20.94 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 49 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 17.92 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 31 DEGREES 58 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 489.45 FEET TO A ROCK; THENCE SOUTH 29 DEGREES 47 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 278.73 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 61 DEGREES 31 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 650.05 FEET TO A 1/2" REBAR FOUND, SAID POINT BEING THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 26.110 ACRES, INCLUDING EASEMENTS WITHIN

LEGEND

- CL ON LINE
- NPS NAL FOUND
- IPS IRON PIN SET (1/2" REBAR)
- CMF CONCRETE MONUMENT FOUND
- BM BENCHMARK
- TM TEMPORARY BENCHMARK
- CHP CRAMP TOP PIPE
- LLH LAND LOT LINE
- LLP LAND LOT PROPERTY LINE
- EL CENTERLINE
- EL RIGHT-OF-WAY
- EL SANITARY SEWER EASEMENT
- EL DRAINAGE EASEMENT
- EL CURB & GUTTER
- EL BACK OF CURB
- EL TOP OF CURB
- EL DISTRICT
- EL PLAT BOOK / PAGE
- EL POINT OF BEGINNING
- EL POINT OF COMMENCEMENT
- EL ELEVATION
- EL INVERT ELEVATION
- EL FINISHED FLOOR ELEVATION
- EL ELEVATION
- EL POLYETHYLENE GLASS FIBER REINFORCED CONCRETE PIPE
- EL DUCTILE IRON PIPE
- EL VITRIFIED CLAY PIPE
- EL LIGHT POLE
- EL POWER POLE OR UTILITY POLE
- EL MANSION
- EL JUNCTION BOX
- EL MANHOLE
- EL DROP PILE
- EL HEAD
- EL FIRE HYDRANT
- EL WATER METER
- EL GAS VALVE
- EL EXISTING GROUND ELEVATION
- EL PROPOSED GROUND ELEVATION
- EL EXISTING CONTOUR ELEVATION
- EL PROPOSED CONTOUR ELEVATION
- EL POWERLINE
- EL UNDERGROUND POWER
- EL TELEPHONE LINE
- EL UNDERGROUND TELEPHONE LINE
- EL GAS LINE
- EL CABLE T.V. LINE
- EL SATELLITE SIGNAL LINE
- EL UNDERGROUND CABLE T.V. LINE
- EL FENCE LINE
- EL BRANCH / CREEK / STREAM CENTERLINE
- EL DITCH / DRAIN CENTERLINE
- EL FLOOD HAZARD ZONE LIMITS
- EL RECORD DISTANCE
- EL STATION
- EL ROCK OR FORMERLY BENCH MARK
- EL CONTROL POINT



DRAFT FOR REVIEW

TITLE EXCEPTION

THE FOLLOWING EXCEPTIONS ARE LISTED UNDER SCHEDULE B, PART II, OF A COMMITMENT FOR TITLE INSURANCE AS PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER 33504.11, EFFECTIVE DATE JANUARY 20, 2024.

- Easement from N.H. Autry to Georgia Power Company, dated July 9, 1948, recorded in Deed Book W, page 263(b), Barrow County, Georgia Records. (BOUNDS DESCRIPTION-NOT LOCATABLE)
- Easement from N.H. Autry to Georgia Power Company, dated March 24, 1949, recorded in Deed Book W, page 509(b), aforesaid records. (BOUNDS DESCRIPTION-NOT LOCATABLE)
- Easement for Right of Way from Mrs. Orene C. Autry, Mildred A. Cooper, Shirley A. Brookshire, and John R. Autry to Georgia Power Company, dated May 27, 1966, recorded in Deed Book QQ, page 577, aforesaid records. (NOT AFFECTING)
- Facts and matters shown on that certain Survey for Hu-Ka, Inc., filed for record December 17, 1996, recorded in Plat Book 46, page 115, aforesaid records. (AFFECTS-AS PLOTTED)
- Rights and easements conveyed in that certain Right of Way Deed from J. Harold Shepherd and Thomas C. Shepherd to City of Auburn, dated September 20, 1997, recorded in Deed Book 401, page 122, aforesaid records, said right-of-way as more particularly shown on Plat Book 49, page 212, aforesaid records. (AFFECTS-AS PLOTTED)
- Easement from Sweet Apple Development, LLC to BellSouth Telecommunications, Inc., a Georgia corporation d/b/a AT&T Georgia, dated February 23, 2009, recorded in Deed Book 1450, page 132, aforesaid records. (NOT AFFECTING)
- Easement between Sweet Apple Development, LLC and Barrow County Board of Commissioners, dated March 12, 2009, recorded in Deed Book 1452, page 414, aforesaid records, as more particularly shown on Access Easement, Acquisition Plan for Barrow County Board of Commissioners, recorded in Plat Book 59, page 185, aforesaid records. (AFFECTS-AS PLOTTED)
- Facts and matters shown on that certain Survey for Hu-Ka, Inc., filed for record December 17, 1996, recorded in Plat Book 46, page 115, aforesaid records. (AFFECTS-AS PLOTTED)
- Utility Easement from ECP, Autry, LLC to Barrow County, dated April 18, 2023, recorded in Deed Book 2747, page 92, aforesaid records. (AFFECTS-AS PLOTTED)
- ALTA/NSPS Retracement Survey for Starlight Homes Georgia L.L.C., a Delaware limited liability company, and First American Title Insurance Company, prepared by LDS Land Development Surveyors, Inc., dated March 11, 2022, last revised March 29, 2023 (the Survey), reveals the following:
 - Overhead power line traversing the eastern boundary of subject property;
 - Fence of unknown origin/ownership traversing the southeastern boundary of subject property;
 - Apalachicola River Tributary and related creeks entering and traversing subject property; as such, exception is taken as to rights of upper and lower riparian owners in and to the waters of creeks and branches crossing or adjoining subject property and the natural flow thereof, free from diminution or pollution.

RETRACEMENT SURVEY SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HERON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLETES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND SET FORTH IN O.C.G.A. SECTION 16-6-67.

SURVEYORS CERTIFICATION

TO: STARLIGHT HOMES GEORGIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND FIRST AMERICAN TITLE INSURANCE COMPANY
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD TECHNICAL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA/NSPS, AND INCLUDES ITEMS: 1,3,4,8,11(b),13,14.
OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 8/20/24.
DATE: MARCH 23, 2022.

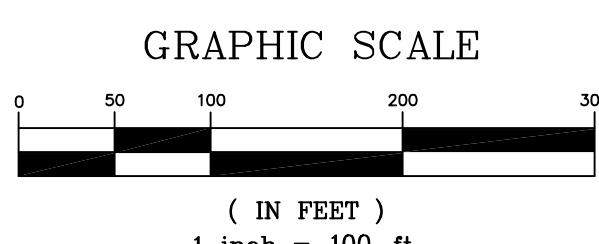
NOTE:
BEARINGS AND ELEVATIONS SHOWN HERON ARE BASED ON GPS OBSERVATIONS USING CARLSON/CHAMPION GNSS ROVER EQUIPMENT AND TRIMBLE, INC., REAL TIME NETWORK ADJUSTMENT AT DATE OF FIELD WORK.

THIS SURVEY WAS PREPARED UTILIZING A DUAL FREQUENCY GPS RECEIVER, NETWORK RTK CORRECTIONS WERE RECEIVED VIA CELLULAR MODEM. THE BASE STATION NETWORK IS OPERATED AND MAINTAINED BY TRIMBLE, INC.

THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3, NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT A 95% CONFIDENCE LEVEL.

THE FIELD SURVEY WAS COMPLETED ON 8/20/24.

PLAT CLOSURE STATEMENT:
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE & IS ACCURATE WITHIN ONE FOOT IN 672,833 FEET, AND CONTAINS A TOTAL OF 26.110 ACRES.



INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HERON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED AS THAT SHOWN BY THESE UTILITIES AND STRUCTURES SHOWN HERON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL VERIFY THE PRESENCE AND SUFFICIENCY OF THIS INFORMATION.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE REASON SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECORDED BY THE SURVEYOR MAKING SAID PERSON.

THE TERM "CERTIFICATION" OR TO "CERTIFY" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SOUND STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRAR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

DATE	8/20/24
JOB NUMBER	24184

DATE	NO	DESCRIPTION

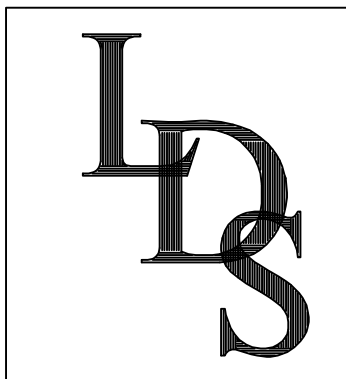
ALTA/NSPS RETRACEMENT SURVEY FOR:

SHEET TITLE

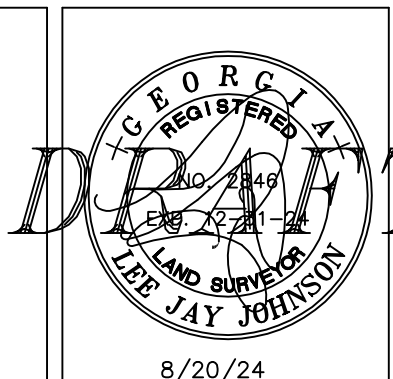
FIELD	DRAWN	CHECKED
K,J	MSF	LJJ

KITTLE CONSTRUCTION

PARENT PARCEL LG110185B00, LG110185C00, LG110187 & LG110187A00
LOCATED IN LAND LOT 155, OF THE 4TH LAND DISTRICT, CITY OF LOGANVILLE, WALTON COUNTY, GEORGIA SCALE: 1"=100'



Land Development Surveyors, Inc.
P.O. BOX 2050
DACULA, GA. 30019
(770) 682-8206
LDSURVEYORS2003@GMAIL.COM
COA LSF#000832



**Otto Tract NO 2 LLC
4601 Atlanta HWY**

**Laurie A Barezykowski
111 Baltic CT
Loganville GA**

**Westervelt Tara Christine & Ledesma Chamir
1109 Baltic CT
Loganville GA**

**Vernon and Veronica Merrick
1107 Baltic CT
Loganville GA**

**Trinda L Moore
243 Cown Dr
Loganville GA**

**Juan A Choy
241 Cown Dr
Loganville Ga**

**American Legion Post #233
4635 Atlanta HWY**

TROMP DICK J &
TROMP MARYKE
429 HOKE OKELLEY MILL RD
LOGANVILLE, GA 30052

SHARMEL ENTERPRISES INC
% RACHEL B LITTLE
3945 BEAVER ROAD
LOGANVILLE, GA 30052

MCCULLERS EDWIN MAX &
MCCULLERS SUE W
P O BOX 133
LOGANVILLE, GA 30052

WAY SHANE H &
WAY WILLIAM P II
111 COVINGTON STREET
LOGANVILLE, GA 30052



STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: R24-034

LANDOWNERS: Camp Family Partnership LLC

APPLICANT: Kittle Homes

PROPERTY ADDRESS: 4615 Atlanta Highway

MAP/PARCEL #: LG110187, LG110187A00, LG110185C00, LG1101855B00

PARCEL DESCRIPTION: Vacant / Parking Lot

AREA: 26.07 acres

EXISTING ZONING: Commercial Highway

PROPOSED ZONING: RM-6

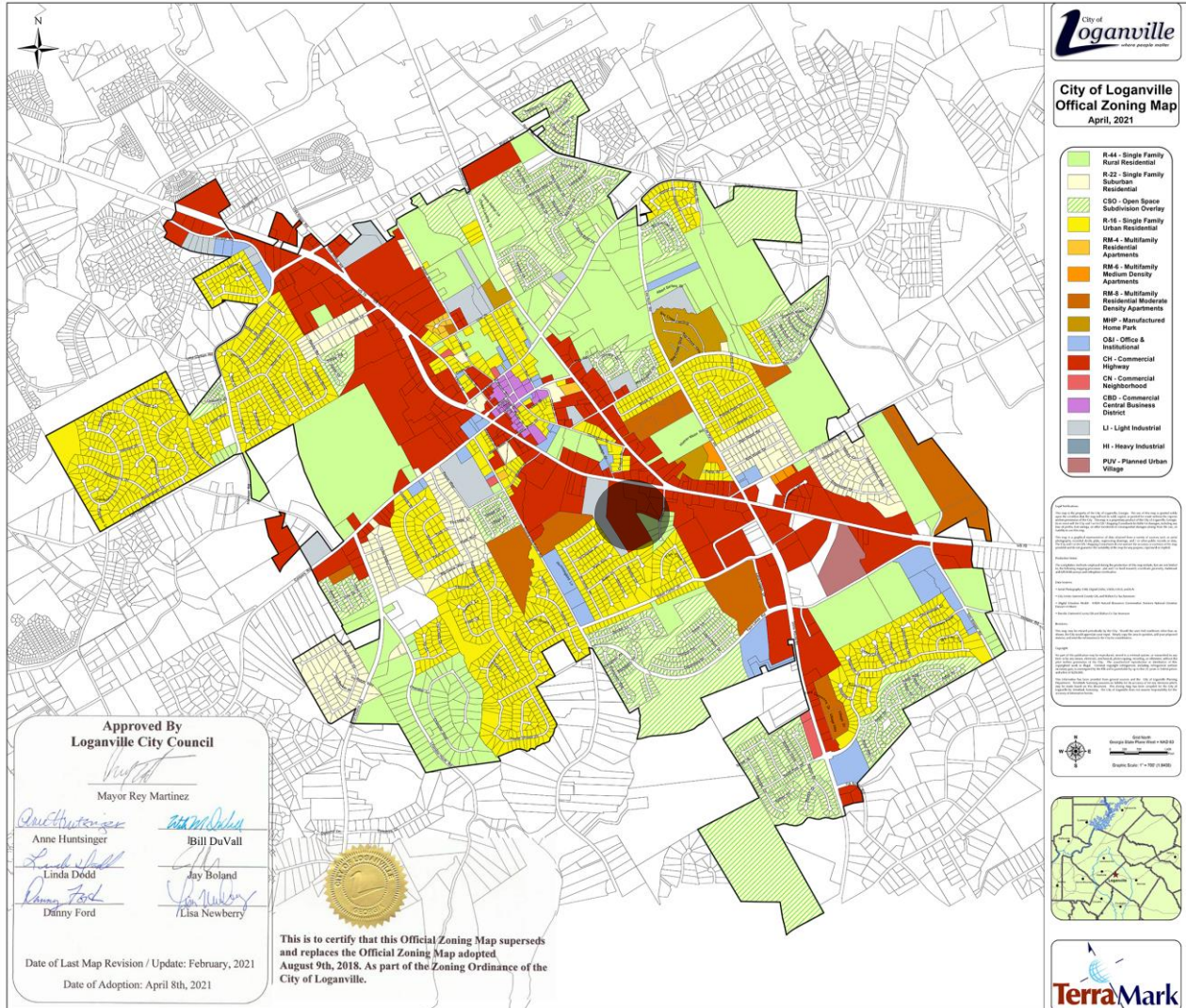
FUTURE LAND USE MAP: Commercial Highway, Public / Institutional

REASON FOR REQUEST: The applicant plans to leave an undisclosed amount of space along the front area as CH and is asking for the remaining acreage to be zoned for townhomes as well as a dog park.

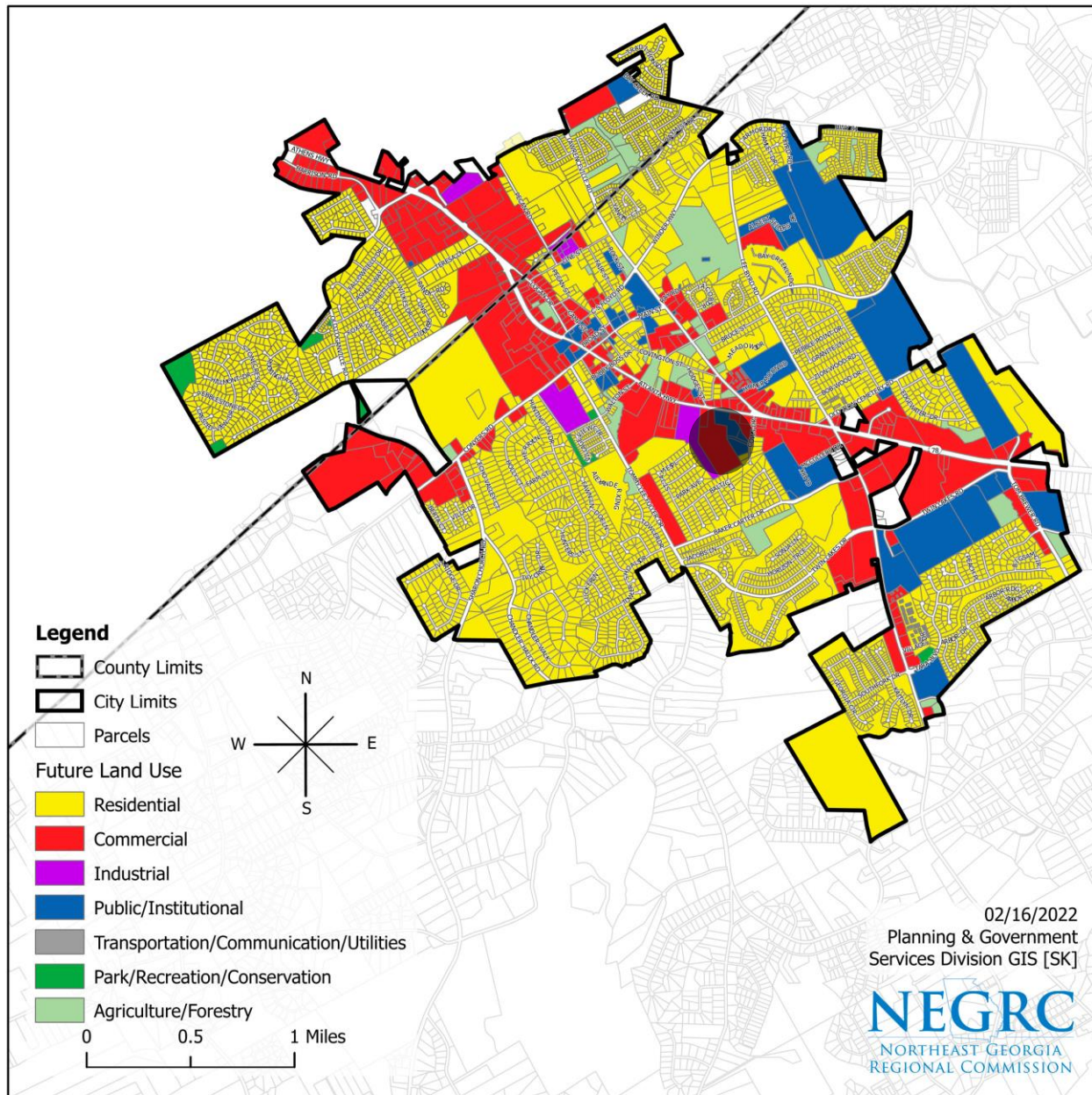
PLANNING COMMISSION HEARING: Oct. 24, 2024

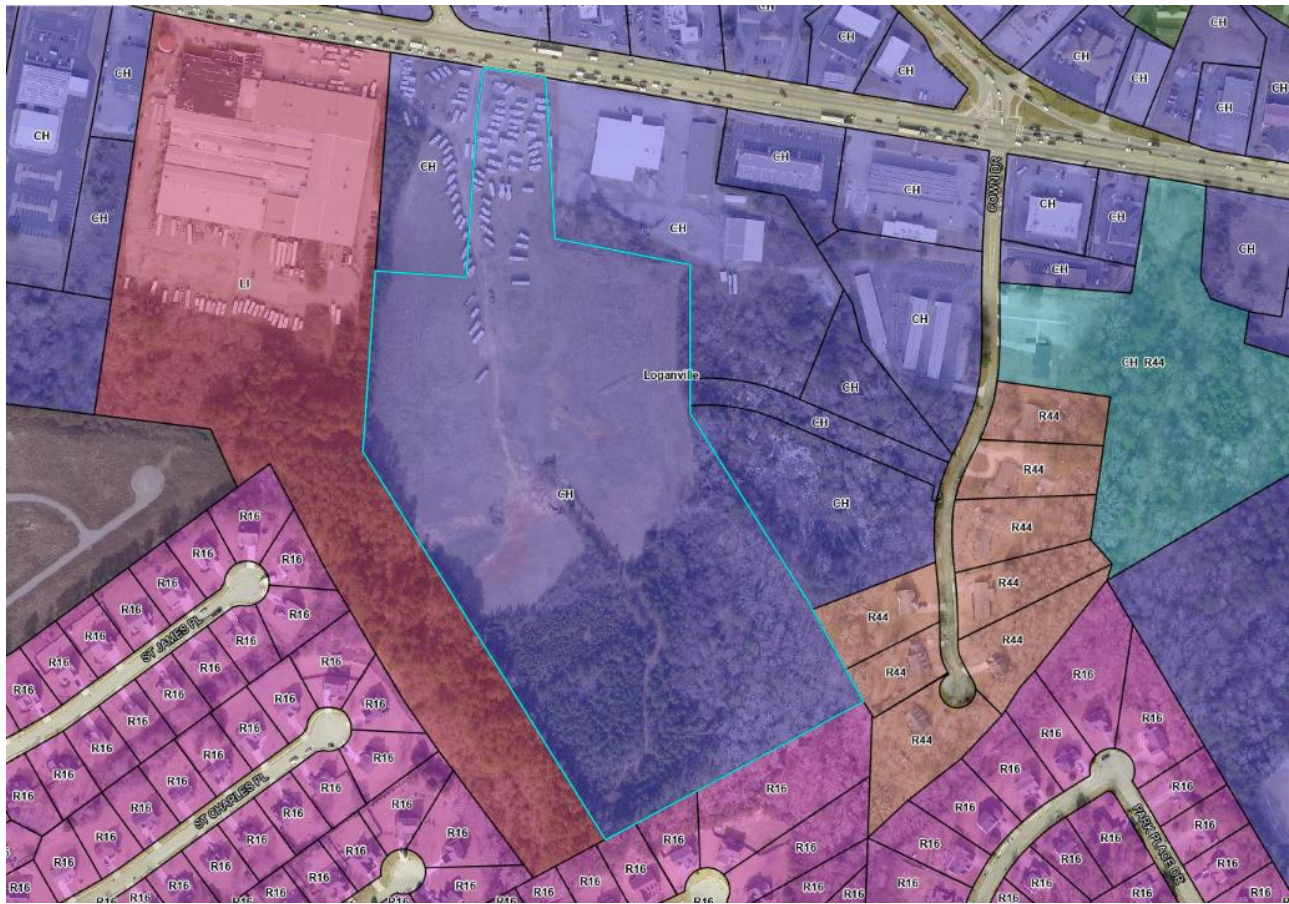
CITY COUNCIL HEARING: Nov. 14, 2024

ZONING MAP



FUTURE LAND USE MAP





Applicant's Request

The applicant is seeking to re-zone 23.99 acres from a 26.07 acres tract and rezone it from CH to RM-6 to build 125 townhomes that will feature 3 bedrooms, 2.5 bathrooms, two-car garage and more than 1,600 heated square feet of space.

Existing Conditions

The land is currently vacant and serving as parking for the RV business next door. A sno-cone place was moved onto the property but never opened up as the tenant awaits a final decision on the future of the property.

Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? The property is predominantly adjacent to Commercial Highway and Light Industrial properties, with some R-16 and R-44 single-family housing to the south. As the land is currently used to park recreation vehicles, and the proposed plan appears to preserve a fair amount of trees and vegetation, this project would serve to improve the aesthetic conditions of the area.

What is the impact upon thoroughfare congestion and traffic safety? Georgia Department of Transportation reports the annual average daily traffic on Highway 78 just outside this proposed development was 37,400 in 2023, the most recent data available and steadily on the rise from 36,300 in 2021.

The city's Comprehensive Traffic Study already identified the intersection of Highway 78 and Cown Drive as one that needs improvement, although the focus was more on improving the SR 81 approach with Highway 78. But the study noted that Cown Drive is almost a failing road when it comes to metrics related to level of service as measured by delay in seconds to get through the intersection (D for AM morning peak, F for PM evening peak). In fact, Cown Drive has a worse level of service than SR 81 per the analytics studied.

Assuming that no traffic light is installed for this project, a good portion of the traffic will most likely be accessing Highway 78 via the traffic signal at Cown Drive. There is cause for concern in this area as traffic is already a problem during the weekends and planting season with visitors to the Grower's Outlet.

The applicant must also be made aware of the fact that the City does not allow roads to dead end – they must terminate into a cul-de-sac.

What is the impact upon population density and the potential for overcrowding and urban sprawl? Going from a commercial to residential zoning to add 125 three-bedroom townhomes will have a direct impact on population density. The inclusion of multi-family housing in an area that is otherwise commercial or single-family does have the potential to impact overcrowding.

The applicant should also be aware of the fact that the site plan proposed does not meet current RM-6 standards as outlined in Sec. 119-212(b)(2), which states that you cannot have more than 4 units per structure. Out of 19 units shown on the plan, there is only one that meets this criteria.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? The applicant will have to coordinate with the Utilities Department for the necessary upgrades to the sewer pump station that will serve it. Water is readily available in the area. The applicant will also have to coordinate with GDOT for their curb-cut on Highway 78. If



approved, the applicant will have to seek a variance on City requirements for a deceleration lane on Cown Drive, as they do not have enough property for current standards.

How does the proposed use provide protection of property against blight and depreciation? The parcel is currently undeveloped and is being used as an overflow parking lot for the neighboring RV sales lot. Vacant lots have a greater tendency to fall subject to blight and as a result depreciation along a commercial highway like Highway 78, so development would potentially help.

Is the proposed use consistent with the adopted Comprehensive Plan? Although the City’s Comprehensive Plan notes the need for “missing middle” multi-family housing, the proposed parcels of this project maintain their CH designation in the City’s Future Land Use Map.

What is the impact upon adjacent property owners if the request is approved? Development of vacant land will impact traffic, although this would be true for any commercial development as well. The addition of residents could benefit the nearby business owners.

What is the impact upon adjacent property owners if the request is not approved? The applicant makes the claim that the property would become a glass recycling center without offering any supporting documentation on why it wouldn’t become any of the 50+ other businesses allowed under CH. The immediate future of the property would likely be to remain a parking lot for RVs, though a 6-foot opaque fence would need to be installed per 119-217(b)(1)(jjj).

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

Recommended action: While there are a lot of concerns about traffic infrastructure in the area, the project meets the criteria for the RM-6 zoning. Staff recommendation is to approve the rezone.

Planning Commission Recommended Conditions

City Council Conditions

DATA APPENDIX

WATER

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

Size of the water line? 8 inches

Capacity of the water line? Unknown

Approximate water usage by proposed use? Unknown

SEWER

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

Size of the sewer line? 8 inches

Capacity of the sewer line? Logan Point pump station will need to be evaluated.

Estimated waste generated by proposed development? Unknown

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? 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 78 (major collector), Cown Drive (minor collector)

What is the traffic count for the road? 37,400 on Highway 78 near proposed entry, unknown for Cown Drive

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? Yes

Transportation improvements in the area? If yes, what are they? No

EMERGENCY SERVICES

Nearest city fire station from the development? Station 16 @ 605 Tom Brewer Road

Distance of the nearest station? 1.5 miles

Most likely station for 1st response? Station 16

Service burdens at the nearest city fire station (under, at, or above capacity) At capacity

LAND DESCRIPTION

All that tract or parcel of land lying and being located in Land Lot 155, of the 4th land District, Walton County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, begin at a Point formed by the intersection of the Common Land Lot Lines of Land Lots 155, 156, 184, & 185; THENCE from said Point, North 61 degrees 31 minutes 26 seconds East for a distance of 196.00 feet to a 1/2" Rebar Found, said Point being The True Point of Beginning.

THENCE from said Point as thus established North 32 degrees 28 minutes 36 seconds West for a distance of 1057.36 feet to a 1/2" open Top Pipe; THENCE North 04 degrees 23 minutes 24 seconds East for a distance of 593.37 feet to a Point; THENCE South 85 degrees 38 minutes 19 seconds East for a distance of 395.35 feet to a Point; THENCE South 00 degrees 28 minutes 11 seconds West for a distance of 93.06 feet to a 1/2" Rebar Found; THENCE South 79 degrees 43 minutes 52 seconds East for a distance of 306.97 feet to a Hole in Rock Outcrop; THENCE South 00 degrees 49 minutes 14 seconds West for a distance of 252.40 feet to a Point; THENCE South 89 degrees 16 minutes 38 seconds East for a distance of 20.88 feet to a Point; THENCE along a curve to the right, having a radius of 639.57 feet and an arc length 237.01, being subtended by a chord South 78 degrees 34 minutes 14 seconds East for a distance of 235.66 feet to a Point; THENCE North 22 degrees 05 minutes 51 seconds East for a distance of 264.06 feet to a 1/2" Rebar Found; THENCE South 32 degrees 00 minutes 36 seconds East for a distance of 37.63 feet to a 1/2" Rebar Found; THENCE South 14 degrees 01 minutes 03 seconds East for a distance of 85.35 feet to a 1/2" Rebar Found; THENCE South 37 degrees 31 minutes 34 seconds East for a distance of 288.05 feet to a 5/8" Rebar Found; THENCE South 32 degrees 12 minutes 51 seconds East for a distance of 28.05 feet to a Point; THENCE South 32 degrees 12 minutes 51 seconds East for a distance of 18.50 feet to a 1/2" Rebar Found along the Westerly Right-of-Way of Cown Drive (Apparent Right-of-Way Varies); THENCE along said Right-of-Way for the next two(2) calls and distances, South 21 degrees 30 minutes 03 seconds West for a distance of 51.18 feet to a Point; THENCE along a curve to the left, having a radius of 290.00 feet and an arc length 66.71, being subtended by a chord South 15 degrees 54 minutes 38 seconds West for a distance of 66.57 feet to a 1/2" Rebar Found; THENCE leaving said Right-of-Way, North 81 degrees 27 minutes 16 seconds West for a distance of 15.01 feet to a 1/2" Rebar Found; THENCE along a curve to the right, having a radius of 305.00 feet and an arc length 61.55, being subtended by a chord North 14 degrees 41 minutes 32 seconds East for a distance of 61.44 feet to a 1/2" Rebar Found; THENCE North 67 degrees 57 minutes 07 seconds West for a distance of 352.19 feet to a Point; THENCE along a curve to the left, having a radius of 579.57 feet and an arc length 214.78, being subtended by a chord North 78 degrees 34 minutes 06 seconds West for a distance of 213.55 feet to a Point; THENCE North 89 degrees 11 minutes 04 seconds West for a distance of 20.94 feet to a 1/2" Rebar Found; THENCE South 00 degrees 49 minutes 14 seconds West for a distance of 17.92 feet to a 1/2" Rebar Found; THENCE South 31 degrees 58 minutes 42 seconds East for a distance of 499.45 feet to a Rock; THENCE South 29 degrees 47 minutes 17 seconds East for a distance of 278.73 feet to a Concrete Monument Found;

THENCE South 61 degrees 31 minutes 26 seconds West for a distance of 650.05 feet to a 1/2" Rebar Found, said point being THE POINT OF BEGINNING.

Said property contains 23.652 acres.
Including easements within