



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

Date: 3-8-24

Application # V 24-014

APPLICATION FOR MAJOR VARIANCE

| APPLICANT INFORMATION | | PROPERTY OWNER INFORMATION* | |
|---|--|-----------------------------|------------------------------|
| NAME: | Green River Builders, Inc. c/o Mahaffey Pickens Tucker, LLP | NAME: | Multiple--see attached |
| ADDRESS: | 1550 North Brown Road, Suite 125 | ADDRESS: | |
| CITY: | Lawrenceville | CITY: | |
| STATE: | Georgia Zip: 30043 | STATE: | Zip: _____ |
| PHONE: | 770 232 0000 | 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 Lanham</u> | | PHONE: <u>770 232 0000</u> | |
| EMAIL: <u>slanham@mptlawfirm.com</u> | | FAX: <u>678 518 6880</u> | |
| PROPERTY INFORMATION | | | |
| A2, R44, CH, and unzoned | | | |
| MAP & PARCEL # | <u>Multiple</u> | PRESENT ZONING: | <u>ACREAGE: 201.376</u> |
| ADDRESS: | <u>Highway 20 at Tuck Road</u> | COUNTY: | <u>Walton & Gwinnett</u> |
| Ordinance and Section from Which Relief is Sought: <u>Zoning Ordinance §119-221(d)(2)</u> | | | |
| Description of Request: <u>Variance to allow phased development</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: _____

Accepted by Planning & Development: Sarah Black

DATE: 3/8/24

FEE PAID: \$500.00

CHECK # 45899 RECEIPT # 2016945 TAKEN BY: SB DATE OF LEGAL NOTICE: 4/3/2024

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 Referred Back to Planning Commission Withdrawn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

PROPERTY OWNER LIST - REZONING

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

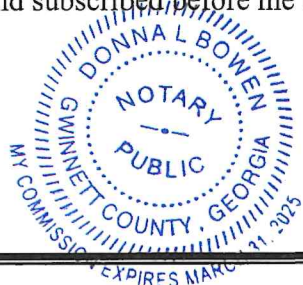
Applicant's Certification

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

[Signature]
Applicant's Signature 3/7/24
Date

Shane Lanham, attorney for Applicant
Print Name and Title

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

(Seal)  Donna L. Bowen
Signature of Notary Public

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

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

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

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

Owner's Signature Date

Print Name and Title

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

(Seal) _____
Signature of Notary Public

Applicant's Certification

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

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

CHARLES P. RICHARDS CFO
Print Name and Title

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

(Seal)  *Tina Ulmer*
Signature of Notary Public

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

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

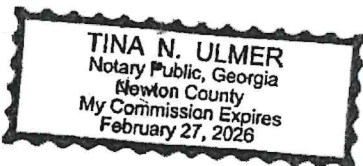
- a) the owner of record of property contained in this application, and/or
- b) the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

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

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

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

(Seal)  *Tina Ulmer*
Signature of Notary Public

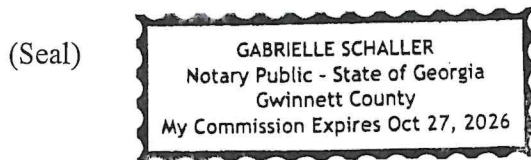
Owner's
Applicant's Certification

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

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

Chad T. Stephens
Print Name and Title

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



Gabriele Schaller
Signature of Notary Public

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

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

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

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

Owner's Signature Date

Print Name and Title

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

(Seal) _____
Signature of Notary Public

Owner's

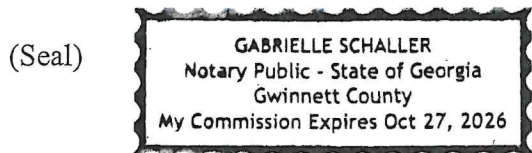
Applicant's Certification

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

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

Chad T. Stephens Member
Print Name and Title

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



Gabrielle Schaller
Signature of Notary Public

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

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

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

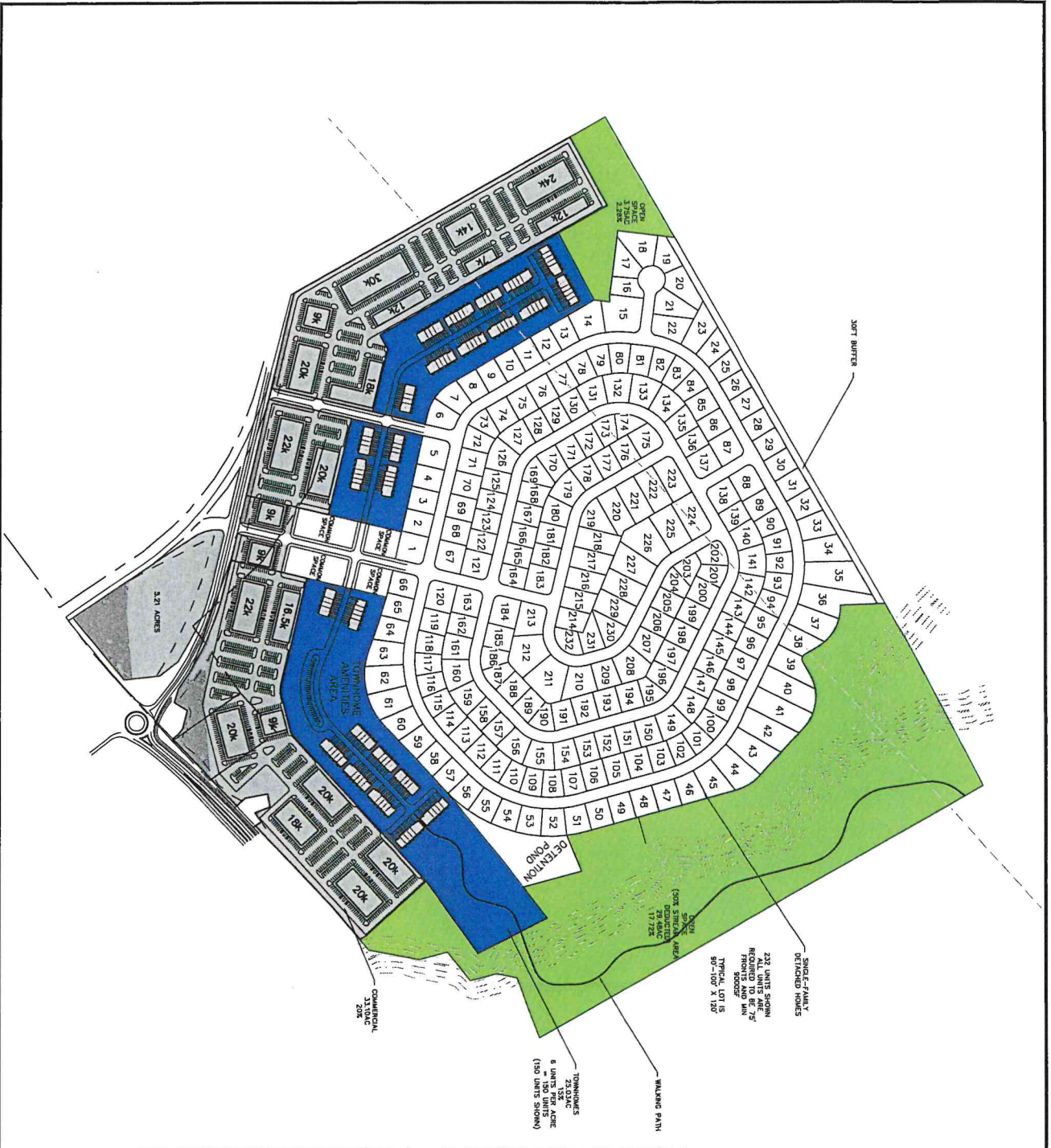
that all information contained in this application is complete and accurate to the best of their knowledge.

Owner's Signature Date

Print Name and Title

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

(Seal) _____
Signature of Notary Public

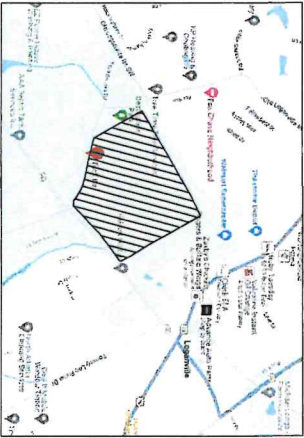


SINGLE-FAMILY DETACHED HOMES
 232 UNITS SHOWN
 REQUIRED TO BE 75'
 FRONT AND 50'
 TYPICAL LOT IS
 80'-100' X 120'

TOWNHOMES
 6 UNITS
 355' ACRES
 (150 UNITS SHOWN)

MARKING P.N.H.

COMMERCIAL 2.10X AC



SITE LOCATION MAP



CAUTION

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

| | |
|---------------------|--------------------------|
| EXISTING TRACT | 201.49 AC |
| QUIT PARCEL | 9.09 AC |
| PROPOSED PD TRACT | 192.40 AC |
| ZONING | |
| EXISTING ZONING | RA-200 |
| PROPOSED ZONING | PUV |
| ZONING JURISDICTION | CITY OF LOGANVILLE |
| USE CALCULATIONS | |
| RESIDENTIAL R/W | 16.44AC |
| DETENTION POND | 3.22AC |
| STREAM AREA (50%) | 5.87AC |
| PD USABLE AREA | 166.87AC |
| SINGLE FAMILY HOMES | 75.09AC |
| RES AMENITY AREA | 20.00 S.F. |
| TOWNHOMES | 25.03AC |
| COMMERCIAL | 33.10AC |
| OPEN SPACE | 33.65AC |
| COMMERCIAL SF REQ'D | 10KSF*232/100 = 23,200SF |
| COMMERCIAL PROV. | 333,500SF |
| SINGLE-FAMILY MAX | 75.09AC * |
| SINGLE-FAMILY PROV | 232 UNITS |
| TOWNHOME MAX | 6 UNITS/AC |
| TOWNHOME PROV. | 150 UNITS |

TUCK FAMILY FARM
 TUCK ROAD AT HWY 20
 LOGANVILLE, GA

MOORE CIVIL
 CONSULTING ENGINEER
 706.224.1425 ROBERT@MOORECIVIL.COM

C.200

ABUTTING PROPERTY OWNERS LIST

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

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

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

APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)

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

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

Please see attached.

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

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

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

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

APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)

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

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

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

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

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

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

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

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

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

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

***** Legal Description *****

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

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

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



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

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

*Of Counsel

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

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

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

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

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

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

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

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

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

Respectfully submitted this 8th day of March, 2024.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

***** Legal Description *****

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

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

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