



CITY OF LOGANVILLE

Department of Planning & Development

P.O. Box 39 • 4303 Lawrenceville Road

Loganville, GA 30052

770.466.2633 • 770.466.3240 • Fax 770.554.5556

Date: 3-8-24

Application # R <u>34-013</u>

# REQUEST FOR ZONING MAP AMENDMENT

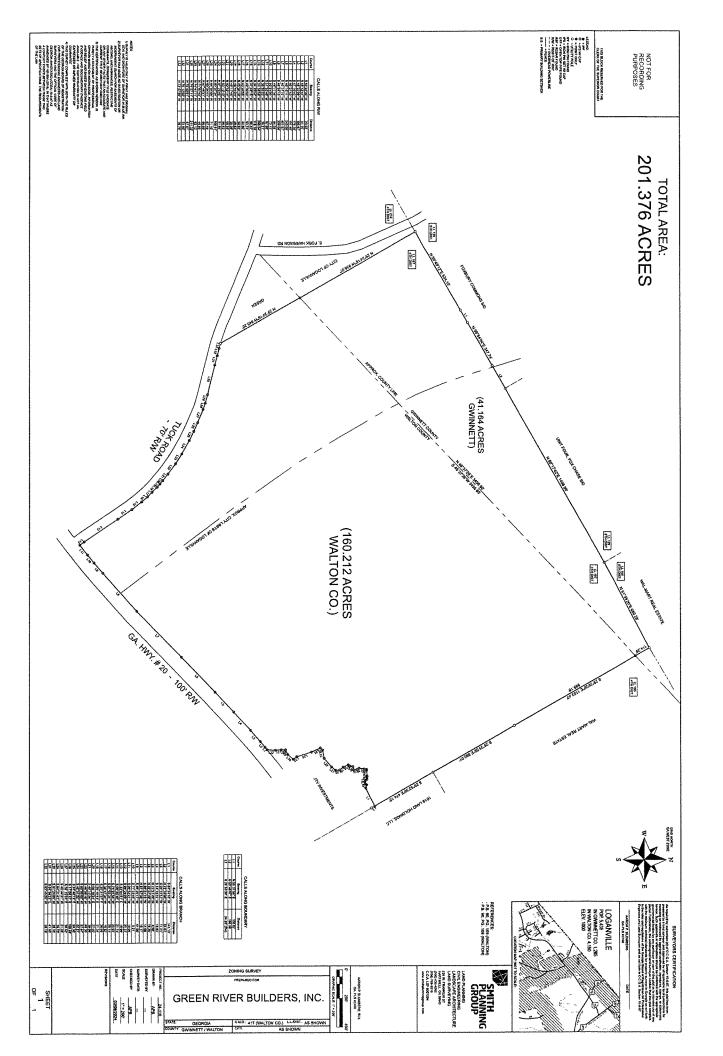
A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
Green River Builders, Inc. c/o Mahaffey NAME: Pickens Tucker, LLP ADDRESS: 1550 North Brown Road, Suite 125 CITY: Lawrenceville STATE: Georgia Zip: 30043 PHONE: 770 232 0000	NAME: Multiplesee attached ADDRESS:
Applicant is:   Property Owner   Contract Purcha	ser
CONTACT PERSON: Shane Lanham EMAIL: slanham@mptlawfirm.com	PHONE: 770 232 0000 FAX: 678 518 6880
PROPERTY	INFORMATION
MAP & PARCEL # Multiple PRESENT ZONIN	COUNTY: Walton & Gwinnett ACREAGE: 201.376
You must attach: Dapplication Fee Degal Description De	Nat of Property Ampaign Contribution Dis closure Idresses of Abutting Property Owners  Impact Analysis
Pre-Application Conference Date: February 2nd 2024  Accepted by Planning & Development: CHECK # 4589 RECEIPT # TAKEN BY SE DATE OF LEG	
PLANNING COMMISSION RECOMMENDATION: App  Commission Chairman:	DATE: 4/27/24
CITY COUNCIL ACTION: Approved Approved w	
Mayor City Clerk	Date

## **Planning Commission Recommended Conditions**

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

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



	Application # R
Applicant's Certificati	on
The undersigned hereby certifies that they are authorized by the p and that all information contained herein is complete and accurate	
	3/7/24
Applicant's Signature	Ďate
Shane Lasham attorney for Applicant	<u>-</u>
Find Name and Time	
Sworn to and subsortibed before me this I day of March	, 20 <b>24</b> .
Sworn to and subsortibed before me this	nna L. Bowen uture of Notary Public
COUNTY INTERIOR SIGNATURE OF STREET	ture of rectary rations
Property Owner's Certific (complete a separate form for ea	
The undersigned hereby certifies that they are: (check all that app	ly)
a) the owner of record of property contained in this	application, and/or
b) the Chief Executive of a corporation or other bus property and is duly authorized to make this application, a	
that all information contained in this application is complete and a	accurate to the best of their knowledge.
Owner's Signature	Date
Owner's Signature	Date
Print Name and Title	
Crusmy to and subscribed before me this	20
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.
Applicant's Signature 03/67/2024
Applicant's Signature Date
CHARLES P. RICHARDS CFO  Print Name and Title
Sworn to and subscribed before me this
(Seal)  Motary Public, Georgia Newton County My Commission Expires February 27, 2026  Signature of Notary Public
Property Owner's Certification (complete a separate form for each owner)
(complete a separate form for each owner)
(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
(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.
(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
(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 of Notary Public

TINA N. ULMER Notary Public, Georgia Newton County My Commission Expires February 27, 2026

(Seal)

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

Ou.	A A M
	Nev)
Ap	plicant's Certification
The undersigned hereby certifies that they are	e authorized by the property owner(s) to make this application omplete and accurate, to the best of their knowledge.
Chad To Sther	3-7-24 Date
Applicant's Signature	Date
Chad T. Styphens Print Name and Title	
Sworn to and subscribed before me this	day of MMM, 2024.
Notary Public - State of Georgia Gwinnett County My Commission Expires Oct 27, 2026	Signature of Notary Public
	ty Owner's Certification separate form for each owner)
The undersigned hereby certifies that they are	e (check all that anniv)
The undersigned hereby certifies that they are	c. (check an that appry)
a) the owner of record of prope	erty contained in this application, and/or poration or other business entity with ownership interest in the
a) the owner of record of prope b) the Chief Executive of a corp property and is duly authorized to male	erty contained in this application, and/or poration or other business entity with ownership interest in the
a) the owner of record of property the Chief Executive of a corporate property and is duly authorized to male that all information contained in this application.	orty contained in this application, and/or poration or other business entity with ownership interest in the ke this application, and on is complete and accurate to the best of their knowledge.
a) the owner of record of prope b) the Chief Executive of a corp property and is duly authorized to male	erty contained in this application, and/or poration or other business entity with ownership interest in the ke this application, and
a) the owner of record of property the Chief Executive of a corporate property and is duly authorized to male that all information contained in this application.	orty contained in this application, and/or poration or other business entity with ownership interest in the ke this application, and on is complete and accurate to the best of their knowledge.

Signature of Notary Public

(Seal)

Application #  ${f R}$ 

and that all information contained herein is complete and	
Club To Thur	3-7-2 Y Date
Applicant's Signature	Date
Chal T- Stephens Print Name and Title	Menber
	Gerature of Natory Public
My Commission Expires Oct 27, 2026	Signature of Notary Public
Property Owner's (complete a separate for	m for each owner)
The undersigned hereby certifies that they are: (check all	
a) the owner of record of property contained	I in this application, and/or ther business entity with ownership interest in the
b) the Chief Executive of a corporation or o property and is duly authorized to make this applic	ther business entity with ownership interest in the cation, and
that all information contained in this application is comple	ete 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

Owners

Applicant's Certification

Application # R

Application	# <b>R</b>			

## **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., <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information as requested below.

Applicant's Signature	Date	Print Name	
Signature of Applicant's Attorney or Agent	3/4/24 Date	Shane Print Name	Lanham
Has the Applicant, attorney fimmediately preceding the filing aggregating \$250.00 or more to the Planning Commission of the	ng of this appli the Mayor, Mer	ication, made car nber of the City C	npaign contributions
	YES	NO	
If YES, complete the following:			
NAME OF INDIVIDUAL MAKING CO	ONTRIBUTION _	NA	
NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL		ΓΙΟΝS (List all o \$250 or more)	DATE OF CONTRIBUTION
NA			

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

Application	#	R	AL .
Application	**	T.	

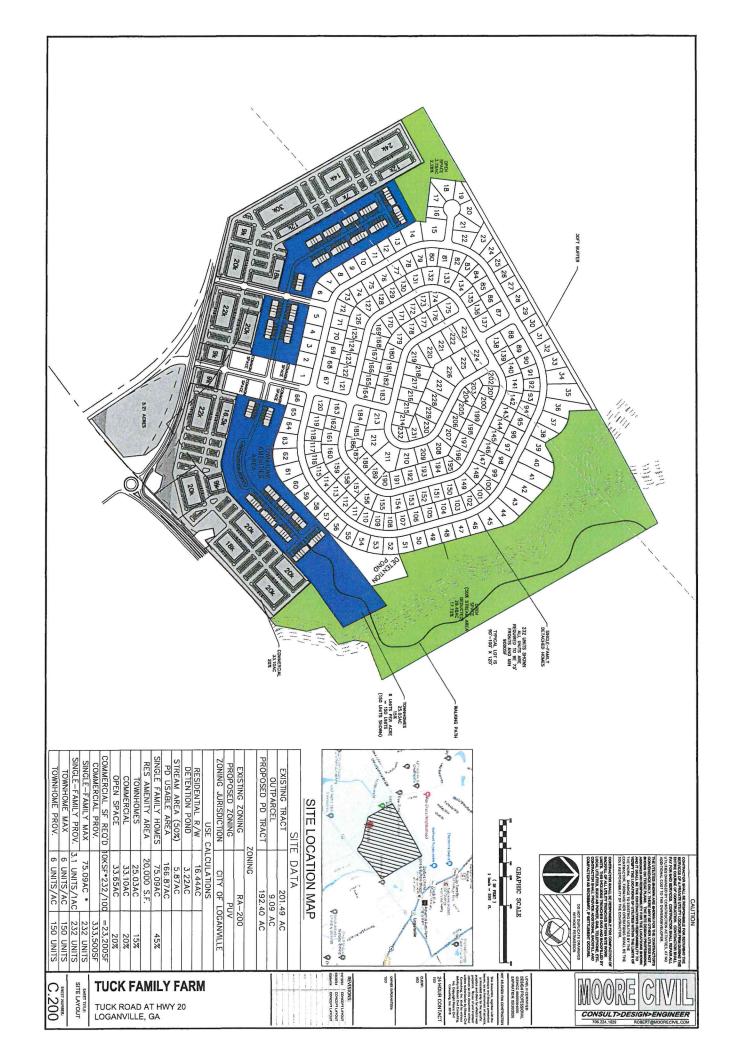
# DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

The undersigned, making application for the Official Code of Georgia, Section submitted or attached the required information of the section o	36-67A-1, et. seq., Cor	aflict of Interest	Georgia, have complied with in Zoning Actions, and has
Market Carpart	03/67/2024		s P. RICHARDS
Applicant's Signature	Date	Print Name	
Signature of Applicant's Attorney or Agent	Date	Print Name	
Has the Applicant, attorney immediately preceding the fili aggregating \$250.00 or more to the Planning Commission of the	ng of this applicat the Mayor, Membe	ion, made car of the City	ampaign contributions
If YES, complete the following:			
NAME OF INDIVIDUAL MAKING C	ONTRIBUTION		
NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTION aggregating to \$25	•	DATE OF CONTRIBUTION
	****		

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

# PROPERTY OWNER LIST - REZONING

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



Application	#	R	
Application	Ħ	. T.Z.	

## APPLICANT'S RESPONSES TO EVALUATION CRITERIA

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

1.	How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels? Please see attached.
2.	How does the proposed use impact thoroughfare congestion and traffic safety?
3.	How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
4.	How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;
5.	How does the proposed zoning provide protection of property against blight and depreciation?
6.	How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
7.	In what way does the proposed zoning affect adjacent property owners if the request is approved?
8.	What is the impact upon adjacent property owners if the request zoning is not approved?
9.	Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.

#### APPLICANT'S RESPONSES TO EVALUATION CRITERIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.

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

# ABUTTING PROPERTY OWNERS LIST

Name/Address	Parcel Number
GREEN CHRISTOPHER JAMES &	C0040009B00
GREEN MICHELLE YVONNE	
4565 TUCK ROAD	
LOGANVILLE, GA 30052	
GREEN CHRISTOPHER J &	C0040009D00
GREEN MICHELLE Y	
4565 TUCK ROAD	
LOGANVILLE, GA 30052	
JTV INVESTMENT GROUP LLC	LG060008
PO BOX 235	
LOGANVILLE, GA 30052	
JTV INVESTMENT GROUP LLC	LG060007
PO BOX 235	
LOGANVILLE, GA 30052	
1618 LAND HOLDINGS LLC	LG060005
1550 NORTH BROWN RD	
SUITE 130	
LAWRENCEVILLE, GA 30043	
WAL-MART REAL ESTATE	LG040001
BUSINESS TRUST	
%RE PROPERTY TAX DEPT	
PO BOX 8050 MS 0555	
BENTONVILLE, AR 727160555	77.100.001
WAL-MART REAL ESTATE BUSINESS	R5160 001
PO BOX 8050	
BENTONVILLE AR 72716-8055	D 51 60 0 50
EPIC ENDEAVORS REAL ESTATE LLC	R5160 258
4560 TRUMBLE TER	
SNELLVILLE GA 30039	D5120 101
MARTINEZ ANA MARINA	R5129 191
4411 FIDDLERS BND	
LOGANVILLE GA 30052	D5120 100
SWH 2017-1 BORROWER LP	R5129 190
PO BOX 803467	
DALLAS TX 75380	D5120 190
CANALES JOSE G	R5129 189
4391 FIDDLERS BND	
LOGANVILLE GA 30052 SWH 2017-1 BORROWER LP	R5129 188
PO BOX 803467	K3127 100
DALLAS TX 75380	

FYR SFR BORROWER LLC	R5129 187
PO BOX 4090	
SCOTTSDALE AZ 85261	
BTR SCATTERED SITE OWNER LLC	R5129 186
5001 PLAZA ON THE LK STE 200	
AUSTIN TX 78746	
POLMAN SHARON	R5129 185
4351 FIDDLERS BND	
LOGANVILLE GA 30052	
CAULDER REX A & LINDA S	R5129 184
4341 FIDDLERS BND	
LOGANVILLE GA 30052	
CALDERON ISABELLA RINADA	R5129 183
4331 FIDDLERS BND	
LOGANVILLE GA 30052	
BUSTAMANTE LUIS HERRERA	R5129 175
MONCADA MARTHA J. AQUIRRE	
4310 FOX CHASE DR	
LOGANVILLE GA 30052	
FELDER KATHLEEN	R5129 174
4325 FOX CHASE DR	
LOGANVILLE GA 30052	
TAMAYO HECTOR A	R5129 173
PEREZ IRLENY TEJEDA	
4315 FOX CHASE DR	
LOGANVILLE GA 30052	
MORRIS THUYTIEN	R5129 297
MORRIS BRUCE	
293 FOX RUN	
LOGANVILLE GA 30052	
BURKE DAVID W	R5129 331
BURKE KAREN	
177 FOX RUN	
LOGANVILLE GA 30052	
ROBERTSON DARRYL B Jr	R5129 332
ROBERTSON LACINDA MICHELLE	
179 FOX RUN	
LOGANVILLE GA 30052	
LIITIMEHIN CHERLYN M	R5129 333
IJITIMEHIN OLARINDE	
181 FOX RUN	
LOGANVILLE GA 30052	
HUMANS ANGELA V	R5129 334
183 FOX RUN	101111111111111111111111111111111111111
LOGANVILLE GA 30052	
TOOLITTITID OUT 20025	

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

```
****** 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:

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

Thence S 89°31'15" W a distance of 14.08' to a Point; Thence N 87°57'38" W a distance of 10.17' to a Point; Thence S 86°26'17" W a distance of 41.00' to a Point;

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

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



Matthew P. Benson Catherine W. Davidson Gerald Davidson, Jr.\* Brian T. Easley Rebecca B. Gober Christopher D. Holbrook Shane M. Lanham Jessica P. Kelly Julia A. Maxwell Jeffrey R. Mahaffey Steven A. Pickens Jack M. Ryan Gabrielle H. Schaller S. Tess Shaheen Andrew D. Stancil R. Lee Tucker, Jr.

\*Of Counsel

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

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

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

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

The proposed mixed-use development is designed to activate the existing node at the intersection of Tuck Road and Highway 20 while providing an appropriate transition to singlefamily 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 M. Lanham

Attorneys for the Applicant

Shane Lanham

```
******** Legal Description ******
```

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

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

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



## STAFF APPLICATION ANALYSIS REPORT

**ZONING CASE #:** R24-013

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

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

PROPERTY ADDRESS: Tuck Road, Conyers Road

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

PARCEL DESCRIPTION: Mixture of residential, commercial, vacant properties

**AREA:** 201.36 acres

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

**PROPOSED ZONING: PUV** 

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

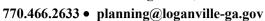
(Gwinnett)

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

townienes, and 25,250 square rect of commercial space as well as green space.

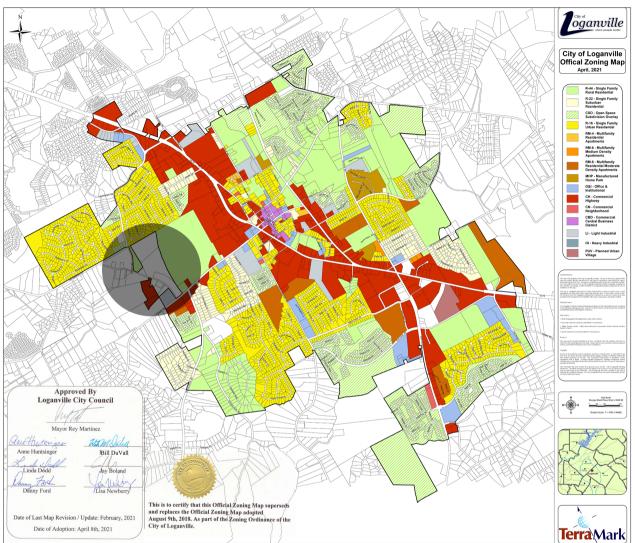
PLANNING COMMISSION HEARING: Was tabled April 25, 2024 until June 27, 2024

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



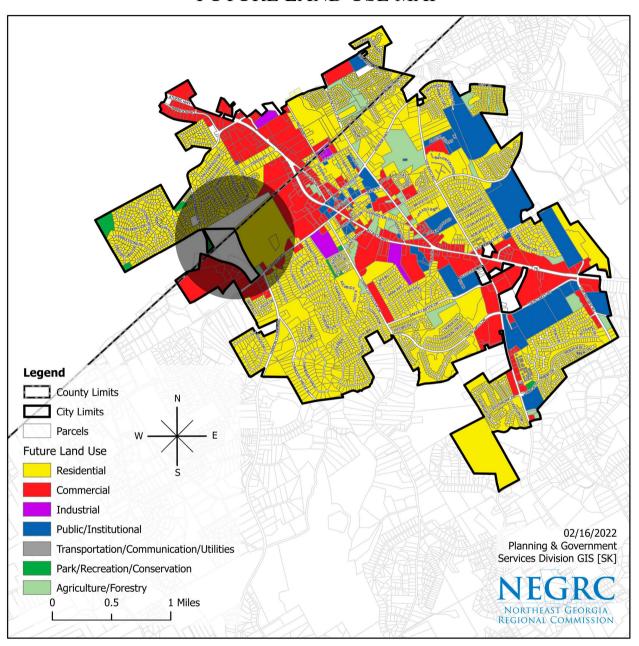


# **ZONING MAP**



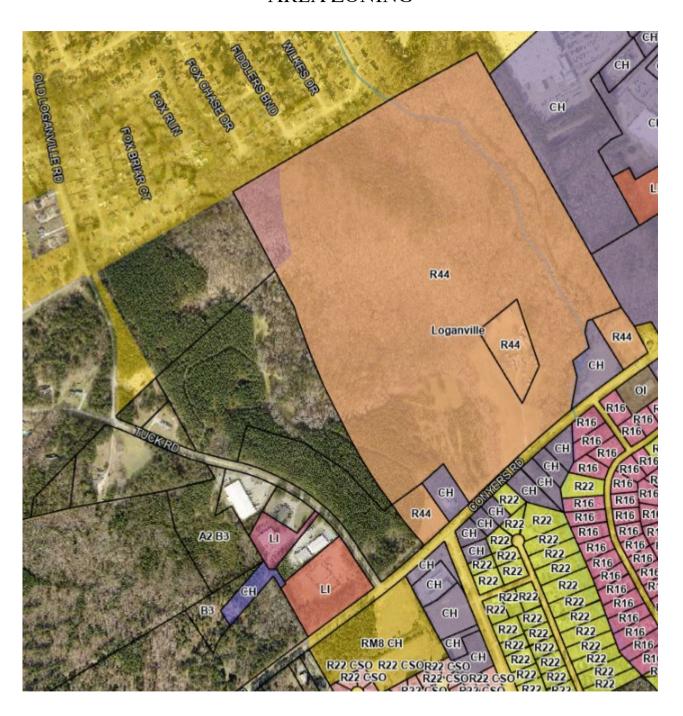


## **FUTURE LAND USE MAP**





# AREA ZONING







## **Applicant's Request**

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

## **Existing Conditions**

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

## Impact Analysis/Recommendation

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

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

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

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

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





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

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

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

#### **Planning Commission Recommended Conditions**

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

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

#### **City Council Conditions**





## DATA APPENDIX

#### **WATER**

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

Size of the water line? 8 inches

Capacity of the water line? Unknown

Approximate water usage by proposed use? To be determined.

#### **SEWER**

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

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

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

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

#### DRAINAGE AND ENVIRONMENTAL CONCERNS

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

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

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

Do stream bank buffers exist on the parcel? Yes.

Are there other topographical concerns on the parcel? Unknown.

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





#### **TRANSPORTATION**

What is the road effected by the proposed change? What is the classification of the road? Highway 20 (state route), Tuck Road (minor collector), Old Loganville Road (minor collector)

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

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

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

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

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

## **EMERGENCY SERVICES**

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

Distance of the nearest station? 2 miles

Most likely station for 1st response? Station 18

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



e

# Memorandum

To: Green River Builders, Inc.

From: Abdul Amer, PE Date: June 5<sup>th</sup>, 2024

Subject: Trip Generation Memorandum for Proposed Mixed-Use Development,

Walton County, Georgia | A&R 24-108

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







#### **METHODOLOGY**

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation referenced is based on the following ITE land uses below:

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

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

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

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

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

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



## TRIP GENERATION

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

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

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

