



Planning & Development
4303 Lawrenceville Rd.
Loganville, GA 30052
770.466.2633 • planning@loganville-ga.gov

STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: V24-014

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

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

PROPERTY ADDRESS: Tuck Road, Conyers Road

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

PARCEL DESCRIPTION: Mixture of residential, commercial, vacant properties

AREA: 201.36 acres

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

PROPOSED ZONING: PUV

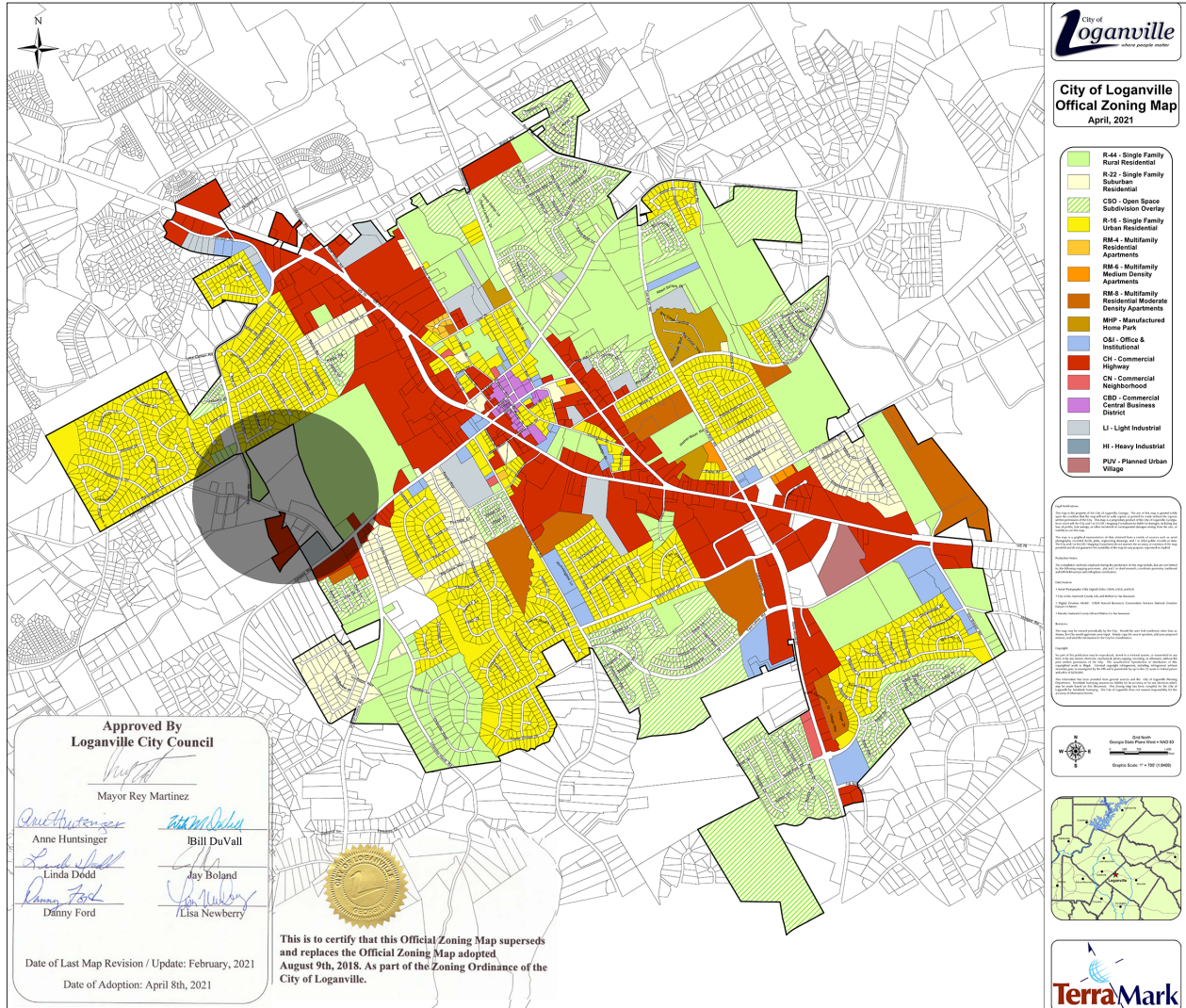
FUTURE LAND USE MAP: Neighborhood Residential (Walton) / Established Neighborhood (Gwinnett)

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

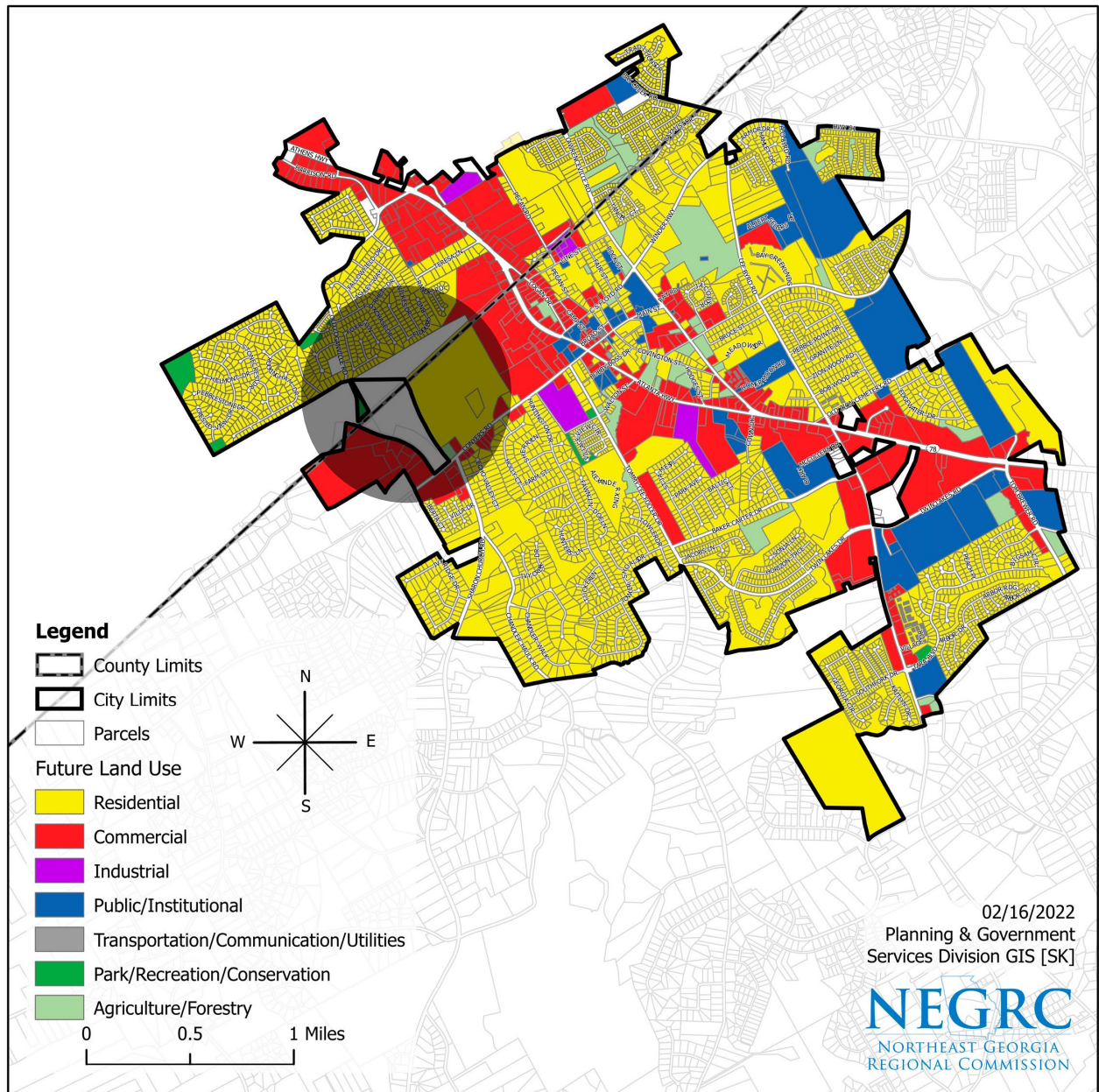
PLANNING COMMISSION HEARING: Was tabled April 25, 2024 until June 27, 2024

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

ZONING MAP



FUTURE LAND USE MAP





Applicant's Request

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

Existing Conditions

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

Impact Analysis/Recommendation

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

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

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

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

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



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

Planning Commission Recommended Conditions

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

City Council Conditions



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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.



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TRANSPORTATION

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

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

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

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

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

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

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

EMERGENCY SERVICES

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

Distance of the nearest station? 2 miles

Most likely station for 1st response? Station 18

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



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

Date: 3/8/24

Application # V24-014

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: Shane Lanham		PHONE: 770 232 0000	
EMAIL: slanham@mptlawfirm.com		FAX: 678 518 6880	
PROPERTY INFORMATION			
MAP & PARCEL # Multiple		PRESENT ZONING: A2, R44, CH, and unzoned	
ADDRESS: Highway 20 at Tuck Road		ACREAGE: 201.376	
		COUNTY: Walton & Gwinnett	
Ordinance and Section from Which Relief is Sought: Zoning Ordinance §119-221(d)(2)			
Description of Request: Variance to allow phased development			

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 # 20160945 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: 6/27/24

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

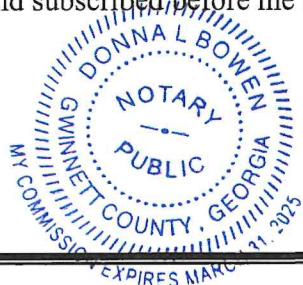
Applicant's Certification

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)

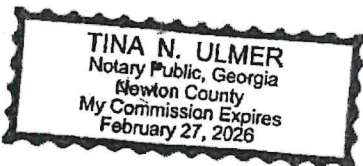
- a) the owner of record of property contained in this application, and/or
- b) the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

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

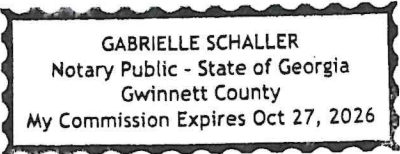
Owner's
Applicant's Certification

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.

(Seal)  Gabrielle Schaller
Signature of Notary Public

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

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

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

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

Owner's Signature Date

Print Name and Title

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

(Seal) _____
Signature of Notary Public

Owner's

Applicant's Certification

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

Chad T. Stephens

3-7-24

Applicant's Signature

Date

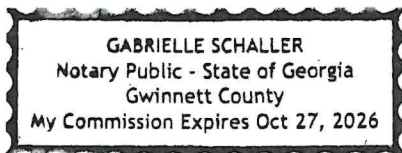
Chad T. Stephens

Member

Print Name and Title

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

(Seal)



Gabrielle Schaller

Signature of Notary Public

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

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

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

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

Owner's Signature

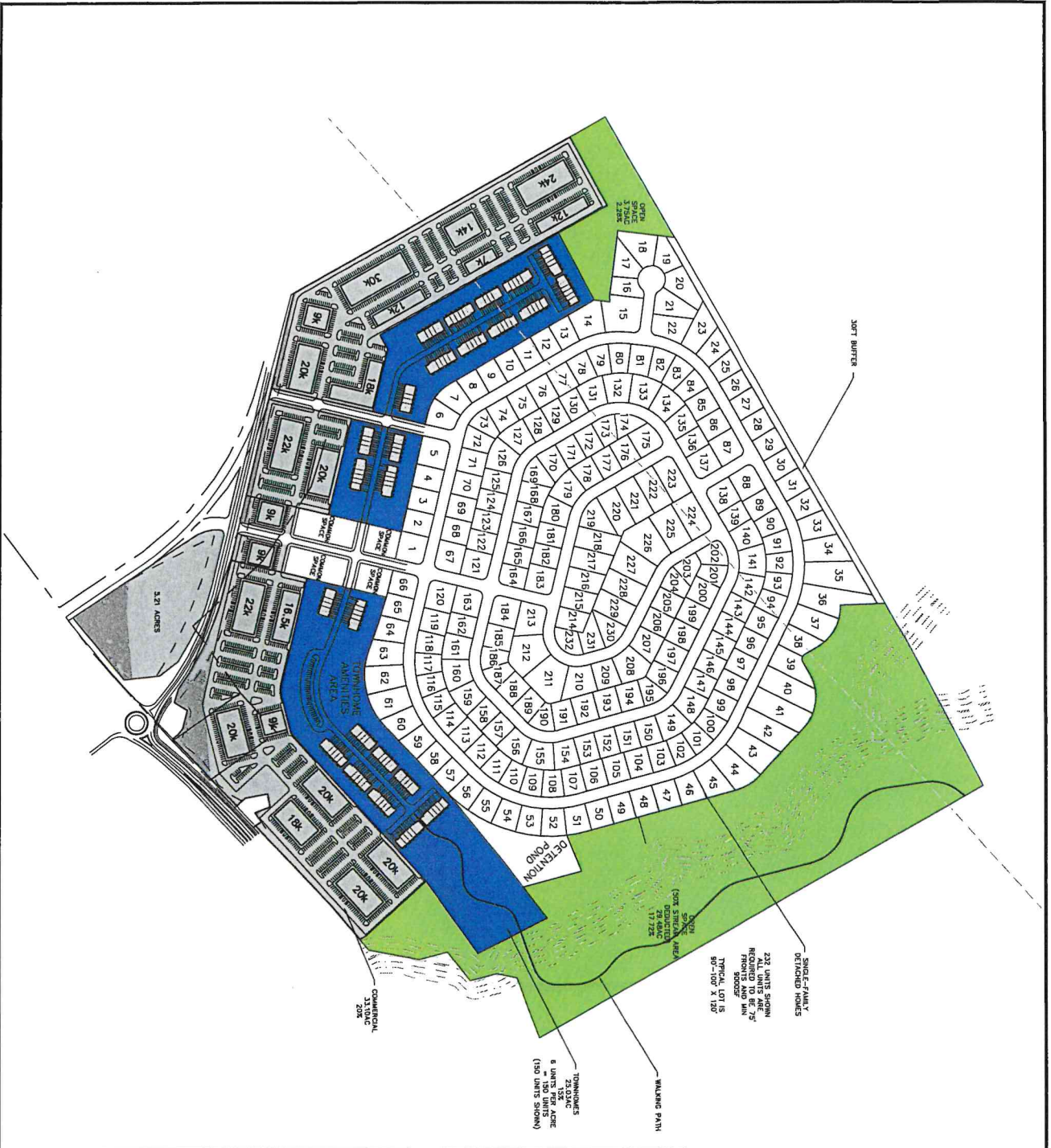
Date

Print Name and Title

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

(Seal)

Signature of Notary Public



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

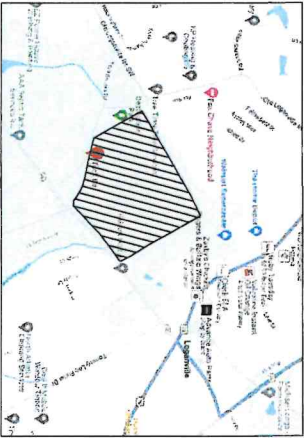
TOWNHOMES
 6 UNITS
 355 ACRES
 (150 UNITS SHOWN)

MARKING P.N.H.
 (SEE SPECIAL AREA
 17.122)

COMMERCIAL 2.10 AC

SITE DATA	
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 45%
RES AMENITY AREA	20,000 S.F.
TOWNHOMES	25.03AC 15%
COMMERCIAL	33.10AC 20%
OPEN SPACE	33.65AC 20%
COMMERCIAL SF REQ'D	10KSF*232/100 = 23,200SF
COMMERCIAL PROV.	333,500SF
SINGLE-FAMILY MAX	75.09AC *
SINGLE-FAMILY UNITS	232 UNITS
TOWNHOME MAX	6 UNITS/AC
TOWNHOME UNITS	150 UNITS

SITE LOCATION MAP



CAUTION

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

DO NOT SURFACED SHIMMERS

TUCK FAMILY FARM
 TUCK ROAD AT HWY 20
 LOGANVILLE, GA

MOORE CIVIL
 CONSULT-DESIGN-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 IRLYNY 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;
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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 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

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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;
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