

Applicant's Certification


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

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

MELODY A. GLOUTON, ATTORNEY
Print Name and Title

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

(Seal)

D. Wilson
Signature of Notary Public


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

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

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

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

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

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

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

(Seal)



Cameo L. Vandenburg
Signature of Notary Public

DESCRIPTION OF
Tract 1 – 246 Line Street

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

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

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

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

DESCRIPTION OF

Total Tract

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

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

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

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

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

_____ Applicant's Signature	_____ Date	_____ Print Name
<i>Melody A. Glouton</i> Signature of Applicant's Attorney or Agent	<i>1/5/24</i> Date	Melody A. Glouton Print Name

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

_____ YES x NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

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

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

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

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

Applicant:

The Revive Land Group, LLC

Property:

Tax Parcel ID LG040062 (11.602 acres)

and

Tax Parcel ID LG040063 (4.981 acres)

Total: ±16.58 Acres of Land

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

From MHP and LI to RM-6

Submitted for Applicant by:

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

mglouton@atclawfirm.com

I. INTRODUCTION

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

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

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

I. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

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



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

II. PROJECT SUMMARY

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

III. SITE IMPACT ANALYSIS

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

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?
 - A. The Property is adjacent to existing industrial and residential uses. The site will be developed with quality architectural elements consistent with the City’s development regulations and will not adversely impact the overall appearance of adjacent parcels. Rezoning the Property to RM-6 will also permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. How does the proposed use impact thoroughfare congestion and traffic safety?
 - A. Rezoning the Property to RM-6 will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities or schools. While the Property has frontage on both Line Street and Loganville Highway, the community has been designed for single access on Line Street. The Applicant completed a traffic impact analysis as part of this submittal and the results of the future conditions traffic analysis indicated that the stop-controlled approaches will continue to operate at a level of service “C” or better in both the AM and PM peak hours.

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

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

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

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

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

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

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

IV. JUSTIFICATION FOR REZONING

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

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

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

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

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

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

V. CONCLUSION

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

Respectfully submitted this 5th day of January, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb

4880-9828-9818, v. 1

Adjoining Property Owners List
The Revive Land Group Rezoning Application

CMEC, LLC
627 EDGELEY LANE
LAWRENCEVILLE, GA 30044

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

JANE H. HUDSON
4077 LAWRENCEVILLE ROAD
LOGANVILLE, GA 30052

1.04 ACRES
4077 LAWRENCEVILLE STREET, LOGANVILLE 30052 | R5161 038

KRISNA INVESTMENT LLC
3142 PINE CONE COURT
LILBURN, GA 30047

0.91 ACRES
4045 LAWRENCEVILLE STREET, LOGANVILLE 30052 | R5161 003

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

0.94 ACRES
4055 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | R5161 002

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

28.51 ACRES
3918 PECAN ROAD, LOGANVILLE 30052 | R5161 011

MARGARET HAMMOND
4128 PECAN STREET
LOGANVILLE, GA 30052

17.00 ACRES
4128 PECAN ROAD, LOGANVILLE 30052 | R5161 012

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

0.37 ACRES
4138 PECAN STREET, LOGANVILLE 30052 | R5161 044

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

3.12 ACRES
232 LINE STREET, LOGANVILLE 30052 | LG040064A00

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

2.47 ACRES
4125 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | LG040061





where people matter

City of Loganville

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

Tel: 770-466-3240

November 28, 2023

The Revive Land Group

Re: Proposed 234 and 246 Line Street Development Sewer Capacity

To Whom It May Concern:

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

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

Travis Toney
City of Loganville
Sewer Supervisor