



Planning and Development Department Case Information

Case Number: Z26-0156

Meeting Dates: Planning Commission 07-09-2026

Board of Commissioners 08-04-2026

Applicant/Owner:

81 Investment Company, LLC
P.O. Box 200
Monroe, Georgia 30655

Current Zonings: The current zoning is A2.

Request: Rezone 7.486 acres from A2 to B2 for a convenience store with fuel pumps and office warehouse/contractor storage buildings.

Address: 5187 Highway 81 & Bay Creek Church Road, Loganville, Georgia 30052

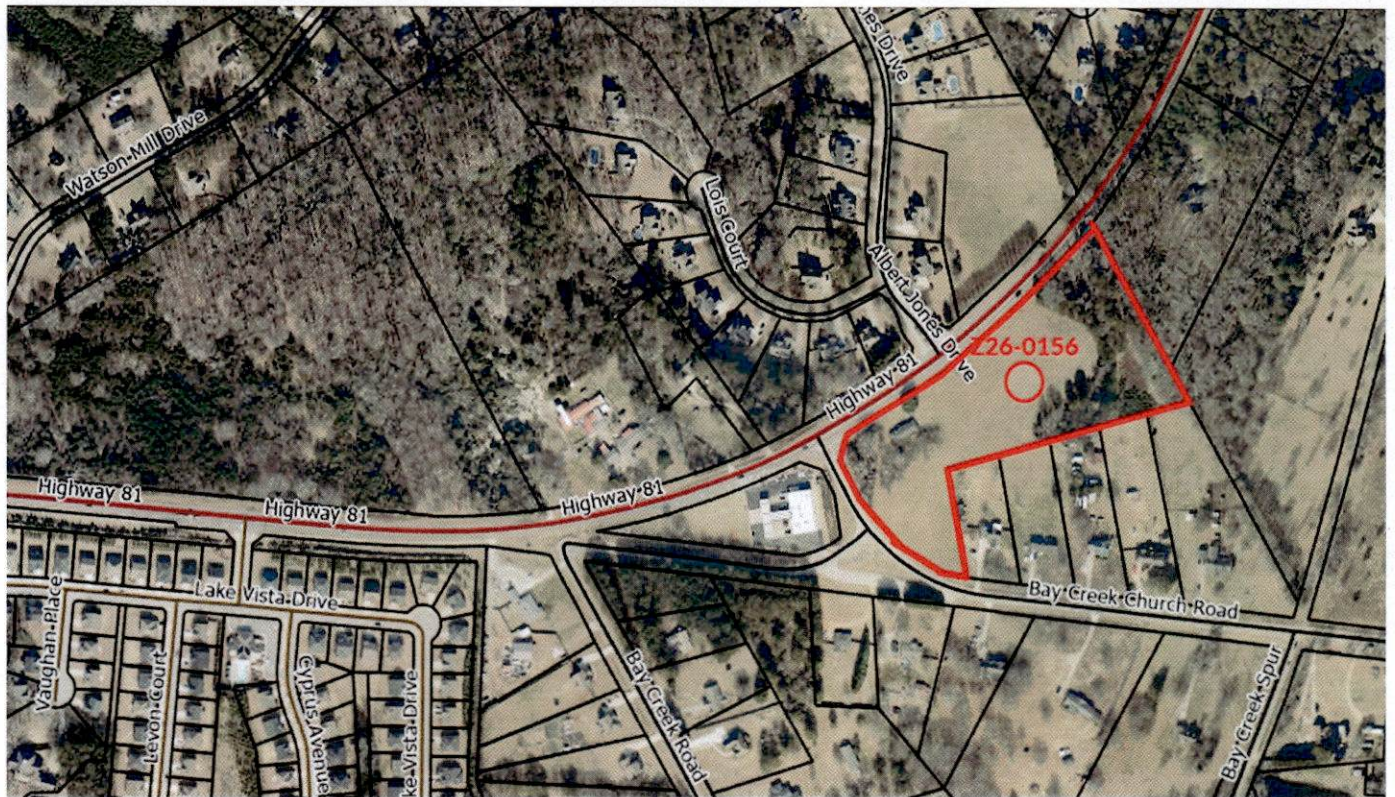
Map Number/Site Area: C0390008

Character Area: Neighborhood Residential

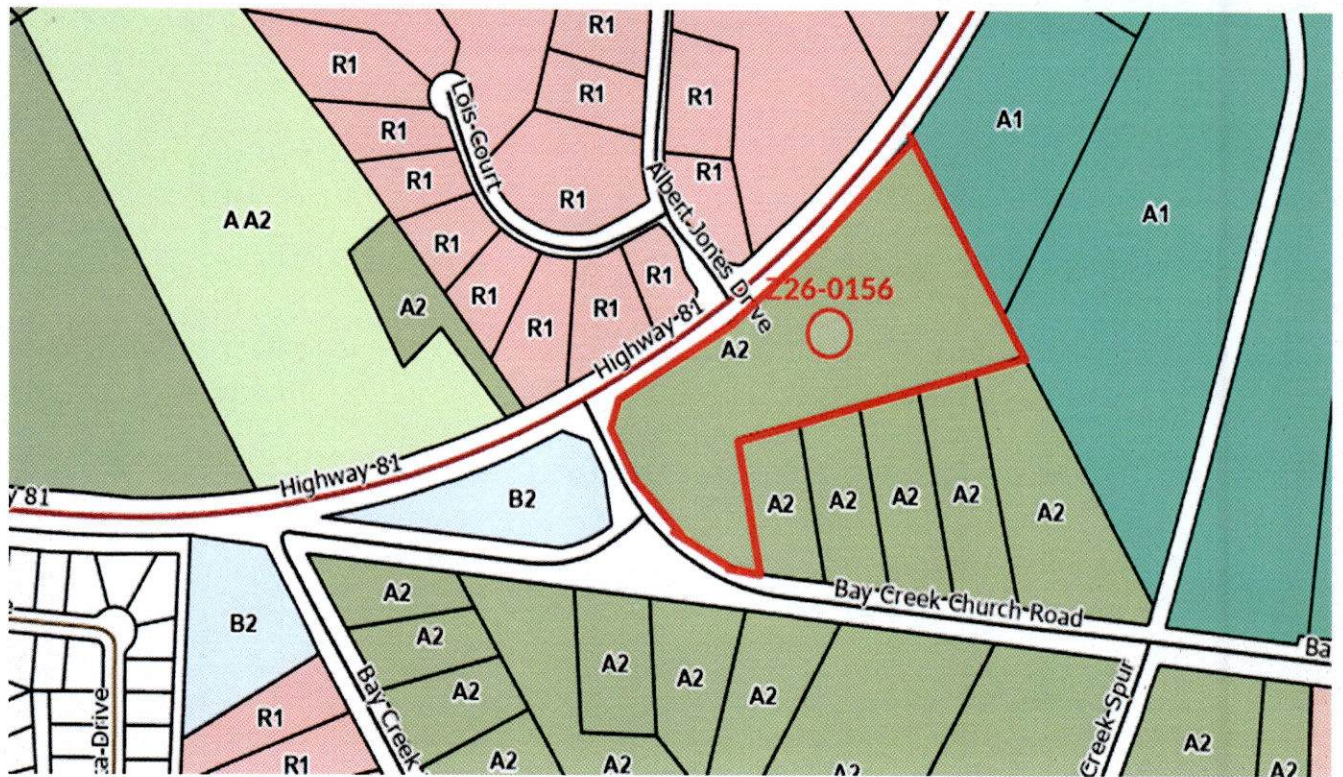
District 1 Commissioner-Amarie Warren

Planning Commission—Josh Ferguson

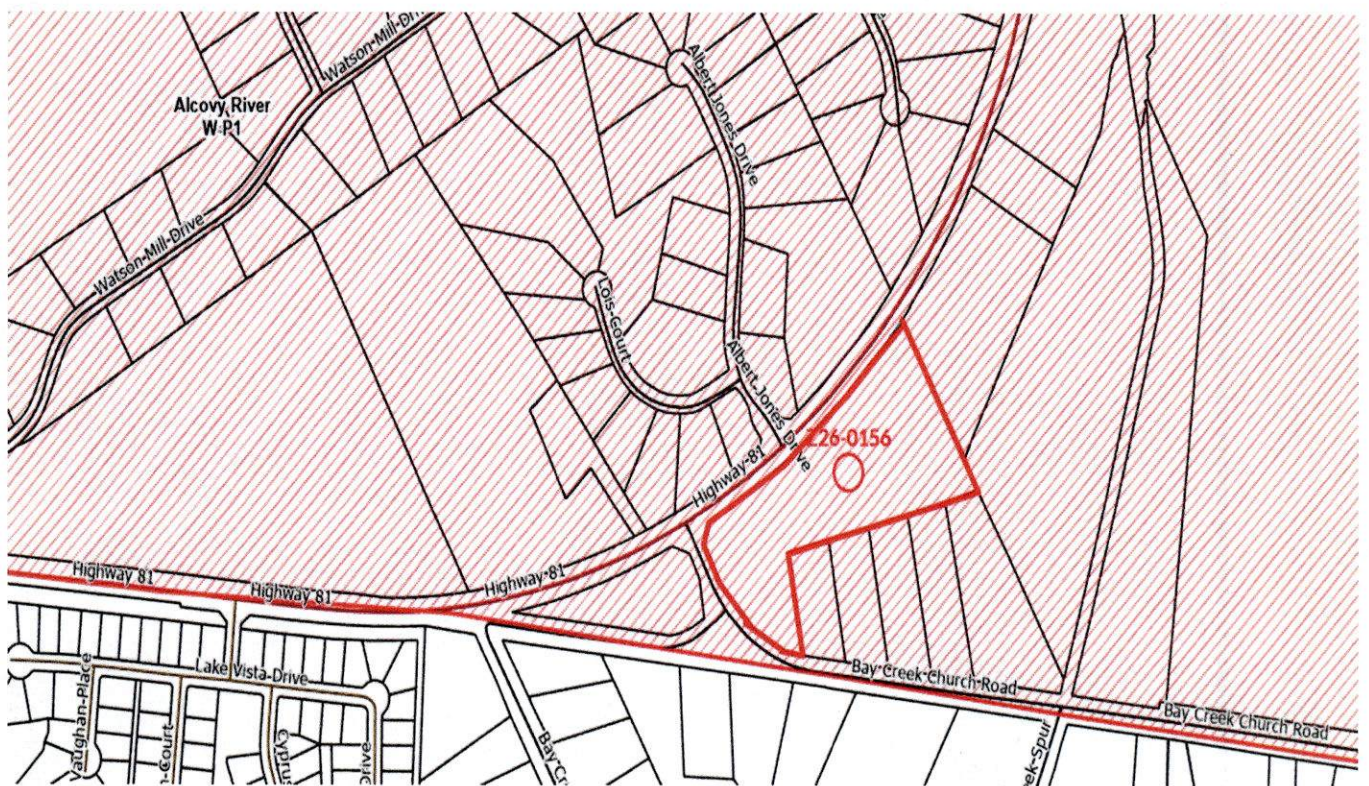
Existing Site Conditions: Property consists of a house.



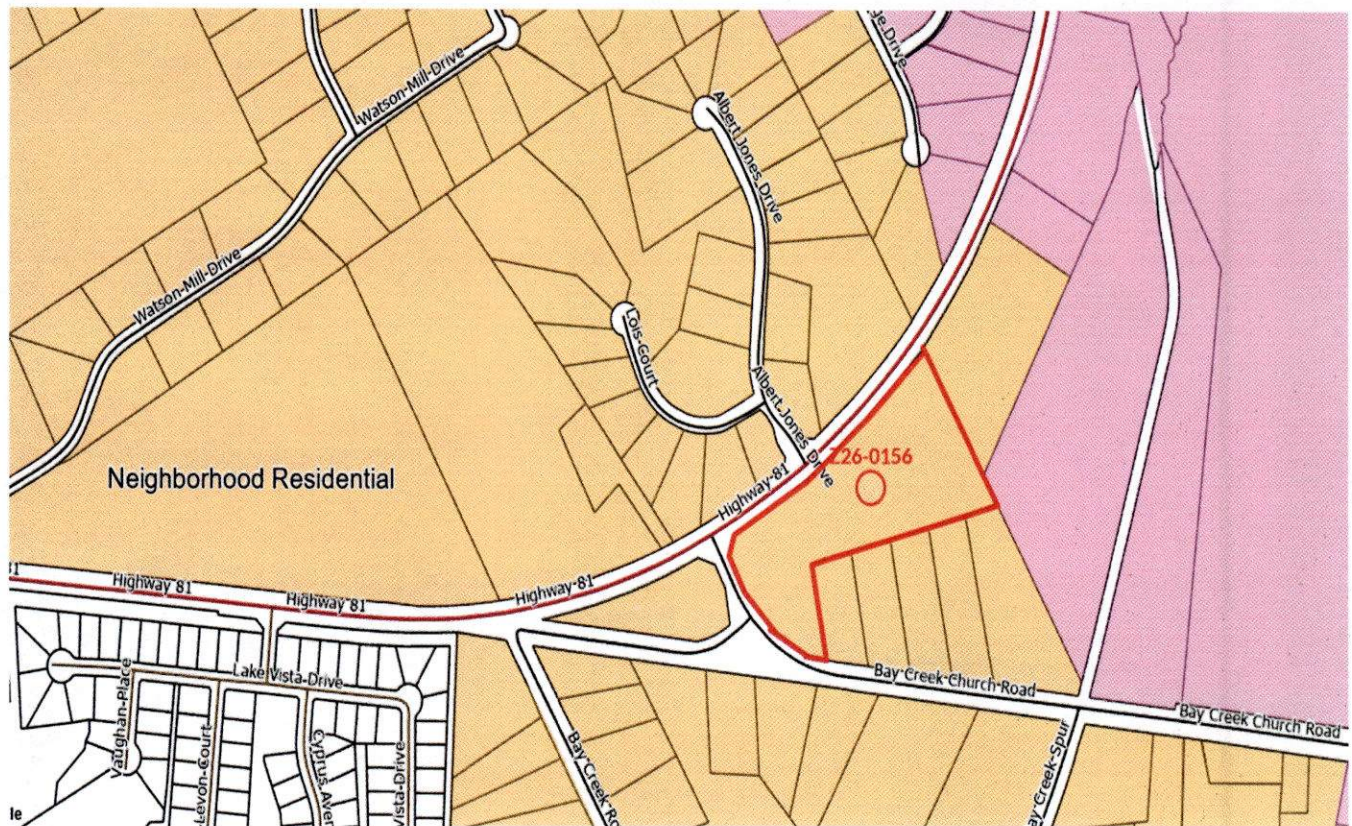
The surrounding properties are zoned R1, A1, A2 and B2.



The property is in the Alcovy River Watershed Protection Area.



The Future Land Use Map for this property is Neighborhood Residential.



History:

Z25-0275	Blue Eagle Land Investments LLC	Rezone 7.486 acres from A2 to B2 for a convenience store and warehouse buildings	C0390008 5187 Hwy 81 & Bay Creek Church Road	Withdrew
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Staff Comments/Concerns:

Public Works: Public Works recommends conducting a proper traffic study during School Operations to determine the need for a deceleration lane, a possible center-turn lane, and the alignment with Bay Creek Road, on Bay Creek Church Road.

Sheriff's Department: It appears adequate traffic control planning is in place. It does need to be looked at closely due to the high number of accidents on this corridor. This corridor represents an area with a high occurrence of accidents and fatalities. Creating additional commercial property will further tax law enforcement resources. These

businesses generate high call volume and require frequent presence patrols to deter on-site crime.

Water Authority: This area is served by an existing 6" diameter water main along Highway 81 and Bay Creek Church Road (static pressure: 45 psi, Estimated fire flow: 1,240 gpm @ 20 psi). No system impacts anticipated.

Fire Marshall Review: All buildings shall comply with all codes set forth by the Office of Commissioner of Insurance State Fire Marshal Rules and Regulations, Walton County Ordinances, Life Safety Code and International Fire Code.

Fire Department Review: Increased response for Haz-mat fuel spills and fires in storage buildings.

Board of Education: No affect on the Walton County Schools.

GDOT: They will need to coordinate with GDOT for a commercial driveway permit. We will also require left and right turn lanes into the development with proper shift tapers, storage lengths, and taper lengths per our driveway manual. Will also need to see truck paths to ensure the fuel/large trucks can safely navigate the site.

City of Monroe: No comment received.

City of Social Circle: No comment received.

City of Loganville: No direct impact on the City of Loganville.

PC ACTION 7/9/2026:

Z26-0156 – Rezone 7.486 acres from A2 to B2 for a convenience store with fuel pumps and office warehouse/contractor storage buildings – Applicant/Owner: 81 Investment Company, LLC – property located at 5187 Highway 81 & Bay Creek Church Road – Map/Parcel C0390008 - District 1

Presentation: Andrea Gray stated her address is 300 E. Church Street and she is representing the case on behalf of 81 Investments LLC. Her client is asking to rezone 7.486 acres A2 to B2 to have a convenience store with fuel pumps and office warehouse/contractor storage buildings. She stated the property is located at the corner of Hwy 81 and Bay Creek Church Road. The property is in a commercial node along a State Highway. The proposed B2 zoning is consistent with the Future Land Use Plan. The property is also in the Big Haynes/Alcovy River Watershed. This development would complement surrounding residential and commercial properties. There are already commercial properties within 1 mile which consist of a gas station/ convenience store, dog grooming, HVAC, self-storage, pet salon and retail/commercial. The uses are consistent with B2 zoning and no variances are requested. They are going to build a 7,150 square foot convenience store. They are leaving 75% pervious surfaces, open space. The 3 warehouse buildings with an accumulation of 37,200 square feet. There will be a 10 ft. landscaping strip and fencing at the boundaries with adjoining properties. The convenience store will be brick veneer, stone veneer, metal siding charcoal gray and the trim will be virtual taupe and awnings, and canopy will be black and will have concrete paving light broom finish.

Ms. Gray stated that they had completed a traffic analysis. Entrance aligns with Bay Creek Road with a right turn deceleration lane. There will also be a middle turn lane and right turn deceleration lane on Highway 81.

Ms. Gray stated that a traffic study was completed for the traffic counts to estimate the trip generations for each entrance. On Bay Creek Church Road there are 422 daily trips with half turning right and half turning left. Highway 81 shows 466 daily trips with half turning right and half left. Recommendations from GDOT are Highway 81 have a right turn deceleration lane, and a center left turn lane and on Bay Creek Church Road is a right turn deceleration lane.

As to buffers and mitigation of impacts there will be a 10 ft. landscape strip along Highway 81 and Bay Creek and behind the convenience store. There will be a 6 ft. opaque fence around side and rear perimeter. There will be a 50 ft. transitional buffer and the office/warehouse fenced separately with a security gate.

Security will be lighting, video surveillance, fencing and secure access will help secure the site and protect adjoining property owners. There will be downward and inward face lighting. There will be security fencing and gated access to the warehouses. Video cameras will be installed and a perimeter fence adjacent to residential properties.

This will be a benefit to the community due to Walton County's rapidly growing population with the need for convenient fuel, retail, and accessible personal & business storage. The

premier design aesthetics will be that the convenience store will have brick veneers and stone-accented storage garages elevate the corridor and this will not be your typical metal box development.

The economic contribution will be construction employment, permanent jobs, and recurring ad valorem tax revenues supporting Walton County services.

Applicant respectfully requests approval of the Rezoning from A2 to B2.

Josh Ferguson asked if the buffer area would have a planted landscape and Ms. Gray stated that is what they intended to do.

Chris Alexander asked if they anticipated heavy traffic coming in and Ms. Gray stated that there is not a lot of room and it's more made for pick-up trucks rather than big heavy Trailer trucks. There will be no parking.

Timothy Kemp asked if they were trying to attract a certain type of storage and Ms. Gray said it's mainly business storage and it will be very organized and there will be no outside storage.

Robert Post asked if the walls were going to be pre-divided and Ms. Gray said that later the walls might be.

Robert Post asked if the Sheriff's Office had any comments due to fatalities happening here and Ms. Gray stated that she had not looked at fatalities. She did say that the Sheriff's Office did provide a comment.

Mrs. Gray stated that the entrance connects with Bay Creek Church Road and they weren't provided with any other details. She does not think the sheriff's office was aware of any traffic study, but that traffic control was not a huge concern.

Speaking: Joe Siegelman, Attorney at Law, who represents 5141 Food Mart Inc. spoke. Mr. Siegelman stated that a very similar, if not identical, case was withdrawn last year for the same thing. He stated that he had prepared a letter that he wanted to put in the record and the letter was given to Kristi Parr, Director of Planning & Development, to put in the record. He said the letter outlines the nature of their interest and stated that he has legitimate concerns to recommend denial. He stated that his client's 5141 Food Mart is right down the road from where this development would be. When the previous case was going on less than a year ago, they petitioned against it. He brought a copy of the signature from the previous case that was against this development. He stated that the previous application did not have fuel pumps, which was part of the issue of the public being opposed. Their primary concern is the combination of things being operated on the property. If there is constant storage then there will be constant traffic going in and out, it will cause loitering which is too intense of a change for this area and causes security concerns.

Mark Banks asked if his client applied and then withdrew it and Mr. Siegelman stated that the Applicant was someone other than them and he feels that the applicant has not been forthright because this is a new applicant.

Mark Banks stated that if someone had withdrawn their application and a new application was filed then this is a separate matter.

Timothy Kemp stated that the signatures that Mr. Siegelman wants to present are from the other application and have nothing to do with the present application that has been filed.

Mr. Siegelman said yes, it does and then Mr. Kemp stated that this case is a new one, so it is different.

Josh Ferguson stated, "is this just speculation?"

Mr. Siegelman stated that the application was withdrawn and he was just conveying the history, but it is essentially the same application.

Robert Post asked if the opposition to this case was because his client is in competition and Mr. Siegelman stated that is not the only reason.

Timothy Kemp stated that yes Mr. Siegelman had said that it was due to competition.

Mr. Siegelman stated that this was not intended to be competition.

Timothy Kemp stated that the issue is that the signatures are from a different application not this current one.

Mr. Siegelman stated that he was not going to include the record of the petition with signatures, but he will leave them with Kristi Parr to be reviewed.

Rebuttal: Mrs. Gray stated that the property has changed since the other application and her client held a meeting with the owners. Her client reached out to neighbors via email, phone, and mail so they are very much aware of what's going on. She stated that Mr. Siegelman's client is a competitor, and she hopes they can be a good neighbor.

Recommendation: Josh Ferguson made a motion to recommend approval as submitted with the following conditions: 1) 10 ft. landscape buffer shall be planted with appropriate evergreen buffer trees per Walton County Tree Ordinance. 2) frontage of convenience store shall be enhanced with deciduous trees & shrubs 3) Architectural treatments shall be in keeping with applicant's submitted renderings. 4) Transportation upgrades as recommended by traffic study shall be installed by GDOT and Walton County Transportation Coordination. 5) Outdoor storage shall be prohibited in the storage area. With a second by Timothy Kemp. The Motion carried unanimously.

Rezone Application # Z 26-0156
Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 7-9-2026 at 6:00PM held at **WC Historical Court House, 111 S. Broad St, Monroe, Ga (2nd Floor)**

Board of Comm Meeting Date 8-4-2026 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Map/Parcel 60390008

Applicant Name/Address/Phone #

Property Owner Name/Address/Phone

81 Investment Company, LLC
P.O. Box 200
Monroe, Georgia 30655

Same as Applicant

(If more than one owner, attach Exhibit "A")

Location: 5187 Hwy 81 Loganville, GA **Requested Zoning** B2 **Acreage** 7.486

Bay Creek Church Rd

Existing Use of Property: Residential

Existing Structures: Residential Home

The purpose of this rezone is: Applicant proposes to construct a convenience store with fuel pumps and office warehouse/contractor storage buildings on the property which fronts on Hwy 81. The site plan includes a thoughtful layout with landscaping and buffers to protect adjoining property owners.

Property is serviced by the following:

Public Water: X Provider: Walton County Well: _____

Public Sewer: _____ Provider: _____ Septic Tank: _____

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Signature _____

Date 5/19/26

Fee Paid \$ 900.00

Public Notice sign will be placed and removed by P&D Office

Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A2

Surrounding Zoning: North R1 South A2
East A1 West B2

Comprehensive Land Use: Neighborhood Residential **DRI Required?** Y _____ N ✓

Commission District: 1-Amarie Warren Watershed: Alcovy River TMP ✓

I hereby withdraw the above application _____ Date _____

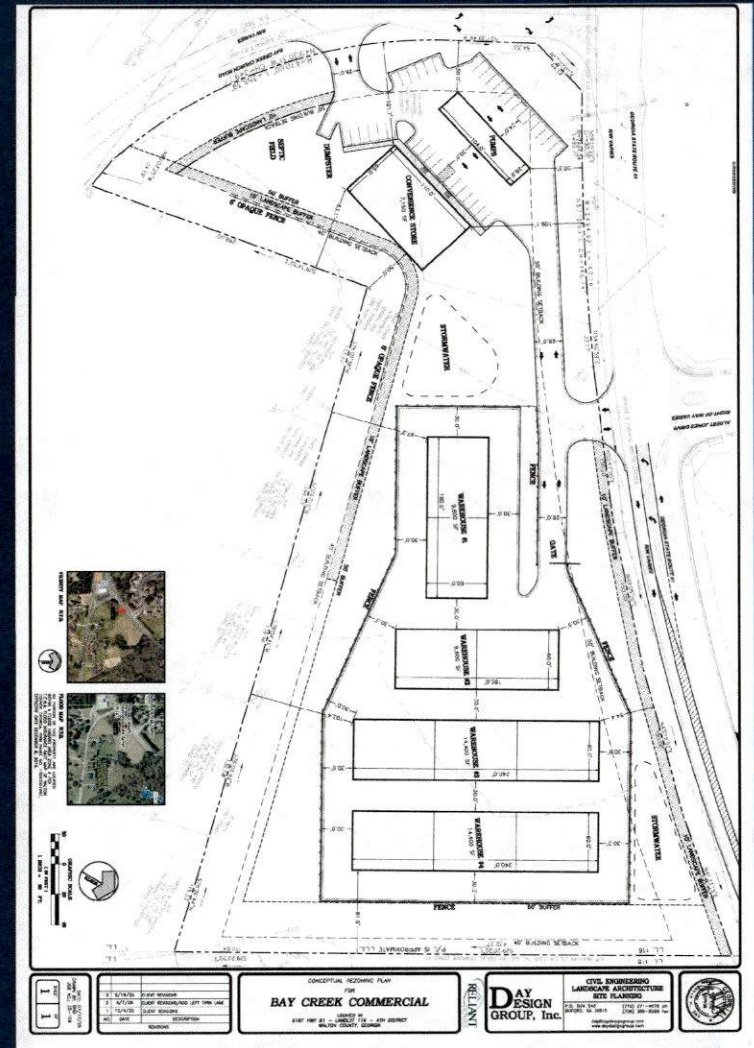
BAY CREEK COMMERCIAL

Rezoning Application

Request to Rezone 7.494 acres from
A2 to B2 for a
Convenience store with fuel pumps and
office warehouse/contractor storage

5187 Georgia State Route 81
Loganville, Walton County, Georgia

Owner/Applicant: 81 Investment Company, LLC



Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

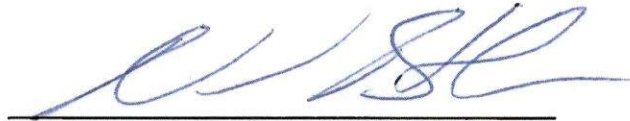
Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application?

_____yes X_____no

If the answer is yes, you must file a disclosure report with the governing authority of Walton County showing:

1. The name and official position of the local governing authority in Walton County to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution was made.

This disclosure must be filed when the application is submitted.



Signature of Applicant/Date

Check one: Owner ✓ Agent _____

Article 4, Part 4, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property;

The property is bordered on the south by A2 zoned
properties, to the east by A1 zoned properties, to the
North by R1, and to the west by B2. Seven commercial uses
are within one mile of the property along Hwy 81.

2. The extent to which property values are diminished by the particular zoning restrictions;

The property is located on State Highway 81 that
experiences higher levels of travel each year. This
traffic creates a demand for commercial uses as the
property is less functional for residential use.
The Subject Property is already part of a commercial node.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

The proposal has two access points and only one on Highway
81 limiting curb cuts along the state highway. This
rezone request allows for commercial development
along the Highway 81 corridor which would raise property values.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

The request will allow for high-demand commercial uses
for the surrounding residents in a close proximity to
their homes while also increasing the tax basis for the
County, employment, and sales tax generation.

5. The suitability of the subject property for the zoned purposes; and

The proposed use of B2 fits within the Future Land Use
of Neighborhood Residential. There is a property of a
like zoning adjacent to this property and six additional
commercial uses within one mile of the property along Hwy 81.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

The property has been in its current state and use
since 1959 while both commercial and residential growth
have surrounded it.

AGENT AUTHORIZATION

Date: 5/19/26 Tax Map and Parcel Number(s): C0390008

PROPERTY ADDRESS: 5187 Hwy 81
Loganville, Georgia

PROPERTY OWNER: 81 Investment Company, LLC
P.O. Box 200
Monroe, Georgia

APPLICANT: 81 Investment Company, LLC
P.O. Box 200
Monroe, Georgia

ATTORNEY/AGENT: Andrea P. Gray, LLC
300 E Church Street
Monroe, GA 30655
(678) 364-2384

ACTION: Rezone 7.486 acres for a commercial development

The undersigned states under oath that it is the owner of the property and hereby authorizes Applicant through its Attorney/Agent to submit, execute and prepare any and all documents relating to or speak on its behalf regarding the request for a zoning of the property referenced herein including but not limited to filing for a variance or character area change request.

ATTORNEY/AGENT



BY: Andrea Gray

Sworn to and subscribed before me this 19 Day of May 2026



NOTARY PUBLIC



{signatures continue on following page}

APPLICANT: 81 Investment Company, LLC

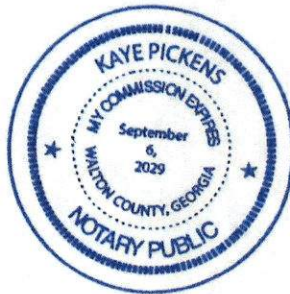
[Signature]

BY: Ned Butler

Sworn to and subscribed before me this 19 Day of May 2026

[Signature]

NOTARY PUBLIC



**AUTHORIZATION
BY PROPERTY OWNER**

I swear that I am the property owner of the property which is the subject matter of the attached Petition for Rezoning/Conditional Use Application, as is shown in the records of Walton County, Georgia.

I authorize the named below to act as Applicant in the pursuit of a Petition for Rezoning/Conditional Use Application.

Name of Applicant: 81 Investment Company, LLC

Address: PO Box 200, Monroe GA 30655

Location of Property: 5187 Hwy 81
Loganville, Georgia

Map/Parcel Number: C0390008

Current Zoning: A2

Requested Zoning: B2



Property Owner Signature

Print Name: Ned Butler

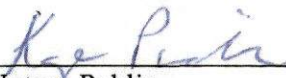
Address: PO Box 200, Monroe GA

Property Owner Signature

Print Name: _____

Address: _____

Personally appeared before me and who swears
that the information contained in this authorization
is true and correct to the best of his/her knowledge.



Notary Public

5/19/26
Date



Revised Letter



Andrea P. Gray LLC

Attorney at Law

June 26, 2026

Kristi Parr, Director
Walton County Planning Department
126 Court Street
Monroe, Georgia 30655

Re: Applicant: 81 Investment Company, LLC
Owner: 81 Investment Company, LLC
Property: 5187 Hwy 81, Loganville GA
Tax Parcel: C0390008
Request to zone 7.486 acres from A2 to B2 for a convenience store with fuel pumps and office warehouse/contractor storage
Application filed: May 28, 2026

Updated Site Plan

Dear Ms. Parr:

81 Investment Company, LLC ("Applicant") hereby submits an updated site plan to accompany its pending application to rezone approximately 7.486 acres located at the intersection of Highway 81 and Bay Creek Church Road in Loganville, Georgia (the "Subject Property"). The proposed development consists of a convenience store with fuel pumps and office warehouse/contractor storage facilities. Applicant respectfully requests that this letter and the attached updated site plan be incorporated into the rezoning application record and considered by the Planning Commission and Board of Commissioners during their review of the application.

The Applicant's request for a B-2 zoning designation and the proposed uses of the Subject Property remain unchanged. No variances are requested, no amendment to the character area is required, and the proposed development will comply with all applicable ordinance requirements.

The previously submitted concept plan was intended to illustrate the maximum potential development of the Subject Property for purposes of evaluating the requested B-2 zoning classification. Following additional consideration of the surrounding property owners and to provide greater detail demonstrating compliance with the Big Haynes and Alcovy River

Watershed Protection Overlay District requirements, the Applicant has revised the concept plan and respectfully requests that the Planning Commission and Board of Commissioners evaluate the updated plan in lieu of the original concept.

The revised site plan significantly reduces the intensity of the warehouse/contractor storage component while increasing pervious surface areas. Specifically, the warehouse/contractor storage space has been reduced by approximately 22 %, from 48,000 square feet to 37,200 square feet. In addition, the number of warehouse/contractor storage buildings has been reduced from four to three, with the eliminated building being the one located nearest several adjoining residential properties. These modifications lessen the visual impact on neighboring property owners and reduce the traffic associated with the warehouse/contractor storage use. Importantly, the proposed 10-foot landscape buffer, roadway improvements, and other site enhancements remain unchanged.

The revised site plan has also been designed to comply with the Big Haynes and Alcovy River Watershed Protection Overlay District ordinance. While the original concept plan illustrated the maximum feasible development of the property, the updated plan refines the site layout to reflect the specific design requirements of the overlay district. The Subject Property contains no streams or floodplain areas. To achieve compliance with the watershed protection standards, the Applicant has reduced the overall building area by approximately 22 % and decreased impervious surface coverage to satisfy the ordinance's 25 % impervious surface limitation. In addition, the driving surfaces surrounding the warehouse buildings will consist of porous asphalt, permeable pavers, or comparable permeable materials that provide adequate structural support for vehicular traffic while allowing stormwater infiltration.

For the foregoing reasons, Applicant respectfully requests that this letter and the attached revised site plan be incorporated into the rezoning application record and provided to the Planning Commission and Board of Commissioners for consideration prior to their respective meetings.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrea P. Gray', with a stylized flourish at the end.

Andrea Gray
Applicant's Representative



Andrea P. Gray LLC

Attorney at Law

May 29, 2026

Kristi Parr, Director
Walton County Planning Department
126 Court Street
Monroe, Georgia 30655

Re: Applicant: 81 Investment Company, LLC
Owner: 81 Investment Company, LLC
Property: 5187 Hwy 81, Loganville GA
Tax Parcel: C0390008
Request to zone 7.486 acres from A2 to B2 for a convenience store with fuel pumps and office warehouse/contractor storage

Dear Ms. Parr:

81 Investment Company, LLC ("Applicant") proposes to utilize a 7.486-acre property located at the corner of Hwy 81 and Bay Creek Church Road in Loganville, Georgia (the "Subject Property"), to construct a convenience store with fuel pumps and office warehouse/contractor storage. No variances are requested, no change in character area is required, and all ordinance requirements will be met. As further detailed below, the project is a good fit for the area, is designed to mitigate impacts to traffic and to adjoining property owners, and will provide economic benefit to the community.

I. Description of the Development

The proposed development will include two commercial uses. The first use is a convenience store with fuel pumps. The store will be approximately 7,150 square feet and may include tenant spaces in addition to the store. The fuel pumps will be located in front of the building. The number of pumps will be determined in final design, but no more than two diesel pumps will be included.

The second commercial use is for office warehouse/contractor storage and will include four warehouse buildings totaling approximately 48,000 square feet. The warehouse units are designed for business storage needs with single entry doors paired with large roll-up doors and larger storage spaces generally. They are ideal for storing inventory or parts. These units are modeled after similar units constructed in the Lake Oconee area as shown in the representative photos included in the application packet.

II. Location and Similar Land Uses

The Subject Property is currently zoned A2 and is located in an area of Walton County which includes residential development interspersed with supporting commercial developments along a state highway. The property directly across Bay Creek Church Road from the Subject Property is zoned B2 and has a convenience store with fuel pumps. Applicant's proposal is consistent with this use and buildout of the existing commercial node at Hwy 81 and Bay Creek Church Road. The properties to the south and east of the Subject Property are residential homes zoned A2 and A1. Given the aesthetic, security, and traffic-flow informed design of the proposed development which are discussed in more detail below, the development will be more of a benefit than a burden to its neighbors. It will provide convenient access to fuel and food/drink items on the opposite side of Bay Creek Church Road and offer office warehouse/contractor storage options in the growing area.

The Subject Property is better suited for commercial development than residential. The property is shaped in such a way that residential development would not be feasible without multiple driveways along Hwy 81 which is not likely to be approved by the Georgia Department of Transportation. Additionally, residential homes are not well suited for corner lots at a busy intersection which is the case here. The Subject Property is best used for commercial development as proposed.

The proposed development is consistent with other commercial developments along Hwy 81. Within one mile west of the proposed development, there are seven properties on Hwy 81 zoned for commercial uses including six in Walton County and one in Loganville. These commercial uses include a self-storage facility, convenience store, HVAC business, pet salons, and a future retail/restaurant development. Development of this area of Loganville, including the addition of Applicant's development, is consistent with the Walton County Future Land Use Plan.

III. Consistent with Future Land Use Plan

The Subject Property is in the Neighborhood Residential character area in the Walton County Future Land Use Plan. The Neighborhood Residential character area specifically contemplates "traditional residential development with neighborhood-scale businesses located throughout" (2022 Walton County Comprehensive Plan, p. 31). B2 is identified as a compatible zoning classification within this character area. Applicant's development fits well within the contemplated uses in this character area as it will add a neighborhood-scale convenience store with fuel pumps and warehouse/contractor storage. Given the density of residential housing in the area and resulting growing population, there is a demand for the development Applicant offers. At only approximately 7 acres, the development is relatively small in scale and located at an existing commercial node.

IV. Site-design Informed by Traffic Considerations

The proposed development includes two entrances – a primary entrance off of Hwy 81 and a secondary entrance off of Bay Creek Church Road. These dual access points allow for easy ingress and egress from the convenience store and gas pumps while concentrating the ingress and egress from the warehouse/contractor storage from Hwy 81. Applicant is in coordination with the Georgia Department of Transportation regarding the Hwy 81 driveway.

Applicant also commissioned a trip generation and entrance analysis for the proposed development which informed the final site design. ATG Civil, LLC conducted the analysis by utilizing the traffic counts along Hwy 81 and Bay Creek Church Road to estimate the trip generations for each entrance of the development. The estimate is based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 12th Edition. For the Bay Creek Church Road entrance, it is estimated that there will be a total of 422 daily trips with half turning right and half turning left out of the development. For the Hwy 81 entrance, it is estimated that there will be a total of 466 daily trips with half turning right and half turning left out of the development. Applying Georgia Department of Transportation standards for the required entry improvements, Applicant will need to include a right turn deceleration lane, and a center left turn lane on Hwy 81, and a right turn deceleration lane on Bay Creek Church Road. Applicant has included these improvements in the site plan. A copy of the trip generation analysis is also included with the application.

V. Site Security

The warehouse/contractor storage component of the development will have security features to protect adjoining property owners and the unit renters. The warehouse/contractor storage area will be independently fenced from the convenience store. It will have a single-entry point which is gated. The gate will be operational 24 hours per day with access granted using a security code unique to each unit renter. There will be lighting for security purposes, but it will be facing inward and downward. There will also be security cameras to monitor the units. Likewise, the convenience store and fuel pumps will be monitored and lit.

VI. Designed to Mitigate Impacts on Surrounding Property Owners

a. Use limitations

The warehouse/contractor storage component of the development will only be used for storage. Renters may not operate businesses out of the units, store junk cars, or allow people to live in the units. There is no outside storage allowed at the facility. Limiting the usage to storage will ensure that the development remains aesthetically attractive and that there is no unwanted activity occurring that could be disruptive to neighbors.

The convenience store and fuel pump areas are for light vehicles and small commercial traffic only. The property will not be accessible by tractor trailers and there will be no onsite tractor trailer parking. Vehicles are not permitted to remain on the property for long periods.

b. Buffers

Significant buffers and a landscape strip will enhance the existing road frontage and help mitigate visual impacts on the neighboring properties. A 10-foot landscaped buffer will be added along Hwy 81 for the length of the warehouse/contractor storage portion of the development. This buffer will include plantings consistent with those authorized in the Walton County Ordinances. A 10-foot landscape buffer will also be added to a portion of the Bay Creek Church Road frontage past the convenience store entrance with said buffer continuing behind the convenience store and along the boundary of the warehouse/contractor storage until such a point that the property boundary is already wooded. The landscape buffer adjacent to the A2 properties is within the 50-foot transitional buffer. Additionally, there will be a 6-foot opaque fence that surrounds the rear of the convenience store to provide an extra visual barrier for the nearest residential property. This fence is in addition to the fence which surrounds the warehouse/contractor storage portion of the property. These multiple measures will mitigate visual impacts from Hwy 81, Bay Creek Church Road and the adjoining residential properties.

c. Quality

Applicant is committed to delivering a high-quality development that reflects positively on Hwy 81. The convenience store building is designed with brick veneer exterior construction utilizing brick material, decorative brackets and trim accents, and architectural detailing consistent with quality commercial construction. The warehouse/contractor storage buildings are designed with metal panel siding with stone veneer base accents and oversized roll-up doors- a premium produce differentiated from conventional mini warehouse development. Photographs of comparable projects are included as exhibits to this application.

VII. Economic Benefits to the Community

The proposed development will have a positive impact on the local economy and county residents. The development will create jobs associated with both businesses. The convenience store and gas sales will generate sales tax and both the convenience store and warehouse/contractor storage components will generate higher property tax revenues for the county which in turn benefits all Walton County residents.

In sum, the proposed commercial development is compatible with the area's future land use designation and is well suited for a location at an established commercial node on a state highway. Because the Subject Property lies within the Neighborhood Residential Character Area on the County's Future Land Use Map, rezoning from A2 to B2 aligns with and supports the

County's planning objectives. The Applicant respectfully requests approval of the rezoning to allow the proposed business uses on the Subject Property.

Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrea Gray', with a long horizontal flourish extending to the right.

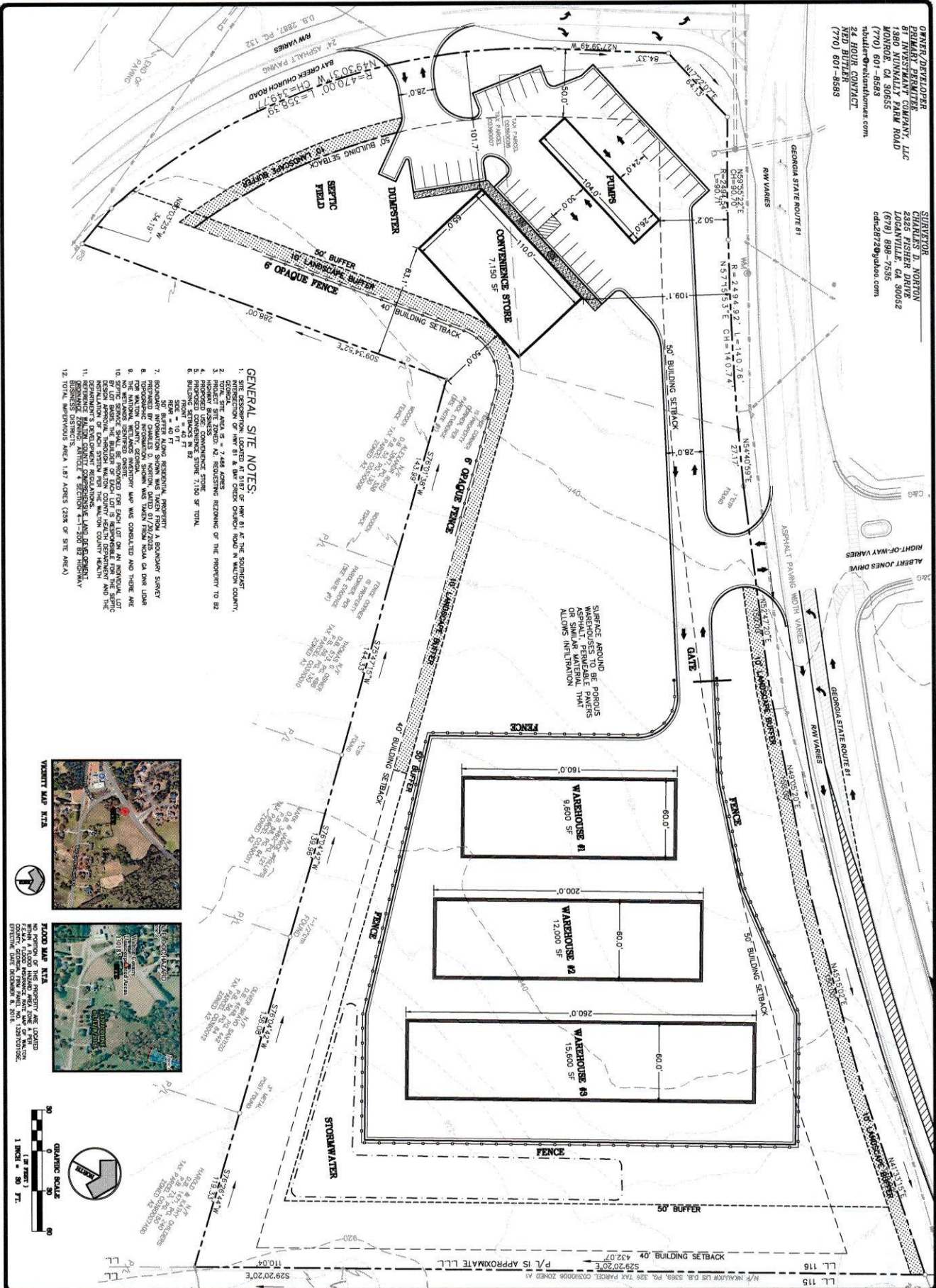
Andrea Gray
Applicant's Representative

Revised Site Plan

OWNER/DEVELOPER
PRIMAIRY PERMITTEE
INVESTMENT COMPANY, LLC
 2325 N. STATE STREET
 SUITE 200
 MONROE, LA 70602
 (770) 601-8583
 mduffy@primainvest.com

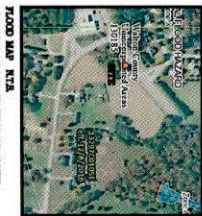
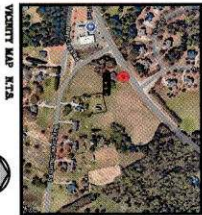
SURVEYOR
CHARLES D. NORTON
 2325 N. STATE STREET
 SUITE 200
 MONROE, LA 70602
 (770) 601-8583
 cdnorton@earthlink.net

24 HOUR CONTACT
NEED BUTLER
 (770) 601-8583



GENERAL SITE NOTES:

1. SITE DESCRIPTION: LOCATED AT THE SOUTHEAST CORNER OF HWY 81 & BAY CREEK CHURCH ROAD IN WALTON COUNTY, GEORGIA.
2. TOTAL SITE AREA IS 7.448 ACRES.
3. TOTAL LOT AREA IS 329,207.00 SQ. FT.
4. TOTAL LOT AREA IS 7.448 ACRES.
5. TOTAL LOT AREA IS 329,207.00 SQ. FT.
6. TOTAL LOT AREA IS 7.448 ACRES.
7. TOTAL LOT AREA IS 329,207.00 SQ. FT.
8. TOTAL LOT AREA IS 7.448 ACRES.
9. TOTAL LOT AREA IS 329,207.00 SQ. FT.
10. TOTAL LOT AREA IS 7.448 ACRES.
11. TOTAL LOT AREA IS 329,207.00 SQ. FT.
12. TOTAL LOT AREA IS 7.448 ACRES.



DATE	DESCRIPTION
5/25/26	CLIENT REVISIONS
5/18/26	CLIENT REVISIONS
4/17/26	CLIENT REVISIONS/ADD LEFT TURN LANE
12/4/25	CLIENT REVISIONS

CONCEPTUAL REZONING PLAN
FOR
BAY CREEK COMMERCIAL
 LOCATED IN
 5187 HWY 81 - LAND LOT 116 - 4TH DISTRICT
 WALTON COUNTY, GEORGIA

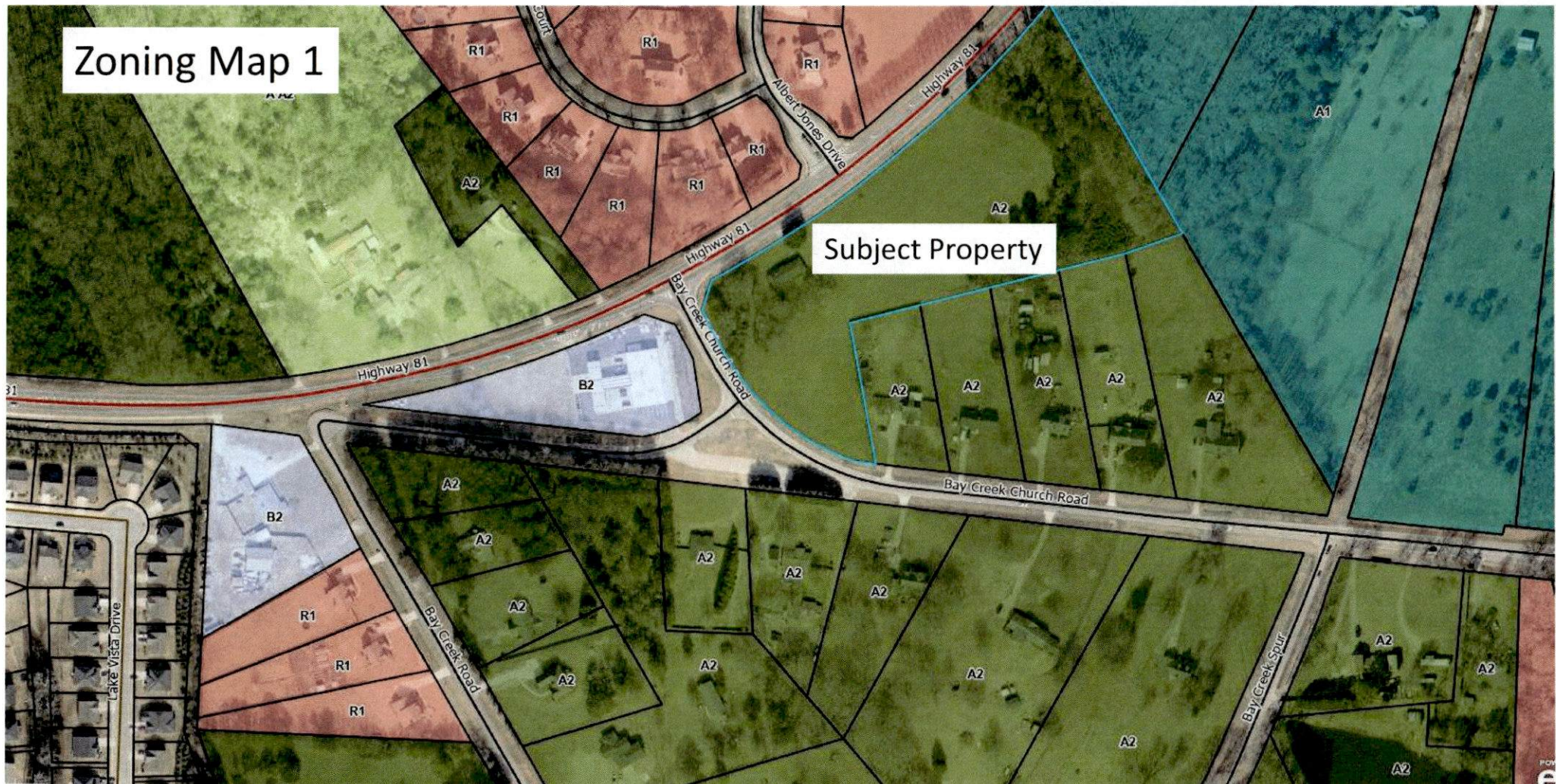
DAY DESIGN GROUP, Inc.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SITE PLANNING
 P.O. BOX 848
 MONROE, LA 70602
 (770) 271-4878
 www.daydesigngroup.com



Zoning Map 1

Subject Property



Zoning Map 2



Character Area Map Neighborhood Residential

Subject Property

Future Land Use Plan 2022

- Conservation
- Employment Center
- Highway Corridor
- Neighborhood Residential
- Rural Residential and Agriculture
- Suburban
- Village Center



Andrea P. Gray LLC

Attorney at Law

May 19, 2026

Notice of Preservation of Constitutional Objections

Re: Applicant: 81 Investment Company, LLC
Owner: 81 Investment Company, LLC
Property: 5187 Hwy 81, Loganville GA
Tax Parcel: C0390008
Request to zone 7.486 acres from A2 to B2

Georgia law requires that Applicant include in its rezoning record a statement of constitutional objections to put the deciding board on notice of the Applicant's assertion of its constitutional and legal rights to the requested rezoning. In accordance with this requirement, Applicant asserts the below and hereby incorporates all of the information and documents contained in its complete zoning application and any materials later added to the application record.

The current zoning of the Property restricts said Property in an unreasonable manner, is unconstitutional, null and void in that the restriction to the current zoning classifications affords the Applicant no reasonable use of the Property and is the equivalent of a taking of the Applicant's property rights without payment of just and adequate compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendments to the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the board to approve the rezoning requested by the Applicant to permit a reasonable economic return on the Applicant's investment and a reasonable use of the Property would therefore be unconstitutional, null and void and would be arbitrary, capricious and without a rational basis, thus constituting an abuse of discretion. Further, a refusal by the board would discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated properties in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States, and Article I, Section I, Paragraph II of the Georgia Constitution.

The continued application of the current zoning to the Property results in little or no gain to the public in general and fails to promote the health, safety, morals or general welfare of the public and does not bear a substantial relation to the objectives of the Walton County, Georgia Zoning Ordinance, and would constitute a substantial reduction of the property value of the Applicant and is therefore confiscatory and void.

By filing this Statement of Constitutional Rights, the Applicant reserves all rights and remedies available to them under the United States Constitution, the Georgia Constitution, all applicable federal state and local laws and ordinances, and in equity.



300 E Church Street, Monroe, GA 30655
(678) 364-2384

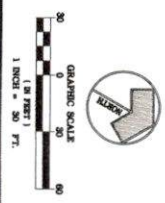
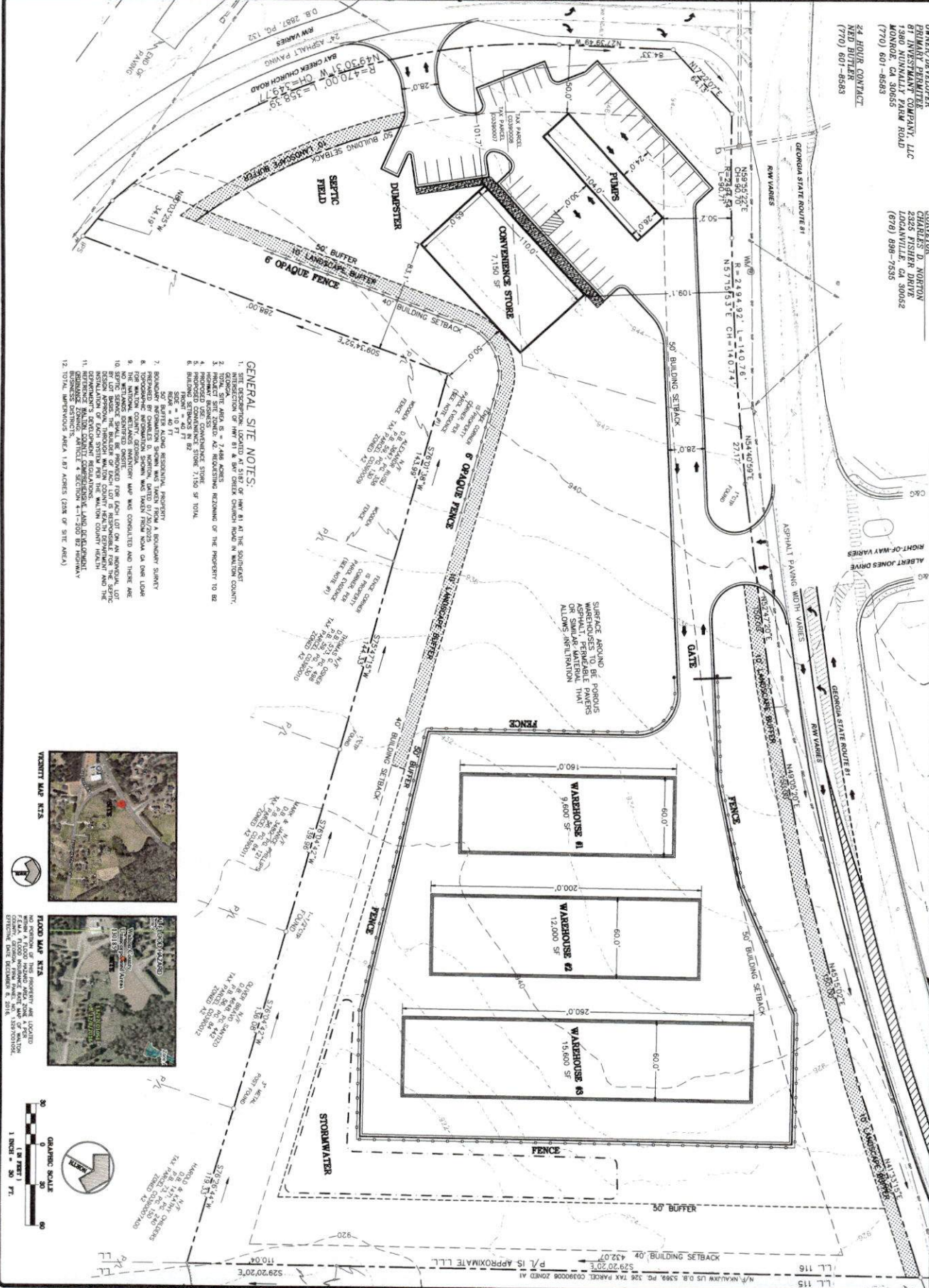
Revised Site Plan

Case # 226-0156

OWNER/DEVELOPER
PRIMATE PERMITTEE
81 INVESTMENT COMPANY, LLC
1386 MINNALLY PALM ROAD
MONROE, CA 90065
(770) 601-8583
24 HOUR CONTACT
NEED BUTLER
(770) 601-8583

SURVEYOR
CHARLES D. NOTION
2325 FISHER DRIVE
LOCALVILLE, GA 30052
(678) 698-7535

- GENERAL SITE NOTES:**
1. SITE DESCRIPTION: LOCATED AT 5187 HWY 81 AT THE SOUTHWEST CORNER OF THE 1/4 SECTION 16, T4N, R10E, W8, 1/4, WALTON COUNTY, GEORGIA.
 2. PROJECT SITE ZONED: A2 (RESIDENTIAL MEDIUM DENSITY OF THE PROPERTY TO BE DEVELOPED).
 3. PROJECT SITE ZONED: A2 (RESIDENTIAL MEDIUM DENSITY OF THE PROPERTY TO BE DEVELOPED).
 4. PROJECT SITE ZONED: A2 (RESIDENTIAL MEDIUM DENSITY OF THE PROPERTY TO BE DEVELOPED).
 5. PROJECT SITE ZONED: A2 (RESIDENTIAL MEDIUM DENSITY OF THE PROPERTY TO BE DEVELOPED).
 6. PROJECT SITE ZONED: A2 (RESIDENTIAL MEDIUM DENSITY OF THE PROPERTY TO BE DEVELOPED).
 7. BOUNDARY SURVEY: A BOUNDARY SURVEY WAS CONDUCTED BY CHAS. D. NOTION, SURVEYOR, WALTON COUNTY, GEORGIA, ON 01/25/2023.
 8. THE WALTON COUNTY, GEORGIA, MAP WAS CONSULTED AND THERE ARE NO UNRECORDED EASEMENTS OR OTHER INTERESTS AFFECTING THE PROPERTY.
 9. THE PROJECT SITE IS LOCATED ON AN UNRECORDED LOT.
 10. THE PROJECT SITE IS LOCATED ON AN UNRECORDED LOT.
 11. THE PROJECT SITE IS LOCATED ON AN UNRECORDED LOT.
 12. THE PROJECT SITE IS LOCATED ON AN UNRECORDED LOT.



NO.	DATE	DESCRIPTION
1	5/25/24	CLIENT REVISIONS
2	5/16/24	CLIENT REVISIONS/NEED LEFT TURN LANE
3	4/17/24	CLIENT REVISIONS
4	12/4/23	CLIENT REVISIONS

CONCEPTUAL REZONING PLAN
FOR
BAY CREEK COMMERCIAL
LOCATED IN
5187 HWY 81 - LANDLOT 116 - 4TH DISTRICT
WALTON COUNTY, GEORGIA

DAY DESIGN GROUP, Inc.

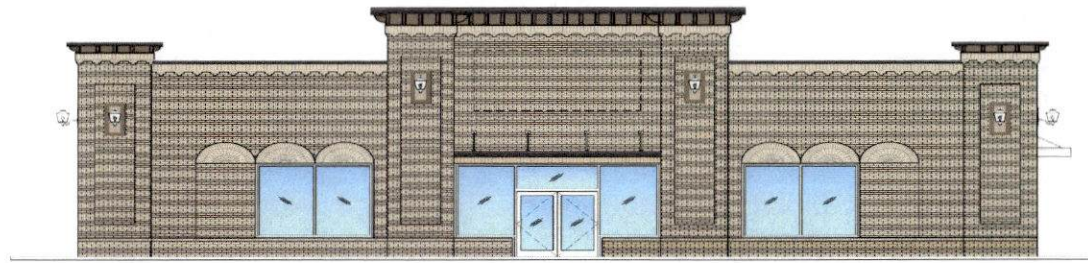
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SITE PLANNING
P.O. BOX 848
BURLINGTON, GA 30515
(770) 271-4676
(706) 588-8568



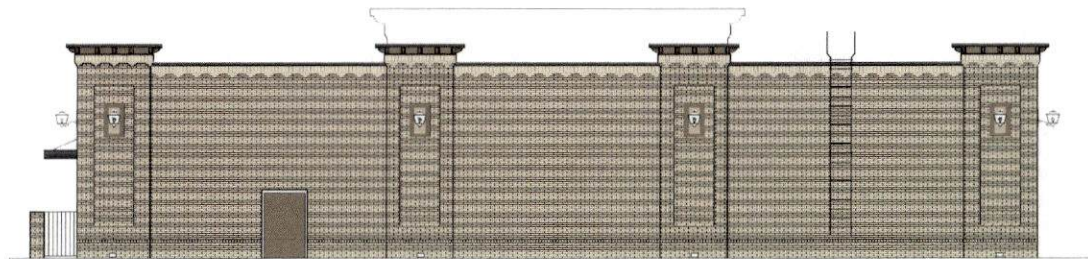
Representative Rendering

CONVENIENCE STORE + FUEL

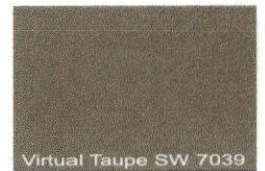
- 7,150 SF brick veneer building
- Motor fuel dispensing (gas + ≤ 2 diesel pumps)
- Brick Veneer
- High-quality architectural detailing



1 EXTERIOR ELEVATIONS (FRONT)
SCALE: 1/4" = 1'-0"



2 EXTERIOR ELEVATIONS (REAR)
SCALE: 1/4" = 1'-0"



BRACKETS / EIFS / TRIM: SHERWIN WILLIAMS
#SW7039
(EXAMPLE SHOWN)



PRIMARY EXTERIOR FACADE: BRICK VENEER
MANUFACTURER: CHEROKEE BRICK
STYLE/COLOR: ANSLEY PARK GEORGIA CLASSIC
(EXAMPLE SHOWN)

FOR CONSTRUCTION

BLD #

Representative Photos

Premium metal panel + stone veneer construction



Front Elevation — Roll-up Doors & Stone Base



Corner Elevation



Multi-Unit Building



Representative landscaping

Trip Generation Calculations
& Entrance Evaluation

For

Bay Creek Commercial
5187 Hwy 81, Loganville
Walton County, GA

PREPARED FOR:

Hwy 81 Investment Company, LLC
P.O. Box 200
Monroe, GA 30655

PREPARED BY:

ATG Civil, LLC
2070 Broadnax Mill Rd
Loganville, GA 30052

May 26, 2026

Table of Contents

Section 1 – Executive Summary

Section 2 – Background & Site Information

Section 3 – Conclusions

Section 4 – Exhibits

Section 1 Executive Summary

1.1 Executive Summary

This report analyzes the proposed commercial development located at the intersection of Hwy 81 and Bay Creek Church Road, just northeast of Loganville, GA in Walton County. The development includes a proposed 7,150 square foot convenience store with fuel pumps and 48,000 sf feet of warehouse and office/warehouse space. The proposed development will be accessed from both Hwy 81 and Bay Creek Church Road. This analysis determines the total vehicle trips generated by the proposed development and whether auxiliary turn lanes are required along both Hwy 81 and Bay Creek Church Road to support these added vehicle trips.

Hwy 81

The current traffic count along Hwy 81 is 10,600 vehicles per day. The posted speed limit along Hwy 81 in this area is 55 mph. The thresholds established by GDOT for auxiliary lanes for this segment of roadway are:

Requirements for right turn deceleration lane: 50 right turning vehicles

Requirements for center left turn lane: 150 left turning vehicles

Bay Creek Church Road

The current traffic count along Bay Creek Church Road is 3,760 vehicles per day. The posted speed limit along Bay Creek Church Road in this area is 50 mph. The thresholds established by GDOT for auxiliary lanes for this segment of roadway are:

Requirements for right turn deceleration lane: 150 right turning vehicles

Requirements for center left turn lane: 250 left turning vehicles

Trip Generation

Using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 12th Edition*, we have calculated the total trips to the proposed development. The total trips generated by the proposed development are:

Hwy 81 Entrance

The estimated total number of turns into the proposed development from Hwy 81 is 466. These turns can be separated into:

Total Right Turns into development = 233

Total Left Turns into development = 233

Since the estimated number of daily right turns exceeds 50, a right turn deceleration lane in the northbound direction into the proposed development is required. Since the estimated number of daily left turns exceeds 150, a center left turn lane in the southbound direction into the proposed development is required.

Bay Creek Church Rd Entrance

The estimated total number of turns into the proposed development from Bay Creek Church Rd is 422. These turns can be separated into:

Total Right Turns into development = 211

Total Left Turns into development = 211

Since the estimated number of daily right turns exceeds 150, a right turn deceleration lane in the westbound direction into the proposed development is required. Since the estimated number of daily left turns is less than 250, a center left turn lane in the eastbound direction into the proposed development is not required.

Section 2

Background & Site Information

2.1 Purpose & Methodology

The purpose of this report is to analyze the entrances for the proposed development along Bay Creek Church Road and Hwy 81 in Walton County, Georgia. This analysis is conducted by analyzing the existing road infrastructure, existing traffic patterns, the proposed development design, criteria from the Georgia Department of Transportation's [GDOT] Driveway Design Manual and Institute of Transportation Engineer's [ITE] *Trip Generation Manual*, 12th Edition.

2.2 Proposed Development

The proposed development includes approximately 7.5 acres that will be zoned B2 Highway Business for the development of a 7,150 square foot convenience store with fuel pumps and 48,000 sf feet of warehouse and office/warehouse space. The proposed development will utilize two access points. One access point is proposed along Hwy 81 at approximately milepost 12.52 across from Albert Jones Drive. The other access point will be along Bay Creek Church Road about 275 feet south of Hwy 81. See attached Project Map, below.

2.3 Georgia Department of Transportation Criteria

The Georgia Department of Transportation [GDOT] sets forth criteria for analyzing proposed entrances and determining the need for auxiliary turn lanes to accommodate the vehicle trips that will be generated by a proposed development. The criteria for determining the need for turn lanes is based on existing traffic along the main roadway, number of lanes along the main roadway, posted speed limit along the main roadway and number of turns into the proposed development.

The subject development proposes utilizing two entrances. These entrances will be analyzed individually.

Bay Creek Church Road is a Walton County maintained roadway, but the criteria in the GDOT Driveway Manual will be used to determine the need for turn lanes for the entrance along Bay Creek Church Road. Bay Creek Church Road is a two-lane road with a posted speed limit of 50 mph. It has a current traffic count of 3,760 vehicles per day. The thresholds for turn lanes for this roadway are shown in the tables below and highlighted in blue.

Highway 81 is a GDOT maintained roadway, so the criteria in the GDOT Driveway Manual will be used to determine the need for turn lanes for the entrance along Hwy 81. Hwy 81 is a two-lane highway with a posted speed limit of 55 mph. It has a current traffic count of 10,600 vehicles per day. The thresholds for turn lanes for this highway are shown in the tables below and highlighted in red.

Requirements for right turn deceleration lane:

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	< 6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Requirements for center left turn lane:

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

2.4 ITE Trip Generation for Proposed Development

The Institute of Transportation Engineers [ITE] has published their *Trip Generation Manual, 12th Edition* for guidance to calculate the proposed number of vehicle trips that will be generated by developments. For this project, the vehicle trips will be calculated for each use individual use and then the aggregate trip ends will be summarized for entrance analysis.

The proposed convenience store is 7,150 square feet with 4 pumps, 8 fueling positions. The ITE land use code for this proposed use is 945.

Approximately 9,600 square feet of the warehousing portion of the development is proposed for office warehouse. This use is typically associated with a specialty contractor that has a small number of employees in an office and warehouse storage to service the business. The ITE land use code for this proposed use is 180.

Approximately 38,400 square feet of the warehousing portion of the development is proposed for contractor storage. This use is typically associated with a specialty contractor, does not have an office in the building and is only used to store equipment and inventory to support their business. The ITE land use code for this proposed use is 150.

The summary of the ITE trip generation tool is shown in the table below.

Proposed Development				Weekday			
Proposed Use	ITE Land Use Code	Qty	Unit	Rate	Total	Entering	Exiting
Convenience Store	945	8.0	Fuel Islands	203.40	1,627	814	814
Office Warehouse	180	9.6	1,000 sf	9.82	94	47	47
Contractor Storage	150	38.4	1,000 sf	1.38	53	27	27
				Total =	1,774	888	888

The total trips for the proposed development will be split between the two entrances. Based on the current traffic patterns, it is assumed that the traffic to the convenience store will be split about 50/50 between the two entrances, while the traffic to the warehouses will be split approximately 80/20, with the majority using the Hwy 81 entrance. The table below summarizes the distribution of the trips between the two entrances.

Proposed Use	Total Trips	Hwy 81			Bay Creek Ch Rd		
		% Usage	Entering	Exiting	Entering	% Usage	Exiting
Convenience Store	1,627	50%	407	407	50%	407	407
Office Warehouse	94	80%	38	38	20%	9	9
Contractor Storage	53	80%	21	21	20%	6	6
		Totals =	466	466		422	422

Section 3 Conclusions

3.1 Conclusions

Hwy 81 Entrance

The estimated total number of turns into the proposed development from Hwy 81 is 466. These turns can be separated into:

Total Right Turns into development = 233

Total Left Turns into development = 233

Since the estimated number of daily right turns exceeds 50, a right turn deceleration lane in the northbound direction into the proposed development is required. Since the estimated number of daily left turns exceeds 150, a center left turn lane in the southbound direction into the proposed development is required.

Bay Creek Church Entrance

The estimated total number of turns into the proposed development from Bay Creek Church Rd is 422. These turns can be separated into:

Total Right Turns into development = 211

Total Left Turns into development = 211

Since the estimated number of daily right turns exceeds 150, a right turn deceleration lane in the westbound direction into the proposed development is required. Since the estimated number of daily left turns is less than 250, a center left turn lane in the eastbound direction into the proposed development is not required.

Section 4 Exhibits

ITE Data for Convenience Store

DATA SOURCE: Trip Generation Manual, 12th Ed ▼	DATA STATISTICS
SEARCH BY LAND USE CODE: 945 🔍	Land Use: Convenience Store/Gas Station - GFA (5.5-10k) (945) Click for Description and Data Plots
LAND USE GROUP: (900-999) Services ▼	Independent Variable: Vehicle Fueling Positions
LAND USE : 945 - Convenience Store/Gas Station ▼	Time Period: Weekday
LAND USE SUBCATEGORY: GFA (5.5-10k) ▼	Setting/Location: General Urban/Suburban
SETTING/LOCATION: General Urban/Suburban ▼	Trip Type: Vehicle
INDEPENDENT VARIABLE (IV): Vehicle Fueling Positions ▼	Number of Studies: 23
TIME PERIOD: Weekday ▼	Avg. Num. of Vehicle Fueling Positions: 19
TRIP TYPE: Vehicle ▼	Average Rate: 203.35
ENTER IV VALUE TO CALCULATE TRIPS: 8 Calculate	Range of Rates: 55.53 - 400.33
	Standard Deviation: 75.82
	Fitted Curve Equation: Not Given
	R²: ****
	Directional Distribution: 50% entering, 50% exiting
	Calculated Trip Ends: Average Rate: 1627 (Total), 813 (Entry), 814 (Exit)

ITE Data for Office Warehouse

DATA SOURCE:

Trip Generation Manual, 12th Ed ▼

SEARCH BY LAND USE CODE:

180 

LAND USE GROUP:

(100-199) Industrial ▼

LAND USE :

180 - Specialty Trade Contractor ▼

LAND USE SUBCATEGORY:

All Sites ▼

SETTING/LOCATION:

General Urban/Suburban ▼

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA ▼

TIME PERIOD:

Weekday ▼

TRIP TYPE:

Vehicle ▼

ENTER IV VALUE TO CALCULATE TRIPS:

9.6

DATA STATISTICS

Land Use:

Specialty Trade Contractor (180) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

20

Avg. 1000 Sq. Ft. GFA:

6

Average Rate:

9.82

Range of Rates:

3.00 - 43.33

Standard Deviation:

8.56

Fitted Curve Equation:

Not Given

R²:

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 94 (Total), 47 (Entry), 47 (Exit)

ITE Data for Contractor Storage

DATA SOURCE:

Trip Generation Manual, 12th Ed ▼

SEARCH BY LAND USE CODE:

150 

LAND USE GROUP:

(100-199) Industrial ▼

LAND USE :

150 - Warehouse ▼

LAND USE SUBCATEGORY:

All Sites ▼

SETTING/LOCATION:

General Urban/Suburban ▼

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA ▼

TIME PERIOD:

Weekday ▼

TRIP TYPE:

Vehicle ▼

ENTER IV VALUE TO CALCULATE TRIPS:

38.4

DATA STATISTICS

Land Use:

Warehouse (150) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

81

Avg. 1000 Sq. Ft. GFA:

554

Average Rate:

1.38

Range of Rates:

0.15 - 16.93

Standard Deviation:

1.05

Fitted Curve Equation:

$T = 1.56(X) - 97.97$

R²:

0.69

Directional Distribution:

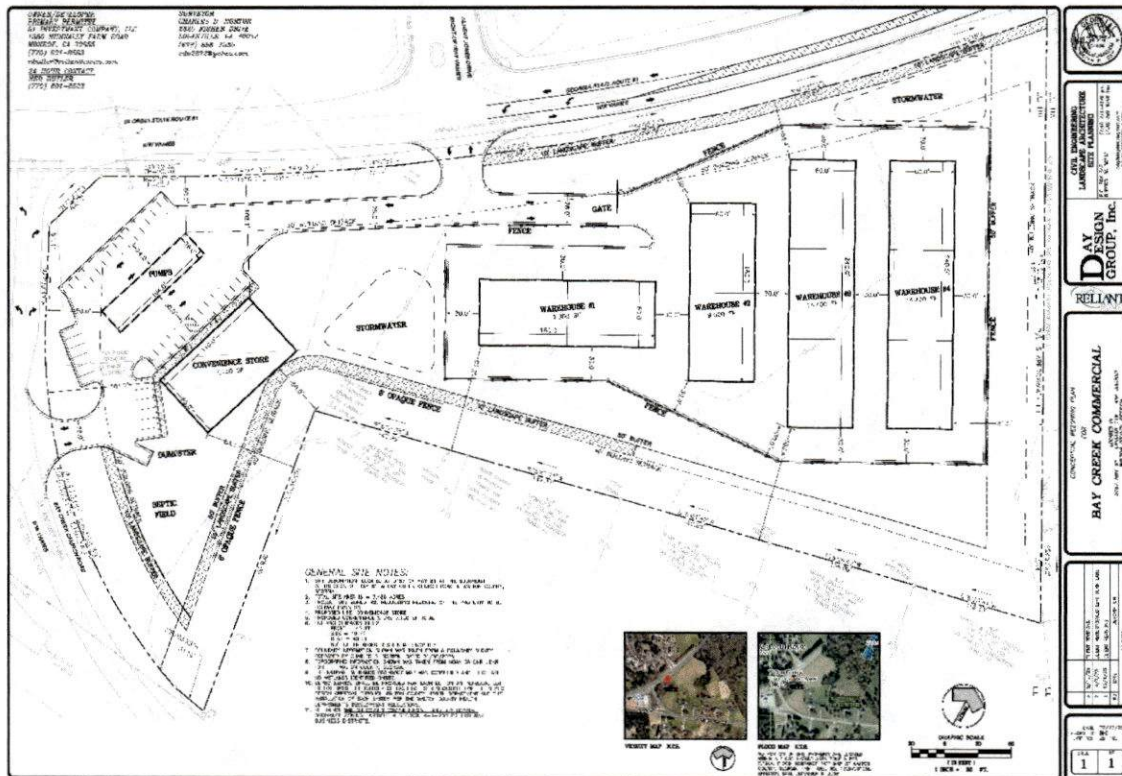
50% entering, 50% exiting

Calculated Trip Ends:

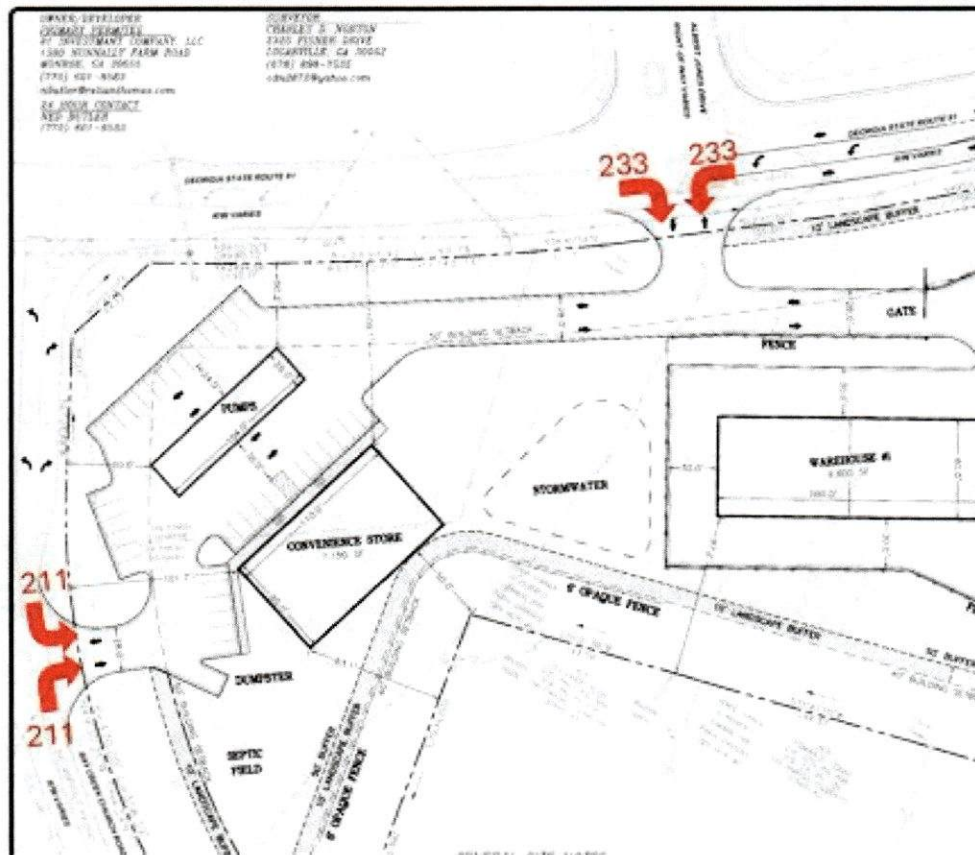
Average Rate: 53 (Total), 26 (Entry), 27 (Exit)

Fitted Curve: Not Available

Project Map



Entrance Drawing with turn counts





GRUBMAN
WARNER
BERRY

www.gwbfirm.com

July 9, 2026

1834 Independence Square
Atlanta, Georgia 30338
Tel: 404-233-4171
Fax: 404-261-2842

Direct: 404-797-5525
hhilliard@gwbfirm.com

Walton County Planning Commission
c/o Walton County Planning & Development Department
126 Court Street
Monroe, Georgia 30655

Re: Opposition to Rezoning Application – 5187 Highway 81 & Bay Creek Church Road
Applicant: 81 Investment Company, LLC
Request: Rezoning from A-2 to B-2 for Convenience Store with Fuel Pumps and Office Warehouse/Contractor Storage

Dear Members of the Planning Commission:

This firm represents 5141 Foodmart Inc., the owner and operator of the existing service station located near the subject property. We acknowledge at the outset that our client has a business interest in this matter. However, our opposition is not based merely on competition. If this were only a private business dispute between two commercial operators, we would not be asking the County to deny the application. Our objection is based on legitimate land use, zoning, compatibility, neighborhood, traffic, safety, intensity, and public welfare concerns that exist independently of our client's competitive interest.

The subject property consists of approximately 7.486 acres located at 5187 Highway 81 and Bay Creek Church Road. In 2025, a prior application sought rezoning from A-2 to B-2 for a convenience store and warehouse buildings. The County's 2025 Planning Commission agenda identified the applicant/owner as Blue Eagle Land Investments, LLC, and listed the property as Map/Parcel C0390008 in District 1. The current application is now brought by 81 Investment Company, LLC, but it concerns the same property and seeks substantially the same commercial zoning and development concept: a convenience store with fuel pumps and office warehouse/contractor storage.

The history of this matter is important. In 2025, the surrounding community organized in opposition to this proposed commercial development. Neighbors appeared, participated in meetings, and made clear that they did not want this use at this location. The concerns expressed were not abstract or manufactured. They involved the practical impacts of placing a gas station, convenience store, and storage/warehouse development at this location: increased commercial intensity, traffic, safety concerns, neighborhood compatibility, lighting, security, and the long-term change in character that B-2 zoning would bring.

After those meetings, and after the community had organized and appeared, the prior applicant waited until the evening of the Planning Commission hearing to announce that the application would be withdrawn. As a result, the community did not receive a final vote on the merits. The opposition did not disappear; the application simply went away for a time.

Now, less than a year later, the same essential proposal has returned. The applicant name has changed, and the current application now expressly acknowledges fuel pumps. That corrected notice language may address one of the procedural concerns raised last year, but it does not address the underlying land use problem. The County is still being asked to convert an A-2 property into a B-2 commercial site anchored by a gas station/convenience store and contractor storage/warehouse uses.

This feels like an effort to wear the community down. The neighbors spoke clearly in 2025. They opposed this development then, and the same basic development concept should not become more acceptable simply because it has been refiled under a different applicant name and with a revised description. The Planning Commission should not reward a strategy that forces residents to repeatedly organize, repeatedly appear, and repeatedly defend the same neighborhood interests against substantially the same commercial proposal.

The requested B-2 zoning is too intense for this location. A gas station/convenience store is not a passive use. It brings frequent vehicle turnover, fuel deliveries, lighting, signage, trash generation, pedestrian activity, potential loitering, and customer activity that may extend beyond normal neighborhood hours. The contractor storage/warehouse component adds additional commercial intensity, including tenant access, loading and unloading, storage-related trips, and security concerns. Considered together, these uses create a commercial development pattern that is materially inconsistent with the surrounding residential and neighborhood character.

The combination of a convenience store/fuel station and storage/warehouse uses on the same site is especially problematic. A storage facility is a place where users may come and go, remain on site for some period of time, load and unload property, and access enclosed storage or contractor spaces. A convenience store with fuel pumps creates a different type of activity: short-term customer turnover, transient traffic, and the potential for loitering around the store and pump area. Putting those uses together increases operational and security concerns. The County should evaluate the cumulative impact of the development, not each component in isolation.

The Planning Commission should also consider the community's prior petition and organized opposition. The residents' concerns remain relevant. The passage of several months does not erase the neighborhood's stated position. The community opposed this proposal when it was first brought forward, and there has been no meaningful change that resolves the basic incompatibility between the proposed commercial intensity and the surrounding area.

Traffic is not the only issue, and we do not suggest that traffic alone must control the decision. But traffic is plainly relevant to the broader land use inquiry. A convenience store with fuel pumps and contractor storage creates more trips, more turning movements, more site circulation, and more potential conflict points than the current zoning condition. Those impacts relate directly to whether the rezoning promotes the public health, safety, morals, and general welfare.

The applicant's corrected description of fuel pumps does not make the use appropriate. It simply makes clear what the community was concerned about from the beginning: this is a gas station/convenience store proposal combined with commercial storage/warehouse uses. The County should evaluate the application based on that reality.

For these reasons, our client respectfully requests that the Planning Commission recommend denial of the rezoning application. The proposed rezoning is incompatible with the surrounding area, too

intense for this location, contrary to the expressed concerns of the community, and not shown to promote the public health, safety, morals, or general welfare of Walton County.

Finally, should the Planning Commission or Board of Commissioners recommend approval or approve the application over these objections, our client expressly preserves and asserts all procedural, statutory, constitutional, and equitable objections and claims available under Georgia law, the Walton County ordinances, the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., the Georgia Constitution, and the United States Constitution, including but not limited to objections and claims based upon lack of substantial evidence, arbitrary and capricious governmental action, failure to promote the public health, safety, morals, and general welfare, denial of procedural due process, denial of substantive due process, denial of equal protection, unconstitutional taking or damaging of property rights, violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia, violation of the Fifth and Fourteenth Amendments to the United States Constitution, and any claims available under 42 U.S.C. § 1983. No appearance, statement, participation, or submission by our client or its counsel shall be deemed a waiver of any such objections, claims, remedies, or rights, all of which are expressly reserved.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joe Siegelman".

Joseph J. Siegelman

Cc: M. Hakim Hilliard, Esquire
File