

CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Atlanta Luxury Motors</u>	NAME: <u>Car Sat Gwinnett, LLC</u>
ADDRESS: <u>c/o Andersen Tate & Carr</u>	ADDRESS: <u>c/o Andersen, Tate & Carr</u>
CITY: <u>Duluth</u>	CITY: <u>Duluth</u>
STATE: <u>Georgia</u> ZIP: <u>30097</u>	STATE: <u>Georgia</u> ZIP: <u>30097</u>
PHONE: <u>(770) 822-0900</u>	PHONE: <u>(770) 822-0900</u>
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APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

ZONING DISTRICT(S): C-3 PRIOR ZONING CASE: RZ-92-113

LAND DISTRICT(S): 6 LAND LOT(S): 236 ACREAGE: 8.8 acres

ADDRESS OF PROPERTY: 2520 Pleasant Hill Road, Duluth

PROPOSED CHANGE IN CONDITIONS: 1(A) to allow used car sales & service

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>27,996sq. ft</u>
GROSS DENSITY: _____	DENSITY: <u>3,181 sq. ft. per acre</u>
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LETTER OF INTENT
FOR CHANGE IN CONDITIONS APPLICATION OF
ATLANTA LUXURY MOTORS
C-3 (Used Automobile Sales & Service)

The Applicant, Atlanta Luxury Motors (hereinafter, "Applicant"), submits this Change in Conditions Application for the purpose of modifying Condition 1(A) which reads: "*A Saturn/automobile sales and service dealership for new automobiles and accessory used auto sales at a maximum density of 30,150 square feet of total floor area.*" Applicant is proposing to purchase this currently vacant automobile sales and service facility for use as the Duluth location of Atlanta Luxury Motors, a luxury used automobile sales and service dealership (with existing locations in Roswell and Woodstock), and would like for the Condition 1(A) to be modified to allow used automobile sales and service. No changes are proposed to the current configuration of the existing building and/or parking area.

The subject property is an approximately 8.8 acre tract (hereinafter, the "Property") located on Pleasant Hill Road adjacent to the Super H Mart anchored shopping center and directly across the street from the Lou Sobh automobile dealership in an area with numerous other automobile sales and service facilities. The significant presence of automobile sales and service facilities (as well as exclusively service facilities, such as Classic Collision, which is just around the corner from the subject Property) have identified this area as the primary automobile sales and service destination area in Gwinnett County, underscoring the appropriateness of the requested change in conditions.

Moreover, the predominance of automobile sales and service facilities in the area northwest of Gwinnett Place was well established almost 20 years ago when the subject property was zoned C-3 (Gwinnett's most intensive commercial zoning classification) to allow the property to be developed as a Saturn sales and service dealership.

One thing that has changed in the past 20 years is that major automobile manufacturers have consolidated, eliminated brands and closed dealerships (such as the Saturn dealership formerly on the subject property until that brand was eliminated by General Motors and all Saturn dealerships were closed). The list of formerly vibrant brands that have been eliminated in the almost 20 years since the subject property was zoned C-3 for the Saturn dealership in 1992 is long, and includes: Oldsmobile, Pontiac, Hummer, Saturn, Plymouth, Mercury, Eagle and Geo. As a result, the universe of new car dealerships has been greatly reduced and the list of potential purchasers who would be in the market to



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utilize the subject property as a new car dealership is almost non-existent. Particularly in light of the fact that almost every remaining viable new car brand (foreign and domestic) already has an existing dealership within a two mile radius of the subject property. To restrict this property which was zoned, developed and built for automobile sales and service to only new car sales and service is tantamount to leaving this property with no present prospects for any reasonable or likely economic use.

There will be little difference between the use and operation of the subject Property by Atlanta Luxury Motors and the use of the property during the period it was a Saturn dealership. In fact, the price point of the type of used cars sold by Atlanta Luxury Motors would actually be higher in many cases than the price point of the new cars formerly sold by Saturn.

This location will employ approximately 30 to 40 people for positions such as sales associates, finance manager, accounting, office manager, sales manager, service manager, service associates, mechanics, technicians and detailers. The proposed facility will also provide ancillary business to local automotive vendors in the area and projected to generate approximately \$100,000 per month in sales tax revenue. Atlanta Luxury Motors has been in business for more than 11 years, earning an impeccable track record. The proposed location will be limited to luxury pre owned cars and accessory sales and service and will be very similar to the Roswell location (see www.almroswell.com)

The development of the property as proposed under the guidelines of Gwinnett County is appropriate to the subject tract, consistent use and development of adjacent and surrounding properties as well as the significant presence of automotive sales and service uses in the surrounding area and consistent with the Gwinnett County 2030 Unified Plan. It is also worth noting the significant portion of the subject property that serves as an undeveloped buffer area between the developed portion of the subject Property and the adjacent multi-family housing development. This is in addition to the required 100-foot buffer area.

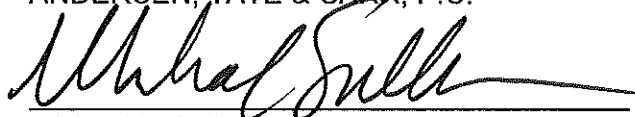
As stated in the Application, the Applicant intends to use the property in its current configuration as a luxury used car sales and service facility with no change in the existing zoning conditions on the property since 1992, other than a modification to Condition 1(A) to allow used car sales and service (rather than the existing restriction to new car sales and service with only accessory used car sales).

CONCLUSION

This proposed change in conditions would result in a high-quality luxury used car sales and service facility for the residents of Gwinnett County, providing jobs and improving Gwinnett's tax base. Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

This 3rd day of March, 2011.

Respectfully submitted,
ANDERSEN, TATE & CARR, P.C.



Michael L. Sullivan
Attorney for Owner/Applicant



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