

CHANGE IN CONDITIONS APPLICATION

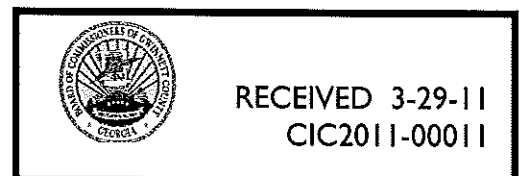
AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Bradley Investment Co.</u> ADDRESS: <u>c/o Andersen Tate & Carr</u> <u>1960 Satellite Blvd., Suite 4000</u> CITY: <u>Duluth</u> STATE: <u>Georgia</u> ZIP: <u>30097</u> PHONE: <u>(770) 822-0900</u>	NAME: <u>Bradley Investment Co.</u> ADDRESS: <u>c/o Andersen Tate & Carr</u> <u>1960 Satellite Blvd., Suite 4000</u> CITY: <u>Duluth</u> STATE: <u>Georgia</u> ZIP: <u>30097</u> PHONE: <u>(770) 822-0900</u>
CONTACT PERSON: <u>Michael L. Sullivan</u> PHONE: <u>(770) 822-0900</u> CONTACT'S E-MAIL: <u>msullivan@atclawfirm.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICT(S): <u>C-2</u>	PRIOR ZONING CASE: <u>RZ-95-143</u>
LAND DISTRICT(S): <u>6</u>	LAND LOT(S): <u>182</u> ACREAGE: <u>3.22 acres</u>
ADDRESS OF PROPERTY: <u>1320 Pleasant Hill Road</u>	
PROPOSED CHANGE IN CONDITIONS: <u>Remove Condition 1(A)</u>	

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>46,950sq. ft</u>
GROSS DENSITY: _____	DENSITY: <u>14,581 sq. ft. per acre</u>
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED



ANDERSEN TATE CARR

ANDERSEN, TATE & CARR, P.C.
ONE SUGARLOAF CENTRE
1960 SATELLITE BOULEVARD, SUITE 4000
DULUTH, GEORGIA 30097
(770) 822-0900
FACSIMILE: (770) 236-9754
www.atclawfirm.com

MICHAEL L. SULLIVAN
Attorney at Law

E-mail: msullivan@atclawfirm.com

LETTER OF INTENT **FOR CHANGE IN CONDITIONS APPLICATION OF** **BRADLEY INVESTMENT CO. (C-2)**

The Owner and Applicant, Bradley Investment Co. (hereinafter, "Applicant"), submits this change in condition application to allow Applicant to utilize the subject property for retail and/or service commercial uses other than the only currently permitted use of "furniture store."

No changes to the exterior status quo are proposed. The exterior of the existing 46,950 square foot building will remain virtually unchanged (other than signage, consistent with Gwinnett County regulations) and all other external characteristics will remain largely as they have on the subject property for more than 16 years. The only change would be to allow the subdivision of interior of the existing building from a single tenant to allow for one or more additional tenants/users.

This request is necessary as the space requirements of the primary tenant (the existing La-Z-Boy Showroom) have decreased dramatically over the years, with no prospect for ever increasing back to previous levels. Applicant has an underutilized, partially vacant building that is unfairly restricted by a zoning condition that limits it to the single use of "furniture store" unlike every other commercial property along this portion of Pleasant Hill Road, which are permitted the full range of uses allowed under the C-2 zoning classification. To restrict the subject property to a single permitted use not only leaves the Applicant with minimal economic use for what would be an otherwise viable commercial parcel, it is also a result that cannot be supported by any rational review of Gwinnett's zoning and development related ordinances, including the Gwinnett 2030 Unified Plan.

The subject property is an approximately 3.22 acre tract (hereinafter, the "Property") located on Pleasant Hill Road near its intersection with Club Drive, located between the U-Haul facility to the south and Ida's Pizza Kitchen (formerly mellow Mushroom) to the north.

Allowing a wider range of permitted uses under the C-2 zoning classification and within the guidelines of Gwinnett County is appropriate to the subject tract, consistent with the use and development of adjacent and surrounding properties as well as the longtime commercial zoning of the subject property (which predated the 1995 imposition of Condition 1(A) by RZ-95-143) and the Gwinnett County 2030 Unified Plan.



RECEIVED 3-29-11
CIC2011-00011

CONCLUSION

This proposed change in conditions would result in little if any external change to the use or development of the subject Property, while allowing Applicant to fully utilize what is currently a partially vacant building. 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 29th day of March, 2011.

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



Michael L. Sullivan
Attorney for Owner/Applicant



RECEIVED 3-29-11
CIC2011-00011

