

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Ruby Forrest, Inc.</u>	NAME: <u>See Exhibit "C" attached hereto</u>
ADDRESS: <u>c/o Andersen, Tate, Mahaffey & McGarity, P.C., 1505 Lakes Parkway, Suite 100</u>	ADDRESS: <u>c/o Andersen, Tate, Mahaffey & McGarity, P.C., 1505 Lakes Parkway, Suite 100</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30043-5858</u>	STATE: <u>Georgia</u> ZIP: <u>30043-5858</u>
PHONE: <u>(770) 822-0900</u>	PHONE: <u>(770) 822-0900</u>
CONTACT PERSON: <u>Michael L. Sullivan</u>	PHONE: <u>(770) 822-0900</u> FAX: <u>(770) 236-9754</u>

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

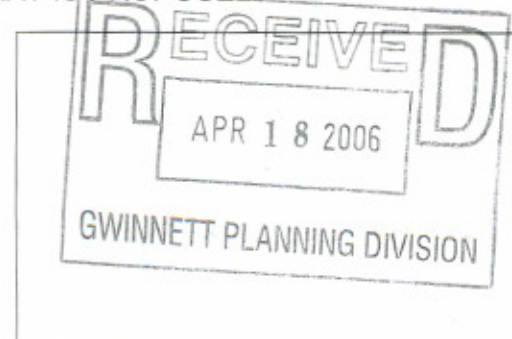
APPLICANT IS THE:

 OWNER'S AGENT PROPERTY OWNER XX CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): RA-200 & R-100 REQUESTED ZONING DISTRICT: C-2
LAND DISTRICT(S): 7th LAND LOT(S): 054 ACREAGE: 7.562 acres
ADDRESS OF PROPERTY: Braselton Highway/SR 124 near Old Fountain Road
PROPOSED DEVELOPMENT: Commercial/Retail Uses

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u> </u>	NO. OF BUILDINGS/LOTS: <u>2 buildings</u>
DWELLING UNIT SIZE (sq. ft.): <u> </u>	TOTAL GROSS SQUARE FEET: <u>84,500 sq. ft.</u>
GROSS DENSITY <u> </u>	DENSITY <u>11,174.29 sq. ft per acre</u>
NET DENSITY <u> </u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

CASE NUMBER RZC 07 016



RZC 07 0 1 6

LETTER OF INTENT
RUBY FORREST, INC.
Braselton Highway near Old Fountain Road



The Applicant, Ruby Forrest, Inc. (hereafter, "Applicant"), submits this Rezoning Application for the purpose of rezoning an approximately 7.562 acre tract of land (hereinafter, the "Property") located on Braselton Highway (a/k/a Georgia State Route 124) near its intersection with Old Fountain Road. The subject property covered by this Application is currently zoned RA-200 & R-100.

Use and development of the property as RA-200 and/or R-100 is not economically feasible and is not the highest and best use of the property, in that it would be impossible to develop and market the property for use consistent with the current zoning in light of its location on a major state highway, such as Highway 124, as well as the adjacent non-residential uses.

The subject Property is located in an area that is likely to become a future commercial node and which is currently designated for non-residential use on the Gwinnett 2020 Land Use Plan Map. The properties directly adjacent to the Property are designated for Office/Professional use on the 2020 Land Use Plan Map (as well as being currently zoned O-I and in use as Office/Professional uses).

The designations of the surrounding properties on the 2020 Land Use Plan Map clearly identify the subject properties as calling for some non-residential use. The C-2 commercial is consistent with existing and proposed non-residential uses at this future commercial node.

As stated in the Application, the Applicant intends to develop the Property as a mixed use commercial/retail development with 84,500 square feet of commercial/retail and restaurant uses proposed.

The property has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares or state or interstate highways. The subject property will be located on the public transportation routes and locations planned or being considered in Gwinnett County.

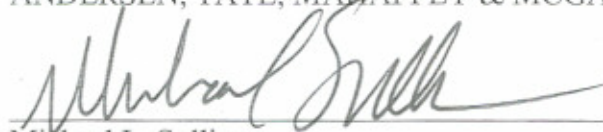
CONCLUSION

This proposed zoning would result in a high-quality mixed-use commercial/retail/restaurant development to serve this fast-growing area. 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 4th day of April, 2006.

Respectfully submitted,

ANDERSEN, TATE, MAHAFFEY & MCGARITY, P.C.



Michael L. Sullivan
Attorneys for Applicant

RZC 07 016

