

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>John W. Rooker Assoc., Inc.</u>	NAME: <u>ROOKER GWINNETT, LLC</u>
ADDRESS: <u>445 BISHOP ST., ST. 200</u>	ADDRESS: <u>445 BISHOP ST., ST. 200</u>
CITY: <u>ATLANTA</u>	CITY: <u>ATLANTA</u>
STATE: <u>GA</u> ZIP: <u>30318</u>	STATE: <u>GA</u> ZIP: <u>30318</u>
PHONE: <u>770-491-7711</u>	PHONE: <u>770-491-7711</u>
CONTACT PERSON: <u>Kyle Holbrook</u> PHONE: <u>678-367-4229</u>	
CONTACT'S E-MAIL: <u>kyle.holbrook@rookerco.com</u>	

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

Do M AYRES - AYRES ENGINEERING 770-421-8140 ayreseng@bellsouth.net

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICT(S): <u>M-1</u>	PRIOR ZONING CASE: <u>RZ-135-85</u>
LAND DISTRICT(S): <u>5th</u>	LAND LOT(S): <u>241</u> ACREAGE: <u>51.3178</u>
ADDRESS OF PROPERTY: <u>HURRICANE SHOALS ROAD</u>	
PROPOSED CHANGE IN CONDITIONS: <u>REDUCE 150' BUFFER TO 50' UNDISTURBED BUFFER PLUS A 50' PLANTED BUFFER AT THE REAR. REDUCE 100' BUFFER TO 0' BUFFER AT SIDES.</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>N/A</u>	NO. OF BUILDINGS/LOTS: <u>TWO BUILDINGS</u>
DWELLING UNIT SIZE (Sq. Ft.): <u>N/A</u>	TOTAL GROSS SQUARE FEET: <u>260,000 SF TOTAL</u>
GROSS DENSITY: <u>N/A</u>	DENSITY: <u>5,066 SF/ACRE</u>
NET DENSITY: <u>N/A</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DISCRPTION

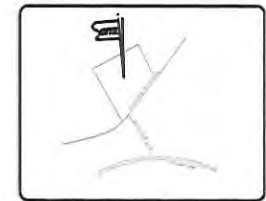
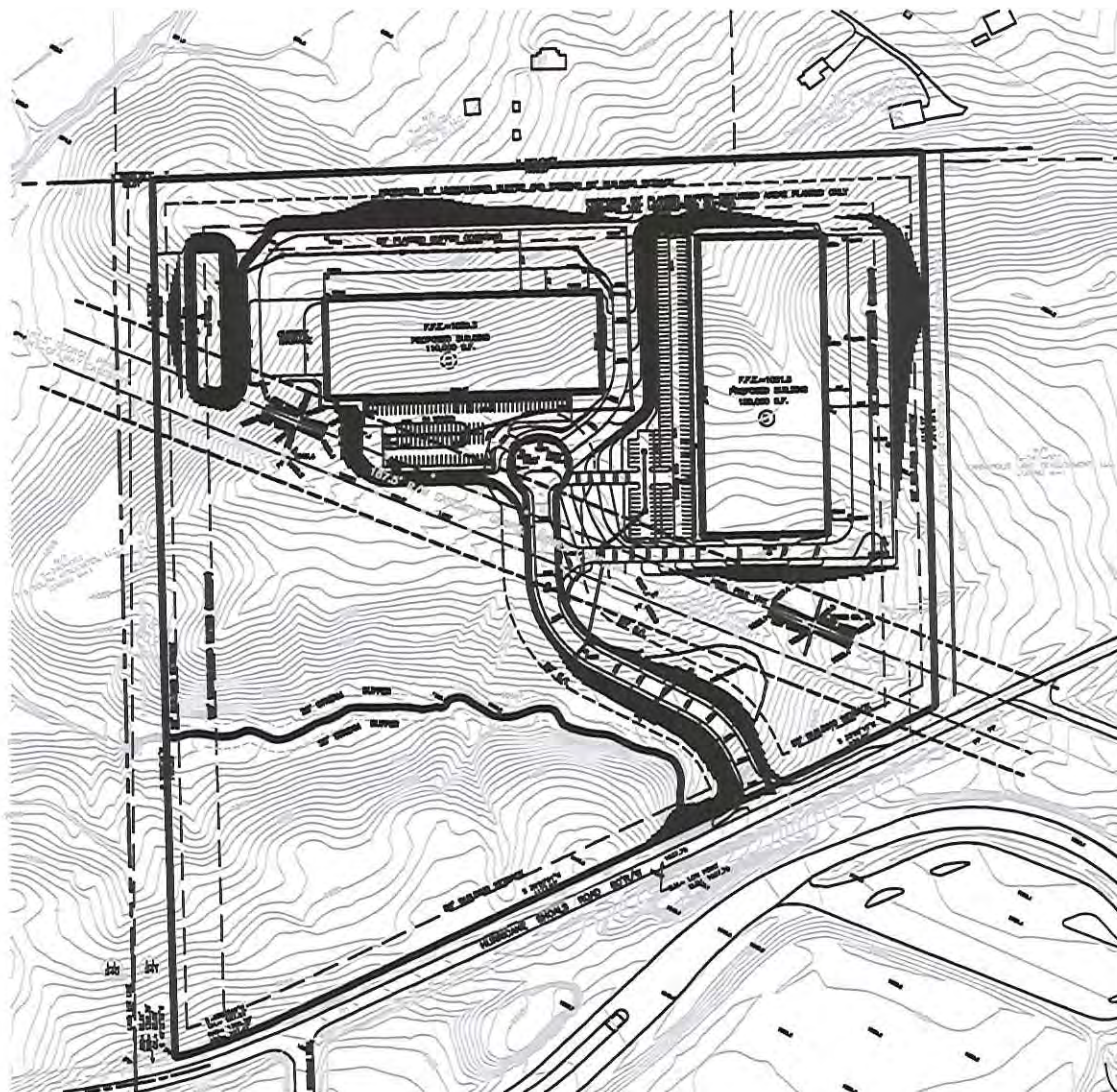
Commencing at a point at the intersection of the Southwest land lot line of land lot 241 at the intersection of the Northern right-of-way of Hurricane Shoals Road and thence running along the North right-of-way of Hurricane Shoals Road East a distance of 82.01' to a point and the point of BEGINNING. Thence North 30 Deg.-55'-41" West a distance of 1,164.50' to a point; Thence North 30 Deg.-33'-26" West a distance of 600.58' to a point; Thence North 58 Deg.-34'-26" East a distance of 1,538.87' to a point; Thence South 30 Deg.-41'-30" East a distance of 1,115.27' to a point; Thence South 33 Deg. - 58'-15" West a distance of 270.62' to a point; Thence South 35 Deg.-20'-01" West a distance of 1,177.93' to a point and the point of beginning. Said site containing 51.3178 acres.

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SITE INFORMATION

1. THE SITE IS LOCATED IN L.L. 241 OF THE 6TH DISTRICT GWINNETT COUNTY, GEORGIA.
2. SITE ACERAGE IS 51.3178 AC.
3. SITE IS ZONED M-1 WITH CONDITIONS PER RZ-135-05.
4. THERE IS NO FLOOD PLAIN ON SITE.

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NO.	DATE	DESCRIPTION

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) **WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY;**The requested buffer reduction will not change the intended use of the property. The proposed 50' undisturbed buffer in combination with the proposed 50' planted buffer (disturbed areas planted only) along the rear of the property will prevent viewing by the adjacent and nearby property.
- (B) **WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY;**The requested buffer reduction will still allow the adjacent and nearby property to be utilized as it is currently. Adjacent property owners will not be encumbered in any way due to the approval of this request.
- (C) **WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED;**The subject property is currently zoned for an industrial use. However, due to the drastic change in elevation that is present on the subject property it will not support a building of the size required to attract commercial use.
- (D) **WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS;**The requested buffer reduction will not adversely affect any existing streets, transportation facilities, utilities or schools due to the fact the subject property is located within an industrial park that uses a major thoroughfare for access. The above mentioned amenities have been upgraded to accommodate the park.
- (E) **WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN;**The current zoning of the property will remain the same. The limits for the building coverage and impervious area will not be exceeded due to the approval of this request.
- (F) **WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS;**
Due to the amount of slope on this site it is crucial the existing buffer be reduced to allow for the construction of buildings in the size range typically utilized by businesses that occupy facilities located in industrial parks. These buildings will bring companies and jobs from other locations to Gwinnett County thereby insuring a very positive economic impact. This buffer reduction request is not intended to allow the new buildings to be located closer to the property lines. In fact, the buildings will be located more than 150' from the property lines; well beyond the minimum building setbacks required.

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DESIGN :: BUILD :: DEVELOP

September 4, 2014

Gwinnett County
Department of Planning & Development
446 West Crogan Street
Lawrenceville, GA 30045

Re: Letter of Intent for Variance
Gwinnett Progress Center - Buffer Reduction at 5th District, Land Lot 241, Parcel 5241-001

Dear Sirs:

Rooker is preparing to develop 51.3178 Acres of Land currently zoned as M-1 at Gwinnett Progress Center. The proposed initial development will include two (2) industrial buildings. One building will contain 110,000 square feet while the other will encompass 150,000 square feet for a total of 260,000 square feet. Both of the initial facilities will be designed with an interior clear height of 28' and a maximum parapet structure height of 38' along the exterior wall. The initial development will include approximately 246 automobile spaces and the buildings will create a site density of approximately 5,000 SF per acre, well within the requirements of the M-1 zoning designation.

These buildings are the minimal size customarily seen in an industrial park of this size. In order to adhere to the most favorable industry size standards, Rooker respectfully requests a reduction in the existing buffers to allow for these adequate size industrial buildings to be developed. Rooker is proposing a reduction in the buffer at the northwest property line from 150 feet to a 50 foot undisturbed buffer plus a 50 foot planted buffer (disturbed areas planted only – these disturbed areas will be revegetated with evergreen trees). Rooker is proposing a reduction in the buffers at the southwest and northeast property lines from 100 feet to zero feet. These buffer reductions will make the property usable for the grading & drives needed for development of the property. Please note that this buffer reduction is not requested in order to locate buildings closer to the adjacent land owners. Both buildings will be located more than 150' from each property line, thereby drastically reducing the impact of this buffer reduction.

Rooker is accustomed to developing and constructing facilities across the entire State of Georgia. We have completed several million square feet of similar space in Georgia and have developed multiple facilities in Gwinnett County. We understand the economic impact these facilities can bring to an area; not only in business relocation but in the introduction of new jobs.

Rooker is very excited about this project and we look forward to working with you. During the consideration of this request, if any additional information is required, please feel free to contact us at 678-367-4229 or by email kyleholbrook@rookerco.com.

Sincerely,

Kyle Holbrook
Project Manager

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tel: 770.491.7711

445 BISHOP STREET, SUITE 200, ATLANTA, GA 30318
WWW.ROOKERCO.COM

fax: 770.491.1387

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



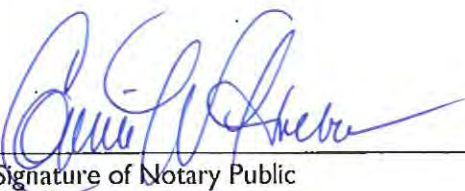
Signature of Property Owner

9-3-14

Date

Murray Reavis CFO, LLC member

Type or Print Name and Title

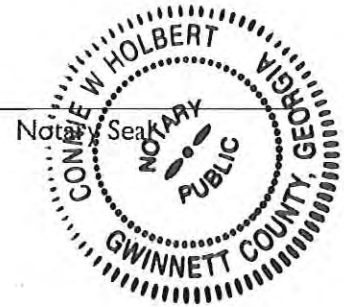


Signature of Notary Public

9-3-14

Date

Notary Seal



MY COMMISSION EXPIRES 8/31/18

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