BUFFER REDUCTION APPLICATION TO THE GWINNETT COUNTY BOARD OF COMMISSIONERS FOR A BUFFER REDUCTION OF MORE THAN 50 PERCENT

Please complete this application and submit with all necessary attachments as outlined on the **Buffer Reduction Information Form.** (Please type or print).

APPLICANT INFORMATION	OWNER INFORMATION
NAME: QuikTrip Corporation c/o Mahaffey Pickens Tucker, LLP	NAME: Longboat Holding Co., LLC
ADDRESS: 1550 North Brown Road, Suite 125	ADDRESS: 4865 Olde Towne Parkway, Suite 100
Lawrenceville, Georgia	Marietta, Georgia
ZIP CODE: 30043	ZIP CODE: 30068
PHONE NUMBER: 770-232-0000	PHONE NUMBER: 770-232-0000
EMAIL ADDRESS: wturner@mptlawfirm.com	

PROPERTY INFORMATION

ADDRESS OF PROPERTY:

STREET ADDRESS: 5050 Sugarloaf Parkway

ZONING: C-2 LAND DISTRICT: 7th LAND LOT: 035 PARCEL: 007

BUFFER REDUCTION INFORMATION

STATE THE BUFFER REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE FROM WHICH YOU SEEK A REDUCTION:

Required 50 foot buffer between zoning districts C-2 and RM-13

BUFFER REQUESTED: The Applicant requests a reduction in the required buffer of 100% or 0 feet of buffer between the C-2 and RM-13 zoning districts depicted on the attached site plan.

Please attach a Letter of Intent explaining what use is proposed and include your justification for this reduction.

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LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 1.909 ACRES BEING IN LAND LOT OF THE 7TH DISTRICT, GWINNETT COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A CONCRETE MONUMENT FOUND THE MITERED INTERSECTION OF THE SOUTHERLY RIGHT OF WAY MARGIN OF STATE ROUTE 316 AND THE EASTERLY RIGHT OF WAY MARGIN OF SUGARLOAF PARKWAY, BEING 110 FEET FROM THE CENTERLINE OF SAID PARKWAY; THENCE ALONG THE RIGHT OF WAY MARGIN OF SUGARLOAF PARKWAY ALONG A CURVE TO THE LEFT WITH A LENGTH 91.10 FEET AND WITH A RADIUS OF 1799.86 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 31 DEGREES 48 MINUTES 27 SECONDS EAST AND A DISTANCE OF 91.09 FEET TO A POINT; THENCE ALONG SAID MARGIN SOUTH 33 DEGREES 14 MINUTES 34 SECONDS EAST A DISTANCE OF 153.38 FEET TO A CONCRETE MONUMENT FOUND; THENCE ALONG SAID MARGIN SOUTH 33 DEGREES 11 MINUTES 17 SECONDS EAST A DISTANCE OF 83.65 FEET TO AN IRON PIN SET, SAID IRON PIN BEING THE POINT OF BEGINNING.

THENCE LEAVING SAID MARGIN NORTH 56 DEGREES 48 MINUTES 43 SECONDS EAST A DISTANCE OF 255.00 FEET TO AN IRON PIN SET;

THENCE SOUTH 33 DEGREES 11 MINUTES 17 SECONDS EAST A DISTANCE OF 305.00 FEET TO AN IRON PIN SET;

TEHCE SOUTH 43 DEGREES 29 MINUTES 57 SECONDS WEST A DISTANCE OF 200.38 TO AN IRON PIN SET;

THENCE NORTH 33 DEGREES 11 MINUTES 17 SECONDS WEST A DISTANCE OF 31.14 FEET TO AN IRON PIN SET;

THENCE SOUTH 56 DEGREES 48 MINUTES 43 SECONDS WEST A DISTANCE OF 60.00 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT OF WAY MARGIN OF SUGARLOAF PARKWAY, BEING 90 FEET FROM CENTERLINE;

THENCE ALONG SAID RIGHT OF WAY MARGIN NORTH 33 DEGREES 11 MINUTES 17 SECONDS WEST A DISTANCE OF 320.00 FEET TO AN IRON PIN SET, SAID IRON PIN BEING THE POINT OF BEGINNING.

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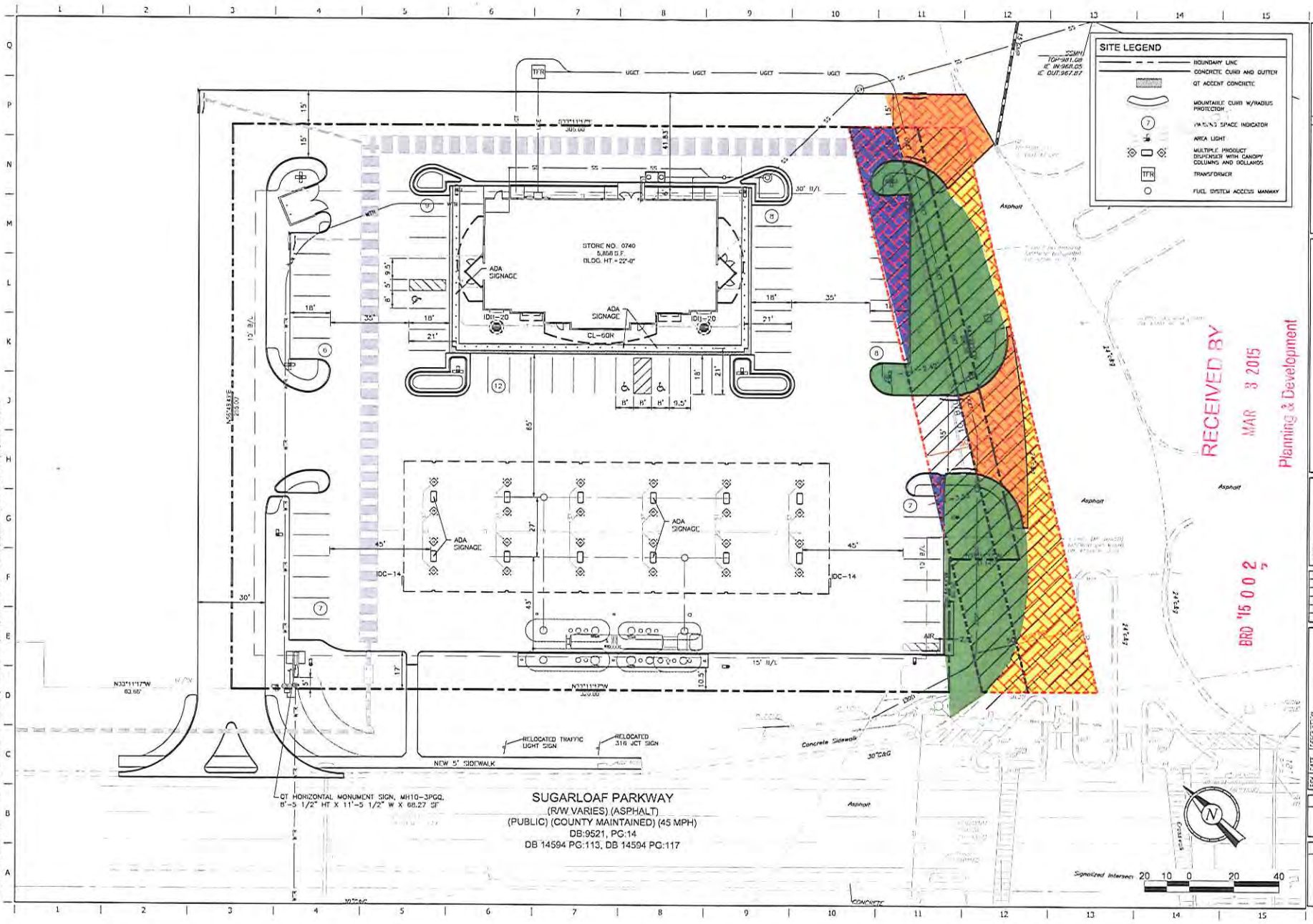

QuikTrip No. 0740R

5050 SUGARLOAF PARKWAY
GWINNETT COUNTY, GA

PROJECT NO.: ######

PROTOTYPE: R-83 (11/01/14)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:

SHEET TITLE:
PRELIMINARY SITE PLAN

SHEET NUMBER:
3

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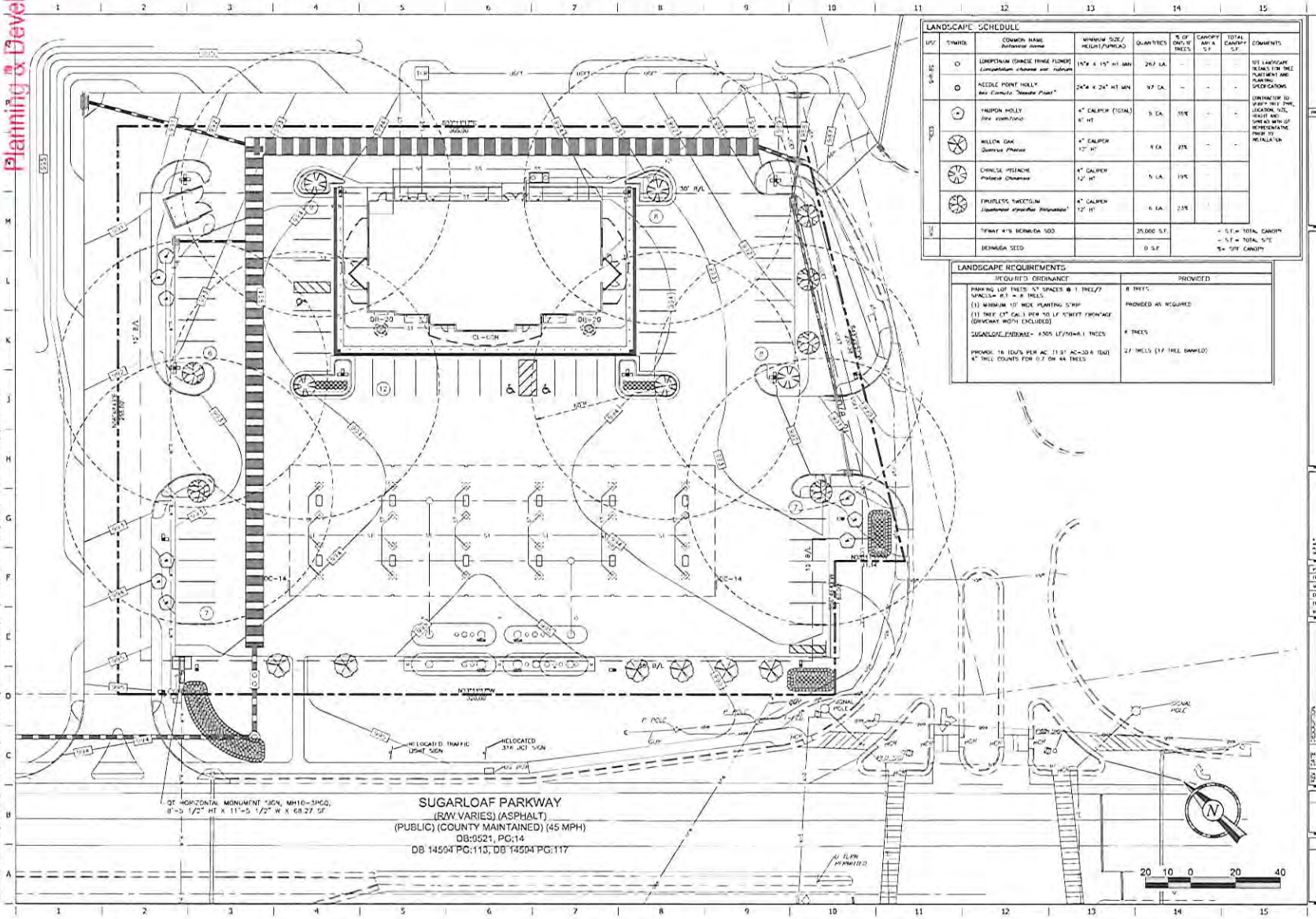

LANDSCAPE SCHEDULE

USE	SYMBOL	COMMON NAME / Botanical name	MINIMUM SIZE/ HEIGHT/SPREAD	QUANTITIES	% OF ONLY 10 TREES	CANOPY AREA S.F.	TOTAL CANOPY S.F.	COMMENTS
SHRUBS		LORIOPEMUM (CHINESE FRINGE FLOWER) *Loropetalum chinense var. rubrum*	15"# X 15" HT MIN	267 EA.	-	-	-	SEE LANDSCAPE DETAILS FOR TREE PLACEMENT AND PLANTING SPECIFICATIONS
		NEEDLE POINT HOLLY *Ilex Cornuta "Needle Point"*	24"# X 24" HT MIN	147 EA.	-	-	-	CONTRACTOR TO VERIFY THE TYPE, LOCATION, SIZE, HEIGHT AND SPREAD WITH LP REPRESENTATIVE PRIOR TO INSTALLATION
TREES		YAUPON HOLLY *Ilex vomitoria*	4" CALIPER (TOTAL) 8" HT	5 EA.	15%	-	-	
		WILLOW OAK *Quercus Phellos*	4" CALIPER 12" HT	8 EA.	27%	-	-	
		CHINESE PISTACHE *Pistacia Chinensis*	4" CALIPER 12" HT	5 EA.	15%			
		FRUITLESS SWEETGUM *Liquidambar styraciflua 'Rotundiloba'*	4" CALIPER 12" HT	6 EA.	23%			
SOD		TIFWAY 419 BERMUDA SOD		25,000 S.F.		- S.F.= TOTAL CANOPY - S.F.= TOTAL S/E %= S/E CANOPY		
		BERMUDA SEED		0 S.F.				

LANDSCAPE REQUIREMENTS

REQUIRED ORDINANCE	PROVIDED
PARKING LOT TREES: 57 SPACES @ 1 TREE/7 SPACES= 8.1 = 8 TREES	8 TREES
(1) MINIMUM 10' WIDE PLANTING STRIP	PROVIDED AS REQUIRED
(1) TREE (3" CAL) PER 50 LF STREET FRONTAGE (DRIVEWAY WIDTH EXCLUDED) SUGARLOAF FRONTAGE= 450.5 LF/50=9.1 TREES	9 TREES
PROVIDE 16 TREES PER AC (1.37 AC=22.4 TREE) 4" TREE COUNTS FOR 0.7 OR 44 TREES	27 TREES (17 TREE BANKED)

QuikTrip No. 0740R
5050 SUGARLOAF PARKWAY
GWINNETT COUNTY, GA

PROJECT NO: P-P-P-P-P-P

PROJECT MGR:
DIVISION:
VERSION: 100
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE:

SHEET TITLE: LANDSCAPE PLAN

SHEET NUMBER: L100

Mahaffey Pickens Tucker, LLP
ATTORNEYS AT LAW

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Christopher D. Holbrook
Gerald Davidson, Jr.*
Jill H. Harris*

Joshua P. Johnson
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
Wesley C. Turner
*of Counsel

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LETTER OF INTENT FOR THE BUFFER REDUCTION APPLICATION OF QUICKTRIP CORPORATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent on behalf of the Applicant, QuikTrip Corporation ("QuikTrip") for the purpose of requesting a buffer reduction between its property, zoned C-2, and the adjacent apartment complex zoned RM-13. QuikTrip is currently in the process of renovating many existing stores and developing new stores, implementing their new Generation 3 store which features a sleek, urban design. The requested buffer reduction relates to the development of a new 1.909 acre QuikTrip facility located at 5050 Sugarloaf Parkway, Lawrenceville, Georgia (the "Property").

QuikTrip is proposing the development of the site to include a 5,858 square foot convenience store with 12 fuel pump stations and 60 parking spaces. The new Generation 3 store will offer customer entrances on three (3) sides of the building and a vendor's entrance on the rear of the building. The new store will continue to offer all of the convenience items customers are accustomed to plus an increased fresh food offering from full service kitchens. In order to fully implement QuikTrip's Generation 3 store design, QuikTrip is requesting this buffer reduction.

Specifically, Gwinnett County's Unified Development Ordinance (the "UDO") requires a 50 foot buffer between zoning classifications C-2 and RM-13. The Property is currently zoned C-2 and the adjacent apartment complex, including the private drive that is used to access it, is zoned RM-13. In order to comply with the buffer requirements under the UDO, QuikTrip would have to eliminate all parking on the eastern side of the Property and reduce the number of available pump stations.

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NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022
TELEPHONE 770 232 0000
FACSIMILE 678 518 6880
www.mptlawfirm.com

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Therefore, QuikTrip is requesting a 100% buffer reduction to 0 feet from the 50-foot buffer width requirement.

The private drive currently adjacent to the eastern property line will not only serve as an access point to the new Generation 3 store, but also currently serves as an access point to the apartment complex adjacent to the Property and the commercial development across the easement (which also fronts on Sugarloaf Parkway). This shared access was made possible via a 2005 Easement Agreement attached hereto as Exhibit "A" and incorporated herein by this reference. However, the private drive is located within the 50 feet of required buffer on the Property. As shown on Exhibit "B", a large portion of the asphalt comprising the private drive (represented in yellow) is located directly within buffer area. Furthermore, in order to connect to the private drive, QuikTrip will be required to lay additional asphalt (represented in orange) that will encroach into the buffer. Therefore, QuikTrip is justified in requesting a complete reduction in order to properly develop the site.

Even though QuickTrip is requesting a 100% buffer reduction, such a request does not mean the entire 50 foot area will be solely comprised of concrete. On the contrary, as depicted in green on Exhibit "B", QuikTrip plans to landscape/replant a large portion of the space upon final development in order to provide for an aesthetically pleasing entrance into the Property.

The requested buffer reduction is a minimum requirement necessary to afford QuikTrip relief so that the Property may be developed in accordance with the intent of the site plan which is included herewith. Granting relief would not cause substantial detriment to the public good, especially when it comes to lighting and location. For example, the typical photometric design of the Property will not affect the neighboring apartment tenants due to the significant distance between all lighting on the Property and the residential units of the apartment complex. The shared private road provides for optimal separation between the Property and the apartment complex. Further, any traffic concerns are limited due to multiple access points to the Property and the fact that there currently exists an older

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QuickTrip store on the other side of the apartment complex thereby eliminating any concerns about traffic.

By granting relief, the Property may be developed in a safe manner to better serve the public. The requested variance will aid QuikTrip in the development of its higher-end Generation 3 store. The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matter set forth in this letter or the Buffer Reduction Application filed herewith. The Applicant respectfully requests your approval.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Wesley C. Turner
Attorneys for the Applicant

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APPLICANT CERTIFICATION

The undersigned below is authorized to make this application by the property owner.

SIGNATURE OF APPLICANT DATE

Wes Turner, Attorney for Applicant

TYPE OR PRINT NAME AND TITLE

NOTARY

BETH R. PLUMMER NOTARY EXPIRES GEORGIA May 13, 2016 PUBLIC BARROW COUNTY

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of record of the property considered in this application and is aware that this application is made on his or her behalf. Longboat Holding Company, LLC, with express permission of Barbara Orkin, managing member

SIGNATURE OF PROPERTY OWNER DATE 3/3/15

Michael P. Carey

TYPE OR PRINT NAME AND TITLE

NOTARY

BETH R. PLUMMER NOTARY EXPIRES GEORGIA May 13, 2016 PUBLIC BARROW COUNTY

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Applicant Certification

****

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Notary Seal

KELLY CONRAD
MY COMMISSION EXPIRES
NOTARY
PUBLIC
FEBRUARY 1, 2016
GWINNETT COUNTY

12/30/14
Signature of Applicant **Date**

John DiBernardo / Real Estate Project Manager
Typed or Printed Name & Title

Kelly Conrad 12/30/14
Signature of Notary Public **Date**

****

Property Owner Certification

****

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

LONGBOAT HOLDING COMPANY, LLC

12-26-14
Signature of Property Owner **Date**

Barbara H. Orkin Managing Member
Typed or Printed Name & Title

Notary Seal

PAM FRYE
Notary Public - State of Florida
My Comm. Expires Apr 2, 2016
Commission # EE 185596
Bonded Through National Notary Assn.

Pam Frye 12-26-14
Signature of Notary Public **Date**

****

Planning & Development Use Below Only

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Date Received:_____ **Received By:** _____ **MRN:** _____

Zoning District:_____ **Hearing Date (if applicable):** _____ **Commission District:** _____

Variance Type: _____ **Code Section:** _____

Related Cases & Applicable Conditions: _____

Variance Description: _____

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MAR 3 2015

Case No. _____

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