REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Grayson Investment Partners, LLC	NAME: Medical College of Georgia Foundation
ADDRESS: c/o Mahaffey Pickens Tucker, LLP	ADDRESS: c/o Mahaffey Pickens Tucker, LLP
CITY: 1550 N. Brown Rd., Ste. 125, L'ville	CITY: 1550 N. Brown Rd., Ste. 125, L'ville
STATE: GA ZIP: 30043	STATE: GA ZIP: 30043
PHONE: 770-232-0000	PHONE: 770-232-0000

CONTACT PERSON: Jeff Mahaffey and/or Wes Turner PHONE: 770-232-0000

CONTACT'S E-MAIL: jmahaffey@mptlawfirm.com and wturner@mptlawfirm.com

APPLICANT IS THE:

☐ OWNER'S AGENT ☐ PROPERTY OWNER ☒ CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: C-2

LAND DISTRICT(S): 05 LAND LOT(S): 164 ACREAGE: 21.594

ADDRESS OF PROPERTY: Loganville Highway

PROPOSED DEVELOPMENT: Retail Development, Gym, Grocery, Bank

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	No. of Buildings/Lots: ~6 Buildings
Dwelling Unit Size (Sq. Ft.):	Total Building Sq. Ft. ~121,250
Gross Density:	Density: ~ 5,614.99 sq. ft. per acre
Net Density:	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION
TRACT FOUR

All the tract or parcel of land lying and being in Land Lot 164 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

Commence at the Intersection of the Southern End of the Mitered Right-of-Way of Georgia State Route 20 (a.k.a. Loganville Highway, R/W Varies) and the Northwesterly Right-of-Way of Champions Way (R/W Varies), said Point being THE POINT OF BEGINNING.

THENCE from said Point as thus established and Traveling the aforesaid Right-of-Way of Champions Way the following two (2) courses and distances, South 30 degrees 06 minutes 35 seconds West for a distance of 510.30 feet to a Point; THENCE along a curve to the right, having a radius of 998.44 feet and arc length of 595.25 feet, being subtended by a chord of South 47 degrees 46 minutes 58 seconds West for a distance of 586.48 feet to a Point at the Intersection of the said Right-of-Way and the Land Lot Line common to Land Lots 157 & 164; THENCE leaving said Right-of-Way and traveling along said Land Lot Line, North 29 degrees 39 minutes 08 seconds West for a distance of 1196.85 feet to a Point on at the Intersection of said Land Lot Line and the Southeasterly Right-of-Way of Hope Hollow Road (R/W Varies); THENCE leaving said Land Lot Line and traveling along said Right-of-Way of Hope Hollow Road the following twelve (12) courses and distances, North 57 degrees 42 minutes 39 seconds East for a distance of 53.69 feet to a Point; THENCE South 33 degrees 52 minutes 42 seconds East for a distance of 13.98 feet to a Point; THENCE North 58 degrees 10 minutes 29 seconds East for a distance of 21.75 feet to a Point; THENCE North 33 degrees 52 minutes 55 seconds West for a distance of 14.25 feet to a Point; THENCE North 57 degrees 28 minutes 26 seconds East for a distance of 136.35 feet to a Point; THENCE South 32 degrees 31 minutes 36 seconds East for a distance of 6.45 feet to a Point; THENCE North 57 degrees 27 minutes 49 seconds East for a distance of 11.91 feet to a Point; THENCE North 31 degrees 48 minutes 05 seconds West for a distance of 11.64 feet to a Point; THENCE North 55 degrees 21 minutes 35 seconds East for a distance of 31.50 feet to a Point; THENCE North 55 degrees 21 minutes 41 seconds East for a distance of 253.39 feet to a Point; THENCE North 52 degrees 37 minutes 31 seconds East for a distance of 20.97 feet to a Point; THENCE South 89 degrees 26 minutes 30 seconds East for a distance of 72.15 feet to a Point on the aforesaid Southwesterly Right-of-Way of Georgia State Route 20 ; THENCE continuing along said Right-of-Way the following nine (9) courses and distances, South 59 degrees 52 minutes 35 seconds East for a distance of 51.00 feet to a Point; THENCE South 66 degrees 43 minutes 10 seconds East for a distance of 100.72 feet to a Point; THENCE South 59 degrees 52 minutes 35 seconds East for a distance of 268.00 feet to a Point; THENCE South 30 degrees 07 minutes 25 seconds West for a distance of 19.00 feet to a Point; THENCE South 50 degrees 47 minutes 10 seconds East for a distance of 151.91 feet to a Point; THENCE South 67 degrees 33 minutes 54 seconds East for a distance of 201.81 feet to a Point; THENCE South 77 degrees 37 minutes 17 seconds East for a distance of 52.50 feet to a Point; THENCE South 59 degrees 52 minutes 35 seconds East for a distance of 41.54 feet to a Point; THENCE South 15 degrees 39 minutes 02 seconds East for a distance of 84.75 feet to a Point, said Point being THE POINT OF BEGINNING.

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Said property contains 21.594 Acres as shown as Tract Four on the Rezoning Plan Prepared for Proposed Loganville Highway Commercial Property, prepared by Precision Planning, Inc., dated November 13, 2014 (Job # S14251).

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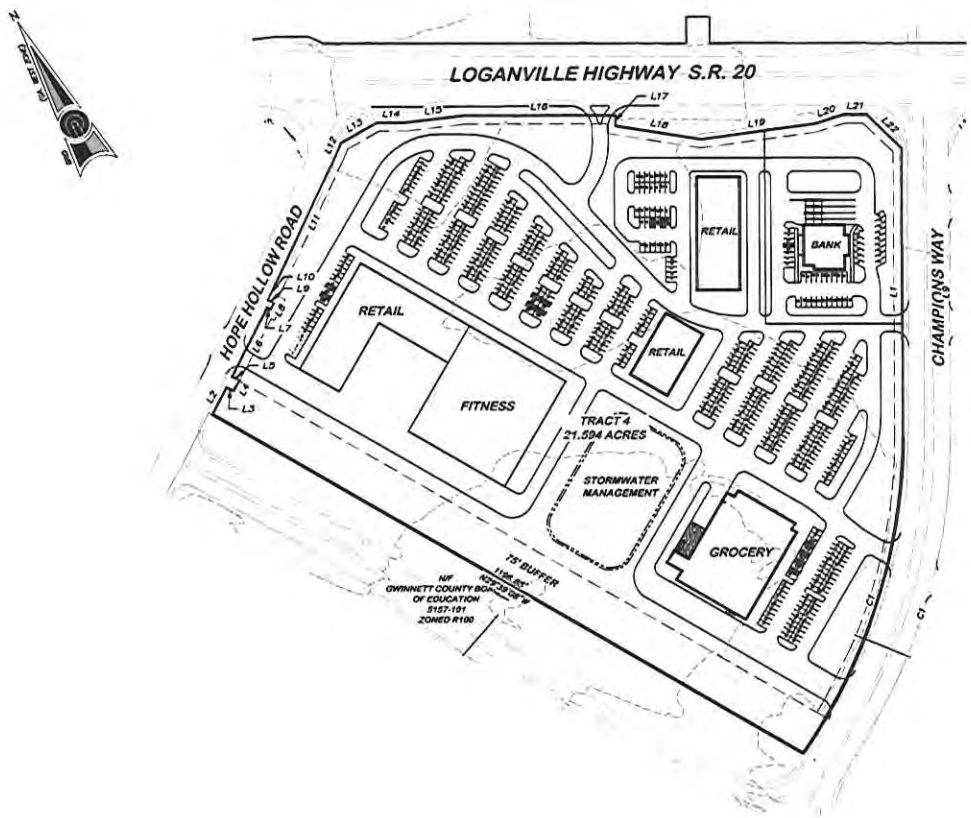

VICINITY MAP
N.T.S.

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LINE TABLE		
LINE	LENGTH	BEARING
L1	510.50'	S30°06'35"W
L2	53.89'	N57°42'39"E
L3	13.98'	S33°52'42"E
L4	21.75'	N58°10'29"E
L5	14.25'	N33°52'35"W
L6	136.35'	N57°28'26"E
L7	6.45'	S32°31'36"E
L8	17.91'	N57°27'49"E
L9	11.64'	N31°48'05"W
L10	31.50'	N55°21'35"E
L11	253.39'	N55°21'41"E
L12	20.97'	N52°17'31"E
L13	72.15'	S89°26'30"E
L14	51.00'	S59°52'35"E
L15	100.72'	S86°43'10"E
L16	266.00'	S59°52'35"E
L17	19.00'	S30°07'25"W
L18	151.91'	S50°47'10"E
L19	201.81'	S67°33'54"E
L20	52.50'	S77°37'17"E
L21	41.54'	S59°52'35"E
L22	84.75'	S15°36'02"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	595.25'	998.44'	586.48'	S47°46'38"W

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

NOTES:
1. BOUNDARY AND TOPO FROM GWINNETT COUNTY G.I.S.
2. NO PORTION OF THIS TRACT LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 13135C0132F, DATED SEPTEMBER 29, 2006.
3. SETBACKS: FRONT - 15', SIDE - 10', REAR - 30'

TRACT 4
CURRENT ZONING: R100
PROPOSED ZONING: C2
AREA: 21.594 AC.

RETAIL SPACE: 79,325 SF
PARKING SPACES REQ'D: 159 min., 397 max.
PARKING SPACES PROV'D: 361

HEALTH CLUB SPACE: 41,925 SF
PARKING SPACES REQ'D: 140 min., 280 max.
PARKING SPACES PROV'D: 175

TOTAL PARKING PROVIDED: 522+14 H/C = 536 SPACES

Precision Planning, Inc.
planners, engineers, architects & surveyors
P.O. Box 2213
400 Pike Boulevard
Lawrenceville, GA 30046-2213
(770) 338-8000
(770) 822-5900 Fax

PROPOSED LOGANVILLE HIGHWAY COMMERCIAL PROPERTY
LOGANVILLE HIGHWAY
TAX PARCEL 5-194-002 (PORTION OF)
GWINNETT COUNTY, GEORGIA

TRACT 4 REZONING PLAN
SHEET TITLE

DESIGN	DRAWN	CHECKED
PPI	DRS	RDB

DATE	NO.	DESCRIPTION

11/13/2014
DATE
R14251
JOB NUMBER
FILE NUMBER

RZ-2

SHEET
REVISION
PROJECT
STAMP

RZC 15 0 0 8

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See Attached

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

See Attached

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

See Attached

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

See Attached

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

See Attached

(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 REZONING:

See Attached

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

(A) Yes, the proposed Rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The subject property is surrounded by commercial and residentially-zoned properties. The proposed Rezoning is compatible with the zonings and uses currently in effect or contemplated for adjacent and nearby properties.

(B) No, the proposed Rezoning will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.

(C) No. In light of market conditions and the realities of the surrounding property uses, it would be nearly impossible to use and develop the property in accordance with its current R-100 zoning.

(D) No, the proposed Rezoning will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools. The proposed Rezoning and use will have no effect upon schools other than to generate revenue in the form of ad valorem taxes for the Gwinnett County Public School System. The transportation network in this area has been improved greatly and is capable of handling any traffic to be generated by the development of this property under the proposed Rezoning.

(E) Yes. The proposed Rezoning is in conformity with the intent of the Land Use Plan in that it provides free standing commercial/retail uses within a small scale commercial node at a signalized intersection. Also, the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.

(F) Yes, the existing zonings of adjacent and nearby properties and the fact that the subject tract is surrounded by ample infrastructure, and is located in close proximity to a major thoroughfare give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

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Mahaffey Pickens Tucker, LLP
ATTORNEYS AT LAW

Matthew P. Benson
Alissa L. Cummo
Kelly O. Faber
J. David Gussio
Amanda F. Henningsen
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

LETTER OF INTENT FOR REZONING
APPLICATION OF GRAYSON INVESTMENT PARTNERS, LLC

Mahaffey Pickens Tucker, LLP submits this Rezoning Application, on behalf of Grayson Investment Partners, LLC (the "Applicant"), for the purpose of rezoning an approximate 21.594 acre tract (hereinafter, the "Property") located on State Route 20/Loganville Highway ("Highway 20") to the C-2 zoning classification. The Property is currently zoned R-100.

As stated in the Rezoning Application, the Applicant intends to develop the Property as a commercial development with a density of approximately 5,614.99 square feet per acre. The proposed commercial development will contain approximately six (6) commercial buildings, with approximately 536 parking spaces. Of the six (6) buildings, three (3) will consist of retail space, one (1) will consist of a bank, one (1) will consist of a fitness center, and one (1) will developed as a grocery store. The retail aspect of the proposed development, including the bank and grocery store, consists of 79,325 square feet of available retail space with 361 dedicated parking spaces. The fitness center component would be 41,925 square feet and contain 175 parking spaces.

The Applicant respectfully submits that the proposed development will conform to the Gwinnett County 2030 Unified Plan as the development provides a commercial/retail center in an existing/emerging suburban area at the signalized intersection of Highway 20 and Champions

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Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043
NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022
TELEPHONE 770 232 0000
FACSIMILE 678 518 6880
www.mptlawfirm.com

Way, continuing the existing commercial corridor along Highway 20 just past its intersection with Oak Grove Road. Furthermore, the proposed development would be adequately buffered from the property of Grayson High School. As such, rezoning the property to C-2 will protect and promote the quality of life of the surrounding community by providing additional free standing commercial/retail space options along a major arterial in a developing area of Gwinnett County.

Additionally, the proposed rezoning will not impose any additional burdens on the transportation network as Highway 20 is a four (4) lane highway (with a median) and a major arterial in Gwinnett County. The development will not place a burden on the public infrastructure as this particular area is well supported by a strong utility and water/sewer infrastructure. The Applicant welcomes 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 matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 5th day of December, 2014.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP

Wesley C. Turner
Attorneys for Applicant

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REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE 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.

Grayson Investment Partners, LLC

12-4-14

Signature of Applicant | Date

Carter Richardson, Assistant Manager

Type or Print Name and Title

12.4.14

Signature of Notary Public | Date | Notary Seal

LAURA STOCKINGER
MY COMMISSION EXPIRES
NOTARY
PUBLIC
March 27, 2015
GWINNETT COUNTY, GEORGIA

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REZONING 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.

Medical College of Georgia Foundation, Inc.,
a Georgia nonprofit corporation

James B. Osborne — 12/1/14

Signature of Property Owner — Date

James B Osborne Sr, EdD, President + CEO

Type or Print Name and Title

Kathryn G. Yates — 12/1/14

Signature of Notary Public — Date

Kathryn G Yates
Notary Public
Richmond County, Georgia
My Commission Expires January 8, 2017

Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Grayson Investment Partners, LLC

	12-4-14	Carter Richardson, Asst. Mgr
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
	12/4/14	Wes Turner
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE
Laura Stockinger	12-4-14	
SIGNATURE OF NOTARY PUBLIC	DATE	

LAURA STOCKINGER
MY COMMISSION EXPIRES
NOTARY PUBLIC
March 27, 2015
GWINNETT COUNTY, GEORGIA
NOTARY SEAL

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

[X] YES [ ] NO MAHAFFEY PICKENS TUCKER, LLP + Grayson Investment Partners, LLC

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to $250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
*See attached list.		

Attach additional sheets if necessary to disclose or describe all contributions.

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Jace Brooks	$1000	07/02/2012
Tommy Hunter	$1000	09/06/2012
John Heard	$ 500	10/24/2012
Tommy Hunter	$ 500	10/30/2012
Tommy Hunter	$1000	08/22/2012
John Heard	$1000	01/09/2014
Lynette Howard	$1000	03/20/2014

LEE TUCKER, ATTORNEY AT LAW, PC

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Jace Brooks	$ 500	07/02/2012

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: (Map Reference Number)

District	Land Lot	Parcel
05	164	002

12/5/14

Signature of Applicant — Date

Wes Turner, Attorney for Applicant

Type or Print Name and Title

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Diane Fox — NAME

TSA II — TITLE

12-05-2014 — DATE

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PROPERTY TAX DIVISION
TAX COMMISSIONER'S OFFICE