

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION		OWNER INFORMATION	
NAME:	C&W 2019, LLC c/o Mahaffey Pickens Tucker, LLP	NAME:	Grayson Development, LLC
ADDRESS:	1550 North Brown Road, Suite 125	ADDRESS:	12645 Birmingham Hwy
CITY:	Lawrenceville	CITY:	Alpharetta
STATE:	Georgia	STATE:	Georgia
ZIP:	30043	ZIP:	30004
PHONE:	770.232.0000	PHONE:	770 232 0000
CONTACT PERSON: Shane Lanham		PHONE: 770.232.0000	
CONTACT'S E-MAIL: slanham@mptlawfirm.com			

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

APPLICANT IS THE:			
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICT(S): C-2		PRIOR ZONING CASE: RZC2015-00005	
LAND DISTRICT(S): 5	LAND LOT(S): 156	ACREAGE: +/-6.01 acres	
ADDRESS OF PROPERTY: Loganville Highway			
PROPOSED CHANGE IN CONDITIONS: Modify conditions to allows a self-storage business			
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: NA DWELLING UNIT SIZE (Sq. Ft.): NA GROSS DENSITY: NA NET DENSITY: NA		NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/LOTS: 2/1 TOTAL GROSS SQUARE FEET: +/- 95,000 sf DENSITY: +/- 15,833 square feet per acre	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION


LEGAL DESCRIPTION 6.01 ACRE TRACT
ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN
LAND LOTS 156 AND 157, 5TH DISTRICT, GWINNETT
COUNTY, CONTAINING 6.01 ACRES, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A
CONCRETE MONUMENT AT THE INTERSECTION OF THE
SOUTHWESTERLY RIGHT OF WAY OF STATE ROUTE 20 AND THE
SOUTHEASTERLY RIGHT OF WAY OF OAK GROVE ROAD; THENCE
SOUTHEASTERLY ALONG SAID RIGHT OF WAY OF STATE ROUTE 20
THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 88
DEGREES 59 MINUTES 48 SECONDS EAST FOR A DISTANCE OF
144.19 FEET; SOUTH 82 DEGREES 53 MINUTES 32 SECONDS
EAST FOR A DISTANCE OF 150.21 FEET TO A CONCRETE
MONUMENT FOUND; SOUTH 49 DEGREES 04 MINUTES 53
SECONDS EAST FOR A DISTANCE OF 101.79 FEET TO A
CONCRETE MONUMENT FOUND; SOUTH 81 DEGREES 40 MINUTES
20 SECONDS EAST FOR A DISTANCE OF 250.13 FEET TO A
CONCRETE MONUMENT FOUND; SOUTH 82 DEGREES 27 MINUTES
33 SECONDS EAST FOR A DISTANCE OF 85.00 FEET TO A
CONCRETE MONUMENT FOUND; SOUTH 59 DEGREES 50 MINUTES
22 SECONDS EAST FOR A DISTANCE OF 216.00 FEET TO A
CONCRETE MONUMENT FOUND; SOUTH 56 DEGREES 01 MINUTES
31 SECONDS EAST FOR A DISTANCE OF 180.40 FEET TO A
BROKEN CONCRETE MONUMENT FOUND AND THE TRUE POINT OF
BEGINNING; THENCE SOUTH 59 DEGREES 44 MINUTES 17
SECONDS EAST FOR A DISTANCE OF 273.78 FEET TO AN IRON
PIN; THENCE LEAVING SAID RIGHT OF WAY SOUTH 58 DEGREES
53 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 1198.92
FEET TO AN IRON PIN ON THE SOUTHEASTERLY RIGHT OF WAY
OF OAK GROVE ROAD; THENCE NORTHEASTERLY ALONG SAID
RIGHT OF WAY THE FOLLOWING BEARINGS AND DISTANCES:
NORTH 11 DEGREES 44 MINUTES 01 SECONDS WEST FOR A
DISTANCE OF 190.75 FEET; NORTH 14 DEGREES 52 MINUTES 04
SECONDS WEST FOR A DISTANCE OF 82.78 FEET; THENCE
LEAVING SAID RIGHT OF WAY NORTH 58 DEGREES 55 MINUTES
07 SECONDS EAST FOR A DISTANCE OF 984.91 FEET TO A
BROKEN CONCRETE MONUMENT ON THE SOUTHEASTERLY RIGHT
OF WAY OF STATE ROUTE 20 AND THE TRUE POINT OF
BEGINNING.

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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:

Please see attached

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Please see attached

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

Please see attached

- (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:

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

Please 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 CHANGE IN CONDITIONS:

Please see attached

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APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, approval of the Applications will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The subject Property is currently zoned C-2 and the proposed use is compatible with the current commercial character of the area.
- (B) No, approval of the Applications will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement existing land uses.
- (C) Due to the size, layout, location, and topography of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned without the requested special use permit.
- (D) No, approval of the Applications will not result in an excessive or burdensome use of the infrastructure systems. The subject property is located off of Loganville Highway with access to utilities.
- (E) Yes, approval of the Applications would be conformity with the policy and intent of the Land Use Plan which encourages commercial land uses along major transportation corridors.
- (F) Applicant submits that the commercial/retail nature of the area and the relatively low-intensity of the proposed use provide additional supporting grounds for approval of this Application.

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CIC 20020



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**COMBINED LETTER OF INTENT FOR
SPECIAL USE PERMIT AND CHANGE IN CONDITIONS APPLICATIONS
OF C&W 2019, LLC**

Mahaffey Pickens Tucker, LLP submits the attached Change in Conditions and Special Use Permit applications (the "Applications") relative to an approximately 6.01 acre tract (the "Property") located off Loganville Highway (State Route 20) near its intersection with Oak Grove Road. Approval of the Applications would allow the development and operation of a Self-Storage/Mini-Warehouse Facility on the Property. The Property is currently zoned C-2 pursuant to RZC2015-00005 and is within the Grayson / Highway 20 Overlay District. The Property is designated as within the "Community Mixed-Use" character area on the Gwinnett County 2040 Unified Plan Future Development Map.

The Applicant's proposal is to develop the Property to include two two-story buildings with a total of approximately 95,000 square feet of interior, conditioned storage space and an office to manage on-site operations. The proposed buildings would include an attractive architectural design with entrances on both Oak Grove Road and Loganville Highway. The Property is currently zoned for a wide range of intense commercial uses. The proposed development, however, would be a relatively low-intensity commercial use and would not have the impact on infrastructure systems in the manner that other common commercial uses would

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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

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have. For example, self-storage facilities are not major generators of new vehicle trips. Most patrons of self-storage facilities visit their storage units infrequently and many visit their units only twice—to put their belongings into storage and to retrieve them at the end of the rental term. Moreover, self-storage facilities place less demand on infrastructure systems other than traffic. They pull less water, produce less waste, and are not as noisy as many common commercial uses. Accordingly, the Applicant is requesting to provide parking at a rate of one parking space per 10,000 square feet.

The operation of the Property as a Self-Storage/Mini-Warehouse Facility under the C-2 zoning classification is an appropriate use for the subject Property and is compatible with the development on surrounding properties. Additionally, the proposed development would provide a transitional use from the higher-intensity commercial uses along Loganville Highway and at the intersection of Loganville Highway and Oak Grove Road to the residential uses to the south and east of the Property. Accordingly, the Applicant requests to delete “Self-Storage/Mini-warehouse Facility” from the list of prohibited uses in Condition 1(A) and the following modifications from the current conditions of RZC2015-00005 (additions in **bold and underline**; deletions in ~~striketrough~~):

- Condition 2(A): Provide a ~~100-foot-wide-natural~~ **75-foot landscaped** buffer adjacent to all residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated. ~~This buffer shall extend along Oak Grove Road to the southernmost curb cut into the development.~~
- Condition 3(A): delete
- Condition 3(B): delete

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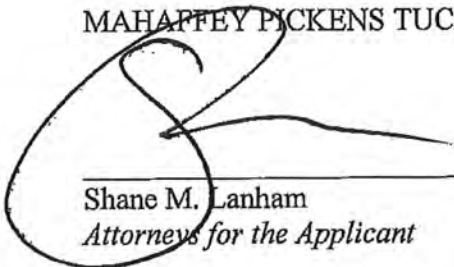
- Condition 3(C): delete

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Planning & Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

This 3rd day of April, 2020.

Respectfully submitted,

MAHARFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for the Applicant

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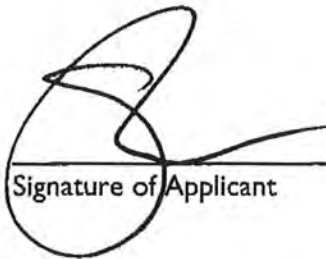
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CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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.


Signature of Applicant

4/3/20
Date

Shane M. Lanham, Attorney for the Applicant

Type or Print Name and Title


Signature of Notary Public

4/3/2020
Date

Notary Seal
Date

Signature of Notary Public

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CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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Christian A. Coomer, member 20200305
Signature of Applicant Date

Christian A. Coomer, member for C+W 2019, LLC
Type or Print Name and Title

[Signature] 03/06/2020
Signature of Notary Public Date
Signature of Notary Public Date

 Notary Seal

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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

3/5/20

Date

PHILLIP GALBREATH - MANAGER

Type or Print Name and Title



Signature of Notary Public

3/5/20

Date

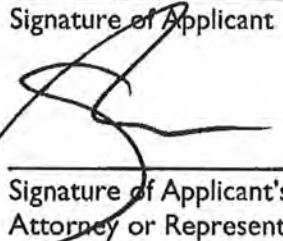


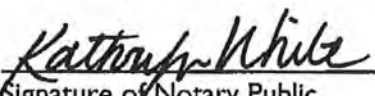

Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.

Signature of Applicant _____ Date 4/3/20 Type of Print Name and Title
 _____
Signature of Applicant's Attorney or Representative _____ Date _____ Type or Print Name and Title
Shane M. Lanham, Attorney for the Applicant

 _____ Date 4/3/2020
Signature of Notary Public _____


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?

☐ YES ☒ NO Mahaffey Pickens Tucker, LLP
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)

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

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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.

Christi A. Comer 20200305 Christina A Comer, member CFW2019, LLC
Signature of Applicant Date Type of Print Name and Title

Shane M. Lanham, Attorney for the Applicant

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Signature of Notary Public

Date

03/04/20



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?

☐ YES

☒ NO

Christina A. Comer

Your Name

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

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In-person services suspended indefinitely. Utilize e-services, kiosks and drop boxes.

Customer service is available 8 a.m. to 5 p.m. weekdays.

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BILL DETAIL

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Tax Account

Mailing Address:

GRAYSON DEVELOPMENT LLC
12645 BIRMINGHAM HWY
ALPHARETTA, GA 30004-3708

SITUS:

0 LOGANVILLE HWY

Tax District:

COUNTY Unincorporated

Parcel ID

R5156 268

Property Type

Real Property

Last Update

4/2/2020 2:23:09 PM

Legal Description

TRACT 5 GRAYSON DEVELOPMENT

Tax Values

Description**Market Value****Assessed Value**

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Description	Market Value	Assessed Value
Land	\$1,299,200.00	\$519,680.00
Improvement	\$0.00	\$0.00
Total	\$1,299,200.00	\$519,680.00
Class Codes	300-Commercial Vacant Land	

Assessments

Operation	Net Tax	Savings
<u>County Unincorporated Taxes</u>	\$6,921.62	\$0.00
<u>School Taxes</u>	\$10,237.70	\$0.00
<u>STATE OF GEORGIA TAXES</u>	\$0.00	\$0.00
Sub Total	\$17,159.32	\$0.00
Bond	Net Tax	Savings
<u>County Unincorporated Taxes</u>	\$0.00	\$0.00
<u>School Taxes</u>	\$987.39	\$0.00
Sub Total	\$987.39	\$0.00
Total Tax	\$18,146.71	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	23993938	10/15/2019	2019	\$0.00	\$0.00	\$0.00	\$0.00
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00

Payment History

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Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2019	23993938	B19.73208	\$18,146.71	10/7/2019

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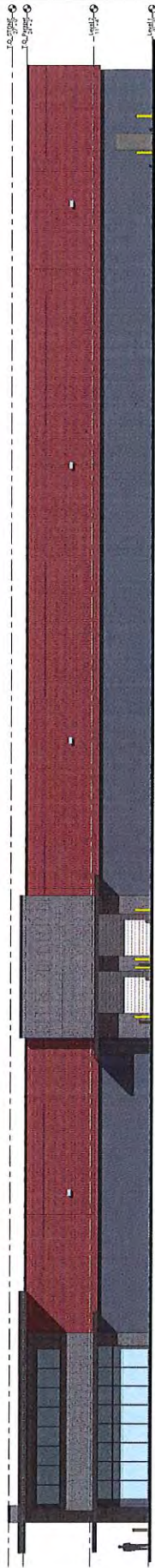
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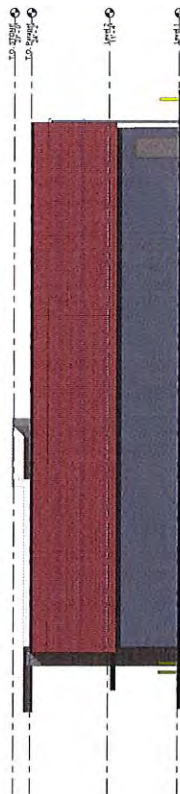
STORAGE
APR 30 2020

06 20020
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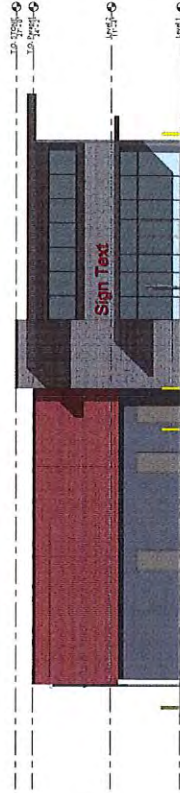
STORAGE
APR 30 2020



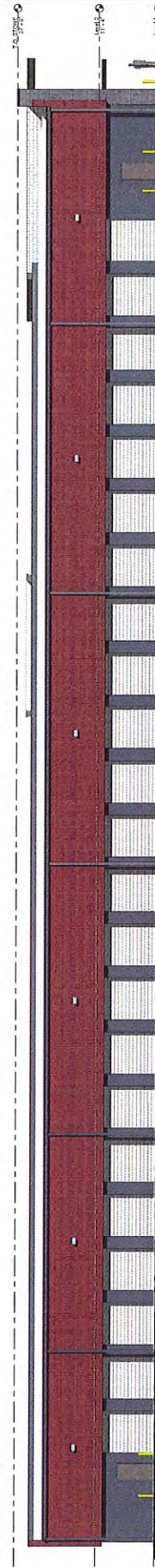
1 EAST ELEVATION - BUILDING A



2 NORTH ELEVATION - BUILDING A



3 SOUTH ELEVATION - BUILDING A



4 WEST ELEVATION - BUILDING A

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By _____

CIC 20020 SUP 20034

OWNER NAME

Elevations

GRAYSON STORAGE

PROJECT ADDRESS

PROJECT NO. 0000000

A200

SECTION	DATE
1.0	1.0
2.0	2.0
3.0	3.0
4.0	4.0
5.0	5.0
6.0	6.0
7.0	7.0
8.0	8.0
9.0	9.0
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