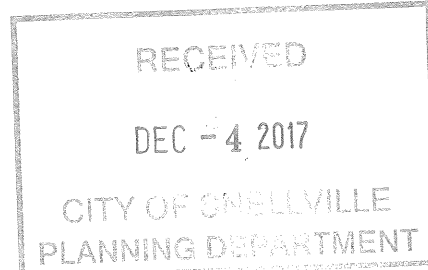




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**COMBINED LETTER OF INTENT FOR
VARIANCE APPLICATIONS OF RCG-SNELLVILLE, LLC**

Mahaffey Pickens Tucker, LLP submits herewith the attached Variance Applications (together the “Applications”) on behalf of the property owner, RCG-SNELLVILLE, LLC (the “Applicant”), in order to permit the use and occupation of an approximately 0.439 acre tract (the “Property”) located within the Snellville Oaks Shopping Center in the Corridor Overlay District on the northerly side of Main Street (U.S. Route 78) east of Scenic Highway (State Route 124). The Property is a component of a larger, approximately 36-acre shopping center property and contains a single concrete block building approximately 3,624 square feet in size constructed around 1995. The Applicant is requesting approval of variances from the Snellville Code of Ordinances (the “Code”) and the Snellville Zoning Ordinance of 2001 (the “Zoning Ordinance”) (together, the “Ordinances”) as set forth herein to permit the continued use and occupation of the Property as-is for commercial and retail uses under the current zoning classification.

The Property was originally developed in 1992 as a large shopping center containing a Walmart as anchor tenant and various associated retail and commercial uses as components of the larger shopping center. The subject Property is one component unit of that associated retail and has historically contained commercial, retail, and/or restaurant uses. The Applicant is working to revitalize the entire shopping center by attracting new tenants including a new movie theatre tenant in the adjacent parcel to the south.

As the improvements on the Property were constructed in the early 1990s, this initial development was conducted according to the zoning ordinance and development regulations then in effect prior to the City's adoption of the current Zoning Ordinance in 2001. Accordingly, certain aspects of the Property, which were compliant with ordinances and regulations in effect at the time of initial development and construction, are not strictly in line with all provisions of the current zoning ordinance and development regulations. In order to bring the Property into compliance with the current provisions of the Ordinance, the Applicant is requesting the relief set forth in this Letter of Intent and the Applications submitted herewith.

Specifically, the Applicant is requesting, among others, variances from Chapter 19 of the Snellville City Code of Ordinances related to landscape strips, tree density units, and other tree, buffer, screening, and landscaping requirements as well as variances from Sections 7.7 and 9.15 of the Zoning Ordinance related to architectural standards and certain provisions of the Corridor Overlay District. The Applicant is also requesting a variance from the provisions of Section 11.3 of the Zoning Ordinance pertaining to minimum parking space requirements.

Section 19-73 of the Code – Landscape Strips

The Code requires landscape strips of various widths along the front, side, and rear yards of lots. As the Property was developed nearly 30 years ago under different landscaping requirements, these landscape strips are not present. Moreover, the Property can be characterized as a “zero lot line” lot and has extremely limited opportunities for additional landscaping because the potential location of traditional landscape strips are occupied by sidewalks, driveways, and/or buildings. Accordingly, installing landscape strips as required under a strict or literal

interpretation of the Code would be essentially impossible or would require the demolition of the existing building.

Section 19-74 of the Code – Parking Area Landscaping

Similarly, the Code requires parking lots with eight or more spaces to be designed according to certain specific requirements including planter islands. The Property contains 15 parking spaces located to the side of the building in a single run. Green space is provided at both ends of the run of parking including an existing 10” Japanese Zelkova tree which would remain. The Applicant would also install additional ground cover surrounding the Zelkova to Code standards for parking lot island landscaping coverage. To the rear of the building, the parking run terminates at a sodded area of green space which contains a number of significant underground utilities. Accordingly, planting options are limited and the Applicant is proposing to keep this sodded area in its existing condition.

Section 19-76 of the Code – Tree Density Requirements

The Code also requires 16 tree density units per acre. At 0.439 acres the Property requires 7.02 tree density units. The existing 10” Japanese Zelkova provides 1.3 tree density units leaving a 5.72 TDU deficit. However, the adjacent tract to the south containing the movie theatre is also owned by the Applicant and contains a surplus of 22.5 tree density units. As the Property and the adjacent tract are part of the same overall shopping center development, the Applicant is proposing to allocate 5.72 tree density units to the Property.

Section 7.7 of the Zoning Ordinance – Architectural Design Standards

Section 7.7 of the Zoning Ordinance provides Architectural Design Standards for buildings within the City. Specifically, Table I provides that Concrete Masonry Units or Split-

Face Block is not permitted on any elevation of buildings less than 10,000 square feet. The existing building on the Property was erected prior to this requirement and contains elements of split-face blocks which have been painted with attractive earth tones to improve the aesthetics of the Property.

Section 11.3 of the Zoning Ordinance – Parking Space Requirements

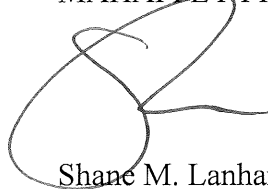
Section 11.3 of the Zoning Ordinance sets forth minimum and maximum parking space requirements for all property within the City based on the property's use. Restaurant uses are required to provide a minimum of one space per each three seats plus one space for each full-time employee. At this time, the Applicant expects the proposed restaurant use to employ 10 people and provide seating for 70 which would require 33 parking spaces. The Applicant is requesting a variance to reduce the required number of parking spaces to 15, which is the current number of parking spaces provided on site.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Snellville 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 these Applications.

This 4th day of December, 2017.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

A handwritten signature in black ink, appearing to read 'Shane M. Lanham', is written over the printed name.

Shane M. Lanham

Attorneys for the Applicant