

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Iglesia Bautista Monte Trinidad	NAME: <u>Moores Mill Investors</u> <u>Charitable Remainder Trust</u>
ADDRESS: 5599 Princeton Oaks Lane	ADDRESS: <u>clo 3475 Piedmont Rd., NE</u> <u>Suite 1150</u>
CITY: Sugar Hill	CITY: <u>Atlanta</u>
STATE: GA ZIP: 30518	STATE: <u>GA</u> ZIP: <u>30305</u>
PHONE: 770-265-7846	PHONE: <u>770-448-6400</u>
CONTACT PERSON: <u>John Pearson</u> PHONE: <u>770-265-7846</u>	
CONTACT'S E-MAIL: <u>john@coldriverdev.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>M-1</u>	BUILDING/LEASED SQUARE FEET: <u>4,492</u>
LAND DISTRICT(S): <u>6</u>	LAND LOT(S): <u>197</u> ACREAGE: <u>5.216</u>
ADDRESS OF PROPERTY: <u>5500 Oakbrook Parkway, Suite 150, Norcross</u>	
SPECIAL USE REQUESTED: <u>Church</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK 27321 PG 0082

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 197 of the 6th District, Gwinnett County, Georgia, containing 5.216 acres, known as 5500 Oakbrook Parkway, Norcross, Georgia, according to plat of survey entitled "ALTA/ACSM Land Title Survey for Moores Mill Investors, L.L.C. & Chicago Title Insurance Company", prepared by Smith & Smith Land Surveyors, P.C., William C. Smith, Georgia Registered Land Surveyor No. 1803, dated October 18, 2000, and last revised May 3, 2002, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at a point where the southern right-of-way line of Oakbrook Parkway (100-foot right-of-way) and the eastern right-of-way line of Pirkle Road (80-foot right-of-way) would intersect if such lines were extended to form an angle instead of a curve; thence running north 85 degrees 57 minutes 45 seconds east a distance of 25.00 feet to an iron pin placed on the southern right-of-way line of Oakbrook Parkway; thence continuing along the southern right-of-way line of Oakbrook Parkway north 85 degrees 57 minutes 45 seconds east a distance of 185.00 feet to an iron pin found and the TRUE POINT OF BEGINNING; from said True Point of Beginning, as thus established, thence continue along the southern right-of-way line of Oakbrook Parkway north 85 degrees 57 minutes 45 seconds east a distance of 420.00 feet to an iron pin found; thence leaving said southern right-of-way line of Oakbrook Parkway and running south 04 degrees 02 minutes 15 seconds east a distance of 419.81 feet to an iron pin placed; thence running south 86 degrees 07 minutes 00 seconds west a distance of 630.00 feet to an iron pin placed on the eastern right-of-way line of Pirkle Road; thence running along the eastern right-of-way line of Pirkle Road north 04 degrees 02 minutes 15 seconds west a distance of 243.13 feet to an iron pin placed; thence leaving said eastern right-of-way line of Pirkle Road and running north 85 degrees 57 minutes 45 seconds east a distance of 210.00 feet to an iron pin placed; thence running north 04 degrees 02 minutes 15 seconds west a distance of 175.00 feet to an iron pin found and the TRUE POINT OF BEGINNING.

TOGETHER WITH those easement rights arising under that certain Declaration of Subdivision Regulations for Oakbrook Center, Gwinnett County, Georgia by Morprop Incorporated, dated July 26, 1979, recorded in Deed Book 1760, Page 239, Gwinnett County, Georgia records; as amended by that certain First Amendment to Declaration of Subdivision Regulations for Oakbrook Center, Gwinnett County, Georgia by Morprop Incorporated, dated January 15, 1981, recorded in Deed Book 2165, Page 32, Gwinnett County, Georgia records; as further amended by that certain Second Amendment to Declaration of Subdivision Regulations for Oakbrook Center, Gwinnett County, Georgia by Morprop Incorporated, dated July 15, 1981, recorded in Deed Book 2218, Page 336, Gwinnett County, Georgia records.

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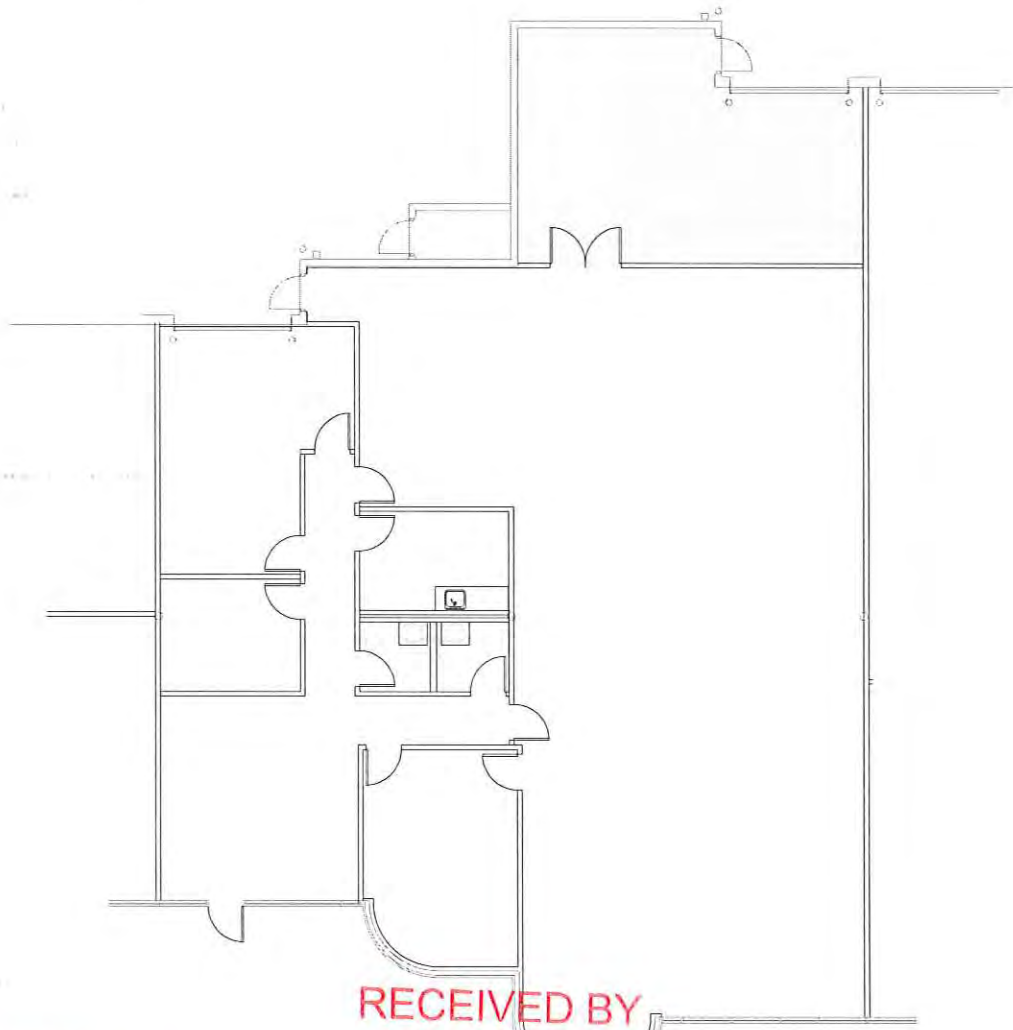
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OAKBROOK BUSINESS CENTER

5500 OAKBROOK PARKWAY

BUILDING 100



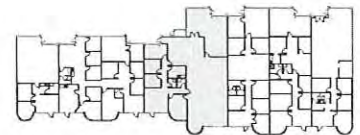
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Key Plan



Note: Not to Scale

LAVISTA
ASSOCIATES, INC.
Commercial and Industrial, Realtors®

SUITE 140/150

Office: 3,902 RSF
Whse: 590 RSF

Total: 4,492 RSF

SPECIAL USE PERMIT 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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The proposed use is suitable and consistent with the surrounding property.

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

No adverse effects as traffic loads will occur at off times for the other businesses in the park.

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

The space is vacant currently.

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

As in (B) uses will primarily occur at alternating times to the rest of the park.

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

The proposed use is consistent with M-I zoning.

- (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 SPECIAL USE PERMIT:

Substantial amounts of unleased office space make this a beneficial use.

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Iglesia Bautista Monte Trinidad
(Trinity Mountain Baptist Church)

5599 Princeton Oaks Lane
Sugar Hill, GA 30518

Mr. Jeff West, Planning Manager
Gwinnett County Dept. of Planning and Development
446 West Crogan Street, Suite 250
Lawrenceville, GA 30046


Proposed use of 5500 Oakbrook Parkway, Suite 150 as a church.

Dear Mr. West

The above referenced church is making application to use the property listed above, which is located in an M-1 zoning district as a church. Churches are permitted uses under M-1 zoning with a Special Use Permit approved by the county. The church has been in existence since 2008 and has been hosted by a local Baptist church in Gwinnett County. They have grown to a size that warrants their own location. The church intends to use the facility for Sunday services, evening services (generally 1 to 2 per week) and other uses consistent with the permissible use under this zoning and consistent with their religious purpose.

The church intends to make no significant changes to the building interior or exterior, nor will it have any significant impact on weekday traffic, having its primary use on Sundays and evenings. We appreciate your consideration in this matter.

Best regards,
IGLESIA BAUTISTA MONTE TRINIDAD



Ronald Tubillas, Pastor

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SPECIAL USE PERMIT 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.

[Handwritten Signature] 12/05/13
Signature of Applicant Date

Ronald Tubillas, Pastor
Type or Print Name and Title

[Handwritten Signature] 12/5/13 *[Handwritten]*
Signature of Notary Public Date Notary Seal



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CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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.

Ronald Tubillas 12/05/13 Ronald Tubillas, Pastor
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

Abby Carroll 12/5/13
 SIGNATURE OF NOTARY PUBLIC DATE



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 Ronald Tubillas
 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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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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 SPECIAL USE PERMIT REQUEST.**

PARCEL I.D. NUMBER: 6 - 197 - R6197 134
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

12/6/13

Date

Dean Weaver, VP

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)

Debra J Smith

NAME

tax services associate

TITLE

December 6, 2013

DATE

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