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ATTACHMENT 5A  
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**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>DCT Sugarloaf Investment Company</u> <u>c/o Mill Creek Consulting</u>	NAME: <u>Quicktrip Corporation</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>P.O.Box 3475</u>
CITY: <u>Buford</u>	CITY: <u>Tulsa</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>OK</u> ZIP: <u>74101</u>
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
CONTACT'S E-MAIL: <u>millcreekconsulting@gmail.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).

<b>APPLICANT IS THE:</b>		
<u>      </u> OWNERS AGENT	<u>      </u> PROPERTY OWNER	<u>  X  </u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>C-2</u>	REQUESTED ZONING DISTRICT: <u>C-2 with SUP for Car Wash</u>	
LAND DISTRICT (S): <u>  7  </u>	LAND LOT (S): <u>035</u>	ACREAGE: <u>  1.58  </u>
ADDRESS OF PROPERTY: <u>1770 Marathon Blvd</u>		
PROPOSED DEVELOPMENT: <u>Car Wash</u>		

LETTER OF INTENT  
PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

LAND DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 1.5815 ACRES AND LYING AND BEING IN LAND LOT 35 OF THE 7th DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY OF MARATHON BOULEVARD (100 FOOT RIGHT OF WAY) AND THE NORTHEASTERLY RIGHT OF WAY OF SUGARLOAF PARKWAY (RIGHT OF WAY VARIES), AKA DULUTH BYPASS; THENCE RUNNING ALONG THE SOUTHEASTERLY RIGHT OF WAY OF SAID MARATHON BOULEVARD NORTH 62 DEGREES 54 MINUTES 41 SECONDS EAST A DISTANCE OF 183.32 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1001.99 FEET, AN ARC DISTANCE OF 11.44 FEET TO AN IRON PIN SET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 62 DEGREES 35 MINUTES 04 SECONDS EAST, 11.44 FEET; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING SOUTH 27 DEGREES 44 MINUTES 34 SECONDS EAST A DISTANCE OF 7.75 FEET TO AN IRON PIN SET; THENCE RUNNING SOUTH 79 DEGREES 20 MINUTES 56 SECONDS EAST A DISTANCE OF 215.72 FEET TO AN IRON PIN SET; THENCE RUNNING SOUTH 10 DEGREES 39 MINUTES 04 SECONDS WEST A DISTANCE OF 212.16 FEET TO AN IRON PIN SET ON THE NORTHEASTERLY RIGHT OF WAY OF SUGARLOAF PARKWAY (RIGHT OF WAY VARIES) AKA DULUTH BYPASS; THENCE RUNNING ALONG SAID RIGHT OF WAY NORTH 79 DEGREES 20 MINUTES 56 SECONDS WEST A DISTANCE OF 246.88 FEET TO AN IRON PIN SET ON SAID RIGHT OF WAY; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1085.92 FEET, AN ARC DISTANCE OF 89.68 FEET TO A NAIL SET ON SAID RIGHT OF WAY, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76 DEGREES 58 MINUTES 59 SECONDS WEST, 89.65 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 07 DEGREES 40 MINUTES 51 SECONDS WEST A DISTANCE OF 85.62 FEET TO AN IRON PIN SET ON SAID RIGHT OF WAY, THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 27 DEGREES 48 MINUTES 48 SECONDS WEST A DISTANCE OF 17.89 FEET TO A NAIL SET ON THE SOUTHEASTERLY RIGHT OF WAY OF MARATHON BOULEVARD (100 FOOT RIGHT OF WAY), SAID NAIL BEING THE POINT OF BEGINNING.

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THESE DRAWINGS ARE THE PROPERTY OF ON SITE CIVIL GROUP, LLC AND SHALL NOT BE REPRODUCED BY ANY MEANS, IN ANY FORM WITHOUT THE EXPRESS WRITTEN PERMISSION OF ON SITE CIVIL GROUP, LLC.



REVISIONS

NO.	DATE	DESCRIPTION

CLIENT:  
DCT SUGARLOAF INVESTMENT CO  
1110 SATELLITE BLVD NW  
SUITE 401  
SUWANEE, GA  
PHONE: 678-417-0215  
PRESIDENT: JUN LEE

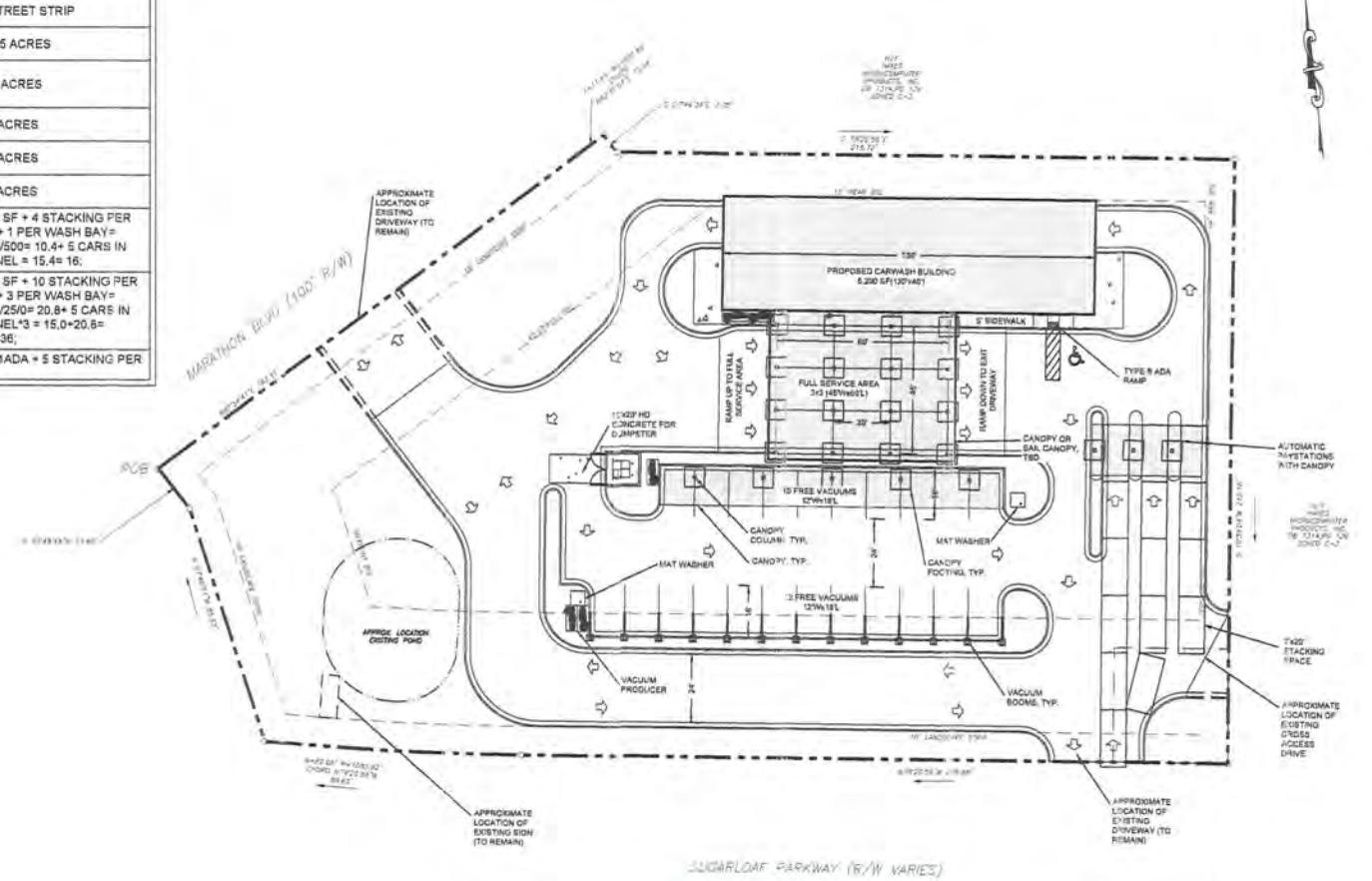
MR. K. CARWASH  
1770 MARATHON RD.  
LL-35, 7TH DISTRICT  
GWINNETT COUNTY,  
GEORGIA

SCHEMATIC  
SITE PLAN

DATE: AUGUST 1, 2016  
PROJECT: 16-055

SHEET C 401

PROJECT INFORMATION	
ZONING	C-2 (NEEDS S.U.P)
SETBACKS	FRONT 50'(42.5' ALONG MARATHON), REAR 15', SIDE 10'
LANDSCAPE STRIPS	10' STREET STRIP
OVERALL SITE AREA	1.5915 ACRES
EXISTING IMPERVIOUS AREA	0.99 ACRES
EX. IMPERVIOUS TO BE REMOVED	0.96 ACRES
PROPOSED NEWLY FORMED IMPERVIOUS AREA	0.99 ACRES
NEW NET IMPERVIOUS AREA	1.02 ACRES
PARKING MINIMUM	1/500 SF + 4 STACKING PER LINE + 1 PER WASH BAY = 5,200/500 = 10.4 + 5 CARS IN TUNNEL = 15.4 + 16;
PARKING MAXIMUM	1/250 SF + 10 STACKING PER LINE + 3 PER WASH BAY = 5,200/250 = 20.8 + 5 CARS IN TUNNEL * 3 = 15.0 + 20.8 = 35.8 = 36;
PARKING PROVIDED	22 + 1 ADA + 5 STACKING PER LINE



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24 HOUR CONTACT:  
JUN LEE  
678-467-1269



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STANDARDS GOVERNING 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:  
THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE WITHOUT THE SPECIAL USE PERMIT.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:  
THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  
THE SUBJECT PROPERTY IS DESIGNATED AS R & D CORRIDOR.

(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 LETTER OF INTENT.

.....  
PLANNING DIVISION USE ONLY

CASE NUMBER \_\_\_\_\_

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the rezoning will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant, DCT Sugarloaf Investment Company, requests a Special Use Permit to allow the repurposing of the closed Quick Trip at 1770 Marathon Blvd. as a car wash facility. The existing business closed several months ago and the applicant is proposing to update the facility and reopen it as an express car wash. The proposed hours of operation will be Monday thru Saturday 8am to 8pm and Sunday from 10am to 6pm. The applicant is proposing to utilize the existing entrances from Marathon Blvd and Sugarloaf Parkway. The facility will always have employees on site when open to make sure that there are no problems and to provide assistance in the full service area. The submitted picture is of a similar facility as is being proposed and the applicant understands that there may be some tweaking to bring the building into compliance with the overlay district. The site is not located in a residential area and compared to the Quick Trip, there should be a reduction in traffic coming in and out of the property.

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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.

  
\_\_\_\_\_  
Signature of Applicant 8/11/2016  
Date

*DCT Sugarloaf Investment Company  
by Jun Lee, president*  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public 8/11/2016  
Date



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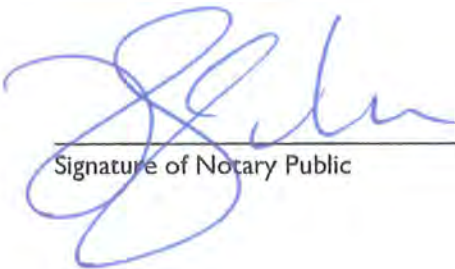
**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

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.

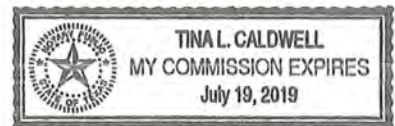
  
\_\_\_\_\_  
Signature of Property Owner

7/26/16  
\_\_\_\_\_  
Date

*Tim Beilman Disposition Real Estate Manager, QuikTrip Corporation*  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

7/26/16  
\_\_\_\_\_  
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.

                      8/1/2016                      DCT Sugarloaf Investment Company  
 by: Jun Lee, president  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

                      8/1/2016  
 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    DCT Sugarloaf Investment Company  
 by: Jun Lee, president  
 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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**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:** 7 - 035 - 047  
(Map Reference Number)      District      Land Lot      Parcel

[Signature]      8/11/2016  
Signature of Applicant      Date  
DLT Sugarloaf Investment Company  
by Jun Lee, president  
Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**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)

[Signature]      ISA II  
NAME      TITLE  
8-4-16  
DATE

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