

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Om Duggal: Discovery Funding LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Sugaloaf Centre LLC</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>4480 Commerce Dr. Suite A</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30518</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>mitchpeevy@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).

APPLICANT IS THE:		
<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 w/SUP</u> <u>for Height and a buffer reduction to adjacent R-</u> <u>100</u>
LAND DISTRICT (S): <u>7</u>	LAND LOT (S): <u>122</u>	ACREAGE: <u>2.635</u>
ADDRESS OF PROPERTY: <u>1030 Satellite Blvd.</u>		
PROPOSED DEVELOPMENT: <u>Hyatt House Business Hotel</u>		
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LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 122 of the 7th Land District of Gwinnett County, Georgia, and being more particularly described as follows:

Commence at the Intersection of the Land Lot Line Common to Land Lots 115 & 122 and the Southwesterly Right-of-Way of a Private Drive; THENCE leaving said Intersection and traveling along said Right-of-Way of Private Drive in a Northwesterly direction for 328.57 feet to an Iron Pin Set in the Centerline of Lee Daniel Creek, said Point being **THE POINT OF BEGINNING**.

THENCE from said point as thus established and traveling along said Centerline of Lee Daniel Creek the following thirteen (13) courses and distances, North 86 degrees 26 minutes 44 seconds West for a distance of 53.69 feet to a Point; THENCE North 86 degrees 04 minutes 53 seconds West for a distance of 45.31 feet to a Point; THENCE South 89 degrees 56 minutes 12 seconds West for a distance of 51.97 feet to a Point; THENCE North 76 degrees 43 minutes 55 seconds West for a distance of 30.93 feet to a Point; THENCE South 82 degrees 56 minutes 30 seconds West for a distance of 40.24 feet to a Point; THENCE South 57 degrees 41 minutes 33 seconds West for a distance of 31.94 feet to a Point; THENCE South 23 degrees 35 minutes 47 seconds West for a distance of 17.24 feet to a Point; THENCE South 74 degrees 48 minutes 54 seconds West for a distance of 54.72 feet to a Point; THENCE North 72 degrees 39 minutes 58 seconds West for a distance of 21.05 feet to a Point; THENCE North 81 degrees 46 minutes 32 seconds West for a distance of 17.58 feet to a Point; THENCE South 58 degrees 55 minutes 11 seconds West for a distance of 11.62 feet to a Point; THENCE North 79 degrees 27 minutes 12 seconds West for a distance of 36.52 feet to a Point; THENCE North 76 degrees 39 minutes 41 seconds West for a distance of 12.91 feet to a Point on the Easterly Right-of-Way of Satellite Boulevard (R/W Varies); THENCE along said Right-of-Way the following four (4) courses and distances, North 03 degrees 11 minutes 35 seconds West for a distance of 16.91 feet to a Point; THENCE along a curve to the left having a radius of 1,492.39 feet and arc length of 222.43 feet being subtended by a chord of North 00 degrees 06 minutes 05 seconds West for a distance of 222.22 feet to a Point; THENCE South 85 degrees 37 minutes 44 seconds West for a distance of 10.00 feet to a Point; THENCE North 06 degrees 13 minutes 52 seconds West for a distance of 96.22 feet to an Iron Pin Set; THENCE leaving said Right-of-Way, North 59 degrees 46 minutes 43 seconds East for a distance of 211.35 feet to a 1" Open Top Pipe Found on the aforesaid Southwesterly Right-of-Way of a Private Drive; THENCE along said Private Drive, South 30 degrees 21 minutes 17 seconds East for a distance of 479.92 feet to an Iron Pin Set, said Point being **THE POINT OF BEGINNING**.

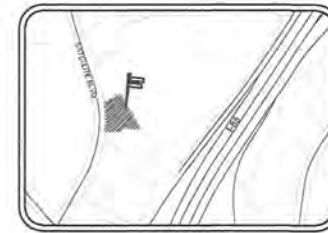
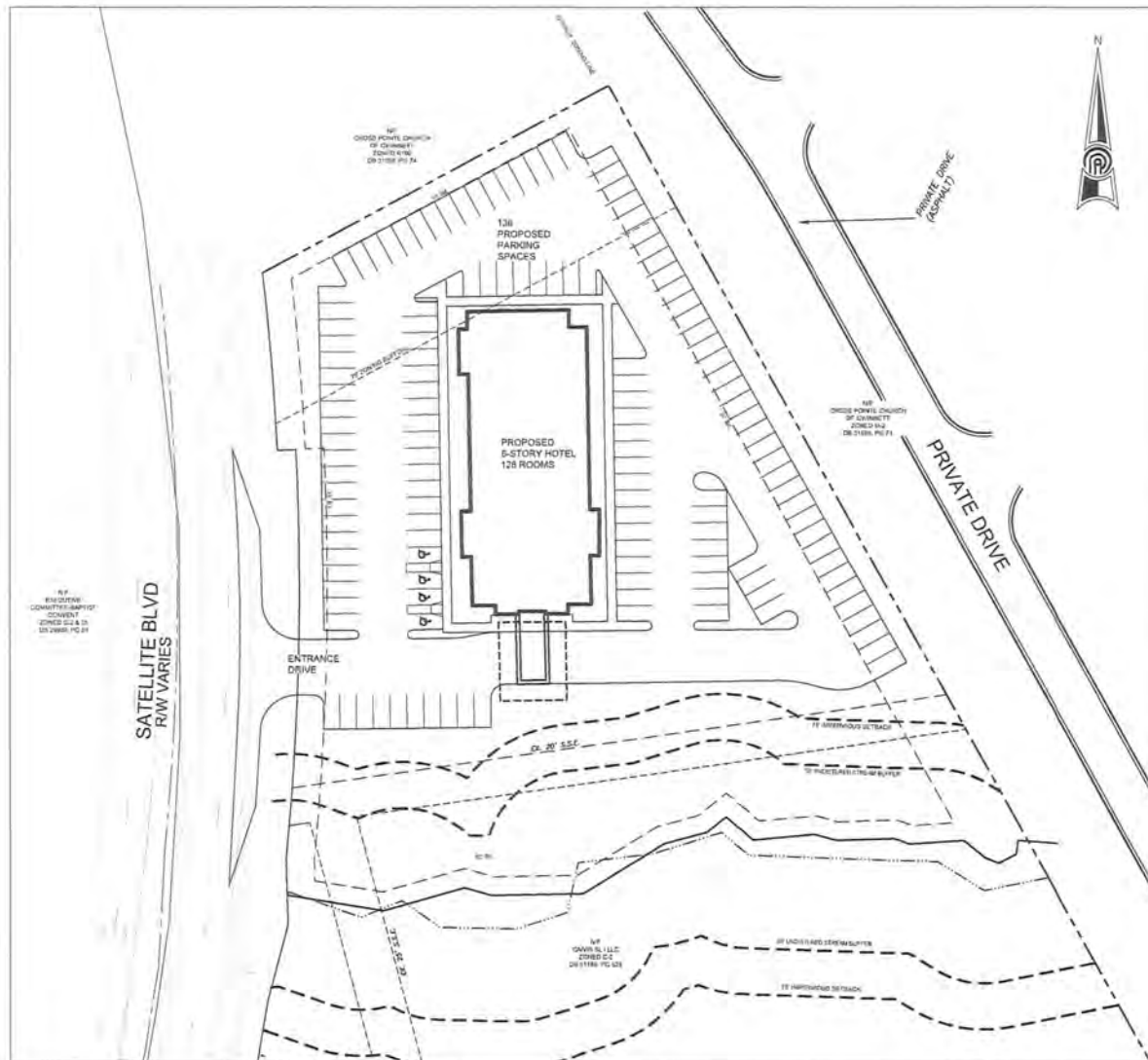
Said property contains 2.635 Acres as shown on the Boundary, Topographic, Tree & Utility Survey for Pharr Engineering, prepared by Meridian Geomatics, LLC, dated 8/21/2017, last revised 10/24/17.

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VICINITY MAP
N.T.S.

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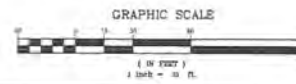
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- NOTES:
1. ZONING=C-2
 2. SETBACK REQUIREMENTS PER ZONING: FRONT YARD = 15' REAR YARD = 30' SIDE YARD = 10'
 3. MAXIMUM BUILDING HEIGHT = 45'
 4. 128 ROOMS
 5. PARKING REQUIREMENTS: MIN = 128 SPACES MAX = 256 SPACES PROVIDED = 138 SPACES
 6. NO PORTION OF THIS SITE IS WITHIN THE FLOODPLAIN PER FEMA FIRM PANEL 131356C0057 DATED 09/23/2006.
 7. THIS PROJECT IS WITHIN THE CIVIC CENTER OVERLAY DISTRICT.
 8. BOUNDARY INFORMATION FOUND IN SURVEY BY MERIDIAN GEOMATICS, LLC DATED 08/21/2017.

ENGINEER
PRECISION PLANNING, INC.
460 PINE BOULEVARD
LAURENSVILLE, GA 30644
CONTACT: DAVID LECHE
PHONE: 770-338-0000
EMAIL: info@ppinc.com

OWNER / DEVELOPER
HYATT PLACE
CONTACT: KATHY REED
PHONE: 770-338-0000
EMAIL: KATHY@HYATT.COM



PRECISION Planning Inc. planners • engineers • architects • surveyors 1830 SATELLITE BLVD DULUTH, GA 30098 TAX ID: 7122 224	
REZONING PLAN SHEET TITLE DATE: 01/03/19 BY: C19-001 PROJECT NO: 1	RELEASE DATE: 01/03/19 BY: C19-001 PROJECT NO: 1

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TOTAL SITE AREA
114,780 SQ. FT.
2.635 ACRES

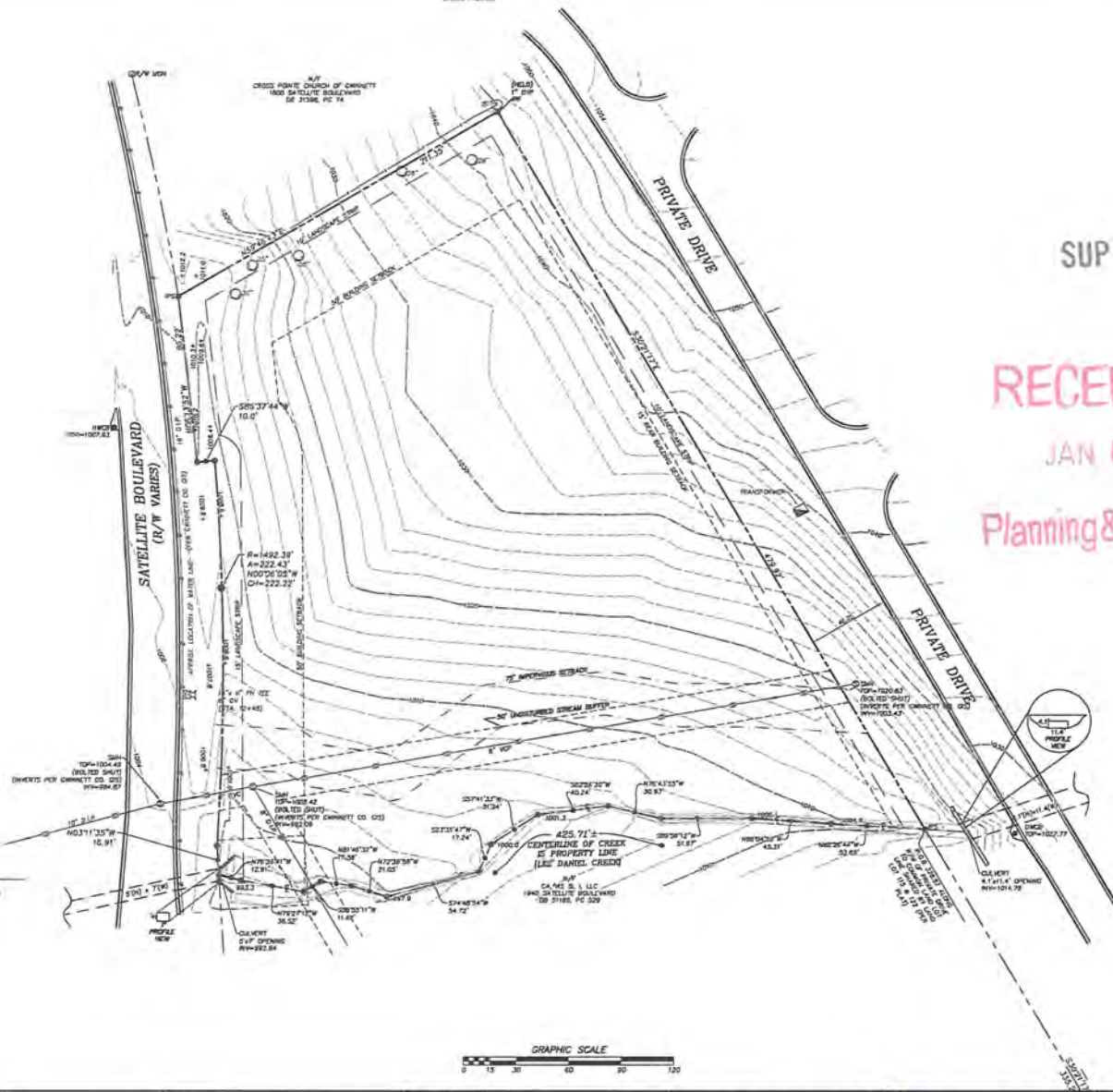


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[illegible]

BOUNDARY, TOPOGRAPHIC, TREE & UTILITY SURVEY for
PHARR ENGINEERING

PROJECT SITE: 1950 SATELLITE BOULEVARD, DULUTH, GEORGIA, 30041

REVISIONS:
ADDED DITCH ALONG ROAD FRONTAGE 10/24/17

PLAT BOOK 123, PAGE 269
LAND LOT 122 7TH DISTRICT
GWINNETT COUNTY, GEORGIA
DATE 08/21/2017 SCALE 1"=30'

MERIDIAN GEOMATICS, LLC
Land Surveying - Residential, Commercial & Municipal

216 Powers Ferry Road
Marietta, Georgia 30067
phone: (770) 675-6197
surveyingallanta@gmail.com

Dr. J. S. B. B.
H. C. D.
100 MC
2017-18

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 REGIONAL MIXED USE.

(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 _____ RECEIVED BY: _____
SUP 19024 4-10-4 2018

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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 1, 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, Om Duggal with Discovery Funding LLC, requests a Special Use Permit with a buffer reduction for the property located at 1930 Satellite Boulevard. The property is currently zoned C-2 and the request is to allow the property to be developed as a Hyatt Place business class 77,034 square feet, 128 room hotel. The plan is to build a 6-story facility with a maximum height of 80 feet 4 inches and as it is adjacent to other properties with hotels and offices that are more than 35 feet in height this project should blend in with the other developments in the immediate area. The site also adjoins a small piece of property along the northern property line owned by Cross Pointe Church that is still zoned R-100 so the request is to also reduce that area to a 0-foot buffer. The majority of the church property is zoned M-2 as it is the now closed Rockwell Missile plant and the R-100 property will never be developed as a single-family subdivision. The property is in Civic Center Overlay district and the proposed building materials such as brick, efis, and glass and colors similar to the elevation submitted will comply with the overlay district requirements. Parking required is a minimum of 128 spaces and 138 are provided thus meeting the requirements. The hotel rooms will have access from an internal hallway and the majority of the units or 70% of them will have a kitchenette area. While there will be no restaurant at the facility there will be a breakfast area provided for the guests.

The property is in the immediate area of the Gwinnett Arena and the future development Revel as well as other business and entertainment venues which should make this a very successful location.

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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.

CK Hoffer

Signature of Property Owner

11/3/2018

Date

Sugarloaf Centre, LLC 1930 Satellite Blvd
Duluth, GA 30097

CHITTRANJAN THAKKAR - MANAGER

Type or Print Name and Title

Kendall Bates

Signature of Notary Public

11/3/2018

Date



Notary Seal

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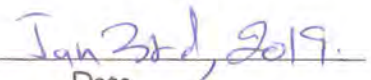
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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

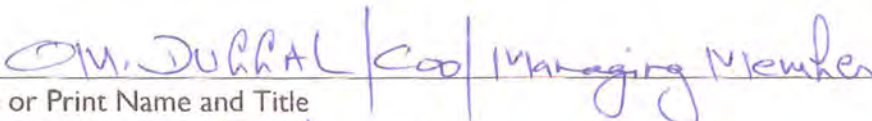
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

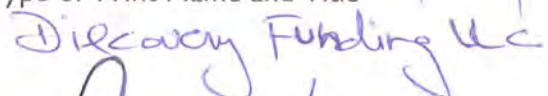


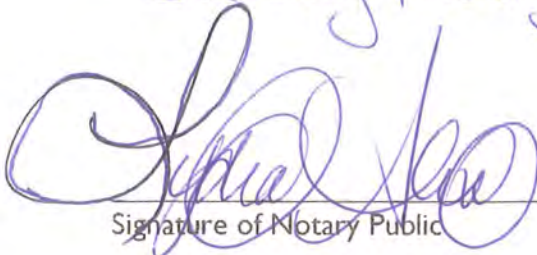
Signature of Applicant



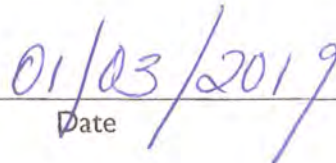
Date



Type or Print Name and Title

Discovery Funding LLC



Signature of Notary Public



Date



Notary Seal

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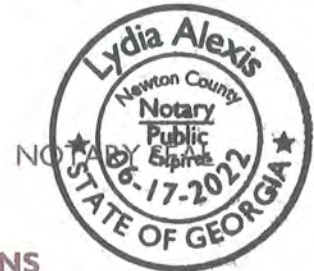
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

[Signature] Jan 3rd, 2019 OM. DURRALL / Cool Management
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 01-03-2019
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 OM. DURRALL
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 - 122 - 224
(Map Reference Number) District Land Lot Parcel

[Signature] Jan 3rd, 2019
Signature of Applicant Date

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)

Ingrid Espinal TSA II
NAME TITLE
01/04/2019
DATE

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80'-4"

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67'-3"

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