

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>WS SUGARLOAF LLC</u>	NAME: <u>WS SUGARLOAF LLC</u>
ADDRESS: <u>418 ALAMAR ST</u>	ADDRESS: <u>418 ALAMAR ST</u>
CITY: <u>FORT OGLETHORPE</u>	CITY: <u>FORT OGLETHORPE</u>
STATE: <u>GA</u> ZIP: <u>30742</u>	STATE: <u>GA</u> ZIP: <u>30742</u>
PHONE: <u>423.313.1477 Mehul Patel</u>	PHONE: <u>423.313.1477 Mehul Patel</u>
CONTACT PERSON: <u>LAWRENCE m BIELSKI</u> PHONE: <u>706.483.1395</u> OWNERS AGENT	
CONTACT'S E-MAIL: <u>larry@phmigroup.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
M1 - in the CIVIC CENTER	
ZONING DISTRICTS(S): <u>OVERLAY DISTRICT</u>	PRIOR ZONING CASE: <u>R2-52-80 (APRIL 17, 1980)</u>
PARCEL NUMBER(S): <u>ID: R7116 010A</u>	ACREAGE: <u>2.86</u>
ADDRESS OF PROPERTY: <u>2310 SATELLITE BLVD DULUTH GA 30097</u>	
PROPOSED CHANGE IN CONDITIONS: <u>A. Remove Rezoning Condition (R2-52-80 April 17, 1980) requiring Landscaping along the North boundary of Entrance Access Drive. (See SITE PLAN)</u> <u>B. Reduce Rezoning Condition (R2-52-80 April 17, 1980) from 30' a Buffer to a 10' minimum Landscaped Strip along I-85 NEast backside Property Line</u>	

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1/1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>48,100 SF BUILDING</u> <u>128,220 PARCEL AC</u>
GROSS DENSITY: _____	DENSITY: <u>37%</u>
NET DENSITY: _____	

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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EXHIBIT A -LEGAL DESCRIPTION OF GRANTEE PROPERTY

All that tract or parcel of land lying and being in Land Lot 80 and 116 of the 7th District, of Gwinnett County, Georgia and being more particularly described as follows:

To find The True Point of Beginning, commence at the intersection on the northern right of way of SR 120 (Duluth Highway) (right of way varies) and the western right of way of Interstate 85 (right of way varies); thence, proceed North 72 degrees 20 minutes 03 seconds East for a distance of 151.20 feet to a point; thence North 18 degrees 41 minutes 03 seconds East for a distance of 72.90 feet to a point; thence North 77 degrees 07 minutes 42 seconds West for a distance of 41.45 feet to a concrete monument and The True Point of Beginning.

From The True Point of Beginning, as thus established, proceed North 77 degrees 07 minutes 42 seconds West for a distance of 340.43 feet to a 5/8" rebar found; thence North 17 degrees 46 minutes 01 second West for a distance of 163.43 feet to a point; thence North 19 degrees 36 minutes 21 seconds West for a distance of 80.11 feet to an iron pin set; thence North 85 degrees 47 minutes 38 seconds East for a distance of 484.40 feet to a point; thence South 69 degrees 00 minutes 25 seconds East for a distance of 47.96 feet to a concrete monument; thence along the western right of way of Interstate 85 and along a curve to the left having a radius of 11534.16 feet and an arc length of 346.47 feet, said arc being subtended by a chord with a bearing of South 20 degrees 07 minutes 57 seconds West and a length of 346.45 feet, to a point and The True Point of Beginning.

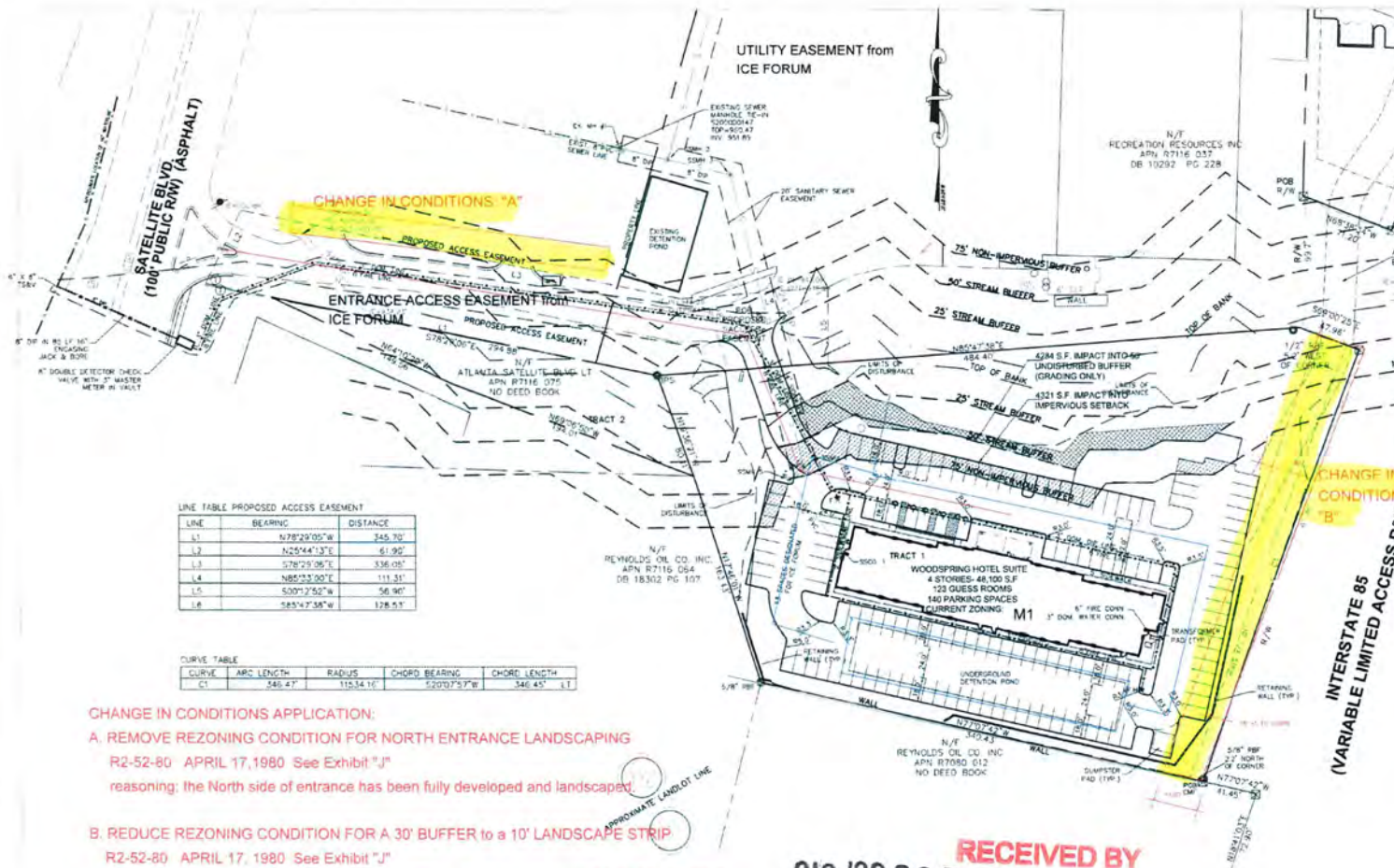
Containing within said bounds 2.861 acres (124,634 square feet) more or less.

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LINE TABLE PROPOSED ACCESS EASEMENT

LINE	BEARING	DISTANCE
L1	N78°23'05"W	345.70'
L2	N25°44'15"E	41.99'
L3	S78°23'05"E	336.05'
L4	N89°23'20"E	111.31'
L5	S00°12'52"W	56.90'
L6	S85°47'38"W	128.51'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	346.47'	115.341'	S20°07'57"W	346.45'

CHANGE IN CONDITIONS APPLICATION:

A. REMOVE REZONING CONDITION FOR NORTH ENTRANCE LANDSCAPING

R2-52-80 APRIL 17, 1980 See Exhibit "J"
reasoning: the North side of entrance has been fully developed and landscaped.

B. REDUCE REZONING CONDITION FOR A 30' BUFFER to a 10' LANDSCAPE STRIP

R2-52-80 APRIL 17, 1980 See Exhibit "J"
reasoning: the rezoning (from C-2 to M1) condition was for a proposed HEAVY EQUIPMENT OPERATION, to hide the parked equipment. The proposed Hotel will have adequate landscaping, will be Well designed, and the area is needed for PARKING, to reduce the encroachment into the 75' Buffer Zone.

THE LANDSCAPED AREA WILL BE 15' WIDE at SEast CORNER of PARKING LOT and INCREASE to +/-35' at the NEast CORNER of THE PARKING LOT, and INCREASE to +/-30' at the SEast PROPERTY CORNER

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CONSTRUCTION NOTES:

1. FINAL BUILDING PLANS SUBMITTED FOR PERMITTING WILL COMPLY WITH ALL APPLICABLE STATE and LOCAL BUILDING CODES and GWINNETT COUNTY ORDINANCES



SITE DATA
ZONING USE: M1
TOTAL ACREAGE: 2.86AC
DISTURBED ACREAGE: 1.95AC
GWINNETT COUNTY, GA
LAND LOT 116; 7th DISTRICT

BUILDING SETBACKS:
FRONT YARD: 15 FEET
SIDE YARD: 10 FEET
REAR YARD: 10 FEET

BUILDING DATA
BUILDING AREA: 48,100SF
BUILDING HEIGHT: 54'
NUMBER OF STORIES: 4 STORY
NUMBER OF UNITS: 123 UNITS

PARKING DATA
REQUIRED PARKING:
HOTEL: 1 SPACE FOR EVERY ROOM @ 123 RMS: 123 SPACES
TOTAL REQUIRED SPACES: 123 SPACES

PARKING PROVIDED:
REGULAR SPACES: 135 SPACES
HANDICAP SPACES: 5 SPACES
TOTAL SPACES PROVIDED: 140 SPACES

NOTES

1. USE ARCHITECTURAL PLANS FOR BUILDING STAKE OUT
2. ALL DIMENSIONS SHOWN ARE FROM FACE OF BUILDING, CURB, OR WALL UNLESS OTHERWISE NOTED.

DEVELOPER / OWNER:
WS SUGARLOAF LLC
418 ALAMAR ST
FORT OGLETHORPE GA 30742
MEHUL PATEL 423.313.1477 mehu@phmgroup.com

CIVIL ENGINEER:
PAUL HARPER PE
2295 TOWNE LAKE PARKWAY
SUITE 116-185
WOODSTOCK GA 30189
PAUL HARPER 404.409.5171 pharper@harper-engineering.com

OWNER AGENT CONTACT PERSON
LARRY BIELSKI ARCHITECT
ARCHITEX CONSTRUCTION GROUP LLC
418 ALAMAR ST
FORT OGLETHORPE GA 30742
LARRY BIELSKI 706.483.1395 larry@phmgroup.com

GRAPHIC SCALE: 1" = 50 FEET 1" = 50'



DEVELOPER:
PRIME HOSPITALITY
MANAGEMENT COMPANY
418 LAMAR STREET
FORT OGLETHORPE,
GEORGIA 30742
(706)406-4425
HARRY@PHMGROUP.COM

ARCHITECT:
ARCHITEX
CONSTRUCTION GROUP LLC
418 LAMAR STREET
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GEORGIA 30742
(706)483-1395
LARRY@PHMGROUP.COM

CHANGE IN
CONDITIONS A & B

PROPOSED
SITE PLAN

PROJECT DESCRIPTION
WOODSPRING HOTEL SUITE
DEVELOPMENT PLANS FOR:
WOODSPRING HOTEL SUITE
FORT OGLETHORPE, GA
TITIAN'S WOODSPRING SUITES
HOTEL

REVISIONS
NO DATE

DATE: 10/15/19
DRAWN BY: MHR
CHECKED BY: MHR
JOB NUMBER:
SCALE: 1"=40'

DESCRIPTION
PROPOSED
SITE PLAN

SHEET NUMBER
C3.1

RELEASED FOR

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:

B: DECREASE 30' BUFFER ZONE CONDITION at I-85 to 10' minimum Landscaped Strip (See Exhibit "J")

- (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:

THE CURRENT M1 ZONING ALLOWS THE DEVELOPMENT OF THE HOTEL. IT IS A USE THAT IS SUITABLE AND WILL BENEFIT ADJACENT and NEARBY COMMERCIAL PROPERTIES and ENCOURAGE FUTURE DEVELOPMENT

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
IT WILL NOT. THE 30' BUFFER CONDITION from CASE# R2-52-80, WAS TO BUFFER A HEAVY EQUIPMENT OPERATION. THE HOTEL IS AESTHETICALLY DESIGNED-WELL LANDSCAPED, AND WILL COMPLIMENT NEARBY PROPERTIES

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
YES. THE CHANGE IN THIS CONDITION WILL ALLOW THE PROPERTY TO BE DEVELOPED, AND WILL ECONOMICALLY BENEFIT THE COUNTY, CITY and NEIGHBORING COMMERCIAL PROPERTIES, AND ENCOURAGE DEVELOPMENT

- (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:
NO. HOTELS DO NOT GENERATE A LOT OF TRAFFIC ON HOURLY and DAILY. THE GUESTS COME and GO AT ALL HOURS. THE AREA INFRASTRUCTURE WILL SUPPORT FURTHER DEVELOPMENT and TRAFFIC

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
YES. THE M1 ZONING DISTRICT ALLOWS FOR HOTELS. THE CURRENT 30' BUFFER IS NOT NEEDED OR TYPICAL OF THIS TYPE OF DEVELOPMENT. AND- THE BUFFER WILL NOT REALLY CHANGE MUCH - IT WILL VARY FROM 15' -TO-35' for PARKING

- (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:
THE AREA HAS SEEN COMMERCIAL DEVELOPMENT INCREASE OVER THE YEARS. THIS HOTEL PROJECT WOULD BE APPROVAL OF THIS CHANGE WOULD BE A CONTINUATION OF INTENDED ECONOMIC GROWTH for DULUTH AND GWINNETT. THE SATELLITE BLVD COMMERCIAL AREA WILL FURTHER BENEFIT WITH THE DEVELOPMENT OF A HOTEL. THIS CHANGE IN CONDITIONS WILL STILL ALLOW FOR ADEQUATE LANDSCAPING ALONG THIS I-85 PROPERTY LINE

October 31, 2019

GWINNETT COUNTY APPLICATION FOR CHANGE IN CONDITIONS

LETTER of INTENT

From: Larry M Bielski
ARCHITEX CONSTRUCTION GROUP LLC *as Owners Agent for:* WS SUGARLOAF LLC (applicant)
418 ALAMAR ST Mehul Patel, Applicant
FORT OGLETHORPE, GA 30742 418 Alamar St
706,483.1395 Fort Oglethorpe Ga 30742

TO: GWINNETT COUNTY
Department of Planning and Zoning
446 West Crogan St
Lawrenceville, Ga 30046

RE: LETTER of INTENT
WoodSpring Suites Hotel by CHOICE HOTELS and
AVID Hotel by IHG
2310 Saltellite Blvd
Duluth, Ga 30097

Planning, Zoning and Board Members:

It is the intention of WS Sugarloaf LLC, (Owner, Developer, Applicant) to develop a Woodspring Signature Suites Hotel on 2310 Satellite Blvd property. A CHANGE IN CONDITIONS is being requested to move the project forward in the Development process.

STATEMENTS:

1. The proposed use of the property is to develop a Woodspring Suites Hotel: 123 rooms, 48,100 sft, 4 Story.
2. The tract is 2.86 acres
3. The current Zoning District is: M1 – which allows hotels
4. The proposed hotel will have a density of 37% (building) 48,100sft / 128,220sf parcel
5. The project will have 140 parking spaces
6. The height of the building is: +/-42' – 0" to the center of the tallest gable- the point of measurement.
7. The Owner/Developer/Applicant is requesting the following CHANGES IN CONDITION as a result of Conditions implemented in the Rezoning of the property from C-2 -to – M1, (in April 1980 rezoning case)

HISTORY: SEE EXHIBIT "J": Case R2-52-80

- a. April 17, 1980: This property was rezoned from C-2 to M-1 -(the current zoning)
- b. April 22, 1980: This Rezoning was approved by the Board of Commissioners in a Public hearing.
with (2) conditions – to allow construction of a heavy equipment operation.

CONDITION 1: A natural buffer be maintained on the entrance drive to property. **RECEIVED BY**
That drive is now commercially developed, landscaped and maintained on the North side.

CONDITON 2: A 30' buffer on the I-85 - backside of the property (increased from the C-2 – 10' landscape strip.) **NOV 01 2019**

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CHANGE IN CONDITIONS – A & B : See SITE PLAN

- A. REMOVE the ZONING CONDITION requiring the North side entrance drive to remain a natural buffer. This side of the Drive is now commercially developed and landscaped, with access drives off this entrance. The South side of the drive is a natural buffer, and was recently purchased by the ICE FORUM.

This CHANGE IN CONDITIONS will have no adverse affect on neighboring and adjacent properties.

- B. REDUCE the ZONING CONDITION, along the I-85 backside property line from 30', back to a 10' landscaped strip.
1. This change will not adversely affect adjacent properties. That property line borders the DOT R.O.W, which already is a large grassed area with natural vegetation.
 2. The original intent of the 30' Buffer – was conditional for the approval of the M1 zoning- for a Heavy Equipment operation- to hide the visibility of the equipment parked and stored.
 3. The new 10' landscaping strip – change – is needed for the parking lot.
 4. The new 10' landscaping strip will actually be wider than 10' (See Site Plan). It will be +/-30' at the SEeast corner, and widen to 15' at the SEast corner of the parking line, and continually widen to 35' at the NEast corner of the parking lot. It will be well landscaped and meet all landscaping requirements of Gwinnett County.
 5. The Hotel is well designed aesthetically, well landscaped – and there is nothing to hide or protect from view.
 6. All of the conditions of the UDO will be met.

WS SUGARLOAF LLC feels that is a reasonable request of the Planning and Development Division to approve.

The site would be a great addition to the Gwinnett County Development and Zoning intentions, and would not in any way, create adverse conditions to traffic, or surrounding properties.

We appreciate your consideration in approval of our requests. We are ready to proceed as soon as we can.

Thank you.



Larry M Bielski, architect
Architex Construction Group LLC
Owners' Representative for Applicant
706.483.1395
larry@phmigroup.com
larry_bielski@yahoo.com

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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

10/30/19

Date

MEHUL PATEL - OWNER WS SUGARLOAF LLC

Type or Print Name and Title



Signature of Notary Public

10/30/19

Date



Notary Seal

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

10/30/19

Date

MEHUL PATEL , MANAGING MEMBER, WS SUGARLOAF LLC

Type or Print Name and Title

Signature of Notary Public

10/30/19

Date





Notary Seal

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.

 10/30/19 MEHUL PATEL OWNER WS SUGARLOAF LLC
Signature of Applicant Date Type of Print Name and Title

 10/30/19 LAWRENCE M BIELSKI, ARCHITECT-OWNERS REP
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

 10/30/19
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

Mehul Patel, owner WS Sugarloaf LLC
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.


VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS

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 REZONING REQUEST.**

PARCEL I.D. NUMBER:
(Map Reference Number)

7th - 116/80 - R7116 010A
District Land Lot Parcel


Signature of Applicant

10/30/19
Date

MEHUL PATEL MANAGING MEMBER WS SUGARLOAF LLC
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)

Loveil Hunley
NAME

TSA-I
TITLE

11-1-19
DATE

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