

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Chestnut Development, LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>SBR Properties, LLC</u>
ADDRESS: <u>6095 Atlanta Hwy Suite 100</u>	ADDRESS: <u>1100 Hwy 98 E Unit B802</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Destin</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>FL</u> ZIP: <u>32541</u>
PHONE: <u>770-361-8444</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 361-8444</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:		
<input type="checkbox"/> OWNERS AGENT	<input type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>C-2</u>	REQUESTED ZONING DISTRICT: <u>C-2 w/SUP</u> <u>to allow Auto Repair, tire shop & auto parts</u>	
LAND DISTRICT (S): <u>7</u>	LAND LOT (S): <u>132</u>	ACREAGE: <u>4.716</u>
ADDRESS OF PROPERTY: <u>2465 Buford Drive</u>		
PROPOSED DEVELOPMENT: <u>Minor Auto Repair, Tires and Auto Parts Facility</u>		

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

MAY 10 2020

SUP '20 023

Rezoning Legal Description,

A parcel of land lying in Land Lot 132, 7th District, Gwinnett County, Georgia, said parcel being more particularly described as follows:

Commence at a point marking the common corner of Land Lots 133, 132, 104, and 105; thence run North 30 degrees 10 minutes 17 seconds West along the Westerly Line of Land Lot 133 and the Easterly Line of Land Lot 132 for a distance of 607.86 feet to a set rebar at a found rock, said point being the POINT OF BEGINNING of the parcel herein described; thence leaving said Land Lot Line run South 60 degrees 49 minutes 53 seconds West for a distance of 279.96 feet to a set 5/8 inch capped rebar, said point lying on the Easterly Right of Way of Georgia Highway 20 (Right of Way Varies), said point also lying on a non-tangent curve to the left, said curve having a radius of 1246.11 feet, a chord bearing of North 31 degrees 51 minutes 34 seconds West, and a chord distance of 7.01 feet; thence run along the arc of said curve and said right of way for a distance of 7.01 feet to a point; thence run North 32 degrees 01 minutes 14 seconds West along said Right of Way line for a distance of 690.17 feet to a point; thence leaving said Right of Way run North 57 degrees 53 minutes 20 seconds East for a distance of 302.52 feet to a point, said point lying on the aforementioned Land Lot Line between Land Lots 133 and 132; thence run South 30 degrees 10 minutes 17 seconds East along said Land Lot Line for a distance of 711.96 feet to the POINT OF BEGINNING. Said parcel contains 205,428 Square Feet or 4.716 acres.

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NO.	DATE	REVISIONS
1	12/27/19	CONCEPT PLAN



Civilscapes, Inc.

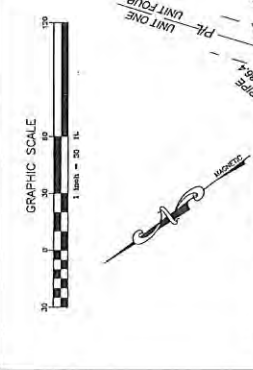
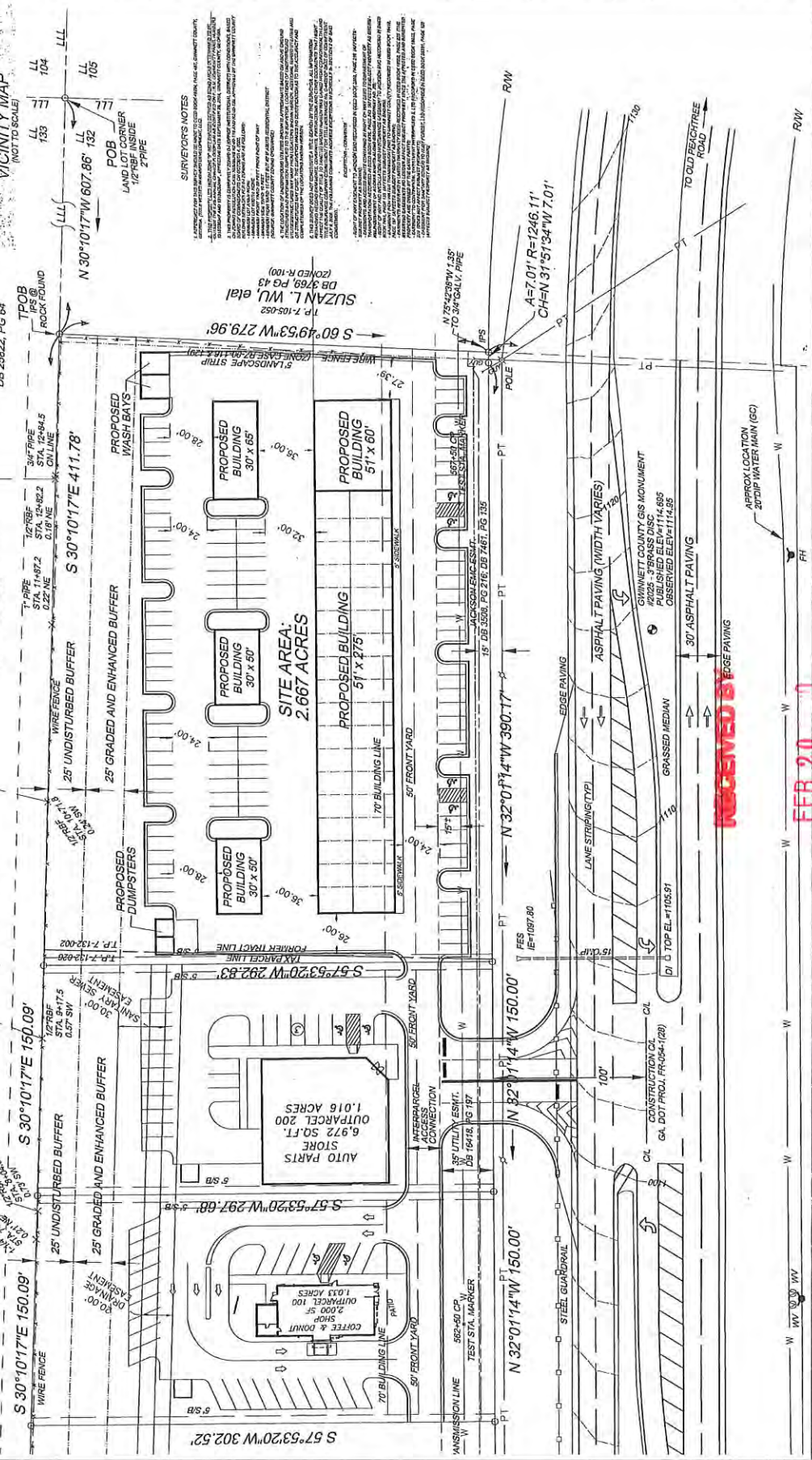
CML DESIGN & LANDSCAPE ARCHITECTURE
 7185 SWADY GROVE ROAD
 CUMMING, GEORGIA 30041
 OFFICE: 678-513-8839 EMAIL: CML.SCA.PES@CIVILSCAPES.COM

CONCEPT PLAN
 FOR
 HWY 20 AUTOMOTIVE TRACT
 GWINNETT COUNTY, GEORGIA

SCALE: 1" = 30'
 DATE: 12/27/19
 PROJECT NO.: 19-01177



- GENERAL NOTES:**
- NOTIFY GWINNETT COUNTY INSPECTOR 24 HOURS PRIOR TO BEGINNING EACH PHASE OF CONSTRUCTION.
 - ALL CONSTRUCTION TO CONFORM WITH COUNTY STANDARDS AND REGULATIONS.
 - TRUCKS ARE PROHIBITED FROM TRAILERING MATERIALS ON THE TRACT.
 - BUILDING LINES SETBACKS: FRONT = 30 FEET; REAR = 10 FEET; SIDE = 10 FEET; UNDISTURBED BUFFER NEAR = 20 FEET NATURAL UNDISTURBED BUFFER.
- METHOD OF SERVICE:** DISPOSAL COUNTY SANITARY SEWER
- PROPOSED USE MULTIPLE AUTOMOTIVE SERVICE RELATED BUSINESSES.
 - REQUIREMENTS MUST COMPLY WITH COUNTY STANDARDS AND REGULATIONS.
 - STORMWATER CONSIDERATIONS: ALL DEVELOPMENTS MUST COMPLY WITH STORMWATER BEST MANAGEMENT PRACTICES (BMP).
 - ENTRANCE MONUMENTS ARE TO BE LOCATED AT A MINIMUM OF 10 FEET OUTSIDE R/W.
 - UNIT FOUR - BLOCK "C"
 HABERSHAM HILLS
 ZONED R-100
 T.P. 7-133-225
 JESUS ISRAEL ALVAREZ
 DB 43978, PG 261
 - UNIT FIVE - BLOCK "B"
 HABERSHAM HILLS
 ZONED R-100
 T.P. 7-133-227
 SHAWNA L. GRAFTON
 DB 31168, PG 256
 - UNIT SIX - BLOCK "A"
 HABERSHAM HILLS
 ZONED R-100
 T.P. 7-133-228
 RUN HE YANG
 DB 25922, PG 64
- PARKING REQUIREMENTS:**
- ANY REQUIRED SPACES: 34 X 7.5' = 24 PARKING SPACES
 12 X 12' = 102 PARKING SPACES
 10 X 10' = 100 PARKING SPACES
 10 X 10' = 100 PARKING SPACES
 25 X 10' = 25 PARKING SPACES (INCLUDING 2 1/2 C SPACES)
 25 X 10' = 25 PARKING SPACES (INCLUDING 2 1/2 C SPACES)
 25 X 10' = 25 PARKING SPACES (INCLUDING 2 1/2 C SPACES)



SURVEYOR'S NOTES:

- THESE NOTES AND THE SURVEY MAPS SHALL BE USED IN CONJUNCTION WITH THE SURVEY INSTRUMENT RECORDS AND THE SURVEY REPORT TO BE PREPARED BY THE SURVEYOR.
- ALL DIMENSIONS AND BEARINGS ARE AS SHOWN ON THE SURVEY MAPS UNLESS OTHERWISE NOTED.
- THE SURVEY MAPS SHALL BE USED TO LOCATE THE SURVEY POINTS AND TO DETERMINE THE POSITIONS OF THE SURVEYED POINTS.
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APPROXIMATE LOCATION:
 APPROX. LOCATION
 20' CP WATER MAIN (GC)

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SITE AREA: 2.667 ACRES

PROPOSED BUILDING 30' x 50'
 PROPOSED BUILDING 30' x 65'
 PROPOSED BUILDING 51' x 60'
 PROP. AUTO PARTS STORE
 PROP. COFFEE & DONUT SHOP
 PROP. WASH BAYS

25' UNDISTURBED BUFFER
 25' GRADED AND ENHANCED BUFFER
 50' FRONT YARD

S 57°53'20" W 292.83'
 N 30°10'17" E 411.78'
 S 60°49'53" W 279.96'

N 32°01'14" W 150.00'
 N 32°01'14" W 390.17'

N 32°01'14" W 150.00'
 N 32°01'14" W 150.00'

ASPHALT PAVING (WIDTH VARIES)
 30' ASPHALT PAVING
 30' ASPHALT PAVING

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:
YES, THE SUBJECT PROPERTY IS DESIGNATED AS COMMUNITY 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 _____

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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, Chestnut Development LLC, requests a Change in Conditions (CIC) and a Special Use Permit (SUP) to allow a "Motoworks" center to be developed, which is a multi-tenant auto service facility for 6-8 tenants. Motoworks is not your typical auto repair facility, as their building design mimics typical retail and commercial architecture in the immediate area. The building is proposed to be 4-sides brick with different entry accents for each business in the center, and the majority of parking is oriented in the rear of the buildings.

The existing C-2 was approved by Gwinnett County in 2009 and condition 1.A. does not allow automotive parts stores or automotive repair, wheel\tire store or emission inspection on the property. The 2009 zoning also required the buffer to be increased to 50' (25' undisturbed & 25' planted). Motorworks is also designed for only "Light/Minor" service repair and will not allow any major-repairs such as auto body\painting and engine/transmission rebuilding. In other words, uses will be limited to general repairs and replacement that are routinely conducted the same day and no vehicles will be allowed to be parked on the site for more than 72 hours.

The typical tenant mix will include general repairs by Brand-groups like European, Asian and Domestic, as well as specialized services like Auto Glass\tinting, Auto\Truck Accessories, Insurance Claims, Emissions Testing, Tire and Wheel Replacement. There will not be a stand-alone emissions testing facility allowed, but as part of one of the businesses in the center. Motorworks leases also do not allow any work to be performed outside of the buildings in the parking lot area. Finally, Motorworks rules will limit the "open to the public" hours to 7am to 7pm Monday thru Saturday and Sunday from 12pm to 6pm. All tenant lighting/signs will be turned off no later than 11pm, with only down lights with limited radiant range for security purposes on later. The 2 outparcels do not currently have a planned or contracted user but could include a stand-alone auto parts store and possibly a sandwich\coffee shop that could provide a needed amenity to the users of the businesses.

Motoworks is the new standard in multi-tenant auto repair facilities. It is designed in a shopping center-style that presents the environment that consumers prefer, and best-in-class tenants are seeking. They look forward to meeting with the county and our neighbors and address any concerns that anyone might have.

CIC '20 016

SUP '20 023

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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.

Richard A. Bell

Signature of Applicant

2-10-2020

Date

Richard A. Bell - Partner

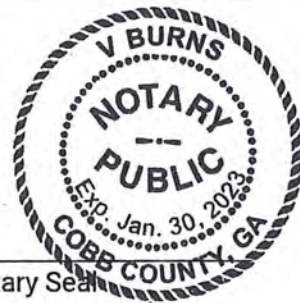
Type or Print Name and Title

[Signature]

Signature of Notary Public

2/10/2020

Date



Notary Seal

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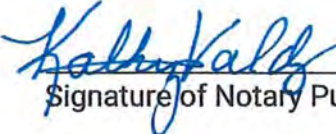
SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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.

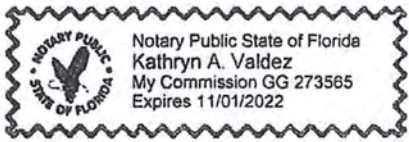

Signature of Property Owner

2/10/20
Date

John Bowen MEMBER
Type or Print Name and Title


Signature of Notary Public

2/10/20
Date


Notary Seal

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: 7 - 132 - 002
(Map Reference Number) District Land Lot Parcel

Richard A. Bell 2-7-2020
Signature of Applicant Date

Richard A. Bell - Partner
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)

Love H Huntley TSA-I
NAME TITLE
2-7-20
DATE

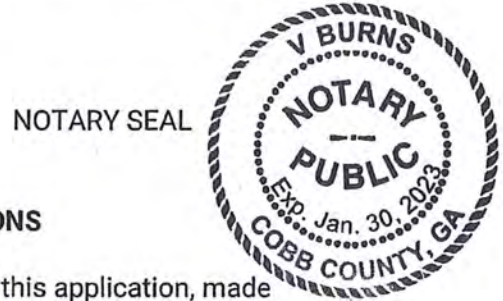
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Richard A. Bell 2-10-2020 Richard A. Bell - Partner
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 2/10/2020
 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 Richard A. Bell
 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 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: 7 - 132 - 026
(Map Reference Number) District Land Lot Parcel

Richard A. Bell 2-7-2020
Signature of Applicant Date

Richard A. Bell - Partner
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)

Lovell Hamley TSA - I
NAME TITLE
2-7-20
DATE

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