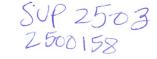
2440 EASTGATE PLACE #2500158 SPECIAL USE PERMIT SUP 25-03 PARCEL- 5038 156 & 5038 155



Tax Parcel No.: K = 036 155



LICATION

APPLICATION FOR SPECIAL USE PERMIT, SNELLVILLE GEORGIA

RECEIVED City of Snellville, Georgia Department of Planning & Development 2440 EASTGATE PLACE #2500158 SPECIAL USE PERMIT SUP 25-03 2342 Oak Road, 2nd Floor PARCEL- 5038 156 & 5038 155 CITY OF SNELLVILLE PLANNING & DEVELOPMENT Snellville, Georgia 30078 **EVOLUTION SPORTS** Phone 770.985.3515 Website www.snellville.org Property Owner Property Owner (if not the applicant): ☐ Check here if ☐ Attorney for Property Owner Applicant is: (check one) additional property owners and attach additional sheets. ☐ Property Owner's Agent GOWLE AS APPLICANT FERMIN MONTES DE OG Name (please print) Name (please print) MEHRER Title Title Corporate Entity Name Corporate Entity Name Mailing Address Mailing Address ACWORTH City, State, Zip Code City, State, Zip Code 225-936 (cell) Phone Number (wk) Phone Number (wk) Findeoc Email Address Email Address TO ALLOW AN EXISTING Specific Use Standards are Applicable: ☐ YES 🗹 NO Requested Special Use: 12,000 0 F F 56. 4NDEP THE TOWNE CENTER OVERLAN This SUP application is also being filed along with applications for: Rezoning Land Use Plan Amendment Mone Present Future Land Use Classification: Present Zoning District Classification: Proposed Future Land Use Classification: Proposed Zoning District Classification: 🔟 州 🎮 .91

APPLICATION FEES: Please see the Planning Department Fee Schedule for application and public notification fees.

GOT GOTE PLACE

SPECIAL USE: A use which while not permitted as a matter of right may be allowed within a given zoning district when meeting standards as prescribed by this UDO. Special land uses have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses and therefore require individual review pursuant to the standards and criteria set forth in this UDO.

UDO Sec. 103-10.1. General: Special use permits are intended as a means for the City Council to authorize certain uses that are not permitted by-right in a zoning district. Special use permits may be subject to meeting specific standards by Chapter 200 Article 6 (Use Provisions), but still require individual review by City Council because of the increased potential for incompatibility with its immediate neighborhood.

UDO Sec. 103-10.2. Application Requirements

Property Street Address:

- A. Each application for a special use permit must be filed with the Department and must include the following:
 - Payment of the appropriate application and public notification fees.
 - 2. A current legal description of the site. If the site includes multiple lots, provide a separate legal description for each Individual lot, together with a composite legal description for all lots.
 - One (I) original and ten (I0) copies of the property boundary survey. In addition, a digital copy in .pdf format must be submitted using email, flash drive or other means approved by the Director. The survey must have been prepared by a registered land survey no more than 12 months before the date of application submittal.

CERTIFICATIONS

APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for a Special Use Permit and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate if the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, or otherwise conveyed or discontinued.

(en)	4-3-25	
Signature of Applicant Place LLC by	Date	
termin Montes de Cal, men	bet	Affix Notary Seal
Type or Print Name and Title		
		NOTARY
James Donatoes	4-3-2025	PUBLIC
Signature of Notary Public	Date .	My Comm. Expires Mar 21, 2028
PROP	erty owner's certification	ATE OF GEORGIA

The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize Robert Cone, LAND Solution Associates, Let file this application. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

☐ Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

Affix Notary Seal

Signature of Property Owner Place UC by

Permin Montes de Oct, member

Type or Print Name and Title

Signature of Notary Public Date

CONFLICT OF INTEREST CERTIFICATIONS FOR SPECIAL USE PERMIT

	application for a Special Use Permit, has q., Conflict of Interest in Zoning Action ovided.	
□ check here if there are additio sheets.	nal property owners and attach addition	al "Conflict of Interest Certification"
Signature of Applicant Signature of Applicant's Attorney or Rep	Date MA	Montes de Oct, member Type or Print Name and Title Type or Print Name and Title
Anne Drat. Signature of Notary Public	300 4-3-2025 Date	Affix Notary Sedi NOTARY PUBLIC My Comm. Expires Mar 21, 2028
Have you, within the last two (2 contributions aggregating \$250.00	e) years immediately preceding the filing or more or made gifts having in the aggrey Council or any member of the Snellvill 2440 Easignte YOUR NAME: Fermin Mont	g of this application, made campaign regate a value of \$250.00 or more to le Planning Commission?
If the answer above 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 the last two years)

[☐] Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Department of Planning and Development of the City of Snellville, Georgia to inspect the premises, which are the subject of this Special Use Permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Affix Notary Seal

Signature of Notary Public

TOD ORDINANCE

Semi-detached house

4.

Townhouse

5.

Cottage court

6.

Walk-up flat

7.

Stacked flat

8.

Commercial house

9.

Shopfront

10.

Mixed-use building

11.

General building

12.

Civic building

C.

Building Size

No building with a single use, tenant, or occupant may exceed 10,000 square feet without first obtaining a special use permit from the City Council and in accordance with <u>Sec. 103-10</u>.

1.

Exception: For properties zoned TC-MU as of 10-26-2021, no building with a single use, tenant, or occupant may exceed 45,000 square feet without first obtaining a special use permit from the City Council.

(UDO 21-01, § 2, 10-25-2021) 205-1.6. - Space limits

A.

-4-----

206-5.5. - Indoor Recreation

Defined

A facility, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

1.

Amusement center, game/video arcade.

2.

Assembly hall, auditorium, meeting hall.

3.

Billiard hall, pool hall.

4.

Bowling alley.

5.

Convention center, arena, indoor stadium

6.

Electric or gas-powered vehicle tracks.

7.

Extreme sports facility such as BMX, skateboarding or rollerblading.

8.

Gym, health spa, or yoga studio.

9.

Ice or roller skating rink.

10.

Indoor sports facility.

11.

Inflatable playground.

12.

Meditation center.

DEED B: 61538 P: 00697

11/19/2024 04:27 PM Pgs: 4 Fees: \$145.00

TTax: \$120.00

Tiana P Garner, Clerk of Superior Court

Gwinnett County, GA PT-61 #: 0672024027730

ERECORDED

eFile Participant IDs: 3939890538,7067927936

After recording return to:

ATTN: Pierce L. Lowrey, Esq. Neel, Robinson & Stafford, LLC 5555 Glenridge Connector Suite 400
Atlanta, Georgia 30342
FILE No. 2467037C
Parcel No. R5038 156
STATE OF GEORGIA
COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 18th day of November, 2024, between <u>Gateway DeOca</u>, <u>LLC</u>, a <u>Georgia limited liability company</u> (hereinafter referred to as "Grantor"), and <u>2440 Eastgate</u> <u>Place</u>, <u>LLC</u>, a <u>Georgia limited liability company</u> (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those traces or parcels of land lying and being in **Gwinnett** County, Georgia, being more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference (hereinafter referred to as the "Land");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land and all right, title, and interest of Grantor in and to alleys, streets, rights-of-way adjacent to or abutting the Land (the Land, together with the foregoing, is hereinafter referred to as the "Property");

TO HAVE AND TO HOLD the Property, without warranty as to the matters set forth in Exhibit "B" hereto, with all and singular the rights, members, hereditaments, tenements and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit, and behoof of Grantee forever in FEE SIMPLE;

AND Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons whomsoever claiming by, through or under Grantor, except as to claims arising under those matters set forth in **Exhibit "B"** hereto.

DEED B: 61538 P: 00698 11/19/2024 04:27 PM 24D078916 Page 2 of 4

IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her/its hand and seal the day and year first written above.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal.

Signed, sealed and delivered in the presence of:

Where Gold, & Unofficial Witness

My Commission Expires:

[Notary Seal]

Joy S Marks NOTARY PUBLIC COBB COUNTY, GEORGIA My Commission Expires 04/08/2028 Gateway DeOca, LLC, a Georgia limited

liability company

(SEAL)

Fermin Montes De Oca, IV

Membe

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 38 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, BEING DESIGNATED AS LOT 10, BLOCK A, BRITT BUSINESS PARK, UNIT ONE, ACCORDING TO A PLAT OF SURVEY RECORDED IN PLAT BOOK 58, PAGE 283, GWINNETT COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE AS A PART OF THIS DESCRIPTION.

TOGETHER WITH appurtenant easement rights arising under that certain Access Easement Agreement between W. H. Britt and O. H. Britt and Wal-Mart Stores, Inc., dated July 31, 1991, recorded in <u>Deed Book 6672, Page 203</u>, as affected by Affidavit of Facts Affecting Title, recorded in <u>Deed Book 6814, Page 68</u>, Gwinnett County, Georgia Records.

DEED B: 61086 P: 00247

03/12/2024 03:45 PM Pgs: 5 Fees: \$120.00

TTax: \$95.00

Tiana P Garner, Clerk of Superior Court Gwinnett County, GA PT-61 #: 0672024005206

ERECORDED

eFile Participant IDs: 3939890538,7067927936

MAIL TAX STATEMENTS TO:

GATEWAY DEOCA, L.L.C. 4471 Oglethorpe Loop NW Acworth, GA, 30101

PREPARED BY & RETURN TO:

Neel, Robinson & Stafford, LLC 5555 Glenridge Connector, Suite 400, Atlanta, GA 30342 ATTN: Pierce Lowrey

Tax Parcel ID #:

R5038 156

STATE OF GEORGIA COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED (this "Deed"), is made as of March 12, 2024, between W. H. BRITT, an individual resident of the Sate of Georgia ("Grantor"), and GATEWAY DEOCA, L.L.C., a Georgia limited liability company ("Grantee");

WITNESSETH, that the said Grantor, for and in consideration of Ten Dollars (\$10.00) to Grantor in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby sells and conveys unto the said Grantee, Grantee's heirs and assigns forever that certain tract of land situated and being in the County of Gwinnett, State of Georgia (the "Land") more particularly described on Exhibit A attached hereto, together with all covenants, licenses, privileges and benefits belonging to the Land and all easements, rights-of-way, rights of ingress and egress, and other interests of Grantor in, on, to or under any land, highway, street, or road, and all buildings, structures, fixtures and other improvements of every kind located on the Land, and subject to such limitations as described herein and on Exhibit B.

To have and to hold all and singular the Land together with all and singular the rights, and appurtenances to the Land belonging or in any wise incident or appertaining unto the Grantee, its successors and assigns, in Fee Simple forever. Subject to the limitations described herein and attached as Exhibit B, Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof by through or under Grantor, but not otherwise.

[signature page to Limited Warranty Deed]

IN WITNESS WHEREOF, the undersigned has set its hand and seal on the day and year first above written.

Signed, sealed, and delivered in my presence this Of March, 2024.

W. H. BRITT

Notary Public

My Commission expires: 2 25/202

(Affix Notary Seal Below)



Property Tax View Pay Your Ta...

Account Details

Parcel ID: R5038 156

Property Type :

Real Property

Site Address: 2430 EASTGATE PLACE SNELLVILLE 30078

Mailing Address : 2440 EASTGATE PLACE LLC

105 CUTHBERT LN ACWORTH GA 30101-9566

Change Mailing Address

Legal:

L10 BA BRITT BUSINESS PARK

District:

SNELLVILLE

Last Update:

04/02/2025 08:09 PM

Tax Bills

Click here to view and print your 2024 tax bill.

No payment due for this account.



2024	\$563.20	\$563.20	\$0.00	\$0.00	\$0.00	10/15/2024	\$0.00
2023	\$564.96	\$564.96	\$0.00	\$0.00	\$0.00	12/01/2023	\$0.00
2022	\$564.96	\$564.96	\$0.00	\$0.00	\$0.00	11/01/2022	\$0.00
2021	\$577.28	\$577.28	\$0.00	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$662.43	\$662.43	\$0.00	\$0.00	\$0.00	12/01/2020	\$0.00
2019	\$570.72	\$570.72	\$0.00	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$573.00	\$573.00	\$0.00	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$577.42	\$577.42	\$0.00	\$0.00	\$0.00	10/15/2017	\$0.00



Snellville, GA 2342 Oak Rd Snellville, GA 30078 (770) 985-3508

The City will accept partial payments as long as the balance is paid in full by December 15th.

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO

ACCOUNT INFORMATION IS AVAILABLE ONLINE AT WWW.SNELLVILLE.ORG

2024 Property Tax Bill

Parcel ID		Tax l	District	Bill #								
R5038 156		10 - City (of Snellville		005700							
Р	roperty Ov	vner/Location/Des	cription			Fair Market Value			Ta	Taxable Value		
BRITT W H 2430 EASTGATE PLAC	CE								44,000			17,600
Levies	Tax	able Value -	Exemptions	=	Net A	ssessm	ent	X	Tax Rate	=	Net Tax	
City of Snellville		17,600	0			17,600			4.0000000000		\$70.40	
Exemptions:									Current	Year Tax		\$70.40
										Interest		\$0.00
										Penalty		\$0.00
									0	ther Fees		\$0.00
									Payments	Received		\$70.40
Tax Bills are not automatic				our t	axes ar	re paid			Other Amo	ounts Due		\$0.00
through escrow, please for	ward this	olii to your mortga	ge company.							Total Due		\$0.00
All taxes and stormwater for										Due Date	12/1	6/2024
property taxes after March	A costs are applied to delinquent											

Snellville, GA 2342 Oak Rd Snellville, GA 30078

DETERMINE PAYOFF AMOUNT.

*Make check or money order payable to: City of Snellville

*Write the Tax Parcel ID Number on your check *Full payment must be made by the due date

*Mailed payments will be posted using the official postmark date

*Taxes may be paid online by visiting www.snellville.org

*Convenience fees may apply to all credit/debit card payments

Parcel ID: R

R5038 156

Bill#:

\$0.00 -005700

Due Date:

12/16/2024

AMOUNT PAID

BRITT W H 2880 HIGHWAY 78 LOGANVILLE, GA 30052-3728

Snellville, GA 2342 Oak Rd Snellville, GA 30078



Property Tax View Pay Your Ta...

Account Details

Parcel ID: R5038 155

Property Type :

Real Property

Site Address:

2440 EASTGATE PL SNELLVILLE 30078

Mailing Address: 2440 EAST GATE PLACE LLC 4471 OGLETHORPE LOOP NW ACWORTH GA 30101-9582

Change Mailing Address

Legal:

L9 BA BRITT BUSINESS PARK

District:

SNELLVILLE

Last Update : 04/02/2025 08:09 PM

Tax Bills

<u>Click here</u> to view and print your 2024 tax bill.

No payment due for this account.



2024	\$15,992.32	\$15,992.32	\$0.00	\$0.00	\$0.00	10/15/2024	\$0.00
2023	\$15,343.80	\$15,343.80	\$0.00	\$0.00	\$0.00	10/15/2023	\$0.00
2022	\$12,287.88	\$12,351.78	\$0.00	\$0.00	\$0.00	11/01/2022	\$0.00
2021	\$9,521.19	\$9,521.19	\$0.00	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$11,204.56	\$11,204.56	\$0.00	\$0.00	\$0.00	01/01/2021	\$0.00
<u> 2019</u>	\$9,395.33	\$9,395.33	\$0.00	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$9,431.75	\$9,431.75	\$0.00	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$9,502.49	\$9,502.49	\$0.00	\$0.00	\$0.00	10/15/2017	\$0.00



Snellville, GA 2342 Oak Rd Snellville, GA 30078 (770) 985-3508

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO

ACCOUNT INFORMATION IS AVAILABLE ONLINE AT WWW.SNELLVILLE.ORG

2024 **Property Tax Bill**

Parcel ID	District	strict Bill #									
R5038 155	10 - City	of Snellville		005699							
Prop	erty Owner/Location/Des	cription			F	Fair Market Value			Та	Taxable Value	
2440 EAST GATE PLACE LLC 2440 EASTGATE PL	;							1,249,400		499,760	
Levies	Taxable Value -	Exemptions	= 1	Vet A	ssessm	ent :	X	Tax Rate	=	Net Tax	
City of Snellville	499,760	0		4	99,760			4.0000000000		\$1,999.04	
2024 STORMWATER										\$623.75	
Exemptions:								Current	Year Tax	\$2,622.79	
·									Interest	\$0.00	
									Penalty	\$0.00	
									ther Fees	\$0.00	
T 5'''		- i - a thoroforo if	vour tox		o poid		-	Payments		\$2,622.79	
through escrow, please forward	anies; therefore, if your taxes are paid			e paid		-	Other Amo	Total Due	\$0.00 \$0.00		
						-					
All taxes and stormwater fees subject to interest and penalti- property taxes after March 15	paid after December 15, 2024 are A costs are applied to delinquent			ent				Due Date	12/16/2024		
The City will accept partial page	lance is paid in ful	l by Dec	emb	er 15th.							

Snellville, GA 2342 Oak Rd Snellville, GA 30078

DETERMINE PAYOFF AMOUNT.

*Make check or money order payable to: City of Snellville

*Write the Tax Parcel ID Number on your check

*Full payment must be made by the due date

*Mailed payments will be posted using the official postmark date

*Taxes may be paid online by visiting

www.snellville.org

*Convenience fees may apply to all credit/debit card payments

Parcel ID: R5038 155 \$0.00 Amount Due: Bill#: 005699 Due Date: 12/16/2024 AMOUNT PAID

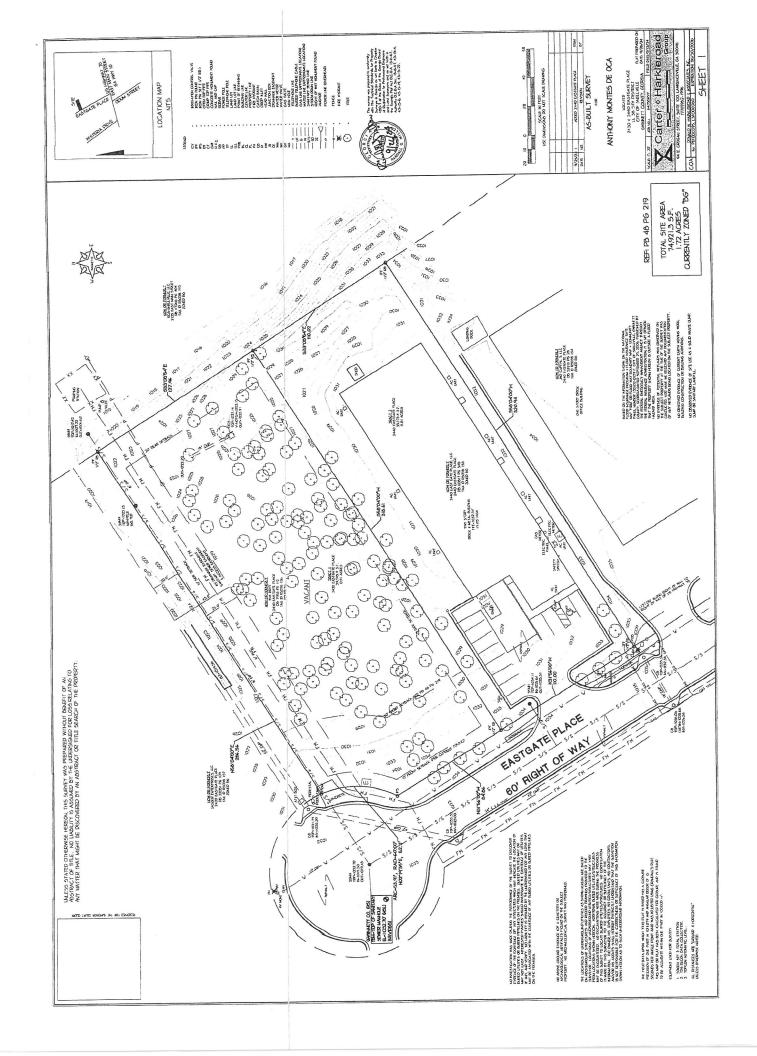
2440 EAST GATE PLACE LLC 4471 OGLETHORPE LOOP NW ACWORTH, GA 30101-9582

Snellville, GA 2342 Oak Rd Snellville, GA 30078

LEGAL DESCRIPTION

The combined parcels of R5038 155 & R5038 156

Beginning at a point located at the northeast right-of-way intersection of Hwy. 78 and East Gate Place then following the eastern r/w of East Gate Place northwest for a distance 1,137 feet to a point being the TRUE POINT OF BEGINNING; thence continuing all the East Gate Place r/w North 31 Degrees, 56 Minutes, 00 Seconds West for a distance of 194.86 feet to a point; thence running around the cul-de-sac with a radius of 60 feet, and an arc length of 52.11 feet to a point; thence leaving the r/w North 56 Degrees, 04 Minutes, 00 Seconds East for a distance of 286.56 feet to a point; thence running South 33 Degrees, 08 Minutes, 54 Seconds East for a distance of 237.98 feet to a point; thence running South 58 Degrees, 04 Minutes, 00 Seconds West for a distance of 320.94 feet to a point being the TRUE POINT OF BEGINNING.



Google Maps

2438 Eastgate Pl

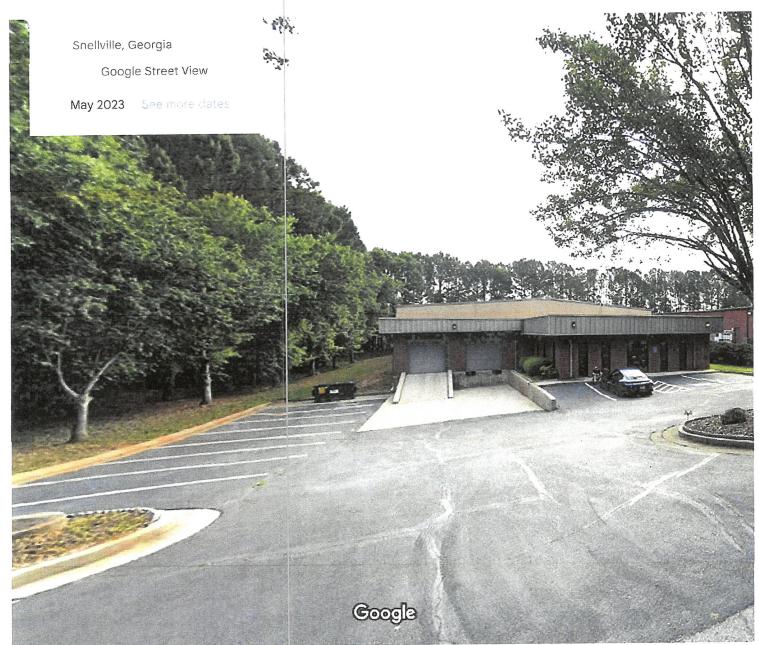


Image capture: May 2023 © 2025 Google



NCG

is - Snellville

