

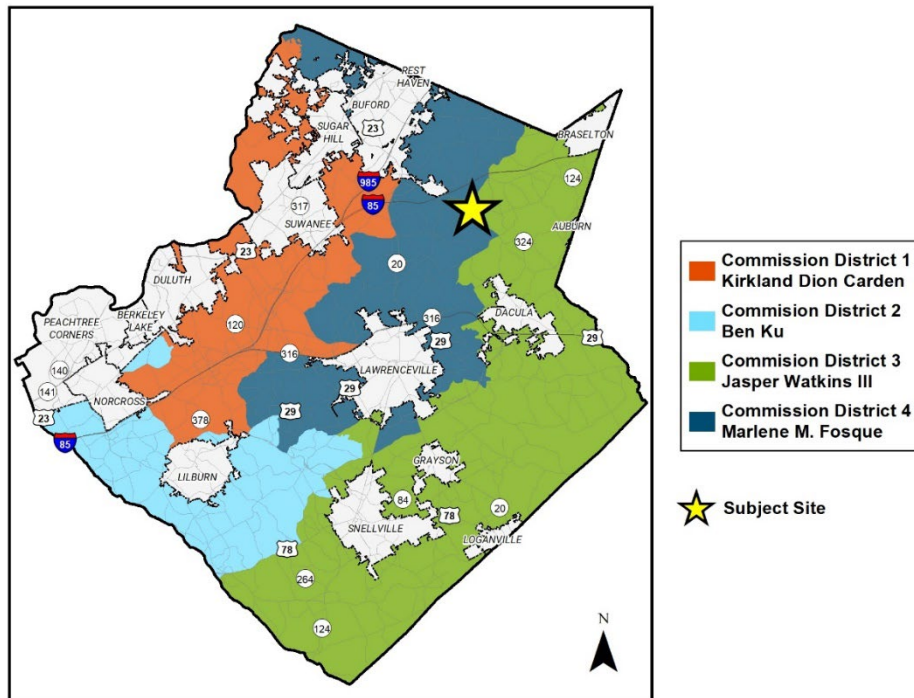


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00064
Current Zoning: C-2 (General Business District)
Overlay District: Highway 124/324/Hamilton Mill Road
Request: Special Use Permit
Address: 2760 Braselton Highway, Suite 102
Map Number: R3001B 136
Site Area: 0.90 acres
Square Feet: 1,200
Proposed Development: Tattoo Parlor
Commission District: District 4 – Commissioner Fosque
Character Area: Neighborhood Node

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 12/5/2022
Board of Commissioners Advertised Public Hearing Date: 12/13/2022

Applicant: Elegance Tattoo Collective, LLC
1810 Brookspointe Court
Lawrenceville, GA 30045

Owner: Hog Mountain, LLC
P.O. Box 608
Pleasanton, CA 94566

Contact: Jhon Campuzano

Contact Phone: 914.844.4025

Zoning History

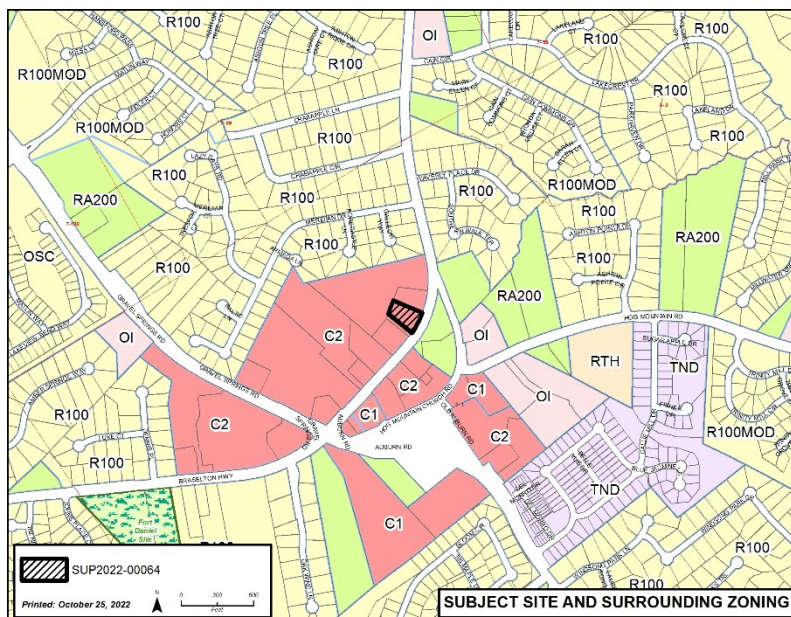
The subject property is zoned C-2 (General Business District). In 1995, the site was rezoned from RA-200 (Agriculture-Residence District) to C-2 for a commercial/retail shopping center, pursuant to RZ-95-185. The site is located within the Highway 124/324/Hamilton Mill Road Overlay District.

Existing Site Condition

The subject property is a 0.90-acre parcel located at 2760 Braselton Highway, south of its intersection with Hog Mountain Church Road. There is a 9,000 square foot single-story, multi-tenant commercial shopping center, constructed in 2002, located on the site. Two surface parking lots are in the front and rear of the building. The site is accessed by a shared driveway entrance with the Hamilton Walk shopping center and includes retail, service, and restaurant uses. There is a 10-foot-wide landscape strip and 5-foot-wide sidewalk along the property frontage on Braselton Highway. The nearest Gwinnett County Transit stop is located 5.8 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by commercial uses to the north, south, and west including an automotive shop, the Hamilton Walk shopping center, and a self-storage facility, respectively. The property to the east of the site, across Braselton Highway, is owned by Hog Mountain Baptist Church and remains undeveloped. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Existing	Commercial	C-2	N/A
North	Commercial	C-2	N/A
East	Undeveloped	RA-200	N/A
South	Commercial	C-2	N/A
West	Commercial	C-2	N/A

Project Summary

The applicant requests a special use permit on a 0.90-acre property zoned C-2 for a tattoo parlor, including:

- An approximate 1,200 square foot tattoo parlor in Suite 102.
- Additional services include the sale of aftercare products and art.
- Hours of operation, Monday through Saturday from 10:00 AM to 7:00 PM.
- Two employees initially, with additional staff employed as needed.

Zoning and Development Standards

The applicant is requesting a special use permit for a tattoo parlor in the C-2, General Business District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Building Height	Maximum: 45'	<45'	YES
Front Yard Setback	Minimum: 15'	>15'	YES
Side Yard Setback	Minimum: 10'	>10'	YES
Rear Yard Setback	Minimum: 30'	>30'	YES
Off-Street Parking	Minimum: 18 spaces Maximum: 45 spaces	55 spaces	YES*
Landscape Strip	Minimum: 10'	>10'	YES

*The number of parking spaces is legal nonconforming.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Special Use Permit Analysis: According to the UDO, the staff analysis and recommendation on each application for a Special Use Permit shall follow the same procedures as those contained in Section 270-20. Emphasis shall be given to the evaluation of characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings. For Special Use Permits, the Department shall evaluate the request and make a recommendation with respect to

the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The applicant proposes an approximate 1,200 square foot tattoo parlor in an existing suite of a commercial shopping center. A pet grooming facility currently occupies the suite. Nearby businesses in the area include restaurants, retail, and service commercial uses. Allowing a special use permit for a tattoo parlor at this location would permit a use that is suitable in view and use of the development of adjacent and nearby property.

B. Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property.

Granting a special use permit to allow a tattoo parlor would not adversely affect the existing use and usability of adjacent and nearby property. Nearby uses include restaurants, retail, and service commercial in the Highway 124/324/Hamilton Mill Road Overlay District.

C. Whether the property to be affected by a proposed special use permit has a reasonable economic use as currently zoned.

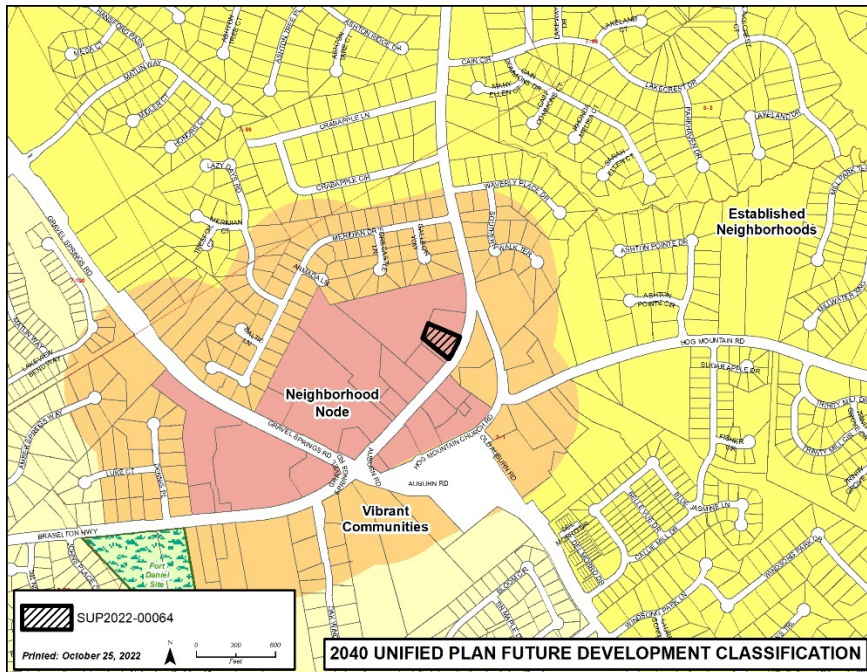
The property has a reasonable economic use as currently zoned.

D. Whether the proposed special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No impact on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this special use permit request is attached (Exhibit F).

E. Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan and Future Development Map indicates that the subject property is within the Neighborhood Node Character Area. This Character Area is intended for smaller commercial/retail nodes at various intersections located throughout the County. Mainly serving the residents of the surrounding residential neighborhoods, these nodes most likely draw customers from the nearby area. Future development and redevelopment should maintain the community-oriented feel of these areas, with a focus on creating small areas with a mixture of uses combining retail, low-intensity office, and medium-density residential in a pedestrian-friendly environment and allowing nearby residents to safely walk to and within them. The proposed special use permit for a tattoo parlor is in conformity with the policy and intent of the Unified Plan and Future Development Map.



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 special use permit.

The existing shopping center and nearby commercial businesses offer residents an array of services. Similar businesses have recently been approved in the nearby area. Therefore, allowing a tattoo parlor at this location is appropriate.

Staff Recommendation:

Based on the staff’s evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the special use permit request.

Planning Commission Recommendation

Based on staff’s evaluation of the request, information presented at the public hearing, and the Planning Commission’s consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the special use permit request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

Approval of a Special Use Permit for a tattoo parlor, subject to the following conditions:

1. The tattoo parlor leased space shall not exceed 1,200 square feet.
2. The hours of operation shall not extend past 7:00 PM, Monday through Saturday.

3. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of grand opening and during special events which shall occur no more than twice per calendar year, and last no longer than seven days each.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Floor Plan
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comment
- G. Maps

Exhibit A: Site Visit Photos



Existing Business



Existing Shopping Center and Parking Lot

Exhibit B: Site Plan

[attached]

Exhibit C: Floor Plan

[attached]

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ELEGANCE TATTOO COLLECTIVE

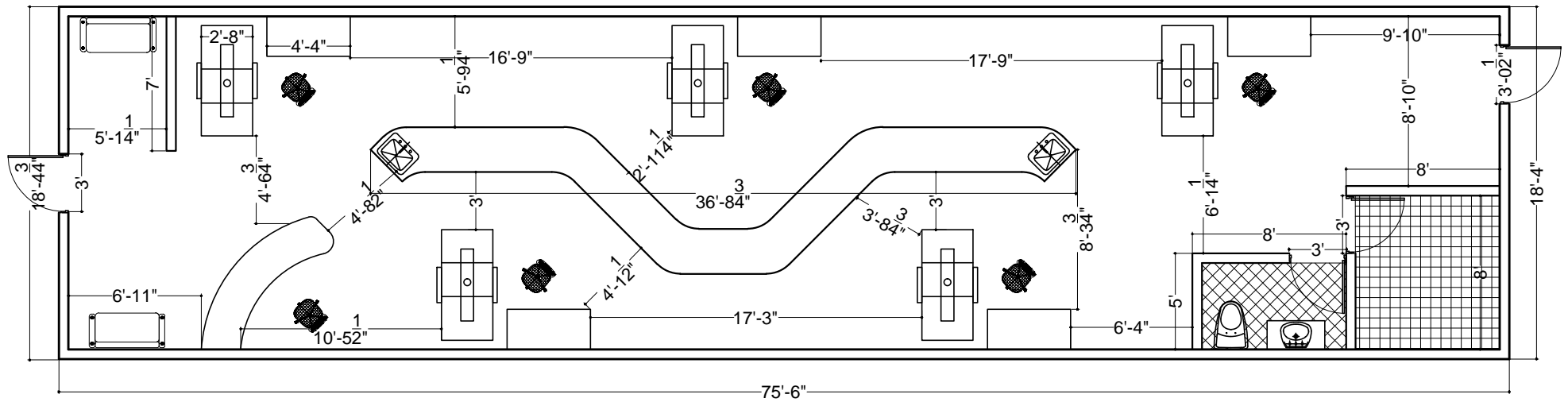


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

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Letter of Intent (LOI)

July 25, 2022

Elegance Tattoo Collective
 Attn: Jhon Campuzano
 Via: jhoncampuzanotattoo@hotmail.com

Landlord: Hog Mountain LLC
Tenant: Elegance Tattoo Collective
Premises: 2760 Braselton Hwy Suite 102 Dacula GA 30019
Rentable Square Feet: ± 1,200 sf
Use: Tattoo Parlor
Primary Lease Term: Five (5) years four (4) months
Improvement Allowance: None
Base Rent Abatement: One hundred twenty (120) days after the Possession Date

\$/sf Base Rent	Monthly Base Rent	Annual Base Rent	\$/sf CAM	Total Monthly Rent	Total Annual Rent
\$17.50/sf	\$1,750.00	\$21,000.00	\$5.25/sf	\$2,275.00	\$27,300.00
\$18.03/sf	\$1,802.50	\$21,630.00	\$5.25/sf	\$2,327.50	\$27,930.00
\$18.57/sf	\$1,856.58	\$22,278.90	\$5.25/sf	\$2,381.58	\$28,578.90
\$19.12/sf	\$1,912.27	\$22,947.27	\$5.25/sf	\$2,437.27	\$29,247.27
\$19.70/sf	\$1,969.64	\$23,635.69	\$5.25/sf	\$2,494.64	\$29,935.69
\$20.29/sf	\$2,028.73	\$24,344.76	\$5.25/sf	\$2,553.73	\$30,644.76

Option Term: One (1) five (5) year option

Common Area Maintenance (CAM): Tenant shall pay \$5.25 per square foot in years one (1) through five (5) for CAM fees.

Security Deposit: \$2,275.00 - Paid by certified funds or money order at Lease signing. This shall remain with the landlord throughout the full term of the Lease and be returned to Tenant per the Lease terms and conditions.

Prepaid Rent: \$2,275.00 - Paid by certified funds or money order at Lease signing. This shall be applied to first month's rent.

Brokerage: Tenant is not represented. Landlord is being represented by Keller Williams Chattahoochee North only and will be paid a commission based on separate agreement.

Utilities: Tenant's demised premises shall be separately metered and the tenant shall be responsible for paying its utility usage. Currently water/sewer is included.

Contingency: This proposal is contingent on Elegance Tattoo Collective getting a Special Use Permit (SUP). At the execution of this LOI, will apply for the SUP the following month and provide a schedule and progress throughout the application.

HVAC: Tenant will be required to maintain and repair the HVAC system and have a semi-annual maintenance agreement.

Repairs & Maintenance: Tenant will be responsible for all repairs and maintenance within the demised space.

Landlord's Work: All mechanical electrical plumbing (MEP) will be in proper working order.

Disclaimer: This proposal is an outline of the major lease provisions only and is neither a binding legal agreement nor should it be construed as a legal offer to lease. The Premises described herein are subject to availability, prior leasing and/or withdrawal at any time with or without written notice.

Neither Landlord, Landlord's Agent nor Tenant shall have any obligation resulting from the proposal made hereby, nor shall any obligation or liability be incurred by any party until and unless a lease is executed by both parties. The information provided herein is deemed reliable and accurate; however, Landlord makes no representations or warranties as such, express, implied or otherwise.

Expiration: This offer will expire August 1, 2022

Description of Services: Tattoos, after care products and sale of art

Hours of Operation: Monday to Saturday from 10am to 7pm

Number of Employees: Initially 2 – Jhon Campuzano and David Campuzano



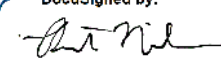
SIGNATURE PAGE TO FOLLOW


GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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SIGNATURE PAGE

Hog Mountain LLC
DocuSigned by:
By: 
7B0319ECBA4441C...
Its: President
Date: 7/27/2022 | 9:20 AM PDT

Ele: DocuSigned by: e
By: 
92AEDAC4408E432...
Its: Jhon Campuzano
Date: 7/25/2022 | 2:57 PM PDT

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SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT 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:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT 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, the property is bordered by commercial retail properties on both sides and a large mixed use. A elegance tattoo studio will be an excellent complement to existing commercial establishments that serve the surrounding neighborhoods.

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: No. On the contrary the proposed elegance tattoo studio will comoliment the other commercial properties that are designed to serve the community.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: The property is currenently zoned C-2 general business. The proposed use will take advantage of the economic use of the property by integrating it with the adjacent commercial uses.

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS: The proposed use will not produce an adverse affect on the existing infrastructure.

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Yes, the subject property is designated as emerging surburan.

- (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 SPECIAL USE PERMIT: There are no changing conditions that will affect the development of the property.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Elegance Tattoo Collective LLC</u>	NAME: <u>Hog Mountain LLC</u>
ADDRESS: <u>1810 Brookspointe Ct</u>	ADDRESS: <u>PO Box 608</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Pleasanton</u>
STATE: <u>GA</u> ZIP: <u>30045</u>	STATE: <u>CA</u> ZIP: <u>94566</u>
PHONE: <u>914-844-4025</u>	PHONE: _____
EMAIL: <u>pare@gwcpaaa.com</u>	EMAIL: <u>robert.hnenterprises@gmail.com</u>
CONTACT PERSON: <u>Jhon Campuzano</u> PHONE: <u>914-844-4025</u>	
CONTACT'S E-MAIL: <u>pare@gwcpaaa.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"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>C-2</u> BUILDING/LEASED SQUARE FEET: <u>+/- 1,200 sf</u>	
PARCEL NUMBER(S): <u>R3001B136</u> ACREAGE: <u>0.90 AC</u>	
ADDRESS OF PROPERTY: <u>2760 Braselton Hwy, Suite 102, Dacula GA, 30019</u>	
SPECIAL USE REQUESTED: <u>Elegance Tattoo Studio</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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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.

8/29/2022

Signature of Applicant

Date

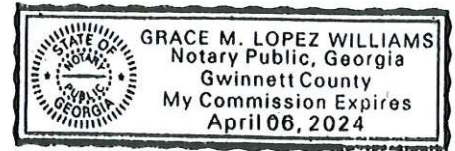
Jhon Campuzano - President

Type or Print Name and Title

8-29-2022

Signature of Notary Public

Date



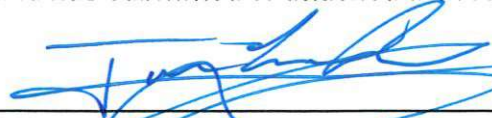
Notary Seal

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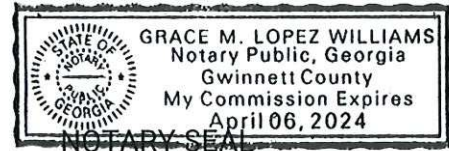
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.


 _____ 8/29/22 Jhon Campuzano - President
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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


 _____ 8-29-2022
 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 _____
 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.

Exhibit F: Internal and External Agency Review Comments

[attached]



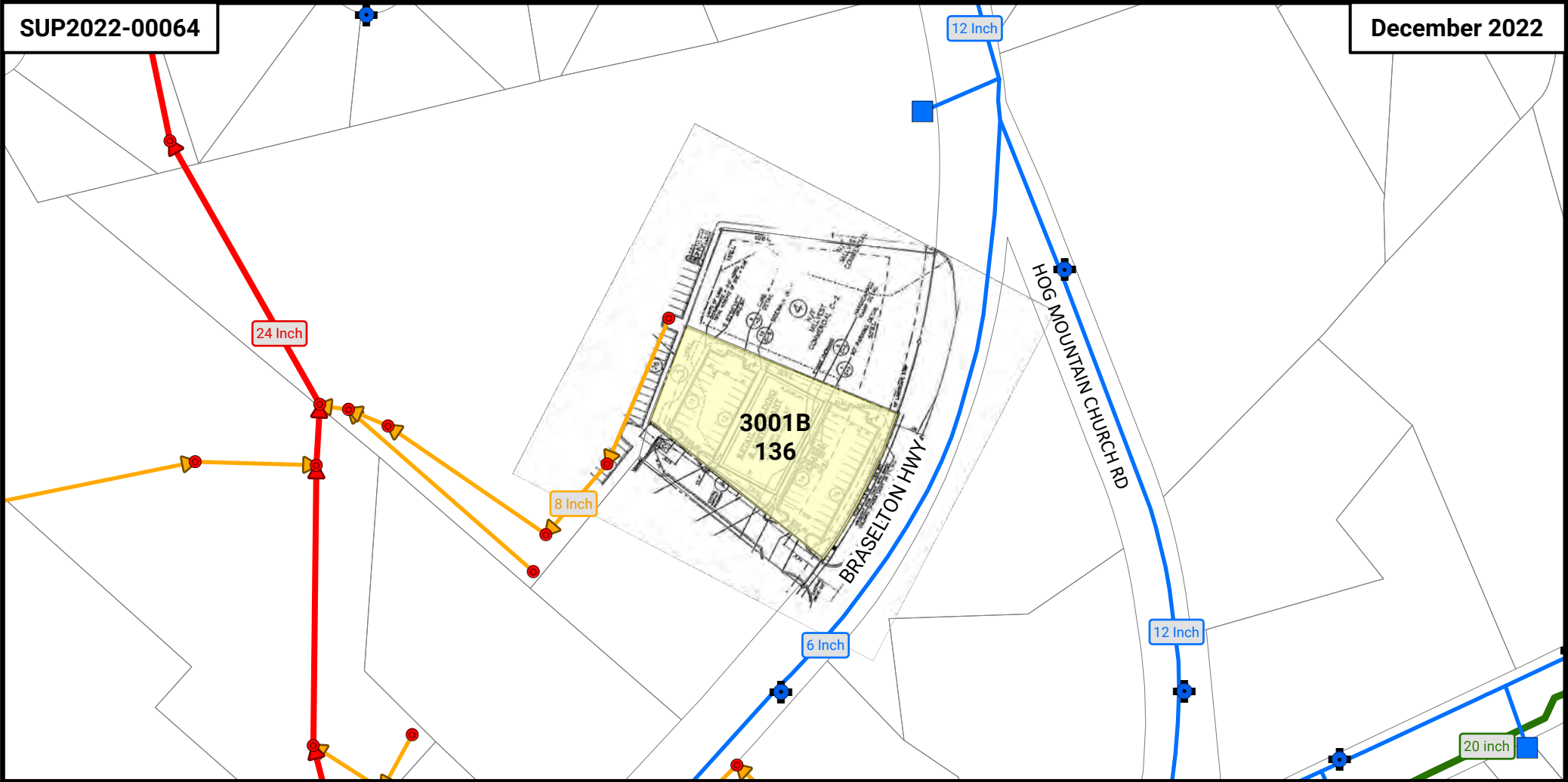
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		11.9.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		SUP2022-00064	
Case Address:		2760 Braselton Highway	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Braselton Highway (SR 124) is a minor arterial. ADT = 19,100.		
2	5.8 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com			
Case Number:		SUP2022-00064			
Case Address:		2760 Braselton Highway			
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1	Water: DWR does not have comments on this development.				
2	Sewer: DWR does not have comments on this development.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					

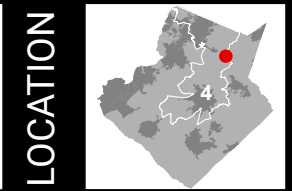
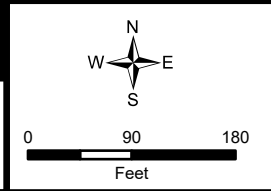


LEGEND

	Flow Management		Hydrant		Sewer Force Main
	Pump Station		City		Effluent Outfall
	Regional		Water Main		Sewer Collector
	Manhole		Reuse Main		Sewer Interceptor

**2760 Braselton Highway, Suite 102
C-2**

**Water & Sewer
Utility Map**



Water Comments: DWR does not have comments on this development.

Sewer Comments: DWR does not have comments on this development.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Exhibit G: Maps

[attached]



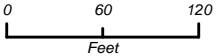
HOG MOUNTAIN CHURCH RD

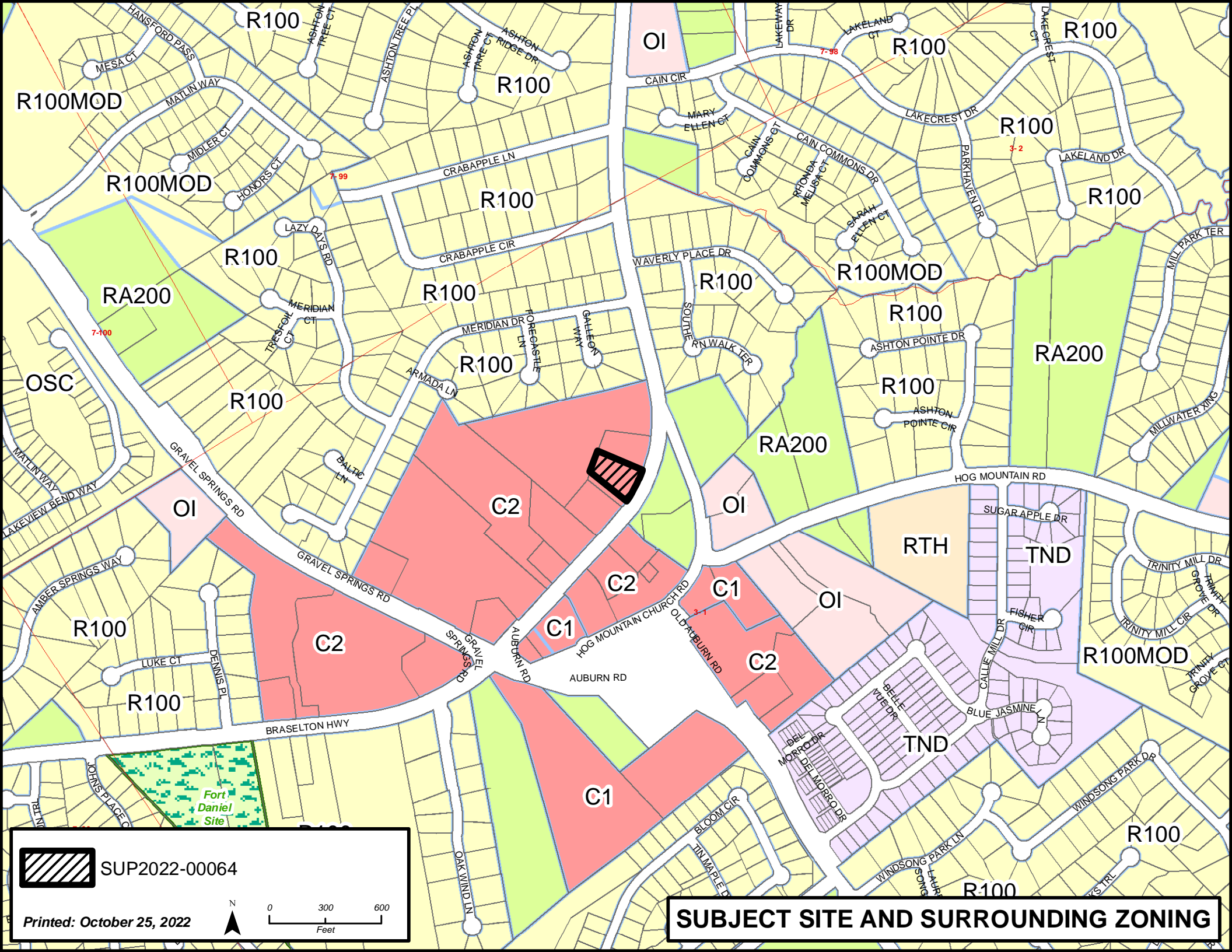
BRASELTON HWY

HOG MOUNTAIN RD

 SUP2022-00064

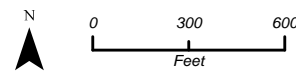
Printed: November 14, 2022



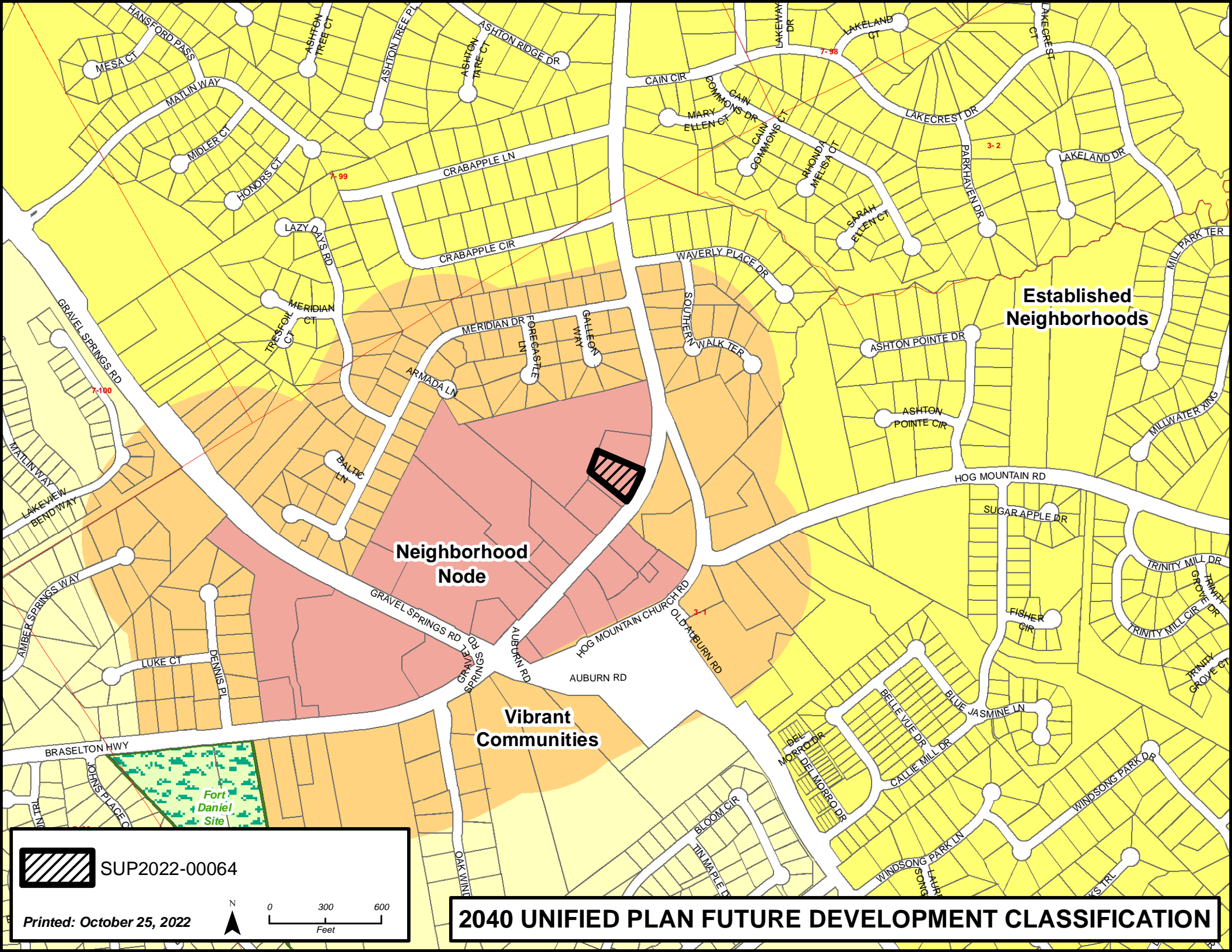



 SUP2022-00064

Printed: October 25, 2022

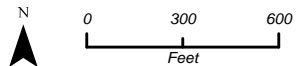


SUBJECT SITE AND SURROUNDING ZONING



 SUP2022-00064

Printed: October 25, 2022



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

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SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Elegance Tattoo Collective LLC</u>	NAME: <u>Hog Mountain LLC</u>
ADDRESS: <u>1810 Brookspointe Ct</u>	ADDRESS: <u>PO Box 608</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Pleasanton</u>
STATE: <u>GA</u> ZIP: <u>30045</u>	STATE: <u>CA</u> ZIP: <u>94566</u>
PHONE: <u>914-844-4025</u>	PHONE: _____
EMAIL: <u>pare@gwcpaaa.com</u>	EMAIL: <u>robert.hnenterprises@gmail.com</u>
CONTACT PERSON: <u>Jhon Campuzano</u> PHONE: <u>914-844-4025</u>	
CONTACT'S E-MAIL: <u>pare@gwcpaaa.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"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>C-2</u> BUILDING/LEASED SQUARE FEET: <u>+/- 1,200 sf</u>	
PARCEL NUMBER(S): <u>R3001B136</u> ACREAGE: <u>0.90 AC</u>	
ADDRESS OF PROPERTY: <u>2760 Braselton Hwy, Suite 102, Dacula GA, 30019</u>	
SPECIAL USE REQUESTED: <u>Elegance Tattoo Studio</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

10/18/22

Letter of Intent (LOI)

July 25, 2022

Elegance Tattoo Collective
 Attn: Jhon Campuzano
 Via: jhoncampuzanotattoo@hotmail.com

Landlord: Hog Mountain LLC
Tenant: Elegance Tattoo Collective
Premises: 2760 Braselton Hwy Suite 102 Dacula GA 30019
Rentable Square Feet: ± 1,200 sf
Use: Tattoo Parlor
Primary Lease Term: Five (5) years four (4) months
Improvement Allowance: None
Base Rent Abatement: One hundred twenty (120) days after the Possession Date

\$/sf Base Rent	Monthly Base Rent	Annual Base Rent	\$/sf CAM	Total Monthly Rent	Total Annual Rent
\$17.50/sf	\$1,750.00	\$21,000.00	\$5.25/sf	\$2,275.00	\$27,300.00
\$18.03/sf	\$1,802.50	\$21,630.00	\$5.25/sf	\$2,327.50	\$27,930.00
\$18.57/sf	\$1,856.58	\$22,278.90	\$5.25/sf	\$2,381.58	\$28,578.90
\$19.12/sf	\$1,912.27	\$22,947.27	\$5.25/sf	\$2,437.27	\$29,247.27
\$19.70/sf	\$1,969.64	\$23,635.69	\$5.25/sf	\$2,494.64	\$29,935.69
\$20.29/sf	\$2,028.73	\$24,344.76	\$5.25/sf	\$2,553.73	\$30,644.76

Option Term: One (1) five (5) year option

Common Area Maintenance (CAM): Tenant shall pay \$5.25 per square foot in years one (1) through five (5) for CAM fees.

Security Deposit: \$2,275.00 - Paid by certified funds or money order at Lease signing. This shall remain with the landlord throughout the full term of the Lease and be returned to Tenant per the Lease terms and conditions.

Prepaid Rent: \$2,275.00 - Paid by certified funds or money order at Lease signing. This shall be applied to first month's rent.

Brokerage: Tenant is not represented. Landlord is being represented by Keller Williams Chattahoochee North only and will be paid a commission based on separate agreement.

Utilities: Tenant's demised premises shall be separately metered and the tenant shall be responsible for paying its utility usage. Currently water/sewer is included.

Contingency: This proposal is contingent on Elegance Tattoo Collective getting a Special Use Permit (SUP). At the execution of this LOI, will apply for the SUP the following month and provide a schedule and progress throughout the application.

HVAC: Tenant will be required to maintain and repair the HVAC system and have a semi-annual maintenance agreement.

Repairs & Maintenance: Tenant will be responsible for all repairs and maintenance within the demised space.

Landlord's Work: All mechanical electrical plumbing (MEP) will be in proper working order.

Disclaimer: This proposal is an outline of the major lease provisions only and is neither a binding legal agreement nor should it be construed as a legal offer to lease. The Premises described herein are subject to availability, prior leasing and/or withdrawal at any time with or without written notice.

Neither Landlord, Landlord's Agent nor Tenant shall have any obligation resulting from the proposal made hereby, nor shall any obligation or liability be incurred by any party until and unless a lease is executed by both parties. The information provided herein is deemed reliable and accurate; however, Landlord makes no representations or warranties as such, express, implied or otherwise.

Expiration: This offer will expire August 1, 2022

Description of Services: Tattoos, after care products and sale of art

Hours of Operation: Monday to Saturday from 10am to 7pm

Number of Employees: Initially 2 – Jhon Campuzano and David Campuzano



SIGNATURE PAGE TO FOLLOW



SIGNATURE PAGE

Hog Mountain LLC
DocuSigned by:
By: [Signature] _____
7B0319ECBA4441C...
Its: President
Date: 7/27/2022 | 9:20 AM PDT

Ele: [Signature] e
DocuSigned by:
By: [Signature] _____
92AEDAC4408E432...
Its: Jhon Campuzano
Date: 7/25/2022 | 2:57 PM PDT

RECEIVED

10/6/22

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT 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:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT 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, the property is bordered by commercial retail properties on both sides and a large mixed use. A elegance tattoo studio will be an excellent complement to existing commercial establishments that serve the surrounding neighborhoods.
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: No. On the contrary the proposed elegance tattoo studio will comoliment the other commercial properties that are designed to serve the community.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: The property is currenently zoned C-2 general business. The proposed use will take advantage of the economic use of the property by integrating it with the adjacent commercial uses.
- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS: The proposed use will not produce an adverse affect on the existing infrastructure.
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Yes, the subject property is designated as emerging surburan.
- (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 SPECIAL USE PERMIT: There are no changing conditions that will affect the development of the property.

RECEIVED

10/6/22

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.

8/29/2022

Signature of Applicant

Date

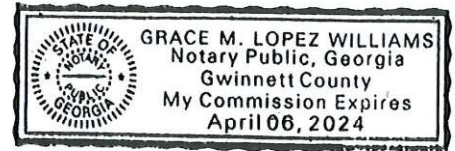
Jhon Campuzano - President

Type or Print Name and Title

8-29-2022

Signature of Notary Public

Date



Notary Seal

RECEIVED

10/6/22

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.

Ryan Nielsen

Signature of Property Owner

8/31/22

Date

Ryan Nielsen

Type or Print Name and Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA, COUNTY OF ALAMEDA
Subscribed and sworn to (or affirmed) before me on this 31 day of AUG, 2022 by RYAN NIELSEN

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

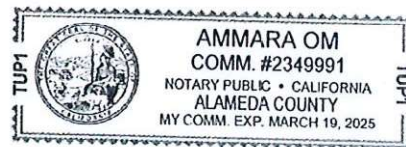
[Signature]

(Signature of Notary)

Signature of Notary Public

Date

Notary Seal




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10/6/22

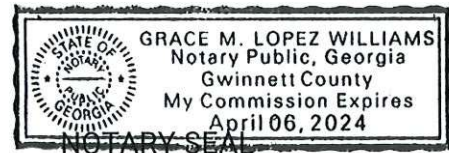
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

 8/29/22 Jhon Campuzano - President
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

 8-29-2022
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 _____
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.

RECEIVED

10/6/22

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: 3 - 1 - R3001B136
(Map Reference Number) District Land Lot Parcel


Signature of Applicant


08-15-2022
Date

Jhon Campuzano 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)


NAME
8/16/2022
DATE

Tax Associate
TITLE

* There will be taxes due as of Nov 1, 2022

RECEIVED

10/6/22

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1 of the 3rd District, G.M.D. No. 1749, Gwinnett County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the northern right-of-way line of State Route No. 324 (80 foot right-of-way) with the western right-of-way line of State Route No. 124 (aka Braselton Highway - right-of-way varies); thence in a northerly direction along the western right-of-way line of State Route No. 124 and following the curvature thereof a distance of 805.68 feet to a point; run thence North 49° 28' 58" West a distance of 6.92 feet to a ½" rebar found; thence leaving said western right-of-way line of State Route 124, and running along the northeastern boundary line of property now or formerly owned by Fort Daniel Children's Academy, Inc., North 49° 45' 43" West a distance of 231.25 feet to a ½" rebar set; run thence North 40° 14' 17" East a distance of 183.74 feet to a ½" rebar set; run thence North 15° 20' 33" East a distance of 43.60 feet to a ½" rebar set and the TRUE POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, run thence South 51° 12' 57" East a distance of 251.07 feet to a ½" rebar set on the western right-of-way line of State Route No. 124; run thence along said right-of-way line along a curve to the left an arc distance of 187.29 feet (said arc being subtended by a chord bearing North 28° 31' 53" East a distance of 186.80 feet and having a radius of 746.95 feet) to a ½" rebar set; thence leaving said right-of-way line run North 67° 06' 18" West a distance of 262.84 feet to a ½" rebar set; thence running South 21° 25' 13" West a distance of 117.20 feet to a ½" rebar set and the TRUE POINT OF BEGINNING; being Lot 3 containing 0.900 acre, more or less, as shown on that certain survey entitled "Final Plat for MillVest Subdivision", prepared by Moreland Altobelli Associates, Inc., bearing the seal and certification of Donald Rex Jones, Georgia Registered Land Surveyor No. 2396, dated March 23, 1998, revised May 8, 2000, recorded in Plat Book 84, Page 257, Records of Gwinnett County, Georgia, said survey being incorporated herein by reference.

Together with easement rights created by the following:

- (a) Parking Easement Agreement by and between Little River Vest, L.L.C., a Georgia limited liability company, and Mill Vest, LLC, a Georgia limited liability company, dated October 10, 2001, filed for record October 15, 2001 at 11:36 a.m., recorded in Deed Book 24807, Page 230, Records of Gwinnett County, Georgia; as affected by Consent to Parking Easement Agreement by Compass Bank, dated January 23, 2002, filed for record January 31, 2002 at 8:23 a.m., recorded in Deed Book 26190, Page 224, aforesaid Records;
- (b) Roadway Easement Agreement by and between Little River Vest, L.L.C., a Georgia limited liability company, and Mill Vest, LLC, a Georgia limited liability company, dated October 10, 2001, filed for record October 15, 2001 at 11:36 a.m., recorded in Deed Book 24807, Page 240, aforesaid Records; as amended by First Amendment to Roadway Easement Agreement by and between Little River Vest, L.L.C., a Georgia limited liability company, and Mill Vest, LLC, a Georgia limited liability company, dated as of January 23, 2002, filed for record January 31, 2002 at 8:23 a.m., recorded in Deed Book 26190, Page 218, aforesaid Records; and
- (c) Drainage Easement Agreement by and between Mill Vest, LLC, a Georgia limited liability company, and Little River Vest, L.L.C., a Georgia limited liability company, dated January 19, 2002, filed for record February 1, 2002 at 2:00 p.m., recorded in Deed Book 26216, Page 247, aforesaid Records.

