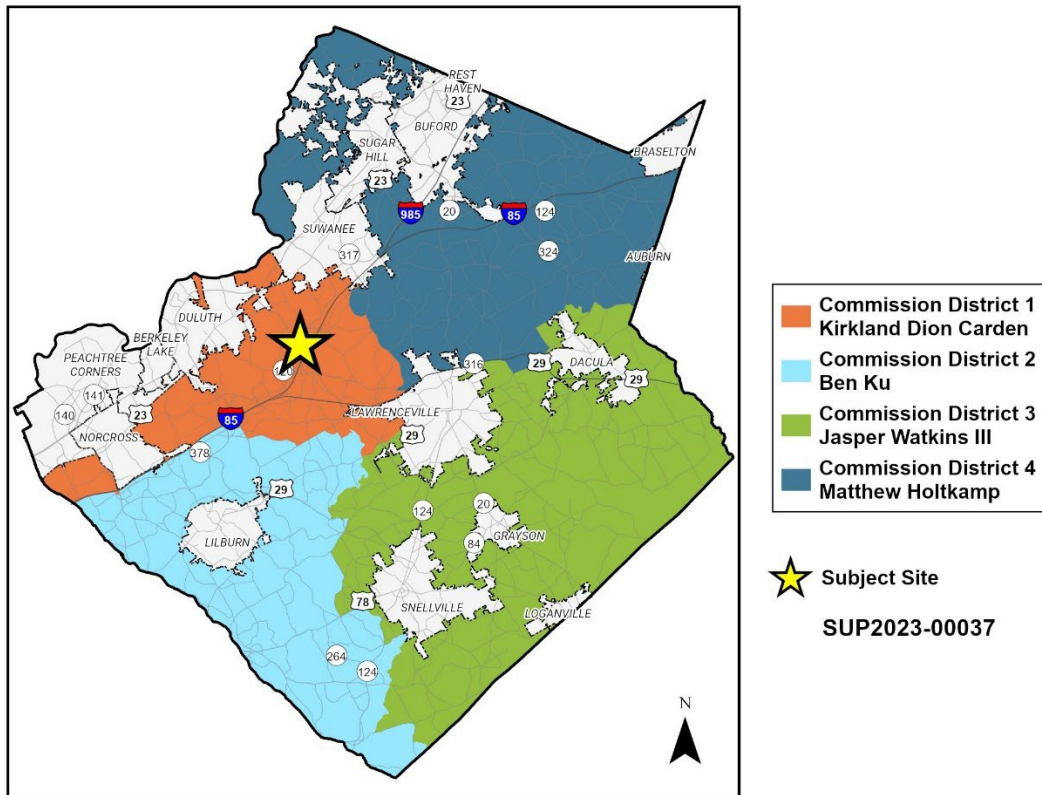


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** SUP2023-00037  
**Current Zoning:** C-2 (General Business District)  
**Request:** Special Use Permit  
**Overlay District:** Civic Center  
**Address:** 1950 Satellite Boulevard  
**Map Number:** R7122 226  
**Site Area:** 4.0 acres  
**Square Feet:** 2,700  
**Proposed Development:** Microblading (Tattoo)  
**Commission District:** District 1 – Commissioner Carden  
**Character Area:** Regional Activity Center

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 7/10/2023**  
**Board of Commissioners Advertised Public Hearing Date: 7/25/2023**

**Applicant:** Nicole Legister  
2440 Royston Drive  
Duluth, GA 30097

**Owner:** Sai Shri Chamunda, LLC  
3364 Arbor Path Drive  
Atlanta, GA 30340

**Contact:** Nicole Legister

**Contact Phone:** 203.524.3106

## Zoning History

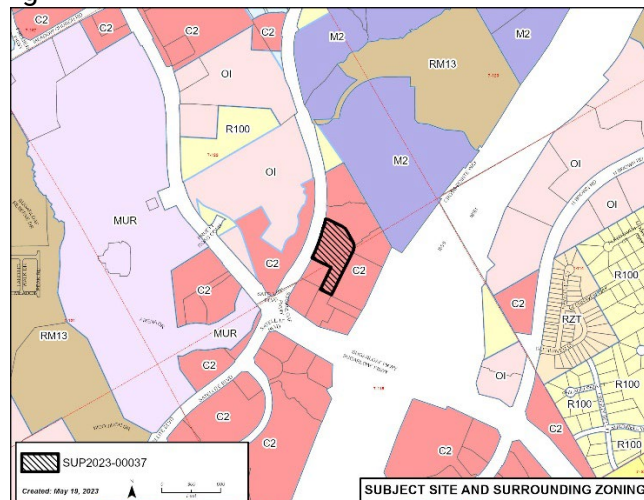
The subject property is zoned C-2 (General Business District). In 1985, a portion of the property was rezoned from R-100 (Single-Family Residence District) to M-1 (Light Industry District) for an office park, pursuant to RZ-50-85. In 1999, the same portion of the property was rezoned from M-1 to C-2 for a hotel and commercial development, pursuant to RZ-99-162. In 2006, a change in condition and special use permit was approved for a height increase, pursuant to CIC-06-044 and SUP-06-136. The property is in the Civic Center Overlay District.

## Existing Site Condition

The subject property is a 4.0-acre parcel located on the east side of Satellite Boulevard, just north of its intersection with Sugarloaf Parkway. The property is part of Sugarloaf Center, a commercial and office development containing an office building, hotels, a bank, and commercial buildings. The subject property contains three multi-tenant commercial buildings totaling 20,160 square feet and a surface parking lot. The property is accessed via two driveways on Satellite Boulevard. The northern driveway is a full access, signalized driveway, while the southern entrance is a limited access, right-in/right-out driveway. These driveways also give access to the other properties within Sugarloaf Center. There is a sidewalk along Satellite Boulevard and internal sidewalks leading directly to the entrance of each of the commercial buildings. The nearest Gwinnett County Transit stop is approximately 0.25 miles from the subject property.

## Surrounding Use and Zoning

The subject property is located in an area with a mix of intense commercial, office, and entertainment uses. The properties to the north, east, and south of the subject property are commercial and office uses within Sugarloaf Center. An institutional office development is located to the west across Satellite Boulevard. The Gas South District is located to the southwest of the site. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Microblading (Tattoo)	C-2	N/A
North	Commercial	C-2	N/A
East	Office	C-2	N/A
South	Commercial	C-2	N/A
West	Office	C-2/O-I	N/A

## Project Summary

The applicant requests a special use permit to allow microblading (tattoo) within a salon, including:

- A 2,700 square foot salon suite within an existing multi-tenant commercial building.
- Microblading professionals to perform tattooing services at lease stations within the suite.

## Zoning and Development Standards

The applicant is requesting a special use permit for microblading. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	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
Parking (Commercial)	Minimum 40 spaces Maximum 101 spaces	127 spaces	YES*
Landscape Strip	Minimum 10'	10'	YES

\*The subject parcel is a developed site; therefore the excess parking is considered legally non-conforming.

## 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 E). Standard site and infrastructure improvements will also be required related to stormwater, transportation, 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 the evaluation, staff makes the following findings based on the standards of 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 proposed special use permit is to allow microblading to occur within a salon. Microblading is a common service provided by salons and beauty parlors. While technically tattooing, microblading is considered to be permanent makeup. The proposed special use permit is a suitable use for the property.

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

The proposed special use permit for microblading would not adversely affect the existing use or usability of adjacent property. Microblading would simply be a service provided within the salon.

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

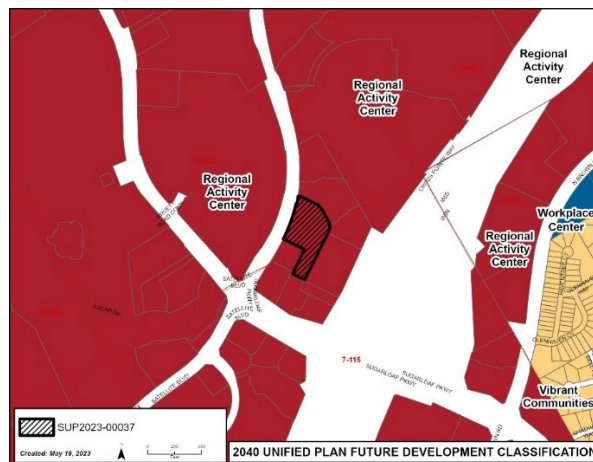
The property has a reasonable economic use as currently zoned.

**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 impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff, or school enrollment. Agency review comments related to any potential improvements concerning this special use permit request are attached (Exhibit E).

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Regional Activity Center Character Area, which is intended for areas that have intense commercial and office/employment activity, as well as high-density residential elements. This character area should include a variety of retail, office, and high-density residential uses. The salon providing microblading is within an existing multi-tenant building with other commercial establishments, which is consistent 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.**

Microblading is a common service provided by salons and beauty parlors. While technically tattooing, microblading is considered to be more along the lines of permanent makeup. No evidence of tattooing will be visible from the exterior. Allowing the service of microblading will increase the viability of a salon at this location and has been approved in other similar locations throughout the County.

**Staff Recommendation**

Based on the staff’s evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** 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, as Amended)**

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

1. **Tattooing and** microblading shall only be performed by licensed individuals within the salon or beauty parlor.
2. ~~No advertisement or signage of tattooing shall be erected or placed on the subject property.~~
3. **The hours of operation for tattooing shall not extend past 9:00 p.m.**

**Exhibits:**

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

**Exhibit A: Site Visit Photos**



**View of Multi-Tenant Commercial Buildings**

**Exhibit B: Site Plan**

**[attached]**





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

**[attached]**

**RECEIVED**

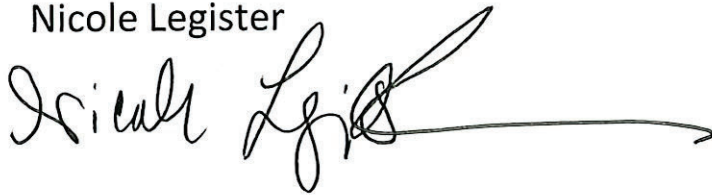
4/27/2023  
Special Use Permit – Letter of Intent

To Whom it May Concern,

I own and operate salon suites and my reason for seeking this special use permit is to allow tattoo and microblading professionals to lease out our suites for their business purposes.

Thank you,

Nicole Legister

A handwritten signature in black ink, appearing to read "Nicole Legister", with a long horizontal flourish extending to the right.

RECEIVED

4/27/2023

**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:

yes

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

no

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

yes

- (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

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

yes

- (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:

no

**Exhibit D: Application and Disclosure of Campaign Contributions**

**[attached]**

**RECEIVED**

4/27/2023

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Nicole Legister</u>	NAME: <u>Chamunda, Le Sai Shri</u>
ADDRESS: <u>2440 Royston Drive.</u>	ADDRESS: <u>3364 Arbor Path Dr.</u>
CITY: <u>Duluth</u>	CITY: <u>Atlanta, GA</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30340</u>
PHONE: <u>203-524-3106</u>	PHONE: <u>404-702-3435</u>
EMAIL: <u>nlegister@hotmail.com</u>	EMAIL: <u>Sunny40218@yahoo.com</u>
CONTACT PERSON: <u>Nicole Legister</u> PHONE: <u>203-524-3106</u>	
CONTACT'S E-MAIL: <u>nlegister@hotmail.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:**

OWNER'S AGENT     PROPERTY OWNER     CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: C2 BUILDING/LEASED SQUARE FEET: 2700

PARCEL NUMBER(S): R 7122 226 ACREAGE: 4

ADDRESS OF PROPERTY: 1950 Satellite Blvd Duluth GA 30097

SPECIAL USE REQUESTED: For microblading & Tattooing

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

RECEIVED

4/27/2023

**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.

Nicole Legister  
Signature of Applicant

4/24/23  
Date

Nicole Legister  
Type or Print Name and Title

Shanique Godfrey  
Signature of Notary Public

April 27, 2023  
Date

Shanique Godfrey  
NOTARY PUBLIC  
DeKalb County  
State of Georgia  
My Comm. Expires October 22, 2024

Notary Seal

RECEIVED

4/27/2023

Gwinnett County Planning Division  
Special Use Permit Application  
Last Updated 10/2021

**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.



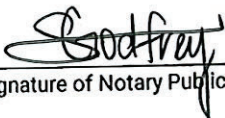
4-27-23

Signature of Property Owner

Date

Rajnikant Gangwal

Type or Print Name and Title



Signature of Notary Public

April 27, 2023

Date

Notary Seal

Shanique Godfrey,  
NOTARY PUBLIC  
DeKalb County  
State of Georgia  
My Comm. Expires October 22, 2024

Shanique Godfrey  
NOTARY PUBLIC  
DeKalb County  
State of Georgia  
My Comm. Expires October 22, 2024



**RECEIVED**

4/27/2023

**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature]      4/24/23      Nicole Legister  
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]      April 27, 2023        
SIGNATURE OF NOTARY PUBLIC      DATE      NOTARY SEAL

**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    Nicole Legister  
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**

4/27/2023

**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.**

**PARCEL I.D. NUMBER:** 7 - 122 - 226  
(Map Reference Number) District Land Lot Parcel

Nicole Legister 4/25/23  
Signature of Applicant Date

Nicole Legister - Owner  
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 TITLE  
\_\_\_\_\_  
DATE

SUP2023-00037  
*See attached*

**Exhibit E: Internal and External Agency Review Comments**

**[attached]**



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

<b>TRC Meeting Date:</b>		06.14.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		SUP2023-00037	
Case Address:		1950 Satellite Boulevard, Duluth, 30097	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Satellite Boulevard is a major arterial. ADT = 19,182.		
2	0.25 mile to the nearest transit facility (#2335244) Satellite Boulevard and Chick-Fil-A.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

Revised 7/26/2021



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

<b>TRC Meeting Date:</b>					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>			
Case Number:		SUP2023-00037			
Case Address:		1950 Satellite Boulevard			
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1	Water: DWR does not have comments for this Special Use Permit. The existing building is connected to public water.				
2	Sewer: DWR does not have comments for this Special Use Permit. The existing building is connected to public sewer.				
3					
4					
5					
6					
7					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					

**Note:** Attach additional pages, if needed

Revised 7/26/2021

SUP2023-00037

July 2023

LEGEND

- Water Main
- Hydrant
- Master Vault
- Manhole
- Sewer Collector
- Sewer Interceptor
- Sewer Force Main

**1950 Satellite Blvd**  
C-2

**Water & Sewer**  
**Utility Map**

LOCATION

**Water Comments:** DWR does not have comments for this Special Use Permit. The existing building is connected to public water.

**Sewer Comments:** DWR does not have comments for this Special Use Permit. The existing building is connected to public sewer.

**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.

PAGE 22 OF 26

SUB 2023-00037

DR

**Exhibit F: Maps**

**[attached]**



CROSS POINTE WAY

1855

185N

Gwinnett County GIS

SATELLITE BLVD

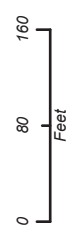
SUG

BLVD  
SATELLITE

SUGARLOAF  
PKWY

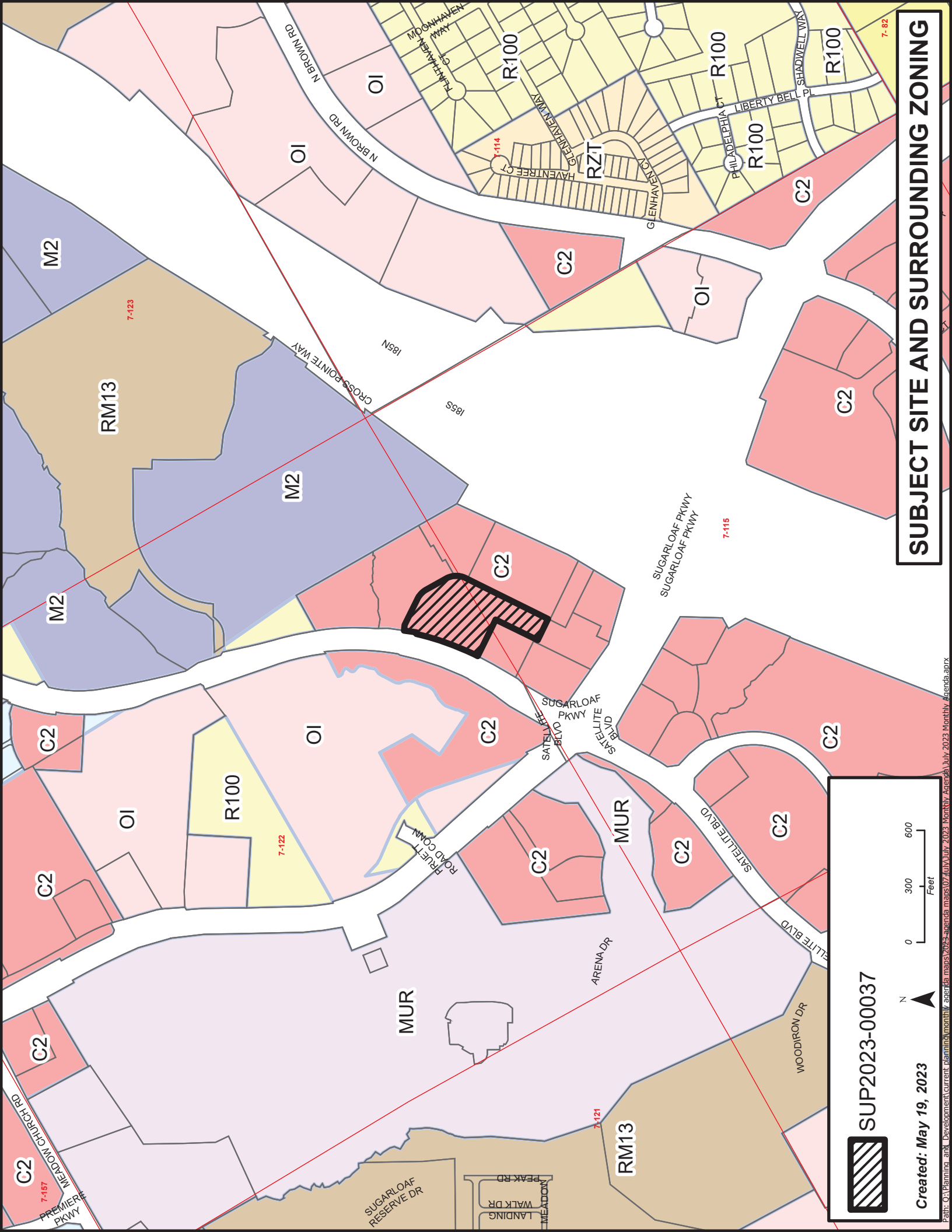
SUGARLOAF P

SUP2023-00037

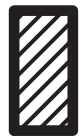


Created: May 19, 2023





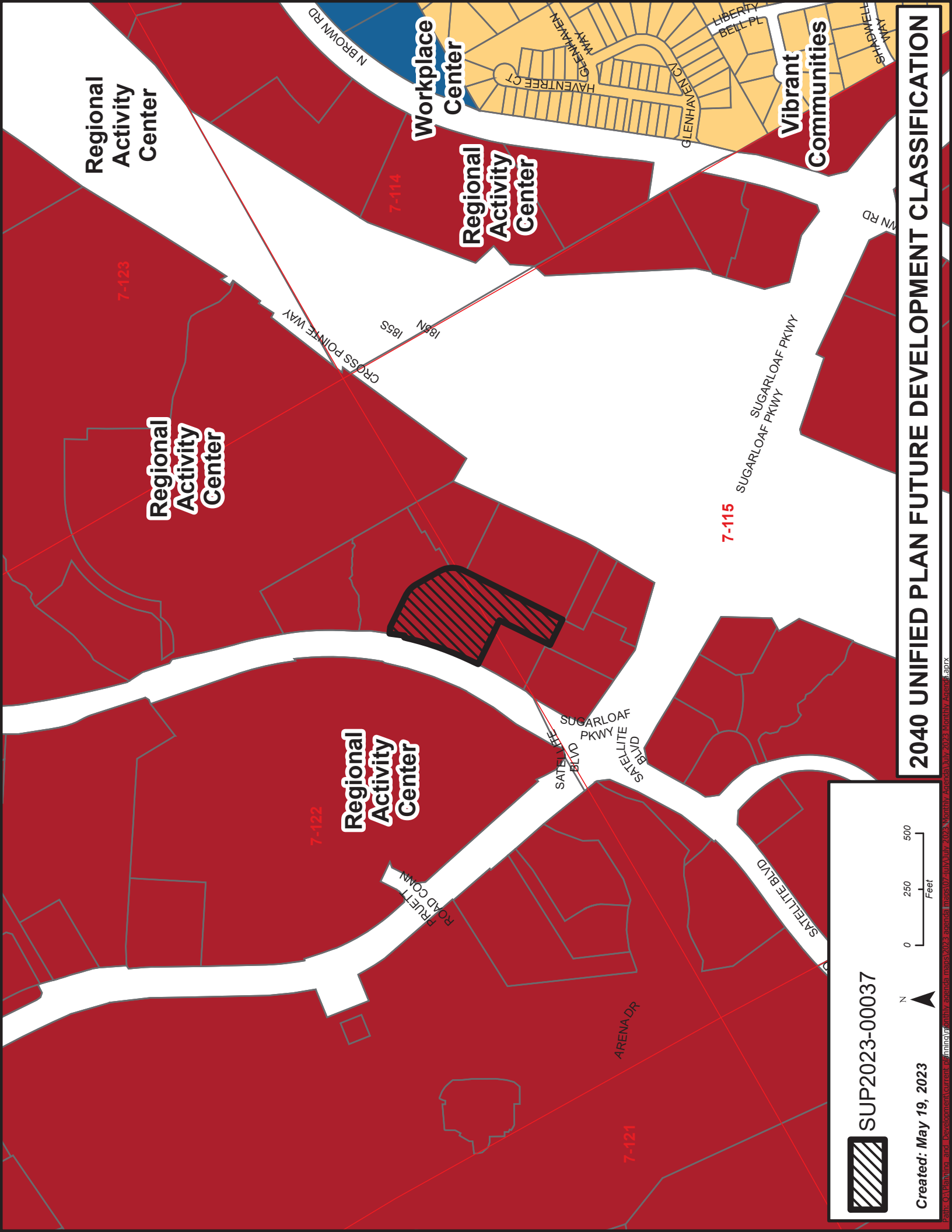
**SUBJECT SITE AND SURROUNDING ZONING**



**SUP2023-00037**

Created: *May 19, 2023*





**Regional Activity Center**

**Workplace Center**

**Vibrant Communities**

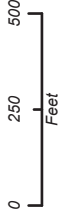
**Regional Activity Center**

**Regional Activity Center**

**Regional Activity Center**

**SUP2023-00037**

**Created: May 19, 2023**



**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**



7-123

7-114

7-115

7-122

7-121

CROSS POINTE WAY

1855

SUGARLOAF PKWY

SUGARLOAF PKWY

FRUETT ROAD CORN

ARENA DR

SATELLITE BLVD

SATELLITE BLVD

SATELLITE BLVD

N BROWN RD

HAVENTREE CT

GENKAYEN WAY

GLENHAVEN CT

LIBERTY BELL PL

MIN RD

SHADWEE WAY