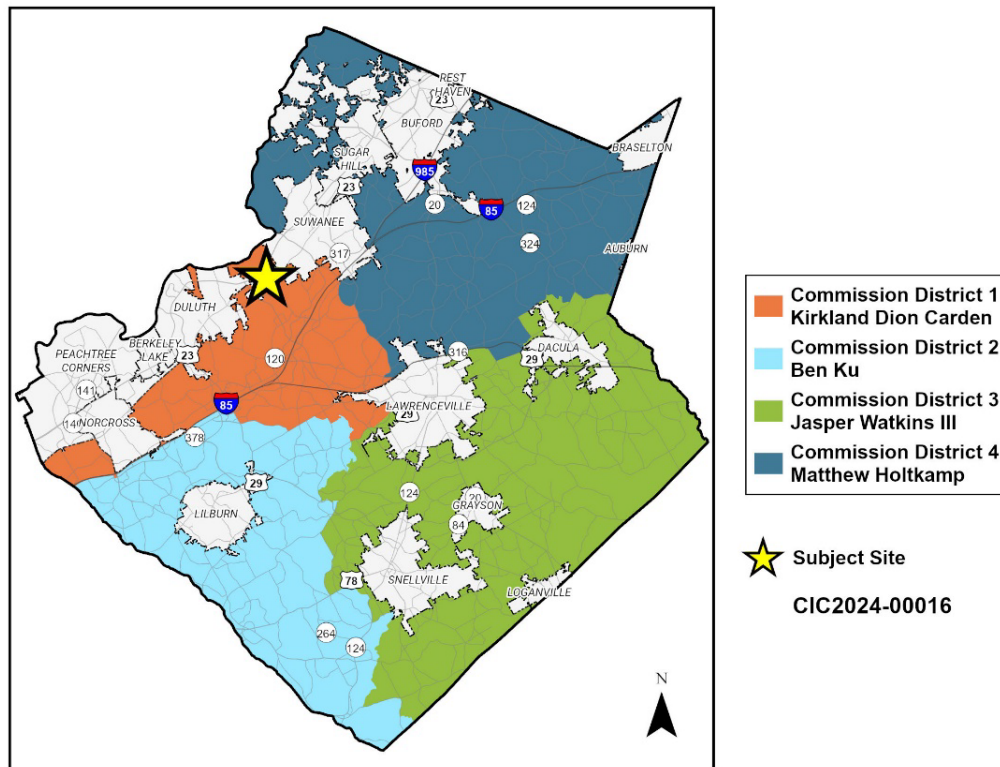


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2024-00016
Current Zoning: C-2 (General Business District)
Request: Change in Conditions
Address: 1866 Buford Highway
Map Number: R7206 008
Site Area: 1.40 acres
Square Feet: 16,000
Proposed Development: Indoor Recreation Facility
Commission District: District 1 – Carden
Future Development Type: Suburban Non-Residential

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Applicant: Michael Minseok Mun
1140 Springs Street Northwest
Atlanta, GA 30309

Owners: Eclacia Holdings, LLC
1866 Buford Highway
Duluth, GA 30097

Contact: Trent McGugin

Contact Phone: 404.504.0295

Zoning History

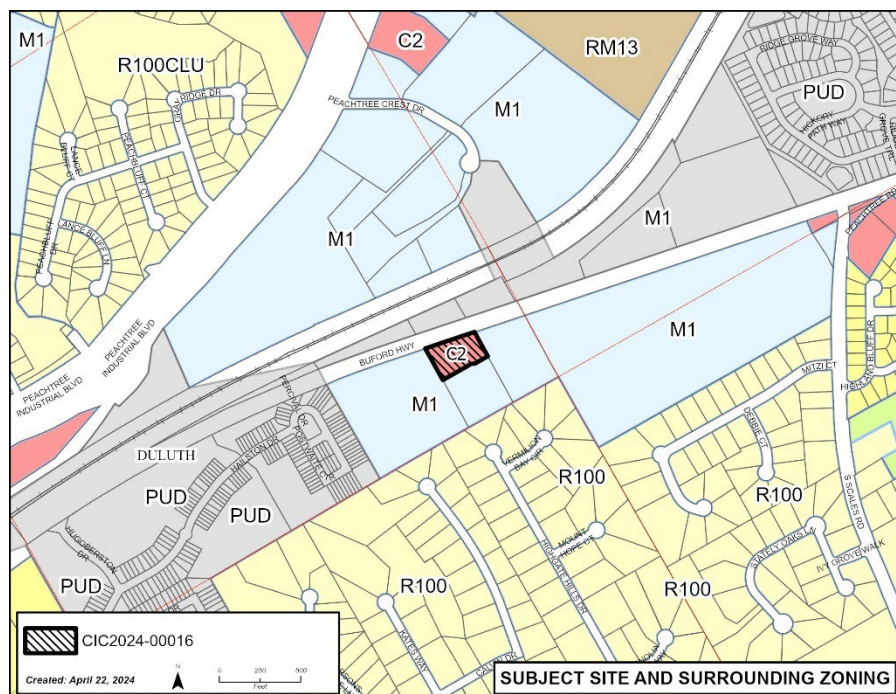
The subject property is zoned C-2 (General Business District). In 1976, the property was rezoned from M-1 (Light Industry District) to O-I (Office-Institutional District), pursuant to RZ-61-76. In 2007, the property was rezoned from O-I to C-2, pursuant to RZC-08-026.

Existing Site Condition

The subject property is a 1.40-acre parcel located along Buford Highway, west of its intersection with South Scales Road. The property was developed in 2009 as a multi-tenant retail building with exterior materials of stone veneer, stucco, and glass, but is currently vacant. The property has one entrance on Buford Highway that serves as an interparcel connection to the flex industrial property to the south. There is no sidewalk along this property's frontage. The nearest Gwinnett County Transit stop is approximately 2.8 miles from the subject property.

Surrounding Use and Zoning

The subject site is located along Buford Highway, between the City of Duluth to the west and the City of Suwanee to the east. The property is surrounded by commercial and industrial uses including flex industrial, automobile repair, and warehouse uses. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Indoor Recreation Facility	C-2
North	Light Industrial	M-1 (City of Duluth)
East	Light Industrial	M-1
South	Light Industrial	M-1
West	Light Industrial	M-1

Project Summary

The applicant requests a change in conditions to revise Condition 1.A of RZC-08-026 to remove recreation facilities as a prohibited use, to allow restaurants to remain open past 10:30 p.m., and to eliminate Condition 2.G, which requires a fence with plantings to be installed on the M-1 zoned property to the south, including:

- Reuse of the existing 16,000 square foot building for an indoor golf facility including eight golf bays, an approximate 2,500 square foot restaurant, 1,400 square foot retail space, and 1,000 square foot video production room for golf training.
- An enclosed outdoor seating area at the front of the building.
- No changes are proposed to the parking and drive aisles on the property.

Zoning and Development Standards

The applicant is requesting a change in conditions for an indoor golf facility on a property zoned C-2. A development permit was issued in 2009 under the previous Unified Development Ordinance (UDO). The following is a summary of applicable development standards from the previous UDO:

Standard	Required	Proposed	Meets Standard?
Front Yard Setback	Minimum 0'	>50'	YES
Side Yard Setback	Minimum 0'	>10'	YES
Rear Yard Setback	Minimum 0'	15'	YES
Building Height	Maximum 45'	35'	YES
Parking (Commercial)	Minimum 32 spaces Maximum 80 spaces	56 spaces	YES
Landscape Strip	Minimum 10'	10'	YES

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 H). 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

Change in Conditions Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, or change in conditions, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After this evaluation, staff makes

the following findings based on the standards from the UDO:

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

The proposed change in conditions request would allow for an indoor golf facility with a restaurant and retail space, which are all permitted uses in the C-2 zoning district. In addition, there are a variety of non-residential uses in the surrounding area, and indoor recreation would be compatible with these existing uses. The proposed change in conditions will permit uses that are suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property.

The proposed uses are all located inside the building except for a small outdoor seating area for the restaurant. The property is entirely surrounded by non-residential uses. Therefore, the proposed change in conditions will not adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed change in conditions has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

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

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff, however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this change in conditions request are attached (Exhibit H).

E. Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map identifies "Suburban Non-Residential" for the subject property, which anticipates uses that will largely stay the same, with some redevelopment or renovation opportunities.

The change in conditions request does not alter the C-2 zoning designation of the subject property. C-2 is a recommended zoning district for the "Suburban Non-Residential" development type. Retail/Entertainment is an appropriate use for this development type. The proposed change in conditions 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 change in conditions.

Condition 2.G. required fencing and buffers to be placed on the adjacent M-1 zoned parcel. At the time of approval this parcel was under the same ownership as the subject parcel. The parcels are now under separate ownership which gives supporting grounds for removing this condition.

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** of the change in conditions 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 change in conditions request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as C-2 (General Business District) for an indoor recreation facility, subject to the following conditions:

1. 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.
2. Ground signs shall be limited to a 10-foot-tall monument sign with a brick base of at least 2 feet in height.
3. Uses on the site shall be limited to the following:
 - a. Bakery and ice cream stores
 - b. Indoor recreational facilities
 - c. Automobile repair
 - d. Restaurants
 - e. Fraternal institutions and meeting halls
4. Restaurants shall close by 11:00 p.m.

1. ~~To restrict the use of the property as follows:~~

- a. ~~Tattoo and piercing parlors, adult bookstores or entertainment, drive-thru fast food service except coffee shops, bakery and ice cream stores, automotive car wash, automotive parts store, convenience food stores with or without fuel pumps, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments, liquor stores, mobile buildings, parking lots and garages, plant nursery sales facility, recreation facilities, recovered materials processing facility, taxidermist, yard trimmings composting facility, clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters, auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps, building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, mini-warehouse storage facilities, mobile home or mobile building leasing or sales lots, taxi cab or limousine services and no outdoor storage of any type. Any restaurant that may locate on the site must close by 10:30 p.m.~~
- b. ~~Building(s) shall be finished with architectural treatments containing a mixture of brick, stone, and glass. Stucco may be used as an accent material.~~

2. ~~To satisfy the following site development considerations:~~

- a. ~~Provide a ten-foot wide landscaped strip adjacent to Buford Highway.~~
- b. ~~No billboards are permitted. The existing billboard is to be removed.~~
- c. ~~No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on site. Bandit signs shall be prohibited.~~

- ~~D. Any ground sign shall be limited to a monument type sign with a brick base of at least 2-feet in height. The sign shall be limited to a height of 10-feet.~~
- ~~E. Peddlers shall be prohibited.~~
- ~~F. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.~~
- ~~G. Owner agrees to install a 6-foot high, vinyl coated chain link fence along the inside of the 50-foot buffer on the M-1 property. Where the area along the fence line allows, holly bushes shall be planted to discourage people from climbing over the fence. Along the driveway side of the M-1 property, the fence shall continue to the end of the parking even with the existing M-1 building. Final fence location and plantings to be approved by the Director of Planning and Development.~~

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Building Floorplan
- E. Previously Approved Resolution for RZC-08-026
- F. Letter of Intent and Applicant's Response to Standards
- G. Application and Disclosure of Campaign Contributions
- H. Internal and External Agency Review Comments
- I. Maps

Exhibit A: Site Visit Photos



Front view of the building



View of property frontage along Buford Highway



View of property from across Buford Highway



Rear view of the building

Exhibit B: Site Plan

[attached]

NOT FOR
CONSTRUCTION

SITE PLAN
AN-0.3

MR



EASEMENT KEY:
D.E. - DRAINAGE EASEMENT
S.E. - SEWER EASEMENT
A.E. - ACCESS EASEMENT
NOTE: ALL EASEMENTS ARE EXISTING, SHOWN FOR
REFERENCE ONLY. REFER TO CIVL SURVEY FOR MOST
ACCURATE INFORMATION

Exhibit C: Building Elevations

[attached]

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Image #3 – Perspective View from Parking Lot Entry



Image #4 – Perspective View from NW End of Parking Lot



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Image #5 – Perspective View from NW from Buford Hwy

3/27/2024



Image #6 – Perspective View from Buford Hwy



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Image #7 – SW Elevation

3/27/2024



Image #8 – Perspective View of Rear of Building



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Image #9 – Perspective View of Rear of Building

3/27/2024



Image #10 – Perspective View of Rear of Building



Exhibit D: Building Floorplan

[attached]

NOT FOR
CONSTRUCTION

2	ISSUED FOR GWINNETT CHANGE IN CONDITIONS APPLICATION	03.27.2024
1	ISSUED FOR GWINNETT CO PRE-APPLICATION REVIEW	03.06.2024

DATE ISSUE DESCRIPTION DATE

IA INTERIOR
ARCHITECTS

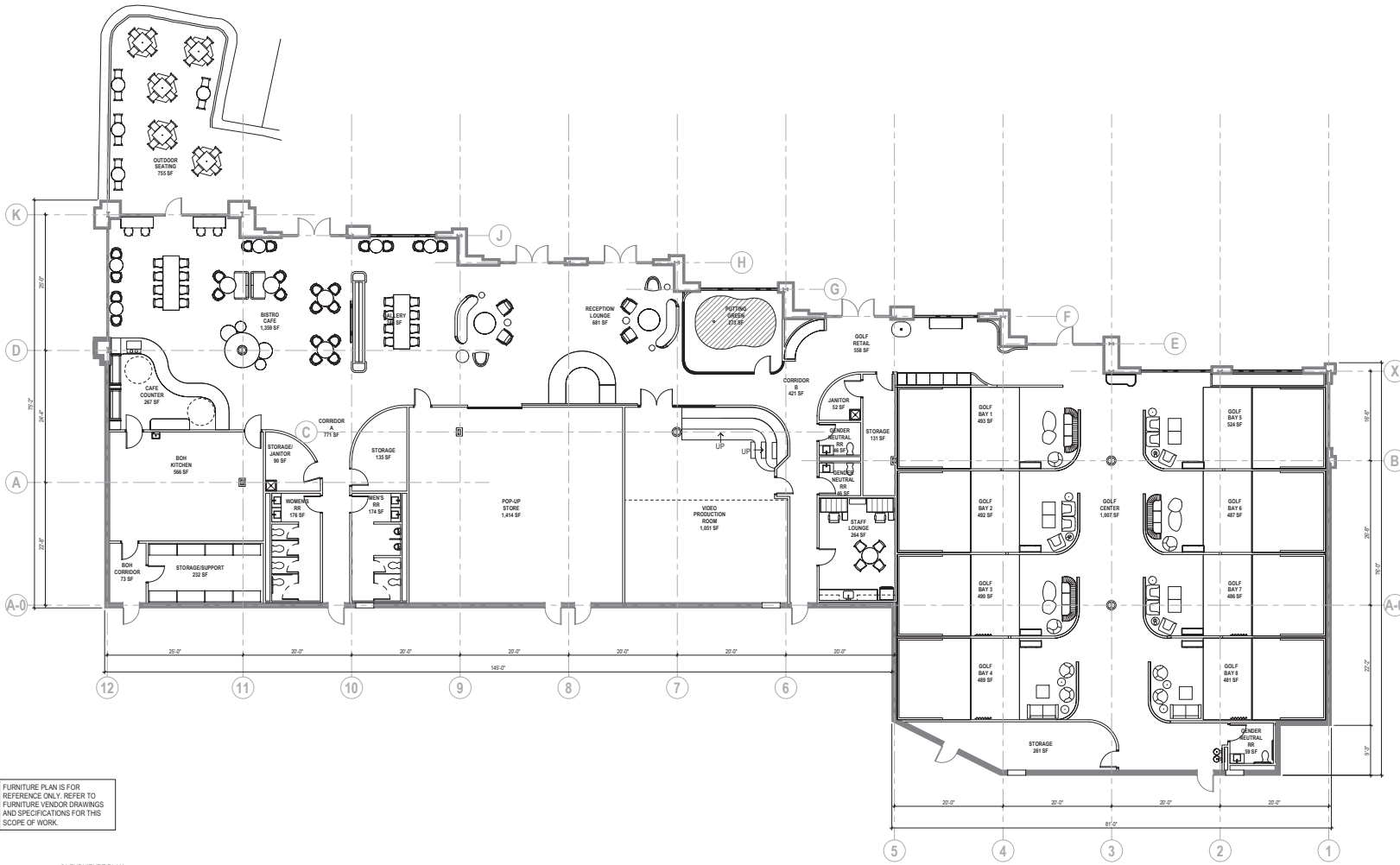
ATLANTA
383 17TH STREET NW, SUITE 330
ATLANTA, GA 30363
TEL 404-504-0300

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OF THE ARCHITECT AND THE STATE MAY NOT BE SUPERSEDED, CANCELLED, OR ABANDONED WITHOUT THE
WRITTEN CONSENT OF THE ARCHITECT.

Owner Approval
2023/03/06/001.000 1/8" = 1'-0"
Job No. Scale

FURNITURE PLAN
A-5.0

MR



FURNITURE PLAN IS FOR
REFERENCE ONLY. REFER TO
FURNITURE VENDOR DRAWINGS
AND SPECIFICATIONS FOR THIS
SCOPE OF WORK.

01 FURNITURE PLAN
1/8" = 1'-0"

SHEET NOTES

1. FURNITURE PLAN IS FOR REFERENCE ONLY. REFER TO FURNITURE VENDOR DRAWINGS AND SPECIFICATIONS FOR THIS SCOPE OF WORK.
2. CONTRACTOR SHALL REFERENCE FURNITURE VENDOR DRAWINGS FOR FINAL LAYOUT OF FLOOR CORES AND DEVICES SERVING FURNITURE BY OTHERS. REFERENCE FLOOR CORING REQUIREMENTS SHEET AN-1.1

KEYNOTES

LEGEND

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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Exhibit E: Previously Approved Resolution for RZC-08-026

[attached]

CASE NUMBER RZC-08-026
GCID 2007-1557

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. GREEN, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from O-I to C-2 by KOURIEH INVESTMENTS, LLC for the proposed use of COMMERCIAL RETAIL USES on a tract of land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 23, 2007 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 23RD day of OCTOBER 2007, that the aforesaid application to amend the Official Zoning Map from O-I to C-2 is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. Retail and service commercial and accessory uses. The following uses shall be prohibited: tattoo and piercing parlors, adult bookstores or entertainment, drive-thru fast food service except coffee shops, bakery and ice cream stores, automotive car wash, automotive parts store, convenience food stores with or without fuel pumps, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments, liquor stores, mobile buildings, parking lots and garages, plant nursery sales facility, recreation facilities, recovered materials processing facility, taxidermist, yard trimmings composting facility, clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters, auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps, building material sales with outdoor storage,

contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, mini-warehouse storage facilities, mobile home or mobile building leasing or sales lots, taxi cab or limousine services and no outdoor storage of any type. Any restaurant that may locate on the site must close by 10:30 p.m.

- B. Building(s) shall be finished with architectural treatments containing a mixture of brick, stone, and glass. Stucco may be used as an accent material.

2. To satisfy the following site development considerations:

- A. Provide a ten-foot wide landscaped strip adjacent to Buford Highway.
- B. No billboards are permitted. The existing billboard is to be removed.
- C. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on site. Bandit signs shall be prohibited.
- D. Any ground sign shall be limited to a monument-type sign with a brick base of at least 2-feet in height. The sign shall be limited to a height of 10-feet.
- E. Peddlers shall be prohibited.
- F. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- G. Owner agrees to install a 6-foot high, vinyl coated chain link fence along the inside of the 50-foot buffer on the M-1 property. Where the area along the fence line allows, holly bushes shall be planted to discourage people from climbing over the fence. Along the driveway side of the M-1 property, the fence shall continue to the end of the parking even with the existing M-1 building. Final fence location and plantings to be approved by the Director of Planning and Development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 11/1/07

ATTEST:


County Clerk/Deputy County Clerk



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

[attached]

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4/22/2024

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Gwinnett Department of Planning & Development
Planning Division

03/27/2024

Re: Letter of Intent
1866 Buford Hwy Change in Conditions Application
Parcel # 7206-008
Case # CIC2024-00016

Dear Community Development Officials,

The Applicant requests a change in conditions of the existing rezoning conditions of an approximately 1.404-acre property located at 1866 Buford Hwy (the "subject property"). The application seeks to modify four conditions of the Zoning Resolution RZC-08-026, dated 10/23/2007.

Site History

In 2007, the Board of Commissioners approved via case RZC-08-026 the rezoning of the subject property from O-I to C-2, with conditions. Subsequently, a previous owner of the property developed an approximately 16,000 SF building on the site intended for commercial & retail use. Since its construction in 2008, approximately 9,000 SF of the building has been unoccupied, remaining a cold dark shell space. In 2011, 7,000 SF of the building was fit out and occupied by Laser Voyage Café, a recreational laser tag venue, which successfully operated until 2019 or 2020, when the Covid-19 pandemic presumably led to the closure of the operation. At the time of this application, the building is not occupied by any active use or tenant.

Summary & Rationale of Request

The Applicant requests to modify certain conditions of RZC-08-026 to allow for more flexible use of the existing building. Specifically, the Applicant requests that *recreational facilities* be removed from the list of prohibited uses outlined in part 1.A of the zoning resolution in order for the building to be completed and fit out as an indoor golf training facility, which the Planning Department has identified as being an indoor entertainment and recreation facility use, and is thus prohibited under the current zoning conditions. The Applicant references the success of the former Laser Voyage Café tenant as example that a recreational use on this site is both economically viable and can contribute to local culture. Additional proposed uses in the building include a section dedicated to retail sales of golf goods and equipment, a "pop up shop" which is a mercantile area dedicated to retail sales of a rotating assortment of merchandise, and video production area that will be used to produce golf training content, all of which are permitted uses in the C-2 district and are currently not restricted by the zoning conditions.

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MARK S. SCHROEDER
ARCHITECT, AIA

383 17TH STREET NW
SUITE 330
ATLANTA, GA 30363
404.504.0300

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A bistro / cafe-style restaurant is another proposed use for the existing building; this is an allowable use for a C-2 property except for the current prohibition via the zoning resolution of *bakery and ice cream stores* on the site. The restaurant proposes a menu including baked goods made from scratch in-house alongside a full menu of other food items. Additionally, the Applicant requests that the limitation on hours of operation that prohibits operation of any restaurant on the site after 10:30 PM be removed. Relief from these limitations will allow for the most flexible restaurant use on the site for the current proposed tenant as well as future tenants.

Furthermore, the Applicant requests to remove section 2.G. from the zoning conditions in its entirety, as this section was drafted when the subject property and the adjacent M-1 property were owned by the same entity. 2.G. requires the owner to place a fence on the M-1 property. This section is no longer relevant to the current owner of the subject property.

The estimated total number of employees expected to operate the proposed uses in the building is ten (10) employees.

The proposed scope of work at the site does not involve any changes or additions to the exterior of the building other than the site work that would be required to install a grease trap to serve the bistro restaurant. The building's exterior expression is already compliant with the intent of the zoning code as well as the requirements set out in the zoning resolution. Please see the attached proposed site plan depicting the existing building and context, survey depicting the existing property, photographs of the existing exterior of the building, and concept floor plan illustrating the layout and proposed use of the building.

The Applicant appreciates the Board's consideration for approval of this change in conditions request and would be happy to address any questions or concerns.

Sincerely,

Trent McGugin, AIA, LEED AP
Senior Project Architect
IA | Interior Architects – Atlanta
404-504-0295
t.mcgugin@interiorarchitects.com

CC:
Michael Minseok Mun
Property Owner
352-631-9847
munminseok@gmail.com

Interior Architects, Inc., a California corporation in AK, AL, AZ, CA, DE, HI, IL, IN, KS, KY, MA, MN, MO, MT, NE, NH, OK, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY / Interior Architects, P.C., a New York professional services corporation in AL, AR, DC, GA, ID, IE, IL, ME, MD, MS, NV, NY, NC, NH, OH, OR, PA / Interior Architects, professional corporation in RI / Interior Architects New Jersey PC, a New Jersey professional corporation in NJ and CT / Interior Architects, P.C. dba IAC in CT / Interior Architects, P.C., license #AA260001062 in FL / Interior Architects, professional corporation in LA / Interior Architects, a Colorado corporation in CO, ME, MN, NY, RI, VT / Interior Architects Inc., "Holder of Certificate of Practice, Architectural Institute of British Columbia, Alberta Association of Architects and Ontario Association of Architects" in British Columbia, Alberta, and Ontario, Canada / Interior Architects Inc. – UK branch (t/a IA UK) / One IA Design UK Limited / One IA Design Limited

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ARCHITECTS, P.C.

economic use, time has shown that the property has not been appealing to businesses and thus it has remained unoccupied except for a Laser Tag tenant (Laser Voyage Café) that occupied a portion of the building for many years and enjoyed economic success during that time. The proposed change in conditions seeks to remove limitations on the allowable uses of the site such that more desirable uses, including the indoor recreational use which has proven viable by the example of the Laser Voyage Café, are allowable on the site in alignment with the allowable uses of the broader C-2 zoning classification.

Standard (D): Whether the proposed change in conditions will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The existing parking quantity and site circulation elements of the existing building are compliant with current zoning standards. The site is not currently served by a public transit route, so there will be no increased use in such system based on the proposed use of the site. Preliminary building/site MEP analysis, based on the proposed fit out of the building, suggests that the existing building gas, domestic water, and electrical services are sufficient to serve the new proposed use. The proposed use will have no impact on local schools.

Standard (E): Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The subject property is located within the Suburban Non-Residential future development area as outlined in the 2045 Unified Plan. These areas are identified within the plan as important alternative leasing opportunities for small and emerging businesses. The business that proposes to occupy the building is a new business that does not have other locations, and hopes to become an important, well-regarded component in the local golf community by providing a location to practice and receive instruction from renowned golf training staff, available year round in all weather conditions thanks to its indoor format. Its retail and entertainment focused program is listed as an appropriate use within the Suburban Nonresidential future development areas, and its existing parking layout is in accordance with the preferred parking management strategies for these zones. The site is also located within reasonable proximity to funded and planned core trail networks along Peachtree Industrial Boulevard.

Standard (F): Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either the approval or disapproval of the proposed change in conditions:

The proposed change in conditions would remove selected restrictions that were placed on the use of the C-2 property when it was previously rezoned, which currently prohibit a number of uses that are otherwise allowable on an unrestricted C-2 property, including recreation facilities and bakeries. The proposed primary use is a golf training facility, which the Planning Department has identified as an Indoor Entertainment and Recreation Facility use. This is a permitted use in the C-2 district per Section 211-80 of the UDO. Other proposed uses in the building include a section dedicated to retail sales of golf goods and equipment, a "pop up shop" which is a mercantile area dedicated to retail sales of a rotating assortment of

Exhibit G: Application and Disclosure of Campaign Contributions

[attached]

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3/27/2024

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Michael Minseok Mun</u> Address: <u>1140 Spring St NW</u> City: <u>Atlanta</u> State: <u>GA</u> ZIP: <u>30309</u> Phone: <u>352-631-9847</u> Email: <u>munminseok@gmail.com</u>	<u>Eclacia Holdings LLC</u> Name: <u>(registered under Minseok Mun)</u> Address: <u>1866 Buford Hwy</u> City: <u>Duluth</u> State: <u>GA</u> ZIP: <u>30097</u> Phone: <u>352-631-9847</u> Email: <u>munminseok@gmail.com</u>
Contact Person: <u>Trent McGugin</u> Phone: <u>404-504-0295</u> Contact's Email: <u>t.mcgugin@interiorarchitects.com</u>	
APPLICANT IS THE: <input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Zoning District(s): <u>C-2</u> Prior Zoning Case No.: <u>RZC-08-026</u> Parcel Number(s): <u>7206-008</u> Acreage: <u>+/- 1.404</u> Property Address(es): <u>1866 Buford Hwy, Duluth, GA 30097</u> Proposed Change in Conditions: <u>Strike out "recreation facilities" and "bakery and ice cream stores" and remove limitation on restaurant operating hours after 10:30 pm from prohibited uses per part 1.A. of zoning resolution, and remove part 2.G. in its entirety.</u> Variance(s): <u>None</u> Waiver(s): <u>None</u>	
RESIDENTIAL DEVELOPMENT: No. of Dwelling Units: <u>N/A</u> Dwelling Unit Sq. Ft.: <u>N/A</u> Density: <u>N/A</u> Floor Area Ratio (LRR, MRR, HRR): <u>N/A</u>	NON-RESIDENTIAL DEVELOPMENT No. of Buildings: <u>1 (EXISTING)</u> Total Building Sq. Ft.: <u>+/- 16,000 (EXISTING)</u> Floor Area Ratio: <u>0.26 (EXISTING)</u>
MIXED-USE DEVELOPMENT No. of Dwelling Units: <u>N/A</u> Dwelling Unit Sq. Ft.: <u>N/A</u> Total Non-Residential Sq. Ft.: <u>N/A</u> Floor Area Ratio: <u>N/A</u>	

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CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



Signature of Applicant

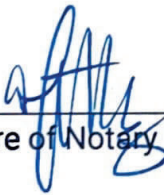


March 12th 2024

Date

Mirsedeh Mun, Managing Director

Type or Print Name and Title



Signature of Notary Public

March 25, 2024

Date



RECEIVED

3/27/2024

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 12/2023

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



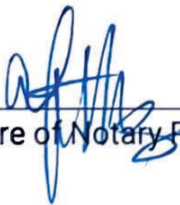
Signature of Property Owner

March 22nd 2024

Date

Minsale Mun, Managing Director

Type or Print Name and Title



Signature of Notary Public

March 25, 2024

Date



RECEIVED

3/27/2024

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 12/2023

**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for change in conditions be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE CHANGE IN CONDITIONS REQUEST.

Parcel I.D. Number: 7206 - 008
(Map Reference Number)



Signature of Applicant

March 25th 2024

Date

Minsook Mun

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. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.

TAX COMMISSIONERS USE ONLY

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Kathleen M. Hayes
Name

TSA
Title

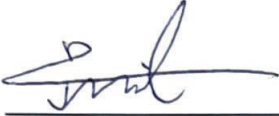
3/25/24
Date


RECEIVED


3/27/2024

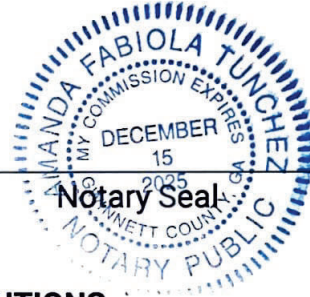
CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

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

 March 22nd 2024 Minseok Mun,
Signature of Applicant Date Type of Print Name and Title

 March 25th 2024 Minseok Mun
Signature of Applicant's Attorney or Representative Date Type of Print Name and Title

 March 25, 2024
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?

☐ Yes ☒ No Minseok Mun (Your Name)

If the answer 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 last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

Exhibit H: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		05.03.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		CIC2024-00016	
Case Address:		1866 Buford Highway, Duluth, 30096	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	Buford Highway (SR 13) is a major arterial. ADT = 14,900.		
2	2.8 miles to the nearest transit facility located at 1466 Satellite Boulevard and Peachtree Villa (Route 50).		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

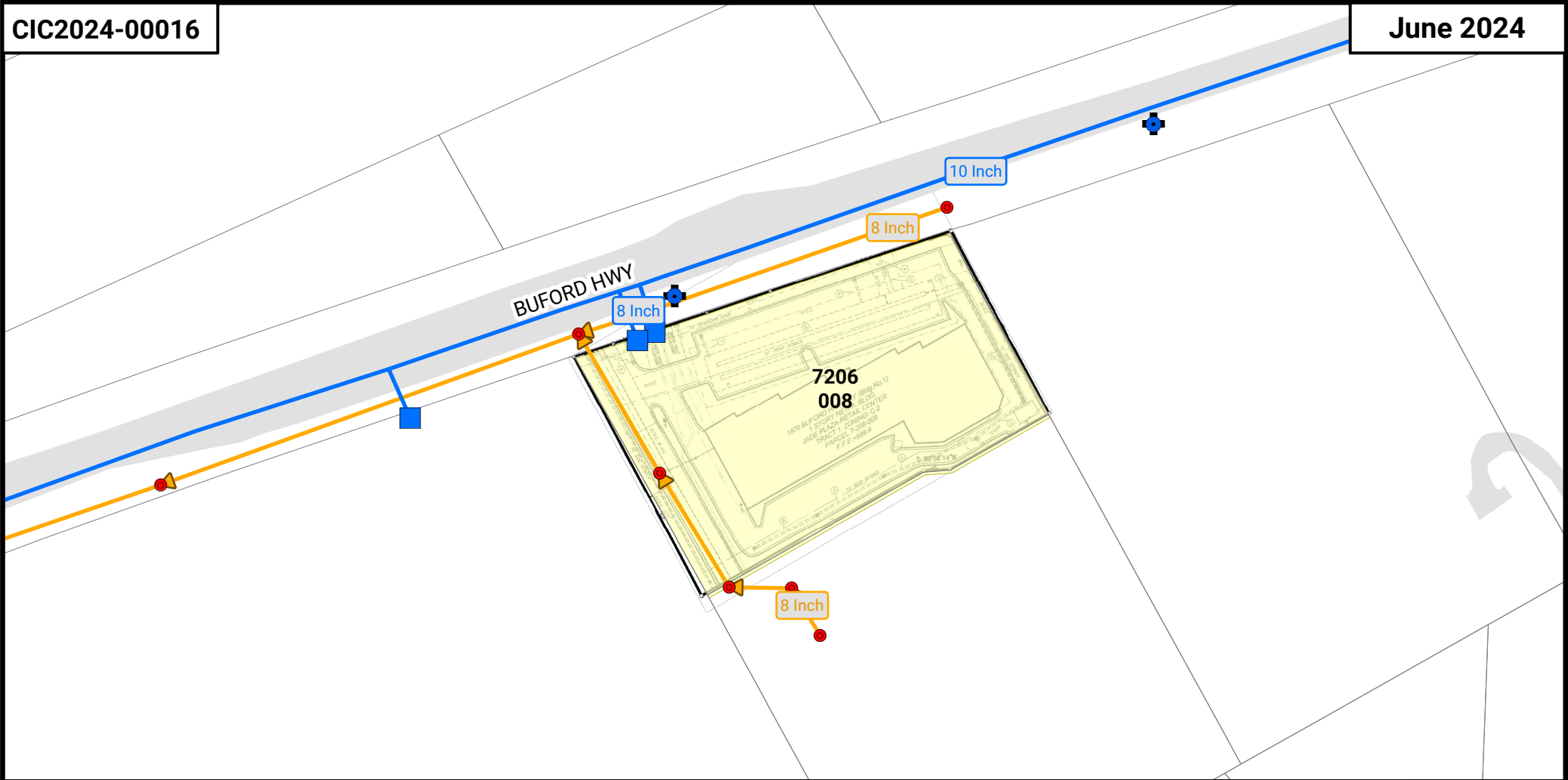


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		CIC2024-00016		
Case Address:		1866 Buford Hwy		
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> X NO
1	Water: GCDWR does not have comments for this Change in Conditions. The existing facility is connected to public water.			
2	Sewer: GCDWR does not have comments for this Change in Conditions. The existing facility is connected to public sewer.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> X NO
1				
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021

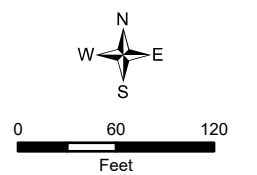


LEGEND

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

1866 Buford Hwy
C-2

Water & Sewer
Utility Map



LOCATION



Water Comments: GCDWR does not have comments for this Change in Conditions. The existing facility is connected to public water.

Sewer Comments: GCDWR does not have comments for this Change in Conditions. The existing facility 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.

Exhibit I: Maps

[attached]



BUFORD HWY

PERCIVAL DR

POSTWAITE WAY

VERMILION BAY CIR
HIGHGATE HILLS DR



CIC2024-00016

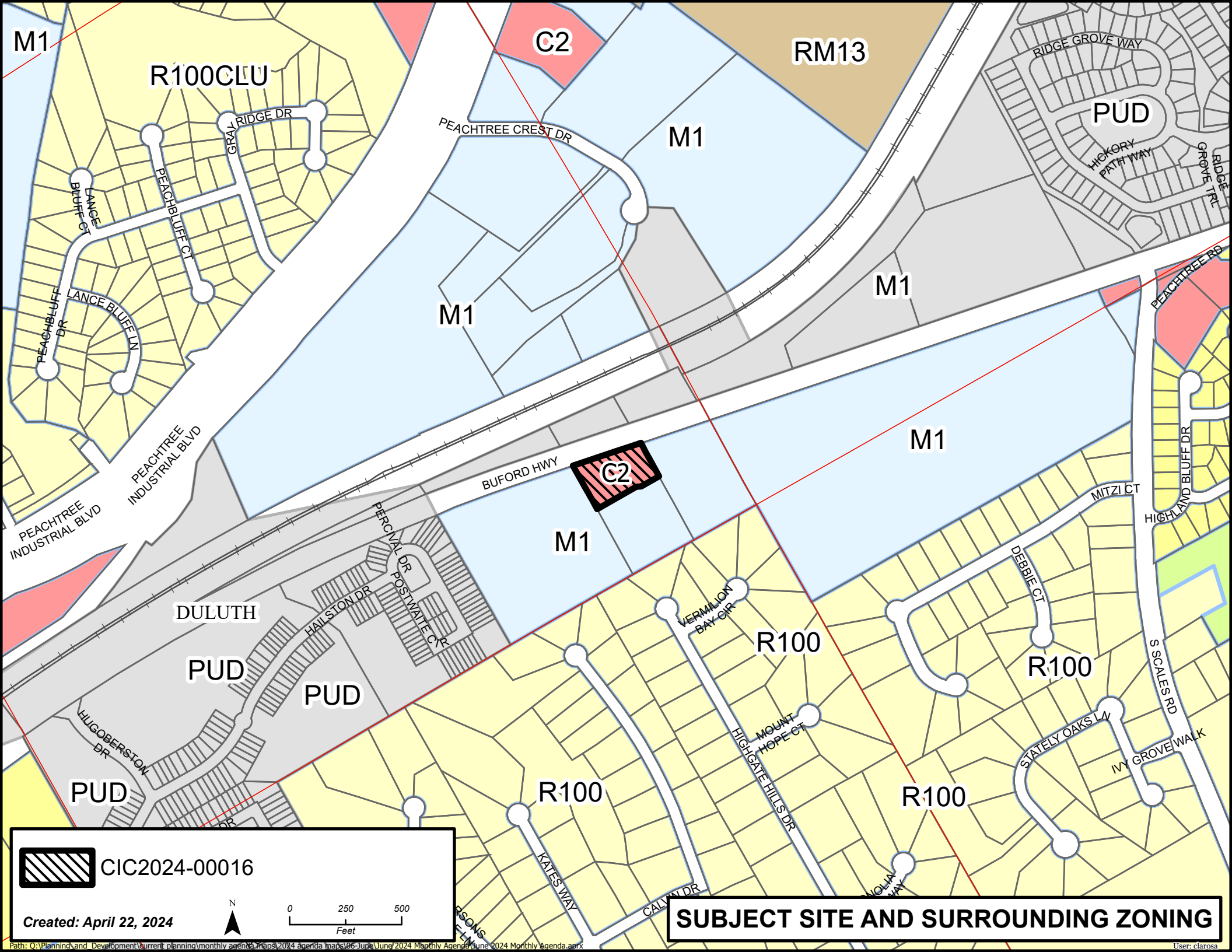
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0 100 200
Feet

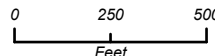
Gwinnett County GIS

User: claros



CIC2024-00016

Created: April 22, 2024



SUBJECT SITE AND SURROUNDING ZONING

