

City of Dacula
 P. O. Box 400
 Dacula, GA 30019
 (770) 962-0055 / Fax (770) 513-2187

REZONING/ CHANGE OF CONDITIONS/ SPECIAL USE PERMIT APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF DACULA, GEORGIA.
 (Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME <u>Belkys L. Roa Zambrano</u>	NAME <u>Atlanta Quality Management, LLC</u>
ADDRESS <u>2566 Kachina Trail</u>	ADDRESS <u>2566 Kachina Trail</u>
CITY <u>Dacula</u>	CITY <u>Dacula</u>
STATE <u>Georgia</u> ZIP <u>30019</u>	STATE <u>Georgia</u> ZIP <u>30019</u>
PHONE <u>(678) 449-5104</u> FAX _____	PHONE <u>(770) 298-3549</u> FAX _____

APPLICANT IS THE:

- OWNER'S AGENT
- PROPERTY OWNER
- CONTRACT PURCHASER

* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).

CONTACT PERSON Richard B. Smith, P.E.
 COMPANY NAME Smith Monitoring & Maintenance Engineering, Inc.
 ADDRESS 145 Merrill Avenue
Decatur, Georgia 30030
 PHONE (404) 229-3096 FAX _____
 EMAIL rick@smmeinc.com

PRESENT ZONING DISTRICT(S) R-1100 REQUESTED ZONING DISTRICT C-2
 LAND LOT(S) 302 PARCEL # A030 DISTRICT(S) 5 ACREAGE 1.51

PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED _____
Construction of an indoor soccer facility.

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS <u>1</u>
DWELLING UNIT SIDE (SQ. FT.) _____	TOTAL GROSS SQ. FEET <u>26,000 SF</u>

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

*** PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING WHAT IS PROPOSED and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AMENDED ***

CASE NUMBER

APPLICANT CERTIFICATION

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant Belkys L. Roa Date 10/31/24
Type or Print Name/Title Belkys L. Roa Zambiano
Notary Public Morgan McQueen Date 10/31/24

MORGAN MCQUEEN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Sep 23, 2025

PROPERTY OWNER CERTIFICATION

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Property Owner Belkys L. Roa Date 10/31/24
Type or Print Name/Title Belkys L. Roa Zambiano
Notary Public Morgan McQueen Date 10/31/24

MORGAN MCQUEEN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Sep 23, 2025

FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

APPLICATION

City Council	
<input type="checkbox"/> Waivers	
<input checked="" type="checkbox"/> Variance	

Staff Approval Only

Modifications

(Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME <u>Belkys L. Roa Zambrano</u>	NAME <u>Atlanta Quality Management, LLC</u>
ADDRESS <u>2566 Kachina Trail</u>	ADDRESS <u>2566 Kachina Trail</u>
CITY <u>Dacula</u>	CITY <u>Dacula</u>
STATE <u>Georgia</u> ZIP <u>30019</u>	STATE <u>Georgia</u> ZIP <u>30019</u>
PHONE <u>(678) 449-5104</u> FAX _____	PHONE <u>(770) 298-3549</u> FAX _____

APPLICANT IS THE:

- OWNER'S AGENT
- PROPERTY OWNER

** Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).*

CONTACT PERSON Richard B. Smith, P.E.

COMPANY NAME Smith Monitoring & Maintenance Engineering, Inc.

ADDRESS 145 Merrill Avenue
Decatur, Georgia 30030

PHONE (404) 229-3096 FAX _____

PRESENT ZONING DISTRICT(S) R-1100 LAND LOT(S) 302 DISTRICT(S) 5th

ADDRESS OF PROPERTY 2694 Winder Highway ACREAGE 1.51

Describe your request in detail and state justification/hardship: _____
Request is for a variance from 75' buffer requirement due to zoning change to C-2. Directly adjacent properties are currently undeveloped and revised zoning is more compatible with the 2050 Comprehensive Plan for the Dacula Downtown Character Area. *(Attach additional sheets if necessary)*

HAS THE APPLICANT FILED ANY OTHER APPLICATIONS FOR THIS PROPERTY WITHIN THE PAST 12 MONTHS ? Yes No

If Yes, please describe: Rezoning Application.
(Attach additional sheets if necessary)

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY
*** PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING REQUEST and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AFFECTED ***

CASE NUMBER: _____

APPLICANT CERTIFICATION

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

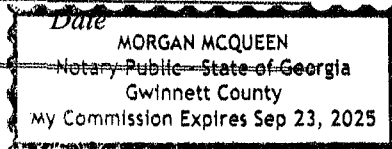
Bethany L. Row
Signature of Applicant

10/31/24
Date

Bethany L. Row Zambano/owner
Type or Print Name/Title

Morgan McQueen
Notary Public

10/31/24
Date



PROPERTY OWNER CERTIFICATION

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

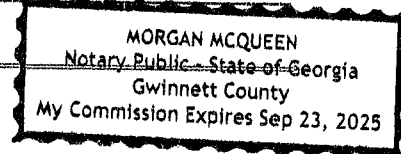
Bethany L. Row
Signature of Applicant

10/31/24
Date

Bethany L. Row Zambano/owner
Type or Print Name/Title

Morgan McQueen
Notary Public

10/31/24
Date



FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

FOR ADMINISTRATIVE USE ONLY

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____

LETTER OF INTENT

Atlanta Quality Management, LLC

2694 Winder Highway

Parcel 5302A030

Dacula, Georgia

Proposed Project: Atlanta Quality Management, LLC (AQM) proposes the development of an indoor soccer complex on the 1.51-acre property. The facility is proposed to be constructed of reinforced concrete or reinforced masonry for the foundation and lower level. The upper level would be enclosed in an insulated metal building shell. Maximum building height will not exceed forty (40) feet.

Zoning Change Request: Current zoning for the parcel is R-1100, as are the adjoining properties to the east and west. To develop the subject property as an indoor soccer field a change in zoning to C-2 is required. The C-2 zoning is comparable with the current use of nearby properties on the south side of Winder Highway (Dairy Queen/Ace Hardware). C-2 is also compatible with the 2050 Comprehensive Plan for the Dacula Downtown Character Area.

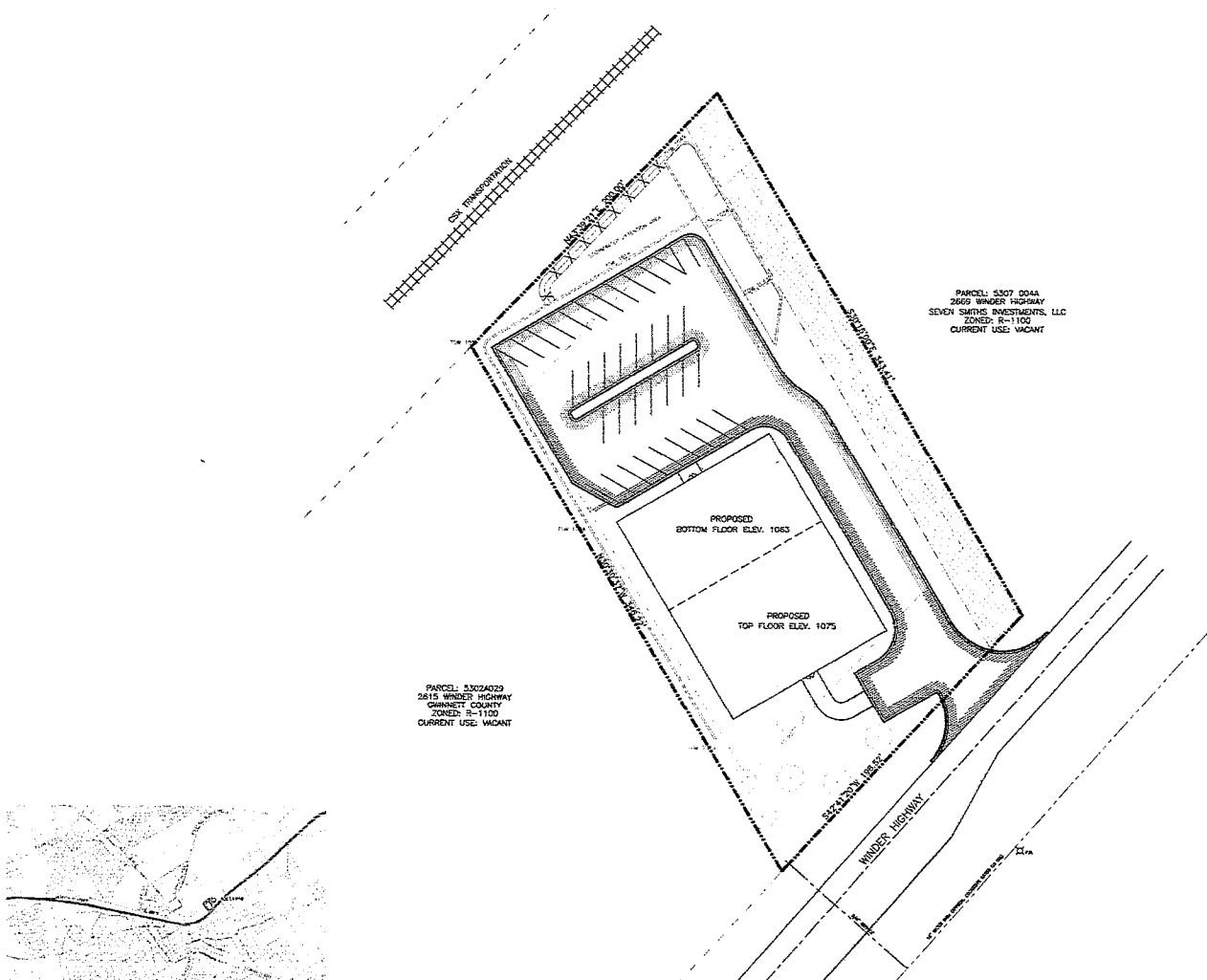
Buffers: The parcel is bounded on the southwest and northeast sides with currently vacant parcels zoned R-1100. A change of zoning of the subject parcel would result in the requirement for 75' wide vegetative buffers from both properties. AQM proposes a variance from these requirements.

The one-acre property to the northeast, parcel 5307 004A, is currently owned by Seven Smith's Investments, owner of Handy Ace Hardware on the opposite side of Winder Highway. The property is vacant and the owners state there is no plan for site development. AQM proposes to maintain a 25' wide vegetative buffer off the northeast boundary line.

The property to the southwest, parcel 5302A029 is currently owned by Gwinnett County and was used as a borrow pit for the rebuild of the intersection of Winder Highway with Dacula Road and Harbins Road. AQM is requesting a variance from the vegetative buffer requirement. County officials have reported that the county would not oppose the request.

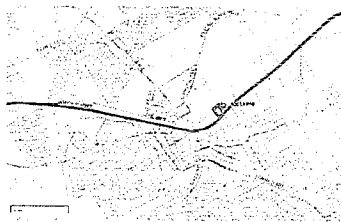
Water and Sewer: Water use at this site is anticipated to be minimal since there will be no food service and no shower facilities. Two toilets, two lavatories, a janitorial sink, and site irrigation would provide for an estimated maximum water use of 800 gallons per day. A ¾" water supply meter is located near the south-east corner of the parcel in the Winder Highway right-of-way. The facility will require a sprinkler system or other fire protection, so an additional tap on the 16" water supply main may be required.

The closest sanitary sewer connection would be on the south side of Winder Highway at the intersection with Harbins Road and would require pumping. The development plan for this site includes allocating areas for a constructed leach field and septic tank in the northeast corner.



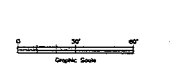
PARCEL 3307 0044
2659 WINDER HIGHWAY
SEVEN SMITHS INVESTMENTS, LLC
ZONED: R-1100
CURRENT USE: VACANT

PARCEL 3309A020
2615 WINDER HIGHWAY
CHAMBLEE COUNTY
ZONED: R-1100
CURRENT USE: VACANT



Site Location

Concept Plan



72-HOUR NOTICE IS REQUIRED TO GEORGIA 811 UTILITY PROTECTION CENTER BEFORE ANY PLANNED DIGGING. <http://www.georgi811.com>

General Note

EXISTING PROPERTY FEATURES AND TOPOGRAPHY BASED ON SURVEY BY SHERIDAN LAND SURVEYING DATED MARCH 09, 2024.
SUBJECT PROPERTY IS PARCEL 3309A020, CURRENTLY ZONED R-1100.
TOTAL LOT AREA - 1.51 ACRES.

No.	Revision/Issue	Date

Firm Name and Address
 South Manufacturing & Maintenance Engineering, Inc.
 145 Merritt Avenue
 Decatur, Georgia 30030
 (404) 229-3096
 info@smmmeinc.com

Project Name and Address
 Atlanta Quality Management, LLC
 2694 Winder Highway
 Decatur, Georgia
 Indoor Soccer Complex
 Conceptual Plan

Project: Indoor Soccer	Sheet: 001
Date: Oct. 25, 2024	
Scale: 1" = 30'	

LEGAL DESCRIPTION

Based on the Property Deed:

All that tract or parcel of land lying and being in the 5th District of Gwinnett County, Georgia and in the town of Dacula, and being Tracts 12 and 13, of the subdivision of the J.M. McMillan Estate, each Lot fronting on the north side of the Winder Highway, known as State Highway number eight (8), 100 feet and each lot running back even width, to the Seaboard Coastline Railroad; the two lots or tracts being bound together as follows: on the north by the Seaboard Coastline Railroad; on the east by the lands of Seven Smiths Investments; on the South by the Winder Highway; on the west west Gwinnett County parcel. The east line of tract number 13 is 350 feet, more or less, and the west line of tract number 12 is 360 feet, more or less.

Metes and Bounds based on plat of March 5, 2024 by United Land Surveying:

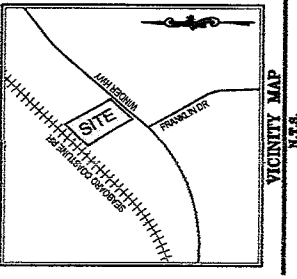
The point of beginning being a ½" diameter rebar 66 feet north-north-west along the line dividing land lots 302 and 307 from the common point with land lots 301 and 308. From the point of beginning south 42 degrees, 41 minutes, 20 seconds west for 198.52' to a ½" diameter rebar. From thence north 30 degrees, 39 minutes, 37 seconds west for 346.22 feet to an iron pin. From thence north 43 degrees 39 minutes, 21 seconds east for 200.00 feet to a ½" diameter rebar. From thence south 30 degrees, 16 minutes, 00 seconds east for 343.41 feet to the point of beginning.

CURRENT ZONING
 ZONING R-110 (CITY OF DACULA 08/18/07)
 MIN. YARD ADVANCEMENT TO PUBLIC STREET
 FRONT YARD: 60 FEET
 SIDE YARD: 10 FEET
 REAR YARD: 40 FEET
 MIN. LOT AREA: 50,000 SQ. FT. - SEWER
 16,000 SQ. FT. SEPTIC
 MIN. LOT WIDTH: 100 FEET

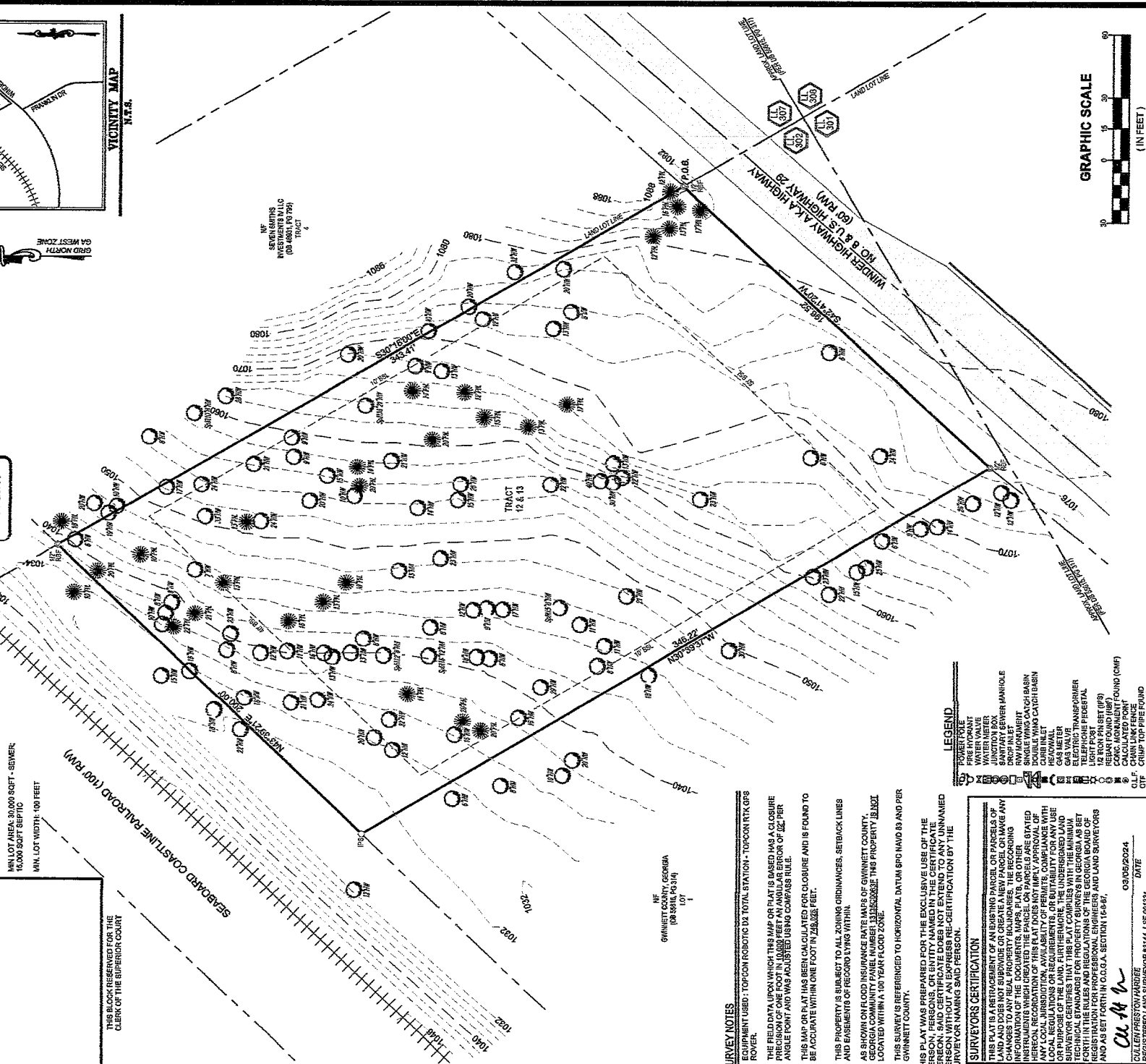
THIS BLOCK RESERVED FOR THE
 CLERK OF THE SUPERIOR COURT

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:
ISRAEL MORQUECHO
 TRACTS 12 & 13 OF THE J.M. McMILLAN ESTATE
 LAND LOT 902, 5TH DISTRICT, GWINNETT COUNTY, GEORGIA

AREA
 65,922 sq. ft.
 1.51 acres



NE
 SEVEN GRAINS
 INVESTMENTS V LLC
 (DB 08/01/10/79)
 17777



- LEGEND**
- POWER POLE
 - WATER VALVE
 - WATER METER
 - SEWER MANHOLE
 - BANTRY SEWER MANHOLE
 - PROCP INLET
 - RMV MANHOLE
 - DOUBLE WING CATCH BASIN
 - CURB INLET
 - 6.5 METER GAS VALVE
 - 1/2 INCH PIPES (99)
 - TELEPHONE PRESSURE
 - TELEPHONE
 - CONC. ANCHORMENT FOUND (CMF)
 - CALCULATED POINT
 - CL.F. CHURN TOP PIPE FOUND
 - CIF. CHURN TOP PIPE FOUND
 - IRON PIN OR ROD FOUND

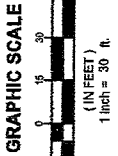
- SURVEY NOTES**
- EQUIPMENT USED: TOPCON ROBOTIC D3 TOTAL STATION • TOPCON RTK GPS ROVER.
 - THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF 0.2 PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
 - THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 240,000 FEET.
 - THIS PROPERTY IS SUBJECT TO ALL ZONING ORDINANCES, SETBACK LINES AND EASEMENTS OF RECORD LYING WITHIN.
 - AS SHOWN ON FLOOD INSURANCE RATE MAPS OF GWINNETT COUNTY, GEORGIA COMMUNITY PANEL NUMBER 131200022E, THIS PROPERTY IS **NOI** LOCATED WITHIN A 100 YEAR FLOOD ZONE.
 - THIS SURVEY IS REFERENCED TO HORIZONTAL DATUM 830 NAVD 83 AND PER GWINNETT COUNTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYORS CERTIFICATION.

SURVEYORS CERTIFICATION

THIS PLAT IS A RESTATEMENT OF AN EXISTING MAP OR PLAT OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INSTRUMENTS OF THE PREVIOUS MAPS, LOTS, OR OTHER INTERESTS OF THE PREVIOUS MAPS, LOTS, OR OTHER INTERESTS OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH SURVEYING STANDARDS, OR THE LIABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE SURVEYORS CERTIFICATE CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN O.G.A. SECTION 16-8-1. THE SURVEYORS BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.G.A. SECTION 16-8-1.

Allen Prestor
 CALLEN PRESTOR, ENGINEER
 REGISTERED LAND SURVEYOR 8314, LSF 001321
 DATE: 03/05/2024



UNITED LAND SURVEYING, LLC. ALL RIGHTS ARE RESERVED. ANY REPRODUCTION OR OTHER USE OF THE DOCUMENT WITHOUT PRIOR WRITTEN PERMISSION FROM UNITED LAND SURVEYING, LLC. IS EXPRESSLY PROHIBITED.

1250 CANTON ROAD, SUITE 1019
 ATLANTA, GEORGIA 30309
 TEL: 404.254.5231
 WWW.ULSLLC.COM

UNITED LAND SURVEYING
 COA NO. LSF 001321

BOUNDARY & TOPOGRAPHIC SURVEY
ISRAEL MORQUECHO
 TRACTS 12 & 13
 J.M. McMILLAN ESTATE
 LAND LOT 902, 5TH DISTRICT
 GWINNETT COUNTY
 GEORGIA

REVISIONS

1.			
2.			
3.			
4.			

LEGAL REFERENCE:
 DEED BOOK: 60602 PAGE: 602
 PLAT BOOK: PAGE: SHEET 1 OF 1

PLAT DATE: 03/05/2024
FIELD DATE: 06/02/2023
SCALE: 1"=30'
DRAWN BY: J.A.M.
REVIEWED BY: M.A.M.



JOB NUMBER:
 23-325

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 10, 2024

TO: Seven Smiths Investments, LLC

(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Atlanta Quality Management, LLC

RE: Application Case #: _____

Application Case #: _____

Application Case #: _____

Property Location: 5th District, Land Lot 302 Parcel 5302A030

LOCATION/ADDRESS: 2694 Winder Highway, Dacula, Georgia

You are hereby notified that an application a zoning change from R-1100
to C-2 has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall,
442 Harbins Rd., Dacula, Georgia on _____ at 6:00 P. M. in the Council
Chambers. (date)

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd.,
Dacula, Georgia on _____ at 7:00 P. M. in the Council Chambers.
(date)

If you have any comments or concerns concerning this matter, please plan to attend the public
hearings.

Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 10, 2024

TO: Gwinnett County, Real Estate and Records Management

(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Atlanta Quality Management, LLC

RE: Application Case #: _____

Application Case #: _____

Application Case #: _____

Property Location: 5th District, Land Lot 302 Parcel A030

LOCATION/ADDRESS: 2694 Winder Highway, Dacula, Georgia

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(date)

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Thank you.

CONFLICT OF INTEREST

CONFLICT OF INTEREST CERTIFICATION

The undersigned, making application for rezoning/SUP, 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 of Applicant Belkys L. Roa Date 10/31/24

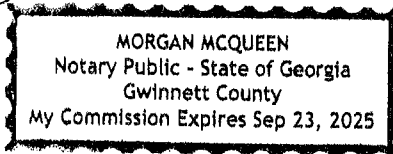
Type or Print Name/Title Belkys L. Roa Zambrano

Signature of Applicant' Attorney Belkys L. Roa Date 10/31/24

Type or Print Name/Title Belkys L. Roa Zambrano / owner

Notary Public Morgan McQueen Date 10/31/24

(Notary Seal)



Official Use Only

DATE RECEIVED _____ ZONING CASE NUMBER _____

RECEIVED BY _____

IMPACT ANALYSIS STATEMENT



City of Dacula

P. O. Box 400

Dacula, GA 30019

(770) 962-0055 / Fax (770) 513-2187

IMPACT ANALYSIS STATEMENT

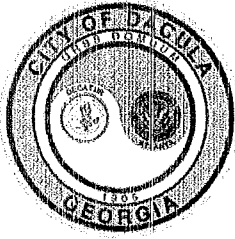
As required by the Zoning Resolution of the City of Dacula, the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power. **ALL APPLICATIONS MUST BE COMPLETED WITH THE COMPLETED IMPACT ANALYSIS STATEMENT.**

DATE October 11, 2024

APPLICANT Atlanta Quality Management, LLC

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property: Compatible with zoning/use of properties south of Winder Hwy.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: Adjacent properties are vacant and a vegetative buffer is retained for the smaller parcel to the north east.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: Lack of sewage service may impact the use of this area for residential development.
Septic systems require a minimum lot size of 30,000 SF.
- D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Property is located on a major highway and should cause minimal impact.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: The parcel is located in the Dacula Downtown Character Area. The C-2 zoning is supportive of the 2050 Comprehensive Plan.
- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning: C-2 zoning and development of this parcel may encourage commercial development of the adjacent parcels.

CAMPAIGN DISCLOSURE FORM



City of Dacula
P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

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 the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Contributions <i>(All which aggregate to \$250.00+)</i>	Contribution Date <i>(within last 2 years)</i>

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Description of Gifts <i>(Valued aggregate \$250.00+)</i>	Date Gift was Given <i>(within last 2 years)</i>

(Attach additional sheets if necessary to disclose or describe all contributions/gifts)