



# Planning Commission Public Hearing

Monday, February 02, 2026 at 6:00 PM

Dacula City Hall, Council Chambers

442 Harbins Rd. | P.O. Box 400 | Dacula, Georgia 30019 | (770) 963-7451

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## Agenda

*RESCHEDULED FROM MONDAY, JANUARY 26 DUE TO WEATHER*

### **CALL TO ORDER AND ROLL CALL OF MEMBERS:**

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **MINUTES:**

- [1.](#) Approval of the Minutes from the meeting on Monday, November 24, 2025

### **OLD BUSINESS:**

### **NEW BUSINESS:**

- [2.](#) 2026 Planning Commission Chairman appointment
- [3.](#) 2026 Planning Commission Vice-Chairman appointment
- [4.](#) **PUBLIC HEARING: 2025-CD-SUP-03**, Applicant: Affinity Angels Care Helens Adult Day Center, LLC, Owner: Seven Smiths Investments, LP requests special use permit for day care use. The property is located in Land Lot 301 of the 5th District and contains 3.56 acres more or less.
- [5.](#) **Special Use Permit Application: 2025-CD-SUP-03**, Applicant: Affinity Angels Care Helens Adult Day Center, LLC, Owner: Seven Smiths Investments, LP requests special use permit for day care use. The property is located in Land Lot 301 of the 5th District and contains 3.56 acres more or less.
- [6.](#) **PUBLIC HEARING: 2025-CD-RZ-05**, Applicant: Labri Group, L.P. and Randall Powell, Owners: Labri Group, L.P. and Randall Powell requests rezoning from R-1400 CSO (Single-Family Residential District, *Conservation Subdivision Overlay District*) to R-1400 (Single-Family Residential District). The property is located in Land Lot 257 of the 5th District and contains 0.95 acres more or less.
- [7.](#) **Rezoning Application: 2025-CD-RZ-05**, Applicant: Labri Group, L.P. and Randall Powell, Owners: Labri Group, L.P. and Randall Powell requests rezoning from R-1400 CSO (Single-Family Residential District, *Conservation Subdivision Overlay District*) to R-1400 (Single-Family Residential District). The property is located in Land Lot 257 of the 5th District and contains 0.95 acres more or less.

8. **PUBLIC HEARING: 2025-CD-RZ-06**, Applicant: Belkus L. Roa Zambrano, Owner: Atlanta Quality Management, LLC requests rezoning from R-1200 DOD (Single-Family Residential District, *Downtown Overlay District*) to C-1 DOD (Neighborhood Commercial District, *Downtown Overlay District*). The property is located in Land Lot 301 of the 5th District and contains 0.83 acres more or less.
9. **Rezoning Application: 2025-CD-RZ-06**, Applicant: Belkus L. Roa Zambrano, Owner: Atlanta Quality Management, LLC requests rezoning from R-1200 DOD (Single-Family Residential District, *Downtown Overlay District*) to C-1 DOD (Neighborhood Commercial District, *Downtown Overlay District*). The property is located in Land Lot 301 of the 5th District and contains 0.83 acres more or less.

**ADJOURNMENT:**



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## Minutes

### **I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

The Planning Commission met on Monday, November 24, 2025 in the Council Chambers at Dacula City Hall, Dacula, Georgia.

Member Thomas called the meeting to order at 6:00 p.m. and conducted a roll call of the members. A quorum was present.

#### **Members Present:**

Member Myra Montalbano  
Member Gene Greeson  
Member Trannon Thomas

#### **Members Absent:**

Chairman Mark Chandler  
Member Lisa Bradberry

#### **City Staff Present:**

Brittni Nix, City Administrator  
Courtney Mahady, Assistant City Clerk  
Hayes Taylor, City Planner  
Dana Stump, Administrative Assistant for Planning & Zoning  
James Ross, City Marshal

### **II. INVOCATION:**

Mayor King gave the invocation.

### **III. PLEDGE OF ALLEGIANCE:**

Member Thomas led the Pledge of Allegiance.

### **IV. MINUTES:**

1. Approval of the Minutes from the meeting on Monday, October 27, 2025

Motion to approve made by Member Greeson, Seconded by Member Montalbano.

Voting Yea: Member Montalbano, Member Greeson

### **V. OLD BUSINESS:**

None

**VI. NEW BUSINESS:**

2. Interim Chair appointment

Motion to appoint Trannon Thomas as Interim Chair for this meeting made by Member Greeson, Seconded by Member Montalbano.

Voting Yea: Member Montalbano, Member Greeson

**3. PUBLIC HEARING:** Ordinance to amend Article IX of the Zoning Resolution

Motion to open the public hearing made by Member Montalbano, Seconded by Member Greeson.

Voting Yea: Member Montalbano, Member Greeson

City Planner, Hayes Taylor, reported that the City of Dacula is updating its Alcoholic Beverages Ordinance, and that implementing these changes requires revisions to Article IX of the Zoning Resolution to specify the appropriate zoning designations for various uses. He also noted that staff recommends permitting personal care homes in residential districts through the Special Use Permit process. Mr. Taylor stated staff recommends approval of the proposed amendments to Article IX.

*No comments in favor or opposition.*

Motion made by Member Greeson, Seconded by Member Montalbano.

Voting Yea: Member Montalbano, Member Greeson

4. Ordinance to amend Article IX of the Zoning Resolution

Motion to recommend approval made by Member Montalbano, Seconded by Member Greeson.

Voting Yea: Member Montalbano, Member Greeson

**VII. ADJOURNMENT:**

Motion to adjourn made by Member Greeson, Seconded by Member Montalbano.

Voting Yea: Member Montalbano, Member Greeson

Meeting adjourned at 6:05 p.m.

Minutes approved \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



# MEMO

TO: Planning Commission of the City of Dacula  
FROM: Hayes Taylor, City Planner  
DATE: January 22, 2026  
SUBJECT: Chairman and vice chairman appointments

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A chairman and vice chairman must be appointed by the Planning Commission at the first meeting of the year. As such, a chairman and vice chairman must be appointed during the Planning Commission meeting on January 26, 2026.



# Memorandum

TO: City of Dacula Planning Commission /  
City of Dacula Mayor and City Council

FROM: Hayes Taylor, City Planner

DATE: January 22, 2025

CASE: **2025-CD-SUP-03**

## Executive Summary

Applicant Affinity Angels Care Helens Adult Day Center, LLC requests a Special Use Permit to operate an adult day care at 360 Franklin Dr., Suite D. The proposed use will not require redevelopment of the subject property. The proposed business model would offer part-time care for adult clients, including daily activities, assistance with medical care, and structured programming.

General information about the project is provided below. The application documents are available following the staff report.

Figure 1 Aerial



Property and Surrounding Land Use Information	
Addresses	360 Franklin Drive, Suite D
Parcel ID #	5301 056
Current Zoning	C-2 DOD
Request Special Use	Day Care Use
Current Development	Existing Retail, Undeveloped, and City Park

2050 Comprehensive Plan Character Area	Dacula Downtown
Streets	Franklin Drive
<b>Surrounding Neighborhood</b>	
North	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
South	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
East	R-1200 DOD (Single-Family Residential District, <i>Downtown Overlay District</i> )
West	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
<b>Recommendation</b>	
Staff	Approval with staff conditions

### Existing Land Use and Zoning

The subject property totals ±3.59-acre and is zoned C-2 DOD (General Commercial District, *Downtown Overlay District*). The parcel contains a variety of commercial uses including a pest and termite service business, a warehouse, and an outdoor storage lot within a legal nonconforming multitenant building. The parcel previously contained a day care business until 2019.

The subject parcel is bordered by active commercial parcels, zoned C-2 DOD (General Commercial District, *Downtown Overlay District*), to the north, west, and south. Nearby commercial uses include a hardware retail chain location, a lighting business, a prefab multi-tenant commercial building, and an additional pest control business. To the east, there is an undeveloped parcel, and an active residence. Both parcels are zoned R-1200 DOD (Single-Family Residential, *Downtown Overlay District*).



## The Proposed Development

The proposed business will not require redevelopment of the 8,750 SF multi-unit. The applicant requests a Special Use Permit for day care use as required by Article IX, Section 906.E12. of the Zoning Resolution. The day care would occupy an 835 SF unit within the multi-unit building. Application materials state that the morning drop-off, and afternoon pick-up times are not expected to necessitate additional parking, because cars will not remain throughout the day.

The proposed business model would offer part-time care for adult clients, including daily activities, assistance with medical care, and structured programing. The letter of intent highlights that the proposed programming specifically assists elders with moderate dementia or early-stage Alzheimer's, moderate physical disabilities, and elders with social needs.

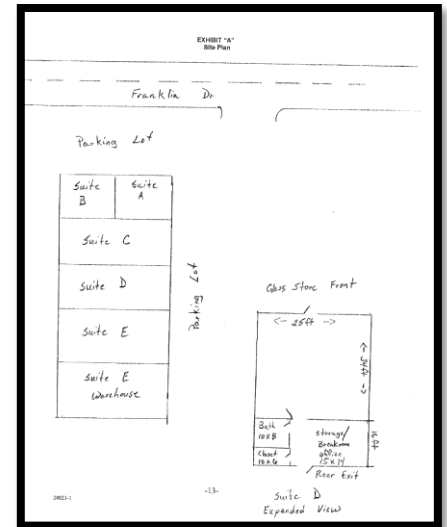
The subject parcel falls within the Downtown Overlay District and the Urban Redevelopment Plan. The proposed use does not require redevelopment of the subject parcel, allowing the building to maintain its legal nonconforming status.

## Analysis

### *Rezoning Request*

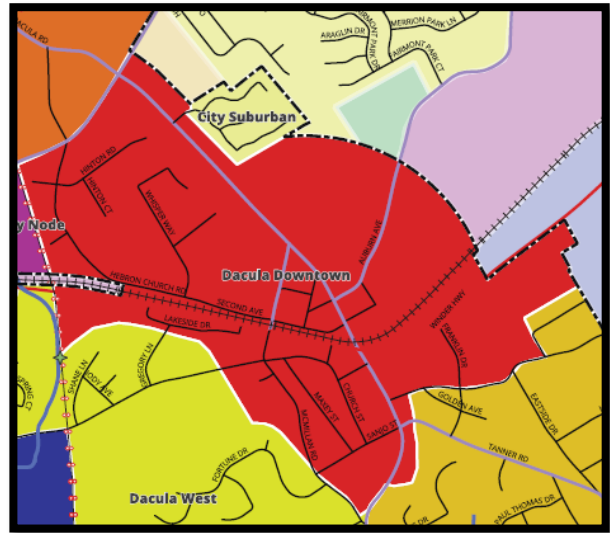
The requested SUP does not conflict with the surrounding commercial uses in the corridor and in the multitenant building. The adult day care use is not more intense than existing uses. The pest control business in another suite on the property uses its space for office purposes only, and does not store chemicals on site.

Given the precedent for the use on the parcel, and the commercial character of Franklin Rd., the requested day care special use could be considered appropriate with adequate conditions and safeguards.



### *Comprehensive Plan Consistency*

The Dacula 20250 Comprehensive Plan identifies this site as being within the Dacula Downtown Character Area. The Comprehensive Plan calls for commercial, residential, and recreational opportunities. The Dacula Downtown Character Area calls for increased local employment opportunities, community services, and recreational opportunities (Dacula 2050 Comprehensive Plan, pg 61). The proposed site plan may provide community members with needed resources and could provide recreational opportunities for adults with day-time assistance, while allowing them to age in place.



The requested special use permit could be considered consistent with the downtown character area goals and objectives.

### **Recommendation:**

Staff recommends approval of the requested special use permit request for an adult day care use.

The analysis of the application should be made based upon the “Standards Governing Exercise of the Zoning Power” as stated in Section 1702 of The 2000 Zoning Ordinance of the City of Dacula.

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

The proposed special use permit could be considered suitable in view of the surrounding commercial uses and developments.

***2. Whether the proposed special use permit will adversely affect the existing use or usability of adjacent or nearby properties?***

If approved, the recommended conditions would help mitigate any negative impacts on current and future residences.

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

Yes, the property has reasonable economic use as currently zoned.

***4. 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 is not expected to create excessive or burdensome use for utilities, existing streets, transportation facilities, or schools, and does not require redevelopment of the subject property.

**5. *Whether the proposed special use permit request is in conformity with the policy and intent of the Land Use Plan?***

The subject parcel is within the Dacula Downtown Character Area of the City of Dacula's Future Land Use Map. The Dacula Downtown Character Area calls for increased local employment opportunities, and community services (Dacula 2050 Comprehensive Plan). The proposed site plan may provide existing residences with needed resources located in their local community.

**6. *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 proposed development does not require the redevelopment of the existing parcel, and does not conflict with the surrounding commercial corridor. Additionally, the previous presence of the proposed use within the subject multitenant building supports the grounds for approval of the request special use.

## **Recommended Conditions**

### Land Use and Concept Plan

1. Any modifications to the existing property improvements (ex: redevelopment, paint, repairs, additions, concrete, asphalt, etc.) shall be reviewed and approved by the Planning & Development Department.
2. The Special Use Permit shall be deemed abandoned by the Property Owner if day care use ceases for more than ninety (90) days, per Article 17, Section 1706.
3. A letter from Gwinnet County Environmental Health certifying the number of adult students is supported by the septic system shall be required prior to Certificate of Occupancy issuance for a group personal care home.
4. The facility shall comply with all Georgia Department of Community Health's requirements. A state license is required prior to Certificate of Occupancy issuance for an adult day care.
5. The building must be compliant with the latest ratified International Building Code standards & Americans with Disabilities Act (ADA) accessibility guidelines prior to Certificate of Occupancy issuance.

### Sign and Advertisement

6. 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 without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.

7. Live human advertisements shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
8. Blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.

#### Waste Management

9. Commercial sanitation services shall be arranged between the business and a franchised solid waste contractor per Chapter 22, Section 22-6.



## 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>Affinity Angels Care Helens Adult Day Center, LLC</u>	NAME <u>Seven Smiths Investments, LP</u>
ADDRESS <u>360 Franklin Dr Suite D</u>	ADDRESS <u>2881 Wallace Rd</u>
CITY <u>Dacula</u>	CITY <u>Buford</u>
STATE <u>Georgia</u> ZIP <u>30019</u>	STATE <u>Georgia</u> ZIP <u>30519</u>
PHONE <u>800-532-9926</u> FAX <u>N/A</u>	PHONE <u>404-391-7183</u> FAX <u>N/A</u>

**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 LyTiffany Jennings, MPA Managing Member

COMPANY NAME Affinity Angels Care Helens Adult Day Center, LLC

ADDRESS 360 Franklin Dr Suite D

Dacula, GA 30019

PHONE 770-568-6552 FAX N/A

EMAIL helensadultday@gmail.com

PRESENT ZONING DISTRICT(S) \_\_\_\_\_ REQUESTED ZONING DISTRICT \_\_\_\_\_

LAND LOT(S) \_\_\_\_\_ PARCEL # \_\_\_\_\_ DISTRICT(S) \_\_\_\_\_ ACREAGE \_\_\_\_\_

PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED Special Use permit request

**RESIDENTIAL DEVELOPMENT:**

NO. OF LOTS/DWELLINGS UNITS \_\_\_\_\_

DWELLING UNIT SIDE (SQ. FT.) \_\_\_\_\_

**NON-RESIDENTIAL DEVELOPMENT:**

NO. OF BUILDINGS/LOTS 1

TOTAL GROSS SQ. FEET 1250 square feet

**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 2025-CD-SUP-03**

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION TRACT 1 – 3.56 acres**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 301 of the 5<sup>th</sup> Land District, Gwinnett County, Georgia, said tract containing approximately 3.56 acres and is more particularly described in accordance with a plat of survey prepared for Airtouch Cellular of Georgia and Commonwealth Land Title Corporation dated May 28, 1996, prepared by McWhorter and Quintana, Neal A. McWhorter, Georgia Registered Land Surveyor No. 2644, said tract being more particularly described in accordance with said survey as follows:

**TO FIND THE TRUE POINT OR PLACE OF BEGINNING, BEGIN** at the point formed by the intersection of the easterly edge of the right-of-way of Franklin Drive (50ft right-of-way width), with the northerly edge of the right-of-way of Freemans Mill Road (apparent 30ft right-of-way width); running thence North 03 degrees 59 minutes 57 seconds West along the easterly edge of the right-of-way of Franklin Drive a distance of 181.97 feet to an R-bar set and the **TRUE POINT OR PLACE OF BEGINNING; RUNNING THENCE FROM THE TRUE POINT OR PLACE OF BEGINNING SO ESTABLISHED**, North 03 degrees 59 minutes 57 seconds West along the easterly edge of the right-of-way of Franklin Drive a distance of 194.48 feet to a point; continue thence northerly and northwesterly along the easterly edge of Franklin Drive along the arc of a curve to the left an arc distance of 105.64 feet, said arc having a radius of 229.54 feet and being subtended by a chord bearing of North 17 degrees 11 minutes 02 seconds West a chord distance of 104.71 feet to a point; continue thence North 30 degrees 22 minutes 07 seconds West along the northeasterly edge of the right-of-way of Franklin Drive a distance of 99.52 feet to a rebar found; running thence, and leaving the right-of-way of Franklin Drive, North 59 degrees 47 minutes 03 seconds East a distance of 284.06 feet to an R-bar set on the land lot line dividing Land Lots 301 and 308 of the 5<sup>th</sup> Land District of Gwinnett County, Georgia; running thence South 30 degrees 15 minutes 38 seconds East along the land lot line dividing Land Lots 301 and 308 of the 5<sup>th</sup> Land District, Gwinnett County, Georgia, a distance of 559.07 feet to an open-top pin found; running thence South 84 degrees 43 minutes 07 seconds West a distance of 434.23 feet to an R-bar set on the easterly edge of the right-of-way of Franklin Drive and the **TRUE POINT OR PLACE OF BEGINNING.**



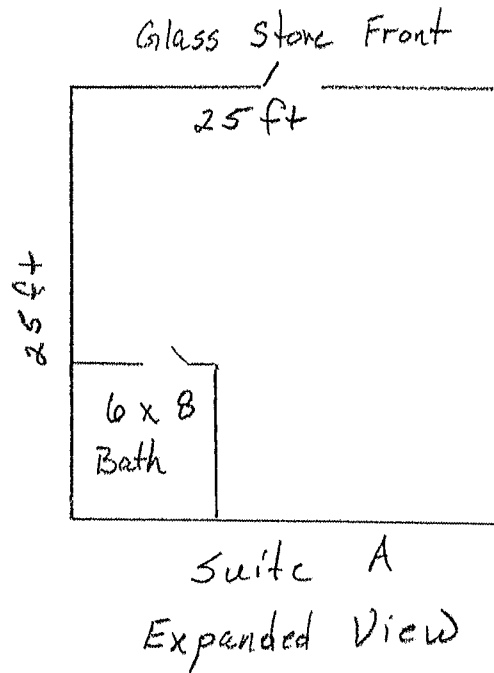
EXHIBIT "A"  
Site Plan

Franklin Dr

Parking Lot

Suite B	Suite A
Suite C	
Suite D	
Suite E	
Suite E Warehouse	

Parking Lot



Affinity Angels Care Helens Adult Day Center, LLC

360 Frank Dr

Suite D

(678) 328.7837

[info@aachelensaduldaycenter.com](mailto:info@aachelensaduldaycenter.com)

Oct 9, 2025

Dacula City Hall

Planning and Development

P. O. Box 400

Dacula, GA 30019

**Subject: Letter of Intent – Establishment of Affinity Angels Care Helens Adult  
Day Center, LLC**

Dear Planning Committee,

I am writing to express my strong interest in establishing a premier adult day care center, Affinity Angels Care Helens Adult Day Center, to serve the Dacula community.

Our mission is to provide a safe, engaging, and supportive environment for adults with diverse needs, fostering community connection and enhancing well-being. We plan to offer a comprehensive range of services, including structured activities, health monitoring, meals, and transportation. Our participants typically require adult day care part-time, in a community-based care setting because they live at home but require supervision and assistance with daily activities, socialization, or structured programs. Key characteristics include cognitive impairments like dementia or early-stage Alzheimer's, moderate physical disabilities, chronic health issues, or significant social isolation and loneliness. These seniors do not require 24/7 skilled nursing care but need support with activities of assistance with daily living, specialized care, or social engagement.

Affinity Angels Care Helens Adult Day Center will operate from 360 Franklin Dr, Suite D, Dacula, GA 30019 and will be open Monday through Friday from 8:00AM to 6:00PM. Our team will consist of 6 qualified staff, including certified caregivers, nurses, activity coordinators].

We are committed to providing high-quality care, fostering independence, supporting family caregivers and envision Affinity Angels Care Helens Adult Day Center becoming a trusted resource for families and a positive force in the community.

Thank you for your time and consideration. We are eager to discuss this opportunity further and provide more details about our vision for Affinity Angels Care Helens Adult Day Center.

Sincerely,

LyTiffany Jennings, MPA

Chief Executive Administrator

## 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

Date

MARCH 11, 2026

Type or Print Name/Title

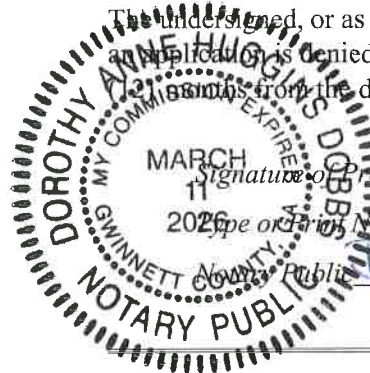
Notary Public

Date

*[Signature]* 11/07/2025  
Curtis Tennings Chief Executive Administrator  
Dorothy Anne Huggins  
Dobbs 11/7/2025

## 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

Date

MARCH 11, 2026

Type or Print Name/Title

Notary Public

Date

*[Signature]* 11-07-2025  
A. Matthew Smith Managing member  
Dorothy Anne Huggins Dobbs 11/7/2025

## FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## 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

Date

Type or Print Name/Title

Signature of Applicant' Attorney

Date

Type or Print Name/Title

Notary Public

Date



Official Use Only

DATE RECEIVED

ZONING CASE NUMBER

RECEIVED BY

Subject property located at 360 Franklin Dr Dacula 30019 owned by Sevens Smiths Investment, LP 2881 Wallace Rd, Buford, GA 30519

Adjoins the following properties.....

2684 Winder Hwy NE, Dacula, GA 30019 parcel R5301 069A

Seven Smiths Investments LP

2881 Wallace Rd, Buford, GA 30519

370 Franklin Dr Dacula 30019 parcel R5301 210

QPS of Atlanta Residential LLC

PO Box 717

Waleska, Ga 30183-0717

2663 Freemans Mill Rd Dacula 30019 parcel R5301 261

222 Investment Company LLC

PO Box 95

Braselton, GA 30517-0002

2723 Freemans Mill Rd Dacula parcel R5308 001

Davis, Scott Lane

2723 Freemans Mill Rd

Dacula GA 30019

Highway 29 property parcel R5308 122

Bowen, Jerry

700 Buffington Dr  
Gillsville GA 30543

Please let me know if you have any questions.

Thank you

Matthew Smith

Seven Smiths Investments LP

2881 Wallace Rd, Buford, GA 30519

404-391-7183



## 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 11/06/2025

APPLICANT Affinity Angels Care Helens Adult Day Center, 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: Yes

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: Yes

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. No

E. Whether the proposed rezoning 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 rezoning: N/A

# Affinity Angels Care Helens Adult Day Cente, LLC

## Impact Analysis Statement

An adult day care center at 360 Franklin Dr, Suite D, Dacula, GA, would create a positive community impact by providing essential social and medical services for seniors and respite for family caregivers.

The facility would also stimulate the local economy through job creation and support of nearby businesses. However, the proposal must address operational challenges like traffic management and noise to mitigate any potential negative impact on the surrounding commercial area.

### Community impact analysis

#### Positive social and health impacts

**Serves a growing senior population:** An aging demographic in the Gwinnett City of Dacula - Downtown Corridor area creates a rising demand for adult day services. An adult day care center would provide local, high-demand services for older adults and individuals with disabilities.

**Enhances participants' well-being:** A day care program can significantly improve the quality of life for seniors by offering a structured, social environment during the day. It provides participants with mental and physical stimulation through group activities and therapeutic programs, which can combat loneliness, isolation, and depression.

**Offers respite for caregivers:** Adult day care provides essential relief for family caregivers, who can use the time to attend to personal needs, continue working, or rest, which helps reduce caregiver burnout.

**Delays institutionalization:** Regular attendance at an adult day care center can help delay the need for more costly residential care facilities, allowing seniors to remain in their homes and communities for longer.

#### Potential operational challenges

**Traffic and parking:** Franklin Drive is a commercially zoned area with other businesses. Increased vehicle traffic during morning drop-off and afternoon pick-up does not increase the current local flow and parking availability. There is no additional traffic congestion.

# Affinity Angels Care Helens Adult Day Center, LLC

## Impact Analysis Statement

Noise: While minimal, noise from participants arriving and departing would not disturb adjacent businesses.

Site accessibility: The facility is fully accessible and safe for individuals with varying mobility levels. The current layout of the commercial suite is in compliance with accessibility standards.

### Economic impact analysis

#### Positive economic impacts

Creation of local jobs: The center would create employment opportunities for healthcare professionals, program coordinators, administrative staff, and other service workers.

Stimulates local spending: Daily operations would contribute to the local economy through purchasing food, supplies, and services from other local businesses.

Cost-effective care alternative: For families, adult day care is often a more affordable option than full-time in-home care, assisted living, or nursing homes. This affordability can help local families manage long-term care costs.

### Financial considerations

Diverse funding streams: Centers can operate on a business model that includes diverse income streams, such as private payments, Medicaid waivers, long-term care insurance, and Veteran Affairs (VA) benefits, which can help ensure financial viability.

Capital investment: The project would not require any additional capital investments. It's be use for same purposes as prior tenant that occupied space in 2020. The success of the business model is highly dependent on achieving adequate participant enrollment and managing operational expenses, which are largely driven by labor costs.

### Environmental impact analysis

#### Considerations for this specific location

Minimal external environmental impact: An adult day care facility within a commercial suite is unlikely to have a significant external environmental impact. The key environmental concerns would be waste management and traffic emissions, which would be manageable with proper protocols.

# Affinity Angels Care Helens Adult Day Cente, LLC

## Impact Analysis Statement

Indoor environment standards: The Georgia Department of Community Health has specific rules for adult day centers regarding sanitation and temperature control to ensure a safe and comfortable internal environment for participants. The facility's design and operations must meet or exceed these standards.

Safety and emergency preparedness: Compliance with all safety regulations, including secure access points, emergency protocols, and staff training, is critical to ensuring the well-being of a vulnerable population.

### Zoning and regulatory considerations

Zoning compliance: The property at 360 Franklin Dr is a commercial acreage property. It is imperative to confirm that an adult day care center is a permitted use under the specific Gwinnett County commercial zoning designation for Suite D, or if a special use permit is required.

State licensing: An adult day care center must obtain a license from the Georgia Department of Community Health and adhere to all state regulations governing facility standards, staffing, and care services.

### Conclusion

Opening an adult day care center at this location would be a beneficial addition to the City of Dacula community, addressing a significant need for senior care services and supporting the well-being of both older adults and their caregivers. While economically viable, the success of the center depends on a solid business plan that accounts for start-up costs and ongoing operational expenses. By proactively managing potential traffic impacts and ensuring full compliance with zoning and state licensing requirements, the facility can provide a valuable service with minimal negative consequences.



## 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:

<b>Name of Government Official</b>	<b>Contributions</b> <i>(All which aggregate to \$250.00+)</i>	<b>Contribution Date</b> <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:

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

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

## **Economic and Community Infrastructure Facilities Impact Worksheet**



**To be completed and submitted with applications for:  
Annexation, Rezoning, Change of Conditions,  
Special Use Permit, Special Exception, or Variance.**

Date Received: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

## Proposed Project Information

Name of Proposed Project: Affinity Angels Care Helens Adult Day Center LLC  
Developer/Applicant: \_\_\_\_\_  
Telephone: (678) 328-7837  
Fax: \_\_\_\_\_  
Email(s): helensadulday@gmail.com

## Economic Impacts

Estimated Value at Build-Out:  
N/A no build out

Will the proposed project generate population and/or employment increases in the area?  
If yes, what would be the major infrastructure and facilities improvement needed to support the increase?

It will increase population of elderly adults for services and employment of staff to work at the facility provide care during the hours of operations

How many short-term and /or long-term jobs will the development generate?  
Long term jobs it will generate between 4-10

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:  
Unknown

Is the regional work force sufficient to fill the demand created by the proposed project?  
Yes

## Community Facilities & Infrastructure Impacts

### Water Supply

Name of water supply provider for this site:  
Gwinnett Water Resources

What is the estimated water supply demand to be generated by the project, measured in Gallons Per Day (GPD)?  
Unknown

Is sufficient water supply capacity available to serve the proposed project?  
Yes

If no, are there any current plans to expand existing water supply capacity?  
N/A

If there are plans to expand the existing water supply capacity, briefly describe below:  
None needed

---

If water line extension is required to serve this project, how much additional line (in feet) will be required?  
None needed

---

### **Wastewater Disposal**

What is the estimated sewage flow to be generated by the project, measured in Gallons Per Day (GPD)?

---

Name of wastewater treatment provider for this site:  
N/A

---

Is sufficient wastewater treatment capacity available to serve this proposed project?  
Yea

---

If no, are there any current plans to expand existing wastewater treatment capacity?  
No

---

If there are plans to expand existing wastewater treatment capacity, briefly describe below:  
No

---

If sewer line extension is required to serve this project, how much additional line (in feet) will be required?  
N/A

---

### **Land Transportation**

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?

---

List any traffic and/or road improvements being made and how they would affect the subject area.  
None

---

---

### **Solid Waste Disposal**

How much solid waste is the project expected to generate annually (in tons)?  
Unknown

---

Is sufficient landfill capacity available to serve this proposed project?  
Yes

---

If no, are there any current plans to expand existing landfill capacity?  
None

---

If there are plans to expand existing landfill capacity, briefly describe below:  
None

---

Will any hazardous waste be generated by the development? If yes, please explain below:  
No

---

## **Stormwater Management**

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?  
N/A

---

Is the site located in a water supply watershed?  
N/A

---

If yes, list the watershed(s) name(s) below:

---

Describe any measures proposed (such as buffers, detention or retention ponds, and/or pervious parking areas) to mitigate the project's impacts on stormwater management:

---

## **Environmental Quality**

Is the development located within or likely to affect any of the following:

1. Water supply watersheds?  
No

---

2. Significant groundwater recharge areas?  
No

---

3. Wetlands?  
No

---

4. Protected river corridors?  
No

---

5. Floodplains?  
No

---

6. Historic resources?  
No

---

7. Other environmentally sensitive resources?  
No

---

If you answered yes to any question 1-7 above, describe how the identified resource(s) may be affected below:

---

**Other Facilities**

What intergovernmental impacts would the proposed development generate for:

Schools?  
N/A

---

Libraries?  
N/A

---

Fire, Police, or EMS  
N/A

---

Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?  
Increase community elderly day care service in the area

---

**Additional Comments:**

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---

---

---

# Memorandum

TO: City of Dacula Planning Commission /  
City of Dacula Mayor and City Council

FROM: Hayes Taylor, City Planner

DATE: January 16, 2026

CASES: **2025-CD-RZ-05**

## Executive Summary

Applicants Labri Group, L.P. and Randal Powell have submitted a request to rezone the subject parcel from R-1400 *CSO* to R-1400. The rezoning would allow the applicant to develop one single-family residential home on the property.

General information about the project is provided below. The application documents are available following the staff report.



Figure 1 Subject Site Aerial

Property and Surrounding Land Use Information	
Addresses	1404 Alcovy Rd
Parcel ID #	5237 358
Current Zoning	R-1400 <i>CSO</i>
Proposed Zoning	R-1400
Current Development	Undeveloped / Vacant

2050 Comprehensive Plan Character Area	South Alcovy
Streets	Alcovy Rd
<b>Surrounding Neighborhood</b>	
North	RA200 (Agriculture/Residence, County)
South	R-1400 CSO (Single-Family Residential District, <i>Conservation Subdivision Overlay District</i> )
East	R-1400 CSO (Single-Family Residential District, <i>Conservation Subdivision Overlay District</i> )
West	R-1400 CSO (Single-Family Residential District, <i>Conservation Subdivision Overlay District</i> )
<b>Recommendation</b>	
Staff	Approval with staff conditions.

### Past Zoning History

The subject property was originally included in an 86-acre+ site plan for a Conservation Subdivision Overlay District project originally approved in 2007. The concept plan was revised in 2017 after undergoing the public hearing process. The updated concept plan did not include the subject parcel in the 65.36-acre subdivision.

### Existing Land Use and Zoning

The applicant requests the rezoning of the vacant  $\pm 0.95$ -acre parcel from R-1400 CSO (Single-Family Residential District, *Conservation Subdivision Overlay District*) to R-1400 (Single-Family Residential District). The subject parcel is boarded by a City subdivision zoned R-1400 CSO (Single-Family Residential District, *Conservation Subdivision Overlay District*, City) to the east, west, and south. Across Alcovy Rd to north is a County park, Freeman's Mill Park, which is zoned RA 200 (Agriculture/Residence, County).

### The Proposed Development

The letter of intent contends that due to the requirement of a minimum of twenty (20) acres for Conservation

Figure 2 Zoning



## Analysis

The 2050 Comprehensive Plan identifies the site as being within the South Alcovy Character Area. The character area describes infill projects as “maintaining existing character” and density, while connecting to trails and infrastructure. The proposed project is consistent with the surrounding residential character and would extend the existing sidewalk network.

**Recommendation:**

Figure 3 Comprehensive Plan Character Area

1. *Whether the proposed rezoning will permit a use that is suitable in view of the use and development of an adjacent and nearby property?*

2. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby properties?*

3. *Whether the property to be affected by the proposed rezoning has a reasonable economic use as currently zoned?*

3

***4. Whether the proposed rezoning and variances 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 is not expected to create excessive or burdensome use for utilities, existing streets, transportation facilities, stormwater infrastructure, or schools.

***5. Whether the proposed rezoning request is in conformity with the policy and intent of the Land Use Plan?***

The subject parcel is within the South Alcovy Character Area of the City of Dacula's Future Land Use Map. The principal object of the character area is to "maintain existing" residential character while allowing for opportunities to connect to parks and trails (Dacula 2050 Comprehensive Plan pg. 65). The proposed rezoning would allow for infill development that reflects the low density residential development pattern present throughout the character area.

***6. 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 and variances?***

The Conservation Subdivision Overlay District requires that development be 20 contiguous acres, have 50 ft of road frontage, a 50 ft street buffer, and that 40% of the gross tract area be undeveloped. The size of the site prevents development without being included in a larger assemblage. Because the surrounding parcels are already developed, it is unlikely that the subject parcel will be included in a CSO project in the future.

## **Recommended Conditions**

### Land Use and Concept Plan

1. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The façades of the dwelling unit shall resemble the surrounding dwellings with the front façade constructed of brick, stone, or stucco with accents of fiber shake, board and batten, or fiber cement siding. The sides and rear shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
2. The minimum heated floor area shall be 1,400 square feet.

### Landscape and Parking

3. The residence shall have a minimum of two (2) decorative trees at least 3 inches in diameter (DBH).
4. Yard trees shall be of one or a combination of the following species:
  - i. American Hornbeam
  - ii. Bloodgood Japanese Maple

- iii. Carolina Silverbell
- iv. Eastern Redbud
- v. Longleaf Pine
- vi. North Red Oak
- vii. Nuttall Oak
- viii. Red Maple
- ix. River Birch
- x. Tulip Poplar
- xi. Shumard Oak
- xii. Southern Sugar Maple
- xiii. Sweet Bay Magnolia

- 5. The developer shall provide a fifteen (15) foot undisturbed buffer along the western and southern property frontages. Existing vegetation within the 15-foot undisturbed buffer must remain undisturbed when feasible. Feasibility will be determined by the City Administrator or his / her designee.

#### Infrastructure

- 6. A five (5)-foot sidewalk shall be constructed the length of the parcel's road frontage.
- 7. If sewer capacity is not available, a Gwinnett County Environmental Health septic permit shall be required prior to building permit issuance. The residential dwelling shall not exceed the maximum number of bedrooms permitted by the Gwinnett County Environmental Health septic permit.



City of Dacula  
P. O. Box 400  
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(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>Labri Group, L.P. and Randall Powell</u>	NAME <u>Labri Group, L.P. and Randall Powell</u>
ADDRESS <u>11 Lumpkin Street</u>	ADDRESS <u>11 Lumpkin Street</u>
CITY <u>Lawrenceville</u>	CITY <u>Lawrenceville</u>
STATE <u>GA</u> ZIP <u>30046</u>	STATE <u>GA</u> ZIP <u>30046</u>
PHONE _____ FAX _____	PHONE _____ 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 Anthony Powell or Leslie Trimmer

COMPANY NAME Powell & Crowley, LLP

ADDRESS P.O. Box 1390

Lawrenceville, GA 30046

PHONE 770-963-3423 FAX \_\_\_\_\_

EMAIL Tony@wtp.legal leslie@wtp.legal

PRESENT ZONING DISTRICT(S) R-1400 CSO REQUESTED ZONING DISTRICT R-1400

LAND LOT(S) 257 PARCEL # 358 DISTRICT(S) 5 ACREAGE .95

PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED Rezone property from R1400CSO to  
permit construction of a single-family residence.

**RESIDENTIAL DEVELOPMENT:**

NO. OF LOTS/DWELLINGS UNITS 1

DWELLING UNIT SIDE (SQ. FT.) \_\_\_\_\_

**NON-RESIDENTIAL DEVELOPMENT:**

NO. OF BUILDINGS/LOTS 1

TOTAL GROSS SQ. FEET \_\_\_\_\_

**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 2024-CD-RZ-05**

### LEGAL DESCRIPTION

All that tract or parcel of/and lying and being in Land Lot 237 of the 5Jh District, Gwinnett County, Georgia being more particularly described as follows:

To find the true point of beginning, begin at the intersection of Land Lots 236, 237, 245 and 244 of the 5th District, Gwinnett County, Georgia, from said point of intersection traveling thence South 59 degrees 35 minutes 54 seconds West a distance of 194.95 feet to an iron pin found along the Southerly right of way of Alcovy Road, said road have an 80 foot right of way, traveling thence South 59 degrees 54 minutes 22 seconds West a distance of 410.46 feet to an iron pin found, traveling thence North 30 degrees 05 minutes 38 seconds West a distance of 185.15 feet to an iron pin found along the Southerly right of way of Alcovy Road, traveling thence along said right of way North 82 degrees 17 minutes 41 seconds East a distance of 280.21 feet to a point, traveling thence along the arc of a curve to the right an arc distance of 157.31 feet to a point, said arc having a radius of 1928.77 feet being subtended by a chord bearing North 84 degrees 37 minutes 47 seconds East a distance of 157.27 feet, traveling thence along said right of way along the arc of a curve to the right an arc distance of 79.00 feet, said arc having a radius of 646.40 feet and being subtended by a chord bearing North 88 degrees 00 minutes 57 seconds West a distance of 78.98 feet to the TRUE POINT OF BEGINNING, said tract containing 0.95 acres, more or less, of land and being designated as Tract 1 on the Boundary Plat prepared by Morrison J. Sims, Georgia Registered Land Surveyor No. 1263, dated April 24, 2007, said plat being incorporated herein by reference for a complete description thereof.



10 Lumpkin Street  
Lawrenceville, Georgia 30046  
(770) 963.3423

Anthony O.L. Powell, P.C.  
John James Crowley, P.C.

Mailing Address  
P.O. Box 1390  
Lawrenceville, GA 30046

November 5, 2025

Mayor & City Council of the City of Dacula  
C/O Mr. Hayes Taylor, Director of Planning  
City of Dacula Planning & Development  
442 Harbins Road  
Dacula, GA 30019

*Re: Letter of Intent – Application for Rezoning and Change in Condition for Property located at 1404 Alcovy Road, Lawrenceville, GA Tax Parcel No. R5357 258 from R1400CSO to R1400 ("Property").*

Dear Mr. Taylor:

I appreciate giving us time to review this property file with you at City Hall. We are submitting this application to amend the zoning ordinance to allow this parcel to be a single-family residential lot consistent with the surrounding subdivisions. When this parcel was annexed into the City of Dacula, the owner held title to several hundred acres and intended to assemble all the tracts and develop the large parcel as a CSO project. Unfortunately, this lot was never combined with the bigger development, and the common owner lost this lot in a Property tax foreclosure. The current zoning has several conditions that are impossible to achieve. The R-1400 CSO requires a minimum of 20 acres to qualify for approval of a development. Because this parcel contains only .95 acres, the lot is undevelopable as currently zoned; therefore, the parcel as restricted by the City of Dacula Zoning Ordinance has no use or market value. My client is seeking to remove the CSO restrictions to allow a single home to be developed on the property.

On behalf of Labri Group, L.P. and Randall Powell, owners of the property referenced above, I respectfully submit this Letter of Intent to request a zoning change for the property located at 1404 Alcovy Road, currently zoned R-1400 CSO, to the base R-1400 zoning designation. The purpose of this request is to allow for the construction of a single-family residence containing a minimum of 1,400 square feet consistent with the City of Dacula Ordinances and the surrounding land uses.

### **Property Overview**

Applicant: Labri Group, L.P. and Randall Powell

Property Address: 1404 Alcovy Road  
Lawrenceville, GA

Acreage: Approximately .95 acres

Current Zoning: R-1400 CSO

Proposed Zoning: R-1400

Proposed Use: Single-family residential home

The property is located within an area characterized by low-density residential development. Adjacent parcels are zoned R-1400 and developed with single-family homes of similar scale and character. There was confusion as to whether this property was part of a blanket annexation in 2005.

### **Purpose and Intent**

The current CSO (Conservation Subdivision Overlay) classification includes conditions that have become outdated and no longer serve a public purpose. Reverting to the base R-1400 zoning will restore the property's ability to be used in a manner consistent with the City's residential development pattern and the intent of the Unified Development Ordinance.

This request does not seek any increase in density, reduction in open space, or alteration of neighborhood traffic patterns. The proposed single-family residence will fully comply with all applicable dimensional standards, setbacks, height limits, and design criteria established under the City of Dacula Development Regulations and Ordinances.

### **Justification for Rezoning and Change in Conditions**

#### **Consistency with Comprehensive Plan**

The request is consistent with the City's Comprehensive Plan, which encourages infill housing and compatible residential growth within existing neighborhoods. The R-1400 zoning designation supports low-density single-family homes, which is precisely the type of development envisioned for this area. This change simply aligns zoning with the established and planned use of the surrounding properties.

### **Compatibility and Neighborhood Character**

The proposed single-family home will mirror the architectural scale and quality of neighboring residences, preserving the area's cohesive residential identity. The property's development under R-1400 standards will maintain existing setbacks, lot coverage, and height limitations, ensuring visual and functional harmony within the neighborhood.

### **No Adverse Impacts**

The development of a single-family home will have minimal impact on traffic, public utilities, and infrastructure. The property is adequately served by existing water, sewer, and road networks, and the proposed use is among the least intensive forms of residential development.

### **Removal of Outdated Conditions**

The CSO overlay conditions were originally imposed on this property. Until recently, my client did not believe that this parcel had been annexed into the City of Dacula.. These conditions now create unnecessary regulatory burdens that restrict normal residential use of the property. Removing them promotes fair and equitable use consistent with current regulations and planning policy.

### **Public Benefit and Property Value**

Approval of this request will enhance the neighborhood's visual appeal and tax base by encouraging reinvestment in a vacant or underutilized parcel. A well-constructed single-family home contributes to community stability, increases nearby property values, and promotes responsible land stewardship.

### **Efficient Use of Existing Infrastructure**

Reverting to R-1400 zoning leverages existing infrastructure and avoids unnecessary extension of public services. The property can be developed efficiently without additional strain on municipal resources.

This zoning change and condition modification are reasonable, consistent with the City's planning vision, and beneficial to the community. The request aligns with the Unified Development Ordinance, promotes compatible neighborhood development, and allows for a use that enhances both property value and neighborhood quality.

For these reasons, we respectfully request favorable consideration of the rezoning from R-1400 CSO to R-1400 to permit the construction of a single-family residence.

Thank you for your time and consideration. Please do not hesitate to contact me with any questions or if additional information is required.

**Constitutional Rights Notice**

As currently zoned, the lot cannot be developed or used. It has no market value as a result of the current zoning conditions. To deny the requested rezoning will result in a violation of the constitutional rights of the Applicants and a total taking of their property rights as outlined in Exhibit "A" attached hereto and incorporated herein.

Respectfully submitted,



By: Anthony Powell, Attorney for  
Labri Group, L.P. and Randall Powell

AOLP/lgt

EXHIBIT "A"

In addition to the reasons stated in the printed portion of the zoning application, Applicant also alleges that the zoning classification of R-1400 CSO, as applied to the subject property constitutes a taking of the property without the payment of adequate compensation. Barrett v. Hamby, 235 Ga. 262, 219 S.E.2d 399 (1975). In addition, arbitrary and capricious denial of the zoning application would constitute a violation of due process and equal protection. Tuggle v. Manning, 224 Ga. 29, 159 S.E.2d 705 (1968).

In the words of the Supreme Court of Georgia, "As the individual's right to the unfettered use of his property confronts the police power under which zoning is done, the balance the law strikes is that a zoning classification may only be justified if it bears a substantial relation to the public health, safety, morality or general welfare. Lacking such a justification, the zoning may be set aside as arbitrary or unreasonable." Barrett v. Hamby, 235 Ga. 262, 265 (1975).

Factors to be considered in judging whether there has been a taking without adequate compensation and whether the zoning classification to the property may be set aside as arbitrary or unreasonable include the following:

- (1) Existing uses and zoning of nearby property;
- (2) The extent to which property values are diminished by the particular zoning restrictions;
- (3) The extent to which the destruction of property values of the owner promotes the health, safety, morals or general welfare of the property;
- (4) The relative gain to the public, as compared to the hardship imposed by the individual property owner;
- (5) The suitability of the subject property for the zoned purposes; and
- (6) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property. Guhl v. Holcomb Bridge Road Corp. 238 Ga. 322, 323-324 (1977).

In that connection, Applicant notes as follows:

- (1) There is no promotion of the health, safety, morals or general welfare of the public arising from the present zoning classification that would be lost by the change to the desired zoning.

(2) There is no gain to the public as compared to the hardship imposed upon the individual property owner by retaining the zoning classification presently applicable to the property. The current zoning classification is less protective of public, health, safety, morals and general welfare because it provides no reasonable limitation on the use.

(3) The subject property is more suitable for the purposes for which zoning classification was applied to the property.

To summarize, it is the contention of Applicant that failure to grant the requested rezoning would constitute a taking of the owner's property without just compensation and denial of this zoning application would constitute arbitrary and capricious action.

Based upon the above reasons, the property is not suitable for development, as zoned. The proposed zoning or use will not adversely affect the public health, safety or welfare and the property is not zoned to allow the owner the best use of the property, and this would violate his constitutional rights to use his property under Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Georgia Constitution of 1983 and under the Fifth and Fourteenth Amendments of the United States Constitution.

## 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 \_\_\_\_\_

Type or Print Name/Title \_\_\_\_\_

David Harris, Partner, Labri Group, L.P.

Notary Public \_\_\_\_\_

Date \_\_\_\_\_

11/4/25

## 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 \_\_\_\_\_

Date \_\_\_\_\_

Type or Print Name/Title \_\_\_\_\_

David Harris, Partner, Labri Group, L.P.

Notary Public \_\_\_\_\_

Date \_\_\_\_\_

11/4/25

## FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

## 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

*Randall Powell*

*11/5/25*

Type or Print Name/Title

Randall Powell

Notary Public

*Leslie C. Trimmer*

Date

*11/5/25*

## 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

*Randall Powell*

Date

*12/4/25*

Type or Print Name/Title

Randall Powell

Notary Public

*Leslie C. Trimmer*

Date

*12/4/25*

FOR ADMINISTRATOR USE ONLY

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_


ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

## 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  Date 11/4/25

Type or Print Name/Title David Harris, Partner, Labri Group, L.P.

Signature of Applicant' Attorney  Date 11/5/25

Type or Print Name/Title Anthony O. L. Powell

Notary Public  Date 11/4/25



Official Use Only

DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_

## 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  Date 11/5/25

Type or Print Name/Title Randall Powell

Signature of Applicant's Attorney  Date 11/5/25

Type or Print Name/Title Anthony O. L. Powell

Notary Public  Date 11/5/2025

(Notary Seal)



Official Use Only

DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_



## 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 11/5/25

APPLICANT Labri Group, L.P., and Randall Powell

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property: The property is directly adjacent to a residential neighborhood.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: The rezoning will not adversely affect the existing use or usability of adjacent or nearby property.  
This rezoning is being requested to allow for the construction of a single-family residence.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: Rezoning of the property will not adversely affect the economic use of surrounding properties. The economic use is consistent with neighboring properties that have a similar residential zoning designation.
- 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. This property will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The rezoning is being requested to allow for construction of a single-family residence.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: This property is in conforming with the policy and intent of the Land Use Plan.  
The property is within a residential zoning district.
- 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: \_\_\_\_\_  
\_\_\_\_\_



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:

<b>Name of Government Official</b>	<b>Contributions</b> <i>(All which aggregate to \$250.00+)</i>	<b>Contribution Date</b> <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:

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

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

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Gwinnett County

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

FROM: Labri Group, L.P. and Randall Powell

RE: Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 237 Parcel 358

LOCATION/ADDRESS: 1404 Alcovy Road, Lawrenceville, GA , Tax Parcel No. R5237 358

---

You are hereby notified that an application requesting a zoning change from R-1400 CSO  
to R-1400 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 December 29, 2005 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 January 8, 2026 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: \_\_\_\_\_

TO: Alcovy Mills Homeowners' Association, Inc.

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

FROM: Labri Group, L.P. and Randall Powell

RE: Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 237 Parcel 358

LOCATION/ADDRESS: 1404 Alcovy Road, Lawrenceville, GA , Tax Parcel No. R5237 358

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(date)

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

Thank you.



## Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.													
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
Powell & Crowley, LLP P.O. Box 1390 Lawrenceville, GA 30046		<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express														
		<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail														
		<input checked="" type="checkbox"/> Certified Mail	<input checked="" type="checkbox"/> Return Receipt for Merchandise														
		<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation														
		<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery														
		<input type="checkbox"/> Insured Mail															
		<input type="checkbox"/> Priority Mail															
1.9589 0710 5270 3189 4566 27	Blackhawk Georgia Lender LLC 2824 N. Power Rd. Ste. 113-285 Mesa AZ 85215-1672																
2.9589 0710 5270 3189 4566 34	Alcovy Mill Owners Association Inc. 280 Pilot Road Suite 200 Las Vegas NV 89119-3532																
3.9589 0710 5270 3189 4566 10	Gwinnett County, Georgia 75 Langley Dr.  Lawrenceville GA 30046-6935																
4.																	
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Total Number of Pieces Listed by Sender 3	Total Number of Pieces Received at Post Office 3	Postmaster, Per (Name of receiving employee)															



# Memorandum

TO: City of Dacula Planning Commission /  
City of Dacula Mayor and City Council

FROM: Hayes Taylor, City Planner

DATE: January 26, 2026

CASE: **2025-CD-RZ-06**

## Executive Summary

Applicant Belkis Zambrano has submitted a request to rezone the subject property within the Downtown Overlay District from R-1200 DOD to C-1 DOD. The rezoning would facilitate the development of a walkable, front-loaded multi-tenant retail center within the Dacula Downtown Character Area, Downtown Overlay District, and the Urban Redevelopment Area. This site is within 1,000 feet of Dacula City Core which is actively under construction.

General information about the project is provided below. The application documents are available following the staff report.



Figure 1 Aerial

Property and Surrounding Land Use Information	
Addresses	361 Harbins Road
Parcel ID #	5301 013
Current Zoning	R-1200 DOD
Proposed Zoning	C-1 DOD
Current Development	Vacant
2050 Comprehensive Plan Character Area	Dacula Downtown
Streets	Harbins Road & Freemans Mill Road

Surrounding Neighborhood	
North	C-1 <i>DOD</i> (Neighborhood Commercial District, <i>Downtown Overlay District</i> )
South	R-1200 <i>DOD</i> (Single-Family Residential District, <i>Downtown Overlay District</i> )
East	C-1 <i>DOD</i> (Neighborhood Commercial District, <i>Downtown Overlay District</i> ) & R-1200 <i>DOD</i> (Single-Family Residential, <i>Downtown Overlay District</i> )
West	R-1200 <i>DOD</i> (Single-Family Residential District, <i>Downtown Overlay District</i> )
Recommendation	
Staff	Approval with staff conditions.

### Existing Land Use and Zoning

Application materials request the rezoning of the  $\pm 0.83$ -acre parcel from R-1200 *DOD* (Single-Family Residential District, *Downtown Overlay District*) to C-1 *DOD* (Neighborhood Commercial District, *Downtown Overlay District*). The parcel has been vacant and has not contained an active residential use since a residential structure was demolished circa 2015.

The project site is surrounded by a variety of commercial and residential zoning classifications. To the north, the subject parcel is bordered by 341 Harbins Rd, which is zoned as C-1 *DOD* (Neighborhood Commercial District, *Downtown Overlay District*), which contains an active cell tower service company. To the west and south are two active residential parcels zoned R-1200 *DOD* (Single-Family Residential District, *Downtown Overlay District*). Across Harbins Rd in the north-eastern quadrant of the Harbins Rd and Freemans Mill Rd intersection is a legal nonconforming gas station, which is zoned C-1 *DOD* (Neighborhood Commercial District, *Downtown Overlay District*). Across Harbins Rd, in the southwest quadrant of Freemans Mill Rd intersection is a large lot residential home, zoned R-1200 *DOD* (Single-Family Residential District, *Downtown Overlay District*).

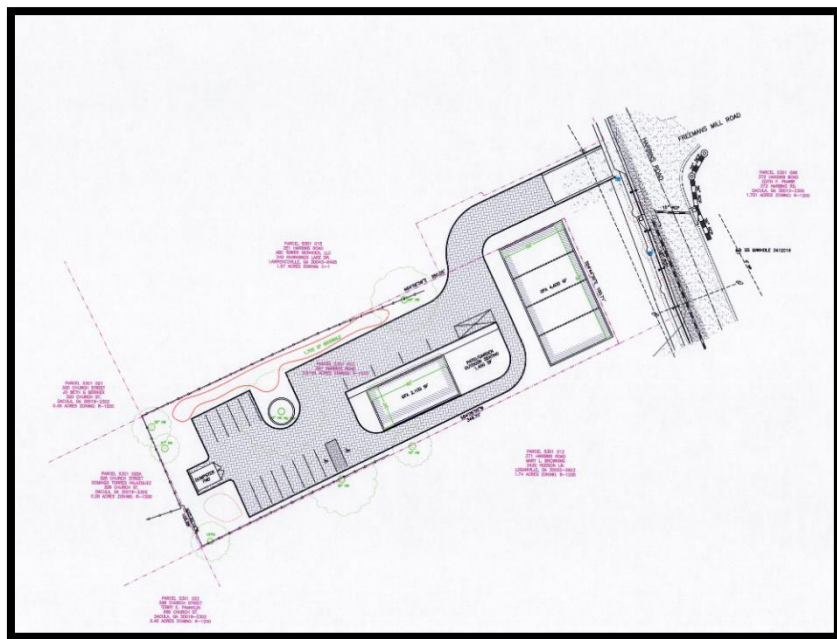


Figure 2 Surrounding Zoning Classifications

The entirety of the subject site falls within the *Downtown Overlay District (DOD)*. The Overlay, ratified in 2024, imposes site standards and design guidelines on properties within its boundaries to facilitate redevelopment and revitalization that is compatible with a traditional,

walkable downtown. The nearby pre-World War II Second Ave. commercial area is the basis for the required architectural and site standards.

### The Proposed Development



The proposed development totals  $\pm 0.83$ -acres, and has one curb cut from Harbins Rd, which would align with Freeman Mill Rd. The access drive is within Gwinnett County right-of-way, and would be maintained by the County. The submitted site plan shows two commercial buildings totaling 6,700 SF of commercial space. The larger commercial structure totals 4,600 SF, fronts Harbins Rd and is flush with the property line in compliance with DOD standards. The smaller commercial building is interior to the property, totaling 2,100 SF, and is adjacent to a 1,400 SF “patio/garden outdoor seating” area.

While no on-street parking is provided, application materials do show sixteen (16) shared off-street parking spaces, which falls within the Downtown Overlay District’s required parking range, and the required off-street parking orientation within the DOD. The concept plan shows the preservation of the six (6) mature trees on the perimeter of the proposed parking lot, a 1,700 SF bioswale, and an enclosed dumpster pad.

### Analysis

#### *Rezoning Request*

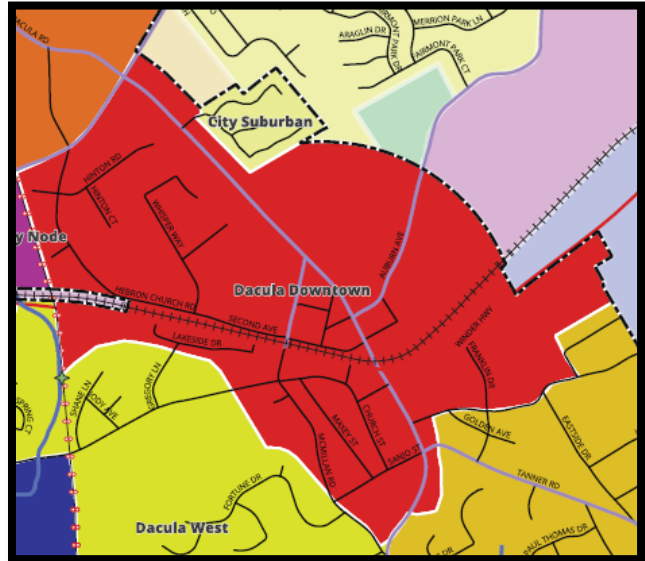
The rezoning request could be considered compatible with the nearby commercial and residential uses, if adequate screening is provided. The proposed infill project could provide a transition from more auto-oriented uses at the intersection of Winder Hwy and Harbins Rd, and the legal-nonconforming gas station to the pedestrian friendly, town-center development pattern within the nearby Dacula City Core area.

The submitted concept plan complies with the intent and purpose of the DOD. The proposed infill development’s access drive provides an opportunity to decrease the number of curb cuts along Harbins Rd within the downtown area, should the adjacent parcel to the north redevelop. Fewer curb cuts would result in fewer opportunities for automotive sidewalk crossings, allowing residents to utilize the 8 ft pedestrian sidewalk with fewer interruptions. The parking lot plan complies with the parking standards outline in the DOD, including number of parking spaces per square foot, its orientation, the inclusion of green

stormwater infrastructure, and the preservation of mature growth trees when feasible. The screening requirements between residential and commercial uses within the DOD provide a visual separation and privacy for residents.

### *Comprehensive Plan Consistency*

The subject parcel falls within the Dacula Downtown Character Area within the 2050 Comprehensive Plan (City of Dacula 2050 Comprehensive Plan pg. 59). The character area objectives call for “increased employment opportunities” and the transition between different intensities of land use. Additionally, the policies call for the City to “encourage the redevelopment of underutilized and/abandoned” properties. The proposed commercial development would provide locally driven employment opportunities for nearby residents on a property that has been vacant for over a decade. The expansion of the sidewalks and shared off street parking could facilitate pedestrians to access both the proposed retail center and future developments within the downtown area on foot.



The submitted application could be considered consistent with the character area description, given the proposed development could meet the objectives of local employment, transition in intensity of uses, the redevelopment of an underutilized parcel, and the extension of the amenity-oriented development pattern.

### **Recommendation:**

Staff recommends approval of the rezoning of the subject parcel from R-1200 DOD to C-1 DOD with conditions.

The analysis of the application should be made based upon the “Standards Governing Exercise of the Zoning Power” as stated in Section 1702 of The 2000 Zoning Ordinance of the City of Dacula.

#### ***1. Whether the proposed rezoning will permit a use that is suitable in view of the use and development of an adjacent and nearby property?***

The proposed rezoning could be considered consistent with the adjacent and nearby commercial uses along Harbins Rd. The proposed rezoning would provide additional infill commercial space

near Dacula City Core in a more walkable, small-town development pattern called for in the Comprehensive Plan, Downtown Overlay District, and Urban Redevelopment Plan; and would provide transition from the high intensity, autocentric commercial development across Harbins Rd. to the existing downtown residences.

**2. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby properties?***

If approved, the recommended conditions would help mitigate any negative impacts on current and future residences.

**3. *Whether the property to be affected by the proposed rezoning has a reasonable economic use as currently zoned?***

**4. Yes, the property has reasonable economic use as currently zoned. *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?***

The proposed use is not expected to create excessive or burdensome use for utilities, existing streets, transportation facilities, or schools. Underground stormwater infrastructure may need to be installed to account for the increased impervious surface area, and stormwater runoff. The inclusion of the joint access drive from Harbins Rd will eliminate the need for excessive curb cuts along Harbins Rd. The proposed conditions would require stormwater improvements to address the increased stormwater, and shared access needs.

Application materials include a signed sewer capacity certification from the Gwinnett County Department of Water Resources, which certifies availability of sewer. The access drive from Harbins Rd falls within Gwinnett County right-of-way, and will continue to be maintained, and owned by Gwinnett DOT.

**5. *Whether the proposed rezoning request is in conformity with the policy and intent of the Land Use Plan?***

The subject parcel is within the Dacula Downtown Character Area of the City of Dacula's Future Land Use Map. The principal object of the character area is to "decrease vehicular traffic by providing access to trails, sidewalks, and public transport" while facilitating local employment opportunities, proximal to residences in a traditional downtown development pattern (Dacula 2050 Comprehensive Plan pg. 61). The site plan would provide additional employment and commerce amenities proximal to the City's residential core and civic center. C1-DOD is listed as a recommended zoning classification in the Guidance for Rezoning by Character Area chart (Dacula 2050 Comprehensive Plan, pg. 69).

**6. *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?***

The proposed development could be considered to advance the objectives of the Downtown Overlay District (DOD), the Urban Redevelopment Plan (URP), and the designated Downtown Dacula character area. The project could facilitate objectives 5 and 9 of the URP, which call for locally driven retail shops and restaurants along Harbins Rd in close proximity to the City Core Project, and increased amenities within a walkable distance of residences. Furthermore, objective 9 of the URP calls for cooperation with the Gwinnett Trails Plan. The subject parcel fronts a proposed branch trail along Harbins Rd, which is planned to connect to the future Piedmont Pathway. The 8-foot sidewalk requirement meets the proposed connector path requirements. The primary goal of the DOD is to facilitate consistent quality architectural design and a development pattern consistent with pre-World War II town centers. Although the applicant has not submitted elevations for the project, which requires additional administrative review, the proposed site design complies with the site standards of the DOD.

## **Recommended Conditions**

### Land Use and Concept Plan

1. The property shall be developed in accordance with the conceptual site plan prepared by Atlanta Quality Management, LLC. submitted December 3, 2025, and with the provided zoning conditions. Any substantial deviation from the approved conceptual plan and/or remaining conditions of zoning shall be resubmitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. No outdoor storage shall be permitted on site.
3. No drive-thru or gas station uses shall be permitted.

### Architectural Design

4. The architectural designs should comply with Downtown Overlay District standards. The proposed elevation, building materials, and colors shall be approved by the Planning & Development Department prior to building permit issuance.
5. The dumpster pad enclosure shall be the same material and architectural design as the principal buildings. Dumpster enclosures shall remain closed, locked, and in good repair at all times.

### Landscape and Parking

6. The developer shall provide right-of-way improvements from the property line to the pedestrian sidewalk. The required improvements may include the following elements:
  - Native understory shrubs
  - Native grasses
  - An art feature approved by the City
  - A pathway of stone, permeable pavers, or similar material
  - A commercial quality bicycle rack
  - A pedestrian bench

- A commercial bicycle rack

The right-of-way improvements shall not include:

- Mono-culture sod of Kentucky blue grass, or similar mixes of non-native grasses
- Impermeable surface covering the entirety of the area between the sidewalk and the building edge

Right-of-way improvements are subject to the approval of the Planning & Development Department.

7. The street furnishing zone shall include a pedestrian bench, a trash receptacle, a street light, and a street tree in compliance with the Downtown Overlay District Primary Street Site Standards.
8. The street tree shall native understory variety, subject to approval of the Planning & Development Department.
9. Existing mature growth trees shall remain when feasible. The City Administrator or his / her designee shall determine what is feasible.
10. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
11. The following invasive trees shall not be planted at any point: Bradford Pear, Chinese & Japanese Privet, Chinese Elm, Chinese & Japanese Holly, Himalayan Blackberry, Paper Mulberry, Princess Tree, or any tree placed on the Georgia Invasive Species Council list.
12. The developer shall provide an opaque privacy screening bordering parcel #5301 025A. The privacy feature shall consist of compact evergreen foliage, and a wall or fence six (6) feet in height, per Section 917.E.2. of the Downtown Overlay District. Evergreen foliage shall be native plantings, such as American Holly, Eastern Red Cedar, Longleaf Pine, Loblolly Pine, Wax Myrtle, and White Pine. Plantings must be six (6) feet in height at the time of planting with a DBH of three (3) inches.

#### Transportation and Infrastructure

13. One curb cut is permitted. The curb cut must be located directly across from Freemans Mill Rd.
14. Entrance plans shall be submitted for review and approval by the City of Dacula and Gwinnett County Department of Transportation.
15. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
16. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
17. An inter-parcel access drive shall be provided to parcel # 5301 012.
18. All streetlights and area lights must be oriented towards the ground. If the fixtures outlined Section 917.F of the Downtown Overlay District are unavailable, alternatives are subject to the City Administrator's approval.

### Sign and Advertisement

19. Signage shall be indirectly lit. All lighting shall be directed towards the ground, and away from residences
20. 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 without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.
21. Live human advertisements shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
22. Per Section 917.J.3 of the Downtown Overlay District, blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.
23. No billboards are permitted on site.
24. Ground signs shall be the same material and architectural design as the principle building and be in compliance with DOD standards.



## 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>Belkus 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-1200 REQUESTED ZONING DISTRICT C-1

LAND LOT(S) 301 PARCEL # 013 DISTRICT(S) 5 ACREAGE 0.83

PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED \_\_\_\_\_

Construction of two buildings for retail tenant spaces. One will offer food service.

**RESIDENTIAL DEVELOPMENT:**

NO. OF LOTS/DWELLINGS UNITS \_\_\_\_\_

DWELLING UNIT SIDE (SQ. FT.) \_\_\_\_\_

**NON-RESIDENTIAL DEVELOPMENT:**

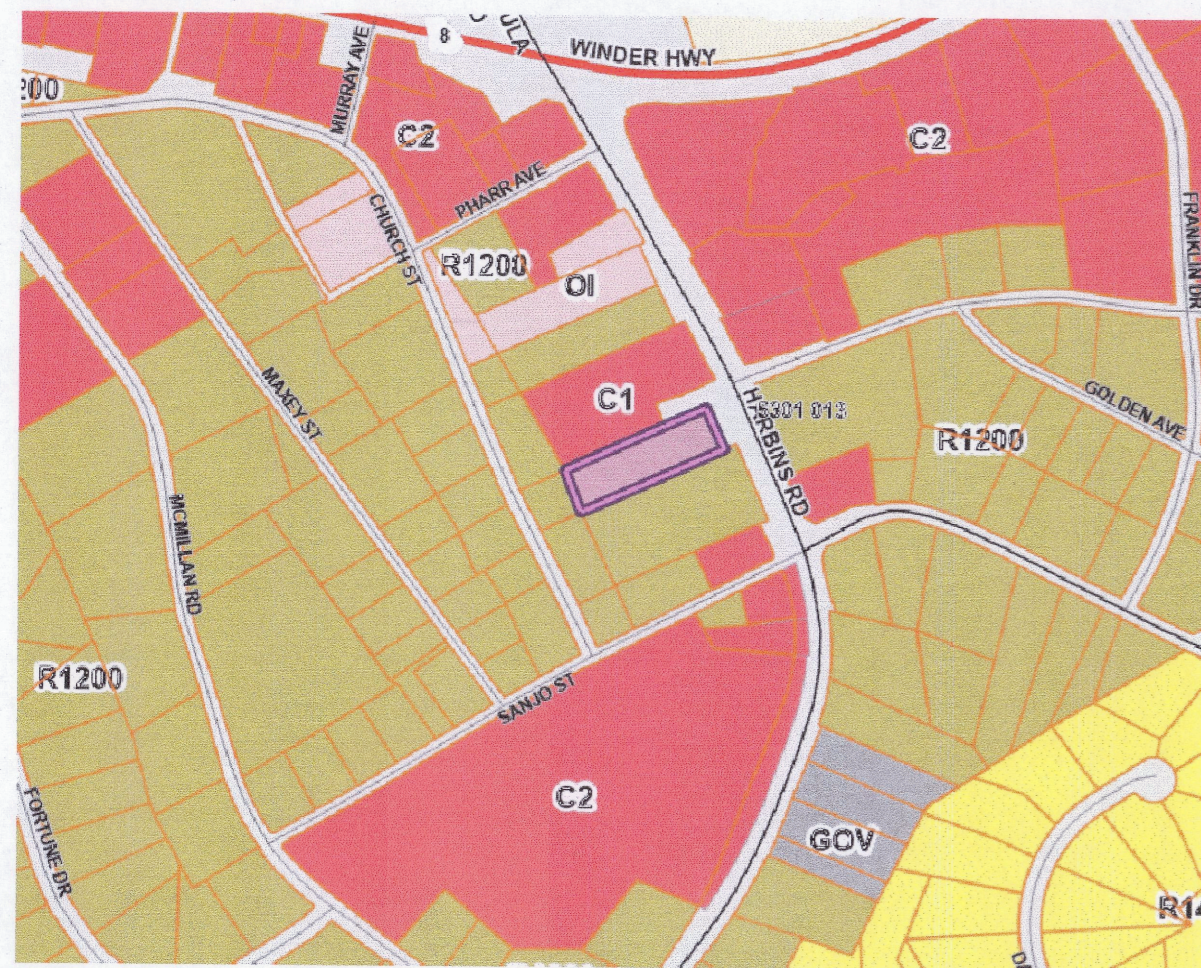
NO. OF BUILDINGS/LOTS 1

TOTAL GROSS SQ. FEET 6,700 SF

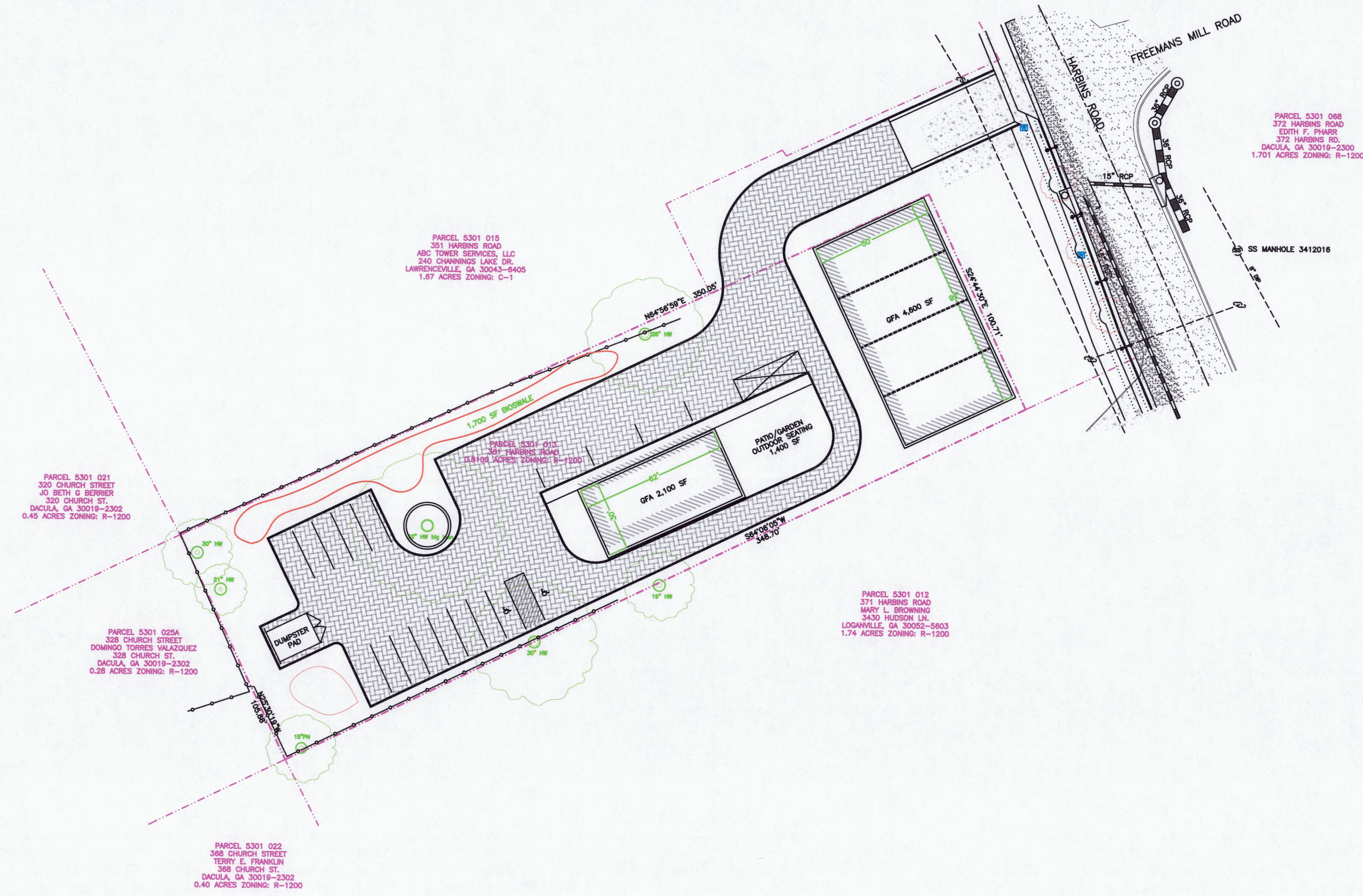
### **LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY**

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

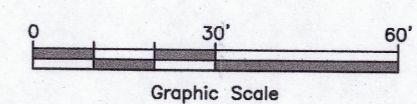
**CASE NUMBER 2025-CD-RZ-06**



Site Location



Concept Plan



72-HOUR NOTICE IS REQUIRED TO GEORGIA 811 UTILITY PROTECTION CENTER BEFORE ANY PLANNED DIGGING. <http://www.georgia811.com>

General Notes

EXISTING PROPERTY FEATURES AND TOPOGRAPHY BASED ON SURVEY BY UNITED LAND SURVEYING DATED, MARCH 5, 2024.

SUBJECT PROPERTY IS PARCEL 5301 013, CURRENTLY ZONED R-1200.

TOTAL LOT AREA - 0.83 ACRES.

No.	Revision/Issue	Date

Firm Name and Address

Smith Monitoring & Maintenance Engineering, Inc.

145 Merrill Avenue

Decatur, Georgia 30030

(404) 229-3096

[rick@smmeinc.com](mailto:rick@smmeinc.com)

Project Name and Address

Atlanta Quality Management, LLC

361 Harbins Road

Dacula, Georgia

Commercial Strip

Conceptual Plan

Project	Sheet
Shops on Harbins	001
Date	
November 24, 2025	
Scale	1" = 30'

## LETTER OF INTENT

Atlanta Quality Management, LLC

361 Harbins Road

Parcel 5301 013

Dacula, Georgia

Proposed Project: Atlanta Quality Management, LLC (AQM) proposes the development of retail tenant spaces in the Downtown Overlay District. The primary building will be built within five feet of the front property line with an additional building proposed for a drive-through/walk-through food service.

Zoning Change Request: Current zoning for the parcel is R-1200, as are the adjoining properties to the south and west. The neighboring property to the north is currently zoned C-1. To develop the subject property as retail space, a change in zoning to C-1 is required. C-1 is also compatible with the 2050 Comprehensive Plan for the Dacula Downtown Overlay District.

Water and Sewer: Water and sewer use at this site is calculated to be an annual average daily flow of 1,510 gallons per day with a peak flow of 9.7 gallons per minute. These estimates have been provided to Gwinnett County as the basis for the attached sewer capacity certification.

The closest sanitary sewer connection would be a manhole located on the opposite (east) side of Harbins Road from the property. A six-inch diameter service lateral will need to be extended from the manhole, across Harbins Road.

Currently two ¾" water meters are in the ROW adjacent to the subject property. Both are to be relocated with the installation of the street taper on Harbins Road. A fire hydrant is shown in the ROW in front of the property on the road taper plans but may be shown in error. A hydrant exists in front of the neighboring property at 371 Harbins Road.

### Traffic/Parking:

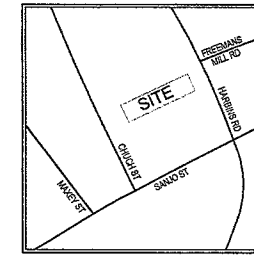
Peak hour traffic for Harbins Road between University Parkway and Winder Highway was 1,049 vehicles measured last year. Compared to a real-world design capacity of around 1,400 vehicles. The estimated daily traffic for that event was 11,950 vehicles.

The parking area is designed to accommodate the minimum parking requirements for the Overlay District. Area includes two handicap spaces, a truck unloading area and a fenced dumpster pad in the rear of the property. The current site plan includes sixteen non-handicap parking spaces serving 6,700 square feet of commercial space. The site is within 1,000 feet of the parking deck proposed for the Dacula Core project and is expected to benefit from that proximity.

CURRENT ZONING  
ZONED: R-1200 (CITY OF DACULA DISTRICT)  
MIN. YARD ADJACENT TO PUBLIC STREET  
FRONT YARD: 50 FEET  
SIDE YARD: 10 FEET  
REAR YARD: 40 FEET

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:  
ISRAEL MORQUECHO  
PARCEL ID 5301 013  
LAND LOT 301, 5TH DISTRICT  
GWINNETT COUNTY, GEORGIA

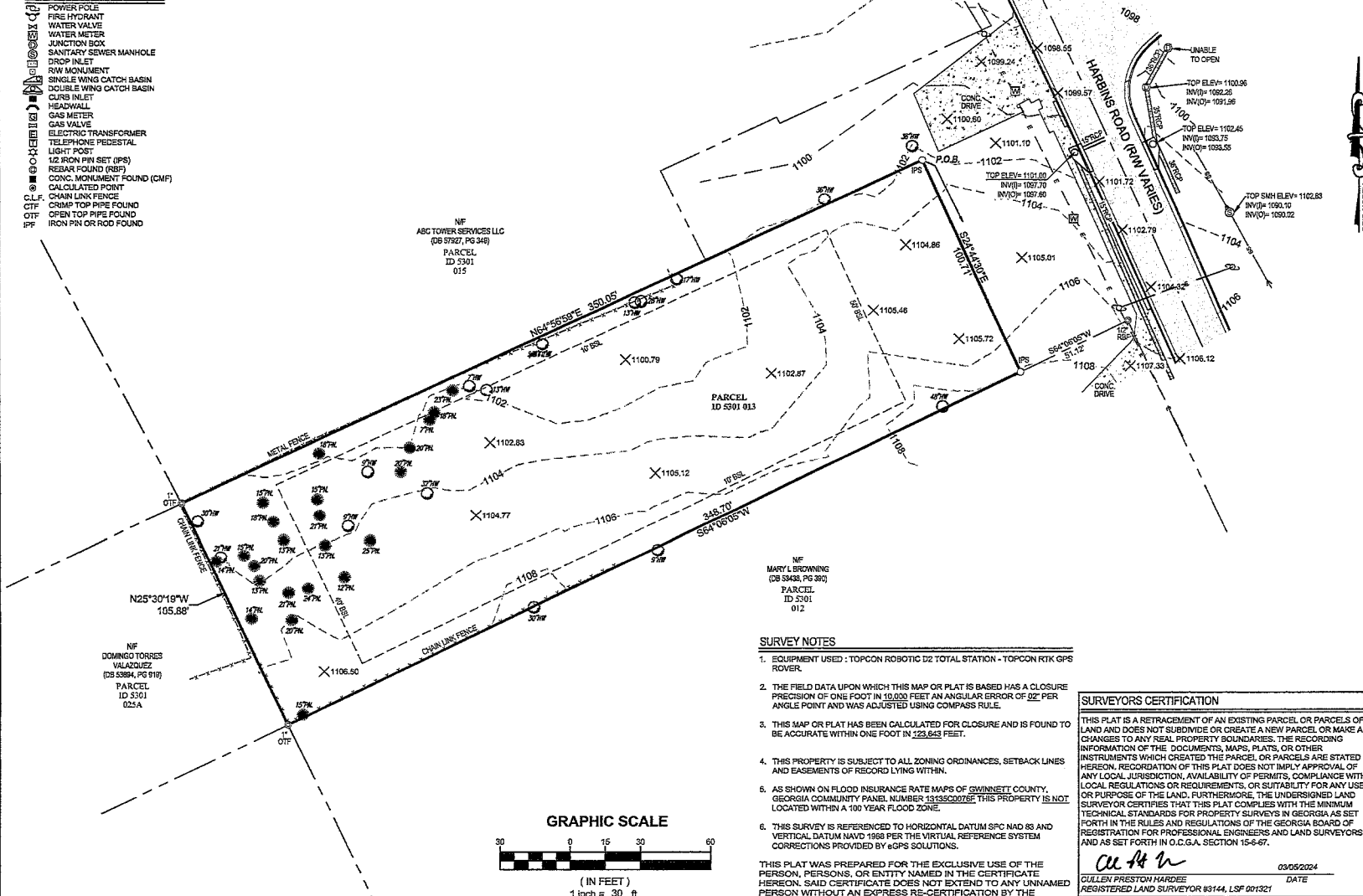
AREA  
36,087 sq.ft.  
0.83 acres



VICINITY MAP  
N.T.S.

LEGEND

POWER POLE  
FIRE HYDRANT  
WATER VALVE  
WATER METER  
JUNCTION BOX  
SANITARY SEWER MANHOLE  
DROP INLET  
R/W MONUMENT  
SINGLE WING CATCH BASIN  
DOUBLE WING CATCH BASIN  
CURB INLET  
HEADWALL  
GAS METER  
GAS VALVE  
ELECTRIC TRANSFORMER  
TELEPHONE PEDESTAL  
LIGHT POST  
1/2" IRON PIN SET (IPS)  
REBAR FOUND (RSP)  
CONC. MONUMENT FOUND (CMF)  
CALCULATED POINT  
CHAIN LINK FENCE  
CRIMP TOP PIPE FOUND  
OPEN TOP PIPE FOUND  
IRON PIN OR ROD FOUND



SURVEY NOTES

- EQUIPMENT USED: TOPCON ROBOTIC D2 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 0.02 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 223,643 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 1315002070E THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD ZONE.
- THIS SURVEY IS REFERENCED TO HORIZONTAL DATUM SPC NAD 83 AND VERTICAL DATUM NAVD 1988 PER THE VERTICAL REFERENCE SYSTEM CORRECTIONS PROVIDED BY GPS SOLUTIONS.

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 SURVEYOR NAMING SAID PERSON.

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Cullen Preston Hardee  
REGISTERED LAND SURVEYOR #3144, LSF 001321

03/05/2024  
DATE

UNITED LAND SURVEYING  
COA NO. LSF 001321

1545 CONCORD ROAD SE SUITE 101  
SAVANNA, GEORGIA 39899  
TEL: (912) 293-9111  
WWW.UNITEDLSA.COM

BOUNDARY & TOPOGRAPHIC SURVEY  
ISRAEL MORQUECHO  
PARCEL ID 5301 013  
LAND LOT 301, 5TH DISTRICT  
GWINNETT COUNTY  
GEORGIA

REVISIONS			
1.			
2.			
3.			
4.			

LEGAL REFERENCE:			
DEED BOOK: 60802	PAGE: 106		
PLAT BOOK: —	PAGE: —		

SHEET 1 OF 1

PLAT DATE: 03/05/2024  
FIELD DATE: 08/02/2023  
SCALE: 1"=30'  
DRAWN BY: M.D.M.  
REVIEWED BY: M.A.M.

GEORGIA  
No. 3144  
CULLEN PRESTON HARDEE  
REGISTERED LAND SURVEYOR

JOB NUMBER:  
23-324

#### LEGAL DESCRIPTION

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

The reference point being a ½" diameter rebar on the north-east corner of parcel 5301 012. From thence south 64 degrees, 6 minutes, 5 seconds west, for 51.12 feet to the south-east corner of the subject property. From thence south 64 degrees, 6 minutes, 5 seconds west for 348.70 feet to a 1" diameter open top pipe. From thence, north 25 degrees, 30 minutes, 19 seconds west for 105.88 feet to a one-inch diameter open top pipe. From thence, north 64 degrees, 56 minutes, 59 seconds east for 350.05 feet to an iron pin. From thence, south 24 degrees, 44 minutes, 30 seconds east for 100.71 feet to the point of beginning.



## SEWER CAPACITY CERTIFICATION REQUEST

Submit completed, signed, sealed form, and documents to: [DWRCapacityCertification@GwinnettCounty.com](mailto:DWRCapacityCertification@GwinnettCounty.com)

### Select Request Type:

- ☒ Pre-Rezoning  
☒ New Request  
☐ Renew Request  
SCC # \_\_\_\_\_  
☐ Revise Existing Request  
SCC # \_\_\_\_\_  
(Describe revision changes  
in Project Description below)

### DWR Use Only:

Capacity Certification Request No. \_\_\_\_\_

☐ Approved ☐ Conditionally Approved\* ☐ Denied

\*(See attached letter for conditions)

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Gwinnett County Planning and Development Permit No.: \_\_\_\_\_

Check if development/project requires public or private pump station: ☐ Pumping Rate (gpm) \_\_\_\_\_

Development/Project Name: \_\_\_\_\_

Development Address: 361 Harbins Road (City) Dacula (Zip) 30019

Parcel Number(s): 5301 013

Project Description: Retail tenant spaces and one food service.

(Provide appropriate square footage and number of units in the project description)

Total Area of Development: 0.81 acres

If residential, total number of units: \_\_\_\_\_ Density: \_\_\_\_\_ units/acre

Property Owner Name: Atlanta Quality Management, LLC

Property Owner Email: atlantaqualitymanagement@yahoo.com Phone #: \_\_\_\_\_

Developer Contact: Israel Morquecho Company: Atlanta Quality Management, LLC

Address: 2566 Kachina Trail City: Dacula Zip: 30019

Developer Email: atlantaqualitymanagement@yahoo.com Phone #: 770 298-3549

Engineering Contact: Richard B. Smith, PE Engineering Firm: SMME, Inc.

Engineer Email: Rick@smmeinc.com Phone #: 404 229-3096

Additional Recipients: \_\_\_\_\_

Recipient(s) Email(s): \_\_\_\_\_

## DWR Use Only

Capacity Certification Request No.: \_\_\_\_\_

Development/Project Name: \_\_\_\_\_

Gwinnett County Planning and Development Permit No.: \_\_\_\_\_ (if available)

Downstream Pump Station: \_\_\_\_\_ Sewer Basin: \_\_\_\_\_

**Total requested annual average daily flow (AADF) in gallons per minute (gpm):** \_\_\_\_\_

Flow (gpm) 3.0 to tie-in manhole facility ID: 3412007

Flow (gpm) \_\_\_\_\_ to tie-in manhole facility ID: \_\_\_\_\_

Flow (gpm) \_\_\_\_\_ to tie-in manhole facility ID: \_\_\_\_\_

Flow (gpm) \_\_\_\_\_ to tie-in manhole facility ID: \_\_\_\_\_

Flow (gpm) \_\_\_\_\_ to tie-in manhole facility ID: \_\_\_\_\_

### Provide your BEST estimated dates for:

Zoning Submittal: 12/5/25

Plan Submittal 4/15/26

Begin Construction: 6/15/26

Zoning Approval: 2/5/26

Completion/Occupancy: 4/15/27

### Include the following in the submittal package:

☒ GIS map **highlighting** proposed development, surrounding utilities, and location of tie-in manhole.  
<https://gis.gwinnettcountry.com/GISDataBrowser>

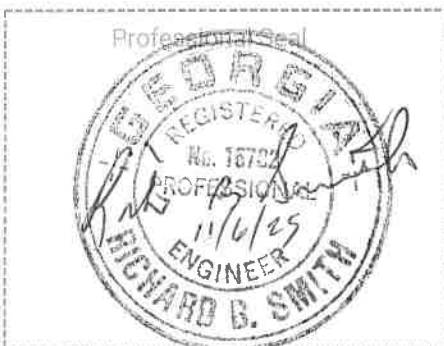
☒ Detailed flow calculations for proposed development project based on the most current wastewater flow estimation guidelines:

<https://www.gwinnettcountry.com/static/departments/water/pdf/wastewater-flow-estimation-guidance.pdf>

- Annual average daily flow (gpm)
- Peak flow (gpm) for all heavy water users (i.e. laundromats, carwashes, industrial, etc.) – please note that the peaking factor has been changed from 2.5 to 4.0 unless justification can be provided.
- Batch discharges from processing facilities (breweries, industrial, etc.)
- Pump station flow rates – If a pump has been selected, provide a pumping rate and pump curve. If a pump has not been selected, assume a minimum pumping rate of 4 times the AADF. Be sure to provide the pump flow rate on page 1 of the request form.

☒ Proposed utility plan

Design Professional sign/seal: *Richard B. Smith* Date: 11/06/2025



Once a complete package with all supporting documentation has been received

**PLEASE ALLOW A MINIMUM OF 10 BUSINESS DAYS FOR PROCESSING**

If additional analysis or flow monitoring is required  
**PLEASE ALLOW AN ADDITIONAL 20 BUSINESS DAYS FOR PROCESSING**

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: \_\_\_\_\_

(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 301 Parcel 013

LOCATION/ADDRESS: 361 Harbins Road, Dacula, Georgia

---

You are hereby notified that an application a zoning change from R-1200  
to C-1 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.

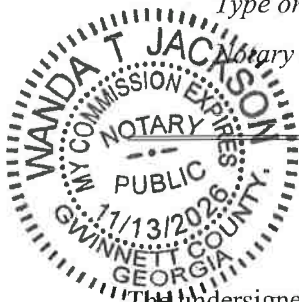
Thank you.

Parcel	Address	Owner	Adjoining Property	Mailing Address		
			Street	City	State	Zip
5301 015	351 Harbins Rd.	ABC Tower Services, LLC	240 Channings Lake Dr.	Lawrenceville	GA	30043-6405
5301 021	320 Church St.	Jo Beth G. Berrier	320 Church Street	Dacula	GA	30019-2302
5301 025A	328 Church St.	Domingo Torres Valazquez	328 Church Street	Dacula	GA	30019-2302
5301 022	368 Church St.	Terry E. Franklin	368 Church Street	Dacula	GA	30019-2302
5301 012	371 Harbins Rd.	Mary L. Browning	3430 Hudson Lane	Lawrenceville	GA	30052-5603

### 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 [Signature] Date 12/02/25  
Type or Print Name/Title Belkys L. Rosa Zambreno (owner)  
Notary Public Wanda J. Jackson Date 12-2-25



### 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 [Signature] Date 12/2/25  
Type or Print Name/Title Belkys L. Rosa Zambreno (owner)  
Notary Public Renee A. Cooke Date 12/2/2025



### FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## CONFLICT OF INTEREST CERTIFICATION

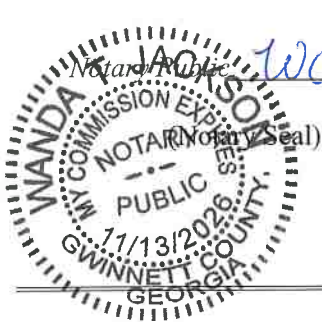
The undersigned, making application for rezoning/SUP, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions and has submitted or attached the required information on the forms provided.

Signature of Applicant Belkys L. Rou Zambano Date 12/02/25

Type or Print Name/Title Belkys L. Rou Zambano (owner)

Signature of Applicant' Attorney \_\_\_\_\_ Date \_\_\_\_\_

Type or Print Name/Title \_\_\_\_\_



Wanda J. Jacobson Date 12-2-25

### Official Use Only

DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_



## 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 December 1, 2025

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: The adjoining property to the north is a construction contractor with a C-1 zoning.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: The proposed tenant spaces should improve the local neighborhood through improving local food options as well as retail opportunities potentially a barber shop or salon.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: With the installation of the City Core area a block away, the best use of the subject property will be walkable retail or local service use.
- 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. A capacity certification for water and sewer use from Gwinnett County is pending. The parking for the tenant spaces is minimal such that the future city parking garage on the Core property will be relied on. Traffic for the drive-through food service will impact vehicle flow on Harbins during noon and late evening meal time.
- 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 and more specifically in the Downtown Overlay District and will be designed to fit the character and restrictions enumerated in Section 917 of the Zoning Ordinance.
- 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-1 zoning and development of this parcel may encourage commercial or mixed-use development of the adjacent parcels.



## 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:

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

<b>Name of Government Official</b>	<b>Description of Gifts</b> <i>(Valued aggregate \$250.00+)</i>	<b>Date Gift was Given</b> <i>(within last 2 years)</i>
<hr/>		
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*(Attach additional sheets if necessary to disclose or describe all contributions/gifts)*