



Planning Commission Public Hearing

Monday, March 31, 2025 at 6:00 PM

Dacula City Hall, Council Chambers

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

Agenda

CALL TO ORDER AND ROLL CALL OF MEMBERS:

INVOCATION:

PLEDGE OF ALLEGIANCE:

MINUTES:

- [1.](#) Approval of the Minutes from the meeting on Monday, January 27, 2025

OLD BUSINESS:

NEW BUSINESS:

- [2.](#) **PUBLIC HEARING: 2025-CD-RZ-01 & 2025-CD-SUP-01**, Applicant: Dan Rankin, Owner: Dacula Pool Properties, LLC requests rezoning from C-2 General Business District to C-3 Central Business District and Heavy Commercial District and requests a special use permit for pawn shop use. The property is located in Land Lot 302 of the 5th District and contains 1.71 acres more or less.
- [3.](#) **Rezoning & Special Use Permit Applications: 2025-CD-RZ-01 & 2025-CD-SUP-01**, Applicant: Dan Rankin, Owner: Dacula Pool Properties, LLC requests rezoning from C-2 General Business District to C-3 Central Business District and Heavy Commercial District and requests a special use permit for pawn shop use. The property is located in Land Lot 302 of the 5th District and contains 1.71 acres more or less.

ADJOURNMENT:



Planning Commission Public Hearing

Monday, January 27, 2025 at 6:00 PM

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Minutes

I. CALL TO ORDER AND ROLL CALL OF MEMBERS:

The Planning Commission met on Monday, January 27, 2025 in the Council Chambers at Dacula City Hall, Dacula, Georgia.

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

Members Present:

Chairman Mark Chandler
Member Myra Montalbano
Member Lisa Bradberry
Member Gene Greeson
Member Trannon Thomas

City Staff Present:

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

II. INVOCATION:

Mayor Trey King gave the invocation.

III. PLEDGE OF ALLEGIANCE:

Chairman Chandler led the Pledge of Allegiance.

IV. MINUTES:

1. Approval of the Minutes from the meeting on Monday, December 30, 2024

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

Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

V. OLD BUSINESS:

None

VI. NEW BUSINESS:

2. 2025 Planning Commission Chairman Appointment

City Planner, Hayes Taylor, stated that the Planning Commission must designate a Chairman and Vice-Chairman at the beginning of each year in accordance with the City's Zoning Resolution.

Motion to nominate Mark Chandler as Chairman made by Member Greeson, Seconded by Member Bradberry.

Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

3. 2025 Planning Commission Vice-Chairman Appointment

Motion to nominate Lis Bradberry as Vice-Chairman made by Chairman Chandler, Seconded by Member Montalbano.

Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

4. PUBLIC HEARING: 2024-CD-AA-01 & 2024-CD-RZ-04, Applicant: Local Land Co. LLC, Owner: Kenneth W. Edwards Sr. & Theresa B. Edwards requests annexation into the City of Dacula and requests rezoning from RA200 (County) to R-TH (City). The property is located in Land Lot 268, Parcel 009 of the 5th District and contains 8.808 acres more or less.

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

Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

City Planner, Hayes Taylor, presented the staff case report for the rezoning application. Mr. Taylor noted that the Planning Commission would be recommending on the rezoning application, not on the annexation application. The applicant is requesting to rezone the property from RA200 (Gwinnett County) to R-TH (City for a residential townhouse subdivision. Residential Townhouses. Mr. Taylor stated staff recommend approval with conditions.

Member Bradberry inquired about the number of units.

Mr. Taylor stated that there would be 54 units.

Applicant's Representative, Shane Lanham, 1550 North Brown Road, Suite 125, Lawrenceville, GA 30043, stated the proposed use is appropriate for the subject property and is compatible with the surrounding uses. Mr. Lanham added that the subject property is located near major transportation corridors which will allow convenient access for the future residents of the proposed townhomes.

Member Thomas inquired about the ITE Trip Generation Manual calculation for vehicle trips.

Mr. Lanham stated the number generated for the report represents vehicle trips during the peak PM hours.

Member Thomas inquired about the lighting within the proposed pocket park.

Mr. Lanham stated that there would be sufficient lighting within the pocket park and near the mail kiosk.

Comments in opposition

Jennifer Casey, 1150 Rose Lily Place, Dacula, GA 30019, first inquired about if the townhomes would be for rent or for purchase. Ms. Casey then expressed concern regarding overcrowding of schools, the price of surrounding homes going down, increased traffic, and security issues regarding the pool and tennis courts in Wolf Creek neighborhood.

Kevin Butcher, 928 Fernbank Lane, Dacula, GA 30019, spoke against the proposed townhomes due to the density and creating an additional burden for the surrounding properties.

Mr. Lanham responded that there would be flexibility with the townhomes being for rent or for purchase. He then clarified the price point of the townhomes would match the surrounding market values and added that if approved a traffic study would need to be done with Gwinnett DOT.

Mrs. Nix clarified that the City's ordinance for the zoning district of the proposed property has a cap on rentals, so the proposed townhome subdivision could not be a 100% rental community.

Member Montalbano inquired as to how many of the townhomes could be rentals.

Mrs. Nix answered that up to 20% could be for rent.

Member Thomas sought to ensure that the concerns raised by those opposing were properly addressed and inquired if Chairman Chandler would grant the applicant's representative additional time to respond to them.

Chairman Chandler granted the applicant's representative additional time.

Ms. Casey stated her concerns were addressed.

Mr. Butcher inquired about the height of the townhomes.

Mr. Lanham answered that the townhomes would be 1,800 square feet 2-story units and would not exceed the city's maximum building height requirements.

Motion to close the public hearing made by Member Greeson, Seconded by Member Thomas.
Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

- 5. Rezoning Application: 2024-CD-RZ-04**, Applicant: Local Land Co. LLC, Owner: Kenneth W. Edwards Sr. & Theresa B. Edwards requests rezoning from RA200 (County) to R-TH (City). The property is located in Land Lot 268, Parcel 009 of the 5th District and contains 8.808 acres more or less.

Motion to recommend denial made by Bradberry, Seconded by Member Montalbano
Voting Yea: Member Bradberry, Member Montalbano
Voting Nay: Member Greeson, Member Thomas

Chairman Chandler voted against denial.

Motion to deny failed 3-2.

New motion made

Motion to recommend approval with staff's recommended conditions made by Member Thomas,
Seconded by Member Greeson.

Voting Yea: Member Thomas, Member Greeson

Voting Nay: Member Montalbano, Member Bradberry

Chairman Chandler voted affirmative to recommending approval with conditions [listed below]. Voting:
3-2

Concept Plan and Land Use

1. The property shall be developed in accordance with the conceptual site plan prepared by Gaskins Lecraw, Inc. dated January 2, 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. The open space shall not be subdivided and shall be owned and maintained by a mandatory homeowners' association. The deed to the mandatory homeowners' association shall require that the open space be perpetually maintained.
3. The maximum number of dwelling units shall not exceed 10 buildings consisting of 54 units total.
4. The development must have a minimum of two (2) entrances: one from Alcovy Rd, and one from W. Drowning Creek Rd.
5. The developer shall submit the Final Plat to the City of Dacula prior to the issuance of any building permits.
6. Collection of solid waste, recycling, and recovered materials from the townhome development shall be arranged by an agreement with a franchised contractor.
7. The developer shall provide a 20 ft pedestrian access easement, connecting the internal drive to Ewing Chapel Rd.

Architectural Design

8. An entrance feature, landscape, and fence plan along W. Drowning Creek Rd and Alcovy Rd shall be submitted to the City for review and approval. The fence shall be black wood rail fence or wrought iron in style with stacked stone or brick columns on-center (maximum 30-feet). The fence shall extend a minimum of 50-feet from subdivision entrances. Fencing shall be maintained by the homeowner's association.
9. The front and side façades of all dwelling units shall consist of architectural treatments of brick, stone, or stucco with fiber cement siding for the remainder of the elevation. The remainder of the structures shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
10. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
11. All dwelling units shall have at least a two-car garage.
12. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance.

Landscape and Parking

13. The developer shall provide street trees along the internal right-of-way at 40 to 50-foot intervals on center. Street trees shall not be located in the right of way, be 6 to 8 feet tall at the time of installation with a minimum DBH of 3 inches and located five (5) feet from the sidewalk. Subject to review and approval by the City Administrator or his / her designee.

Street trees shall be of one or a combination of the following species:

- a. American Hornbeam
 - b. Bloodgood Japanese Maple
 - c. Carolina Silverbell
 - d. Eastern Redbud
 - e. Georgia Oak
 - f. North Red Oak
 - g. Nuttall Oak
 - h. Red Maple
 - i. Shumard Oak
 - j. Southern Sugar Maple
 - k. Sweet Bay Magnolia
14. The pocket park shall at minimum include one (1) picnic table with bench seating, two additional street trees, a trash receptacle, and a sidewalk connecting the internal drives. The sidewalk connecting the internal drives shall have a minimum of three (3) commercial quality pedestrian benches located under shade, and street trees planted at 25-foot intervals. Street trees shall be 6 to 8 feet tall at the time of planting, have a minimum DBH of 3 inches, and shall be a combination of the trees listed in condition #13. Prior to issuance of a development permit, an amenity area plan shall be reviewed and approved by the City Administrator or his/her designee.
 15. The mail kiosk area shall contain a minimum of ten (10) parking spaces, a commercial-quality bicycle rack, an additional street tree to provide shade, and a structure with an impermeable roof, such as a gazebo, cabana or covered pergola. The mail kiosk area plan shall be included in the amenity area plan. Prior to issuance of a development permit, an amenity area plan shall be reviewed and approved by the City Administrator or his/her designee.
 16. Existing vegetation within the 50-foot undisturbed buffer from all property frontages must remain undisturbed when feasible. Feasibility will be determined by the City Administrator or his / her designee.
 17. In the case that the 50-foot buffer surrounding the parcel on all property frontage must be disturbed, the undisturbed buffer must be replaced with a 40-foot landscape strip from the property line. Subject landscape strips shall include two rows of staggered privacy trees that are 6 to 8 feet tall at the time of installation and are spaced out no further than 10 feet

on center with each row. Landscape buffer trees shall be a combination of the following native species and shall be supplemented by native understory shrubs:

- a. American Holly
- b. Eastern Hemlock
- c. Eastern Redcedar
- d. Laurel Oak
- e. Loblolly
- f. Southern Wax Myrtle
- g. Washington Hawthorn
- h. White Pine
- i. Willow Oak
- j. Virginia Pine

Where appropriate, the developer may use the Miyawaki method to replace the disturbed natural vegetation with native foliage installations. The proposed landscape plan must show the needed replanting areas.

- 18. Each townhome building shall have landscape features to include, but not necessarily limited to flowerbeds, a minimum of one (1) under story decorative tree, evergreen understory plantings and the like. Subject to review and approval by the City Administrator or his/her designee.
- 19. Stormwater maintenance / bioretention areas are encouraged to include practices from the Georgia Stormwater Management Manual green standards. The areas may include lower maintenance grass alternatives, such as Blue Star Creeper, Corsican Mint, Micro-Clover, Fescue, or native grasses, native shrubs, and native trees as approved by the City Administrator.
- 20. A black chain link fence is required around the detention pond. The homeowner's association is responsible for the maintenance of the detention pond and fence.
- 21. Gravel is prohibited. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
- 22. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to between the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.

Transportation and Infrastructure

- 23. A 5-foot-wide sidewalk shall be constructed along the entire property frontage of Alcovy Rd, W. Drowning Creek Rd, and Ewing Chapel Rd.

24. 5-foot-wide sidewalks shall be constructed on both sides of the internal streets.
25. Underground utilities shall be provided throughout the development.
26. Street light service fees and maintenance are the responsibility of the mandatory homeowner’s association.
27. The developer will provide pedestrian crosswalks at the stop signs of the internal public drive.
28. The owner/developer must provide two (2), five (5) foot wide raised pedestrian crosswalks providing traffic calming devices, or a stamped two (2), five (5) foot crosswalk protected by speed bumps on either side of the crosswalk in each of the internal public drives. Alternative traffic calming pedestrian measures are subject to the review and approval of the Planning & Development Department.
29. Prior to the issuance of a Development Permit, the developer must satisfy Gwinnett County Department of Transportation requirements. The Developer shall also provide a traffic impact study, as required by Article 4 of the Development Regulations. Subject to final approval by Gwinnett County Department of Transportation, the developer shall make any improvements required by the submitted traffic impact study.

VII. ADJOURNMENT:

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

Voting Yea: Member Montalbano, Member Bradberry, Member Greeson, Member Thomas

Meeting adjourned at 6:38 p.m.

Minutes approved _____
Date

Signature



Memorandum

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

From: H. Hayes Taylor Jr, City Planner

Date: March 31, 2025

Subject: 2025-CD-RZ-01 & 2025-CD-SUP-01

Proposed Zoning: C-3 (Central Business District and Heavy Commercial District)
Special Use Permit for Pawn Shop

Existing Zoning: C-2 (General Business District)

Size: 1.71 acres

Proposed Use: Pawn Shop & Antique Store

Applicant: Dan Rankin
2548 Forestdale Dr.
Dacula, GA 30019

Owner(s): Dacula Pool Properties LLC
2394 Winder Hwy
Dacula, GA 30019

Location: LL 302 – 5th District, Parcel 100B

Existing Land Use and Zoning:

The subject property totals 1.71 acres and is located at 2394 Winder Highway, roughly 258 feet west of the Lakeside Drive / Winder Highway intersection, and 200 feet north-east of the Gregory Lane / Lakeside Drive intersection. The site contains a split level, 3,615 square foot building with attached 750 square foot patio, a parking lot with 15 delineated parking spaces, 2,400 square feet of non-delineated paved parking space, and 0.6 acres of undisturbed open space. The site provides two points of egress onto Winder Highway and one point of egress onto Lakeside Drive.

The parcel is zoned C-2 (General Business District). Staff notes that the building has been unoccupied since 2020, previously containing a variety of retail businesses. The building currently serves as a storage space for the applicant's business, Dacula Pool Service, Inc, which is located directly to the west of the subject parcel and is zoned C-2 (General Business District).

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The parcel directly to the east is zoned C-2 *DOD* (General Business District – Downtown Overlay District), which contains a legal-nonconforming repair shop. Across Lakeside Drive are residential properties, zoned R-1200 (Single-Family Residential) and MH (Mobile Home Park District).

The Proposed Development:

The applicant has requested to rezone the 1.71-acre parcel from C-2 (General Business District) to C-3 (Central Business District and Heavy Commercial District) with a special use permit to allow for a pawn shop and antique store use. Under the Zoning Ordinance, pawn shops require a C-3 zoning and a Special Use Permit. These designations are the highest intensity of commercial use permitted under the City’s Zoning Ordinance (Article IX, Section 907).

Application materials state that the requested rezoning and Special Use Permit would not require land disturbance, or significant improvements to the property. Gwinnett County sewer is available on Lakeside Drive; however, the applicant states that the tenant does not anticipate significant water needs and intends to continue to use the existing septic system.

The site currently provides 15 parking spaces and an additional 2,400 square space of non-delineated, paved parking area for the building. The parking area provided exceeds the required 5 parking spaces per 1,000 square feet of for retail uses (Article X, Section 1002). The applicant states that the property has hosted several retail businesses prior to the last five (5) years of vacancy and does not anticipate increased parking needs, traffic volume or burden on roadways.

Summary:

The site is suited for retail use, such as an antique store, given the history of retail tenants and adjacent commercial parcels. With the proper conditions, the proposed pawn shop use could be considered compatible with the commercial corridor further west along Winder Highway but may conflict with the residential land uses across Lakeside Drive, and the objectives of the adjacent Downtown Overlay District. Staff notes that non-office and retail-related uses within the C-3 zoning district may not be suitable given the residential properties along Lakeside Drive, and the surrounding lower intensity commercial uses. For these reasons, Staff recommends the requested rezoning be approved with conditions.

Comprehensive Plan:

The proposed development falls within the Dacula Downtown Character Area (City of Dacula 2050 Comprehensive Plan, pg. 61). The Dacula Downtown character area land use and zoning considerations call for a variety of commercial, office, and higher density residential land uses, with an emphasis on the redevelopment of underutilized and/or abandoned properties, and locally driven employment with efforts to encourage development of underutilized parcels (pg. 61). The Guidance for Rezoning by Character Area table calls for C-1, C-2, R-1200 and OI in the Dacula Downtown, and does not call for C-3 (pg. 69).

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

With the proper conditions the proposed rezoning and special use permit could be considered consistent with the adjacent and nearby commercial uses along Winder Highway. The proposed use would not require redevelopment of the parcel and, with conditions, may not have an increased impact on the surrounding residences.

2. *Whether the proposed rezoning, and 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 onto the surrounding properties from the proposed use.

3. *Whether the property to be affected by the proposed rezoning, and 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 rezoning, and 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 increase the burden of use for utilities, existing streets, transportation facilities, or schools.

5. *Whether the proposed rezoning, and 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, which calls for a balance of commercial and residential with an emphasis on the redevelopment and revitalization of underutilized parcels. As such, the proposed development could be considered suitable at this location (City of Dacula 2050 Comprehensive Plan, pg. 61). However, staff notes that the proposed zoning classification, C-3, is not included as a recommended zoning classification.

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 special use permit?*

The requested rezoning and special use permit could allow for increased economic productivity for the commercial property which has been vacant since 2020. Zoning action could provide the

City Council with an opportunity to evaluate their vision for the property and institute zoning conditions established in the surrounding area. Alternatively, setting the precedent of a C-3 (Central Business District and Heavy Commercial District) zoning with a special use permit adjacent to the Downtown Overlay District could proliferate higher intensity uses within the planned downtown area.

Recommendation:

Based upon the applications, the requested reasoning, and special use permit for pawn shop use are recommended for approval with the following conditions:

Condition Set #1:

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 site shall be limited to the following uses:
 - a. Animal Hospital or Veterinary Clinic
 - b. Bakery
 - c. Cafe
 - d. Medical Office
 - e. Professional Office
 - f. Retail
 - g. Restaurant
 - h. Pawn Shop with council approved special use permit
3. The Special Use Permit shall be deemed abandoned by the Property Owner if pawn shop use ceases for more than ninety (90) days, per Article 17, Section 1706.
4. The Special Use Permit shall be valid for a period of two years from the date of approval at which time the Special Use Permit must be reapplied for and approved by the Mayor and Council for continued use.
5. No outdoor storage shall be permitted on site.
6. No drive-thru or gas station uses shall be permitted.
7. Hours of operations shall be limited to 9:00 a.m. to 9:00 p.m.
8. All trash dumpsters shall be screened by an enclosure using the same exterior building material

as the adjacent occupied buildings. Pickup shall be limited to between the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times. Sanitation services must be provided by a third-party provider.

Sign and Advertisement

9. Oversized signs or billboards shall not be permitted.
10. Should the existing monument sign be removed, future ground signage shall be limited to one monument-type sign and shall not be located within the right-of-way. The monument sign shall not exceed a maximum of 8-foot in height and shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs and electronic message boards shall be prohibited. The monument sign shall be indirectly lit. The monument sign shall not impede site distance along Winder Hwy. Sign location and design are subject to review and approval by the City of Dacula.
11. 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.
12. Live human advertisement 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.
13. Blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.

Landscape and Parking

14. All parking spaces shall be striped in accordance with City Development Regulations. All vehicles must be parked in a striped space on a paved surface.
15. Parking lot and security lighting shall be directed towards the property to minimize the adverse impact on neighboring properties.
16. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
17. Stormwater maintenance / bioretention areas are encouraged to include practices from the Georgia Stormwater Management Manual green standards. The areas may include lower maintenance grass alternatives, such as Blue Star Creeper, Corsican Mint, Micro-Clover, Fescue, or native grasses, native shrubs, and native trees as approved by the City Administrator.

Condition Set #2:

Should the property be redeveloped or is no longer considered a lawful non-conforming building or use, the parcel is subject to the following conditions:

Infrastructure

1. Provide interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts. This requirement may be waived by the City only if it is demonstrated that an interparcel connection is not feasible due to traffic safety or topographic concerns.
2. All new utility lines shall be located underground.
3. The Applicant shall include the required sidewalk in accordance with the City's Development Regulations.
4. Provide streetlights along all public rights-of-way utilizing decorative light poles/fixtures. Light source shall be high-pressure sodium. Streets lights shall be staggered, 150 feet on-center, along both sides of the roadway. All street lighting shall be subject to review and approval of the City of Dacula, Gwinnett County D.O.T or Georgia Department of Transportation depending on who owns the subject right-of-way. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads.
5. Provide lighting throughout all parking areas utilizing decorative light poles/fixtures. Light source shall be metal halide, not exceeding an average of 4.5 foot-candles of light output throughout the parking area. Other than pedestrian light fixtures which will be less than 14 feet tall, light fixtures shall be hooded. All lighting will be metal halide. Lighting shall be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.
6. Prior to the issuance of a Development Permit, the developer must satisfy Gwinnett County Department of Transportation requirements. The Developer shall also provide a traffic impact study, as required by Article 4 of the Development Regulations. Subject to final approval by Gwinnett County Department of Transportation, the developer shall make any improvements required by the submitted traffic impact study.
7. Sidewalks shall be required adjacent to all public rights-of-way. The location of sidewalks shall be reviewed and approved by the City of Dacula, Gwinnett County D.O.T or Georgia Department of Transportation depending on who owns the subject right-of-way. It is required that a minimum five-foot wide sidewalk connection be provided from public rights-of-way to the entrance(s) of buildings.
8. Sidewalks shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate future pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the

City of Dacula, Gwinnett County D.O.T or Georgia Department of Transportation depending on who owns the subject right-of-way.

Parking & Landscaping

9. Provide non-ornamental shade trees spaced 50-feet on-center along the right of way Highway 29. All street trees shall be a minimum 4-inch caliper (dbh) at the time of planting. Street trees shall be planted six-feet from back-of-curb subject to review and approval of the City of Dacula, Georgia, or Gwinnett Department of Transportation.

Street trees shall be of one or a combination of the following species:

- a. American Hornbeam
 - b. Bloodgood Japanese Maple
 - c. Carolina Silverbell
 - d. Eastern Redbud
 - e. Georgia Oak
 - f. Japanese Zelkova
 - g. North Red Oak
 - h. Nuttall Oak
 - i. Red Maple
 - j. Shumard Oak
 - k. Southern Sugar Maple
 - l. Sweet Bay Magnolia
10. Parking lots shall be located to the side and rear yard of the primary structure and shielded from view from public right-of-way.
 11. Side parking is limited to 25% of the total parking area provided. All parking lots shall be screened from view from the right-of-way with vegetation and/or fencing. Screening trees shall be selected from the tree list from condition #7 and be supplemented with understory shrubs in the absence of opaque fencing. The fence shall be black wood, black chain link or wrought iron in style. Fence / understory shrubs shall be a minimum of 42 inches in height. The parking lot screening plan is subject to the approval of the Planning & Development Department.
 12. The landscaping plan shall include one (1) shade tree for every ten (10) parking spaces.

Architectural Design

13. Architectural design shall conform with the Dacula Downtown Overlay District (DOD) architectural design guidelines. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The submitted elevations should include a variety of colors, and a variation in architectural features.
14. All building exteriors shall be constructed of brick, stone, glass, or stucco. All buildings shall have flat roofs with architectural treatments to include canopies and parapets. Mechanical, HVAC, and like systems shall be screened from street level on all sides by an opaque wall of brick, stucco, or split-faced block.
15. Primary building entrances shall open onto the sidewalk or a path that connects directly to the sidewalk.



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>DAN RANKIN</u>	NAME <u>Dacula Pro Properties LLC</u>
ADDRESS <u>2548 Forestdale Dr</u>	ADDRESS <u>2394 Winona Hwy</u>
CITY <u>Dacula</u>	CITY <u>Dacula</u>
STATE <u>GA</u> ZIP <u>30019</u>	STATE <u>GA</u> ZIP <u>30019</u>
PHONE <u>770-318-9157</u> FAX _____	PHONE <u>770-318-9157</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 DAN RANKIN
 COMPANY NAME _____
 ADDRESS 2548 Forestdale Dr
Dacula GA 30019
 PHONE 770-318-9157 FAX _____
 EMAIL D.RANKIN@PHANTOM.NET

PRESENT ZONING DISTRICT(S) C2 REQUESTED ZONING DISTRICT C3
 LAND LOT(S) _____ PARCEL # R5302A¹⁰⁰³ DISTRICT(S) _____ ACREAGE 1.72
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED _____

<u>RESIDENTIAL DEVELOPMENT:</u>	<u>NON-RESIDENTIAL DEVELOPMENT:</u>
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS _____
DWELLING UNIT SIDE (SQ. FT.) _____	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



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>Dan Rankin</u> ^{same}	NAME <u>Dacula Pool Properties LLC</u>
ADDRESS <u>2548 Forestdale Dr</u>	ADDRESS <u>2394 Windsor Hwy</u>
CITY <u>Dacula</u>	CITY <u>Dacula</u>
STATE <u>Ga</u> ZIP <u>30019</u>	STATE <u>Ga</u> ZIP <u>30019</u>
PHONE <u>770-318-9157</u> FAX _____	PHONE <u>770-318-9157</u> FAX _____

APPLICANT IS THE:

- OWNER'S AGENT
- PROPERTY OWNER
- CONTRACT PURCHASER

CONTACT PERSON DAN RANKIN
 COMPANY NAME _____
 ADDRESS 2548 Forestdale Dr
Dacula Ga 30019
 PHONE 770-318-9157 FAX _____
 EMAIL D.RANKIN@CHARTER.NET

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

PRESENT ZONING DISTRICT(S) C2 REQUESTED ZONING DISTRICT C3
 LAND LOT(S) _____ PARCEL # RS302A100B DISTRICT(S) _____ ACREAGE 1.72
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED _____

<u>RESIDENTIAL DEVELOPMENT:</u>	<u>NON-RESIDENTIAL DEVELOPMENT:</u>
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS _____
DWELLING UNIT SIDE (SQ. FT.) _____	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

2344 Winona Hwy

Basement

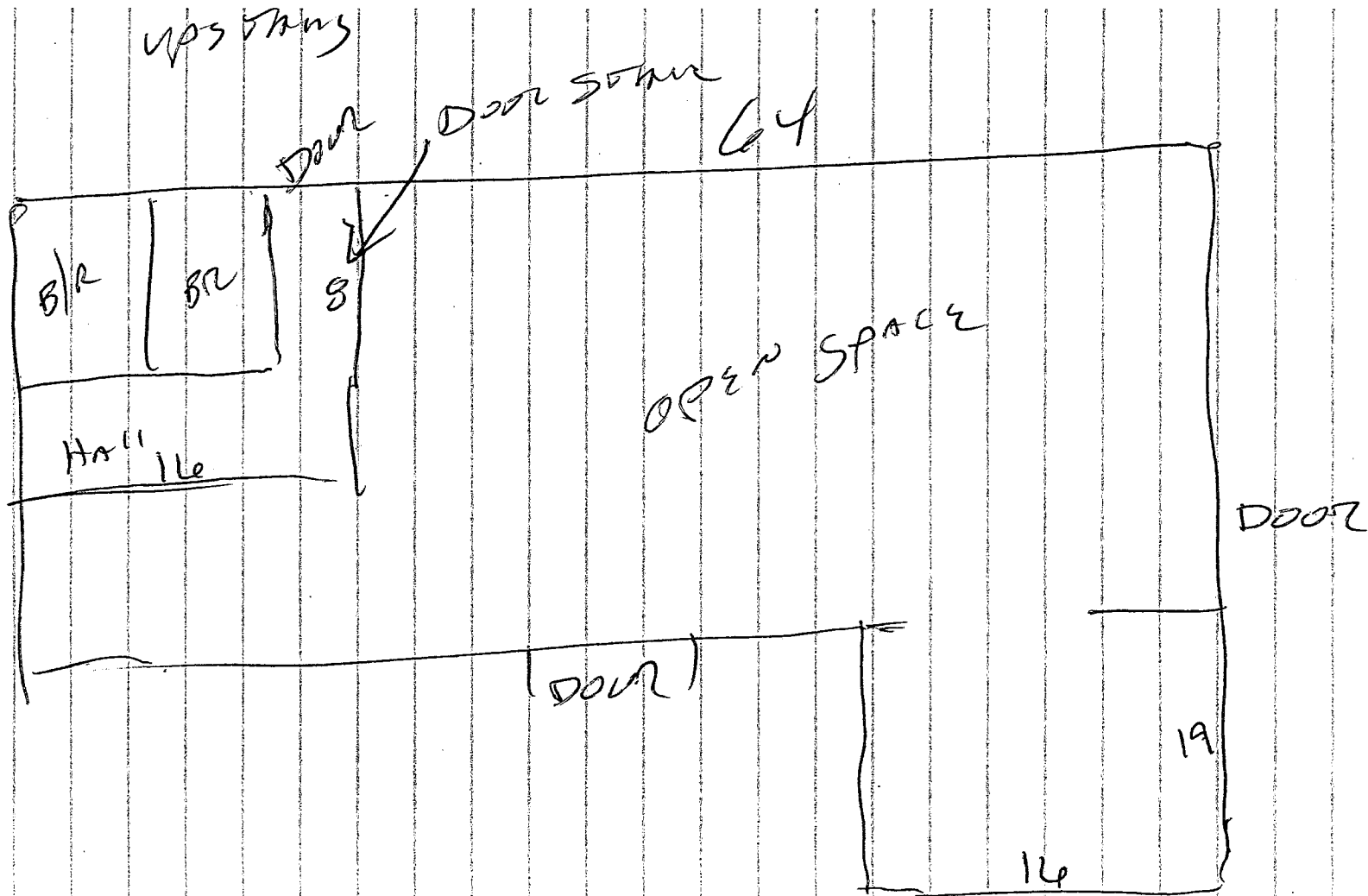
Storage for D101A Bul



2394

WINDY 1 May

28



January 27, 2025

VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

City of Dacula Planning and Development Office
P.O. Box 400
Dacula, GA 30019

RE: Letter of Intent Regarding Special Use Permit and Application for Rezoning from C-2 to C-3 for the property known as Gwinnett County Tax Parcel ID No. R5302A100B (the "Subject Property").

To Whom It May Concern:

I am submitting this Letter of Intent and attached Rezoning Application, along with the attached Special Use Permit Application for the purpose of rezoning the Subject Property to the C-3 zoning classification. The Subject Property is currently zoned C-2 and is located at the address of 2394 Winder Highway, Dacula, Georgia 30019, within the Dacula Downtown Area as depicted on the City of Dacula 2050 Comprehensive Plan Development Map.

I propose to lease the Subject Property to a tenant (the "Tenant") who will operate a pawn shop and antique store on the Subject Property. The Subject Property currently holds an approximately 3,615 square foot building. Though the building has been used for various retail operations since at least 2012, it has been unoccupied since approximately 2020, primarily being used as a storage facility for my business, Dacula Pool Service, Inc., during such period of vacancy. During its vacancy and until being contacted by the Tenant in late 2024, my efforts to find a suitable tenant for the Property have been unsuccessful.

The Tenant proposes to operate his business out of the Subject Property's building primarily as is, without making any significant improvements or additions to the structure itself. The Tenant's pawn shop and antique store operation is an established going concern with a successful history in the neighborhood and the City of Dacula, having operated at the Subject Property from November 2013 to April of 2015 before relocating to another location within the City. The Tenant now desires to relocate back into the Subject Property, and the City of Dacula has requested that the Subject Property be rezoned to C-3 prior to the Tenant's relocation due to a change in the zoning code enacted in the interim.

Rezoning the Subject Property is appropriate because it aligns with the policies of the City of Dacula's 2050 Comprehensive Plan (the "Comprehensive Plan"). The Comprehensive Plan encourages the use of land to accomplish the City's goals of maintaining existing character in established neighborhoods and increasing base economic activity through use of land. According to the Comprehensive Plan, the Dacula Downtown Area is currently characterized as a mix of commercial, retail, and office spaces, and such character of land use aligns with the Tenant's proposed business on the Subject Property. The properties immediately adjacent and nearby the Subject Property along Winder Highway are primarily dedicated to retail use, aligning with the current character of the Dacula Downtown Area. Permitting rezoning for the operation of the

Tenant's business would allow conversion of the Subject Property from a vacant storage facility into an active, additional retail option for shoppers in the area without any necessary modifications to the Subject Property itself or the surrounding infrastructure. This use would be consistent and compatible with the surrounding land uses and would accordingly be appropriate.

Additionally, allowing the Rezoning Application and operation of the Tenant's business would increase the base economic activity in the neighborhood. Specific to the Dacula Downtown Area, the City's Comprehensive Plan aims to revitalize the area in part by encouraging the redevelopment of underutilized or dilapidated properties. The Subject Property has been vacant for over five years, and permitting the rezoning and relocation of the Tenant's Business on the Subject Property would significantly increase the base economic activity of the neighborhood by activating a previously underutilized parcel into an active retail business. Further, we expect that the addition of the Tenant's business to the surrounding area will benefit the neighboring properties in the aggregate by increasing the number of shoppers in the vicinity, thereby increasing the potential customer base for the surrounding businesses.

During the Tenant's prior occupancy of the Subject Property from 2013 to 2015, we received no complaints from any neighboring property owners whatsoever, and the surrounding area did not suffer any substantially increased traffic or loss of business of any kind. Rather, the Tenant's business then—which was identical to the Tenant's business proposed today—was a positive addition to the retail space along Winder Highway, and only the subsequent amendment of the zoning code necessitates this Rezoning and Special Use Permit Application to allow the Tenant's business today. We accordingly do not anticipate that the Tenant's business would negatively impact the surrounding businesses or property owners to any extent. Allowing the Tenant to reopen his business on the Property would provide common benefits to the neighborhood while furthering the City of Dacula's short-term and long-term land development objectives.

I greatly appreciate your consideration of the foregoing application, and I welcome the opportunity to meet with staff of the City of Dacula Department of Planning & Development to answer any questions or to address any concerns. I can be contacted by phone at (770) 318-9157, or by email at d.rankin@charter.net. Upon your review, I respectfully request your approval of the enclosed Rezoning Application and Special Use Permit Application.

Sincerely,

DAN RANKIN

Application for Rezoning for City of Dacula
Impact Analysis Statement

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

We believe that the proposed rezoning will permit a suitable use. For multiple years, various retail businesses were operated on the Property without any complaints from adjacent retailers or property owners and without interference with such retailers' regular operations. We believe this demonstrated capability evidences our capacity to resume operation of a retail business on the Property while simultaneously honoring the needs of owners of adjacent spaces.

- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property in any way. The proposed rezoning will allow operation of a business in a space that was previously only used for storage. It is our belief that the presence of an operating business in this space will instead benefit the surrounding retail establishments by providing additional customers.

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

The Property was previously used for the operation of retail businesses, but has not had a tenant in approximately five (5) years. No suitable tenant has been found during this period, and the Property has been used primarily for storage since then. In the interim, the City's zoning district classifications have changed. Due to the change in zoning district classifications, operation of a business on the Property is not possible without rezoning. Accordingly, the Property does not have a reasonable economic use as currently zoned.

- 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:

The zoning proposal will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. While the operation of a business on the Property may provide additional customers to the surrounding retail establishments, no significant increase in traffic in the surrounding area is anticipated.

- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan:

The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. Rezoning the Property will not alter the overall character of the surrounding neighborhood, as the area is already generally commercially zoned. It will also substantially increase the base economic activity of the Property by permitting the operation of a retail business in a space where there currently is not one. Permitting rezoning of the Property will also prevent the Property from being underutilized.

- 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:

We are unaware of any existing or changing conditions that would support disapproval of the zoning proposal. We do believe the existing condition and Property and opportunity for economic activity provides supporting ground for approval of the zoning proposal.

BK 51499 PG 0121

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA

2012 JUL 16 PM 2:00

RICHARD ALEXANDER, CLERK

~~LEN-1206003608~~
LEN-1206003608
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 150.00
RICHARD T. ALEXANDER, JR. CLERK OF
SUPERIOR COURT

Return to:
Morris|Hardwick|Schneider, LLC
2250 North Druid Hills Road, Suite 110
Atlanta, GA 30329
File #: LEN-1206003608

WARRANTY DEED

State of Georgia
County of DeKalb

THIS INDENTURE made this 28th day of June, 2012, between
Danny R. Cronan
as party or parties of the first part, hereinafter called Grantor, and
Dacula Pool Properties, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in the Town of Dacula, Georgia, Gwinnett County, and described as follows:

BEGINNING at an iron pin located on the southerly side of the right of way of U.S. Highway #29 at a point where this property joins the property of formerly Robert Hawley Cook, now R.E. Hill property; thence easterly along the the southerly side of the right of way of U.S. Highway 29 for 460 feet to an iron pin corner at the property of J.H. Wood; thence southerly along the Wood property to the northerly side of Lakeside Drive to the property of formerly Cook, now Hill; thence northerly along said property to the point of beginning.

Subject to all easements and restrictions of record.

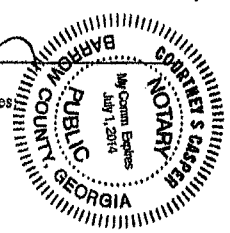
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FFB SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Witness
[Signature]
Notary Public
My Commission Expires



[Signature]

Danny R. Cronan (Seal)

(Seal)

0070977

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

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes No

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

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

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

Yes No

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

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

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

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 [Signature] Date 2/12/25

Type or Print Name/Title DANIEL S RANKIN PRESIDENT

Signature of Applicant's Attorney _____ Date _____

Type or Print Name/Title _____



[Signature] Date 2/12/2025

(Notary Seal)

Official Use Only

DATE RECEIVED 2-12-25 ZONING CASE NUMBER 2025-CD-RZ-02 & SUP-01

RECEIVED BY HHT [Signature]

APPLICANT CERTIFICATION

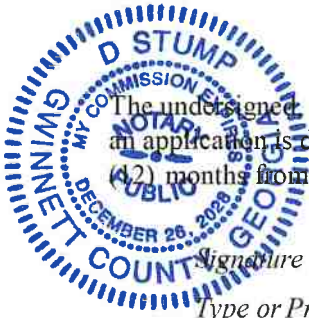
The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.



Signature of Applicant [Signature] Date 2/12/25
Type or Print Name/Title DANIEL S. RANKIN PRESIDENT
Notary Public [Signature] Date 2/12/2025

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 [Signature] Date 2/12/25
Type or Print Name/Title DANIEL S. RANKIN PRESIDENT
Notary Public [Signature] Date 2/12/2025

FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED 2-12-25 RECEIVED BY HIT FEE \$2,000.00 RECEIPT # _____

LAND LOT 302 DISTRICT 5 PARCEL # 100 B HEARING DATE 3/31/25

5/4/25

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____

Proposed Project Information

Name of Proposed Project: REVAMP OF PROPERTY @ 2394 WINDSOR HWY
Developer/Applicant: DALWA POOL PROPERTIES LLC
Telephone: 770-318-9157
Fax: 770-822-0116
Email(s): DRANKIN@CHARTER.NET

Economic Impacts

Estimated Value at Build-Out: 394 K

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?

NO

How many short-term and /or long-term jobs will the development generate?

NONE

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

50 K

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

N/A.

Community Facilities & Infrastructure Impacts

Water Supply

Name of water supply provider for this site: GEORGETOWN CO.

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

MINIMAL

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

YES N/A

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

NO

If there are plans to expand the existing water supply capacity, briefly describe below:

N/A

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

N/A.

Wastewater Disposal

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

N/A.

Name of wastewater treatment provider for this site:

N/A.

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

N/A

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

N/A

If there are plans to expand existing wastewater treatment capacity, briefly describe below:

N/A

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?

MINIMAL

4-6 CUSTOMERS.

PER DAY

List any traffic and/or road improvements being made and how they would affect the subject area.

N/A.

Solid Waste Disposal

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

2- BATHROOM

2 PEOPLE?

1-TON?

Is sufficient landfill capacity available to serve this proposed project?

N/A

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

If there are plans to expand existing landfill capacity, briefly describe below: N/A

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? EXISTING STRUCTURE

Is the site located in a water supply watershed? NO

If yes, list the watershed(s) name(s) below: NO

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: N/A

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

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Total \$0.72

Postage will be paid by addressee

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Prichard, AL 36019



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Return Receipt \$4.10
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