



Mayor and City Council Worksession

Thursday, February 05, 2026 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:

OLD BUSINESS:

NEW BUSINESS:

- [1.](#) Special Use Permit Application: 2025-CD-SUP-03
- [2.](#) Rezoning Application: 2025-CD-RZ-05
- [3.](#) Rezoning Application: 2025-CD-RZ-06
- [4.](#) Bid results for Sanjo St improvements
- [5.](#) Sumter LGC agreement
- [6.](#) Third amendment to the purchase property agreement

MARSHAL UPDATE:

CITY ADMINISTRATOR UPDATE:

MEMBER COMMENT(S) / QUESTION(S):

ADJOURNMENT:



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
Surrounding Neighborhood	
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>)
Recommendation	
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.

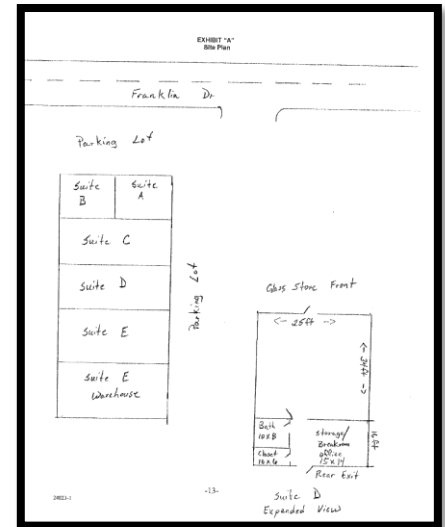
The subject parcel falls within the Downtown Overlay District and the Urban Redevelopment Plan. The proposed use does not require redevelopment of the subject parcel, allowing the building to maintain its legal nonconforming status.

Analysis

Rezoning Request

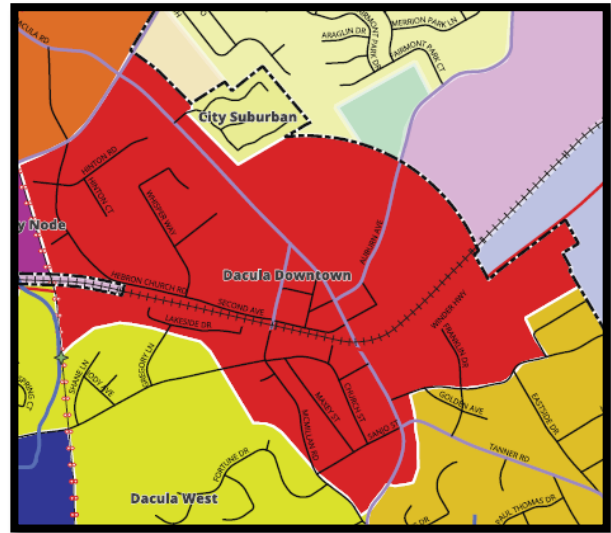
The requested SUP does not conflict with the surrounding commercial uses in the corridor and in the multitenant building. The adult day care use is not more intense than existing uses. The pest control business in another suite on the property uses its space for office purposes only, and does not store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

Item 1.

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 5th 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 5th 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 5th 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**.

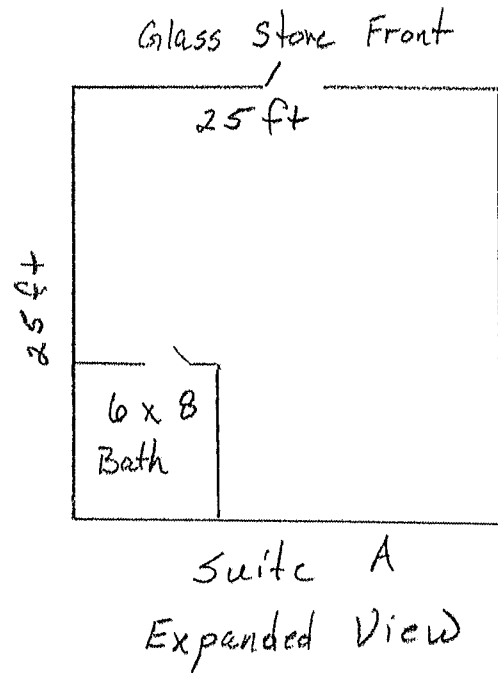
EXHIBIT "A"
Site Plan

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

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.

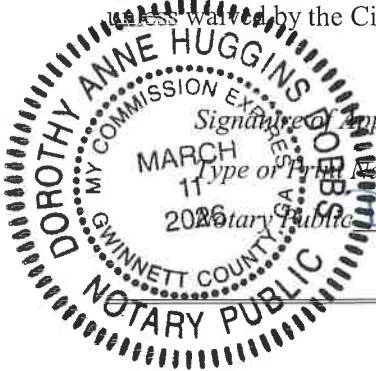
Sincerely,

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

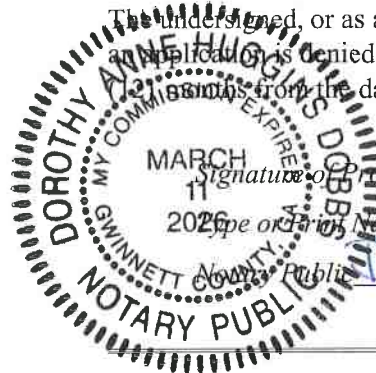
2026 Notary Public

Date

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

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

2026 Notary Public

Date

A. Matthew Smith 11-07-2025
A. Matthew Smith Managing member
Dorothy Anne Huggins 11/7/2025
DD Dobbs

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 [Signature] Date 11/07/2025

Type or Print Name/Title Tiffany Jennings Chief Executive Administrator

Signature of Applicant' Attorney _____ Date _____

Type or Print Name/Title _____

Notary Public Dorothy Anne Higgins Date 11/7/2025



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 Cente, 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.

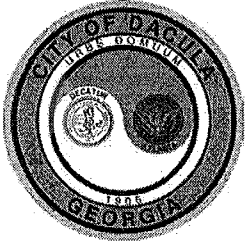
Zoning and regulatory considerations

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:

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

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

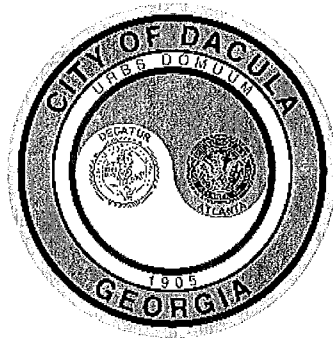
☒ No

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

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

(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:



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
Surrounding Neighborhood	
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>)
Recommendation	
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 ± 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



Subdivision Overlay District developments, the property cannot be developed. The applicant seeks to build a single-family home of a minimum of 1,400 S.F. on the property, should the CSO designation be removed.

Analysis

The rezoning request is consistent with the surrounding residential zoning classifications and uses.

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:

Staff recommends approval of the rezoning of the subject parcel from R-1400 CSO to R-1400.

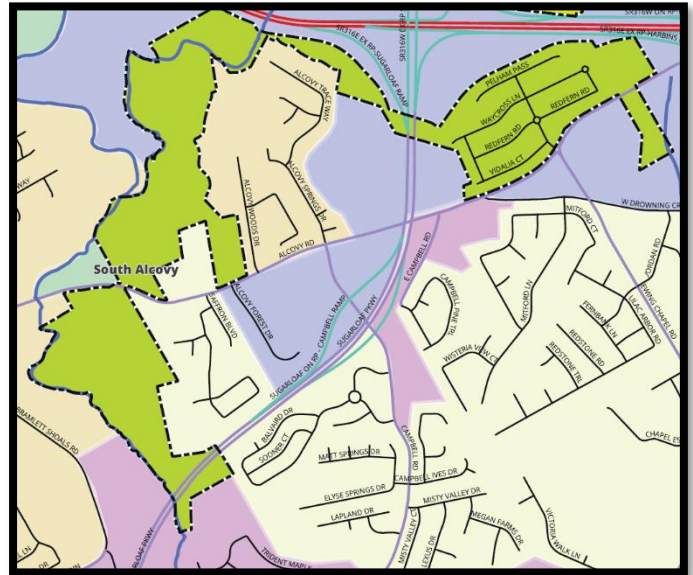


Figure 3 Comprehensive Plan Character Area

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 suitable in view of the surrounding park and subdivision residential uses.

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?*

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

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
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

Item 2.

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.

Hayes Taylor, Director of Planning
November 5, 2025
Page 2

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.

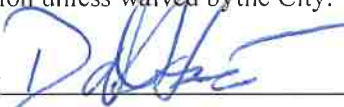
Notary Public

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 Powell11/5/25

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' 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:

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)

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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to R-1400 has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

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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.



Name and Address of Sender Powell & Crowley, LLP P.O. Box 1390 Lawrenceville, GA 30046		Check type of mail or service <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Adult Signature Required <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery (COD) <input type="checkbox"/> Insured Mail <input type="checkbox"/> Priority Mail</div><div><input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Signature Confirmation Restricted Delivery</div></div>		<div style="display: flex; justify-content: space-around; align-items: center;"><div>Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.</div><div style="border: 2px solid red; border-radius: 50%; padding: 10px; color: red; text-align: center;">LOGANVILLE GA 30052 DEC 8 2025 USPS</div></div>												
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		
1.9589 0710 5270 3189 4566 27	Blackhawk Georgia Lender LLC 2824 N. Power Rd. Ste. 113-285 Mesa AZ 85215-1672			Handling Charge - if Registered and over \$50,000 in value												
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								Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery		
4.																
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8.																
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 ± 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*).

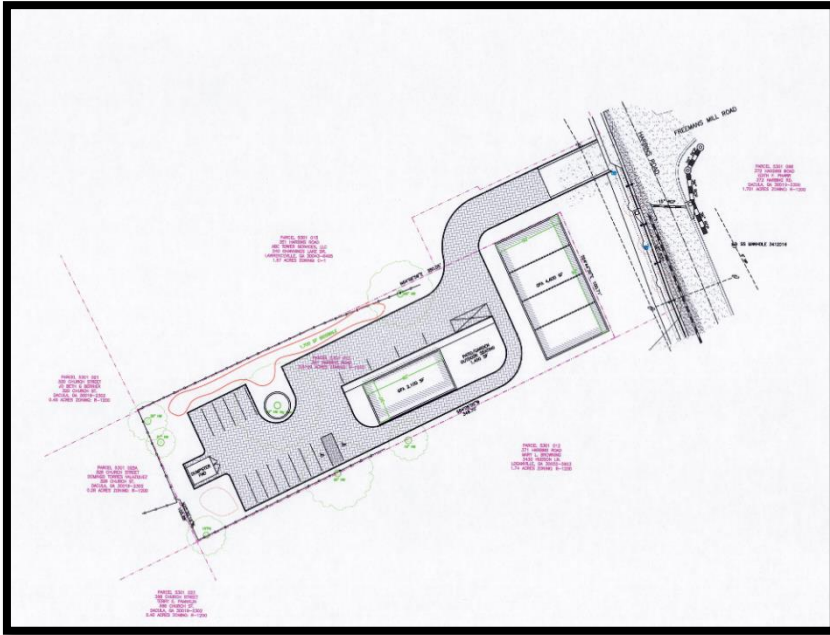


Figure 2 Surrounding Zoning Classifications

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 ± 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

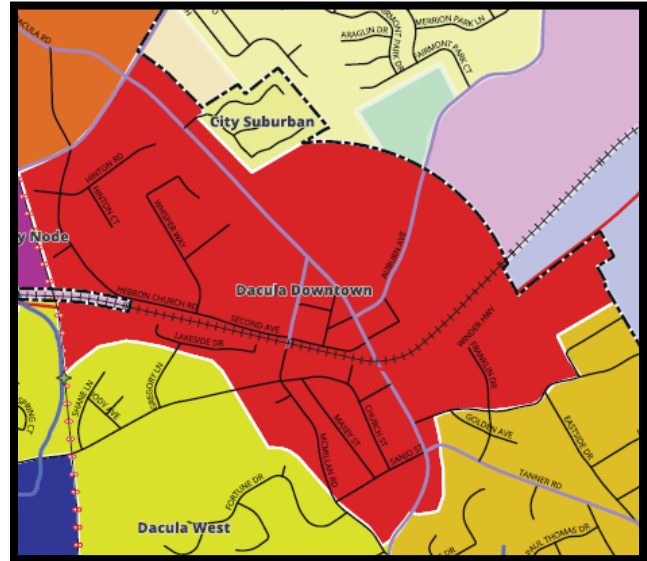
The rezoning request could be considered compatible with the nearby commercial and residential uses, if adequate screening is provided. The proposed infill project could provide a transition from more auto-oriented uses at the intersection of Winder Hwy and Harbins Rd, and the legal-nonconforming gas 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

Item 3.

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.) _____

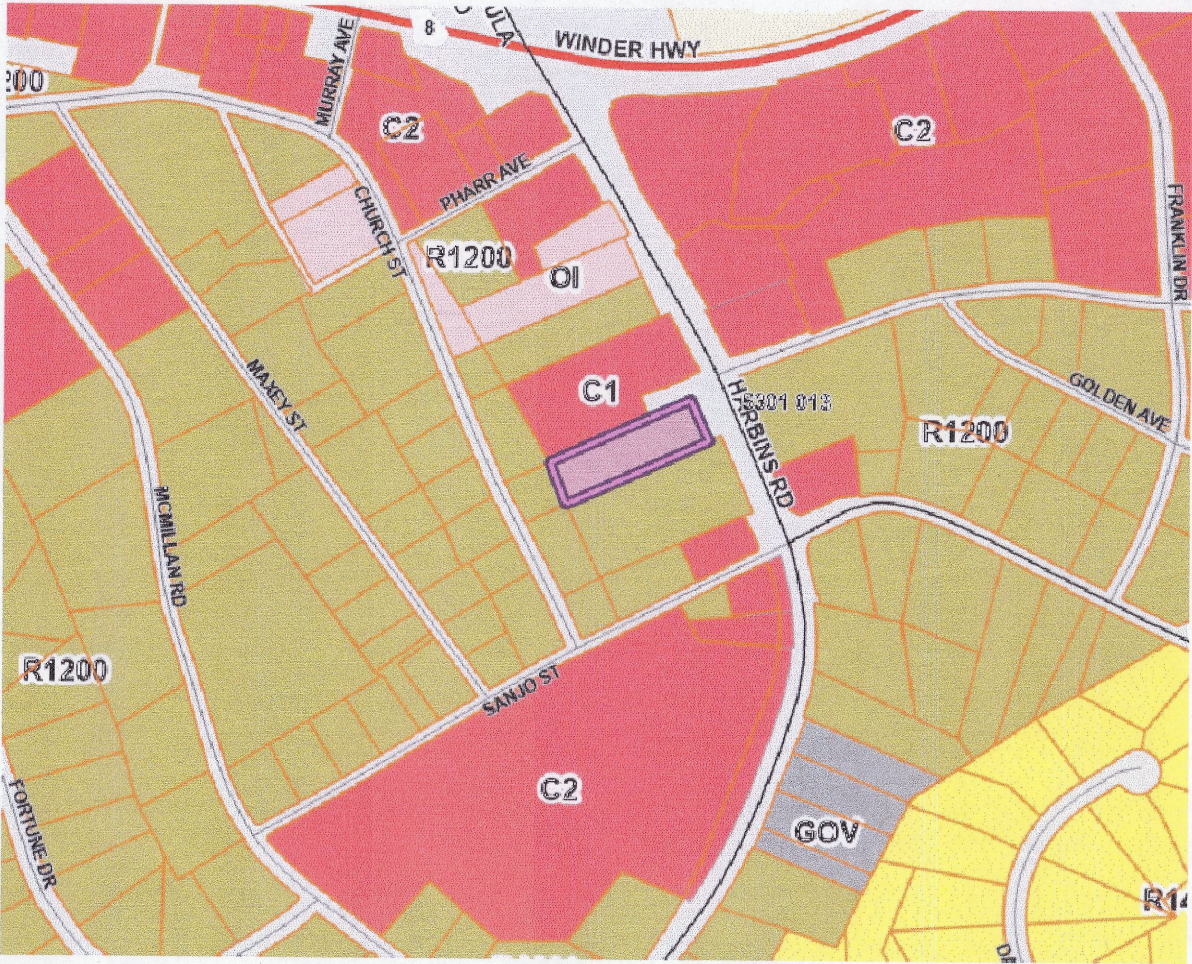
NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/LOTS 1
TOTAL GROSS SQ. FEET 6,700 SF

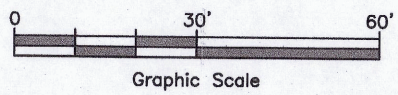
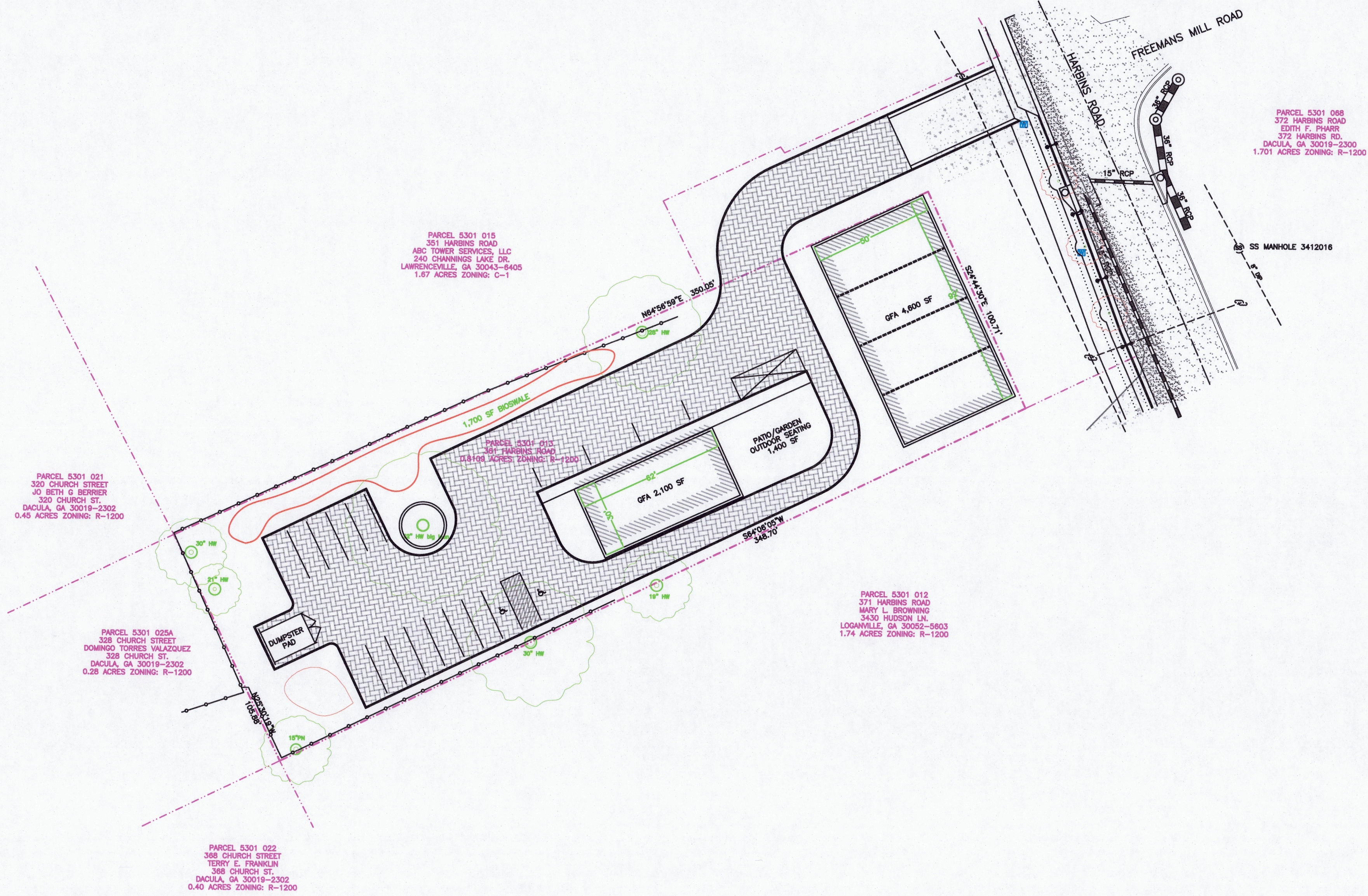
LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

*** 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

Project Name and Address

Atlanta Quality Management, LLC

361 Harbins Road
Dacula, Georgia

Commercial Strip

Conceptual Plan

Project	Shops on Harbins	Sheet	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:

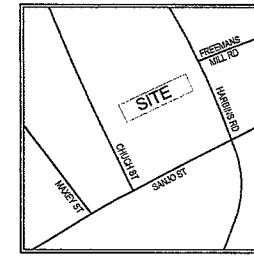
Peak hour traffic for Harbins Road between University Parkway and Winder Highway was 1,049 vehicles measured last year. Compared to a real-world design capacity of around 1,400 vehicles. The estimated daily traffic for that event was 11,950 vehicles.

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

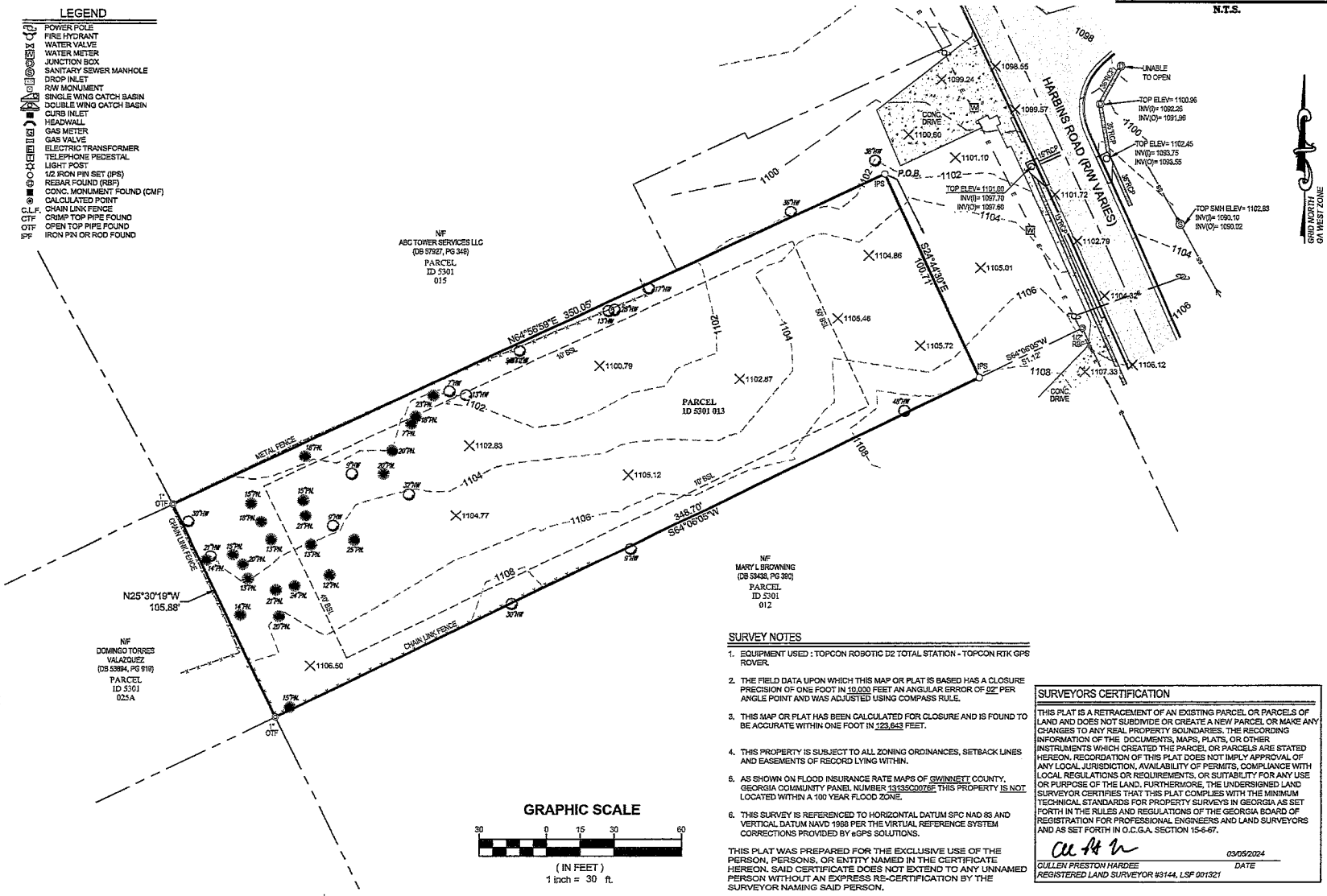


VICINITY MAP
N.T.S.

UNITED LAND SURVEYING
COA NO. LSF 001321

1345 CONCORD ROAD SE SUITE 101
SANTA FE, GEORGIA 30084
PH (404) 293-9111
WWW.UNITEDLSF.COM

- 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 1315902070E 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
CULLEN PRESTON HARDEE
REGISTERED LAND SURVEYOR #3144, LSF 001321
DATE 03/05/2024

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: 105
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.



JOB NUMBER:
23-324

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

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

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: 12/5/25Plan Submittal 4/15/26Begin Construction: 6/15/26Zoning Approval: 2/5/26Completion/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>

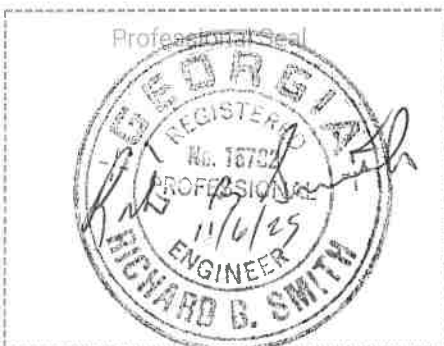
☒ Detailed flow calculations for proposed development project based on the most current wastewater flow estimation guidelines:

<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.

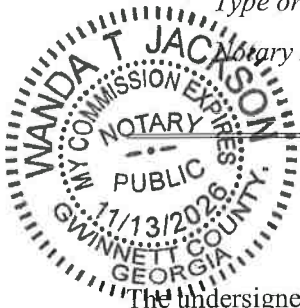
Thank you.

Parcel	Address	Owner	Adjoining Property		Mailing Address		Zip
			Street		City	State	
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

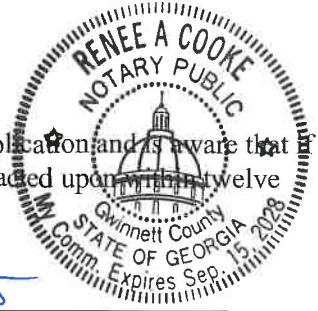
The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

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.

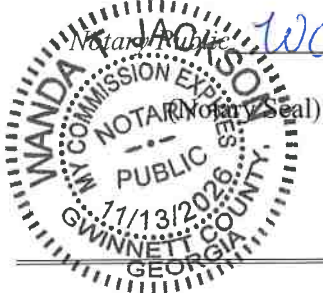
Signature of Applicant Belkys L. Rou Zambano Date 12/02/25

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

Signature of Applicant' Attorney _____ Date _____

Type or Print Name/Title _____

Signature of Notary Public Wanda J. Gail 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:

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)



MEMO

TO: Mayor and City Council of the City of Dacula
 FROM: Brittni Nix, City Administrator
 DATE: January 30, 2026
 SUBJECT: Bid results for Sanjo Street improvements

The City requested bids for the approved Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements Project. The project includes widening the existing one-way substandard road to a two-lane road, asphalt paving, installation of curb, gutter, storm sewer lines and drainage structures, crosswalks with brick pavers, and thermoplastic striping. All disturbed areas will be sodded as needed.

The bid results are below:

Allied Paving Contractors, Inc. - \$999,812.50

Backbone Infrastructure, LLC - \$887,072.00

Baldwin Paving Company, Inc. - \$932,250.00

Fowler Site Work, Inc. - \$984,511.07

R&B Developer, Inc. - \$1,221,429.00

Ohmshiv Construction, LLC. - \$919,230.50

The lowest qualified bid was \$887,072 from Backbone Infrastructure, LLC. The City anticipates receiving \$417,563.08 from county, state, and federal funding sources:

\$50,265.25 - 2017 SPLOST Intergovernmental Agreement,
 \$106,110.83 - FY 2025 Local Road Assistance Administration funds (LRA), and
 \$261,187.00 – FFY 2025 Community Development Block Grant (CDBG) funding.

SPLOST will be utilized to pay the remaining balance of the project. Staff recommends awarding the bid to Backbone Infrastructure, LLC and authorizing the Mayor and City Administrator to execute all necessary documents to implement the subject project.





January 29, 2026

Mayor & Council

City of Dacula

P.O. Box 400

Dacula, GA 30019

RE: Bid Evaluation & Recommendation

2025 CDBG for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements Project

Dear Mayor & Council,

We have reviewed the bids which were submitted to the City of Dacula on January 22, 2026, for the "2025 CDBG for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements" Project. The Bidders and their bid amounts are listed below beginning with the apparent lowest Bidder for work described in Section 00 300 and set forth as Total Bid in the Bid Proposal Form.

Bid Submitted By:	Addenda #1 Attached	Bid Bond Attached	Total Bid
** Backbone Infrastructure, LLC	X	X	\$887,072.00
Allied Paving Contractors, Inc.	X	X	\$999,812.50
Baldwin Paving Company, Inc.	X	X	\$932,250.00
Fowler Site Work, Inc.	X	No	\$984,511.07
R&B Developer, Inc.	X	X	\$1,221,429.00
Ohmshiv Construction, LLC	X	X	\$919,230.50

**Bid Bonds verified for authenticity and for bonding capacity for Performance & Payment Bonds.*

***Apparent Low Bidder*

Based on our evaluation of the bids outlined above, we recommend that the City of Dacula issue a "Letter of Intent" stating that the "2025 CDBG for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements" Project be awarded to Backbone Infrastructure, LLC with a Total Bid in the amount of **Eight-Hundred Eighty-Seven Thousand, Seventy-Two and 00/100 Dollars (\$887,072.00)** with said amounts determined as representing the lowest, responsive, responsible bid for the Work as illustrated by the Specifications and Drawings entitled "2025 CDBG

City of Dacula

"2025 CDBG for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements" Project

Page 2 of 2

for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements" Project prepared by Bowman Consulting Group and dated November 21, 2025.

It is recommended that the City should state in their "Letter of Intent" to the successful Contractor that the following documentation should be provided to the City prior the processing of any payments for the work. The Letter of Intent shall be accompanied by a "draft" Contract for their review and use in securing Performance and Payment bonds. The successful Contractor shall provide the following documents on or before commencing work.

1. Performance / Payment Bonds for 100% of Contract Amount.
2. Schedule of Values (Breakdown of Bid Amounts).
3. Certificate of Insurance.
4. List of Sub-Contractors to be performing work on this Project.
5. Georgia Security and Immigration Sub-Contractors Affidavit.

The actual Contract will be signed and sealed by the City and the Contractor upon receipt of the above documentation. The "Notice to Proceed" will be issued by a date agreed upon by the City and the Contractor. Once issued by the City and accepted by the successful Contractor, work shall begin within 10 days of the date of the Notice to Proceed which will be set by the city.

Should you have any questions, please feel free to call.

Sincerely,

City of Dacula



Kevin D. Whigham, P.E.
City of Dacula, City Engineer
KDW/BN

City of Dacula

2025 CDBG for City of Dacula – Sanjo Street Widening, Paving, Drainage, and Sidewalk Improvements Project

January 22, 2026 @ 3:30pm

Bid Submitted By:	Addenda #1 Attached	Bid Bond Attached	Base Bid
Allied Paving Contractors, Inc.	X	X	\$999,812.50
Baldwin Paving Co., Inc.	X	X	\$932,250.00
Backbone Infrastructure, LLC	X	X	\$887,072.00
Fowler Sitework, Inc.	X	NO	\$984,511.07
R&B Developer, Inc.	X	X	\$1,221,429.00
Ohmshiv Construction, LLC	X	X	\$919,230.50
Sealed Bids opened & reviewed by: Kevin D. Whigham, P.E.			
Recorded Bids by: Brittni Nix			



**AGREEMENT with the City of Dacula, GA
1/30/2026**

Proposal 2025-59 (v.1) Finance Department Services

OVERVIEW

Sumter Local Government Consulting (LGC) is pleased to provide professional services to the City of Dacula, GA.

Sumter LGC will provide professional services to the City of Dacula's Finance Department.

The proposal includes a detailed scope of work and a corresponding fee proposal.

BACKGROUND

Sumter LGC was established in 2021 to help local governments tackle complex challenges through executive search, interim staffing, and consulting services.

Sumter LGC offers decades of experience in local government, helping cities and counties tackle challenges and seize opportunities for talent acquisition, staffing enhancements, and effective problem-solving.

SCOPE OF SERVICES

Sumter LGC understands that we will provide professional governmental accounting and finance services for the City of Dacula, specifically the customary duties of the Finance Department. The professional services will be provided in accordance with industry best practices, Georgia law, GASB standards, and the City's Charter and Code of Ordinances. Sumter LGC will coordinate with the client to balance on-site and remote work, ensuring the scope of services is completed. It is assumed that Sumter LGC will provide services for an average of 24 hours per week.

1. Provide the City of Dacula with qualified professionals to deliver professional services to fulfill the duties of the Finance Department and to oversee finance functions in coordination with the City Administrator.
2. Stephen Mayer is the designated consultant unless otherwise directed by the City of Dacula.
3. Manage the relationship between the consultants provided by Sumter LGC and the City, addressing any issues and personnel-related matters. Sumter LGC will pay the consultants and replace them as necessary at the client's direction.
4. The consultants assigned to this project will work for Sumter LGC are not City employees; therefore, they are not entitled to receive any "employee" benefits from the City of Dacula under this agreement. Sumter LGC shall be solely responsible for paying the consultants wages and taxes.
5. The assigned consultants will be primarily responsible for the City's regular accounting, budgeting, and reporting functions;
6. Pre-audit preparations and full cooperation with the City's external auditors;
7. Annual closeout of financial statements and preparation for external audit work;
8. Preparation and monitoring of the annual budget; and
9. Other duties and tasks requested by the City, consistent with the general responsibilities of the Finance Department. Expected duties and responsibilities are attached as Exhibit A.
10. The parties acknowledge and agree that Sumter LGC is an independent contractor performing professional services for the City. Sumter LGC shall retain sole and absolute discretion in the manner and means for the carrying out of its activities and responsibilities contained in this Agreement, and shall have full discretion within the Scope of Services, but shall not engage in any activity which is not expressly set forth by this Agreement without first obtaining prior written approval from the City Administrator

TERM

This agreement is for one year, and is automatically renewed each year, unless cancelled by either party, as documented below.

Either party may terminate this agreement with at least 30 days' notice for any reason, with prorated fees owed to the consultant through the end of the 30-day notice period.

PRICING

<u>FEES FOR PROFESSIONAL SERVICES</u>	<u>FEE TYPE</u>	<u>Rate</u>
Professional services rendered for finance department services. Client is invoiced on the 1st of each month.	Monthly	\$9,500

Agreed to by Sumter Local Government Consulting, Inc,

Warren Hutmacher

Warren Hutmacher, President
Sumter Local Government Consulting

Approved and accepted by the City of Dacula, GA:

Signature

Name and Title

Date: _____

Sumter Local Government Consulting Agreement with City of Dacula: Exhibit A

Item 5.

Title	Director of Finance (Contractor)
Department/Group:	Finance Department
Payment:	Contract based compensation; no benefits
General Purpose	
This contractor is responsible for providing advisory and oversight authority for the duties and services required of the Finance Department as an independent contractor.	
Supervision Received	
Reports to City Administrator.	
Authority	
Provides oversight, guidance and recommendations for Finance Department. Execution authority remains with staff. Contractor does not directly manage or discipline employees within the Department.	
Schedule	
Service hours and schedule determined per contract terms. In-service hours to be performed on-site.	
Description of Contractor's Duties	
<p>ROLE AND RESPONSIBILITIES</p> <ul style="list-style-type: none"> Coordinates daily work activities; organizes, prioritizes, and assigns work; monitors status of work in progress and inspects completed work; conducts staff meetings; confers with assigned staff, assists with solving complex issues/ situations, and provides technical expertise in Open RDA the City's current accounting program. Provides advice and guidance to assigned staff; performs a variety of administrative duties associated with staff as assigned by the City Administrator, to include assigning work, providing guidance and direction, evaluating performance, and recommending disciplinary action as necessary; provides ongoing training opportunities as approved by the City Administrator. Preparation and presentation of the City's annual millage rate, financial reports, and revenue administration; ensures monthly budget reports are provided for Mayor and City Administrator; facilitates City's various financial audits. Directs the allocation of department financial resources; develops annual operating and capital expenditure budgets for the department; oversee and provides guidance to managers regarding the development of department budgets and their incorporation into the City budget; directs the allocation and expenditures of the approved budgets; reviews and submits budget amendments as necessary; analyzes trends and forecasts revenues. Consults with City Administrator, Mayor, and City Council to review department operations/ activities, review/ resolve problems, receive advice/direction, and provide recommendations; creates budget amendments, and other documents being submitted and/or presented to the City Council; provides activity and status reports, updates, study findings, and recommendations to the Council regarding department operations, programs, and services; provides guidance and advice regarding the functions of the department, programs, and related issues; drafts new legislation and/or City ordinances as appropriate. Oversee property tax and sanitation fee collections; reviews payment of purchase orders and other forms of disbursement in accordance with budget parameters set by the governing body; manages and monitors cash flows to ensure adequate liquidity; opens, closes, or modifies bank accounts as needed and invests funds; maintains positive relationships with respective financial institutions. Coordinates and communicates department activities between departments, external agencies, 	

consultants and contractors, and the public; establishes and maintains work relationships, which are collaborative, responsive, and effective.

- Facilitates the preparation of programmatic and financial reports required by federal, state, and non-profit agencies; reviews grant award agreements for reporting requirements, budget stipulations, and special terms/conditions; establishes accounting structure for grantawards; maintains schedule of required reports and due dates; reviews and approves grant financial and reimbursement reports, grant funded payment vouchers, and transfers of funds to grant accounts; and maintains access to grant related electronic reporting systems.
- Coordinates audit efforts for grant programs; communicates with granting agencies on financial and programmatic issues; oversees completion of all grant reporting requirements; oversees hiring of consultants to conduct audits; prepares draft audit reports for auditors; facilitates corrective action plans to address deficiencies identified through site visits, audits, and other monitoring activity; coordinates with City departments on information required by consultants; reviews data and information submitted by departments for consultants; ensures submission of audit reports to Federal, State and County agencies by mandated due date.
- Prepares and submits a comprehensive monthly written progress report to the City Administrator summarizing Finance Department activities. Reports include the status of all ongoing projects, completed action items, upcoming projects and initiatives, financial summaries of all funds, analysis of identified issues, and recommended courses of action.
- Performs the duties of Finance staff as appropriate and necessary upon approval from the City Administrator.
- Performs other duties assigned by the City Administrator.
- Performs other related duties as required.

ADA MINIMUM QUALIFICATIONS

- **Physical Ability:** Essential functions of this position continuously require the ability to remain in a stationary position (sitting or standing); operate a computer and other office machinery, such as a calculator, copier, and printer. Incumbents must continuously be able to think analytically; handle stress and emotion, concentrate on tasks, remember names and other details; examine and observe details; make decisions, and adjust to change. Incumbents must also continuously direct others; meet deadlines; stay organized; use math/calculations and use a keyboard/type.
- Essential functions frequently require the ability to move about inside the office; and move/transport items up to 10lbs.
- Essential functions occasionally require the ability to bend body downward and forward by bending spine and legs, and twisting at the waist, hips or knees; reach overhead; push or pull; and repetitively use hands/arms/legs. Incumbents in this position are occasionally required to be on-call and work irregular hours.

Sensory Requirements: Essential functions regularly require the ability to use effective verbal and written communication; and use of hand/eye coordination and fine manipulation to use equipment.

Environmental Factors: Essential functions of this position continuously require the ability to either work with others or work alone.

MINIMUM QUALIFICATIONS

- Bachelor's degree in Business Management, Finance, Public Administration or related field;
- Five years of related experience;
- Three years of supervisory experience preferred;

- State of Georgia certified local government finance officer preferred; or
- Equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above.

LICENSING REQUIREMENTS

- Valid State Issued ID.

KNOWLEDGE AND SKILL REQUIREMENTS

- Knowledge of government accounting, fixed assets accounting, finance, budgeting and auditing principles, procedures and techniques.
- Knowledge of laws and procedures for publication of notices and ordinances.
- Knowledge of events and meeting planning procedures.
- Knowledge of City Ordinances City investment policies, property tax allocation, Federal and State laws governing local governments.
- Knowledge of municipal laws, policies, codes and regulations pertaining to municipal court.
- Knowledge of the legal requirements related to keeping and preserving Council minutes and all official City records.
- Knowledge of supervisory and management practices.
- Ability to understand complex legal issues and requirements.
- Ability to handle confidential matters with discretion.
- Ability to gather, organize and analyze data from multiple sources.
- Ability to prepare clear and concise reports.
- Ability to understand and follow oral and written instructions.
- Ability to produce verbal and written communications clearly and effectively; and
- Ability to establish and maintain effective working relationships with City employees, City officials and the public.

ADDITIONAL NOTES

- **This is a temporary, non-benefited assignment for an independent contractor. The selected individual/entity will be engaged as an independent contractor for a fixed term as defined in engagement agreement.**
- **All duties listed within the job description and engagement agreement are required to be performed.**
- **This job description indicates in general the nature and levels of work, knowledge, skills, abilities and other essential functions (as covered under the ADA) expected of an incumbent. It is not designed to cover or contain a comprehensive listing of activities duties or responsibilities required of an incumbent. An incumbent may be asked to perform other duties as required. This job description reflects management's assignment of essential functions and position responsibilities. Nothing in this job description restricts management's rights to assign or reassign duties and responsibilities to this job at any time. Incumbent must be able to perform the essential functions of this position with or without reasonable accommodation.**

I have read and accepted the responsibilities for this position.

Print Name: _____

Signature: _____

Date: _____

THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT

This THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT (the "Amendment") is made as of February 5, 2026, by and between **City of Dacula, Georgia** ("Seller"), and **Terminus Allied Capital, LLC**, a Georgia limited liability company ("Buyer").

RECITALS

A. Seller and Buyer are party to that certain Purchase and Sale Agreement dated as of February 11, 2025 (the "Agreement"), pursuant to which Seller agreed to sell to Buyer, and Buyer agreed to buy from Seller, certain real property located in Gwinnett County, Georgia, as more particularly described in the Agreement.

B. Seller and Buyer have agreed to certain amendments to the Agreement as set forth herein.

C. Without execution of this Amendment, Buyer would be forced to terminate the Agreement.

NOW, THEREFORE, for and in consideration of the foregoing, of Buyer's agreement not to terminate the Contract, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer have agreed as follows:

1. Definitions. Capitalized terms used herein and not otherwise defined shall have the meanings given to such terms in the Agreement.

2. Application for Land Disturbance Permit. Buyer shall submit a complete application for a Land Disturbance Permit, with all required plans, drawings and documents to the City on or before April 17, 2026. The application shall include the common area/gathering space for permitting.

3. Closing. The Closing Date shall be extended through and including the earlier of 15 days after the issuance of a Land Disturbance Permit or September 30, 2026, whichever first occurs. Purchaser shall have the right to extend closing by two consecutive (2) thirty (30) day periods. For each such extension, Purchaser shall pay \$15,000 Earnest Money directly to the City that shall be non-refundable but applicable to the Purchase Price.

4. Miscellaneous. This Amendment may be executed in multiple counterparts, each of which shall be effective as original but all of which taken together shall constitute one and the same Amendment. Execution of this Amendment by facsimile or PDF shall be effective as original. This Amendment shall be governed by and construed in accordance with the laws of the State of Georgia, without giving effect to conflicts of laws provisions thereof. Except as expressly amended hereby, the Agreement remains in full force and effect, unmodified.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first written above.

SELLER:

City of Dacula, Georgia

By: _____
Name: _____
Title: _____

BUYER:

Terminus Allied Capital, LLC

By: _____
Name: _____
Title: _____