



# Planning Commission Public Hearing

Monday, September 30, 2024 at 6:00 PM

Dacula City Hall, Council Chambers

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

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## Agenda

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

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **MINUTES:**

- [1.](#) Approval of the Minutes from the meeting on Monday, August 26, 2024

### **OLD BUSINESS:**

### **NEW BUSINESS:**

- [2.](#) **PUBLIC HEARING:** Ordinance to amend Article IX, Section 917 of the Zoning Resolution to add the Downtown Overlay District
3. Ordinance to amend Article IX, Section 917 of the Zoning Resolution to add the Downtown Overlay District
- [4.](#) **PUBLIC HEARING: 2024-CD-RZ-02**, Applicant: Key Growth Capital, LLC c/o Powell & Edwards, LLP, Owner: Core City Developers, LLC requests rezoning from C-1 Neighborhood Commercial District to C-2 General Business District. The property is located in Land Lot 299 of the 5th District and contains 2.108 acres more or less.
5. **Rezoning Application: 2024-CD-RZ-02**, Applicant: Key Growth Capital, LLC c/o Powell & Edwards, LLP, Owner: Core City Developers, LLC requests rezoning from C-1 Neighborhood Commercial District to C-2 General Business District. The property is located in Land Lot 299 of the 5th District and contains 2.108 acres more or less.

### **ADJOURNMENT:**



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## Minutes

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

The Planning Commission met on Monday, August 26, 2024 in the Council Chambers at Dacula City Hall, Dacula, Georgia.

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

#### **Present:**

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

#### **Absent:**

Member Monica Francis

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

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

### **II. INVOCATION:**

Mayor Trey King gave the invocation.

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

Chairman Mark Chandler led the Pledge of Allegiance.

### **IV. MINUTES:**

1. Approval of the Minutes from the meeting on Tuesday, May 28, 2024

Motion to approve made by Member Greeson, Seconded by Member Bradberry.  
Voting Yea: Member Bradberry, Member Greeson, Member Montalbano

**V. OLD BUSINESS:**

*None*

**VI. NEW BUSINESS:**

2. **PUBLIC HEARING: 2024-CD-RZ-01**, Applicant: Tricon Properties, LLC, Owner: Tricon Properties, LLC requests rezoning from OI Office-Institutional District to C-3 Central Business District and Heavy Commercial District. The property is located in Land Lot 303 of the 5th District and contains 1.634 acres more or less.

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

City Planner, Hayes Taylor, presented the staff case report for the rezoning application. The applicant requests rezoning the subject property from Office-Institutional District to Central Business District and Heavy Commercial District to allow for an animal hospital. Mr. Taylor stated staff recommends approval with conditions.

Applicant Representative, Jody Campbell, 3000 Langford Road, Bldg. 100, Peachtree Corners, Georgia 30071, stated the owner intends on leasing the property to the Dacula Animal Hospital that is currently located outside of the city limits along Winder Highway. Mr. Campbell discussed a prominent feature of the property was the Georgia Power easement in the back of the property which is about 70% of the property and creates a natural buffer between surrounding properties. Mr. Campbell added that the reason for the rezoning was the only zoning districts that permits an animal hospital is the C-3 District.

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

3. **Rezoning Application: 2024-CD-RZ-01**, Applicant: Tricon Properties, LLC, Owner: Tricon Properties, LLC requests rezoning from OI Office-Institutional District to C-3 Central Business District and Heavy Commercial District. The property is located in Land Lot 303 of the 5th District and contains 1.634 acres more or less.

Motion to approve with staff's recommended sixteen (16) conditions [listed below] made by Member Montalbano, Seconded by Member Greeson.

Voting Yea: Member Bradberry, Member Greeson, Member Montalbano

1. Any substantial deviation from the approved concept plan entitled Dacula Animal Hospital by TerraBuild USA, INC. dated June 27, 2024, and conditions of zoning shall be resubmitted to the Mayor and Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. The site shall be limited to the following uses:
  - a. Medical Office

- b. Professional Office
  - c. Animal Hospital
3. No kennel or overnight services will be permitted.
  4. No outdoor storage shall be permitted.
  5. One ground sign shall be permitted. The ground sign shall be monument-type only with indirect lighting. The ground sign shall be limited to a single monument-type sign with a brick or stacked stone base of at least 2 feet in height. Neon or self-illuminating ground signs shall be prohibited.
  6. Parking lot and security lighting shall be directed towards the property to minimize the adverse impact on neighboring properties.
  7. All trash receptacles and trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.
  8. Business hours will be limited to 9:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m. on Saturday.
  9. No temporary banners, streamers, or roping decorated 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.
  10. Human sign spinners and/or twirlers shall be prohibited.
  11. The reduction of the required 50-foot front setback to 30-feet shall be maintained per 2017-CD-VAR-03.
  12. All business activity shall be contained within the primary building and the proposed fenced area.
  13. The owner must contact Georgia Power regarding all property improvements within the transmission line easement area.
  14. At least one (1) shade tree must be provided within the entrance landscaping area at least 12 feet from the sidewalk line within the parcel boundaries, subject to Gwinnett Department of Transportation approval. The tree shall be of one of the following species:
    - a. Northern Red Oak
    - b. Nuttal Oak
    - c. Scarlet Oak
    - d. Shumard oak
    - e. Willow Oak
    - f. Zelkova Serrata

15. The proposed fence location and materials must be reviewed and approved by the Planning and Development Department prior to permit issuance and construction.
16. The proposed fenced area shall be landscaped to provide adequate shade for animals, patients and staff. The landscape plan is subject to the approval of the Planning & Development Department.

**4. PUBLIC HEARING: 2024-CD-SUP-02 & 2024-CD-COC-03**, Applicant: Trinity PD Dacula, LLC c/o Anderson Tate & Carr, P.C., Owner: WREG Harbins Land, LLC requests a special use permit for outdoor storage for the purpose of commercial display of large equipment and products, and changes to 2020-CD-RZ-03 condition(s). The property is located in Land Lot 300 of the 5th District and contains 3.87 acres more or less.

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

City Planner, Hayes Taylor, presented the staff case report for the special use permit and change of conditions applications. The applicant requests special use permits to allow for outdoor storage and sale of boats and tires, and changes to the 2020-CD-RZ-03 condition(s) to allow corrugated metal as an acceptable building facade material.

Applicant Representative, Melody Glouton, 1960 Satellite Blvd., Duluth, Georgia, 30097, stated the subject property and intended use of a tractor supply store is an appropriate use and is in line with the 2050 Comprehensive Plan. The applicant is requesting areas to display the outdoor storage items within a fenced area. Ms. Glouton then requested clarification on the staff's proposed conditions.

Member Bradberry inquired if there was an option to table the application.

Ms. Nix noted that the Commission Members could table the application or motion on a recommendation. If the Planning Commission recommended approval with staff's recommended conditions, the City staff and the applicant can continue communications concerning the conditions before the Council Public Hearing and report on any updates to staff's recommended conditions.

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

**5. Special Use Permit Application & Change of Conditions Application: 2024-CD-SUP-02 & 2024-CD-COC-03**, Applicant: Trinity PD Dacula, LLC c/o Anderson Tate & Carr, P.C., Owner: WREG Harbins Land, LLC requests a special use permit for outdoor storage for the purpose of commercial display of large equipment and products, and changes to 2020-CD-RZ-03 condition(s). The property is located in Land Lot 300 of the 5th District and contains 3.87 acres more or less.

Motion to approve with staff's recommended conditions [listed below] made by Member Bradberry, Seconded by Member Greeson.  
Voting Yea: Member Bradberry, Member Greeson, Member Montalbano

### **Condition Set #1**

Resulting from regional review (DRI) by the Atlanta Regional Commission (ARC) & the Georgia Regional Transportation Authority (GRTA)

**Attachment A - GRTA General Conditions**

Pedestrian, Bicycle, and Transit Facilities

- 1) Provide pedestrian connectivity between all buildings and uses.
- 2) Install sidewalks along the entire property frontage of Harbins Road.

Harbins Road at W Drowning Creek Road

- 3) Install a traffic signal, if and when warranted, per Gwinnett County Department of Transportation standards and approval.
- 4) Install a southbound left turn lane.
- 5) Install a northbound right turn deceleration lane.
- 6) Install a northbound left turn lane.

**Attachment B - Required Elements of the DRI Plan of Development: Conditions Related to Altering Site Plan after GRTA Notice of Decision**

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not require re-review from GRTA so long as the following GRTA conditions are included as part of any changes:

- 7) All “Proposed Conditions to GRTA Notice of Decision” set forth in Attachment A are provided. **Attachment C – Required Improvements to Serve the DRI**

Pursuant to Section 1-201.R. of the *Procedures and Principles for GRTA Development of Regional Impact Review*, a “Required Improvement means a land transportation service [def. in Section 1-201.N] or access [def. in Section 1-201.A.] improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in

Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

**Section 1:**

**General Conditions of Approval to GRTA Notice of Decision:**

Pedestrian, Bicycle and Transit Facilities

- 8) Provide pedestrian connectivity between all buildings and uses.
- 9) Install sidewalks along the entire property frontage of Harbins Road.

***Roadway Improvement Conditions to GRTA Notice of Decision:***

Harbins Road at W Drowning Creek Road

- 10) Install a traffic signal, if and when warranted per Gwinnett County Department of Transportation standards and approval.
- 11) Install a southbound left turn lane.
- 12) Install a northbound right turn deceleration lane.
- 13) Install a northbound left turn lane.

***Section 2:***

Pedestrian, Bicycle and Transit Facilities

- 14) Include pedestrian connections from the proposed apartment and senior living tracts to the proposed community park on the eastern portion of the project.
- 15) Include pedestrian connections from the proposed apartment tract to the proposed retail/grocer and shops tract.

Harbins Road at W Drowning Creek Road

- 16) Install an eastbound left turn lane.
- 17) Install a southbound right turn deceleration lane.

Harbins Road at New Hope Road

Monitor traffic conditions and identify needed improvements, as necessary

**Condition Set #2**

Conditions of the City of Dacula

Concept Plan and Land Use

- 1) The property shall be developed in accordance with the conceptual site plan prepared by Foresite Group entitled Tractor Supply Co. dated on July 7, 2024. Any substantial deviation from the approved conceptual plan and / or remaining conditions of zoning shall be resubmitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
- 2) The following uses in the PMUD Zoning District shall be prohibited and made part of the owner's restrictive covenants: adult entertainment establishments, log splitting operations or storage lots,

mobile home leasing or sales lots, taxi cab, limousine, or other for hire vehicle services (excluding public or private ambulatory services), solid waste transfer stations, the storage or warehousing of caustic or hazardous materials, animal rendering plants, bulk petroleum or natural gas plant and/or storage facilities, landfills, composting facilities, fertilizer manufacturing, foundries, heavy equipment rental or repair, hardship mobile homes, incinerators, junkyards, lawnmower repair shops, livestock feedlots, materials recovery facility, pawn shops, title loan and check cashing facilities, poultry houses, the raising of dangerous animals for profit or gain, privately owned septic treatment facilities, stack houses, stand-alone crematories, truck stops and/or semi storage lots.

- 3) The following uses in the PMUD Zoning District shall be allowed with the approval of a Special Use Permit by the Mayor and City Council of the City of Dacula: contractor's offices with outdoor storage, machine/welding/radiator or muffler repair shops, vehicle rental (without driver), churches and/or religious facilities that are not located in a standalone building or structure, automotive sales lots, general auto repair, tire stores, muffler shops, boat sales establishments, crematories as an accessory to a funeral home, equipment rental sales or service (excluding heavy equipment) with associated outside storage, helicopter landing pads, mini-warehouse / personal storage facilities, fleet vehicle parking lots, tattoo and body piercing parlors, pool or billiard halls, liquor and/or package stores, van, moving or truck rental ( i.e. U-Haul, Ryder) or any other non-specified commercial and/or industrial business or use that could require outside storage.
- 4) All forms of on-site outdoor storage shall be subject to Special Use Permit approval by the Mayor and City Council. Garages within the multifamily and senior living projects shall be allowed.
- 5) Only one (1) fast food restaurant with or without drive-thru windows and/or curb service shall be permitted. A fast food restaurant shall be defined as any establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers. Said definition shall exclude restaurants with drive-thru services whose primary product focuses on specialty coffees or donuts and exclude restaurants without a drive thru in a multi-tenant building.
- 6) The senior living facility shall include improvements to accommodate and assist the senior age group. Necessary improvements and services include elevators, interior corridors, larger hallways (minimum width of 72 inches or compliant with ADA requirements, whichever is greater), resident programming, on-site staff to assist with the needs of residents, and off-site transit / shuttle bus services for residents. In addition, seven (7) of the following amenities / services shall be provided: social clubs, a weekly schedule of activities, nail and hair salon, on-site physical therapy, water aerobics, massage and meditation rooms, wine bar, game rooms, movie theatre, and/or a community concierge.
- 7) The maximum number of senior living units shall not exceed 180.

### Architectural Design

- 8) The fronts and visible sides of non-residential building exteriors shall be constructed of brick, stone, stacked stone, stucco, EIFS, tilt-up concrete, corrugated metal and/or glass. The use of corrugated metal must be in accordance with the submitted elevations dated March 8, 2024. The rear of the structures shall be finished with brick, stone, stucco, tilt-up concrete, glass, split faced block (CMU), painted block on the rear of the structures, or any combination thereof. Non-residential structures may contain accents of fiber-cement siding in addition to the primary



construction materials. The Department of Planning and Development shall decide what is considered rear of the structure (if any). All non-residential buildings shall be constructed with flat roofs with architectural treatments to include canopies and varying parapet heights. A combination of pitched roofs and architectural parapet treatments shall be allowed with City approval. The appearance of flat roof structures shall be avoided. Mansard style roofs shall be prohibited. Ground mounted mechanical, HVAC and like systems shall be screened on all sides by an opaque wall of brick, stucco, split faced block or wood. Elevated or roof mounted mechanical, HVAC and like systems shall be positioned in such a way as to not be visible from the front street level or surface parking areas of the development. Architectural design shall lend the appearance of multi-tenant occupancy; facades of multi-tenant buildings shall have varied parapet height. Final architectural plans and color palate shall be submitted to the Department of Planning and Development for approval.

- 9) Residential building exteriors shall, at a minimum, be constructed of fiber cement siding with accents of brick, stone, stacked stone, stucco, or cedar shake on all sides. Vinyl siding shall be prohibited except as used for maintenance free accent elements such as soffits, and window casings. Residential buildings shall be constructed with a pitched roof, minimum 4 to 12 pitch, or flat roof with architectural treatments to include canopies and parapets of varying heights to avoid the appearance of a flat roof. A combination of pitched roofs and architectural parapet treatments shall be allowed with City approval. Ground mounted mechanical, HVAC and like systems shall be screened from public view by an opaque wall of brick, stucco, split faced block or wood, or landscaping. Elevated or roof mounted mechanical, HVAC and like systems shall be positioned in such a way as to not be visible from the front street level or parking areas of the development. Final architectural plans and color palate shall be submitted to the Department of Planning and Development for approval.
- 10) Architectural design of multi-family and senior living facilities shall be developed in accordance with the elevations/renderings received on March 28, 2021. Any substantial deviation shall be resubmitted to the City Council for consideration. The City Administrator or his/her designee shall determine what constitutes substantial deviation. Color changes shall not constitute a substantial deviation.
- 11) Multi-family and senior living facilities shall be limited to a maximum of 5-stories.
- 12) Attached residential units shall be a minimum of 720 square feet for single bedroom, 1,000 square feet for two bedroom, and 1,200 square feet for three bedrooms.
- 13) Any accessories provided such as railings, benches, trash receptacles and / or bicycle racks shall complement the building design and style.
- 14) Chain link fence shall be prohibited except around the stormwater management ponds and the multifamily and senior living dog parks. All chain link fences shall be black vinyl.
- 15) All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.

#### Landscaping and Parking

- 16) A ten (10) foot wide landscape strip from the proposed ROW shall be provided along the entire tract frontage of Harbins Road. The landscape strip shall be planted so as to not impede site distance along Harbins Road.

- a. Provide non-ornamental shade trees spaced 30-feet on-center along the Harbins Road right-of-way and both sides of the private drive. All street trees shall be a minimum 3-inch caliper (dbh) at the time of planting. Street trees shall be planted at least six-feet from back-of-curb subject to review and approval of the City of Dacula and Gwinnett Department of Transportation.

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

1. Willow Oak
2. Overcup Oak
3. Nuttall Oak
4. Pin Oak
5. Shumard Oak
6. Lacebark Elm
7. Japanese Zelkova

- 17) A fifty (50) foot wide landscape strip measured from the property line shall be provided along the southern property line of the multi-family tract. The landscape strip shall be planted with a minimum of two (2), 6-foot high trees staggered every 15 linear feet and supplemented with understory plantings.
- 18) Provide a 20-foot wide landscaped buffer along the rear boundary line of the retail tract as shown on the concept plan. The landscape buffer shall be planted with a row of Leyland Cypress or Cryptomeria trees, planted 20-foot on center, and include a 6-foot height decorative fence. Said fence shall be maintained by the property owner and be in good repair at all times.
- 19) Provide a 10-foot wide landscaped buffer along the side and rear property lines of developing parcels, units, or phases. Landscape buffers shall be planted with a single row of Leyland Cypress or Cryptomeria trees, planted 30-foot on center. The buffer can be eliminated after a Building Permit has been issued on adjacent property.
- 20) A parking lot landscape plan shall be submitted to the City for approval prior to a development permit issuance. At a minimum, the landscape plan shall include monument sign locations and should insure that each parking island/strip will have a minimum of one (1) ornamental shade tree per 25 feet. Fifty (50) percent of all parking area trees shall be a minimum of 2-inch dbh caliper and fifty (50) percent shall be a minimum of 3-inch dbh caliper.
- 21) Parking lot lighting shall be directed in toward the property so as not to shine directly into adjacent properties.
- 22) Natural vegetation shall remain on the property until issuance of a land disturbance permit.

### Signage and Advertising

- 23) The subject site shall be limited to two (2) planned multi-use center signs along Harbins Road. Each sign is limited to a maximum 150-square foot of advertising space. Monument signs shall not exceed a maximum 20-foot in height for Harbins Road, signs shall be constructed with a brick or masonry base (minimum two feet in height) matching the materials of the buildings. Signs shall be located so as to not impede site distance along Harbins Road. Internally illuminated and indirect lighting shall be allowed for signage at the project entrance(s) along Harbins Road. Sign location and design criteria are subject to review and approval by the City of Dacula.

- 24) Ground signage shall be limited to one monument-type sign for each commercial out lot / out parcel fronting Harbins Road and one monument-type sign per road frontage abutting each of the specified tracts: retail/grocer tract, office/commercial/industrial tract, multifamily tract, and senior living tract. Each sign is limited to a maximum 50-square foot of advertising space. Monument signs shall not exceed a maximum of 6-foot in height and shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs shall be prohibited. Signs shall be set back 15-feet from right-of-way of Harbins Road and located so as to not impede site distance along Harbins Road. Sign location and design subject to review and approval by the City of Dacula.
- 25) Temporary signage shall be regulated and/or permitted as stated in Article XII (Signs and Advertising) of the City of Dacula Zoning Resolution with the following exceptions:
  - a. Business specific temporary signage must be mounted flush onto or against existing permitted structures within the development.
  - b. Temporary signage shall be prohibited on individual residential units.
- 26) Live human advertisement shall be prohibited within the subject area. To include, but not necessarily be limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
- 27) Tents, free-standing-canopies, streamers or roping decorated with flags, tinsel, decorative balloons, hot-air balloons or other similar materials shall be prohibited on the site. Yard and sail signs shall be permitted for residential leasing purposes only.
- 28) Oversized signs or billboards shall be reviewed and permitted separately and must abide by the procedures and regulations as stated in Article XII of the Zoning Resolution.

#### Transportation and Infrastructure

- 29) A Traffic Impact Study shall be provided prior to the issuance of a development permit. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study, provided the improvements are approved by the City of Dacula and Gwinnett County Department of Transportation respectively. All design and construction will be subject to Gwinnett County D.O.T. review and approval.
- 30) Provide a Signal Warrant Study for the signalization of the intersection of West Drowning Creek Road and Harbins Road to the City of Dacula and Gwinnett County Department of Transportation for review. If it is determined by the signal warrant study that a signal is warranted, and the signal is approved by the Gwinnett County D.O.T., The developer shall incur all costs of the required signal including studies, design with interconnect to adjoining signals, any additional right of way/easements, utility relocations and construction. The developer shall also contract for the installation of the signal by a D.O.T. approved contractor. All design and construction will be subject to Gwinnett County D.O.T. review and approval. The signal will be installed and operational prior to the issuance of the first certificate of occupancy. The developer shall provide documentation to the City verifying payment for materials and installation of the traffic signal. Include Interconnect with the signalized intersections of SR 316 and Harbins Road.
- 32) Coordinate with the Georgia Department of Transportation (DOT) for their project PI#0013899 located on SR 316 University Parkway All intersection/street widening/entrance plans for Harbins 316.

- 33) Road shall be submitted and are subject to review and approval by the City of Dacula and the Gwinnett County Department of Transportation.
- 34) Street widening and road improvements, to include the first 400 linear feet of the new two-lane private drive with planted median, shall be installed and functional prior to the issuance of a certificate of occupancy for any portion of the development.
- 35) It shall be the responsibility of the applicant to secure at no cost to the City and/or Gwinnett County, all necessary right-of-way to implement the required improvements.
- 36) Ownership and maintenance of drives, roads, side streets, alleys, and/or parking lots found on the subject site shall be the responsibility of the developer and/or private property owner.
- 37) All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
- 38) Utilities shall be placed on the developer's property whenever possible, appropriate access and maintenance easements shall be filed at the time of final plat approval for any one parcel or section of the subject development.
- 39) Provide inter-parcel access (curb cuts) where possible to contiguous parcels of the mixed use development.
- 40) All vehicular access onto the proposed private drive must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer.
- 41) A five-foot sidewalk shall be required adjacent to Harbins Road right-of-way. The sidewalk location shall be reviewed and approved by the City of Dacula and Gwinnett County Department of Transportation.
- 42) Five-foot wide sidewalks shall be required adjacent to both sides of the proposed private drive. Sidewalks shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the City of Dacula.
- 43) Provide decorative light poles / fixtures along Harbins Road right-of-way and the interior private drive. Streets lights shall be staggered, 150 feet on-center. Light poles shall be black and a maximum 20 feet high. All street lighting shall be subject to review and approval of the City of Dacula and Gwinnett County Department of Transportation. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads. The property owner shall be responsible for street light maintenance and lighting fees. A separate lighting plan showing type of light and locations shall be submitted to the City for review and approval.
- 44) Applicant shall construct a southbound right turn deceleration lane along Harbins Road at W Drowning Creek Road with any modification or variation from design approved in writing by the Director of Gwinnett Department of Transportation.

#### Private Access

- 45) The free-standing multi-family residential and senior living portion(s) of the mixed use development may be gated, with controlled resident access, both vehicular and pedestrian.
- 46) It is the responsibility of the owner and/or developer to provide pass codes, keys, and/or up to date contact information for controlled entrance locations to the Dacula Marshal's Department, Gwinnett County Police Department, and Gwinnett County Fire Department.
- 47) Contact information for any maintenance associations, homeowner associations, and/or private security company's shall be submitted and updated regularly with the Dacula Marshal's Department.
- 48) Provide controlled access for all residential apartment pods. Controlled access shall consist of gates, swing fences, entry posts, or other similar mechanism to control vehicular or pedestrian movement within residential (apartment) pods.

### Grading and Phasing

- 49) Prior to the issuance of a Land Disturbance Permit or Development Permit for mass grading, the Developer or Land Owner will submit a "Bond Stabilization and Landscape Plan" to the City of Dacula which will provide for the permanent stabilization of disturbed area(s) via rye grass seeding, tree replanting and landscaping in accordance with the City's Development Regulations and these conditions of zoning. Tree replanting along the frontage of Harbins Road and both sides of the private drive shall include non-ornamental shade trees spaced 30-feet on-center, six feet from the right-of-way or pavement edge of the private drive. All street trees shall be a minimum 2-inch caliper (dbh) at the time of planting. Interior replanting of disturbed areas shall include five (5) two-inch caliper trees (DBH) per acre.

Once the "Bond Stabilization and Landscape Plan" has been approved by the City Administrator, and prior to the issuance of any Land Disturbance or Development Permit, Developer or Land Owner shall post a performance bond in favor of the City of Dacula to guarantee the replanting of the disturbed acreage in accordance with the City's Development Regulations and these conditions of zoning. The performance bond amount shall be equal to \$15,000.00 per acre disturbed. The bond shall be in the form of a Letter of Credit from an FDIC insured institution or an insurance company in good standing with the Georgia Insurance Commissioner's office, authorized to do business in Georgia, and rated "A" or better by the rating agency A.M. Best. The Surety must also be listed on the U.S. Department of Treasury's Circular 570. The City staff shall approve the form of the performance bond and the qualifications of the surety prior to execution of the bond.

In the event that Developer/Land Owner has not obtained a building permit within twelve (12) months of the issuance of the Land Disturbance or Development Permit, whichever is first issued, then the City of Dacula will redeem the performance bond [or equivalent security acceptable to the City of Dacula] to fund the implementation of the Bond Stabilization and Landscape Plan. The performance bond [or equivalent security acceptable to the City of Dacula] will terminate and/or be surrendered or returned once the improvements shown in the Bond Stabilization and Landscape Plan have been completed or a building permit is issued on any parcel of the development.

- 50) Site grading adjacent to the main project entrance shall be consistent in elevation to the right-of-way of Harbins Road to ensure adequate sight distance.

### **Condition Set #3**

Approved Conditions of requested variances, variations, and waivers to City ordinances and regulations.

- 1) The maximum number of multi-family units shall not exceed 320.

### **Condition Set #4**

- 1) Trailer and large equipment storage will be limited to the designated trailer display area per the submitted site plan prepared by Foresite Group titled Tractor Supply Co. dated July 7, 2024. All outdoor storage items shall not be visible from Davis Rock Road.
- 2) Wrought iron style fencing surrounding the “Live Good Center” shall be required. The fencing shall be a minimum of 8-foot high and shall have a 2-foot high brick knee wall at the base of the fence, per the submitted elevations dated March 8, 2024.
- 3) Outdoor display of mini boats, motor bikes, lawn mowers, and similar items shall be limited to the “Live Good Center” storage area and must be behind the wrought iron fence, per the submitted elevations dated March 8, 2024. Small products may be stored in front of the store’s main entrance, provided they are not visible from the parking lot and are screened by landscape planters and landscaping. The landscape planters shall match the front façade of the primary structure. Proper entrance screening is subject to City Administrator approval.
- 4) Outdoor storage is not permitted outside of the designated areas and is not permitted within the parking lot.
- 5) The sale of small boats and kayaks, and small automotive vehicles, such as mini-bikes, dirt bikes and scooters is permitted if the sale is incidental to the primary use. The City Administrator will determine what sales are considered incidental.
- 6) The building facades must be constructed in accordance with the submitted elevations dated March 8, 2024. No more than 30% of the façade shall be constructed of corrugated metal. Any substantial deviations will be submitted to the City for approval. The City Administrator shall determine what constitutes a substantial deviation.
- 7) The owner/developer must provide a five (5) foot wide raised pedestrian crosswalk, providing pedestrian access from Davis Rock Road to the entrance of the store, per the submitted site plan prepared by Foresite Group titled Tractor Supply Co. dated July 7, 2024.
- 8) A landscape plan must be submitted to the Planning & Development Department for approval. The landscape must include planters and decorative landscaping designed to obstruct the view of outdoor storage near the primary building entrance. The planters and decorative landscaping may include understory shade trees, shrubs, native foliage and/or flowers. The trailer display area must be well landscaped and not visible from Davis Rock Road.
- 9) A commercial 2-foot by 8-foot pedestrian pad shall be constructed at the beginning of the pedestrian

crosswalk to accommodate pedestrians. The pedestrian amenity pad may include benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the City of Dacula.

10) Provide two (2) inter-parcel access points to the northeast adjacent parcel.

11) Five (5) parking spaces are required per 1,100 square feet.

**6. PUBLIC HEARING:** Ordinance to amend Article XVII of the Zoning Resolution

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

City Planner, Hayes Taylor, presented the proposal ordinance to amend Article XVII of the Zoning Resolution and recommends approval.

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

**7. Ordinance to amend Article XVII of the Zoning Resolution**

Motion to approve made by Member Greeson, Seconded by Member Montalbano.  
Voting Yea: Member Bradberry, Member Greeson, Member Montalbano

**VII. ADJOURNMENT:**

Motion to adjourn made by Member Greeson, Seconded by Member Bradberry.  
Voting Yea: Member Bradberry, Member Greeson, Member Montalbano

Meeting adjourned at 6:36 p.m.

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

\_\_\_\_\_  
*Signature*



# MEMO

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

FROM: Hayes Taylor, City Planner

DATE: September 30, 2024

SUBJECT: Amendment to Zoning Resolution Article IX, Sec. 917, creating the  
“Downtown Overlay District”

---

Staff has worked with the Council to create an overlay district for a section of the Dacula Downtown character area within the 2050 Comprehensive Plan that has been designated as the Urban Redevelopment Area. Overlay districts are an additional set of standards that do not change the underlying zoning. The purpose of the Downtown Overlay District (DOD) is to give the City the tools to accomplish traditional town center development outlined within the 2050 Comprehensive Plan character area description and in the public outreach survey. The DOD will help guide developers to predictable quality development through architectural design guidelines, public standards, color palette options, and public space requirements, as the City works to revitalize Second Avenue and the surrounding area.





## AN ORDINANCE

### **AN ORDINANCE TO AMEND THE ZONING RESOLUTION OF THE CITY OF DACULA; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

WHEREAS, the City has adopted and maintained a comprehensive Zoning Resolution; and

WHEREAS, changes in development patterns, proposed land uses, infrastructure and other matters warrant reviewing and updating portions of the Zoning Resolution; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City to review and evaluate the current Zoning Resolution in view of current development trends and future land use plans in and near the City; and

WHEREAS, the City has undertaken and completed such review and evaluation for property within the City's center and downtown area and has created a new Downtown Overlay District to govern land use and development in the downtown district; and

WHEREAS, the City has determined that maintaining and improving property within the City's central Downtown District is critical to promoting sound land use principles and ensuring the health and welfare of citizens of the City; and

WHEREAS, the Planning Commission and City Council have conducted public hearings in accordance with Georgia law seeking comment on the Downtown Overlay District Ordinance; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens and businesses within the City of Dacula to amend the Zoning Resolution as outlined herein;

#### SECTION 1

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the Zoning Resolution and City Code be amended by adopting the new Section 917, Downtown Overlay District, and every subpart thereof, including, but not limited to the Downtown Overlay District Boundaries map and the purpose statement and all findings and recitals, in the form attached hereto as Exhibit "A" and incorporated herein by reference.

#### SECTION 2

The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of

the existing Zoning Resolution and to produce and publish a final codified version of the Zoning Resolution with the amendments and revisions outlined herein.

SECTION 3

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 4

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SECTION 5

This Ordinance and the amendments outlined herein shall be effective immediately upon their adoption by the Mayor and City Council.

SO ORDAINED by the governing authority of the City of Dacula, this \_\_\_\_\_ day of \_\_\_\_\_, 2024..

AYES: \_\_\_\_

NAYES: \_\_\_\_

ATTEST:

\_\_\_\_\_  
HUGH D. KING, III  
MAYOR, CITY OF DACULA

\_\_\_\_\_  
BRITTNI NIX,  
CITY ADMINISTRATOR

EST. CITY OF 1905  
**DACULA**



Downtown Overlay District



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## A. Introduction to the Overlay District

**1. Purpose:** This City of Dacula Downtown Overlay District (the “Overlay” or the “DOD”) compliments the City of Dacula Urban Redevelopment Plan (the “Urban Redevelopment Plan” or the “URP”) to assist in the redevelopment and extension of the City of Dacula, Georgia (the “City” or “City of Dacula”) old town center. This chapter shall only apply to parcels within the Downtown Overlay District Boundaries and shall not apply to any other parcels within the City of Dacula, Georgia.

**2. Authority:** In the event of any conflict between the provisions of the Downtown Overlay District and other provisions of the Zoning Resolution or Development Regulations, the conflicting ordinances are hereby superseded to the full extent necessary to give the Downtown Overlay District full force and effect. This chapter is enacted pursuant to the authority contained in Article IX, Section II, Paragraph IV of the Georgia Constitution and O.C.G.A. § 36-61-1, et seq.

**3, Dacula Downtown Vision:** The goal of the Downtown Overlay District is to facilitate predictable quality development without sacrificing variety, through objective, understandable, and enforceable design guidelines and public standards. While the design guidelines are not intended to establish a singular architectural design, they do provide guidance for the creation of visually appealing buildings and streetscapes that are consistent with pre-World War II town centers throughout the Southeast United States. The Overlay provides the City necessary zoning tools to facilitate the Urban Redevelopment Plan’s goals of incrementally revitalizing and extending the pre-World War II development pattern on 2<sup>nd</sup> Avenue, creating the urban fabric for increased multi-modal opportunities, the connection of sidewalks, trails and complete streets, and investing in public spaces.

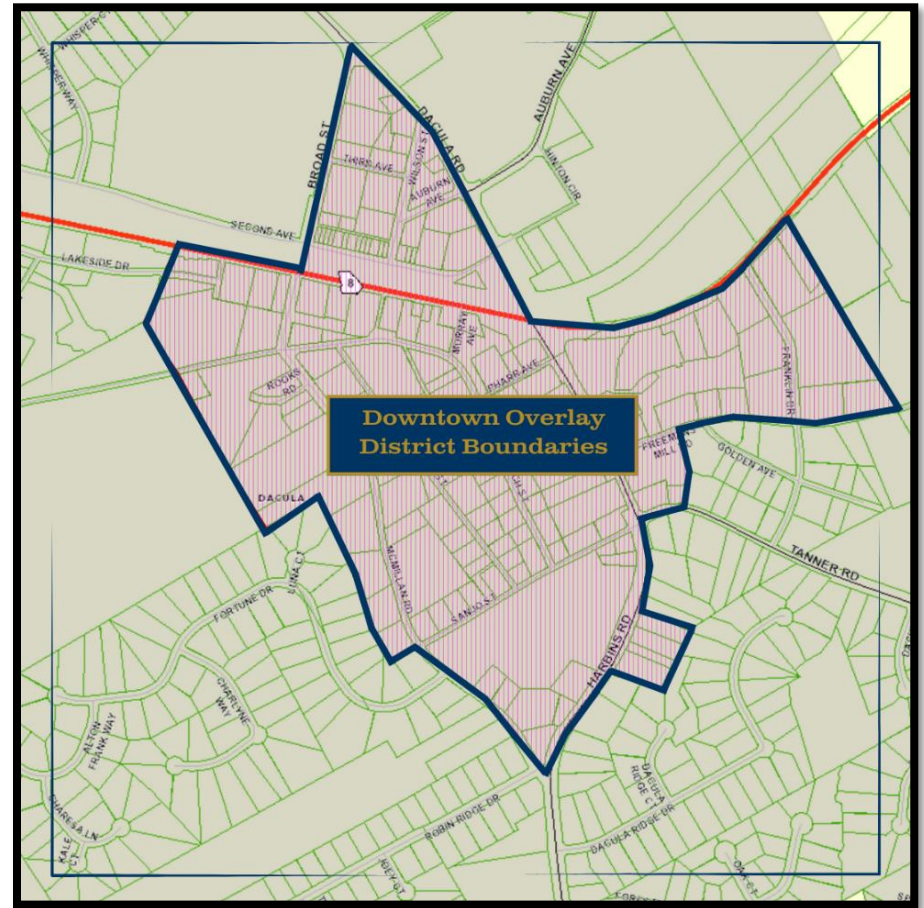


Figure 1: Downtown Overlay District Boundaries

## B. The Administration of the Overlay

1. The Downtown Overlay Design Review Process is integrated into the existing design and plan review process.
  - a. The pre-application meeting is recommended for all commercial and mixed-use developments prior to the submission of a zoning, plan review, and/or building permit application.
    1. Applicants wishing to submit an application for rezoning, special use permits, special exemptions, change of conditions, and/or variances must attend a pre-application meeting.
  - b. An administrative concept plan review is required for all developments of two (2) acres or more.
  - c. The Development Standards are subject to the separate requirements of Gwinnett County Department of Water Resources (for water and sewer service) and the Gwinnett County Fire Marshal (for fire protection).
2. Rezoning to the Downtown Overlay District (DOD)
  - a. Eligibility: parcels must be within Dacula Downtown Character Area in the Dacula 2050 Comprehensive Plan.
    1. Example: R-1200 to R-1200 DOD.
  - b. Overlay District zoning applications follow the existing zoning application process.
3. Special Use Permit Requirements in the Overlay District
  - a. To safeguard downtown development, the uses in *Table 1: SUP Required* are subject to the Special Use Permit process. Special Use Permits following the existing zoning application process.

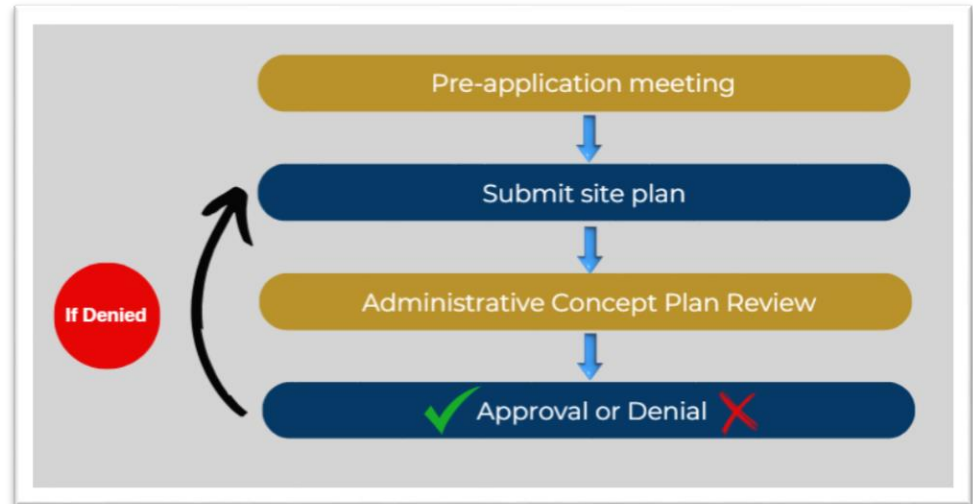


Figure 2: Overlay Review Process

Overlay SUP Required	
<i>Use:</i>	
Automotive Repair and Auto Body	Mini-Warehouses
Automotives Sale Lots (new or used)	Mobile Home or Mobile Building Leasing or Sales (new or used)
Boat Sales (new or used)	Planned Shopping Centers
Box Stores of 10,000 square feet or greater	Quick Oil Change
Contractors Office with outdoor storage	Tire Store
Drive Thru Uses	Truck Rentals/Repair
Fleet Vehicle Parking Lots	Truck Stops
Gas Stations	Vertical Mixed-Use (residential over nonresidential)
Heavy Equipment Retail/Sales	

Table 1: SUP Required

## C. Public Standards & Guidelines

### 1. Street Classification

- a. Primary Streets
  1. Primary streets are the economic drivers of the Downtown Overlay District with a diverse number of businesses, offices, and mixing of uses that are characteristic of pre-World War II town centers. The Public Standards are intended to foster human scaled development and to sustainably extend the City's commercial center.
  2. Street list: Broad St, Second Ave, McMillan Rd, Dacula Rd, Pharr Ave, Franklin Dr, Winder Hwy, Freemans Mill Rd, (until the Golden Ave intersection).
- b. Secondary Streets
  1. Secondary Streets are primarily residential neighborhoods within the City's downtown. Secondary streets are intended to connect residents to neighborhood amenities that are within walking distance.
  2. Street List: Third Ave, Wilson St, Lakeside Dr, Stanley Rd, Church St, Sanjo St, Maxey St, Tanner Rd, Freemans Mill Rd (from the Golden Ave intersection).
- c. Desired Future Right-of-way
  1. Desired Connections: Pharr Avenue to Maxey St. & McMillan Rd, Lakeside Drive & Stanley Rd.
- d. Winder Highway
  1. State Right of Way
  2. Adhere to Zoning Resolution and Development Regulations standards.

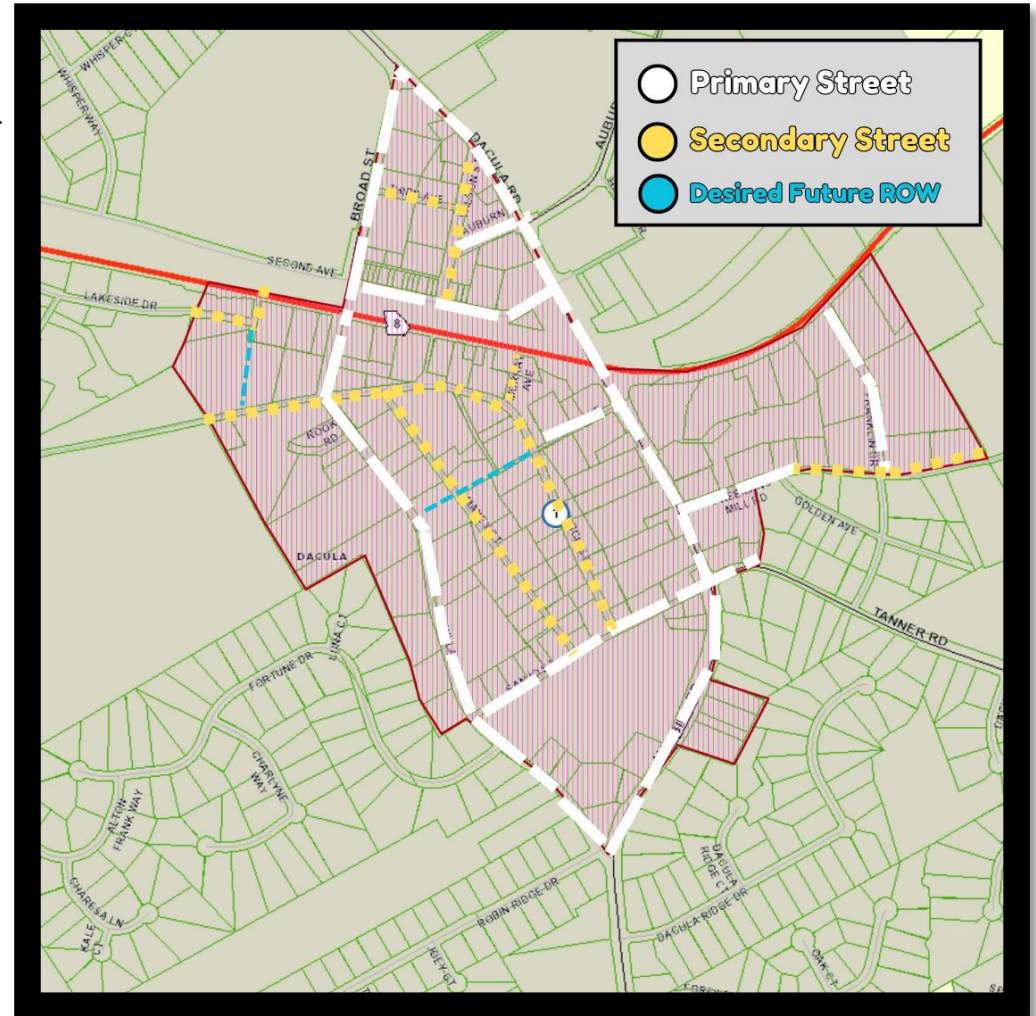


Figure 3: Street Classification

## 2. Primary Street Site Standards & Guidelines

### a. Build to Zone

1. Buildings shall be built within five (5) feet of the pedestrian zone along the property line, including the side dimensions of the corner lot.
  - i. The build to zone may be used as a frontage zone for small patios.
  - ii. Where special lot conditions exist (such as frontage along steep grade), the build to zone may be increased to allow for a split sidewalk, site steps, accessibility ramps etc.
2. No side setbacks are required for commercial and mixed-use primary structures (Site Limits table on pg 27)

### b. Pedestrian Zone (see pg 14)

1. 12 - foot minimum width is required along primary streets for pedestrian zone/streetscaping. A minimum of eight (8) feet shall be dedicated to the sidewalk/pedestrian through zone and a minimum of four (4) feet bordering the right-of-way shall be dedicated to the furnishing zone.

### c. Furnishing Zone and Landscaping (see pg 14)

1. Street trees shall be planted a maximum of thirty (30) feet on center and spaced an equal distance between streetlights and in line with stripes of on-street parking spaces.
2. All newly planted trees shall be a minimum caliper of three (3) inches measured twelve (12) inches above ground, shall be limbed up to a minimum height of seven (7) feet and shall have a minimum mature height of forty (40) feet.
3. The street-tree grate may extend up to two (2) feet into the pedestrian through zone provided it is level with the sidewalk (see landscape standards on page 14).
4. Pedestrian pads (see pg 16) are required every 300 ft of right-of-way.

### d. Access & Parking

1. No more than one (1) street cut per 300 ft of right-of-way. Driveway access from primary streets is discouraged. Property owners are strongly encouraged to form and enter into parking agreements or shared parking easements.
  - i. If site constraints make communal parking infeasible, the City Administrator may grant up to two (2) street cuts per 300 ft of right-of-way administratively.
2. On corner lots, driveway access should be provided from either a secondary street or an alley.

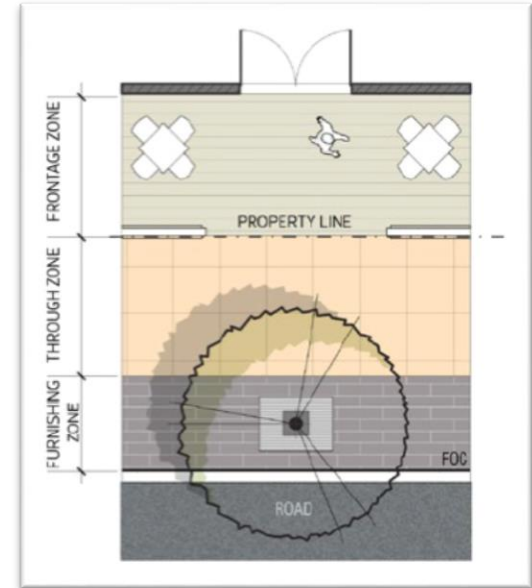


Figure 4: Primary Street Layout





- i. Lots cornering two (2) primary streets shall comply with block/massing design standards (see pg 10).
- 3. Parking lot entrances for vehicle access onto a street shall not exceed 24 feet in width.
- 4. Off-street parking shall not be permitted in front of primary street buildings.
- e. Corner Lots
  - 1. Lots cornering two (2) primary streets shall comply with block/massing standards and streetscape standards for primary street standards. Primary access can be given from either primary street as long as there is no more than one (1) street cut per 300 ft of right-of-way ROW.
  - 2. Lots cornering one (1) primary street, and one (1) secondary street are subject to primary street layout standards for the first 25 ft of façade on the secondary street. The entrance must be from the primary street.

### 3. Secondary Street Site Standards & Guidelines

- a. Build to Zone
  1. Buildings shall be built within 10 feet of pedestrian zone along lot frontage, including the side dimensions of corner lots.
  2. Where special lot conditions exist (such as frontage along steep grade), the build-to zone may be increased to allow for a split sidewalk, site steps, accessible ramps etc.
  3. No side setbacks are required for commercial/mixed use, townhouse, and rowhouse designs. A minimum five (5) foot front setback is required for single family detached.
- b. Pedestrian Zone (see pg 9)
  1. A ten (10) foot minimum width for pedestrians is required for pedestrian zone/streetscaping. Six (6) feet shall be dedicated to a pedestrian sidewalk. The four (4) feet bordering the right-of-way shall be dedicated to the furnishing zone.
- c. Landscape and Screening (see pg 14)
  1. Street trees shall be planted a maximum of forty (40) feet on-center and spaced equal distance between streetlights and in line with stripes of on-street parking spaces.
  2. The street-tree grate may extend up to two (2) feet into the pedestrian through zone provided it is level with the sidewalk (see landscape standards on page 14).
- d. Access & Parking
  1. Alley parking is encouraged when feasible.

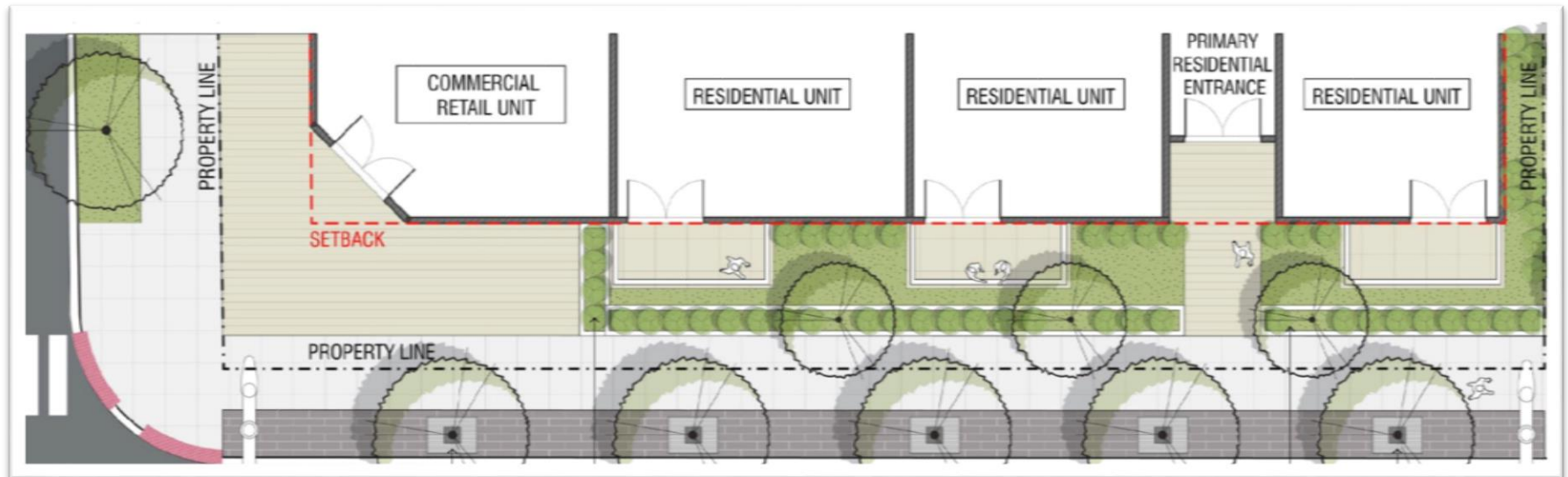


Figure 5 Secondary Street Layout

#### 4. Institutional Site Standards & Guidelines

- a. Government/Institutional buildings are not subject to Overlay standards and subject to the Council’s discretion.

#### 5. Street Standards Table

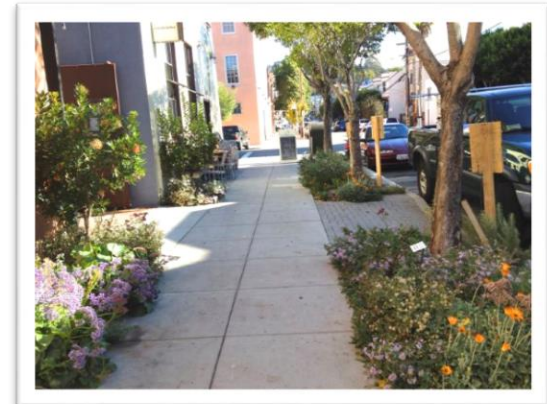
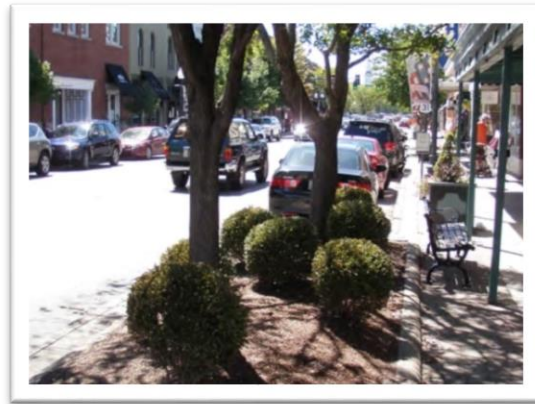
Street	Furnishing Zone <sup>1</sup>	Sidewalk	Build to Zone <sup>2</sup>	Street Trees	Street Lights <sup>3</sup>
Primary St	4'	8'	Up to 5' from back of sidewalk	15'- 30' o.c.	15'- 30' o.c.
Secondary St	4'	6'	Up to 10' from back of sidewalk	25'- 40' o.c.	25'- 40' o.c.

Table 2: Street Standards

1. Street tree grates may extend up to two (2) feet into the sidewalk zone, provided they are level with the sidewalk.
2. The build to zone may be extended by an additional 5' for the creation of an outdoor dining area at the discretion of the City Administrator or his or her designee.
3. Street trees shall be planted on-center (o.c.) and spaced equal distance between streetlights and in line with stripes of on-street parking spaces.
4. The Development Standards (such as street width) are subject to the separate requirements of Gwinnett County Water Resources Department (for water and sewer service) and the Gwinnett County Fire Department (for fire protection).



City



## D. Block Design & Parking

### Purpose:

Automotive parking within the Downtown Overlay District must respect the objectives within the Dacula 2050 Comprehensive Plan and the Urban Redevelopment Plan. Both plans call for amenity-oriented development that fosters connectivity, walkability, and multi-modal options. Parking should be collective in nature so that visitors may park and then safely walk to multiple destinations. Once a pedestrian is on foot, vehicles become liabilities to the economic success of the downtown area and compete with the limited real estate that could be used for business enterprise, housing or public space. The Downtown Overlay parking standards seek to increase property utility, increase sales tax receipts, increase overall activity within the downtown, and prioritize amenity-oriented design.

### 1. General Requirements:

- a. No off-street parking is required for non-residential uses in the Overlay District unless such uses exceed 4,300 square feet of gross floor area, in which case off street parking must be provided with the Overlay District parking requirements chart.
- b. Parking lots containing 15 parking spots or more must provide commercial grade bicycle parking facilities and/or a pedestrian pad. The inclusion of the pedestrian pad is subject to the discretion of the City Administrator or their designee.
- c. Off-street parking spaces must be located to the rear of the principal building or the block interior so as not to be visible from the public right-of-way. Pedestrian walkways through the use of speed tables, or a change in materials is required when feasible.
- d. Developers must provide inter-parcel access for off street parking lots, unless infeasible. Infeasibility will be determined by the City Engineer.
- e. Shared parking agreements must be agreed upon prior to permitting mixed-use buildings and are encouraged throughout the District.
  1. Shared parking facilities may not be more than 300 ft from any individual member of the parking agreement.
- f. Curb cuts for driveways may be made every 300 feet of right-of-way on Primary Streets.
- g. No curb cuts are allowed for lots abutting alleys.
- h. Parking lots shall not be located on street corners.
- i. Parking lots shall be landscaped according to the Downtown Overlay District Landscape Standards.

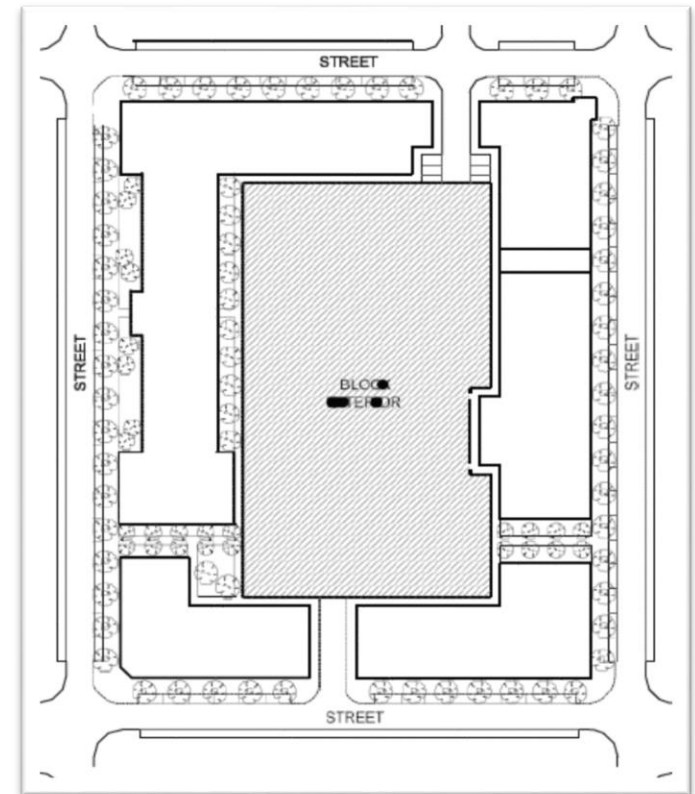


Figure 6: Block Design Standards

- j. Structured parking garages shall:
  - 1. Adhere to the build-to-line.
  - 2. Have visible faces designed to be compatible with adjacent buildings where parking garage faces abut, or portions are visible from a street or public right-of-way
  - 3. Not exceed the height of adjacent buildings.

**2. Service and Loading**

- a. Service and loading areas shall be located behind buildings, such that they are not visible from the street, and accessed via block breaks at key points. Access that is shared with those provided for parking areas is strongly encouraged.
- b. Where block and building configurations necessitate the location of loading docks with access directly from the street, they may be permitted provided they:
  - 1. Are not located along those portions of streets bordering an open space.
  - 2. Have restricted access from the pedestrian sidewalk and the doors are compatible in design and color with the façade of the primary use of the property.



### 3. Pervious Parking and “Green” Parking Design

- a. Pervious Paving Systems: The use of pervious paving designs for parking areas is encouraged.
- b. The use of standard porous concrete is not permitted due to high maintenance costs. Pavers with at least 20% open space are classified as pervious.
- c. Parking Area Rain Gardens (Bio-Retention): The use of bio-retention areas in the form of rain gardens and bio-swales in parking lots are strongly encouraged.
- d. The City of Dacula adopts by reference the Green Stormwater Standards within the most up to date Georgia Stormwater Manual.

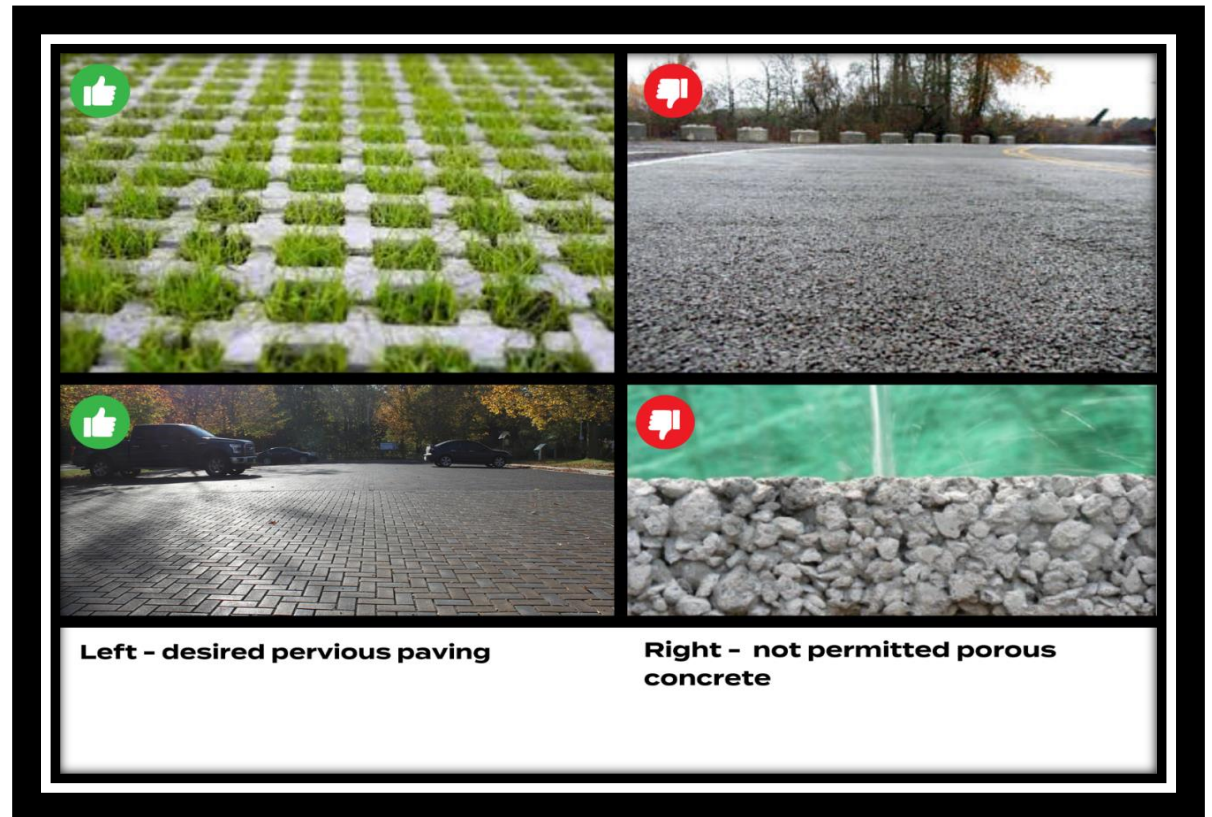
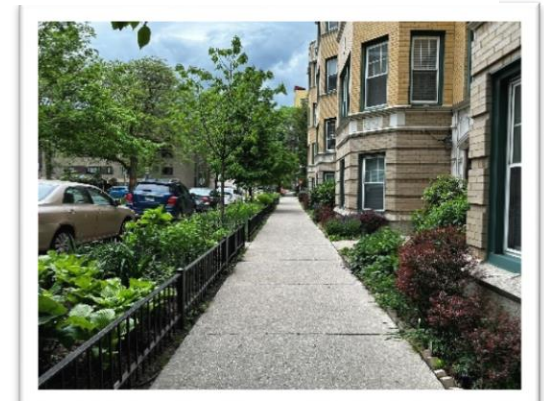


Figure 7: Permitted Green Parking Infrastructure



#### 4. Parking Requirements (Off-Street)

<b>Building Type</b>	<b>Parking Minimum</b>	<b>Maximum Parking</b>	<b>Notes</b>
<b>Dwellings</b>	1 space per dwelling unit	2.5 per dwelling unit <sup>1</sup>	Existing dwellings nonconforming as to parking and dwellings where on-site parking is infeasible may provide off-site parking within 300 feet.
<b>Mixed-use</b>	1 space per dwelling unit	1.5 spaces per dwelling unit	
<b>Single Use Commercial</b>	1 space per 500 sq. ft. of GFA	1 space per 200 sq. ft. of GFA	No parking is required for buildings of 4,300 square feet or less.
<b>Single Use Office</b>	1 space per 1,000 sq. ft. of GFA	1 space per 300 sq. ft. of GFA	No parking is required for buildings of 4,300 square feet or less.
<b>Overnight Rooming and Boarding Facilities</b>	0.5 spaces for each bedroom	2 spaces for each bedroom.	
<b>Institutional Facilities</b> (schools, libraries, places of assembly, and government buildings)	n/a	n/a	Subject to the approval of City Administrator or their designee.

Table 3: Off-street Parking

1. Decimals are to be rounded down.
2. The parking spaces provided should be based on the needs of the surrounding character area. For example, properties along 2<sup>nd</sup> Avenue may have different parking needs than a parcel along Winder Hwy that does not have access to on-street parking.
3. Parking calculations for Single Use Commercial and Single Use Office should be based on square footage in excess of 4,300 square feet.

## E. Landscaping & Screening

### 1. Landscaping

- a. Reference the City of Dacula's BLT Ordinance for tree preferences and requirements.
- b. See Table 1: Street Parameters for street tree placement.
- c. All street trees should be supported by a Deep Root Control System to protect sidewalks and trees from root damage (see figure 8).
- d. When a private property owner provides landscaping within the public right-of-way and the landscaping dies within one year of installation, it must be replaced within the earliest possible planting season by the private owner.

### 2. Screening

- a. Dumpsters and garbage/recycling containers shall be screened from view with a gated enclosure no less than one foot in height taller than the container being screened; enclosures shall be constructed of opaque materials that complement the building(s) being served.
- b. Grounded/mounted utility cabinets, meters and transformers located in front yards shall be screened from public view with opaque walls and/or landscaping.
- c. Chain link fencing is not appropriate where visible from a public right-of-way with the exception of rear yards of residential properties
- d. Any parking not screened from the street by a building shall have a minimum seven (7) foot wide landscaped area between such parking and the street which may be located in the Build to Zone. Such landscaped area shall have a minimum of one (1) shade tree per forty (40) linear feet, groundcover, and an evergreen hedge at a maximum of thirty-six (36) inches or decorative wall or fence with a minimum height of thirty (30) inches. Trees shall be planted, and street lighting placed in line with the stripes of adjacent parking spaces.
- e. Parking areas in new developments that are located within twenty-five (25) feet of existing residential structures, if not entirely screened by an intervening building, shall have a continuous, visual screen obscuring it from the residential development reaching a minimum

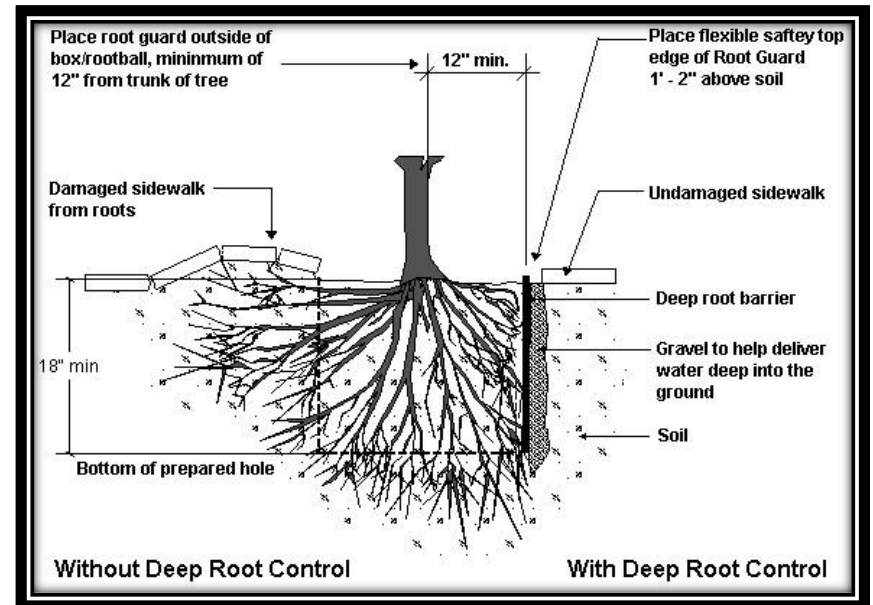
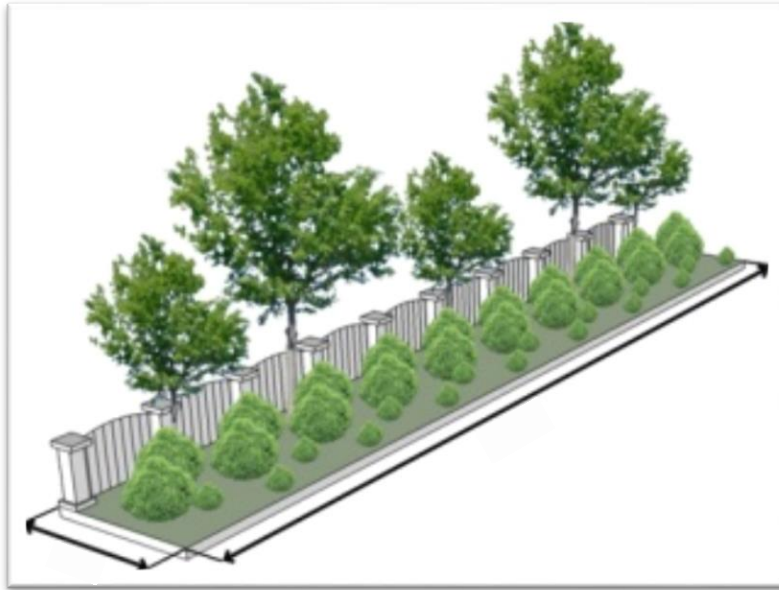


Figure 8: Deep Root Control Requirement



height of six (6) feet. This screen shall consist of a compact evergreen hedge or other foliage screening, and a six (6) foot tall wall or fence.



*Figure 9: Residential Parking Buffers*



## F. Public Space

1. General Requirements
  - a. Pedestrian connectivity between all buildings, parcels, and uses is required.
  - b. Site designs of at least two (2) acres are required to include civic space. Civic space must be a minimum of fifteen (15) percent of the total developments area, after subtracting street right-of-way.
  - c. Site designs over 300' long or deep may be required to include the creation of new right-of-way to further the creation of a block development pattern. The inclusion of a new right-of-way is at the discretion of the City Administrator.
  - d. Pedestrian pads along sidewalks must be 2-feet by 8-feet and are required every 300 feet of right-of-way.
    - i. Pedestrian pads must include benches, planters, waste receptacles, and shade trees. Pads at key points may be required to provide bicycle racks and/or streetlights, subject to the City Administrator's discretion.
    - ii. All pedestrian elements must be commercial in quality.
    - iii. Shade trees must conform with landscape standards (see Figure 8).



Types of Civic Space	Viable Street/Front
<p><u>Plaza</u> A community-wide focal point primarily for civic purposes and commercial activities. Spatially defined by buildings frontages and tree-lined streets.</p>	All
<p><u>Greenway Connection</u> A multiple-block long linear space for community gathering and strolling for nearby residents and employees, defined by a tree-lined street on at least one side, sometimes forming a one-way couplet on its flanks and by the fronting buildings across the street. Greenways serve an important role as a green connector between destinations. Should be added to by multiple developments.</p>	All
<p><u>Green</u> A large space with ample shade available for unstructured and limited amounts of structured recreation.</p>	Secondary Street
<p><u>Pedestrian Passage</u> A pedestrian pathway that extends from the public sidewalk into a civic space and/or across the block to another public sidewalk. The pathway is lined by non-residential shopfronts and/or residential ground floors and pedestrian entries as required by the zone.</p>	All
<p><u>Playground</u> A small-scale space designed and equipped for the recreation of children. These spaces serve as quiet, places protected from the street and in locations where children do not have to cross any major streets.</p>	Secondary Street
<p><u>Rest Canopy</u> A hard-scaped rest area within a retail, commercial or mixed-use development that provides protection from the sun, containing benches and planters for shoppers.</p>	Primary Street
<p><u>Community Garden</u> A small-scale space designed as a grouping of garden plots available for small-scale cultivation. Community gardens may be fenced and may include a small accessory structure for storage.</p>	Secondary Street
<p><u>Pedestrian Pad</u> 2-foot by 8-foot pad that provides seating for and shade for pedestrians.</p>	All

Table 4: Types of Civic Space

2. Streetlights

- a. Georgia Power
  - i. Phillips Domus Pendant model (pictured right)
  - ii. LED Street Lighting
  - iii. Full cutoff
  - iv. Black Powdercoat
- b. See Street Standards Table (pg 9) for distance requirements



3. Pedestrian Area Lighting

- a. Georgia Power
  - i. LED Specialty Area Lighting
  - ii. Decorative Post Top model required (pictured right)
  - iii. Black Powdercoat
- b. Required as needed for public spaces (pg 16).



4. Benches & Trash Receptacles

- a. Benches and receptacles used in pedestrian pads should match the streetlights and pedestrian area light in character (see right for examples).
- b. Model subject to the approval of the City Administrator or their designee in required off-street public spaces.



## F. Color Palette

**Purpose:** The purpose of the Color Palette is to provide developers with color combinations that will add to the distinct Dacula Downtown character.

### 1. General Requirements:

- a. All street facing facades within the Overlay shall be consistent with the provided color palette.
- b. No more than two (2) adjacent buildings may have the same color combinations.
- c. Combinations not provided below are subject to approval by the Planning & Development Department.
- d. Color Breakdown:
  - i. 1<sup>st</sup> Color: Base Color
  - ii. 2<sup>nd</sup> Color: Sign board, panel elements, and bulk heads
  - iii. 3<sup>rd</sup> Color: Trim and small profile elements

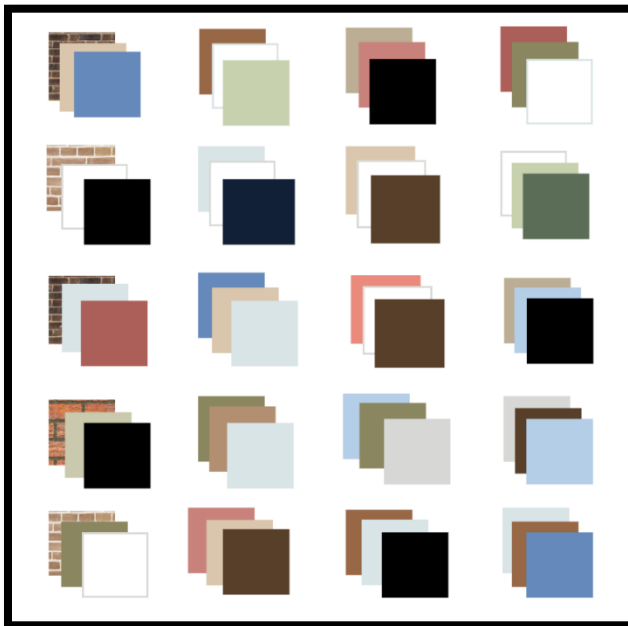


Figure 10: Color Palette





Figure 11: Color Palette Diagram

## H. Building Design Guidelines

**Purpose:** The purpose of the Design Guidelines is to consistently deliver high-quality design and character within the Downtown Overlay District. Traditional pre-World War II town centers are characterized with varying levels of detail, creating an ornate urban fabric. The subsequent standards and guidelines are intended to guide residents and developers to consistently build high-quality developments.

### 1. Main Street Mixed-use & Commercial Buildings

#### a. General character:

1. Main Street Mixed-use & Commercial Buildings should extend the traditional town center character along 2<sup>nd</sup> Avenue.

#### b. Architectural Styles

1. The City encourages Mercantile, Queen Anne, Daytona, Federal, Greek Revival and Neoclassical architectural styles.
2. All main street buildings are encouraged to follow the layout present within Figure 1: Main Street Building Anatomy.

#### c. Street Fronting Facades:

1. 100% of the width of any façade fronting a primary street shall conform to the façade standards and guidelines. No less than 20 feet of continuous façade width measured from the fronting corners of a primary street building along the secondary street shall comply.
  - i. Multi-story buildings shall be architecturally detailed to present a storefront, upper floor(s) and cornice (base, shaft and cap).
  - ii. Building facade shall be articulated into distinct façade bays of no more than 25 feet in width. Articulations may be made with architectural elements such as columns and pilasters, wall projections and/or recesses, and variations of materials/colors.
2. A minimum of one building entrance shall be provided fronting the pedestrian zone and accessed from a public sidewalk.

#### d. Transparency

1. For buildings with first floor commercial uses, a minimum of 60% of the street-facing ground floor façade must be comprised of clear windows that allow views of indoor space or product display.
  - i. Windows, doors, or product displays used to satisfy the transparency standards may not be more than 4 feet above the adjacent sidewalk.



- ii. Product display windows used to satisfy these requirements must have a minimum height of 4 feet and be internally lit.
- 2. For above street level floors, no less than 25% of the street level façade must be comprised of openings (windows and doors inclusive of framing, dividing, and sub-dividing elements). The façade area is measure from the finished floor at the second level to the finished roof at the face of the façade.
- 3. Storefront window systems shall be no wider than 25 feet without being articulated by another building element.
- 4. Reflective glass and dark tinted glass are discouraged.

**e. Height**

- 1. Buildings shall not exceed 40 feet in height.
- 2. For multi-story buildings, the minimum first floor height shall be 14 feet from the finished floor to finished floor.

**f. Building Materials**

- 1. Exterior building materials visible from a street or public open space should be selected from the following:
  - i. Brick
  - ii. Manufactured or natural stone
  - iii. Cement-based siding
  - iv. Hard coat stucco
  - v. Fiber reinforced plastic (FRP) – exterior detailing and architectural elements
- 2. Vinyl siding shall not be permitted on main street buildings.

**g. Roofs**

- 1. Materials Permitted
  - i. Copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass, and fiber shingles.
  - ii. Materials other than the aforementioned materials may be appropriate for architectural trim and accent applications (cornices, brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings).
- 2. Buildings with the same height must have different roof and parapet treatments to break up the blocks' mass and provide visual interest.
- 3. Sloped roofs should be concealed from view with a parapet wall.
- 4. Pre-engineered metal building roofs shall be concealed by a parapet wall fronting all streets.



5. Green roofs (aka sustainable roofs) on flat roofs must be approved by the City Administrator or their designee. The City adopts the most recent Georgia Stormwater Manual standards by reference.

**h. Building Feature Organization**

1. Mixed-use and commercial buildings within the Downtown Overlay district shall organize their building features based on Figure 12, including the three distinct breakages consisting of the storefront, upper floor(s) and cornice (if there are not upper floors, the storefront and cornice are still required).
2. A minimum of six (6) of the twelve (12) presented architectural features must be present in all downtown commercial/mixed use buildings.
  - i. Selecting which architectural details are present is up to the designer.

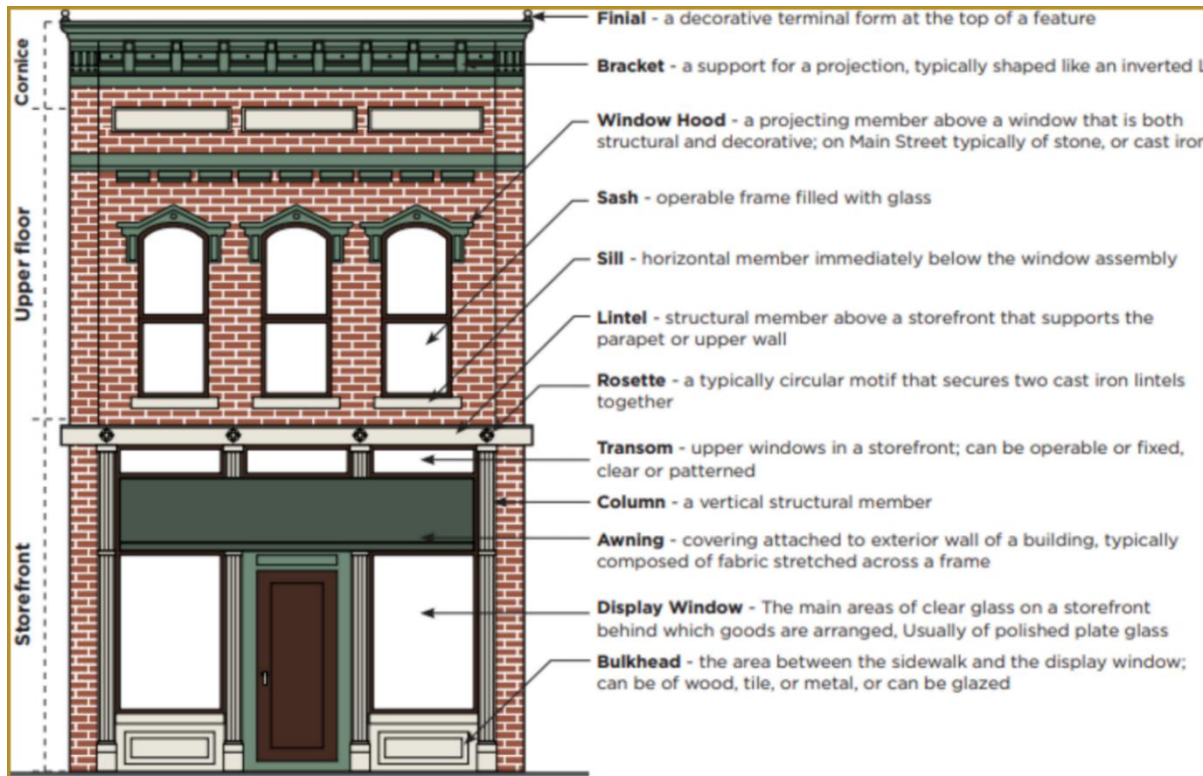


Figure 12: Main Street Building Feature Organization



## 2. Neighborhood Cafes & Retail:

### a. General Character:

1. Neighborhood Cafes & Retail may be placed on both primary and secondary streets. Buildings should serve as natural transitions from primary to secondary streets by providing amenities and services within a walkable distance from residents, decreasing the necessity for car travel for basic needs.

### b. Architectural Styles

1. The City encourages Greek Revival, Federal, Tudor, Mercantile, Stick and Daytona architectural styles.
2. Developers should pursue architectural styles that complement the surrounding street to either serve as a transition from commercial to residential or to blend in with residential.

### c. Street Front Facades

1. Storefront window systems should be no longer than 25 feet without being articulated by another building element.
2. Ground floor windows shall be no more than 3 feet above the finished floor.
3. Windows should be vertically proportionate.
4. A minimum of one (1) building entrance shall be provided fronting the pedestrian zone and access from public sidewalk.
  - i. Corner entrances are encouraged to incentivize access from both primary streets and secondary streets.
5. Corner Cafes & Retail buildings are encouraged to utilize the build to area for public gathering space.

### d. Height

1. Corner Cafes & Retail shall not exceed two stories (does not apply to buildings cornering both primary and secondary streets).

### e. Building Materials

2. See main street building materials for reference.
3. Vinyl siding shall not be permitted; brick, wood or cementous (Hardi, etc.) siding is preferred.
4. Green alternatives to concrete and asphalt shingles are encouraged. Mycelium for framing is encouraged. Proposed alternatives are subject to Planning & Development Department approval.
5. Metal and exterior insulation and finish (E.I.F.S) systems are discouraged.



f. Roofing

1. Sloped roofs on secondary streets are appropriate.
  - ii. Knee walls are required for sloped roofs.
2. False mansard roofs and overhanging fascia type roofs are not permitted
3. Pre-engineered metal building roofs shall be concealed by a parapet wall fronting all streets.
4. Green roofs on flat roofs must be approved by the City Administrator or their designee.

The City adopts the most recent Georgia Stormwater Manual standards by reference.

### 3. Town Center Single-Family:

#### a. General Character:

1. Single family housing should be on secondary streets within the Downtown Overlay. Town center single-family types include single family detached, small cottages, courtyard cottages, row houses, and town houses. The goal of single-family housing downtown is to provide nearby amenities to as many residents as possible and to provide proximal patrons for downtown businesses. Subdivision developments are not permitted within the Overlay District. Developers are encouraged to produce a variety of styles, and housing types to a unique street character.

#### b. Architectural Styles

1. Encouraged: Tudor, Greek Revival, Federal and Stick architectural styles are encouraged.
2. Discouraged: Queen Anne, Georgian, and English Vernacular are discouraged
3. Biomimicry and bioclimatic design to foster passive heating and cooling is encouraged.
4. Courtyard Cottages and Cul-de-sac developments are encouraged to connect to the City's trail network.

#### c. Street Front Faces

1. A maximum of eight (8) dwelling units shall be allowed in each row of townhouses/rowhouses.
2. Covered front porches are encouraged on all housing types.

#### d. Height

1. No Town Center Single-Family dwelling shall exceed 40 feet in height.

#### e. Building Materials

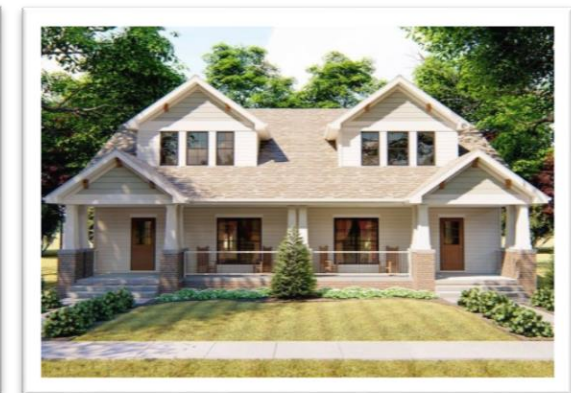
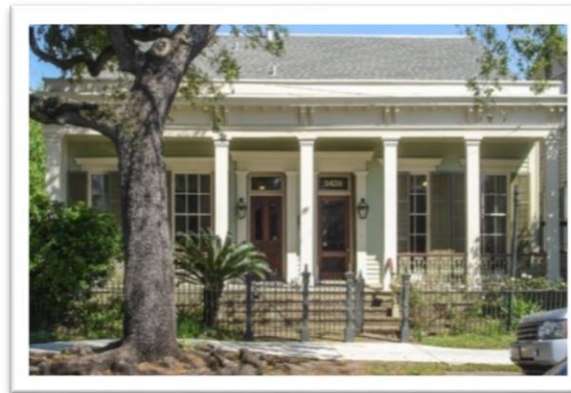
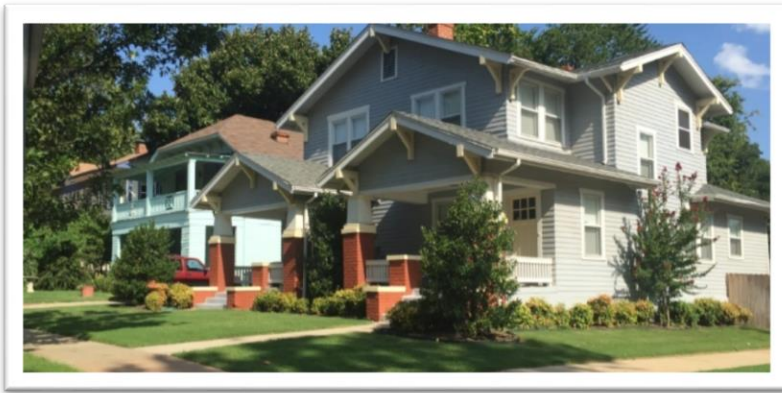
1. Stucco, metal, and E.I.F.S systems are discouraged. Vinyl siding shall not be permitted.
2. Green alternatives to concrete and asphalt shingles are encouraged. Mycelium for framing, cork and adobe are encouraged when appropriate.



#### 4. Duplexes

##### a. General Character:

1. Town center duplex types include attached duplexes (stacked and side by side), row houses, and town homes. The goal of duplexes is to diversify the housing options within the City and to foster an amenity-oriented development pattern. Developers are encouraged to produce a variety of styles. For design standard see Town Center Single Family (pg. 25).



<b>Downtown Overlay Site Limits Table</b>	<u>Primary St - Commercial/Mixed Use Building</u>	<u>Secondary St - Café &amp; Retail</u>	<u>Primary St &amp; Secondary St – Residential Attached<sup>1</sup></u>	<u>Primary St &amp; Secondary St – Detached</u>
Minimum Lot Area	n/a	600 s.f.	Sewer: n/a Septic: 30,000 s.f.	Sewer: n/a Septic: 30,000 s.f.
Build to Zone	0' - 5'	0'-5'	0'-10'	5'-10'
Height Maximum	4 stories or 40' whichever is lesser.	2 stories or 30' whichever is lesser.	40'	40'
Minimum Ceiling Height	14' sidewalk level/9' upper levels	14' sidewalk level/9' upper levels	9'	9'
Minimum Dwelling Unit Size	750 s.f.	750 s.f.	850 s.f.	1,000 s.f.
Street Façade Frontage	100%	100%	n/a	n/a
Rear Setback (minimum feet)	0'	With Alley – 0' No alley – 10'	Residential alley – 0' No alley – 10'	Residential alley – 5' No alley – 15'
Side Setback (minimum feet)	0'	0'	0'	5'
Block Size (maximum feet) perimeter/block face	1,600'/400'	800'/200'	1,800'/600'	1,200'/300'

Table 5: Site Limits

1. Side setbacks of zero shall only be permitted between adjacent townhouse and rowhouse units, otherwise the larger setback shall apply.
2. No more than two attached units per parcel zoned Single-Family Residential or Multi-family Duplex District shall be permitted in the Overlay District.

## E. Granny Cottages

### 1. General Requirements:

- a. Granny Cottages are allowed in any residential zone on properties as an accessory to single-family residences within the Overlay District.
  1. Parcels on septic must receive approval from Gwinnett County Environmental Health Department.
- b. One cottage is allowed on any one permissible lot with a single-family residence.
  1. Parcels on septic systems must be 0.5 acres or greater to qualify.
- c. Either the primary unit or the Cottage must be owner occupied.
- d. The Cottage may not be sold or subdivided but may be rented to nonfamily members.
- e. Short Term Rentals (STR) of Cottages are not permitted.



### 2. Location/Size Requirements:

- a. Cottages must be 750 s.f. or 40% of the habitable floor area of the primary unit (whichever is greater). Cottages shall be a maximum of 1,000 s.f. or 60% of the habitable floor area of the primary unit (whichever is greater).
- b. Shall be located in the rear yard.
- c. Must be five (5) feet or greater from primary dwelling unit or property line.
- d. Shall have one off street parking space provided.

### 3. Architectural Requirements:

- a. Shall be congruent with the primary dwelling unit.
- b. The cottage shall not exceed fifteen (15) feet in height or the height of the primary dwelling unit, whichever is more.
- c. Cottages are limited to a maximum of two bedrooms.
- d. Entrance must be separate from the primary dwelling unit.
- e. Granny Cottages shall be affixed by permanent foundation, and cannot include travel trailers, RVs, or mobile homes.



## F. Downtown Overlay Districts Signage

Purpose: Signs are an integral part of an amenity-oriented downtown. Major thoroughfare-oriented development often forces businesses to be increasingly bigger and brighter to grab the attention of customers in fastmoving traffic; however, bigger and brighter often does not mean human oriented. Done properly, business signage contributes to the branding and imagery of both the businesses that use them and the City they reside in. The Downtown Overlay District Sign Guidelines lead business owners to pedestrian-oriented, high quality, and well detailed signage that is in congruence with the small-town character of the City of Dacula.

### 1. General Requirements for Downtown Signage

- a. No Billboards shall be allowed in any part of the Downtown Overlay District.
- b. No LED message boards shall be allowed in any part of the Downtown Overlay District.
- c. The maximum height of a wall sign or awning sign shall be twenty-four feet (24').
- d. Wall signs may project beyond the face of the building up to one (1) foot (does not include protruding or awning signs),
- e. Building owners are liable for fallen protruding signs and awnings.

### 2. Sign Guidelines

- a. Colors shall be consistent with the Downtown Overlay District color palette guidelines and are subject to Planning & Development Department review.
- b. Signage should not obscure or conflict with significant architectural details on building.
- c. Signage should complement the architectural character of the building or face and not detract from the overall character of the Downtown.
- d. Businesses are encouraged to provide individually designed signage that is unique to their establishment.

### 3. Sign Lighting

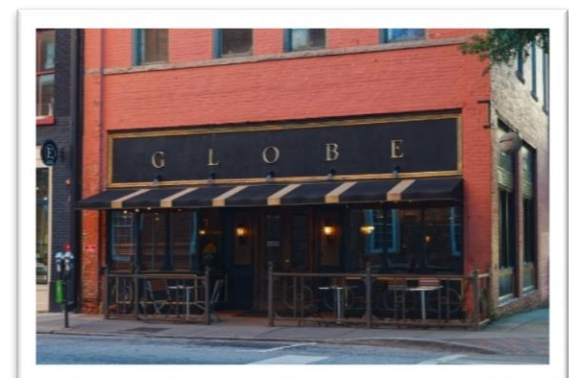
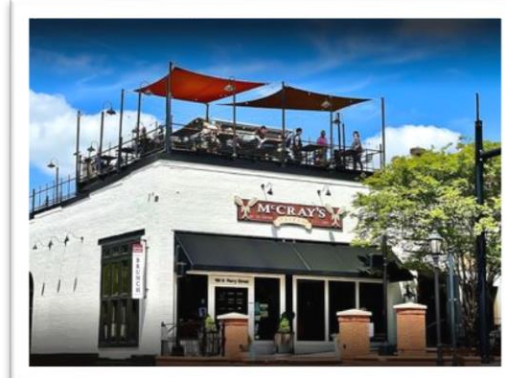
- a. Signs shall be indirectly lit or backlit.
- b. Neon Signs
  1. Neon signs are not permitted on the exterior of any buildings.
  2. Neon signs may be used in store windows, provided that they are no larger than 40" in height or width.

### 4. Monument Signs

- a. Unless grandfathered in, monument signs for individual businesses are prohibited within the Downtown Overlay District.
- b. Monument signs for planned offices, commercial, or mixed-use centers must be approved by the City Administrator or their designee.

## 5. Wall Signs

- a. Businesses are permitted one wall sign per street frontage. Entrances primarily used by employees do not qualify as a street frontage.
- b. The size of the right-of-way facing wall signs shall comply with the City of Dacula's Zoning Resolution, Article 12 – Signs and Advertising.
- c. Signage should complement the style of each building and be integrated into their architectural elements.
- d. Wall signs may be incorporated into hardscape features, as approved by the City Administrator.



## 6. Awnings and Canopies

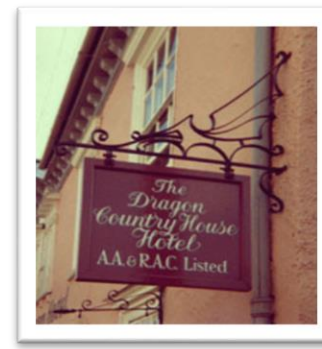
- a. Graphics within the area of the awning or canopy shall be calculated toward the allowable wall sign area.
- b. LED lighting is not permitted.
- c. The designs below are examples of desired awning character.





## 7. Protruding Signs

- a. Protruding signs may be used in conjunction with awning signs, but not in addition to wall signs.
- b. Protruding signs must be a minimum of eight feet (8') from the sidewalk and pedestrian zone.
- c. Protruding signs may not protrude more than six feet (6') from a building's face.
- d. Hanging protruding signs are permissible provided they will not easily move in winds of 25 mph and below.
- e. Businesses are encouraged to artistically highlight the business brand and style. The City encourages the inclusion of metal work, carved wood, wrought iron and artisanal designs. The designs below are examples of desired artistic creativity:



## 8. Window Signage

- a. Window signs are any signs placed on the inside of the glass.
- b. No signs are allowed on the outside of the glass.
- c. Seasonal signs and messages related to holidays or special events may be painted on windows as long as the message area does not exceed 30% of the window.
- d. Stain glass windows used as signs must be approved by the City Administrator or their designee.



9. Address and Unit Numbering

- a. Commercial and mixed-use buildings within the Downtown Overlay District shall have their street address clearly visible from the right-of-way.
  1. The address must be mounted or painted to the side of or above the principal entrance of the building on the corresponding street consistent with U.S. Post Office guidelines.
  2. The address is not to be displayed on business signs.
  3. Numbering must be between six (6) and twelve (12) inches.

# Memorandum

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

**From:** Hayes Taylor, City Planner

**Date:** September 30, 2024

**Subject:** 2024-CD-RZ-02

**Proposed Zoning:** C-1 (Neighborhood Commercial District)

**Existing Zoning:** C-2 (General Business District)

**Size:** 2.108 acres

**Proposed Use:** Fitness Club

**Applicant:** Key Growth Capital, LLC c/o Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046

**Owner:** Core City Developers, LLC  
1230 Peachtree Street NE, Suite 800  
Atlanta, Georgia 30309

**Location:** LL 299 - 5th District

## Existing Land Use and Zoning:

The subject property totals 2.108 acres and is currently vacant. Adjacent to the northwest is an approved carwash. Adjacent to the northeast, east and south is the Brands Ridge subdivision, zoned R100-Single Family Residence (County). The subject property is less than 300 feet south of the Harbins 316 Planned Mixed-Use Development, which contains a variety of uses including an existing gas station, fast food, and a retail center. The master development also includes multi-family residential, and senior living, which are under development. The property is currently zoned C-1 pursuant to Case No. 2007-CD-RZ-06 and the City of Dacula Zoning Map.

## The Proposed Development:

The Applicant has requested to rezone 2.108 acres from C-1 (Neighborhood Commercial District) to C-2 (General Business District) to allow for a fitness club. The submitted site plan shows one (1) 20,400 square foot building, and 100 parking spaces, which meets the City's minimum parking requirements. Application materials also show automotive access from a deceleration lane on Harbins Rd onto a joint private drive between the carwash and the proposed fitness club, and a pedestrian walkway that connects the fitness club to the

approved multifamily development. The proposed landscape buffers screen the subject parcel from the adjacent residences, zoned R100-Single Family Residence (County).

The approved conditions per zoning case 2007-CD-RZ-06, require a 25-foot landscape buffer to protect adjacent residential uses. The submitted concept plan shows a 25-foot enhanced landscape buffer within the rear 50-foot building setback. The addition of the enhanced landscape strip to the existing chain link fence is intended to provide additional visual screening for abutting residential properties.

The 2050 Comprehensive Plan designates the parcel and the surrounding area as part of the Emerging Commercial character area. The character area has set precedent for commercial uses, including a Publix-shopping center, an approved car wash, two (2) fast food restaurants, and a gas station. The proposed fitness center is a similar intensity use compared to the proximal existing and approved commercial uses, and could be compatible with the neighboring carwash.

The Dacula 2050 Comprehensive Plan describes the Emerging Commercial character areas as being “more pedestrian-oriented” with “non-residential uses... oriented towards the street with direct pedestrian access” while balancing both housing and employment opportunities (page 66). The provision of the multi-use path from the multifamily residence may contribute to the called for pedestrian connectivity and activity within the character area. The Guidance for Rezoning by Character Area table calls for PMUD, C-1, C-2, and OI districts within the character area (page 69).

### **Summary:**

The proposed fitness club could be considered a suitable use as it would provide a transition between Harbins 316, the approved carwash, and the residences adjacent to the parcel. A fitness club would provide a service to existing and future nearby community members in the Emerging Commercial character area and could be a compatible commercial use with the neighboring approved carwash. As such, the Department recommends the requested rezoning from C-1 (Neighborhood Commercial District) to C-2 (General Business District) be approved with conditions at this location.

### **Comprehensive Plan:**

The subject parcel is within the Emerging Commercial Character Area on the City of Dacula’s 2050 Future Land Use Map and designated Innovation District on the Gwinnett County 2040 Unified Plan.

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 Resolution 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 development could be considered suitable given the adjacent mix of residential and commercial uses, providing a potential pedestrian-friendly amenity proximal to a high concentration of community members.

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

With the recommended conditions, adverse impacts on surrounding properties could be minimized.

**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 will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?***

Excessive or burdensome use of existing streets, transportation facilities, utilities, or schools is not expected from approval of the proposed uses.

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

The requested rezoning could be considered consistent with the Emerging Commercial designation of the 2050 Future Land Use Map with the proper conditions.

**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?***

There is a clear City Council precedent to prioritize pedestrian connectivity and safety within the nearby Harbins 316 development. With the proper conditions to facilitate and protect pedestrian access to the proposed development, the use could be considered suitable.

***Recommendation:***

Based upon the application, the rezoning is recommended for approval with the conditions. The following conditions will replace the approved 2007-CD-RZ-06 conditions on the subject parcel.

**Concept Plan and Land Use**

1. The property shall be developed in accordance with the conceptual site plan titled Fitness Center Rezoning Site Plan dated June 4, 2024. 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.

### Architectural Design

2. All building exteriors shall be constructed of brick, stone, glass, or stucco. All buildings shall have flat roofs with architectural treatments to include canopies and parapets. Mechanical, HVAC, and like systems shall be screened from street level on all sides by an opaque wall of brick, stucco, or split-faced block.
3. The developer shall provide a decorative, commercial-quality bicycle rack and pedestrian bench that complement the building at its entrance. The bicycle rack must be capable of storing a minimum of 8 bicycles.

### Landscape and Parking

4. The reduction of the required rear landscape buffer to a 25-foot enhanced landscape buffer shall be maintained per 2007-CD-RZ-06.
5. A 20-foot-wide enhanced buffer shall be provided along the full length of Courtney Renea Drive and a 25-foot wide enhanced buffer shall be provided along the rear property boundary adjacent to residentially zoned property. Both buffers shall be planted with a staggered, double row of privacy trees (minimum 6-foot in height), supplemented with a 6-foot high double-sided wooden or wrought iron opaque fence. The structural and visual characteristics of the fence shall be maintained at all times. Fencing shall be located behind the tree line with the location subject to review and approval by the Department of Planning and Development.
6. A parking lot landscape plan shall be submitted to the City for approval. At a minimum, the plan shall include that each parking island/strip shall have a minimum of two (2) ornamental shade trees. All parking area trees shall be a minimum of 3-inch dbh caliper. Parking islands/strips may include stormwater management/bioretenion infrastructure and foliage, per the Georgia Stormwater Management Manual green standards.

Parking area trees should be of or a combination of the following species:

1. Willow Oak
2. Overcup Oak
3. Nuttal Oak
4. Sweetbay Magnolia
5. Southern Magnolia
6. Japanese Zelkova
7. Red Maple
8. Halesia Carolina
9. Eastern Redbud
10. American Smoketree
11. Sourwood
12. Chalk Maple

7. Existing mature growth trees in buffer zones shall remain when feasible. The City Administrator or City Arborist shall determine what is feasible.
8. Stormwater maintenance areas may include lower maintenance grass alternatives such as Blue Star Creeper, Corsican Mint, Micro-Clover, or Fescue as approved by the City Administrator.
9. Gravel is prohibited. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
10. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to between the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.
11. No outdoor storage shall be permitted on site.

#### Transportation and Infrastructure

12. Prior to the issuance of a Development Permit, the developer must satisfy Gwinnett County Department of Transportation requirements including, but not limited to, a south bound left turn lane along Harbins Road into the site, and the recommendations from the traffic impact study required by Article 4 of the Development Regulations.
13. A five (5) foot wide sidewalk shall be constructed on the property frontage of Harbins Road.
14. Provide street lights along all public right-of-way utilizing decorative light pole/fixtures. Street lights shall be 150 feet on center. Light poles shall be black and a maximum 20 feet high.
15. Parking lot lighting shall be directed towards the property to avoid the adverse impact on nearby residential properties.
16. The owner/developer must provide a five (5) foot wide pedestrian connection to the multifamily apartments within the Harbins 316 development. The pedestrian pathway may be a five (5) foot wide raised crosswalk or a stamped pathway. Stamped pathways must be protected by speed bumps on either side of any internal drive it transects. The Pedestrian Plan must be submitted to the Planning and Development Department for approval during the plan review and permitting process.
17. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.

#### Signage and Advertising

18. Human sign spinners and/or twirlers shall be prohibited.
19. One ground sign shall be permitted. The ground sign shall be monument-type only with indirect lighting. Ground sign shall be limited to a single monument-type sign with a brick or stacked stone base of at least 2 feet in height. Neon or self-illuminating ground signs shall be prohibited. LED message boards are prohibited.
20. The wall sign shall be lit with indirect lighting.

21. Oversized signs or billboards shall not be permitted.
22. 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.





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

**REZONING/ CHANGE OF CONDITIONS/ SPECIAL USE PERMIT APPLICATION**

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

APPLICANT *	PROPERTY OWNER *
NAME <u>Key Growth Capital, LLC c/o Powell &amp; Edwards, LLP</u>	NAME <u>Core City Developers, LLC</u>
ADDRESS <u>PO Box 1390</u>	ADDRESS <u>1230 Peachtree Street NE, Suite 800</u>
CITY <u>Lawrenceville</u>	CITY <u>Atlanta</u>
STATE <u>Georgia</u> ZIP <u>30046</u>	STATE <u>Georgia</u> ZIP <u>30309</u>
PHONE <u>770-962-0100</u> FAX <u>770-963-3424</u>	PHONE <u>678-773-5931</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 W. Charles "Chuck" Ross, Esq.  
 COMPANY NAME Powell and Edwards, LLP  
 ADDRESS PO Box 1390, Lawrenceville, Georgia 30046  
 PHONE 770-962-0100 FAX 770-963-3424  
 EMAIL cross@powelledwards.com

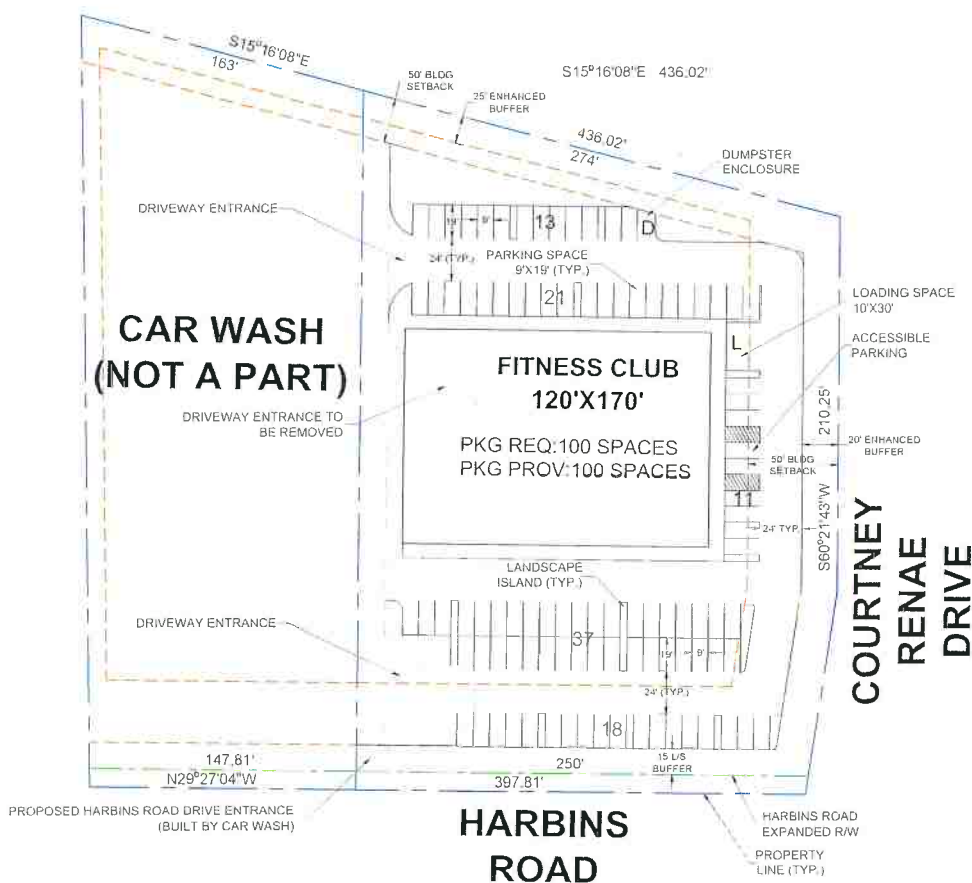
PRESENT ZONING DISTRICT(S) C-1 REQUESTED ZONING DISTRICT C-2  
 LAND LOT(S) 299 PARCEL # R5299 004 DISTRICT(S) 5 ACREAGE 2.108  
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED Fitness Club

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS <u>1/1</u>
DWELLING UNIT SIDE (SQ. FT.) _____	TOTAL GROSS SQ. FEET <u>20,000</u>

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

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

**CASE NUMBER**



**APPLICANT:**  
 KEY GROWTH CAPITAL, LLC  
 ATTN: MICHAEL LEIBOWITZ  
 700 STATE STREET, SUITE 403, NEW HAVEN, CT 06405  
 (203) 675-8512

**OWNER:**  
 CORE CITY DEVELOPERS LLC  
 1230 PEACHTREE STREET NE  
 SUITE 800  
 ATLANTA, GA 30309

**TENANT:**  
 FLYNN GROUP  
 ATTN: KASS McINNIS  
 617-418-8015

**DESCRIPTION OF PROJECT:**  
 PROPOSED 20,000 SF FITNESS CLUB. DEVELOPMENT OF THE REMAINDER OF THE LOT AT 1002 HARBINS ROAD, THE WESTERN PORTION OF WHICH IS CURRENTLY UNDER CONSTRUCTION AS A CAR WASH.

**SITE DATA:**  
 EXISTING ZONING: C-1  
 PROPOSED ZONING: C-2  
 OVERLAY DISTRICT: N/A  
 PROPOSED USE IN C-2 DISTRICT: FITNESS CLUB

PARCEL 5-299-004  
 LOT AREA: 94,467 SF OR 2.17 ACRES  
 BLDG AREA: 20,000 SF

**PARKING REQUIREMENTS**  
 1 SPACES/200 SF FLOOR SPACE=20,000/200=100 SPACES  
 TOTAL PARKING REQ'D=100 SPACES  
 TOTAL PARKING PROV'D=100 SPACES

- DRAINAGE NOTES:**
1. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOODPLAIN AS SHOWN ON FIRM COMMUNITY PANEL NO. 13135C0077F DATED SEPT. 29, 2006.
  2. STORMWATER DETENTION FOR THE FITNESS CLUB PARCEL WILL BE PROVIDED IN A SHARED DETENTION FACILITY CONSTRUCTED BY THE CAR WASH PARCEL.

<b>FITNESS CENTER        REZONING SITE PLAN</b> 1002 HARBINS ROAD CITY OF DACULA, GWINNETT COUNTY, GEORGIA
Engineer
Sheet Title
Revision
File
Date: June 4, 2024
Scale: 1"=30'
Drawing

Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



**POWELL & EDWARDS**  
ATTORNEYS AT LAW

Jay Crowley  
Mandy Williams  
Laura Walsh  
Laura Shoop

August 8, 2024

Brittini Nix  
City Administrator  
City of Dacula  
442 Harbins Road  
PO Box 400  
Dacula, Georgia 30019

**RE: APPLICATION FOR REZONING AND LETTER OF INTENT FOR KEY  
GROWTH CAPITAL, LLC.**

Dear Ms. Nix:

Powell & Edwards, submits this Letter of Intent on behalf of Key Growth Capital, LLC (the "Applicant") to request a rezoning of a 2.108 acre parcel located at 1002 Harbins Road in Dacula and having Gwinnett County Tax ID Number R5299 004 (the "Property") from C-1 to C-2 in order to develop and construct a fitness club.

The Applicant specializes in locating and developing property for several national franchise businesses. In this case, Applicant is working with one of the larger fitness club franchise operators in the country. They have a particularly large presence in the Atlanta and Boston markets and have an excellent reputation for operating high quality clubs. Because of Applicant's experience with this particular product and client, they are able to better identify sites which do not require significant variances and also understand exactly how the facilities will fit on the property and any infrastructure needs. Due to this expertise, the attached site plan does not require any variances at this point.

Although the fitness club will be owned by a large corporation, they have an extensive local management presence from both the local location and throughout metropolitan Atlanta and can provide immediate response if needed. In particular, in Gwinnett County, they operate numerous clubs, two of the closest being in Snellville and Loganville. The brand also has a reputation for being very involved with their host community. For example, they recently held a backpack drive to assist students in need of back-to-school supplies. They also offer high school students free access to their clubs over the summer. We believe you will find that they will be an excellent corporate partner to the City of Dacula.

As noted in the impact analysis, the subject parcel is located in the Emerging Commercial future land use area of the 2050 Dacula Comprehensive Plan. This area has begun to develop as intensive

**A PROFESSIONAL CORPORATION**

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • [powelledwards.com](http://powelledwards.com) • 770.962.0100

*Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046*

August 9, 2024

Page 2

commercial, and the proposed use will provide an appropriate buffer between the more intense commercial uses of a car wash and the Publix shopping center and the two adjacent residential properties. The Applicant has designed a site plan that minimizes ingress and egress and complicated parking. In addition to consolidating their entrance with the existing curb cut for the carwash, the Applicants also hope to be able to provide a pedestrian-only access to allow the residents from the new multifamily development next to the Publix. There is no vehicular access onto the adjacent residential street. They also will be utilizing shared underground stormwater detention with the car wash in order to make the most efficient use of the property.

The Applicant and its representatives welcome the opportunity to answer any questions or to address any concerns relating to the matters set forth in this Letter of Intent or in its Application for rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, LLP

A handwritten signature in blue ink, appearing to read "W. Charles Ross".

W. Charles "Chuck" Ross  
Attorney for Applicant

**CAUTION**  
 THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THIS SURVEY. THE LAND SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

**NOTE:**  
 FORCEMAIN LOCATION AS PER FLAGGED LINE MARKED BY GEORGIA DEPARTMENT OF NATURAL RESOURCES

NF  
 WREG HARBINS LAND, LLC.  
 SHOPPING CENTER TRACT  
 (DB 02240, PG 11)  
 (PB 156, PGS 254-256)  
 ZONED PMUD

NF  
 WREG HARBINS LAND, LLC.  
 (DB 09240, PG 250)  
 (PB 156, PGS 254-256)  
 ZONED PMUD

LOT 2B BRANDS RIDGE U-1  
 NF  
 JORGE RAUL RAMIREZ  
 (DB 50961, PG 622)  
 (PB 77, PG 135)  
 ZONED R-100

LOT 1B BRANDS RIDGE U-1  
 NF  
 MARIA BARRA  
 (DB 4953, PG 369)  
 (PB 77, PG 135)  
 ZONED R-100

- NOTES:**
1. THIS PLAT WAS PREPARED TO SUBDIVIDE THE PARENT PARCEL INTO 2 TRACTS AS REQUESTED BY THE OWNER.
  2. NO TITLE EXAMINATION WAS PROVIDED TO THE SURVEYOR AT THE TIME OF THIS SURVEY. OTHER MATTERS OF RECORD WHICH AFFECT THE SUBJECT PROPERTY COULD EXIST AND MAY NOT BE SHOWN HEREON.
  3. THIS PROPERTY LIES WITHIN FLOOD ZONE "X", OUTSIDE OF THE 100YR FLOOD ZONE, AS PER FEMA FIRM MAP NO. 13138C 0077I, EFFECTIVE 9/25/2006.
  4. BUFFERS, SETBACKS AND ZONING ARE SUBJECT TO THE LOCAL ISSUING AUTHORITY AND THE CITY OF DACULA.
  5. THE VERTICAL DATUM USED FOR THIS SURVEY IS BASED ON THE NORTH AMERICAN VERTICAL DATUM ON 1988.
  6. PROPOSED IMPROVEMENTS, SETBACKS, ETC. ARE AS PER CONSTRUCTION PLANS PREPARED BY EVANS DESIGN GROUP FOR SUPERSHINE XPRESS CARWASH LAST REVISED ON 4/24/24 AND APPROVED BY GWINNETT COUNTY ON 7/23/24.

- REFERENCES:**
1. WARRANTY DEED RECORDED IN DB 30742, PAGE 251 ON 1/22/03 GWINNETT COUNTY RECORDS.
  2. WARRANTY DEED RECORDED IN DB 37175, PAGE 111 ON 2/25/04 GWINNETT COUNTY RECORDS.
  3. PLAT RECORDED IN PB 4, PG 2004 GWINNETT COUNTY RECORDS.
  4. PLAT RECORDED IN PB 103, PG 64 GWINNETT COUNTY RECORDS.
  5. ALL OTHER DEEDS AND REFERENCES ARE SHOWN HEREON.

**CERTIFICATE OF APPROVAL FOR RECORDING:**  
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE ZONING RESOLUTION AND SUBDIVISION REGULATIONS OF THE CITY OF DACULA, GEORGIA, AND THAT IT HAS BEEN APPROVED BY THE CITY OF DACULA FOR RECORDING IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF GWINNETT COUNTY, GEORGIA.  
 DATED: \_\_\_\_\_  
 OFFICIAL OF THE CITY OF DACULA

**ENGINEERS OR SURVEYORS CERTIFICATION:**  
 IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED TO FUTURE; AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEER REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF DACULA, GEORGIA, HAVE OR WILL BE FULLY COMPLIED WITH.  
 BY: *D. Griffin* 08/03/24  
 DANIEL S. GRIFFIN, REGISTERED GEORGIA LAND SURVEYOR NO. 2772

**OWNER'S CERTIFICATION AND DEDICATION:**  
 STATE OF GEORGIA, COUNTY OF GWINNETT  
 THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE, COUNTY, AND CITY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID, I HEREBY CERTIFY THAT I (WE) ACCEPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKWAYS, DRAINAGE EASEMENTS, AND OTHER SPACES TO PUBLIC USE AS NOTED.  
 DATE: \_\_\_\_\_  
 OWNER: \_\_\_\_\_

C-1 NEIGHBORHOOD COMMERCIAL ZONING  
 TRACT 1 = 1.401 ACRES  
 TRACT 2 = 2.108 ACRES  
 RW DEDICATION = 0.091 ACRES  
 TOTAL AREA = 3.600 ACRES

EXEMPTION PLAT FOR:  
**1002 HARBINS ROAD DEVELOPMENT AND CORE CITY DEVELOPERS, LLC.**  
 PROPERTY LOCATED IN THE CITY OF DACULA, GA.

**DS GRIFFIN, INC.**  
 PROFESSIONAL LAND SURVEYING SERVICES  
 2048 MILL LANDING COURT  
 LAWRENCEVILLE, GA. 30043  
 (770) 778-3293

Date:	02/15/2023	Land Lot:	299	District:	5TH	Sheet No.	
County:	GWINNETT	Scale:	1" = 50'	Section:	NA		
Project:	1002HARB	Drawn By:	DG				1 OF 1

STATE PLANE COORDINATE TABLE

Point	Northing	Easting	Elev.	Description
209	1443350.125	2301073.790	1083.06	10RFD
216	1443130.892	2301009.015	1086.05	BLADE
250	1442825.529	2301807.872	1073.82	HOFF @ GRND
297	1442753.946	2301700.611	1066.56	11 @ 200'x4
425	1442929.501	2301990.613	1072.99	10RFD

**OWNER/DEVELOPER:**  
 CORE CITY DEVELOPERS, LLC.  
 475 DACULA RD. STE A  
 DACULA, GA. 30019  
 PETER TRASKAR  
 PHONE: 678-773-6931

**SURVEYOR:**  
 DS GRIFFIN, INC.  
 2048 MILL LANDING COURT  
 LAWRENCEVILLE, GA. 30043  
 PHONE: 770-778-3293  
 EMAIL: DANIEL@DSGRIFFININC.COM

2	DG	08/03/2024	UPDATE PER REVISED CIVIL PLANS
1	DG	02/28/2023	ADDED PARCEL NUMBERS
No.	By	Date	Revision
Cadd File No:			

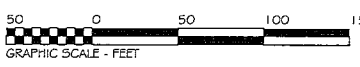
AS REQUIRED BY SUBSECTION (4) OF D.C.G.A. SECTION 13-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. 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 AS SET FORTH IN O.C.G.A. SECTION 13-6-67.



**LEGEND**

- RBWC = REBAR WITH CAP
- SBF = SOLID BAR FOUND
- RF = REBAR PIN FOUND
- IPS = 1/2" REBAR PIN SET
- RAW = RIGHT OF WAY
- PL = PROPERTY LINE
- BL = BUILDING LINE
- CL = CENTERLINE
- BC = BACK OF CURB
- EP = EDGE OF PAVEMENT
- QU = POLE ANCHOR
- SP = SERVICE POLE
- PF = POWER POLE
- FM = FIRE HYDRANT
- WV = WATER VALVE
- WM = WATER METER
- IE = INVERT ELEVATION
- FHC = FINISHED FLOOR ELEVATION
- SS = STORM SEWER UNPIPE
- X = FENCE LINE
- AP = AERIAL POWER LINE
- T = AERIAL TELEPHONE LINE
- G = UNDERGROUND GAS LINE
- W = WATER LINE
- = FLOOD HAZARD ZONE LINE
- NF = NOW OR FORMERLY

ATOPNS12 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.  
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 118,507 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.  
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 227,996 FEET AND CONTAINS 3.60 ACRES.



### **Legal Description**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 299 of the 5<sup>th</sup> District of Gwinnett County, City of Dacula, Georgia containing approximately 2.108 acres, more or less, and being designated as Tract 2 on that certain survey entitled "Exemption Plat for: 1002 Harbins Road Development and Core City Developers, LLC", prepared by DS Griffin, Inc., bearing the seal and certification of Daniel S. Griffin, Georgia Registered Land Surveyor No. 2772, dated February 15, 2023 and last revised on August 3, 2024, being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at the point of intersection of the northwesterly right-of-way line of Courtney Renea Drive (right-of-way varies) and the northeasterly right-of-way line of Harbins Road (right-of-way varies); run thence along said right-of-way line of Courtney Renea Drive in a northeasterly direction, and following the meanderings thereof, a distance of 10.11 feet to a point, said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING and leaving said right-of-way line run thence North 29 degrees 27 minutes 04 seconds West a distance of 251.56 feet to a point; run thence North 60 degrees 32 minutes 56 seconds East a distance of 381.30 feet to a point; run thence South 15 degrees 16 minutes 08 seconds East a distance of 274.31 feet to a point on the northwesterly right-of-way line of Courtney Renea Drive; run thence along said right-of-way line South 60 degrees 21 minutes 43 seconds West a distance of 210.25 feet to a point; continue thence along said right-of-way line South 68 degrees 48 minutes 36 seconds West a distance of 104.93 to a point, said point being the TRUE POINT OF BEGINNING.

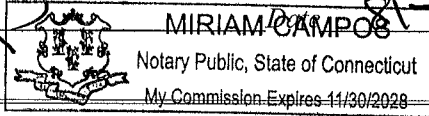
**APPLICANT CERTIFICATION**

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 8-7-2024

Type or Print Name/Title Michael Lebowitz - Member

Notary Public [Signature]



**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 \_\_\_\_\_

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

**FOR ADMINISTRATIVE USE ONLY**

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

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

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

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

STIPULATIONS \_\_\_\_\_

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

**APPLICANT CERTIFICATION**

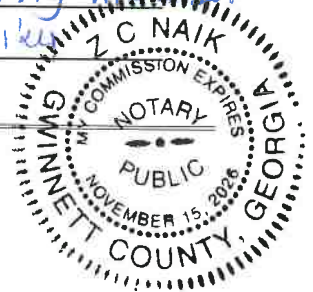
The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_  
Type or Print Name/Title \_\_\_\_\_  
Notary Public \_\_\_\_\_ Date \_\_\_\_\_

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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 Pranodkumar Thakkar Date 8/2/24  
Type or Print Name/Title Pranodkumar Thakkar / managing member  
Notary Public Z.C. Naik Date 08/02/24



**FOR ADMINISTRATIVE USE ONLY**

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

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

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

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

STIPULATIONS \_\_\_\_\_

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



**CONFLICT OF INTEREST CERTIFICATION**

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

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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

Signature of Applicant' Attorney W. Charles Ross Date 8/18/2024

Type or Print Name/Title W. Charles "Chuck" Ross, Esq.

Notary Public Terry S. Peffinger Date 8/18/24



**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 8/8/24

Type or Print Name/Title Michael Lebowitz - Member

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

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

Notary Public  Date 8/8/24

(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

### 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)*



## 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 August 8, 2024,

APPLICANT Key Growth Capital, 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: This part of Harbins Road has been specifically classified by the City to be developed commercially. Indeed, the property is already zoned C-1, and the property owner could construct a myriad of higher intensity uses without further approval by the City. The parcel is bordered to the northwest by the SuperShine Xpress Carwash and the new Publix shopping center. The property across Harbins Road is zoned for office and institutional use. Although the subject parcel is adjacent to two unincorporated Gwinnett County residential parcels, the proposed fitness club would serve as an appropriate transition from the existing more intense commercial uses to the neighborhood entrance.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The entrance to the fitness club will be the same entrance already being used by the carwash on Harbins Road. There is no access onto the residential street. Further, the Applicant will provide appropriate screening where the two residential properties abut the subject parcel.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: As noted in the Dacula 2050 Comprehensive Plan, this area has been identified as containing underutilized properties. While the property is zoned C-1, being located adjacent to a carwash limits many options that might otherwise be available to this property. The proposed use will present a harmonious use that will not be disturbed by the carwash and will not cause a disturbance to the two residential properties adjacent.
- D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools: The proposed use will not create any significant increase in traffic along Harbins Road, nor will it create a strain on any utilities and will have no impact upon schools.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: The Dacula 2050 Comprehensive Plan identifies this area as "Emerging Commercial" which has a stated purpose of providing a transition area on Harbins Road consistent with the County Comprehensive Plan which identifies this area as a "Community Node." This area also seeks to encourage the redevelopment of underutilized properties. As noted above, the proposed fitness club use would provide an appropriate transition between the shopping center & car wash and the residential properties to the south and east.
- 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: As noted above, this area has been classified for commercial development and significant commercial development has already begun on nearby parcels. The less intensive use of the proposed fitness club is the most appropriate use for this location as it can provide a proper transition to the adjacent residential properties located in unincorporated Gwinnett County.

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: August 8, 2024

TO: WREG Harbins Retail LLC  
1958 Monroe Drive NE  
Atlanta, Ga 30324-4844  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

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

Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

---

You are hereby notified that an application for a zoning change from C-1 to C-2 has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on September 30, 2024 at 6:00 P.M. in the Council Chambers.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on October 3, 2024 at 7:00 P. M. in the Council Chambers.

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: August 8, 2024

TO: Jorge Raul Ramirez  
2438 Courtney Renea Drive  
Dacula, Ga 30019-1596  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

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

Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

---

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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: August 8, 2024

TO: Maria Barna  
2428 Courtney Renea Drive  
Dacula, Ga 30019-1596  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

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

Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

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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: August 8, 2024

TO: Donna Valentine  
Patrick Valentine  
1950 Luke Edwards Road  
Dacula, Ga 30019-2503  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

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

Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

---

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Thank you.



ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: August 8, 2024

TO: Shane Dobles  
Morgan O'Brien  
2407 Courtney Renea Drive  
Dacula, Ga 30019-1595  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

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

Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

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Thank you.

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: August 8, 2024

TO: Jody L. Parr  
1001 Harbins Road  
Dacula, Ga 30019-2405  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: W. Charles "Chuck" Ross  
Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046  
770-962-0100  
cross@powelledwards.com

RE: Application Case #: \_\_\_\_\_  
Application Case #: \_\_\_\_\_  
Application Case #: \_\_\_\_\_  
Property Location: 5th District, Land Lot 299 Parcel 004

LOCATION/ADDRESS: 1002 Harbins Road, Dacula, Georgia 30019

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Thank you.

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WREG Harbins Retail LLC  
 1958 Monroe Drive NE  
 Atlanta, Ga 30324-4844



9590 9402 7812 2152 3311 42

2. Article Number (Transfer from service label)

7021 0350 0001 0338 9099

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail Restricted Delivery (0)

Domestic Return Receipt

7021 0350 0001 0338 9099

U.S. Postal Service CERTIFIED MAIL® RECEIPT Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postmark Here

Postage

\$

Total Po

\$

Sent To

Street a

City, Sta

WREG Harbins Retail LLC  
 1958 Monroe Drive NE  
 Atlanta, Ga 30324-4844

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



POWELL & EDWARDS ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

CERTIFIED MAIL®



7021 0350 0001 0338 9099



WREG Harbins Retail LLC  
 1958 Monroe Drive NE  
 Atlanta, Ga 30324-4844



**POWELL & EDWARDS**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

WREG Harbins Retail LLC  
1958 Monroe Drive NE  
Atlanta, Ga 30324-4844



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jorge Raul Ramirez  
2438 Courtney Renea Drive  
Dacula, Ga 30019-1596



9590 9402 7812 2152 3311 35

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8481

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                         | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery |   |

Mail Restricted Delivery (00)

Domestic Return Receipt

U.S. Postal Service

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**OFFICIAL USE**

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here

Postage

Total Post \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and City, State, \_\_\_\_\_

Jorge Raul Ramirez  
2438 Courtney Renea Drive  
Dacula, Ga 30019-1596

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

**CERTIFIED MAIL**



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ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

Jorge Raul Ramirez  
2438 Courtney Renea Drive  
Dacula, Ga 30019-1596

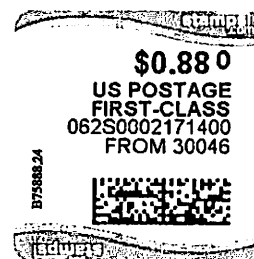




**POWELL & EDWARDS**  
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION  
P.O. Box 1390 Lawrenceville, GA 30046

Jorge Raul Ramirez  
2438 Courtney Renea Drive  
Dacula, Ga 30019-1596



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maria Barna  
 2428 Courtney Renea Drive  
 Dacula, Ga 30019-1596



9590 9402 7812 2152 3311 28

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8498

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

4. Mail Restricted Delivery (\$500)

Domestic Return Receipt

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postmark Here

Postage

\$

Total Postage

\$

Sent To

Street and

City, State

Maria Barna  
 2428 Courtney Renea Drive  
 Dacula, Ga 30019-1596

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFIED MAIL



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ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION  
P.O. Box 1390 Lawrenceville, GA 30046



7021 0350 0001 0338 8498

Maria Barna  
 2428 Courtney Renea Drive  
 Dacula, Ga 30019-1596

stamps  
 \$9.640  
 US POSTAGE  
 FIRST-CLASS  
 062S0002171400  
 FROM 30046

B75929.17



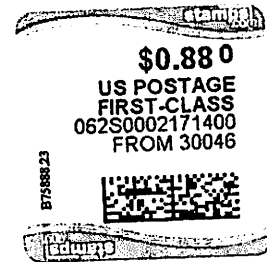
**POWELL & EDWARDS**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

Maria Barna  
2428 Courtney Renea Drive  
Dacula, Ga 30019-1596





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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donna Valentine  
Patrick Valentine  
1950 Luke Edwards Road  
Dacula, Ga 30019-2503



9590 9402 7812 2152 3311 11

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8504

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail Restricted Delivery

Domestic Return Receipt

4059 9500 1000 0350 0001 0338 8504

**U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
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**OFFICIAL USE**

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$ \_\_\_\_\_

Total Postage \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and \_\_\_\_\_

City, State \_\_\_\_\_

Donna Valentine  
Patrick Valentine  
1950 Luke Edwards Road  
Dacula, Ga 30019-2503

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

**CERTIFIED MAIL®**



7021 0350 0001 0338 8504

Donna Valentine  
Patrick Valentine  
1950 Luke Edwards Road  
Dacula, Ga 30019-2503





**POWELL & EDWARDS**  
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION  
P.O. Box 1390 Lawrenceville, GA 30046

Donna Valentine  
Patrick Valentine  
1950 Luke Edwards Road  
Dacula, Ga 30019-2503



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shane Dobles  
Morgan O'Brien  
2407 Courtney Renea Drive  
Dacula, Ga 30019-1595



9590 9402 7812 2152 3311 04

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8511

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                         | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery |   |

Mail Restricted Delivery (00)

Domestic Return Receipt

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**U.S. Postal Service**  
**CERTIFIED MAIL® RECEIPT**  
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**OFFICIAL USE**

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postmark Here

Postage

\$ \_\_\_\_\_

Total Postage

\$ \_\_\_\_\_

Sent To

Street and

City, State

Shane Dobles  
Morgan O'Brien  
2407 Courtney Renea Drive  
Dacula, Ga 30019-1595

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



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P.O. Box 1390 Lawrenceville, GA 30046

**CERTIFIED MAIL**



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**\$9.64 0**

US POSTAGE  
FIRST-CLASS  
062S0002171400  
FROM 30046

BT592920

edwards

Shane Dobles  
Morgan O'Brien  
2407 Courtney Renea Drive  
Dacula, Ga 30019-1595



**POWELL & EDWARDS**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046

Shane Dobles  
Morgan O'Brien  
2407 Courtney Renea Drive  
Dacula, Ga 30019-1595



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jerry C. Johnson  
 2535 Rock Springs Road  
 Buford, Ga 30519-5144



9590 9402 7812 2152 3310 98

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8528

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from Item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail Restricted Delivery (00)

Domestic Return Receipt

U.S. Postal Service  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

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Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and / \_\_\_\_\_

City, State, \_\_\_\_\_

Postmark Here

Jerry C. Johnson  
 2535 Rock Springs Road  
 Buford, Ga 30519-5144

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0350 0001 0338 8528

**CERTIFIED MAIL**



**POWELL & EDWARDS**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

P.O. Box 1390 Lawrenceville, GA 30046



7021 0350 0001 0338 8528

Jerry C. Johnson  
 2535 Rock Springs Road  
 Buford, Ga 30519-5144

stamp! .com

**\$9.64 0**

US POSTAGE  
 FIRST-CLASS  
 062S0002171400  
 FROM 30046

BT1929.19

stamp! .com



**POWELL & EDWARDS**  
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION  
P.O. Box 1390 Lawrenceville, GA 30046

Jerry C. Johnson  
2535 Rock Springs Road  
Buford, Ga 30519-5144



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jody L. Parr  
 1001 Harbins Road  
 Dacula, Ga 30019-2405



9590 9402 7812 2152 3310 81

2. Article Number (Transfer from service label)

7021 0350 0001 0338 8535

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

red Mail  
 red Mail Restricted Delivery  
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Domestic Return Receipt

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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

Total Postage

\$

Sent To

Street and

City, State,

Postmark  
Here

Jody L. Parr  
 1001 Harbins Road  
 Dacula, Ga 30019-2405

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

**CERTIFIED MAIL®**



7021 0350 0001 0338 8535



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ATTORNEYS AT LAW

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