

Memorandum

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

From: H. Hayes Taylor Jr, City Planner

Date: March 31, 2025

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

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

Existing Zoning: C-2 (General Business District)

Size: 1.71 acres

Proposed Use: Pawn Shop & Antique Store

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

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

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

Existing Land Use and Zoning:

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

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



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

The Proposed Development:

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

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

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

Summary:

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

Comprehensive Plan:

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

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

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

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

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

If approved, the recommended conditions would help mitigate any negative impacts onto the surrounding properties from the proposed use.

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

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

4. *Whether the proposed rezoning, and special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

The proposed use is not expected to increase the burden of use for utilities, existing streets, transportation facilities, or schools.

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

The subject parcel is within the Dacula Downtown Character Area of the City of Dacula’s Future Land Use Map, which calls for a balance of commercial and residential with an emphasis on the redevelopment and revitalization of underutilized parcels. As such, the proposed development could be considered suitable at this location (City of Dacula 2050 Comprehensive Plan, pg. 61). However, staff notes that the proposed zoning classification, C-3, is not included as a recommended zoning classification.

6. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, and special use permit?*

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

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

Recommendation:

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

The Department notes the Planning Commission recommended approval with staff's recommended conditions, which carried, 4-0, for the requested rezoning at the March 31, 2025, Planning Commission Hearing.

Condition Set #1:

Land Use and Concept Plan

1. Any modifications to the existing property improvements (ex: redevelopment, paint, repairs, additions, concrete, asphalt, etc.) shall be reviewed and approved by the Planning & Development Department.
2. The site shall be limited to the following uses:
 - a. Animal Hospital or Veterinary Clinic
 - b. Bakery
 - c. Cafe
 - d. Medical Office
 - e. Professional Office
 - f. Retail
 - g. Restaurant
 - h. Pawn Shop with council approved special use permit
3. The Special Use Permit shall be deemed abandoned by the Property Owner if pawn shop use ceases for more than ninety (90) days, per Article 17, Section 1706.
4. The Special Use Permit shall be valid for a period of two years from the date of approval at which time the Special Use Permit must be reapplied for and approved by the Mayor and Council for continued use.
5. No outdoor storage shall be permitted on site.

6. No drive-thru or gas station uses shall be permitted.
7. Hours of operations shall be limited to 9:00 a.m. to 9:00 p.m.
8. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to between the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times. Sanitation services must be provided by a third-party provider.

Sign and Advertisement

9. Oversized signs or billboards shall not be permitted.
10. Should the existing monument sign be removed, future ground signage shall be limited to one monument-type sign and shall not be located within the right-of-way. The monument sign shall not exceed a maximum of 8-foot in height and shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs and electronic message boards shall be prohibited. The monument sign shall be indirectly lit. The monument sign shall not impede site distance along Winder Hwy. Sign location and design are subject to review and approval by the City of Dacula.
11. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.
12. Live human advertisement shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
13. Blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.

Landscape and Parking

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

Condition Set #2:

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

Infrastructure

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

8. Sidewalks shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate future pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the City of Dacula, Gwinnett County D.O.T or Georgia Department of Transportation depending on who owns the subject right-of-way.

Parking & Landscaping

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

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

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

screening plan is subject to the approval of the Planning & Development Department.

12. The landscaping plan shall include one (1) shade tree for every ten (10) parking spaces.

Architectural Design

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