



**Mayor and City Council Regular Meeting**  
**Thursday, January 02, 2025 at 7:00 PM**  
**Dacula City Hall, Council Chambers**  
**442 Harbins Rd. | P.O. Box 400 | Dacula, Georgia 30019 | (770) 963-7451**

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**Minutes**

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

Mayor King called the January 2, 2025 Council Meeting to order at 7:00 p.m. and a roll call of the members was taken. A quorum was present. He welcomed everyone to the meeting.

**Councilmembers Present:**

Mayor Trey King  
Councilmember Sean Williams  
Councilmember Jason Shelton  
Councilmember Ann Mitchell  
Councilmember Denis W. Haynes, Jr.

**City Staff Present:**

Brittni Nix, City Administrator  
Jack Wilson, City Attorney  
Courtney Mahady, Administrative Clerk  
Hayes Taylor, City Planner  
Dana Stump, Administrative Assistant for Planning & Zoning  
Amy White, Chief Marshal  
James Ross, City Marshal  
Alethia Hyman, City Tax Clerk  
Renee Cooke, Front Desk Clerk  
Bliss Maddox, Deputy Director of Public Works

**II. INVOCATION:**

Pastor Jeff Rogers gave the invocation.

**III. PLEDGE OF ALLEGIANCE:**

Mayor King led the Pledge of Allegiance.

**IV. RECOGNITION OF SERVICE:**

1. Bliss Maddox, Amy White, and James Ross

Mayor King acknowledged Deputy Director of Public Works, Bliss Maddox, along with Amy and James from the Marshals Office, for their heroic actions that resulted in saving a man's life. He then awarded them a Certificate of Excellence in recognition of their efforts.

**V. CONSENT AGENDA:**

2. Approval of the Minutes from the Worksession Meeting on December 5, 2024
3. Approval of the Minutes from the Regular Meeting on December 5, 2024
4. Approval of the Minutes from the Budget Public Hearing on December 5, 2024
5. Appointment of Mr. Jack Wilson (\$200/hr.) for legal services
6. Appointment of Mr. Jack Wilson (\$200/hr.) as City Prosecutor
7. Appointment of Judge Bill Brogdon and Judge Jammie Taire (\$200/hr.) as City Magistrate(s)
8. Amendment to Schedule of Fees
9. Change Order No. 1 between Gwinnett County and City of Dacula regarding Jointly Funded 2017 SPLOST Project(s)
10. Bid results for Brookton North subdivision improvements

Motion to approve the consent agenda items as listed made by Councilmember Shelton, Seconded by Councilmember Haynes, Jr..

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**VI. OLD BUSINESS:**

There is no old business.

**VII. NEW BUSINESS:**

11. Election of Mayor Pro Tem

Motion to nominate Sean Williams as Mayor Pro Tem made by Councilmember Mitchell, Seconded by Councilmember Haynes, Jr..

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

12. Appointment of Planning Commission Members

Councilmember Williams appointed Myra Montalbano  
Councilmember Shelton appointed Lisa Bradberry  
Councilmember Mitchell appointed Mark Chandler  
Councilmember Haynes, Jr. appointed Gene Greeson  
Mayor King appointed Trannon Thomas

Motion to ratify the appointments made by Councilmember Williams, Seconded by Councilmember Shelton.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

13. City Council oversight appointments

Motion to appoint the Mayor and Council as a whole to oversee all the departments in the City for 2025 made by Councilmember Haynes, Jr., Seconded by Councilmember Mitchell.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

#### 14. Appointment of City Chaplain

Motion to appoint Pastor Jeff Rogers as City Chaplain made by Councilmember Shelton, Seconded by Councilmember Haynes, Jr..

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**15. PUBLIC HEARING: 2024-CD-SUP-03**, Applicant: SK Automotive Sales, LLC, Owner: SK Automotive Sales, LLC requests a special use permit for automotive sales use. The property is located in Land Lot 271 of the 5th District and contains 5.26 acres more or less.

Motion to open the public hearing made by Councilmember Mitchell, Seconded by Councilmember Williams.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

City Planner, Hayes Taylor, presented the staff case report for the special use permit application. The applicant requests a special use permit to allow for automotive sales use. Mr. Taylor stated staff recommends approval with Planning Commission's recommended conditions.

Applicant Representative, William Diehl, 2 Sun Court, Suite 400, Peachtree Corners, GA 30092, stated that the applicant is requesting the special use permit to allow automotive sales at the location in Dacula. Mr. Diehl stated the applicant is limited to no more than ten (10) vehicles at any given time. He added that the applicant is amenable to the addition of "passenger" to condition #5.

Motion to close the public hearing made by Councilmember Haynes, Jr., Seconded by Councilmember Mitchell.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**16. Special Use Permit Application: 2024-CD-SUP-03**, Applicant: SK Automotive Sales, LLC, Owner: SK Automotive Sales, LLC requests a special use permit for automotive sales use. The property is located in Land Lot 271 of the 5th District and contains 5.26 acres more or less.

Motion to approve Planning Commission's recommended conditions and the amendment to condition #5 as discussed in the Worksession [listed below] made by Councilmember Mitchell, Seconded by Councilmember Shelton.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

#### Conditions Set #1: 2024-CD-SUP-03

1. Any modifications to the existing property improvements (ex: redevelopment, paint, repairs, additions, concrete, asphalt, etc.) shall be reviewed and approved by the Planning & Development Department.

2. The Special Use Permit shall be deemed abandoned by the Property Owner if automotive sales are ceased for more than ninety (90) days, per Article 17, Section 1706.
3. Should the Property Owner be found in a violation of any of these conditions or other regulations relevant to the automotive sales use at any time, the City Administrator may review the appropriateness of the use and recommend revocation to the City Council, per Article XVII, Section 1708 of the Zoning Resolution
4. The Special Use Permit shall expire upon the change in ownership of the facility and/or property.
5. Automotive sales shall be limited to no more than ten (10) passenger vehicles at any given time. Vehicles for sale shall be limited to the existing paved parking lot between the main commercial building and the stormwater detention facility.
6. Vehicles for sale may be advertised solely online. No signs / advertisements shall be placed on the vehicles or on-site other than displayed on the existing monument sign as an auxiliary use to the vehicle repair establishment.
7. No outside loudspeakers shall be allowed.
8. Outdoor display of parts, new or used tires, junked vehicles or other materials is prohibited.
9. Where possible by existing topography, power-line easements, and other encumbrances, the Property Owner shall supplement existing landscaping with native, evergreen shrubs or trees to screen visibility of the property from Winder Highway. The landscape plan shall be subject to the review and approval of the City of Dacula's Planning and Development Department.
10. 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.
11. Oversized signs or billboards shall not be permitted.
12. 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 shall be prohibited. 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.
13. 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.
14. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
15. 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.
16. All vehicular access must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer/owner.

**Conditions Set #2: 2014-CD-RZ-01**

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 from zoning case 2014-CD-RZ-01.

## 1. Transportation/Infrastructure

- 1.A. 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.
- 1.B. All new utility lines shall be located underground.
- 1.C. 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.
- 1.D. 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.
- 1.E. 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. Light fixtures which are utilized shall be as follows:
  - Fixture Head Pole Type (Streetlight)
  - Max. Pole Height = Cobra Head Fluted (Black) 40 ft. or Cobra Head Smooth (Black) 40 ft.
- 1.F. 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.

### Landscaping Requirements

- 2.A. Provide, at a minimum, 20 Tree Density Units per acre for all non-residential development. Type and size of plantings shall be in compliance with the Dacula Buffer Landscape and Tree Ordinance. At least 50% of plantings shall consist of trees 3-inches in caliper (dbh) or greater.
- 2.B. Provide landscaped islands throughout all surface parking areas as required by the Dacula Buffer, Landscape and Tree Ordinance.
- 2.C. Provide a minimum ten-foot wide landscaped strip between all road rights-of-way and the back of-curb of abutting off-street paved parking lots. Landscaped strips between road rights-of-way and the edge of abutting off-street grassed parking areas shall be five-feet in width. At a minimum, landscaped strips shall be planted in accordance with the Dacula Buffer, Landscape and Tree Ordinance.

2.D. Provide non-ornamental shade trees spaced 50-feet on-center or grouped at 120-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:

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

2.E. Dumpsters which may be seen from adjacent properties or public parking lots shall be screened from view on all four sides. Screening shall consist of three solid walls of brick, stucco or split-face block construction, at least six feet in height, with 100 percent solid metal or wooden gates. Dumpsters shall be placed in the rear yard and may be located 0-feet from the property line if the adjoining property is zoned non-residential and 0-feet from all applicable buffers if the adjoining property is zoned residential.

2.F. Natural vegetation shall remain on the property until issuance of a development permit.

### 3. Parking/Yard, Height & Setback

3.A. For retail developments exceeding 125,000 square feet of gross floor area, at least 10% of all required parking spaces shall be provided in parking areas of porous paving or grass paving systems, such as "Grasscrete" or "Grasspave," not to exceed 1,000 parking spaces or as approved by the City of Dacula.

3.B. Up to 25% of the required parking spaces for any development may be reduced in total area, width or depth for designated small vehicle parking. Each small vehicle parking space shall not be less than eight feet in width and 17 feet in depth.

3.C. Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less shall provide no more than 20% of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20% of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).

3.D. For developments exceeding 7,500 square feet, building placement is encouraged to be close to, and oriented toward, the public right-of-way with the majority of parking to the sides and rear where possible.

3.E. Decorative, commercial-quality, bicycle racks, benches and trash receptacles shall be required for all retail and office developments.

### 4. Signage; Temporary Uses; Peddling

- 4.A. Except as contained herein, sizes and amount of signage shall not exceed the requirements of the Sign Ordinance.
- 4.B. Oversized Signs or Billboards shall not be permitted.
- 4.C. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.
- 4.D. Canopy and awning sign(s) shall be limited to 15 square feet per road frontage. If lighted, lettering shall be individually formed and lighted. No spreader bar signage shall be allowed except as required by the State Fire Marshall.
- 4.E. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
- 4.F. Peddlers shall be prohibited.
- 4.G. 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.

5. Architectural Design

- 5.A. Architectural design of all non-residential buildings should comply with the following performance guidelines:

(1) Building facades shall be of architectural treatments of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete or alternate material may be used for industrial, multistory office (3-stories or greater) or hotel development subject to review and approval of the City of Dacula.

(2) Contrasting accent colors of any wall, awning or other feature (other than dark green or brick red) shall be limited to no more than 15% of the total area for any single facade.

(3) Metal sided or portable buildings shall be prohibited.

(4) Buildings shall incorporate live plant material growing immediately in front of or on the building.

(5) Buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4 in 12.

(6) Roofing materials for pitched or mansard roofs shall be limited to the following:

- \* Metal standing seam of red, green or silver in color.
- \* Tile, slate or stone.
- \* Wood shake.
- \* Shingles with a slate, tile or metal appearance.

(7) All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.

(8) Any accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall complement the building design and style.

5.B. Architectural design of all commercial/retail buildings should comply with the following additional performance guidelines:

- (1) To lend the appearance of multi-tenant occupancy, facades of multi-tenant buildings shall be varied in depth or parapet height.
- (2) Within planned shopping centers, distinct architectural entry identity for individual tenants' entrances shall be provided for suites exceeding 10,000 square feet of leasable area.
- (3) Walls visible from roadways or parking areas shall incorporate changes in building material/color or varying edifice detail such as trellises, false windows or recessed panels reminiscent of window, door or colonnade openings, landscaping or storefront every 150 linear feet.
- (4) Roof parapets shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one foot, and may be provided in height offset or facade projections such as porticoes or towers.
- (5) Building design shall include minimum one foot deep cornices, extending along the entire front of buildings and the sides of buildings at least ten feet.
- (6) Building design shall include a minimum one foot high contrasting base, extending along the entire front of buildings and the sides of buildings at least ten feet.

5.C. The City Administrator or his or her designee shall have the authority to grant variances for properties contained within the subject area. For clarification purposes, all variance requests within the subject area are considered administrative in nature and shall not require Mayor and City Council Approval. All appeals to requests of variances shall revert to the pre-existing variance process as outlined in the City of Dacula Zoning Resolution.

5.D. The property located at 2145 Winder Highway (Parcel Number 5274-047) shall be rezoned to M-1 (Light Manufacturing District) in the City.

**17. PUBLIC HEARING: 2024-CD-RZ-03 & 2024-CD-VAR-03**, Applicant: Belkys L. Roa Zambrano, Owner: Atlanta Quality Management, LLC requests rezoning R-1100 Single Family Residential to C-2 General Business District and variance for buffer reduction. The property is located in Land Lot 302 of the 5th District and contains 1.51 acres more or less.

Motion to open the public hearing made by Councilmember Haynes, Jr., Seconded by Councilmember Williams.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.



City Planner, Hayes Taylor, presented the staff case report for the rezoning and variance applications. The applicant requests rezoning the subject property from R-1100 Single Family Residential to C-2 General Business District and a variance for buffer reduction. The proposed use for the property is an indoor soccer facility. Mr. Taylor stated staff recommends approval with conditions.

Applicant Representative, Richard Smith, 145 Merrill Ave, Decatur, Ga 30030, stated that the applicant intends to build a 2-story indoor soccer facility with storage and bathrooms on the lower level and a soccer field on top level. Mr. Smith requested the application be tabled to a later date to allow adequate time to address the traffic and safety concerns discussed during the worksession.

Motion to close the public hearing made by Councilmember Haynes, Jr., Seconded by Councilmember Shelton.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**18. Rezoning & Variance Applications: 2024-CD-RZ-03 & 2024-CD-VAR-03**, Applicant: Belkys L. Roa Zambrano, Owner: Atlanta Quality Management, LLC requests rezoning R-1100 Single Family Residential to C-2 General Business District and variance for buffer reduction. The property is located in Land Lot 302 of the 5th District and contains 1.51 acres more or less.

Motion to table the applications to the March 6, 2025 Regular Council meeting made by Councilmember Williams, Seconded by Councilmember Mitchell.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**19. PUBLIC HEARING:** Ordinance to amend Article XIII of the Zoning Resolution - Building Permit Procedures

Motion to open the public hearing made by Councilmember Mitchell, Seconded by Councilmember Shelton.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

City Planner, Hayes Taylor, presented the proposed ordinance to amend Article XIII of the Zoning Resolution – Building Permit Procedures that would allow builders to submit a written request for an extension on building permits. All requests would be subject to approval by the City Administrator or his/her designee. Mr. Hayes stated staff recommends approval.

Motion to open the public hearing made by Councilmember Haynes, Jr., Seconded by Councilmember Williams.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**20. Ordinance to amend Article XIII of the Zoning Resolution - Building Permit Procedures**

Motion to approve the ordinance amendment made by Councilmember Mitchell, Seconded by Councilmember Shelton.

Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell, Councilmember Haynes, Jr.

**VIII. STAFF COMMENTS:**

Alethia Hyman thanked city staff for their assistance during the 2024 tax billing cycle.

**IX. MAYOR AND COUNCIL COMMENT(S):**

Mayor and Council thanked city staff for their hard work.

**X. PUBLIC COMMENTS:**

*None*

**XI. EXECUTIVE SESSION:**

There is no need for an Executive Session.

**XII. ADJOURNMENT:**

Motion to adjourn made by Councilmember Shelton, Seconded by Councilmember Haynes, Jr..  
Voting Yea: Councilmember Williams, Councilmember Shelton, Councilmember Mitchell,  
Councilmember Haynes, Jr.

Meeting adjourned at 7:32 p.m.

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

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