

# Memorandum

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

FROM: Hayes Taylor, City Planner

DATE: January 26, 2026 (*Amended February 3, 2026*)

CASE: **2025-CD-RZ-06**

## Executive Summary

Applicant Belkis Zambrano has submitted a request to rezone the subject property within the Downtown Overlay District from R-1200 DOD to C-1 DOD. The rezoning would facilitate the development of a walkable, front-loaded multi-tenant retail center within the Dacula Downtown Character Area, Downtown Overlay District, and the Urban Redevelopment Area. This site is within 1,000 feet of Dacula City Core which is actively under construction.

General information about the project is provided below. The application documents are available following the staff report.



Figure 1 Aerial

Property and Surrounding Land Use Information	
Addresses	361 Harbins Road
Parcel ID #	5301 013
Current Zoning	R-1200 DOD
Proposed Zoning	C-1 DOD
Current Development	Vacant
2050 Comprehensive Plan Character Area	Dacula Downtown
Streets	Harbins Road & Freemans Mill Road



Surrounding Neighborhood	
North	C-1 DOD (Neighborhood Commercial District, <i>Downtown Overlay District</i> )
South	R-1200 DOD (Single-Family Residential District, <i>Downtown Overlay District</i> )
East	C-1 DOD (Neighborhood Commercial District, <i>Downtown Overlay District</i> ) & R-1200 DOD (Single-Family Residential, <i>Downtown Overlay District</i> )
West	R-1200 DOD (Single-Family Residential District, <i>Downtown Overlay District</i> )
Recommendation	
Staff	Approval with staff conditions.

### Existing Land Use and Zoning

Application materials request the rezoning of the  $\pm 0.83$ -acre parcel from R-1200 DOD (Single-Family Residential District, *Downtown Overlay District*) to C-1 DOD (Neighborhood Commercial District, *Downtown Overlay District*). The parcel has been vacant and has not contained an active residential use since a residential structure was demolished circa 2015.

The project site is surrounded by a variety of commercial and residential zoning classifications. To the north, the subject parcel is bordered by 341 Harbins Rd, which is zoned as C-1 DOD (Neighborhood Commercial District, *Downtown Overlay District*), which contains an active cell tower service company. To the west and south are two active residential parcels zoned R-1200 DOD (Single-Family Residential District, *Downtown Overlay District*). Across Harbins Rd in the north-eastern quadrant of the Harbins Rd and Freemans Mill Rd intersection is a legal nonconforming gas station, which is zoned C-1 DOD (Neighborhood Commercial District, *Downtown Overlay District*). Across Harbins Rd, in the southwest quadrant of Freemans Mill Rd intersection is a large lot residential home, zoned R-1200 DOD (Single-Family Residential District, *Downtown Overlay District*).

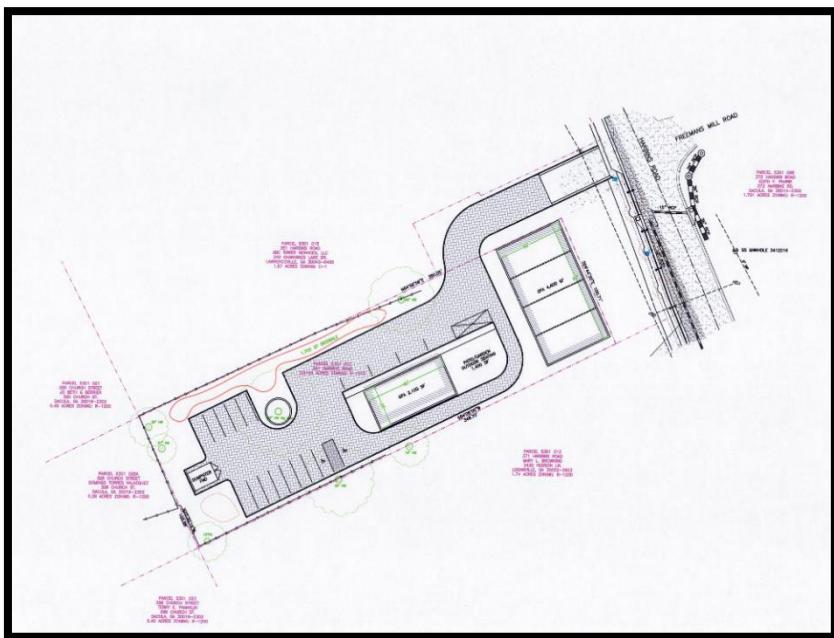
The entirety of the subject site falls within the *Downtown Overlay District (DOD)*. The Overlay, ratified in 2024, imposes site standards and design guidelines on properties within its boundaries to facilitate redevelopment and revitalization that is compatible with a traditional,



Figure 2 Surrounding Zoning Classifications

walkable downtown. The nearby pre-World War II Second Ave. commercial area is the basis for the required architectural and site standards.

## The Proposed Development



The proposed development totals  $\pm 0.83$ -acres, and has one curb cut from Harbins Rd, which would align with Freemans Mill Rd. The access drive is within Gwinnett County right-of-way, and would be maintained by the County. The submitted site plan shows two commercial buildings totaling 6,700 SF of commercial space. The larger commercial structure totals 4,600 SF, fronts Harbins Rd and is flush with the property line in compliance with DOD standards. The smaller commercial building is interior to the property, totaling 2,100 SF, and is adjacent to a 1,400 SF "patio/garden outdoor seating" area.

While no on-street parking is provided, application materials do show sixteen (16) shared off-street parking spaces, which falls within the Downtown Overlay District's required parking range, and the required off-street parking orientation within the DOD. The concept plan shows the preservation of the six (6) mature trees on the perimeter of the proposed parking lot, a 1,700 SF bioswale, and an enclosed dumpster pad.

## Analysis

### *Rezoning Request*

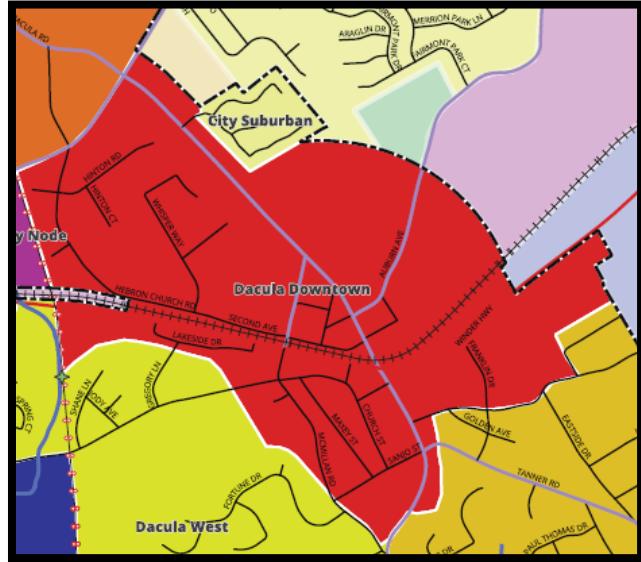
The rezoning request could be considered compatible with the nearby commercial and residential uses, if adequate screening is provided. The proposed infill project could provide a transition from more auto-oriented uses at the intersection of Winder Hwy and Harbins Rd, and the legal-nonconforming gas station to the pedestrian friendly, town-center development pattern within the nearby Dacula City Core area.

The submitted concept plan complies with the intent and purpose of the DOD. The proposed infill development's access drive provides an opportunity to decrease the number of curb cuts along Harbins Rd within the downtown area, should the adjacent parcel to the north redevelop. Fewer curb cuts would result in fewer opportunities for automotive sidewalk crossings, allowing residents to utilize the 8 ft pedestrian sidewalk with fewer interruptions. The parking lot plan complies with the parking standards outline in the DOD, including number of parking spaces per square foot, its orientation, the inclusion of green

stormwater infrastructure, and the preservation of mature growth trees when feasible. The screening requirements between residential and commercial uses within the DOD provide a visual separation and privacy for residents.

#### *Comprehensive Plan Consistency*

The subject parcel falls within the Dacula Downtown Character Area within the 2050 Comprehensive Plan (City of Dacula 2050 Comprehensive Plan pg. 59). The character area objectives call for “increased employment opportunities” and the transition between different intensities of land use. Additionally, the policies call for the City to “encourage the redevelopment of underutilized and/abandoned” properties. The proposed commercial development would provide locally driven employment opportunities for nearby residents on a property that has been vacant for over a decade. The expansion of the sidewalks and shared off street parking could facilitate pedestrians to access both the proposed retail center and future developments within the downtown area on foot.



The submitted application could be considered consistent with the character area description, given the proposed development could meet the objectives of local employment, transition in intensity of uses, the redevelopment of an underutilized parcel, and the extension of the amenity-oriented development pattern.

#### **Recommendation:**

Staff recommends approval of the rezoning of the subject parcel from R-1200 DOD to C-1 DOD with conditions.

*The Department notes the Planning Commission recommended approval with staff's recommended conditions, which carried 3-0, for the subject rezoning February 2, 2026, Planning Commission Public Hearing.*

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

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

The proposed rezoning could be considered consistent with the adjacent and nearby commercial uses along Harbins Rd. The proposed rezoning would provide additional infill commercial space near Dacula City Core in a more walkable, small-town development pattern called for in the Comprehensive Plan, Downtown Overlay District, and Urban Redevelopment Plan; and would provide transition from the high intensity, autocentric commercial development across Harbins Rd. to the existing downtown residences.

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

If approved, the recommended conditions would help mitigate any negative impacts on current and future residences.

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

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?***

The proposed use is not expected to create excessive or burdensome use for utilities, existing streets, transportation facilities, or schools. Underground stormwater infrastructure may need to be installed to account for the increased impervious surface area, and stormwater runoff. The inclusion of the joint access drive from Harbins Rd will eliminate the need for excessive curb cuts along Harbins Rd. The proposed conditions would require stormwater improvements to address the increased stormwater, and shared access needs.

Application materials include a signed sewer capacity certification from the Gwinnett County Department of Water Resources, which certifies availability of sewer. The access drive from Harbins Rd falls within Gwinnett County right-of-way, and will continue to be maintained, and owned by Gwinnett DOT.

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

The subject parcel is within the Dacula Downtown Character Area of the City of Dacula's Future Land Use Map. The principal object of the character area is to "decrease vehicular traffic by providing access to trails, sidewalks, and public transport" while facilitating local employment opportunities, proximal to residences in a traditional downtown development pattern (Dacula 2050 Comprehensive Plan pg. 61). The site plan would provide additional employment and commerce amenities proximal to the City's residential core and civic center. C1-DOD is listed as a recommended zoning classification in the Guidance for Rezoning by Character Area chart (Dacula 2050 Comprehensive Plan, pg. 69).

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

The proposed development could be considered to advance the objectives of the Downtown Overlay District (DOD), the Urban Redevelopment Plan (URP), and the designated Downtown Dacula character area. The project could facilitate objectives 5 and 9 of the URP, which call for locally driven retail shops and restaurants along Harbins Rd in close proximity to the City Core Project, and increased amenities within a walkable distance of residences. Furthermore, objective 9 of the URP calls for cooperation with the Gwinnett Trails Plan. The subject parcel fronts a proposed branch trail along Harbins Rd, which is planned to connect to the future Piedmont Pathway. The 8-foot sidewalk requirement meets the proposed connector path requirements. The primary goal of the DOD is to facilitate consistent quality architectural design and a development pattern consistent with pre-World War II town centers. Although the applicant has not submitted elevations for the project, which requires additional administrative review, the proposed site design complies with the site standards of the DOD.

## **Recommended Conditions**

### Land Use and Concept Plan

1. The property shall be developed in accordance with the conceptual site plan prepared by Atlanta Quality Management, LLC. submitted December 3, 2025, and with the provided zoning conditions. Any substantial deviation from the approved conceptual plan and/or remaining conditions of zoning shall be resubmitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. No outdoor storage shall be permitted on site.
3. No drive-thru or gas station uses shall be permitted.

### Architectural Design

4. The architectural designs should comply with Downtown Overlay District standards. The proposed elevation, building materials, and colors shall be approved by the Planning & Development Department prior to building permit issuance.
5. The dumpster pad enclosure shall be the same material and architectural design as the principal buildings. Dumpster enclosures shall remain closed, locked, and in good repair at all times.

### Landscape and Parking

6. The developer shall provide right-of-way improvements from the property line to the pedestrian sidewalk. The required improvements may include the following elements:
  - o Native understory shrubs
  - o Native grasses
  - o An art feature approved by the City

- A pathway of stone, permeable pavers, or similar material
- A commercial quality bicycle rack
- A pedestrian bench
- A commercial bicycle rack

The right-of-way improvements shall not include:

- Mono-culture sod of Kentucky blue grass, or similar mixes of non-native grasses
- Impermeable surface covering the entirety of the area between the sidewalk and the building edge

Right-of-way improvements are subject to the approval of the Planning & Development Department.

7. The street furnishing zone shall include a pedestrian bench, a trash receptacle, a street light, and a street tree in compliance with the Downtown Overlay District Primary Street Site Standards.
8. The street tree shall native understory variety, subject to approval of the Planning & Development Department.
9. Existing mature growth trees shall remain when feasible. The City Administrator or his / her designee shall determine what is feasible.
10. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
11. The following invasive trees shall not be planted at any point: Bradford Pear, Chinese & Japanese Privet, Chinese Elm, Chinese & Japanese Holly, Himalayan Blackberry, Paper Mulberry, Princess Tree, or any tree placed on the Georgia Invasive Species Council list.
12. The developer shall provide an opaque privacy screening bordering parcel #5301 025A. The privacy feature shall consist of compact evergreen foliage, and a wall or fence six (6) feet in height, per Section 917.E.2. of the Downtown Overlay District. Evergreen foliage shall be native plantings, such as American Holly, Eastern Red Cedar, Longleaf Pine, Loblolly Pine, Wax Myrtle, and White Pine. Plantings must be six (6) feet in height at the time of planting with a DBH of three (3) inches.

#### Transportation and Infrastructure

13. One curb cut is permitted. The curb cut must be located directly across from Freemans Mill Rd.
14. Entrance plans shall be submitted for review and approval by the City of Dacula and Gwinnett County Department of Transportation.
15. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
16. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
17. An inter-parcel access drive shall be provided to parcel # 5301 012.
18. All streetlights and area lights must be oriented towards the ground. If the fixtures outlined

Section 917.F of the Downtown Overlay District are unavailable, alternatives are subject to the City Administrator's approval.

Sign and Advertisement

19. Signage shall be indirectly lit. All lighting shall be directed towards the ground, and away from residences
20. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.
21. Live human advertisements shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
22. Per Section 917.J.3 of the Downtown Overlay District, blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.
23. No billboards are permitted on site.
24. Ground signs shall be the same material and architectural design as the principle building and be in compliance with DOD standards.