



**Mayor and City Council Regular Meeting**  
**Thursday, February 01, 2024 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 Trey King called the February 1, 2024 Council Meeting to order at 7:01 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 Daniel Spain  
Councilmember Ann Mitchell  
Councilmember Denis W. Haynes, Jr.

**City Staff Present:**

Brittini Nix, City Administrator  
Jack Wilson, City Attorney  
Courtney Mahady, Administrative Clerk  
Stephen Mayer, Director of Finance  
Hayes Taylor, City Planner  
Dana Stump, Administrative Assistant for Planning & Zoning  
Alethia Hyman, City Tax Clerk  
Amy White, Chief Marshal  
James Ross, City Marshal

**II. INVOCATION:**

Pastor Mark Chandler gave the invocation.

**III. PLEDGE OF ALLEGIANCE:**

Mayor King led the Pledge of Allegiance.

**IV. CONSENT AGENDA:**

1. Approval of the Minutes from the Regular Meeting on January 4, 2024
2. Approval of the Minutes from the Special Called Meeting on January 10, 2024
3. Resolution to adopt the Dacula 2050 Comprehensive Plan Update
4. Bid package for Whisper Way Storm Drainage Improvements
5. Prerequisite Resolution

6. Resolution Designating Area
7. Official Intent Resolution
8. Resolution to approve Statewide Mutual Aid and Assistance
9. Proposal for surveying services

Motion to approve the consent agenda items as listed made by Councilmember Spain, Seconded by Councilmember Mitchell.

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

**V. OLD BUSINESS:**

10. Appointment of Planning Commission Members

Councilmember Mitchell appointed Mark Chandler.  
Councilmember Haynes, Jr. appointed Gene Greeson.

Motion to ratify the Planning Commission appointments made by Councilmember Williams, Seconded by Councilmember Haynes, Jr..

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

**VI. NEW BUSINESS:**

**11. PUBLIC HEARING: 2023-CD-RZ-04**, Applicant: CHI/Acquisitions LP c/o Mahaffey Pickens Tucker, LLP, Owner: Walton Georgia, LLC requests rezoning from Planned Mixed-Use Development to M-1 Light Manufacturing District. The property is located in Land Lot 270 of the 5th District and contains 40.22 acres more or less.

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

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

City Planner, Hayes Taylor, presented the staff case report for the rezoning application. The applicant has requested rezoning from Planned Mixed-Use Development to M-1 Light Manufacturing District. Mr. Taylor stated staff recommend approval with conditions.

Applicant Representative, Shane Lanham, 1550 North Brown, Suite 125, Lawrenceville, GA 30043, stated that the concept plan was updated since the change of conditions application submitted in 2022 by removing the residential component and now containing only the industrial component. Mr. Lanham added that the proposed development is an appropriate land use and is compatible with surrounding land uses as well as the City's Comprehensive Plan.

*Comment in favor:*

None

*Comment in opposition:*

Anre Washington, 1201 West Peachtree St., Suite 3250, Atlanta, GA 30309, on behalf of the Wilburn family, requested that City Council table the application one month to give the family an opportunity to meet with the applicant to understand how the rezoning would impact their property.

Councilmember Haynes, Jr. inquired why the family had a sudden interest in the rezoning application at this time.

Mr. Washington answered that the property has been going through the probate process within the last 6-8 months and is now in order.

Councilmember Haynes, Jr. then inquired where the Wilburn family property was located.

Mr. Washington stated that the property was located adjacent to the property requesting rezoning and within the notification zone for the developer.

Councilmember Mitchell stated that her understanding of tonight's meeting was to change the zoning of the property to a less intense, more suitable use for the property.

Mr. Lanham stated that the purpose of tonight was a land use decision. Mr. Lanham added that the requested land use was an appropriate zoning classification for the subject property and is compatible with the surrounding land uses.

Mayor King asked Mr. Lanham if he was part of the process for the subject property back in 2013.

Mr. Lanham answered that he was not part of the process.

Mr. Washington restated that the family would like the opportunity to have further discussion with the applicant. He respectfully asked again that the Council table the application.

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

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

**12. Rezoning Application: 2023-CD-RZ-04**, Applicant: CHI/Acquisitions LP c/o Mahaffey Pickens Tucker, LLP, Owner: Walton Georgia, LLC requests rezoning from Planned Mixed-Use Development to M-1 Light Manufacturing District. The property is located in Land Lot 270 of the 5th District and contains 40.22 acres more or less.

Motion to approve with staff's recommended conditions [listed below] made by Councilmember Spain, Seconded by Councilmember Haynes, Jr..

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

#### Concept Plan and Land Use

- 1) The property shall be developed in accordance with the conceptual site plan prepared by Kimley-Horn entitled CHI Dacula Industrial Development – submitted with the application on November

20, 2023. Any discrepancies between the subject concept plan and the approved zoning conditions/City Ordinances shall not be interpreted as an administrative variance. Development plans must adhere to the approved zoning conditions for the site and City Ordinances.

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 Light Manufacturing District shall be prohibited and made part of the owner's restrictive covenants: 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, 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 Light Manufacturing District shall be allowed with the approval of a Special Use Permit by the Mayor and City Council of the City of Dacula: helicopter landing pads, fleet vehicle parking lots, 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 and require approval by the Mayor and City Council.
- 5) The open space shall not be subdivided, and the open space shall be owned and maintained by a mandatory property owners' association. The deed to the mandatory property's association shall require that the open space be perpetually maintained as open space subject only to the development of Gwinnett County/City of Dacula trail system and approved utilities easements.

#### Architectural Design

- 6) Architectural design of industrial/warehouse facilities shall comply with the following performance guidelines:
  - a. Building facades shall be of architectural treatments of glass and/or brick, stone, stucco, or tilt-up concrete subject to review and approval of the City of Dacula.
  - b. 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.
  - c. Buildings shall incorporate live plant material growing immediately in front of or on the building.
  - d. 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.
  - e. Any accessories provided such as railings, benches, trash receptacles and/or bicycle canopies shall complement the building design and style.
  - f. Walls visible from roadways or parking areas shall incorporate changes in building material/color.

Final architectural plans and color palate shall be submitted to the Department of Planning and Development for approval. The Department reserves the right to deny the architectural plans and color palate if they do not capture the intent of the condition to provide structures with quality materials and pleasing visual interest.

- 7) Nonresidential buildings shall be limited to a maximum height of 50-feet.
- 8) Chain link fence shall be prohibited except around the stormwater management ponds, any dog parks, and where not visible from the right-of-way. All chain link fences shall be black vinyl.
- 9) 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

- 10) A twenty (20) foot wide landscape strip from the proposed right-of-way shall be provided along Stanley Road and Pipeline Road. The landscape strip shall be planted so as to not impede site distance.
  - a. Provide non-ornamental shade trees spaced twenty (20) feet on-center along Pipeline Road and the proposed Stanley Road right-of-way. 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.

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

- a. Blood Good Japanese Maple
  - b. Willow Oak
  - c. Carolina Silverbell
  - d. Nuttal Oak
  - e. Shumard Oak
  - f. White Oak
  - g. Japanese Zelkova
  - h. Red Maple
  - i. North Red Oak
- 11) 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, Shumard Oak, or Cryptomeria trees, planted fifteen (15) foot on center. The buffer can be eliminated after a Building Permit has been issued on adjacent property.
  - 12) Landscaping and fencing shall be provided around all stormwater ponds. Fencing shall remain closed, locked, and in good repair at all times. Proposed landscaping shall adhere to best management practices and provide visual interest and screening. Landscaping plans shall be reviewed and approved by the Department of Planning and Development.

- 13) 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 ensure that each parking island/strip will have a minimum of one (1) ornamental shade tree per 10 linear 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.
- 14) Parking lot lighting shall be directed in toward the property so as not to shine directly into adjacent properties. Interior street lights shall be black, decorative, and utilize downward illumination or frosted globes only. Design rendering and lighting specification shall be subject to review and approval by the City Administrator or his/her designee.
- 15) Natural vegetation shall remain on the property until issuance of a land disturbance permit.
- 16) A specimen tree survey shall be provided for review. Specimen trees on-site shall be saved when feasible.

#### Signage and Advertising

- 17) The subject site shall be limited to one (1) off-site project monument sign located out of the right-of-way at the intersection of Winder Highway and relocated Stanley Road as long as written notarized permission from the property owner is provided to the City prior to permit issuance. The monument sign shall not exceed a maximum of 20-foot in height, is limited to a maximum 150-square foot of advertising space, and shall be constructed with a brick or masonry base (minimum two feet in height) matching the materials of the buildings. The sign shall be located so as to not impede site distance along Winder Highway. Neon or self-illuminating ground signs shall be prohibited. Sign location and design criteria are subject to review and approval by the City of Dacula.
- 18) Ground signage shall be limited to one monument-type sign for each parcel. 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 or masonry base (minimum two feet in height) matching the materials of the buildings. Neon or self-illuminating ground signs shall be prohibited. Signs shall be set back 15 feet from the Stanley Road right-of-way and located so as to not impede site distance along Stanley Road. Sign location and design subject to review and approval by the City of Dacula.
- 19) 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.
- 20) 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.
- 21) 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.

22) 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

23) 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, Gwinnett County Department of Transportation respectively, and Georgia Department of Transportation.

24) Install a traffic signal when warranted and approved by GDOT.

25) The entire section of Stanley Road and Pipeline Road frontage shall be improved and paved with asphalt to the City of Dacula/Gwinnett County performance standards respectively. Stanley Road improvements shall meet existing asphalt to ensure a continuous paved road. Road improvements shall be fully installed and functional prior to the issuance of a certificate of occupancy for any portion of the development.

26) The developer/owner shall, at its expense, construct all improvements associated with a phase of construction including, but not limited to, paving and striping roadways, curb, gutter, road signage, and installation of all water and sewer infrastructure necessary for the development of that phase prior to the issuance of any certificate of occupancy permits for that phase of work.

27) 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.

28) 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.

29) All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.

30) 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.

31) 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.

32) A five-foot sidewalk shall be required adjacent to the proposed Stanley Road right-of-way. The sidewalk location shall be reviewed and approved by the City of Dacula and Gwinnett County Department of Transportation respectively.

33) 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 receptacle. 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.

- 34) A bike rack with a canopy or shelter shall be installed on site. The bike rack and canopy shall be decorative, commercial-quality fixtures. The design and placement of the bike rack and canopy shall be reviewed and approved by the City of Dacula.
- 35) Provide decorative light poles/fixtures along proposed Stanley Road right-of-way. 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. A separate lighting plan showing the type of light and locations shall be submitted to the City for review and approval.
- 36) Construct relocated Stanley Road as a three-lane roadway with one (1) lane in each direction and a center two-way left-turn lane along the property frontage. Stanley Road may taper into a two-lane roadway with location approval from the City of Dacula.
- 37) A sign prohibiting truck access at the intersection of Stanley Road and Pipeline Road shall be required adjacent to the Stanley Road right-of-way/dedicated easement at the end of the proposed Stanley Road improvements.
- 38) Construct a northbound left-turn lane and a channelized right-turn lane along Stanley Rd.
- 39) Construct a channelized eastbound right-turn lane along Winder Highway (SR 8/US 29) and a westbound left-turn lane along Winder Highway (SR 8/US 29).

#### Private Access

- 40) It is the responsibility of the owner and/or developer to provide passcodes, keys, and/or up to date contact information for controlled entrance locations to the Dacula Marshal's Office, Gwinnett County Police Department, and Gwinnett County Fire Department.
- 41) Contact information for any maintenance associations, and/or private security companies shall be submitted and updated regularly with the Dacula Marshal's Office and the Dacula Planning and Development Department.

#### Grading and Phasing

- 42) Prior to the issuance of a Land Disturbance Permit or Development Permit for mass grading exceeding 10 acres, 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 both sides of Stanley Road and Pipeline Road shall include non-ornamental shade trees spaced 20-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 or designee, 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.

43) Site grading adjacent to access points shall be consistent in elevation to the proposed Stanley Road right-of-way to ensure adequate sight distance.

**13. PUBLIC HEARING: 2023-CD-VAR-05**, Applicant: SW West Dacula LLC c/o LJA Engineering, Owner: Hyun Park requests a variance to the setback requirement. The property is located in Land Lot 302A of the 5th District and contains 1.86 acres more or less.

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

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

City Planner, Hayes Taylor, presented the staff’s case report on the variance application. The applicant has requested to encroach on the 15-foot setback requirement by 10-feet, while maintaining the 75-foot residential buffer. Mr. Taylor stated staff recommend approval with conditions.

Councilmember Mitchell inquired about the references for the architectural elevation proposal.

Mr. Taylor stated that the referenced existing Dollar Generals provide features that the City was seeking which include subtle signage, brick accents, and awnings that are similar to the City’s historic downtown area.

Councilmember Haynes, Jr. inquired about the site plan and if the applicant was increasing the buffer.

Mr. Taylor stated that the applicant is requesting to encroach into the 15-foot rear setback but not the 75-foot buffer that protects the residents.

Councilmember Haynes, Jr. then inquired if the delivery trucks would enter the parking lot off Winder Highway to access the building.

Mr. Taylor stated that the applicant could address that question more in depth.

Applicant Representative, Tyler Lassar, 4525 South Lee Street, Buford, GA 30518, with LJA Engineering discussed the constraints on the site conditions and the concept plan design.

Applicant Representative, Kit Hampel, 4151 Ashford Dunwoody Rd, Suite 155, Atlanta GA 30319 with SW West Dacula stated that a variance to encroach within the entire 15-foot rear setback would help the development of the building so that their team would not need to come before the council at a later date. Ms. Hampel added that the deceleration lane on Winder Highway is larger than what is required by GDOT to help slow down the flow of traffic has vehicles are entering the parking lot.

Councilmember Haynes, Jr. inquired about the timeline of the project.

Ms. Hampel stated that it would take approximately 6-9 months before construction began if the variance application was approved by council tonight.

Mayor King inquired about the parking lot design and if the sidewalks would be affected once the project starts. Mayor King also inquired about if the parking lot would become a cut through for drivers who want to get to Hwy 8/Winder Hwy from Church Street.

Ms. Hampel stated that there are two other roads on either side of the proposed site that could potentially be used by drivers to prevent their parking lot from becoming a cut through. She added that the engineer discussed potentially adding speed bumps to help slow down traffic coming through the parking lot. To answer the question regarding sidewalks, Ms. Hampel stated that the sidewalks would be replaced if they were demolished during construction.

*Comment in favor:*

None

*Comment in opposition:*

Lanita Cornell, 309 Church Street, Dacula, GA 30019, expressed her concern with a Dollar General being along a residential street where there could be potential problems with the delivery trucks taking out the street signs and/or fire hydrants.

Councilmember Haynes, Jr. asked if it was feasible to place a “Do Not Enter” sign at the entrance off Church Street.

Ms. Nix stated that she would like to address the two (2) different traffic concerns that were mentioned. In response to the question regarding truck traffic, she stated that trucks are mandated to only access the Dollar General via Winder Highway and that there is a zoning condition requiring signage at the Church Street access point prohibiting trucks. Ms. Nix addressed the second concern regarding passenger cars stating that the intent of the Church Street access point is to provide multiple access points to a single location, thus reducing the volume of traffic on all the roadways. She added that another advantage to accessing the Dollar General off Church Street is to provide more walkability for residents. Ms. Nix

included that there will be internal sidewalks between Church Street and the store required by zoning conditions.

Councilmember Williams inquired about how the delivery trucks would back up to the loading dock and if there was enough space in the parking lot for them to circulate.

Ms. Nix deferred the question to the applicant.

Ms. Hampel stated that truck drivers would enter and exit off Winder Highway and then demonstrated how the drivers would back up to the loading dock. She added that the trucks would make deliveries once or twice a week when the store was closed.

Mark Chandler, 3034 Superior Drive, Dacula, GA 30019, expressed his grievance with the proposed development and that he had concerns about the traffic around the church during the week as well as on Sunday afternoons.

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

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

**14. Variance Application: 2023-CD-VAR-05**, Applicant: SW West Dacula LLC c/o LJA Engineering, Owner: Hyun Park requests a variance to the setback requirement. The property is located in Land Lot 302A of the 5th District and contains 1.86 acres more or less.

Motion to approve with staff's recommended conditions [listed below] made by Councilmember Williams, Seconded by Councilmember Mitchell.

Voting Yea: Councilmember Williams, Councilmember Spain, Councilmember Mitchell

Voting Abstaining: Councilmember Haynes, Jr.

#### Concept Plan and Land Use

1. The property shall be developed in accordance with the conceptual site plan prepared by LJA Engineering – submitted on November 17, 2023. Any discrepancies between the subject concept plan and the approved zoning conditions/City Ordinances shall not be interpreted as an administrative variance. Development plans must adhere to the approved zoning conditions for the site and City Ordinances.

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. Natural vegetation shall remain on the property until the issuance of a land disturbance permit.

#### Architectural Design

3. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The facades and elevations shall be built in accordance with Exhibit A. 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.

4. The developer shall provide a decorative, commercial-quality bicycle rack that complements the building design.
5. No outdoor storage shall be permitted.

#### Landscape and Parking

6. A retaining wall and guard rail beautification plan is required and shall be submitted to the City for approval. The beautification plan may include but is not limited to landscape improvements, a public-private agreement for public art, a tiered wall design with accents or planters, a vertical garden wall design, and/or natural materials façade, such as brick or stone.
7. A parking lot landscape plan is required and shall be submitted to the City for approval. At a minimum, the landscape plan shall include a monument sign location, bike rack location, and should ensure that each parking island/strip will have a minimum of two (2) ornamental shade trees. Parking islands/strips may include stormwater management/bioretenion infrastructure and foliage. All parking area trees shall be a minimum of 2-inch dbh caliper.

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

1. Willow Oak
  2. Overcup Oak
  3. Nuttall Oak
  4. Sweetbay Magnolia
  5. Lacebark Elm
  6. Japanese Zelkova
  7. Red Maple
  8. Halesia Carolina
  9. Eastern Redbud
8. Gravel is prohibited. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
  9. 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.
  10. The 75-foot residential landscape buffer along the rear property line shall include a supplementary landscape strip with a row of Sweetbay Magnolia, East Palatka Holly, American Smoketree or Sassafras trees 15-foot on center as determined by the Planning and Development Department.
  11. Yards outside of the stormwater maintenance area shall be sodded.
  12. Parking lot and security lighting shall be directed in towards the property to minimize the adverse impact on neighboring properties.
  13. 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.

Transportation and Infrastructure

- 14. A standard deceleration lane with a 100-foot taper and 40-foot right-of-way from the centerline shall be required, reviewed, and approved by the Georgia Department of Transportation prior to the issuance of a development permit. The developer shall be limited to one curb cut on Winder Hwy. Before the issuance of a development permit, a sight distance certification shall be provided. Minimum separation from a driveway, public road, or side street shall be provided as specified by the Georgia Department of Transportation.
- 15. At the Church Street entrance, a pedestrian walkway to the store and a 3-foot by 8-foot pedestrian pad with amenities such as benches, planters, and trash containers will be installed. All such required amenities shall be decorative, commercial-quality fixtures. The placement of any of these amenities shall be reviewed and approved by the City of Dacula.
- 16. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
- 17. Fencing around the stormwater pond is required, must be closed, locked, and in good repair at all times. A galvanized chain link is prohibited.
- 18. A sign prohibiting truck access at the Church Street access point shall be required.

Signage and Advertising

- 19. 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.
- 20. Human sign spinners and/or twirlers shall be prohibited.
- 21. 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.
- 22. The wall sign shall be lit with indirect lighting.
- 23. Oversized signs or billboards shall not be permitted.
- 24. Blinking, exposed neon, portable, inflatable, and temporary signage shall be prohibited.

Variance

- 25. Variance to encroach 10-feet into the rear setback for the principal building is approved.

**VII. STAFF COMMENTS:**

*None*

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

Councilmember Mitchell expressed that the hardest part of being a councilmember was listening to the concerns of citizens while also making business decisions.

Councilmember Haynes, Jr. stated that he abstained from voting on the variance application due to his reservations about having another business similar to current ones in the city. He added that he hopes once the construction begins that the developer will have the city residents in mind.

**IX. PUBLIC COMMENTS:**

*None*

**X. EXECUTIVE SESSION: Real property matters**

Motion to exit regular session and enter into executive session made by Councilmember Spain, Seconded by Councilmember Mitchell.

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

Regular session adjourned and executive session began for the purposes of real property matters at 8:16 p.m.

Motion to exit executive session and reconvene regular session made by Councilmember Spain, Seconded by Haynes, Jr.

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

Regular session reconvened at 9:11 p.m.

City Attorney, Jack Wilson, reported no votes were taken in executive session. The Council met to discuss real property matters as allowed by the Open Meetings Act.

**XI. ADJOURNMENT:**

Motion to adjourn made by Councilmember Haynes, Jr., Seconded by Councilmember Mitchell.

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

Meeting adjourned at 9:12 p.m.

*Minutes approved*

\_\_\_\_\_  
*Date*

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