

CITY OF DACULA

442 Harbins Rd
P. O. Box 400
Dacula, GA, 30019

COUNCIL MEETING MINUTES

January 6, 2022

I. CALL TO ORDER AND ROLL CALL OF MEMBERS:

Mayor Trey King called the January 6, 2022 Council Meeting to order at 7:01 p.m. and roll call of the members was taken. A quorum was present. He welcomed everyone to the meeting.

City Council Present

Trey King, Mayor
Sean Williams, Council
Daniel Spain, Council
Denis W. Haynes, Jr., Council

Ann Mitchell, Council – Absent

City Staff Present

Heather Coggins, Assistant City Administrator
Jack Wilson, City Attorney
Brittini Nix, Director of Planning & Economic Development
Courtney Mahady, Administrative Clerk
Dana Stump, Administrative Assistant for Planning & Zoning
Amy White, City Marshal

II. INVOCATION:

Invocation was given by Pastor Mark Chandler.

III. PLEDGE OF ALLEGIANCE:

Mayor Trey King led the Pledge of Allegiance.

IV. OATHS OF OFFICE:

1. Mayor Hugh D. King III

City Attorney Jack Wilson administered a Ceremonial Oath to Mayor Trey King.

2. Council Member Denis W. Haynes, Jr.

City Attorney Jack Wilson administered a Ceremonial Oath to Councilman Denis W. Haynes, Jr.

3. Council Member Daniel R. Spain

City Attorney Jack Wilson administered a Ceremonial Oath to Councilman Daniel R. Spain.

V. CONSENT AGENDA:

- 4. Approval of the Minutes from the Regular Meeting on December 2, 2021.**
- 5. Approval of the Minutes from the Budget Public Hearing of December 2, 2021.**
- 6. Appointment of Mr. Jack Wilson (175.00/hr.) for legal services**
- 7. Appointment of Mr. Jack Wilson (175.00/hr.) as City Prosecutor**
- 8. Appointment of Judge Bill Brogdon and Judge Jammie Taire (200.00/hr.) as City Magistrate(s)**

Mayor King called for a motion to approve the items on the Consent Agenda.

Councilman Haynes, Jr. motioned to approve the Consent Agenda items. Councilman Williams seconded. Motion passed unanimously.

VI. OLD BUSINESS:

None

VII. NEW BUSINESS:

9. Election of Mayor Pro Tem

Mayor King called for motion to nominate the Mayor Pro Tem for 2022.

Councilman Spain motioned to nominate Councilman Sean Williams for 2022 Mayor Pro Tem. Councilman Haynes, Jr. seconded. Motion passed unanimously.

10. Appointment of Planning Commission Members

Mayor King called for each councilmember's appointments for the Planning Commission for 2022.

Councilman Williams appointed David Montalbano
Councilman Spain appointed Lisa Bradberry
Councilman Haynes, Jr. appointed Gene Greeson
Mayor Trey King appointed Monica Francis

Councilwoman Mitchell will make her appointment on February 3, 2022.

Mayor King then requested a motion to ratify the appointments.

Councilman Spain motioned to ratify the appointments. Councilman Haynes, Jr. seconded. Motion passed unanimously.

11. City Council oversight appointments

Mayor King called for a motion to appoint the Mayor and Council as a whole to oversee all departments in the City for 2022.

Councilman Spain motioned to appoint as described. Councilman Williams seconded. Motion passed unanimously.

12. Appointment of City Chaplain

Mayor King requested a nomination for the City Chaplain for 2022.

Councilman Haynes, Jr. nominated Pastor Mark Chandler. Councilman Williams seconded. Motion passed unanimously.

13. PUBLIC HEARING: 2021-CD-RZ-07, Applicant: Hector Abreu, Owner: Mark Everson requests rezoning from C-1 Neighborhood Business District to C-2 General Business District. The property is located in Land Lot 302A, Parcel 153 of the 5th District and contains 3.53 acres more or less.

Councilman Spain motioned to open the public hearing. Councilman Haynes, Jr. seconded. Motion passed unanimously.

Director of Planning & Economic Development, Brittni Nix, presented the staff report for the application for rezoning from C-1 Neighborhood Business District to C-2 General Business District. Mrs. Nix stated staff recommended approval of the application with conditions.

Councilman Haynes, Jr. inquired about any outdoor storage visible from the street. Mrs. Nix stated that with the requested zoning district, all outdoor storage is required to be behind an opaque fence.

Comment in favor:

Hector Abreu, 1742 Prospect Church Road, Lawrenceville, Georgia 30043, spoke in favor of his rezoning application. Mr. Abreu addressed Councilman Haynes concern regarding the outdoor storage stating that the company vehicles and trailers would be behind the current fence.

Councilman Spain motioned to close the public hearing. Councilman Williams seconded. Motion passed unanimously.

14. Rezoning Application: 2021-CD-RZ-07, Applicant: Hector Abreu, Owner: Mark Everson requests rezoning from C-1 Neighborhood Business District to C-2 General Business District. The property is located in Land Lot 302A, Parcel 153 of the 5th District and contains 3.53 acres more or less.

Councilman Haynes, Jr. motioned to approve with 10 conditions [listed below]. Councilman Spain seconded. Motion passed unanimously.

1. The property shall be developed in accordance with the conceptual site plan prepared by Ringo Abernathy & Associates dated November 12, 2021. Any substantial deviation from the approved conceptual plan and/or conditions of zoning shall be resubmitted to the Mayor and City Council for consideration. The Mayor or his or her designee shall determine what constitutes substantial deviation.
2. The addition of any outbuildings or building expansion shall have the following: Exterior facades constructed of brick, stone or stucco. 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. Final architectural plans and color palate shall be submitted to the City for approval.
3. The addition of a paved parking lot or entrance / exit drives shall have the following: a parking lot landscape plan submitted to the City for approval. At a minimum, the landscape plan shall include monument sign location and should insure that each parking island/strip will have a minimum of two (2) ornamental shade trees. All parking area trees shall be a minimum of 2-inch dbh caliper.
4. Ground signage shall be limited to one monument-type sign for each commercial lot fronting McMillan Road and Stanley Road. Monument signs shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs shall be prohibited. Signs shall be set back 15-feet from right-of-way of McMillan / Stanley Roads and located so as to not impede site distance. Sign location and design subject to review and approval by the City of Dacula.
5. Outdoor storage shall only be allowed in the screened rear portion of the site.
6. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
7. All trash dumpsters shall be screened by an enclosure using the same exterior building material and color as the primary structure. Pickup shall be limited to the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday.

8. 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.
9. No outside loudspeakers shall be allowed.
10. Human sign spinners and/or twirlers shall be prohibited.

15. PUBLIC HEARING: 2022-CD-VAR-01, Applicant: BLT Alcovy Road, LLC c/o Mahaffey Pickens Tucker, LLP, Owner: BLT Alcovy Road, LLC requests variance to waive the rental restriction. The property is located in Land Lot 277 of the 5th District and contains 11.48 acres more or less.

Councilman Williams motioned to open the public hearing. Councilman Spain seconded. Motioned passed unanimously.

City Attorney, Jack Wilson, presented the staff report for the application for a variance to waive the rental restriction. Mr. Wilson stated that staff recommend denial of the application. He then presented information regarding the number of rental units currently available.

Comment in favor:

Shane Lanham, 1550 North Brown Rd, Suite 125, Lawrenceville, Georgia 30043, on behalf of the applicant, presented the variance application. Mr. Lanham explained the business model for the purchaser owns and manages entire communities that lease homes rather than selling them to owner occupants. Mr. Lanham stated that there is a large segment of the market who desire the advantages that a rental model can provide.

Comment in opposition:

Gerrit Hockstra, 2339 Redfern Road, Dacula, Georgia 30019, expressed his concern that if the property next door was 100% rentals it would decrease the value of his home.

Councilman Spain motioned to close the public hearing. Councilman Haynes, Jr. seconded. Motion passed unanimously.

16. Variance Application: 2022-CD-VAR-01, Applicant: BLT Alcovy Road, LLC c/o Mahaffey Pickens Tucker, LLP, Owner: BLT Alcovy Road, LLC requests variance to waive the rental restriction. The property is located in Land Lot 277 of the 5th District and contains 11.48 acres more or less.

Councilman Williams motioned to deny the application. Councilman Spain seconded. Motion carried 2-0. (Councilman Haynes, Jr. abstained.)

VIII. STAFF COMMENTS:

None

IX. MAYOR AND COUNCIL COMMENT(S):

Sean Williams thanked everyone at the city for their hard work and welcomed the new employees.

X. PUBLIC COMMENTS:

None

XI. ADJOURNMENT:

Councilman Haynes, Jr. motioned to adjourn. Councilman Williams seconded. Motion passed unanimously. Meeting adjourned at 7:44 p.m.

Minutes approved

Date

Signature