



**City of Dacula**  
 P. O. Box 400  
 Dacula, GA 30019  
 (770) 962-0055 / Fax (770) 513-2187

**REZONING/ CHANGE OF CONDITIONS/ SPECIAL USE PERMIT APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF DACULA, GEORGIA.  
 (Please Type or Print using BLACK INK)

APPLICANT *		PROPERTY OWNER *	
NAME	WREG Harbins Land, LLC	NAME	WREG Harbins Land, LLC
ADDRESS	1958 Monroe DR NE	ADDRESS	1958 Monroe DR NE
CITY	Atlanta	CITY	Atlanta
STATE	GA	STATE	GA
ZIP	30319	ZIP	30319
PHONE	404-872-8666	PHONE	404-872-8666
FAX		FAX	

**APPLICANT IS THE:**

- OWNER'S AGENT
- PROPERTY OWNER
- CONTRACT PURCHASER

\* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).

CONTACT PERSON Robbie Swan  
 COMPANY NAME Watkins Real Estate Group  
 ADDRESS 1958 Monroe DR NE  
Atlanta, GA 30319  
 PHONE 404-920-5067 FAX \_\_\_\_\_  
 EMAIL rswan@watkinsreg.com

PRESENT ZONING DISTRICT(S) PMUD REQUESTED ZONING DISTRICT PMUD  
 LAND LOT(S) 300 PARCEL # 5300 145 DISTRICT(S) 5th ACREAGE 1.22  
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED \_\_\_\_\_  
Change in conditions to allow a pick up only window on a multi tenant building

<b>RESIDENTIAL DEVELOPMENT:</b>	<b>NON-RESIDENTIAL DEVELOPMENT:</b>
NO. OF LOTS/DWELLINGS UNITS <u>0</u>	NO. OF BUILDINGS/LOTS <u>1</u>
DWELLING UNIT SIDE (SQ. FT.) <u>0</u>	TOTAL GROSS SQ. FEET <u>6,875</u>

**LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY**

\*\*\* PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING WHAT IS PROPOSED and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AMENDED \*\*\*

**CASE NUMBER**

## Letter of Intent – Change in Conditions – Pick-up Window

This Change in Conditions request is for the 1.22 acres on the north side of Davis Rock Drive in the mixed-use development known as Harbins 316 (“Subject Property”) to allow a limited-service pick-up only window on the end of the proposed retail building.

WREG Harbins Land, LLC is the owner and applicant and is controlled by Watkins Real Estate Group (“Watkins”), who is the master developer. Watkins is also the current developer for the Publix anchored shopping center and out parcels associated with Harbins 316 and has been actively developing the project for over a year.

Since the COVID pandemic, many retail and food service tenants have had to change the way they operate and serve their customers. Consumer trends have also changed dramatically as we shift to a more online and e-commerce economy. As such, our buildings and infrastructure also have been changing to adapt to these new trends and needs from consumers and businesses which is what Watkins is proposing.

Watkins is requesting a change in conditions to allow for a limited service, pick-up only window on the northern end of the proposed retail building on Outlot A. This limited-service pick-up only window is specific to Chipotle, who is a national restaurant. This limited-service pick-up only window differs from a drive thru lane for a number of reasons:

1. There are no menu boards, no call boxes, and no way to order from a car.
2. There queuing for the limited-service pick-up window is limited to only 4 – 5 cars compared to 12-20 for a typical fast-food chain.
3. Customers must have previously ordered on the Chipotle App in order to pick-up their good in the limited-service pick-up window.

The original rezoning of Harbins 316 limited the project to only one fast food restaurant with a drive thru, and Watkins believes that this limited-service pick-up window does not compromise the original intent of the zoning. The limited-service pick-up window will not create more impulse driven consumer traffic, which is generated by typical fast-food restaurants, because the pick-up window can only be used after an order is placed online. Furthermore, once orders are placed online, the limited-service pick-up window increases the efficiency of the restaurant as the average service time from the limited-service pick-up window is 2 minutes and 33 seconds as compared to 6 minutes and 13 seconds from normal fast food restaurants with a drive thru. This not only gets the customer their food quicker but alleviates any potential traffic stacking, which is common with typical fast-food restaurants with drive thrus. Finally – the design of this building and limited-service pick-up window is to limit the car stacking and appearance of a pick-up window.

In closing, we believe the approval of the limited-service pick-up window does not undermine the original rezoning of fast-food restaurant with a drive thru. There is no menu board, no call box, and no noise pollution. Limited car stacking and a narrow pick-up lane will limit the visual appearance and the pick-up window can only be used after online orders are placed limiting the impulse consumer traffic. Watkins appreciates your consideration and look forward to delivering another first class building with a best-in-class restaurant in Chipotle.

**SITE DATA**

ZONING:	PMUD
TOTAL SITE AREA:	1.22 AC
TOTAL BUILDING AREA:	6,875 SF
MEDICAL:	4,550 SF
REQUIREMENTS:	2,325 SF
MEDICAL (LSP PER 200SF):	24 SPACES
RESTAURANT (LSP PER 75SF):	31 SPACES
TOTAL PROVIDED PARKING:	58 SPACES
HANDICAP SPACES:	3 SPACES
REGULAR SPACES:	55 SPACES

**CONCEPTUAL SITE PLAN**

Doulegrakis Consulting Engineers, Inc.  
 100 Abbey Court, Alpharetta, Georgia 30007, phone: 770-751-8900

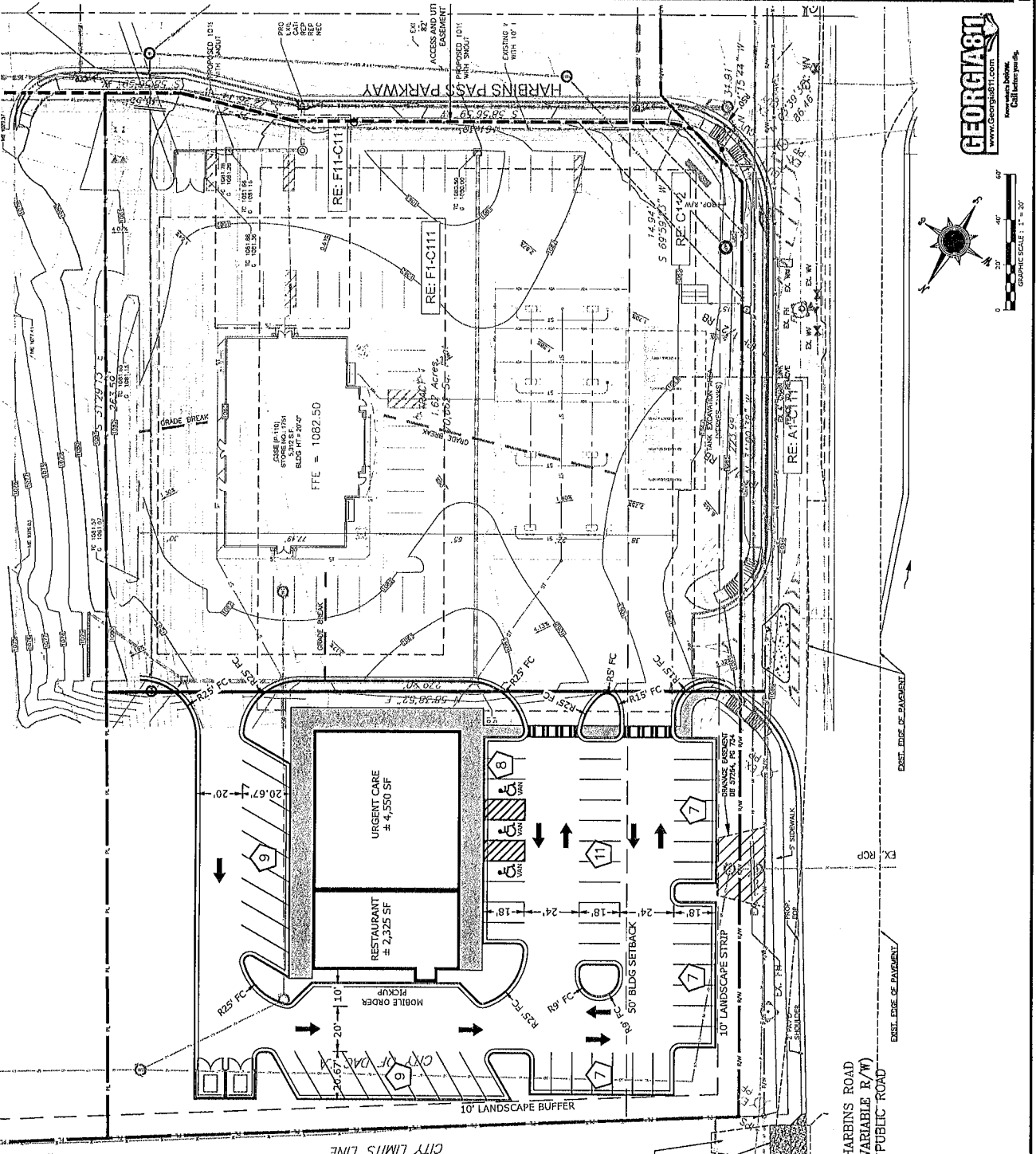
**Brightwork Real Estate**

Harbins 316-Outlet A Multi-Tenant Commercial  
 Located in Land Lots 299 and 300, District 5, DeKalb County, Georgia

NO.	DATE	REVISION
1	12-14-23	
2	2023-31	
SHEET: 1 of 1		
SCALE: 1" = 20'		

**GEORGIA811**  
 www.Georgia811.com  
 Measurement below  
 Call before you dig.

GRAPHIC SCALE: 1" = 20'



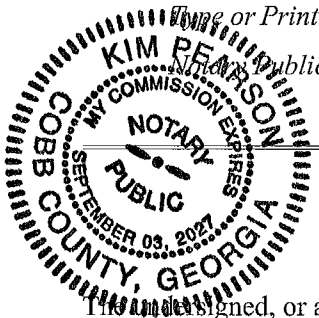
NOT FOR CONSTRUCTION

**APPLICANT CERTIFICATION**

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant [Signature] Date 1/11/24

Type or Print Name/Title Michael Aide, as President of Watkins Real Estate Group, Inc.,  
Manager of WREG Harbins Land, LLC  
Notary Public [Signature] Date 1/11/24



**PROPERTY OWNER CERTIFICATION**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Property Owner [Signature] Date 1/11/24

Type or Print Name/Title Michael Aide, as President of Watkins Real Estate Group, Inc.,  
as Manager of WREG Harbins Land, LLC  
Notary Public [Signature] Date 1/11/24



**FOR ADMINISTRATIVE USE ONLY**

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes  No

If the answer is *Yes*, please complete the following section:

<b>Name of Government Official</b>	<b>Contributions</b> <i>(All which aggregate to \$250.00+)</i>	<b>Contribution Date</b> <i>(within last 2 years)</i>
_____		
_____		
_____		
_____		

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes  No

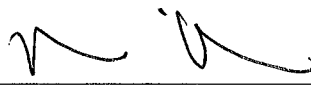
If the answer is *Yes*, please complete the following section:

<b>Name of Government Official</b>	<b>Description of Gifts</b> <i>(Valued aggregate \$250.00+)</i>	<b>Date Gift was Given</b> <i>(within last 2 years)</i>
_____		
_____		
_____		
_____		

*(Attach additional sheets if necessary to disclose or describe all contributions/gifts)*

**CONFLICT OF INTEREST CERTIFICATION**

The undersigned, making application for rezoning/SUP, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions and has submitted or attached the required information on the forms provided.

Signature of Applicant  Date 1/11/24

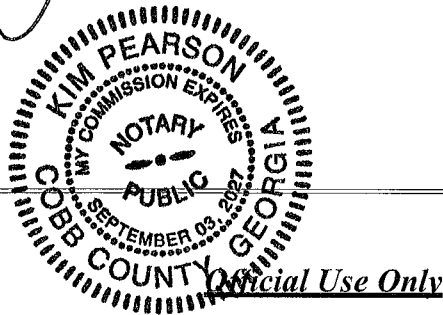
Type or Print Name/Title Michael Aide, President of Watkins Real Estate Group, Inc,  
Manager of WREG Harbins Land, LLC

Signature of Applicant' Attorney \_\_\_\_\_ Date \_\_\_\_\_

Type or Print Name/Title \_\_\_\_\_

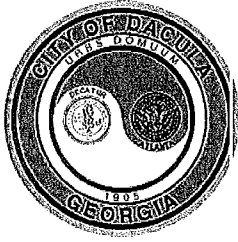
Notary Public  Date 1/11/2024

(Notary Seal)



DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_



## City of Dacula

P. O. Box 400

Dacula, GA 30019

(770) 962-0055 / Fax (770) 513-2187

### IMPACT ANALYSIS STATEMENT

As required by the Zoning Resolution of the City of Dacula, the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power. **ALL APPLICATIONS MUST BE COMPLETED WITH THE COMPLETED IMPACT ANALYSIS STATEMENT.**

DATE 1/10/24

APPLICANT WREG Harbins Retail, LLC

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property: Yes, use will compliment the existing retail and residential uses
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No, the change will enhance exiting uses and usability of adjacent properties.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: The change in conditions is needed for this restaurant to effeciently operate as a fast casual concept. The restaurant business is extremely competitve and the pick up window is needed for this business to operate.
- D. 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. No
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: Yes
- F. 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 current zoning allows for retail uses. The mixed use development will thrive with more restaurants to serve the residents and community. Allowing a pick up window enables the restaumt to stay in business but does not conflict with the drive thru condition as this is a pick up only window.

# **APPENDIX**

*(For Informational Purposes)*



## CONFLICT OF INTEREST IN ZONING ACTIONS

Sec. 36-67A-1.	Definitions
Sec. 36-67A-2.	Disclosure of Financial Interests
Sec. 36-67A-3.	Disclosure of Campaign Contributions
Sec. 36-67A-4.	Penalties

Effective Date: This Chapter became effective July 1, 1984.

Cross References: Codes of Ethics and Conflicts of Interest, T. 45, Ch. 10.

Code Commission Notes: Ga. L. 1986, p. 1269, Sec. 1 and Ga. L. 1986, pa. 1496, Sec. 1, both enacted a Chapter 85 of Title 36. The chapter enacted by Ga. L. 1986, p. 1269, Sec. 1 was redesignated as Chapter 67A of Title 36 pursuant to Sec. 26-9-3.

### **36-67A-1. Definitions**

As used in this chapter, this term:

- (1) "Applicant" means any individual or business entity applying for rezoning action.
- (2) "Business entity" means any corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.
- (3) "Financial interest" means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent or more.
- (4) "Local government" means any county or municipality of this State.
- (5) "Local government official" means any member of the governing authority of a local government or any member of a planning or zoning commission.
- (6) "Member of the family" means the spouse, mother, father, brother, sister, son, or daughter of a local government official.
- (7) "Property interest" means the direct or indirect ownership of real property and includes any percentage of ownership less than total ownership.
- (8) "Real property" means any tract or parcel of land and, if developed, any buildings or structures located on the land.
- (9) "Rezoning action" means action by local government adopting an amendment to a zoning ordinance which as the effect of rezoning real property from one zoning classification to another. (Code 1981, Sec. 36-67A-1, enacted by Ga. L. 1986, p. 1269, Sec. 1.)

## **DISCLOSURE & PENALTIES**

### **36-67A-2 Disclosure of Financial Interests**

A local government official who:

- (1) Has a property interest in any real property affected by a rezoning action upon which that official is authorized to vote.
- (2) Has a financial interest in any business entity which a property interest in any real property affected by a rezoning action upon which that official is authorized to vote; or
- (3) Has a member of the family having any interest described in paragraph (1) or (2) of this Code section shall immediately disclose the nature and extent of such interest, in writing to the governing authority of the local government in which the local government official is a member. Such disclosures shall be a public record and available for public inspection at any time during normal working hours. (Code 1981, Sec. 36-67A-2, enacted by Ga.L. 1986, p. 1269, Sec.1.).

### **36-67A-3 Disclosure of Campaign Contributions.**

- (a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to a local government official of the local government which will consider the applications, it shall be the duty of the applicant and the attorney representing the applicant to file a disclosure report with the governing authority of the respective local government showing:
  - (1) The name of the local government official to whom the campaign contribution or gift was made;
  - (2) The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution; and
  - (3) An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of the application for the zoning change.
- (b) The disclosures required by subsection (1) of this Code shall be filed within ten days after the application for the rezoning action if first filed. (Code 1981, Sec. 36-67A-3, enacted by Ga. L. 1986, p. 1269, Sec. 1)

### **36-67A-4 Penalties**

Any local government official knowingly failing to make a disclosure required by Code Section 36-85-2 shall be guilty of a misdemeanor. Any applicant for rezoning action knowingly failing to make any disclosures as required by Code Section 36-83-3 shall be guilty of a misdemeanor. (Code 1981, Sec. 36-67A-4, enacted by Ga.L. 1986, p. 269, Sec.1.)

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: \_\_\_\_\_

(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: \_\_\_\_\_

RE: Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Application Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot \_\_\_\_\_ Parcel \_\_\_\_\_

LOCATION/ADDRESS: \_\_\_\_\_

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You are hereby notified that an application a zoning change from \_\_\_\_\_

to \_\_\_\_\_ has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on \_\_\_\_\_ at 6:00 P. M. in the Council Chambers. (date)

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on \_\_\_\_\_ at 7:00 P. M. in the Council Chambers. (date)

If you have any comments or concerns concerning this matter, please plan to attend the public hearings.

Thank you.

**LEGAL DESCRIPTION OF OUTLOT A**

That tract or parcel of land lying and being situated in Gwinnett County, Georgia and being more particularly described as "Outlot A" in Plat Book 156, Page 254-256, filed October 10, 2022.





Field Date: 10/20/2022	Plot Date: 10/20/2022
Revisions	Date
No	01-1-22

Scale: 1" = 100'

EXEMPTION PLAT  
FOR  
WRBG Habitus Land, LLC  
LAND LOTS 299 & 300 34<sup>th</sup> DISTRICT  
CITY OF DAVILA, GWINNETT COUNTY, GEORGIA

SEAL OF GWINNETT COUNTY, GEORGIA

SHEET 2 OF 2

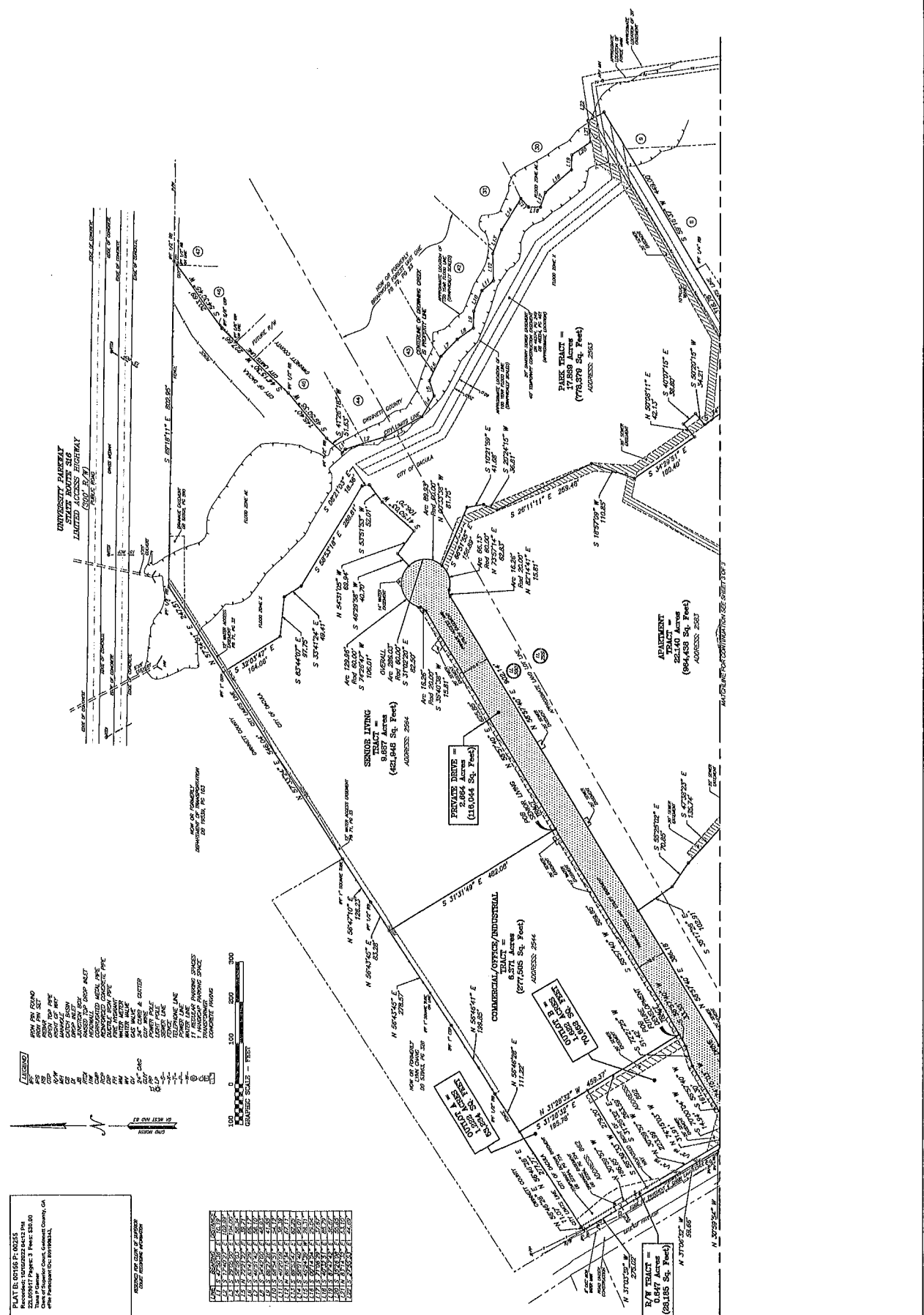
DATE: 10/27/2022

JOB # 2022-729

CHD: WATKINS TRACY

DWP: WATKINS PAUL

LSY: ALY



PLAT BL 00166 P: 00255  
22-085811 Project 3 Parcels 250.00  
Date of Submission: 10/20/2022  
City of Gwinnett, Georgia  
Gwinnett County, Georgia

ASSESSOR'S OFFICE OF GWINNETT COUNTY, GEORGIA

Parcel ID	Area (Acres)	Area (Sq. Feet)
22-085811-001	11.000	475,344
22-085811-002	17.858	775,140
22-085811-003	8.857	384,000
22-085811-004	2.884	125,000
22-085811-005	8.571	371,000
22-085811-006	0.100	4,356
22-085811-007	0.100	4,356
22-085811-008	0.100	4,356
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22-085811-099	0.100	4,356
22-085811-100	0.100	4,356



Adjoining Property Owners List

WREG Harbins Land, LLC

Change in Conditions

<b>Adjoining Property Owner / Tax Parcel</b>	<b>Mailing Address</b>
WREG Harbins Land LLC / 5300 139	1958 Monroe Dr. NE, Atlanta, GA 30324
Quiktrip Corporation / 5300 140	4705 S 129 <sup>th</sup> East Ave, Tulsa OK, 74134-7005
Lynn and Tai Bing Chang / 5300 074	1598 Brandon SQ, Lawrenceville, GA 30044
Lynn and Tai Bing Chang / 5300 074	852 Harbins Road, Dacula GA 30019



**Economic and Community Infrastructure Facilities Impact  
Worksheet**



**To be completed and submitted with applications for:  
Annexation, Rezoning, Change of Conditions,  
Special Use Permit, Special Exception, or Variance.**

Date Received: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

**Proposed Project Information**

Name of Proposed Project: Harbins 316 – Outlot A Retail

Developer/Applicant: WREG Harbins Land, LLC

Telephone: 404-920-5067

Fax:

Email(s): Rswan@watkinreg.com

**Economic Impacts**

Estimated Value at Build-Out:

\$4M

Will the proposed project generate population and/or employment increases in the area? If yes, what would be the major infrastructure and facilities improvement needed to support the increase?

No population increases. 15-20 total jobs. All major infrastructure is in place.

How many short-term and /or long-term jobs will the development generate?

15-20 mix or short and long term jobs.

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:

50,000

Is the regional work force sufficient to fill the demand created by the proposed project?

Yes

**Community Facilities & Infrastructure Impacts**

**Water Supply**

Name of water supply provider for this site: Gwinnett County

What is the estimated water supply demand to be generated by the project, measured in Gallons Per Day (GPD)? 168,650 GPD this is for the entire development

Is sufficient water supply capacity available to serve the proposed project? yes

If no, are there any current plans to expand existing water supply capacity? All complete.

If there are plans to expand the existing water supply capacity, briefly describe below: no

If water line extension is required to serve this project, how much additional line (in feet) will be required? All work has been completed

**Wastewater Disposal**

What is the estimated sewage flow to be generated by the project, measured in Gallons Per Day (GPD)? 146,652 GPD. This is for the entire Harbins 316 Development

Name of wastewater treatment provider for this site: Gwinnett county

Is sufficient wastewater treatment capacity available to serve this proposed project? yes

If no, are there any current plans to expand existing wastewater treatment capacity? NO

If there are plans to expand existing wastewater treatment capacity, briefly describe below: no

If sewer line extension is required to serve this project, how much additional line (in feet) will be required? All work complete.

**Land Transportation**

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?

List any traffic and/or road improvements being made and how they would affect the subject area. All improvements complete.

**Solid Waste Disposal**

How much solid waste is the project expected to generate annually (in tons)? 1484 tons/year. This is for the entire Harbins 316 Project

Is sufficient landfill capacity available to serve this proposed project? Yes

If no, are there any current plans to expand existing landfill capacity?

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If there are plans to expand existing landfill capacity, briefly describe below:

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Will any hazardous waste be generated by the development? If yes, please explain below: No

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### **Stormwater Management**

What percentage of the site is projected to be impervious surface once the proposed development has been constructed? 49.2%

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Is the site located in a water supply watershed? yes

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If yes, list the watershed(s) name(s) below: Alcovy and Apalachee

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Describe any measures proposed (such as buffers, detention or retention ponds, and/or pervious parking areas) to mitigate the project's impacts on stormwater management: In addition to preserving a large portion of the property for park buffers and open space, the project will include water quality and storm water management basins per the guidelines of the Georgia Storm water management manual.

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### **Environmental Quality**

Is the development located within or likely to affect any of the following:

1. Water supply watersheds? Alcovy and Apalachee watersheds

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2. Significant groundwater recharge areas? No

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3. Wetlands? No

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4. Protected river corridors? No

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5. Floodplains? yes

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6. Historic resources? No

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7. Other environmentally sensitive resources? No

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If you answered yes to any question 1-7 above, describe how the identified resource(s) may be affected below: the proposed uses are allowed with no restrictions on the Alcovy and Apalachee watersheds.

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**Other Facilities**

What intergovernmental impacts would the proposed development generate for:

Schools?  
None

Libraries?  
None

Fire, Police, or EMS  
None

Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?

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**Additional Comments:**

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