

# CITY OF DACULA

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

## PLANNING COMMISSION

### MINUTES

January 29, 2024

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

The Planning Commission met on Monday, January 29, 2024 in the Council Chambers at Dacula City Hall, Dacula, Georgia.

Chairman Mark Chandler called the meeting to order at 6:00 p.m. and conducted a roll call of the members. A quorum was present.

#### **Planning Commission Present:**

Chairman Mark Chandler  
Member Lisa Bradberry  
Member Gene Greeson  
Member Monica Francis  
Member Myra Montalbano

#### **City Staff Present:**

Brittni Nix, City Administrator  
Courtney Mahady, Administrative Clerk  
Hayes Taylor, City Planner  
Dana Stump, Administrative Assistant for Planning & Zoning  
Amy White, Chief Marshal  
James Ross, City Marshal

#### **II. INVOCATION:**

Mayor King gave the invocation.

#### **III. PLEDGE OF ALLEGIANCE:**

Chairman Mark Chandler led the Pledge of Allegiance.

#### **IV. MINUTES:**

1. Approval of the Minutes from the meeting on Monday, November 27, 2023

Member Francis motioned to approve the November 27, 2023 minutes. Member Bradberry seconded. Motion passed unanimously.

V. **OLD BUSINESS:**

*None*

VI. **NEW BUSINESS:**

2. 2024 Planning Commission Chairman Appointment

Brittini Nix, City Administrator, stated that since this was the first business meeting of the year for 2024, the Planning Commission must designate a Chairman and Vice-Chairman in accordance with the City's Zoning Resolution.

Member Franics motioned to nominate Mark Chandler as 2024 Planning Commission Chairman. Member Greeson seconded. Motion passed unanimously.

3. 2024 Planning Commission Vice-Chairman Appointment

Member Franics motioned to nominate Lisa Bradberry as 2024 Planning Commission Vice-Chairman. Member Greeson seconded. Motion passed unanimously.

4. **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.

Member Bradberry motioned to open the public hearing. Member Greeson seconded. Motion passed unanimously.

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 Road, Suite 125, Lawrenceville, Georgia 30043, stated that the updated concept plan removed the residential component and now contained only the industrial component. Mr. Lanham added that the update was compatible with surrounding land uses as well as the City's Comprehensive Plan.

*Comment in favor:*

*None*

*Comment in opposition:*

Tiffany Wilburn, 280 Sarah Lane, Lawrenceville, Georgia 30046 and Satanja Battle, 549 Watson Bay, Stone Mountain, Georgia 30087 expressed that the rezoning application would negatively impact the value of their property along Pipeline Road.

Member Franics motioned to close the public hearing. Member Greeson seconded. Motion passed unanimously.

- 5. 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.

Member Francis motioned to recommend approval of rezoning application 2023-CD-RZ-04 with conditions [listed below]. Member Greeson seconded. Motion passed unanimously.

#### 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 within the development 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 of residential uses 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.

### **VII. ADJOURNMENT:**

Member Greeson motioned to adjourn. Member Francis seconded. Motion passed unanimously. Meeting adjourned at 6:16 p.m.



*Minutes approved*

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*Date*

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*Signature*