

Memorandum

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

From: Brittini Nix, Director of Planning and Economic Development

Date: April 11, 2022

Subject: Change of Conditions Case: 2021-CD-COC-03

Proposed Zoning: M-1 (Light Manufacturing District)

Existing Zoning: M-1 (Light Manufacturing District)

Size: 43.81 acres

Proposed Use: Light Industrial / Distribution Facility

Applicant: Carter Acquisitions
39 Georgia Avenue SE, Suite 200
Atlanta, Georgia 30312
770-722-8231

Owner: Walton Georgia, LLC
8800 North Gainey Center Drive, Suite 345
Scottsdale, AZ 85258

Location: LL 270 and 271 - 5th District

Existing Land Use and Zoning:

The subject property is located on the south side of Winder Highway / Highway 29, 0.21 miles +/- northeast of the Winder Highway and Stanley Road intersection. Winder Highway is considered a major arterial per the Gwinnett County Long Range Classification Map and Stanley Road is a dirt / gravel 30-foot Gwinnett County right-of-way. The site totals 43.81 acres and is primarily undeveloped wooded land with one 946 square foot commercial / office structure located on site.

Properties zoned C-2 (General Business District) are adjacent to the north and across Winder Highway to the northwest. Land zoned PMUD (Planned Mixed-Use District) is adjacent to the east and across Stanley Road to the south and southwest. The property was rezoned to M-1 (Light Manufacturing District) for an 181,500 +/- square foot distribution facility with a variance for increased building height on April 1, 2021 pursuant to 2021-CD-RZ-02 and 2021-CD-VAR-02.

The Proposed Development:

The applicant has requested a change of conditions to 2021-CD-RZ-02 as the proposed site plan substantially deviates from the plan approved on April 1, 2021. Further, the original plan was approved for one industrial building totaling 181,500 +/- square feet. The new site plan provides for three buildings totaling 607,600 square feet for office warehouse/distribution use.

The realignment of Stanley Road to relocate access farther from the SR 316 and Winder Highway intersection to minimize traffic impact and increase sight distance remains consistent with the original approval. Stanley Road would be converted to a 3-lane road with a devoted center turn lane with two (2) access drives directly to the site. An additional access point on Winder Highway has been shown and would be limited to right-out traffic only. The proposed 563 vehicle parking spaces and 132 trailer parking spaces exceeds the City requirements (Article XI, Section 1102 - 1103). Furthermore, the concept plan is compliant with the District’s setback requirements (Article IX, Section 908).

The City of Dacula’s 2019 Comprehensive Plan labels the subject property as Regional Mixed Use on the Future Land Use Map. Regional Mixed Use is defined as “large-scale (Over 100,000 square feet) activity centers with commercial retail, office and employment, and higher density land uses... designed to accommodate automobile accessibility and large volumes of access and egress traffic” (The City of Dacula, Georgia 2019 Comprehensive Plan, page 7.13). Warehousing / distribution is a listed allowed land use and, as such, is compatible with the Regional Mixed Use designation specified in the Comprehensive Plan.

Summary:

Approval of the proposed Change of Conditions for site plan revision would remain consistent with the original distribution center approval, as it is located on Winder Highway (major arterial road) with close proximity to SR 316. In addition, the site would remain consistent with the commercial / industrial nature of Winder Highway and the City’s Future Land Use Map designation. Considering the forth going, the Department hereby recommends the requested Change of Conditions request be approved with conditions.

Comprehensive Plan:

The subject parcel is designated as Regional Mixed Use on Dacula’s 2030 Future Land Use Map in the City of Dacula Comprehensive Plan.

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

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

The proposed distribution center use could be considered suitable considering the commercial / industrial nature of Winder Highway.

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

With the recommended conditions, adverse impacts on adjacent / nearby properties would be minimized.

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

Yes, the property has reasonable economic use as currently zoned.

4. *Whether the proposed change of conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?*

With the recommended conditions, excessive and burdensome use of existing streets, transportation facilities, or utilities would be minimized. There is no anticipated impact to the schools.

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

The requested change of conditions is consistent with the Regional Mixed Use designation of the 2030 Future Land Use Map, which indicates the requested site plan revision should be approved.

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

The subject location is well suited for a distribution center considering the access provided to major roadways that connect to the regional area and the consistency with the Regional Mixed Use designation per the 2030 Future Land Use Map. Furthermore, the proposed distribution center could be considered a less intense land use than the Planned Mixed Use Development previously approved on the site.

Recommendation:

Based upon the application, the requested change of conditions is recommended for **approval with the following conditions.**

The Department notes the **Planning Commission unanimously recommended approval with conditions** at the Public Hearing on April 25, 2022.

CONDITION SET #1

Resulting from regional review (DRI) by the Atlanta Regional Commission (ARC) & the Georgia Regional Transportation Authority (GRTA)

Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Provide sidewalks along Stanley Road and Winder Highway in accordance with City of Dacula ordinance and design standards.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Winder Highway (SR 8/US 29) at Relocated Stanley Road (Intersection 2B)

- 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.
- Construct a channelized eastbound right-turn lane along Winder Highway (SR 8/US 29)
- Construct a westbound left-turn lane along Winder Highway (SR 8/US 29)
- Construct a northbound left-turn lane and a channelized right-turn lane along Stanley Road

Stanley Road at Driveway B (Intersection 6)

- Construct a southbound left-turn lane along relocated Stanley Road
- Construct Driveway B to consist of a minimum of one (1) ingress lane and a minimum of one (1) egress lane

Stanley Road at Driveway C (Intersection 7)

- Construct a southbound left-turn lane along relocated Stanley Road
- Construct Driveway C to consist of a minimum of one (1) ingress lane and a minimum of one (1) egress lane

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

Attachment C – Required Improvements to Service the DRI

As defined by the *GRTA DRI Review Procedures*, a “Required Improvement means a land transportation service or access improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

Section 1:

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities

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- Provide sidewalks along Stanley Road and Winder Highway in accordance with City of Dacula ordinance and design standards.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Winder Highway (SR 8/US 29) at Relocated Stanley Road (Intersection 2B)

- 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.
- Construct a channelized eastbound right-turn lane along Winder Highway (SR 8/US 29)
- Construct a westbound left-turn lane along Winder Highway (SR 8/US 29)
- Construct a northbound left-turn lane and a channelized right-turn lane along Stanley Road

Stanley Road at Driveway B (Intersection 6)

- Construct a southbound left-turn lane along relocated Stanley Road
- Construct Driveway B to consist of a minimum of one (1) ingress lane and a minimum of one (1) egress lane

Stanley Road at Driveway C (Intersection 7)

- Construct a southbound left-turn lane along relocated Stanley Road
- Construct Driveway C to consist of a minimum of one (1) ingress lane and a minimum of one (1) egress lane

Section 2:

Roadway Improvement Conditions to GRTA Notice of Decision:

University Parkway (SR 316/US 29)

- Widen the southbound approach along University Parkway (SR 316/US 29) to add one (1) through lane so that it consists of two (2) left-turn lanes, three (3) through-lanes, and one (1) right-turn lane.

CONDITION SET #2:

Conditions of the City of Dacula

Changes from the 2021-CD-RZ-02 and 2021-CD-VAR-02 zoning conditions are highlighted. Additions are shown in bold and deletions in ~~strikethrough~~.

Transportation / Infrastructure

- 1.A. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
- 1.B. Sidewalks shall be required adjacent to Winder Highway right-of-way. The sidewalk location shall be reviewed and approved by the City of Dacula and Georgia Department of Transportation. Sidewalks shall be required adjacent to both sides of the full length of the relocated Stanley Road improvements. The location of sidewalks shall be reviewed and approved by the Gwinnett County D.O.T. and City of Dacula.
- 1.C. Sidewalks shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate future pedestrian amenities such as benches, planters, and trash containers adjacent to the Winder Highway right-of-way. 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, Gwinnett County D.O.T. or Georgia Department of Transportation depending on who owns the subject right-of-way.
- 1.D. Provide decorative light poles / fixtures along Winder Highway right-of-way. Streets lights shall be staggered, 150 feet on-center. All street lighting shall be subject to review and approval of the City of Dacula, Gwinnett County D.O.T or Georgia Department of Transportation depending on who owns the subject right-of-way. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads. The property owner shall be responsible for street light maintenance and lighting fees. Light fixtures which are utilized shall be as follows:
 - Fixture Head Pole Type (Streetlight)
 - Max. Pole Height = Cobra Head Fluted (Black) 40 ft. or Cobra Head Smooth (Black) 40 ft.
- 1.E. A sign prohibiting truck access beyond the southeastern corner of the site shall be required adjacent to the Stanley Road right-of-way / dedicated easement at the end of the proposed Stanley Road improvements.

- 1.F. Access onto Winder Highway must meet Georgia Department of Transportation standards. The Stanley Road relocation and improvements must meet current Gwinnett County D.O.T. standards under the Gwinnett County Unified Development Ordinance (UDO) and be dedicated to Gwinnett County as right-of-way. Proposed access on Stanley Road must meet the minimum spacing requirements of the Gwinnett County UDO. The property owner / developer must coordinate with the Winder Highway & SR 316 interchange Project Manager(s) to ensure the relocation of Stanley Road does not interfere with the interchange.
- 1.G. 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 D.O.T. and Georgia Department of Transportation respectively. All design and construction will be subject to Gwinnett County D.O.T. and Georgia Department of Transportation review and approval.

1.H Applicant/developer shall pay its proportionate share of the costs of a traffic signal at the intersection of Winder Hwy and relocated Stanley Road.

Landscaping Requirements

- 2.A. Provide landscaped islands throughout all surface parking areas as required by the Dacula Buffer, Landscape, and Tree Ordinance.
- 2.B. Provide a minimum ten-foot wide landscaped strip adjacent to the Winder Highway right-of-way and the full length of the relocated Stanley Road improvements on both sides. At least 50% of plantings shall consist of trees 3-inches in caliper (dbh) or greater. Type and size of plantings shall be in compliance with the Dacula Buffer, Landscape, and Tree Ordinance.
- 2.C. Provide non-ornamental shade trees spaced 50-feet on-center or grouped at 120-feet on-center along the Winder Highway right of way. All street trees shall be a minimum 4-inch caliper (dbh) at the time of planting. Street trees shall be planted six-feet from back-of-curb subject to review and approval of the City of Dacula, Georgia, or Gwinnett Department of Transportation depending on who owns the subject right-of-way.

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

1. Willow Oak
2. Overcup Oak
3. Nuttall Oak
4. Pin Oak
5. Shumard Oak

- 6. Lacebark Elm
- 7. Japanese Zelkova

2.D. 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.

2.E. Natural vegetation shall remain on the property until issuance of a development permit.

Parking / Yard, Height & Setback

3.A. A parking lot landscape plan shall be submitted to the City for approval. At a minimum, the landscape plan shall include the 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 3-inch dbh caliper.

3.B. Parking lot and security lighting shall be directed in towards the property so as to minimize the adverse impact on neighboring properties.

Signage, Temporary Uses, & Peddling

4.A. Oversized signs or billboards shall not be permitted.

4.B. 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 brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building at least 2 feet in height. Neon or self-illuminating ground signs shall be prohibited.

4.C. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

4.D. Peddlers shall be prohibited.

4.E. 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.

4.F. 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.

Architectural Design

5.A. Architectural design should comply with the following performance guidelines:

- (1) 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.
- (2) 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.
- (3) Buildings shall incorporate live plant material growing immediately in front of or on the building.
- (4) 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.
- (5) Any accessories provided such as railings, benches, trash receptacles and / or bicycle racks shall complement the building design and style.
- (6) Walls visible from roadways or parking areas shall incorporate changes in building material / color.

General

6.A. The property shall be developed in accordance with the conceptual site plan prepared by Kimley Horn entitled Project Whiplash Industrial Development, **dated November 12, 2021** ~~received on March 22, 2021~~. 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.

6.B. A building height variance is granted to allow the principle building on-site a maximum height of 50 feet.