

# Memorandum

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

**From:** Hayes Taylor, City Planner

**Date:** September 30, 2024

**Subject:** 2024-CD-RZ-02

**Proposed Zoning:** C-1 (Neighborhood Commercial District)

**Existing Zoning:** C-2 (General Business District)

**Size:** 2.108 acres

**Proposed Use:** Fitness Club

**Applicant:** Key Growth Capital, LLC c/o Powell & Edwards, LLP  
PO Box 1390  
Lawrenceville, Georgia 30046

**Owner:** Core City Developers, LLC  
1230 Peachtree Street NE, Suite 800  
Atlanta, Georgia 30309

**Location:** LL 299 - 5th District

## Existing Land Use and Zoning:

The subject property totals 2.108 acres and is currently vacant. Adjacent to the northwest is an approved carwash. Adjacent to the northeast, east and south is the Brands Ridge subdivision, zoned R100-Single Family Residence (County). The subject property is less than 300 feet south of the Harbins 316 Planned Mixed-Use Development, which contains a variety of uses including an existing gas station, fast food, and a retail center. The master development also includes multi-family residential, and senior living, which are under development. The property is currently zoned C-1 pursuant to Case No. 2007-CD-RZ-06 and the City of Dacula Zoning Map.

## The Proposed Development:

The Applicant has requested to rezone 2.108 acres from C-1 (Neighborhood Commercial District) to C-2 (General Business District) to allow for a fitness club. The submitted site plan shows one (1) 20,400 square foot building, and 100 parking spaces, which meets the City's minimum parking requirements. Application materials also show automotive access from a deceleration lane on Harbins Rd onto a joint private drive between the carwash and the proposed fitness club, and a pedestrian walkway that connects the fitness club to the

approved multifamily development. The proposed landscape buffers screen the subject parcel from the adjacent residences, zoned R100-Single Family Residence (County).

The approved conditions per zoning case 2007-CD-RZ-06, require a 25-foot landscape buffer to protect adjacent residential uses. The submitted concept plan shows a 25-foot enhanced landscape buffer within the rear 50-foot building setback. The addition of the enhanced landscape strip to the existing chain link fence is intended to provide additional visual screening for abutting residential properties.

The 2050 Comprehensive Plan designates the parcel and the surrounding area as part of the Emerging Commercial character area. The character area has set precedent for commercial uses, including a Publix-shopping center, an approved car wash, two (2) fast food restaurants, and a gas station. The proposed fitness center is a similar intensity use compared to the proximal existing and approved commercial uses, and could be compatible with the neighboring carwash.

The Dacula 2050 Comprehensive Plan describes the Emerging Commercial character areas as being “more pedestrian-oriented” with “non-residential uses... oriented towards the street with direct pedestrian access” while balancing both housing and employment opportunities (page 66). The provision of the multi-use path from the multifamily residence may contribute to the called for pedestrian connectivity and activity within the character area. The Guidance for Rezoning by Character Area table calls for PMUD, C-1, C-2, and OI districts within the character area (page 69).

### **Summary:**

The proposed fitness club could be considered a suitable use as it would provide a transition between Harbins 316, the approved carwash, and the residences adjacent to the parcel. A fitness club would provide a service to existing and future nearby community members in the Emerging Commercial character area and could be a compatible commercial use with the neighboring approved carwash. As such, the Department recommends the requested rezoning from C-1 (Neighborhood Commercial District) to C-2 (General Business District) be approved with conditions at this location.

### **Comprehensive Plan:**

The subject parcel is within the Emerging Commercial Character Area on the City of Dacula’s 2050 Future Land Use Map and designated Innovation District on the Gwinnett County 2040 Unified 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 rezoning will permit a use that is suitable in view of the use and development of an adjacent and nearby property?***

The proposed development could be considered suitable given the adjacent mix of residential and commercial uses, providing a potential pedestrian-friendly amenity proximal to a high concentration of community members.

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

With the recommended conditions, adverse impacts on surrounding properties could be minimized.

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

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

**4. *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?***

Excessive or burdensome use of existing streets, transportation facilities, utilities, or schools is not expected from approval of the proposed uses.

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

The requested rezoning could be considered consistent with the Emerging Commercial designation of the 2050 Future Land Use Map with the proper conditions.

**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 rezoning?***

There is a clear City Council precedent to prioritize pedestrian connectivity and safety within the nearby Harbins 316 development. With the proper conditions to facilitate and protect pedestrian access to the proposed development, the use could be considered suitable.

***Recommendation:***

Based upon the application, the rezoning is recommended for approval with the conditions. The following conditions will replace the approved 2007-CD-RZ-06 conditions on the subject parcel.

*The Department notes the Planning Commission unanimously recommended approval with staff's recommended conditions for the requested rezoning at the Public Hearing on September 30, 2024. Said conditions are below.*

Concept Plan and Land Use

1. The property shall be developed in accordance with the conceptual site plan titled Fitness Center Rezoning Site Plan dated June 4, 2024. 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.

Architectural Design

2. All building exteriors shall be constructed of brick, stone, glass, or stucco. All buildings shall have flat roofs with architectural treatments to include canopies and parapets. 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.
3. The developer shall provide a decorative, commercial-quality bicycle rack and pedestrian bench that complement the building at its entrance.

Landscape and Parking

4. The reduction of the required rear landscape buffer to a 25-foot enhanced landscape buffer shall be maintained per 2007-CD-RZ-06.
5. A 20-foot-wide enhanced buffer shall be provided along the full length of Courtney Renea Drive and a 25-foot wide enhanced buffer shall be provided along the rear property boundary adjacent to residentially zoned property. Both buffers shall be planted with a staggered, double row of privacy trees (minimum 6-foot in height), supplemented with a 6-foot high double-sided wooden or wrought iron opaque fence. The structural and visual characteristics of the fence shall be maintained at all times. Fencing shall be located behind the tree line with the location subject to review and approval by the Department of Planning and Development.
6. A parking lot landscape plan shall be submitted to the City for approval. At a minimum, the plan shall include that each parking island/strip shall have a minimum of two (2) ornamental shade trees. All parking area trees shall be a minimum of 3-inch dbh caliper. Parking islands/strips may include stormwater management/bioretenion infrastructure and foliage, per the Georgia Stormwater Management Manual green standards.

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. Southern Magnolia
  6. Japanese Zelkova
  7. Red Maple
  8. Halesia Carolina
  9. Eastern Redbud
  10. American Smoketree
  11. Sourwood
  12. Chalk Maple
7. Existing mature growth trees in buffer zones shall remain when feasible. The City Administrator or City Arborist shall determine what is feasible.
  8. 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.
  9. Gravel is prohibited. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
  10. 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 between 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.
  11. No outdoor storage shall be permitted on site.

#### Transportation and Infrastructure

12. Prior to the issuance of a Development Permit, the developer must satisfy Gwinnett County Department of Transportation requirements including, but not limited to, a south bound left turn lane along Harbins Road into the site, and the recommendations from the traffic impact study required by Article 4 of the Development Regulations.
13. A five (5) foot wide sidewalk shall be constructed on the property frontage of Harbins Road.
14. Provide street lights along all public right-of-way utilizing decorative light pole/fixtures. Street lights shall be 150 feet on center. Light poles shall be black and a maximum 20 feet high.
15. Parking lot lighting shall be directed towards the property to avoid the adverse impact on nearby residential properties.

16. The owner/developer must provide a five (5) foot wide pedestrian connection to the multifamily apartments within the Harbins 316 development. The pedestrian pathway may be a five (5) foot wide raised crosswalk or a stamped pathway. Stamped pathways must be protected by speed bumps on either side of any internal drive it transects. The Pedestrian Plan must be submitted to the Planning and Development Department for approval during the plan review and permitting process.
17. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.

### Signage and Advertising

18. Human sign spinners and/or twirlers shall be prohibited.
19. 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. LED message boards are prohibited.
20. The wall sign shall be lit with indirect lighting.
21. Oversized signs or billboards shall not be permitted.
22. 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.