

CITY OF DACULA

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

COUNCIL MEETING

MINUTES

October 6, 2022

I. CALL TO ORDER AND ROLL CALL OF MEMBERS:

Mayor King called the October 6, 2022 Council Meeting to order at 7:00 p.m. and a 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
Ann Mitchell, Council
Denis W. Haynes, Jr., Council

City Staff Present:

Jack Wilson, City Attorney
Heather Coggins, Acting City Administrator
Brittini Nix, Director of Planning & Economic Development
Courtney Mahady, Administrative Clerk
Angelica Schaper, Court Administrator
Dana Stump, Administrative Assistant for Planning & Zoning
Alethia Hyman, City Tax Clerk
Renee Cooke, Front Desk Clerk
Amy White, City Marshal

II. INVOCATION:

Pastor Mark Chandler gave invocation.

III. PLEDGE OF ALLEGIANCE:

Mayor King led the Pledge of Allegiance.

IV. LIFETIME SERVICE AWARD:

- 1. Presentation of Georgia Municipal Association's Lifetime Service Award to Dennis Still**

Rusi Patel, Legal Counsel for Georgia Municipal Association, presented Dennis Still with GMA's Lifetime Service award for over 40 years of service with the City of Dacula.

V. CONSENT AGENDA:

- 2. Approval of the Minutes from the Regular Meeting on September 1, 2022**
- 3. Bid approval for the Dacula City Hall sewer tie-in project**
- 4. Adoption of Article XIX - Short Term Rentals**
- 5. Ordinance to amend Chapter 22, Section 22-20 - Payment of Fees**
- 6. Fee Schedule Update**

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

VI. OLD BUSINESS:

- 7. Annexation Application: 2022-CD-AA-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests annexation in the City. The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.

Mayor King called for a motion to approve the annexation application. Councilman Spain motioned to approve the application. Councilman Haynes, Jr. seconded. Motion passed unanimously.

- 8. Rezoning Application: 2022-CD-RZ-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests rezoning from RA200 Agriculture-Residence District (County) to C2 General Commercial (City). The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.

Mayor King called for a motion to approve the rezoning application. Councilman Haynes, Jr. motioned to approve. Councilman Williams seconded.

Prior to the vote, City Attorney, Jack Wilson, asked Mayor King to clarify that the motion was to be approved with conditions.

Mayor King then called for a motion to approve the rezoning application with conditions [listed below]. Councilman Haynes, Jr. motioned to approve. Councilman Williams seconded. Motion passed unanimously.

Concept Plan and Land Use

1. The property shall be developed for general business, commercial, and/or office uses only. Any substantial deviation from the approved conditions of zoning shall be resubmitted to the Mayor and City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.

2. Only one (1) convenience store with gas pumps shall be permitted.
3. Only one (1) fast food restaurant with drive-thru windows and/or curbside service shall be permitted. A fast food restaurant shall be defined as any establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers. Said definition shall exclude restaurants with drive-thru services whose primary product focuses on specialty coffees or donuts and exclude restaurants without a drive-thru in a multi-tenant building.
4. The following uses shall be prohibited:
 - a. Outdoor storage
 - b. Car Wash
 - c. Taxidermist
 - d. Automobile, muffler, and/or brake shop
 - e. Automobile, Tune-up shop
 - f. Contractor's office
 - g. Residential or community shelter
 - h. Automotive sales lots and associated service facilities (new or used)
 - i. Boarding and rooming houses
 - j. Quick oil change store
 - k. Tire store
 - l. Van, moving, or truck rental
 - m. Auto body repair shop
 - n. Building materials sales with outdoor storage
 - o. Heavy equipment and farm equipment rental or sales and service
 - p. Mobile home or mobile building leasing or sales lots (new or used)

Architectural Design

5. All building exteriors shall be constructed of brick, stone 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, split faced block, or similar material approved by the Department of Planning and Development. Architectural design of multi-tenant buildings shall lend the appearance of multi-tenant occupancy; facades of multi-tenant buildings shall be varied in depth and parapet height. Final architectural plans and color palette shall be submitted to the City for approval.

6. Elevated or roof mounted mechanical, HVAC and like systems shall be positioned in such a way as to not be visible from the front street level or parking areas of the development. Final architectural plans and color palate shall be submitted to the Department of Planning and Development for approval.
7. Chain link fence shall be prohibited except around the stormwater management pond.

Landscaping and Parking

8. 10-foot wide landscape strips shall be provided along the commercial tract frontage of Harbins Road and West Drowning Creek Road. The landscape strips shall be planted so as to not impede sight distance along said roads. A landscape plan shall be submitted to the City for approval prior to the issuance of a development permit.

Provide non-ornamental shade trees spaced 30-feet on-center along the Harbins Road and West Drowning Creek Road rights-of-way and along the southern side of the rear access drive. 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 and Gwinnett Department of Transportation.

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

- a. Willow Oak
 - b. Overcup Oak
 - c. Nuttal Oak
 - d. Pin Oak
 - e. Shumard Oak
 - f. Lacebark Elm
 - g. Japanese Zelkova
9. The required undisturbed buffer along the rear and side property line shall be eliminated and replaced with 20-foot wide landscape strips. Landscape strips shall be planted with a single row of Leyland Cypress trees, planted 30-foot on center. The buffer can be eliminated after a Development Permit has been issued on adjacent property for commercial use.
 10. 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 25 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.
 11. 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.

12. Specimen trees on-site shall be saved when feasible.
13. Natural vegetation shall remain on the property until issuance of a land disturbance permit.

Signage and Advertising

14. Oversized signs or billboards shall not be permitted.
15. Ground signage shall be limited to one monument-type sign for each commercial lot. 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 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 Harbins Road and located so as to not impede site distance along Harbins Road. Sign location and design subject to review and approval by the City of Dacula.
16. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
17. 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.
18. Live human advertisement shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.

Transportation and Infrastructure

19. A five-foot sidewalk shall be required adjacent to Harbins Road and West Drowning Creek Road rights-of-way. The sidewalk location shall be reviewed and approved by the City of Dacula and Gwinnett County Department of Transportation.
20. A five-foot wide sidewalk shall be required along the rear access drive. Sidewalk 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 containers. 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.
21. Prior to the issuance of a development permit, the developer shall complete a Traffic Impact Study for the site. The study shall be submitted to the City of Dacula and GCDOT Traffic Engineering for review and approval. Recommended improvements shall be completed at the owners/developer's expense prior to the issuance of any certificates of occupancy for the development.
22. Coordinate with Harbins 316 planned mixed-use development to provide a full center turn lane along Harbins Road in lieu of a right-in, right-out drive lane, as required by Gwinnett County DOT.

23. Align West Drowning Creek Road entrance with the proposed driveway for DRI 3700 (Harbins 2) as feasible. The entrance location shall be reviewed and approved by the City of Dacula.
24. Provide a sight distance verification for each driveway. The number, location and design of all access driveways will be subject to review and approval by GCDOT Traffic Engineering and the City Of Dacula.
25. Widening/entrance plans shall be submitted for review and approval by the City of Dacula and Gwinnett County Department of Transportation. It shall be the responsibility of the applicant to secure at no cost to Gwinnett County all necessary right-of-way to implement the required improvements.
26. Provide decorative light poles / fixtures adjacent to (not on) Harbins Road right-of-way and the rear access drive. 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. The property owner shall be responsible for street light maintenance and lighting fees. A separate lighting plan showing type of light and locations shall be submitted to the City for review and approval.
27. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
28. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
29. 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.
30. All vehicular access onto the proposed rear access drive must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer.
31. Interparcel access drive shall be provided to parcel #5277 043.

VII. NEW BUSINESS:

9. Waiver Application: 2022-WAIVER-02

Councilman Haynes, Jr. motioned to approve the waiver application. Councilman Spain seconded. Motion passed unanimously.

VIII. STAFF COMMENTS:

Heather Coggins thanked city staff for all their hard work with the calls regarding taxes and the help they have provided to citizens.

IX. MAYOR AND COUNCIL COMMENT(S):

10. Submission of the FY-2023 Proposed Budget and FY-2022 Budget Adjustment to City Council and the citizens of Dacula

Mayor King submitted the FY-2023 Proposed Budget and FY-2022 Budget Adjustment to City Council and the citizens of Dacula for review. He also noted that Public Hearings for the budget are scheduled for November 3, 2022 and December 1, 2022.

X. PUBLIC COMMENTS:

Sandy Donatucci, 2756 Great Falls Crossing, Buford, Georgia 30519, stated that she is running for House Representative for the Dacula area and wanted to introduce herself to the Mayor and Council.

Keith Hedgespeth, 2695 Paddock Point Place, Dacula, Georgia 30019, inquired about whether the city had a plan in place for submitting the tax bills to the escrow accounts.

Heather Coggins, Acting City Administrator, responded that the city currently does not have contact information for mortgage companies. Ms. Coggins suggested that until the city obtains said information, the public should contact their escrow company and inquire the status of their tax bill from the city. If it has not been received, the city staff would help submit that bill.

Paul Sims, 636 William Street, Dacula, Georgia 30019, inquired about why his city taxes were 60% higher than his county taxes.

David Stone, 2491 Second Avenue, Dacula, Georgia 30019, inquired about whether he was to negotiate with the contractor for the damages to his building or if the city would be negotiating on his behalf.

XI. ADJOURNMENT:

Councilman Williams motioned to adjourn. Councilwoman Mitchell seconded. Motion passed unanimously. Meeting adjourned at 7:29 p.m.

Minutes approved

_____ *Date*

_____ *Signature*