

Memorandum

To: City of Dacula Mayor and City Council
From: Brittni Nix, City Administrator
Date: March 29, 2023
Subject: Variance Case: 2023-CD-VAR-02
Existing Zoning: PMUD (Planned Mixed-Use District)
Size: 1.14 acres
Applicant: Integrity Engineering & Development Services, Inc.
3615 Braselton Highway, Suite 201
Dacula, GA 30019
Owner: WREG Harbins Retail, LLC
1958 Monroe Drive NE
Atlanta, GA 30324
Location: LL - 299/300, 5th District

Existing Land Use and Zoning:

The subject property totals 1.14 acres and is located in the southeast quadrant of the Harbins Road and Davis Rock Road intersection. The site is an outparcel of a planned mixed-use development known as Harbins 316. In 2021, the property was zoned PMUD (Planned Mixed-Use District) pursuant to 2020-CD-RZ-03.

As the property is part of a planned mixed-use development, it is adjacent to PMUD zoned properties. The abutting uses include grocery and retail. Additional uses within the development include multi-family apartments and senior living. The surrounding area includes properties within unincorporated Gwinnett County and zoned C-2 (General Business District), R-100 (Single-Family Residence District), and RA-200 (Agriculture-Residence District). These uses include a gas station/ convenience food mart, single-family residential, and undeveloped property. To the south is a commercially zoned property, C-1 (Neighborhood Commercial District), located within the City limits. Across Harbins Road is a vacant home care facility within the City limits zoned O-I (Office-Institutional District).

The Proposed Rezoning & Development:

McDonald's USA, LLC has submitted development plans for a 4,588 sf restaurant with two-lane drive throughs. Per the City's Zoning Resolution, the minimum number of parking spaces for the proposed use and building size would be 62 parking spaces.

The applicant has requested a variance to reduce the number of parking spaces by 25% and proposes having 48 parking spaces on-site. Application materials indicate that 44 parking spaces are required to accommodate the anticipated employees and dine-in customers. The majority of the customers (70%-75%) are estimated to utilize the two-lane drive through and would not need a parking space.

Staff notes the site has internal access drives to a neighboring parcel that has parking spaces in close proximity.

Summary:

The anticipated drive through and dine-in customer ratio could support reducing the number of parking spaces. As such, the requested variance could be considered suitable. The Department recommends the requested variance be approved with conditions at this location.

Comprehensive Plan:

The City of Dacula’s 2019 Comprehensive Plan labels the subject property as Community Mixed Activity Use Center on the Future Land Use Map. Community Mixed Use land uses are defined as “relatively large-scale (40,000 to 100,000 square feet) of commercial, office, and institutional facilities which serve surrounding neighborhoods. They may include some mix of uses, including commercial areas that primarily cater to the community as a whole” (The City of Dacula, Georgia 2019 Comprehensive Plan, page 7.14). The proposed planned mixed-use development follows the description of Community Mixed Use.

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 variance will permit a use that is suitable in view of the use and development of an adjacent and nearby property?

Yes, the proposed use of the site would remain consistent with neighboring properties and would thus be suitable at this location.

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

The variance would not be expected to negatively impact surrounding properties.

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

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

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

The proposed use is not expected to increase the burden of use for existing streets, transportation facilities, utilities, or schools.

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

The City of Dacula's Future Land Use Map designates the property for community mixed activity use center and neighborhood commercial. As such, the proposed use and variance would be considered suitable at this location.

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 variance?*

The Planned Mixed-Use District encourages uses to share off-street parking to reduce the total number of parking spaces where appropriate.

Recommendation:

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

1. The property shall be developed in accordance with the development site plan prepared by Integrity Engineering & Development Services, Inc. entitled McDonald's USA, LLC dated December 16, 2022. Any substantial deviation from the development 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 minimum number of parking spaces required shall be reduced to 48 spaces for a 4,558 sf restaurant with two-lane drive through.
3. Adherence to all 2020-CD-RZ-03 Zoning Conditions for the planned mixed-use development is required.