

# Memorandum

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

**From:** Hayes Taylor, City Planner

**Date:** December 30, 2024 (*Updated December 31, 2024*)

**Subject:** Rezoning: 2024-CD-RZ-03  
Variance: 2024-CD-VAR-03

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

**Existing Zoning:** R-1100 (Single-Family Residential District)

**Size:** 1.51 acres

**Proposed Use:** Indoor Sports Recreation Facility

**Applicant:** Belkys L. Roa Zambrano  
2566 Kachina Trail  
Dacula, Georgia 30019

**Owner:** Atlanta Quality Management, LLC  
2566 Kachina Trail  
Dacula, Georgia 30019

**Location:** 5th District, Land Lot 302, Parcel A030

## Existing Land Use and Zoning:

The subject property is located at 2694 Winder Highway, totaling 1.51 acres along Winder Hwy, and is roughly 1,000 ft east of the Jimmy Wilbanks Memorial Intersection (Harbins Road, Dacula Road, and Winder Highway). The parcel is zoned R-1100 (Single-Family Residential District) and is currently undeveloped. The adjacent parcel to the northeast is owned by Seven Smith's Investments, and has no plans for development, per the letter of intent. GCDOT owns the adjacent vacant parcel to the southwest and currently has no active plans to develop it, per GCDOT communications with the City. The subject parcel abuts CSX right-of-way to the north. Across Winder Highway are several commercial developments, zoned C-2 (General Business District), including Ace Hardware, Dairy Queen, Zaxby's, Dollar Tree, Advanced Auto Parts, and vacant commercial space.

## The Proposed Rezoning & Development:

The applicant has requested to rezone the 1.51-acre parcel from R-1100 (Single-Family Residential District) to C-2 (General Business District) for development of an indoor soccer recreational facility. The submitted concept plan shows one curb cut on Winder Hwy, a ~21,000 s.f. split level building, 35 parking spaces, and a stormwater retention area. The letter of intent states that the lower level of the proposed facility would be constructed of reinforced concrete or reinforced

masonry, and that the upper level would be an insulated metal building shell with a maximum height of forty (40) feet. Staff notes the applicant anticipates installation of a private on-site septic system. The applicant expects that water and sewer needs will be limited as the business model does not include food service or shower facilities.

The rezoning request is compatible with nearby commercial zoning designation and the existing car-centered commercial development pattern across Winder Hwy. The parcel's proximity to the CSX rail line and a state highway provides site constraints that could limit the types of suitable uses at this location. The character area further calls for community gathering places, locally driven employment opportunities and the redevelopment of underutilized properties. The proposed indoor soccer field could offer a potential community-oriented recreational resource and employment opportunities on a possibly underutilized parcel.

The applicant additionally requests replacing the required 75-foot undisturbed buffer with an enhanced landscape buffer. A rezoning without a buffer variance would limit the buildable area of the parcel. The proposed landscape buffer would provide privacy protection and a suitable buildable area on the property.

**Summary:**

The proposed business model would be consistent with the commercial character of the commercial corridor along Winder Hwy extending from Jimmy Wilbanks Memorial Intersection. The site is well suited for automotive oriented commercial use due to its location along a state highway and proximity to a CSX line. The aforementioned site constraints may not be immediately conducive to residential development. As such, the Department recommends the requested rezoning and variance be approved with conditions.

**Comprehensive Plan:**

The proposed development falls within the Dacula Downtown Character Area (City of Dacula 2050 Comprehensive Plan, pg 61). The Dacula Downtown character area land use and zoning considerations call for a variety of commercial, office, and residential land uses with an emphasis on the provision of entertainment, gathering places, and locally driven employment with efforts to encourage development of underutilized parcels (pg 61).

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

The proposed use is consistent with the development pattern across the right-of-way along Winder Hwy. The adjacent properties are vacant and abut an existing railroad. As such, the proposed development could be considered suitable as proposed.

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

The proposed rezoning with recommended conditions should not adversely impact the surrounding undeveloped residentially zoned properties. Approving the recommended zoning conditions would limit the potential of adverse impacts.

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

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

4. *Whether the proposed rezoning and variance request will result in a use that will or could cause 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 utilities, existing streets, transportation facilities, or schools.

5. *Whether the proposed rezoning and variance request conforms with the policy and intent of the Land Use Plan?*

The subject parcel is within the Downtown Character Area of the City of Dacula's Future Land Use Map, which calls for a balance of commercial and residential with an emphasis on "entertainment, locally driven cultural" and gathering uses. As such, the proposed development could be considered suitable at this location (City of Dacula 2050 Comprehensive Plan, pg 61).

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 and variance?*

Site constraints limit the potential uses on the property. The adjacent parcels are undeveloped and abut a CSX railroad track, one of which is owned by Gwinnett Department of Transportation. Their location on Winder Hwy and proximity to a CSX line could decrease the likelihood of a residential use. The proposed development conforms with the nearby development pattern, the 2050 Comprehensive Plan, and could increase the economic utility of a potentially underutilized parcel.

**Recommendation:**

Based on the application, the requested rezoning and variance are recommended for approval with the following conditions.

*The Planning Commission recommended denial, which carried 2-1, of the requested rezoning at the December 30, 2024, Planning Commission Public Hearing.*

Concept Plan and Land Use

1. Any substantial deviation from the approved concept plan entitled Atlanta Quality Management, LLC prepared by Smith Monitoring & Maintenance Engineering, Inc. dated October 25, 2024, and conditions of zoning shall be resubmitted to the Mayor and Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. The 75-foot undisturbed buffers on the northeast and southwest property lines shall be replaced with a 10-ft enhanced landscape buffer. The enhanced landscape buffer shall be provided along the full length of the northeast and southwest property lines. The

buffers shall be planted with a staggered, double row of privacy trees that are a minimum 6-feet in height and 2.5-inch dbh caliper. Privacy trees shall be supplemented with understory shrubs.

Landscape buffer trees shall be a combination of the following native species:

- a. American Holly
  - b. Eastern Hemlock
  - c. Eastern Redcedar
  - d. Loblolly
  - e. Sweetbay Magnolia
  - f. Southern Wax Myrtle
  - g. Washington Hawthorn
  - h. White Pine
  - i. Virginia Pine
3. Uses shall be contained indoors including, but not limited to, soccer and other recreational activities.
  4. No outdoor storage shall be permitted on site.
  5. Drive-thru uses shall not be permitted.

#### Architectural Design

6. 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.
7. The developer shall provide a decorative, commercial-quality pedestrian bench that complements the building at its entrance.

#### Landscape and Parking

8. The developer shall provide a minimum of thirty-five (35) parking spaces or adhere to Article X, Section 1002 of the Zoning Resolution, whichever is greater.
9. 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 2.5-inch dbh caliper. Parking islands/strips may include stormwater management/bioretenion infrastructure and native foliage, per the Georgia Stormwater Management Manual green standards.

Parking area trees should be a combination of the following species:

1. Willow Oak

2. Overcup Oak
  3. Nuttal 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
10. Parking lot and security lighting shall be directed towards the property to minimize the adverse impact on neighboring properties.
  11. Existing mature growth trees in buffer zones shall remain when feasible. The City Administrator or his / her designee shall determine what is feasible.
  12. Stormwater maintenance areas are encouraged to include practices from the Georgia Stormwater Management Manual green standards. The areas may include lower maintenance grass alternatives such as Blue Star Creeper, Corsican Mint, Micro-Clover, or Fescue, native shrubs, and native trees as approved by the City Administrator.
  13. Gravel drives and parking areas are prohibited. Permeable pavement alternatives must be reviewed and approved by the City prior to development permit issuance.
  14. 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.

#### Transportation and Infrastructure

15. A five (5) foot wide sidewalk shall be constructed on the property frontage of Winder Hwy.
16. Adjoining all parcels under the ownership or control of facility operators must have interparcel access.
17. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
18. Prior to the issuance of a Development Permit, the developer must satisfy Gwinnett County Department of Transportation requirements. The Developer shall also provide a traffic impact study, as required by Article 4 of the Development Regulations. Subject to final approval by Gwinnett County Department of Transportation, the developer shall make any improvements required by the submitted traffic impact study.

### Signage and Advertising

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. Human sign spinners and/or twirlers shall be prohibited.
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.