

Memorandum

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

From: Brittni Nix, Director of Planning and Economic Development

Date: October 26, 2021

Subject: Rezoning Case: 2021-CD-RZ-04

Proposed Zoning: TRD Transitional Residential District

Existing Zoning: R-1200 Single-Family Residential District

Size: 74.04 acres

Proposed Use: Single-Family Residential

Applicant: Starlight Homes of Georgia, LLC c/o Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, Georgia 30043

Owner: Ernest Walker Cain, Jr. and James H. Wilbanks
5400 Via Venoto Court
Sanford, Florida 32771

Location: LL 275 - 5th District, Parcel 001

Existing Land Use and Zoning:

The subject property totals 74.04 +/- acres and is located along Stanley Road. The majority of the site (70.66 acres) is located on the south side of the Stanley Road and Gregory Lane intersection. The remaining 3.38 acres are located within the northeastern quadrant of the Stanley Road and Gregory Lane intersection. In 2009, 55.45 acres of the 90-acre parcel was annexed and rezoned R-1200 Single-Family Residential District (2009-CD-AA-01 and 2009-CD-RZ-02), resulting in the entire parcel being located within the City limits. Gwinnett County has since purchased 15.9-acres +/- of the original 90-acre parcel for right-of-way. The property remains undeveloped wooded land.

Adjacent properties consistent of primarily single-family residential uses and zoning districts including R-1200 and R-1400 Single-Family Residential Districts to the north and south, TRD Transitional Residential District to the west, and MH Mobile Home Park District to the north.

The Proposed Development:

The applicant proposes rezoning 74.04 acres from R-1200 Single-Family Residential District to TRD Transitional Residential District for a 173-lot single-family residential subdivision (net density = 2.34 units/acre). While the subject site is split by Stanley Road, the proposed residential lots are wholly located within the southern tract of the subject property. Two (2) entrances are depicted along Stanley Road to provide access to the

subdivision development. One entrance is directly across from Jody Avenue and the second entrance is located approximately 300-feet east of Gregory Lane. An amenity area with a pool, clubhouse, and twenty-two (22) parking spots located near the center of the subdivision is proposed per the application materials. The site layout shows five (5) detention ponds for stormwater management.

Two (2) streams and wetland areas are located within the subject site. Twenty-three (23) of the proposed lots are located within the undisturbed stream buffers and/or impervious setback of these streams. Staff notes, a variance has not been requested as part of the rezoning application materials and a variance approval shall not be inferred if the proposed application is approved.

Summary:

The proposed residential subdivision is compatible with residential uses in the surrounding area. As such, the Department recommends that the requested rezoning be approved with the proposed conditions at this location.

Since the City Council Public Hearing on October 7, 2021, staff recommends adding condition #20 for consideration.

Comprehensive Plan:

The subject parcel is designated as Village Density Residential on The City of Dacula’s Future Land Use Map in the City of Dacula’s 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 rezoning will permit a use that is suitable in view of the use and development of an adjacent and nearby property?

The proposed TRD Transitional Residential District zoning is consistent with neighboring land uses and low-density residential development patterns in the area. As such, the proposed single-family residential subdivision could be considered suitable at this location.

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

The proposed applications would not be expected to adversely affect the existing use or usability of adjacent or nearby properties.

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

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?

With the provided conditions, excessive or burdensome use of streets, transportation facilities or schools would be minimized.

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

The proposed use is considered less intensive than the Village Density Residential (3.5 - 6 units/acre) designation shown on the City of Dacula's Future Land Use Map.

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, change of conditions, and variance?*

The proposed low-density single-family residential development is consistent with the current land uses in the area and is less dense than the Village Density Residential designation shown on the City of Dacula's Future Land Use Map.

Recommendation:

The Department notes the Planning Commission unanimously recommended approval with 19 conditions at the Public Hearing on September 27, 2021.

Based upon the application, the request to rezone to TRD Transitional Residential District, is recommended for **approval with the following conditions:**

1. The property shall be developed in accordance with the conceptual site plan prepared by Christopher Planning & Engineering dated August 10, 2021, revised September 14, 2021 and with the provided zoning conditions. 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.
2. The open space shall not be subdivided and shall be owned and maintained by a mandatory homeowners association. The deed to the mandatory homeowners association shall require that the open space be perpetually maintained.
3. The developer shall submit the Final Plat to the City of Dacula prior to the issuance of any building permits.
4. The maximum number of dwelling units shall not exceed 173.
5. The minimum heated floor area per dwelling unit shall be 1,800 square feet for one-story units and 2,000 square feet for two-story units.
6. The front and side façades of all dwelling units shall consist primarily of brick or stone with architectural treatments utilizing other masonry products of fiber cement siding. The rear façade of the dwelling units shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
7. All dwelling units shall have at least a two-car garage.

8. 5-foot wide sidewalks shall be constructed on both sides of the internal subdivision streets.
9. 5-foot wide sidewalks shall be constructed along the entire property frontage of Stanley Road.
10. Provide a decorative entrance feature with landscaping at each subdivision entrance to include a decorative fence to extend 100 feet of both sides of the Stanley Road entrance(s). Fencing shall be wrought-iron style with stacked stone or brick columns spaced every 30 feet. Provide a minimum 10-foot wide landscape strip along the entire property frontage of Stanley Road. Subject landscape strip shall include understory plantings and a 6-foot high landscape berm with a minimum of two (2), 6-foot high decorative trees planted every 15 linear feet. The tree species shall be approved by the City Administrator prior to planting. Any dead or diseased trees or plantings shall be removed and replaced with like kind materials. The subject landscape strip/berm shall be maintained by the mandatory homeowners association. The subject entrance feature and landscape plan along Stanley Road shall be submitted to the City for review and approval.
11. A standard deceleration lane with appropriate taper and adequate right-of-way shall be required for Stanley Road. Prior to the issuance of a development permit, a sight distance certification shall be provided that meets required distance for the speed limit posted on Stanley Road. The developer shall be limited to two curb cuts.
12. Underground utilities shall be provided throughout the development.
13. The development shall include an amenity area with a swimming pool, cabana with restrooms, playground, and adequate parking. The cabana shall be finished to match the façades of the adjacent dwelling units.
14. Provide a mail kiosk center with a minimum of one (1) postal box for each dwelling unit and a minimum of ten (10) parking spaces.
15. Street light service fees and maintenance are the responsibility of the mandatory homeowners association.
16. All grassed areas except the open space/common area shall be sodded. The open space/common area shall be hydro-seeded or sodded.
17. Each building lot shall have a minimum of two (2) decorative trees (maple, oak, birch, elm, etc.) at least 3 inches in diameter (DBH).
18. Incorporated into the declaration of restrictive covenants of the mandatory homeowners association will be a statement limiting the number of leased or rented homes to no more than thirty percent (30%) of the total number of units in the development. The declaration shall also require owners wishing to lease their property to obtain a written permit to rent or lease from the homeowners association.

19. All lots shall abide by the City of Dacula's undisturbed stream buffer and impervious setback requirements as stated in Section 1504 of the Zoning Resolution.
20. To allow for the installation of necessary infrastructure and to plan and provide for services to accommodate new residents, no more than 30 residential building permits shall be issued prior to the end of 2022, and no more than 100 total permits will be issued by the end of 2023. All remaining permits may be available to be issued in 2024.