



Greg Whitlock, Mayor
Jamin Harkness, Post 1
Marline Thomas, Post 2

Lamar Doss, Post 3
Manfred Graeder, Post 4
Shenée Johnson-Cummings,
Post 5

**AGENDA
MAYOR AND COUNCIL
CITY OF DULUTH, GA
3167 Main Street
Duluth, GA 30096**

OCTOBER 13, 2025

CITY HALL COUNCIL CHAMBERS

6:00 pm

***The leaders and staff of the City of Duluth are dedicated to ensuring that Duluth is:
an Attractive Destination, a Quality Community, a World Class Government,
and promotes a Sustainable Economic Environment.***

5:30 P.M. – AGENDA REVIEW

Main St. Conference Room

6:00 P.M. - CALL TO ORDER

Mayor Whitlock or Mayor Pro tem Thomas

INVOCATION OR MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

II. APPROVAL OF MINUTES

III. ANNOUNCEMENTS

1. WELCOME - STUDENT LEAD

PLEASE NOTE: This and other City meetings may be audio and/or videotaped for broadcast, transcription and/or archival purposes. As set forth in the Americans with Disabilities act (ADA) of 1990, the City of Duluth government does not discriminate on the basis of disability in the admission or access to or treatment of employment in its programs or activities, and complies with the requirements contained in section 35.107 of the Department of Justice regulations. All agenda packets may be converted to WCAG 2.0 compatibility format by emailing agenda@duluthga.net. In addition, any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Duluth government should be made seven days prior to the event. Direct inquiries to the ADA Coordinator in the City Clerk office, located at 3167 Main Street, Duluth, GA. 30096, or by telephone at 770.476.3434.

2. UPCOMING EVENTS – www.duluthga.net/events

Duluth “Live” – Fridays 10/17, 10/24 and 10/31 and Saturdays 10/18 and 10/25

Peach State Cornhole Fall leagues – Tuesdays/Thursdays

Duluth Farmers and Artisan Market - 1st and 3rd Sundays September - November

Howl on the Green - October 24

Night at Red Clay: Kelsey Waldon - November 13

Frosty Fun - November 22 through December 3 and December 21 through January 4

Deck the Hall - December 6

IV. MATTERS FROM CITIZENS

Maximum of five (5) minutes per person. Sign-up sheet available.

V. CONSENT AGENDA

1. BUFORD HWY DECORATIVE CROSSWALKS/ORD TO AMEND BUDGET

At the October 28, 2024 work session, Mayor and Council discussed and approved the addition of decorative crosswalks on Buford Highway at SR 120 and at Brock Road. Staff lined up a contractor who agreed to hold his prices until the City was ready to begin construction. StreetScapes is ready to begin work upon contract execution and Notice to Proceed. Therefore, approval of this item authorizes staff to contract with StreetScapes in the amount of \$109,791 to complete both crosswalks. In addition, staff recommends a contingency of \$20,209, a new handicap ramp at Brock Road in the amount of \$1500 (to be completed by a third party), and \$2500 in construction oversight for a total budget amendment (BA-FY-13) request of \$134,000 in 2023 SPLOST Transportation Funds to (CD-65) Buford Highway - Transfer from SPLOST 2023 line item and \$2,500 to Buford Highway - Sidewalks & Crosswalks - Professional Services line item and \$131,500 to Buford Highway - Sidewalks & Crosswalks - Site Improvements line item, including associated transfers.

VI. PUBLIC HEARINGS

1. ORD OF SPECIAL USE – CASE SU2025-004- PERSONAL CARE HOME

Mayor and Council to consider an ordinance to allow a special use permit on Parcel R6323 099 located at 4021 Pine Needle Drive for Case SU2025-004.

Owner Young Yee Woo and Applicant Robert L. Fouse are requesting a special use permit to operate a personal care home in this location. The property is zoned R-75 (single family district), which requires a special-use permit for the operation of a personal care home.

Planning Commission recommended approval (4-1) at their September 15, 2025 hearing. Ordinance and staff report attached for reference.

2. ORDINANCE TO AMEND COMPREHENSIVE PLAN – TA2025-005

Mayor and Council to consider amendments to the FORWARDuluth 2045 Comprehensive Plan. Staff felt it necessary to update the Hudgens Small Area Plan to better address current needs of the community. In addition, Council recently approved the R-50 zoning category, which requires an update to the comprehensive plan.

The Planning Commission recommended approval of the text amendments at their October 6, 2025 hearing. Ordinance is attached for reference.

VII. NEW BUSINESS

1. AWARD OF BID/ORD TO AMEND BUDGET – PUBLIC SAFETY ROOF

The roof system at the Public Safety Building is original to the building and circa 2006. Accordingly, staff published a Request for Proposal (RFP) for replacement of the roof. Staff received four proposals and following an evaluation by an outside consultant, staff is recommending that the contract be awarded to CGS LLC, in the amount of \$ 108,329.21. Given the complexity of the roof, staff is also recommending a 20% contingency be added for a total request of \$ 130,000.

Additionally, staff is requesting approval of a budget amendment BA-FY26-11 to add \$130,000 in unallocated 2023 SPLOST Public Safety funds to Police Capital Projects - Police - Buildings line item, including associated transfers.

2. AWARD OF BID – SUNRISE RETAINING WALL

Several months ago, code compliance noticed the existing railroad tie retaining wall on Sunrise Lane in the Chattahoochee Hills Subdivision was in need of repairs. The HOA contacted us to assist in determining ownership of the wall. The wall was built on the right of way line, and it is likely to have tie back anchors that protrude into the right-of-way itself. Therefore, the City is taking ownership of and replacing the wall.

Repairs to a wall of this age and type were determined not to be cost effective. Three bids were received to replace the existing wall with an engineered modular concrete block wall. This includes removal of the existing wall, removal of any trees that have grown near or into the wall, construction of the new wall, restoration/stabilization of the roadway shoulder, and the planting of bushes along the top of the wall to act as an edge barrier. The three trees removed for construction will be replaced.

The HOA has already granted temporary construction easement for the contractor's use.

The following bids were received:

IP Construction	\$34,500.00
Triscapes	\$35,385.00
Zaveri Enterprises, Inc.	\$76,300.00

Staff recommends awarding a contract in the amount of \$34,500.00 to IP Construction.

3. ORDINANCE TO AMEND BUDGET - \$44,850 – SUNRISE RETAINING WALL

Mayor and Council to consider a budget amendment for the retaining wall replacement on Sunrise Lane in the Chattahoochee Hill Subdivision.

With a contract award to IP Construction in the amount of \$34,500, staff request approval of a budget amendment BA-FY26-09 for construction, contingency and project oversight. as follows:

Construction	\$34,500.00
Construction Oversight:	3,450.00
Material Testing:	2,000.00
Contingency:	6,900.00
 TOTAL BUDGET:	 \$46,850.00

Approval of this ordinance adds \$46,850 in 2023 SPLOST Transportation Funds to Sunrise Lane Retaining Wall - Transfer from SPLOST 2023 and to add \$3,450 to Sunrise Lane Retaining Wall - Paved Streets - Professional Services line item and \$43,400 to Sunrise Lane Retaining Wall - Paved Streets - Infrastructure line item, including associated transfers.

4. RESOLUTION TO ACCEPT GRANT - PINE NEEDLE PEDESTRIAN

As previously authorized by Council, staff submitted a grant application through the Atlanta Regional Commission in February of 2025 for the Pine Needle Pedestrian Connector. On October 6, staff received notice from the Georgia Department of Transportation that we were successful and will be awarded grant funding for the Preliminary Engineering (PE) phase of the project. This phase is estimated to cost \$860,000. The federal match would include \$688,000 with a required local match of \$172,000. Accepting this grant requires a resolution to be signed by Council stating the City will contribute the required 20% grant match.

5. ORDINANCE TO AMEND BUDGET - \$860,000 – PINE NEEDLE TRAIL

Should Council approve the Resolution to provide matching funds of \$172,000 to support the Pine Needle Pedestrian Connector Project federal grant through the Georgia Department of Transportation, staff is requesting approval of a budget amendment (BA-FY26-14) to add the federal and local matching funds to the Pine Needle Drive Improvements capital project. Matching funds will come from 2023 SPLOST Transportation Funds.

Approval of this item approves budget amendment (BA-FY26-14) to add \$172,000 to Pine Needle Drive Improvements - Transfer from SPLOST 2023 line item and \$688,000 to Pine Needle Drive Improvements - Federal Grants line item and \$860,000 to Pine Needle Drive Improvements - Roadways & Walkways - Professional Services line item, including associated transfers.

VIII. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. POLICE DEPARTMENT STAFFING REQUEST/ORD TO AMEND BUDGET

In response to requests to Mayor and Council for additional police presence throughout our neighborhoods, and to meet the growing public safety needs in our City, staff would like to request four additional police officer positions. For the first time in several years, the City is at full capacity for police officer positions. The additional police officers would be used for patrol functions and would allow for the addition of one more officer per shift to answer citizen calls for service.

The Police Department anticipates seven months of funding for the new officer positions in the FY26 budget. For this reason, staff is requesting approval of a Budget Amendment BA-FY26-10 for \$232,000 to fund the salaries and benefits for these new positions from prior year reserves to add funds to the following line items in Police - Police Uniform Division: Salaries & Wages \$139,200, Group Insurance \$64,960, FICA Taxes \$11,600, and Retirement/Pension \$16,240.

2. PINE NEEDLE PEDESTRIAN CONNECTOR - GRANT MATCH

Staff is pursuing a grant through the Georgia Department of Transportation's (GDOT) current call for projects eligible for Congestion Mitigation and Air Quality (CMAQ) or Transportation Alternatives Program (TAP) funds. The application requires a resolution to be signed by Council stating that if the City is successful in winning a grant, then the City will commit to the 20% grant match. This is standard procedure for grant applications.

The project is expected to cost approximately \$7,000,000 for sidewalk, drainage, and pedestrian lighting. The new bridge over Rogers Creek is being designed and constructed under GDOT's current State Route 120 project, "PI 0018297," and should be completed before the City's trail project goes into construction. PI 0018297 includes a wide enough shoulder to eventually accommodate this 10' trail.

The \$7M estimate accounts for design, right of way acquisition, utility relocation, and construction (with contingency included). Match funds would come from the unallocated Transportation 2023 SPLOST in the amount of \$1,400,000.

Funds would only be committed if the grant is awarded to the City for this project.

3. TYLER RECORDS MANAGEMENT SYSTEMS SOFTWARE UPGRADE

Currently, the police department uses Tyler Technologies as their records management system. Tyler Technologies recently released an upgraded version of their software which includes enhanced functionality, improved cybersecurity compliance, and better data-sharing capabilities with other law enforcement partners. Continued support for the current version will be phased out in the near future, requiring an upgrade to maintain system reliability and vendor support. Currently, Tyler Technologies is an on-premises system. This is a necessary upgrade in order to move to a web-based program.

The total cost of the migration of data and installation will be \$479,000. Tyler technologies will pro-rate the cost of the maintenance fees not used for the remainder of this year, bringing the total cost for migration of data and installation to approximately \$321,000. After the upgrade is installed, the yearly maintenance fee for using Tyler Technologies will be \$336,000. Staff is requesting approval of a budget amendment BA-FY26-12 to add \$321,000 in General Fund reserves to Police - Police Support Services Division - Support Agreements line item.

IX. MATTERS FROM MAYOR & COUNCIL

X. MATTERS FROM CITY MANAGER

XI. EXECUTIVE SESSION (if necessary)

It may be necessary to hold an executive session on Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

XII. ADJOURNMENT

The next scheduled meeting of the Mayor and Council is a work session for October 27, 2025 at 5:30 p.m.



**DRAFT MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
SEPTEMBER 8, 2025**

PRESENT: Mayor Whitlock, Council members Harkness, Thomas, Doss, Graeder, and Cummings, City Manager, Asst. City Managers, Department Directors, City Attorney

Mayor Whitlock called the meeting to order at 5:40pm.

I. EXECUTIVE SESSION

It was necessary to adjourn into an Executive Session to discuss pending/potential litigation, personnel and/or real estate matters, which is properly excluded from the Georgia Open and Public Meeting Law. (O.C.G.A. 50-14).

A motion was made by Councilmember Cummings, seconded by Councilmember Doss, to adjourn to executive session at 5:40pm.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Cummings.
Motion carried.**

After the discussion, a motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to return to regular session at 5:58pm.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Cummings.
Motion carried.**

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

II. APPROVAL OF MEETING AGENDA

A motion was made by Councilmember Doss, seconded by Councilmember Graeder, to approve the September 8, 2025 Council Agenda as presented.

Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings Motion carried.

III. APPROVAL OF MINUTES

A motion was made by Councilmember Thomas, seconded by Councilmember Harkness, to approve the August 11 and August 25th, 2025, meeting minutes as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

IV. ANNOUNCEMENTS

1. UPCOMING EVENTS – www.duluthga.net/events

Duluth “Wednesday Flavors on Main” – Wednesdays 9/10, 9/17

Duluth “Parsons Thursday Nights Out” – 9/11, 9/18

Duluth “Rock the Block: Live and Loud Fridays” – 9/12, 9/19

Duluth “Live” – Fridays 9/12, 9/19, 9/26, and 10/3 and Saturdays 9/13, 9/20, 9/27, and 10/4

Peach State Cornhole Fall leagues – Tuesdays/Thursdays starting 8/26

Duluth “Farmers and Artisan Market - 1st and 3rd Sundays September - November

Dogtoberfest - Saturday, September 13

Good Word Brewing Presents: Les Bon - Saturday, September 13

Duluth Fall Festival Concert featuring Rupert's Orchestra - Saturday, Sept 20

Duluth Fall Festival - September 27 & 28

S'mores 'N Snores - Saturday, October 4 (Rogers Bridge Park)

Haunted Duluth Tours - Saturday, October 11

V. MATTERS FROM CITIZENS

None.

VI. CONSENT AGENDA

1. ORDINANCE TO AMEND BUDGET - \$13,800 – POLICE VEHICLES {A}

Recently, the Police Department sold three (3) vehicles at auction, after commissions and fees the City received \$13,800. Staff requested that \$13,800 be added to Police Vehicles - Consolidated Vehicle Maintenance - Vehicle line item, including associated transfers. Approval of this item authorized ordinance BA-FY26-08 to amend the FY26 budget.

A motion was made by Councilmember Graeder, seconded by Councilmember Cummings, to approve the Consent Agenda as presented.

Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings. Motion carried.

VII. PUBLIC HEARINGS

1. PROPOSED 2025 TAX MILLAGE RATE/ORDINANCE OF APPROVAL {B}

Mayor Whitlock opened the public hearing and called Asst. City Manager/Finance and Redevelopment Director Ken Sakmar forward to present.

Each year, the Gwinnett County Tax Assessor reviews the assessed value of taxable property in the County. When the total digest of taxable property is prepared, Georgia Law requires calculation of a "rollback" millage rate (RMR) that produces the same total revenue on the current year's new digest that last year's millage rate would have produced, had no reassessments occurred. The City of Duluth is considering maintaining the same millage rate as last year, which is 6.551 mills. For the 2025 digest, the current millage rate exceeded the rollback millage rate by 0.184 mills, or stated another way, as a percentage of the rollback millage rate, the current millage rate represents a 2.89% "increase." The reassessment revenue would add approximately \$530,861.

Mr. Sakmar continued by noting that the City has implemented the provisions of House Bill 581 which provides tax relief to homeowners who have a homestead exemption, and it offers a "floating" homestead exemption amount. This calculates to be a little bit over \$100 million. Also, in the digest, there are other changes to the digest as a result of growth of roughly \$55 million, or 2.1% of real property. There are also reassessments of existing property, and those reassessments are projected to result in a net increase of \$183 million, or 6.92% of real property. Breaking that number down that I just mentioned in the reassessments, you arrive at \$271 million. There would be a projected loss of roughly \$88 million, so it nets down to \$183 million, broken out between residential and commercial.

The specific detail was calculated down to the per parcel value by residential and commercial. Comparing the current millage rate to the rollback millage rate, it comes out to .184%. or roughly \$531,000 speaking as a dollar amount. Looking at the value of the average home, Mr. Sakmar gave examples of calculations based on home values of \$350,000, \$450,000, and \$550,000.

Mr. Sakmar explained that the City's budget was projected to use reserves to balance the budget of almost a million dollars and property tax is the largest share of the city's revenue side of the budget. He further explained the exemptions, amounts given, and detailed the floating homestead this year with estimated dollar amount. He showed the millage rate history back to 1985, and noted it would be 10 years that we've had the same rate, and that is the longest period of time it has remained the same.

Georgia law requires that the City publish a "Notice of Property Tax Increase" in the legal organ when the tentative adopted millage rate exceeds the rollback millage rate. In addition, three public hearings must be scheduled to allow the public an opportunity to express their opinion on the proposed tax millage. This was the third and final public hearing; an ordinance was presented for adoption.

Mayor Whitlock clarified that, under HB 581, values are capped at increasing based on the consumer price index. But this year for residential homestead properties, the 2024 values; the increases only apply to non-homestead residential and commercial

properties, unless there's been an addition or improvement to a home that is exempt that changes the value of the home.

The Mayor called for discussion from Council.

Being no discussion, Mayor Whitlock called for questions/comments from the public.

There being no comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Harkness, seconded by Councilmember Cummings, to approve ordinance O2025-40 as presented, setting the tax millage rate for 2025 at 6.551 mills.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

2. ORDINANCE OF SPECIAL USE – CASE SU2025-002 – RIVER GREEN {C}

Mayor Whitlock opened the public hearing and called the Deputy Director of Community Development & Engineering Aron Hall forward to present. Owner Kevin Shinn and Applicant John Kim are requesting a special use permit to operate a preschool with after school care in the River Green Industrial Park at 4680 River Green Parkway, parcel R6325 038. This property is zoned M-1 (Light Industrial District), which requires a special use permit for the operation of schools.

Mr. Hall described the existing conditions and uses for adjacent properties and noted there are several schools in the area. The Character Area is the River Green Employment District. The future land use sees this as to be commercial retail office. He showed the proposed site plan and described current zoning. Traffic has been a concern in the area, with only two entrances and exits for all of River Green. However, with an update to the timing of the light on PIB, traffic seems to have subsided over the past year, and even this school year, has subsided somewhat.

Mr. Hall outlined the conditions of approval which are outlined in the ordinance. The Planning Commission recommended approval with conditions at their August 4, 2025 hearing.

The Mayor called for discussion from Council.

Council asked questions regarding parking spaces, operating hours, number of children, ages, type of fencing being used and where the playground is being proposed to be located. They also expressed safety concerns over the proximity to a warehouse and delivery vehicles.

Mayor Whitlock called the applicant forward.

Helen and John Kim of 7950 Chancery Ridge came forward. Ms. Kim addressed Council's concerns explaining the school would operate outside of peak traffic hours

and the nearby warehouse would utilize its own separate entrance. She also addressed concerns regarding fence materials and child safety.

Mayor Whitlock called for questions/comments from the public.

Being no further comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to approve ordinance O2025-36 for Case Number SU2025-002 with conditions as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

3. ORD OF SPECIAL USE – CASE SU2025-003 – BANK/DRIVE-THROUGH {D}

Mayor Whitlock opened the public hearing and called Deputy Director for Community Development & Engineering Aron Hall forward to present. Owner Roster Property, LLC and Applicant Gideon Lee requested a special use permit to operate a bank with a drive through window located at 2772 Buford Highway, parcel R7202 282. This property is zoned HC-R (Highway Commercial - Retail District), which allows banks by right, but does not allow for drive through windows without special use approval.

Mr. Hall described the subject property and surrounding uses and noted that the future land use map envisions this property to be mixed-use. He showed the current and proposed elevations. The property was a former Burger King with a drive-through window. However, this business closed between June 2015 and September 2016. Since the Burger King has been out of business for more than 90 days, the special use permit is required to reuse the drive-through.

Mr. Hall outlined the conditions of approval which are outlined in the ordinance. The Planning Commission recommended approval with conditions at their August 4, 2025 hearing.

The Mayor called for discussion from Council.

Councilmember Graeder asked if staff would be flexible if the applicant required more than ninety days to complete work on the property. Mr. Hall explained that staff could extend the requirement period as appropriate.

Mayor Whitlock called forward the applicant.

Owner Gideon Lee of 505 Tatum Drive, Alpharetta GA, came forward to address concerns regarding the visual appearance of the drive through. Mr. Lee explained the drive-through would operate as a drive up atm without a window.

Mayor Whitlock called for questions/comments from the public.

There being no further comments or questions, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Doss, seconded by Councilmember Graeder, to approve, ordinance O2025-37 for Case Number SU2025-003 with conditions as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

4. ORDINANCE OF ADOPTION–UNIFIED DEVELOPMENT CODE {E}

Mayor Whitlock opened the public hearing and called Deputy Director for Community Development & Engineering Aron Hall forward to present.

Staff proposed an ordinance adopting a new City of Duluth Unified Development Code (UDC). The current UDC was originally adopted in 2015 and had undergone several text amendments. Over the past two years, staff has dissected the text and created a newer version intended to eliminate inconsistencies, redundancies, and errors. The new code is intended to reflect Council's current policies regarding land use. Some sections have been simplified, some sections have been rewritten for clarity, and some sections remain unchanged.

To gather input and feedback from stakeholders, staff advertised and held two joint work sessions with the Planning Commission and the Zoning Board of Appeals as well as two work sessions with Mayor and Council. He explained that the 25 text amendments have been approved over the past two years, and provided a brief overview of the changes to the UDC during the hearing; those articles that were affected were, number one, adoption, purpose, and applicability, number two, use of land and structures, three, restrictions on particular uses, four, parking and loading requirements, five, subdivision and plan developments, seven, landscaping buffers and tree protection, and then nine, project design and construction standards. Chapter 14 had a lot of changes only because we moved all of the definitions that were in all the articles to 14, so 14 is now acting as a glossary.

Mr. Hall detailed the changes, referencing removing the word “morals” as subjective, changing “urban” to “suburban” sprawl, defining “yards,” adding R50 as a zoning class, lot coverage clarification and amended setbacks. Further amendments were regarding principal uses, rooming/boarded houses, changing zoning allowances for mixed use building requirements, continuing/retirement care, day care etc. Mr. Hall detailed the other proposals moving many uses from “special use” to “allowed by right” based on previous requests, department experience and current updated practices/nearby compatibility.

Other updates included describing the R50 guidelines, lighting requirements, carports, dumpster enclosures, animals and bees, distance requirements for junkyards and tattoo establishments. Mr. Hall referenced temporary events, distances from places that serve alcohol, and sale of spring/summer items. Additionally, short-term rental requirements were detailed, parking sections were updated, definitions added to Article 14, and tree density/calculations were simplified.

Changes were also made to project design and construction standards, taking out everything and making it AASHTO or GDOT standards throughout Article 9. Much of Article 9 currently contemplates roads that the City of Duluth has no jurisdiction over. Sidewalk and driveway requirements were updated, and Utility permitting is now required.

Mr. Hall concluded by stating after adoption, it is expected that additional text amendments will be required over time. As items are brought to staff or as staff discovers unintended inconsistencies, text amendments requests will be brought to Planning Commission and Mayor and Council through the hearing process.

The Planning Commission recommended approval of the new Unified Development Code at their August 4, 2025 hearing.

The Mayor called for discussion from Council.

Council thanked the Community Development & Engineering department for their hard work and effort in preparing the update to incorporate the future vision and streamline development and enforcement efforts for staff and the community.

Being no further questions/comments, Mayor Whitlock called for questions/comments from the public.

Being none, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Harkness, seconded by Councilmember Doss, to approve, ordinance O2025-39 for Case TA2025-003 adopting the 2025 City of Duluth Unified Development Code as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

5. ORDINANCE OF ADOPTION– ROW FEE SCHEDULE

{F}

Mayor Whitlock opened the public hearing and called Deputy Director for Community Development & Engineering Aron Hall forward to present.

Staff proposed adopting an ordinance to adjust the City's permit fee schedule to include a fee for Right of way utility permits. While state law provided for public utilities to locate within public rights of way, a fee was not being assessed to cover staff time for review of applications or making field visits, as needed. The adjustment to the fee schedule included a \$100 permit fee for right-of-way applications to cover these costs.

Mayor Whitlock called for questions/comments from the Council.

Council Graeder asked how often these applications are received by the City. Staff said historically about one to two dozen per month; however, those numbers may have changed.

Being no further questions/comments, Mayor Whitlock called for questions/comments from the public.

Being no further comments, Mayor Whitlock closed the public hearing and called for a motion

A motion was made by Councilmember Cummings, seconded by Councilmember Graeder, to approve, ordinance O2025-38 for case T2025-004 amending the fee schedule as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

VIII. NEW BUSINESS

1. AWARD OF BID – HALL CIRCLE ONE-WAY TRANSITION {G}

The Mayor and Council considered awarding the contract for the one-way transition of Hall Circle.

In June of 2025, staff collected three qualified bids from contractors to complete the infrastructure work required for the one-way transition of Hall Circle.

Ryals Brothers -	\$ 40,620
IP Construction -	\$ 50,000
Tri-Scapes -	\$154,518.70

Staff recommend awarding a city attorney-approved contract to Ryals Brothers in the amount of \$40,620.

Mayor Whitlock called for questions/comments from the Council.

Being no further comments, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Cummings, to approve, awarding the contract for the Hall Circle One-Way Transition Project to Ryals Brothers in the amount of \$40,620 as presented, and further authorize the City Manager to execute the contract.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

2. ORDINANCE TO AMEND BUDGET - \$62,260 - HALL CIRCLE {H}

Mayor and Council considered a budget amendment for the one-way transition of Hall Circle.

With a contract awarded to Ryals Brothers in the amount of \$40,620, staff recommend a budget for construction, contingency, materials testing, and construction oversight as follows:

Construction -	\$40,620
Contingency -	\$10,000
Materials Testing -	\$5,000
Construction Oversight -	\$7,000

Total requested budget - \$62,620.

Funding for the project would be paid from the 2023 SPLOST Transportation Funds.

A motion was made by Councilmember Doss, seconded by Councilmember Thomas, to approve, ordinance BA-FY26-07 as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

IX. MATTERS FROM MAYOR & COUNCIL

The Mayor and Council expressed appreciation to Public Works staff for the work on the Wood Acres paving project.

Mayor Whitlock congratulated staff members Margie Pozin and Chris McGahee on being accepted and starting the Leadership Gwinnett program. He also thanked the Parks and Recreation staff for their presentation to Student Lead.

X. MATTERS FROM CITY MANAGER

- City Hall parking lot recently paved
- Construction of the Train Viewing Platform has begun. Signage will be placed on the site acknowledging the project.

XI. ADJOURNMENT

A motion was made by Councilmember Doss, seconded by Councilmember Thomas, to adjourn at 7:10 pm.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Cummings
Motion carried.**

*The next scheduled meeting of the Mayor and Council is a work session for
September 22, 2025 at 5:30 p.m.*



**DRAFT MINUTES OF THE
SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
URBAN REDEVELOPMENT AGENCY
DOWNTOWN DEVELOPMENT
AUTHORITY
CITY OF DULUTH, GA
SEPTEMBER 22, 2025**

M&C PRESENT: Mayor Whitlock, Council members Harkness, Thomas, Doss, Graeder, and Cummings, City Manager, Asst. City Managers, Department Directors, City Attorney

URA PRESENT: Brandom Odum, Marline Thomas, Nancy Harris

DDA PRESENT: Jim Graham, Richard Meehan, Slade Lail, Fred Butler, Tammy Lopez, Robb Watson

DDA ABSENT: Ken Odum

Mayor Whitlock, URA Chair Odum, and DDA Co-chair Graham called the meeting to order at 5:30 p.m.

Mayor Whitlock announced it would be necessary to hold an executive session with Mayor & Council, the Urban Redevelopment Agency, and the Downtown Development Authority for the purpose to discuss Real Estate, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

I. EXECUTIVE SESSION

A motion was made by Councilmember Doss, seconded by Councilmember Thomas, to adjourn to executive session.

**Voted for: Councilmembers Harkness, Thomas, Doss, Graeder and Cummings
Motion carried.**

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A motion was made by URA member Harris, seconded by member Thomas, to adjourn to executive session.

***Voted for: Harris, Thomas, and Odum
Motion carried.***

A motion was made by DDA member Butler, seconded by Meehan to adjourn to executive session.

Voted for: Graham, Meehan, Lail, Butler, Lopez, and Watson
Motion carried.

After the discussion, Mayor Whitlock called for motion to adjourn from executive session into the special called meeting.

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder, to adjourn from executive session and reconvene into the special called meeting.

Voted for: Councilmembers Harkness, Thomas, Doss, Graeder and Cummings
Motion carried.

--

URA Chair Odum called for motion to adjourn from executive session and reconvene into the special called meeting.

A motion was made by URA member Harris, seconded by member Thomas, to adjourn executive session and reconvene into the special called meeting.

Voted for: Harris, Thomas, and Odum
Motion carried.

--

DDA Chairman Graham called for motion to adjourn from executive session and reconvene into special called meeting.

A motion was made by DDA member Meehan, seconded by Lopez, to adjourn from executive session into special called meeting.

Voted for: Graham, Meehan, Lail, Butler, Lopez, and Watson
Motion carried.

II. ADJOURNMENT

A motion was made by Councilmember Thomas, seconded by Graeder to adjourn at 7:00pm.

Voted for: Councilmember Harkness, Thomas, Doss, Graeder and Cummings
Motion carried, Council meeting adjourned.

A motion was made by URA member Thomas, seconded by member Harris, to adjourn at 7:00pm.

***Voted for: Harris, Thomas, and Odum
Motion carried, URA meeting adjourned.***

--

A motion was made by DDA member Lail, seconded by Watson, to adjourn at 7:00pm.

***Voted for: Graham, Meehan, Lail, Butler, Lopez, and Watson
Motion carried, DDA meeting adjourned.***

The next scheduled meetings are:

Mayor & Council - Monday, Oct. 13, 2025, 6:00 pm in the Council chambers.

Urban Redevelopment Agency – Monday, Dec 8, 2025, 4:30pm in the Community Room

Downtown Development Authority – Tuesday, Oct 21, 5:30pm in Main St. Conference Room

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>85,961,758</u>
Operations Expenditures:	<u>34,293,491</u>
Capital Improvement Expenditures:	<u>51,668,267</u>
Total Expenditures:	<u>85,961,758</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Mayor and Council discussed and approved the addition of decorative crosswalks on Buford Highway at SR 120 and Brock Road; and

WHEREAS staff would like to move forward with the contractor, StreetScapes for a contract price of \$109,791, plus contingency of \$20,209, new handicap ramp of \$1,500, and construction oversight of \$2,500 for a total cost of \$134,000; and

WHEREAS it is requested \$134,000 in 2023 SPLOST Transportation Funds be added to Buford Hwy – Transfer from SPLOST 2023 line item and \$2,500 to Buford Hwy- Sidewalks & Crosswalks – Professional Services line item and \$131,500 to Buford Hwy – Sidewalks & Crosswalks – Site Improvements line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>86,095,758</u>
Operations Expenditures:	<u>34,293,491</u>
Capital Improvement Expenditures:	<u>51,802,267</u>
Total Expenditures:	<u>86,095,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

**ORDINANCE OF REZONING
02025-43
CITY OF DULUTH**

AN ORDINANCE GRANTING SPECIAL USE APPROVAL TO ALLOW FOR A PERSONAL CARE HOME IN R-75 (SINGLE-FAMILY DISTRICT) LOCATED ON A ±1.40 ACRE PROPERTY IN LAND LOT 323 OF THE 6TH DISTRICT, GWINNETT COUNTY CONSISTING OF TAX PARCEL R6232 099 ADDRESSED AS 4021 PINE NEEDLE DRIVE, DULUTH, GEORGIA 30096. THE PROPERTY, GENERALLY KNOWN AS “4021 PINE NEEDLE DRIVE”, IS LEGALLY DESCRIBED ON THE ATTACHED EXHIBIT “B”. THE ORDINANCE PROVIDES FOR FINDINGS, ESTABLISHES CONDITIONS OF APPROVAL AS SHOWN ON ATTACHED EXHIBIT “C”, PROVIDES FOR SEVERABILITY, REPEALS CONFLICTING ORDINANCES, ESTABLISHES AN EFFECTIVE DATE, AND IS FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the applicant, Robert L. Fouse, R.A. has filed a complete application (SU2025-004) with the City of Duluth seeking Special Use approval to allow for a personal care home in R-75 (Single-Family District); and

WHEREAS, per Article 11 of the Duluth Unified Development Code, a Special Use must be approved by the Governing Body; and

WHEREAS, the City of Duluth Planning Commission held a public hearing at the meeting of September 15, 2025, duly noticed as prescribed by law and published in the Gwinnett Daily Post, regarding the application. At the September 15, 2025 meeting, the Planning Commission recommended approval with conditions as is set forth in the minutes of said meeting; and

WHEREAS, the City Council held a public hearing at the meeting of October 13, 2025, duly noticed as prescribed by law and published in the Gwinnett Daily Post, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, the City Council of the City of Duluth hereby ordains that the City of Duluth Unified Development Code is hereby amended as follows:

SECTION 1. FINDINGS.

Pursuant to Article 11 of the Duluth Unified Development Code, the City Council finds that it is appropriate to grant special use approval to the property, for the following reasons:

- A. The special use is suitable given the use and development of adjacent and nearby properties.
- B. The proposed special use is not anticipated to adversely affect the existing use or usability of adjoining or nearby properties.
- C. The proposed special use is not anticipated to cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- D. The Future Land-Use and Development section and supporting Character Area Map of

FORWARDuluth (also known as the Comprehensive Plan, 2045) identifies the Character Area of this property as the Established Neighborhood District. Special Use approval to allow for a personal care home on this particular R-75 (Single-Family District) lot is consistent with the spirit and intent of the Comprehensive Plan.

SECTION 2. LEGAL DESCRIPTION.

The property that is subject to this ordinance consists of ±1.40 acres and is legally described on Exhibit “B”, attached hereto. Said Exhibit is incorporated by reference as if fully set forth herein.

SECTION 3. SEVERABILITY.

Should any section or provision of this Ordinance or any Ordinance pertaining to the companion applications as identified above be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon approval by the City Council of the City of Duluth, Georgia.

SECTION 5. REPEALER.

All conflicting ordinances and conditions are hereby repealed and replaced with the conditions of approval set forth in this Ordinance O2025-43.

ATTACHMENTS:

Exhibit “A”: Maps

Exhibit “B”: Legal Description

Exhibit “C”: Conditions of Approval

Exhibit “D”: Applicant’s Responses to the Standards Governing Special Use Consideration

Exhibit “E”: Public Notice

{Signatures on the following page}

IT IS SO ORDAINED this _____ day of _____ 2025.

Those councilmembers voting in favor:

Mayor Greg Whitlock

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those council members voting in opposition:

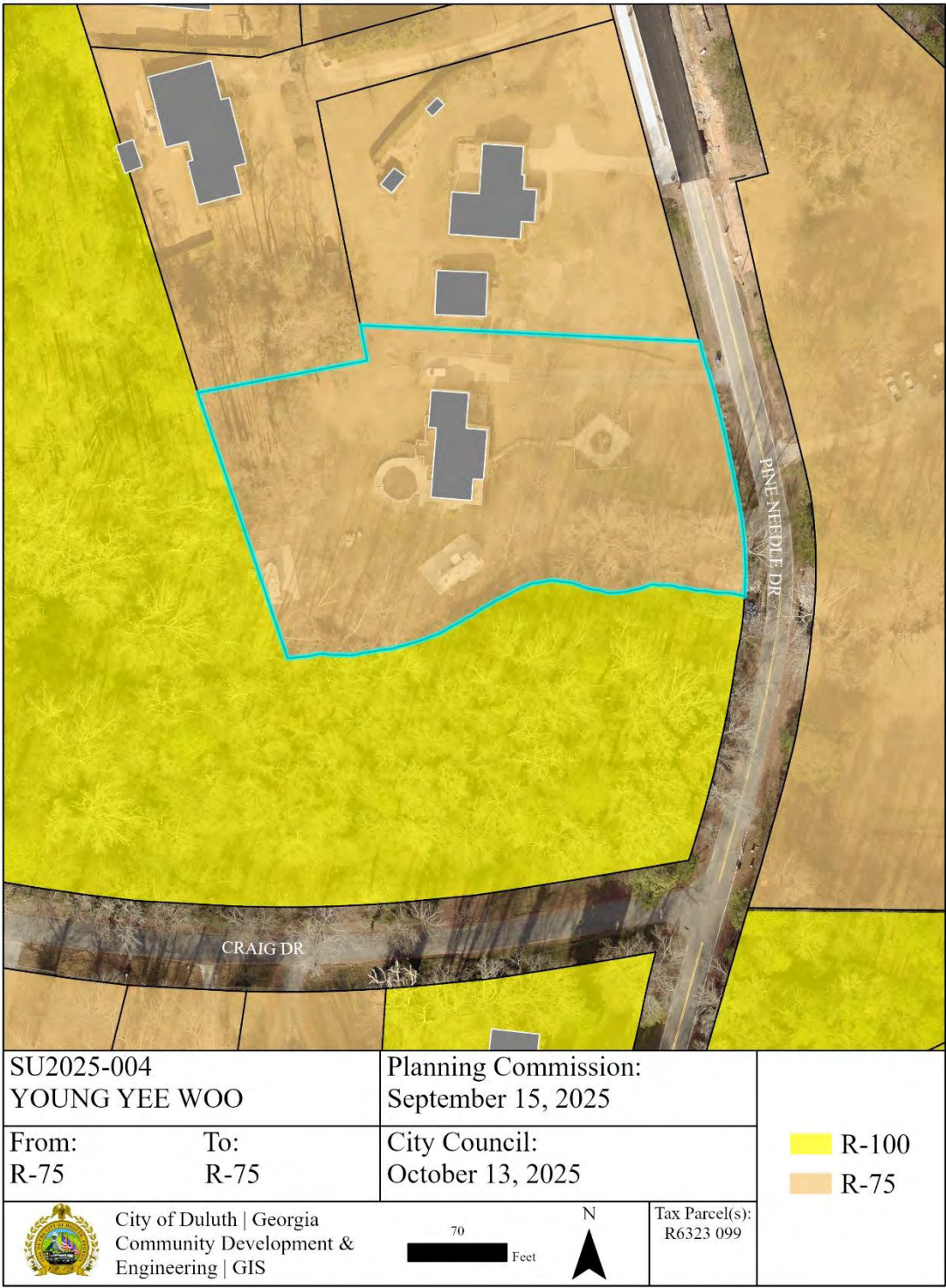
ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

Exhibit "A"
Maps

Location Map



Zoning Map



Character Area Map

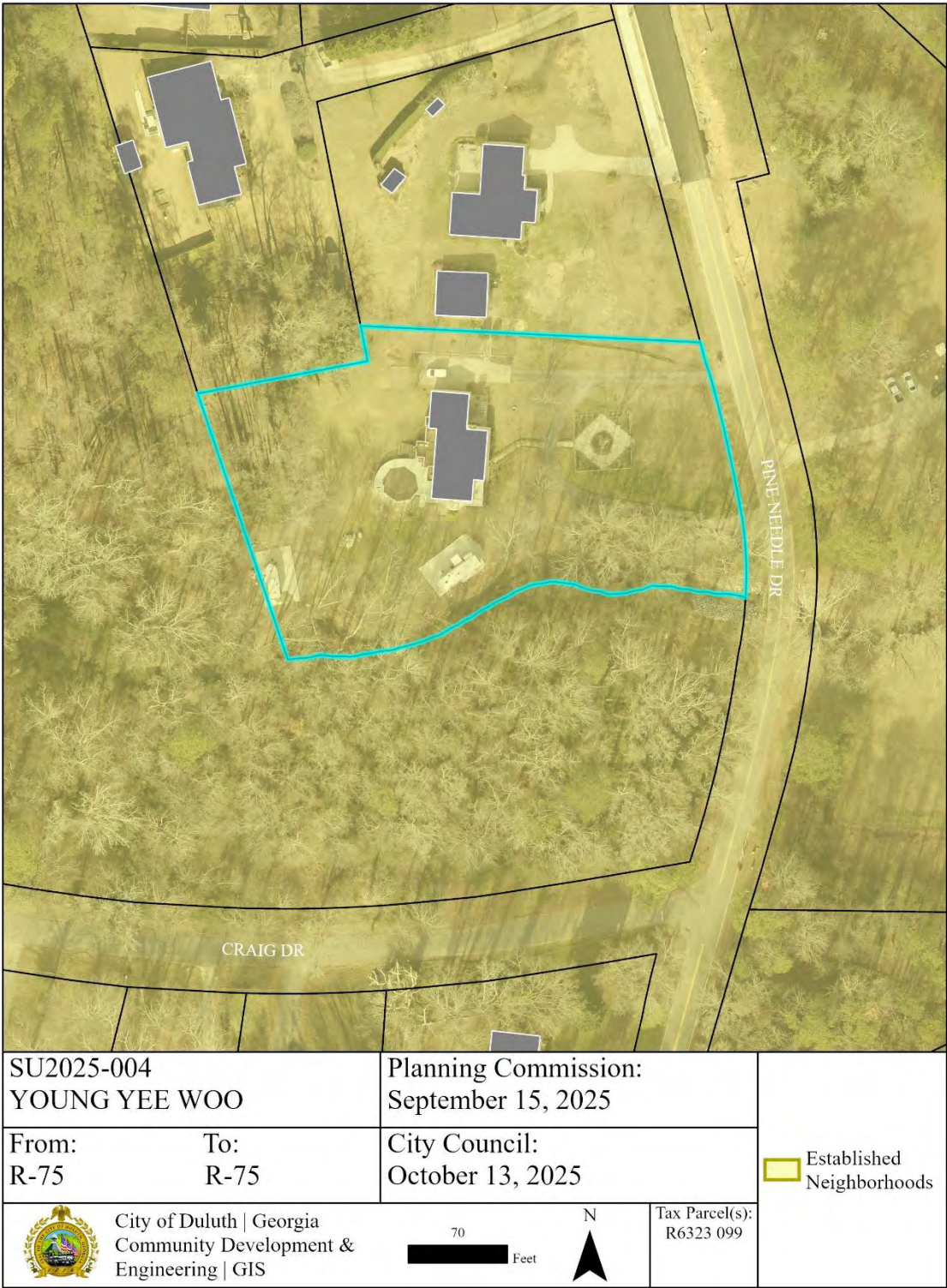


Exhibit "B"

Legal Description

After Recording Return To:
Park Law Group PC
1815 Satellite Blvd, Suite 503
Duluth, GA 30097
File No: 2022-016

DEED B: 59650 P: 00333
01/31/2022 01:38 PM Pgs: 1 Fees: \$25.00
TTax: \$620.00
Tiana P. Garner, Clerk of Superior Court
Gwinnett County, GA
PT-61 #: 0672022002832
ERECORDED
eFile Participant IDs: 8702653968,

STATE OF GEORGIA
COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 31st day of January in the year two thousand and twenty two between

Michael L. Tatum and Terri Johnson Tatum F/K/A Terri Lisa Tatum

as party or parties of the first part, hereinafter called Grantor, and

Young Yee Woo

as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of other good and valuable considerations and the sum of Ten and no/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All those tracts or parcels of land lying and being in Land Lot 323 of the 6th Land District of Gwinnett County, Georgia and being Tracts 2 and 3 all as more particularly shown on a plat of survey prepared by Boundary Zone, Inc. for Aubrey L. Tatum and Michael L. Tatum dated October 6, 2015, said plat being recorded in Plat Book 135, Page 79, Gwinnett County Plat Records which plat is incorporated herein by reference thereto for a more complete description of said tracts.

PARCEL ID: R6323 099

Subject to any Easements and Restrictions of Record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year written below.

Signed, sealed and delivered in our presence and executed by us this 31st day of January 2022.

Unofficial Witness

Notary Public
My commission expires
(seal)



Michael L. Tatum

Terri Johnson Tatum F/K/A Terri Lisa Tatum

Exhibit “C”

Conditions of Approval

General

1. The Special Use (SU2025-004) is hereby approved for Robert L. Fouse, R.A. and their successors, for a personal care home for the care of up to six (6) people on their property. Notwithstanding, all Special Use applications shall be for firm proposals only.

Once established:

- A. If the use changes, the Special Use is hereby terminated.
 - B. If the use is discontinued or abandoned for a period of ninety (90) days, regardless of the intent of the owner or occupier to resume the use, the Special Use is hereby terminated.
 - C. If the use is extended in any way, either on the same or adjoining property, the Special Use is terminated.
2. Documentation of approval by the state shall be submitted to the Department of Community Development and Engineering prior to occupancy by any patients of the personal care home.
 3. The septic system shall be well maintained and pumped at regular intervals of 4-5 years.
 4. If the largest residential trash bin does not hold the capacity of the trash generated at the residence, a commercial trash contract will be required and provided to the Community Development and Engineering Department on a yearly basis.
 5. There shall be no clearing or addition of impervious materials in the impervious or riparian buffers.
 6. The property shall be maintained in a state of good repair at all times, free from any violations of the Property Maintenance Code; Unified Development Code; License and Business Regulations; Nuisance Codes, and any other codes adopted by the City of Duluth. Failure to maintain the property at or above the minimum standards adopted in the City of Duluth codes and ordinance shall be cause for possible legal action by the City.
 7. The privilege of a Special Use is subject to all conditions that have been attached to it. It is within the City’s rights to take legal action if it is proven that the conditions of the Special Use have been violated.

Exhibit "D"

Applicant's Response to the Standards Governing Special Use Consideration


**ROBERT FOUSE
ARCHITECTS, P. C.**

2622 Windward Lane
Gainesville, Georgia 30501
Voice 770-722-9986
robertfouse9@gmail.com
Robert Fouse, RA

July 10, 2025

**City of Duluth
Special Use Application**

Section 4

Applicant Response

(A) How the proposed special use will allow a use that is suitable in view of the use of adjacent and nearby property:

Response: The existing property (1.402 AC.) holds a single-family home located generally in the center of the tract. A portion of the existing structure was built outside of compliance with the 75'-0" Impervious Surface Setback. Additional existing elements (driveway, concrete pad, sidewalks, planters and decks also exist in non-conformance with the Impervious Surface Setback, and in the case of the driveway, the 50'-0" Stream Buffer.

Existing conditions existed at the time of purchase by the current Owner, Ms. Young Yee Woo. The above information can be confirmed by the survey produced by Boundary Zone, Inc., dated October 06, 2015, and stamped by Ben E. Butterworth, Land Surveyor, on that date.

The property has two abutting neighbors to the North, is bound by Pine Needle Drive to the East, with a 6.58 AC. Tract on the opposite side of the Drive. A large undeveloped Tract (11.00 AC.) exists to the South and West, with the above-mentioned stream directly abutting the property on the South, preventing future adjacent development on that side.

The proposed Special Use will have virtually no impact on adjacent and nearby property, as the request is solely for a new distinction of the residents living inside, and the utilization of the existing amenities of the home and property. Line-of-sight and line-of-noise distances from adjacent and nearby properties to existing amenities are significant, and neither sight nor noise will be meaningfully perceivable off the subject property. We believe the proposed special use to be suitable due to its lack of impact on adjacent and nearby properties.

(B) How the proposed special use will adversely affect the existing use or usability of adjacent or nearby property.

Response: We do not know of or believe in the existence of an “adverse effect” on existing use or usability of adjacent or nearby properties. The proposed use, pending the approval of this application, will result in a residential use of the existing property, with a small staff providing personal care assistance (as defined by the State of Georgia Department of Community Health) to a small number of residents. While some outdoor activities and continued use of existing exterior spaces is anticipated, the activities in the home and on the property are virtually indiscernible from those of a family residing in the home. As will be discussed in later questions, the proposed use will not impact neighboring streets, traffic, utilities, schools or other services currently offered to both this property and those of adjacent neighbors.

(C) Whether the property to be affected by a proposed special use has a reasonable economic use as currently zoned.

Response: The current zoning allows for the existing single-family residence currently constructed on the property. While some revenue-generating activities are allowable within the current zoning designation, none exist that would accommodate the business and services desired and allowed by an approval of this S.U.P. Application.

(D) Whether the proposed special use will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Response: The proposed special use will allow for a small number of senior residents to live in the existing home. There is no anticipation for any additional use of utilities due to the new occupancy. Existing plumbing, electrical, HVAC systems will remain unchanged. No additional trash requirements will exist outside of the existing private trash service. Existing kitchen and appliances will remain. Transportation for residents, when required, will be achieved with private vehicle, as the majority of residents are above normal driving age. Use of public streets by proposed residents or guests will be extremely minimal. No impact will exist for schools or related busing services, as no children will be occupying the home.

(E) Whether the proposed special use is in conformity with the policy and interest of the comprehensive plan; Land use plan; transportation plans and other plans adopted for guiding development within the City of Duluth.

Response: The proposed use is identified in both City of Duluth and Gwinnett County guidelines as an allowable use, given the approval of a Specific Use Permit for the R-75 zone. We believe the intended use, if approved, to be in conformity with policies and interests of the Comprehensive Plan, Land Use Plan, transportation plans and other plans adopted by the City of Duluth.

(F) Whether there is other existing or changing conditions affecting the use and give grounds for either approval or disapproval of the special use.

Response: The applicant is aware that while non-conforming conditions exist on the property (as articulated in Response 1.), the property remains eligible for approval of this Application, with the understanding that no change to the property, physically or otherwise, may worsen the state of non-conformance.

No such changes are proposed, and it is understood that such changes would be denied. Any proposed changes now, or in the future will not worsen non-conforming conditions, and will, when practical, strive to lessen or remove non-conforming conditions.

Exhibit "E"

Public Notice

Public Notice Printed in Gwinnett Daily Post 9/9/2025

GDP9366
gpn16
**CITY OF DULUTH
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a special use request from Robert L. Fouse R.A. on approximately 1.40 acres of property in Land Lot 323, 6th District, Gwinnett County, located at 4021 Pine Needle Drive, consisting of tax parcels 6323-099, case number SU2025-004. The special use request is to allow for a personal care home in the R-75 district. The public is invited to attend this hearing before the Mayor and Council on the proposed special use. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 13th,
2025 - 6:00p.m.
WHERE:
City Hall Council
Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the proposed special use, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR

Email: Planning@duluthga.net

For more information, contact Planning & Development, at (770) 476-1790.

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodations are necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodations can be arranged.

9:14, 2025



CITY OF DULUTH
Mayor and Council
Staff Report
October 13, 2025

CASE NUMBER:	SU2025-004
LOCATION:	4021 Pine Needle Drive
PARCEL(S):	R6323 099
CURRENT ZONING:	R-75 (Single-Family District)
PROPOSED ZONING:	R-75 (Single-Family District) with Special Use
ACREAGE:	+/- 1.40 acres
REQUEST:	Approval of Special Use to allow for a personal care home.
OWNER/APPLICANT:	<i>Owner:</i> Young Yee Woo 4021 Pine Needle Drive Duluth, GA 30096 <i>Applicant:</i> Robert L. Fouse, R.A. 2622 Windward Lane Gainesville, GA 30501

Planning Commission Recommendation	Approval
---	-----------------

I. PURPOSE AND DESCRIPTION OF THE REQUEST

The purpose of this Special Use request (SU2025-004) is to allow for a personal care home in R-75 (Single-Family District) zoning.

Maps detailing the location, zoning district and character area of the subject property are attached hereto as Exhibit "A". The legal description of the subject property is attached hereto as Exhibit "B". Recommended conditions of approval are detailed in Exhibit "C". The existing site plan is shown in Exhibit "D". The Applicant's Responses to the Standards Governing Special Use Considerations is provided in Exhibit "E".

II. EXISTING CONDITIONS

The subject property totals +/- 1.40 acres. The applicant is proposing a personal care home which would allow up to six persons under care. The property abuts two single-family houses to the north (both currently zoned R-75 (Single-Family Residential District), a single-family house to the east (currently zoned R-75 (Single-Family Residential District) on the other side of Pine Needle Drive, and an R-100 (Single-Family District) undeveloped property owned by the City of Duluth to the south and west.

III. REVIEW OF THE REQUEST

1. Literal Interpretation of the Unified Development Code (UDC)

- A. Table 2-C of the UDC allows "Personal Care Homes, Family (2 to 6 under care)" in R-75 zoning district as a special use.
- B. Section 1101.02 of the UDC states if a proposed use is not allowed by right under the existing zoning on a property, a request for an amendment to the Official Zoning Map (often called a "rezoning") must be approved prior to development, construction, or occupancy.
- C. Section 1105 of the UDC establishes the Special Use Considerations.

The Special Use is designed to apply under any one of the following circumstances:

- 1. A Special Use listed under the zoning district is desired for development and a more intensive zoning district containing that use, as a use by right would not be appropriate for the property; or
- 2. A Special Use listed under the zoning district is desired for development and no zoning district contains that use as a use by right; or
- 3. A unique use not addressed in any zoning district is desired for development and is not likely to be duplicated within the City of Duluth; or
- 4. The density of development may be affected by the height of a building; or
- 5. The neighboring properties may be affected by the height of any structure; or

6. The Special Use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood and would not be in conflict with the overall objective of the Comprehensive Plan.

In order to accommodate these particular uses, Special Use approval allows the City Council to approve such a use on a particular parcel without changing the general zoning district. Such approval shall be subject to the requirements set forth below and any additional conditions deemed necessary to ensure the compatibility of the Special Use with the surrounding properties. All Special Use applications shall be for firm development proposals only. The Special Use shall not be used for securing early zoning for conceptual proposals that may not be undertaken for some time. A Special Use application shall be considered only if the application is made by the owner of the property or by his/her authorized agent. The minimum requirements for a Special Use approval are:

1. Any uses allowed under Special Use approval shall also conform to the requirements of this Development Code for all uses as found in the zoning district.
2. The application and review process for a Special Use shall be the same as for the zoning district under which the Special Use is found. In addition to the information and/or site plans which are required to be submitted for the proposed development, additional information deemed necessary by the Director in order to evaluate a proposed use and its relationship to the surrounding area shall be submitted. In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relationship to its immediate neighborhood and the compatibility of the proposed use with its neighborhood.
3. In the approval process for a Special Use approval application, the City Council shall consider the policies and objectives of the Comprehensive Plan, particularly in relationship to the proposed site and surrounding area and shall consider the potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.
4. If an application is approved and a Special Use approval is granted, all conditions that may have been attached to the approval are binding to the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions.
5. Changes to a Special Use or development of a site for the Special Use, shall be treated as an amendment to the Special Use Permit and shall be subject to the same application and review process as a new application.
6. An application for Special Use approval in a residential district and which use is proposed to operate in a dwelling or as an accessory use to a dwelling is subject to the following additional requirements:
 - a. The Special Use shall operate within the dwelling on the property or, if approved by the City Council, in an accessory structure.

- b. The exterior character of the dwelling shall be preserved in its residential state and there shall be no outside evidence of the operation of a Special Use to the neighborhood, except for any accessory structure approved by the City Council.
- 7. The owner of the property approved for a Special Use may voluntarily request termination of the Special Use by notifying the Director in writing. The Director shall notify the City Council through the Planning Commission of the voluntary termination. The approval of a Special Use for a specific use which may be operated by a lessee under a private agreement with a lessor in any non-residential district shall not obligate the City Council to be responsible for or be required to resolve any disputes which may arise out of the voluntary termination of the Special Use by the property owner.
- 8. The Community Development and Engineering Department shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements and any conditions. If the Director determines that the requirements and conditions are being violated, a written notice shall be issued to the owner of the property outlining the nature of the violation and giving the owner of the property a maximum of ten days to come into compliance. If after ten days the violations continue to exist, the Director shall forward a report to the City Council through the Planning Commission who may recommend that action be taken to remove the Special Use from the property.
- 9. Upon approval by the City Council, a Special Use shall be identified on the official zoning maps.
- 10. Upon approval by the City Council of a Special Use, the owner of the property shall be issued a notice from the Director that states the specific use permitted, the requirements of this Section and any conditions attached to the approval.
- 11. The Community Development and Engineering Department shall not issue a Certificate of Occupancy for the specific use unless all requirements and conditions of the Special Use approval have been fulfilled by the owner of the property.

2. Standards Governing the Exercise of Zoning Power

Section 1104.02 of the UDC establishes the standards governing the exercise of zoning power. The following standards are relevant in balancing the interest and promoting the public health, safety, morality, and general welfare against the right to the unrestricted use of property:

- A. How the proposed Special Use will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- B. How the proposed Special Use will adversely affect the existing use or usability of adjacent or nearby property.
- C. Whether the property to be affected by a proposed Special Use has a reasonable economic use as currently zoned.

- D. Whether the proposed Special Use will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- E. Whether the proposed Special Use is in conformity with the policy and interest of the Comprehensive Plan; Land Use Plan; transportation plans and other plans adopted for guiding development within the City of Duluth.
- F. Whether there are other existing or changing conditions affecting the use and give grounds for either approval or disapproval of the Special Use.

The Applicant has provided written responses to the above Special Use standards as part of the application. That document is attached hereto as Exhibit “E”.

3. Literal Interpretation of FORWARDuluth, Plan 2045 (Comprehensive Plan)

The subject property is located in the Established Neighborhoods District. FORWARDuluth envisions this Character Area to serve as the backbone of Duluth’s residential community. The Future Land Use Map (FLUM) envisions the uses to be low density residential.

IV. PLANNING STAFF REVIEW

A personal care home with two – six persons under care is allowed by right in C-1 (Neighborhood Business District) and by Special Use in RA-200 (Residential-Agricultural District), R-100 (Single-Family Residential District), R-75 (Single-Family Residential District), RM (Residential-Multi-Family District), MH (Manufactured Housing District) and O-N (Office-Neighborhood District). The last personal care home to be permitted in the City was in December of 2005, when a 12-person personal care home was approved by Mayor and Council at the property 3089 Duluth Highway 120, which is zoned O-N (Office-Neighborhood District).

Personal care homes are regulated by the Department of Community Health for the state of Georgia and are inspected annually. A full-time dedicated care giver lives on site with the residents. The residents of a personal care home are active and independent; however, many have chronic illnesses that warrant extra care, such as Alzheimer’s. House calls are made by doctors, who administers medication.

While transportation is provided by the management of the personal care home, residents have the option of having their own vehicle; however, this is uncommon. There is currently a long driveway (~218’), a two-car garage, and ample parking space. Though unlikely, if each person in the home had a car, there would be enough space for the seven cars and any guests that may be visiting (e.g. doctors or other medical professionals).

The home is well buffered from Craig Drive to the south. The closest house is roughly 109’ from primary structure to primary structure. The parcel in question is well above the minimum for an R-75 lot at 1.4 acres (60,984). The required lot size for R-75 is 12,000 sf.

Staff does not foresee any unintended consequences by allowing a personal care home at this location.

Planning Commission recommended **APPROVAL** at their September 15 meeting.

ATTACHMENTS:

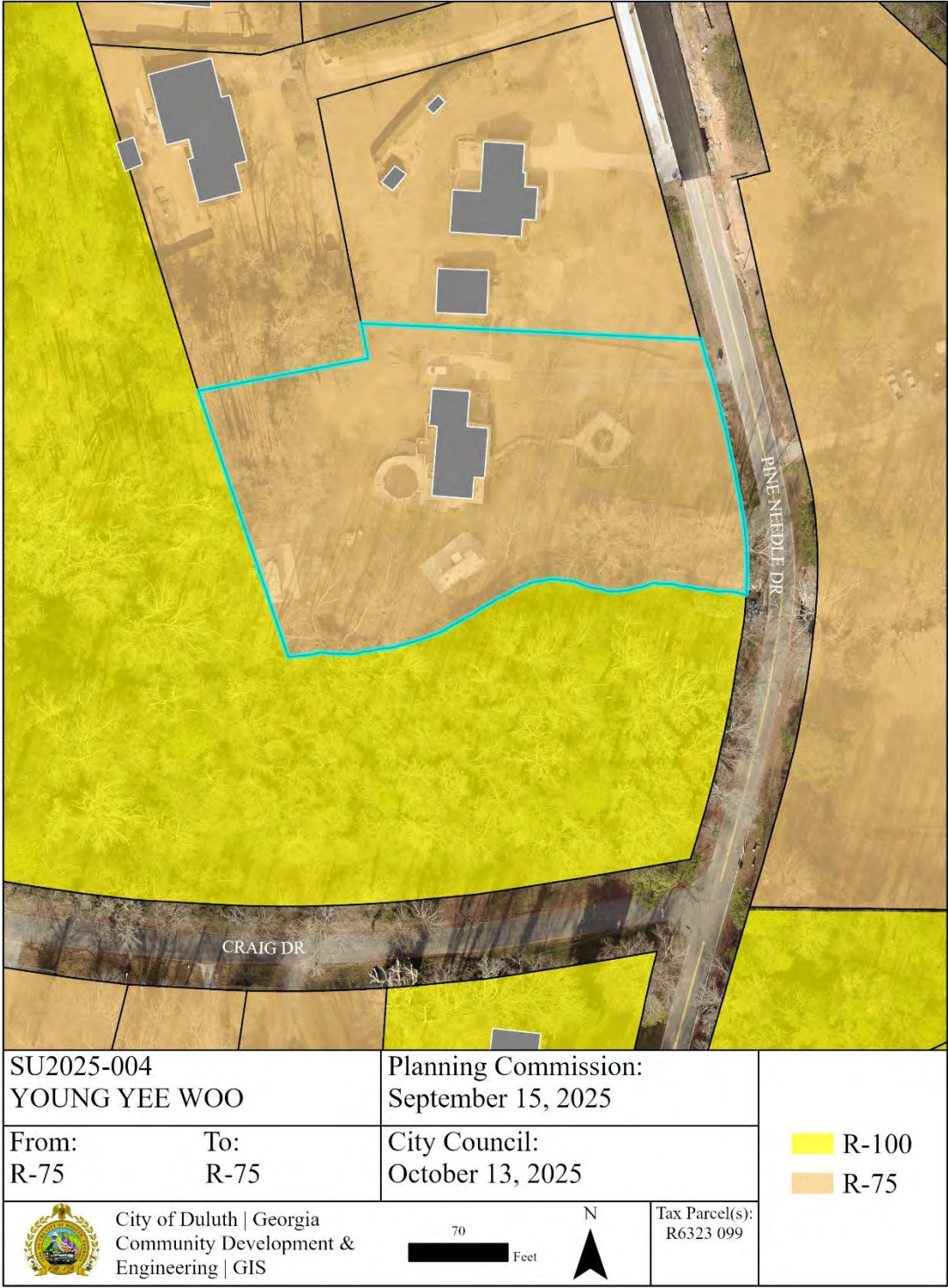
Exhibit "A": Maps
Exhibit "B": Legal Description
Exhibit "C": Conditions of Approval
Exhibit "D": Existing Site Plan
Exhibit "E": Applicant's Responses to the Standards Governing Special Use Consideration
Exhibit "F": Public Hearing Advertisement/Public Notice

Exhibit "A"
Maps

Location Map



Zoning Map



Character Map

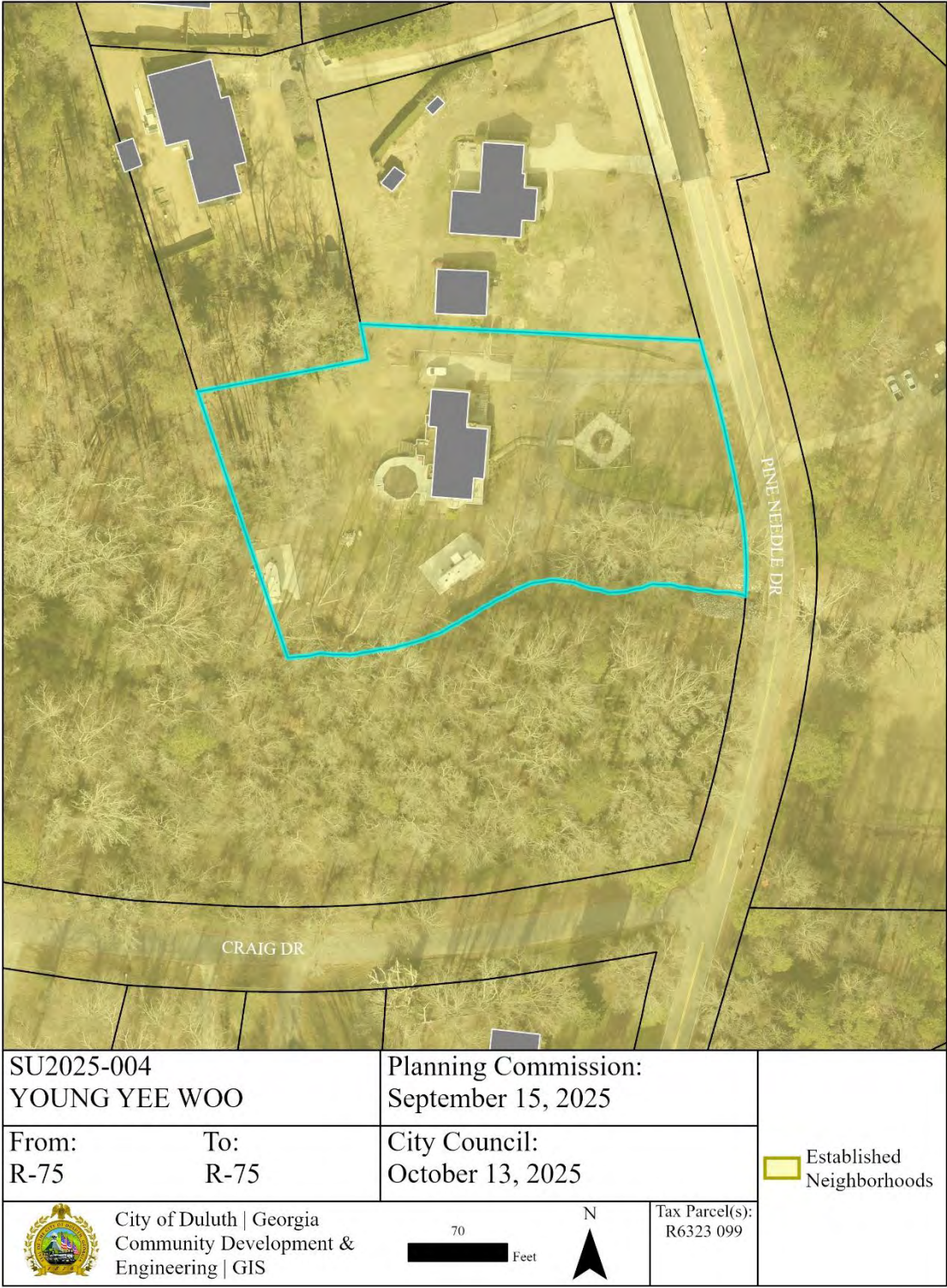


Exhibit "B"

Legal Description

After Recording Return To:
 Park Law Group PC
 1815 Satellite Blvd, Suite 500
 Duluth, GA 30097
 File No.: 2022-016

DEED B: 69650 P: 00333
 01/31/2022 01:38 PM Pgs: 1 Fees: \$25.00
 TTax: \$620.00
 Tiana P Garner, Clerk of Superior Court
 Gwinnett County, GA
 PT-61 #: 0672022002832
 ERECORDED
 eFile Participant IDs: 8702653966,

STATE OF GEORGIA
 COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 31st day of January in the year two thousand and twenty two between

Michael L. Tatum and Terri Johnson Tatum F/K/A Terri Lisa Tatum

as party or parties of the first part, hereinafter called Grantor, and

Young Yee Woo

as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of other good and valuable considerations and the sum of Ten and no/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All those tracts or parcels of land lying and being in Land Lot 323 of the 6th Land District of Gwinnett County, Georgia and being Tracts 2 and 3 all as more particularly shown on a plat of survey prepared by Boundary Zone, Inc. for Aubrey L. Tatum and Michael L. Tatum dated October 6, 2015, said plat being recorded in Plat Book 135, Page 79, Gwinnett County Plat Records which plat is incorporated herein by reference thereto for a more complete description of said tracts.

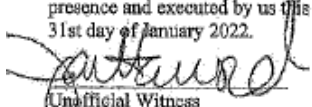
PARCEL ID: R6323 099

Subject to any Easements and Restrictions of Record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year written below.

Signed, sealed and delivered in our presence and executed by us this 31st day of January 2022.


 Unofficial Witness


 Michael L. Tatum

Notary Public
 My commission expires
 (seal)



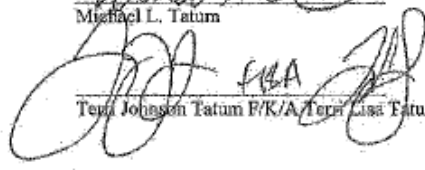

 Terri Johnson Tatum F/K/A Terri Lisa Tatum

Exhibit "C"
Conditions of Approval

General

1. The Special Use (SU2025-004) is hereby approved for Robert L. Fouse, R.A, and their successors, for a personal care home for the care of up to six (6) people on their property. Notwithstanding, all Special Use applications shall be for firm proposals only.

Once established:

- A. If the use changes, the Special Use is hereby terminated.
 - B. If the use is discontinued or abandoned for a period of ninety (90) days, regardless of the intent of the owner or occupier to resume the use, the Special Use is hereby terminated.
 - C. If the use is extended in any way, either on the same or adjoining property, the Special Use is terminated.
2. Documentation of approval by the state shall be submitted to the Department of Community Development and Engineering prior to occupancy by any patients of the personal care home.
 3. The septic system shall be well maintained and pumped at regular intervals of 4-5 years.
 4. If the largest residential trash bin does not hold the capacity of the trash generated at the residence, a commercial trash contract will be required and provided to the Community Development and Engineering Department on a yearly basis.
 5. There shall be no clearing or addition of impervious materials in the impervious or riparian buffers.
 6. The property shall be maintained in a state of good repair at all times, free from any violations of the Property Maintenance Code; Unified Development Code; License and Business Regulations; Nuisance Codes, and any other codes adopted by the City of Duluth. Failure to maintain the property at or above the minimum standards adopted in the City of Duluth codes and ordinance shall be cause for possible legal action by the City.
 7. The privilege of a Special Use is subject to all conditions that have been attached to it. It is within the City's rights to take legal action if it is proven that the conditions of the Special Use have been violated.

Exhibit “E”
Existing Site Plan

PROJECT INFORMATION
Project Name: Best Life at Pine Needle
Owner: Mr. Young, Mr. & Mrs.
Address: 4021 Pine Needle Drive, Duluth, Georgia 30096
(770) 240-0000
Proposed Use: Family Personal Care Home - Max. 12 Residents
Assembled Subdivided Based on SDR Plan
Total Acreage: 1.474 AC.
Total Lots & Min. Size: 1 Lot, Minimum 1 AC.



FRONT ELEVATION (EAST)

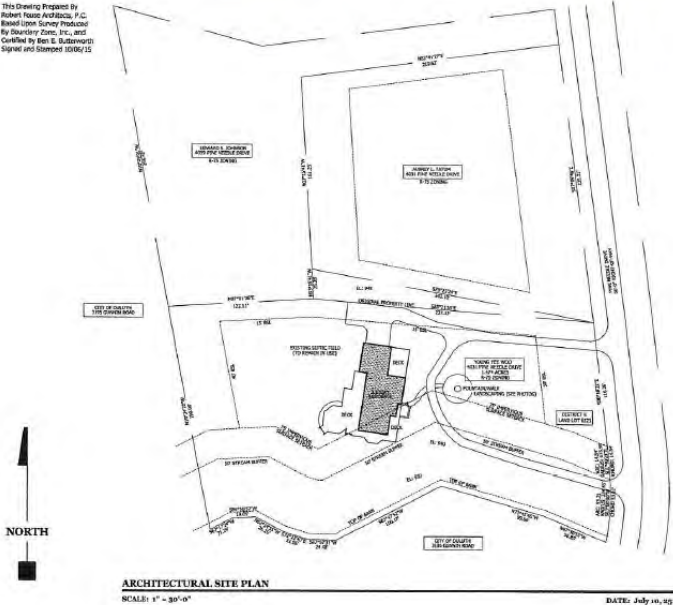
FRONT ELEVATION (EAST)

REAR ELEVATION (WEST)

NORTH SIDE ELEVATION

SOUTH SIDE ELEVATION

This Drawing Prepared By
Robert House Architects, P.C.
Based Upon Survey Provided
By Boundary Zone, Inc., and
Certified by Ron S. Sullivan
Signed and Stamped 10/06/15



ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'-0"

DATE: July 10, 2025



FLOOD PLAIN MAP (FEMA)



VICINITY PLAN

ROBERT HOUSE
ARCHITECTS, P.C.
302 Peachtree Lane
Duluth, Georgia 30096
(770) 240-0000
www.roberthouse.com

Civil Engineer

Structural Engineer

MEP Engineer

AN SUP APPLICATION FOR A
FAMILY PERSONAL CARE
HOME

4021 PINE NEEDLE DRIVE
DULUTH, GEORGIA
30096

Site Number: 25-2388
Original Issue Date: July 10, 2025

No.	Issue	DT/ET
1	1st Submission	07/10/25

EXISTING
SITE PLAN

SUP-1.1

NOT FOR CONSTRUCTION

Exhibit "E"
Applicant's Response to the Standards Governing Special Use Consideration



**ROBERT FOUSE
ARCHITECTS, P. C.**

2622 Windward Lane
 Gainesville, Georgia 30501
 Voice 770-722-9986
 robertfouse@gmail.com
 Robert Fouse, RA

July 10, 2025

**City of Duluth
Special Use Application**

Section 4

Applicant Response

(A) How the proposed special use will allow a use that is suitable in view of the use of adjacent and nearby property:

Response: The existing property (1.402 AC.) holds a single-family home located generally in the center of the tract. A portion of the existing structure was built outside of compliance with the 75'-0" Impervious Surface Setback. Additional existing elements (driveway, concrete pad, sidewalks, planters and decks also exist in non-conformance with the Impervious Surface Setback, and in the case of the driveway, the 50'-0" Stream Buffer.

Existing conditions existed at the time of purchase by the current Owner, Ms. Young Yee Woo. The above information can be confirmed by the survey produced by Boundary Zone, Inc., dated October 06, 2015, and stamped by Ben E. Butterworth, Land Surveyor, on that date.

The property has two abutting neighbors to the North, is bound by Pine Needle Drive to the East, with a 6.58 AC. Tract on the opposite side of the Drive. A large undeveloped Tract (11.00 AC.) exists to the South and West, with the above-mentioned stream directly abutting the property on the South, preventing future adjacent development on that side.

The proposed Special Use will have virtually no impact on adjacent and nearby property, as the request is solely for a new distinction of the residents living inside, and the utilization of the existing amenities of the home and property. Line-of-sight and line-of-noise distances from adjacent and nearby properties to existing amenities are significant, and neither sight nor noise will be meaningfully perceivable off the subject property. We believe the proposed special use to be suitable due to its lack of impact on adjacent and nearby properties.

(B) How the proposed special use will adversely affect the existing use or usability of adjacent or nearby property.

Response: We do not know of or believe in the existence of an “adverse effect” on existing use or usability of adjacent or nearby properties. The proposed use, pending the approval of this application, will result in a residential use of the existing property, with a small staff providing personal care assistance (as defined by the State of Georgia Department of Community Health) to a small number of residents. While some outdoor activities and continued use of existing exterior spaces is anticipated, the activities in the home and on the property are virtually indiscernible from those of a family residing in the home. As will be discussed in later questions, the proposed use will not impact neighboring streets, traffic, utilities, schools or other services currently offered to both this property and those of adjacent neighbors.

(C) Whether the property to be affected by a proposed special use has a reasonable economic use as currently zoned.

Response: The current zoning allows for the existing single-family residence currently constructed on the property. While some revenue-generating activities are allowable within the current zoning designation, none exist that would accommodate the business and services desired and allowed by an approval of this S.U.P. Application.

(D) Whether the proposed special use will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Response: The proposed special use will allow for a small number of senior residents to live in the existing home. There is no anticipation for any additional use of utilities due to the new occupancy. Existing plumbing, electrical, HVAC systems will remain unchanged. No additional trash requirements will exist outside of the existing private trash service. Existing kitchen and appliances will remain. Transportation for residents, when required, will be achieved with private vehicle, as the majority of residents are above normal driving age. Use of public streets by proposed residents or guests will be extremely minimal. No impact will exist for schools or related busing services, as no children will be occupying the home.

(E) Whether the proposed special use is in conformity with the policy and interest of the comprehensive plan; Land use plan; transportation plans and other plans adopted for guiding development within the City of Duluth.

Response: The proposed use is identified in both City of Duluth and Gwinnett County guidelines as an allowable use, given the approval of a Specific Use Permit for the R-75 zone. We believe the intended use, if approved, to be in conformity with policies and interests of the Comprehensive Plan, Land Use Plan, transportation plans and other plans adopted by the City of Duluth.

(F) Whether there is other existing or changing conditions affecting the use and give grounds for either approval or disapproval of the special use.

Response: The applicant is aware that while non-conforming conditions exist on the property (as articulated in Response 1.), the property remains eligible for approval of this Application, with the understanding that no change to the property, physically or otherwise, may worsen the state of non-conformance.

No such changes are proposed, and it is understood that such changes would be denied. Any proposed changes now, or in the future will not worsen non-conforming conditions, and will, when practical, strive to lessen or remove non-conforming conditions.

Exhibit "F"
Public Notice

Public Notice Printed in Gwinnett Daily Post 9/9/2025

GDP0366
gpn16
**CITY OF DULUTH
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a special use request from Robert L. Fouse R.A. on approximately 1.40 acres of property in Land Lot 323, 6th District, Gwinnett County, located at 4021 Pine Needle Drive, consisting of tax parcels 6323-099, case number SU2025-004. The special use request is to allow for a personal care home in the R-75 district. The public is invited to attend this hearing before the Mayor and Council on the proposed special use. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 13th,
2025 - 6:00p.m.
WHERE:
City Hall Council
Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the proposed special use, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR

Email: Planning@duluthga.net

For more information, contact Planning & Development, at (770) 476-1790.

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodations are necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodations can be arranged.

9:14, 2025



**ORDINANCE 02025-42
CITY OF DULUTH
AMENDMENT TO THE FORWARDULUTH 2045 COMPREHENSIVE PLAN**

WHEREAS, the Georgia Department of Community Affairs has established Minimum Standards and Procedures for Local Comprehensive Planning; and

WHEREAS, the purpose of the Minimum Standards and Procedures is to provide a framework for the development, management, and implementation of local comprehensive plans at the local, regional and state government level; and

WHEREAS, they reflect an important state interest: healthy and economically vibrant cities and counties are vital to the state’s economic prosperity; and

WHEREAS, regular updates to the plan are necessary to ensure it meets the needs to the community; and

WHEREAS, the City of Duluth, Georgia, has prepared an update to FORWARDuluth; and

WHEREAS, on October 6, 2025, the City of Duluth Planning Commission held a public hearing duly noticed and voted to recommend approval of the updated plan as set forth in the minutes of said meeting; and

WHEREAS, the Duluth City Council held a public meeting on October 13, 2025, duly noticed as prescribed by law and published in the Gwinnett Daily Post regarding the text amendments as set forth in the minutes of said meeting.

NOW THEREFORE, be it Resolved by the City Council of the City of Duluth, Georgia to adopt the amended FORWARDuluth (2045 Comprehensive Plan) and all corresponding documents as shown on the attached Exhibit “A”.

ATTACHMENTS:

Exhibit “A”: City of Duluth Unified Development Code
Exhibit “B”: Public Hearing Advertisement/Public Notice

{Signatures on the Following Page}

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

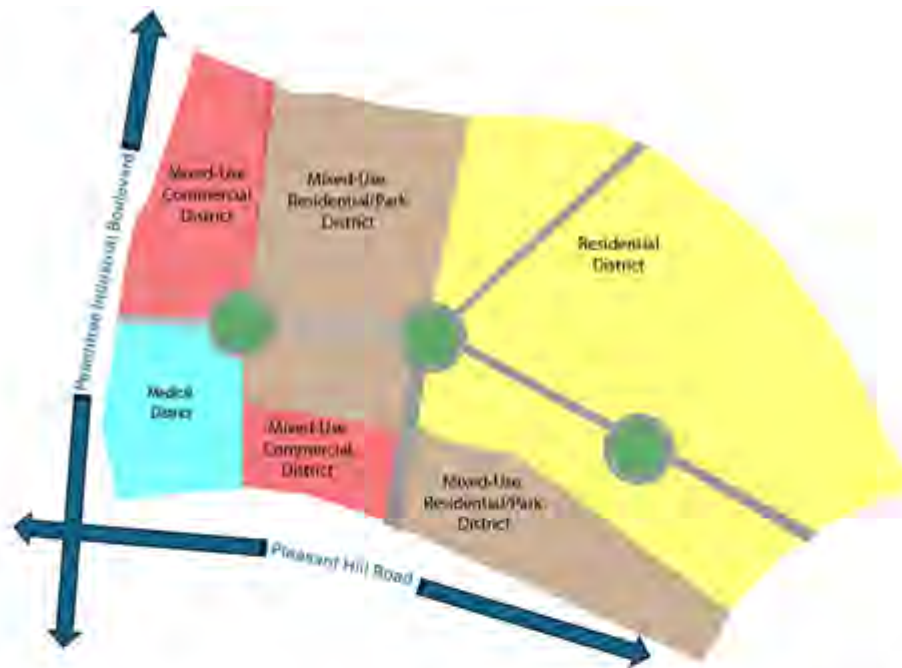
Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those council members voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

Exhibit “A”



The 110-acre tract of land known locally as the Hudgens Property remains one of the largest undeveloped properties in western Gwinnett County situated at the corner of one of the county's busiest intersections. As such, the City recognizes the importance of creating a small area plan for this property in an effort to encourage development that aligns with the goals and aspirations of Duluth's residents, elected officials, and planning staff.

The Hudgens Property's proximity to Northside Hospital provides a unique opportunity to expand the intersection's capacity for retail, office space, and diverse housing opportunities for the doctors, nurses, and staff of the hospital. The proposed plan demonstrates the capability of the subject property to fulfill an increasing demand within the City of Duluth for quality housing, entertainment, and regional interconnectedness within the City of Duluth.

A variety of land uses should be allocated across the property through the Principles of New Urbanism, which advocate for human-scaled, walkable and mixed-use communities that prioritize people over cars, fostering community, diversity, and sustainability. Mixed-use blocks should not exceed dimensions of 200' by 200' to provide pedestrians with a variety of routes to travel throughout ground floor retail and office centers. Residential blocks should not exceed dimensions of 200' by 200' to break up monotonous rows of homes and reduce vehicular travel times. Streets throughout the developed property should always prioritize the pedestrian over the vehicle through the use of street trees, wide sidewalks, and traffic calming measures, including roundabouts, planted medians, on-street parking, etc.

There are four distinct districts within the small area plan: Mixed-Use Commercial District, Mixed-Use Residential/Park District, Medical District and Residential District.

Mixed-Use Commercial District

The Mixed-Use Commercial District will be the densest district with 15+ units an acre. The district can support two multi-family apartment buildings with a total maximum unit count of 500. The district covers roughly 15 acres of the 110 acre site with concentrations at the north end of Peachtree Industrial Boulevard and in the center of the property along Pleasant Hill Road.

Surface parking shall be avoided except for on-street parking. Most of the parking should come from shared deck parking between the commercial, office and residential uses. Buildings with on-street parking and street frontage should provide retail and entertainment on the ground floor, and office or residential on upper floors. Ground floor retail and other convenient uses shall be of a human-scale with 12'-16' ceiling heights, large windows and breaks in massing. Heights of the buildings should be between 50-75', which could accommodate a 16' ground floor and four to five -stories of residential and/or office space.



Trillish, Fayetteville, GA

Source: Aron Hall



Trillith, Fayetteville, GA

Source: Aron Hall

Mixed-Use Residential/Park District

The Mixed-Use Residential/Park District will be less dense than the Mixed-Use Commercial District and will expand over a larger area of roughly 25 acres. The density is anticipated to be 6-15 units an acre, which will net up to 375 units over the 25 acres. Most of the district is anticipated to be internal to the site, with a small portion of the district expanding parallel to Pleasant Hill Road and the corner of McClure Bridge Road.

This district will support smaller scale commercial, live-work units, and mixed-use residential. A mix of housing and intimate retail and restaurant or café space is preferred. Vertical mixed-use and horizontal mixed-use is contemplated with smaller storefronts intermingled with residential units on the ground floor. The housing should be a mix of townhomes, small-plexes from 2-12 units and small footprint single-family. Small lot surface parking may be supported depending on the context; however, on-street parking is preferred, and townhomes shall be required to have two-car enclosed garages. The height for

this district shall be capped at 50' to allow a gradation between the Mixed-Use Commercial District and the Residential District.

The natural topography and hydrology of the property, especially in this district, allow for the provision of unprogrammed park space. Passive or low-impact recreation such as walking trails and open fields provide for the greatest amount of accessibility to public open spaces. Stormwater facilities should act as amenity areas in this district provided their aesthetics meet amenity expectations. The stream and its buffer allow for the preservation of open space and a pedestrian trail system for the residents of this community and for the city at large to enjoy.











Medical District

With roughly 15 acres devoted to medical and medical support uses, the property's relationship to Northside Hospital should be considered carefully. The intersection of Peachtree Industrial Boulevard and Pleasant Hill is an extremely busy and prominent corner within the City of Duluth and carries a distinct character related to the hospital and its corresponding medical services. This corner of the property should engage with the hospital in a creative way. There is potential to expand the doctors' and medical offices into the Hudgens property, especially at the corner of Pleasant Hill and McClure Bridge Road, and there is also an opportunity to expand Northside's role as a regional medical center. With such a large tract of developable land, a medical school or conference center could be an appropriate land use at this intersection with smaller medical offices intermingled with commercial properties.

Residential District

Within the Residential District there shall be a gradation of density and a strong diversity of housing. The Residential District is the largest land use within the development and encompasses roughly 55 acres of the site. ForwardDuluth contemplates low density as 1-6 units per acre. The northern end of the property is most suitable for larger lot single-family executive-style or luxury-style homes. Positioning these larger lots in this location creates a natural transition from the single-family neighborhood north of the Hudgens property to the higher intensities proposed at the southern end. While the northern end of the property is suitable for larger lot single-family homes, as one moves into the property heading south, there should be a range of lot sizes including R-100, R-75 and R-50. This district also has the

opportunity to include creative single-family home designs and layouts, such as skinny houses and cottage courts.

Yards should be minimal with community open space being the focal point. Front porches and balconies should predominate the front plane of the house. And heights should be limited to 35'.





Addition to Core Neighborhood District

"Innovative residential infill can include accessory dwelling units, duplexes, and village townhome clusters on small lots. R-50 is the newest zoning category that is promoted in the Core Neighborhood, which offers the smallest lot sizes of any single-family residential zoning category with a minimum area of 7500 square feet."

Add to Aspirations:

Promote R-50 zoning as redevelopment on North Street.

Exhibit "B"

Public Notice Posted in the Gwinnett Daily Post 9/15/2025

Gdp9505
gp n13
**CITY OF DULUTH
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council regarding updates to the **FORWARDuluth 2045 Comprehensive Plan**. The public is invited to attend this hearing before Mayor and Council regarding updates to the FORWARDuluth. The meeting date, place and time regarding this matter are as follows:

WHEN:

October 13, 2025 -

6:00pm

WHERE:

City Hall Council Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the FORWARDuluth updates, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:

City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email: Planning@duluthga.net

For more information, contact Planning & Development, at (770)476-1790.

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9/21,2025

CITY OF DULUTH
Mayor and Council
Staff Report
October 13, 2025

CASE NUMBER:	TA2025-05
REQUEST:	Text Amendment to <i>portions of the FORWARDuluth 2045 Comprehensive Plan</i>
APPLICANT:	City of Duluth

Planning Commission Recommendation	Approval
------------------------------------	----------

I. Background:

From time to time it is necessary to make minor changes to the Comprehensive Plan outside the required 5-year updates. Staff felt it necessary to update the Hudgens Small Area Plan in order to better address current needs of the community. Secondly, a new zoning category, R-50 (Single-Family Residential District) was added to the Unified Development Code, which necessitates an update in the Comprehensive Plan.

II. Description of the Request:

1. *Attached as Exhibit "A" is the current wording of the Comprehensive Plan. Attached as Exhibit "B" is the recommended wording for the Comprehensive Plan. Exhibit "C" is the Public Notice.*

III. Exhibits

Exhibit "A": Current wording of Comprehensive Plan
Exhibit "B": Proposed wording for the Comprehensive Plan.
Exhibit "C": Public Notice

Exhibit "A"

Current Comprehensive Plan

VISION & GOALS | CHARACTER AREAS

Hudgens Property Area Plan



LEFT: Graphical demonstration of an effective and vibrant variety of uses on the Hudgens Property. Uses range from single-family residential (yellow), medical (blue), to mixed-use (pink).
BELOW: Various assemblies of building typology and street morphology typical of a TND (Transit-Neighborhood Development) project. Source: DPZ Co-Design



The 110-acre tract of land known locally as the Hudgens Property remains one of the largest undeveloped properties in western Gwinnett situated at the corner of one of the county's busiest intersections. As such, the City recognizes the importance of creating a small area plan for this property in an effort to encourage development that aligns with the goals and aspirations of Duluth's residents, elected officials, and planning staff.

The Hudgens Property's proximity to Northside Hospital provides a unique opportunity to expand the intersection's capacity for retail, office space, and diverse housing opportunities for the doctors, nurses, and staff of the hospital. The proposed plan demonstrates the capability of the subject property to fulfill an increasing demand for quality housing, accessible entertainment, and regional interconnectedness within the City of Duluth.

A variety of land uses should be allocated across the property through the means of a grid system. Nonresidential blocks should not exceed dimensions of 300' by 600' to provide pedestrians with a variety of routes to travel throughout retail and office centers. Residential blocks should not exceed dimensions of 200' by 400' to break up monotonous rows of homes and reduce vehicular travel times. Streets throughout the developed property should always prioritize the travel of the pedestrian over the vehicle through

the use of street trees, wide sidewalks, and traffic calming measures, including roundabouts, medians, on-street parking, etc.

1. When it is necessary, conventional commercial blocks are appropriate in this plan. However, these blocks should be designed in a way to reduce the impact of surface parking and oversized box stores. Building footprints should remain small and surface parking should be positioned in the rear of commercial buildings to maintain a predominantly residential feel throughout the plan.
2. A component of dense mixed-use retail, office, and housing is crucial to the activation of a community. As such "vertical mixed-use" is strongly encouraged on this property. Buildings with on-street parking and street frontage should provide retail and convenience on the ground floor, and office or residential on upper stories. The height of these buildings should be limited to fit the character of a predominately residential community.
3. The northern end of the property is most suitable for larger lot executive single-family homes. Positioning these larger lots in this location creates a natural transition from the single family neighborhood north of the property to the higher intensities positioned at the southern end. These homes would provide a needed housing option for doctors and medical professionals who desire larger homes within the City of Duluth.
4. Small lot single family detached homes are strongly encouraged as a housing option on this property. Small cottages or bungalow style homes devoted to Traditional Neighborhood Design (as defined elsewhere in the Comprehensive Plan) are an appropriate transition between retail/office centers and the residential character of the surrounding community.
5. The natural topography and hydrology of this property allow for the provision of unprogrammed park space. Passive or low impact recreation such as walking trails, disc golf courses,

and open fields provide for the greatest amount of accessibility to public open spaces. The stream and its buffer allow for the preservation of open space and a pedestrian trail system for the residents of this community and for the city at large to enjoy.

6. The property's relationship to Northside Hospital should be considered carefully. The intersection of Pleasant Hill and McClure Bridge carries a distinct character related to the hospital and its corresponding medical services. This corner of the property can, and should, engage with the hospital in a creative way. There is potential to expand the doctors' and medical offices into the Hudgens Property, but there is also an opportunity to expand Northside's role as a regional medical center. With such a large tract of developable land, a medical conference center would be an appropriate land use at this intersection.

7. As a potential regional center it is appropriate for this property to contain small, architecturally appropriate, hotel to service guests of a regional conference center and to the City of Duluth as a whole. A potential hotel could serve not only as a catalyst for professional conferences, it could encourage increased tourism for Duluth and its nearby downtown area.

BELOW: Various examples of building typology and microtopography typical of a TND. Mixed-use project. Source: DPZ Consulting



Core Neighborhood District

Core Neighborhoods will be denser, connected neighborhoods, easily accessible to Downtown through a system of trails, sidewalks and road connections, while capitalizing on existing traditional street fabric and opportunities for redevelopment and infill.

This is not a homogeneous collection of neighborhoods. The age of the neighborhoods within this Character Area spans a large range, from early 20th century (W. Lawrenceville Street) to the 1990s (McClure Place and Willbrooke). Buford Highway and Duluth Highway/Abbotts Bridge Road divide this Character Area into quadrants. The northwest quadrant contains the Pinecrest Neighborhood. The northeast quadrant is the Hill Community. The southeast is the Hall Circle area. Finally, the southwest quadrant contains the newest homes with McClure Place and Willbrooke. Each quadrant has characteristics that bring different sets of assets and challenges. For example, the southeast and southwest quadrants have sewer whereas the northern quadrants do not. The lack of sewer greatly inhibits redevelopment or infill efforts due to a need for large lots for septic fields. Buford Highway and Duluth Highway act as a major barriers, bisecting the District into disjointed portions. Commercial and retail along Buford Highway is characterized by a wide range of mid-size businesses and office locations. These commercial properties have been targeted for redevelopment and reinvestment in recent years. This is expected to continue, possibly at a faster pace than in recent years. Recent streetscape improvements along a portion of Buford Highway have improved aesthetics and safety.

Core Neighborhoods will continue to play an important role in anchoring adjoining Downtown within the city, while providing the community with a wide variety of housing types within walking distance of unique retail, recreation, and entertainment. Many different existing neighborhoods make up this District; each neighborhood has distinctive characteristics that should be celebrated through improved placemaking. There is great potential for infill and reinvestment within many of the maturing neighborhoods, but redevelopment should be balanced with preserving the qualities of the neighborhoods that have made them foundational to the prosperity of Duluth. Innovative residential infill can include accessory dwelling units, duplexes, and village townhome clusters on small lots. The preservation of historic or important buildings and landmarks should be a goal of the city. Offering density bonuses or some other incentive to save or rehabilitate these buildings should be a tool the city uses for historic preservation purposes. Future development will build off of the existing strong community culture and connected neighborhood fabric. Redevelopment and new residential should be developed using traditional neighborhood design principles, encouraging smaller lots and cottage-style homes with pedestrian-oriented street frontage.



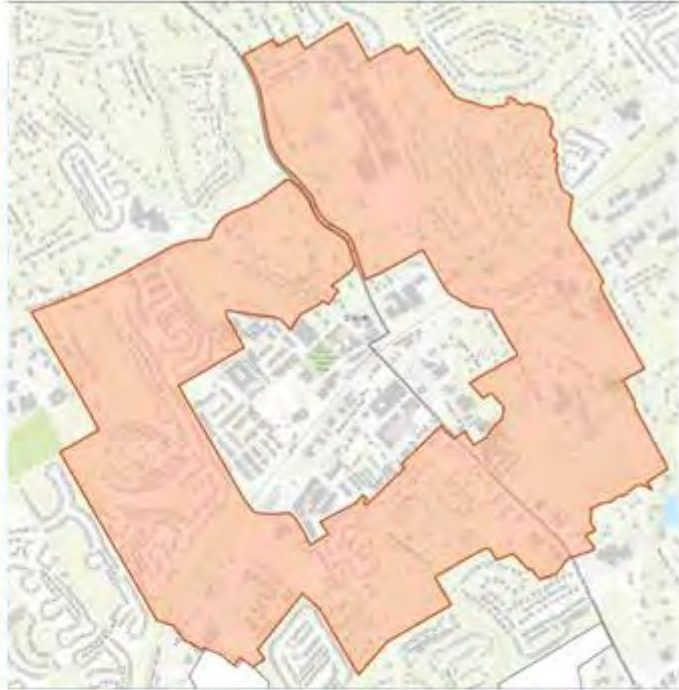
SECTION: Willbrooke / Hill Community
 DISTRICT: Core Neighborhoods
 LOCATION: The Core Neighborhoods
 RIGHT OF WAY: Redevelopment and infill
 LAND USE: Residential

RIGHT: The Core Neighborhood District is distinguished in orange peach. The District surrounds the Downtown Core and is bordered by various other character areas.

CITY OF DULUTH, GA | PLAN 2045

Aspirations

- Continue to explore possible street and pedestrian connections between neighborhoods and towards Downtown through land acquisition.
- Encourage development to increase housing units within walking distance (.75 miles) of Downtown.
- Update and adopt the Pinecrest Neighborhood Plan.
- Update and adopt the Hill Community Neighborhood Plan.
- Create and adopt Hall Circle Neighborhood Plan.
- Identify redevelopment grants and incentives that would help reduce barriers in order to improve or to spur redevelopment in targeted neighborhoods.
- Investigate policy changes that are aligned with the ARC's Lifelong Communities Initiative that would allow accessory dwelling units, promote infill housing, and reduce the minimum square footage requirements.
- Begin streetscape and infrastructure improvements in preparation for neighborhood redevelopment. Specifically extending sewer along Hill Street to South Street. Extend Hill Street to South Street.
- Discourage dead end streets, when appropriate.
- Create an Infill Development Ordinance.
- Explore climate resiliency measures to retrofit existing neighborhoods with open space, pocket parks, and green infrastructure.

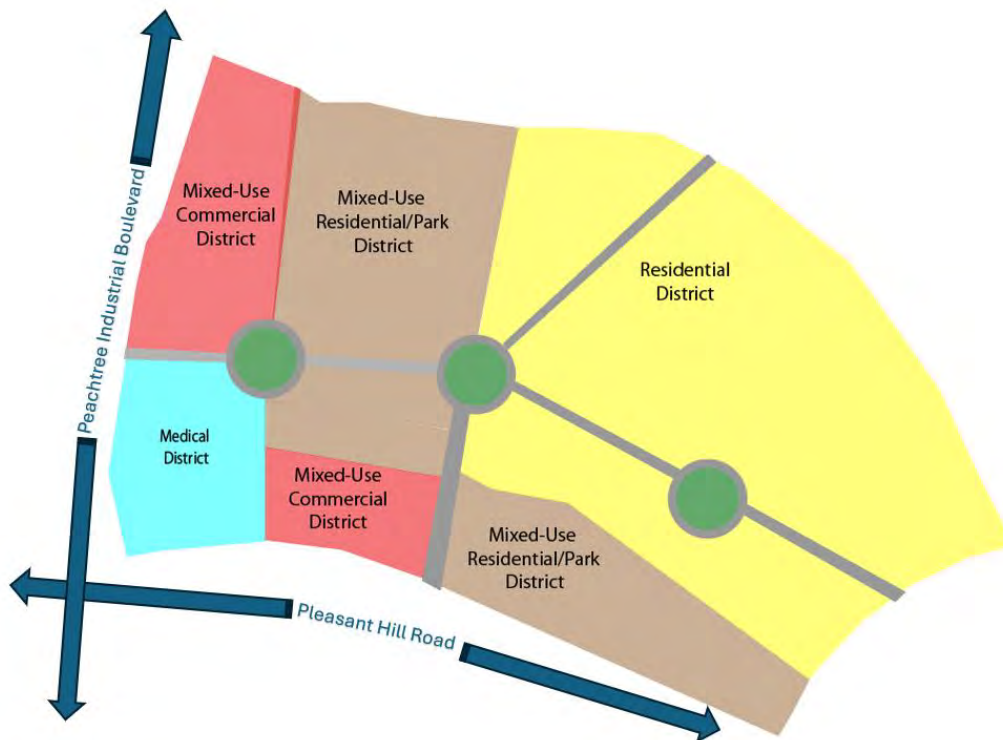


ABOVE: An aerial of the Buford Housing Authority on Main St. BELOW: Rendering of redevelopment possibilities. There is potential to redevelop underutilized properties with creative urban design and with higher density through an Infill Development Ordinance.



Exhibit "B"

Proposed Comprehensive Plan



The 110-acre tract of land known locally as the Hudgens Property remains one of the largest undeveloped properties in western Gwinnett County situated at the corner of one of the county's busiest intersections. As such, the City recognizes the importance of creating a small area plan for this property in an effort to encourage development that aligns with the goals and aspirations of Duluth's residents, elected officials, and planning staff.

The Hudgens Property's proximity to Northside Hospital provides a unique opportunity to expand the intersection's capacity for retail, office space, and diverse housing opportunities for the doctors, nurses, and staff of the hospital. The proposed plan demonstrates the capability of the subject property to fulfill an increasing demand within the City of Duluth for quality housing, entertainment, and regional interconnectedness within the City of Duluth.

A variety of land uses should be allocated across the property through the Principles of New Urbanism, which advocate for human-scaled, walkable and mixed-use communities that prioritize people over cars, fostering community, diversity, and sustainability. Mixed-use blocks should not exceed dimensions of 200' by 200' to provide pedestrians with a variety of routes to travel throughout ground floor retail and office centers. Residential blocks should not exceed dimensions of 200' by 200' to break up monotonous rows of homes and reduce vehicular travel times. Streets throughout the developed property should always prioritize the pedestrian over the vehicle through the use of street trees, wide sidewalks, and traffic calming measures, including roundabouts, planted medians, on-street parking, etc.

There are four distinct districts within the small area plan: Mixed-Use Commercial District, Mixed-Use Residential/Park District, Medical District and Residential District.

Mixed-Use Commercial District

The Mixed-Use Commercial District will be the densest district with 15+ units an acre. The district can support two multi-family apartment buildings with a total maximum unit count of 500. The district covers roughly 15 acres of the 110 acre site with concentrations at the north end of Peachtree Industrial Boulevard and in the center of the property along Pleasant Hill Road.

Surface parking shall be avoided except for on-street parking. Most of the parking should come from shared deck parking between the commercial, office and residential uses. Buildings with on-street parking and street frontage should provide retail and entertainment on the ground floor, and office or residential on upper floors. Ground floor retail and other convenient uses shall be of a human-scale with 12'-16' ceiling heights, large windows and breaks in massing. Heights of the buildings should be between 50-75', which could accommodate a 16' ground floor and four to five -stories of residential and/or office space.



Trillith, Fayetteville, GA

Source: Aron Hall



Trillith, Fayetteville, GA

Source: Aron Hall

Mixed-Use Residential/Park District

The Mixed-Use Residential/Park District will be less dense than the Mixed-Use Commercial District and will expand over a larger area of roughly 25 acres. The density is anticipated to be 6-15 units an acre, which will net up to 375 units over the 25 acres. Most of the district is anticipated to be internal to the site, with a small portion of the district expanding parallel to Pleasant Hill Road and the corner of McClure Bridge Road.

This district will support smaller scale commercial, live-work units, and mixed-use residential. A mix of housing and intimate retail and restaurant or café space is preferred. Vertical mixed-use and horizontal mixed-use is contemplated with smaller storefronts intermingled with residential units on the ground floor. The housing should be a mix of townhomes, small -plexes from 2-12 units and small footprint single-family. Small lot surface parking may be supported depending on the context; however, on-street parking is preferred, and townhomes shall be required to have two-car enclosed garages. The height for

this district shall be capped at 50' to allow a gradation between the Mixed-Use Commercial District and the Residential District.

The natural topography and hydrology of the property, especially in this district, allow for the provision of unprogrammed park space. Passive or low-impact recreation such as walking trails and open fields provide for the greatest amount of accessibility to public open spaces. Stormwater facilities should act as amenity areas in this district provided their aesthetics meet amenity expectations. The stream and its buffer allow for the preservation of open space and a pedestrian trail system for the residents of this community and for the city at large to enjoy.











Medical District

With roughly 15 acres devoted to medical and medical support uses, the property's relationship to Northside Hospital should be considered carefully. The intersection of Peachtree Industrial Boulevard and Pleasant Hill is an extremely busy and prominent corner within the City of Duluth and carries a distinct character related to the hospital and its corresponding medical services. This corner of the property should engage with the hospital in a creative way. There is potential to expand the doctors' and medical offices into the Hudgens property, especially at the corner of Pleasant Hill and McClure Bridge Road, and there is also an opportunity to expand Northside's role as a regional medical center. With such a large tract of developable land, a medical school or conference center could be an appropriate land use at this intersection with smaller medical offices intermingled with commercial properties.

Residential District

Within the Residential District there shall be a gradation of density and a strong diversity of housing. The Residential District is the largest land use within the development and encompasses roughly 55 acres of the site. ForwardDuluth contemplates low density as 1-6 units per acre. The northern end of the property is most suitable for larger lot single-family executive-style or luxury-style homes. Positioning these larger lots in this location creates a natural transition from the single-family neighborhood north of the Hudgens property to the higher intensities proposed at the southern end. While the northern end of the property is suitable for larger lot single-family homes, as one moves into the property heading south, there should be a range of lot sizes including R-100, R-75 and R-50. This district also has the

opportunity to include creative single-family home designs and layouts, such as skinny houses and cottage courts.

Yards should be minimal with community open space being the focal point. Front porches and balconies should predominate the front plane of the house. And heights should be limited to 35'.





Addition to Core Neighborhood District

“Innovative residential infill can include accessory dwelling units, duplexes, and village townhome clusters on small lots. R-50 is the newest zoning category that is promoted in the Core Neighborhood, which offers the smallest lot sizes of any single-family residential zoning category with a minimum area of 7500 square feet.”

Add to Aspirations:

Promote R-50 zoning as redevelopment on North Street.

Exhibit "C"

Public Notice Posted in the Gwinnett Daily Post 9/15/2025

**Gdp9505
gpn13
CITY OF DULUTH
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council regarding updates to the **FORWARDuluth 2045 Comprehensive Plan**. The public is invited to attend this hearing before Mayor and Council regarding updates to the FORWARDuluth. The meeting date, place and time regarding this matter are as follows:

WHEN:

**October 13, 2025 -
6:00pm**

WHERE:

**City Hall Council Chambers
3167 Main Street
Duluth, GA 30096**

PERSONS INTERESTED IN THIS MATTER are invited to review the FORWARDuluth updates, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:

**City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email: Planning@duluthga.net**

For more information, contact Planning & Development, at (770)476-1790.

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodation is necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodation can be arranged.

9/21,2025

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>85,510,758</u>
Operations Expenditures:	<u>33,972,491</u>
Capital Improvement Expenditures:	<u>51,538,267</u>
Total Expenditures:	<u>85,510,758</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Public Safety building roof is original to the building so a Request for Proposal (RFP) was issue to solicit bids for the replacement; and

WHEREAS staff received four bids and following an evaluation by an outside consultant, recommends awarding a contract to CGS, LLC for \$108,329.21 plus a 20% contingency for a total request of \$130,000; and

WHEREAS it is requested \$130,000 in 2023 SPLOST Public Safety funds be added to Police Capital Projects – Police – Buildings line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>85,640,758</u>
Operations Expenditures:	<u>33,972,491</u>
Capital Improvement Expenditures:	<u>51,668,267</u>
Total Expenditures:	<u>85,640,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>85,231,908</u>
Operations Expenditures:	<u>33,740,491</u>
Capital Improvement Expenditures:	<u>51,491,417</u>
Total Expenditures:	<u>85,231,908</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth awarded a contract to IP Construction for the replacement of a retaining wall on Sunrise Lane in the amount of \$34,500; and

WHEREAS staff is requesting additional funds of \$3,450 for construction oversight, materials testing of \$2,000 and \$6,900 for project contingency for a total budget of \$46,850 to be funded with 2023 SPLOST Transportation Funds; and

WHEREAS it is requested \$46,850 in 2023 SPLOST Transportation Funds be added to Sunrise Lane Retaining Wall – Transfer from SPLOST 2023 line item and to add \$3,450 to Sunrise Lane Retaining Wall – Paved Streets – Professional Services line item and \$43,400 to Sunrise Lane Retaining Wall – Paved Streets – Infrastructure line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>85,278,758</u>
Operations Expenditures:	<u>33,740,491</u>
Capital Improvement Expenditures:	<u>51,538,267</u>
Total Expenditures:	<u>85,278,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk



One Georgia Center
600 West Peachtree Street NW,
Atlanta, GA 30308
(404) 631-1000 Main Office

September 26, 2025

Honorable Greg Whitlock, Mayor
City of Duluth
3167 Main Street
Duluth, Georgia 30096
Attn: Margie Pozin, Director of Community Development & Engineering

Subject: Transportation Alternatives (TA) Acceptance Letter

Dear Mayor Whitlock and Ms. Pozin,

Congratulations! The Georgia Department of Transportation (GDOT) is pleased to inform you that your 2025 application for the Transportation Alternatives (TA) program funding has been awarded. Your award for the SR120 path project, within the City of Duluth in Gwinnett County, is approved under the condition that the required twenty percent (20%) local match is met for the awarded preliminary engineering (PE) phase of the project. The City's 20% participation in PE funding is \$172,000, as shown in the table below.

The City of Duluth provided the funding totals for the phases listed in the table below on the application. Based upon your request, please review the required local match for the requested phase. **The City of Duluth is required to confirm that these local funds will be made available for the requested fiscal years by contacting TAPapplications@dot.ga.gov no later than Friday, October 31, 2025.**

	Fiscal Year	Cost Estimate	Federal Match	Local Match
Prelim. Engineering (PE)	2026	\$860,000	\$688,000	\$172,000
Right of Way (ROW)	2027	\$781,600	\$625,280	\$156,320
Construction (CST)	2028	\$5,094,368	\$4,075,494	\$1,018,874
Utilities (UTL)	2028	\$100,000	\$80,000	\$20,000
Local Match Total*				\$1,367,194

**Please note that the fiscal years shown are subject to change.*

Potential sources for the 20 percent match requirement include: Local Funds, SPLOST, Local Maintenance and Improvement Grant (LMIG), and awards from the Georgia Transportation Infrastructure Bank (GTIB). GTIB is a loan/grant program under the State Road and Tollway Authority. More information can be found at the following website: <https://srta.ga.gov/gtib/>

When GDOT receives your match confirmation, the Office of Planning will notify the GDOT Office of Program Delivery. They will inform you by letter who your assigned project manager will be and begin the process of executing a Project Framework Agreement (PFA) with the City of Duluth. As referenced in the PFA, additional specific activity agreements for right of way, utility relocation, and construction will be sent at the appropriate time, if required. The assigned project manager will be the point of contact moving forward and will be available

Transportation Alternatives (TA) Acceptance Letter
September 26, 2025
SR120 path project, City of Duluth, Gwinnett County
Page 2 of 2

to discuss the GDOT Planning Development Process with you.

Please note that this award is only for the preliminary engineering phase of your project. Awards for subsequent phases will be determined in the coming years as the project progresses and will be based upon project readiness and TA funding availability.

If you have any questions, please contact Benjamin Kane (bekane@dot.ga.gov) of this office.

Sincerely,

Matt Markham
Deputy Director of Planning

Cc: Honorable Nabilah Islam Parkes, Georgia Senate District 7
Honorale Ruwa Romman, Georgia House of Representatives District 97
Honorale Robert L. Brown, Jr., State Transportation Board Member, Congressional District 4
Russell McMurry, P.E., Commissioner
Jannine Miller, Director of Planning
Meg Pirkle, P.E., Chief Engineer
Andrew Heath, P.E., Deputy Chief Engineer
Albert Shelby, Director of Program Delivery
Kimberly Nesbitt, State Program Delivery Administrator
Jason Dykes, P.E., District 1 Engineer
Justin Lott, P.E., District 1 Preconstruction Engineer
Elizabeth Johnson, District 1 Planning and Programming Liaison
Andrew Torrey, Rural Planning Branch Chief

**RESOLUTION
PINE NEEDLE DRIVE PEDESTRIAN CONNECTOR AWARDED
GRANT MATCH**

WHEREAS, the Mayor and Council of the City of Duluth, Georgia did approve to undertake a grant application for state and/or federal funds to design and construct the Pine Needle Pedestrian Connector project (herein referred to as "Project"); and

WHEREAS, the Project proposes a non-motorized transportation alternative route along Pine Needle Drive and portions of State Route 120 and Irvindale Road; and

WHEREAS, the Project is part of the City of Duluth's overall sidewalk plan; and

WHEREAS, the Project will connect existing pedestrian facilities with other existing or planned regional bicycle and pedestrian facilities; and

WHEREAS, the City of Duluth has the capacity to successfully administer any grant funds awarded by the Georgia Department of Transportation (GDOT) for this Project; and

WHEREAS, the City of Duluth is committed to accepting state and/or federal grant monies awarded from GDOT for this Project and will enter into an agreement of acceptance with GDOT; and

WHEREAS, the City of Duluth is committed to matching the state and/or federal grant funds awarded with a minimum of 20% of the total Project budget, using local funds.

WHEREAS, the City of Duluth is being awarded grant funds from the Georgia Department of Transportation in the amount of \$688,000 contingent upon the City's match contribution of \$172,000.

NOW THEREFORE, be it resolved by the Mayor and Council City of Duluth, Georgia to accept and match grant funds as noted above, in the amount of \$172,000 for the Project.

IT IS SO RESOLVED this _____ day of _____ 2025.

Signatures and Seal on Next Page.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

SEAL

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>86,095,758</u>
Operations Expenditures:	<u>34,293,491</u>
Capital Improvement Expenditures:	<u>51,802,267</u>
Total Expenditures:	<u>86,095,758</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth has approved a resolution to provide matching funds of \$172,000 for the design of the Pine Needle Pedestrian Connector Project federal grant through the Georgia Department of Transportation; and

WHEREAS the grant will provide Federal Funds of \$688,000 and the City will provide \$172,000 in 2023 SPLOST Transportation matching funds; and

WHEREAS it is requested \$172,000 in 2023 SPLOST Transportation Funds be added to Pine Needle Dr Improvements – Transfer from SPLOST 2023 line item, and \$688,000 to Pine Needle Dr Improvements – Federal Grants line item and \$860,000 to Pine Needle Dr Improvements – Roadways & Walkways – Professional Services line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>86,955,758</u>
Operations Expenditures:	<u>34,293,491</u>
Capital Improvement Expenditures:	<u>52,662,267</u>
Total Expenditures:	<u>86,955,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>85,276,758</u>
Operations Expenditures:	<u>33,740,491</u>
Capital Improvement Expenditures:	<u>51,536,267</u>
Total Expenditures:	<u>85,276,758</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth in order to meet the growing public safety needs in our city and provide additional police presence in our neighborhoods is adding four (4) additional patrol positions to the police department; and

WHEREAS staff is requesting additional funds of \$232,000 for salaries and benefits to funds these positions for seven (7) months in the current operating budget; and

WHEREAS it is requested fund be added to the following line items in the Police – Police Uniform Division budget: Salaries & Wages \$139,200, Group Insurance \$64,960, FICA Taxes \$11,600, and Retirement/Pension \$16,240; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>85,508,758</u>
Operations Expenditures:	<u>33,972,491</u>
Capital Improvement Expenditures:	<u>51,536,267</u>
Total Expenditures:	<u>85,508,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

RESOLUTION
PINE NEEDLE DRIVE PEDESTRIAN CONNECTOR GRANT MATCH

WHEREAS, the Mayor and Council of the City of Duluth, Georgia did approve to undertake a grant application for state and/or federal funds to design and construct the Pine Needle Pedestrian Connector project (herein referred to as "Project"); and

WHEREAS, the Project proposes a non-motorized transportation alternative route along Pine Needle Drive and portions of State Route 120 and Irvindale Road; and

WHEREAS, the Project is part of the City of Duluth's overall sidewalk plan; and

WHEREAS, the Project will connect existing pedestrian facilities with other existing or planned regional bicycle and pedestrian facilities; and

WHEREAS, the City of Duluth has the capacity to successfully administer any grant funds awarded by the Georgia Department of Transportation (GDOT) for this Project; and

WHEREAS, the City of Duluth is committed to accepting state and/or federal grant monies awarded from GDOT for this Project and will enter into an agreement of acceptance with GDOT; and

WHEREAS, the City of Duluth is committed to matching the state and/or federal grant funds awarded with a minimum of 20% of the total Project budget, using local funds.

NOW THEREFORE, be it resolved by the Mayor and Council City of Duluth, Georgia to apply for, accept, and match grant funds as noted above, should they be awarded by the Georgia Department of Transportation for this Project.

IT IS SO RESOLVED this _____ day of _____ 2025.

Signatures and Seal on Next Page.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

SEAL

ORDINANCE
TO AMEND THE CITY OF DULUTH
2026 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2026 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2026 fiscal year as follows:

Total Revenues:	<u>85,640,758</u>
Operations Expenditures:	<u>33,972,491</u>
Capital Improvement Expenditures:	<u>51,668,267</u>
Total Expenditures:	<u>85,640,758</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Police Department's provider for records management is requesting the Police upgrade their software to be web-based (in the cloud) to improve functionality and cybersecurity compliance; and

WHEREAS the provider has agreed to pro-rate the first-year maintenance fee and with the cost of data migration and installation the total cost if \$321,000; and

WHEREAS it is requested \$321,000 in General Fund reserves be added to Police – Police Support Services Division – Support Agreements line item; and

NOW THEREFORE, the City of Duluth 2026 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>85,961,758</u>
Operations Expenditures:	<u>34,293,491</u>
Capital Improvement Expenditures:	<u>51,668,267</u>
Total Expenditures:	<u>85,961,758</u>

IT IS SO ORDAINED this _____ day of _____, 2025.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Charles Jamin Harkness, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk