



LAWRENCEVILLE

GEORGIA

CITY COUNCIL REGULAR MEETING MINUTES

Monday, March 28, 2022
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

PRESENT

Mayor David Still

Mayor Pro Tem Glenn Martin

Council Member Victoria Jones

Council Member Austin Thompson

Council Member Marlene Taylor-Crawford

Prayer

Scarlett Rigsby provided the invocation.

Pledge of Allegiance

Mayor David Still led the group in the Pledge of Allegiance.

Agenda Additions / Deletions

Motion to accept the agenda as presented made by Council Member Jones, Seconded by Council Member Thompson.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

Recognitions

1. Presentation of Police Department State Certification

City Manager Chuck Warbington introduced Butch Ayers and Chuck Gruber to come forward to award the Police Department with the achievement of State Certification. Mr. Ayers and Mr. Gruber explained the process and presented acting Chief of Police Myron Walker with the State Certification State Certification plaque that is good for three years. Mr. Gruber then

presented Officer Jason Elliott with a plaque for being the Certification Manager. Officer Elliott handed out the challenge coins and poker chips to the Mayor and Council representing the State Certification.

Approval of Prior Meeting Minutes

Motion to approve minutes as presented made by Mayor Pro Tem Martin, Seconded by Council Member Thompson.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

2. January 26, 2022 Regular Meeting and Executive Session
3. February 1, 2022 Executive Session
4. February 9, 2022 Work Session and Executive Session
5. February 28, 2022 Regular Meeting and Executive Session
6. March 9, 2022 Work Session and Executive Session

Announcements

Council Member Thompson recognized March as Women's History month.

Council Member Taylor-Crawford recognized Women's History month by recognizing two schools that were named after women. Those schools are Moore Middle School named after Robbie Susan Moore and Winn Holt Elementary named after Margaret Winn Holt.

Mayor Still read from the slide for the upcoming events in the City.

Public Comment

To participate in the Public Comment part of the Agenda, you must register with the City Clerk prior to the beginning of the meeting. Presentations will be limited to 2 minutes per person and Council will not respond to the comment.

Superior Court Angela Duncan came forward to introduce herself to Council and the public.

Consent Agenda

These are items on which the Mayor and Council are in agreement to approve and are placed on the agenda to be approved in one vote.

City Attorney Lee Thompson read the Consent Agenda into record.

Motion to approve the Consent Agenda as presented made by Council Member Thompson, Seconded by Mayor Pro Tem Martin.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

7. Purchase of Electrical Materials

8. Automobile Body Repair Services on an Annual Contract
9. Amendment to Chapter 36, Section 36-7 for Speed Zone Ordinance
10. Event Entertainment Consultant Contract
11. Purchase of new Firewall for Police Department Network

Public Hearing New Business

Discussion will be limited to 7 minutes per side including rebuttal. Discussions on Zoning issues will be limited to 10 minutes per side including rebuttal. Questions and answers from Council Members will not infringe on the time limit.

12. RZM2021-00009 & ANNX2022-00001; Charles Garfunkel; 724 Collins Hill Road

Planning and Development Director Todd Hargrave presented this item and answered questions from Council. The applicant was present to present this item and answer questions from Council. Doug Dillard, representative of the applicant made the presentation to introduce the team that would be available to present and answer questions. Mr. Charles Garfunkel presented information on the project. Steve Stover presented more information on the project. Mayor Still opened the public hearing and seeing and hearing no one come forward the public hearing was closed.

Motion to move forward with rezoning and annexation request RZM2021-00009 & ANNX2022-00001 of a 34.92-acre parcel assemblage from HSB (Highway Service Business District) to CMU (Community Mixed-Use District) to allow a mixed-use development located at the southwest intersection of Collins Hill Road and Georgia Highway 316 (University Parkway). With the conditions that have been revised from Planning Commission Recommended Conditions RZM2021-00009_03022022 as provided in hard copy to the Council this evening along with the applicants package that was delivered tonight changing the date in E and F from March 9th to March 28th made by Mayor Still, Seconded by Mayor Pro Tem Martin.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones

Abstaining from Voting: Council Member Thompson, Council Member Taylor-Crawford

13. RZM2021-00032, SUP2021-00057 & SUP2021-00058; Lawrenceville Land Holdings, LLC; 329 Grayson Highway

Planning and Development Director Todd Hargrave presented this item and answered questions from Council. The applicant was present to present this item and answer questions from Council. Eric Johansson presented information on the project. Mayor Still opened the public hearing and seeing and hearing no one come forward the public hearing was closed.

Motion to approve RZM2021-00032, SUP2021-00057 & SUP2021-00058 with the recommended conditions received tonight with removal of sentence in 1 C as read into record made by

Council Member Jones, Seconded by Mayor Pro Tem Martin.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Taylor-Crawford

Abstaining from Voting: Council Member Thompson

Council Business New Business

There is no public comment during this section of the agenda unless formally requested by the Mayor and the Council.

14. Update to 2017 SPLOST

City Manager Chuck Warbington presented this item.

Motion to approve the movement of 2017 SPLOST funds as presented made by Mayor Pro Tem Martin, Seconded by Council Member Taylor-Crawford.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

15. Request to acquire CSX Abandoned Rail Spur

City Manager Chuck Warbington presented this item.

Motion to acquire CSX abandoned rail spur for \$250,000.00 made by Council Member Thompson, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

16. Intergovernmental Agreement with the Downtown Development Authority for the Public Works Outparcel on Pike Street

City Manager Chuck Warbington presented this item.

Motion to approve Intergovernmental Agreement with Downtown Development Authority made by Mayor Still, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

17. Property and Casualty Insurance Renewal for Three Months

Deputy City Manager Steve North presented this item and updated the amount to \$207,174.00 for three month extension.

Motion to approve three month extension to property and casualty insurance in the amount of \$207,174.00 made by Mayor Pro Tem Martin, Seconded by Council Member Thompson.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

Executive Session – Personnel, Litigation, Real Estate

Motion to move into Executive Session made by Council Member Jones, Seconded by Council Member Thompson.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

Motion made by Council Member Thompson, Seconded by Council Member Taylor-Crawford.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

Report of items discussed in Executive Session:

2 Real Estate

2 Litigation

No Votes Taken

Final Adjournment

Motion to adjourn made by Mayor Pro Tem Martin, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Mayor Pro Tem Martin, Council Member Jones, Council Member Thompson, Council Member Taylor-Crawford

Minute Signatures

David R. Still, Mayor

Karen Pierce, City Clerk

**ORDINANCE TO ANNEX PROPERTY INTO THE MUNICIPAL LIMITS OF THE
CITY OF LAWRENCEVILLE, GEORGIA**

The Council of the City of Lawrenceville, Georgia hereby ordains:

WHEREAS, the City of Lawrenceville did receive an application to have lands annexed into the existing corporate limits of the City of Lawrenceville, Georgia; and

WHEREAS, it appears to the governing body of the City of Lawrenceville, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of the City of Lawrenceville, that the applicants represent one hundred percent (100%) of the owners of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, the governing body of the City of Lawrenceville, Georgia, has determined that the annexation of the area proposed to be annexed would be in the best interests of the property owners of the area proposed for annexation and of the citizens of the City of Lawrenceville, Georgia;

BE IT, THEREFORE, ordained that the property described as “Tract 2 on a Boundary Survey for ECI Capital of 742 Collins Hill Road, prepared by Technical Survey Services, dated September 28, 2021,” and further described on legal description as “Legal Description: Tract 2” which is attached hereto and incorporated herein by reference, be and the same hereby is, annexed to the existing corporate limits of the City of Lawrenceville, Georgia, and the same

shall hereafter constitute a part of the lands within the corporate limits of the City of Lawrenceville, Georgia.

BE IT FURTHER ORDAINED that the Clerk of the City of Lawrenceville or their designee certify a copy hereof and file such reports as are required by state and federal law.

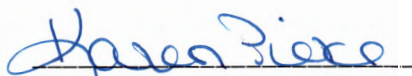
IT IS SO ORDAINED, this 28th day of March 2022.



David R. Still, Mayor

Date Signed: 5/6/2022

Attest:


Karen Pierce, City Clerk

Legal Description: Tract 2

All that tract or parcel of land lying and being in Land Lot 10 of the 7th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a point being the southeastern most mitered corner of the southerly Right of Way of Georgia Highway 316 (Limited Access Highway, Variable R/W) and the southwesterly Right of Way of Collins Hill Road (Variable R/W); thence running along said Right of Way of Georgia Highway 316 (Limited Access Highway, Variable R/W) the following courses: North 62° 39' 58" West a distance of 97.87 feet to a point; thence North 87° 58' 03" West a distance of 154.01 feet to an iron pin set; thence North 59° 58' 59" West a distance of 295.76 feet to an iron pin set, said point being the True Point of Beginning; thence continuing along said Right of Way South 60° 26' 36" West a distance of 1,179.19 feet to a ½" rebar found; thence continuing along said Right of Way North 30° 12' 24" West a distance of 443.59 to an iron pin set on the southerly Right of Way of aforementioned Georgia Highway 316; thence running along a curve to the right an arc length of 37.55 feet, (said curve having a radius of 2039.86 feet, with a chord bearing of North 76° 15' 32" East, and a chord length of 37.55 feet) to a point; thence North 76° 54' 32" East a distance of 704.43 feet to a point; thence North 81° 39' 25" East a distance of 354.54 feet to a point; thence running along a curve to the right an arc length of 239.26 feet, (said curve having a radius of 1384.40 feet, with a chord bearing of North 86° 36' 29" East, and a chord length of 238.96 feet) to an iron pin set; thence continuing along said Right of Way South 60° 26' 36" West a distance of 72.43 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land being more particularly described on a Boundary Survey, prepared for ECI Capital, dated September 28, 2021 and prepared by Technical Survey Services, containing 7.074 Acres (308,164 Square Feet).

ANNX2022-00001 & RZM2021-00009
Received: December 16, 2021
Planning and Development Department

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>David R. Still</u> , Mayor	<u>Yes</u>
<u>Glenn Martin</u> , Mayor Pro Tem	<u>Yes</u>
<u>Victoria Jones</u> , Council Member	<u>Yes</u>
<u>Marlene Taylor-Crawford</u> , Council Member	<u>Abstain</u>
<u>Austin Thompson</u> , Council Member	<u>Abstain</u>

On motion of Mayor Still, seconded by Mayor Pro Tem Martin, which carried 3-0, the following ordinance was ADOPTED:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application to Amend the Official Zoning Map from HSB (Highway Service Business District) to CMU (Community Mixed-Use District) by Charles Garfunkel for the proposed use of Mixed-Use Development on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on March 28, 2022 and objections were filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 28th day of March, 2022, that the aforesaid application to amend the Official Zoning Map from HSB (Highway Service Business District) to CMU (Community Mixed-Use District) is hereby APPROVED WITH CONDITIONS.

Approval as CMU (Community Mixed-Use District) for a Mixed-Use development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily residential dwellings and accessory uses at a maximum of 500 multifamily units, including standard multifamily residential units and age-restricted multifamily units.
 - B. A minimum of 200 of the multifamily residential dwellings shall be age-restricted to residents 55 years of age and older.
 - C. Retail, service-commercial, office and accessory uses. The following uses shall be prohibited:
 - Adult Bookstores or Entertainment
 - Automotive Uses such as:
 - i. Parts Stores
 - ii. Used Car Sales
 - iii. Tire Sales
 - iv. Auto Repair/Body Shop
 - v. Car/Truck Rental

- Billiards or Pool Halls
 - Contractor's Offices
 - Emission Inspection Stations
 - Equipment Rental
 - Extended Stay Hotels or Motels
 - Recovered Materials Processing Facilities
 - Smoke Shops/Novelty Stores
 - Tattoo Parlors
 - Taxidermists
 - Yard Trimmings Composting Facilities
- D. 20% maximum of gross development SF may be for Indoor Climate Controlled Storage space.
- E. Adjacent tax parcels (7010 100 and 7010 101) in the adjacent commercial shopping center shall be upgraded as indicated by the renderings provided in the applicants Lawrenceville Gateway presentation package dated March 28, 2022. This includes exterior building façade upgrades, asphalt parking lot improvements, and additional landscaping. These improvements shall be constructed before the first CO for the commercial section of the development shall be provided with this zoning and shall be subject to review and approval by the Director of Planning and Development.
- F. The development shall be in general accordance with the submitted site plans and architectural renderings provided in the applicants Lawrenceville Gateway presentation package dated March 28, 2022, with changes necessary to meet zoning and development regulations. Any changes shall be subject to review and approval by the Director of Planning and Development.
- G. Final site plans, landscape plans and building elevations shall be subject to review and approval of the Director of Planning and Development prior to the issuance of development or building permits.
- H. The standard multifamily residential section of the development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly

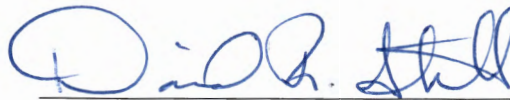
maintained and functional at all times, with any required repairs to be made within one week.

- I. Garages shall be provided for a minimum of 15% of the standard multifamily units. Garage units shall be limited to the interior of the development.
 - J. In the event of residential tenant eviction, any belongings of the tenant will be placed on a portion of the subject property that is not visible from a public right-of-way unless otherwise required by law.
2. To satisfy the following site development considerations:
- A. Provide a 10-foot wide building setback adjacent to all right-of-ways, including Collins Hill Road and SR 316.
 - B. Provide a minimum 40-foot wide building setback with landscape strip adjacent to the western most property line (PINs 7010 009 & 7010 093).
 - C. Provide a minimum 10-foot wide building setback with landscape strip adjacent to the southernmost property line (PINs 7010 012, 7010 090 & 7010 101).
 - D. Provide a 10-foot concrete sidewalk along the road frontage of Collins Hill Road to the signalized intersection for the existing shopping center development.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.
 - F. Ground signage on Collins Hill Road shall be limited to one monument type sign serving the overall development, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, and the sign cabinet shall be fully surrounded by the same materials, matching the building's architectural treatments. Existing pylon sign on Collins Hill Road for adjacent commercial shopping center uses is exempt from this sign limitation and design provisions. Internal signs on private streets of development shall be permitted.
 - G. New billboards or oversized signs shall be prohibited. Existing pylon sign on Collins Hill Road for adjacent commercial shopping center uses is exempt from this sign prohibition.
 - H. Outdoor storage shall be prohibited.

- I. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - J. Compactor/dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Compactor/dumpster enclosure shall be a minimum of 10 feet in width and 30 feet in length Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
 - K. No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung or strung on the site. Yard signs or bandit signs, sign-walkers or sign-twirlers shall be prohibited.
 - L. Peddlers and/or parking lot sales shall be prohibited.
 - M. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours of notice from City.
 - N. Maximum multifamily building height shall be 57 feet.
 - O. Required parking ratio for age-restricted multifamily section of development shall be 0.6 spaces per unit.
 - P. Building setbacks off internal streets or driveways shall be in general accordance with the submitted site plans and architectural renderings, and otherwise subject to review and approval of the Director of Planning and Development.
3. To abide by the following requirements, dedications and improvements:
- A. Provide inter-parcel connectivity through access to Hurricane/316 LLC to the existing traffic signal at Collins Hill Road.
 - B. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study and a submittal of Development of Regional Impact to ARC that includes analysis of the signalized intersection of Collins Hill Road at Georgia Highway 316 as well as surrounding intersections. Prior to the issuance of the first certificate of occupancy, the applicant shall make any improvements recommended by the traffic impact study and the recommendations of the Development of Regional Impact, provided the improvements are approved by the D.O.T. and the City Engineer. All design and

construction will be subject to D.O.T. review and approval as well as the City Engineer.

- C. At no cost to the City, Developer shall provide a min. 10' to 12' paved multiuse trail from Collins Hill Road through the development under SR 316 to the City owned parcel on Collins Industrial Way (tax parcel 7010 010) along the existing Gas Easement. Developer shall dedicate at no cost to the City a permanent easement on subject property for the multiuse trail. City will acquire all right-of-way and easements needed outside the subject property. Developer shall be responsible for obtaining permission from the Gas provider for construction. All design and construction shall be approved by the City Engineer. Multiuse trail section on subject property shall be constructed and approved before the first CO is provided, subject to the stipulation that the CO shall not be withheld based on the City's inability to deliver necessary right-of-way or easements for trail construction or for delays in permitting from GDOT.
- D. Direct access to Collins Hill Road shall be limited to right-in/right out access. Design and Construction shall be approved by the City Engineer.



David R. Still, Mayor

Date Signed: 5/6/2022

ATTEST:



Karen Pierce, City Clerk

Legal Description: Overall Boundary

All that tract or parcel of land lying and being in Land Lot 10 of the 7th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a point being the southeastern most mitered corner of the southerly Right of Way of Georgia Highway 316 (Limited Access Highway, Variable R/W) and the southwesterly Right of Way of Collins Hill Road (Variable R/W); thence running along said Right of Way of Collins Hill Road the following courses: South 29° 39' 40" East a distance of 250.60 feet to a Right of Way Monument found; thence South 29° 59' 59" East a distance of 122.44 feet to an iron pin set; thence South 29° 59' 59" East a distance of 46.92 feet to an iron pin set; thence North 59° 54' 45" East a distance of 34.60 feet to a Right of Way Monument found; thence South 30° 05' 15" East a distance of 55.14 feet to a Right of Way Monument found; thence leaving said Right of Way and running South 60° 47' 49" West a distance of 224.60 feet to a 1" open top pipe found; thence South 60° 52' 15" West a distance of 1428.86 feet to a 1/2" rebar found on the northeasterly Right of Way of Hillcrest Drive (60' R/W); thence running along said Right of Way of Hillcrest Drive North 29° 30' 14" West a distance of 152.66 feet to a point; thence leaving said Right of Way North 29° 30' 14" West a distance of 627.58 feet to a 1/2" rebar found; thence North 30° 12' 24" West a distance of 443.59 feet to an iron pin set on the southerly Right of Way of aforementioned Georgia Highway 316; thence running along a curve to the right an arc length of 37.55 feet, (said curve having a radius of 2039.86 feet, with a chord bearing of North 76° 15' 32" East, and a chord length of 37.55 feet) to a point; thence North 76° 54' 32" East a distance of 704.43 feet to a point; thence North 81° 39' 25" East a distance of 354.54 feet to a point; thence running along a curve to the right an arc length of 239.26 feet, (said curve having a radius of 1384.40 feet, with a chord bearing of North 86° 36' 29" East, and a chord length of 238.96 feet) to an iron pin set; thence continuing along said Right of Way South 60° 26' 36" West a distance of 72.43 feet to an iron pin set; thence South 87° 58' 59" East a distance of 295.76 feet to an iron pin set; thence South 87° 58' 03" East a distance of 154.01 feet to a point, said point being the northwestern most mitered corner of the southerly Right of Way of Georgia Highway 316 and the southwesterly Right of Way of Collins Hill Road; thence running along said miter South 62° 39' 58" East a distance of 9.87 feet to the TRUE POINT OF BEGINNING. Said tract contains 34.923 Acres (1,521,247 Square Feet).

Lawrenceville Gateway Collins Hill Road Rezoning RZM2021-20009

March 28, 2022
Lawrenceville City Council
Regular Meeting

RZM2021-00009
Received: March 28, 2022
Planning and Development Department

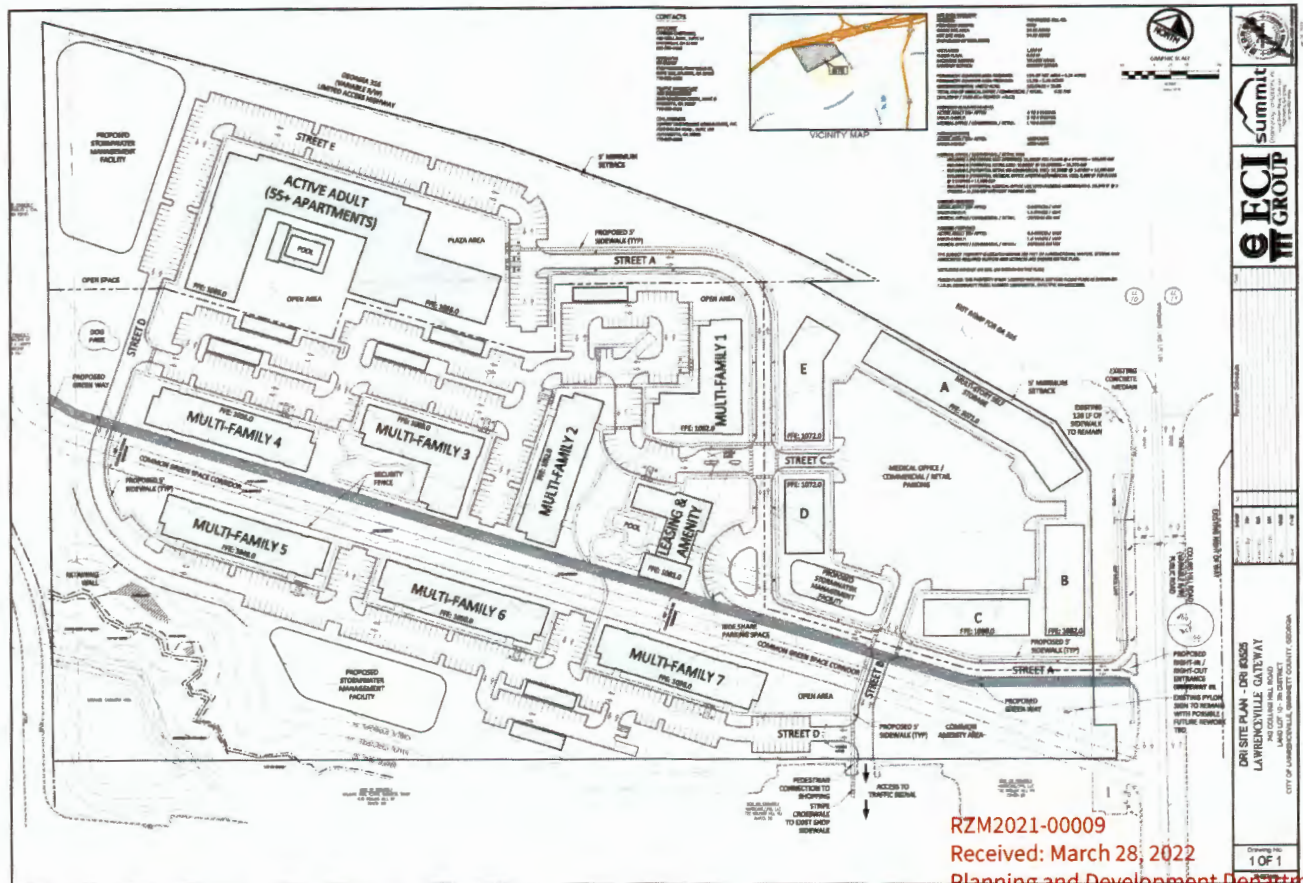


Property Location



RZM2021-00009
Received: March 28, 2022
Planning and Development Department

Conceptual Site Plan



RZM2021-00009
Received: March 28, 2022
Planning and Development Department



ENTRY DRIVE SECTION AT GREEN SPACE CORRIDOR



ENTRY DRIVE SECTION AT MULTI-FAMILY AND COMMERCIAL



GREEN SPACE CORRIDOR AND TRAIL



RZ Streetscape Plan: Sections & Site Imagery

Received: March 28, 2022

Planning and Development Department



Lawrenceville Gateway | Lawrenceville, GA

October 01, 2021

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RTM2021-00001
Received: March 26, 2022
Planning and Development Department
Multi-Family Clubhouse View



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October 01, 2021
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BZM3031-00003
 Received: March 28, 2022
 Planning and Development Department
 Multi-Family Clubhouse View



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 October 01, 2021

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RZM2021-00009
Received: March 28, 2022
Planning and Development Department



Lawrenceville Gateway | Lawrenceville, GA
October 01, 2021

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Front Elevation - Building Type A



Front Elevation - Building Type A - Material Designation
Total Façade: 5351 SF
Brick: 2727 SF
Percentage: 51%

Max-Point of High Roof: 45'-6"



Right Side Elevation - Building Type A



Right Side Elevation - Building Type A - Material Designation
Total Façade: 1445 SF
Brick: 819 SF
Percentage: 56%

RZM2021-00009
Received: March 28, 2022
Planning and Development Department





RZM2021-00009
Received: March 28, 2022
Planning and Development Department



Lawrenceville Gateway Active Adult Apartments Design Precedent Imagery



RZM2021-00009

Received: March 28, 2022

Planning and Development Department



Lawrenceville Gateway | Lawrenceville, GA

October 01, 2021

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RZM2021-00009

Lawrenceville Gateway Proposed 55+ Active Adult Apartments

Received: March 28, 2022

Planning and Development Department



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October 01, 2021

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Lawrenceville Gateway Commercial Design Precedent Imagery



RZM2021-00009
Received: March 28, 2022
Planning and Development Department



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PZM2021-00009

Received: March 28, 2022

Lawrenceville Gateway Proposed Retail Parcel @ Site Entry
Planning and Development Department



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October 01, 2021

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RZM2021-00009

Received: March 28, 2022

Lawrenceville Gateway Proposed Commercial Parcel
Planning and Development Department



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October 01, 2021

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Lawrenceville Crossing Shopping Center Outparcel (Existing Conditions)



Lawrenceville Crossing Shopping Center Outparcel 2 (Existing Conditions)



Lawrenceville Crossing Shopping Center Outparcel (Proposed Façade Upgrade)



Lawrenceville Crossing Shopping Center Outparcel 2 (Proposed Façade Upgrade)

RZM2021-00009
Received: March 28, 2022
Planning and Development Department



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October 01, 2021

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Applicant Requests Approval of Rezoning Application



Questions

Please reach out to
Doug Dillard
ddillard@dillardsellers.com

or

Baxter Russell
brussell@dillardsellers.com
with any questions

RZM2021-00009

Received: March 28, 2022

Planning and Development Department





G. Douglas Dillard
404.665.1241

Email:
ddillard@dillardsellers.com

March 25, 2022

Via Email:

Mayor and City Council
Mayor David Still
Mayor Pro Tem Glenn Martin
Council Member Victoria Jones
Council Member Austin Thompson
Council Member Marlene Taylor-Crawford
City of Lawrenceville
70 South Clayton Street
Lawrenceville, GA 30046

**Re: RZM2021-00009; 724 Collins Hill Road
Additional Elevations and Materials**

Dear Mayor Still and Council Members:

On behalf of my client, Charles Garfunkel, Applicant in the above-referenced CMU rezoning application, please accept this letter providing additional multifamily residential building elevations as follow-up to some of the comments and questions that we received during the Work Session on March 9, 2022. ECI Group prepared these proposed elevations to demonstrate the minimum 51% masonry on each side of the building facades (Attachment "A"). Additionally, we have included an additional elevation showing the Bahama shutter-style corridor screening for the standard multifamily buildings, allowing corridor ventilation with an obstructed view (Attachment "B"). Finally, I have attached certain constitutional notices and reservations of rights on behalf of my client (Attachment "C"). Under current Georgia law, I am required to submit these notices as reservations of my client's rights prior to Council's decision on this matter. These notices are not intended to disrupt cooperation with the City, rather preserve my client's rights at the appropriate time. The Applicant team has greatly appreciated all comments and feedback that we have received thus far from Council and Planning Staff, as well as the continued cooperation from the City throughout our application process.

We look forward to our hearing and continued discussion at the regular meeting on March 28th. Please do not hesitate to contact me with any questions.

Sincerely,

/s/ G. Douglas Dillard

G. Douglas Dillard
R. Baxter Russell

CC Via Email:

Chuck Warbington

Lawrenceville City Manager (Chuck.Warbington@lawrencevillega.org)

Todd Hargrave

Director of Planning and Development (Todd.Hargrave@lawrencevillega.org)

Attachment "C"

Constitutional Objection/Anti-Litem Notice

Georgia law and the procedures of the City of Lawrenceville require us to raise Federal and State constitutional objections during the application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Ordinance of the City of Lawrenceville, Georgia ("Zoning Ordinance"), facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the Application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of the Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Lawrenceville City Council (including its members in both their official and individual capacity) to grant the Application as requested would constitute a taking of the Applicant's property. Because of this unconstitutional taking, the City of Lawrenceville would be required to pay just compensation to the Applicant.

A denial of the Application would constitute an arbitrary and capricious act by the Lawrenceville City Council (including its members in both their official and individual capacity) without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the requested rezoning application would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Lawrenceville City Council (including its members in both their official and individual capacity) to grant the requested rezoning application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicants and

applicants or owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Application subject to conditions which are different from the conditions requested by the Applicant to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious, and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A denial of these application would be unconstitutional. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the City an opportunity to approve the rezoning as requested by the Applicant. If action is not taken by the City to approve the rezoning application within a reasonable time, a claim will be filed in the Superior Court of Gwinnett County demanding just and adequate compensation under Georgia law for the taking of the Property, inverse condemnation, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Standing Objection

The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before the City Council or any court of competent jurisdiction, any zoning decision by the City Council in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the City Council and requests that the Council determine the standing of any individual who challenges or objects to the Council decision to grant the requested rezoning. Applicant further raises this objection before the City Council to preserve said objection on appeal, if any, to any court of competent jurisdiction.

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

PRESENTVOTEDavid R. Still, MayorYesGlenn Martin, Mayor Pro TemYesVictoria Jones, Council MemberYesMarlene Taylor-Crawford, Council MemberYesAustin Thompson, Council MemberAbstain

On motion of Council Member Jones, seconded by Mayor Pro Tem Martin, which carried 4-0, the following ordinance was ADOPTED:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application to Amend the Official Zoning Map from BG (General Business District) to RM-8 (Townhome Residential District) by Lawrenceville Land Holdings, LLC for the proposed use of Townhomes on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on March 28, 2022 and objections were not filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 28th day of March, 2022, that the aforesaid application to amend the Official Zoning Map from BG (General Business District) to RM-8 (Townhome Residential District) is hereby APPROVED WITH CONDITIONS.

Approval as RM-8 (Townhome Residential District) for a townhouse development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Residential townhouse units at a maximum of 126 units on approximately 12.23 acres at a density of 10.3 Units Per Acre (UPA).
 - B. The maximum number of Front Entry Units shall be thirty-two (32). Front Entry Units shall be prohibited along Gwinnett Drive.
 - C. The development shall be designed and constructed in general accordance with the site plan presented at the Council meeting on March 28, 2022, with the exception that the plan may be modified with the removal of all or some of the front entry townhomes and replaced with rear entry townhomes. Final approval shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D. The townhouse units shall be designed in general accordance with the elevations being predominantly 3-side masonry, which could be brick, stone or a combination of brick and stone (with accents of fiber cement siding), covered front porches with metal roofs and corner end units having expanded

porches for rear entry townhomes. Front entry townhomes shall have a covered rear porch. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.

- E. The proposed landscaping shall be designed and installed in general accordance with the trees and plant materials shown on the site plan titled "Rezoning Site Plan – 3, Gwinnett Drive Towns," prepared by Universal Planning & Development, LLC, dated March 25, 2022. Final approval shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F. All dwellings shall have a double car garage with carriage-style garage doors. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - G. All Rear Entry Units shall be a minimum of three (3) stories or thirty-five (35) feet in height, as measured from the lowest elevation of the rear-entry-garage-floor. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - H. All townhouse units shall consist of a two (2) car garages, with a driveway measuring eighteen (18) feet in width and twenty-six (26) feet in depth, providing sufficient space for two (2) passenger vehicles. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - I. Development shall be designed and consist of fifty-five (55) on-street parking spaces or one additional space per townhouse unit within the project for guest and overflow parking. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
2. To satisfy the following site development considerations:
- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions, or through approval of a variance administratively, or by the Zoning Board of Appeals, as appropriate.
 - B. All grassed areas on dwelling lots shall be sodded.
 - C. All underground utilities shall be provided throughout the development.

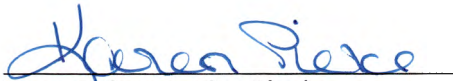
- D. Allow a ten (10) foot encroachment into the required twenty-five (25) foot Front Yard Setback along Gwinnett Drive. The Front Yard Setback along Gwinnett Drive shall be reduced fifteen (15) feet.
- E. The property shall be gated with interior private streets permitted.
- F. The developer shall upgrade off site sewer at no cost to the City of Lawrenceville or Gwinnett County including design, acquisition of easements, and construction in accordance with direction and approval from Gwinnett County.



David R. Still, Mayor

Date Signed: 3/6/2022

ATTEST:



Karen Pierce, City Clerk

MAYOR AND COUNCIL
CITY OF LAWRENCEVILLE, GEORGIA
ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>David R. Still</u> , Mayor	<u>Yes</u>
<u>Glenn Martin</u> , Mayor Pro Tem	<u>Yes</u>
<u>Victoria Jones</u> , Council Member	<u>Yes</u>
<u>Marlene Taylor-Crawford</u> , Council Member	<u>Yes</u>
<u>Austin Thompson</u> , Council Member	<u>Abstain</u>

On motion to APPROVE the requested Special Use Permit by Council Member Jones, seconded by Mayor Pro Tem Martin, which carried 4-0, the following ordinance was ADOPTED:

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application for a Special Use Permit from Lawrenceville Land Holdings, LLC for the proposed use of townhouse development consisting of thirty-two (32) Front Entry Units on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official

Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on March 28, 2022 and objections were not filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 28th day of March, 2022, that the aforesaid application for a Special Use Permit is hereby APPROVED WITH CONDITIONS.

Approval of a Special Use Permit for Front Entry Garage Units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. The maximum number of Front Entry Units shall be thirty-two (32). Front Entry Units shall be prohibited along Gwinnett Drive.



David R. Still, Mayor

Date Signed: 5/6/2022

ATTEST:



Karen Pierce, City Clerk

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

PRESENTVOTEDavid R. Still, MayorYesGlenn Martin, Mayor Pro TemYesVictoria Jones, Council MemberYesMarlene Taylor-Crawford, Council MemberYesAustin Thompson, Council MemberAbstain

On motion to APPROVE the requested Special Use Permit by Council Member Jones, seconded by Mayor Pro Tem Martin, which carried 4-0, the following ordinance was ADOPTED:

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application for a Special Use Permit from Lawrenceville Land Holdings, LLC for the proposed use of townhouse development with an increase in density on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

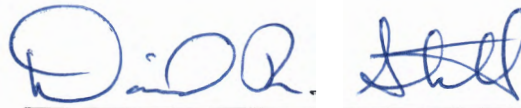
WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on March 28, 2022 and objections were not filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 28th day of March, 2022, that the aforesaid application for a Special Use Permit is hereby APPROVED WITH CONDITIONS.

Approval of a Special Use Permit for an increase in density, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Residential townhouse units at a maximum of 126 units on approximately 12.23 acres at a density of 10.3 Units Per Acre (UPA).



David R. Still, Mayor

Date Signed: 5/6/2022

ATTEST:


Karen Pierce, City Clerk



REZONING SITE PLAN - 4

GWINNETT DRIVE TOWNS

BUILDING SETBACKS	REQUIRED	SHOWN
FRONT YARD SETBACK	25 FEET	35 FEET
SIDE YARD SETBACK	20 FEET	20 FEET
REAR YARD SETBACK	20 FEET	20 FEET

AREA OF PROPERTIES	±12.23 ACRES
PROPOSED TOWNHOUSES	326 UNITS
- FRONT ENTRY UNITS	32 UNITS (25%)
- REAR ENTRY UNITS	94 UNITS (75%)
PROPOSED DENSITY	126 UN / 12.23 AC = 10.30 UN/AC
PROPOSED UNIT SIZES	24' (W) x 50' (D) - FRONT 20' (W) x 45' (D) - REAR
PROPOSED STREETS	PRIVATE STREETS
JURISDICTION	CITY OF LAWRENCEVILLE
PROPOSED ZONING	RM-8 (TOWNHOMES) w/ SUP

LAND PARCELS FOR ASSEMBLAGE	±12.23 ACRES (GROSS)
1. PRAISE COMMUNITY CHURCH - 5141 133	29.79 ACRES
2. HHE, INC - 5141 268	11.69 ACRES
3. EUROSTAR INVESTMENTS, LLC - 5141 929	10.81 ACRES

DEVELOPER CONTACT:
UNIVERSAL PLANNING & DEVELOPMENT, LLC
6083 SHADBURN FERRY ROAD
BUDFORD, GA 30518

c/o ERIC JOHANSEN
678-571-4843 cell
eric@universalplanningllc.com



DATE: MARCH 25, 2022
SCALE: 1" = 50'



LEGAL DESCRIPTION OF ASSEMBLED PARCELS

All that tract(s) or parcel(s) of land situate, lying and being in Land Lot 141, 5th District, City of Lawrenceville, Gwinnett County, Georgia, and being Tax Parcel ID 5141 268 (HHE, Inc), Tax Parcel 5141 329 (Euro Star Investments, LLC), and a portion of Tax Parcel ID 5141 133 (Lawrenceville Church of God) and being more particularly described as follows:

Beginning at the Intersection of the Northeasterly right-of-way Line of Gwinnett Drive (80 foot right-of-way) and the Land Lot Line common to Land Lot Line 141 and Land Lot Line 142; thence N 59°52'53" E, leaving said Northeasterly right-of-way line, and along said Land Lot Line, a distance of 230.92 feet to a point; thence S 25°55'07" E, leaving said Land Lot Line, a distance of 249.65 feet to a point; thence N 59°53'31" E, a distance of 1,038.07 feet to a point; thence S 29°54'35" E, a distance of 498.72 feet to a point; thence S 59°50'00" W, a distance of 553.63 feet to a point on said Northeasterly right-of-way line of Gwinnett Drive (80' right-of-way); thence Northwesterly, along a curve to the left (having a radius of 756.20 feet and a chord length of 122.35 feet that bears N 83°35'45" W) an arc length of 122.48 feet to a point; thence continuing along the same curve (having a radius of 756.20 feet and a chord length of 150.62 feet that bears S 85°42'56" W) and arc length of 150.87 feet to a point; thence S 80°00'00" W, a distance of 118.77 feet to a point; the next three (3) calls being coincident with said Northwesterly right-of-way line thence along a curve (having a radius of 532.96 feet and a chord length of 148.70 feet that bears S 88°01'13" W) an arc length of 149.19 feet to a point; thence Northwesterly along a curve to the right (having a radius of 532.96 feet and a chord length of 28.67 feet that bears N 82°25'11" W) an arc length of 28.68 feet to a point; thence Northwesterly, along a curve to the right (having a radius of 532.96 feet and a chord length of 457.87 feet that bears N 55°26'21" W) an arc length of 473.27 feet to a point; thence N 30°00'00" W, a distance of 55.42 feet to a point; thence Northwesterly, along a curve to the right (having a radius of 1,105.92 feet and a chord length of 12.66 feet that bears N 23°38'57" W) an arc length of 12.66 feet to the Point of Beginning.

Said tract containing 12.23 acres, more or less.

RZM2021-00032 SUP2021-00057 SUP2021-00058
Received: January 31, 2022
Planning and Development Department