



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, August 01, 2022
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes - Planning Commission Meeting Minutes, Tuesday, July 5, 2022

Old Business

New Business

1. RZC2022-00041; Iesha Martin; 1395 Five Forks Trickum Road
2. SUP2022-00070; TOPFA c/o Battle Law, P.C.; Northeast intersection of Lyle Circle and Park Access Drive

Public Comment

To participate in the Public Comment part of the Agenda, you must register prior to noon in the Planning and Zoning Office on Friday before the meeting. Presentations will be limited to two minutes.

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: PUBLIC HEARING

Item: RZC2022-00041; Ilesha Martin; 1395 Five Forks Trickum Road

Department: Planning and Development

Date of Meeting: Monday, August 1, 2022

Applicant Request: Rezone the subject property from BN (Neighborhood Business District – Retired) to BG (General Business District)

Presented By: Todd Hargrave, Director of the Planning and Development Department

Department Recommendation: **Approval with Conditions**

Summary: The applicant request rezoning of a 1.22-acre parcel from BN (Neighborhood Business District) to BG (General Business District). The applicants request is intended to allow a variety of uses commonly associated with the BG zoning classification. The subject property is located the northeast right-of-way intersection of Five Forks Trickum Road and Sugarloaf Parkway. The property is vacant.

Attachments/Exhibits:

- RZC2022-00041_MUNICODE_07202022
- RZC2022-00041_REPORT_07112022
- RZC2022-00041_P&D RECO CON_07112022
- RZC2022-00041_LOI_06032022
- RZC2022-00041_SITE PLN NTS_06032022
- RZC2022-00041_LEGAL_06032022
- RZC2022-00041_APP_06032022
- RZC2022-00041_P&D ZON MAP_07112022
- RZC2022-00041_P&D AER MAP_07112022

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING

CASE NUMBER:

RZC2022-00041

APPLICANT:

IESHA MARTIN

OWNER:

CHEROKEE USA INC.

CONTACT:

LYNN WHITLEY – 770-418-9823

CONTACT:

HONG SUN YI – 678-437-5889

LOCATION:

1395 FIVE FORKS TRICKUM ROAD

PARCEL ID:

R5084 023

ACREAGE:

1.22 ACRES

ZONING PROPOSAL:

REZONE THE SUBJECT PROPERTY FROM BN
(NEIGHBORHOOD BUSINESS DISTRICT - RETIRED)
TO BG (GENERAL BUSINESS DISTRICT)

PROPOSED DEVELOPMENT:

GENERAL BUSINESS

DEPARTMENT RECOMMENDATION:

APPROVAL WITH CONDITIONS

ZONING HISTORY:

In 2008, the City of Lawrenceville annexed the subject property into the city limits and zoned the site BN (Neighborhood Business District), pursuant to RZ-08-02. In 2017, the City Council approved a Change-in-Conditions request allowing modifications to the existing conditions of zoning, pursuant to RZ-CIC-17-06.

PROJECT DATA

The applicant request rezoning of a 1.22-acre parcel from BN (Neighborhood Business District) to BG (General Business District). The applicants request is to allow a variety of uses commonly associated with the BG zoning classification. The subject property is located the northeast right-of-way intersection of Five Forks Trickum Road and Sugarloaf Parkway. The property is vacant.

As proposed, the applicant proposes a development consisting of a one-story 11,050 square foot retail/commercial building, associated parking and driveways. The development would consist of fifty (50) parking spaces, including three (3) handicap spaces. Additionally, the submitted site plan indicates a drive aisle constructed along the northern property lines, which could be interpreted as a required off-street loading space. As proposed, the plan would satisfy the minimum parking and loading requirements of the Zoning Ordinance, Article 5 Parking. The submitted site plan the proposed installation of driveway connections or curb cuts along Sugarloaf Parkway and Five Forks-Trickum Road. A 15-foot landscape strip is proposed along the northern property lines, as well as a ten (10) foot landscape strip along both road frontages. The submitted site plan did not include an area designated as stormwater management facility. Any proposal would be subject to the City of Lawrenceville Development Regulations.

The intersection of Sugarloaf Parkway and Five-Forks Trickum Road is an established commercial node, with retail development occupying the other three corners. Adjacent to the north and east are a vacant residence (1375 Five Forks-Trickum Rd.) and the Mormon Church (3355 Sugarloaf Pkwy) in R-75 County zoning. As proposed, the requested rezoning would be consistent with the established zoning and use at this commercial node.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the Neighborhood Mixed Use Character Area. The intent of Neighborhood Mixed Use areas is to provide a center for local services that is walkable from nearby residential areas. Examples of local services include restaurants, corner stores, drug stores, dry cleaners, and small-scale retail. In some instances, these local services could be mixed with medium density housing such as townhouses or small-scale apartment buildings. Neighborhood Mixed Use areas are primarily located in the southern half of the city to serve Traditional Residential neighborhoods. As requested, the development of a property proposed for commercial/retail zoning and uses could be considered consistent with the intent of the 2040 Comprehensive Plan.

The proposal, if properly conditioned, with an emphasis on architectural design and landscaping the site could be another example of the consistency with local policies intended to create positive developments throughout the city limits. Therefore, the Planning and Development recommends **APPROVAL WITH CONDITIONS** of the requests.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

1. **Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The immediate surrounding area predominately consist of a mix of commercial/retail uses and zoning. A commercial/retail development with a wide range of general business uses could be suitable in view of the uses and zoning of adjacent and nearby property

2. **Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The zoning proposal would not adversely affect the existing uses and zoning of adjacent or nearby properties. As proposed, the plan is consistent with the policies of the City of Lawrenceville.

3. **Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Impacts on public facilities would be anticipated in the form of traffic, utility demand, stormwater runoff and schools; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning.

5. **Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

Policies of the City recognize redevelopment opportunities present throughout the city limits. Neighborhood Mixed Use Character Areas could benefit from the “halo effect” of high-quality development already happening nearby.

6. **Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;**

The request represents an opportunity to develop a tract of land that has been vacant for many years, which further supports of the goals of the 2040 Comprehensive Plan.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_07112022

RZC2022-00041

Approval as BG (General Business District) for a commercial/retail development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

A. Retail service-commercial uses and accessory uses. The following uses shall be prohibited:

- Adult Entertainment Facility
- Auction House
- Automobile Accessories Sales and Installation
- Automobile Body Repair, Painting or Rebuilding
- Automobile Broker
- Automobile Manufacturing Plant
- Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)
- Automobile Parts Store (with/without installation)
- Automobile Repair and Maintenance (Principal Use)
- Automobile Sales or Auction and Related Service (indoor/outdoor sales)
- Automobile Wash (Carwash)
- Bail Bonding
- Building Materials Sales (indoors/outdoors)
- Depot / Passenger Terminal (bus or rail)
- Dollar or Variety Store
- Garden Supply Center
- Hookah/Vapor Bar or Lounge
- Machine Shop

- Maintenance Shop (fleet vehicles)
- Motorcycle and Personal Watercraft Sales and Related Service
- Motorcycle and Personal Watercraft Service and Repair
- Motorcycle Parts, Accessories and Apparel Store
- Pawn Shop
- Smoke or Novelty Shop
- Tobacco or Novelty Shop
- Tattoo and Body Piercing
- Title Loan Facility

B. 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. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited;

C. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited;

D. Outdoor storage shall be prohibited;

E. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours;

2. To satisfy the following site development considerations:

A. The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. Final design shall be subject to the review and approval of the Director of Planning and Development.

B. Buildings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, and International Building Code (IBC). Final building elevations shall be subject to the review and approval of the Director of Planning and Development.

C. Landscape shall be designed and installed to meet the conditions of zoning,

requirements of the Zoning Ordinance and Development Regulations. Final design shall be subject to the review and approval of the Director of Planning and Development.

- D.** Provide a ten (10) foot landscape strip adjacent to all public right-of-ways.
- E.** Provide a fifteen (15) foot landscape strip adjacent to all internal property lines.
- F.** Provide a six (6) foot concrete sidewalk adjacent to all public right-of-ways.
- G.** 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 right-of-ways;
- H.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
- I.** Natural vegetation shall remain on the property until the issuance of a development permit.
- J.** Any utility relocations shall be the responsibility of the developer.

LETTER OF INTENT

May 23, 2022

City of Lawrenceville

Re: 1395 Five Forks Trickum Road
Lawrenceville, GA 30046
Gwinnett County

To whom it may concern:

We would like to apply to rezone our property located at 1395 Five Forks Trickum Road. The property is currently zoned as BN, Neighborhood Business and we would like to rezone it to BG, General Business.

Our purpose for requesting the rezone is we would like to be able to lease to a wider variety of businesses than BN allows.

Thank you for your consideration.

RZC2022-00041
Received: June 3, 2022
Planning and Development Department

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



Symbols & Abbreviations

PP	POWERPOLE	(R)	RECORD DATA
—	GUY WIRE	(M)	MEASURED DATA
LP	LIGHT POLE	(C)	CALCULATED DATA
—	STREET LIGHT POLE	R/W	RIGHT OF WAY
—	ELEC. TRANSFORMER	BSL	BLDG SETBACK LINE
—	OVERHEAD ELECTRIC	BC	BACK OF CURB
—	WATER VALVE	EP	EDGE OF PAVEMENT
—	WATER METER	EC	EDGE OF CONCRETE
—	FIRE HYDRANT	P	PROPERTY LINE
—	SANITARY SEWER PIPING	D.E.	DRAINAGE EASEMENT
—	SEWER MANHOLE	L.E.	LANDSCAPE EASEMENT
—	CLEAN OUT	S.S.E.	SANITARY SEWER ESMIT
—	STORM DRAIN PIPING	IPS	IRON PIN SET
—	STORM DRAIN MANHOLE	RBF	REBAR FOUND
—	STORM INLET	CTP	CRIMP TOP PIPE
—	CURB INLET	OTP	OPEN TOP PIPE
—	DROP INLET	P.O.C.	POINT OF COMMENCEMENT
—	FENCE LINE	P.O.B.	POINT OF BEGINNING
—	SIDEWALK	●	IRON PIN FOUND
—	TREE	■	IRON PIN SET
—	TEMPORARY BENCH MARK	■	P.K. NAIL FOUND
		□	P.K. NAIL SET
		⊗	FND X MARK / SCRIBE
		⊗	SET X MARK / SCRIBE

FEMA Note

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13135C0103F, CONTAINING A LATEST DATE OF 09/29/2006. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THE SITE ON SAID FIRM (FEDERAL INSURANCE RATE MAP) MAP UNLESS OTHERWISE NOTED.

Map or Plat Certification

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned surveyor certifies that: IN MY OPINION, THIS DRAWING WAS PREPARED IN CONFORMITY WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. 15-6-67.

PRESENTED BEFORE ME THIS 2 DAY OF JUNE IN THE YEAR OF 2022.

Seaton G. Shepherd, Jr.
SEATON G. SHEPHERD, JR., GA RLS No. 2136

Map or Plat Closure Statement & Notes

- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000.00+ FEET.
- ALL DISTANCES SHOWN HEREIN ARE HORIZONTAL, GROUND DISTANCES.
- UNLESS OTHERWISE NOTED ON THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED, ALL PROPERTY CORNERS IDENTIFIED AS SET, ARE SET WITH A 1/2" REBAR (#4-REBAR) BEARING A PLASTIC CAP STAMPED WITH THE SURVEYORS REGISTRATION / LICENSE NUMBER.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS A HORIZONTAL DATUM OF RECORD BASIS OF BEARING AS SHOWN ON MAP OR PLAT.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSON(S) OR ENTITY NAMED WITHIN TITLE BLOCK AND/OR SURVEYORS CERTIFICATION. SURVEYOR MAKES NO WARRANTIES, EITHER EXPRESSED OR IMPLIED, WITH RESPECT TO THE INFORMATION SHOWN HEREIN, EXTENDED BEYOND THOSE NAMED DIRECTLY.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS BEEN PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. ITEMS PERTAINING TO TITLE SUCH AS EASEMENTS, ZONING, ZONING CONDITIONS AND OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD HOWEVER MAY NOT BE SHOWN OR DEPICTED HEREIN.

Utility Notes

- UTILITY SURVEY WAS NOT PERFORMED.

Map or Plat and Survey References

- REFERENCE DEED BOOK 55700, PAGE 869

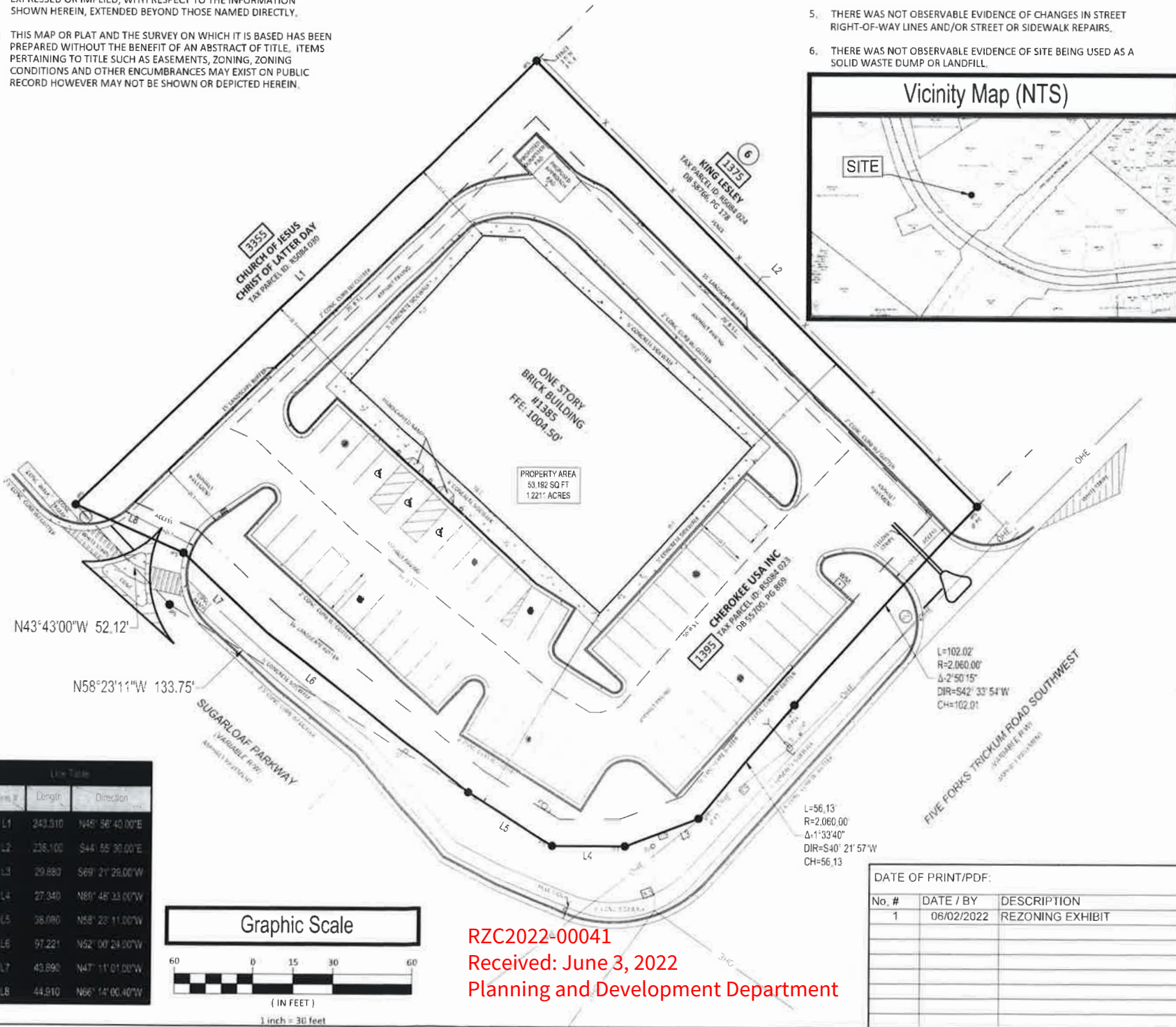
Statement of Purpose

THE PURPOSE OF THIS DOCUMENT TO RE-ZONE THE SUBJECT PARCEL FROM BN TO BG. THERE ARE NO PROPOSED SITE IMPROVEMENTS ASSOCIATED WITH THIS ZONING DESIGNATION / CLASSIFICATION CHANGE.

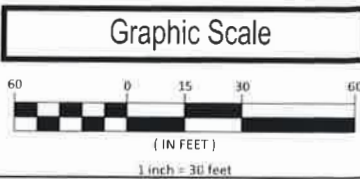
Field Observation Notes

- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS CLASSIFIED AS A "SURVEY" AND COMPLETED ON "JUNE 2ND, 2022" UTILIZING A TOPCON GS ROBOTIC TOTAL STATION AND/OR A TOPCON HIPER V GPS NETWORK RTK (REAL TIME KINEMATIC) ROVER, CORRECTED IN REAL-TIME VIA THE eGPS GPS NETWORK.
- THE FIELD DATA UPON WHICH THIS SURVEY, MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED EXCEEDS THE 95% CONFIDENCE LEVEL AND EXCEEDS THE MAXIMUM ALLOWABLE RELATIVE POSITIONAL ACCURACY, AS SET FORTH BY THE ALTA/NSPS STANDARDS, SPECIFICATION AND REQUIREMENTS OF 0.07+50 PPM.
- THE FIELD CLOSURE UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 75,000.00+ FEET, AND WAS NOT ADJUSTED USING THE COMPASS RULE METHOD.
- THERE WAS NOT OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THERE WAS NOT OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT-OF-WAY LINES AND/OR STREET OR SIDEWALK REPAIRS.
- THERE WAS NOT OBSERVABLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP OR LANDFILL.

Vicinity Map (NTS)



Line #	Length	Direction
L1	243.310	N45° 50' 40.00"E
L2	238.100	S44° 55' 30.00"E
L3	29.880	S69° 21' 29.00"W
L4	27.340	N80° 45' 33.00"W
L5	38.090	N58° 23' 11.00"W
L6	97.221	N52° 00' 24.00"W
L7	43.890	N47° 11' 01.00"W
L8	44.910	N66° 14' 00.40"W



RZC2022-00041
Received: June 3, 2022
Planning and Development Department

GRANT SHEPHERD & ASSOCIATES, INC.
735 LONGLEAF BOULEVARD, SUITE A LAWRENCEVILLE, GA 30046
PHONE: 770 418 9823 FAX: 770 418 9289
www.gsasurveying.com

RE-ZONING SITE PLAN FOR:
CHEROKEE USA INC
LOT XX, VENABLE VALLEY FARMS,
LAND LOT 84 OF THE 5TH LAND DISTRICT,
DB 55700, PG 869 & PB XX, PG XX.
CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA

Sheet / Drawing Scale
1" = 30'
Unless Otherwise Noted
GSA Project No.
KNOL 17-002
Drawn By / Field Crew
SH Crew No. 1
LD/US 05.30.2022
Sheet No. 01 OF 01

No. #	DATE / BY	DESCRIPTION
1	06/02/2022	REZONING EXHIBIT

EXHIBIT "A"
Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 84 of the 5th District of Gwinnett County, Georgia and being more particularly described as follows:

BEGIN at a point at the midpoint of the mitered intersection formed by the westerly right-of-way of Five Forks Trickum Road (a variable right of way) with the northerly right-of-way of Sugarloaf Parkway (a variable right-of-way); thence continuing along said mitered intersection North 89 degrees 48 minutes 33 seconds West a distance of 27.34 feet to a point; thence leaving said mitered intersection and continuing along the northerly right of way of said Sugarloaf Parkway North 58 degrees 23 minutes 11 seconds West a distance of 171.83 feet to a point; thence along a curve to the right having a radius of 797.26 feet and arc length of 52.13 feet, being subtended by a chord of North 43 degrees 43 minutes 00 seconds West a distance of 52.12 to an iron pin found; thence leaving the northerly right of way of said Sugarloaf Parkway and running North 45 degrees 56 minutes 40 seconds East a distance of 243.31 feet to an iron pin found; thence South 44 degrees 55 minutes 30 seconds East a distance of 238.10 feet to a point on the westerly right of way of said Five Forks Trickum Road; then continuing along the westerly right of way of said Five Forks Trickum Road along a curve to the right having a radius of 2060.00 feet and an arc length of 102.02 feet, being subtended by a chord of South 42 degrees 33 minutes 54 seconds West a distance of 102.01 feet to a point; thence along a curve to the right having a radius of 2060.00 feet and an arc length of 56.13 feet, being subtended by a chord of South 40 degrees 21 minutes 57 seconds West a distance of 56.13 feet to the aforesaid mitered intersection; thence continuing along said mitered intersection South 69 degrees 21 minutes 29 seconds West a distance of 29.88 feet to the midpoint of the mitered intersection formed by the westerly right-of-way of said Five Forks Trickum Road with the northerly right-of-way of said Sugarloaf Parkway, said point being the POINT OF BEGINNING.

Said tract containing 54,770 square feet or 1.2573 acres, more or less, as shown on that certain Survey for Cherokee USA, Inc., Regions Bank, Metro City Bank, and First American Title Insurance Company, prepared by Site Works Surveys and Planning, bearing the seal and certification of Ronald E. Grudger, Georgia Registered Land Surveyor No. 2089, dated October 6, 2017, last revised February 8, 2018.

Together with that certain Easement Agreement by and between SCI Sugarloaf Fund, LLC and Regions Exchange, LLC, dated December 1, 2008, filed December 4, 2008, recorded in Deed Book 49189, page 110, aforesaid records.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2018 and subsequent years, not due and payable.
2. Sewer Easement from Regions Bank to Gwinnett County, dated June 3, 2013, recorded in Deed Book 52356, page 395, aforesaid records.
3. Permanent Construction Easement from Regions Bank to Gwinnett County, dated August 5, 2014, recorded in Deed Book 53116, page 276, aforesaid records.
4. All items as revealed by plat recorded in Plat Book 4, page 244, aforesaid records.
5. Easement from Dr. A.J. Barfield to Georgia Power Company, dated August 22, 1960, recorded in Deed Book 163, page 176, aforesaid records.
6. Drainage rights contained in that certain Right of Way Deed from Donald G. Loggins, Charles L. Arnold, Ewell A. Arnold and Gwinnett County, a political subdivision of the State of Georgia, dated November 2, 1976, recorded in Deed Book 1224, page 285, aforesaid records.
7. Permit to Cut or Trim Trees from E.B. Treadwell to Oglethorpe Power Corporation, an Electric Membership Generation & Transmission Corporation, dated April 28, 1981, recorded in Deed Book 2166, page 87, aforesaid records.
8. Permit to Cut or Trim Trees from E.B. Treadwell to Oglethorpe Power Corporation, an Electric Membership Generation & Transmission Corporation, dated April 28, 1981, recorded in Deed Book 2166, page 88, aforesaid records.
9. All matters as revealed on that certain Survey for Cherokee USA, Inc., Regions Bank, Metro City Bank, and First American Title Insurance Company, prepared by Site Works Surveys and Planning, bearing the seal and certification of Ronald E. Grudger, Georgia Registered Land Surveyor No. 2089, dated October 6, 2017, last revised February 8, 2018.



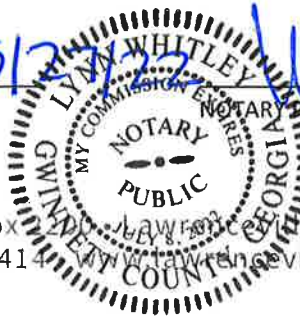
LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Iesha Martin</u>	NAME: <u>Cherokee USA Inc.</u>
ADDRESS: <u>735 Longleaf Blvd</u>	ADDRESS: <u>5006 Oak Hollow Dr.</u>
CITY: <u>Lawrenceville, GA</u>	CITY: <u>Acworth</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30102</u>
CONTACT PERSON: <u>Lynn Whitley</u> PHONE: <u>770-418-9823</u> <u>Hong Sun Yi</u> <u>678-437-5889</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
PRESENT ZONING DISTRICT(S): <u>BN</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>R5084 023</u> ACREAGE: <u>1.22</u>	
ADDRESS OF PROPERTY: <u>1395 Five Forks Trickum Road</u>	

[Signature] 05/27/22 [Signature] 05/27/22
 SIGNATURE OF APPLICANT DATE SIGNATURE OF OWNER DATE
Iesha Martin Hong Sun Yi
 TYPED OR PRINTED NAME TYPED OR PRINTED NAME
[Signature] 05/27/22 [Signature] 05/27/22
 NOTARY PUBLIC DATE NOTARY PUBLIC DATE



70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
 770.963.2414 • www.lawrencevillega.org
 RZC2022-00041
 Received: June 3, 2022
 Planning and Development Department

LETTER OF INTENT

May 23, 2022

City of Lawrenceville

Re: 1395 Five Forks Trickum Road
Lawrenceville, GA 30046
Gwinnett County

To whom it may concern:

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RZC2022-00041
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Planning and Development Department

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PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2018 and subsequent years, not due and payable.
2. Sewer Easement from Regions Bank to Gwinnett County, dated June 3, 2013, recorded in Deed Book 52356, page 395, aforesaid records.
3. Permanent Construction Easement from Regions Bank to Gwinnett County, dated August 5, 2014, recorded in Deed Book 53116, page 276, aforesaid records.
4. All items as revealed by plat recorded in Plat Book 4, page 244, aforesaid records.
5. Easement from Dr. A.J. Barfield to Georgia Power Company, dated August 22, 1960, recorded in Deed Book 163, page 176, aforesaid records.
6. Drainage rights contained in that certain Right of Way Deed from Donald G. Loggins, Charles L. Arnold, Ewell A. Arnold and Gwinnett County, a political subdivision of the State of Georgia, dated November 2, 1976, recorded in Deed Book 1224, page 285, aforesaid records.
7. Permit to Cut or Trim Trees from E.B. Treadwell to Oglethorpe Power Corporation, an Electric Membership Generation & Transmission Corporation, dated April 28, 1981, recorded in Deed Book 2166, page 87, aforesaid records.
8. Permit to Cut or Trim Trees from E.B. Treadwell to Oglethorpe Power Corporation, an Electric Membership Generation & Transmission Corporation, dated April 28, 1981, recorded in Deed Book 2166, page 88, aforesaid records.
9. All matters as revealed on that certain Survey for Cherokee USA, Inc., Regions Bank, Metro City Bank, and First American Title Insurance Company, prepared by Site Works Surveys and Planning, bearing the seal and certification of Ronald E. Grudger, Georgia Registered Land Surveyor No. 2089, dated October 6, 2017, last revised February 8, 2018.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



Symbols & Abbreviations

PP	POWERPOLE	(R)	RECORD DATA
—	GUY WIRE	(M)	MEASURED DATA
LP	LIGHT POLE	(C)	CALCULATED DATA
—	STREET LIGHT POLE	R/W	RIGHT OF WAY
—	ELEC. TRANSFORMER	BSL	BLDG SETBACK LINE
—	OVERHEAD ELECTRIC	BC	BACK OF CURB
—	WATER VALVE	EP	EDGE OF PAVEMENT
—	WATER METER	EC	EDGE OF CONCRETE
—	FIRE HYDRANT	P	PROPERTY LINE
—	SANITARY SEWER PIPING	D.E.	DRAINAGE EASEMENT
—	SEWER MANHOLE	L.E.	LANDSCAPE EASEMENT
—	CLEAN OUT	S.S.E.	SANITARY SEWER ESMT
—	STORM DRAIN PIPING	IPS	IRON PIN SET
—	STORM DRAIN MANHOLE	RBF	REBAR FOUND
—	STORM INLET	CTP	CRIMP TOP PIPE
—	CURB INLET	OTP	OPEN TOP PIPE
—	DROP INLET	P.O.C.	POINT OF COMMENCEMENT
—	FENCE LINE	P.O.B.	POINT OF BEGINNING
—	SIDEWALK	●	IRON PIN FOUND
—	TREE	■	IRON PIN SET
—	TEMPORARY BENCH MARK	■	P.K. NAIL FOUND
		□	P.K. NAIL SET
		⊗	FND X MARK / SCRIBE
		⊗	SET X MARK / SCRIBE

FEMA Note

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13135C0103F, CONTAINING A LATEST DATE OF 09/29/2006. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THE SITE ON SAID FIRM (FEDERAL INSURANCE RATE MAP) MAP UNLESS OTHERWISE NOTED.

Map or Plat Certification

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned surveyor certifies that: IN MY OPINION, THIS DRAWING WAS PREPARED IN CONFORMITY WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. 15-6-67.

PRESENTED BEFORE ME THIS 2 DAY OF JUNE IN THE YEAR OF 2022.

Seaton G. Shepherd, Jr.
SEATON G. SHEPHERD, JR., GA RLS No. 2136

Map or Plat Closure Statement & Notes

- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000.00+ FEET.
- ALL DISTANCES SHOWN HEREIN ARE HORIZONTAL, GROUND DISTANCES.
- UNLESS OTHERWISE NOTED ON THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED, ALL PROPERTY CORNERS IDENTIFIED AS SET, ARE SET WITH A 1/2" REBAR (#4-REBAR) BEARING A PLASTIC CAP STAMPED WITH THE SURVEYORS REGISTRATION / LICENSE NUMBER.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS A HORIZONTAL DATUM OF RECORD BASIS OF BEARING AS SHOWN ON MAP OR PLAT.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSON(S) OR ENTITY NAMED WITHIN TITLE BLOCK AND/OR SURVEYORS CERTIFICATION. SURVEYOR MAKES NO WARRANTIES, EITHER EXPRESSED OR IMPLIED, WITH RESPECT TO THE INFORMATION SHOWN HEREIN, EXTENDED BEYOND THOSE NAMED DIRECTLY.
- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS BEEN PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. ITEMS PERTAINING TO TITLE SUCH AS EASEMENTS, ZONING, ZONING CONDITIONS AND OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD HOWEVER MAY NOT BE SHOWN OR DEPICTED HEREIN.

Utility Notes

- UTILITY SURVEY WAS NOT PERFORMED.

Map or Plat and Survey References

- REFERENCE DEED BOOK 55700, PAGE 869

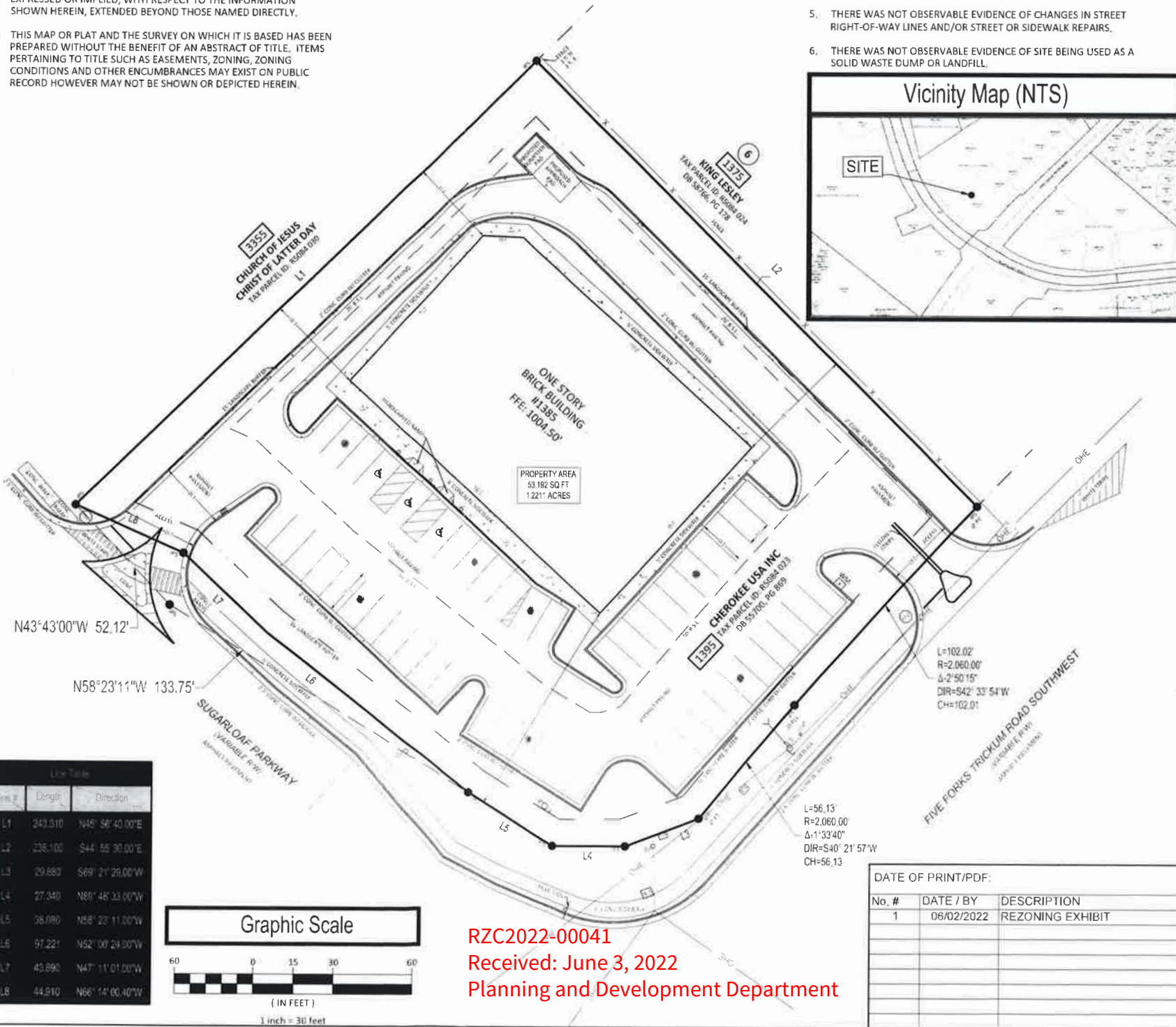
Statement of Purpose

THE PURPOSE OF THIS DOCUMENT TO RE-ZONE THE SUBJECT PARCEL FROM BN TO BG. THERE ARE NO PROPOSED SITE IMPROVEMENTS ASSOCIATED WITH THIS ZONING DESIGNATION / CLASSIFICATION CHANGE.

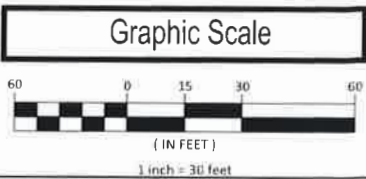
Field Observation Notes

- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS CLASSIFIED AS A "SURVEY" AND COMPLETED ON "JUNE 2ND, 2022" UTILIZING A TOPCON GS ROBOTIC TOTAL STATION AND/OR A TOPCON HIPER V GPS NETWORK RTK (REAL TIME KINEMATIC) ROVER, CORRECTED IN REAL-TIME VIA THE eGPS GPS NETWORK.
- THE FIELD DATA UPON WHICH THIS SURVEY, MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED EXCEEDS THE 95% CONFIDENCE LEVEL AND EXCEEDS THE MAXIMUM ALLOWABLE RELATIVE POSITIONAL ACCURACY, AS SET FORTH BY THE ALTA/NSPS STANDARDS, SPECIFICATION AND REQUIREMENTS OF 0.07+50 PPM.
- THE FIELD CLOSURE UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 75,000.00+ FEET, AND WAS NOT ADJUSTED USING THE COMPASS RULE METHOD.
- THERE WAS NOT OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THERE WAS NOT OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT-OF-WAY LINES AND/OR STREET OR SIDEWALK REPAIRS.
- THERE WAS NOT OBSERVABLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP OR LANDFILL.

Vicinity Map (NTS)



Line #	Length	Direction
L1	243.310	N45° 50' 40.00"E
L2	238.100	S44° 55' 30.00"E
L3	29.880	S69° 21' 29.00"W
L4	27.340	N80° 45' 33.00"W
L5	38.090	N58° 23' 11.00"W
L6	97.221	N52° 00' 24.00"W
L7	43.896	N47° 11' 01.00"W
L8	44.910	N66° 14' 00.40"W



RZC2022-00041
Received: June 3, 2022
Planning and Development Department

GRANT SHEPHERD & ASSOCIATES, INC.
Geospatial Layout • GPS Modeling
Land Surveying • Site Development
735 LONGLEAF BOULEVARD, SUITE A LAWRENCEVILLE, GA 30046
PHONE: 770.418.9823 FAX: 770.418.9289
WWW.GSASURVEYING.COM
COA / LSF 000459

RE-ZONING SITE PLAN FOR:
CHEROKEE USA INC
SITE ADDRESS: 1385 FIVE FORKS TRICKUM ROAD SW, LAWRENCEVILLE, GA 30045
LOT XX, VENABLE VALLEY FARMS,
LAND LOT 84 OF THE 5TH LAND DISTRICT,
DB 55700, PG 869 & PB XX, PG XX.
CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA

Sheet / Drawing Scale	1" = 30'
Unless Otherwise Noted	
GSA Project No.	KNOL 17-002
Drawn By / Field Crew	SH Crew No. 1
LD/US	05.30.2022
Sheet No.	01 OF 01

City taxes are paid through 2020

1.



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF LAWRENCEVILLE PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER: 5 - 084 - 023
(Map Reference Number) District Land Lot Parcel

[Signature]
Signature of Applicant

05/26/2022
Date

Lynn Whitley / Asst. Office Manager
Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER'S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONER'S USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Chris Nelson
NAME

May 27, 2022
DATE

[Signature]

5-27-22

Senior Tax Services Associate
TITLE

Lawrenceville taxes paid through 2020

City taxes are Current

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-3200
770.963.2414 • www.lawrencevillega.org

RZC2022-00041

Received: June 3, 2022

Planning and Development Department



LAWRENCEVILLE GEORGIA

NOTICE OF TAXES

Parcel ID: R5084 023
Tax Year: 2021
Owner of Record: CHEROKEE USA INC
District: LAWRENCEVILLE
Property Location: 1395 FIVE FORKS TRICKUM RD
Description: L7&8 VENABLE VALLEY FARMS

Land Value: 665,900
Building Value: 859,300
Total Value: 1,525,200
Assessed Value: 610,080
Acreage: 1.2200

9/28
#794

If you have an escrow account, your tax information is available to your mortgage company; however, **it is your responsibility to ensure taxes are paid.** No bills are mailed directly to mortgage companies. For additional information, please contact customer service at (678) 407-6401 or PropertyTax@LawrencevilleGA.org

Taxes Levied					Taxes Levied
Assessed Value	Exemptions	Taxable Value	x Mill Rate		
City of Lawrenceville	610,080	0	610,080	0.0022228	\$1,359.26
Other Assessments					Amount
Stormwater					\$0.00
GRAND TOTAL DUE THIS BILLING:					\$1,359.26

RETURN THE PORTION BELOW THE LINE WITH YOUR PAYMENT



NOTICE OF TAXES - GWINNETT COUNTY, GEORGIA
www.GwinnettTaxCommissioner.com

PARCEL ID	TAX YEAR	OWNER OF RECORD					
R5084 023	2021	CHEROKEE USA INC					
DISTRICT		PROPERTY LOCATION & DESCRIPTION					
LAWRENCEVILLE		1395 FIVE FORKS TRICKUM RD L788 VENABLE VALLEY FARMS					
FOR ADDITIONAL INFORMATION THAT MAY HELP ANSWER YOUR QUESTIONS, PLEASE SEE THE REVERSE SIDE OF THIS NOTICE. If you have an escrow account, your tax information is available to your mortgage company, however, it is your responsibility to ensure taxes are paid. New for 2021! Your city taxes are not included on this bill and will be billed separately by the city.							
APPRaisal DETAIL							
LAND VALUE: \$665,900		YOUR EXEMPTION AND CREDIT SAVINGS					
BUILDING VALUE: \$859,300							
TOTAL VALUE: \$1,525,200							
ASSESSED VALUE: \$610,080							
ACREAGE: 1.220000							
COUNTY GOVERNMENT TAXES							
TAXING AUTHORITY	ASSESSED VALUE	VOE	EXEMPTIONS =	TAXABLE VALUE	X	MILL RATE =	TAXES LEVIED
COUNTY GENERAL FUND	610,080	0	0	610,080	0.006950		4,240.06
DEVELOPMENT/CODE ENFORCEMENT	610,080	0	0	610,080	0.000000		0.00
ECONOMIC DEVELOPMENT	610,080	0	0	610,080	0.000300		183.02
FIRE & EMS	610,080	0	0	610,080	0.003200		1,952.26
POLICE	610,080	0	0	610,080	0.000000		0.00
RECREATION	610,080	0	0	610,080	0.001000		610.08
TOTAL COUNTY TAXES					0.011450		6,985.42
SCHOOL TAXES							
TAXING AUTHORITY	ASSESSED VALUE	VOE	EXEMPTIONS =	TAXABLE VALUE	X	MILL RATE =	TAXES LEVIED
SCHOOL	610,080	0	0	610,080	0.019700		12,018.58
SCHOOL BOND	610,080	0	0	610,080	0.001650		1,006.63
TOTAL SCHOOL TAXES					0.021350		13,025.21
STATE, CITY & OTHER TAXES							
OTHER ASSESSMENTS							
TOTAL MILLAGE RATE: 0.032800		TOTAL AD VALOREM TAXES: 20,010.63					
CHARGE		AMOUNT					
AD VALOREM TAXES:		20,010.63					
TOTAL AMOUNT DUE		20,010.63					
TOTAL OTHER ASSESSMENTS:							

RZC2022-00041
Received: June 3, 2022
Planning and Development Department



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? _____ Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? _____ Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions/gifts.



LAWRENCEVILLE

GEORGIA

NOTIFICATION REQUIREMENTS

Written Notification

The applicant is required to notify all adjoining property owners (including those across any streets) of their intention to rezone the property. The notification shall be sent by Certified Mail and be postmarked no later than the published deadline contained in the Rezoning Schedule. A sample notification letter is provided at the end of this packet.

The written notice shall include:

1. Rezoning case number
2. Dates, times and place of public hearings
3. Copy of the application
4. Applicant contact information
5. Letter of Intent
6. Site plan
7. Vicinity map

Proof that the notifications were mailed as required must be delivered to the Planning Department as soon as is feasible, but no later than 12:00 p.m. (noon) on the Wednesday prior to the Planning Commission meeting. Failure to submit the required proof of mailing will result in the application being tabled to the next month's meeting.

Notification Sign

The applicant is required to post a notification sign (provided by the Planning Department) in a clearly visible location on the property, at or near the public street, no later than the published deadline contained in the Rezoning Schedule. It is the responsibility of the applicant to insure that the notification sign remain on the property throughout the rezoning proceedings. (COPY TO BE GIVEN TO APPLICANT)

CASE NUMBER

DATE

ACKNOWLEDGED BY (PRINT NAME)

SIGNATURE

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
770.963.2414 • www.lawrencevillega.org

RZC2022-00041

Received: June 3, 2022

Planning and Development Department



LAWRENCEVILLE

GEORGIA

PUBLIC HEARING PROCESS

The Applicant is required to appear at the Planning Commission Meeting, the City Council Work Session, and the City Council Public Hearing. Failure to attend a meeting may result in tabling of the application until the next meeting of that group. However, the Planning Commission and the City Council may act on the application should they so choose. Meeting dates, times and place are as published in the Rezoning Schedule.

1. Approximately one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be available at the Planning and Development office.
2. The applicant shall appear before the City of Lawrenceville Planning Commission to present their case in support of the rezoning application. Any opposition to the rezoning request will be given equal time to present its case. The Planning Commission may ask questions of the applicant and the opposition. The Planning Commission is a recommending body. Their recommendation will be forwarded to the City Council.
3. The applicant shall be present at the City Council Work Session. The applicant may be asked to present their case, or to answer questions, at the desire of the City Council.
4. The applicant shall appear before the City Council for the Public Hearing. The applicant and any opposition will be given equal time to present their cases. The City Council may ask questions of the applicant and opposition prior to making their final decision regarding the application.
5. If the rezoning application is denied by the Mayor and City Council, any new application for the same zoning classification on subject property may not be submitted for at least twelve (12) months from the date of denial. Application for a different zoning classification may be submitted after six (6) months from the date of the denial.



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

The application and all required documents must be complete and fees must be paid or the application will not be accepted.

Documents, exhibits and fees required at the time of application submittal:

1. Application Form (signed and notarized)
2. Disclosure of Campaign Contributions Form
3. Letter of Intent describing the proposed zoning change and development
4. Typed, metes and bounds Legal Description
5. Boundary survey (sealed by a Registered Land Surveyor)
6. Property tax verification
7. Site Plan/Rezoning Exhibit: Provide one 11"x 17" copy and six full size copies:
 - a. Prepared by a Registered Land Surveyor, Professional Engineer or Landscape Architect
 - b. Drawn to scale of 1"= 50' or greater
 - c. Show property line data (metes and bounds) as well as existing infrastructure and existing site conditions, including:
 - i. Existing structures
 - ii. Full width of existing streets and intersecting streets
 - iii. Streams, stream buffers and impervious setbacks
 - iv. Flood hazard zones (reference source of data)
 - v. A vicinity map
 - d. Show proposed improvements, including:
 - i. Proposed buildings, setbacks, buffers and required screening
 - ii. Proposed streets, ingress/egress, driveways, sidewalks and parking
8. Application Fee
 - a. Payment may be made in cash, check or credit card (Visa, MasterCard). Please make checks payable to the City of Lawrenceville. One check is preferred.



LAWRENCEVILLE

GEORGIA

*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning

File # RZC2022-00041

Applicant: Iesha Martin

Legend

 Subject Property

 Parcels

Zoning Districts

 BN Neighborhood Business

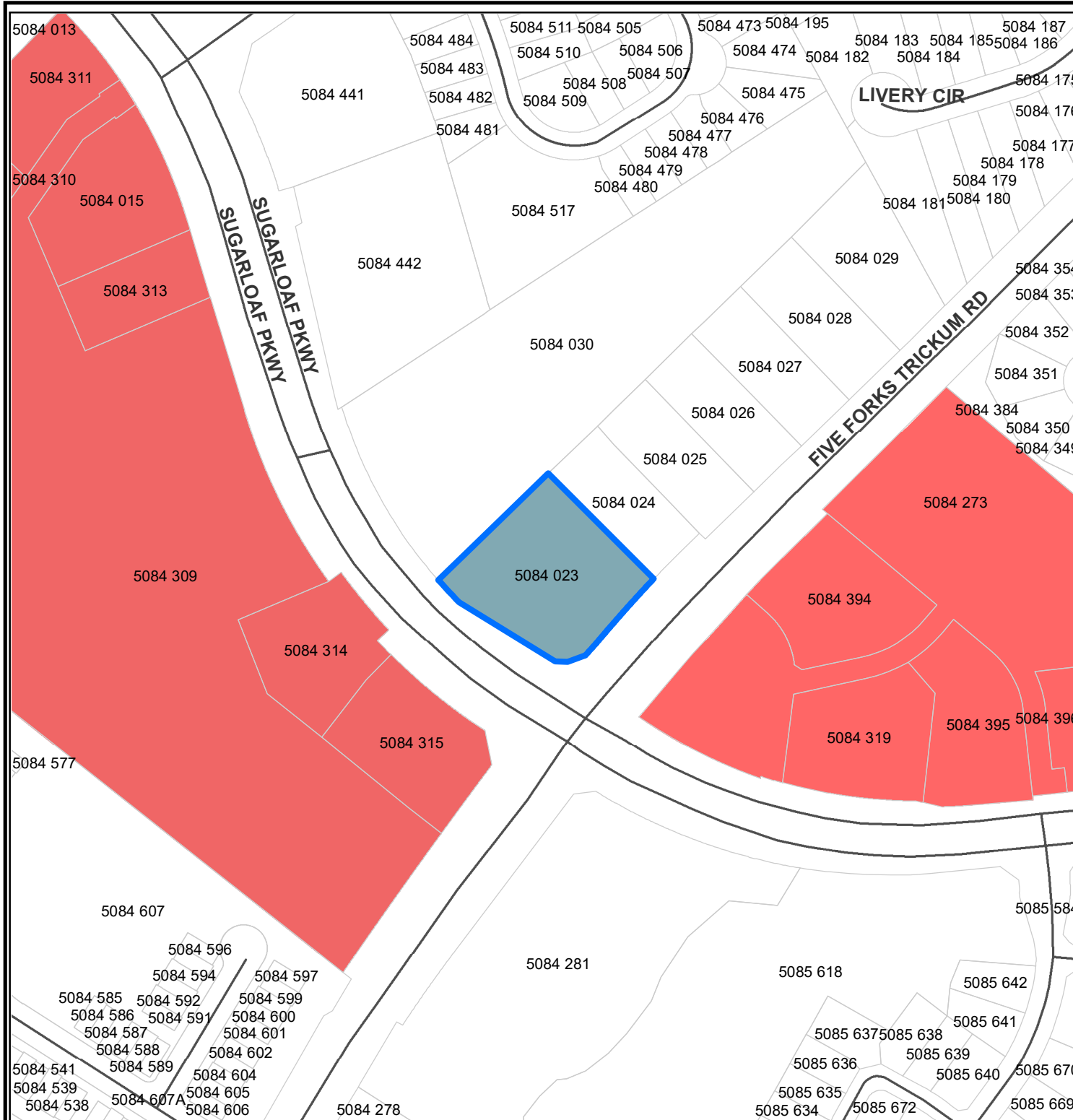
 BG General Business

 HSB Highway Service Business

 Roads



0 120 240





LAWRENCEVILLE

GEORGIA

*The City of Lawrenceville
Planning & Development*

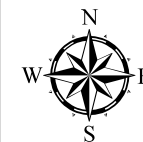
Location Map and Surrounding Zoning

File # RZC2022-00041

Applicant: Iesha Martin

Legend

- Subject Property
- Parcels
- Roads



0 120 240





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: PUBLIC HEARING

Item: SUP2022-00070; TOPFA c/o Battle Law, P.C.; Northeast intersection of Lyle Circle and Park Access Drive

Department: Planning and Development

Date of Meeting: Monday, August 1, 2022

Applicant Request: Special Use Permit to allow Self-Storage or Mini-Warehouse Facility

Presented By: Todd Hargrave, Director of the Planning and Development Department

Department Recommendation: **Approval with Conditions**

Summary: The applicant request a Special Use Permit to allow a multistory Self-Storage or Mini-Warehouse Facility. The subject property is a 2.28-acre parcel zoned BG (General Business District), located at the northeast right-of-way intersection of Lyle Circle and Park Access Drive. The site is undeveloped and consist of a seventy-five (75) foot Colonial Pipeline Easement traversing along the northern property, and a one-hundred fifty (150) foot Georgia Power Company Easement near the northeast portion of the property.

Attachments/Exhibits:

- SUP2022-00070_MUNICODE_07202022
- SUP2022-00070_REPORT_07112022
- SUP2022-00070_P&D RECO CON_07112022
- SUP2022-00070_LOI_06032022
- SUP2022-00070_ZON PLN NTS_06032022
- SUP2022-00070_RETRC TOPO SURV NTS_06032022
- SUP2022-00070_LEGAL_06032022
- SUP2022-00070_APP_06032022
- SUP2022-00070_TRIP ANALYS_06032022
- SUP2022-00070_P&D ZON MAP_07112022

- **SUP2022-00070_P&D AER MAP_07112022**

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT

CASE NUMBER: SUP2022-00070
APPLICANT: TOPFA LLC c/o BATTLE LAW, P.C.
OWNER: JEAN A. COPPAGE
CONTACT: MICHELE BATTLE
PHONE NUMBER: 404-601-7616
LOCATION: NORTHEAST INTERSECTION OF LYLE CIRCLE AND
PARK ACCESS DRIVE
PARCEL ID: R7010 015
ACREAGE: 2.28
ZONING PROPOSAL: TO ALLOW SELF-STORAGE OR MINI-WAREHOUSE
FACILITY AS A SPECIAL USE
PROPOSED DEVELOPMENT: GENERAL BUSINESS
DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

ZONING HISTORY:

The subject property has been zoned BG (General Business District) since 1985.

PROJECT DATA

The applicant request a Special Use Permit to allow a multistory Self-Storage or Mini-Warehouse Facility. The subject property is a 2.28-acre parcel zoned BG (General Business District), located at the northeast right-of-way intersection of Lyle Circle and Park Access Drive. The site is undeveloped and consist of a seventy-five (75) foot Colonial Pipeline Easement traversing along the northern property, and a one-hundred fifty (150) foot Georgia Power Company Easement near the northeast portion of the property.

As proposed the applicant intends to develop the site with a three (3) story self-storage or mini warehouse facility with a building height of approximately thirty-five (35) feet and consisting of approximately 101,850 square feet. The proposed facility would consist of approximately 500 storage units. The proposed plan includes a fifty (50) foot Front Yard Setback adjacent to Lyle Circle and Park Access Drive, and ten (10) foot Rear and Side Yard Setbacks along the northern and eastern property lines. As proposed the plans satisfies the minimum Lot Development Standards of the BG zoning classification.

The proposed plan includes fifty (50) off-street parking spaces. As proposed, the plan would satisfy the minimum parking and loading requirements of the Zoning Ordinance, Article 5 Parking. Additionally, the submitted site plan includes the proposed construction of a drive aisle and parking within an existing seventy-five (75) foot Colonial Pipeline Easement along the north property line. In addition, a proposed drive aisle would be located within the existing Colonial Pipeline Easement as well as a one-hundred fifty (150) foot Georgia Power Company Easement located near the northeast portion of the property. Project access would be provided from a single curb cut extending from Lyle Circle. As proposed the plans satisfies the minimum Number of Off-Street Parking Spaces Required for the specific use. Proposed construction within the Colonial Pipeline and Georgia Power Company Easement may require additional review and approval.

As proposed, the plan would provide a ten (10) foot landscape strip along the eastern property line, as well as along the each public right-of-way. However, the plan includes the installation of landscaping along the northern property line, which consist of the Colonial Pipeline and Georgia Power Company Easements. Proposed landscaping within the Colonial Pipeline and Georgia Power Company Easement may require additional review and approval.

Stormwater Management facilities would be located near the southeast portion of the site. The proposed land development would be subject to the City of Lawrenceville Development Regulations.

The immediate surrounding area includes a mix of commercial, institutional and residential developments and zoning. To the south, across the Lyle Circle right-of-way are numerous single-family dwellings zoned RS-150 (Single-Family Residence District). Further to the south is the BG zoned Lawrenceville Crossing shopping center consisting of a multi-tenant commercial/retail center and outparcels along Collins Hill Road. To the west, across the Park Access Drive right-of-way are vacant undeveloped parcels zoned HSB (Highway Service Business District). Further to the west, is the recently approved CMU zoning classification proposal to develop a

property with a mix of commercial and multifamily units, consisting of a multistory self-storage or mini-warehouse facility (RZM2021-00009). To the north, across the Lyle Circle right-of-way is a BG zoned property consisting a retail component and immediately to the north are two (2) vacant city owned parcels of land, which are under consideration for a rezoning request to BG (RZC2022-00038). Based on these factors the scale of the development may be consistent with the developments in the immediate vicinity. The request is compatible with the zoning and development pattern of its surrounding area.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the College Corridor Character Area. The College Corridor is a unique place in the community, connecting two of the city's strongest anchors: Downtown and Georgia Gwinnett College (GCC). The vision for the College Corridor character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown.

In conclusion, the proposed development could be compatible with the established zoning and development pattern in the immediate area. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of the requested rezoning.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT

No comment.

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

CODE ENFORCEMENT

No comment.

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

1. **Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The immediate surrounding area includes a mix of commercial/retail uses and zoning. A commercial/retail development with a self-storage or mini-warehouse facility could be suitable in view of the uses and zoning of adjacent properties.

2. **Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The existing use and zoning of adjacent or nearby properties would not be adversely impacted by the zoning proposal. As proposed, the plan is consistent with the policies of the City of Lawrenceville.

3. **Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Impacts on public facilities would be anticipated in the form of traffic, utility demand, stormwater runoff and schools; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning.

5. **Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

Policies of the City recognize redevelopment opportunities present throughout the city limits. The development of the property to include a self-storage or mini-warehouse facility could be in conformity with the policy and intent of the Comprehensive Plan.

6. **Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;**

The request represents an opportunity to redevelop underutilized parcel of land in proximity to the Georgia Gwinnett College and the College Corridor.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_07112022

SUP2022-00070

Approval of a Special Use Permit for an Indoor Climate Controlled Self-Storage or Mini-Warehouse Facility, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

A. The following uses shall be prohibited:

- Adult Entertainment Facility
- Auction House
- Automobile Accessories Sales and Installation
- Automobile Body Repair, Painting or Rebuilding
- Automobile Broker
- Automobile Manufacturing Plant
- Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)
- Automobile Parts Store (with/without installation)
- Automobile Repair and Maintenance (Principal Use)
- Automobile Sales or Auction and Related Service (indoor/outdoor sales)
- Automobile Wash (Carwash)
- Bail Bonding
- Building Materials Sales (indoors/outdoors)
- Depot / Passenger Terminal (bus or rail)
- Dollar or Variety Store
- Garden Supply Center
- Hookah/Vapor Bar or Lounge
- Machine Shop
- Maintenance Shop (fleet vehicles)

- Motorcycle and Personal Watercraft Sales and Related Service
- Motorcycle and Personal Watercraft Service and Repair
- Motorcycle Parts, Accessories and Apparel Store
- Pawn Shop
- Smoke or Novelty Shop
- Tobacco or Novelty Shop
- Tattoo and Body Piercing
- Title Loan Facility
- Indoor or outdoor Vehicle and Vessel lease, rental, sales

B. 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. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited;

C. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited;

D. Outdoor storage shall be prohibited;

E. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours;

F. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit;

2. To satisfy the following site development considerations:

A. The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. Final design shall be subject to the review and approval of the Director of Planning and Development.

B. Drive aisles, driveways and parking shall not be permitted within the Colonial Pipeline Easement and Georgia Power Company Easement.

- C.** Buildings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, and International Building Code (IBC). Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
 - D.** Building Height and Stories shall be limited to a maximum height of thirty-five (35) feet and a maximum of three (3) stories.
 - E.** Landscape shall be designed and installed to meet the conditions of zoning, requirements of the Zoning Ordinance and Development Regulations. Final design shall be subject to the review and approval of the Director of Planning and Development.
 - F.** Provide a ten (10) foot landscape strip adjacent to the right-of-way of Lyle Circle, and along the right-of-way of Park Access Drive to its intersection with external boundary of the Colonial Pipeline Easement.
 - G.** Provide a ten (10) foot landscape strip adjacent to all internal property lines. Exceptions: Provide a ten (10) foot landscape strip along the external boundaries of Colonial Pipeline Easement and Georgia Power Company Easement.
 - H.** Provide a six (6) foot concrete sidewalk adjacent to all public right-of-ways.
 - 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 right-of-ways;
 - J.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
 - K.** Natural vegetation shall remain on the property until the issuance of a development permit.
 - L.** Any utility relocations shall be the responsibility of the developer.
- 3.** The following variance is granted:
- A.** A variance to allow a reduction in the required number of off-street parking spaces from fifty (50) parking spaces to thirty (30) parking spaces.



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The City of Lawrenceville, Ga

For

Special Use Permit (Self-Storage Facility)

of

**Topfa LLC,
c/o Battle Law, P.C.**

for

Lylc Circle,
Lawrenceville, Georgia 30046
PIN# 7011 015 on 2.28 +/- Acres of Land

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 30084
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

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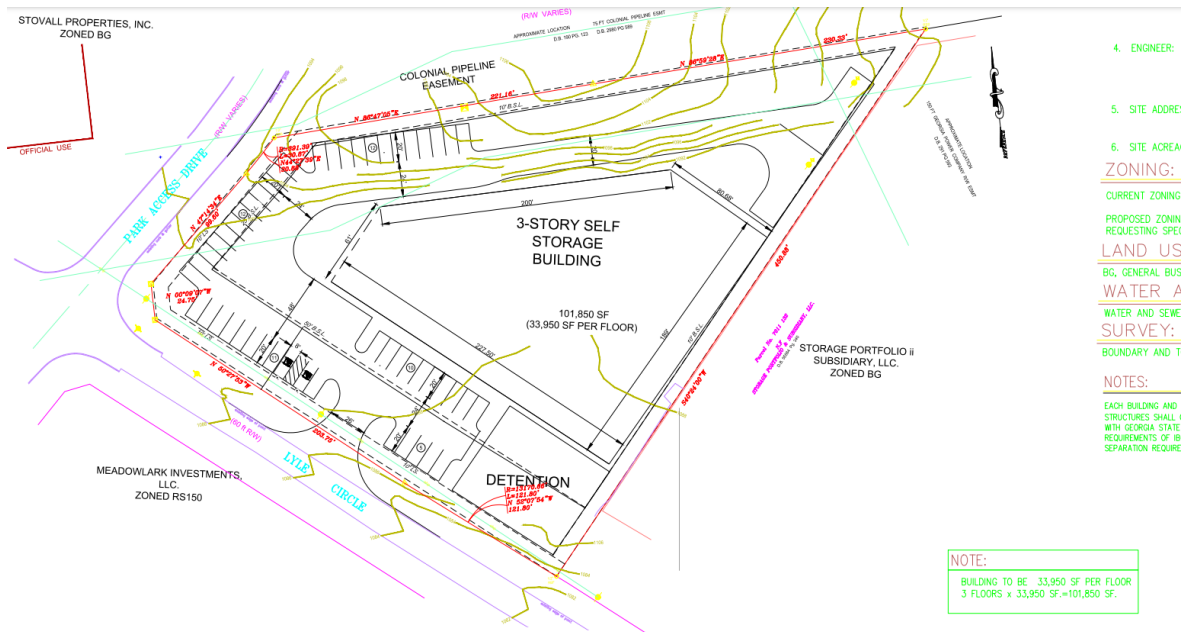


Battle Law

I. LETTER OF INTENT

Topfa LLC, (the “Applicant”), is requesting a Special Land Use Permit for consideration of the construction of a single 3 story (33,950 SF) climate-controlled self-storage building located near the intersection of Lyle Circle and Park Access Drive. This commercial development will be zoned BG – General Business District. The provided services would allow storage options for the community and nearby residents who are in need for a safe facility to store their belongings. This development will comply with all of the City’s regulations and standards as assigned by the designated City ordinance.

Below you will find the submitted site plan and a scaled version has been attached for your review.



The self-storage facility will contain approximately 500 storage units. Using data collected by actual observation of similar facilities owned by this group, the average trips per day is anticipated to be 30-35 based on the day of the week. This facility will be open seven (7) days a week, from 6:00 am to 10:00 pm. Peak usage is between the hours of 12:00 and 3:00 each day, with an average daily volume at 32 trips. For access to this facility, it is anticipated that a higher percentage of users will come from both Collins Hill Road to the west and Hurricane Shoals Road to the south.



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This document is submitted as a Statement of Intent with regard to this Application, preservation of the Applicant's constitutional rights, and an application of the criteria provided in the Steinberg Act to provide a rigorous analysis of the proposed rezoning and land use amendment. A surveyed plat and conceptual site plan of the Subject Property has been filed contemporaneously with the Application, along with other required materials.

II. REVIEW CRITERIA FOR JUSTIFICATION

A. Does the Special Use Request proposal permit a use that is suitable in view of the use and development of nearby property?

The proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby property. The subject property is adjacent to a road intersection which would support traffic flow for commercial land use.

B. Does the Special Use proposal adversely affect the existing use or usability of adjacent or nearby property?

The special use proposal will not adversely affect the existing use or usability of adjacent or nearby property. Rather, it will increase the aesthetics along the road corridor with a new commercial rooftop, supporting the commercial growth.

C. Does the property special use request have a reasonable economic use as currently zoned?

The Subject Property is designated for commercial use. There is no need to rezone the property.

D. Will the Special Use proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

The climate-controlled storage facility will not result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

E. Is the Special Use Request proposal in conformity with the policies and intent of the land use plan?

The special use proposal is in general conformity with the policies of the City of Lawrenceville Comprehensive Plan, as it is designated for Commercial land Uses.

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F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the rezoning proposal?

The Applicant is not aware of any existing or changing conditions that affect the use and development of the property which support either approval or denial of the Special Use proposal.

G. Does the rezoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of South Fulton?

No, there is no evidence of any environmental adverse conditions.

H. Whether a proposed rezoning will permit a use that is suitable, in view of the use and development of the adjacent and nearby property.

The proposed use will be suitable as an opportunity for commercial services.

III. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF APPLICANT'S CONSTITUTIONAL RIGHTS

The portions of the City of Lawrenceville Zoning Ordinance, facially and as applied to the Subject Property, which restricts or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be 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 the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Lawrenceville Ordinance to the Subject Property which restricts its use to any classification other than that 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 Article I, 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

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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 this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Lawrenceville Council/ Commission to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of 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 rezoning of the Property 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 the Applicant's utilization of the property would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

A refusal to allow the land use amendment and/or rezoning in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the



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Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted. The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property.

This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the / City an opportunity to revise the Property to a constitutional classification. If action is not taken by the City to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the City on notice that it may elect to file a claim in the Superior Court of Gwinnett County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

The portions of Lawrenceville Ordinance, facially and as applied to the Subject Property, which restricts or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be 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 the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Lawrenceville Zoning Ordinance to the Subject Property which restricts its use to any classification other than that 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 Article I, 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



Battle Law

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 this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality, or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal to allow the special land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution

IV. Conclusion

For the foregoing reasons, the Applicant respectfully requests that the Rezoning application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Lawrenceville so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 2nd day of June 2022.

Respectfully submitted,

Michele L. Battle, Esq. Attorney for the Applicant

c/o Tyler McSwain, Senior Urban Planner

GENERAL NOTES:

- 1) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADIUS ARE GIVEN AT THE FACE OF CURB.
- 2) CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
- 3) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.
- 4) HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC. (SEE PHOTOMETRIC PLAN IN ADD'L PLANS)
- 5) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- 6) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.
- 7) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE SIGNAGE.
- 8) ALL PAVEMENT MARKINGS WITHIN CITY OF LAWRENCEVILLE RIGHT-OF-WAY SHALL BE THERMOPLASTIC AND ACCORDING TO GADOT DISTRICT 7 SPECIFICATIONS.
- 9) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER, HOWEVER A CONTRACTOR/DEVELOPER CAN DO PERMITTING WITH AGENT AUTHORIZATION.
- 10) ALL EROSION, SEDIMENT CONTROL, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
- 11) MAXIMUM CUT OR FILL SLOPE=2H:1V
- 12) CITY OF LAWRENCEVILLE ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR ADA ACT.
- 13) 24 HOUR CONTACT: J. PATRICK STANTON, 770-368-1399
- 14) CONTRACTOR SHALL COORDINATE WITH THE CITY/COUNTY JURISDICTION, WATER AND SEWER JURISDICTION, AND DEPARTMENT OF TRANSPORTATION INSPECTORS REGARDING ALL CERTIFICATE OF OCCUPANCY REQUIREMENTS AND COORDINATE WITH THE ENGINEER APPROXIMATELY 8 WEEKS PRIOR TO ANTICIPATED CERTIFICATE OF OCCUPANCY DATE REGARDING ANY ITEMS REQUIRING APPROVAL OR CERTIFICATIONS BY THE ENGINEER.

STANDARD DUTY ASPHALT PAVING

HEAVY DUTY ASPHALT PAVING

DOT SPECIFICATION ASPHALT PAVING

CONCRETE SIDEWALK PAVING

HEAVY DUTY CONCRETE PAVING

PROPERTY LINE

PARKING COUNT

SPILL CURB

TRAFFIC SIGN

PAINTED TRAFFIC ARROWS

TRAFFIC FLOW LANE DESIGNATION

VEHICLE STACKING POSITION

LEGEND

BUILDING SETBACK REQUIREMENTS

- FRONT STREET: 50 FEET
SIDE: 10 FEET
REAR YARD: 10 FEET
MAX BUILDING HEIGHT: 35 FEET

LOT REQUIREMENTS (NRC):

- LOT AREA MIN = NONE
LOT WIDTH = NONE
MIN. LOT FRONTAGE= N/A
MAX. IMPERVIOUS SURFACE COVERAGE: 95%
ACTUAL IMPERVIOUS AREA PROPOSED: 65% (63,353 SF.)

PARKING REQUIREMENTS

- TOTAL EXISTING SPACES: 0 SPACES
PARKING SPACE REQUIREMENTS:
STORAGE FACILITY: 1 SPACE/10 STORAGE UNITS
PARKING SPACES PROVIDED: FOR 500 UNITS
PROPOSED SPACES: 1 SF/10 UNITS X 500 UNITS = 50 SPACES
PARKING PROPOSED= 50 SPACES INCLUDING 2 HANDICAP SPACE

NOTES:

- THERE ARE NO WETLANDS LOCATED ON THE SUBJECT PROPERTY.
- THERE ARE NO STATE WATERS OR BUFFERS LOCATED ON THIS SITE.
- THERE ARE NO STATE WATERS WITHIN 200 FEET OF THIS SITE
- NO BUILDING OVERHANGS PROPOSED.
- PROPOSED USE IS STORAGE
- STORAGE BUILDING IS TO BE SPRINKLERED
- STORAGE BUILDING HEIGHT IS 35 FEET
- SITE LIGHTING IS NOT INCLUDED IN THE SCOPE OF WORK FOR THIS PROJECT AS NO ADDITIONAL SITE LIGHTING POLES ARE TO BE CONSTRUCTED



LOCATION MAP

GENERAL NOTES:

1. CURRENT OWNER: JEAN A. COPPAGE
2305 SUGARLOAF CLUB DRIVE
DULUTH, GEORGIA 30097-7404
2. FUTURE OWNER: 3100 MEDLOCK BRIDGE ROAD
BUILDING 500
NORCROSS, GA. 30071
770-242-7878
3. DEVELOPER: 3100 MEDLOCK BRIDGE ROAD
BUILDING 500
NORCROSS, GA. 30071
770-242-7878
4. ENGINEER: FORESITE GROUP, LLC.
3740 DAVINCI COURT
SUITE 100
PEACHTREE CORNERS, GA. 30092
770-368-1399
5. SITE ADDRESS: LYLE CIRCLE
TAX ID # 7011-015
LAND LOT , DISTRICT
2.25 ACRES
6. SITE ACREAGE:

ZONING:

CURRENT ZONING: BG
PROPOSED ZONING: BG
REQUESTING SPECIAL LAND USE PERMIT TO ALLOW SELF STORAGE

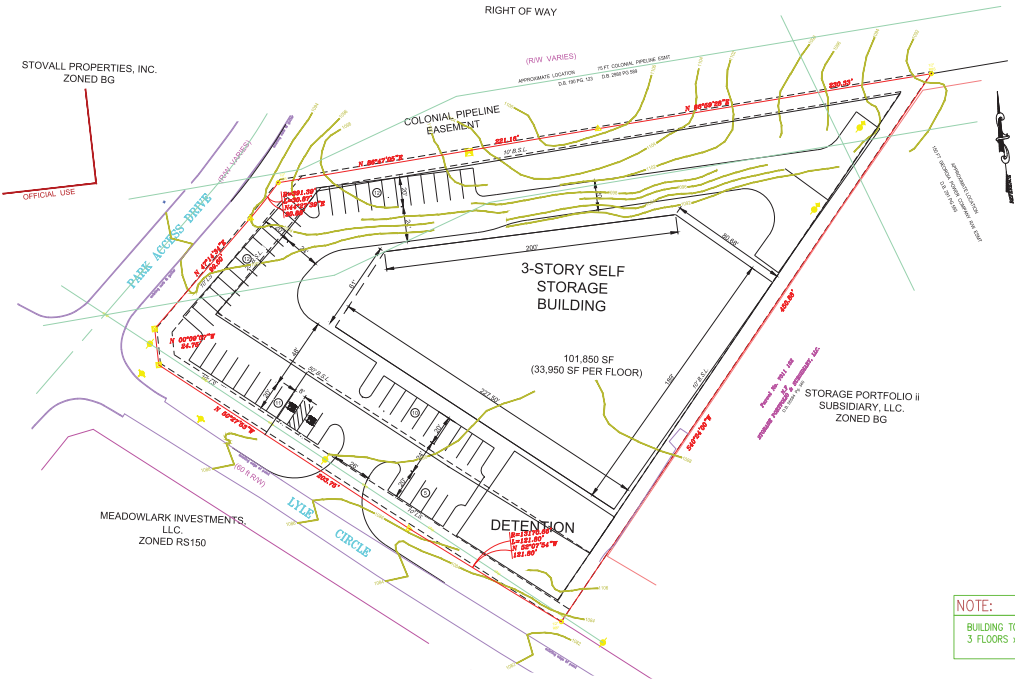
LAND USE DESIGNATION:

BG, GENERAL BUSINESS
WATER AND SEWER:
WATER AND SEWER SERVICES PROVIDED BY GWINNETT COUNTY
SURVEY:
BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED

NOTES:

EACH BUILDING AND ITS RELATIVE LOCATION TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2012 INTERNATIONAL BUILDING CODE (IBC) WITH GEORGIA STATE AMENDMENTS WITH REGARDS TO THE HEIGHT AND AREA REQUIREMENTS OF IBC TABLE 503 AND THE FIRE RESISTANCE AND HORIZONTAL SEPARATION REQUIREMENTS OF IBC TABLES 601 AND 602.

NOTE:
BUILDING TO BE 33,950 SF PER FLOOR
3 FLOORS x 33,950 SF=101,850 SF.



SCALE: 1"=40'

SCALE IN FEET

40'

20'

0

40'

80'



PARCEL # 7011-015
24 HR. CONTACT: Kyu Man Park (770-242-7878)

ENGINEER:

FORESITE
group

Foresite Group, Inc.
3740 Davinci Ct.
Suite 100
Peachtree Corners, GA 30092

www.fs-inc.net

o 770.368.1399

f 770.368.1944

DEVELOPER:

3100 MEDLOCK BRIDGE ROAD NW #500
NORCROSS, GA 30071
(770) 242-3300

CONTACT: KYUMAN PARK

PROJECT:

LYLE CIRCLE STORAGE

LYLE CIRCLE
LAND LOT , DISTRICT
CITY OF LAWRENCEVILLE, GA.
PARCEL # 7011-015

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	JPS
DRAWING BY:	JCW
JURISDICTION:	CITY OF LAWRENCEVILLE
DATE:	2022-05-30
SCALE:	1" = 50'
TITLE:	

ZONING PLAN

SHEET NUMBER:

C-1

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

JOB FILE NUMBER:

1127.017

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in Land Lot 11, of the 7th District, in Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at a concrete right of way monument found at the North end of the mitered intersection of the Northerly right of way of Lyle Circle (having a 60-foot width, publicly dedicated right of way) and the Easterly right of way of Park Access Drive (having a variable width, publicly dedicated right of way), said point being the TRUE POINT OF BEGINNING.

Thence following said easterly right of way of Park Access Drive North 47 degrees 14 minutes 34 seconds East a distance of 99.60 feet to a point;

Thence continuing to follow said easterly right of way of Park Access Drive with a curve turning to the left with an arc length of 30.88 feet being subtended by a chord with a bearing of North 44 degrees 27 minutes 39 seconds East for a distance of 30.87 feet and a radius of 391.39 feet to a ½ inch rebar set;

Thence leaving said right of way North 86 degrees 47 minutes 05 seconds East a distance of 221.16 feet to a point;

Thence North 86 degrees 59 minutes 28 seconds East a distance of 230.33 feet to a ½ inch rebar set;

Thence South 40 degrees 24 minutes 00 seconds West a distance of 450.88 feet to a ½ inch rebar found; Said point being on the Northerly right of way of Lyle Circle;

Thence following said Northernly right of way of Lyle Circle with a curve turning to the right with an arc length of 121.80 feet being subtended by a chord with a bearing of North 52 degrees 07 minutes 54 seconds West for a distance of 121.80 feet and a radius of 13,170.66 feet to point;

Thence continuing to follow said Northernly right of way of Lyle Circle North 50 degrees 27 minutes 53 seconds West a distance of 203.75 feet to a concrete right of way monument;

Thence following the miter of the intersection of Park Access Drive and Lyle Circle North 00 degrees 09 minutes 07 seconds West a distance of 24.75 feet to a concrete right of way monument; Said Point being the TRUE POINT OF BEGINNING.

Said tract of land contains 2.2852 Acres (99,543 square feet).



LAWRENCEVILLE

GEORGIA

SPECIAL USE APPLICATION

The application and all required documents must be complete and fees must be paid or the application will not be accepted.

Documents, exhibits and fees required at the time of application submittal:

1. Application Form (signed and notarized)
2. Disclosure of Campaign Contributions Form
3. Letter of Intent describing the proposed zoning change and development
4. Typed, metes and bounds Legal Description
5. Boundary survey (sealed by a Registered Land Surveyor)
6. Site Plan/Rezoning Exhibit: Provide one 11"x 17" copy and six full size copies:
 - a. Prepared by a Registered Land Surveyor, Professional Engineer or Landscape Architect
 - b. Drawn to scale of 1"= 50' or greater
 - c. Show property line data (metes and bounds) as well as existing infrastructure and existing site conditions, including:
 - i. Existing structures
 - ii. Full width of existing streets and intersecting streets
 - iii. Streams, stream buffers and impervious setbacks
 - iv. Flood hazard zones (reference source of data)
 - v. A vicinity map
 - d. Show proposed improvements, including:
 - i. Proposed buildings, setbacks, buffers and required screening
 - ii. Proposed streets, ingress/egress, driveways, sidewalks and parking
7. Application Fee
 - a. Payment may be made in cash, check or credit card (Visa, MasterCard). Please make checks payable to the City of Lawrenceville. One check is preferred.



LAWRENCEVILLE

GEORGIA

NOTIFICATION REQUIREMENTS

Written Notification

The applicant is required to notify all adjoining property owners (including those across any streets) of their intention to rezone the property. The notification shall be sent by Certified Mail and be postmarked no later than the published deadline contained in the Rezoning Schedule. A sample notification letter is provided at the end of this packet.

The written notice shall include:

1. Special Use case number
2. Dates, times and place of public hearings
3. Copy of the application
4. Applicant contact information
5. Letter of Intent
6. Site plan
7. Vicinity map

Proof that the notifications were mailed as required must be delivered to the Planning Department as soon as is feasible, but no later than 12:00 p.m. (noon) on the Wednesday prior to the Planning Commission meeting. Failure to submit the required proof of mailing will result in the application being tabled to the next month's meeting.

Notification Sign

The applicant is required to post a notification sign (provided by the Planning Department) in a clearly visible location on the property, at or near the public street, no later than the published deadline contained in the Rezoning Schedule. It is the responsibility of the applicant to insure that the notification sign remain on the property throughout the rezoning proceedings. (COPY TO BE GIVEN TO APPLICANT)

CASE NUMBER

MAY 12 2022

DATE

Topfa LLC

AKNOWLEDGED BY (PRINT NAME)

SIGNATURE

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
770.963.2414 • www.lawrencevillega.org

P2022-00070_REC DATE 06032022_LAWRENCEVILLE P&D



LAWRENCEVILLE

GEORGIA

PUBLIC HEARING PROCESS

The Applicant is required to appear at the Planning Commission Meeting, the City Council Work Session, and the City Council Public Hearing. Failure to attend a meeting may result in tabling of the application until the next meeting of that group. However, the Planning Commission and the City Council may act on the application should they so choose. Meeting dates, times and place are as published in the Rezoning Schedule.

1. Approximately one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be available at the Planning and Development office.
2. The applicant shall appear before the City of Lawrenceville Planning Commission to present their case in support of the rezoning application. Any opposition to the rezoning request will be given equal time to present its case. The Planning Commission may ask questions of the applicant and the opposition. The Planning Commission is a recommending body. Their recommendation will be forwarded to the City Council.
3. The applicant shall be present at the City Council Work Session. The applicant may be asked to present their case, or to answer questions, at the desire of the City Council.
4. The applicant shall appear before the City Council for the Public Hearing. The applicant and any opposition will be given equal time to present their cases. The City Council may ask questions of the applicant and opposition prior to making their final decision regarding the application.
5. If the special use application is denied by the Mayor and City Council, any new application for the same use classification on subject property may not be submitted for at least twelve (12) months from the date of denial. Application for a different zoning classification may be submitted after six (6) months from the date of the denial.



LAWRENCEVILLE

GEORGIA

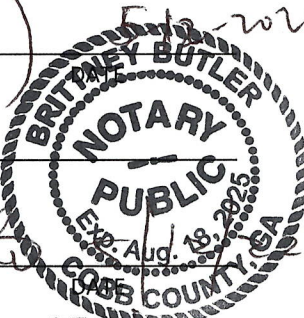
SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Topfa LLC c/o Battle Law, P.C.</u>	NAME: <u>Jean A Coppage</u>
ADDRESS: <u>3562 Habersham at Northlake Building J, Suite 100</u>	ADDRESS: <u>2305 Sugarloaf Club Drive</u>
CITY: <u>Tucker</u>	CITY: <u>Duluth</u>
STATE: <u>Georgia</u> ZIP: <u>30084</u>	STATE: <u>Georgia</u> ZIP: <u>30097-7404</u>
PHONE: <u>404-601-7616</u>	PHONE: _____
CONTACT PERSON: <u>Michele Battle</u> PHONE: <u>404-601-7616</u>	
CONTACT'S E-MAIL: <u>mlb@battlelawpc.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
ZONING DISTRICT(S): <u>General Business</u> ACREAGE: <u>2.2852</u>	
PARCEL NUMBER(S): <u>7011 015</u>	
ADDRESS OF PROPERTY: <u>Lyle Circle Lawrenceville, Georgia 30046</u>	
PROPOSED SPECIAL USE: <u>Indoor climate-controlled self storage facility</u>	

SIGNATURE OF APPLICANT

Topfa LLC
TYPED OR PRINTED NAME

NOTARY PUBLIC



SIGNATURE OF OWNER

DATE

Jean A Coppage
TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
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P2022-00070_REC DATE 06032022_LAWRENCEVILLE P&D



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SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Topfa LLC c/o Battle Law, P.C.</u>	NAME: <u>Jean A Coppage</u>
ADDRESS: <u>3562 Habersham at Northlake Building J, Suite 100</u>	ADDRESS: <u>2305 Sugarloaf Club Drive</u>
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PROPOSED SPECIAL USE: <u>Indoor climate-controlled self storage facility</u>	

SIGNATURE OF APPLICANT _____

DATE _____

Topfa LLC
TYPED OR PRINTED NAME

NOTARY PUBLIC _____

DATE _____

Jean A. Coppage AKA Jean White
SIGNATURE OF OWNER _____

DATE 6-2-22

Jean A Coppage
TYPED OR PRINTED NAME

NOTARY PUBLIC _____

DATE 6/2/22

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P2022-00070 REC-STATE 06032022_LAWRENCEVILLE P&D



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? NO

Y/N

By: Michele Battle

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? _____

Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions/gifts.



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? NO

Y/N

By: Kyu-Man Park

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? _____

Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? NO
Y/N By: Jean A Coppage

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? NO
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GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF LAWRENCEVILLE PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER: 7 - 011 - 015
 (Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

6-1-2022

Topfa LLC, Kyu-Man Park, Owner

Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER'S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONER'S USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME

TITLE

DATE

May 31, 2022

Mr. Kyu Man Park
Knoll Construction, LLC.
3100 Medlock Bridge Road
Building 500
Norcross, Georgia 30071

Re: Lyle Circle Storage
Parcel # 7011 015
City of Lawrenceville, Georgia

Mr. Park,

In response to your request, we offer the following Trip Generation Analysis, using commonly accepted Trip analysis data based on usage, as well as your data provided as an Owner/Operator of similar facilities within the Atlanta region.

This site is an approximately 2.25 acre tract which fronts on the east side of Lyle Circle, and south of Park Access Drive within the City of Lawrenceville, Georgia. The site is accessed off of Lyle Circle, which is a two (2) lane roadway and intersects with Hurricane Shoals Road, which is a two (2) lane roadway to the south, with a posted speed limit of 45 mph. Park Access Drive intersects with Collins Hill to the west, which is a two and four lane roadway with a posted speed limit of 45 mph.

The site is to be developed with a 102,000 sf., three (3) story climate controlled self storage building with approximately 50 parking spaces on the site to serve the customers and staff. Note that the 50 parking spaces are required to meet current zoning ordinance regulations and are not a requirement of the facility.

Trip Generation- Self Storage Facility

The self storage facility will be a 3 story, approximately 102,000 sf building, which will contain approximately 500 storage units. Using data collected by actual observation of similar facilities owned by this group, average trips per day is anticipated to be 30-35 based on the day of the week. This facility will be open seven (7) days a week, from 6:00 am to 10:00 pm. Peak usage is between the hours of 12:00 and 3:00 each day, with average daily volume at 32 trips.

For access to this facility it is anticipated that a higher percentage of users will come from both Collins Hill Road to the west and Hurricane Shoals Road to the south.

Trip Generation- Facility

Trips generated by Self Storage facility: 32 trips/day

Total trips generated by facility: 32 trips/day

If in your review of this information, you have any questions, please contact me.

Sincerely,
FORESITE GROUP, LLC.



J. Patrick Stanton, P.E.
Senior project Manager





LAWRENCEVILLE

GEORGIA

*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning

File # SUP2022-00070

Applicant: TOPFA LLC C/O BATTLE LAW

Legend

 Subject Property

 Parcels

Zoning Districts

-  BG General Business
-  HSB Highway Service Business
-  LM Light Manufacturing
-  RM-12 General Residence
-  Roads



0 120 240



*The City of Lawrenceville
Planning & Development*

File # SUP2022-00070

Applicant: TOPFA LLC C/O BATTLE LAW

 Subject Property
 Parcels
 Roads



0 120 240