



LAWRENCEVILLE

GEORGIA

CITY COUNCIL REGULAR MEETING AGENDA

Monday, February 24, 2020
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Prayer

Pledge of Allegiance

Agenda Additions / Deletions

Approval of Prior Meeting Minutes

1. January 8, 2020 Work Session
2. January 27, 2020 Regular Meeting
3. January 27, 2020 Executive Session
4. February 12, 2020 Special Call
5. February 12, 2020 Work Session
6. February 12, 2020 Executive Session

Announcements

Public Comment

Presentations will be limited to 2 minutes per person and Council will not respond to the comment.

Consent Agenda

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

- [7.](#) Jones Lang LaSalle Americas, Inc. ("JLL"), Proposal - Lease Negotiation Services
- [8.](#) Statewide Mutual Aid and Assistance Agreement
- [9.](#) Closed-Circuit Television (CCTV) Storm Drain Pipe Inspection on an Annual Contract
- [10.](#) 334 Spring Ridge Drive Drainage Improvement (Pew Creek Basin) Project
- [11.](#) 1291 Creek Wood Cove Storm Drain Replacement Project
- [12.](#) 520 Carithers Road Drainage Improvement (Shoal Creek Basin) Project

- [13.](#) Purchase of Natural Gas Materials on a Six-Month Contract
- [14.](#) Utility Wood Pole Inspection and Replacement on an Annual Contract
- [15.](#) On-Demand Underground Electric Distribution Cable Installation on an Annual Contract
- [16.](#) Lawrenceville Performing Arts Complex (LPAC) Program Management Services Change Order 1
- [17.](#) Lawrenceville Performing Arts Complex (LPAC) Architectural and Engineering Design Services Change Order 3

Public Hearing New Business

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

- [18.](#) CIC2019-00001; Thomas Johnson; 17 East Pike Street (Previously 85 Benson Street)
- [19.](#) RZR2019-00003 & SUP2019-00019; 138 Paper Mill Road; Shane Lanham
- [20.](#) RZC2020-00011; 288 N. Clayton St, LLC; 288 N. Clayton Street
- [21.](#) RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation
- [22.](#) SU-19-11, Compass Self Storage, 282 E. Crogan Street
- [23.](#) SUP2019-00024; Woodrow Preston Willard; 444 West Pike Street
- [24.](#) WITHDRAWN SUP2019-00025; LIV Development, LLC c/o Mahaffey Pickens Tucker, LLP

Council Business New Business

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

- [25.](#) Census 2020 Presentation
- [26.](#) Amendment & Extension of Contract for Solid Waste Disposal
- [27.](#) Resolution for continued commitment and participation to the Livable Center Initiative (LCI) program

- [28.](#) Intergovernmental Agreement with Gwinnett County for the use of its 800-megahertz radio system
- [29.](#) Purchase of property at 738 Duluth Highway, Tax Parcel R7008-003B
- [30.](#) Acquisition of portions of R5147 139B and R5147 220 – South Clayton Street
- [31.](#) Acquisition of Tax Parcel R5143 227 – Gwinnett Drive
- [32.](#) Resolution for Service Delivery Strategy Agreement

Executive Session - Personnel, Litigation, Real Estate

Final Adjournment



LAWRENCEVILLE

GEORGIA

7.

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT

Item:	Jones Lang LaSalle Americas, Inc. ("JLL"), Proposal - Lease Negotiation Services
Department:	City Manager
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	Up to \$100,000.00
Presented By:	Chuck Warbington and Jeremy Becker
Action Requested:	Approve Jones Lang LaSalle Americas, Inc. ("JLL"), to assist with the negotiation of an agreement between the City and The Board of Regents for up to \$100,000.00.

Summary: The City is seeking the input and guidance of highly experienced consultants to assist with the negotiation of an agreement between the City and The Board of Regents ("Regents") for GGC's long-term utilization of space in the expanded Performing Arts Center. With this submission, we provide a clear framework for how JLL would approach the requested Real Estate Services (Please see "Section 2 – Outline of Proposed Scope of Work").

Fiscal Impact: Up to \$100,000.00

Attachments/Exhibits:

20200112 City of Lawrenceville Real Estate Advisory Services FINAL Updated



CITY OF LAWRENCEVILLE

LEASE NEGOTIATION SERVICES FOR THE NEW PERFORMING ARTS CENTER & ON-CALL REAL ESTATE ADVISORY SERVICES

JANUARY 10, 2020

OUTLINE OF PROPOSED SCOPE OF WORK



CITY OF LAWRENCEVILLE

PERFORMING ARTS CENTER

REAL ESTATE ADVISORY SERVICES



Prepared for:

Mr. Chuck Warbington, PE
City Manager
City of Lawrenceville
70 S. Clayton Street
PO Box 2200
Lawrenceville, GA 30046

Phone: 678.407.6577

Email: chuck.warbington@lawrencevillega.org

Prepared by:



January 10, 2020

DRAFT

Mr. Chuck Warbington, PE
City Manager
City of Lawrenceville
70 S. Clayton Street
PO Box 2200
Lawrenceville, GA 30046

Re: Real Estate Advisory Services

Dear Mr. Warbington:

Jones Lang LaSalle Americas, Inc. (“JLL”), a leading international real estate and financial advisory firm with deep experience in the Atlanta metropolitan area, is pleased to present this outline of our proposed approach to the City of Lawrenceville (“Client” or “City”) for Real Estate Advisory Services.

We understand the City is seeking the input and guidance of highly experienced consultants to assist with the negotiation of an agreement between the City and Georgia Gwinnett College (“College” or “GGC”) for GGC’s long-term utilization of space in the expanded Performing Arts Center. With this submission, we provide a clear framework for how JLL would approach the requested Real Estate Services (Please see “Section 2 – Outline of Proposed Scope of Work”).

Our proposed approach is guided by our extensive relevant experience providing museums and cultural attractions with real estate advisory services (Please see “Section 5 – Recent and Relevant Experience”), our Atlanta regional market expertise and deep experience working with municipal clients.

As the City of Lawrenceville moves forward with this endeavor, and others, JLL looks forward to the opportunity to collaborate. We are excited to speak with you further.

Sincerely,



Jeremy Becker
Senior Vice President
JLL, Public Institutions

Table of Contents

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Section 1: Firm & Group Background

Jones Lang LaSalle – Premier Real Estate Services Firm

JLL Company Overview

Jones Lang LaSalle¹ (JLL) is a premier professional services and investment management firm offering specialized real estate services to clients seeking increased value by owning, occupying and investing in real estate. A Fortune 500 company with annual fee revenue of \$6.7 billion and gross revenue of \$7.9 billion, JLL operates in 80+ countries from more than 1,700 locations worldwide and nearly 300 corporate offices, including 96 in the United States. We have approximately 90,000 employees worldwide, including more than 30,000 professionals in the U.S.

We provide comprehensive, integrated real estate advisory services on local, regional and global levels. In 2018, JLL:

- Completed approximately 37,500 transactions for landlord and tenant clients, representing 1.07 billion square feet
- Provided capital markets sales, acquisitions and finance transactions, totaling \$179 billion for clients
- Led the industry in providing facility and property management services, with a portfolio of 4.6 billion square feet worldwide

The firm's investment management business, LaSalle Investment Management, had \$60.5 billion of real estate assets under management in 2018.

Financial Stability

Confidence in the financial strength of long-term service providers is important to our clients. Clients are increasingly making financial strength one of the more important criteria when selecting real estate service providers. Our diverse services and locations have positioned us in a superior financial condition that distinguishes us. Accordingly, we have maintained for a number of years an investment grade rating each of Standard & Poor's (BBB) and Moody's Investor Services, Inc. (Baa1).

As a result of JLL's outstanding financial position, we have been able to strategically engage in over 90 mergers and acquisitions over the past 10 years on a global basis. Since 2016, JLL has completed more than 33 new acquisitions, expanding our capabilities in key regional markets. This has resulted in an extension of our industry-leading market coverage, service offerings and depth of talent. Clients benefit from this geographic and service diversification through our global variety of revenue sources, which reduces the overall inherent volatility of operating a real estate services business, providing an additional measure of financial stability. The firm remains flexible, innovative and prepared to capitalize on new opportunities to serve clients in the challenging environment that lies ahead. Our clients make long-term strategic decisions when choosing a real estate services consulting partner. Clients who want even more confidence in their chosen partner's long-term financial health rest assured with JLL.

¹ Jones Lang LaSalle Americas, Inc. is the offeror of this proposal. It is a wholly owned subsidiary of Jones Lang LaSalle Incorporated and that company's operating entity for the western hemisphere. Use of the terms Jones Lang LaSalle, JLL and first-person pronouns may refer to either entity or both.

Industry Recognition and Awards

JLL is recognized worldwide for its superior service delivery, robust business metrics, ethical standards, and its demonstrated commitment to sustainability initiatives. JLL is a 2019 recipient of the ENERGY STAR® Sustained Excellence Award by the U.S. Environmental Protection Agency and has also been named among *FORTUNE* Magazine’s “World’s Most Admired Companies” and “America’s Best Employers” in 2019. We are also proud to have received the Diversity and Inclusion Leadership Award from the Mortgage Bankers Association in 2018 and to be named one of the Best Places to Work for LGBTQ Equality for the fifth straight year by the Human Rights Campaign Foundation. Each year since 2010, the International Association of Outsourcing Professionals® has named JLL among the best service providers across all industries on its annual Global Outsourcing 100® list—including “Super Star” status in 2016, in which we earned the highest possible ranking in each of the judging categories. JLL’s Innovation and Product Development platform received two technology awards from CoreNet in 2016—the Global Professional Excellence Award celebrating innovation in management and work processes enabling world-class business performance, and the prestigious H. Bruce Russell Global Innovator’s Award, recognizing excellence and innovation in corporate real estate as voted by leading global real estate firms. Being recognized in this way by the corporate real estate industry’s leading body is a testament to the strength and uniqueness of our platform.

For 12 consecutive years, JLL has been named to the Ethisphere Institute’s “World’s Most Ethical Companies” list, which recognizes companies for their commitment to ethical business practices. The list is comprised of 128 companies spanning 21 nations and 50 industries selected from thousands of nominated companies. JLL not only requires employees to review and sign a code of business ethics each year, but our legal team has also developed a public sector code of ethics to address issues specific to working with governmental entities. Since 2013, we have been selected five times as one of the 100 best corporate citizens by *Corporate Responsibility (CR) Magazine*.

Some of our more than 350 awards received in the past five years are listed below.



10th consecutive year



12th consecutive year



8th consecutive year



3 years in a row (2014–2016)



3rd consecutive year



Also won in 2013, 2015, 2016, 2017, 2018

Summarizing Our Comprehensive Service Offerings

JLL's expert teams deliver integrated services to clients everywhere in the world, providing insight and collaborative approaches that help our clients achieve continuous success in an increasingly complex and changing world. Within our client-centric structure, we facilitate the strategic delivery of real estate services. The following lists JLL's broad array of specializations that could be relevant to the needs of the City:

Capital Markets

- \$60 billion transactions annually
- Development assets and services
- Access to debt financing
- Accounting, tax and finance
- Sale / leaseback structuring
- Mergers and acquisitions

P3/Advisory

- \$5 billion P3 advisory
- Extensive experience serving the public sector
- Project due diligence
- Real property asset / portfolio optimization
- Financial structuring – development projects
- Transaction negotiations

Property and Facility Management

- Manage 4 billion sq ft
- Mobile engineering services
- Strategic sourcing
- Call Center work order mgmt.
- Baseline energy management
- IFM on Demand

Technology Solutions

- 95 IWMS clients, 130 million sq ft
- Intelligence and analytics
- Program management
- Lease / Property administration

Energy and Sustainability

- 1,400+ LEED professionals
- Portfolio-wide energy management
- Industry benchmarking of energy consumption
- Sustainability assessment
- Alternative energy
- Energy star and Green Globes ratings
- Carbon reduction strategies

Project and Development Services

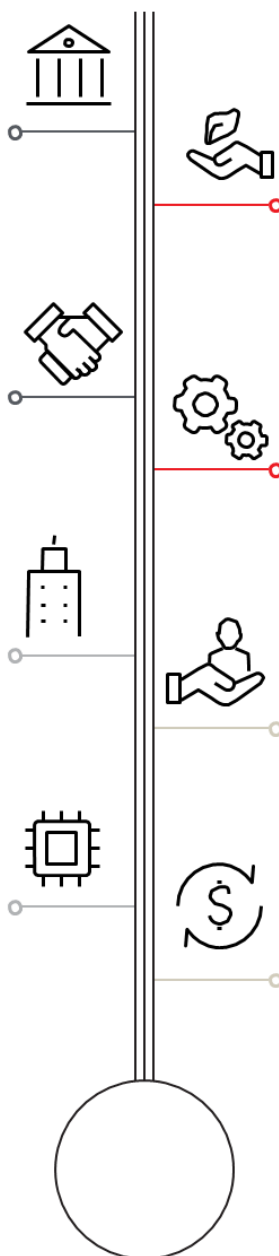
- 30,000 projects managed
- Base building and interiors
- Consistent standard of delivery
- Schedule and budget controls
- Commissioning services
- Move Management: Outfitting Student Housing, Lab facilities
- LEED certification

Strategic Consulting

- Global research and consulting staff
- Market research and analysis
- Valuation services
- Occupancy planning
- Portfolio and workplace strategy
- "Six Sigma" process solutions

Transactions

- 35,000 brokerage transactions
- Renewal and relocation strategies
- Financial analysis of occupancy alternatives
- Research and development leasing
- Retail leasing
- Site acquisitions and assemblages
- Lease negotiation and execution
- Disposition



Dedicated focus on Public Institutions

JLL is the only global real estate and financial services firm with a dedicated Public Institutions and Higher Education consulting practice. With more than 500 professionals solely dedicated to serving public agencies, we have worked on projects for more than 250 federal, state and local government and higher education clients. Public Institutions and Higher Education delivers advisory and management services in real property asset/portfolio optimization, organizational strategy, facilities management, financial structuring for development projects, transaction negotiations, and assessment of public-private partnership solutions that optimally align infrastructure and real estate with public sector missions. JLL's Public Institutions and Higher Education group combines public and private sector best practices and experience to deliver a full range of integrated transaction solutions and financial advisory services focused on the unique needs and missions of public sector organizations.

Our Unique Understanding of the Public Sector. With numerous former public sector employees on our staff, we have a deep understanding of the differences between the public and private sectors. Specifically, we understand the long-term perspective required by public sector work, the importance and inherent financial value of the public good, the need to protect public interests and taxpayer dollars, transparency requirements and political realities that face many of our public sector clients. Our extensive experience in both the public and private sectors provides agencies the insight and expertise necessary to turn an asset portfolio into a collection of functional, efficient assets. Unlocking value can help fund programs critical to a city's mission.

Our Services. Our dedicated team of public sector specialists provide public sector clients with access to our firm's network of resources and specialty practices. We combine the public and private sector best practices and experience to deliver a full range of integrated real estate solutions and financial advisory services focused on the unique needs and missions of our public sector clients.

Client List

JLL has extensive experience working with public sector and educational institution clients. We provide the list below.

Local Government

- Casino Reinvestment Development Authority, NJ
- City of Alexandria, VA
- City of Bellevue, WA
- City of Chicago, IL
- City of Cincinnati, OH
- City of Compton, CA
- City of Detroit, MI
- City of Falls Church, VA
- City of Fort Worth, TX
- City of Houston, TX
- City and County of Honolulu, HI
- City of Kent, WA
- City of Lynnwood, WA
- City of Long Beach, CA
- City of Los Alamitos, CA
- City of Los Angeles, CA
- City of Marietta, GA
- City of Miami, FL
- City of Minneapolis, MN
- City of Napa, CA
- City of Newark, NJ
- City of New York, NY
- City of Orlando, FL
- City of Philadelphia, PA
- City of Richmond, VA
- City of San Diego, CA
- City of San Francisco, CA
- City of Seattle, WA
- City of Tucson, AZ
- City of Tulsa, OK
- City of Warren, MI
- County of Baltimore, MD
- County of Cook, IL
- County of Fairfax, VA
- County of Fulton, GA
- County of Hillsborough, FL
- County of King, WA
- County of Loudon, VA
- County of Los Alamos, NM
- County of Macon-Bibb, GA
- County of Maricopa, AZ
- County of Marin, CA
- County of Napa, CA
- County of Orange, CA
- County of Prince George's, MD
- County of San Diego, CA
- County of San Mateo, CA
- County of Santa Clara, CA
- City of Snellville, GA
- County of Suffolk Water Authority, NY
- District of Columbia, DC
- District of Columbia Housing Authority, DC
- Division of Capital Asset Management, MA
- Metropolitan Pier Exposition Authority, IL
- National Capital Revitalization Corporation, DC
- New Jersey Economic Development Authority, NJ
- Philadelphia Industrial Development Corporation, PA

Education

- Albany State University, GA
- American College of Surgeons, IL
- Arizona State University, AZ
- Arlington County Public Schools, VA
- Auraria Higher Education Center, CO
- Baltimore City Community College, MD
- California State University, Channel Islands, CA
- California State University, Northridge, CA
- California State University, San Marcos, CA
- Michigan State University, MI
- Morehouse College, GA
- San Diego Unified School District, CA
- Spaulding University, Louisville, KY
- The Catholic University of America, DC
- University of California, Merced, CA
- University of California, San Diego, CA
- University of California, San Francisco, CA
- University of California, Santa Barbara

- Carnegie Mellon University, PA
- Chandler Unified School District, AZ
- City University of NY, NY
- City of Los Angeles Community College District, CA
- Clemson University, SC
- Cleveland State University, OH
- Drexel University, PA
- Duke University, NC
- Escambia County School District, FL
- Eastside Union High School District, CA
- Fairfax County Public Schools, VA
- Florida State University, FL
- Florida International University, DC
- George Washington University, DC
- Georgia Institute of Technology, GA
- Harvard University, MA
- Howard University, DC
- Illinois Institute of Technology, IL
- Johns Hopkins University, MD
- Kings College, PA
- Lehigh University, PA
- Lorain County Community College, OH
- University of California, Santa Cruz
- University of California, Riverside
- University of California, Office of the President
- University of Chicago, IL
- University of Cincinnati, OH
- University of Illinois Urbana-Champaign, IL
- University of Georgia, GA
- University of Georgia Foundation, GA
- New Jersey City University, NJ
- University of Maryland, MD
- University of Miami, FL
- University of Michigan, Ann Arbor, MI
- University of Missouri, Kansas City, MO
- University of New Mexico, NM
- University of North Carolina, NC
- University of the Pacific, CA
- University of Pennsylvania, PA
- Wake Forest University, NC
- Washington State University, WA
- Washington University – St. Louis, MO
- Wesley Theological Seminary, DC
- Xavier University, OH

Public-Private Partnership Experience

As city, county, state and other local / regional government entities look for ways to modernize and expand their facilities and infrastructure in the face of prevailing fiscal constraints, many are turning to alternative finance and delivery options, including public-private partnerships.

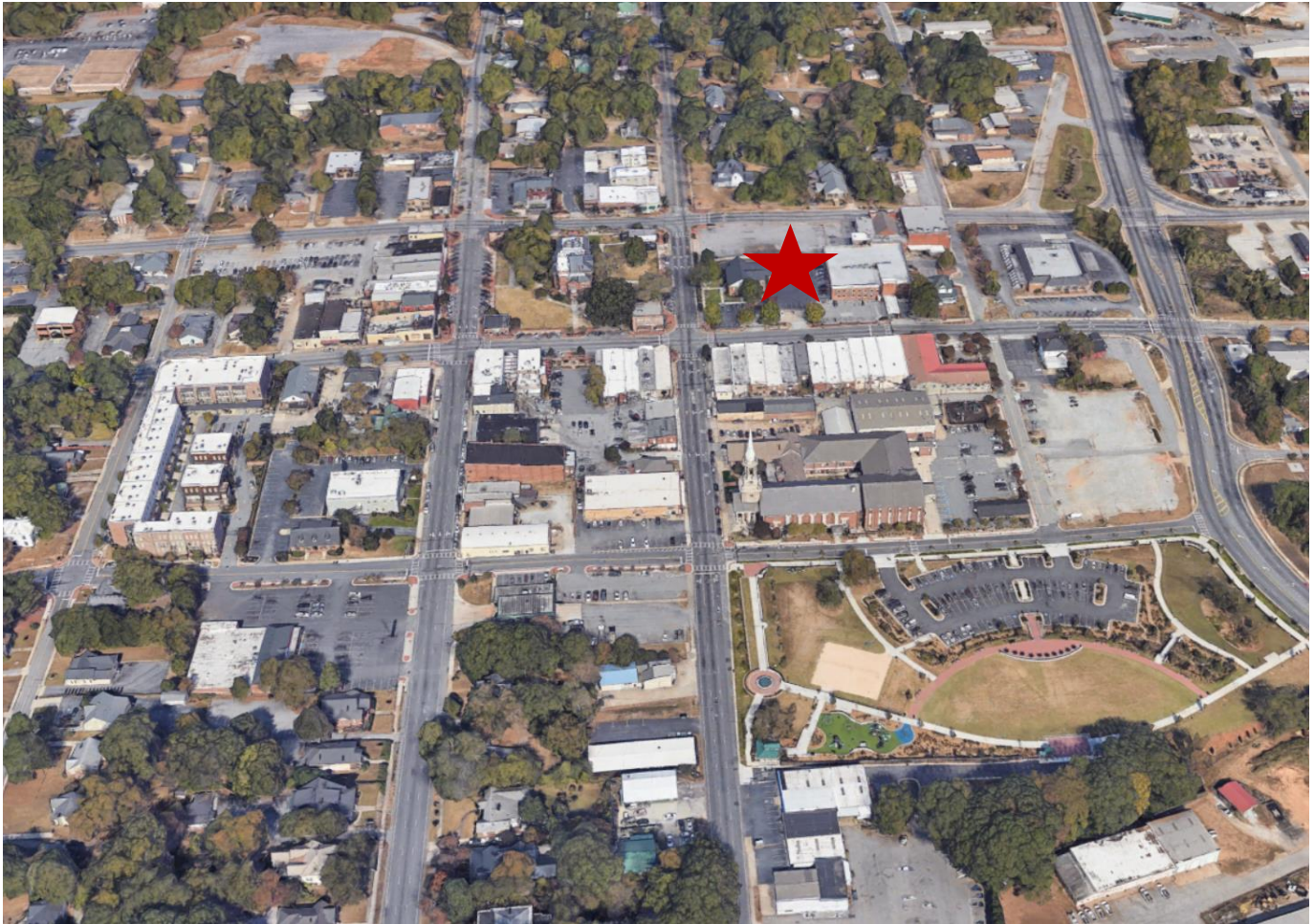
JLL is a recognized market leader in public-private partnerships (P3), leveraging years of experience working for public sector clients at the federal, state, and municipal levels. Our experts are recognized as P3 pioneers across multiple asset classes, including structuring opportunities to monetize existing assets through a variety of ownership and operating structures. For decades, JLL has successfully helped public entities across the world offload risk, access alternative finance, monetize assets, capitalize efficiency savings, and accelerate infrastructure delivery, all while retaining the governance and control needed for effective mission delivery.

JLL offers a full suite of public-private partnership advisory services across the entire P3 life-cycle, which helps our clients to select and implement the structure that best aligns with its specific objectives and control objectives.

Our approach and methodology have been tried and tested, having delivered sustainable benefits and value-for-money for hundreds of public sector clients. Our mission is to partner with the City of Lawrenceville to maximize value, improve effectiveness, and promote the fulfillment of critical public missions

Section 2: Our Understanding of Lawrenceville’s Vision

The Aurora Theatre produces over 650 events annually for 70,000+ visitors and has been a cornerstone of Lawrenceville’s revitalization since its establishment in 1996. As the only professional theatre in Gwinnett County and the 2nd largest professional theatre in the State of Georgia by budget and membership, Aurora Theatre currently houses two performance spaces (soon to be four with the completion of the expanded performing arts center) and boasts 5,000 season ticket holders.



In recent years it became clear that a need existed for expanded and updated performing arts facilities in Lawrenceville. In 2019, the City and the Aurora Theatre entered into a partnership by which the City would be partially reimbursed by the Aurora (\$5M) for construction costs (totaling \$32M) associated with the expanded performing arts center, in addition to payment of all utilities, repair and maintenance costs, tax obligations, and appropriate insurance. (Essentially, the lease agreement with the Aurora Theatre is a triple net (NNN) structure.)

Over the years, the Aurora Theatre and the City of Lawrenceville have worked collaboratively with nearby Georgia Gwinnett College (“GGC”). As this collaboration has grown and evolved, GGC has expressed a desire to further integrate its Cinema and Media Arts program with the Aurora Theatre. **To that end, the City of Lawrenceville is**

seeking to create an agreement by which GGC is granted use of three classrooms, three offices, as well as regularly allocated use of the performance stages.

JLL is pleased to present this outline of the proposed scope of work to assist the City of Lawrenceville in its negotiation of an agreement with Georgia Gwinnett College, as well as on-call services related to the City's various real estate and economic development objectives.

Section 3: Outline of Proposed Scope of Work

Proposed Approach

Task 1: Kick-Off Meeting

Our first task will be to meet with the City to review and confirm the project schedule and establish initial terms of agreement. The kick-off meeting will provide the first opportunity to exchange perceptions of the key issues and challenges facing the City, as well as to listen to previously voiced stakeholder desires and concerns. JLL will use the meeting as an opportunity to discuss and record the City's objectives for the project, set expectations, and identify preliminary opportunities and constraints to meet project goals.

Task 2: Data Gathering and Documentation Review

JLL's project manager will work with the City's appointed project manager to develop a master list of all documents and materials relevant to the project. In addition, as part of this task JLL would review and synthesize any documentation provided by the City or College as it pertains to an agreement for the expanded performing arts center.

Task 3: Negotiations

JLL proposes developing a single lease agreement based on two separate components:

- A. A standard gross or modified gross lease agreement for GGC's occupancy of three classrooms and three offices, based on a consistently occupied square footage of 3,214 square feet.
- B. An availability valuation that provides appropriate compensation to the City and Aurora theatre for use of the four performance theatres, as well as use of specialized equipment and access to The Aurora theatre's professional staff.

JLL's lease negotiation strategy is presented in greater detail below:

Task 3A - Negotiation of lease agreement for classroom and office space

The purpose of this Phase is to identify the basic lease terms that will govern Georgia Gwinnett College's ("GGC") use of the three classroom and offices within the expanded performing arts center. Based on floor plans provided by the City, JLL defines this space as the following:

- Classroom A: 896 SF
- Classroom B: 909 SF
- Classroom C: 925 SF
- Office 1: 224 SF
- Office 2: 130 SF
- Office 3: 130 SF

*Total SF proposed to be occupied by GGC: **3,214 SF***

The negotiation of the lease agreement for the 3,214 SF of classroom and office space is a relatively common real estate process. JLL would propose utilizing a mathematical formula based on the occupied square footage and the per square foot total construction cost to determine the rental rate for the classroom and office space with the caveat that GGC plans to utilize this space as much possible without use hour restrictions. Given the City's stated build cost of \$32M and a total project size of approximately 60,000 SF, this yields **a per square foot construction cost of \$534 for the expanded performing arts center.**

JLL would propose using this formula to generate a starting rent offer, building in appropriate considerations for the challenges presented by leasing to Georgia Gwinnet College. JLL understands the main challenges to be the following:

- **Georgia Board of Regents 1-year lease requirement**
 - *JLL has significant experience negotiating lease agreements with governmental, quasi-government and higher education institutions that present unique requirements due to legal constraints common to these types of entities. We have a “toolbox” of solutions that we frequently utilize to provide the legal flexibility necessitated by leases between institutional entities.*
- **Expectation of subsidized or below-market rent**
 - *Negotiating a lease between large public institutions always presents unique expectations that rarely exist in private sector real estate deals. JLL's Public Institutions team specializes in working on these types of deals and is extremely well-versed in the unique necessity for well thought out, organized and simple rationale required to justify lease terms.*
- **Navigating necessary approval authorities (i.e. Lawrenceville City Council, Georgia Board of Regents)**
 - *Our team possesses over three decades of combined experience working with the public sector at the federal, state and local levels. As such, we have a unique understanding of the communication and commitment required to generate the necessary buy-in needed to accomplish complex, highly visible, and transformational projects. We intend to leverage our relationships with the Georgia Board of Regents and City officials to develop a transactional structure that accomplishes the goals of all involved stakeholders.*

Task 3B - Evaluation of availability value for the four performance theatres

JLL would propose bifurcating the overall analysis of the agreement with GGC into the aforementioned lease agreement for the classroom and office space and an availability agreement governing GGC's use of the four performance theatres. We would propose establishing terms giving GGC right-of-first-refusal to all four theatre spaces, when not being utilized by Aurora, and providing an annual “allowance” for use of the theatres, up to an agreed upon number of days or hours of use. GGC would have the ability to exceed this number but would be required to pay an agreed upon amount for any additional days or hours of use. JLL understands the current considerations/challenges regarding the four performance theatres to be the following:

- Establish an expectation of GGC's required level of use of the performance theatres and the associated requirements relative to specialized equipment and assistance from Aurora Theatre professionals.
- Generate estimates as to the cost of each day or hour of use by GGC, along with costs associated with equipment use and personnel requirements.

- Identify operating expenses associated with comparable theatres for utilization in justifying the City and Aurora Theatre’s financial requirements.
- Estimate the value to GGC of co-locating its Cinema and Media Arts program with a first-class professional theatre company and determine an appropriate means for assessing that value in an availability agreement.

Task 4: On-going Project Management

Our designated Project Manager will participate in regular meetings with the City project manager to review and discuss tasks, status and needs, and to coordinate project logistics. JLL will work with the City to establish an appropriate Communications Plan.

Other Available Services

On-Call Real Estate Advisory Services

JLL is excited about the opportunity to assist the City with any of its real estate or economic development endeavors. One of our core competencies in Public Institutions is providing a private sector perspective to public sector real estate projects. We possess a deep understanding of the opportunity presented by the City's current position, as well as local and regional market dynamics. In general, JLL takes a three phased approach to assessing any possible development opportunities, and would apply this process to any site which the City desires to study:

- Task 1: Market Study
- Task 2: Development Recommendations
- Task 3: Financial Feasibility

In addition, the JLL team has deep experience helping public sector entities navigate the developer solicitation, marketing and negotiation process, should the City choose to take any of its development opportunities to the market.

Task 1: Market Study

For this task, we would undertake a market study to ascertain the value of the proposed development/re-development, and to identify market needs that the proposed project might address. The results of this phase will ensure that components are appropriately positioned and marketed accordingly. We would intend to undertake the following key initial stages in undertaking this phase of the assignment:

Economic Overview

Important aspects that we will research and provide, based on existing available information and data, will include an overview of the following:

- Economic and Fiscal Indicators
- Demography and Employment Indicators
- Investment Indicators

This section will be summarized with a "PESTLE" Analysis providing a snapshot view of the Political, Economic, Social, Technology, Legal and Environmental landscape in the city.

Real Estate Market Research

JLL will then conduct research on the various real estate markets in Lawrenceville and the Atlanta Metropolitan Area, as they pertain to specific assignment. Our daily interactions with our clients – whether they be hotel investors or multi-family developers or office tenants – provide us with the pulse of the market in the Atlanta area and State of Georgia. JLL's Multi-Family and Office teams know which investors and tenants are looking to enter or expand in the market. The JLL Hotel team works with developers and investors to structure operating agreements with various hotel brands. Our Capital Markets team works on behalf of investors to buy and sell core, Class A assets. We will leverage these relationships and this market knowledge to benefit the City of Lawrenceville.

This stage will include the following research:

Supply	Demand	Performance
• Current Stock • Future Supply	• Growth Drivers • Demand Characteristics • Key tenants • Demand trends • Supply and Demand commentary	• Occupancy and occupancy forecasts • Asking rents and forecasts • Cap Rates • Tenant Incentives • Recent transactions, where available

Lawrenceville Sub-Market Overview

Important aspects that we would research and provide, based on existing available information and data, will include an overview of the following:

- General characteristics of the sub-market
- Key real estate projects in the sub-market
- Future development projects in the sub-market

Task 2: Development Recommendations

Informed by the market analysis, our review of the existing documentation, and our understanding of the opportunities/constraints of the historic structure and air rights, we will formulate development concepts with an indicative development brief and mix. We will provide recommendations for the optimal real estate development capacity of a prospective site:

- Optimization of site usage/building envelope capacity
- Development Positioning
- Recommendations on overall Gross Floor Area (GFA) and parking
- Unit Sizing
- Amenities, Facilities and Parking
- Commentary on the physical positioning of the uses / layout

Task 3: Financial Feasibility

JLL will conduct a detailed financial analysis for the use concepts developed in “Task 2: Development Recommendations” in Microsoft Excel to ascertain financial viability through the preparation of a detailed schedule of revenues and expenses, in accordance with accepted forms of accounting practice, including:

- Development cash flows (10-years)
- Project IRR and Project NPV at indicated discount rate
- Development margin/Profit on cost
- Return on Investment
- Maximum exposure and peak debt
- Payback period
- Sensitivity analyses

Task 4: Developer Solicitation, Marketing and Deal Structuring

The JLL team has extensive experience working with a range of governmental, quasi-governmental and institutional clients to solicit developers for a wide variety of real estate projects. We would work with the City in any capacity necessary to draft requests for proposals or qualifications from the development community in order to accomplish the City's economic objectives. In addition to solicitation services, JLL is also able to act as a Broker to market and negotiate any real estate transaction.

Section 4: Project Team Resumes

Please see the resumes of project team members on the following pages.

Jeremy Becker

Senior Vice President, Public Institutions

Current Responsibilities

Mr. Becker is a Senior Vice President in JLL's Public Institutions (PI) group. Having joined the firm in May 2013, he is located in Atlanta, GA, where he leads PI's business development and execution efforts in a nine-state area in the Southeast. Working closely with other JLL service groups, he assists in building our government specialty to provide real estate strategy, financing, development and transaction services to public and private sector clients.

Mr. Becker's current accounts include the City of Marietta Georgia, for whom he has been advising on a significant redevelopment; DeKalb County Georgia where he is one of the County's real estate brokers of record and has undertaken a significant master planning endeavor; Macon-Bibb County Georgia for whom he provides public-private partnership advisory services; the Lexington Fayette Urban County Government in the relocation of their Government Center; and public-private partnership advisory for the University of Florida.

Experience

Prior to joining JLL, Mr. Becker was the Southeast Political Director for the American Israel Public Affairs Committee (AIPAC). In this capacity, he maintained contact with Congress Members and candidates, tracking issues affecting U.S.-Israel relations and leading educational briefings to Senate and House candidates, community educational programs related to local, national, and international political issues. Mr. Becker has practiced law with Renzulli, Piscioti & Renzulli, LLP, in New York, NY, where he handled products liability, insurance coverage, and insurance defense litigation. Previously he practiced law with Levidow, Levidow & Oberman, P.C., New York, NY,

Education and Affiliations

Mr. Becker earned a Juris Doctor degree from Emory University Law School where he made the Dean's List and earned the Order of the Barristers Award. Prior to law school, he earned a Bachelor of Arts degree (political science/communications) from University of Michigan. Mr. Becker is admitted to practice law in New York and New Jersey and co-authored a published study, Beyond Siting: Implementing Voluntary Hazardous Waste Agreements in Canada.



Recent Client Experience

- City of Marietta, GA
- DeKalb County, GA
- Macon-Bibb County, GA
- Lexington-Fayette Urban County Government, KY
- University of Florida, FL
- Federal Deposit Insurance Corporation
- State of Alabama
- Hartsfield Jackson Atlanta International Airport

Achievements

- Juris Doctor
- Member of the Bar, NY and NJ
- Order of the Barristers Award, Emory University Law School
- Service to American Israel Public Affairs Committee
- Liaison to U.S. Senate and House representatives

Brian Smith

Associate, Public Institutions

Current Responsibilities

Brian Smith is an Associate in JLL's Public Institutions group in Atlanta, GA. He has been with the firm since July 2015. In this capacity, Brian advises public sector clients on strategies for diverse portfolios, including office, training, laboratory, health, residential, retail and industrial facilities.

Brian has assisted in the development of a public-private partnership (P3) for the construction and management of parking facilities at the Smithsonian Institution's National Zoological Park in Washington, D.C. In this capacity, Brian was responsible for developing baseline estimates of operations and maintenance costs. He also helped develop a financial model that demonstrated the viability of various P3 structures, including design-build, design-bid-build and self-perform scenarios. Brian also contributed significantly to the development of DeKalb County's (GA) Strategic Real Estate Master Plan and Facilities Assessment, integrating resources throughout the firm to ensure accurate and robust analysis of operations, capital, financial and real estate performance and opportunities for over 4 million square feet. Most recently, he worked with Hillsborough County, FL to develop plans for integrating the former Museum of Science and Industry (MOSI) into a large-scale area redevelopment project, inclusive of transit considerations.

Experience

Prior to moving to Atlanta in 2016 Brian spent eighteen months as part of an integrated team of Army and JLL professionals responsible for monitoring the financial, developmental and operational performance of the U.S. Army's privatized family housing portfolio to ensure compliance with Army goals and investment objectives. In this capacity, he analyzed project and portfolio performance and assisted in the dissemination of best practices and lessons learned, development of program management tools, issue resolution, briefings to senior stakeholders and implementation of new business initiatives.

Education and Affiliations

Brian holds a B.S. from Northwestern University.



Recent Client Experience

Higher Ed/Museum

- Museum of Science and Industry, Tampa, FL
- Smithsonian Institution, National Zoological Park
- University of Florida

Transportation

- MARTA
- Hartsfield – Jackson Atlanta International Airport

City/County Agencies

- City of Marietta, GA
- Hillsborough County, FL
- City of Snellville, GA
- Macon-Bibb County, GA
- DeKalb County, GA

Federal

- United States Army Corp of Engineers
- U.S. Department of Defense
- U.S. Military Housing Privatization Initiative

State

- State of North Carolina
- State of Alabama, Department of Finance

Achievements

- Four-year Division I FBS varsity football letter winner

Emily Crutcher

Vice President, Public Institutions & Higher Education

Current Responsibilities

Since 2012, Ms. Crutcher has been working as a Vice President in Public Institutions covering the East Coast markets. Her responsibilities include analyzing the financial and strategic viability of real estate development projects, delivering insightful market reports, providing risk-adjusted real estate investment strategies, and conducting comprehensive portfolio analyses to a wide range of public sector clients. Recent and relevant City and State real estate advisory projects include:

- **Apollo Theater:** The world-famous Apollo Theater is so much more than a historic landmark - it is a source of pride and a symbol of the brilliance of American artistic accomplishment. With its rich history and continued significance, the Apollo Theater, considered the bastion of African-American culture and achievement, is one of the most fascinating chronicles in American history. As the theater contemplated an expansion for educational room, event / food & beverage spaces, and a museum, Emily served as the project manager providing an acquisition strategy for the famous theater in Harlem.
- **New Jersey Economic Development Authority (NJEDA):** Since 2012, Emily has served as the Project Manager on the On Call Real Estate Advisor contract. During this 7-year period, NJEDA has requested that she provide in-depth real estate analysis for a wide range of development projects across New Jersey.

Experience

From 2007 to 2012, Ms. Crutcher worked in JLL's Dubai office servicing clients across the Middle East and Africa. Ms. Crutcher's diverse experience enabled her to provide government agencies, private developers, High Net Worth Individuals and investors with innovative real estate solutions. She provided a wide range of services to clients including development advisory, investment strategy, market reports, and valuations.

Education and Affiliations

Ms. Crutcher is a graduate of Duke University. She earned her Bachelor of Arts in Comparative Area Studies. Emily also completed a summer program in Urban Planning at the Harvard Graduate School of Design.



Recent Client experience

City Agencies

- Brick City Development Corp.
- Elizabeth Parking Authority

State Agencies

- State of NC
- Empire State Development
- NJ Economic Development Authority
- Moynihan Station Development Corp.

Higher Ed

- NC State
- FAMU
- JCSU
- NJIT
- NJCU
- LIU

Achievements

- +12 years with JLL (joined in 2007)

Section 5: Recent and Relevant Assignments

The following snapshots provide recent and relevant case studies for museums and cultural attractions, as well as a select municipal case studies:

Cultural / Museum



NYC Opera New York, NY

- New York City Opera's (NYCO) spent over a year designing a relocation of their performance space to the base of a mixed use / residential development near Lincoln Center
 - The project was designed to house a full operatic stage and wing spaces including large elevators for set pieces
 - The project was put on hold
- Architect: Christian Portzamparc and Hugh Hardy**



Lincoln Center, David Geffen Hall New York, NY

- Redevelopment of the former Avery Fisher Hall
 - Evaluated several different redevelopment scenarios
 - Developed phasing and logistic plans
 - Provided conceptual budget and schedule information for the various scenarios
 - Assembled the project team
- Architect: Thomas Heatherwick**



Apollo Theater New York, NY

- Developed and implemented a multi-year, multi-phased renovation program on this landmark theater
 - JLL managed public/private funding from multiple sources including city, state, federal and local municipalities and private entities
 - JLL is working on feasibility studies for a significant new expansion
- Architect: Beyer Blinder Belle/David Adjaye**



New York Korea Center New York, NY

- Ground up construction of iconic cultural center in midtown Manhattan
 - Complex structural requirement: requires underpinning of 5 adjacent buildings and work adjacent to an Amtrak tunnel
 - JLL worked with the owner to reduce costs by 20% so that the project was approved to proceed
- Architect: Samoo**

International



The Juilliard School Tianjin, China

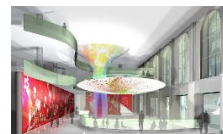
- The Juilliard School was asked by the government of Tianjin, China to build a 300,000-s.f. facility to train world class musicians
 - The school will replicate many of the functions of the NYC school: classrooms, practice rooms, performance halls and a large public exhibit hall
 - JLL negotiated the development agreement in China on behalf of Juilliard
 - Construction is scheduled to commence in the Fall of 2017
- Architect: Diller Scofidio + Renfro**



Triennale di Milano New York, NY

- Conceived as an extension of the Triennale museum in Milan, as a showcase for the exciting world of Italian art and design
 - 18,000 square feet of gallery, retail and restaurant space on three levels
- Architect: Per Luigi Cerri and Michele de Lucci**

Other



Confidential Project New York, NY

- Visionary experiential space for a consumer products company
 - Includes multi levels of sensory exhibits including visual, auditory, smell and touch zones
 - Requires major structural work to open slabs and sophisticated mechanical systems to create climate zones
- Architect: David Rockwell**

City of Marietta, GA

Franklin Gateway Corridor Re-Development

Project Description : The City of Marietta sought to re-develop a significant corridor along (former) Franklin Road, now Franklin Gateway Road. The City had begun to invest in street beautification and a public park, however they needed a real estate advisor and broker that could help them acquire the blighted properties in the corridor. The City awarded JLL the opportunity to advise on the potential acquisition of blighted properties, as well as the best avenue for re-development of the corridor into an economic engine for the City.

Initiatives :

- Our team prepared a report on all the properties identified in the corridor inclusive of property details, market information, acquisition price estimates, as well as proposed prioritization.
- JLL ultimately helped the City acquire 2 separate properties, inclusive of multi-family and retail asset types. As part of this task, JLL provides regular updates to City administrators and elected officials, as well as property management services on an as-needed basis.

Results:

- After helping the City acquire the blighted properties, JLL brokered disposition of 4 properties on the City's behalf.
- Most notably, Atlanta United, the recently formed MLS franchise, chose to locate their headquarters and training facility on what was previously a blighted apartment complex.
- Property in the Franklin Gateway corridor has also been sold to IKEA and multiple parcels are under negotiation with local developers and corporate, job-creating users.



Section 6: Pricing

For negotiation of the lease agreement with Georgia Gwinnett College JLL would propose treating this as an agency leasing fee arrangement composed of the following tiers:

Proposed JLL Commission Tiers	
<i>Total Lease Value</i>	<i>JLL Commission (% of total lease value)</i>
Up to \$1.5M	4%
\$1.5M-\$2M	3.5%
\$2M-\$2.5M	3%
\$2.5M and above	2.5%

JLL will cap its commission at a 10-year lease term, meaning any term above ten years will not be part of the commission calculation. Fifty percent of payment will be due at lease execution, with the remainder payable at lease commencement.

In the event that the City chooses to pay an upfront fee as opposed to the lease commission described above, JLL would charge a flat fee of \$50,000. If the overall lease value to the City exceeds \$3M, JLL would be entitled to an incentive fee equal to 2.5% of the lease amount above \$2.5M.

Fee agreements for any other task orders can be negotiated on an as-needed basis. The JLL team is accustomed to working under a wide array of fee agreements, inclusive of commission agreements, hourly fees, and fixed price task orders.



LAWRENCEVILLE

GEORGIA

8.

AGENDA REPORT

MEETING: WORK SESSION, FEBRUARY 12, 2020

AGENDA CATEGORY: DISCUSSION / AGREEMENT

Item:	Statewide Mutual Aid and Assistance Agreement
Department:	City Manager
Date of Meeting:	Wednesday, February 12, 2020
Fiscal Impact:	To Be Determined if Needed
Presented By:	Steve North, Deputy City Manager
Action Requested:	Approval of Agreement

Summary: The Georgia Emergency Management Act gives local governments the authority to make agreements for mutual aid assistance in emergencies, and through such agreements to insure timely reimbursement of costs incurred by local governments. This agreement establishes procedures and processes for cities and counties to help one another during a disaster. Lawrenceville previously executed the Statewide mutual Aid agreement in 2016 and it now requires renewal.

Fiscal Impact: This will be dependent on the scope and type of disaster requiring use of the Agreement.

Concurrences: Gwinnett County Emergency Management coordinates with all cities in Gwinnett County and the State of Georgia.

Attachments/Exhibits:
Copy of the Agreement

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

8.

County/Municipality: City of Lawrenceville

The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

This mutual aid agreement is entered pursuant to authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

ARTICLE I STATEMENT OF AGREEMENT, DEFINITIONS AND AUTHORITIES

This Agreement is made and entered into between the participating political subdivisions, which approve and execute this Agreement, hereinafter called "Participating Parties" and the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). For purposes of this Agreement, the following terms and expressions shall apply:

- (1) "Agreement" means this agreement, generally referred to as the "Statewide Mutual Aid Agreement" (SWMAA).
- (2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.
- (3) "Assisting Party" means a party that provides assistance pursuant to this Agreement during an emergency or disaster.
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide mutual aid assistance.
- (5) "Participating Party" means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement.
- (6) "Participating Parties" means the combination of counties and municipalities that have become parties to this Agreement by their approval and execution of this Agreement.
- (7) "Requesting Party" means a party that requests assistance pursuant to this Agreement during an emergency or disaster.

Any term or expression not defined in this Agreement shall have the meaning specified in the Georgia Emergency Management Act, as amended (the Act) and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II GENERAL PURPOSE

The purpose of this Agreement is to:

1. Provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and
2. Identify those persons who are authorized to act on behalf of the Participating Party signing this Agreement as their Authorized Representative(s) concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another Participating Party, or from or through the State of Georgia. Appendix A of this Agreement shall contain the name(s) of the Participating Party's Authorized Representative for purposes of this Agreement. Appendix A can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix A shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

ARTICLE III ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people shall be the underlying principle on which all articles of this Agreement shall be understood.

In the event of a conflict between any provision of this Agreement and any existing intrastate mutual aid agreement affecting a Participating Party, the provisions of this Agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the Agreement, the director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this Agreement.

ARTICLE IV PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this Article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

- (1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material; and

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party requires mutual aid assistance from another Participating Party and/or the State of Georgia, the Requesting Party may request assistance by:

(1) Contacting the Participating Party who is the owner/operator/employer of the supplies, equipment and/or personnel being sought for mutual aid assistance (the Assisting Party); or

(2) Contacting GEMA/HS to serve as the facilitator of such request for those resources being sought for mutual aid that are owned/operated/employed by Participating Parties (where such Participating Parties have submitted a record of those resources to GEMA/HS for such use); and/or, when such resources being sought for mutual aid are owned/operated/employed directly by the State of Georgia.

The provisions of this Agreement shall only apply to requests for assistance made by an Authorized Representative. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, damage assessment, volunteer and donated goods and search and rescue; and

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time each will be needed; and

(3) The specific place and time for staging of the Assisting Party's response and a point of contact at that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V LIMITATIONS

Any Participating Party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof; provided that it is understood that the Participating Party who is asked to render aid may withhold resources to the extent necessary to meet the current or anticipated needs of the Participating Party's own political subdivision to remain in compliance with such Participating Party's policy, rule or law.

The Assisting Party's mutual aid resources will continue under the command and control of their own

supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

In the event the Governor should declare a State of Emergency, any and all provisions of this Agreement which may conflict with the declared State of Emergency shall be superseded by the terms and conditions contained within the State of Emergency.

ARTICLE VI LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. § 38-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles 1 through 3 of said chapter and title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified in accordance with O.C.G.A. § 38-3-35 shall apply in addition to any other immunity provided by statute or case law.

ARTICLE VII RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. § 38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VIII REIMBURSEMENT

In accordance with O.C.G.A. § 38-3-30(b), The Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of

the claim under oath is served by mail or otherwise upon the designated fiscal officer of the Requesting Party. Appendix B of this Agreement shall contain the name(s) of the Participating Party's designated fiscal officer for purposes of this Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix B shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid, as well as the actual travel and per diem expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers.

Expenses to be reimbursed by the Requesting Party shall include the following:

- (1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act; and
- (2) Equipment costs, which shall include the fair rental value, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced; and
- (3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party; and
- (4) Meals, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this Agreement shall be the actual and reasonable costs incurred by the Assisting Party.

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX IMPLEMENTATION

This Agreement shall become operative immediately upon its approval and execution by GEMA/HS and any two political subdivisions of this State; thereafter, this Agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

Copies of this Agreement shall, at the time of their approval, be deposited with each of the respective Participating Parties and with GEMA/HS.

ARTICLE X TERM OF AGREEMENT

This Agreement, once executed, is valid until March 1, 2024. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XI VALIDITY

If any provision of this Agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:

Chief Executive Officer - Signature

Chief Executive Officer – Print Name

County/Municipality: City of Lawrenceville_____

Date:_____/_____/_____

GEMA/HS Director – Signature

GEMA/HS Director – Print Name

Date:_____/_____/_____

APPENDIX A
AUTHORIZED REPRESENTATIVE

The below named individual(s), in addition to the chief executive officer, is/are the “Authorized Representative(s)” for _____ (county/municipality), and are authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on behalf of the above-named county/municipality:

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Chief Executive Officer - Signature

Date: ____/____/____

Chief Executive Officer – Print Name

APPENDIX B
DESIGNATED FISCAL OFFICER(S)

The below named individual(s) is/are the “designated fiscal officer(s)” for _____
(county/municipality) for the purpose of reimbursement sought for mutual aid:

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Chief Executive Officer - Signature

Date: ____/____/____

Chief Executive Officer – Print Name



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	Closed-Circuit Television (CCTV) Storm Drain Pipe Inspection on an Annual Contract
Department:	Engineering
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$95,000.00
Presented By:	Dennis Billew
Action Requested:	Approval to renew Closed-Circuit Television (CCTV) Storm Drain Pipe Inspection on an Annual Contract to Metals & Materials Engineers, LLC. in the amount of \$95,000.00. This is the first of four renewal options. There is no increase in price.

Summary: This contract is to provide inspection services to the City's upstream and downstream storm drain structures by CCTV self-propelled cameras to identify clogs, damaged areas, and defects in order to prepare for upcoming maintenance projects.

Fiscal Impact: Amount not to exceed \$95,000.00. This project is funded by the Service Contracts Fund (5604320.522210).

Concurrences:

Attachments/Exhibits:
Bid Tabulation

AQ007-19

Closed-Circuit Television (CCTV) Storm Drain Pipe Inspection on an Annual Contract Engineering

				Metals & Materials Engineers, LLC	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE
1	Move-in move-out operations	25	Each	\$800.00	\$20,000.00
2	Televised (CCTV) inspections of existing storm drain pipe systems at various locations throughout the City of Lawrenceville GA ≥ 15" dia pipe up to 28" pipe dia pipe	2000	LF	\$7.25	\$14,500.00
3	Televised (CCTV) inspections of existing storm drain pipe systems at various locations throughout the City of Lawrenceville GA ≥ 30" dia pipe up to 48" pipe dia pipe	1000	LF	\$12.25	\$12,250.00
4	Televised (CCTV) inspections of existing storm drain pipe systems at various locations throughout the City of Lawrenceville GA >48" dia pipe up to 60" pipe dia pipe	1000	LF	\$15.75	\$15,750.00
5	Storm drain structure inspection	40	Each	\$125.00	\$5,000.00
TOTAL				\$67,500.00	
Will vendor hold pricing firm? Renewal Option 1				Yes	
Will vendor hold pricing firm? Renewal Option 2				Yes	
Will vendor hold pricing firm? Renewal Option 3				Yes	
Will vendor hold pricing firm? Renewal Option 4				Yes	

Recommended vendor:

Metals & Materials Engineers, LLC
 1669 Litton Drive
 Stone Mountain, GA. 30083
 678-691-3747
bbennett@mmelab.com



LAWRENCEVILLE

GEORGIA

10.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	334 Spring Ridge Drive Drainage Improvement (Pew Creek Basin) Project
Department:	Engineering
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$114,578.75
Presented By:	Dennis Billew
Action Requested:	Award 334 Spring Ridge Drive Drainage Improvement (Pew Creek Basin) Project to low bidder, A & S Paving, Inc. in the amount of \$114,578.75. Authorization for Mayor to execute contracts subject to approval by the City Attorney. Contracts to follow award.

Summary: This project consists of demolition and removal of the existing CMP storm drain pipe system and replacing with a reinforced concrete arch pipe. The project will also include the installation of catch basins, headwalls, and associated appurtenances.

Fiscal Impact: Amount not to exceed \$114,578.75. This project is funded by the Capital Outlay Fund (560A-5.25.4320.541000). Project 25-002 has \$1,940,091.58 approved and available. Upon approval of this item \$1,825,512.83 will be remaining in the project.

Attachments/Exhibits:

Bid Tabulation

**334 Spring Ridge Drive Drainage Improvement (Pew Creek Basin) Project
Engineering**

				A & S Paving, Inc.		Ohmshiv Construction, LLC		Site Engineering, Inc.		Smith & Co., Inc.		The Dickerson Group		10.
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	
1	Warranties & Bonds	1	LS	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$500.00	\$500.00	\$15,000.00	\$15,000.00	\$4,100.00	\$4,100.00	
2	Mobilization	1	LS	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$15,000.00	\$15,000.00	\$3,000.00	\$6,000.00	\$4,500.00	\$4,500.00	
3	Erosion Control - All Included	1	LS	\$2,000.00	\$2,000.00	\$7,000.00	\$7,000.00	\$5,000.00	\$5,000.00	\$1,100.00	\$3,300.00	\$1,000.00	\$1,000.00	
4	Complete demolition of exist. storm drain pipe system, all shrubbery, fences, sod, street saw cut & asphalt removal, and remove & replace unsuitable material & haul off.	1	LS	\$20,100.00	\$20,100.00	\$42,500.00	\$42,500.00	\$40,000.00	\$40,000.00	\$12,750.00	\$51,000.00	\$5,000.00	\$5,000.00	
5	Light grading complete (gdot item 210-0100)	1	LS	\$1,200.00	\$1,200.00	\$27,000.00	\$27,000.00	\$2,000.00	\$2,000.00	\$500.00	\$2,500.00	\$7,500.00	\$7,500.00	
6	Bypass water pumping	1	LS	\$1,200.00	\$1,200.00	\$6,500.00	\$6,500.00	\$2,000.00	\$2,000.00	\$1,200.00	\$7,200.00	\$1,200.00	\$1,200.00	
7	Install complete GDOT 1125 PRE-CAST HEADWALL	2	EACH	\$2,200.00	\$4,400.00	\$5,000.00	\$10,000.00	\$0.01	\$0.02	\$3,289.00	\$23,023.00	\$11,500.00	\$23,000.00	
8	Install complete pre-cast storm DRAIN ARCH PIPE, 58" X 36", h 1-10 (RCP) pipe, incl. excavation, shoring, and remove & replace unsuitable soil. (GDOT item 550-1480)	40	LF	\$195.00	\$7,800.00	\$300.00	\$12,000.00	\$350.00	\$14,000.00	\$323.00	\$2,584.00	\$265.00	\$10,600.00	
9	Install complete 48" HDPE PIPE, h 1-11 incl. Excavation, shoring, and remove & replace unsuitable soil. (GDOT ITEM 550-1480)	20	LF	\$175.00	\$3,500.00	\$280.00	\$5,600.00	\$250.00	\$5,000.00	\$204.00	\$1,836.00	\$250.00	\$5,000.00	
10	Install complete 6"x 24" TYPE 2 HEADER CURB & GUTTER	40	LF	\$25.00	\$1,000.00	\$20.00	\$800.00	\$40.00	\$1,600.00	\$20.00	\$200.00	\$50.00	\$2,000.00	
11	Install complete DWCB 1034 D - 10'-15' deep, modified for arch pipe – (no payment will be made for additional depth) (gdot item 668-1200)	2	EACH	\$8,500.00	\$17,000.00	\$6,500.00	\$13,000.00	\$8,500.00	\$17,000.00	\$7,525.00	\$82,775.00	\$6,320.00	\$12,640.00	
12	Street patching - all included (min. 6" thick gab compacted to 95%. 3"thick 19 mm asphalt binder. 2" thick- 9.5 mm asphalt surface course)	1	LS	\$18,000.00	\$18,000.00	\$5,500.00	\$5,500.00	\$10,000.00	\$10,000.00	\$7,800.00	\$93,600.00	\$10,500.00	\$10,500.00	
13	Install stone dumped RIP RAP, tp. 3, (12 inch)	35	SY	\$40.00	\$1,400.00	\$50.00	\$1,750.00	\$90.00	\$3,150.00	\$87.00	\$1,131.00	\$75.00	\$2,625.00	
14	Ductile 6" iron water pipe all included (as per GWINNETT COUNTY DWR "water & sewer specifications"	1	LS	\$4,300.00	\$4,300.00	\$6,500.00	\$6,500.00	\$15,000.00	\$15,000.00	\$5,400.00	\$75,600.00	\$10,000.00	\$10,000.00	
15	Ductile 8" iron pipe (sewer)all included (as per GWINNETT COUNTY DWR "water & sewer specifications" (Section 33 11 13.05)	1	LS	\$6,000.00	\$6,000.00	\$7,500.00	\$7,500.00	\$18,000.00	\$18,000.00	\$2,000.00	\$30,000.00	\$5,200.00	\$5,200.00	
16	Class "A" concrete, incl. Reinforcing steel (GDOT 1125) (GDOT ITEM 500-3800)	14	CY	\$225.00	\$3,150.00	\$2,500.00	\$35,000.00	\$0.01	\$0.14	\$358.00	\$5,728.00	\$750.00	\$10,500.00	
17	Class "B" CONCRETE (GDOT ITEM 500-3200)	0.5	CY	\$225.00	\$112.50	\$1,500.00	\$750.00	\$400.00	\$200.00	\$3,200.00	\$54,400.00	\$921.00	\$460.50	
18	Permanent vegetation sod. Including mulch for landscaping, incl.fertilizer	300	SY	\$10.00	\$3,000.00	\$10.00	\$3,000.00	\$18.00	\$5,400.00	\$30.00	\$540.00	\$12.55	\$3,765.00	
SUBTOTAL				\$104,162.50		\$199,400.00		\$153,850.16		\$456,417.00		\$119,590.50		
19	10% City Contingencies			\$10,416.25		\$19,940.00		\$15,385.02		\$45,641.70		\$11,959.05		
TOTAL				\$114,578.75		\$219,340.00		\$169,235.18		\$502,058.70		\$131,549.55		

Recommended Vendor:

A & S Paving, Inc.
2747 S. Stone Mountain Lithonia Rd.
Lithonia, GA 30058
770-482-1597
info@aspaving.com



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GEORGIA

11.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	1291 Creek Wood Cove Storm Drain Replacement Project
Department:	Engineering
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	N/A
Presented By:	Dennis Billew
Action Requested:	Rescind award of 1291 Creek Wood Cove Storm Drain Replacement Project from low bidder, Kennedy & Tillman, LLC. in the amount of \$206,910.00.

Summary: This project consists of demolition and removal of the existing CMP storm drain system and installation of a new drain system using RCP and HDPE pipe that will tie-in to existing structures. The project will also include the installation of a curb and gutter.

Background: This project was awarded by council at the September 4, 2019 meeting. The two principals of the company have since retired and closed their business. The Engineering Department is revising the specifications and will be re-bidding the project.

Fiscal Impact: N/A



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12.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	520 Carithers Road Drainage Improvement (Shoal Creek Basin) Project
Department:	Engineering
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$158,757.50
Presented By:	Dennis Billew
Action Requested:	Award 520 Carithers Road Drainage Improvement (Shoal Creek Basin) Project to low bidder, A & S Paving, Inc. in the amount of \$158,757.50. Authorization for Mayor to execute contracts subject to approval by the City Attorney. Contracts to follow award.

Summary: This project consists of demolition and removal of the existing 60 inch CMP storm drain pipe system and replacing with new HDPE and RCP pipes and tie-in to existing structures. The project will also include the installation of curb & gutters and pre-cast headwalls.

Fiscal Impact: Amount not to exceed \$158,757.50. This project is funded by the Capital Outlay Fund (560A-5.25.4320.541000). Project 25-002 has \$1,940,091.58 approved and available. Upon approval of this item \$1,781,334.08 will be remaining in the project.

Attachments/Exhibits:

Bid Tabulation

520 Carithers Road Drainage Improvement (Pew Creek Basin) Project
Engineering

				A & S Paving, Inc.		GS Construction, Inc.		Ohmshiv Construction, LLC		Site Engineering, Inc.		Smith & Com	12.
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Warranties & Bonds	1	LS	\$8,000.00	\$8,000.00	\$7,500.00	\$7,500.00	\$5,000.00	\$5,000.00	\$500.00	\$500.00	\$17,900.00	\$17,900.00
2	Mobilization	1	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$3,000.00	\$3,000.00
3	Erosion Control - All Included	1	LS	\$7,500.00	\$7,500.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00
4	Demolition exist. 60" cmp storm drain pipes system & f.e.s, trees, fencing, including pemove & replace unsuitable material.	1	LS	\$32,500.00	\$32,500.00	\$25,000.00	\$25,000.00	\$58,500.00	\$58,500.00	\$26,000.00	\$26,000.00	\$13,700.00	\$13,700.00
5	Light grading complete	1	LS	\$1,200.00	\$1,200.00	\$20,000.00	\$20,000.00	\$32,500.00	\$32,500.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00
6	Water pumping	1	LS	\$1,500.00	\$1,500.00	\$12,000.00	\$12,000.00	\$7,500.00	\$7,500.00	\$2,000.00	\$2,000.00	\$1,200.00	\$1,200.00
7	Install complete 60” pre-cast Headwall	2	EACH	\$2,500.00	\$5,000.00	\$12,000.00	\$24,000.00	\$7,500.00	\$15,000.00	\$4,000.00	\$8,000.00	\$5,215.00	\$10,430.00
8	Install complete 60” HDPE Pipe incl. Bedding, compaction, shoring & backfill , including tie-ins.	142	LF	\$170.00	\$24,140.00	\$250.00	\$35,500.00	\$275.00	\$39,050.00	\$265.00	\$37,630.00	\$157.00	\$22,294.00
9	Install complete 60” RCP Pipe incl. Bedding, compaction, shoring & backfill , including tie-ins.	32	LF	\$230.00	\$7,360.00	\$300.00	\$9,600.00	\$285.00	\$9,120.00	\$325.00	\$10,400.00	\$377.00	\$12,064.00
10	Install complete 24" Curb & Gutter	60	LF	\$25.00	\$1,500.00	\$15.00	\$900.00	\$20.00	\$1,200.00	\$40.00	\$2,400.00	\$20.00	\$1,200.00
11	Install complete DWCB 1034 D - 10'-15' deep	2	EACH	\$8,600.00	\$17,200.00	\$12,000.00	\$24,000.00	\$6,000.00	\$12,000.00	\$7,000.00	\$14,000.00	\$12,677.50	\$25,355.00
12	Street patching - all included (min. 6" thick gab compacted to 95%. 3"thick 19 mm asphalt binder. 2" thick- 9.5 mm asphalt surface course)	1	LS	\$16,000.00	\$16,000.00	\$25,000.00	\$25,000.00	\$5,500.00	\$5,500.00	\$11,000.00	\$11,000.00	\$12,194.00	\$12,194.00
13	Install Rip Rap	300	SY	\$15.00	\$4,500.00	\$85.00	\$25,500.00	\$80.00	\$24,000.00	\$0.01	\$3.00	\$12.00	\$3,600.00
14	Ductile 6” iron pipe all included (as per gwinnett county DWR “water & sewer specifications” (Section 33 11 13.05)	1	LS	\$4,300.00	\$4,300.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00	\$14,000.00	\$14,000.00	\$5,400.00	\$5,400.00
15	Replace complete chain link fencing to match existing	1	LS	\$3,375.00	\$3,375.00	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$750.00	\$750.00
16	Permanent vegetation sod. Including mulch for land scaping, incl.fertilizer	525	SY	\$10.00	\$5,250.00	\$15.00	\$7,875.00	\$10.00	\$5,250.00	\$18.00	\$9,450.00	\$30.00	\$15,750.00
SUBTOTAL				\$144,325.00		\$244,375.00		\$233,120.00		\$151,383.00		\$146,837.00	
17	10% City Contingencies			\$14,432.50		\$24,437.50		\$23,312.00		\$15,138.30		\$14,683.70	
TOTAL				\$158,757.50		\$268,812.50		\$256,432.00		\$166,521.30		\$161,520.70	

**520 Carithers Road Drainage Improvement (Pew Creek Basin) Project
Engineering**

				The Dickerson Group, Inc.		Tople Construction & Engineering, Inc.	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Warranties & Bonds	1	LS	\$4,000.00	\$4,000.00	\$1,500.00	\$1,500.00
2	Mobilization	1	LS	\$5,000.00	\$5,000.00	\$9,000.00	\$9,000.00
3	Erosion Control - All Included	1	LS	\$2,450.00	\$2,450.00	\$7,000.00	\$7,000.00
4	Demolition exist. 60" cmp storm drain pipes system & f.e.s, trees, fencing, including pemove & replace unsuitable material.	1	LS	\$15,250.00	\$15,250.00	\$20,000.00	\$20,000.00
5	Light grading complete	1	LS	\$7,500.00	\$7,500.00	\$41,200.00	\$41,200.00
6	Water pumping	1	LS	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
7	Install complete 60" pre-cast Headwall	2	EACH	\$9,000.00	\$18,000.00	\$5,500.00	\$11,000.00
8	Install complete 60" HDPE Pipe incl. Bedding, compaction, shoring & backfill , including tie-ins.	142	LF	\$275.00	\$39,050.00	\$220.00	\$31,240.00
9	Install complete 60" RCP Pipe incl. Bedding, compaction, shoring & backfill , including tie-ins.	32	LF	\$300.00	\$9,600.00	\$330.00	\$10,560.00
10	Install complete 24" Curb & Gutter	60	LF	\$30.00	\$1,800.00	\$25.00	\$1,500.00
11	Install complete DWCB 1034 D - 10'-15' deep	2	EA	\$6,120.00	\$12,240.00	\$13,700.00	\$27,400.00
12	Street patching - all included (min. 6" thick gab compacted to 95%. 3"thick 19 mm asphalt binder. 2" thick- 9.5 mm asphalt surface course)	1	LS	\$10,125.00	\$10,125.00	\$10,000.00	\$10,000.00
13	Install Rip Rap	300	SY	\$45.00	\$13,500.00	\$48.00	\$14,400.00
14	Ductile 6" iron pipe all included (as per gwinnett county DWR "water & sewer specifications" (Section 33 11 13.05)	1	LS	\$15,000.00	\$15,000.00	\$20,000.00	\$20,000.00
15	Replace complete chain link fencing to match existing	1	LS	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00
16	Permanent vegetation sod. Including mulch for land scaping, incl.fertilizer	525	SY	\$12.00	\$6,300.00	\$18.00	\$9,450.00
SUBTOTAL				\$164,315.00		\$218,750.00	
17	10% City Contingencies			\$16,431.50		\$21,875.00	
TOTAL				\$180,746.50		\$240,625.00	

Recommended Vendor:

A & S Paving, Inc.
 2747 S. Stone Mountain Lithonia Rd.
 Lithonia, GA 30058
 770-482-1597
info@aspaving.com



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	Purchase of Natural Gas Materials on a Six-Month Contract
Department:	Gas
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$258,262.75
Presented By:	Todd Hardigree
Action Requested:	Approval to renew Purchase of Natural Gas Materials on a Six-Month Contract (March 5, 2020 through September 4, 2020) to Consolidated Pipe & Supply Co., Inc. in the amount of \$258,262.75. This is the second of four renewal options. There is no increase in price.

Summary: This contract provides the City Gas Department with the most commonly used natural gas materials.

Fiscal Impact: Amount of \$258,262.75. This contract is funded by the Specialty Supplies-Gas Fund (5154700.531122), the Cathodic Supplies fund (5154700.531129), the Pipe & Fitting Fund (5154700.531170), the Regulator Stations Fund (515.4700.531171), and the Capital Outlay Fund (5154700.541000). Project 11-030.

Attachments/Exhibits:

Bid Tabulation

AQ008-19
Natural Gas Materials on a Six-Month Contract
Gas Department

				Consolidated Pipe & Supply Co., Inc.	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE
1	#10 YELLOW TRACING WIRE PE 30, SOLID COPPER, 500 FEET - PROLINE	10,000	FT	\$0.19	\$1,900.00
2	#10 YELLOW TRACING WIRE PE 30, SOLID COPPER, 2500 FEET - PROLINE	5,000	FT	\$0.19	\$950.00
3	#12 YELLOW TRACING WIRE PE 30 SOLID COPPER, 500 FEET - PROLINE	10,000	FT	\$0.10	\$1,000.00
4	#12 YELLOW TRACING WIRE PE 30, SOLID COPPER, 2500 FEET ROLL - PROLINE	10,000	FT	\$0.10	\$1,000.00
5	#12/#10 YELLOW WIRE CONNECTORS WITH SEALANT - PROLINE	1,000	FT	\$2.05	\$2,050.00
6	½" CTS .090 PE 2708 6500 GAS TUBING 500 FEET ROLL - PERFORMANCE PIPE	36,000	FT	\$0.27	\$9,720.00
7	¾" IPS .090 PE 2406 6500 GAS TUBING 500 FEET ROLL - PERFORMANCE PIPE	6000	FT	\$0.38	\$2,280.00
8	2" IPS SDR 11 PE2406 6500 GAS PIPE 500 FEET ROLL - PERFORMANCE PIPE	10000	FT	\$0.90	\$9,000.00
9	4" IPS SDR 11 PE2406 6500 GAS PIPE 40 FOOT STICK - PERFORMANCE PIPE	1500	FT	\$3.05	\$4,575.00
10	4" IPS SDR 11 PE2406 6500 GAS PIPE TUBING 500 FEET ROLL - PERFORMANCE PIPE	5000	FT	\$3.15	\$15,750.00
11	6" IPS SDR 11 PE2406 6500 GAS PIPE 40 FOOT STICK - PERFORMANCE PIPE	3000	FT	\$6.75	\$20,250.00
12	2" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	150	EA	\$10.50	\$1,575.00
13	2" x 5/8" E-FUSE TAP TEE KIT W/800 EFV INSTALLED - IPEX OR FRIALEN	600	EA	\$63.00	\$37,800.00
14	2" IPS SDR11 PE 2406 BFUSE 90 EL - PERFORMANCE PIPE	50	EA	\$6.00	\$300.00
15	2" IPS SDR11 PE 2406 BFUSE TEE - PERFORMANCE PIPE	30	EA	\$7.00	\$210.00
16	2" IPS SDR11 PE 2406 BFUSE CAP - PERFORMANCE PIPE	30	EA	\$3.00	\$90.00

BID TABULATION

17	3" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	25	EA	\$21.00	\$525.00
18	4" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	25	EA	\$31.00	\$775.00
19	4" IPS SDR 11 PE 2406 BFUSE 90 EL - PERFORMANCE PIPE	25	EA	\$13.00	\$325.00
20	4" IPS SDR 11 PE 2406 BFUSE TEE - PERFORMANCE PIPE	25	EA	\$16.00	\$400.00
21	4" IPS SDR 11 PE 2406 BFUSE CAP - PERFORMANCE PIPE	25	EA	\$9.00	\$225.00
22	3/4" x 5/8" PE 2406 GAS RISER PIGTAIL - PERFECTION	750	EA	\$19.50	\$14,625.00
23	3/4" x 3/4" PE 2406 GAS RISER WITH PIGTAIL - PERFECTION	50	EA	\$29.00	\$1,450.00
24	1/2" CTS PE 3408 MECHANICAL STAB COUPLING - PERFECTION	50	EA	\$9.50	\$475.00
25	1/2" CTS PE 3408 MECHANICAL STAB DEAD END (CUT) - PERFECTION	25	EA	\$15.00	\$375.00
26	3/4" X 5/8" PE 3408 MECHANICAL STAB REDUCER - PERFECTION	25	EA	\$42.00	\$1,050.00
27	3/4" IPS PE 3408 MECHANICAL STAB COUPLING - PERFECTION	50	EA	\$19.95	\$997.50
28	3/4" IPS PE 3408 MECHANICAL STAB DEAD END (CUT) - PERFECTION	25	EA	\$38.00	\$950.00
29	1/2" CTS METFIT STYLE COUPLING - METFIT	1500	EA	\$9.50	\$14,250.00
30	1/2" CTS METFIT STYLE DEAD END - METFIT	100	EA	\$11.50	\$1,150.00
31	3/4" IPS METFIT STYLE COUPLING - METFIT	500	EA	\$18.50	\$9,250.00
32	3/4" IPS METFIT STYLE DEAD END - METFIT	100	EA	\$16.00	\$1,600.00
33	3/4" X 5/8" METFIT STYLE REDUCER - METFIT	100	EA	\$23.00	\$2,300.00
34	1/2" CTS METFIT STYLE TEE - METFIT	25	EA	\$19.50	\$487.50
35	3/4" CTS METFIT STYLE TEE - METFIT	25	EA	\$32.00	\$800.00
36	2 X 5/8 NO EFV TAP TEE - IPEX OR FRIALEN	200	EA	\$21.00	\$4,200.00
37	2 x 3/4" NO EFV ELECTROFUSE TAP TEE BF OUTLET - IPEX OR FRIALEN	50	EA	\$24.00	\$1,200.00

BID TABULATION

38	4 X 5/8 NO EFV TAP TEE - IPEX OR FRIALEN - IPEX OR FRIALEN	100	EA	\$28.00	\$2,800.00
39	4 x 3/4" NO EFV ELECTROFUSE TAP TEES BF OUTLET - IPEX OR FRIALEN	50	EA	\$39.00	\$1,950.00
40	1" ELECTROFUSE COUPLING - IPEX OR FRIALEN	20	EA	\$9.25	\$185.00
41	3/4" ELECTROFUSE COUPLING - IPEX OR FRIALEN	25	EA	\$8.00	\$200.00
42	5/8" ELECTROFUSE COUPLING - IPEX OR FRIALEN	25	EA	\$7.25	\$181.25
43	5/8" 800 CFH PE STICK EFV - UMAC	100	EA	\$19.00	\$1,900.00
44	3/4" 800 CFH PE STICK EFV - UMAC	100	EA	\$20.00	\$2,000.00
45	3/4" PE BUTT FUSE FULL PORT CURB VALVE (KEROTEST P/N 99047511)	100	EA	\$28.00	\$2,800.00
46	3/4" MERCH STEEL BLK SQ HEAD PLUG-DOMESTIC OR SMITH COOPER	250	EA	\$0.65	\$162.50
47	3/4" STD MI BLK COUPLING - DOMESTIC OR SMITH COOPER	100	EA	\$2.50	\$250.00
48	3/4" x CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	800	EA	\$0.68	\$544.00
49	3/4" X 2" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$0.80	\$160.00
50	3/4" X 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$0.98	\$196.00
51	3/4" X 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$1.15	\$230.00
52	3/4" X 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	400	EA	\$1.60	\$640.00
53	3/4" X 8" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$2.60	\$520.00
54	3/4" X 12" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	600	EA	\$2.85	\$1,710.00
55	1" STD MI BLK COUPLING - DOMESTIC OR SMITH COOPER	500	EA	\$2.99	\$1,495.00
56	1" STD MI BLK 90 EL - DOMESTIC OR SMITH COOPER	1000	EA	\$2.75	\$2,750.00
57	1' X CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$1.10	\$220.00
58	1" X 2" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$1.15	\$115.00

BID TABULATION

59	1" X 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$1.30	\$260.00
60	1" X 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$1.45	\$290.00
61	1" X 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	400	EA	\$2.20	\$880.00
62	2" STD MI BLK STL COUPLING - DOMESTIC OR SMITH COOPER	20	EA	\$7.75	\$155.00
63	2" STD MI BLK STL 90 EL - DOMESTIC OR SMITH COOPER	20	EA	\$9.95	\$199.00
64	2" X CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$2.55	\$127.50
65	2" X 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$2.95	\$147.50
66	2" X 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$3.35	\$167.50
67	2" X 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$4.25	\$212.50
68	¾" BRASS MTR STOP BALL VALVE W/LOCKWING (RUB)	500	EA	\$11.15	\$5,575.00
69	1" PITT METER SWIVELS(1-1/4" NUT, 1"PITT SWIVEL) - CENTRAL	1000	EA	\$9.25	\$9,250.00
70	1" PITT METER WASHERS	1000	EA	\$0.45	\$450.00
71	BARREL LOCKS FOR GAS L/W - BROOKS	600	EA	\$2.60	\$1,560.00
72	BARREL LOCK KEYS - BROOKS	10	EA	\$70.00	\$700.00
73	16 OZ. PIPE THREAD SEALANT - JOMAR GIMME THE GREEN	48	EA	\$15.00	\$720.00
74	1 GALLON LOW TEMP LEAK SOAP - SHERLOCK	60	EA	\$19.00	\$1,140.00
75	4 X 5/8" EF TAP TEE W/EFV 800 - IPEX OR FRIALEN	150	EA	\$67.00	\$10,050.00
76	1 X ¾" BLK BELL REDUCER - DOMESTIC OR SMITH COOPER	500	EA	\$3.60	\$1,800.00
77	2" INSULATED UNIONS - DOMESTIC OR SMITH COOPER	50	EA	\$39.00	\$1,950.00
78	¾ X 7" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$3.00	\$600.00
79	¾ X 18" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$7.00	\$1,400.00

BID TABULATION

80	1 X 7" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$4.00	\$800.00
81	1" NO BLO TEE - MUELLER	50	EA	\$67.00	\$3,350.00
82	#79344 STEM O-RING 1" (NO-BLO GASKET) - MUELLER	50	EA	\$2.15	\$107.50
83	#79345 CAP O-RING 1" (NO-BLO GASKET) - MUELLER	50	EA	\$3.20	\$160.00
84	3/4" STEEL SOCKET WELD 3000# COUPLING - WELDBEND OR DOMESTIC	100	EA	\$2.80	\$280.00
85	1" STEEL SOCKET WELD 3000# COUPLING - WELDBEND OR DOMESTIC	50	EA	\$3.25	\$162.50
86	3/4" WPHY52 STD WELD CAP STEEL - WELDBEND OR DOMESTIC	50	EA	\$12.00	\$600.00
87	1" WPHY52 STD WELD CAP STEEL - WELDBEND OR DOMESTIC	50	EA	\$14.00	\$700.00
88	2" WPHY-52 STEEL WELD CAPS - WELDBEND OR DOMESTIC	25	EA	\$77.00	\$1,925.00
89	2" WPHY-52 STEEL WELD 90 DEGREE ELL. - WELDBEND OR DOMESTIC	25	EA	\$64.00	\$1,600.00
90	3/4" x 6" SCH80 TOE NIPPLE (WELD END BEVELED) - DOMESTIC OR SMITH COOPER	100	EA	\$7.00	\$700.00
91	3/4" x 12" SCH80 TOE NIPPLE (WELD END BEVELED) - DOMESTIC OR SMITH COOPER	50	EA	\$16.50	\$825.00
92	3/4" STEEL WELD BY WELD 800 EFV - PERFECTION	10	EA	\$29.00	\$290.00
93	25"-36" PLASTIC VALVE BOX W/ CAST IRON COLLAR	10	EA	\$95.00	\$950.00
94	20" EXTENSION FOR PLASTIC VALVE BOX	10	EA	\$26.00	\$260.00
95	5 -1/4 " "GAS" LID FOR VALVE BOX	10	EA	\$11.00	\$110.00
96	2" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	10	EA	\$9.00	\$90.00
97	4" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	20	EA	\$15.00	\$300.00
98	6" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	20	EA	\$20.00	\$400.00
99	2" CASE H-35 TAPECOAT GRAY WRAP - TAPECOAT	10	CS	\$280.00	\$2,800.00
100	4" CASE H-35 TAPECOAT GRAY WRAP - TAPECOAT	10	CS	\$285.00	\$2,850.00

BID TABULATION

101	4-1/2" x 6" SCH 40 A500 GRADE B DOMESTIC STEEL PIPE BOLLARD - DOMESTIC	100	EA	\$88.00	\$8,800.00
102	4" SCH 40 PVC BOLLARD CAPS	100	EA	\$8.00	\$800.00
103	RHINO TRIVIEW TEST STATION: 66", YELLOW, UV STABLE, WITH TWO INSIDE TERMINALS AND A BLACK CAP (P/N TVTI66YB2) WITH LAWRENCEVILLE GAS DECAL (SD-9546); 2 7/8" X 16", WHITE, 5-BLK/YLW/811, WARNING GAS PIPELINE, 811, IN EMERGENCY CALL CITY OF LAWRENCEVILLE DAY TIME: 770-963-3332, EVENING: 770-963-2443 - RHINO	100	EA	\$29.25	\$2,925.00
104	RHINO TRIVIEW PIPELINE MARKER: 66" WITH BLACK CAP, UV STABLE YELLOW, (P/N TVF66YB) WITH LAWRENCEVILLE GAS DECAL (SD9546) - RHINO	100	EA	\$19.75	\$1,975.00
TOTAL				\$258,262.75	
Will vendor hold pricing firm? Renewal Option 1				2% - 5% Increase	
Will vendor hold pricing firm? Renewal Option 2				2% - 5% Increase	
Will vendor hold pricing firm? Renewal Option 3				2% - 5% Increase	
Will vendor hold pricing firm? Renewal Option 4				2% - 5% Increase	

Recommended vendor:

Consolidated Pipe & Supply Co., Inc.
 194 Hurricane Shoals Road
 Lawrenceville, GA 30045
 P: 770-822-9664
 F: 770-822-9323
 email: proot@consolidatedpipe.com



LAWRENCEVILLE

GEORGIA

14.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	Utility Wood Pole Inspection and Replacement on an Annual Contract
Department:	Electric
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$150,000.00
Presented By:	Rick Baldwin
Action Requested:	Approval to renew Utility Wood Pole Inspection and Replacement on an Annual Contract to Southeastern Wood Pole Inspectors, Inc. in the amount of \$150,000.00. This is the fourth and final renewal option. There is no increase in price.

Summary: This contract provides inspection services for the City's 4,000 utility poles. It is anticipated that 800 poles will be inspected per year. Replacement of unacceptable poles will primarily be done by the City Electric Department or if necessary by contractor.

Fiscal Impact: Amount of \$150,000.00. This contract is funded by the Capital Outlay Fund (5114600-541000). Project 06-019 has \$396,495.41 approved and available. Upon approval of this item \$246,495.41 will be remaining in the project.

Attachments/Exhibits:
Bid Tabulation

**Utility Wood Pole Inspection and Replacement on an Annual Contract
Electric Department**

				Southeastern Wood Pole Inspectors, Inc.	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE
1	Treated Pole (to include Report & Sound and Bore)	1	EA	\$20.52	\$20.52
2	Rejected pole (to include Report & Sound and Bore)	1	EA	\$16.45	\$16.45
3	Reported Pole	1	EA	\$4.37	\$4.37
4	Sound & Bore	1	EA	\$5.79	\$5.79
5	Internal Treatment	1	EA	\$5.93	\$5.93
6	Rod Treatment	1	EA	\$10.22	\$10.22
7	Ground Wire Repair	1	EA	\$6.52	\$6.52
8	Guy Marker Installation	1	EA	\$2.87	\$2.87
9	Guy repair	1	EA	N/B	N/B
10	Vine Control	1	EA	\$6.12	\$6.12
11	Miscellaneous Tag Installation	1	EA	\$0.50	\$0.50
Will vendor hold pricing firm? Renewal Option 1				Yes	
Will vendor hold pricing firm? Renewal Option 2				1%	
Will vendor hold pricing firm? Renewal Option 3				Yes	
Will vendor hold pricing firm? Renewal Option 4				1%	

Recommended Vendor:

Southeastern Wood Pole Inspectors, Inc.
P.O. Box 873 - 903 Hwy 441 S.
Commerce, GA 30529
P: 706-335-7084
Email: cnorris1swpi@windstream.net



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	On-Demand Underground Electric Distribution Cable Installation on an Annual Contract
Department:	Electric
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$716,436.24
Presented By:	Rick Baldwin
Action Requested:	Approval to rescind award of On-Demand Underground Electric Distribution Cable Installation on an Annual Contract to low bidder, Jordan High Voltage, Inc. in the amount of \$385,455.00 and re-award to second low bidder, Over and Under General Contractors, Inc. in the amount of \$716,436.24.

Summary: This is an on-demand contract to supplement the City's electric workforce to provide all labor and equipment in performing all work necessary for underground electrical work at various locations throughout the City of Lawrenceville.

Background: This contract was awarded to the low bidder by council at the November 13, 2019 regular meeting. The Electric Department has sent multiple requests for service to Jordan High Voltage, Inc. with no work being done or no response from the company. In a phone conversation with the firm by the Electric Department, it was indicated that they believed their bid was too low. The Purchasing Department sent notification to Jordan High Voltage, Inc. on January 17, 2020 requesting fulfillment of the contract terms. There was no response. The firm has been deemed in default of the contract.

Fiscal Impact: Amount of \$716,436.24. This contract is funded by the Contract Labor Fund (510-5.06.4600.523850).

Attachments/Exhibits:
Bid Tabulation

COST TABULATION

SB012-20

On-Demand Underground Electric Distribution Cable Installation on an Annual Contract
Electric Department

				*Jordan High Voltage, Inc.		Over and Under General Contractors, Inc.		U-TEC Construction, Inc.	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Install three phase terminating cabinet	3	Ea	\$2,000.00	\$6,000.00	\$1,898.00	\$5,694.00	\$1,220.50	\$3,661.50
2	Install PME Switchgear	3	Ea	\$1,250.00	\$3,750.00	\$1,800.00	\$5,400.00	\$1,850.50	\$5,551.50
3	Install 48" fiberglass ground sleeve	3	Ea	\$1,050.00	\$3,150.00	\$3,210.00	\$9,630.00	\$550.00	\$1,650.00
4	Terminate PME Switchgear - 600 amp side	6	Ea	\$450.00	\$2,700.00	\$1,395.65	\$8,373.90	\$480.75	\$2,884.50
5	Terminate PME Switchgear - 200 amp side	6	Ea	\$180.00	\$1,080.00	\$1,116.52	\$6,699.12	\$290.00	\$1,740.00
6	Directional Trench 2" Conduit	5000	Ft	\$10.25	\$51,250.00	\$18.50	\$92,500.00	\$36.00	\$180,000.00
7	Directional Trench 4" Conduit	3000	Ft	\$12.00	\$36,000.00	\$24.40	\$73,200.00	\$67.00	\$201,000.00
8	Directional Trench 6" Conduit	2000	Ft	\$15.00	\$30,000.00	\$30.40	\$60,800.00	\$79.00	\$158,000.00
9	Dig open trench 48" deep - normal soil	5000	Ft	\$1.20	\$6,000.00	\$8.90	\$44,500.00	\$5.00	\$25,000.00
10	Dig open trench 36" deep - normal soil	1000	Ft	\$1.00	\$1,000.00	\$7.50	\$7,500.00	\$4.00	\$4,000.00
11	Install 2" PVC Conduit in trench	3000	Ft	\$0.30	\$900.00	\$1.80	\$5,400.00	\$1.00	\$3,000.00
12	Install 4" PVC Conduit in trench	1000	Ft	\$0.45	\$450.00	\$2.20	\$2,200.00	\$1.25	\$1,250.00
13	Install 6" PVC Conduit in trench	2000	Ft	\$0.60	\$1,200.00	\$3.40	\$6,800.00	\$1.50	\$3,000.00
14	Install 3C 1000 kCMIL primary cable in 6 inch conduit	2000	Ft	\$4.50	\$9,000.00	\$8.40	\$16,800.00	\$4.80	\$9,600.00
15	Install 3C 1/0 primary cable in 4 inch conduit	2000	Ft	\$2.70	\$5,400.00	\$4.20	\$8,400.00	\$3.90	\$7,800.00
16	Install 1C 1/0 primary in 2 inch conduit	5000	Ft	\$1.65	\$8,250.00	\$2.50	\$12,500.00	\$1.30	\$6,500.00
17	Install 3C 1000 kCMIL primary cable in trench	2000	Ft	\$2.00	\$4,000.00	\$11.20	\$22,400.00	\$4.50	\$9,000.00
18	Install 3C 1/0 primary cable in trench	2000	Ft	\$1.15	\$2,300.00	\$6.80	\$13,600.00	\$3.90	\$7,800.00
19	Install 1C 1/0 primary cable in trench	4000	Ft	\$0.85	\$3,400.00	\$2.50	\$10,000.00	\$1.30	\$5,200.00
20	Backfill, close, and compact 48 inch deep trench	5000	Ft	\$1.00	\$5,000.00	\$1.90	\$9,500.00	\$3.90	\$19,500.00
21	Backfill, close, and compact 36 inch deep trench	1000	Ft	\$0.90	\$900.00	\$1.40	\$1,400.00	\$2.90	\$2,900.00
22	Install single phase padmount transformer	75	Ea	\$375.00	\$28,125.00	\$769.00	\$57,675.00	\$547.00	\$41,025.00
23	Install single phase preformed concrete transformer pad	50	Ea	\$275.00	\$13,750.00	\$340.00	\$17,000.00	\$150.00	\$7,500.00

COST TABULATION

24	Install residential street light on 16' MH FG pole	25	Ea	\$525.00	\$13,125.00	\$282.44	\$7,061.00	\$185.00	\$4,625.00
25	Terminate primary elbows in single phase padmount transformer	100	Ea	\$150.00	\$15,000.00	\$139.56	\$13,956.00	\$130.00	\$13,000.00
26	Install 1/0 underground triplex service wire	3000	Ft	\$8.00	\$24,000.00	\$4.60	\$13,800.00	\$1.80	\$5,400.00
27	Install 4/0 underground triplex service wire	1000	Ft	\$9.00	\$9,000.00	\$8.87	\$8,870.00	\$2.20	\$2,200.00
28	Install 350 underground triplex service wire	1000	Ft	\$13.50	\$13,500.00	\$9.20	\$9,200.00	\$3.25	\$3,250.00
29	Install underground street light service wire	1000	Ft	\$3.00	\$3,000.00	\$1.95	\$1,950.00	\$1.10	\$1,100.00
30	Install secondary pedestal	20	Ea	\$205.00	\$4,100.00	\$279.13	\$5,582.60	\$85.75	\$1,715.00
31	Terminate underground triplex service wire in transformer/pedestal	70	Ea	\$250.00	\$17,500.00	\$180.00	\$12,600.00	\$180.00	\$12,600.00
32	Install three phase padmount transformer - 75kVA - 1000kVA	7	Ea	\$975.00	\$6,825.00	\$535.21	\$3,746.47	\$845.50	\$5,918.50
33	Install three phase padmount transformer - 1500kVA - 2500kVA	3	Ea	\$3,500.00	\$10,500.00	\$2,500.00	\$7,500.00	\$2,450.00	\$7,350.00
34	Install three phase preformed concrete transformer pad	10	Ea	\$525.00	\$5,250.00	\$1,040.00	\$10,400.00	\$275.00	\$2,750.00
35	Terminate 3C 1000 kCMIL primary cable on pole	6	Ea	\$1,700.00	\$10,200.00	\$2,840.00	\$17,040.00	\$680.00	\$4,080.00
36	Terminate 3C 1/0 primary cable on pole	6	Ea	\$1,300.00	\$7,800.00	\$1,480.00	\$8,880.00	\$460.00	\$2,760.00
37	Terminate 1C 1/0 primary on pole	15	Ea	\$750.00	\$11,250.00	\$479.13	\$7,186.95	\$260.00	\$3,900.00
38	Terminate primary elbows in three phase padmount transformer	60	Ea	\$180.00	\$10,800.00	\$1,116.52	\$66,991.20	\$230.00	\$13,800.00
39	Install Seed and straw	5000	Ft	\$0.00	\$0.00	\$2.40	\$12,000.00	\$6.00	\$30,000.00
40	Install sod	1000	Ft	\$0.00	\$0.00	\$11.70	\$11,700.00	\$9.80	\$9,800.00
TOTAL				\$385,455.00		\$716,436.24		\$831,811.00	
Will vendor hold pricing firm? Renewal Option 1				2%		2%		3.25%	
Will vendor hold pricing firm? Renewal Option 2				3%		2%		3.25%	
Will vendor hold pricing firm? Renewal Option 3				3%		2%		3.25%	
Will vendor hold pricing firm? Renewal Option 4				3%		2%		3.25%	

Recommended Vendor:

Over and Under General Contractors, Inc.
 129 Hurricane Shoals Rd NW #B
 Lawrenceville, GA 30046
 P: (770) 682-9160
 Email: overunde@bellsouth.net

*Jordan High Voltage, Inc. is in default of contract.



LAWRENCEVILLE

GEORGIA

16.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	Lawrenceville Performing Arts Complex (LPAC) Program Management Services Change Order 1
Department:	Administration
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$139,682.00
Presented By:	Chuck Warbington
Action Requested:	Approval of Change Order 1 to awarded firm, Croft & Associates, PC in the amount of \$139,682.00. Authorization for Mayor to execute Change Order 1.

Summary: This change order is for additional services of program management. Croft & Associates, PC represents the City throughout the programming, planning, design, and construction phase of the performing arts facility expansion project to ensure that all elements of the work meet the required quality, design standards, budget and construction schedule.

Background: The original contract was awarded in the amount of \$490,000.00 on May 1, 2017. This will bring the total amount of the contract to \$629,682.00.

Fiscal Impact: Amount of \$139,682.00. This project is funded by the SPLOST Fund (3246184.541316). Project SP-005.

Attachments/Exhibits:

Change Order
Proposal



CITY OF LAWRENCEVILLE CONTRACT/PO CHANGE ORDER

16.

Department: Administration Change Order #: 01

Project/PO: RP004-17 LPAC Program Management Services Change Order Date: February 12, 2020

Contractor/Vendor: Croft & Associates, PC

Reason Codes: **A**-New Requirement, **B**- Unforeseen Condition, **C**- Professional Errors & Omissions, **D**- City Request, **E**- Project Close-out and/or Progress Adjustments not included in Change Order

It is agreed to modify the Contract referred to above as follows:

Item	Reason Code	Item and Description of Change	Change in Contract Amount (Increase/Decrease)
1	D	Additional program management services	\$139,682.00
		Net Amount	\$139,682.00

A completed Change Order Detail Listing must be attached. If applicable, attach justification memo, proposal, etc.

Original Contract/PO Amount: \$ 490,000.00

Previous Change Order Amount: \$ 0

Amount of Change Order Requested (Increase/Decrease) \$ 139,682.00

New Contract/PO Amount (Including this Change Order) \$ 629,682.00

This contract period provided for completion will be increased/decreased by _____ calendar days. Adjusted completion date is _____, 20____.

This document will become a supplement to the contract and all provisions of the contract will apply hereto.

Administration
Requestor

Department Director

Authorized Approval

January 20, 2020

Chuck Warbington
City Manager
City of Lawrenceville
70 S. Clayton Street
Lawrenceville, GA 30046

RE: Additional Services Proposal
Lawrenceville Performing Arts Center (LPAC)

Dear Chuck,

The Lawrenceville Performing Arts Center (LPAC) project has obtained approval of the complete Guaranteed Maximum Price (GMP) of \$25,794,816, and the construction is progressing. Through the GMP approval processes, the overall project budget was increased to \$32,553,254. Therefore, the overall project budget that we are managing for the City has increased by \$4,553,254 as compared to our original budget of \$28 million. This budget was the basis of our fee proposal for program management services.

In addition, the project schedule has increased in duration. When design services began and after the construction manager was brought on board, the original completion date was in August 2020. The current completion date is projected to be near the end of December 2020. This is an increase of four months to the original schedule. This schedule increase was due to the additional months spent re-evaluating and investigating alternative building configurations and site plans and addressing costing issues during the preparation of the final guaranteed maximum price.

With the site and building configuration confirmed and the GMP approved, we now request to reconcile our compensation for program management services to this expanded overall project budget and extended schedule. We propose the following fee adjustment for your approval:

- Management of increased project budget	\$79,682*
- Additional 4 months of service	\$60,000**

**Note: Original fee was 1.75% of \$28,000,000. The additional fee is 1.75% of \$4,553,254.*

***Note: One month of PM Time and Services is \$15,000, and the 4 months yield \$60,000 in fees.*

Chuck, we look forward to the completion of the LPAC project toward the end of the year with Aurora moving into the new facility in late December/early January. Should you have any questions regarding this proposal, please do not hesitate to give me a call.

SUBMITTED BY:



Kip E. Stokes, PE, LEED AP
Vice President

APPROVED BY:

CITY OF LAWRENCEVILLE

Printed Name:

Title:



LAWRENCEVILLE

GEORGIA

17.

AGENDA REPORT

MEETING: REGULAR SESSION, FEBRUARY 24, 2020

AGENDA CATEGORY: CONSENT AGENDA

Item:	Lawrenceville Performing Arts Complex (LPAC) Architectural and Engineering Design Services Change Order 3
Department:	Administration
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$26,000.00
Presented By:	Chuck Warbington
Action Requested:	Approval of Change Order 3 to awarded firm, Stevens & Wilkinson GA, Inc. in the amount of \$26,000.00. Authorization for Mayor to execute Change Order 3.

Summary: This change order is for additional design service requests from Stevens & Wilkinson GA, Inc. in the amount of \$26,000.00 for additional design hours and expenses involved for the cabaret theater design.

Background: The original contract was awarded in the amount of \$1,900,000.00 on September 6, 2017. Change Orders 1 and 2 were approved by council at the June 3, 2019 regular meeting in the amount of \$168,542.50. This will bring the total amount of the contract to \$2,094,542.50.

Fiscal Impact: Amount of \$26,000.00. This project is funded by the SPLOST Fund (3246184.541316). Project SP-005.

Attachments/Exhibits:

Change Order
Proposal



CITY OF LAWRENCEVILLE CONTRACT/PO CHANGE ORDER

17.

Department: Administration Change Order #: 03

Project/PO: RP008-17 LPAC Design Services Change Order Date: February 12, 2020

Contractor/Vendor: Stevens & Wilkinson

Reason Codes: **A**-New Requirement, **B**- Unforeseen Condition, **C**- Professional Errors & Omissions, **D**- City Request, **E**- Project Close-out and/or Progress Adjustments not included in Change Order

It is agreed to modify the Contract referred to above as follows:

Item	Reason Code	Item and Description of Change	Change in Contract Amount (Increase/Decrease)
1	D	Supplemental theatrical consulting for Cabaret Theatre	\$26,000.00
		Net Amount	\$26,000.00

A completed Change Order Detail Listing must be attached. If applicable, attach justification memo, proposal, etc.

Original Contract/PO Amount: \$ 1,900,000.00

Previous Change Order Amount: \$ 168,542.50

Amount of Change Order Requested (Increase/Decrease) \$ 26,000.00

New Contract/PO Amount (Including this Change Order) \$ 2,094,542.50

This contract period provided for completion will be increased/decreased by _____ calendar days. Adjusted completion date is _____, 20____.

This document will become a supplement to the contract and all provisions of the contract will apply hereto.

Administration
Requestor

Department Director

Authorized Approval

100 Peachtree St. NW, Suite 2500 Atlanta, GA 30303
T 404.522.8888 F 404.521.6204
www.stevens-wilkinson.com

December 4, 2019

Kip Stokes
Vice President
CROFT
370 W Crogan St.
Lawrenceville, GA 30046

RE: Proposal for Additional Services – Limited Scope Theatrical Consulting to Outfit the Cabaret Theatre
Lawrenceville Performing Arts Center
S&W Project No: 17104.02

Dear Kip:

Pursuant to our 12/04/19 telephone discussion, we are submitting an Additional Services proposal to provide supplemental theatrical consulting to program, equip & outfit the Cabaret Theatre to accommodate the Aurora Theatre's needs as outlined below.

PROJECT UNDERSTANDING

- It is understood that the theatrical systems for the Cabaret Theater will be provided by the same theatrical systems contractor(s) that provides equipment for the proscenium theater, which is already under contract.
- It is understood that the Sound System is to be designed by Bose, following the theater consultants design narrative and performance specifications.
- It is understood that the end-users acknowledge that in utilizing a Bose sound system for the Cabaret Theatre will result in a stand-alone system incapable of interoperability with the sound system provided for the main stage.

It is understood that it is acceptable to provide "performance specifications" and accompanying drawings, as necessary, for the following systems:

- performance lighting instruments and accessories
- performance lighting system and controls

- performance rigging and draperies
 - manual rigging systems
 - drapery tracks
 - variable acoustics systems (as per the acoustician's recommendations)
- stage platforms
- Sound, Video and Communications Systems
- Audience Seating (outline specifications)

SCOPE OF SERVICES

Construction Documents Phase

- Attend (1) programming meetings in the Atlanta area with the Architect and/or Owner's Representatives
 - Provide a written narrative and budget estimate for the proposed theatrical systems.
- Review and comment on the design team's progress drawings.
- Verify electrical, mechanical, and structural loading criteria established in the Schematic Design phase. Revise as necessary.
- Provide information identifying all electrical power requirements and performance lighting circuits in the theater.
- Provide drawings indicating locations of power supplies, performance lighting circuits, and other electrical requirements pertinent to the performance equipment design.
- Assist the architects with design details required in the contract documents.
- Assist with Value Engineering analysis.
- Coordinate performance equipment contract documents with mechanical, electrical, and structural engineers.
- Prepare drawing/ performance specification packages for the performance equipment, for which the theatre consultant is responsible, for incorporation into the architect's scope.

Bidding & Negotiations Phase

- Review and comment on performance equipment contractor bids received.
- Respond to requests for information from bidders.

Construction Administration Phase

- Review submittals received from performance equipment contractors.
- Respond to requests for information relative to the work of the theatre consultant.
- Make site visits to during construction to verify the progress of the infrastructure installation and the theatrical systems installation
 - Construction Documents Phase – 2 in-person meetings
 - Bidding / Negotiation Phase – 0 site visits
 - Construction Administration Phase – 2 site visits
- Make site visit to prepare final punch list for performance equipment installation.

COMPENSATION

Compensation for Stevens & Wilkinson GA, Inc. shall be a stipulated sum of \$26,000.00 comprising a \$21,000.00 consulting services proposal by Kyle Smith & Associates, Inc. Theatre Consultants with \$5,000.00 in supplemental Project Management fees to support S&W additional consultant management and coordination.

Kip, we appreciate your review and approval of the requested Additional Services, understanding that we wish to move quickly to commence with the critical design coordination centered around the Cabaret Theatre. Should you have questions about the above proposal, please give me a call.

Sincerely,
STEVENS & WILKINSON GA, INC.



Jason P. Smith, Associate AIA, LEED AP
Project Manager

cc: Bill Clark, President / Principal in Charge
Todd Dolson, Vice President /

Acceptance of this Proposal for additional consulting services will serve as a Notice to Proceed with the service noted.

Client Signature Date

Client Title



LAWRENCEVILLE

GEORGIA

18.

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: CIC2019-00001; Thomas Johnson; 17 East Pike Street (Previously 85 Benson Street)

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: Change-in-condition to previously approved rezoning

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Approval with staff conditions

Summary: Applicant requests a change-in-conditions to a previously approved rezoning case. The applicant requests to amend condition 1, to allow other uses permitted in the BG zoning district.

Attachments/Exhibits:

- CIC2019-00001 Report
- CIC2019-00001 Attachments
- CIC2019-00001 Alternative Proposed Conditions

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING REPORT**

CASE NUMBER	CIC2019-00001
APPLICANT	THOMAS JOHNSON
CONTACT	THOMAS JOHNSON
PHONE NUMBER	770.963.7472
ZONING CHANGE	OI TO BG
LOCATION	17 EAST PIKE STREET (PREVIOUSLY 85 BENSON STREET)
PARCEL ID	R5146B138
ACREAGE	0.34
PROPOSED DEVELOPMENT	USE EXISTING PROPERTY AS OFFICE SPACE
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

In 2007, the property was rezoned from RS-150 (Single-Family Residential) to OI (Office-Institutional) pursuant to case RZ-07-06 for a hair salon with the conditions that architectural guidelines of the ON (Office/Neighborhood) zoning district be applied and that the parking lot entrance must be from East Pike Street. In 2019, the property was rezoned from OI to BG (General Business District).

PROJECT DATA:

The applicant is requesting a Change-in-Conditions of a prior rezoning (RZC2019-00007) of an approximately 0.34-acre parcel from OI to BG to use the existing structure as a yarn and home goods store. The property is located on the northeastern corner of Benson Street and East Pike Street. The property is developed with a converted commercial structure with a parking lot in the rear. The property was rezoned from OI to BG in July 2019, therefore this case would require a Time Lapse Waiver approval to be heard before 12 months have passed since the date of the approval. The applicant is requesting to amend Condition 1 of RZC2019-00007. The condition currently reads as follows:

1. Use as a Yarn and Home Goods Store only.

The applicant proposes to amend Condition 1 to allow other uses permitted in BG zoning district, so that the property can be more marketable. The applicant plans to use the existing structure as a satellite office for an in-home care for elderly business.

The area surrounding the subject property consist of single-family and office-institutional uses. To the north is a single-family residence, zoned RS-150 (Single-Family Residence 15,000 Square Foot District). Immediately to the east is a vacant property zoned RS-150. To the south and southwest across East Pike Street is a cemetery and a bank zoned BG (General Business District). To the west across Benson Street is a insurance office zoned LM (Light Manufacturing District). The request to allow the uses all uses permitted by right in BG zoning district could be considered consistent with the commercial uses found in the immediate area.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates that the property is in the Downtown Character area. This character area encourages a mixture of residential, retail, office, and educational facilities at key locations to encourage walking and biking to everyday needs. The proposed development could be compatible with existing commercial uses and single-family developments in the immediate area.

In conclusion, if operated with the previously approved conditions, the requested change-in-conditions may be consistent at this location and consistent with the policies of the City of Lawrenceville 2040 Comprehensive Plan. Therefore, the Planning and Development Department recommends **APPROVAL** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS**ENGINEERING DEPARTMENT**

No Comment.

ELECTRIC DEPARTMENT

No Comment.

GAS DEPARTMENT

No Comment.

WATER DEPARTMENT

No Comment.

CODE ENFORCEMENT

No Comment.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Additions in **BOLD**

Deletions in ~~STRIKETHROUGH~~

Approval as BG (General Business) subject to the following enumerated conditions:

1. ~~Use as a Yarn and Home Goods Store only.~~
2. **Allow all uses permitted by right in BG zoning district.**
3. Exterior modifications of the facility shall be prohibited.
4. Any new signage shall be approved by the Director of Planning and Development.
5. Provide and maintain adjacent to residentially-zoned properties a fifteen-foot enhanced buffer along the northern side property line and a twenty-foot enhanced buffer along the eastern side property line. Additional buffer plantings shall be installed where necessary to ensure an adequate visual screen. The final landscape design shall be subject to review and approval by the Director of Planning and Development.
6. No tents, canopies, temporary banners, streamers or roping decorated 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.
7. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
8. Peddlers and/or parking lot sales shall be prohibited.
9. Outdoor storage shall be prohibited.
10. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
11. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

12. To approve the current location of the building and allow the setback encroachment of 31.2-feet into the required 50-foot front yard setback.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *With recommended conditions, potential impacts on neighboring properties could be minimized.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *The property has a reasonable economic use as currently zoned.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *With recommended conditions, potential impacts on the existing street could be minimized.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *The City of Lawrenceville 2040 Future Development Map indicates the property is located in a Downtown Character Area; the request could be considered consistent with the policies of the City of Lawrenceville 2040 Comprehensive Plan.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *The submitted site plan may need revising to meet development standards.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?** *Single-Family Residences, Bank, Cemetery; RS-150, BG, LM*
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None.*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *None.*
5. **What is the suitability of the subject property for its current zoning?** *Suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *Suitable as a yarn store.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *Late 2018.*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *It is consistent with the 2040 Comprehensive Plan.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *The proposed use would be suitable with the surrounding area.*



LAWRENCEVILLE

GEORGIA

18.

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>THOMAS JOHNSON</u>	NAME: <u>THE SHUG JOHNSON FIRM L.L.C.</u>
ADDRESS: <u>PO BOX 557</u>	ADDRESS: <u>211 LEILA COURT</u>
CITY: <u>LAWRENCEVILLE</u>	CITY: <u>LAWRENCEVILLE</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
CONTACT PERSON: <u>THOMAS JOHNSON</u> PHONE: <u>770 963 7472</u> <u>tajusaf@yahoo.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.	
PRESENT ZONING DISTRICT(S): <u>BG</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>5146 B138</u> ACREAGE: <u>0.3443</u>	
ADDRESS OF PROPERTY: <u>17 EAST PIKE ST LAWRENCEVILLE GA 30046</u>	

[Signature] 11-22-19
SIGNATURE OF APPLICANT DATE

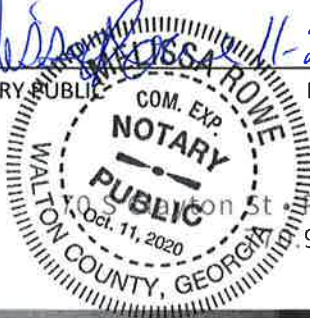
[Signature] 11-22-19
SIGNATURE OF OWNER DATE

THOMAS JOHNSON
TYPED OR PRINTED NAME

THOMAS JOHNSON
TYPED OR PRINTED NAME

[Signature] 11-22-19
NOTARY PUBLIC DATE

[Signature] 11-22-19
NOTARY PUBLIC DATE



PO Box 2200 • Lawrenceville, Georgia 30046-2200
963.2414 • www.lawrencevillega.org

4

CIC 2019-00001

Letter of Intent to Lawrenceville City Council
For Change in Conditions

Address: 17 East Pike Street,
Lawrenceville, Georgia 30046
Tax Parcel: R5146B138
Rezoning Case No: RZC2019 00007
Owner: The Shug Johnson Firm LLC

The subject property was rezoned from O&I to BG in order for the Yarn Garden to relocate their long-time Lawrenceville business from the Historic Square to this building. However, during the rezoning process they had a change in plans and left the Lawrenceville area. After much diligent effort since the rezoning from O&I TO BG the extremely few numbers of yarn stores in this area do not have a need to occupy this property. However, the nationally known and prominent business Visiting Angels would like to put a satellite office in this building, therefore the request to use this property for their business. They will provide in-home care for our elderly citizens and I am including a description of their much-needed services, and what they offer as a local company and their intent for this building.

Thank you,



Thomas Johnson
PO Box 557
Lawrenceville Ga 30046

Symbols & Abbreviations

○ IRON PIN FOUND	POWERPOLE	SS SANITARY SEWER PIPING
● IRON PIN SET	GUY WIRE	SEWER MANHOLE
■ P.K. NAIL FOUND	STREET LIGHT POLE	CO CLEAN OUT
⊗ P.K. NAIL SET	ELEC. TRANSFORMER	SD STORM DRAIN PIPING
⊗ FND X MARK / SCRIBE	AIR CONDITIONER	STORM INLET
× SET X MARK / SCRIBE	BE BURIED ELECTRIC	STORM INLET
▲ R.R. SPIKE FOUND	OHE-OVERHEAD ELECTRIC	CURB INLET
△ R.R. SPIKE SET	UGE-OVERHEAD ELECTRIC	DROP INLET
△ BENCHMARK	ELEC. MANHOLE	PAY PHONE
△ CONC. R/W MARKER	ELECTRIC METER	TELEPHONE BOX
(R) RECORD DATA	WATER LINE	TELEPHONE MANHOLE
(M) MEASURED DATA	WATER VALVE	TELEPHONE POLE
(C) CALCULATED DATA	WATER METER	UGT UNDERGROUND TELEPHONE LINE
R/W RIGHT OF WAY	FIRE HYDRANT	O/H T OVERHEAD TELEPHONE LINE
BSL BLDG SETBACK LINE	CABLE FLOW PREVENTOR	CABLE TELEVISION LINE
RCF REINFORCED CONC PIPE	GAS VALVE	O/H C OVERHEAD CABLE
CMP CORRUGATED METAL PIPE	GAS METER	CABLE BOX
PVC PLASTIC PIPE	GAS MANHOLE	TRAFFIC POLES
MTL METAL	GAS LINE	TRAFFIC SIGNAL
L/S LANDSCAPING	BORE HOLE	TRAFFIC MANHOLE
○ TREE	MONITORING WELL	TRAFFIC SIGNAL BOX
○ EXCEPTIONS	MAIL BOX	STOP SIGN
IPS IRON PIN SET	UNKNOWN MANHOLE	SIGN
RBF REBAR FOUND	POWER BOX	BOLLARD
CTP CRIMP TOP PIPE	FENCE LINE	BC/BOC BACK OF CURB
OTP OPEN TOP PIPE	SW SIDEWALK	EP EDGE OF PAVEMENT
P.O.C. POINT OF COMMENCEMENT	TV TRAVERSE POINT	EC EDGE OF CONCRETE
P.O.B. POINT OF BEGINNING	PIPE LINE A	PROPERTY LINE
TEMPORARY BENCH MARK		D.E. DRAINAGE EASEMENT
		L.E. LANDSCAPE EASEMENT
		S.E. SANITARY SEWER ESMT

Map or Plat Closure Statement & Notes

1. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 5,000,000 FEET.
2. ALL DISTANCES SHOWN HEREIN ARE HORIZONTAL, GROUND DISTANCES.
3. 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.
4. THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HAS A HORIZONTAL DATUM OF GEORGIA STATE PLANES, WEST ZONE NAD83
5. 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.
6. 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.

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 1313500089, 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.

Utility Notes

1. THE UTILITIES SHOWN HEREIN ARE BASED ON VISIBLE OBSERVATIONS
2. THE SURVEYOR DOES NOT WARRANT, GUARANTEE OR CERTIFY THAT THE UNDERGROUND OR ABOVE GROUND UTILITIES SHOWN COMPRISE ALL UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. UNDERGROUND UTILITIES OBSERVED OR LOCATED MAY EXIST ON THIS SITE THAT ARE NOT SHOWN OR DEPICTED, AND MAY BE FOUND UPON FURTHER EXAMINATION OR EXCAVATION. FURTHERMORE, THE SURVEYOR DOES NOT WARRANT, GUARANTEE OR CERTIFY THAT THE UNDERGROUND UTILITIES SHOWN OR DEPICTED ARE IN THE EXACT LOCATION AS INDICATED HOWEVER THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE AND TO THE BEST OF THE SURVEYORS ABILITY.
3. AT VARIOUS SANITARY OR STORM SEWER STRUCTURES SHOWN HEREIN, THERE MAY BE ADDITIONAL LINES (PUBLIC OR PRIVATE) ENTERING OR EXISTING THE STRUCTURE THAT MAY NOT BE IDENTIFIED.

Zoning Conditions

THE PURPOSE OF THIS EXHIBIT IS TO CONVERT THE EXISTING PROPERTY AND IMPROVEMENTS FROM OI TO BG ZONING.

CURRENT ZONING: OI (OFFICE INSTITUTIONAL DISTRICT)

PROPOSED ZONING: BG (GENERAL BUSINESS DISTRICT)

PROPOSED ZONING CONDITIONS:

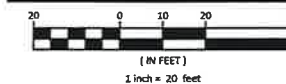
MAXIMUM HEIGHT OF BUILDING:	35 FEET
MINIMUM FRONT YARD:	50 FEET
MINIMUM REAR YARD:	40 FEET (ABUTTING RESIDENTIAL DISTRICT)
MINIMUM SIDE YARD:	10 FEET
MINIMUM SIDE YARD (STREET CORNER):	25 FEET



BASIS OF HORIZONTAL DATUM
GEORGIA STATE PLANES -
WEST ZONE (NAD83)



Graphic Scale



Field Observation Notes

1. THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS CLASSIFIED AS A "RETRACEMENT BOUNDARY SURVEY", AND COMPLETED ON 04/30/2019 UTILIZING A TOPCON GS ROBOTIC TOTAL STATION AND/OR A TOPCON HIPER V GPS NETWORK RTK (REAL TIME KINEMATIC) RECEIVER, CORRECTED IN REAL-TIME VIA THE GSPS GPS NETWORK.
2. 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/NRPS STANDARDS, SPECIFICATION AND REQUIREMENTS OF 0.07+50 PPM.
3. THERE WAS NOT OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
4. THERE WAS NOT OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT-OF-WAY LINES AND/OR STREET OR SIDEWALK REPAIRS.
5. THERE WAS NOT OBSERVABLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP OR LANDFILL.

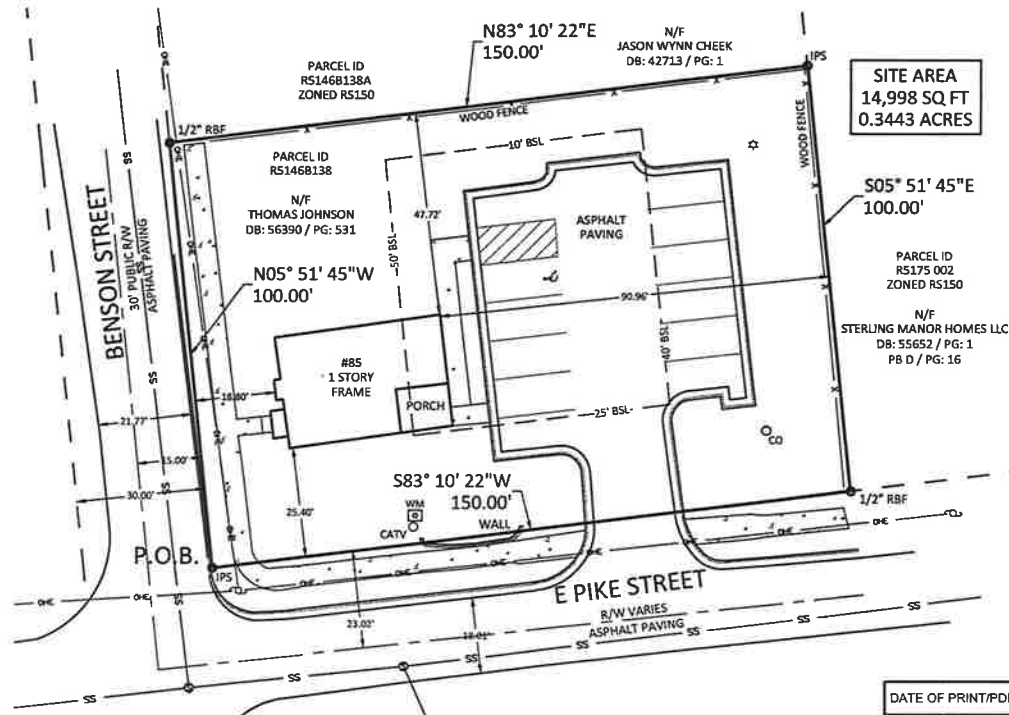
Map or Plat Certification

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 01 DAY OF MAY IN THE YEAR OF 2019.

Seaton G. Shepherd, Jr.
SEATON G. SHEPHERD, JR., GARS No. 2136



DATE OF PRINT/PDF:

No. #	DATE / BY	DESCRIPTION
No. 1	5/1/19 - MRS	SUBMITTAL

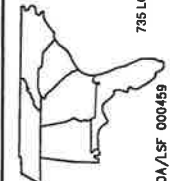
78

Rezoning Exhibit For: Thomas Johnson
Site Address:
85 Benson Street/17 East Pike Street,
Lawrenceville, GA 30046
Land Lot 146 of the 5th Land District
Gwinnett County

Sheet / Drawing Scale
1" = 20'
Unless Otherwise Noted
GSA Project No.
19-04-240

Drawn By / Field Crew
Crew No. 2
MRS 04/30/2019
Sheet No. 01 OF 01

GRANT SHEPHERD
& ASSOCIATES, INC.
Consultation Layout • GPS Modeling
Land Surveying • Site Development



735 LONGLEAF BOULEVARD, SUITE A, LAWRENCEVILLE, GA 30046
PHONE: 770.418.8823 FAX: 770.418.8289
WWW.GSASURVEYING.COM

COA/LSF 000469

THE USE OF THIS DOCUMENT FORM MAY BE STRICTLY PROHIBITED AND COPIES MAY BE PENALIZED BY GRANT SHEPHERD & ASSOCIATES, INC.

Written Description

All that tract or parcel of land lying and being in Land Lot 146 of the 5th, District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at an iron pin located at the intersection of the easterly right of way of Benson Street (30' Public right-of-way) and the northerly right of way of E Pike Street (right-of-way Varies); Thence along the right of way of Benson Street North 05°51'45" West a distance of 100.00' to a ½" Rebar Found; Thence leaving said right of way along property now or formerly Jason Wynn Cheek, Deed Book 42713 Page 1, North 83°10'22" East a distance of 150.00' to an Iron Pin Set; Thence along property now or formerly, Sterling Manor Homes, LLC, Deed Book 55652, Page 1, South 05°51'45" East a distance of 100.00' to a ½" Rebar Found; Thence along the right of way of E Pike Street, South 83°10'22" West a distance of 150.00' to an Iron Pin Set, said point being the Point of Beginning.

Said parcel containing 14,998 Square Feet or 0.3443 Acres.

VISITING ANGELS is a national, private-duty network of franchised home-care agencies. Since 1998, it is the nation's leading provider of non-medical senior home-care services. Visiting Angels provides in home care, respite care, senior personal care, elderly care, companion care and elderly care services. This allows loved ones to continue living at home when it might not otherwise be possible.

VISITING ANGELS OF TUCKER

4500 Hugh Howell Rd., Suite 530
Tucker, GA 30084

Sibley Sisters, Inc. dba

PROPOSED: VISITING ANGELS OF LAWRENCEVILLE

Business Plan

Prepared: October 14, 2019

Identity

Visiting Angels of Lawrenceville will be the newest territory for Sibley Sisters, Inc. (SSI) who currently maintain their main office in Tucker, Georgia.

Problem Worth Solving

Current client population has over the past several years become increasingly seeking the presence of Visiting Angels due to heavy demand in response time, quality care, and timely communication for taking care of the elderly population. This has come to require an office in the strategic area of Lawrenceville, Georgia.

Our Solution

The newly described Lawrenceville territory will benefit from new ownership in the area by increased service coverage and higher quality caregivers for those local elderly in need of in-home visiting companions. Additionally, management will actively obtain feedback in order to improve and maintain client satisfaction. Clients will also benefit from increased and consistent communication from the local on-sight office staff.

Target Market

Retired individuals in the 65-plus age range serve as our primary market demographic as this rapidly growing segment of the local population grows in more and more need to qualified and certified help and assistance. Sibley Sisters Inc (SSI) knows and understands the demographics of the new territory. The average percentage of 65 plus in Lawrenceville has grown tremendously and will only increase in the next several years.

Referral Sources and Working Partners

SSI will work closely in building strong rapport with the Lawrenceville area: Home Health Care Services – 46, Hospitals – 10, Skilled Nursing Facilities – 8, Personal Care Homes – 15, Physician and Medical Practices – 442, Specialty Clinics, e.g. Dialysis, Rehab, etc. – 7. Additional Channels through established relationships with Elder Care attorneys, Bank Officers, Attorneys, and Financial Planners in the Lawrenceville area.

Networking Opportunities

SSI dba Visiting Angels of Lawrenceville will utilize the communication tools for the new territory to create a comprehensive Internet presence to bring attention to the advantages and opportunities in downtown Lawrenceville as well as refreshing our local content. SSI will join local community groups such as the Chamber of Commerce, Civic Club, and/or Rotary Club, and be a presence in local civic activities.

Revenue

SSI has a proven track record of growth year-over-year. We anticipate the projections for the new Lawrenceville territory to follow the same growth trends over the next several years. It is our belief that the new territory will have a jump start as a benefit of existing track record, market presence, and fueling city economy. We will expand on this into our new territory and expect to see immediate results.

Sibley Sisters, Inc Current Financials

	Gross Sales	Less COGS	Gross Profit	Less Expenses	Net Profit
2012 Q4	\$6,791.10	(\$4,843.76)	\$1,947.34	(\$30,101.09)	(\$28,153.75)
2013	\$255,800.85	(\$145,090.19)	\$110,710.66	(\$111,702.18)	(\$991.52)
2014	\$840,981.83	(\$553,097.66)	\$287,884.17	(\$222,715.71)	\$65,168.46
2015	\$1,275,180.46	(\$755,805.52)	\$519,374.94	(\$462,331.08)	\$57,043.86
2016	\$1,665,696.46	(\$969,662.24)	\$696,034.22	(\$585,649.55)	\$110,384.67
2017	\$1,960,227.34	(\$1,067,913.82)	\$892,313.52	(\$758,453.07)	\$133,860.45
2018	\$2,294,031.27	(\$1,506,650.61)	\$787,380.66	(\$597,474.57)	\$189,906.09

Projections for New Lawrenceville Territory

	Gross Sales	Less COGS	Gross Profit	Less Expenses	Net Profit
2020	\$750,000.00	(\$462,271.44)	\$287,728.56	(\$225,000.00)	\$62,728.56
2021	\$975,000.00	(\$600,952.88)	\$374,047.12	(\$292,500.00)	\$81,547.12
2023	\$1,267,500.00	(\$781,238.74)	\$486,261.26	(\$380,250.00)	\$106,011.26
2024	\$1,515,000.00	(\$933,788.32)	\$581,211.68	(\$454,500.00)	\$126,711.68

Expenses

SSI will lease a new office space in Lawrenceville at 17 East Pike Street. This new office will operate as a satellite location for hiring and scheduling only while operating under our current Georgia Department of Community Health License: Permit No. 044-R-1094. The license application has a nominal fee of \$400.00. SSI has budgeted for the expense of a new office to be highly professional as a business partner to the surrounding area. SSI is ready to set up the new office and contributing business professional organization as soon as given the go-ahead.

Team and Key Roles

Susan Cooper and Carolyn Easter will take the primary roles of operating the new territory in the same capacity as in the established and successful Tucker Office. Susan, as CFO will manage all financial aspects of the new office as well as

oversee all office operations, scheduling, and internal matters. Carolyn, as CEO will be responsible for all Field Operations. Our current Associate Director, Tonya Tanner will be a primary manager for our current territory and will maintain oversight of our team in Tucker while Susan and Carolyn focus on the new Lawrenceville branch office. Within 4-6 weeks, new staff will be hired to work in the new location. The roles that we intend to function in this office will be Receptionist, Primary Scheduler, and Office Manager in addition to Susan and Carolyn.

Partners and Resources

Visiting Angels of Lawrenceville will continue to obtain guidance and direction from our corporate group VISITING ANGELS.

Infrastructure and Office Operations

Our current phone system is provided through NorthStar Communications and is a POTS based system vs. VOIP. We plan to extend our current telephone service into our new office. We will rely on NorthStar Communication to assist us in implementing the same type of system and equipment that we use in our current location. We utilize ClearCare for our scheduling software and use Intuit/QuickBooks for our Finance/Accounting software.

Conclusions

SSI is very excited to have the opportunity of increasing local satisfaction with the Visiting Angels Brand in the new Lawrenceville territory and working closely with the Mayor and Council to hold up the City of Lawrenceville in the best possible light. This area is the one in which the Sibley Sisters grew up, attended church, and received their educations. This is our home. We are proud to be able to take the Visiting Angels mission of care to our families, friends, and neighbors!



*The City of Lawrenceville
Planning & Development*

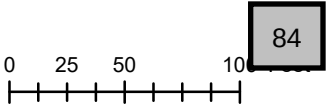
**Aerial Map and
Surrounding Area**

File #CIC2019-00001
17 East Pike St

Applicant:
Thomas Johnson

Legend

-  Subject Property
-  Roads
-  Parcels





The City of Lawrenceville
Planning & Development

Location Map and Surrounding Zoning

File #CIC2019-00001
17 East Pike St

Applicant:
Thomas Johnson

Legend

 Subject Property

 Roads

 Parcels

ZONING

 BG

 LM

 RS150



85

0 25 50 100


Additions in **BOLD**

Deletions in ~~STRIKETHROUGH~~

Approval **of Change-in-Conditions of property zoned** BG (General Business) subject to the following enumerated conditions:

1. To restrict the property as follows:

i. To limit as office institutional uses only. Retail uses shall be prohibited.

~~ii. The following uses shall be prohibited:~~

- ~~i. Adult Bookstores or Entertainment~~
- ~~ii. Automotive Repair or Parts Stores~~
- ~~iii. Bail Bonding~~
- ~~iv. Contractors Offices~~
- ~~v. Emissions Inspection Stations~~
- ~~vi. Equipment Rental~~
- ~~vii. Extended Stay Hotels or Motels~~
- ~~viii. Hookah/Vapor Bar or Lounge~~
- ~~ix. Pawn Shop~~
- ~~x. Recovered Materials Processing Facilities~~
- ~~xi. Smoke or Novelty Shop~~
- ~~xii. Tobacco, Vapor or Novelty Shop~~
- ~~xiii. Tattoo and Body Piercing~~
- ~~xiv. Taxidermists~~
- ~~xv. Title Loan Facility~~
- ~~xvi. Yard Trimming Composting Facilities~~

2. Exterior modifications of the facility shall be prohibited.

3. Any new signage shall be approved by the Director of Planning and Development.

4. Provide and maintain adjacent to residentially-zoned properties a fifteen-foot enhanced buffer along the northern side property line and a twenty-foot enhanced buffer along the eastern side property line. Additional buffer plantings shall be installed where necessary to ensure an adequate visual screen. The final landscape design shall be subject to review and approval by the Director of Planning and Development.

5. No tents, canopies, temporary banners, streamers or roping decorated 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.

6. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
7. Peddlers and/or parking lot sales shall be prohibited.
8. Outdoor storage shall be prohibited.
9. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
10. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
11. To approve the current location of the building and allow the setback encroachment of 31.2-feet into the required 50-foot front yard setback.



LAWRENCEVILLE

GEORGIA

19.

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2019-00003 & SUP2019-00019; 138 Paper Mill Road; Shane Lanham

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: Rezone from RM-12 to RM-8

Presented By: Todd Hargrave

Department Recommendation: Denial

Planning Commission Recommendation: Approval with Planning Commission conditions

Summary: The applicant is requesting the rezoning of approximately 14.5 acres from RM-12 to RM-8 for the development of 116 townhomes. The applicant is also requesting a special use permit to allow front entry for 92 of the units.

Attachments/Exhibits:

RZR2019-00003 & SUP2019-00019 Report
RZR2019-00003 & SUP2019-00019 Attachments
RZR2019-00003 & SUP2019-00019 Planning Commission Conditions
RZR2019-00003 & SUP2019-00019 Paper Mill Townhomes CEW Conditions

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING AND SPECIAL USE REPORT**

CASE NUMBER	RZR2019-00003 & SUP2019-00019
APPLICANT	TPA ACQUISITIONS 1, LLC c/o MAHAFFEY PICKENS TUCKER, LLP
CONTACT	SHANE LANHAM
PHONE NUMBER	770.232.0000
ZONING CHANGE	RM-12 TO RM-8
LOCATION	138 PAPER MILL ROAD
PARCEL ID	R5174 027
ACREAGE	14.48
PROPOSED DEVELOPMENT	116-UNIT TOWNHOUSE DEVELOPMENT WITH SPECIAL USE PERMIT TO ALLOW FRONT ENTRY UNITS
DEPARTMENT RECOMMENDATION	DENIAL

ZONING HISTORY:

The property has been zoned RM-12 (General Residence, 3,600 Square Foot District) since 1970. In 2019, the City of Lawrenceville Zoning Ordinance was amended by deleting Article VII, Section 7.5, RM-12 (General Residence, 3,600 Square Foot District) in its entirety and replacing with Article VII, Section 7.5, RM-12 (General Residence District) and adding section 7.5.01, RM-8 (General Residence, Townhouse District).

PROJECT DATA:

The applicant requests rezoning of a 14.5-acre parcel from RM-12 (General Residence District) to RM-8 (General Residence, Townhouse District) zoning, along with a Special Use Permit to allow front entry units. The subject property is located along the northern right-of-way of Paper Mill Road east of its intersection with East Crogan Street. The property is developed with a single-family dwelling and accessory structures with undisturbed wooded areas in the rear. Access to the development would be via one main entrance on Paper Mill Road.

The applicant proposes to construct a 116-townhouse community with associated amenities, driveways and parking. The development would consist of attached townhomes with a

maximum of eight units in each building. They would provide on-street parking. Rear entry units would have access to the public street via the required alley. The applicant proposes one-car garages, which do not meet the minimum two-car garage requirement. The zoning district requires 22-foot wide units. Per the letter of intent, all units would be 20 feet wide, which does not meet the minimum requirements. Additionally, in lieu of all units having views to community open spaces, the applicant intends to provide a pool and cabana towards the entrance and common areas that may be considered pocket parks throughout the development. The site plan indicates that there would be one stormwater management area on the southeast corner of the property, and a proposed undisturbed common area on the north end of the property. The entrance to the development would have an acceleration lane and deceleration lane that may need additional review by the Engineering Department. Additionally, the side setback shown in the site plan is not consistent with the dimensional requirements in the RM-8 zoning district. The proposed development may require multiple variances if approved as submitted to the Planning and Development Department on August 5, 2019.

The property lies within the Neighborhood Mixed Use Character Area of the 2040 Comprehensive Plan and Future Development Map. The Character Area encourages the development of single-family attached residential uses that contain higher density types of housing such as townhomes. However, the proposed development does not meet the minimum requirements of the RM-8 zoning district and the overall intent of the zoning district, which is to have buildings oriented towards the street, with limited parking in the front, and to have high architectural standards.

The surrounding area is characterized by single-family and multifamily developments along this segment of Paper Mill Road. Immediately to the north of the subject property is a multifamily development zoned RM-12. Adjacent to the east are the Alexander Mill apartments zoned RM-12. To the south across Paper Mill Road are several properties zoned RM-12 developed with single-family dwellings and a few multifamily developments. Immediately to the west is a property zoned BG (General Business District).

The proposed development does not meet the intent of the Zoning Ordinance and would require multiple variances to allow encroaching into setbacks, smaller units, reduced parking, and reduced vistas. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the requested rezoning and Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

Schedule a pre-design consultation with the Engineering Department to discuss how the City's Stormwater management requirements can be met.

All Development Regulations must be met.

ELECTRIC DEPARTMENT

The electric utilities internal to the development must be placed underground.

The developer will have to sign an underground service agreement.

The developer will be required to pay the per unit fees for electric service to this development, even if they build all electric units. There will be a \$2,000 per unit fee for electric service.

The developer will be required to pay the lighting costs for this development, \$400 fee per light installation.

GAS DEPARTMENT

There is an existing 4" plastic gas main on the ROW of this property. It has ample capacity to serve the units proposed. The gas main would be installed at no cost and gas services would have to be applied for separately on our website under the "gas tap application". If the required mix of appliances is met with gas, then the tap would also be free. Additional information is available on the gas tap application.

There is also an existing house on the property with gas service. This would need to be requested to kill, if needed.

WATER DEPARTMENT

The Water Department has a 12-inch ductile iron water line located on Paper Mill Road and will provide water service for this development.

Fire hydrants will not be allowed to be installed on a water line less than 8 inches.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards (City requirement) and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department.

CODE ENFORCEMENT

No Comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZR2019-00003:

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

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.
 - F. The electric utilities internal to the development must be placed underground.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00019:

Approval of Special Use for three front entry units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of front entry units shall be 92.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

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

1. Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? *Yes.*
2. Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property? *No.*
3. Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned? *Yes.*
4. Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? *Yes.*
5. Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan? *Yes.*
6. Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal? *The proposed development does not meet the minimum standards for the RM-8 zoning district.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. What are the existing uses and zoning of nearby property?
SEE PAGE 2.
2. What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning? *None.*
3. What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public? *None.*
4. What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner? *The proposed zoning change is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map but does not meet the Zoning Ordinance requirements.*
5. What is the suitability of the subject property for its current zoning? *It is suitable.*
6. What is the suitability of the subject property for the proposed zoning? *The property is at a location that makes the development viable pending requirements being met.*
7. How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property? *NA*
8. How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances? *The property meets the intent of the character area but does not conform with the Zoning Ordinance.*
9. What is the availability of adequate sites for the proposed use in districts that permit such use? *RM-8 is the only district that allows townhomes.*
10. What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)? *Not suitable.*



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
TPA Acquisitions 1, LLC c/o Mahaffey NAME: <u>Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</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>RM-12</u> REQUESTED ZONING DISTRICT: <u>RM-8</u>	
PARCEL NUMBER(S): <u>5174 027</u> ACREAGE: <u>+/-14.48</u>	
ADDRESS OF PROPERTY: <u>138 Paper Mill Road</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



DATE

RZR2019-00003

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LAWRENCEVILLE

GEORGIA

19.

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>TPA Acquisitions 1, LLC c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Multiple—see attached</u>
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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

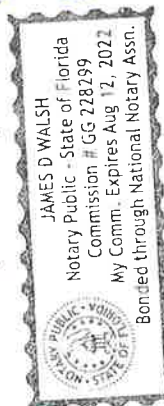
DATE

Jennifer M. Bird

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



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SUP 2019-00016

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GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
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ADDRESS OF PROPERTY: <u>138 Paper Mill Road</u>	

SIGNATURE OF APPLICANT

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

Patricia A. Kennedy

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Mosley 7/25/19

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2222019-00003
 SUP2019-00019



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
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PARCEL NUMBER(S): <u>5174 027</u> ACREAGE: <u>+/-14.48</u>	
ADDRESS OF PROPERTY: <u>138 Paper Mill Road</u>	

SIGNATURE OF APPLICANT

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

Debra L. Cagle

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Masley 7/25/19

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22R2019-00003
SUP2019-00008



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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ADDRESS OF PROPERTY: <u>138 Paper Mill Road</u>	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Williams David Cale 7-25-19
SIGNATURE OF OWNER DATE

Williams David Cale
TYPED OR PRINTED NAME

Amanda Masley 7/25/19
NOTARY PUBLIC DATE



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228-201-0003
842019-0003



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Patricia Ann Cagle Kennedy 7/25/19
SIGNATURE OF OWNER DATE

Patricia Ann Cagle Kennedy, as Executor under the Will of Williams C. Cagle, Jr.

TYPED OR PRINTED NAME

Amanda Mosley 7/25/19
NOTARY PUBLIC DATE



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R2R2019-00003
SUP2019-00003

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION
OF TPA ACQUISITIONS 1, LLC

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning and Special Use Permit Applications on behalf of TPA Acquisitions 1, LLC (the "Applicant") to request the rezoning to the RM-8 zoning classification of an approximately 14.5-acre tract (the "Property") situated along the north side of Paper Mill Road just east of its intersection with East Crogan Street (State Route 8, U.S. Route 29). The Property is currently zoned RM-12. The Property is surrounded on all sides by land zoned either RM-12, O-I, or BG. To the east and north are additional multi-family and single-family residential developments on land zoned RS-150, RM-4, and RZT in unincorporated Gwinnett County. To the south across Paper Mill Road are existing townhome and single-family attached residential communities as well as the Pine Valley mobile home park. To the west is a mix of commercial and office and commercial uses along Stanley Court and East Crogan Street. Accordingly, the area is generally mixed-use in character and already has a diverse mix of housing types.

The Applicant proposes to develop a single-family residential community, including 116 attached single-family townhomes under the RM-8 zoning classification with a special use permit for front-entry units. The proposed development would have a density of approximately 8.0 units per acre as required by the 2005 Lawrenceville Zoning Ordinance (the "Ordinance"). The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The Property is currently zoned RM-12 and the proposed downzoning represents a lower density than could be developed on the Property under its current zoning classification. The proposed development includes an attractive mix of front and rear-entry homes with a front width of 20 feet. Front and rear-entry homes would each have one-car garages with rear-entry units having access from private alleys. The proposed community would also include a pool, cabana, and areas of pocket parks and other

open space. The proposed development also includes sidewalks on both sides of the streets creating a walkable environment and would also connect to existing sidewalks on Paper Mill Road enhancing the walkability of that corridor. Residents would have convenient access to Rhodes Jordan Park via such existing sidewalks and established, striped, and signalized pedestrian crossings on East Crogan Street.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 1st day of August, 2019.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 175, of the 5th District, Gwinnett County, and being more particularly described as follows:

To find THE TRUE POINT OF BEGINNING, begin at an iron pin set at the intersection of the North line of Land Lot 175 with the south right-of-way line of Lawrenceville Highway (U.S. Highway 29), said land lot line also being the South line of Land Lot 178 thence South 29 degrees 01 minutes 38 seconds East along the common land lot line of Land Lots 175 and 178, 216.62 feet to a point; THENCE South 29 degrees 01 minutes 38 seconds East 178.77 feet to a point; THENCE South 07 degrees 09 minutes 58 seconds 50.80 feet to a point, said point being THE TRUE POINT OF BEGINNING;

THENCE South 29 degrees 01 minutes 38 seconds East a distance of 860.51 feet to a point;
 THENCE North 60 degrees 58 minutes 22 seconds East a distance of 150.00 feet to a point;
 THENCE South 29 degrees 01 minutes 38 seconds East a distance of 111.00 feet to a point;
 THENCE along a curve to the left for an arc length of 75.58 feet, having a radius of 40.00 feet, being subtended by a chord bearing South 11 degrees 03 minutes 32 seconds East, for a distance of 64.83 feet to a point;

THENCE South 60 degrees 19 minutes 55 seconds West a distance of 100.01 feet to a point;
 THENCE South 29 degrees 01 minutes 38 seconds East a distance of 150.01 feet to a point;
 THENCE South 31 degrees 28 minutes 18 seconds East a distance of 187.00 feet to a point;
 THENCE South 67 degrees 09 minutes 13 seconds West a distance of 292.41 feet to a point;
 THENCE South 06 degrees 11 minutes 08 seconds West a distance of 26.17 feet to a point;
 THENCE North 88 degrees 23 minutes 04 seconds West a distance of 125.00 feet to a point;
 THENCE South 05 degrees 10 minutes 49 seconds East a distance of 125.00 feet to a point;
 THENCE North 87 degrees 05 minutes 36 seconds West a distance of 397.57 feet to a point,
 THENCE North 07 degrees 24 minutes 38 seconds East a distance of 310.05 feet to a point;
 THENCE North 88 degrees 32 minutes 22 seconds West a distance of 100.00 feet to a point;
 THENCE North 07 degrees 24 minutes 38 seconds East a distance of 1120.18 feet to a point, said point being THE TRUE POINT OF BEGINNING.

Said property contains an area of 14.5 acres more or less.

20' REAR ENTRY, SINGLE CAR GARAGE TOWNHOME



Front Elevation A



Front Elevation B



Front Elevation C



Front Elevation D

20' FRONT ENTRY, SINGLE CAR GARAGE TOWNHOME





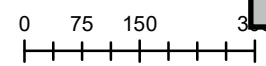
The City of Lawrenceville
Planning & Development
**Aerial Map and
Surrounding Area**
File # RZR19-00003
File # SUP19-00019
Applicant:
TPA Acquisitions 1, LLC c/o
Mahaffey Pickens Tucker, LLP

Legend

-  Subject Property
-  Roads
-  Parcels



109





The City of Lawrenceville
Planning & Development
**Location Map and
Surrounding Zoning**
File # RZR19-00003
File # SUP19-00019
Applicant:
TPA Acquisitions 1, LLC c/o
Mahaffey Pickens Tucker, LLP

Legend

 Subject Property

 Roads

 Parcels

ZONING

 BG

 ON

 OI

 LM

 RM-12

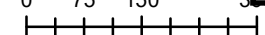
 RM-M

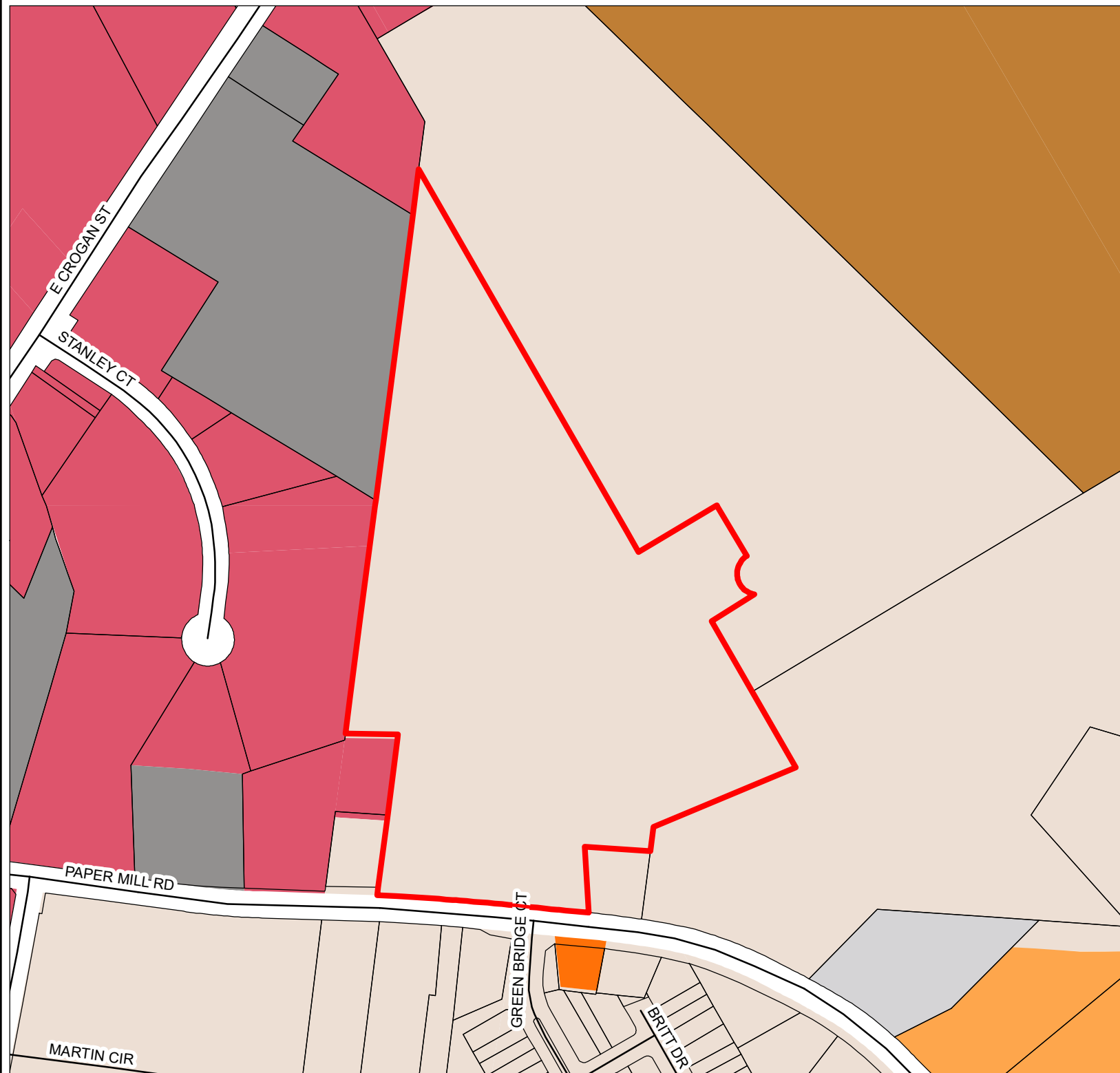
 RS150

 RS60



110

0 75 150 300




CITY OF LAWRENCEVILLE PLANNING AND DEVELOPMENT DEPARTMENT

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Bold – Additions

~~Strikethrough~~ - Deletions

RZR2019-00003:

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

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.
 - F. The electric utilities internal to the development must be placed underground.

**PLANNING COMMISSION
RECOMMENDED CONDITIONS**

SUP2019-00019:

Approval of Special Use ~~for three front entry~~ **allowing 116 townhouse** units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. ~~The maximum number of front entry units shall be 92.~~ **The minimum number of rear entry units shall be 94, and the maximum number of front entry units shall be 22.**
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

CITY OF LAWRENCEVILLE PLANNING AND DEVELOPMENT DEPARTMENT

**IF THE COUNCIL DECIDES TO MOVE FORWARD WITH THE REZONING THE
FOLLOWING ARE PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

Bold – Additions

~~Strikethrough~~ - Deletions

RZR2019-00003:

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

1. To restrict the use of the property as follows:
 - A. ~~Multifamily attached dwellings.~~ **Attached Townhouse Units.**
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance **in addition to the following standards:**
 - i. **Vertical and horizontal offsets**
 - ii. **Sides of buildings (not directly adjacent to another building) shall be predominately brick or stacked stone with windows and other treatments to break up the wall of the structure**
 - iii. **Front of each structure shall be predominately brick or stacked stone.**
 - D. **75% of the units** ~~All dwellings~~ shall have a double-car garage.
 - E. **Minimum SF shall be 1400 sf for 2 bedroom and 1600sf for 3 bedroom.**
 - F. **Interior amenities shall include the following at a minimum:**
 - i. **Stainless Steel Appliances**
 - ii. **Washer and Dryer**
 - iii. **Granite counter tops**
 - G. **Four bedroom units are prohibited.**

H. Property shall have one owner. Subdividing portions of the property is prohibited.

I. Property shall be served with dumpsters for sanitation pickup by the City. Individual unit trash pickup shall be prohibited.

2. To satisfy the following site development considerations:

A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.

B. Natural vegetation shall remain on the property until the issuance of a development permit.

C. All **disturbed areas not paved** ~~grassed areas on dwelling lots~~ shall be sodded.

D. Underground utilities shall be provided throughout the development.

E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

F. The layout of the development shall be in general conformance to the site plan presented at the February 12, 2020 Council Work Session.

G. Driveway length shall meet the following standards:

a. Front Car Garages – 20' from structure to sidewalk

b. Rear Car Garages – 20' from structure to edge of curb

H. Sidewalks are required along Paper Mill Road frontage as well as throughout the interior of the development.

I. The property shall be gated and a wrought iron type fence with brick or stacked stone columns every 30' shall be installed across the entire frontage of the property. The rest of the property shall be enclosed with a black vinyl coated chain link fence.

J. The entire frontage shall be landscaped as well as screening landscaping shall be provided around any detention pond. All landscaping plans shall be reviewed and approved by the Director of Planning and Development.

K. Professional property management shall be provided and shall include at a minimum maintenance of all fencing, landscaping, paving, common areas, detention ponds, and exteriors of all structures.

- L. Left turn lanes shall be added to Paper Mill Road in general conformance with the site plan presented at the 2/12/2020 Council Work Session and shall be reviewed and approved by the City Engineer.**
- M. Development amenities shall include a resort style pool, cabana, fitness center, and community room for residents. Community room shall be sized large enough for activities such as student after school programs, etc. Common area(s)/Park(s) shall be programmed with amenities to maximize use such as benches, tables, grills, etc.**
- N. Property shall be included in a Crime Free Multi-Housing Program similar to Gwinnett County's program.**
- ~~O. The electric utilities internal to the development must be placed underground.~~

IF THE COUNCIL DECIDES TO MOVE FORWARD WITH THE REZONING THE FOLLOWING ARE PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Bold – Additions

~~Strikethrough~~ - Deletions

SUP2019-00019:

Approval of Special Use for front entry **townhouse** units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Attached Townhouse ~~Multifamily attached dwellings.~~
 - B. ~~The maximum number of front entry units shall be 92.~~ **The maximum number of front entry units shall be 20% and located in general conformance to the site plan presented at the February 12, 2020 Council Work Session.**
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - ~~D. All dwellings shall have a double car garage.~~
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - ~~B. Natural vegetation shall remain on the property until the issuance of a development permit.~~
 - ~~C. All grassed areas on dwelling lots shall be sodded.~~
 - ~~D. Underground utilities shall be provided throughout the development.~~
 - ~~E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.~~



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2020-00011; 288 N. Clayton St, LLC; 288 N. Clayton Street

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: Rezoning from LM (Light Manufacturing District) to RS-150 (Single-family District)

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Approval with staff conditions

Summary: The applicant requests a rezoning from RS-150 (Single-Family Residence District) to BGC (Central General District) to use the existing building as an office.

Attachments/Exhibits:

- RZC2020-00011 Report
- RZC2020-00011 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING REPORT**

CASE NUMBER	RZC2020-00011
APPLICANT	288 N CLAYTON ST, LLC
CONTACT	JOHNATHAN CHAE
PHONE NUMBER	678.689.5517
ZONING CHANGE	RS-150 TO BGC
LOCATION	288 NORTH CLAYTON STREET
PARCEL ID	R5146B049
ACREAGE	0.36
SQUARE FEET	3,685
PROPOSED DEVELOPMENT	OFFICE
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY

Prior to 2016, the subject property was zoned BGC (Central General Business District). The property has been zoned RS-150 (Single-Family Residence 15,000 SQUARE Foot District) since 2016.

PROJECT DATA

The applicant requests the rezoning of an approximately 0.36-acre parcel from RS-150 to BGC to use the existing structure as an office. The subject property is located at the southeastern intersection of N. Clayton Street and Oak Street. The property is currently developed with an one-story single-family dwelling and parking at the rear of the property. Access is provided via existing curb cuts extending from the public right-of-ways.

The 2040 Comprehensive Plan (the Plan) indicates the property lies within the Central General Business District Character Area. This character area encourages the development of a mixture and concentration of residential, retail, office, recreational, and educational facilities. Given that the property was previously zoned BGC, the proposed rezoning may be compatible with the intent of the Plan, which is to preserve the integrity of the established residential character, while allowing a variety of retail or institutional uses appropriate to the area.

The surrounding area consists of a variety of commercial and residential uses. To the east, is a property zoned RS-150 and currently being used for residential purposes. To the south, is a property being used as an office space also zoned BGC. To the west, across N. Clayton is a BGC zoned property used for residential purposes. To the North, across Oak Street is a property zoned BGC, occupied by the Latin American Association. If properly conditioned, the request for rezoning could be compatible with the established zoning pattern in the immediate area, and more importantly, consistent with the intent of the long-range plans for the Downtown area.

In conclusion, the requested rezoning may be consistent with the zoning pattern and development in the immediate area and policies of the City of Lawrenceville. Therefore, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**ENGINEERING DEPARTMENT**

No comment.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

No comment.

WATER DEPARTMENT

No comment.

CODE ENFORCEMENT

No comment.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Approval as BGC (Central General Business District) subject to the following enumerated conditions:

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

To allow uses permitted in the BGC Zoning District. The following uses shall be prohibited:

- A. Adult Bookstores or Entertainment
 - B. Automotive Parts Stores
 - C. Bail Bonding
 - D. Contractors Offices
 - E. Emissions Inspection Stations
 - F. Equipment Rental
 - G. Extended Stay Hotels or Motels
 - H. Hookah/Vapor Bar or Lounge
 - I. Pawn Shop
 - J. Recovered Materials Processing Facilities
 - K. Smoke or Novelty Shop
 - L. Tobacco or Novelty Shop
 - M. Tattoo and Body Piercing
 - N. Taxidermists
 - O. Title Loan Facility
 - P. Yard Trimming Composting Facilities
2. Provide and maintain a 10-foot enhanced buffer along all property lines. Sparsely vegetated area shall be enhanced.
 3. The existing structure and site shall be brought into compliance with all applicable building, development, and zoning rules and regulations.
 4. All parking and driveway surfaces shall be paved and striped to City standards.
 5. The property shall have a 10-foot wide landscape strip along the right-of-way fronting N. Clayton except for ingress and egress subject to the review and approval by the Director of Planning and Development.
 6. A five-foot sidewalk shall be installed along Oak Street.
 7. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or required by the city, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

8. No tents, canopies, temporary banners, streamers or roping decorated flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No balloons hot air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
9. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
10. Peddlers and/or parking lot sales shall be prohibited.
11. Outdoor storage shall be prohibited.
12. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
13. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
14. Outdoor storage and overnight parking shall be prohibited.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *Yes, the property used to be zoned BGC.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2.
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *None*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *It is suitable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *It is consistent with the Comprehensive Plan, the property used to be zoned BGC.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *The property used to be zoned BGC.*



LAWRENCEVILLE

GEORGIA

20.

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>288 N Clayton St, LLC</u>	NAME: <u>288 N Clayton St, LLC</u>
ADDRESS: <u>1746 Nemours Dr NW</u>	ADDRESS: <u>1746 Nemours Dr NW</u>
CITY: <u>Kennesaw</u>	CITY: <u>Kennesaw</u>
STATE: <u>GA</u> ZIP: <u>30152</u>	STATE: <u>GA</u> ZIP: <u>30152</u>
CONTACT PERSON: <u>Johnathan Chae</u> PHONE: <u>(678) 689-5517</u> <u>johnathan.chae@gmail.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.	
PRESENT ZONING DISTRICT(S): <u>RS150</u> REQUESTED ZONING DISTRICT: <u>BGC</u>	
PARCEL NUMBER(S): <u>R5146B049</u> ACREAGE: <u>0.361</u>	
ADDRESS OF PROPERTY: <u>288 N Clayton St, Lawrenceville, GA 30046</u>	

Johnathan Chae Jan. 3rd, 2020
SIGNATURE OF APPLICANT DATE

Johnathan Chae Jan. 3rd, 2020
SIGNATURE OF OWNER DATE

288 N Clayton St, LLC, by Johnathan Chae,
TYPED OR PRINTED NAME Manager

288 N Clayton St, LLC, by
TYPED OR PRINTED NAME Johnathan Chae, Manager



Box 2200 • Lawrenceville, GA 30046-2200
963.2414 • www.lawrencevillega.com

RIC 2020-00011

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To Whom it may concern,

This letter is to describe the proposed Zoning Change for the property located at 288 N Clayton St, Lawrenceville, GA 30046.

We propose to change the Zoning to BGC. Our immediate plans for the property is to use the existing building as an office space for rent.

Warmly,
Members of 288 N Clayton St, LLC

COPY

DEED B: 56861 P: 00623
09/05/2019 02:36 PM Pgs: 1 Fees: \$10.00
TTax: \$280.00
Richard T. Alexander, Jr., Clerk of Superior Court
Gwinnett County, GA
PT-61 #: 0672019023892
ERECORDED
eFile Participant IDs: 9199090951,

20.

Return Recorded Document to:
Rand & Associates, LLC
9755 Dogwood Road
Suite 250
Roswell, Georgia 30075

**LIMITED
WARRANTY DEED**

**STATE OF GEORGIA
COUNTY OF FULTON**

FILE #: 19-00318

THIS INDENTURE made this 30th day of August, 2019, between John M. Campbell, III of the County of Gwinnett and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and 288 N Clayton Street, LLC as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits). *288 N Clayton St, LLC

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

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA, FRONTING ON THE EAST SIDE OF NORTH CLAYTON STREET ONE HUNDRED AND ELEVEN AND ONE-HALF (111 1/2) FEET, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN CORNER AT THE INTERSECTION OF NORTH CLAYTON STREET AND OAK STREET AND RUNNING SOUTH ALONG THE EAST SIDE OF NORTH CLAYTON STREET ONE HUNDRED AND ELEVEN AND ONE-HALF (111 1/2) FEET TO AN IRON PIN, AT THE LANDS OF SAM P ALLISON; THENCE RUNNING IN AN EASTERLY DIRECTION ALONG THE LANDS OF SAID ALLISON ONE HUNDRED AND FORTY-THREE (143) FEET TO AN IRON PIN CORNER, AT AN ALLEY, THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST SIDE OF SAID ALLEY ONE HUNDRED AND NINE (109) FEET TO AN IRON PIN ON THE SOUTH SIDE OF OAK STREET, THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH SIDE OF OAK STREET ONE HUNDRED AND FORTY-SEVEN (147) FEET TO THE BEGINNING POINT. THIS TRACT OR LAND IS BOUNDED ON THE NORTH BY OAK STREET, ON THE EAST BY AN ALLEY BETWEEN THIS LOT AND THE LANDS OF GUY SHIELDS, ON THE SOUTH BY THE LANDS OF SAM P ALLISON, ON THE WEST BY NORTH CLAYTON STREET.
PARCEL: R5146B049

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

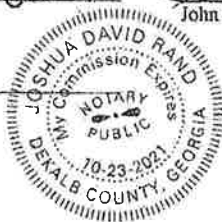
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

Clynn Haire
Witness

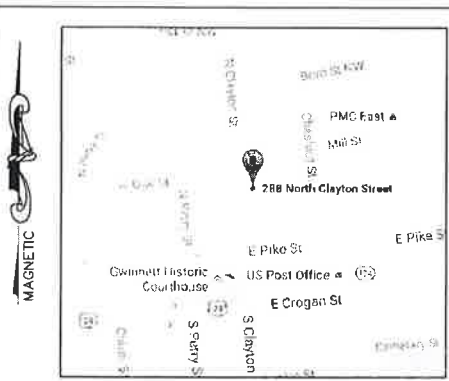
John M. Campbell, III (SEAL)
John M. Campbell, III

Notary Public



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RZC 1020.00011



FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (●) IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL.

MAP ID: 13135C0089F EFFECTIVE DATE: 09/28/2006
 ZONE: X

MAP ID: 13135C0074F EFFECTIVE DATE: 05/16/2013
 ZONE: X

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

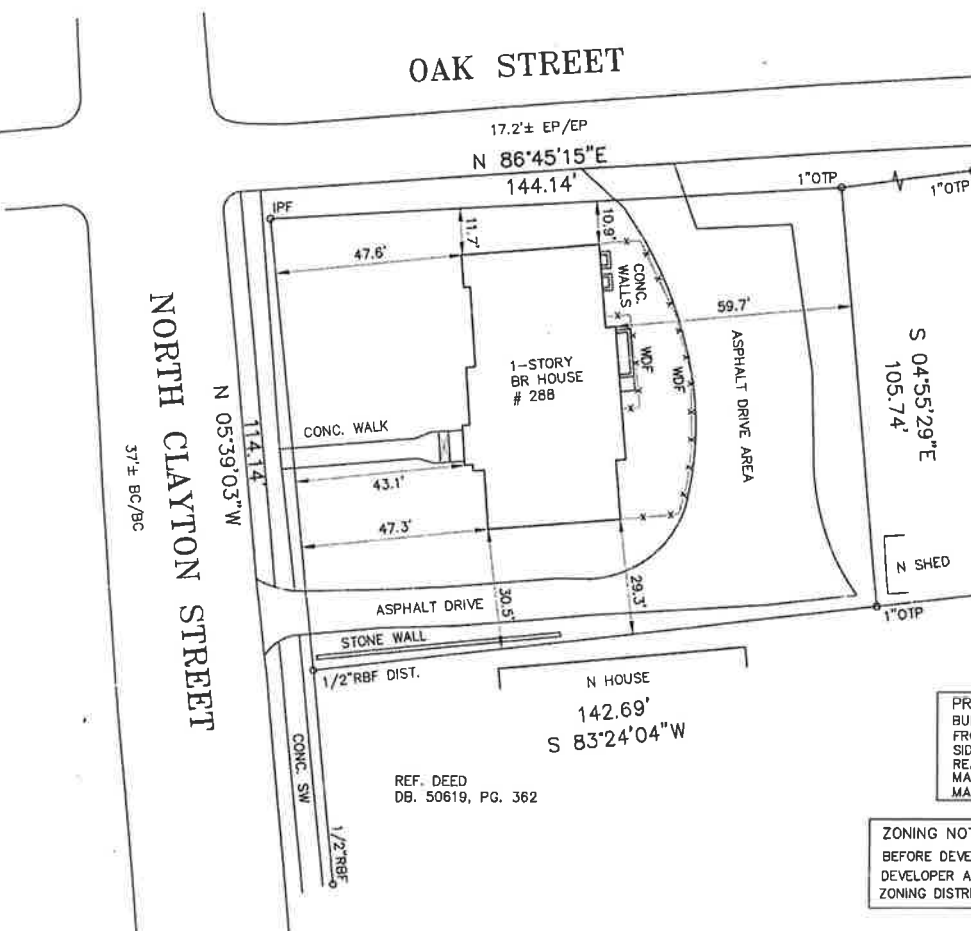
THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

* LEGEND *

POB POINT OF BEGINNING
 LUL LAND LOT LINE
 SANITARY SEWER LINE
 CO SAN SEWER CLEANOUT
 CB CATCH BASIN
 JB JUNCTION BOX
 DI DRAINAGE VENT
 YI YARD INLET
 HW LEAD WALL
 HP POWER POLE
 PW POWER POLE
 SSE SANITARY SEWER EJECTOR
 CE DRAINAGE EASEMENT
 LC UTILITY EASEMENT
 AS ACCESS EASEMENT
 TOY TOY OR WAY
 CVP CORROSION-RESISTANT METAL PIPE
 RCP REINFORCED CONCRETE PIPE
 ASP ASP PER PLAT
 APD ASP PER DEED
 APR ASP PER RECORD
 APF ASP PER FIELD
 BC BACK OF CURB
 EP EDGE OF PAVEMENT
 ER ELEVATION
 LM LUMINOUS METER
 LW GAS METER
 GV GAS VALVE
 WM WATER METER
 WV WATER VALVE
 DI DRAINAGE
 OU OVERHEAD UTILITY

INDICATES STARS

IF IRON PIPE FOUND
 WFO IRON PIPE FOUND
 CTP OPEN TOP PIPE FOUND
 CTP OPEN TOP PIPE FOUND
 RB REINFORCED BAR FOUND
 RB REINFORCED BAR FOUND
 MMS MASONRY FOUND
 AI ANGLE IRON FOUND
 CP CALCULATED POINT
 -X FENCE
 CLT CHAIN LINK FENCE
 WOF WOOD FENCE
 WFP WIRE FENCE
 WM WIRE MESH FENCE
 FC FENCE CORNER
 BLDG BLDG LINE
 R/W RIGHT-OF-WAY
 PL PROPERTY LINE
 PC PROPERTY CORNER
 OL CENTER LINE
 CPT CANTONMENT
 SP SETBACK
 P PORCH
 FH FIRE HYDRANT
 BR BRICK
 FR FRAME
 WD WOOD
 SN SN
 P PLAT
 G GROUND
 R RECORD
 F FIELD
 N NOTES



PROPERTY IS ZONED BGC
 BUILDING SETBACK:
 FRONT NONE
 SIDE NONE
 REAR NONE
 MAX LOT COVERAGE 100%
 MAX BUILDING HEIGHT 40'

ZONING NOTE:
 BEFORE DEVELOPMENT OF THIS PROPERTY,
 DEVELOPER AND ARCHITECT TO CONFIRM
 ZONING DISTRICT, PER ZONING DEPARTMENT.

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.

2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.

3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.

5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.

6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.

PROPERTY ADDRESS:
 288 N. CLAYTON STREET
 LAWRENCEVILLE, GA 30046

SURVEY PREPARED FOR:

JOHN CAMPBELL

LOT	BLOCK
SUBDIVISION	UNIT
LAND LOT 146 B	5TH DISTRICT
SECTION	
GWINNETT COUNTY, GEORGIA	
FIELD WORK DATE OCT 15, 2016	PRINTED/SIGNED OCT 20, 2016
PLAT BOOK DEED BOOK 42338	PAGE 153
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO OBTAIN THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.



SJ
 COORD # 20161974
 DWG # 20161974

SURVEY LAND EXPRESS, INC.
 LAND SURVEYING SERVICES

70 LENOX POINTE,
 ATLANTA, GA 30324
 FAX 404-801-0941
 TEL 404-252-5747
 INFO@SURVEYLANDEXPRESS.COM

R2C 2020-00011



*The City of Lawrenceville
Planning & Development*

**Aerial Map and
Surrounding Area**

File #RZC2020-00011
288 North Clayton St

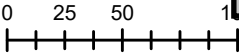
Applicant:
288 N Clayton St, LLC

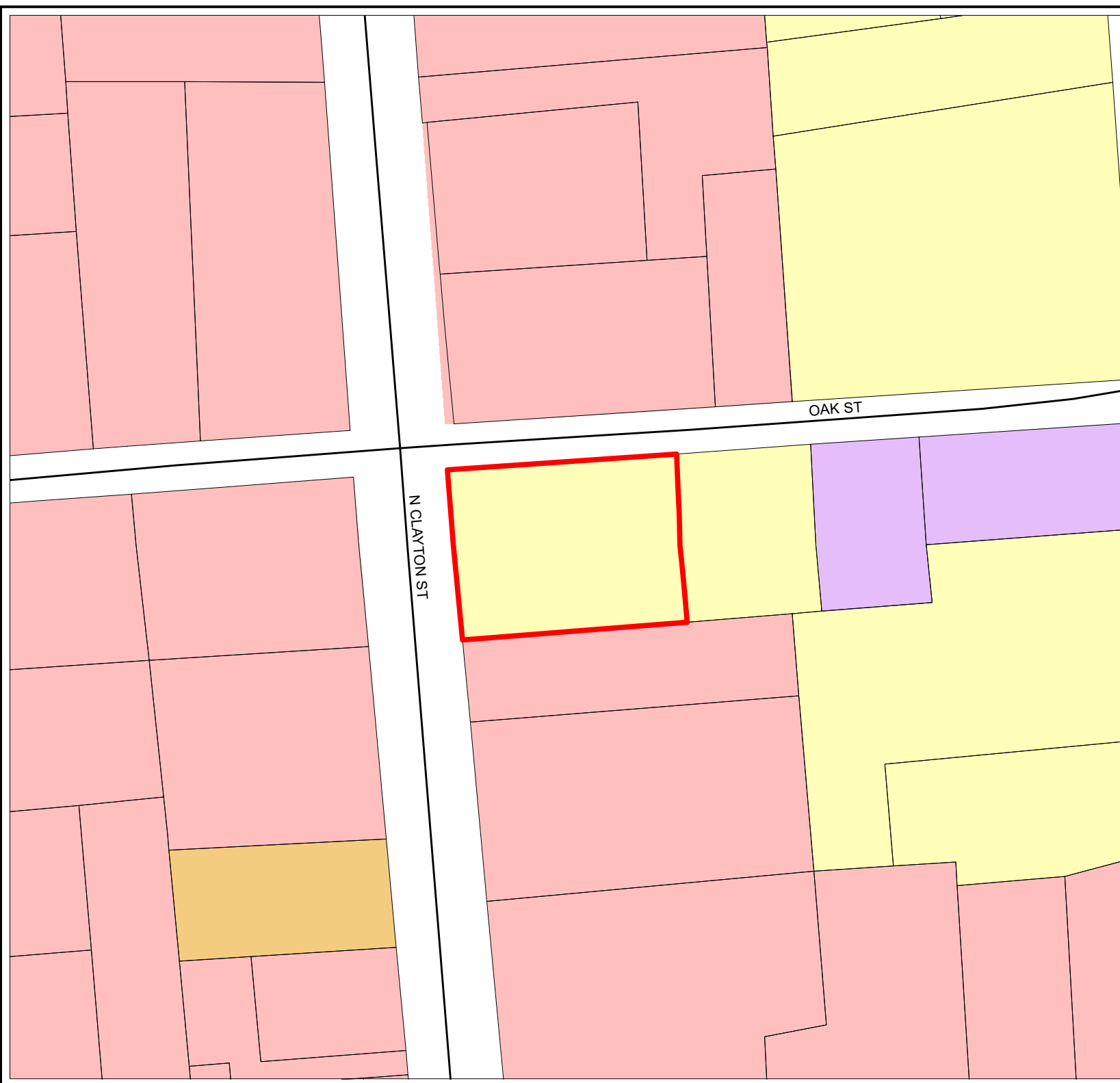
Legend

-  Subject Property
-  Roads
-  Parcels



129





*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning

File #RZC2020-00011
288 North Clayton St

Applicant:
288 N Clayton St, LLC

Legend

 Subject Property

 Roads

 Parcels

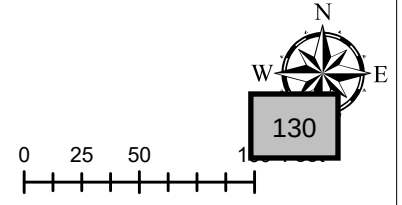
PRIMARY ZONING

 BGC Central General Business

 ON Office/Neighborhood

 RM-12 General Residence

 RS150 Single-Family Residence





LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation.
Department:	Planning and Development
Date of Meeting:	Monday, February 24, 2020
Applicant Request:	Rezoning from C2 and RTH to BG with Special Use Permit to allow a high-rise development
Presented By:	Todd Hargrave
Department Recommendation:	Approval with Conditions
Planning Commission Recommendation:	Table to the March 3, 2019 Planning Commission meeting

Summary: The applicant requests the rezoning of an approximately 40 acres, pending annexation from Gwinnett County. The rezoning requested is BG (General Business District).

Attachments/Exhibits:

RZC2019-00010 & SUP2019-00022 Report

RZC2019-00010 & SUP2019-00022 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING AND SPECIAL USE REPORT**

CASE NUMBER	RZC2019-00010 & SUP2019-00022
APPLICANT	THE RESIDENTIAL GROUP, LLC C/O MAHAFFEY PICKENS TUCKER, LLP
CONTACT	SHANE LANHAM
PHONE NUMBER	770.232.0000
ZONING CHANGE	R-TH & C-2 TO BG, WITH A SPECIAL USE PERMIT TO ALLOW A MIXED-USE DEVELOPMENT
LOCATION	BUFORD DRIVE AT UNIVERSITY PARKWAY
PARCEL ID	R7011 011 / 7011 024 / 7011 025 / 7012 119 / 7012 002B / 7012 002D
ACREAGE	42.1
PROPOSED DEVELOPMENT	APARTMENTS
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

In 1970, the subject property located within unincorporated Gwinnett County, was zoned R-100 (Single-Family Residence District) and C-1 (Neighborhood Business District). In 2006, the Gwinnett County Board of Commissioners approved a request to rezone the subject property from R-100 and C-1 to R-TH Single-Family Residence Townhouse District) and C-2 (General Business District), pursuant to RZC2006-00053.

PROJECT DATA:

The applicant requests rezoning, annexation, and subdivision of a 42.1-acre parcel assemblage from R-TH (Gwinnett County Single-Family Residence Townhouse District) and C-2 (Gwinnett County General Business District,) to BG (General Business District), along with a Special Use Permit to allow mixed-use development. The applicant intends to subdivide and develop the parcel assemblage in two phases that include a multifamily component referred to as 'Tract 1', consisting of 18.00-acres, and at a later date, commercial/retail component referred to as 'Tract 2' consisting of 22.68-acres. The subject property is located within unincorporated Gwinnett County, along University Parkway between Buford Drive and Collins Hill Road,

bounded to the east by Buford Drive, to the south by Georgia Highway 316, and to the west Lendon Connector. The property is currently vacant and undeveloped.

The applicant proposes to develop 'Tract 1' with 361 apartment units, at a density of 20.05 units per acre. The plan proposes five three-story apartment buildings with basements, consisting of approximately 208 studio/one-bedroom units and 153 two-bedroom units. The proposed building height is approximately 55 feet in height, exceeding the minimum building height requirements of the Zoning Ordinance for both multifamily and single-family residential proposals. Therefore, a variance to allow a building height increase will be required for this particular request. The proposed plan includes 514 parking spaces and associated driveways. A water quality/detention pond is proposed along the western property line, and a stream meanders along the southern property line, both of which may require additional review by the Engineering Department. Additionally, the site plan indicates there would be active and passive common space, pool courtyard and other amenities. Access to the proposed multifamily development would be via two curb cuts along the proposed expansion of Collins Industrial Way (a.k.a Lendon Connector).

The surrounding area is characterized by a variety of uses and zoning. To the north, along the north side of the proposed Collins Industrial Way (a.k.a. Lendon Connector) roadway expansion are the Edd Harris Subdivision and Lendon Lane Estates single-family subdivisions zoned R-100 (Single-Family Residence District, Gwinnett County). To the north and east, across the existing Lendon Lane are BG (General Business District) zoned properties located in the city limits of Lawrenceville. Immediately adjacent to the south and west is the Georgia Highway 316. Further to the west, across Collins Hill Road, are light industrial, institutional, office, retail and senior-oriented multifamily residential uses and zoning, including the Georgia Gwinnett College campus, Garden Plaza retirement community and Life Care Center of Lawrenceville nursing home. The variety of uses and zoning in the immediate area further supports the request.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located in close proximity to the College Corridor, Community Mixed-Use and Industrial Character Areas. These character areas encourage general commercial uses along major corridors, as well as, mixed-use developments, which may include a diversity of development types and densities. Additionally, the Plan encourages developments providing services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown.

In agreeance with the City's land recommended policies, the prospective development would contribute land use patterns and design elements that support walkability and an enhanced sense of place. The property's location is at the intersection of two major transportation corridors, which make it a convenient location for a mixed-use development with multifamily

residential uses. Given the aforementioned factors, the Planning and Development Department recommends **Approval with Conditions** of the requested Annexation, Rezoning, and Special Use Permit.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2019-00010

Approval as BG (General Business District) for a Mixed-Use development, subject to the following enumerated conditions:

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

- A. For the residential component, no more than 361 apartments shall be allowed. The development shall be a fenced and gated community comprised of metal with spaced columns every 25 feet, with a maximum building height of 55 feet. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department.
- B. Buildings shall be constructed as urban-style, flat-roofed buildings with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
- C. For the retail component, the following uses shall be prohibited:
 - 1. Adult Bookstores or Entertainment
 - 2. Automotive Parts Stores
 - 3. Bail Bonding
 - 4. Contractors Offices
 - 5. Emissions Inspection Stations
 - 6. Equipment Rental
 - 7. Extended Stay Hotels or Motels
 - 8. Hookah/Vapor Bar or Lounge
 - 9. Pawn Shop
 - 10. Recovered Materials Processing Facilities
 - 11. Smoke or Novelty Shop
 - 12. Tobacco or Novelty Shop
 - 13. Tattoo and Body Piercing
 - 14. Taxidermists
 - 15. Title Loan Facility
 - 16. Yard Trimming Composting Facilities

2. To abide by the following site development considerations:

- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
- B. Provide a 50-foot wide natural undisturbed buffer adjacent to the Edd Harris Subdivision and Lendon Lane Estates residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated. Final landscaping shall be subject to review and approval of the Director of the Planning and Development Department.
- C. Provide a 20-foot landscape strip along the southern right-of-way of the proposed Collins Industrial Way (a.k.a Lendon Connector) expansion. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
- D. Provide a 10-foot landscape strip along the perimeter of the overall development and along the internal property line separating 'Tract 1' and 'Tract 2.' Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
- E. 'Tract 1' Ground signage shall be limited to a one-monument type sign, and shall be subject to the review and approval of the Director of the Planning and Development Department. The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments.
- F. 'Tract 2' Ground Signage shall be limited to a one-monument type sign along Buford Drive (a.k.a. Georgia Highway 20), and shall be subject to the review and approval of the Director of the Planning and Development Department. The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments.
- G. All grassed areas within the development shall be sodded.
- H. All utilities shall be placed underground.
- I. Outdoor commercial sales or storage shall be prohibited.
- J. Window signage (signs displayed on the interior or exterior of the business windows) shall be prohibited, except for open/closed signs required by city, county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be

prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

- K. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. 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.
- L. 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.
- M. Peddlers and/or parking lot sales shall be prohibited.
- N. Outdoor loudspeakers shall be prohibited.
- O. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
- P. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00022:

Approval of a Special Use Permit for a 361-unit apartment development, subject to the following enumerated conditions:

1. To restrict the Special Use Permit as follows:
 - A. Multifamily attached Dwelling Apartment units, not to exceed 361 apartment units or 20.05 units per acre.
 - B. Multifamily dwelling units shall be constructed in a group of twelve attached units or more, including single-level units located in a multistory building.
 - C. Each unit shall be accessed internally, via a double-loaded corridor (hallway), consisting of apartment units on both sides of the passage corridor connecting twelve or more attached units.
 - D. The buildings must meet the minimum architectural standards set forth in the RM-12 zoning district of the Zoning Ordinance. Final elevations shall be subject to the review and approval of the Director of the Planning and Development Department.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed zoning change is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *Suitable.*



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>The Residential Group, LLC c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</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>R-TH & C-2 (Gwinnett)</u> REQUESTED ZONING DISTRICT: <u>BG w/ SUP</u> PARCEL NUMBER(S): <u>Multiple--see attached</u> ACREAGE: <u>+/-</u> ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

NOTARY PUBLIC

DATE



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 770.963.2614 • www.lawrencevillega.org



LAWRENCEVILLE

GEORGIA

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Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

SIGNATURE OF OWNER DATE

William J. Martin
TYPED OR PRINTED NAME

Amanda Masley 10/3/19
NOTARY PUBLIC DATE

Amanda Masley 10/3/19
NOTARY PUBLIC DATE



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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

[Signature] 3 OCT 2019
SIGNATURE OF OWNER DATE

BILL MARTIN, AS REGISTERED AGENT
TYPED OR PRINTED NAME

[Signature] 10/3/19
NOTARY PUBLIC DATE

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LAWRENCEVILLE

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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

BILL MARTIN, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

Bill Martin, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Amanda Mosley 10/3/19



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STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</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>R-TH & C-2 (Gwinnett)</u> REQUESTED ZONING DISTRICT: <u>BG w/ SUP</u>	
PARCEL NUMBER(S): <u>Multiple--see attached</u> ACREAGE: <u>+/-</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT _____ DATE _____

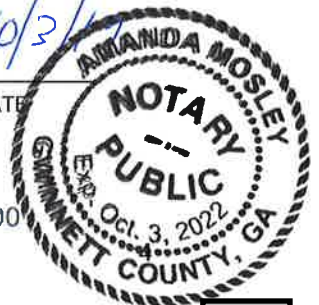
Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

SIGNATURE OF OWNER _____ DATE 03 OCT 19

SAMUEL A. MARTIN III
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE 10/3/19



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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: The Residential Group c/o Mahaffey Pickens Tucker, LLP	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
PHONE: <u>770 232 0000</u>	PHONE: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
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ZONING DISTRICT(S): <u>BG</u> ACREAGE: <u>+/-</u>	
PARCEL NUMBER(S): <u>Multiple--see attached</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	
PROPOSED SPECIAL USE: <u>High-Rise Development</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

NOTARY PUBLIC

DATE

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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: The Residential Group c/o Mahaffey Pickens Tucker, LLP	NAME: Multiple--see attached
ADDRESS: 1550 North Brown Road, Suite 125	ADDRESS: _____
CITY: Lawrenceville	CITY: _____
STATE: Georgia ZIP: 30043	STATE: _____ ZIP: _____
PHONE: 770 232 0000	PHONE: _____
CONTACT PERSON: Shane Lanham PHONE: 770 232 0000	
CONTACT'S E-MAIL: slanham@mptlawfirm.com	
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ZONING DISTRICT(S): BG ACREAGE: +/-	
PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

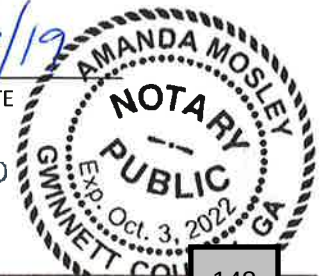
William J MARTIN

TYPED OR PRINTED NAME

Amanda Mosley 10/3/19

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

SAMUEL A. MARTIN III

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Mosley 10/3/19



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LAWRENCEVILLE

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PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

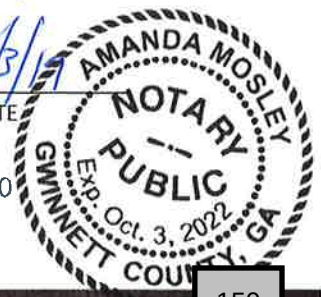
NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

DILL MORTON, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

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ZONING DISTRICT(S): BG ACREAGE: +/-	
PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT _____ DATE _____

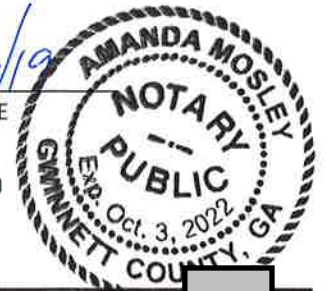
Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

SIGNATURE OF OWNER _____ DATE 3 OCT 2019

BILL MARTIN, AS EXECUTOR
TYPED OR PRINTED NAME

Amanda Mosley 10/3/19
NOTARY PUBLIC DATE



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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

BILLY MARTIN, AS REGISTERED AGENT
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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PROPERTY OWNER LIST

Name	Address	Parcel
Martin, Samuel A III & William J.	2065 Windsor Mill Ct, Grayson, GA 30017	7011 011
Martin, Samuel A Jr. & Elaine S	2065 Windsor Mill Ct, Grayson, GA 30017	7011 024
Martin, Samuel A III	440 Mooring Line Dr, Naples, FL 34102	7011 025
Martin, Samuel A III	2065 Windsor Mill Ct, Grayson, GA 30017	7012 119
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002A
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002B
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002D

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
THE RESIDENTIAL GROUP, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached annexation, rezoning, and special use permit applications (the “Applications”) on behalf of The Residential Group, LLC (the “Applicant”) in order to allow a mixed-use development on an approximately 42-acre tract (the “Property”) located along University Parkway (SR 316) between Collins Hill Road and Buford Drive (SR 20). The Property is bounded on the east by Buford Drive, the south by 316, the west by the Lendon Connector, and the north by the proposed Lendon Connector extension. The Applicant is proposing to create an integrated, walkable, mixed-use environment by annexing the Property into the corporate limits of the City of Lawrenceville and rezoning it to the BG zoning classification with a Special Use Permit for a High Rise Development pursuant to Section 7.19 of the City of Lawrenceville Zoning Ordinance. In order to facilitate the proposed mixed-use development, the Applicant is also requesting an amendment of the Highway Overlay District Map to include the Property within Zone 35 of the High Rise Overlay District in line with adjacent land on the northerly side of 316.

The Property is currently located in unincorporated Gwinnett County and is zoned R-TH and C-2. Though not classified on the City of Lawrenceville 2040 Future Development Map, the Property is adjacent to land classified as within the Community Mixed-Use and College Corridor character areas. The 2040 Plan strongly supports mixed-use developments especially in activity centers such as the Community Mixed-Use and College Corridor character areas. Specifically, Policy LU1.1 of the 2040 Plan is to “[e]ncourage a mixture and concentration of residential, retail, office, recreational, and educational facilities at key locations to encourage walking and biking to everyday needs.” Residents of the proposed residential community would have convenient vehicular and pedestrian access to educational and employment opportunities at Georgia Gwinnett College, which lies just to the west across Collins Hill Road, as well as expanding commercial options along Buford Drive as that major north-south corridor continues to redevelop.

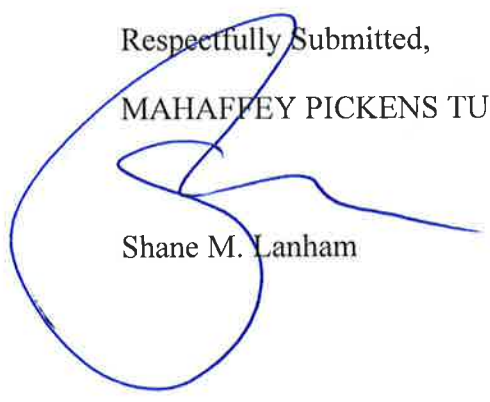
The proposed residential component of the development would comprise approximately 18.0 acres of the Property and would be focused around an expansive amenity area with approximately 361 units spread across five buildings. The balance of the Property would be reserved for commercial development pursuant to the requirements of the BG zoning classification and the requirements of the High Rise Overlay District. The central common space would include both passive and active amenities for residents including pocket parks and dog walk areas. The proposed residential community would also include a more active resort-style pool and patio area with outdoor grills, seating areas, and fire pits. The residential development would also include connections to the adjacent commercial/retail area promoting walkability and an enhanced sense of place. Residents would have quick, convenient, access to shopping, dining, and employment opportunities nearby. In accordance with the City's land use policies, the proposed development would provide land use patterns and design elements that support walkability and an improved sense of place. The proposed development would improve the aesthetics of main corridors and gateways into the City and diversify the land use mix in this area of the City. Moreover, the Property's location at the intersection of two major transportation corridors makes it an appropriate location for a mixed-use development with multi-family residential uses.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Lawrenceville Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 4th day of October, 2019.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Legal Description

Tract 1

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

To Reach the TRUE POINT OF BEGINNING commence at a concrete monument found at the intersection of the northeasterly Right of Way of Georgia Highway 316 (Exit Ramp "V"; Variable R/W) and the northerly Right of Way of Lendon Connector (Variable R/W); thence running along said Right of Way of Lendon Connector North 50° 32' 36" East a distance of 100.39 feet to a Right of Way Monument found (underwater); thence North 24° 18' 40" East a distance of 136.51 feet to a Right of Way Monument found; thence running along a curve to the right an arc length of 160.66 feet, (said curve having a radius of 865.00 feet, with a chord bearing of North 55° 54' 30" East, and a chord length of 160.43 feet) to a Right of Way Monument found and the TRUE POINT OF BEGINNING, from point thus established and running along said Right of Way North 23° 42' 32" West a distance of 58.05 feet to a point on the southerly Proposed Right of Way of Collins Industrial Way (a.k.a Lendon Connector; said point being 40' from the proposed centerline; Road Not Yet Constructed); thence running along said Proposed Right of Way along a curve to the right an arc length of 400.61 feet, (said curve having a radius of 810.00 feet, with a chord bearing of North 78° 42' 33" East, and a chord length of 396.54 feet) to a point; thence continuing along said Proposed Right of Way South 87° 07' 19" East a distance of 1027.18 feet to an iron pin set; thence leaving said Right of Way and running South 02° 46' 50" West a distance of 648.28 feet to an iron pin set; thence North 83° 25' 24" West a distance of 1176.87 feet to an iron pin set; thence North 23° 45' 35" West a distance of 473.66 feet to the TRUE POINT OF BEGINNING. Said tract contains 18.000 Acres (784,080 Square Feet).

Legal Description

Tract 2

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

To Reach the TRUE POINT OF BEGINNING commence at a concrete monument found at the intersection of the northeasterly Right of Way of Georgia Highway 316 (Exit Ramp "V"; Variable R/W) and the northerly Right of Way of Lendon Connector (Variable R/W); thence running along said Right of Way of Lendon Connector North 50° 32' 36" East a distance of 100.39 feet to a Right of Way Monument found (underwater); thence North 24° 18' 40" East a distance of 136.51 feet to a Right of Way Monument found; thence running along a curve to the right an arc length of 160.66 feet, (said curve having a radius of 865.00 feet, with a chord bearing of North 55° 54' 30" East, and a chord length of 160.43 feet) to a Right of Way Monument found; thence North 23° 42' 32" West a distance of 58.05 feet to a point and the TRUE POINT OF BEGINNING; from point thus established and running North 23° 43' 37" West a distance of 238.99 feet to an axle found; thence South 87° 45' 45" East a distance of 442.11 feet to a 1" square rod found; thence South 87° 41' 42" East a distance of 199.81 feet to a point; thence South 87° 09' 43" East a distance of 515.25 feet to a point on the southerly terminus of Forest Way (60' RW); thence running along said terminus South 87° 10' 03" East a distance of 60.00 feet to a point; thence leaving said terminus South 87° 10' 03" East a distance of 315.00 feet to a point; thence South 87° 17' 47" East a distance of 399.80 feet; thence South 86° 32' 24" East a distance of 100.02 feet to a point; thence South

88° 20' 20" East a distance of 99.92 feet to a 1" open top pipe found; thence South 87° 19' 54" East a distance of 100.11 feet to a 1" crimp top pipe found; thence North 03° 08' 01" East a distance of 148.57 feet to a point on the southerly Right of Way of Lendon Lane (Variable R/W); thence running along said Right of Way the following courses: South 81° 22' 56" East a distance of 117.08 feet to a point; thence South 80° 59' 54" East a distance of 205.15 feet to a point; thence South 81° 27' 55" East a distance of 132.59 feet to a point at the intersection of the southerly Right of Way of Lendon Lane (Variable R/W) and the westerly Right of Way of Georgia Highway 20 (Variable R/W); thence running along the westerly Right of Way of Georgia Highway 20 South 06° 11' 08" West a distance of 6.08 feet to a point; thence leaving said Right of Way North 85° 34' 52" West a distance of 132.48 feet to a point; thence South 05° 57' 57" West a distance of 100.66 feet to a 2" open top pipe found; thence South 86° 55' 01" East a distance of 132.73 feet to a point on the aforementioned Right of Way of Georgia Highway 20; thence running along said Right of Way the following courses: South 05° 48' 42" West a distance of 273.73 feet to a point; thence South 47° 14' 52" West a distance of 12.80 feet to a point; thence South 30° 05' 13" East a distance of 14.90 feet to a point; thence South 05° 52' 11" West a distance of 160.32 feet to a point on the northerly Right of Way of State Route 316 (Limited Access Highway); thence running along said Right of Way the following courses: North 89° 58' 42" West a distance of 285.99 feet to a 3/8" rebar found; thence South 01° 35' 39" East a distance of 75.70 feet to a Right of Way monument found; thence South 67° 14' 49" West a distance of 578.85 feet to a point; thence leaving said Right of Way North 83° 25' 24" West a distance of 335.63 feet to an iron pin set; thence North 02° 46' 50" East a distance of 648.28 feet to an iron pin set; thence North 87° 07' 19" West a distance of 1027.18 feet to a point; thence running along a curve to the left an arc length of 400.61 feet, (said curve having a radius of 810.00 feet, with a chord bearing of South 78° 42' 33" West, and a chord length of 396.54 feet) to the TRUE POINT OF BEGINNING. Said tract contains 22.678 Acres (987,846 Square Feet).

NOTES:

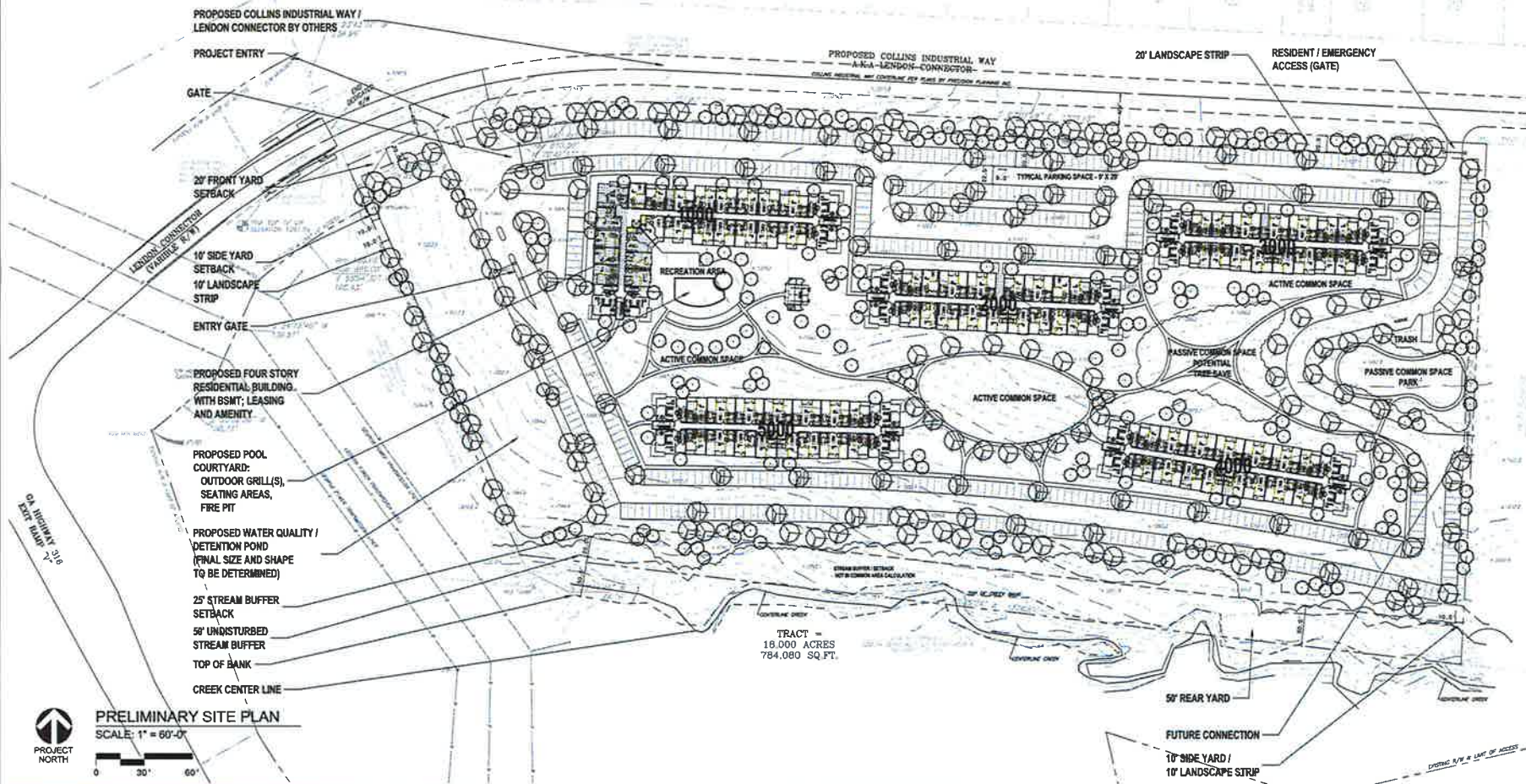
1. PROPERTY TO BE ANNEXED FROM GWINNETT COUNTY TO THE CITY OF LAWRENCEVILLE.
2. ZONING TO BE DETERMINED WITH SPECIAL USE APPLICATION.
3. ALL CALCULATIONS ARE APPROXIMATE AND BASED ON THIS PRELIMINARY SITE PLAN.
4. ALL BUILDINGS ARE 3 STORY W/ BASEMENT.
5. LANDSCAPE / HARDSCAPE SHOWN IS CONCEPTUAL: DESIGN SUBJECT TO LANDSCAPE ARCHITECT'S FINAL DRAWINGS.
6. WATER QUALITY / DETENTION IS CONCEPTUAL AND SUBJECT TO CIVIL ENGINEER'S FINAL DRAWINGS.
7. ALL COMMON AREAS, STORM WATER FACILITIES, ETC., SHALL REMAIN UNDER THE OWNERSHIP OF THE PROPERTY OWNER AT LARGE. MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNERSHIP GROUP.
8. A CROSS ACCESS EASEMENT SHALL BE GRANTED WHEN THE ADJACENT PROPERTY IS DEVELOPED.
9. ALL GRASSED AREAS TO BE SODDED.
10. ALL NEW OR RELOCATED UTILITIES SHALL BE PLACED UNDERGROUND.
11. TRASH ENCLOSURE TO BE SCREENED ON ALL SIDES WITH A 6' WALL WITH OPAQUE METAL GATE.
12. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAP NUMBERS 13135C0073F & 13135C0074F, DATED 9/28/06. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOOD PLAIN.

SITE DATA

design standard	provided	notes
Site Area	18.0 ac	784,084 SF
No. Units	363 units	
	studio / 1 bedroom units	208 units
	2 bedroom units	153 units
Parking	514 sp	1.47 sp/du 1sp/bedroom
Density (sp)	28.01 du/ac	
Building Coverage	278,079 SF	35%
Total Building Area	335,088 SF	
	residential	327,988 SF
	loading, club room, fitness, etc.	7,100 SF
Fr. Setback	25'	
Side Setback	10'	
Rear Setback	50'	
Bldg Height	55'	from curb at front of bldg to main peak of roof on same side of 3 story w/ basement bldg
Stream Buffer	50'	undisturbed
Stream Buffer Setback	25'	disturbed / revegetated
Total Common Area	157,800 SF	common area calculations are approximate, based on the conceptual plan. Does not include stream buffers or detention area.
	passive (tree cover)	30,800 SF
	active	113,200 SF
	recreation area	13,800 SF



Vicinity Map (NTS)



Developer Contact:
Ruri Alexander
The Residential Group
7100 Peachtree University Rd NE
Atlanta, GA 30328
878-646-1544

TRG HWY 316
LAND LOT 11 - 7TH DISTRICT
LAWRENCEVILLE, GEORGIA

RESIDENTIAL
GROUP

studio
ARCHITECTS
1100 N. W. 10th Ave, Suite 100
Fort Lauderdale, FL 33304
954.566.1100

DATE: 10/03/2019

FILE: 19-154

DATE: 10/03/2019

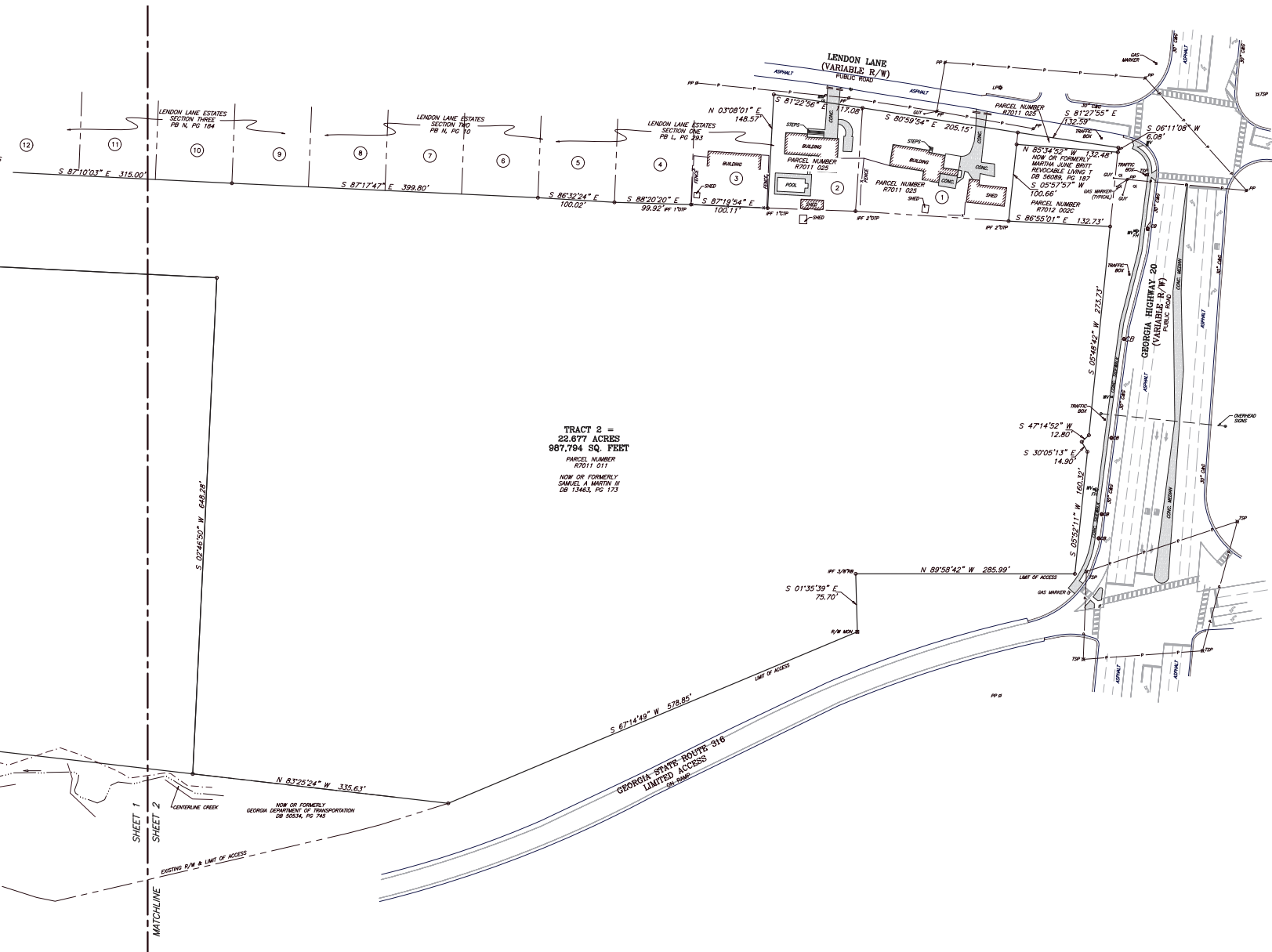
PRELIMINARY
SITE PLAN

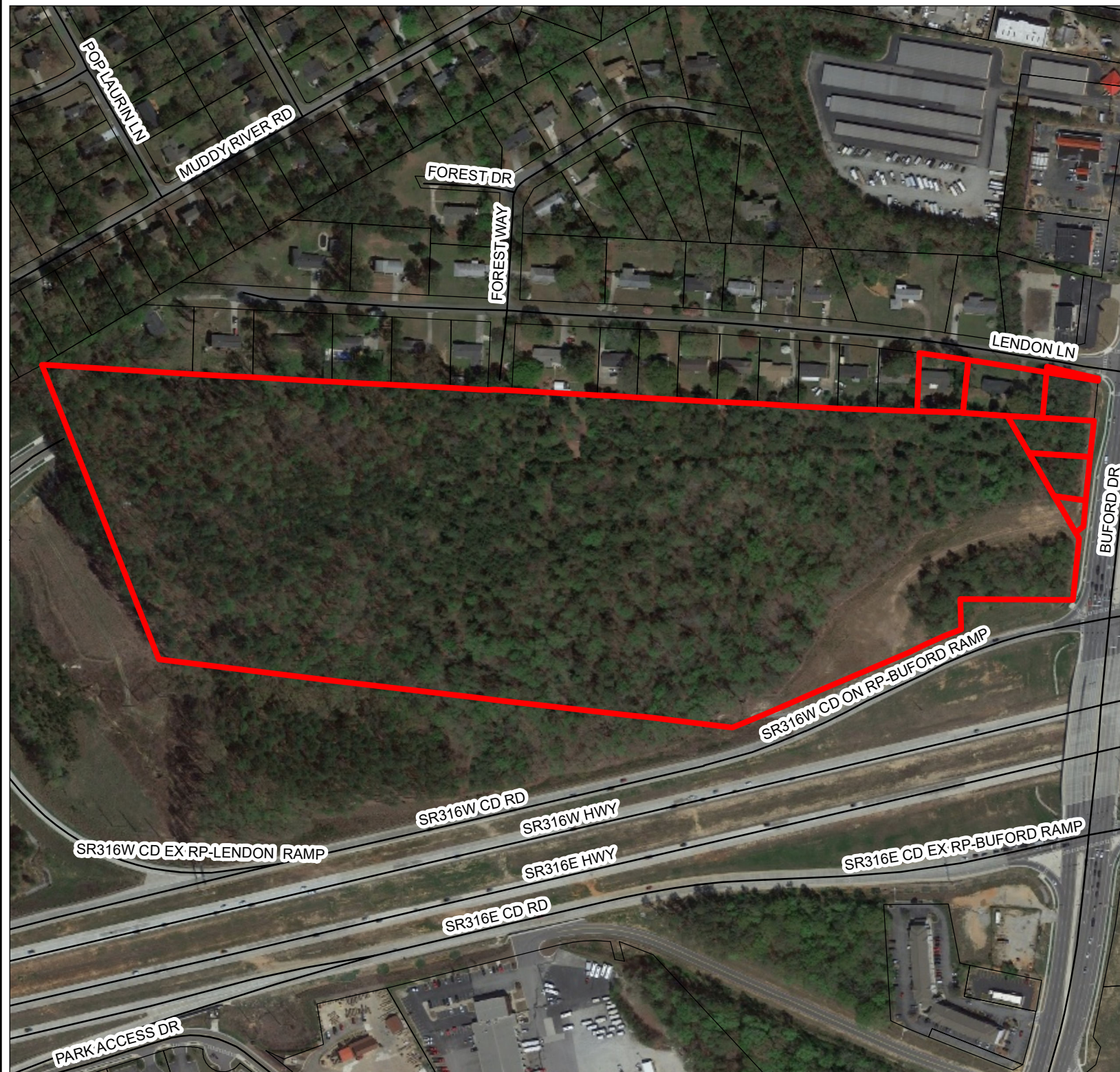
DATE: 10/03/2019

19-154

19-154

psp.01





The City of Lawrenceville
Planning & Development

**Aerial Map and
Surrounding Area**
File # RZC2019-00010
& SUP2019-00022

**Applicant: The Residential
Group c/o Mahaffey, Pickens,
Tucker, LLP**

**Address: Buford Drive and
University Parkway**

Legend

-  Subject Properties
-  Roads



161

0 100 200 400



The City of Lawrenceville
Planning & Development
**Location Map and
Surrounding Zoning**
File # RZC2019-00010
& SUP2019-00022
**Applicant: The Residential
Group c/o Mahaffey, Pickens,
Tucker, LLP**

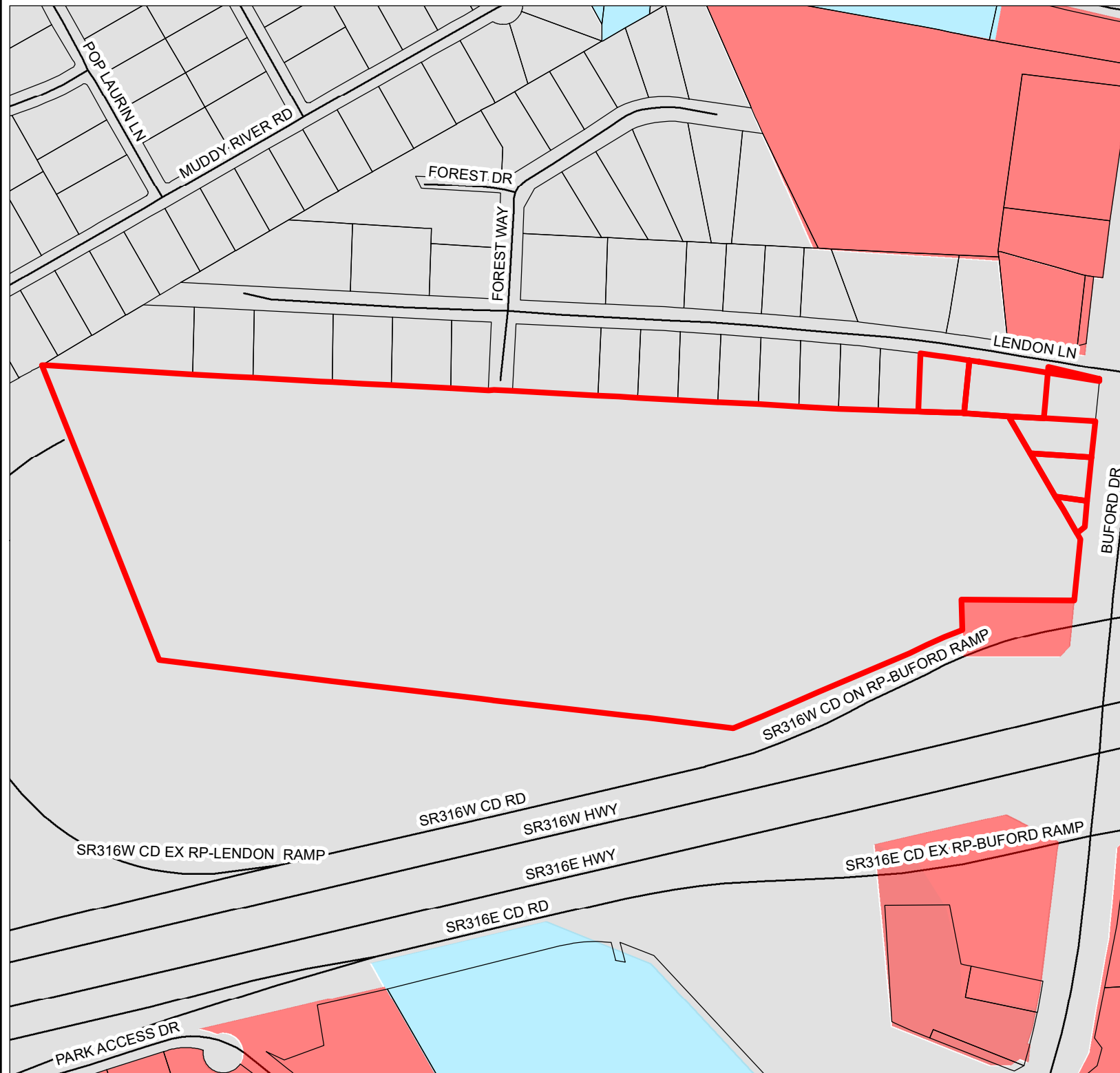
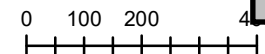
**Address: Buford Drive and
University Parkway**

Legend

-  Subject Properties
-  BG
-  HSB
-  LM
-  Unincorporated
-  Roads



162



SUP2019-00022 - Planning Commission Conditions

Approval of a Special Use Permit for a 361-unit apartment development, subject to the following enumerated conditions:

1. To restrict the Special Use Permit as follows:
 - A. The property shall be developed in general accordance with the submitted color renderings, elevations and site plan, dated November 19, 2019, titled TRG – Hwy 316, prepared for The Residential Group, prepared by Studio Architects, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
 - B. Multifamily attached Dwelling Apartment units, not to exceed 361 apartment units or 20.05 units per acre.
 - C. Multifamily dwelling units shall be constructed in a group of twelve attached units or more, including single-level units located in a multistory building.
 - D. Each unit shall be accessed internally, via a double-loaded corridor (hallway), consisting of apartment units on both sides of the passage corridor connecting twelve or more attached units.
 - E. The buildings must meet the minimum architectural standards set forth in the RM-12 zoning district of the Zoning Ordinance. Final elevations shall be subject to the review and approval of the Director of the Planning and Development Department.

APPLICANT REVISED CONDITIONS - SUP2019-00025

Approval of Special Use Permit for a Mixed-Use development, subject to the following enumerated conditions:

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

- A. For the residential component, no more than ~~280~~ **312** apartments shall be allowed. The development shall be a fenced and gated community. ~~Fencing shall be provided in general accordance with the site plan presented at the January 6, 2020 Planning Commission public hearing and~~ comprised of wrought iron style fencing with masonry columns along public right-of-way spaced every ~~30~~ **50** feet, ~~or as approved by the Director of Planning and Development.~~ ~~The~~ with a maximum building height ~~shall be of 55~~ **60** feet. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department.
- B. Buildings shall be constructed as urban style, flat-roofed or flat-roofed style buildings with primary exterior treatments of brick, **fiber cement siding**, or stacked stone on each elevation **in general accordance with the building elevations presented at the January 6, 2020 Planning Commission public hearing**. Buildings may be constructed with low pitch roofs and decorative parapets and, flat-roofed accents. **Building elevations facing external street right-of-way shall include brick or stacked stone on each such elevation.** The remainder of each elevation may be the same, **fiber cement siding**, glass, stucco, or architectural metal. **Commercial buildings shall have exterior treatments of primarily glass, brick and/or stacked stone on each elevation with accents of stucco or architectural metal.** Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
- C. Efficiency and four-bedroom units shall be prohibited, and the complex shall be limited to a maximum of five ~~ten~~ percent of units as three-bedroom apartments.
- D. For the retail component, the following uses shall be prohibited:
 - i. Adult Bookstores or Entertainment
 - ii. Automotive Repair or Parts Stores
 - iii. Bail Bonding
 - iv. Contractors Offices
 - v. Emissions Inspection Stations
 - vi. Equipment Rental
 - vii. Extended Stay Hotels or Motels
 - viii. Hookah/Vapor Bar or Lounge
 - ix. Pawn Shop
 - x. Recovered Materials Processing Facilities
 - xi. Smoke or Novelty Shop
 - xii. Tobacco, **Vape** or Novelty Shop
 - xiii. Tattoo and Body Piercing
 - xiv. Taxidermists
 - xv. Title Loan Facility

xvi. Yard Trimming Composting Facilities

- E. **Enclosed garages of 10% of the parking required by the development shall be provided for the residential component. Garages shall be located to the rear of the site and the architectural look shall be in general conformance with the building exterior of the development and shall be approved by the Director of Planning and Development.**
 - F. **Interior unit features shall include stainless steel appliances, stone countertops, and primarily faux hardwood floors.**
 - G. **The residential component shall be a gated community, with automatic card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week. Fencing shall be wrought iron style type fencing with masonry columns spaced every 25 feet.**
2. To abide by the following site development considerations:
- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Provide a 20-foot landscape strip with evergreens consisting of understory and canopy trees along Buford Drive, and the northern property line, ~~and eastern property line~~; except **(i)** where parking will be provided **and (ii) where not in accordance with Georgia Power easements**, ~~encroaching into the rear side setback~~. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
 - C. Ground Signage shall be limited to one-monument type sign along Buford Drive (**per parcel**). The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments, subject to the review and approval of the Director of the Planning and Development Department.
 - D. All grassed areas within the development shall be sodded.
 - E. All utilities shall be placed underground.
 - F. Outdoor commercial sales or storage shall be prohibited.
 - G. Window signage (signs displayed on the interior or exterior of the business windows) shall be prohibited, except for open/closed signs required by city, county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - H. 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.

- 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. Peddlers and/or parking lot sales shall be prohibited.
- K. Outdoor loudspeakers shall be prohibited.
- L. Dumpster/compacter locations shall be screened by a 100% opaque brick or stack stone wall with an opaque metal gate enclosure.
- M. In the event of residential tenant eviction, any belongings of the tenant will be placed of the subject property that is not visible from public-right-of-way unless otherwise required by law.
- N. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- O. **Detention ponds shall include a six-foot tall black vinyl coated chain link fence and landscaping so as to be screened from view of adjacent property or rights of way.**
- P. **Development shall include amenities for residents including a resort style pool and clubhouse, fitness center, outdoor fire pits and grilling stations. Design and location of amenities shall be subject to the review and approval by the Director of Planning and Development.**
- Q. **If approved by GDOT and before the first CO is provided for the development, the developer shall provide a new traffic signal at the entrance to the development on SR 20 at no cost to the City. New traffic signal shall utilize City standard Black Mast Poles.**
- R. **Existing structure on outparcel 3 shall be demolished as part of the first phase of development on the site.**



LAWRENCEVILLE

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22.

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: SU-19-11, Compass Self Storage, 282 E. Crogan Street

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: To allow Truck Rental on site

Presented By: Todd Hargrave

Department Recommendation: Denial

Planning Commission Recommendation: Approval with Planning Commission Conditions

Summary: Applicant requests a Special Use permit to allow truck rentals.

Attachments/Exhibits:

- SU-19-11 Report
- SU-19-11 Attachments
- SU-19-11 Proposed conditions

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT REPORT**

CASE NUMBER	SUP2019-00010
APPLICANT	COMPASS SELF STORAGE
CONTACT	DANA PETRY
PHONE NUMBER	216.458.0670
ZONING CHANGE	-
LOCATION	282 EAST CROGAN STREET
PARCEL ID	R5175 040, R5175 097
ACREAGE	6.19
PROPOSED DEVELOPMENT	TRUCK RENTAL (U-HAUL)

DEPARTMENT RECOMMENDATION DENIAL

ZONING HISTORY

In 2015, the property was rezoned from BG (General Business) and LM (Light Manufacturing) to LM in conjunction with a Special Use Permit for a Mini-Warehouse/Personal Storage Facility pursuant to case RZ-15-02 and SU-15-06. In January 2019, the property was denied a Special Use Permit, case SU-18-14, to allow truck rentals (U-Haul).

PROJECT DATA

The applicant is requesting a Special Use Permit to allow for moving truck rentals (U-Haul). The property is a 6.19-acre parcel assemblage, zoned LM, located on the north side of East Crogan Street, east of Paper Mill Road. The property is currently developed as a self-storage facility with an office at the front.

In January 2019, the applicant was denied a Special Use Permit to allow for moving truck rentals (U-Haul). The applicant is proposing the same request. According to the letter of intent provided by the applicant, they would not alter the existing buildings or area, but they would include a truck rental option through U-Haul for existing tenants and other customers. The trucks would not block the front entrance or office and would be parked onsite, within a secured gated area of the property. The site plan shows the overall development but does not provide any details where the applicant plans to park the rental trucks.

Nearby properties along East Crogan Street are developed with commercial, light industrial and institutional uses. To the north is a LM zoned property where Rhodes Jordan Park is

located. To the east is a LM zoned property, with a modular office manufacturing company that has an approved Special Use Permit (SU-15-18) allowing outdoor storage of mobile office trailers. To the south across East Crogan Street is a BG zoned property, developed with a medical office, and an OI (Office Institutional) zoned property, developed with a National Guard Armory. To the west is a split BG and LM zoned property, developed with a multi-tenant commercial building at the front and three office warehouse buildings towards the rear that has an approved Special Use Permit (SU-15-08) allowing an automobile pickup and sales dealer.

The 2040 Comprehensive Plan and Future Development Map indicates the property lies within the Industrial Character Area. The intent of the Industrial Character Area is that it should be the home for all heavy industry in Lawrenceville. Outdoor storage in this area should be orderly with care taken to buffer any neighboring properties from industrial uses, minimizing negative impacts. The current use of the property may be consistent with the policies of the Comprehensive Plan; however, truck rental as an accessory use would be inconsistent with the Comprehensive Plan due to the City Council's previous decision to deny a request for truck rental at this location. The City Council has established a precedent denying truck rental facilities throughout the City; which include the denial of SU-18-14, CIC-18-12 and as recently as SUP2019-00009. Concerns associated with these types of Special Use Permit requests include the number and proximity of existing truck rental facilities throughout the City (approximately 9 within the City Limits).

In conclusion, Council decisions involving Special Use Permit requests for truck rental has established a precedent that such uses may not be compatible with the intent of the policies of the 2040 Comprehensive Plan. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**ENGINEERING DEPARTMENT**

No comment.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

No comment.

WATER DEPARTMENT

No comment.

CODE ENFORCEMENT

In 2019, the subject property was cited for not obtaining a sign permit for temporary signage.

In 2018, the subject property was cited for a damaged sign, for not obtaining a sign permit for temporary signage and for not having a business license on file/displayed.

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

1. **Will the Special Use Permit proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *No. Due to case precedent, rental trucks may be inconsistent with the policies of the 2040 Comprehensive Plan.*
2. **Will the Special Use Permit proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the Special Use Permit proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the Special Use Permit proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the Special Use Permit proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *No. Due to case precedent, rental trucks may be inconsistent with the policies of the 2040 Comprehensive Plan.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the Special Use Permit proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2.
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *N/A.*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *None.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed Special Use Permit?** *It is unsuitable. Due to case precedent, rental trucks may be inconsistent with the policies of the 2040 Comprehensive Plan.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *N/A.*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *See comments above.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Adequate sites are available elsewhere within the city.*
10. **What is the suitability of the site for the proposed Special Use Permit relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *It is unsuitable. Due to case precedent, rental trucks may be inconsistent with the policies of the 2040 Comprehensive Plan.*

SU-19-11
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22.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Compass Self Storage</u>	NAME: <u>Amsdell Storage Ventures XV, LLC</u>
ADDRESS: <u>202 E. Crogan Street</u>	ADDRESS: <u>20445 Emerald Pkwy Dr. #220</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Cleveland</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>OH</u> ZIP: <u>44135</u>
PHONE: <u>470-299-0795</u>	PHONE: <u>216-458-0670</u>
CONTACT PERSON: <u>Dana Petry</u> PHONE: <u>216-458-0670</u>	
CONTACT'S E-MAIL: <u>dpetry@amsdellcompanies.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>LM</u> ACREAGE: <u>6.190 acres</u>	
PARCEL NUMBER(S): <u>R5175040, R5175097</u>	
ADDRESS OF PROPERTY: <u>202 E. Crogan Street, Lawrenceville, GA 30046</u>	
PROPOSED SPECIAL USE: <u>Allow truck rental at existing self-storage property</u>	

Shelia M. Curran 03-29-19
SIGNATURE OF APPLICANT DATE

Todd C. Amsdell 03-29-19
SIGNATURE OF OWNER DATE

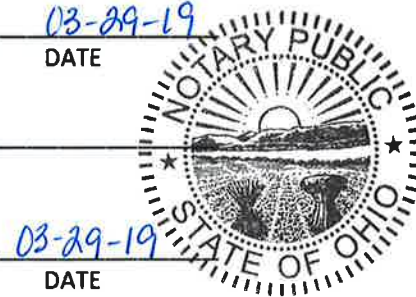
Shelia M. Curran
TYPED OR PRINTED NAME

Todd C. Amsdell
TYPED OR PRINTED NAME

Dana Petry
NOTARY PUBLIC



Dana Petry
NOTARY PUBLIC



03-29-19
DATE

DANA PETRY
Notary Public, State of Ohio
Recorded in Medina County
My Commission Expires on May 18, 2019

Clayton St • PO Box 1000 Lawrenceville, Georgia 30046
770.963.2414 www.lawrencevillega.org



Dear Planning Commission Members, Mayor and Council,

Compass Self Storage, LLC (_____ - _____ - _____) has applied for a Special Use Permit to an existing location at 282 E. Crogran Street, Lawrenceville, GA.

Compass Self Storage, LLC will not be altering the existing building or surrounding area; however, they would like to include a truck rental option through U-Haul for existing tenants, potential customers and other customers who need truck rental for personal use. The trucks will not block the front entrance or office of the property.

Compass Self Storage, LLC plans to park the U-Haul trucks within the existing location parameters and will make sure that any trucks left overnight be secured within the gated area of the property.

Sincerely,

A handwritten signature in blue ink that reads "Dana Petry".

Dana Petry
Operations Manager

SU-19-11
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TRACT 1 - Lawrenceville Property

All that tract or parcel of land lying and being in Land Lot 175 of the 5th Land District, City of Lawrenceville, Gwinnett County, Georgia, being approximately 5.9 acres according to a survey for Roddy Sturdivant, dated November 4, 1998, prepared by Samuel G. Evans, Jr., Georgia Registered Land Surveyor, and more particularly described according to said survey as follows:

Beginning at an iron pin corner on the northern right of way of U.S. Highway No. 29, (a/k/a Georgia Highway No. 8, a/k/a East Crogan Street, a/k/a Winder Highway) which iron pin is located at the intersection of the land lot line common to Land Lots 175 and 178 of the 5th Land District and running thence along the aforesaid right of way South 32 degrees 30 minutes 00 seconds West 225.00 feet to a point; thence leaving the aforesaid right of way, run North 31 degrees 30 minutes 00 seconds West 180.00 feet to a point; run North 31 degrees 33 minutes 37 seconds West 548.46 feet to a point; thence north 31 degrees 35 minutes 04 seconds West 640.19 feet to a point ("Point A"; run thence North 31 degrees 35 minutes 04 seconds West 65.00 feet, more or less, to the centerline of the creek; run thence along the centerline of the creek 264.00 feet, more or less, in a northeasterly direction to a point; thence leaving the centerline of the creek run South 31 degrees 20 minutes 00 seconds East 15.00 feet, more or less, to an iron pin located on the land lot line common to Land Lots 175 and 178 ("Point B"); Point A and Point B being connected with a traverse line of North 83 degrees 42 minutes 22 seconds East 228.96 feet; run thence along said land lot line South 31 degrees 20 minutes 00 seconds East 1,172.51 feet to an iron pin located on the northern right of way of U.S. Highway 29, said point being the POINT OF BEGINNING.

TRACT 3

All that tract or parcel of land lying and being in Land Lot 175 of the 5th Land District, City of Lawrenceville, Gwinnett County, Georgia, being approximately 0.2783 acres according to a survey for Roddy Sturdivant, dated November 4, 1998, prepared by Samuel G. Evans, Jr., Georgia Registered Land Surveyor, and more particularly described according to said survey as follows:

TO FIND THE TRUE PLACE OR POINT OF BEGINNING, begin at an iron pin corner on the northern right of way of U.S. Highway No. 29 (a/k/a Georgia Highway No. 8, a/k/a East Crogan Street, a/k/a Winder Highway) which iron pin is located at the intersection of said right of way with the land lot line common to Land Lots 175 and 178 of the 5th Land District, and running thence along the aforesaid right of way South 32 degrees 30 minutes 00 seconds West a distance of 150.00 feet to a point, said point being the TRUE PLACE OR POINT OF BEGINNING.

FROM THE TRUE PLACE OR POINT OF BEGINNING as thus established, leaving the aforesaid right of way, run North 31 degrees 30 minutes 00 seconds West a distance of 180.00 feet to a point; run thence South 32 degrees 30 minutes 00 seconds West a distance of 75.00 feet to a point; run thence South 31 degrees 30 minutes 00 seconds East a distance of 180.00 feet to a point located on the northern right of way of U.S. Highway No. 29; run thence along the aforesaid right of way North 32 degrees 30 minutes 00 seconds East a distance of 75.00 feet to a point, said point being the TRUE PLACE OR POINT OF BEGINNING.

TRACT 4 - Cell Tower

ALL THAT TRACT OR PARCEL OF LAND LYING In Land Lot 175 of the 5th Land District, City of Lawrenceville, Gwinnett County, State of Georgia, and containing 0.033 acres, and being more fully described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, begin at a point located on the Northern right-of-way of U.S. Highway No. 29 (a/k/a Georgia Highway No. 8, a/k/a East Crogan Street, a/k/a Winder Highway) which iron pin is located at the intersection of said right-of-way with the land lot line common to Land Lots 175 and 178 of the 5th Land District; thence traveling along the aforesaid right-of-way South 32 degrees 30 minutes 00 seconds West a distance of 150.46 feet to an iron pin set; the leaving said right-of-way traveling North 31 degrees 30 minutes 00 seconds West a distance of 174.44 feet to a nail found; thence traveling South 32 degrees 30 minutes 00 seconds West a distance of 75.00 feet to an iron point set thence traveling North 31 degrees 34 minutes 27 seconds West a distance of 1,028.16 feet to a point; said point being the TRUE POINT OF BEGINNING.

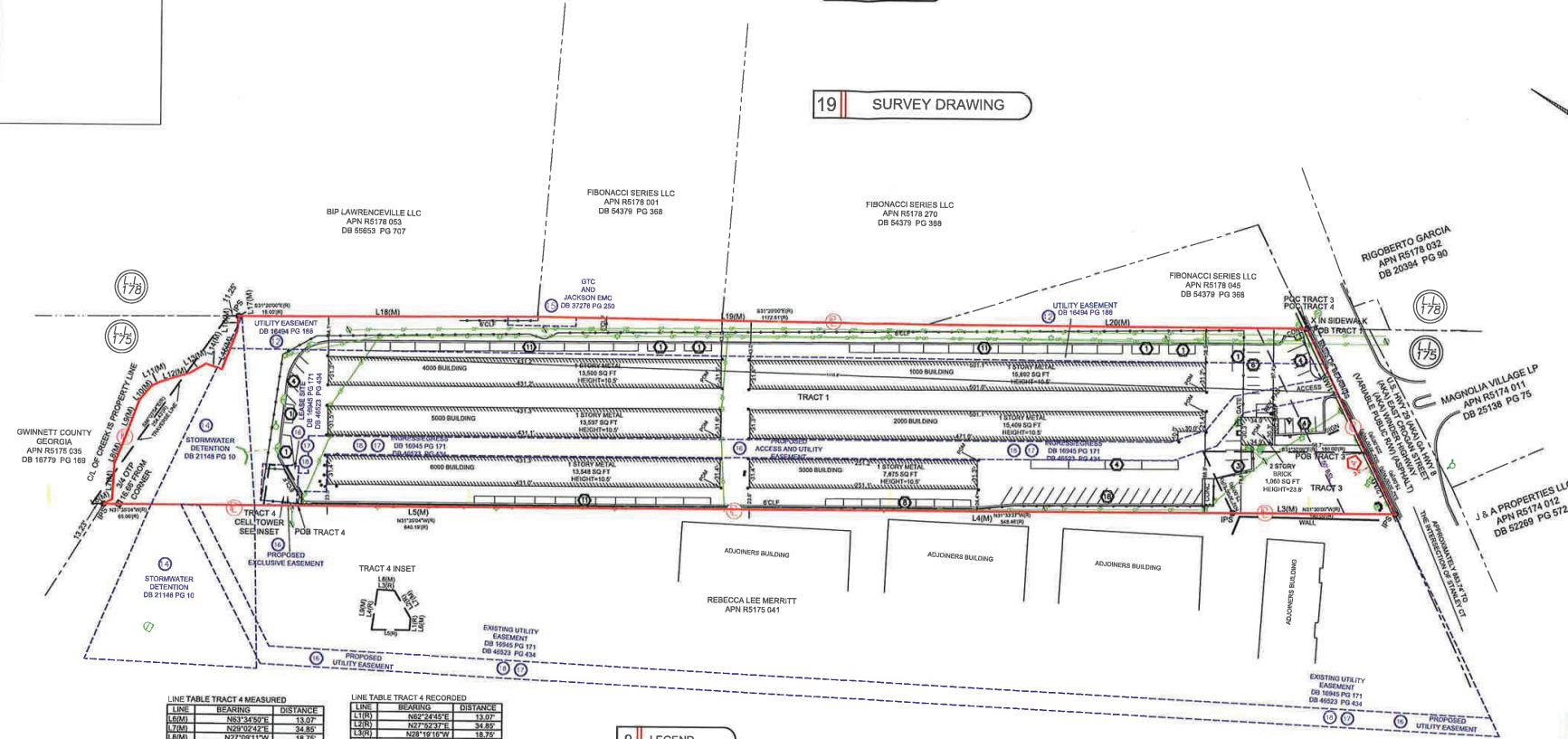
HAVING ESTABLISHED THE TRUE POINT OF BEGINNING, proceed thence North 62 degrees 24 minutes 45 seconds East a distance of 13.07 feet to a point; thence North 27 degrees 52 minutes 37 seconds East a distance of 34.85 feet to a point; thence North 28 degrees 16 minutes 16 seconds West a distance of 18.75 feet to a point; thence South 66 degrees 10 minutes 27 seconds West a distance of 44.52 feet to a point; thence South 31 degrees 34 minutes 27 seconds East a distance of 41.53 feet to a point said point being the TRUE POINT OF BEGINNING.

Being shown as encompassing 0.033 acres on an ALTA/ACSM Land Title Survey for TGIR Holdings, LLC; Investors Title Insurance Company, Goldman Sachs Mortgage Company together with its successors and/or assigns, prepared by W.T. Dunahoo & Associates, L.L.C., Dunahoo, Registered Professional Surveyor, License Number 1577, dated June 22, 201.

The land shown in this survey is the same as that described in Chicago Title Insurance Company, Commitment #20180287 (c)05, dated March 5, 2018, at 5:00 p.m.

19 SURVEY DRAWING

17 NORTH ARROW / SCALE
SCALE: 1" = 60'
0' 30' 60' 120'



LINE TABLE TRACT 4 MEASURED

LINE	BEARING	DISTANCE
L1(M)	N83°34'50"E	13.07
L2(M)	N69°04'42"E	34.89
L3(M)	N27°02'11"W	18.79
L4(M)	S67°20'32"W	44.52

LINE TABLE TRACT 4 RECORDED

LINE	BEARING	DISTANCE
L1(R)	N62°24'45"E	13.07
L2(R)	N27°02'11"W	34.89
L3(R)	N27°02'11"W	18.79
L4(R)	S67°20'32"W	44.52

9 LEGEND

- | | | | |
|------|-------------------------|---|----------------------------|
| APN | Assessor parcel number | ⊕ | Drilled central structure |
| BSL | Building setback line | ⊖ | Electric meter |
| CL | Centerline | ⊙ | Handicap (H) |
| CLP | Chain link fence | ⊙ | Clear cut |
| CONC | Concrete | ⊙ | Air conditioner |
| CT | Colored top pipe found | ⊙ | Intelligent control valve |
| DB | Dried book | ⊙ | Water vault |
| PS | Iron pin set | ⊙ | Sign |
| LL | Land lot | ⊙ | Gas meter |
| UP | Light pole | ⊙ | Sanitary sewer manhole |
| M | Measured | ⊙ | Storm sewer manhole |
| OTF | Open top pipe found | ⊙ | Fire hydrant |
| PS | Page | ⊙ | Water valve |
| POB | Point of Beginning | ⊙ | Yard light |
| POC | Point of Commencement | ⊙ | Guy wire |
| R | Recorded | ⊙ | Light pole |
| ROW | Right of way | ⊙ | Power pole |
| ⊙ | Iron pin found | ⊙ | Double wing catch basin |
| ⊙ | Subject's property line | ⊙ | Single wing catch basin |
| ⊙ | Parking spaces | ⊙ | Concrete measurement found |
| ⊙ | Headwall | ⊙ | Building overhang/overrun |
| ⊙ | Single wing catch basin | ⊙ | Chain link fence |
| ⊙ | Overhead power line | ⊙ | Overhead power line |
| ⊙ | Adjacent property line | ⊙ | Land lot line |
| ⊙ | Parcel | ⊙ | Right-of-way |
| ⊙ | Building setback line | ⊙ | Easement |

LINE TABLE

LINE	BEARING	DISTANCE
L1	S33°45'54"W	150.11
L2	S33°12'22"W	75.08
L3	N30°21'54"W	195.02
L4	N30°21'54"W	248.68
L5	N30°21'54"W	102.07
L6	S60°18'32"E	10.89
L7	N62°24'45"E	39.16
L8	N62°24'45"E	21.72
L9	N62°24'45"E	52.88
L10	N30°21'54"W	195.02
L11	S67°20'32"W	11.40
L12	S47°32'58"E	33.93
L13	S60°18'32"E	18.79
L14	S11°43'00"E	18.29
L15	N50°25'10"E	45.45
L16	N50°43'11"E	15.45
L17	N53°25'09"E	6.49
L18	S33°45'54"W	308.40
L19	S29°43'03"E	420.62
L20	S30°08'41"E	418.28

Approved CDS Surveyor
Rontie Joiner
Moreland Altabelli Associates, Inc.
2450 Commerce Ave Ste 100
Duluth, GA 30096-8910
770-263-5945 ext 130
CA# LSF0000334
EXPIRES 6/30/2018
rjoiner@msal.net

3U-19-11
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18 ALTA/NSPS Land Title Survey

This Work Coordinated By:
FA Commercial Due Diligence Services Co.

CDS
COMMERCIAL
DUE DILIGENCE SERVICES

3550 W. Robinson Blvd., Third Floor
Norman, Oklahoma 73072
Office: 405.253.3444
Toll Free: 888.322.7371

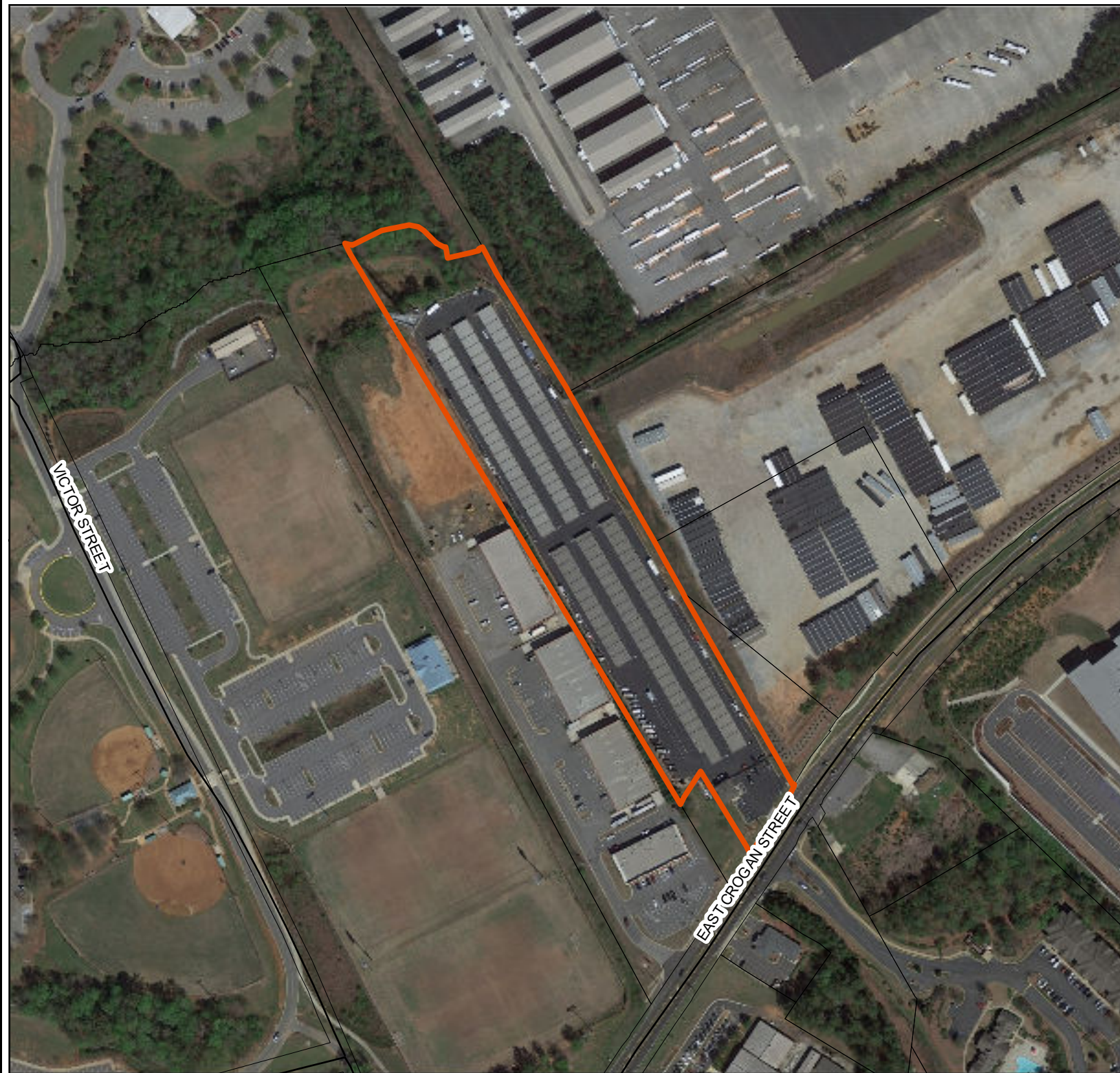
Prepared For:

Client Ref. No:

20 PROJECT ADDRESS

262 & 282 E. CROGAN STREET

Project Name:
AMSDOLL-GA PROPERTIES
CDS Project Number:
18-03-0123-002



22.

*The City of Lawrenceville
Planning & Development*

Aerial Map and Surrounding Area File # SU-19-11

**Applicant:
Compass Self-Storage**

Legend

 Subject Parcel

 Roads

 Parcels



177

0 75 150 300
|-----|-----|-----|



*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning File # SU-19-11

Applicant:
Compass Self-Storage

Legend

 Subject Parcel

 Roads

 Parcels

ZONING

 BG

 OI

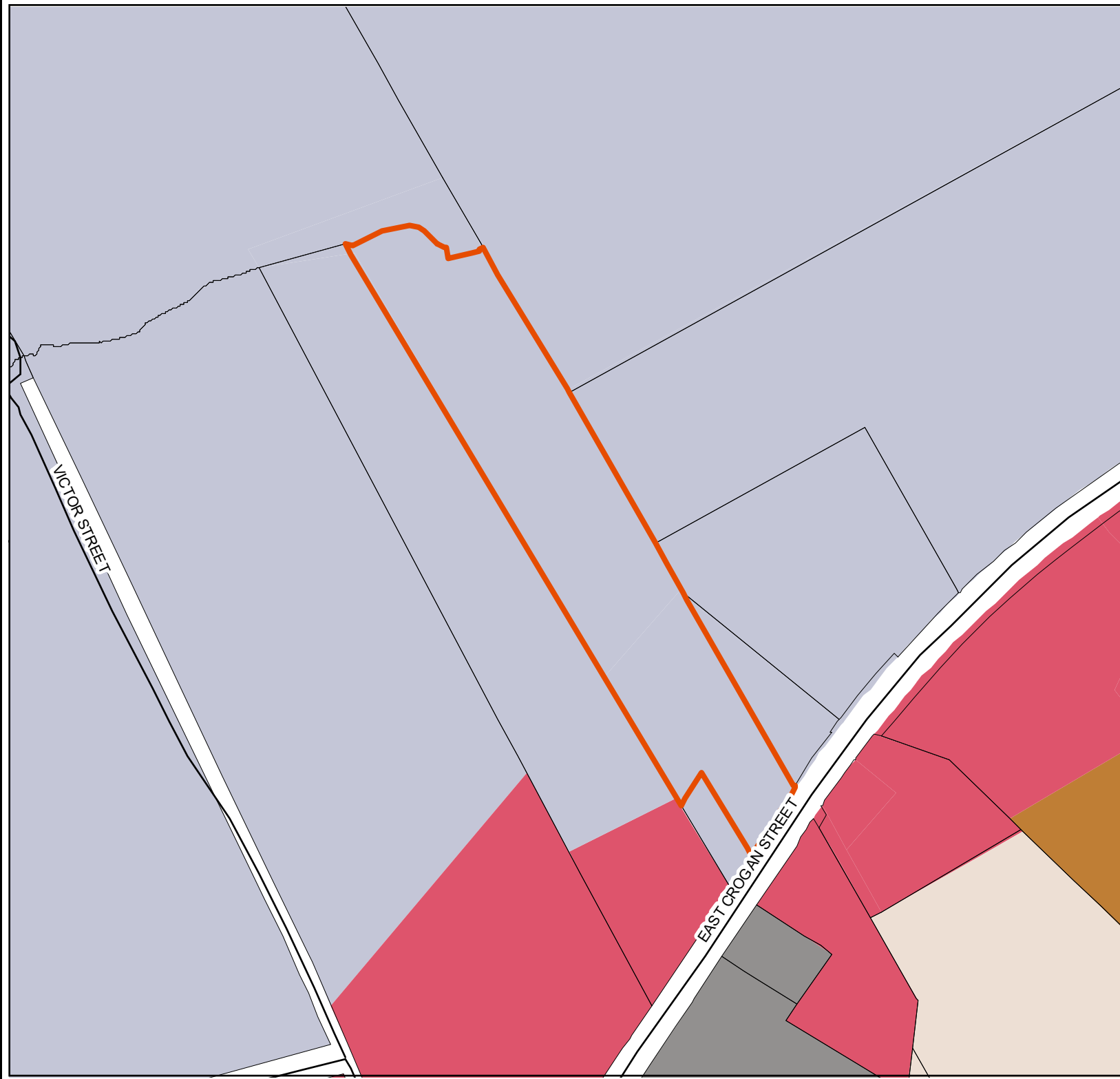
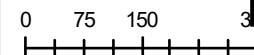
 LM

 RM-12

 RM-M



178



PLANNING COMMISSION RECOMMEDED CONDITIONS
BOLD – ADDITIONS
~~STRIKETHROUGH – SUBTRACTIONS~~

NOTE: The following conditions are provided as a guide should the City Council choose to approve the petition of this request.

SU-19-11:

Approval of Special Use permit for Truck Rental (UHaul), subject to the following enumerated conditions:

Approval of Special Use permit for Truck Rental (UHaul), subject to the following enumerated conditions:

1. To restrict the Special Use Permit as follows:
 - A. Truck Rental (UHaul) **shall be limited to two rental trucks. No more than two rental trucks shall be located on the subject property at any given time.**
 - B. **Trucks that are rented as a component of the storage facility shall be stored behind the fence and outside of the front yard area. The two trucks awaiting customer pickup or overnight dropoff shall be kept in the sides or rear yard areas of the property, screened from view from East Crogan Street.**
 - C. Parking in the front of the property shall be restricted to customer parking only.
 - D. Oversized signs shall be prohibited.
 - E. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or signs required by the city, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - F. 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.
 - G. Peddlers and/or parking lot sales shall be prohibited.
 - H. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - I. **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 the renewal of the Special Use Permit.**



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23.

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: SUP2019-00024; Woodrow Preston Willard; 444 West Pike Street

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: Automobile Service Station (General Maintenance)

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Approval with Staff Conditions

Summary: The applicant request a Special Use Permit to allow an Automobile Service Station (General Maintenance).

Attachments/Exhibits:

- SUP2019-00024 Report
- SUP2019-00024 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT REPORT**

CASE NUMBER	SUP2019-00024
APPLICANT	WOODROW PRESTON WILLARD
CONTACT	PRESTON WILLARD
PHONE NUMBER	864.590.5860
ZONING CHANGE	-
LOCATION	444 WEST PIKE ST
PARCEL ID	R5144 040
ACREAGE	2.6
PROPOSED DEVELOPMENT	AUTOMOBILE SERVICE STATION (GENERAL MAINTENANCE-OIL CHANGE)

DEPARTMENT RECOMMENDATION APPROVAL WITH CONDITIONS

ZONING HISTORY:

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

PROJECT DATA:

The applicant is requesting a Special Use Permit for an automobile service station. The property is a 2.6-acre parcel assemblage, located at the northwest intersection of West Pike Street and Old Norcross Road. The property is currently developed with a gasoline service station and associated canopy, driveways, and parking.

The applicant is proposing to subdivide the parcel and construct a 1,556-square foot 3-service-bay automobile service station on the northern portion between the gasoline service station and Crown Pointe Way. The proposed use specializes in oil changes. No other automotive services will be offered. Based on the square footage of the building, 3 parking spaces are required. According to the site plan provided by the applicant, there are 12 proposed parking spaces. Access to the property will be through the gasoline service station's existing driveways and parking area.

Nearby properties along Old Norcross Road, West Pike Street, and Crown Pointe Way are developed with commercial, office and lodging uses. To the north, across Crown Pointe Way, is a BG zoned property, developed with an auto repair shop. To the west is a BG zoned property,

developed with a surgery center, an HSB (Highway Service Business) zoned property, developed with an extended stay hotel, and an OI (Office Institutional) zoned property, developed with a multi-tenant office building. To the south, across Old Norcross Road, is a BG zoned property, developed with an automatic car wash service. To the east, across West Pike Street, are BG zoned properties used for commercial/retail uses. The variety of uses in the immediate area supports this request.

The 2040 Comprehensive Plan and Future Development Map indicate the property lies within the Community Mixed Use Character Area. The vision for the Community Mixed Use character area is a diverse mixed-use area that builds on the existing commercial character. Additionally, interparcel connectivity for new commercial development along major corridors is highly encouraged. Over time, this area will transition to a more mixed environment of higher density development with enhanced landscaping, lighting and pedestrian facilities. The proposed request could be compatible with the intent of the 2040 Comprehensive Plan, which could be considered as an appropriate general commercial service to those wanting to live and work in the Community Mixed Use character area.

In conclusion, the property has been used as a gasoline fuel station for several years and is located in an area with nearby businesses that provide similar auto-related services. If properly conditioned, any adverse impacts may be mitigated. Given the aforementioned factors, the Planning and Development Department recommends **Approval with conditions** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS**ENGINEERING DEPARTMENT**

No comment.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

No comment.

WATER DEPARTMENT

No comment.

CODE ENFORCEMENT

In 2015, the subject property was cited for having two banner signs without a permit.

In 2017, the subject property was cited for having a broken lamp post.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00021:

Approval of Special Use permit for automobile service, subject to the following enumerated conditions:

1. Approval of a Special Use Permit for an Automobile Service Station (Oil Change Service Only). All other automotive services and auto repair shall be prohibited.
2. The property shall be developed in general accordance with the site plan submitted to the Planning and Development Department on January 6, 2020, subject to review and approval by the Director of Planning and Development.
3. The property shall have a 15-foot wide landscape strip along the right-of-way fronting West Pike Street except for ingress and egress in compliance with Article VIII of the Development Regulations and subject to review and approval by the Director of Planning and Development.
4. The property owner shall maintain a 30-foot landscape buffer of the existing mature vegetation along the rear lot line.
5. Parking in the front of the property shall be restricted to customer parking only.
6. Under no circumstances shall the owner or occupant of the property keep any junk, scrap, metal, rags, paper, abandoned, wrecked, or junked or scrap material or any parts thereof.
7. Service bays shall not be visible from West Pike Street. Final plans shall be subject to the review and approval of the Director of Planning and Development.
8. 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.
9. Lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to shine directly into adjacent properties or right-of-ways.
10. Peddlers and/or any parking lot sales be prohibited.
11. Outdoor storage shall be prohibited.

12. Dumpsters shall be restricted to the rear of the property.
13. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
14. Sign twirling is prohibited on the property.

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

1. **Will the Special Use Permit proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *If properly conditioned, auto service (oil change only) may be consistent with the adjacent and nearby properties that have similar uses.*
2. **Will the Special Use Permit proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the Special Use Permit proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the Special Use Permit proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the Special Use Permit proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *if properly conditioned, any adverse impacts may be mitigated.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the Special Use Permit proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2.
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *N/A.*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *None.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed Special Use Permit?** *If properly conditioned, it may be suitable per the terms of the ordinance.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *N/A.*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *See comments above.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Adequate sites are available elsewhere within the city.*
10. **What is the suitability of the site for the proposed Special Use Permit relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *If properly conditioned, the proposed auto service(oil change only) may be suitable.*



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

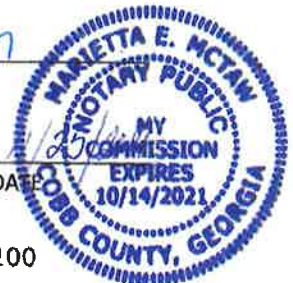
APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Woodrow Preston Willard</u>	NAME: <u>Andalusia Properties INC</u>
ADDRESS: <u>2970 Peachtree Rd Suite 510</u>	ADDRESS: <u>200 Galleria Parkway SE, Suite 900</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30305</u>	STATE: <u>GA</u> ZIP: <u>30339</u>
PHONE: <u>864-590-5860</u>	PHONE: _____
CONTACT PERSON: <u>Preston Willard</u> PHONE: <u>864-590-5860</u>	
CONTACT'S E-MAIL: <u>willardwp@gmail.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>06</u> ACREAGE: <u>2.66</u>	
PARCEL NUMBER(S): <u>R5144 040</u>	
ADDRESS OF PROPERTY: <u>444 West Pike Street, Lawrenceville GA, 30046</u>	
PROPOSED SPECIAL USE: <u>Automotive Minor</u>	

[Signature] 12/4/2019
SIGNATURE OF APPLICANT DATE

[Signature]
SIGNATURE OF OWNER DATE

Woodrow Preston Willard
TYPED OR PRINTED NAME
[Signature] 12.4.19
DATE

Brian Thornton
TYPED OR PRINTED NAME
[Signature]
NOTARY PUBLIC DATE



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

USP2019-00024

TOXAWAY AUTOMOTIVE GROUP, LLC
2970 PEACHTREE ROAD
SUITE 510
ATLANTA, GEORGIA 30305
(404) 812-0507

Letter of Intent

444 West Pike Street
Lawrenceville GA 30046
“RaceTrac” & “Take 5”

Toxaway Automotive Group wishes to lease and operate a Take 5 store on the property owned by RaceTrac located at 444 West Pike Street Lawrenceville GA 30046. Toxaway Automotive Group is the operator for the proposed Take 5. Toxaway Automotive Group is applying for a Special Use Permit for the property to be allowed to operate their Take 5 business.

Take 5 is a growing quick oil change business owned by Driven Brands and Roark Capital. Take 5 is currently the fastest growing business in the automotive sector. Take 5 differentiates itself from other brands in three ways. The first is a quick service where customers stay in their vehicles. The average time for a customer to get their oil changed is currently 7 mins. This is among the fastest in the entire industry. The second way is the low-pressure environment and customer experience. Take 5 specializes in oil changes. Take 5 does not preform major repairs like brakes or suspension work. Take 5 also doesn't sell or install tires. Take 5 does not preform inspections on customer's vehicles and then try to sell them more services than the customer initially came in for. Because Take 5 specializes in oil changes, and the third way we differentiate from other brands, is how clean, quiet, and efficient a Take 5 shop is. There is no need for loud equipment, air tools, or lift's since Take 5 does not preform major repairs. This makes Take 5 a great business to have next to other businesses or shopping centers, and also great next to neighborhoods. Also, the limited amount of services Take 5 preforms means there is less scrape waste and fluid used when compared to other automotive brands. In fact, Take 5 is the most environmentally friendly service center by design and operation to date.

The Take 5 will be a great addition to the area. Neighboring with a RaceTrac will be a great fit and provide additional services to the customers that are not offered on the property at the moment. There is also a car wash next to the current RaceTrac. This helps add to the automotive personality of the immediate area. Take 5 is a great fit for the property as well. Take 5 is unique in that we do not require a lot of real estate. It is unlikely that any other business would fit on the property that also doesn't fall on RaceTrac's restriction list because of parallels in business offerings.



SITE LOCATION MAP
NOT TO SCALE

SUP2019-00024
Revised Site Plan
Received: Tuesday, February 11, 2020
City of Lawrenceville
Planning and Development Department

<u>SITE DATA</u>	
SITE AREA	0.39 ACRES
<u>ZONING</u>	
EXISTING ZONING	BG
PROPOSED ZONING	BG
ZONING JURISDICTION	CITY OF LAWRENCEVILLE
<u>USE CALCULATIONS</u>	
TOTAL SITE AREA	
<u>SETBACK REQUIREMENTS</u>	
MINIMUM FRONT YARD	50 FEET
MINIMUM REAR YARD	10 FEET (40 FEET NEXT TO RESIDENTIAL)
MINIMUM SIDE YARD	10 FEET
MINIMUM SIDE YARD ON CORNER	25 FEET
MINIMUM FRONT LANDSCAPE BUFFER	15 FEET
<u>DEVELOPMENT STANDARDS</u>	
<u>OPEN SPACE CALCULATIONS</u>	
PARKING PROVIDED	13 SPACES
<u>PARKING REQUIREMENTS</u>	

REVISIONS:

[illegible]

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CONCEPTUAL MASTER PLAN



SCALE: 1" = 20'
DATE: APRIL 26, 2019
PROJECT: 19139.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.

PRELIMINARY

NOT TO BE RELEASED FOR CONSTRUCTION



C1

SWEET

24 HOUR CONTACT:
ALLEN PURMONT
741-323-0763



Know what's below
Call before you dig

Bell South
Room B-20
5147 Peachtree Ind. Blvd.
Chamblee, Ga. 30341
404-780-2800

City of Lawrenceville
Planning and Zoning
70 South Clayton Street
Lawrenceville, Georgia 30046
770-963-2414

City of Lawrenceville
Gas Department
70 South Clayton Street
Lawrenceville, Georgia 30046
770-963-2414

City of Lawrenceville
Water Department
70 South Clayton Street
Lawrenceville, Georgia 30046
770-963-2414

EQUIPMENT USED FOR SURVEY:

1. UETZ SET 4 TOTAL STATION
2. SOR2 ELECTRONIC FIELD BOOK
3. NIKON AUTOMATIC LEVEL

BASED ON THE INFORMATION SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM * FLOOD INSURANCE RATE MAP FORM OR FLOODWAY BOUNDARY MAP * COMMUNITY PANEL NUMBER 15009A-0075 F. CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA DATED SEPTEMBER 29, 2006, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH THE FEDERAL INSURANCE ADMINISTRATION, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE A FLOOD HAZARD AREA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE PART IN 100,079 AND ANGULAR ERROR OF 15 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING CRANDALL'S RULE THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE PART IN 100,000.

Site Description - RaceTrac #888
#509 West Pike Street @ Old Norcross

All that tract or parcel of land lying and being in Land Lot 144 of the 5th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

[illegible]

VICINITY MAP



LEGEND

- | | | |
|------|---|----------------------|
| 10V | + | BRAKON CONTROL VALVE |
| 11V | + | BURN POUND |
| 12V | + | BURN POUND (1 OF 2) |
| 13V | + | CHINA TRUCK |
| 14V | + | COAST GUARD |
| 15V | + | COAST GUARD |
| 16V | + | COAST GUARD |
| 17V | + | COAST GUARD |
| 18V | + | COAST GUARD |
| 19V | + | COAST GUARD |
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| 21V | + | COAST GUARD |
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| 94V | + | COAST GUARD |
| 95V | + | COAST GUARD |
| 96V | + | COAST GUARD |
| 97V | + | COAST GUARD |
| 98V | + | COAST GUARD |
| 99V | + | COAST GUARD |
| 100V | + | COAST GUARD |

TOTAL SITE AREA
119,910.4 SF.
2.75 ACRES
CURRENTLY ZONED "BG"

This is to certify that this map in pdf and the survey on which it is based were made in accordance with the Virginia Standard Detail Requirements for ALTA/ACSM Land Use Surveys, with additional standards adopted in ALTA and NSPS in 2000, and includes Items 1 thru 4, 6 thru 11, 13 and 14 of Table A Manual. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Georgia, the Working Professional Accuracy of the survey does not exceed that which is specified herein.

Date: **5-28-09**

REFERENCE PLAYS RECORDED
PB F PG 198-B
PB G PG 259



DATE	2	REVISE TITLE AND ADD SHEET 2	DW
DATE	1	UNLOADED CENTERLINE	DW
DATE	NEI	REVISION	BY

ALTA/ACSM LAND TITLE SURVEY
FOR
ANDALUSIA PROPERTIES, INC.,
A GEORGIA CORPORATION
STEWART TITLE GUARANTY COMPANY

LOCATED
309 WEST PINE STREET
11-144 5TH DISTRICT
CITY OF LAWRENCEVILLE
GWINNETT COUNTY, GEORGIA


Harkleroad and Associates

Engineers - Land Surveyors
1608 Tree Lane; Bldg. A; Suite 101, Snellville, Ga. 30077

SHEET 1

DATE	11/24/08	BY	DNH
TIME	11:24 AM	DATE	11/24/08
ALTA/ACSM SURVEY RACETRAC SERVICE STATION #888 509 WEST PIKE STREET LAWRENCEVILLE, GEORGIA IN = 50'-0" DATE 11/24/08 FILE NO. 0000P100 5-1			
RaceTrac RACETRAC PETROLEUM, INC. 3225 CHAMBERLAIN BOULEVARD SUITE 100 ATLANTA, GA 30339 (770) 431-7600			
THIS PLAT IS TO BE USED TO RECORD, CONFIRM AND AFFIRM OF SALE TRACT THE SURVEYED IN THIS PREPARED BY RACETRAC PETROLEUM, INC. (VOLUME)			
2 REVERSE TITLE AND ADD SHEET 2 ADD DEDICATED RIGHT OF WAY AREAS #1 & #2 NO. 1 NO. 2			

www.moon.be



*The City of Lawrenceville
Planning & Development*

Aerial Map and Surrounding Area File #SUP2019-00024

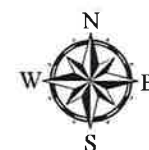
Applicant:
Woodrow Preston Willard

Legend

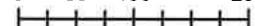
 Subject Property

 Roads

 Parcels



194

0 50 100 200 Feet




*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning File # SUP19-00024

Applicant:
Woodrow Preston Willard

Legend

 Subject Property

 Roads

 Parcels

ZONING

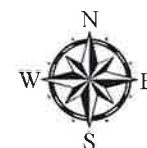
 BG General Business

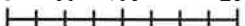
 HSB Highway Service Business

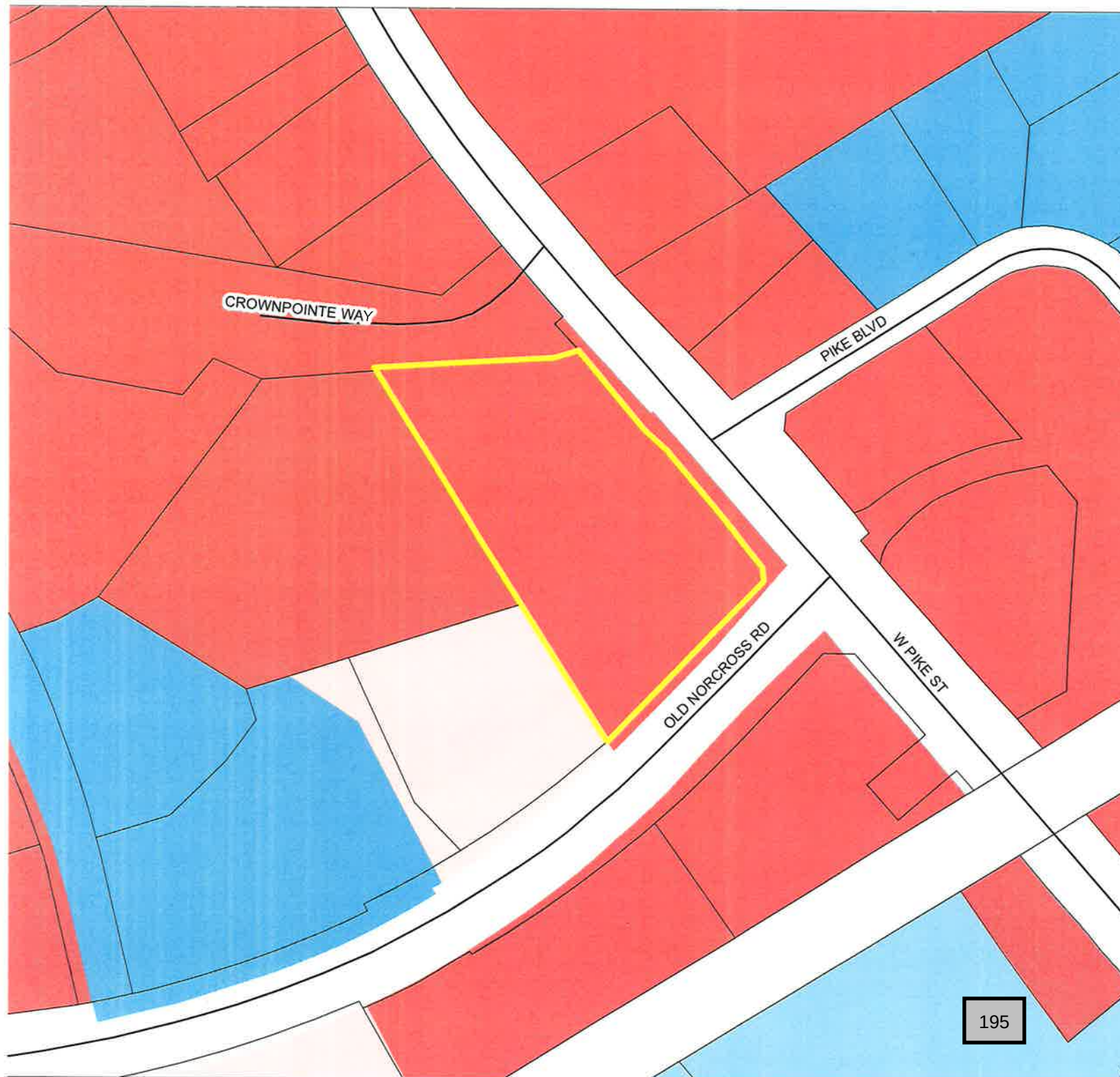
 LM Light Manufacturing

 HM Heavy Manufacturing

 OI Office Institutional



0 50 100 200 Feet






LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: **WITHDRAWN** SUP2019-00025; LIV Development, LLC c/o Mahaffey
Pickens Tucker, LLP

Department: Planning and Development

Date of Meeting: Monday, February 24, 2020

Applicant Request: Mixed-Use Development

Presented By: Todd Hargrave

**Department
Recommendation:** Approval with Conditions

**Planning
Commission
Recommendation:** Approval with staff conditions

Summary: The applicant request a Special Use Permit to allow 280-unit Mixed-Use Development, consisting of approximately 17.4 acres.

Attachments/Exhibits:

- SUP2019-00025 Report
- SUP2019-00025 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
SPECIAL USE REPORT**

CASE NUMBER	SUP2019-00025
APPLICANT	LIV DEVELOPMENT, LLC C/O MAHAFFEY PICKENS TUCKER, LLP
CONTACT	SHANE LANHAM
PHONE NUMBER	770.232.0000
LOCATION	BUFORD DRIVE AT UNIVERSITY PARKWAY
PARCEL ID	R7011 012 / 7011 078 / 7011 087 / 7011 097 / 7011 144
ACREAGE	17.387
PROPOSED DEVELOPMENT	MIXED-USE DEVELOPMENT
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

The property has been zoned BG (General Business District) since 1987.

PROJECT DATA:

The applicant requests a Special Use Permit to allow a mixed-use development in approximately 17.387 acres zoned BG. The subject property is located on the easterly side of Buford Drive and south of University Parkway (SR 316). The property is currently vacant and undeveloped.

According to the submitted site plan, the residential component of the proposed development includes with 280 apartment units distributed in seven apartment buildings, with a maximum height of four stories, at a density of 20.50 units per acre. The site plan also indicates that the property would be developed with a central amenity area that would accommodate a pool and patio with additional common space, and it also would provide dog parks for the residents. The proposed plan includes 452 parking spaces and associated driveways. Access to the proposed multifamily development would be via the existing curb cut along Buford Drive; the driveway would extend to the parking areas and it would have a future outparcel connector on the west side of the residential component. Additionally, based on the concept plan there may be a second curb cut in the future, for the commercial component of the project on the northside of outparcel 1. The development would be in close proximity to SR 316 on-ramp.

The proposed development is surrounded by commercial and industrial uses along two major corridors. To the north across SR 316 is an undeveloped property zoned BG. Directly adjacent to the east, are properties developed as warehouses, zoned LM (Light Manufacturing District). South of the subject property there are commercial and industrial developments used as a gas station, retail store, auto repair, and warehouses zoned BG and LM. Across Buford Drive to the west, are also properties zoned BG used for a hotel and Bails Bond services.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located in the Community Mixed-Use Character Area. This character area was developed to encourage general commercial uses along major corridors, and mixed-use developments, which may include a diversity of development types and densities. This character area is in close proximity to the college corridor which would contribute land use patterns and design elements that support walkability and an enhanced sense of place. The property is situated at the intersection of two major transportation corridors which would make it a convenient location for a mixed-use development with multifamily residential uses.

In agreeance with the City of Lawrenceville Comprehensive Plan policies, the proposed development could contribute land use patterns and design elements that support walkability and an enhanced sense of place. Given the aforementioned factors, the Planning and Development Department recommends **Approval with Conditions** of the Special Use Permit.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

SUP2019-00025

Approval of Special Use Permit for a Mixed-Use development, subject to the following enumerated conditions:

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

- A. For the residential component, no more than 280 apartments shall be allowed. The development shall be a fenced and gated community comprised of wrought iron style fencing with masonry columns along public-right-of-way spaced every 25 feet, with a maximum building height of 55 feet. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department.
- B. Buildings shall be constructed as urban-style, flat-roofed or flat-roofed-style buildings with primary exterior treatments of brick or stacked stone on each elevation. Buildings may be constructed with low pitch roofs and decorative parapets and, flat-roofed accents. The remainder of each elevation may be the same, glass, stucco, or architectural metal. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
- C. Efficiency and four-bedroom units shall be prohibited, and the complex shall be limited to a maximum of five percent of units as three-bedroom apartments.
- D. For the retail component, the following uses shall be prohibited:
 - 1. Adult Bookstores or Entertainment
 - 2. Automotive Repair or Parts Stores
 - 3. Bail Bonding
 - 4. Contractors Offices
 - 5. Emissions Inspection Stations
 - 6. Equipment Rental
 - 7. Extended Stay Hotels or Motels
 - 8. Hookah/Vapor Bar or Lounge
 - 9. Pawn Shop
 - 10. Recovered Materials Processing Facilities
 - 11. Smoke or Novelty Shop
 - 12. Tobacco or Novelty Shop
 - 13. Tattoo and Body Piercing

- 14. Taxidermists
- 15. Title Loan Facility
- 16. Yard Trimming Composting Facilities

2. To abide by the following site development considerations:

- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
- B. Provide a 20-foot landscape strip with evergreens consisting of understory and canopy trees along Buford Drive, the northern property line, and eastern property line; except where parking will be provided, encroaching into the rear side setback. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
- C. Ground Signage shall be limited to one-monument type sign along Buford Drive. The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments, subject to the review and approval of the Director of the Planning and Development Department.
- D. All grassed areas within the development shall be sodded.
- E. All utilities shall be placed underground.
- F. Outdoor commercial sales or storage shall be prohibited.
- G. Window signage (signs displayed on the interior or exterior of the business windows) shall be prohibited, except for open/closed signs required by city, county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- H. 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.

- 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. Peddlers and/or parking lot sales shall be prohibited.
- K. Outdoor loudspeakers shall be prohibited.
- L. Dumpster/compacter locations shall be screened by a 100% opaque brick or stack stone wall with an opaque metal gate enclosure.
- M. In the event of residential tenant eviction, any belongings of the tenant will be placed of the subject property that is not visible from public-right-of-way unless otherwise required by law.
- N. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

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

1. **Will the Special Use Permit allow a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the Special Use Permit adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the Special Use proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the Special Use proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the Special Use proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the Special Use proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 SPECIAL USE PERMIT PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed use is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *Suitable.*



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>LIV Development, LLC. c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
PHONE: <u>770 232 0000</u>	PHONE: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.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>BG</u> ACREAGE: <u>+/-17.387</u>	
PARCEL NUMBER(S): <u>7011 012, 7011 078, 7011 087, 7011 097, 7011 144</u>	
ADDRESS OF PROPERTY: <u>Buford Highway & SR 316</u>	
PROPOSED SPECIAL USE: <u>To allow a High Rise Development</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane Lanham, attorney for the applicant

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

NOTARY PUBLIC

DATE

70 S Clayton St. PO Box 2200 Lawrenceville, Georgia 30046-2200
 770-232-4111 www.lawrencevillega.org



UP2019-00015



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>LIV Development, LLC. c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Lawrenceville Center Associates, LLC</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>525 Pharr RD NE</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30305</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>404-502-1323</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.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>BG</u> ACREAGE: <u>+/-17.34</u>	
PARCEL NUMBER(S): <u>7011.087,7011.012,7011.097,7011.144,7011.078</u>	
ADDRESS OF PROPERTY: <u>Buford Highway & SR 316</u>	
PROPOSED SPECIAL USE: <u>To allow a High Rise Development</u>	

SIGNATURE OF APPLICANT _____ DATE _____

Shane Lanham, attorney for the applicant
 TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

SIGNATURE OF OWNER _____ DATE _____

Harold Lamb, III
 TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

Grey Lion Investments Inc, Manager
President 11/21/19

Beth Boylen 11/21/19
 NOTARY PUBLIC DATE

Beth Boylen
 NOTARY PUBLIC

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 770.963.2414 • www.lawrencevillega.org

DeKalb County, GEORGIA
 My Commission Expires 6-20-2020

USUP 2019.000000



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>LIV Development, LLC. c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Sant Nirankari Mission</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>641 Buford Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>209-481-7514</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.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>BG</u> ACREAGE: <u>+/-17.34</u>	
PARCEL NUMBER(S): <u>7011.087,7011.012,7011.097,7011.144,7011.078</u>	
ADDRESS OF PROPERTY: <u>Buford Highway & SR 316</u>	
PROPOSED SPECIAL USE: <u>To allow a High Rise Development</u>	

SIGNATURE OF APPLICANT _____ DATE _____

Shane Lanham, attorney for the applicant
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

SIGNATURE OF OWNER [Signature] DATE 11/22/19

TYPED OR PRINTED NAME KAPIL D. BHANDARI

NOTARY PUBLIC _____ DATE _____

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USP 2019-00025

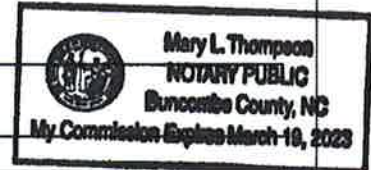


LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>LIV Development, LLC. c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Ingles Markets, Inc.</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>2913 US Highway 70W</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Black Mountain</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>NC</u> ZIP: <u>28711</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>828-669-2941</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.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>BG</u> ACREAGE: <u>+/-17.34</u>	
PARCEL NUMBER(S): <u>7011.087,7011.012,7011.097,7011.144,7011.078</u>	
ADDRESS OF PROPERTY: <u>Buford Highway & SR 316</u>	
PROPOSED SPECIAL USE: <u>To allow a High Rise Development</u>	



SIGNATURE OF APPLICANT _____ DATE _____

Shane Lanham, attorney for the applicant
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

W.R. Jameson 11-21-2019
SIGNATURE OF OWNER DATE

W.R. Jameson
TYPED OR PRINTED NAME

Mary L. Thompson 11-21-2019
NOTARY PUBLIC DATE

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USUP2019-00015

SPECIAL USE PERMIT APPLICATION

5UP20M-00045

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
LIV DEVELOPMENT, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached special use permit application (the “Application”) on behalf of LIV Development, LLC (the “Applicant”) to request a special use permit for a High Rise Development relative to an approximately 17.34 acre tract (the “Property”) located on the easterly side of Buford Drive (SR 20) at its intersection with University Parkway (SR 316). The Property is located within the Community Mixed Use Character Area, the High Rise Overlay District, and is currently zoned BG.

The Applicant is requesting a special use permit in order to create a mixed-use environment in line with the policies of the Lawrenceville 2040 Comprehensive Plan (the “2040 Plan”) by encouraging a combination of residential and commercial uses at a major activity node. The Property was previously the home of an Ingles-anchored shopping center with additional outparcel uses. The Property includes portions of those former outparcel sites as well as the current location of the Sant Nirankari Mission. The Ingles has since shuttered as have previously-existing commercial/retail outparcels since the reconfiguration of Buford Drive’s intersection with SR 316, which is now a grade-separated interchange. Approval of the Application would allow the redevelopment of the former Ingles portion of the site for multifamily uses to complement and support the adjacent commercial properties—which are already zoned BG. Ultimately, the goal of the proposed redevelopment is to cultivate an intimate, walkable, mixed-use environment which provides residents with convenient, direct access to major commuter corridors such as SR 316 and Buford Drive.

The proposed multi-family component would be focused around a central amenity area with approximately 280 units spread across seven buildings. The central amenity area would contain a pool and patio as well as additional common space for residents to interact and recreate. The proposed redevelopment would also provide multiple pocket and/or dog walking parks for the use and enjoyment of residents. The proposed development would squarely support multiple stated goals of the 2040 Plan by providing “land use patterns and design elements that support walkability and an improved sense of place” and “[improving] the aesthetics of main corridors and gateways into the City.” The proposed redevelopment would diversify the land use mix in this area of the City and is compatible with the 2040 Plan’s goal to “promote a variety of housing choices.” Moreover, the proposed redevelopment is in line with the land use policies set

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forth for the Community Mixed Use Character Area for which the 2040 Plan lists “multi-family residential” and “mixed use development” as appropriate land uses.

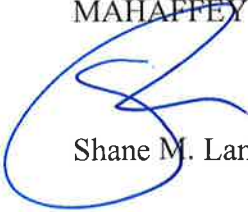
The proposed mixed-use redevelopment would spur activity at the Buford Drive and SR 316 interchange and would also provide residential critical mass to support the continued growth of non-residential uses in the area and south along the Buford Drive corridor into Downtown. The proposed redevelopment would also serve as an attractive gateway into the City of Lawrenceville as motorists move south along Buford Drive into the City. The proposed redevelopment would breathe life into a site that has lain dormant for years and help energize the Buford Drive corridor and its intersection with SR 316 which have been underutilized for years.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Lawrenceville Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 6th day of December, 2019.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham





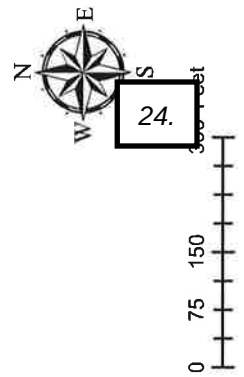
The City of Lawrenceville
Planning & Development

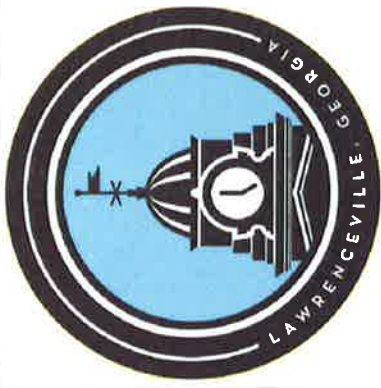
Aerial Map and Surrounding Area File # SUP2019-00025

Applicant:
LIV Development, LLC. c/o
Mahaffey Pickens Tucker, LLP

Legend

- Subject Property
- Parcels
- Roads





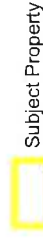
The City of Lawrenceville
Planning & Development

**Location Map and
Surrounding Zoning
File # SUP2019-00025**

Applicant:

LIV Development, LLC. c/o
Mahaffey Pickens Tucker, LLP

Legend



Subject Property



Parcels

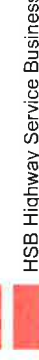


Roads

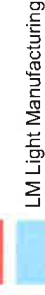
ZONING



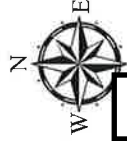
BG General Business



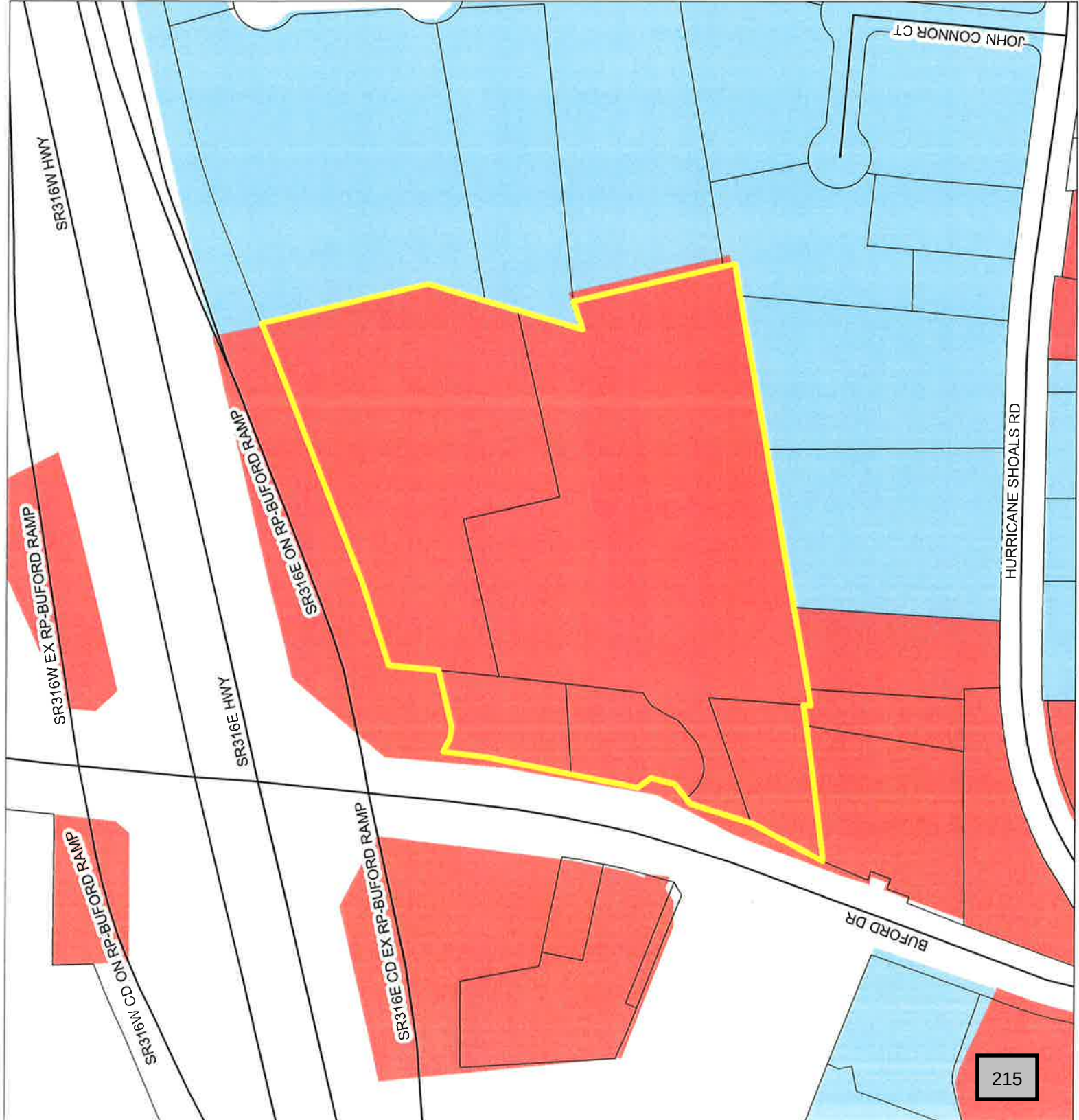
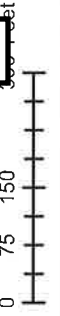
HSB Highway Service Business



LM Light Manufacturing



24.





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item: Census 2020 Presentation

Department: City Manager

Date of Meeting: Monday, February 24, 2020

Fiscal Impact: None with this agenda item

Presented By: Steve North, Deputy City Manager

Action Requested: Everyone to be Counted

Summary: The 2020 Census begins in March 2020 with April 1, 2020 being Census day. We want to raise awareness of why participation in the Census is important to the City, County and State and our citizens. As the State Census slogan states 'Every. One. Counts.'

The Census is important for representation in the various levels of government, funding from the federal and state governments, and a variety of planning efforts at the state and local level. The results of the Census set the mark for these important elements of the City for the next ten years. The Census is safe and is protected by federal law. Everyone should be counted once and in the right place.

Fiscal Impact: Potential impact on state and federal funding for 10 years.



CENSUS 2020



LAWRENCEVILLE
GEORGIA

25.

CENSUS 2020

- Why?
- What is it?
- Where?
- How?
- When?

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CENSUS 2020

When the United States Constitution was written, it mandated that a Census be taken under Article 1, Section 2:

"Representatives and direct Taxes shall be apportioned among the several States..., according to their respective Numbers,The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years."



CENSUS 2020

What is it?

- The Census is a questionnaire that asks about the number of people living in the United States. Knowing the number of people in a city, county, or the whole state allows for the planning of day-to-day operations, the future, and emergencies.



CENSUS 2020

- The questions on the 2020 Census will ask how many people live in the residence and about them; if the home is rented, owned, or other; and a phone number to contact you only in the case of official Census Bureau business.



CENSUS 2020

Where will it happen?

- The Census will be taken all across the United States. All 50 states in the U.S.A., Washington D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands will count everyone alive on April 1, 2020.



CENSUS 2020

- The personal information that you provide on the Census form is protected under [Title 13 of the U.S. Code](#). It sets the fines and prison penalties (up to a fine of \$250,000 and 5 years in federal prison) for the illegal taking, sharing, or use of private information. In addition, ["The 72-Year Rule"](#) was set under [Public Law 95-416](#). The rule states that after 72 years, the Census information can be released to the general public. Records from the 2020 Census will be released in the year 2092.



CENSUS 2020

How is it done?

- In 2020, the U.S. Census will be offered in three formats: online, over the phone, or by mail. For the first time, the primary format will be online. The Census will also be available to be completed over the phone or by mail with the standard questionnaire.



CENSUS 2020

- If you do not complete your form in one of these three ways listed, a U.S. Census Bureau employee will visit the residence up to six times.
- They will have proper identification to show they are with the U.S. Census Bureau, and they will only ask questions pertaining to the Census questionnaire.



CENSUS 2020

When does it happen?

- April 1, 2020 is Census Day.
- The first mailers inviting people to complete their Census will be sent out in mid-March.



CENSUS 2020

- Census employees will begin knocking on the doors of those who do not self-respond in May 2020. Enumerators will make up to six attempts to help people complete their Census.
- Completing your Census early will ensure that an enumerator will not visit your residence.



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25.

CENSUS 2020

- <https://twitter.com/i/status/1212896141509091329>

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25.

CENSUS 2020

- Questions?

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LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: COUNCIL MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Amendment & Extension of Contract for Solid Waste Disposal
Department:	Sanitation
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$485,000.00/year for municipal solid waste & Construction & Debris material, plus \$72,000.00/year for recycled material
Presented By:	Barry Mock
Action Requested:	Request approval of the contract modification & extension with Advanced Disposal Services Atlanta, LLC

Summary: This will amend the original contract from Advanced Disposal Services Atlanta, Inc, originally executed in 2012, extending it for 1 year, with a year-to-year option for 3 additional years. It will also add the disposal cost for recycled material to the rate sheet (Exhibit A).

Fiscal Impact: \$485,000.00/year for municipal solid waste & C&D material, plus \$72,000.00/year for recycled material. Total yearly estimated cost is \$557,000.00.

Attachments/Exhibits:

Advanced Disposal amendment final

Amendment to the Contract for Solid Waste Disposal Services

This Amendment made this _____ day of _____ 2020, by and between the City of Lawrenceville, a political subdivision of the State of Georgia, hereinafter referred to as “City” and Advanced Disposal Services Atlanta, LLC, hereinafter referred to as “Contractor”.

WHEREAS, the City and Contractor entered into a Contract for Solid Waste Disposal Services on January 24, 2012, hereinafter referred to as “Original Agreement”; and

WHEREAS, the City and Contractor now desire to extend the Term, add Recyclables to the Scope of Work, and amend Rate Adjustments found in the Original Agreement;

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the City and Contractor, hereby agree to amend the Original Agreement as follows:

1. Scope of Work Add 2.5 of Section 2.0 of the Agreement is hereby amended by adding the following: “Advanced Disposal will accept the City’s recyclables and invoice the City as such outlined in Exhibit A.
2. Rate Adjustments Due to Significant Changes Section 3.3 of the Agreement is hereby amended by adding the following: “Any change in Governmental laws, ordinances, regulations, assessments, fees or taxes that require Contractor to incur additional costs in the performance of services pursuant to this Agreement (Changes in Law), including changes in disposal fees due to such Changes in Law. Contractor may also pass along increases due to extraordinary fuel spikes and increased processing fees for recyclables in the form of a temporary surcharge. Contractor shall determine the amount of temporary surcharge required to compensate Contractor for the additional, fully justifiable costs and shall petition the City for the temporary surcharge, which approval shall not be unreasonably withheld. This temporary surcharge shall be adjusted up or down with those market forces driving said surcharge. After the first-year anniversary date of this Agreement, starting February 1, 2021, rates are to be adjusted annually to reflect changes in the Consumer Price Index. Adjustments shall be based upon increases in the United States Department of Labor, Bureau of Statistics, Consumer Price Index (CPI-U, US City Average All Cities, Water and Sewer and Trash Collection Services). CPI-U Rate changes, if any, will take effect on the anniversary date of the effective date and shall be capped at (5%) five percent”.
3. Term of Contract Replace Section 8 with the following: “The Term of this Agreement shall begin on February 1, 2020. The Parties agree that this Contract shall automatically renew on February 1 of each year for three years with the last renewal date being February 1, 2023 unless either party gives notice of intent to terminate to the other at least ninety days before the contract anniversary date. City and Contractor may renew terms if mutually acceptable to both parties at any time”.
4. Full Force and Effect Except as amended hereby, the Original Agreement, remains in full force and effect.

Signed, sealed and delivered. In the presence of:
City of Lawrenceville

By: _____ Title: _____

Date: _____

Advanced Disposal Services

By: _____ District Manager

Date: _____

Exhibit A

\$32.73 per ton Solid Waste

\$30.52 C & D per ton

\$57 per ton Recycling Processing Charge



LAWRENCEVILLE

GEORGIA

27.

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Resolution for continued commitment and participation to the Livable Center Initiative (LCI) program
Department:	Planning and Development
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	Up to \$50,000.00
Presented By:	Chuck Warbington
Action Requested:	Adopt the Resolution for continued commitment and participation to the Livable Center Initiative (LCI) program

Fiscal Impact: Local match not to exceed \$50,000.00

Attachments/Exhibits:

LCI Grant Resolution

RESOLUTION _____

RESOLUTION OF COMMITMENT

CITY OF LAWRENCEVILLE

WHEREAS, the City of Lawrenceville supports regional and local efforts to develop a balanced transportation system to reduce dependence upon the automobile, enhance access, improve safety, encourage continued prosperity, and promote quality of life; and

WHEREAS, the City of Lawrenceville concurs that improvements in the quality of life from a well-planned downtown area will enhance the economic position of Lawrenceville; and

WHEREAS, the City of Lawrenceville adopted the Lawrenceville Downtown Livable Centers Initiative Master Plan on July 25, 2005, adopted its first 5-Year LCI Update on October 3, 2011; and adopted a 5-year LCI Update in March 2017; and

WHEREAS, the City of Lawrenceville has continued to show its commitment to a well-planned downtown through the implementation of various initiatives including the development of the College Corridor, conversion of Clayton and Perry Streets to two-way operations, and the ongoing success of the South Lawn project; and

WHEREAS, the City of Lawrenceville seeks to further leverage recent successes in implementing a well-planned downtown area through further investigation of opportunities for surrounding redevelopment, exploring opportunities for improved mobility connections to and from downtown, and enhancing connectivity to nearby Rhodes-Jordan Park while considering recent advances in SMART City technology and best practices in creative placemaking; and

NOW THEREFORE BE IT RESOLVED, the City of Lawrenceville hereby adopts the continued commitment to the City of Lawrenceville Downtown LCI Master Plan and continued participation in the Livable Center Initiative (LCI) program as a major step in preserving the health, well-being and economic vitality of our community.

The Mayor and Council of the City of Lawrenceville authorize the filing of a grant application with the Atlanta Regional Commission in an amount not to exceed \$150,000.00, with the commitment to a local match not to exceed \$50,000.00.

1. The Mayor is authorized to execute and file an application for Federal assistance on behalf of the City of Lawrenceville with the Atlanta Regional Commission upon review and approval of the City Attorney.
2. The Mayor is authorized to execute and file the necessary certifications, assurances and other documents the Atlanta Regional Commission may require before awarding a Federal assistance grant upon review and approval of the City Attorney.

3. The Mayor is authorized to execute the grant and other agreements with the Atlanta Regional Commission on behalf of the City of Lawrenceville upon review and approval of the City Attorney.

IT IS SO RESOLVED AND ADOPTED this 24th day of February, 2020.

**CITY OF LAWRENCEVILLE, GEORGIA
A GEORGIA MUNICIPAL CORPORATION**

David R. Still, Mayor

Chuck Warbington, City Manager

Attest:

Karen Pierce, City Clerk



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Intergovernmental Agreement with Gwinnett County for the use of its 800 megahertz radio system
Department:	Police Department
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	None
Presented By:	Chuck Warbington
Action Requested:	Ratify the Intergovernmental Agreement with Gwinnett County for the use of its 800 megahertz radio system

Attachments/Exhibits:

City of Lawrenceville IGA

INTERGOVERNMENTAL AGREEMENT

STATE OF GEORGIA

COUNTY OF GWINNETT

This Intergovernmental Agreement is made and entered into this _____ day of _____, 2020, by and between The City of Lawrenceville (the "CITY") and Gwinnett County, a political subdivision of the State of Georgia (the "COUNTY").

W I T N E S S E T H:

WHEREAS, the COUNTY owns and maintains an 800 megahertz (MHz) Radio System (the "SYSTEM") that provides radio communications coverage for areas primarily within the geographic boundaries of Gwinnett County, Georgia; and

WHEREAS, the COUNTY holds a Federal Communications Commission license to operate the SYSTEM; and

WHEREAS, the SYSTEM was designed to provide a mode of communication for public safety personnel; and

WHEREAS, the SYSTEM provides communication infrastructure for portable, mobile, and base radio equipment, has the capability of almost 2,000 talk groups, and is designed to operate 24 hours a day, seven days a week; and

WHEREAS, the SYSTEM provides a benefit to, and serves all of the residents and businesses of Gwinnett County through utilization by local government personnel dedicated to protecting the lives, safety, and property within the County as well as provide efficient and effective services; and

WHEREAS, the CITY desires to utilize the SYSTEM for communications and for interagency public safety communications, primarily within the geographical boundaries of Gwinnett County and in furtherance of the safety and security of its school campuses and personnel; and

WHEREAS, it is in the best interests of the COUNTY and the CITY and the citizens they serve for their public safety radio communications to be as efficient as possible.

NOW, THEREFORE, in consideration of the mutual benefits to be realized from the obligations hereinafter set forth, the COUNTY and the CITY have entered into this Agreement as follows:

THE SYSTEM

The SYSTEM is a Motorola P25 800 MHz Trunking System. "P25 (Project 25)" refers to a specific set of standards to which systems are built that will be compatible with equipment manufactured by other vendors.

2.

COUNTY RESPONSIBILITIES

- (a) Provided the CITY has complied with its obligations below, the COUNTY shall provide, for the use of the CITY, access to talk groups on the SYSTEM.
- (b) The COUNTY shall provide the appropriate number of radio system identification numbers for use by the CITY.
- (c) The COUNTY shall provide the CITY with operational procedures and guidelines covering the use and maintenance of the SYSTEM.
- (d) The COUNTY shall advise and assist the CITY with any necessary training of CITY personnel regarding the proper operation of the COUNTY communications system.
- (e) The COUNTY shall maintain its Federal Communications Commission license to operate the SYSTEM.
- (f) The COUNTY shall fund the SYSTEM as allowable under O.C.G.A. § 46-5-120 et seq. relating to maintenance, construction, and operation of the SYSTEM.

3.

CITY RESPONSIBILITIES

- (a) The CITY shall purchase and install any and all radio equipment necessary for the CITY to utilize the SYSTEM. All such radio equipment shall be approved in advance as being one-hundred percent (100%) system compatible by both the COUNTY and the manufacturer of the SYSTEM.
- (b) The CITY shall provide one hundred-twenty (120) days advanced notice to the COUNTY regarding the number of radio devices that they will add to the SYSTEM.
- (c) The CITY shall cover and maintain all hardware devices under a service and maintenance agreement from the original manufacturer during the time in which said hardware is being used on the SYSTEM.
- (d) The CITY agrees to utilize only the talk groups designated by the COUNTY for the CITY'S use and to utilize the SYSTEM in accordance with the procedures and guidelines provided by the COUNTY, including all rules and regulations of the Federal Communications Commission, and any other applicable federal, state or local laws.
- (e) The CITY shall indemnify the COUNTY against and hold the COUNTY harmless from any and all claims, actions, damages, including reasonable attorney's fees, obligations and liabilities arising from or in any way connected with actions which arise from the negligent conduct, negligent actions or negligent failure to act on behalf of CITY employees, or which arise from the CITY'S breach of this contract. Furthermore, the CITY shall indemnify the COUNTY against any injury to a CITY employee while acting in his capacity as an employee of the CITY which arises from or results in any way from the implementation of this Agreement.

(f) The CITY agrees that the SYSTEM will only be used to enhance communications for services provided by CITY and agrees it shall not use the SYSTEM for any other purpose.

(g) The CITY acknowledges it has educated and informed the users of the SYSTEM of the applicable rules and regulations enacted.

4.

MUTUAL RESPONSIBILITIES

(a) The parties shall each appoint a designated representative to coordinate the implementation and on-going use of the SYSTEM as authorized under the terms of this Agreement, and any future upgrades that need to occur in order to maintain the SYSTEM.

(b) This Agreement is not intended to create any rights or benefits for any person other than the COUNTY and the CITY. The CITY shall not have any rights or benefits under any other contract or agreement regarding the SYSTEM unless said contract or agreement specifically provides otherwise.

(c) This Agreement shall not be assigned to any other party throughout the term of the Agreement.

5.

TERM

The term of this Agreement shall be ten (10) years.

6.

TERMINATION

(a) Except as provided in Paragraph 5 hereof, this Agreement shall continue in force and effect for ten (10) years from the date of execution hereof. As long as a party is not in default hereunder, a party may renew this Agreement for an additional ten-year term by providing written notice thereof to the other party at least ninety (90) days and no more than one hundred-eighty (180) days prior to the expiration of the original term.

(b) Notwithstanding the provisions of Paragraph 5 hereof, the COUNTY may terminate this Agreement immediately upon written notice to the CITY upon the occurrence of one or more of the following:

(i) The CITY'S failure to correct within thirty (30) days after written notice from the COUNTY of any nonconformity or malfunction in the CITY'S radio equipment being utilized with the SYSTEM;

(ii) The CITY'S failure to correct within thirty (30) days after written notice from the COUNTY any noncompliance by CITY personnel with the procedures and guidelines provided by the COUNTY to the CITY; or

(iii) The CITY'S failure to correct within thirty (30) days after written notice from the COUNTY any material breach in the CITY'S obligations herein under.

7.
NO REPRESENTATION OR WARRANTIES

The COUNTY makes no representation or warranties regarding the communications services offered under this Agreement through the SYSTEM, and the CITY accepts the use of the SYSTEM "as is, where is."

8.
ENTIRE AGREEMENT

This Agreement contains the entire understanding of the parties and shall not be altered, amended, or modified except by an agreement in writing executed by the duly authorized officials of the COUNTY and CITY.

9.
NOTICES

All notices required or permitted to be sent to the CITY hereunder shall be hand-delivered or sent via U. S. Mail to the CITY manager. All notices required or permitted to be sent to the COUNTY hereunder shall be hand-delivered or sent via U.S. Mail to the Director of the Information Technology Services Department, with a copy to the County Administrator.

10.
GOVERNING LAWS

This Agreement shall be governed by the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties have fully executed this Agreement.

GWINNETT COUNTY, GEORGIA

By: _____
County Clerk

By: _____
Charlotte J. Nash, Chairman

APPROVED AS TO FORM:

Attest:

County Attorney

CITY OF LAWRENCEVILLE

By: David R. Still
Mayor, City of Lawrenceville

Attest:

By: Karen Pierce
City Clerk

APPROVED AS TO FORM:

V. J. [Signature]
City Attorney



28.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Purchase of property at 738 Duluth Highway, Tax Parcel R7008-003B
Department:	City Manager
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	Estimated at \$2,232,924.60
Presented By:	Lee Thompson
Action Requested:	Authorize the Mayor, City Clerk, and City Attorney to execute documents for closing on purchase of property at 738 Duluth Highway, Tax Parcel R7008-003B at an estimated amount of \$2,232,924.60

Attachments/Exhibits:

Doyle Lville contract

CONTRACT FOR PURCHASE AND SALE

GEORGIA, GWINNETT COUNTY

THIS IS A CONTRACT for the purchase and sale of certain real estate by and between **ROY LANCE DOYAL** (hereinafter called "Seller"), and the **CITY OF LAWRENCEVILLE, GEORGIA** (hereinafter called "Buyer").

In consideration of the amounts set forth herein, the mutual covenants herein contained, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Agreement to Buy and Sell.

(a) Seller hereby agrees to sell and Buyer hereby agrees to buy the property in the City of Lawrenceville, Gwinnett County, Georgia, known as 738 Duluth Highway, Lawrenceville, Georgia 30046, also known as Tax Parcel R7008-003B (the "Property"). The Property is more particularly described on Exhibit A which is attached hereto and incorporated herein by reference.

2. Purchase Price.

(a) The purchase price for the Property shall be Thirty-Five Dollars and Forty-Five Cents (\$35.45) per square foot. Buyer shall provide Seller with a survey calculating the square footage of the Property.

(b) The purchase price shall be paid in all cash at closing.

3. Seller's Warranties and Representations.

Seller hereby warrants, represents and covenants (which warranties, representations and covenants shall be effective as of the date of Closing and shall survive the Closing) the following: That

- i) Seller has good, insurable and marketable title to the Property, free and clear of all liens, encumbrances and restrictive covenants other than zoning ordinances affecting said property and general utility easements serving the property, and any other easements in existence at the time Seller purchased the Property, and liens that will be satisfied at closing.
- ii) to the best of Seller's knowledge, there are no special assessments against or relating to the Property.
- iii) no goods or services have been contracted for or furnished to the Property which might give rise to any mechanic's liens affecting

all or any part of the Property.

- iv) Seller has not entered into any outstanding agreements of sale, leases, options or other rights of third parties to acquire an interest in the Property.

Seller shall not further encumber the Property or allow an encumbrance upon the title to the Property without the written consent of Purchaser.

- v) Seller has not entered into any agreements with any state, county or local governmental authority or agency which are not of record with respect to the Property.
- vi) there are no encroachments upon the Property, other than such encroachments, if any, already of record.
- vii) Seller has full power to sell, convey, transfer and assign the Property on behalf of all parties having an interest therein.
- viii) there is access for ingress and egress to and from the Property to the public roads, street, highway and avenues, in front of or adjoining all or part of the Property.
- ix) there is no pending claim, law suit, agency proceeding, or other legal, quasi-legal or administrative challenge concerning the Property, the operation of the Property or any condition existing thereon, and no claim, litigation, proceeding or challenge has been or is proposed or threatened by any person or entity, or otherwise anticipated by Seller.
- x) Seller has disclosed to Buyer any and all known conditions of a material nature with respect to the Property which may affect the health or safety of any tenant or occupant of the Property or the use of the Property for the purposes intended by Buyer. Except as disclosed in writing by Seller to Buyer, no condition or fact exists contrary to any warranty or representation set forth in this Contract.
- xi) to the best of Seller's knowledge, no investigation administrative order, consent order or agreement, litigation or settlement with respect to hazardous materials or hazardous materials contamination is proposed, threatened, anticipated or in existence with respect to the Property and the Seller has not received any notice of violation of any laws, rules or regulations regulating

hazardous materials or any request for information from any federal or local governmental authority concerning hazardous materials and hazardous materials contamination on the Property. The Property neither is currently on, nor has the Property ever been on, any federal or state "Superfund" or "Superlien" list.

- xii) this Contract has been duly authorized, executed and delivered by Seller and all documents executed by Seller which are to be delivered to Buyer at closing will be (a) duly authorized, executed and delivered by the Seller, (b) the legal, valid and binding obligation of Seller, and (c) sufficient to convey title and do not and at the time of Closing will not violate any provisions of any agreement or judicial order affecting Seller of the Property.

The purchase of the Property is contingent upon the substantial accuracy of the Seller's material representations and warranties.

4. Inspection.

At all reasonable times prior to the closing hereunder Buyer and Buyer's engineers, surveyors, agents and representatives shall have the right to go on the Property to inspect, examine and survey the same and otherwise do what is reasonably necessary to determine the boundaries of the Property and to make all necessary tests to verify the accuracy of the warranties of Seller with respect to the condition of the property and to determine the suitability of the property for Buyer's intended use. Buyer shall complete all such inspections, examinations and surveys within forty-five (45) days of the Effective Date of the Agreement (Inspection Period). To the extent allowed by law, if any, Buyer shall indemnify and hold Seller harmless from all losses, claims, damages and suits resulting from Buyer or Buyer's agents inspecting or testing the Property pursuant to this paragraph.

5. Objections to Title.

Within a reasonable time after the date hereof (not later than the end of the Inspection Period) Buyer shall deliver to Seller a statement of any objections to Seller's title and Seller shall have a reasonable time thereafter (not to exceed ten days) within which to cure any such objections. In the event that Seller fails to cure such objections, Buyer may terminate this Contract and recover the earnest money, or Buyer may waive the objections and proceed to close the transaction. Marketability of the title herein required to be conveyed by the Seller shall be determined in accordance with Georgia law as supplemented by the Title Standards of the State Bar of Georgia.

6. Closing.

(a) The purchase and sale hereunder shall be closed within thirty (30) days of the end of the Inspection Period, time being expressly made of the essence of this Contract. The

closing shall be conducted at the offices of Thompson, Sweeny, Kinsinger & Pereira P.C. in Lawrenceville, Georgia, or such other place as may be agreed to by the parties.

(b) At closing, Seller shall execute and deliver or cause to be delivered to Buyer the following original documents:

- i) A good and marketable limited warranty deed.
- ii) Owner's Affidavit and additional documents as may be required in such form as is necessary to enable the Buyer to remove any liens and parties in possession exceptions. The affidavit or such additional documents shall run to the benefit of the Buyer and Buyer's Title Company, be in such form and content acceptable to Buyer and Buyer's Title Company and contain without limitation the following information: That:
 - a) there are no outstanding unrecorded contracts of sale, options, leases or other arrangements with respect to the Property to any person other than Purchaser.
 - b) the Property is being conveyed unencumbered except for the Permitted Exceptions, if any.
 - c) no construction or repairs have been made by Seller nor any work done to or on the Property by Seller which has not been fully paid for, nor any contract entered into nor anything done the consequence of which could result in a lien or a claim of lien to be made against the Property.
 - d) there are no parties in possession of the Property being conveyed other than Seller.
 - e) there are no filings in the office of the Clerk of the Courts of Gwinnett County, nor in the office of the Secretary of State which indicate a lien or security interest in, on or under the Property which will not be released or terminated at Closing.
- iii) Affidavit in compliance with the Foreign Investment in Real Property Tax Act of 1980, as amended, affirming that the Seller is not a "foreign person" as defined by the Internal Revenue Code.
- iv) All other documents as may be required to be executed and delivered to complete this transaction as contemplated hereunder.

(c) Ad valorem taxes shall be prorated as of the date of closing.

(d) All closing costs involved in the purchase of this Property (other than attorney's fees incurred by Seller) shall be paid by Buyer.

7. Conditions of Closing.

The obligation of Buyer under this Contract to purchase the Property is hereby expressly made subject to the truth and accuracy as of the date of this Contract and as of the date of closing of each and every warranty or representation herein made by Seller, and the suitability of the inspections and tests set forth in Paragraph 4. If the Buyer in its sole discretion, determines that the Property is not suitable for its intended purpose, then Buyer shall notify Seller in writing, and this Contract shall be null and void and all earnest money shall be refunded to Buyer. Buyer shall furnish Seller written notice of cancellation on or before the end of the Inspection Period.

8. Earnest Money.

Buyer has provided Thompson, Sweeny, Kinsinger & Pereira P.C., with Earnest Money of Five Thousand Dollars (\$5,000.00). At the closing hereunder said earnest money shall be applied against the purchase price provided herein. If Seller refuses or cannot convey unencumbered marketable fee simple title to the Property as provided herein, or in the event any condition set forth herein is not met within the time provided, such condition not having been waived by Buyer, then said earnest money shall be returned to Buyer and this Contract shall terminate. If the purchase and sale hereunder is not closed due to default hereunder by Buyer, then said earnest money shall be transmitted to Seller as total liquidated damages, and this Contract shall terminate. Seller and Buyer acknowledge that damages from breach by the Buyer would be difficult to calculate and have agreed to the amount of liquidated damages.

8. No Broker.

Seller and Buyer hereby warrant and covenant that no real estate brokers or agents are involved in this transaction. To the extent allowed by law, Buyer and Seller agree to indemnify and hold the other party harmless against any claim, suit, or action for a real estate brokerage commission as a result of their actions in the sale and purchase of the property, including reasonable attorney's fees and costs.

9. Notices.

Any notices required or permitted to be given under this Contract to Seller or to the Buyer shall be in writing, postage pre-paid and will be sent by fax transmission, overnight delivery by courier of choice or registered or certified mail to:

BUYER: City of Lawrenceville, Georgia
 70 South Clayton Street
 P.O. Box 2200
 Lawrenceville, GA 30046
 Attention: Chuck Warbington, City Manager

WITH A COPY TO:

Thompson, Sweeny, Kinsinger & Pereira P.C.
 690 Longleaf Drive
 P.O. Box 1250
 Lawrenceville, Georgia 30046
 Attention: V. Lee Thompson, Jr.

SELLER: Roy Lance Doyal
 5325 Northside Drive
 Atlanta, Georgia 30327

10. Miscellaneous.

(a) Interpretation. In this Contract the neuter gender includes the feminine and masculine, and the singular number includes the plural, and the words "person" and "party" include corporation, partnership, individual, form, trust, or association wherever the context so requires.

(b) Attorney's Fees. In the event it becomes necessary for either Buyer or Seller to bring an action at law or other proceeding to enforce any of the terms, covenants or conditions of this contract, the prevailing party in any such action or proceeding shall be entitled to recover its costs and expenses incurred in such action from the other party, including without limitations reasonable attorney's fees as determined by the court without a jury. As used herein, the term "prevailing party" shall mean as to the plaintiff, obtaining substantially all relief sought, and such term shall mean as to the defendant, denying the obtaining of substantially all relief sought by the plaintiff.

(c) Time of Essence. Buyer and Seller hereby agree that this Contract was entered into with the understanding that time is of the essence.

(d) Severability. In the event any provision, or any portion of any provision, of this Contract shall be deemed to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalid, illegal or unenforceable provision or portion of a provision shall not alter the remaining portion of any provision or any other provision, as each provision of this Contract shall be deemed to be severable from all other provisions.

(e) Inurement. This Contract shall be binding upon and inure to the benefit of the successors and assigns, if any, of the respective parties hereto.

(f) Effective Date. The Effective Date shall be the date the last party signs a fully executed copy of the Contract for Purchase and Sale.

11. Modification of Contract.

No modification of this Contract shall be deemed effective unless in writing and signed by the parties hereto, and any waiver granted shall not be deemed effective except for the instance and in the circumstances particularly specified therein and unless in writing and executed by the party against whom enforcement of the waiver is sought.

12. Entire Contract.

This Contract constitutes the entire agreement between the parties for the purchase and sale of the Property. All terms and conditions contained in any other writings previously executed by the parties regarding the Property shall be deemed to be superseded.

13. Mutual Drafting.

Each party has participated in the drafting of this Contract and the provisions of this Contract shall not be construed against or in favor of either party.

14. Survival of Contract.

This Contract shall not be merged into the documents executed at the closing, but shall survive the closing, and the provisions hereof, except those provisions which are specifically identified as not surviving closing, shall remain in full force and effect.

15. Threat of Condemnation.

The City of Lawrenceville has the power of eminent domain. This Property is being acquired for public purposes under the threat of condemnation. Seller acknowledges that the City of Lawrenceville has complied with the provisions of O.C.G.A. § 22-1-9 and waives any additional rights Seller may have under that code section, or under O.C.G.A. § 22-1-2.

This Contract is agreed to this

____ day of _____, 2020

By:

Roy Lance Doyal

SELLER

This Contract is agreed to this

12 day of February, 2020

CITY OF LAWRENCEVILLE

By:

David Still
Mayor

BUYER

EXHIBIT "A"**LEGAL DESCRIPTION**

All that tract or parcel of and lying and being in land Lot 8 of the 7th Land District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located 60 feet Southeast of the Intersection of the Southeast right-of-way of State Highway No. 316 and the Southwesterly right-of-way of State Highway No. 120, 65 feet right of Station 35 & 10; running thence South 75 degrees, 45 minutes East along the Southwesterly side of State Highway No. 120, 210.0 feet to a 2 inch iron pin; running thence South 14 degrees 15 minutes West 300.0 feet to a 2 inch iron pin; running thence North 75 degrees 45 minutes West 210.0 feet to a 2 inch iron pin running thence North 14 degrees 15 minutes East 300.0 feet to an iron pin and the point of beginning.

Less & Except

All that tract or parcel of land lying-and being in land Lots 8 and 9 of the 7th land District, Gwinnett County, Georgia, and more particularly described as follows:

BEGINNING at a point located on the southerly line of the right-of-way of State Highway 120, said iron pin being located a distance of 270.00 feet easterly, as measured along said southerly right-of-way line from its intersection with the easterly right-of-way line of Georgia Highway 316; and running thence South 75 degrees 17 minutes 02 seconds East along said southerly line of the right-of-way of State Highway 120 a distance of 60.00 feet to an iron pin; running thence South 15 degrees 13 minutes 27 seconds West a distance of 125.00 feet to a point; running thence North 74 degrees 43 minutes 53 seconds West a distance of 60.00 feet to a point; running thence North 15 degrees 13 minutes 27 seconds East a distance of 124.42 feet to a point located on the southerly line of the right-of-way of State Highway 120, and the point of beginning.

Said property being described according to Survey for Shell Oil Company made by Kirkley Associates, Inc., bearing the seal of B. K. Rochester, Georgia Registered Surveyor No. 1534, dated November 6, 1991, revised December 16, 1991, which survey is incorporated herein by this reference and made a part hereof.



LAWRENCEVILLE

GEORGIA

30.

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Acquisition of portions of R5147 139B and R5147 220 – South Clayton Street
Department:	City Manager
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	Estimated at \$770,280.00
Presented By:	Lee Thompson
Action Requested:	Authorize the Mayor, City Clerk, and City Attorney to execute documents for acquisition of portions of Tax Parcels R5147 139B and R5147 220 at an estimated amount of \$770,280.00



LAWRENCEVILLE

GEORGIA

31.

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Acquisition of Tax Parcel R5143 227 – Gwinnett Drive
Department:	City Manager
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	\$500,000.00
Presented By:	Lee Thompson
Action Requested:	Authorize the Mayor, City Clerk, and City Attorney to execute documents for acquisition of Tax Parcel R5143 227 in the amount of \$500,000.00



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR MEETING, FEBRUARY 24, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Resolution for Service Delivery Strategy Agreement
Department:	City Manager
Date of Meeting:	Monday, February 24, 2020
Fiscal Impact:	TBD
Presented By:	Chuck Warbington
Action Requested:	Authorize the Mayor and City Clerk to execute documents related to the Service Delivery Strategy (SDS) Agreement upon review and approval of the City Attorney

RESOLUTION _____**Resolution for Approval of Service Delivery Strategy**

WHEREAS, Gwinnett County and the sixteen (16) Cities of Auburn, Berkeley Lake, Braselton, Buford, Dacula, Duluth, Grayson, Lawrenceville, Lilburn, Loganville, Norcross, Peachtree Corners, Rest Haven, Snellville, Sugar Hill, and Suwanee (collectively the “Cities”), have engaged in extensive negotiations in an attempt to formulate a Service Delivery Strategy to serve the needs of all of their citizens, to provide for funding equity, and to comply with the Service Delivery Strategy Act; and

WHEREAS, Article 9, Section 3, Paragraph 1 of the Georgia Constitution provides that cities and counties may enter into Intergovernmental Agreements for terms not exceeding fifty (50) years for the provision of services, for the provision of joint services, or for the joint or separate use of facilities or equipment; and

WHEREAS, the County and Cities have agreed on certain forms, maps and Intergovernmental Agreements to be submitted to the Georgia Department of Community Affairs to satisfy the requirements of the Service Delivery Strategy Act; and

NOW THEREFORE, the Council of the City of Lawrenceville hereby resolves that the Service Delivery Strategy with Gwinnett County is hereby approved. The Mayor and City Attorney are authorized to execute all forms, Intergovernmental Agreements and documents necessary to evidence the City’s approval of the Service Delivery Strategy with Gwinnett County and to deliver the same to the Department of Community Affairs.

SO RESOLVED by official act of the City Council of the City of Lawrenceville this 24th day of February, 2020.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk