



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, October 03, 2022
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

- [1.](#) September Planning Commission Meeting Minutes

Old Business

New Business

- [2.](#) RZR2022-00011; Fairlane Capital LLC; 448 Grayson Highway
- [3.](#) RZM2022-00013; GTD Partners, LLC c/o Andersen Tate & Carr; 800 Block Grayson Highway
- [4.](#) RZR2022-00012; Refika Krkalic; 457 Northdale Road

Public Comment

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

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: PLANNING COMMISSION

AGENDA CATEGORY: PRIOR MEETING MINUTES

Item: September Planning Commission Meeting Minutes

Department: Planning and Development

Date of Meeting: Monday, October 3, 2022

Presented By: Todd Hargrave, Planning and Development Director

Action Requested: Approval

Attachments/Exhibits:

- Minutes from the September Meeting



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Tuesday, September 6, 2022
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 p.m.

PRESENT

Board Member Bruce Hardy – arrived at 6:05 p.m.

Board Member Jack “Jay” Johnston, Jr.

Board Member James Nash

Board Member Jen Young

Board Member Marshall Boutwell

Approval of Agenda

Motion made **to AMEND the Agenda as PRESENTED** by Board Member Nash, and
Seconded by Board Member Young (Table RZR2022-00011 to the Monday, October 6,
2022, Planning Commission Public Hearing).

Voting Yea: Board Member Johnston, Board Member Nash, Board Member Young,
Board Member Boutwell

Motion made **to APPROVE the Agenda as AMENDED** by Board Member Johnston, and
Seconded by Board Member Nash

Voting Yea: Board Member Johnston, Board Member Nash, Board Member Young,
Board Member Boutwell

Approval of Prior Meeting Minutes

Motion made **to APPROVE the Monday, August 1, 2022 Planning Commission Meeting Minutes** by Board Member Nash, and Seconded by Board Member Johnston

Voting Yea: Board Member Hardy, Board Member Johnston, Board Member Nash, Board Member Young, Board Member Boutwell

New Business

- 1. SUP2022-00071** – Applicant: GA Lawrenceville Sugarloaf, LLC; Property Owners: WR of Stockbridge, LLC; An application for a Special Use Permit to allow Automobile Wash (Carwash); Property located at 3975 Sugarloaf Parkway; Parcel Identification Number R5082 193; Approximately 1.96 Acres

Motion made **to recommend APPROVAL of SUP2022-00071 with Staff recommended conditions** by Board Member Johnston, Seconded by Board Member Nash.

Voting Yea: Board Member Hardy, Board Member Johnston, Board Member Nash, Board Member Young, Board Member Boutwell

- 2. SUP2022-00072** – Applicant: Learning Time; Property Owners: Alberta Berhannan and Ashley Sanon; An application for a Special Use Permit to allow a Day Care Facility; Property located at 141 Langley Drive; Parcel Identification Number R5143 219; Approximately 0.66 Acres

Motion made **to recommend APPROVAL of SUP2022-00072 with Staff recommended conditions** by Board Member Hardy, Seconded by Board Member Young.

Voting Yea: Board Member Hardy, Board Member Johnston, Board Member Nash, Board Member Young, Board Member Boutwell

- 3. SUP2022-00073** – Applicant: David White; Property Owners: Ann S. Smith f/k/a/ Ann Street Wages; An application for a Special Use Permit to allow an Indoor Climate Controlled Self-Storage or Mini-Warehouse Facility; Property located at 725 Scenic Highway; Parcel Identification Number R5108 001; Approximately 3.08 Acres

Motion made **to recommend APPROVAL of SUP2022-00073 with Planning Commission recommended conditions** by Board Member Nash, Seconded by Board Member Hardy.

Voting Yea: Board Member Hardy, Board Member Johnston, Board Member Nash, Board Member Young, Board Member Boutwell

- 4. RZR2022-00011** – Applicant: Fairlane Capital LLC, c/o Mike Embry; Property Owners: Loren T. Bowen Trustee Credit Shelter Trust; An application to rezone the subject property from RS-150 (Single-Family Residential District) to RM-8 (Townhouse Residential District); Property located at 448 Grayson Highway; Parcel Identification Number R5148 014; Approximately 14.00 Acres

Tabled RZR2022-00011 to the Monday, October 6, 2022, Planning Commission Public Hearing.

Public Comment

No Public Comment

Final Adjournment

Motion made **to Adjourn at 6:35 p.m.** by Board Member Johnston, Seconded by Board Member Nash.

Voting Yea: Board Member Hardy, Board Member Johnston, Board Member Nash, Board Member Young, Board Member Boutwell



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2022-00011; Fairlane Capital LLC; 448 Grayson Highway

Department: Planning and Development

Date of Meeting: Monday, October 3, 2022

Applicant Request: To rezone the subject property from RS-150 (Single-Family Residential District) to RM-8 (Townhouse Residential District)

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

Department Recommendation: **Denial**

Planning Commission Recommendation: **Tabled to the Monday, October 3, 2022, Planning Commission Public Hearing.**

Summary: The applicant requests the rezoning of an approximately 14.00-acre property, zoned RS-150 (Single-Family Residential District), to RM-8 (Townhouse Residential District) to allow an attached rear-entry townhouse development. The subject property is located along the eastern right-of-way of Grayson Highway, just north of its intersection with Kubol Drive. The property is undeveloped.

Attachments/Exhibits:

- RZR2022-00011_MUNICODE_08152022
- RZR2022-00011_REPORT_08152022
- RZR2022-00011_P&D RECO COND_08152022
- RZR2022-00011_LEGAL_07182022
- RZR2022-00011_LOI_07182022
- RZR2022-00011_APP_07182022
- RZR2022-00011_SITE PLN NTS_07182022

- RZR2022-00011_SITE PLN TYP LOT NTS_07072022
- RZR2022-00011_ELEV_07072022
- PDZonedMap_RZR2022-00011
- PDZoneMapAerial_RZR2022-00011
- PDZoneMapAerial_RZR2022-00011_5000FT

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING

CASE NUMBER: RZR2022-00011
APPLICANT: FAIRLANE CAPITAL LLC
CONTACT: MIKE EMBRY
PHONE NUMBER: 404.569.9756
LOCATION: 488 GRAYSON HIGHWAY
PARCEL ID: R5148 014
ACREAGE: 14.00
ZONING PROPOSAL: RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
TO RM-8 (TOWNHOUSE RESIDENTIAL DISTRICT)
PROPOSED DEVELOPMENT: TOWNHOUSE DEVELOPMENT
DEPARTMENT RECOMMENDATION: DENIAL

ZONING HISTORY:

In 1985, the subject property was within the jurisdictional boundaries of unincorporated Gwinnett County and zoned R-75 (Single-Family Residential District). In 2004, the property was annexed into the municipal boundaries of the City of Lawrenceville, pursuant to ANNX2004-00005. The property has been zoned RS-150 (Single-Family Residence District) since 2005.

PROJECT DATA

The applicant requests the rezoning of an approximately 14.00-acre property, zoned RS-150 (Single-Family Residential District), to RM-8 (Townhouse Residential District) to allow an attached rear-entry townhouse development. The subject property is located along the eastern right-of-way of Grayson Highway, just north of its intersection with Kubol Drive. The property is undeveloped.

The applicant is proposing to develop the property with forty-five (45) rear-entry townhouse units, resulting in a density of 3.2 Units Per Acre (UPA). The property

contains a lake and wetlands consisting of approximately four (4) acres. The proposed plan includes a twenty-five (25) foot Front Yard Setback adjacent to Grayson Highway, a twenty-five (25) foot Side Yard Setback along the northern property line and as required, a twenty-five (25) foot Undisturbed Buffer is proposed along southern property line adjacent to a single-family development zoned RS-60 (Single-Family Residential District). As required, a fifty (50) foot Undisturbed Buffer is proposed along the eastern property line adjacent to a single-family development zoned RS-150 (Single-Family Residence District). As proposed, the plan would be consistent with the minimum Lot Development Standards and Minimum Buffer Requirements of the RM-8 zoning classification. As proposed, the plan appears to exceed the minimum standards relating to lot configuration by including a forty (40) foot Utility & Access Easement intended to encompass a twenty (20) foot private alley; and a fifty (50) foot Utility & Access Easement intended to encompass a twenty-four (24) foot private road. The plan proposes concrete sidewalks throughout the development, which would include installation along proposed private alleys. Although required by code, the installation of sidewalks along private alleys would be considered as a burden rather than a luxury. The initial cost, installation, routine maintenance and potential repairs of underground utilities within private alleys could be considered as being cost prohibitive to local utility providers and the public. Therefore, a variance will be required to waive the installation of sidewalks along the proposed forty (40) foot Utility & Access Easements only. Access to the proposed development would be extended via a proposed curb cut aligned with an existing curb cut along the western right-of-way of Grayson Highway.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located within the Community Mixed Use Character Area. This Character Area recognizes the large-scale redevelopment opportunities that are present in Lawrenceville. These are areas that could accommodate a diversity of development types and densities—including revitalized, mixed-use areas—that build on existing industrial or commercial character. Community Mixed Use areas are primarily located near Downtown, and could benefit from the “halo effect” of high-quality development already happening nearby. As proposed, the plan lacks details incorporating commercial/retail, live-work units, parks and gathering spaces into the overall plan. This deficiency may be related to the existing conditions in the immediate area, which could be the result of antiquated policies, lack of enforcement and neglect. Therefore, in order to benefit from the “halo effect” it may be appropriate

to consider a plan focusing on providing a variety of single-family attached and detached dwellings to balance and improve the commercial component of the surrounding area.

The pace at which change has occurred in Downtown Lawrenceville requires a clear and distinct vision for the future, therefore, on October 25, 2021, the City Council approved the Lawrenceville Downtown Master Plan / Livable Centers Initiative (LCI) expanding the boundaries of the “Downtown Core” to encompass properties along Grayson Highway that include the subject property. The purpose of the LCI is to allow the City to take a proactive approach towards planning to accommodate growth by looking towards the future by forming a vibrant and connected Downtown where people want to live, work and play.

The surrounding area is characterized by commercial/retail and residential uses. To the east is the Acadia Woods single-family subdivision zoned RS-150. To the south is the Wynfield Park single-family subdivision zoned RS-60. To the west, across Grayson Highway is the Lawrenceville Town Center zoned BG (General Business District), anchored by a regional grocery. To the north, immediately adjacent to the subject property, is a site which was once utilized and anchored by a regional grocery, zoned BG. However, the property was vacated in the past, and is currently utilized as an indoor climate controlled self-storage or mini-warehouse facility. As proposed, the plan does not promote a safe and reliable walkable connection to local service on the western side of Grayson Highway. This deficiency could be viewed as hindrance and potential detriment to the overall success of the development and revitalization of the immediate area. Therefore, the proposed plan may need additional thought; which may require a focus on creating a small mixed-use development consisting of a walkable, pedestrian friendly center of activity. Buildings should be oriented internally towards local streets, rather than fast access onto and off arterial roadways. In addition, the overall appearance should have some degree of architectural character or unique atmosphere expanding upon the positive changes happening within the city limits.

In conclusion, the proposal is centered on density, and does not factor local service, pedestrian connectivity and revitalization into the equation. Therefore, the proposal would not be consistent with the policies of the 2040 Comprehensive Plan; which are intended to improve the quality of life of the public through careful planning practice and decision making that is consistent with the long range plans of the City of Lawrenceville. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the rezoning request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS**ENGINEERING DEPARTMENT**

No comment

ELECTRIC DEPARTMENT

This property will be served by City of Lawrenceville Electric Department. Please provide panel schedules for review. A meeting with City of Lawrenceville Power is required before the start of construction.

GAS DEPARTMENT

The property will be served by the City of Lawrenceville Gas Department.

CODE ENFORCEMENT

No comment.

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

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

As proposed the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency (i.e. local services, pedestrian connectivity, etc.) with the long range plans of the City of Lawrenceville.

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

The area along the eastern right-of-way of Grayson Highway has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

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

The property has a reasonable economic use as currently zoned.

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

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

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

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. A proposal that does not factor local services, pedestrian connectivity or revitalization would not be in conformity with the policy or intent of the 2040 Comprehensive Plan.

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

The proposal may be counter to emphasis of the 2040 Comprehensive Plan; which is intended to allow the city to grow or develop in a healthy and progressive manner that is consistent with the policy or intent of the City of Lawrenceville.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_08152022

RZR2022-00011

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

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

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

- A.** A mix of attached and detached single-family units.
- B.** Fifty (50%) percent of the total area shall be designated to single-family detached dwellings on small lots (6,000 square feet) at a density of four (4) Units Per Acre, subject to the rules and regulations of the Zoning Ordinance, Article 1 Districts, Section 102.4 RS-60 Single-Family Residential District.
- C.** Single-family attached dwellings and lots shall be prohibited adjacent to RS-150 (Single-Family Residential District) and RS-60 (Single-Family Residential District) zoning classifications.
- D.** Fifty (50%) percent of the total area shall be designated to single-family attached dwellings at a density of eight (8) Units Per Acre, subject to the rules and regulations of the Zoning Ordinance, Article 1 Districts, Section 102.5 RM-8 Townhouse Residential District.
- E.** The façade and sides of all residential units shall be designed and constructed consisting of predominantly three (3) sides masonry, which could be brick, stone or a combination of brick and stone (with accents of fiber cement siding). The remaining balance or rear elevation may consist of fiber-cement siding.
- F.** External Corner/End units of single-family attached dwellings shall consist of a covered End Unit Cut-A-Way front porch with metal roof. End Unit Cut-A-Way porches shall be a minimum of five (5) feet in depth and eleven (11) feet in width adjacent to the façade. In addition, End Unit Cut-A-Way porches shall extend along the side elevation a minimum of eight (8) in depth and three (3) feet in width. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.

- G.** Internal single-family units of attached dwellings shall consist of a covered front porch with metal roof. Porches shall be a minimum of five (5) feet in depth and eight (8) feet in width. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - H.** All single-family attached dwellings shall provide an outdoor living space, consisting of a wood deck and covered porch with metal roof. Each wood deck and covered porch shall measure nine (9) feet in width and ten (10) feet in depth.
 - I.** All facades of single-family attached and detached dwellings shall be adjacent to a fifty (50) foot Utility Easement consisting of a twenty-four (24) foot private drive.
 - J.** All single-family rear entry attached dwellings (rear elevation) shall be adjacent to and accessed via a forty (40) foot Utility Easement consisting of a twenty (20) foot private alley.
 - K.** All dwellings shall have a double car garage with carriage-style garage doors. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - L.** All Rear Entry attached units shall be a minimum of three (3) stories or thirty-five (35) feet in height, as measured from the lowest elevation of the rear-entry-garage-floor. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - M.** All residential attached and detached units shall consist of a two (2) car garages, with a driveway measuring eighteen (18) feet in width and twenty-six (26) feet in depth, providing sufficient space for two (2) passenger vehicles. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - N.** Building Setback adjacent Grayson Highway shall be forty (40) feet.
- 2.** To satisfy the following site development considerations:
- A.** The development shall be designed and constructed in general conformance with the Zoning Ordinance, Article 1 Districts, Section 102.9 CMU Community Mixed-Use District, the City of Lawrenceville Development Regulations and Subdivision Regulations, with changes necessary to meet zoning and development regulations. Final design shall be subject to the review and

approval of the Director of the Planning and Development Department.

- B.** The proposed landscaping shall be designed and installed, in general conformance with the Zoning Ordinance, Article 1 Districts, Section 102.9 CMU Community Mixed-Use District, with changes necessary to meet zoning and development regulations. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - C.** Development shall be designed and consist of fifty-five (55) on-street parking spaces or one additional space per townhouse unit within the project for guest and overflow parking. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D.** Buildings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, and International Building Code (IBC). Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
 - E.** Maintain or provide a five (5) foot concrete sidewalk adjacent to all public right-of-ways.
 - F.** 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;
 - G.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
 - H.** Natural vegetation shall remain on the property until the issuance of a development permit.
 - I.** Any utility relocations shall be the responsibility of the developer.
- 3.** The following variance is granted:
- A.** RS-60 Single-Family Residential District – Detached Units
 - i.** A variance to allow a reduction in the Minimum Lot Area of 7,500 square feet to a Minimum Lot Area of 6,000 square feet.
 - ii.** A variance to allow a reduction in the internal Minimum Lot Width of sixty (60) feet to a Minimum Lot Width of fifty-five (55) feet.

- iii.* A variance to allow a reduction in the internal Minimum Front Yard Setback of thirty-five (35) feet to an internal Minimum Front Yard Setback of twenty (20) feet adjacent to an internal fifty (50) foot Utility Easement/Private Drive.
- iv.* A variance to allow a reduction in the Minimum Front Yard Setback of thirty-five (35) feet to a Minimum Front Yard Setback of fifteen (15) feet adjacent to a forty (40) foot Utility Easement/Private Alley.

B. RM-8 Townhouse Residential District – Attached Units

- i.* A variance to allow a reduction in the Minimum Lot Area of 3,600 square feet to a Minimum Lot Area of 2,100 square feet.
- ii.* A variance to allow a reduction in the Minimum Front Yard Setback of twenty-five (25) feet to a Minimum Front Yard Setback of twenty (20) feet adjacent to an internal fifty (50) foot Utility Easement/Private Drive.
- iii.* A variance to allow a reduction in the Minimum Front Yard Setback of twenty-five (25) feet to a Minimum Front Yard Setback of fifteen (15) feet adjacent to a forty (40) foot Utility Easement/Private Alley.

C. CMU Community Mixed Use District

- i.* A variance to allow the elimination of a mix of land uses requiring a minimum of thirty (30) percent of the gross land area being devoted Civic/Institutional, Commercial/Retail, Light Industrial and Office Use.
- ii.* A variance to allow the elimination of the Minimum Buffer Requirement between CMU (Community Mixed-Use District) and RS-150 (Single-Family Residential District) of fifty (50) feet to zero (0) feet, contingent upon Condition 1.C., and subject to the review and approval of the Director of the Planning and Development Department.
- iii.* A variance to allow the elimination of the Minimum Buffer Requirement between CMU (Community Mixed-Use District) and RS-60 (Single-Family Residential District) of twenty-five (25) feet to zero (0) feet, contingent upon Condition 1.C., and subject to the review and approval of the Director of the Planning and Development Department.

Warranty Deed — Page 3

Exhibit "A"

A one-half (½) undivided interest in and to the following real property of the Grantor:

All that tract or parcel of land lying and being in the Fifth Land District of Gwinnett County, Georgia, part of Land Lot Number 148, and being tracts Numbers thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), and seventy-two (72) of the subdivision of the lands of R. H. Cooper, as shown on survey and plat of S. C. Moon, made in September 1946, a blue print of which is recorded in plat Book "D," Page 180, Gwinnett County Records, reference to which is hereby made for the correct shape, metes, courses and distances of each of said tracts of land, and which are more particularly described as follows: Tracts numbers thirty-one, thirty-two, thirty-three, thirty-four, and thirty-five join and are bounded together as one tract on the north by the lands of S.C. Moon; on the east by tract number seventy-two, purchased by P.C. Roberts; on the south by the lands of E.F. Hannah; on the west by the right-of-way of the Lawrenceville and Loganville highway. Each of these tracts front fifty (50) feet on the highway and run back even width two hundred and fifty (250) feet. Tract number seventy-two contains five and 74/100 (5.74) acres, and is bounded on the north by the lands of S.C. Moon; on the east by the lands of B.B. Crane and Allen Puckett; on the south by the lands of Leonard Jackson; on the west by the lands of P.C. Roberts.

Being the same as that property conveyed to Grantor by Warranty Deed dated October 16, 1946, and recorded in Deed Book 81, Folio 459, Gwinnett County, Georgia Records.

Together with a one-half (½) undivided interest in and to the following real property of the Grantor:

All that tract or parcel of land lying and being in the Fifth Land District of Gwinnett County, Georgia, part of Land Lot Number 148, and being tracts Numbers thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), and seventy-one (71) of the subdivision of the lands of R.H. Cooper, as shown on survey and plat of S.C. Moon, made in September 1946, a blue

Warranty Deed — Page 4

print of which is recorded in plat Book "D," Page 180, Gwinnett County Records, reference to which is hereby made for the correct shape, metes, courses and distances of each of said tracts of land, and which are more particularly described as follows: Tracts numbers thirty-six, thirty-seven, thirty-eight, thirty-nine and forty join and are bounded together, on the north by the lands of P.C. Roberts; on the east by tract number seventy-one, purchased by J.H. Carter; on the south by the lands of E.F. Hannah; on the west by the right-of-way of the Lawrenceville and Loganville Highway. Each of these tracts fronts on said highway fifty (50) feet and extends back even width two hundred and fifty (250) feet. Tract number seventy-one contains five and 74/100 (5.74) acres according to said plat, and is bounded on the north by the lands of formerly P.C. Roberts, now Mrs. Lorene T. Bowen; on the east by the lands of H.J. Hinton; on the south by the lands of formerly E.F. Hannah; on the west by the lands of J.H. Carter.

Being the same as that property conveyed to Grantor by Warranty Deed dated June 19, 1948, and recorded in Deed Book 88, Folio 56, Gwinnett County, Georgia Records.

Less approximately one (1) acre which the Grantor has previously conveyed to her brother; being a total of approximately fourteen (14) acres.

LETTER OF INTENT FOR REZONING

Embry Development Company, LLC (“The Applicant”) submits this Letter of Intent and attached rezoning application (“The Application”) in order to permit the development residential townhome community on approximately 12.96 acres of land located on the easterly side of Grayson Highway (State Route 20).

The Property is surrounded by a mix of land uses and zoning classifications. To the east of the property is a row of single-family houses zoned for Single Family Residential SFR. North of The Property is a mini warehouse. West of The Property is a Community Shopping Mall. South of The Property is another row of single-family houses zoned Residential SFR. The Property’s current zoning is Residential Vacant, and the proposed zoning is Residential Multifamily.

The proposed community will consist of fifty-six (56) townhomes. The square footage will have a minimum of 1,600 Sq Ft and 2 car garages. The community will also include twelve (12) single-family detached homes. The square footage starting at 1,800 Sq Ft and 2 car garages. The community will provide 5.5 acres of open space out of the 12.96 of total acreage.



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Fairlane Captial LLC</u>	NAME: <u>Lorene T Bowen Trustee Credit Shelter Trust</u>
ADDRESS: <u>P.O. Box 2789</u>	ADDRESS: <u>130 Greenfield Way</u>
CITY: <u>Suwanee</u>	CITY: <u>Covington</u>
STATE: <u>GA</u> ZIP: <u>30024</u>	STATE: <u>GA</u> ZIP: <u>30016</u>
CONTACT PERSON: <u>Mike Embry</u> PHONE: <u>404-569-9756</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>Residential Vacant</u> REQUESTED ZONING DISTRICT: <u>RM-8</u>	
PARCEL NUMBER(S): <u>R5148-014</u> ACREAGE: <u>14</u>	
ADDRESS OF PROPERTY: <u>488 Grayson Highway</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

NOTARY PUBLIC

DATE

70 S Cowley Rd, Box 2200 • Lawrenceville, Georgia 30046-2200
 770-962-2414 • www.lawrencevillega.org



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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

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

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

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

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

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

[Handwritten signature] 3-2-2022

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

E-mail: LandDesignSolutions.pa@gmail.com
Phone: 404-941-0544

SITE LOCATION MAP (NOT TO SCALE)



LDS

Email: LandDesignsolutions.gp@gmail.com
Phone: 404-941-0644

448 GRAYSON HWY
LAWRENCEVILLE
GWINNETT COUNTY, GA
GEORGIA
PARCEL ID 5148 014

PROJ. # 22004

NOT FOR
CONSTRUCTION

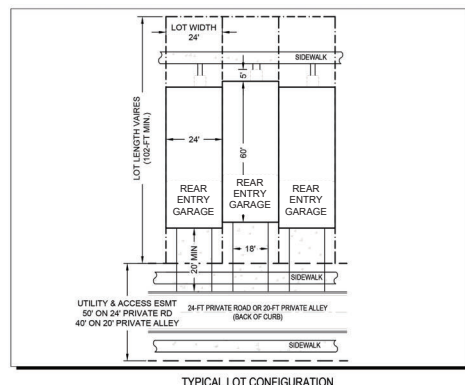
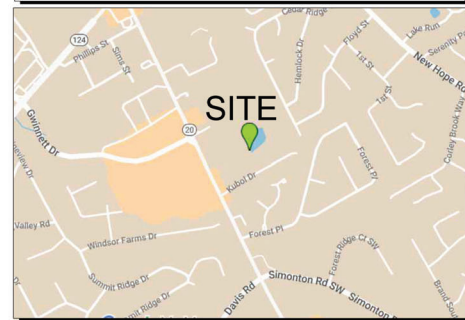
07-09-2022

SCALE
0 30 60 90 120 150
1" = 60'

SHEET TITLE
CONCEPT SITE PLAN
SHEET NUMBER



ADDRESS:	448 GRAYSON HIGHWAY LAWRENCEVILLE GWINNETT COUNTY
PARCEL INFO:	5148 014
SITE AREA:	14.0 ACRES
LAKE & BUFFERS:	4.05 ACRES
WETLANDS AREA:	0.35 ACRES
CURRENT ZONING:	RS-150
PROPOSED ZONING:	RM-8 (TOWNHOUSE RESIDENTIAL DISTRICT)
PROPOSED DWELLINGS:	45 TOWNHOUSES (REAR ENTRY GARAGE)
PROPOSED DENSITY:	3.2 UNITS/ACRE
RM-8 LOT STANDARDS:	
ZONING BUFFER:	25-FT (ABUTS RS-60) 50-FT (ABUTS RS-150)
EXTERNAL SETBACK:	
FRONT SETBACK	25-FT
SIDE SETBACK	20-FT
ALONG MAJOR ARTERIAL	40-FT
REAR SETBACK	20-FT
INTERNAL SETBACK:	20-FT GRASS STRIP (BETWEEN BLDG & INTERIOR PRIVATE DRIVES)
COMMON AREA REQUIRED	15% (2.1 AC)
COMMON AREA PROVIDED	19.6% (2.7 AC) (DOES NOT INCLUDE WETLANDS & LAKE BUFFERS)
MIN. TOWNHOUSE BLDG LENGTH	3 DWELLINGS
MAX. TOWNHOUSE BLDG LENGTH	8 DWELLINGS









Ashton T201 & Brayton T202 Front Load 24'



LAWRENCEVILLE

GEORGIA

*The City of Lawrenceville
Planning & Development*

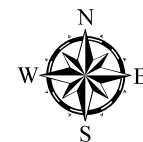
Location Map and Surrounding Zoning

File # RZR2022-00011

Applicant: Fairlane Capitol LLC

Legend

-  Subject Property
-  Parcels
-  Roads



0 230 460

*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning

File # RZR2022-00011

Applicant: Fairlane Capitol LLC

Legend

 Subject Property

Parcels

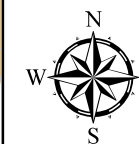
Zoning Districts

 BG General Business

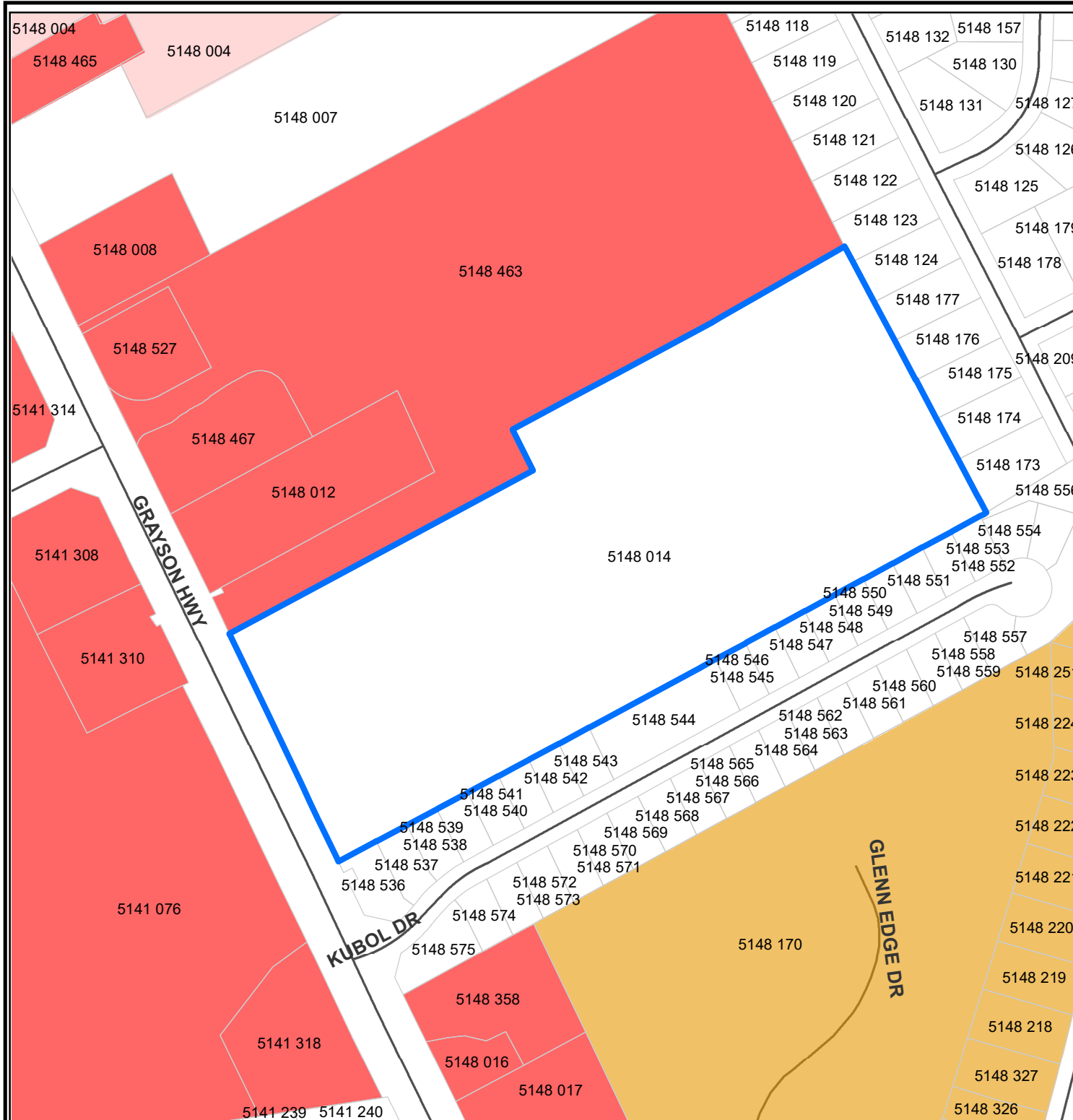
OI Office Institutional

RM-12 General Residence

— Roads



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LAWRENCEVILLE

GEORGIA

The City of Lawrenceville
Planning & Development

Location Map and Surrounding Zoning

File # RZR2022-00011

Applicant: Fairlane Capitol LLC

Legend

-  Subject Property
-  Parcels
-  Roads



0 125 250





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZM2022-00013; GTD Partners, LLC c/o Andersen Tate & Carr; 800 Block Grayson Highway

Department: Planning and Development

Date of Meeting: Monday, October 3, 2022

Applicant Request: To rezone the subject property from BG (General Business District) to RM-8 (Townhouse Residential District)

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

Department Recommendation: **Denial**

Planning Commission Recommendation: **Pending Recommendation**

Summary: The applicant requests the rezoning of an approximately 14.00-acre property, zoned RS-150 (Single-Family Residential District), to RM-8 (Townhouse Residential District) to allow an attached rear-entry townhouse development. The subject property is located along the eastern right-of-way of Grayson Highway, just north of its intersection with Kubol Drive. The property is undeveloped.

Attachments/Exhibits:

- RZM2022-00013_MUNICODE_09122022
- RZM2022-00013_RPRT_09122022
- RZM2022-00013_P&D RECO COND_09122022
- RZM2022-00013_SITE PLN_09062022
- RZM2022-00013_BNDY SRVY_09062022
- RZM2022-00013_LEGAL_09062022

- RZR2022-00011_LOI_02022
- RZR2022-00011_APP_07182022
- RZR2022-00011_ELEV_07072022
- PDZonedMap_RZR2022-00011
- PDZoneMapAerial_RZR2022-00011
- PDZoneMapAerial_RZR2022-00011_5000FT

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

CASE NUMBER: RZM2022-00013 & SUP2022-00075

APPLICANT: GTD PARTNERS, LLC, C/O ANDERSEN TATE & CARR

CONTACT: MELODY A. GLOUTON, ESQ.

PHONE NUMBER: 770.822.0900

LOCATION: 800 BLOCK OF GRAYSON HIGHWAY

PARCEL ID: R5140 368 & R5149 001

ACREAGE: 11.78

ZONING PROPOSAL: BG (GENERAL BUSINESS DISTRICT) TO RM-8
(TOWNHOUSE RESIDENTIAL DISTRICT)

PROPOSED DEVELOPMENT: 73-UNIT TOWNHOUSE DEVELOPMENT WITH
SPECIAL USE PERMIT TO ALLOW FRONT-ENTRY
UNITS

DEPARTMENT RECOMMENDATION: DENIAL

ZONING HISTORY:

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

PROJECT DATA

The applicant requests the rezoning of an approximately 11.78-acre property, zoned BG, to RM-8 (Townhouse Residential District) to allow a townhouse development consisting of front-entry units. The subject property is located along the eastern right-of-way of Grayson Highway, between its intersections with Simonton Road and Park Place Drive. The property is undeveloped, consisting of streams, wetlands and woods.

The applicant is proposing to develop the property with seventy-three (73) front-entry townhouse units, resulting in a density of 6.19 Units Per Acre (UPA). The

Commented [HA1]: Not accurate. The documents I found don't match. I cant find the actual documents for the annexation. This is the list I looked at
[\\...\PLANNING\STAFF\JESSICA WATSON\ANNEXATIONS\COPY of City of Lawrenceville Annexations.xlsx](#)

proposed townhouse units consist of two stories, three bedrooms; ranging in size from 1,600 to 1,800 square feet. The submitted materials reflecting the proposed exterior architectural treatments are not necessarily consistent Section 102.5.D. Architectural Standards requiring alternating roof types, brick or stone facades and elevations, and outdoor living space (porch). Therefore, a variance will be required for relief from this portion of the minimum requirements and standards applying to the RM-8 zoning classification.

The plan includes the required external forty (40) foot Front Yard Setback adjacent to Grayson Highway and the required external twenty (20) foot Rear and Side Yard Setback along the eastern, southern and northern property lines. In addition, a fifty (50) foot Undisturbed Buffer is proposed along the eastern property line adjacent to single-family properties and developments zoned RS-180 (Single-Family Residential District). As proposed, the plan appears to satisfy the intent of the RM-8 zoning classification applying to Lot Development Standards and Buffer requirements.

The plan includes the installation of a private drive consisting of a street width of twenty-four (24) feet, which includes the required two (2) foot curb and gutter. In addition, the townhouse units would be setback from the required curb and gutter a distance of twenty-seven (27) feet. However, the plan lacks details relating to the requirements of the *City of Lawrenceville Subdivision Regulations*, which requires a fifty (50) feet Private Access Drive Easement, consisting of a twenty-four (24) foot roadway as measured from back-of-curb to back-of-curb. The installation of Private Access Drives are limited to “special problems created as a result of necessary unusual platting configuration, or as a result of special physical features, the property could not otherwise be developed”. As proposed, the lot configuration, streams, and wetlands may be considered unusual that may have special features hindering the development of the property. Therefore, the installation of a Private Access Drive could be considered permissible if designed and installed to the minimum standard. Alternatives to the rule or, as proposed, the development will require the approval of a variance.

Commented [HA2]: Really long sentence. Is there a way to make it shorter? Is that the requirement or what they are proposing?

The concept plan shows concrete sidewalks along portions of the proposed Utility & Access Easement or Private Road, as well as improvements to an existing concrete sidewalk along Grayson Highway. Although required by code, the installation of sidewalks along a Utility & Access Easement or Private Road could

be considered as a burden rather than a luxury. The initial cost, installation, routine maintenance and potential repairs of underground utilities within Utility Access Easements or Private Roads could be considered as being cost prohibitive to local utility providers and the public. Therefore, a variance will be required to waive the installation of sidewalks along the required Utility & Access Easements or Private Road only.

Access to the proposed development would be extended via a proposed curb cut aligned with the Crane Drive found along the western right-of-way of Grayson Highway. Improvements associated with the proposed curb cut would include a deceleration lane and the installation of sidewalk improvements along the eastern right-of-way of Grayson Highway.

The surrounding area is characterized by commercial/retail and residential uses. Immediately adjacent to the north is the Lawrenceville Village shopping center zoned BG. Immediately to the east are residential uses consisting of Chatham Woods and Trail's End single-family subdivisions zoned RS-180 (Single-Family Residential District). Immediately to the south is a BG zoned commercial/retail use occupied by turf management company Top Turf. To the west, across Grayson Highway located in unincorporated Gwinnett County are the Lockridge and Oakdale Woods single-family subdivisions zoned R-75 (Single-Family Residential District). As proposed, the plan to develop the site with seventy-three (73) townhouse units may not be consistent with the established development and zoning pattern in the immediate area.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the Neighborhood Mixed Use Character Area. The intent of the Character Area is to provide a center for local services that is walkable from nearby residential areas. In some instances, these local services could be mixed with medium density housing such as townhouses, small scale apartment buildings or perhaps a compatible single-family residential zoning classification. Although Neighborhood Mixed Use areas are predominantly on major roadways, they should be walkable and have strong pedestrian and bicycle connections to nearby residential areas. The emphasis should be on connections to the surrounding neighborhoods, rather than density and fast access onto and off arterial roadways. As proposed, the plan lacks significant details relating to policies of the 2040 Comprehensive Plan (i.e. connection, service). Therefore, in order to benefit from the "halo effect" it may be appropriate to consider a plan focusing on providing a variety of single-family detached

dwellings to balance, and improve the commercial component of the surrounding area.

As proposed, the plan would not be consistent with the minimum requirements and standards of the RM-8 zoning classification, and components of the development regulations. Therefore, approval of this request shall require variances from several of the zoning and developments standards, which are as follows:

- Variance – Zoning Ordinance, Article 1 Districts, and Section 102.5.C.a. which reads as follows: 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.
- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5 E.4.b. Which reads as follows: A 5-foot sidewalk is required and shall be 2-feet off of the back of curb.
- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5 E.6. Which reads as follows: Subject to review and approval by the Director of Planning and Development.
 1. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, dormer, hip, or flat roof lines.
 2. Front, side, and rear facades shall be finished with primarily brick or stone on each elevation.
 3. Elevations shall be staggered with alternating exterior treatments such as porches, balconies, awnings, chimney, stoops, decks, patios, and terraces.
 4. Provide a unique architectural entrance with door surround.
 5. Incorporate changes in building material texture, and color.
 6. Provide elements such as shutters and roof eave brackets.
 7. Refer to Article 6, Architectural and Design Standards, for types of materials allowed in the district.

- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5 E.6. Which reads as follows: All townhouses must be rear entry; driveways shall have no access to exterior streets.
- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5.E.7. which reads as follows: Rear entry units shall abide by the following rules and regulations:
 - a. Rear entry units garages shall not be converted into heated interior space without being replaced with another garage within the building of the property subject to the terms of this Ordinance.
 - b. Driveway must provide two external parking spaces (9 ft. x 20 ft. each)
 - c. The rear elevation of Rear Entry Units shall be setback 27 feet from the required 24-foot Private Drive.
- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5 G.3. Which reads as follows: Depending on the scale of the development, the common area shall include at least one conveniently-located public gathering area or activity center with related amenities and improvements in the form of a square, green, plaza, or similar approved element that is accessible to the residents from at least three points of entry by sidewalks. Active recreation areas, including swimming pools, tennis courts, basketball courts, clubhouses, and other recreational amenities may not be constructed in the green space.
- Variance - Zoning Ordinance, Article 1 Districts, Section 102.5 G.4. Which reads as follows: 50% of the townhouses must be adjacent to or directly across the street from a common area such as a public green, park, or square. These units shall be rear entry only.
 - a. The minimum size for a public green, park or square 3,000 square feet
 - b. Provide a mix of undisturbed natural plantings and/or formal plantings
 - c. Provide benches, tables, seat walls, planters, play structure, and/or picnic areas/shelter.
 - d. Install outdoor lighting.
- Variance – Subdivision Regulations, Section 2. Required Improvements, Subsection 2.14 Street Design Standards, B. Minimum Right-of-Way Width (Ft.) Local Street, Residential 50-feet.

- Variance – Subdivision Regulations, Section 2. Required Improvements, Subsection 2.14 Street Design Standards, C. Minimum Pavement Width (Ft.) Local Street, Residential 24-feet.

In conclusion, the proposal is centered on density, and does not factor local service, pedestrian connectivity and revitalization into the equation. Therefore, the proposal would not be consistent with the policies of the 2040 Comprehensive Plan; which are intended to improve the quality of life of the public through careful planning practice and decision making that is consistent with the long range plans of the City of Lawrenceville. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the rezoning and Special Use Permit request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT

No comment

Commented [HA3]: They may have comments after Thursday. I didn't send the application to Eng. But the applicant's eng reached out about the buffers.

ELECTRIC DEPARTMENT

This property will be served by City of Lawrenceville Electric Department. Please provide panel schedules for review. A meeting with City of Lawrenceville Power is required before the start of construction.

GAS DEPARTMENT

The property will be served by the City of Lawrenceville Gas Department.

CODE ENFORCEMENT

No comment.

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

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

As proposed the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency (i.e. local services, pedestrian connectivity, etc.) with the long range plans of the City of Lawrenceville.

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

The area along the eastern right-of-way of Grayson Highway has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

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

The property has a reasonable economic use as currently zoned.

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

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

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

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. A proposal that does not factor local services, pedestrian connectivity or revitalization would not be in conformity with the policy or intent of the 2040 Comprehensive Plan.

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

The proposal may be counter to emphasis of the 2040 Comprehensive Plan; which is intended to allow the city to grow or develop in a healthy and progressive manner that is consistent with the policy or intent of the City of Lawrenceville.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_09122022

RZM2022-00013

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

Approval of a RS-60 (Single-Family Residential District), subject to the following enumerated conditions:

- 1.** To restrict the use of the property as follows:
 - A.** Single-family detached dwelling units and accessory uses and structures.
 - B.** The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,200 square feet for two-story homes;
 - C.** Lots shall be a minimum of 6,000 square feet at a density of four (4) Units Per Acre, subject to the rules and regulations of the Zoning Ordinance, Article 1 Districts, Section 102.4 RS-60 Single-Family Residential District.
 - D.** The façade and side elevations of all residential units shall be designed and constructed consisting of three (3) sides masonry, which could be brick, stone or a combination of brick and stone (with accents of fiber cement siding). The remaining balance or rear elevation may consist of fiber-cement siding.
 - E.** The facades of all single-family detached dwelling units shall consist of a covered front porch with metal roof. Porches shall be a minimum of five (5) feet in depth and eight (8) feet in width. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F.** The rear elevation of all single-family detached dwelling units shall consist of an outdoor living space, consisting of a wood deck and porch with metal roof. Outdoor living space shall measure eighteen (18) feet in width and ten (10) feet in depth. Fifty (50) percent of the outdoor living space shall consist of a porch with metal roof.
 - G.** All facades of single-family detached dwellings shall be adjacent to a fifty (50) foot Private Access Drive (Utility & Access Easement) consisting of a

twenty-four (24) foot private drive.

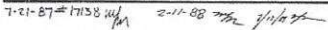
- H.** All single-family detached dwellings shall have a double car garage with carriage-style garage doors. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - I.** All single-family detached dwelling units shall consist of a two (2) car garages, with a driveway measuring eighteen (18) feet in width and twenty-six (26) feet in depth, providing sufficient space for two (2) passenger vehicles. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - J.** All single-family detached dwelling units shall be a maximum height of thirty-five (35) feet in height, as measured from the lowest elevation of the a finished floor. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - K.** The development shall have a mandatory community association(s) to provide maintenance for all common areas (including the maintenance of landscaping within internal rights-of-way and immediately adjacent external rights-of-way), and enforce reasonable and customary property maintenance standards through covenants on all residences within the community. The covenants, conditions, and restrictions that will be recorded with the City prior to the issuance of the first building permit. The covenants will run for 20 years and automatically renew every 20 years unless 51% of the persons owning lots in the subdivision vote to terminate the covenants as governed by O.C.G.A. 44-5-60. Subject to applicable City, local, and federal rules, laws, regulations, and rulings of courts having competent jurisdiction over the subject property, said covenants shall include a restriction that no more than 10% of the single-family units (with an additional 5% hardship) may be leased to third parties by individual owners.
 - L.** Building Setback adjacent Grayson Highway shall be forty (40) feet.
- 2.** To satisfy the following site development considerations:
- A.** The development shall be designed and constructed in general conformance with the Zoning Ordinance, Article 1 Districts, Section 102.4 Single-Family Residential District, the City of Lawrenceville Development Regulations and

Subdivision Regulations, with changes necessary to meet conditions of zoning, and development regulations. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.

- B.** Detached Single-Family dwellings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, Section 601 Residential Minimum Architectural and Design Standards, and International Residential Code (IRC). Final building elevations shall be subject to the review and approval of the Director of Planning and Development;
 - C.** Landscaping shall be designed and installed, in general conformance with the Development Regulations, Article VIII – Landscape Ordinance, with changes necessary to meet zoning and development regulations. Final design shall be subject to the review and approval of the Director of the Planning and Development Department;
 - D.** Street lighting shall be designed and installed in general conformance with the Zoning Ordinance, Article 6 Architectural and Design Standards, Section 603 Performance Standards – Lighting, with changes necessary to meet zoning and development regulations. Final design shall be subject to the review and approval of the Director of the Planning and Development Department;
 - E.** Maintain or provide a five (5) foot concrete sidewalk adjacent to all public right-of-ways.
 - F.** Natural vegetation shall remain on the property until the issuance of a development permit.
 - G.** Any utility relocations shall be the responsibility of the developer.
- 3.** The following variance is granted:
- A.** RS-60 Single-Family Residential District – Detached Units
 - i.** A variance to allow a reduction in the Minimum Lot Area of 7,500 square feet to a Minimum Lot Area of 6,000 square feet.
 - ii.** A variance to allow a reduction in the internal Minimum Lot Width of sixty (60) feet to a Minimum Lot Width of fifty-five (55) feet.

- iii.*** A variance to allow a reduction in the internal Minimum Front Yard Setback of thirty-five (35) feet to an internal Minimum Front Yard Setback of twenty (20) feet adjacent to an internal fifty (50) foot Private Access Drive (Utility & Access Easement).





0 Grayson Highway Legal Description

ALL THAT TRACT or parcel of land lying and being in Land Lots 140 and 149 of the 5th District, Gwinnett County, Georgia, in the City of Lawrenceville, and being shown as Tract 2 containing 11.7795 acres on a plat drawn for James R. Brown, et al, by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc., dated June 24, 1987, as last revised March 22, 1989, and more particularly described according to said plat as follows:

BEGINNING at a point on the northeast right of way line of Ga. Hwy No. 20 (a 100 foot right of way) at a common corner with property now or formerly owned by Gate City Oil Equipment Company; run thence North 59 degrees 40 minutes 00 seconds East 400.00 feet to a point; run thence South 30 degrees 20 minutes 00 seconds East a distance of 1,182.40 feet to a point; run thence South 61 degrees 51 minutes 43 seconds West 265.44 feet to a point; run thence South 87 degrees 31 minutes 16 seconds West 313.54 feet to a point on the east right of way line of Ga. Hwy 20; run thence north and northwest along said right of way line, and following the curvature thereof a distance of 1,040.68 feet to a point which is the true place or point of beginning.

This property is identified as Tax Map R5149 001 and Tax Map R5140 368 according to the records of the Gwinnett County Tax Assessor's Office

September 2, 2022

**COMBINED LETTER OF INTENT AND JUSTIFICATION FOR
REZONING AND SPECIAL USE PERMIT APPLICATION**

**Rezoning and Special Use Permit Applications
City of Lawrenceville, Gwinnett County, Georgia**

Applicant:
GTD Partners, LLC

Property:
Tax Parcel IDs R5149 001 and 5140 368
±11.78 Acres of Land
Located at 0 Grayson Highway, Lawrenceville, Georgia
From BG to RM-8

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

I. INTRODUCTION

These Applications for Rezoning and Special Use Permit are submitted for an 11.78-acre parcel of land located Land Lots 140 and 149 of the 5th District of Gwinnett County, Lawrenceville, Georgia, and being shown as “Tract 2” on the survey prepared by Hannon, Meeks & Bagwell Surveyors & Engineers, dated June 24, 1987 (hereinafter the “Property”). The Property is located in the City of Lawrenceville and is zoned BG (General Business District).

The Property is shown on the survey prepared by Hannon, Meeks & Bagwell Surveyors & Engineers, Inc. and filed with these Applications. The Property that is the subject of this rezoning and special use permit application is owned by Ewing M&M Investments, LLLP and Meeks Land Company, LLLP, and further identified below from the Gwinnett County Geographical Information System:



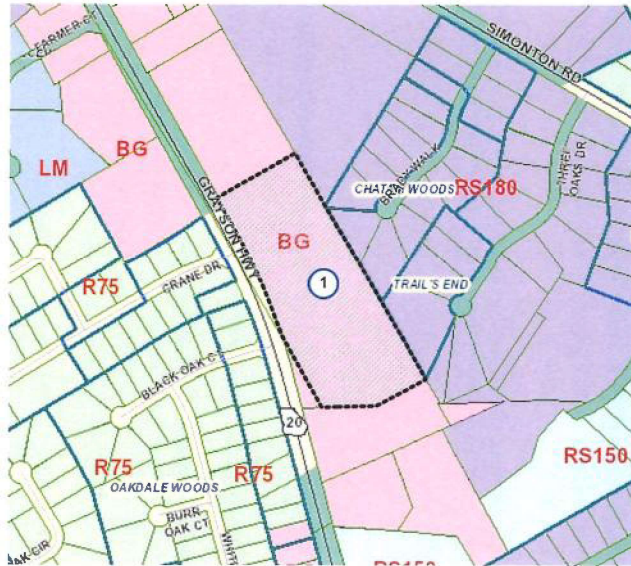
As indicated, the Property is currently zoned BG pursuant to the City of Lawrenceville Zoning Ordinance (the “Ordinance”). The Applicant, GTD Partners, LLC (the “Applicant”) now seeks approval to rezone the Property to RM-8 (Townhouse Residential District), to develop a distinctive and attractive townhome community with 73 units.

This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the Ordinance.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a large, rectangular tract fronting Grayson Highway in the City of Lawrenceville. The surrounding uses and zoning classifications are as follows:

Location	Land Use	Zoning
Proposed Site	Townhomes	RM-8
North	Shopping Plaza/Commercial/ Retail	BG
South	Pest Control/Lawn Management	BG
East	Single Family Residential	RS-180
West	Single Family Residential	R-75 (Gwinnett County)



The Applicant is requesting the City of Lawrenceville rezone the Property to allow for a townhome development that will be compatible with the existing commercial and residential developments. The Property is currently undeveloped and heavily wooded. The Property is surrounded by other residential uses and subdivisions, as well as in close proximity to commercial businesses and downtown Lawrenceville. As such, the Property is ideal for a townhome development.

As stated in the City of Lawrenceville's 2040 Comprehensive Plan (the "2040 Plan"), the Property lies in the Neighborhood Mixed Use Character Area. The intent of Neighborhood Mixed Use areas is to provide a center for local services that is walkable from nearby residential areas and townhomes are specifically identified as an appropriate land use within this Character Area. Examples of local services include restaurants, corner stores, drug stores, dry cleaners, and small-scale retail. The 2040 Plan further provides that these local services could be mixed with medium density housing such as townhouses or small-scale apartment buildings. As such, the proposed development of medium density residential, falls within the recommended land use for this area. Further, by providing an alternative housing option for potential residents, the City of Lawrenceville is encouraging a mix of housing that appeals to a wide variety of target markets.

III. PROJECT SUMMARY

As shown on the site plan by Barclift Consulting, dated August 31, 2022, and filed with these Applications (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive townhome community. The Applicant is proposing to rezone 11.78 acres from BG to RM-8 in order to accommodate the development of a townhome community with 73 units.¹ This proposal would equate to a gross density of 6.19 units per acre, which is well below the permitted density under the RM-8 zoning classification. Based on current market conditions, the townhomes are anticipated to range in size from 1,600 to 1,800 square feet, providing three-bedroom units with two-car garages. The proposed development would provide attractive, high-end townhomes at a size, quality, and price point commensurate with or exceeding homes in the surrounding communities. Generally, the architectural style and composition of the exterior of the townhomes would consist of brick, stacked stoned, cedar and/or cementitious shake, siding board and batten or combinations thereof. The proposed development would be served by one full access driveway onto Grayson Highway which would be landscaped and maintained by a Homeowners Association. The Applicant has included attached preliminary renderings of the townhomes.

In order to develop the Property as a townhome community shown on the site plan and as set forth in the Applications, the Applicant respectfully requests the following waivers, modifications, variances and/or conditions of zoning, as applicable:

- Variance from Section 102.5 (C) (a) to remove the requirement for development amenities such as a resort style pool, cabana, fitness center, and community room for residents from the Restrictive Covenants.
- Variance from Section 102.5 (E)(6) and (7) to allow front entry townhomes with the approval of a special use permit in general accordance with the site plan.
- Variance from Section 102.5 (G)(3) to delete “from at least three points of entry by sidewalks” and to allow the site plan to control accessibility to the common space.
- Variance from Section 102.5 (G)(4) to delete the requirement in its entirety that 50% of the townhouses must be adjacent to or directly across the street from a common area such as a public green, park, or square.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to RM-8 satisfies the “Standards Governing Exercise of the Zoning Power,” as follows:

¹ Pursuant to Section 102.5 (E)(7) of the Ordinance, the Applicant is requesting an associated Special Use Permit to develop front-entry townhomes as shown on the Site Plan.

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The proposed rezoning is consistent and suitable with the existing use and development of adjacent and nearby properties. The Property is located along Grayson Highway near the intersection of Simonton Road. The proposed townhome development is compatible with existing commercial and residential uses and will further diversify housing options in the surrounding area.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. In fact, the proposed zoning classification is compatible with existing residential uses of adjacent property and would be a complimentary development.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No, the Applicant submits that due to the size, location, layout, topography, and natural features of the Subject Property, it does not have reasonable economic use as currently zoned. By way of further response, the Applicant submits the rezoning of the Property would develop the site into a more viable and compatible use with surrounding properties.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to both Grayson Highway and Sugarloaf Parkway. The proposed development would complement the existing and nearby residential uses.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The proposed rezoning application is in conformity with the policy and intent of the City of Lawrenceville Comprehensive Plan. The subject property is located within the Neighborhood Mixed Use Character Area. Encouraged land uses for this Character Area specifically include townhomes. As such, the proposed development would be compatible with and successfully co-exist with the surrounding uses.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

The Applicant submits that the character of the surrounding developments and the existing uses in the area provide supporting reasons for approval of both the rezoning and special use permit application. Anticipated growth in the City of Lawrenceville and Gwinnett County based on the Comprehensive Plan suggests a strong need for this type of housing. In addition, the Applicant submits that the subject Property's location, size, and dimensions, as well as its proximity to downtown Lawrenceville, and Sugarloaf Parkway, provide further support for approval of the proposed rezoning application.

V. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that “City of Lawrenceville Zoning Ordinance” (the “Ordinance”), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a townhome development, under the RM-8 zoning classification, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the City of Lawrenceville Mayor and Council to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification and any other zoning of the Property save for what has been requested as established in the Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the City of Lawrenceville Mayor and Council cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that these Applications Rezone and Special Use Permit be approved. The Applicant welcomes the opportunity to meet with the City of Lawrenceville Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 2nd day of September, 2022.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>GTD Partners, LLC</u> <u>c/o Andersen Tate & Carr</u>	NAME: <u>see attached</u>
ADDRESS: <u>1960 Satellite Blvd</u> <u>S-4000</u>	ADDRESS: _____
CITY: <u>Duluth</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Melody A. Glouton, Esq.</u> PHONE: <u>770-822-0900</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>RM-8</u>	
PARCEL NUMBER(S): <u>R5149 001 & R5140 368</u> ACREAGE: <u>11.78 acres</u>	
ADDRESS OF PROPERTY: <u>0 Grayson Highway, Lawrenceville, Georgia</u>	

*See Attached Signature Pages

SIGNATURE OF APPLICANT _____ DATE _____

SIGNATURE OF OWNER _____ DATE _____

TYPED OR PRINTED NAME _____

TYPED OR PRINTED NAME _____

NOTARY PUBLIC _____ DATE _____

NOTARY PUBLIC _____ DATE _____

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION

Name: G.T.D. Partners, LLC
Address: 20 Heards Overlook Court
City: Atlanta
State: GA Zip: 30328
Phone: 404-915-3420

Parcel ID R5149 001
0 Grayson Highway
Lawrenceville, GA

Parcel ID R5140 368
0 Grayson Highway
Lawrenceville, GA



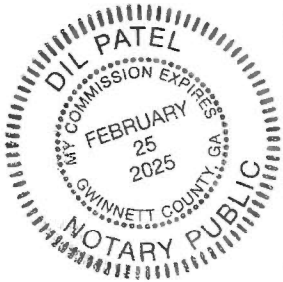
SIGNATURE OF APPLICANT 08 - 31 - 2022
DATE

Henry B. Eubanks, Manager

TYPED OR PRINTED NAME



NOTARY PUBLIC 8/31/22
DATE





LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

PROPERTY OWNER INFORMATION

Name: Meeks Land Company, L.L.P.
Address: 420 Waddell Street, Unit 10
City: Athens
State: GA Zip: 30605
Phone:

Parcel ID R5140 368
0 Grayson Highway
Lawrenceville, GA

Mark Meeks

08-31-2022

SIGNATURE OF OWNER

DATE

Mark L. Meeks

TYPED OR PRINTED NAME

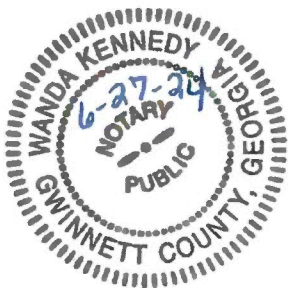
Wanda Kennedy

08-31-22

NOTARY PUBLIC

DATE

4614950-1.docx





LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

PROPERTY OWNER INFORMATION

Name: Ewing M&M Investments, LLLP

Address: 4317 Alba Lane

City: Buford

State: GA Zip: 30519

Phone:

Parcel ID R5149 001

0 Grayson Highway

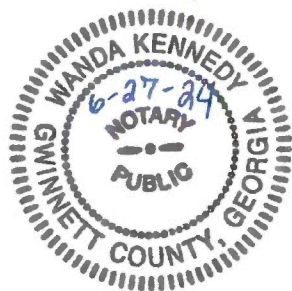
Lawrenceville, GA

Michael H. Ewing 8-31-2022
SIGNATURE OF OWNER DATE

Michael E. Ewing
TYPED OR PRINTED NAME

Wanda Kennedy 08-31-22
NOTARY PUBLIC DATE

4614950_1.docx





LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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

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

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

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

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

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



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: 5th - 149 - 001
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton 08/31/2022
Signature of Applicant Date

Melody A. Glouton, Attorney for Applicant
Type or Print Name and Title

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

TAX COMMISSIONER'S USE ONLY

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

Melissa Brown
NAME
9/2/2022
DATE

Revenue Specialist
TITLE



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: 5th - 140 - 368
(Map Reference Number) District Land Lot Parcel

Melody A. Glouton 08/31/2022
Signature of Applicant Date

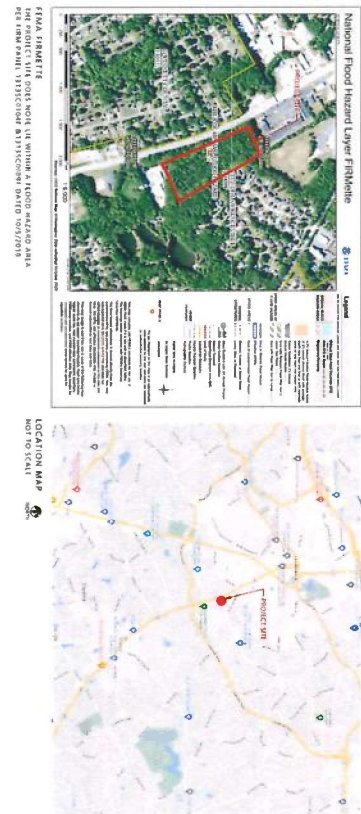
Melody A. Glouton, Attorney for Applicant
Type or Print Name and Title

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

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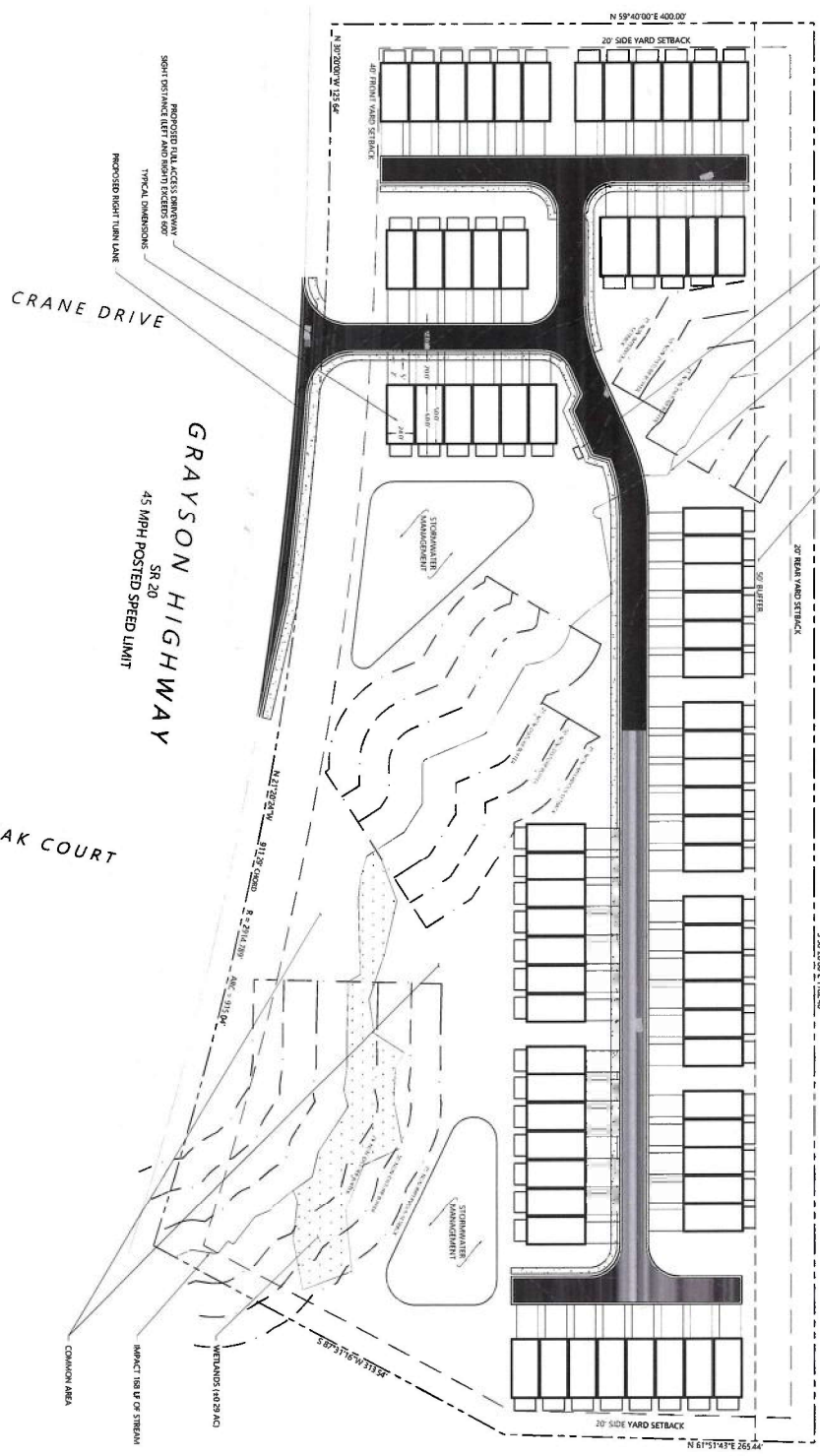
Melody Glouton Revenue Specialist
NAME TITLE
9/2/2022
DATE



MINIMUM DISTANCE WITHIN BUFFER FOR
CONVERTING TO A FLOOD HAZARD AREA
PERMANENT STRUCTURE PROPOSED WITHIN BUFFER

FEDERAL HIGHWAY
THE PROJECT SITE DOES NOT LIE WITHIN A FLOOD HAZARD AREA
PER FEDERAL HIGHWAY DESIGNATION DATED 10/20/2018

LOCATION MAP
NOT TO SCALE

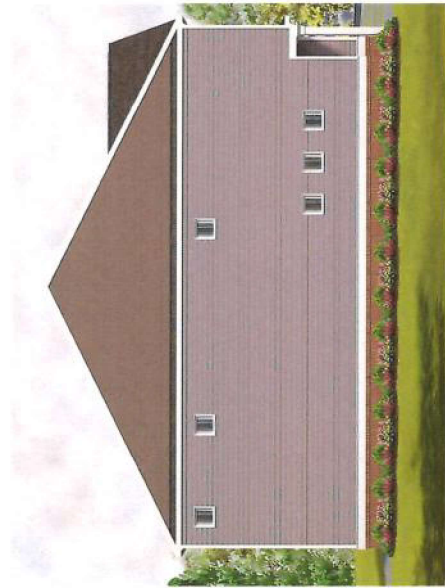


ZONING INFO	
JURISDICTION	CITY OF LAWRENCEVILLE
PARCEL ID	5149 001 & 5149 368
ZONING	BG (GENERAL BUSINESS)
EXISTING	RM-4 (TOWNHOUSE RES)
PROPOSED	RM-4 (TOWNHOUSE RES)
LOT AREA	5.0 ACRES
MIN	11.78 ACRES*
PROPOSED	11.53 ACRES
NET**	11.53 ACRES
*PER SURVEY DATED 6/24/87	
**GROSS - 50% OF FLOODPLAIN & WETLANDS	
UNIT WIDTH	20'
MINIMUM	20'
PROPOSED	24'
SEPTICES (EXTERNAL)	40' (MAJOR ARTERIAL)
FRONT	25'
SIDE	20'
REAR	20'
HEATED FLOOR SPACE (MINIMUM)	1,000 SF
1 BEDROOM	1,000 SF
2 BEDROOM	1,400 SF
3 BEDROOM	1,400 SF
4 BEDROOM	1,600 SF
LOT COVERAGES/IMPERVIOUS SURFACE	
MAX	<40%
PROPOSED	40%
BUILDING HEIGHT	
MAX	35'
COMMON AREA	
MIN	15%
PROPOSED	15%
PROPOSED USE	TOWNHOMES
TOWNHOMES	73 UNITS
ALL UNITS ARE FRONT ENTRY	





24x50 Townhomes



24x50 Townhomes- Focal Lot





LAWRENCEVILLE

GEORGIA

The City of Lawrenceville
Planning & Development

Location Map and Surrounding Zoning

File # RZM2022-00013

Applicant: GTD Partners
C/O Andersen Tate & Carr

 Subject Properties

 Parcels

 Roads

Zoning Districts

 RS-180 Single-Family Residential

 RS-150 Single-Family Residential

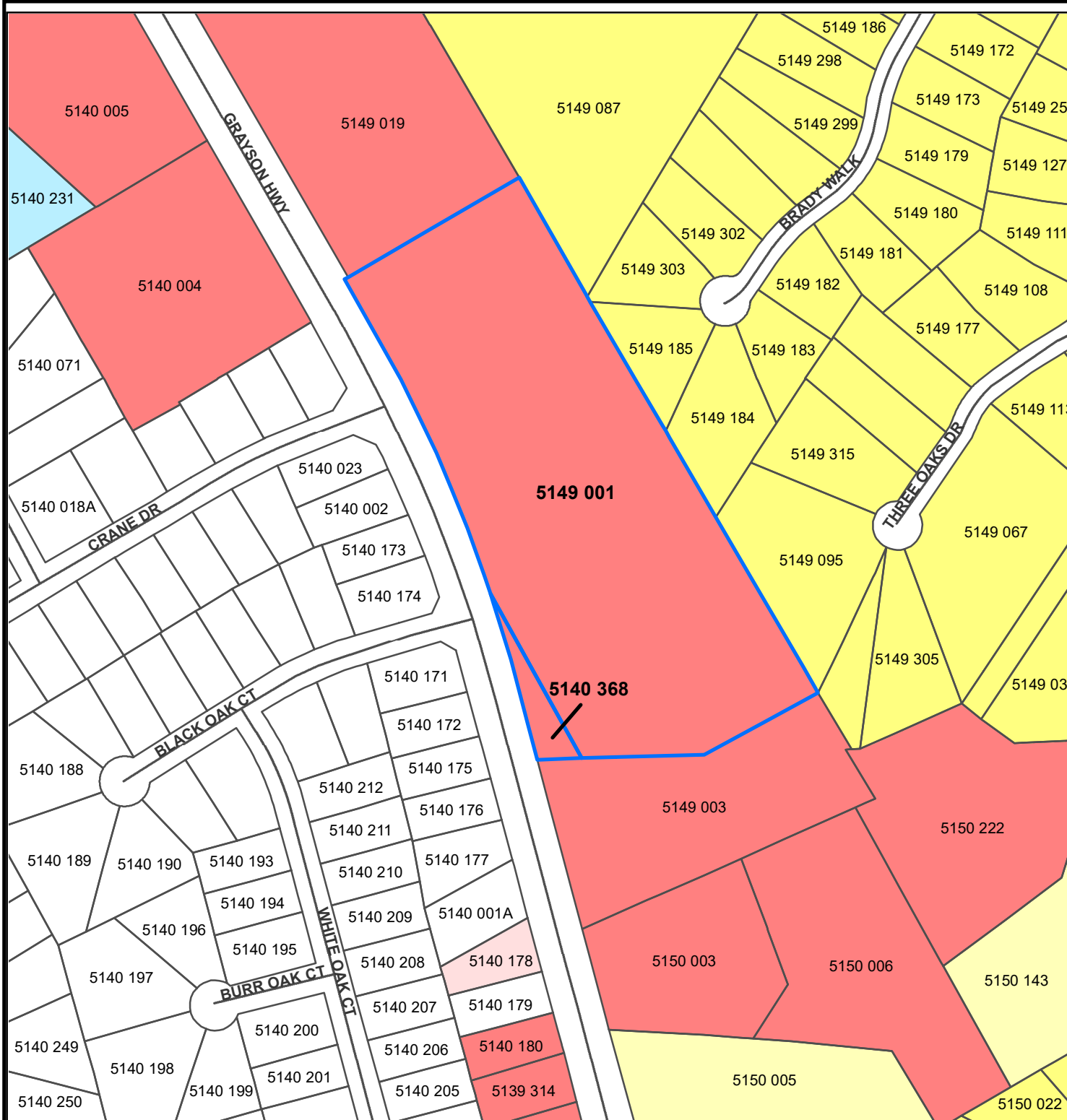
 OI Office/Institutional

 LM Light Manufacturing

 BG General Business



0 150 300





LAWRENCEVILLE

GEORGIA

*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning

File # RZM2022-00013

Applicant: GTD Partners
C/O Andersen Tate & Carr



 Subject Properties

 Parcels

 Roads



0 150 300



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2022-00012; Refika Krkalic; 457 Northdale Road

Department: Planning and Development

Date of Meeting: Monday, October 3, 2022

Applicant Request: To rezone the subject property from RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District)

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

Department Recommendation: **Approval**

Planning Commission Recommendation: **Pending Recommendation**

Summary: The applicant requests the rezoning of an approximately 0.4-acre property, zoned RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District), to allow the construction of a single-family detached dwelling unit. The subject property is located along the eastern right-of-way of Northdale Road, just south of its intersection with Hurricane Shoals Road. The property is undeveloped.

Attachments/Exhibits:

- RZR2022-00012_MUNICODE_09122022
- RZR2022-00012_REPORT_09122022
- RZR2022-00012_P&D RECO COND_09122022
- RZR2022-00012_LEGAL_08032022
- RZR2022-00012_LOI_08032022
- RZR2022-00012_APP_08032022
- RZR2022-00011_LND SRVY_08032022

- PDZonedMap_RZR2022-00012
- PDZoneMapAerial_RZR2022-00012
- PDZoneMapAerial_RZR2022-00012_5000FT

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING

CASE NUMBER:	RZR2022-00012
APPLICANT:	REFIKA KRDKALIC
CONTACT:	REFIKA KRDKALIC AND OSMAN KRDZALIC
PHONE NUMBER:	404.966.7522
LOCATION:	457 NORTHDAL ROAD
PARCEL ID:	R5145 044
ACREAGE:	0.40
ZONING PROPOSAL:	RM-12 (MULTIFAMILY RESIDENTIAL DISTRICT) TO RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
PROPOSED DEVELOPMENT:	SINGLE-FAMILY RESIDENTIAL DWELLING UNIT
DEPARTMENT RECOMMENDATION:	APPROVAL

ZONING HISTORY:

The property has been zoned RM (Multifamily Residential District) since 1960.

PROJECT DATA

The applicant requests the rezoning of an approximately 0.40-acre property, zoned RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District) to allow the construction of a single-family residential dwelling unit. The subject property is located along the eastern right-of-way of Northdale Road, between its intersections with Hurricane Shoals Road and the College Corridor. The property is undeveloped.

The applicant is proposing to develop the property with the construction of a one-story, 3,200 square foot single-family dwelling, consisting of three (3) bedrooms, two (2) bath, bonus room and a required two-car garage. The proposed dwelling would be constructed with exterior architectural treatments consisting of brick, fiber-cement shake and siding.

As proposed, the plan would be consistent with the minimum architectural and design standards applying to single-family residential dwelling units. The request includes establishing the minimum lot development standards applying to the RS-150 zoning classification, which would include a thirty-five (35) foot Front Yard Setback adjacent to Northdale Road, a ten (10) foot side yard setback and forty (40) foot rear yard setback adjacent to the College Corridor. Requirements applying to minimum lot area, width, heated floor area, coverage and building height would meet or exceed the minimum standards. Therefore, the proposal, if approved, would satisfy the intent of the RS-150 zoning classification applying to Lot Development Standards.

Access to the proposed development would be extended via an existing curb cut along the eastern right-of-way of Northdale Road. However, based on the submitted plan the applicant may be required to dedicate the necessary right-of-way contingent upon the approval of the City of Lawrenceville Engineering Department. Additionally, the applicant would be required to install a five (5) foot concrete sidewalk along this portion of Northdale Road.

The surrounding area is characterized by multifamily and single-family residential uses. Immediately adjacent to the north and south are single-family dwelling units located on RM-12 zoned properties. To the east, is the newly established College Corridor designed to provide a direct connection from the Georgia Gwinnett College (GGC) to the Downtown Entertainment District. To the west, across Northdale Road are various multifamily and single-family residential uses on properties zoned RM-12, and an office institutional use on a property zoned OI (Office Institutional District). To the northwest, across Northdale Road is a mini-warehouse development zoned LM (Light Manufacturing District). Although the proposed request to rezone the property to RS-150 may not necessarily be consistent with the established zoning pattern it would be consistent with the established development pattern along Northdale Road, which consist of predominately single-family residential dwelling units.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the College Corridor Character Area. The intent of the Character Area is a unique place in the community, connecting two of the city's strongest anchors: Downtown and Georgia Gwinnett College (GCC). The vision for the College Corridor character area is a multi-modal, vibrant,

mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown. As proposed, the requested rezoning would be consistent with the policies of the 2040 Comprehensive Plan.

In conclusion, the proposal may not be consistent with the established zoning pattern in the immediate area, however, policies relating to long range planning suggest the city embrace the principles of new urbanism by creating a housing stock that is well maintained and includes homes with a variety of forms and price points. As proposed, the construction of a single-family dwelling satisfying the minimum architectural and design standards could contribute to the positive redevelopment of other properties along Northdale Road and the College Corridor. The intent of the Comprehensive Plan is to encourage positive redevelopment of benefiting from the “halo effect” of high-quality development already happening nearby. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL** of the request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS**ENGINEERING DEPARTMENT**

No comment

ELECTRIC DEPARTMENT

This property will be served by City of Lawrenceville Electric Department. Please provide panel schedules for review. A meeting with City of Lawrenceville Power is required before the start of construction.

GAS DEPARTMENT

The property will be served by the City of Lawrenceville Gas Department.

CODE ENFORCEMENT

No comment.

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

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

As proposed the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency (i.e. local services, pedestrian connectivity, etc.) with the long range plans of the City of Lawrenceville.

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

The area along the eastern right-of-way of Northdale Road has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

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

The property may not have a reasonable economic use as currently zoned.

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

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

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

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits.

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

The proposal may be the beginning of a long overdue zoning clean up in this area.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_09122022

RZM2022-00013

Approval of a RS-150 (Single-Family Residential District), subject to the following enumerated conditions:

- 1.** To restrict the use of the property as follows:
 - A.** Single-family detached dwelling unit, accessory uses and structures.
 - B.** The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,200 square feet for two-story homes;
 - C.** The façade, rear and side elevations of the single-family detached residential unit shall be designed and constructed consisting of four (4) sides masonry, which could be brick, stone or a combination of brick and stone (with accents of fiber cement siding). Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D.** The single-family detached dwelling unit shall have a double car garage with carriage-style garage doors. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - E.** The single-family detached dwelling unit shall consist of a two (2) car garages, with a driveway measuring eighteen (18) feet in width (20) feet in depth, providing sufficient space for two (2) passenger vehicles. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F.** The single-family detached dwelling unit shall be a maximum height of thirty-five (35) feet in height, as measured from the lowest elevation of the a finished floor. Final design shall be subject to the review and approval of the Director of the Planning and Development Department.
- 2.** To satisfy the following site development considerations:
 - A.** Detached Single-Family dwellings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, Section 601 Residential Minimum Architectural and Design

Standards, and International Residential Code (IRC). Final building elevations shall be subject to the review and approval of the Director of Planning and Development;

- B.** Maintain or provide a five (5) foot concrete sidewalk adjacent to right-of-ways.
- C.** Natural vegetation shall remain on the property until the issuance of a development permit.
- D.** Any utility relocations shall be the responsibility of the developer.

EXHIBIT "A"

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 145 OF THE 5TH DISTRICT, BEING IN THE CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA, ON THE EAST SIDE OF MCDANIEL STREET, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER OF LANDS OF ORELL JORDAN, ON THE EAST SIDE OF MCDANIEL STREET, AND ~~RUNNING~~ RUNNING IN A SOUTHERLY DIRECTION ALONG SAID STREET ONE HUNDRED (100) FEET TO THE CORNER OF LANDS OF C.C. WALL ESTATE, THENCE IN AN EASTERLY DIRECTION ALONG THE LINE OF C.C. WALL ESTATE TWO (200) HUNDRED FEET TO THE LANDS OF FORMERLY MRS. J.F. LANGLEY ESTATE; THENCE NORTHERLY ALONG THE LANGLEY ESTATE ONE HUNDRED (100) FEET TO THE LANDS OF ORELL JORDAN, THENCE IN A WESTERLY DIRECTION ALONG JORDAN'S LINE TWO HUNDRED (200) FEET TO THE BEGINNING POINT.

SUBJECT TO THE RIGHT-OF-WAY DEED RECORDED AT DEED BOOK 54417, PAGE 0001, GWINNETT COUNTY, GEORGIA RECORDS

Letter of intent

I am applying for a rezoning of property located at
457 Northdale Rd, Lawrenceville, Ga 30046.

Current zoning is RM-12 and I would like to build a single family
house on it, therefore I would like to convert it to RS150 R.K.

My intention is to build a ranch house with a bonus space (1.5
story), up to 3200 sf with the dimensions of 60x69 feet, on a
slab, two car garages with front entrance. I included a sample
floor plan and pictures of the house, but it could be a different
one if necessary.

Thank you for consideration,

Refika Krdzalic

Refika7@yahoo.com

404-966-7522

Secondary contact:

Yazz 678-697-5467

Isabela 470-213-4870

SAMPLE LETTER

(TO BE SENT TO NEIGHBORING PROPERTY OWNERS)

Addressee Info

457 Northdale Rd

Lawrenceville,

Ga,30046

Dear Sir/Madam:

Please be advised that Refika Krdzalic, has applied for a rezoning of property located at 457 Northdale Rd, L-ville, Ga, 30046, from Rm12-Residential Multi Family to R-1 to allow to build single family house around 3200 sf.

The Lawrenceville Planning Commission will hold a public hearing on _____ in _____ order to make a recommendation to the Mayor and City Council on the rezoning request. This meeting will be at 7:00 P.M. in the Council Assembly Room, 4th Floor of City Hall, which is located at 70 South Clayton Street, Lawrenceville, Georgia. The Mayor and City Council will hold a public hearing on the rezoning request on _____. This meeting will also be held at 7:00 P.M.

Enclosures:

Applicant and contact information

Copy of rezoning application

Copy of letter of intent

Site plan

Vicinity map



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>REFIKA KRDZALIC</u>	NAME: <u>REFIKA and OSMAN KRDZALIC</u>
ADDRESS: <u>1950 Holland Park Dr</u>	ADDRESS: <u>1950 Holland Park Dr.</u>
CITY: <u>BUFORD</u>	CITY: <u>BUFORD</u>
STATE: <u>GA</u> ZIP: <u>30519</u>	STATE: <u>GA</u> ZIP: <u>30519</u>
CONTACT PERSON: <u>Refika Krdzalic</u> PHONE: <u>404-966-7522</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>RS-150 R.Y.</u>	
PARCEL NUMBER(S): <u>R5145 044</u> ACREAGE: <u>0.43</u>	
ADDRESS OF PROPERTY: <u>457 NORTHDAL E RD, Lawrenceville, GA 30046</u>	

[Signature] 8-3-2022
SIGNATURE OF APPLICANT DATE

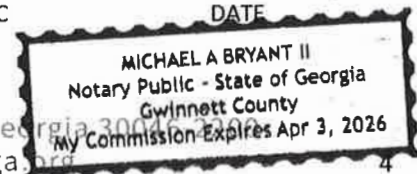
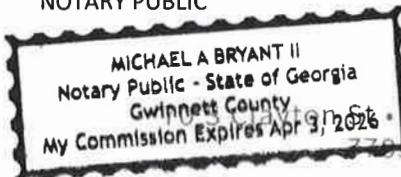
[Signature] 8/3/22
SIGNATURE OF OWNER DATE

Refika Krdzalic
TYPED OR PRINTED NAME

Refika and Osman Krdzalic
TYPED OR PRINTED NAME

[Signature] 8/3/22
NOTARY PUBLIC DATE

[Signature] 8/3/22
NOTARY PUBLIC DATE



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



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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

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

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

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

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

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



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER:

(Map Reference Number)

05

District

145

Land Lot

25145044

Parcel

Signature of Applicant

8/2/2022

Date

REFIKA KRIZALIC / OWNER

Type or Print Name and Title

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

TAX COMMISSIONER'S USE ONLY

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

NAME

TITLE

DATE



LAWRENCEVILLE

GEORGIA

NOTIFICATION REQUIREMENTS

Written Notification

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

The written notice shall include:

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

PC: 10.3.2022
EC: 10.24.2022

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

Notification Sign

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

RZR2022-00012
CASE NUMBER

8/2/2022
DATE

Rehva Krdzalic
AKNOWLEDGED BY (PRINT NAME)


SIGNATURE

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





LAWRENCEVILLE

GEORGIA

The City of Lawrenceville
Planning & Development

Location Map and Surrounding Zoning

File # RZR2022-00012

Applicant: Refika & Osman Krdzalic

 Subject Property

 Parcels

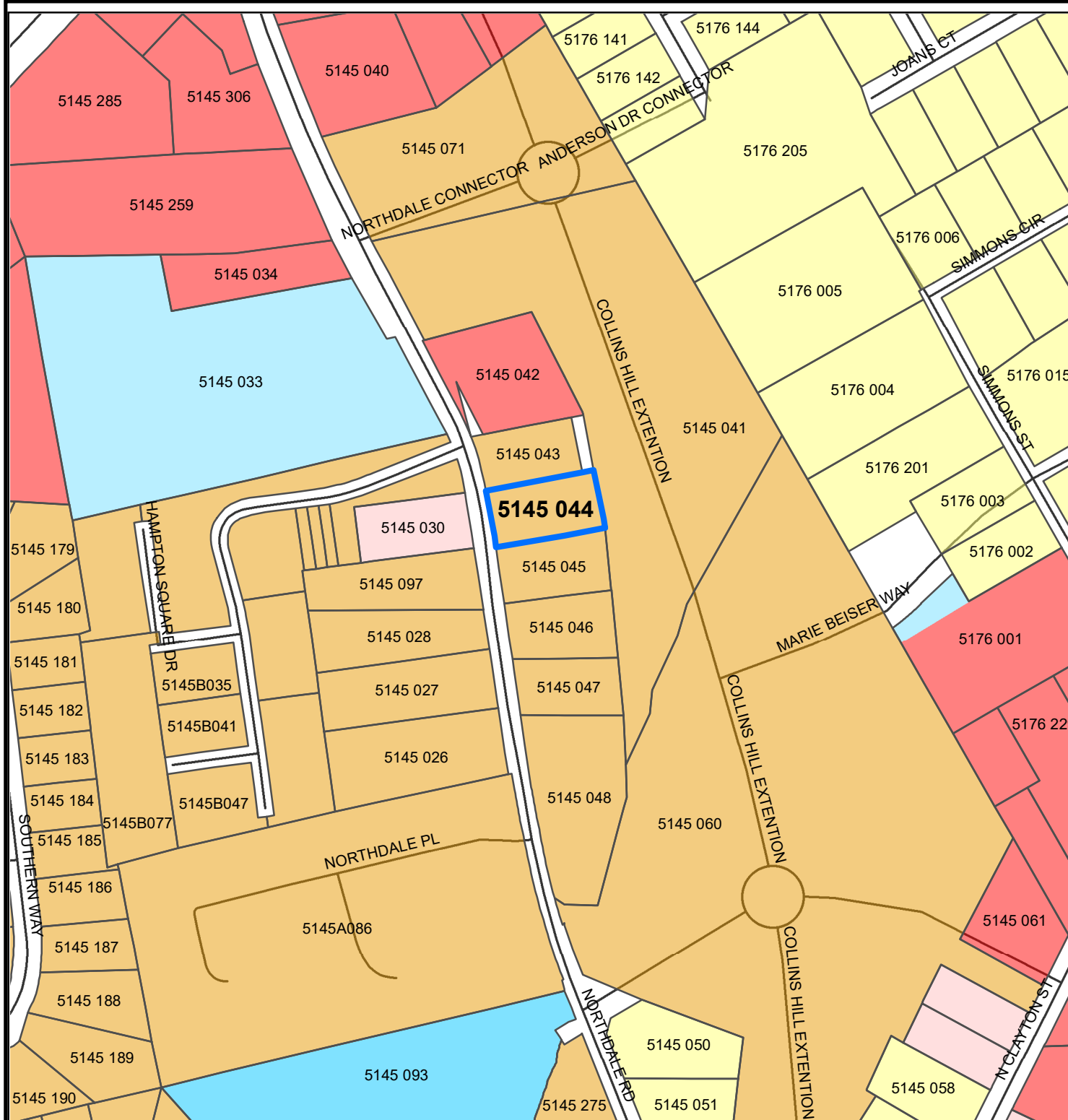
 City Maintained Streets

Zoning Districts

-  RS-150 Single-Family Residential
-  RM-12 Multifamily Residential
-  OI Office/Institutional
-  LM Light Manufacturing
-  HM Heavy Manufacturing
-  BG General Business



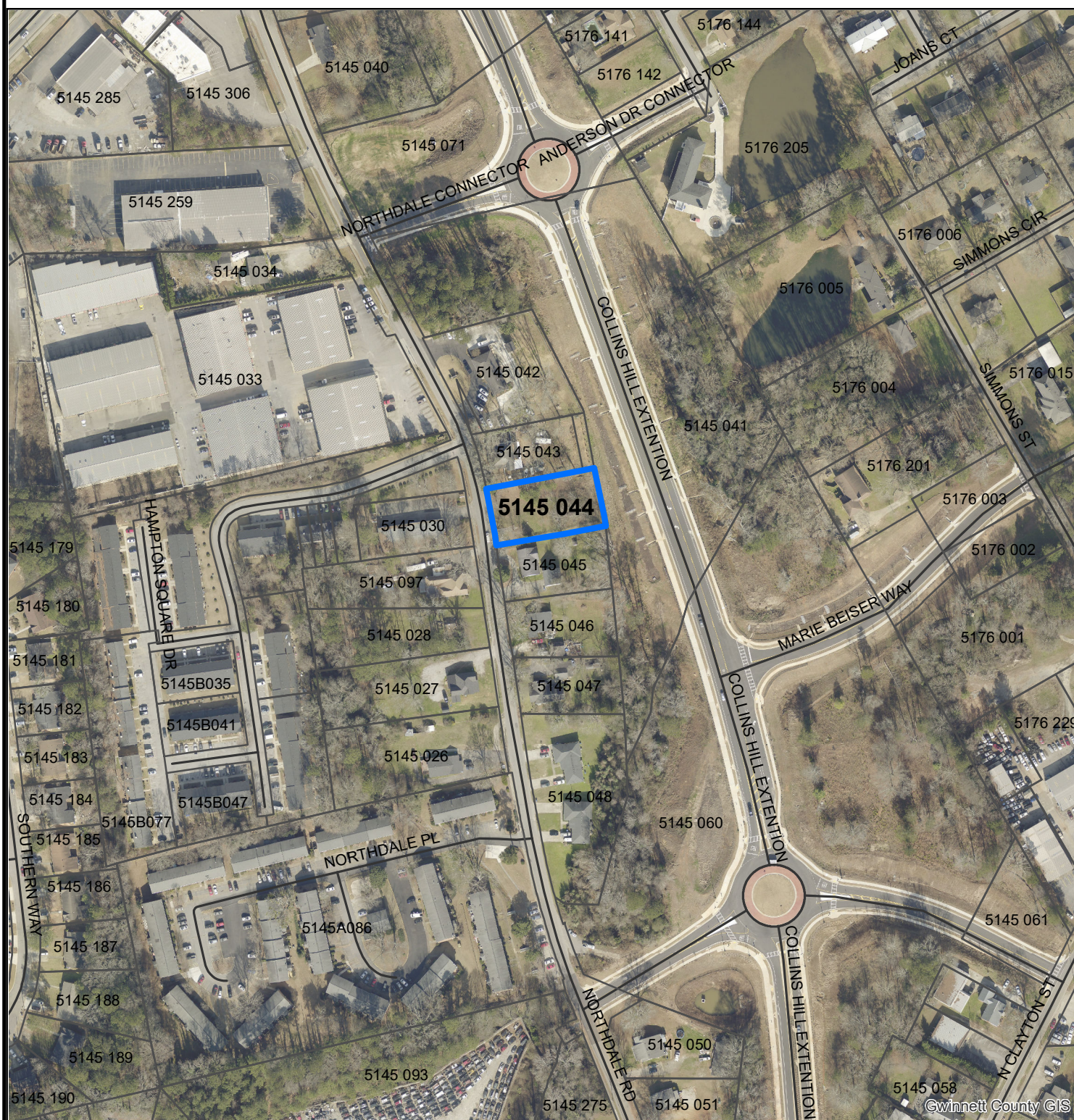
0 135 270



*The City of Lawrenceville
Planning & Development*

File # RZR2022-00012

Applicant: Refika & Osman Krdzalic



 Subject Property

☐ Parcels

—— City Maintained Streets



0 135 270