



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, July 06, 2020
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

Monday, June 8, 2020

Old Business

New Business

1. RZC2020-00013; 1618 Properties, LLC c/o Marian Adeimy Advise; 179 E. Crogan Street
2. RZC2020-00016 & SUP2020-00032; Family Promise of Gwinnett County; 757 Moon Road
3. CIC2020-00002; Walker Anderson Homes, LLC; 167 Branson Street, 182 Branson Street and 241 Church Street
4. RZM2020-00002; Ronny Kittle; 905 Moon Road and 550 Old Snellville 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: NEW BUSINESS

Item: RZC2020-00013; 1618 Properties, LLC c/o Marian Adeimy Advise; 179 E. Crogan Street

Department: Planning and Development

Date of Meeting: Monday, July 6, 2020

Applicant Request: Rezone property from OI (Office Institutional District) to BG (General Business District)

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Pending Recommendation

Summary: The applicant requests the rezoning of a portion of the property (Tract 2) fronting Paper Mill Road to allow the development of a convenience store with fuel pumps, and retail space. The applicant proposes to subdivide the lot into two tracts of land, Tract 1 and Tract 2. The portion of the property fronting East Crogan Street (Tract 1) is not part of the application to rezone.

Attachments/Exhibits:

- RZC2020-00013 Report
- RZC2020-00013 Attachments

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

CASE NUMBER: RZC2020-00013
APPLICANT: 1618 PROPERTIES LLC
CONTACT: MARIAN ADEIMY AVISE
PHONE NUMBER: 404.543.2686
ZONING CHANGE: OI TO BG
LOCATION: 179 EAST CROGAN STREET
PARCEL ID: R5174 021
ACREAGE: TRACT 2: 3.25 (PARCEL SUBDIVISION)
PROPOSED DEVELOPMENT: TRACT 2: CONVENIENCE STORE WITH FUEL PUMPS
AND RETAIL SPACE

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

ZONING HISTORY:

The property has been zoned OI (Office Institutional District) since 1970.

PROJECT DATA:

The applicant requests rezoning of a 3.25-acre parcel subdivision from OI (Office Institutional District) to BG (General Business District), to allow a convenience store with fuel pumps and retail space. The property owner intends to subdivide the lot into two tracts consisting of approximately 4.55 acres; Tract 1 would remain for use as a meeting hall to the American Legion while Tract 2 would be developed as the retail center, and is the subject of this analysis. The subject property is located along the northern right-of-way of Paper Mill Drive just east of its intersection with East Crogan Street. The tract is currently undeveloped, and heavily wooded.

The applicant proposes to leave Tract 1 in its current state and Tract 2 would be developed with a convenience store and retail space. The plan proposes a total of 10,500 square feet of retail space, with four fuel-pumping stations available. The submitted site plan proposes a total of 47 parking spaces that include two ADA accessible spaces and 2 bicycle parking spaces. Additionally, access to the proposed development would be via one curb cut and a deceleration lane along Paper Mill Drive. Per the site plan, the rear of the property would remain undisturbed. If approved, the parcel will be subdivided to create two lots of record; each tract would then have its individual parcel identification number.

The property lies within the Neighborhood Mixed Use Character Area of the 2040 Comprehensive Plan and Future Development Map. This character area was developed to encourage general commercial uses along major corridors, and mixed-use developments, which may include a diversity of development types. The tract is situated near the intersection that separates the corridors from a commercial to a neighborhood environment. Adding the retail center with a convenience store that offers fueling pumps may provide more service options for nearby residents.

The surrounding area is characterized by commercial, institutional, and multifamily developments along Paper Mill Road. The property is adjacent to BG zoned properties developed with a convenience store with fuel pumps and retail space to the west, and the Stanley Commerce Park consisting of office and industrial uses zoned LM (Light Manufacturing District). Across Paper Mill Road to the south is a BG zoned property developed as a retail center that hosts an array of commercial uses such as a laundromat, phone carrier company, and a convenience store among other commercial uses. Additionally, across Paper Mill road to the southeast is the Rich Martin Lawrenceville Housing Authority units zoned RM-12 (Multifamily Residence District).

The proposed development could contribute land use patterns and design elements that support walkability and an enhanced sense of place and may be consistent with the City of Lawrenceville 2040 Comprehensive Plan policies. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of the requested rezoning.

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

- Site Plan needs to show the full width of Paper Mill Road including pavement striping.
- Site Plan to show intersecting streets and driveways across Paper Mill from this project.
- All improvements such as sidewalk and storm drainage facilities to be shown on the Site Plan.

ELECTRIC DEPARTMENT

According to the GIS map, the City of Lawrenceville has a single phase and three-phase overhead electric services available at this location, approximately 180 feet from the proposed building. The customer will need to pay all applicable fees for installation and service.

GAS DEPARTMENT

This property contains an existing 6-inch high-pressure steel gas main and 4-inch plastic gas main that runs along the Eastern property line. Care will need to be taken with protecting our facilities, as to the depth and placement of any structures, will need to be coordinated with the gas department. There are plastic gas mains along the front of both properties as well that can provide service to either.

WATER DEPARTMENT

No Comment.

CODE ENFORCEMENT

No Comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2020-00013:

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

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

- A. A convenience store not to exceed 4,500 square feet, with four fuel pump stations.
- B. Additional retail spaces not to exceed 3,000 square feet.
- C. The following uses shall be prohibited:
 - i. Adult Bookstores or Entertainment
 - ii. Automotive Parts Stores
 - iii. Bail Bonding
 - iv. Contractors Offices
 - v. Emissions Inspection Stations
 - vi. Equipment Rental
 - vii. Extended Stay Hotels or Motels
 - viii. Hookah/Vapor Bar or Lounge
 - ix. Pawn Shop
 - x. Smoke or Novelty Shop
 - xi. Tobacco or Novelty Shop
 - xii. Tattoo and Body Piercing
 - xiii. Taxidermists
 - xiv. Title Loan Facility

2. To satisfy the following site development considerations:

- A. The property shall be developed in general accordance with the submitted site plan, dated April 23, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
- B. The building shall be of brick, stacked stone, and/or glass finish on all sides. Architectural plans shall be submitted to the Planning and Development Department for review and approval.

- C. Dumpsters shall be located in the side yard or rear yard area and outside of any required stream or zoning buffer a minimum of 5 feet. The dumpster shall be screened on all sides by a minimum 6-foot high brick or masonry wall with access via an opaque gate. Dumpster enclosure shall be constructed of materials consistent with materials and colors of the primary structure.
- D. Dumpster Pad shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles. The size of the pad shall not be less than 10 feet wide by 30 feet long.
- E. Access to the property must align with Pine Valley Drive; be at least 30' wide and be paved. The pavement in R/W must be heavy-duty asphalt or concrete. Private Drive/Entrance shall be 32 feet in width, with a 40-foot radius, and designed to the following minimum standards.
 - i. 28 feet of pavement width
 - ii. 8 inch X 24 Inch X 14" at 3000 PSI curb and gutter
 - iii. 40-foot radii on curbs
- D. The height of the building shall be limited to 35 feet in height unless approved through a variance with the Board of Appeals.
- E. Provide a 10-foot Landscape Strip adjacent to the right-of-way Paper Mill Road, excluding encroachments of impervious surfaces except for perpendicular ingress and egress access. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.
- F. The site shall be required to meet the standards of Article VIII of the Development Regulations for parking lot trees.
- G. Ground Signage shall be limited to a monument-type sign with a maximum height of 8 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 32 square feet. Ground Signage shall be prohibited within the required 10-foot landscape strip.
- H. Wall signage shall not exceed the requirements of the City of Lawrenceville Sign Ordinance, and shall only utilize neutral (non-white earth tone) background colors for the sign cabinet.
- I. Billboards and oversized signs shall be prohibited.
- J. All grassed areas shall be sodded.

- K. Underground utilities shall be provided throughout the development.
- L. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or required by the city, state, or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- M. No tents, canopies, temporary banners, streamers or roping decorated flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No balloons hot air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited.
- N. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
- O. Peddlers and/or parking lot sales shall be prohibited.
- P. Outdoor storage shall be prohibited.
- Q. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- R. Outdoor storage and overnight parking shall be prohibited.

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

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>1618 Properties, LLC</u>	NAME: <u>Hugh L. Holt American Legion</u>
ADDRESS: <u>1744 Morningdale Cir.</u>	ADDRESS: <u>PO Box 669</u>
CITY: <u>Duluth</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
CONTACT PERSON: <u>Marian Adeimy Advise</u> PHONE: <u>404-543-2686</u> <u>madeimy@gmail.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
PRESENT ZONING DISTRICT(S): <u>OI</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>R5174 021 (pending subdivision plat)</u> ACREAGE: <u>Tract 2(B): 3.252</u>	
ADDRESS OF PROPERTY: <u>Paper Mill Road, Lawrenceville, GA</u>	

SIGNATURE OF APPLICANT

6-16-20

DATE

maik Panjwani

TYPED OR PRINTED NAME

Erin Mills 6-16-20

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

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

RZC2020-00013

Received: June 19, 2020
Planning and Development



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>1618 Properties, LLC</u>	NAME: <u>Hugh L. Holt American Legion</u>
ADDRESS: <u>1744 Morningdale Cir.</u>	ADDRESS: <u>PO Box 669</u>
CITY: <u>Duluth</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
CONTACT PERSON: <u>Marian Adeimy Advise</u> PHONE: <u>404-543-2686</u> <u>madeimy@gmail.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
PRESENT ZONING DISTRICT(S): <u>OI</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>R5174 021 (pending subdivision plat)</u> ACREAGE: <u>Tract 1 (A): 1.203 and</u> <u>Tract 2(B): 3.252 = Total 4.455</u>	
ADDRESS OF PROPERTY: <u>179 East Crogan Street, Lawrenceville, GA</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

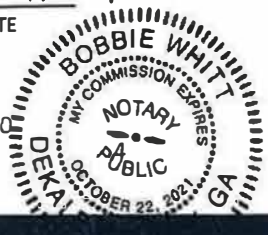
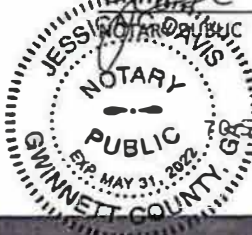
TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

DATE

NOTARY PUBLIC

DATE



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RZC2020-00013

RZC2020-00013

Received: 04.29.2020

Planning & Development

April 29, 2020

VIA E-MAIL

Mayor and City Council
City of Lawrenceville, Georgia
Planning and Development Department
Attn: Todd Hargrave, Director
70 S. Clayton Street
Lawrenceville, Georgia 30046

RE: Letter of Intent and Rezoning Application for the 4.55 acre property owned by the American Legion, located at 179 East Crogan Street and Paper Mill Road, Lawrenceville, Georgia, Tax Parcel ID No. R5174 021 (the "Property")

Dear Mayor, City Council, Planning Commission and staff,

This Letter of Intent is submitted along with the Application for Rezoning, exhibits, responses in support on behalf of the Applicant, 1618 Properties, LLC (the "Applicant") for the requested rezoning of the Property from OI to BG. As the current owner, the American Legion is under contract to sell approximately 3.2 acres of vacant property located behind the existing American Legion building, shown on the survey and site plan as Tract 2/B. The American Legion property and building located on Tract 1/A will remain occupied and in use by the American Legion, and the two tracts would be subdivided upon rezoning.

Upon subdividing, Tract 2/B will then have separate access to Paper Mill Road, subject to development requirements. As part of the requested rezoning from OI to BG, the Applicant seeks to develop the Tract 2/B as a quality retail center and gas station, consistent with the adjacent property and nearby commercial uses.

While not required, in considering the neighboring uses, the Applicant proposes a 15 ft. landscaped buffer on the western property line. Although the Property is not in the Downtown Overlay District, the Applicant also proposes bike parking to be consistent with those development requirements for a pedestrian-friendly option.

The Property has remained undeveloped for a number of years. As currently zoned and undeveloped, the current OI zoning designation for this Property does not allow for an economically viable development. The proposed rezoning gives the American Legion an opportunity to realize the best economic use of its property and is consistent with neighboring uses and zoning designations.

The Applicant is an experienced retail and gas station developer with knowledge of the City's goals and desires for this area. Like the nearby and adjacent retail and commercial uses, this rezoning will retain an appropriate transitional zoning between the subject property and nearby industrial uses.

RZC2020-00013
Received. 04.29.2020
Planning & Development

Letter of Intent – Page 2 of 2
179 Crogan Street
April 29, 2020

Constitutional Objections

The Applicant respectfully raises the following objections in order to preserve their legal rights and remedies.

The portions of the City of Lawrenceville's Zoning Ordinance which classify or condition the Property into a more or less intensive zoning classification or by applying zoning conditions other than as requested by the Applicant are and would remain unconstitutional in that they would impact the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States, by denying economic and viable use of the Property while not substantially advancing legitimate state or local interests.

The Subject Property is not economically suitable for uses restricted under its present OI zoning and development classification, due to its location, shape, size, surrounding uses, and other factors. A denial of the requested rezoning would constitute an arbitrary and capricious act by the City of Lawrenceville and its officials without any rational basis therefore, constituting an abuse of discretion in violation of Article I of the Constitution of the State of Georgia of 1983 and the Fourteenth Amendment.

Conclusion

Due to the lack of an economically viable use for this Property as currently zoned, the Applicant and its representatives respectfully request that the City approve the Applicant's rezoning request, from OI to BG, for the Property to be subdivided and for Tract 2/B to be developed as a quality retail and gas station development.

The Applicant and their representatives welcome the opportunity to meet and discuss this requested rezoning.

Respectfully submitted,

/s/ MAA

Marian Adeimy Avise

Enclosures:

Rezoning Application, Survey, Site Plan,
Legal Description and Tax Status

cc: Chasity Tillman, Seller's Agent

RZC2020-00013
Received: 04.29.2020
Planning & Development

EXHIBIT A

TRACT 2

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 174 OF THE 5 TH LAND DISTRICT, CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF PAPER MILL ROAD (R/W VARIES) AND BEING THE SOUTHWEST CORNER OF A PARCEL OF LAND AS SHOWN ON A PLAT OF SURVEY FOR HUTCHCRAFT ENTERPRISES, WILLIAM A. HUTCHCRAFT, PREPARED BY HANNON, MEEKS & BAGWELL, SURVEYORS & ENGINEERS, INC. DATED SEPTEMBER 4, 1985, RECORDED IN PLAT BOOK 35, PAGE 222B, GWINNETT COUNTY RECORDS; THENCE RUNNING N83°11'29"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 116.03 FEET TO A POINT; THENCE RUNNING N07°42'45"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 9.32 FEET TO A POINT; THENCE RUNNING N82°27'20"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 299.01 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE RUNNING N41°08'35"E FOR A DISTANCE OF 148.14 FEET TO A FOUND ½" REBAR WITH CAP (CONROY); THENCE RUNNING N42°43'58"E FOR A DISTANCE OF 74.24 FEET TO A FOUND ½" REBAR WITH CAP (CONROY); THENCE RUNNING N44°17'47"E FOR A DISTANCE OF 129.66 FEET TO A FOUND SPIKE; THENCE RUNNING N48°38'50"E FOR A DISTANCE OF 291.31 FEET TO A POINT; THENCE RUNNING N37°03'43"E FOR A DISTANCE OF 104.58 FEET TO A POINT ALONG A DITCH; THENCE RUNNING S11°03'59"E ALONG SAID DITCH FOR A DISTANCE OF 31.27 FEET TO A POINT; THENCE RUNNING S18°49'49"E ALONG SAID DITCH FOR A DISTANCE OF 11.86 FEET TO A POINT; THENCE RUNNING S18°35'02"E ALONG SAID DITCH FOR A DISTANCE OF 28.02 FEET TO A POINT; THENCE RUNNING S21°43'20"E ALONG SAID DITCH FOR A DISTANCE OF 36.78 FEET TO A POINT; THENCE RUNNING S14°33'24"W ALONG SAID DITCH FOR A DISTANCE OF 67.26 FEET TO A ½" REBAR; THENCE RUNNING S09°47'14"W ALONG SAID DITCH FOR A DISTANCE OF 20.30 FEET TO A POINT; THENCE RUNNING S17°33'34"W ALONG SAID DITCH FOR A DISTANCE OF 63.09 FEET TO A POINT; THENCE RUNNING S14°41'41"W ALONG SAID DITCH FOR A DISTANCE OF 46.23 FEET TO A POINT; THENCE RUNNING S16°10'38"W ALONG SAID DITCH FOR A DISTANCE OF 45.33 FEET TO A POINT; THENCE RUNNING S32°54'12"W FOR A DISTANCE OF 44.03 FEET TO A POINT; THENCE RUNNING S09°45'37"W FOR A DISTANCE OF 58.73 FEET TO A POINT; THENCE RUNNING S13°57'26"W FOR A DISTANCE OF 88.19 FEET TO A POINT; THENCE RUNNING S16°04'47"W FOR A DISTANCE OF 83.75 FEET TO A POINT TO THE **POINT OF BEGINNING.**

SAID TRACT OR PARCEL OF LAND CONTAINING 3.252 ACRES (141,652 SQUARE FEET) MORE OR LESS.



RZC2020-00013
Received 04/29/2020
Planning & Development



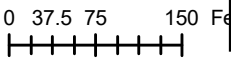
The City of Lawrenceville
Planning & Development

Aerial Map and
Surrounding Area File
RZC2020-00013

Applicant:
1618 Properties, LLC

Legend

-  Subject Area
-  Roads
-  Parcels





The City of Lawrenceville
Planning & Development

Location Map and
Surrounding Zoning
File # RZC2020-00013

Applicant:
1618 Properties, LLC

Legend

 Subject Area

 Roads

 Parcels

ZONING

 BG General Business

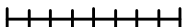
 LM Light Manufacturing

 OI Office Institutional

 RM-12 General Residence

 RM-M Modified Residential



0 37.5 75 150 Feet




LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2020-00016 & SUP2020-00032; Family Promise of Gwinnett County;
757 Moon Road

Department: Planning and Development

Date of Meeting: Monday, July 6, 2020

Applicant Request: Rezoning from RS-180 to BG, with a Special Use Permit

Presented By: Todd Hargrave

Department Recommendation: DENIAL

Planning Commission Recommendation: Pending Recommendation

Summary: The applicant requests rezoning of a 1.25-acre parcel from RS-180 (Single-Family Residence District) to BG (General Business District), along with a Special Use Permit to allow a Homeless Shelter. The subject property is located along the northern right-of-way of Moon Road, just east of its intersection with Scenic Highway.

Attachments/Exhibits:

- RZC2020-00016 & SUP2020-00032 Final Report
- RZC2020-00016 & SUP2020-00032 Attachments

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

CASE NUMBER: RZC2020-00016 & SUP2020-00032
APPLICANT: FAMILY PROMISE OF GWINNETT COUNTY
CONTACT: CAROL LOVE
PHONE NUMBER: 404.936.5522
ZONING CHANGE: RS-180 TO BG
LOCATION: 757 MOON ROAD
PARCEL ID: R5117 701
ACREAGE: 1.25
PROPOSED DEVELOPMENT: TO ALLOW A SHELTER, HOMELESS, WITH THE
APPROVAL OF A SPECIAL USE PERMIT
DEPARTMENT RECOMMENDATION: **DENIAL**

ZONING HISTORY:

The property has been zoned RS-180 (Single-Family Residence District) since 1970.

PROJECT DATA:

The applicant requests rezoning of a 1.25-acre parcel from RS-180 (Single-Family Residence District) to BG (General Business District), along with a Special Use Permit to allow a Homeless Shelter. The subject property is located along the northern right-of-way of Moon Road, just east of its intersection with Scenic Highway. The property is developed with a two-story single-family dwelling that is currently owned by a neighboring Place of Worship facility.

According to the submitted materials, the subject property and structure were used in the past to house families in need of assistance; however, the facility was operated without the necessary approvals or permits from the city. Therefore, the Family Promise of Gwinnett County (applicant), along with Saint Edwards Episcopal Church, is requesting approval from the city to allow housing for families in need of assistance. The applicant intends to utilize the two-story single-family dwelling, containing approximately 3,000 square feet, to house four families or 15 people; which may include an on-site overnight supervisor. The facility would consist of four bedrooms, bathrooms, a kitchen, and other common areas typically found in a family dwelling. Occupants would be required to meet certain criteria; which include but not limited to telephone screening, background checks, and providing their transportation. If accepted into the program, occupancy of the facility could range from one week to 90 days; however, this is contingent upon certain

thresholds that must be achieved which requires the occupants (adults) to secure affordable housing and employment. Additionally, the applicant proposes improvements to the facility that could consist of an expansion of the existing sewage disposal system, the modification of the existing garage into living quarters for the on-site supervisor, paved parking, and various other improvements.

The property lies within the Traditional Residential Character Area of the 2040 Comprehensive Plan and Future Development Map. This character area consists predominantly of single-family, suburban-style neighborhoods located in the southern half of the city. The purpose of this character area is to preserve these traditional neighborhoods and buffer them from more intense land uses. The introduction of a Homeless Shelter could be considered to be contrary to the intent of the Plan.

The surrounding area is characterized by a variety of uses and zoning. Immediately adjacent to the subject property are institutional place of worship facilities; to the west and north is the BG zoned Pleasant Hill Baptist Church, and further to the north is the RS-180 zoned Forest Hills single-family subdivision. Immediately to the east is the RS-180 Saint Edwards Episcopal Church, and further to the east is the RS-180 zoned Trotter Hills and RS-150 (Single-Family Residence District) zoned Waterstone Place single-family subdivisions. To the south, across Moon Road is the R-ZT zoned River Mill Station single-family subdivision located in unincorporated Gwinnett County, and the RS-150 zoned Scenic Highlands single-family subdivision located within the city limits. To the south and west, across both Moon Road and Scenic Highway are commercial, institutional, and multifamily uses and zoning located with the city limits. A Shelter, Homeless at this location could be considered to be inconsistent with the established development pattern and uses in the immediate area.

In conclusion, the requested Rezoning and Special Use Permit may not conform with recommendations of the Comprehensive Plan, which were designed to protect the established single-family neighborhoods in the immediate area. Therefore, the Planning and Development Department recommends **DENIAL** of the requested rezoning and Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment.

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No Comment

WATER DEPARTMENT

No Comment.

CODE ENFORCEMENT

No Comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2020-00016:

Approval as BG (General Business District) for a Shelter, Homeless facility, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Limited to a Shelter, Homeless facility providing a temporary place of residence and counseling for up to a maximum of 14 individuals (clients).
2. To satisfy the following site development considerations:
 - A. The property shall be developed in general accordance with the submitted site plan, dated June 2, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
 - B. The building shall maintain its residential character, and repairs or modifications shall be limited to routine maintenance or repair. Any expansion to the existing footprint shall be prohibited.
 - C. Provide and maintain a 75-foot buffer along the eastern property line. The existing encroachments of impervious surfaces shall be allowed subject to the review and approval of the Planning and Development Department. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.
 - D. Provide a 10-foot Landscape Strip adjacent to the right-of-way Moon Road, excluding encroachments of impervious surfaces except for perpendicular ingress and egress access. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.
 - D. The site shall be required to meet the standards of Article VIII of the Development Regulations for parking lot trees.
 - E. Dumpsters shall be located in the side yard or rear yard area and outside of any required stream or zoning buffer a minimum of 5 feet. The dumpster shall be screened on all sides by a minimum 6-foot high brick or masonry wall with access via an opaque gate. Dumpster enclosure shall be constructed of materials consistent with materials and colors of the primary structure.

- F. Dumpster Pad shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles. The size of the pad shall not be less than 10 feet wide by 30 feet long.
- G. Ground Signage shall be limited to a monument-type sign with a maximum height of 8 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 32 square feet. Ground Signage shall be prohibited within the required 10-foot landscape strip.
- H. Wall signage shall be prohibited.
- I. Billboards and oversized signs shall be prohibited.
- J. All grassed areas shall be sodded.
- K. Underground utilities shall be provided throughout the development.
- L. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or required by the city, state, or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
- M. No tents, canopies, temporary banners, streamers or roping decorated flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No balloons hot air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited.
- N. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
- O. Peddlers and/or parking lot sales shall be prohibited.
- P. Outdoor storage shall be prohibited.
- Q. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- R. Outdoor storage and overnight parking shall be prohibited.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

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

SUP2020-00032:

Approval of Special Use for a Shelter, Homeless facility, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Shelter, Homeless facility and its associated accessory use structures.
 - B. The maximum number of people allowed at any given time shall be 15.
2. To satisfy the following site development considerations:
 - A. The property shall be developed in general accordance with the submitted site plan, dated June 2, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.

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

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Family Promise of Gwinnett County</u>	NAME: <u>St. Edwards Episcopal Church</u>
ADDRESS: <u>3495B Sugarloaf Parkway</u>	ADDRESS: <u>737 Moon Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30044</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
CONTACT PERSON: <u>Carol Love</u> PHONE: <u>404-936-5522</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>RS-180</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>5117 701</u> ACREAGE: <u>1.5</u>	
ADDRESS OF PROPERTY: <u>737 Moon Road, Lawrenceville GA 30046</u>	

Carol Love
SIGNATURE OF APPLICANT

6-3-2020
DATE

John Talipsky Jr.
SIGNATURE OF OWNER

6/3/2020
DATE

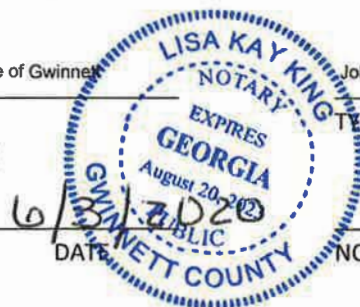
Carol Love on behalf of Family Promise of Gwinnett County

TYPED OR PRINTED NAME

Lisa Kay King

NOTARY PUBLIC

DATE



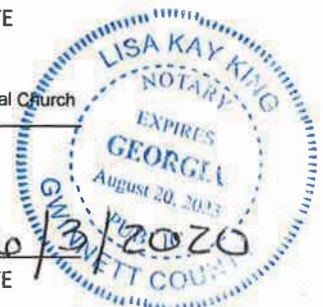
John Talipsky Jr. on behalf of St. Edwards Episcopal Church

TYPED OR PRINTED NAME

Lisa Kay King

NOTARY PUBLIC

DATE



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

RZC2020-00016

SUR2020-00032

Received: 06.03.2020

Planning & Development



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Family Promise of Gwinnett County</u>	NAME: <u>St. Edwards Episcopal Church</u>
ADDRESS: <u>3495B Sugarloaf Parkway</u>	ADDRESS: <u>737 Moon Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30044</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
PHONE: <u>678-376-8950</u>	PHONE: <u>770-963-6128</u>
CONTACT PERSON: <u>Carol Love</u> PHONE: <u>404-936-5522</u>	
CONTACT'S E-MAIL: <u>clove@familypromisegwinnett.org</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
ZONING DISTRICT(S): <u>RS-180</u> ACREAGE: <u>1.25</u>	
PARCEL NUMBER(S): <u>5117 701</u>	
ADDRESS OF PROPERTY: <u>737 Moon Road, Lawrenceville GA 30046</u>	
PROPOSED SPECIAL USE: <u>Housing facility for children and families experiencing homelessness for up 90 days.</u>	

Carol Love

SIGNATURE OF APPLICANT

6/2/2020

DATE

Carol Love on behalf of Family Promise of Gwinnett

TYPED OR PRINTED NAME

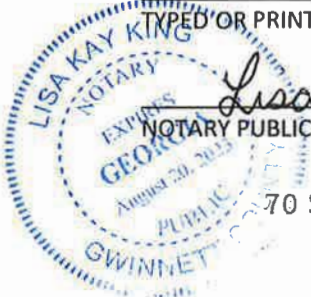
John Talipsky Jr.

SIGNATURE OF OWNER

DATE

John Talipsky Jr. on behalf of St. Edwards Episcopal Church

TYPED OR PRINTED NAME



Lisa Kay King

NOTARY PUBLIC

DATE



Lisa Kay King

NOTARY PUBLIC

DATE

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RZC2020-00016

SUP2020-00032

Received: 06.03.2020

Planning & Development



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.

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RZC2020-00016
SUP2020-00032
Received: 06.03.2020
Planning & Development



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: 5 - 117 - 5117 701
(Map Reference Number) District Land Lot Parcel

Carol Love
Signature of Applicant

Mary 6-2-2020
Date

Carol Love, Executive Director for Family Promise of Gwinnett County
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)

Julie Smith
NAME

TSA II
TITLE

6-2-2020
DATE

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770.963.2414 • www.lawrencevillega.org

RZC2020-00016
SUP2020-00032
Received: 06.03.2020
Planning & Development

Legal Description: Metes and Bounds

Legal Description for Property at 757 Moon Road, Lawrenceville, GA 30046, Land Lot 117 of the 5th land district of Gwinnett County, Georgia containing 1.249 acers. Transcribed from plat book 0 page 288 Gwinnett County plat records as follows:

TO LOCATE THE TRUE POINT OF BEGINNING, BEGIN at the iron pin located at the common corner of Land Lots 116, 117, 140, and 141, of Said District; thence run in a Southwesterly direction along the Land Lot Line common to Land Lots 116 and 117 a distance of 1,376.1 feet to an iron pin; thence run South 10 degrees East 422.6 feet to an iron pin, being the True Point of Beginning; thence run along the property of R.J. Young South 10 degrees East 309.2 feet to an iron pin on the Northern Right of Way of Moon Road; thence run North 85 degrees 53 minutes West 219.1 feet along the Northern Right of Way of Moon Road to an iron pin; thence run North 4 degrees 07 minutes East 300 feet to an iron pin; thence run South 85 degrees 53 minutes East 143.7 feet to an iron pin, being the TRUE POINT OF BEGINNING.

RZC2020-00016
SUP2020-00032
Received: 06.03.2020
Planning & Development

June 3, 2020

Mr. Todd Hargrave
Director, Planning and Development Office
City of Lawrenceville
70 S Clayton St
Lawrenceville, GA 30044

Dear Mr. Hargrave,

Family Promise of Gwinnett is submitting an application for a Special Use Permit to change the zoning for house on their property to change from RS-180 to BG.

St. Edwards Episcopal Church is proposing to lease the house on their property to Family Promise of Gwinnett as a place to house the families they serve. St. Edwards Episcopal Church is to enter into a five-year lease agreement with the option to extend the lease in one year increments for up to at least 10 years

Family Promise of Gwinnett (FPOG) is one of 200 affiliates of the national Family Promise program. Our mission is to bring existing local resources together to help homeless children and their families regain their housing and their independence, while maintaining their dignity. FPOG's ongoing Hospitality Program is dependent on the more than 30 congregations are involved in this initiative, providing shelter, meals, and a hospitable environment for our guest families. We solicit host and support congregations, train their volunteers, and support each congregation's volunteer coordinator.

Since the threat of COVID-19, all our host churches have been closed and we have had to find housing for our families. At the time of these changes began, FPOG had one family of six that needed to be moved from a church quickly. They were placed in an extended-stay motel, initially for four weeks. This was an expense that FPOG would not be able to sustain for a long period of time. The sudden loss of face-to-face hosting by volunteers also necessitated the purchase of grocery gift cards for the family, another increase in expenditures. As this extended-stay motel time continued, St. Edwards Episcopal Church offered a house located on their property, located at 737 Moon Road, Lawrenceville, as a place for the family to stay. The home needed flooring, paint, furniture, and more. Through the work of many volunteers from St. Edwards, FPOG and others from the community and some donations, the downstairs portion of the home was transformed and the family of six moved from the motel to the house.

St. Edwards has now offered to lease this house to FPOG for the use of housing guest families going forward. This would be done instead of host churches housing the families in their churches. This change would make the house a static location for FPOG to house guest families, no more than four families and no more than 14 people.

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As the house is now, there are five bedrooms, three full baths and one half bath. The house is approximately 3,000 square feet. Some of the changes FPOG would do to the house to serve as the Promise Haven facility:

- Either install a larger septic system or connect to the sewer that is available on Moon Road.
- Provide a paved parking area in front of the house.
- Provide custom bunk beds that will be in each bedroom to allow for sleeping of three to five individuals.
- There will be two bedrooms with a connecting door to convert two rooms into a large room for a family of 6 to utilize.
- Build out the closed garage to make an efficiency apartment. This would include the additional of a small kitchen and bathroom. This would house an on-site resident which is their primary residences and is responsible for overnight oversight of the families Sunday through Thursday, 8:30p-7:00a, each week. Volunteers would cover this time each Friday and Saturday evening.
- Families will be at the site from 5:30pm to 7:30am Monday – Friday with the possibility to stay on Saturday – Sunday all day. There must be a staff member or two volunteers on site at all times while the families are present.
- This location will allow FPOG to serve families that do not have transportation as the bus stop is located just two blocks away.
- Add fence for increased security
- Improved landscaping

FPOG guest families are in the program for up to 90 days. The initial telephone screening process for a family establishes that they are homeless or facing eviction; own a reliable vehicle; have six or less family members needing services; single parent or legally married two-parent family; not the victim or have an active threat of domestic violence; is employed or willing and able to be employed within 30 days. If the family cannot fit into any of these parameters, they are not considered further, but given referrals to other organizations for possible assistance.

- After passing the initial screening, there are more requirements for the family.
- All family members 18 and over must pass a background check.
- Birth certificates and social security cards for each family must be presented.
- There must be proof of ownership and insurance for the family's vehicle.
- Must get a TB test and show results.

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SUP2020-00032
Received: 06.03.2020
Planning & Development

- Children must be up-to-date with immunizations.
- While in the program, the working family member provides bank statements, pay records and puts a set amount of money into a savings account.
- Each family is required to be looking for affordable permanent housing with the goal of accomplishing this within 90 days from entering the program.

Occupancy Rules

The ordinance established minimum room width and height requirements as well as minimum square footage requirements of dwelling units based on the number of occupants residing in the dwelling. Every bedroom occupied by one (1) occupant must contain at least 70 square feet and bedrooms occupied by more than one occupant must contain at least 50 square feet per person. Kitchens, bathrooms, living rooms, and non-habitable spaces cannot be used for sleeping purposes. This regulation does not apply to guests whose occupancy is not to last longer than one (1) week.

Occupancy break out for Promise Haven house.

Bedroom 1 (Downstairs) – approx. 200 sq. ft., 4 individuals

Bedroom 2 (Upstairs) – approx. 210 sq. ft., 4 individuals

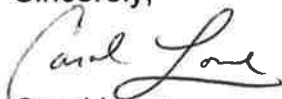
Bedroom 3 (Upstairs) – approx. 200 sq. ft., 4 individuals

Bedroom 4 (Upstairs) – approx. 150 sq. ft., 3 individuals

According to Gwinnett County occupancy rules the total possible individuals to stay in shelter part of house is 15.

Thank you for your consideration.

Sincerely,



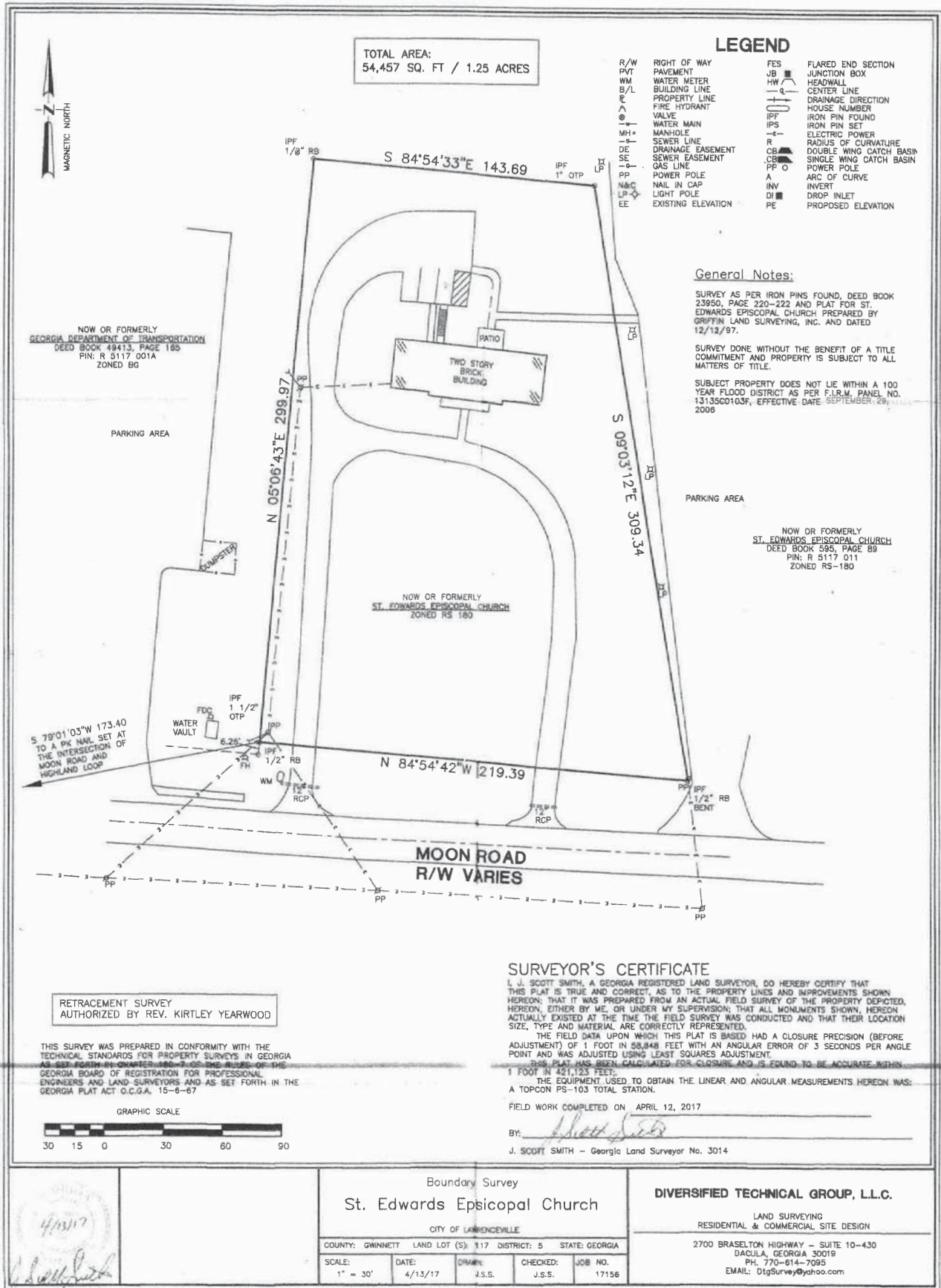
Carol Love

Executive Director, Family Promise of Gwinnett

RZC2020-00016
SUP2020-00032
Received: 06.03.2020
Planning & Development



RZC2020-00016
SUP2020-00032
Received: 06.03.2020
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**BAKER LAND
DESIGN**

LANDSCAPE ARCHITECTURE
PLANNING AND DESIGN
CERTIFIED ARBORIST

3471 DONAVILLE ST.
SUITE 2000096
DULUTH, GA 30096
PHONE: (404) 767-3973
WWW.BAKERLANDDESIGN.COM

**SURVEY OF
EXISTING
CONDITIONS**

FOR THE

**ST. EDWARDS
EPISCOPAL
CHURCH**

**COUCH MASON
HOUSE**

REVISIONS

DRAWN BY: BH
CHECKED BY: TB

SCALE: 1"=20'-0" 0016
JOB NO. 61210 00032

Received: 06-03-2020
SHEET 1 OF 2
Planning & Development

TOTAL AREA:
54,457 SQ. FT / 1.25 ACRES

NOW OR FORMERLY
GEORGIA DEPARTMENT OF TRANSPORTATION
DEED BOOK 335, PAGE 165
PIN: P 5117 001A
ZONED BC

PARKING AREA

IPF
1/8"

N 05°06'43"E 299.97

S 84°54'33"E 143.69

IPF
1" OTP

EX GAK TO REMAIN

TWO STORY
BRICK
BUILDING

EX TREES
TO REMAIN

NOW OR FORMERLY
ST. EDWARDS EPISCOPAL CHURCH
ZONED RS 180

S 09°03'12"E 309.34

NOW OR FORMERLY
ST. EDWARDS EPISCOPAL CHURCH
DEED BOOK 335, PAGE 83
PIN: P 5117 011
ZONED RS 180

PARKING AREA

S 79°01'03"W 173.40
TO A PK NAIL SET AT
THE INTERSECTION OF
MOON ROAD AND
HIGHLAND LOOP

WATER
VAULT

IPF
1 1/2" OTP

IPF
1 1/2" RB

WM

RCP

N 84°54'42"W 219.39

MOON ROAD
R/W VARIES

IPF
1 1/2" RB

BENT





BAKER LAND DESIGN

LANDSCAPE ARCHITECTURE
PLANNING & DESIGN
CERTIFIED ARBORIST

3471 DONAVILLE ST.
SUITE 200
DALLAS, TX 75244
PHONE: (469) 787-3973
WWW.BAKERLANDDESIGN.COM

PROPOSED IMPROVEMENTS

SITE PLAN

FOR THE

ST. EDWARDS
EPISCOPAL
CHURCH

COUCH MASON
HOUSE



REVISIONS

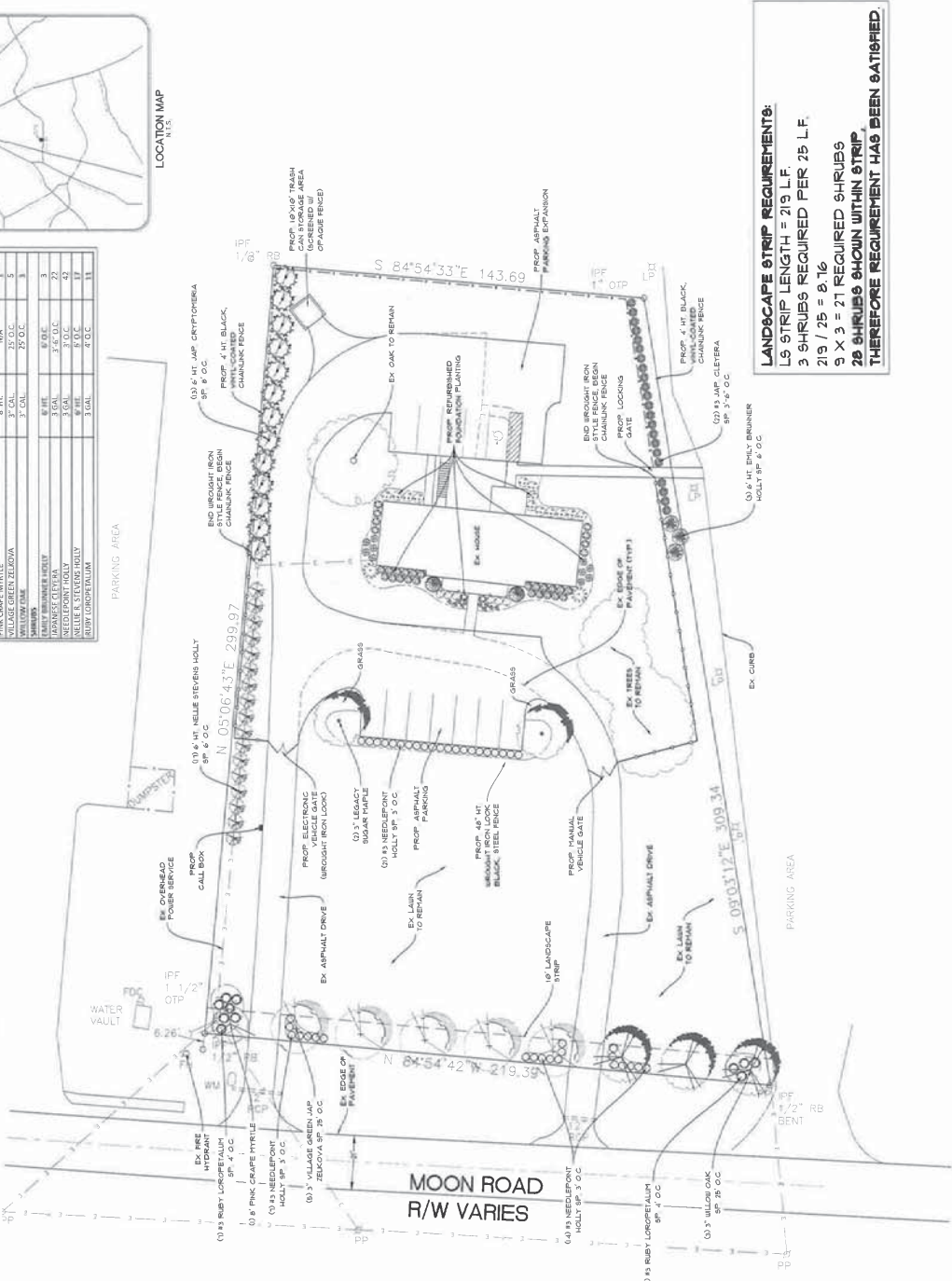
DRAWN BY: BH
CHECKED BY: TB

REVISED: 06-03-2020
DATE: 06/03/2020
JOB NO. 2000032

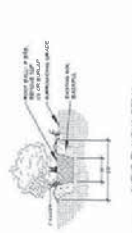
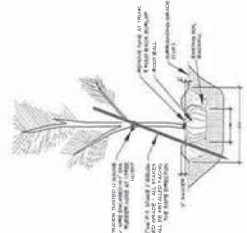
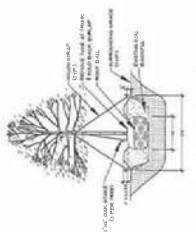
SHEET 2 OF 2
Planning & Development

PLANT LIST			
COMMON NAME	SIZE	SPACING	QTY.
TREES			
AMERICAN CYPRESS	6" HLT	8' O.C.	18
LEGACY SUGAR MAPLE	3" CAL	AS SHOWN	2
PINK CRANE PETTLE	3" HLT	N/A	1
RED BUD	3" CAL	25' O.C.	3
WILLOW DAW	3" CAL	25' O.C.	3
SHRUBS			
HOUSTON CISTACEA	3" HLT	8' O.C.	3
HOUSTON CISTACEA	3" CAL	8' O.C.	22
NEEDLEPOINT HOLLY	3" CAL	3' O.C.	42
NEELIE & STEVENS HOLLY	8" HLT	8' O.C.	17
RUBY LORCEALUM	3" CAL	4' O.C.	11

- NOTES:
- THERE ARE NO STREAMS WITHIN 200' OF THIS SITE.
 - THERE ARE NO WETLANDS OR FLOODPLAIN ON THIS SITE PER FIRM PANEL: 13135C0103F.
 - THIS PROPERTY IMPROVEMENT DOES NOT REQUIRE REMOVAL OF EX. TREES.



LANDSCAPE STRIP REQUIREMENTS:
L9 STRIP LENGTH = 219 LF
3 SHRUBS REQUIRED PER 25 LF
219 / 25 = 8.76
9 X 3 = 27 REQUIRED SHRUBS
28 SHRUBS SHOWN WITHIN STRIP.
THEREFORE REQUIREMENT HAS BEEN SATISFIED.





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: CIC2020-00002; Walker Anderson Homes, LLC; 167 Branson Street, 182 Branson Street and 241 Church Street

Department: Planning and Development

Date of Meeting: Monday, July 6, 2020

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

Presented By: Todd Hargrave

Department Recommendation: DENIAL

Planning Commission Recommendation: Pending Recommendation

Summary: Applicant requests a Change-in-Conditions to a previously approved rezoning case (SU-17-13) and the South Lawn Plan Book. The applicant requests to amend Condition 2 and 11, to allow modifications to the exterior architectural design.

Attachments/Exhibits:

- CIC2020-00002 Report
- CIC2020-00002 Attachments

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
CHANGE-IN-CONDITIONS REPORT

CASE NUMBER	CIC2020-00002
APPLICANT	WALKER ANDERSON HOMES, LLC
CONTACT	CLINT WALTERS
PHONE NUMBER	404.274.4492
ZONING CHANGE	N/A
LOCATION	167 BRANSON ST, 182 BRANSON ST, 291 CHURCH ST
PARCEL ID	R5147A010, R5147A011, R5147A016, R5147A017, R5147A009
ACREAGE	1.1
PROPOSED DEVELOPMENT	CHANGE IN CONDITIONS TO TOWNHOUSE ELEVATIONS FROM SU-17-13 APPROVAL
DEPARTMENT RECOMMENDATION	DENIAL

ZONING HISTORY:

In 2017, the property was approved a Special Use Permit, with conditions, pursuant to case SU-17-13 for a mixed-use development, including that the site development, structures and uses shall be in general accordance with the site plan, architectural renderings and building elevations presented at the December 4, 2017, City Council public hearing (“Plan Book”).

PROJECT DATA:

The applicant is requesting a Change-in-Conditions of a prior Special Use Permit (SU-17-13) to modify the “Plan Book” for a townhouse development of a 1.1-acre portion of the subject property, known as the Lawrenceville South Lawn. The affected portion is located on the western corner of Branson Street to the north, Church Street to the south, and Municipal Drive to the west, and it is currently a cleared vacant lot. The applicant is requesting to amend Condition 2 of SU-17-13. The condition currently reads as follows:

- 2. The site development, structures and uses shall be in general accordance with the site plan, architectural renderings and building elevations presented at the December 4,

2017 City Council public hearing (together the “Plan Book”). Final site plans and building plans for each product type shall be submitted for review and approval of the Director of P&D to ensure compliance with the Plan Book.

The applicant proposes to amend Condition 2 to revise the dimensions and building details of the proposed townhomes listed within the Plan Book to be built on the 1.1-acre portion. Proposed changes include reducing the dimensions of the townhouse units from 22’ x 48’ to 22 x 41’, altering the roof type from flat roof to asphalt shingled gable roof, and changing the exterior materials of the front and side elevations. The approved “Plan Book” in 2017 established the precedent of the subject property’s mixed-use development, and the applicant’s request would be considered inconsistent with that precedent.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates that the property is in the Downtown Character area. This character area encourages new buildings to have their own style with consideration made to higher architectural standards with human scale features. The applicant’s request could be inconsistent for the type of development that was approved in the Plan Book.

The area surrounding the subject lot consists of multifamily, commercial, and office-institutional uses, which are part of the overall development that was approved by the Special Use Permit. The applicant’s request could be considered inconsistent given the type of development approved in the Plan Book and the different residential uses that have been developed in the immediate area.

In conclusion, the requested change-in-conditions may be inconsistent with the previously approved Plan Book and inconsistent with the policies of the City of Lawrenceville 2040 Comprehensive Plan. Therefore, the Planning and Development Department recommends **DENIAL** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT

No Comment.

ELECTRIC DEPARTMENT

No Comment.

GAS DEPARTMENT

No Comment.

WATER DEPARTMENT

No Comment.

CODE ENFORCEMENT

No Comment.

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Additions in **BOLD**

Deletions in ~~STRIKETHROUGH~~

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

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

1. Approval of a mixed-use development in the Downtown Overlay, Live/Work B Subarea, which may include townhouses and apartments (including mixed-use buildings containing retail uses) as Special Uses.
2. ~~The site development, structures and uses shall be in general accordance with the site plan, architectural renderings and building elevations presented at the December 4, 2017 City Council public hearing (together the "Plan Book"). Final site plans and building plans for each product type shall be submitted for review and approval of the Director of P&D to ensure compliance with the Plan Book.~~ **The site development, structures, and uses shall be in general accordance with the site plan, architectural renderings and building elevations presented at the December 4, 2017 City Council public hearing (the "Plan Book") and as amended at the July 27, 2020 City Council public hearing. Final site plans and building plans for each product type shall be submitted for review and approval of the Planning & Development Department to ensure compliance with the Plan Book.**
3. Where any architectural standard, building height, minimum lot size, setback/build-to line, dimensional standard, sidewalk or parking requirement of the Downtown Overlay or Zoning Ordinance conflicts with the submitted Plan Book or architectural renderings and elevations, the submitted Plan Book shall govern, with further review and approval by the Architectural Review Board not required.
4. 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 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 percent of the single family units (with an additional 5% hardship) may be leased to third parties by individual owners.

5. The developer shall construct the traffic improvements identified in the submitted Transportation Analysis (for “Projected 2023 Build Conditions”) and the GRTA Notice of Decision for Development of Regional Impact (DRI) #2727. Final design of said improvements shall be subject to review and approval by the City Engineer, Gwinnett and/or Georgia DOT, as applicable.
6. Internal and external streetscape design shall be in substantial accordance with the requirements of the Downtown Overlay, and shall include pedestrian lighting and amenities per the Overlay. The main internal “promenade” sidewalks from Scenic Highway to the Lawrenceville Lawn (both sides of the street) shall be a minimum of 6 feet wide in the single-family area and 8 feet wide in the multi-family area. External sidewalks along Jackson Street and Clayton Street shall be a minimum of 10 feet wide. Final design shall be reviewed and approved by the Director of P&D.
7. Landscaping and screening along Jackson Street shall be in general accordance with the landscape cross sections outlined in the Plan Book. Final design shall be subject to review and approval by the Director of Planning and Development.
8. Stormwater detention ponds shall be screened from public view with fencing and landscaping. Final design of said screening shall be subject to review and approval by the Director of Planning and Development
9. Developer shall provide modifications to the Police Station parking lot and access drives in general accordance with the Plan Book.
10. Developer shall provide connections for stormwater conveyance at common property lines and capacity for stormwater detention from the Hooper-Renwick School and future Library site.
11. Building materials for the single-family (attached and detached) units shall be in general accordance with the elevations set forth in the Plan Book.
12. All street signage shall meet City of Lawrenceville’s standard signage.
13. Length of driveways in the single family portion shall be 20 feet minimum:
 - a. Front entry – (front of structure to back of sidewalk or alleyway if no sidewalk is present)
 - b. Rear entry – (rear of structure to back of curb)

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

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Walker Anderson Homes, LLC</u>	NAME: <u>NGI- Berbank LLC</u>
ADDRESS: <u>390 Bragden Road</u>	ADDRESS: <u>1545 Peachtree St NE</u> <u>Suite 260</u>
CITY: <u>Suwanee</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30024</u>	STATE: <u>GA</u> ZIP: <u>30309</u>
CONTACT PERSON: <u>Clint Walters</u> PHONE: <u>404-274-4492</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>RM12</u> REQUESTED ZONING DISTRICT: <u>RM12</u>	
PARCEL NUMBER(S): <u>5147A010, 011, 016, 009</u> ACREAGE: <u>1.102</u> <u>017</u>	
ADDRESS OF PROPERTY: <u>167 Branson St, 182 Branson St., 241 Church St.</u>	

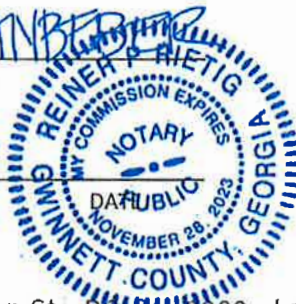
AWB VanBerk 6/4/20
SIGNATURE OF APPLICANT DATE

George Berkow 6/4/20
SIGNATURE OF OWNER DATE

AWB VANBERK
TYPED OR PRINTED NAME

George Berkow Co President
TYPED OR PRINTED NAME

Mandy 6/4/20
NOTARY PUBLIC



Mandy 6/4/20
NOTARY PUBLIC



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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? 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.

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CIC2020-00002
Received: 06.04.2020
Planning & Development

WALKER ANDERSON

LETTER OF INTENT

June 4, 2020

Walker Anderson Homes, LLC ("Applicant") respectfully requests a change in conditions to City of Lawrenceville Special Use Permit SU-17-13. Conditions 2 and 11 require modifications to the Lawrenceville South Lawn Plan Book ("Plan Book") dated December 4, 2017. The requested modifications pertain specifically to the yellow townhome units (22' x 48', Rear Entry) first identified on page 7 of Plan Book and further referenced on pages 36, 41, and 42. These have been commonly referred to as the "flat roofed townhomes" throughout the history of the project.

The Applicant desires to build a 22' x 41' Rear Entry Townhome with an asphalt shingled gable roof and a mixture of elevation materials. The revised dimensions are the only change required on page 7 of the Plan Book.

Plan Book page 36 shall be amended to reflect accurate details of the 22' x 41' product as italicized in the following table and summarized below:

# of Units	Product	Attached / Detached	Front / Rear Entry	# of Stories	Avg. SF	# of Beds	# of Baths	# of Half Baths
17	22'x41'	Attached	Rear	3	2,243	2-4	2-3	1-2

The Product dimensions change from 22'x48' to 22'x41. The shortening of the home is primarily driven by the removal of internal stairs required by the split level front door location of the original elevations.

The Average Square Footage decreases by 184 SF from 2,427 SF to 2,243 SF. This approximately 7.5% reduction in square footage is also driven by the removal of the unusable, but calculated heated space of the interior entrance stairs.

It is the Applicant's opinion that the length and square footage changes in the product do not negatively affect the livability of the homes.

The change to the # of Beds column is more a clarification than a change. Units have the option of dual master or 3 or 4 bedroom options.

The changes in the # of Baths and # of Half Baths columns is also a clarification. All units have 2 baths on the Upper Level and a half bath on the Main Level. The Lower Level has a half bath standard with an option for a full bath.

Plan Book pages 41 and 42 shall be replaced with the enclosed elevations. In summary, the Applicant requests approval of townhome units with a mixture of elevation materials and an asphalt shingled gable roof. The front elevations shall consist of cementitious cedar shake or board and batten with brick water tables. Side elevations shall feature the same materials as the front elevation. Rear elevations shall remain siding as previously submitted. Thank you for your consideration in this matter.

CIC2020-00002

Received: 06.04.2020

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Suwanee, Georgia 30024

Kimley»Horn
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NOVARE GROUP
817 PEACHTREE STREET, SUITE 400
ATLANTA, GEORGIA 30308
PHONE: 404.581.7785

LAWRENCEVILLE SOUTH LAWN
30 S CLAYTON ST., LAWRENCEVILLE, GEORGIA 30046
LAND LOT 146 & 147, 5TH DISTRICT, 018, 019, PARCELS 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 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2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188,



CIC2020-00002
Received: 06.04.2020
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LAND DESCRIPTION

All that tract or parcel of land lying and being in land lot 147 of the 5th Land District, City of Lawrenceville, Gwinnett county, Georgia, and being more particularly described as follows:

To find the Point of Commencement, begin at the intersection of the Northerly Right-of-Way of Church Street (R/W varies) and the Westerly Right-of-Way of South Clayton Street (60' R/W); THENCE leaving said intersection and traveling along said Right-of-Way of Church Street the following three (3) courses and distances along a curve to the left having a radius of 6,200.10 feet and arc length of 178.55 feet being subtended by a chord of North 83 degrees 57 minutes 35 seconds East for a distance of 178.54 feet to a point; THENCE North 05 degrees 13 minutes 07 seconds West for a distance of 2.58 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

THENCE from said point as thus established North 05 degrees 13 minutes 07 seconds West for a distance of 222.27 feet to a point on the Southerly Right-of-Way (50' R/W) of Branson Street. THENCE continuing along said Right-of-Way the following two (2) courses and distances along a curve to the left having a radius of 715.50 feet and arc length of 104.30 feet being subtended by a chord of North 71 degrees 49 minutes 43 seconds East for a distance of 104.21 feet to a point; THENCE along a curve to the right having a radius of 332.50 feet and arc length of 136.64 feet being subtended by a chord of North 79 degrees 25 minutes 31 seconds East for a distance of 135.68 feet to a point; THENCE leaving aforesaid Right-of-Way along a curve to the left having a radius of 24.50 feet and arc length of 1.40 feet being subtended by a chord of South 00 degrees 30 minutes 20 seconds West for a distance of 1.40 feet to a point; THENCE South 01 degrees 07 minutes 41 seconds East for a distance of 113.46 feet to a point; THENCE along a curve to the left having a radius of 956.05 feet and arc length of 88.19 feet being subtended by a chord of South 03 degrees 46 minutes 14 seconds East for a distance of 88.15 feet to a point on the aforesaid Northerly Right-of-Way of Church Street (R/W varies); THENCE continuing along said Right-of-Way the following three (3) courses and distances South 83 degrees 54 minutes 55 seconds West for a distance of 52.28 feet to a point; THENCE along a curve to the left having a radius of 168.72 feet and arc length of 58.14 feet being subtended by a chord of South 74 degrees 02 minutes 35 seconds West for a distance of 57.85 feet to a point; THENCE South 64 degrees 10 minutes 15 seconds West for a distance of 125.08 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

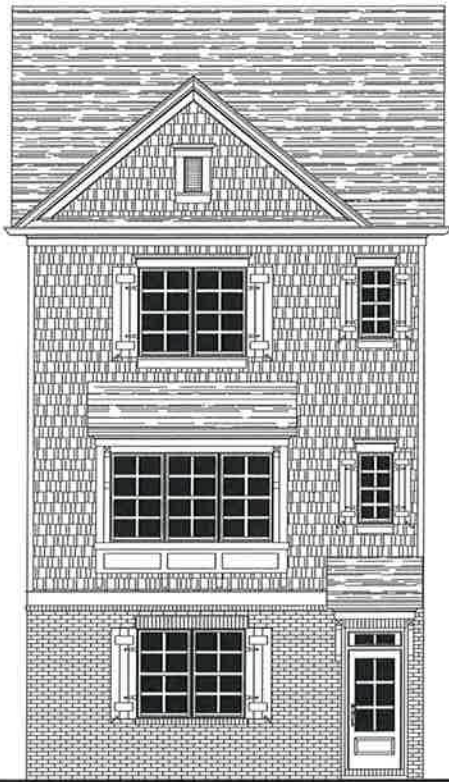
Said property contains 1.102 Acres.

h:\temp\mlt-home rezona.docx

CIC2020-00002
Received: 06.04.2020
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22' X 41' BASEMENT ENTRY PLAN

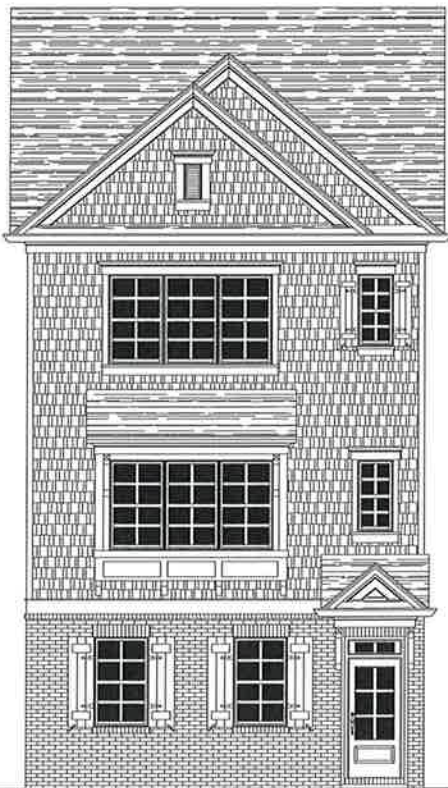
3.



Front Elevation A



Front Elevation B



Front Elevation C



Front Elevation D

WALKER
ANDERSON

CIC2020-00002
Received: 06.04.2020
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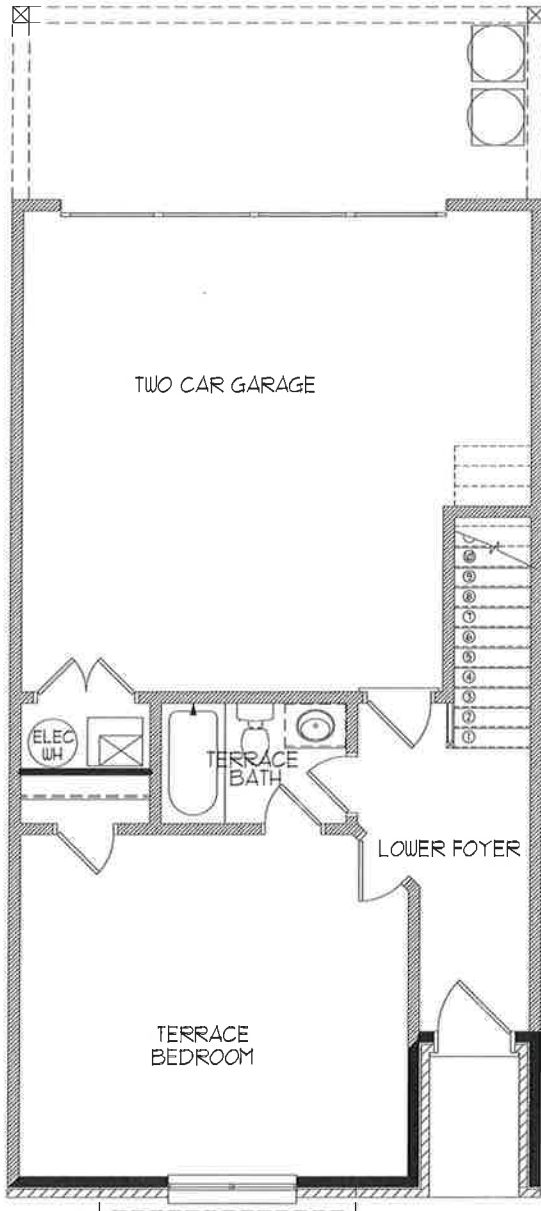
5 UNITS BUILDING

WALKER
ANDERSON

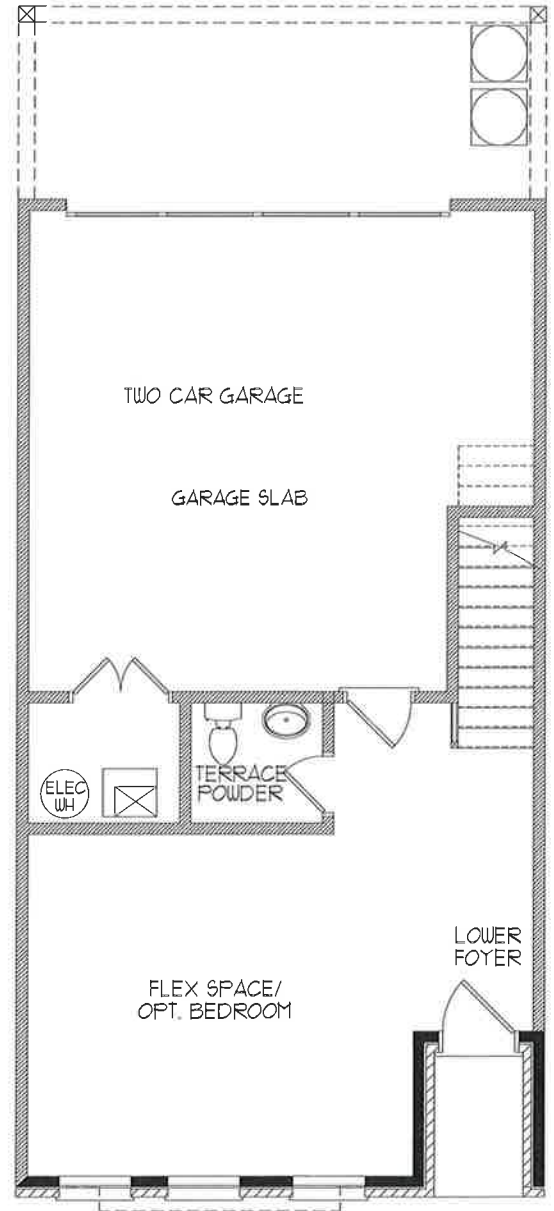
RECEIVED
JUN 04 2020
Planning & Development
CIC2020-00002
Received: 06.04.2020

22' X 41' BASEMENT ENTRY PLAN

3.



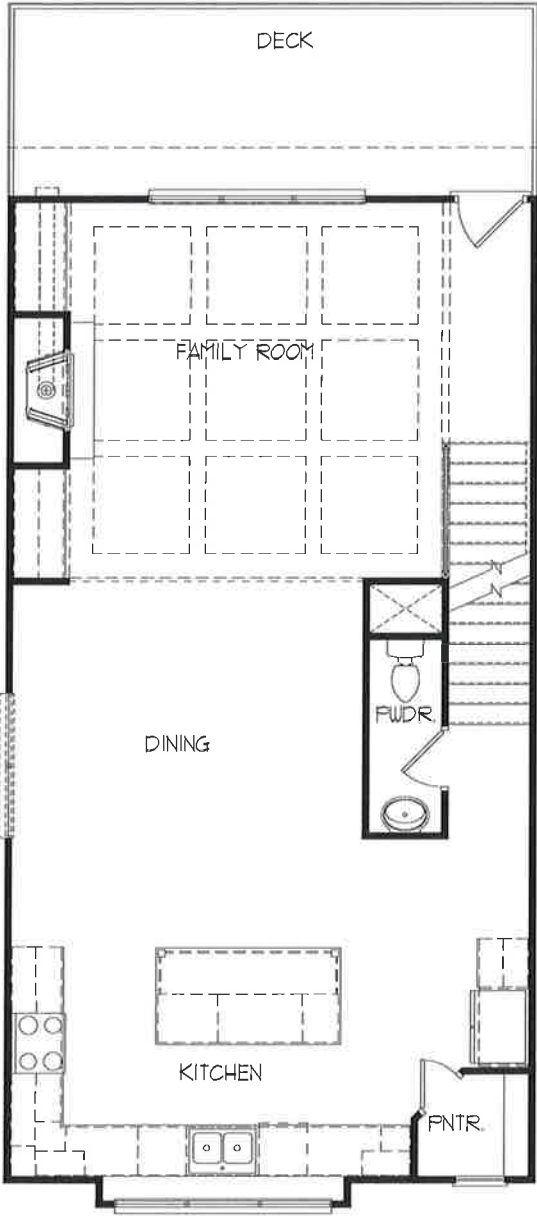
Lower Level w/ Full Bath
& Terrace Bedroom Opt.



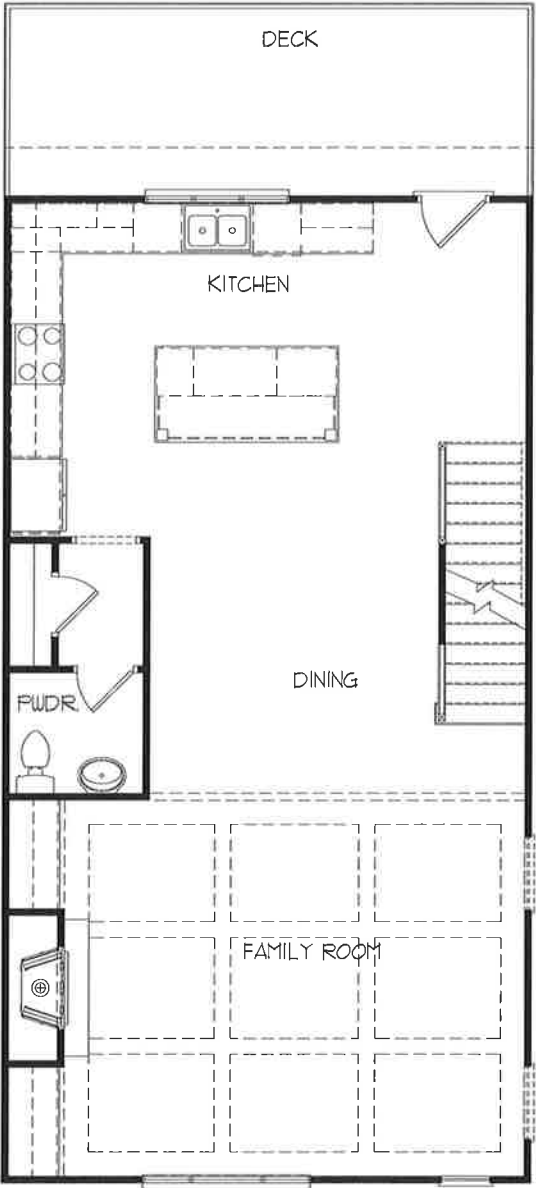
Lower Level w/ Powder
& Flex Space Opt.

22' X 41' BASEMENT ENTRY PLAN

3.



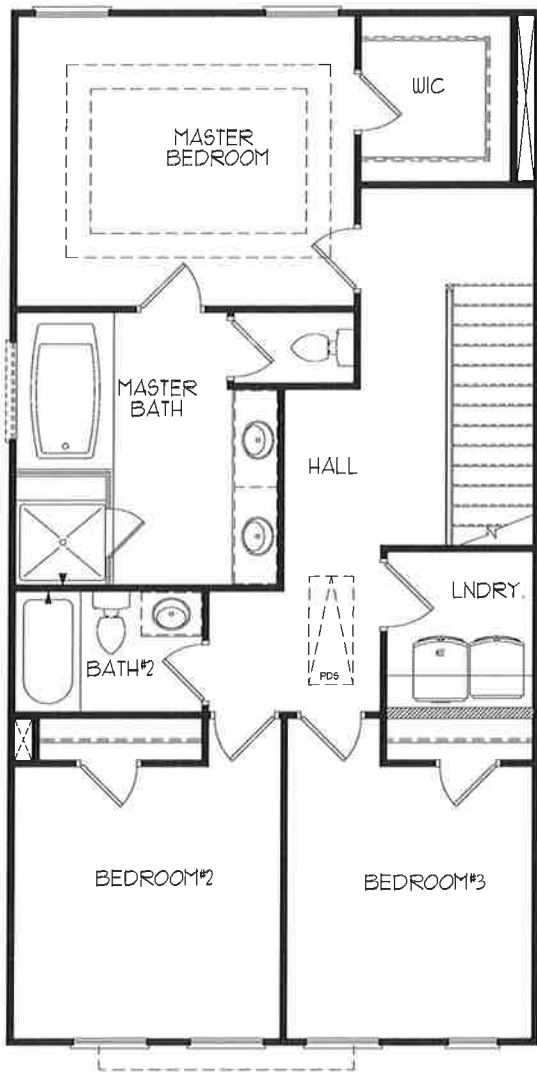
Main Level
Plan 1



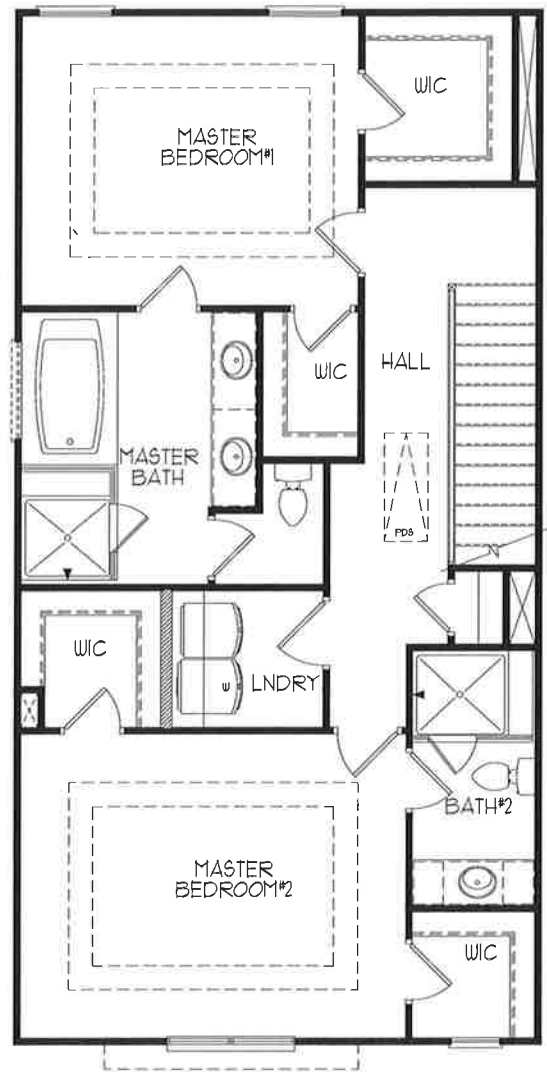
Main Level
Plan 2

22' X 41' BASEMENT ENTRY PLAN

3.



Upper Level w/ 3
Bedroom Opt.



Upper Level w/ 2
Master Bedroom Opt.

22' X 41' GRADE ENTRY PLAN

3.



Front Elevation A



Front Elevation B



Front Elevation C



Front Elevation D

WALKER
ANDERSON

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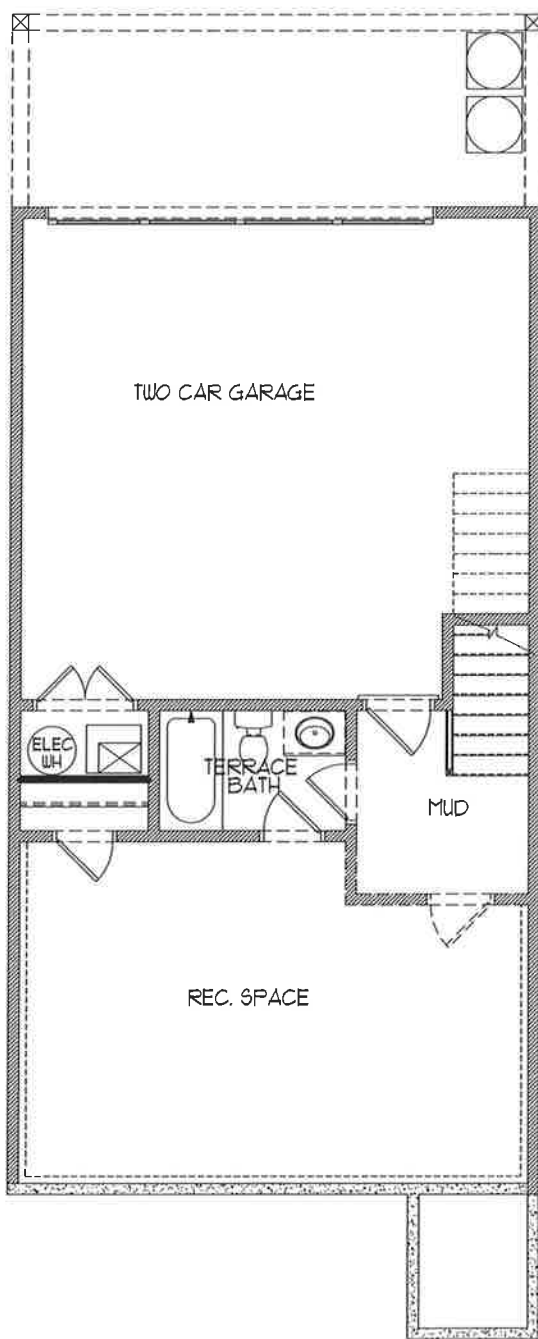
8 UNITS BUILDING

WALKER
ANDERSON

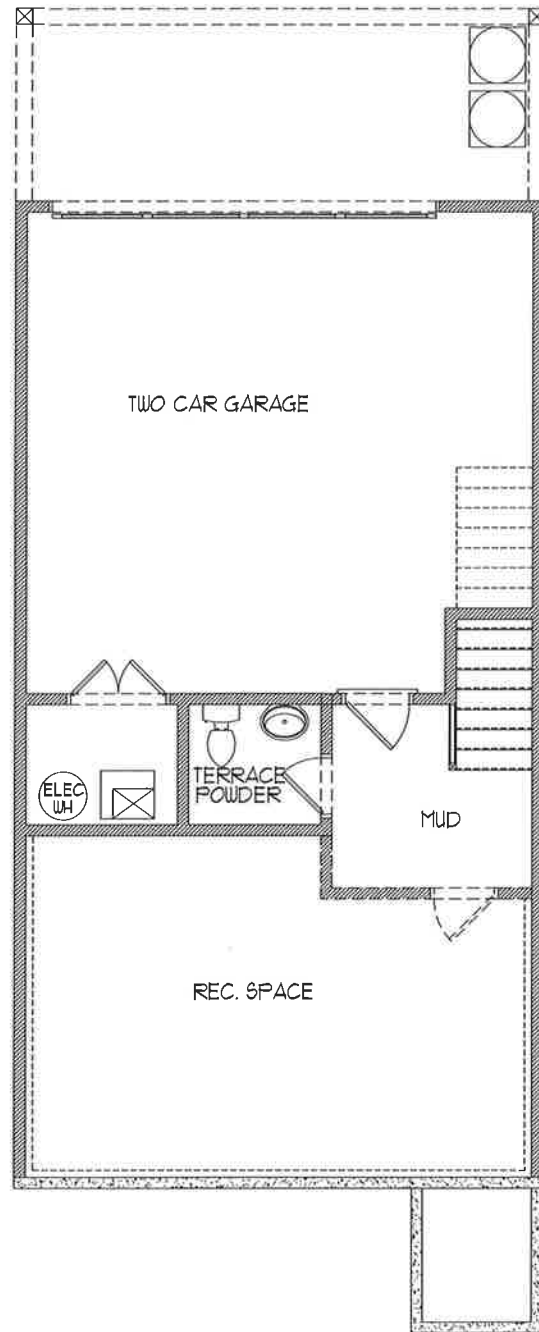
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Received: 06.04.2020
Planning & Development

22' X 41' GRADE ENTRY PLAN

3.



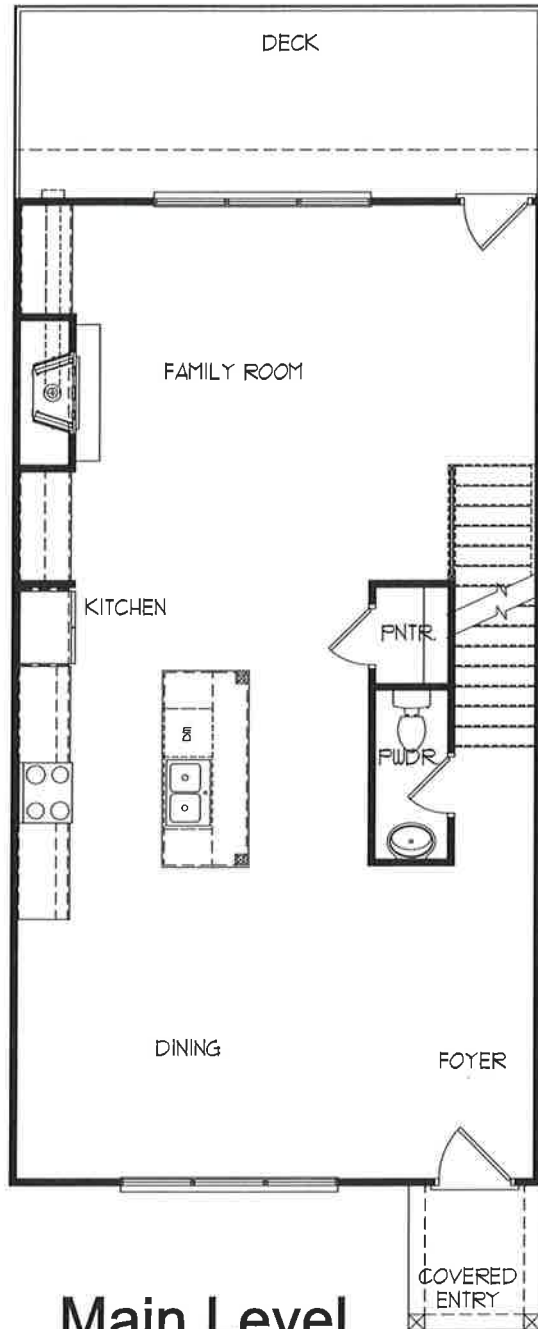
Lower Level w/
Full Bath Opt.



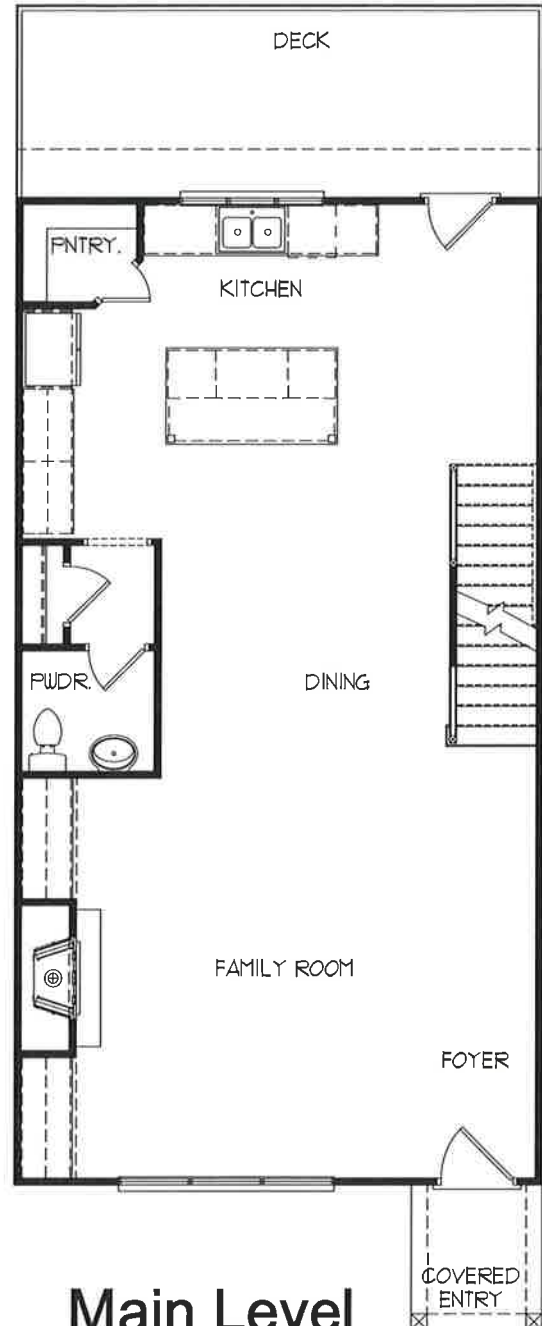
Lower Level

22' X 41' GRADE ENTRY PLAN

3.



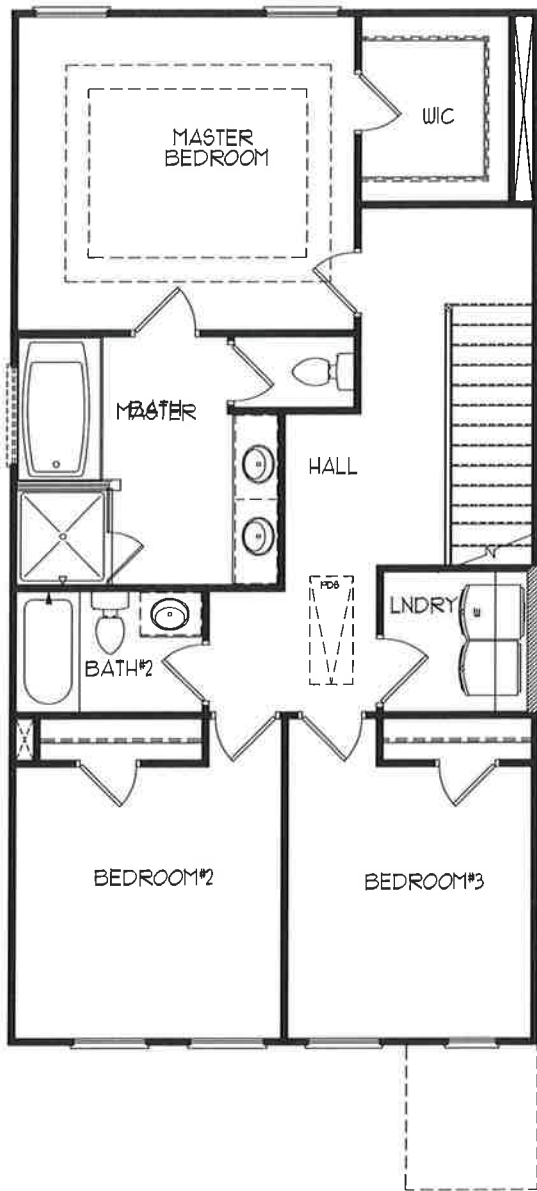
Main Level
Plan 1



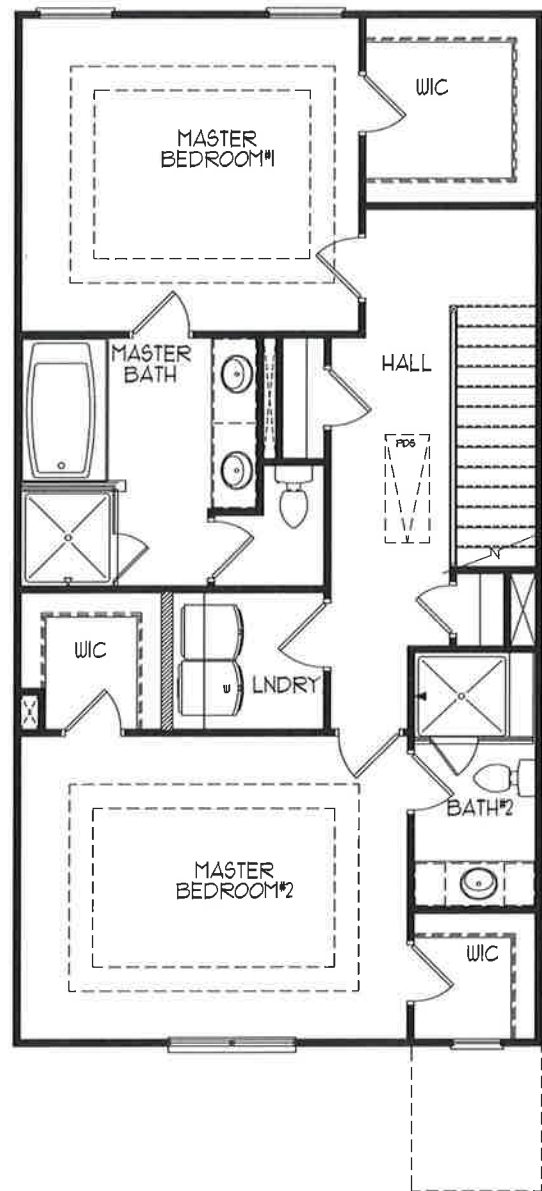
Main Level
Plan 2

22' X 41' GRADE ENTRY PLAN

3.



Upper Level w/3
Bedroom Opt.



Upper Level w/2
Master Bedroom Opt.



The City of Lawrenceville
Planning & Development

Aerial Map and
Surrounding Area
File # CIC2020-00002

Applicant:
Walker Anderson Homes, LLC

Legend

-  Subject Property
-  Roads
-  Parcels



0 37.5 75





The City of Lawrenceville
Planning & Development

Location Map and
Surrounding Zoning
File # CIC2020-00002

Applicant:
Walker Anderson Homes, LLC

Legend

Subject Property

Roads

Parcels

ZONING

BG General Business

OI Office Institutional

RM-12 General Residence

RS150 Single-Family Residence



0 37.5 75

Page 62



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZM2020-00002; Ronny Kittle; 905 Moon Road and 550 Old Snellville Road

Department: Planning and Development

Date of Meeting: Monday, July 6, 2020

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

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Pending Recommendation

Summary: The applicant requests rezoning of a 1.64-acre parcel from RM-12 (General Residence District) to RM-8 (Townhome Residential District) zoning to construct a 12-unit townhouse development. The subject property is located along the northern right-of-way of Moon Road at its intersection with Old Snellville Highway.

Attachments/Exhibits:

- RZM2020-00002 Reports
- RZM2020-00002 Attachments

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

CASE NUMBER	RZM2020-00002
APPLICANT	RONNY KITTLE
CONTACT	RONNY KITTLE
PHONE NUMBER	706.540.9696
ZONING CHANGE	RM-12 TO RM-8
LOCATION	CORNER OF MOON ROAD AND OLD SNELLVILLE HIGHWAY
PARCEL ID	R5116 111
ACREAGE	1.64
PROPOSED DEVELOPMENT	12-UNIT TOWNHOUSE DEVELOPMENT
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

The property has been zoned for multifamily uses since 1986.

PROJECT DATA:

The applicant requests rezoning of a 1.64-acre parcel from RM-12 (General Residence District) to RM-8 (Townhome Residential District) zoning to construct a 12-unit townhouse development. The subject property is located along the northern right-of-way of Moon Road at its intersection with Old Snellville Highway. The property is undeveloped and heavily wooded.

The applicant would like to build 12 townhouses. The applicant states that the townhouses would be attached with a maximum of eight units in one building that would be oriented to front Old Snellville Highway; and four units in the second building that would be oriented to front Moon Road. A single roadway onto the property off Moon Road would access the proposed development. All units would have rear entry driveways and 2-car garages. The concept plan shows 12 parking spaces are proposed. Per the concept plan, there would be one stormwater management facility on the northwest end of the property and three community open spaces. The applicant is proposing several considerations by the City Council that would require variances that may be approved at the time of the rezoning approval should the City Council decide to approve the request. The considerations are as follows:

- Allow the development in less than the required 5-acres for RM-8 Townhouse Residential
- Encroachment into the front setback by 25 feet.
- Encroachment into the rear setback by 20 feet.
- Relief from the street tree requirements.
- Relief from the requirement to install a fence with brick columns along the road frontages.

Per the letter of intent, the development would have units facing the roadways and that the fence would hinder the desire for roadway facing townhouses that have a more welcoming façade.

The property lies within the Traditional Residential Character Area of the 2040 Comprehensive Plan and Future Development Map. The Traditional Residential Character Area is intended for suburban-style neighborhoods to preserve the traditional neighborhoods and buffer them from more intense land uses, however, the subject property is in close proximity to the Neighborhood Mixed-Use Character Area which is intended for medium density housing such as townhouses or small scale apartment buildings. Rezoning the property to RM-8 would reduce the density creating a less intense use at this location. Therefore, the proposed development and zoning may result in a development consistent with the existing land uses and zoning in the immediate area.

The surrounding area is characterized by residential uses with single-family and multifamily developments extending beyond Old Snellville Highway and Moon Road. Immediately to the north of the subject property is a multifamily development zoned RM-12 (General Residence District). Adjacent to the east, is the Charleston Square subdivision zoned RM-12. To the south. Across Old Snellville Highway to the west is the Meadow Grove subdivision zoned RS-60 (Single-Family Residence District). Reducing the zoning district to a lower intensity such as RM-8 will serve as transition from intense multifamily developments to the lower density single-family developments.

Given the aforementioned factors, the Planning and Development Department recommendation is for **Approval with conditions** of the requested rezoning and Special Use Permit.

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

Moon Road is County maintained. The location and dimensions of the entrance street off Moon Road must be approved by Gwinnett Department of Transportation.

City Engineering recommends moving the entrance street to the east in order to create an intersection that is closer to ninety degrees. This would create separation between the intersection of Moon Road and Old Snellville Hwy as well.

Require Curb and Gutter along Moon Road and Old Snellville Highway. Cross section should be: Minimum 12' travel lane with 2' Bermuda sod grass strip and 5' concrete sidewalk.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

The gas department has a 2 inch gas main running on the right of way of this property and can serve gas to the proposed with no problems.

WATER DEPARTMENT

No comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZM2020-00002:

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

1. To restrict the use of the property as follows:
 - A. Single-family attached dwellings.
 - B. The maximum number of units shall be 12.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Encroachment into the front setback by 25 feet is permitted.
 - F. Encroachment into the rear setback by 20 feet is permitted.
 - G. The electric utilities internal to the development must be placed underground.
 - H. The applicant shall enhance the front 10-foot landscape strip in lieu of planting street trees.

3. To abide by the following requirements, dedications and improvements:
 - I. Install Curb and Gutter along Moon Road and Old Snellville Highway. Cross section shall be: Minimum 12' travel lane with 2' Bermuda sod grass strip and 5' concrete sidewalk.

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

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

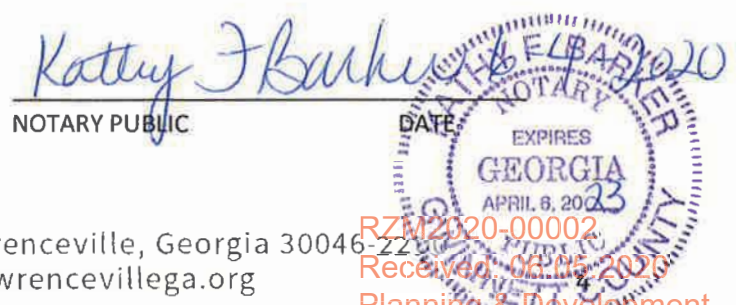
APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Ronny Kittle</u>	NAME: <u>Bedrock Investments LLC</u>
ADDRESS: <u>418 Oakwood Drive</u>	ADDRESS: <u>778 Natchez Valley Trace</u>
CITY: <u>Bogart</u>	CITY: <u>Grayson</u>
STATE: <u>Ga.</u> ZIP: <u>30622</u>	STATE: <u>Ga</u> ZIP: <u>30017</u>
CONTACT PERSON: <u>Ronny Kittle</u> PHONE: <u>706-540-9696</u>	
<u>NORMAN NASH - 770-231-4313 / ERIC SIMPSON 770-338-8138</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): _____ REQUESTED ZONING DISTRICT: _____	
PARCEL NUMBER(S): <u>Land Lot 109 5th District, Parcel 111</u> ACREAGE: <u>1.643 Acres</u>	
ADDRESS OF PROPERTY: _____	

Ronny Kittle 6-4-20
SIGNATURE OF APPLICANT DATE

Norman J. Nash 6/4/20
SIGNATURE OF OWNER DATE

Ronny Kittle
TYPED OR PRINTED NAME

Norman J. Nash
TYPED OR PRINTED NAME



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

RZM2020-00002
Received: 06/15/2020
Planning & Development

LETTER OF INTENT

This Letter of Intent is written on behalf of the Owner/Developer and Applicant, in conjunction with the rezoning application for property located at the corner Moon Road and Old Snellville Highway in Lawrenceville, Georgia. The Applicant is requesting a rezoning from the current yet no longer available RM-12 classification to the newly adopted RM-8 residential townhouse district for the purpose of developing a 12 unit fee simple townhouse development on the 1.643-acre parcel. The subject property is better described as tax parcel 5116 111 and is directly across Moon Road from Margaret Winn Holt Elementary School.

The Applicant intends on building 2 townhouse buildings; one is a 4-unit building that will be oriented so as to front along Moon Road, and the other is an 8-unit building that will be oriented to front on Old Snellville Highway. The townhouses will be accessed by a single roadway onto the property and will have rear entry driveways and 2 car garages.

The City of Lawrenceville's newly adopted RM-8 zoning classification is intended for property that is 5 acres or greater with a density of no more than 8 units per acre. Since the subject property is an undeveloped corner lot that is only 1.643 acres, is currently zoned for apartment use, and abuts an older developed duplex neighborhood, Charleston Square, the Applicant is asking to vary from this 5-acre minimum requirement. With the current layout, the Applicant is able to meet the density requirement, as 12 units on 1.643 acres equates to 7.3 units per acre. Since the proposed townhouses will be rear entry and will front on the existing roadways, the Applicant is asking to have the external front setback reduced from the RM-8 required 50 feet to 25 feet, remove the requirement for trees along Moon Road and Old Snellville Highway, and remove the requirement for a fence with brick columns along the road frontages. These requirements are typically intended for screening the rear of residential units from external views; however, since this development will have the units facing the roadways, these requirements will hinder the desire for roadway facing townhouses that have more of a welcoming "public" façade. The Applicant is also asking to reduce the RM-8 required external rear setback of 40 feet to 20 feet.

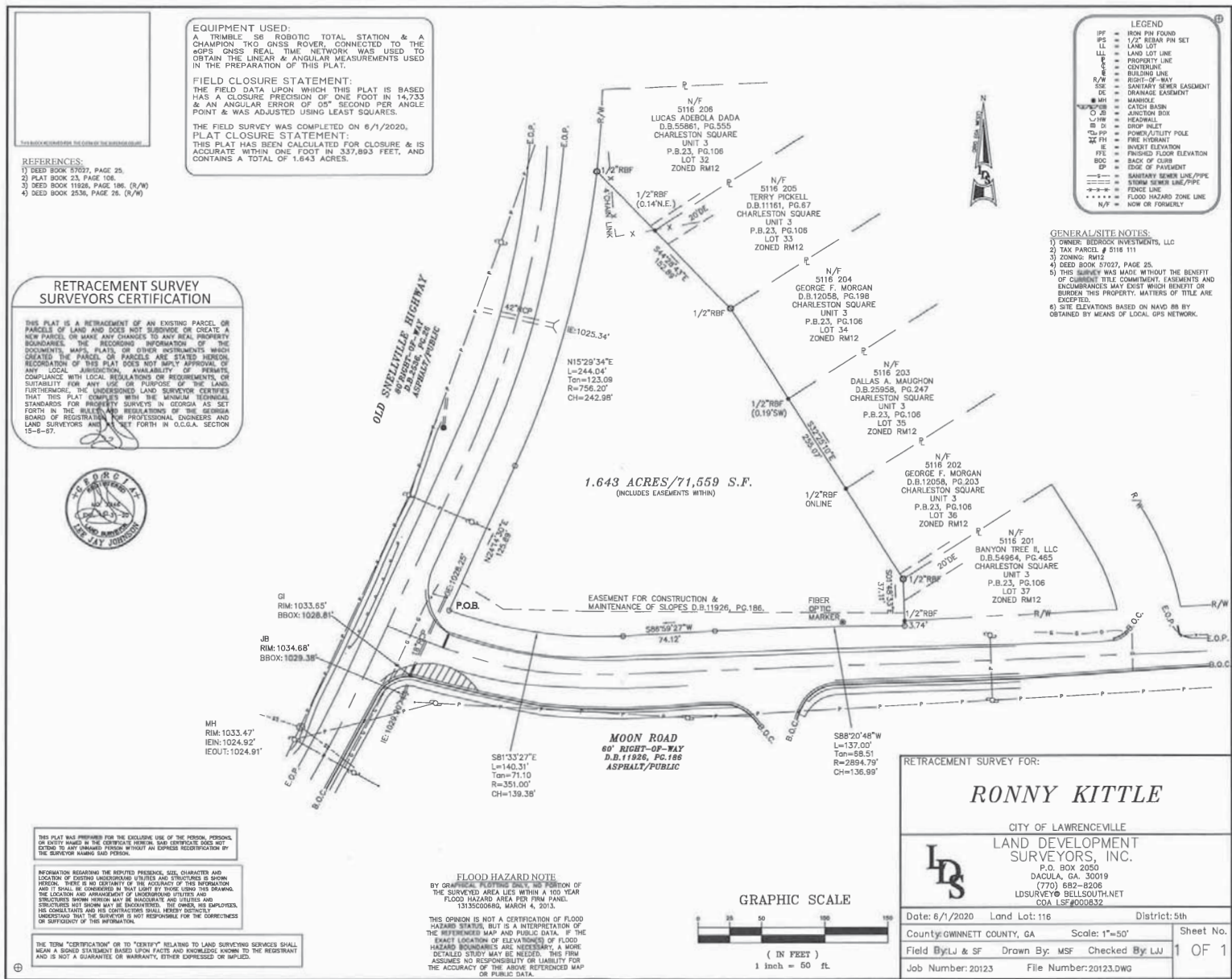
LAND DESCRIPTION

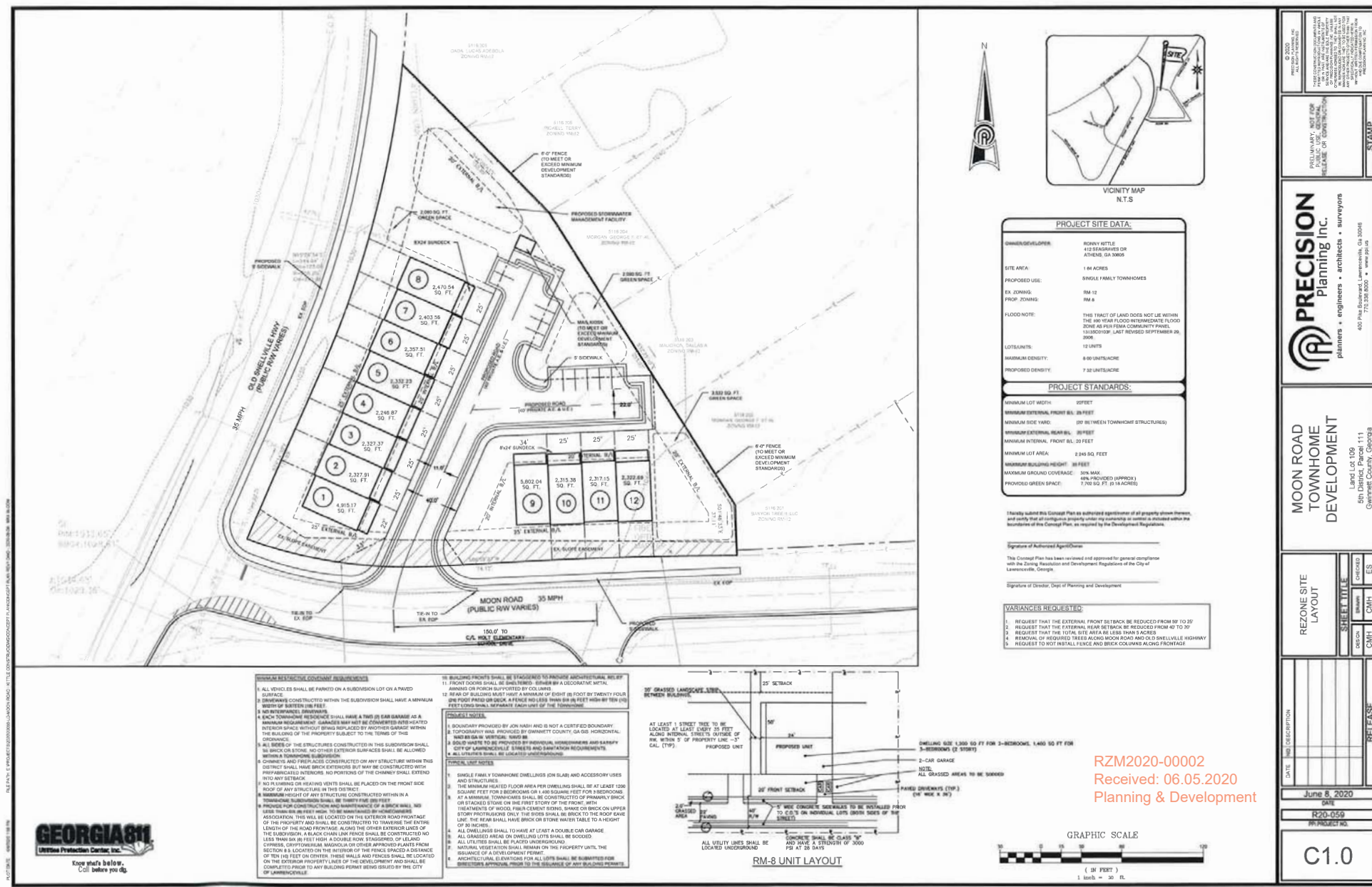
All that tract or parcel of land lying and being in Land Lot 116 of the 5th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, beginning at the intersection of the Easterly Right-of-way of Old Snellville Highway (80'Right-of-Way) and the Northerly Right-of-Way of Moon Road (60'Right-of-Way), said Point being The True Point of Beginning.

THENCE from said Point as thus established and traveling along the Easterly Right-of-way of Old Snellville Highway (80'Right-of-Way) for the next two(2) calls and distances, North 24 degrees 14 minutes 30 seconds East for a distance of 125.89 feet to a Point; THENCE along a curve to the left and having a radius of 756.20 feet and an arc length of 244.04 feet, being subtended by a chord of North 15 degrees 29 minutes 34 seconds East for a distance of 242.98 feet to a ½" Rebar Found; THENCE leaving said Right-of-Way, South 44 degrees 28 minutes 43 seconds East for a distance of 152.89 feet to a ½" Rebar Found; THENCE South 32 degrees 25 minutes 10 seconds East for a distance of 255.07 feet to a ½" Rebar Found; THENCE South 01 degrees 48 minutes 33 seconds East for a distance of 37.11 feet to a Point along the Northerly Right-of-Way of Moon Road (60'Right-of-Way); THENCE traveling along said Right-of-Way for the next three(3) calls and distances, along a curve to the left and having a radius of 2894.79 feet and an arc length of 137.00 feet, being subtended by a chord of South 88 degrees 20 minutes 48 seconds West for a distance of 136.99 feet to a Point; THENCE South 86 degrees 59 minutes 27 seconds West for a distance of 74.12 feet to Point; THENCE along a curve to the right and having a radius of 351.00 feet and an arc length of 140.31 feet, being subtended by a chord of North 81 degrees 33 minutes 27 seconds West for a distance of 139.38 feet to a Point, said Point being The True Point of Beginning.

Said property contains 71,559 s.f./ 1.643 acres
Includes easements within





RZM2020-00002
Received: 06.05.2020
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PRECISION
Planning Inc.
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MOON ROAD
TOWNHOME
DEVELOPMENT

Land Lot 109
5th District, Parcel 111
Gwinnett County, Georgia

REZONE SITE
LAYOUT

SHEET TITLE

DESIGN
CMR

CONCRETE
CMR

ES

RELEASE

DATE
DESCRIPTION

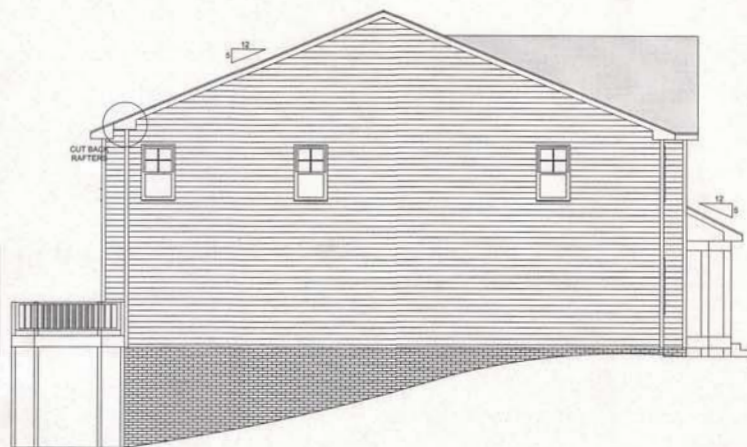
June 8, 2020

R20-059
REV PROJECT NO.

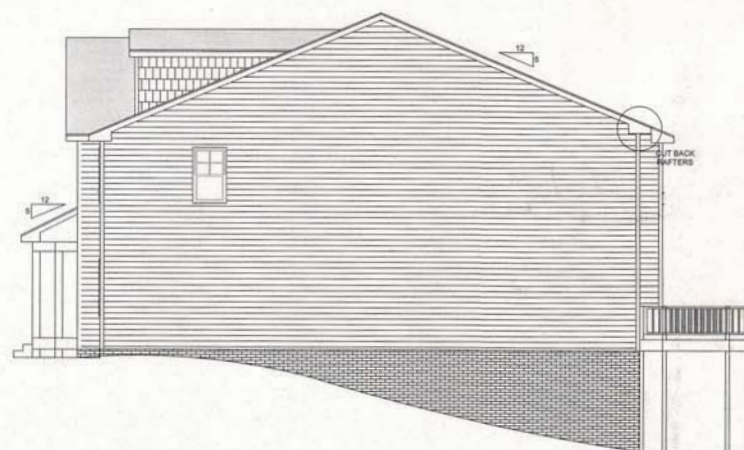
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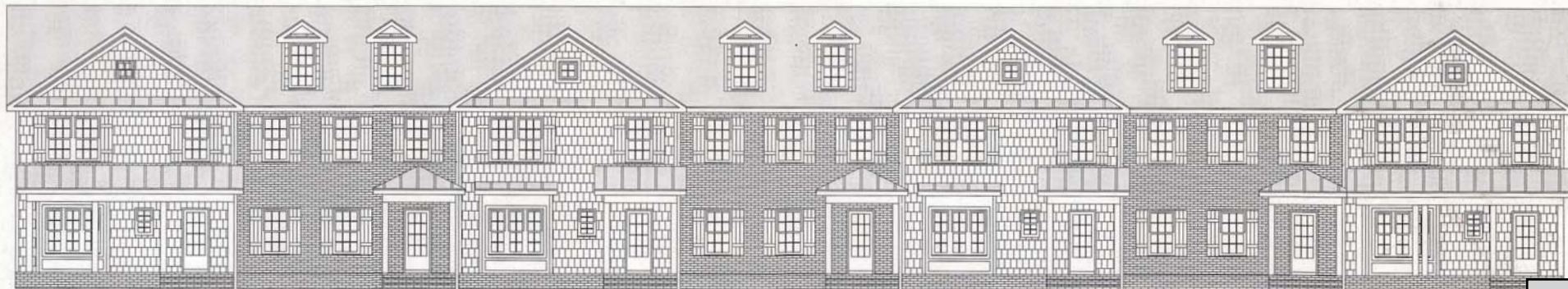
REAR ELEVATION
1/8"-----1'-0"



LEFT ELEVATION
1/8"-----1'-0"



RIGHT ELEVATION
1/8"-----1'-0"



FRONT ELEVATION
1/8"-----1'-0"

UNIT 6

UNIT 7

UNIT 8

UNIT 9

UNIT 10

UNIT 11

UNIT 12

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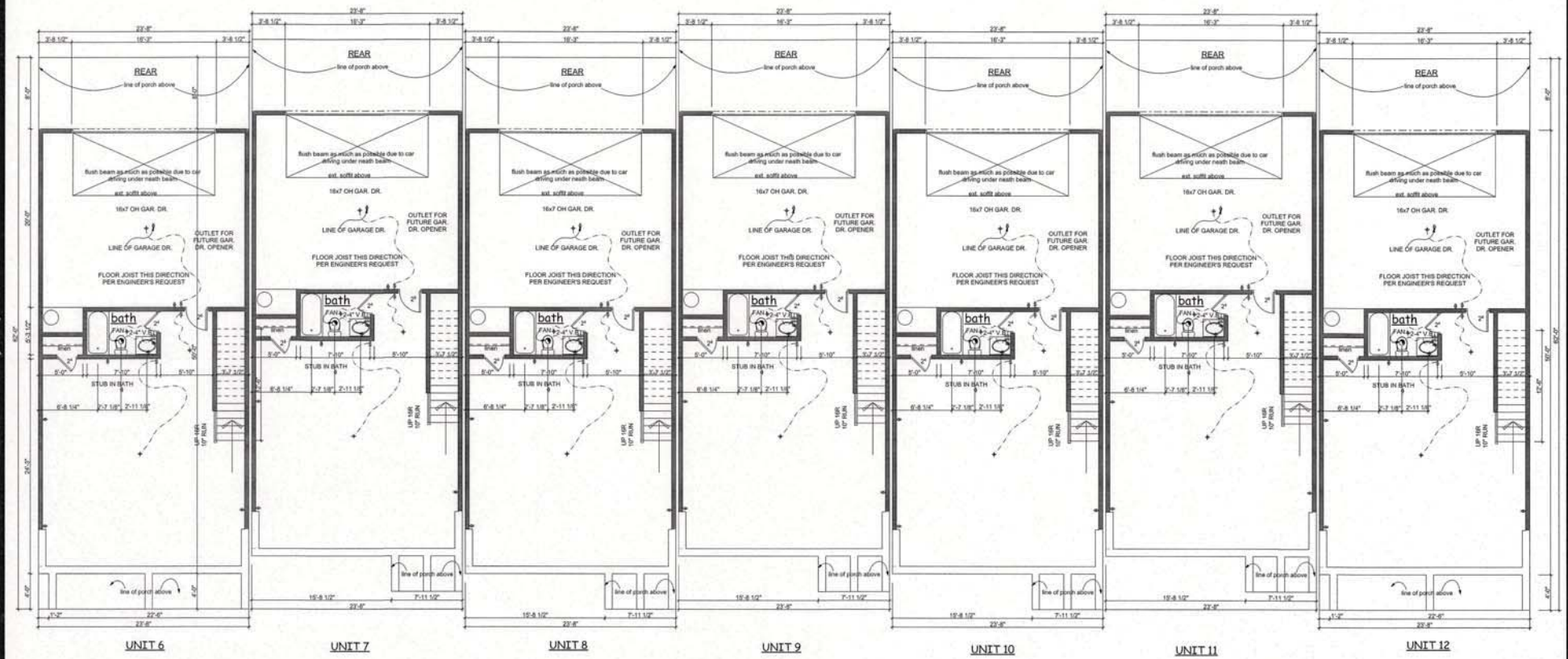
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255 ARCADE ROAD
7.1 UNIT ELEVATIONS

DWG. BY:
PWL/SAM

DATE:
4-20-16

HEET:



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 7

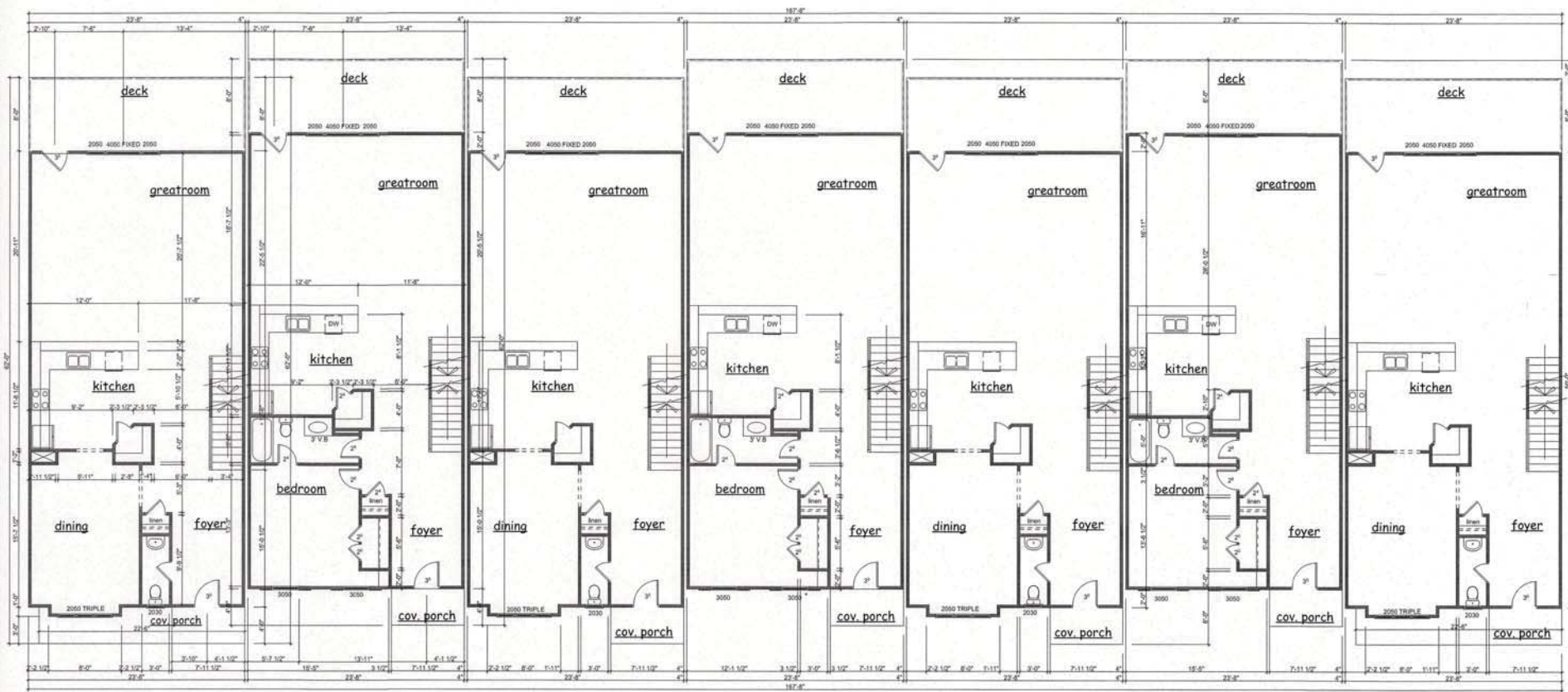
UNIT 8

UNIT 9

UNIT 10

UNIT 11

UNIT 12

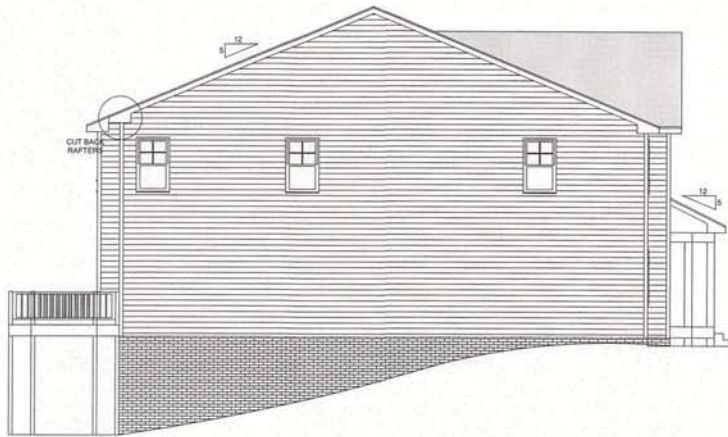




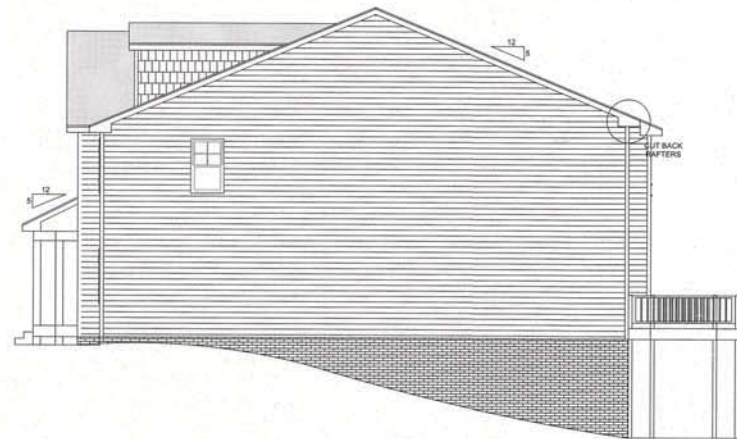
4.	REV.	DATE	ALL PLANS HAVE BEEN COPYRIGHTED © BY WE PLAN HOMES, LLC.	WE PLAN HOMES, LLC. TEL: 770-616-0741 WWW.WEPLANHOMES.COM	255 ARCADE ROAD	7-UNIT SECOND FLOOR	DWG. BY: PWL/SAM	DATE: 4-20-16	SHEET:



REAR ELEVATION
1/8"-----1'-0"

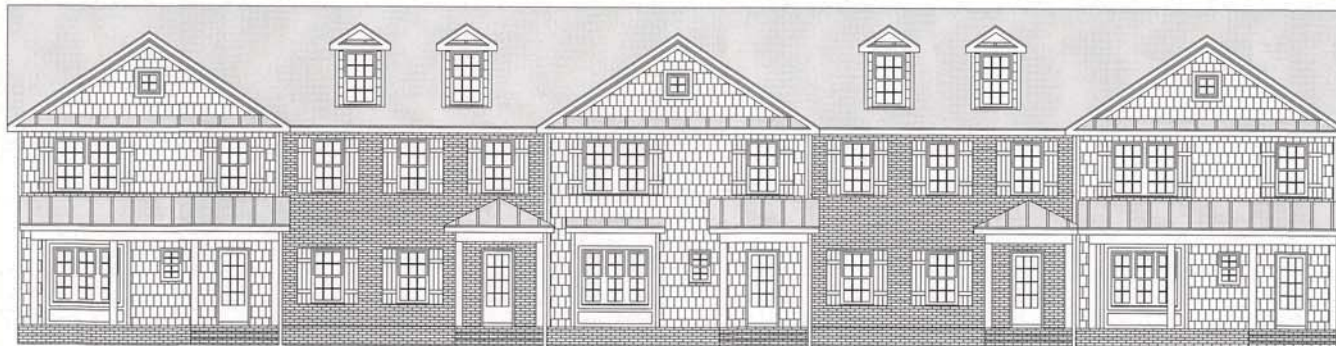


LEFT ELEVATION
1/8"-----1'-0"



RIGHT ELEVATION
1/8"-----1'-0"

FRONT ELEVATION
1/8"-----1'-0"



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

4.

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255 ARCADE ROAD
5-UNIT ELEVATIONS

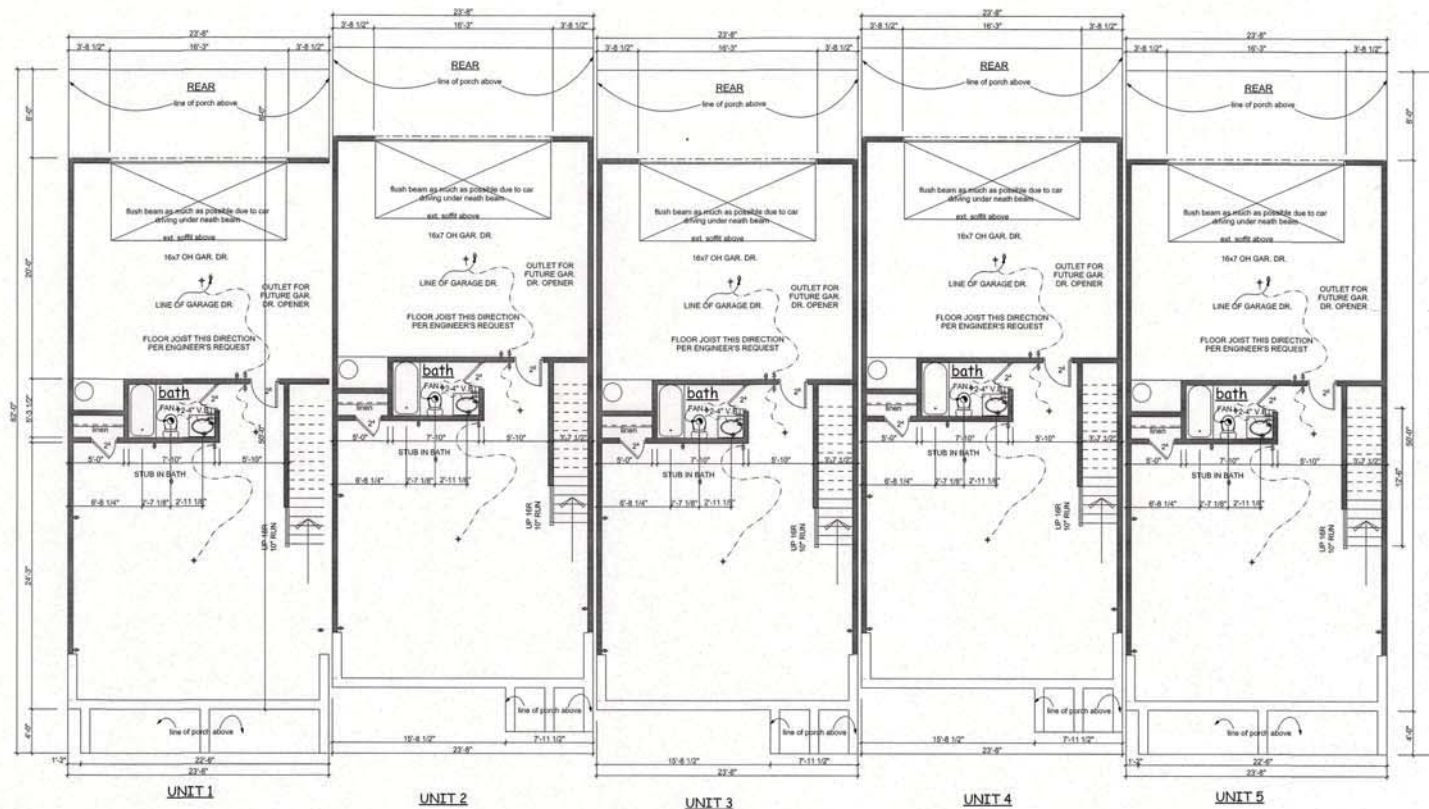
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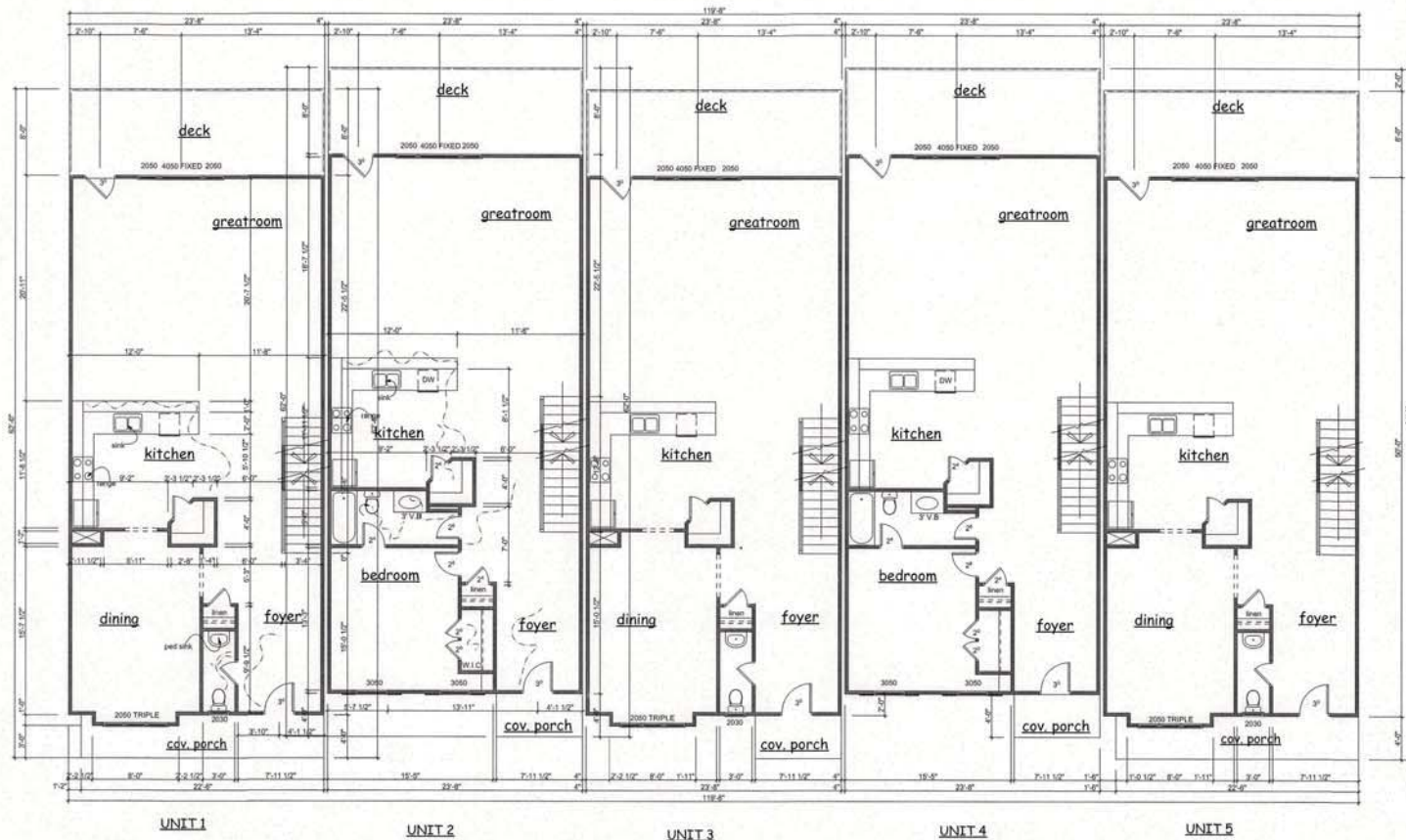
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5-UNIT B'MENT PLAN

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PWL/SAM

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255 ARCADE ROAD
5-UNIT FIRST FLOOR

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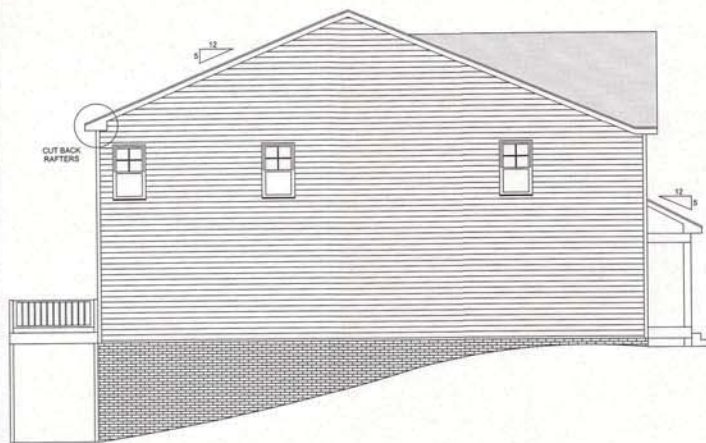
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4-20-16

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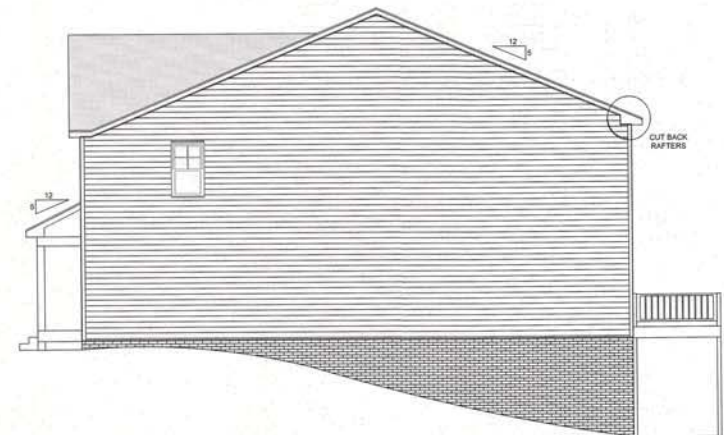




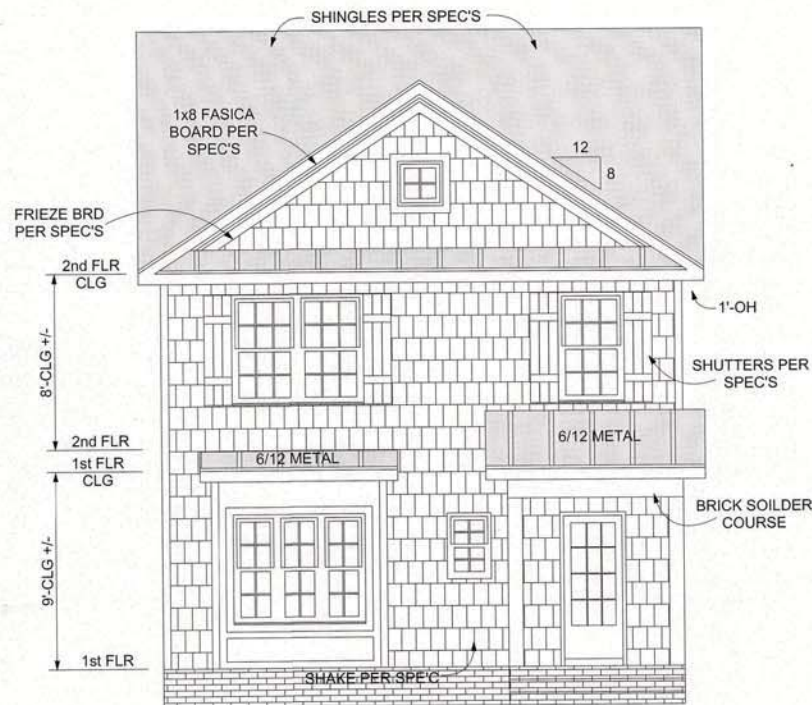
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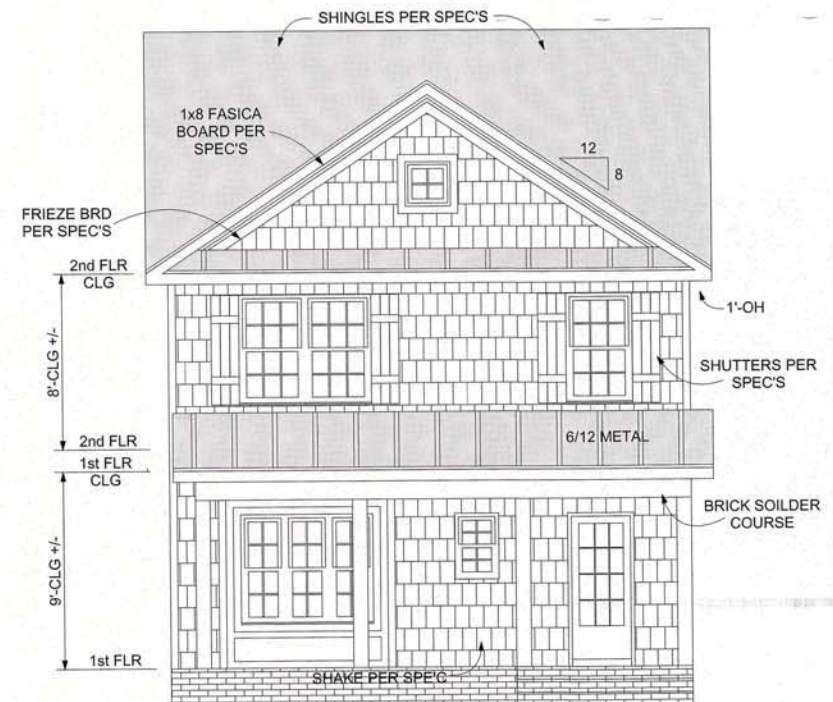
REAR ELEVATION
1/8"-----1'-0"



RIGHT ELEVATION
1/8"-----1'-0"



INNER UNIT ELEVATION



END UNIT ELEVATION

FRONT ELEVATION
1/4"-----1'-0"

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255 ARCADE ROAD

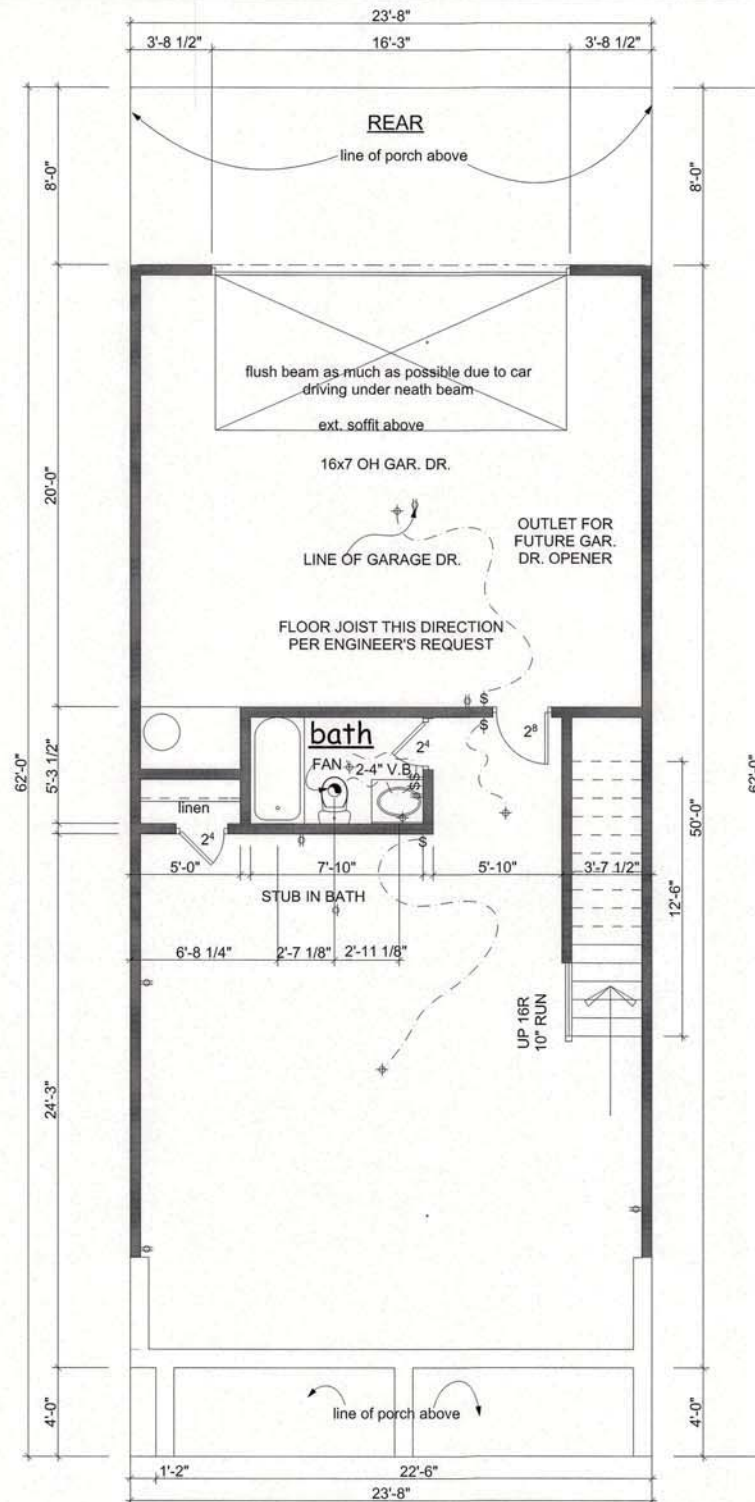
ELEVATIONS 'A'

DWG. BY:
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DATE:
4-20-16

SHEET:

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END UNIT BASEMENT

255 ARCADE ROAD
BASEMENT PLAN

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DATE:
4-20-16

SHEET:

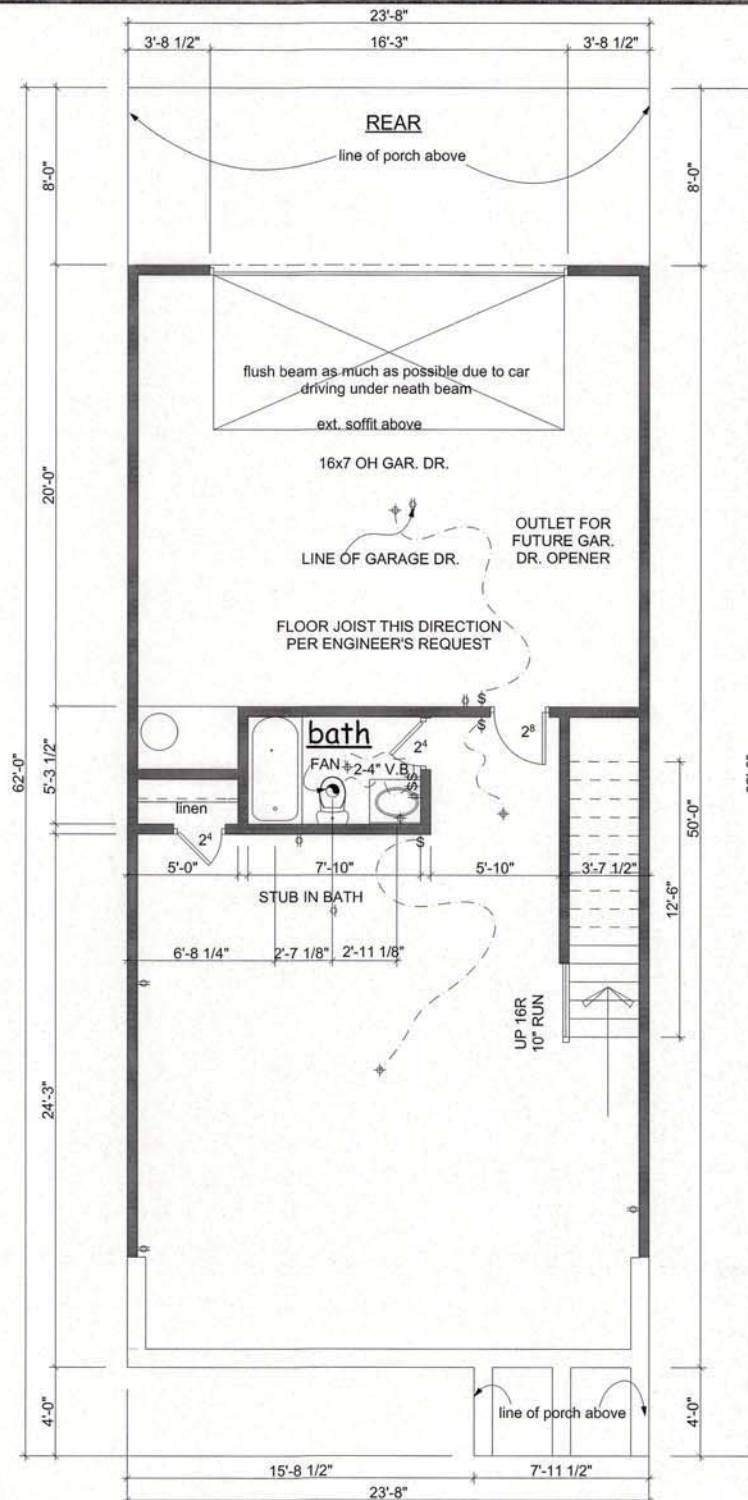
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INNER UNIT BASEMENT

255 ARCADE ROAD
BASEMENT PLAN

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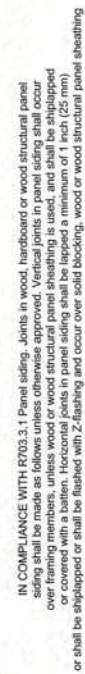
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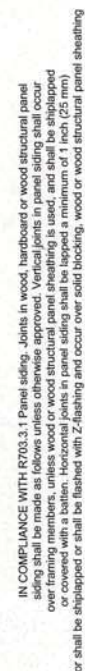
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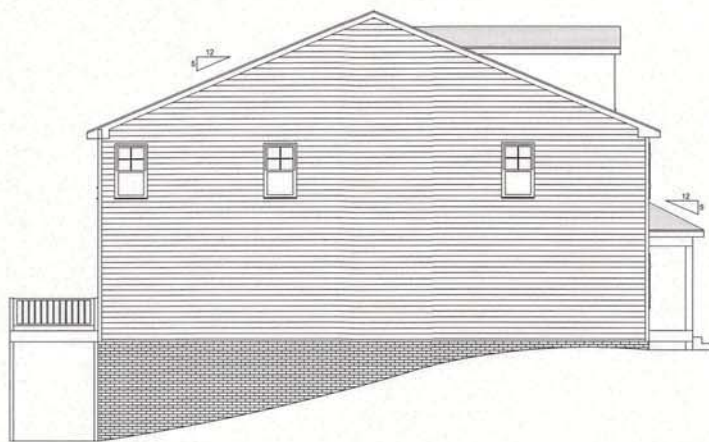
ELEVATION 'A'

DATE _____

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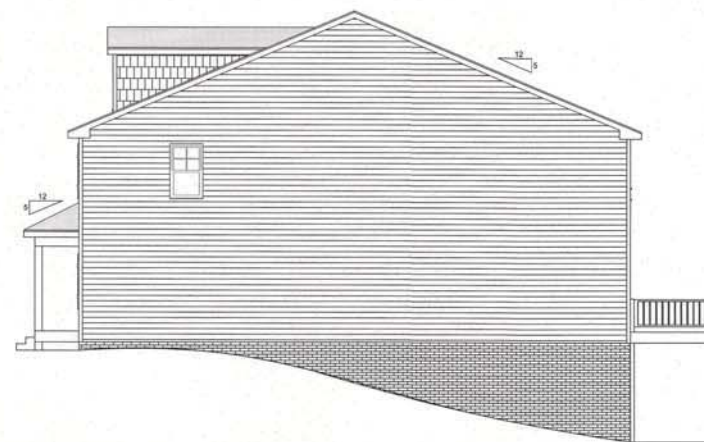
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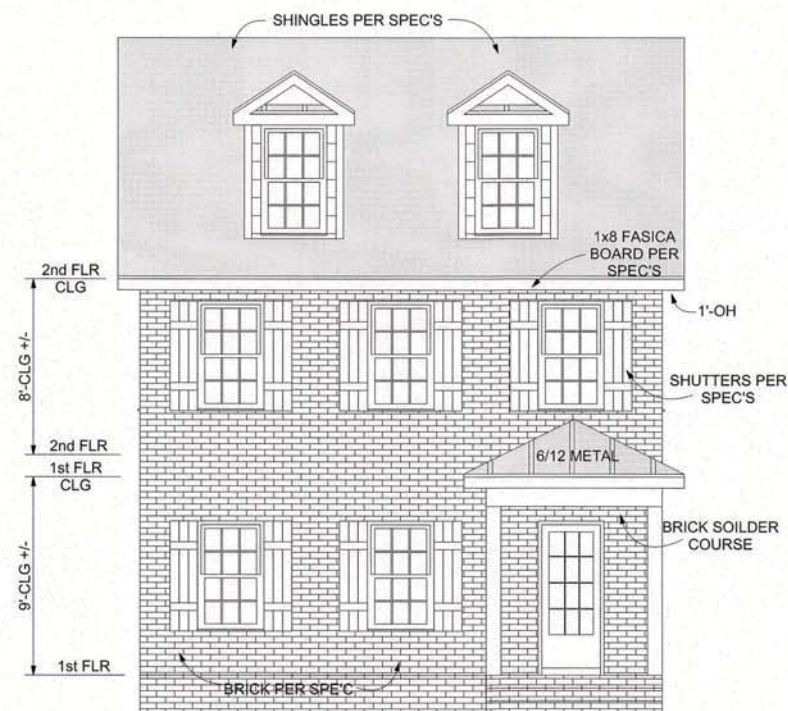
LEFT ELEVATION
1/8"-----1'-0"



REAR ELEVATION
1/8"-----1'-0"



RIGHT ELEVATION
1/8"-----1'-0"



FRONT ELEVATION
1/4"-----1'-0"

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255 ARCADE ROAD
ELEVATIONS 'B'

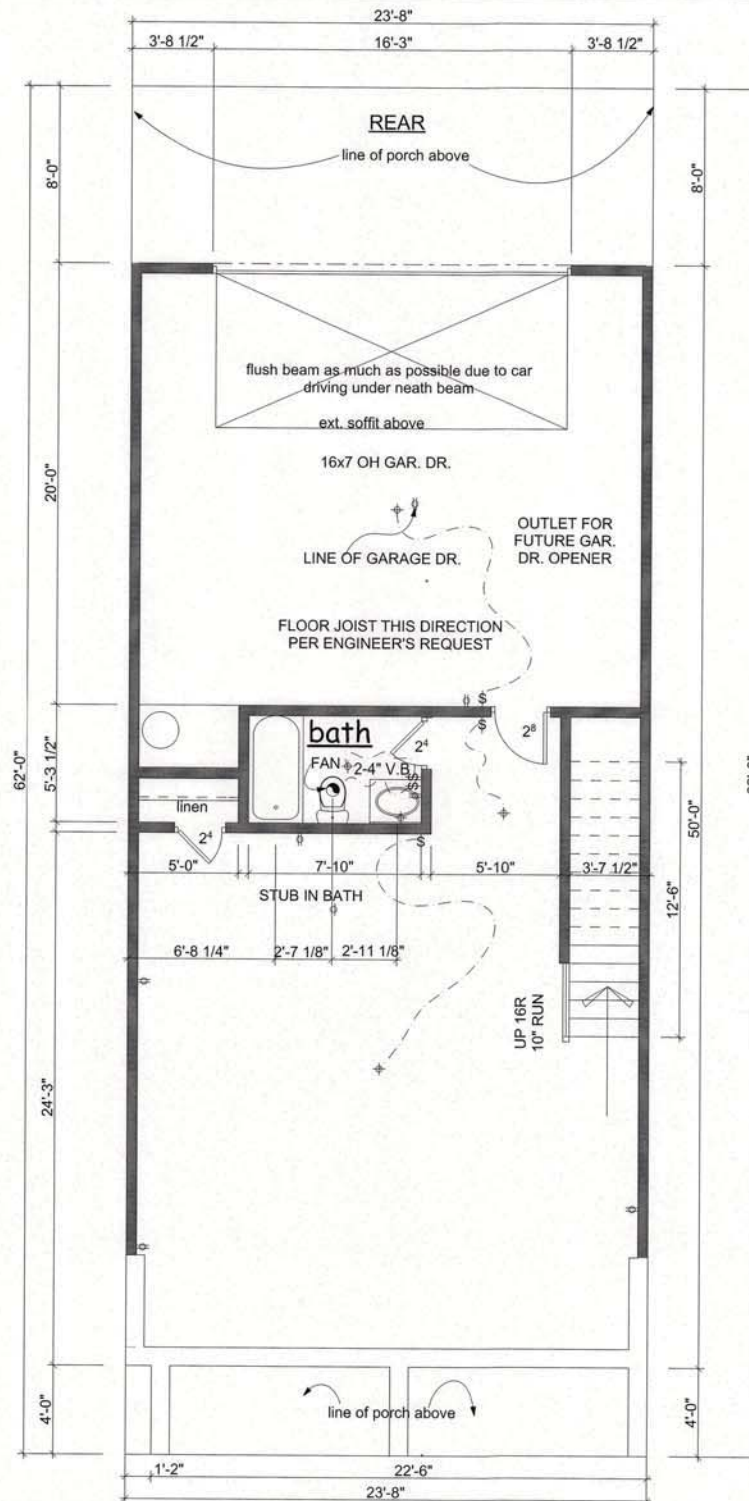
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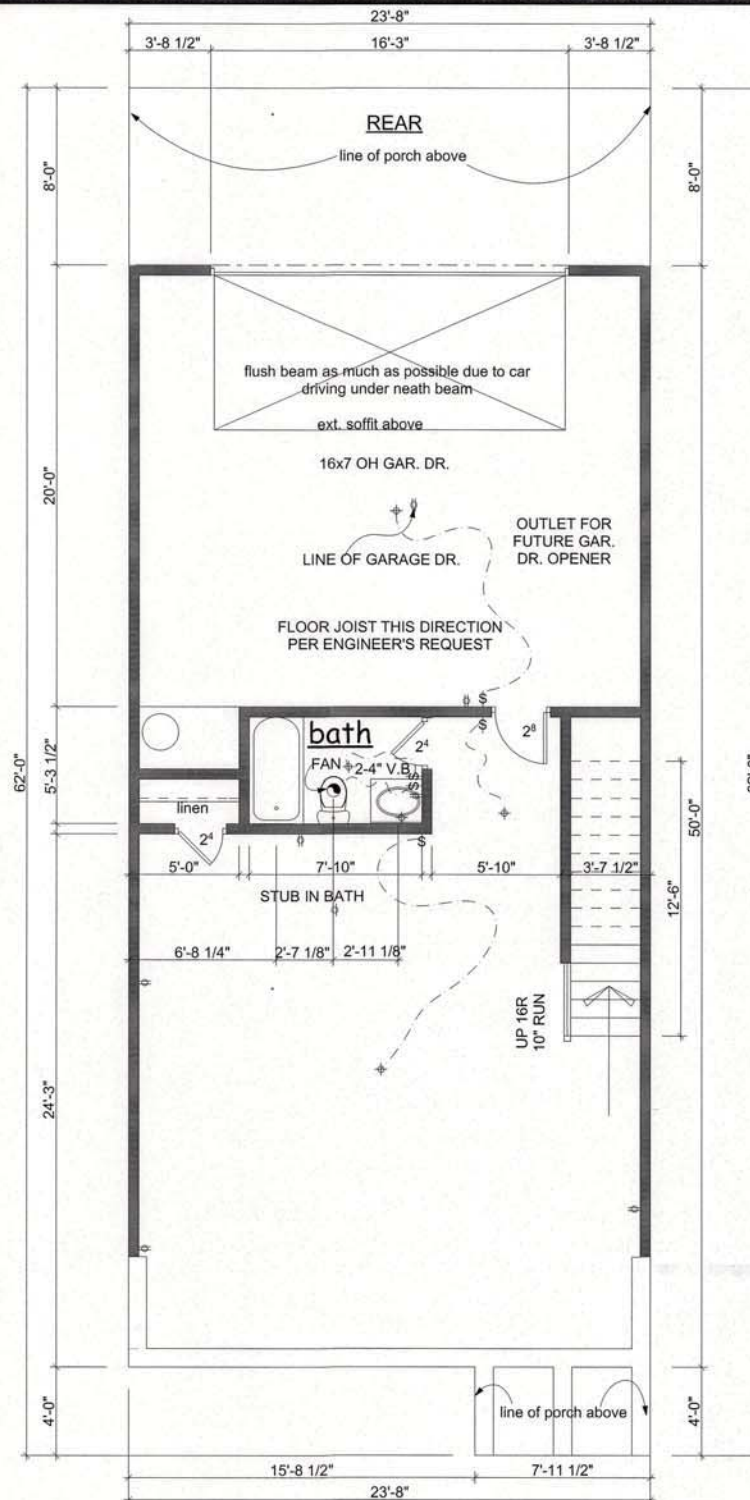
END UNIT BASEMENT

255 ARCADE ROAD
BASEMENT PLAN

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4-20-16

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INNER UNIT BASEMENT

255 ARCADE ROAD
BASEMENT PLAN

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BEDROOM PLAN

255 ARCADE ROAD
FIRST FLOOR

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4-20-16

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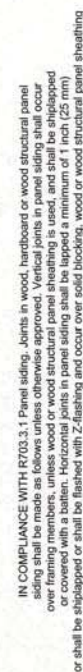
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255 ARCADE ROAD
SECOND FLOOR

DWG. BY:
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DATE: 4-20-16

SHEET:

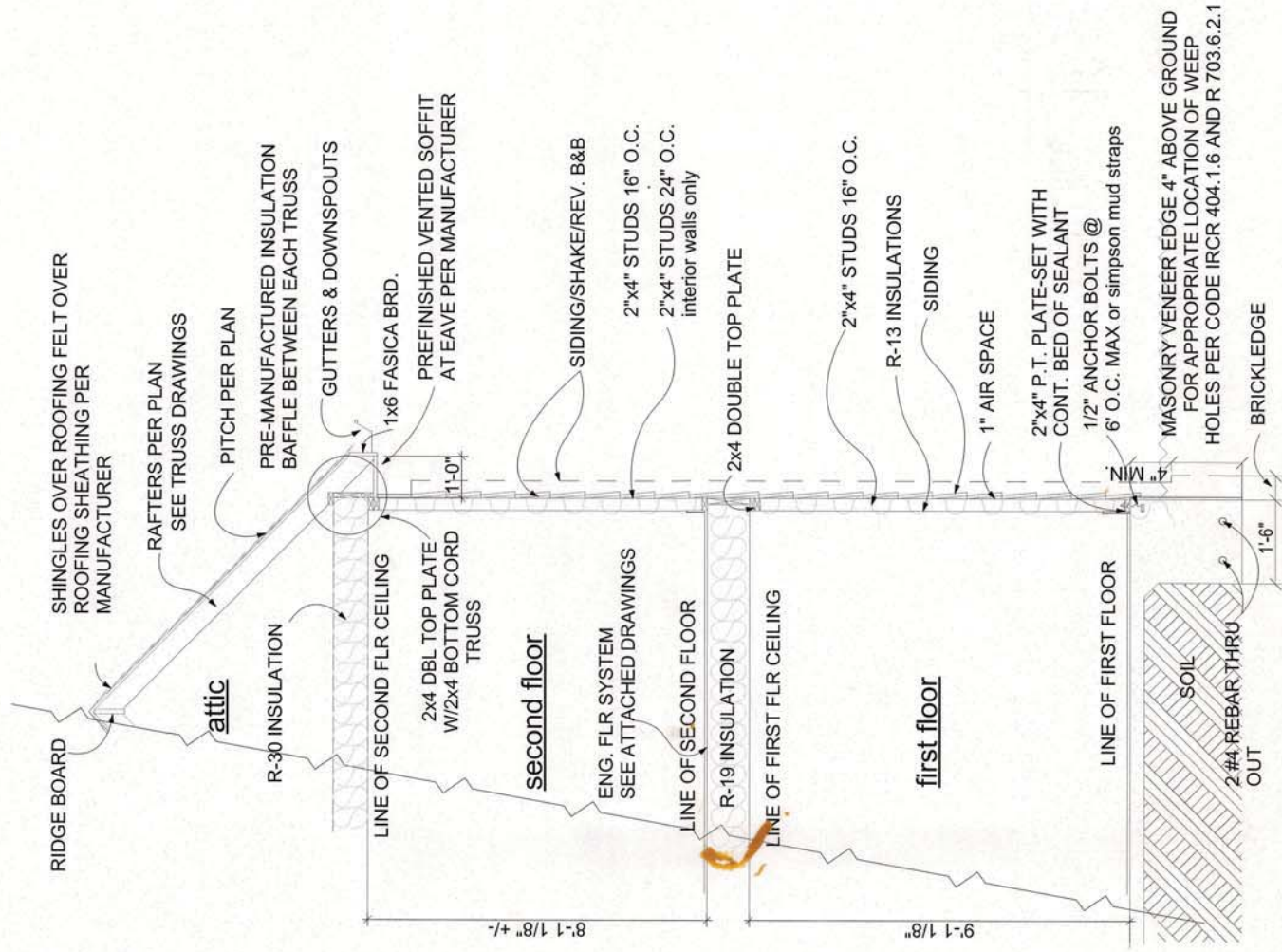
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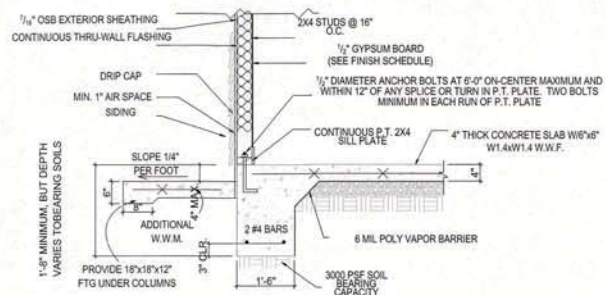


TYP. 2-STORY WALL SECTION

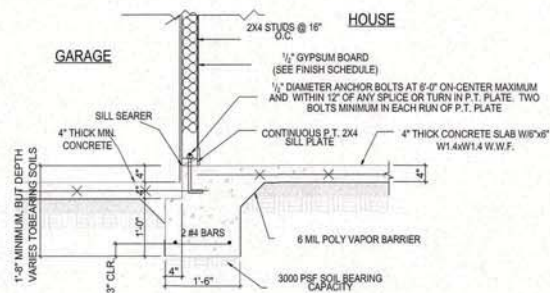
ON SLAB

1/2" --- 1'-0" SCALE 18"x24" PAPER

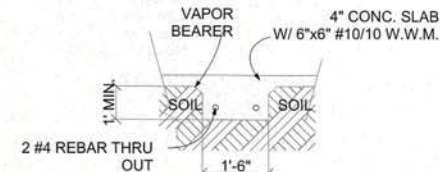
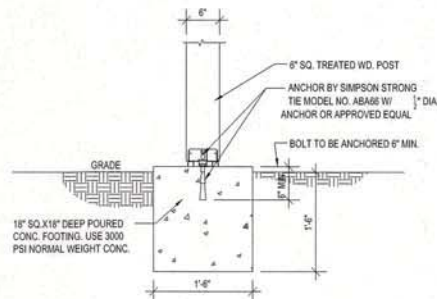
255 ARCADE ROAD		WE PLAN HOMES, LLC.		DATE	REV.	4.
WALL SECTION		ALL PLANS HAVE BEEN COPYRIGHTED © BY WE PLAN HOMES, LLC.				
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DATE: 4-20-16						
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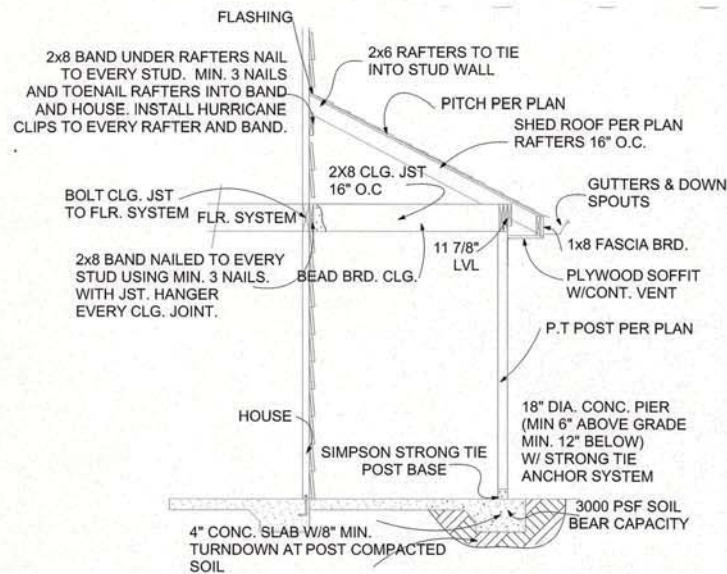
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TO MAIN HOUSE SIDING



GARAGE TO MAIN



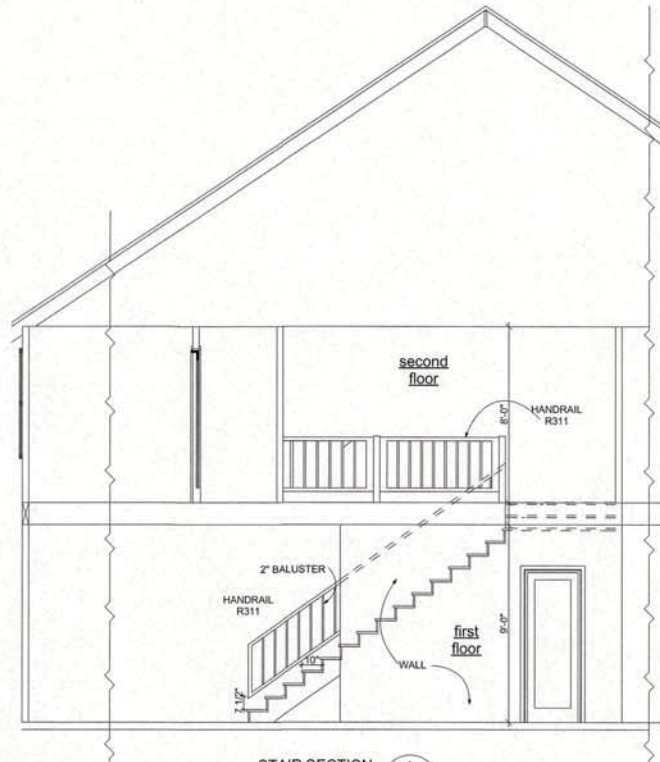
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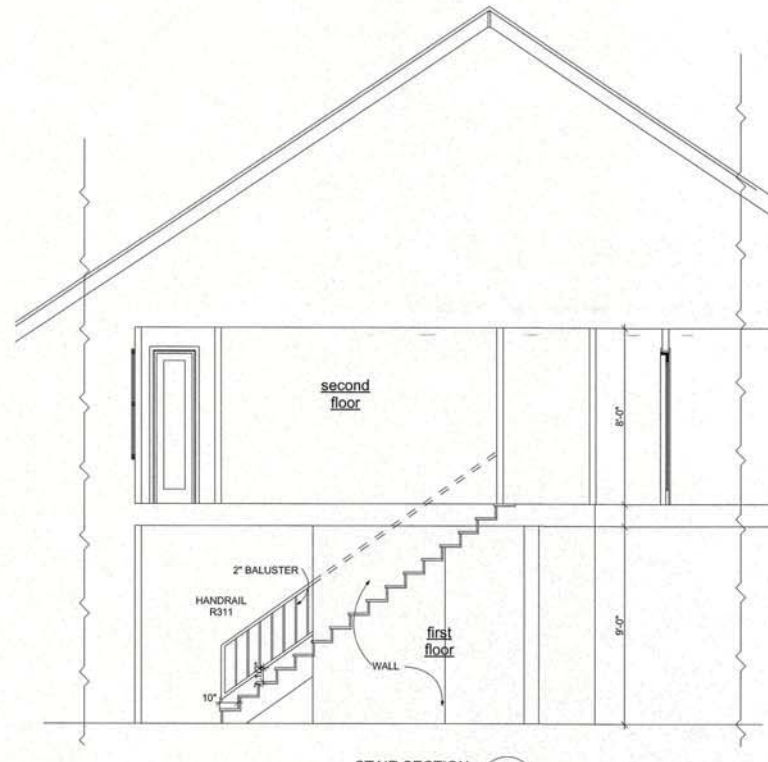
SHED ROOF
COVERED PORCH DETAIL SIDE

3/8" --- 1'-0" SCALE 18"x24" PAPER

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STAIR SECTION
LOT 16 & 18



STAIR SECTION
LOT 17

1/4"---1'-0" SCALE 18"x24" PAPER

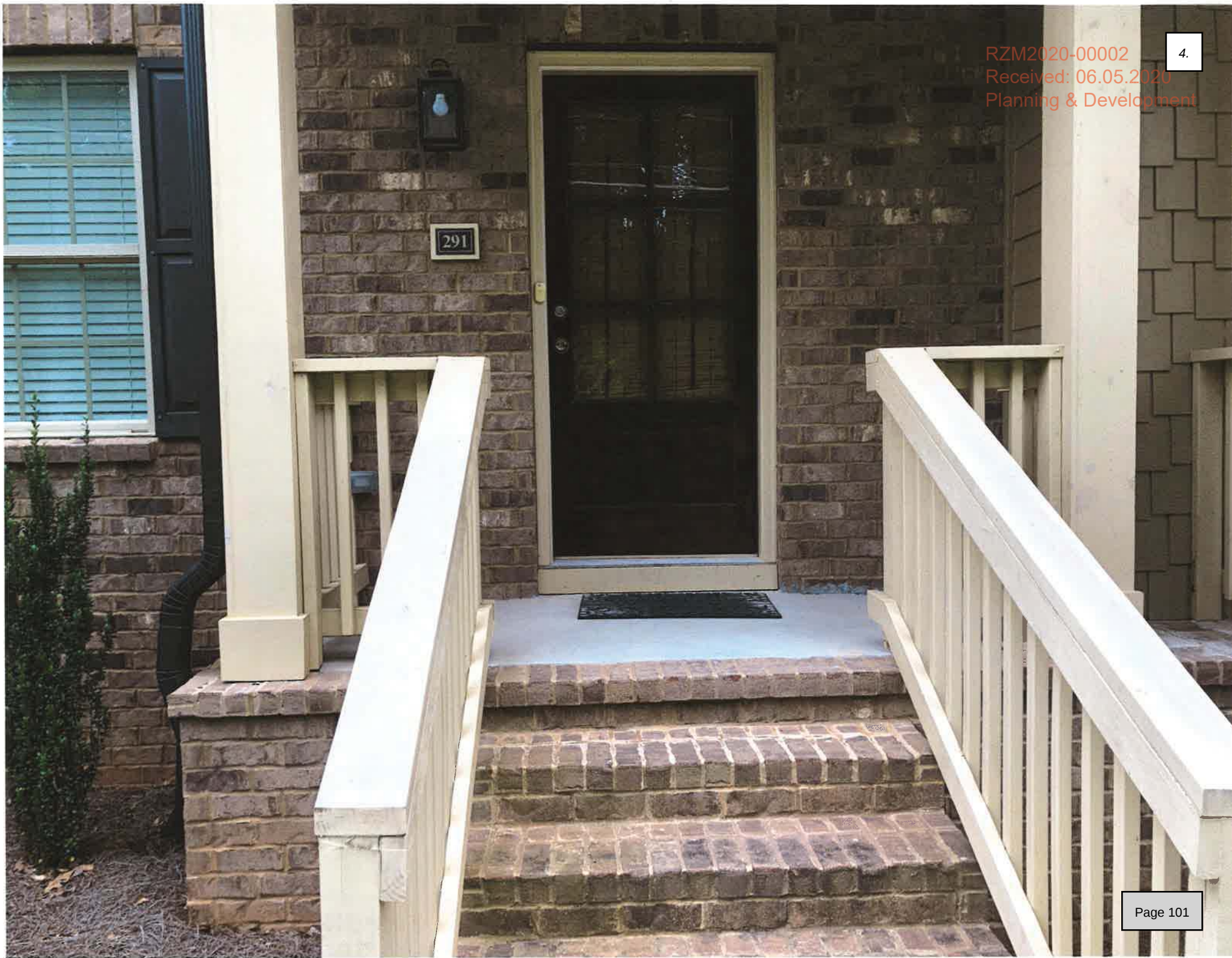
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STAIR SECTION		
DWG. BY: PWL/SAM		
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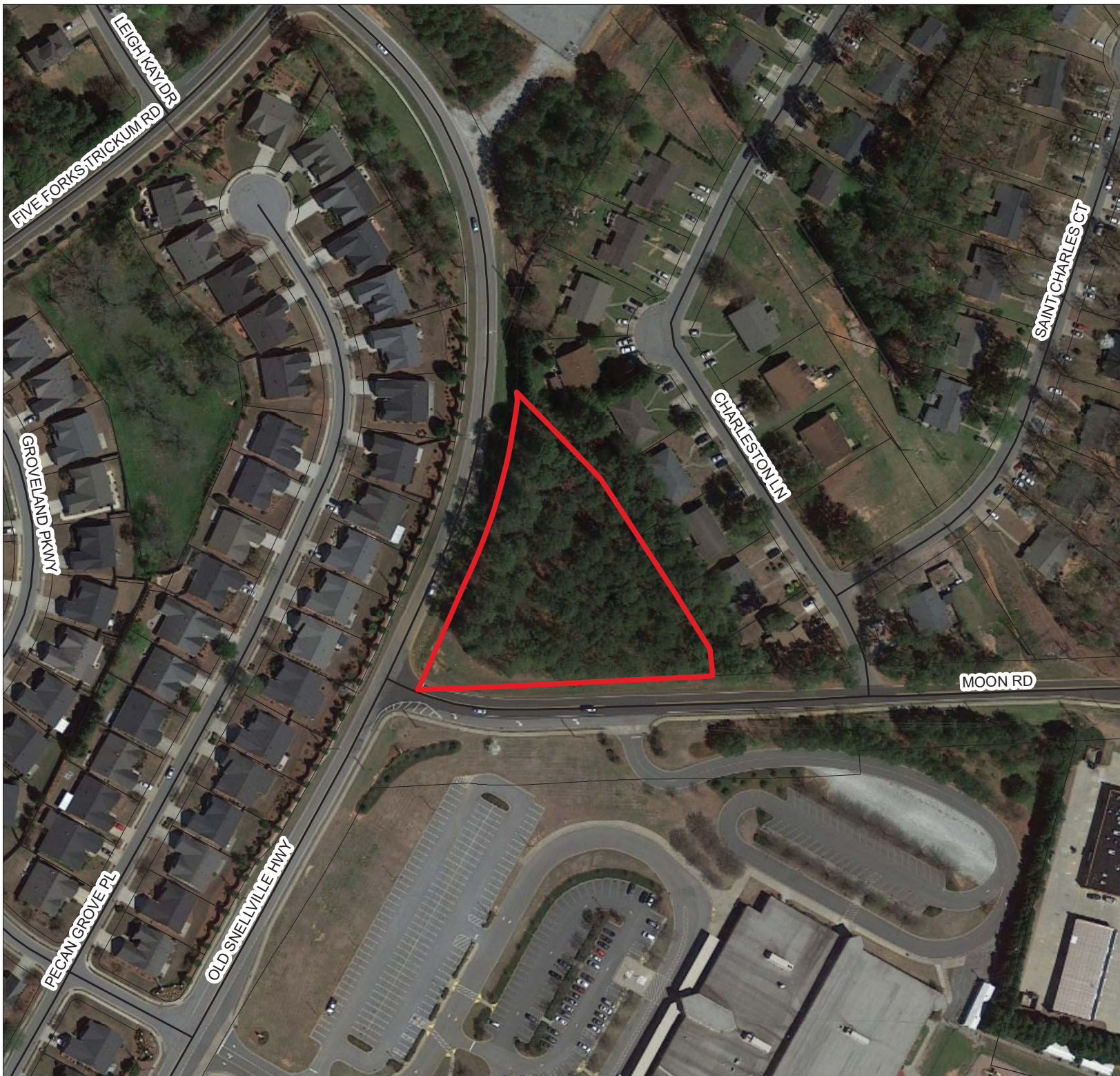








RZM2020-00002
Received: 06.05.2020
Planning & Development



The City of Lawrenceville
Planning & Development

Aerial Map and
Surrounding Area
File # RZM2020-00002

Applicant:
Ronny Kittle

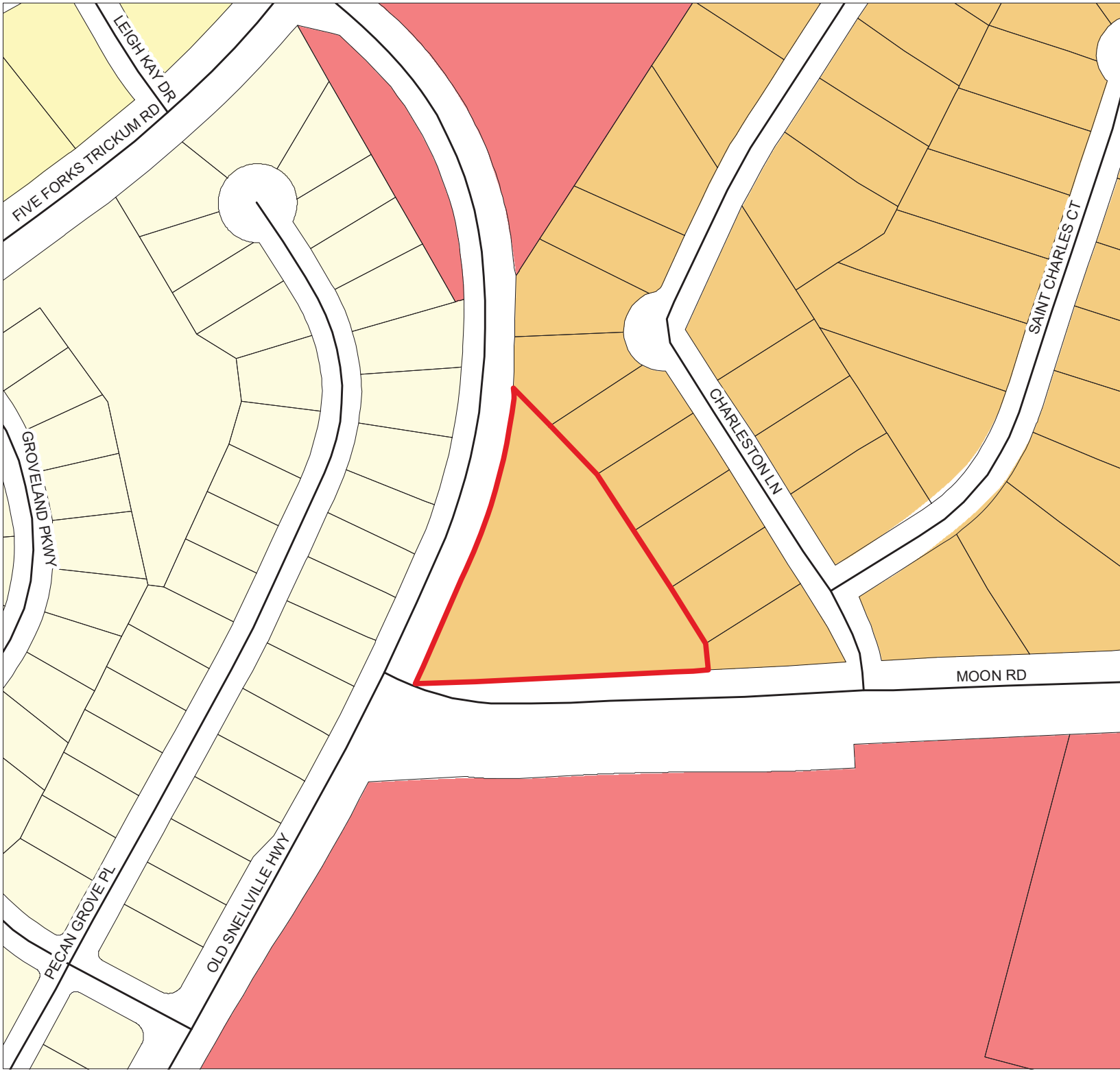
Legend

-  Subject Property
-  Roads
-  Parcels



0 37.5 75 150
|-----|-----|-----|-----|

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4.

The City of Lawrenceville
Planning & Development

Location Map and
Surrounding Zoning
File # RZM2020-00002

Applicant:
Ronny Kittle

Legend

- Subject Property
- Roads
- Parcels

ZONING

- BG General Business
- RM-12 General Residence
- RS150 Single-Family Residence
- RS60 Single-Family Residence

