



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION

AGENDA

Monday, November 11, 2019
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

Old Business

New Business

1. SUP2019-00021; German Auto Solutions; 125 Park Access Road
2. RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP-
Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation.

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: SUP2019-00021; German Auto Solutions; 125 Park Access Road

Department: Planning and Development

Date of Meeting: Monday, November 11, 2019

Applicant Request: Automobile Repair Shop and Accessory Outdoor Storage

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation:

Summary: The applicant is requesting a Special Use Permit to bring the site into current Zoning Ordinance compliance to allow the continuance of an automobile repair shop with accessory outdoor storage.

Attachments/Exhibits:

SUP2019-00021 Report
SUP2019-00021 Attachments

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

CASE NUMBER	SUP2019-00021
APPLICANT	GERMAN AUTO SOLUTIONS
CONTACT	VITALLY GLUSHCHAK
PHONE NUMBER	404.935.8571
ZONING CHANGE	-
LOCATION	125 PARK ACCESS DRIVE
PARCEL ID	R7011 089
ACREAGE	1.4
PROPOSED DEVELOPMENT	AUTOMOBILE REPAIR
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

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

PROJECT DATA:

The applicant is requesting a Special Use Permit for automobile repair and associated outdoor storage to be able to park customer vehicles overnight. The property is a 1.4-acre parcel and it is located along the southern right-of-way of Park Access Drive; south of Highway 316, east of Collins Hill Road. The property is currently developed with one building and associated driveways and parking.

The applicant is proposing to use the existing property, structure and associated parking with minimal changes to the site. The applicant specializes in the repair of German Sprinter Vans. Due to the volume of repairs, the applicant intends to utilize a portion of the existing parking lot for outdoor storage. Therefore, the applicant intends to construct a fence at the rear of the building on either side with gates for vehicle access and privacy. Based on the square footage of the building, 28 parking spaces are required. According to the survey provided by the applicant, there are currently 63 total parking spaces, two of which are reserved for handicap parking. Adding a fence to the rear of the building would potentially decrease parking spaces by four stalls; however, this change would provide an effective visual screen of the vans awaiting pickup and repair.

Nearby properties along Park Access Drive and Lyle Circle are developed with commercial and institutional uses. To the east is a BG zoned property, with an approved Special Use Permit (SU-16-11) allowing auto body repair. To the south is a BG zoned property, currently used as a multi-tenant commercial building. To the west are BG zoned properties used for civic, commercial/retail and institutional uses. Further to the southwest are various retail uses, which include the Lawrenceville Crossing shopping center. The variety of uses in the immediate area further supports this request.

The 2040 Comprehensive Plan and Future Development Map indicate the property lies within the College Corridor Character Area. The vision for the College Corridor character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown. The proposed request could be compatible with the intent of the 2040 Comprehensive Plan, which could be considered as an appropriate general commercial service to those wanting to live and work along the College Corridor.

In conclusion, the property has been used as an auto service center for several years and is adjacent to a property that has had a similar request approved. If properly conditioned, any adverse impacts may be mitigated, and the proposed fence could help mitigate any undesired aesthetic effects. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of this request.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

No comment.

WATER DEPARTMENT

No comment.

CODE ENFORCEMENT

In 2018, the subject property was cited for illegal overnight parking of a semi-trailer truck, trash, and a vacant/abandoned sign.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00021:

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

1. The property shall have a 15-foot wide landscape strip along the right-of-way fronting Park Access Drive except for ingress and egress in compliance with Article VIII of the Development Regulations and subject to review and approval by the Director of Planning and Development.
2. Parking in the front of the property shall be restricted to customer parking only. All vehicles in need of service or awaiting customer pickup overnight shall be kept in the sides and rear of the property screened from view from Park Access Drive by the installation of an 8-foot tall opaque fence at the front of the building. Fence placement and materials shall be subject to review and approval by the Director of Planning and Development.
3. All vehicles must be parked in striped designated spaces and all required access aisles must remain open.
4. Landscaping shall be utilized to soften the appearance of the fence subject to review and approval by the Director of Planning and Development.
5. Under no circumstances shall the owner or occupant of the property keep any junk, scrap, metal, rags, paper, abandoned, wrecked, or junked or scrap material or any parts thereof.
6. All loading and unloading of vehicles in need of service shall occur in the rear/screened portions of the property.
7. No work on vehicles is to be conducted outside.
8. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited.
9. Lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to shine directly into adjacent properties or right-of-ways.

10. Peddlers and/or any parking lot sales unrelated to the Special Use shall be prohibited.
11. Outdoor storage of any items and/or materials unrelated to the Special Use shall be prohibited.
12. Dumpsters shall be restricted to the rear of the property.
13. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
14. Sign twirling is prohibited on the property.
15. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.

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

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

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

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



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>GERMAN Auto Solutions</u>	NAME: <u>Von Unga Inc</u>
ADDRESS: <u>315 Buford Dr</u>	ADDRESS: <u>12945 SW 132nd St Unit 3</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Miami</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>FL</u> ZIP: <u>33186</u>
PHONE: <u>678-412-5448</u>	PHONE: <u>305-255-7438 305-6067881</u>
CONTACT PERSON: <u>Vitaliy Glushchak</u> PHONE: <u>404-935-8571</u>	
CONTACT'S E-MAIL: <u>germanautosolutions15@gmail.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
ZONING DISTRICT(S): <u>LM</u> ACREAGE: <u>1.4</u>	
PARCEL NUMBER(S): <u>R7001089</u>	
ADDRESS OF PROPERTY: <u>125 PARK Access Rd, Luille 30046</u>	
PROPOSED SPECIAL USE: <u>AUTOMOTIVE REPAIR</u>	

[Signature] 9/5/19
SIGNATURE OF APPLICANT DATE

Vitaliy Glushchak
TYPED OR PRINTED NAME

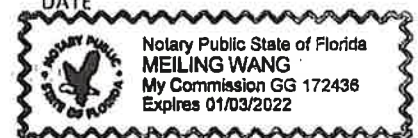
[Signature] 9/5/19
NOTARY PUBLIC DATE

09/28/20

[Signature] 9/5/19
SIGNATURE OF OWNER DATE

Christopher Hing
TYPED OR PRINTED NAME

[Signature] 9/5/19
NOTARY PUBLIC DATE





Richard Bowers & Co.

Real Estate



LETTER OF INTENT APPLICATION and FOR SPECIAL USE PERMIT

125 Park Access, Lawrenceville, GA 30046

Richard Bowers & Company submits this Letter of Intent and attached Rezoning and Special Use Permit Application on behalf of VON ULRIC, INC (the "Applicant") to request a Special Use Permit for the Applicants 1.4 Acre tract (the "Property") that faces North to Hwy 316, just East of Collins Hill Road and North of Hurricane Shoals.

The Property is immediately surrounded by BG Zoned properties with LM, HS 13 and undeveloped RS 150 Land. Graphic attached.

The Property is currently zoned BG but does allow Automotive Repair under Conditional Use with the approval of the Planning Commission and Mayor and City Council.

The Applicant would like to change the Conditional Use for a proposed Tenant / new Owner to move their existing German Sprinter Van Repair business from 315 Buford Drive to 125 Park Access Drive under a Special Use Permit to include Automotive Repair.

Applicant proposed to erect a Privacy Fence on either side of the building with operation entrance / exit gates for vehicle access and privacy. Sample Picture attached.

The Applicant and its representatives welcome the opportunity to further meet with staff or council to address any concerns, answer any questions relating to the matters set forth in the LOI.

We respectfully request you approval of this Application.

Submitted October 4, 2019

Richard Bowers & Company

Jeff McMullen

Applicants Broker



SUP 2019-00021



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BK 41510 PG 0206

EXHIBIT A

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 11 of the 7th District of Gwinnett County, City of Lawrenceville, Georgia and being more particularly described as follows:

BEGINNING at a ½ inch rebar found on the southeasterly right-of-way line of Park Access Drive (having a 60 foot right-of-way) located 211.13 feet northeasterly as measured along the southeasterly right-of-way line of last said road from the intersection formed by the southeasterly right-of-way line of last said road with the northeasterly right-of-way line of Collins Hill Road (having an 80 foot right-of-way); thence running northeasterly along the southerly right-of-way line of said Park Access Drive: North 36 degrees, 49 minutes and 57 seconds East for a distance of 64.53 feet to a point; thence 132.47 feet along an arc of a curve to the right having a radius of 220.00 feet, which arc is subtended by a chord bearing and distance of North 54 degrees, 15 minutes and 00 second East 130.48 feet to a point; thence North 71 degrees, 30 minutes and 00 second East for a distance of 28.47 feet to a ½ inch rebar found; thence leaving the southeasterly right-of-way line of last said road and running South 30 degrees, 37 minutes and 00 second East for a distance of 301.83 feet to a ½ inch rebar found; thence South 59 degrees, 23 minutes and 46 seconds West for a distance of 199.80 feet to a ½ inch rebar found; thence North 30 degrees, 37 minutes and 00 second West for a distance of 229.00 feet to a ½ inch rebar set; thence North 53 degrees, 10 minutes and 14 seconds West for a distance of 45.84 feet to the ½ inch rebar found located at the POINT OF BEGINNING, containing 61,097 square feet (1.4026 acres) of land and being improved property known as 125 Park Access Drive according to the present system of numbering in Gwinnett County, City of Lawrenceville, Georgia.

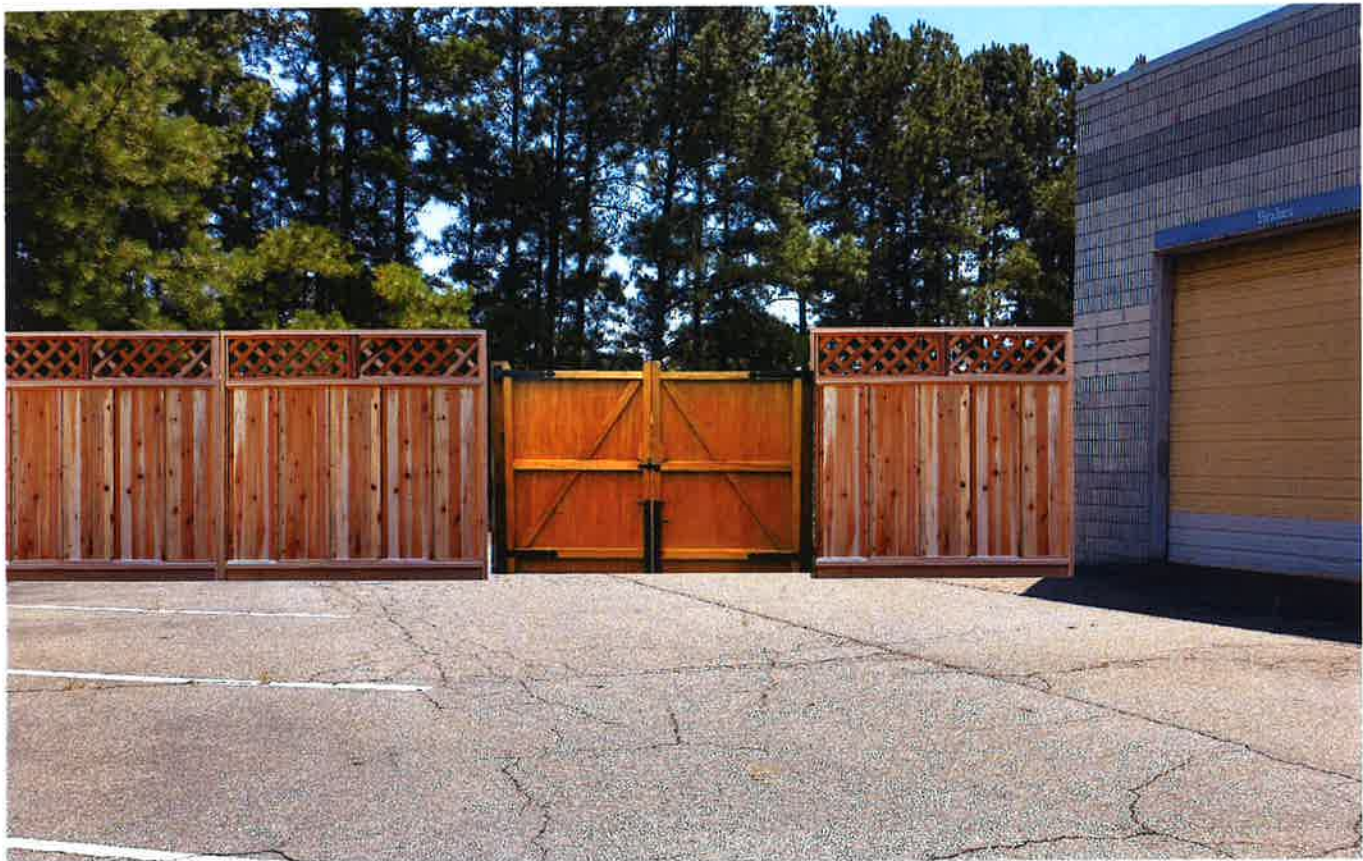
ALL AS SHOWN on that certain survey entitled "ALTA/ACSM Land Title Survey for Pavilion NTB-Lawrenceville, LLC; Fidelity National Title Insurance Company; First Charter Bank, its Successors and Assigns; NTW Incorporated; and Schwarzberg & Associates," dated September 24, 2004, which survey is incorporated herein by reference and made a part hereof.

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SUP 2019-00021

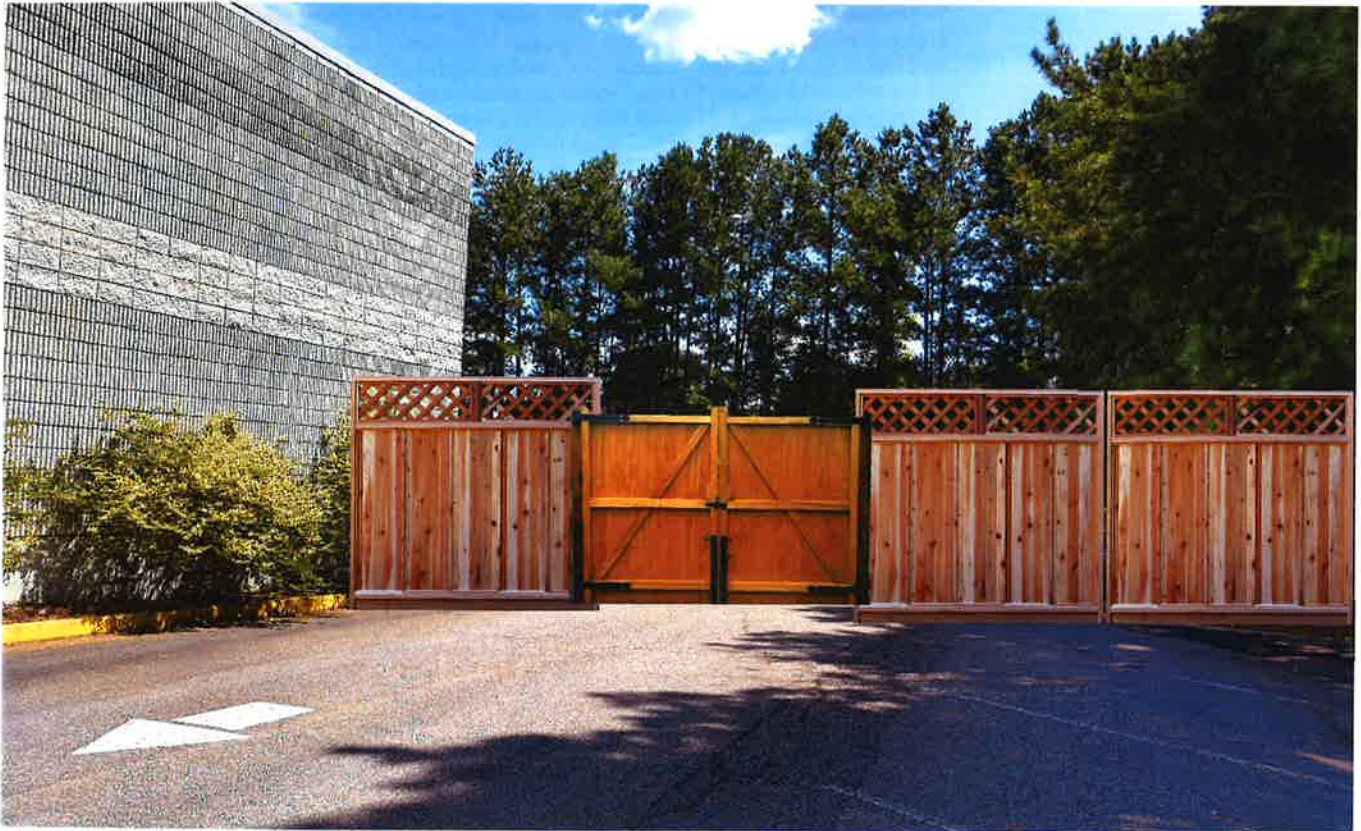


125 Park Access Dr, Lawrenceville, GA 30346





125 Park Access Dr, Lawrenceville, GA 30346





*The City of Lawrenceville
Planning & Development*

**Aerial Map and
Surrounding Area
File # SUP2019-00021**

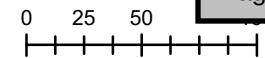
**Applicant:
German Auto Solutions**

Address: 125 Park Access Dr.

Legend

-  Subject Property
 -  Roads
 -  Parcels
- N
W E

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*The City of Lawrenceville
Planning & Development*

**Location Map and
Surrounding Zoning
File # SUP2019-00021**

**Applicant:
German Auto Solutions**

Address: 125 Park Access Dr.

Legend

 Subject Property

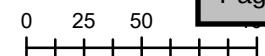
 BG

 HSB

 Roads



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SR316E CD RD

SR316E CD ON RP-COLLINS HILL RAMP

PARK ACCESS DR

COLLINS HILL RD

LYLE CIR



LAWRENCEVILLE

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AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation.

Department: Planning and Development

Date of Meeting: Wednesday, November 20, 2019

Applicant Request: Rezoning from C2 and RTH to BG with Special Use Permit to allow a high-rise development

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Table to the December 9, 2019 Planning Commission meeting

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

Attachments/Exhibits:

RZC2019-00010 & SUP2019-00022 Report
RZC2019-00010 & SUP2019-00022 Attachments

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

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

ZONING HISTORY:

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

PROJECT DATA:

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

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

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

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

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

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2019-00010

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

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

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

2. To abide by the following site development considerations:

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

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00022:

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

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

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

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

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

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



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

NOTARY PUBLIC

DATE



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LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

SIGNATURE OF OWNER DATE

William J. Martin
TYPED OR PRINTED NAME

Amanda Masley 10/3/19
NOTARY PUBLIC DATE

Amanda Masley 10/3/19
NOTARY PUBLIC DATE



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Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

BILL MARTIN, AS REGISTERED AGENT
TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

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Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

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Bill Martin, AS EXECUTOR
TYPED OR PRINTED NAME

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Shane M. Lanham, Attorney

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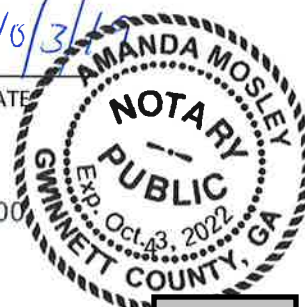
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Amanda Mosley 10/3/19



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Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

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Samuel A. Martin III 03 OCT 19

SIGNATURE OF OWNER

DATE

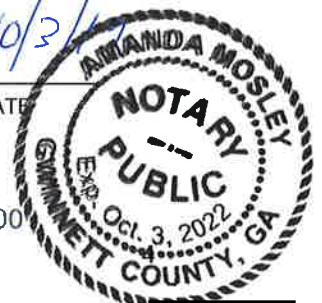
SAMUEL A. MARTIN III

TYPED OR PRINTED NAME

Amanda Mosley 10/3/19

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DATE



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LAWRENCEVILLE

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SPECIAL USE PERMIT APPLICATION

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CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
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PROPOSED SPECIAL USE: <u>High-Rise Development</u>	

SIGNATURE OF APPLICANT

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Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

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Shane M. Lanham, Attorney

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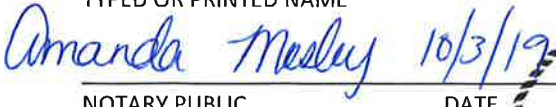
NOTARY PUBLIC DATE

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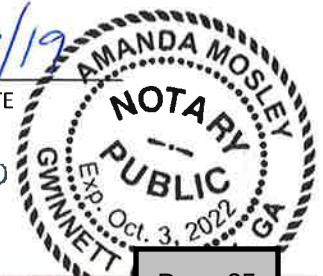
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William J. MARTIN

TYPED OR PRINTED NAME

 10/3/19

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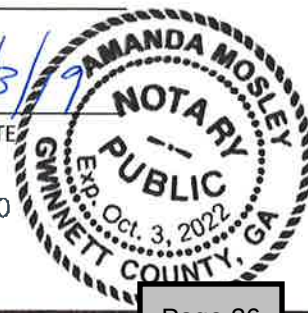
SAMUEL A. MARTIN III

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Shane M. Lanham, Attorney

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DILL MORTON, AS EXECUTOR

TYPED OR PRINTED NAME

Amanda Mosley 10/3/19

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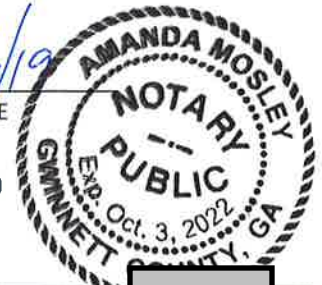
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TYPED OR PRINTED NAME

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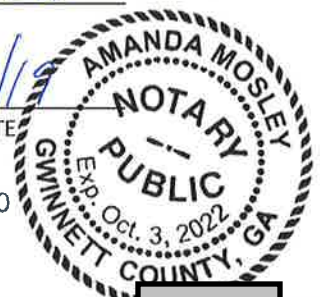
Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

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Blair Martin, AZ REGISTERED AGENT
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE



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PROPERTY OWNER LIST

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

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

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

*Of Counsel

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

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

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

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

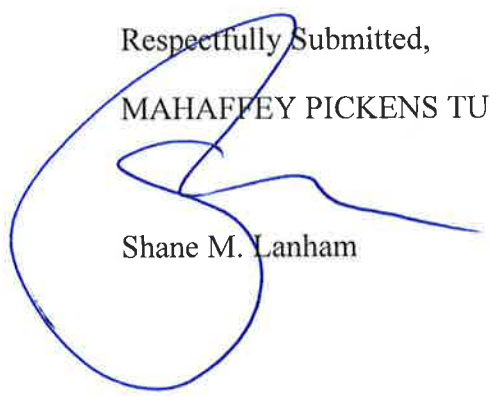
The Applicant and its representatives welcome the opportunity to meet with staff of the City of Lawrenceville Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully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

This 4th day of October, 2019.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham



Legal Description

Tract 1

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

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

Legal Description

Tract 2

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

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

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

NOTES:

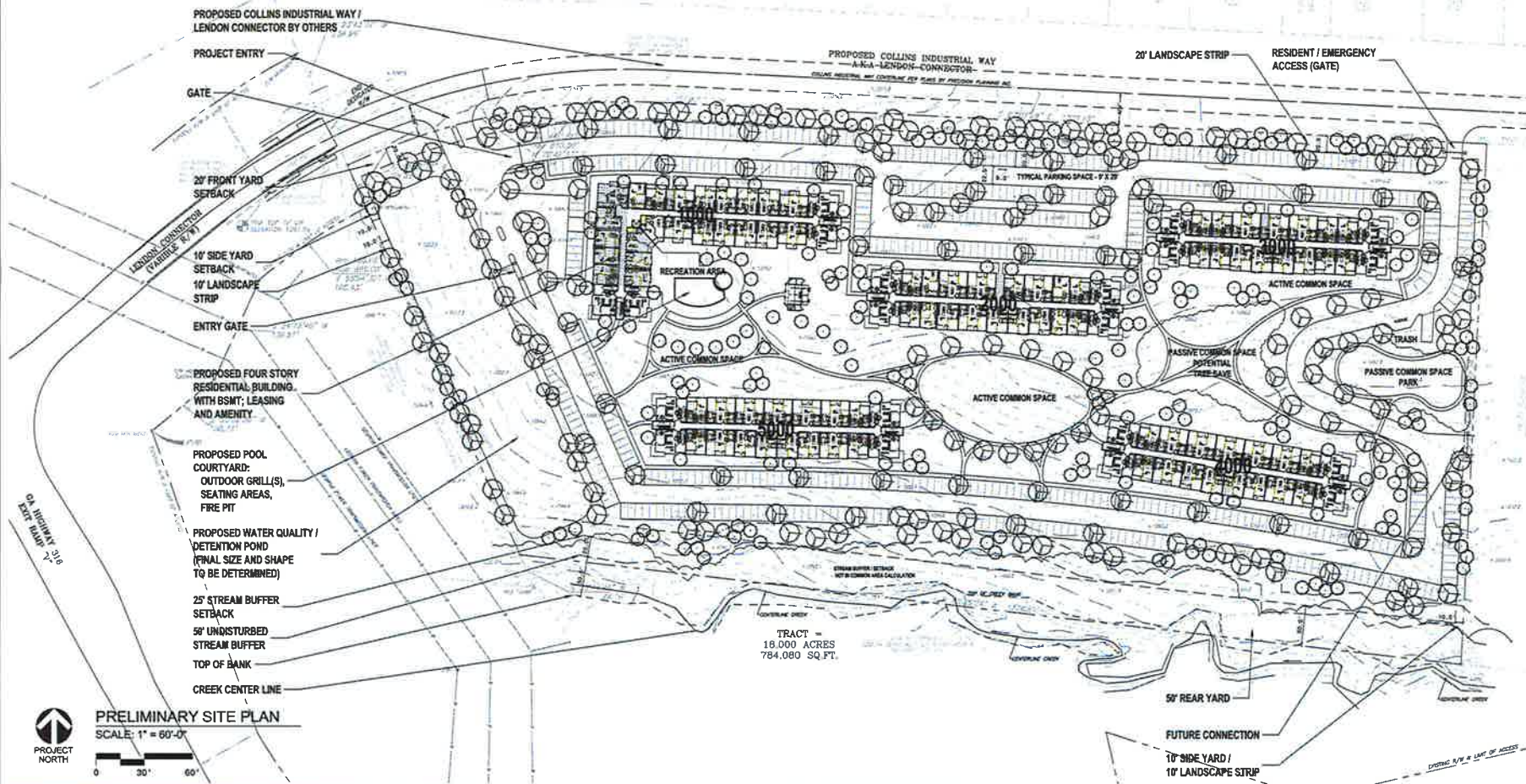
1. PROPERTY TO BE ANNEXED FROM GWINNETT COUNTY TO THE CITY OF LAWRENCEVILLE.
2. ZONING TO BE DETERMINED WITH SPECIAL USE APPLICATION.
3. ALL CALCULATIONS ARE APPROXIMATE AND BASED ON THIS PRELIMINARY SITE PLAN.
4. ALL BUILDINGS ARE 3 STORY W/ BASEMENT.
5. LANDSCAPE / HARDSCAPE SHOWN IS CONCEPTUAL: DESIGN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

SITE DATA

design standard	provided	notes
Site Area	18.0 ac	784,084 SF
No. Units	363 units	
	studio / 1 bedroom units	208 units
	2 bedroom units	153 units
Parking	514 sp	1.47 sp/du 1sp/bedroom
Density (sp)	22.03 du/ac	
Building Coverage	278,079 SF	35%
Total Building Area	335,088 SF	
	residential	327,988 SF
	loading, club room, fitness, etc.	7,100 SF
Fr. Setback	25'	
Side Setback	10'	
Rear Setback	50'	
Bldg Height	55'	from curb at front of bldg to main peak of roof on same side of 3 story w/ basement bldg
Stream Buffer	50'	undisturbed
Stream Buffer Setback	25'	disturbed / revegetated
Total Common Area	157,800 SF	common area calculations are approximate, based on the conceptual plan. Does not include stream buffers or detention area.
	passive (tree cover)	30,800 SF
	active	113,200 SF
	recreation area	13,800 SF



Vicinity Map (NTS)



Developer Contact:
Ruri Alexander
The Residential Group
7100 Peachtree University Rd NE
Atlanta, GA 30328
678-444-1544

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

RESIDENTIAL
GROUP

studio
ARCHITECTS

DATE: 10/3/2019

FILE: 19-154

DATE: 10/3/2019

PRELIMINARY
SITE PLAN

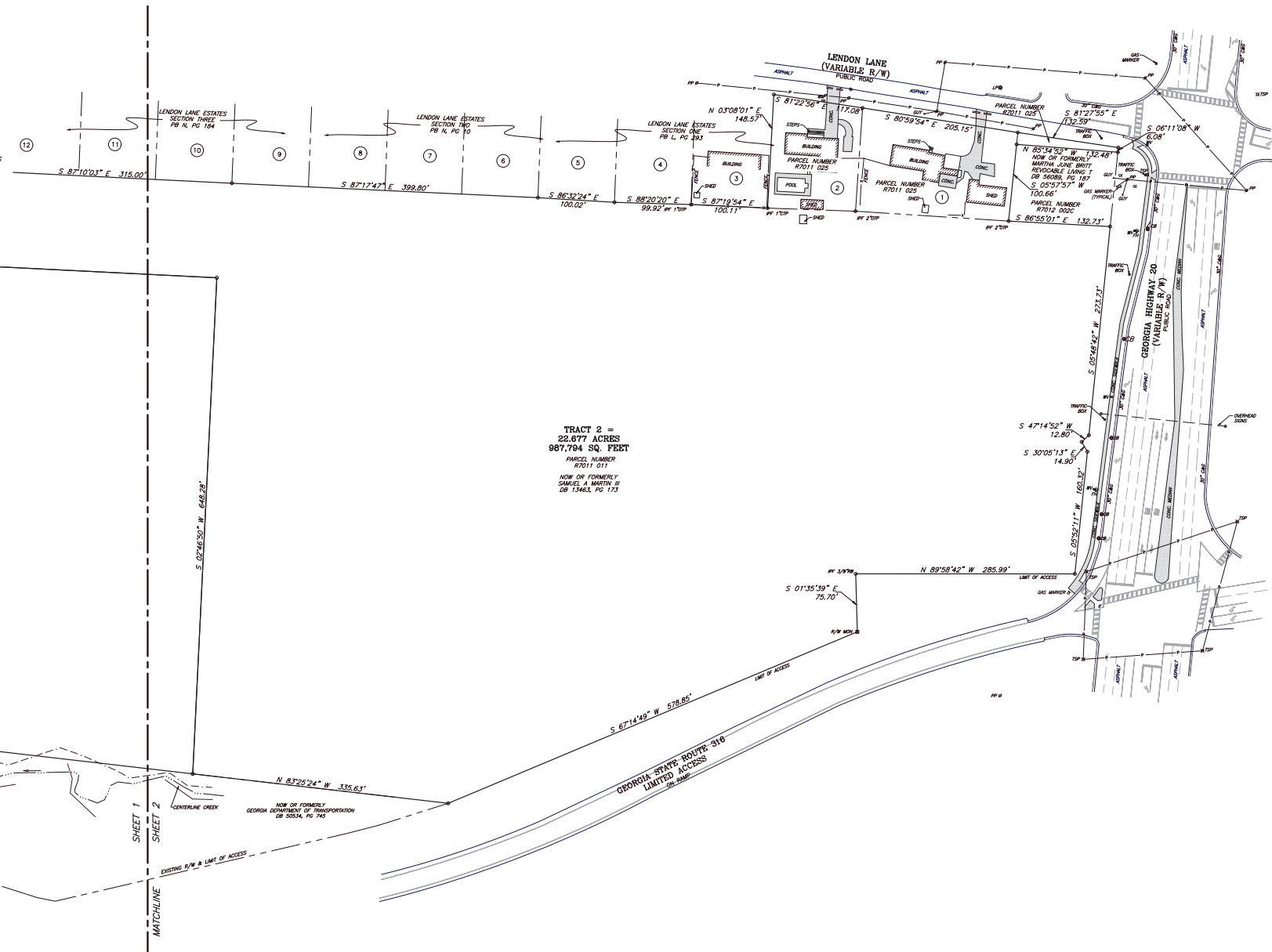
DATE: 10/3/2019

STATUS: 19-154

PROJECT NO: 19-154

DATE: 10/3/2019

psp.01





The City of Lawrenceville
Planning & Development

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

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

**Address: Buford Drive and
University Parkway**

Legend

-  Subject Properties
-  Roads



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

**Address: Buford Drive and
University Parkway**

Legend

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



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