



LAWRENCEVILLE

GEORGIA

CITY COUNCIL WORK SESSION AGENDA

Wednesday, June 05, 2024
5:00 PM

Council Chambers
70 S. Clayton St, GA 30046

Call to Order

Prayer

Pledge of Allegiance

Agenda Additions / Deletions

Discussion of General City Business

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

- [1.](#) RZC2024-00054; Stacy Patterson; 194 Gwinnett Drive
- [2.](#) SUP2024-00086; Juanita Wade; 3130 Sugarloaf Parkway
- [3.](#) SUP2024-00089; W. Charles Ross Esq.; 381 Industrial Park Drive
- [4.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 1; Districts
- [5.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 6; Architectural and Design Standards
- [6.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions
- [7.](#) An Ordinance to Amend Article 11, Inactive Zoning Districts, of the Zoning Ordinance
- [8.](#) Purchase of Transformers
- [9.](#) Microsoft Enterprise Agreement Renewal (year 3)
- [10.](#) On-Call Electrical Services on an Annual Contract Change Order 1
- [11.](#) Approval of Worker's Comp Insurance Excess Coverage

- [12.](#) Discussion to Amend Chapter 8 of the Code of the City of Lawrenceville to update provisions related to Animals
- [13.](#) Discussion to Amend Chapter 20 of the Code of the City of Lawrenceville to update provisions related to environment and for other purposes
- [14.](#) Discussion to Amend Chapter 12 of the Code of Lawrenceville to update provisions related to Massage Therapy Regulatory Fee
- [15.](#) Consideration of a Resolution to Amend the City's 401(a) retirement plan to exclude grant funded positions

Executive Session - Personnel, Litigation, Real Estate

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 05, 2024
AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item: RZC2024-00054; Stacy Patterson; 194 Gwinnett Drive

Department: Planning and Development

Date of Meeting: Wednesday, June 5, 2024

Applicant Request: Rezone subject property from split BG (General Business District) / RM-12 (Multifamily Residential District) to BG (General Business District)

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Approval with Conditions**

Planning Commission Recommendation: **To be provided at meeting**

Summary: The applicant requests a rezoning for 194 Gwinnett Drive from split BG (General Business District) / RM-12 (Multifamily Residential District) to BG (General Business District) to allow for a retail establishment at the location. The subject property is an approximately 1.01-acre parcel located at the northeast corner of the intersection of Gwinnett Drive and Stone Mountain Street.

Attachments/Exhibits:

- RZC2024-00054_Report
- RZC2024-00054_P&D Recommended Conditions
- RZC2024-00054_Application
- RZC2024-00054_Letter of Intent
- RZC2024-00054_Legal Description
- RZC2024-00054_Site Plan
- RZC2024-00054_Aerial Map – Zoomed In (1:2,750)
- RZC2024-00054_Aerial Map – Zoomed Out (1:5,500)

RZC2024-00054_Zoning Map – Zoomed In (1:2,750)

RZC2024-00054_Zoning Map – Zoomed Out (1:5,500)

RZC2024-00054_Character Areas Map – Zoomed In (1:2,750)

RZC2024-00054_Character Areas Map – Zoomed Out (1:5,500)



LAWRENCEVILLE

Planning & Development

REZONING	
CASE NUMBER:	RZC2024-00054
APPLICANT:	PATTERSON GWINNETT HOLDINGS
OWNER:	JAMES STACY PATTERSON JONATHAN SPARKS PATTERSON
CONTACT:	STACY PATTERSON
LOCATION(S):	194 GWINNETT DRIVE
PARCEL IDENTIFICATION NUMBER(s):	5142 110
APPROXIMATE ACREAGE:	1.16 ACRES
CURRENT ZONING:	BG (GENERAL BUSINESS DISTRICT) & RM-12 (MULTIFAMILY RESIDENTIAL DISTRICT)
ZONING PROPOSAL:	BG (GENERAL BUSINESS DISTRICT)
PROPOSED DEVELOPMENT:	RETAIL STORE
DEPARTMENT RECOMMENDATION:	APPROVAL W/ CONDITIONS

VICINITY MAP





LAWRENCEVILLE

Planning & Development

ZONING HISTORY

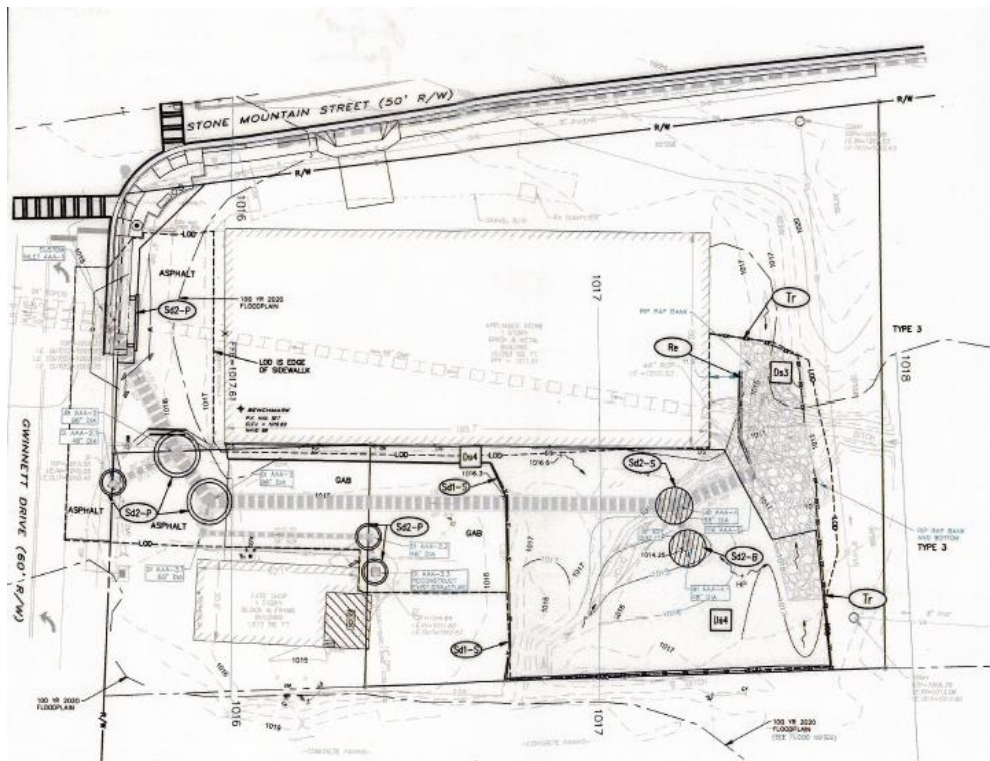
The subject property has been split zoned BG (General Business District) and RM-12 (Multifamily Residential District) since 1960, the earliest zoning record on file.

In 1960, the parcel was split into three separate parcels, the southwesterly two which were zoned BG (PINs: 5142 110 and 5142 109), and the northeastern one which was zoned RM-12 (PIN: 5142 108). At some undisclosed point in time, the parcels were combined into a single parcel, but the underlying zoning was left unchanged.

PROJECT SUMMARY

The applicant requests a rezoning for 194 Gwinnett Drive from split BG (General Business District) and RM-12 (Multifamily Residential District) to BG (General Business District) to allow for a retail establishment at the location. The subject property is an approximately 1.16-acre parcel located at the northeast corner of the intersection of Gwinnett Drive and Stone Mountain Street.

LAND SURVEY





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ZONING AND DEVELOPMENT STANDARDS

The existing 14,880 square foot retail store was built in 1969. The entrance, driveway, parking, dumpster, and landscaping are existing nonconforming and should therefore be brought into compliance with the 2020 Zoning Ordinance. Thirty-seven (37) parking spaces, or one (1) parking space per 400 SF of retail sales and service space would satisfy the minimum parking and loading requirements of Article 5 - Parking.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



SURROUNDING ZONING AND USE

The immediate surrounding area consists of a mix of commercial, residential multi-family, and single-family residential uses and zoning. The parcels surrounding the intersection of Stone Mountain Street and Gwinnett Drive and alongside the right-of-way of Gwinnett Drive are all zoned BG, the same as the requested district. The properties to the immediate northeast are duplexes zoned RM-12, part of the Plainview subdivision. Finally, there are single-family homes on land zoned RS-150 (Single-Family Residential District) across the right-of-way of Stone Mountain Street from the subject property as well as further northwest, in the Fairhaven subdivision. Overall, the zoning and uses of the surrounding area are compatible with the zoning request.



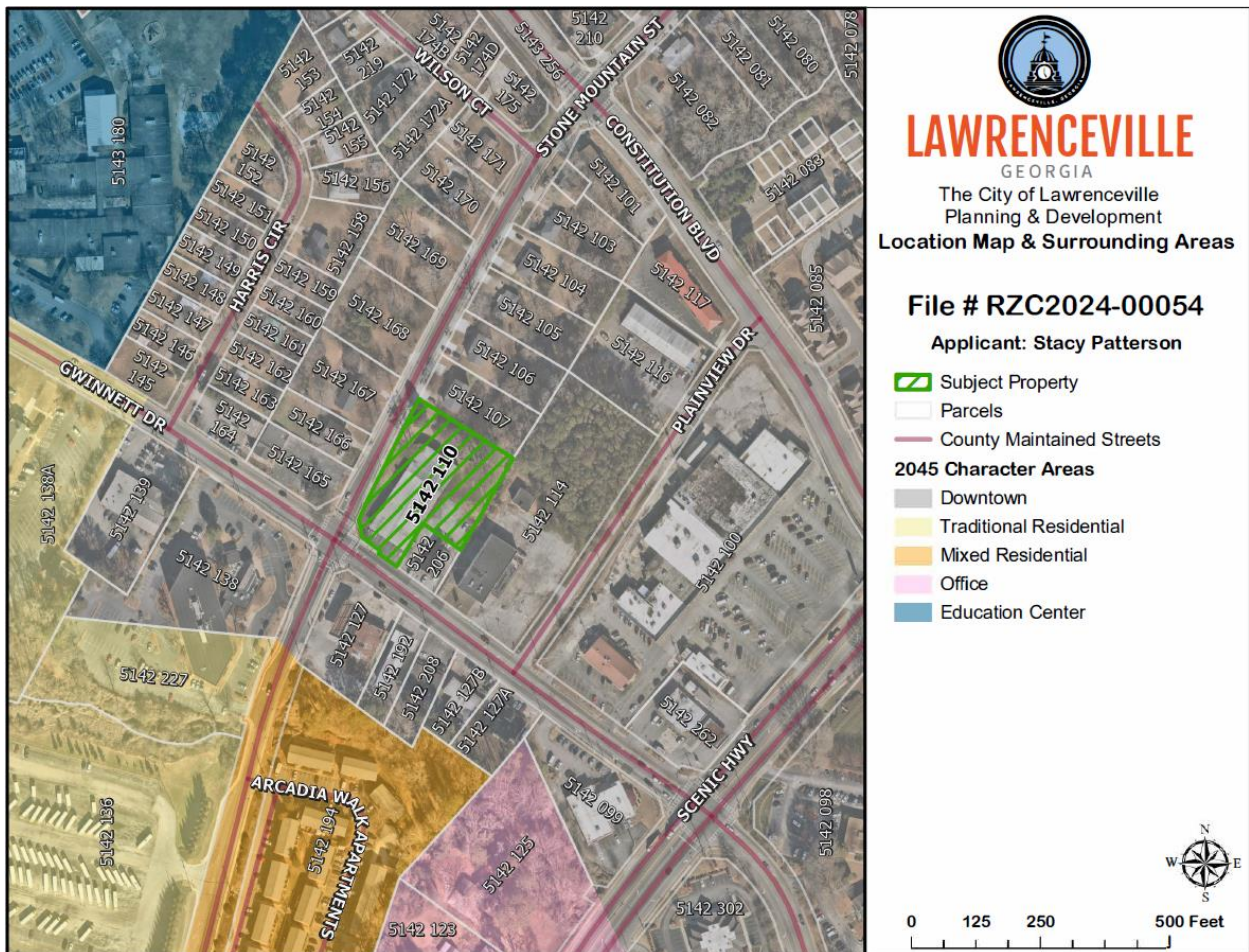
LAWRENCEVILLE

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2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan and Future Development Map indicate the property lies within the Downtown character area. Lawrenceville’s Downtown character area serves as the historical and cultural heart of the city, preserving its unique charm while nurturing economic vitality. With a robust economy and a focus on community life, Downtown is a hub of cultural activities and commerce. The requested zoning change is compatible with the goals of the 2045 Comprehensive Plan for the Downtown character area.

LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP





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1.

STAFF RECOMMENDATION

As detailed in this report, the requested rezoning is compatible with both the existing conditions as well as the future vision for the surrounding area. The rezoning would provide a much-overdue cleanup of the zoning of the area and would bring the property into compliance with current standards. As such, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** for the request.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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

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

Nearby properties along the rights-of-way of Gwinnett Drive, Scenic Highway, and Plainview Drive are all currently zoned BG, the same zoning classification requested. Given that most of this property is already zoned BG and the request is just to bring the northern part of the subject property into compliance, the request is more than sufficient.

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

No; there is no change in use proposed with this rezoning request. It would simply align the subject property's zoning with how it is currently being used.

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

Given that the zoning of the property is currently split between two somewhat incompatible uses with a buffer required between the two, the property does not have a reasonable economic use as currently zoned.

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

None; there are no changes in use or occupancy proposed.

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

The proposal would continue a long overdue zoning cleanup for this area.



LAWRENCEVILLE

1.

Planning & Development

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

Yes; it helps align the zoning and use of the subject property.

PLANNING COMMISSION

P&D RECOMMENDED CONDITIONS

RZC2024-00054

Approval of BG (General Business District) for a wide range of retail and service establishments, subject to the following enumerated conditions:

- 1. To restrict the use of the property as follows:**
 - A.** 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.
 - B.** Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.
 - C.** Outdoor storage shall be prohibited.
 - D.** The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- 2. To satisfy the following site development considerations:**
 - A.** The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. The final design shall be subject to the review and approval of the Director of Planning and Development.
 - B.** Electrical, Mechanical, Plumbing or Structural modifications shall be subject to the rules and regulations of the International Building Code (IBC). Plans shall be subject to the review and approval of the Director of Planning and Development.
 - C.** Landscape shall be designed and installed to meet the conditions of zoning, requirements of the Zoning Ordinance and Development Regulations. The final design shall be subject to the review and approval of the Director of Planning and Development.
 - D.** Provide a minimum of one (1) parking space per 400 square feet gross retail floor area, all parking must be on an approved surface and striped.

- E.** Provide a ten (10) foot landscape strip adjacent to all public right-of-ways.
- F.** Provide a five (5) foot concrete sidewalk adjacent to all public right-of-ways.
- G.** 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 rights-of-way.
- H.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.



LAWRENCEVILLE GEORGIA

REZONING APPLICATION

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

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

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

electronic

\$500

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



LAWRENCEVILLE

GEORGIA

NOTIFICATION REQUIREMENTS

Written Notification

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

The written notice shall include:

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

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

Notification Sign

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

CASE NUMBER

DATE

ACKNOWLEDGED BY (PRINT NAME)

SIGNATURE

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

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



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PUBLIC HEARING PROCESS

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

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

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



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REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>PATTERSON GWINNETT HOLDINGS</u>	NAME: <u>PATTERSON GWINNETT HOLDINGS</u>
ADDRESS: <u>1956 NEW HOPE ROAD</u>	ADDRESS: <u>1956 NEW HOPE ROAD</u>
CITY: <u>LAWRENCEVILLE</u>	CITY: <u>LAWRENCEVILLE, GA</u>
STATE: <u>GA</u> ZIP: <u>30045</u>	STATE: <u>GA</u> ZIP: <u>30045</u>
CONTACT PERSON: <u>STACY PATTERSON</u> PHONE: <u>678-467-3833</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>B6/RM12</u> REQUESTED ZONING DISTRICT: <u>B6</u>	
PARCEL NUMBER(S): <u>R5142110</u> ACREAGE: _____	
ADDRESS OF PROPERTY: <u>194 GWINNETT DRIVE, LAWRENCEVILLE, GA 30045</u>	

[Signature] 4/1/2024
 SIGNATURE OF APPLICANT DATE

[Signature] 4/1/2024
 SIGNATURE OF OWNER DATE

STACY PATTERSON
 TYPED OR PRINTED NAME

STACY PATTERSON
 TYPED OR PRINTED NAME

Alayna S Bell 4/1/2024
 NOTARY PUBLIC DATE

Alayna S Bell 4/1/2024
 NOTARY PUBLIC DATE

ALAYNA S BELL
 NOTARY PUBLIC
 Walton County
 State of Georgia
 My Comm. Expires January 4, 2027

ALAYNA S BELL
 NOTARY PUBLIC
 Walton County
 State of Georgia
 My Comm. Expires January 4, 2027

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RZC2024-00054
 RECEIVED: APRIL 1, 2024
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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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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RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

Letter of Intent to ReZone 194 Gwinnett Drive, Lawrenceville

To Whom It May Concern:

As Manager of Patterson Gwinnett Holdings, I intend to rezone the parcel at 194 Gwinnett Drive to clarify its zoning status. Currently, the property has two zoning classifications. The front portion of the property is zoned BG and the approximate back 25% of the property is zoned RM-12. This unusual circumstance goes back approximately 44 years. In the early 1980's, an addition was added to the building to increase showroom space. At the time, no mention was made as to the zoning and the addition was added with no concerns from the City of Lawrenceville.

I have a new tenant in line for the building and it has come to my attention that this zoning needs to be "cleaned up". The property needs to be 100% BG zoning. The building is in need of some renovation for the new tenant, upkeep, overdo maintenance, and sprucing up. With the addition of this new tenant, it will provide me an opportunity to invest in the property. This will be an asset for me and the City of Lawrenceville.

I look forward to working with the City to accomplish this request as time is of the essence.

Please feel free to contact me directly @ 678-467-3833 or furniturevillage@comcast.net with any questions or concerns.

Kind regards,

Stacy Patterson

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

DEED B: 60981 P: 00876
01/02/2024 05:42 PM Pgs: 3 Fees: \$25.00
TTax: \$0.00
Tiana P Garner, Clerk of Superior Court
Gwinnett County, GA
PT-61 #: 0672024000092
ERECORDED
eFile Participant IDs: 3429336909,

Return to:

J. Michael Levensgood
Law Office of J. Michael Levensgood, LLC
150 S. Perry St., Suite 208
Lawrenceville, GA 30046

Cross Reference:
Deed Book 54758, Page 0558

Gwinnett County, Georgia, Records
Tax Parcel: R5142 110

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

This Indenture dated this 2nd day of January, 2024 from JAMES STACY PATTERSON AND JONATHAN SPARKS PATTERSON as Tenants in Common (hereinafter "Grantor") to PATTERSON GWINNETT HOLDINGS LLC, a Georgia limited liability company (hereinafter, "Grantee").

WITNESSETH THAT Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is acknowledged by each party to the other, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee, all of her right, title and interest in and to the following property:

SEE EXHIBIT "A"

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this Warranty Deed, the day and year first above written.

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

DEED B: 60981 P: 00876
01/02/2024 05:42 PM Pgs: 3 Fees: \$25.00
TTax: \$0.00
Tiana P Garner, Clerk of Superior Court
Gwinnett County, GA
PT-61 #: 0672024000092
ERECORDED
eFile Participant IDs: 3429336909,

Return to:

J. Michael Levensgood
Law Office of J. Michael Levensgood, LLC
150 S. Perry St., Suite 208
Lawrenceville, GA 30046

Cross Reference:
Deed Book 54758, Page 0558
Gwinnett County, Georgia, Records
Tax Parcel: R5142 110

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

This Indenture dated this 2nd day of January, 2024 from JAMES STACY PATTERSON AND JONATHAN SPARKS PATTERSON as Tenants in Common (hereinafter "Grantor") to PATTERSON GWINNETT HOLDINGS LLC, a Georgia limited liability company (hereinafter, "Grantee").

WITNESSETH THAT Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is acknowledged by each party to the other, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee, all of her right, title and interest in and to the following property:

SEE EXHIBIT "A"

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this Warranty Deed, the day and year first above written.

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

Signed, sealed and delivered
in the presence of:

[Signature]
Unofficial Witness

[Signature]
JAMES STACY PATTERSON

[Signature]
Notary Public
Commission Expiration Date: 5/19/2024
(NOTARIAL SEAL)



Signed, sealed and delivered
in the presence of:

[Signature]
Unofficial Witness

[Signature]
JONATHAN SPARKS PATTERSON

[Signature]
Notary Public
Commission Expiration Date: 5/19/2024
(NOTARIAL SEAL)



RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

EXHIBIT "A"

(LEGAL DESCRIPTION)

ALL THAT TRACT or parcel of land lying and being in Land Lot 142 of the 5th Land District, Gwinnett County, Georgia, in the City of Lawrenceville, being more particularly described as follows:

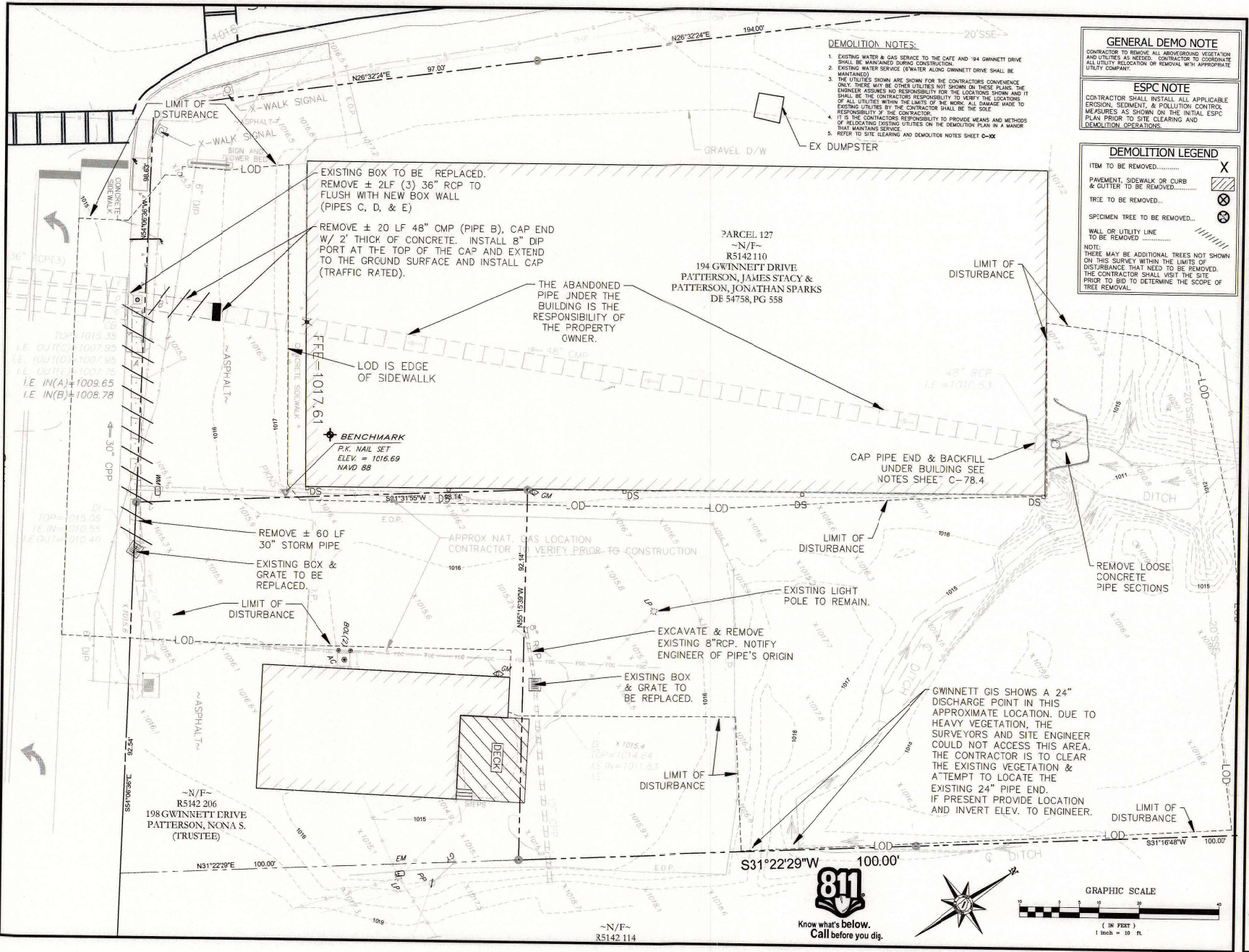
BEGINNING at the point of intersection of the southeast right of way line of Stone Mountain Street with the northeast right of way line of Gwinnett Drive (formerly Fair Street); running thence southeast along the northeast right of way line of Gwinnett Drive 100 feet to a point; running thence North 30 degrees 17 minutes East 98.2 feet to a point; running thence South 56 degrees 20 minutes East 90.8 feet to a point; running thence North 30 degrees 17 minutes East 100 feet to a point; running thence North 57 degrees 26 minutes West 206.8 feet to a point on the southeast right of way line of Stone Mountain Street; running thence Southwest along said right of way line 194 feet to the place or point of beginning.

ALSO:

ALL THAT TRACT or parcel of land lying and being in Land Lot 142 of the 5th Land District, Gwinnett County, Georgia, in the City of Lawrenceville, and being Lot 15 of Plain View Subdivision as shown on plat of survey by S. R. Fields, Surveyor, dated November 4, 1957, recorded in Plat Book "G", Page 145, Gwinnett County Records, and more particularly described as follows:

BEGINNING at an iron pin corner on the East side of Stone Mountain Street located 194 feet North as measured along the East side of Stone Mountain Street from the point of intersection of the East side of Stone Mountain Street with the north side of Gwinnett Drive (formerly Fair Street); run thence northerly along the East side of Stone Mountain Street 97 feet to a corner; run thence Southeasterly along the line of Lot 14, said subdivision, 215 feet to a corner; run thence southwesterly 100 feet to a corner with Lot 16; run thence northwesterly along Lot 16, said subdivision, a distance of 207.1 feet to an iron pin on the East side of Stone Mountain Street and the place or point of beginning.

RZC2024-00054
RECEIVED: APRIL 1, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



GENERAL DEMO NOTE
 CONTRACTOR TO REMOVE ALL ABOVEGROUND VEGETATION AND UTILITIES AS NOTED. CONTRACTOR TO COORDINATE ALL UTILITY RELOCATION OR REMOVAL WITH APPROPRIATE UTILITY COMPANY.

ESPC NOTE
 CONTRACTOR SHALL INSTALL ALL APPLICABLE EROSION, SEDIMENT, & POLLUTION CONTROL MEASURES AS SHOWN ON THE INITIAL ESPC PLAN PRIOR TO SITE CLEARING AND DEMOLITION OPERATIONS.


DEMOLITION LEGEND

- ITEM TO BE REMOVED..... X
- PAVEMENT, SIDEWALK OR CURB & CUTTER TO BE REMOVED..... [hatched box]
- TREE TO BE REMOVED..... [circle with X]
- SPECIMEN TREE TO BE REMOVED..... [circle with X and star]
- WALL OR UTILITY LINE TO BE REMOVED..... [dashed line]

NOTE:
 THERE MAY BE ADDITIONAL TREES NOT SHOWN ON THIS SURVEY WITHIN THE LIMITS OF DISTURBANCE THAT NEED TO BE REMOVED. THE CONTRACTOR SHALL VISIT THE SITE PRIOR TO BID TO DETERMINE THE SCOPE OF TREE REMOVAL.

DEMOLITION NOTES:

- EXISTING WATER & GAS SERVICE TO THE CAPE AND 194 GWINNETT DRIVE SHALL BE MAINTAINED DURING CONSTRUCTION.
- EXISTING WATER SERVICE (WATER ALONG GWINNETT DRIVE SHALL BE MAINTAINED).
- THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS EXISTING UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO RESPONSIBILITY OF THE CONTRACTOR.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO REMOVE MEANS AND METHODS OF RELOCATING EXISTING UTILITIES ON THE DEMOLITION PLAN IN A MANNER THAT MAINTAINS SERVICE.
- REFER TO SITE CLEARING AND DEMOLITION NOTES SHEET C-000.



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No.	Description	By	Date

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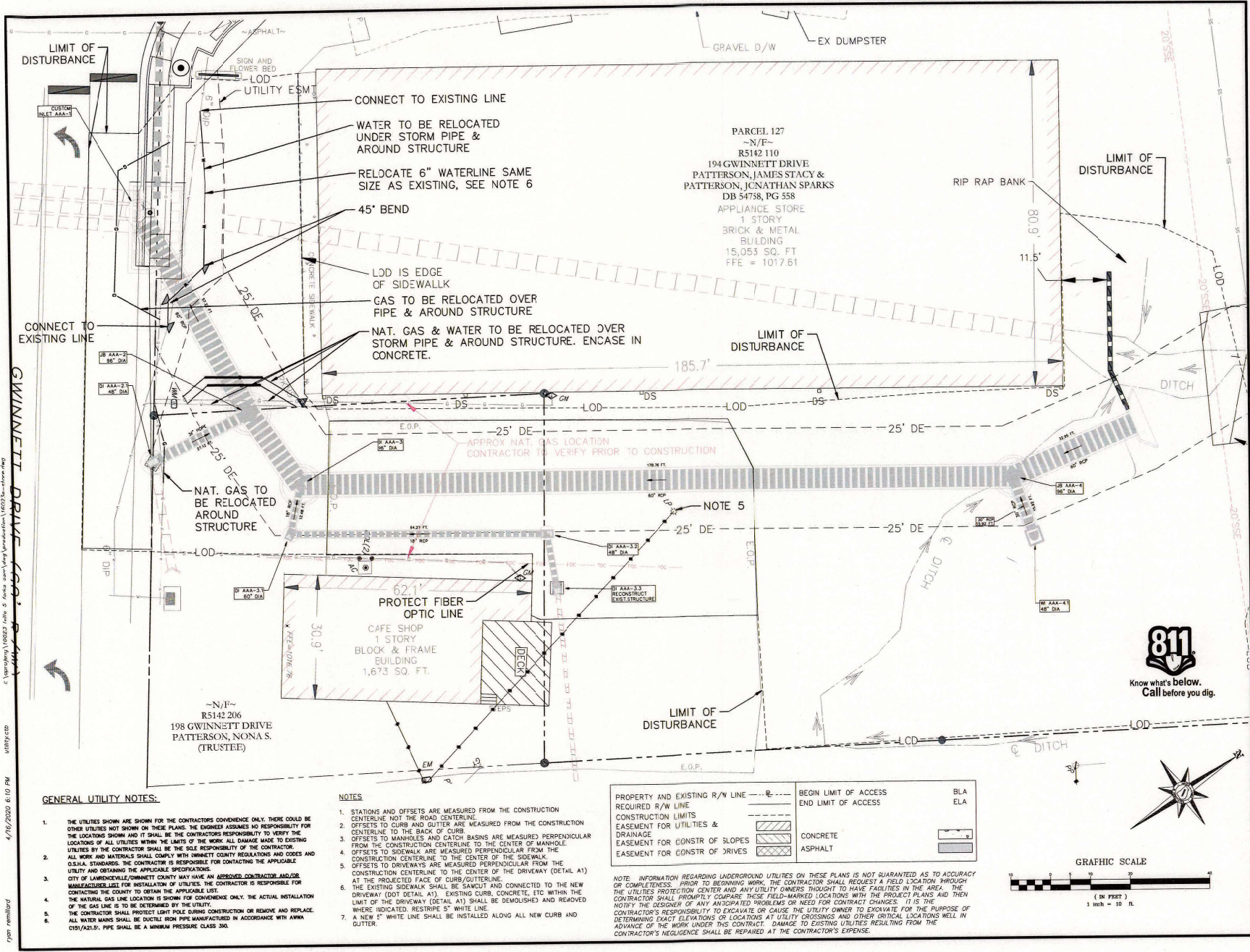
Project Title
FIVE FORKS TRICKUM SIDEWALK IMPROVEMENTS

Project Location
 Address
 City, State Zip LAWRENCEVILLE, GA 30046
 Lot/Lot Section 84, 109, 115, 116, 142, 147
 County GWINNETT

Project No. 16-023
 Drawn By: RHR
 Checked By: MDB
 Initial Issue Date: 10-01-2019

Sheet Title
PARCEL 127 DEMOLITION PLAN

Sheet Number
C-78.2



h
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Revision	Date	By	App.	Description
No.				

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Project Title
 FIVE FORKS TRICKUM
 SIDEWALK
 IMPROVEMENTS

Project Location
 Address
 City, State Zip
 Land Lot
 District/Section 5
 County
 Project No.
 Drawn By:
 Checked By:
 Initial Issue Date:
 Sheet Title

LAWRENCEVILLE, GA 30046
 84,108, 115, 116, 142, 147
 GWINNETT

16-023
 RH/R
 MDB
 11-01-2019

PARCEL 127 UTILITY PLAN

Sheet Number
C-78.5

PARCEL 127 - GAINWETT DRIVE / STONE MTN STREET
LAWRENCEVILLE, GA. 4/23/2020

QUANTITY TAKE-OFF - PARCEL 127
PLAN SHEETS C-78.1 - C-78.9

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Warranties & Bonds, Mobilization, Traffic Control, Site Work, and Asphalt Paving.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Pavement Stripping and Storm Drain Structures.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Storm Drain Structures and Storm Drain Piping.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Storm Drain Piping and Gas Piping Relocation.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Water Piping Relocation and Utilities Adjustment.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Utilities Adjustment and Erosion Control Phase I.

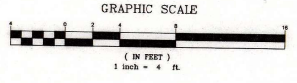
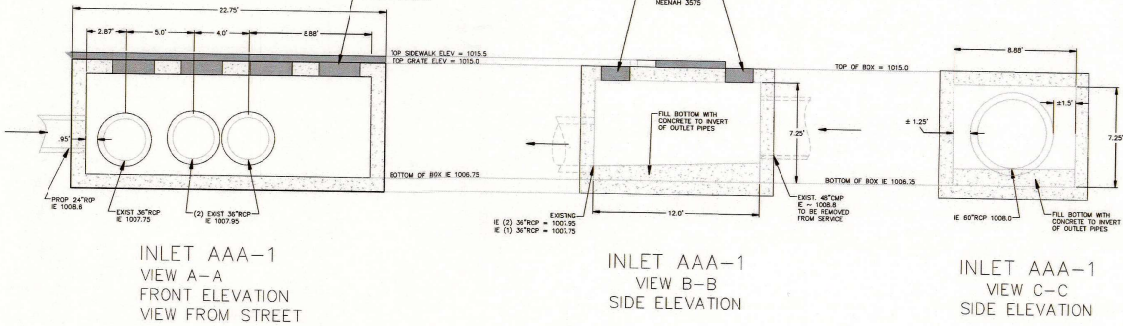
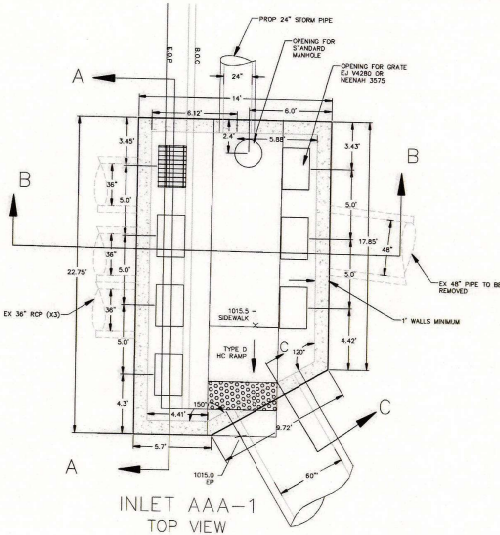
Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Erosion Control Phase I and Erosion Control Phase II.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Erosion Control Phase II and Erosion Control Phase III.

Table with 5 columns: ITEM No., GOOT No., ITEM, UNIT, QUANTITY. Includes items for Erosion Control Phase III and other miscellaneous items.

STRUCTURE NOTES

- 1. THIS DETAIL IS FOR ESTIMATION PURPOSES ONLY. THE BOX DESIGN SHALL BE DESIGN/BUILD BY A STRUCTURAL ENGINEER CAPABLE IN GEORGIA.
2. THE BOX SHALL BE DESIGNED FOR 14-20' LOADING.
3. A GEOTECHNICAL ENGINEER IS TO BE CONSULTED PRIOR TO FINAL DESIGN.
4. THE BASE SHOULD BE INSPECTED BY A GEOTECHNICAL ENGINEER IMMEDIATELY PRIOR TO PLACEMENT OF STEEL OR CONCRETE AND WILL VERIFY THAT THE SOIL CAPABLE OF SUPPORTING THE DESIGN BEARING PRESSURE.
5. THE GEOTECHNICAL ENGINEER AND STRUCTURAL ENGINEER ARE TO BE PRESENT DURING CONSTRUCTION TO VERIFY THAT THE STRUCTURE IS PLACED IN ACCORDANCE WITH THE DESIGN.
6. A MINIMUM OF (3) CONCRETE TEST CYLINDERS MUST BE MADE PER FOUR AND 98 DAY COMPRESSIVE STRENGTH MUST MEET OR EXCEED THE COMPRESSIVE STRENGTH SPECIFIED ON THE APPROVED STRUCTURAL DRAWINGS. RESULTS OF THE TEST MUST BE REVIEWED AND APPROVED IN WRITING BY THE STRUCTURAL ENGINEER.
7. A SEPARATE BUILDING PERMIT SHALL BE OBTAINED.
8. RETAIN & REPROFIT BY A THIRD PARTY IS REQUIRED AND SHALL BE PAID AS DESCRIBED IN THE CONTRACT.
9. CONCRETE TO BE 1000 PSI.



Hayes James ENGINEERS, PLANNERS & SURVEYORS. 4145 SHACKLEFORD ROAD SUITE 300 NORCROSS, GEORGIA 30093. TEL: (770) 923-1818 FAX: (770) 923-4202. CITY OF LAWRENCEVILLE P.O. BOX 2200 LAWRENCEVILLE, GA 30046 Phone: (770) 963-2414 DENNIS BILLEV (770) 963-2414

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Revision table with columns: No., Date, By, App., Description.

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Project Title: FIVE FORKS TRICKUM SIDEWALK IMPROVEMENTS. Project Location: City, State Zip: LAWRENCEVILLE, GA 30046. Address: 84, 109, 119, 116, 142, 147. District-Section: 5. County: GWINNETT. Project No: 16-023. Drawn By: RHR/R. Checked By: MDB. Initial Issue Date: 10-01-2019. Sheet Title: PARCEL 127 SPECIAL BOX INLET AAA-1 DETAIL. Sheet Number: C-78.6

- 1. EROSION NOTES:**
- THE EXISTING LAND IS CURRENTLY A DEVELOPED LOT CONSISTING OF A STORE, ASPHALT PARKING LOT AND SOME WOODED AREAS. 1 EXISTING BUILDING IS WITHIN THE SITE.
 - THE PROPOSED USE OF THE LAND IS THE SAME AS THE EXISTING WITH THE EXCEPTION OF THE INSTALLATION OF A PIPE TO DIVERT LOW FLOWS AROUND THE BUILDING SAND PIPE BEING IN A DRAINAGE EASEMENT.
 - PROPERTY OWNER: JAMES S. JOHNSON PATERSON
1956 NEW HOPK ROAD
 - PROJECT ACREAGE = 1.16 ACRES
 - DISTURBED AREA = 0.8 ACRES, PHASE 1 = .1 ACRE (PARCEL 127 ONLY)
 - THE PROPERTY IS ZONED R0. THE EAST ADJACENT PROPERTY IS ZONED B0.
 - THE NORTH ADJ PROPERTY IS ZONED B012
 - THE RECEIVING WATER IS TRIBUTARY TO PEW CREEK
 - THIS SITE DOES DISCHARGE WITHIN 1 MILE OF AN IMPAIRED STREAM.
 - THERE ARE NO STREAM BUFFERS ON THE PROJECT.
 - MAINTENANCE OF ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES, WHETHER TEMPORARY OR PERMANENT, SHALL BE AT ALL TIMES THE RESPONSIBILITY OF THE CONTRACTOR.
 - SEDIMENT STORAGE MAINTENANCE INDICATORS MUST BE INSTALLED IN STORAGE STRUCTURES, INDICATING THE 3/4 FULL VOLUME (CLEAN OUT LEVEL).
 - DETENTION POND, DETENTION OUTLET STRUCTURES AND TEMPORARY SEDIMENT POND FEATURES ARE TO BE CONSTRUCTED AND FULLY OPERATIONAL PRIOR TO ANY OTHER CONSTRUCTION GRADING.
 - ALL FILL SLOPES SHALL HAVE SILT FENCE PLACED AT THE SLOPE'S TOE.
 - CONCENTRATED FLOW AREAS AND ALL SLOPES GREATER THAN 2:1 WITH A HEIGHT OF 10 FEET OR GREATER SHALL BE STABILIZED WITH THE APPROPRIATE EROSION CONTROL MATING OR BLANKET.
 - THERE ARE NO WETLANDS ON THE PROPOSED PROJECT.
 - THERE ARE NO STATE WATERS WITHIN 200 FEET OF THE PROPOSED PROJECT.
 - SOLID WASTE DISPOSAL TO BE OFF-SITE AS DESCRIBED IN THE SOLID WASTE MANAGEMENT APPROVAL NOT DISCHARGE TO WATERS OF THE STATE EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.

- II. EROSION NOTES:**
- THE CONTRACTOR IS RESPONSIBLE FOR THE FILING BOTH A NOTICE OF INTENT AND A NOTICE OF TERMINATION (NOI/NOT) WITH THE GEORGIA E.P.D.
 - SEDIMENT AND EROSION CONTROL MEASURES AND PRACTICES TO BE INSPECTED DAILY.
 - DISTURBED AREAS ARE TO BE CROSSED AS SHOWN AS CONSTRUCTION PHASES PERMIT.
 - INSPECTIONS BY QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR 100002.
 - STORAGE LOCATION AND DISPOSAL PROCEDURES FOR CONCRETE TRUCK OR MIXER WASH OUT: CONCRETE TRUCK WASH OUT LOCATION SHALL BE IN A TEMPORARY TRUCK WASH AREA LOCATED IN AN AREA DESIGNATED BY THE CONTRACTOR. WASH OUT SHALL BE CONTAINED WITHIN A PIT OR TRENCH WITH NO MATERIAL LEAVING THE SITE OR IMPACTING VEGATED AREAS SHOWN TO BE SAVED ON THE TREE SAVE PLAN. DISPOSAL OF MATERIAL SHALL BE EITHER THE BREAKING OF MATERIAL INTO ACCEPTABLE PIECES AND PLACEMENT WITHIN DESIGNATED FILL AREAS AS DIRECTED BY THE ON-SITE GEOTECHNICAL ENGINEER/REGISTERED PROFESSIONAL ENGINEER AT THE SITE OR DEPOSITED.
 - PAINT AND/OR OTHER CHEMICALS SHALL BE STORED IN SECURED FACILITIES WITH RESTRICTED ACCESS TO EMPLOYEES OR UNID PERSONNEL OF THE MATERIAL. ALL CHEMICALS SHALL BE ACCORDANCE WITH ALL RECORDED LOCAL AND FEDERAL REQUIREMENTS. ALL DISPOSAL SHALL BE APPROVED OFF-SITE. WASTE FACILITIES CLASSIFIED TO ACCEPT THAT MATERIAL.
 - EMERGENCY PROCEDURES FOR SPILL OR REPORTABLE QUALITY OF PETROLEUM PRODUCTS: ALL PETROLEUM PRODUCTS SHALL BE STORED AND USED IN AN AREA THAT PROVIDES A SECONDARY CONTAINMENT LEAKAGE. TYPICALS SHALL CONSIST OF AN EARLEIGH BERM CONSTRUCTED AROUND 3 SIDES OF THE STORAGE AREA. EMERGENCY PROCEDURES FOR SPILLS SHALL BE KEPT IN THE CONSTRUCTION TRAILER INCLUDING EMERGENCY CONTACT NUMBERS. THE CONTRACTOR SHALL LOCATE STORAGE FACILITIES IN AREAS WITH THE LEAST FORESEEABLE IMPACT OF A CATASTROPHIC SPILL SHOULD OCCUR.
 - PORTALWAYS SHALL BE LOCATED ON-SITE AND USED DURING CONSTRUCTION.

- III. EROSION NOTES:**
- PRIOR TO ANY OTHER CONSTRUCTION, A STABILIZED CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED AT EACH ENTRY TO OR EXIT FROM THE SITE.
 - THE CONSTRUCTION EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH STONE AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEAN-UP OF ANY STRUCTURES USED TO TRAP SEDIMENT. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM THE VEHICLES ONTO PUBLIC ROADWAY OR INTO STREAM DRAIN MUST BE REMOVED.
 - PRIOR TO COMMENCING LAND DISTURBANCE ACTIVITY, THE LIMITS OF LAND DISTURBANCE SHALL BE CLEARLY AND ACCURATELY DEMARCATED WITH STAKES, IRONS OR OTHER APPROPRIATE MEANS. THE LOCATION AND EXTENT OF ALL AUTHORIZED LAND DISTURBANCE SHALL OCCUR WITHIN THE APPROVED LIMITS INDICATED ON THE APPROVED PLANS.
 - IMMEDIATELY AFTER THE ESTABLISHMENT OF CONSTRUCTION ENTRANCES/EXITS, ALL PERIMETER EROSION CONTROL DEVICES AND STORM WATER MANAGEMENT DEVICES SHALL BE INSTALLED PRIOR TO ANY OTHER CONSTRUCTION.
 - THE CONTRACTOR AGREES TO PROVIDE AND MAINTAIN OFF-STREET PARKING ON THE SUBJECT PROPERTY DURING THE ENTIRE CONSTRUCTION PERIOD.
 - THE CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES WHILE ROADWAY GRADING IMPROVEMENTS ARE BEING MADE.
 - THE CONSTRUCTION OF THE SITE WILL INITIATE WITH THE INSTALLATION OF EROSION CONTROL MEASURES SUFFICIENT TO CONTROL SEDIMENT DEPOSITS AND EROSION. ALL SEDIMENT CONTROL WILL MAINTAINED UNTIL ALL UPTREAM GRADING WITHIN THE CONSTRUCTION AREA HAS BEEN COMPLETELY STABILIZED WITH PERMANENT VEGETATION AND ALL ROADS/DRIVEWAYS HAVE BEEN PAVED.
 - FAILURE TO INSTALL, OPERATE OR MAINTAIN ALL THE EROSION CONTROL MEASURES WILL RESULT IN ALL CONSTRUCTION BEING STOPPED ON THE JOB SITE UNTIL SUCH MEASURES ARE CORRECTED BACK TO GEORGIA STANDARDS.
 - A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON THE SITE THROUGHOUT LAND DISTURBANCE ACTIVITY IS IN PROGRESS.
 - THERE IS A STREAM SOUTH OF THE SITE ON THE ADJACENT SIDE OF GWINNETT DRIVE.
 - ON PVE = 85, ON POST = 86

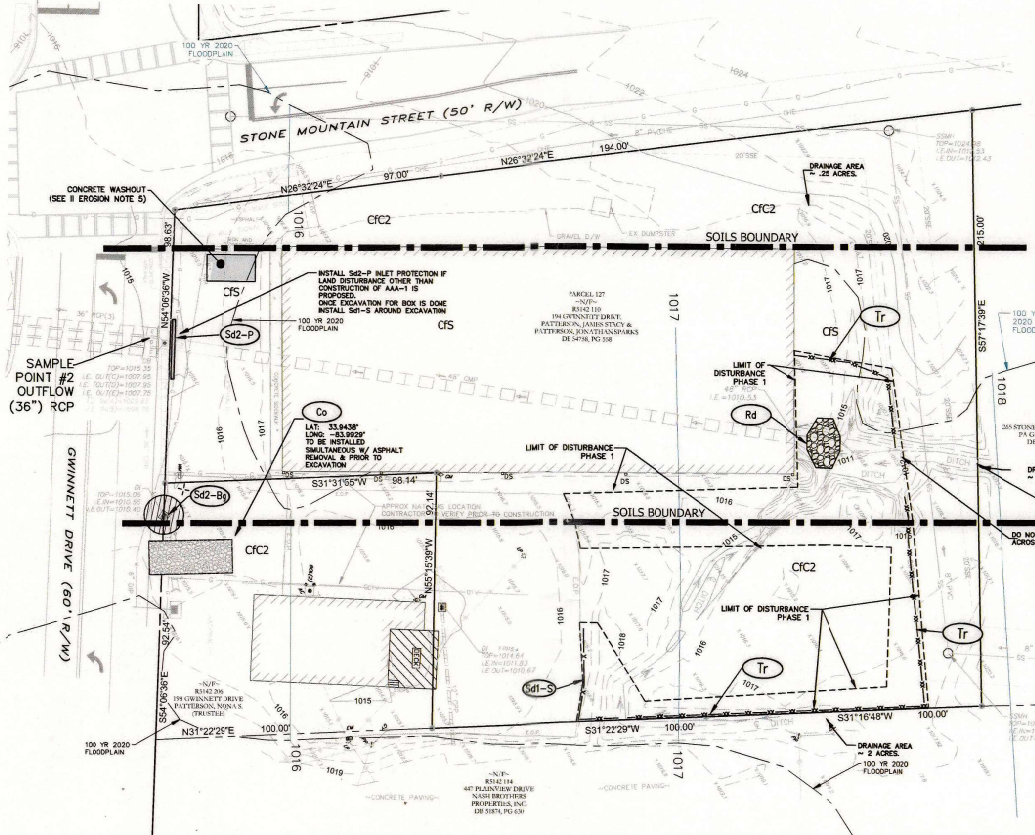
- CRITICAL AREAS:**
- EXISTING ROADS
 - SILT FENCE SHALL BE INSTALLED AS NEEDED ALONG EXISTING EDGE OF PAVEMENT TO PREVENT SEDIMENT FROM ESCAPING. EXISTING INLETS SHALL BE PROTECTED W/ S&P AS SHOWN TO PREVENT CLOGGING OF EXISTING STORM PIPES. EXISTING PIPE SYSTEMS SHALL BE INSPECTED AND CLEANED AFTER EVERY RAINFALL.
 - THERE ARE SOME STEEP SLOPES WITHIN THE PROJECT AREA. THESE SLOPES WILL BE STABILIZED WITH THE APPROPRIATE MATING AND/OR P&P AS SPICED.
 - THIS CONSTRUCTION TAKES PLACE WITHIN A SIGNIFICANT DRAINAGE FEATURE. FLOODING MAY OCCUR DURING HEAVY RAINFALL. A PATHWAY FOR THE UNOBTAINED FLOW OF THE UPTREAM BASIN MUST BE PROVIDED. ALL PATHS.

- DESCRIPTION OF MAJOR ACTIVITIES:**
- PHASE 1 EROSION CONTROL CONSISTS OF INITIAL PERIMETER CONTROLS AND INSTALLATION OF SEDIMENT STORAGE BIRMS.
- PHASE 2 EROSION CONTROL CONSISTS OF MAINTENANCE OF THE PERIMETER CONTROLS AND SEDIMENT STORAGE BIRMS INSTALLED IN PHASE 1. PHASE 2 ALSO INCLUDES CLEARING GRADING AND EXCAVATION ACTIVITIES, STABILIZATION OF DISTURBED AREAS AND INSTALLATION OF BIRMS TO PREVENT ESCAPE OF POLLUTANTS INTRODUCED BY CLEARING AND GRADING ACTIVITIES.
- PHASE 3 EROSION CONTROL CONSISTS OF MAINTENANCE OF BIRMS INSTALLED IN PHASE 1 & 2 AND FINAL STABILIZATION OF THE SITE AND REMOVAL OF ALL TEMPORARY EROSION CONTROL MEASURES ONCE THE SITE IS STABILIZED.

SOIL CLASSIFICATION TABLE

C1C2-CECIL CLAY LOAM, 6-10% SLOPES, ERODED

C1C3 - CHEWICLA SILT LOAM, 0 TO 2% SLOPES, FREQUENTLY FLOODED.



THIS SHEET IS FOR EROSION, SEDIMENT & POLLUTION CONTROL PURPOSES ONLY.

UPON NOTIFICATION AND AUTORIZATION IF THE OWNER, THE DESIGN PROFESSIONAL WHO PREPARED THE ESRP PLAN IS TO INSPECT THE INSTALLATION OF THE INITIAL SEDIMENT STORAGE REQUIREMENTS AND PERIMETER CONTROL BIRMS WITHIN 7 DAYS AFTER INSTALLATION. THE FAILURE TO OBTAIN THE INSPECTION IS A VIOLATION OF THE PERMIT FEE.

NON-CHEMIST ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50-FOOT UNDISTURBED STREAM BUFFERS AS MEASURED FROM THE POINT OF INSTALLED OBSERVATION BE WITHIN 25 FEET OF THE COASTAL MARSHLAND BUFFER AS MEASURED FROM THE APPROPRIATE DETERMINATION LINE WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES AND PERMITS.

AMENDMENTS/REVISIONS TO THE ESRP PLAN WHICH HAVE A SIGNIFICANT EFFECT ON THE PERMIT OR THE PERMITS COMPARTMENT MUST BE CERTIFIED BY THE DESIGN PROFESSIONAL.

WASTE MATERIALS SHALL NOT BE DISCHARGED TO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.

THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND DISTURBANCE ACTIVITIES.

EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PREVENT EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS MUST BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.

ADDITIONAL EROSION & SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DETERMINED NECESSARY BY ON-SITE INSPECTION.

NOTE: CONTRACTOR SHALL REFERENCE THE LATEST EDITION OF THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA" FOR THE CONSTRUCTION, MAINTENANCE, AND DISPOSAL OF ALL EROSION AND SEDIMENT CONTROL MEASURES.

24 HOUR EMERGENCY CONTACT:
TBD
(XXX) XXX-XXXX

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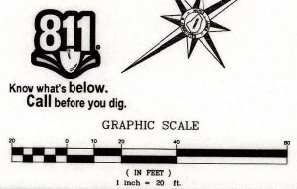
Project Title
FIVE FORKS TRICKUM SIDEWALK IMPROVEMENTS

Project Location
Address
City, State Zip LAWRENCEVILLE, GA 30046
Land Lot 84, 109, 115, 116, 142, 147
District-Section 5
County GWINNETT

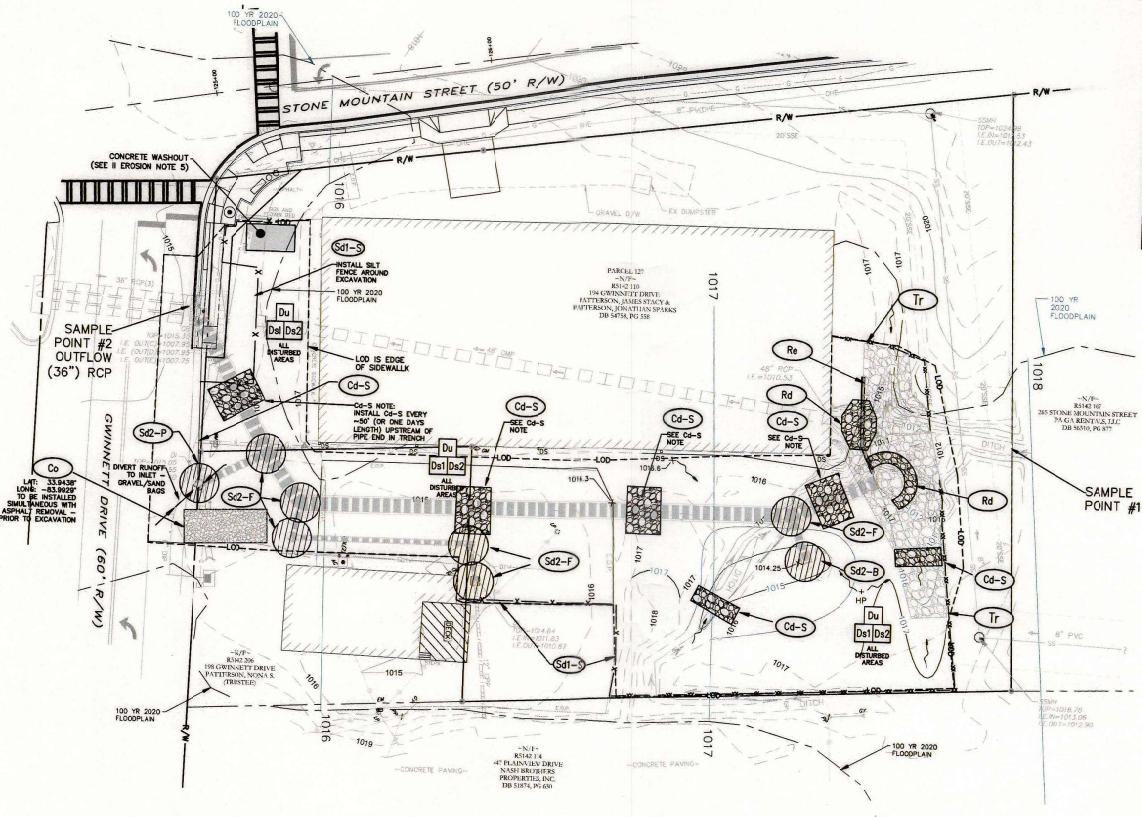
Project No. 16-023
Drawn By: RH
Checked By: MDB
Initial Issue Date: 10-01-2019

Sheet Title
PARCEL 127 ES & PC PHASE 1

Sheet Number
C-78.7



- EROSION NOTES:**
1. MAINTENANCE OF ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES, WHETHER TEMPORARY OR PERMANENT, SHALL BE AT ALL TIMES THE RESPONSIBILITY OF THE CONTRACTOR.
 2. SEDIMENT STORAGE MAINTENANCE INDICATORS MUST BE INSTALLED IN STORAGE STRUCTURES, INDICATING THE 8 FULL VOLUME (CLEAN OUT LEVEL).
 3. ALL FILL SLOPES SHALL HAVE SILT FENCE PLACED AT THE SLOPE'S TOE.
 4. CONCENTRATED FLOW AREAS AND ALL SLOPES GREATER THAN 2.5:1 WITH A HEIGHT OF 10 FEET OR GREATER SHALL BE STABILIZED WITH THE APPROPRIATE EROSION CONTROL MATTING OR BLANKET OR RIP RAP.
 5. SEDIMENT AND EROSION CONTROL MEASURES AND PRACTICES TO BE INSPECTED DAILY.
 6. DISTURBED AREAS ARE TO BE GRASSED AS SOON AS CONSTRUCTION PHASES PERMIT.
 7. STORAGE LOCATION AND DISPOSAL PROCEDURES FOR CONCRETE TRUCK OR MOWER WASH OUT. CONCRETE TRUCK WASH OUT LOCATION SHALL BE IN A TEMPORARY TRUCK WASH AREA LOCATED IN AN AREA DESIGNATED BY THE CONTRACTOR. WASH WATER SHALL BE CONTAINED WITHIN A PIT OR TRENCH WITH NO MATERIAL LEAVING THE SITE OR IMPACTING VEGETATED AREAS SHOWN TO BE SAVED ON THE TREE SAVE PLAN. DISPOSAL OF MATERIAL SHALL BE UNDER THE BREAKING OF MATERIAL INTO ACCEPTABLE PIECES AND PLACEMENT WITHIN UNCLASSIFIED FILL AREAS AS DIRECTED BY THE ON-SITE GEOTECHNICAL ENGINEER.
 8. PAINT AND/OR OTHER CHEMICALS SHALL BE STORED IN SECURED FACILITIES WITH RESTRICTED ACCESS TO EMPLOYEES ONLY. CLEAN UP AND DISPOSAL OF THIS MATERIAL SHALL BE IN ACCORDANCE WITH ALL RECOGNIZED LOCAL AND FEDERAL REQUIREMENTS. ALL DISPOSAL SHALL BE APPROVED OFF-SITE WASH FACILITIES CLASSIFIED TO ACCEPT THAT MATERIAL.
 9. EMERGENCY PROCEDURES FOR SPILL OR REPORTABLE QUALITY OF PETROLEUM PRODUCTS: ALL PETROLEUM PRODUCTS SHALL BE STORED AND USED IN AN AREA THAT PROVIDES A SECONDARY CONTAINMENT FEATURE. TYPICALLY THIS WILL CONSIST OF AN EARTHEN BERM CONSTRUCTED AROUND A SPILL OF THE STORAGE AREA. EMERGENCY PROCEDURES FOR SPILLS SHALL BE KEPT IN THE CONSTRUCTION TRAILER INCLUDING EMERGENCY CONTACT NUMBERS. THE CONTRACTOR SHALL LOCATE STORAGE FACILITIES IN AREAS WITH THE LEAST FORESEEABLE IMPACT IF A CATASTROPHIC EVENT SHOULD OCCUR.
 10. PORTAJOHNS SHALL BE LOCATED ON-SITE AND USED DURING CONSTRUCTION.
 11. THE CONSTRUCTION EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC HIGHWAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH STONE, AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEAN-OUT OF ANY STRUCTURES USED TO TRAP SEDIMENT. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM THE VEHICLES ONTO PUBLIC HIGHWAY OR INTO STORM DRAIN MUST BE REMOVED.
 12. THE CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES WHILE ROADWAY IMPROVEMENTS ARE BEING MADE.
 13. THE CONSTRUCTION OF THE SITE WILL INTERFERE WITH THE INSTALLATION OF EROSION CONTROL MEASURES SUFFICIENT TO CONTROL SEDIMENT DEPOSITS AND EROSION. ALL SEDIMENT CONTROL WILL BE MAINTAINED UNTIL ALL DRAINAGE GROUND WITHIN THE CONSTRUCTION AREA HAS BEEN COMPLETELY STABILIZED WITH PERMANENT VEGETATION AND ALL ROADS/DRAINWAYS HAVE BEEN PAVED.
 14. FAILURE TO INSTALL, OPERATE OR MAINTAIN ALL THE EROSION CONTROL MEASURES WILL RESULT IN ALL CONSTRUCTION BEING STOPPED ON THE JOB SITE UNTIL SUCH MEASURES ARE CORRECTED BACK TO GEORGIA STANDARDS.
 15. A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON THE SITE WHENEVER LAND DISTURBANCE ACTIVITY IS IN PROGRESS.



THIS SHEET IS FOR EROSION, SEDIMENT & POLLUTION CONTROL PURPOSES ONLY.

UPON NOTIFICATION AND AUTHORIZATION OF THE OWNER, THE DESIGN PROFESSIONAL, WHO PREPARED THE EROSION, SEDIMENT STORAGE REQUIREMENTS AND PERMITS, CONTROL BARS WITHIN 7 DAYS AFTER INSTALLATION. THE FAILURE TO OBTAIN THE INSPECTION IS A VIOLATION OF THE NOTICE POINT.

NON-COASTAL ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50-FOOT UNDEVELOPED STREAM BUFFERS AS WITHIN 25-FEET OF THE POINT OF WRESTED VEGETATION OR MEASURED FROM THE POINT OF THE CONTIGUOUS WETLAND BUFFER AS WITHOUT FIRST ACCORDING THE NECESSARY VARIANCES AND PERMITS.

ADJUSTMENTS/REVISIONS TO THE EROSION PLAN WHICH HAVE A SIGNIFICANT EFFECT ON RISES WITH A SIGNIFICANT COMPONENT MUST BE CERTIFIED BY THE DESIGN PROFESSIONAL.

WASTE MATERIALS SHALL NOT BE DISCHARGED TO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.

THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND DISTURBING ACTIVITIES.

EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROVIDED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

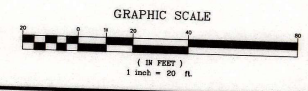
ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.

ADDITIONAL EROSION & SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTION.

NOTE: CONTRACTOR SHALL REFERENCE THE LATEST EDITION OF THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA" FOR THE CONSTRUCTION, MAINTENANCE AND DISPOSAL OF ALL EROSION AND SEDIMENT CONTROL MEASURES.

24 HOUR EMERGENCY CONTACT:
TBD
(XXX) XXX-XXXX

- CRITICAL AREAS:**
1. EXISTING ROADS
 11. SILT FENCE OR HAYBALES SHALL BE INSTALLED, AS NEEDED, ALONG EXISTING EDGE OF PAVEMENT TO PREVENT SEDIMENT FROM ESCAPING INTO ROAD.
 12. EXISTING A PAVED DRIVEWAY SHALL BE PROTECTED 1/2" AS SHOWN TO PREVENT CLOSING OF STORM PIPE. EXISTING PIPE SYSTEMS SHALL BE INSPECTED AND CLEANED AFTER EVERY RAINFALL.
 13. DIVERGENT ROAD RUNOFF (FROM THE EAST) TO UPSTREAM DRAINAGE INLET TO REDUCE THE SURFACE RUNOFF TO ZERO DURING CONSTRUCTION OF ROAD.
 14. SEE (EROSION NOTES #1 & 12).
 2. THERE ARE SOME STEEP SLOPES WITHIN THE PROJECT AREA. THESE SLOPES WILL BE STABILIZED WITH THE APPROPRIATE MATTING AND/OR RIP RAP AS SHOWN.
 3. THIS CONSTRUCTION TAKES PLACE WITHIN A SIGNIFICANT DRAINAGE FEATURE. FLOODING MAY OCCUR DURING HEAVY RAINFALL. A PATHWAY FOR THE UNOBSTRUCTED FLOW OF THE UPSTREAM BASIN MUST BE PROVIDED AT ALL TIMES.



Hayes James
ENGINEERS, PLANNERS & SURVEYORS
4145 SHACKLEFORD ROAD
SUITE 300
NORCROSS, GEORGIA 30093
TEL: (770) 923-1600
FAX: (770) 923-4202

CITY OF LAWRENCEVILLE
P.O. BOX 2200
LAWRENCEVILLE, GA 30046
Phone: (770) 963-2414
DENNIS BILLEV
(770) 963-2414

This document is prepared for the exclusive use of CITY OF LAWRENCEVILLE and shall not be relied on by any other person or entity.

Date	By	App.	Revision	Description

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FOR REVIEW ONLY
NOT TO BE RELEASED FOR CONSTRUCTION

Project Title
**FIVE FORKS TRICKUM
SIDEWALK
IMPROVEMENTS**

Project Location
Address
City, State Zip LAWRENCEVILLE, GA 30046
Land Lot 84, 108, 115, 116, 142, 147
District-Section 5
County GWINNETT
Project No. 16-023
Drawn By: RH
Checked By: MDB
Initial Issue Date: 10-01-2019
Sheet: Title

**PARCEL 127 ES & PC
PHASE 2**

Sheet Number
C-78.8







LAWRENCEVILLE

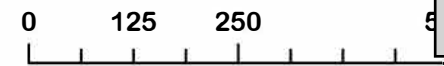
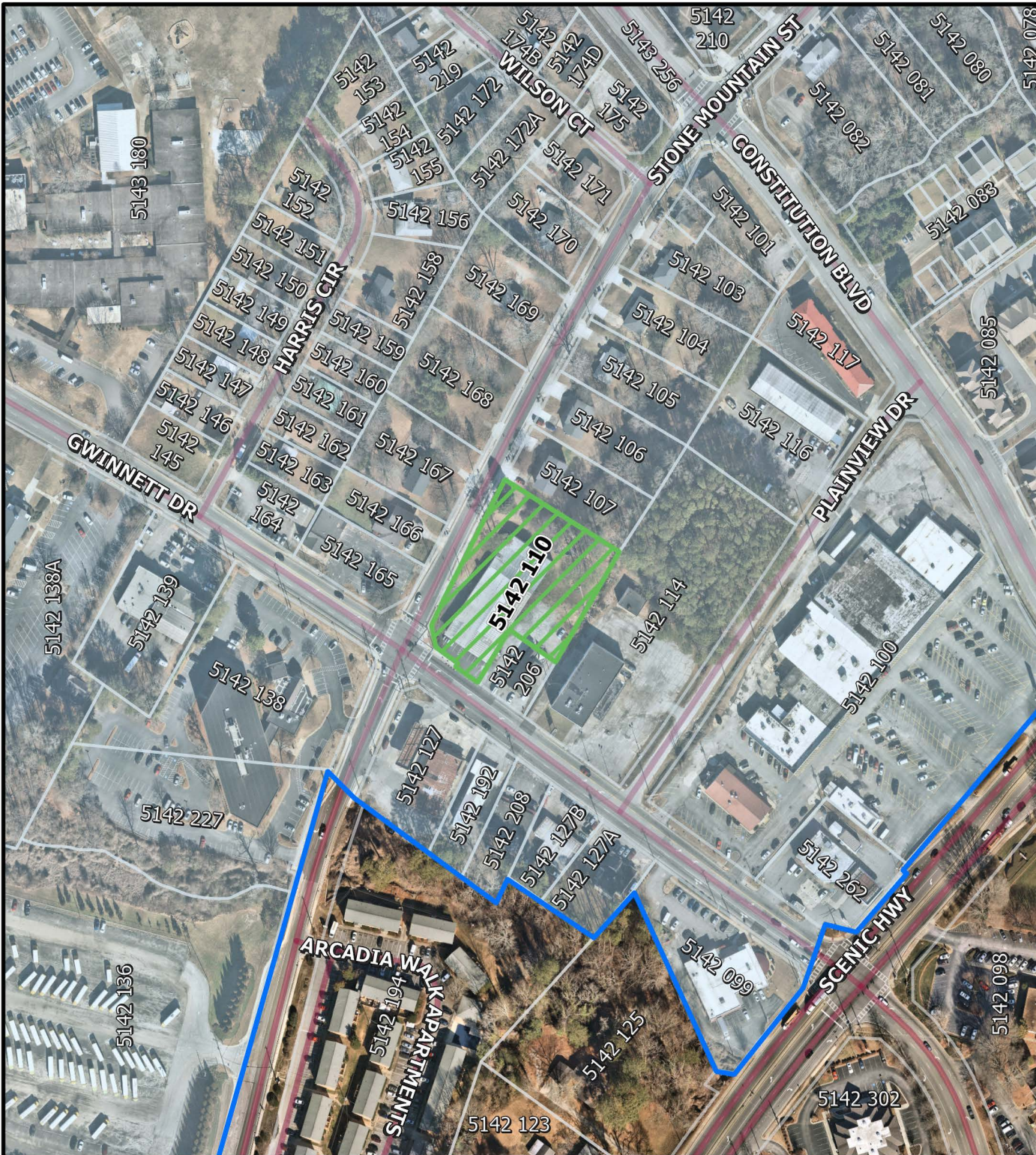
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZC2024-00054

Applicant: Stacy Patterson

-  Subject Property
-  Parcels
-  County Maintained Streets
-  Downtown Development Authority Boundary









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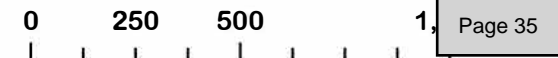
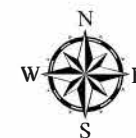
GEORGIA

The City of Lawrenceville
 Planning & Development
 Location Map & Surrounding Areas

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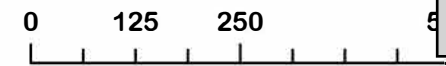
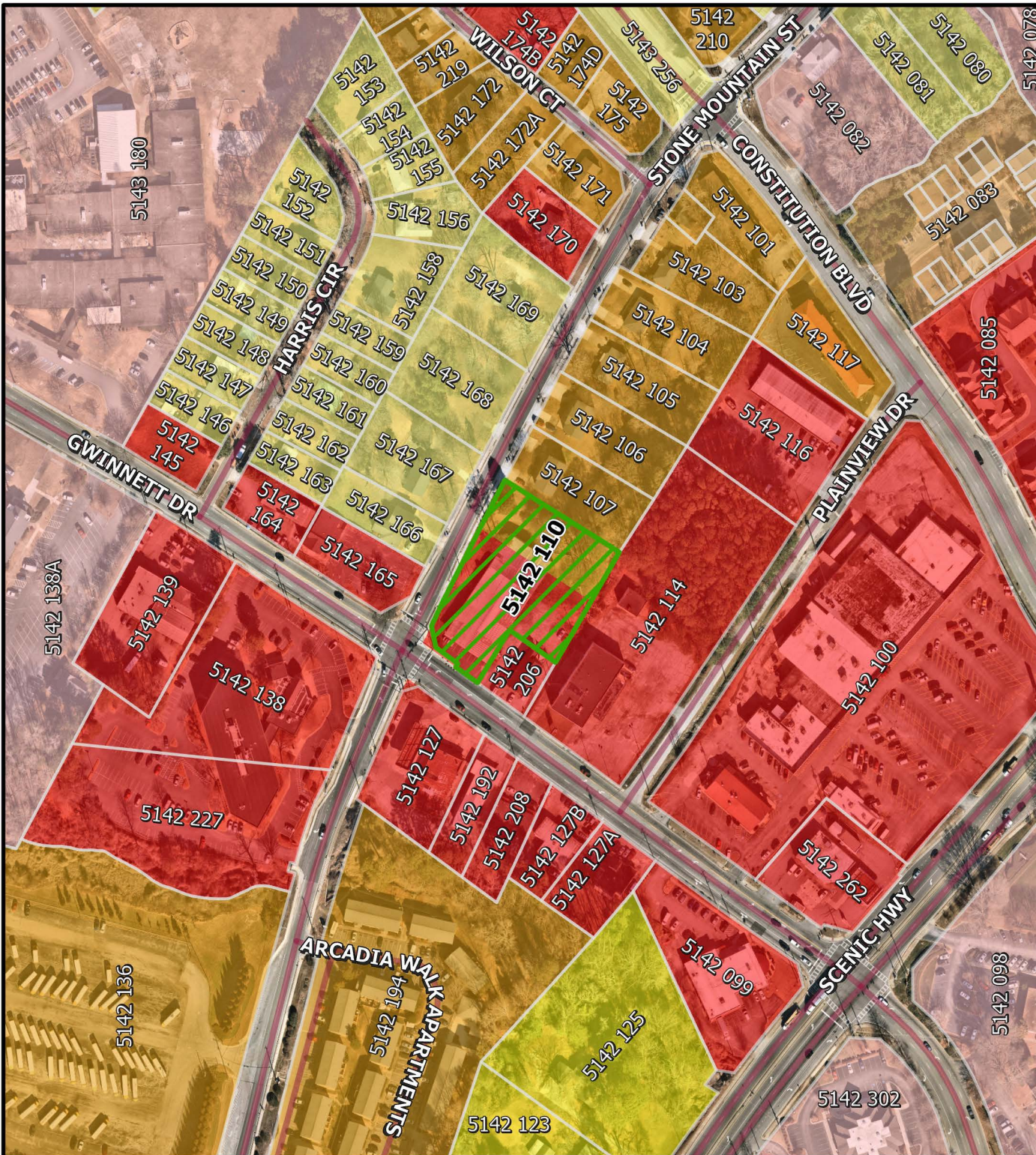
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZC2024-00054

Applicant: Stacy Patterson

-  Subject Property
 -  Parcels
 -  County Maintained Streets
- Zoning Districts**
-  BG General Business
 -  OI Office/Institutional
 -  ON Office/Neighborhood
 -  RM-12 Multifamily Residential
 -  RM-8 Townhouse Residential
 -  RS-150 Single-Family Residential
 -  RS-180 Single-Family Residential
















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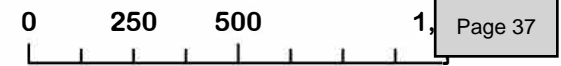
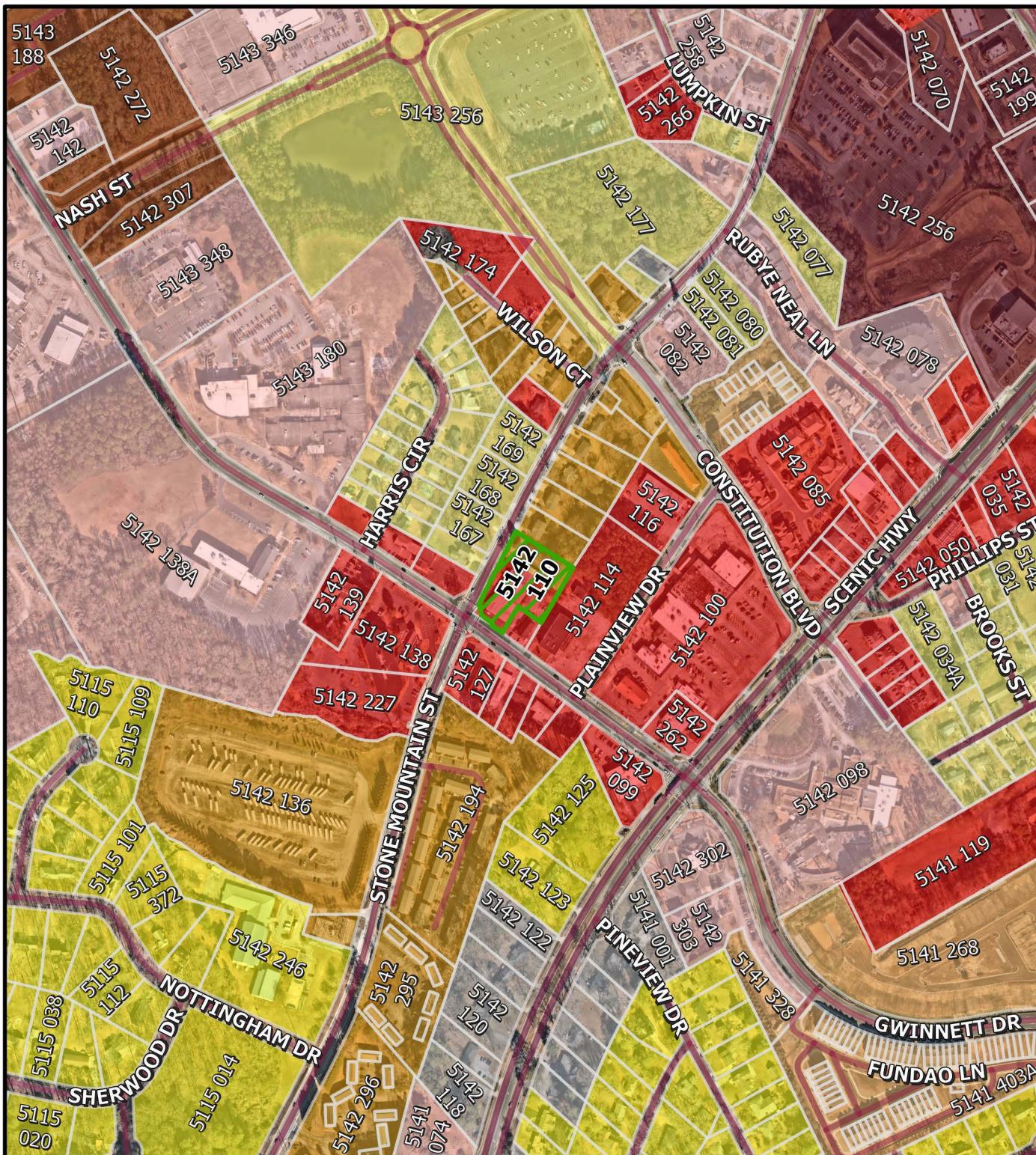
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZC2024-00054

Applicant: Stacy Patterson

-  Subject Property
 -  Parcels
 -  County Maintained Streets
- Zoning Districts**
-  BG General Business
 -  HSB Highway Service Business
 -  OI Office/Institutional
 -  ON Office/Neighborhood
 -  CMU Community Mixed Use
 -  RM-12 Multifamily Residential
 -  RM-8 Townhouse Residential
 -  RS-150 Single-Family Residential
 -  RS-180 Single-Family Residential













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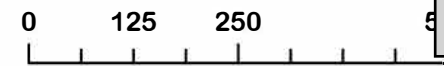
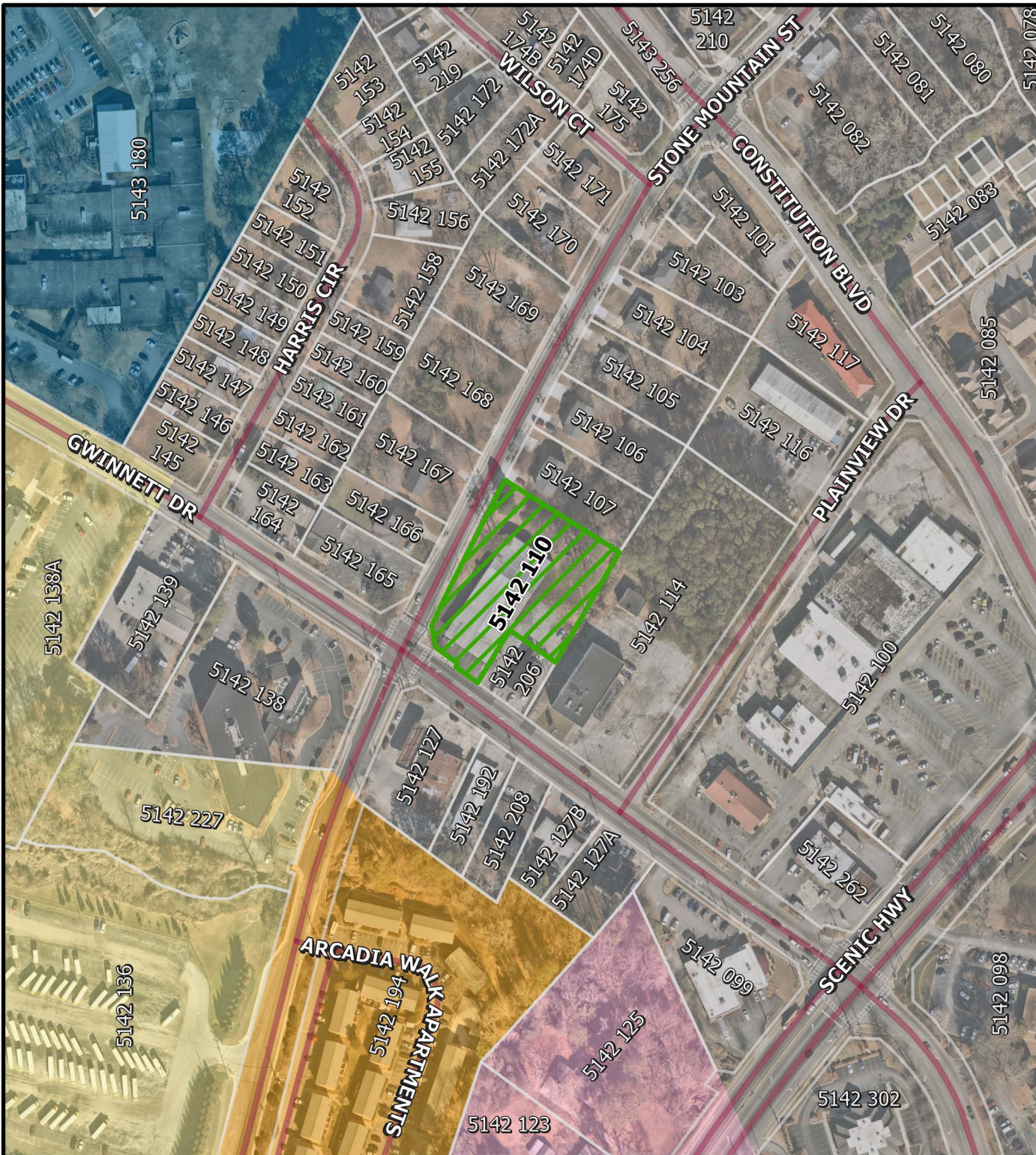
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZC2024-00054

Applicant: Stacy Patterson

-  Subject Property
-  Parcels
-  County Maintained Streets
- 2045 Character Areas**
-  Downtown
-  Traditional Residential
-  Mixed Residential
-  Office
-  Education Center













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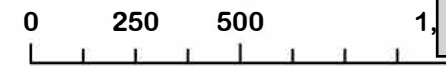
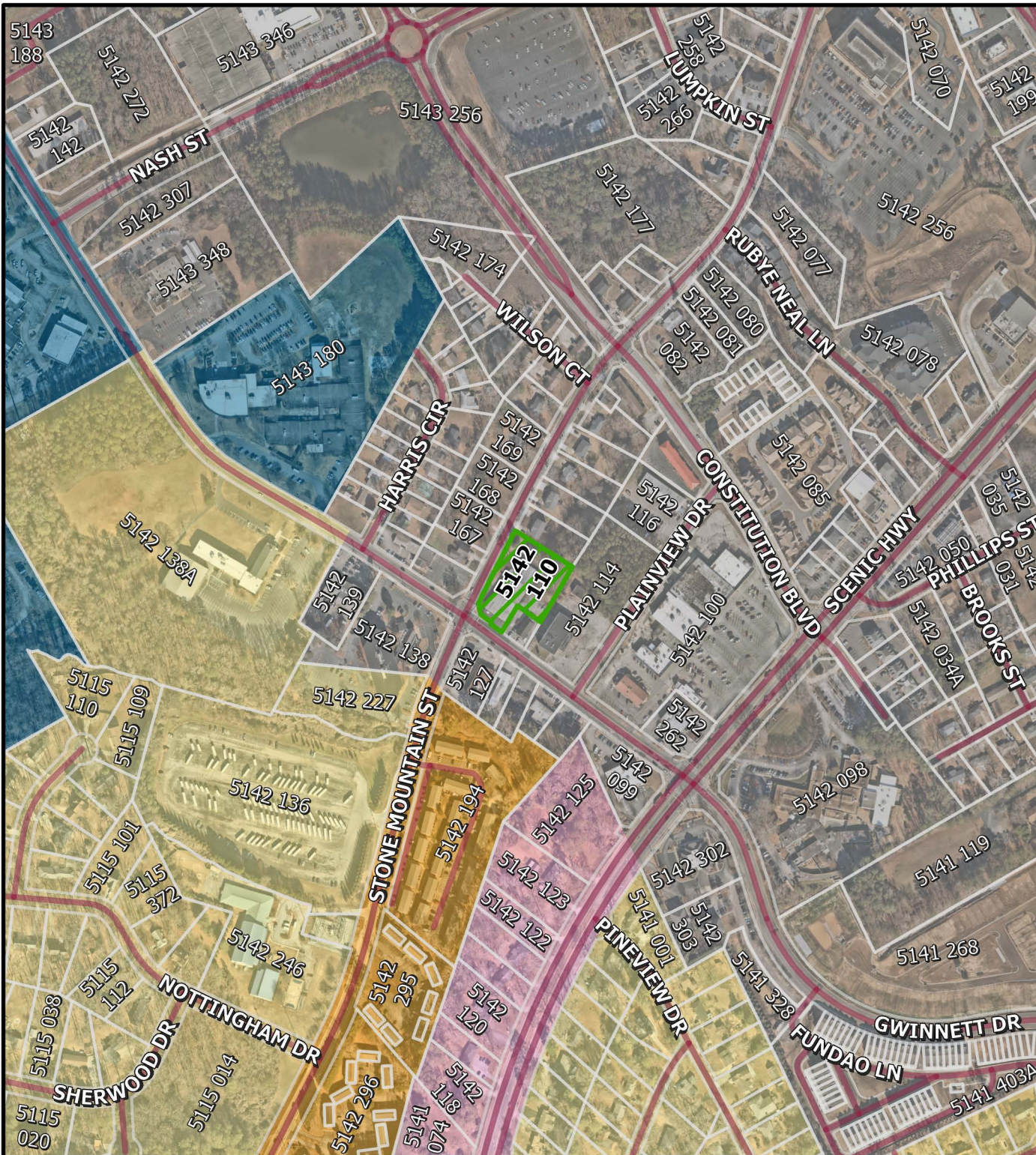
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZC2024-00054

Applicant: Stacy Patterson

-  Subject Property
-  Parcels
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- 2045 Character Areas**
-  Downtown
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LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 05, 2024
AGENDA CATEGORY: DISCUSSION OF NEW CITY BUSINESS

Item: SUP2024-00086; Juanita Wade; 3130 Sugarloaf Parkway

Department: Planning and Development

Date of Meeting: Wednesday, June 5, 2024

Applicant Request: Approval of request

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Approval with Conditions**

Planning Commission Recommendation: **To be provided at meeting**

Summary: The applicant requests a Special Use Permit renewal for 3130 Sugarloaf Parkway to allow a Special Event Facility/Banquet Hall in suite 1200. The subject property is an approximately 3.39-acre parcel zoned BG (General Business District), located along the southern right-of-way of Sugarloaf Parkway, between its intersections with Old Snellville Highway and Johnson Road.

Attachments/Exhibits:

- SUP2024-00086_RPRT_03122024
- SUP2024-00086_P&D RECO CNDS_03132024
- SUP2024-00086_APP_01052024
- SUP2024-00086_LOI_01052024
- SUP2024-00086_SITE PLAN_01052024
- SUP2024-00086_LEGAL DESC_01052024
- SUP2024-00086_AERIAL MAP - ZOOMED IN
- SUP2024-00086_AERIAL MAP - ZOOMED OUT
- SUP2024-00086_ZONING MAP - ZOOMED IN
- SUP2024-00086_ZONING MAP - ZOOMED OUT

- SUP2024-00086_CHARACTER AREAS - ZOOMED IN
- SUP2024-00086_CHARACTER AREAS - ZOOMED OUT



LAWRENCEVILLE

Planning & Development

CASE NUMBER: SUP2024-00086

OWNER: 4SEAS INVESTMENT GROUP LLC

APPLICANT: JUANITA WADE

CONTACT: JUANITA WADE – 313.515.6506

LOCATION(S): 3130 SUGARLOAF PARKWAY

PARCEL ID(S): R5085 695

APPROXIMATE ACREAGE: 3.39

ZONING PROPOSAL: TO ALLOW AN EVENT FACILITY AS A SPECIAL USE

PROPOSED DEVELOPMENT: SPECIAL EVENT FACILITY/BANQUET HALL

DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS

VICINITY MAP





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ZONING HISTORY

The subject property has been zoned BG (General Business District) since 2002, the earliest record on file for the parcel. **SUP2021-00051** was approved on 12/13/2021, allowing a special events facility at the address. The Special Use Permit was conditioned with a two-year sunset, which expired January 2024, necessitating this SUP renewal (submitted 1/4/2024).

PROJECT SUMMARY

The applicant requests a renewal for a Special Use Permit at 3130 Sugarloaf Parkway to allow a Special Event Facility/Banquet Hall in suite 1200. The subject property is an approximately 3.39-acre parcel zoned BG (General Business District), located along the southern right-of-way of Sugarloaf Parkway, between its intersections with Old Snellville Highway and Johnson Road.

ZONING AND DEVELOPMENT STANDARDS

The property consists of an 18,531 square-foot one-story retail building, accessory driveways, and parking.

Article 1 Districts, Section 103.2 Use Table

Standard	Requirement	Proposal	Recommendation
Special Event Facility	<i>Special Use Permit</i>	<i>Special Use Permit</i>	<i>Approval w/ Conditions</i>

Article 2 Supplemental and Accessory Use Standards, Section 200.3, Subsection 200.3.73 Special Event Facility reads as follows:

- A. *Such facilities shall be located on a principle arterial, major arterial, minor arterial, major collector street, or a state highway.*
- B. *During inclement weather, there shall be sufficient space to safely shelter guests.*
- C. *Adequate permanent restroom facilities shall be provided, which shall meet the minimum requirements of the Gwinnett County Environmental Health section and building code requirements.*



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- D. Adequate off-street parking facilities shall be provided on-site.*
- E. Such facilities shall meet the Lawrenceville Code of Ordinance: Special Events Facilities.*
- F. Alcohol sales and consumption on the premises of a special event facility outside the Downtown Entertainment District is prohibited in HSB and HM zoning district.*

The applicant occupies Suite 1200 of the Sugarloaf Pointe shopping center, a 2,800 square foot retail space. They are requesting a renewal for the Special Use Permit approved in December 2021 that allowed a Special Event Facility/Banquet Hall at this location (**SUP2021-00051**). Access to the property is provided via curb-cuts extending from Sugarloaf Parkway, Johnson Road, and Old Snellville Highway.

Regarding the existing business at this location, a certificate of occupancy was issued on 7/23/2021 for “Milestones Event Center” in suite 1200 (BLD2021-01465) and a business license was issued on 9/1/2021 for “Life Events Décor, Rental, and Design” (OTC-19128109).

As proposed, the parking regulations require 28 parking spaces for this type of facility, however, the existing parking lot consists of 90 parking spaces, which exceeds the minimum requirements and adequately provides enough off-street parking. Additionally, all associated parking spaces are in front of the building.

The proposal satisfies the minimum requirement of the Supplemental and Accessory Use Standards (the Standards) requiring Special Event Facilities/Banquet Halls be located along a properly classified road, as well as providing adequate restroom facilities. Additionally, the Standards require compliance with the intent of the Code of Ordinance as it relates to Special Event Facilities/Banquet Halls. The adoption of the 2020 Zoning Ordinance allows Special Events Facilities/Banquet Halls to operate throughout the city limits in specific zoning classifications, which includes the BG zoning classification. However, if the applicant chooses to serve alcohol during events an Alcoholic Beverages License allowing the retail sales of alcoholic beverages for consumption shall be required.



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SURROUNDING ZONING AND USE

The immediate surrounding area consists primarily of commercial/retail uses. The parcels immediately adjacent to the property are zoned BG (General Business District), outparcels for the Sugarloaf Pointe shopping center. There are businesses zoned BN (Neighborhood Business District) to the northwest of the subject property, across the rights-of-way of Johnson Road and Sugarloaf Parkway. Otherwise, the subject property is an island of Lawrenceville within a sea of unincorporated Gwinnett County.

Most of the surrounding unincorporated land is residential in nature, including the Tanner’s Pointe subdivision immediately to the south and to the west of the subject property, across the right-of-way of Johnson Road; these residential uses are zoned R-75 (Gwinnett Single Family Residential District). The Gwinnett subdivision of Sugarloaf Manor is to the immediate north of the property, across the right-of-way of Sugarloaf Parkway, and is zoned RZT (Gwinnett Single Family Residential District). Finally, there is a veterinary clinic and a medical office zoned OI (Gwinnett Office-Institutional District) to the east of the subject property, across the right-of-way of Old Snellville Highway. The mixture of zoning and uses in the immediate area further support the requested Special Use Permit renewal.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00086

Applicant: Juanita Wade

- Lawrenceville City Limits
- Subject Property
- Parcels
- County Maintained Streets
- City Maintained Streets
- Zoning Districts**
- BN Neighborhood Business
- BG General Business
- RS-60 Single-Family Residential
- RS-150 Single-Family Residential



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2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan and Future Development Map indicate the property lies within the Commercial Corridor Character Area. The commercial corridor character area corresponds to a major road corridor into the city. It is intended to accommodate large-scale commercial uses that serve the traveling public via automobiles. These uses include, but are not limited to, 'big box' retail stores, car dealerships, car washes, and large corporate offices. All such uses require careful site planning to ensure interconnectivity and compliance with applicable parking, lighting, landscaping, and signage standards. Commercial corridors are typically less pedestrian-oriented than neighborhood and community centers.

LAWRENCEVILLE 2045 COMPREHENSIVE PLAN - FUTURE LAND USE PLAN MAP

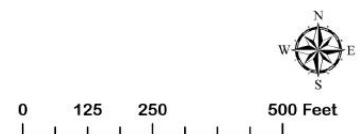



LAWRENCEVILLE
GEORGIA
The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00086

Applicant: Juanita Wade

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- 2045 Character Areas**
-  Traditional Residential
-  Commercial Corridor





LAWRENCEVILLE

Planning & Development

STAFF RECOMMENDATION

As submitted, the proposal to renew the SUP for a Special Event Facility/Banquet Hall at this location is appropriate, as it is in a mixed use area along Sugarloaf Parkway. It is located within the Commercial Corridor character area, which is appropriate for smaller-scale retail uses such as banquet halls. Furthermore, there is precedent for City Council approving such special uses in the general vicinity and for parcels currently zoned BG; in December 2021, **SUP2021-00051** was approved for a Special Event Facility/Banquet Hall at this location, **SUP2023-00083** was approved in December 2023 for the same use at a nearby location on Sugarloaf Parkway, and **SUP2023-00084** was approved in the same December 2023 City Council session for the same use at 575 West Pike Street.

In conclusion, the requested Special Use Permit for a Special Event Facility/Banquet Hall at an existing commercial development, may provide a center for local services, providing walkable connectivity, for nearby residential uses along this segment of the Sugarloaf Parkway corridor. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of this request.



LAWRENCEVILLE

Planning & Development

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



LAWRENCEVILLE

Planning & Development

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

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

In light of the mixture of uses and zoning in the immediate area the requested Special Events Facility could be suitable for the area.

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

With the recommended conditions, potential impacts on adjacent and nearby properties could be reduced.

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

The property has reasonable economic use as currently zoned.

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

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

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

Policies of the Commercial Corridor Character Area are intended to provide a center for a variety of retail activities. As such the proposed Special Use Permit allowing a Special Event Facility/Banquet Hall at this location could be consistent with the 2045 Comprehensive Plan.

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



LAWRENCEVILLE

Planning & Development

*In December 2021, **SUP2021-00051** was approved for a Special Event Facility/Banquet Hall at this location. This SUP expired in January of 2024 due to a two-year sunset clause.*

To ensure the compatibility with rules and regulations of the City of Lawrenceville, it is suggested that conditions limit the Special Use Permit to a period of two years.

PLANNING COMMISSION
RECOMMENDED CONDITIONS
SUP2024-00086_03132024

Approval of Special Use Permit for a Special Event Facility/Banquet Hall, subject to the following conditions:

1. General Business uses, which may include a Special Event Facility/Banquet Hall as a special use allowing conferences, galas, weddings, and other similar events.
2. 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.
3. 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 rights-of-way.
4. Peddlers and/or any parking lot sales unrelated to the Special Use shall be prohibited.
5. Outdoor storage shall be prohibited.
6. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
7. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
8. Alcohol may only be served at an indoor special events facility by a licensed caterer under the provisions set forth in the Code of the City of Lawrenceville, Georgia Chapter 4 Alcoholic Beverages or by the owner of the indoor special events facility in compliance with all applicable sections of the Code of the City of Lawrenceville, Georgia Chapter 4 Alcoholic Beverages.
9. Requires proper licenses for food service; must comply with all local, county, and state laws and regulations.

- 10.** Business must acquire a new Certificate of Occupancy within 90 days of approval from City Council or this Special Use Permit is void. The name of the business/tenant name shall be consistent across the Gwinnett Fire Marshall Certificate of Occupancy, City of Lawrenceville Certificate of Occupancy, and the City of Lawrenceville Occupation Tax Certificate.
- 11.** The Special Use Permit shall be limited to a period of two years, at which time the use shall cease, or an application made for renewal.



LAWRENCEVILLE

GEORGIA

Life Events

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Juanita Wade</u>	NAME: <u>4SEAS INVESTMENT GROUP, LLC</u>
ADDRESS: <u>3130 Sugarloaf Parkway</u>	ADDRESS: <u>8445 ST. MARLOW DR</u>
CITY: <u>Lawrenceville</u>	CITY: <u>DULUTH</u>
STATE: <u>GA</u> ZIP: <u>30045</u>	STATE: <u>GA</u> ZIP: <u>30097</u>
PHONE: <u>313-515-6506</u>	PHONE: <u>404.213.3476</u>
CONTACT PERSON: <u>Juanita Wade</u> PHONE: <u>313-515-6506</u>	
CONTACT'S E-MAIL: <u>jwade8707@yahoo.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
ZONING DISTRICT(S): <u>BG</u> ACREAGE: <u>3.4 AC</u>	
PARCEL NUMBER(S): <u>5085 695</u>	
ADDRESS OF PROPERTY: <u>3130 SUGARLOAF PKWY SUITE 200</u>	
PROPOSED SPECIAL USE: <u>EVENT VENUE</u>	

CRYSTAL T JONES
 NOTARY PUBLIC
 Rockdale County
 State of Georgia
 My Comm. Expires March 21, 2027

Juanita Wade
 SIGNATURE OF APPLICANT DATE

Juanita Wade
 TYPED OR PRINTED NAME

 NOTARY PUBLIC DATE

Mitchell 12/01/2023
 SIGNATURE OF OWNER DATE

Mitchell
 TYPED OR PRINTED NAME

[Signature] 12/1/23
 NOTARY PUBLIC DATE



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? _____

Y/N

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

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

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



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: 5 - 085 - 007
(Map Reference Number) District Land Lot Parcel

Quanita Wade
Signature of Applicant

10/30/23
Date

Quanita Wade / owner / President
Type or Print Name and Title

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

TAX COMMISSIONER'S USE ONLY

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

NAME TITLE

DATE



LAWRENCEVILLE

GEORGIA

2.

* SPECIAL USE PERMIT APPLICATION *

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Juanita Wade</u>	NAME: <u>4 SEAS INVESTMENT GROUP, LLC</u>
ADDRESS: <u>3130 Sugarloaf Parkway</u>	ADDRESS: <u>8415 S MARLOW DR.</u>
CITY: <u>Lawrenceville</u>	CITY: <u>DELUTH</u>
STATE: <u>GA</u> ZIP: <u>30045</u>	STATE: <u>GA</u> ZIP: <u>30097</u>
PHONE: <u>313-515-6506</u>	PHONE: <u>404-213-3476</u>
CONTACT PERSON: <u>Juanita Wade</u>	PHONE: <u>313-515-6506</u>
CONTACT'S E-MAIL: <u>Jwade8707@yahoo.com</u>	

* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.

ZONING DISTRICT(S): 5TH DISTRICT ACREAGE: 3.4 ACRES

PARCEL NUMBER(S): 5-085-007

ADDRESS OF PROPERTY: 3130 SUGARLOAF PARKWAY, LAWRENCEVILLE, GA

PROPOSED SPECIAL USE: Event Venue / For Special Events 30045

CRYSTAL T JONES
 NOTARY PUBLIC
 Rockdale County
 State of Georgia
 My Comm. Expires March 21, 2027

Juanita Wade 11/13/23
 SIGNATURE OF APPLICANT DATE

Martin Chugh 12/01/2023
 SIGNATURE OF OWNER DATE

Juanita Wade
 TYPED OR PRINTED NAME

Martin Chugh
 TYPED OR PRINTED NAME

Kalshu 11/13/23
 NOTARY PUBLIC
 MY COMMISSION EXPIRES MARCH 26, 2027
 KARLA AMAYA
 NOTARY PUBLIC
 ROCKDALE COUNTY, GEORGIA
 WINNETT COUNTY, GEORGIA

[Signature] 12/1/2023
 NOTARY PUBLIC DATE

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

CRYSTAL T JONES
 NOTARY PUBLIC
 Rockdale County
 State of Georgia
 My Comm. Expires March 21, 2027

WADE MARKETING & CONSULTING SERVICES

August 6, 2021

City of Lawrenceville
Planning Department
70 S. Clayton St.
P.O.Box 2200
Lawrenceville, Ga 30046

Letter of Intent: 3130 Sugarloaf Parkway Ste 1200

To Whom It May Concern:

Wade Marketing & Consulting Services is submitting this Letter of Intent on behalf of Life Events Venue.

3130 Sugarloaf Parkway (otherwise Know as L3 BA Sugarloaf Pointe) Suite 1200 is a 2800 square foot commercial space located in a commercial strip mall in, Lawrenceville, GA.

Our intent is to utilize space as an event center, to host meetings, training sessions, pop up shops, special occasions and community events.

If you have any questions about our intended use, you can contact Juanita Wade at 313-515-6506.

Sincerely,



Juanita Wade

TITLE DESCRIPTION PER RECORD (LOT #3)

ALL TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 85 AND 108 OF THE 5TH DISTRICT, CITY OF LAWRENCEVILLE, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF SUGARLOAF PARKWAY (SAID ROAD HAVING A RIGHT OF WAY THAT VARIES) IF BOTH ROADS WERE EXTENDED TO FORM AN ANGLE; THENCE SOUTHERLY FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF OLD SNELLVILLE ROAD (sic);THENCE SOUTH 09 DEGREES 03 MINUTES 02 SECONDS WEST ALONG THE RIGHT OF WAY OF OLD SNELLVILLE ROAD FOR A DISTANCE OF 86.89 FEET TO A POINT; THENCE SOUTHERLY ALONG THE RIGHT OF WAY OF OLD SNELLVILLE ROAD ALONG THE CURVE TO THE RIGHT HAVING A RADIUS OF 2824.79 FEET AND ARC LENGTH OF 72.14 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 09 DEGREES 46 MINUTES 56 SECONDS WEST AND A CHORD DISTANCE OF 72.14 TO A POINT; THENCE SOUTH 10 DEGREES 30 MINUTES 50 SECONDS WEST ALONG THE RIGHT OF WAY OF OLD SNELLVILLE ROAD FOR A DISTANCE OF 45.04 FEET TO A POINT ON SAID RIGHT OF WAY AND THE TRUE POINT OF BEGINNING;THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 10 DEGREES 30 MINUTES 50 SECONDS WEST 163.06 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE LEAVING THE RIGHT OF WAY F OLD SNELLVILLE ROAD NORTH 68 DEGREES 03 MINUTES 09 SECONDS WEST 280.37 FEET TO A POINT;THENCE NORTH 07 DEGREES (sic) 43 MINUTES 09 SECONDS EAST (sic) 144.88 FEET TO A POINT; THENCE NORTH 66 DEGREES 45 MINUTES 30 SECONDS WEST 311.36 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF JOHNSON ROAD (50 FOOT RIGHT OF WAY); THENCE PROCEEDING NORTH 43 DEGREES 43 MINUTES 09 SECONDS EAST 233.25 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND AN ARC LENGTH 32.17 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 53 DEGREES 47 MINUTES 59 SECONDS EAST AND A CHORD DISTANCE 28.81 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF SUGARLOAF PARKWAY; THENCE SOUTHERLY ALONG THE RIGHT OF WAY OF SUGARLOAF PARKWAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1213.24 FEET AND ARC LENGTH OF 381.80 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 71 DEGREES 06 MINUTES 16 SECONDS EAST AND A CHORD DISTANCE OF 380.23 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE LEAVING THE RIGHT OF WAY OF SUGARLOAF PARKWAY SOUTH 23 DEGREES 14 MINUTES 30 SECONDS WEST 249.36 FEET TO A POINT; THENCE SOUTH 66 DEGREES 45 MINUTES 30 SECONDS WEST 272.66 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF OLD SNELLVILLE ROAD AND THE TRUE POINT OF BEGINNING.

TITLE DESCRIPTION PER AS-SURVEYED (LOT #3)

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LAWRENCEVILLE

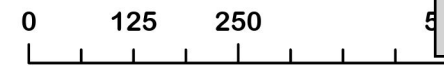
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00086

Applicant: Juanita Wade

-  Lawrenceville City Limits
 -  Subject Property
 -  Parcels
 -  County Maintained Streets
 -  City Maintained Streets
- 2045 Character Areas**
-  Traditional Residential
 -  Commercial Corridor












LAWRENCEVILLE

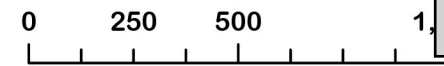
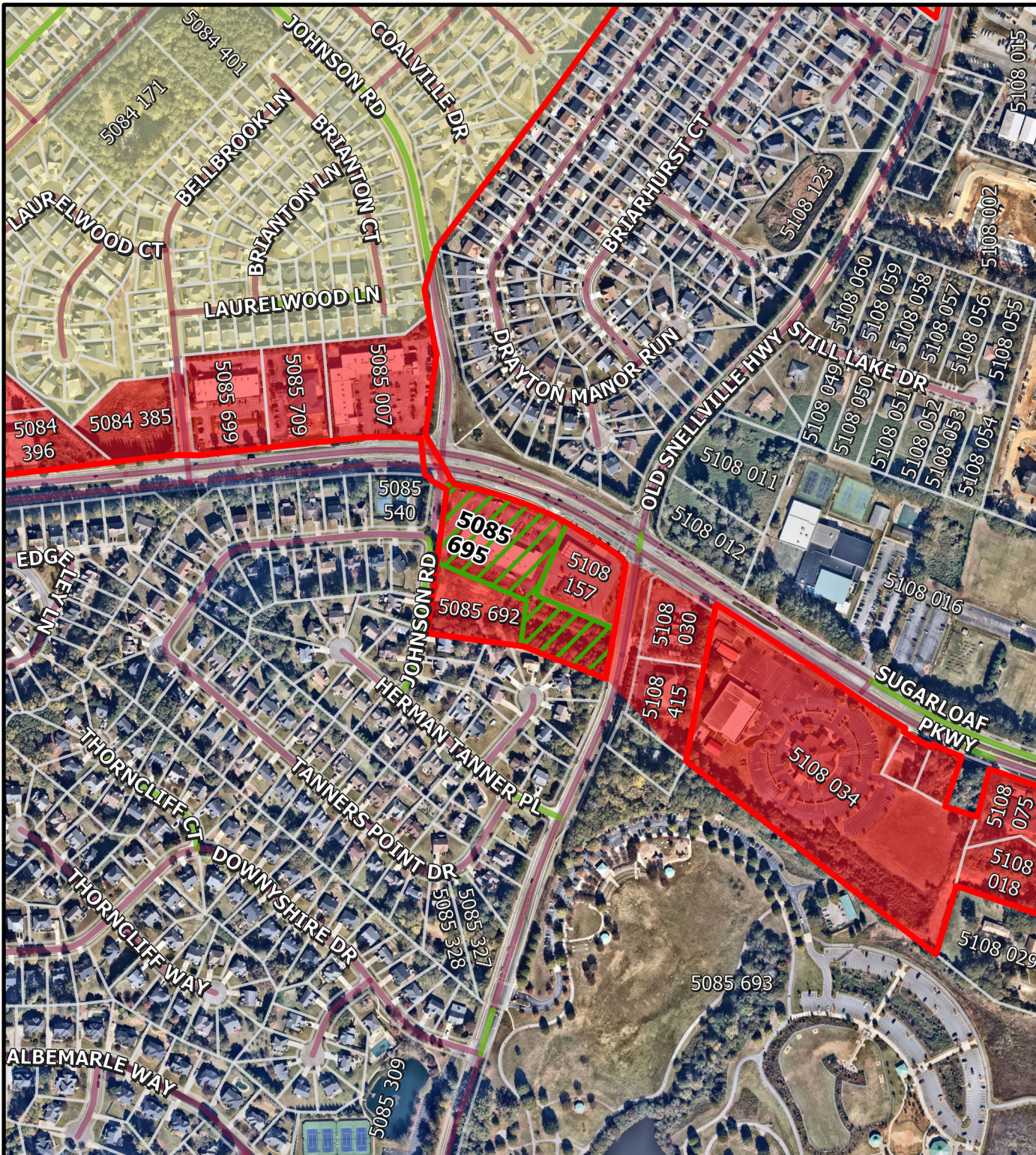
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LAWRENCEVILLE

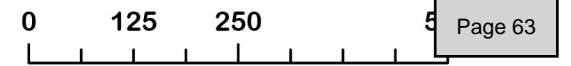
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-  City Maintained Streets





LAWRENCEVILLE

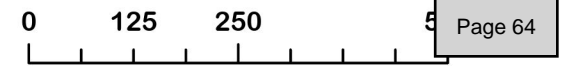
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Location Map & Surrounding Areas

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-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Zoning Districts**
-  BN Neighborhood Business
-  BG General Business
-  RS-60 Single-Family Residential
-  RS-150 Single-Family Residential





LAWRENCEVILLE






GEORGIA

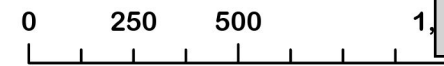
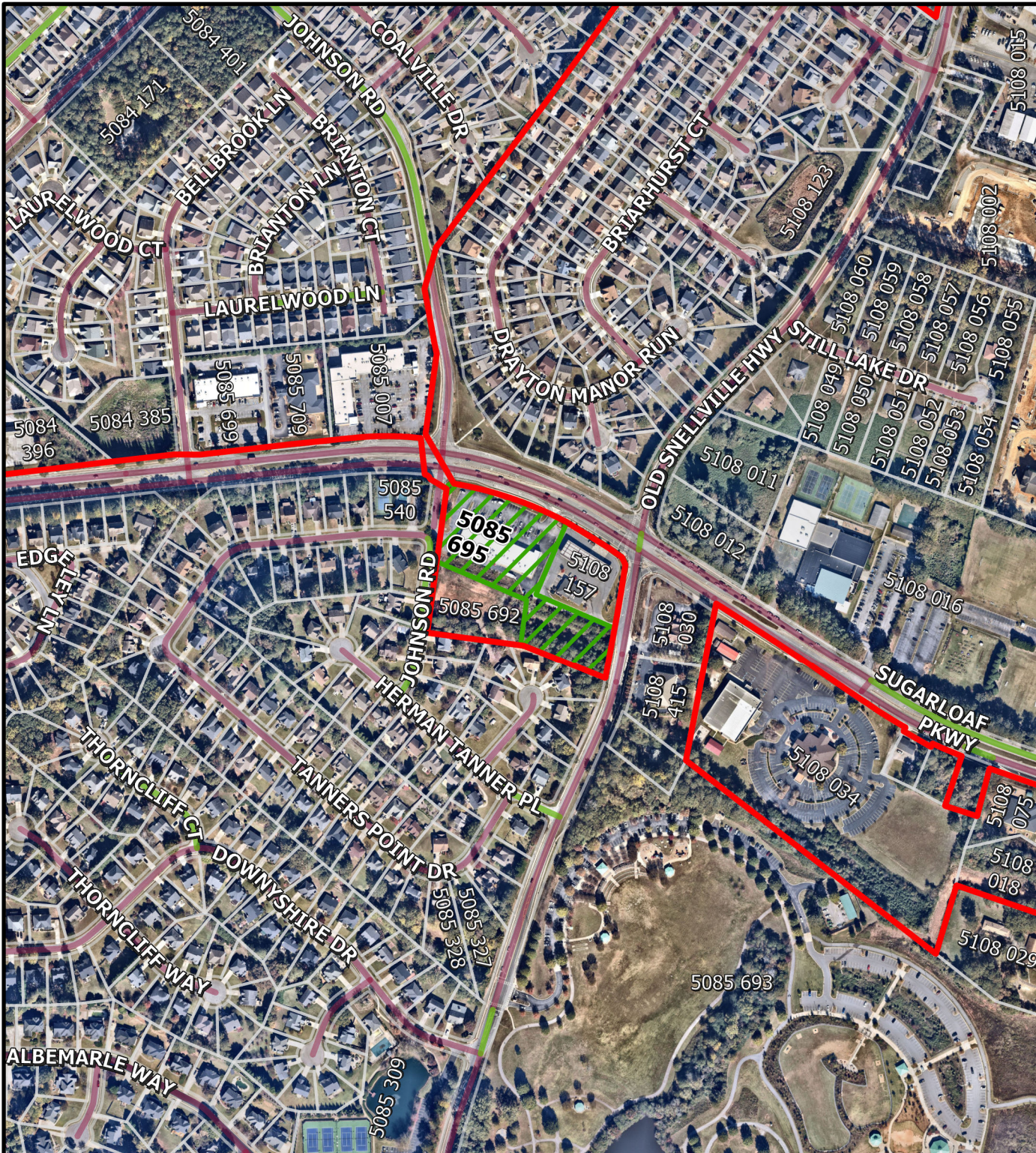
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

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-  City Maintained Streets
















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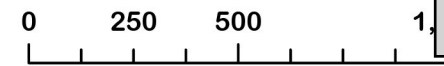
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00086

Applicant: Juanita Wade

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Zoning Districts**
-  BN Neighborhood Business
-  BG General Business
-  HSB Highway Service Business
-  OI Office/Institutional
-  RS-60 Single-Family Residential
-  RS-150 Single-Family Residential





LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: WORK SESSION, JUNE 5, 2024

AGENDA CATEGORY: GENERAL CITY BUSINESS

Item: SUP2024-00089; W. Charles Ross Esq.; 381 Industrial Park Drive

Department: Planning and Development

Date of Meeting: Wednesday, June 5, 2024

Applicant Request: Special Use Permit for Outdoor Storage and Outdoor Display of Trailers

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Approval with Conditions**

Planning Commission Recommendation: **To be provided at meeting**

Summary: The applicant requests a Special Use Permit for 381 Industrial Park Drive to allow for Outdoor Display and Outdoor Storage for trailers at the subject property. The subject property is an approximately 2.22-acre parcel zoned LM (Light Manufacturing District), located on the northwestern right-of-way of Industrial Park Drive west of its intersection with Hosea Road.

Attachments/Exhibits:

- SUP2024-00089_Report
- SUP2024-00089_P&D Recommended Conditions
- SUP2024-00089_Application
- SUP2024-00089_Letter of Intent
- SUP2024-00089_Legal Description
- SUP2024-00089_Topographical and As-Built Survey
- SUP2024-00089_Aerial Map – Zoomed In (1:2,750)
- SUP2024-00089_Aerial Map – Zoomed Out (1:5,500)
- SUP2024-00089_Zoning Map – Zoomed In (1:2,750)
- SUP2024-00089_Zoning Map – Zoomed Out (1:5,500)

- SUP2024-00089_Character Areas Map – Zoomed In (1:2,750)
- SUP2024-00089_Character Areas Map – Zoomed Out (1:5,500)



LAWRENCEVILLE

Planning & Development

SPECIAL USE PERMIT

CASE NUMBER: SUP2024-00089

APPLICANT: INTERSTATE GROUP, LLC,
C/O W. CHARLES ROSS, ESQ.

OWNER: WHITLEY'S LLC

CONTACT: W. CHARLES ROSS, ESQ.

LOCATION(S): 381 INDUSTRIAL PARK DRIVE

PARCEL IDENTIFICATION NUMBER(s): 5177 027F

APPROXIMATE ACREAGE: 2.22 ACRES

CURRENT ZONING: LM (LIGHT MANUFACTURING DISTRICT)

ZONING PROPOSAL: TO ALLOW TRAILER STORAGE & DISPLAY AS A SPECIAL USE

PROPOSED DEVELOPMENT: TRAILER OUTDOOR DISPLAY/STORAGE

DEPARTMENT RECOMMENDATION: **APPROVAL W/ CONDITIONS**

VICINTY MAP





LAWRENCEVILLE

Planning & Development

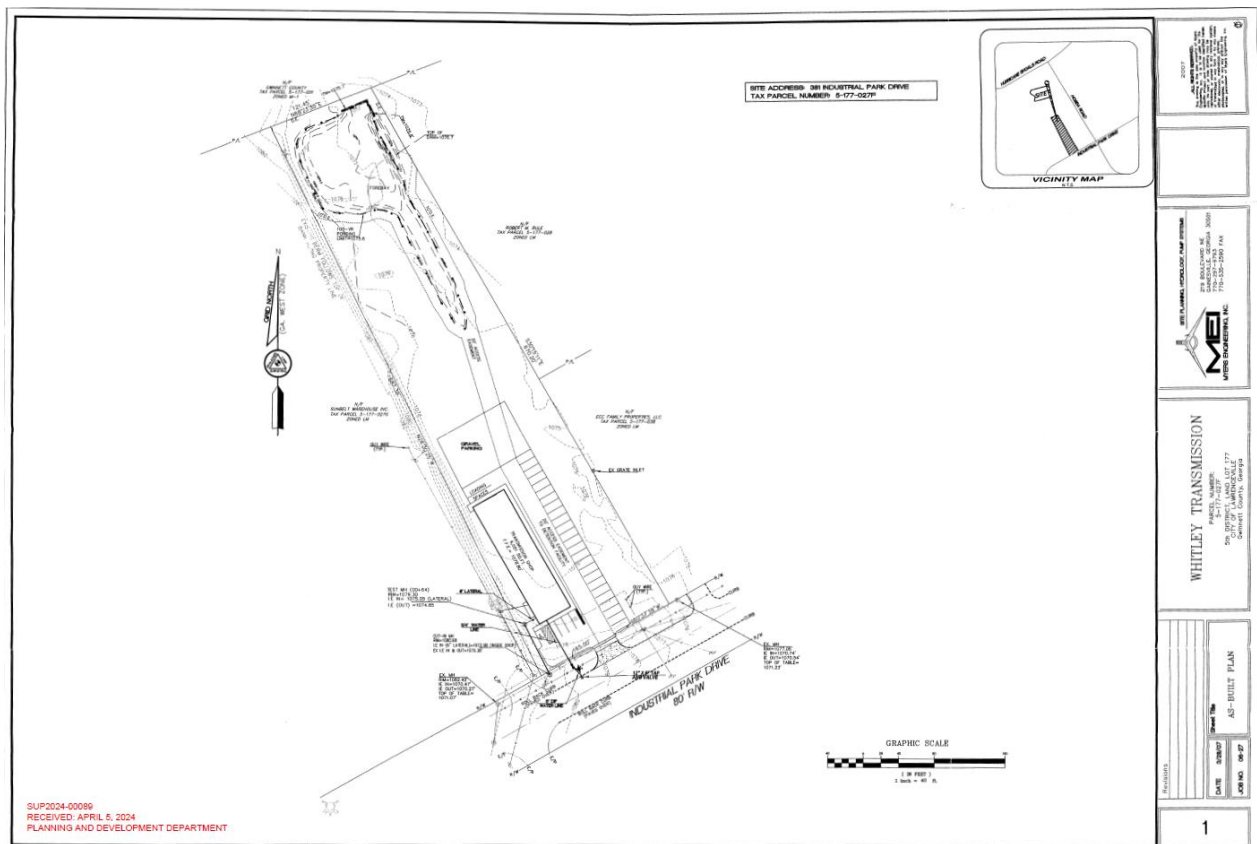
ZONING HISTORY

The subject property has been zoned LM (Light Manufacturing District) since 1972, the earliest zoning record on file for the parcel.

PROJECT SUMMARY

The applicant requests a Special Use Permit for 381 Industrial Park Drive to allow for Outdoor Display and Outdoor Storage for trailers at the subject property. The subject property is an approximately 2.22-acre parcel zoned LM (Light Manufacturing District), located on the northwestern right-of-way of Industrial Park Drive west of its intersection with Hosea Road.

LAND SURVEY





LAWRENCEVILLE

Planning & Development

ZONING AND DEVELOPMENT STANDARDS

The existing industrial structure was built in 2007, consisting of a mix of automotive and retail uses. The landscaping is existing nonconforming and should therefore be brought into compliance with the 2020 Zoning Ordinance. The property’s thirty-one (31) existing parking spaces satisfies the minimum parking and loading requirements of Article 5 – Parking, which requires twenty-nine (29) parking spaces, or one (1) parking space per 300 SF of retail sales and service space and one (1) space per 500 SF of automotive service area and two (2) spaces per service bay, of which there are eight (8).

According to the submitted letter of intent, the applicant intends to store a wide variety of trailers ranging from small open utility trailers to full covered trailers at the property. All inventory for sale will be displayed within the area already secured by a perimeter fence; nothing will be stored outside which is not inventory for sale.

As a condition for approval, the Planning & Development department recommends that the existing fenced area be covered with opaque screening material to reduce visual disturbance from the right-of-way (Industrial Park Drive).

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP





LAWRENCEVILLE

Planning & Development

SURROUNDING ZONING AND USE

The immediate surrounding area consists almost entirely of light industrial uses and zoning. Other than some residential parcels zoned RS-150 (Single-Family Residential District) some 850 feet to the west of the property along Harris Drive and Hood Street, all surrounding properties are zoned LM (Light Manufacturing District). This includes an unincorporated parcel to the north of the subject property used for the Gwinnett County Fire Marshall’s offices, which is zoned M1 – Gwinnett County’s LM equivalent zone. Furthermore, there exist some heavier industrial uses to the south of the subject property and the airport zoned HM (Heavy Manufacturing District). Overall, the zoning request is compatible with the existing industrial uses and zoning of the surrounding area.

2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan and Future Development Map indicate the property lies within the Industrial character area. The industrial character area leverages both its location along SR 316 and the growing distribution and technology industries. This area supports a variety of job/work types with a focus on skilled jobs and attracting high-tech businesses in Class A office space and modern light industrial facilities. The requested zoning change is compatible with the goals of the 2045 Comprehensive Plan for the Downtown character area.

LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP





LAWRENCEVILLE

Planning & Development

STAFF RECOMMENDATION

As detailed in this report, the requested Special Use Permit is compatible with both the existing conditions as well as the future vision for the surrounding area. If sufficiently conditioned, any nuisances associated with the proposed activity will be managed and mitigated. As such, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** for the request.



LAWRENCEVILLE

Planning & Development

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



LAWRENCEVILLE

Planning & Development

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

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

The majority of nearby properties are of industrial character and are appropriately zoned as such. The proposed use is suitable in light of this.

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

Adverse impacts on adjacent properties could be anticipated in the form of heavy traffic, noise/light intrusion, and a degraded visual appearance for the site.

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

The property has reasonable economic use as currently zoned.

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

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

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

Yes; the proposed use aligns with the long-term vision for the area as a part of the Industrial character area.

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

N/A

PLANNING COMMISSION

P&D RECOMMENDED CONDITIONS

SUP2024-00089

Approval of a Special Use Permit for Outdoor Storage and Outdoor Display of Trailers, subject to the following enumerated conditions:

- 1. To restrict the use of the property as follows:**
 - A.** Outdoor Storage and Outdoor Display shall be prohibited within the designated Front Yard Area. All inventory for sale or displayed shall be within the area secured by a perimeter fence.
 - B.** No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited.
 - C.** Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.
 - D.** The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

- 2. To satisfy the following site development considerations:**
 - A.** All fences shall be covered with an opaque material to screen all outdoor storage from the right-of-way.
 - B.** The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. The final design shall be subject to the review and approval of the Director of Planning and Development.
 - C.** Electrical, Mechanical, Plumbing or Structural modifications shall be subject to the rules and regulations of the International Building Code (IBC). Plans shall be subject to the review and approval of the Director of Planning and Development.
 - D.** Landscape shall be designed and installed to meet the conditions of zoning, requirements of the Zoning Ordinance and Development Regulations. The

final design shall be subject to the review and approval of the Director of Planning and Development.

- E.** Provide a minimum of one (1) parking space per 300 square feet gross retail floor area and two (2) spaces per automotive service bay with an additional one (1) space per GSF of service area. All parking must be on an approved surface and striped.
- F.** Provide a ten (10) foot landscape strip adjacent to all public right-of-ways.
- G.** Provide a five (5) foot concrete sidewalk adjacent to all public right-of-ways.
- H.** 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 rights-of-way.
- I.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.



LAWRENCEVILLE

GEORGIA

SPECIAL USE APPLICATION

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

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

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

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

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Interstate Group, LLC, C/O W. Charles Ross, ESQ</u>	NAME: <u>Whitleys, LLC</u>
ADDRESS: <u>PO Box 1390</u>	ADDRESS: <u>381 Industrial Park Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30046</u>	STATE: <u>Georgia</u> ZIP: <u>30046</u>
PHONE: <u>770-962-0100</u>	PHONE: <u>770-962-0913</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.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>2.22</u>	
PARCEL NUMBER(S): <u>R5-177-027F</u>	
ADDRESS OF PROPERTY: <u>381 Industrial Park Drive, Lawrenceville, Georgia 30046</u>	
PROPOSED SPECIAL USE: <u>Trailer sales to include outdoor sales and outdoor storage of inventory</u>	

[Signature] 4/3/24
 SIGNATURE OF APPLICANT DATE

 SIGNATURE OF OWNER DATE

Michael Snow
 TYPED OR PRINTED NAME

 TYPED OR PRINTED NAME

4/3/24
 DATE

 NOTARY PUBLIC DATE



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SUP2024-00089
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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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NAME: <u>Interstate Group, LLC, C/O W. Charles Ross, ESQ</u>	NAME: <u>Whitleys, LLC</u>
ADDRESS: <u>PO Box 1390</u>	ADDRESS: <u>381 Industrial Park Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30046</u>	STATE: <u>Georgia</u> ZIP: <u>30046</u>
PHONE: <u>770-962-0100</u>	PHONE: <u>770-962-0913</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.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>2.22</u>	
PARCEL NUMBER(S): <u>R5-177-027F</u>	
ADDRESS OF PROPERTY: <u>381 Industrial Park Drive, Lawrenceville, Georgia 30046</u>	
PROPOSED SPECIAL USE: <u>Trailer sales to include outdoor sales and outdoor storage of inventory</u>	

SIGNATURE OF APPLICANT DATE

TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Anthony Whitley
Allen W. Whitley 4-3-24
SIGNATURE OF OWNER DATE

Anthony Whitley
Allen W. Whitley
TYPED OR PRINTED NAME

Stephanie Cuevas 4/3/2024
NOTARY PUBLIC DATE

Stephanie Cuevas
NOTARY PUBLIC

BARROW COUNTY, GEORGIA
My Commission Expires 04/17/2024

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

Tony Powell
Brian Edwards
Nathan Powell
W. Charles Ross



Jay Crowley
Mandy Williams
Laura Walsh
Laura Shoop

April 4, 2024

Todd Hargrave
Planning Director
City of Lawrenceville
70 South Clayton Street
Lawrenceville, Georgia 30046-2200

RE: APPLICATION FOR SPECIAL USE PERMITS FOR PROPERTY
LOCATED AT 381 INDUSTRIAL PARK DRIVE, LAWRENCEVILLE.

Dear Mr. Hargrave:

Powell & Edwards, P.C. submits this Application for Special Use Permits and Letter of Intent on behalf of Interstate Group, LLC (the "Applicant") to allow for the outdoor display and outdoor storage of trailers at their proposed TrailersPlus retail location at the above address. The property, which until recently housed a transmission repair business, is a 2.22-acre site, zoned LM, and has Gwinnett County Tax ID Number of R5177 027F.

Applicant is the parent company of TrailersPlus, the largest independent trailer dealership in the United States, operating over eighty-one locations in thirty-two states. They carry a wide variety of trailers ranging from small open utility trailers to full covered trailers. TrailersPlus has a twenty-five-year track record of being long-term and good neighbors to the communities they serve. The company is always looking for new and creative ways to be involved with their community.

Through this Letter of Intent, Applicant is requesting Special Use Permits to allow them to store and display their trailers outdoors. The property is already secured with a perimeter fence and Applicant intends to keep all inventory within the secured area. Further, Applicant will not be storing anything outside which is not inventory for sale. With as many locations as Applicant has, it can accurately anticipate its operational level. This location will only have two to three employees operating the location. Generally, there are no more than three or four customers at any given time. The business operates Tuesday through Saturday 9:30 AM to 5:30 PM.

A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100
Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

April 4, 2024
Page 2

The proposed location is fully consistent with the Lawrenceville 2045 Comprehensive Plan which places the property in the Industrial Character Area. One of the key features of this character area is to support the efficient movement of goods and materials. Applicant’s business literally provides the necessary products to facilitate that goal.

We appreciate the assistance and guidance that you and your department have provided during this process. The Applicant welcomes the opportunity to meet with you and your staff to answer any questions or to address any concerns relating to the matters set forth in this Letter of Intent or in the Application for Special Use Permits filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles “Chuck” Ross
Attorney for Applicant

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT

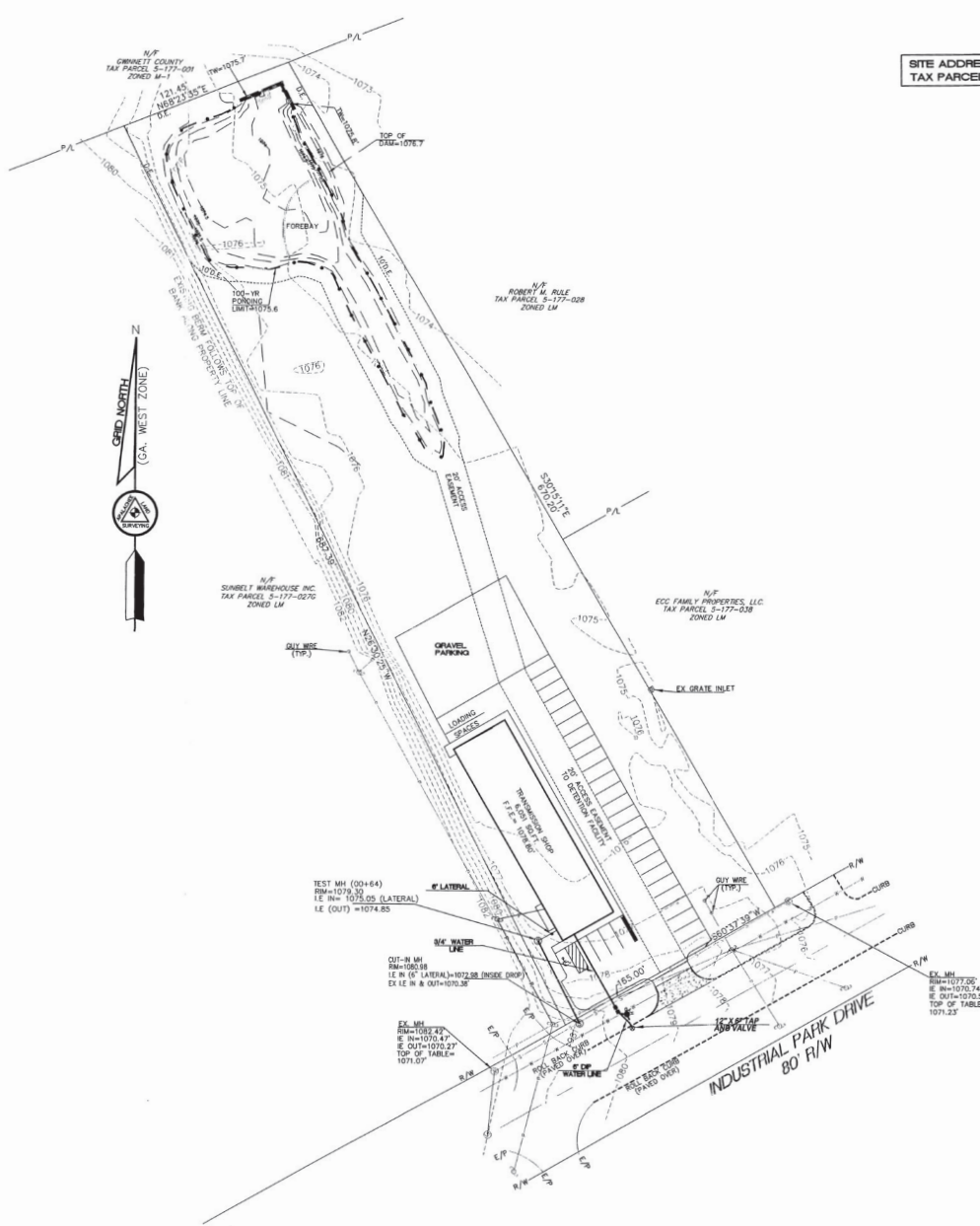
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EXHIBIT "A"

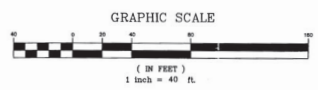
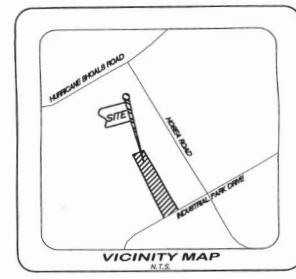
All that tract or parcel of land lying and being in Land Lot 177, 5th District, Gwinnett County, Georgia, being more particularly shown on that survey for Pure Fun Properties, LLC, Flag Bank, Kitchens, Kelley, Gaynes and Chicago Title Insurance Company, prepared Griffin Land Surveying, Inc., Jeff H. Griffin, R.L. S. No. 2503, dated March 9, 2006, last revised April 25, 2006, and being more particularly described as follows:

Beginning at a point on the northwesterly right of way line of Industrial Drive, located 299.92 feet south 65° 28' 41" west from the point marked by an "X" on the curb located at the intersection of the southwesterly right-of-way line of Hosea Road (right-of-way varies) and the northwesterly right-of-way line of Industrial Park Drive (having an 80 foot right-of-way); thence running south 65° 28' 41" west along the northwesterly right-of-way line of Industrial Park Drive, 165 feet to a point; thence leaving said right-of-way line and running north 21° 39' 23" west 687.39 feet to an iron pin set; thence running north 73° 14' 37" east 121.45 feet to a one inch open top pipe; thence running south 25° 24' 09" east 670.20 feet to a point located on the northwesterly right-of-way line of Industrial Park Drive and the POINT OF BEGINNING; containing 2.224 acres as shown on the survey referenced above.

SUP2024-00089
RECEIVED: APRIL 5, 2024
PLANNING AND DEVELOPMENT DEPARTMENT



SITE ADDRESS: 381 INDUSTRIAL PARK DRIVE
 TAX PARCEL NUMBER: 5-177-027F



2007
 ALL INSTRUMENTS, MAPS, PLANS, SPECIFICATIONS, CONTRACTS, AND OTHER RECORDS OF THIS PROJECT ARE THE PROPERTY OF MERRIS ENGINEERING, INC. AND WILL BE LOANED TO YOU FOR YOUR CONVENIENCE. YOU WILL BE RESPONSIBLE FOR THE PROTECTION AND RETURN OF THESE RECORDS TO MERRIS ENGINEERING, INC. AT THE END OF THE PROJECT. ANY REPRODUCTION OR DISTRIBUTION OF THESE RECORDS WITHOUT THE WRITTEN PERMISSION OF MERRIS ENGINEERING, INC. IS STRICTLY PROHIBITED.

SITE PLANNING, HYDROLOGY, P&IP SYSTEMS
 219 BOULEVARD NE
 GAINESVILLE, GEORGIA 30601
 PHONE: 770-533-2525
 770-533-2590 FAX
MERRIS ENGINEERING, INC.

WHITLEY TRANSMISSION
 PARCEL NUMBER:
 5-177-027F
 5th & 6th STS. OF LAWRENCEVILLE
 CITY OF LAWRENCEVILLE
 Gwinnett County, Georgia

Revisions	Sheet Title
DATE 3/28/07	AS-BUILT PLAN
JOB NO. 06-27	







LAWRENCEVILLE

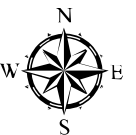
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets









LAWRENCEVILLE

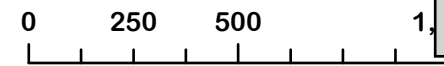
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets





LAWRENCEVILLE

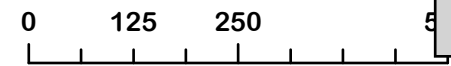
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
 -  Subject Property
 -  Parcels
 -  County Maintained Streets
- Zoning Districts**
-  LM Light Manufacturing
 -  RS-150 Single-Family Residential









LAWRENCEVILLE

GEORGIA





The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

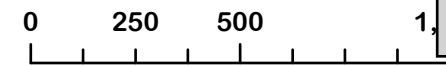
File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets

Zoning Districts

-  BG General Business
-  LM Light Manufacturing
-  HM Heavy Manufacturing
-  RS-150 Single-Family Residential





LAWRENCEVILLE

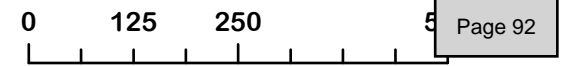
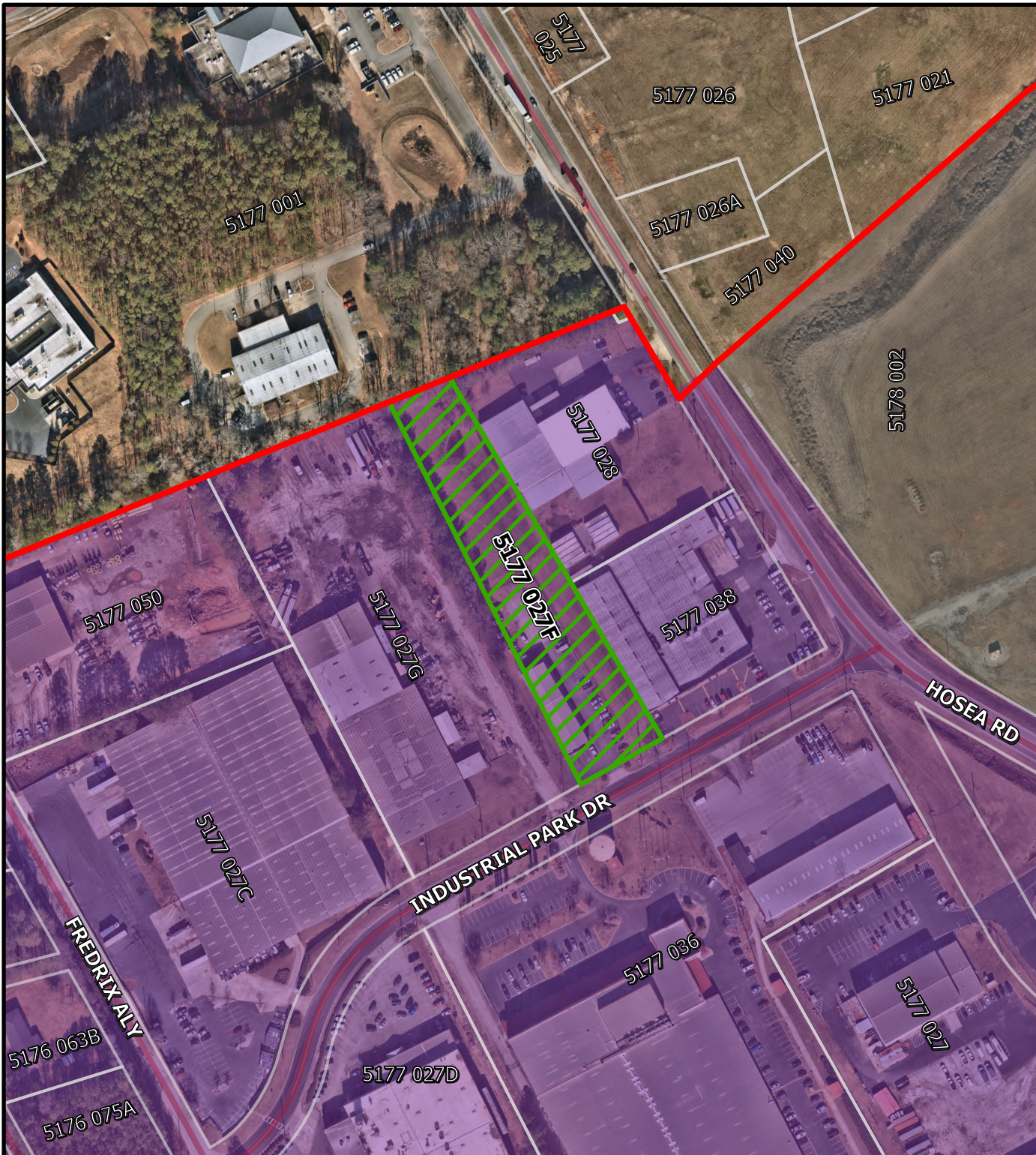
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets
- 2045 Character Areas**
-  Industrial
-  Airport














LAWRENCEVILLE

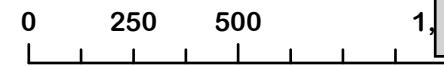
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # SUP2024-00089

Applicant: Chuck Ross

-  Lawrenceville City Limits
-  Subject Property
-  Parcels
-  County Maintained Streets
- 2045 Character Areas**
-  Community Mixed Use
-  Commercial Corridor
-  Industrial
-  Airport
-  Parks





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 05, 2024
AGENDA CATEGORY: DISCUSSION OF NEW CITY BUSINESS

Item: An Ordinance to Amend the Zoning Ordinance, ARTICLE 1; Districts

Department: Planning and Development

Date of Meeting: Wednesday, June 5, 2024

Applicant Request: Approval of Amendment

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Approval**

Planning Commission Recommendation: **To be provided at the meeting**

Summary: Request to table the decision to the Amendment to ARTICLE 1 Districts, to include two new zoning districts to address infill development.

Attachments/Exhibits:
No attachment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 05, 2024
AGENDA CATEGORY: DISCUSSION OF NEW CITY BUSINESS

- Item:** An Ordinance to Amend the Zoning Ordinance, ARTICLE 6; Architectural and Design Standards
- Department:** Planning and Development
- Date of Meeting:** Wednesday, June 5, 2024
- Applicant Request:** Approval of Amendment
- Presented By:** Todd Hargrave, Director of Planning and Development
- Department Recommendation:** **Approval**
- Planning Commission Recommendation:** **To be provided at meeting**

Summary: ARTICLE 6 needs to be updated to be consistent with the vision from the 2040 Comprehensive Plan and the 2021 LCI for City of Lawrenceville.

Attachments/Exhibits:
No attachments



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: WORK SESSION, JUNE 05, 2024

AGENDA CATEGORY: DISCUSSION OF NEW CITY BUSINESS

Item: An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions

Department: Planning and Development

Date of Meeting: Wednesday, June 5, 2024

Applicant Request: Approval of Amendment

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Table to June 2024**

Planning Commission Recommendation: **To be provided at meeting**

Summary: Amendment to ARTICLE 10 Definitions is necessary to clarify language that is consistent with Georgia State Law.

Attachments/Exhibits:

- No attachments



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 05, 2024
AGENDA CATEGORY: DISCUSSION OF NEW CITY BUSINESS

- Item:** An Ordinance to Amend Article 11, Inactive Zoning Districts, of the Zoning Ordinance
- Department:** Planning and Development
- Date of Meeting:** Wednesday, June 5, 2024
- Presented By:** Todd Hargrave, Planning and Development Director
- Action Requested:** Adoption of Amendment
- Planning Department Recommendation:** **Approval**
- Planning Commission Recommendation:** **To be provided at meeting**

Summary: Adding the 2005 Zoning Ordinance as reference, as retired as of May 20, 2020. Retiring Zoning Districts RS-180 (Single-Family Residential District) and RS-150 (Single-Family Residential District).

- Attachments/Exhibits:**
- **No attachment**



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: GENERAL DISCUSSION ITEM

- Item:** Purchase of Transformers
- Department:** Electric
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** \$212,500.00
- Presented By:** Huston Gillis, Public Works Director
- Action Requested:** Award Purchase of Transformers to sole bidder, JCL Energy LLC in the amount of \$212,500.00.

Summary: This purchase is to provide transformers for the Northside Hospital Project. These transformers will be purchased based on the additional buildings and additional electrical load required for the project. The lack of response is due to manufacturers not being able to hold pricing firm nor able to provide delivery times from supply chain disruptions.

Fiscal Impact: Amount of \$212,500.00. This purchase is funded by the Capital Outlay Fund (3644600.541000). Project 06-040.

Attachments/Exhibits:
Bid Tabulation

SB033-24
Purchase of Transformers
Electric Department

				Stuart C. Irby Co. Inc.		JCL Energy LLC	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	2600 KVA Transformers	2	EA	NB	NB	\$106,250.00	\$212,500.00
TOTAL				NB		\$212,500.00	

Recommended Vendor:
JCL Energy LLC



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: GENERAL DISCUSSION ITEM

- Item:** Microsoft Enterprise Agreement Renewal (year 3)
- Department:** Information Technology
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** \$108,771.38
- Presented By:** Kyle Parker, Information Technology Director
- Action Requested:** Approval to renew the Microsoft Enterprise Agreement and to authorize the Mayor to execute any necessary agreements pending the City Attorney’s review and approval.

Summary: Staff is seeking approval to renew the third year of our three-year Microsoft Enterprise Agreement.

Background: The Microsoft Enterprise Agreement provides the software licenses necessary for our servers, workstations, and email system (Microsoft 365). Previously, the Mayor and Council approved a three-year Microsoft Enterprise Agreement. Annually, we conduct a review of the licenses in use and reconcile any changes with Microsoft. This process, commonly referred to as a "true-up," ensures that we have the proper licenses to meet our needs. Our Microsoft Enterprise Agreement is purchased from Dell Technologies.

Fiscal Impact: \$108,771.38. This will be funded by the Operating Budget (1001537-522210).

Attachments/Exhibits:
US_QUOTE_1025575167271.1



A quote for your consideration

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	1025575167271.1	Sales Rep	Andrea Anderson
Total	\$108,771.38	Phone	(800) 456-3355, 7203027
Customer #	4835680	Email	Andrea.Anderson1@Dell.com
Quoted On	May. 21, 2024	Billing To	ACCOUNTS PAYABLE
Expires by	Jun. 19, 2024		CITY OF LAWRENCEVILLE
Contract Code	25AFO		70 S CLAYTON ST
			PO BOX 2200 LAWRENCEVILLE,
			GA 30046-5727

Message from your Sales Rep

Please use the Order button to securely place the order with your preferred payment method online. You may contact your Dell sales team if you have any questions. Thank you for shopping with Dell.

Regards,
Andrea Anderson

Shipping Group

Shipping To

KYLE PARKER
CITY OF LAWRENCEVILLE
70 SOUTH CLAYTON St.
3RD FLOOR
LAWRENCEVILLE, GA 30046

Product	Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL SERVER STD SA ALL LANGUAGES	\$147.92	1	\$147.92
VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES	\$128.33	1	\$128.33
VLA ENTERPRISE SQL CLIENT PER USER SOFTWARE ASSURANCE ALL LANGUAGES	\$34.41	5	\$172.05
VLA ENTERPRISE DEFENDER O365 P1 GCC SUB PER USER	\$18.36	190	\$3,488.40

VLA ENTERPRISE EXCHANGE ONLINE PLAN G2 SHRDSVR PER USER MONTHLY SUBLIC ALL LANG	\$73.20	70	\$5,124.00
VLA ENTERPRISE WINDOWS REMOTE DESKTOP SERVICES DEVICE CAL SA ALL LANGUAGES	\$19.84	5	\$99.20
VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES	\$590.82	8	\$4,726.56
VLA ENTERPRISE WINSVRDCCORE ALNG SA MVL 16LIC CORELIC	\$1,014.49	11	\$11,159.39
VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC	\$154.29	1	\$154.29
VLA ENTERPRISE WIN SVR STD CORE ALNG SA MVL 2LIC CORELIC	\$19.47	12	\$233.64
VLA ENTERPRISE WINDOWS ENT SA PERUSR FROMSA USL PLATFORM SUBLIC ALL LNG	\$50.88	120	\$6,105.60
VLA ENTERPRISE WINDOWS ENT SA PERUSR USL PLATFORM SUBLIC ALL LNG	\$57.72	105	\$6,060.60
VLA ENTERPRISE OFFICE365 G3 FROMSA SHRDSVR SUBLIC PER USR ALL LANG	\$201.36	120	\$24,163.20
VLA ENTERPRISE CORECAL BRIDGE OFF365 PLATFORM SUBLIC PER USR ALL LNG	\$19.32	105	\$2,028.60
VLA ENTERPRISE CORECAL BRIDGE OFF365 FROMSA PLATFORM SUBLIC PER USR ALL LNG	\$16.57	120	\$1,988.40
VLA ENTERPRISE O365GOVE5 SHRDSVR ALNG SUBSVL MVL	\$409.44	105	\$42,991.20
VLA ENTERPRISE AUDIO CONFERENCING SELECT DIAL OUT GCC SUB	\$0.00	120	\$0.00

Subtotal:	\$108,771.38
Shipping:	\$0.00
Estimated Tax:	\$0.00
Total:	\$108,771.38

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Shipping Group Details

Shipping To

ROBERT BARONI
 CITY OF LAWRENCEVILLE
 CITY CLERK
 18 SOUTH CLAYTON ST
 LAWRENCEVILLE, GA 30045

		Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL SERVER STD SA ALL LANGUAGES		\$147.92	1	\$147.92
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL SERVER STD SA ALL LANGUAGES	AC165260	-	1	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES		\$128.33	1	\$128.33
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES	AC165258	-	1	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL CLIENT PER USER SOFTWARE ASSURANCE ALL LANGUAGES		\$34.41	5	\$172.05
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL CLIENT PER USER SOFTWARE ASSURANCE ALL LANGUAGES	AC165259	-	5	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE DEFENDER O365 P1 GCC SUB PER USER		\$18.36	190	\$3,488.40
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE DEFENDER O365 P1 GCC SUB PER USER	AC165272	-	190	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE EXCHANGE ONLINE PLAN G2 SHRDSVR PER USER MONTHLY SUBLIC ALL LANG		\$73.20	70	\$5,124.00
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE EXCHANGE ONLINE PLAN G2 SHRDSVR PER USER MONTHLY SUBLIC ALL LANG	AC165273	-	70	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINDOWS REMOTE DESKTOP SERVICES DEVICE CAL SA ALL LANGUAGES		\$19.84	5	\$99.20
Contract # 25AFO				
Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINDOWS REMOTE DESKTOP SERVICES DEVICE CAL SA ALL LANGUAGES	AC165262	-	5	-
		Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES		\$590.82	8	\$4,726.56
Contract # 25AFO				

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES	AC165261	-	8	-
		Unit Price	Quantity	Subtotal
		\$1,014.49	11	\$11,159.39

VLA ENTERPRISE WINSVRDCCORE ALNG SA MVL 16LIC CORELIC
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINSVRDCCORE ALNG SA MVL 16LIC CORELIC	AC165263	-	11	-
		Unit Price	Quantity	Subtotal
		\$154.29	1	\$154.29

VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC	AC165264	-	1	-
		Unit Price	Quantity	Subtotal
		\$19.47	12	\$233.64

VLA ENTERPRISE WIN SVR STD CORE ALNG SA MVL 2LIC CORELIC
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WIN SVR STD CORE ALNG SA MVL 2LIC CORELIC	AC165265	-	12	-
		Unit Price	Quantity	Subtotal
		\$50.88	120	\$6,105.60

VLA ENTERPRISE WINDOWS ENT SA PERUSR FROMSA USL PLATFORM SUBLIC ALL LNG
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINDOWS ENT SA PERUSR FROMSA USL PLATFORM SUBLIC ALL LNG	AC165269	-	120	-
		Unit Price	Quantity	Subtotal
		\$57.72	105	\$6,060.60

VLA ENTERPRISE WINDOWS ENT SA PERUSR USL PLATFORM SUBLIC ALL LNG
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE WINDOWS ENT SA PERUSR USL PLATFORM SUBLIC ALL LNG	AC165268	-	105	-
		Unit Price	Quantity	Subtotal
		\$201.36	120	\$24,163.20

VLA ENTERPRISE OFFICE365 G3 FROMSA SHRDSVR SUBLIC PER USR ALL LANG
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE OFFICE365 G3 FROMSA SHRDSVR SUBLIC PER USR ALL LANG	AC165266	-	120	-
		Unit Price	Quantity	Subtotal
		\$19.32	105	\$2,028.60

VLA ENTERPRISE CORECAL BRIDGE OFF365 PLATFORM SUBLIC PER USR ALL LNG
Contract # 25AFO

Description	SKU	Unit Price	Quantity	Subtotal
VLA ENTERPRISE CORECAL BRIDGE OFF365 PLATFORM SUBLIC PER USR ALL LNG				

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

Supplier Software Licenses and Services Descriptions: Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on www.Dell.com/eula. Descriptions and terms for Supplier-branded standard services are stated at www.dell.com/servicecontracts/global or for certain infrastructure products at www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm.

Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

^DELL BUSINESS CREDIT (DBC): Offered to business customers by WebBank, who determines qualifications for and terms of credit. Taxes, shipping and other charges are extra and vary. The Total Minimum Payment Due is the greater of either \$20 or 3% of the New Balance shown on the statement rounded up to the next dollar, plus all past due amounts. Dell and the Dell logo are trademarks of Dell Inc.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: GENERAL DISCUSSION ITEM

Item: On-Call Electrical Services on an Annual Contract Change Order 1

Department: Facilities & Grounds Maintenance

Date of Meeting: Wednesday, June 5, 2024

Fiscal Impact: \$100,000.00

Presented By: Brian Osborne, Facilities & Grounds Maintenance Manager

Action Requested: Approval of On-Call Electrical Services on an Annual Contract Change Order 1 to Bell Electric Services, LLC in the amount of \$100,000.00. Authorization for Mayor or City Manager to execute change order 1.

Summary: This contract provides for the labor, material, and equipment in performing all work necessary for maintenance, repairs and/or installations of electrical systems, components and fixtures as required by the City’s service requests. Although primarily used by the City’s Facilities & Grounds Maintenance Department, there is a need for the City’s Electric Department to access the contract for some upcoming small projects.

Background: This contract was awarded in August of 2022 in the amount of \$56,640.00 by City Manager authority and renewed in August of 2023 by City Manager authority for \$65,000.00. Approval of change order 1 will bring the total contract value to \$165,000.00.

Fiscal Impact: Amount of \$100,000.00. This contract is funded by multiple operating funds.

Attachments/Exhibits:
Change Order 1



CITY OF LAWRENCEVILLE CONTRACT/PO CHANGE ORDER

Department: Facilities / Electric Change Order #: 1

Project/PO: AQ017-22 Change Order Date: 5/21/24

Contractor/Vendor: Bell Electric Services, LLC

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

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

Item	Reason Code	Item and Description of Change	Change in Contract Amount (Increase/Decrease)
1	D	Increase contract value	\$100,000.00
		Net Amount	\$100,000.00

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

Original Contract/PO Amount: \$65,000.00

Previous Change Order Amount: \$0

Amount of Change Order Requested (Increase/Decrease) \$100,000.00

New Contract/PO Amount (Including this Change Order) \$165,000.00

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

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

Brian Osborne
Requestor

Department Director

Authorized Approval



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: DISCUSSION OF GENERAL CITY BUSINESS

- Item:** Approval of Worker’s Comp Insurance Excess Coverage
- Department:** City Manager
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** \$114,497 annually
- Presented By:** Michael Fischer, Assistant City Manager - Operations
- Action Requested:** Approval of worker’s comp insurance excess coverage, 2-year term

Summary: This item is for the consideration of renewing the City’s Worker’s Comp Insurance Excess Coverage. The renewal proposed is a two-year term payable annually.

Background: The City is self-insured for our required worker’s compensation insurance coverage; however, we purchase insurance for any one claim that goes over \$500,000 for general positions and \$750,000 for police positions. The proposed renewal holds the increase for the insurance to \$3,751 annually for the next two years.

Fiscal Impact: Cost for the Worker’s Comp Insurance Excess Coverage is \$114,497 annually for a two-year term. The city deductible as self-insured is \$500,000.

Concurrences: Assistant City Manager, Human Resources Director

Attachments/Exhibits: Proposal from Brokerage – Charles Taylor



CITY OF LAWRENCEVILLE

SPECIFIC & AGGREGATE EXCESS INSURANCE

TERM: July 1, 2024 to July 1, 2026
MIDWEST EMPLOYERS CASUALTY (A+ XV)

	<u>RENEWAL</u>	<u>EXPIRING</u>
	2-year Term	1-year Term

SPECIFIC

Specific Limit	Statutory	Statutory
Specific Retention	\$ 500,000 \$ 750,000 (Police)	\$ 500,000 \$ 750,000 (Police)
Employers Liability		
Limit	\$1,000,000	\$1,000,000
Retention	\$ 500,000 \$ 750,000 (Police)	\$ 500,000 \$ 750,000 (Police)

AGGREGATE

Aggregate Limit	\$1,000,000	\$1,000,000
Minimum Agg. Retention	\$2,094,890 (2 yr.)	\$1,500,562

DEPOSIT PREMIUM

12 Month Estimated Payroll	\$18,131,027	\$16,829,760
Annual Deposit Premium	\$ 104,997	\$ 102,246
Annual Broker Fee	<u>\$ 9,500</u> \$ 114,497	<u>\$ 8,500</u> \$ 110,746

NOTE: Broker Fee of \$9,500 is guaranteed for July 1, 2024 – 2025 policy year and July 1, 2025 - 2026 policy year. (Above premium is at 0% commission).

July 1, 2024 rate decreased just under 5%, and is guaranteed for the 2 yr term. Deposit Premium is based on estimated annual payroll of \$18,131,027, up 7.7% from 2023 payroll estimate.

July 1, 2025 to July 1, 2026 terms and Deposit Premium/Broker Fee will be same as above.



MARKET ANALYSIS

Other carriers approached below with the stated results, their underwriting requirements have not changed since last year:

Carrier

Safety National Declined, does not meet their Minimum Premium

ACE / Chubb \$5,000,000 Minimum SIR for Police

Star Insurance Declined due to Police Exposure



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: WORK SESSION, JUNE 5, 2024

AGENDA CATEGORY: GENERAL CITY BUSINESS

- Item:** Discussion to Amend Chapter 8 of the Code of the City of Lawrenceville to update provisions related to Animals
- Department:** City Manager
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** N/A
- Presented By:** Barry Mock, Assistant City Manager, Community Development
- Action Requested:** Discuss Ordinance to Amend Chapter 8 of the Code of the City of Lawrenceville, Georgia related to animals.

Summary: The purpose of this amendment is to update Chapter 8 of the Code of Ordinances to increase efficiency and align current City operations.

Background: Chapter 8 of the Code of Ordinances is titled “Animals”. It focuses on permitted and restricted behavior governing animals, specifically dangerous dogs.

Fiscal Impact: N/A

Concurrences: City Manager, City Clerk, City Attorney

Attachments/Exhibits:

- Chapter 8 redlined draft amended code
- Chapter 8 clean draft amended code

Chapter 8 ANIMALS

ARTICLE I. IN GENERAL

Sec. 8-1. - Adoption of Gwinnett County Animal Ordinance.

The City Council adopts and incorporates by reference the Ordinance within the Gwinnett County Code of Ordinances Gwinnett County, Georgia, Chapter 10 -- Animals, as may be amended from time to time. For the purpose of prescribing regulations governing animals, including dangerous dogs, the same is adopted and incorporated as amended herein and otherwise as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the corporate limits of the City. The Gwinnett County animal welfare division is hereby authorized to enforce the Ordinance. The incorporated area of the City shall be subject to the fees charged by the county animal welfare division and all such fees shall be retained by the county to defray the cost of the animal welfare division.

Sec. 8-2. - Modifications of terms.

The aforementioned Gwinnett County Code provisions incorporated by referenced reference in section 8-1 shall be considered amended in any manner necessary to change the wording to express the intent of adoption and incorporation. "City of Lawrenceville, Georgia" shall replace references to "Gwinnett County-" , where appropriate. "Mayor and City Council of the City of Lawrenceville, Georgia" shall replace "Board of Commissioners" , where appropriate. Specifically, the following changes are made:

Sec. 10-1. Definitions. -- Replace the definition of Police officer to read as follows: Police Officer means any law enforcement officer empowered to make arrests or cause to be issued summonses in the City of Lawrenceville.

Sec. 10-2. Penalties for violation of chapter. City shall replace county herein, where appropriate.

Sec. 10-4. Summons.

(b) City shall replace county herein.

Sec. 10-5. Liability of the county, animal welfare division, officers and employees. City shall replace county herein, where appropriate.

Sec. 10-8. Public nuisance animal.

(a) (6) eCity shall replace county herein.

Sec. 10-140. Rabies vaccination certificates. Shall be deleted in its entirety and replaced with the following:

The owner, possessor, or harbinger of each dog or cat residing in the city must obtain and possess a current rabies vaccination certificate from a licensed veterinarian showing that the animal has been vaccinated against rabies. Upon vaccination, all veterinarians shall be responsible for issuing a metal tag

with a vaccination and identification number. Tags must be renewed within 30 days of the expiration date of the vaccination.

Sec. 8-3. – Animals in Parks.

The restrictions on animals in parks within the city, as outlined in City Ordinances, [Chapter 28 – Parks and Recreation, Article II. – Use of Recreation Facilities, Sec. 28-43. - Animals](#) shall not be changed and shall continue to be in force and effect as adopted.

Secs. 8-4—8-3022. Reserved.

ARTICLE II. PIT BULLS

Sec. 8-23. Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Owner means any person, firm, corporation, organization or department owning, possessing, harboring or having the care or custody, whether temporarily or permanently, of a pit bull.~~

~~Pit bull means any pit bull terrier, which shall be defined as any American pit bull terrier or Staffordshire bull terrier or American Staffordshire terrier breed of dog, or any mixed breed of dog which contains, as an identifiable element of its breeding the breed of American pit bull terrier or Staffordshire bull terrier or American Staffordshire terrier as to be identifiable as partially of the breed of American pit bull terrier or Staffordshire bull terrier or American Staffordshire bull terrier.~~

~~(Code 2005, § 30-109(a))~~

Sec. 8-24. Regulation of pit bulls.

- ~~(a) No person shall harbor, keep or maintain within the City limits any pit bull unless the pit bull is currently registered and licensed by the City of Lawrenceville Police Department. Owners shall register these dogs and comply with all the requirements of this article. This prohibition shall not be applied to animals being transported through the City limits where the animal enters and leaves the City within a one-hour period of time.~~
- ~~(b) A pup born to a female pit bull shall be licensed and registered pursuant to this article. The owner shall have six months from the birth of the dog to register the animal with the City of Lawrenceville Police Department.~~
- ~~(c) Any person having knowledge which he believes constitutes probable cause to believe that another is harboring, keeping or maintaining a pit bull which was not registered with and licensed by the City on or before October 1, 2003, shall file with the Lawrenceville Police Department a sworn affidavit setting forth the basis on which they believe the animal to be a pit bull, the name and address of the owner of the dog and a description of the dog. The Police Department shall, upon receipt of such affidavit, determine:

 - ~~(1) If the dog was licensed on or before October 1, 2003; and~~
 - ~~(2) If the dog is currently registered as a pit bull pursuant to the provisions of this article.~~~~
- ~~(d) If the dog was not registered and licensed with the City, or not currently registered pursuant to the provisions of this article, the City Police Department shall serve notice upon the owner of the alleged pit bull,~~

Commented [BM1]: Decision was made to remove this section and just adopt the Gwinnett County animal ordinance.

including the requirement that the owner shall bring said alleged pit bull to the City of Lawrenceville Police Department or such other location within the City as directed by the City of Lawrenceville Police Department for inspection to determine whether this dog is a pit bull by definition as set forth in this article. The determination whether the dog is a pit bull shall be made by a licensed veterinarian designated from time to time by the Police Chief as the official veterinarian of the City.

- (e) ~~If the owner desires to challenge the determination, the owner may file an appeal to the Municipal Court within five days of the determination asking for a review of the determination by the veterinarian. The Judge of the Municipal Court shall conduct a full de novo hearing on the issue and shall issue a final determination. In the event the dog is determined to be a pit bull as set forth by definition in this article, the City Police Department shall cite the owner of the alleged pit bull in accordance with the provisions of this section.~~

~~(Code 2005, § 30-100(a), (e))~~

Sec. 8-25. Registration.

- (a) ~~All owners of pit bulls shall annually, on or before April 15 of each year, register their dog, provide a current color photograph of the dog to the City of Lawrenceville Police Department and pay a registration fee of \$50.00 per dog. The tag and bright red collar are to give notice that the animal is properly registered and that it is a potentially dangerous animal.~~
- (b) ~~An owner of a pit bull who fails to register the dog is subject to a forfeiture of not less than \$100.00 or more than \$250.00 per day.~~
- (c) ~~An owner of a pit bull who registers but neglects to have the tag and red collar worn by the dog at all times is subject to a forfeiture of not less than \$25.00 or more than \$150.00 per day.~~
- (d) ~~A collar may be removed from a pit bull for grooming or purposes of other care when the dog is secured indoors or in an approved pen.~~

~~(Code 2005, § 30-100(f))~~

Sec. 8-26. Requirements of pit bull dogs.

- (a) ~~While on the owner's property, a pit bull must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children, and designed to prevent the animal from escaping. Such pen or structure must have a minimum dimension of five feet by ten feet and must have secure sides and a secure top. Such pen or structure shall prevent the dog from being within 25 feet from the boundary line of the property, and shall be maintained in the rear yard of the property as defined by the City of Lawrenceville's Zoning Ordinance. If it has no bottom secured to the sides, the sides must be embedded into the ground no less than two feet. The enclosure must also provide protection from the elements for the dog.~~
- (b) ~~The owner or keeper shall display a sign on his premises facing out from all sides of the premises warning that there is a potentially dangerous dog on the property. This sign should be visible and capable of being read from a public highway or thoroughfare or within 20 feet of its placement. In addition, the owner shall conspicuously display a sign with a symbol warning children who cannot read of the presence of a dangerous dog.~~
- (c) ~~A pit bull may be off the owner's premises if it is muzzled and restrained by an approved lead or chain not exceeding three feet in length and is under the control of an adult, able-bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.~~

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(Supp. No. 9)

~~(d) The provisions of this article shall not apply to animals owned by law enforcement agencies and used for law enforcement purposes.~~

~~(Code 2005, § 30-109(g))~~

Sec. 8-27. Apprehension and impoundment.

~~(a) It shall be the duty of such persons, as from time to time may be designated by resolution of the City Council, to apprehend any unlicensed pit bulls. The City Police Department shall, whenever possible, see that such dogs are transferred to the designated City veterinarian at the earliest possible date, where the dogs may be taken care of and reclaimed by the owner under the rules and regulations of said veterinarian. When the dog is impounded by the City before being transferred to a kennel, the owner reclaiming the dog shall be required to pay \$50.00 to the City. All costs of housing the dog shall be the obligation of the owner and must be paid before the dog will be released.~~

~~(b) It shall be the duty of the City Police Department and such other persons, as from time to time may be designated by resolution of the City Council, to apprehend, any pit bulls running at large. Any pit bulls found running at large shall be impounded and may be returned to its owner only upon proof of registration of the pit bull. A police officer may shoot a dog if the dog attacks the officer or approaches the officer in a menacing fashion so that the officer believes that the dog is about to attack.~~

~~(c) In any event, when a pit bull is impounded by the City, the City shall give notice to the owner of the impoundment and advise the owner whether and under what circumstances the dog may be redeemed. The owner of any animal impounded, confined or destroyed pursuant to the terms of this article shall be responsible for all costs of such confinement, impoundment or destruction.~~

~~(Code 2005, § 30-109(h))~~

Sec. 8-28. Removal of pit bull pending litigation.

~~Whenever any person is charged with harboring a pit bull as defined in this article, that person shall, to the satisfaction of the Court, remove said dog from the City until the trial of the citation. If the owner fails to remove the dog within 48 hours of the service of the citation, the City Police Department shall impound the dog until the trial on the citation. If the dog is determined, by plea or trial, to be an unregistered pit bull provided by this article, it shall not be returned to, or kept in, the City. Any dog returned to or kept in the City after being determined to be a pit bull constitutes a public nuisance.~~

~~(Code 2005, § 30-109(i))~~

Sec. 8-29. Violations.

~~(a) Any person who violates any provision of this article shall, upon conviction, be punished by a fine not to exceed \$1,000.00, or by imprisonment in the County Jail not to exceed six months, or by both such fine and imprisonment. This article shall not be deemed to be violated unless the alleged violator knew, or should have known, that, after a reasonable inquiry, the dog, which is the subject matter of the alleged violation, is an unregistered pit bull dog under the provisions of this article.~~

~~(b) A separate offense shall be deemed committed on each day during or on which a violation of this article occurs or continues. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, veterinary care, and expert testimony fees necessitated by enforcement of this article.~~

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(Supp. No. 9)

~~(Code 2005, § 30-109(j))~~

Sec. 8-30. Repealer.

~~This article is adopted in addition to the provisions that have adopted the Gwinnett County Animal Control Ordinance. It is the intent that this article be interpreted consistently with the Gwinnett County Animal Control Ordinance, and that no section of the Gwinnett County Animal Control Ordinance is being repealed by the adoption of these additional regulations.~~

~~(Code 2005, § 30-109(i))~~

Chapter 8 ANIMALS

ARTICLE I. IN GENERAL

Sec. 8-1. - Adoption of Gwinnett County Animal Ordinance.

The City Council adopts and incorporates by reference the ordinance within the Code of Gwinnett County, Georgia, Chapter 10 – Animals, as may be amended from time to time. For the purpose of prescribing regulations governing animals, including dangerous dogs, the same is adopted and incorporated as amended herein and otherwise as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the corporate limits of the City. The Gwinnett County animal welfare division is hereby authorized to enforce the Ordinance. The incorporated area of the City shall be subject to the fees charged by the county animal welfare division and all such fees shall be retained by the county to defray the cost of the animal welfare division.

Sec. 8-2. - Modifications of terms.

The aforementioned Gwinnett County Code provisions incorporated by reference in section 8-1 shall be considered amended in any manner necessary to change the wording to express the intent of adoption and incorporation. "City of Lawrenceville, Georgia" shall replace references to "Gwinnett County", where appropriate. "City Council" shall replace "Board of Commissioners", where appropriate. Specifically, the following changes are made:

Sec. 10-1. *Definitions*. Replace the definition of Police officer to read as follows: *Police officer* means any law enforcement officer empowered to make arrests or cause to be issued summonses in the City.

Sec. 10-2. *Penalties for violation of chapter*. City shall replace county herein, where appropriate.

Sec. 10-4. *Summons*.

(b) City shall replace county herein.

Sec. 10-5. *Liability of the county, animal welfare division, officers and employees*. City shall replace county herein, where appropriate.

Sec. 10-8. *Public nuisance animal*.

(a) (6) City shall replace county herein.

Sec. 10-140. *Rabies vaccination certificates*. Shall be deleted in its entirety and replaced with the following:

The owner, possessor, or harbinger of each dog or cat residing in the city must obtain and possess a current rabies vaccination certificate from a licensed veterinarian showing that the animal has been vaccinated against rabies. Upon vaccination, all veterinarians shall be responsible for issuing a metal tag with a vaccination and identification number. Tags must be renewed within 30 days of the expiration date of the vaccination.

Sec. 8-3. – Animals in Parks.

The restrictions on animals in parks within the city, as outlined in City Ordinances, [Chapter 28 – Parks and Recreation, Article II. – Use of Recreation Facilities, Sec. 28-43. - Animals](#) shall not be changed and shall continue to be in force and effect as adopted.

Secs. 8-4—8-30. Reserved.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: GENERAL CITY BUSINESS

- Item:** Discussion to Amend Chapter 20 of the Code of the City of Lawrenceville to update provisions related to environment and for other purposes
- Department:** City Manager
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** N/A
- Presented By:** Barry Mock, Assistant City Manager, Community Development
- Action Requested:** Discuss Ordinance to Amend Chapter 20 of the Code of the City of Lawrenceville, Georgia to update provisions related to environment and for other purposes.

Summary: The purpose of this amendment is to update Chapter 20 of the Code of Ordinances to increase efficiency and align current City operations.

Background: Chapter 20 of the Code of Ordinances is titled “Environment”. It focuses on air quality and noise control within the community.

Fiscal Impact: N/A

Concurrences: City Manager, City Clerk, City Attorney

Attachments/Exhibits:

- Chapter 20 redlined draft amended code
- Chapter 20 clean draft amended code

PART II - CODE
Chapter 20 ENVIRONMENT

Chapter 20 ENVIRONMENT

ARTICLE I. IN GENERAL

Secs. 20-1—20-189. Reserved.

ARTICLE II. AIR QUALITY CONTROL

~~Sec. 20-19. Emissions of gases, vapors and odors.~~

- ~~(a) No person shall cause, suffer or allow any emission of gases, vapors or odors beyond the property line from which such emissions occur to be in sufficient quantities and of such characteristics and duration as is or is likely to be injurious to the public welfare, to the health of human, plant or animal life, or to property, or which interferes with the enjoyment of life and property.~~
- ~~(b) Detectable odors emitted from the following sources of emission are hereby declared to be objectionable per se:

 - ~~(1) Ammonia, bleaching powder or chlorine manufacture;~~
 - ~~(2) Asphalt manufacture or refining;~~
 - ~~(3) Blood processing;~~
 - ~~(4) Bag cleaning;~~
 - ~~(5) Celluloid manufacture;~~
 - ~~(6) Coal tar products manufacture;~~
 - ~~(7) Compost heaps;~~
 - ~~(8) Crematory;~~
 - ~~(9) Creosote treatment or manufacture;~~
 - ~~(10) Disinfectants manufacture;~~
 - ~~(11) Distillation of bones, coal or wood;~~
 - ~~(12) Dyestuff manufacture;~~
 - ~~(13) Fat rendering;~~
 - ~~(14) Fertilizer manufacture and bone grinding;~~
 - ~~(15) Glue or gelatine manufacture;~~
 - ~~(16) Incinerator or reduction of garbage, dead animals, offal or refuse;~~
 - ~~(17) Oiled rubber or leather goods manufacture;~~
 - ~~(18) Paint, oil, shellac, turpentine or varnish manufacture;~~~~

Commented [FH1]: Air Quality statutes are found in Chapter 9 of Title 12 of the Official Code of Georgia Annotated along with Regulations of the Dept of Natural Resources in Chapter 391-3-1. Will attached copy to email.

- ~~(19) Paper and pulp manufacture;~~
- ~~(20) Rubber or gutta percha manufacture;~~
- ~~(21) Sauerkraut manufacture;~~
- ~~(22) Shoe blackening manufacture;~~
- ~~(23) Soap manufacture;~~
- ~~(24) Stockyards;~~
- ~~(25) Sulfuric, nitric, or hydrochloric acid manufacture;~~
- ~~(26) Tar distillation or manufacture;~~
- ~~(27) Tar roofing or waterproofing manufacture;~~
- ~~(28) Any other air contaminant discharged into the open air of a character and in a quantity which is detrimental to or endangers the public health.~~

~~(Code 2005, § 13-101)~~

Sec. 20-20. Outdoor and ~~O~~open burning.

- ~~(a) *In general.* Except as provided in subsection (b) of this section, no person shall kindle an open fire in any public or private place outside any building. Fires started in violation of this section shall be promptly extinguished by the person responsible for same upon notice by the Gwinnett County Fire Department or the City of Lawrenceville Police Department. During the existence of an air pollution alert, as may be declared by the City Manager, all exceptions are void and no open fires shall be kindled.~~
- ~~(b) *Exceptions.* Open burning may be done under permit as follows: Under a duly granted permit after application for such a permit on forms provided by the Gwinnett County Fire Department. The permit shall be issued by the Gwinnett County Fire Department only.~~

~~(Code 2005, § 13-102)~~

~~(a) Permits and fees.~~

- ~~(1) Permits for open burning at or on development sites for the purpose of clearing land for new construction shall be obtained from county fire plan review. Permits shall be registered with the county Fire Services Communications Center by the county fire marshal's office.~~
- ~~(2) The applicant shall complete an application for an open burning permit issued by county fire plan review. The applicant shall submit a plat or site plan showing the proposed location of the burn pit and information relating to the proximity of any occupied or unoccupied structure.~~
- ~~(3) The application, if approved, shall be accompanied by fees as established in the "Gwinnett County Land Development and Other Services Fee Schedule," as may be amended. Fees shall be retained by Gwinnett County/Gwinnett County Department of Fire and Emergency Services.~~
- ~~(4) No burning shall commence prior to an inspection of the site and the burn pit by a representative of the county fire marshal's office. Upon approval of the burn pit, the permit shall be valid for a period of 30 days. Permits may be extended for increments of 15 day periods without additional fees, with a maximum of two extensions.~~

~~(b) Fires requiring written permits.~~

- ~~(1) The only types of fires permitted for the purpose of land clearing are pit fires. Non-pit fires are not permitted for land clearing in the city or county. All pit fires shall be conducted in strict accordance~~

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(Supp. No. 9)

with the "Air Curtain Destructor Operating Guide and Procedures" as published by the North Georgia Region of the environmental protection division.

(2) Pit fires shall comply with the following stipulations:

- a. The pit shall be at least 300 feet from any occupied or habitable structure. This distance may be required to be increased by the county fire marshal's office if needed.
- b. Where a site cannot be excavated to the recommended depth(s) due to high water table and/or subsurface rock, the pit may be constructed above ground level, subject to the same state standards and procedures for a pit below ground level.
- c. Only wood wastes consisting of trees, logs, large brush, stumps, leaves, and untreated lumber may be burned in the pit.
- d. Leaves, sawdust or other densely packed wood wastes, paper (any type); chemically treated, coated or impregnated wood; or non-wood construction materials shall not be burned. The amount of dirt/soil mixture shall be kept to a minimum.
- e. No more than one air curtain destructor is allowed to be operated within a ten-acre permitted site at one time. The air curtain destructor must be under the supervision of a trained operator at all times during operation. In the event there is a need for multiple burning pits there shall be a minimum of 1,000 feet between each burning pit.
- f. Air curtain destructors shall pass an even, non-turbulent flow of air across the top of the pit. Air curtain destructors with an air duct or manifold that has been altered by bends, dents, holes, etc., and are incapable of providing an even and non-turbulent flow of air across the top of the pit shall not be approved for use.
- g. The air curtain destructor shall be operated in a manner to prevent air, land or water pollution, safety/health hazards, or nuisances.
- h. Tires or other rubber products, plastics, heavy oils or asphaltic base or impregnated materials, shall not be used to start or maintain air curtain destructor operations.
- i. No smoke emissions exceeding 40 percent opacity may be produced during operation except for a reasonable period during ignition and charging of the pit.
- j. When the pit is cleared of ash, airborne particulate is to be minimized by wetting or mixing the ashes with dirt.
- k. Diesel fuel or kerosene may be used to start pit fires.

(c) Types of burning allowed without a written permit.

(1) Burning of leaves, limbs, and natural vegetation that may fall on one's property.

- a. The location for open burning of natural vegetation shall not be less than 50 feet from any structure, and not less than 25 feet from a property line. Provisions shall be made to prevent the fire from spreading to within 50 feet of any structure and 25 feet from a property line.
Exception: The minimum required distance from a structure shall be 25 feet when the pile size is less than three feet in diameter and less than two feet high.
- b. Fires shall be limited to a size that can be easily controlled under the conditions and with the resources available on the property.

(2) Fires for the purpose of keeping warm.

- a. Warming fires shall be contained within a metal barrel of 55 gallon capacity or less.

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(Supp. No. 9)

- b. Untreated wood or lumber shall be the only material or substance permitted to be burned.
 - c. The container for the warming fire shall not be less than 50 feet from any structure.
 - d. No on-ground warming fires shall be permitted.
 - e. The outside temperature shall be 50 degrees Fahrenheit or less.
- (3) Fires for the purpose of cooking food for human consumption.
- a. Charcoal, wood, and gas grills and other open flame cooking devices shall not be operated on combustible balconies or within ten feet of combustible construction.
Exception: One- and two-family dwellings.
 - b. LP gas grills and burners having an LP gas container with a water capacity greater than 2.5 pounds (one pound LP gas capacity) shall not be located on combustible balconies or within ten feet of combustible construction.
Exception: One- and two-family dwellings.
 - c. Open fires used for cooking food for human consumption shall not be less than 50 feet from any structure and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
Exception: The minimum required distance from a structure shall be 25 feet when the pile size is less than three feet in diameter and less than two feet high.
 - d. Fires shall be limited to a size that can be easily controlled under the conditions and with the resources available on the property.
- (4) Recreational fires in commercially available chimineas or outdoor fire places.
- a. Chimineas or outdoor fireplaces shall be used according to their intended use, the manufacturer's recommendations, and the rules set forth below:
 - i. Chimineas or outdoor fireplaces shall have a chimney, screen, or other approved method to arrest sparks.
 - ii. Chimineas or outdoor fireplaces shall not be operated inside structures, on combustible surfaces or balconies, or within 25 feet of combustible construction.
 - iii. Chimineas or outdoor fireplaces shall have a noncombustible surface underneath to safely catch sparks or dropping coals and ashes.
 - iv. Untreated wood, lumber, manufactured fire logs, or charcoal shall be the only materials or substances permitted to be burned in chimineas or outdoor fireplaces.
- (5) Bonfires; permit required; no fee.
- a. No person shall kindle or maintain any bonfire or authorize any such fire to be kindled or maintained on any private or public land unless the location is no less than 50 feet from a structure with a size not to exceed four cubic feet of combustible materials and 100 feet from a structure with a size not to exceed five cubic feet of combustible materials.
 - b. For purposes of clarification, bonfires shall be limited to activities sponsored by civic, educational, religious or other groups for purpose of celebration, etc. An example would be a high school pep rally.
 - c. Bonfires shall be constantly attended by a competent person until such fire is extinguished.

d. Such person shall have a garden hose connected to a water supply, or other fire extinguishing equipment, capable of extinguishing the fire, readily available for use.

e. Access to communications to the fire department shall be maintained within 500 feet of the bonfire.

(d) *Burning restrictions.* The following rules govern all burning in the city, whether or not a written permit is required:

- (1) The county fire marshal's office may temporarily prohibit any and/or all outdoor fires when atmospheric conditions or local circumstances make such fire hazardous.
- (2) No burning is permitted on Sundays or nights. Burning at construction sites for the clearing of land for new development shall not be conducted before or after daylight hours.
Exception: Compliant bonfires, cooking fires, and recreational fires in chimineas and outdoor fireplaces may be burned on Sunday and at night provided all other criteria and restrictions are applied.
- (3) No burning is permitted when prevailing winds are predicted to be or are in excess of 15 miles per hour.
- (4) No burning is permitted when the National Weather Service has issued a "Red Flag Warning." Burning shall be limited or prohibited as conditions warrant, when the National Weather Service has issued a "Fire Weather Watch."
- (5) No burning is permitted during an air pollution episode, such as an air pollution alert/warning/emergency declared by proper authorities.
- (6) No burning is permitted when there is fog, rain, or a cloud base that is diffused, or ill defined, or for at least one day following the passage of a cold front.
- (7) No burning of solid waste or household garbage is allowed.
- (8) No burning of any materials that emit a heavy, dark smoke, such as rubber products, oils, roofing material, petroleum-based products, etc.
- (9) No burning when smoke presents a health hazard to persons in the vicinity of the fire. The county fire marshal's office shall be authorized to ban outdoor burning in a limited geographical area upon receipt of medical certification from a resident that the resident has a medical condition(s) adversely affected by smoke.
- (10) No burning shall be conducted within 20 feet of flammable, combustible or explosive materials unless otherwise specified by the fire code.
- (11) Burning of leaves, limbs, etc., that fall on a person's own property may only be conducted during daylight hours.
- (12) Prior notification shall be given to the state forestry commission before any agricultural burning is conducted. The term "agricultural" refers to land zoned RA-200 as defined by the county zoning ordinance.
- (13) All fires shall be constantly attended by a competent person until extinguished.
- (14) There shall be a garden hose connected to a water supply or other fire extinguishing equipment capable of extinguishing the fire readily available for use.

(e) *Summary abatement.* The staff of the county fire marshal's office and personnel of the county department of fire and emergency services shall have the authority to summarily abate any condition(s) which are in violation of any of the provisions of this section, and which may constitute an immediate threat to life and

property. In no event shall a pit fire or other open burning continue after the county fire marshal's office has revoked the permit.

(f) Enforcement. The provisions of this section shall be enforced by any designated representative of the Gwinnett County Department of Fire and Emergency Services and the Police Chief and such subordinate officers of the county department and the police department as are necessary to effectuate the requirements set forth herein.

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Sec. 20-21. Enforcement.

~~The provisions of this article shall be enforced by any designated representative of the Gwinnett County Fire Department and the Police Chief and such subordinate officers of the Gwinnett County Fire Department and the Police Department as are necessary to effectuate the requirements set forth in this article.~~

~~(Code 2005, § 13-103)~~

Sec. 20-22. Penalties.

~~(a) Any person who violates any provision of this article shall be subject to a fine not to exceed \$500.00, such fine to be imposed at the discretion of the Judge of the Municipal Court.~~

~~(b) Action pursuant to subsection (a) of this section shall not be a bar to enforcement of this article by injunction or other appropriate remedy, and the Police Chief shall have the power to institute and maintain in the name of the City any and all such enforcement proceedings.~~

~~(c) Nothing in this article shall be construed to abridge, limit or otherwise impair the right of any person to maintain any action or other appropriate proceeding for damages or other relief on account of injuries to persons or property.~~

~~(Code 2005, § 13-104)~~

Secs. 20-21~~3~~—20-47. Reserved.

ARTICLE III. NOISE CONTROL¹

Sec. 20-48. Generally.

(a) *Purpose.* This section is enacted as a general noise ordinance to protect, preserve, and promote the health, safety and welfare of the citizens of the City through the control of noise. It is the intent of this section to establish standards that will reduce excessive community noises, which are harmful and otherwise detrimental to individuals and to the community in the enjoyment of life and property and in the conduct of business.

¹Editor's note(s)—Ord. No. 2021-12 , § 2, adopted November 17, 2021, repealed art. III, §§ 20-48—20-51, and enacted a new art. III as set out herein and later amended. Former art. III pertained to noise regulation and derived from Ord. No. 2018-26 , adopted November 5, 2018.

(b) *Sound measurement standards.* For the purposes of this section 20-48, "plainly audible" shall mean any sound emanating from the specific sound-producing sources set forth below which can be heard from the distances set forth below, using the following sound measurement standards: measurement shall be by the auditory senses of a person standing at a distance no less than the required minimum distance from the source of the sound. For music and other noise, words and phrases need not be discernable. For music and other noise, bass reverberations are included.

(c) *Prohibited conduct.*

(1) Restrictions of 300 feet for 8:00 a.m. through 10:00 p.m. Sunday through Thursday and 8:00 a.m. through 11:00 p.m. on Friday and Saturday.

a. *Mechanical sound-making devices.* It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the building, structure or vehicle, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.

b. *Human-produced sounds.* It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the place, building, structure, or in the case of real property, beyond the property limits, in which the person is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.

c. *Commercial advertising.* It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.

d. *Party noise.* It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or social event to produce noise in such a manner that such noise is plainly audible at a distance of 300 feet or more from the building or structure from which the noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who is the owner of; resides in or on; rents, leases, or otherwise has the right to occupy the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.

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(Supp. No. 9)

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- (2) Restrictions of 100 feet for 10:00 p.m. through 8:00 a.m. Sunday through Thursday and 11:00 p.m. through 8:00 a.m. on Saturday and Sunday.
- a. *Mechanical sound-making devices.* It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the building, structure, or motor vehicle or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.
 - b. *Human-produced sound.* It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the place on public streets and sidewalks, or in the case of private real property, beyond the property limits, on which the person is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.
 - c. *Commercial advertising.* It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.
 - d. *Party noise.* It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or event to produce noise in such a manner that such noise is plainly audible at a distance of 100 feet or more from the building or structure from which the party noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who is the owner of; resides in or on; rents, leases, or otherwise has the right to occupy the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.
- (3) *Restrictions regarding noise produced by consumer fireworks.* The use or ignition of consumer fireworks as defined in O.C.G.A. § 25-10-1 that willfully make, continue, or cause to be made or continued any excessive or unusually loud noise, except during the following dates and times:
- a. On January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September and December 31 beginning at the time of 10:00 a.m. and up to and including the ending time of 11:59 p.m.; and

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- b. On January 1 of each year beginning at the time of 12:00 midnight and up to and including the ending time of 1:00 a.m.

For the purposes of this section, the term "consumer fireworks" shall have the meaning set forth in O.C.G.A. § 25-10-1(a)(1), but such term shall not include those items excluded therefrom in O.C.G.A. § 25-10-1(b) as such code section is enacted as of July 1, 2018 or as may be amended in the future.

- (4) *Apartments, condominiums, townhomes, and similar residential units.* Restrictions for areas within apartments, condominiums, townhouses, duplexes, or other such residential dwelling units. Except for persons within commercial enterprises that have an adjoining property line or boundary with a residential dwelling unit, it is unlawful for any person to make, continue, or cause to be made or continued any noise in such a manner as to be plainly audible to any other person a distance of five feet beyond the adjoining property line wall or boundary of any apartment, condominium, townhouse, duplex, or other such residential dwelling units with adjoining points of contact.

For the purposes of this subsection, "noise" shall mean human-produced sounds of yelling, shouting, hooting, whistling, singing, or mechanically-produced sounds made by radio-receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing, or amplifying of sound, or any combination thereof.

For the purposes of this subsection, "property line or boundary" shall mean an imaginary line drawn through the points of contact of:

- a. Adjoining apartments, condominiums, townhouses, duplexes or other such residential dwelling units with adjoining points owned, rented, or leased by different persons; or
- b. Adjoining common areas or adjoining exterior walls. Said property line or boundary includes all points of a plane formed by projecting the property line or boundary including the ceiling, the floor, and the walls.

- (5) *Exclusions.* The prohibitions of this section shall not apply to the following:

- a. Noises and/or sounds made by governmental or commercial entities in the normal course of their business;
- b. Noises and/or sounds emanating from any official Georgia Gwinnett College event on Georgia Gwinnett College property or Gwinnett County School District event on Gwinnett County School District property;
- c. Noises or sounds made by domestic animals, which noises or sounds are controlled by section 10-7 of the County Animal Control Ordinance, which has been adopted by the City;
- d. Noises and/or sounds emitted by bells, chimes, or clocks, which occur for no longer than three minutes per hour, from structures located within the Entertainment District as shown on a map maintained in the office of the City Clerk;
- e. Live music emanating from a governmental or commercial entity/facility located within the Entertainment District, as shown on a map maintained in the office of the City Clerk, heard at a distance less than 1,000,250 feet from the governmental or commercial entity/facility during the following times: Monday—Thursday from 4 p.m. to 9 p.m. and Friday—Saturday from Noon to 11 p.m.
- f. Sound volumes produced by radio, tape player, or other mechanical sound making device or instrument from within a motor vehicle on a street or highway, which sound is controlled by the O.C.G.A. § 40-6-14 and shall be enforced in accordance with said statute;
- g. Noises and/or sounds that are permitted by an event/film permit issued by the City Police Department and/or Community Relations & Economic Development Department; provided,

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however, that the producer or coordinator of the event/film must comply with the terms, restrictions and conditions of the permit issued by the city;

- h. Noises or sounds made by law enforcement, first responders, and other public safety officials performing their public functions;
 - i. Noises of safety signals and warning devices; or
 - j. Noises emanating from aircraft or airport operations at the County Airport in accordance with state and federal regulations.
- (6) *Landscape maintenance devices.* Time restrictions on use of landscape maintenance motorized devices such as leaf blowers, lawn mowers, or chain saws. It is unlawful for any person to use or operate any noise-generating, motorized landscape maintenance devices, including, but not limited to, leaf blowers, lawn mowers, or chain saws, within any residential zoning district or in areas within 300 feet of any residential zoning district from 8:00 p.m. to ~~9~~7:00 a.m. except that within the agricultural-residential zone no person shall use or operate any such devices within 300 feet of any residential dwelling on adjacent property between the hours of ~~9~~8:00 p.m. and ~~9~~7:00 a.m.
- (7) *Engine, muffler and/or exhaust system noise.* No person shall use, operate or cause to be used or operated any motor vehicle equipped (or the failure to be equipped) with an engine, muffler, muffler cutout, muffler bypass, bypass, muffler system, exhaust system, or similar device which causes a noise or sound which is plainly audible at a distance of 100 feet or more from the motor vehicle.
- (8) *Construction noise.* Between the hours of 9:00 p.m. and 7:00 a.m., construction noise of any type, including, but not limited to, noise caused by the erection (including excavation), demolition, alteration, or repair of any building, as well as the operation of any earth-moving equipment, crane, saw, drill, pile driver, steam shovel, pneumatic hammer, hoist, automatic nailer or stapler, or any similar equipment, shall not be plainly audible within any residential zoning district more than 100 feet beyond the property boundary of the property from which the noise emanates.

A variance from the above-referenced hours of operation for construction noise may be requested, in writing, at least 48 hours prior to the proposed construction operation, for consideration by the Director of Planning and Development. Such a request shall state:

- a. The reasons that support a claim of urgent need based on specific loss or inconvenience for such a variation from the allowable work hours;
- b. The impact that the denial of this request would have on the applicant's project and the surrounding properties;
- c. The steps which have been taken by the applicant to communicate those needs and impacts to owners of surrounding and nearby properties;
- d. The steps that have or will be taken to limit the impact of the proposed activity upon surrounding and nearby properties; and
- e. The possible risks to public health and safety.

If the Director finds that the application adequately demonstrates the urgent need for a variance from the above allowable work hours, adequately provides for mitigation of the impact upon surrounding and nearby properties and poses no additional risk to public health and safety, then permission shall be granted for a variance to alter the allowable work hours during one ten-day period.

The prohibitions of this subparagraph (8) shall not apply to government road, water, sewer, stormwater construction or maintenance projects or to utility company construction or maintenance projects.

(9) *Commercial entities near single-family residential zoning districts.*

- a. Notwithstanding any provisions of this section concerning noises and/or sounds caused to be made by commercial entities in the normal course of their business, the provisions and prohibitions of paragraph (c), "Prohibited Conduct," subparagraph (1), concerning "Restrictions of 300 feet for 8:00 a.m. through 10:00 p.m. Sunday through Thursday and 8:00 a.m. through 11:00 p.m. on Friday and Saturday" and its subparts a. through c. shall apply to noises and/or sounds generated by a commercial entity that are plainly audible within any single-family residential zoning district more than 300 feet beyond the property boundary of the property from which the noises and/or sounds emanate.
- b. Notwithstanding any provisions of this section concerning noises and/or sounds caused to be made by commercial entities in the normal course of their business, the provisions and prohibitions of paragraph (c), "Prohibited Conduct," subparagraph (2), concerning "Restrictions of 100 feet for 10:00 p.m. through 8:00 a.m. Sunday through Thursday and 11:00 p.m. through 8:00 a.m. on Saturday and Sunday," and its subparts a. through c. shall apply to noises and/or sounds generated by a commercial entity that are plainly audible within any single-family residential zoning district more than 100 feet beyond the property boundary of the property from which the noises and/or sounds emanate.

(d) *Severability clause.* A determination of the invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, subsection or part of this section shall not affect the validity of the remaining parts of this section.

(Ord. No. 2021-12 , § 2, 11-17-2021)

Chapter 20 ENVIRONMENT

ARTICLE I. IN GENERAL

Secs. 20-1—20-19. Reserved.

ARTICLE II. AIR QUALITY CONTROL

Sec. 20-20. Outdoor and open burning.

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(a) *Permits and fees.*

- (1) Permits for open burning at or on development sites for the purpose of clearing land for new construction shall be obtained from county fire plan review. Permits shall be registered with the county Fire Services Communications Center by the county fire marshal's office.
- (2) The applicant shall complete an application for an open burning permit issued by county fire plan review. The applicant shall submit a plat or site plan showing the proposed location of the burn pit and information relating to the proximity of any occupied or unoccupied structure.
- (3) The application, if approved, shall be accompanied by fees as established in the "Gwinnett County Land Development and Other Services Fee Schedule," as may be amended. Fees shall be retained by Gwinnett County/Gwinnett County Department of Fire and Emergency Services.
- (4) No burning shall commence prior to an inspection of the site and the burn pit by a representative of the county fire marshal's office. Upon approval of the burn pit, the permit shall be valid for a period of 30 days. Permits may be extended for increments of 15 day periods without additional fees, with a maximum of two extensions.

(b) *Fires requiring written permits.*

- (1) The only types of fires permitted for the purpose of land clearing are pit fires. Non-pit fires are not permitted for land clearing in the city or county. All pit fires shall be conducted in strict accordance with the "Air Curtain Destructor Operating Guide and Procedures" as published by the North Georgia Region of the environmental protection division.
- (2) Pit fires shall comply with the following stipulations:
 - a. The pit shall be at least 300 feet from any occupied or habitable structure. This distance may be required to be increased by the county fire marshal's office if needed.
 - b. Where a site cannot be excavated to the recommended depth(s) due to high water table and/or subsurface rock, the pit may be constructed above ground level, subject to the same state standards and procedures for a pit below ground level.
 - c. Only wood wastes consisting of trees, logs, large brush, stumps, leaves, and untreated lumber may be burned in the pit.

- d. Leaves, sawdust or other densely packed wood wastes, paper (any type); chemically treated, coated or impregnated wood; or non-wood construction materials shall not be burned. The amount of dirt/soil mixture shall be kept to a minimum.
 - e. No more than one air curtain destructor is allowed to be operated within a ten-acre permitted site at one time. The air curtain destructor must be under the supervision of a trained operator at all times during operation. In the event there is a need for multiple burning pits there shall be a minimum of 1,000 feet between each burning pit.
 - f. Air curtain destructors shall pass an even, non-turbulent flow of air across the top of the pit. Air curtain destructors with an air duct or manifold that has been altered by bends, dents, holes, etc., and are incapable of providing an even and non-turbulent flow of air across the top of the pit shall not be approved for use.
 - g. The air curtain destructor shall be operated in a manner to prevent air, land or water pollution, safety/health hazards, or nuisances.
 - h. Tires or other rubber products, plastics, heavy oils or asphaltic base or impregnated materials, shall not be used to start or maintain air curtain destructor operations.
 - i. No smoke emissions exceeding 40 percent opacity may be produced during operation except for a reasonable period during ignition and charging of the pit.
 - j. When the pit is cleared of ash, airborne particulate is to be minimized by wetting or mixing the ashes with dirt.
 - k. Diesel fuel or kerosene may be used to start pit fires.
- (c) *Types of burning allowed without a written permit.*
- (1) Burning of leaves, limbs, and natural vegetation that may fall on one's property.
 - a. The location for open burning of natural vegetation shall not be less than 50 feet from any structure, and not less than 25 feet from a property line. Provisions shall be made to prevent the fire from spreading to within 50 feet of any structure and 25 feet from a property line.

Exception: The minimum required distance from a structure shall be 25 feet when the pile size is less than three feet in diameter and less than two feet high.
 - b. Fires shall be limited to a size that can be easily controlled under the conditions and with the resources available on the property.
 - (2) Fires for the purpose of keeping warm.
 - a. Warming fires shall be contained within a metal barrel of 55 gallon capacity or less.
 - b. Untreated wood or lumber shall be the only material or substance permitted to be burned.
 - c. The container for the warming fire shall not be less than 50 feet from any structure.
 - d. No on-ground warming fires shall be permitted.
 - e. The outside temperature shall be 50 degrees Fahrenheit or less.
 - (3) Fires for the purpose of cooking food for human consumption.
 - a. Charcoal, wood, and gas grills and other open flame cooking devices shall not be operated on combustible balconies or within ten feet of combustible construction.

Exception: One- and two-family dwellings.

- b. LP gas grills and burners having an LP gas container with a water capacity greater than 2.5 pounds (one pound LP gas capacity) shall not be located on combustible balconies or within ten feet of combustible construction.
Exception: One- and two-family dwellings.
 - c. Open fires used for cooking food for human consumption shall not be less than 50 feet from any structure and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
Exception: The minimum required distance from a structure shall be 25 feet when the pile size is less than three feet in diameter and less than two feet high.
 - d. Fires shall be limited to a size that can be easily controlled under the conditions and with the resources available on the property.
- (4) Recreational fires in commercially available chimineas or outdoor fire places.
- a. Chimineas or outdoor fireplaces shall be used according to their intended use, the manufacturer's recommendations, and the rules set forth below:
 - i. Chimineas or outdoor fireplaces shall have a chimney, screen, or other approved method to arrest sparks.
 - ii. Chimineas or outdoor fireplaces shall not be operated inside structures, on combustible surfaces or balconies, or within 25 feet of combustible construction.
 - iii. Chimineas or outdoor fireplaces shall have a noncombustible surface underneath to safely catch sparks or dropping coals and ashes.
 - iv. Untreated wood, lumber, manufactured fire logs, or charcoal shall be the only materials or substances permitted to be burned in chimineas or outdoor fireplaces.
- (5) Bonfires; permit required; no fee.
- a. No person shall kindle or maintain any bonfire or authorize any such fire to be kindled or maintained on any private or public land unless the location is no less than 50 feet from a structure with a size not to exceed four cubic feet of combustible materials and 100 feet from a structure with a size not to exceed five cubic feet of combustible materials.
 - b. For purposes of clarification, bonfires shall be limited to activities sponsored by civic, educational, religious or other groups for purpose of celebration, etc. An example would be a high school pep rally.
 - c. Bonfires shall be constantly attended by a competent person until such fire is extinguished.
 - d. Such person shall have a garden hose connected to a water supply, or other fire extinguishing equipment, capable of extinguishing the fire, readily available for use.
 - e. Access to communications to the fire department shall be maintained within 500 feet of the bonfire.
- (d) *Burning restrictions.* The following rules govern all burning in the city, whether or not a written permit is required:
- (1) The county fire marshal's office may temporarily prohibit any and/or all outdoor fires when atmospheric conditions or local circumstances make such fire hazardous.
 - (2) No burning is permitted on Sundays or nights. Burning at construction sites for the clearing of land for new development shall not be conducted before or after daylight hours.

Exception: Compliant bonfires, cooking fires, and recreational fires in chimineas and outdoor fireplaces may be burned on Sunday and at night provided all other criteria and restrictions are applied.

- (3) No burning is permitted when prevailing winds are predicted to be or are in excess of 15 miles per hour.
 - (4) No burning is permitted when the National Weather Service has issued a "Red Flag Warning." Burning shall be limited or prohibited as conditions warrant, when the National Weather Service has issued a "Fire Weather Watch."
 - (5) No burning is permitted during an air pollution episode, such as an air pollution alert/warning/emergency declared by proper authorities.
 - (6) No burning is permitted when there is fog, rain, or a cloud base that is diffused, or ill defined, or for at least one day following the passage of a cold front.
 - (7) No burning of solid waste or household garbage is allowed.
 - (8) No burning of any materials that emit a heavy, dark smoke, such as rubber products, oils, roofing material, petroleum-based products, etc.
 - (9) No burning when smoke presents a health hazard to persons in the vicinity of the fire. The county fire marshal's office shall be authorized to ban outdoor burning in a limited geographical area upon receipt of medical certification from a resident that the resident has a medical condition(s) adversely affected by smoke.
 - (10) No burning shall be conducted within 20 feet of flammable, combustible or explosive materials unless otherwise specified by the fire code.
 - (11) Burning of leaves, limbs, etc., that fall on a person's own property may only be conducted during daylight hours.
 - (12) Prior notification shall be given to the state forestry commission before any agricultural burning is conducted. The term "agricultural" refers to land zoned RA-200 as defined by the county zoning ordinance.
 - (13) All fires shall be constantly attended by a competent person until extinguished.
 - (14) There shall be a garden hose connected to a water supply or other fire extinguishing equipment capable of extinguishing the fire readily available for use.
- (e) *Summary abatement.* The staff of the county fire marshal's office and personnel of the county department of fire and emergency services shall have the authority to summarily abate any condition(s) which are in violation of any of the provisions of this section, and which may constitute an immediate threat to life and property. In no event shall a pit fire or other open burning continue after the county fire marshal's office has revoked the permit.
- (f) *Enforcement.* The provisions of this section shall be enforced by any designated representative of the Gwinnett County Department of Fire and Emergency Services and the Police Chief and such subordinate officers of the county department and the police department as are necessary to effectuate the requirements set forth herein.

Secs. 20-21—20-47. Reserved.

ARTICLE III. NOISE CONTROL¹

Sec. 20-48. Generally.

- (a) *Purpose.* This section is enacted as a general noise ordinance to protect, preserve, and promote the health, safety and welfare of the citizens of the City through the control of noise. It is the intent of this section to establish standards that will reduce excessive community noises, which are harmful and otherwise detrimental to individuals and to the community in the enjoyment of life and property and in the conduct of business.
- (b) *Sound measurement standards.* For the purposes of this section 20-48, "plainly audible" shall mean any sound emanating from the specific sound-producing sources set forth below which can be heard from the distances set forth below, using the following sound measurement standards: measurement shall be by the auditory senses of a person standing at a distance no less than the required minimum distance from the source of the sound. For music and other noise, words and phrases need not be discernable. For music and other noise, bass reverberations are included.
- (c) *Prohibited conduct.*
 - (1) Restrictions of 300 feet for 8:00 a.m. through 10:00 p.m. Sunday through Thursday and 8:00 a.m. through 11:00 p.m. on Friday and Saturday.
 - a. *Mechanical sound-making devices.* It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the building, structure or vehicle, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.
 - b. *Human-produced sounds.* It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the place, building, structure, or in the case of real property, beyond the property limits, in which the person is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.
 - c. *Commercial advertising.* It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising

¹Editor's note(s)—Ord. No. 2021-12 , § 2, adopted November 17, 2021, repealed art. III, §§ 20-48—20-51, and enacted a new art. III as set out herein and later amended. Former art. III pertained to noise regulation and derived from Ord. No. 2018-26 , adopted November 5, 2018.

or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday.

- d. *Party noise.* It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or social event to produce noise in such a manner that such noise is plainly audible at a distance of 300 feet or more from the building or structure from which the noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 8:00 a.m. and 11:00 p.m. on Friday and Saturday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who is the owner of; resides in or on; rents, leases, or otherwise has the right to occupy the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.
- (2) Restrictions of 100 feet for 10:00 p.m. through 8:00 a.m. Sunday through Thursday and 11:00 p.m. through 8:00 a.m. on Saturday and Sunday.
- a. *Mechanical sound-making devices.* It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the building, structure, or motor vehicle or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.
 - b. *Human-produced sound.* It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the place on public streets and sidewalks, or in the case of private real property, beyond the property limits, on which the person is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.
 - c. *Commercial advertising.* It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday.

d. *Party noise.* It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or event to produce noise in such a manner that such noise is plainly audible at a distance of 100 feet or more from the building or structure from which the party noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Saturday and Sunday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who is the owner of; resides in or on; rents, leases, or otherwise has the right to occupy the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.

(3) *Restrictions regarding noise produced by consumer fireworks.* The use or ignition of consumer fireworks as defined in O.C.G.A. § 25-10-1 that willfully make, continue, or cause to be made or continued any excessive or unusually loud noise, except during the following dates and times:

- a. On January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September and December 31 beginning at the time of 10:00 a.m. and up to and including the ending time of 11:59 p.m.; and
- b. On January 1 of each year beginning at the time of 12:00 midnight and up to and including the ending time of 1:00 a.m.

For the purposes of this section, the term "consumer fireworks" shall have the meaning set forth in O.C.G.A. § 25-10-1(a)(1), but such term shall not include those items excluded therefrom in O.C.G.A. § 25-10-1(b) as such code section is enacted as of July 1, 2018 or as may be amended in the future.

(4) *Apartments, condominiums, townhomes, and similar residential units.* Restrictions for areas within apartments, condominiums, townhouses, duplexes, or other such residential dwelling units. Except for persons within commercial enterprises that have an adjoining property line or boundary with a residential dwelling unit, it is unlawful for any person to make, continue, or cause to be made or continued any noise in such a manner as to be plainly audible to any other person a distance of five feet beyond the adjoining property line wall or boundary of any apartment, condominium, townhouse, duplex, or other such residential dwelling units with adjoining points of contact.

For the purposes of this subsection, "noise" shall mean human-produced sounds of yelling, shouting, hooting, whistling, singing, or mechanically-produced sounds made by radio-receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing, or amplifying of sound, or any combination thereof.

For the purposes of this subsection, "property line or boundary" shall mean an imaginary line drawn through the points of contact of:

- a. Adjoining apartments, condominiums, townhouses, duplexes or other such residential dwelling units with adjoining points owned, rented, or leased by different persons; or
- b. Adjoining common areas or adjoining exterior walls. Said property line or boundary includes all points of a plane formed by projecting the property line or boundary including the ceiling, the floor, and the walls.

(5) *Exclusions.* The prohibitions of this section shall not apply to the following:

- a. Noises and/or sounds made by governmental or commercial entities in the normal course of their business;

- b. Noises and/or sounds emanating from any official Georgia Gwinnett College event on Georgia Gwinnett College property or Gwinnett County School District event on Gwinnett County School District property;
 - c. Noises or sounds made by domestic animals, which noises or sounds are controlled by section 10-7 of the County Animal Control Ordinance, which has been adopted by the City;
 - d. Noises and/or sounds emitted by bells, chimes, or clocks, which occur for no longer than three minutes per hour, from structures located within the Entertainment District as shown on a map maintained in the office of the City Clerk;
 - e. Live music emanating from a governmental or commercial facility located within the Entertainment District, as shown on a map maintained in the office of the City Clerk, heard at a distance less than 1,250 feet from the governmental or commercial facility during the following times: Monday—Thursday from 4 p.m. to 9 p.m. and Friday—Saturday from Noon to 11 p.m.
 - f. Sound volumes produced by radio, tape player, or other mechanical sound making device or instrument from within a motor vehicle on a street or highway, which sound is controlled by the O.C.G.A. § 40-6-14 and shall be enforced in accordance with said statute;
 - g. Noises and/or sounds that are permitted by an event/film permit issued by the City Police Department and/or Community & Economic Development Department; provided, however, that the producer or coordinator of the event/film must comply with the terms, restrictions and conditions of the permit issued by the city;
 - h. Noises or sounds made by law enforcement, first responders, and other public safety officials performing their public functions;
 - i. Noises of safety signals and warning devices; or
 - j. Noises emanating from aircraft or airport operations at the County Airport in accordance with state and federal regulations.
- (6) *Landscape maintenance devices.* Time restrictions on use of landscape maintenance motorized devices such as leaf blowers, lawn mowers, or chain saws. It is unlawful for any person to use or operate any noise-generating, motorized landscape maintenance devices, including, but not limited to, leaf blowers, lawn mowers, or chain saws, within any residential zoning district or in areas within 300 feet of any residential zoning district from 8:00 p.m. to 7:00 a.m. except that within the agricultural-residential zone no person shall use or operate any such devices within 300 feet of any residential dwelling on adjacent property between the hours of 8:00 p.m. and 7:00 a.m.
- (7) *Engine, muffler and/or exhaust system noise.* No person shall use, operate or cause to be used or operated any motor vehicle equipped (or the failure to be equipped) with an engine, muffler, muffler cutout, muffler bypass, bypass, muffler system, exhaust system, or similar device which causes a noise or sound which is plainly audible at a distance of 100 feet or more from the motor vehicle.
- (8) *Construction noise.* Between the hours of 9:00 p.m. and 7:00 a.m., construction noise of any type, including, but not limited to, noise caused by the erection (including excavation), demolition, alteration, or repair of any building, as well as the operation of any earth-moving equipment, crane, saw, drill, pile driver, steam shovel, pneumatic hammer, hoist, automatic nailer or stapler, or any similar equipment, shall not be plainly audible within any residential zoning district more than 100 feet beyond the property boundary of the property from which the noise emanates.

A variance from the above-referenced hours of operation for construction noise may be requested, in writing, at least 48 hours prior to the proposed construction operation, for consideration by the Director of Planning and Development. Such a request shall state:

- a. The reasons that support a claim of urgent need based on specific loss or inconvenience for such a variation from the allowable work hours;
- b. The impact that the denial of this request would have on the applicant's project and the surrounding properties;
- c. The steps which have been taken by the applicant to communicate those needs and impacts to owners of surrounding and nearby properties;
- d. The steps that have or will be taken to limit the impact of the proposed activity upon surrounding and nearby properties; and
- e. The possible risks to public health and safety.

If the Director finds that the application adequately demonstrates the urgent need for a variance from the above allowable work hours, adequately provides for mitigation of the impact upon surrounding and nearby properties and poses no additional risk to public health and safety, then permission shall be granted for a variance to alter the allowable work hours during one ten-day period.

The prohibitions of this subparagraph (8) shall not apply to government road, water, sewer, stormwater construction or maintenance projects or to utility company construction or maintenance projects.

(9) *Commercial entities near single-family residential zoning districts.*

- a. Notwithstanding any provisions of this section concerning noises and/or sounds caused to be made by commercial entities in the normal course of their business, the provisions and prohibitions of paragraph (c), "Prohibited Conduct," subparagraph (1), concerning "Restrictions of 300 feet for 8:00 a.m. through 10:00 p.m. Sunday through Thursday and 8:00 a.m. through 11:00 p.m. on Friday and Saturday" and its subparts a. through c. shall apply to noises and/or sounds generated by a commercial entity that are plainly audible within any single-family residential zoning district more than 300 feet beyond the property boundary of the property from which the noises and/or sounds emanate.
- b. Notwithstanding any provisions of this section concerning noises and/or sounds caused to be made by commercial entities in the normal course of their business, the provisions and prohibitions of paragraph (c), "Prohibited Conduct," subparagraph (2), concerning "Restrictions of 100 feet for 10:00 p.m. through 8:00 a.m. Sunday through Thursday and 11:00 p.m. through 8:00 a.m. on Saturday and Sunday," and its subparts a. through c. shall apply to noises and/or sounds generated by a commercial entity that are plainly audible within any single-family residential zoning district more than 100 feet beyond the property boundary of the property from which the noises and/or sounds emanate.

(d) *Severability clause.* A determination of the invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, subsection or part of this section shall not affect the validity of the remaining parts of this section.

(Ord. No. 2021-12 , § 2, 11-17-2021)



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: WORK SESSION, JUNE 5, 2024

AGENDA CATEGORY: GENERAL CITY BUSINESS

- Item:** Discussion to Amend Chapter 12 of the Code of Lawrenceville to update provisions related to Massage Therapy Regulatory Fee
- Department:** Finance
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** N/A
- Presented By:** Keith Lee, Chief Financial Officer
- Action Requested:** Discuss Ordinance to Amend Chapter 12 of the Code of Lawrenceville to update provisions related to Massage Therapy Regulatory Fee

Summary: The City of Lawrenceville Code Section 12-319(a)(8) sets a regulatory fee of \$2,000 for Massage Therapy Businesses. Regulatory fees should closely approximate the cost of regulating a specific business. Based on the requirements of the Massage Therapy Businesses code section requirements City Staff has reviewed the time necessary to conduct the appropriate background checks, business location requirements, and reviewing of business records is \$300. As a result of this analysis, staff is recommending changing the Regulatory Fee to \$300.

Fiscal Impact: N/A

Attachments/Exhibits:
Ordinance Amendment

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND CHAPTER 12
OF THE CODE OF THE CITY OF LAWRENCEVILLE,
GEORGIA REGARDING TAXATION**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia shall be amended as follows:

By deleting the Sections 12-319(a)(8) and replacing in whole with:

- (8) Annual regulatory license fee and occupational tax certificate required. An annual regulatory license fee and payment of the applicable annual occupational tax shall be required for each person, firm, corporation, or other entity operating a massage therapy business. The annual regulatory license fee shall be \$300.00 per massage therapy business and shall be in addition to occupation taxes.

IT IS SO ORDAINED that this Ordinance shall be effective upon its adoption by the Mayor and Council of the City of Lawrenceville.

IT IS SO ORDAINED, this _____ day of June, 2024.

Mayor David Still

Attest: _____
Karen Pierce, City Clerk



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, JUNE 5, 2024
AGENDA CATEGORY: GENERAL NEW BUSINESS

- Item:** Consideration of a Resolution to Amend the City’s 401(a) retirement plan to exclude grant funded positions
- Department:** Finance
- Date of Meeting:** Wednesday, June 5, 2024
- Fiscal Impact:** N/A
- Presented By:** Keith Lee, Chief Financial Officer
- Action Requested:** Proceed to the City Council Regular meeting for the approval of the resolution to amend the City’s 401(a) retirement plan

Summary: The city provides a 401(a)-retirement plan for eligible employees of the City. The plan defines the employees that are eligible for the plan. Currently, the plan is silent on grant funded positions. This resolution is to exclude grant funded positions from 401(a). The 401(a) plan has a vesting schedule of five years, which exceeds the length of any existing grant the City has been awarded. Additionally, all federal grants are subject to annual appropriations. As a result, most, if not all, 401(a) contributions would be forfeited upon the separation of employment due to the length of employment and vesting schedule.

Fiscal Impact: Eliminates the City’s contribution and / or match into the 401(a).

Attachments/Exhibits:
Resolution

RESOLUTION _____

**RESOLUTION TO ADOPT
ADOPTION AGREEMENT AMENDMENT #1 TO
THE ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
401(a) DEFINED CONTRIBUTION PLAN FOR
CITY OF LAWRENCEVILLE EMPLOYEES**

WHEREAS, the City of Lawrenceville, Georgia (the “Employer”) previously adopted the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for City of Lawrenceville Employees (the “Plan”) for the benefit of its eligible employees;

WHEREAS, the Employer adopted the Plan through an Adoption Agreement which was most recently effective as of January 1, 2022;

WHEREAS, Section 13.01(a) of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

WHEREAS, the Employer desires to amend the Adoption Agreement to exclude grant-funded employees from the definition of “Eligible Employee.”

NOW THEREFORE, at a meeting held on the ____ day of _____, 2024, the City Council of the City of Lawrenceville hereby resolve as follows:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lawrenceville hereby approve the attached Adoption Agreement Amendment #1 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for City of Lawrenceville Employees, effective as of July 1, 2024.

FURTHER RESOLVED, that the Mayor is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions.

FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

IT IS SO RESOLVED this ____ day of _____, 2024.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

**ADOPTION AGREEMENT AMENDMENT #1
ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
401(a) DEFINED CONTRIBUTION PLAN FOR CITY OF LAWRENCEVILLE EMPLOYEES**

WHEREAS, the City of Lawrenceville, Georgia (the "Employer") established the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for City of Lawrenceville Employees (the "Plan") through an Adoption Agreement that was first effective as of December 18, 1967, and was most recently amended and restated effective as of January 1, 2022;

WHEREAS, Section 13.01 of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

WHEREAS, the Employer desires to amend the Adoption Agreement to exclude grant-funded employees from the definition of "Eligible Employee."

NOW, THEREFORE, the Adoption Agreement is hereby amended effective as of July 1, 2024, as follows:

1.

Section 2.17, the definition of "Eligible Employee," shall be restated to read as follows:

2.17 ELIGIBLE EMPLOYEE

<u>Employees, other than Elected Officials</u>		Include	Exclude
<input type="checkbox"/>	All Employees	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Senior Management Only (Specify Eligible Positions: _____ _____)	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Full-time Employees only	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Working for the Employer at least forty (40) Hours of Service per week for Compensation		
<input type="checkbox"/>	Other Definition of Full-time (see Additional Provisions Addendum)		

[X]	Grant-funded Employees (Complete only if treated differently than other Eligible Employees other than Elected Officials; complete Additional Provisions Addendum if necessary to distinguish between different classes of grant-funded employees)	[--]	[X]
[--]	Other Definition of Eligible Employees other than Elected Officials (See Additional Provisions Addendum)	[--]	[--]

Elected or Appointed Officials of the Employer (Not eligible for a State of Georgia Retirement System) Include Exclude

County Commissioners	[--]	[--]
Coroner	[--]	[--]
Other Elected Official (Not eligible for a State of Georgia Retirement System) (See Additional Provisions Addendum)	[--]	[--]

Elected or Appointed Officials of the Employer (Eligible for one or more State of Georgia Retirement Systems)

Sheriff	[--]	[--]
Tax Commissioner (elected before 7/1/2012)	[--]	[--]
Clerk of Superior Court	[--]	[--]
Chief Magistrate Judge	[--]	[--]
Assistant Magistrate Judge(s)	[--]	[--]
Probate Court Judge	[--]	[--]
Other Elected or Appointed Officials of the Employer (Eligible for one or more State of Georgia Retirement Systems) (See Additional Provisions Addendum)	[--]	[--]

Other Elected or Appointed Officials Eligible for Limited Plan Participation (Based Solely on Allowable Compensation under Georgia law)

State Court Judge	[--]	[--]
Superior Court Judge	[--]	[--]
Solicitor or Solicitor General	[--]	[--]
District Attorney	[--]	[--]

Other Elected or Appointed Officials Eligible for Limited Plan Participation (Based Solely on Allowable Compensation under Georgia law) (See Additional Provisions Addendum) [--] [--]

Other Personnel Eligible for one or more State of Georgia Retirement Systems

Employees of Tax Commissioners (hired before 7/1/2012) [--] [--]

Tax Commissioners and Employees of Tax Commissioners (if not participating in the Employees' Retirement System of Georgia)

Tax Commissioner (hired on or after 7/1/2012) [--] [--]

Employees of Tax Commissioners (hired on or after 7/1/2012) [--] [--]

Other Personnel Receiving Supplemental Compensation from the Employer

Extension Agents [--] [--]

Other Personnel Receiving Supplemental Compensation from the Employer (See Additional Provisions Addendum) [--] [--]

Excluded Employees

Include Exclude

- [X] Excluded employees as provided in section 2.17 of the ACCG Basic Plan Document [--] [X]
- [--] Excluded employees as provided in section 2.17 of the ACCG Basic Plan Document other than:
- [--] Individuals electing into a retirement system sponsored by the State of Georgia are included to the extent permitted under Georgia law [--] [--]
- [--] Tax commissioners, collectors and receivers and their employees who took office or and after July 1, 2012, who participate in a retirement system sponsored by the State of Georgia [--] [--]
- [--] Juvenile Court Judges [--] [--]
- [--] Nonresident Aliens [--] [--]
- [X] Other Excluded Employees (See Additional Provisions Addendum) [--] [X]

IN WITNESS WHEREOF, the Employer has caused its duly authorized officer to execute

this Amendment on the date noted below.

CITY OF LAWRENCEVILLE, GEORGIA

By: _____
David R. Still, Mayor

Date: _____

ATTEST:

Karen Pierce, City Clerk

APPROVED AS TO FORM:

City of Lawrenceville Attorney
Pereira, Kirby, Kinsinger & Nguyen, LLP