



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, August 30, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

1. Minutes to be approved

Old Business

New Business

2. ANNX2021-00005 & RZR2021-00010; Landeavor Acquisitions, LLC c/o Andersen, Tate & Carr, P.C; 606 New Hope Road
3. RZC2021-00027; James Talbert; Old Norcross Road
4. SUP2021-00047; Safwad Hussain; 634 Collins Hill Road

Public Comment

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

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: APPROVAL OF PRIOR MINUTES

Item: Minutes to be approved

Department: Planning and Development

Date of Meeting: Monday, August 30, 2021

Presented By: Todd Hargrave, Director of Planning and Development

Action Requested: Approval of Minutes

Attachments/Exhibits:

- PC Meeting Minutes January
- PC Meeting Minutes February
- PC Meeting Minutes March
- PC Meeting Minutes May
- PC Meeting Minutes June
- PC Meeting Minutes July
- PC Meeting Minutes August



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Monday, January 04, 2021
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 PM.

Marshal Boutwell - Elected as Chairman of the Planning Commission

Jim Nash - Elected as Vice Chairman of the Planning Commission

Approval of Agenda

Motion made to **APPROVE THE AGENDA AS PRESENTED** by Board Member Johnston, Jr., Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

New Business

1. CIC2020-00005; Extra Space Storage; 840 Scenic Highway

Motion made **TO TABLE CIC2020-00005 TO THE MONDAY, MARCH 1, 2021 PLANNING COMMISSION MEETING** by Board Member Thomas, Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Final Adjournment

Motion made **TO ADJOURN** by Board Member Young, Seconded by Board Member Thomas.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member

Thomas, Board Member Nash, Board Member Boutwell



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Monday, February 01, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 PM.

Approval of Agenda

Motion made **TO APPROVE THE AGENDA AS PRESENTED** by Board Member Thomas,
Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Approval of Prior Meeting Minutes

Motion made **TO APPROVE THE MONDAY, JANUARY 4, 2021, PRIOR MEETING MINUTES** by Board Member Johnston, Jr., Seconded by Board Member Thomas.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

New Business

1. ANNX2020-00003; Jackson EMC, Randy Dellinger; 461 & 454 Swanson Drive

Motion made **TO RECOMMEND APPROVAL OF ANNX2020-00003** by Board Member Thomas,
Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas,
Board Member Nash, Board Member Boutwell

2. RZC2020-00019; Jackson EMC, Randy Dellinger; 461 Swanson Drive

Motion made **TO RECOMMEND APPROVAL OF RZC2020-00019 AND RZC2020-00020 WITH STAFF RECOMMENDED CONDITIONS** by Board Member Thomas, Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

3. RZC2020-00020; Jackson EMC, Randy Dellinger; 454 Swanson Drive

Motion made **TO RECOMMEND APPROVAL OF RZC2020-00019 AND RZC2020-00020 WITH STAFF RECOMMENDED CONDITIONS** by Board Member Thomas, Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

4. SUP2020-00043; MSM Lawrenceville LLC; 455 Grayson Highway

Motion made **TO RECOMMEND DENIAL OF SUP2020-00043** by Board Member Thomas, Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Thomas, Board Member Nash

Voting Nay: Board Member Boutwell

Voting Abstaining: Board Member Johnston, Jr. **(RECUSE - CONFLICT OF INTEREST)**

Public Comment

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

No Public Comment

Final Adjournment

Motion made **TO ADJOURN** by Board Member Nash, Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION- MINUTES

Monday, March 01, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

CALLED TO ORDER AT 6PM.

Approval of Agenda

Motion made **TO APPROVE THE AGENDA AS PRESENTED** by Board Member Thomas,
Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Approval of Prior Meeting Minutes

Motion made **TO APPROVE THE MONDAY, FEBRUARY 1, 2021 MEETING MINUTES** by Board Member Young, Seconded by Board Member Thomas.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

New Business

1. CIC2020-00005; Extra Space Storage; 840 Scenic Highway

Motion made **TO RECOMMEND DENIAL OF CIC2020-00005** by Board Member Thomas,
Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Final Adjournment

Motion made **TO ADJOURN** by Board Member Thomas, Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Monday, May 03, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

CALLED TO ORDER AT 6PM

PRESENT

Board Member Jen Young
Board Member Jack "Jay" Johnston, Jr.
Board Member Beryl "Smitty" Thomas
Board Member Jim Nash
Board Member Marshall Boutwell

Approval of Agenda

Motion made **TO APPROVE THE AGENDA AS PRESENTED** by Board Member Thomas,
Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member
Thomas, Board Member Nash, Board Member Boutwell

Approval of Prior Meeting Minutes

Motion made **TO APPROVE THE MONDAY, MARCH 29, 2021 MEETING MINUTES** by
Board Member Thomas, Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member
Thomas, Board Member Nash, Board Member Boutwell

New Business

1. SUP2021-00044; Christopher Thomas; 533 and 543 John Connor Court

Motion made **TO RECOMMEND APPROVAL OF SUP2021-00004 WITH PLANNING COMMISSION CONDITIONS, WITH THE FOLLOWING EXCEPTION;**

CONDITION 2.Q. SHALL READ AS FOLLOWS:

APPROVAL OF A SPECIAL USE PERMIT ALLOWING THE PARKING OF TRACTOR TRAILERS, RECREATIONAL VEHICLES, AND VESSELS ON A SURFACE CONSISTING OF GRAVEL.

by Board Member Thomas, Seconded by Board Member Boutwell.

Voting Yea: Board Member Johnston, Jr., Board Member Thomas, Board Member Boutwell

Voting Nay: Board Member Young

Voting Abstaining: Board Member Nash

2. CIC2021-00007; Walker Anderson Homes, LLC; 240 Neal Boulevard

Motion made **TO RECOMMEND APPROVAL OF CIC2021-00007 WITH PLANNING COMMISSION RECOMMENDATIONS, WITH THE FOLLOWING EXCEPTIONS:**

CONDITION 2.A. SHALL READ AS FOLLOWS:

THE TOWNHOME UNITS PROPOSED ALONG CHURCH STREET SHALL BE REAR ENTRY UNITS AND CONSTRUCTED TO A DIMENSIONAL STANDARD OF 22' X 48' AND IN GENERAL CONFORMANCE TO THE ARCHITECTURAL ELEVATIONS RECEIVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT ON OCTOBER 6, 2020, TITLED "LAWRENCEVILLE SOUTH LAWN, 9 UNITS BUILDING 146-154," PREPARED FOR "WALKER ANDERSON," DATED OCTOBER 1, 2020 (ATTACHED AS A REFERENCE).

CONDITION 2.B. SHALL READ AS FOLLOWS:

THE BALANCE OF THE TOWNHOME UNITS PROPOSED ALONG NASH STREET SHALL BE REAR ENTRY UNITS AND CONSTRUCTED TO A DIMENSIONAL STANDARD OF 22'X48', THESE UNITS SHALL INCLUDE A COVERED OUTDOOR LIVING SPACE BEING STANDARD AND INCLUDED TO MEET AVERAGE SF SPACE INDICATED IN THE ORIGINAL PLAN BOOK. PRODUCT SHALL BE FLAT ROOF STYLE AS INDICATED IN PLAN BOOK UNLESS BUILDING CODE CHANGES ARE ECONOMICALLY OR AESTHETICALLY DETRIMENTAL TO THE PRODUCT AS SOLELY DETERMINED BY THE BUILDER. THE BUILDER SHALL HAVE THE OPTION TO BUILD SUBSEQUENT BUILDINGS AT 22' X 41' WITH A COVERED OUTDOOR LIVING SPACE BEING STANDARD AND INCLUDED TO MEET THE AVERAGE SF SPACE INDICATED IN THE ORIGINAL PLAN BOOK. IN CASE OF

SUCH OCCURRENCE, GABLE ROOF ELEVATIONS SHALL REQUIRE THE REVIEW AND APPROVAL OF THE DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

CONDITION 2.C. SHALL READ AS FOLLOWS:

THE REMAINING BALANCE OF 4 TOWNHOME UNITS ADJACENT TO CITY HALL SHALL BE FRONT ENTRY UNITS, WITH A DRIVEWAY CONSISTING OF A MINIMUM OF 18 FEET IN LENGTH. THESE 4 UNITS SHALL INCLUDE A COVERED OUTDOOR LIVING SPACE BEING STANDARD AND INCLUDED TO MEET THE AVERAGE SF SPACE INDICATED IN THE ORIGINAL PLAN BOOK. IN CASE OF SUCH OCCURRENCE, GABLE ROOF ELEVATIONS SHALL REQUIRE THE REVIEW AND APPROVAL OF THE DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

CONDITION 13. A. AND B. SHALL READ AS FOLLOWS:

LENGTH OF DRIVEWAYS IN THE SINGLE-FAMILY PORTION SHALL BE 18 FEET MINIMUM:

A. FRONT ENTRY – (FRONT OF STRUCTURE TO BACK OF SIDEWALK OR ALLEYWAY IF NO SIDEWALK IS PRESENT)

B. REAR ENTRY – (REAR OF STRUCTURE TO BACK OF CURB)

Final Adjournment

Motion made **TO ADJOURN AT 6:45 PM** by Board Member Thomas, Seconded by Board Member Boutwell.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Minute Signatures

Marshall Boutwell, Chairperson

Todd Hargrave, Director

Planning & Development



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Tuesday, June 01, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 PM.

Approval of Agenda

Motion made **to Approve the Agenda as presented** by Board Member Johnston, Jr., Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash

Approval of Prior Meeting Minutes

Motion made to **Approve the Monday, May 3, 2021, Planning Commission Meeting Minutes** by Board Member Thomas, Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash

New Business

1. **ANNX2021-00004, RZC201-00021, RZC2021-00022, RZC2021-00023, RZC2021-00024, and RZC2021-00025;** Sugarloaf Crossing Association, LLC, Life Storage LP, ISZ, LLC, Sugarloaf Marathon, LLC, and Octavian Group LLLP; 4850 Sugarloaf Parkway, 4855 Sugarloaf Parkway, 4875 Sugarloaf Parkway, 875 Marathon Parkway, 1720 Marathon Blvd

Motion made **to recommend Approval of annexation request ANNX2021-00004 and relating rezoning request RZC201-00021, RZC2021-00022, RZC2021-00023, RZC2021-00024, and RZC2021-00025 with Staff recommended conditions** by Board Member Thomas, Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash

Final Adjournment

Motion made **to Adjourn at 6:35 PM** by Board Member Young, Seconded by Board Member Thomas.
Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board
Member Nash



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Monday, June 28, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 PM.

Approval of Agenda

Motion made **to APPROVE the Agenda as presented** by Board Member Thomas, Seconded by Board Member Johnston, Jr..

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

Approval of Prior Meeting Minutes

Motion made **to APPROVE the Tuesday, June 1, 2021, Planning Commission Meeting Minutes** by Board Member Johnston, Jr., Seconded by Board Member Nash.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

New Business

1. RZM2021-00008; TPA Residential; 150 Paper Mill Road

Motion made **to recommend APPROVAL of RZM2021-00008 with Staff recommended conditions** by Board Member Thomas, Seconded by Board Member Young.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell

2. RZC2021-00026; Keystone Land Surveying Inc. with Crogan Street Ventures, LLC; 167 West Crogan Street

Motion made **to recommend APPROVAL of RZC2021-00026 with Staff recommended conditions** by Board Member Johnston, Jr., Seconded by Board Member Thomas.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Boutwell

Voting Abstaining: Board Member Nash (Conflict of Interest)

Final Adjournment

Motion made **to ADJOURN at 6:20 PM** by Board Member Young, Seconded by Board Member Thomas.

Voting Yea: Board Member Young, Board Member Johnston, Jr., Board Member Thomas, Board Member Nash, Board Member Boutwell



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION MINUTES

Monday, August 02, 2021
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 p.m.

Approval of Agenda

Motion made **to amend the Agenda as presented by administratively holding SUP2021-00046 until further notice** by Board Member Thomas, Seconded by Board Member Young.

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

Motion made **to APPROVE the Agenda as amended** by Board Member Thomas, Seconded by Board Member Young.

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

Approval of Prior Meeting Minutes

1. Minutes for May, June, and July Public Hearing

Motion made **to APPROVE the Planning Commission Meeting Minutes for Monday, May 3, 2021, Tuesday, June 1, 2021 and Monday, June 28, 2021** by Board Member Young, Seconded by Board Member Thomas.

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

New Business

2. SUP2021-00046; Julio De la Rosa, Lawrenceville Central Hispanic SDA; 578 Old Norcross Road
Administratively Held
3. RZR2021-00009; City of Lawrenceville; Quinn Ridge Subdivision

Motion made **to recommend APPROVAL of RZR2021-00009 with Staff recommended conditions** by Board Member Thomas, Seconded by Board Member Young.

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

Public Comment

Planning Commission Member Young officially announced her resignation from the Planning Commission effective immediately. In addition, Commission Member Young announced her intentions to seek a seat on the City Council (Post 4).

Final Adjournment

Motion made **to ADJOURN at 6:45 p.m.** by Board Member Nash, Seconded by Board Member Thomas.

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



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: ANNX2021-00005 & RZR2021-00010; Landeavor Acquisitions, LLC c/o Andersen, Tate & Carr, P.C; 606 New Hope Road

Department: Planning and Development

Date of Meeting: Monday, August 30, 2021

Presented By: Todd Hargrave, Director of Planning and Development

Planning and Development Recommendation: **Approval with Conditions**

Summary: The applicants request annexation, and rezoning of a parcel of land located within City of Lawrenceville and unincorporated Gwinnett County, totaling approximately 38.22-acres from RS-180 (City of Lawrenceville Single-Family Residence District) and R-75 (Gwinnett County Single-Family Residence District) to RS-60 (City of Lawrenceville Single-Family Residence District).

Attachments/Exhibits:

- **ANNX2021-00005 & RZR2021-00010 Report**
- **ANNX2021-00005 & RZR2021-00010 Attachments**

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

CASE NUMBER	ANNX2021-00005 RZR2021-00010
APPLICANT	LANDEAVOR ACQUISITIONS, LLC c/o MELODY A. GLOUTON, ESQ., ANDERSEN TATE & CARR, P.C.
CONTACT	MELODY A. GLOUTON, ESQ., ANDERSEN TATE & CARR, P.C.,
PHONE NUMBER	770.822.0900
ZONING CHANGE	CITY OF LAWRENCEVILLE, RS-180 (SINGLE-FAMILY RESIDENCE DISTRICT) AND GWINNETT COUNTY, R-75 (SINGLE-FAMILY RESIDENCE DISTRICT) TO CITY OF LAWRENCEVILLE RS-60 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
LOCATION	606 NEW HOPE ROAD
PARCEL ID	R5173 008A
ACREAGE	APPROXIMATELY 38.22-ACRES
PROPOSED DEVELOPMENT	SINGLE-FAMILY RESIDENTIAL
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

The subject property is located within unincorporated Gwinnett County, zoned R-75 (Single-Family Residence District) and the city limits of Lawrenceville, zoned RS-180 (Single-Family Residential District).

PROJECT DATA:

The applicants request annexation, and rezoning of a parcel of land located within City of Lawrenceville and unincorporated Gwinnett County, totaling approximately 38.22-acres from

RS-180 (City of Lawrenceville Single-Family Residence District) and R-75 (Gwinnett County Single-Family Residence District) to RS-60 (City of Lawrenceville Single-Family Residence District). Approximately 28.00-acres, zoned R-75 (Single-Family Residence District) are situated within unincorporated Gwinnett County, with the remaining balance of approximately 10.22-acres, zoned RS-180 (Single-Family Residential District) located within the City of Lawrenceville. The applicant is proposing to develop the site with a total of 94-unit single-family detached dwellings, with approximately 13.40-acres devoted to common and open space resulting in gross density of 2.46 Units Per Acre (UPA) and a net density 3.79 UPA. The subject property is located along the northeast right-of-way of New Hope Road, between its intersections with Hickory View Drive and Serenity Point. The property is currently developed and utilized for single-family activities.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located within the Traditional Residential Character Area. This Character Area consists predominantly of single-family, suburban-style neighborhoods located in the southern half of the city. The purpose of this character area is to preserve these traditional neighborhoods and buffer them from more intense land uses. Density is typically low (less than three dwelling units per acre), and most open space is in private yards. Therefore, as proposed, the request could be considered compatible with the variety of single-family uses and zoning in the immediate area, and consequently could be considered consistent with the policies of the City of Lawrenceville.

The surrounding area is characterized by a variety of single-family uses and zoning. To the north, within the city limits of Lawrenceville and adjacent to the property is the Arlington Point single-family subdivision zoned RS-60 (Single-Family Residential District). To the east, is the Paper Mill single-family subdivision zoned RS-150 (Single-Family Residential District). To the south is the Cottonwood Cove single-family subdivision zoned RS-150 and RS-180 (Single-Family Residential District). To the west, across New Hope Road are several single-family dwellings located on large lots zoned RS-180 (Single-Family Residential District). The variety of uses and zoning in the immediate area further supports the request.

The proposed annexation and rezoning are consistent with the policies of the City of Lawrenceville; which would be designed to attract, develop, maintain and retain developments that will have the greatest impact in implementing the vision for this segment of New Hope Road. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of the requested Annexation and Rezoning.

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

Stream buffer variance required from the EPD.

Pre-submittal meeting will be required.

ELECTRIC DEPARTMENT

The City of Lawrenceville will be able to provide power to 606 New Hope Road.

GAS DEPARTMENT

The Gas Department has a 4" main that will be in possible conflict at the entrances, No other conflicts.

CODE ENFORCEMENT

No comment.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes, the requested annexation and rezoning could be considered to be consistent with adjacent and nearby properties.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No, the annexation and rezoning should not adversely affect the existing use of adjacent or nearby properties.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes, and the proposed annexation and rezoning would be consistent with the established uses and zoning in the immediate area.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *Yes, the proposed rezoning could result in a use which could cause an excessive burden on streets, utilities and schools.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes, the proposed annexation and rezoning conform to the policies and intent of the City's 2040 Comprehensive Plan.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *The proposed annexation and rezoning will allow the city to expand and reinforce its economic foundation.*

**Planning and Development
Recommendations
ANNX2021-00005 & RZR2021-00010**

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

1. To restrict the use of the property as follows:
 - a. Single-family detached dwellings and accessory uses and structures.
 - b. The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,200 square feet for two-story homes;
 - c. All dwellings shall have at a double-car garage;
 - d. All residences shall be constructed primarily of brick on the front facades. The balance shall consist of fiber cement siding and a 24 inch brick watertable;
 - e. Accessory structures shall be limited to the rear yard area only. Accessory structures shall be limited to 1 per lot maximum.
 - f. The development shall be designed in general accordance with the “Rezoning Plan” presented to the Planning Commission on Monday, August 30, 2021, titled “New Hope Road Tract, Phase 1, dated June 28, 2021, prepared by BGE, Inc.”
 - g. The development shall have a mandatory community association(s) to provide maintenance for all common areas (including the maintenance of landscaping within internal rights-of-way and immediately adjacent external rights-of-way), and enforce reasonable and customary property maintenance standards through covenants on all residences within the community. The covenants, conditions, and restrictions that will be recorded with the City prior to the issuance of the first building permit. The covenants will run for 20 years and automatically renew every 20 years unless 51% of the persons owning lots in the subdivision vote to terminate the covenants as governed by O.C.G.A. 44-5-60. Subject to applicable City, local, and federal rules, laws, regulations, and rulings of courts having competent jurisdiction over the subject property, said covenants shall include a restriction that no more than 10% of the single-family

units (with an additional 5% hardship) may be leased to third parties by individual owners.

2. To satisfy the following site development considerations:

- a. No direct lot access allowed to New Hope Road;
- b. All grassed areas shall be sodded;
- c. Underground utilities shall be provided throughout the development;
- d. Natural vegetation shall remain on the property until the issuance of a development permit;
- e. Allow an encroachment (grading) into the required 50-foot Undisturbed Buffer and 25-foot Impervious Surface Setback as shown on "Rezoning Plan" presented to the Planning Commission on Monday, August 30, 2021, titled "New Hope Road Tract, Phase 1, dated June 28, 2021, prepared by BGE, Inc."
- f. Provide a 20-foot wide landscape strip along the property line or right-of-way common to New Hope Road. The Landscape Strip shall be planted with 1 Overstory Tree, 1 Understory Tree, 18 Evergreen Shrubs, 18 Ornamental Grasses and 18 Ground Coverings per 100 feet of road frontage along New Hope Road. Driveway widths and other ingress and egress areas may be subtracted from the landscape strip lineal feet calculation. Landscape Plans shall be subject to the review and approval of the Director of Planning and Development.
- g. Preserved Trees may be counted toward fulfilling the 20-wide landscape tree requirement along New Hope Road. Bradford Pear, Gingko (Female), Loblolly, Longleaf, Shortleaf, Slash Pine(s) shall be considered unacceptable trees.
- h. Planted Conifer and Evergreen trees shall be at least six feet in height at time of planting;
- i. Planted Deciduous trees shall be at least three inches caliper at time of planting;
- j. Ornamental Grasses and Ground Covering shall be a minimum size of one-gallon container at time of planting with a minimum height of one foot;

- k. Provide a 20-foot wide Landscape Strip along the southern and eastern property line common with Cottonwood Cove and Paper Mill single-family subdivision, respectively. The landscape strip shall be planted where sparsely vegetated with Cryptomeria or Leyland Cypress trees to provide an effective visual screen;
- l. During construction a 5-Foot Construction Tree and Landscape Setback shall be maintained, as measured horizontally, from the outer most perimeter of areas delineated as Floodplain, Landscape Strips, Stream Buffers or Undisturbed Wetlands;
- m. 5-foot Construction Setback shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.
- n. Provide a left turn lane into the development on New Hope Road, subject to the approval of Gwinnett County Department of Transportation (GCDOT).
- o. Provide a 200-foot deceleration lane with 50 foot taper along the eastern right-of-way of New Hope Road, subject to the approval of Gwinnett County Department of Transportation (GCDOT).



LAWRENCEVILLE

GEORGIA

Via Priority Mail and Certified Mail

July 7, 2021

The Honorable Nicole Love Hendrickson, Chairwoman
Gwinnett County Board of Commissioners
75 Langley Drive
Lawrenceville, GA 30046

Re: Lawrenceville Annexation Application - ANNX2021-00005 & RZR2021-00010

Dear Ms. Nicole Love Hendrickson:

Please see the attached documents in regards to the Annexation:

- Letter from City Manager, Chuck Warbington, P.E.
- Annexation application.
- Survey and Legal Description for subject property.

Sincerely,

Todd Hargrave

Todd Hargrave | Director
Planning and Development Department



LAWRENCEVILLE
GEORGIA

70 S Clayton St | PO Box 2200,
Lawrenceville GA 30046
Office: 678.407.6563

Enc: Annexation Application; Legal Descriptions; Surveys

C: Ms. Susan Canon, Gwinnett County, Director of Department of Planning and Development
Mr. Glenn Stephens, Gwinnett County Administrator



July 7, 2021

The Honorable Nicole L. Hendrickson
Chairwoman
Gwinnett County Board of Commissioners
75 Langley Drive
Lawrenceville, GA 30046

Re: City of Lawrenceville Annexation Application - ANNX2021-00005 and RZR2021-00010

Owner: The Giles M. Cheek Trust (R5173 008A)

Requested Zoning: RS-60 (Single-Family Residential District)

Dear Chairman Love Hendrickson:

Please be advised that the City of Lawrenceville, Georgia, by the authority vested in the Mayor and Council of the City of Lawrenceville, Georgia by Article 2 of Chapter 36, Title 36, of the Official Code of Georgia Annotated, intends to annex the property, hereinafter described, by ordinance at a regular meeting of the Mayor and City Council.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of an application for annexation in accordance with O.C.G.A. §36-36-6, O.C.G.A. §36-36-9 and O.C.G.A. §36-36-111.

SEE ATTACHED LEGAL DESCRIPTIONS AND SURVEYS

Pursuant to O.C.G.A. §36-36-7 and O.C.G.A. §36-36-9, you are requested to notify the Mayor and City Council of the City of Lawrenceville, in writing and by certified mail, return receipt requested, of any county facilities or property located within the area to be annexed, within five (5) business days of receipt of this letter.

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

Page 2

In accordance with Georgia law, this letter provides you with a copy of the annexation and zoning/land use request. The rezoning application specifies and identifies the requested zoning and any zoning or land use changes. Copies of the annexation application and rezoning application are enclosed with this notice. A public hearing on the rezoning of the property, which is to be annexed is set for 7:00 P.M. on Monday, September 27, 2021. The proposed City zoning classification of the property is RS-60 (Single-Family Residential District) consisting of approximately 29.10 acres. The hearing on the annexation will also be held on Monday, September 27, 2021. The annexation and zoning hearings will take place in the City Hall building at 70 South Clayton Street, Lawrenceville, Georgia.

Notice has been provided in this letter in accordance with O.C.G.A. §36-36-111. If the County governing authority intends to object to this annexation, please notify the Mayor and City Council of the objection within 30 days as provided in O.C.G.A. §36-36-113.

Sincerely,

Chuck Warbington

Chuck Warbington, P.E.
City Manager

Enclosures: Annexation Application; Legal Description; Survey

cc: Ms. Susan Canon, Gwinnett County, Director, Dept. of Planning & Development
Mr. Glenn Stephens, Gwinnett County, Administrator



LAWRENCEVILLE

GEORGIA

Case File #: ANNX2021-00005

City of Lawrenceville
Planning and Development Department
70 S. Clayton Street
P.O. Box 2200
Lawrenceville, GA 30046
Phone: 678-407-6583
E-Mail: PLANNING@LawrencevilleGA.Org

APPLICATION FOR ANNEXATION

I hereby request that the Property described in this application be Annexed into the City of Lawrenceville Limits with in a Zoning Classification of RS-60

Address of Property to be annexed: 606 New Hope Rd., Lawrenceville

Area: 38.22 acres or square feet

Tax Map Numbers: R5173 008A

Owners of Property: The Giles M. Cheek Trust

Address if different from Property: 249 Grayson Hwy

Lawrenceville, GA 30046

Applicant Name and Address: Landeavor Acquisitions, LLC c/o Andersen, Tate & Carr, P.C.

1960 Satellite Blvd., Suite 4000

Duluth, GA 30097

Phone: 770-822-0900

[Signature] 6/29/21 [Signature] 6-30-2021
Signature of Applicant Date Signature of Owner Date

DAVID L. FRANK 6/29/21 WESLEY DONARDE CHEEK 6/30/21
Print Name of Applicant Date Print Name of Owner Date

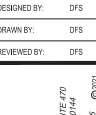
[Signature] 6/29/21 [Signature] 6/30/21
Signature of Notary Date Signature of Notary Date

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ANNX2021-00005

Received: July 1, 2021

Planning and Development Department



NEW HOPE ROAD TRACT
PHASE 1
608 NEW HOPE ROAD
LAWRENCEVILLE, GA 30046
ZONING RS-60
(ANNEXATION REQUIRED)

REZONING PLAN

SEAL

NOT ISSUED FOR
CONSTRUCTION

FILE NUMBER:
9056-00
DATE: 06/28/2024

01



PROPOSED SITE CALLOUT DESCRIPTIONS:

1. 200' DECAL LAND WITH 50' TAPER
2. 50' ROAD RIGHT-OF-WAY
3. 24' BOC/BOC
4. 35'R BOC (ENTRANCE ONLY)
5. 25'R BOC (INTERNAL ROADS)
6. 60'R CUL-DE-SAC RIGHT-OF-WAY
7. 40'R CUL-DE-SAC BOC
8. 20' EMERGENCY INGRESS / EGRESS (FIRE SECONDARY ACCESS)

LEGAL DESCRIPTION

NORTHERN PROPERTY (GWINNETT COUNTY)

AREA: 29.1 AC

Beginning at an iron pin on the Northeast right of way of the Lawrenceville – New Hope Road located a distance of 198.9 feet in a southeasterly direction along the northeast right of way of said road from the point where the northeast right of way of said road is intersected by the land lot line common to Land Lots 172 and 173 of said district, said iron pin being a common corner with adjacent property; thence run North 41 degrees 53 minutes 23 seconds West 450.7 feet to the point of beginning as Lawrenceville City Limit; thence following said limit North 44 degrees 44 minutes 55 seconds West 204.5 feet; thence North 54 degrees 49 minutes 00 seconds West 829.7 feet to centerline of creek; thence run 1855 feet, more or less, along centerline of said creek; thence run South 29 degrees 46 minutes 52 seconds East 1216.7 feet; thence South 60 degrees 10 minutes 37 seconds West 904.1 feet; thence South 41 degrees 52 minutes 54 seconds West 150.7 feet to point of beginning.

Description obtained from GIS parcel and extracted July 7, 2021. Parcel is approximate based on GIS.

June 30, 2021

LETTER OF INTENT AND JUSTIFICATION FOR REZONING AND ANNEXATION

**Rezoning and Annexation Application
City of Lawrenceville, Gwinnett County, Georgia**

Applicant:

Landeavor Acquisitions, LLC

Property:

Tax Parcel ID R5173 008A

±38.22 Acres of Land

Located at 606 New Hope Road, Lawrenceville, Georgia

From RS-180 and R-75 to RS-60

Submitted for Applicant by:

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

mglouton@atclawfirm.com

ANNX2021-00005

Received: July 1, 2021

Planning and Development Department

I. INTRODUCTION

This Application for Rezoning and Annexation is submitted for a 38.22-acre parcel of land located Land Lots 172 and 173 of the 5th District of Gwinnett County, Lawrenceville, Georgia, and known as the property located at 606 New Hope Road (hereinafter the “Property”). The Property is uniquely situated in both the City of Lawrenceville and Gwinnett County. As such, it has split zoning classifications which include RS-180 (Single Family Residential District) within the City of Lawrenceville and R-75 (Single Family Residence District) within Gwinnett County.

The Property is shown on the survey prepared by Higginbotham & James and filed with this Application. The Property that is the subject of this rezoning and annexation application is owned by the Giles M. Cheek Trust, and further identified below from the Gwinnett County Geographical Information System:



As indicated, the Property is currently zoned RS-180 and R-75 pursuant to the City of Lawrenceville Zoning Ordinance (the “Ordinance”) and the Gwinnett County Unified Development Ordinance (the “UDO”), respectively. The Applicant, Landeavor Acquisitions, LLC (the “Applicant”) now seeks approval to rezone and annex the Property into the City of Lawrenceville, Georgia¹. Specifically, the Applicant is requesting the rezone the Property to RS-60 (Single-Family Residential District), to develop a distinctive and attractive single-family residential community with 94 homes.

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

¹ The Applicant is seeking to annex the portion of the Property currently within Gwinnett County and zoned R-75 into the City of Lawrenceville. The approximate acreage to be annexed into the City of Lawrenceville is 28+/- acres. The remainder of the site is already within the City limits.

ANNX2021-00005

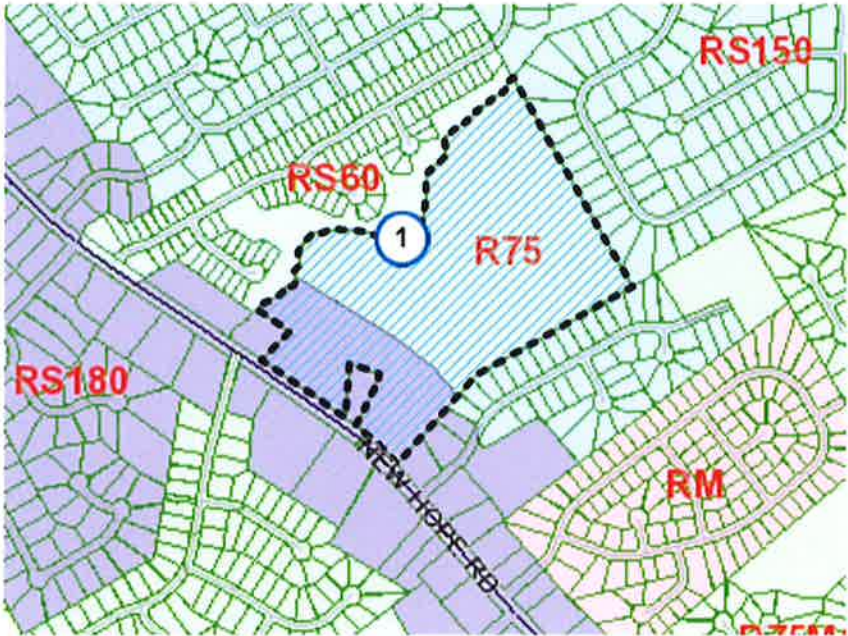
Received: July 1, 2021

Planning and Development Department

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a large tract fronting New Hope Road in Lawrenceville. The adjacent zoning classifications are as follows:

North	RS-60
South	RM
East	RS-150
West	RS-180; R-75



We are respectfully requesting the City of Lawrenceville annex and rezone the Property to allow for a single family, detached residential development. Under its current zoning classifications, RS-180 and R-75, the Property has split zoning and does not have a reasonable economic use. The Property is currently developed with a single family residence and the remainder of the site is heavily wooded and undeveloped. The Property is surrounded by other residential uses and subdivisions, as well as in close proximity to commercial businesses and the downtown Lawrenceville. As such, the Property is ideal for a residential development.

As stated in the City of Lawrenceville’s 2040 Comprehensive (the “Comprehensive Plan”), the Property, which lies in the Traditional Residential Character Area, provides an opportunity for the City of Lawrenceville to achieve several guiding principles, goals, and policies it has set forth. The annexation, rezoning and development of the Property, as intended by the Applicant, enhances the surrounding and existing developments, while maximizing green space for residents. Specifically, the proposed development of medium density residential with approximately 13.40 acres of open space provided (5.4 acres consisting of green space and 8.0 acres consisting of common open space), falls within the recommended land use for this area. Further, by providing an assortment of housing options for potential residents, the City of Lawrenceville is encouraging a mix of housing that appeals to a wide variety of target markets.

ANNEX-2021-00005
Received: July 1, 2021
Planning and Development Department

Further, an annexation and rezoning of the Property to RS-60 is consistent with the guiding principles of the Comprehensive Plan, which specifically states: “Traditional Residential areas are predominately single-family, suburban-style neighborhoods located in the southern half of the city. The purpose of this character area is to preserve these traditional neighborhoods and buffer them from more intense land uses. Density is typically low (less than 2 dwelling units per acre), and most open space is in private yards.” Additionally, a development as proposed by the Applicant enhances the City of Lawrenceville’s desire to increase the amount and variety of residential options for citizens. Most importantly, the Applicant is committed to the key policies of the Traditional Residential Character Area, which includes preservation of the desired character and value of well-established neighborhoods and high standards for housing conditions.

III. PROJECT SUMMARY

As shown on the site plan by BGE, Inc, dated June 28, 2021, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive residential community. The Applicant is proposing to rezone 38.22 acres from RS-180 and R-75 to RS-60 in order to accommodate the development of a single-family residential community with approximately 94 units. This proposal would equate to a net density of 2.6 units per acre. The minimum heated floor area of the homes would be 1,800 square feet (1 story) and 2,000 square feet (2 story). The proposed development would provide attractive, high-end residences with various a centralized mail kiosk, as well as 13+/- acres of the site being maintained as open space within the community. The proposed development will consist of homes at a size, quality, and price point commensurate with or exceeding homes in the surrounding communities. Generally, the architectural style and composition of the exterior of the homes would consist of brick, stacked stoned, cedar and/or cementitious shake, siding board and batten or combinations thereof. The proposed development would be served by one entrance onto New Hope Road which would be landscaped and maintained by a Homeowners Association.

Accordingly, the proposed development would provide attractive, high-quality housing that is compatible with surrounding land use and in conformance with the policies and intent of the Comprehensive Plan.

IV. SITE IMPACT ANALYSIS

The Applicant submits its written impact analysis which shows that rezoning to RS-60 satisfies the “Standards Governing Exercise of the Zoning Power,” as follows:

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

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

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

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

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

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

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

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

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

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

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

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

V. JUSTIFICATION FOR REZONING

The Applicant respectfully submits that “City of Lawrenceville Zoning Ordinance” (the “Ordinance”), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a single family residential development, under the RS-60 zoning classification, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the City of Lawrenceville Mayor and Council to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

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

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Received: July 1, 2021

Planning and Development Department

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

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

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

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Annex and Rezone from RS-180 and R-75 to RS-60 be approved. The Applicant welcomes the opportunity to meet with the City of Lawrenceville Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 30th day of June, 2021.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/ag

Legal Description

All that tract or parcel of land lying and being in Land Lots 172 and 173 of the 5th Land District of Gwinnett County, Georgia, containing 39.01 acres, according to survey and plat of Higginbotham & James, Associate Surveyors, dated October 30, 1965, said plat being revised December 14, 1965, as follows:

BEGINNING at an iron pin on the northeast right of way of the Lawrenceville-New Hope Road located a distance of 198.9 feet in a southeasterly direction along the northeast right of way of said road from the point where the northeast right of way of said road is intersected by the land lot line common to Land Lots 172 and 173 of said district, said iron pin being a common corner with property of Higginbotham; thence run in a northwesterly direction along the northeast right of way of Lawrenceville-New Hope Road a distance of 293 feet to a point in the center of a creek; thence run in a northeasterly direction along the center of said creek following the meanders thereof and along the property of Foster a distance of 246 feet, more or less, to a point; thence run North 79 degrees 01 minutes West 158.7 feet to an iron pin; thence run South 1 degree 48 minutes East 271.5 feet to an iron pin on the northeast right of way of Lawrenceville-New Hope Road; thence run in a northwesterly direction along the northeast right of way of said road a distance of 708.9 feet to a point in the center of a creek; thence run from the iron pin stake northeast along the center of the creek 2,205 feet, more or less, to an iron pin stake on the line of the Terrell property; thence run South 30 degrees 59 minutes East 1,215.6 feet to an iron pin located on the land lot line at the common corner with property of Higginbotham; thence run South 58 degrees 58 minutes West 904 feet to an iron pin stake at a tree; thence run South 40 degrees 33 minutes West 604.9 feet to the point of beginning.

A copy of the plat referenced to above being recorded in plat book "N," page 152, Gwinnett County Plat Records, and reference is hereby made to said plat for a complete description of the property conveyed herein.

ANNX2021-00005
Received: July 1, 2021
Planning and Development Department



LAWRENCEVILLE

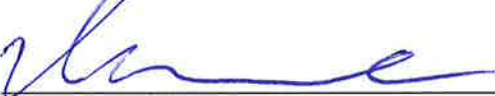
GEORGIA

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: R5 - 173 - 008A
(Map Reference Number) District Land Lot Parcel

 6/29/21
Signature of Applicant Date

DAVID L. FRAME AUTHORIZED SIGNATORY
Type or Print Name and Title

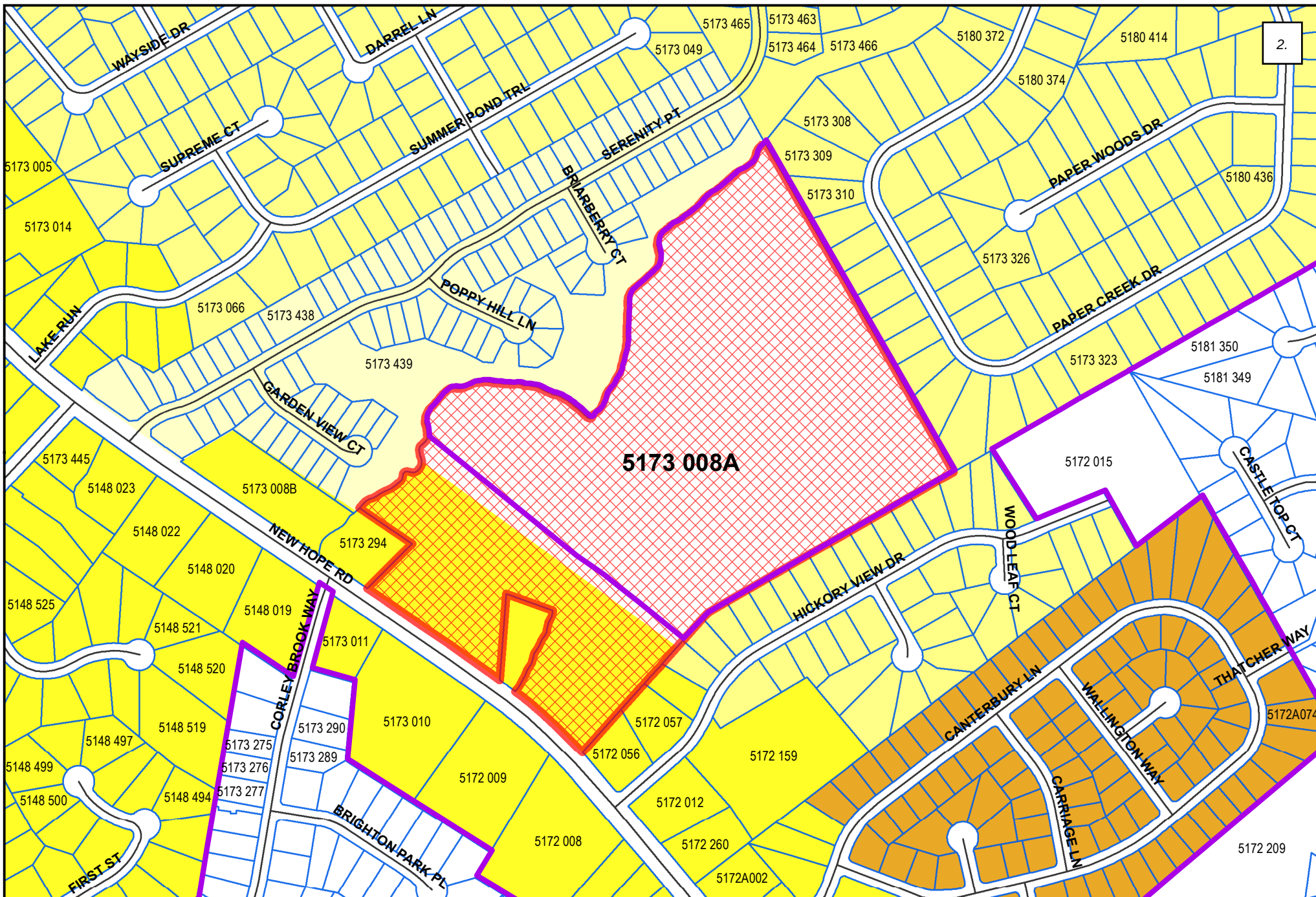
PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER’S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

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)

Ingrid Umazor TSA II
NAME TITLE

6/30/2021
DATE



Legend

- City Boundary
- Subject Property
- RS-60 Single-Family Residential
- RS-150 Single-Family Residential
- RM-12 Multifamily Residential
- RS-180 Single-Family Residential

**PLANNING AND DEVELOPMENT
LOCATION MAP AND SURROUNDING ZONING**

FILE # ANN2021-00005



1 Inch = 398 Feet



LAWRENCEVILLE
GEORGIA

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Team GIS | IT

July 15, 2021

The Honorable David Still, Mayor
City of Lawrenceville
70 South Clayton Street
Lawrenceville, GA 30046

Re: Proposed Annexation by City of Lawrenceville:
Land Lot 173 of the 5th District, a 29.1-acre +/- portion of Tax Parcel No. R5173 008A,
total acreage 38.22 acres +/-, with frontage on New Hope Road;
Owner: The Giles M. Cheek Trust; Applicant: Landeavor Acquisitions, LLC

Dear Mayor Still:

As required by O.C.G.A. § 36-36-7, our operating departments have reviewed the subject property with respect to county facilities located on the subject property. Gwinnett County owns no facilities within the subject property.

A portion of parcel R5173 008A, consisting of a strip paralleling New Hope Road that is approximately 460 feet wide, is already incorporated into the City of Lawrenceville. The remaining 29.1 acres of this parcel is an unincorporated island surrounded by Lawrenceville.

The Gwinnett County Department of Water Resources indicates a twelve-inch water pressure main in the right-of-way of New Hope Road along the frontage of the subject property. A stormwater feature database indicates two ditches, no dimensions given, that traverse the property to end at a stream that forms part of the site's northwestern boundary.

The Gwinnett County Department of Transportation (GCDOT) has reviewed the proposed City of Lawrenceville annexation ANX-2021-013. No GCDOT facilities are located within the property proposed for annexation.

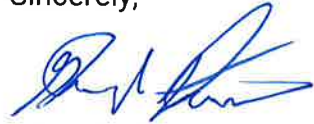
The parcel in this annexation has road frontage on New Hope Road which is a GCDOT maintained road. Any proposed access to or work in the right of way of New Hope Road would be subject to prior review and approval of GCDOT.

The Gwinnett County Department of Planning and Development notes that the subject property is presently zoned R-75 (Single Family Residence District). In addition, the subject property is located in the Emerging Suburban character area on the Future Development Map of the Gwinnett 2040 Unified Plan.

If this annexation occurs, please notify Police Communications Manager, Major Christina Schiralli, of the street address of the subject property so that the E-911 database can be updated. Major Schiralli can be reached at (770) 513-5771. Also, please forward a copy of the resolution documenting the City's final action on the annexation proposal to Catherine Long in the Gwinnett County Department of Planning and Development, catherine.long@gwinnettcountry.com.

If you have any questions regarding this issue, feel free to call me at (770) 822-7000.

Sincerely,



Glenn P. Stephens
County Administrator

ANX-2021-013

CERTIFIED MAIL #: 9214 8901 0661 5400 0164 4838 82

c: Nicole L. Hendrickson, Commission Chairwoman	Tyler Richards, Director of Water Resources
Marlene Fosque, Commissioner, District 4	Lewis Cooksey, Director of Transportation
Maria Woods, Deputy County Administrator	Angelia Parham, Director of Support Services
Susan Canon, Director of Planning & Development	Tina Fleming, Director of Community Services
Chuck Warbington, City Manager, Lawrenceville	Melanie Wilson, Senior Assistant County Attorney
Long-range files, ANX-2021-013	

Gwinnett County, GA; City of Lawrenceville, GA; Geographic Technologies Group

 City Boundary

 Subject Property

PLANNING AND DEVELOPMENT LOCATION MAP AND SURROUNDING ZONING

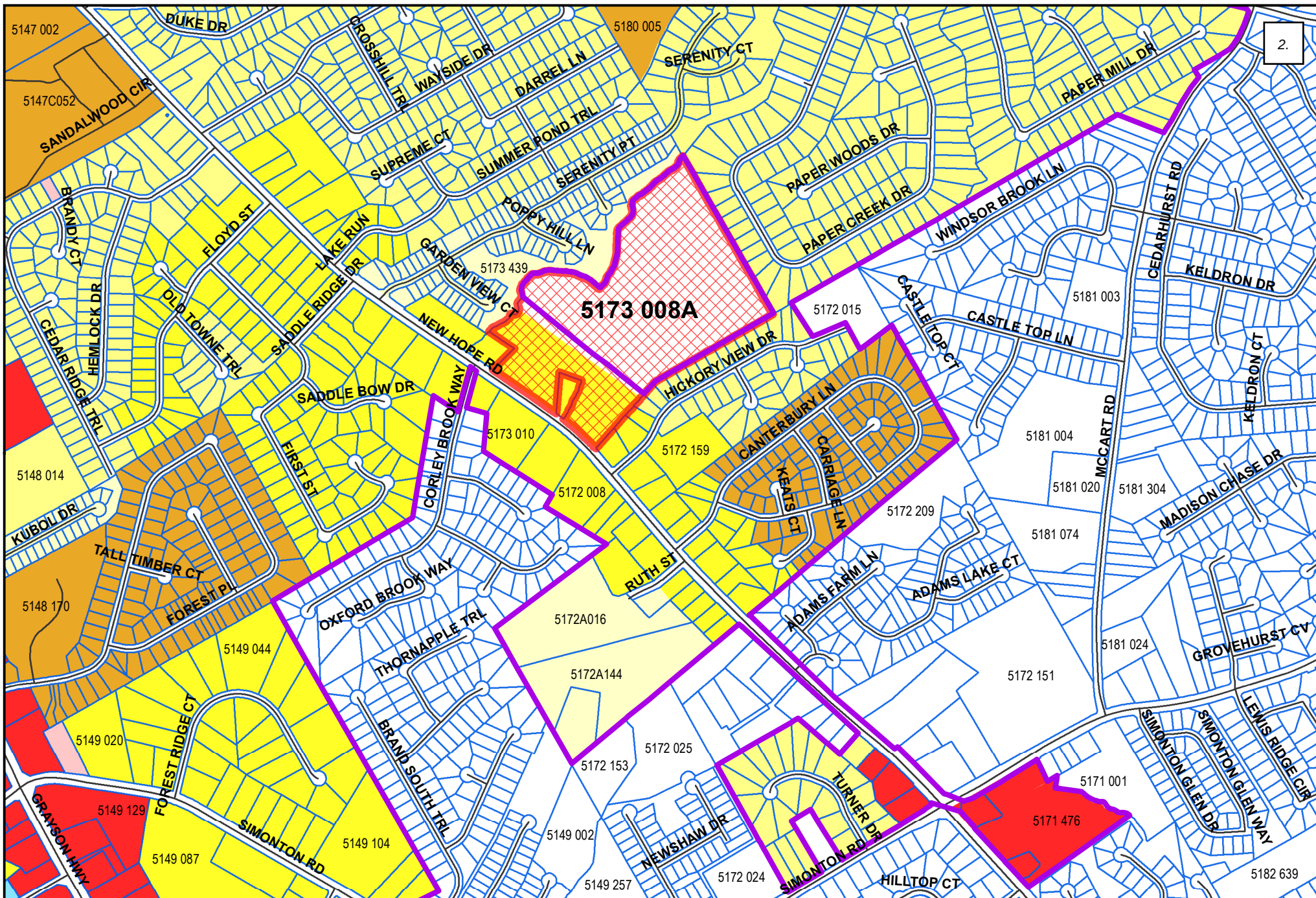
FILE # ANNEX2021-00005



1 Inch = 1,042 Feet



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- Legend**
- City Boundary
 - Subject Property
 - BG General Business
 - LM Light Manufacturing
 - OI Office/Institutional
 - RM-12 Multifamily Residential
 - RS-60 Single-Family Residential
 - RS-150 Single-Family Residential
 - RS-180 Single-Family Residential

PLANNING AND DEVELOPMENT LOCATION MAP AND SURROUNDING ZONING

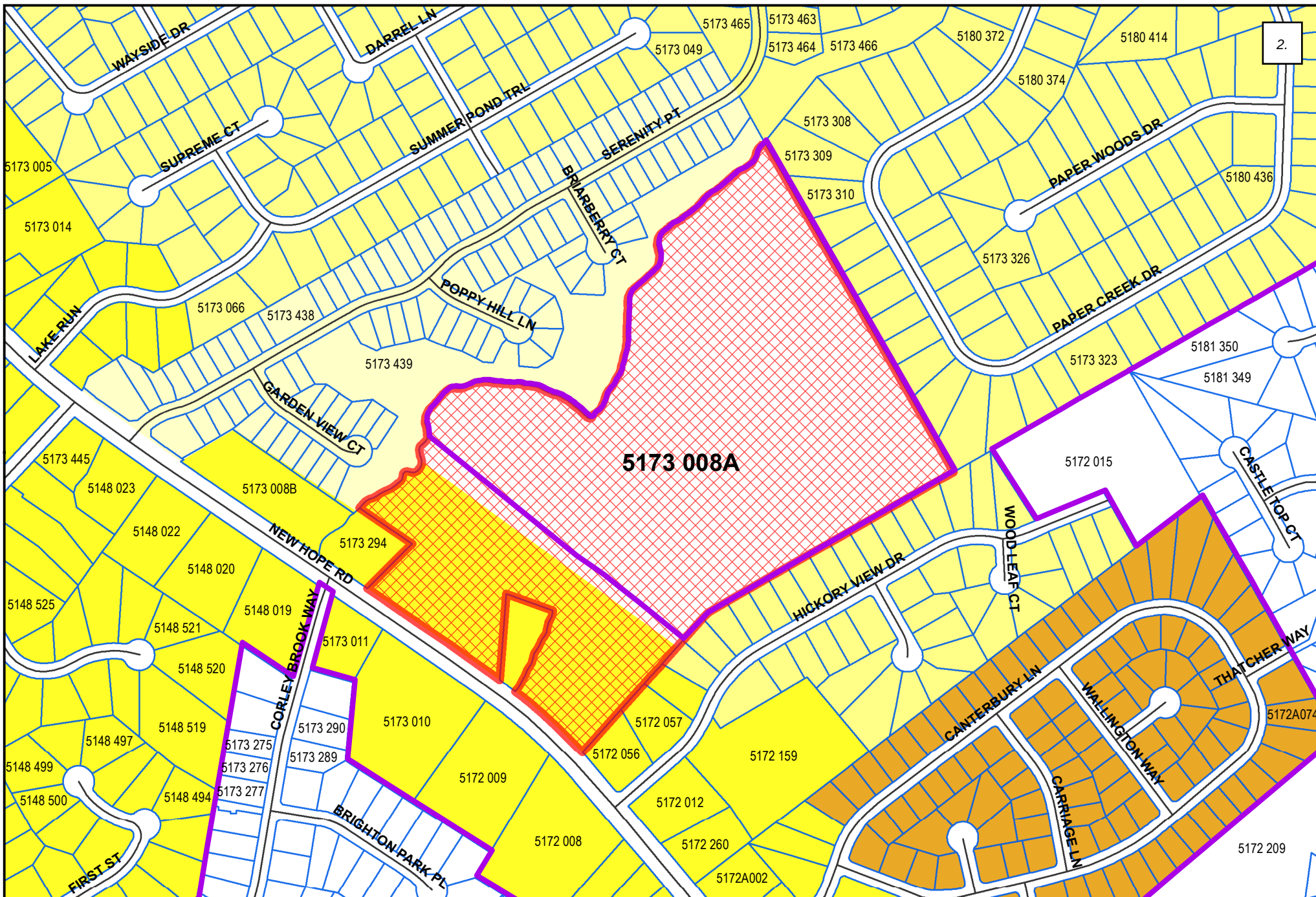
FILE # ANN2021-00005



1 Inch = 833 Feet



LAWRENCEVILLE
GEORGIA



Legend

- | | |
|---|--|
|  City Boundary |  RS-60 Single-Family Residential |
|  Subject Property |  RS-150 Single-Family Residential |
|  RM-12 Multifamily Residential |  RS-180 Single-Family Residential |

PLANNING AND DEVELOPMENT LOCATION MAP AND SURROUNDING ZONING

FILE # ANN2021-00005



1 Inch = 398 Feet



LAWRENCEVILLE
GEORGIA

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Team GIS | IT



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2021-00027; James Talbert; Old Norcross Road

Department: Planning and Development

Date of Meeting: Monday, August 30, 2021

Presented By: Todd Hargrave, Director of Planning and Development

Planning and Development Recommendation: **Approval with conditions**

Summary: The applicant request rezoning of a parcel of land containing approximately 5.00-acres from OI (Office Institutional District) to LM (Light Manufacturing District) to allow the construction of an office, warehouse and distribution facility.

Attachments/Exhibits:

- **RZC2021-00027** Report
- **RZC2021-00027** Attachments

CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING

CASE NUMBER	RZC2021-00027
APPLICANT	JAMES TALBERT
CONTACT	JAMES TALBERT
PHONE NUMBER	904.509.2780
ZONING CHANGE	OI (OFFICE INSTITUTIONAL DISTRICT) TO LM (LIGHT MANUFACTURING DISTRICT)
LOCATION	OLD NORCROSS ROAD
PARCEL ID	R5113 106
ACREAGE	APPROXIMATELY 5.00-ACRES
PROPOSED DEVELOPMENT	LIGHT MANUFACTURING - DISTRIBUTION
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

In 1970, the subject property was zoned LM (Light Manufacturing District). The subject property has been zoned OI (Office Institutional District) since 2006, pursuant to RZ-06-01.

PROJECT DATA:

The applicant request rezoning of a parcel of land containing approximately 5.00-acres from OI (Office Institutional District) to LM (Light Manufacturing District) to allow the construction of an office, warehouse and distribution facility. The property is located along the south side of Old Norcross Road, between it intersections with West Pike Street and Winer Industrial Way. The property is heavily wooded and undeveloped.

The City of Lawrenceville 2040 Comprehensive Plan (the Plan) and Future Development Map indicates the subject property is located within the Medical Services Cluster Character Area. The intention of this Character Area is to recognize the uniqueness of the Gwinnett Medical Center (GMC), which could support a range of institutions, offices, commercial, warehousing, distribution, and research uses that support GMC and its clustered medical services. Although not strictly consistent with the Plan, the proposal could be considered compatible with the

variety of office, industrial and warehousing uses and zoning in the immediate area, and therefore could be considered consistent with the policies of the City of Lawrenceville.

The surrounding area is characterized by a variety of office, industrial and warehousing uses and zoning. To the north, across Old Norcross Road is the Gwinnett 316 light industrial development zoned LM, and various uses and zoning consistent with the OI (Office Institutional District) zoning classification. To the east, immediately adjacent to the property is an OI zoned development consisting of a Place of Worship. Further to the east, is the West Pike Street and Old Norcross Road intersection consisting primarily of BG (General Business District) uses and zoning. To the south and west is vacant LM zoned property owned by CSX Railroad. Further to south, across the CSX Railroad is the Craigdale Estate single-family subdivision zoned RS-180 (Single-Family Residential District), and further to the west is the Winer Industrial development zoned LM. The variety of uses and zoning in the immediate area further support the request.

The proposed rezoning is consistent with the policies of the City of Lawrenceville; which would be designed to attract, develop, maintain and retain a diverse array of professional businesses, and inventory of land to support the city's growth, influence and marketability. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of the Rezoning.

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

A development pre-submittal meeting will be required.

ELECTRIC DEPARTMENT

The City of Lawrenceville will be able to provide power to 576 Old Norcross Road.

GAS DEPARTMENT

The Gas Department has a 4" main that will be in possible conflict along Old Norcross. No other conflicts

CODE ENFORCEMENT

No comment.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes, the proposed rezoning could be considered to be consistent with adjacent and nearby properties.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No, the proposed rezoning should not adversely affect the existing use of adjacent or nearby properties.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes, the proposed rezoning would be consistent with the established uses and zoning in the immediate area.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *Yes, the proposed rezoning could result in a use which could cause an excessive burden on existing streets and utilities.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes, the proposed rezoning conform to the policies and intent of the City's 2040 Comprehensive Plan.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *The proposed rezoning will allow the city to expand and reinforce its economic foundation.*

**Planning and Development
Recommendation
RZC2021-00027**

Approval of an LM (Light Manufacturing District), subject to the following enumerated conditions:

To restrict the use of the property as follows:

1. To satisfy the following site development considerations:
 - a. The development shall be designed in general accordance with the “Concept Plan” presented to the Planning Commission on Monday, August 30, 2021, titled “James Talbert, Old Norcross Road, City of Lawrenceville, GA, and dated June 02, 2021, prepared by Reed Planning and Design” with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
 - b. Prior to the issuance of a Certificate of Occupancy the development of the subject property shall be in compliance with the rules and regulations of applicable governing agencies.
 - c. The building must meet the minimum architectural requirement of the City of Lawrenceville. Final elevations shall be subject to the review and approval of the Director of Planning and Development Department.
2. To satisfy the following site development considerations:
 - a. All grassed areas shall be sodded;
 - b. Underground utilities shall be provided throughout the development;
 - c. Natural vegetation shall remain on the property until the issuance of a development permit;
 - d. Allow an encroachment (grading) into the required 50-foot Undisturbed Buffer and 25-foot Impervious Surface Setback as shown on “Concept Plan” presented to the Planning Commission on Monday, August 30, 2021, titled “James Talbert, Old Norcross Road, City of Lawrenceville, GA, and dated June 02, 2021, prepared by Reed Planning and Design”.

- e. Provide a 10-foot wide Landscape Strip along the southern right-of-way of Old Norcross Road.
- f. Provide a 25-foot wide landscape strip along the along the eastern property line adjacent to Parcel Identification Number R5144039D.
- g. Landscape Strips shall be planted with 1 Overstory Tree, 1 Understory Tree, 18 Evergreen Shrubs, 18 Ornamental Grasses and 18 Ground Coverings per 100 feet of road frontage along New Hope Road. Driveway widths and other ingress and egress areas may be subtracted from the landscape strip lineal feet calculation. Landscape Plans shall be subject to the review and approval of the Director of Planning and Development.
- h. Planted Conifer and Evergreen trees shall be at least six feet in height at time of planting;
- i. Planted Deciduous trees shall be at least three inches caliper at time of planting;
- j. Ornamental Grasses and Ground Covering shall be a minimum size of one-gallon container at time of planting with a minimum height of one foot;
- k. Preserved Trees may be counted toward fulfilling the tree requirement within the 25-wide Landscape Strip. Bradford Pear, Gingko (Female), Loblolly, Longleaf, Shortleaf, Slash Pine(s) shall be considered unacceptable trees.
- l. During construction, a 5-Foot Construction Tree and Landscape Setback shall be maintained, as measured horizontally, from the outer most perimeter of areas delineated as Floodplain, Landscape Strips, Stream Buffers or Undisturbed Wetlands;
- m. A 5-foot Construction Setback shall terminate with the issuance of a Certificate of Completion, Development Conformance, Occupancy.
- n. Provide a 200-foot deceleration lane with 50 foot taper along the southern right-of-way of Old Norcross Road, subject to the approval of Gwinnett County Department of Transportation (GCDOT).
- d. Ground Signage shall be limited to a maximum height of 12 feet and shall be setback from the right-of-way a minimum of 12 feet from the property line. The maximum sign display area shall be limited to 75

square feet. Wall signage shall be limited 36 square feet per elevation, with a total wall sign area limited to 72 square feet.

- e. 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.
- f. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
- g. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.
- h. Outdoor storage shall be limited to the rear yard only and screened from the right-of-way by a solid wood fence, masonry wall or 6-foot high slatted chain-link fence.
- i. Dumpsters shall be screened by solid brick walls, with an opaque metal gate enclosure.
- j. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>James Talbert</u>	NAME: <u>John R. Moran</u>
ADDRESS: <u>300 Petty Rd St. C</u>	ADDRESS: <u>32 N. Sewalls Point Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Sewalls Point</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>FL</u> ZIP: <u>34996</u>
CONTACT PERSON: <u>James Talbert</u> PHONE: <u>904-509-2780</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>O&I</u> REQUESTED ZONING DISTRICT: <u>LM</u>	
PARCEL NUMBER(S): <u>R5113-106</u> ACREAGE: <u>5</u>	
ADDRESS OF PROPERTY: <u>Old Norcross Road, R5113-106, Lawrenceville, GA</u>	

James Talbert 6/17/21
SIGNATURE OF APPLICANT DATE

John R. Moran 06/24/2021
SIGNATURE OF OWNER DATE

James Talbert
TYPED OR PRINTED NAME

John R. Moran
TYPED OR PRINTED NAME

Ekatereia Kukharchuk
NOTARY PUBLIC
Ekatereia Kukharchuk
NOTARY PUBLIC

NOTARY PUBLIC DATE

Forsyth County, GEORGIA
70 S. County Street, Lawrenceville, Georgia 30046-2200
My Commission Expires 09/15/2024
770.963.2414 • www.lawrencevillega.org



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>James Talbert</u>	NAME: <u>Bonnie M. Golden</u>
ADDRESS: <u>300 Petty Rd St. C</u>	ADDRESS: <u>1095 Mineral Springs Rd</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Auburn</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30011</u>
CONTACT PERSON: <u>James Talbert</u> PHONE: <u>904-509-2780</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>O&I</u> REQUESTED ZONING DISTRICT: <u>LM</u>	
PARCEL NUMBER(S): <u>R5113-106</u> ACREAGE: <u>5</u>	
ADDRESS OF PROPERTY: <u>Old Norcross Road, R5113-106</u>	

[Signature] 6/17/21
SIGNATURE OF APPLICANT DATE

[Signature] 06/24/2021
SIGNATURE OF OWNER DATE

James Talbert
TYPED OR PRINTED NAME

Bonnie M. Golden
TYPED OR PRINTED NAME

[Signature]
NOTARY PUBLIC

NOTARY PUBLIC DATE

Ekaterina Kukharchuk
NOTARY PUBLIC

Forsyth County, GEORGIA
70 S. ... My Commission Expires 09/15/2024
770.963.2414 • www.lawrencevillega.org



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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



1303 Hightower Trail, Suite 240
Atlanta, GA 30350
Phone: 770.559.1099 x21
Cell: 404.431.0971
mnelsen@hughes-cre.com
www.hughes-cre.com

Matt Nelsen

June 25, 2021

City of Lawrenceville
Planning and Zoning

RE: LOI – REZONING APPLICATION
Proposed Rezoning and Development – 576 Old Norcross Road, Lawrenceville, GA

To Whom it May Concern:

On behalf of Talbert Deli Provisions, Inc. ("Buyer"), I am pleased to present this Letter of Intent as the Buyer's real estate agent (the "Agent") outlining my client's proposed development of a new Class A office/warehouse facility at 576 Old Norcross Road. In order to proceed with the proposed development, my client needs rezoning approval to M-1 Light Industrial.

The Buyer plans to build a multi-tenant 35,000 SF rear load masonry constructed industrial warehouse facility, in which the Buyer would occupy approximately 11,000 square feet and new prospective industrial tenant(s) would occupy the remaining 24,000 square feet.

The buyer would also like to request a 50% buffer reduction from the 50' requirement to a 25' buffer on the Western property line. Buyer will agree to put in an enhanced buffer if the request is approved.

If you have any questions concerning this LOI or require additional information, please don't hesitate to give me a call.

Regards,

A handwritten signature in black ink, appearing to read 'Matt Nelsen', is written over a light blue horizontal line.

Matt Nelsen
Hughes Commercial Real Estate
Cell: 404-431-0971
Email: matt@hughes-cre.com

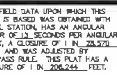
CC. James Talbert, Talbert Deli Provisions (Buyer)

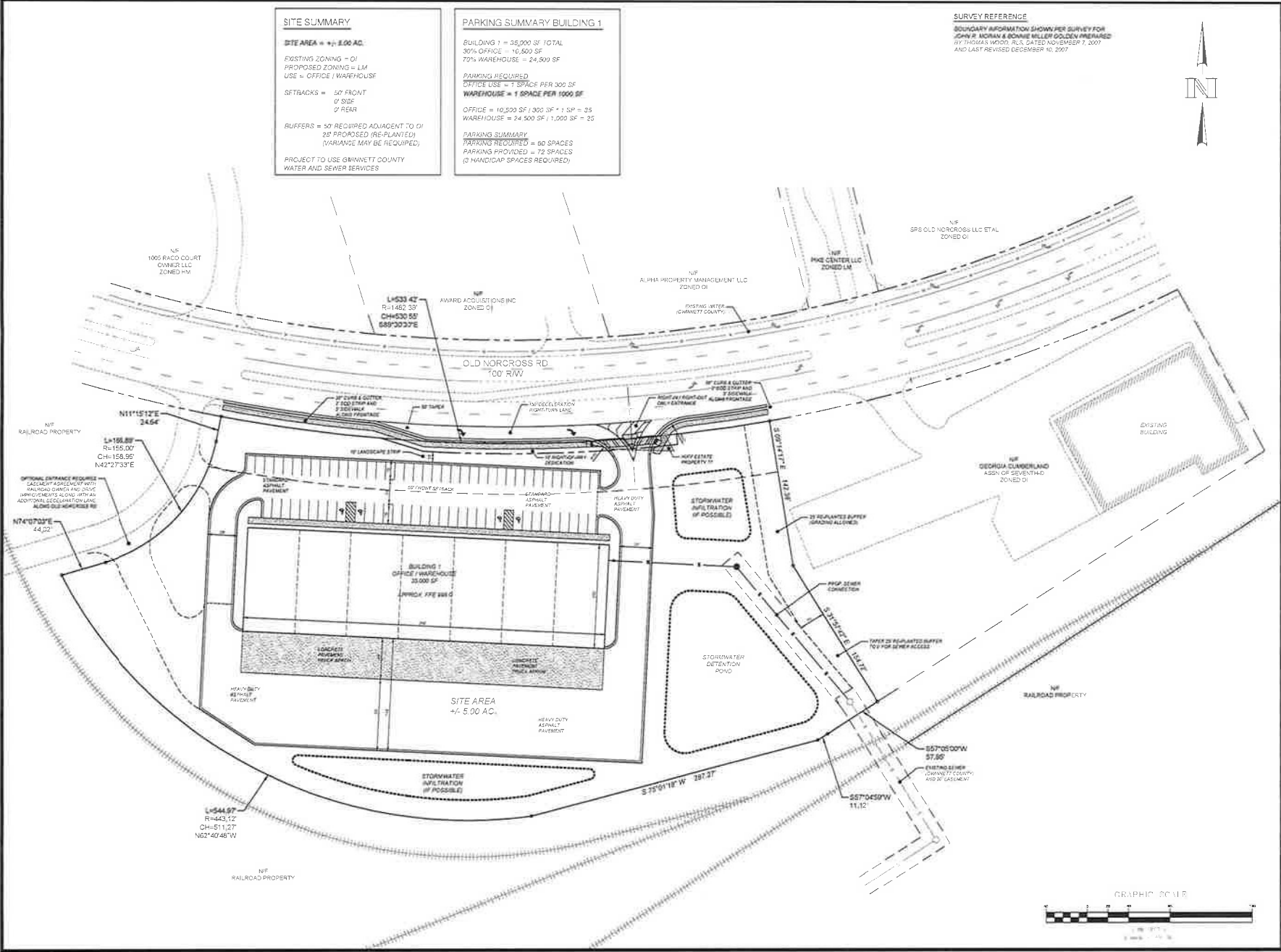
**Old Norcross Drive
Parcel No. 5-113-106**

All that tract or parcel of land lying and being in Land Lots 113 and 144 of the 5th Land District, Gwinnett County, Georgia and being more particularly described as follows;

Beginning at the intersection of the southerly right of way of Old Norcross Road (100' right of way) and the Land Lot Line common to Land Lots 113 and 144; THENCE traveling on said right of way along a curve to the left having a radius of 1482.39 feet and an arc length of 95.03 feet being subtended by a chord bearing of North 82 Degrees 01 Minutes 11 Seconds East and a chord distance of 95.02 feet to a point; THENCE leaving said right of way and traveling South 09 Degrees 14 Minutes 17 Seconds East for a distance of 142.38 feet to a point; THENCE South 31 Degrees 57 Minutes 42 Seconds East for a distance of 154.72 feet to a point; THENCE South 57 Degrees 05 Minutes 00 Seconds West for a distance of 57.95 feet to a point; THENCE South 57 Degrees 04 Minutes 59 Seconds West for a distance of 11.12 feet to a point; THENCE South 75 Degrees 01 Minutes 18 Seconds West for a distance of 287.27 feet to a point; THENCE along a curve to the right having a radius of 443.12 feet and an arc length of 544.97 feet being subtended by a chord bearing of North 62 Degrees 40 Minutes 48 Seconds West and a chord distance of 511.27 feet to a point; THENCE North 74 Degrees 07 Minutes 03 Seconds East for a distance of 44.02 feet to a point; THENCE along a curve to the left having a radius of 155.00 feet and an arc length of 166.89 feet being subtended by a chord bearing of North 42 Degrees 27 Minutes 33 Seconds East and a chord distance of 158.95 feet to a point; THENCE North 11 Degrees 15 Minutes 12 Seconds East for a distance of 24.64 feet to a point on the southerly right of way of Old Norcross Road; THENCE on said right of way along a curve to the left having a radius of 1482.39 feet and an arc length of 438.39 feet being subtended by a chord bearing of South 87 Degrees 40 Minutes 18 Seconds East and a chord distance of 436.79 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said property contains +/-5.00 Acres as shown on Concept Plan for James Talbert prepared by Reed Planning & Design, dated 6/02/21.





REED
PLANNING & DESIGN

100 Old Denham Village Rd.
Suite 100
Decaturville, GA 30534
Phone: 769-114428

STAMP

GW002 LEVEL 2
CERTIFIED DESIGN
PROFESSIONAL

CERTIFICATION NO. 1479
EXPIRES 10/31/2021

JAMES TALBERT
OLD NORCROSS ROAD
CITY OF LAWRENCEVILLE, GA

PARCEL	5-113-106
LAND LOT	113
DISTRICT	S
CITY	LAWRENCEVILLE
COUNTY	GWINNETT
STATE	GEORGIA

CONCEPT PLAN

JOB NUMBER	21100-JT	DATE	6-03-2021
DATE	NO.	REVISION	

C-1



Legend

- Subject Property
- Parcels

**PLANNING AND DEVELOPMENT
LOCATION MAP AND SURROUNDING ZONING**

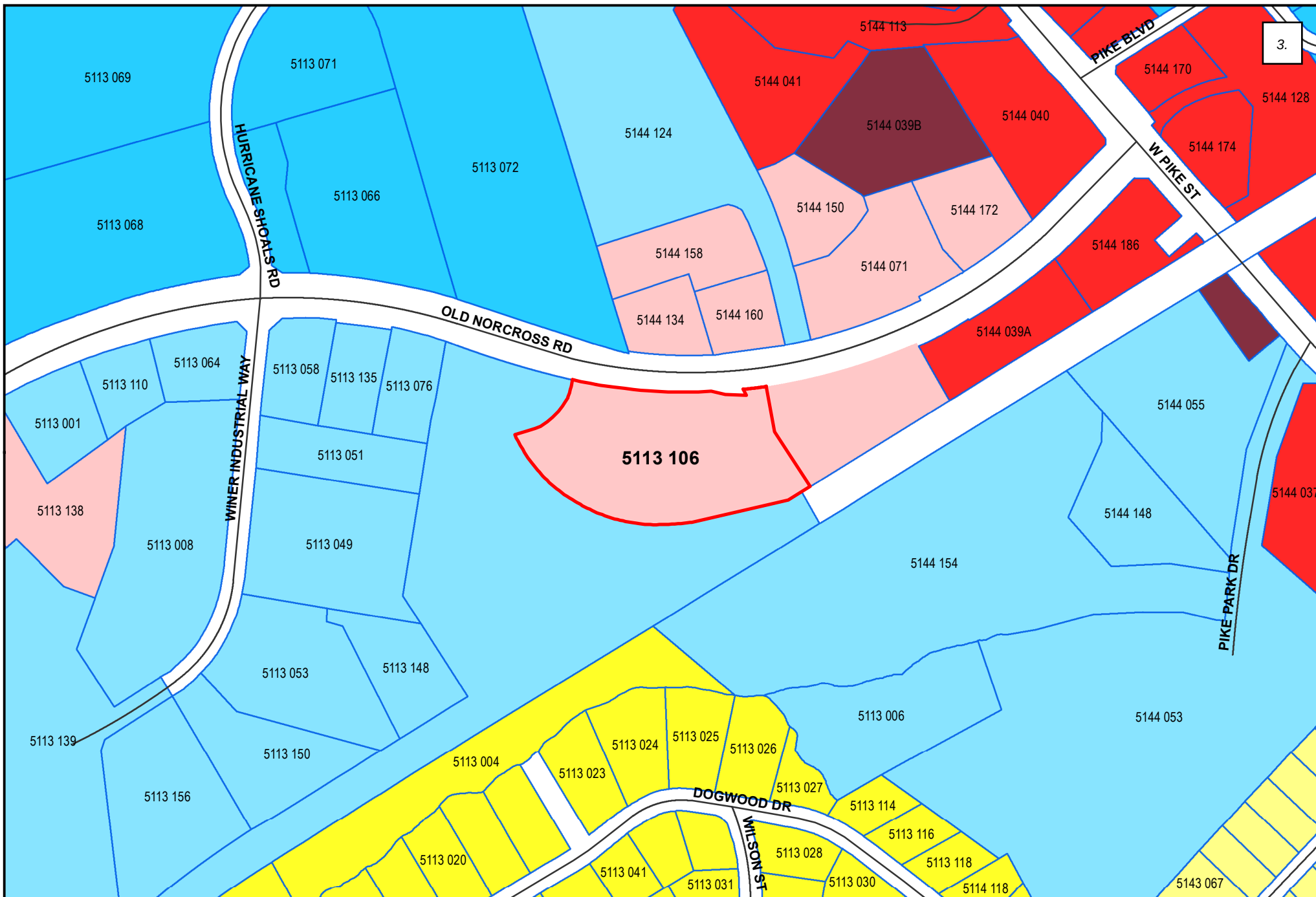
**FILE # RZC2021-00027
APPLICANT: BONNIE MILLER**



1 Inch = 333 Feet



LAWRENCEVILLE
GEORGIA



Legend

- Subject Property
- Parcels
- BG General Business
- HSB Highway Service Business
- LM Light Manufacturing
- HM Heavy Manufacturing
- OI Office/Institutional
- RS-150 Single-Family Residential
- RS-180 Single-Family Residential

PLANNING AND DEVELOPMENT LOCATION MAP AND SURROUNDING ZONING

FILE # RZC2021-00027
APPLICANT: BONNIE MILLER



1 Inch = 333 Feet



LAWRENCEVILLE
GEORGIA

Page 63

Team GIS | IT



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: SUP2021-00047; Safwad Hussain; 634 Collins Hill Road

Department: Planning and Development

Date of Meeting: Monday, August 30, 2021

Presented By: Todd Hargrave, Director of Planning and Development

Planning and Development Recommendation: **Denial**

Summary: The applicant requests a Special Use Permit of an approximately 1.72-acre parcel, zoned BG (General Business District), specifically Suite D-2; to allow a Smoke and Tobacco Shop. The subject property is part of the Lawrenceville Crossing shopping center, located just north of the Collins Hill Road and Hurricane Shoals Road intersection.

Attachments/Exhibits:

- **SUP2021**-Report
- **SUP2021**- Attachments

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

CASE NUMBER: SUP2021-00047
APPLICANT: SAFWAN HUSSEIN
CONTACT: SAFWAN HUSSEIN
PHONE NUMBER: 557.801.1871
LOCATION: 634 COLLINS HILL ROAD
PARCEL ID: R7010 100
ACREAGE: 1.72
PROPOSED DEVELOPMENT: SMOKE AND TOBACCO SHOP
DEPARTMENT RECOMMENDATION: **DENIAL**

ZONING HISTORY:

In 1970, the subject property was located in unincorporated Gwinnett County. The property has been zoned BG (General Business District) since 1999, pursuant to ANX1999-00001 .

PROJECT DATA:

The applicant requests a Special Use Permit of an approximately 1.72-acre parcel, zoned BG (General Business District), specifically Suite D-2; to allow a Smoke and Tobacco Shop. The subject property is part of the Lawrenceville Crossing shopping center, located just north of the Collins Hill Road and Hurricane Shoals Road intersection. Access to the site is via multiple driveways on Collins Hill Road, Hurricane Shoals Road and Hillcrest Green Drive. The property is developed as a commercial/retail center with an anchor super store and multiple suites.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located within the College Corridor Character Area. Policies of this character area are to encourage a mixture and concentration of residential, retail, office, recreational, and educational facilities at key locations to encourage walking and biking to everyday needs, however, allowing a smoke shop in the plaza may be counter active to promoting good health for the community.

The Georgia General Assembly recently adopted a bill regulating the sale of vapor products throughout the State of Georgia. This means vapor products will be taxed in the manner as

tobacco, regardless of where the products are sold (vape shops, grocery stores, convenient stores, etc.). Any new retail establishment proposing to sell vapor products will be subject to the new law. In addition, Gwinnett County recently updated Chapter 70 – Parks and Recreation Ordinance prohibiting the use of tobacco and vaping products on County owned properties. In keeping with the County’s policy, the City Council initiated the process of adopting an ordinance to amend the Code of the City of Lawrenceville prohibiting the use of tobacco and vaping products on the Campus of Georgia Gwinnett College, streets, sidewalks and other public properties, as well as all parks and recreation facilities within the city limits. Furthermore, the City Council recently denied a request for a Smoke and Tobacco Shop earlier this year, pursuant to SUP2020-00043.

The surrounding area is characterized predominately by commercial uses and zoning. The surrounding area is characterized by predominately by commercial uses. The property is bordered by parcels zoned BG (General Business District) with uses such as Walmart, Kohl’s and a variety of other commercial uses throughout the plaza.

In conclusion, the proposed use may be inconsistent with the policies of the State of Georgia, Gwinnett County and City of Lawrenceville, which may contradict promoting a healthy lifestyle. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

ELECTRIC DEPARTMENT

This location is served by another utility provider.

GAS DEPARTMENT

No comment.

CODE ENFORCEMENT

Multitple code enforcement issues in the past three years with outdoor storage, debris, and property maintenance.

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2020-00047:

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

Approval of Special Use Permit allowing a Smoke and Novelty Shop, subject to the following enumerated conditions:

1. Limited to a Smoke and Tobacco Shop in suite D-2 only.
2. Outdoor storage shall be prohibited.
3. The business shall be in compliance with all applicable Municipal, County and State regulations.
4. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.



LAWRENCEVILLE

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>SaFwan Hussein</u>	NAME: <u>Hurricane/316, LLC</u>
ADDRESS: <u>8070 Oldcreek</u>	ADDRESS: <u>400 Mall Blvd Ste M</u>
CITY: <u>North Charleston</u>	CITY: <u>Savannah</u>
STATE: <u>SC</u> ZIP: <u>29418</u>	STATE: <u>GA</u> ZIP: <u>31406</u>
PHONE: <u>5598011871</u>	PHONE: <u>912-355-1311</u>
CONTACT PERSON: <u>SaFwan Hussein</u>	PHONE: <u>5598011871</u>
CONTACT'S E-MAIL: <u>SaFwan Hussein@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-General Business 1.710</u>	
PARCEL NUMBER(S): <u>R7010 100</u>	
ADDRESS OF PROPERTY: <u>634 Collins Hill Rd Lawrenceville, GA</u>	
PROPOSED SPECIAL USE: <u>Tobacco and vape shop</u>	

SaFwan Hussein 6/28/2021
SIGNATURE OF APPLICANT DATE
SaFwan Hussein
TYPED OR PRINTED NAME
Matthew Holden Becham 06/28/2021
NOTARY PUBLIC DATE
Matthew Holden Becham
Notary Public
Exp. Jan 14th, 2025
Upson County, GA.

Charles G. Goff 6/28/2021
SIGNATURE OF OWNER DATE
Charles G. Goff - Managing Member
TYPED OR PRINTED NAME
Donna L. McKibbin 6-28-21
NOTARY PUBLIC
DONNA L. MCKIBBIN
NOTARY PUBLIC
BRYAN COUNTY, GEORGIA
OCTOBER 12, 2024

LETTER OF INTENT

LAWRENCCEVILLE TOBACCO &VAPE LLC

We are writing to provide a letter of intent for services rendered and products sold at Lawrenceville Tobacco & Vapor, located at 634 Collins Hill RD Suite D-2 Lawrenceville, GA 30046. This facility will be used as a retail tobacco and vapor store. In this facility, signs will be posted that state our intent to not sell tobacco products to anyone under the age of 21. All persons will be asked to show valid identification before tobacco and vapor products are sold.

Warm regards,

SAFWAN HUSSEIN

OWNER

5598011871

Lawrenceville Crossing Shopping Center

LEGAL DESCRIPTION

SHOPS "E" TRACT

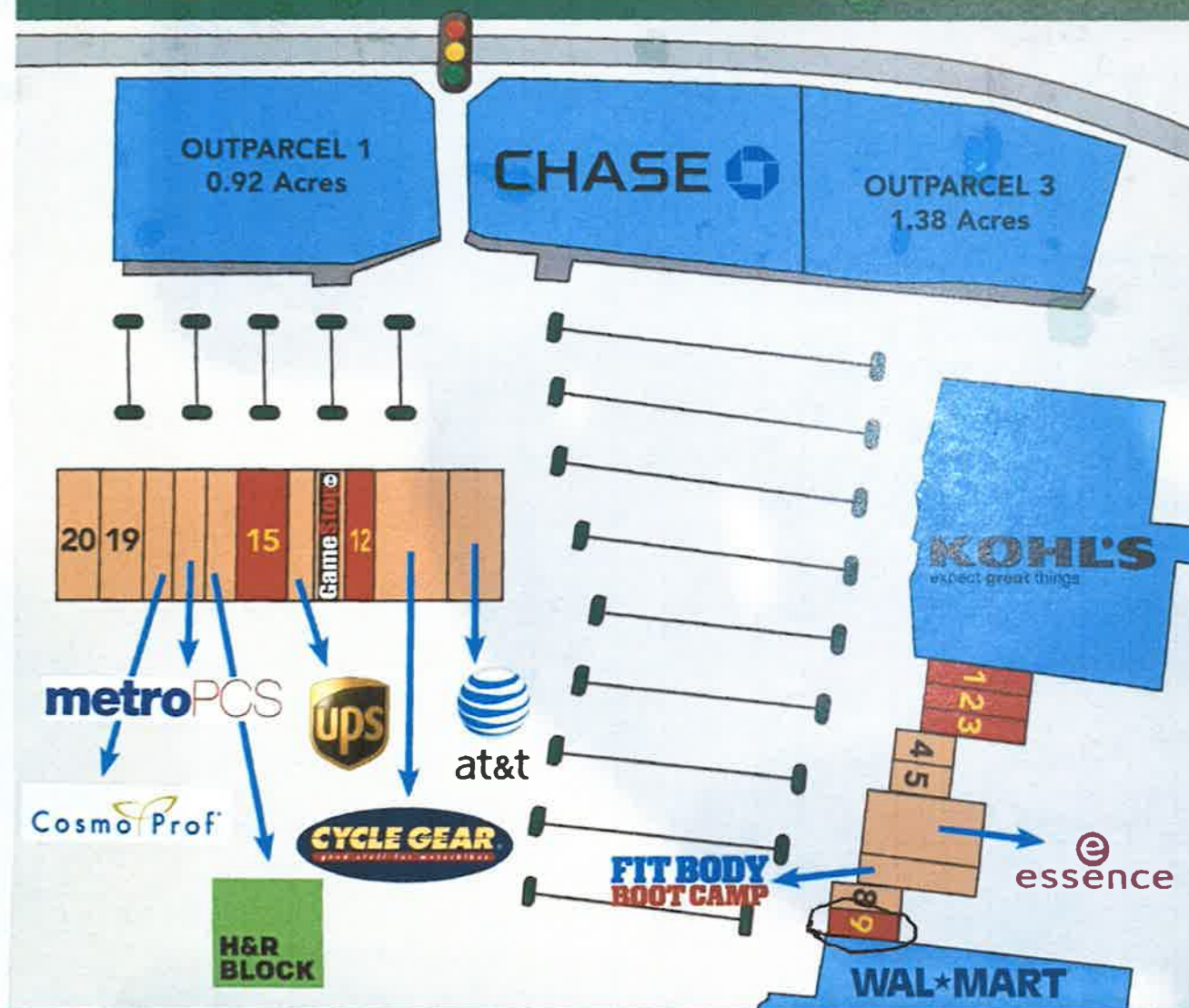
All that tract or parcel of land lying and being in Land Lots 10 of the 7th District, City of Lawrenceville, Gwinnett County, Georgia, and being more particularly described as follows:

Commencing at a point at the intersection of the southwesterly right of way of Collins Hill Road (variable right of way) and the northwesterly right of way of Hurricane Shoals Road (100' right of way);
 thence along the southwesterly right of way of Collins Hill Road North 14 degrees 35 minutes 13 seconds West, a distance of 205.23 feet to a point;
 thence continuing along said right of way North 07 degrees 44 minutes 39 seconds West, a distance of 36.13 feet to a point;
 thence leaving said right of way South 52 degrees 42 minutes 14 seconds West, a distance of 31.09 feet to a point;
 thence North 26 degrees 44 minutes 46 seconds West, a distance of 197.00 feet to a point;
 thence South 71 degrees 41 minutes 14 seconds West, a distance of 91.76 feet to a point;
 thence North 25 degrees 28 minutes 52 seconds West, a distance of 179.17 feet to a point;
 thence North 37 degrees 36 minutes 22 seconds West, a distance of 42.85 feet to a point;
 thence North 25 degrees 28 minutes 52 seconds West, a distance of 87.57 feet to a point;
 thence North 25 degrees 28 minutes 52 seconds West, a distance of 349.72 feet to a point;
 thence North 16 degrees 24 minutes 32 seconds East, a distance of 16.74 feet to a point;
 said point being the POINT OF BEGINNING.
 thence South 58 degrees 17 minutes 55 seconds West, a distance of 165.03 feet to a point;
 thence South 45 degrees 12 minutes 27 seconds West, a distance of 212.05 feet to a point;
 thence North 25 degrees 28 minutes 52 seconds West, a distance of 21.22 feet to a point;
 thence South 64 degrees 31 minutes 08 seconds West, a distance of 280.05 feet to a point;
 thence North 30 degrees 33 minutes 47 seconds West, a distance of 396.21 feet to a point;
 thence North 59 degrees 26 minutes 13 seconds East, a distance of 614.66 feet to a point;
 thence South 31 degrees 08 minutes 18 seconds East, a distance of 46.67 feet to a point;
 thence South 64 degrees 26 minutes 11 seconds East, a distance of 40.06 feet to a point;
 thence South 31 degrees 02 minutes 11 seconds East, a distance of 33.16 feet to a point;
 thence South 30 degrees 58 minutes 30 seconds East, a distance of 214.68 feet to a point;
 thence South 77 degrees 58 minutes 17 seconds East, a distance of 27.69 feet to a point;
 thence North 58 degrees 17 minutes 55 seconds East, a distance of 128.34 feet to a point;
 thence North 13 degrees 17 minutes 55 seconds East, a distance of 30.00 feet to a point on the southwesterly right of way of Collins Hill Road;
 thence along said right of way South 31 degrees 13 minutes 59 seconds East, a distance of 50.99 feet to a point;
 thence continuing along said right of way South 30 degrees 40 minutes 36 seconds East, a distance of 37.74 feet to a point;
 thence leaving said right of way North 79 degrees 28 minutes 34 seconds West, a distance of 40.93 feet to a point;
 thence South 58 degrees 17 minutes 55 seconds West, a distance of 130.99 feet to a point;
 said point being the POINT OF BEGINNING.

Said tract contains 265,403 sf. (6.09 acres), more or less, and being designated as "Tract Four Area (Shops "E")" on that certain ALTA/ASCM Land Title Survey for Bank of America, N.A., Hurricane/316, LLC, Chicago Title Insurance Company, dated August 11, 1999, last revised August 31, 2000, prepared by Armstrong Land Surveying, Inc., bearing seal and certification of Robert T. Armstrong, Georgia Registered Land Surveyor No. 1901, said survey incorporated herein by reference thereto

LAWRENCEVILLE CROSSINGS

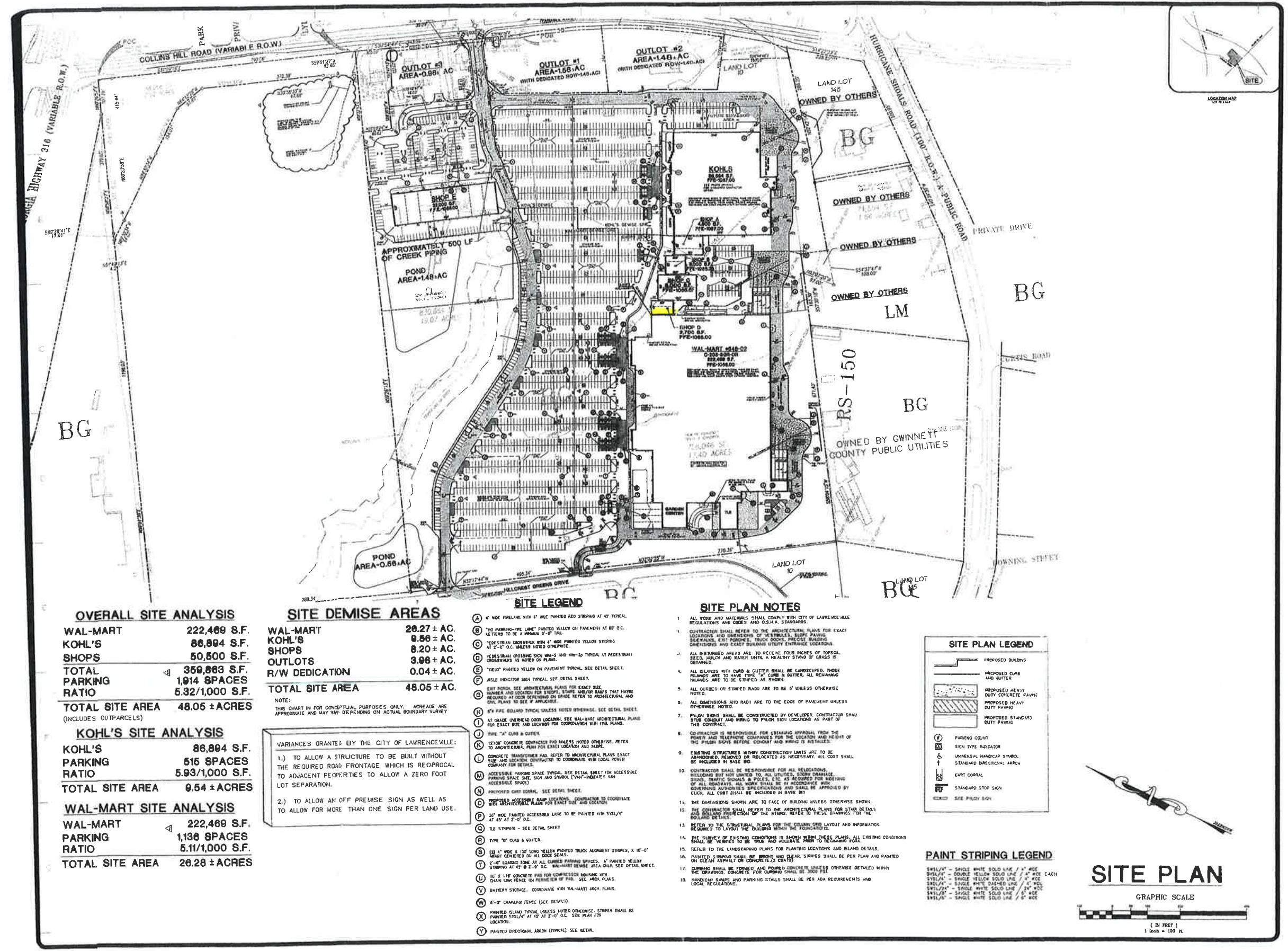
358,000 SQ.FT.



1	Available	1,600	sq.ft.
2	Available	1,600	sq.ft.
3	Available	1,600	sq.ft.
4	Crystal Nails	1,500	sq.ft.
5	Jenny's Hair Salon	1,500	sq.ft.
6	Essence Beauty	6,000	sq.ft.
7	Fit Body Boot Camp	2,000	sq.ft.
8	Saya Beauty Salon	1,200	sq.ft.
9	Available	1,500	sq.ft.
10	AT&T	3,000	sq.ft.
11	Cycle Gear	7,000	sq.ft.
12	Available	2,000	sq.ft.
13	GameStop	2,000	sq.ft.
14	The UPS Store	2,000	sq.ft.
15	Available	4,000	sq.ft.
16	H&R Block	2,000	sq.ft.
17	MetroPCS	2,000	sq.ft.
18	CosmoProf	2,000	sq.ft.
19	Las Terrazas Cuban Bakery	2,700	sq.ft.
20	Superior Smoke BBQ	3,300	sq.ft.



DRAWN
 CIP/250
 CHECKED
 JCW
 DATE
 03/08/2001
 SCALE
 1" = 100'
 JOB No.
 8432
 SHEET
 C-1
 OF SHEETS 6





4.

