



PLANNING COMMISSION PUBLIC HEARING AGENDA

Thursday, June 22, 2023 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

1. **CALL MEETING TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
 - A. Approval of Minutes 5.25.23
5. **NEW BUSINESS**
 - A. **Case # R23-006** – Syed F Hussian - filed an application to rezone 1.417+/- acres located on 207 Walton Street Map/Parcel # LG060156, Walton County, Georgia. The property owner is Fouad Sher Badshah. The current zoning is R16. The requested zoning is RM-6 for the development of residential apartments.
6. **ADJOURN**

Public is welcomed to attend.



PLANNING COMMISSION PUBLIC HEARING MINUTES

Thursday, May 25, 2023 at 6:30 PM

Municipal Council Chambers, 4303 Lawrenceville Road

1. CALL MEETING TO ORDER

PRESENT

Chairman Keith Colquitt
Commissioner Tiffany Ellis
Commissioner Barbara Forrester
Commissioner Lisa Luttrell
Commissioner Alma Thomas
Director Tim Prater
Assistant Director Robbie Schwartz

ABSENT

Commissioner Amanda Soesbe
Commissioner William Williams II

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes from 4/27/2023

Motion made by Commissioner Luttrell to approve minutes from 4/27/2023, Seconded by Commissioner Ellis.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell and Commissioner Thomas. Motion Approved 4-0.

5. NEW BUSINESS

A. Amend Zoning Ordinance 119-83, 119-87 (attached)

Motion made by Commissioner Luttrell, Seconded by Commissioner Forrester.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell and Commissioner Thomas. Motion Approved 4-0.

6. ADJOURN

Motion made by Commissioner Forrester to adjourn meeting, Seconded by Commissioner Ellis.

Voting Yea: Commissioner Ellis, Commissioner Forrester, Commissioner Luttrell and Commissioner Thomas. Motion Approved 4-0.

Public is welcomed to attend.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LOGANVILLE, GEORGIA, SUBPART B, LAND DEVELOPMENT AND RELATED ORDINANCES, ARTICLE II, CHAPTER 119, ZONING, ARTICLE II - ADMINISTRATION AND ENFORCEMENT, TO COMPLY WITH HOUSE BILL 1405 'ZONING PROCEDURES LAW'

THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAINS:

ARTICLE I.

The Code of Ordinances of the City of Loganville, Georgia, Subpart B, Land Development and Related Ordinances, Article II, Chapter 119, Zoning, Article II – Administration and Enforcement, is hereby amended by implementing the below text amendment as follows, underlined sections are added, stricken sections are being removed.

Sec. 119-83. - Public notification.

(a) *Legal notice.* Notice of the public hearing pursuant to this division shall be published in a local paper of general circulation within the city, the legal organ in which are carried the legal advertisements of the city, advertising the application and date, time, place and purpose of the public hearing at least 15 days prior to the first public hearing but no more than 45 days prior to the date of the first hearing conducted by the planning commission. If the application is for amendment to the original zoning map, special use or major variance, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed district of the property.

(b) *Signs posted.* At least 15 days prior to the planning commission public hearing, the city manager or designee shall post on a conspicuous place on the property for which the application has been submitted, a sign that shall:

(1) Be readable from each street or road on which the property fronts, or if the property has no street frontage, from each street from which access will be gained;

(2) Clearly indicate:

a. The property's present zoning classification;

b. The proposed zoning classification, special use or major variance;

c. The date of the hearing; and

d. The location of the hearing.

e. Be maintained by applicant to prevent removal from property or destruction during the public hearing process.

(c) *Letters to abutting owners.* The city manager or designee shall give notification of the requested application by regular mail to all abutting owners as shown by county tax records. Such notification shall

be mailed at least 15 days prior to the planning commission public hearing and shall include a description of the application, the date, time and place of public hearings.

(d) Notwithstanding any other provision of this chapter to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owner to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision shall follow the required notice procedures of O.C.G.A. § 36-66-4(h)(1).

Sec. 119-87. – Appeals process

~~Any person or persons, jointly or severally, aggrieved by any decision by the city council of the city, may take an appeal to the superior court according to procedures outlined in the Ga. Const. art. VI, § IV, ¶ I.~~

Any person or persons who may have a substantial interest in any decision of the Mayor and Council may appeal said final decision to the Superior Court of Walton County, Georgia. Such appeal shall be filed with the Clerk of said Court by filing a notice of appeal in writing, setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such notice of appeal shall be filed within thirty (30) days after the decision of the Mayor and Council is rendered. A copy of the notice of appeal shall be served on the Mayor and Council. Appeals to the Superior Court of Walton County shall comply with the provisions of O.C.G.A. § 36-66-5.1.

ARTICLE II.

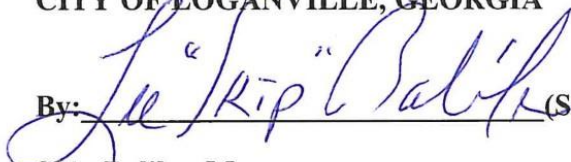
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III.

This ordinance shall take effect from and after its adoption by the Mayor and Council of the City of Loganville, Georgia.

This 8th day of June, 2023.

CITY OF LOGANVILLE, GEORGIA

By:  (SEAL)
Skip Baliles, Mayor

Attest:  (SEAL)
Danny Roberts, City Manager



CITY OF LOGANVILLE
Department of Planning & Development
P.O. Box 39 • 4303 Lawrenceville Road
Loganville, GA 30052

770.466.2633 • 770.466.3240 • Fax 770.554.5556

planning@loganville-ga.gov

Application # R 23-006

Date: 5/2/23

REQUEST FOR ZONING MAP AMENDMENT

A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>SYED F HUSSAIN</u> ADDRESS: <u>2793 LORAL PINES DR</u> CITY: <u>LAWRENCEVILLE</u> STATE: <u>GA</u> Zip: <u>30044</u> PHONE: <u>470-269-0587</u>	NAME: <u>FOUAD SHER BADSHAH</u> ADDRESS: <u>685 PRESSING DR</u> CITY: <u>ALPHARETTA</u> STATE: <u>GA</u> Zip: <u>30004</u> PHONE: <u>470-505-5769</u> (*attach additional pages if necessary to list all owners)
Applicant is: Property Owner Contract Purchaser <input checked="" type="radio"/> Agent Attorney	
CONTACT PERSON: <u>SYED F. HUSSAIN</u> PHONE: <u>470-269-0587</u> EMAIL: <u>SFAYYAZH@YAHOO.COM</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>LG060156</u> PRESENT ZONING: <u>R16</u> REQUESTED ZONING: <u>RM-6</u> ADDRESS: <u>207 WALTON ST</u> COUNTY: <u>Walton</u> ACREAGE: <u>1.417</u> PROPOSED DEVELOPMENT: <u>RESIDENTIAL APARTMENTS</u>	

You must attach: Application Fee Legal Description Plat of Property Campaign Contribution Disclosure
Letter of Intent Site Plan Names/Addresses of Abutting Property Owners Impact Analysis

Pre-Application Conference Date: 5-2-23

Accepted by Planning & Development: 5-2-23 DATE: _____ FEE PAID: \$500.00

CHECK # _____ RECEIPT # _____ TAKEN BY: _____ DATE OF LEGAL NOTICE: _____ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation

Commission Chairman: [Signature] DATE: 6-22-23

CITY COUNCIL ACTION: Approved Approved w/conditions Denied Tabled to _____
Referred Back to Planning Commission Withdrawn

[Signature]
Mayor [Signature]
City Clerk

7/13/23
Date

Applicant's Certification

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

[Handwritten Signature]

5/11/23

Applicant's Signature

Date

SYED F HUSSAIN

Print Name and Title

Sworn to and subscribed before me this 1st day of May, 2023.

(Seal)

WENDI ORDONEZ
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires May 2, 2025

[Handwritten Signature]

Signature of Notary Public

Property Owner's Certification
(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

- a) the owner of record of property contained in this application, and/or
- b) the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

[Handwritten Signature]

04-30-2023

Owner's Signature

Date

FOUAD SHER BADSHAH

Print Name and Title

Sworn to and subscribed before me this 30 day of April, 2023.

(Seal)


MUHAMMAD JUNAID
NOTARY PUBLIC
FORSYTH COUNTY, GEORGIA
Date: 12/12/22

[Handwritten Signature]

Signature of Notary Public

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

The undersigned, making application for rezoning with the City of Loganville, Georgia, have complied with the Official Code of Georgia, Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information as requested below.

	<u>5/1/23</u>	<u>SYED HUSSAIN</u>
Applicant's Signature	Date	Print Name

Signature of Applicant's Attorney or Agent	Date	Print Name
--	------	------------

Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?

_____ YES NO

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____

NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all aggregating to \$250 or more)	DATE OF CONTRIBUTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Attach additional sheets as necessary to disclose and describe all contributions.

APPLICANT'S RESPONSES TO EVALUATION CRITERIA

In the space provided or in a separate attachment, provide responses to the following questions:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?

The proposed apartments will add additional housing units and improve an underdeveloped land. The proposal also will add a variety to the existing housing stock.

2. How does the proposed use impact thoroughfare congestion and traffic safety?

Not likely to increase traffic to the degree requiring roadway improvements.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?

The proposed development will be consistent with the neighborhood's existing residential and multi-family use.

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;

The proposed will allow infill ^{development} that uses existing water and sewer lines. Will have minimal to no impact on transportation.

5. How does the proposed zoning provide protection of property against blight and depreciation?

The proposed zoning will be consistent with area development and add to the property appreciation.

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?

The proposal is consistent with zoning and adopted Comprehensive Plan, will add value to the area.

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?

The adjacent properties owner will be not be impacted negatively.

8. What is the impact upon adjacent property owners if the request zoning is not approved?

The undeveloped piece of land looks inconsistent.

9. Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.

The development will add to safety, aesthetic by adding value to the area.

Letter of Intent

RE: 207 Walton Street, Loganville GA 30052

Dear Sir/Madam:

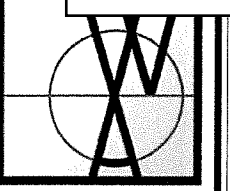
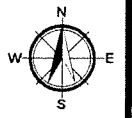
Above referenced lot is currently zoned as R-16 (being a combination of three tax parcels LG060154, LG060155, LG060156) that we intent to get rezoned RM-6 for an 8 units apartments. The proposed buildings will be two apartment buildings of 4-residential units each (All 3 bed units).

Ground floor will have an office space, gym and a coffee area. Units will be built on 2nd and 3rd floor.



Syed F. Hussain
5-2-2023

Section 5, Item A.



W&A Engineering

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
TRAFFIC ENGINEERING • SURVEYING
ECONOMIC DEVELOPMENT

355 Oneta Street, Suite D100
Athens, GA 30601
P: (706) 310-6400 • F: (706) 310-4011
w@aengineering.com

ALL INFORMATION HEREON IS UNCLASSIFIED AND IS NOT TO BE RELEASED TO THE PUBLIC WITHOUT THE WRITTEN AUTHORIZATION OF W&A ENGINEERING. THIS INFORMATION IS THE PROPERTY OF W&A ENGINEERING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

PROJECT DATA
PHYSICAL ADDRESS: 207 WALTON STREET, LOGANVILLE, GA 30052
TAX PARCEL: LG000154, LG000155, LG000156
TOTAL PROJECT ACREAGE: 1.417 ACRES (61,724.52 SF.)
CONTOUR INTERVAL: 2' INTERNAL CONTOURS FROM CITY OF LOGANVILLE GIS DATA
EXISTING ZONING: R16
PROPOSED ZONING: RM6
FLOOD PLAIN: NO PORTION OF THIS PROPERTY LIES WITHIN THE FLOOD PLAIN ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13207COORSE DATED 12/8/2016
THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.
THERE ARE NO WETLANDS DELINEATED ON SITE.
PROJECT DENSITY
TOTAL PROJECT DENSITY: 8 UNITS PER 1.417 ACRES = 5.65 UNITS PER 1 ACRE
BUILDING DATA
PROPOSED BUILDING AREA: 5,850.00 SF 1,200 MINIMUM HEATED SF PER UNIT
PROPOSED BUILDING 1: 2,925 SF UNIT 1 - 3 BED UNIT 2 - 3 BED UNIT 3 - 3 BED UNIT 4 - 3 BED
PROPOSED BUILDING 2: 2,925 SF UNIT 1 - 3 BED UNIT 2 - 3 BED UNIT 3 - 3 BED UNIT 4 - 3 BED
PARKING DATA
REQUIRED PARKING: 24 SPACES 1 SPACE PER BEDROOM 24 BEDROOMS = 24 REQUIRED SPACES
PROPOSED PARKING: 47 SPACES STANDARD PARKING: 44 SPACES ADA PARKING: 3 SPACES

207 WALTON STREET
WALTON COUNTY, GEORGIA
207 WALTON STREET - 1.417 ACRES

Know what's below.
Call before you dig. 811

REVISIONS	
DATE	COMMENT

FOR REVIEW ONLY

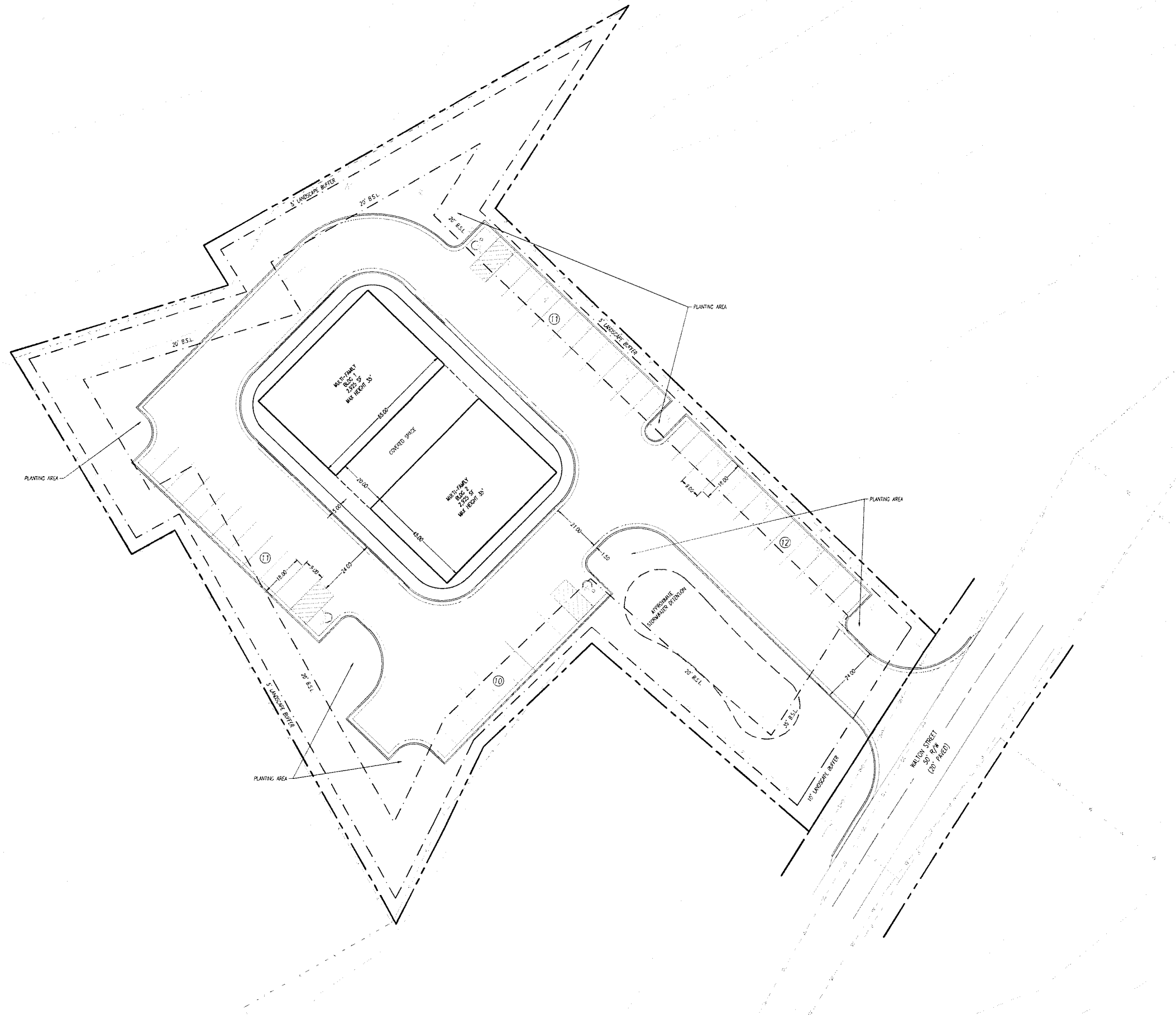
INITIAL SUB. DATE: ---
ISSUANCE DATE: 05/02/2023



W&A PROJECT #: 220133

CONCEPTUAL SITE PLAN

CP01



Names and addresses of 207 Walton St, Loganville GA 30052 Neighbors

Jewel Perkins, 206 Walton Street;

Loganville Property Associates, 204 Walton Street

Betty Little, 212 Walton Street;

Gary Blane Knight, 171 Walton Street

Blessed Hope Church, 171 Walton Street

Jane Williams, 220 Tommy Lee Fuller Dr;

Hill Crest Cemetery

Federal Housing, 1 18 Tommy Lee Fuller Dr
E Marable St #808, Monroe, GA 30655

Federal Housing, 1 18 Tommy Lee Fuller Dr



Syed Fayyaz Hussain, P.E.

Phone: 470-269-0587



2793 Loral Pines Drive, Lawrenceville GA 30044
E-Mail: sfayyazh@gmail.com | Fax 770-206-8914

All that tract or parcel of land, situate, lying and being in Land Lot 185, in the 4th District, City of Loganville, Walton County, Georgia, containing 1.417 acres, more or less, as shown on a plat title, "Recombination Survey for: Norma Jean Whitfield," dated 04/01/2022, prepared by W&A Engineering, certified by John F. Brewer, III, GRLS No. 2905, recorded in Plat Book 122, page 123, Walton County, Georgia records, said plat and the recording thereof are incorporated herein by reference.

LESS AND EXCEPT that certain strip of land running from the western right of way boundary line of Walton Street along the property line now or formerly of Ananya Holdings, LLC as follows: north 49 degrees 03 minutes 00 seconds west 120.54 feet to point; thence north 45 degrees 20 minutes 22 seconds east 15 feet to a point; thence south 49 degrees 03 minutes 00 seconds east 120.54 feet; thence along the right of way boundary line of Walton Street south 31 degrees 36 minutes 07 seconds west 15 feet to the point of beginning.

MAP/Parcel #LG060-00000-154-000,#LG060-00000-155-000 & #LG060-00000-156-000

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MAP/Parcel #LG060-00000-154-000,#LG060-00000-155-000 & #LG060-00000-156-000

Names and addresses of 207 Walton St, Loganville GA 30052 Neighbors

Jewel Perkins, 206 Walton Street;

Loganville Property Associates, 204 Walton Street

Betty Little, 212 Walton Street;

Gary Blane Knight, 171 Walton Street

Blessed Hope Church, 171 Walton Street

Jane Williams, 220 Tommy Lee Fuller Dr;

Hill Crest Cemetery

Federal Housing, 1 18 Tommy Lee Fuller Dr
E Marable St #808, Monroe, GA 30655

Federal Housing, 1 18 Tommy Lee Fuller Dr





Planning & Development
4385 Pecan Street
Loganville, GA 30052
Phone 770.466.2633
Fax: 770.554.5556

Case #: R23-006

Applicant: Syed F. Hussain

Property Owner: Fouad Sher Badshah

Property Location: 207 Walton St.

Tax Map/Parcel: LG060156

Property Size: 1.417

Current Zoning: R16

Proposed Zoning: RM6

Proposed Use: Apartments

Applicant’s Request

The applicant is seeking to rezone the property to allow for two buildings each housing four three-bedroom apartments for a total of eight units.

Existing Conditions

The property was created from the combination of three different parcels – two vacant lots and one residence that was torn down in 2022. The primary zoning in the area is R16, though the parcel does abut properties with RM4, CH and R22 designations.

Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? The proposed development would improve what is otherwise vacant land, though the addition of multi-family housing in what is a predominantly single-family residence area could potentially have a negative effect on the aesthetics of the immediate area.

What is the impact upon thoroughfare congestion and traffic safety? The most likely impact

would be additional cars on Walton Street, which is already utilized by residents in the area as a cut-through between Tommy Lee Fuller Drive and Highway 78. Overall the impact on congestion and traffic safety would likely be negligible.

What is the impact upon population density and the potential for overcrowding and urban sprawl? Any change from single-family to multi-family housing would result in increased population density.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? Water and sewer service would need to be upgraded to accommodate the proposed project but the City has the capacity to service this site.

How does the proposed use provide protection of property against blight and depreciation? Any development on vacant property would affect property values in a given area and as a result, depreciation. As no structure currently exists on the property, there is no identifiable blight on the site.

Is the proposed use consistent with the adopted Comprehensive Plan? Two of the three parcels contained in this project were listed as vacant per the Comprehensive Plan map and the other was identified as residential (the Comprehensive Plan does not differentiate between single-family and multi-family housing). The plan does identify a need to create work/play/live/shop communities and this development would meet that goal but would also be at odds with the identified need of encouraging more owner-occupied housing.

What is the impact upon adjacent property owners if the request is approved? There is no clear evaluation on the potential impact of multi-family housing on nearby single-family housing in the City of Loganville.

What is the impact upon adjacent property owners if the request is not approved? Without rezoning, the site would maintain its R16 designation and likely not have an impact on adjacent property owners as there are seven other R16 homes being developed in the immediate area.

Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville?

Recommended action: Staff recommendations are for the property to remain R16, though if a multi-family use is desired by the Council or Commission that the property be given the RM4 zoning to be more in line with existing conditions.

Planning Commission Recommended Conditions

City Council Conditions Conditions