

MAYOR AND COUNCIL
CITY OF LAWRENCEVILLE,
GEORGIA RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>Judy Jordan Johnson</u> , Mayor	<u>Yes</u>
<u>Bob Clark</u> , Councilmember	<u>Yes</u>
<u>Tony Powell</u> , Councilmember	<u>Absent</u>
<u>Keith Roche</u> , Councilmember	<u>Yes</u>
<u>David Still</u> , Councilmember	<u>Yes</u>

On motion of Councilman Roche, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application to Amend the Official Zoning Map from LM to LM (Change in Conditions) by GS Construction, Inc. for the proposed use of a Contractor's Office on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on September 6th, 2017 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawrenceville this the 6th day of September, 2017, that the aforesaid application to amend the Official Zoning Map from LM to LM is hereby APPROVED subject to the following enumerated conditions:

1. Conditioned on the use as a contractor's office, related parking and staging area per the submitted site plan. Any other proposed use for the property shall require that this condition be removed or changed.
2. Provide and maintain a 50-foot natural buffer adjacent to residentially-zoned properties along the side and rear property lines. The buffer shall be cleared of weeds, vines and underbrush, and kept free of weeds, vines and underbrush in the future. The existing encroachment of the storm water pond wall(s) may remain. Buffer plantings that were previously installed (per RZ-12-02) shall be preserved, and additional plantings shall be installed where necessary to ensure an adequate visual screen. The additional plantings shall be of Thuja Green Giant, Leyland Cypress and Japanese Cryptomeria in equal distribution. The final landscape design shall be prepared by a registered landscape architect and shall be subject to review and approval by the Director of Planning and Development.
3. The hours of business activity shall be 7:00 am to 9:00 pm Monday through Friday, and 7:00 am and 5:00 pm on Saturday and Sunday. Sunday shall be limited to office only, with no activity outdoors.
4. Any new development or redevelopment shall comply with the Development Regulations current at the time of permitting, including Storm Water, Erosion and Sedimentation Control and NPDES Requirements.
5. Require an earthen berm along the frontage of Lyle Circle. Earthen berm to be a minimum of 3-4 feet tall and 6 feet wide. Berm shall be planted with evergreen screening trees that are a minimum of 6 feet tall at time of planting.
6. Require a planted evergreen screen along the northwestern corner of the metal storage building to improve the aesthetic view from Lyle Circle.
7. Require paved parking for employees and customers in a manner similar to the submitted site plan. A supplemental parking area is allowed adjacent to the metal storage building. Parking in the designated parking area will only be for passenger vehicles. Parking for employees or customers on grass or gravel will not be allowed.

CASE NUMBER: RZ-CIC-17-04

8. A designated outdoor storage area for equipment and materials shall be provided, and must be enclosed with an opaque fence. The designated area shall be located at the southwestern area of the metal storage building and to the rear of the office. The fence may be chain link with dark green, brown, or black plastic cyclone inserts. All outdoor storage of materials and equipment must be maintained in this designated area.
9. Existing plant materials along the rear property line of 526 Lyle Circle that is adjacent to residential property must be shown on the applicant's landscape plan. This buffer plant material shall be maintained and is subject to the residential property owner's approval.
10. Per Exhibit A, submitted at the July 17, 2017 Planning Commission meeting, the outlet pipe of the detention pond shall be allowed to encroach into the 50-foot buffer as shown on Exhibit A.
11. Within 120 days of zoning approval, the property owner shall be required to install the required improvements stated above and address the remaining non-compliance items in the Conditions Verification Report prepared by Gregory Jacquet (Code Enforcement Supervisor), dated June 28, 2017.


Judy Jordan Johnson, Mayor

Date Signed: 9/7/17

ATTEST:


Karen Pierce, City Clerk

Dave,

The uses you mentioned by themselves are permitted by right in the LM (Light Manufacturing) zoning district. However, the zoning conditions approved as part of **SU-17-06** (see condition 7, below) as well as the property's location within the Downtown Development Authority (DDA) both prohibit all outdoor storage.

Sep 6, 2017 7:00 PM

**Lawrenceville
City Council**

Regular Meeting

Mayor Johnson opened the public hearing. Seeing and hearing no one come forward, the public hearing was closed. Councilman Roche made the motion to approve SU-177-06 with the following conditions:

1. A climate-controlled self-storage facility is permitted as a special use, in general accordance with the submitted site plan.
2. The height of the building shall be limited to two-stories.
3. Hours of operation and customer access to storage units shall not occur between 9:00pm and 6:00am.
4. Access to all storage units shall be from the interior of the building. Access doors for storage units shall not open directly to the exterior of the building.
5. Storage units shall not be used for manufacturing, retail, or wholesale trade, office or other businesses or service use.
6. Storage units shall not be used for human habitation.
7. Outdoor speakers or sound amplification systems shall be prohibited.
8. Outdoor storage shall be prohibited at the facility.
9. The facility shall provide adequate loading and unloading area which shall be outside of all designated and required parking spaces, all travel lanes and all fire lanes.
10. Exterior lighting shall be designed and directed so that it does not shine directly onto adjacent properties or right-of-way.
11. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
12. Sign-walkers and sign-twirlers shall be prohibited.

I hope this answers your questions.

Thanks,

Paul Lorenc, AICP | Planner

Planning and Development



LAWRENCEVILLE
GEORGIA

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Paul.Lorenc@LawrencevilleGa.org | LawrencevilleGa.org



lville.city/plan-feedback

From: Dave Aynes <dave@atlantaleasing.com>

Sent: Thursday, January 4, 2024 15:59

Dave,

Zoning conditions are in effect in perpetuity unless there is a sunset clause if another more recent rezoning case overrides it. The approved conditions of SU-17-06 are the most recent approved by City Council and they do not include a sunset clause, so these conditions are still in effect.

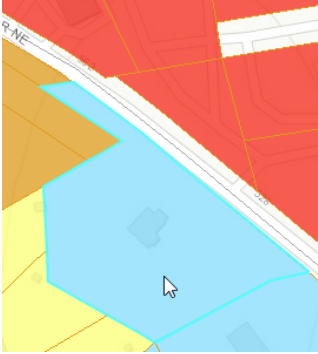
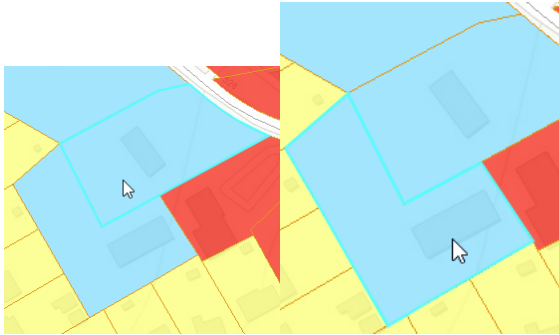
The conditions themselves do not limit uses any more than would be typical for a LM property – it allows a self-storage facility as a Special Use. However, it does prohibit all outdoor storage at the property. Even if this condition did not exist, outdoor storage would still be prohibited at the location due to its location within the DDA, see below:

200.3.55 OUTDOOR STORAGE - INDUSTRIAL

- A.** Outdoor storage of items, equipment, materials, and supplies which are not offered for sale, but which are normally appurtenant to a permitted use, provided that such storage meets the following requirements:
 - 1.** Such property is not directly adjacent to a residential property.
 - 2.** Such property is not located within the boundary of the geographical area of the Lawrenceville Downtown Development Authority.
 - 3.** Storage shall be in the rear or side yard, except where any part of the property is adjacent to, or the storage is visible within a distance of two hundred and fifty (250) feet from, Pike Street, Five Forks-Trickum Road, Scenic Highway, Lawrenceville Highway, Buford Drive (Hwy. 20), Hurricane Shoals Road, Lawrenceville Suwanee Road, Sugarloaf Parkway, Grayson Highway, or Gwinnett Drive, in which case all items shall be stored in a rear yard only.
 - 4.** Stored items shall be screened by a solid opaque fence at least six (6) feet height, by landscaping creating a complete visual buffer, or by a combination of fencing and landscaping, and no item shall be placed at a height exceeding that of the screening fence or landscaping materials; and.
 - 5.** Under no circumstances shall an owner or occupant of any property store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any part thereof, outdoors.

Hi Mr. Aynes,

I am emailing you regarding the properties you have been in communication with Paul Lorenc about. Located at 526 and 530 Lyle Circle. It is my understanding that he has provided resolutions to the approved rezoning/change in conditions, and you had additional questions. Please see the table below.

<p>PIN 5176 035B 530 Lyle Circle</p> 	<p>PIN 5176 035A PIN 5176 174 526 Lyle Circle</p> 
<p>The property has had the following history cases:</p> <p>RZ-12-02- Rezoning from LM (Light Manufacturing District) and BG (General Business District) to LM; for a contractor's office; approved.</p> <p>RZ-CIC-17-05 & SU-17-06- Change in conditions, rezoned from LM to LM to allow a Self-storage facility, no outdoor storage; approved.</p> <p>RZ-CIC-18-12 & SU-18-12- change in conditions to allow outdoor storage; denied.</p> <p>RZC2022-00042- rezone from LM to LM; outdoor storage; application rejected.</p> <p>RZC2022-00045- rezone from LM to LM; outdoor storage; application withdrawn.</p>	<p>The property has had the following history cases:</p> <p>RZ-12-02- Rezoning from LM (Light Manufacturing District) and BG (General Business District) to LM; for a contractor's office; approved.</p> <p>RZ-CIC-17-04- change in conditions, rezoned from LM to LM to allow a contractor's office; approved.</p>
<p>The bolded case stands as of <u>today</u>, which the resolution for RZ-CIC-17-04, condition number 1 states- Conditioned on the use as a self-storage facility. Any other proposed use for the property shall require that this condition be removed or changed.</p>	<p>The resolution for RZ-CIC-17-04 states in condition number 1, Conditioned on the use as a contractor's office, related parking and staging area per the submitted site plan. Any other proposed use for the property shall require that the conditions be removed or changed.</p>

This means the parcel is limited to a self-storage facility. Any different would be required to go through a public hearing process (change in conditions) to allow other uses permitted by right in the LM zoning district.

This means that the parcel is limited to a contractor's office per the site plan approved. The use of the property would have to be replaced like-for-like. Same NAICs code as contractor. If your client wished to do anything other than a contractor's office, you would have to go through a public hearing process (change-in conditions) to allow other uses permitted by right in the LM zoning district.

The Downtown Development Authority boundary, and the no outdoor storage rule applies to anything new to these parcels.

Have a good day.

Helen Balch

Planning and Development | Deputy Director

Hablo Español