



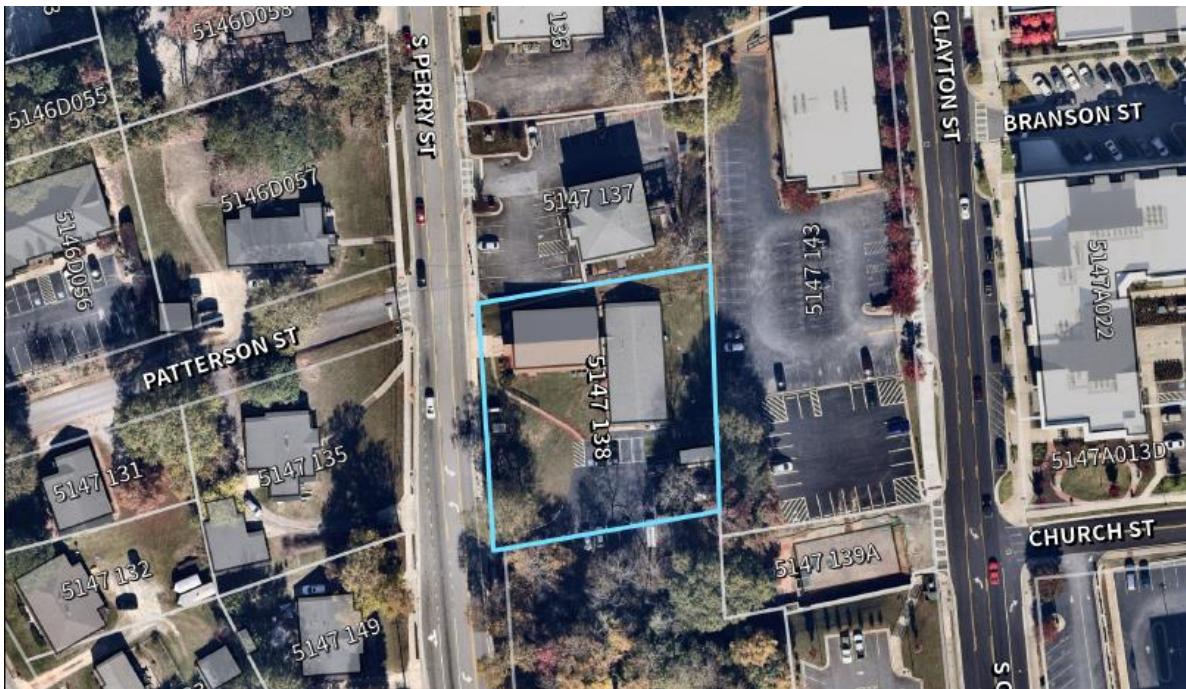
# LAWRENCEVILLE

## *Planning & Development*

### REZONING

<b>CASE NUMBER:</b>	<b>RZC2024-00061</b>
<b>APPLICANT:</b>	ERIKA GWYN
<b>OWNER:</b>	WORLD LIFE MINISTRIES INC
<b>LOCATION(S):</b>	495 SOUTH PERRY STREET
<b>PARCEL IDENTIFICATION NUMBER:</b>	5147 138
<b>APPROXIMATE ACREAGE:</b>	0.65 ACRES
<b>CURRENT ZONING:</b>	RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
<b>ZONING PROPOSAL:</b>	BG (GENERAL BUSINESS DISTRICT)
<b>PROPOSED DEVELOPMENT:</b>	SCHOOL, MONTESSORI
<b>DEPARTMENT RECOMMENDATION:</b>	<b>APPROVAL WITH CONDITIONS</b>

### VICINITY MAP





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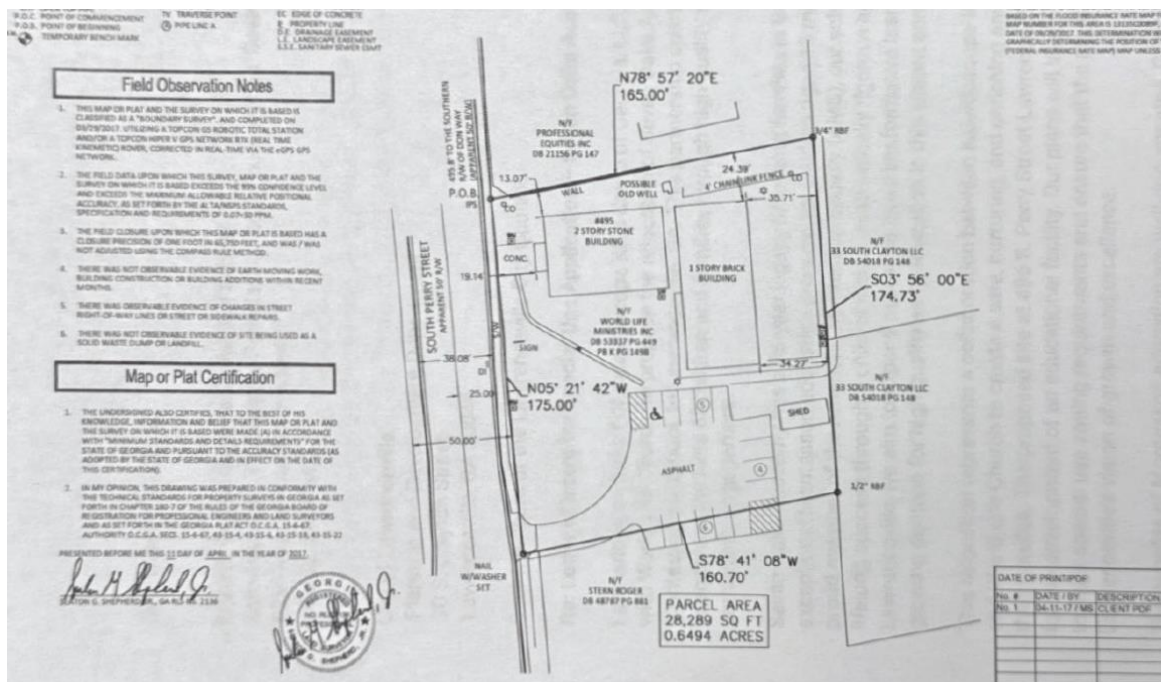
### ZONING HISTORY

According to the Official Zoning Map of the City of Lawrenceville, the parcel is located within the RS-150 (Single-Family Residential) zoning district. According to the earliest available zoning records on file with the city, the subject property was zoned RS-120 (Single Family Residential District) in 1960. At some time between 1987 and 2002, the subject property was rezoned to RS-150 (Single Family Residential District), part of a city-wide rezoning; it has been zoned as such since.

### PROJECT SUMMARY

The applicant requests a rezoning of an approximately 0.54-acre parcel of land from RS-150 (Single-Family Residential District) to BG (General Business District) to allow for a School, Montessori (Montessori School) as accessory use. The subject property is located along the eastern right-of-way of South Perry Street, between its intersections with Patterson Street and Nash Street.

### LAND SURVEY





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### **NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS)**

According to NAICS a School, Montessori would be described as follows:

“NAICS Code Description 611110 – Elementary and Secondary Schools “This industry comprises establishments primarily engaged in furnishing academic courses and associated course work that comprise a basic preparatory education. A basic preparatory education ordinarily constitutes kindergarten through 12th grade. This industry includes school boards and school districts.”

### **ZONING AND DEVELOPMENT STANDARDS**

The subject property includes two structures - a 4,800 square foot structure built in 1938 and a 2,800 square foot structure built in 1968. The age and condition of these buildings will be important factors in determining how the structures can be repurposed or renovated. The newer, 2,800 square foot structure (constructed in 1968) is being considered for conversion into a Montessori School. Considerations for Montessori School would include:

- Space and Layout: Whether the existing space allows for the necessary facilities and classrooms.
- Safety and Accessibility: Adapting the structure to meet current ADA compliance standards, building safety requirement, life safety requirements.
- Traffic and Parking: Adverse impacts of Montessori School on the surrounding area in terms of traffic, parking and pedestrian flow.

If approved as BG (General Business District), the proposal will require variances and/or reductions from the minimum standards as follows:



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### **Article 1 Districts, Section 102.13 BG General Business District, Subsection B. Lot Development Standards**

<b>Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Recommendation</b>
Minimum Lot Area	None	0.64 acres	N/A
Minimum Lot Width	None	175 feet	N/A
Minimum Front Setback	50 feet	19.14 feet	<b>Variance</b>
Minimum Side Setback	10 feet	10 feet	N/A
Minimum Rear Setback	10 feet	10 feet	N/A
Impervious Surface Coverage	95% (0.61 acres)	62.5% (0.4 acres)	N/A
Maximum Building Height	35 feet	35 feet	N/A

According to the submitted site plan, the existing 4,800 square foot structure built in 1938, is encroaching into the required fifty-foot (50 ft.) Front Yard Setback. The setback is intended to establish a safe distance between the structure and the property line or right-of-way to provide adequate space for emergency access and avoid hazards associated with vehicle traffic and public utilities. Therefore, the applicant would be responsible for seeking approval for a Variance allowing a thirty-one-foot (31 ft.) encroachment into the required Front Yard Setback.

### **Article 4 Buffers, Section 403 Buffers Table**

<b>Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Recommendation</b>
<b>BG-BG</b>	0 ft	0 ft	N/A
<b>BG-RS-150</b>	75 ft	0 ft.	<b>Variance</b>

The requested zoning for the property will necessitate the establishment of a seventy-five-foot (75 ft.) zoning buffer to separate areas with different zoning



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classifications. Additionally, six (6) parking spaces are partially on the neighboring property and within the required seventy-five-foot (75 ft.) zoning buffers. This buffer is intended to provide a transition between the dissimilar zones, minimizing potential conflicts between land uses and ensuring compatibility between adjacent properties. Therefore, the applicant would be responsible for providing the required buffer, or alternatively seeking approval for a Variance, reducing the required width by one-hundred percent (100%).

**Article 5 Parking, Section 508 Number of Off-Street Parking Spaces Required,**  
**Table 5-3**

<b>Standard</b>	<b>Gross Square Footage <sup>1</sup></b>	<b>Requirement</b>	<b>Proposed or Existing</b>	<b>Recommendation</b>
Studio, Gallery, Meeting Facility, or Place of Assembly	4,800 gsf	1 space per 100 gsf (48 spaces)	0	N/A
School, Primary and Secondary	2,800 gsf	1 per 10 classroom seats of design capacity	0	N/A
Total	7,600 gsf	49 spaces	15 existing spaces	<b>Variance</b>

<sup>1</sup> GSF – Gross Square Footage

The property has fifteen (15) parking spaces in total, six (6) of which are partially located on the neighboring property to the south. The total number of required off-street parking spaces provided is a relatively modest number for serving assembly and educational uses (e.g., school, place of worship). Therefore, the applicant would be responsible for providing forty-nine (49) parking spaces, or alternatively seeking approval for a Variance, reducing the required number of off-street parking spaces by sixty-nine percent (69%). Additionally, since six (6) parking spaces are partially on the neighboring property and within the required seventy-five-foot (75 ft.) zoning buffers, this request would be contingent upon



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securing an easement agreement prior to the approval of this request and the issuance of any permits, ensuring continued legal access to these spaces.

To bring the property into compliance with the lot development standards, buffer requirements, and parking requirements of the BG (General Business) zoning district, the following variances from the Zoning Ordinance are required:

- A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.13 – BG General Business District, Subsection B. Lot Development Standards. A decrease to allow an encroachment of thirty-one feet (31 ft.) into the required fifty foot (50 ft.) Front Yard Setback.
- A variance from the Zoning Ordinance, Article 4 – Buffers, Section 403 – Buffers Table. A decrease in the required minimum buffer between BG (General Business District) and RS-150 (Single-Family Residential District) zoning districts from seventy-five (75) feet to zero (0) feet.
- A variance from the Zoning Ordinance, Article 5 – Parking, Section 508 – Number of Off-Street Parking Spaces Required. A decrease in the required number of off-street parking spaces for a Studio, Gallery, Meeting Facility or Place of Assembly and School, Montessori (Montessori School) from the required forty-eight (49) spaces to fifteen (15) spaces results in a decrease of sixty-nine percent (69%).

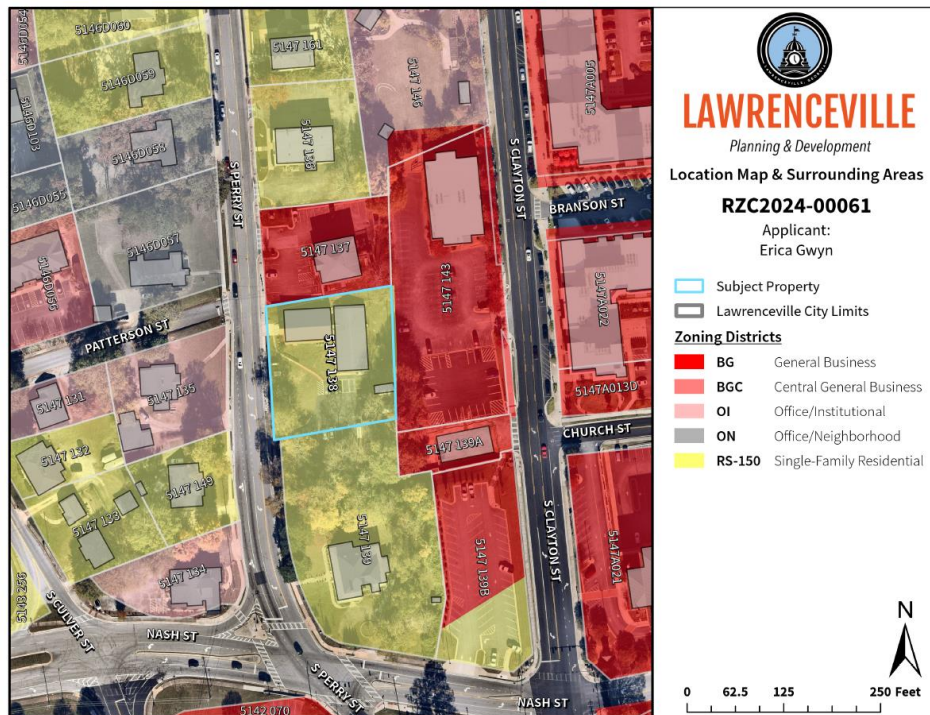
The results of the variance requests exceed the limitations of administrative approval, which is limited to twenty percent (20%).



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### CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



### SURROUNDING ZONING AND USE

The area surrounding the subject property consists of a mix of residential and commercial land uses, with various zoning districts. To the immediate north and east of the property, the zoning is BG (General Business District), which matches the requested zoning for the subject property. These neighboring properties currently contain commercial office structures. To the south, the property is zoned RS-150 (Single-Family Residential District) and is occupied by a single-family dwelling. Other nearby properties are zoned OI (Office Institutional District), ON (Office Neighborhood District), and BGC (Central General Business District). Given the variety of land uses and zoning classifications already present in the area, the proposed rezoning to BG and Special Use Permit may be considered appropriate.

However, although the requested zoning and proposed use appear compatible with the surrounding area, the existing 2,800 square-foot structure, built in 1968, may not meet the requirements of the current building and life safety codes. As a



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result, if approved, the applicant will be required to bring the structure into compliance with these updated codes before proceeding with any development or occupancy.

### LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



### 2045 COMPREHENSIVE PLAN

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



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which supports a variety of uses at a wide range of density levels. However, the existing 2,800 square-foot structure, built in 1968, may not be compatible with current building and life safety codes.

### **STAFF RECOMMENDATION**

In conclusion, from a land use and zoning standpoint only, the proposal may be consistent with the established zoning and land use patterns in the immediate area as well as the long-term vision for the Downtown character area established by the City in its 2045 Comprehensive Plan. The proposed rezoning would align the property's zoning with its actual (non-residential) use; such commercial land uses and zoning districts are commonplace in the immediate area.

However, approval of this proposal and issuance of all permits is contingent the property and its structures being brought into conformity with current zoning, building, and life safety codes. Furthermore, an access agreement must be established and recorded that formalizes continued usage of the parking spaces that are partially located on the neighboring property to the south. As the first step towards bringing the subject property into compliance, the Planning and Development Department recommends the **APPROVAL WITH CONDITIONS** of the request.



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### **CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**

#### **ENGINEERING DEPARTMENT**

No comment

#### **PUBLIC WORKS**

No comment

#### **ELECTRIC DEPARTMENT**

No comment

#### **GAS DEPARTMENT**

No comment

#### **DAMAGE PREVENTION DEPARTMENT**

No comment

#### **CODE ENFORCEMENT**

No comment

#### **STREET AND SANITATION DEPARTMENT**

No comment



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

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

*Yes; the surrounding area is characterized by a diversity of land uses and zoning districts, both directly adjacent to the subject property and in the general vicinity.*

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

*Several Variances (e.g., buffers, parking, setbacks) and an easement agreement must be established and recorded that formalizes continued usage of the as proposed.*

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

*The property has reasonable economic use as currently zoned.*

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

*Impacts on public facilities may be anticipated in the form of traffic, parking, and stormwater runoff. The developer would have to take the necessary precautions to ensure that these do not overwhelm local systems.*

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

*Yes; such uses, and zoning districts are consistent with the Downtown character area as established by the Lawrenceville 2045 Comprehensive Plan.*

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

*The proposed rezoning would bring the property's zoning in line with its existing use. The rezoning must be conditioned in a manner that addresses the existing non-conforming*



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*aspects of the property and its structures. All future development must be made consistent with current zoning, building, and fire code.*



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### **PLANNING AND DEVELOPMENT**

#### **RECOMMENDED CONDITIONS**

##### **RZC2024-00061**

Approval as BG (General Business District) to provide for School, Montessori (Montessori School), subject to the following enumerated conditions:

**A.** To restrict the use of the property as follows:

- A.** No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited;
- B.** Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited;
- C.** Outdoor storage shall be prohibited;
- D.** The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours;

**B.** To satisfy the following site development considerations:

- A.** The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. The final design shall be subject to the review and approval of the Director of Planning and Development.
- B.** The building shall maintain its existing character, and repairs or modifications shall be limited to routine maintenance or repair associated with the exterior of the existing 2,800 square foot structure built in 1968. Any expansion to the existing footprint shall be prohibited.
- C.** Electrical, Mechanical, Plumbing or Structural modifications shall be subject to the rules and regulations of the International Building Code (IBC). Plans shall be subject to the review and approval of the Director of Planning and Development.



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- D.** Landscape shall be designed and installed to meet the conditions of zoning, requirements of the Zoning Ordinance and Development Regulations. The final design shall be subject to the review and approval of the Director of Planning and Development.
- E.** Provide a minimum of one (1) parking space per 300 square feet gross floor area, all parking must be on an approved surface and stripped.
- F.** Provide a ten (10) foot landscape strip adjacent to all public rights-of-way.
- G.** Provide a five (5) foot concrete sidewalk adjacent to all public right-of-way.
- H.** Lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to shine directly into adjacent properties or right-of-way;
- I.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.

3. The following variances are requested:

- A.** A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.13 – BG General Business District, Subsection B. Lot Development Standards. A decrease to allow an encroachment of thirty-one feet (31 ft.) into the required fifty foot (50 ft.) Front Yard Setback.
- B.** A variance from the Zoning Ordinance, Article 4 – Buffers, Section 403 – Buffers Table. A decrease in the required minimum buffer between BG (General Business District) and RS-150 (Single-Family Residential District) zoning districts from seventy-five (75) feet to zero (0) feet.
- C.** A variance from the Zoning Ordinance, Article 5 – Parking, Section 508 – Number of Off-Street Parking Spaces Required. A decrease in the required number of off-street parking spaces for a Studio, Gallery, Meeting Facility or Place of Assembly and School, Montessori (Montessori School) from the required forty-eight (49) spaces to fifteen (15) spaces results in a decrease of sixty-nine percent (69%).