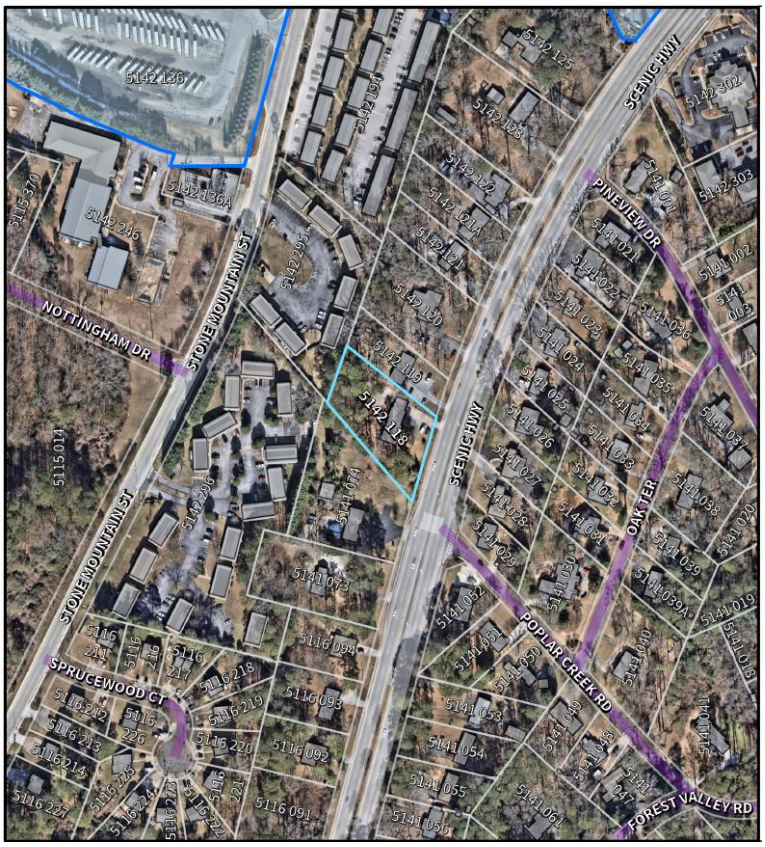
LAWRENCEVILLE

Planning & Development

CASE NUMBER:	**RZC2025-00064**
OWNER:	PEDRO JOSOPHAT
APPLICANT:	PEDRO JOSOPHAT
CONTACT:	PEDRO JOSOPHAT – 862.218.4588
LOCATION(S):	303 SCENIC HIGHWAY
PARCEL ID(S):	R5142 118
APPROXIMATE ACREAGE:	1.02
ZONING PROPOSAL:	ON (OFFICE - NEIGHBORHOOD DISTRICT) TO BG (GENERAL BUSINESS DISTRICT)
PROPOSED DEVELOPMENT:	CATERING AND TAKE-OUT RESTAURANT
DEPARTMENT RECOMMENDATION:	**DENIAL**

VICINITY MAP



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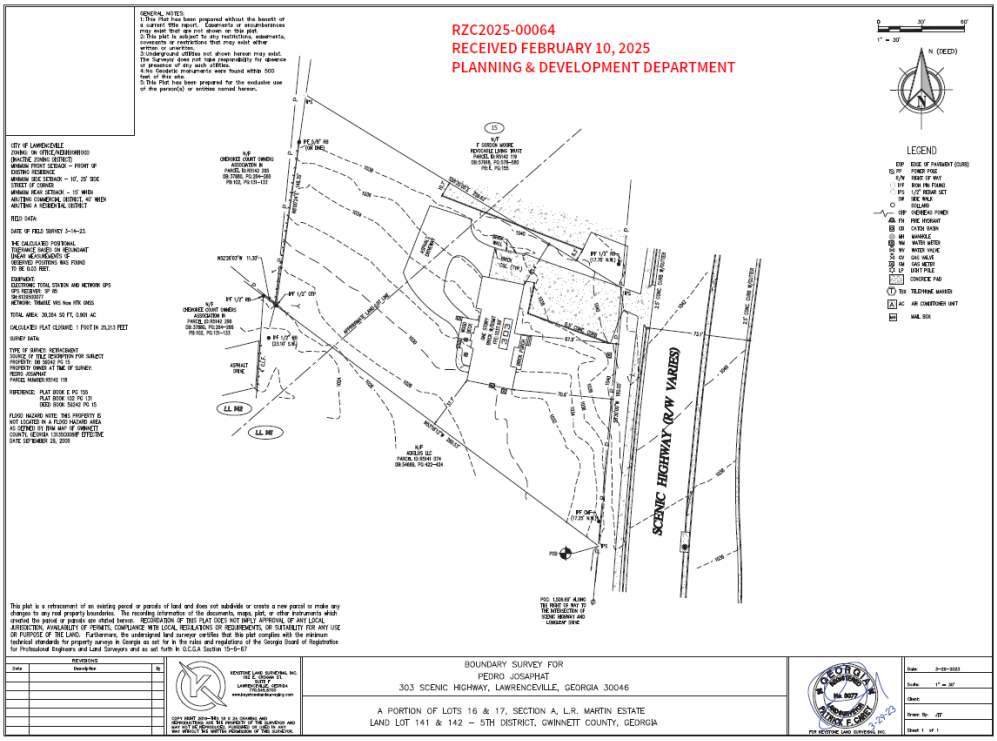
ZONING HISTORY

In 1960, the subject property was zoned RS-180 (Single Family Residential District). The property was rezoned to ON (Office - Neighborhood District) in 1996, its current zoning classification. In 2023 the property was denied a rezoning (RZC2023-00050 & SUP2023-00081) from ON to OI (Office Institutional District) for a commercial personal care home.

PROJECT SUMMARY

The applicant requests the rezoning of an approximately 1.02-acre parcel at 303 Scenic Highway. The applicant proposes a rezoning from ON (Office - Neighborhood District) to BG (General Business District) to operate a catering and takeout restaurant. The subject property is known as Lots 16 & 17, Section A of the L.R. Martin Estate subdivision, located near the intersection of Scenic Highway and Poplar Creek Road.

LAND SURVEY



ZONING AND DEVELOPMENT STANDARDS

The existing single-family home has been used as a law office since September 3, 1996. The entrance, driveway, parking, and landscaping is existing nonconforming and should therefore be brought into compliance with the 2020 Zoning Ordinance. For a restaurant, one (1) parking space per 2.5 seats would satisfy the minimum parking and loading requirements of Article 5 - Parking. However, the applicant states that the proposed business will focus on providing high-quality, freshly prepared meals for catering services and take-out customers. The establishment will not operate as a dine-in restaurant, which will minimize concerns related to traffic congestion and parking demands. He states their operation will adhere to all local health, safety, and zoning regulations, ensuring minimal impact on the surrounding community.

SURROUNDING ZONING AND USE

The Scenic Highway corridor near its intersection with Poplar Creek Road is an area predominately characterized by single-family homes, which are split between use as residential dwellings and commercial offices. While there are properties on the opposite side of Scenic Highway zoned RS-180 (Single-Family Residential District), the parcels immediately adjacent to the subject property are zoned OI (Office Institutional District), ON (Office Neighborhood District), and RM-12 (Multifamily Residential District). As such, the proposed rezoning of the property to BG would be inconsistent with the established zoning and land use patterns of the area along the western right-of-way of Scenic Highway.

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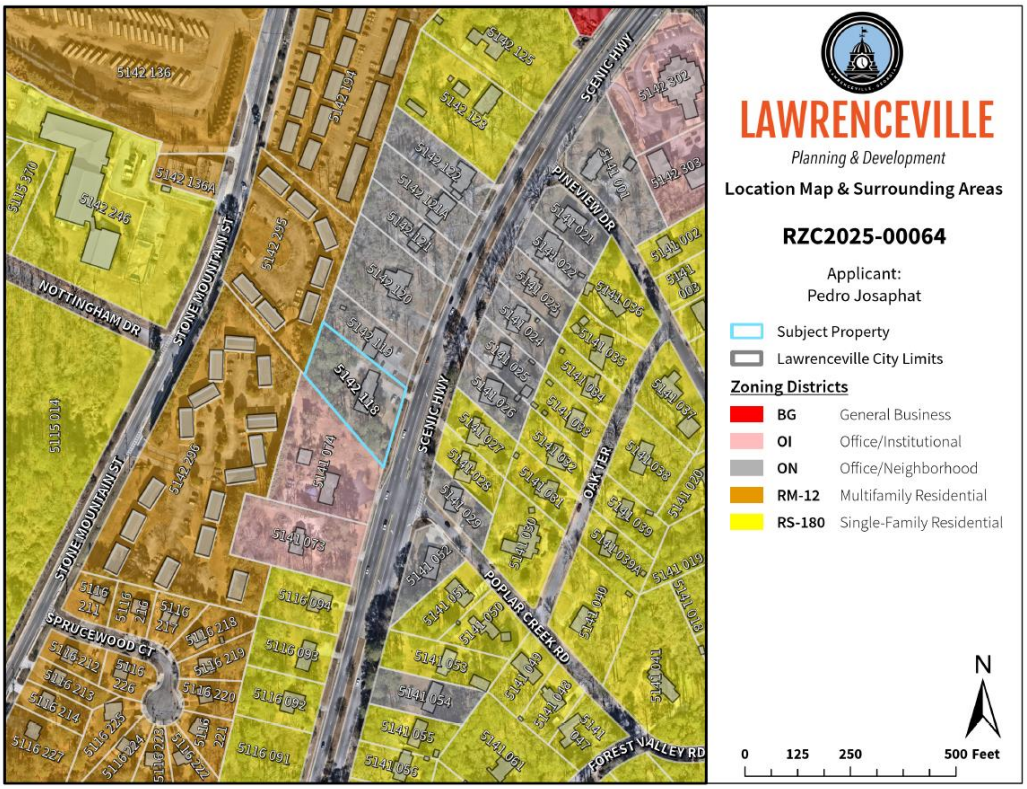
CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



2045 COMPREHENSIVE PLAN

The City of Lawrenceville 2045 Comprehensive Plan and Future Development Map indicate the subject property is located within the Office Character Area. The Office character area is a pivotal economic hub within Lawrenceville, catering to diverse business needs. It encompasses a range of functions such as professional office spaces, contributing to the city's economic growth and technological innovation. Example of professions are lawyers and accounting. As proposed, the requested rezoning would not be consistent with the policies of the 2045 Comprehensive Plan.

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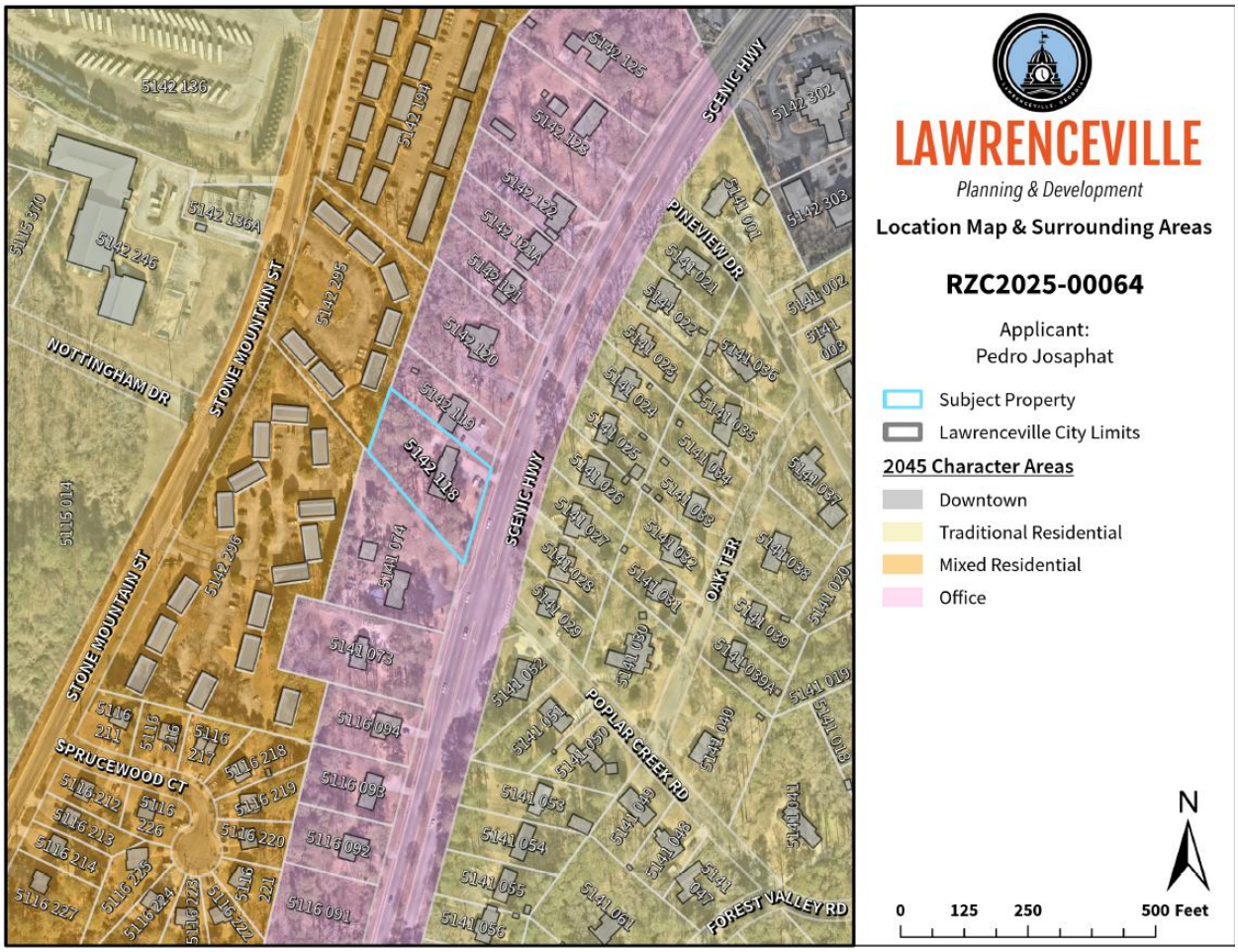
LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, the proposed rezoning from ON (Office – Neighborhood District) to BG (General Business District) may be inconsistent with both the existing zoning patterns and the long-term vision outlined in the 2045 Comprehensive Plan, which designates the area for office-related uses. The introduction of a General Business District in an area planned for office uses could set a precedent for further commercial expansion, potentially undermining the economic and professional character of the corridor. . As such, the Planning and Development Department recommends the **DENIAL** 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

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

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

   The properties immediately adjacent to the subject property are all zoned OI and ON. While the greater area consists of some parcels designated as RS-180, most of these are relegated to the eastern side of the Scenic Highway. The use of catering and take-out restaurant is of a higher intensity than much of the surrounding and adjacent development.

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

   The area along the right-of-way of Scenic Highway has long suffered due to antiquated policies and a lack of enforcement. New decisions must be consistent with the policies relating to the long-range plans for the immediate area in order for the City to flourish.

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

   The property has reasonable economic use as currently zoned.

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

   Impacts on public facilities would be anticipated in the form of traffic and 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;**

   The proposal is not in conformity with the 2045 Comprehensive Plan.

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

   A spot zoning is not consistent with surrounding uses nor does it align with the long term goals of the City's Comprehensive Plan.

PLANNING AND DEVELOPMENT

RECOMMENDATION

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

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Approval as BG (General Business District) subject to the following enumerated conditions:

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

1. For the use of the property as a commercial kitchen for the purpose of catering and take-out only. Dine-in services shall be prohibited to minimize parking and traffic impacts.
2. No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited;
3. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited;
4. Outdoor storage shall be prohibited;
5. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours;
6. The applicant shall implement **odor and noise control measures** to prevent disturbances to nearby properties.
7. No exterior loudspeakers, amplified music, or outdoor seating areas shall be allowed.

B. To satisfy the following site development considerations:

1. 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.
2. The building shall maintain its residential character, and repairs or modifications shall be limited to routine maintenance or repair. Any expansion to the existing footprint shall be prohibited.
3. A traffic circulation plan must be submitted to ensure safe ingress/egress and minimize traffic conflicts on Scenic Highway.
4. 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.
5. 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.
6. Provide a minimum of 1 parking space per 300 square feet gross floor area, all parking must be on an approved surface and stripped.
7. Provide a ten (10) foot landscape strip adjacent to all public right-of-way.
8. Provide a five (5) foot concrete sidewalk adjacent to all public right-of-way.
9. 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;

10. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.