



# City of Lilburn

in Gwinnett County

State of Georgia

**Ordinance  
Number:**

**2023-600**

Date of Reading and Adoption: May 8, 2023

At the meeting of the Lilburn City Council held at 340 Main Street, Lilburn, Georgia.

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LILBURN, GEORGIA, WITH RESPECT TO A  
ZONING UPDATE OF THE OFFICIAL ZONING MAP FOR AN EFFECTIVE DATE; AND FOR OTHER  
PURPOSES;**

**SUP-2023-01**

An ordinance to amend the Official Zoning Map of the City of Lilburn approving Zoning Case Number SUP-2023-01 to allow the development of a Luxury Multi-Family Apartment complex on approximately 4.4 acres of property zoned CB comprised of parcels, being identified as District 6, Land Lot 135 Parcels 031 (part), 187, 205, 222, 243, and 034 (part).

**WHEREAS,** the Code of the City of Lilburn entitled the Lilburn Zoning Ordinance, Article 10.- Zoning Amendments and Applications, provides that the text and map thereof may be amended from time to time by ordinance of the City of Lilburn; and

**WHEREAS,** The city provided for all public notices and procedures set forth in subsequent code sections to address criteria for amendments to the official zoning map; and special use permits; and

**WHEREAS,** the City of Lilburn Planning Commission met on Thursday, April 27, 2023, and the vote resulted in a tie for SUP-2023-01 with conditions for action by the Mayor and City Council;

**NOW THEREFORE BE IT ORDAINED** that the Mayor and City Council of the City of Lilburn, Georgia hereby approves the map amendment and special use permit in accordance with the proposed site plan attached herein entitled "Exhibit A" with the following conditions:

1. The property shall be developed in accordance with the submitted application, letter of intent, and proposed "SUP Site Plan," prepared by Kimley Horn and Associates, Inc., dated March 4<sup>th</sup>, 2023, development plans modified to meet conditions of zoning or development regulations with applicable

variances incorporated; and site and architectural design standards for the Old Town Overlay, as may be amended prior to site development permits.

2. Building elevations shall be substantially similar to those included in the application, to feature real brick or stone as the primary façade material, significant building modulation along Railroad Avenue to create depth and unique open spaces; changes in materials and color on architectural treatments to provide visual interest, with design treatment to occur on each side of the building, and color palette to be approved by the Planning Director and/or his/her designee prior to issuance of a building permit.
3. The developer shall be responsible for removing all components of fencing between the proposed additional ROW and the Greenway Trail and submit a landscape plan for the proposed planting of the same area along the Greenway Trail and/or along Railroad Avenue to substantially equate to the landscaping required on the commercial site, prior to issuance of a Certificate of Occupancy.
4. Developer shall be required to provide the design and installation of ADA-compliant pedestrian crosswalks, similar to the design of the Main St Streetscape crosswalks, from the development to access and connect to the Greenway Trail as proposed on the site plan.
5. The development shall not exceed a maximum of 270 multi-family rental units or provide less than a 4-story building with 3 levels of residential use.
6. The units shall include a mix of studio 1-, 2-, and 3-bedroom units, with a majority studio, 1, and 2-bedroom units, and no demising walls between units shall be removed and no units shall be permanently combined.
7. Developer shall be required to provide secure bicycle storage for tenants or guests of tenants.
8. Developer shall be required to provide a secure mail room accessible only to residents.
9. Non-residential space shall be a minimum of 15,000 square feet including a permanent leasing office and permanent amenities which could include but not limited to indoor gym on the ground floor, outdoor recreation/ areas, a clubhouse and pool.
10. Lease agreements for a minimum of 90% of units shall be for a minimum length of 12 months.
11. Lease Agreements shall prohibit the use of residences for short-term rentals, defined as 30 days or less.
12. No outdoor storage on the property or on rooftops, or on the balconies of units facing a public right of way.
13. No storage on the property of recreational vehicles, commercial vehicles, or junk vehicles.
14. Public Art shall be provided on-site according to Zoning Section 502. -Old Town Overlay District.
15. No accessory buildings shall be permitted to replace open space on the property.
16. Following the recording of a recombination or final plat, the multi-family property shall have one owner and subdivision of the subject property shall be prohibited.
17. The property shall be managed by a property management company and shall be recorded in the deed records of the Superior Court of Gwinnett County either as written restrictive covenants or on the plat for development.

BE IT FURTHER ORDAINED that this ordinance becomes effective upon its adoption

**SO ORDAINED** this the 8<sup>th</sup> day of May, 2023.

APPROVED:

A handwritten signature in dark ink, appearing to read "Tim Dunn", is written over a horizontal line.

Tim Dunn, Mayor  
City of Lilburn

ATTEST:

A handwritten signature in dark ink, appearing to read "Rick Badie", is written over a horizontal line.

Rick Badie, City Clerk

