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Perry Planning Commission  
Monday, February 10, 2020

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes : Approval of minutes from January 13, 2020 meeting
5. Announcements
  - a. Campaign Notice per O.C.G.A. 36-67A-3
  - b. Please silence cell phones
6. Old Business
7. Public Hearing (Planning Commission decision)
8. Informational Hearing (Planning Commission recommendation)
  - a. RZNE #0006-2020 – Text amendment Section 5-6.6 Conversation Subdivision Development Requirements
  - b. RZNE #0079-2019 – Text amendment regarding Street Design and Fire Protection Requirements – *Request for withdraw*
9. New Business
  - a. PLAT #0001-2020 Preliminary plat Stonebridge Phase 2
10. Other Business
11. Adjourn

All meetings of the Planning Commission are open to the public and are held at Perry City Hall located at 1211 Washington Street, Perry in Council Chambers at 6:00 pm unless otherwise posted

Perry Planning Commission  
Minutes - January 13, 2020

1. Call to Order : Chairman Edwards called the meeting to order at 6:08pm.
2. Roll Call: Chairman Edwards; Commissioners Burkart, Clarington, Coody, and Jefferson were present. Commissioners Griffis and Mehserle were absent.

Staff: Bryan Wood – Community Development Director and Christine Sewell – Recording Clerk

Guests: None

3. Invocation : was given by Commissioner Clarington
4. Election of 2020 Officers – Chairman and Vice Chairman

Commissioner Clarington motioned to reappoint Chairman Edwards; Commissioner Coody seconded; all in favor and was unanimously approved.

Chairman Edwards motioned to reappoint Commissioner Clarington as the Vice Chairman; Commissioner Jefferson seconded; all in favor and was unanimously approved.

5. Approval of Minutes : Approval of minutes from December 11, 2019 meeting: Commissioner Burkart motioned to approve as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.
6. Announcements
  - a. Campaign Notice per O.C.G.A. 36-67A-3 and please silence cell phones; Chairman Edwards referred to the notices as posted in Council Chambers.
7. Old Business
  - a. VAR-0101-2019 – 109 Swainsons Court – Variance to reduce front setback – *Tabled from December 11, 2019*

Mr. Wood reviewed the staff report and the applicant indicated in his initial discussion with staff that the shape of the lot because of the cul-de-sac bulb was causing difficulty placing the house within the setbacks. The provided drawing shows the placement of the proposed house on the lot with an 8' encroachment into the front setback. However, there is additional space in which the house can be moved toward the rear setback. The distance appears similar to the amount of encroachment requested on the front. Staff requested the applicant redraw the site plan with the house located at the rear setback, and advise if there is still any encroachment into the front setback. The applicant has not responded to this request; it is the recommendation of staff to deny the request as submitted as the criteria is not met in regards to granting a variance.

Chairman Edwards opened the public hearing at 6:15pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 6:16pm.

Commissioner Burkart motioned to deny the request as submitted based on staff recommendation; Commissioner Clarington seconded; all in favor and application was unanimously denied.

8. Public Hearing (Planning Commission decision) – none
9. Informational Hearing (Planning Commission recommendation) – none
10. New Business – none
11. Other Business – none
12. Adjourn: there being no further business to come before the Commission the meeting was adjourned at 6:18pm.



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## **STAFF REPORT**

From the Department of Community Development

February 5, 2020

**CASE NUMBER:** RZNE-6-2020  
**APPLICANT:** The City of Perry  
**REQUEST:** Text Amendment regarding Conservation Subdivision Development Requirements

**STAFF ANALYSIS:** In 2019 Staff brought to the attention of the Planning Commission concerns raised about parking on residential streets and the impacts to emergency vehicle access. Staff presented RZNE-79-2019, a text amendment proposing to increase the minimum width of streets, reducing the minimum grade of streets, and adjusting certain other provisions of the Land Management Ordinance to reflect recommendations in Appendices of the International Fire Code. Staff hereby withdraws application RZNE-79-2019, and requests the Planning Commission accept this withdrawal.

In late 2019 the City established a Task Force to discuss the parking issue and to recommend actions to address this issue. The Task Force is comprised of civil engineers, developers, home builders, street and utility contractors, and representatives of the Fire Department, EMS, and the school district. Charlie Griffis represents the Planning Commission. The Task Force has met three times since November, with one final meeting expected in the next few weeks. A summary of each of the meetings is attached.

On-street parking counts were conducted by City staff at various times between November 25, 2019 and January 1, 2020. A spreadsheet with parking data is attached. While major issues relating to emergency vehicle access were not observed, the highest percentage of on-street parking was generally observed in conservation subdivisions or PUDs designed like conservation subdivisions. With this information City Council imposed a moratorium on new conservations subdivisions until May 2020. They asked that recommendations come forth sooner if possible.

Based on the information obtained and after reviewing conservation subdivision standards in Gwinnett County and the City of Duluth, Staff prepared this proposed amendment to section 5-6.6 of the Land Management Ordinance. As recommended by the Task Force, the proposed amendment will increase the minimum right-of-way width in conservation subdivisions from 40 feet to 50 feet, and increase the front setback from 20 feet to 25 feet. These changes will add ten feet on each side of the street, resulting in a 38.5 foot long driveway. This will allow stacking for two cars in a driveway.

Along with this amendment the Task Force recommends policing of construction worker parking by field inspectors.

Additional modifications to the conservation subdivision standards to accommodate adjustments in this amendment will be forthcoming no later than the Commission's April meeting.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed text amendment.

5-6.6. *Development Requirements.* Conservation subdivisions shall meet the following requirements:

- (A) Minimum subdivision size shall be ten (10) acres.
- (B) Minimum lot width shall be sixty (60) feet as measured at the front building line.
- (C) There is no minimum lot area requirement.
- (D) The maximum allowable lot coverage shall be fifty (50) percent.
- (E) The minimum right-of-way width for minor residential streets shall be ~~forty (40)~~ fifty (50) feet.
- (F) The minimum setbacks are established in Table 5-6-2:

Zoning District	Front	Interior Side	Exterior Side	Rear
R-1	<del>20</del> <u>25</u>	8	20	20
R-2 and R-2A	<del>20</del> <u>25</u>	5	20	20
R-3 and RMH	<del>20</del> <u>25</u>	5	20	20

- (G) *Conservation Space Management Plan Required.* A conservation space management plan, as described in Section 5-6.9, shall be prepared and submitted prior to the issuance of a land disturbance permit.
- (H) *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Section 5-6.9, shall be placed on the Conservation Space concurrent with the issuance of a land disturbance permit.
- (I) *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and Article XII of this Ordinance.



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Application # RZNE-6-2020

## Application for Text Amendment

Contact Community Development (478) 988-2720

### Applicant Information

\*Indicates Required Field

	Applicant
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov

### Request

\*Please provide a summary of the proposed text amendment: Section 5-6.6 of the Land Management Ordinance regarding Conservation Subdivisions - to increase minimum street right-of-way from 40' to 50'; to increase minimum front building setback from 20' to 25'; and to require one side setback to be at least 10' unobstructed to allow vehicular access to rear yard. Based on discussion of task force dealing with on-street parking issues.

### Instructions

- The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees: Actual cost of required public notice.
- The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No X  
If yes, please complete and submit the attached Disclosure Form.
- The applicant affirms that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
- Signatures:

*Applicant		Bryan Wood, Director of Community Development, for the City of Perry	*Date	1/22/2020
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6/20/2018

For Office Use (receipt code 204.1)

Date received 1/22/20	Fee paid N/A	Date deemed complete 1/22/20	Legal Ad to Run 12	Notice to Applicant n/a
Routed to PC	Date of PC 2/10/20	Date of Public Hearing 3/3/20	Date of Council action 3/17/20	Notice of action

\*Send to B. Newby and Annie W.

## Summary of 11/12/2019 Street/Emergency Access Task Force meeting

Attendees:     Mike Clark                             Rick Saunders                             Billy Crump  
                     Wes Williams                             Chad Bryant                             Burke Murph  
                     Michael Paull                             Chad McMurrin                             Bryan Wood

The meeting began around 8:10 and ended around 9:25.

Wood welcomed the group and thanked them for offering their time and expertise on this subject. He provided the background information and events that led to the creation of the task force.

Paull stated his concern about parking on residential streets that hampers emergency access in a timely manner. He indicated that current building materials fail quicker in a fire than older materials. He cited a situation in which a paramedic team could not reach a stroke victim in time to prevent/reduce permanent damage.

Task force members repeatedly stated that parking enforcement was the obvious answer to these issues. They questioned whether employing a full-time parking enforcement officer would be cheaper than the continued costs of maintaining wider streets. They wanted the City to look at enforcement and or other low-cost options before placing additional expense on developers. There was discussion of additional costs impacting the price of housing and pricing out a large segment of the current market.

Changing design standards for future development does not solve existing issues within neighborhoods. Without widening existing roads, enforcement in very specific areas appears to be the most feasible solution to ensure emergency access.

The task force asked the City staff to survey various subdivisions in the evenings to determine how many cars are parking in the streets. They suggested looking at New Haven, Georgian Mill, and subdivisions in which 4-5 bedroom houses are built on smaller lots. There was a question of whether there is a correlation between the number of bedrooms in a house and the amount of on-street parking.

Other suggestions from the task force included:

1. Defining on-street parking with curbed bump-outs. Builders concerned that purchasers would not want "parking lot" in front of their house.
2. Widening the streets.
3. Painting curbs or streets to define parking and no parking zones.
4. Can parking be allowed in right-of-way, but not on street.
5. Any ordinance change should incorporate options

The task force suggested that sending a letter to homeowners in the problem communities, explaining the concern and asking them to pick which side of the street they want to park on, may resolve the issue without any further actions needed.

The task force does not want to see a larger problem created to solve this one. They noted that wider streets cause more injuries and deaths due to increased speeding than there are due to fire emergencies.

## Summary of 12/10/2019 Street/Emergency Access Task Force meeting

Attendees:	Charlie Griffis	Rick Saunders	Billy Crump
	Clay Smith	Chad Bryant	Burke Murph
	Zack Hutto	Craig Fowler	Steve Lynn
	Michael Paull	Chad McMurrian	Bryan Wood

The meeting began around 8:00 and ended around 9:15.

Wood presented parking counts and observations from 32 subdivisions conducted on November 25<sup>th</sup> and 26<sup>th</sup> between 6:00 pm and 8:30 pm. Except in one location parking on the streets did not create impediments to emergency vehicle access. The subdivisions with the highest percentage of on-street parking were mostly conservation subdivisions or those designed like conservation subdivisions. Wood noted that a resident of Lake Forest indicated that the parking issue occurs early in the morning, causing the school board to consider eliminating bus pick-up inside the subdivision.

Craig Fowler of the Board of Education confirmed that on-street parking is a problem for school buses in several subdivisions. Zack Hutto, paramedic, stated that parking by construction workers are contributing to the problem.

The Task Force asked that parking counts be taken in the 3:00AM-5:00AM time frame. Chief Steve Lynn indicated that his patrol officers would do those counts. The Task Force suggested that a safety plan during construction should be considered, and that building/site inspectors in the field can help enforce the plan.

Chad Bryant suggested that the reduced right-of-way width (40' vs 60') and reduced front setbacks (20' vs 25') in conservation subdivisions may contribute to the issue because the result is shorter driveways.

The Task Force felt the issue could be resolved by enforcement. Chief Lynn stated that the City Ordinance does not allow his officers to enforce parking except in limited locations. The Task Force suggested amending the Ordinance to prohibit on-street parking and provide for enforcement. There was no commitment from the Police Chief.

## Summary of 2-3-2020 Street/Emergency Access Task Force meeting

Attendees: Charlie Griffis            Wes Williams            Billy Crump  
                 Clay Smith                    Burke Murph            Michael Paull  
                 Chad McMurrian            Bryan Wood

The meeting began around 8:00 and ended around 9:00.

Wood presented updated parking counts and observations from subdivisions conducted by the Police Department on 12/11/19 around midnight and on 1/1/20 around 4:00AM. The numbers were similar to those previously obtained in the evening hours in late November. Two areas were noted as potential issues for access – one occurred on 1/1/20 and was contributed to a New Year's Eve celebration; the other occurred on Rolling Acres Drive but specific location was not provided. One section of Rolling Acres Drive is all 3-bedroom homes. The other section is comprised of 4- and 5-bedroom homes.

Given this information, the Task Force determined that parking by construction workers, along with resident on-street parking, causes isolated issues for emergency vehicle access. They recommended that discussion of the issue with site supervisors and enforcement by field inspectors can resolve the issue.

Wood informed the Task Force that City Council has placed a moratorium on acceptance of preliminary plat for any new conservation subdivision until May 2020. They have requested modifications to conservation subdivision standards sooner if possible. Based on previous discussion and review of other communities' standards, staff presented a recommendation to amend the development requirements for conservation subdivisions by increasing the right-of-way width from 40' to 50'; increasing the front setback from 20' to 25'; and by requiring one side yard to be 10' wide to allow vehicular access to the back yard. Wood indicated that further modifications would be forthcoming to adjust density and/or percentage of open space required.

While he did not attend the meeting, Chad Bryant indicated his approval of the proposal by email. Those attending the meeting were concerned that the additional side setback would not necessarily resolve the parking issue. Topography could cause inaccessibility, and gate widths within that distance may not be wide enough for vehicles. The Task Force recommended the text amendment go forward as presented regarding the right-of-way width and front setback. They recommended the adjustment to the side setback not be approved.

Clay Smith felt that more responsibility should be placed on Home Owners' Associations (HOA) to enforce their covenants regarding on-street parking. Wood indicated that the City cannot enforce covenants. Just because there are covenants calling for the creation of an HOA doesn't mean they will be active and collect assessments. Further, it would be difficult for the City to keep up with changing officers and contacts in the various HOAs.

Wood indicated that the final meeting of the Task Force will include additional recommendations regarding the standards for conservation subdivisions and the Task Force's final recommendation to the Planning Commission and City Council.

### Evaluation of On-Street Parking

Subdivision	Date/ Time Observed	# of Vehicles on Street	# of Occupied Houses in S/D	% of cars to houses	Comments	# of beds per house (avg)	Conservation S/D
Georgian Mill/ The Woodlands	11/25/19 6:30 PM	21	132	15.91	spaced such that emergency access not impeded		No
	12/10/19 11:10 PM	25		18.94	50' ROW 20' setback? (23)		
Sanford Place/ The Woodlands	11/25/19 6:40 PM	16	160	10	spaced such that emergency access not impeded; no difference observed in section of 4, 5, 6 bedroom houses		No
	12/10/19 11:20 PM	21		13.13	Observed situation in which emergency vehicles would have hard time maneuvering on Rolling Acres Rd		
Woodland Blvd/ The Woodlands	11/25/19 6:42 PM	0		0	side-loaded garages		No
Wind River	11/25/19 6:50 PM	15	58	25.86	1 impediment: cars adjacent on both sides of street; 5- and 6-bedroom houses		No
	12/10/19 10:45 PM	5					
Summer Branch	11/25/19 7:00 PM	5	~50	10	spaced such that emergency access not impeded		No
	12/10/19 11:54 PM	11					
Somerset	11/25/19 7:05 PM	15	195	7.69	spaced such that emergency access not impeded		No
	12/10/19 11:54 PM	23		11.8			
Hawk's Nest/Landing	11/25/19 7:15 PM	9	~70	12.86	spaced such that emergency access not impeded		No
	12/10/19 11:54 PM	1					
Blackhawk/ Grand Reserve	11/25/19 7:18 PM	8	97	8.25	spaced such that emergency access not impeded		No
	12/11/19 12:10AM	9					
Meramac Grove/ Grand Reserve	11/25/19 7:22 PM	6	49	12.24	spaced such that emergency access not impeded		No
	12/11/19 12:16AM	7					
Greythorne/ Grand Reserve	11/25/19 7:25 PM	5	77	6.49	spaced such that emergency access not impeded		No
	12/11/19 12:16AM	5					
Lake Forest	11/25/19 7:39 PM	26	~135	19.26	side-by-side parking in cul-de-sac, 1 area with light off-set both sides of street; 4-bedroom houses	3, 4, 5 (4.1)	Yes
	12/11/19 12:00AM	14		10.37			
Langston Place	11/25/19 7:45 PM	11	67	16.42	spaced such that emergency access not impeded; primarily 4-bedroom houses		Yes*
	12/10/19 11:15 PM	3		4.48			
Nottingham	11/25/19 7:50 PM	6	52	11.54	spaced such that emergency access not impeded, 1 party with 3 cars		No
	12/10/19 11:15 PM	4					
	11/25/19 7:53 PM	7	~55	12.73	spaced such that emergency access not impeded		Yes*

Sutton Place	12/10/19 11:15 PM	8						
	11/25/19 8:15 PM	11	255	4.31	spaced such that emergency access not impeded			No
Wooden Eagle	12/10/19 11:30 PM	14		5.49				
	11/26/19 6:36 PM	6	49	12.24	double-parked in cul-de-sac			No
Spring Creek	1/1/20 4:00 AM	3			3 in cul-de-sac			
	11/26/19 6:40 PM	2	35					No
Gresham Creek	1/1/20 4:00 AM	0						
	11/26/19 6:45 PM	13	~45		Semi-tractor in cul-de-sac			No
Longbridge	1/1/20 4:00 AM	4		8.89				
	11/26/19 6:55 PM	5	83					No
Cheshire Place	1/1/20 4:00AM	0						
	11/26/19 7:01 PM	4	~86					Yes
Legacy Park	1/1/20 4:00 AM	7		8.14	426 Legacy Park Dr appeared to be issue			
	11/26/19 7:05 PM	7	29	24.14				No
Yorktown	1/1/20 4:00 AM	7						
	11/26/19 7:10 PM	4	~50		2 additional vehicle parked in vacant lots			No
Washington Place	1/1/20 4:00 AM	2						
	11/26/19 7:17 PM	7	80	8.75				No
Sugar Loaf	1/1/20 4:00 AM	12		15				
	11/26/19 7:27 PM	6	~90	6.67				Yes
Avington Glen	1/1/20 4:AM	12		13.33				
	11/26/19 7:35 PM	5	96		1 impediment: cars adjacent on both sides of street			No
Brookwater	1/1/20 4:00 AM	13		13.54	7 on Pebble Stone Pl			
	11/26/19 7:40 PM	3	47					No
Remington Chase	1/1/20 4:00 AM	11		23.4	5 on Gage Dr			
	11/26/19 7:54 PM	14	~165	8.49				Yes
New Haven	1/1/20 4:00 AM	16		9.7				
Stonebridge	11/26/19 8:00 PM	0						No
	11/26/19 8:12 PM	3	113					No
North Hamptons	1/1/20 4:00 AM	3						
	11/26/19 8:15 PM	2	36					No
North Haven	1/1/20 4:00 AM	2						

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Pine Needle/ Ridge Area	11/26/19 8:26 PM	3	116	No
	11/20 4:00 AM	2		

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Northside/ Cherokee Pines	11/26/19 8:35 PM	2	96	No
	11/20 4:00 AM	0		

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Preserve at Ag Village	11/20 4:00 AM	0		No
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## **STAFF REPORT**

From the Department of Community Development

September 5, 2019

*Recommendation Revised February 5, 2020*

**CASE NUMBER:** RZNE-79-2019  
**APPLICANT:** The City of Perry  
**REQUEST:** Text Amendment regarding Street Design and Fire Protection Requirements

**STAFF ANALYSIS:** As a follow-up to Staff discussion with the Planning Commission earlier in the year regarding street widths and fire protection, the City Attorney was asked to give an opinion regarding interpretation and enforcement of the International Fire Code (IFC). The opinion is that the City cannot adopt modifications that are less restrictive than those of the IFC; however, the City can adopt more stringent requirements. The Fire Code Official can exercise discretion, when allowed in the IFC, based on individual site/building conditions and local factors.

Staff from the Community Development Department, Fire Department, the City Manager, and a City Council member met with the City Attorney in July to discuss the opinion and issues of conflict. At that meeting, it was agreed that we would propose an amendment to the street width and fire protection requirement in the Land Management Ordinance, and City Council would consider adopting several Appendices of the IFC.

The text amendment provided here is the result of that meeting. Street width is proposed to be 27 feet measured from face of curb to face of curb, rather than the current back of curb. This will result in about four additional feet of asphalt pavement. Maximum street grade is also reduced from 12% to 10%, which is fairly standard in other communities.

The Fire Marshal recommends that Section 6-10.13 of the LMO be formatted to reflect the actual IFC section numbers with City amendments. The amendments further clarify how the standards are implemented in the City of Perry, so that developers and designers have more defined requirements than are currently available.

We are providing for your information the Appendices of the IFC which the Fire Marshal has determined necessary for the City to adopt. While the Planning Commission is not required to review and recommend these (as they are not part of the LMO), we feel it appropriate for the Commission to be aware of this proposed action, and may make comments to Council.

**STAFF RECOMMENDATION:** With consideration of the proposed amendment RZNE-6-2020 and direction from City Council, Staff requests withdrawal of RZNE-79-2019.



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**STAFF REPORT**

**From the Community Development Department**

February 5, 2020

**CASE NUMBER:** PLAT-1-2020  
**APPLICANT:** Bryant Engineering  
**REQUEST:** Preliminary Plat  
**LOCATION:** 310 Stonegate Trail; Tax Map No.: 0P0480 037000

**ADJACENT ZONING/LANDUSES:**

Subject Parcel: R-1, Single-family Residential; undeveloped  
North: R-2, Two-family Residential; pecan orchard  
South: R-1; single-family residences  
East: RAG (county); farmland  
West: R-2; single-family residences

**BACKGROUND INFORMATION:** The subject property is part of the original preliminary plat for Stonebridge subdivision approved in the early 2000's. As originally approved, the property was designed for 32 residential lots located along two cul-de-sac streets.

The applicant is now requesting a new preliminary plat to develop 43 residential lots along two cul-de-sac streets. The layout of the streets is not substantially changed from the original plan. All proposed lots comply with the minimum dimensional standards of the R-1 zoning district. The two smallest lots are 15,555 and 15,917 square feet, with a 15,000 square foot minimum lot size. The remaining lots average about 22,000 square feet in size. Lot widths are proposed at 100' or greater, where a 90' minimum is required.

A linear depressed area traverses a portion of the site and is proposed to be re-routed to accommodate the proposed lot layout. If this depressed area is determined to be a stream, it cannot be re-routed and a 25' stream buffer will be required on each side. This will be determined during the Site Plan and Land Disturbance Permit process by the City in consultation with its Engineering Consultant. This determination may impact the number and or layout of lots as proposed.

**STAFF RECOMMENDATION:** Staff recommends approval of the preliminary plat containing 43 residential lots with the understanding that the number of lots may be reduced and/or the layout of lots may change based on a determination related to the linear depressed area on the site.





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118

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114

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119

115

111

109

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103

104

MILFORD CIR

WORCHESTER CIR

HAVEN WAY

HAVEN WAY

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