

*MINUTES*  
**CITY OF SUWANEE, GEORGIA**  
**COUNCIL MEETING**  
**JANUARY 21, 2003**

Present: Nick Masino, Mayor  
Jace Brooks, Councilmember  
Jimmy Burnette, Mayor Pro Tem  
Carol Hassell, Councilmember  
Alan Landers, Councilmember  
Jeannine Rispin, Councilmember  
Hardin Watkins, City Manager  
Elvira Rogers, City Clerk  
Gregory Jay, City Attorney

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**6:30 P.M.**  
**PUBLIC HEARING**

Mayor Masino called the Public Hearing to order at 6:32 P.M. City Manager Hardin Watkins, read the procedures for Public Hearings for the record.

**1. 2002-2003 Comprehensive Plan Annual Update**

Mr. Allen stated this is a Public Hearing opportunity to inform the Public that the City is embarking on the Annual Comprehensive Plan update. The update is typically undertaken at least once a year in concert with the Council Annual Retreat. A Public Hearing is required to inform the public.+ There will be an open house on February 13, 2003 from 5:00 PM – 7:00 PM for citizens and others interested.

There were no questions or comments from the Council or the audience.

**2. RZ-2002-021 - Applicant: United General Investments (Georgia), Inc. Owner: Kuang H. Chien et al. Requests rezoning from R-100 and O-I to PMUD to allow for single-family detached, single-family attached, lofts, offices, and retail uses. Site is located in Land Lots 251 and 252 of the 7th District at the intersection of Suwanee Dam Road and Settles Bridge Road and contains approximately 112.69 acres.**

Mr. Allen presented the staff analysis as follows: The applicant seeks rezoning on an approximately 112-acre tract to allow for the construction of a planned mixed-use project. The applicant proposes to formally amend the proposed plan in an effort to address concerns voiced during the review period.

The revised plan is similar in design and spirit with the previously submitted plan. Commercial/retail uses are shown toward Peachtree Industrial Boulevard. Adjacent to the

proposed commercial uses are townhouse units. Closer to the existing homes within surrounding neighborhoods are lower density single-family detached units and open space. As with the original submittal, several parks and open spaces are provided throughout the project but in slightly different configurations.

The applicant's revised plan reduced the total number of residential units from 611 to 541. The biggest decrease is in the number of proposed townhouse units (from 286 to 223). The single-family detached product is reduced from 265 units to 258 units.

The applicant proposes a number of design changes along the perimeter of the project in an attempt to address concerns expressed at the first public meeting before the Planning Commission. The number of single-family detached lots was reduced by 7 units; however, it is worth noting that the number of 45-foot wide lots decreased by 39 and the number of 65-foot wide lots increased by 32.

The submitted plan substantially modifies the lot layout along the perimeter of the property where it abuts existing neighborhoods. The lots adjacent to Barony and Settler's Cove subdivisions have been modified from their original 65-foot wide lots to ones that meet the R-100 lot width and size requirements. The lots adjacent to Stoneridge Subdivision are now proposed to meet the lot width and size requirements for the R-85 district. The lots adjacent to existing residential subdivisions are also proposed to include a 40-foot wide undisturbed construction buffer.

The commercial area is unchanged in overall numbers (40,000 square feet of commercial/office space and 60 condominiums), but the overall design of the area has changed substantially. The number of buildings has increased from 4 to 8.

The changes in lot size around the perimeter of the project and the changes to the commercial/condo portion of the project has resulted in a decrease in the overall open space from 31.9 acres to approximately 30.16 acres (26% of the site). The large one-way round-about found in the original proposal has been changed to a rectangular park surrounded by 4 two-way streets. This would likely alter the internal traffic flow resulting in decreased through traffic within the development.

The specific property shown on the City's Future Land Use Plan is a planned mixed-use village as well as a planned mixed-use center. The proposed mixed-use project as submitted meets the spirit and the intent and requirements of the City's Comprehensive Plan.

The Planning Commission reviewed the case at the regular meeting and recommended approval of the request.

### **SUPPORT**

- Mr. Bryan Cohen, Touchstone Homes/United General Industries, 3355 Annandale Lane, Suwanee, GA. Mr. Cohen stated his company has been doing business with the City since 1984 and their corporate office is in the Suwanee city limits. He stated his company is co-developers with Shawnee Ride and they have three developments inside the city limits of

Suwanee. Cooperation with homeowners on this project (25+ meetings) and City staff has made the process successful.

- Ron Sprinkle, Sprinkle Land Conservancy, 1664 Foresta Court, Atlanta, GA. Mr. Sprinkle provided an overview of the project as follows: The process began in August 2002 with numerous meetings with interested parties. The result is a plan which everyone can be proud of. The original community and the final design are very similar in overall layout. Began with commercial loft type homes and moving to lower density across the site toward the existing single-family. The drawing was expanded to show the connection to Peachtree Industrial Boulevard.

Mr. Sprinkle described the layout as follows: Neighborhood design traditional community with a small village commercial area which will be mixed use with commercial and office (office on bottom floor with lofts above); townhomes with sidewalks across the front and alleys in rear; open space lawn area; main recreation area; single-family detached with alleys; single-family detached with front entry.

Connection to Peachtree Industrial Boulevard for traffic flow. A second entry will access Settles Bridge Road.

Mr. Sprinkle stated the applicant is in agreement with the 26-conditions recommended by staff. The applicant agrees to the 199 townhomes and the overall density of the project dropping to 517 units.

Councilmember Rispin inquired as to the understanding between the Developer and the City for the park area on the site. Mr. Cohen stated that piece of property will not be developed. It is the intention of the Developer to work hand-in-hand with the City. UGI will retain ownership of the property until there is some accommodation requirement to work with the City.

Mayor Masino requested information regarding the traffic study. Mr. Cohen stated that traffic studies are not performed between mid-November and early- January due to the holidays (holiday season traffic distorts the picture of the day-to-day traffic pattern). Street Smarts has been contacted to accumulate data. It is the intent to maintain the integrity of the current level of traffic along Settles Bridge Road and Suwanee Dam Road. If it is deemed the project will cause detriment to the roadway service level, the developer will have a compensating improvement along those roads. Simultaneously, a new road will be extended through property the developer has rights to purchase, down to Peachtree Industrial Boulevard. Contact has been made with the State DOT for a median break.

Councilmember Hassell asked what impact would the roadway to Peachtree Industrial Boulevard have. Mr. Cohen stated that 60-70% of the ultimate traffic from this development in the morning rush will be using the road down to Peachtree Industrial to get to job centers. This roadway would have a huge impact on the development for a back door to Peachtree Industrial Boulevard.

Councilmember Rispin asked if a signal is proposed at this location. Mr. Cohen stated the determination of a signal would be by Georgia DOT in coordination with Gwinnett DOT. The initial numbers from the traffic study reflect that initially there would not be enough traffic generated to have this location signalized.

### **OPPOSITION**

- Mr. Howard Gosseman, 4389 Silver Peak Parkway, Suwanee, GA. Current President of Stoneride Homeowners Association. Initially there was strong opposition on the part of Stoneride. The last thing the residents wanted adjacent to Stoneridge was PMUD (homes with alleys facing their subdivision). There was concern regarding the impact of drainage into the lake and the impact on property values. The residents decided to work with the developer and found them to be open-minded, cooperative and they solicited input from the residents which was implemented in the plans. Residents have been working with the developer on the wording of the covenants that would control the use of the construction buffer and control the backyards from the construction buffer up to the 25-foot clearing behind the homes. The intent is that the property will be maintained in a natural state and would require approval of the homeowners association for any other use. The bottom line is “it’s gonna’ happen. It couldn’t happen with a better group”. He stated the residents will continue to work with the developer and make the best out of what was initially considered to be a real bad situation.
- Ms. Beth Stewart, 4595 Barony Drive, Suwanee, GA. Ms. Stewart agreed that the developer has been very accommodating and met with the homeowners. She stated she has lived in Suwanee since 1987 and are in their second home. Her opinion is that this “development does not serve the essence of the community that we’ve enjoyed and loved so much.” She stated that this dense populations does not benefit the current citizens in any way. She also stated concern regarding overcrowded classrooms, traffic and property values.

**3. SUP-2003-001 – Applicant: Karen Hyden Krotz. Owner: Ted Krotz. Requests a Special Use Permit to allow for a home occupation business for a massage therapy practice within the R-100 (Single-Family Residence) district. Site is located in Land Lot 210 of the 7<sup>th</sup> District at 3743 Davis Street and contains approximately 1.63 acres.**

Mr. Allen presented the staff analysis as follows: The applicant requests a Special Use Permit on an approximately 1.63-acre site to allow for a message therapy practice in an R-100 (single-family residential) zoning district. The property is located at 3743 Davis Street just north of Virginia Avenue and contains a single-family dwelling. The applicant plans to live in the home while operating a limited home-based business. The applicant is proposing to conduct the therapeutic messages in a single 10’ x 12 room. Off-street parking is available onsite.

The City’s Zoning Ordinance permits certain home-based businesses by right while others require the additional review of a Special Use Permit. Home offices and other similar uses that clearly do not increase traffic, use items and provide services customarily found in the

home, and do not have employees, are allowed by right. Other home-based businesses, particularly certain classes of personal service businesses such as barbershops and beauty salons could be considered compatible with the residential environment in certain circumstances. Those businesses require the additional review required by a Special Use Permit which allows the City to review the activity on a case-by-case basis.

The subject property contains an approximately 1,500 square foot single-family dwelling with only about 120 square feet of the facility dedicated to the message therapy practice. The site has suitable access onto Davis Street via a concrete driveway.

The surrounding area consists entirely of residential uses. The site is surrounded on all sides by sites that are all zoned for single family residential uses. The site is located in the historic old town area of Suwanee.

The City's Future Land Use Plan recommends residential uses for the property. The existing zoning on the site is consistent with this designation.

In conclusion, the requested Special Use Permit could be appropriate at this location. Provided appropriate conditions are in place to maintain the residential character of the area. The Planning Commission recommended approval with conditions.

Attorney Gregory Jay stated that Councilmember Burnette would recuse himself from this case due to ownership of adjoining property. A copy of the document is on file.

#### **SUPPORT**

- Ms. Karen Krotz, 3743 Davis Street, Suwanee, GA. Ms. Krotz provided Council a copy of a bio for Council information (copy attached). She stated there is no opposition or concern regarding the conditions recommended.

#### **OPPOSITION** – None.

- 4. RZ-2003-001 – Applicant/Owner: James Harris, III. Requests rezoning from R-100 (Single-Family Residence) to C-2 (General Commercial District) with a Special Use Permit (SUP-2003-002) to allow for a commercial/retail landscape material supply business. Site is located in Land Lot 209 of the 7<sup>th</sup> District at the southwest intersection of McGinnis Ferry Road and Scales Road and contains approximately 2.18 acres.**
- 5. SUP-2003-002 – Applicant/Owner: Yardtime, Inc. Requests a Special Use Permit to allow for outdoor storage of landscaping materials and supplies in the C-2 (proposed) zoning district. Site is located in Land Lot 209 of the 7<sup>th</sup> District at the southwest intersection of McGinnis Ferry Road and Scales Road and contains approximately 2.18 acres.**

Mr. Allen stated the applicant pointed out an error in the zoning map. Upon researching the property, it was determined that the property is actually zoned M-1. He continued with the staff analysis for both cases as follows: The applicant requests rezoning of a 2.18 acre tract

from M-1 to C-2 for a commercial/retail landscaping supply business with a Special Use Permit to allow for outdoor storage. The subject property is located on the southwest corner of the intersection of Scales Road and McGinnis Ferry Road. Access is proposed by two entrances onto Scales Road.

The applicant wishes to construct a small building and engage in the retail sale of landscaping material and supplies (rock, mulch, etc.). The applicant indicates that they are sensitive to the surrounding area and plan to heavily landscape the property to beautify the site and conceal the outdoor storage. The submitted site plan indicates that they plan to construct several storage bins in various locations along the edges of the site for said storage. These bins would be located at or below road level to help conceal the materials. Parking would be provided on concrete or asphalt areas while the outdoor storage areas would be located on gravel lots.

The subject property is an approximately 2.18-acre parcel. The site is undeveloped and slopes away from Scales Road to the railroad. Access is available via Scales Road.

A mixture of residential and developing commercial and industrial uses characterize the surrounding area. Adjoining the property to the east is the railroad. Farther east are several light industrial tracts zoned M-1. To the south is the developing Suwanee Station mixed-use development zoned PMUD. To the west, across Scales Road, are several single-family homes zoned R-100. To the north, across McGinnis Ferry Road, is a developing commercial node and apartments. The proposed commercial classification could be compatible with the surrounding area. However, the outdoor storage could negatively impact the visual quality of the area. If conditions were included to limit the visual impact of the outdoor storage, some of the negative impacts could be reduced.

The City's Future Land Use Plan recommends a mixture of uses on the property as part of a Mixed-Use Village associated with the Suwanee Station character area. The Plan anticipates mixed-use buildings that could include commercial/retail and residential in close proximity to one another. As shown, the proposed use as a landscaping supply business is inconsistent with the intentions of the Plan for this area.

In conclusion, the requested rezoning to C-2 with a Special Use Permit for outdoor storage for a landscape supply business would not be appropriate at this location. Should the Council choose to approve the request, conditions should be included to minimize the negative visual impacts of the outdoor storage. Therefore, the Planning Department recommends denial of the request. The Planning Commission recommended approval with conditions.

### **SUPPORT**

- Mr. Jim Harris, 6 Perthshire Drive, Peachtree City, GA, current owner of YardTime, Inc. He stated that currently there is one YardTime located in the center of Peachtree City, GA, which they feel is a very similar type community to Suwanee. Try to do everything to fit into the community. Request rezoning of property from M-1 to C-2 with outdoor storage. Mr. Harris stated the business is not a landscape company but an "earth care center". The business is very unique – no landscape materials (trees, flowers, etc.). He

defined earth care center as a place where landscape supplies may be purchased to help us beautify and improve the environment in which we live. YardTime strives to meet this need by providing the best quality landscape materials at a reasonable price. Display areas are very highly landscaped, creating a garden-type atmosphere. Display areas include hardscapes with waterfalls, ponds, drain creeks, etc. Landscape supplies include mulch, sand, soils, soil enhancements, gravels, decorative landscape stones, building stones, basic masonry products and some metal decorative fencing.

Mr. Harris presented a short powerpoint presentation of the Peachtree City site. He stated that contact has been made with the residents to the West of the property and representatives of Falling Waters.

Councilmember Hassell asked if the tract in Peachtree City is larger than the two acre Scales Road site. Mr.Harris stated the Peachtree City site is 1-1/4 acres.

Mr. Harris stated there would be a fencing to close off the property at night and when closed. Hours of operation will be Monday through Saturday, 8 AM – 5 :30 PM.

**OPPOSITION** – None.

- 6. RZ-2003-002 – Applicant: Guynn-McGowan Developments, LLC. Owner: Madison Ventures, Ltd. Requests rezoning from M-1 (Light Industry District) and C-2 (General Commercial District) to PMUD (Planned Mixed-Use District) to allow for a planned mixed-use village consisting of commercial/retail and single-family residential units. Site is located in Land Lots 197, 198, 207 and 298 of the 7<sup>th</sup> District on Buford Highway across from the intersection with Suwanee Creek Road and contains approximately 59.9 acres.**

Mr. Allen stated the applicant requested at the Planning Commission meeting that this case be postponed for a month.

- 7. RZ-2003-003 – Applicant/Owner: Falling Water, Inc. Requests rezoning from PMUD (Planned Mixed-Use District) to PMUD (Planned Mixed-Use District) change of zoning conditions to allow for modification of certain conditions of zoning relating to the provision of a walking trail on the site. Site is located in Land Lots 208, 209 and 239 of the 7<sup>th</sup> District at the end of Scales Road and contains approximately 141.4 acres.**

Mr. Allen stated that the purpose of this request is to modify one specific condition of zoning. The current zoning condition requires a trail to be located beneath the power line easement. The applicants have experienced difficulty in one section of the trail due to slope of the site. The applicant is proposing to relocate the trail from the steep slope to turn farther north toward Peachtree Industrial Boulevard.

Staff is recommending approval of the request which places the trail in closer proximity to Peachtree Industrial Boulevard. The Planning Commission recommended approval as submitted in this request.

Councilmember Hassell if this is the only change. Mr. Allen stated yes.

**SUPPORT**

- Mr. Walt Brooks, Falling Waters, Inc., 5251 Smithpointe Drive, Norcross, GA. Mr. Brooks stated the company enjoys working with Suwanee.

**OPPOSITION** – None.

- 8. AMD-2002-003 – The City of Suwanee will consider an amendment to Article V. Zoning District Development and Use Regulations of the City of Suwanee Zoning Ordinance. This amendment would add Section 511. CSO Conservation Subdivision Overlay District. This would create a new overlay zoning district that would permit conservation-style residential subdivisions, and other similar purposes.**

Mr. Allen stated the City of Suwanee will consider an amendment to Article V. Zoning District Development and Use Regulations of the City of Suwanee Zoning Ordinance. This amendment would add Section 511. CSO Conservation Subdivision Overlay District. This would create a new overlay zoning district that would permit conservation-style residential subdivisions, and other similar purposes.

Mr. Allen stated the Conservation Subdivision Overlay District basically would allow in R-100 zoning categories for conservation style neighborhoods, which in exchange for open space that is natural undisturbed, it would allow for reductions in lot sizes. Gwinnett County has utilized this district to cluster units on some areas of a site in order to preserve the larger areas.

**OPPOSITION** – None.

- 9. Application for License to Sell Beer, Wine, and Distilled Spirits to be Consumed on Premises: Park Inn Suwanee, 2955 Lawrenceville-Suwanee Road. Applicant: James D. Carter.**

Mr. Watkins stated this request is for the Park Inn Suwanee. The GBI & FBI prints have been returned with a clean report and the Accounting Analysts recommend approval for the alcohol license.

No audience comment.

- 10. Application for License to Sell Beer, Wine, and Distilled Spirits to be Consumed on Premises: Los Cantaros Mexican Restaurant, 3255 Lawrenceville-Suwanee Road, Suite U. Applicant: Jose Carmen Granados.**

Mr. Watkins stated this request is for Los Cantaros Mexican Restaurant, located in the Walmart Shopping Center. The GBI & FBI prints have been returned with a clean report and the Accounting Analysts recommend approval for the alcohol license.



- Mr. Jose Granados, 3255 Lawrenceville Suwanee Road, Suite U, Suwanee, GA. Mr. Granados stated he will explain city rules and regulations to employees.

There being no further discussion the Public Hearing closed at 7:30 PM.

**7:00 P.M.**  
**CITY COUNCIL MEETING**

1. Call To Order – Mayor Masino called the meeting to order at 7:33 P.M.
2. Announcements
  - **Suwanee’s 2003 Event Calendar**  
The Event Calendar for 2003 has been set. Go to the City’s website at [www.suwanee.com](http://www.suwanee.com) to see it. Some of the events to look for are the Music Main Street Concert Series, Big Movies Under the Stars, and the next Open Space Open House.
  - **Suwanee Day 2003**  
Planning for Suwanee Day 2003 is underway. Kathy Davis will serve as the Chairperson for the Organizing Committee this year. This year will mark the 20<sup>th</sup> celebration of the festival and it will be held on September 20<sup>th</sup>. If you would like to be involved with this year’s planning committee, please contact Vicki Keyser at City Hall.
  - **Suwanee Area “Prestigious”**  
The Atlanta Business Chronicle’s Book of Lists for 2002 ranked the 30024 Zip Code as one of Atlanta’s Most Prestigious Zip Codes. The list is compiled based on average purchase price of homes and Suwanee ranked 22<sup>nd</sup>.
3. Pledge of Allegiance – Mayor Masino was assisted by Scout members Carl Lane & Owen Searls.
4. Approval of Minutes
  - A. 12/5/02 Called Council Meeting  
**Motion to approve by Mayor Pro Tem Burnette, second by Councilmember Hassell and so carried 6-0.**
  - B. 12/17/02 Council Meeting  
**Motion to approve with corrections by Councilmember Hassell, second by Councilmember Rispin and so carried 6-0.**

**Corrections:**

Pg. 2 Plant Rescue: **Another plant rescue is being planned for January. Suwanee residents Pat Montgomery and Patricia Schrum organized the effort.**

Page 2: Renovations to suwanee Crossroads Center: **Grand Opening Event proposed in February and paintings by Ms. Odum Ingrid Bolton of the Trice Trail at and George Pierce Park scheduled to be displayed.**

5. Adoption of Agenda as Presented  
**Motion to adopt the Agenda as presented by Councilmember Landers, second by Councilmember Brooks and so carried 6-0.**
6. Organizational Matters for 2003
  - A. Selection of Mayor Pro Tem  
**Motion by Jimmy Burnette to approve Councilmember Alan Landers as Mayor Pro Tem, second by Councilmember Rispin and so carried 6-0.**
  - B. Adoption of Rules of Procedure  
**Motion by Councilmember Brooks to adopt Roberts Rules of Order 10<sup>th</sup> Edition as the official Rules of Procedure, second by Councilmember Burnette and so carried 6-0.**
7. Annual Appointments for 2003
  - A. City Attorney  
**Motion by Councilmember Hassell to re-appoint Gregory Jay as City Attorney, second by Councilmember Burnette and so carried 6-0.**
  - B. City Solicitor, Lead  
**Motion by Councilmember Rispin to re-appoint Luther Beck as Lead Solicitor, second Councilmember Brooks and so carried 6-0.**
  - C. City Solicitor, Assistants  
**Motion by Councilmember Hassell to re-appoint Zeb Meadows and Greg Lundy as Assistant Solicitors, second by Councilmember Burnette and so carried 6-0.**
  - D. Municipal Court Judge, Chief  
**Motion by Councilmember Burnette to re-appoint William Coolidge as Municipal Court Chief Judge, second by Councilmember Hassell and so carried 6-0.**
  - E. Municipal Court Judge, Primary Associate  
**Motion by Councilmember Hassell to re-appoint Mark Lewis as Municipal Court Judge Primary Associate, second by Councilmember Burnette and so carried 6-0.**
  - F. Municipal Court Judge, Associate(s)

**Motion by Councilmember Rispin to re-appoint William Brogdon and Claude Mason as Municipal Court Judge Associates, second by Councilmember Brooks and so carried 6-0.**

8. Special Presentation

- A. Caring Officers Providing Supports (COPS) Mentoring Program – Officer Robert Stewart  
Officer Robert Stewart presented a report to the City Council on the Caring Officers Providing Support (COPS) Mentoring Program at Suwanee Elementary School.

**Officer Stewart was presented the Suwanee Star Award for his exemplary effort in designing and implementing the COPS Program.**

9. Audience Participation – None.

10. OLD BUSINESS

- A. **RZ-2002-021 - Applicant: United General Investments (Georgia), Inc. Owner: Kuang H. Chien et al. Requests rezoning from R-100 and O-I to PMUD to allow for single-family detached, single-family attached, lofts, offices, and retail uses. Site is located in Land Lots 251 and 252 of the 7th District at the intersection of Suwanee Dam Road and Settles Bridge Road and contains approximately 112.69 acres.**

This item was postponed at the December 17<sup>th</sup> City Council Meeting. Staff Recommendation: Approval with conditions. Planning Commission Recommendation: Approval with conditions

**Motion to approve RZ-2002-021 with staff original conditions was made by Councilmember Hassell, second by Councilmember Rispin and so carried 6-0.**

- B. **Consideration for Approval of Engineering Plans for Town Center Park**  
Kevin McOmer, Clark Patterson Associates, has presented the engineering plans for Town Center Park to City Council at previous meetings.

**Motion to approve Engineering Plans for Town Center Park was made by Mayor Pro Tem Landers, second by Councilmember Burnette and so carried 6-0.**

- C. **Consideration for Approval of Pre-qualified Contractors for Construction of Town Center Park**

Staff has received and reviewed construction contractors pre-qualifications for Town Center Park. A list of contractors is provided in your packet. Staff would like approval of those contractors that were pre-qualified.

**Motion to approve Pre-qualified Contractors was made by Mayor Pro Tem Landers, second by Councilmember Burnette and so carried 6-0.**

11. NEW BUSINESS

- A. SUP-2003-001 – Applicant: Karen Hyden Krotz. Owner: Ted Krotz. Requests a Special Use Permit to allow for a home occupation business for a massage therapy practice within the R-100 (Single-Family Residence) district. Site is located in Land Lot 210 of the 7<sup>th</sup> District at 3743 Davis Street and contains approximately 1.63 acres.**

**Motion to approve SUP-2003-001 with staff conditions was made by Councilmember Hassell, second by Councilmember Brooks and so carried 5-0 with 1 recuse (Councilmember Burnette).**

- B. RZ-2003-001 – Applicant/Owner: James Harris, III. Requests rezoning from R-100 (Single-Family Residence) to C-2 (General Commercial District) with a Special Use Permit (SUP-2003-002) to allow for a commercial/retail landscape material supply business. Site is located in Land Lot 209 of the 7<sup>th</sup> District at the southwest intersection of McGinnis Ferry Road and Scales Road and contains approximately 2.18 acres.**

**Motion to deny RZ-2003-001 was made by Councilmember Rispin, second by Councilmember Brooks and so carried 6-0.**

- C. SUP-2003-002 - Applicant/Owner: Yardtime, Inc. Requests a Special Use Permit to allow for outdoor storage of landscaping materials and supplies in the C-2 (proposed) zoning district. Site is located in Land Lot 209 of the 7<sup>th</sup> District at the southwest intersection of McGinnis Ferry Road and Scales Road and contains approximately 2.18 acres**

**Motion to deny SUP-2003-002 was made by Councilmember Rispin, second by Councilmember Brooks and so carried 6-0.**

- D. RZ-2003-002 – Applicant: Guynn-McGowan Developments, LLC. Owner: Madison Ventures, Ltd. Requests rezoning from M-1 (Light Industry District) and C-2 (General Commercial District) to PMUD (Planned Mixed-Use District) to allow for a planned mixed-use village consisting of commercial/retail and single-family residential units. Site is located in Land Lots 197, 198, 207 and 208 of the 7<sup>th</sup> District on Buford Highway across from the intersection with Suwanee Creek Road and contains approximately 59.9 acres.**

**Motion to postpone RZ-2003-002 to February 18, 2003 Council Meeting made by Councilmember Hassell, second by Councilmember Burnette and so carried 6-0.**

- E. RZ-2003-003 – Applicant/Owner: Falling Water, Inc. Requests rezoning from PMUD (Planned Mixed-Use District) to PMUD (Planned Mixed-Use District) change of zoning conditions to allow for modification of certain conditions of zoning relating to the provision of a walking trail on the site. Site is located in Land Lots 208, 209 and 239 of the 7<sup>th</sup> District at the end of Scales Road and contains approximately 141.4 acres.**

**Motion to approve RZ-2003-003 with conditions was made by Councilmember Burnette, second by Councilmember Rispin and so carried 6-0.**

- F. AMD-2002-003 – The City of Suwanee will consider an amendment to Article V. Zoning District Development and Use Regulations of the City of Suwanee Zoning Ordinance. This amendment would add Section 511. CSO Conservation Subdivision Overlay District. This would create a new overlay zoning district that would permit conservation-style residential subdivisions, and other similar purposes.**

**Motion to postpone AMD-2002-003 to March 18, 2003 Council Meeting was made by Councilmember Hassell, second by Councilmember Landers and so carried 6-0.**

**G. Consideration for Approval of Phase II Plans for Town Center Project**

Representatives from Urban Collage and Clark Patterson Associates have presented the Phase II plans for the Town Center (Economic Development Area/Non-park) Project to City Council at previous meetings. A stakeholders meeting was also held to review the plans with members of the DDA, URA, and other selected parties. Marty Allen stated that the plans have not been finalized.

**Motion to postpone Consideration for Approval of Phase II Plans for Town Center Project to February 6, 2003 Called Meeting at 5:15 PM was made by Councilmember Burnette, second by Councilmember Brooks and so carried 6-0.**

**H. Consideration of a Resolution to Authorize Joint Grading and Stormwater Management for the Town Center Park Project.**

The design for the park proposes to grade the 10-acre site and the most cost effective way to remove the excess dirt is to move it to the adjoining 13-acre tract. This will save the park project substantial amounts of money. The design also proposes to locate stormwater facilities offsite in a low point on the 13-acre site, permanently consuming a portion of this site. The 13-acre site will eventually require its own stormwater management facility to handle post-development considerations of that site. Instead of exchanging money for this ‘lost land,’ the park project could oversize the detention area for eventual joint use by both tracts. Since the City owns both sites, formal easements are not required.

**Motion to approve Resolution to Authorize Joint Grading and Stormwater Management for the Town Center Park Project was made by Councilmember Hassell, second by Councilmember Burnette and so carried 6-0.**

**I. Authorization for Approval of Change Order #2 for Suwanee Crossroads Center Project.**

Staff is seeking authorization from Council to approve a change order for the Suwanee Crossroads Center. The previously approved change order set the contract price at \$427,775.09. With approval of this change order, the contract price will increase to \$439,187.27. The increased cost is due to: addition of a different door entering the Court Room, bulletproof wall at reception window, changed ceiling tiles, and other similar items. The time extension is due to rain and asbestos abatement dictated by the State.

**Motion to approve Change Order #2 for Suwanee Crossroads Center Project was made by Councilmember Brooks, second by Councilmember Rispin for discussion.** Councilmember Rispin asked if there is a new completion date. Mr. Watkins stated there is not new completion date at this time. This change order could push the date into February. **Change order approved 6-0.**

**J. Authorization of Old City Hall Renovation Fund Proposed Budget Amendment.**

Staff is proposing a budget amendment to cover the cost of renovating Suwanee Crossroads Center. The Old City Hall Renovation Fund currently has \$400,000. The total project cost is estimated at \$525,000. Staff is recommending transferring \$125,000 out of Reserved Fund Balance-Economic Development and Facility Acquisition to fully fund this project. The estimated cost breakdown is as follows: \$449,000 for construction costs; \$20,000 for computer connections and upgrades; \$9,000 to Clark Patterson; \$5,000 for phone installation; \$40,000 for furniture, fixtures, and equipment; and a \$2,000 contingency. The budget amendment is included in your packet.

Mayor Masino asked Mr. Watkins to explain the process for the \$400,000. Mr. Watkins stated that City Council had set funds aside over a number of years for this purpose. The millage rate increase has no impact on this project.

**Motion to authorize Old City Hall Renovation Fund Proposed Budget Amendment was made by Councilmember Burnette, second by Councilmember Brooks and so carried 6-0.**

**K. Consideration of an Ordinance Establishing Qualifying Fees for the 2003 General Municipal Election.**

Each year in which a municipal general election is held, a local government must fix and publish a qualifying fee for each respective office. The Secretary of State issued a memo on January 8<sup>th</sup> to say that the qualifying fees must be set and published by February 1, 2003. This year's general election is November 4<sup>th</sup> and includes the office of Mayor and two Council posts. The qualification fee is 3% of the salary of the office in the preceding year. The qualifying fee for Mayor will be \$180 and for Councilmembers, \$108.

**Motion to approve Ordinance Establishing Qualifying Fees for the 2003 General Municipal Election was made by Councilmember Hassell, second by Councilmember Rispin and so carried 6-0.**

## **L. Arbor Day Proclamation**

March 8<sup>th</sup> is proposed as Arbor Day in Suwanee. This will be the 13<sup>th</sup> or 14<sup>th</sup> year Suwanee has hosted an event. Councilmember Rispin read the Proclamation for the record.

**Motion to adopt the Arbor Day Proclamation and declare March 8, 2003 as Arbor Day was made by Councilmember Burnette, second by Councilmember Hassell and so carried 6-0.**

## **M. Consideration of a Resolution to Authorize Staff to issue an RFQ for the I-85 Streetscape Master Plan.**

The City plans to undertake a phased comprehensive streetscape project in the I-85 business district along Lawrenceville-Suwanee Road and surrounding roadways. Staff drafted a RFQ to solicit consultants to prepare a Master Streetscape Plan, create Phase I Construction Documents, and perform Construction Management activities related to Phase I of the project. The draft RFQ was presented to Council at the last workshop. Staff is seeking authorization to proceed with issuing the RFQ.

**Motion to approve a Resolution to Authorize Staff to issue an RFQ for the I-85 Streetscape Master Plan was made by Councilmember Hassell, second by Councilmember Brooks and so carried 6-0.**

## **N. Consideration of the Issuance of an Alcohol License: Park Inn Suwanee, 2955 Lawrenceville-Suwanee Road. Applicant: James D. Carter.**

**Motion to approve issuance of an Alcohol License to Park Inn was made by Councilmember Rispin, second by Councilmember Burnette for discussion.** Need to add applicant name to motion. **Councilmember Rispin amended the motion to approve to issue the Alcohol License to James D. Carter – Park Inn Suwanee, Councilmember Burnette amended the second and the vote carried 6-0.**

## **O. Consideration of the Issuance of an Alcohol License: Los Cantaros Mexican Restaurant, 3255 Lawrenceville-Suwanee Road, Suite U. Applicant: Jose Carmen Granados.**

**Motion to approve issuance of an Alcohol License to Jose Carmen Granados – Los Cantaros Mexican Restaurant was made by Councilmember Rispin, second by Councilmember Hassell and so carried 6-0.**

## **12. City Manager's Report**

- A. December Financial Reports
- B. Other Updates

- ♣ Open Space Citizen Advisory Committee currently conducting site visits to area parks. Next visit is scheduled for February 3, 2003.

**13. Land Acquisition Update** (possible Executive Session) – No executive session.

- Playground RFP being developed and refined. Consultant evaluating 3-5 sites around the City.

**14. Adjournment – 8:30 P.M.**

**Motion to adjourn by Councilmember Burnette, second by Councilmember Hassell.**

Minutes recorded by:

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Elvira Rogers, City Clerk

Approving Signature:

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Nick Masino, Mayor