

**MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
APRIL 15, 2003**

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

6:30 P.M.

PUBLIC HEARING

Public Hearing called to order by Mayor Masino at 5:30 P.M. City Manager, Watkins read the procedures for public meetings for the record.

- 1. RZ-2003-005 - Applicant: Peachtree/Suwanee Inc. Owner: Peachtree/Suwanee Properties, Ltd. Requests rezoning from M-1 (Light Industrial District) to RM-8 (Residential Multi-Family Duplex District) to allow for fee simple townhomes. Site is located in Land Lot 252 of the 7th District west of Peachtree Industrial Boulevard near the intersection with Tench Road and contains approximately 20.67 acres.**

Marty Allen, Planning & Community Development Director, stated that staff recommended denial of the case. Also, the Planning Commission recommended denial at the April meeting. The applicant requested City Council postpone the case one month while they review alternatives and further refine the plan.

Applicant

Mr. David Aldridge, 2800 One Atlantic Center, 1201 West Peachtree Street, Atlanta, GA 30309, requested the case be deferred one month. He stated deferring the case would allow time to review plans and reduce the density from eight to approximately five as recommended by the Planning Commission.

There was no opposition to the case.

- 2. RZ-2003-009 - Applicant/Owner: Amburgey Properties. Requests rezoning from C-2 (General Commercial District) to M-1 (Light Industrial District) with a Special Use Permit (SUP-2003-003) to allow for a self storage facility. Site is located in Land Lots 151 and 171 of the 7th District on Old Peachtree Road and contains approximately 3.40 acres.**
- 3. SUP-2003-003 - Applicant/Owner: Amburgey Properties. Requests a Special Use Permit to allow for a self storage facility in the M-1 (proposed) zoning district. Site is located in Land Lots 151 and 171 of the 7th District on Old Peachtree Road and contains approximately 3.40 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests rezoning of a 3.4 acre tract from a C-2 zoning district (General Business District) to M-1 zoning (Light Industrial) with a Special Use Permit to construct four mini warehouse and self-storage buildings totaling approximately 72,995 square feet. The subject property is located on the north side of Old Peachtree Road between Horizon Drive and I-85.

The applicant proposes to construct two 2-story and two 1-story buildings to the site. Access is shown via Old Peachtree Road.

The subject property is an approximately 3.4-acre parcel. The site is currently cleared and vacant. This site formerly contained a modular home sales facility.

A mixture of commercial and industrial uses and zoning districts characterize the surrounding area. To the north is I-85. Abutting the property to the east is a cell tower, an existing self-storage facility (Suwanee Self Storage), and an electric power sub-station (all zoned M-1). To the south, across Old Peachtree Road, are various industrial uses within unincorporated Gwinnett County and the Mrs. Smith's distribution facility (M-1) within Suwanee. Adjoining the tract to the west is an older commercial shopping center along Old Peachtree Road (C-2). In light of the various surrounding uses and zoning, particularly the adjoining tract that already contains a self-storage facility, the proposed M-1 zoning and Special Use Permit for a self-storage facility would be considered consistent and compatible with the area.

Reflecting the commercial zoning on the property, the City's Future Land Use Plan recommends commercial uses for the site. The requested M-1 designation is inconsistent with this recommendation. However, several years ago the City Council approved a rezoning request on an adjoining tract to allow for the Suwanee Self Storage development. This suggests a policy of allowing such facilities in this area.

In conclusion, with the recommended conditions the requested rezoning to M-1 with a Special Use Permit for a self-storage facility would be appropriate for this site. The nearby area already contains like uses and zoning categories. Therefore, the Planning Department recommends approval with conditions of the request.

Applicant

- Mark Brock, 72 Old Peachtree Road, Suwanee, GA, Civil Engineer for the project. Mr. Brock distributed photographs of the project area (copies attached). He stated the project site is almost in the shadows of Mrs. Smith's bakery. Current elevation of the site at the highest point is 1100. The site has already been cleared. The 15 foot buffer contains brush and request that the word buffer be changed to landscape strip.
- Tony Amburgey, 420 Old Homestead Trail, Developer & Owner. Mr. Amburgey presented information regarding view of the site from I-85.

Mr. Amburgey stated he met with Councilmember Hassell on site to discuss brick. Concerned that brick would cause a maintenance issue. He stated he has completed 10+ projects and brick has never been used around the door. Concerned that brick at the top of the header could be damaged.

Mr. Amburgey requested outside storage. Mayor Masino requested clarification. Mr. Allen stated that M-1 allows outside storage without a Special Use Permit if it is screened. Staff recommended there be no outside storage.

Mr. Amburgey stated this is a difficult piece of property. The area where outside storage is proposed is shielded by thick tree and brush.

Opposition

- Robert Stein, Attorney, representing S. P. Reddy. Mr. Reddy is owner of a retail center in the area. He purchased the property a couple years ago. Tenants requested that Mr. Reddy look into this rezoning. Mr. Stein stated that rezoning this property and allowing self storage in this area would be harmful to the character of the area. Petitions signed by the tenants in the existing retail center were submitted (copies attached).
- S. P. Reddy, 2087 Plantation Road. Mr. Reddy stated he learned of the rezoning through the tenants. He believes the site to be highly visible from I-85 and is strongly opposed to the rezoning. He stated that businesses need to be brought in that will stimulate the market. This rezoning will negatively impact the area.

The Public Hearing closed at 7 P.M.

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

1. Call To Order

Mayor Masino called the meeting to order at 7:12 P.M.

2. Announcements

- **Citizens Police Academy**

The Suwanee Police Department is once again offering its popular Citizens Police Academy, a seven-week program that provides Suwanee residents and business owners with an opportunity to learn more about law enforcement and experience police training, including traffic stops and building searches. The classes will run from 6:30-9 p.m. Mondays beginning in May. For more information or to obtain an application, contact Sgt. Elias Casanas at the Police Department. Applications are due by Friday, April 18.

- **Open Space Open House**

The City will host an Open Space Open House to showcase the properties that have been purchased and the plans that have been designed for the new city parks. The Open House will be held on Thursday, April 24 from 12:00 noon to 7:00 pm at City Hall. City representatives will give short presentations on the hour and will be available to answer questions throughout the day.

- **The Williams Property**

The City purchased a 6.9 acre parcel located between Buford Hwy. and White Street as part of its open space initiative. The property has tree frontage along Buford Hwy., two natural springs, several streams, and significant open areas. Specific plans for the property are undetermined at this time but it is likely that any development will be minimal, limited to picnic areas and small play areas. This purchase puts the City at over 200 acres acquired.

- **Music Main Street 2003**

The fourth annual Music Main Street concert series starts in May at the Burnette-Rogers Pavilion. The first concert is May 10 from 7pm to 10pm featuring The Zoots. The concert series will continue each second Saturday of the month through August.

3. Pledge of Allegiance

Brian Fennerin, Atlanta Falcons player, and Mayor Masino.

4. Approval of Minutes

A. 3/6/03 Called Council Meeting

Motion to approve 3/6/03 Called Council Meeting Minutes was made by Councilmember Hassell, second by Councilmember Brooks and so carried 5-0-1 (Councilmember Burnette abstain).

B. 3/18/03 Council Meeting

Motion to approve 3/18/03 Council Meeting Minutes with one correction (pg. 14, Item 9M motion by Councilmember ~~Rispin~~ Hassell) was made by Councilmember Hassell, second by Councilmember Brooks and so carried 6-0.

5. Adoption of Agenda as Presented

Motion to adopt the agenda as presented by Councilmember Rispin, second by Councilmember Burnette and so carried 6-0.

6. Special Presentations

A. Suwanee Elementary Friends and Heroes Playground Day Proclamation

A new playground has been constructed at Suwanee Elementary that specifically serves physically challenged children. The playground will be called "The Friends and Heroes Playground" dedicated to all the past and present friends and heroes of Suwanee Elementary and the Suwanee Community. Three of the four phases have been completed. They include an asphalt track around the perimeter of the playground, various types of swings, and the play structure itself. The last phase, which they are currently raising funds for, is to put down a rubberized surface that is wheelchair friendly. Additional information regarding this playground project is included in your packet.

Councilmember Brooks requested recognizing the people involved in initiating and completing this project. Those who are scheduled to attend are: Brian and Erin Finneran, Marc Wise of Wise Development (donated all the site prep work), Suwanee PTA Dad's Club (hours of labor), Suwanee PTA General Membership (fundraising), Nancy Hammond, Principal (continual support of Operation Fair Play) and the classes of Dara Dunnett, Susan Benjamin, Kim Austin, Dana Vines, and Carol Holbrook (the inspiration and tireless cheerleaders of Operation Fair Play).

Presentation by Mayor Masino and Councilmember Brooks.

B. Kids Day America Proclamation

Kids Day America is a special day set aside to address health, safety and environmental issues to educate families and communities about these social concerns. Local police departments, sheriff offices, dentists and photographers volunteer their time to complete Child Safety ID cards and to provide a place for children and their parents to learn about

issues from drug awareness to bicycle safety. Saturday, May 17 is Kids Day America for the Suwanee/Lawrenceville area. Presentation by Mayor Masino.

7. Audience Participation – None.

8. OLD BUSINESS

- A. RZ-2003-005 - Applicant: Peachtree/Suwanee Inc. Owner: Peachtree/Suwanee Properties, Ltd. Requests rezoning from M-1 (Light Industrial District) to RM-8 (Residential Multi-Family Duplex District) to allow for fee simple townhomes. Site is located in Land Lot 252 of the 7th District west of Peachtree Industrial Boulevard near the intersection with Tench Road and contains approximately 20.67 acres.**

Staff Recommendation: Denial. Planning Commission Recommendation: Denial.
ACTION: Consider the rezoning.

Motion to postpone RZ-2003-005 to May 2003 Council Meeting by Councilmember Hassell, second by Councilmember Brooks and so carried 6-0.

9. NEW BUSINESS

- A. RZ-2003-009 - Applicant/Owner: Amburgey Properties. Requests rezoning from C-2 (General Commercial District) to M-1 (Light Industrial District) with a Special Use Permit (SUP-2003-003) to allow for a self storage facility. Site is located in Land Lots 151 and 171 of the 7th District on Old Peachtree Road and contains approximately 3.40 acres.**

Staff Recommendation: Approval with conditions. Planning Commission Recommendation: Approval with conditions. ACTION: Consider the rezoning.

Motion to deny RZ-2003-009 by Councilmember Rispin, second by Councilmember Burnette and so carried 6-0.

- B. SUP-2003-003 - Applicant/Owner: Amburgey Properties. Requests a Special Use Permit to allow for a self storage facility in the M-1 (proposed) zoning district. Site is located in Land Lots 151 and 171 of the 7th District on Old Peachtree Road and contains approximately 3.40 acres.**

Staff Recommendation: Approval with conditions.
Planning Commission Recommendation: Approval with conditions.
ACTION: Consider the special use permit.

No action due to RZ-2003-009 denial.

- C. Authorization for the Mayor to Enter into Agreement with JJ&G for Bidding and As-Needed Services for the Suwanee Creek Greenway Project**

Staff is seeking approval of a contract with JJ&G related to project bidding and as-needed engineering and consulting services for the Suwanee Creek Greenway project.
ACTION: Consider authorizing the Mayor to enter into agreement with JJ&G.

Motion by Mayor Pro Tem Landers to authorize the Mayor to enter into Agreement with JJ&G for Bidding and As-Needed Services for the Suwanee Creek Greenway Project, second by Councilmember Brooks and so carried 6-0.

D. Authorization for the Mayor to Enter into Agreement with JJ&G for Design Services for Suwanee Creek Park to Include Overall Park Design and the Addition of a Maintenance Building

Staff is seeking approval of the design, engineering, bidding, and construction management contract for the Suwanee Creek Park project. The contract is for \$69,000. Staff is seeking approval of changes to the current contract with JJ&G to design and engineer a 12' x 20' maintenance building for Suwanee Creek Park.

ACTION: Consider authorizing the Mayor to enter into agreement with JJ&G.

Motion by Councilmember Hassell to authorize the Mayor to enter into Agreement with JJ&G for Design Services for Suwanee Creek Park to include Overall Park Design and the Addition of a Maintenance Building, second by Councilmember Burnette and so carried 6-0.

E. Authorization for the Mayor to Enter into Agreement with JJ&G for the I-85 Business District Streetscape Master Plan Project

Eight firms submitted bids for the I-85 Business District Streetscape Master Plan. The Committee reviewed the bids and conducted interviews with four of the firms. They are recommending JJ&G. Staff is seeking authorization to proceed with a contract in an amount not to exceed \$25,000 for Master Planning.

ACTION: Consider authorizing the Mayor to enter into agreement with JJ&G.

Motion by Councilmember Burnette to authorize the Mayor to enter into Agreement with JJ&G for the I-85 Business District Streetscape Master Plan Project, second by Councilmember Hassell and so carried 6-0.

F. Consideration of a Resolution to Adopt the Design of the Old Town Minor Gateway Signs

A committee of the DDA has been working on a design for the minor gateways in Old Town. They have worked with the DCA's Better Hometown program and have a proposed design. A copy of the proposed design is included in your packet. Changes discussed at the workshop include putting the name Suwanee before Old Town if this wording is used and not using the train graphic. Instead, either text or the city logo will go on the other face of the top cube.

ACTION: Consider adoption of the resolution.

Motion by Councilmember Burnette to approve a Resolution to Adopt the Design of the Old Town Minor Gateway Signs, second by Councilmember Brooks and so carried 6-0.

G. Appointment to the Downtown Development Authority

There is currently a vacancy on the DDA. The members are recommending Beau Fields be considered for membership. A copy of his resume is included in your packet.

ACTION: Consider the appointment.

Motion by Councilmember Burnette to appoint Beau Fields to the Downtown Development Authority, second by Councilmember Brooks and so carried 6-0.

H. Consideration of a Resolution to Adopt the Updated City Road Maintenance Plan

Rich Edinger, Public Works and Inspections Director, has updated the City's Road Maintenance Plan. Rich discussed these changes at the last workshop. The details of the changes are outlined in a March 3 memo included in your packet. If you would like a complete copy of the Plan, please contact Rich or Hardin. ACTION: Consider adoption of the resolution.

Motion by Councilmember Brooks to approve a Resolution to adopt the Updated City Road Maintenance Plan, second by Councilmember Burnette and so carried 6-0.

I. Consideration of Approval of Third Quarter Budget Adjustments

Staff is proposing five budget adjustments. The first is an increase in General Fund expenditures of \$92,458. This is to record the receipt and disbursement of assets related to the GMA vehicle lease for police cars. The second is creating a budget for confiscated assets. The third is a reclassification of funds from General Government Building to Public Information to cover part-time salaries and benefits. The fourth is a reclassification of Hotel/Motel Tax and Water Fund expenditures with no increase in total expenditures. The fifth is creating the Suwanee Day Fund. The details are included in your packet. ACTION: Consider approval of the third quarter budget adjustments.

Motion by Councilmember Brooks to approve the Third Quarter Budget Adjustments, second by Councilmember Hassell and so carried 6-0.

J. Authorization for the Mayor to Enter into Agreement with BI, Inc. for Probation Supervision and Rehabilitation Services

The City contracts with BI, Inc for services related to probation supervision and rehabilitation. The current contract terminates on April 30 and staff is seeking authorization to enter into another agreement for the same services for the next year. A copy of the agreement is included in your packet. ACTION: Consider authorizing the Mayor to enter into agreement with BI, Inc.

Motion by Councilmember Hassell to authorize Mayor to enter into Agreement with BI, Inc. for Probation Supervision and Rehabilitation Services, second by Mayor Pro Tem Landers and so carried 6-0.

K. Consideration of a Resolution to Authorize Staff to Submit an Application for a Georgia Environmental Facilities Authority Loan

Rich Edinger, Public Works and Inspections Director, has completed a loan application to the Georgia Environmental Facilities Authority. The request is to construct a new water

tank, to rehabilitate the well house, and to modify the cross connection with the Gwinnett County water system. The amount requested is \$350,000 for construction, \$25,000 for engineering, and \$5,000 for property acquisition and/or access easements for a total of \$380,000. The loan will be repaid with funds generated from tap fees in the new Stonecypher development and the additional water revenue from the development. Staff is seeking authorization to submit the application. ACTION: Consider approving the resolution.

Motion by Mayor Pro Tem Landers to approve a Resolution to authorize staff to submit an Application for a Georgia Environmental Facilities Authority Loan, second by Councilmember Burnette and so carried 6-0.

L. Consideration of a Request for Use of the Burnette-Rogers Pavilion

The owner of the Suwanee Academy of the Arts has applied for rental of the Burnette-Rogers Pavilion on June 27 and July 25, 2003. She wants to present a children's musical theatre performance called Suwanee Station from 7pm to 8pm on each night. There are two items on the application which call for City Council approval under the Special Events Use Guidelines: expected attendance of more than 100 people and the use of sound amplification. Staff is seeking action by Council. A copy of the application is included in your packet. ACTION: Consider approving the request.

Motion by Councilmember Brooks to authorize use of the Burnette-Roger Pavilion to Suwanee Academy of Arts on June 27 and July 25, 2003, second by Councilmember Burnette and so carried 6-0.

M. Consideration of Approval of the City Council Retreat Final Report

The Council Retreat Final Report was distributed on March 24th. Staff is seeking approval of the Final Report. ACTION: Consider approving the final report.

Motion by Councilmember Hassell to approve the City Council Retreat Final Report, second by Councilmember Rispin and so carried 6-0.

10. City Manager's Report

A. March Financial Reports

B. Announce New Dates for June and July Workshops

The June Workshop has been rescheduled to Wednesday, June 4 at 5:15pm in the Public Works Conference Room. The July Workshop has been rescheduled to Wednesday, July 2 at 5:15pm in the Public Works Conference Room.

C. Special Budget Workshop: April 22, 5:30 pm

A Special Budget Workshop has been scheduled for Tuesday, April 22 at 5:30pm. This meeting will be held in the Public Works Conference Room.

11. Land Acquisition Update (possible Executive Session)

Motion by Councilmember Burnette to enter Executive Session, after 5-minute recess, to discuss Land Acquisition, second by Councilmember Hassell and so carried 6-0.

Motion by Councilmember Hassell to exit Executive Session, second by Councilmember Brooks and so carried 6-0. No action taken. (8:59 PM)

12. Adjournment – 9 PM

Motion by Councilmember Burnette to adjourn, second by Councilmember Brooks and so carried 6-0.

Minutes Recorded by:

Elvira Rogers, City Clerk

Approved by:

Nick Masino, Mayor