

**MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
FEBRUARY 17, 2004**

Meeting Location: Suwanee City Hall

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

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

Mayor Masino opened the Public Hearing at 6:35 P.M. City Manager, Hardin Watkins, read the procedures for public meetings for the record.

- 1. RZ-2004-002 – Applicant/Owner: Pete Noone. Requests a change of conditions for property currently zoned C-2 (General Commercial District) to eliminate conditions requiring parking on the rear of the site and reuse of an existing structure. Site is located in Land Lot 210 of the 7th District at 641 Buford Highway and contains approximately 0.71 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests a change of zoning conditions imposed when the subject property was rezoned in 1999 (RZ-99-019) in order to allow parking in front of the building and to eliminate a condition requiring reuse of the existing residential structure. The applicant proposes to construct a 7,500 square foot office building while simultaneously removing an approximately 1,400 square foot house.

When the site was rezoned to its current commercial designation, certain conditions of zoning were placed on the property to mitigate anticipated impacts from the approval. The current conditions of zoning from RZ-99-019 limit uses to uses permitted within the existing structure, and require parking to be located behind or beside the existing structure.

The subject property is a mixture of office, commercial, and residential uses and zoning districts surround the subject property. To the north of the subject property is a commercial parcel developed with a billboard. To the south and west of the subject parcel are several single-family residences zoned R-100 (Single-Family Residential District). Across Buford Highway, to the east, is a training facility owned by the Gwinnett County Board of Education zoned O-I (Office-Institutional District).

The City's Future Land Use Plan recommends office uses for this site. The proposed office use is consistent with this recommendation; however, the commercial designation is not consistent with the Plan. .

The subject parcel is located in the City's Old Town Master Plan study area. The Old Town Master Plan and associated Design Guidelines were adopted as policy documents for the City. They provide

guidelines intended to influence site and building design in said area. The Future Land Use Map in the Old Town Master Plan recommends office uses for the subject parcel as part of an effort to preserve and protect the character of the area. The Plan's design elements and goals recommend pushing buildings toward roadways and locating parking to the sides or rear of buildings. The Plan also recommends preserving older structures in the area through adaptive reuse of properties.

The applicant contends that the property is difficult to develop without changes in the conditions. Specifically, the existing building is more expensive to restore than anticipated, and the applicant would like to move parking to the front in consideration of the nearby residential uses.

With a redesign of the proposal, the applicant could construct a new building on the property while maintaining the existing structure (former single-family house). The structure could be added onto to maintain the integrity of the area while increasing the size of the usable square footage. To do so, staff acknowledges that flexibility on the location of parking would be necessary.

In light of the existing surrounding uses, the Comprehensive Plan recommendations, the Old Town Master Plan recommendations, the applicants current proposal is not entirely appropriate. However, the Old Town Design Guidelines do offer the appropriate standards for new development in the area. With the appropriate conditions, approval of the request to modify the parking layout could be appropriate provided the existing residential structure is maintained. Therefore, the Planning Department recommends approval with conditions. The Planning Commission recommended approval with conditions of the request.

Support:

- Applicant: Peter Noone, 5213 Moore Road, Suwanee, GA. Mr. Noone stated that the current structure is a "junker" and needs to come down. In 1999 the intent was to remodel the structure and utilize it for an insurance agency. Due to old plumbing and wiring, that plan was not fulfilled. Currently the structure is rental property in disrepair. The neighbor in rear of the structure supports tearing the structure down and has written a letter encouraging that.

Mayor Masino asked Mr. Noone if he is aware of the Old Town Design Guidelines. Mr. Noone stated yes. Mr. Noone stated the structure is 65 years old. The roof was replaced and there were three (3) sets of shingles already on the structure.

Mayor Pro Tem Hassell asked what type of use is proposed at the location. Mr. Noone stated that he is unsure at this time. Options include insurance or an accountant's office. Ms. Hassell stated that the Old Town Master Plan calls for buildings to be closer to the street with parking in the rear. Mr. Noone stated the residents behind the structure feel the cars are better off in front. He stated that businesses with vehicles in front show that they are prospering. Ms. Hassell stated that the city's goal is to become pedestrian oriented. Mr. Noon expressed concern having the structure close to the road, since Buford Highway is a busy roadway.

Opposition – None.

2. **AMD-2004-001 – The City of Suwanee will consider an amendment to Article XVII. Buffer, Landscape and Tree Preservation Requirements. This amendment will impact the entire ordinance including but not limited intent; purpose; buffer regulation; off street parking lot planting requirements; landscape strips; tree preservation and replacement regulations; plan review procedures; replacement plan requirements; preservation plan requirements; density factor analysis; tree replacement standards; specimen trees; and enforcement, violation and appeals.**

Marty Allen, Planning and Community Development Director, stated this item was postponed by the Planning Commission at the February meeting.

3. **AMD-2004-002 – 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.**

Marty Allen, Planning and Community Development Director, stated this is a proposed amendment to the Zoning Ordinance. Over a year ago, this item was placed on hold until the North Georgia Model Regulations were developed. Planning Commission recommended approval with changes and outlined in the packet.

Opposition – None.

There being no further discussion, the Public Hearing closed at 6:58 P.M.

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

1. **Call To Order**

Mayor Masino called the meeting to order at 7:10 P.M.

2. **Organizational Matters for 2004**

A. Selection of Mayor Pro Tem

Motion by Councilmember Landers to nominate Councilmember Carol Hassell as Mayor Pro Tem, second by Councilmember Brooks and so carried 6-0.

3. **Announcements**

- ♣ March 13, 2004 will be celebrated as **Arbor Day** in the City of Suwanee. Volunteers will plant trees and shrubs rescued from the Town Center Park site and other sites. We will start at 9:00am at Suwanee Creek Park. Please park on Swift Water Park Drive.
- ♣ **Read across America** will be celebrated on March 2, 2004. Volunteers will be in the schools reading stories to children.
- ♣ **SAVE THE DATES.** June 9 thru 13 Suwanee will be constructing the **Kids Super Playground** and we need your help. Hundreds of volunteers will be needed to build the play structure. If you are interested in volunteering, please visit our website or contact Kristi McCarley at City Hall.

4. **Pledge of Allegiance**

Mayor Masino was joined by representatives of Scout Troop #827 from St. Monica's Catholic Church

5. **Approval of Minutes**

A. 1/20/04 Council Meeting

Motion by Mayor Pro Tem Hassell to approve 1/20/04 Council Meeting Minutes, second by Councilmember Rispin and so carried 6-0.

6. Adoption of Agenda as Presented

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

7. Special Presentations

A. Better Hometown Marketing Committee

Richard Trice is stepping down as Chairman of the Better Hometown Marketing Committee. He was recognized for this service with a plaque. The other members of the committee were recognized for their efforts with the 2003 events.

8. Audience Participation - None

9. Bid Openings

A. Lawn Maintenance Services

Vendor	Total Annual Cost
Image capes, Inc.	\$45,500.00
VisionScapes, Inc.	\$49,600.00
Valley Crest Landscape Maintenance	\$40,268.75
TheTruGreen Companies	\$38,399.00
The Jordans Group	\$26,700.00
The McKinley Group	\$45,592.00
Green Season Group	\$31,774.00
TD Landscape Unlimited, LLC	\$141,887.50
Stanscapes	Non-responsive
Great Oak Landscape	Non-responsive

B. Fertilization Services

Vendor	Total Annual Cost
VisionScapes, Inc.	\$10,402.00
Valley Crest Landscape Maintenance	\$18,337.00
Magnolia Lawn, Inc.	\$13,890.00
The Green's Pro., Inc.	\$10,565.08
The Jordans Group	\$8,600.00
TruGreen ChemLawn	\$8,850.70
The McKinley Group	\$19,025.20
TheGreen Season Group	\$18,120.00
Great Oak Landscape	Non-responsive

Motion by Councilmember Burnette to authorize the Mayor to enter into Agreement with the most responsive and responsible firm for Lawn and Fertilization Services, second by Councilmember Rispin and so carried 6-0.

10. OLD BUSINESS – None

11. NEW BUSINESS

- A. RZ-2004-002 – Applicant/Owner: Pete Noone. Requests a change of conditions for property currently zoned C-2 (General Commercial District) to eliminate conditions requiring parking on the rear of the site and reuse of an existing structure. Site is located in Land Lot 210 of the 7th District at 641 Buford Highway and contains approximately 0.71 acres. Staff Recommendation: Approval with conditions. Planning Commission Recommendation: Approval with conditions. ACTION: Consider the rezoning.

Motion by Councilmember Rispin to approve RZ-2004-002 with conditions, second by Mayor Pro Tem Hassell and so carried 6-0.

- B. AMD-2004-001 – The City of Suwanee will consider an amendment to Article XVII. Buffer, Landscape and Tree Preservation Requirements. This amendment will impact the entire ordinance including but not limited intent; purpose; buffer regulation; off street parking lot planting requirements; landscape strips; tree preservation and replacement regulations; plan review procedures; replacement plan requirements; preservation plan requirements; density factor analysis; tree replacement standards; specimen trees; and enforcement, violation and appeals. Planning Commission Recommendation: Postponed. ACTION: Postpone to the March 16, 2004 Council Meeting.

Motion by Councilmember Burnette to postpone AMD-2004-001 to the March Council Meeting, second by Councilmember Brooks and so carried 6-0.

- C. AMD-2004-002 – 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. Planning Commission Recommendation: Approval with changes as noted in the Planning Commission report. ACTION: Consider the amendment.

Motion by Mayor Pro Tem Hassell to approve AMD-2004-002 with conditions, second by Councilmember Brooks and so carried 6-0.

- D. Consideration of the Floodplain Management Ordinance

This ordinance is part of the Metropolitan North Georgia Water Planning District ordinances that have to be adopted by April 3 of this year. ACTION: Consider approval of the ordinance.

Motion by Mayor Pro Tem Hassell to adopt the Floodplain Management Ordinance, second by Councilmember Rispin and so carried 6-0.

- E. Consideration of the Litter Control Ordinance

This ordinance is part of the Metropolitan North Georgia Water Planning District ordinances that have to be adopted by April 3 of this year. ACTION: Consider approval of the ordinance.

Motion by Councilmember Brooks to adopt the Litter Control Ordinance, second by Councilmember Burnette and so carried 6-0.

F. Consideration of the Illicit Discharge and Illegal Connection Ordinance

This ordinance is part of the Metropolitan North Georgia Water Planning District ordinances that have to be adopted by April 3 of this year. Staff is requesting this item be postponed until the March meeting. ACTION: Consider postponing this ordinance to the March 16th Council Meeting.

Motion by Mayor Pro Tem Hassell to postpone to March Council Meeting, second by Councilmember Brooks and so carried 6-0.

G. Consideration of the Development Regulations Ordinance

This ordinance is part of the Metropolitan North Georgia Water Planning District ordinances that have to be adopted by April 3 of this year. Staff is requesting this item be postponed until the March meeting. ACTION: Consider postponing this ordinance to the March 16th Council Meeting.

Motion by Mayor Pro Tem Hassell to postpone to March Council Meeting, second by Councilmember Burnette and so carried 6-0.

H. Authorization for Mayor to Enter into Agreement with People's Bank and Trust for Banking Services

Staff received RFP's from four banks to provide banking services for the City. Staff is recommending entering into a contract with People's Bank and Trust. ACTION: Consider authorizing the Mayor to enter into Agreement with People's Bank and Trust for banking services.

Motion by Councilmember Burnette to authorize Mayor to enter into Agreement with People's Bank and Trust for Banking Services, second by Councilmember Rispin and so carried 6-0.

I. Consideration of Approval of Change Order #3 for the Suwanee Creek Greenway Project

Change Order #3 is an increase of \$30,042.63. Changes include: the addition of rails on the Martin Farm Deck, the deletion of all rails from McGinnis to Annandale ramp, additions to the McGinnis ramp to Bridge #1, changing a portion on the trail at Annandale Village from boardwalk to asphalt, the addition of surge stone at Annandale Hill and the addition of riprap at two bridges. ACTION: Consider approval of Change Order #3.

Motion by Councilmember Burnette to approve Change Order #3 for the Suwanee Creek Greenway Project, second by Councilmember Rispin and so carried 6-0.

J. Consideration of Adoption of the I-85 Streetscape Master Plan. ACTION: Consider adoption of the Master Plan.

Motion by Councilmember Landers to adopt the I-85 Streetscape Master Plan, second by Councilmember Brooks and so carried 6-0.

K. Consideration of Sponsorship Proposal from the Suwanee Business Alliance

The Suwanee Business Alliance would like to sponsor and adopt the green room that is part of the Performance Stage at Town Center Park. They are proposing a \$3,000 sponsorship for a plaque on the exterior of the building. They would also like to adopt the room to provide for the decorating, furnishing, and maintenance. Their request is included in your packet. ACTION: Consider acceptance and approval of the sponsorship.

Motion by Councilmember Brooks to accept the Proposal and authorize Mayor to enter Agreement with Suwanee Business Alliance, second by Mayor Pro Tem Hassell and so carried 6-0.

L. Consideration of the Special Events Policy

Staff has drafted a policy and made additional changes since the discussion at the Council Workshop. ACTION: Consider approval of the policy.

The policy applies to all City of Suwanee parks and facilities. Mayor Masino thanked staff for the work done on this policy.

Motion by Councilmember Brooks to approve the Special Events Policy, second by Councilmember Landers and so carried 6-0.

M. Consideration of the Suwanee Station Plan Amendment

Falling Waters wishes to modify one portion of their approved Concept Plan for Suwanee Station. The Plan shows multi-family apartments in Phase V. Falling Waters is requesting to build townhouses instead of the apartments without changing the total number of units in Phase V. Additional information is included in your packet. ACTION: Consider the amendment.

Motion by Councilmember Rispin to approve the Suwanee Station Plan Amendment, second by Councilmember Burnette and so carried 6-0.

N. Authorization for the Mayor to Enter into Agreement with American Integrated Services, Inc. for Information Technology Services

The contract with American Integrated Services is currently at \$43,200. A 36% increase is proposed for the first six months of the year and an additional 25% increase for the last six months of the year. The rates with this consultant have not been increased in the last three years while the City's service level has increased. ACTION: Consider authorizing the Mayor to enter into agreement with American Integrated Services, Inc.

Motion by Mayor Pro Tem Hassell to Authorize Mayor to enter into Agreement with American Integrated Services, Inc. for Information Technology Services, second by Councilmember Burnette and so carried 6-0.

O. Authorization for the Mayor to Enter into Agreement with CourtWare Solutions, Inc. for Court Management Software Services

Court staff would like to purchase a Court Management System to manage the court operations. CourtWare Solutions can provide the software, installation, training, support,

maintenance and upgrades at no cost to the City. The cost is shifted to the offender through a \$4.00 administration fee on each ticket. This fee is determined by the number of tickets handled by the court each month. The number of tickets will be reviewed annually and as the number of citations increases, the fee will decrease. ACTION: Consider authorizing the Mayor to enter into agreement with CourtWare Solutions, Inc.

Motion by Councilmember Brooks to authorize Mayor to enter into Agreement with CourtWare Solutions, Inc., for Court Management Software Services, second by Councilmember Rispin and so carried 6-0.

P. Consideration for Approval of Pre-Qualified Contractors for Construction of the Super Playground

Seven pre-qualification packages were received for construction of the playground site. City Engineer Kevin McOmer, Marty Allen, Rich Edinger and Kristi McCarley are currently reviewing the packages to determine which contractors meet the established requirements. Three contractors who have previously pre-qualified with the City requested to be included on the bid list. The list will be provided prior to the Council Meeting. ACTION: Consider approval of the pre-qualified contractors list.

Motion by Mayor Pro Tem Hassell to approve Pre-Qualified Contractors for construction of the Super Playground, second by Councilmember Rispin and so carried 6-0.

Five Firms Pre-qualified

- 1) ValleyCrest Landscape Development
- 2) The Astra Group
- 3) Mathias Corporation
- 4) Lewis Construction & Consulting
- 5) J H C Corporation

12. City Manager's Report

- A Better Parks Campaign Progress Report
- B. FY 04-05 Budget Schedule

The budget schedule was presented and reviewed at the January Workshop. Staff is requesting that it be adopted by City Council. A copy is included in your packet. ACTION: Consider adoption of the FY 04-05 Budget Schedule.

Motion by Councilmember Brooks to adopt the FY 04-05 Budget Schedule, second by Mayor Pro Tem Hassell and so carried 6-0.

- C. January Financial Reports
- D. Other Updates

13. Executive Session (Real Estate and Legal Issues)

Motion by Councilmember Landers to enter Executive Session, second by Councilmember Burnette and so carried 6-0.

Motion by Councilmember Landers to exit Executive Session, second by Councilmember Burnette and so carried 6-0.

No action taken.

14. Adjournment – Time: 9:25 PM

Motion by Councilmember Burnette to adjourn, second by Mayor Pro Tem Hassell and so carried 6-0.

Approved 3/16/2004