

**CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
MARCH 16, 2004**

Meeting Location: Suwanee City Hall

Present: Nick Masino, Mayor
Carol Hassell, Mayor Pro Tem
Jimmy Burnette, Councilmember
Alan Landers, Councilmember
Hardin Watkins, City Manager
Tammy Hiler, Development Coordinator
Gregory Jay, City Attorney

Absent: Jace Brooks, Councilmember
Jeannine Rispin, Councilmember
Elvira Rogers, City Clerk

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

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

- 1. 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 presented the staff analysis as follows: This is primarily a clean up amendment to improve the City's buffer Tree Landscape Ordinance. The City has been utilizing the same ordinance since approximately 1997. This amendment proposes to better define the type of trees that will be appropriate for the City of Suwanee, it also defines more clearly the potential requirements that work best for the area, it incorporates some new trends that are occurring in the area with increasing amount of street trees that the City is having and other similar elements.

This is the second time this item has been addressed. It was initially postponed by the Planning Commission, postponed by City Council, second time it went to the Planning Commission, certain elements were modified and subsequently was postponed another month. Now it is before City Council again.

Mayor Pro Tem Hassell asked Mr. Allen what were the modifications to the Tree requirements. Mr. Allen stated two members of the Planning Commission had outstanding issues with the tree ordinance. Mr. Gorman had primarily administrative changes in nature.

Mr. Gorman enhanced the wording about how trees could and should be planted. The Planning Commission voted to incorporate those changes to be adopted in the document. The other more substantial changes would be discussed over the upcoming 30 days for the next scheduled Zoning meeting.

Support – None.

Opposition:

- Earl Mitchell, 4120 Lansfare Terrace, Suwanee, Ga. Mr. Mitchell stated as a member of the Planning Commission, he feels there are some outstanding issues that need to be addressed if it is going to be voted on this evening. Mr. Mitchell's major concern addresses the Specimen Trees section. This is the section that reduces the size of the specimen trees from 30 inches to 24-inch tree and at that point it can be considered a specimen tree. Also the section stating the small trees can be reduced to 12-inch tree. There is a requirement that penalizes developers or property owners that has those type trees on the property if they want to develop the property and take the tree down. Under the Specimen Tree Ordinance, if there is a specimen tree on the property, its deemed to be a specimen tree in size, then every tree on that site would have to be increased to satisfy taking down the tree. Mr. Mitchell does not feel planting larger trees would be beneficial for the future of the City of Suwanee.

Mr. Mitchell suggested the City to increase the penalty for trees that are located along property lines or in areas that should be saved. Mr. Mitchell also recommended the City to plant 2-inch trees that will out live larger trees. Larger trees are heavier, more maintenance, and more expensive. In 4 to 5 years the difference between a 3-inch tree and a 4-inch tree will be very little. Mr. Mitchell is in favor of the Ordinance however in opposition to this section only.

- John St. James, Karate World, 3947, 3957, 3959 Lawrenceville Suwanee Rd. Suwanee, Ga. Mr. St. James stated he agrees with Mr. Mitchell. Mr. St. James also noted that penalizing commercial businesses for developing in the City is not good for the future of the City of Suwanee.

2. Annual Comprehensive Plan Update

Marty Allen, Planning and Community Development Director, stated on an annual basis after the City's retreat the Annual Comprehensive Plan is updated. This update focuses on a special study in a small area located at Lawrenceville Suwanee Road and Cherokee Trail neighborhood. The City held two public meetings and invited all neighborhood residents. The first meeting the City solicited input to help create context and background to analyze and make recommendations. During the first meeting the City heard protection of the neighborhood was critical, the residents wanted enhancement changes not attraction changes to the neighborhood. Secondly the City heard that homes currently fronting Lawrenceville Suwanee Road are likely not to have a long-term liability as homes due to the increased traffic and other similar factors. After gathering the information from the residents, staff put together a study and made some recommendations. Three different alternatives were a result of the study. The first alternative is there would be no changes to the current future land use

plan. The second alternative is a larger more impactful neighborhood buyout, where the project would be master developed. Staff thought that would not be appropriate in light of the fact that it would be inconsistent with the residents goals and the City's general policy to protect our older neighborhoods. The third alternative was neighborhood preservation and limited redevelopment option. That would allow single-family detached development scattered throughout where vacant lots exist. Redevelopment along Lawrenceville Suwanee Road for two to three story commercial buildings with parking along the sides and rear if possible. Suwanee Avenue would be the breakpoint to the commercial uses. Residents suggested a senior citizen assisted living facility at the corner of Lawrenceville Suwanee Road and Buford Highway. To address some of the traffic cutting through the neighborhood, staff proposes adding textured pavements and entryway to help create an entrance into a residential neighborhood. Residence also had a desire for pedestrian connections to George Pierce Park. This is a change to the future land use plan and it would not change any regulations.

Support:

- John St. James, Karate World, 3947, 3957, 3959 Lawrenceville Suwanee Road, Suwanee, Ga. Mr. St. James stated this area affects him greatly. The overall theme of the Comprehensive Plan of professional, affluent, and upscale is a great approach to attracting development in the City of Suwanee.

Opposition:

- Paul Jacowski, 5265 Overbend Trail, Suwanee, Ga. approximately a mile outside the City limits. Mr. Jacowski stated his parents live within the City limits of Suwanee. Mr. Jacowski stated he does not feel the City's plan is not realistic. He stated there is no way to guaranty the development is going to look anything like the proposed plan before the board. Mr. Jacowski noted the City has brought high-density housing to Suwanee, which is not desirable. He stated in order to protect the residential nature of the property; the City should not allow any development around them. If area is developed piece meal then it will force out remaining homeowners. Mr. Jacowski does not agree with changing the Future Land Use plan at the present time, the City should wait.
- Katrina Wolf, 3844 Cherokee Trail, Suwanee, Ga. Ms. Wolfe stated the commercial fronting Lawrenceville Suwanee Road acts, as a buffer to the residential properties behind them is a good blend. However her major concern is the access to George Pierce Park through the neighborhood. There has been quite a bit of crime in the last few years and it will increase due to the expanded foot traffic to the park. Ms. Wolf stated she was under the impression from the first meeting that the residence did not want foot traffic access to the park through the neighborhood.

There being no further discussion, the Public Hearing closed at 7:15 PM.

7:00 P.M.
CITY COUNCIL MEETING

1. Call To Order

Mayor Masino called the meeting to order at 7:30 PM.

2. Announcements

- **Suwanee's Community-Build Playground** is building momentum! In the last two weeks, we have secured 3 major sponsors. The Evergreen Presbyterian Church on Main Street has agreed to allow us to use their parking lot and building for staging and support purposes during the build. Rigid Tools is providing all the major tools needed for the 5-day build, plus a tools trailer and 5 staff people. This accounts for over 130 tools, including 55 drills. Steve Olvey, Inventory Manager at Home Depot Suwanee worked with Rigid Tools and secured their sponsorship. Steve is serving as one of the General Coordinators for the playground project. And the Suwanee Sports Academy has made a generous cash donation to sponsor the printing of the volunteer brochure. (Hold up copy of brochure) You can pick up a copy of this brochure on the back table. Construction is June 9 thru 13 and we encourage everyone to be involved. For more information, visit the Suwanee website or contact Kristi McCarley.

- This year Suwanee and Duluth will once again host a **farmers market** in their Town Center areas on Saturday mornings, from June to September. The market starts in Duluth on June 5th and 12th and will be located downtown along Main Street. Then, it comes to Suwanee on June 19th and 26th in the City Hall parking lot. If you are interested in selling items at the Farmers Market, please contact Vicki Keyser for additional information.

- **Suwanee Day 2004** is scheduled for September 18 and will be in a new location – Town Center Park. If you are interested in being a vendor at the festival, a sponsor for the festival, or a volunteer to help plan the festivities, please contact Vicki Keyser.

3. Pledge of Allegiance

Mayor Masino was joined by representatives of Scout Troop #1830 from Church of Latter Day Saints

4. Approval of Minutes

A. 2/17/04 Council Meeting

Motion by Mayor Pro Tem Hassell to approve 2/17/04 Council Meeting Minutes second by Councilmember Burnette and so carried 4-0.

5. Adoption of Agenda as Presented

Councilmember Burnette moved to adopt the agenda as presented, second by Mayor Pro Tem Hassell, with an amendment to postpone Item 8.B. Water Tank Construction Services to the April 20, 2004 Council Meeting. Councilmember Burnett amended the motion to accept the changes and moved to adopt the agenda, second by Mayor Pro Tem Hassell and so carried 4-0.

6. Special Presentations

A. PACT Neighborhood Recognition: Barrington

The Barrington subdivision has met the requirements of holding three meetings within a year to become a PACT Neighborhood. Officer Gordon presented a plaque of PACT Neighborhood Recognition to Mr. David Corbett and Ms. Francine Maloney of Barrington subdivision.

B. Chattahoochee Run ALTA Levels B8 and B4 Metro-Atlanta Tennis Champions

The Chattahoochee Run and Point Neighborhood proudly won two ALTA tennis championships on the weekend of March 6th. Two mixed doubles teams won their respective divisions (B-4 and B-8) and were proclaimed Metro Atlanta Champions at Blackburn Park in DeKalb County. Mayor Masino and Hardin Watkins, City Manager presented the Chattahoochee Run and Chattahoochee Point neighborhood ALTA Tennis Champions with a City of Suwanee Proclamation, proclaiming Wednesday March 17, 2004 as Chattahoochee Run/Point ALTA Champions Day.

7. Audience Participation - None

8. Bid Openings

A. Playground Construction Services

Playground Bids	
Vendor	Base Bid Amount
Valley Crest	\$427,417.52
Louis Construction & Consulting, Inc.	\$436,074.00
JAC Corp.	\$670,680.00

Motion to Authorize Mayor to enter into Agreement with the lowest responsive and responsible firm pending staff review by Councilmember Landers second by Councilmember Burnette and so carried 4-0.

9. OLD BUSINESS

A. 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.

Motion to approve AMD-2004-001 by Mayor Pro Tem Hassell, with changes proposed by Planning Commission and with typographical corrections on the species tree list relating to the designation for native versus non-native, second by Councilmember Burnette and so carried 4-0.

10. NEW BUSINESS

A. Consideration of Approval of the 2004-2005 Comprehensive Plan Update

The draft Comprehensive Plan Amendment is included in your packet. Staff is seeking approval to forward the amendment to the ARC for review and approval. ACTION: Consider approval of the Comprehensive Plan Update.

Motion to approve the Comprehensive Plan Update by Councilmember Burnette, second by Councilmember Landers and so carried 4-0.

B. 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 local governments by April 3, 2004. The draft ordinance is included in your packet. ACTION: Consider the ordinance.

Mayor Pro Tem Hassell moved to approved the Illicit Discharge and Illegal Connection Ordinance with one addition to add section 1.5 item 4 "Educate the community and users about the importance and methods of preventing non storm water discharge." second by Councilmember Burnette and so carried 4-0.

C. Consideration of Amendment to the Development Regulations

This ordinance is part of the Metropolitan North Georgia Water Planning District Ordinances that have to be adopted by local governments by April 3, 2004. The draft ordinance is included in your packet. ACTION: Consider the ordinance.

Motion to adopt the Ordinance to Amend the Development Regulations by Councilmember Landers second by Mayor Pro Tem Hassell and so carried 4-0.

D. Authorization for the Mayor to Enter into Agreement with Georgia Department of Transportation for Town Center Park Turn Lanes

Staff is working with Georgia Department of Transportation to arrange an appropriate project for the \$85,000 obtained through DOT Board Member Steve Reynolds and DOT Commissioner Tom Coleman. Staff would like to obtain authorization for the Mayor to enter into an agreement with Georgia DOT once the alternate arrangements have been made. A memo is included in your packet. ACTION: Consider authorizing the Mayor to enter into agreement with Georgia DOT.

Motion to authorize Mayor to enter into Agreement with Georgia Department of Transportation for Town Center Park Turn Lane by Mayor Pro Tem Hassell second by Councilmember Landers and so carried 4-0.

E. Consideration of the New Town Center Concept Plan Amendment

Bowen Family Homes wishes to amend the approved Concept Plan for Shadowbrook (New Town Center). Any substantial changes to the Concept Plan must be formally reviewed and approved by the City Council. The developer wishes to change the approved multi-family component to townhouse units. The details and drawings are included in your background materials. ACTION: Consider the New Town Center Concept Plan amendment.

Motion to approve the New Town Center Concept Plan Amendment by Councilmember Landers second by Councilmember Burnette and so carried 4-0.

F. Authorization for the Mayor to Enter into Agreement with Green Man Technologies for Junk Tire Removal Services

Due to the Old Town Cleanup, the City accumulated a large number of junk tires. Public Works staff has been seeking a vendor to remove and dispose of these tires. The City currently has about 50 tires still on hand. Staff has identified only one vendor, Green Man Technologies, who will consider disposing of the tires, however they require a contract to do so. They will come on site and remove junk tires once every six months. A copy of the contract is included in your packet. ACTION: Consider authorizing the Mayor to enter into agreement with Green Man Technologies for tire removal services.

Motion to authorize Mayor to enter into Agreement with Green Man Technologies for tire removal services by Mayor Pro Tem Hassell second by Councilmember Burnette and so carried 4-0.

G. Authorization for the Mayor to Enter into Agreement with Suwanee Sports Academy for Use of Parking Lot and Other Purposes

The City and the Suwanee Sports Academy have worked out a preliminary draft agreement regarding access to the greenway. The City has agreed to allow the SSA to use its parking lot, to construct two sets of stairs from the SSA parking lot to the greenway, to erect signage that directs traffic to the SSA, and to provide a link to the SSA on the City's website. The SSA has agreed to allow greenway users the use of their parking lot, to pay for the signs the City will put up, and to provide a link to the City's website on their website. A copy of the agreement is included in your packet. ACTION: Consider authorizing the Mayor to enter into agreement with the Suwanee Sports Academy.

Motion to authorize Mayor to enter into Agreement with Suwanee Sports Academy for Use of Parking Lot and other purposes by Councilmember Burnette second by Mayor Pro Tem Hassell and so carried 4-0.

Hardin Watkins thanked the Suwanee Sports Academy for their cooperation with the City of Suwanee.

H. Authorization for Mayor to Enter into Agreement with Don Cotter for Construction Monitoring Services for Two Parks

Staff is recommending the use of Don Cotter for construction monitoring of Suwanee Creek Park and the Playground project. Each contract is not to exceed \$5,000. A copy of each contract is included in your packet. ACTION: Consider authorizing the Mayor to enter into agreement with Don Cotter.

Motion to authorize Mayor to enter into Agreement with Don Cotter for Construction Monitoring Services for Suwanee Creek Park and the Playground project by Mayor Pro Tem Hassell second by Councilmember Landers and so carried 4-0.

I. Consideration of Approval of Change Order #2 for the Suwanee Creek Park Project

This change order is for an increase of \$38,177. This increase is due to a change in subsurface conditions where the bridge foundation was installed. A copy is included in your packet. ACTION: Consider approval of the change order.

Motion to approve Change Order #2 for the Suwanee Creek Park Project by Councilmember Burnette second by Mayor Pro Tem Hassell and so carried 4-0.

J. Consideration of Acceptance of Bicycle Donations to the Police Department from the Suwanee Business Alliance

The Suwanee Business Alliance is interested in donating bicycles for Police use along the Greenway and in the parks. Council needs to formally accept this donation. The resolution is included in your packet. ACTION: Consider acceptance of the donation.

Motion to accept the Bicycle Donation to the Police Department from the Suwanee Business Alliance by Mayor Pro Tem Hassell second by Councilmember Burnette and so carried 4-0.

11. City Manager's Report

- A. February Financial Reports
- B. Other Updates

Hardin Watkins thanked Tammy Hiler, Development Coordinator for standing in for Elvira Rogers, City Clerk.

12. Land Acquisition Update (Executive Session)

Motion to Enter Executive Session by Mayor Pro Tem Hassell second by Councilmember Burnette and so carried 4-0.

Motion to Exit Executive Session by Councilmember Burnette second by Mayor Pro Tem Hassell and so carried 4-0.

13. Adjournment – Time: 9:29 P.M.

Motion to adjourn by Councilmember Burnette second by Mayor ProTem Hassell and so carried 4-0.

Approved 4/20/04