

**CITY OF SUWANEE, GEORGIA  
CITY COUNCIL MEETING  
DECEMBER 20, 2005**

*Meeting Location: Suwanee City Hall*

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

---

**5:30 P.M.  
DINNER SESSION**

City Council Informal Session

Informal discussion among City Councilmembers and staff. Food provided for Elected Officials and staff. No action to be taken during session.

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

Mayor Masino opened the Public Hearing at 6:30 P.M. City Manager Hardin Watkins read the procedures for Public Hearings for the record.

- 1. RZ-2005-013 - Applicant/Owner: McGinnis Ferry Road Self Storage, LLC. Requests a change of zoning conditions to allow for a modification to an approved PMUD (Planned Mixed Use Development) concept plan. Site is located in Land Lot 209 of the 7th District at 3900 McGinnis Ferry Road near the intersection with Scales Road and contains approximately 3.95 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests a change of zoning conditions on an approximately 3.95 acre tract. The project was rezoned from M-1 (Light Industry District) to PMUD (Planned Mixed Used District) to allow for development of an approximately 94,000 square foot multi-story mixed-use office/retail/self storage project in June of this year. The applicant now proposes approximately 105,000 square feet of development.

The applicant proposes to construct 4 buildings with a mixture of non-residential uses. Three of the buildings are proposed to be substantially the same as originally proposed in the June rezoning. The fourth building is proposed to increase from 42,000 square feet to 52,000

square feet. The change is the result of reconfiguration of the site due to comments from the fire marshal and other review comments.

In conclusion, the proposed revision to the project should not significantly impact the site. Conditions of zoning placed on the project during the rezoning of the project in June should be sufficient to mitigate any potential impacts of the project. Therefore, staff recommends approval with conditions modified as indicated. The Planning Commission reviewed the case and recommend approval.

**Applicant:** Steve Sappington, 400 Pike Boulevard, Lawrenceville, GA. Mr. Sappington stated the request impacts the first building in the development. An increase in size is requested. The bottom floor was originally planned for a half basement, due to the steep slope. The Fire Marshal has requested that the slope be flattened in order for emergency vehicles to access the property. Flattening the slope allows for a full basement for this building.

There was no public comment.

- 2. RZ-2005-014 - Applicant: Brickton Commercial Partners, LLC. Requests rezoning from M-1 (Light Industry District) to C-2A (Special Commercial District - Alcohol Beverage Sales) to allow for a retail shopping center. Site is located in Land Lot 194 of the 7th District along Lawrenceville Suwanee Road north of Satellite Boulevard and contains approximately 2.63 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests rezoning on a 2.3 acre site from M-1 (Light Industry District) to C-2A (Special Commercial District-Alcohol Sales) to allow for a shopping center which may include a restaurant(s) with alcohol sales. The property is located on Lawrenceville-Suwanee Road northwest of the intersection with Satellite Boulevard.

The applicant proposes to subdivide a 2.36 acre parcel out of a larger approximately 4.6 acre parcel and construct a 20,000 square foot shopping center. The applicant proposes 105 parking spaces for the project. Access is provided via interparcel access from the adjacent shopping center to the south and direct access off Lawrenceville-Suwanee Road. The remainder of the parent parcel would remain zoned M-1. The applicant anticipates office warehouse uses on the M-1 section of the parcel.

The subject property is located along the emerging commercial corridor along Lawrenceville-Suwanee Road near the intersection with Satellite Boulevard a predominantly industrial corner. The subject parcel is surrounded by a mixture of office/warehouse and commercial uses and zoning districts. To the south of the subject property is a comparably sized C-2A zoned shopping center including at least one restaurant with alcohol sales. To the east of the subject property is the remainder of parent parcel, proposed to remain M-1, and an existing office/warehouse facility also zoned M-1. The proposed rezoning would be consistent with the surrounding area.

The City of Suwanee Future Land Use Plan recommends light industrial uses for the subject property. However, as the subject property is located at the intersection of the rapidly

emerging commercial corridor along Lawrenceville-Suwanee Road, a small expansion of the commercial node to accommodate the proposed development would not be inappropriate.

In conclusion, the requested C-2A zoning would be suitable at this location. The majority of the commercial uses in the area are zoned to allow for alcohol sales. Although the requested C-2A zoning district is not entirely consistent with the Future Land Use Plan industrial designation, the proposed project would be an appropriate use in light of the mostly commercial uses on Lawrenceville-Suwanee Road and the light industrial character of Satellite Boulevard. Therefore, the Planning Department recommends approval with conditions of the request. The Planning Commission reviewed the case and recommend approval.

**Support:** Corbitt Woods, 6650 Sugarloaf Parkway, Duluth, GA. Mr. Woods stated the request is to bring the front building up to the grade with Lawrenceville Suwanee Road.

There was no public comment.

- 3. AMD-2005-002 - The City of Suwanee will consider an amendment to “Article V. Zoning District Development and Use Regulations” of the City of Suwanee Zoning Ordinance. The proposed amendment would create a new overlay district (Section 512) with design standards for the “Suwanee Old Town” area, create a new in-fill residential zoning district (Section 512.1) and a new commercial/retail/office zoning category (Section 512.2).**

Marty Allen stated this is a proposed amendment to the Zoning Ordinance. There are three principal means: (1) Establish an Old Town overlay district which roughly approximates the downtown authority’s boundaries that would have specific design standards for all non-exempt buildings within the district. There would be an attempt to provide a forum more consistently compatible with what the City has begun to do with the Town Center project and other small projects which have existed for over a hundred years in and around Main Street; (2) creates an in fill residential district; and, (3) creates a mixed use commercial district that would allow development consistent with the historic downtown area.

These changes have been recommended for some time as in the 1999 Comprehensive Plan reiterated in the Old Town Master Plan and recommended in the Comprehensive Plan as recently as two years ago. The Planning Commission recommended approval of the amendment.

There was no public comment.

#### **4. 2006 Comprehensive Plan Update**

Marty Allen stated each year there is a public hearing as part of the process of amending the Comprehensive Plan. It is required by the Minimum Standards and Procedures for Local Comprehensive Planning.

There was no public comment.

**CITY OF SUWANEE, GEORGIA  
CITY COUNCIL MEETING  
DECEMBER 20, 2005  
7:00 P.M.**

*Meeting Location: Suwanee City Hall*

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

---

**1. Call To Order**

The meeting was called to order by Mayor Masino at 7:03 P.M

**2. Announcements**

- Councilmember Jeannine Rispin has been selected as a member of the Leadership Georgia Class of 2006. Approximately 60 people were chosen from a pool of several hundred applicants to visit 5 Georgia communities throughout the year in an effort to learn more about important issues affecting the state.
- The City will participate again this post-holiday season with Gwinnett Clean and Beautiful's "Bring One for the Chipper" campaign, an effort to recycle Christmas trees. The City will accept retired Christmas trees from December 26 through January 7 at a designated location at Town Center Park. If you bring your tree on Jan. 7<sup>th</sup> between 9 AM and 4 PM, you will receive a tree seedling, while supplies last.

**3. Pledge of Allegiance**

**4. Approval of Minutes**

A. 11/15/05 Council Meeting

*Motion by Councilmember Hassell to approved the 11/15/05 Council Meeting Minutes, second by Mayor Pro Tem Brooks and so carried 6-0.*

**5. Adoption of Agenda as Presented**

*Motion by Councilmember Rispin to adopt the Agenda, second by Councilmember Hassell and so carried 6-0.*

## 6. Special Recognition

- A. PACT Neighborhoods: Suwanee Station, Martin's Farm/Annandale Lane, Lansfaire  
Chief Mike Jones stated this has been a successful PACT year. PACT communities have increased from 16 to 22. Police Officers and citizens are building relationships and working together truly building relationships.

Sgt. Casanas, Corporal Logan and Officer Irrizarry presented plaquest to the PACT community representatives.

- B. Carol Hassell, Councilmember  
Mayor Masino recognized Council Member Hassell for her service to the City as Councilmember for four years by presenting her a plaque, a Downey Service Berry tree and a Proclamation, proclaiming December 31, 2005 as Carol Hassell Day.

Councilmembers and staff wished Councilmember Hassell well with parting words of encouragement and stories of their time together.

## 7. Appointments to Boards

- Four members of the Open Space Citizens Advisory Committee have terms that expired in November. Each one is interested in serving another term. The new term will expire in November 2007. They are: Kristie Clements, Marcie Diaz, Phil Tickle, and Mickey Williamson.
- Two members of the Zoning Board of Appeals have terms that expire this month. Each one is interested in serving another term. The new term will expire in December 2008. They are: Tucker Balch and Bill Thee.

*Motion by Councilmember Hassell to ratify the Board Appointments, second by Councilmember Landers and so carried 6-0.*

## 8. Audience Participation – None.

## 9. OLD BUSINESS – None.

## 10. NEW BUSINESS

- A. **RZ-2005-013 - Applicant/Owner: McGinnis Ferry Road Self Storage, LLC.**  
**Requests a change of zoning conditions to allow for a modification to an approved PMUD (Planned Mixed Use Development) concept plan. Site is located in Land Lot 209 of the 7th District at 3900 McGinnis Ferry Road near the intersection with Scales Road and contains approximately 3.95 acres.**

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

*Motion by Councilmember Rispin to approve RZ-2005-013, second by Councilmember Burnette and so carried 6-0.*

- B. RZ-2005-014 - Applicant: Brickton Commercial Partners, LLC. Requests rezoning from M-1 (Light Industry District) to C-2A (Special Commercial District - Alcohol Beverage Sales) to allow for a retail shopping center. Site is located in Land Lot 194 of the 7th District along Lawrenceville Suwanee Road north of Satellite Boulevard and contains approximately 2.63 acres.**

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

*Motion by Mayor Bro Tem Brooks to approve RZ-2005-014 with conditions, second by Councilmember Burnette and so carried 6-0.*

- C. AMD-2005-002 - The City of Suwanee will consider an amendment to “Article V. Zoning District Development and Use Regulations” of the City of Suwanee Zoning Ordinance. The proposed amendment would create a new overlay district (Section 512) with design standards for the “Suwanee Old Town” area, create a new in-fill residential zoning district (Section 512.1) and a new commercial/retail/office zoning category (Section 512.2).**

Planning Commission Recommendation: Approval. ACTION: Consider the amendment.

*Motion by Councilmember Burnette to approve AMD-2005-002, second by Mayor Pro Tem Brooks and so carried 6-0.*

## **11. CONSENT AGENDA**

- A. Consideration of Authorizing the Mayor to Enter into Agreement with Corporal Allen Russell as Resident Officer of the Sims Lake Property**

Corporal Allen Russell is the new caretaker on the Sims Lake Property. He moved onto the property on December 2. He has signed an agreement that outlines both his and the City’s responsibilities for his living on the premises. This is an official agreement with the City and needs authorization from Council. ACTION: Consider authorizing the Mayor to enter into agreement with Corporal Allen Russell as resident officer of the Sims Lake Property.

- B. Consideration of a Resolution in Opposition to Statewide Takings Legislation and Expansion of Inverse Condemnation Laws in Georgia**

This resolution is a statement of opposition to Georgia legislation regarding the expansion of inverse condemnation laws. ACTION: Consider the resolution.

**C. Consideration of a Resolution in Support of Current Laws and Procedures for Downtown Development Authorities and Urban Redevelopment Agencies Relating to Economic Development and Redevelopment**

This resolution is a statement of support for the current state laws regarding the use of eminent domain for economic and redevelopment purposes. ACTION: Consider the resolution.

**D. Consideration of a Budget Adjustment to Add One Police Technician and One Part-Time Court Clerk to Assist with Duties Associated with Red Light Camera Enforcement and Related Matters**

This budget adjustment is to provide for revenues and expenses as the result of the installation of red light cameras. The revenues will be accepted under the Municipal Court Agency Fund but under a separate line item. An estimated \$98,000 will be generated in revenue between now and June 30, 2006. This money will be used to pay for the lease on the equipment and a portion of the salaries for the new positions: the Police Technician and the part-time Court Clerk. The additional monies needed for these positions and other related start-up costs will be covered by the general fund. There will be salary savings from those who did not use the 20% match on the defined benefit change over and there will be additional funds generated in building permits for the year. A copy of the adjustments is included in your packet. This adjustment will authorize the new Police Technician position and the part-time Court Clerk position. ACTION: Consider approval of the budget adjustment.

**E. Consideration of Authorizing the Mayor to Execute a Quit Claim Deed for Property Adjacent to Main Street**

The City needs to issue a quit claim deed on the property at 3980 Scales Road. The property is currently being sold and the owner has asked for action to clarify that the City does not have any legal interest in the property. ACTION: Consider authorizing the Mayor to execute the quit claim deed.

*Motion by Councilmember Rispin, second by Councilmember Hassell and so carried 6-0.*

**12. City Manager's Report – None.**

**13. Executive Session: Personnel Matters**

*Motion by Mayor Pro Tem Brooks to ENTER Executive Session, second by Councilmember Landers and so carried 6-0. Time: 7:30 P.M.*

*Motion by Councilmember Hassell to EXIT Executive Session, second by Councilmember Burnette and so carried 6-0. Time: 9:59 P.M.*

*Motion by Mayor Pro Tem Brooks to approve and authorize a salary increase and modifications to the employment agreement with the City Manager as discussed during Executive Session, second by Councilmember Burnette and so carried 6-0.*

**14. Adjournment – Time: 10:00 P.M.**

*Motion by Councilmember Hassell to Adjourn, second by Councilmember Burnette and so carried 6-0. Time: 10:00 P.M.*

*Approved January 17, 2006*