

**CITY OF SUWANEE, GEORGIA  
CITY COUNCIL MEETING  
FEBRUARY 21, 2006**

*Meeting Location: Suwanee City Hall*

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

Absent: Dan Foster, Councilmember

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**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 called the Public Hearing open at 6:32 PM. City Manager, Hardin Watkins, read the procedures for Public Hearings for the record.

- 1. RZ-2005-001 - Applicant/Owner: Chuck Rigdon. Requests rezoning from R-100 (Single Family Residential District) to IRD (Infill Residential District) to allow 5 single family detached residential units. Site is located in Land Lot 237 of the 7th District at 3980 Scales Street and contains approximately 0.77 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests rezoning on an approximately 0.77-acre site from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow a for a 5 lot single-family residential subdivision. The site is located at the intersection of Scales Street, Jackson Street and Calaboose Street.

As part of the development, the applicant proposes to pave Jackson Street and convert it into a one-way street running from the south to the north (from Calaboose to Scales) with on-street parallel parking. The applicant indicates that they plan to provide step-up front porches, picket fences and decorative lighting.

The City recently adopted a new Old Town Overlay District. Within the overlay district, a new zoning category was created to allow for compatible residential infill projects. The new district allows for reduced building setbacks, narrower lots, and smaller lots within the Old Town area.

The subject property includes 2 separate parcels that total 0.77 acres. One of the tracts is undeveloped, while the other tract contains a single-family residence. The subject property is located in the Suwanee's historical downtown. However, the existing structure is not located on the list of "Existing Historic Resources" in the Old Town Master Plan Report.

The subject property is located in Old Town Suwanee and is surrounded by a mixture of uses and zoning districts. Across unpaved Jackson Street, to the east, is a city park (Main Street Park) zoned C-1. South of the subject property, across Calaboose Street is a mixture of uses including an industrial site zoned M-1 and several single-family residences zoned R-100. To the west of the subject property is an existing church zoned R-100.

The Future Land Use Map indicates commercial uses would be appropriate for the subject property. The proposed single-family residential request is not consistent with this request. However, the Old Town Master Plan provides more detail guidance and recommendations for the property and the subject area. The Old Town Master Plan's Future Land Use Map indicates single-family residential uses would be appropriate for the site.

The Old Town Master Plan also recommended the creation of an Old Town Overlay District that would allow for a mix of new structures. The Master Plan also recommends the addition of new single-family residential units to the area. The proposed 2,500 square foot single-family detached units would be generally consistent with the Old Town area.

In conclusion, the requested IRD zoning would be appropriate at this location. The proposal is consistent with the single-family residential uses in the area and offers a transition from the more commercial area of the Old Town to the more residential area of the Old Town. Although the proposal is not consistent with the Future Land Use Map in the comprehensive plan, it is consistent with the recommendation of the Old Town Master Plan's Future Land Use Map. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request.

**Support:** Phil Waldron, 106 Jason Pond Way, Jefferson, GA 30549, represented the applicant. Mr. Waldron distributed copies of the narrative for Council along with a reduced scale site plan and pictures representative of the houses that will be built (copy attached). Mr. Waldron stated they are excited about the project. They have looked long and hard for a location in the metro area with a feel that Suwanee does.

Councilmember Burnette asked if the applicant is familiar with the architectural considerations from the Planning & Zoning department regarding plan review. Mr. Waldron stated yes.

Councilmember Burnette asked if there is consideration with connecting the alleyway with Calaboose Street for safety. Mr. Waldron stated yes, but the grade of the property on the Calaboose Street side is a little more challenging. He also stated that the rear entries are called “carriage ways” instead of alleyways. Councilmember Burnette stated that his concern is that if something happened on Scales Street and the carriage way were blocked, connectivity to Calaboose Street would provide another exit from the development. Mr. Waldron stated they would investigate the connectivity. Their initial concern was not to create a shotgun alleyway look.

Councilmember Burnette asked Marty Allen if the drive would be private or a City street. Mr. Allen stated that throughout the City alleyways are considered private drives.

Mr. Waldron stated that the topography of the site at Calaboose Street is not such that a sidewalk could be placed. They will have to determine the best way to blend the site should there be connectivity to Calaboose Street.

There was no audience participation.

- 2. AMD-2005-001 - 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 Section 513 Gwinnett County-Annexed District (Section 513) applied to certain properties that are annexed from unincorporated Gwinnett County into the City limits of Suwanee.**

Marty Allen stated that the proposed amendment creates a new zoning district called Gwinnett County Annexed. Gwinnett County has several zoning districts that Suwanee does not and even those districts with the same name as Suwanee’s zoning districts allow for different uses and have different district development regulations. The proposed amendment would allow the City to annex a parcel into the City from unincorporated Gwinnett County while essentially maintaining the same land use and district development regulations that were in place in for the property while in unincorporated Gwinnett County. The Planning Commission recommended approval.

There was no audience participation.

- 3. Sims Lake Master Plan**

The Sims Lake Park Master Plan has been distributed and is ready for consideration. City Council will take public comments on the master plan at this time. Marty Allen made the presentation in the absence of the contractor. (Copy of Plan attached)

There was no audience participation.

Mayor Masino called the Public Hearing closed at 6:50 PM.

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

**1. Call To Order**

Mayor Masino called the meeting to order at 7:06 P.M.

**2. Announcements**

- For the second consecutive year, the Georgia Municipal Association and Georgia Trend Magazine have awarded the City of Suwanee and its residents with a Trendsetter Award. The award was presented at the Mayors' Day Conference on January 22 in the category of "Hearing Voices: Community Input in City Government." Suwanee was recognized for the involvement of residents in their community, from PlayTown Suwanee, to the PACT program, to participation in all of the City's planning processes. Congratulations Suwanee!
- The Citizens Police Academy starts again on Tuesday, March 7, and classes will be held once each week for seven weeks. The program is open to Suwanee residents as well as to those who work in the City. Topics covered include crime scene investigations, firearms safety, traffic stops, crime prevention, and motor vehicle enforcement. Participants also have an opportunity to run radar, ride along with an officer, practice traffic stops, and search buildings. The deadline for [applications](#) is Friday, February 24. For more information, contact Sgt. Elias Casanas at Suwanee PD.
- Today, the 30-day grace period begins for red light cameras at the intersection of McGinnis Ferry Rd and Peachtree Industrial Blvd. Only warning notices will be issued over the next 30 days, but starting March 23 violators will receive an actual citation in the amount of \$70.

**3. Pledge of Allegiance**

**4. Approval of Minutes**

A. 1/5/06 Called Meeting

*Motion by Councilmember Brooks to approve the 1/5/06 Called Meeting Minutes, second by Councilmember Burnette and so carried 5-0.*

B. 1/17/06 Council Meeting

*Motion by Councilmember Burnette to approve the 1/17/06 Called Meeting Minutes, second by Councilmember Brooks and so carried 5-0.*

**5. Adoption of Agenda as Presented**

*Motion by Mayor Pro Tem Rispin to adopt the agenda as presented with one change – change item #12 to Appointment of Planning Commission Member and make item #13 Adjournment, second Councilmember Burnette. Mayor Masino called for discussion – there are two openings. Mayor Pro Tem amended the motion to state Planning Commission Members, Councilmember Burnette amended the second and so carried 5-0.*

**6. Audience Participation – None.**

7. **OLD BUSINESS – None.**

8. **NEW BUSINESS**

- A. RZ-2006-001 - Applicant/Owner: Chuck Rigdon. Requests rezoning from R-100 (Single Family Residential District) to IRD (Infill Residential District) to allow 5 single family detached residential units. Site is located in Land Lot 237 of the 7th District at 3980 Scales Street and contains approximately 0.77 acres.**

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

*Motion by Councilmember Landers to approve RZ-2006-001 with staff recommended conditions and adding condition #4: The carriageway shall be evaluated for feasibility of thru-access to Calaboose Street from Scales Street by applicant. Said evaluation shall be presented to Planning & Community Development Department for possible inclusion in project design, second by Councilmember Burnette and so carried 5-0.*

- B. AMD-2006-001 - 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 Section 513 Gwinnett County-Annexed District (Section 513) applied to certain properties that are annexed from unincorporated Gwinnett County into the City limits of Suwanee.**

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

*Motion by Councilmember Brooks to approve AMD-2006-001, second by Mayor Pro Tem Rispin and so carried 5-0.*

**C. Consideration of Adoption of the Sims Lake Master Plan**

The Master Plan has been distributed and reviewed by all appropriate parties. A public hearing was held at 6:30pm to take comments. The plan is ready for consideration.

ACTION: Consider adoption of the Sims Lake Master Plan.

*Motion by Councilmember Landers to adopt the Sims Lake Master Plan, second by Councilmember Burnette and so carried 5-0.*

**D. Consideration of Approval of a Full-Time Equipment Operator Position and the Related Budget Adjustment to Transfer Funds within the Public Works Department Budget**

Public Works and Inspections Director, James Miller, is requesting the formal authorization for an Equipment Operator position. Public Works anticipated the use of a Gwinnett County inmate detail for six months and the cost for this service was included

in this year's budget. Due to correction officer staffing problems at the County, the inmate detail service has not been made available to us. Given existing workload and the upcoming Spring growing season, there is a need to convert these funds to an additional staff person. The budgeted amount for the inmate work crew will cover the cost of the position for the remainder of the year. A budget adjustment is needed to transfer the funds from the inmate work crew line item to the salary and benefits line item. ACTION: Consider approval of the full-time equipment operator position and the related budget adjustment.

***Motion by Brooks to approve a Full-Time Equipment Operator Position and related Budget Adjustment to transfer funds within the Public Works Department Budget, second by Councilmember Burnette and so carried 5-0.***

**E. Consideration of a Resolution in Support of Annexation as a Private Property Right**

State Representative Doug Holt of Social Circle has introduced two annexation bills, HB 962 and HB 1101, that would severely restrict private property rights and empower county commissioners with veto authority over whether a person's private property can or cannot be part of a city. Current annexation law is the result of two years of negotiation with ACCG and it addresses the main annexation concern raised by county commissions and the staff at ACCG. They wanted a process in place to allow county officials to voice concerns over land use changes and service delivery issues as a result of annexations, which they received when the law passed in 2004. County officials are now seeking a legislative remedy to give them the authority to decide who can and cannot be part of a city. This resolution is to communicate the City's support of annexation as a private property right. ACTION: Consider the resolution.

***Motion by Councilmember Burnette to approve a Resolution in Support of Annexation as a Private Property Right, second by Councilmember Brooks and so carried 5-0.***

**9. CONSENT AGENDA**

**A. Consideration of Authorizing the Mayor to Enter into a Lease Agreement with the Georgia Municipal Association for Four Police Patrol Vehicles**

The Police Department received approval for four new police vehicles in this year's budget. These vehicles are leased through the Georgia Municipal Association. ACTION: Consider authorizing the Mayor to enter into agreement with GMA for four police patrol vehicles.

**B. Consideration of Authorizing the Mayor to Enter into Agreement with Gwinnett Technical College's Adult Education Department for Instructional Services and the Related Budget Adjustment**

The City is working with Gwinnett Technical College's Adult Education Department to assist with some workplace literacy programs. They will provide a customized class to

assist some of our public works staff with their reading skills and test-taking skills for various certifications. ACTION: Consider authorizing the Mayor to enter into agreement with Gwinnett Technical College's Adult Education Department for instructional services and approval of the related budget adjustment.

### **C. Consideration of Capital Budget Adjustments**

The capital budget adjustments are to account for changes made during discussions at the City Council Retreat. ACTION: Consider approval of the capital budget adjustments.

*Motion by Councilmember Brooks to approve the Consent Agenda, second by Mayor Pro Tem Rispin and so carried 5-0.*

### **10. City Manager's Report – None.**

### **11. Executive Session**

#### **A. Personnel Matters (Interview Candidates for Planning Commission Vacancy)**

*Motion by Councilmember Burnette to Enter Executive Session, second by Councilmember Brooks and so carried 5-0.*

*Motion by Councilmember Burnette to Exit Executive Session, second by Mayor Pro Tem Rispin and so carried 5-0.*

### **12. Appointments – Planning Commission**

*Motion by Councilmember Landers to appoint Jodi Nevels to the Longer term Planning & Zoning opening and Anthony Manners to the second Planning & Zoning opening, second by Councilmember Burnette and so carried 5-0.*

### **12. Adjournment**

*Motion by Councilmember Burnette to Adjourn, second by Mayor Pro Tem Rispin and so carried 5-0.*

*Approved March 21, 2006*