

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

Meeting Location: Suwanee City Hall

Attendees: Nick Masino, Mayor
Jace Brooks, Councilmember
Jimmy Burnette, Councilmember
Dan Foster, 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**

The Public Hearing opened at 6:32 p.m. by Mayor Masino. City Manager, Hardin Watkins read the procedures for public meetings for the record.

- 1. RZ-2006-002 - Applicant: Russell Engineering, Inc. Owner: Charles Richards. Requests rezoning from M-1 (Light Industry District) and C-2 (General Commercial District) to C-2A (Special Commercial District - Alcoholic Beverage Sales) to allow a Office/Retail facility. Site is located in Land Lot 151 of the 7th District at the intersection of Horizon Drive and Old Peachtree Road and contains approximately 7.75 acres.**

- 2. SUP-2006-001 - Applicant: Russell Engineering, Inc. Owner: Charles Richards. Request a special use permit for a building height increase for office uses exceeding 35 feet. The site is located in Land Lot 151 of the 7th District at the intersection of Horizon Drive and Old Peachtree Road and contains approximately 7.75 acres.**

Marty Allen presented the staff analysis as follows: The applicant seeks rezoning on an approximately 7.75-acre tract from M-1 (Light Industry District) and C-2 (General Commercial District) to C-2A (Special Commercial District) to allow for approximately 108,000 square feet of retail and office uses plus a special use permit to allow for a building height increase for a proposed 4 story office building. The proposed site plan includes a 40,000 square foot retail center and 5,000 square foot bank building and a 4-story 60-foot tall office building (67 feet tall with accent feature) totaling approximately 63,000 square feet. The subject property is located on the northwestern corner of the intersection of Horizon Drive and Old Peachtree Road.

The subject property is currently zoned a mixture of M-1 and C-2 as a result of a rezoning (RZ-2000-015) in 2000 to allow for office, office/warehouse and daycare uses on the site. Also in 2000, a variance was approved to allow for an 8-story office building on a specific portion of the site. Nothing was ever developed on the property, and the City has subsequently amended the zoning ordinance to require a Special Use Permit for a building height increase in the C-2A zoning district. Therefore, the site will need to obtain a special use permit in order to allow for a building in excess of 35 feet in height in the C-2A zoning district. The proposed retail building is located in property partly zoned M-1 and partly C-2. The proposed C-2A district would allow for all of the proposed uses on the site (office and retail).

The site is vegetated with young pines. The subject property was totally cleared in the early 1990's. The topography of the site is relatively mild compared with the area in general. Access is available onto both Old Peachtree Road and Horizon Drive.

The site is located on the northwestern corner of the intersection of Horizon Drive and Old Peachtree Road near Lawrenceville-Suwanee Road in the I-85 business district. This area is heavily developed with a mixture of office, industrial, and commercial uses. Uses include a bank, a shopping center anchored by a grocery store (Publix – zoned C-2), a stand alone restaurant (C-2) and an office condominium site (unincorporated Gwinnett County). To the east of the subject property are industrial zoned parcels including the Schwann's distribution center zoned M-1 and an office building (unincorporated Gwinnett). To the west and north of the subject parcel, across Old Peachtree Road, are a number of developed and undeveloped commercially zoned parcels. From Horizon Drive north these parcels include two undeveloped sites zoned C-2, two hotels zoned C-3 (both 3 stories), a small commercial center zoned C-2 and another undeveloped parcel zoned C-2. It should be noted that many of the C-2 zoned parcels in the area were annexed into the City around the same time before the City had created a C-2A zoning district. Before the City instituted the C-2A zoning district it was not unusual for the City to allow parcels to be annexed into the City as C-2 with a condition allowing alcohol sales.

The City of Suwanee 2020 Future Land Use Map indicates commercial uses for the subject property. The proposed rezoning is consistent with the 2020 Future Land Use Plan recommendation for commercial uses.

The building height increase proposes a fourth story for a professional office building (60-feet tall). This increase would be 25 feet higher than typically allowed in the C-2A zoning district. The proposed building is located in the heart of a highly developed area with commercial office, and industrial uses. Residential uses are not located near the subject property. A 25-foot taller professional office building should not negatively impact the area.

In conclusion, approval of the requests with conditions would be appropriate. The proposal is consistent with the Future Land Use Plan's commercial designation, the tract is located in the heart of a commercial and industrially developed area, and there are no residential uses in the immediate area. The subject property is well located for commercial and office uses, and a building height increase would be consistent with the character of the area. Therefore, the Planning Department recommends approval with conditions of RZ-2006-002 and SUP-2006-001. The Planning Commissions heard the cases and recommend approval with staff conditions.

Applicant/Support: David Russell, 730 Crab Orchard Drive, Roswell, GA. Mayor Masino inquired of the phasing order for the building construction. Mr. Russell stated that retail would be first. The bank out parcel will be part of the retail.

Opposition: None.

- 3. RZ-2006-003 - Applicant: Clark Patterson Associates, Inc. Owner: Olde Towne Enterprises, LLC. Requests rezoning from C-2 (General Commercial District) and R-100 (Single Family Residential District) to OTCD (Old Town Commercial District) to allow retail and commercial uses. The Site is located in Land Lot 236 of the 7th District along Buford Highway and contains approximately 3.06 acres.**

The applicant requests rezoning on a 3.06-acre, three-parcel assemblage of land from C-2 (General Commercial) and R-100 (Single-Family Residential) to OTCD (Old Town Commercial District) to develop an approximately 35,000 square foot commercial/retail center. The property is located within the Old Town Overlay District on the west side of Buford Highway south of Highway 317. It is adjacent to Suwanee City Hall. Parcel number 7-236-015 is vacant and zoned C-2. Parcel number 7-236-015A contains a small abandoned Bellsouth utility building and is zoned R-100. Parcel number 7-236-016 contains an existing Tire Omni facility zoned C-2.

The applicant's immediate plans are to construct a 2-story commercial/retail/office project on parcel number 7-236-015. They propose a development consistent with the newly created Old Town Design standards, which requires buildings to be pushed toward roadways with parking located to the sides and rear of buildings. As part of the development, the applicant plans to align the project's entrance opposite a new roadway that is under construction as part of the Town Center development (Chicago Street). However, Chicago Street does not align perfectly with said parcel. The two adjoining property owners have worked out a joint arrangement that would provide joint access to the three tracts (the new project and the existing Tire Omni facility) thereby eliminating the need for multiple curb cuts in the future. To make this arrangement work, the properties need to be rezoned to a consistent zoning district that would allow the proposed uses.

The subject property contains undeveloped land and a tire store (Tire Omni). The undeveloped property is mostly wooded and slopes uphill as you move away from the highway. The site also contains an abandoned Bellsouth utility building. The subject property is suitable for the commercial/retail/office uses as proposed by the applicant.

The surrounding area is characterized by the Town Center Park mixed-use development located to the northwest of the subject property. Other uses in the area include an existing bank, single-family houses, and undeveloped property. South of the site is Gwinnett Credit Union zoned C-2. East of the subject property, across Buford Highway, are single-family homes and Suwanee Lumber all zoned M-1 (Light Industry District). West of the subject property is a Norfolk Southern rail line. North of the subject site is the Suwanee Municipal Complex. The proposed commercial/retail/office uses, developed consistent with the newly created Old Town Overlay District standards, would be compatible with the uses in the surrounding area.

The City's Future Land Use Plan recommends commercial/retail uses for the property. The requested zoning district and proposed development are consistent with this designation.

In conclusion, approval of the request would be appropriate. The City's Future Land Use Plan recommends a project similar to that being proposed. Additionally, approval of the request would allow for a coordinated approach to project access and traffic circulation. Therefore, the Planning Department recommends approval of the request. The Planning Commission heard the case and recommends approval.

Applicant/Support: Mark Baumgart, 3880 Cherry Ridge Walk, Suwanee, GA. Mr. Baumgart stated that Mr. Allen had presented the case accurately. Mayor Masino inquired about the progress of the connection across from Chicago Street. Mr. Baumgart stated this has been a recent development. There are issues with sight distance with GADOT they are trying to overcome. Due to the cost factor, they may have to go back to one drive.

Councilmember Foster asked if there will be a decel lane on the drive. Mr. Baumgart stated yes.

Opposition: None.

4. **RZ-2006-004 - Applicant: Precision Design & Development Co., Inc. Owner: Annandale at Suwanee, Inc. Requests rezoning from O-I (Office - Institutional District) to PMUD (Planned Mixed Use Development District) to allow for single-family residential and institutional development. The site is located at 3500 Annandale Lane in Land Lots 194, 195, and 210 of the 7th District and contains approximately 127.5 acres.**

Marty Allen stated the applicant has requested postponement of this case.

Support/Applicant: Corbitt Woods 6650 Sugarloaf Parkway, Duluth, GA. Mr. Woods stated the applicant requests postponement. Mayor Pro Tem Rispin asked the timeframe for the case to be heard. Mr. Woods stated they should be ready next month.

Opposition: Ari Russell, 3391 Annandale Lane, Suwanee, GA. Ms. Russell stated she was concerned when she first heard that Annandale was selling some of its property. Additional concerns included whether the lake would be filled and construction access.

Stacy McBee, 3815 Annandale Lane, Suwanee, GA. Mr. McBee was concerned with the access to the development.

Mayor Masino asked Mr. Allen if the construction entrance would be at the back of Annandale Lane. Mr. Allen stated based on the presentation this would be an emergency entrance/exit only.

5. 2005-2006 Comprehensive Plan Update

This is the second public hearing for the 2005-2006 Comprehensive Plan Update. There was no audience comment.

The Public Hearing Closed at 6:50 P.M.

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CITY COUNCIL MEETING
MARCH 21, 2006
7:00 P.M.**

Meeting Location: Suwanee City Hall

Attendees: Nick Masino, Mayor
Jace Brooks, Councilmember
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Dan Foster, Councilmember
Alan Landers, Councilmember
Jeannine Rispin, Councilmember
Hardin Watkins, City Manager
Elvira Rogers, City Clerk
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1. Call To Order

Mayor Masino called the meeting to order at 7:05 P.M.

2. Announcements

- The Suwanee Smooth Jazz 107.5 Concert Series starts on Friday, April 7th at 7:00pm at Town Center Park. The series will continue the first Friday night of each month through August.
- The Interactive Fountain at Town Center Park is currently under construction. The City expects it to be completed sometime in May. A Grand Opening is currently being planned for June 17th.
- The City has adopted Long Beach, MS to assist them with recovering from Hurricane Katrina. We are planning a fundraising event in conjunction with the Interactive Fountain Grand Opening. Check the website for more details on how you can be involved in this great opportunity.
- Other events coming up this Spring and Summer include a 5K Run and Spring Fling on Saturday, April 22nd, Art in the Park on June 3rd, and the Air Force Band on May 26th. For information on all of the events coming up this season, visit www.suwanee.com.

3. Pledge of Allegiance

4. Approval of Minutes

A. 2/9/06 Called Meeting

Motion by Councilmember Brooks to approve the 2/9/06 Called Council Meeting Minutes, second by Councilmember Landers and so carried 6-0.

B. 2/21/06 Council Meeting

Motion by Councilmember Burnette to approve the 2/21/06 Council Meeting Minutes, second by Councilmember Brooks and so carried 5-0-1 (Councilmember Foster abstained).

5. Adoption of Agenda as Presented

Motion by Councilmember Foster to adopt the agenda as presented, second by Mayor Pro Tem Rispin and so carried 6-0.

6. Audience Participation – None.

7. OLD BUSINESS – None.

8. NEW BUSINESS

- A. RZ-2006-002 - Applicant: Russell Engineering, Inc. Owner: Charles Richards. Requests rezoning from M-1 (Light Industry District) and C-2 (General Commercial District) to C-2A (Special Commercial District - Alcoholic Beverage Sales) to allow a Office/Retail facility. Site is located in Land Lot 151 of the 7th District at the intersection of Horizon Drive and Old Peachtree Road and contains approximately 7.75 acres.

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

Motion by Councilmember Landers to approve RZ-2006-002 with conditions, second by Councilmember Brooks and so carried 6-0.

- B. SUP-2006-001 - Applicant: Russell Engineering, Inc. Owner: Charles Richards. Request a special use permit for a building height increase for office uses exceeding 35 feet. The site is located in Land Lot 151 of the 7th District at the intersection of Horizon Drive and Old Peachtree Road and contains approximately 7.75 acres.

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

Motion by Councilmember Foster to approve SUP-2006-001, second by Councilmember Landers with discussion – approval with staff conditions. Councilmember Foster amended motion to approve with conditions, amended second by Councilmember Landers and so carried 6-0.

- C. RZ-2006-003 - Applicant: Clark Patterson Associates, Inc. Owner: Olde Towne Enterprises, LLC. Requests rezoning from C-2 (General Commercial District) and R-100 (Single Family Residential District) to OTCD (Old Town Commercial District) to allow retail and commercial uses. The Site is located in Land Lot 236 of the 7th District along Buford Highway and contains approximately 3.06 acres.

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

Motion by Mayor Pro Tem Rispin to approve RZ-2006-003, second by Councilmember Burnette and so carried 6-0.

- D. RZ-2006-004 - Applicant: Precision Design & Development Co., Inc. Owner: Annandale at Suwanee, Inc. Requests rezoning from O-I (Office - Institutional District) to PMUD (Planned Mixed Use Development District) to allow for single-family residential and institutional development. The site is located at 3500 Annandale Lane in Land Lots 194, 195, and 210 of the 7th District and contains approximately 127.5 acres.

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

Motion by Councilmember Foster to Table RZ-2006-004 to the next meeting, second by Councilmember Brooks and so carried 6-0.

- E. Consideration of a Resolution to Transmit the 2005-2006 Comprehensive Plan Update to the Atlanta Regional Commission

The 2005-2006 Comprehensive Plan Update, including the Short Term Work Program, has been drafted. The required two public hearings have been held and the document is ready for submittal to the Atlanta Regional Commission. ACTION: Consider the resolution.

Motion by Councilmember Brooks to approve the Resolution to Transmit the 2005-2006 Comprehensive Plan Update to the Atlanta Regional Commission, second by Councilmember Brooks and so carried 6-0.

- F. Consideration of Issuance of a Temporary Alcohol Permit to Wild Wing Cafe for the Smooth Jazz 107.5 Concert Series

The City is co-sponsoring a Jazz Concert Series with the Smooth Jazz 107.5 WJZZ Radio Station. The series begins in April and will be held the first Friday of each month through August. The temporary alcohol permit will be held by Wild Wing Café and needs Council approval. ACTION: Consider issuing the temporary alcohol permit to Wild Wing Café for the Smooth Jazz Concert Series.

Motion by Councilmember Burnette to approve Issuance of a Temporary Alcohol Permit to Wild Wing Café for the Smooth Jazz 107.5 Concert Series, second by Councilmember Foster and so carried 6-0.

- G. Consideration of a Resolution to Accept a Monetary Donation for the Purchase of a Tree for City Hall Park

A citizen would like to make a monetary donation to cover the cost of a tree to be planted at City Hall Park. Staff is recommending acceptance of the donation. ACTION: Consider the resolution.

Motion by Councilmember Burnette to approve a Resolution to Accept a Monetary Donation for the purchase of a tree for City Hall Park in the name of the Ben Gross family, second by Councilmember Brooks and so carried 6-0.

- H. Consideration of Rescheduling the April 18, 2006 City Council Meeting

Two Councilmembers will be out of town on April 18th. The new date for this meeting will be determined by the Council Meeting. ACTION: Consider rescheduling the April 18th Council Meeting.

Motion by Councilmember Brooks to approved rescheduling the April 18, 2006 Council Meeting to April 25, 2006,second by Councilmember Landers and so carried 6-0.

9. CONSENT AGENDA

- A. Consideration of Authorizing the Mayor to Enter into Agreement with RequestPartner for Citizen Request Database Software and Services

RequestPartner is a web-enabled software to handle citizen requests. Citizens and staff can submit requests for service or information online. Work orders that are generated can then be assigned to the appropriate department electronically, creating a more efficient process for handling requests. This software program was budgeted in this year's budget at \$5,000 for set-up and training and a \$400/month hosting fee. ACTION: Consider authorizing the Mayor to enter into agreement with RequestPartner for citizen request database software and services.

B. Consideration of a Resolution to Accept Three Donated Police Bicycles and Accessories from the Gwinnett County Police Department to the Suwanee Police Department

The Gwinnett County Police Department would like to donate 3 surplus bicycles with accessories to the Suwanee Police Department for use during events. Staff is recommending acceptance of the donation. ACTION: Consider the resolution.

C. Consideration of an Ordinance Regarding the National Incident Management System Established by Homeland Security Presidential Directive

The Secretary of Homeland Security has developed the National Incident Management System (NIMS). This system is a comprehensive, national approach to incident management that applies to all levels of government from the national to the local jurisdiction. It creates a system of communication and coordination so that agencies can work together in an efficient and effective manner given any type of disaster or incident. Currently, our Police Department and Public Works Department are involved in training as a result of NIMS. This ordinance adopts NIMS as the City's system for preparing and responding to disaster incidents. ACTION: Consider the ordinance.

Motion by Councilmember Burnette to approve the Consent Agenda, second by Councilmember Foster and so carried 6-0.

10. City Manager's Report – None.

11. Adjournment – Time: 7:20 P.M.

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

Approved April 25, 2006