

**CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
APRIL 22, 2008**

Meeting Location:

Dinner Session – City Hall Conference Room (373 Highway 23)

Public Hearing and City Council Meeting - Crossroads Center (323 Highway 23)

Attendees: Dave Williams, Mayor
Jimmy Burnette, Mayor Pro Tem
Jace Brooks, Councilmember
Kevin McOmer, Councilmember
Jeannine Rispin, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

Absent: Dan Foster, Councilmember

**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 Williams called the meeting to order at 6:33 P.M. and read the Procedures for Public Hearings for the record.

1. Community Agenda of the 2030 Comprehensive Plan

Josh Campbell, Planning Division Director, stated this is a required public hearing in order to transmit the Comprehensive Plan to DCA and ARC for regional review. The transmittal resolution is scheduled for the May 27 Council meeting. John Skach and Bob Beagle of Urban Collage provided an update of the Comprehensive Plan process and highlights of specific portions of the Plan. Mr. Beagle thanked the members of the audience who were participants in the process. Mayor Williams thanked the media for informing the public on the process. He also thanked Urban Collage for their efforts in taking the raw data and instilling it into the document. There was no audience participation.

2. **SUP-2008-004 - Applicant: Barry W. Coker. Owner: Jose L. Pombo. Requests a special use permit to allow for an addition to an existing automotive service establishment. The site is located in Land Lot 251 of the 7th District along Peachtree Industrial Boulevard north of Silver Peak Parkway and contains approximately 2.00 acres.**

Staff recommended approval with conditions. The Planning Commission voted 3-2 to approve with staff-recommended conditions.

Josh Campbell, Planning Director presented the staff analysis as follows: The applicant seeks a special use permit on an approximately 2.00-acre tract for a building addition to allow for a 2,500 square foot building addition to an existing 6,250 square foot building that houses an automobile repair business. The subject property also contains a landscape business with a small 240 square foot building, a 5,000 square foot building used for automotive repair, and a cell tower.

The subject property is zoned C-2. When the property was developed automotive service establishments were permitted uses in the C-2 District. In 2001, the City amended the Zoning Ordinance to include automotive service establishments as special uses. Therefore, the site is a legal non-conforming site. In order to accomplish this expansion, the owner will need a Special Use Permit.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the Council to review certain proposals in the context of their use and take into consideration the surrounding area and other relevant factors. In this case the specified use would allow for a building addition to an automotive service establishment.

The site is a developed parcel with two existing buildings, one modular office, and a cell tower. There is adequate space for a small addition to the existing automotive facility.

The site is located on Peachtree Industrial Boulevard. The future land use plan recommends retail and commercial uses for the location. The existing commercial zoning of the property is consistent with this designation; however, the plan also recommends steering automotive uses away from residential areas.

The applicant states that the site has been used for automotive repair since development in 1989 and the use will not change with approval of the Special Use Permit.

The applicant states that the new addition will match the existing building front and the appearance on the site from Peachtree Industrial Boulevard. The building addition will allow the tenant to expand the auto service business with an additional service bay in the rear of the building. The property owner also intends to relocate an

existing landscape company's modular office located at the southern end of the building to a location behind the building addition in order to shield it from the street.

In conclusion, approval of the request could be appropriate. While the existing use is inconsistent with the Future Land Use Plan's recommendation to locate automotive related uses away from residential areas the expansion is fairly minor and should result in minor improvements to the site. Therefore, the Planning Department recommends approval with conditions of SUP-2008-004. The Planning Commission recommended approval with staff conditions to include an additional condition to remove a fence to allow for additional connection between two existing driveways.

Support

- Barry Coker, 1730 Bennett Road, Grayson, GA, represented the applicant. Mr. Coker stated the owner is in agreement with the recommended conditions. He stated an additional condition was recommended by the Planning Commission for inter-parcel access. Mr. Coker stated he is 100% in agreement with inter-parcel access but this does not apply in this case. The building addressed in this case has two businesses and a hobby shop area. The second driveway enters a landscape business. Opening up this drive will cause what appears to be a dangerous situation for the persons accessing the garage doors. The Commission voted in favor of the case with the addition of the condition to remove the fence. Two Commission members voted against the request and explained afterwards they were voting against removal of the fence.

Opposition – None.

Public Hearing closed at 7:01 P.M.

7:00 P.M.

CITY COUNCIL MEETING

1. Call To Order

Mayor Williams called the meeting to order at 7:17 P. M.

2. Announcements

- Town Center Park will be the place to be on Friday morning as the Tour de Georgia begins its Stage 5 start from the heart of Suwanee. Cyclists will take off from the Park at 10:00, with pre-race events beginning around 8:30. Please note, there will be no parking in the park that morning; free shuttle service will be offered beginning at 7:45 from the Church of Jesus Christ of Latter-Day Saints and Shadowbrook Baptist Church. Be sure to come out Thursday evening as well for the "Party in de Park," beginning at 5:30 pm. Thursday events include park police-led bike tours of the Suwanee Creek Greenway, the "World's Largest Outdoor Spin Class," and a free concert by A1A, a Jimmy Buffett tribute band.

Please visit www.suwanee.com for more details on all these festivities.

- May 1 marks the beginning of the 4th annual Art on a Limb. Every day throughout the month of May, City employees will hide two pieces of art along the Suwanee Greenway. Whoever finds a piece of artwork may keep it. Pieces for this year's event have been handcrafted by local artist Ingrid Bolton and are one-of-a-kind gourds that have been painted to represent some of the birds that inhabit the Greenway. Those not lucky enough to sight one of the birds along the trail may purchase one at City Hall or at the June 14 Life is Good Festival.
- The annual Suwanee Farmer's Market kicks off on Saturday, May 3 at Town Center Park. The market will be held each Saturday, except for September 20, from 8 am to noon.
- Congratulations to Mayor Pro-Tem Jimmy Burnette for his recent appointment to the state's Industrialized Buildings Advisory Committee. Jimmy will serve a four-year term on the committee, including a two-year term as Chairman. The committee sets construction standards for housing and commercial buildings which are mass-produced in factories and then transported to building sites for installation.
- Also, kudos to Police Chief Mike Jones, who is the incoming President of the Georgia Association of Chiefs of Police. The Chief's term as President will begin in July. The Association is the largest professional association for law enforcement administrators in Georgia.
- Mayor Williams recognized State Representative Bobby Reese, who provided information on the recent Legislative Session.
- Park Pride Inspiration Award for 2008 – Park Pride is an Atlanta based non-profit organization that leads and inspires action for parks and greenspace awarded the City of Suwanee the 2008 Inspiration Award during the Parks and Greenspace Conference held at the Atlanta Botanical Gardens. We won the award in the Government category for extraordinary commitment to preservation and improvement of parks and green spaces as demonstrated through its \$17.7 million dollar open space initiative. Suwanee is the first winner of the Inspiration Award.

3. Pledge of Allegiance – Led by Councilmember McOmber

4. Approval of Minutes

a. March 25, 2008 Council Meeting

Motion to Approve the March 25, 2008 Council Meeting Minutes by Mayor Pro Tem Burnette, second by Councilmember McOmber and so carried 5-0.

5. Adoption of Agenda as Presented

Motion to adopt the Agenda as presented by Councilmember Brooks, second by Councilmember Rispin and so carried 5-0.

6. Special Recognition

- a. Gwinnett Chamber of Commerce Valor Awards
City Manager, Marty Allen and Mayor Williams recognized the following:
 - Public Safety Unit of the Year – Lt. Dan Clark (absent), Sgt. Shane Edmisten, Detective Rob McCoy. The Detective Unit was recognized for solving the six bank robberies in the City in 2007 and apprehending all six suspects.
 - Gwinnett County Bar Association Officer of the Year – Lt. Matt Scott
 - Bronze Valor Award – Sgt. Dwayne Black
- b. Police Department Awards: Quarterly Awards, Merit Award, Officer of the Year, Civilian of the Year, and Chief's Award

Deputy Chief Moon presented the awards on behalf of Chief Jones and recognized the officer spouses present. The follow awards were presented:

- Certificate of Merit – Officer Robert Stewart
- Occupant Safety/Speed Enforcement – Officer Elton Hassell
- Impaired Drive Award – Officer Joe Burnette
- Chief's Award – Sgt. Elias Casanas
- Civilian of the Year – Nancy Miller, Administrative Assistant
- Officer of the Year – Officer Elton Hassell

7. Audience Participation

- Maurice Cook, 1342 Riverview Run Lane, Suwanee, GA – Mr. Cook expressed concern regarding the Police Department budget, officer pay, safety for the elderly in the park at events, Chattahoochee Run subdivision entrance at McGinnis Ferry Road and cut through traffic, a construction zone on Moore Road at Peachtree Industrial Boulevard, and the cities Mission Statement.
- David Cross, 3420 Pierce Arrow Circle, Suwanee, GA – Mr. Cross expressed concern about “inadequate” signage advertising events at Town Center Park, the *City Newsletter* and the bus driver and escort for the Heart and Soul Bus Tour.

8. OLD BUSINESS

A. Consideration of Appointments to the Suwanee Public Arts Commission

The Council voted at the March meeting to postpone this item to April 22. Based on the Council's discussion at the April 17 workshop, it is anticipated Council will want to defer this item to a later date.

Motion to Postpone this item to the May workshop by Councilmember Brooks, second by Mayor Pro Tem Burnette and so carried 5-0.

9. NEW BUSINESS

A. Consideration of Award of Contract to Henry Graphics, Inc. for Suwanee Welcome Sign Package and Execution of Contract by Mayor

The City received three bids for the manufacturing and installation of these custom signs. Staff has reviewed the bids and recommends awarding the contract to the low bidder, Henry Graphics, Inc., for \$46,106.

Motion to award contract to Henry Graphics, Inc., for Suwanee Welcome Sign Package and authorize Mayor to sign by Mayor Pro Tem Burnette, second by Councilmember McOmber and so carried 5-0.

B. SUP-2008-004 - Applicant: Barry W. Coker. Owner: Jose L. Pombo. Requests a special use permit to allow for an addition to an existing automotive service establishment. The site is located in Land Lot 251 of the 7th District along Peachtree Industrial Boulevard north of Silver Peak Parkway and contains approximately 2.00 acres.

Staff recommended approval with conditions. The Planning Commission voted 3-2 to approve with staff-recommended conditions.

Motion by Councilmember McOmber to approve SUP-2008-004 with staff conditions and Planning Commission recommendations and adding one additional condition as follows: "The front façade of the existing and proposed building shall be improved with a brick veneer as determined suitable by the Director of Planning & Development," second by Councilmember Brooks and so carried 5-0.

10. CONSENT AGENDA

A. Adoption of the New City of Suwanee Code of Ordinances prepared by Municipal Code Corporation

Adoption of Ordinance to memorialize the codification of the Code of Ordinances.

B. Adoption of Ordinance to Amend section 54-1 of Code of Ordinances to Adopt the Uniform Rules of the Road and Selected Chapters Concerning Motor Vehicles and Traffic

Adoption of Ordinance for the regulation of public roads and vehicles and regulation of common or contract carriers.

C. Adoption of Proposed Adjustment to Police Department Budget

1) Electronic Warrant Interchange System

The Police Department proposes to install an EWIS in order to communicate by video conferencing with the Gwinnett County Magistrate Court. The cost for the software installation and a computer to run the system is estimated at \$7,130.00.

2) Vehicles

The Police Department proposes to transfer \$53,800 from the Confiscated Assets Fund to purchase two vehicles.

D. Adoption of Ordinance/Resolution to Amend Chapter 50, Section 50-72, of the Code of Ordinances to Amend the Hotel/Motel Occupancy Tax

Adoption of Ordinance to increase Hotel/Motel Occupancy tax from 5% to 7%, effective July 1, 2008.

E. Authorize Mayor to Execute Agreement with Gwinnett Convention & Visitors Bureau for Promotion of Tourism, Conventions, and Trade Shows

Authorize Mayor to execute an agreement with GCVB for distribution of the hotel/motel tax collected, in association with the increased tax rate. The proposed agreement is included in the packet; please add to Tab Q. [Tab Q]

F. Authorize Mayor to Execute Change Order for Redesign of New City Hall First Floor

Change order to modify the first floor layout to create a central corridor and modify the Planning public counter/waiting area.

G. Authorize Mayor to Execute Change Order for Redesign of New City Hall Second Floor

Change order to modify the layout of the second floor conference room, Greenway Library, staff break room and waiting area.

H. Authorize Mayor to Execute Easement Documents with Georgia Power for Sims Lake Park

Execution of easement documents to provide power service to Sims Lake Park.

I. Authorize Mayor to Execute Application for a HEAT Grant from the Governor's Office of Highway Safety

Per discussion at the April 17 workshop, Marty Allen and Chief Jones wish to evaluate the benefits of applying for a HEAT Grant. Should they decide to

apply, the Mayor will be authorized to execute the necessary application documents.

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

11. City Manager's Report

- Sims Lake Park is under construction and everything is going well. Early summer opening is the goal.
- Water system focus group established and meetings are underway.
- Mayor Williams inquired about the committee designated to address traffic concerns in Chattahoochee Run subdivision. Mr. Allen stated a meeting has been scheduled for May 8th. There have been delays in getting the group together due to changes in the HOA presidency.

12. Executive Session: Real Estate and Legal Matters

Motion to Enter Executive Session by Councilmember Rispin, second by Councilmember Brooks and so carried 5-0. Time: 8:20 P.M.

Motion to Exit Executive Session by Mayor Pro Tem Burnette, second by Councilmember McOmber and so carried 5-0. Time: 8:43 P.M.

13. Adjournment

Motion to Adjourn by Councilmember McOmber, second by Mayor Pro Tem Burnette and so carried 5-0. Time: 8:43 P.M.

Approved 5/27/2008