

**MINUTES
CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
OCTOBER 28, 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
Dan Foster, Councilmember
Kevin McOmber, Councilmember
Jeannine Rispin, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

Absent: Jimmy Burnette, Mayor Pro Tem
Jace Brooks, Councilmember

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

1. 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 PM
PUBLIC HEARING**

Mayor Williams opened the Public Hearing at 6:32 P.M. and read the Procedures for Public Meetings for the record.

2. RZ-2008-002 - Applicant/Owner: Rolling Pin, LLC. Requests a rezoning from M-1 (Light Industry District) to C-2A (Special Commercial District - Alcoholic Beverage Sales) to allow for a retail/restaurant facility. Site is located in Land Lot 151 of the 7th District at 2855 Rolling Pin Lane and contains approximately 8.28 acres.

The Planning Department recommended denial in part and approval in part with conditions. The Planning Commission recommended approval with three conditions.

Josh Campbell, Planning Director, presented the staff analysis as follows: The applicant requests rezoning on an 8.28 acre site from M-1 (Light Industry District) to C-2A (Special Commercial District-Alcohol Sales) to allow for office, retail and restaurant uses which may

include alcohol sales. The subject site contains an approximately 50,000 square foot building and an approximately 5,000 square foot building located at 2825 Rolling Pin Lane.

The large building on the site was previously occupied by the offices of a large bakery. The small building was a restaurant and café operated by the bakery and was open to the general public. Parking is provided on the site. The applicant does not propose modification to the existing parking lot which currently provides a total of 321 parking spaces. Access exists onto Rolling Pin Lane and onto a driveway easement located on an adjacent property. Both access points lead to Horizon Drive.

The current parking appears to meet the minimum and maximum parking space requirements for the current and proposed uses. The site is generally suitable for commercial/retail/office uses.

The subject property is surrounded by a mixture of office and warehouse uses. Currently there are no uses known to staff that would limit the sale of alcohol on the site

The City of Suwanee Future Land Use Plan recommends industrial uses and the 2030 Comprehensive Plan recommends office and industrial uses for the subject property. The proposed commercial classification and planned retail and restaurant uses on the property are not consistent with this designation. The City's Comprehensive Plan attempts to reserve such light industrial areas for office uses to serve as valuable employment centers. However, the existing approximately 5,000 square foot building was constructed and used as a restaurant for several years prior to annexation into the City of Suwanee. This makes it much more difficult for the reuse of the building as an office or industrial use.

The City has an unusually large amount of vacant commercially zoned space. Data recently collected by the City indicates that there are approximately 1.5 million square feet of multi-tenant retail space inside the city limits with about 320,000 square feet of that vacant. Additionally, the overall amount of light industrial property in the City has been diminishing over the last few years. This reduction in M-1 areas could adversely affect the number of skilled labor positions available in Suwanee. The requested rezoning would contribute to continuing both of these negative trends.

In conclusion, the requested C-2A zoning, as proposed, would not be suitable at this location. The proposed use directly conflicts with the office-industrial designation on the City's Future Land Use Plan and the 2030 Comprehensive Plan. The property is located along the industrial/office dominated Horizon Drive corridor. Additionally, the City has been losing its industrially zoned land in recent years, at the same time the City is experiencing a significant vacancy rate with retail uses. However, the approximately 5,000 square foot existing restaurant has a limited chance of being redeveloped as industrial and commercial. Additionally, the existing facility was operated as a restaurant and café for several years. Therefore, the Planning Department recommends **APPROVAL** of the request for the 5,240 square foot existing restaurant building and associated parking area and **DENIAL** of the request to rezone the remaining property.

Staff recommended approval. At the planning commission meeting, the Planning Commission voted 4-0 to recommend approval of rezoning the property from M-1 to O&I and C-2A, subject to staff's recommended conditions. O&I would preserve the employment center.

Support: Katie Tang represented Rolling Pin Lane, 2855 Rolling Pin Lane. Ms. Tang stated the property has been empty for some time. It is their desire to bring activity into the area. The zoning change is requested to re-open the restaurant to service the public and to open the office space.

Opposition: None.

The Public Hearing closed at 6:41 P.M.

7:00 PM **COUNCIL MEETING**

3. Call To Order

Mayor Williams called the meeting to order at 7:02 P.M.

4. Announcements

- *The Georgia Soil and Water Conservation Commission recently completed its annual assessment of the City's Erosion & Sediment Control Program. The assessment evaluated and rated the City's program based on six criteria: Program Administration & Record Keeping; Qualification & Training of the City's Erosion & Sediment Control staff; Complaint Resolution; Inspection Frequency and Level of Enforcement; Reporting; and Site Conditions. The City scored 455 points out of a total 500, earning an "Exceptional" rating. Congratulations to the staff of the Public Works and Planning & Inspections departments for their hard work on this program.*
- *In order to measure citizen opinions on quality of life and quality of service delivery, the City of Suwanee will ask 1,200 randomly selected residents to complete a 35-question National Citizen Survey. The National Citizen Survey is a tool designed to further public trust and confidence in local government and improve management of local government services. During the first week of November, these 1,200 randomly selected households will receive mailed notification that they've been chosen to participate in the survey conducted by the National Research Center. The survey itself will arrive about a week later, with instructions that the adult (18 and older) in the household with the most recent birthday should complete the survey. All responses to the survey are anonymous. The data collected will be tabulated and analyzed by an independent group, the National Research Center, with a final report presented to the City early next year. Suwanee's results will be compared with national norms established by NRC's database of results from citizen surveys conducted with more than 400 U.S. jurisdictions.*

- *The much-anticipated Sims Lake Park opened the first weekend in October. The fifth park to be created through Suwanee's award-winning Open Space Initiative, Sims Lake Park is comprised of 62 idyllic acres located at Suwanee Dam and Tench roads. In addition to a 7-acre lake, the park features an approximately 1.2-mile looping trail, well-fed streamscape, playground area, picnic pavilion, and two 2-acre play meadows. The park also has public restrooms and parking for nearly 90 cars. The City purchased the Sims Lake Park property from the late Rae Hewell in January 2003. In addition to voter-approved open space bond funds used to purchase and develop the park, SPLOST funds were used to provide equipment for the playground area. Please join us on Saturday, November 8 from 2-5pm for the Grand Opening. In addition to the ribbon-cutting ceremony, activities will include fall crafts, a nature scavenger hunt, outdoor story time, lawn games, face painting, and fall family photo opportunities.*
- *Awards: Mayor Williams announced that the City received the following awards at the 3CMA National Conference – SAVVY Award: 1st Place for the City Brochure; 2nd Place for the celebration of the Money Magazine recognition of being one of the Top 10 places in the nation to live.*

5. Pledge of Allegiance

6. Approval of Minutes

- a) September 11, 2008 Called City Council Meeting
Motion by Councilmember Rispin to approve the September 11, 2008 Called City Council Meeting Minutes, second by Councilmember Foster and so carried 4-0.
- b) September 23, 2008 Public Hearing and City Council Meeting
Motion by Councilmember McOmber to approve the September 23, 2008 Public Hearing and City Council Meeting Minutes, second by Councilmember Rispin and so carried 3-0-1 (Foster).

7. Adoption of Agenda as Presented

Motion by Councilmember Foster to adopt the Agenda as presented, second by Councilmember Rispin and so carried 4-0.

8. Special Recognition

- a) Police Certificates of Merit – Shannon Hitchcock, Fred Schumacher, Jody Spivey, and Robert Thompson.

Chief Jones and Deputy Chief Moon presented the Certificate of Merit to the above officers who responded to a traffic accident on McGinnis Ferry Road where a person was critically injured. Chief Jones read a letter from a Gwinnett County Firefighter applauding the response and assistance provided by the officers. Chief Jones stated this is the 7th Merit Award for Officer Hitchcock.

- c) Proclamation for Beau Fields

Councilmember McOmber assisted Mayor Williams in recognizing Mr. Fields for his work with the DDA Board. Mr. Fields has been instrumental in ideas to revitalize the Main Street commercial area. Mayor Williams presented Mr. Fields a Proclamation and declared 10/29/2008 as Beau Fields Day.

d) Suwanee Day Committee

Amy Doherty joined Mayor Williams in recognizing the Suwanee Day Committee for a successful 25th Celebration of Suwanee Day.

e) Suwanee Day Presenting Sponsor – Primrose Schools

Mayor Williams and Amy Doherty recognized Primrose Schools for sponsorship for the 25th Celebration of Suwanee Day. Five Primrose locations joined forces to sponsor Suwanee Day.

Denise Brinson recognized summer intern Chris Hardin. To quote Denise “this Stellar intern” was instrumental in keeping everything on track during the absence of the Events Coordinator who was out on medical leave.

9. Audience Participation – None.

NEW BUSINESS

10. RZ-2008-002 - Applicant/Owner: Rolling Pin, LLC. Requests a rezoning from M-1 (Light Industry District) to C-2A (Special Commercial District - Alcoholic Beverage Sales) to allow for a retail/restaurant facility. Site is located in Land Lot 151 of the 7th District at 2855 Rolling Pin Lane and contains approximately 8.28 acres.

The Planning Department recommended denial in part and approval in part with conditions. The Planning Commission recommended approval with three conditions. There is no additional information from the workshop packet – please see section R of that packet for more details.

Motion by Councilmember Foster to approve RZ-2008-002 as recommended by the Planning Commission, second by Councilmember McOmber and so carried 4-0.

11. AMD-2008-004: Amendment to Architectural Design Standards

The Planning and Inspections Department has prepared an amendment to amend roof requirements for drive under canopies over gasoline pumps.

Motion by Councilmember Rispin to approve AMD-2008-004, second by Councilmember McOmber and so carried 4-0.

12. Consider Award of Contract to ISC, Inc. in an Amount of \$707,587 for Construction of Road Improvement/Traffic Calming Project on Eva Kennedy Road and Martin Farm Road

Staff issued an RFP for the Eva Kennedy Road and Martin Farm Road road improvement and traffic calming project, which is a SPLOST project. Six proposals were received on

October 9. Staff has reviewed all bids and recommends awarding to the lowest responsive and responsible bidder – ISC, Inc. of Conyers – for a total cost of approximately \$707,587.

Motion by Councilmember McOmber to approve awarding a contract to ISC, Inc, in the amount of \$707,587 for construction of road improvement/traffic calming projects on Eva Kennedy Road and Martin Farm Road, second by Councilmember Foster and so carried 4-0.

13. Consent Agenda

a) Approval of 1st Quarter Budget Adjustments

The primary purpose of the adjustments are for establishing TAD revenue and expenditures, as well as hotel/motel expenditures related to promotions.

b) Authorize Mayor to Enter into Contract with The DRS Group, Subject to Staff and City Attorney Approval, for Imaging of the City's Archived Documents

The City issued an RFQ for this project and received a total of four proposals. A staff team reviewed the proposals and established a short list of two vendors. Both vendors were interviewed and the evaluation team recommends awarding to The DRS Group of Norcross.

c) Adoption of Resolution to Request Extension of CDBG Grant for Project at Lawrenceville-Suwanee Road and Buford Highway

The City currently has a CDBG grant in the amount of \$66,000 for the pedestrian improvement project at Buford Highway and Lawrenceville-Suwanee Road. The grant requires the work to be completed by the end of this calendar year. The project is currently out for bid and we anticipate completing it early in 2009. The City may request a six-month extension of the grant, if approved by Council.

d) Authorize Mayor to Execute Agreement with Penn Credit Corporation for Debt Collection of Red Light Citations

The City entered into an agreement with RDS for debt collection of red light citations in February 2007. In June 2008, staff was informed by GMA that RDS would no longer handle accounts less than \$500. Since that time, GMA has completed an RFP process and selected Penn Credit Corporation (PCC), a Pennsylvania corporation to provide this service. RFP's went out to 20 companies with 10 responding. Currently there are 1,806 outstanding citations in Suwanee. Staff recommends entering into an agreement with PCC for debt collection services for Red Light citations.

e) Adoption of Red Flag Policies in Accordance with Fair and Accurate Credit Transactions Act

The Federal Trade Commission adopted the Fair and Accurate Credit Transactions Act in 2007, which requires all utility companies and other entities who serve as creditors to enact "red flag policies" to protect consumers from

identity theft. The policies must be formally adopted by the Council by November 1

Motion by Councilmember Rispin to approve the Consent Agenda, second by Councilmember McOmber and so carried 4-0.

14. City Manager's Report – None.

15. Executive Session: Legal, Personnel, and/or Real Estate Issues (if necessary)
Motion by Councilmember Foster to ENTER Executive Session to discuss Personnel matters, second by Councilmember Rispin and so carried 4-0. Time: 7:44 P.M.

Motion by Councilmember Foster to EXIT Executive Session, second by Councilmember Rispin and so carried 4-0. Time: 8:01 P.M.

16. Adjournment – Time: 8:01 P.M.

Motion by Councilmember McOmber to Adjourn, second by Councilmember Rispin and so carried 4-0.

Approved 11/25/2008