

**MINUTES
CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
OCTOBER 26, 2010**

Meeting Location: City Hall, 330 Town Center Avenue

Attendees: Dave Williams, Mayor
Jace Brooks, Mayor Pro Tem
Jimmy Burnette, Councilmember
Richard I. Goodman, Councilmember
Kevin McOmber, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

Absent: Daniel F. Foster, Councilmember

**5:30 P.M.
COUNCIL DINNER SESSION
Big Splash Room - #2302**

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 P.M.
PUBLIC HEARING
Council Chambers – Room 2101**

Mayor Williams opened the Public Hearing at 6:30 P.M. and read the procedures for public meetings for the record.

- 2. SUP-2010-003 – Applicant: Bionew USA Corp. Owner: Yost Holdings at Swiftwater Dr., LLC. Requests a special use permit to allow for an electronic recycling facility in the M-1 zoning district. The site is located at 3600 Swiftwater Park Drive and contains approximately 3.31 acres**

Josh Campbell, Planning Director, provided the staff analysis. Mr. Campbell reported this permit is for an electronic recycling facility. The site is located on the back side of an industrial park. The surrounding area is highly industrialized. The business will be a recycling site for computers. The computers will be collected, broken them down and shipped for reuse by computer companies. There will be a heightened level of security to insure it is a safe recycling center. No hazardous materials are anticipated. Staff recommends approval with conditions.
Support

- Mitch Peevy, 4480 Commerce Drive, Buford, GA. Mr. Peevy stated the company is currently located on Satellite Boulevard. They are looking to expand to a larger facility. Everything will be indoors. Nothing is stored or packaged outside. Tractor trailers or smaller trucks will unload in the interior of the building. North Gwinnett School cluster has worked with this company. Now they are getting more calls from schools in the Gwinnett School System cluster.

Opposition – None.

3. RZ-2010-004 – Applicant: QuikTrip Corporation. Owner: Eugene Walls. Requests a rezoning from R-100 (Residential Single Family District) to C-2A (Special Commercial District with alcohol sales) to allow for a convenience store with gas pumps. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres.

Planning Commission recommended approval of the rezoning application and staff recommended denial. The applicant has requested modified conditions of zoning, which were distributed at the October 14 workshop.

Josh Campbell, Planning Director presented the staff analysis. The applicant plans to construct a gas station/convenience store with accessory gas pumps. The site includes an approximately 5600 sq. ft. building with approximately 10 gas pumps. The Future Land Use Plan recommends park conservation uses for the subject property. The property is located in the Suwanee Gateway character area. The Comprehensive Plan discusses promoting a strong positive image for the city. There are a number of large specimen trees that would help to accomplish making this proposal more in line with the Comprehensive Plan. P&Z voted to recommend approval with conditions. Staff recommends denial at this time.

Support

- Michael Sullivan, Anderson, Tate & Carr, 1960 Satellite Boulevard, Duluth, GA., represented the applicant. Mr. Sullivan stated there have been numerous conversations with the applicant and City staff. There have been significant revision to the site plan since last month. Communication with the City will continue. In light of the on-going discussions, Mr. Sullivan requested the rezoning be postponed to next month.

Opposition

- Tom McConnell, 3795 Smithtown Road, Suwanee, GA. Mr. McConnell read from the attached letter which was distributed to Council prior to the Public Hearing.
- Bill Decatur, 4098 Wind Grove Crossing, Suwanee, GA. Mr. Decatur stated he moved to Suwanee approximately 13 years ago because he believed this would be a great place to live. He stated there are problems with traffic at Lawrenceville Suwanee Road and Satellite Boulevard. This proposed gas station would increase the problem. Suwanee has been named one of the best places to live in the United

States. Placing a gas station on this corner would not add to the aesthetics of Suwanee.

- Robert Wheeler, 145 Silver Water Court, Suwanee. Mr. Wheeler stated he echoes the comments prior. He encourages Council to visit the 5255 Peachtree Parkway Quik Trip off SR 141 and see the congestion. He stated he understands this intersection is not the same as the one in Suwanee, but there could be the same congestion problem. Mr. Wheeler requested that Council deny the request.

Rebuttal by Mr. Sullivan: Mr. Sullivan stated this site is one of the significant commercial nodes in the City and maybe Gwinnett County. He stated the Q-T is a convenience store and designed to be convenient for the people driving to and from work, school and daycare. The location will attract the business of the people in the area. Mr. Sullivan stated he was shocked when he learned the City had designated this site for park land. He stated he learned from his client that she requested the park designation for the property in order to allow she and her husband to live out their life on the property. Due to health conditions, they have had to move away from the property and now desire to sell the property so they do not have the burden of taxes on property where they can no longer live. A denial would have an adverse impact on the property owners. Land Use is not a picture but a movie. The land use plan is reviewed on a regular basis as outlined by Georgia laws. Mr. Sullivan encouraged Council to consider the reasonable economic use of this site as they move forward.

Support

- Nathan Smelley, 3753 Davis Street, Suwanee, GA - resident for more than 48 years. Mr. Smelley stated he is a Q-T fan. Mr. Smelley stated he spoke with a man in Tulsa, OK, this afternoon who established the first Q-T in Lawrenceville. Mr. Smelley believes this will be a quality facility with quality people. Q-T staff is well paid with good benefits. Q-T will support the community.

4. SUP-2010-002 – Applicant: Eugene Walls. Owner: Eugene Walls. Requests a special use permit to allow for a car wash facility. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres.

Planning Commission and staff both recommended denial of the SUP. The applicant has requested modified conditions of zoning, which were distributed at the October 14 workshop.

Josh Campbell, Planning Director, presented the staff analysis. He stated this request is for a car wash on the same parcel discussed in the previous rezoning. This site is located in the Suwanee Gateway. A car wash would not contribute to the strong positive image of the Gateway. As such, staff recommends denial. The Planning Commission voted 3-1 to recommend denial.

Support

- Michael Sullivan requested this request be postponed to the next meeting of City Council.

Opposition

- Don Trawick, 4643 Moore Road, Suwanee, GA. Mr. Trawick stated Quik Trip is a big corporation and should have their plan laid out. Mr. Trawick stated his concern is that the item continues to be postponed.

- Michael Harper, 3535 Century View Trace, Suwanee, GA. Mr. Harper stated he is opposed to the car wash because it does not fit in to the countenance of the City of Suwanee. There will be people parking outside the carwash, drying their cars and leaving debris on the ground. There is enough car washes along Lawrenceville-Suwanee Road. Quik Trips plan is to come to City Council and not have a plan. Their plan is to let the Planning and Zoning Commission tell them what their plan is. They are dragging out the process. Mr. Harper stated: "I urge the City Council tonight to represent the citizens of Suwanee and deny them their permit."

- Larry Lamberth, 3861 Century Ridge Court. He stated he has lived in Suwanee 10 years and watched it grow. Excited about planned development in Suwanee. This is one of my favorite pieces of property. He stated he and his kids would be very disappointed to see a gas station and car wash on this site.

- Bill Decatur – opposed to the car wash. Quik Trip is a class organization, but what will it look like a few years from now. If this happens, Lawrenceville-Suwanee will look like lower Buford Hwy.

- Robert Wheeler stated he participated in the 2030 Comprehensive Plan process. His group thought it was a great idea to preserve the land. Quik-Trip (car wash) should not be on this site.

Rebuttal by Michael Sullivan – It would be impossible to come up with a perfect plan all stakeholders would agree to. This is a good faith process to deal with concerns of stakeholders, staff and Council. There have been three plans which have been created based on dialog with the City and stakeholders. This process will continue over the next 30-days.

There being no additional audience comment, the Public Hearing closed with the Council Meeting to convene after a break.

7:00 P.M.
CITY COUNCIL MEETING
Council Chambers – Room 2101

5. Call to Order

Mayor Williams called the meeting to order at 7:32 P.M.

6. Announcements

- a. Good meals, good deals, and good times will be on the menu for our final Toast @ Town Center event for 2010. Join us this Thursday, October 28 beginning at 5pm. Town Center Avenue is closed for this monthly event, and a street-festival atmosphere is created. The North Gwinnett Arts Association will once again host an Art Walk as part of Toast @ Town Center. This will be a great opportunity to use one of our recently launched Downtown Suwanee gift certificates, available for sale at City Hall.*
- b. Whether scary, boo-tiful, or heroic, area boys and ghouls are invited to enjoy a frighteningly fun time at the City of Suwanee's annual Trek or Treat event from 11 a.m.-1 p.m. Saturday, October 30, at Suwanee Creek Park. It will be a great day to enjoy fall festival-style games, crafts and activities, trek or treating, as well as prizes and free hot dogs.*
- c. The City of Suwanee is among 18 jurisdictions nationwide – and one of two in Georgia – to earn a “pat on the back” and a Certificate of Distinction from the International City/County Management Association (ICMA) for its “superior performance management efforts.” Suwanee was recognized at the recent ICMA annual conference. The City of Suwanee collects performance measurement data in a variety of service areas and compares itself against top-ranking communities nationwide in an effort to encourage accountability and transparency and aid in cost reduction, program prioritization, and quality improvement.*
- d. We need YOU...and your friends...and your neighbors...and anyone you know in Suwanee to be a part of our 20/20 Vision. The 20/20 Vision is a long-term, “big picture” plan will focus on what Suwanee's future should be and why the community wants it to be that way. Public involvement will be crucial so that the 2020 Strategic Plan truly captures community-wide goals, values, and vision. In 2011, we'll kick off a series of community conversations and we need you to take part in these conversations. To sign-up, please visit www.suwanee.com or e-mail Jessica Roth at jroth@suwanee.com.*
- e. Mayor Williams announced that early voting continues – one location is George Pierce Park here in Suwanee.*

7. Pledge of Allegiance

Cub Scout Pack 608, 419 and others led the Pledge.

8. Approval of Minutes

a. September 28, 2010 Council Meeting

Motion by Councilmember Goodman to approve the Minutes, second by Councilmember Burnette and so carried 6-0.

9. Adoption of Agenda as Presented

Motion by Councilmember Burnette to adopt the Agenda, second by Councilmember Goodman and so carried 5-0.

10. Special Recognition

a. “Miss Minnie” Rogers

The City Council will recognized long-time Suwanee resident, “Miss Minnie” Rogers who turned 100 on October 23. Miss. Minnie worked for the City for over 39 years, before retiring in 2005 at the age of 95. Mayor Williams proclaimed Wednesday, October 27, 2010 as “Miss. Minnie Rogers Day” in the City of Suwanee.

b. Suwanee Day Committee

Amy Doherty, Events Coordinator, assisted with this recognition of the committee and sponsors.

c. Suwanee Day Presenting Sponsors

Amy Doherty assisted with recognizing Wild Wing Café and Primrose School as Suwanee Day Sponsors.

11. Audience Participation – None.

Mayor Williams called for a motion to reconsider amending and readopting the agenda to add an item to change the November 2010 Workshop and Council Meeting Dates, due to the Thanksgiving Holiday. Motion by Councilmember Burnette, second by Councilmember Goodman and so carried 5-0.

Motion by Councilmember Burnette to change the Thursday, November 11 Workshop to Thursday, November 18 and the Tuesday, November 23 Council Meeting to Tuesday, November 30, second by Councilmember Goodman and so carried 5-0.

NEW BUSINESS

12. SUP-2010-003 – Applicant: Bionew USA Corp. Owner: Yost Holdings at Swiftwater Dr., LLC. Requests a special use permit to allow for an electronic

recycling facility in the M-1 zoning district. The site is located at 3600 Swiftwater Park Drive and contains approximately 3.31 acres

Motion by Mayor Pro Tem Brooks to approve SUP-2010-003 with P&Z and staff conditions, second by Councilmember Goodman and so carried 5-0.

- 13. RZ-2010-004 – Applicant: QuikTrip Corporation. Owner: Eugene Walls. Requests a rezoning from R-100 (Residential Single Family District) to C-2A (Special Commercial District with alcohol sales) to allow for a convenience store with gas pumps. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres**

Motion by Councilmember McOmber to Postpone RZ-2010-004 to the November 30, 2010 Council Meeting, second by Councilmember Burnette and so carried 5-0.

- 14. SUP-2010-002 – Applicant: Eugene Walls. Owner: Eugene Walls. Requests a special use permit to allow for a car wash facility. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres**
Motion by Councilmember McOmber to Postpone SUP-2010-002 to the November 30, 2010 Council Meeting, second by Councilmember Burnette and so carried 5-0.

- 15. Consider Authorizing the Mayor to Award a Contract to Jacobs Engineering Group, Inc. in an Amount Not to Exceed \$105,000.00 to Develop a City Facilities/Parks Asset Management and Maintenance Plan**
A Short Term Work Program (STWP) and Capital Improvement Program (CIP) item, the City will work with a consultant to assess certain City facilities and provide recommendations on maintenance and replacement schedules. Staff released a Request for Proposals (RFP) for this work and recommends awarding the contract to Jacobs Engineering.

Motion by Councilmember Goodman to approve, second by Mayor Pro Tem Brooks and so carried 5-0.

16. Consent Agenda

- a. Adopt Resolution Regarding Tractor Trailer Traffic on Eva Kennedy Road**
Staff has received complaints about tractor trailers using Eva Kennedy Road on a daily basis to access the Post Office. As this road is not designed to handle tractor trailer travel, staff recommends adopting a resolution to prohibit trucks with 10 wheels or more on Eva Kennedy Road.
- b. Approve 1st Quarter FY 2011 Budget Adjustments**
Staff has identified the 1st quarter adjustments to the FY 2011 budget.

- c. Authorization to Proceed. Authorize Mayor to Execute Contract with Jacobs JJG with a Base Amount of \$89,100.00, Plus Additional Services As Determined by Conditions and Approved Contract, for Design of the Suwanee Creek Greenway Rehabilitation Project, Per the City On-Demand Services Contract**

JJG is an approved contractor to perform on-demand design services for the City. This contract is for design of the Suwanee Creek Rehabilitation project. Upon completion of the design, staff will release a bid for construction.

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

- 17. Executive Session: Legal, Personnel, and/or Real Estate Issues – No items for Executive Session**

- 18. Adjournment – 8:05 P.M.**

Motion by Councilmember Burnette to Adjourn, second by Councilmember McOmber and so carried 5-0.

Approved 11/30/2010