

MINUTES
CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 26, 2017

Meeting Location: City Hall, 330 Town Center Avenue

Attendees: Jimmy Burnette, Mayor
Doug Ireland, Mayor Pro Tempore
Daniel F. Foster, Councilmember
Richard I. Goodman, Councilmember
Beth Hilscher, Councilmember
Linnea Miller, Councilmember
Marty Allen, City Manager
Gregory Jay, City Attorney
Elvira Rogers, City Clerk

DINNER SESSION – 5:30 PM
BIG SPLASH ROOM

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.

COUNCIL MEETING – 6:30 PM
COUNCIL CHAMBERS

A. Call to Order

Mayor Burnette called the meeting to order and read the procedures for Public Hearings for the record. Mayor Burnette explained the Public Hearing process and shared this not a time for question & answer dialog. He stated the Hearing is for Council to receive comments to make an informed decision.

B. Public Hearing

- 1. RZ-2017-004 – Owner: Kuang Hu Chien. Applicant: HomeSouth Communities. Rezoning from C-2 (General Commercial District) to PMUD (Planned Mixed-Use Development) to allow for townhomes. The site is located in Land Lot 251 of the 7th District at the northwest corner of the intersection of Peachtree Industrial Boulevard and Village Crest Drive and contains approximately 7.3 acres**

- 2. RZ-2017-005 – Owner: Kuang Hu Chien. Applicant: HomeSouth Communities. Rezoning from C-2 (General Commercial District) to PMUD (Planned Mixed-Use Development) to allow for townhomes. The site is located in Land Lot 251 of the 7th District at the northeast corner of the intersection of Peachtree Industrial Boulevard and Village Crest Drive and contains approximately 7.6 acres.**

Mayor Burnette read Items 1 & 2 to be heard together. Josh Campbell, Planning Director provided the staff analysis. Both cases have been on the agenda for several months. The two sites comprise approximately 15 acres located on either side of Village Crest Drive off Peachtree Industrial Boulevard. The project was originally proposed with 146 Town Homes: 44 rear loaded and 102 front loaded. In July, the applicant submitted a revised proposal that included 146 townhomes: 73 rear loaded and 73 front loaded. They also added a round-about for traffic calming. Most recently, the applicant provided a revised plan dated August 23, 2017 that included 131 units: 21 front loaded s/f detached units, 67 rear loaded s/f attached and 43 s/f attached front loaded units. The Planning Department recommended approval with conditions. The Planning Commission recommended denial. Should the Council desire to approve the rezonings staff recommends consideration using the August 23, 2017 revised plan and conditions dated August 25, 2017.

Mayor Burnette stated since the rezonings are combined, there will be a total 20 minutes for comments on both sides.

Support:

- Matt Benson, representing Home South Communities, 1550 North Brown Road, Lawrenceville, GA 30043. Mr. Benson stated the subject zonings are a combination of 2 parcels. Adjacent to this site is Village Grove zoned the same as the request. An adjacent subdivision is zoned R-85. This property is in the PIB Character area. Mr. Benson read from the 2030 Comprehensive Plan. The applicant believes they are compatible with the Comprehensive Plan, and Future Land Use Plan. 131 single family homes attached; 110 detached with rear entry. Based on their assessment there is 34,000+ sq.ft. of vacant commercial. The applicant believes there is no demand for commercial and believes they are compatible with zoning criteria and the surrounding area. The applicant believes they are fully compatible with the Future Land Use Plan as mixed use. This plan standing alone is not mixed use but combined with other areas is compatible. There has been cooperation with the City staff and numerous conversations with adjacent concerned homeowners. The most recent design is in response to these conversations. The applicant is in agreement with conditions provided.

Councilmember Foster – Peachtree Industrial Corridor has a number of adjacent residential properties dating back some 30 years. Councilmember

Foster asked Mr. Benson to elaborate on the comment regarding economic viability of the commercial in the corridor. Mr. Benson stated he represents the applicant not the owner. Mr. Benson stated based on the owner's data this site has not presented a positive commercial use, but a residential use.

Councilmember Goodman – With 131 units is there a reason not to include amenities? Mr. Benson stated the market analysis does not afford an amenities package.

Councilmember Foster – Was there any consideration to commercial at this location? Mr. Benson stated it was considered but was not a use for this site.

Opposition:

- Joe Briggs, 203 Hailwood Court, Suwanee. Mr. Briggs stated he appreciates time and consideration to these cases. He stated he proposes the project for the following reasons: too dense, stress to the infrastructure parks, roads, traffic, schools, recreations facilities and the stress on the sewer system. Mr. Briggs stated he would prefer this remain C-2 zoning.
- Patti Cody, 4916 Gathering Place, Suwanee. Ms. Cody highlighted concerns as follows: Not consistent with the Comprehensive Plan, does not meet PMUD definition, there is not a need for 131 housing units, impact on school system, aging population of the City needs housing, townhomes are not user friendly for the elderly. She stated if Council approves these rezonings, they are not listening to the citizens.
- Kelley VanScoy, 725 Ambrton Close, Suwanee. Ms. Vanscoy requested information on the August 25th conditions. She also commented on the zoning of the land.
- Becka Wilson, 4798 Arbor Crest Place, Suwanee. Expressed concern for front loaded units. Front loaded will impact transportation walkability. She expressed concern that no amenities are included in the plan. She also stated concern regarding density of the plan. Request that rezoning be denied.
- Denise Harris, 683 Village Field Court, Suwanee. She stated she is not opposing development but asking for smart progress. She understands the need for housing. Hasty decisions in the name of progress do not need to be made.
- Betsy Baldwin, 590 Grove Field Court, Suwanee. Unable to attend the most recent meeting but did attend the first meeting. A petition was sent to Council in opposition to this project. Concern for lack of amenities in

the development. She stated she previously served on Village Grove HOA and understands the impact the lack of amenities, in the proposed project, will have on Village Grove. Village Grove will have to increase maintenance costs and security.

Support Rebuttal – Mr. Benson stated based on their market research, the target market does not want to incur the cost of amenities. Based on this information, amenities have not been included in the project. As for infrastructure, the sewer capacity will not be adversely impacted by this development. The development will add cars but not a significant impact on the PIB corridor. The development will increase the total number of attached homes in Suwanee. This is not a large development. There is a possibility parents of school-age children will purchase within this development. The development will not have a significant increase on Gwinnett County Schools. The density of the development has been reduced which is a hit to the bottom line. Mr. Benson stated he cannot speak to Suwanee being over built.

Councilmember Goodman – Will the community have a HOA? Benson: Yes. Mike Phelps stated the HOA will maintain the property.

Mr. Benson stated if the rezoning cases are denied, the applicant respectfully requested a 6-month waiver on reapplying.

3. **RZ 2017-008 – Owner: Halifax Enterprises, LLC. Applicant: Corridor Development, Inc. The applicant requests a rezoning from C-2 (General Commercial) to RM-8 (Residential Multi-Family Duplex District) to allow for townhomes. The site is located in Land Lot 237 of the 7th District at 760 Peachtree Industrial Boulevard and contains approximately 6.1 acres**

The Planning Commission postponed this item again to their October meeting.

Motion by Councilmember Foster to postpone RZ 2017-008 to the October 24 Council Meeting, second by Councilmember Goodman and so carried 6-0.

4. **Alcohol Beverage License – Greek Island Bar & Grill**

Greek Island Bar & Grill, located at 3320 Lawrenceville Suwanee Road, Ste. 2A-C, is under new management. Mr. Mahmut Tuna has applied for the license for on-premise consumption of beer, wine, and distilled spirits. The Business Services department recommends approval. The applicant, Mr. Mahmut Tuna was present.

There being no further comment, Mayor Burnette called the Public Hearing closed.

C. Announcements

1. This is the final Saturday to enjoy this season's **Farmers Market**. The market will be open at Town Center Park from 8 am-noon.
 2. Join us on Sunday, October 22nd from 2-4 pm for the dedication of the White Street Park community **orchard**! There are two upcoming community work days scheduled for Saturday, September 30 and Saturday, October 14, both from 8:30-11:30 am. During these work days, volunteers will plant grasses, fruit trees, and willow plants for children's playground features. The work days are family friendly so children are welcome to attend. For more details or to sign up, please e-mail whitestreetorchard@gmail.com.
 3. Registration is now open for the 2018 season of **Harvest Farm**. Georgia's largest organic community garden is located in the City of Suwanee's White Street Park. The garden includes 76 plots that can be rented on an annual basis to grow veggies, fruits, flowers, and herbs. Applications can be submitted online at harvestfarmsuwanee.com. The 2018 season will open January 1 and run through December 31.
 4. Rounding out September in Town Center Park is this Saturday's **Peach State Chili Cookoff**. The cookoff is sanctioned by the International Chili Society and will take place from noon to 6pm. All proceeds benefit the Gift of Adoption Fund. Tickets may be purchased at peachstatechili.com.
 5. October is another busy month in Town Center Park. With an event every weekend, there's something for everyone. **October events** include:
 - Saturday, October 7th: Taste of Suwanee Event & 5K
 - Saturday, October 14th: 5th Annual Thin Mint Sprint
 - Saturday, October 14th: Suwanee Jazz Fest, hosted by North Gwinnett Arts Association
 - Saturday, October 21st: Alive! Festival and FUN Club 5K Run/Walk
 - Saturday, October 28th: Jonny and Xena "Spread the Words" 5K Run/Walk/Fun Run
- Visit suwanee.com for full details on each of these events.
6. It wouldn't be Halloween in Suwanee without our annual **Trek or Treat** event. This family favorite event will be held Saturday, October 28th from 1-3pm at Sims Lake Park.

D. Pledge of Allegiance - Representatives of Troop 1534 and Troop 827

E. Approval of the Agenda

Motion to approve by Councilmember Miller, second by Councilmember Goodman and so carried 6-0.

F. Approval of Minutes

1. August 10, 2017 Called Meeting
2. August 10, 2017 Council Workshop
3. August 22, 2017 Public Hearing
4. August 22, 2017 Council Meeting

Motion to approve by Councilmember Hilscher, second by Councilmember Goodman and so carried 6-0.

G. Council Recognition

1. **Suwanee Area Teachers of the Year** – Mayor Burnette and Assistant City Manager Denise Brinson recognized Suwanee Area Teachers of the Year

H. Audience Participation - None

OLD BUSINESS

I. Consider RZ-2017-004 from C-2 to PMUD at the northwest corner of Peachtree Industrial Boulevard and Village Crest Drive

Motion to DENY without prejudice by Councilmember Foster, second by Councilmember Goodman and so carried 6-0.

J. Consider RZ-2017-005 C-2 to PMUD at the northeast corner of Peachtree Industrial Boulevard and Village Crest Drive

Motion to DENY by Councilmember Goodman, second by Mayor Pro Tempore Ireland and so carried 6-0.

Gregory Attorney, City Attorney, clarified that state law allows the applicant to reapply in 6 months. The City has a higher standard of 1 year. The applicant would need to go through the Waiver process and come before City Council for action.

K. Consider RZ 2017-008 – Rezoning from C-2 to RM-8 at 760 Peachtree Industrial Boulevard and contains approximately 6.1 acres

Motion to POSTPONE by Councilmember Miller, second by Mayor Pro Tempore Ireland and so carried 6-0.

NEW BUSINESS

L. Consider Alcohol Beverage License for Greek Island Bar & Grill

Motion to APPROVE by Councilmember Hilscher, second by Councilmember Foster and so carried 6-0.

M. Consider Right of Way Ordinance

Staff recommended adopting an ordinance that would require any utilities that want to locate within any rights-of-way within the City obtain a permit before doing any work to install or alter utilities.

Motion to APPROVE by Councilmember Miller, second by Councilmember Goodman and so carried 5-0-1 (Councilmember Foster abstained).

N. Consider Change Order to Contract with C.B. Summer Construction Co. for Pierce's Corner Project

Staff recommends a change order to the contract with C.B. Summer Construction Co. to reflect work completed on Pierce's Corner and project coordination with the future tenant's contractor.

Motion to approve by Mayor Pro Tempore Ireland, second by Councilmember Goodman and so carried 6-0.

O. Consider Budget Adjustment for DDA Transfer

In conjunction with the C.B. Summer contract change order, the City will transfer the remaining project balance of \$624,897 to the DDA to be used for tenant improvements at Pierce's Corner. These funds will be retained by the DDA until the operator/purchaser has spent the first \$150,000 toward renovation efforts.

Motion to approve by Councilmember Hilscher, second by Councilmember Mayor Pro Tempore Ireland and so carried 6-0.

P. Consider Executing Contract with Columns Fundraising in an Amount Not to Exceed \$25,000 for Public Art Feasibility Study

Based on recommendations from the recently completed Public Art Master Plan, this study will evaluate the feasibility and opportunities for fundraising for public art.

Motion to approve by Councilmember Goodman, second by Councilmember Miller and so carried 6-0.

Q. Consent Agenda

1. Authorize Mayor to Execute Revised Contract with Syscon

The Municipal Court is in the process of transitioning to Government Window to process phone, online, and credit card payments. Online payments are currently

processed by Syscon, our software provider. This transition requires a revised contract with Syscon.

2. Authorize Mayor to Execute Contract with Government Window

This contract authorizes Government Window to process phone, online, and credit card payments received through Municipal Court.

3. Authorize Mayor to Execute Revised Lease with Norfolk Southern Railroad

Norfolk Southern has recently notified the City that we need to execute a new lease with them for the 1.15 acres of railroad property we are using behind the Police Station, Fire Station, and Municipal Court buildings.

4. Approve 1st Quarter FY 18 Budget Adjustments

Staff has prepared recommended adjustments to the FY 18 budget. The proposed adjustments allocate the funds received from the 2017 Urban Redevelopment Authority (URA) revenue bonds and set up the first year debt service payment for the 20 year URA revenue bonds.

5. Authorize Mayor to Execute Easement Agreement with Ruby Forest Homeowners Association

The City must execute a permanent easement with Ruby Forest HOA for the construction and ongoing maintenance of a sidewalk/trail to connect George Pierce Park to Ruby Forest.

Motion to approve by Councilmember Foster, second by Councilmember Mayor Pro Tempore Ireland and so carried 6-0.

R. Executive Session: None

S. Adjournment

Motion to approve by Councilmember Goodman, second by Councilmember Miller and so carried 6-0.

Approved October 24, 2017