

**MINUTES
CITY OF SUWANEE, GEORGIA
PLANNING AND ZONING COMMISSION
AUGUST 5, 2008**

PLANNING AND ZONING MEMBERS: Present: Pete Charpentier, Earl Mitchell, Anthony Manners and Jodi Nevels. Absent: Joy Mitchell. Staff members present: Josh Campbell, Matthew Dickison and MaryAnn Jackson.

CALL TO ORDER

Chairman Pete Charpentier called the meeting to order at 6:37 pm.

ADOPTION OF THE AGENDA

Earl Mitchell moved to amend the agenda as follows: remove item #2 from the agenda, Second by Anthony Manners. Motion carried 4-0.

ADOPTION OF MINUTES: July 1, 2008

Anthony Manners moved to adopt the minutes as presented, second by Jodi Nevels. Motion carried 4-0.

PROCEDURES FOR PUBLIC MEETING

Pete Charpentier read the procedures for the Public Meeting for the record.

OLD BUSINESS

NEW BUSINESS

SUP-2008-008 – Applicant/Owner: Suwanee Plaza, LLC. Requests a special use permit to allow for automotive service repair in the C-2 Zoning District. The site is located in Land Lot 211 of the 7th District at 3580 Lawrenceville-Suwanee Road and contains approximately 4.6 acres.

Josh Campbell presented the staff analysis as follows: The applicant requests a Special Use Permit on an approximately 2.73 acre tract to allow for a 3,173 square foot automotive service facility. According to the applicant, this facility will be utilized by an existing body shop located on an adjacent parcel. The site is located at 3580 Lawrenceville-Suwanee Road near the intersection of Lawrenceville-Suwanee Road and Smithtown Road in the Suwanee Plaza Shopping Center. Two existing access points are proposed to be extended to the rear of the site: one access point is provided through the Suwanee Plaza Shopping Center and one is provided through the adjacent parcel where the existing body shop is located. Both drives are accessed directly from Lawrenceville-Suwanee Road. The subject property is a C-2 zoned tract.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses.

The subject property is an approximate 2.73 acre site located at 3580 Lawrenceville-Suwanee Road in the Suwanee Plaza Shopping Center. The site includes an existing 15,547 square foot, one story, commercial building. The building is currently configured into 9,700 square feet of retail/office space and 5,847 square feet of storage space. The proposed automotive repair facility would be located to the rear of the existing building. The two adjacent parcels to the west of the subject property also belong to the property owner/applicant. There is currently no direct access to these parcels from the shopping center. The proposed occupant of the new automotive service facility maintains a business within an existing building located on the adjacent lot. (The existing body shop located on the adjacent lot is within the M-1 zoning district and is a permitted use.) According to the applicant's letter of intent the new facility will be used for alignments and general mechanical inspections conducted as a result of body work completed in the primary body shop. This site would be appropriate for the proposed use.

The subject property is located along a highly commercialized section of Lawrenceville-Suwanee Road.

The City's Future Land Use Plan recommends commercial uses for this site. The proposed use is consistent with this designation. The site is in a highly commercialized area that is generally suitable for vehicle service establishments. The proposed special use is also located to the rear of a shopping center, which should minimize the negative visual impacts normally associated with automotive uses.

The 2030 Comprehensive Plan recommends Mixed Use Center for the subject property, which is part of the Satellite North Character Area. The proposed special use is not entirely consistent with this designation, but the addition will unlikely harm the future long-term redevelopment of the area. The proposed automotive repair facility is a minor addition and should not compromise the future redevelopment of Sharon Industrial Way. In addition, conditional approval will help minimize these impacts.

In conclusion, the requested Special Use Permit for an automotive service facility could be appropriate at this location. The City's policies generally attempt to guide automotive sales and service uses to the more commercially intensive areas of the City. The subject property is located along a commercialized section of Lawrenceville-Suwanee Road and is surrounded by intensive commercial and industrial uses. The automotive service facility will be used to support an existing commercial business and does not encourage a higher number of automotive service facilities in the area. Also, the proposed special use will be located to the rear of an existing building. Special attention should be given to ensure that the operation does not compromise the vision of the Satellite North Character Area. The Planning Department recommends approval with conditions of the request.

Pete Charpentier called upon the applicant.

Sidney Mozayyani, 3580 Lawrenceville-Suwanee Road, Suwanee, GA. Mr. Mozayyani indicated his tenant is in need of space for minor automotive repair. The tenant does auto

body work. After the auto body work is complete there is sometimes a need for automotive repair. The new building will be suitable for this type of work.

Pete Charpentier asked Mr. Mozayyani if the building will be constructed in the rear of the existing building. Mr. Mozayyani indicated the new building will be constructed in the rear. There will be store fronts and parking spaces.

Anthony Manners asked if the cars being repaired will be visible from the street. Mr. Mozayyani stated the cars will be stored behind a fenced area.

Pete Charpentier asked Mr. Mozayyani if he was aware of the conditions proposed by staff. Mr. Mozayyani stated he had read the conditions.

Pete Charpentier called for opposition.

John Bunamia, 471 Shore Drive. Mr. Bunamia stated he is in opposition of the request. He leases a space from Mr. Mozayyani. The cars are not leaving the premises for the automotive repair. It is currently being done on the site. The cars are not in the fenced area. The tenant is dumping pollutants into the storm drain. He stated that The City of Suwanee is aware of this situation. A slab was built in the rear of the building without a permit. The building Mr. Bunamia leases space in has a flooding issue. There is now mold. Mr. Mozayyani has not taken care of the mold situation. Neither Mr. Mozayyani nor the tenant is willing to follow the rules. Mr. Bunamia indicated that Mr. Mozayyani is not a responsible land owner and should not be granted a special use permit.

Pete Charpentier asked Mr. Bunamia for the length of his lease. Mr. Bunamia stated he has another 17 years left on his lease. Pete Charpentier asked Mr. Bunamia what type of business he has. Mr. Bunamia owns J& L Automotive.

Earl Mitchell asked Mr. Bunamia if his main opposition is to the new building in the rear. Mr. Bunamia stated another automotive repair center will increase pollution. Mr. Bunamia also stated Mr. Mozayyani does not maintain the building.

Hamid Jahangard, 3580 Lawrenceville-Suwanee Road, Suwanee, GA. Mr. Jahangard stated the building does not currently have any code violations. All issues have been addressed. The front of the building has already been renovated. The building will be built according to code. Pete Charpentier asked Mr. Jahangard if he had been cited violations for waste disposal on the current auto repair. Mr. Jahangard stated he has not been cited.

Anthony Manners stated he has seen cars that were under repair not parked behind the fence. Hamid Jahangard indicated he is investing 2 million dollars into the center. All of the cars will be parked inside.

Josh Campbell stated that all automotive services will be conducted inside. This does include storage of vehicles. Vehicles will not be permitted to be stored in the parking

area of the C-2 site. If the proper fencing is on the M-1 portion of the property there can be outdoor storage of the vehicles with the standards for outdoor storage.

Pete Charpentier asked Josh Campbell about violations for waste. Josh Campbell indicated he became aware of a complaint on Friday relating to substances being dumped into the storm drain and some storm water related concerns. The complaint is currently under investigation.

Earl Mitchell asked about the storm water issues. Josh Campbell stated the site is going through the development review process. The portion of the site that is being developed will have to be brought into compliance with the storm water regulations.

Discussion ensued between Josh Campbell and the Planning Commission regarding EPA/EPD concerns and storm water issues.

Anthony Manners moved to approve SUP-2008-008 with amended staff conditions, second by Earl Mitchell. Motion carried 4-0 (additions = bold italics).

1. Special uses on the site shall be limited to automotive services including alignments and general vehicle inspections as a result of body work. No other vehicular services or other special uses are allowed under this special use permit.
2. All automotive services shall be conducted inside. The building shall be limited to no more than 3,200 square feet of space dedicated to automotive service.
3. Access shall be provided from the adjacent parcel as shown on exhibit A and an access easement agreement shall be filed prior to the issuance of a Certificate of Occupancy.
4. ***Any existing storm water complaints resulting from the subject property shall be addressed to the satisfaction of the City Engineer prior to issuance of a development permit.***

OTHER BUSINESS

Matthew Dickison presented Electronic Signs white paper. Discussion ensued amongst the Planning Commission and staff regarding possible approaches to regulating electronic signs in the City of Suwanee. See attached white paper and power point presentation. The Planning Commission requested that staff prepare an amendment to prohibit electronic signs at the next meeting.

ANNOUNCEMENTS

Road construction will begin on August 12 on Lawrenceville-Suwanee Road and Satellite. A left turn lane is being added and trees are being removed from the median. A traffic signal is also being installed.

ADJOURNMENT

Jodi Nevels moved to adjourn at 7:55 pm.