

**CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
DECEMBER 21, 2004**

**6:30 P.M.
PUBLIC HEARING**

Meeting Location: Suwanee City Hall

Present: Nick Masino, Mayor
Carol Hassell, Mayor Pro Tem
Jace Brooks, Councilmember
Jimmy Burnette, Councilmember
Alan Landers, Councilmember
Hardin Watkins, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

Absent: Jeannine Rispin, Councilmember

Mayor Masino opened the Public Hearing at 6:35 P.M. Hardin Watkins, City Manager, read the procedures for Public Meetings.

- 1. RZ-2004-011 & SUP-2004-004 - Applicant: John A. Buonomia. Owner: Metal Building Assoc. Inc. Requests rezoning from M-1 (Light Industry District) to C-2 (General Commercial District) to allow for an automotive repair facility. The site is located in Land Lot 211 of the 7th District at 3600 Lawrenceville-Suwanee Road south of Sharon Industrial Way and contains approximately 1.00 acres.**

Marty Allen presented the staff analysis as follows: The applicant requests rezoning of 1 acre out of a roughly 2+ acre parcel from M-1 (Light Industry District) to C-2 (General Commercial District) with a Special Use Permit to allow for an automotive repair facility. The site is located on Lawrenceville-Suwanee Road west of Sharon Industrial Way. The applicant proposes to conduct services ranging from complete mechanical rebuilds and restorations of automotive vehicles to oil changes and emissions testing.

The entire property contains two metal buildings, one of which is approximately 7,500 square feet. The applicant is requesting the rezoning and special use permit for the western-most building on the site. The building formerly contained a grading and hauling operation.

The subject building includes two existing bay doors along the north side of the building. The applicant proposes to remove the bay doors on the side of the building or not use these doors and provide a single vehicular access point into the rear of the building.

The subject property is surrounded by a mixture of well-established commercial and light-industrial uses. To the north and west of the subject area are a number of light industrial uses including automotive related uses such body shops (zoned M-1). To the south of the subject property is a small shopping center (zoned C-2). To the west of the subject property, across Lawrenceville-Suwanee Road, are a number of commercial uses (zoned C-2). Given the type of existing uses in the area, the proposed use would be consistent the uses in the area.

The City's Future Land Use Plan recommends commercial uses for this site. The proposed use of the site for automotive service is consistent with this designation. Last year, the City approved an amendment to the comprehensive plan which recommended moving automotive related uses away from more residential areas and towards more heavily commercial areas. Given the significant amount of commercial uses and industrial uses in the area, the applicant's proposal is generally consistent with the Future Land Use Plan.

In conclusion, the requested rezoning from M-1 to C-2 with Special Use Permit to allow for an automotive service is consistent with the intent of the Comprehensive Plan and existing uses in the area. Therefore, the Planning Department recommends approval with conditions of RZ-2004-011 and SUP-2004-004. The Planning Commission reviewed the case at the December meeting and also recommended approval with conditions of the request. The Commission recommended condition changes as outlined in the Council packet.

Richard Carothers, 5171 Edgerton Drive, Norcross, GA 30092, represented the applicant. Mr. Carothers stated that Mr. Buonomia is an excellent mechanic and would be an excellent corporate citizen. The applicant has been in business over twenty-five years. He spent five to six years in England in trade school learning the trade. The applicant plans to paint the building. The bay doors will not be seen from the approach. Parking is scheduled to be in the rear. Landscaping is recommended. The environmental issues will be addressed (i.e., oil containment). This particular building does not have floor drains. Even if there is a spill, he has the equipment to contain the spill. The mops, etc. used in clean up are picked up by a service.

John Buonomia, 471 Shore Drive, Suwanee, GA 30024, stated there is a fence in the rear of the building for privacy. All work will be performed inside the building.

Mayor Masino asked if the other shop will be closed and move to Suwanee. Mr. Buonomia stated yes. He only has one shop and it will be closed and relocated to Suwanee.

Mayor Pro Tem Hassell asked Mr. Buonomia if he specialized in a particular type vehicle. Mr. Buonomia stated yes. He specializes in imports. He stated that he works on imports and domestic vehicles. The breakdown of specialty of work is electronics, drivability and emissions repair. He stated he has maintained a 100% "fix right the first time" with the Georgia Clean Air Force.

There was no opposition to the case.

The Public Hearing closed at 6:45 P.M.

**CITY COUNCIL MEETING
7:00 P.M.**

Present: Nick Masino, Mayor
Carol Hassell, Mayor Pro Tem
Jace Brooks, Councilmember
Jimmy Burnette, Councilmember
Alan Landers, Councilmember
Jeannine Rispin, Councilmember
Hardin Watkins, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

1. Call To Order

Mayor Masino called the Meeting to order at 7:00 P.M.

2. Announcements

- **Bring one for the Chipper.** Christmas trees will be recycled from 9 a.m.-4 p.m. Saturday, January 8. Trees may be dropped off anytime from Dec. 26-January 15 at a designated location across from Town Center Park. The drop-off location is about midway along Town Center Avenue. Signs will be posted around Town Center Park to indicate the drop-off location. Seedlings and stickers will be given, while supplies last, to those who drop off their tree on January 8.

- Fourteen photo-paintings by **artist Ty Michelfelder** are now on display at the Suwanee Crossroads Center. The images represent a variety of locales from around Georgia, including Black Rock Mountain, Callaway Gardens, Lake Lanier, and Helton Creek, and combine the artist's experience in photography, painting, and computer design. Limited edition prints of the images on display are available for purchase. The Crossroads Center is open Monday through Friday, 8 A.M. to 5 P.M.

- Amy Doherty has been appointed as the **Suwanee Day Committee Chair for 2005**. She has served as the Transportation Chair the last few years.

- Officer Elias Casanas announced the next **Citizens Police Academy** begins February 22, 2005. This is a "Miniature Police Academy for Citizens" (7-week course). The Academy is open to those who live or work in the City.

3. Pledge of Allegiance

4. Approval of Minutes

A. 11/4/04 Called Meeting

Motion by Mayor Pro Tem Hassell to approve the 11/4/04 Called Meeting Minutes, second by Councilmember Burnette and so carried 6-0.

B. 11/16/04 Council Meeting

Motion by Mayor Pro Tem Hassell to approve the 11/16/04 Council Meeting Minutes, second by Councilmember Burnette and so carried 6-0.

5. Adoption of Agenda as Presented

Motion by Councilmember Burnette to approve the agenda as presented, second by Councilmember Brooks and so carried 6-0.

6. Special Recognition

A. Debi West, Gwinnett County Teacher of the Year

Mayor Masino presented a Proclamation to Debi West, Level Creek Elementary School, naming December 22, 2004 Debi West Day. Level Creek Elementary School Principal, Linda Anderson was also present.

B. PACT Neighborhood Recognition: Bayswater, Suwanee Lakes, Lansdowne

Sgt. Elias Casanas stated that PACT (Police and Citizens Together) began in 2000. This is an avenue for citizens to get to know the police officers and the Police Department. It creates a strong sense of community where the citizens and police work together. These neighborhoods have completed the three meeting requirement to become designated PACT Neighborhoods.

Lansdowne: Officer Dwayne Black; Citizen representative: Mr. James Heck, Mr. Hall

Bayswater: Officer Sam Lauricella; Citizen representative: Ron Secory

Suwanee Lakes: Officer Alan Dye; Citizen representatives: Stewart Family, Ms. Willis

PACT Community plaques were presented by Mayor Masino, Sgt. Casanas and the PACT Officer for each neighborhood.

7. Audience Participation – None.

8. OLD BUSINESS – None.

9. NEW BUSINESS

A. RZ-2004-011 & SUP-2004-004 - Applicant: John A. Buonomia. Owner: Metal Building Assoc. Inc. Requests rezoning from M-1 (Light Industry District) to C-2 (General Commercial District) to allow for an automotive repair facility. The site is located in Land Lot 211 of the 7th District at 3600 Lawrenceville-Suwanee Road south of Sharon Industrial Way and contains approximately 1.00 acres.

Planning Commission Recommendation: Approval with modified conditions
ACTION: Consider the rezoning and special use permit.

Motion by Mayor Pro Tem Hassell to approve RZ-2004-011 with Planning Commission and Planning staff conditions, second by Councilmember Landers. Mayor Masino called for discussion to clarify the changes to the staff conditions made by the Planning Commission.

Mayor Pro Tem Hassell amended the motion to approve RZ-2004-011 with Planning Commission conditions, amended second by Councilmember Landers and so carried 5-0-1 (Councilmember Rispin abstained).

Motion by Mayor Pro Tem Hassell to approve SUP-2004-004 with Planning Commission conditions, second by Councilmember Landers and so carried 5-0-1 (Councilmember Rispin abstained).

B. Consideration of Approval of Budget Adjustments

- i. General Fund for 2005 Events
- ii. General Fund for I-85 Business District Study
- iii. Suwanee Creek Greenway Fund
- iv. Open Space Project Fund
- v. URA Town Center Project Fund
- vi. Water Fund
- vii. Town Center Facility Improvements Fund

As discussed at the December Workshop, staff has proposed two adjustments to the general fund, adjustments to four capital project funds and created one new capital project fund. To produce events for FY 04-05, Planning and Community Development is requesting \$39,966 in funding. \$52,000 was budgeted for the I-85 Business District Study. The selected consultant's bid came in at \$68,500 so staff is requesting an adjustment for the difference. Adjustments were made to the Suwanee Greenway Project Fund to reflect actual receipts and expenditures and to appropriate funds for the sign package. Adjustments were made to the URA Town Center Project Fund to account for estimated revenues for the sale of URA land. Adjustments were made to the Open/Green Space Project Fund to reflect actual expenditures, including signage, as well as appropriations for dam repairs and master planning of the Hewell property. Adjustments were made to the Water Fund to account for the increased GEFA loan amount of \$119,000. The new capital project fund was created as Town Center Facility Improvements to account for new city facilities at Town Center. Amie is proposing transferring \$31,990 from reserved fund balance to unreserved fund balance to cover the cost of a space needs assessment. ACTION: Consider approval of the budget adjustments.

Motion by Councilmember Brooks to approve the Budget Adjustments, second by Councilmember Burnette and so carried 6-0.

C. Consideration of Approval of Real Property Donations

Motion by Mayor Pro Tem Hassell to approve Real Property Donations representing undivided interests of David Bowen, David Beard, Keith Breedlove and David Breedlove in 49 acres adjacent to Suwanee Creek, second by Councilmember Brooks and so carried 6-0.

10. CONSENT AGENDA

A. Consideration of Adoption of the Illicit Discharge and Illegal Connection Ordinance

Gwinnett County performs enforcement activities on the City's behalf. They would like modifications to make the City's ordinance the same as the County's ordinance. ACTION: Consider adoption of the ordinance.

B. Authorization for the Mayor to Enter into Agreement with Bleakly Advisory Group for the I-85 Business District Market Analysis and Development Strategy

The Bleakly Advisory Group was chosen as the consultant to perform the market analysis and development strategy for the I-85 Business District. Staff is requesting authorization to move forward with securing a contract. ACTION: Consider authorizing the Mayor to enter into agreement with Bleakly Advisory Group for the I-85 Business District Market Analysis and Development Strategy.

C. Consideration of Adoption of the Pawnbrokers Ordinance

City Attorney Gregory Jay has drafted a pawnbrokers ordinance to outline licensing requirements and regulations for such establishments. ACTION: Consider adoption of the ordinance.

D. Consideration of Adoption of the Tattoo Establishment Ordinance

Gregory Jay has drafted a Tattoo ordinance to outline licensing requirements and regulations for such establishments. ACTION: Consider adoption of the ordinance.

E. Authorization for the Mayor to Amend the Agreement with J-Squared, Inc. for the Old Town Sanitary Sewer Project

Repair work was needed on a portion of the sewer line along Main Street due to poor installation. The City had an agreement with Rick Porter that he would make the needed repairs and the City would share the cost. The work has been completed for \$36,836.05 and the City's share is \$15,000. ACTION: Consider authorizing the Mayor to amend the agreement with J-Squared, Inc. for the Old Town sanitary sewer project.

Motion by Councilmember Brooks to approve the Consent Agenda, second by Councilmember Burnette and so carried 6-0.

11. City Manager's Report – None.

12. Adjournment – 7:35 P.M.

Motion to adjourn by Councilmember Burnette, second by Councilmember Brooks and so carried 6-0.

Approved 01/18/05