

**Planning Commission
Minutes
July 21, 2014**

Charlie Roberts	Present
Eron Moore	Absent
Marshall Boutwell	Present
Bob Strickland	Present
Sandy Futch	Present

Mr. Roberts called the meeting to order.

Mr. Roberts determined that a quorum was present.

Mr. Roberts called for the approval of prior minutes of June 16, 2014. Mr. Boutwell made a motion to approve the minutes. Mrs. Futch seconded the motion. The motion carried. 3-0.

Mr. Roberts called for the approval of the agenda. Mr. Strickland made a motion to approve the agenda. Mrs. Futch seconded the motion. The motion carried. 3-0

OLD BUSINESS

None

NEW BUSINESS

- | | |
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| 1. SU-14-18
Jan Fisher on behalf of
A-1 Mini Storage, Inc.
470 West Pike Street
Lawrenceville, GA 30046
5/144/055, 5/144/148, 5/144/154 and 5/144/119 | To allow Commercial
Vehicle Parking
(Tractor and/or
Trailer) |
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Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and explained that the area where the parking was to occur would not have direct access and would not be visible from Pike Street. Mr. Ferguson stated that the Planning Department recommendation is for approval with the following conditions:

1. The applicant will be required to provide a plan that denotes all parking spaces, including spaces leased for commercial vehicle parking and other vehicle storage spaces. The proposed plan must indicate areas reserved for access to parking spaces which will be adequate for maneuvering Commercial Vehicles.
2. The number of Commercial Vehicles allowed to park on the subject site shall not be any greater than the number of parking spaces shown on the approved plan as required by condition 1.

3. The designated parking area for Commercial Vehicles shall only be allowed on the LM zoned portion of the property in the rear of the site which has direct access off Pike Park Drive.
4. The applicant will be required to repair and maintain the paved parking lot which is currently dilapidated, cracking and with voluntary vegetation growing through cracks.
5. Under no circumstances shall an owner or occupant of the property keep any junk, scrap, metal, rags, paper, abandoned, wrecked, or junked or scrap material or any parts thereof.

Mr. Roberts asked if the applicant was present. Mrs. Jan Fisher gave the presentation. Mrs. Fisher stated that she had seen the staff report and the only condition she was concerned about was condition four because of the potential cost associated with the requirement. She stated that she has scheduled a contractor to meet with her to assess the issues.

Mr. Roberts asked the Planning Commissioners if they had any questions of the applicant. Mr. Roberts asked Mr. Ferguson who would be parking on the property. Mr. Ferguson stated it was his understanding that the property owner would lease spaces to individual tractor/trailer owners and that the use was not in association to the principal permitted use. Mrs. Fisher confirmed.

Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts then called for a motion. Mrs. Futch made a motion to recommend approval of the application with the proposed staff conditions. Mr. Boutwell seconded the motion. The motion carried. 3-0

2. **SU-14-19**
Todd Myles on behalf of
Myles Truck Repair, Inc.
192 Swanson Drive
Lawrenceville, GA 30046
7/029/442

To allow:

- 1) Commercial Vehicle Parking (Tractor and/or Trailer)**
- 2) Gravel Parking**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and on Swanson Drive which is not a major thoroughfare. Mr. Ferguson stated that even though the property is relatively small for the proposed use, the orientation of the building and parking lot create an adequate area for the maneuvering and storage of tractor trailers. Mr. Ferguson stated that the Planning Department recommendation is for approval with the following conditions:

1. The applicant will be required to provide a plan that denotes all parking spaces, including spaces for employees and vehicles for repair. The proposed plan must indicate areas reserved for access to parking spaces which will be adequate for maneuvering Commercial Vehicles. Parking of Commercial Vehicles shall only occur in the side yard of the property behind the front plane of the building façade.
2. The number of Commercial Vehicles allowed to park on the subject site shall not be any greater than the number of parking spaces shown on the approved plan as required by condition 1.

3. The applicant will be required to install edging along the perimeter of the proposed parking and access to minimize gravel from spreading and further define approved parking spaces.
4. Gravel must be maintained and free of vegetation at all times.
5. Under no circumstances shall an owner or occupant of the property keep any junk, scrap, metal, rags, paper, abandoned, wrecked, or junked or scrap material or any parts thereof.
6. The applicant will be required to meet the City of Lawrenceville Landscape Ordinance in regards to a landscape strip.
7. All parking of Commercial Vehicles must be parked on private property outside the right-of-way of Swanson Drive.

Mr. Roberts asked if the applicant was present. Mr. Todd Myles gave the presentation. Mr. Myles stated that he had nothing further to add and was agreeable to the conditions presented by the Planning Department.

Mr. Roberts asked if the Planning Commissioners had any questions. Mr. Ferguson stated that he wanted the applicant to be aware that if the request was approved by the City Council, the approval did not allow for parking on the street or City right-of-way. Approval was only for parking on private property. Mr. Myles stated that he was aware of the issue but it was his understanding that when he purchased the property, he was allowed to park on the street. Mr. Myles stated that he hoped he could work with the City in the future to resolve the issue. Mr. Ferguson stated that it would have to be resolved through a separate process independent of the Special Use Permit.

Mr. Roberts asked if there was any opposition to the request. There was none. Mr. Roberts then called for a motion. Mr. Strickland made a motion to recommend approval of the application with the proposed staff conditions. Mr. Boutwell seconded the motion. The motion carried. 3-0

3. **RZ-14-03**
David Sergio on behalf of
Hill 55, LLC
385 North Clayton Street
Lawrenceville, GA 30046
5/146/145

BG to LM

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and stated that while the property was not directly part of the proposed College Corridor construction project, the property was located along the route planned for improved connectivity between Georgia Gwinnett College and Downtown Lawrenceville. Mr. Ferguson explained that the more intense uses allowed in the LM zoning category were not appropriate in this area which is also located in the Downtown Overlay District. Mr. Ferguson stated the Planning Department recommendation was for denial but if the City

Council desires to approve the application, the following conditions should be considered as minimum:

1. Based on Section 7.18(2)(c) of the Zoning Ordinance, the applicant will be required to meet all Architectural Requirements of the Downtown Overlay District. If any Architectural Requirements are not met, the applicant will be required to seek variance approval from the Downtown Architectural Review Board.
2. Approval of the rezoning application shall only be allowed for the proposed boutique manufacturing use and the adjacent existing electrical contractor use. If either of the businesses move, the applicant must gain rezoning approval prior to the establishment of a new use.

Mr. Roberts asked if the applicant was present. Mr. David Sergio gave the presentation and stated that the applicant did not agree with the proposed staff conditions. Mr. Sergio explained that the property owner should not be burdened to meet the architectural standards of the Downtown Overlay District. Mr. Sergio also stated that condition two will severely limit the property owners ability to lease the space in the future.

Mr. Roberts asked if there were any questions of the applicant. Mr. Boutwell asked about the operations of the business. Mr. Richard Harmon, a representative of the business spoke about the current operations and the future plans of the business. Mr. Harmon explained that the plan for the business is to have an offsite manufacturing facility and for the subject property to house a design studio only.

Mr. Roberts stated that the plans for the future operations would probably fit in the BG zoning classification. Mr. Ferguson stated that he believed it would but the issues was that the current operations do not fit in the BG zoning district. Mr. Roberts said that the letter of intent states that the use is a non-conforming use. Mr. Roberts asked Mr. Ferguson if the use is existing. Mr. Ferguson stated that the business located and began operations at this site without approval from the Planning Department. Mr. Roberts stated that he did not believe the proposed LM zoning classification was the right direction for the City to go but also did not believe the small manufacturing use should be disallowed from the BG district. Mr. Ferguson stated that the Planning Commission could suggest to the City Council that they create a new zoning category for the BG zoning district that would allow the specific type of use.

Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts then called for a motion. Mrs. Futch made a motion to recommend denial the request. The motion died due to the lack of a second. Mr. Strickland made a motion to recommend denial of the request but with a recommendation that the City Council consider the creation of a new category in the BG zoning district that will allow this type of use. The motion was seconded by Mr. Boutwell. The motion carried. 3-1 Mr. Boutwell, Mr. Strickland and Mr. Roberts voted in favor of the motion while Mrs. Futch voted in opposition.

4. **RZ-14-04**
Fred Masci on behalf of
Special Needs School of Gwinnett
660 Davis Road

RS-150 to OI

Lawrenceville, GA 30046
5/140/005C and 5/140/318

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and stated that the previous rezoning in 2003 for the specific user gave support for the request. In 2010 the City Council approved an amendment to the Zoning Ordinance that disallowed private schools as principal permitted uses in residential zoning categories. That amendment made the Special Needs School of Gwinnett a legal non-conforming use. Mr. Ferguson stated that the Planning Department recommendation is for approval with the following conditions:

1. Subject site must meet all requirements of the Chapter VIII of the Development regulations pertaining to landscape strip and parking lot tree requirements.
2. Existing encroachment into perimeter buffer areas shall be allowed to remain.
3. Supplementary evergreen trees shall be planted along perimeter buffer areas adjacent to residential property where there is currently no evergreen screening plant material. Evergreen trees shall be planted 15' on center and a minimum 6' in height at time of planting. No one species shall comprise more than 33% of the total number required.

Mr. Roberts asked if the applicant was present. Mr. Fred Masci gave the presentation on behalf of the applicant. Mr. Masci gave a brief history of the school and outlined a phased expansion plan. Mr. Masci stated that he had reviewed the proposed staff conditions and had no problems with them.

Mr. Roberts asked if there was any opposition. Ms. Kathy Turner of 637 Davis Road stated that she does not oppose the proposal but wished that the large stand of pine trees along the frontage of the property should remain. Mr. Boutwell stated that on the plan, the area was shown as a landscape strip. Mr. Ferguson stated that if the intent was to protect the trees in this area, the language would need to be revised to state that it is an undisturbed buffer. Mr. Masci stated that the school had no intentions to remove the trees in this area and would be amenable to that condition.

Mr. Roberts then called for a motion. Mr. Boutwell made a motion to recommend approval of the rezoning request with the proposed staff conditions and a fourth condition as follows:

4. The area of the property along the frontage of Davis Road consisting of mature evergreen pine trees shall remain as an undisturbed buffer.

Mr. Strickland seconded the motion. The motion carried. 3-0

Having no further business, Mr. Roberts entertained a motion to adjourn. Mr. Boutwell made a motion to adjourn. Mr. Strickland seconded the motion. The motion carried. 3-0

Charlie Roberts, Chairman
Planning Commission

Joshua M. Ferguson, Director
Planning and Zoning Department