

**Planning Commission
Minutes
March 17, 2014**

Charlie Roberts	Present
Eron Moore	Present
Marshall Boutwell	Absent
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. Mr. Strickland made a motion to approve the minutes of the February 17, 2014 meeting with the deletion of one paragraph that was included in error. Mrs. Futch seconded the motion. The motion carried. 3-0.

OLD BUSINESS

None

NEW BUSINESS

- | | |
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| 1. RZ-14-01
Steven Mills on behalf of
Texaco Food Mart, Inc.
662 Duluth Highway
Lawrenceville, GA 30046
7/009/006B | HSB to BG |
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Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson stated that the applicant had failed to supply proof of notification to the surrounding property owners and therefore the ordinance required the matter to be tabled. Mr. Ferguson recommended that the Planning Commission table the item until the April meeting.

Mr. Roberts called for a motion. Mr. Strickland made a motion to table the item until the April Planning Commission meeting. Mrs. Futch seconded the motion. The motion carried. 3-0

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| 2. SU-14-03
Steven Mills on behalf of
Texaco Food Mart, Inc.
662 Duluth Highway
Lawrenceville, GA 30046
7/009/006B | To allow:
1) Automotive Wash
Service (Automatic
with Interior detail
service)
2) Automotive Repair |
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(Emissions Testing)

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson stated that the applicant had failed to supply proof of notification to the surrounding property owners and therefore the ordinance required the matter to be tabled. Mr. Ferguson recommended that the Planning Commission table the item until the April meeting.

Mr. Roberts called for a motion. Mr. Strickland made a motion to table the item until the April Planning Commission meeting. Mr. Moore seconded the motion. The motion carried. 3-0

**3. SU-14-04
Lee Tucker on behalf of
Hallmark Discount Warehouse
166 Buford Drive
Lawrenceville, GA 30046
5/146B/097**

**To allow:
Commercial Vehicle
Parking (Tractor and/or
Trailer)**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson stated that the applicant contends that the use is legal non-conforming because the applicant has been operating in this manner prior to the City of Lawrenceville requirements of a Special Use Permit for Commercial Vehicle Parking. Mr. Ferguson explained that he understands that deliveries and service by Commercial Vehicles is essential to this business or any other commercial property in the BG zoning classification. Mr. Ferguson stated that the applicant uses the Commercial Vehicles as added storage space by not unloading them in a reasonable time frame. Mr. Ferguson recommended that if the application were approved, then the following conditions should be required:

1. Commercial Vehicles shall only be parked in the area shown as asphalt paving South of the concrete ramp.
2. The approval of this Special Use Permit shall in no way allow Hallmark Discount Warehouse or any future owners or occupants to lease or rent parking spaces for the storage of Commercial Vehicles.
3. Applicant shall be required to construct a louvered fence of suitable height and width to screen any trucks or trailers. The fence shall be installed along the concrete ramp.
4. The applicant will be required to bring the property into conformity with the City of Lawrenceville Landscape Ordinance.
5. No work or business activities shall be conducted outside.
6. Sign twirling is prohibited on the property.

Mr. Roberts asked if the applicant was present. Ms. Amanda Floyd gave the presentation on behalf of the applicant. Ms. Floyd reiterated that she believed the use was legal-nonconforming but that her client wanted to comply with the Planning Department requirement to obtain Special Use Permit approval. Ms. Floyd stated that the Commercial

Vehicles may appear to be parked for an unreasonable length of time but in reality the vehicles are rotated quite often. Ms. Floyd stated that her client needs more clarification from the Planning Department on condition number three but did not wish to delay the action. Ms. Floyd asked for approval of the SUP with the condition that her client and staff could work out the details of the fence prior to the City Council public hearing.

Mr. Roberts asked if there were any questions for the applicant. Mr. Moore asked how long each trailer was parked on the property before it was rotated out. Ms. Floyd said she wasn't certain but believed it was no more than one night but most of the time on the same day. Mr. Roberts asked if there was any opposition. There was none.

Mr. Roberts called for a motion. Mrs. Futch made a motion to recommend approval of SU-14-04 with the staff recommended conditions plus a condition that the applicant and Planning Department staff shall work out the details of condition number 3 prior to the City Council Public Hearing. The motion was seconded by Mr. Strickland. The motion carried. 3-0

4. SU-14-05
Robert Ball on behalf of
Graphic Communications, Inc
394 North Clayton Street
Lawrenceville, GA 30046
5/146B/044

To allow:
Commercial Vehicle
Parking (Tractor and/or
Trailer)

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that the facility houses a printing operation at the subject location. The applicant uses a trailer to store excess trimmings that have been collected and bailed. Mr. Ferguson stated that ideally, the Commercial Vehicle Parking would be required to occur in the rear of the property but because of site constraints, the Planning Department understands that this is not feasible. If approved the Planning Department recommends the following conditions:

1. Commercial Vehicles shall only be parked in the area shown on the site plan.
2. The approval of this Special Use Permit shall in no way allow Graphic Communications Corporation, 394 Group LLC or any future owners or occupants to lease or rent parking spaces for the storage of Commercial Vehicles.
3. Applicant shall be required to construct a louvered wall of suitable height and width as noted in the letter of intent to screen operations that occur on the loading dock.
4. The applicant shall remove paving and install a landscape island with required evergreen plant screening as shown on proposed site plan.
5. No work or business activities shall be conducted outside with the exception of loading and unloading materials and recycling procedures.
6. Sign twirling is prohibited on the property.

Mr. Roberts asked if the applicant was present. Mr. Hoyt Tuggle spoke on behalf of the applicant. Mr. Tuggle explained that this operation has been occurring on this property

for quite some time but is a much more efficient process now. By installing the bailer, the trailer will hold three times as much trimmings and excess paper waste, which tremendously lowers the amount of regular garbage waste.

Mr. Roberts asked if there were any questions for the applicant. There were none. Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts called for a motion. Mr. Strickland made a motion to recommend approval of SU-14-05 with conditions as presented by the Planning Department. The motion was seconded by Mr. Moore. The motion carried. 3-0

5. SU-14-06

**Eric Johansen on behalf of
J & J Associates
300 East Crogan Street
Lawrenceville, GA 30046
5/178/001**

To allow:

- 1) Commercial Vehicle
Parking (Tractor
and/or Trailer)**
- 2) Gravel Parking**
- 3) Outdoor Storage**
- 4) Mini-warehouses/
personal storage
warehouses**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that the proposed use will be appropriate in light of the uses of surrounding properties. Mr. Ferguson also stated that due to the weight and size of most Commercial Vehicles, gravel parking should be adequate if maintained properly per the recommended conditions. Mr. Ferguson stated that under the terms of Section 4.19 of the zoning ordinance, a Special Use Permit application must be for firm development proposals only. Mr. Ferguson stated that the Planning Department recommendation is for approval of Commercial Vehicle Parking, Outdoor Storage and Gravel Parking but denial for a Mini Warehouse facility with the following conditions:

1. The applicant shall continue the existing six foot tall graded berm and landscaping to match those on the adjacent property associated with Zoning Case RZ-13-01. The proposed berm and landscaping will extend across the entire frontage of the subject property, with the only exception being where any required ingress/egress would exist.
2. The applicant has not proposed any landscape screening materials along the western property line adjacent to the Gwinnett County BOC tract. If, after the installation of the required berm and landscaping is complete, it is found to inadequately screen the views along Highway 29 in an easterly travel direction, the applicant will be required to continue the screening plantings for 100' along the western property line.
3. The applicant shall fully enclose the subject property with 6' tall commercial grade galvanized steel chain link fence.
4. The applicant shall prepare all areas where Outdoor Storage and Parking would occur with gravel paving. The Special Use Permit to allow Parking on Gravel shall be specific to the proposed Commercial Vehicle (Tractor and/or Trailer) parking and Outdoor Storage only. If a change of use occurs, the owner or applicant will be

required to meet all requirements of Article IX of the Zoning Ordinance specifically that "all parking must occur on a paved dust free surface".

5. The applicant will be required to provide a plan that denotes all parking spaces. The proposed plan must indicate areas reserved for access to parking spaces which will be adequate for maneuvering Commercial Vehicles.
6. 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 2.
7. 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.
8. Gravel must be maintained and free of vegetation at all times.
9. Automotive repair shall be prohibited on the subject site including mobile automotive repair. Violation of this condition shall result in the revocation of the Special Use Permit.
10. The applicant shall be required to install a security office building/guardhouse that meets all architectural requirements of Section 8.7 of the Zoning Ordinance.
11. Any proposed outdoor lighting shall be directed inward of the subject property and shall not spill onto the adjacent properties. All lighting must comply with the City of Lawrenceville lighting ordinance.
12. Approval of the Special Use Permit proposal does not include approval of the Mini Warehouse facility. At the time the property owner secures a user for a Mini Warehouse facility, the applicant shall reapply for this Special Use Permit which will include the submittal of a proposed site plan.

Mr. Roberts asked if the applicant was present. Mr. Johansen gave the presentation on behalf of the applicant. Mr. Johansen stated that he is in agreement with the staff report and recommendation with the following minor changes:

1. Condition 5 should include, "The site plan to be approved by the Planning and Zoning Director."
2. The reference to condition 2 in condition 6 should be changed to condition 5.
3. Condition 7 should not be required because gravel spreading is not possible for most of the site.
4. Condition 8 should not be required because the applicant has no plans for a guard shack and no plans for the property to be staffed or monitored. The applicant will install a security monitoring system with no equipment needs on site.

Mr. Roberts asked if there were any questions of the applicant. There were none. Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts called for a motion. Mrs. Futch made a motion to recommend approval of SU-14-06 with the conditions presented by the Planning Department but to change the reference of condition 2 to condition 5 in condition 6, to add the language "as needed" after the word "access" in condition 7, to change condition 10 to read "Should the applicant install a security office building/guardhouse, it shall meet all architectural requirements of Section 8.7 of the Zoning Ordinance." and to be clear that the request for Mini-warehouse approval is not included in the recommendation. The motion was seconded by Mr. Strickland. The motion carried. 3-0

6. SU-14-07
Wayne Gunter on behalf of
Gunter Automotive
553 John Connor Court
Lawrenceville, GA 30046
5/177/064

To allow:
Automobile Repair Shop

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson stated that since the property is not adjacent to a major thoroughfare and visibility of any intrusive activities associated with this business type will be limited, the Planning Department recommendation is for approval with the following conditions:

1. The applicant shall designate an enclosed area where customer vehicles that are being repaired are stored and overnight parking shall only occur in this area. The enclosure should be constructed of an opaque fence a minimum of 6' in height.
2. The applicant will be required to install sidewalks along the frontage of John Connor Court which are not shown on the plan.
3. All parking for employees, customers and vehicles being repaired must occur in a paved designated space and all emergency access aisles must remain unblocked at all times.
4. No outdoor storage of any materials or equipment shall be permitted.
5. No work shall be conducted on the outside grounds of the establishment.
6. Fifteen foot landscape buffer shall be established along the frontage of the street. Specific planting requirements shall conform to the City of Lawrenceville Landscape Ordinance.
7. No metal building facades. The proposed building must conform to the minimum architectural requirements of Section 8.7 of the Zoning Ordinance.
8. Maintenance bays shall only be allowed on the sides and rear of the building and shall be kept closed unless moving a vehicle into the building.
9. Sign twirling is prohibited on the property.

10. Approval shall be conditioned that any significant site plan alteration as determined by the Planning and Zoning Director shall be presented to the City Council for approval.
11. The installation and acceptance by the City of Lawrenceville Engineering Department of a final wearing surface along John Connor Court will be required prior to the issuance of any development permit. The required work will be subject to all City of Lawrenceville permitting processes and procedures.

Mr. Roberts asked if the applicant was present. Mr. Wayne Gunter gave the presentation and stated that he had outgrown his current location on Lyle Circle and wanted to invest in a property that will serve his needs long term. Mr. Gunter asked that the Planning Commission consider a revision to staff condition 8 because the shop area will not be air conditioned and will be very hot in the summer.

Mr. Ferguson stated that condition 8 was included to prohibit banners from being placed just inside the open bays intended to be seen from the road. Mr. Gunter explained that the visibility from Hurricane Shoals Road to the open bays would be very limited.

Mr. Roberts asked if the Planning Commissioners had any questions of the applicant. There were none. Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts called for a motion. Mr. Strickland made a motion to recommend approval of SU-14-07 with the conditions presented by the Planning Department but to revise condition 8 to read, "Maintenance bays shall only be allowed on the sides and rear of the building, no signage to be erected within open bays to be seen from the right-of-way." The motion was seconded by Mr. Moore. The motion carried. 3-0

7. Amendment to Zoning Ordinance Article VII

Recommendation concerning the Automobile Transport Use

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that the state DOT requires that an Automobile Repair Shop must have an Automobile Transport license in order to drive vehicles from a dealership to their shop. Mr. Ferguson stated that the ordinance did not address this action and that he recommends including the specific use of Automobile Transport as a Permitted Accessory Use in the BG, LM and HM zoning districts, but that the use had to be associated with a legal permitted Automotive Repair Shop.

Mr. Roberts asked if there were any questions from the Planning Commission. There were none. Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts called for a motion. Mr. Strickland made a motion to recommend approval of the amendment as presented by the Planning Department. The motion was seconded by Mr. Moore. The motion carried. 3-0.

Mr. Roberts asked for any reports by staff and committees and other new business.

1. Update of Planning and Zoning Training Session

Mr. Ferguson reminded the Planning Commission of the upcoming Planning and Zoning Training Session scheduled for March 24, 2014.

Having no further business, Mr. Roberts entertained a motion to adjourn. Mrs. Futch 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