

City of Lawrenceville

Planning Commission

Minutes

July 14, 2008

Richard Johnson, Chairman	Present & Presiding
John Merrill, Vice Chairman	Present
Eron Moore	Present
Bill Childers	Present

Staff Present:

Brad Leonard, Director of Planning and Zoning
Bill Kingsbury, Planner
Tony Powell, City Attorney

Mr. Johnson called the meeting to order at 7:02 PM and declared a quorum present.

APPROVAL OF AGENDA

Mr. Johnson asked for a motion to place the new business before the old business. Mr. Childers made a motion with one change, stating, “. . . that being the deletion of item #3 under New Business. It is listed as ‘Revised Final Subdivision Plat for Craigdale Estates.’

“The reason for deletion of this item is based on administrative and potential legal litigation between property owner(s) of Lots 4 & 5, Block E of Craigdale Estates, 237 Craig Drive and the Mayor and City Council of Lawrenceville. It would be inappropriate for us (Planning and Zoning Commission) to consider such at this time.

“The Mayor and City Council, in private Executive Session, made a decision regarding a building, barn, storage building erected on vacant Lot #4 of said property, ruling the owners in violation of the standards of our City Zoning Ordinance. The City also send a formal letter to the owners of said property directing that said building be removed within thirty (30) days – that time period has not yet ended – or been subjected to the City initiating legal proceedings to have said building removed afore mentioned Lot #4.

“This item needs to be removed from our consideration so as not to be in conflict with or to interfere with potential administrative and/or legal proceedings by our Mayor and Council.

“Thus, I move adoption of the Agenda [moving New Business before Old Business,] and with the deletion of item #3 under New Business and further move that said item be referred to the appropriate body, the Mayor and City Council, without recommendation”

Mr. Moore seconded the motion. Mr. Johnson asked for discussion. Mr. Merrill expressed concern if this was the proper legal action. There was no more discussion. Mr. Johnson asked for a vote. The agenda with the request changes passed 2 to 1, with Mr. Childers and Mr. Moore voting for the motion, Mr. Merrill, against.

Mr. Johnson then asked for a motion to approve the minutes of the June 9 Regular Meeting, the June 17 Special Meeting and the June 17 Work Session. Mr. Merrill made a motion for approval of the minutes of the three meetings, Mr. Moore seconded the motion, and it passed 3-0.

NEW BUSINESS

**1. RZ-08-05, LM to O-I
Gwinnett Hospital System
1000 Medical Center Boulevard
7-008-025; -023; -013**

Mr. Johnson stated the request and asked for the staff's report. Mr. Kingsbury stated that the staff recommends approval, stating: Although the land use plan prepared in 2001 indicates that land is to be used for manufacturing, the proposed Comprehensive Plan Update 2030 indicates that this property is mostly within the Medical Services cluster. The small remaining portion is directly adjacent to the Medical Services cluster.

Mr. Johnson asked the applicant to present the case. Mr. Sonny Gilreath, Director of Construction Services for the Gwinnett Hospital System stated that the hospital owns land to the west of its present structures and did not realize that this land was not zoned O-I until they made plans for an additional building, and therefore is requesting the rezoning prior to construction.

Mr. Johnson asked if the Commission members had any questions. Mr. Merrill asked about long range planning. Mr. Gilreath stated that the hospital has a master plan, but it changes often. The hospital's main interest is to first expand towards Pike Street.

Mr. Childers then asked about the portion of land across Lawrenceville-Swuanee Road that is included in the zoning request. Mr. Gilreath stated that patient services are not planned in that area.

Mr. Merrill asked if the Hospital System had any plans to sell any of its land. Mr. Gilreath answered, "No."

Mr. Johnson then asked if there was anyone present to oppose the request. There was none.

Mr. Johnson then asked for a motion. **Mr. Merrill made the motion to approve the request as submitted. Mr. Childers seconded the motion, and it carried 3-0.**

2. **RZ-08-06 RM-12 to BN**
Kathy D. Bumgarner
Papermill Road at Springlake Road
5-174-031; -032A; -032; -32C

Mr. Johnson stated the requested and asked for the staff's report. Mr. Kingsbury stated that the staff recommends denial, stating: The current Land Use Plan shows this area to be medium density residential. The proposed Comprehensive Plan Up-date, 2008-2030 states that in the Papermill, New Hope and Springlake Road corridors should be, "Limited retail uses in corridor that support adjacent residential neighborhoods," and be of mixed-use reflecting the character of the surrounding residential uses. Therefore it is the staff's conclusion that the project is too large and not in character with the surrounding area. Too, a commercial area a quarter mile to the northwest already serves the area.

The staff's recommendation further states, if the Planning Commission recommends approval, the buffers should be 40 feet wide on all sides, and the detention pond should not be within the buffers. The buffer should contain a 15-foot landscaped, sloped area to screen the development from current and future residential uses. Landscaping within the development should be required. Sidewalks are also required along Papermill Road. In addition, the project should be of the architectural scale and character as set forth in the Comprehensive Plan Update.

Mr. Johnson asked for the applicant to present the request. A representative for Ms Bumgarner came forth and stated that because of the oversupply of homes for either rent or sale, the property was not usable for residential use and thus they are requesting a commercial designation, BN. Also the intersection of PaperMill Road and Springlake Road is being improved. The project will also add value to the tax digest.

Mr. Childers asked if there was adequate parking. He was told "Yes."

Being no more questions for the applicant, Mr. Johnson then asked if there was any opposition present. There was none.

Mr. Johnson then asked for a motion. **Mr. Merrill moved to approval the request from RM-12 to BN, and that the applicant submit to the Planning Commission for its approval plans showing the items listed in the staff's recommendation, including architectural renderings and elevations showing the character of the buildings and how they meet the architectural scale and character of the area prior to development and building permits being issued.**

Mr. Childers seconded the motion, stating, however, he was concerned with the number of strip centers in Lawrenceville that need tenants. Mr. Johnson called for a vote. **The motion passed 3-0.**

OLD BUSINESS

1. Zoning Classification related to multiple residence structures

Mr. Johnson called upon Mr. Leonard to present his findings. Mr. Leonard then presented a chart that places group homes into three categories, Assisted Living Facilities, Congregate Living Facilities and Nursing Homes. Under those classifications, various types of facilities were placed. The chart also included suggested zoning classifications for the three major categories, and whether the uses should be a principal permitted use or as a special use.

After some discussion, Mr. Johnson stated that this item would be addressed at a work session that he will announce in the next few days.

2. Amendments to the Zoning Ordinance Related to the Definition of “Yards”

Mr. Johnson called upon Mr. Leonard to present his recommendations as to the definition of Yards. Mr. Leonard presented the diagrams attached, stating that these would take the place of the current written definitions of Yard; Yard, Front; Yard, Rear and Yard Side in the Zoning Ordinance.

Mr. Leonard explained the diagrams for those who were not at the last meeting. **A motion was made by Mr. Merrill and seconded by Mr. Childers to recommend the changes in the definitions of yards to the diagrams presented. The motion carried 3-0.**

3. Amendment to the Zoning Ordinance related to Accessory Uses

Mr. Johnson called upon Mr. Leonard to present his findings. Following Mr. Leonard’s presentation there was discussion as to the number of accessory buildings allowed on a lot and how that relates to the size of a lot. Other questions were also raised. Mr. Johnson then stated that the issue would also be discussed at the work session.

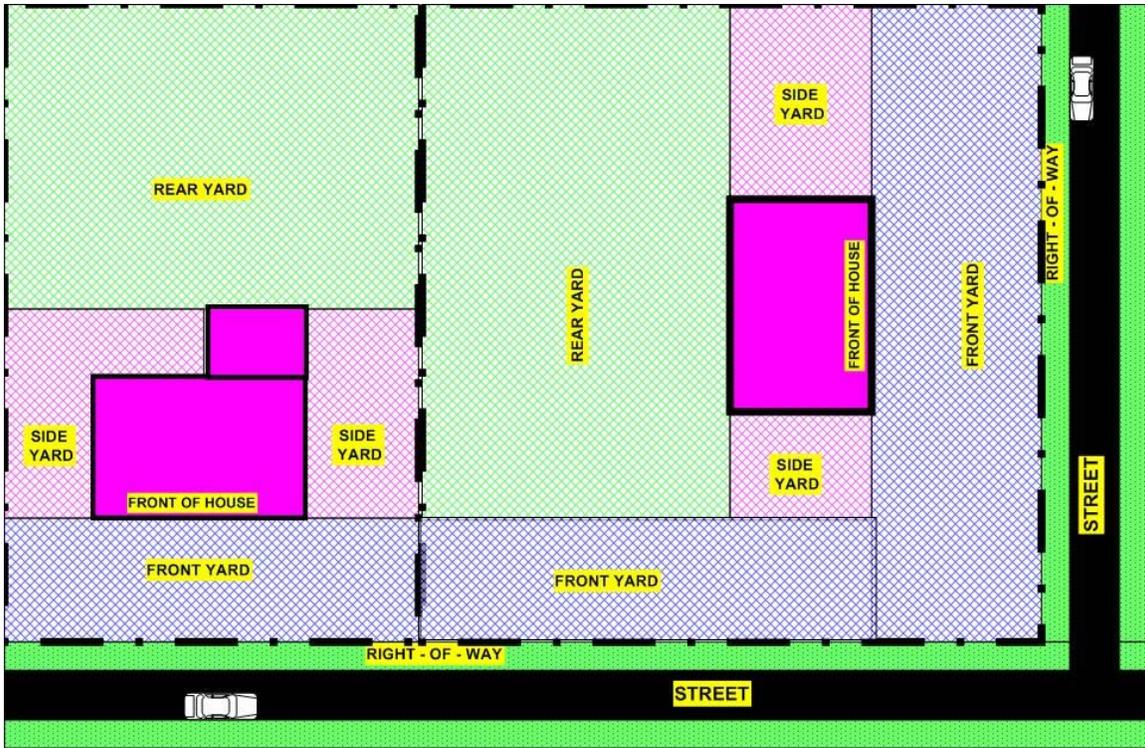
Mr. Johnson asked for any reports from Planning Commission Members or staff. There were none

Mr. Johnson asked for a motion for adjournment, it was so moved, seconded and passed 3-0.

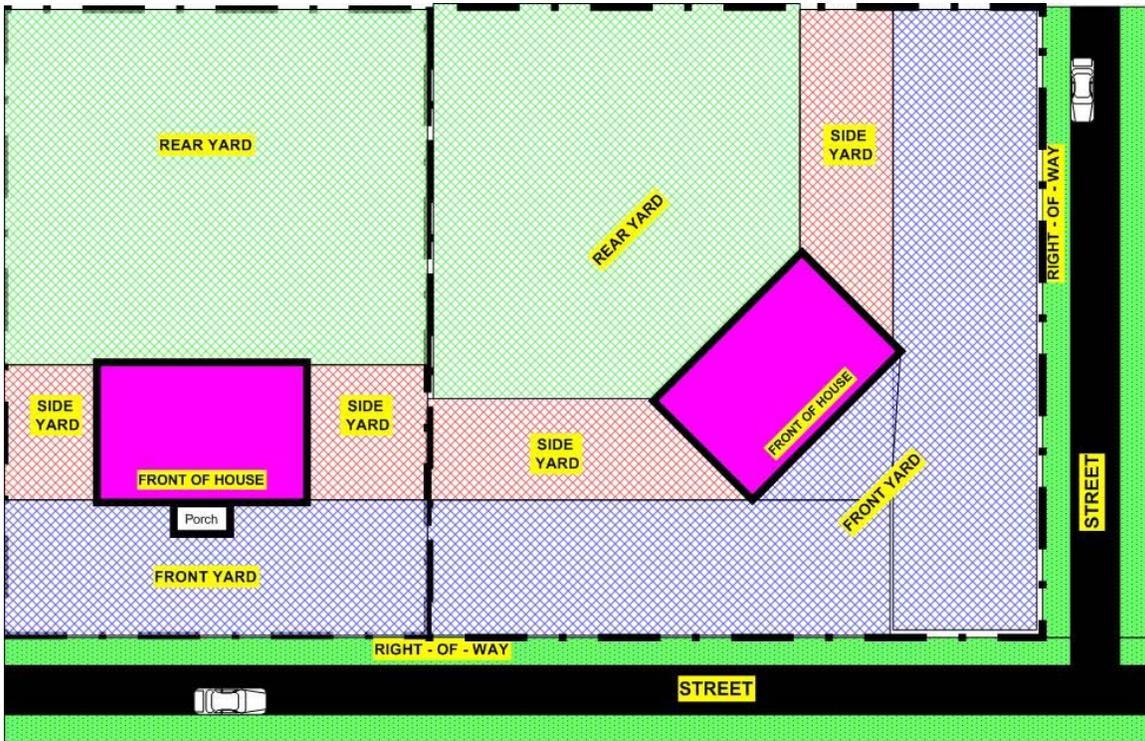
The meeting was adjourned at 8:11 PM.

Richard Johnson, Chairman

G. William Kingsbury, Secretary



Attachment Y-1



ATTACHMENT Y-2