

**Planning Commission  
Minutes  
October 21, 2013**

Charlie Roberts	Present
Eron Moore	Present
Keith Roche	Resigned
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. Mrs. Futch made a motion to approve the minutes of the September 16, 2013 meeting. Mr. Strickland seconded the motion. The motion carried. 3-0

**OLD BUSINESS**

None

**NEW BUSINESS**

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| <b>1. SU-13-11<br/>Shaniza Manjiyani on behalf of<br/>Marathon Gas Station<br/>1000 Grayson Highway<br/>Lawrenceville, GA 30046<br/>5/139/184</b> | <b>To allow Transportation<br/>Rental of Commercial<br/>Vehicles in a BG zoning<br/>classification</b> |
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Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and stated that the 2030 Master Plan identifies certain desired development patterns that the proposed use will not be in line with. The site limitations are such that screening of the proposed unattractive use is not possible; therefore, the Planning Department recommendation is for denial. However, if approved, the Planning Department recommends the following conditions:

1. No rental vehicle may be parked in the front yard adjacent to Scenic Highway.
2. No rental vehicle may be parked on the southwestern side of the entry drive adjacent to Park Place Drive.
3. The parking requirement of twelve (12) spaces shall be met at all times in excess of any spaces being occupied by rental vehicles.
4. Rental vehicles in excess of 20' in length shall be prohibited because those vehicles will not fit in existing parking spaces.

5. Applicant will be required to construct a sidewalk per City of Lawrenceville development standards along Park Place Drive.
6. Deciduous street trees similar to Red Maple shall be required to be planted twenty-five (25) feet on center along the frontage of Grayson Highway and Park Place Drive.
7. Sign twirling is prohibited on the property.

Mr. Roberts asked if the applicant was present. Mr. Eric Logan gave the presentation on behalf of the applicant. Mr. Logan stated that the applicant has operated a gas station/convenience store at this location since 2008 and has been renting U-hauls since that time as well. The applicant has not received complaints from neighboring business owners or residents and feels that the business is in line and fits with other surrounding businesses.

Mr. Roberts asked if there were any questions from the Planning Commissioners. Mrs. Futch asked how many vehicles were typically kept on site at one time. Mrs. Manjiyani stated that they usually have at least two “in town” rentals and a total of anywhere from four to 6 vehicles. Mrs. Futch asked about the typical size of the vehicles. Mrs. Manjiyani stated that the vehicles range in size from 10’ to 26’. Mrs. Manjiyani also stated that the store hours are such that it is convenient for customers to return the vehicles and that the U-haul business accounts for twenty percent of her operation. She also stated that she was unaware that an SUP was required for this use.

Mrs. Futch asked Mr. Ferguson if this was a new requirement or if it had been required all along. Mr. Ferguson stated that the SUP requirement was new but that the Marathon Gas Station had never been operating U-haul rental as a legal use because a separate occupational tax certificate is required.

Mr. Roberts asked if there was any opposition. Mr. David Mellard spoke and asked the Planning Commission to consider the broad context of the application and the direction in which the City wants to go. Mr. Mellard stated that ultimately the Planning Commission needs to consider if the proposed use will be beneficial in accomplishing the goals of the City.

Mr. Roberts stated that the applicant had time for rebuttal if he wished. Mr. Logan stated that even though some uses, such as gas stations and U-haul rental, may be seen as undesirable, they are necessary.

Mr. Roberts then called for a motion. Mr. Moore made a motion to recommend denial of the special use permit application. The motion was seconded by Mrs. Futch. The motion carried. 3-0

<p><b>2. SU-13-12</b>  <b>Eloise May on behalf of</b>  <b>Goodwill of North Georgia</b>  <b>251 Scenic Highway</b>  <b>Lawrenceville, GA 30046</b>  <b>5/142/100</b></p>	<p><b>To allow Commercial Vehicle</b>  <b>(Tractor and/or Trailer)</b>  <b>parking in a BG zoning</b>  <b>classification</b></p>
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Mr. Roberts asked for a report from the Planning Commission. Mr. Ferguson gave the report and explained that the applicant uses a trailer parked in the rear of the building for

extra storage space. Mr. Ferguson stated that the applicant should relocate to a larger facility if the current location does not have adequate space to unload and process goods. Mr. Ferguson stated that the Planning Department recommendation is for denial but if approved, the Planning Department recommends the following conditions:

1. No Commercial Vehicle shall be parked adjacent to Constitution Boulevard, Scenic Highway or Gwinnett Drive.
2. No Commercial Vehicle used for the delivery of goods for Goodwill of North Georgia shall be parked in a manner that obstructs access to any other business.
3. The approval of this Special Use Permit shall in no way allow Goodwill of North Georgia or Scenic Plaza Joint Venture or any future owners or occupants to lease or rent parking spaces for the storage of Commercial Vehicles.
4. Deciduous street trees similar to Red Maple shall be required to be planted twenty-five (25) feet on center along the frontage of Grayson Highway and Park Place Drive.
5. Sign twirling is prohibited on the property.

Mr. Roberts asked if the applicant was present. Mr. Brian East made the presentation on behalf of the applicant. Mr. East explained that Goodwill has been using a trailer that is parked at the loading dock to store goods for the past fifteen years. Mr. East stated that the trailer holds clothing and other materials that are not purchased in the store until they are accumulated in a full trailer load. Mr. East stated that this method keeps unwanted clothing out of landfills. Mr. East stated that he would be willing to construct a fence to help screen the trailer.

Mr. Roberts asked if there was any opposition. Mr. David Mellard stated that he is in favor of Goodwill as a business but wanted to make sure that the City maintained consistency with the enforcement of its ordinances. Mr. Mellard also stated that the context of the property is a challenge with the frontage on Plainview Drive.

Mr. Art Brand of Saint Vincent de Paul then spoke. Mr. Brand wanted to make it clear that he was not in opposition of the application but wanted to ensure the approval would not allow the shopping center to become a tractor/trailer parking lot.

Mr. Roberts then called for a motion. Mr. Strickland made a motion to approve the application with staff conditions but that condition 4 be removed and replaced to require a fence in the rear of the building to screen the trailer. The motion died due to the lack of a second.

Mr. Moore then made motion to table the item to allow staff to meet with the applicant to discuss a compromise concerning the conditions. Mrs. Futch seconded the motion. The motion carried. 3-0

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

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Charlie Roberts, Chairman  
Planning Commission

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Joshua M. Ferguson, Director  
Planning and Zoning Department