

**Planning Commission
Minutes
November 18, 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 October 21, 2013 meeting. Mr. Strickland seconded the motion. The motion carried. 3-0

OLD BUSINESS

- | | |
|---|---|
| 1. SU-13-12
Eloise May on behalf of
Goodwill of North Georgia
251 Scenic Highway
Lawrenceville, GA 30046
5/142/100 | To allow Commercial Vehicle
(Tractor and/or Trailer)
parking in a BG zoning
classification |
|---|---|

Mr. Roberts asked for a report from the Planning Commission. Mr. Ferguson stated that at the October Planning Commission meeting, the Planning Commission had instructed him to meet with the applicant to work out some of the details of the application in order to come to an agreement. Mr. Ferguson said he met with the applicant and now recommends approval with 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. Applicant shall be required to construct a louvered wall of suitable height and width to screen the entire loading dock area.
5. Only one trailer may be stored on the property overnight. All other trailers for receipt and delivery of goods must not remain on the property past normal business hours.

6. Sign twirling is prohibited on the property.

Mr. Ferguson showed some examples of the type of louvered wall he would like constructed in order to screen the loading dock. Mr. Ferguson also presented a copy of the plan the applicant proposed which was not quite what had been discussed at the onsite meeting.

Mr. Roberts asked if the applicant was present. Mr. Brian East spoke on behalf of the applicant. Mr. East stated that the drawing that was presented to the Planning Department was not what he had in mind and that he would be amenable to constructing the metal louvered wall if the cost is unobjectionable.

Mr. Roberts then called for a motion. Mr. Moore made a motion to recommend approval of the application with staff condition. The motion was seconded by Mr. Strickland. The motion carried. 3-0

NEW BUSINESS

1. **SU-13-13** **To allow an EMC sign**
Tommy Nash on behalf of
Nash Chevrolet
630 Scenic Highway
Lawrenceville, GA 30046
5/117/021

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson gave the report and stated that the 72 square feet of EMC sign area requested is larger than the maximum of 40 square feet that Article X of the sign ordinance allows. Mr. Ferguson also explained that the applicant had not submitted a specifications sheet of the sign with the application and because of this, he could not state if the bulb spacing was adequate. Mr. Ferguson stated that the Planning Department recommends approval with the following conditions to ensure conformity with the sign ordinance:

1. The site currently has five (5) freestanding signs. According to Article X, only two (2) freestanding signs are allowed on a property. If approved, staff recommends that four (4) of the freestanding signs shall be removed.
2. The existing free standing pole sign that will remain shall be lowered to an overall height of fifteen (15) feet to meet the requirements of Article X.
3. The applicant shall provide a specifications sheet from the manufacturer of the EMC sign to ensure that the sign meets the bulb spacing requirements of Article X.
4. The maximum area of the EMC portion of the sign shall be no greater than forty (40) feet.
5. The sign structure is shown on the site plan five (5) feet from the right-of-way. The required setback requirement of twenty (20) feet shall be maintained.

Mr. Roberts asked if the applicant was present. Mr. Tommy Nash and Mr. Wayne Raffield gave the presentation on behalf of the applicant. Mr. Nash stated that it was his vision to create a community sign that would be used for the benefit of Lawrenceville. The sign could be used for public events or even municipal election notification. Mr. Raffield presented color renderings of what the proposed sign would look like. Mr. Raffield stated that if the applicant was required to maintain the maximum EMC sign area of 40 square feet, the sign would not be adequately visible from passing motorists.

Mr. Nash stated that he had concerns over some of the staff recommendations. Mr. Nash said that he should not be required to remove the two signs along Moon Road because they are vital directional signs to his different services provided. Mr. Nash did agree to remove the two older signs along Scenic Highway. Mr. Raffield also explained that Mr. Nash could not lower the large Chevrolet sign along Scenic Highway because the sign was owned by Chevrolet and that was their standard. Mr. Raffield then stated that it would not be possible to maintain the setback requirement of 20' because the sign would then be located in the drive access isle. Mr. Nash requested approval with some modification of the staff recommendation.

Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts then called for a motion. Mr. Strickland made a motion to approve the application with the following conditions:

1. The site currently has five (5) freestanding signs. According to Article X, only two (2) freestanding signs are allowed on a property. If approved, staff recommends that three (3) of the freestanding signs shall be removed.
2. The applicant shall provide a specifications sheet from the manufacturer of the EMC sign to ensure that the sign meets the bulb spacing requirements of Article X.
3. The maximum area of the EMC portion of the sign shall be no greater than seventy-two (72) feet.

The motion was seconded by Mrs. Futch. Mr. Roberts asked if there was any further discussion. Mr. Roberts pointed out that if the original staff recommendation number 5 was removed instead of addressed, the applicant would have to meet the setback requirement. Mr. Strickland then asked to amend his motion to include the following condition as condition 4.

4. The sign structure can be five (5) feet from the right-of-way as shown on the site plan.

Mrs. Futch as the seconder agreed to the amendment to the motion. Mr. Roberts asked Mr. Ferguson to read back the motion with conditions. They were as follows:

1. The site currently has five (5) freestanding signs. According to Article X, only two (2) freestanding signs are allowed on a property. If approved, staff recommends that three (3) of the freestanding signs shall be removed.
2. The applicant shall provide a specifications sheet from the manufacturer of the EMC sign to ensure that the sign meets the bulb spacing requirements of Article X.
3. The maximum area of the EMC portion of the sign shall be no greater than seventy-two (72) feet.

prepared by Mr. Lee Thompson, the City Attorney and that the staff recommendation was for approval.

Mr. Roberts asked if there were any questions of the Planning Commission for Mr. Ferguson. There were none. 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 amendment as presented. Mr. Moore seconded the motion. The motion carried. 3-0

**4. Amendment to Zoning Ordinance
Articles VII Sections 7.12 and 7.13** **Recommendations
concerning uses listed in LM
and HM zoning
classifications**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that staff felt this amendment was needed to help further clarify the ordinance since there were certain provisions pertaining to outdoor storage in LM and HM. Mr. Ferguson also stated that he has been working with the City Attorney to enumerate each allowed Principal Permitted Use in each district and the ordinance presented was part of that review. Mr. Ferguson requested that uses numbered 1 and 24 be removed and the subsequent uses numbered accordingly.

Mr. Roberts asked if there were any questions of the Planning Commission for Mr. Ferguson. There were none. Mr. Roberts asked if there was any opposition. There was none. Mr. Roberts then called for a motion. Mr. Strickland made a motion to recommend approval of the amendment with suggested changes from staff. Mr. Moore seconded the motion. The motion carried. 3-0

**5. Amendment to Zoning Ordinance
Article X** **Recommendations
concerning window signs**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that a recent amendment which prohibited all window signs encouraged discussion between the City Council and business representatives. Out of that discussion came Mr. Ferguson's task to consider lessening the restrictions on window signs. The ordinance presented had been prepared by Mr. Lee Thompson, the City Attorney and Mr. Ferguson. The staff recommendation was for approval.

Mr. Roberts asked if there were any questions of the Planning Commission for Mr. Ferguson. There were none. 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 amendment. Mr. Moore seconded the motion. The motion carried. 3-0

**5. Amendment to Zoning Ordinance
Article VI and VII** **Recommendations
concerning Family Day
Care Homes**

Mr. Roberts asked for a report from the Planning Department. Mr. Ferguson explained that the City Council had recently placed a moratorium on the issuance of all Occupational Tax Certificates relating to Family Day Care Homes. Mr. Ferguson stated that at the direction of the City Council, he and Mr. Lee Thompson had prepared the ordinance changes which were before the Planning Commission.

Mr. Roberts asked if there were any questions of the Planning Commission for Mr. Ferguson. There were none. Mr. Roberts asked if there was any opposition. Mrs. Emily Powell spoke and asked if the Planning Commission would consider adding that a condition be placed on the Family Day Care Operators that they must provide birth certificates for all children in their care. After some discussion, Mr. Roberts called for a motion. Mrs. Futch made a motion to recommend approval of the amendment with the added condition that proof of legal guardianship or birth certificates of all children kept in the Family Day Care Home shall be kept on record. Mr. Strickland seconded the motion. The motion carried. 3-0

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

Charlie Roberts, Chairman
Planning Commission

Joshua M. Ferguson, Director
Planning and Zoning Department