

Planning Commission
November 19, 2007

Richard Johnson, Chairman	Present
Charles Mathis	Present
John Merrill	Present
Eron Moore	Present
Dennis Norton	Present

Staff Present:

Brad Leonard, Director of Planning and Development
Bill Kingsbury, Planner

Chairman Johnson called the meeting to order at 7:06 PM and declared a quorum with all members present.

Chairman Moore asked if there were any changes to the previous minutes. Two changes for the October 8 were noted. In the discussion of RZ-07-13, it was Mr. Dennis Norton who, "made the motion to amend the original motion requiring the RS-180 area to remain in its natural state . . . ," and it was Charles Mathis who seconded the motion. The second correction is it was Acting Chairman Merrill who adjourned the meeting.

Brad Leonard, Director of Planning and Development, stated that item RZ-07-15 (Retail Capital Partners, LLC, Sugarloaf & Bellbrook Ln) had been withdrawn. A motion and second was made to remove the item from the agenda and to approve the remainder of the agenda. Said motion was past 4-0.

NEW BUSINESS

RZ-07-15, James A. Hinkle, 395 Scenic Hwy, 5-116-087 (ON to O-I)

Mr. Leonard presented the staff report.

Mr. Jim Hinkle presented his request for O-I in order that an art school may have offices and a classroom on the property. Members of the Commission asked questions of Mr. Hinkle and discussion followed.

No opposition was present, however, Evelyn Meyers addresses the Commission and stated that she owns the property next door at 385 Scenic Highway. She said that when her property was rezoned to O-I that one of the conditions placed on the property was that there could not be a school on the property. She asked that if a school will be allowed on

the property at 395 Scenic Drive, would school be allowed on her property? Chairman Johnson stated that she would have to apply to the Planning Commission to have the condition removed.

Mr. Mathis made a motion to approve the rezoning request; Mr. Merrill seconded the motion. The motion passed 3 to 1, with Mr. Dennis Norton voting against the motion.

AMENDMENT TO THE USED CAR ORDINANCE

The sale of used cars and the condition of use car lots was discussed. Mr. Norton submitted and read the following

“I would like to sponsor revisions to the zoning ordinance regarding used car sales. In order to preserve and promote a safe and healthy environment for the public, I offer the following recommendations to our current ordinance:

1. All used car dealers must have a valid and current license with the State of Georgia to sell, lease, or exchange automobiles, trucks, etc.
2. All vehicles displayed and/or offered for sale, lease, purchase, or exchange must be in operating condition at all times.
3. All vehicles displayed and/or offered for sale, lease, purchase, or exchange must have a current State of Georgia emissions test with the status “PASSED.”
4. All vehicles displayed and/or offered for sale, lease, purchase, or exchange must be in “GOOD” condition as defined by Kelly Blue Book. ("Good" condition means that the vehicle is free of any major defects. The vehicle has a clean title history, the paint, body and interior have only minor (if any) blemishes, and there are no major mechanical problems. There should be little or no rust on this vehicle. The tires match and have substantial tread wear left. A "good" vehicle will need some reconditioning to be sold at retail. Most consumer owned vehicles fall into this category.)
5. No major repair work or maintenance shall be performed on the premises. Minor tune-ups, fluid changes, washings/waxing, and tire changing are allowed if concealed from view in an enclosed structure.
6. Each vehicle displayed and/or offered for sale, lease, purchase, or exchange must be parked in a designated parking space that complies with the minimum size/layout requirements of the City of Lawrenceville Zoning Ordinance and all local, state, and federal applicable codes/regulations.
7. In the event the business wants to secure the property to prevent vehicle theft and/or damage, fences and/or gates only shall be used. In no event shall a vehicle or other item be used the block entry to the premises.
8. The premises shall be kept in a neat and clean condition at all times.
9. Loud noises or boisterous noises are not allowed, either by persons congregating at the premises, or by playing of recording instruments, radios and/or televisions or other sound-reproducing equipment.
10. All used tires shall be disposed of on a weekly basis.”

Following Mr. Norton's presentation, Chairman Johnson asked Mr. Kent Swanson, a car dealer, to comment. Mr. Swanson stated that the used car business is regulated by the state, and state laws and regulations address many of Mr. Norton's concerns. Mr. Swanson stated that state law allows individuals to sell only six vehicles a day, and that a business can not sell vehicles to the public without the necessary state license. He stated that complaints should be submitted to the Secretary of State, Used Car Board.

There was additional discussion and it was agreed that exiting laws should be enforced.

AMENDMENT TO THE ZONING ORDINANCE SECTON 7.9 BILLIARD

Mr. Leonard presented a report from the City Council concerning the billiard rooms. After discussion, it was moved and seconded that the Planning Commission recommends to the City Council of Lawrenceville to amend Section 7.9 of the 2005 Lawrenceville Zoning Ordinance to modify the uses to incorporate billiard rooms as a Special Use within the General Business District.

Being no other business, Chairman Johnson adjourned the meeting at 8:20 PM.