

CITY OF PEACHTREE CORNERS
PLANNING COMMISSION
MARCH 11, 2014

The City of Peachtree Corners held a meeting on Tuesday, March 11, 2013 at 7:00pm. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Planning Commission: Matt Houser, Chairman, Post D
Alan Kaplan, Post A
Mark Middleton, Post B
Mark Willis, Post C
Italia Metts, Post E

Staff: Diana Wheeler, Community Development Director
Kym Chereck, City Clerk

MINUTES:

**MOTION TO APPROVE THE MINUTES FROM THE NOVEMBER
12, 2013 PLANNING COMMISSION.**

By: Mark Willis

Seconded by: Italia Metts

Vote: Passed 5-0 (Willis, Metts, Houser, Kaplan, Middleton)

OLD BUSINESS: There was no old business.

NEW BUSINESS:

1. SUP2014-001 Seigakuin School

Request for a Special Use Permit to add church and community uses to an existing 3.79 acre school facility zoned R-100 and located at 5505 Winters Chapel Road in Land Lots 311 and 312, 6th District, Gwinnett County, Georgia.

Mrs. Diana Wheeler, Community Development Director, presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant is requesting a Special Use Permit to add church and community uses to an existing school. No additions or alterations to the existing buildings or site are being proposed. After review, Staff recommended approval of the Special Use Application with the following ten conditions:

1. Permitted uses shall be limited to school, church and community uses.
2. Community uses shall not include commercial activities such as retail sales.
3. Community uses shall be conducted solely within the building.
4. All events on the property shall end by 9:00 PM with clean-up completed by 10:00 PM.
5. No outside sound or speaker systems shall be permitted.
6. Alcoholic beverages, except for ceremonial use, shall be prohibited.
7. The maximum number of cars allowed on site is 130 and the maximum number of people on the property is 250.
8. Activities generating a greater parking demand than can be accommodated on site shall not be permitted.
9. Signage advertising any of the additional uses or tenants shall not be permitted.
10. Approval shall be subject to reconsideration if more than three complaints are received within any 12 month period.

The applicant, Ms. Minako Ahearn, informed the Commission that currently she has no examples of the school, church or community uses she is proposing with the exception of music or language lessons. Ms. Ahearn stated that she had no concern with Staff's conditions with the exception of condition numbers nine (9) and ten (10). Ms. Ahearn stated that she would like to have the option of directional signs, and also expressed concern with the limited number of complaints she may receive. Ms. Ahearn stated that she does not expect to have any complaints as she is trying to be a good neighbor, but that she would like to know if this condition had been added to other Special Use Permits.

Chairman Houser asked for public comment concerning this application. Mr. Dan Bircheat of 6830 Chapel Glen Court stated that he is opposition to this application and expressed concern with the additional traffic this Special Use produce, and also expressed concern with all of Staff's conditions. Mr. Bircheat stated that the school has been a good neighbor, but that he does not want a Commercial Use added to the site. Mr. Bircheat presented the Commission with additional conditions. These conditions are available in the applicants file.

Ms. Judy Calland of 6800 Chapel Glen Court stated that she is opposed to the Special Use application and expressed concern the additional traffic this Use would produce.

Ms. Rhonda Bircheat of 6830 Chapel Glen Court stated that she is opposed to the Special Use application and expressed concerning with the traffic and noise that this application would produce.

The Commission took the following action:

MOTION TO APPROVE SUP2014-001 SEIGAKUIN SCHOOL SUBJECT TO THE CONDITIONS SET FORTH BY STAFF AND AMENDED AS FOLLOWS: CONDITION NUMBER ONE (1) TO READ, AS PERMITTED

USES SHALL BE LIMITED TO SCHOOL, EDUCATIONAL, CHURCH AND COMMUNITY USES; CONDITION NUMBER SIX (6) TO READ, ALCOHOLIC BEVERAGES, EXCEPT FOR RELIGIOUS USE, SHALL BE PROHIBITED; CONDITION NUMBER NINE (9) TO READ, PERMANENT SIGNAGE ADVERTISING ANY OF THE ADDITIONAL USES OR TENANTS SHALL NOT BE PERMITTED; HOWEVER, TEMPORARY DIRECTIONAL SIGNAGE SHALL BE PERMITTED; AND AN ADDITIONAL CONDITION, CONDITION NUMBER ELEVEN (11) TO READ, THE SCHOOL SHALL REQUIRE AND VERIFY THE PARKING LOT GATES ARE SECURED AFTER EACH USE BY ANY GROUP.

By: Mark Middleton

Seconded: Mark Willis

**Vote: (3-1-1) (Middleton, Willis, Houser approved) (Metts opposed)
(Kaplan recused)**

SUP2014-002 Eldon Smith – Auto Sales

Request for a Special Use Permit to allow used auto sales on a 1.34 acre parcel located at 4521 Buford Highway in Land Lot 258, 6th District, Gwinnett County, Georgia.

Mrs. Diana Wheeler, Community Development Director, presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant is requesting a Special Use Permit to allow used auto sales. No additions or alternations to the existing buildings or site are being proposed. After review, Staff recommended approval of the Special Use Permit with the following seven conditions:

1. Used auto sales shall be permitted on 1.34 acres.
2. Only one use shall be permitted on the property at any time.
3. No inoperable vehicles shall be visible from the right-of-way.
4. No vehicle repair or maintenance shall be conducted outdoors.
5. Business identification signage shall be limited to one wall sign no greater than 60 sq. ft. in area and one monument sign no greater than 4 ft. high and 24 sq. ft. in area.
6. A maximum of 90 vehicles shall be permitted on the property.
7. A business license shall not be issued to an auto sales company until the following has occurred:
 - a. A dumpster enclosure is built and the dumpster is placed within it.
 - b. Any trailers and inoperative vehicles are removed from the property.
 - c. The property is cleared of debris and extraneous materials.
 - d. Any areas on the rear of the property intended for vehicle parking are paved.

Mr. Briggs Allen represented the applicant. Mr. Allen explained that he had issue with Staff's conditions. Mr. Allen stated that the applicant would like to keep the existing Church Use on the site and add Auto Sales. The Auto Sales would sublease the front of the property, with an office located at the front of the building. Therefore, he would not be agreeable to condition number two (2), only one use shall be permitted on the property at any time. Mr. Allen also expressed concern with condition number six (6) and seven (7)b. The Commission inquired from Mrs. Wheeler if she was aware of the applicant wanting the existing Church Use to remain. Mrs. Wheeler stated that she was unaware that the applicant would like the existing Church Use to remain and to add the Special Use Permit for Auto Sales. Mrs. Wheeler also stated that the application did not reflect a request for a dual Use, and therefore, the Staff report was not researched or written with that in mind.

Chairman Houser asked for public comment concerning this application. There was no public comment.

MOTION TO TABLE THIS CASE UNTIL THE NEXT PLANNING COMMISSION MEETING IN ORDER TO GIVE THE APPLICANT AND STAFF TIME TO GET TOGETHER AND EVALUATE THE PROPOSAL AS YOU HAVE DESCRIBED IT HERE TONIGHT, AND TO COME BACK TO US AS TO WHAT ADDITIONAL THINGS MIGHT NEED TO BE ADDRESSED.

By: Matt Houser

Seconded: Mark Middleton

Vote: (5-0) (Houser, Middleton, Kaplan, Willis, Metts)

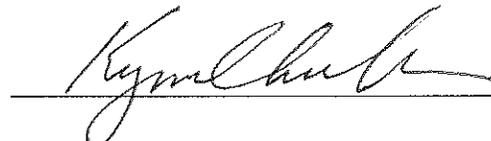
The Planning Commission meeting concluded at 8:43 PM.

Approved,



Mark Willis, Acting Chairman

Attest:



Kym Chereck, City Clerk