

Members Present: Chairman - Hugh Wilkerson, Joe Gennusa, Emil Powella and AJ Passman.

Members Absent: Michelle West **Quorum Present:** Yes.

Staff Members Present: Doug Stacks – Planning & Economic Development Director
Joellen Wilson – City Planner

Work Session: Yes. A.J. Passman sworn in by D. Stacks

- I. **Call to Order:** 7:30 PM by Hugh Wilkerson, Chairman.
- II. **Approval of Agenda:** Motion by Gennusa. Second by Powella. All for.
- III. **Approval of Minutes – August 27, 2015:** Motion by Gennusa. Second by Powella. All for.
- IV. **Old Business:** None
- V. **New Business:**

CIC-2016-01. Providence Christian Academy is requesting a Change in Conditions as they apply to a 1997 Special Use Permit (SUP-02-97) and subsequent 2005 Conditions (LCC-03-05) on the existing soccer and baseball fields. The owner is requesting removal of LCC-03-05 Condition #3 to allow a public address system, removal of condition #7 that restricts lighting operation to a third party from a remote location, and a revision of Condition #8, to extend hours of operation on the athletic fields to 9:30 PM and later as needed to accommodate games that occasionally go into extra innings/overtime.

Staff presented the analysis of the zoning for this site and enumerated conditions from the original SUP and LCC that have already been implemented by the owner. With regard to the public address system, the 2014 Noise Control Ordinance and the existing required planted buffers suffice to control and mitigate sound impacts. The required vegetated buffer has grown to allow lighting on both fields and the request for on-site control of the lighting system is reasonable. The extension of operational hours to 10:00 P.M. is also consistent with the Noise Ordinance timeframes for the applicable maximum sound levels. A comparison of similarly used properties indicates there are fewer residential homeowners impacted at this location due to the proposed directional capability of the lighting and sound system and an existing required vegetated buffer. The positive results of the noise test by Lilburn Police Department Dec. 21, 2015 were also presented. For reference, the field lighting at the Lussi Athletic Complex is limited to 9:00 PM M-Th and 10:00 PM Friday-Sunday, with no school sanctioned athletic events allowed on Sunday.

Based upon **Section 1003-7. Criteria for amendments to official zoning map** and the positive test results of a comparable speaker system by Lilburn Police Department, staff recommended APPROVAL of a change in conditions, to allow the use a public address system on the subject athletic fields in accordance with the Noise Ordinance, allow local control of the lighting, and permit operations of the fields, including lighting and P.A. system from 7:30 A.M. to 10:00 P.M. Monday through Saturday.

Staff proposed repealing conditions of SUP-02-91 and LCC-03-05 and compiled revised conditions, titled "Exhibit A – Change in Conditions (CIC-2016-01)".

Shawn Chapman, representative from PCA presented the location plan for speakers and approved lighting plan, and he provided more detailed intent to allow PCA to compete in and host high school level sporting events that may occasionally extend beyond 9:00 P.M. He provided an abutting residential neighbor's support of the changes and reiterated his request for more consistent limitations on all PCA athletic fields.

No opposition was present.

Discussion followed regarding original LCC-03-05 condition #8 (revised condition #6) which prohibits activities on the field on Sunday. Though generally consistent with the Lussi complex conditions, several members felt that condition might prohibit or prevent opportunities for tournament play. Powella moved to recommend **approval of revised conditions** submitted by staff as **Exhibit A, Change in Conditions (CIC-2016-01)**, with additional removal of text in condition #6 which prohibits school sanctioned athletic events on Sunday. Genusa seconded. All voted in favor.

- VI. **Adjournment:** Gennusa moved to adjourn. Seconded by Powella. All for. Meeting was adjourned at approximately 7:48 PM.



Hugh Wilkerson

"EXHIBIT A" - Change in Conditions (CIC-2016-01)

Herein proposed to repeal, replace and combine conditions 1-16 associated with Special Use Permit (SUP-02-97) and conditions 1-8 associated with LCC-03-05, more recently approved by Resolution #186-06.

Conditions shall apply to subject property owned by Providence Christian Academy, Inc. and located at 4495 Wynne-Russell Drive, District 6, Land Lot 148 and 149, Parcel 074 and contains approximately 8.35 acres. The approved SUP allows for private school athletic fields in an R-100 zoning district with conditions compiled here:

1. The owner shall provide and maintain in perpetuity a 20-foot wide planted buffer, in conformance with the Lilburn Buffer, Landscape and Tree Ordinance, along the entire property boundary, adjoining residentially-zoned properties, with a 40 foot planted buffer behind the baseball field. The landscape and buffer plan must be approved by the planning staff.
2. The owner shall provide a sidewalk designed in accordance with city regulations along the entire property frontage of Shady Drive and Wynne-Russell Drive.
3. The owner is further required to plant a double row of Leyland Cypress, staggered on 10-foot centers, and shall be a minimum of 8 feet in height at the time of installation. The Leyland Cypress shall run parallel to District 6, Land Lot 149, Parcels 91, 92 and 172 and achieve an average height of 12 feet from the ground, prior to installation of lighting and shall be maintained in perpetuity.
4. The owner shall provide a signed and executed agreement with the owner of the adjoining cemetery parcel outlining fencing, screening, access and protection of the grave sites from the public. This document should also outline proposed access arrangements to the cemetery property owners from the proposed parking lot adjacent to the cemetery. The cemetery shall be surrounded by a five-foot landscape strip. (Facility should be supported, depending on whether the ground is raised or lowered, and the agreement with the cemetery owners should include a provision for a fence in front of the cemetery limiting access).
5. Limit the use of this property to Providence Christian Academy sponsored activities including private baseball and soccer, with concessions and parking. This facility will not be available for rent or use by other groups or organizations.
6. Limit the hours of operation to from 7:30 AM TO 10:00 PM. No game is to be scheduled after 7:00 PM. ~~No school sanctioned athletic events shall be allowed on Sunday.~~
7. The property owner shall provide at least one crosswalk from the existing gymnasium site to the subject property via Wynne-Russell Drive, in accordance with the American Disabilities Act, Gwinnett County and Georgia Department of Transportation standards for crosswalks.

8. Provide curb and gutter on Wynne-Russell Drive and Shady Drive along the entire property frontage.
9. Provide adequate permanent restroom facilities for patrons. No portable sanitary facilities shall remain on site, except during construction.
10. Property owner shall be responsible for payment on any caution lights, signage, warning grooves, and crosswalks along Wynne-Russell Drive and Shady Drive. This shall include maintenance and upkeep.
11. Property owner shall be required to have "NO PARKING" signs installed along both sides of Wynne-Russell Drive and Shady Drive adjacent to the subject property.
12. Provide an eight (8) foot high fence around the entire perimeter of the subject property, with lockable gates at all ingress/egress points.
13. Provide adequate netting along the first base and third base lines to prevent baseballs from reaching Wynne-Russell Drive and Shady Drive. Provide netting along the centerfield portion of the ballfield to prevent balls from reaching the adjoining property owners.
14. Property owner shall post and maintain signage at the entrance of the property which explains operation hours, authorized usage, and conduct rules and regulations.
15. A public address system shall be permitted for use on the fields subject to hours of operation and City of Lilburn Noise Ordinance. Speakers shall be directed toward the fields and other school property to minimize impacts to adjoining residential uses.
16. Property owner shall maintain executed agreement with the city whereby the city is held harmless for any damages resulting from activities on the subject property.
17. Directional lighting shall be permitted during hours of operation for use on the fields in accordance with the approved lighting plan. A post installation evaluation for compliance, so that levels do not exceed the levels listed on the provided plans, shall be provided to the Planning Department. These lights may be controlled on site by authorized staff within the approved hours of operation.
18. Attendees of the games shall not park in the neighborhoods. Parking shall be in designated off-street parking spaces only.