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City of Lilburn

City Hall
76 Main Street
Lilburn, GA 30047

City Council Meeting

Meeting Minutes – Approved

Auditorium
Monday, February 8, 2016
7:30 p.m.

Council

Johnny Crist, Mayor
Brian Burchik, Post 1
Scott Batterton, Post 2
Eddie Price, Post 3
Tim Dunn, Post 4

A work session was held prior to the regular scheduled meeting, at 6:30 p.m., to allow the elected officials to discuss this evening's agenda items. No other items were discussed and no actions were taken.

I. CALL TO ORDER – Mayor Crist called the meeting to order at **7:29 p.m.**

II. ROLL CALL

PRESENT: Mayor Johnny Crist, Council members Dunn, Burchik, and Price, City Manager Johnsa, Department Heads, City Attorney.

ABSENT: Council member Batterton

III. PLEDGE TO THE FLAG – Led by Mayor Crist.

IV. APPROVAL OF AGENDA

- Consideration of the City Council Agenda for February 8, 2016, meeting – **Motion to approve as presented, with no additions, was made by Council member Price, seconded by Council member Dunn. Motion passed with 3-0 Vote.**

V. ANNOUNCEMENTS – NONE

VI. CEREMONIAL MATTER

- Mayor Crist and Council member Dunn were recognized for their Certificate of Achievement for training.

VII. PUBLIC COMMENT – NONE

VIII. APPROVAL OF MINUTES

- Consideration of the **City Council Regular meeting** minutes from January 11, 2016 – **Motion to approve as presented, with no additions, was made by Council member Price, Seconded by Council member Burchik. Motion passed with 3-0 Vote.**

IX. PUBLIC HEARING

1. PUBLIC HEARING – LAN 16-01 ANNEXATION REQUEST – 212 N. RIVER DRIVE – NASH RESIDENCE – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT

The City received a petition from the property owner for annexation of 6.7± acres of residentially zoned land to be annexed into the city of Lilburn. The territory to be annexed abuts the existing boundary of Lilburn. The Tax Map Numbers for the two tracts of land are; 6125-012 and part of 6124-195.

The property is currently zoned R-100 (the County's lowest density single family residential zoning) and will be zoned R1 (the City's lowest density single family residential zoning) if annexed. The property's use will remain a single family home and accessory uses.

Mayor Crist opened the floor for public hearing for those in favor or in opposition of LAN 16-01 Annexation. With no comments, Mayor Crist closed the public hearing and Called for a motion.

A motion to approve the request by adoption of Annexation Ordinance No. 2016-496 was made by Council member Dunn, seconded by Council member Price. Motion passed with a 3-0 vote.

Attachment: Annexation Request, Survey/legal description, Ordinance No. 2016-496

2. PUBLIC HEARING – CIC-2016 CHANGE IN CONDITIONS – PROVIDENCE CHRISTIAN ACADEMY SPECIAL USE PERMIT (SUP-02-97) & CHANGE IN CONDITIONS (LCC-03-05) FOR BASEBALL & SOCCER FIELDS – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT

APPLICANT'S INTENT

The Applicant 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 located on the subject property. The owner is requesting removal of 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 as needed.

ZONING HISTORY

The subject property is zoned R1 Residential and developed with a high school baseball and soccer field associated with PCA in accordance with Special Use Permit (SUP-02-97). Revised conditions were approved in 2006 to allow field lighting as follows:

CONDITIONS - LCC-03-05 - Application of Providence Christian Academy for a Change of Conditions to SUP-02-97 to allow outside lighting for the baseball field only, the following conditions to apply to this actions only, and all previous conditions on SUP-02-97 to remain in effect:

1. That there will be a post installation evaluation for compliance so that lighting levels do not exceed the levels listed on the provided plans.
2. Attendees of the games do not park in the neighborhoods. Parking shall be in designated school parking only.
3. This petition does nothing to change the prohibition of a public address system.
4. Refer to Condition # 1 for SUP-02-97 which reads as follows: Provide a 20-foot wide buffer, replanted in conformance with the Lilburn Buffer, Landscape and Tree Ordinance, along the entire property frontage adjoining residentially-zoned properties, with a 40-foot planted buffer behind the baseball field.
5. Applicant 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.
6. Once the Leyland Cypress mentioned in Condition #5 have reached an average height of 12 feet from the ground, then the lights can be used for the soccer field. These Cypress are to be maintained in perpetuity.
7. These outside lights are to be controlled by a third party from a remote location.
8. To limit the hours of operation from 7:30 A.M. to 9:00 P.M. No game is to be scheduled after 7:00 P.M. No Sunday activities shall be allowed on the fields.

The following conditions were presented for Ordinance No. 2016-497:

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.
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 a.m. to 10 p.m. ~~No game is to be scheduled after 7:00 p.m.~~
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 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 ball field to prevent balls from reaching 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 offstreet parking spaces only.

Joellen Wilson, City Planner, presented the item to council. Notice was posted at the properties and neighbors were notified by mail. Mayor Crist and the council removed the second line of condition No. 6 stating that no game is to be scheduled after 7:00 p.m.

Mayor Crist opened the floor for public hearing for those in favor or in opposition of the CIC-2016 for Providence Christian Academy. With no comments, Mayor Crist closed the public hearing and Called for a motion.

A motion to approve Ordinance No. 2016-497, that includes the change in condition No. 6, was made by Council member Price, seconded by Council member Dunn. Motion passed with a 3-0 vote.

Attachment: *Application, Staff Analysis, Planning Commission minutes, Ordinance No. 2016-497*

X. AGENDA

3. CITY OF LILBURN 2016 MAYOR CRIST AND COUNCIL MEMBER BURCHIK APPOINTMENTS – CITY MANAGER

Mayor Crist and Council Member Burchik will be appointing the following members to various boards.

Mayor Crist read his appointees:

- Yoon-Mi Hampton – Zoning Board of Appeals

Council member Burchik:

- Demetrius Galfas – Merit Board
- Kent Suter – Board of Adjustments
- Jon Stallsmith – Zoning Board of Appeals

A motion to approve the various appointments as presented was made by Council member Dunn, seconded by Council member Price. Motion passed with a 3-0 vote.

Attachment: N/A

4. ELECTION QUALIFYING PERIOD – ORDINANCE NO. 2016-498; REDUCTION OF QUALIFYING PERIOD TO THREE (3) DAYS – CITY MANAGER

Agenda item proposes the reduction of the current five (5) day qualifying time period to three (3) days. The majority of local municipalities have incorporated a three day period. In speaking with the City Attorney, this change can be made by local Ordinance.

A motion to approve Ordinance No. 2016-498, reducing the Mayor and Council Qualifying Period to three days, was made by Council member Burchik, seconded by Council member Dunn.

Council member Price stated that the three-day period is less taxing for staff.

Council member Dunn stated that the change would be widely publicized before the next election.

Motion passed with a 3-0 vote.

Attachment: *Ordinance No. 2016-498*

5. GEORGIA POWER EASEMENT – CITY HALL/LIBRARY PROPERTY – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT

Georgia Power has requested an easement for power being provided to the City Hall/Library project. Gwinnett County Law Department has approved the easement as provided. Because of the joint ownership of the property, both the City and the County have to sign the document. As a result of the timing, we sign first in February and the County will sign next month.

A motion to approve the easement agreement with Georgia Power was made by Council member Price, seconded by Council member Dunn. Motion passed with a 3-0 vote.

Attachment: *Easement agreement, Easement exhibit*

XI. ADJOURNMENT

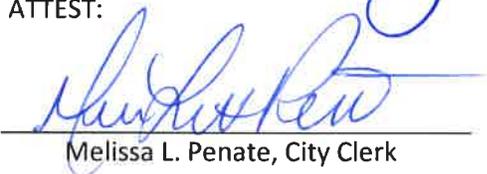
There being no further business, Council member Price made a motion to adjourn at 7:45 p.m., seconded by Council member Burchik. Motion carried unanimously.

Approved this 14 day of March, 2016.



Johnny D. Crist, Mayor

ATTEST:



Melissa L. Penate, City Clerk