



**City of Lilburn
City Council Meeting Agenda**

**June 10, 2019 at 7:30 p.m.
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Council Members:
Johnny Crist, Mayor
Lindsay Voigt, Post 1
Scott Batterton, Post 2
Eddie Price, Post 3
Tim Dunn, Post 4*

I. Executive Session (If Necessary)

II. Call To Order

III. Roll Call

IV. Pledge To The Flag

V. Approval Of Agenda

VI. Announcements

1. City Events

- Lilburn Food Truck Tuesday
Every Tuesday in June, 6:00 PM - 9:00 PM @ City Park
- Sprinkler Day
Every Wednesday, 10:00 AM - 12:00 PM @ City Park
- Sparkle in the Park
July 4, 2019, 5:30 PM - 10:00 PM @ City Park

VII. Ceremonial Matter

VIII. Public Comment

IX. Approval Of Minutes

1. City Council And Executive Session Draft Meeting Minutes From May 13, 2019

Department:	City Clerk
Presenter:	Melissa Penate, City Clerk
Staff	Motion to approve the City Council and Executive Session
Recommendations:	Draft Meeting Minutes from May 13, 2019

Department Head B. Johnsa
Approval:
Mayor's Signature Yes
Required:

Documents:

[5_13_2019 - MINUTES.PDF](#)

X. Public Hearing

1. Public Hearing Item 1 - City Of Lilburn FY 2019/2020 Budget And Adoption Of Budget Ordinance #2019-533

As part of the FY 2019/2020 Budget Process, staff requests Mayor and Council to conduct a public hearing prior to the adoption of the FY 2019/2020 budget ordinance. A public hearing was held on May 21, 2019 at City Hall.
The FY 2019/2020 annual budgets for the City of Lilburn are:

General Fund - \$8,291,161
Confiscated Assets Fund - \$75,000
Capital Projects Fund - \$1,377,000
Special Purpose Local Option Sales Tax (2017 SPLOST) - \$2,590,325

As discussed in our budget meeting on May 16, 2018, the millage rate will remain at 4.43 mils and is scheduled to be adopted at the Council meeting on July 08, 2019. This budget includes a Sanitation fee of \$13.25/mo for each residential property owner.

Public Hearing (Y/N) Y
Department: City Manager
Presenter: Bill Johnsa, City Manager
Staff
Recommendations: Motion to approve Ordinance #2019-533 for the City of Lilburn, Georgia FY 2019/2020 annual budgets in amount of \$8,291,161 for General Fund, \$75,000 for Confiscated Assets Fund, \$1,377,000 for Capital Projects Fund, and \$2,590,325 for 2017 SPLOST Fund.

Department Head B. Johnsa
Approval:
Mayor's Signature Yes
Required:
Budgeted: Yes
Fund Name & Code: General Fund, etal

Documents:

[PUBLIC HEARING ITEM 1 - AGENDA FORM- BUDGET ADOPTION.PDF](#)
[PUBLIC HEARING ITEM 1 - ATTACH 1 - ORDINANCE 2019-533 BUDGET FY20.PDF](#)
[PUBLIC HEARING ITEM 1 - ATTACH 2 - FUND SUMMARIES AND 5-YR CIP.PDF](#)

2. Public Hearing Item 2 - CIC-2019-01 – Change In Conditions To SUP-2017-01 To Relocate Within The Property An Approved Auto/Truck Service Center Use And Amend Hours Of Operation On 24.74 Acre Property Zoned CB At 733 Pleasant Hill Rd.

The subject property was developed as Lowe's home improvement store, annexed in 2011 and renovated as a mall in 2016 with 131,385 sf bldg. that accommodates various retail, service, restaurant, office, and other commercial uses. Zoned CB within the US29 Commercial Overlay District, the site was granted a Special Use Permit (SUP-2017-01) with conditions to allow an 11,000 sf auto/truck service center at the south end of the building (Ord. #2017-514). Since then a grocery store and artificial turf soccer field has been added in that area.

The owner is proposing to develop the auto/truck service center on the north side of the mall within the 6,720 square foot freestanding greenhouse structure. The proposed space will accommodate four bay doors parallel to (not visible from) Pleasant Hill Road and no addition to the building or parking is proposed. There is over 300 feet including a 90'+/- vegetated buffer between the site and residential uses to the north and proposed businesses still include auto accessory installations.

Building alteration plans will be reviewed for compliance with codes and the proposed location will be required to comply with screening requirements of Zoning, Article 5.

Required public notice resulted in no opposition or public comment. The Lilburn Police Department has no objections to the request. Planning Commission met May 23 and recommended approval as presented, with an additional amendment to condition #15 to extend operating hours.

Staff recommends the following:

APPROVAL of CIC-2019-01, Change in Conditions to Auto/Truck Service Center use, as follows:

1. Auto/Truck Service Center limited to 6,700 square feet within a former freestanding greenhouse structure, as delineated on the "Auto Service Layout" exhibit provided by the applicant.
2. No body or paint repair. Service limited to auto and truck maintenance and accessory installations.
3. Service permitted only in enclosed bays (4 shown).
4. Service bays shall be oriented so as to parallel Pleasant Hill Road.
5. Service bays shall be screened from view from public right of way.
6. Each tenant space shall comply with Gwinnett County sewer code. As may be required, building shall be renovated, with floor drains or other devices to accommodate oil/grit separators, in accordance with Gwinnett County sewer code.
7. No washing of parts or vehicles outside the building.
8. No Auto/Truck Body and Heavy Repair services, as described in Article 6, Restricted Uses.
9. No Heavy Equipment Service as described in Article 6.
10. No outside storage or outdoor displays.
11. No used tire sales or used auto parts sales.
12. No vehicle sales.
13. Parking of all vehicles shall be in designated spaces in compliance with Article 8 and shall not exceed maximum off-street parking spaces allocated for auto service center (1/200 s.f.).
14. Plans illustrating compliance with screening requirements, fire wall separation, sewer code compliance and other applicable requirements shall be submitted for approval prior to permitting for construction or application for certificate of occupancy.
15. Hours of Operation shall be limited to 9:00 a.m. to 8:00 p.m.

Public Hearing (Y/N) Y

Department: Planning & Economic Development

Presenter: Joellen Wilson, City Planner

Staff Recommendations: Approval of Ordinance #2019-534, approving CIC-2019-01, Change in Conditions to Auto/Truck Service Center use, with the conditions stated.

Department Head Approval: Doug Stacks

Mayor's Signature Required: Yes

Documents:

[PUBLIC HEARING ITEM 2 - AGENDA FORM - CIC-2019-01 .PDF](#)
[PUBLIC HEARING ITEM 2 - ATTACH 1 - CIC-2019-01 APPLICATION.PDF](#)
[PUBLIC HEARING ITEM 2 - ATTACH 2 - ORD. NO. 2017-514 SUP-2017-01.PDF](#)
[PUBLIC HEARING ITEM 2 - ATTACH 3 - CIC-2019-01 STAFF ANALYSIS REVISED FOR COUNCIL.PDF](#)
[PUBLIC HEARING ITEM 2 - ATTACH 4 - 2019-5-23 PC DRAFT MINUTES.PDF](#)
[PUBLIC HEARING ITEM 2 - ATTACH 5 - ORDINANCE 2019-534 CIC-2019-01.PDF](#)

3. Public Hearing Item 3 - RZ-2018-04 From OI And R1 To CB And R2, To Accommodate A Commercial Lot Fronting US29 And A Residential Development Including 4 Detached Lots And 29 Attached Townhomes On Approximately 4.21+/- Acres Located At 5284 Lawrenceville Highway, Being Identified As Tax Parcels 6136 003 And 036.

The parent parcel includes frontage along US29 and approximately 3.2 acres zoned O/I-Office Institutional but it has never been developed and is still used as a residence. The remaining acreage is an undeveloped residential parcel platted as part of the 1966 subdivision of Town & Country Estates.

The applicant intends to recombine acreage to create a 0.36 acre commercial (CB) parcel fronting US29 and develop a new residential subdivision with access from Greenleaf Drive. The proposed residential development includes 4 single family detached lots and 29 fee simple (for sale) attached townhomes, each with 2-car garage and minimum 1,400 sf heated area. The new road will be public right of way dedicated to the City of Lilburn and the neighborhood will be subject to new HOA covenants.

The Comprehensive Plan Character Area Map designates the parcel with frontage on US29 as O/I and CB. Existing residential properties in the vicinity are detached with a mix of lot sizes.

The proposed zoning of a majority of the property from O/I to CB and R-2 accomplishes goals of the City's Comprehensive Plan and Zoning. By maintaining more intense zoning along US 29 and proposing in-fill residential units that increase the variety of housing choices in the area. The R-2 district "is intended to provide land areas devoted to moderate density uses consisting primarily of detached and attached single-family dwellings, townhomes, clustered and cottage housing types, and other creative, flexible small lot development designs, as well as... a transition between lower density single-family residential districts and the higher density multi-family, mixed-use, and commercial business uses.... The R-2 district establishes a density of nine dwelling units per gross acre." The proposed 8.6 units/acre meets the criteria for R-2 district and could improve the walkability of the existing community, where residences are in close proximity to services and retail on US29.

Required public notice was provided and a few comments were recorded at Planning Commission. Lilburn Police and Public Works anticipate no adverse impacts. At the request of the applicant, this case was tabled by PC in February and March,

and the April PC meeting was postponed to May 23, 2019 when PC recommended approval with conditions.

Staff recommends the following:

Approval with Conditions in general accordance with the revised Rezoning Conceptual Site Plan:

1. The residential development to be engineered as a new subdivision, to comply with the US29 Overlay Corridor requirements, with HOA responsible for defined common areas.
 2. A landscaped 10' no access easement shall be provided along Greenleaf Court in rear yard of townhome building(s).
 3. All other side and rear setbacks adjacent to developed low density residentially lots shall include minimum 5' wide evergreen landscape strip.
 4. Building plans to be reviewed by Department of Planning and Economic Development shall include architectural treatments that result in compatible but unique individual housing units with a brick or stone water table at least 30 inches in height.
 5. The house size shall be a minimum of 1,400 square feet and each unit shall have a 2-car garage.
 6. Mail kiosk shall include overhead protection from elements.
- No recreational vehicle or trailer parking shall be visible from the public right of way.

Public Hearing (Y/N)	Y
Department:	Planning & Economic Development
Presenter:	Joellen Wilson, City Planner
Staff Recommendations:	Approval of Ordinance #2019-535, approving with conditions in general according with the revised rezoning conceptual site plan.
Department Head Approval:	Doug Stacks
Mayor's Signature Required:	Yes

Documents:

[PUBLIC HEARING ITEM 3 - AGENDA FORM - RZ-2018-04.PDF](#)
[PUBLIC HEARING ITEM 3 - ATTACH 1 - RZ-2018-04 APPLICATION REVISED 05-16-19.PDF](#)
[PUBLIC HEARING ITEM 3 - ATTACH 2 - RZ-2018-04 STAFF ANALYSIS.PDF](#)
[PUBLIC HEARING ITEM 3 - ATTACH 3 - 2019-5-23 PC DRAFT MINUTES.PDF](#)
[PUBLIC HEARING ITEM 3 - ATTACH 4 - ORDINANCE 2019-535 RZ-2018-04.PDF](#)

XI. Agenda

1. Agenda Item 1 - Revisions To Personnel Policies & Procedures Manual

Revisions to the Personnel Policies & Procedures Manual:

1. Addition of Veteran's Day Holiday to the approved holiday list for City Employees;
2. Method used to compensate employees for holidays based upon the assigned work shift;
3. Other minor revisions added for clarification. See attached summary of revisions

Public Hearing (Y/N) N
Department: Human Resources
Presenter: Lynn Smith, Human Resource Director
Staff Recommendations: Approval of revision to the Personnel Policies & Procedures Manual.
Department Head Approval: B. Johnsa

Documents:

[AGENDA ITEM 1 - REVISIONS TO PERSONNEL POLICIES AND PROCEDURES MANUAL.PDF](#)
[AGENDA ITEM 1 - ATTACH 1 - SUMMARY OF REVISIONS 6.10.19.PDF](#)
[AGENDA ITEM 1 - ATTACH 2 - PERSONNEL POLICIES AND PROCEDURES PROPOSED REVISIONS 6.3.19.PDF](#)

2. Agenda Item 2 - Ordinance #2019-536 Ban On Commercial Use And Operation Of Electronic/Shareable Mobility Devices In The City Of Lilburn.

Staff and counsel recommend a ban on electronic mobility devices (e-scooters) within the City of Lilburn. Mayor and Council may reinstate the use after sufficient study and review of statewide regulation(s).

Public Hearing (Y/N) N
Department: City Manager
Presenter: Bill Johnsa, City Manager
Staff Recommendations: Motion to approve Ordinance #2019-536 regarding regulation of electronic/shareable mobility devices within the City of Lilburn. Further, authorize Mayor to execute on behalf of the City of Lilburn.
Department Head Approval: B. Johnsa
Mayor's Signature Required: Yes
Budgeted: No

Documents:

[AGENDA ITEM 2 - AGENDA FORM - BAN - SHAREABLE MOBILITY DEVICES.PDF](#)
[AGENDA ITEM 2 - ATTACH 1 - ORD. 2019-536 SHAREABLE MOBILE DEVICES.PDF](#)

3. Agenda Item 3 - Ordinance #2019-537 Loitering And Improper Use Of Public Places

Staff and counsel recommend adoption of the attached ordinance due to increased loitering on City property.

Public Hearing (Y/N) N
Department: City Manager
Presenter: Bill Johnsa, City Manager

Staff Recommendations: Motion to approve Ordinance # 2019-537 regarding Loitering and Improper Uses of Public Places. Further, authorize Mayor to execute on behalf of the City of Lilburn.

Department Head Approval: B. Johnsa

Mayor's Signature Required: Yes

Documents:

[AGENDA ITEM 3 - AGENDA FORM - LOITERING AND IMPROPER USE OF PUBLIC PLACES.PDF](#)
[AGENDA ITEM 3 - ATTACH 1 - ORD 2019-537 LOITERING AND URBAN CAMPING.PDF](#)

4. Agenda Item 4 - Vape Shop Ordinance #2019-538 And 2019-539

Staff recommends approval of an ordinance prohibiting new vape shops in the city as well as an ordinance adding regulations for vape and vape-related products and prohibiting the sale, manufacture, and distribution of synthetic cannabinoids, synthetic cathinones, and synthetic opiates. Attached are two code revisions proposed for discussion.

Public Hearing (Y/N) N

Department: City Manager

Presenter: Bill Johnsa, City Manager

Staff Recommendations: Motion to approve Ordinance #2019-538 and Ordinance 2019-539 prohibiting the location of new vape shops in the city and add regulations for vape and vape related products.

Department Head Approval: B. Johnsa

Mayor's Signature Required: Yes, No

Documents:

[AGENDA ITEM 4 - AGENDA FORM - VAPE SHOP PROHIBITION.PDF](#)
[AGENDA ITEM 4 - ATTACH 1 - VAPE SHOPS ORDINANCE 2019-538.PDF](#)
[AGENDA ITEM 4 - ATTACH 2 - VAPE SHOPTS ORDINANCE 2019-539.PDF](#)

5. Agenda Item 5 - Ordinance #2019-540 - Mobile Vending Use And Restrictions Within Overlay Districts And Corporate Limits.

Staff and counsel recommend adoption of the attached ordinance due to increased activity on City property and within the corporate limits.

Public Hearing (Y/N) N

Department: City Manager

Presenter: Bill Johnsa, City Manager

Staff Recommendations: Motion to approve Ordinance Number 2019-540 regarding Mobile Vending. Further, authorize Mayor to execute on behalf of the City of Lilburn.

Department Head B. Johnsa

Approval:

Mayor's Signature Yes

Required:

Documents:

[AGENDA ITEM 5 - AGENDA FORM MOBILE VENDING.PDF](#)

[AGENDA ITEM 5 - ATTACH 1 - ORD 2019-540 MOBILE VENDING.PDF](#)

XII. Adjournment

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. Doug Stacks, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 13.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

The City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to Doug Stacks, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.