

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, APRIL 10, 2017, 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER - by Mayor Edwards. Present were Mayor Steve Edwards, Mayor Pro Tem Curtis Northrup, Council Members Marc Cohen, Susie Gajewski, Brandon Hembree and Mike Sullivan. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche, City Clerk Jane Whittington and City Attorney Frank Hartley.

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Mayor Edwards

APPROVAL OF AGENDA – Council Member Gajewski motioned to approve the agenda as submitted. Council Member Cohen seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting March 13, 2017; Work Session March 6, 2017; Special Called Meeting March 6, 2017 – Council Member Hembree motioned to approve the minutes as written. Council Member Gajewski seconded the motion. Approved 5-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

Proclamation Debi West, Southeastern Secondary Art Educator of the Year – Council Member Cohen recognized Debi West for her contributions both to the school and the community. Council Member Cohen read the proclamation and presented it to Ms. West.

REPORTS

**CITY ATTORNEY
COUNCIL
MAYOR
CITY CLERK
CITY MANAGER
YOUTH COUNCIL REPORT**

CITIZENS AND GUESTS COMMENTS – Alan Worthy spoke regarding the E Center Theater and all of the positive growth in Sugar Hill.

CONSENT AGENDA

OLD BUSINESS

Final Plat Ratification, The Preserve @ Addison Woods – this item was tabled from the previous meeting. Council Member Cohen motioned to ratify the final plat for Addison Woods. Council Member Sullivan seconded the motion. Approved 5-0.

Final Plat Ratification, Primrose Creek Unit 2B – this item was tabled from the previous meeting. Council Member Hembree motioned to ratify the final plat for Primrose Creek Unit 2B. Council Member Gajewski seconded the motion. Approved 5-0.

Public Hearing, RZ-16-005, 1148 Old Atlanta Rd., Change in Conditions - Director Awana explained that this item had been tabled from several meetings to allow more negotiation to meet the standards. The recommended action from staff would be to replace the existing conditions on the property with nine new conditions. The approved and existing use would continue. The Mayor opened the public hearing and Athea Cain, owner of the property, spoke regarding this proposed action. They have read and agree with the proposed conditions and are ready to move forward. There were no other comments so the hearing was closed. Council Member Cohen motioned to approve rezoning RZ-16-005 with the attached change in conditions. Council Member Hembree seconded the motion with an amendment to add Exhibit 1. Motion and amendment approved 5-0.

Design Review Board, Town Center Overlay 17-00267, Dr. Hamryka Sugar Hill Animal Hospital approval for building addition – Director Awana explained that the staff received an application from Dr. Hamryka of Sugar Hill Animal Hospital for an addition onto his existing building. The addition would be a New England barn style building. This was tabled from the previous meeting in March to allow a recommendation of some alternate materials to meet the requirements of the town center overlay. Since the meeting, the applicants architect has recommended some alternate materials. Staff is recommending approval with the alternate materials as outlined. The public hearing was opened and there were no comments so the hearing was closed. Council Member Cohen motioned to approve the overall design with the alternate material selections (to be approved by the city) in place of CMU and vinyl siding. Council Member Gajewski seconded the motion. Approved 5-0.

NEW BUSINESS

Historic Preservation Society Annual Update – Erin Stachiowiak, Board Member of the Historic Preservation Society presented the yearly report of the projects and goals of the society.

Historic Preservation Society Appointment – Council Member Hembree nominated Margaret Neal as the new board member. There were no other nominations so she will be the new member of the Historic Preservation Society.

Budget Amendment Land Acquisitions – the City Manager explained that during early 2017, the Mayor and Council approved the unbudgeted yet strategic purchase of 2 key parcels in the downtown area. These purchases were part of the overall plan to develop our central business district. An amendment of \$575,000 is needed to account for these previously approved land purchases. The transfer would be from unrestricted reserves. Council Member Sullivan motioned to approve the budget amendment as outlined by staff. Council Member Hembree seconded the motion. Approved 5-0.

Public Hearing, VAR-17-003, Linda and Robert Johnson, 1080 J. Dorothy Place, Allow metal siding on 12 X 16 storage building – Council Member Hembree motioned to table this item until the next Council Meeting. Council Member Sullivan seconded the motion. Approved 5-0.

Public Hearing, RZ-16-008, Property Solutions Group, LLC, Buford Hwy 23, re-zone from HM-1 to RS-100/PRD – Director Awana explained that the city received an application from Property Solutions Group to rezone the tax parcels 7-254-11, 256, 247, 248 & 249 containing 11.88 acres located on Buford Highway. The applicant proposes to rezone the parcel from HM-1 to RS-100 PRD for a single-family detached residential subdivision. The property has been vacant for some time. The property is adjacent to Thomas Concrete and ADE 725 whose variances will be heard later in this agenda. It is also across from Roberts Elementary School.

The public hearing was opened and Tracey Mason of T. D. Mason Law group spoke for the applicant. She explained that they plan to build 29 homes on the 11.88 acres. She acknowledges that the property is also adjacent to the railroad on the rear side of the property. The price range of the homes would be 350,000's. They presented a packet of the proposed product mix. The lots building pad would be 42' with 52' wide home sites and 5' side yard setbacks. Barry Johnsa, owner of the property spoke regarding the property. They held on to it through the difficult economic times recently and believe this development would be practical for the area.

Alex Setke, Attorney for Thomas Concrete stated that if the rezoning is approved and the VAR-17-001 is not, it would hamper their business.

There were no other comments so the Mayor closed the public hearing. Council Member Sullivan stated that while this development fits into what the Buford Corridor study proposes which is residential for the area, he struggles with this case. The train track is right there and could hamper sales of homes within the development.

The City Attorney Frank Hartley stated that during the public hearing of this case the 2 proposed variances were discussed, therefore they should be considered as one conversation.

Public Hearing, VAR-17-001, Property Solutions Group LLC, Thomas Concrete, reduce rear buffer to 0' – Director Awana explained the buffer under consideration for the current re-zoning would be 100' undisturbed. This would be problematic for Thomas Concrete since their current building would be within that buffer. This property contains an existing concrete plant adjacent to the parcel under consideration for rezoning in RZ-16-008. The property is zoned HM-2 and the existing use of the property would be considered non-conforming. Any new development or change would be limited by the buffer requirement.

Public Hearing, VAR-17-002, Property Solutions Group, LLC, for ADE 725 LLC, reduce rear buffer to 0' – Director Awana

The public hearing for both variances was opened and Mr. Gettis of Property Solutions Group stated that before the recent recession they built a subdivision further down near Duluth on the railroad side of Buford Highway. The community backed up to the railroad. They had no problems selling the homes. A concrete plant operates 24/7 and the noise level is not detrimental. He has and will continue to do their due diligence and does not feel that neither the railroad nor the concrete plant will hamper the development sales. The Mayor asked him how the concrete plant sits within the footprint of the neighborhood. Mr. Gettis stated that because of the topography of the land the concrete plant is below it. Vegetation separates it with tall trees, etc. He stated that he is comfortable putting on the plat that there is a plant and a railroad there.

Mr. Setke of Thomas Concrete stated that if the variance does not get approved then they definitely oppose the re-zoning. They are almost at the property line now and are conforming. If it changes to residential they could not be conforming

Council Member Sullivan asked if this was tabled another month would it cause a hardship. Tracey Mason stated it would be a problem to the current home owner.

Mayor Edwards closed the public hearing. Council Member Hembree motioned to approve **RZ-16-008** with the proposed condition presented by staff. Mayor Pro Tem Northrup seconded the motion. Approved 5-0.

Council Member Cohen motioned to approve **VAR-17-001**. Council Member Hembree made a substitute motion to table this item. Mayor Pro Tem Northrup seconded the substitute motion. Motion fails 2-3 with Council Member Hembree, Mayor Pro Tem Northrup voting yea; and Council Members Cohen, Gajewski and Sullivan voting nay. The original motion to approve stands. Council Member Sullivan seconded and the motion carries 3-2 with Council Members Cohen, Gajewski and Sullivan voting yea and Mayor Pro Tem Northrup and Council Member Hembree voting nay.

Council Member Cohen motioned to approve **VAR-17-002**. Mayor Pro Tem Northrup made a substitute motion to table this item. Council Member Hembree seconded the substitute motion. Motion fails 2-3 with Council Member Hembree, Mayor Pro Tem Northrup voting yea; and Council Members Cohen, Gajewski and Sullivan voting nay. The original motion to approve stands. Council Member Sullivan seconded and the motion carries 3-2 with Council Members Cohen, Gajewski and Sullivan voting yea and Mayor Pro Tem Northrup and Council Member Hembree voting nay.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Sullivan motioned to enter Executive session. Council Member Cohen seconded the motion. Approved 5-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – the meeting was reconvened and Council Member Gajewski motioned to approve the Memorandum of Understanding between the city and the Sugar Hill DDA for the Solomon Development Services, LLC related to a certain area within downtown parcels 7-306-098, 7-306-080, 7-306-273, 7-306-123, 7-306-082, 7-306-277, 7-306-081, 7-306-079A for \$1,400,000. Council Member Cohen seconded the motion. Approved 5-0.

ADJOURNMENT – Council Member Gajewski motioned to adjourn. Council Member Cohen seconded the motion. Approved 5-0.

Steve Edwards, Mayor

Jane Whittington, City Clerk