

**AGENDA SUMMARY
COUNCIL MEETING
CITY OF SUGAR HILL
COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA
MONDAY, AUGUST 8, 2022, 7:30 P.M.**

CALL TO ORDER- Mayor Hembree called the meeting to order. Present were Mayor Brandon Hembree, Mayor Pro Tem Taylor Anderson, Council Members Marc Cohen, Alvin Hicks, Mason Roszel and Jenn Thatcher, City Manager Paul Radford, Assistant City Manager Paul Radford, City Clerk Jane Whittington and City Attorney Frank Hartley.

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Council Member Roszel.

APPROVAL OF AGENDA – Mayor Pro Tem Anderson motioned to approve the agenda. Council Member Roszel seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Regular Meeting & Executive Session July 11, 2022; Work Session & Executive Session July 5, 2022, Special Called Meetings July 5, 2022, at 6:30 p.m., July 18, 2022 at 8:30 a.m. and 6:30 p.m. – Council Member Thatcher motioned to approve the minutes as written. Council Member Hicks seconded the motion. Approved 5-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

REPORTS

**CITY ATTORNEY
COUNCIL
MAYOR
CITY CLERK
CITY MANAGER**

CITIZENS AND GUESTS COMMENTS

CONSENT AGENDA

- 1. Red Cross Space Use Agreement** – Assistant City Manager
- 2. 2023 LMIG Street Repair List** – Assistant City Manager
- 3. Title VI Agreement** – Assistant City Manager

The Assistant City Manager explained the Consent Agenda items as discussed in the Work Session. Council Member Cohen motioned to approve the Consent Agenda items. Council Member Hicks seconded the motion. Approved 5-0.

OLD BUSINESS

RZ-22-002, SDH Atlanta, LLC, c/o Mahaffey, Pickens Tucker LLP, Nelson Brogdon Blvd at Old Cumming Rd., 10.1 acres in the TCO, Rezone from RS-150/RS-100/OI to R36 (public hearing was held 6-13) – Planning Director Awana explained that staff's recommendation is to approve the rezoning with eight conditions. Mayor Pro Tem Anderson motioned to approve RZ-22-002 with R36 zoning and the eight conditions as presented by staff. Council Member Roszel seconded the motion. Approved 5-0.

DRB-TCO-22-002, SDH Atlanta, LLC c/o Mahaffey, Pickens Tucker LLP, 10.1 acres at Nelson Brogdon Blvd. and Old Cumming Rd. request design review approval for single-family attached townhomes (public hearing was held 6-13) – Planning Director Awana explained that there were no changes from last month. Staff recommends approval with two conditions. Council Member Cohen motioned to approve TCO Design Review 22-002 with the two staff conditions. Council Member Hicks seconded the motion. Approved 5-0.

NEW BUSINESS

Parking Ordinance Amendment, Fees – Assistant City Manager Besseche explained that the city adopted a new ordinance section earlier in the year to address parking concerns downtown. Staff is recommending to add a penalty provision for violations of the Parking Ordinance. The penalty will be \$100 plus applicable surcharges. The city's Municipal Court bond/fine schedule would be amended to reflect this fee. Council Member Hicks motioned to approve the Parking Ordinance amendment with the applicable fees. Council Member Thatcher seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – there was no Executive Session held.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION

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

1. All streets, alleys, sidewalks (except those in the Old Cumming Road and Highway 20 right-of-way), common area landscaping and storm water infrastructure shall be privately owned and maintained by the homeowners' association (HOA). A copy of the deed dedicating said infrastructure to the HOA and recorded covenants specifying maintenance of the infrastructure shall be provided to the city prior to approval of the final plat. Developer shall establish a capital reserve fund with a minimum balance of **\$50,000** for the HOA to use for the future maintenance thereof prior to certificate of occupancy for 50% of the homes.
2. Each dwelling unit shall have a minimum two-car garage. The minimum driveway length shall be 20' as measured from edge of the sidewalk.
3. Striping for a total quantity of 27 on-street parking stalls shall be provided.
4. Except in designated on-street parking stalls, overnight on-street parking shall be prohibited. Notices shall be posted in the subdivision and recorded in the covenants. The HOA shall be solely responsible for enforcement.
5. The zoning buffer between dissimilar districts shall be modified to a 35' enhanced landscape buffer **to include 10' undisturbed strip adjacent to existing residences. As noted on the site plan drawn by Watts & Browning Engineers, Inc. revised on 7/5/2022 (Attached as Exhibit #1), an additional area of land shall be left undisturbed in an effort to preserve a colony of lady slipper orchids.** The rear building setback line shall be 10' as measured from the buffer line rather than the external boundary line of the subdivision. Buffer shall consist of at least a staggered row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plants shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must not contain more than one-third of a single species and must be shown on a landscape plan to be approved by the city manager prior to receiving any permits. A six-foot tall privacy fence shall be integrated into the enhanced buffer between the replacement trees and the rear of the buildings. Developer shall install the landscaping and fencing prior to the first certificate of occupancy issued for a dwelling in the subdivision. Enhanced landscape buffer and rear setback shall allow the construction or conversion of rear patios to covered porches as shown on the attached concept plan.
6. Developer shall provide a minimum of three gas appliances in each unit.

7. Within 30 days of zoning approval, the City of Sugar Hill shall consult with a qualified independent traffic engineer to study the intersection of Hwy 20 and Old Cumming Road. The engineering study will examine the existing and future operational conditions as well as assess proper intersection traffic control(s).
- a) Prior to receiving land disturbance permit approval, developer shall pay, to the city, an amount not to exceed \$10,000 toward the cost of the study.
 - b) If warranted and approved by Georgia Department of Transportation (GDOT), the developer shall contribute an amount not to exceed \$10,000 toward the design of recommended intersection traffic control(s) and associated intersection improvements. Design shall be coordinated with GDOT and City of Sugar Hill. Full payment shall be made to City of Sugar Hill prior to final plat approval.
 - c) If warranted and approved by GDOT, the developer shall contribute an amount not to exceed, the lesser of 25% of the total project cost or \$80,000 toward the construction of approved intersection traffic control(s) and associated intersection improvements. Improvements shall be coordinated with GDOT and City of Sugar Hill. Full payment shall be made to City of Sugar Hill prior to certificate of occupancy on 50% of the homes in the subdivision.
8. Covenants shall stipulate that no more than 10% off the total number of dwelling units are allowed to be leased at any one time. Notice shall be recorded in the covenants.