

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 11, 2008
7:30 PM CITY HALL ANNEX**

CALL TO ORDER – by Mayor Pirkle at 7:30 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Mike Sullivan, and Council Members Marc Cohen, Steve Edwards, Susie Gajewski and Nick Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and City Clerk Jane Whittington.

PLEDGE OF ALLEGIANCE TO THE FLAG
INVOCATION – given by Mayor Pirkle.

APPROVAL OF AGENDA
APPROVAL OF MINUTES – January 14, 2008 Council Meeting

CITY ATTORNEY’S REPORT
COUNCIL REPORTS
MAYOR’S REPORT
CITY CLERK’S REPORT

CITY MANAGER’S REPORT - **AX-08-001** to go to the Planning Commission February 18, 2008 and to the City Council March 10, 2008.

CITIZENS AND GUESTS COMMENTS – no comments from citizens or guests.

OLD BUSINESS

NEW BUSINESS:

PUBLIC HEARING, RZ-07-009 CHANGE IN CONDITIONS TAX PARCEL: 7-318-026, Alpha Omega Developers, LLC requesting a Change in Conditions Variance for the front setback on Lot 6, Lake Forest Estates Subdivision, from 25 feet to 15 feet. AX-07-003 Zoning Condition # 4 states a 25 foot front set back; property currently zoned RS-100 Medium Density Single Family Residential District. – Director Awana explained the application. This zoning was previously approved and the applicant is requesting a change in conditions for this corner lot. The staff and the Planning Commission approved this rezoning application without conditions. The public hearing was opened and the applicant Jeff Brennel explained his request and stated he was open for questions. No one spoke in opposition so the public hearing was closed. Council Member Cohen motioned to approve RZ-07-009. Council Member Edwards seconded the motion. Approved 5-0.

PUBLIC HEARING, RZ-07-010 CHANGE IN CONDITIONS TAX PARCEL: 7-339-019,020,021,021A, 021C, 22,23,83,148,151 and land lot 7-347- 006A,006B, 007,022,031, 046,048.Highway 20 Associates, LLC requesting to change the conditions of zoning from what

was previously placed on the property at the time of recent annexation (Case Number AX-06-003) – Director Awana explained the application. In 2006 the zoned conditions were set on the property. The applicant has requested change in conditions that were set on the property. The requests and variances are attached. The public hearing was opened Bill Cornell spoke for the applicant. This shopping center will be one of the premier developments in the area with Kroger and other quality tenants. He explained that do need a few changes in the conditions. The delivery hours are mainly made later in the day to avoid traffic. They need a kiosk for the Kroger fuel pumps that will be 112 square feet. It will be staffed from 6:00 a.m. until 10:00 p.m. Tim McNamera from Kroger explained the details of the store. The Kroger will be one of the largest in the southeast at 92,000 square feet and an enclosed dock. The enclosed dock keeps noise down. This will be a 24 hour store and most deliveries are traditionally made at night. The store is positioned on the lot to set down from the street and there is the street between the neighborhood

The Mayor asked if anyone wanted to speak in opposition and Ryan Maki, 441 Sandtrap Lane, voiced concerns. He stated he was not in opposition but wanted to make his neighborhood was protected. The traffic is a major concern and they do not want an entrance that lines up with theirs to avoid cut through traffic. They do want an enhanced buffer. Brett Werrbach stated that he was not in opposition but had a couple of requests. He requested that the fuel pumps be somewhere other than Highway 20 side. He also requested that the convenience store be limited in size and with 100,000 square feet building it be limited to a grocery store. He was concerned if they do not build a Kroger what would go in there. The City Attorney Lee Thompson stated that the use cannot be limited to a grocery store, or to a specific owner. There were no other comments from the public so the public hearing was closed.

Council Member Cohen stated that based on the circumstances there was no problem with 101,000 square feet allowance. Council Member Thompson asked Mr. McNamara if he wanted to deal with the expansion area now and he stated that he prefers to address it now. This area would be another 20,000 square feet. It would include sales of kitchen tables, containers, etc. Council Member Sullivan had concerns about the parking lot being a sea of asphalt. Kaipo Awana explained that they have to have one tree for every 10 parking spaces on the inside as well as trees outside. The entrance coming in from Highway 20 should be more a boulevard. The Mayor requested that they emphasize this entrance and landscape it accordingly.

Council Member Sullivan motioned to approve RZ-07-010 change in conditions as outlined per staff conditions with the following changes: condition #5 101,000 square feet maximum; add item #17 requiring landscaping on main entry; modify #16 to add the sentence no restricted delivery hours for stores in excess of 80,000 square feet; attach drawings as exhibit #1 drawing showing architecture, exhibit # 2 drawing showing fuel center and columns, exhibit # 3 site plan dated November 30, 2007, exhibit #4 lamp type for interior of project. Council Member Cohen seconded for discussion. He asked if the island issue was not included in the motion. Council Member Sullivan stated that he did remove any island restrictions. Council Member Cohen's second stands. The motion was approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL:
Council Member Sullivan motioned to enter Executive Session at 9:08 p.m. Council Member Cohen seconded the motion. Approved 5-0.

ADJOURNMENT: The meeting was reconvened by Mayor Pirkle at 10:05 p.m. There was no action out of Executive Session so Council Member Cohen motion to adjourn. Council Member Sullivan seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk