

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, MAY 12, 2008
7:30 PM CITY HALL ANNEX**

CALL TO ORDER – by Mayor Pirkle at 7:33 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Mike Sullivan, Council Members Marc Cohen, Susie Gajewski, and Nick Thompson. Council Member Steve Edwards arrived at the meeting during Agenda item #5, RZ-08-002. 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 – There was an addition to the Agenda, staff item, Easement for a water line connection for Shiv Mandir, Agenda item #8. Council Member Sullivan motioned to approve the Agenda as modified. Council Member Cohen seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – April 14, 2008 Council Meeting. Council Member Cohen motioned to approve the Minutes of the April 14, 2008 Council Meeting as written. Council Member Sullivan seconded the motion. Approved 4-0.

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

CITIZENS AND GUESTS COMMENTS

Tommy Brightwell complimented the new format for the newsletter. He asked about the possibility of getting tornado warnings in light of the recent tornados in Atlanta. Mayor Pirkle explained that the problem is triggering the alert not obtaining the sirens.

CONSENT AGENDA

- 1. Ordinance – Solid Waste Collection & Disposal**
- 2. SUP-08-001, TAX PARCEL ID: 7-271-155, 1.158 Acres, Steve & Angie Locke, Inc., request a Special Use Permit for a Maaco Auto Body Repair Shop, located at 4739 Hwy 20, currently zoned BG – Applicant Request to Withdraw**
- 3. Resolution- Confirm the Adoption of the Update to Gwinnett County’s Comprehensive Solid Waste Mgt Plan**

Mayor Pirkle explained the three items on the Consent Agenda. Council Member Sullivan motioned to approve the Consent Agenda. Council Member Gajewski seconded the motion. Approved 4-0.

OLD BUSINESS

NEW BUSINESS:

PUBLIC HEARING - RZ-08-001, TAX PARCEL ID: 7-254-009, 20.8 Acres Kenneth J. Woods, request to rezone 20.08 acres off Buford Hwy 23 just north of Roberts Rd., currently zoned BG (General Business District) and RS-100 (Medium Density Single Family Residential District), requesting a RS-100/PRD (Medium Density Single Family Residential Planned Residential Development District) zoning to construct a Single Family Planned Residential Development. Director Awana explained the application

for rezoning and the staff conditions. The applicant revised the site plan since the Planning Commission meeting. The requests are as follows:

THE REQUEST:

The applicant is requesting to rezone the subject parcel to a Planned Residential Development with an underlying Medium Density Single Family Residential District (PRD/RS-100), with no commercial element. Additionally, several variances to the underlying RS-100 zoning district are being requested, as outlined below.

	VARIANCE	STANDARD	REQUESTED	Recommended Conditions for PRD Approval
1	Reduce lot width	70 ft.	50 ft.	65 ft.
2	Reduce side set-back	10 ft.	5 ft.	7.5 ft.
3	Reduce minimum lot square footage.	10,000 sq. ft.	10,000 sq. ft. (average)	10, 000 sq. ft. (average), 80% of the lots must be at least 10,000 sq. ft.
4	Reduce front set-back	35' Collector Str. 45' Major Str.	25' Collector Str. 30' Major Str.	35' Collector Str. 45' Major Str.
5	Exterior building materials	Front to be at least 40% brick or stone; remainder to be high grade cedar or fiber-cement shingles, shake or lap siding	Any combination of brick, stone, stucco or hard board siding.	Each home's front and side exteriors shall be constructed of at least 40% brick or stone. The balance may be brick, stone, wood or fiber-cement siding.

The Public Hearing was opened and Lee Tucker spoke representing the current owner and developer of the property Massie and Knight. At the Planning Commission meeting they were requesting 61 lots and have modified that to 46 lots. The PRD density would be 2.2 an acre. The property was previously zoned with five acres of commercial in the front. The homes would be 1800 square feet single story and 2200 sq. ft. two story. There would be buffering next to Ruby Forest. They are requesting a variance on the front façade to avoid a cookie cutter look. The pool and cabana for case RZ-08-002 would be an amenity shared with this property.

The following spoke in opposition to the project:

Garland Hitchcock, 4115 Hillcrest View Ct, Suwanee – 1800 sq. ft. not best blend for the area. The density is not the best for the area. Would like for the property to stay RS-100.

Roger Surprenant, 4195 Ruby Forest Blvd. Suwanee – RS-100 is consistent with what is there now. Deny the PRD and make it consistent.

Carol Van Dyke, 4210 Ruby Forest Blvd. Suwanee – the size of the lots and the effect on her resale is a concern. Also traffic and the lack of traffic lights.

Frank Murphy, 4200 Ruby Forest Blvd. Suwanee – thanked the developers for making concessions that are closer to RS-100. His concerns are traffic, schools, value of property and land and consistency with the surrounding subdivisions.

Steve McClellan, 160 Roberts Rd. would like to see a blend from Suwanee and what is going on there.

William Cote, 280 Roberts Rd. stated that for 5 to 6 years they have been messing with this property. The land was disturbed and the run off is still occurring in the creek on his property.

Time ran out for the opposition so the Public Hearing was closed. The Mayor and Council discussed several options of minimum square footage on the homes with a combination of ranches and two stories. Council Member Sullivan asked about the contents of the amenity package. Mr. Tucker explained that there would be a pool and a cabana. This project would have the passive area, not the active one which would be located on RZ-08-002. The PRD requires that this will be site specific.

Council Member Cohen motioned to approve RZ-08-001 with the 7 conditions presented at tonight’s meeting with the following additions or changes: #2 Minimum house size add the number of 1800 square foot single story homes cannot exceed 30% of the total development and the corresponding number of two story homes with the minimum of 2400 square feet must be built; #3 Each home’s front exterior shall be constructed of at least 40% brick or stone, the balance may be constructed with a mix of brick or stone, cedar cement or fiber cement shingles, shake cement or fiber cement siding in order to provide a variety of home elevations. Everything else stands as is. Council Member Sullivan seconded for discussion. He asked for clarity on the cedar cement vs. wood. His second stands. The motion was approved 3-1 with Council Member Gajewski voting nay.

Council Member Edwards entered the meeting.

PUBLIC HEARING -RZ-08-002, TAX PARCEL ID: 7-233-008, 18.34 Acres Kenneth J. Woods request to rezone 18.34 acres off Roberts Rd, currently zoned RS-100 (Medium Density Single Family Residential District) and the applicant is requesting a RS-100/PRD (Medium Density Single Family/Planned Residential Development District) zoning to construction Single Family Planned Residential Development.

Director Awana explained the application. They received a revised site plan last week and the project was scaled back with fewer lots and requests for side reductions. The applicant is requesting to rezone the subject parcel to a Planned Residential Development with an underlying Medium Density Single Family Residential District (PRD/RS-100). Additionally, several variances are being requested from the Zoning Conditions of AX05-006, as outlined below.

	VARIANCE	STANDARD OR ZONING CONDITION	REQUESTED	RECOMMENDATION
1	Increase number of lots	60* (3.07 units/acre)	67 (3.65 units/acre)	67 (3.7 units/acre)
2	Reduce minimum house size	2,500 sq. ft.*	1,800 sq. ft.	NO CHANGE.
3	Exterior building materials	Front to be 100% brick, stone or stucco.*	Any combination of brick, stone, stucco or hard board siding.	Each home’s front and side exteriors shall be constructed of at least 40% brick or stone. The balance may be brick, stone, wood or fiber-cement siding.
4	Reduce lot width	70 ft.	50 ft.	NO CHANGE.
5	Reduce side set-back	10 ft.	5 ft.	NO CHANGE.
6	Reduce front set-back	35’ Collector Str. 45’ Major Str.	25’ Collector Str. 25’ Major Str.	NO CHANGE.
7	Reduce minimum lot square footage.	10,000 sq. ft.	8,500 sq. ft. (average)	NO CHANGE.

* indicates a condition of zoning per AX05-006

The Public Hearing was opened and Lee Tucker explained the request for his applicants and presented the requested conditions. The project is called Wiltshire Crest and they are requesting RS-100 PRD with 54 lots on 18 acres or 2.97 an acre.

The following spoke in opposition: William Cote, Garland Hitchcock, Roger Surprenant, Carol Van Dyke, and Frank Murphy.

The resident, 4205 Ruby Blvd. expressed concerns regarding the water. The City of Suwanee built dam to help with flooding on his property. Requested that there be a water plan. Mayor explained that they have to submit a plan for stormwater management before developing. Director Awana explained that this is submitted prior to beginning development. This plan is reviewed by the City's engineer. Mr. Tucker stated that his client would agree to meet with this resident to discuss the situation before the siltation of land.

Steven McClellan concerned about the number of people that would be traveling on Roberts Rd. and Westbrook Rd.

The Public Hearing was closed and Council Member Cohen asked about the parking spaces for the amenity package. Director Awana explained that this is defined in the Zoning Ordinance. Council Member Thompson asked what the size of the pool and cabana would be. This is set by the number of units and if the current size does not work they will have to lose a lot. The Mayor and Council discussed several minimum square footage requirements with a combination of ranch and two story homes. Council Member Thompson requested to add a mandatory Homeowners Association that will service all of the projects.

Council Member Cohen motioned to approve RZ-08-002 with the 7 conditions outlined changing #2 to restrict the number of ranches to 20% with a minimum square footage of at least 2,000 square feet for single story; for each ranch built a corresponding home of at least 2,500 square feet must be built; #3 add 40% brick or stone and remove stucco, add the word cement after cedar, add the word cement after shake; #7 change the second sentence to read, "Said amenity package shall include a pool or cabana that meets or exceeds the City of Sugar Hill development standards; add a condition #8, The amenity area will service Wiltshire Woods and Wiltshire Cove; add a condition #9 Wiltshire Woods, Wiltshire Cove and Wiltshire Crest will have a mandatory master homeowner's association with membership required of all lots. Council Member Sullivan seconded for discussion. He questioned the wording of condition #7. He suggested leaving in the current wording adding to the last sentence that meets or exceeds the City of Sugar Hill development standards. Council Member Cohen amended the motion to reflect this change. Council Member Sullivan seconded the modified motion. Approved 3-2 with Council Members Gajewski and Edwards voting nay.

PUBLIC HEARING - AX-08-002, TAX PARCEL ID: 7-347-001 & 027, 8.21 Acres, Triple Five Capital requesting to annex and rezone 8.21 acres at 400 & 422 Riverside Rd., currently zoned R-100 (Single Family Residential) in Gwinnett County and the applicant is requesting a BG (General Business District) zoning classification for a Retail and Restaurant development.

Director Awana explained the application. This project is 4 acres adjacent to the Sugar Hill Golf Course and Fairview Park. The staff recommends approval with 5 conditions. The Planning Commission recommended OI with 2 conditions.

The Public hearing was opened and Richard Harper spoke for the applicant. They are proposing a 35' enhanced buffer the entire length of the property. They would leave the trees on the back portion, and a 10' enhanced buffer on the other side.

Mark Orcutt, 622 Brook Valley Way, spoke in opposition of the project. He lives in Twin Creeks and is concerned with the traffic and the effect commercial will have on the community.

Lori Cimino, 356 Eagle Tiff Dr., asked the Council to go with the Planning recommendation. Her lot backs up to this and she does not want Highway 20 to look like Pleasant Hill Rd.

Mayor asked Director Awana if he had heard from the property owner on the left and he stated that he has not, but the property owner was notified. Council Member Cohen motioned to approve AX-08-002 as BG zoning with 5 conditions listed by staff, adding #6 no fast food restaurants in the outparcels. Council Member Sullivan seconded the motion. Approved 4-1 with Council Member Edwards voting nay.

Public Safety – Gwinnett County Sheriff's Agreement – The City Manager explained the purpose of the agreement and that the Sheriff's Department would bill at the Senior Deputy salary range. Sugar Hill cars would be provided by the City for the 2 officers to patrol in. The Mayor requested to change item #4 that limited the contract to 2 officers. The contract should read minimum of 2 officers so more could be hired in the future. The City Attorney is to contact the County Attorney to make sure this change is put in the contract. Council Member Cohen motioned to approve the Intergovernmental Agreement for law enforcement purposes between the City of Sugar Hill and the Gwinnett County Sheriff's Department making the following changes to number 4, after the word cost " a minimum of two Senior Deputy Sheriff's, next sentence strike the word two. Council Member Thompson seconded the motion. Approved 5-0.

Water Line Easement – Shiv Mandir is requesting a 10' X 10' easement for a water line to run through our 2" low pressure gas line easement. The Mayor and Council requested that it be dedicated to Gwinnett County Water Resources. Council Member Sullivan motioned to approve the easement and allow the City Manager to sign the documents. Council Member Cohen seconded the motion. Approved 5-0.

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

ADJOURNMENT: Council Member Cohen motioned to adjourn at 10:05 p.m. Council Member Thompson seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk