

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, FEBRUARY 14, 2011  
7:30 PM CITY HALL ANNEX  
4988 WEST BROAD STREET  
SUGAR HILL, GEORGIA**

**CALL TO ORDER** – by Mayor Pirkle at 7:30 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Marc Cohen, and Council Members Edwards, Northrup and Sullivan. Council Member Gajewski was not present. Also in attendance were City Manager Bob Hail, City Clerk Jane Whittington and City Attorneys Lee Thompson and Frank Hartley.

**PLEDGE OF ALLEGIANCE TO THE FLAG** – The pledge was led by Boy Scout Troop #515. **INVOCATION** was given by Mayor Pirkle.

**APPROVAL OF AGENDA** – Council Member Cohen motioned to approve the Agenda with the amendment to table item #13 Breezeway Drive Thru Convenience Store application for Beer & Wine until next month to allow further research. Council Member Edwards seconded the motion. Approved 4-0.

**APPROVAL OF MINUTES** – January 10, 2011, Council Member Edwards motioned to approve the minutes as written. Council Member Cohen seconded the motion. Approved 4-0.

**PROCLAMATION – David Williams** – Council Member Sullivan presented the proclamation to Mr. Williams and explained his contributions to the community.

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

**CITIZENS AND GUESTS COMMENTS** – Charlotte Nash, candidate for Gwinnett County Commission Chair congratulated the City for its projects and the forward motion of their completion.

**CONSENT AGENDA**  
**Resolution Georgia Dept. of Revenue Sales Tax**  
**Secret Cove Subdivision Entrance Sign**  
**Fence in Drainage Easement, 708 Binkley Trail**  
**Fence in Drainage Easement, 6897 Barker Station Walk**  
**Fence in Drainage Easement, 6774 Barker Station Walk**  
**Fence in Drainage Easement, 6777 Barker Station Walk**  
**Fence in Drainage Easement, 105 Peachtree Industrial Blvd.**

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

## OLD BUSINESS

## NEW BUSINESS

**PUBLIC HEARING - Zoning Ordinance Amendment, Article 9, Use Provisions** – Director Awana explained that this is the exact same provisions that the Council passed in 2009 but some of the wording was left out of the signed copy. This is a clean-up issue. The public hearing was opened and there were no comments from the public so the hearing was closed. Council Member Edwards motioned to approve the Zoning Ordinance Amendment, Article 9, Use Provisions as presented. Council Member Sullivan seconded the motion. Approved 4-0.

**PUBLIC HEARING - Special Use Permit – 4901 Sugar Creek Dr., Accessory Structure** – Director Awana explained the application. The applicant is requesting to place an accessory building on the side yard of a corner lot. The home is the first house in the neighborhood so the building would be visible from Level Creek Rd. also. The staff recommends conditional approval. The public hearing was opened and the applicant Don Fishback explained how the application came about. He apologized that they began construction of the building without first obtaining approval. They are remodeling to allow the Father to move in. The building is on blocks so it can still be moved before it is permanently set. Council Member Cohen motioned to approve SUP-10-001 with staff conditions #1 as it is written, #2 strike last sentence beginning with otherwise and ending with structure, #3 and #4 as they are written and add a #5 move building back within five feet of rear of house at the discretion and approval of the Planning Director. Council Member Sullivan seconded the motion. Approved 4-0.

**PUBLIC HEARING - Rezoning, Tax Parcel 7-346-016, Sugar Hill Holdings LLC, Rezone 12.64 acres on GA Hwy 20 from OI to RS-150 for Low Density Single Family – P&D** Director Awana explained the application. The staff is recommending approval with conditions. This property is part of the River Protection Corridor. The public hearing was opened and Jimmie Garrison spoke representing the applicant. They are requesting to rezone 12.64 acres from OI to RS-150. This will be a gated community with a private road. There are 21 acres of green space in the back of this property that will not be built on. There will be no boat ramps but rather a walk down to the river. The street will be elevated to allow basements on the river side. The applicant is requesting modifications to the staff recommendations. There were no other comments from the public so the hearing was closed. The Mayor and Council had several questions regarding traffic on Highway 20; whether this would be required to be a right in – right out entrance; and various issues regarding the condition changes. The City Attorney stated that the twenty acres of green space is not in the legal description that is before them tonight. If they want to require that this not be developed and kept green space then they would have to include it in the re-zoning application to meet the legal requirements. Council Member Cohen motioned to table this Rezoning pending further investigation. Council Member Sullivan seconded the motion with comment. He asked the applicant if he was all right with the present conditions. The applicant would like to see modifications. Council Member Sullivan second stands. Approved 4-0.

**Dos Sabores Unidos, Inc.,** Request One Pool Table – City Clerk explained the application. The applicant Aida Romero requested that the existing restaurant be allowed to install one pool table. The staff has reviewed the application and the regulations and recommends approval. The applicant spoke regarding their application. They are requesting to install the pool table for family entertainment. Council Member Cohen motioned to approve the application allowing one pool table. Council Member Sullivan seconded the motion. The motion was denied with a vote of 2-2. Council Members Cohen and Sullivan voted for the application; Council Members Northrup and Edwards voted against the application. The Mayor broke the tie with a vote against the application thereby denying approval.

**PUBLIC HEARING - The Station at Sugar Hill Chevron,** 429 Buford Highway, Beer & Wine Retail Sales, the City Clerk explained that this application is for a new owner at an existing location that previously had an alcohol license for beer and wine retail sales. The Public hearing was opened and there were no comments from the public so the hearing was closed. Council Member Cohen motioned to approve the application. Council Member Sullivan seconded the motion. Approved 4-0.

**PUBLIC HEARING - Breezeway Drive Thru Convenience Store,** 5042 Nelson Brogdon Blvd., Beer & Wine Retail Sales, Drive Thru – **TABLED**

**Resolution Sign Moratorium** – P&D Director Awana explained that this is a proactive measure and there are no applications pending. The Moratorium prohibits billboard permits until further research. Council Member Cohen motioned to approve the Resolution. Council Member Sullivan seconded the motion. Approved 4-0.

**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 Cohen motioned to adjourn. Council Member Sullivan seconded the motion. Approved 4-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk