

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 8, 2014, 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 Marc Cohen, Council Members Susie Gajewski, Brandon Hembree, Curtis Northrup and Mike Sullivan. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche, City Attorney Frank Hartley and City Clerk Jane Whittington.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**INVOCATION** – given by Mayor Edwards.

**PROCLAMATION – National Assisted Living Week Benton House** – Mayor Edwards will be at the Benton House on September 11<sup>th</sup> for the presentation and reading of this proclamation honoring National Assisted Living Week.

**APPROVAL OF AGENDA** – Council Member Sullivan motioned to move the item Golden Productions Agreement from the Consent Agenda to #9 and approve the agenda as amended. Council Member Gajewski seconded the motion. Approved 5-0.

**APPROVAL OF MINUTES** – Council Meeting August 11, 2014, Work Session August 4, 2014 – Mayor Pro Tem Cohen motioned to approve the minutes as written. Council Member Hembree seconded the motion. Approved 5-0.

**REPORTS**

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

The City Manager Paul Radford explained that the cities in Gwinnett County came together and approved a service delivery agreement with Gwinnett County. Peachtree Corners is a new city and was not part of the original service delivery agreement. Mayor Pro Tem Cohen motioned to authorize the Mayor to sign the letter approving **Peachtree Corners addition to the Gwinnett County/Cities Service Delivery Agreement**. Council Member Sullivan seconded the motion. Approved 5-0.

**City Logo** – The City Manager explained that city staff have revised the 75<sup>th</sup> Anniversary logo contest winner into a version that the city can use and adapt to different events and departments. As part of the council packet, the council had a packet of logo options to review. Council Member Sullivan motioned to approve this revised logo effective January 1, 2015. The 75<sup>th</sup> anniversary logo will be used until the end of the year. Mayor Pro Tem Cohen seconded the motion. Approved 5-0.

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

## **CONSENT AGENDA**

**Golden Productions – 75<sup>th</sup> Final Adjusting Change Order (#2)**

**Golden Productions Agreement – removed from Consent Agenda**

**Security Concerns – Gary Pirkle Park**

**DDA Budget Amendment**

The City Manager explained the remaining three items that were on the consent agenda. The Golden Productions change order is the final change cleaning up the 75<sup>th</sup> Anniversary celebration expenditures. The cameras for the parks and other areas within the city will be funded by SPLOST. The DDA budget amendment is for demolition and remodeling of the Suite Spot to resemble a Starbucks look for a co-working space. The staff recommends approval of these items. Council Member Sullivan motioned to approve the three items on the Consent Agenda. Council Member Gajewski seconded the motion. Approved 5-0.

## **OLD BUSINESS**

**CBD Design Review, Peachtree Industrial Blvd. Entrance Dr.** – Director Awana explained the application. Ty Robinson of Donrob Investments LP submitted an application for a development permit and design review for proposed land improvements on property within the Town Center Overlay (TCO) and Central Business District (CBD). The request includes a right-in / right-out commercial driveway entrance on Peachtree Industrial Blvd. The Mayor and Council are required to approve all new construction or land improvements within the TCO and CBD. This is directly related and contingent upon the next agenda item VAR-14-008 but requires separate motions. Staff recommends a right in only driveway but acknowledges that Gwinnett DOT has approved the right-in / right-out. The public hearing was opened and no one spoke for or against the project. Mayor Pro Tem Cohen motioned to approve a right-in / right-out access drive on Peachtree Industrial Blvd. as submitted by the applicant. Council Member Hembree seconded the motion. Approved 5-0.

**Public Hearing, VAR-14-008, Peachtree Industrial Blvd. Entrance Dr.** - Director Awana explained that this is the second portion of Donrob Investment's request. This will eliminate the deceleration lane in conjunction with the proposed commercial driveway. Gwinnett County Department of Transportation have approved the commercial driveway stating that they don't prevent access unless limits of access have been purchased. The public hearing was opened and no one spoke for or against the variance request. Mayor Pro Tem Cohen motioned to approve VAR-14-008 allowing a right-in / right-out access waiving the decel lane. Council Member Hembree seconded the motion. Approved 5-0.

## **NEW BUSINESS**

**Public Hearing, AX-14-002, 11 Acres on Level Creek Rd., Home South Communities, LLC, requesting RS-100** – Director Awana explained that Homesouth Communities, LLC has submitted an application for annexation of an 11.58 acre tract on Level Creek Rd. and requested medium density single family residential (RS-100) zoning classification. The Planning Commission recommended approval with a medium density single family zoning without variance with one condition. Provide decorative wooden six foot high fence with landscaping around any above ground detention facility to be approved by planning staff. The variances requested in the application include (1) reduction of minimum lot frontage from 30' to 20' for detention pond access lot; (2) allow encroachment into 75' impervious setback on lots 16, 17 & 18. The staff recommends approval of AX-14-002 with a medium density single family residential (RS-100) zoning classification with the following three conditions (1) provide a vinyl coated six foot high chain link or decorative wood fence with landscaping around any

above ground detention facility; (2) developer shall reserve a 20' easement for the purposes of decommissioning the sewer pump station on current tax parcel 7290 215. Location to be coordinated prior to obtaining a land disturbance permit; (3) minimum dwelling size is 2,800 square feet. The public hearing was opened and Tonya Woods spoke in favor of the application. She stated that the variances were not needed at this point. No one else spoke in favor or against so the hearing was closed. Council Member Sullivan motioned to approve AX-14-002 with RS-100 zoning per staff's recommendation and conditions. The requested variances were not approved. Council Member Gajewski seconded the motion. Approved 5-0.

**Public Hearing, AX-14-003, 19 Acres on Westbrook Rd., Home South Communities, LLC, requesting RS-100** - Director Awana explained the application. Homesouth Communities, LLC submitted an application for annexation of 19 + acres on Westbrook Rd. and requested medium density single family residential (RS-100) zoning classification. The Planning Commission recommended approval of AX-14-003 with low density single family residential (RS-150) zoning with the following four conditions. (1) provide a vinyl coated six foot high chain link fence with landscaping around any above ground detention facility. Applicant may use the vinyl coated chain link and/or the decorative wood. Provide a 10' landscape buffer around the detention facility; (2) minimum dwelling unit size shall be 2,300 square feet heated for a single story and 2,500 square feet heated for two or more stories; (3) provide a traffic impact study conducted at entrance to include access improvements and stop signs prior to land disturbance construction commencing; (4) maintain a 15' undisturbed buffer adjacent to Ruby Forest subdivision in the detention pond area. The staff modified the recommendation after the Council Work Session. The four staff conditions are as follows (1) provide a vinyl coated six foot high chain link or decorative wood fence with landscaping around the detention facility; (2) minimum dwelling unit size shall be 2,500 square feet; (3) prior to obtaining a land disturbance permit, the developer shall provide a traffic study to analyze the warrant for a multi-way stop at the subdivision entrance. If warranted, the multi-way stop shall be installed at the developer's expense prior to final plat approval. Subject to coordination with Gwinnett County DOT and the City of Sugar Hill; (4) provide a six ft. high decorative wood privacy fence adjacent to Ruby Forest and Suwanee Place subdivisions.

The public hearing was opened and Mitch Peavey spoke for the applicant. He spoke regarding net density, the average lot size and comparisons to the communities adjacent to this development site. The following spoke against the annexation and rezoning. David Haught, 3990 Suwanee Place Dr., spoke regarding lot comparisons. He wants setback from these homes that would back up to his. He requested that a fence be installed, to increase the green area no house on lot 33. Sandra Tallan, requested that the zoning be RS-150 or RS-175. She also requested that there be a turn land at the entrance because Westbrook Rd. is curvy and could be dangerous at this point. Eric Warren 450 Ruby Forest Pkwy. requested to know who is responsible for maintenance of the fence separating these properties. He works at home and wants to keep his quality of life and keep working at home. His property butts up against this. He also wants to know how long the construction process takes. Ron Garris, 480 Ruby Forest Pkwy., asked what the survey tape was behind his property. He wanted to know the minimum dwelling size for RS-100 versus RS-150. Garland Hitchcock requested that the fence run the full length of the property to Westbrook Commons. The Mayor will try and obtain answers to the questions that the above people requested. The fence will be maintained by the homeowners according to Mitch Peavey. There will not be any undisturbed zoning barriers. The decorative privacy fence will be permanent and will be conditioned to be maintained by the HOA. Mitch Peavey stated that the construction time frame for design and permitting would be from four to six months. The total project could take one to two years, both contingent on the weather and other variables. The Planning Director Kaipo Awana explained the difference between RS-100 and RS-150. RS-100 is 10,000 sq. ft. lot size with standard dwelling size 1600/1800 sq. ft.; RS-150 is 15,000 sq. ft. lot size with standard dwelling size of 1700/2000. The public hearing was closed.

Mayor Pro Tem Cohen motioned to approve AX-14-003 with RS-100 zoning with the four staff conditions making sure that the minimum house size is 2,500 sq. ft. and adding that both sides of the privacy fence be maintained by a mandatory HOA and the front setback is moved to 25'. Council Member Northrup seconded the motion. Approved 4-1 with Council Member Sullivan voting nay.

**Golden Productions Agreement** – the City Manager explained that this agreement includes the ice rink and other activities in which Golden Productions will provide planning and programming. After the Work Session, an additional paragraph was added under paragraph 2 to read: The City and Golden Productions will coordinate work and or task orders for specific events. Work orders will describe in detail which services and activities Golden Productions is to perform for each event. The City will pay Golden Production's consulting fees for its planning services in the amounts stated in the work order. Such work orders shall be issued at least thirty (30) days prior to the scheduled event. In no case shall any work be initiated without prior, written consent of the City in the form of a change order to be approved by the City Manager or his designee. Council Member Northrup motioned to authorize the Mayor to sign the Agreement for Services with Golden Productions as presented. Council Member Sullivan seconded the motion. Approved 5-0.

The ice rink will be a three year commitment and the price is contingent on the three years. It will be a covered facility with concessions. The size is 120' X 60'. Mayor Pro Tem Cohen motioned to approve the agreement for the ice rink. Council Member Northrup seconded the motion. Approved 5-0.

**EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL**

Mayor Pro Tem motioned to enter Executive Session. Council Member Sullivan seconded the motion. Approved 5-0.

**PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION** – there was no action taken out of Executive Session.

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

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Steve Edwards, Mayor

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Jane Whittington, City Clerk