

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 9, 2015, 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER at 7:30 p.m. Present were Mayor Steve Edwards, Mayor Pro Tem Brandon Hembree, Council Members Marc Cohen, Curtis Northrup and Mike Sullivan. Council Member Gajewski was not present. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche, City Clerk Jane Whittington, City Attorneys Frank Hartley and Lee Thompson.

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

PROCLAMATION

North Gwinnett Cluster Teachers of the Year – Mayor Edwards read the names of the Teachers with their associated school. The Mayor and Council presented the proclamations to the teachers as well as their principals who were also in attendance.

Arts Commission Presentation – The Arts Commission held a Juried Arts Show at the Sugar Rush event. There were twenty artists that exhibited. Jordan Stubbs judged the event. The Mayor selected Autumn Trail by Rickey Dean as the Mayor’s Choice. Mr. Dean was grateful and donated the art work to the City for their exhibit. Also Vicki Johnson was the 1st place winner and donated her art work as well. Council Member Cohen presented the Art to the Mayor and the City as their first art work pieces.

APPROVAL OF AGENDA – Council Member Northrup motioned to approve the agenda and table item #7 Authorizing Resolution EpiCenter Project Revenue Bonds until the November 12, 2015 Special Called Meeting. Council Member Sullivan seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – Council Meeting October 12, 2015; Work Session October 5, 2015; Special Called Meeting October 5, 2015 – Council Member Cohen motioned to approve the minutes. Mayor Pro Tem Hembree seconded the motion. Approved 4-0.

REPORTS

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

CITIZENS AND GUESTS COMMENTS – Gina Thomoff, Sugar Hill Plantation spoke regarding concerns for the rezoning case RZ-15-008. The neighbors main preference is that the bay doors face Highway 20.

CONSENT AGENDA

Residential Final Plat Ratification - Hadley Township Phase One, Beazer Homes is requesting ratification of a final plat for Hadley Township (phase one of two) on Peachtree Industrial Boulevard
2014 Budget Amendment

The City Manager explained the two 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

RZ-15-008 1068, 1080, & 1090 Old Cumming Road, Doug Duffee is requesting to rezone to HM-1 for Auto Body Repair and Painting Facility, and seeking **Central Business District Design Review approval** – the Planning Director explained the rezoning application. There are also 6 conditions for the Design Review. The conditions placed on the rezoning by the planning staff would limit the use to Auto Body Repair and Painting. Any other uses and development in the future would require rezoning approval. The applicant has agreed to make changes to their plan in order to answer concerns expressed by the neighbors (three foot high landscape berm with triple row of evergreen trees and a safety fence around the detention pond). The line-of-sight drawings from the Planning staff suggest that there will be enough screening to limit sight of the vehicles in the rear of the building. The Planning staff recommends conditional approval of the rezoning.

The public hearing was held at the October 12, 2015 Council Meeting. Council Member Sullivan motioned to approve the rezoning to HM-1 so that Auto Body Repair and Painting is the only allowed use on this property with 10 conditions dated 11/4/15 with adding an 11th condition as suggested by Council Member Northrup. Condition 11 to read “Any specimen trees within 75’ of the property line shall be located on a tree protection plan prior to receiving a land disturbance permit. Unless necessary for proper engineering of the detention pond or berms, no land disturbance shall occur within 75’ of the property boundary within the drip line of any specimen tree. A specimen tree shall be defined as any hardwood tree measuring at least 28” diameter at breast height (DBH); softwood tree measuring at least 30” DBH; or any native flowering tree measuring at 12” DB. If any specimen tree outside of the enhanced buffer is determined by a certified arborist to be diseased, dying or otherwise a hazard to life or property the specimen tree shall be shown on the land disturbance plans to be removed prior to receiving a certificate of occupancy.” Council Member Cohen seconded for discussion. He clarified with the City Attorney that the language superseding all other conditions would not need to be stated. The City Attorney was in agreement that this motion would take care of that. Council Member Cohen second stands. Approved 4-0.

Council Member Cohen motioned to approve the Certificate of Design Review with the six conditions dated 11/4/15. Also to deny the variance request for metal siding on exterior walls visible from adjoining residential uses or right-of-way. Council Member Northrup seconded the motion. Approved 4-0.

NEW BUSINESS

Public Hearing, Design Review Board, First Avenue & Peachtree Industrial Blvd. RaceTrac Petroleum Inc. is seeking Design Review Board approval for property known as 7-292-139, 7-292-141 & 7-292-074 for a convenience store with fuel pumps – the Planning Director explained that three drawings were presented (Exhibit 1, Exhibit 2 and Exhibit 3). The staff is recommending conditional approval with conditions. The public hearing was opened and Lee Tucker spoke for the applicant in favor of the project. No one spoke in opposition so the hearing was closed. Council Member Cohen motioned to approve the Certificate of Design Review with the attached three exhibits. Council Member Sullivan seconded with questions. The motion needed to include the language as follows. Council Member Cohen amended his motion to approve the Certificate of Design Review for First Avenue and Peachtree Industrial Blvd., Race Trac Petroleum with the following conditions; 1) Building elevations shall substantially resemble the attached Exhibit 1, 2) Fuel canopy shall substantially resemble the attached Exhibit 2, 3) Site design shall substantially resemble the attached Exhibit 3 except to accommodate a change which would eliminate the right-in, right-out driveway on Peachtree Industrial Blvd. frontage. Council Member Sullivan second stands. Approved 4-0.

Public Hearing, AX-15-006, 5638 Suwanee Dam Rd., Tax Parcel R7319 033, Annex and Rezone to Medium Density Single Family Residential (RS-100) with Conservation Subdivision District (CSD) – the Planning Director explained that this is a continuation of the two properties that were approved last month. They are requesting medium density single family residential/conservation subdivision district (RS100/CSD) zoning classification to be included with 25.971 acres at 5608, 5722 & 5872 Suwanee Dam Rd. for a 65 unit subdivision. The public hearing was opened and a representative from Holt Persinger, the applicant, spoke regarding the application. No one else spoke for or against so the hearing was closed. Council Member Northrup motioned to approve the annexation of AX-15-006 and rezone to RS100 zoning classification with a CSD zoning overlay with six conditions as outlined by staff. Council Member Cohen seconded the motion. Approved 4-0.

Memorandum of Understanding DDA for School Property – the City Manager explained that this agreement is between the Downtown Development Authority and Macauley Investments, LLC for a preliminary development agreement relating to the Buice School and adjacent properties. Steven Macauley was present and was introduced stating he was very excited about the opportunity for this development. Mayor Pro Tem Hembree motioned to approve this Memorandum of Understanding. Council Member Northrup seconded the motion. Approved 4-0.

Authorizing Resolution EpiCenter Project Revenue Bonds – Tabled until November 12, 2015 Special Called Meeting.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Cohen motioned to enter Executive Session. Council Member Sullivan seconded the motion. Approved 4-0.

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

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

Steve Edwards, Mayor

Jane Whittington, City Clerk