



**City of Flowery Branch
City Council Meeting
Thursday, March 4, 2021, 6:00pm
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



TELECONFERENCE MEETING

CONNECTION TO MEETING:

March 4, 2021 City Council Meeting
Thu, Mar 4, 2021 5:30 PM - 8:30 PM (EST)

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CALL PUBLIC HEARING TO ORDER:

Mayor Pro Tem Joe Anglin called the meeting to order 6:01 pm.

PRESENT BY TELECONFERENCE:

Mayor Pro Tem Joe Anglin and Council Members Chris Mundy, Ed Asbridge, Leslie Jarchow and Amy Farah.

Also present were Bill Andrew, City Manager, Vickie Short, City Clerk, Ron Bennett, City Attorney, Alisha Gamble, Finance Director, Rich Atkinson, Planner, Bill Whidden, Public Works Director and David Spillers, Police Chief.

Absent: Mayor Mike Miller, joined the meeting at the Voting Session.

PLEDGE OF ALLEGIANCE:

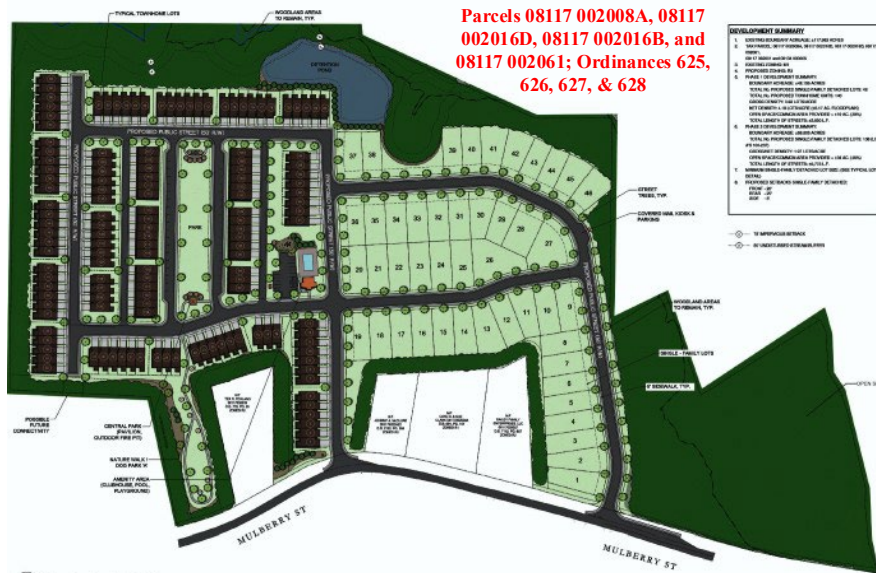
Mayor Pro Tem Joe Anglin led the Pledge of Allegiance.

PUBLIC HEARING:

Consider a rezoning request submitted by Mr. Bill Stark. Request is to rezone six parcels totaling 118 +/- acres from M-1 (Light Industrial) to R-3 (Multi-Family) with the intention to construct a residential community consisting of single family detached homes and townhomes.

Mr. Atkinson presented the request by Mr. Stark. The proposal consists of rezoning 6 parcels from M1 to R3. Construction consists of two phases. Phase 1 will be 48 +/- acres with 49 single family detached and 140 townhomes. Phase 2 will be 69 +/- acres with 138 single family detached homes.

Phase 1
49 Single
Family
Detached
140
Townhomes
3.92
Units/Acre
Open Space
@ 19 Acres



Phase 2
138 Single
Family
Detached

1.97
Units/Acre

Open Space
@ 34 Acres



***Phase 2 estimated start time is 35 years**

In 2014, the parcels in question were annexed and/or rezoned from multiple zonings (A, A III, R2) to M-1. There was no specific site plan associated with this project. A large industrial park was envisioned and recently Rochester Engineering provided a potential site plan for the area. This plan would require the City or developer to provide new public infrastructure. Additionally, this plan includes 6167 Wade Orr Road. This tract was part of the original annexation/rezoning and consists of around 60 acres and is zoned M-1. Currently, this parcel is not part of the Stark project under consideration.

For connectivity, the applicant needs to have the entirety of the six parcels properly zoned for a higher density single family detached/townhome subdivision (R3) as part of the purchase agreement. The applicant is hesitant to acquire more land without having the proper zoning designation in place.

In order to achieve this goal, and still meet the City's desire for a cohesive two-phase development, staff recommends rezoning all six parcels to the requested R3 zoning but restricting phase two (parcels 08117 002001 & 08134 000006) as follows:

1. No permits shall be issued unless connectivity with phase one is achieved in a manner satisfactory to Flowery Branch Mayor and Council.
2. A revised site plan shall be submitted to Mayor and Council for approval prior to the issuance of any permits.
3. Elevations shall be submitted and approved by Mayor and Council prior to the issuance of any permits.
4. Ordinances 629 and 630 shall be amended to reflect the approved site plan, approved elevations, and all conditions as set forth by Mayor and Council.

Schedule:

- March 18 – Work Session
- April 1 – Work Session
- April 15 – First Vote
- May 6 – Work Session
- May 20 – Final Vote

PUBLIC COMMENTS:

In favor: None

Against:

Barbara Englar, 6287 Cove Creek Drive, Flowery Branch, GA 30542
Kim James, 6001 Williamsport Drive, Flowery Branch, GA 30542
Joseph Gumeny, 4684 Martins Crossing West Dr, Flowery Branch, GA 30542
Patricia Clark Davis, 6164 Lake Lanier Heights, Buford, GA 30518
Elizabeth Johnson, 5707 Flowery Way, Flowery Branch, GA 30542
William Tullis, 6848 Big Sky Drive, Flowery Branch, GA 30542

Nance Joiner, 6533 Bearings Drive, Flowery Branch, GA 30542

Attorney Steve Gilliam, representing Mr. Stark responded to several questions from Council.

He pointed out that the price of the units will be between \$200,000-\$300,000. Phase 1 will consist of 40% open space. Thirty-three of the townhomes will be rear entry. No garages will be facing the park.

Ms. Farah wanted confirmation that the runs on the townhomes will be 6.

Mr. Mundy pointed out that the slide stated 49 units. After revisions it will be 46 units.

Mr. Asbridge shared that he toured the project with Mr. Stark and it was a good looking design.

Mr. Anglin asked about the square footage of the units. Mr. Gilliam stated the townhomes will be 1,800+ ft and the detached homes will be 2,200+ft. The townhomes will be 24-26 feet wide. There will be no basements as well as no ranches. Mr. Anglin also confirmed with the applicant that the access will be off of Mulberry Street.

In response to the density question, the applicant responded that the plan calls for 4 units per acre (.25 per lot) which is a typical size.

UNFINISHED BUSINESS - WORK SESSION:

Consider a Conditional Use Permit (CUP) submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

Mr. Atkinson presented the details of the Conditional Use Permit.

Staff Recommendation:

- Approve as submitted
- No additional conditions requested
- Per conditions of previously approved variance:
Secondary business (car wash) shall be designed to match the principal structure

Mr. Asbridge asked if this was the updated plans after the prior discussion. Mr. Atkinson confirmed that these are the revised plans.

Work session discussion for ordinance 623 a rezoning request submitted by Mr. Bret Clark.

Mr. Atkinson discussed the details of the rezoning request. The property is located at 5519 McEver Road; 08099 000007; 11.34+/- acres. Applicant is requesting rezoning from A (Agriculture) to HB (Highway Business) and R-3 (Multi-family) proposal is to construct a mixed-use development of townhomes and commercial outparcels.

After an expressed concern of the landscaping plan, staff provided measurements of the approximate depths of the existing tree line from the property line.

Staff's recommendation and outstanding questions:

- Uses and proposed zoning designations are acceptable and staff recommends approval
- Review Council requested conditions – commercial site, landscaping, etc.
- Layout, elevations, and conditions of zoning to be finalized prior to final vote

The applicant updated the Council on Georgia Power. He is still waiting on a return call. The question was regarding proposed planting of trees near power lines.

Mr. Asbridge is requesting more information on buffers and plants along McEver Road. In addition, he is concerned there are too many questions for a two-week turnaround for vote.

Mr. Anglin asked for additional plans for the greenspace as well as an explanation of the transition from commercial to homes.

First Read for Ordinances 631, 632, 633, and 634 - variance requests for 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive submitted by Mr. Chris Hill of Hillgrove Homes

Mr. Atkinson highlighted the variance requests:

- Current lots are legal non-conforming
- Applicant wishes to build upon the legal 50 x 100 lots
- Lots are zoned R-2 which require larger lots (75 feet wide; 1500 square foot minimum lot size)
- Lots cannot be built upon under current R-2 zoning
- Applicant wishes to keep lots zoned R-2 and build upon them
- Variances are required in order to make this request possible

Mr. Atkinson outlined potential Council conditions

- Landscaping – what does Council need to see?
- Sidewalks – safe to install or just provide right-of-way? How large should the ROW be?
- Stormwater – Curb and gutter?
- Road width – should Morrow be one way?

Mr. Asbridge asked if sidewalks would be constructed. There was discussion regarding the necessity given the sidewalk will be abruptly ending due to the road ending.

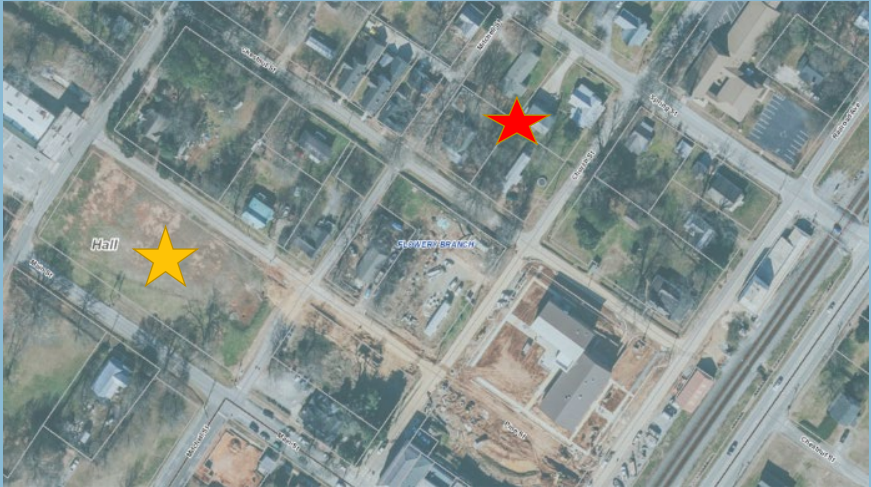
Mr. Anglin had questions regarding the lot size.

Heritage Homes Group, LLC Land Exchange

Mr. Bennett explained the land swap agreement. This agreement had already been previously approved. The only change was the business name.

**WINTERSET LAND EXCHANGE
AGREEMENT**

5304 Church St.
5405 Mitchell St.
5314 Church St.
5410 Chestnut St.
TOTAL – 1.206 acres



The aerial map shows a grid of residential lots. A yellow star is placed on a lot in the lower-left quadrant, and a red star is placed on a lot in the upper-right quadrant. The map includes street names like 'Church St.', 'Mitchell St.', 'Chestnut St.', and 'Main St.'.

5702 Main St. - 1.406 acres (we paid \$262,500 for the 7.23 acres Mooney Site)

Mr. Asbridge also confirmed that it would be 19 units and not 20.

NEW BUSINESS -WORK SESSION:

Consider a rezoning request submitted by Mr. Bill Stark. Request is to rezone six parcels totaling 118 +/- acres from M-1 (Light Industrial) to R-3 (Multi-Family) with the intention to construct a residential community consisting of single family detached homes and townhomes.

There were no additional questions.

DEPARTMENT REPORTS:

Police Report:

Chief Spillers reported an arrest had been made at the Tree Park Apartments for property break-ins.

ADJOURNMENT WORK SESSION:

Mayor Pro Tem closed the work session at 8:05 pm.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Pro Tem called the voting session to order at 8:05 pm.

PUBLIC COMMENTS:

Janet Upchurch, 5644 Nags Head Circle, Flowery Branch, GA 30542

Expressed concern about traffic at Gainesville/McEver Road intersection if proposed development is approved.

Clyde Grine, 6034 Morrow Drive, Flowery Branch, GA 30542

Mr. Grine shared concern regarding drainage concerns and sidewalks if the Hillgrove Homes request is approved.

Mayor Miller joined the meeting at this time.

CONSENT AGENDA:

Consider February 4, 2021 Meeting Minutes

Mayor Mike Miller per diem

There was a motion made to approve the Consent Agenda.

MOTION: Chris Mundy

SECOND: Leslie Jarchow

AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Mr. Bennett read the captions to Ordinances 631, 632, 633, and 634.

First Read for Ordinances 631, 632, 633, and 634 - variance requests for 6026 Lights Ferry Road, 6040, 6041, and 6043 Morrow Drive submitted by Mr. Chris Hill of Hillgrove Homes.

There was a motion made to approve as submitted and conditioned by staff. Staff encouraged Mayor and Council to provide additional conditions as deemed appropriate prior to the final read and vote scheduled for March 18th, 2021.

MOTION: Ed Asbridge
SECOND: Amy Farah
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Consider a Conditional Use Permit (CUP) Resolution 21-002 submitted by Jeremy Crosby, JPC design and Construction, LLC. to build and operate a car wash in the Highway Business District zoning district.

Mr. Bennett read the caption to Resolution 21-002.

There was a motion made to approve the CUP request (Resolution 21-002) to construct and operate a car wash submitted by Mr. Jeremy Crosby.

MOTION: Ed Asbridge
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Heritage Homes Group, LLC Land Exchange

There was a motion made to approve the authorization of the Mayor's signature on the Heritage Homes Group, LLC Land Exchange Agreement.

MOTION: Amy Farah
SECOND: Chris Mundy
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session at 8:22 pm for the purpose of acquisition of property.

MOTION: Amy Farah
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

There was a motion made to reconvene open session at 8:50 pm.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 8:51 pm.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Chris Mundy, Ed Asbridge, Leslie Jarchow, Joe Anglin, Amy Farah
NAYS: None
Motion carried

Mayor – Mike Miller

Date

City Clerk – Vickie Short