



**City of Flowery Branch
City Council Meeting
Thursday, July 20, 2023, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

PLEDGE OF ALLEGIANCE:

ADOPTION OF AGENDA:

PUBLIC HEARING:

- A Public Hearing and First Vote on Ordinance 693, a Variance Request Submitted by Stanton E. Porter Allowing Fuel Pumps to be Located in Front of the Primary Structure at 4603 Atlanta Highway.
[Thurmond Tanner Pkwy Retail Center Site Plan_6-24-22.pdf](#)
[Staff Report.pdf](#)
[July Landscape Plan.pdf](#)

NEW BUSINESS -WORK SESSION:

- Discussion of the Current Downtown Dining District Boundaries.
[DDD Color.PNG](#)
- Consider Renewal of Contract to NFP for Benefits Consulting and Brokerage Services.
[Executive Summary - Insurance Broker and Benefits services.pdf](#)
- Approval of Quote for Warranty and Landscaping for One Year from TriScapes on All The Phase I Landscaping
[ES - TriScapes Landscaping quote.pdf](#)
[MAINT._Flowery Branch-Parks and Streetscape Improvements_VI.pdf](#)
- Consider the Establishment of the Appalachian Regional Commission (ARC) Grant
[Executive Summary - ARC Grant.pdf](#)
[Resolution 23-008 To Engage the GMRC to Prepare Grant for ARC.pdf](#)
[GMRC Request For Assistance.pdf](#)
- Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.
[Executive Summary Change Order No. 1 Water Tank.pdf](#)
[Change Order No. 1 Backup Information.pdf](#)
[C-941-Change-Order-No. 1 Water Tank.pdf](#)

DEPARTMENT REPORTS: -

- a. City Manager Report
- b. City Clerk Report
- c. Community Relations Report

- d. Finance Department Report
- e. Planning Department Report
 - *Presentation of Downtown Phase II
- f. Police Department Report
- g. Public Works & Utilities Report
- h. Attorney Report
- i. Council Report

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

PUBLIC COMMENTS: - Please limit to two minutes

CONSENT AGENDA:

- Consider June 15, 2023 City Council Meeting Minutes
[Unofficial June 15, 2023 City Council Meeting Minutes.pdf](#)
- Consider June 15, 2023 Executive Session Minutes
- Consider June 19, 2023 City Council Retreat Minutes
[Unofficial June 19, 2023 City Council Retreat Minutes.pdf](#)
- Consider June 2023 Per Diem for Mayor Asbridge
[Mayor Per Diem - June 2023.pdf](#)

UNFINISHED BUSINESS - VOTING SESSION:

- Consider First Vote for an Appeal of the Zoning Administrator's Decision to Deny an Occupational Tax License Submitted by Mr. Razvan Catanitou.
[Appeal for Razvan Catanitou.pdf](#)
[4784 Cantrell Road Timeline of Events and Decision .pdf](#)
- Consider Ordinance 670, a Request Submitted by Edge City Properties, Inc. to Rezone a portion of a tract of land known as 5183 Gainesville Street, from Agricultural (A) to Planned Unit Development (PUD).
[SF Detached Renderings.pdf](#)
[Townhome-300colorR1.pdf](#)
[Dye July 20 Rezoning Ordinance 670.pdf](#)

NEW BUSINESS - VOTING SESSION:

- A Public Hearing and First Vote on Ordinance 693, a Variance Request Submitted by Stanton E. Porter Allowing Fuel Pumps to be Located in Front of the Primary Structure at 4603 Atlanta Highway.
[Thurmond Tanner Pkwy Retail Center Site Plan_6-24-22.pdf](#)
[Staff Report.pdf](#)
[July Landscape Plan.pdf](#)
- Consider First Vote on an Annexation and Rezoning Request submitted by Cook Communities.

[1b-Annexation Application.pdf](#)

[1a-Rezoning Application.pdf](#)

[2a-Rezoning Exhibit \(Parkers Place\).pdf](#)

[2b-Rezoning Exhibit \(Rendering\).pdf](#)

[3-Letter of Intent.pdf](#)

[4-Rezoning Analysis and Development Statistics \(Parkers Place\).pdf](#)

[5-Parker's Place \(Traffic Memo\).pdf](#)

[Cook Annexation Ordinance.pdf](#)

[Cook Rezoning Ordinance.pdf](#)

- Consider Renewal of Contract to NFP for Benefits Consulting and Brokerage Services.
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[Change Order No. 1 Backup Information.pdf](#)
[C-941-Change-Order-No. 1 Water Tank.pdf](#)

EXECUTIVE SESSION:

ADJOURNMENT:

If you have a disability or impairment and need special assistance please contact the City Clerk prior to the meeting at 770-967-6371 - Meeting agenda is subject to change



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: A Public Hearing and First Vote on Ordinance 693, a Variance Request Submitted by Stanton E. Porter Allowing Fuel Pumps to be Located in Front of the Primary Structure at 4603 Atlanta Highway.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

This request was withdrawn and resubmitted. Council requested more information regarding landscaping. The applicant has submitted a landscape plan for review.

FACTS AND ISSUES:

Applicant wishes relief from Article 10, section 10.9 (f) of the zoning ordinance which requires fuel pumps to be located behind the primary structure.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approve as conditioned.

SAMPLE MOTION:

I make a motion to approve the first read of Ordinance 693.

COLLABORATING DEPARTMENT:

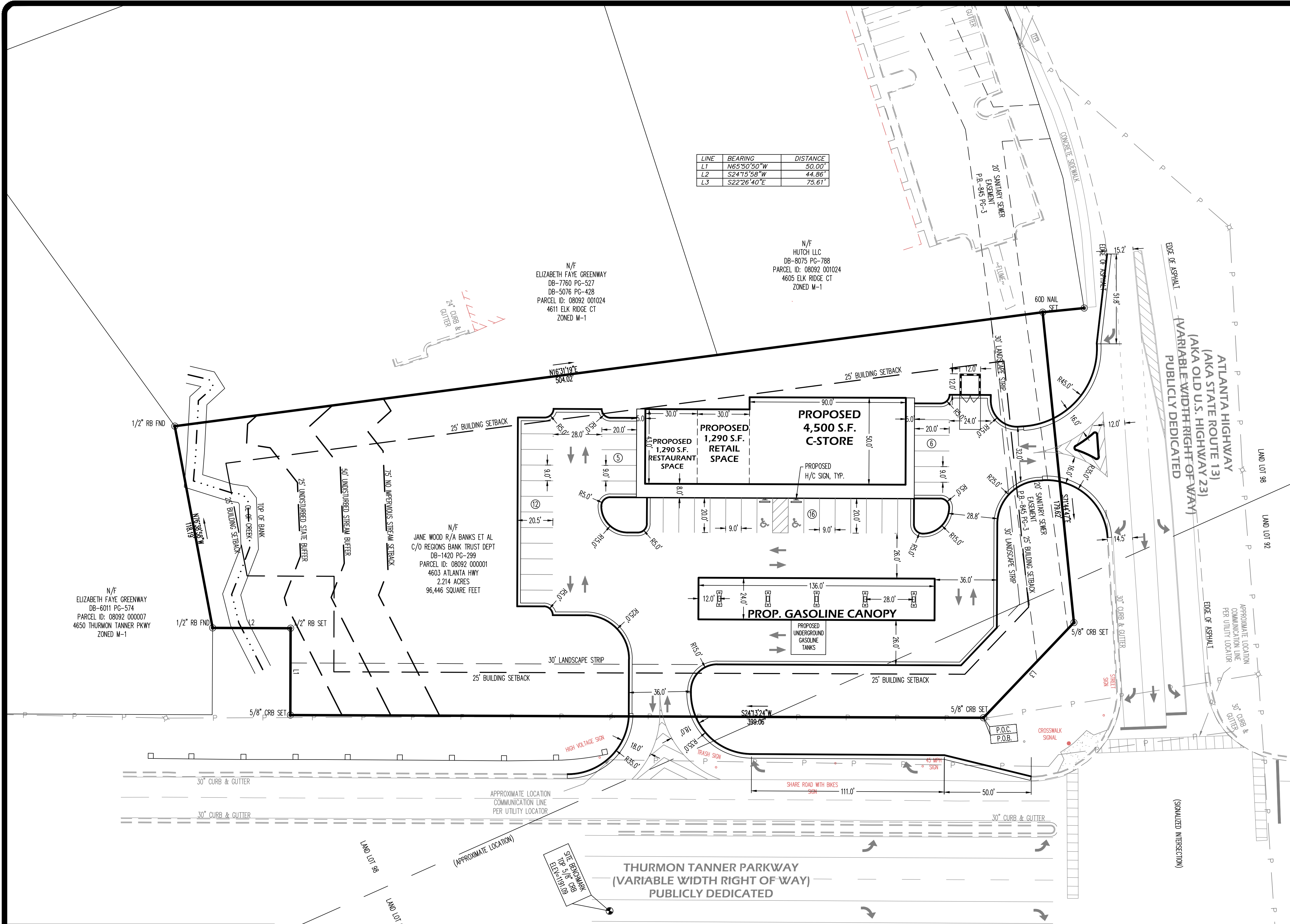
DEPARTMENT: Planning

Prepared by: Shelia Cooper

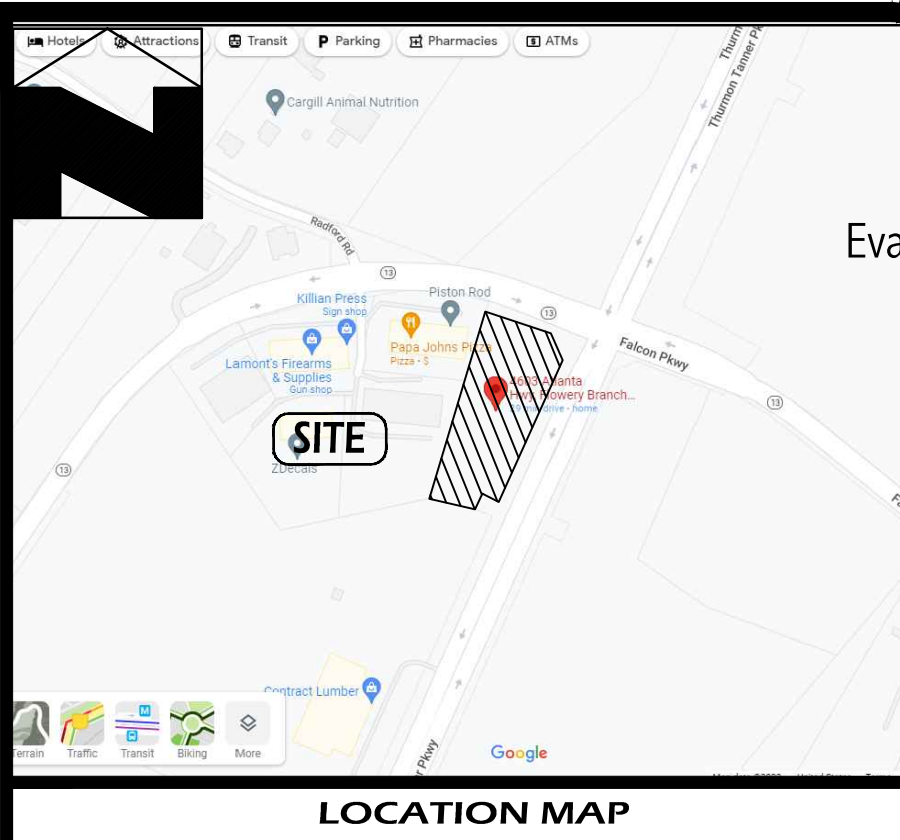
ATTACHMENTS

- [Thurmond Tanner Pkwy Retail Center Site Plan_6-24-22.pdf](#)
- [Staff Report.pdf](#)

- [July Landscape Plan.pdf](#)



LINE	BEARING	DISTANCE
L1	N65°50'30\"W	50.00'
L2	S24°15'58\"W	44.86'
L3	S22°26'40\"E	75.61'



ZONING DATA TABLE:	
CURRENT ZONING:	M-1 MANUFACTURING & INDUSTRIAL LIGHT
PROPOSED ZONING:	N/A
OVERLAY DISTRICT:	N/A
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	N/A
MINIMUM LOT WIDTH:	100
MINIMUM ROAD FRONTAGE:	
MAXIMUM BUILDING HEIGHT:	75'
MAXIMUM COVER:	70%
BUILDING SETBACKS:	
FRONT:	25'
SIDE:	25'
REAR:	25'
LANDSCAPE STRIPS:	
ALONG ROW:	30'
OTHER:	N/A
BUFFERS:	
ZONING BUFFER:	50' NATURAL BUFFER ABUTTING AN R-1, R 2, R-3, TND, or PUD DISTRICT (feet)
OTHER:	
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13121C0066F, DATED SEPTEMBER 18, 2013.	

PARKING REQUIREMENTS:			
CITY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
CONVENIENCE STORE & RETAIL SPACE			
C-STORE 1 SPACE PER 200 S.F. (MIN)	(4,500 S.F.)	30	23
C-STORE 1 SPACE PER 150 S.F. (MAX)			23*
RETAIL 1 SPACE PER 275 S.F. (MIN)	(1,290 S.F.)	6	5
RETAIL 1 SPACE PER 250 S.F. (MAX)			5
RESTAURANT 1 SPACE PER 125 S.F. (MIN)	(1,290 S.F.)	18	11
RESTAURANT 1 SPACE PER 75 S.F. (MAX)			11
TOTAL	54	39	39*

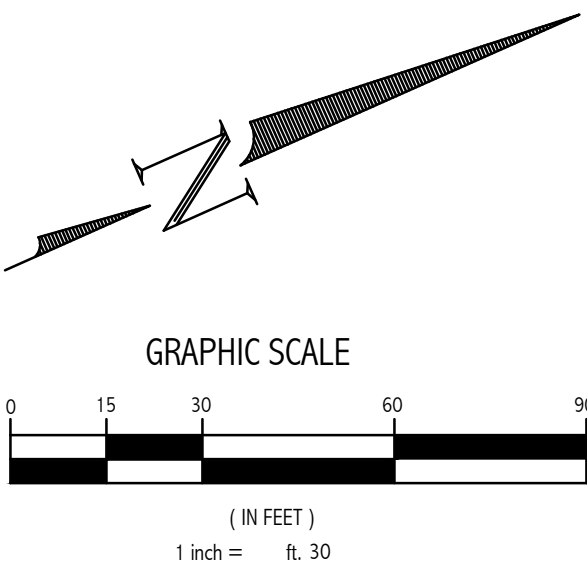
* INCLUDES 2 A.D.A. SPACES (2 REQUIRED)

OWNER/DEVELOPER:

NAME
ADDRESS

PHONE
EMAIL
24-HR CONTACT:

NAME
PHONE
EMAIL
ENGINEER:
EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



Know what's below.
Call before you dig.

UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



GSWCC LEVEL II CERT. # 10877

PROJECT NAME

FLOWERY
BRANCH
C-STORE
& RETAIL

4603 ATLANTA HWY
L.I. 92, 8th DIST.
CITY OF FLOWERY
BRANCH, GEORGIA

DATE:

6/16/22

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☒ Not Released For Construction
☐ Released For Construction

OWNER/DEVELOPER

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HEREIN WITHOUT WRITTEN PERMISSION
FROM AND DUE COMPENSATION TO EVANS
DESIGN GROUP, INC.

REVISIONS

JOB NUMBER:

22-029

SHEET TITLE

SITE
PLAN

C-4

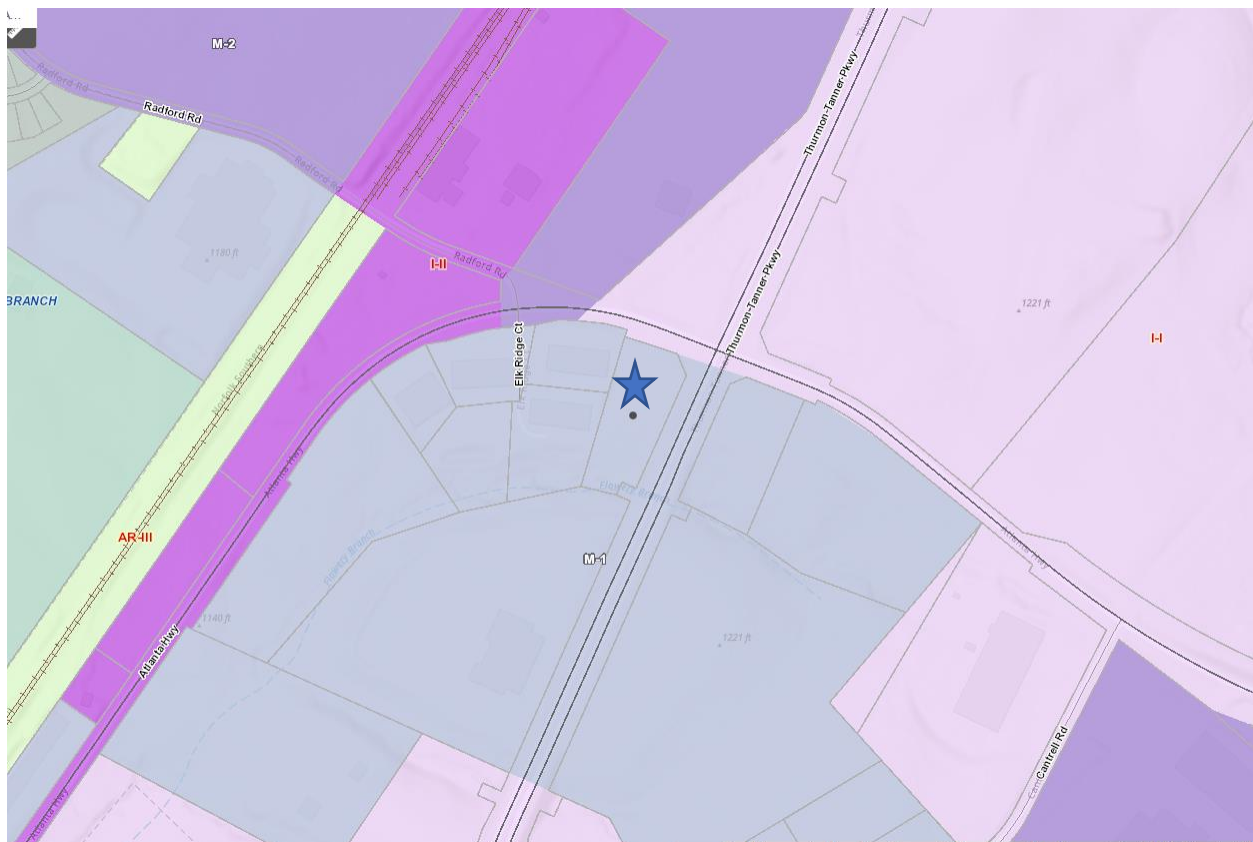


VARIANCE
4603 Atlanta Highway
Parcel# 08092 000001

Applicant is Stanton E. Porter; the current owner of the property is 1618 Land Holdings. LLC.

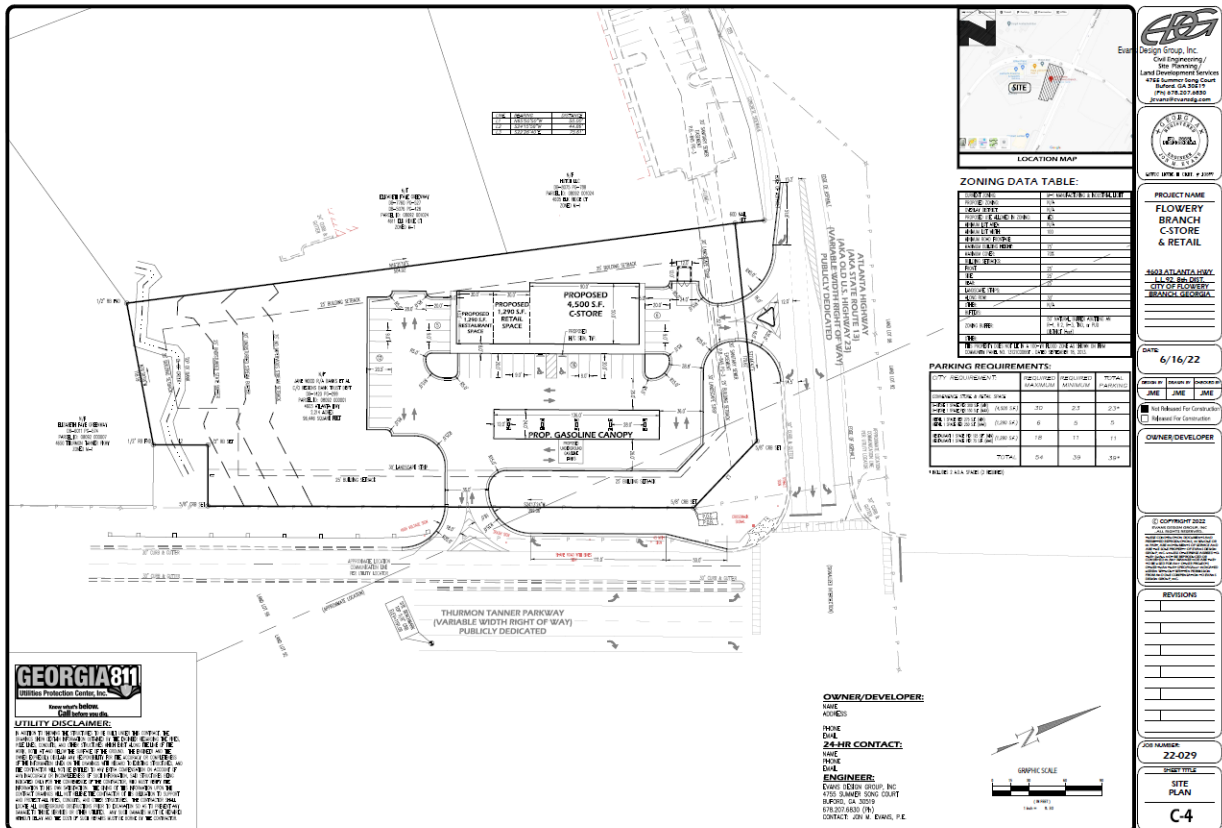
Variance from the requirements set forth in the City of Flowery Branch Zoning Ordinance;
Article 10, Development Requirements and Guidelines section 10.9 (f):
Convenience stores shall locate gas pumps behind the principal structure in order to effectively screen the pumps from view of the street.

The 2.21 +/- property is currently zoned Light Industrial (M1) and the use (gas station) is inherently allowed.





Proposed layout



Staff Analysis

The purpose of section 10.9 (f) is to screen gasoline pumps from the public view. It is the staff's opinion that the intent of this requirement cannot be met on this site. Two entrances are appropriate for this site as it is on the corner of two major corridors of travel – Thurmon Tanner Parkway and Atlanta Highway – so eliminating one entrance would be too restrictive to the ingress/egress of the site. The entrance locations as proposed are appropriate due to the parcel size and shape as well as the limitations caused by the stream.

Staff recommends approval of the variance request.



PLANT LIST:					
QTY	SYM	BOTANICAL NAME	COMMON NAME	%TOTAL	SIZE
CANOPY TREES					
5	Ar	Acer rubrum	Red Maple	29.4	3"
6	Up	Ulmus parvifolia 'Athena'	Athena Chinese Elm	35.3	3"
6	Zs	Zelkova serrata	Japanese Zelkova	35.3	3"
TREE TOTALS					
17					
SHRUBS					
74	Nd	Nandina domestica 'Firepower'	Dwarf Nandina	N/A	1 gal.
66	Iv	Ilex vomitoria	Dwarf Yaupon Holly	N/A	1 gal.
140					
SHRUB TOTALS					

PARKING LOT TREES:

ONE (1) TREE FOR EACH 10 PARKING SPACES

29 PROPOSED PARKING SPACES
3 TREES REQUIRED
3 TREES PROVIDED

30' LANDSCAPE STRIP:

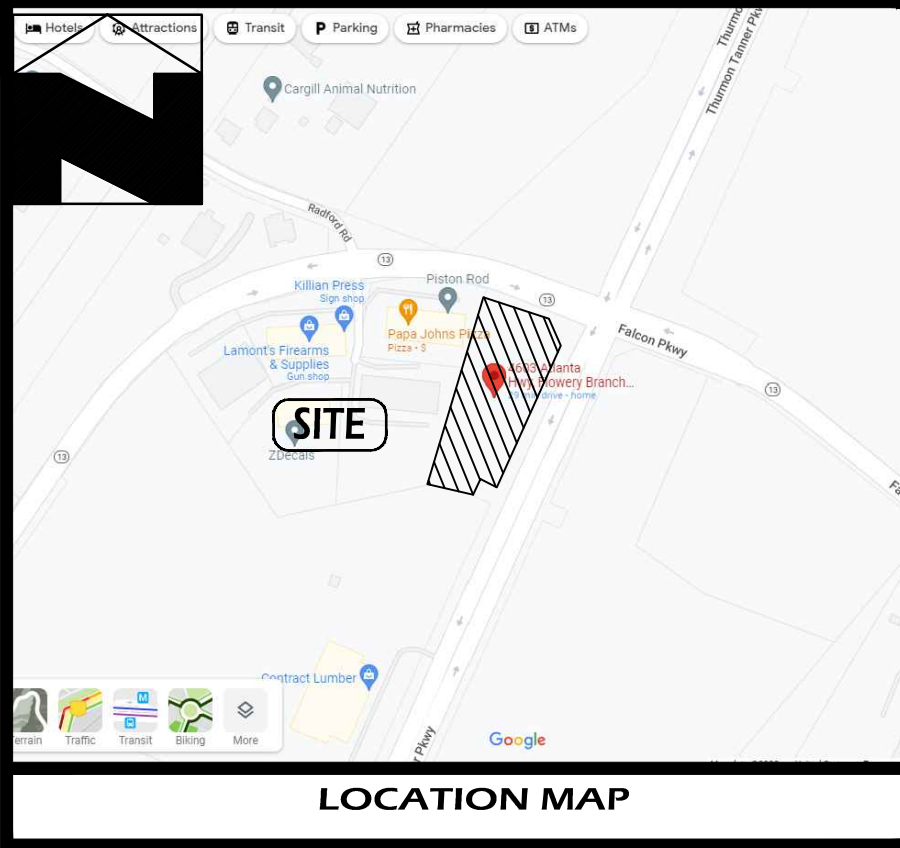
ONE (1) TREE FOR EACH 40 LINEAR FEET OF LANDSCAPE STRIP

320.0 L.F. ALONG THURMON TANNER PARKWAY
EXCLUDING BUFFERS AND DRIVEWAYS
8 TREES REQUIRED
9 TREES PROVIDED
160.0 L.F. ALONG ATLANTA HIGHWAY
EXCLUDING BUFFERS AND DRIVEWAYS
4 TREES REQUIRED
5 TREES PROVIDED

N/F
ELIZABETH FAYE GREENWAY
DB-7780 PG-527
DB-5076 PG-428
PARCEL ID: 08092 001024
4611 ELK RIDGE CT
ZONED M-1

N/F
HUTCH LLC
DB-8075 PG-788
PARCEL ID: 08092 001024
4605 ELK RIDGE CT
ZONED M-1

APPROXIMATE LOCATION
PER P.B.-845, PG-3
UNABLE TO RECOVER
FORCE MAIN



Evans Design Group, Inc.
Civil Engineering /
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PROJECT NAME
**FLOWERY
BRANCH
C-STORE &
RETAIL**

**4603 ATLANTA HWY
I.I. 92, 8th DIST.
CITY OF FLOWERY
BRANCH, GEORGIA**

DATE:
6/16/22

DESIGN BY: JME
DRAWN BY: JME
CHECKED BY: JME

☐ Not Released For Construction
☒ Released For Construction

OWNER/DEVELOPER

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OTHER THAN THAT SPECIFICALLY INDICATED
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REVISIONS
1 12-22-22
FIRST SUBMITTAL
2 05-09-23
SECOND SUBMITTAL

JOB NUMBER:
22-029

SHEET TITLE
**LANDSCAPE
PLAN**

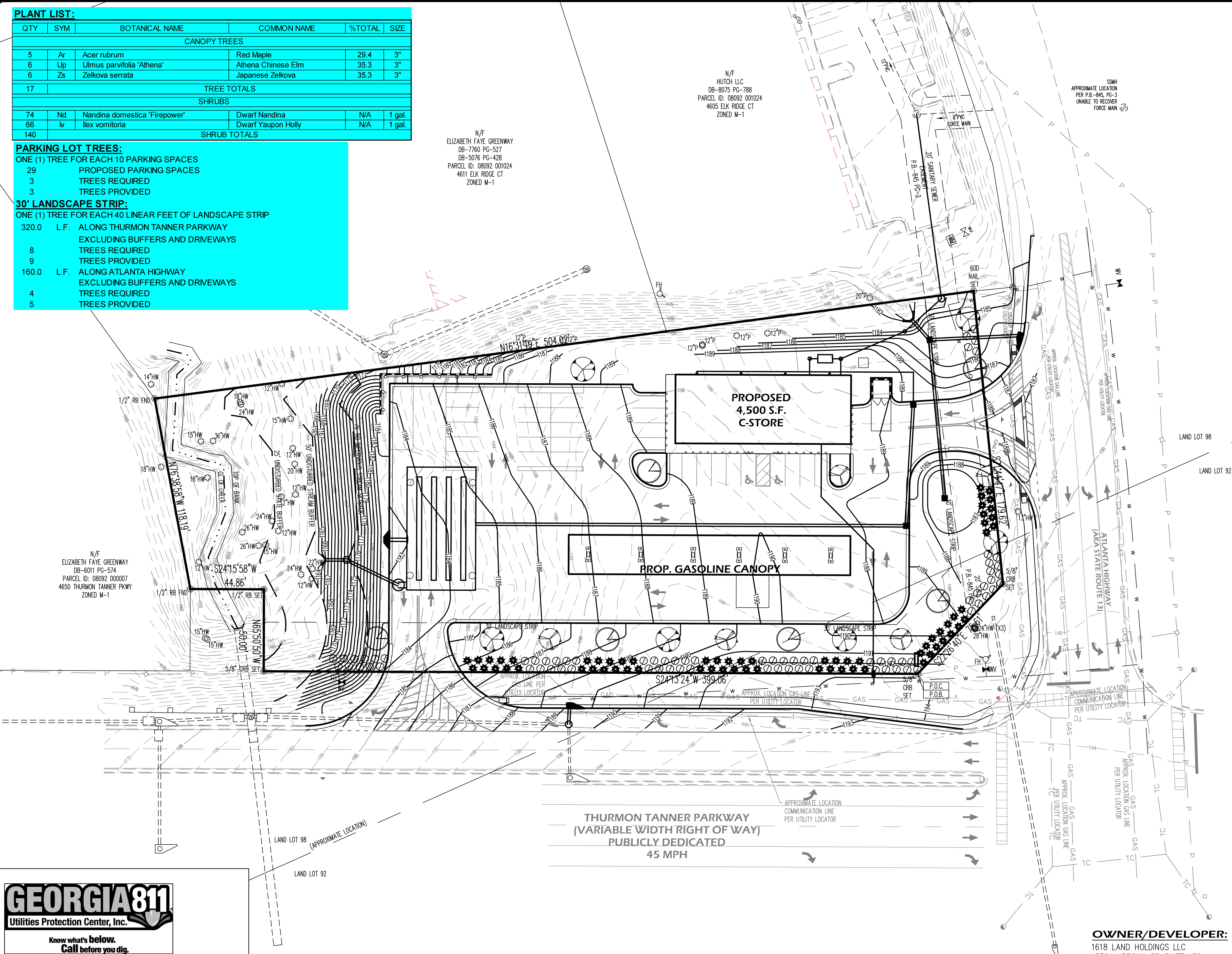
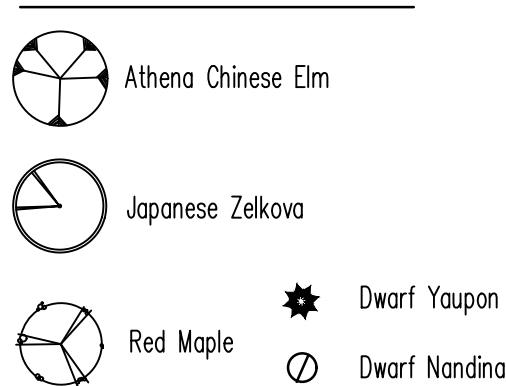
C-11



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PLANT LEGEND:



OWNER/DEVELOPER:

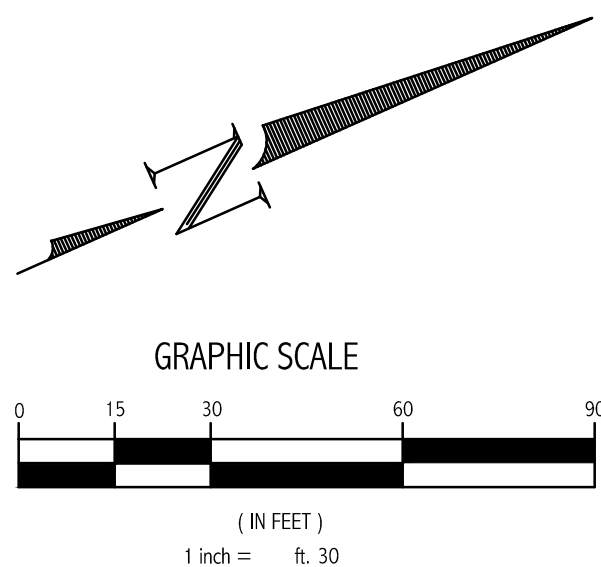
1618 LAND HOLDINGS LLC
1550 N BROWN RD SUITE 130,
LAWRENCEVILLE, GA 30043
HUSEIN HAMIRANI
hhamirani@gmail.com
678.667.0501

24-HR CONTACT:

YUSUF ALI
770.617.4527

ENGINEER:

EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.





FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Discussion of the Current Downtown Dining District Boundaries.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Discussion only

SAMPLE MOTION:

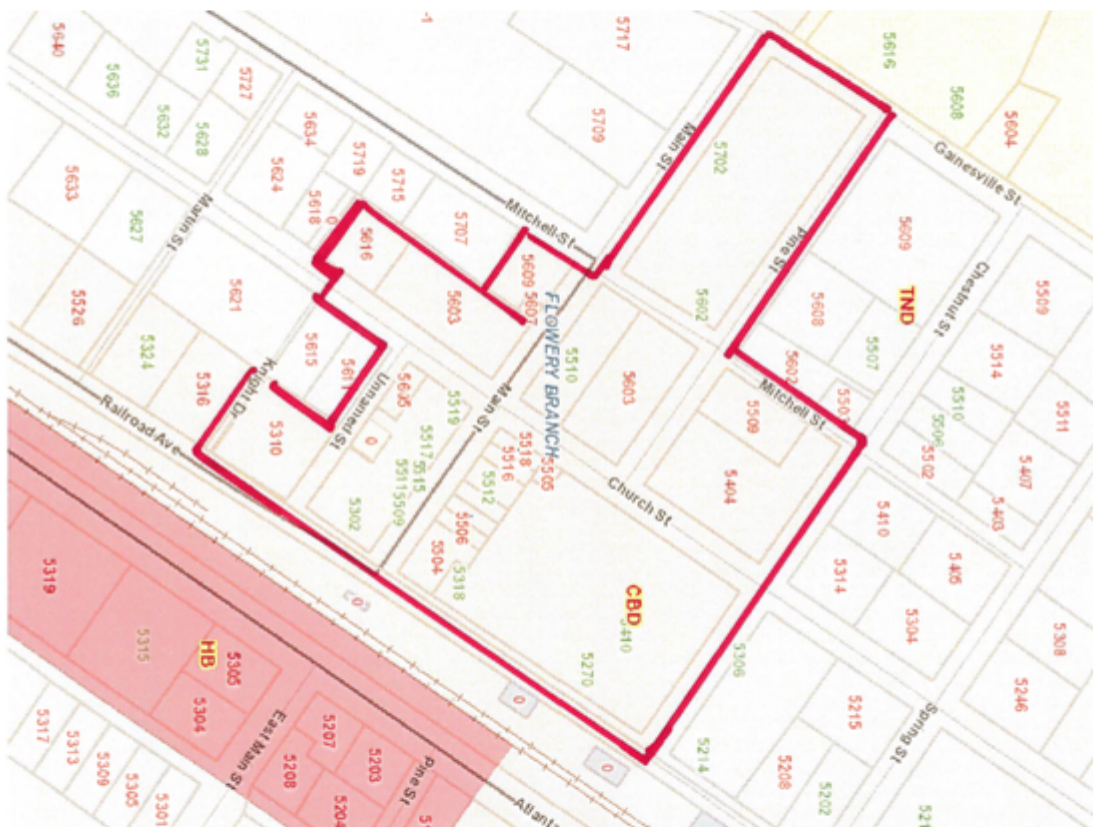
COLLABORATING DEPARTMENT:

DEPARTMENT:

Prepared by: Shelia Cooper

ATTACHMENTS

- [DDD Color.PNG](#)



FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY

SUBJECT: Renewal of Contract to NFP for Benefits Consulting and Brokerage Services.

DATE: 6/26/2023

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: 7/20/2023

PURPOSE: Renewal of contact with NFP for Benefits Consulting and Brokerage Services.

HISTORY:

- Historically the city has outsourced the Benefits Consulting and Brokerage services.
 - NFP currently provides Benefits Consulting and Brokerage Services for the City of Flowery Branch.
-
-

FACTS AND ISSUES:

- NFP's team dedicated to Flowery Branch has over 80 years of combined experience.
 - NFP will provide an employee portal, so employees can manage their benefits.
 - NFP will provide increased communication through an annual benefits fair, monthly health initiatives emails and health initiatives podcast.
 - NFP will shop services annually to ensure the city and employees are receiving best value.
 - NFP also provides support in six key areas: Strategic Planning, Financial Management, Benefits Administration, Health Risk Management and Well-Being, Teammate Engagement and Compliance and Legislative support.
 - NFP is our current provider for Benefits Consulting and Brokerage Services.
-
-

OPTIONS:

RECOMMENDED SAMPLE MOTION:

I make a motion to renew the annual contract for Benefits Consulting and Brokerage Services with three 1yr extension options to NFP.

DEPARTMENT: Finance

Prepared by: Matt Hamby



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Approval of Quote for Warranty and Landscaping for One Year from TriScapes on All The Phase I Landscaping

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

As part of Phase I Downtown Development, several trees, grasses, sod, flower beds were installed or planted. TriScapes was responsible for all the installing and planting.

FACTS AND ISSUES:

TriScapes will guarantee the work for one year if they continue the landscaping / maintenance for one year. The annual cost is \$23,000 unless the city would like other options (fresh mulch twice per year, fresh color twice per year) which will cost more as shown on the attached quote. TriScapes has done an outstanding job in all of their work downtown and staff would like to continue to work with them on the landscaping. No other quotes have been obtained as this will be a sole source provider since the guarantee is provided.

OPTIONS:

- 1) Approve the quote from TriScapes in an amount not to exceed \$23,000.
- 2) Approve the quote for a different amount if other options are chosen.
- 3) Put landscaping of the Downtown Development Phase I out for bid.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

\$23,000 FY24 budget

RECOMMENDATION:

Approve the quote from TriScapes for landscaping / maintenance of landscaping (with a one-year warranty) on all landscaping installed as part of Phase I Downtown Development

SAMPLE MOTION:

I make a motion to approve the quote from TriScapes for landscaping and a one-year warranty of all the landscaping planted in Phase I Downtown Development.

COLLABORATING DEPARTMENT:

DEPARTMENT: Community Relations

Prepared by: Shelia Cooper

ATTACHMENTS

- [ES - TriScapes Landscaping quote.pdf](#)
- [MAINT._Flowery Branch-Parks and Streetscape Improvements_V1.pdf](#)



**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: Approval of Quote for Warranty and Landscaping for One Year from TriScapes on All The Phase I Landscaping

DATE: July 20, 2023

(X)RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL- \$23,000
CAPITAL-

COUNCIL ACTION REQUESTED ON: July 20, 2023

PURPOSE: To approve the quote from TriScapes for landscaping / maintenance of landscaping (with a one-year warranty) on all landscaping installed as part of Phase I Downtown Development.

HISTORY: As part of Phase I Downtown Development, several trees, grasses, sod, flower beds were installed or planted. TriScapes was responsible for all the installing and planting.

FACTS AND ISSUES: TriScapes will guarantee the work for one year if they continue the landscaping / maintenance for one year. The annual cost is \$23,000 unless the city would like other options (fresh mulch twice per year, fresh color twice per year) which will cost more as shown on the attached quote. TriScapes has done an outstanding job in all of their work downtown and staff would like to continue to work with them on the landscaping. No other quotes have been obtained as this will be a sole source provider since the guarantee is provided.

OPTIONS:

- 1) Approve the quote from TriScapes in an amount not to exceed \$23,000.
 - 2) Approve the quote for a different amount if other options are chosen.
 - 3) Put landscaping of the Downtown Development Phase I out for bid.
-
-

RECOMMENDED SAMPLE MOTION:

I make a motion to approve the quote from TriScapes for landscaping and a one-year warranty of all the landscaping planted in Phase I Downtown Development.

DEPARTMENT: Administration

Prepared by: Tonya Parrish



Company Address 1595 Peachtree Parkway
Suite 204-396
Cumming, GA 30041
United States

Created Date 5/4/2023
Quote Number 00004469

Reference MAINT._Flowery Branch-Parks and Streetscape
Improvements

Prepared By Patrick Hoggard
Email patrick@triscapes.com

Bill To Name City of Flowery Branch
Bill To 5517 Main Street P. O. Box 757
Flowery Branch, GA 30542

Ship To Name City of Flowery Branch

Sort Order	Product	Quantity	UOM
1.00	CTM_Annual Landscape Maintenance	1.00	LS
Total Price			\$23,971.00

Proposal Notes

Proposal Notes

This quote includes annual landscape maintenance (mowing, weedeating, edging, blowing, plant bed maintenance, picking up trash), 7 point chemical turf care program, and irrigation start up and winterization.

The price of dyed hardwood mulch and seasonal color is not included in this quote. The price for dyed hardwood mulch would be \$11,000. This price covers 2 applications per year.

The price for seasonal color is \$5000. This price covers 2 applications per year.

These prices can be added into the quote if requested.

*****NOTE: Prices good for 15 Days*****



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider the Establishment of the Appalachian Regional Commission (ARC) Grant

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

The “Highlands to Islands” trail is a multi-use trail that reaches from Gainesville to Lake Lanier Islands. A section of this multi-jurisdictional trail falls in Flowery Branch. In an effort to promote healthy living and pedestrian connectivity, the city seeks to begin planning and constructing the trail located in Flowery Branch. With a partnership with the Georgia Mountains Regional Commission (GMRC) and Appalachian Regional Commission (ARC), additional funding may be acquired to support this endeavor.

FACTS AND ISSUES:

The Appalachian Regional Commission is an economic development partnership entity of the federal government. Their mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia by providing grants, publishing research, and sponsoring learning opportunities to address economic disparity and advance prosperity. The Georgia Mountains Regional Commission (GRMC) is a state level commission that supports the northeast region of the state.

OPTIONS:

To engage, or not engage, the Georgia Mountains Regional Commission to prepare an application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

The Georgia Mountains Regional Commission provides application preparation services free of charge.

RECOMMENDATION:

To engage the Georgia Mountains Regional Commission to write an application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

SAMPLE MOTION:

I make a motion to adopt resolution 23-008 to engage the Georgia Mountains Regional Commission (GMRC) to prepare an application for the Area Development Program grant in order to pursue funding from the Appalachian Regional Commission (ARC) to support development of the “Highlands to Islands” trail system and to authorize the Mayor and staff to execute necessary documents to apply for and accept any grants awarded to the City of Flowery Branch.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary - ARC Grant.pdf](#)
- [Resolution 23-008 To Engage the GMRC to Prepare Grant for ARC.pdf](#)
- [GMRC Request For Assistance.pdf](#)

FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY

SUBJECT: Resolution 23-008 for Establishment of the Appalachian Regional Commission (ARC) Grant

DATE: July 20, 2023

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

☒ **RECOMMENDATION**
☐ **POLICY DISCUSSION**
☐ **STATUS REPORT**
☐ **OTHER**

COUNCIL ACTION REQUESTED ON: N/A

PURPOSE:

To pursue funding to support the “Highlands to Islands” trail construction by partnering with the Georgia Mountains Regional Commission to write an application for the Area Development Program grant offered by the Appalachian Regional Commission (ARC).

HISTORY:

The “Highlands to Islands” trail is a multi-use trail that reaches from Gainesville to Lake Lanier Islands. A section of this multi-jurisdictional trail falls in Flowery Branch. In an effort to promote healthy living and pedestrian connectivity, the city seeks to begin planning and constructing the trail located in Flowery Branch. With a partnership with the GMRC and ARC, additional funding may be acquired to support this endeavor.

FACTS AND ISSUES:

The Appalachian Regional Commission is an economic development partnership entity of the federal government. Their mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia by providing grants, publishing research, and sponsoring learning opportunities to address economic disparity and advance prosperity. The Georgia Mountains Regional Commission (GRMC) is a state level commission that supports the northeast region of the state.

OPTIONS:

To engage, or not engage, the Georgia Mountains Regional Commission (GMRC) to write a grant application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

RECOMMENDED SAMPLE MOTION:

I make a motion to adopt resolution 23-008 to engage the Georgia Mountains Regional Commission to write an application for the Area Development Program grant in order to pursue funding from the Appalachian Regional Commission (ARC) to support development of the “Highlands to Islands” trail system and to authorize the Mayor and staff to execute necessary documents to apply for and accept any grants awarded to the City of Flowery Branch.

DEPARTMENT: Finance

Prepared by: Elias Gobble

RESOLUTION NO. 23-008

TO ENGAGE THE GEORGIA MOUNTAINS REGIONAL COMMISSION (GMRC) TO PERFORM SERVICES WITH THE PREPARATION OF THE APPALACHIAN REGIONAL COMMISSION (ARC) GRANT APPLICATION.

WHEREAS, the City desires to engage the Commission to prepare a full grant application in connection with the Appalachian Regional Commission Grant Program for the “Highlands to Islands” trail project; and,

WHEREAS, the Commission desires to render such services and warrants that it possesses the capabilities to satisfactorily render such services.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Flowery Branch, Georgia, as follows:

Section 1. Engagement of the GMRC: The City agrees to engage the Commission and the Commission agrees to perform services associated with the preparation of the ARC application.

Section 2. Compensation: The Commission shall perform the preparation of the application at no cost to the City.

Section 3. Time of Performance: The Commission will immediately initiate the preparation of the ARC application for submittal.

SO RESOLVED this 20th day of July, 2023.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Karen Thomas, City Attorney



July 20, 2023

Heather Feldman, Executive Director
GA Mountains Regional Commission
P.O. Box 1720
Gainesville, GA 30503

RE: Request for Assistance

Dear Heather:

The City of Flowery Branch is requesting the assistance of the Georgia Mountains Regional Commission in preparing grant applications associated with proposed trail construction to connect downtown Flowery Branch with its park and residential areas to promote more connectivity throughout the city.

We look forward to working with you and your staff. If you have questions or need additional information, please feel free to contact Renee Carden, Community Relations Director, at 770-967-6371 (extension 8) or Renee@flowerybranchga.org.

Very truly yours,
City of Flowery Branch, Georgia

Ed Asbridge
Mayor



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

Phoenix Tank was the low responsive and responsible bidder for the construction of the Gainesville Street tank replacement. The bids received were both over the estimate. In an effort to induce the City to award the contract to their company, Phoenix offered a \$50,000 deduct to the price if they were awarded the contract. They were notified that the City would accept the deduct. This Change Order incorporates the deduct into the contract.

As the tank was being erected, discussions with the erection crew and the welding and painting inspection specialist revealed that some similar tanks had problems with condensation within the dry space below the tank bowl. This is also a common problem in water treatment plant pipe galleries. This is a potentially severe issue with this tank because the groundwater that it contains is generally considerably colder than the atmosphere during warm parts of the year.

In searching for a solution to this problem, we determined that the Tnemec company had a spray-on insulating paint type material. This is a relatively new product, but they have an good reference list of locations where the product has been used. Given the corrosion damage that condensation can cause, particularly in an area that houses electrical equipment, we recommend the the funds be appropriated to utilize this material.

The riser pipe within the pedestal should also be insulated. There is an corrugated aluminum productl from Johns-Manville that Phoenix Tank has had good success with on other projects. We recommend the funds also be appropriated for this material to be furnished and installed. The total price of installing the insulating material is \$37,894.74.

FACTS AND ISSUES:

See information provided above. The \$50,000.00 deduct should of course be accepted. The insulation material will prolong the life of the tank components, particularly the interior ladders, the roof access tube that penetrates the tank and the tank electrical gear and instrumentation. The net amount of this Change Order is a deduct of \$12,105.76.

OPTIONS:

Approve or Deny

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

Net savings in the contract for the tank of \$12,105.76

RECOMMENDATION:

Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

SAMPLE MOTION:

I make a motion to approve the \$50,000 credit and the change order requested of \$37,894.74 with a net change order #1 of a deduct of \$12,105.76.

COLLABORATING DEPARTMENT:

Water/Wastewater

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Change Order No. 1 Water Tank.pdf](#)
- [Change Order No. 1 Backup Information.pdf](#)
- [C-941-Change-Order-No. 1 Water Tank.pdf](#)

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT:

DATE:

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON:

PURPOSE: Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

HISTORY: Phoenix Tank was the low responsive and responsible bidder for the construction of the Gainesville Street tank replacement. The bids received were both over the estimate. In an effort to induce the City to award the contract to their company, Phoenix offered a \$50,000 deduct to the price if they were awarded the contract. They were notified that the City would accept the deduct. This Change Order incorporates the deduct into the contract.

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FACTS AND ISSUES: See information provided above. The \$50,000.00 deduct should of course be accepted. The insulation material will prolong the life of the tank components, particularly the interior ladders, the roof access tube that penetrates the tank and the tank electrical gear and instrumentation. The net amount of this Change Order is a deduct of \$12,105.76.

OPTIONS: Approve or Deny

RECOMMENDED SAMPLE MOTION: I make a motion to approve the \$50,000 credit and the change order requested of \$37,894.74 with a net change order #1 of a deduct of \$12,105.76.

DEPARTMENT:

Prepared by: Robert W. Troxler, P.E.

Change Order No. 1

Elevated Water Tank No. 1 Improvements

Backup Information

City of Flowery Branch Elevated Water Tank No. 1 Improvements

Summary of Proposed Contract Changes

Change Number	Proposed Change	Increase	Decrease
1A	Good Faith Deduct		50,000.00
	Total Decrease		50,000.00
1D	Insulation Material for Condensation Control	37,894.74	
	Total Increrase	37,894.74	
	Net Change - Decrease		12,105.26

Flowerly Branch Elevated Water Tank 1 Improvements

7 messages

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>
 To: "rwtruxler@gmail.com" <rwtruxler@gmail.com>
 Cc: "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>

Thu, Jul 14, 2022 at 2:50 PM

Rob,

Phoenix Fabricators and Erectors, LLC ("PFE") would like to offer the following deducts:

1. Delete the fence from our scope of work (\$25,000)
2. Delete the demolition of the elevated water tank (\$32,400.00)
3. Reduce project warranty to industry-standard of 1 year to reduce the cost of our bonds (\$10,371.00)
4. Goodwill from PFE (\$50,600.00)

*-\$50,000 ACCEPTED THIS CHANGE ONLY
 RWT*

Thank you,

Jonathan R. Dixon, P.E.

VP Sales



182 South County Road 900 E

Avon, IN 46123

D: (270) 318-1217

M: (270) 860-2171

www.phoenixtank.com

EEO/AA Employer

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Robert Troxler <rwtruxler@gmail.com>
 To: Keith Hendrix <kh.infratec@aol.com>

Thu, Jul 14, 2022 at 3:15 PM

Let's discuss when you have a chance.

Bob T.

Robert W. Troxler, P.E.
 Infratec Consultants, Inc.
 [Quoted text hidden]

AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Sun, Jul 24, 2022 at 6:22 PM

Reply-To: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

To: "Jonathan.Dixon@phoenixtank.com" <Jonathan.Dixon@phoenixtank.com>, "kyle.stpierre@phoenixtank.com" <kyle.stpierre@phoenixtank.com>, rwtruxler@gmail.com" <rwtruxler@gmail.com>

Jonathan and Kyle,

The City of Flowery Branch can not do items 1 or 2. but will accept items 3 and 4.

The City Council has awarded the project to Phoenix at their council meeting last Thursday night, assuming the contracts are prepared properly.

We will award the project at the full bid price and then prepare a change order after you have been given a notice to proceed.

We should have the contracts prepared and mailed to you by the end of the week.

If you have any questions, please feel free to reach out to me or Bob Troxler.

Thanks,

Keith Hendrix, PE
Infratec Consultants
404-861-6956
[Quoted text hidden]

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>

Mon, Jul 25, 2022 at 9:02 AM

o: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>, "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com"
rwtroxler@gmail.com>

Thank you for the update. We look forward to working with you and the City.

Thank you,

Jonathan R. Dixon, P.E.

VP Sales



182 South County Road 900 E

Avon, IN 46123

D: (270) 318-1217

M: (270) 860-2171

www.phoenixtank.com

EEO/AA Employer

Follow us on 

From: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Sent: Sunday, July 24, 2022 5:23 PM

To: Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>; Kyle St.Pierre <kyle.stpierre@phoenixtank.com>; rwtroxler@gmail.com

Subject: Fwd: Flowery Branch Elevated Water Tank 1 Improvements

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[Quoted text hidden]

AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Fri, Aug 26, 2022 at 11:22 AM

o: "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com" <rwtroxler@gmail.com>, Jonathan Dixon
<Jonathan.Dixon@phoenixtank.com>

Jonathan,

We have received your set of the contracts, but Section 00640-Immigration Compliance Act Affidavit is not filled out.

If you could have it signed, then email me a copy, I will insert it into your set of contracts and then we can proceed with the City.

Keith Hendrix, PE
kh.infratec@aol.com
404-861-6956

[Quoted text hidden]

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>

Fri, Aug 26, 2022 at 1:46 PM

To: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>, "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com" <rwtroxler@gmail.com>

It is attached

[Quoted text hidden]



GA Immigration Act.pdf

456K

Robert Troxler <rwtroxler@gmail.com>

Tue, Feb 7, 2023 at 11:48 AM

To: Bill Whidden <billw@flowerybranchga.org>

Please look at the July 14 emails regarding the Phoenix deduct offer. Although we responded that we would take the latter two deducts, I seem to recall that the City Manager may have wanted to retain the three year warranty. A change order resolving this issue has not been executed, but should be soon.

As discussed, a phone call to resolve this would be helpful.

Robert W. Troxler, P.E.
Infratec Consultants, Inc.

[Quoted text hidden]



GA Immigration Act.pdf

456K

Change Order

3 messages

Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
To: Robert Troxler <rwtrorler@gmail.com>

Thu, Jul 6, 2023 at 8:16 AM

Bob –

I have been traveling and will be in and out of airports today, so I apologize for how informal this change order request is. I have attached the quote from G&L for their cost, PFE will mark this up 5%.

G&L - \$36,000

PFE Markup – 5% - \$1,894.74

Total Change Order Cost - \$37,894.74

Jeremy Binkley

Senior Project Manager

NACE Certified Coatings Inspector Level 1 #107452



1329 US Highway 41 North

Sebree, KY 42455

P – 270.318.1237

F – 270-835-9996

C – 270-853-7166

jeremy.binkley@phoenixtank.com

EEO/AA Employer

Follow us on 



Quote for Flowery Branch (Aerolon).pdf

180K

Robert Troxler <rwtrorler@gmail.com>
To: Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>

Thu, Jul 6, 2023 at 12:44 PM

Thanks. Do you know how many square feet we are talking about?

Robert W. Troxler, P.E.
Infratec Consultants, Inc.

[Quoted text hidden]

Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
To: Robert Troxler <rwtruxler@gmail.com>

Thu, Jul 6, 2023 at 1:10 PM

Access Tube – 440 SqFt

Belly – 230 SqFt

Total – 670 SqFt

Jeremy Binkley

Senior Project Manager

NACE Certified Coatings Inspector Level 1 #107452



1329 US Highway 41 North

Sebree, KY 42455

P – 270.318.1237

F – 270-835-9996

C – 270-853-7166

jeremy.binkley@phoenixtank.com

EEO/AA Employer

Follow us on 

From: Robert Troxler <rwtruxler@gmail.com>
Sent: Thursday, July 6, 2023 11:45 AM
To: Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
Subject: Re: Change Order

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

[Quoted text hidden]



2101 Highway 64 West, Shelbyville, TN 37160
931-735-6600
gltankcoating1986@gmail.com

July 3, 2023

**City of Flowery Branch, GA
Application of Aerolon Coating**

To Whom It May Concern:

G & L Tank Sandblasting and Coatings, LLC is submitting pricing for application of Tnemec Aerolon 971 in directed areas of a 250,000-gallon elevated tank. The Aerolon 971 will be applied to the Access Tube and the Bottom of the Cone/Belly. Note: The Aerolon 971 will not be applied to the piping, but the piping will be insulated with an aluminum insulation jacketing. The scope of work includes: providing all labor, equipment, and materials.

- **Application of Aerolon**.....**\$30,000.00**
- 1st Insulation Coat: Tnemec Aerolon 971 (DFT: 45.0-50.0 mils)
 - 2nd Insulation coat: Tnemec Aerolon 971 (DFT: 45.0-50.0 mils)
 - Topcoat: Tnemec Series 128T – 15BL Tank White (DFT: 2.0-3.0 mils)
- **Installation of Aluminum Jacketing on Piping**.....**\$6,000.00**
- Johns Manville .016" Corrugated Aluminum Jacketing

TOTAL COST: \$36,000.00 (Thirty-Six Thousand Dollars)
(This pricing is good for 7 days and will expire after the 7 days.)

If you have any additional questions, please do not hesitate to contact us.

Regards,

Isai Gomez, Owner
G & L Tank Sandblasting and Coatings, LLC



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c/o National Society of Professional Engineers
1420 King Street
Alexandria, VA 22314
Phone: (703) 684-2845
Fax: (703) 836-4875
e-mail: aschwartz@nspe.org

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Information regarding the content of the attached EJCDC document and other **EJCDC Design and Construction Related Documents** may be obtained at ejcdc.org or from the following EJCDC sponsoring organizations:

National Society of Professional Engineers
1420 King Street, Alexandria, VA 22314-2794
(703) 684-2882
www.nspe.org

American Council of Engineering Companies
1015 15th Street N.W., Washington, D.C. 20005
(202) 347-7474
www.acec.org

American Society of Civil Engineers
1801 Alexander Bell Drive, Reston, VA 20191-4400
(800) 548-2723
www.asce.org

Date of Issuance:	Effective Date:
Owner: City of Flowery Branch	Owner's Contract No.:
Contractor: Phoenix Tank Erectors and Fabricators	Contractor's Project No.:
Engineer: Infratec Consultants, Inc.	Engineer's Project No.: FBR 18003
Project: Elevated Water Tank No. 1 Improvements	Contract Name: Elevated Water Tank No. 1 Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Proposed change is to add insulating material to prevent condensation inside the dry space of the pedestal tank and to formalize one deduct item from the original contract.

Attachments: *Spread sheet detailing changes.*

Letter from Phoenix Tank offering \$50,000.00n deduct from original bid

General contractor's (Phoenix) proposal for insulation material.

Painting subcontractor's (G & L) proposal to furnish and install insulation material.

Information on insulating materials to be used.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ <u>2,479,571.00</u>	Original Contract Times: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: There are no previously approved Change Orders.	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>No previously approved C.O.s</u> Ready for Final Payment: <u>Nov. 28, 2023</u>
Contract Price prior to this Change Order: \$ <u>2,479,571.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>12,105.26</u> (Decrease)	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u>
Contract Price incorporating this Change Order: \$ <u>2,467,465.74</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u>Robert W. Troxler, P.E.</u>	By: <u>Edward R. Ashbridge</u>	By: _____			
<u>Infratec Consultants, Inc.</u>	<u>Owner (Authorized Signature)</u>	<u>Contractor (Authorized Signature)</u>			
Title: <u>President</u>	Title: <u>Mayor</u>	Title: _____			
Date: _____	Date: _____	Date: _____			

Approved by Funding Agency (if
applicable)

By: _____
Title: _____

Date:



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider June 15, 2023 City Council Meeting Minutes

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Unofficial June 15, 2023 City Council Meeting Minutes.pdf](#)



**City of Flowery Branch
City Council Meeting
Thursday, June 15, 2023, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Asbridge called the council meeting to order at 6:01 p.m.

Present: Mayor Asbridge and Council Members Joe Anglin, Oliver McClellan, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matt Hamby, Community Relations Director Renee Carden, Planning & Community Development Director Rich Atkinson, Public Works & Utilities Director Bill Whidden, Police Chief Chris Hulsey, and City Attorney Karen Thomas.

Absent: Council Member William McDaniel

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

There was a motion made to approve the agenda as presented.

MOTION: Chris Mundy

SECOND: Joe Anglin

AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

PUBLIC HEARING:

Public Hearing to Consider an Annexation and Rezoning Request submitted by Cook Communities.

Director Atkinson presented an annexation and rezoning request submitted by Cook Communities for 14.27 +/- acres of land from Hall County Agricultural Residential (ARIII) to Flowery Branch Planned Unit Development (PUD) with the intent to develop and construct a 49-unit Age Restricted Townhome Community. The proposed development does not meet the strict

requirements of the Comprehensive Plan. However, the size and scope of the proposed project would blend in with the surrounding area as it is residential in nature.

Council held a discussion regarding this request from Cook Communities.

There were none in favor or against the public hearing.

Mayor Asbridge closed the Public Hearing at 6:11 p.m.

Public Hearing and First Vote for an appeal of the Zoning Administrator's decision to deny an occupational tax license submitted by Mr. Razvan Catanitou.

Director Atkinson presented an appeal of the Zoning Administrator's decision to deny an occupational tax license submitted by Mr. Razvan Catanitou. Mr. Catanitou would like to have an automobile repair shop at 4784 Cantrell Road. The address is zoned M-1 Light Industrial, and the use is allowed. The request was denied due to lack of adequate parking. Table 21.3 requires 1 space per 250 square feet. The site is 26,970 square feet and would require 107.88 required parking spots.

Council held a discussion regarding the request.

In Favor:

Ron Clements, 4784 Cantrell Road, Flowery Branch, GA 30542

Razvan Catanitou, 4784 Cantrell Road, Flowery Branch, GA 30542

Grayson Upchurch, 5504 Main Street, Flowery Branch, GA 30542

Against:

None

Mayor Asbridge closed the Public Hearing at 6:24 p.m.

Public Hearing for FY2024 Budget and Tax Year 2023 Millage Rate.

Director Hamby presented FY2024 Budget and Tax Year 2023 Millage Rate.

General Fund (Revenues)



Property Tax (based on current millage of 3.264):

- New or Improved Properties
 - Estimated to increase revenue by \$290,202
- Reassessment of Existing Real Property
 - Estimated to increase revenue by \$624,190
- Other Major Revenues:
 - Local Options Sales Tax 12%
 - TAVT 3%
 - Franchise Taxes 12%

General Fund (Expenditures)



- Planned increases for personnel (4% COLA & 2% Merit)
- Addition of 7 new positions in the following departments: Human Resources (1), Police (4), Planning (1), Public Works (1)
- Additional \$858,000 transfer to capital projects for the community (Road Paving, Land Acquisition, and Sidewalk Improvements, Downtown Development Phase 2)
- Overall General Fund Budget = 20%



Millage Comparison



YOUR TAX DOLLAR AT WORK

A Quick-Look Summary of the Adopted \$8.754 Million
FY 2024 General Fund Budget



Public Safety
\$ 0.31

Operations
\$0.21

Public Works
\$0.17

H&D
\$0.12

GF Capital
\$ 0.10

Municipal Court
\$ 0.03
**Tourism
\$0.06



Why not consider a millage decrease For FY2024?



- Response times for police and public works services has declined as community demands have increased with growth, in turn creating the need for additional staff
- Rapid growth in population = more demand for quality City services
- Needed infrastructure improvements (Additional Road Paving, Sidewalk Paving, Land Acquisition, & Downtown Development Phase II)

Millage Comparison



Tax Bill Comparison

Average Homestead Exempt Home Value \$ 400,000



Flowery Branch Tax Bill with Roll Back

$\$400,000 \times 40\% = \$160,000$ Assessed Value

$\$160,000 - \$18,000$ (Governor's Property Tax Grant) = $\$142,000$

$\$142,000 / 1,000 = 142$

$142 \times 2.677 = \$380.13$

Average Homestead Exempt Home Value \$ 400,000



Flowery Branch Tax Bill without Roll Back

$\$400,000 \times 40\% = \$160,000$ Assessed Value

$\$160,000 - \$18,000$ (Governor's Property Tax Grant) = $\$142,000$

$\$142,000 / 1,000 = 142$

$142 \times 3.264 = \$463.48$

Total Annual
Difference
\$83.35 or \$6.94
per month

Millage Comparison



Millage Comparison



YOUR TAX DOLLAR BREAKDOWN

A Quick-Look Summary of your Tax Dollar Breakdown by
Governmental Entity for Tax Year 2022.



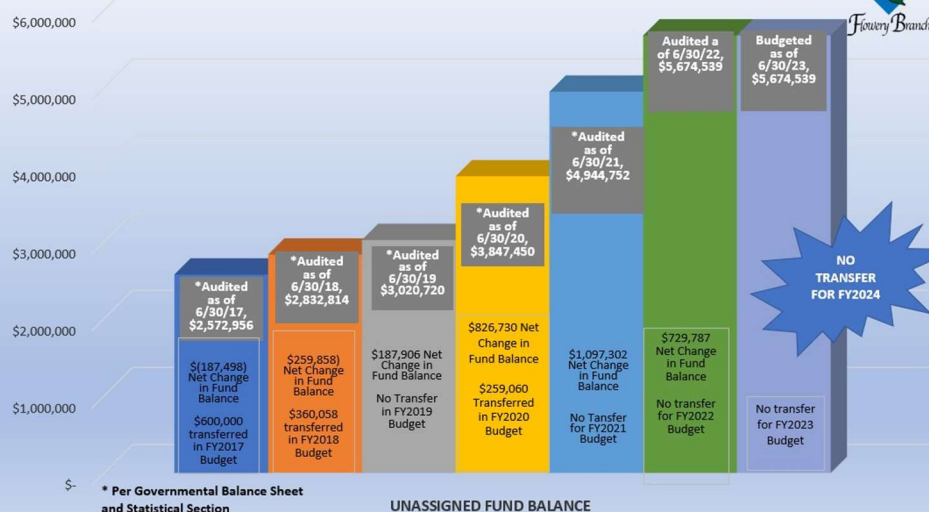
Hall County Schools
\$0.59

Hall County
\$0.29

Flower Branch
\$ 0.12



General Fund Unassigned Fund Balance History





Water & Wastewater Fund (Revenues)

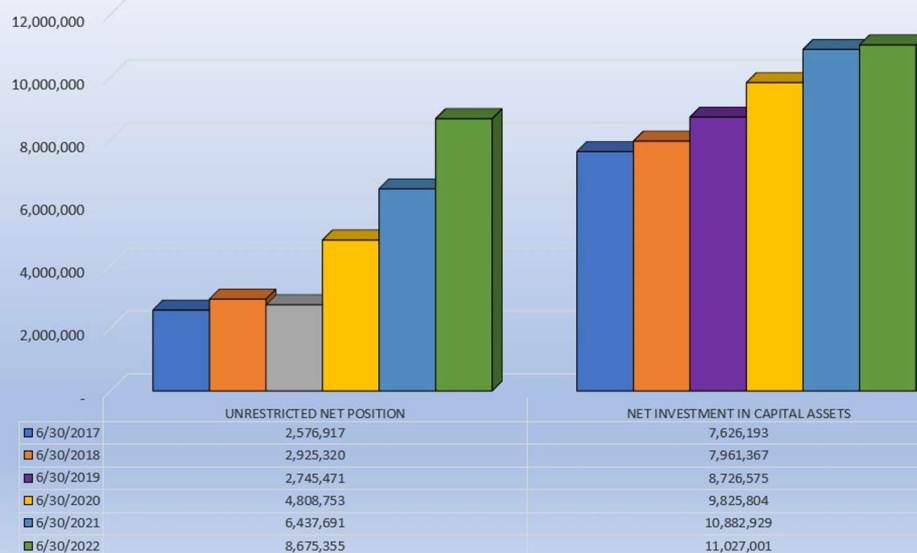
- Water and Sewer Revenue:
 - Increase in collections as our community continues to grow

Water & Wastewater Fund (Expenditures)

- All Departments:
 - Planned increases for personnel
 - Increased cost in chemicals and supplies



Water Sewer Fund Balance History



CONFISCATED ASSETS FUND
BUDGET REQUEST AND JUSTIFICATION FORM



	FY2022 ACTUAL	FY2023 ADJ BUDGET	FY2024 BUDGET	% CHANGE
Operating Revenues:				
Confiscations - State	\$ -	32,800	-	-100%
Confiscations - Local	-	-	-	N/A
Confiscations - Federal	-	-	-	N/A
Budget Fund Balance	-	-	32,800	N/A
Total Operating Revenue	-	32,800	32,800	0.0%
Operating Expenditures:				
Personal Services	\$ -	\$ -	\$ -	N/A
Professional & Other Services	-	-	-	N/A
Supplies & Operating Charges	-	32,800	32,800	0.0%
Capital Outlay	-	-	-	N/A
Total Operating Expenditures	-	32,800	32,800	0.0%
Capital Outlay	-	-	-	N/A
Total Overall Expenditures	\$ -	\$ 32,800	\$ 32,800	0.0%

AMERICAN RESCUE PLAN FUND
BUDGET REQUEST AND JUSTIFICATION FORM



	FY2022 Actual	FY2023 Budget	FY2024 Budget	% CHANGE
Revenue				
Amerian Rescue Plan	\$ 165,020	\$ 1,554,429	\$ -	-100%
Interest Revenue	\$ -	\$ -	\$ 30,000	N/A
Budget Fund Balance	-	1,389,409	1,999,758	43.9%
				N/A
Total Operating Revenue	165,020	2,943,838	2,029,758	-31.1%
Expenditures:				
Capital Outlay	\$ 7,020	\$ 2,131,938	\$ 1,029,758	-51.7%
Transfer out	158,000	811,900	1,000,000	23.2%
				N/A
Total Operating Expenditures	165,020	2,943,838	2,029,758	-31.1%
Total Overall Expenditures	\$ -	\$ -	\$ -	N/A

TAX ALLOCATION FUND
BUDGET REQUEST AND JUSTIFICATION FORM



	FY2022 Actual	FY2023 Budget	FY2024 Budget	% CHANGE
Revenue				
TAD revenue - Hall Co. Portion	\$ 237,651	\$ 250,000	\$ 700,000	180.0%
TAD revenue - City Portion	-	-	550,000	N/A
Rental Income	-	-	101,923	N/A
Interest revenue	8,961	2,000	20,000	900.0%
Transfers in	172,020	329,254	-	-100.0%
Budget Fund Balance	-	3,010,594	-	-100.0%
				N/A
Total Operating Revenue	418,632	3,591,848	1,371,923	-61.8%
Expenditures:				
Professional and Other Services	\$ 281,278	\$ 205,000	\$ 560,000	173.2%
Capital Outlay	2,087,729	3,115,298	466,429	-85.0%
Debt Service	161,526	271,550	345,494	27.2%
Transfers Out	-	-	-	N/A
				N/A
Total Operating Expenditures	2,530,533	3,591,848	1,371,923	-61.8%
Total Overall Expenditures	\$ (2,111,901)	\$ -	\$ -	N/A

INFORMATION TECHNOLOGY FUND
BUDGET REQUEST AND JUSTIFICATION FORM



	FY2022 Actual	FY2023 Budget	FY2024 Budget	% CHANGE
Revenue				
Technology Fees	\$ 22,446	\$ 30,240	\$ 20,000	-33.9%
Interest Revenue	-	-	-	N/A
Transfer In	-	-	-	N/A
Budget Fund Balance	-	10,669	15,000	40.6%
				N/A
Total Operating Revenue	22,446	40,909	35,000	-14.4%
Expenditures:				
Supplies and Operating Charges	\$ 37,059	\$ 40,909	\$ 35,000	-14.4%
Capital Outlay	-	-	-	N/A
Transfer out	-	-	-	N/A
				N/A
Total Operating Expenditures	37,059	40,909	35,000	-14.4%
Excess Revenue Over/(Under) E	\$ (14,613)	\$ -	\$ -	N/A



HOTEL/MOTEL FUND
BUDGET REQUEST AND JUSTIFICATION FORM

	FY2022 Actual	FY2023 Budget	FY2024 Budget	% CHANGE
Revenue				
CVB Hotel Tax Revenue - City's portion	\$ 78,003	\$ 85,000	\$ 85,000	0.0%
Tourism Product Development	39,001	40,000	40,000	0.0%
CVB Hotel Tax Revenue - CVB's portion	91,004	85,000	85,000	0.0%
Interest Revenue	-	-	-	N/A
Budget Fund Balance	-	-	-	N/A
Total Operating Revenue	208,008	210,000	210,000	0.0%
Expenditures:				
Convention Visitors Bureau	\$ 91,005	\$ 85,000	\$ 85,000	0.0%
Transfers Out	117,004	125,000	125,000	0.0%
				N/A
				N/A
Total Operating Expenditures	208,009	210,000	210,000	0.0%
Excess Revenue Over/(Under) E	\$ (1.25)	\$ -	\$ -	N/A

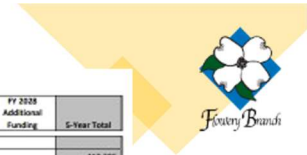
WATER AND SEWER FUND
BUDGET REQUEST AND JUSTIFICATION FORM

Revenues	FY2022 ACTUAL	FY2023 ADJ BUDGET	FY2024 BUDGET	% CHANGE
Water Charges	998,381	946,000	1,100,000	16.28%
Meter Set Fees	73,828	87,000	15,000	-82.76%
Admin Fees	230,270	82,000	42,000	-48.78%
Sewer Charges - Billed By Gainesville	1,038,517	947,512	1,100,000	16.09%
Sewer Charges	1,061,595	1,022,000	1,130,100	10.58%
Bank Fees / Bad Check Fees	90	-	-	N/A
Interest Revenue	130	-	332,200	N/A
Penalties / Reconnect Fees	46,194	48,000	50,000	4.17%
W&S Misc Revenue	-	3,500	-	-100.0%
S/F.O.G & Pre-Treatment Permits	4,471	7,850	7,000	-10.83%
WI Rebates from Gainesville	53,899	42,000	30,000	-28.57%
Transfers in - Development Charges	1,264,672	-	-	-
Transfers in - Other	203,051	-	-	-
Budgeted Net Position				
Total Revenue	4,975,098	3,185,862	3,806,300	19.47%
Operating:				
Personal Services	\$ 854,396	\$ 1,341,166	\$ 719,008	-46.39%
Professional & Other Services	526,904	604,330	678,900	12.34%
Supplies & Operating Charges	667,544	639,300	800,800	25.26%
Indirect Cost Allocation	-	-	789,679	-
Depreciation	480,856	-	-	-
Contingency	-	5,061	373,000	-
Total Operating	2,529,700	2,589,857	3,361,387	29.79%
Capital Outlay	10,649	-	-	N/A
Debt Service	53,013	596,005	444,913	-25.35%
Total Expenditures	\$ 2,593,362	\$ 3,185,862	\$ 3,806,300	19.47%
Excess Revenue Over/(Under)	2,381,736	-	-	-



EMPLOYEE BENEFITS FUND
BUDGET REQUEST AND JUSTIFICATION FORM

Revenues	FY2022 ACTUAL	FY2023 ADJ BUDGET	FY2024 BUDGET	% CHANGE
Premiums	\$ -	\$ -	\$ 1,408,000	N/A
Interest	-	-	-	N/A
Transfers in	-	-	-	N/A
Budgeted Net Position	-	-	-	N/A
Total Revenue	-	-	1,408,000	N/A
Operating:				
Personal Services	\$ -	\$ -	\$ 122,551	N/A
Health Insurance Premiums/Claims Expe	-	-	892,278	N/A
Life Insurance Premiums	-	-	5,233	N/A
Vision Insurance Premiums	-	-	4,734	N/A
Dental Insurance Premiums	-	-	28,824	N/A
Long-term Disability Insurance	-	-	17,872	N/A
Administration/Wellness Program	-	-	23,000	N/A
Pension cost	-	-	270,000	N/A
Other Costs	-	-	43,508	N/A
Total Expenditures	-	-	1,408,000	N/A
Excess Revenue Over/(Under)	-	-	-	



FY2024 Capital Improvements Summary

Project Name	Critical Need Ranking	Priority Ranking	FY 2024 Funding Request	FY 2024 Funding Allowed	FY 2025 Additional Funding	FY 2026 Additional Funding	FY 2027 Additional Funding	FY 2028 Additional Funding	5-Year Total
City Manager's Office									
Downtown Development Phase II	A - Essential		400,000	418,305					418,305
City Buildings Security	A - Essential		50,000	50,000					50,000
Subtotal			450,000	468,305	-	-	-	-	468,305
City Clerk									
	A - Essential								-
	A - Essential								-
Subtotal			-	-	-	-	-	-	-
Finance									
City Hall Debt Services	A - Essential		342,917	342,917					342,917
IT Equipment Upgrades Annual Program	A - Essential		25,000	25,000	25,000	25,000	25,000	25,000	125,000
Subtotal			367,917	367,917	25,000	25,000	25,000	25,000	462,917
Public Works									
Replacement Utility Vehicle	A - Essential		80,000	80,000					80,000
Box Crew Cab Truck	A - Essential		45,000	45,000					45,000
Front End Loader	A - Essential		40,000	40,000					40,000
Annual Paving Program	A - Essential		1,775,797	1,775,797	1,105,759	1,085,222	1,585,000	1,585,000	7,332,778
Parks Property & Improvements	A - Essential		244,428	244,428	170,572				415,000
Public Works Property	A - Essential							310,000	310,000
East Main Culvert	A - Essential		550,000	550,000					550,000
Land Acquisition	A - Essential		245,805	245,805					245,805
Sidewalk Program	A - Essential		50,000	50,000	50,000	50,000	50,000	50,000	250,000
Subtotal			3,027,830	3,027,830	1,324,931	1,195,222	1,635,000	1,645,000	9,666,588
Municipal Court									
	A - Essential								-
	A - Essential								-
Subtotal			-	-	-	-	-	-	-
Police									
Police Vehicles (7)	Priority Ranking		329,000	329,000	43,000	77,000			449,000
	A - Essential								-
Subtotal			329,000	329,000	43,000	77,000	-	-	449,000
Planning									
Planning Software	A - Essential		50,000	50,000					50,000
Subtotal			50,000	50,000			-	-	50,000





FY2024 Capital Improvements Summary

Project Name	Critical Need Ranking	Priority Ranking	FY 2024 Funding Request	FY 2024 Funding Allowed	FY 2025 Additional Funding	FY 2026 Additional Funding	FY 2027 Additional Funding	FY 2028 Additional Funding	5-Year Total
Tourism									
Gateway Sign	A - Essential	▼	50,000	50,000					50,000
Landscaping Design and Implementation	Priority Ranking	▼	50,000	100,000					100,000
Public Bathroom (Include in DD Phase II)	A - Essential	▼	300,000						-
Hammock Park	A - Essential	▼	30,000	30,000					30,000
Caboose Renovations	A - Essential	▼	30,000	30,000					30,000
	A - Essential	▼							-
Subtotal			460,000	210,000	-	-	-	-	160,000
TOTAL GOVERNMENTAL FUNDS			4,683,947	4,452,252	1,392,331	1,237,222	1,660,000	1,970,000	10,661,805
Water and Sewer									
Wastewater Expansion (CWSRF)	A - Essential	▼	11,485,000	11,485,000					11,485,000
Waterline Improvements	A - Essential	▼	140,000	140,000	140,000				280,000
Wastewater Effluent Discharge Force Main Phase 2 (CWSRF)	A - Essential	▼	750,000		750,000	750,000			1,500,000
Wastewater Pump Station Modification (CWSRF)	A - Essential	▼	100,000	100,000					100,000
Water Distribution System Upgrade (DWSRF)	A - Essential	▼	200,000	200,000	200,000				400,000
Water Distribution at Railroad Crossings (DWSRF)	A - Essential	▼	250,000	250,000					250,000
Lights Ferry Water Line (DWSRF)	A - Essential	▼	250,000	250,000					250,000
Wells 4 & 5 (DWSRF)	A - Essential	▼	1,120,000	1,120,000					1,120,000
SCADA System (DWSRF)	A - Essential	▼	50,000	50,000					50,000
Atlanta Highway Water line (DWSRF)	A - Essential	▼	140,000	140,000	140,000				280,000
Replacement Generator (WW)	A - Essential	▼	100,000	100,000					100,000
	A - Essential	▼							-
	A - Essential	▼							-
	A - Essential	▼							-
	A - Essential	▼							-
Subtotal			14,585,000	13,835,000	1,230,000	750,000	-	-	15,815,000
TOTAL PROPRIETARY FUNDS			14,585,000	13,835,000	1,230,000	750,000	-	-	15,815,000
TOTAL REQUESTED ALL FUNDS			19,268,947	18,287,252	2,622,331	1,987,222	1,660,000	1,970,000	26,476,805

TOTAL FOR ALL FUNDS:				
By Fund:	FY2022 Approved:	FY2023 Approved:	FY2024 Proposed:	Percent Change from FY2023 to FY2024:
General Fund	\$ 6,056,787	\$ 7,139,034	\$ 8,753,901	22.62%
Confiscated Assets Fund*	\$ -	\$ 32,800	\$ 32,800	0.00%
American Rescue Plan Act	\$ 1,554,429	\$ 1,554,429	\$ 2,029,758	30.58%
Tax Allocation District Fund**	\$ 5,275,519	\$ 3,591,848	\$ 1,371,923	-61.80%
Information Tech Fund ***	\$ 22,446	\$ 40,909	\$ 35,000	-14.44%
Hotel Motel Fund	\$ 154,000	\$ 210,000	\$ 210,000	0.00%
Capital Funds	\$ 20,518,637	\$ 10,454,596	\$ 18,287,252	74.92%
TOTAL GOVERNMENTAL FUNDS:	\$ 33,581,818	\$ 23,023,616	\$ 30,720,634	33.43%
Water/Wastewater Operating	\$ 3,135,350	\$ 3,185,862	\$ 3,806,300	19.47%
TOTAL ENTERPRISE FUNDS:	\$ 3,135,350	\$ 3,185,862	\$ 3,806,300	19.47%
Employee Benefits Operating ****	\$ -	\$ -	\$ 1,408,000	#DIV/0!
TOTAL INTERNAL SERVICE FUNDS:	\$ -	\$ -	\$ 1,408,000	#DIV/0!
Less Transfers To/From *****	\$ -	\$ -	\$ 5,186,607	#DIV/0!
TOTAL BUDGET BY FISCAL YEAR:	\$ 36,717,168	\$ 26,209,478	\$ 30,748,327	17.32%

* Confiscated Assets Fund new for FY2024
 ** FY2022 Tax Allocation Fund reflects \$5,000,000 in bond funds.
 *** Information Technology Fund new for FY2024
 **** Employee Benefits Fund new for FY2024
 ***** Transfers include duplicated expenditures in other funds such as: Transfer to Capital, Indirect Cost Allocation & Employee Benefits Fund Cost Share.



Resolution 23-007 To Adopt the FY2024 Annual Budget

Council held a discussion regarding the budget and millage rate.

There were none in favor or against.

Mayor Asbridge closed the Public Hearing at 6:40 p.m.

UNFINISHED BUSINESS - WORK SESSION:

Consider the Second Reading of Ordinance 693, a variance request submitted by Stanton E. Porter allowing fuel pumps to be located in front of the primary structure at 4603 Atlanta Highway.

Attorney Doug Price representing Stanton E. Porter addressed Council. Attorney Price stated there is a two-week delay on the landscape plan. Council is not comfortable approving this ordinance without an approved landscape plan.

Council held a discussion with Attorney Price and Director Atkinson regarding if the applicant would need to withdraw the application or possibly have the ordinance denied.

NEW BUSINESS -WORK SESSION:

Consider Resolution 23-007 To Adopt FY2024 Annual Budget and Master Fee Schedule

Director Hamby presented Resolution 23-007, to adopt the FY2024 annual budget and master fee schedule. O.C.G.A. § 36-81-3(b)(1) requires the City of Flowery Branch to adopt and operate under an annual balanced budget for the City's fiscal year, which runs from July 1st to June 30th of each year.

Consider Transportation Special Purpose Local Option Sales Tax (TSPLOST) Intergovernmental Agreement (IGA)

City Manager Parrish presented a consideration for an Intergovernmental Agreement (IGA) by and among Hall County, Georgia for Transportation Special Purpose Local Option Sales Tax (TSPLOST). A Transportation Special Purpose Local Option Sales Tax (TSPLOST) is a 1% sales tax collected on the sales of certain goods and services over a five-year period for a specific program of transportation projects. For a TSPLOST to be enacted, it must be approved by voters in a referendum. One hundred four (104) out of one hundred fifty-nine (159) counties in Georgia have a TSPLOST. The County and all its municipalities must approve the intergovernmental agreement to receive the full 1% of TSPLOST. If all governments do not approve the agreement, only 0.75% can be collected. Anyone visiting and purchasing goods or services in Hall County would pay this sales tax. The projected revenue forecast for TSPLOST is \$325 Million over the next five years. Specifically for Flowery Branch, this would result in funding of \$2,500,000 in the top portion (the 80%) of projects for the intersection (planned roundabout) at Gaines Ferry Road and McEver Road, and an option to issue up to \$5,000,000 in debt for the projects listed in the bottom portion (the 20%) of projects which include the following:

Project Name/Description	Estimated Project Cost
Construction of roads, bridges, sidewalks, multiuse paths, pedestrian upgrades (and related amenities), intersection improvements, turning lanes, traffic lights, traffic safety enhancements, and stormwater projects pertaining to roadway and other transportation projects.	\$2,000,000
Projects may include: Intersections at Phil Niekro Blvd – Mulberry Street, Radford Road – McEver Road, Radford Road – Atlanta Highway. Sidewalks – Phil Niekro Blvd, Mitchell Street, East Main Street, downtown streets, Capitola Farm Road.	
Resurfacing, including full depth reclamation, base and paving, culvert repair, traffic markers, patching, shoulder preparation, sidewalks, multiuse paths, pedestrian upgrades (and related amenities) and similar projects.	\$4,366,932
Projects may include: Portions of Phil Niekro, Lake Crossing Blvd, Mitchell Street (Phase 2), East Main, downtown roads, Capitola Road.	
Total Estimated Cost of Flowery Branch Projects	\$6,366,932

Consider Request for Pool and Pool House at 5710 Gainesville Street in the Central Business District

Director Atkinson presented a request for a pool and pool house at 5710 Gainesville Street in the Central Business District. The house was approved to be built earlier this year, but the location of the pool and pool house need to be relocated from the original approved submittal.

Council held a discussion with Director Atkinson regarding this request.

DEPARTMENT REPORTS:

City Manager Report:

City Manager Parrish wanted to thank Bailey Ramsey and Renee Carden of the Community Relations Department for all their hard work.

Community Relations Report:

Director Carden reported the Block Party was a success. She reminded citizens of the Grand Opening Event on June 23, 2023.

Finance Report:

Director Hamby reported that our auditors will be at City Hall on June 19 and June 20, 2023.

Public Works & Utilities Report:

Director Whidden thanked Peter Woerner for all his hard work, and he is doing an excellent job. He reported the water tank has been hooked up with the underground piping, but it is not ready to go in the tank. The painting crew is about three weeks out and should start in about three weeks.

Council Report:

Council Member Mundy stated the Block Party was a huge success.

Council Member Anglin stated the Fly Betty Band had a huge turnout and was impressive. It was a really nice night. He wanted to thank Director Whidden for all his hard work in the City.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 7:15 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 7:15 p.m.

PUBLIC COMMENTS:

Phyllis Mackenzie, 6729 Blue Herron Way, Flowery Branch, Georgia 30542

Ms. Mackenzie is concerned about speeding on Blue Heron Way in Sterling on the Lake.

Marty Madsen, 6722 Blue Heron Way, Flowery Branch, Georgia 30542

Ms. Madsen is concerned about speeding on Blue Heron Way in Sterling on the Lake.

Attorney Douglas Price for Stanton E. Porter

Attorney Price has stated the applicant would like to withdraw the application for a variance request allowing fuel pumps to be located in front of the primary structure at 4603 Atlanta Highway.

Ron Clements, 4784 Cantrell Road, Flowery Branch, GA 30542

Mr. Clements would like for Council consider the appeal of Mr. Razvan Catanitou.

Donna Nackers, 5887 Screech Owl Drive, Flowery Branch, Georgia 30542

Mrs. Nackers is frustrated about the train sitting on the train track. Would like advice on what she can do about the train.

CONSENT AGENDA:

- Consider June 1, 2023 City Council Meeting Minutes
- Consider June 1, 2023 Executive Session Minutes
- Consider June 8, 2023, 9AM Special Called City Council Meeting Minutes
- Consider June 8, 2023 6PM Special Called City Council Meeting Minutes
- Consider June 8, 2023 Executive Session Minutes

There was a motion made to approve the consent agenda as presented.

MOTION: Oliver McClellan

SECOND: Chris Mundy

AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider Second Reading of Ordinance 695 – To Establish the Millage Rate for Tax Year 2023; Fiscal Year 2024.

City Attorney Thomas read the caption to Ordinance 695.

There was a motion made to approve the second reading of Ordinance 695 – To Establish the Millage Rate for Tax Year 2023; Fiscal Year 2024.

MOTION: Chris Mundy

SECOND: Oliver McCellan

AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Consider the Second Reading of Ordinance 693, a variance request submitted by Stanton E. Porter allowing fuel pumps to be located in front of the primary structure at 4603 Atlanta Highway.

Council accepted the withdrawal from the applicant, Stanton E. Porter. The applicant has withdrawn a variance request allowing fuels pumps to be located in front of the primary structure at 4603 Atlanta Highway.

NEW BUSINESS - VOTING SESSION:

Public Hearing and First Vote for an appeal of the Zoning Administrator's decision to deny an occupational tax license submitted by Mr. Razvan Catanitou.

There was a motion made to table the first vote for an appeal of the Zoning Administrator's decision to deny an occupational tax license submitted by Mr. Razvan Catanitou until the July 20, 2023 City Council Meeting.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Consider Resolution 23-007 To Adopt FY2024 Annual Budget and Master Fee Schedule

There was a motion made approve Resolution 23-007 to adopt FY2024 Annual Budget and Master Fee Schedule.

MOTION: Joe Anglin
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Consider Transportation Special Purpose Local Option Sales Tax (TSPLOST) Intergovernmental Agreement (IGA)

There was a motion made to approve the Transportation Special Purpose Local Option Sales Tax (TSPLOST) Intergovernmental Agreement (IGA).

MOTION: Oliver McClellan
SECOND: Chris Mundy
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Consider Request for Pool and Pool House at 5710 Gainesville Street in the Central Business District

There was a motion made to approve a request for a pool and pool house at 5710 Gainesville Street in the Central Business District.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session for matters related to the acquisition/disposition of real estate, for matters related to certain personnel issues, and for matters related to pending or potential litigation at 7:44 p.m.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

There was a motion made to exit executive session at 8:32 p.m.

MOTION: Joe Anglin
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn the meeting at 8:32 p.m.

MOTION: Chris Mundy
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider June 15, 2023 Executive Session Minutes

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

-



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider June 19, 2023 City Council Retreat Minutes

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Unofficial June 19, 2023 City Council Retreat Minutes.pdf](#)



**City of Flowery Branch
City Council Retreat
Monday, June 19, 2023, 4:30 PM
Lanier Islands Legacy Lodge
7000 Lanier Island Parkway, Buford, GA 30518**



CALL TO ORDER:

Present: Mayor Asbridge and Council Members Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Planning & Community Development Director Rich Atkinson, Public Works & Utilities Director Bill Whidden, Finance Director Matt Hamby, Community Relations Director Renee Carden, City Planner Yu Peng and City Attorney Karen Thomas.

DISCUSSION:

City Manager Parrish introduced Kyle Jenks, Eli Green, and Sam Higgins of Parkside Partners. Parkside Partners is a full-service commercial real estate firm specializing in investment, development, and transformative value-add projects across the southeast. Some of the services offered are visionary development, investment strategies, property and asset management and creative leasing solutions.

Council held a discussion with Parkside Partners regarding ideas for the Flowery Branch downtown development for phase two..

EXECUTIVE SESSION: There was no executive session held.

ADJOURNMENT:

There was a motion to adjourn at 7:07 p.m.

MOTION: Chris Mundy
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider June 2023 Per Diem for Mayor Asbridge

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Mayor Per Diem - June 2023.pdf](#)



City of Flowery Branch
Mayor & Council Attendance Sheet Per Diem Pay

Name: Mayor Edward Asbridge Month/Year: June 2023

Meeting Date	Description of Meeting
June 6, 2023	Chamber Economic Development Meeting
June 22, 2023	Chamber Board of Directors Meeting

My signature certifies that I am eligible to be paid for 2 meeting dates, a maximum of 5 per month, in accordance with the Per Diem Pay as described in Ordinance 477 and at a rate of \$50.00 per meeting.

Total of \$100.00

Signature



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider First Vote for an Appeal of the Zoning Administrator's Decision to Deny an Occupational Tax License Submitted by Mr. Razvan Catanitou.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

An occupational tax license to operate an automobile repair shop at 4784 Cantrell Road was submitted by Mr. Razvan Catanitou. Mr. Catanitou's application was denied on May 3, 2023, as the parking requirements for an automobile repair shop could not be satisfied. Mr. Catanitou requested to appeal the decision on May 4th and was subsequently given the requirements to file such an appeal. On May 15, 2023, Mr. Catanitou submitted the application. Staff requested the legal advertisement the following day. The advertisement was published on May 24, 2023.

FACTS AND ISSUES:

Per code, 21.3, parking applicability states new uses for an existing building need to meet code. The proposed use (auto repair) per table 21.3, requires 1 space per each 250 square feet of building. The building is 26,970 square feet. This equates to 108 spaces. The use is allowed in the this zoning district (M-1) but this parcel and building cannot meet the parking requirements.

Sec. 21.3. - Applicability.

This Article shall apply to any new building constructed; for new uses or conversions of existing, conforming buildings; and for enlargements of existing structures. This Article shall not be construed so as to require additional parking spaces to be furnished for an existing building which is repaired, altered, maintained, or modernized, where the size of the building is not increased; provided, however, that when the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this Article for the new use.

Applicant has requested this item be tabled as he is out of the country.

OPTIONS:

Deny, approve, or table.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Uphold decision of the zoning administrator

SAMPLE MOTION:

I make a motion to uphold the zoning administrator's decision to deny an occupational tax license to the applicant.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Appeal for Razvan Catanitoiu.pdf](#)
- [4784 Cantrell Road Timeline of Events and Decision .pdf](#)



APPEAL OF ADMINISTRATIVE DECISION

City Provided Permit #

Date: May, 15 2023

Applicant: Razvan Catanitoiu

Address: 6274 Clean Spring Ln, Flowerly Branch GA 30542

E-mail address: contact@VHPMOTORSPORTS.COM

Phone number: 404 819 3845

Signature: [Signature]

Notary Seal:

Patty Hurt

PATTY HURT
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires July 29, 2026

Address of Request: 4784 Cantrell Rd Flowerly Branch
GA 30642

Per Article 39; Section 39.1: Persons may appeal to City Council for relief when aggrieved by an action or an interpretation of the Zoning Administrator made under this zoning ordinance. All such requests for relief shall be taken as an appeal to City Council.

Date of Official Action taken by the Zoning Administrator May, 3 2023



Per Article 39; Section 39.2: Application of appeal must be submitted within 30 days of the initial action of the Zoning Administrator.

What action was taken?

BUSINESS LICENSE DENIED

Why was this action or decision incorrect in your opinion (please attach additional pages as needed)?

The ordinance was construed against me, when the ordinance specifically states to not be construed. Please find attached the paper pointing the ordinance sections which should allow the license to be issued.

Per Article 39; Section 39.3 (d): The Zoning Administrator may ask for additional information as needed.

Per Article 39; Section 39.6: The City Clerk shall notify the applicant of City Council's decisions within 5 days after such decision is rendered.

CITY STAFF ONLY

Permit Accepted By: _____

Date: _____ Total Fee: _____

The business license was denied based on the ordinance nr. 348-17 section 21.3 which to start with is a nonconforming building/property because was built in 1964.

Sec 21.3 "This Article shall apply to any new building constructed; for new uses or conversions of existing, conforming buildings; and for enlargements of existing structures. This Article shall not be construed so as to require additional parking spaces to be furnished for an existing building which is repaired, altered, maintained, or modernized, where the size of the building is not increased; provided, however, that when the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this Article for the new use."

Even so, going forward taking in consideration the ordinance for the off-street parking spaces, ordinance 348-17 section 21.15 with reference at the table 21.3 which sets the minimum and maximum off-street parking space, the applicability of the section 21.15 letter C exempts this particular case.

Sec 21.15 *Applicability*. This Section shall not be construed as requiring compliance of parking lots which lawfully existed on the effective date of this Article; provided, however, that the Zoning Administrator shall ensure parking lots that do not comply with this Article meet the requirements of this Article or substantially comply when a new development permit is required or a building permit is required to add additional building space on the site. If substantial redesign of the parking lot is required to comply with this Article in such cases of new development or building additions, the Zoning Administrator may accept substantial rather than complete compliance when the strict application of a requirement of this Article would pose substantial practical difficulty.

Is just a business license, no developing or building permit inquired, which then everything will be different.

Appeal of Zoning Administrator's Decision
June 15, 2023

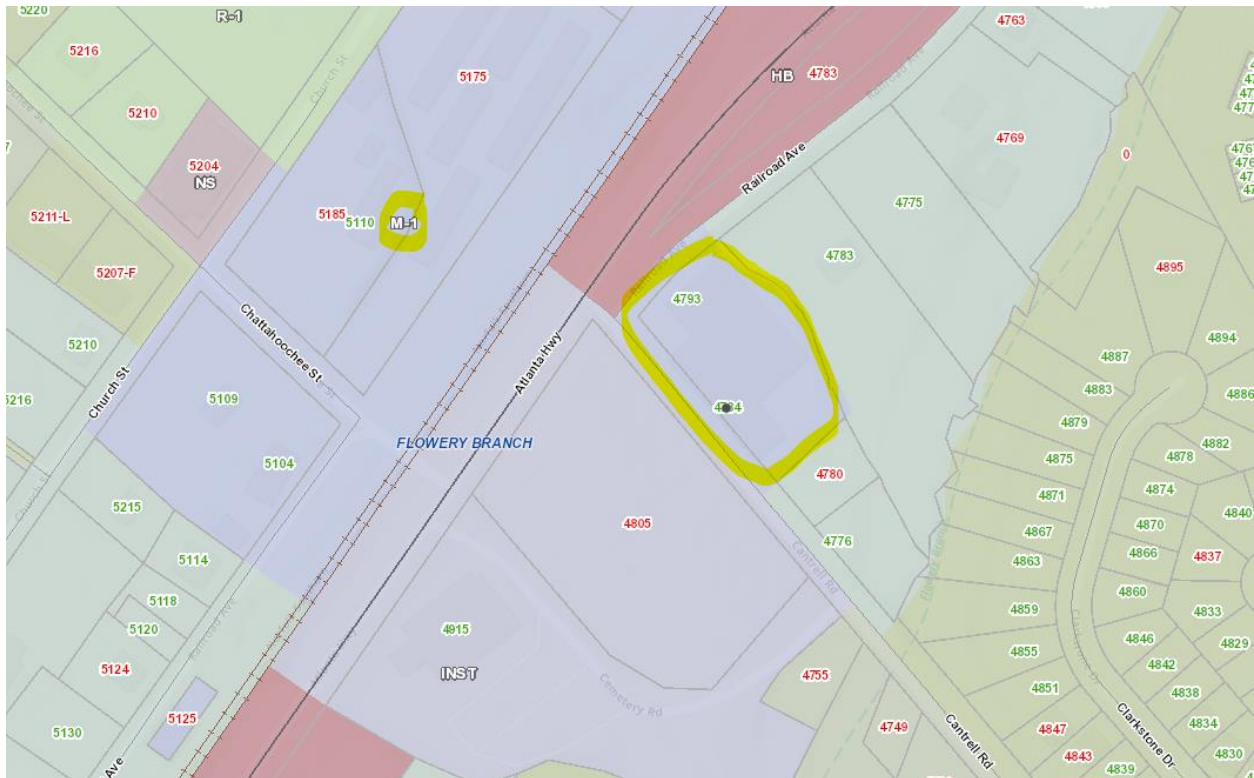
An occupational tax license to operate an automobile repair shop at 4784 Cantrell Road was submitted by Mr. Razvan Catanitou. Mr. Catanitou's application was denied on May 3, 2023, as the parking requirements for an automobile repair shop could not be satisfied. Mr. Catanitou requested to appeal the decision on May 4th and was subsequently given the requirements to file such an appeal. On May 15, 2023, Mr. Catanitou submitted the application. Staff requested the legal advertisement the following day. The advertisement was published on May 24, 2023.

The following is a synopsis and timeline of the case:

4/18/2023

Good Morning

4784 Cantrell Road is zoned Light Industrial (M-1). This [zoning district](#) does not allow auto sales and repairs. The City cannot sign off on the zoning certification letter submitted yesterday.



The applicant questioned the allowed uses. After discussion via several e-mails, the applicant asked what would be needed for auto repair only.

4/24/2023

Good Morning Razvan,

The property is zoned Light Industrial (M-1) and auto service without sales is an allowed use. However, you will need to provide a parking plan for this project. This plan must include designated spots for employees, customers, and spaces for pending car repairs and for completed car repairs. Will you be installing a fence? Any changes to the building? Adding repair bays? Lifts? You will need to supply any of this information prior to submitting your occupational tax license. If you have further questions please let me know.

After several more e-mails discussing the requirements, the applicant provided the following e-mail:

4/24/2023

I believe I answered all the question already, but here one more time.

Installing fence? NO

Any changes to the building? NO

Adding repair bays? NO

Adding lifts? YES

Please find attached a parking designation map.

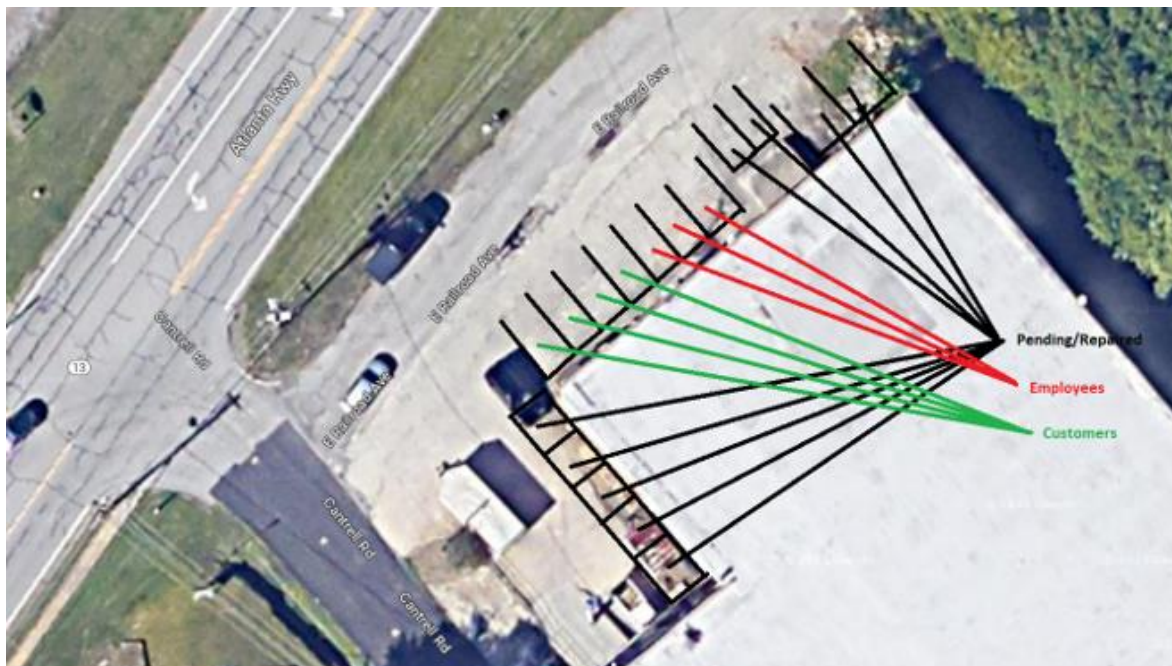


Please let me know if any other information needed
The information provided by the applicant was insufficient.

4/24/2023

You need to provide a parking plan showing how many spaces you have and how they will be designated. Standard parking spaces are 19x9; how many spaces are you going to provide, where will they be located and how will they be designated?

4/30/2023



Again, the applicant was told this was insufficient as it is not to scale and the proposed spots on Railroad Avenue appear to be located in the right-of-way. Applicant was informed of the deficiencies and that staff would check on the right-of-way.

4/30/2023

Good Evening

Sorry you are so frustrated with this process. My apologies for the amount of time this is taking. However, I cannot approve this request until I am assured I am not approving a business that has parking

in the right of way. We are working on this issue. Please feel free to submit any information you wish to our offices.

After speaking with Bill Whidden about the right-of-way issue (which does seemingly show that the proposed parking spaces would encroach into the right-of-way), and without a sufficient parking plan, I reviewed the code again and determined regardless of what a legitimate parking plan showed, the site could not even come close to the parking requirement. Section 21.3 clearly states the change in use (in this case, from warehouse to auto repair) means the parking must meet the requirements of the new use. This means the use (auto repair) is allowed in the zoning district (M-1) but this particular site cannot be used as auto repair due to the lack of parking.

- **Sec. 21.3. - Applicability.**

This Article shall apply to any new building constructed; for new uses or conversions of existing, conforming buildings; and for enlargements of existing structures. This Article shall not be construed so as to require additional parking spaces to be furnished for an existing building which is repaired, altered, maintained, or modernized, where the size of the building is not increased; provided, **however, that when the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this Article for the new use.**

Table 21.3 requires 1 space per 250 square feet of the building.

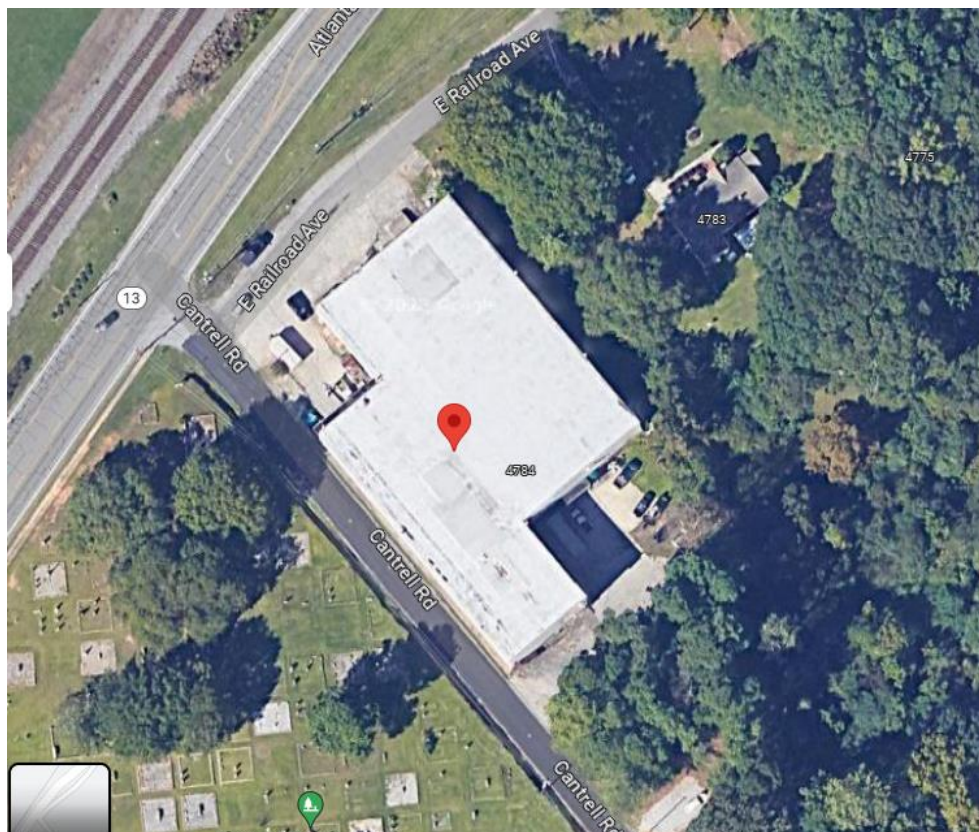
Use	Minimum Parking Required	Maximum Parking Permitted
COMMERCIAL USES		
Animal hospital; kennel	One per 400 square feet	One per 250 square feet
Appliance sales and repair	One per 500 square feet	One per 300 square feet
Art gallery	One per 400 square feet	One per 300 square feet
Automated teller machine, no drive-through	Two per machine	Three per machine
Auto parts store	One per 500 square feet	One per 300 square feet
Automobile sales	One per 200 square feet of repair space plus one per 400 square feet of showroom/office	One per 150 square feet of repair space plus one per 300 square feet of showroom/office
Automobile service and repair	One per 250 square feet	One per 200 square feet
Bank, credit union, savings and loan	One per 300 square feet (also see stacking requirements for drive-through facilities)	One per 200 square feet (also see stacking requirements for drive-through facilities)

Hall County GIS states the building is 26,970 square feet:

Commercial Improvement Information

Description	Warehouse Storage-C
Value	\$277,300
Actual Year Built	1964
Effective Year Built	1964
Square Feet	26970
Wall Height	10
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

26,970 square feet/250 square feet = 107.88 parking spots required. I do not see how the parcel can handle even a fraction of the required parking.



Section 21.15 does give the zoning administrator some flexibility **if** the building was being redeveloped or added onto:

This Section shall not be construed as requiring compliance of parking lots which lawfully existed on the effective date of this Article; provided, however, that the Zoning Administrator shall ensure parking lots that do not comply with this Article meet the requirements of this Article or substantially comply **when a new development permit is required or a building permit is required** to add additional building space on the site. If substantial redesign of the parking lot is required to comply with this Article in such cases of **new development or building additions**, the Zoning Administrator may accept **substantial rather than complete** compliance when the strict application of a requirement of this Article would pose substantial practical difficulty.

5/3/2023

Good Evening

Per code, 21.13, parking applicability states new uses for an existing building need to meet code.

Your proposed use (auto repair) per table 21.3, requires 1 space per each 250 square feet of building . The building is 26,970 square feet. This equates to 108 spaces. A warehouse (like the pallet shop that was there previously) requires one space per 2,000 square feet or 13 spaces. The use is allowed in the this zoning district (M-1) but this parcel and building cannot meet the parking requirements. My apologies but the City cannot issue an occupational tax license for an auto repair shop at this location. If you have any questions please feel free to e-mail at anytime. I have copied the City Manager (Ms. Parrish) on this e-mail as well.

Rich

5/4/2023

Mr. Catanitoui

Your request to operate an automobile shop at 4784 Cantrell Road was formally denied via e-mail on May 3, 2023, due to insufficient parking.

The requirements to appeal can be found in [Article 39](#) of the Zoning Ordinance. I have attached the required form. Additionally, there is a \$500.00 fee. Once all the required information and fee are submitted, staff will review for compliance with the code and begin the process of the formal appeal. This process requires a local advertisement and a public hearing before the Mayor and City Council as well as two votes by the City Council.

If you have any questions, please let me know.

In summary, the site allows the applicant's proposed use (auto repair) via the zoning designation (M-1) but, unfortunately, there is not adequate parking to safely operate an auto repair shop at this location.



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider Ordinance 670, a Request Submitted by Edge City Properties, Inc. to Rezone a portion of a tract of land known as 5183 Gainesville Street, from Agricultural (A) to Planned Unit Development (PUD).

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

.

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approve Ordinance 670.

SAMPLE MOTION:

I make a motion to approve Ordinance 670.

COLLABORATING DEPARTMENT:

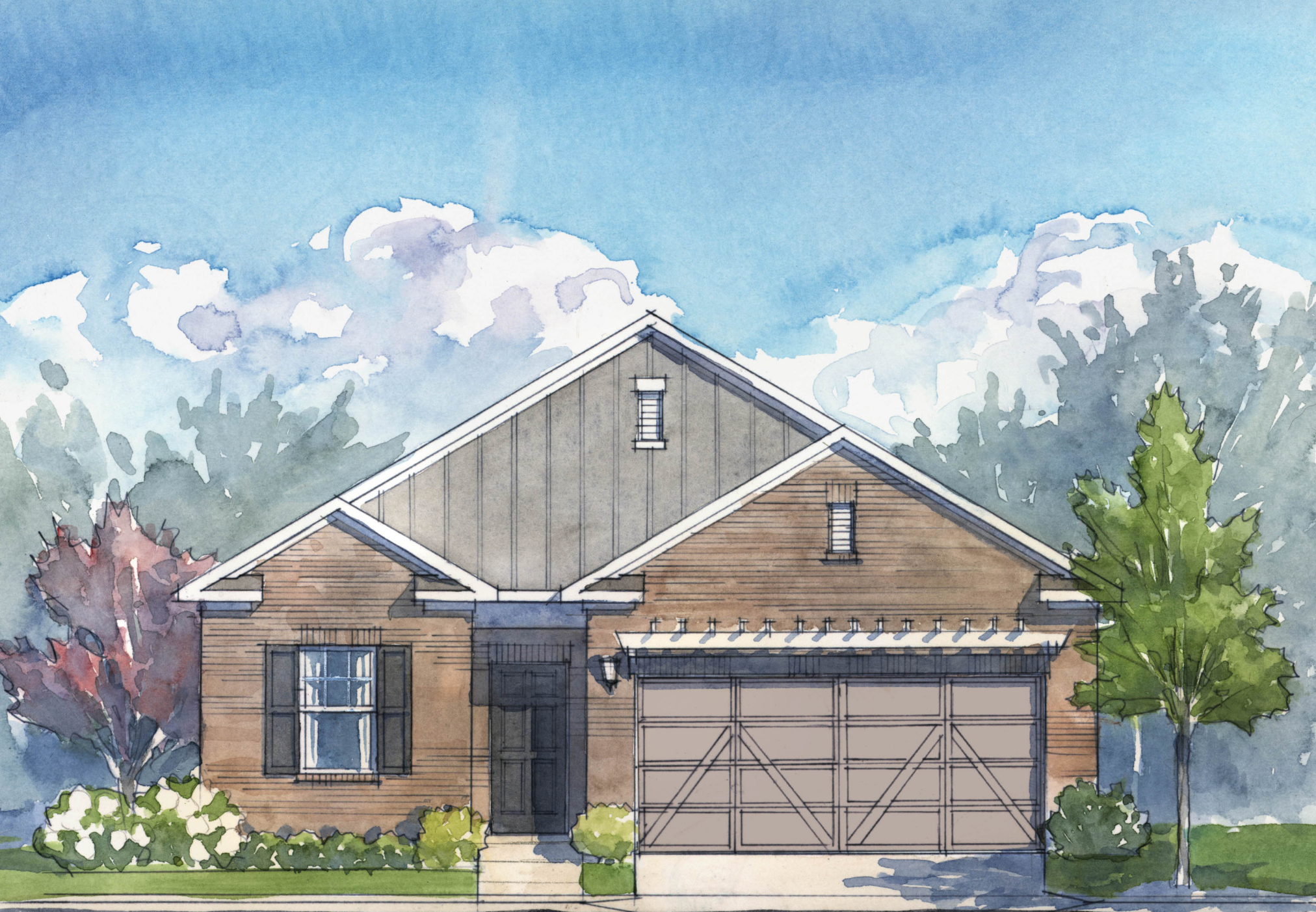
DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [SF Detached Renderings.pdf](#)
- [Townhome-300colorR1.pdf](#)
- [Dye July 20 Rezoning Ordinance 670.pdf](#)













ORDINANCE NO. 670

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING A PORTION OF A PARCEL OF REAL PROPERTY OF LAND TOTALING 49.65 +/- ACRES OF LAND, OWNED BY NEDRA ANN JONES, IDENTIFIED AS 5183 GAINESVILLE STREET, TAX PARCEL 08098 001019, TO BE REZONED FROM AGRICULTURE (A) TO PLANNED UNIT DEVELOPMENT (PUD) AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS DESCRIBED ON ATTACHED EXHIBIT “B”, AND AS CONDITIONED ON ATTACHED EXHIBIT “C”, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Neadra Ann Jones owns the subject parcel of land identified as Parcel Tax Identification No.08098 001019, as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, Neadra Ann Jones submitted to the City of Flowery Branch, Georgia, a written and signed application and affidavit showing consent to being rezoned, and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of July 21, 2022, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning from Agriculture (A) to Planned Unit Development (PUD) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned; however, an alternative use is appropriately considered.

4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zoning as opposed to Planned Unit Development (PUD).
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. REZONING.

The subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, is hereby rezoned from Agriculture (A) to Planned Unit Development (PUD) and conditioned as shown on attached Exhibit “C”. Said Exhibits are incorporated.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 21, 2023.

Public Hearing Published 06/22/2022
Public Hearing 07/21/2022

First Reading 08/18/2022
Adopted 07/20/2023

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of July 2023.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Karen Thomas, City Attorney

06/22/2022
07/21/2022

First Reading 08/18/2022
Adopted 07/20/2023

Exhibit "A"

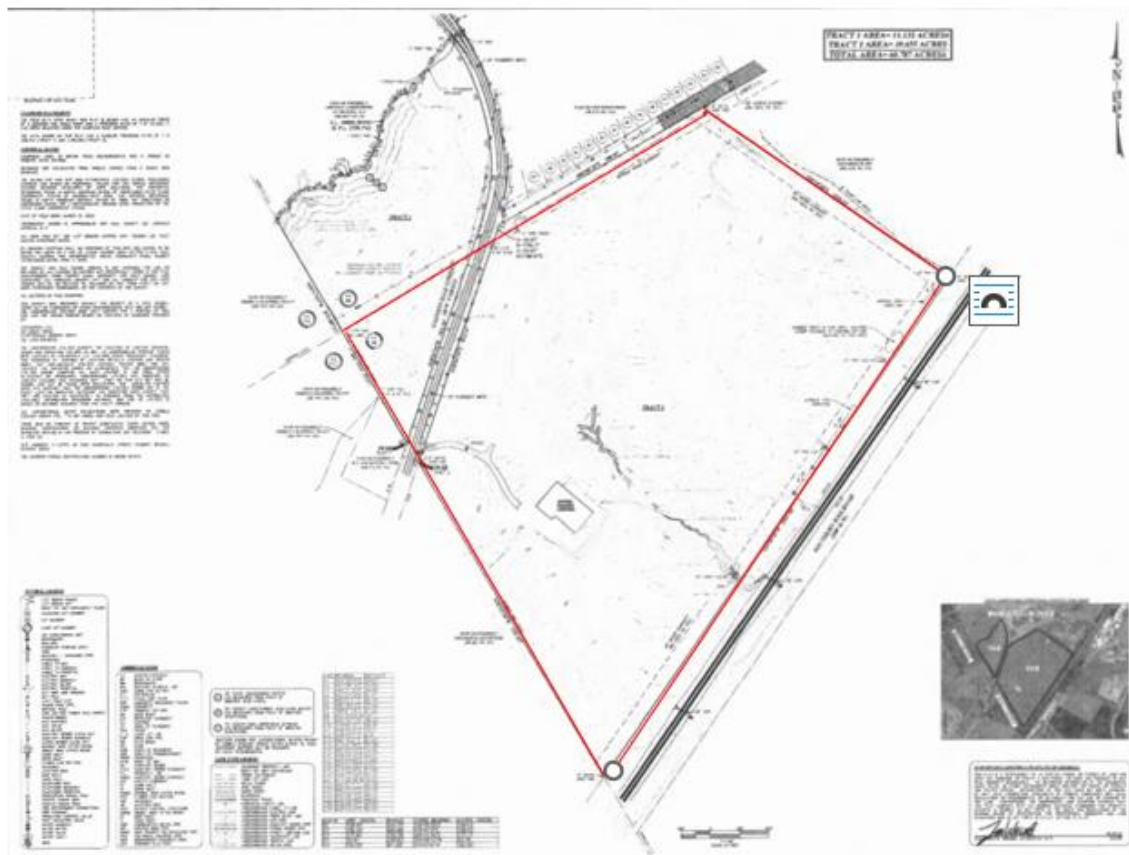


Exhibit "B"

Legal Description

Gainesville Street 5183 Tract 2

All that tract or parcel of land lying and being in Georgia Militia District 1270, Land Lots 98 and 99 of the 8th District, City of Flowery Branch, Hall County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 6" metal disk found at the intersection of the easterly right of way of Gainesville Street (right of way varies) and the common line of Land Lots 98 and 112, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED:

thence leaving said Land Lot Line and along said easterly right of way the following courses and distances: N18°54'44"E for a distance of 813.14 feet to a point; 34.07 feet along the arc of a curve to the left, said curve having a radius of 770.17 feet and being subtended by a chord of N17°38'41"E, 34.07 feet to a 1/2" rebar found; thence leaving said easterly right of way N60°06'32"E for a distance of 796.61 feet to a 6" metal disk found; thence S55°19'29"E for a distance of 1018.24 feet to a 6" metal disk found at the westerly right of way of Southern Railroad (200' right of way); thence along said westerly right of way S34°46'25"W for a distance of 2057.99 feet to a 6" metal disk found at the common line of Land Lots 98 and 112; thence leaving said westerly right of way and along said Land Lot Line N30°23'29"W for a distance of 1241.67 feet to a 6" metal disk found, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 49.655 acres.

1. Development shall significantly adhere to the site plan dated 06.20.2023 and as shown below:



2. The development shall adhere to the following requirements as designated by the site plan:

SITE ANALYSIS		
SITE AREA		49.66 ACRES±
RESIDENTIAL YIELD	(A) 24' X 50' TOWNHOMES	49 UNITS
	(B) 50' X 100' DETACHED LOT	191 UNITS
	TOTALS	240 UNITS
PROPOSED DENSITY		4.83 U/AC
PUD ZONING CRITERIA		
MAXIMUM HEIGHT		45 FEET
MAXIMUM NUMBER OF STORIES		3 STORIES
MAXIMUM DENSITY		12 UNITS/AC
MINIMUM LOT SIZE (DETACHED LOT)		4,500 S.F.
MINIMUM LOT WIDTH (AT FRONT SETBACK)		45 FEET
MINIMUM HEATED FLOOR AREA PER DWELLING UNIT		1,000 S.F.
MINIMUM BUILDING SETBACKS	FRONT	15 FEET
	CORNER SIDE	5 FEET
	SIDE	5 FEET
	REAR	15 FEET
MINIMUM DETACHED HOUSE SEPARATION (FOUNDATION TO FOUNDATION)		10 FEET
MINIMUM TOWNHOUSE BUILDING SEPARATION (FOUNDATION TO FOUNDATION)		20 FEET
MAXIMUM LOT COVERAGE		60%
MINIMUM OPEN SPACE REQUIRED		20% (9.93 AC±)
OPEN SPACE PROVIDED*		12.8% (6.37 AC±)

* INCLUDES PROPOSED ALL COMMON AREA OUTSIDE OF R/W & DETACHED LOTS
(INCLUDES STORMWATER MANAGEMENT AREAS & EASEMENTS)

3. Any major changes to the development will require City Council approval. For this ordinance, the following shall be classified as major:
- A. A request to increase or decrease by three (3) or more the number of single-family detached homes (191).
 - B. A request to increase or decrease by three (3) or more the number of townhomes (49)
 - C. Any reduction in the designated single family detached lot size (4,500 S.F)
4. Front entry monument signs shall be submitted and approved by the department of Community Development.
5. A standard five (5) foot sidewalk shall be constructed on Gainesville Street and shall run the length of the property.

6. A mandatory homeowner's association shall be established.
7. All streets shall be privately owned and maintained by the homeowner's association.
8. The homeowner's association must have in their bylaws that no more than fifteen percent (15%) of the total homes will be rental units or a rule of no more than two houses owned by one owner in the development and the owner must occupy one of the two.
9. Amenities shall be provided and shall include but not be limited to a pool and pickle ball courts.
10. Townhomes shall significantly adhere to the elevations as shown below:



11. Single family detached homes shall significantly adhere to the elevations as shown below:

Public Hearing Published
Public Hearing

06/22/2022
07/21/2022

First Reading 08/18/2022
Adopted 07/20/2023



Public Hearing Published 06/22/2022
Public Hearing 07/21/2022

First Reading 08/18/2022
Adopted 07/20/2023

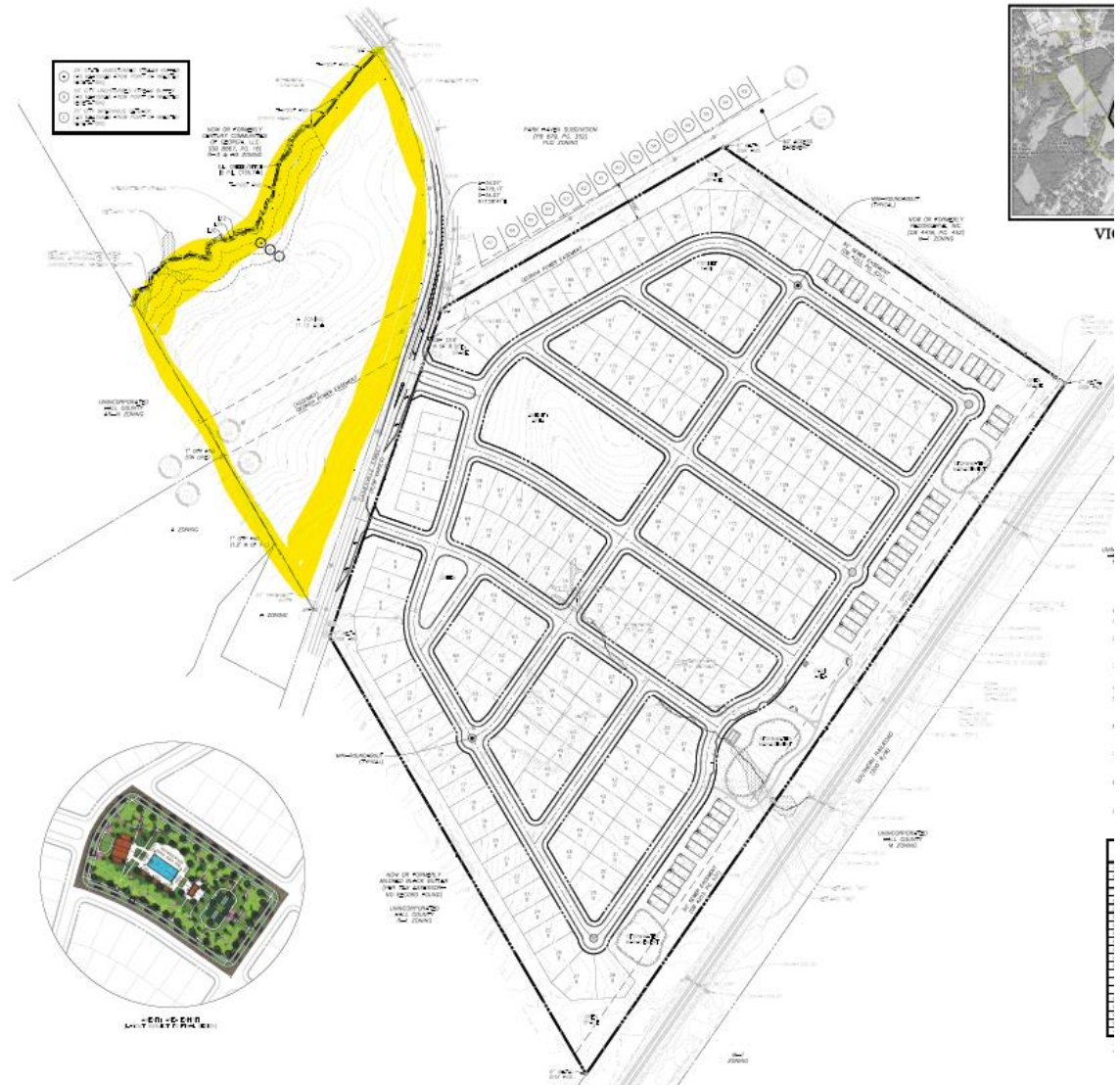




12. Developer agrees to incorporate additional architectural elements on the rear elevations of the homes which back up to Gainesville Street and lots 191 to 187 (of the site plan dated 6.20.23) so as not to be monotonous. These architectural elements may include the addition of shutters and the use of a mix of at least 3 exterior materials (brick, stone, siding, shake and board and batten). In addition, rear patios, decks and porches shall be covered with a roof, pergola or projecting architectural feature.
13. A full landscape plan shall be submitted at the time of land disturbance review. Said plan shall incorporate and significantly adhere to the Gainesville Street plan as submitted by the applicant and as shown below:



14. Provided Applicant's plan dated 6.20.2023 and this Ordinance (#670) are approved by the City Council in the same form as presented, then Developer agrees to dedicate to the City (at no costs) the west side acreage of +/-11.13 acres, as shown and described below, for its use. Developer shall not be responsible for any improvements to the west side as part of Developer's project. Dedication shall be made promptly after procurement of the land disturbance permit for the project and written confirmation of sewer commitment by the City.



Legal Description

Gainesville Street 5183 Tract 1

All that tract or parcel of land lying and being in Georgia Militia District 1270, Land Lots 98 and 99 of the 8th District, City of Flowery Branch, Hall County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1/2" rebar found at the intersection of the westerly right of way of Gainesville Street (right of way varies) and the common line of Land Lots 98 and 112, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said westerly right of way and along the common line of Land Lots 98 and 112, and also along the common line of Land Lots 99 and 111 N30°17'07"W for a distance of 870.88

feet, more or less to a point at the centerline of a creek/ditch; thence along the centerline of said creek/ditch, following the meanderings thereof, for a distance of 735.7 feet, more or less, to a point, said creek/ditch following a traverse line as follows:

N22°29'05"E for a distance of 26.67 feet to a point; N62°08'14"E for a distance of 34.90 feet to a point; N00°01'33"E for a distance of 28.85 feet to a point; N51°21'55"E for a distance of 51.17 feet to a point; N83°01'11"E for a distance of 40.74 feet to a point; N81°18'05"E for a distance of 37.00 feet to a point; S88°07'16"E for a distance of 27.12 feet to a point; N21°54'02"W for a distance of 19.71 feet to a point; N47°35'13"E for a distance of 38.32 feet to a point; S79°06'32"E for a distance of 26.16 feet to a point; N58°53'31"E for a distance of 18.21 feet to a point; N08°16'31"E for a distance of 8.91 feet to a point; N81°16'21"E for a distance of 51.25 feet to a point; N15°41'38"E for a distance of 37.58 feet to a point; N53°25'42"E for a distance of 14.18 feet to a point; N09°24'30"E for a distance of 23.47 feet to a point; N64°44'06"E for a distance of 13.99 feet to a point; N07°53'35"E for a distance of 27.01 feet to a t-post found; N13°33'18"E for a distance of 67.65 feet to a point; N39°37'54"E for a distance of 40.14 feet to a point; N14°08'48"W for a distance of 16.55 feet to a point; N44°51'11"E for a distance of 52.49 feet to a point; N81°27'23"E for a distance of 20.59 feet to a t-post found; N47°28'16"E for a distance of 46.19 feet to a t-post found; N35°49'48"E for a distance of 49.65 feet to a t-post found; N39°29'16"E for a distance of 92.83 feet to a t-post found; N45°12'07"E for a distance of 50.19 feet to a 1/2" rebar found at the westerly right of way of Gainesville Street (right of way varies); thence along said westerly right of way the following courses and distances:

128.94 feet along the arc of a curve to the right, said curve having a radius of 534.75 feet and being subtended by a chord of S29°45'25"E, 128.63 feet to a point; 159.20 feet along the arc of a curve to the right, said curve having a radius of 995.88 feet and being subtended by a chord of S18°16'10"E, 159.03 feet to a point; 177.61 feet along the arc of a curve to the right, said curve having a radius of 730.78 feet and being subtended by a chord of S06°43'39"E, 177.17 feet to a point; 53.81 feet along the arc of a curve to the right, said curve having a radius of 335.63 feet and being subtended by a chord of S04°49'42"W, 53.76 feet to a point; 151.00 feet along the arc of a curve to the right, said curve having a radius of 911.60 feet and being subtended by a chord of S14°10'01"W, 150.83 feet to a point; S18°54'44"W for a distance of 763.39 feet to a 1/2" rebar found, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 11.132 acres, more or less.



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: A Public Hearing and First Vote on Ordinance 693, a Variance Request Submitted by Stanton E. Porter Allowing Fuel Pumps to be Located in Front of the Primary Structure at 4603 Atlanta Highway.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

This request was withdrawn and resubmitted. Council requested more information regarding landscaping. The applicant has submitted a landscape plan for review.

FACTS AND ISSUES:

Applicant wishes relief from Article 10, section 10.9 (f) of the zoning ordinance which requires fuel pumps to be located behind the primary structure.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approve as conditioned.

SAMPLE MOTION:

I make a motion to approve the first read of Ordinance 693.

COLLABORATING DEPARTMENT:

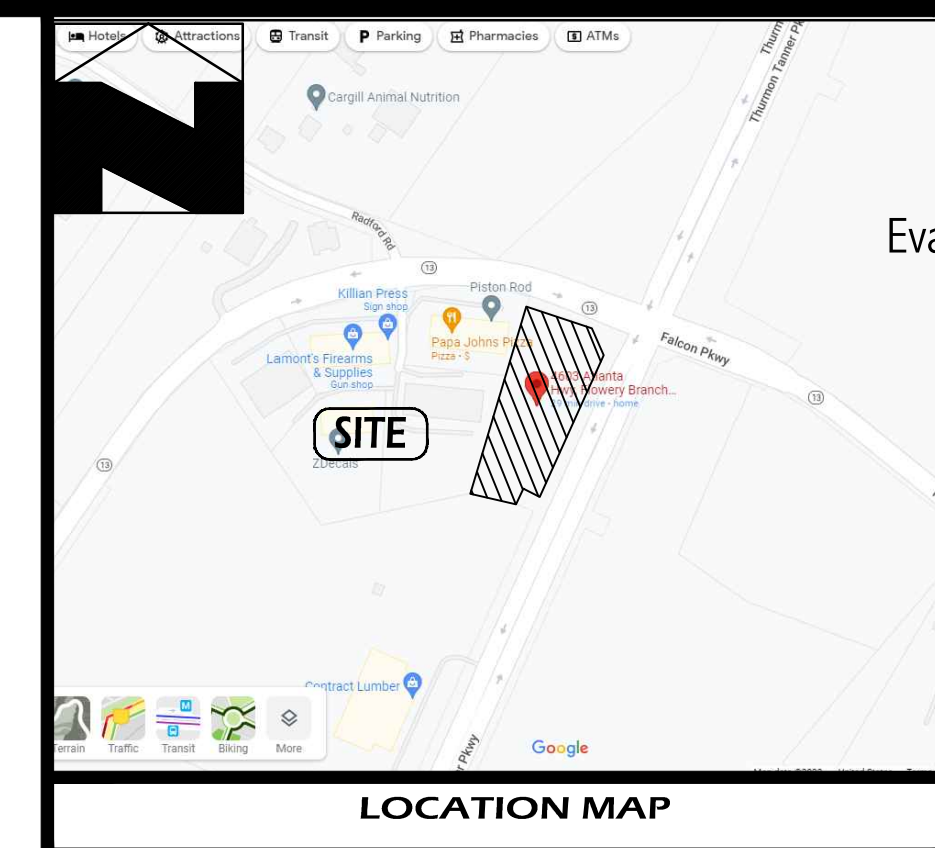
DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Thurmond Tanner Pkwy Retail Center Site Plan_6-24-22.pdf](#)
- [Staff Report.pdf](#)

- [July Landscape Plan.pdf](#)

**ZONING DATA TABLE:**

CURRENT ZONING:	M-1 MANUFACTURING & INDUSTRIAL LIGHT
PROPOSED ZONING:	N/A
OVERLAY DISTRICT:	N/A
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	N/A
MINIMUM LOT WIDTH:	100
MINIMUM ROAD FRONTAGE:	
MAXIMUM BUILDING HEIGHT:	75'
MAXIMUM COVER:	70%
BUILDING SETBACKS:	
FRONT:	25'
SIDE:	25'
REAR:	25'
LANDSCAPE STRIPS:	
ALONG ROW:	30'
OTHER:	N/A
BUFFERS:	
ZONING BUFFER:	50' NATURAL BUFFER ABUTTING AN R-1, R 2, R-3, TND, or PUD DISTRICT (feet)
OTHER:	

THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13121C0066F . DATED SEPTEMBER 18, 2013.

PARKING REQUIREMENTS:

CITY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
CONVENIENCE STORE & RETAIL SPACE			
C-STORE 1 SPACE PER 200 S.F. (MIN)			
C-STORE 1 SPACE PER 150 S.F. (MAX) (4,500 S.F.)	30	23	23*
RETAIL 1 SPACE PER 275 S.F. (MIN)			
RETAIL 1 SPACE PER 230 S.F. (MAX) (1,290 S.F.)	6	5	5
RESTAURANT 1 SPACE PER 125 S.F. (MIN)			
RESTAURANT 1 SPACE PER 75 S.F. (MAX) (1,290 S.F.)	18	11	11
TOTAL	54	39	39*

* INCLUDES 2 A.D.A. SPACES (2 REQUIRED)



Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



PROJECT NAME
**FLOWERY
BRANCH
C-STORE
& RETAIL**

4603 ATLANTA HWY
L.L.92, 8th DIST.
CITY OF FLOWERY
BRANCH, GEORGIA

DATE: 6/16/22

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☒ Not Released For Construction
☐ Released For Construction

OWNER/DEVELOPER

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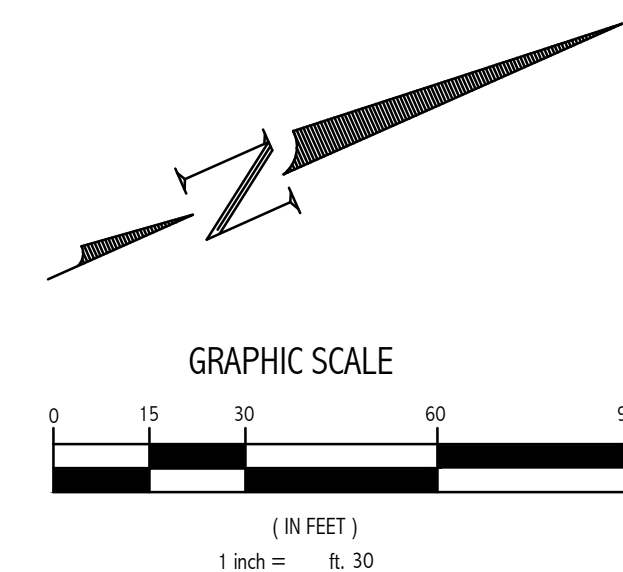
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REVISIONS

JOB NUMBER:
22-029

SHEET TITLE
**SITE
PLAN**

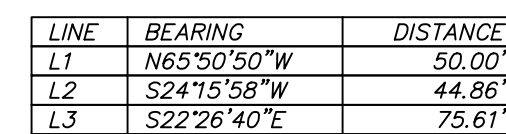
C-4

**OWNER/DEVELOPER:**NAME
ADDRESS

PHONE _____
EMAIL _____
24-HR CONTACT: _____

NAME
PHONE
EMAIL

ENGINEER:
EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



N/F
HUTCH LLC
DB-8075 PG-788
PARCEL ID: 08092 001024
4605 ELK RIDGE CT
TOWNSHIP 1

N/F
ELIZABETH FAYE GREENWAY
DB-7760 PG-527
DB-5076 PG-428
PARCEL ID: 08092 001024
4611 ELK RIDGE CT
ZONED M-1

N/F
JANE WOOD R/A BANKS ET
C/O REGIONS BANK TRUST D
DB-1420 PG-299
PARCEL ID: 08092 00000
4603 ATLANTA HWY
2.214 ACRES
96,446 SQUARE FEET

N/F
ELIZABETH FAYE GREENWAY
DB-6011 PG-574
PARCEL ID: 08092 000007
4650 THURMON TANNER PKWY
ZONED M-1



UTILITY DISCLAIMER:

IN ADDITION TO CARRYING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN FEATURES OF THE SITE OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACTOR'S ASSUMPTION OF RESPONSIBILITY FOR THE PROTECTION OF HIS PROPERTY AND PROTECTING THE PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

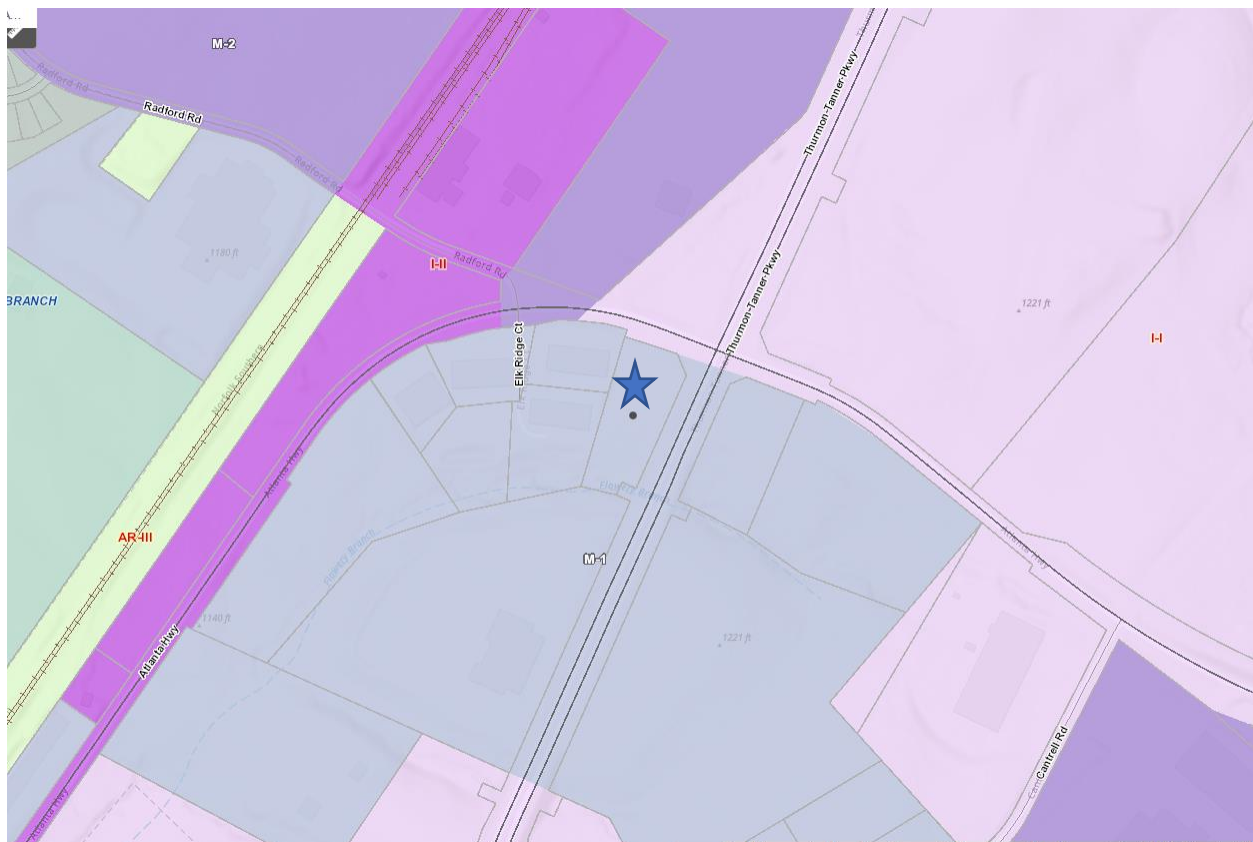


VARIANCE
4603 Atlanta Highway
Parcel# 08092 000001

Applicant is Stanton E. Porter; the current owner of the property is 1618 Land Holdings. LLC.

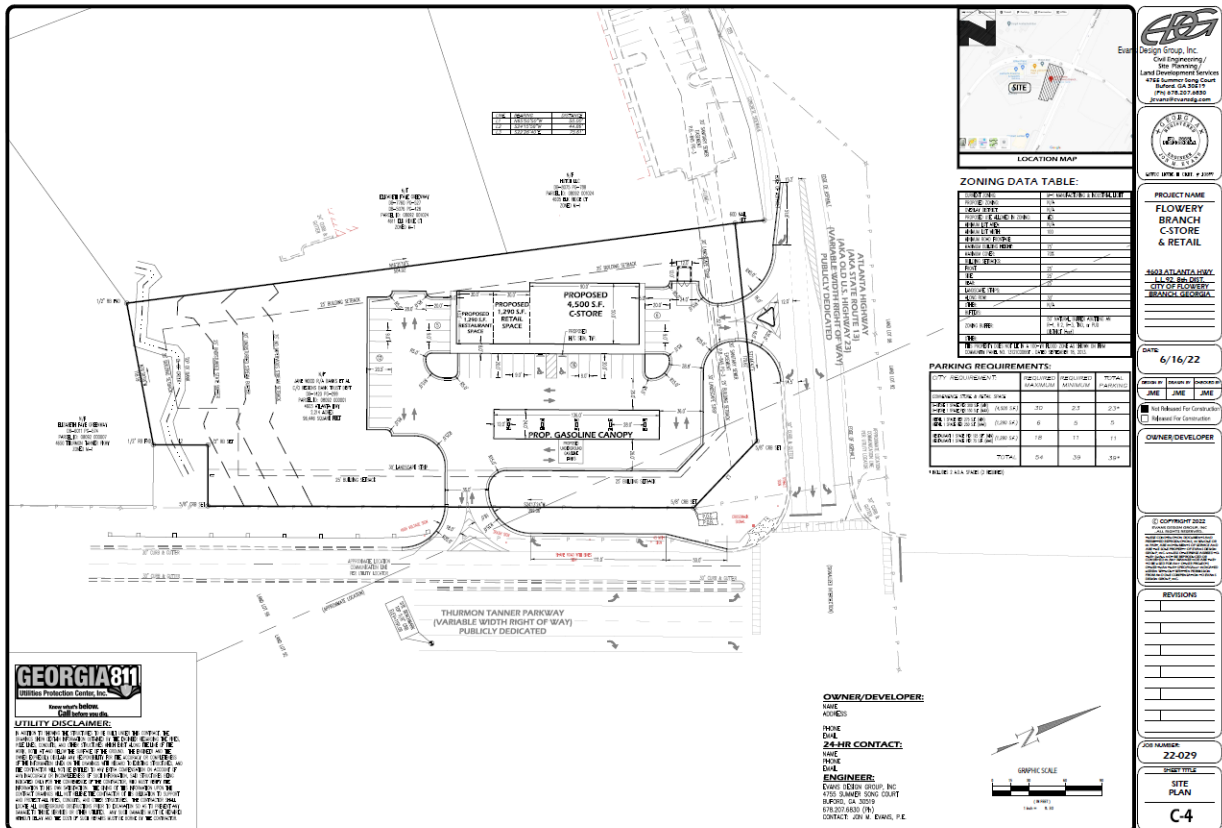
Variance from the requirements set forth in the City of Flowery Branch Zoning Ordinance;
Article 10, Development Requirements and Guidelines section 10.9 (f):
Convenience stores shall locate gas pumps behind the principal structure in order to effectively screen the pumps from view of the street.

The 2.21 +/- property is currently zoned Light Industrial (M1) and the use (gas station) is inherently allowed.





Proposed layout



Staff Analysis

The purpose of section 10.9 (f) is to screen gasoline pumps from the public view. It is the staff's opinion that the intent of this requirement cannot be met on this site. Two entrances are appropriate for this site as it is on the corner of two major corridors of travel – Thurmon Tanner Parkway and Atlanta Highway – so eliminating one entrance would be too restrictive to the ingress/egress of the site. The entrance locations as proposed are appropriate due to the parcel size and shape as well as the limitations caused by the stream.

Staff recommends approval of the variance request.



PLANT LIST:					
QTY	SYM	BOTANICAL NAME	COMMON NAME	%TOTAL	SIZE
CANOPY TREES					
5	Ar	Acer rubrum	Red Maple	29.4	3"
6	Up	Ulmus parvifolia 'Athena'	Athena Chinese Elm	35.3	3"
6	Zs	Zelkova serrata	Japanese Zelkova	35.3	3"
TREE TOTALS					
17					
SHRUBS					
74	Nd	Nandina domestica 'Firepower'	Dwarf Nandina	N/A	1 gal.
66	Iv	Ilex vomitoria	Dwarf Yaupon Holly	N/A	1 gal.
140			SHRUB TOTALS		

PARKING LOT TREES:

ONE (1) TREE FOR EACH 10 PARKING SPACES

29 PROPOSED PARKING SPACES
3 TREES REQUIRED
3 TREES PROVIDED

30' LANDSCAPE STRIP:

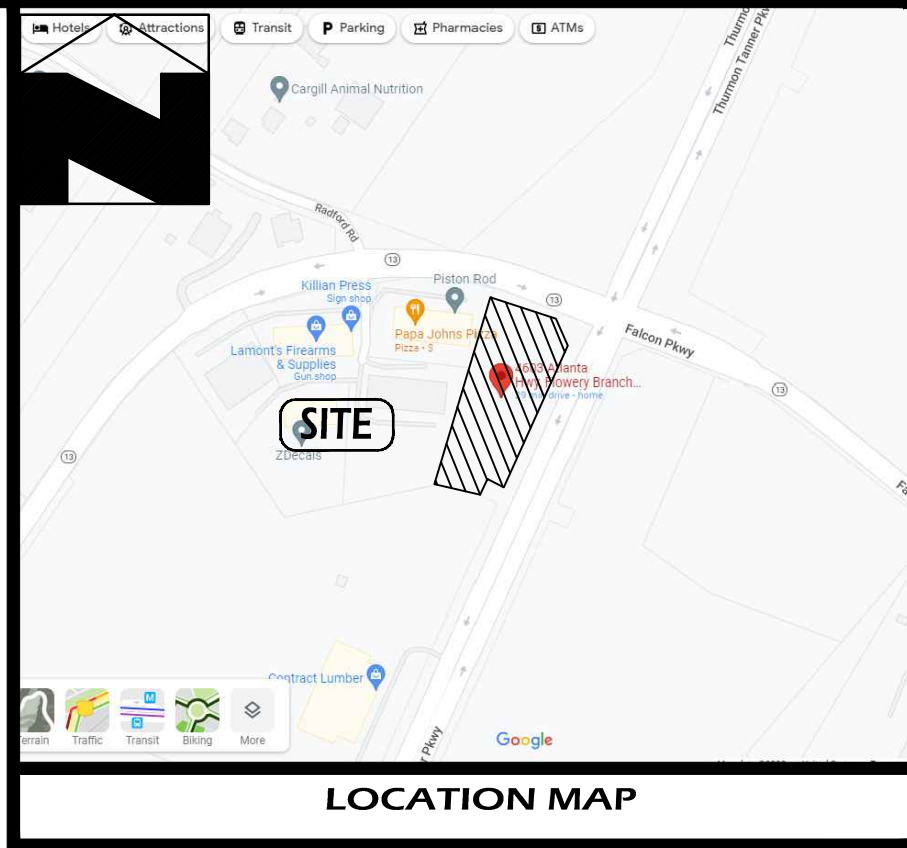
ONE (1) TREE FOR EACH 40 LINEAR FEET OF LANDSCAPE STRIP

320.0 L.F. ALONG THURMON TANNER PARKWAY
EXCLUDING BUFFERS AND DRIVEWAYS
8 TREES REQUIRED
9 TREES PROVIDED
160.0 L.F. ALONG ATLANTA HIGHWAY
EXCLUDING BUFFERS AND DRIVEWAYS
4 TREES REQUIRED
5 TREES PROVIDED

N/F
ELIZABETH FAYE GREENWAY
DB-7760 PG-527
DB-5076 PG-428
PARCEL ID: 08092 001024
4611 ELK RIDGE CT
ZONED M-1

N/F
HUTCH LLC
DB-8075 PG-788
PARCEL ID: 08092 001024
4605 ELK RIDGE CT
ZONED M-1

APPROXIMATE LOCATION
PER P.B.-845, PG-3
UNABLE TO RECOVER
FORCE MAIN



Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com

Jon M. Evans
REGISTERED PROFESSIONAL ENGINEER
NO. 26681
STATE OF GEORGIA
C-11-23
GSWCC LEVEL II CERT. # 10877

PROJECT NAME

FLOWERY
BRANCH
C-STORE &
RETAIL

4603 ATLANTA HWY
I.I. 92, 8th DIST.
CITY OF FLOWERY
BRANCH, GEORGIA

DATE:
6/16/22

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☐ Not Released For Construction
☒ Released For Construction

OWNER/DEVELOPER

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OTHER THAN THAT SPECIFICALLY INDICATED
HEREIN WITHOUT WRITTEN PERMISSION
FROM AND DUE COMPENSATION TO EVANS
DESIGN GROUP, INC.

REVISIONS	
1	12-22-22
FIRST SUBMITTAL	
2	05-09-23
SECOND SUBMITTAL	

JOB NUMBER:
22-029

SHEET TITLE
LANDSCAPE
PLAN

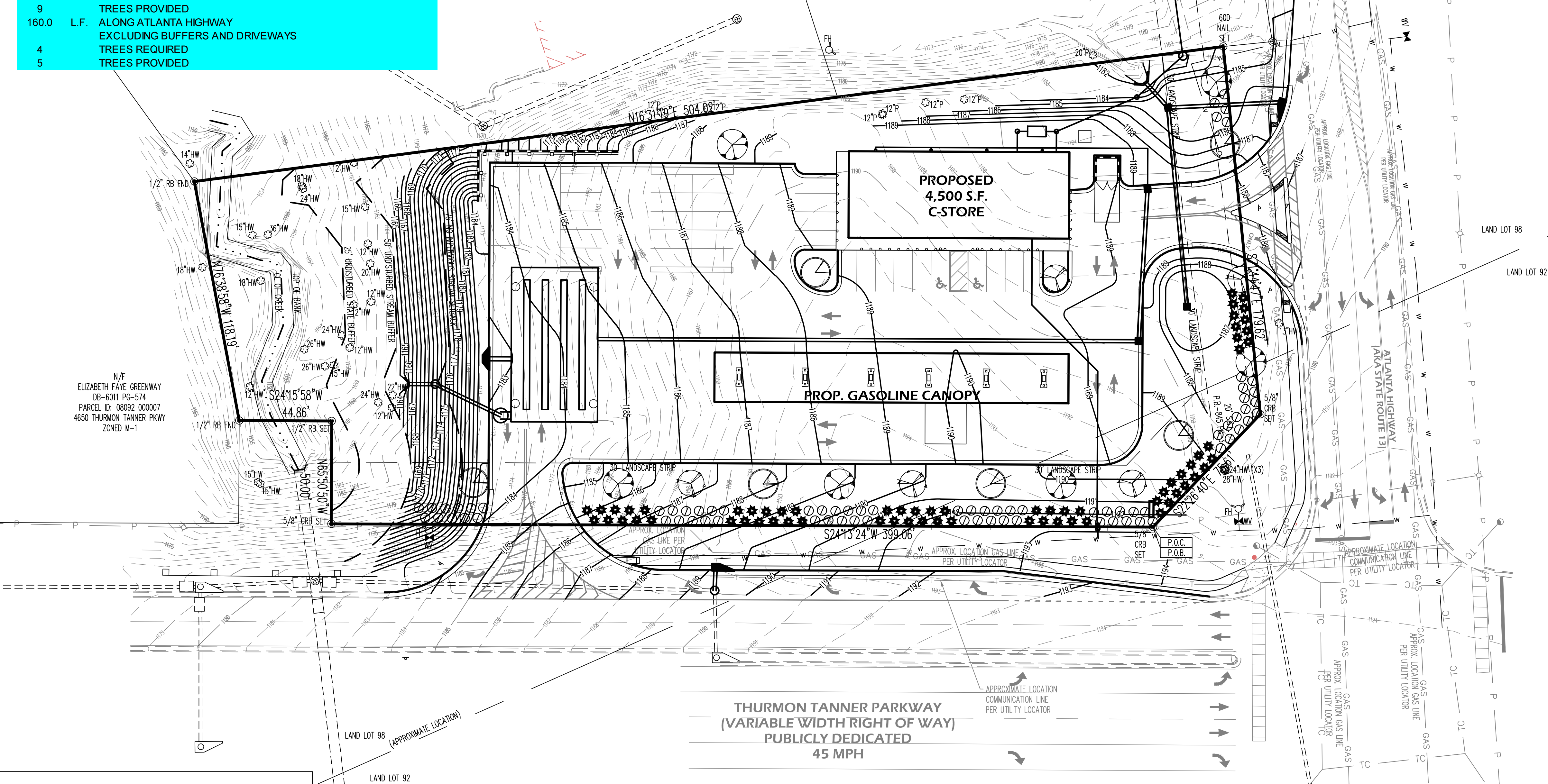
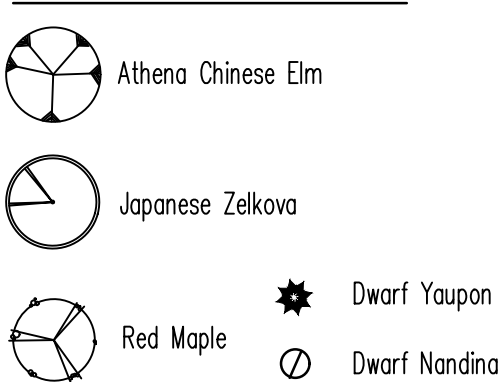
C-11

Utilities Protection Center, Inc.
Know what's below.
Call before you dig.

UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

PLANT LEGEND:



OWNER/DEVELOPER:

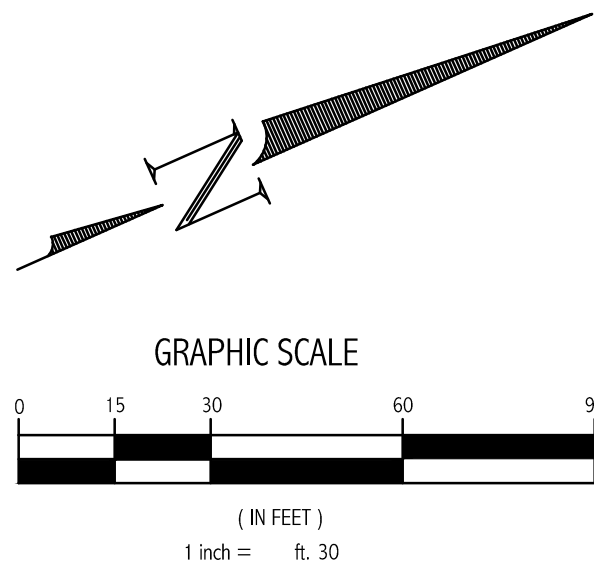
1618 LAND HOLDINGS LLC
1550 N BROWN RD SUITE 130,
LAWRENCEVILLE, GA 30043
HUSEIN HAMIRANI
hhamirani@gmail.com
678.667.0501

24-HR CONTACT:

YUSUF ALI
770.617.4527

ENGINEER:

EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.





FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider First Vote on an Annexation and Rezoning Request submitted by Cook Communities.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

Cook Communities submitted a similar request which was denied annexation by City Council on August 18, 2022. This request was tabled until June 15, 2023 due to Hall County attempting to object to the annexation. The Department of Community Affairs, in an e-mail to Mayor Asbridge dated April 24, 2023, declined to assign a panel to review the County request. Hall County had forty-five calendar days to formally object to the annexation and they did not meet that deadline.

FACTS AND ISSUES:

The request is to annex 14.27 +/- acres of land located at 5704 Jim Crow Road from Hall County into Flowery Branch rezoning it from Agricultural Residential to Planned Unit Development. Applicant wishes to construct an age restricted (55 and over), gated, private 49 unit townhomes community.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approve first read.

SAMPLE MOTION:

I make a motion to approve the first read of ordinance 696.

I make a motion to approve the first read of ordinance 697.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [1b-Annexation Application.pdf](#)
- [1a-Rezoning Application.pdf](#)
- [2a-Rezoning Exhibit \(Parkers Place\).pdf](#)
- [2b-Rezoning Exhibit \(Rendering\).pdf](#)
- [3-Letter of Intent.pdf](#)
- [4-Rezoning Analysis and Development Statistics \(Parkers Place\).pdf](#)
- [5-Parker's Place \(Traffic Memo\).pdf](#)
- [Cook Annexation Ordinance.pdf](#)
- [Cook Rezoning Ordinance.pdf](#)



ANNEXATION APPLICATION

Date: 2/13/2023

Address of Request:

5704 Jim Crow Road
Flowery Branch, GA 30542

Submitted to the City Clerk per The Flowery Branch Code of Ordinances;
Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

City Clerk Signature Shelia Cooper 2/23/2023

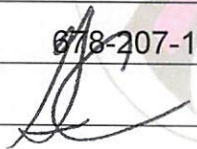
Applicant Information

Name: Cook Communities

Address: 3120 Frontage Road
Gainesville, GA 30504

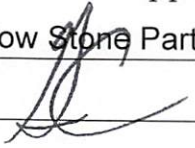
E-mail address: gcook@cook-residentail.com

Phone number: 678-207-1500

Signature: 

Property owner information (if different than the applicant)

Property owner (please print): Shadow Stone Partners, LLC

Signature of property owner: 



Property Information

Tax Map Number: 08100 001003A ,B,C,D

Current Zoning: AR3 Total Acres: 14.268

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: PUD

Proposed City of Flowery Branch Character Area: Residential

Current Use: Residential

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? No

Voting Rights Act Information

Resident Population: _____ Housing Units: _____ Other Buildings: _____

Race Population %: White _____ Black _____ Hispanic _____ Other _____

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation ≥ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property



Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name

Amount of Description of Gift

N/A

N/A



REZONING APPLICATION

Date: 2/13/2023

Address of Request: 5704 Jim Crow Road
Flowery Branch, GA 30542

Tax Map # 08100 001003A, B, C, D Current Zoning: AR3

Is this site located within the boundaries of the historic district? No

Currently a conforming use? No

Any conditions of zoning, CUP's, etc.? No

Applicant Information

Name: Cook Communities

Address: 3120 Frontage Road
Gainesville, GA 30504

E-mail address: gcook@cook-residential.com

Phone number: 678-207-1500

Signature: 

Notary: 





Property owner information (if different than the applicant)

Property owner (please print): Shadowstone Partners, LLC

Signature of property owner: _____

Notary: _____



Property Information

Tax Map Number: 08100 001003A , B, C, D

Current Zoning: AR3 Total Acres: 14.268

Is this property located within the city-limits of Flowery Branch? No

Proposed City of Flowery Branch Zoning: PUD

Current Use: Residential

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property



- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A



Disclosure of Campaign Contributions

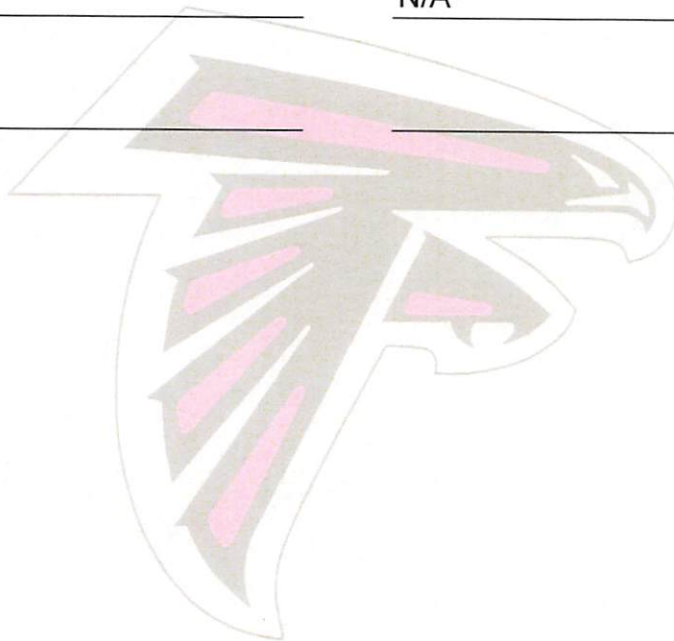
List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name

Amount of Description of Gift

N/A

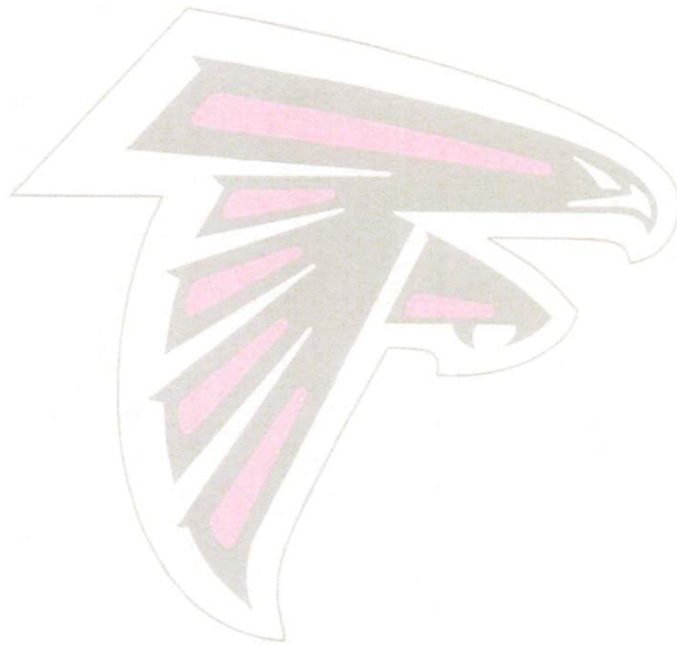
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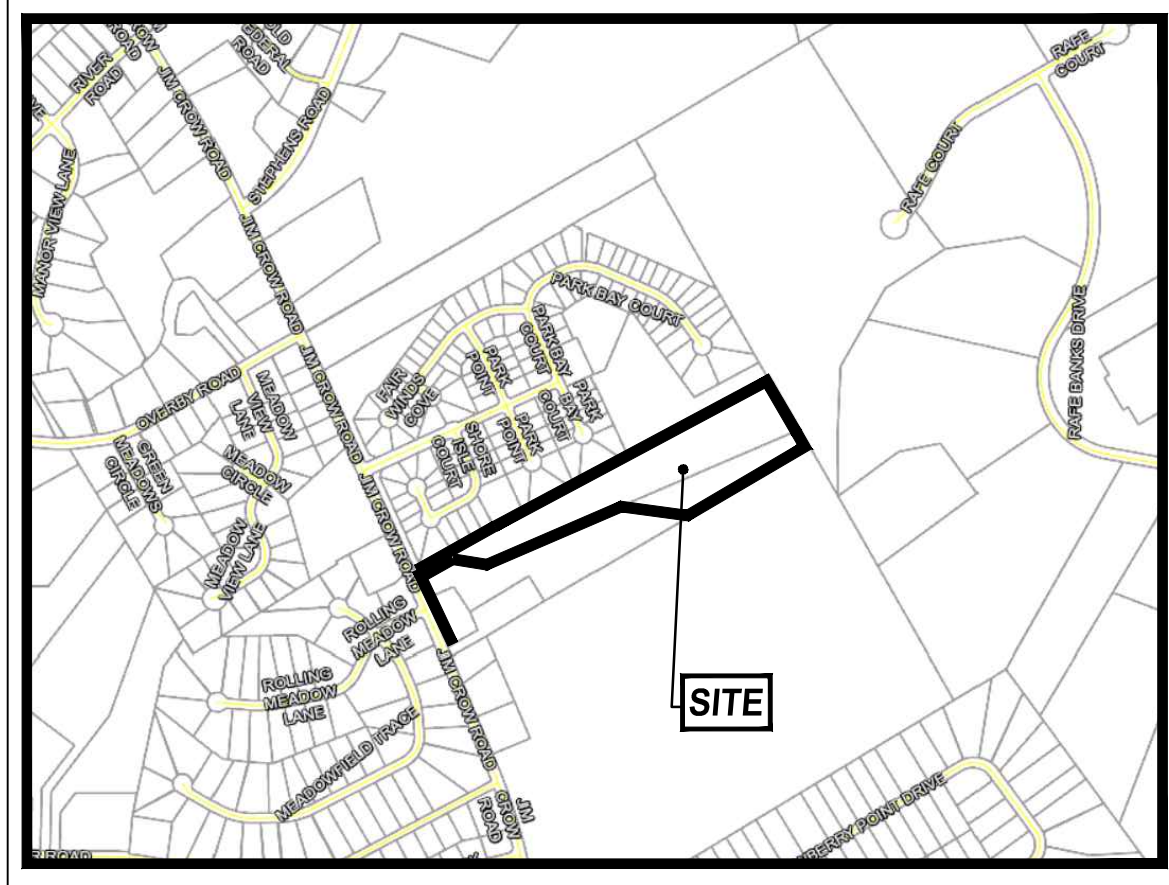


CITY STAFF ONLY

Application Received By: RJEA

Date: 2/24/2023 Total Fee: 1,000





VICINITY MAP
N.T.S.



PROPOSED WALKING TRAIL
N.T.S.



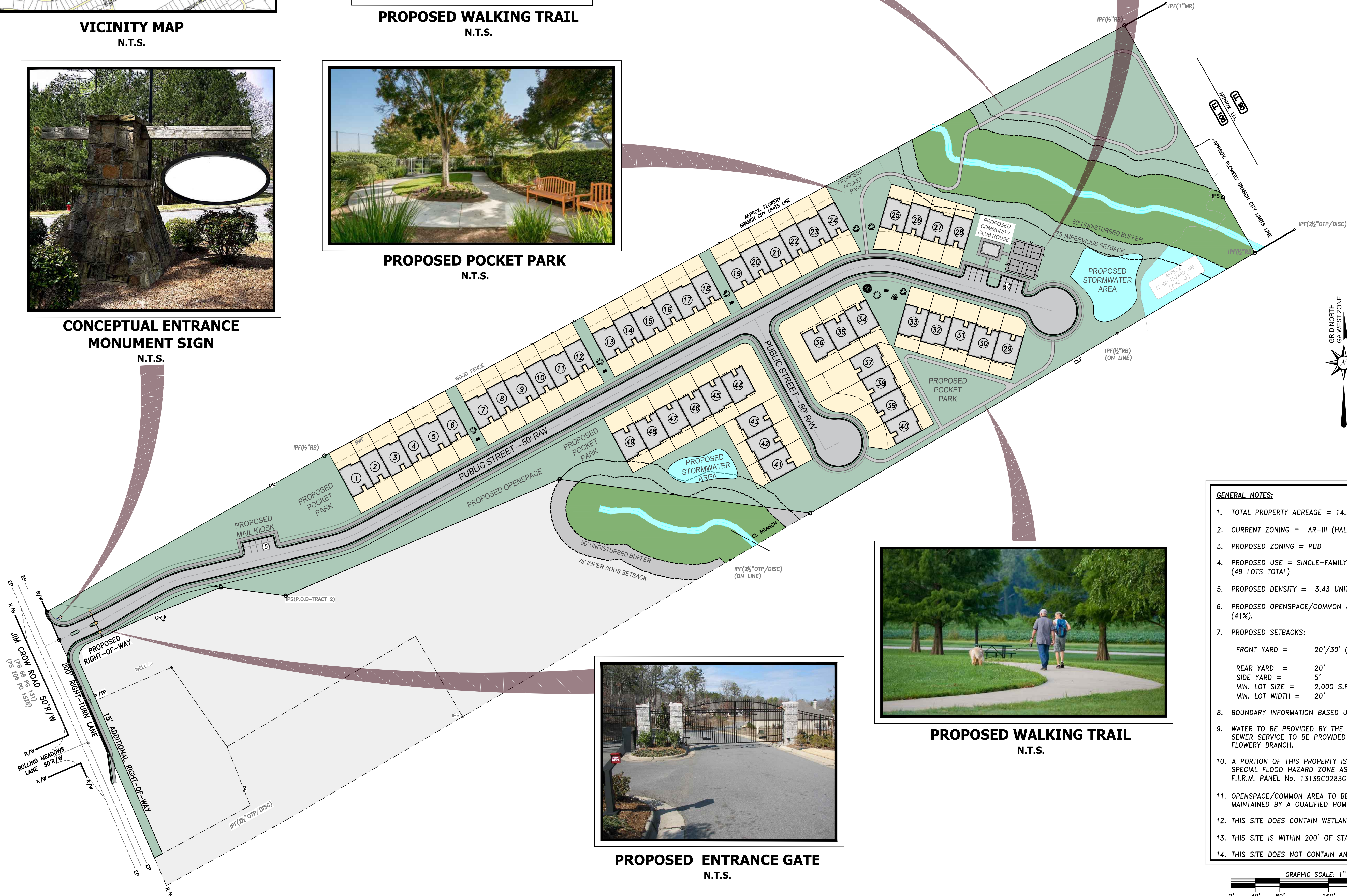
CONCEPTUAL ENTRANCE
MONUMENT SIGN
N.T.S.



PROPOSED POCKET PARK
N.T.S.



PROPOSED PICKLEBALL COURTS
N.T.S.

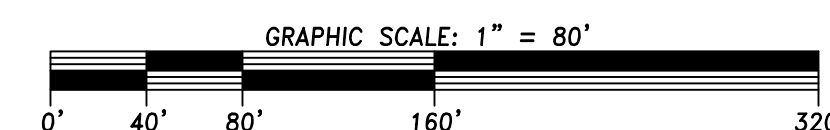


PROPOSED WALKING TRAIL
N.T.S.



PROPOSED ENTRANCE GATE
N.T.S.

- GENERAL NOTES:**
- TOTAL PROPERTY ACREAGE = 14.268 ACRES (TOTAL)
 - CURRENT ZONING = AR-III (HALL COUNTY)
 - PROPOSED ZONING = PUD
 - PROPOSED USE = SINGLE-FAMILY ATTACHED SUBDIVISION (49 LOTS TOTAL)
 - PROPOSED DENSITY = 3.43 UNITS/ACRE
 - PROPOSED OPENSACE/COMMON AREA = ±5.9 ACRES (41%).
 - PROPOSED SETBACKS:
FRONT YARD = 20'/30' (20' FROM PERIMETER & 30' FROM STREET)
REAR YARD = 20'
SIDE YARD = 5'
MIN. LOT SIZE = 2,000 S.F. (FEE SIMPLE)
MIN. LOT WIDTH = 20'
 - BOUNDARY INFORMATION BASED UPON DEED RESEARCH.
 - WATER TO BE PROVIDED BY THE CITY OF GAINESVILLE. SEWER SERVICE TO BE PROVIDED BY THE CITY OF FLOWERY BRANCH.
 - A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER HALL COUNTY F.I.R.M. PANEL No. 13139C0283G EFFECTIVE 4/4/2018.
 - OPENSACE/COMMON AREA TO BE DEEDED AND MAINTAINED BY A QUALIFIED HOMEOWNERS ASSOCIATION.
 - THIS SITE DOES CONTAIN WETLANDS.
 - THIS SITE IS WITHIN 200' OF STATE WATERS.
 - THIS SITE DOES NOT CONTAIN ANY KNOWN CEMETERIES.



COOK
3120 FRONTAGE ROAD
GAINESVILLE, GA 30504
(678) 207-1509
www.thecookandcompany.com
P.E.F. #007243

PREPARED FOR:
COOK COMMUNITIES
3120 FRONTAGE RD.
GAINESVILLE, GA 30504
24-HR. CONTACT:
GEOFF COOK
(678) 207-1509
PROJECT NAME:
FLOWERY BRANCH
JIM CROW ROAD
TRACT
TASK:
REZONING
EXHIBIT

PROJECT INFORMATION:
FLOWERY BRANCH TRACT
Project Name
21-017
Project Number
JIM CROW ROAD
Project Address
Land Lot No.(s)
District
HALL COUNTY, GEORGIA
County, State

PLAN REVISION		
No.	DATE	DESCRIPTION
1		
2		
3		
4		

G.S.W.C.C. LEVEL II CERTIFIED
DESIGN PROFESSIONAL
No. 0000013059
CONTACT:
C. LUKE PRESSLEY, P.E.
(678) 267-7153
luke@thecookandcompany.com

SHEET

1 of 1

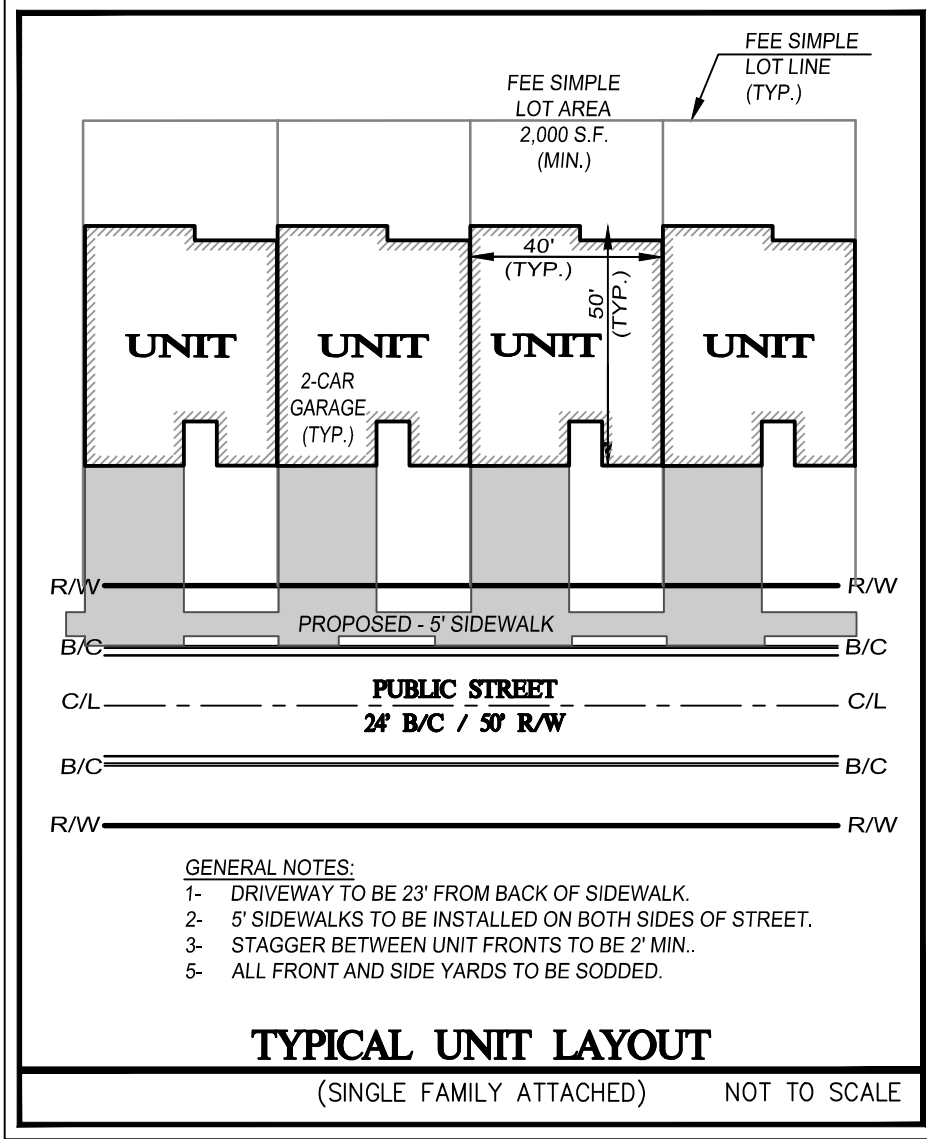
JWW DESIGN	AS SHOWN SCALE
3/22/22 DATE	21-017 PROJECT No.



PROPOSED TOWNHOME
(FRONT)
N.T.S.



PROPOSED TOWNHOME
(FRONT-RIGHT)
N.T.S.



PROPOSED ENTRANCE GATE
N.T.S.

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JIM CROW ROAD
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PROJECT INFORMATION:
FLOWERY BRANCH TRACT
Project Name
21-017
Project Number
JIM CROW ROAD
Project Address
Land Lot No.(s)
District
HALL COUNTY, GEORGIA
County, State

PLAN REVISION		
No.	DATE	DESCRIPTION
1		
2		
3		
4		



"FOR REZONING ONLY"
G.S.W.C.C. LEVEL II CERTIFIED
DESIGN PROFESSIONAL
No. 0000013059
CONTACT:
C. LUKE PRESSLEY, P.E.
(678) 267-7153
luke@thecookandcompany.com

SHEET
1 of 1
O/LP
DESIGN
2/22/2022
DATE
AS SHOWN
SCALE
21-017
PROJECT No.



February 13th, 2023

City of Flowery Branch
5512 Main Street
Flowery Branch, GA 30542
(770) 967-6371

LETTER OF INTENT

Rezoning/Annexation for the Parker's Place at Lanier – Flowery Branch, GA
5704 Jim Crow Road – Flowery Branch, GA 30542
Tax Parcel No. 08100 001003A, 08100 001003B, 08100 001003C & 08100 001003D
L.L. 100 / 8th District
(Note: A copy of a combination Survey is included in this application for clarification – 14.27 Acres total)

Cook Communities submits this Letter of Intent and attached Application for the purpose of rezoning/annexing to the City of Flowery Branch's Planned Unit Development (PUD) Zoning Classification for the 14.27-acre tract located along Jim Crow Road, south of the existing Park Walk at Lanier Residential Development. The property currently lies in unincorporated Hall County and is adjacent to the Flowery Branch City Limits to the north. The subject property is currently zoned AR-III (Hall County) and contains one single family home and associated outbuilding. The intent is to annex the entire property shown on the combination/boundary survey into the City of Flowery Branch. All property included in this application is owned by Shadow Stone Partners, LLC. (See Rezoning Exhibit).

Cook Communities proposes to develop a distinctive and attractive single-family attached neighborhood with amenities. The neighborhood will consist of Forty-nine (49) 2-story attached cottage style homes and is proposed to be age-restricted for residents 55 and older. Each home will have 3 or 4-bedrooms and 2 or 3 bathrooms. The heated S.F. for the proposed units will be 1,550+ S.F. with a 2-Car Garage. The 2-Car garages will be located a minimum of 23' from the back of sidewalk as required. Additionally, the homes will include attractive architectural elements including shake and board and batten siding, stone/brick accents, a variety of unique garage doors and sodded yards. The proposed units are intended to meet the requirements of the recently adopted Ordinance 657 (Article 12 – Section 12.6). Attached to this letter of intent is a rendering of the proposed units for reference. These homes will meet the same quality and price point of homes in the surrounding area.



Amenities proposed for the development include a small community clubhouse, pickleball courts, sidewalks with connected walking trails, pocket parks and attractive landscaping. An exhibit and rendering of the proposed amenities are provided with this submittal for visual reference.

Access for the development will be provided along Jim Crow Road with a proposed right-turn (deceleration) lane provided at the entrance. The entrance will have an attractive monument-type sign with landscaping and will be gated. The provisions for water and sanitary sewer for the development will be provided by the City of Gainesville and the City of Flowery Branch.

The applicant and its representatives welcome the opportunity to meet with the City of Flowery Branch staff to answer any questions or concerns you may have. Cook Communities respectfully requests your approval of this application.

Respectfully,

A handwritten signature in black ink, appearing to be "K. Cook", written in a cursive style.

Cook Communities / Keith Cook



February 13th, 2023

City of Flowery Branch
5512 Main Street
Flowery Branch, GA 30542
(770) 967-6371

DEVELOPMENT STATISTIC AND ANALYSIS

Parker's Place at Lanier – Flowery Branch, GA
5704 Jim Crow Road – Flowery Branch, GA 30542
Tax Parcel No. 08100 001003A, 08100 001003B, 08100 001003C & 08100 001003D
L.L. 100 / 8th District
(Note: A copy of a combination Survey is included in this application for clarification – 14.27 Acres total)

Development Statistics

As part of this application, a site plan of the proposed development was submitted depicting the subdivision and typical fee simple building lots and proposed units for the neighborhood. The below information is meant to ensure all requested information is included.

- (a) Maximum Height of Proposed Homes – 35'
- (b) Minimum S.F. of proposed Homes –1,500 S.F.+ (Heated) (2-Story)
- (c) Color Renderings of Proposed Homes are included with this submittal
 - a. (See 2b-Rezoning Exhibit (Rendering).pdf)
- (d) The Proposed Building Materials for the homes are included
 - a. (See Letter of Intent)
- (e) Maximum of 49 Single-Family Attached Homes (Fee Simple Townhome Lots)
 - a. Minimum Lot Size = 2,000 S.F. (Min. Shown 3,500 S.F.)
 - b. Minimum 1,500+ S.F. Heated (2-Car Garage) – 2 Story
- (f) Proposed Overall Lot Coverage (Entire Project) = 30%
- (g) Proposed Landscaped Area
 - a. A minimum of 2 Trees per Lot (See Typical Lot Detail)
 - b. A minimum of 10' Landscape Buffer adjacent to existing neighborhood.
 - c. Pocket Parks and Walking Trails
 - d. Attractive Entrance Monument (Development will be Gated)



- (h) Parking will Include:
 - a. 2-Car with Driveway (23' From Back of Sidewalk)
 - b. 5 Spaces for Proposed Mail Kiosk
 - c. 10 Spaces at Proposed Clubhouse and Pickleball Courts
- (i) Will Provide as requested.

Development Analysis

The development being proposed by Cook Communities is in line with the City of Flowery Branch's 2041 Comprehensive Plan. While currently not specifically included (as it lies in Hall County), the adjacent neighborhood (Park Walk at Lanier) has a similar zoning to what is being requested. The 2041 Comprehensive Plan and Future Land use map targets this area as Suburban Residential, and the comprehensive plan suggests smaller lots may be appropriate in a PUD zoning district. Cook Communities feels this development generally meets the objectives of the PUD Zoning district when viewed as a small part of the overall community. While this development proposes only single-family attached homes, it provides the broader mix of residential housing types when viewed as a part of the surrounding neighborhoods. Jim Crow Road contains primarily single-family residential neighborhoods of varying densities from its intersection with McEver Road to its Termination at Lake Lanier. The Parker's Place at Lanier Development is similar to the recent development trend in the area. The adjacent neighborhood statistics are included in the additional material submitted as part of the application. No adverse effect is anticipated from the proposed development as it is inline with the surrounding uses as a single-family residential development. A deceleration lane is proposed at the entrance for cars traveling from McEver Road which will be the primary travel route. The subdivision will be gated. The existing use of the Subject Property is a single-family residence with undeveloped acreage. Gravity Sewer is available in the rear portion of the property and public water available along Jim Crow Road. The impact to local schools will be minimal as this will be an age-restricted 55+ community. This portion of Hall County and the City of Flowery Branch has seen significant development in recent years, with an increase in demand for housing of all types. Cook Communities feels this community will provide a housing option that is currently underrepresented in the city. The Parker's Place at Lanier development will meet all the state and City of Flowery Branch's requirements including environmental, erosion and stormwater requirements.

The applicant and its representatives welcome the opportunity to meet with the City of Flowery Branch staff to answer any questions or concerns you may have. Cook Communities respectfully requests your approval of this application.

Date: May 16, 2022

To: Whom it may concern; Hall County, GA

From: Chris Maddox, PE, PTOE; Southeastern Engineering, Inc. (SEI)

RE: Trip Generation Memo for Jim Crow Road Subdivision

CC: Luke Pressley, PE; Cook Development

There is a development with 49 single-family attached units proposed on the west side of Jim Crow Road north of Rolling Meadow Lane currently located in Hall County, GA. The development will be constructed on currently undeveloped land, and is proposed to be annexed into the City of Flowery Branch, GA. The site plan is attached in **Appendix A**. The development will be age restricted and accessed via one new road along Jim Crow Road north of Rolling Meadow Lane and south of Park Shore Cove. Southeastern Engineering, Inc (SEI) has reviewed the adjacent roadway network and development site to summarize the characteristics of the study area and provide information on estimated new trips generated by the development.

Jim Crow Road runs from McEver Road in the south and dead ends to the north, providing access to primarily single-family residential developments. Jim Crow Road is a two-lane undivided facility, with a posted speed limit of 45 MPH, and it is functionally classified as a minor collector. The intersection of Jim Crow Road and McEver Road is a signal-controlled intersection. GDOT'S TADA system was referenced for historical traffic volumes on the roadway and in 2018 Jim Crow Road had an Annual average daily traffic (AADT) volume of 1,590 vehicles per day. The GDOT TADA data sheet for Jim Crow Road is included in **Appendix B**.

The development is expected to generate approximately 181 new daily trips (91 entering and 90 exiting). In the AM peak period the development is expected to generate approximately 10 total trips (4 entering; 6 exiting), and in the PM peak period generate approximately 13 total trips (7 entering; 6 exiting). The vast majority of the trips entering and exiting are anticipated to be going to and from McEver Road in the south. The Trip Generation Report is included in **Appendix B**.

The new development street will be minor-street stop controlled at its intersection with Jim Crow Road. Due to the majority of traffic entering the development from the south via McEver Road a northbound right turn deceleration lane on Jim Crow Road would be beneficial at the new intersection. Crash history at the adjacent residential intersections, Rolling Meadow Lane and Park Shore Cove, was reviewed to see if any crash patterns exist in the area that may identify safety concerns for the new intersection. Per GDOT's Numetric crash data system there have been three crashes reported in the development area since 2015. Two of the three were single vehicles crashes and no injuries were recorded. The crash summary report is attached in **Appendix C**.

The proposed development matches the existing land uses along Jim Crow Road, and the surrounding area. Based on the characteristics of Jim Crow Road the additional daily and peak hour trips generated by the development are not anticipated to have a significant impact on the roadway's operations. The crash history does not show any anticipated safety issues at the site. Please let me know if we can be of any additional assistance during the review process, or if you have any questions. Thank you.

Sincerely,



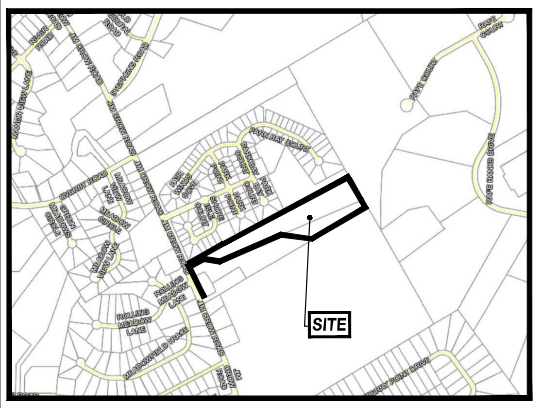
Chris Maddox, PE, PTOE
Traffic Engineering Division Manager

Appendices

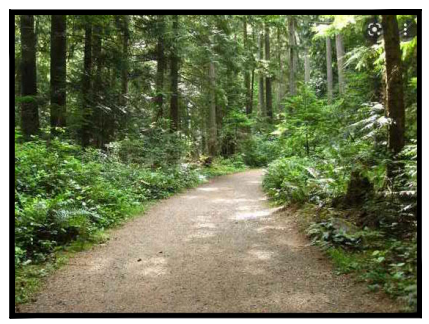
- Appendix A
 - Concept Site Plan
- Appendix B
 - GDOT TADA Data Sheet
 - Trip Generation Report
- Appendix C
 - Crash Summary Report

Appendix A

Concept Site Plan



VICINITY MAP
N.T.S.



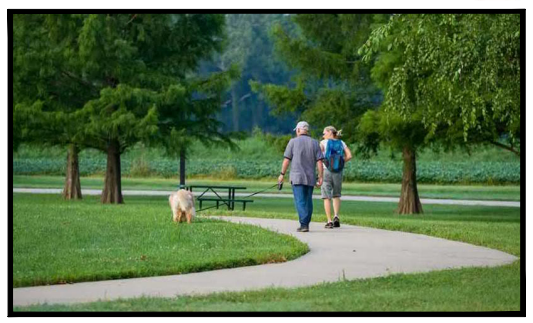
PROPOSED WALKING TRAIL
N.T.S.



CONCEPTUAL ENTRANCE
MONUMENT SIGN
N.T.S.



PROPOSED POCKET PARK
N.T.S.

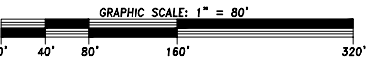


PROPOSED WALKING TRAIL
N.T.S.



PROPOSED PICKLEBALL COURTS
N.T.S.

- GENERAL NOTES:**
- TOTAL PROPERTY ACREAGE = 14.268 ACRES (TOTAL)
 - CURRENT ZONING = AR-III (HALL COUNTY)
 - PROPOSED ZONING = PUD
 - PROPOSED USE = SINGLE-FAMILY ATTACHED SUBDIVISION (49 LOTS TOTAL)
 - PROPOSED DENSITY = 3.43 UNITS/ACRE
 - PROPOSED OPENSACE/Common AREA = ±5.9 ACRES (41%).
 - PROPOSED SETBACKS:
FRONT YARD = 20'/30' (20' FROM PERIMETER & 30' FROM STREET)
REAR YARD = 20'
SIDE YARD = 5'
MIN. LOT SIZE = 2,000 S.F. (FEE SIMPLE)
MIN. LOT WIDTH = 20'
 - BOUNDARY INFORMATION BASED UPON DEED RESEARCH.
 - WATER TO BE PROVIDED BY THE CITY OF GAINESVILLE. SEWER SERVICE TO BE PROVIDED BY THE CITY OF FLOWERY BRANCH.
 - A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER HALL COUNTY F.I.R.M. PANEL No. 13139C0283G EFFECTIVE 4/4/2018.
 - OPENSACE/Common AREA TO BE DEEDED AND MAINTAINED BY A QUALIFIED HOMEOWNERS ASSOCIATION.
 - THIS SITE DOES CONTAIN WETLANDS.
 - THIS SITE IS WITHIN 200' OF STATE WATERS.
 - THIS SITE DOES NOT CONTAIN ANY KNOWN CEMETERIES.



COOK
3120 FRONTAGE ROAD
GAINESVILLE, GA 30504
(678) 207-1509
www.thecookandcompany.com
P.E.F. #007243

PREPARED FOR:
COOK COMMUNITIES
3120 FRONTAGE RD.
GAINESVILLE, GA 30504
24-HR. CONTACT:
GEOFF COOK
(678) 207-1509
PROJECT NAME:
FLOWERY BRANCH JIM CROW ROAD TRACT

TASK:
REZONING EXHIBIT

PROJECT INFORMATION:

Project Name	FLOWERY BRANCH TRACT
Project Number	21-017
Project Address	JIM CROW ROAD
Land Lot No.(s)	
District	HALL COUNTY, GEORGIA
County, State	

PLAN REVISION

No.	DATE	DESCRIPTION
1		
2		
3		
4		

G.S.W.C.C. LEVEL II CERTIFIED
DESIGN PROFESSIONAL
No. 0000013069

CONTACT:
C. LUKE PRESSLEY, P.E.
(878) 287-7153
luke@thecookandcompany.com

SHEET

JWW DESIGN	AS SHOWN SCALE
3/22/22 DATE	21-017 PROJECT No.

1 of 1

Appendix B

GDOT TADA Data Sheet

0000139_7387 - 139-7387

Description: CR 142900 BEG AT

County: Hall

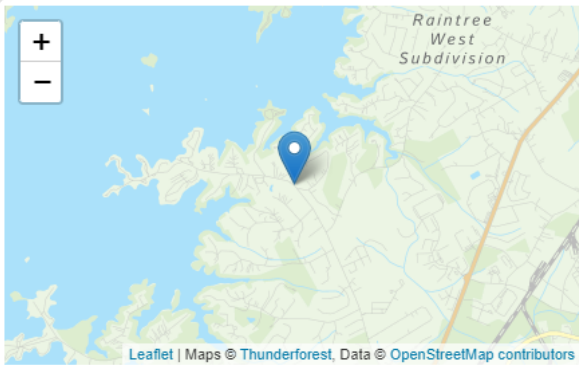
Route number: 00130205

LRS section: 1393130205

Functional class: 6U - Minor Collector (Urban)

Coordinates: 34.21993025, -83.93521186

Site Data



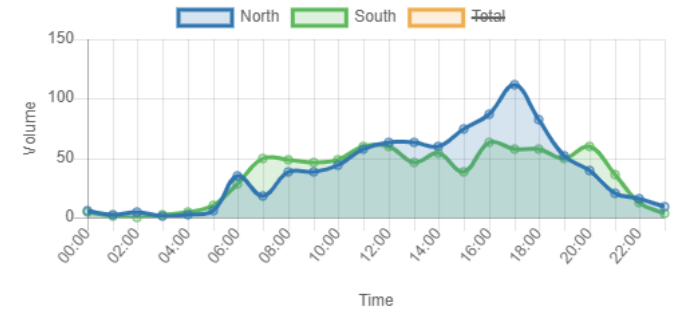
Count History

Year	Month	Count type	Duration	Count
2018	May	Volume	48 hours	1768
2015	August	Volume	32 hours	751
2011	September	Class	48 hours	1140

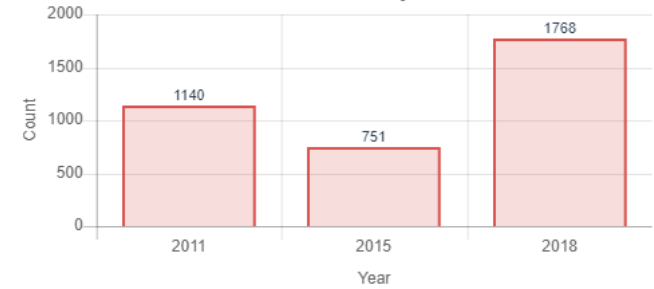
Annual Statistics

Data Item	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Statistics type	-	-	-	-	Estimated	Estimated	Estimated	Actual	Estimated	Estimated
AADT	1010	1010	1030	1030	1070	1100	1120	1590	1620	1510
K-Factor	-	-	-	-	-	-	-	0.126	0.126	0.126
D-Factor	-	-	-	-	-	-	-	0.710	0.710	0.710
Future AADT	-	-	-	-	-	2070	2000	2070	2700	2700

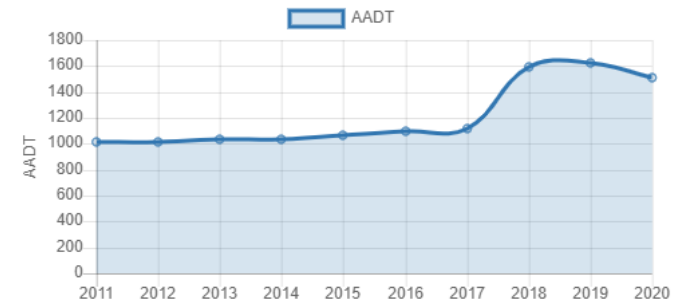
Average Hourly Volume



Count History



AADT Trend



Appendix B

Trip Generation Report

Trip Generation Summary

Alternative: Alternative 1

Phase:

Project: Jim Crow Road

Open Date: 5/16/2022

Analysis Date: 5/16/2022

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		★	Enter	Exit	Total	★	Enter	Exit	Total	★	Enter	Exit	Total
252	SENIOR ATTACHED 1		91	90	181		4	6	10		7	6	13
	49 Dwelling Units												
Unadjusted Volume			91	90	181		4	6	10		7	6	13
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			91	90	181		4	6	10		7	6	13

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

★ - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

Appendix C

Crash Summary Report

CRASH SUMMARY REPORT

Jim Crow Road

Created on May 16, 2022

Created by Chris Maddox

Data extents: May 10, 2018 to March 20, 2019



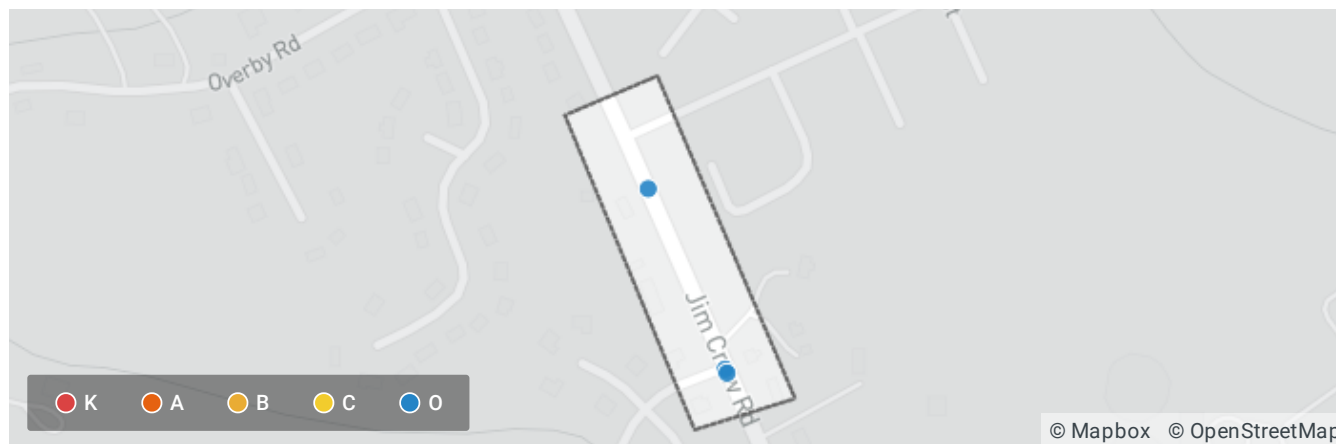
Applied Filters

Date and Time (Year)

≤≥

2015 - 2020

Shape: Polygon



Total Crashes

3

Fatal Crashes

0

GDOT Summary

Collisions Dataset

Total Crashes

3

100.00%

Distracted Driver (Suspected)

2

66.67%

Single Motor Vehicle Involved

2

66.67%

Intersection Related

1

33.33%

+ 7 more

0

0%

KABCO Severity

Collisions Dataset

(0) No Injury

3

100.00%

+ 5 more

0

0%

Date and Time (Year)

Collisions Dataset

2019

1

33.33%

2018

2

66.67%

+ 6 more

0

0%

Date and Time (Hour of Day)

Collisions Dataset

6 am - 8 am

1

33.33%

8 am - 10 am

1

33.33%

4 pm - 6 pm	1	33.33%
+ 9 more	0	0%
Manner of Collision (Crash Level)	Collisions Dataset	
Not a Collision with Motor Vehicle	2	66.67%
Rear End	1	33.33%
+ 7 more	0	0%
Location at Impact (Crash Level)	Collisions Dataset	
On Roadway - Non-Intersection	1	33.33%
On Roadway - Roadway Intersection	1	33.33%
On Shoulder	1	33.33%
+ 14 more	0	0%
Most Harmful Event (Crash Level)	Collisions Dataset	
Animal	1	33.33%
Mail Box	1	33.33%
Motor Vehicle in Motion	1	33.33%
+ 35 more	0	0%
Operator / Driver Contributing Factor	Collisions Dataset	
No Contributing Factors	2	66.67%
Following Too Close	1	33.33%
Other	1	33.33%
+ 40 more	0	0%
Area: County	Collisions Dataset	
Hall	3	100.00%
+ 158 more	0	0%
Area: District (Crash Level)	Collisions Dataset	
D1	3	100.00%
+ 6 more	0	0%
Safety Equipment (Crash Level)	Collisions Dataset	
Lap and Shoulder Belt Used	3	100.00%
+ 12 more	0	0%

Public Hearing Published 03/15/2023
Public Hearing 04/20/2023 - 06/15/2023

First Reading 07/20/2023
Adopted 08/03/2023

ORDINANCE NO. 696

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE CITY OF FLOWERY BRANCH, STATE OF GEORGIA, REAL PROPERTY TOTALING 14.27 +/- ACRES OF LAND, OWNED BY SHADOW STONE PARTNERS, LLC. IDENTIFIED AS 5704 JIM CROW ROAD, TAX PARCEL 08100 001003A, 0 JIM CROW ROAD, TAX PARCEL 08100 001003B, 0 JIM CROW ROAD, TAX PARCEL 08100 001003C, AND 0 JIM CROW ROAD, TAX PARCEL 08100 001003D AND AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS DESCRIBED ON ATTACHED EXHIBIT “B”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Shadow Stone Partners, LLC. owns the subject parcel of land identified as Parcel Tax Identification Nos.08100 001003A, 08100 001003B, 08100 001003C, and 08100 001003D as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application of Shadow Stone Partners, LLC. and in conjunction with the standards set forth in O.C.G.A. §§ 36-36-1 through 36-36-110, O.C.G.A. § 36-60-111, and the City of Flowery Branch Community Agenda for annexation into the City’s corporate limits; and

WHEREAS, said parcels of land identified as Parcel Tax Identification Nos.08100 001003A, 08100 001003B, 08100 001003C, and 08100 001003D are within the unincorporated area of Hall County, State of Georgia, and is contiguous to the existing corporate limits of the City of Flowery Branch, Georgia at this time; and

WHEREAS, Shadow Stone Partners, LLC. has submitted to the City Council of Flowery Branch, Georgia, a written and signed application and affidavit showing consent to being annexed, and whereas a survey and complete description of the subject parcels being considered to be annexed, is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of June 15, 2023, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. RECITALS.

All of the foregoing recitals of this Ordinance are incorporated by reference as if fully set forth herein and are made part of this annexation ordinance.

SECTION 2. ANNEXATION.

The City Council of Flowery Branch, Georgia, does hereby annex and include within the corporate limits of the City of Flowery Branch, Georgia real parcels of land known as Parcel Tax Identification No. Nos.08100 001003A, 08100 001003B, 08100 001003C, and 08100 001003D as shown on Exhibit “A”, and as described on Exhibit “B”. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. CERTIFICATION BY THE CITY CLERK

The City Council of Flowery Branch, Georgia, authorizes and directs the City Clerk of Flowery Branch, Georgia to certify this Ordinance and attached Exhibits and have a certified copy of this Ordinance and its Exhibits filed with the Department of Community Affairs and any other public official or agencies as required by law.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be September 1st, 2023.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 3rd day of September 2023.

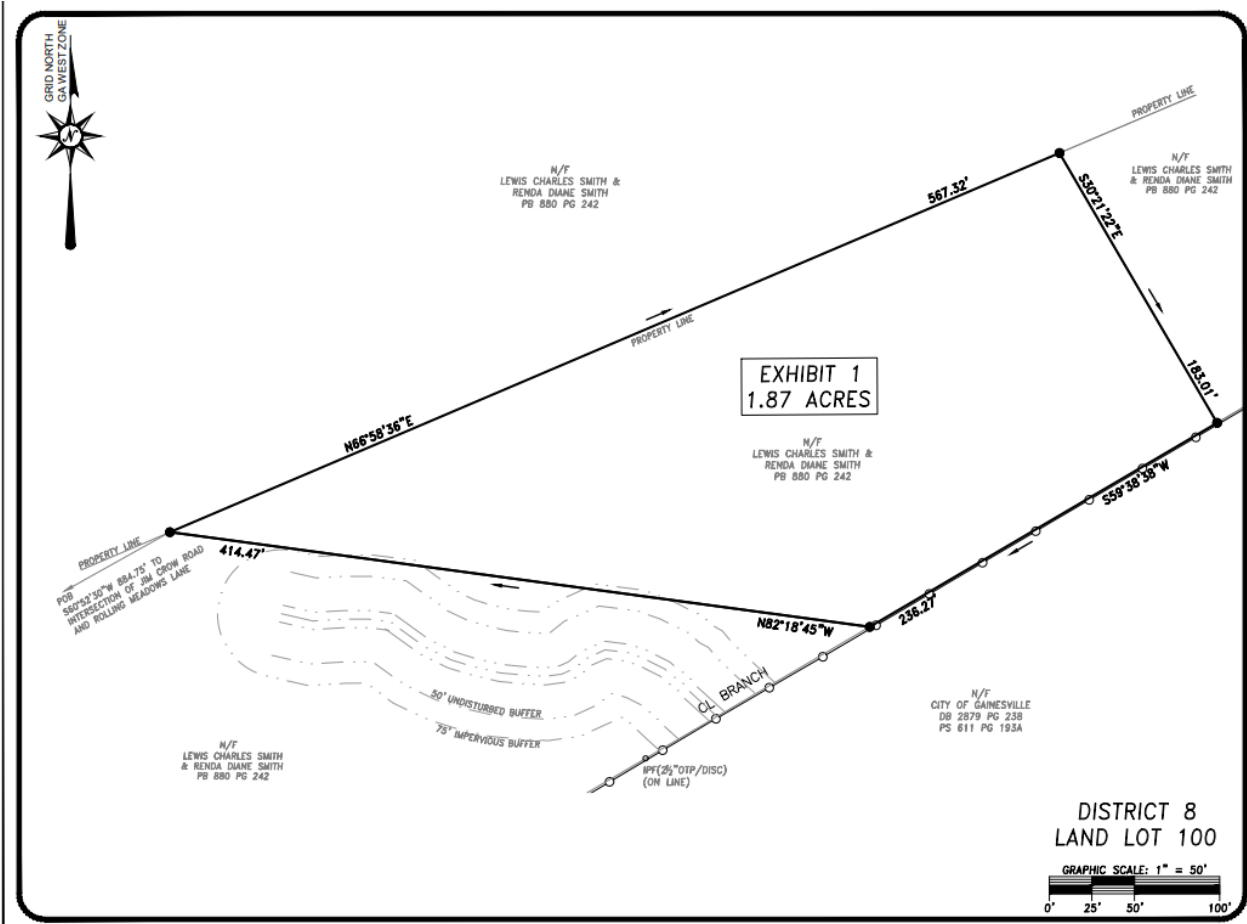
Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Karen Thomas, City Attorney

Exhibit “A”



CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	16.43'	325.00'	S66°53'10"W	16.43'
C2	38.95'	25.30'	S20°40'01"W	35.21'

PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S23°25'37"E	65.57
L2	S66°50'37"W	14.61
L3	N23°21'42"W	29.58
L4	N24°06'15"W	50.27
L5	N24°39'30"W	34.90

EXHIBIT 3
0.23 ACRES

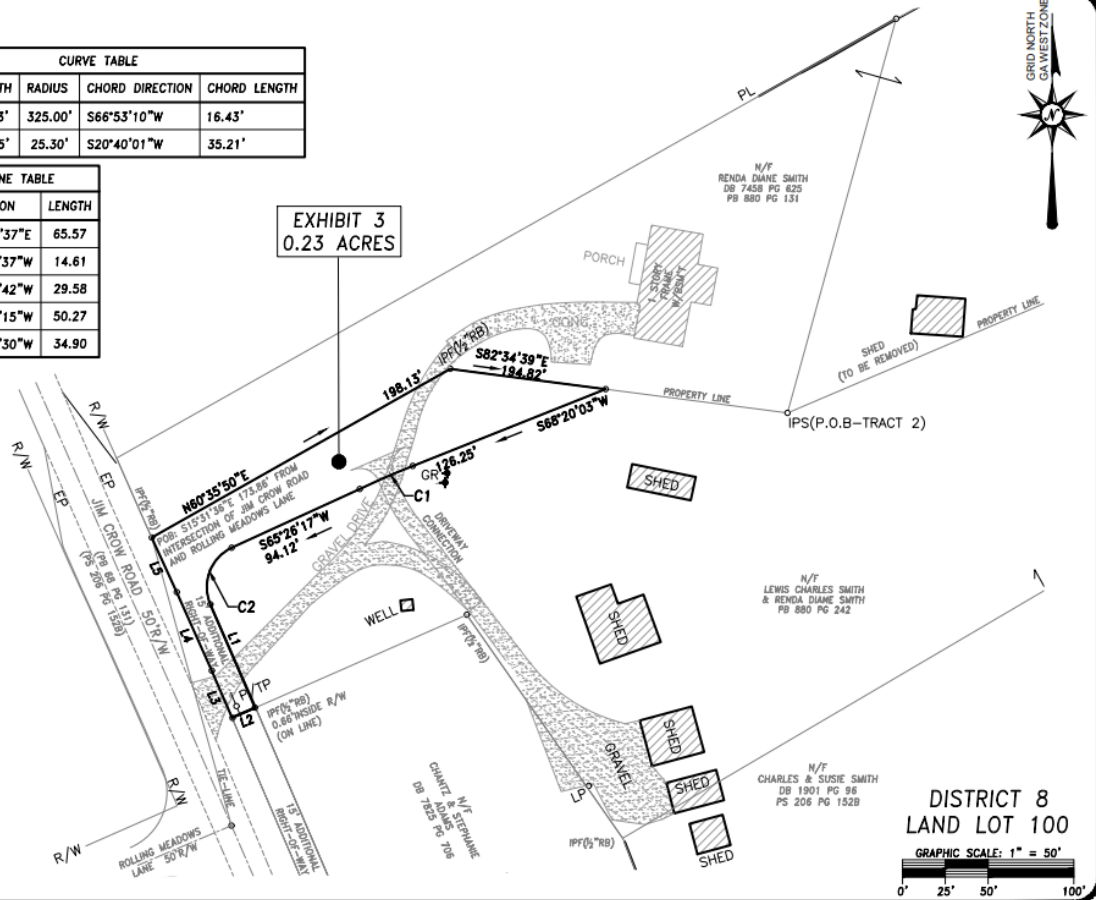


Exhibit "B"

Tract 1
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 60°52'30" E a distance of 884.75' to a point, said point being the true POINT OF BEGINNING;

THENCE, N 66° 58' 36" E a distance of 567.32' to a point;
THENCE, S 30° 21' 22" E a distance of 183.01' to a point;
THENCE, S 59° 38' 38" W a distance of 236.27' to a point;
THENCE, N 82° 18' 45" W a distance of 414.47' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 1.87 acres (81,662 square feet) dated April 4, 2023.

Tract 2
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 63°15'30" E a distance of 1450.11' to a point, said point being the true POINT OF BEGINNING;

THENCE, N 66° 58' 36" E a distance of 613.77' to an iron pin set;

THENCE, S 29° 49' 03" E a distance of 104.68' to a 1/2-inch rebar;

THENCE, S 59° 38' 38" W a distance of 607.77' to a point;

THENCE, N 30° 21' 22" W a distance of 183.01' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 2.01 acres (87,513 square feet) dated April 4, 2023.

Tract 3
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 15°31'36" E a distance of 173.86' to a 1/2-inch rebar, said point being the true POINT OF BEGINNING;

THENCE, N 60° 35' 50" E a distance of 199.93' to a 1/2-inch rebar;

THENCE, S 82° 34' 39" E a distance of 91.39' to a point;

THENCE, S 68° 20' 03" W a distance of 121.07' to a point;

THENCE with a curve turning to the left with an arc length of 33.76', with a radius of 473.31', with a chord bearing of S 66° 35' 13" W, with a chord length of 33.76' to a point;

THENCE, S 65° 26' 17" W a distance of 82.12' to a point;

THENCE with a curve turning to the left with an arc length of 39.07', with a radius of 25.00', with a chord bearing of S 20° 40' 01" W, with a chord length of 35.21' to a point;

THENCE, S 23° 25' 37" E a distance of 65.57' to a point;

THENCE, S 66° 51' 33" W a distance of 14.61' to a point;

THENCE, N 23° 21' 42" W a distance of 29.58' to a point;

THENCE, N 24° 19' 53" W a distance of 85.16' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 0.23 acres (9,889 square feet) dated April 4, 2023.

Tract 4
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 00°15'15" E a distance of 62.76' to a point, said point being the true POINT OF BEGINNING;

THENCE, N 66° 50' 37" E a distance of 14.98' to a point;

THENCE, S 23° 21' 00" E a distance of 273.44' to a point;

THENCE, S 61° 16' 42" W a distance of 15.07' to a point;

THENCE, N 23° 20' 43" W a distance of 274.90' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 0.09 acres (4,110 square feet) dated April 4, 2023.

ORDINANCE NO. 697

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING REAL PROPERTY TOTALING 14.27 +/- ACRES OF LAND, OWNED BY SHADOW STONE PARTNERS, LLC. IDENTIFIED AS 5704 JIM CROW ROAD, TAX PARCEL 08100 001003A, 0 JIM CROW ROAD, TAX PARCEL 08100 001003B, 0 JIM CROW ROAD, TAX PARCEL 08100 001003C, AND 0 JIM CROW ROAD, TAX PARCEL 08100 001003D AND AS SHOWN ON ATTACHED EXHIBIT "A", AND AS DESCRIBED ON ATTACHED EXHIBIT "B"; TO BE REZONED FROM HALL COUNTY AGRICULTURAL RESIDENTIAL (AR III) TO FLOWERY BRANCH PLANNED UNIT DEVELOPMENT (PUD), AS SHOWN ON ATTACHED EXHIBIT "A", AND AS DESCRIBED ON ATTACHED EXHIBIT "B", AND AS CONDITIONED ON ATTACHED EXHIBIT "C", PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Shadow Stone Partners, LLC. owns the subject parcel of land identified as Parcel Tax Identification Nos. 08100 001003A, 08100 001003B, 08100 001003C, and 08100 001003D as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, Shadow Stone Partners, LLC has submitted to the City of Flowery Branch, Georgia, a written and signed application and affidavit showing consent to being rezoned, and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of June 15, 2023 duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning from Hall County Agricultural Residential (AR III) to Flowery Branch Planned Unit Development (PUD) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned; however, an alternative use is appropriately considered.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zoning as opposed to AR III
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. REZONING.

The subject parcels, as shown on Exhibit “A” and as legally described in Exhibit “B”, are hereby rezoned from Hall County Agricultural Residential (AR III) to Flowery Branch Planned Unit Development (PUD) and conditioned as shown on attached Exhibit “C”. Said Exhibits are incorporated.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Public Hearing Published 03/15/2023
Public Hearing 04/20/2023 - 06/15/2023

First Reading 07/20/2023
Adopted 08/03/2023

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be September 1st, 2023.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 3rd day of September 2023.

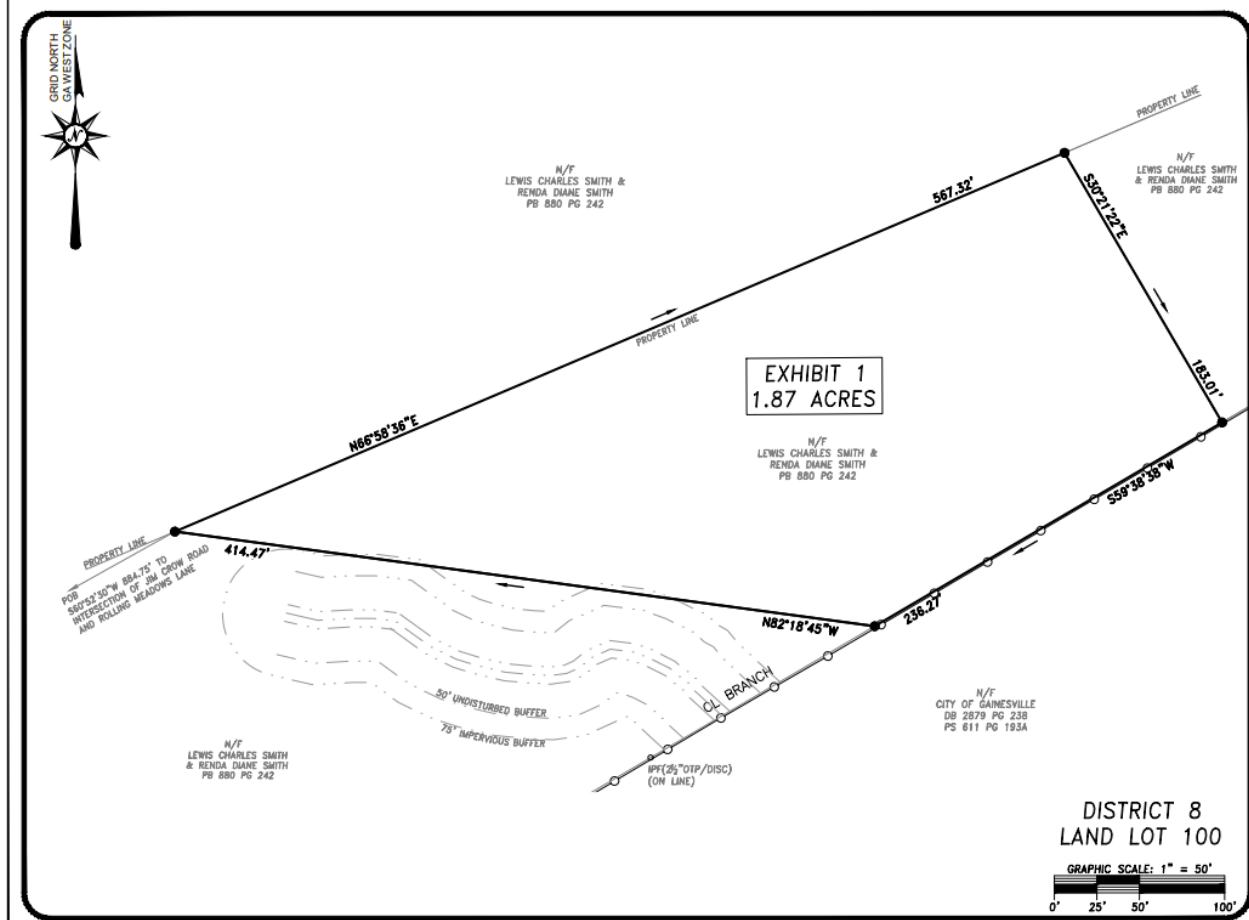
Edward R. Asbridge, Mayor

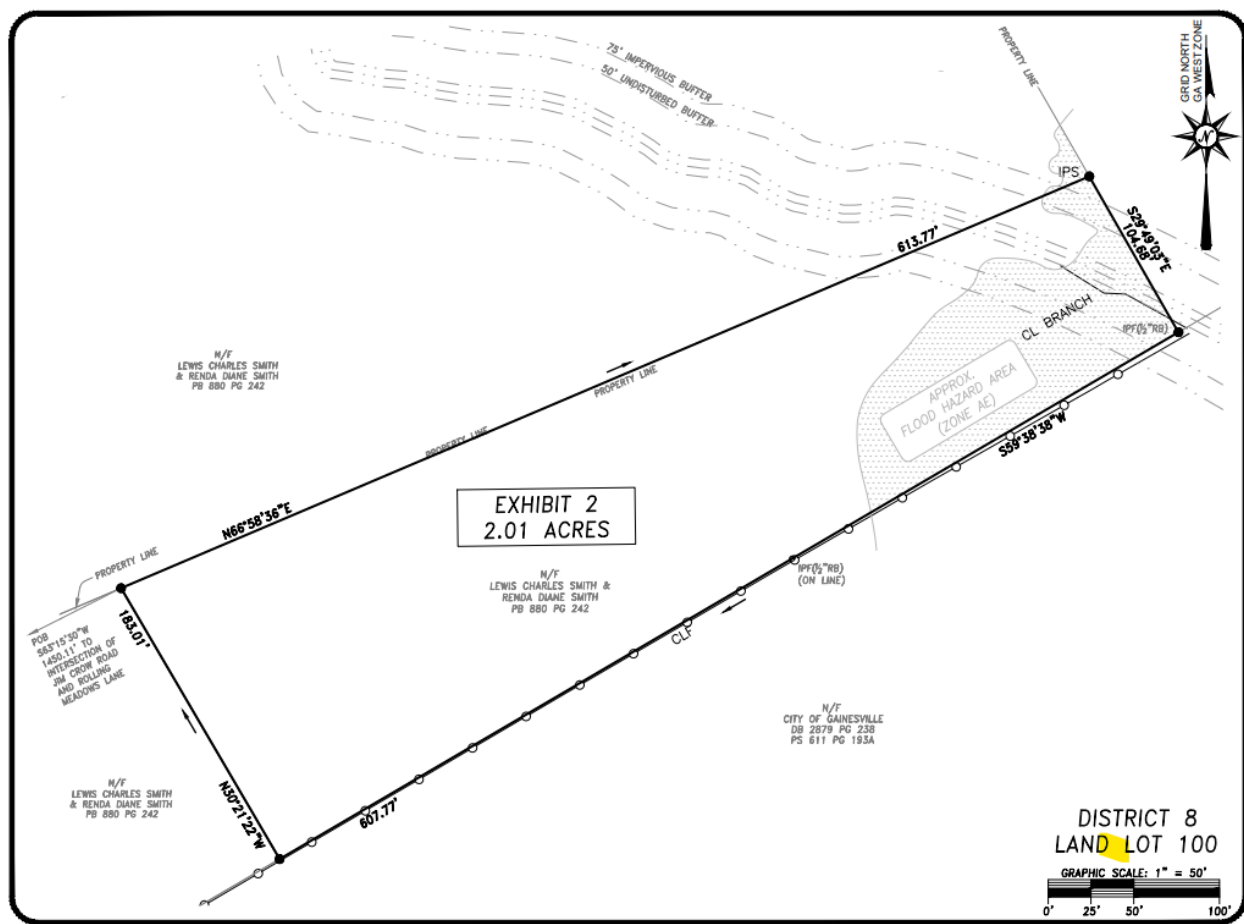
Shelia R. Cooper, City Clerk

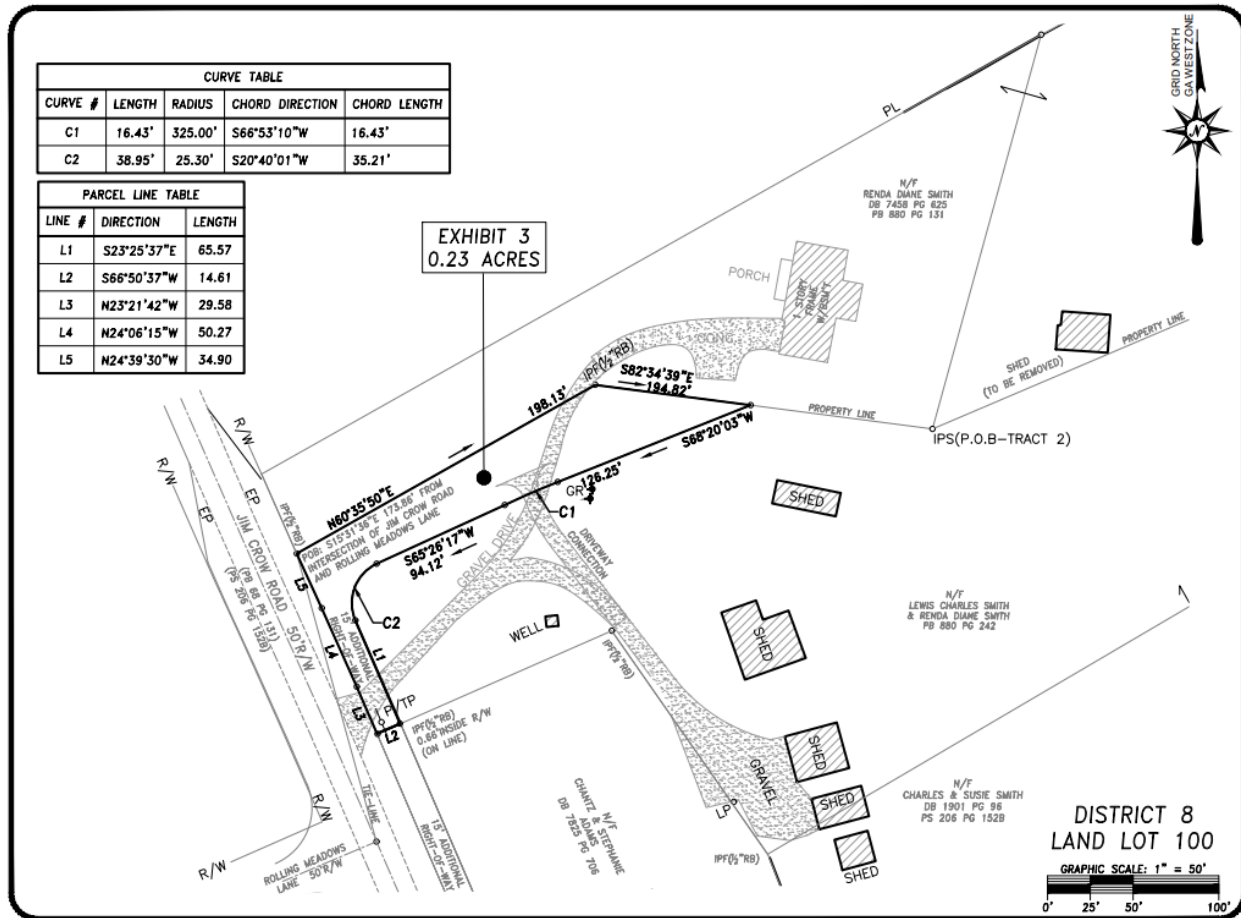
APPROVED AS TO FORM

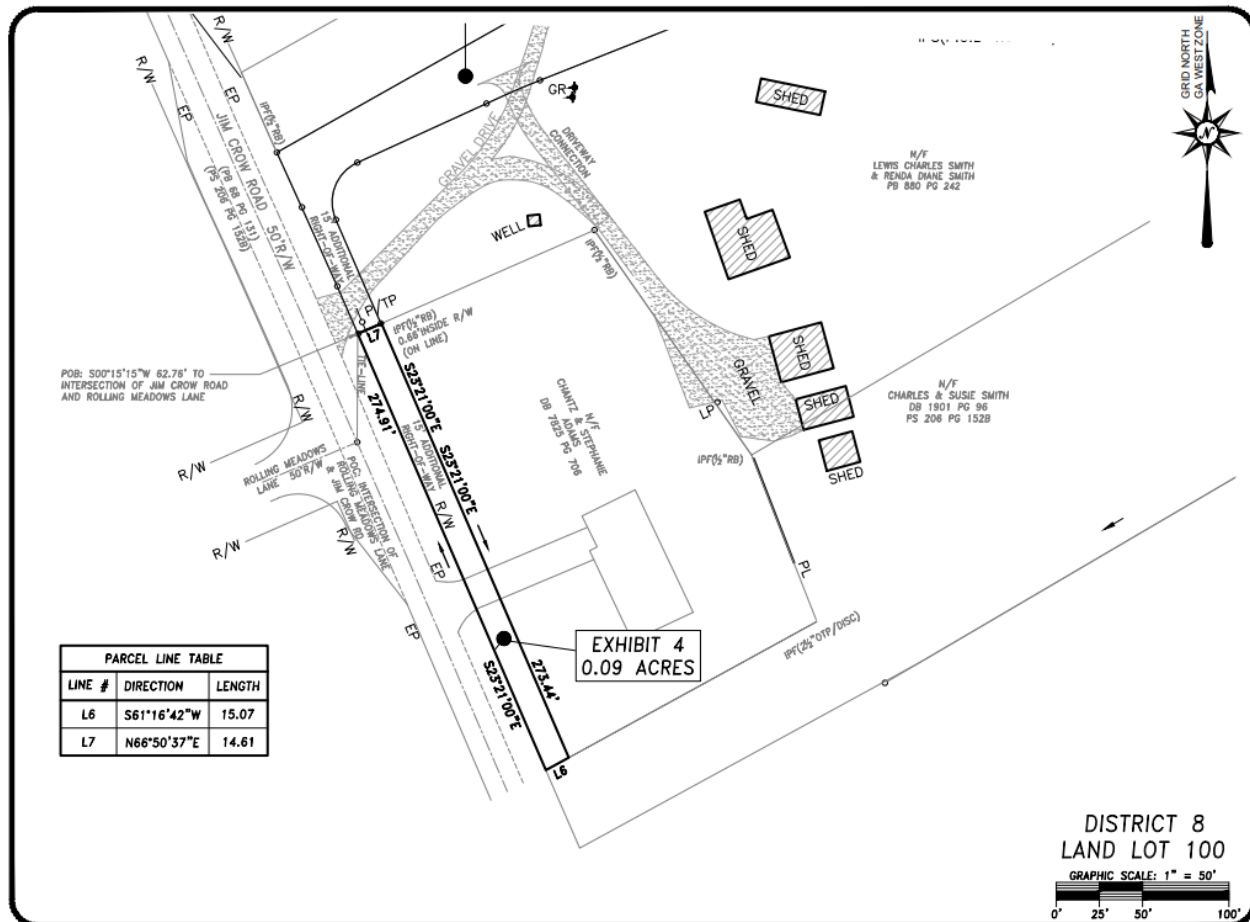
Karen Thomas, City Attorney

Exhibit "A"









Public Hearing Published 03/15/2023
Public Hearing 04/20/2023 - 06/15/2023

First Reading 07/20/2023
Adopted 08/03/2023

Exhibit "B"

Tract 1
Shadow Stone Partners, LLC

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To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 60°52'30" E a distance of 884.75' to a point, said point being the true POINT OF BEGINNING;

THENCE, N 66° 58' 36" E a distance of 567.32' to a point;
THENCE, S 30° 21' 22" E a distance of 183.01' to a point;
THENCE, S 59° 38' 38" W a distance of 236.27' to a point;
THENCE, N 82° 18' 45" W a distance of 414.47' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 1.87 acres (81,662 square feet) dated April 4, 2023.

Public Hearing Published 03/15/2023
Public Hearing 04/20/2023 - 06/15/2023

First Reading 07/20/2023
Adopted 08/03/2023

Tract 2
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

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THENCE, N 66° 58' 36" E a distance of 613.77' to an iron pin set;
THENCE, S 29° 49' 03" E a distance of 104.68' to a 1/2-inch rebar;
THENCE, S 59° 38' 38" W a distance of 607.77' to a point;
THENCE, N 30° 21' 22" W a distance of 183.01' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 2.01 acres (87,513 square feet) dated April 4, 2023.

Public Hearing Published 03/15/2023
Public Hearing 04/20/2023 - 06/15/2023

First Reading 07/20/2023
Adopted 08/03/2023

Tract 3
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 15°31'36" E a distance of 173.86' to a 1/2-inch rebar, said point being the true POINT OF BEGINNING;

THENCE, N 60° 35' 50" E a distance of 199.93' to a 1/2-inch rebar;
THENCE, S 82° 34' 39" E a distance of 91.39' to a point;
THENCE, S 68° 20' 03" W a distance of 121.07' to a point;
THENCE with a curve turning to the left with an arc length of 33.76', with a radius of 473.31', with a chord bearing of S 66° 35' 13" W, with a chord length of 33.76' to a point;

THENCE, S 65° 26' 17" W a distance of 82.12' to a point;
THENCE with a curve turning to the left with an arc length of 39.07', with a radius of 25.00', with a chord bearing of S 20° 40' 01" W, with a cord length of 35.21' to a point;
THENCE, S 23° 25' 37" E a distance of 65.57' to a point;
THENCE, S 66° 51' 33" W a distance of 14.61' to a point;
THENCE, N 23° 21' 42" W a distance of 29.58' to a point;
THENCE, N 24° 19' 53" W a distance of 85.16' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 0.23 acres (9,889 square feet) dated April 4, 2023.

Tract 4
Shadow Stone Partners, LLC

All that tract or parcel of land lying and being in Land Lot 100 of the 8th District, Hall County, Georgia, and being a portion of the lands of Shadow Stone Partners, LLC. Said tract being described by the following description:

To find the true point of beginning, COMMENCE at the intersection of Rolling Meadows Lane and Jim Crow Road, said intersection having a Georgia Grid North, NAD 83, West zone value of N: 1531279.9204 E: 2368747.6315; Thence running along a tie line N 00°15'15" E a distance of 62.76' to a point, said point being the true POINT OF BEGINNING;

THENCE, N 66° 50' 37" E a distance of 14.98' to a point;
THENCE, S 23° 21' 00" E a distance of 273.44' to a point;
THENCE, S 61° 16' 42" W a distance of 15.07' to a point;
THENCE, N 23° 20' 43" W a distance of 274.90' to the ENDING at a point, said point being the true POINT OF BEGINNING.

Said tract being a portion of the lands of Shadow Stone Partners, LLC containing 0.09 acres (4,110 square feet) dated April 4, 2023.

Exhibit "C"

Conditions of Zoning

1. Sewer shall be provided by the City of Flowery Branch.
2. Water shall be provided by the City of Gainesville.
3. Development shall be gated.
4. All internal streets shall be private.
5. Mandatory Homeowner's Association must be created.
6. Homeowner's Association shall include a 15% rental cap for the project.
7. Project shall be age restricted. No one under the age of fifty-five (55) shall reside in the subdivision.
8. The northern property line shall include a staff approved buffer plan that shall run the length of the property. Said plan must be incorporated into the overall landscape plan and shall be submitted at the time of land disturbance.
9. All townhomes shall meet all current architectural and design requirements of the City of Flowery Branch zoning ordinance.
10. Amenities shall be provided and shall include a pocket park, walking trails, and pickle ball courts as generally shown on the submitted plan dated 3/22/2023.

-
- VICINITY MAP**
N.T.S.
- PROPOSED WALKING TRAIL**
N.T.S.
- CONCEPTUAL ENTRANCE MONUMENT SIGN**
N.T.S.
- PROPOSED POCKET PARK**
N.T.S.
- PROPOSED PICKLEBALL COURTS**
N.T.S.
- PROPOSED WALKING TRAIL**
N.T.S.
- PROPOSED ENTRANCE GATE**
N.T.S.
- GENERAL NOTES:**
- TOTAL PROPERTY AREA = 14.86 ACRES (TOTAL)
 - CURRENT ZONING IS AG-10 (HILL COUNTY)
 - PROPOSED ZONING = PUD
 - PROPOSED USE = SINGLE-FAMILY ATTACHED SUBDIVISION (18 LOTS TOTAL)
 - PROPOSED DENSITY = 3.45 UNITS/ACRE
 - PROPOSED OPENSPACE/TOWNSHIP AREA = 10.8 ACRES (74%)
 - PROPOSED SETBACKS:
FRONT YARD = 25'/30' (SEE TYPICAL) & 30' FROM STREET
SIDE YARD = 5'
MIN. LOT WIDTH = 30.00 S.F. (SEE SIMPLY)
MIN. LOT DEPTH = 25'
 - BOUNDARY INFORMATION BASED UPON DEED RESEARCH.
 - WATER TO BE PROVIDED BY THE CITY OF SAN ANTONIO. SEWER SERVICE TO BE PROVIDED BY THE CITY OF SAN ANTONIO.
 - A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER HILL COUNTY (FLOOD PANEL NO. 13-BARRIERS EFFECTIVE 4/4/2018).
 - SURVEYING/TOWNSHIP AREA TO BE DIVIDED AND MAINTAINED BY A SHARED HOMEOWNERS ASSOCIATION.
 - THIS SITE DOES NOT CONTAIN WETLANDS.
 - THIS SITE IS WITHIN 200' OF STATE WATER.
 - THIS SITE DOES NOT CONTAIN ANY KNOWN CULTURAL RESOURCES.
- GRAPHIC SCALE: 1" = 50'

- 155

FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY

SUBJECT: Renewal of Contract to NFP for Benefits Consulting and Brokerage Services.

DATE: 6/26/2023

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: 7/20/2023

PURPOSE: Renewal of contact with NFP for Benefits Consulting and Brokerage Services.

HISTORY:

- Historically the city has outsourced the Benefits Consulting and Brokerage services.
- NFP currently provides Benefits Consulting and Brokerage Services for the City of Flowery Branch.

FACTS AND ISSUES:

- NFP's team dedicated to Flowery Branch has over 80 years of combined experience.
- NFP will provide an employee portal, so employees can manage their benefits.
- NFP will provide increased communication through an annual benefits fair, monthly health initiatives emails and health initiatives podcast.
- NFP will shop services annually to ensure the city and employees are receiving best value.
- NFP also provides support in six key areas: Strategic Planning, Financial Management, Benefits Administration, Health Risk Management and Well-Being, Teammate Engagement and Compliance and Legislative support.
- NFP is our current provider for Benefits Consulting and Brokerage Services.

OPTIONS:

RECOMMENDED SAMPLE MOTION:

I make a motion to renew the annual contract for Benefits Consulting and Brokerage Services with three 1yr extension options to NFP.

DEPARTMENT: Finance

Prepared by: Matt Hamby



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Approval of Quote for Warranty and Landscaping for One Year from TriScapes on All The Phase I Landscaping

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

As part of Phase I Downtown Development, several trees, grasses, sod, flower beds were installed or planted. TriScapes was responsible for all the installing and planting.

FACTS AND ISSUES:

TriScapes will guarantee the work for one year if they continue the landscaping / maintenance for one year. The annual cost is \$23,000 unless the city would like other options (fresh mulch twice per year, fresh color twice per year) which will cost more as shown on the attached quote. TriScapes has done an outstanding job in all of their work downtown and staff would like to continue to work with them on the landscaping. No other quotes have been obtained as this will be a sole source provider since the guarantee is provided.

OPTIONS:

- 1) Approve the quote from TriScapes in an amount not to exceed \$23,000.
- 2) Approve the quote for a different amount if other options are chosen.
- 3) Put landscaping of the Downtown Development Phase I out for bid.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

\$23,000 FY24 budget

RECOMMENDATION:

Approve the quote from TriScapes for landscaping / maintenance of landscaping (with a one-year warranty) on all landscaping installed as part of Phase I Downtown Development

SAMPLE MOTION:

I make a motion to approve the quote from TriScapes for landscaping and a one-year warranty of all the landscaping planted in Phase I Downtown Development.

COLLABORATING DEPARTMENT:

DEPARTMENT: Community Relations

Prepared by: Shelia Cooper

ATTACHMENTS

- [ES - TriScapes Landscaping quote.pdf](#)
- [MAINT._Flowery Branch-Parks and Streetscape Improvements_V1.pdf](#)



**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: Approval of Quote for Warranty and Landscaping for One Year from TriScapes on All The Phase I Landscaping

DATE: July 20, 2023

(X)RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL- \$23,000
CAPITAL-

COUNCIL ACTION REQUESTED ON: July 20, 2023

PURPOSE: To approve the quote from TriScapes for landscaping / maintenance of landscaping (with a one-year warranty) on all landscaping installed as part of Phase I Downtown Development.

HISTORY: As part of Phase I Downtown Development, several trees, grasses, sod, flower beds were installed or planted. TriScapes was responsible for all the installing and planting.

FACTS AND ISSUES: TriScapes will guarantee the work for one year if they continue the landscaping / maintenance for one year. The annual cost is \$23,000 unless the city would like other options (fresh mulch twice per year, fresh color twice per year) which will cost more as shown on the attached quote. TriScapes has done an outstanding job in all of their work downtown and staff would like to continue to work with them on the landscaping. No other quotes have been obtained as this will be a sole source provider since the guarantee is provided.

OPTIONS:

- 1) Approve the quote from TriScapes in an amount not to exceed \$23,000.
 - 2) Approve the quote for a different amount if other options are chosen.
 - 3) Put landscaping of the Downtown Development Phase I out for bid.
-
-

RECOMMENDED SAMPLE MOTION:

I make a motion to approve the quote from TriScapes for landscaping and a one-year warranty of all the landscaping planted in Phase I Downtown Development.

DEPARTMENT: Administration

Prepared by: Tonya Parrish



Company Address 1595 Peachtree Parkway
Suite 204-396
Cumming, GA 30041
United States

Created Date 5/4/2023
Quote Number 00004469

Reference MAINT._Flowery Branch-Parks and Streetscape
Improvements

Prepared By Patrick Hoggard
Email patrick@triscapes.com

Bill To Name City of Flowery Branch
Bill To 5517 Main Street P. O. Box 757
Flowery Branch, GA 30542

Ship To Name City of Flowery Branch

Sort Order	Product	Quantity	UOM
1.00	CTM_Annual Landscape Maintenance	1.00	LS
Total Price			\$23,971.00

Proposal Notes

Proposal Notes

This quote includes annual landscape maintenance (mowing, weedeating, edging, blowing, plant bed maintenance, picking up trash), 7 point chemical turf care program, and irrigation start up and winterization.

The price of dyed hardwood mulch and seasonal color is not included in this quote. The price for dyed hardwood mulch would be \$11,000. This price covers 2 applications per year.

The price for seasonal color is \$5000. This price covers 2 applications per year.

These prices can be added into the quote if requested.

*****NOTE: Prices good for 15 Days*****



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider the Establishment of the Appalachian Regional Commission (ARC) Grant

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

The “Highlands to Islands” trail is a multi-use trail that reaches from Gainesville to Lake Lanier Islands. A section of this multi-jurisdictional trail falls in Flowery Branch. In an effort to promote healthy living and pedestrian connectivity, the city seeks to begin planning and constructing the trail located in Flowery Branch. With a partnership with the Georgia Mountains Regional Commission (GMRC) and Appalachian Regional Commission (ARC), additional funding may be acquired to support this endeavor.

FACTS AND ISSUES:

The Appalachian Regional Commission is an economic development partnership entity of the federal government. Their mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia by providing grants, publishing research, and sponsoring learning opportunities to address economic disparity and advance prosperity. The Georgia Mountains Regional Commission (GRMC) is a state level commission that supports the northeast region of the state.

OPTIONS:

To engage, or not engage, the Georgia Mountains Regional Commission to prepare an application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

The Georgia Mountains Regional Commission provides application preparation services free of charge.

RECOMMENDATION:

To engage the Georgia Mountains Regional Commission to write an application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

SAMPLE MOTION:

I make a motion to adopt resolution 23-008 to engage the Georgia Mountains Regional Commission (GMRC) to prepare an application for the Area Development Program grant in order to pursue funding from the Appalachian Regional Commission (ARC) to support development of the “Highlands to Islands” trail system and to authorize the Mayor and staff to execute necessary documents to apply for and accept any grants awarded to the City of Flowery Branch.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary - ARC Grant.pdf](#)
- [Resolution 23-008 To Engage the GMRC to Prepare Grant for ARC.pdf](#)
- [GMRC Request For Assistance.pdf](#)

FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY

SUBJECT: Resolution 23-008 for Establishment of the Appalachian Regional Commission (ARC) Grant

DATE: July 20, 2023

(X)RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON: N/A

PURPOSE:

To pursue funding to support the “Highlands to Islands” trail construction by partnering with the Georgia Mountains Regional Commission to write an application for the Area Development Program grant offered by the Appalachian Regional Commission (ARC).

HISTORY:

The “Highlands to Islands” trail is a multi-use trail that reaches from Gainesville to Lake Lanier Islands. A section of this multi-jurisdictional trail falls in Flowery Branch. In an effort to promote healthy living and pedestrian connectivity, the city seeks to begin planning and constructing the trail located in Flowery Branch. With a partnership with the GMRC and ARC, additional funding may be acquired to support this endeavor.

FACTS AND ISSUES:

The Appalachian Regional Commission is an economic development partnership entity of the federal government. Their mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia by providing grants, publishing research, and sponsoring learning opportunities to address economic disparity and advance prosperity. The Georgia Mountains Regional Commission (GRMC) is a state level commission that supports the northeast region of the state.

OPTIONS:

To engage, or not engage, the Georgia Mountains Regional Commission (GMRC) to write a grant application for the Area Development Program Grant from the Appalachian Regional Commission (ARC).

RECOMMENDED SAMPLE MOTION:

I make a motion to adopt resolution 23-008 to engage the Georgia Mountains Regional Commission to write an application for the Area Development Program grant in order to pursue funding from the Appalachian Regional Commission (ARC) to support development of the “Highlands to Islands” trail system and to authorize the Mayor and staff to execute necessary documents to apply for and accept any grants awarded to the City of Flowery Branch.

DEPARTMENT: Finance

Prepared by: Elias Gobble

RESOLUTION NO. 23-008

TO ENGAGE THE GEORGIA MOUNTAINS REGIONAL COMMISSION (GMRC) TO PERFORM SERVICES WITH THE PREPARATION OF THE APPALACHIAN REGIONAL COMMISSION (ARC) GRANT APPLICATION.

WHEREAS, the City desires to engage the Commission to prepare a full grant application in connection with the Appalachian Regional Commission Grant Program for the “Highlands to Islands” trail project; and,

WHEREAS, the Commission desires to render such services and warrants that it possesses the capabilities to satisfactorily render such services.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Flowery Branch, Georgia, as follows:

Section 1. Engagement of the GMRC: The City agrees to engage the Commission and the Commission agrees to perform services associated with the preparation of the ARC application.

Section 2. Compensation: The Commission shall perform the preparation of the application at no cost to the City.

Section 3. Time of Performance: The Commission will immediately initiate the preparation of the ARC application for submittal.

SO RESOLVED this 20th day of July, 2023.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Karen Thomas, City Attorney



July 20, 2023

Heather Feldman, Executive Director
GA Mountains Regional Commission
P.O. Box 1720
Gainesville, GA 30503

RE: Request for Assistance

Dear Heather:

The City of Flowery Branch is requesting the assistance of the Georgia Mountains Regional Commission in preparing grant applications associated with proposed trail construction to connect downtown Flowery Branch with its park and residential areas to promote more connectivity throughout the city.

We look forward to working with you and your staff. If you have questions or need additional information, please feel free to contact Renee Carden, Community Relations Director, at 770-967-6371 (extension 8) or Renee@flowerybranchga.org.

Very truly yours,
City of Flowery Branch, Georgia

Ed Asbridge
Mayor



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

COUNCIL MEETING DATE: July 20, 2023

HISTORY:

Phoenix Tank was the low responsive and responsible bidder for the construction of the Gainesville Street tank replacement. The bids received were both over the estimate. In an effort to induce the City to award the contract to their company, Phoenix offered a \$50,000 deduct to the price if they were awarded the contract. They were notified that the City would accept the deduct. This Change Order incorporates the deduct into the contract.

As the tank was being erected, discussions with the erection crew and the welding and painting inspection specialist revealed that some similar tanks had problems with condensation within the dry space below the tank bowl. This is also a common problem in water treatment plant pipe galleries. This is a potentially severe issue with this tank because the groundwater that it contains is generally considerably colder than the atmosphere during warm parts of the year.

In searching for a solution to this problem, we determined that the Tnemec company had a spray-on insulating paint type material. This is a relatively new product, but they have an good reference list of locations where the product has been used. Given the corrosion damage that condensation can cause, particularly in an area that houses electrical equipment, we recommend the the funds be appropriated to utilize this material.

The riser pipe within the pedestal should also be insulated. There is an corrugated aluminum productl from Johns-Manville that Phoenix Tank has had good success with on other projects. We recommend the funds also be appropriated for this material to be furnished and installed. The total price of installing the insulating material is \$37,894.74.

FACTS AND ISSUES:

See information provided above. The \$50,000.00 deduct should of course be accepted. The insulation material will prolong the life of the tank components, particularly the interior ladders, the roof access tube that penetrates the tank and the tank electrical gear and instrumentation. The net amount of this Change Order is a deduct of \$12,105.76.

OPTIONS:

Approve or Deny

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

Net savings in the contract for the tank of \$12,105.76

RECOMMENDATION:

Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

SAMPLE MOTION:

I make a motion to approve the \$50,000 credit and the change order requested of \$37,894.74 with a net change order #1 of a deduct of \$12,105.76.

COLLABORATING DEPARTMENT:

Water/Wastewater

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Change Order No. 1 Water Tank.pdf](#)
- [Change Order No. 1 Backup Information.pdf](#)
- [C-941-Change-Order-No. 1 Water Tank.pdf](#)

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT:

DATE:

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON:

PURPOSE: Formally accept \$50,000.00 deduct offer from Phoenix Tank. Authorize installation of insulation material within dry space of tank to minimize condensation; and, consider a change order in the amount of \$37,894.74 for insulation material for condensation control.

HISTORY: Phoenix Tank was the low responsive and responsible bidder for the construction of the Gainesville Street tank replacement. The bids received were both over the estimate. In an effort to induce the City to award the contract to their company, Phoenix offered a \$50,000 deduct to the price if they were awarded the contract. They were notified that the City would accept the deduct. This Change Order incorporates the deduct into the contract.

As the tank was being erected, discussions with the erection crew and the welding and painting inspection specialist revealed that some similar tanks had problems with condensation within the dry space below the tank bowl. This is also a common problem in water treatment plant pipe galleries. This is a potentially severe issue with this tank because the groundwater that it contains is generally considerably colder than the atmosphere during warm parts of the year.

In searching for a solution to this problem, we determined that the Tnemec company had a spray-on insulating paint type material. This is a relatively new product, but they have an good reference list of locations where the product has been used. Given the corrosion damage that condensation can cause, particularly in an area that houses electrical equipment, we recommend the the funds be appropriated to utilize this material.

The riser pipe within the pedestal should also be insulated. There is an corrugated aluminum productl from Johns-Manville that Phoenix Tank has had good success with on other projects. We recommend the funds also be appropriated for this material to be furnished and installed. The total price of installing the insulating material is \$37,894.74.

FACTS AND ISSUES: See information provided above. The \$50,000.00 deduct should of course be accepted. The insulation material will prolong the life of the tank components, particularly the interior ladders, the roof access tube that penetrates the tank and the tank electrical gear and instrumentation. The net amount of this Change Order is a deduct of \$12,105.76.

OPTIONS: Approve or Deny

RECOMMENDED SAMPLE MOTION: I make a motion to approve the \$50,000 credit and the change order requested of \$37,894.74 with a net change order #1 of a deduct of \$12,105.76.

DEPARTMENT:

Prepared by: Robert W. Troxler, P.E.

Change Order No. 1

Elevated Water Tank No. 1 Improvements

Backup Information

City of Flowery Branch Elevated Water Tank No. 1 Improvements

Summary of Proposed Contract Changes

Change Number	Proposed Change	Increase	Decrease
1A	Good Faith Deduct		50,000.00
	Total Decrease		50,000.00
1D	Insulation Material for Condensation Control	37,894.74	
	Total Increrase	37,894.74	
	Net Change - Decrease		12,105.26

Flowerly Branch Elevated Water Tank 1 Improvements

7 messages

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>
 To: "rwtrorler@gmail.com" <rwtrorler@gmail.com>
 Cc: "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>

Thu, Jul 14, 2022 at 2:50 PM

Rob,

Phoenix Fabricators and Erectors, LLC ("PFE") would like to offer the following deducts:

1. Delete the fence from our scope of work (\$25,000)
2. Delete the demolition of the elevated water tank (\$32,400.00)
3. Reduce project warranty to industry-standard of 1 year to reduce the cost of our bonds (\$10,371.00)
4. Goodwill from PFE (\$50,600.00)

*-\$50,000 ACCEPTED THIS CHANGE ONLY
 RWT*

Thank you,

Jonathan R. Dixon, P.E.

VP Sales



182 South County Road 900 E

Avon, IN 46123

D: (270) 318-1217

M: (270) 860-2171

www.phoenixtank.com

EEO/AA Employer

Follow us on 

Robert Troxler <rwtrorler@gmail.com>
 To: Keith Hendrix <kh.infratec@aol.com>

Thu, Jul 14, 2022 at 3:15 PM

Let's discuss when you have a chance.

Bob T.

Robert W. Troxler, P.E.
 Infratec Consultants, Inc.
 [Quoted text hidden]

AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Sun, Jul 24, 2022 at 6:22 PM

Reply-To: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

To: "Jonathan.Dixon@phoenixtank.com" <Jonathan.Dixon@phoenixtank.com>, "kyle.stpierre@phoenixtank.com" <kyle.stpierre@phoenixtank.com>, rwtrorler@gmail.com" <rwtrorler@gmail.com>

Jonathan and Kyle,

The City of Flowery Branch can not do items 1 or 2. but will accept items 3 and 4.

The City Council has awarded the project to Phoenix at their council meeting last Thursday night, assuming the contracts are prepared properly.

We will award the project at the full bid price and then prepare a change order after you have been given a notice to proceed.

We should have the contracts prepared and mailed to you by the end of the week.

If you have any questions, please feel free to reach out to me or Bob Troxler.

Thanks,

Keith Hendrix, PE
Infratec Consultants
404-861-6956
[Quoted text hidden]

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>

Mon, Jul 25, 2022 at 9:02 AM

o: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>, "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com"
rwtroxler@gmail.com>

Thank you for the update. We look forward to working with you and the City.

Thank you,

Jonathan R. Dixon, P.E.

VP Sales



182 South County Road 900 E

Avon, IN 46123

D: (270) 318-1217

M: (270) 860-2171

www.phoenixtank.com

EEO/AA Employer

Follow us on 

From: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Sent: Sunday, July 24, 2022 5:23 PM

To: Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>; Kyle St.Pierre <kyle.stpierre@phoenixtank.com>; rwtroxler@gmail.com

Subject: Fwd: Flowery Branch Elevated Water Tank 1 Improvements

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

[Quoted text hidden]

AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>

Fri, Aug 26, 2022 at 11:22 AM

o: "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com" <rwtroxler@gmail.com>, Jonathan Dixon
<Jonathan.Dixon@phoenixtank.com>

Jonathan,

We have received your set of the contracts, but Section 00640-Immigration Compliance Act Affidavit is not filled out.

If you could have it signed, then email me a copy, I will insert it into your set of contracts and then we can proceed with the City.

Keith Hendrix, PE
kh.infratec@aol.com
404-861-6956

[Quoted text hidden]

Jonathan Dixon <Jonathan.Dixon@phoenixtank.com>

Fri, Aug 26, 2022 at 1:46 PM

To: AOL MAILBOX! UPDATE!!! <kh.infratec@aol.com>, "Kyle St.Pierre" <kyle.stpierre@phoenixtank.com>, "rwtroxler@gmail.com" <rwtroxler@gmail.com>

It is attached

[Quoted text hidden]



GA Immigration Act.pdf

456K

Robert Troxler <rwtroxler@gmail.com>

Tue, Feb 7, 2023 at 11:48 AM

To: Bill Whidden <billw@flowerybranchga.org>

Please look at the July 14 emails regarding the Phoenix deduct offer. Although we responded that we would take the latter two deducts, I seem to recall that the City Manager may have wanted to retain the three year warranty. A change order resolving this issue has not been executed, but should be soon.

As discussed, a phone call to resolve this would be helpful.

Robert W. Troxler, P.E.
Infratec Consultants, Inc.

[Quoted text hidden]



GA Immigration Act.pdf

456K

Change Order

3 messages

Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
To: Robert Troxler <rwtrorler@gmail.com>

Thu, Jul 6, 2023 at 8:16 AM

Bob –

I have been traveling and will be in and out of airports today, so I apologize for how informal this change order request is. I have attached the quote from G&L for their cost, PFE will mark this up 5%.

G&L - \$36,000

PFE Markup – 5% - \$1,894.74

Total Change Order Cost - \$37,894.74

Jeremy Binkley

Senior Project Manager

NACE Certified Coatings Inspector Level 1 #107452



1329 US Highway 41 North

Sebree, KY 42455

P – 270.318.1237

F – 270-835-9996

C – 270-853-7166

jeremy.binkley@phoenixtank.com

EEO/AA Employer

Follow us on 



Quote for Flowery Branch (Aerolon).pdf

180K

Robert Troxler <rwtrorler@gmail.com>
To: Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>

Thu, Jul 6, 2023 at 12:44 PM

Thanks. Do you know how many square feet we are talking about?

Robert W. Troxler, P.E.
Infratec Consultants, Inc.

[Quoted text hidden]

Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
To: Robert Troxler <rwtruxler@gmail.com>

Thu, Jul 6, 2023 at 1:10 PM

Access Tube – 440 SqFt
Belly – 230 SqFt
Total – 670 SqFt

Jeremy Binkley
Senior Project Manager

NACE Certified Coatings Inspector Level 1 #107452



1329 US Highway 41 North
Sebree, KY 42455
P – 270.318.1237
F – 270-835-9996
C – 270-853-7166
jeremy.binkley@phoenixtank.com
EEO/AA Employer

Follow us on 

From: Robert Troxler <rwtruxler@gmail.com>
Sent: Thursday, July 6, 2023 11:45 AM
To: Jeremy Binkley <Jeremy.Binkley@phoenixtank.com>
Subject: Re: Change Order

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
[Quoted text hidden]



2101 Highway 64 West, Shelbyville, TN 37160
931-735-6600
gltankcoating1986@gmail.com

July 3, 2023

**City of Flowery Branch, GA
Application of Aerolon Coating**

To Whom It May Concern:

G & L Tank Sandblasting and Coatings, LLC is submitting pricing for application of Tnemec Aerolon 971 in directed areas of a 250,000-gallon elevated tank. The Aerolon 971 will be applied to the Access Tube and the Bottom of the Cone/Belly. Note: The Aerolon 971 will not be applied to the piping, but the piping will be insulated with an aluminum insulation jacketing. The scope of work includes: providing all labor, equipment, and materials.

- **Application of Aerolon**.....**\$30,000.00**
 - 1st Insulation Coat: Tnemec Aerolon 971 (DFT: 45.0-50.0 mils)
 - 2nd Insulation coat: Tnemec Aerolon 971 (DFT: 45.0-50.0 mils)
 - Topcoat: Tnemec Series 128T – 15BL Tank White (DFT: 2.0-3.0 mils)

- **Installation of Aluminum Jacketing on Piping**.....**\$6,000.00**
 - Johns Manville .016" Corrugated Aluminum Jacketing

TOTAL COST: \$36,000.00 (Thirty-Six Thousand Dollars)
(This pricing is good for 7 days and will expire after the 7 days.)

If you have any additional questions, please do not hesitate to contact us.

Regards,

Isai Gomez, Owner
G & L Tank Sandblasting and Coatings, LLC



License Agreement

Before you use this EJCDC document:

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www.asce.org

Date of Issuance:	Effective Date:
Owner: City of Flowery Branch	Owner's Contract No.:
Contractor: Phoenix Tank Erectors and Fabricators	Contractor's Project No.:
Engineer: Infratec Consultants, Inc.	Engineer's Project No.: FBR 18003
Project: Elevated Water Tank No. 1 Improvements	Contract Name: Elevated Water Tank No. 1 Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Proposed change is to add insulating material to prevent condensation inside the dry space of the pedestal tank and to formalize one deduct item from the original contract.

Attachments: *Spread sheet detailing changes.*

Letter from Phoenix Tank offering \$50,000.00n deduct from original bid

General contractor's (Phoenix) proposal for insulation material.

Painting subcontractor's (G & L) proposal to furnish and install insulation material.

Information on insulating materials to be used.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ <u>2,479,571.00</u>	Original Contract Times: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: There are no previously approved Change Orders.	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>No previously approved C.O.s</u> Ready for Final Payment: <u>Nov. 28, 2023</u>
Contract Price prior to this Change Order: \$ <u>2,479,571.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>12,105.26</u> (Decrease)	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u>
Contract Price incorporating this Change Order: \$ <u>2,467,465.74</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>Sept. 29, 2023</u> Ready for Final Payment: <u>Nov. 28, 2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u>Robert W. Troxler, P.E.</u>	By: <u>Edward R. Ashbridge</u>	By: _____			
<u>Infratec Consultants, Inc.</u>	<u>Owner (Authorized Signature)</u>	<u>Contractor (Authorized Signature)</u>			
Title: <u>President</u>	Title: <u>Mayor</u>	Title: _____			
Date: _____	Date: _____	Date: _____			

Approved by Funding Agency (if
applicable)

By: _____

Date:

Title: _____