



**City of Flowery Branch
City Council Meeting
Thursday, November 4, 2021 at 6:00 PM
City of Flowery Branch City Hall
5410 W. Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Mike Miller called the meeting to order at 6:08 pm.

Present: Mayor Miller and Council Members Joe Anglin, Amy Farah, Leslie Jarchow and Chris Mundy.

Also present were Vickie Short, Interim City Manager, Shelia Cooper, Assistant City Clerk, Ron Bennett, City Attorney, Rich Atkinson, City Planner, Alisha Gamble, Finance Director, Bill Whidden, Public Works Director.

PLEDGE OF ALLEGIANCE:

Mayor Miller led the Pledge of Allegiance.

ENNIS ROBERTS' COUNCIL CHAMBERS DEDICATION

UNFINISHED BUSINESS - WORK SESSION:

Consider a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood Development District (TND) to Central Business District (CBD).

Mr. Atkinson presented a request submitted by South Hall, LLC to rezone three parcels of land from Traditional Neighborhood Development District to Central Business District. The three parcels are located at 5611, 5615 and 5621 Church Street. Staff recommends approval of the request to rezone the subject properties from Traditional Neighborhood Development District (TND) to conditional Central Business District (CBD) as conditioned.

Mrs. Farah questioned the number of bedrooms and received the answer of three bedrooms.

Mr. Anglin asked if the sidewalks would extend the entire length of the project on Church Street and was advised that was correct. He also stated that all the units will have rear entry garages and the sides of the units will be brick with no exposed concrete.

Mr. Atkinson advised there will be a set of conditions to be finalized by the second read date.

Consider a request submitted by Hines Acquisitions, LLC. to rezone a portion of 0 Thurmon Tanner Parkway (FKA The "Forbes" Property) from Highway Business (HB) to Light Industrial (M1).

Mr. Atkinson presented a request submitted by Hines Acquisitions, LLC to rezone a portion of 0 Thurmon Tanner Parkway from Highway Business to Light Industrial. Mr. Atkinson stated the buffer along Thurmon Tanner will keep as much of the tree line as possible.

The applicant spoke on the landscape plan regarding the buffer between Highway Business and M1 but stated that they have maintained about an eight-acre undistributed natural buffer between I-985, which included not disturbing any of the streams. They plan to add more plantings and a tree line along Thurmon Tanner.

The applicant spoke on the traffic study which they have they have worked with a traffic engineer that has knowledge of the traffic in the city. The data reveals during peak hours four trucks coming to the warehouse and four trucks leaving the warehouse. During the afternoon the data shows six trucks coming and leaving the warehouse. The traffic study shows most trucks work through the night and off-peak hours and the data shows a net increase to traffic of 3.4%. Retail would have a 10-12 times higher traffic count and single family would have a 9-10 times higher traffic count compared to the logistics use. The traffic study was done by MV5 and Clark Patterson Lee reviewed the study.

Mr. Anglin asked about the median breaks and if there has been a solution. The applicant stated that it has been a collective effort and one median cut will need to be realigned and moved down. This may limit the outbound traffic but CPL is reviewing this median cut to make sure it has the right flow.

Mr. Anglin inquired about the detention basin. The applicant stated the detention basin would be at the back of the site and that the topography works with the natural grade of the site. There is a natural buffer between I-985 and the detention pond.



Mr. Wayne spoke on behalf of the applicant and stated that the applicant is willing to contribute \$200,000 to help with traffic control improvements.

A variance request submitted by Blessing Trader, Inc. to allow fuel pumps to be located in front of the proposed principal structure located at 6477 McEver Road.

Mr. Atkinson presented a request submitted by Blessing Trader, Inc. to allow fuel pumps to be in front of the proposed principal structure located at 6477 McEver Road. The request is relief from the zoning ordinance requiring gas pumps to be located behind the principal structure. Convenience stores shall locate gas pumps behind the principal structure to effectively screen the pumps from view of the street. Vehicles under repair shall be kept either inside a structure or in an area which is screened from views from the street.

Tyler Lassiter, representative for the applicant, stated that per Georgia Power requirement that a fully mature tree cannot be more than 15 feet under a power easement. There are only a few trees that will be encroaching, will be moved to elevate this problem. The right in and right out and turn lanes are concerns for the applicant and would like to have conditions 5 and 6 removed from the zoning process.

There was a lengthy conversation regarding the conditions and clarification on if this request. If the request is denied at this meeting, the applicant will need to wait one year before reapplying. But in the development review process and the conditions are not needed then the applicant will go back before Mayor and Council to have those conditions removed.

DEPARTMENT REPORTS:

Mayor Miller congratulated the newly elected Council Members and thanked each candidate for applying and going through the election process. He enjoyed the 50th anniversary celebration at the Mars/Wrigley Plant. He acknowledged a Flowery Branch resident, Eric Bowman, who has written a children's book titled The Sleepy Seal.

Council Member Mundy thanked all the volunteers that supported the Flowery Branch clean up in the City. He welcomed the newly elected Council Members.

ADJOURNMENT WORK SESSION:

Mayor Miller adjourned the work session at 7:01 pm.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Miller called the voting session to order at 7:01 pm.

PUBLIC COMMENTS:

Ed Lezaj, 5612 Newberry Point Drive, Flowery Branch, GA 30542

Mr. Lezaj wanted to thank the Mayor for his years of service. He is opposed to the rezoning in the city.

Debra Harkrider, 4433 Martin Road, Flowery Branch, GA 30542

Mrs. Harkrider is in favor of the Hines development.

Doug Harkrider, 4433 Martin Road, Flowery Branch, GA 30542

Mr. Harkrider is in favor of the Hines development.

Angela White, 6963 Woodtrail Run, Flowery Branch, GA 30542

Ms. White opposes the Hines development.

Duane Sudderth, 5313 Mulberry Street, Flowery Branch, GA 30542

Mr. Sudderth wanted to remind Council that the residents have freedom of rights.

Kelly McLincha, 5628 Church Street, Flowery Branch, GA 30542

Mr. McLincha expressed his concerns with the sewer plant.

Meg McLincha, 5628 Church Street, Flowery Branch, GA 30542

Mrs. McLincha expressed her concerns with the sewer plant.

Carole Ann Rand, 5620 Newberry Point Drive, Flowery Branch, GA 30542

Ms. Rand would like orderly development and opposes the Hines development.

Ken Rand, 5620 Newberry Point Drive, Flowery Branch, GA 30542

Mr. Rand expressed his concerns with the sewer plant.

Mark Weber, 6114 Stella Light Drive, Flowery Branch, GA 30542

Mr. Weber opposes the Hines development.

Tammy Duckworth, 5422 Long Branch Way, Flowery Branch, GA 30542

Ms. Duckworth opposes the Hines development and has sewer plant concerns.

Alan Wayne, 5763 Wayne Crest Drive, Flowery Branch, GA 30542

Mr. Wayne is in favor of the Hines development.

Ray Stanjevich, 5627 Church Street, Flowery Branch, GA 30542

Mr. Stanjevich opposes the South Hall development and has sewer plant concerns.

Rob Morgan, 5731 Newberry Point Drive, Flowery Branch, GA 30542

Mr. Morgan opposes the Hines development.

Ryan Hotz, 5404 Mountain Mint Road, Flowery Branch, GA 30542

Mr. Hotz opposes the Hines development, has sewer plant concerns, and would like a town hall meeting.

David Wu, 5465 Trillium Way, Flowery Branch, GA 30542

Mr. Wu is opposed to the Hines development.

Morgan Brick, 6052 Seminole Drive, Flowery Branch, GA 30542

Mr. Brick is in favor of the South Hall development.

Jack Leathers, 7059 Valley Forge Drive, Flowery Branch, GA 30542

Mr. Leathers is not against growth but wants the growth done in a logical fashion. He is concerned about traffic on Spout Springs Road.

Suzanne Cartwright, 5627 Church Street, Flowery Branch, GA 30542

Ms. Cartwright opposes the South Hall development.

Jack Rafferty, 5413 Falling Branch Drive, Flowery Branch, GA 30542

Mr. Rafferty opposes the Hines development.

Jerry Crow, 5490 E. Main Street, Flowery Branch, GA 30542

Mr. Crow is in favor of the Hines development.

Darren Wayne, 5731 Wayne Crest Drive, Flowery Branch, GA 30542

Mr. Wayne is in favor of the Hines development.

Dean Bryant, 7899 Brass Lantern Drive, Flowery Branch, GA 30542

Mr. Bryant opposes the Hines development and has sewer plant concerns.

Paige Evans, 5316 Railroad Avenue, Flowery Branch, GA 30542

Ms. Evans is in favor of the South Hall development and supports the Farmer's Market.

Jannell Jones, 5572 Garens Way, Flowery Branch, GA 30542

Ms. Jones opposes the Hines development.

Rachel Gates, 5643 Parkview Lane, Flowery Branch, GA 30542

Ms. Gates opposes the Hines development.

Judith McConnell, 5731 Mitchell Street, Flowery Branch, GA 30542

Ms. McConnell opposes the South Hall development.

Janet Upchurch, 5644 Nags Head Circle, Gainesville, GA 30504

Mrs. Upchurch opposes the Hines development.

Jennifer Shannon, 5631 Parkview Lane, Flowery Branch, GA 30542

Ms. Shannon opposes the Hines development.

CONSENT AGENDA:

Resolution 21-019: 1st Quarter Amendment to the Budget for FY2022 as Previously Adopted on June 17, 2021.

There was a motion made to approve the Consent Agenda.

MOTION: Chris Mundy

SECOND: Leslie Jarchow

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

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider Resolution 21-018 for Water Sewer Rate Changes effective January 1, 2022 (January 2022 billing, billed on 2/20/2022)

Mr. Bennett read the caption of Resolution 21-018.

There was a motion made to approve Resolution 21-018 for water sewer rate changes effective January 1, 2022, as presented.

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

Consider a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood Development District (TND) to Central Business District (CBD).

Mr. Bennett read the caption to Ordinance 641.

There was a motion made to approve Ordinance 641 for South Hall, LLC to rezone 5611 Church Street from Traditional Neighborhood Development District to Central Business District.

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

Consider a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood Development District (TND) to Central Business District (CBD).

Mr. Bennett read the caption to Ordinance 642.

There was a motion made to approve Ordinance 642 for South Hall, LLC to rezone 5615 Church Street from Traditional Neighborhood Development District to Central Business District.

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

Consider a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood Development District (TND) to Central Business District (CBD).

Mr. Bennett read the caption to Ordinance 643.

There was a motion made to approve Ordinance 643 for South Hall, LLC to rezone 5621 Church Street from Traditional Neighborhood Development District to Central Business District.

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

Consider a request submitted by Hines Acquisitions, LLC. to rezone a portion of 0 Thurmon Tanner Parkway (FKA The "Forbes" Property) from Highway Business (HB) to Light Industrial (MI).

Mr. Bennett read the caption to Ordinance 652.

There was a motion made to approve Ordinance 652 for Hines Acquisitions, LLC to rezone a portion of 0 Thurmon Tanner Parkway from Highway Business to Light Industrial.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Joe Anglin, Amy Farah, Chris Mundy
NAYS: Leslie Jarchow
Motion carried

Mr. Anglin led a discussion regarding the \$200,000 contribution that the applicant made to road improvement for traffic improvements. Mr. Bennett advised there would need to be a condition added to the Ordinance for a development agreement for the contribution of \$200,000 between the applicant and the City.

There was a motion made to Amend Ordinance 652 for Hines Acquisitions which reads: In the event Atlanta One Limited Partnership closes the sale of the subject property, Atlanta One Limited Partnership shall enter into a development agreement with the City of Flowery Branch agreeing to contribute \$200,000 toward transportation improvements as recommended by the City engineer to mitigate traffic impacts of the development and or improve the operation and safety of Thurmon Tanner Parkway and or Phil Niekro.

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

A variance request submitted by Blessing Trader, Inc. to allow fuel pumps to be located in front of the proposed principal structure located at 6477 McEver Road.

Mr. Bennett read the caption to Ordinance 653.

There was a motion made to approve Ordinance 653 for Blessing Trader, Inc. to allow fuel pumps to located in front of the proposed principal structure located at 6477 McEver Road.

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

EXECUTIVE SESSION:

There was a motion made to enter executive session for matters related to certain personnel issues and for matters related to pending or potential litigation at 8:49 pm.

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

There was a motion made to reconvene open session at 9:50 pm.

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

ADJOURNMENT:

There was a motion made to adjourn at 9:50 pm.

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

Mayor – Mike Miller

Date

City Clerk – Shelia R. Cooper