



**City of Flowery Branch
City Council Meeting Minutes
Thursday, December 17, 2020, 6:00 pm
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



TELECONFERENCE MEETING

CONNECTION TO MEETING:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/185968117>

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United States: [+1 \(571\) 317-3122](tel:+15713173122)

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DECLARATION OF LOCAL STATE OF EMERGENCY

Resolution 20-029 - Declaration of Local State of Emergency Renewal

Attorney Bennett read the caption that declares the following:

IT IS HEREBY DECLARED that a local state of emergency continues to exist due to the COVID-19 pandemic;

IT IS FURTHER DECLARED that the local state of emergency is a circumstance involving the public and the preservation of property and public services is sufficient for the Mayor and Council to consider a resolution to hold all Public Meetings by Teleconference due to emergency circumstances as permitted by OCGA 50-14-1 (g) of the Georgia Open Meetings Act for so long as the local state of emergency exists; and

IT IS FURTHER DECLARED that this declaration of a local state of emergency shall continue until 11:59 P.M., Thursday, January 21, 2021 unless this declaration is renewed by the Mayor and/or Council of the City of Flowery Branch or until such time as the Mayor and/or Council of the City of Flowery Branch find that the emergency conditions no longer exist.

PASSED AND ADOPTED by the City Council of the City of Flowery Branch Georgia this 17th day of December, 2020.

There was a motion made to approve Resolution 20-029 issuing a State of Emergency in the City of Flowery Branch due to the COVID pandemic.

MOTION: Leslie Jarchow

SECOND: Amy Farah

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

NAYS: None

Motion carried

CALL WORK SESSION TO ORDER:

Mayor Miller called the work session to order at 6:04 pm.

PRESENT BY TELECONFERENCE: Mayor Mike Miller and Councilmembers Chris Mundy, Ed Asbridge, Leslie Jarchow, Amy Farah and Joe Anglin.

Also present were Bill Andrew, City Manager, Vickie Short, City Clerk, Ron Bennett, City Attorney, Finance Director, Alisha Gamble and Planner Rich Atkinson.

AUDIT REVIEW - WAYNE TUCK - (AUDITOR-WALKER, PIERCE & TUCK, P. C.)

Wayne Tuck presented the audit to the City Council and advised the City is in good standing.

CALL PUBLIC HEARING TO ORDER:

Mayor Miller called the public hearing to order. Mayor Miller gave a brief overview of instructions to participants for the virtual meeting.

PUBLIC HEARING:

Consider ordinance #2020-615 a request to annex a portion of 6495 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-616 a request to rezone a portion of 6495 McEver Road.

Consider ordinance #2020-617 a request to annex a portion of 6509 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-618 a request to rezone a portion of 6509 McEver Road.

Consider ordinance #2020-619 a request to annex 6533 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-620 a request to rezone 6533 McEver Road.

Planner Atkinson gave a brief overview of the applicant's request.

Details are as follows:

6495 McEver Road -Annex a 50-foot strip along McEver Road and rezone from Hall County A-III (Agricultural-Residential) to Flowery Branch A (Agricultural)

6509 McEver Road - Annex a 50-foot strip along McEver Road and rezone from Hall County HB (Highway Business) to Flowery Branch HB (Highway Business)

6533 McEver Road -Annex the entire 34.6 +/- acre parcel and rezone from Hall County A-III (Agricultural-Residential) to Flowery Branch M-1 (Light Industrial)

Staff recommendation:

Approve the annexations and rezoning requests for all three parcels.

Condition 6533 McEver Road as follows:

- The project shall substantially adhere to the site plan as submitted
- A lighting plan shall be submitted prior to the issuance of a full land disturbance permit
- A landscape/buffer plan shall be submitted as part of the land disturbance permit plan set
- A unified sign plan shall be submitted prior to the issuance of any building permits
- Buildings shall substantially adhere to the elevations as submitted

Mr. Atkinson introduced applicant Mr. Steve Rowley with CA Ventures. Mr. Rowley presented details on the proposed development. Highlights included:

- **What** – Class A distribution and advanced assembly industrial project that could bring up to 200 high paying jobs and economic growth to Flowery Branch. Multi-tenant facilities with high office component to attract office/warehouse jobs. Approximately \$55m project. Not designed for heavy truck traffic.
- **Benefits** –
 - Improved Safety – road improvements to widen and improve McEver Road
 - Tax Revenue – minimal impact on infrastructure and broaden tax base
 - Jobs – low office % results in higher salaries and opportunity
 - No impact on City Services – no drain on schools/police/fire etc.
 - No weekend traffic
 - Exceeding Tree Ordinance and landscaping requirements
 - Users heading South to Lanier Islands Parkway
- **Who** – CA Ventures, a \$13B international developer with local representation and an Atlanta office. Strong track record of successful developments in GA and throughout US.
- **Goal** – build a “best-in-class” LEED (Leadership in Energy and Environmental Design) Certified project while minimizing impact on community.
- **Have met with neighbors** – feedback is that they do not want any development. We have addressed road safety concerns by following recommendations of Hall County Public Works and Utilities.

Response to Staff regarding concerns:

- ✓ **Comprehensive Plan** – PCD and HB on either side of site and so light industrial zoning is consistent with neighbor's commercial zoning. Designated as Mixed Use in Flowery Branch Comprehensive Plan which includes Light Industrial.
 - ✓ Industrial growth along McEver Road includes multiple projects (Crow Holdings/Contemporary Marketing to the south and Pattillo to the north). Multiple Industrial and Residential coexisting.
- ✓ **Traffic Improvements:**
 - ✓ Only three entries allowed.
 - ✓ Decel Lanes at all entries.
 - ✓ Left hand turn lane at all entries.
 - ✓ Center entry no trucks allowed.
 - ✓ Widening of McEver Road.
 - ✓ Confirmed by Hall County Director of Public Works and Utilities. Developer will work with Flowery Branch Engineering on final design.
- ✓ **Building Materials** – concrete tilt wall construction. Lots of glass and canopies.
- ✓ **Minimum Buffers** – No minimum buffers are required, however, CA has implemented 75' buffers along west border including wooded and landscaped area and sloped wall. Additionally, sloped wall will help minimize any light or sound from project (See Site Plan).
- ✓ **Parking Areas** – all parking will be paved asphalt or concrete (note added to plan)
- ✓ **No Floodplains** – (note added to plan)

Several information slides as well as a video were provided to those in attendance.

Mayor Miller closed the public hearing for Ordinances 615-620 at 8:12 pm.

PUBLIC COMMENTS:

Opposed:

Teresa Cantrell-2753 Merritt Drive, Buford, GA 30518
Nathan Martin-6513 Vista Glen, Flowery Branch, GA 30542
Frank Powell-6211 Spring Lake Drive, Flowery Branch, GA 30542
Farley Barge-6593 McEver Road, Flowery Branch, GA 30542
Sydney Young-6280 Rockport Drive, Flowery Branch, GA 30542
Kathy Forte-6363 Green Oak Ridge, Flowery Branch, GA 30542
John Vick-6625 Lake Run Drive, Flowery Branch, GA 30542
Juliette Hawk, 6305 Chestnut Hill Road Flowery Branch, GA 30542

Ley Hathcock-6711 Willow Brook Trail, Flowery Branch, GA 30542
Bernadette Scruggs-6574 McEver Road, Flowery Branch, GA 30542
Bob Nooney-6290 Spring Lake Drive, Flowery Branch, GA 30542
Kathryn Hoffman-Flowery Branch, GA 30542
Michael Parker-6728 Willowbrook Trail, Flowery Branch, GA 30542
Samuel Ringgold-6056 Seminole Drive, Flowery Branch, GA 30542
Jeffrey Melton-6412 Winter Harbor Drive, Flowery Branch, GA 30542
Susan Barge-6593 McEver Road, Flowery Branch, GA 30542
Butch Miller-4618 Windsor Drive, Flowery Branch, GA 30542
Mel Christian-6705 Thornwood Court, Flowery Branch, GA 30542
Debbie Walker-6522 Vista Glen, Flowery Branch, GA 30542
Kyle Corson-6719 Willowbrook Trail, Flowery Branch, GA 30542

In favor:

Tommy Barnes-3280 Pointe Parkway, Norcross, GA 30092

CALL PUBLIC HEARING TO ORDER:

Mayor Miller called the public hearing to order for Ordinances 621-622 at 8:12 pm.

PUBLIC HEARING:

Consider ordinance #20-621 a rezoning request submitted by Eberly & Associates.

Consider ordinance #20-622 a rezoning request submitted by Eberly & Associates.

Mr. Atkinson presented the rezoning request. The project location is a portion of 0000 Falcon Parkway 08070 001002 and a portion of 0000 Falcon Parkway 08073 000004A.

Details of the two parcels:

Rezone from A (Agricultural) to M1 (Light Industrial) with the intention of constructing a distribution facility and office.

Current Use: Vacant

Character Area: Activity Center (the proposed uses are consistent with this designation)

Development of Regional Impact (DRI)

The Georgia Mountains Regional Commission (GMRC) has completed the review of the project identified above. Based on comments received and staff analysis of this project, conducted in accordance with the Georgia Department of Community Affairs' Procedures for the Review of Developments of Regional Impact, the GMRC finds that the proposed action does **NOT** present any potential adverse inter-jurisdictional impacts. Please note that this finding is advisory only and assumes the project will proceed as presented to the GMRC and will comply with all applicable local, State and federal rules and regulations.

Staff recommendations:

1. Development shall generally adhere to the site plan as submitted
2. Sewer shall be provided by the City of Flowery Branch
3. Landscape plan is required at time of land disturbance permit review
4. Lighting plan is due prior to the issuance of a building permit
5. Uniform sign plan is required prior to the issuance of a certificate of occupancy

Mr. Greer, representing Eberly & Associates was available for questions.

Mr. Anglin asked about truck access in the area. Mr. Greer stated there would be no truck access on Martin Road.

Mr. Mundy asked about a raised median along Falcon Parkway. Mr. Greer advised there would be one.

PUBLIC COMMENTS:

Opposed: None

In favor of:

Jeffrey Melton-6412 Winter Harbor Drive, Flowery Branch, GA 30542
Ley Hathcock-6711 Willowbrook Trail, Flowery Branch, GA 30542
Bob Noone-6290 Spring Lake Drive, Flowery Branch, GA 30542

CALL WORK SESSION TO ORDER:

Mayor Miller called the work session to order at 8:30 pm.

NEW BUSINESS -WORK SESSION:

Consider ordinance #2020-615 a request to annex a portion of 6495 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-616 a request to rezone a portion of 6495 McEver Road.

Consider ordinance #2020-617 a request to annex a portion of 6509 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-618 a request to rezone a portion of 6509 McEver Road.

Consider ordinance #2020-619 a request to annex 6533 McEver Road into the city-limits of Flowery Branch.

Consider ordinance #2020-620 a request to rezone 6533 McEver Road.

Mr. Anglin was able to see CA Ventures current site near the Mall of Georgia. He said they produce a good site. He expressed concern about the approach to the building as well as the sight line.

Mr. Asbridge mentioned that citizens felt rushed in this proposal. He spoke with Senator Butch Miller and Hall County Commissioner Kathy Cooper about the project and the need for more time to consider the proposal. He also mentioned the concern for traffic and the road in that area. Mr. Asbridge expressed he was impressed with how community members have gathered together regarding this proposal.

Ms. Farah has not seen this much opposition for one proposal. She also echoed Mr. Asbridge's opinion on the gathering of community members with this proposal.

Consider ordinance #20-621 a rezoning request submitted by Eberly & Associates.

Consider ordinance #20-622 a rezoning request submitted by Eberly & Associates.

No additional comments.

DEPARTMENT REPORTS:

City Manager Report:

Mr. Andrew gave an update on two outstanding items:

- a. The Water/Sewer Operations Development Charge final presentation from Bobby Sills is awaiting word from our software vendor on coding.
- b. Bill Ross and Rich Edinger plant to attend a meeting when there is a less busy agenda to have a thorough discussion of Impact Fees v. Storm Water Utility

Mayor Report: Mayor Miller invited all those in attendance to attend upcoming meetings as well as the comprehensive plan meetings. Mayor Miller stated that the City had 18 children for the annual Shop with Cop program.

Council Report:

Councilman Asbridge suggested the council might need to consider more time on the First Reading of Ordinances 615-620.

Mr. Anglin, Mr. Asbridge, Mr. Mundy expressed appreciation for the staff's hard work on the annual audit as well as flexibility in preparing for a change in meeting due to COVID restrictions.

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Miller called the voting session to order at 9:01 pm.

PUBLIC COMMENTS: There were no additional comments.

CONSENT AGENDA:

Consider Mayor Mike Miller per diem

Consider November 5, 2020 Meeting Minutes

Consider November 19, 2020 Meeting Minutes

Consider December 3, 2020 Meeting Minutes

There was a motion made to approve the consent agenda.

MOTION: Leslie Jarchow

SECOND: Amy Farah

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

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Crown Castle Memorandum of Amendment and Agreement Amendment

There was a motion made to approve the MOA and Amendment of contract with Crown Castle as presented.

MOTION: Ed Asbridge

SECOND: Leslie Jarchow

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

NAYS: None

Motion carried

Request approval of Resolution 20-028; Implementation of 1.75% step adjustment and 1.8% COLA adjustment, effective January 1, 2021.

There was a motion made to approve Resolution 20-028; Implementation of 1.75% step adjustment and 1.8% COLA adjustment, effective January 1, 2021.

MOTION: Amy Farah

SECOND: Joe Anglin

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

NAYS: None

Motion carried

NEW BUSINESS - VOTING SESSION:

Consider First Reading of Ordinance #2020-615 a request to annex a portion of 6495 McEver Road into the city-limits of Flowery Branch.

Mr. Bennett read the caption to Ordinance #2020-615.

There was a motion made to deny the First Reading of Ordinance #2020-615 a request to annex a 50-foot strip along McEver Road.

MOTION: Joe Anglin

SECOND: Leslie Jarchow

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

NAYS: Ed Asbridge

Motion carried

Consider First Reading of Ordinance #2020-616 a request to rezone a portion of 6495 McEver Road.

Consider First Reading of Ordinance #2020-617 a request to annex a portion of 6509 McEver Road into the city-limits of Flowery Branch.

Consider First Reading of Ordinance #2020-618 a request to rezone a portion of 6509 McEver Road.

Consider First Reading of Ordinance #2020-619 a request to annex 6533 McEver Road into the city-limits of Flowery Branch.

Consider First Reading of Ordinance #2020-620 a request to rezone 6533 McEver Road.

With the denial of Ordinance 20-615, Ordinances 616, 617, 618, 619 and 620 are now withdrawn, as without the annexation of 6495 McEver Road, the parcels would not be contiguous to the city limits of Flowery Branch.

Consider First Reading of Ordinance #20-621 a rezoning request submitted by Eberly & Associates.

There was a motion made to approve the First Reading of Ordinance #20-621 as submitted and conditioned.

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

Consider ordinance #20-622 a rezoning request submitted by Eberly & Associates.

There was a motion made to approve the first reading of Ordinance #20-622.

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

EXECUTIVE SESSION:

There was a motion made to enter executive session at 9:24 pm.

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

There was a motion made to reconvene open session at 10:25 pm.

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

ADJOURNMENT:

There was a motion made to adjourn at 10:26 pm.

MOTION: Leslie Jarchow

SECOND: Amy Farah

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

NAYS: None

Motion carried

Mayor – Mike Miller

Date

City Clerk – Vickie Short