

The Mayor and Council met for their regular meeting.

Those Present:	John Howard	Mayor
	Wayne Adcock	Vice-Mayor
	Lee Malcom	Council Member
	Myoshia Crawford	Council Member
	Ross Bradley	Council Member
	Larry Bradley	Council Member
	Norman Garrett	Council Member
	Nathan Little	Council Member
	David Dickinson	Council Member
	Logan Propes	City Administrator
	Debbie Kirk	City Clerk
	Russell Preston	City Attorney
	Paul Rosenthal	City Attorney
	Jesse Couch	City Attorney

Staff Present: Danny Smith, Jeremiah Still, Mathew McClung, Bill Owens, Beth Thompson, Rodney Middlebrooks, Brian Thompson, Darrell Stone, Patrick Kelley, Chris Bailey, Beverly Harrison

Visitors: Andrew Kenneson, Sharon Swanepoel, Mike Birnbrey, Steve Edwards, Harold Patterson, Deb Goins, Tommy Aycock, Linda Aycock, Jody Price, Mary Grace Price, Amy O'Hara, Steve Brown, Lee Rowell, Dennis Hankins, Steve Lee, Raphael Crutchfield, Lawrence Quammen, Alea James, Jamie McElreath, Richard Hawk, Johnny Smith, John Hinton, Kyle Ward

## **I. CALL TO ORDER – JOHN HOWARD**

### **1. Invocation**

Johnny Smith with First AB Church gave the invocation.

### **2. Roll Call**

Mayor Howard noted that all Council Members were present. There was a quorum.

### **3. Approval of Agenda**

Add New Business Item – Item 7. Loganville Water Line Pump Station Parcel.

To approve the agenda as amended.

*Motion by R. Bradley, seconded by Malcom.  
Passed Unanimously*

### **4. Approval of Consent Agenda**

- a. May 7, 2019 Council Minutes
- b. May 14, 2019 Council Minutes
- c. May 14, 2019 Executive Session Minutes
- d. May 21, 2019 Planning Commission Minutes
- e. May 28, 2019 Historic Preservation Commission Minutes
- f. City Hall Drive-Thru Exterior Rehabilitation – To approve Tera-Systems for \$20,480.00 (Recommended for Council approval by Finance Committee June 4, 2019)
- g. On-Stage Walton / Playhouse Roof Replacement and Exterior Rehabilitation – Repairs by Tera-Systems for \$27,894.00. (Recommended for Council approval by Public Works Committee June 4, 2019)

# 2018

## MAYOR AND COUNCIL MEETING

JUNE 11, 2019

6:00 P.M.

- h. Emergency Purchase – To approve Southern Pipeline for \$19,995.00. (Recommended for Council approval by Utilities Committee June 4, 2019)
- i. Purchase – Bunker Gear – To purchase from Bennett Fire Products for \$15,890.00. (Recommended for Council approval by Public Safety Committee June 4, 2019)
- j. Purchase – Fire Pumper – To purchase from City of Johns Creek for \$50,000.00. (Recommended for Council approval by Public Safety Committee June 4, 2019)

To approve the consent agenda as presented.

*Motion by Little, seconded by Adcock.  
Passed Unanimously*

## II. PUBLIC PRESENTATION

### 1. Municipal Gas Authority of Georgia Award Presentation

City Administrator Logan Propes introduced Mr. Steve Edwards with the Municipal Gas Authority of Georgia.

Mr. Steve Edwards presented the City of Monroe with the Community Outreach Award for Downtown Revitalization from the Municipal Gas Authority of Georgia.

*No Action.*

## III. PUBLIC FORUM

### 1. Public Comments

Mr. Harold Patterson, of 957 Masters Drive, discussed the lighting on Ammons Bridge Road. The only entrance to Ammons Bridge Road is off of Masters Drive. He stated there are 16 light poles, but only 4 lights between Alcovy Road and the end of the City limits. It seems like a really dark tunnel. Two of the four lights are for the historic home, and he had to request the other two lights. He questioned getting lights on the other 12 poles. Mr. Patterson stated the ditch on the right hand side of Ammons Bridge Road has not been cleaned out properly; it sends dirt and debris back out into the road.

### 2. Public Hearing

#### a. Variance – 1415 East Church Street

Mr. Darrell Stone presented the request for a zoning variance. He explained the applicant Terrastone Development is requesting a variance of Section 700.1 Table 11 of the Zoning Ordinance. The property consists of approximately 52 acres. The request is for minimum lot size reduction from 14,000 square feet to 10,000 square feet.

The Mayor declared the meeting open for the purpose of public input.

Mr. Steve Lee with Terrastone Development requested the variance be tabled until July. He explained Planning & Zoning made some requests which he needs time to provide.

There were no other public comments; Mayor Howard declared that portion of the meeting closed.

To table the variance until the July Council Meeting.

*Motion by Dickinson, seconded by R. Bradley.  
Passed Unanimously.*

#### b. Variance – 2130 West Spring Street

Mr. Darrell Stone presented the request for a zoning variance. He explained the applicant Mike Birnbrey is requesting a variance of Section 643A.3(2) and Section 643A.4(2) of the Zoning Ordinance for parking and landscape buffer. The property consists of approximately 0.92 acres.

The Mayor declared the meeting open for the purpose of public input.

Mr. Mike Birnbrey requested approval of a variance to allow two rows of parking between the building and Spring Street, and a reduction in the landscape buffer. The buffer reduction would

be on the west side of the property between the building and Arby's building. He gave Council copies of the color rendering for the proposed development and two different site plans. He stated one of the site plans has a large landscape buffer about 20 feet wide on the right side of the building, which would create a more pervious area. There were three parking spaces removed, and the placement of the utility meter and ladder were redesigned. They will both be moved to the side of the building to provide a more aesthetic look. He stated the second design option is to create a one-way drive aisle, but that would take away the landscape buffer. Mr. Birnbrey stated the tenants will not agree to only one row of parking in the front.

Council Member Ross Bradley questioned the safety concerns which were mentioned in the application.

Mr. Birnbrey answered that tenants and customers feel safer in plain view where parking is not blocked by buildings. He stated the businesses feel it hurts their sales when patronization is not visible; the businesses don't like the urban look.

Council Member David Dickinson questioned why this business should be treated differently from the other businesses that have been required to adhere to the overlay district requirements. He questioned what unique hardship they would suffer that is different from anyone else.

Mr. Birnbrey answered they will have a shopping center with multiple stores, not just a single business. He stated a lot of the other places have a heavy drive-thru business. This will be four businesses which are all sharing one parking field.

Mr. Dickinson stated that is not a hardship, and there is nothing unique about the situation.

Council Member Lee Malcom discussed the plans submitted to Mr. Kelley after their first proposal. She stated that plan is a perfect example of what the commercial district overlay should look like. That plan is almost perfect, except for the green buffer and exceeded parking. The building is brought to the front, the parking is located in the rear, and it is well lit.

Mr. Birnbrey stated the tenants would not accept that design; they don't want the parking in the back of the building.

Council Members, staff, and Mr. Birnbrey further discussed building design options, back entrances, and reducing the project to three instead of four units.

There were no other public comments; Mayor Howard declared that portion of the meeting closed.

*No Action.*

**c. Conditional Use – 1031 Charlotte Rowell Boulevard**

Mr. Darrell Stone presented the application for conditional use of this property to allow a Multi Family Complex in a B-3 Zoning. The request is to build a 216-unit apartment development.

The Mayor declared the meeting open for the purpose of public input.

Mr. John Hinton stated he and Kyle Ward represent the applicant Hillpointe. They are requesting the conditional use for a 216-unit, market-rate, non-subsidized, Class A apartment complex, which will be across from the new Publix. The project has nine buildings, three stories, resort pool, dog walk, and very high quality finishes. He clarified the aesthetics and materials will comply with zoning specifications. Mr. Hinton discussed the previously proposed 128-unit subsidized project.

Mr. Kyle Ward stated there is a significant demand for this type of project in Monroe. The apartments will be for people transitioning to the area seeking new jobs. He stated they are only requesting a conditional use not a rezone.

Mayor John Howard clarified the project is not commercial; it is residential. The project will not be providing any retail or jobs.

# 2020

## MAYOR AND COUNCIL MEETING

## JUNE 11, 2019

## 6:00 P.M.

Council Member David Dickinson questioned why they would not go somewhere that is already zoned R-2. There is lots of residential property available elsewhere in Monroe.

Mr. Hinton answered they like the location, and their project is contingent upon the development of the grocery store property.

Council further discussed with Mr. Hinton and Mr. Ward the possible grocery store shopping center development and some of their other apartment developments.

Mr. Lee Rowell spoke on behalf of the Rowell Family Partnership. He discussed a letter he sent to the City on May 29. The letter gave an overview of the project which they have been working on the last 15 years. He discussed the need for adequate workforce housing. He stated the applicant picked the property based on proximity, location, accessibility, and topography.

Mr. Steve Brown spoke against the conditional use. He stated his love of the town. He moved here in 2002, and spent the prior 30 years in Gwinnett County. He urged Council to consider the issue carefully; Monroe already has more rental property than home ownership. There are people in the community who are concerned about uncontrolled growth and over growth.

Mr. Tommy Aycock spoke against the conditional use. He worked with Water, Light, & Gas for 37 ½ years, and he worked in the slum area. He stated they don't want or need a 200-plus apartment complex here. Mr. Aycock discussed cleaning up the blight areas prior to building a lot of small apartments. He is definitely against the project.

There were no other public comments; Mayor Howard declared that portion of the meeting closed.

*No Action.*

#### IV. NEW BUSINESS

##### 1. Variance – 1415 East Church Street

*Tabled.*

##### 2. Variance – 2130 West Spring Street

Code Enforcement Officer Patrick Kelley discussed the original submission by the applicant for the project received on March 19. The plan was almost compliant with all of the requirements for the corridor district overlay. They would have only needed two variances, which are the same two that they are requesting now. A five foot landscape buffer variance would be needed for the West side of the property and a parking variance would be needed for additional parking. He stated the site concerns would be mute with the original design, because the original design fixed those problems. Mr. Kelley discussed the benefits of that design. The Code Office and Planning Commission recommend the request be denied as it is presented, unless the applicant wants to change and go with the original design.

Council Member Lee Malcom questioned whether Mr. Birnbrey would be willing to work with the original design.

Mr. Mike Birnbrey stated he would try to make it work if he doesn't have a choice, but his tenants do not like that design. The tenants will have the right to terminate their agreement with design changes. He apologized stating he sent in the design on March 19 prematurely.

Ms. Malcom stated the City has other businesses who have totally conformed, and it was difficult and costly for them.

Council Member Larry Bradley questioned the purpose behind the Code limiting the parking as it is written, and why double parking lanes should not be allowed in the front.

Mr. Kelley explained the purpose of limiting front-loaded parking between the street and the building is to eliminate large expanses of pavement without landscaping interspersed for aesthetics. He clarified that Arby's had to get a variance for their driveway. They have single bay parking and one driveway, with an additional allowance for their drive-thru. Wendy's has landscaping in front the building and their drive-thru in the back. He stated they have worked

with Dr. Hodges on the plans for the dental office, and they are almost in complete compliance. Mr. Kelley stated the intent of the ordinance is to limit parking and keep from having a moonscape in the front of a building.

Council and staff further discussed other businesses in Monroe and their layouts.

Ms. Malcom stated the City is trying to get away from the traditional 1960's strip mall. She stated Council and staff established this vision as a team, and the applicant has totally disregarded almost everything requested of him since March.

Mr. Kelley discussed the variance process. He stated the site is too small for the amount of tenants they want to have there, which has been explained to the applicant.

Council Member Norman Garrett stated the real issue is whether Council wants business to come to Monroe, and that should be the main focus.

Mr. Kelley stated the City is pro-development, just not pro-overdevelopment.

Council Member Lee Malcom made a motion to deny the variance and Council Member David Dickinson seconded the motion. Immediately following that motion, Council Member Norman Garrett made a motion to approve the variance and Council Member Myoshia Crawford seconded the motion.

Council Member Larry Bradley stated the developer did not handle the project correctly from the beginning. Therefore, he isn't due a variance. He thinks Council should look at the purpose of the corridor overlay again, but he agreed with not having the old strip type shopping centers.

To deny the variance.

*Motion by Malcom, seconded by Dickinson.  
Voting no Garrett, Crawford.  
Passed 6-2.*

### **3. Conditional Use – 1031 Charlotte Rowell Boulevard**

Mr. Darrell Stone presented the conditional use application to allow a 216-unit apartment development. The property had a proposed 128-unit apartment project in 2016, which was withdrawn by the previous applicant. The plan does not indicate meeting the zoning requirements recently passed related to aesthetics or materials to be utilized in construction. The Code Office and Planning Commission recommended denial of the previous application, prior to it being withdrawn. The Code Office and Planning Commission recommend the current conditional use request be denied, due to it being zoned commercial / retail, which will provide jobs and economic growth for the City.

Council Member Larry Bradley questioned whether the denial recommendation is based strictly on the location. It is not based on the project itself.

Mr. Stone answered the recommendation is based on the location of the project.

To deny the conditional use request.

*Motion by Dickinson, seconded by Garrett.  
Voting no L. Bradley.  
Passed 7-1.*

### **4. Application – Beer & Wine On-Premise Consumption – The Cotton Café**

To approve the application.

*Motion by R. Bradley, seconded by Malcom.  
Passed Unanimously.*

**2022**

**MAYOR AND COUNCIL MEETING**

**JUNE 11, 2019**

**6:00 P.M.**

**5. Application – Beer & Wine Package Sales – Murphy Oil USA**

To approve the application.

*Motion by Malcom, seconded by R. Bradley.  
Passed Unanimously.*

**6. Resolution – Service Delivery Strategy Authorization**

To approve the resolution as presented.

*Motion by R. Bradley, seconded by Adcock.  
Passed Unanimously.*

**7. Loganville Water Line Pump Station Parcel**

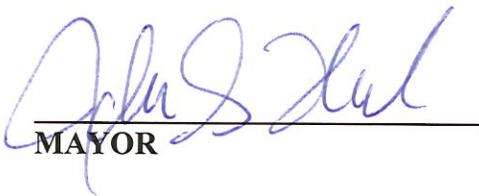
City Attorney Paul Rosenthal stated on May 14 Council approved the purchase of the property located at 1836 Highway 78, Monroe, Georgia, Tax Parcel ID # C0750123. The purpose of the purchase is for the pump station for the Loganville Water Line. The agreement and motion was for a purchase price of \$250,000.00, with a cash price of \$75,000.00, and the difference being a tax gift. Through numerous iterations with the seller, they have requested those terms be changed. He explained the cash outlay does not change. The purchase price is simply \$75,000.00, and there is no acknowledgement of a gift of \$175,000.00 for a \$250,000.00 purchase price. Mr. Rosenthal stated his office has drafted the amendment. He needs a motion to modify the previous motion so that the purchase price will simply be \$75,000.00 cash with no gift element involved. The transaction can be consummated, pending the modified motion.

To amend the previous motion for purchase of the property, to purchase the property for \$75,000.00 with no gift element.

*Motion by Little, seconded by Malcom.  
Passed Unanimously.*

**V. ADJOURN**

*Motion by Malcom, seconded by Adcock.  
Passed Unanimously.*

  
MAYOR

  
CITY CLERK