

TYRONE SPECIAL CALLED COUNCIL MEETING

MINUTES

March 28, 2024 at 6:00 PM

Eric Dial, Mayor

Gloria Furr, Mayor Pro Tem, Post 4

Jessica Whelan, Post 1

Dia Hunter, Post 2

Billy Campbell, Post 3

Brandon Perkins, Town Manager

Dee Baker, Town Clerk

Dennis Davenport, Town Attorney

Also present:

Patrick Stough Attorney, filled in for Dennis Davenport.

Council Member Whelan was absent.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS: *Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Darrell Baker – Mr. Baker spoke in support of the data center and added that it was consistent with the Land Use Plan that was put in place some time ago. It would be good for the Town and the tax digest. He added that they were there to answer any questions.

Eric Larson who lives on Kellsworth Way spoke in opposition to the data center. He understood that tonight was only for the rezoning, however, once rezoned, then it gets built. He stated that last week folks ran the gentleman out of Town who wanted to build a hotel. He shared with Council Member Furr that she needed to see what the hotel would look like before voting. We only know what the data center would look like from an airplane. He added that before a decision was made, we needed to know details such as how many windows it would have, we needed the same standard. Mr. Larson stated that once it was rezoned, a building could potentially be erected like the data center in Fayetteville. He posed to take a deep breath and think about it first. It would become the gateway to Tyrone from Highway 74. We have nice signs, lights, and bushes at our gateway, we do not need a mammoth of a building behind that, let's take our time.

Melinda Rose-Lied who lives on Castle Lake asked everyone to take a deep breath and obtain more information. We do not want something similar to Fayetteville. Tyrone was a treasure of a community, we need more information, if rezoned we lose some control. She shared that she had lived in the Town for 10 years and it had gotten better and better, slowly, and thoughtfully. Do not rush it then look back in regret. She stated that she chose to be at the meeting instead of church.

It was a bad night for a meeting and felt short-term. Her friends asked what kind of target the Town was going to be. She stated that the Attorney General tells us that these are bad times and that we should be worried. Do we need to be the Atlanta center of information? Let's take a breath, once property was gone, it was gone, once it was built, it was built. Was that the best we could do for our community?

Mr. C.G Scott who lives in Peachtree City spoke against the data center. He asked about the precise location of the proposed data center. He then inquired about the number of employees per shift, and what was the income range. Was it worth it to have a similar facility within the County? The data center in Fayetteville was becoming scary to look at.

Mr. Ed Smith who lives on Westbourne Dr. spoke regarding the proposed data center. He stated that he lived across Highway 74 from the property. We do not have adequate resources to maintain that type of development. Last week a woman moved from Virginia to get away from the many data centers there. He stated that the data centers were moving this way. We have very little description of what it would look like. The representative last week had very little knowledge at this point, so why would the Town accept that type of answer? He asked what it would look like and how much energy it would use. He shared that he worked for a corporation that paid a billion dollars a year in energy bills and prices were increasing. The data center would need renewable energy credits from somewhere if they were to go green. The data center would not be a good image for the Town at the gateway. He asked Council to please consider what it would look like before moving forward.

Mr. Josh Thornton who lives on Castle Lake Ct. spoke in favor of the data center. He stated that he had lived in the area for 25 years. He added that it would be a good opportunity to position the Town to receive business growth and future corporate relocations. He believed that the location was good as it related to Fairburn's growth. It was not in the downtown area and would lead us to future growth along the Highway 74 Corridor and good for Southwest Atlanta.

Mr. Steve Gulas stated that Mayor and Council erred last week regarding his Certificate of Appropriateness item on the agenda. He felt that it should have been tabled and not denied. He added that he could provide interior renderings, exterior renderings would be provided if the item was not allowed in the ordinance. In his case, they were following 70% on two sides and 100% on two other sides with the brick, stone, and glass concept. He stated that Council had the prerogative to bring an item back and added that staff recommended approval of the item. He suggested calling the item back and tabling it to provide 3D renderings. He added that the drawings with the franchise agreement would not indicate the same materials. They would include Class B materials for all 4 sides. He continued and recalled that years ago Council and staff asked him to waive something to benefit the Real Life Center development, and he did. It was going to be built within 800 ft. of Highway 74 and three sides needed to be 70% Class A materials. Council asked him as the neighboring property to waive that requirement to not make them go through the expense, he did, and it was built with no variance process. He added that he lived in Fayette County and tried to be a good steward and he and his partner built the Holiday Inn Express next to Piedmont Fayette Hospital.

He reiterated that Council should call back the item and table it so they could provide additional drawings. Mr. Gulas continued regarding another property on St. Stephen Ct. He stated that on March 7th Council voted to go on his property to extend the sewer without contacting him of their plan. Property owners should be made aware of any ordinance change regarding their property. To his knowledge, there were no easements on his property that the Town was allowed to dig for that purpose.

V. APPROVAL OF AGENDA

A motion was made to approve the agenda.

Motion made by Council Member Campbell, Seconded by Council Member Furr.

Voting Yea: Council Member Hunter.

VI. **CONSENT AGENDA:** *All matters listed under this item are considered to be routine by the Town Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.*

VII. PRESENTATIONS

VIII. PUBLIC HEARINGS

IX. OLD BUSINESS

1. Petitions from Fayette County Development Authority (FCDA) of a 70-acre tract with parcel number 0904-008. **Phillip Trocquet, Community Development**

a. Consideration of an annexation petition for parcel 0904-008 from applicant FCDA.

b. Consideration of a rezoning petition for parcel 0904-008 from applicant FCDA from AR (Unincorporated) to BTP (Tyrone Incorporated).

Mr. Trocquet explained that the Development of Regional Impact (DRI) was reviewed by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). They had sent comments back since the last Council meeting. He listed the comments and added that some had already been accomplished. GRTA required that pedestrian connectivity be provided between all buildings which had been indicated within the developer's conceptual plan, which was also a requirement of the Town. He stated that Driveway A on Thompson Rd. was a requirement of stop-controlled with an inbound right turn lane, or an approved by GDOT. It should align with Thompson Rd. per GDOT and consider an RCUT intersection approved by GDOT and coordinate with GDOT to determine the type of intersection study needed for the intersection. He stated that the application was aware of and agreed to adhere to the requirements.

Mr. Trocquet shared the comments for Driveway B on Kirley Rd. There should be a stop-controlled with an inbound right turn lane which would not stop traffic on Kirkley Rd.

He stated the comments regarding temporary construction driveways. The construction entrances should be coordinated with GDOT, and primary construction traffic should be considered along Highway 74 as opposed to Kirkley Rd. with the Fayette County Road Department and GDOT approval. He stated that staff recommended the rezonings be approved with the condition that the traffic considerations be implemented and that the properties would be replatted within 180 days.

Mr. Trocquet stated that the traffic counts for the development were at 500 trips per day, the employment level was 50 employees per day, and the starting annual wage would be \$60,000.

Ms. Niki Vanderslice President and CEO of the Fayette County Development Authority approached Council. She stated that the average wage for Fayette County was \$47,000 and the data center average was well above that. Mayor Dial explained that there was little that Ms. Vanderslice did not know about the development but due to an NDA, there were some things she was not allowed to divulge.

Mayor Dial clarified that the size of the development was limited. Mr. Trocquet added that the zoning itself had size limitations in two ways. That development was part of a Planned Unit Development. Applicants were not allowed to place whatever they wanted after being approved through the rezoning process. The development was tied to the zoning, any deviation from the plan would need to go through the Planning Commission and Council under another public hearing. The BTP and Overlay did limit the size of structures. The maximum per building was 300,000 sq. ft. and the maximum height would be 35 ft. as the base, anything above the development would need to be moved back or a berm to be added. He stated that the ordinance also required architectural requirements when the site plan would be submitted, which was the next phase. That would be approved through the Certificate of Appropriateness process and at least 30% Class A materials, 70% Class B, and meet all other architectural requirements. Some architectural requirements were the breaking up of façade walls and accents.

Mayor Dial clarified that the current rezoning process did not equate to that of a Certificate of Appropriateness. More specific things would occur during that process later.

A motion was made to approve the annexation request from the Fayette County Development Authority of a 70-acre tract with parcel number 0904-008 with the stated traffic conditions, and for the property to be replatted within 180 days.

Motion made by Council Member Campbell, Seconded by Council Member Hunter.
Voting Yea: Council Member Furr.

A motion was made to approve the rezoning request from the Fayette County Development Authority of parcel 0904-008 from AR (Unincorporated) to BTP (Tyrone Incorporated) with the stated conditions.

Motion made by Council Member Furr, Seconded by Council Member Campbell.
Voting Yea: Council Member Furr.

2. Petitions from Fayette County Development Authority (FCDA) of a 27.8-acre tract with parcel number 0725-027. **Phillip Trocquet, Community Development**

a. Consideration of an annexation petition for parcel 0725-027 from applicant FCDA.

b. Consideration of a rezoning petition for parcel 0725-027 from applicant FCDA from AR (Unincorporated) to BTP (Tyrone Incorporated).

A motion was made to approve the annexation request from the Fayette County Development Authority of a 27.8-acre tract with parcel number 0725-027 with stated conditions.

Motion made by Council Member Hunter, Seconded by Council Member Campbell.
Voting Yea: Council Member Furr.

A motion was made to approve the rezoning petition for parcel 0725-027 from applicant FCDA from AR (Unincorporated) to BTP (Tyrone Incorporated) with the stated conditions.

Motion made by Council Member Campbell, Seconded by Council Member Hunter.
Voting Yea: Council Member Furr.

3. Consideration of a rezoning petition from applicant Fayette County Development Authority of a 37.6-acre tract with parcel number 0725-005 from OI & M-1 (Office Institutional & Light Industrial) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

A motion was made to approve the rezoning of a 37.6-acre tract with parcel number 0725-005 from the Fayette County Development Authority from OI & M-1 (Office Institutional & Light Industrial) to BTP (Business Technology Park) with the stated conditions.

Motion made by Council Member Furr, Seconded by Council Member Campbell.
Voting Yea: Council Member Hunter.

4. Consideration of a rezoning petition from applicant Fayette County Development Authority of a 5.1-acre tract with parcel number 0725-035 from M-1 (Light Industrial) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

A motion was made to approve the rezoning of a 5.1-acre tract with parcel number 0725-035 from the Fayette County Development Authority from M-1 (Light Industrial) to BTP (Business Technology Park) with the stated conditions.

Motion made by Council Member Hunter, Seconded by Council Member Furr.
Voting Yea: Council Member Campbell.

5. Consideration of a rezoning petition from applicant Fayette County Development Authority of a 5-acre tract with parcel number 0725-036 from OI (Office Institutional) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

A motion was made to approve the rezoning of a 5-acre tract with parcel number 0725-036 from the Fayette County Development Authority from OI (Office Institutional) to BTP (Business Technology Park) with the stated conditions.

Motion made by Council Member Campbell, Seconded by Council Member Furr.
Voting Yea: Council Member Hunter.

X. NEW BUSINESS

- XI. PUBLIC COMMENTS:** *The second public comment period is for any issue. Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Mr. Glenn Greene who lives on Westbourne Dr. asked staff regarding the stated requirements, if a berm was needed, would it be similar to the berm located at the corner of Highway 74 and Peggy Lane on the north end? It was an eyesore. Mayor Dial asked if he was concerned about the size of the berm. Mr. Greene stated that he was more concerned about the look of it. Mayor Dial repeated what Mr. Trocquet stated, that if the developer wished to build above 35 ft. they would need to build back further and build a berm. He added that it would depend on how tall the building would be but that they were not planning on that. Mr. Greene asked if there were any stipulations on how the berm would look, the current one was an eyesore. He added that only a few of them were impacted but that the least the Town could do was to make sure it looked presentable until those residents were forced out.

Mr. Trocquet stated that there were landscape requirements and that he would speak with Mr. Greene after the meeting in detail.

Mr. Gulas approached Council and wanted clarification on the 70% Class A material and 30% Class B requirement being within 800 ft. of Highway 74. Mr. Trocquet stated that he would answer his questions after the meeting.

XII. STAFF COMMENTS

Mr. Perkins announced that Town offices were closed tomorrow in observance of Good Friday.

XIII. COUNCIL COMMENTS

Council Member Hunter thanked everyone for coming out and wished everyone a Happy Easter, "He has Risen".

Mayor Dial stated that everyone recognized the Sandy Creek High School Boys Basketball Team for winning back-to-back State Championships last night at Shamrock Park.

Mayor Dial stated that he and staff would stay after the meeting to answer any questions that were not answered so they would have a full understanding of what was voted on.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

A motion was made to adjourn.

Motion was made by Council Member Campbell.
Voting Yea: Council Member Furr, Council Member Hunter
The meeting adjourned at 6:33 p.m.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk