City of Lilburn
City Council Meeting Minutes

APPROVED

June 10, 2024 at 7:30 p.m.
Lilburn City Hall, 340 Main Street, Lilburn, GA 30047

Council Members:
Johnny Crist, Mayor
Christina van Maanen, Post 1
Scott Batterton, Post 2
Mike Hart, Post 3
Emil Powella, Post 4

I. Executive Session (if necessary)

II. Call to Order
Mayor Crist called the meeting to order at 7:31 p.m.

III. Roll Call
Mayor Johnny Crist
Councilmember Christina van Maanen
Councilmember Scott Batterton
Councilmember Mike Hart
Councilmember Emil Powella

IV. Pledge to Flag
Mayor Crist led the pledge of Allegiance.

V. Approval of Agenda
A motion to approve the agenda of June 10, 2024, was made by Councilmember Powella, seconded by Councilmember Batterton.

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Motion passed with a 4-0 vote.

VI. Announcements
1. Food Truck Tuesday
   June 11, 2024, 6:00 PM – 9:00 PM @ Lilburn City Park

2. Town Hall Meeting
   June 17, 2024, 7:00 PM – 8:15 PM @ Lilburn City Hall, Preston Room

3. Downtown Development Authority Meeting
   June 19, 2024, 6:30 PM – 8:00 PM @ Lilburn City Hall, Work Session Room

4. City Hall & Library Closed for Independence Day
   July 4, 2024, All Day @ Lilburn City Hall

5. Sparkle In the Park
   July 4, 2024, 6:00PM - 10:00 PM @ Lilburn City Park

VII. Ceremonial Matter
Municipal Court Clerks Week Proclamation
Mayor Crist read a proclamation recognizing Municipal Court Clerks Week.

VIII. Approval of Minutes
May 13, 2024, City Council Meeting Draft Minutes
A motion to approve the City Council Meeting Minutes from May 13, 2024, was made by Councillor Hart and seconded by Councillor Powella.
Motion passed with a 4-0 vote.

XI. Public Hearing
a. Public Hearing Item No. 1: Approval of RZ-2024-01, an application to rezone 4413 Killian Hill Road from R1 to MU, and approval of the proposed Master Concept Plan for the site.
   Mayor Crist invited Reid Turner to speak on Public Hearing Item No. 1.

Reid Turner, Planning Manager, clarified that the rezoning application applies to 4413 and 4423 Arcado Rd. The applicant seeks to develop 23 fee-simple, owner-occupied townhomes and a two-story commercial building with nine suites totaling 27,000 S.F. on the 5.2-acre site. Mr. Turner explained the proposal includes access to the commercial building via a right-in and right-out driveway on Arcado Rd and Killian Hill Rd. Access to the residential townhomes would be provided solely on Killian Hill Rd with an all-access driveway. The Planning Commission met on May 30, 2024, to take public comment, and the commission voted to table the proposal unanimously.
Staff recommendation is to table the proposal to allow the applicant to refine it to meet the requirements of Section 734 of the zoning ordinance. Multiple public comments have been received, and all advertising requirements have been met.
Mayor Crist invited the applicant to speak.

Steve Wilson, representing TSTT development Inc, stated the following:
“The reason we chose this piece of property and this development was because it is currently zoned single family. As you know, single family allows for 8 units per acre. We don’t think we could get 8 per acre in there, but that’s the current codes as it sits now. What we are proposing is to build 23 high ends townhomes. These have elevators, they have upgraded state-of-the-art security system. It is a gated community. Walking trails and so on. We envision the commercial is to be restaurants downstairs and professional offices upstairs. We’ve talked to a lot of people, but because we can’t really, you know, say yes we can do this. Well then, we haven’t pursued it much further but we have some interest in it. So the top floor would be mostly professional people. The bottom floor, we can’t say that it’ll be all restaurants but that’s what our aim is. As opposed to putting in single family houses, we think this cuts down on the traffic. It helps the school system. These are approximately $500,000 units. There are plenty of other units in Lilburn right now. There aren’t any like this in a gated community that should help the school system. Because typically most people in that price range haven’t got a bunch of small kids. We think it will help the traffic to the maximum that it can be helped. We’re not saying there’s not going to be some traffic problems, we understand that. But we have designed it for a right turn in and a right turn out on Arcado to minimize what we’re doing. The other thing is we’re allowing and Reid doesn’t have the plans yet. I’ve submitted them, but he hasn’t had time to review. All of the everything we’re doing is adherent to Lilburn’s current system, which as you know is much different than it was a year ago, Two years ago, three years ago. So what we submit we must do. Some of the other objections let me just cover them real quick. Well, I’ll wait. And if there’s enough of me left after these people take a shot at me, I’ll be happy to answer any questions you might have. Thank you.”

Mayor Crist invited anyone in favor or against the proposal to speak.

Public Comment #1 – Brent Brooks, 103 Newport Rd.
Mr. Brooks spoke in favor of the residential proposed use but against the commercial.

Public Comment #2 – Richard Spalding, 4471 Nantucket Dr.
Mr. Spalding spoke against the proposal due to traffic problems it will create.

Public Comment #3 – Dan Bollinger, 193 Windsong Ln.
Mr. Bollinger spoke against the proposal due to concerns over traffic and the reality of a challenging business/restaurant economic climate.

Public Comment #4 – Hamilton Plaza, 273 Newport Rd.
Mr. Plaza spoke in opposition to the proposal due to traffic issues and lack of a sufficient buffer.
Public Comment #5 – Virgil Ponzoli, 183 Windsor Ln.
Mr. Ponzoli spoke in opposition to the proposal and in support of maintaining a current RI zoning.

Mayor Crist invited the applicant to make additional comment.

The applicant, Steve Wilson, recognized the concerns of those who spoke. He stated that the proposed mixed-use development should reduce traffic issues in the area. He requests tabling his application.

Mayor Crist asked for any questions from Council.

Councilmember Hart: “I’m curious, Mr. Wilson. Have you looked at a development with single family? That you said it was eight per acre, but our city manager said that it’s four per acre. So, have you done a study for 20 homes on this site?”

Applicant: “We haven’t really done a study per se. We haven’t got the engineering and haven’t the streets and so on. We didn’t because we feel like that will create more congestion. You know, there’s a lot more traffic as the city planner said with single family homes and they’re all with larger smart homes and commercial.”

Councilmember Hart: “But your original proposal was you wanted to do something high end. So, if you were doing high end and you were doing only 20 houses or maybe 18 houses on the site. Is that something feasible that you can consider?”

Applicant: “Yes. Well, economically you can’t do that on Killian Hill. I mean, you guys drive down Killian Hill. It’s changed. It is not a rural street. It is a completely different street. That was the reason for the gated community. And that was the reason for the townhouses to begin with as opposed to single family.”

With no further public comment, Mayor Crist closed the public hearing.

A motion to deny RZ-2024-01, was made by Councilmember van Maanen and seconded by Councilmember Batterton.
Motion passed with a 3-1 vote. Councilmember Powella voted “no”.

b. Public Hearing Item No. 2: Approval of RZ-2024-02 to amend the official zoning map.
Mayor Crist invited Reid Turner to speak on Public Hearing Item No. 2.

Reid Turner, Planning Manager, provided background information on prior uses of 4914 Burns Road to support the city-initiated rezoning of the property from CB to R1. The current property owner supports the rezoning. All legal advertising was met and there were no public comments.

Mayor Crist opened the floor to those in favor and those against. Hearing none, Mayor Crist closed the public hearing.
A motion to approve RZ-2024-02, was made by Councilmember Batterton, seconded by Councilmember Hart.
Motion passed with a 4-0 vote.

c. Public Hearing Item No. 3: Approval of Ordinance No 2024-630, text amendments to Articles 6 and 14 to provide for the addition of new use, Distillery, to the table of uses and to clarify references and language therein.

Mayor Crist invited Reid Turner to speak on Public Hearing Item No. 3.

Reid Turner, Planning Manager, stated the need to update Articles 6 and 14 to accommodate the use “distillery.” The distillery is added as a conditional use in the CB and US 29 overlay districts and a permissible use by right in the in the industrial district. The condition associated with distilleries would be the distillery use is with a gross floor area of 10,000 square feet or greater or required to have a tasting room. Additionally, the scope of the amendments, Article 14 are simply to add a definition to distillery, and that is a distillery engages in distilling, rectifying and blending distilled spirits. Distilled spirit is any alcoholic beverage obtained by distillation or containing more than 21% alcohol by volume, including but not limited to all fortified.

Mayor Crist opened the floor to those in favor and those against. Hearing none, Mayor Crist closed the public hearing.

A motion to approve Ordinance No. 2024-630, was made by Councilmember Powella, seconded by Councilmember Batterton.
Motion passed with a 4-0 vote.

X. Consent Agenda

Mayor Crist asked for a motion to move items 1, 3, 4, 5, 6, 7 and 8 to the consent agenda.

Agenda Item No. 1 – Approval of Ordinance No. 2024-624, an Ordinance adopting the FY 24-25 Budget in the total amount of $42,630,351 and the Five-Year Capital Improvement Plan. Adoption of this ordinance establishes position control and the FY2024-2025 Compensation Plan.

Agenda Item No. 3 – Approval of Ordinance No. 2024-626, an ordinance amending Chapter 46, Article II, repeal Sec. 46-56-Use of Tennis Courts, and amend Sec. 46-57 Group Use.

Agenda Item No. 4 – Authorization of the Mayor and Council to surplus City assets as listed in Exhibit A.

Agenda Item No. 5 – Approval of 2024 Mayor and City Council Appointments for Additional Solicitors.

Agenda Item No. 6 – Adoption of Ordinance No. 2024-627, an ordinance amending the Purchasing Ordinance for the City of Lilburn.

Agenda Item No. 7 – Approval of Ordinance No. 2024-631, an ordinance to amend the
FY 23-24 budget by increasing General Fund revenue by $402,196 and reconciling expenditures across 11 departments and adjusting revenues and expenses among eight additional funds.

Agenda Item No. 8 – Approval of Ordinance No. 2023-632, text amendments to Chapter 105 (Buildings and Building Regulations) to add a local amendment to the GA State Minimum Standard Plumbing Code to address Water Efficiency standards of the Metro District Water Resources Management Plan.

Councilmember Batterton made a motion to approve the consent agenda and each item of business included in the consent agenda. Councilmember Powella seconded the motion. Motion passed with a 4-0 vote.

City Attorney Carothers gave the oath of office to Richard Armond and Joseph Randazzo as authorized, sworn city solicitors.

XII. Agenda
Agenda Item No. 2 – Approval of Resolution No. 2024-05, a Resolution establishing the FY 24-25 fee schedule for the City of Lilburn.

Mayor Crist asked for a motion regarding Resolution No. 2024-05.
Councilmember van Maanen made a motion to table Resolution No. 2024-05 until the July City Council Meeting. Councilmember Hart seconded.
Motion passed with a 4-0 vote.

XII. Adjournment
Mayor Crist adjourned the meeting at 8:19 p.m.

Approved 8th of July, 2024.

Johnny Crist, Mayor

Joann Nguyen, City Clerk

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