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## City of Lilburn

City Hall  
76 Main Street  
Lilburn, GA 30047

### **City Council Meeting**

Meeting Minutes – Draft

Auditorium  
Monday, May 9, 2016  
7:30 p.m.

#### **Council**

Johnny Crist, Mayor  
Brian Burchik, Post 1  
Scott Batterton, Post 2  
Eddie Price, Post 3  
Tim Dunn, Post 4

A work session was held prior to the regular scheduled meeting, at 6:30 p.m., to allow the elected officials to discuss this evening's agenda items. No other items were discussed and no actions were taken.

**I. CALL TO ORDER** – Mayor Crist called the meeting to order at **7:30 p.m.**

**II. ROLL CALL**

PRESENT: Mayor Johnny Crist, Council members Dunn, Batterton, Burchik, and Price, City Manager Johnsa, Department Heads, City Attorney, City Clerk.

**III. PLEDGE TO THE FLAG**

**IV. APPROVAL OF AGENDA**

- Consideration of the City Council Agenda for May 9, 2016, meeting – **Motion to approve as presented, with no additions, was made by Council member Dunn, seconded by Council member Batterton. Motion passed with 4-0 Vote.**

**V. ANNOUNCEMENTS – NONE**

**VI. CEREMONIAL MATTER**

- Mayor Crist presented the Police Memorial Week Proclamation.

**VII. PUBLIC COMMENT – NONE**

**VIII. APPROVAL OF MINUTES**

- Consideration of **the City Council Regular meeting** minutes from April 11, 2016 – **Motion to approve as presented, with no additions, was made by Council member Price, Seconded by Council member Burchik. Motion passed with 4-0 Vote.**

**IX. PUBLIC HEARING**

- 1. RZ-2016-01 RONNY KITTLE – 255 ARCADO ROAD – REZONING FROM CB, COMMERCIAL BUSINESS TO R-2, MEDIUM DENSITY RESIDENTIAL FOR TOWNHOME SUBDIVISION – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT**

**APPLICANT'S INTENT**

The applicant intends to “down zone” the property to develop a residential subdivision with 26 fee simple (for sale) townhomes. The homes proposed are 2+ stories with garage space and minimum 2,000 square feet per unit. Access will be provided with a single driveway on Arcado Road to align with Jackson Place and rear alley access to the units fronting Arcado Road. See applicant's letter of intent.

**ZONING HISTORY**

The subject property was zoned by the city as CB-Commercial Business in 2011 but has never developed commercially. The site is vacant and partially wooded except a small foundation slab and entrance driveway. The current owner proposed a religious facility but no building was ever constructed.

**ANALYSIS OF REZONING REQUEST**

Existing properties on Arcado Road have a mix of uses, including residential, industrial and commercial uses, as well as individual single family residences zoned for commercial use. A few other interested parties have examined the possibility of light industrial warehouse uses and even a welding shop on this site, but the significant area of 100 yr. floodplain (approximately 4 acres) diminishes site depth and buildable area, making it challenging for commercial or industrial scale buildings. The subject property is not currently within an Overlay district however, the Future Land Use Map designates this and other properties along Arcado Road for Mixed Use Redevelopment. The proposed zoning from potentially more intense commercial use to a medium density residential use accomplishes the goals of both the City's 2030 Comprehensive Plan and Future Development/Land Use Map by providing land areas devoted to moderate density uses within close proximity to the U.S. 29 Corridor Overlay.

The proposed 26 unit townhome development (at less than 4.5 units per acre) meets the criteria for R-2 zoning and provides the potential for a walkable community where residences are located in close proximity to services and retail. Sidewalks and connectivity will be provided via sidewalks on the east side of Arcado Road being installed by Gwinnett County and sidewalks on the west side of Arcado are planned via a City CBDG grant. The layout of development as proposed complies with development regulations, preserving open space areas within the natural floodplain and supplementing with additional landscaping.

Required public notice resulted in no opposition. Lilburn Police and Public Works anticipate no adverse impacts. The Planning Commission met on April 28<sup>th</sup> and recommended unanimous approval.

Mayor Crist opened the floor for anyone in favor or against Ordinance No. 2016-501. Hearing none, Mayor Crist closed the public hearing and called for a motion.

**A motion to approve Ordinance No. 2016-501 was made by Council member Price, seconded by council member Dunn. Motion passed with 4-0 vote.**

Attachment: *Application, Staff Analysis, Planning Commission Minutes, Ordinance #2016-501*

## **X. AGENDA**

### **2. APPEAL OF ARB SUPERVISED ACTION PLAN – CITY ATTORNEY/CITY MANAGER**

The Alcohol Review Board met on April 18<sup>th</sup> concerning the sale of alcohol to a minor at Agraffe LLC (d/b/a Highway 29 Liquor) located at 4132 Lawrenceville Highway. A hearing was held with a Supervised Action Plan rendered by the ARB. As a result of the aforementioned, Agraffe filed an appeal to be heard by the Mayor and Council.

**A motion to reverse the ARB decision and remand back to the Alcohol Review Board to be heard within 45 day time frame was made by Council member Batterton, seconded by Council member Burchik. Motion passed 4-0 vote.**

Attachment: *Supervised Action Plan*

### **3. ZONING ORDINANCE TEXT & MAP AMENDMENTS – DIRECTOR OF PLANNING & ECONOMIC DEVELOPMENT**

The department's annual review of the 2011 Lilburn Zoning Ordinance was tabled at the April 28<sup>th</sup> Planning Commission meeting. They are scheduled to take action on this item at their May 26<sup>th</sup> meeting.

**A motion to table this agenda until the June 12, 2016, Council meeting was made by Council member Dunn, seconded by Council member Batterton. Motion passed with 4-0 vote.**

Attachment: *None*

**4. LILBURN COMMUNITY GARDEN – LEASE RENEWAL – CITY MANAGER**

The Lilburn Community Garden initially entered into a 3 year lease with the City of Lilburn beginning in 2013. Per the agreement, the lease is set for consideration and renewal.

**A motion to approve lease renewal between the City of Lilburn and the Lilburn Community Garden, and authorizing the Mayor to execute lease documents on behalf of the City of Lilburn, was made by Council member Burchik, seconded by council member Dunn. Motion passed with 4-0 vote.**

Attachment: *2013 Lilburn Community Garden Lease Agreement, Proposed lease agreement*

**XI. ADJOURNMENT**

There being no further business, Council member Price made a motion to adjourn at 8.01 p.m., seconded by Council member Burchik. Motion carried unanimously.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Johnny D. Crist, Mayor

ATTEST:

\_\_\_\_\_  
Melissa L. Penate, City Clerk