



MAYOR
Linda M. Blechinger

CITY ADMINISTRATOR
Alex W. Mitchem

CITY COUNCIL
Peggy J. Langley
Robert L. Vogel, III
Bill Ackworth
Jay L. Riemenschneider

**CITY OF AUBURN
CITY COUNCIL WORKSHOP MEETING
June 17, 2021
5:00 PM
Council Chambers**

Mayor: Linda Blechinger
Council Member: Peggy Langley
Council Member: Bob Vogel
Council Member: Bill Ackworth
Council Member: Jay Riemenschneider

City Staff in Attendance: Joyce Brown, Michael Parks, Jay Miller, Iris Akridge, Michelle Walker, Lt. Schotter, Cpl. Evans, Jack Wilson.

Mayor Blechinger called meeting to order at 5:00 pm.

Citizen Comments on agenda items

Charlie Sewell spoke in favor of agenda item #4 Annexation Auburn Station-Hill Shop Road and against agenda item #5 Rezoning Auburn Station-Hill Shop Road. Mr. Sewell expressed concerns regarding the density of the rezoning and feels that it would over burden the City's infrastructure. He also expressed concerns regarding having sufficient Police presence throughout the City, having enough Police Officers for the volume of growth in the City, and schools being overcrowded. Mr. Sewell is also concerned with the general provisions of O.C.G.A. 36-36-4 the creation of unincorporated islands prohibited; authorization to provide services or functions. (General Provisions and Map Mr. Sewell presented are attached). Mr. Sewell stated that you have a large unincorporated island which is restricted by the O.C.G.A. I quoted. Stated that all of these properties, not only the subject ones, but all of these properties should be brought into the City.

Item: **Lion's Club Property Donation**

Michael Parks presented

-placed on July 1, 2021 Council Business Agenda

Item: **Field Lights Donation**

Michael Parks presented

-placed on July 1, 2021 Council Business Agenda

Item: **Annexation Auburn Station - Hill Shop Road (The Public Hearing was held at the June 3, 2021 Council Business Meeting)**

Jay Miller presented

-to be voted on at end of meeting

Jay Miller went over some responses to some of the questions of public concern. Jay stated there has been a lot of comment that Mayor and Council have taken to heart.

Responses to some of the questions of public concern:

1-**Flood Plains, Wetlands & Stream Buffers**-The City has numerous Ordinances that protect these features as well as state and federal laws. Wetlands are federally protected. Flood Plains are also protected in the City's Ordinances.

2-**Stormwater**-The City has a Stormwater Coordinator on staff that enforces all the regulations as well as sediment and erosion control. This project will require stormwater detention. There are three detention ponds on the proposal and site plan. The City is in compliance with MS4 program with EPD. The City is required to inspect all these things and report annually on all of the stormwater maintenance and inspections.

3-**Wastewater & Sewer**-The County has invested millions of dollars to upgrade on this side of the County. Developers are required to pay for the cost associated with the installation of sewer and pump stations. The County is not obligated or the City to pay for any of these installations. The developer installs this to the County specs and essentially it is donated to the County.

4-**Increasing staff, such as Police**-These new developments coming in, they will have to pay taxes, fire taxes, economic development taxes, etc. They will have to pay City taxes. As the taxes come, the revenue comes in. As the taxes comes in revenue increases, the budget increases, then the City will have the necessary resources to hire additional staff. Since the development will be build out over several years, the City will have time to plan.

5-**Recreation & Amenities**-Parker Long strategic plans to upgrade the City's sports complex, add soccer fields, more tennis courts, etc. The children's park will probably be expanding soon. East Developments over this project plans to have two club house and two swimming pools.

6-**Railroad**-There are a lot of places all over the country where people live next to railroads. The homeowners will be aware that they are purchasing a home adjacent to the railroad, and it will be on the final plat when they buy the home.

7-**Streets**-The streets will be private and maintained by the HOA not the City.

8-**Existing Zoning**-The existing zoning on the property is Barrow County R-3 High Density Residential which would allow for apartments. With the City's proposed zoning the density would be less and would not contain duplexes or apartments.

9-**Water**-The City has a 12" main along Hill's Shop Road. The City will have no problem providing water to the project. In addition, the new water reservoir will be coming online soon and will be capable of supplying 1.59 million gallons of water per day. It will store 1.1 million gallons of water. The City will own 34% of that supply.

Jack Wilson (City Attorney) commented on the annexation questions in terms of the comment from Mr. Sewell regarding the island. Mr. Wilson stated that state law looks at unincorporated islands for annexation purposes on a parcel-by-parcel basis. So, the fact that you may have some large area of unincorporated territory in between two arms of the City limits is not an island as defined by state law that would prohibit you from taking action on this annexation application. Mr. Wilson said that is just not how state law defines those terms. So, if you left one parcel unincorporated and surrounded it with the City property that would not be allow. Mr. Wilson stated **that is** not this situation. This application is viable. It is in order for you to decide whether you wish to approve it or not. So, you are not prohibited by state law for moving forward with the annexation for that reason. One other consideration, Mr. Wilson thinks it is important that you consider the current zoning in the County and what could happen to this

property if the City does not annex it in. Right now, this property is zoned R-3 in Barrow County with very limited rudimentary conditions from 2005 that are not very robust, that are not as exacting as the conditions that City staff is proposing. I know it is not what this applicant is asking for. But if this applicant goes away and a new developer comes to this property next week or next month. They could go to the County with a plan for multi-street, multi-family apartments up to 12 units per acre and put 900 apartments on this property if they want to. That is what the County code allows. Those apartments: One bedroom 650 sq. ft., Two-bedroom 800 sq. ft., Three-bedroom 1000 sq. ft. That is what is allowed under the County zoning ordinance tonight. That is section 89.408 of the Barrow County code. So, even if someone does not want to maximize their productivity and only ask for five or six units an acre, you are still talking about 400 or 450 apartments on this property that is legally permitted. That could happen if you do not annex this property into the City. If you leave it in the County that risk, I think becomes more and more real. As things like the Rowan project come along, things like the I-85 interchange opens into 324 corridor up to I-85 and beyond. So, I just think that is a significant consideration as whether you want this property in the City where it can be controlled by you and your conditions or whether you want to leave it in the County subject to a zoning decision that happened in 2005 where if you do not do anything the property owners, maybe not this applicant, but the next applicant could do something that is a lot more detrimental to the neighbors, the City, and the area than what could otherwise happen if you annex it. Mr. Wilson said he felt it to be important to point these things out.

Item: **Rezoning Auburn Station - Hill Shop Road (The Public Hearing was held at the June 3, 2021 Council Business Meeting)**

Jay Miller presented

-to be voted on at end of meeting

STAFF RECOMMENDED CONDITIONS: AUBURN STATION @ HILLS SHOP RD

To restrict the use of the property as follows:

1. Single-family detached, townhome, and commercial uses in general accordance with the site plan titled "Zoning Master Plan," dated April 6, 2021, revised May 17, 2021, May 31, 2021, June 1, 2021, and presented at the June 3, 2021, City Council public hearing, subject to the revisions outlined in these conditions. The frontage on Hills Shop Road shall include two lots to be used for commercial or office purposes with a total aggregate area of not less than 2.8 acres.
2. Detached homes shall be constructed with front façades of primarily brick or stacked stone. The balance of the home may be the same, or of fiber-cement siding or shake with a minimum three-foot high brick or stacked stone water table. Detached homes shall be a minimum of 1,800 heated square feet.
3. Townhomes shall be constructed with front facades of primarily or stacked stone. The balance of the home may be the same, or of fiber-cement siding or shake. The side and rear facades of townhomes shall be comprised of at least fifty percent (50%) brick or stone. Townhomes shall be a minimum of 1,450 heated square feet for single car units and 1,750 heated square feet for double car units. Townhomes not to exceed 269 units.

To satisfy the following site development considerations:

1. No direct lot access shall be allowed to Hill's Shop Rd.

2. All streets to be privately owned and maintained.
3. A mandatory Homeowners Association shall be established and shall be responsible for maintenance of all common areas/facilities and common area landscaping. The Hill's Shop Road frontage shall be landscaped by the developer and maintained by the Homeowners Association and shall include decorative masonry entrance features. A decorative fence shall be required along the Hill's Shop Road frontage. Landscape plans, entrance features, and fencing shall be subject to the review and approval of the Community Development Director.
4. Said association shall be incorporated which provides for townhome building maintenance, repair, insurance, and working capital. Said association must also include declarations and by-laws includes rules and regulations which shall at a minimum regulate and control the following:
 - a. Exterior home facade repairs, including roofing and painting for the townhome units.
 - b. All grounds and common area maintenance, including detention facilities.
 - c. Maintenance of fences, walls, and signs within common area.
 - d. Street maintenance and street lighting.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. All grassed areas on dwelling lots shall be sodded excluding slopes and landscape planting areas identified on the Zoning Master Plan.
7. Underground utilities shall be provided throughout the development.
8. Stormwater detention facilities shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height and shall be fully screened from view of adjacent residences with a double staggered row of evergreens. Stormwater detention facilities shall be maintained by the Homeowners Association.
9. Building lots and stormwater facilities shall not be located within any stream buffer.
10. Provide a 40-foot undisturbed buffer adjacent to adjoining property lines.
11. The final plat shall contain a note advising purchasers that the property lies in close proximity to a railroad right of way.
12. No more than 140 residential building permits shall be issued prior to the end of 2022 and no more than 280 total permits will be issued by the end of 2023. All remaining permits may be available to be issued in 2024.

Jack Wilson (City Attorney) addressed three zoning components:

1. PSV Ordinance contemplates a mix or a compliment of varying residential used and commercial uses. Mr. Wilson thinks what the staff has done again subject to your decision is required this applicant to provide more commercial property along Hwy 324 than originally proposed. That obviously benefits the City's tax base in terms of making for some diversity in variety of uses, but it also benefits the residents in this subdivision to give them commercial outlets close by. So, I think that is significant that the staff conditions proposed provides more commercial than the applicant really wanted to do and that decreases the number of residential units.

2. **Square Footage**-The square footage that Jay Miller touched on is significantly bigger than what is currently allowed in the County. I think that is significant and that addresses some questions and comments that were received from the public.
3. **Building Permits**-The last thing I think is very significant is this limitation on the number of building permits that can be issued over time. Starting with no more than 140 over the next 18 months and then the same for 2023 and then another phase in 2024. That condition really addresses a lot of the concerns that came from the public comment and a lot of the concerns that were expressed at the Planning Commission Meeting. It gives the School Board and School Officials some very objective standards in terms of what they should expect for future planning purposes. Again, those conditions as Jay Miller has drafted and proposed are much more rigorous and robust than what is applicable to this property tonight before your decision. Mr. Wilson said he just wanted to point those things out.

Item: **Auburn Branding**

Jay Miller presented

-for discussion only

Item: **Downtown Overlay**

Jay Miller presented

-for discussion only

Item: **Annexation Auburn Station – Hill Shop Road (Exhibit “A” and Map Attached)**

Mayor Blechinger asked for a motion to approve the application to annex Barrow County Tax Parcel XX011 007 and XX011 012 consisting of 76.8 acres Hill’s Shop Road into the City of Auburn.

Motion: Made by **Council Member Riemenschneider** to approve the application to annex Barrow County Tax Parcel XX011 007 and XX011 012 consisting of 76.8 acres Hill’s Shop Road into the City of Auburn.

Seconded: By **Council Member Langley**.

Mayor Blechinger asked for any discussion.

Council Member Vogel said for the citizens that are here and have been here every meeting for this annexation, we appreciate you coming out sharing your heart felt situations with us. We also live here, and the traffic is going to affect us as greatly as it will you. But what our City Attorney said tonight with the County being able to come in here and build way more houses with a lot less quality than what we are going to get from these developers, this gives us better control over this. This is going to happen whether we annex, or we do not annex. Building is going to take place, but you could end up with two times more traffic if we do not annex. I think we are going to add to the property values better in this scenario. I just wanted to put that out there before we take a vote to let you know that we just didn’t take this sitting down, that we didn’t care about your thoughts and feelings, because we really do. I didn’t grow up here, but I have lived here 32 years. I have raised my children here and it has been a sweet place. Hopefully

with the additions coming in we can still get them to understand what this is and maybe find it as special as you guys did and the rest of us and keep moving forward. Thank you for your time.

Mayor Blechinger said that most of Council except for Council Member Peggy Langley came in during the last big housing boom when all the subdivisions came in which was in the late 80's or early 90's. Said that she was talking to Council Member Langley because she has been here what three generations?

Council Member Langley responding by saying yes, for a while, a long while. She said I have been here so long that if we went according to our personal feelings there would only be four of us in the room (Howard Hawthorne, Gloria Hicks, Michael Parks, and myself). She stated, you have to expand your horizons every once in a while. So, nobody else would be here.

Mayor Blechinger stated that she has really thought about the fact that where they bought their house was all pastureland and that it still is pastureland behind them. But you know all these subdivisions that came in about the same time. So, it is true you go through spurts of growth, and it does put pressure on you. There is no doubt, it does do that. But I hope you heard Jay Miller's reading off of the list of considerations and what the developer has agreed to do if there were approved to come in. We did hear you and we did put things into place that we thought were going to address those things.

Vote was taken with all members present voting yes.

Item: **Rezoning Auburn Station – Hill Shop Road** ,

Mayor Blechinger asked for a motion on the application to rezone Barrow County Tax Parcel XX011 007 and XX011 012 consisting of 76.8 acres Hill's Shop Road from Barrow County R-3 High Density Residential to City of Auburn PSV Planned Suburban Village subject to staff's recommended conditions as revised and included in the agenda packet for this meeting.

Motion: Made by **Council Member Langley** to approve the application to rezone Barrow County Tax Parcel XX011 007 and XX011 012 consisting of 76.8 acres Hill's Shop Road from Barrow County R-3 High Density Residential to City of Auburn PSV Planned Suburban Village subject to staff's recommended conditions as revised and included in the agenda packet for this meeting.

Seconded: **By Council Member Ackworth.**

Mayor Blechinger asked for any discussion.

Council Member Langley stated, I would whole lot rather for people to be moving in and purchasing the townhomes than I would for them to turn into apartments and be renters. Because you never know what you are going to get when you get a renter. So, this way they are investing in what they are buying. And we have seen that already up here at Townes of Auburn. If you go on-line and look at what these people are buying. They are some beautiful homes.

Mayor Blechinger commented that there was something said about them laying there empty when actually the builders have waiting lists for people to move it. By the time these people pick their upgrades, they are close to \$300,000 per unit. It is amazing to us the waiting lists on both sides. That is a good thing. The sign out front still says \$200,000's but I think pretty soon that it will go up higher than that.

Vote was taken with all members present voting yes.

Item: **Executive Session – Pending Litigation and Potential Real Property Acquisition**

Mayor Blechinger asked for a motion to go into Executive Session for Pending Litigation and Potential Real Property Acquisition.

Motion: Made by **Council Member Vogel** to go into Executive Session for Pending Litigation and Potential Real Property Acquisition.

Seconded: By **Council Member Riemenschneider**.

Mayor Blechinger asked for any discussion. There was none.

Vote was taken with all members present voting yes.

Jack Wilson: “ During Executive Session the Council met to discuss pending litigation and potential real property acquisition. There were no votes taken and no evidence received in the Executive Session. The original affidavit and resolution have been signed by the Mayor and Council and I will give them to the clerk to be included in the minutes.”

Respectfully submitted,

Joyce Brown, City Clerk

Read and approved this ____ day of July 2021,

Mayor Linda M. Blechinger