

**Tyrone Town Council
Meeting Minutes
September 5, 2019**

Present:

Mayor, Eric Dial

Mayor Pro Tem, Gloria Furr

Council Member, Ken Matthews

Council Member, Linda Howard

Council Member, Ryan Housley

Town Manager, Brandon Perkins

Planning & Zoning Coordinator, Phillip Trocquet

Engineer/Public Works Director, Scott Langford

Police Chief, Randy Mundy

Library Supervisor, Patty Newland

Finance Manager, Sandy Beach

Town Clerk, Dee Baker

Approval of Agenda:

Council Member Furr made a motion to approve the agenda.

Council Member Housley seconded the motion. Motion was approved 4-0.

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 a separate discussion of these items. If a discussion is desired, that item will be removed from the consent agenda and will be considered separately.*

Approval of minutes, August 15, 2019, August 20, 2019, August 22, 2019, 9:30 am, August 22, 2019, 6:30 pm.

Hire two contract temporary employees (laborers) to assist Public Works crew.

Council Member Matthews made a motion to approve the consent agenda.

Council Member Housley seconded the motion. Motion was approved 4-0.

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Presentations/Recognition:

Noelle Boyd

Mayor Dial read the proclamation and Ms. Boyd's friends and family were in attendance for support. Mr. Rex Willis thanked Mayor and Council. He shared that he respected Mayor Dial and his family. He added that Mayor Dial was always supportive and he was a great family man and does a wonderful job. He ended by stating that he appreciated Mayor and Council for allowing them to share Noelle's accomplishments with everyone, she is a special young lady.

Public Hearing:

1. Consideration to rezone a 42-acre tract on the corner of Sandy Creek Road and Highway 74 from O-I (Office-Institutional) to CMU (Community Mixed Use). ***Phillip Trocquet, Planning & Zoning Coordinator.***

Mayor Dial informed everyone that the presentation was not a developer asking for a specific project. He added that what would be presented may or may not come to fruition. No architectural plans had been reviewed; it was only a conceptual plan. The consideration was: would we allow certain uses in that area and should we have particular zoning?

Mr. Trocquet gave his staff report. He explained that his report would incorporate items 1 and 2 on the agenda. One property contained 42-acres, the other 1.86-acres. He shared that applicant, William Foley, applied for the rezoning of two properties located at the corner of Sandy Creek Road and SR-74, from AR (Agricultural Residential) and O-I (Office Institutional) to Community Mixed Use (CMU). The zoning district was considered a PUD (Planned Unit Development) with the petition being tied to a Development Plan created by the applicant. The property was formerly known as Founders Square lead by a different project manager and an associated DRI (Development Regional Impact). The DRI remains in effect for the development now under the name Sandy Creek Corners.

Mr. Trocquet added that the proposed rezoning petition and development plan had been reviewed by staff for consistency with the Town's ordinance. Since the rezoning petition and development plan were not being presented by the developer, an ordinance requirement for the establishment of Covenants and Restrictions have been asked to be waived for the rezoning process with the condition that said Covenants be established before the property could be developed. He clarified that usually, Covenants and Restrictions were established by the developer.

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Since the property owner was the applicant of the rezoning, it was requested that the Covenants and Restrictions be placed on the property prior to the development plan and construction. Mr. Trocquet explained the DRI process. The DRI is a process in which the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) reviews the traffic and land use impact the proposed development would have on the surrounding area. A traffic study was produced for the DRI with requirements being produced as a result. The requirements included pedestrian and bicycle access and vehicle access management. The vehicle management allowed for three curb-cuts along SR 74. Two curb-cuts were allowed for the mixed-use development and one was allotted for the former Founders Square development.

Mr. Trocquet shared the development summary for Sandy Creek Corners, a.k.a. Founders Square. He informed everyone that 100,000 square feet was allotted for retail space, 35,000 square feet for restaurant space, 76,500 square feet for office space, 30,000 square feet was allotted for multi-purpose space, 60,000 for hotel space, 21,000 square feet for townhome space, 101,000 square feet for loft space and 33,000 for movie theatre space.

Mr. Trocquet shared that the existing zoning for the 42-acre tract was zoned O-I (Office Institutional) and the 1.86-acre tract was currently zoned AR (Agricultural Residential). He described the surrounding zoning categories as AR, O-I, R-70 (Unincorporated County Residential) and M1-1 (PIP) which is Light Industrial, Planned Industrial Park, specific to movie studio space.

Mr. Trocquet stated that the development was compatible with the Future Development map & Comprehensive Plan. He explained that the character area was community gateway, which encouraged developments to be “planned with the highest-quality architectural and landscape standards”. It also states that the character area was to be regarded as a prime location for economic development including entertainment industries. He added that the limited SR-74 access points combined with wide natural buffers and high-quality landscaping were called for. He reiterated that the development had only two curb-cuts and a 100-foot landscape buffer and/or required berms, which would screen the development.

Mr. Trocquet informed everyone that the appropriate pattern of development, if that particular plan were to not take place, would be highway commercial, office institutional, planned industrial park, and light industrial such as an automotive shop. Also, within the pattern would be small residential, no more than 30% residential to mesh with the district order.

Mr. Trocquet added that, in regards to the compatibility with the zoning ordinance, the proposed rezoning and development plan was consistent with the Town’s zoning ordinance. The properties lay within the SR-74 Quality Growth Overlay District, which requires higher architectural and landscaping requirements; the submitted development plan accounts for these requirements. The property also borders mostly unincorporated land to the north and east currently zoned for residential with one property being used as a church. A 75-foot buffer would be required to surround the development where it borders these uses.

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Mr. Trocquet informed everyone that the submitted development plan was consistent with the ordinance requirements outlined in the CMU district short of the inclusion of Covenants and Restrictions. Staff and Planning Commission recommended approval with conditions.

Mr. Trocquet shared that the Georgia Department of Transportation (GDOT), the Georgia Regional Transportation Authority (GRTA) and Fayette County reviewed the transportation plan. There are plans for two Z-crossings for pedestrians and a signalized R-Cut intersection. This would include a dedicated right turn lane for north and south for traffic flow. He stated that drivers could turn around at Kirkley Road to head south and that there was currently an R-Cut to head north. He added that the developer would provide a twelve-foot cart path with a fifty-foot easement along the backside of the property to possibly connect to the school district in the future. The development itself would be golf cart and pedestrian-friendly.

Council Member Howard asked if there would be a designated right turn lane coming out of Sandy Creek Road heading north? Mr. Trocquet stated, yes there would be a dedicated right turn lane and the same for Laurelmont at the Rivercrest subdivision. That lane would only travel south.

Mayor Dial discussed specifically the ability to change directions if heading north or south. He stated that staff spoke with GDOT regarding acceleration lanes. It was discovered while putting in the Tyrone Road/SR 74 right turn lane, GDOT was getting away from acceleration lanes. Mayor Dial encouraged the few Rivercrest residents in attendance to contact GDOT and share their requests for an acceleration lane, the red light would slow traffic somewhat. Mr. Trocquet stated that the area would be monitored.

Mayor Dial requested that Mr. Trocquet specify the one-hundred-foot buffer. Mr. Trocquet stated that the buffer would begin after the GDOT twenty-foot buffer. This buffer would include a berm and landscaping.

Mr. Bill Foley represented the property owner. He stated that the DRI was triggered initially from the Pinewood Studio development, which included SR 74 from Fairburn. Pinewood's six to seven hundred households would play a big part in the DRI study, the same for the Tyrone study. GDOT would monitor and make intersection improvements along the way. Mr. Foley shared that the property naturally has a heavy tree canopy. He added that the current wetlands would be used as greenspace. The trees would enhance the SR 74 buffer. It would also create a buffer for Sandy Creek Road. He described the development as having pedestrian lanes, parks, and greenspace with lower speed limits. The central core of the development would have a theater, mixed commercial space on the bottom and loft spaces and restaurants on top. Within the commercial area, there would be potential for a hotel.

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There would also be mixed uses on the corner of Sandy Creek and the potential of another restaurant. He added that there would be trail ways connecting each section of the development. He stated that a key point would be the multi-use path connecting the development to Tyrone's Town Center (downtown). This development would be a gateway development coming into Tyrone, which would need to tie into downtown. Mr. Foley stated that after speaking with the Hobgood family, it should be a condition that once the multi-use development begins, the cart path should begin. As soon as the development has completed, there would be an opportunity to tie into the Town Center. The path would eventually connect back at the Fire Station on Jenkins Road, this would be key for the Town. He shared renderings of the development per the Town's ordinance, including greenspace grids, pedestrian walkways, and a pond. He shared that some of the development would multi-stories and the theater would have four to five screens. This would be a small-scale boutique area and would also be in conjunction with the Georgia Film Academy.

Council Member Furr asked if the project was not approved, what could potentially go within that property. Mr. Trocquet shared that according to the Future Development Map and the Comprehensive Plan, the area was designated Community Gateway. That would entail office parks, corporate offices, grocery stores, medium box stores such as Bed Bath & Beyond. It was also zoned for planned industrial technology parks. This would include the overlay district and conservation outline requirements. He added that the comprehensive plan was a public process that included a couple of hundred citizens which took place in 2017.

Mayor Dial asked if the footprint would allow for a Walmart or Target. Mr. Trocquet stated that within that particular area, only a thirty-thousand square foot building or smaller was allowed, such as a Burlington Coat Factory. Mayor Dial asked what were the typical adjacent stores to a Burlington Coat Factory type store? Mr. Trocquet shared that normally, it would be a typical strip mall, offices, small restaurants, and nail salons. Mayor Dial added that worse case would be tattoo parlors or vape shops. Town Attorney, Patrick Stough clarified that what was being described was according to the comprehensive plan, however, the property was currently zoned O-I (Office Institutional).

Mr. Foley continued and added that folks were now looking to meet face to face, and that space would be ideal. He added that there were plenty of green space and walkable gardens within the development and added that parking was located behind the buildings. He shared that the development would have a small number of lofts and townhomes and would be a great feeder. It was not a traditional development such as the Publix shopping center, it was the new direction that most mixed-use developments were headed. The trend would not allow a townhome developer or a hotel developer to come in and begin. There needed to be an overall developer for the entire property and to begin with the main square.

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Mayor Dial mentioned that any developer could plan to develop the property but not include the hotel or the theater. Mr. Foley added that the developer would need to come back to the Town for a new plan. He stated that once the market study was completed, then we would know how many restaurants, or what the different mixes would be. It was only a beginning as it pertained to zoning and what was allowed.

Mayor Dial asked how many seats were in a boutique theater. Mr. Foley stated that it would seat twenty-five to one-hundred. They were primarily for entertainment and small viewings, with one larger room. He compared it to Avalon; it was not primarily for watching movies. He shared more renderings which highlighted commercial space, lofts, and office space. Mr. Foley stated that collectively, the square footage would be approximately 476,000. Before breaking ground, the civil engineering plans, along with the materials used would need to be approved. Mr. Foley informed everyone that currently, the tax benefit for the property was just under \$15,000. Post-development would create, \$286,000 for the County in a year, \$188,000 for Tyrone and one million for the Board of Education. The development would require 93,000 gallons of water which would also include the movie studio property, which was within the capacity. Mr. Foley stated that in regards to the studio property, legislation that was going through the State is being held, and the investors were leery and waiting for that particular item to go through. Two groups were still showing interest in developing the property but were waiting it out. He added that in regards to the current property, there were interested developers. They are waiting for the completion of the market study.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item.

Mr. Gerald McDowell, who lives in the Rivercrest subdivision spoke. He stated that before moving to Tyrone, he researched where to live for eighteen months. He studied Tyrone's Comprehensive Plan for three months. He and his wife were attracted to Tyrone. He added that he trusted Council's wisdom for their consideration of what impact the development would have on the community. As a new resident of the Rivercrest community, he shared that he was excited about the development and the traffic study. He was also excited that ARC, GDOT, and the DRI were a factor. He shared that he was in full support of the project and as a new resident, he would do anything he could to serve the Town.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item.

Mr. Noah Garrett, who lives on Michael Road spoke. He asked Council not to approve the rezoning. This would be a gateway for future development, it would become a domino effect. Tyrone is very close to surrounding cities, but for those that do not wish to live in a city, they could live in a small rural town.

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He added that plans always looked good on paper and that traffic on Hwy 74, Sandy Creek and Jenkins Roads would increase. He added that GDOT had denied entrances onto Hwy 74 in the past for other developments. The development would take our small-town feel away. He asked the request be denied.

Mr. Billy Campbell who lives on Beresford Road asked Council to consider the negative effect the development would have on local businesses in the downtown area. He added that once this happened Senoia Road would fold-up.

Council Member Housley made a motion to approve the development with the condition that Covenants and Restrictions be established before the development of the property.

Council Member Matthews seconded the motion.

Council Member Howard stated in regards to Mr. Campbell's comment, there were no guarantees as to what businesses would be within the development.

Mr. Foley stated that there were no guarantees as to the specifics, however, the developer would need to follow the restricted ordinances in place. He added that upon the development being approved, the multiuse path along the east side of the property would commence before to the development.

Council Member Housley amended his motion to reflect that the multiuse path be included when the development occurs.

Council Member Matthews amended his second. Motion was approved 4-0.

Council Member Housley shared that although Council Member Howard did bring up a good point, new establishments could attract new customers to the downtown area.

Mayor Dial mentioned the new development's multi-use path, it would bring connectivity to downtown and downtown to the new development; this was an investment. Mr. Trocquet shared that the downtown area had a unique ability to apply for grants to assist in the development of downtown. He added that staff would be pursuing those types of actions for the downtown area.

2. Consideration to rezone parcel number 0725-404, 1.86 acres from AR (Agricultural Residential) to CMU (Community Mixed Use). ***Phillip Trocquet, Planning & Zoning Coordinator.***

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item.

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Ms. Marge Garrett, who lives on Whitney Court spoke. She asked when the Town would connect Tyrone Road, on the BP side with a cart path. We are left out; we are not connected to the Town. Make sure when you approve everything else, that you connect our side. Mayor Dial stated that the Town was in the process of connecting.

Council Member Housley made a motion to approve the development with the multiuse path included when the development occurs and with the condition that Covenants and Restrictions be established before the development of the property.

Council Member Howard seconded the motion. Motion was approved 4-0.

New Business:

3. Downtown Sewer Construction – Bid award consideration. *Brandon Perkins, Town Manager*

Mr. Perkins informed Council that the Town requested sewer expansion be included in the 2017 SPLOST. Staff had been working toward that goal. The Town hired Goodwyn Mills and Cawood (GMC) to assist with the design. In August, a bid was advertised for an installation contractor. Mr. Perkins explained to those in attendance that the plan was to bring sewer from the Southampton subdivision area, down Arrowood Road, through the heart of downtown. The system would service Commerce Drive, Senoia Road from Castlewood Road to approximately six-hundred feet southwest of Palmetto Road, northeast of the Dollar General driveway. The bid opening was August 29th and the bids ranged from \$1,713,623.04 to \$3,401,769.00. The lowest bidder was Crawford Grading & Pipeline from Luthersville. He explained that most of the funding was from SPLOST funds, the remainder was from the Sewer Enterprise Fund. Mr. Perkins added that he had received a letter from Chief Engineer, Charles Welch from GMC, recommending approval of Crawford Grading & Pipeline. Mr. Perkins shared that he asked GMC if they had ever worked with Crawford Grading & Pipeline, they stated yes and that they were a reputable firm.

Council Member Housley made a motion to award the contract to Crawford for an amount not to exceed \$1,713,623.04 and to execute the contract upon legal review and approval of final contract documents.

Council Member Howard seconded the motion. Motion was approved 4-0.

Council Comments:

Mayor Dial explained that in regards to sewer being transferred to the former Tyrone Elementary School, the ball was somewhat in the Board of Education's court as to when.

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We cannot force them to reopen the school. He added that the Town was currently working on what the school had requested from the Town, the rest is up to them.

Staff Comments:

Ms. Baker announced that qualifying for the 2019 election had ended on August 23rd. She announced the 2019 Candidates: Mayor Eric Dial, unopposed, Council Post 1, Linda Howard and David Barlow, Council Post 2, Billy Campbell, Michael Edwards, and Melissa Hill. She added that election day was Tuesday, November 5th and that early voting would begin on October 14th – November 1st.

Mr. Perkins stated that Chief Mundy had received an email from the owner of the property that was formally Sonic. The property owner wished to donate the painted metal mesh patio furniture to the Town. Mr. Perkins added that he had spoken with Ms. Brock and Mr. Lankford regarding the placement of the furniture (picnic tables).

Council Member Furr made a motion to accept donated patio furniture from the property owner of the former Sonic property.

Council Member Housley seconded the motion. Motion was approved 4-0.

Mr. Perkins gave a “shout-out” to Phillip Trocquet. He shared that Mr. Trocquet had been chosen to be a part of a panel at the Georgia Planning Conference in October. He added that he was great at what he did and that he was a young rising star.

Mr. Perkins shared that Council had approved a retirement study in this year’s budget. Mr. Perkins, Chief Mundy, and Ms. Beach met with GMA that morning regarding the study. He shared that the results were very promising. He added that he would reach out to Council the following week to share the results, he was very encouraged.

Mr. Perkins informed Council that he was currently working on a study to change the Town’s IT vendor. He stated that he was unhappy with the current vendor for Town Hall and that the Police Department was utilizing another vendor that was going through management changes. Mr. Perkins shared that his goal was to have all departments on the same page.

He added that GMA had a company called IT in a Box (Sophicity). They cater to smaller cities that do not have an IT person on staff. He added that he would return with more information.

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Mayor Dial stated that in regards to the placement of the Tyrone Road multi-use path, the Town had been working on that project for years, there had been issues regarding right-of-way acquisition. Mr. Langford informed everyone that currently, there was a path that began at Handley Park, continued under the SR 74 overpass and travels down Senoia Road. There were current designs for the Tyrone Road path, and right-of-way acquisition was a major part of the project. He added that Tyrone was part of a local assistance program with Fayette County and the State. The program was federally fund and helped funnel money down to the local level. The portion of Tyrone Road from Handley Road to Anthony was within that scope. The process included a large environmental study. He stated that nothing should take place on Tyrone Road until the project was complete. He added that the project was funded through GDOT and that the County was finalizing the paperwork. The expected time of construction would be March or April of 2020 and should only take one month to complete. He ended by informing everyone that the project also included other municipalities within the County but that the timeframe mentioned was expected.

Adjournment:

Council Member Matthews made a motion to adjourn. Motion was approved 4-0. The meeting adjourned at 8:32 pm.

Eric Dial, Mayor

Dee Baker, Town Clerk

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