



**CITY OF FLOWERY BRANCH
PUBLIC HEARING
Thursday July 12, 2007 – 6:00 p.m.**



PUBLIC HEARING MINUTES

OPEN MEETING:

Mayor Hirling opened the meeting at 6:06 p.m.

IN ATTENDANCE:

Mayor Diane Hirling, Council Members Jim Herold, Pat Zalewski, and Mary Jones; also in attendance were City Manager Bill Andrew, City Clerk Melissa McCain City Planner James Riker and City Attorney Ron Bennett.

ABSENT: Councilwoman Jan Smith and Councilman Allen Bryans.

PUBLIC HEARINGS:

Hearing #1

Amending the conceptual site plan, exhibit "A" and original conditions of approval relating to Ordinance No. 229 and 240, for the master planner community located on 894+- acres generally known as "Sterling on the Lake"

City Planner Riker made the following summary.

Planner Riker advised that the zoning designation for the subject property is PUD (Planned Unit Development). Requirements of the PUD zone are site plan specific and made part of the rezoning conditions of approval.

Article No. 8 Section 8.10 provides for amendments relating to conditions imposed during the rezoning process that may result in creating inconsistencies with the general intent and purpose of the PUD (Planned Unit Development) zone

Pending this approval, the applicant intends to construct 82 single family homes on 19.56± acres, for a density of 4.19 units per acre. This density is currently permitted under the original rezoning conditions. The density allowance for the entire development will not change as a result of this request.

Pod Q will be comprised of detached single family homes that range in size from 1,600 square feet to over 2,200 square feet. The homes will have a building separation of 8'-0" between structures and include a small private yard area for each unit.

The conceptual site plan identifies several passive open space areas that will incorporate outdoor seating features. The applicant has indicated that this pod will include common area landscape maintenance for all homes.

Pod Q is designed to be gated and will utilize a private roadway system. The proposed roadways will have a minimum right-of-way width of 40'-0" and a pavement width from curb face to curb face of 24'-0", with an allowance of 30'-0" of pavement for the parallel parking areas. The conceptual site plan provides 22 on-street parking spaces and 36 off-street parking spaces distributed evenly throughout the pod.

The homes will be designed to utilize a series of service alleys. The alleys have a functional width of 30'-0" to allow for turning movements into the required two car garages. The developer intends to construct 4'-0" sidewalks on both sides of the roadway and provide pedestrian connections to adjoining pods.

The builder intends to utilize "Arts and Craft", "Craftsman", and "Traditional" architectural styles for the homes. The architecture, in concert with the roadway layout, is intended to provide a "Village" feel that is designed around a series of courtyard areas. The units will be oriented in such a way to minimize the presence of garages from the main roadway. The proposed architectural style will also be consistent with the remainder of the Sterling on the Lake development.

Steve Row representing Newland Communities was present for any questions or comments.

COUNCIL COMMENTS:

Councilman Jim Herold inquired on the width of the street and expressed concerns regarding the proximity of the homes to one another, and the ability of fire trucks to maneuver through the Pod.

Planner Riker advised that there are conditions that require approval of the Hall County Fire Department prior to plan approval.

Councilman Herold further expressed concerns with the type of siding or exterior finishing.

Gary Runner, representing David Weekly Homes advised that Hardie siding would be used in Pod Q.

Councilwoman Zalewski inquired on the maintenance of the roadways and what was the guarantee that the roads would remain in satisfactory condition.

Planner Riker advised that the agreement indicates that the Homeowners Association is responsible for the maintenance of the roadway system within Pod Q and that all liability would on the part of the Association.

PUBLIC COMMENTS:

Stewart Caldwell – Sterling Resident.

Mr. Caldwell inquired if the entire Pod Q would be secluded from the rest of the Sterling on the Lake subdivision and if it would also be fenced.

Planner Riker advised that the topography of the area is a natural fence and that it would be a gated community with connectivity to the rest of the subdivision through the use of sidewalks. It was noted that there would be a decorative fence along Capitola Farm Road.

Mr. Caldwell inquired if Homeowners Association dues would include the upkeep of this Pod.

Mr. Row advised that Pod Q would make payments to a sub-homeowners association as well as the subdivision homeowners association. The fees collected from the sub-association would pay for items within Pod Q.

Planner Riker advised that the first reading of Ordinance 239C and 240C would occur at the July 18, 2007 Voting Session meeting.

Hearing #2

[Annexation and rezoning of a 3.14 +/- acre portion of the overall 7.2 +/- acre site at 5572 Atlanta Highway – for the City of Flowery Branch Wastewater Treatment Plant. Requesting annexation and a zoning designation of "I" Institutional](#)

Planner Riker advised that a recent review of City records has revealed that a 3.14± acre portion of the City's sewer treatment plant is currently located within unincorporated Hall County. The Hall County GIS System indicates that this portion of the property is currently zoned VC (Vacation Cottage) district with the remainder of the property zoned as Flowery Branch I (Institutional). The entire site is developed as the City of Flowery Branch Wastewater Treatment Plant. Given this circumstance, the City of Flowery Branch has initiated an annexation and rezoning application to bring the 3.14 ± acre portion of the property within the City's corporate boundary with a zoning designation of "I" (Institutional).

Planner Riker advised that the first reading of Ordinance 363 & 364 would occur at the July 18, 2007 Voting Session meeting.

COUNCIL COMMENTS:

There were no comments from the Council

PUBLIC COMMENTS:

There were no public comments

Hearing #3

Amendment to the zoning Ordinance No. 348-3 – The proposed amendment would amend Article 9, “non-residential Zoning Districts,” Table 9.2 “Dimensional Requirements for Non-Residential Zoning Districts” as it relates to the “I” Institutional Zoning District. The amendment may also include additional changes to other articles of the Zoning Ordinance to accomplish consistency with this proposed change.

Planner Riker advised that the City has initiated an amendment to the City of Flowery Branch Zoning Ordinance that if approved would modify dimensional requirements relating to the “I” (Institutional) zoning district. The amendment would only be applicable when “I” (Institutional) zones abut each other and will modify the following:

- Reduce the side yard setback from 40'-0" to 10'-0" for principal buildings.
- Reduce the minimum landscape strip along side property lines from 15'-0" to 5'-0."

This amendment may include any additional changes to Article 9 or to other articles of the Zoning Ordinance to accomplish consistency with these proposed changes.

Planner Riker advised that the first reading of Ordinance 348-3 would occur at the July 18, 2007 Voting Session meeting.

COUNCIL COMMENTS:

There were no comments from the Council.

PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT:

Mayor Hirling closed the public hearing and adjourned the meeting at 6:35 p.m.

Melissa McCain – City Clerk

Date

Mayor Diane Hirling