



CALL TO ORDER

Mayor Piper called the meeting to order at 7:03 p.m.

Present: Mayor Piper, and Councilmembers Lyle, Venable, Thrasher, McCormic and Crawley

Also present: Sandra Bennett, City Clerk; Jody Campbell, City Attorney; Jerry Weitz, Planning Consultant

PLEDGE OF ALLEGIANCE

Mayor Piper led the Pledge of Allegiance and thanked all veterans and their families for their service.

VOTING ITEMS

1. **Millage Rate for Tax Year 2021:** The City of Statham property tax levied for Barrow County increased for the 2021 tax year by \$40,000. The City of Statham anticipates the property tax levies for Barrow County for the tax year 2021 will be set at 4.345 mills, which is a 16.64% increase from the proposed rollback rate of 3.725. A tax report was provided to the Mayor, Council and Citizens at the September 9, 2021 Work Session and is available on the City's website and social media page.

Councilmember Venable made a motion to approve the tax year 2021 millage rate at 4.003. Councilmember Crawley seconded the motion, and the motion passed unanimously.

2. **R-21-08:** Presidential Oaks Properties, LLC, by Mitchell Tress, applicant, Margaret Ann Hamway, property owner, seek to rezone property (9.0 acres) fronting on the south side of Atlanta Highway, S.E. and the west side of Mulberry Street (part of Map/Parcel ST02/029) from SR-1, Suburban Residential-1 District to MFR, Multiple-Family Residential District. Proposed use: 62 fee simple townhouses.
3. **R-21-09:** Presidential Oaks Properties, LLC, by Mitchell Tress, applicant, Margaret Ann Hamway, property owner, seek to rezone property (2.6 acres) fronting on the south side of (1811) Atlanta Highway, S.E. (Map/Parcels ST01/024, part of ST02/029, ST01/025A, and ST01/025) from SR-1, Suburban Residential-1 District to HB, Highway Business District. Proposed use: commercial.

Mayor Piper stated that the applicant submitted revised and amended plans based on public comment and revised staff report. The applicant's Attorney, Adam Rozen, was given a brief opportunity to present the revised plans for R-21-08 and R-21-09. He explained the changes that were made to the plans based on the staff report recommendations which included changing the HB rezone request of Tract 3 to O-I, and moving the entrance from Mulberry Street to Atlanta Highway, and giving an easement to the City on Mulberry Street for future road upgrades. The

letter from Mr. Rozen to City Staff dated November 16, 2021 also outlines the revisions and clarifies the applicant is in agreeance with the recommendations, but because they resubmitted revised plans this evening, they requested applications R-21-08 and R-21-09 be tabled until the December Regular Council Meeting to provide opportunity for council review and citizens. Mr. Rozen also stated the letter written to City Staff was also emailed to the citizens who signed up for Citizen Input during the Public Hearing at the November 4 council meeting.

Citizen Input: Larry King – stated why the City should not approve the rezoning, even with the changes, which included issues with storm water runoff and the cost to the City to move water lines, add sewer lines and the cost of power lines being added. He is also concerned about traffic and reduction of property from widening the roads.

Councilmember Crawley stated she was concerned with all the development that was coming to Statham already, and the City should not approve more dense housing at this time.

Councilmember McCormic made a motion to table applications R-21-08 and R-21-09 to the December 9, 2021 Work Session. Councilmember Thrasher seconded the motion. Councilmembers McCormic, Thrasher and Lyle voted in favor of tabling R-21-08 and R-21-09 to the December 9, 2021 Work Session Meeting. Councilmembers Venable and Crawley voted no to tabling R-21-08 and R-21-09. The motion passed 3 to 2.

4. **Preliminary Plat Statham Place:** Application for Preliminary Plat Approval for “Statham Place,” Sullins Engineering, LLC, Applicant, MHC of Georgia, LLC, property owner, 36 lots on 48.10 acres fronting on the southeast side of Dooley Town Road (part of Map/Parcels ST04/095C and ST04/095).

Mayor Piper stated the Planning Staff had supplemented its response about the preliminary plat based on activity on the site and the adjacent final plat property that is currently considered in violation of city codes, and it is the recommendation of City Staff and the Consulting Planner to table the approval of application PP-21-04 Preliminary Plat to the December 21, 2021 Regular City Council Meeting. The Mayor also stated an email was sent to all council members, and printed copies of that email and attachment was placed in each member’s mailbox. He then asked Jerry Weitz to summarize the reasons for the tabling request.

Jerry Weitz, the City’s Consulting Planner, City Planner explained the email that was sent to Mayor and Council on November 10, 2021, and pointed out that even with the property changing hands, that the applicant had not been open with the City on the actual development plans for this subdivision. Mr. Weitz stated that initially the entire property was to be developed, but then a portion of the entire property was broken off and a final plat was submitted to the City only for the 10 lots fronting Highway 211, and when City staff asked about this change and the applicant’s motive to develop the entire property, the applicant stated there were not going to develop the back piece of the property. After the 10 lots were final platted, they obtained building permits, and later came back to the City with this current application for preliminary plat of the back piece of the property. Mr. Weitz stated that he as well as City staff felt deceived by the applicant, and it seemed as if the ownership of the property may have changed, but that they are still connected. He also explained that City staff and Bureau Veritas had placed stop work orders on specific lots (of the 10-lot subdivision on Highway 211) due to several violations including bury pits and land disturbance without permits, and because the City wanted to see the property to be developed

as one subdivision from the beginning with a connecting road from Highway 211 to Dooley Town Road. Public safety and first responders at this point would have to go all the way to Dooley Town Road and back down just to enter the back section of the subdivision that's being presented as preliminary plat and tabling this application will give the City a chance to see if the applicant would be willing to work on revising their preliminary plat to connect the roads.

Mayor Piper reiterated there were stop work orders in place and asked for a motion. Councilmember McCormic made a motion to table Preliminary Plat Statham Place Application to the December 9, 2021 Work Session. Councilmember Lyle seconded the motion, and the motion passed unanimously.

MINUTE APPROVAL

1. November 4, 2021 Work Session & Public Hearing Minutes

Councilmember Venable made a motion to approve the November 4, 2021 Work Session & Public Hearing Minutes. Councilmember Lyle seconded the motion, and the motion passed unanimously.

ADJOURN

At 7:27 p.m., Councilmember Crawley made a motion to adjourn. Councilmember Thrasher seconded the motion, and the motion passed unanimously.



Mayor Joe Piper



City Clerk

12/9/2021
Date



