



Mayor
Kurt Ward

District 1
Becky Richardson

District 2
Richard Harper

District 3
James C. Joedecke Jr.

District 4
James Murphy

Council Meeting Minutes June 13, 2022

The Town of Braselton met for its regular meeting on Monday, June 13, 2022.

Mayor Ward called the meeting to order at 7:00 p.m.

Council members present were Becky Richardson, Richard Harper, James Joedecke and James Murphy.

Mayor Ward led the Pledge of Allegiance.

Councilmember Richardson made a motion to approve the minutes of the meeting from May 9, 2022. Councilmember Harper seconded the motion, which passed unanimously.

Lee Baker was present and gave an update on the Mayor's Comp Plan Committee's progress.

Councilmember Joedecke made a motion to approve the Amendment to Article XVIII to add Section 18.16 as recommended by the Planning Director. Councilmember Murphy seconded the motion. Councilmember Harper made a motion to amend 8 hours to 3 calendar days. Councilmember Richardson seconded the motion, which passed unanimously. The motion as amended passed unanimously.

AMENDMENT TO ARTICLE XVIII

ADD NEW SECTION - 18.16 - DEFERRAL POLICY FOR THE PLANNING COMMISSION AND MAYOR AND COUNCIL ON APPLICATIONS FOR AMENDMENTS TO THE ZONING MAP AND CONDITIONAL USES. DEFERRAL POLICY FOR VARIANCES AND OTHER APPLICATIONS BEFORE THE ZONING BOARD OF APPEALS
ELIMINATE ALL LANGUAGE IN ARTICLE XVIII THAT CONFLICTS WITH THE POLICY SET FORTH BELOW.

An applicant for a re-zoning, conditional use, variance, or modification may automatically be granted one deferral request prior to the Planning Commission, Zoning Board of Appeals, and Mayor and Council public hearing or voting meeting if such request is received via e-mail or letter at least three calendar days prior to the scheduled meeting. The application granted this deferral will be automatically removed from the agenda.

If an applicant desires any additional deferrals after receiving the automatic deferral or does not meet the automatic deferral deadline, the applicant must make this request directly in person to the Planning Commission, Zoning Board of Appeals, or Mayor and Council at their scheduled meeting. The Planning Commission, Zoning Board of Appeals, or Mayor and Council shall vote to either accept the deferral request or not accept the deferral request. If the Planning Commission, Zoning Board of Appeals, or Mayor and Council vote to not accept the deferral request, then that body may vote to take action on the application. The public hearing will still be conducted during the meeting as advertised on an application that has requested subsequent deferrals.

The Planning Commission shall have the authority to defer their recommendation of an application until their next scheduled meeting once without the applicant's consent. In such an event, the application and recommendation will not be forwarded to the Mayor and Council until after a recommendation has been made by the Planning Commission meeting at their subsequent meeting.

There shall be a \$100 fee for any applicant-initiated deferral requests accepted by the Town.

Councilmember Harper made a motion to approve the Amendment to Article VIII to amend Section 8.1 as proposed. Mayor Ward seconded the motion, which passed unanimously.

AMENDMENT TO ARTICLE VIII

Amend Section 8.1 – Use by District Table

Delete Use Term “Fast Food” and replace it with term “Restaurant Drive-In/Drive-Through”

Make Restaurant Drive-In/Drive-Through a Conditional Use in all zoning districts where the previous use term “Fast Food” was permitted by right.

Make Automotive Gas Station and Convenience Store a Conditional Use in the Neighborhood Commercial and General Commercial zoning districts

**The amendments to Article 8 shall not supersede use regulations in zoning overlay districts that are more restrictive.*

Councilmember Harper made a motion to approve the Amendment to Article XVIII to amend Sections 18.11.1 and 18.11.2 as proposed. Mayor Ward seconded the motion, which passed unanimously.

AMENDMENT TO ARTICLE XVIII

18.11.1 AMENDMENT PROCEDURE JURISDICTION –

Add paragraph to Section A (Procedure) to permit concurrent variance requests to applications to amend of the official zoning map.

Remove existing language that conflicts with the proposed regulations set forth below.

The applicant may apply for a variance or modification concurrent with an application to amend the official zoning map. The applicant must submit an official variance or modification application and pay the stated variance or modification application fee. The Planning Commission shall make a recommendation to the Mayor and Council on the variance or modification request. The Mayor and Council shall vote to either approve, approve with conditions, defer, or deny a variance or modification request associated with the re-zoning application.

18.11.2 CONDITIONAL USE PERMITS –

Add paragraph to Section A (Procedure) to permit concurrent variance requests to applications for a conditional use permit.

Remove existing language that conflicts with the proposed regulations set forth below.

The applicant may apply for a variance or modification concurrent with an application for a conditional use permit. The applicant must submit an official variance or modification application and pay the stated variance or modification application fee. The Planning Commission shall make a recommendation to the Mayor and Council on the variance or modification request. The Mayor and Council shall vote to either approve, approve with conditions, defer, or deny a variance or modification request associated with the conditional use permit application.

Mayor Ward made a motion to approve the Amendment to Article VII to amend Section 7.1 as with changes below. Councilmember Murphy seconded the motion, which passed 4-1, Councilmember Joedecke voting against the motion.

AMENDMENT TO ARTICLE VII – PLANNED UNIT DEVELOPMENT

Amend Section 7.1 – Purpose (Add language regarding land use mix requirements.)

Remove existing language that conflicts with the proposed regulations set forth below.

Proposed Language to paragraph C

C. A proposed Planned Unit Development must have in its proposal at least two differing Land Uses (i.e., one for residential and one for non-residential) and two differing densities. For avoidance of doubt: a description of two residential uses with differing densities, such as single family and multi-family, does not constitute a Planned Unit Development. *For new Planned Unit Development (PUD) applications (shall not apply to amendments to existing PUD zoned property): at least 30% of the land shall be devoted to active or passive recreational uses; single use residential structures shall not encompass over 50% of the total ground floor area for building structures in the Planned Unit Development.*

Councilmember Harper made a motion to approve the Amendment to Article VII to amend Sections 7.3 and 7.4 as proposed. Councilmember Richardson seconded the motion, which passed 4-1, Councilmember Joedecke voting against the motion.

AMENDMENT TO ARTICLE VII – PLANNED UNIT DEVELOPMENT

Amend Section 7.3 – Residential Design Requirements for PUD (Add language regarding multi-family use requirements.)

Remove existing language that conflicts with the proposed regulations set forth below.

Add paragraph E.

No multi-family or residential living units shall be permitted on the first floor of any building, except for single-family residential uses located on its own fee simple lot.

Amend 7.4 – Non-Residential Design Requirements for PUD (Add language regarding multi-family use requirements.)

Remove existing language that conflicts with the proposed regulations set forth below.

Add paragraph E.

No multi-family or residential living units shall be permitted on the first floor of any building, except for single-family residential uses located on its own fee simple lot.

Mayor Ward made a motion to approve Gwinnett SPLOST categories as 2/3 Transportation (roads, streets, bridges, sidewalks, stormwater & related facilities and equipment) and 1/3 Parks, Trails & Recreational Facilities & Equipment and authorize the mayor to sign the documents. Councilmember Joedecke seconded the motion, which passed unanimously.

Councilmember Richardson made a motion to approve Jackson SPLOST categories as 2/3 Transportation (roads, streets, bridges, sidewalks, stormwater & related facilities and equipment) and 1/3 for Debt payments on the Parking Deck/Civic Center and authorize the mayor to sign the documents. Councilmember Harper seconded the motion. Councilmember Murphy made a motion to amend the motion to change the categories to 73 percent Transportation (roads, streets, bridges, sidewalks, stormwater & related facilities and equipment), 2 percent Community Center Capital Upgrades and 25 percent Debt payments on the Parking Deck/Civic Center. Councilmember Joedecke seconded the motion, which passed unanimously. The motion as amended passed unanimously.

Councilmember Joedecke made a motion to accept the Hall LOST distribution and approve the resolution accepting and authorizing the mayor to sign the documents. Councilmember Murphy seconded the motion, which passed unanimously.

Councilmember Harper made a motion to approve the New Alcoholic Beverage License for Arthur Roberson for Dollar General Store 20900. Councilmember Joedecke seconded the motion, which passed unanimously.

Councilmember Richardson made a motion to approve the Special Event Permit for Brew Crew of North Georgia for July 4, 2022. Councilmember Harper seconded the motion, which passed unanimously.

Councilmember Joedecke made a motion to approve the Braselton Village Commercial PUD Site Plan with the conditions as recommended by the Planning Director. Councilmember Harper seconded the motion, which passed unanimously.

Councilmember Richardson appointed Mark Huber to the Zoning Board of Appeals

At 7:41 pm, Councilmember Harper made a motion to adjourn. Councilmember Murphy seconded the motion, which passed unanimously.

Approved:

Kurt Ward, Mayor

Attest:

Jennifer Scott, Manager and Clerk