



CITY OF  
**FORESTPARK**

## City Council Agenda Item

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**Subject:** Council Discussion on Zaxby's Waiver Veto – Legal

**Submitted By:** Michael Williams

**Date Submitted:** February 14, 2023

**Work Session Date:** February 20, 2023

**Council Meeting Date:** February 20, 2023

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### Background/History:

At the February 6, 2023 Council meeting, the Council voted to grant a waiver to the developer for a Zaxby's restaurant with respect to its stormwater management permit application with the Clayton County Water Authority (CCWA). The Authority previously put conditions on the site development which Zaxby's reported they were unable to fulfill. The waiver would have allowed the development to proceed utilizing the engineering design presented by Zaxby's engineers.

On February 13, the Mayor vetoed the resolution of the Council approval of the waiver. The veto letter outlining the reasons for the veto are attached. Pursuant to Section 2.32(b) of the Charter, the Council has the option of overriding the veto by a vote of four or more of the Council members.

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**Cost:** \$ none

**Budgeted for:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Financial Impact:**

N/A

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### **Action Requested from Council:**

Direction on how to proceed. If the Council overrides the veto, staff will notify the applicant and the CCWA.