

TYRONE TOWN COUNCIL MEETING

MINUTES

March 21, 2024 at 7:00 pm

Eric Dial, Mayor

Gloria Furr, Mayor Pro Tem, Post 4

Jessica Whelan, Post 1

Dia Hunter, Post 2

Billy Campbell, Post 3

Brandon Perkins, Town Manager

Dee Baker, Town Clerk

Dennis Davenport, Town Attorney

Absent:

Dee Baker, Town Clerk

Also present:

Anthony Koranda, Police Officer

Ciara Willis, Assistant Town Clerk

Randy Mundy, Police Chief

Sandy Beach, Finance Manager

Scott Langford, Town Engineer/Public Works Director

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS: *Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Mayor Dial welcomed everyone and explained that item 14, Certificate of Appropriateness, was not a public hearing but invited people to speak under the two public comment sections. He also informed everyone that comments regarding other items on the agenda or unrelated comments could also be expressed during that time.

Ellsworth Matott, who lives on Brooks Drive, shared that he had lived in Tyrone for seven years. He stated that he chose Tyrone because of its characteristics and appropriateness for raising a family. He shared his concerns about a data center and its impact on Tyrone's citizens. He also expressed that one of the reasons he chose Tyrone, in addition to other reasons, was because he liked that it was not cookie-cutter like other cities, and he hoped that the Town would be preserved as such. Lastly, he hoped that Council, at some point, would adjust its plans for the rezoning of the parcels.

Linda Conley, who lives on Brennan Drive, expressed concern about illegal dumping and litter in the Town. She mentioned the illicit dumping of tires on Lloyd Avenue and the dumping of various items in the vacant Sonic parking lot. She also emphasized that the Town must take control of the littering and dumping issues.

John Harris, who lives on Melrose Glen, commented on the proposed hotel. He stated his support for it and the tax revenue it could generate for the Town.

Adrienne Brown, who lives on Keswick Manor Drive, shared concerns about the proposed hotel's proximity to the Southampton subdivision. She stated that the proposed hotel's location would negatively affect property taxes and the citizens of Tyrone.

Steven Chontos, who lives on Ridge Road, spoke next. He thanked Council for preserving the community's vision. He requested that Council publish a more detailed agenda because it was difficult for citizens to identify and understand the items. In addition, he commented on the plans for the intersection at Spencer Road/Arrowood Road and requested that the mud hole be repaired at that intersection.

Mayor Dial responded to Mr. Chontos' comments. He stated that the items appeared as they did on the agenda because Council was not taking action on a data center. Council's action for the meeting was to annex and rezone the parcels to the Business Technology Park (BTP) zoning classification. Mayor Dial then asked Mr. Perkins to address Mr. Chontos' second question.

Mr. Perkins discussed the forthcoming roundabout at Spencer Road/Arrowood Road. He shared that the design phase was complete. He added that the project was in the land acquisition phase and hoped it would wrap up within the next few months. A construction project of this magnitude took significant lead-up time, but the plans were ready. Once the land acquisition phase was finished, the next step would be to solicit bids for construction. He mentioned that the Town had yet to complete much work at that intersection because a multi-million-dollar roundabout was planned.

Tara Brown, who lives on Wynfield Drive in the Southampton subdivision, spoke next. She requested that Council not permit the Certificate of Appropriateness applicant to switch the type of hotel to an extended stay in the future.

Chris Webb, who lives on Keswick Drive in the Southampton subdivision, shared that he had lived in Tyrone for 20 years. He asked Council to consider the impact the hotel could have on Southampton residents as they made decisions.

Troy Thompson-McCain, who lives on Keswick Manor Drive in the Southampton subdivision, spoke next. She shared that she listened to the last Council meeting regarding extended-stay hotels. The proposed hotel's location was not good, and she felt it would not benefit the community.

Mayor Dial clarified that the only topic up for consideration was the hotel's aesthetics, not whether it should be in that particular location.

V. APPROVAL OF AGENDA

A motion was made to approve the agenda with the change of moving item number 14 under New Business before the Public Hearings section.

Motion made by Council Member Hunter, Seconded by Council Member Campbell.
Voting Yea: Council Member Furr, Council Member Whelan.

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

1. Approve the Council minutes from the March 7, 2024 meeting.
2. Approval of an Agreement with the State of Georgia Municipal Employees Benefit System (GMEBS) to include employees under a public retirement system.
3. Approval of a Resolution to include the Town's employees under a public retirement system and allow covered employees, who vote to do so, to continue participation in Social Security withholdings.
4. Approval of Magician Ken Scott's contract for Founders Day on October 5, 2024 in the amount of \$450.
5. Approval of the contract with Nottingham Shire for the Christmas program horse and carriage in the amount of \$1,100.
6. Approval of Pony Pals Pony Parties contract for Founders Day, October 5, 2024 in the amount of \$900.
7. Consideration to approve the hiring of Tucker Hembree to fill the vacant Maintenance Technician I position.

A motion was made to approve the consent agenda.

Motion made by Council Member Campbell, Seconded by Council Member Hunter.
Voting Yea: Council Member Furr, Council Member Whelan.

VII. PRESENTATIONS

VIII. NEW BUSINESS

8. Consideration of a Certificate of Appropriateness from applicant Kamlesh Patel & MAP Equities for parcel 0726-051. **Phillip Trocquet, Community Development**

Mr. Trocquet stated that applicant Kamlesh Patel & MAP Equities had submitted an application for a Certificate of Appropriateness for parcel 0726-051 to construct a hotel. Upon staff's review of the proposed conceptual landscape plan, site plan, and architectural renderings, the submission appeared to meet the SR-74 Overlay standards. He added that staff would like to note that the approval of the proposed Certificate of Appropriateness only pertained to architectural and site elements as they pertain to the Quality Growth Overlay district. He stated that approval of a specific hotel brand or the hotel's internal operations and floor plan was not a component of the approval. Approval of such items would be part of the site and construction plan approval processes, which would be reviewed by the Technical Review Committee (TRC).

Subsequently, the site and landscape plans would go before the Planning Commission for approval. The hotel would be required to comply with all other ordinance conditions at such time. He added that if approval was considered, staff recommended from an architectural perspective that burnt red/brown brick and earth-tone colors be used for the building to match the surrounding architecture.

He reported that based on the Town's Comprehensive Plan and the Future Development Map, the property was within the Community Gateway character area, which encouraged commercial development consistent with the Town's C-1, C-2, CMU, and O-I zoning classifications to maintain a high standard of architecture, landscaping, and sign controls that also accommodate pedestrian and traffic circulation throughout the development.

Mr. Trocquet stated that upon reviewing ordinance compatibility, staff determined that the proposed architectural and site plans were consistent with the Town's overlay ordinance and Certificate of Appropriateness requirements. The architectural renderings met the minimum standards outlined for the Quality Growth Overlay for the minimum percentage of Class A materials on all sides. The submission also met the minimum requirements for a Certificate of Appropriateness as outlined in Section 109-84 of the land development code.

Mr. Trocquet then asked Council if they had questions regarding the Certificate of Appropriateness application. He added that the applicant was present to answer any questions. Council responded that they did not have any questions at that time.

Mayor Dial offered the applicant the opportunity to speak.

Mr. Patel thanked Council for considering the Certificate of Appropriateness. He informed Council that the submission included the Class A materials required on all sides for the hotel and added that he would be happy to address questions related to the submitted packet.

Mayor Dial asked Council if they had any questions for the applicant or staff.

Council Member Campbell stated that it was the applicant's third or fourth time requesting a Certificate of Appropriateness. Yet, the exact architectural renderings of the hotel were not included in the submission. The information in the submitted packet only included generic designs of a Hilton H3 product. He noted that the proposed Hilton brand hotel was essentially another extended stay type hotel, which was not permissible for guest occupancy over 30 days. He encouraged the applicant to submit the documents Council needed to make a proper determination, which included the exact renderings of what the applicant planned for the property.

Mr. Patel stated that he understood Council Member Campbell's frustration but clarified that the project was always planned as an extended-stay hotel. He mentioned that the previously proposed franchise hotels, Marriott, Hilton, and IHG, were taller than the Town's height restriction for the SR-74 Overlay. Due to this requirement, the applicant had to contact each franchise individually to confirm which brand could accommodate a

three-story hotel. He pointed out that he had to flex between hotel brands because the Town had modified its ordinances regarding hotels and extended stays. Therefore, he had to alter his building plans to comply with the updated ordinances. He expressed that he was also frustrated with the process because it cost him time.

Mayor Dial reminded the audience to be respectful while the applicant was speaking.

Council Member Hunter commented on the applicant's past application for a Certificate of Appropriateness for the same property. He added that he was confused with the example architectural renderings because they did not match the proposed hotel's name. The current submission of the application was for Project H3 by Hilton. Upon his due diligence review of the property, he noted that the intention of that developed property was for longer extended stays. However, the ordinance did not allow a hotel stay longer than 30 days. He added that even if the exterior of the building met the architectural standards for the Certificate of Appropriateness, the way the proposed hotel was designed to function did not meet the ordinance requirements. The idea that the applicant would retrofit the interior of an existing hotel product could also negatively affect the outside of the building. He implored the applicant to reevaluate his plans and decide which hotel met the ordinance requirements.

The applicant indicated that not a single H3 Hotel was open yet, and it was Hilton's brand-new product. That was another reason the applicant was also juggling through the process.

Council Member Campbell commented to the applicant that was not a valid reason because Council did not have everything they needed.

Mr. Gulas, who was Mr. Patel's business partner, approached the podium. He noted that the application required two-D colored renderings with complete elevations, and the provided documents sufficed that requirement. He added that there were multiple meetings on a Certificate of Appropriateness because the goalpost kept moving due to the Town changing its ordinances. Initially, the plat of the property was under a Planning Unit Development (PUD), which had no buffer on the property because it already had a 450-foot greenbelt buffer between the Southampton subdivision and the hotel site. That area was intended as the buffer when the shopping center was constructed. He stated that the Town requested a 75-foot buffer, even though the recorded plat did not show a buffer. He added that the applicant adjusted his plans to include that buffer and the Certificate of Appropriateness was denied. Subsequently, the ordinance changed to a 100-foot buffer requirement.

Mr. Gulas understood that the extended stay could be built if the buffer requirement was met. He emphasized that the Candlewood prototype with precise dimensions did not work with the new ordinance's current buffer requirements. Therefore, the applicant had to pivot to a different brand of hotel. He added that the proposed hotel accommodates the new ordinance's required buffer. The applicant underwent many architectural designs to accommodate the 100-foot and 450-foot greenbelt buffers. Also, the proposed hotel met the height and setback requirements. He shared specific details of the Class A materials for the hotel and stated they exceeded the requirements.

He noted that the gray exterior colors were selected based on the Hilton brand. Though the renderings showed gray colors, Mr. Gulas pointed out that different colors could be requested from the franchise brand to match the surrounding buildings.

Mayor Dial asked if the Town's architectural standards were strict. Mr. Gulas responded that they were fine.

Council Member Campbell asked if this would be the first hotel of its kind. Mr. Gulas stated that other H3 hotels were under construction, but none were built.

Council Member Furr recalled telling Mr. Gulas that a Certificate of Appropriateness would not be considered if the exact renderings were not submitted. She insisted that Council needed to know the precise details and how the interior and exterior would look to make a proper determination. Mr. Gulas replied that he had a floor plan picture of an interior room. He added that the applicant was not required to provide images of the interior rooms.

Mayor Dial asked about the estimated price point per night. The applicant responded that the estimated price per night was \$119.

Council Member Furr asked the applicant if he had the exact rendering of the lobby. Mr. Gulas replied that the required list of documents for a Certificate of Appropriateness was extensive, but interior pictures were not required. He stated that the application only required colored two-D elevations. He added that they followed what was required, but he could show Council a video of the lobby from Hilton's website.

Mayor Dial shared that he watched a promotional video of a Hilton H3 hotel, like most of Council. He added that the video used the term apartment-style room, which was not a good sales point for Council. He also stated that he did not know why the applicant would be attracted to a product advertised as an apartment-style room. Mr. Gulas noted that once the soccer complex was built in Fayette County, a hotel that had an extended stay would provide guests with a sense of comfortability.

Council Member Whelan asked if the Hilton hotel franchise would comply with the ordinance modifications regarding cooktops and other requirements. She questioned if that would affect the outside of the building regarding Council Member Hunter's previous comment. Mr. Gulas stated that it would not.

He added that the hotel was 100% extended stay as when it was submitted on December 20th. At that time, the ordinance allowed for extended-stay hotels.

Council Member Furr again asked the applicant why the drawings were not submitted so she could know what she was voting on. Mr. Gulas replied that he had stacks of franchise papers with drawings. Council Member Furr reiterated that she would not entertain a Certificate of Appropriateness until the applicant submitted all the required documents.

A motion was made to deny the Certificate of Appropriateness from Kamlesh Patel & MAP Equities for parcel 0726-051.

Motion made by Council Member Campbell, Seconded by Council Member Hunter.
Voting Yea: Council Member Furr, Council Member Whelan.

IX. PUBLIC HEARINGS

9. Public Hearing of an annexation and rezoning petition from applicant Fayette County Development Authority of a 70-acre tract with parcel number 0904-008 from AR (Unincorporated) to BTP (Tyrone Incorporated). **Phillip Trocquet, Community Development**

Mayor Dial gave background information on the Public Hearing items. A vote on those items would be tabled to the March 28, 2024, Special Called meeting because the project had to go through a Development of Regional Impact (DRI) review due to the square footage size. He stated that the Public Hearing items were presented to the Planning Commission on February 22, and several citizens spoke in favor of the request but expressed concerns about the development's impact on Highway 74 and the current status of Highway 74, including the new intersection design. He added that the Town expressed those concerns to GDOT.

Mr. Trocquet shared his staff report on the five public hearing items collectively. He stated that the Fayette County Development Authority had put forward the annexation of two properties, parcel number 0904-008 and parcel number 0725-027, as well as the rezoning of three additional properties: parcel number 0725-005, parcel number 0725-035 and parcel number 0725-036. Parcel number 0904-00-008 and parcel number 0725-027 were zoned AR (Unincorporated). All properties had been petitioned to be rezoned BTP (Business Technology Park) with a proposed conceptual development plan consisting of two (2) 252,300 s.f. data processing centers.

Due to the square footage, a proposal triggered the Development of Regional Impact (DRI), which was currently under review by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). The methodology documentation for the DRI had been included, and a total number of trips at 500 ADT was outlined, with approximately 60 gross trips at the AM peak hour and 50 gross trips at the PM peak hour. He added that the low trip generation qualified the project for an expedited DRI review, which would be completed before the Town Council hearings on the items.

Staff recommended approval of the annexations and rezonings with the following conditions: 1) The project incorporated any major DRI recommendations. 2) All properties be replatted to be combined within 180 days of Council approval. He shared that the Planning Commission unanimously recommended approval of the annexations and rezonings.

He continued that the petition was consistent with the Town's Comprehensive Plan and Future Development Map. The Future Land Use designation for the property was Community Gateway, which encouraged BTP zoning north of the Jenkins Road intersection. The development strategy aimed to limit access points along SR-74 and encourage traffic flow on the corridor. Developments should "be identified by the development community as high-value properties that could contribute to the Town's local economy. . . consistent with the Fayette County Development Authority's standards." He stated that the proposed project conserved a major percentage of the overall land area of the combined site and incorporated an internal connection from Thompson Road to Kirkley Road, satisfying both the conservation and traffic management strategies in the Comp Plan.

This petition was consistent with the Town's zoning ordinance. The BTP zoning classification served as the conduit for business/employment centers or technology parks in a planned setting. The district was intended to promote an environment conducive to technology, manufacturing, research parks, and other high-tech professional uses that promote economic investment, grow the local economy, and reinforce the local commercial tax digest. He added that structures should not exceed 300,000 s.f. As submitted, the footprint and the conceptual development plan did not show deviation from ordinance requirements. He shared that the proposed buildings did not exceed the maximum footprint allowance and were shown to be located over 100' from SR-74 in conformance with our ordinance requirements. He stated that the traffic management provisions from the overlay had been incorporated, including a focus on land preservation, as shown in the conceptual development plan. Future site plans, landscape, and architectural submissions should conform to the Quality Growth Overlay requirements.

Mr. Trocquet stated that the applicant was present if Council had any questions.

Council Member Campbell asked Mr. Trocquet about the daily number of trips. Mr. Trocquet responded that the projected 500 daily trips were lower than light industrial uses. Mayor Dial added that the number of trips was over a 24-hour period, and Mr. Trocquet agreed.

Niki Vanderslice of the Fayette County Development Authority spoke about all five parcels collectively. Though it was the first Public Hearing item, she was happy to answer questions regarding the other parcels' rezoning requests. She shared a presentation and requested that the two unincorporated parcels be rezoned and annexed simultaneously. The other three parcels were Town of Tyrone parcels.

She stated that based on the Tyrone Future Use Map, the project fit Tyrone's requirements regarding zoning classifications. The Town was so specific with its Future Development Map that it caused properties north of Kirkley Road and west of Highway 74 to be zoned Business Technology Park (BTP). She added that the Fayette County Development Authority requested to rezone and annex those parcels because the Town gave a zoning roadmap as a community.

She shared Tyrone's current zoning map, which showed all five parcels. She explained that one of the parcels had split zoning, M1 and O-I.

She then discussed the proposed project in depth. The five parcels included 145 acres, but the total project acreage was approximately 161. Part of the project crossed the county line into Fulton County and Fairburn, but those acres would be undisturbed. That area would remain under the AR (Agricultural Residential) zoning classification.

The following presentation slide displayed the wetlands and ponds in proximity to the buildings. The project comprised two buildings, each 252,300 s.f., totaling 504,600 s.f. The BTP zoning allowed for up to 300,000 s.f. for each building. The built portion of the project was about 25% of the total acreage. There would be ample green space, and the wetlands would not be impacted.

She shared that a distribution center could be built with an estimated 4,552 daily trips if the zoning classification remained as MI and O-I. She requested a more restrictive zoning classification that would have fewer daily trips. The project could help balance the community's tax digest.

Mayor Dial asked Council if anyone had any questions. No one responded.

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

Ed Wyatt, who lives on Lees Mill Road, spoke in support. He shared that he had been the representative of the Hobgood family for the last 35 years and that the Hobgood family owned one of the parcels for the proposed data center. The land had been for sale for over 35 years. He shared that he cared about the community and that his family lived in the area. He requested Council's favorable consideration of the data center.

Darrell Baker spoke in support. He and his partner started the conversation about that area four years ago. He shared that he owned property within the proposed data center parcels and would benefit from the rezoning. If the parcels were turned into half-acre lots, the property would not include 75% of green space compared to a data center. He added that the project was consistent with the Tyrone and Fayette County Future Land Use Map. The data center would be the best use with a minimal impact on overall infrastructure.

Georgia State Representative Derrick Jackson, a 20-year Tyrone resident, spoke next. He shared his support for the data center and stated that the citizens of Tyrone would greatly benefit from it. Out of all the projects in Georgia, he felt this project was the best. He added that the data center would be smart growth with minimal traffic density on HWY 74.

Ms. Vanderslice then approached the podium to answer the Mayor and Council's questions. He shared several written comments from concerned residents. The first question was about the size of the proposed data center relative to the QTS facility in Fayetteville. Ms. Vanderslice stated it would be about 10% of that project's size.

Mayor Dial then inquired about House Bill 1192 regarding data centers. She explained why the project should not be impacted by House Bill 1192. He followed up by asking if the developer's contract would be entered into before July 1, 2024. She indicated that the developers would have their information submitted before July 1.

He asked if water usage would be a concern. She confirmed that the project's due diligence team contacted the Fayette County Water System, and it was not a concern.

He then inquired about the external noise of the buildings, and she stated that it would be minimal.

The last question was about construction traffic, mainly on Kirkley Road. To what extent could construction traffic be controlled in and out of the property? Mr. Trocquet stated the Town had complete control of construction traffic in coordination with GDOT. A preliminary GDOT recommendation advised that construction traffic should not be on Kirkley Road but instead on Hwy 74. He also noted that Kirkley Road was a Fayette County-owned road. Ms. Vanderslice added that construction traffic would affect HWY 74 traffic and that one should be aware of that once the project started.

Council Member Hunter asked if the project would have a mixing station or if concrete would be brought in. Ms. Vanderslice responded that she did not know the answer to that question.

Council Member Furr asked about the anticipated construction timeframe. The specific timeline was unknown, but the project should move quickly once construction started because all utilities would be in place. She then asked how long citizens would be affected by construction-related activity. As a reference point, Ms. Vanderslice noted that the first QTS building was built in about two years. It also depended on the process to obtain the building permits.

Council Member Whelan inquired about the 75% green space that would not be developed. Ms. Vanderslice expressed that the company worked diligently on projects to avoid impacting wetlands. For example, she stated that their internal setback requirements were six times more stringent than the Town's.

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

Ms. Micki Dawson commented on the DRI review and whether an environmental impact study would be part of it. Mayor Dial responded that Council would answer her questions after the meeting. She then asked how many data centers were enough since Georgia already had 82. She mentioned that her family relocated from Northern Virginia, and before 2015, the area was beautiful. Now, it was laden with data centers and an eyesore. Northern Virginia was now considered the largest data center home in the world. She read an article commentary about the issues of data centers.

Ms. Mollie Larsen, who lives on Kellsworth Way, requested that Council not approve the rezoning and open the door to a data center. She commented that what she previously

heard about power, water, and revenue regarding data centers differed from what she heard from the applicant. She added that data centers use substantial resources. Also, she did not see how this project would benefit Tyrone or Fayette County.

Ms. April Adams, who lives on Chimney Springs, spoke next in opposition. She asked a rhetorical question about why the Town needed the project. She stated that there were other ways to reduce taxes, like reducing frivolous spending. She also shared her concerns regarding the applicant's inability to determine whether the wetlands and trees would be affected. She encouraged Council not to approve the rezonings.

Mr. Eric Larsen, who lives on Kellsworth Way, read from a written statement. He stated that citizens should think about the effects of a data center. The large data center in Fayette County offers lessons, such as what worked well and what did not. He noted that there should be no rush to build a data center until an informed decision could be made.

Mr. David Opp, who lives on Kenmare Row, made two comments about the data center. He inquired about the developer behind the proposed data center beside the Fayette County Development Authority. The second point was that the data center would alter the community's identity because one of the charming parts about Tyrone was that it was hidden. He also reiterated the concerns about power and wetlands that other citizens had stated.

Mr. Steven Chontos, who lives on Ridge Road, spoke again and stated he did not favor any development. One of his main concerns was HWY 74 and the new intersection. He mentioned the project's impact on him because drivers would use other side roads to avoid traffic, which was already congested. He encouraged Council to look into the effects on other residents, not just those near the planned data center.

Ms. Carrie Klarl, who lives in Tyrone and unincorporated Fayette County, spoke next. She appreciated Council's consideration of the rezoning. However, she implored them to obtain more information on the outcome of the QTS project before proceeding with the proposed data center in Tyrone.

Mr. William Van Loo, who lives on Kirkley Road, stated that his property was adjacent to the parcels. He commented that he preferred that the 100-foot buffer zone be untouched so the buildings would not be seen. He believed the data center would help Tyrone in some way.

Ms. Anne Wittenbery, who lives on Lincoln Road, stated that her son was an environmental engineer. She expressed that if the generators were diesel, it would be bad for the environment.

Mayor Dial stated that Ms. Vanderslice had two minutes for rebuttal.

Ms. Vanderslice shared some figures about the QTS project, which had already benefited Fayette County. She added that she was the applicant for the rezoning and annexation, not the project developer.

Mayor Dial called for a motion to table the item to the March 28, 2024 Special Called meeting.

A motion was made to table the annexation and rezoning petition from the Fayette County Development Authority of the 70-acre tract with parcel number 0904-008 from AR (Unincorporated) to BTP (Tyrone Incorporated) to the March 28, 2024 Special Called Council meeting.

Motion made by Council Member Campbell, Seconded by Council Member Hunter. Voting Yea: Council Member Furr, Council Member Whelan.

10. Public Hearing of an annexation and rezoning petition from applicant Fayette County Development Authority of a 27.8-acre tract with parcel number 0725-027 from AR (Unincorporated) to BTP (Tyrone Incorporated). **Phillip Trocquet, Community Development**

Ms. Vanderslice asked Council if they had any questions.

Council Member Hunter asked Ms. Vanderslice to answer a citizen's question about potential tax breaks. She stated that the Fayette County Development Authority had an intergovernmental agreement with the municipalities in the counties and the Board of Education. They had a standard 1010 tax abatement. She could not speak to the specifics of this project or whether some would apply.

Mayor Dial asked how Mr. Van Loo's request for Magnolia trees would be honored. She ensured that the request would be passed on to the developers.

Councilman Hunter referenced a citizen's question about generators and what backup system the developers would install. She stated that she could not answer that. Mayor Dial noted that it would be handled on the staff level.

Council Member Whelan asked about the preservation of trees on the front side of the property. She indicated that she believed that was the developer's goal, but it depended on several factors.

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

Mayor Dial opened the public hearing for anyone who wished to speak in opposition to the item. No one spoke.

A motion was made to table the annexation and rezoning from the Fayette County Development Authority of a 27.8-acre tract with parcel number 0725-027 from AR (Unincorporated) to BTP (Tyrone Incorporated) to the March 28, 2024 Special Called Council meeting.

Motion made by Council Member Furr, Seconded by Council Member Campbell.
Voting Yea: Council Member Whelan, Council Member Hunter.

11. Public Hearing of a rezoning petition from applicant Fayette County Development Authority of a 37.6-acre tract with parcel number 0725-005 from OI & M-1 (Office Institutional & Light Industrial) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

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

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

Mr. Eric Larsen stated he heard many promises from the applicant and asked who would audit the project to ensure those promises were met.

Ms. Micki Dawson commented on cryptocurrency regarding data centers in Northern Virginia.

Ms. Shawnee Dudley stated that she had been in Tyrone for about a year and in Georgia for three years. She shared her concern about accountability in terms of green space. The planned data centers would negatively impact people due to the exposure to emissions. She queried if ordinances were in place to protect trees and green spaces.

Mayor Dial asked staff to respond to the numerous questions about who monitors developments in Town to ensure compliance with ordinances.

Mr. Trocquet then briefly explained the development process. The first step was the zoning process, followed by the site plan process. The Town had extensive ordinances on building construction and environmental management, which were a part of the review process. The technical review committee (TRC) included about eight departments from the Town and county. The Planning Commission would approve the site plan, and then the applicant would submit a landscape plan, which underwent the same review process. There were numerous checks and balances, and the applicant had to build to the Town's standards.

Ms. Molly Larson expressed concern about revenue and property taxes and asked Council what Tyrone would gain from the project by rezoning.

A motion was made to table the rezoning from the Fayette County Development Authority of a 37.6-acre tract with parcel number 0725-005 from OI & M-1 (Office Institutional & Light Industrial) to BTP (Business Technology Park) to the March 28, 2024 Special Called Council meeting.

Motion made by Council Member Campbell, Seconded by Council Member Furr.
Voting Yea: Council Member Whelan, Council Member Hunter.

12. Public Hearing of a rezoning petition from applicant Fayette County Development Authority of a 5.1-acre tract with parcel number 0725-035 from M-1 (Light Industrial) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

Ms. Vanderslice answered citizens' questions about what Tyrone would obtain by allowing the data center. She used QTS numbers as an example and explained that she couldn't give definitive numbers on what Tyrone would receive. She noted that the revenue would be way more than the \$1,300 the Town received last year.

Council Member Whelan commented that Ms. Vanderslice primarily discussed property taxes and suggested that franchise taxes would also benefit the Town. Ms. Vanderslice agreed in addition to many other benefits.

Council Member Hunter asked if the potential development partner would assist with youth organization programs in the community. She believed the company would be a phenomenal partner.

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

Representative Derrick Jackson addressed a few questions that were raised. He discussed House Bill 1192, which went through the House of Representatives and Senate. Like any other bill, it could die on the floor next week. Over 4,100 pieces of legislation were going through the process. He responded to a question regarding infrastructure and SR-74. He mentioned that the Exit 61 project would start in June 2024, and the Exit 64 project would start two years later, which should relieve traffic on SR-74. He further explained why the data center was the best use for Tyrone.

Mr. Darryl Baker stated that Mr. Trocquet gave a thorough overview of who would monitor the development process from the Town's perspective. He noted that as a developer for 33 years, there would be additional state jurisdiction or US. Army Corp of Engineers monitoring the progress of the project. He reiterated his support for the project.

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

Ms. Linda Conley, a Tyrone resident since 1992, spoke in opposition. She found data centers aesthetically unappealing and disagreed with the data center project. She mentioned that progress was inevitable, but that change was not always about what was best.

Mr. Eric Lasen stated that the focus should be on the future regarding data centers. He encouraged Council to take their time and consider the long-term impacts.

A motion was made to table the rezoning from the Fayette County Development Authority of a 5.1-acre tract with parcel number 0725-035 to the March 28, 2024 Special Called Council meeting.

Motion made by Council Member Hunter, Seconded by Council Member Whelan.
Voting Yea: Council Member Campbell, Council Member Furr.

13. Public Hearing of a rezoning petition from applicant Fayette County Development Authority of a 5-acre tract with parcel number 0725-036 from OI (Office Institutional) to BTP (Business Technology Park). **Phillip Trocquet, Community Development**

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

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

Ms. Micki Dawson mentioned the Business Technology Park (BTP) designation but encouraged Council to consider other business options for the property. She insisted they consider different BTP uses that would benefit the entire community rather than just a data center.

Mayor Dial asked Ms. Vanderslice if she needed rebuttal time.

Ms. Vanderslice emphasized that the end user would be great for Tyrone. Although she was under an NDA, she was confident they would be good partners.

A motion was made to table the rezoning from the Fayette County Development Authority of a 5-acre tract with parcel number 0725-036 from OI (Office Institutional) to BTP (Business Technology Park) to the March 28, 2024 Special Called Council meeting.

Motion made by Council Member Campbell, Seconded by Council Member Whelan.
Voting Yea: Council Member Furr, Council Member Hunter.

14. Consideration to approve a text amendment to section 113-211 of Article VIII of the Zoning Ordinance regarding off-street automobile parking requirements. **Phillip Trocquet, Community Development**

Mr. Trocquet stated that the last Public Hearing before Council was on a text amendment to the Town's parking ordinance. He added that it was necessary to review the parking ordinance regarding the Business Technology Park (BTP) parcels' rezoning with data centers as a proposed use.

Mr. Trocquet informed everyone that the parking ordinance did not have provisions for many use types. Data center parking requirements were one of those use types. With the Town potentially accepting a data center development plan, staff researched provisions for such uses.

He stated that without specific provisions, data centers would fall into the commercial and industrial parking use classification which would require one space per 2,000 s.f. of gross floor area. Given that the traffic counts and on-site activity of data centers were much lower than general industrial uses, it was not deemed appropriate by staff to utilize the calculation. Under the current ordinance, the number of parking spaces for a building that size would be extremely high.

He stated that staff took into account Traffic Impact Analyses for recent data center projects in the metro area as well as employment profiles for such uses. Staff also gathered data from the Institute of Traffic Engineers (ITE) Transportation Planning Handbook and found that data centers fall into the 33rd percentile of traffic generation for light industrial uses that supported a lower parking requirement to the Town's current industrial provisions.

He shared that high parking requirements also expanded the impervious surface area of development and conflicted with the Comp Plan and Land Development Ordinance's preference for preserving green space and reducing impervious surface development coverage. He added that parking spaces should accommodate employee parking and any ratio of parking associated with 'unmanned' non-office floor space dedicated to data processing.

He directed everyone to the new language under (7) *Data Processing Center. One space per 4,000 square feet of gross office, server, equipment, and storage area.*

Mayor Dial asked if decreasing the number of parking spaces would help the environment. Mr. Trocquet agreed that it was beneficial.

Council Member Whelan asked if fewer lights in the parking area would be another benefit of reduced parking. He responded that he agreed and that reduced parking space requirements would have other residual benefits, such as smaller detention ponds.

Council Member Hunter asked if the Town could suggest alternative materials for parking surfaces to the developer. Mr. Trocquet stated that staff could make those suggestions, but the developer was not required to do so by default. However, they had to prove why they could not. The Town's environmental standards were high.

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

Mayor Dial opened the public hearing for anyone who wished to speak in opposition to the item. No one spoke.

A motion was made to approve the text amendment to Section 113-211 of Article VIII of the Zoning Ordinance regarding off-street automobile parking requirements.

Motion made by Council Member Whelan, Seconded by Council Member Campbell.
Voting Yea: Council Member Furr, Council Member Hunter.

X. OLD BUSINESS

XI. PUBLIC COMMENTS: *The second public comment period is for any issue. Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Micki Dawson spoke again and asked Council if the citizens automatically approved a data center by not opposing the text amendment of the ordinance for the off-street automobile parking requirements. Mayor Dial responded that the answer was not that simple. He stated that it was not Council's job to approve a data center that night or at the Special Called meeting on March 28th. He added that a data center type use fits into that zoning category.

Tracy Furr-Pearce, the daughter of Council Member Furr and who had lived in Tyrone for 50 years, spoke next. She shared that her five-year-old students had been excited to recite the Pledge of Allegiance with Council for the last two weeks. She thanked Council Member Hunter for the idea and Council for the group picture with her class. Mayor Dial expressed that other students at the school were also welcomed at a Council meeting.

Shawnee Dudley asked for clarification regarding the parcel rezonings for a data center. Mayor Dial explained the process and stated that Council's function was to rezone and annex the parcels. He noted that Council invited the applicant to share the property developer's plans to be more transparent.

William Whelan, who lives on Valleywood Road, spoke next. He shared that he had lived in Tyrone for 30 years. He thanked Council for their patience and expressed his pleasure at the number of citizens present at the meeting. He commented that, like many citizens, he did not want a hotel and did not want the Town to change. He asked how staff could educate citizens on what zoning districts were close to their properties so homeowners could identify what could be built in those designated areas.

Mayor Dial stated that staff would pull up the Town's zoning map and explain it.

Mr. Perkins displayed the Town's zoning map on the screen for the audience, and Mayor Dial explained the zoning districts. Each color on the map represented a different zoning district. Citizens could also view zoning ordinances on our website detailing each designation. It would further explain what could potentially be developed in that district.

XII. STAFF COMMENTS

Mr. Perkins shared his staff report. The "Talk of the Town" was scheduled for Monday, March 25th, at 6 p.m. and was open to all citizens. The quarterly meeting was an excellent opportunity for citizens to learn about their local government and ask questions. The topic for the upcoming meeting was "Why Do Cities Change?" He also mentioned that the Tyrone 101 Citizen's Municipal Academy was another opportunity for citizens to gain a deeper understanding of each department, which consisted of a 7-week program. He added that he looked forward to the next class.

The Budget Workshop meeting was scheduled for Tuesday, March 26th, at 9 a.m. in the Council Chambers. It was the kickoff to the budget season, during which department heads presented objectives for the next fiscal year.

Mr. Perkins addressed the comments made by Ms. Linda Conley during the first public comment section regarding debris and illegal dumping. He stated that the issues she mentioned were being resolved in some capacity. In addition, he shared that the Public Works Department regularly disposed of trash around the Town. For example, he shared that they had picked up 114 trash bags during January and February. Lastly, he asked citizens to call or email him directly with a complaint or question. He added that the Town did not monitor third-party social media websites.

Mr. Perkins then discussed the dumpsite at Handley Park, which had been there for several years. It was a Public Works Department worksite used for limbs and debris collected from around the Town. He stated that he agreed with Ms. Conley during a meeting in his office that the area was an eyesore and that something should be done. He initially suggested leaving it as a drop site but screening it from the public's view. He informed Council that a conversation was had with the Public Works Department that morning regarding the debris at Handley Park. He proposed to clean and screen the site but to allow the Public Works Department to continue to utilize the dumpsite as needed. He then asked for Council's input.

Council Member Furr commented on the negative appearance of the dump area. She also expressed her displeasure with the unsightly area because it was visible to surrounding neighborhoods. It was suggested that another dumpsite for the Public Works Department was needed. She believed leaving the dumpsite in its current state would lead to more illegal dumping.

A motion was made to remove the debris off of Swanson Road and to cease further dumping.

Motion made by Council Member Furr.

Motion dies for a lack of a second.

A motion was made to clean the area with debris at Handley Park and to allow staff to propose a revised plan for a dumpsite in the future.

Motion made by Council Member Furr, Seconded by Council Member Campbell.

Voting Yea: Council Member Whelan, Council Member Hunter.

XIII. COUNCIL COMMENTS

Council Member Hunter thanked the staff in attendance for working the meeting and staying late.

Council Member Campbell thanked Niki Vanderslice and Representative Derrick Jackson for attending the meeting. He also gave a shout-out to Mr. Bowman, Mr. Kelley, Mr. Jones, and Mr. Underwood of the Public Works Department for replacing the speedbumps on Ashland Trail.

Council Member Whelan thanked the Tyrone Police Department for its support and assistance at the meeting. She also thanked Ms. Furr-Pearce for bringing her students to recite the Pledge of Allegiance with Council.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

A motion was made to adjourn.

Motion made by Council Member Campbell.

Voting Yea: Council Member Furr, Council Member Whelan, Council Member Hunter.

The meeting adjourned at 10:16 p.m.

By: _____
Eric Dial, Mayor

Attest: _____
Ciara Willis, Assistant Town Clerk