

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

August 1, 1996

7:00 p. m.

The City Council of Peachtree City met in regular session on Thursday, August 1, 1996, at 7:00 p. m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were: Councilmembers Annie McMenamin, Caroline Price, Jim Pace, and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Council presented Certificates of Appreciation to the Olympic Torch Relay Committee members.

The Olympic Torch Relay Committee presented Certificates of Appreciation to city employees.

Council awarded "Peaches" to the co-chairpersons of the Olympic Torch Relay Committee.

ADDITIONAL AGENDA ITEMS

Lenox moved that an additional agenda item for use of the City's logo in a fund-raising endeavor requested by the McIntosh Chiefettes be added as item number 08-96-04. Brooks seconded the motion. Motion carried unanimously.

MINUTES

McMenamin made a motion to approve the July 18, 1996 minutes as presented. Pace seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

05-96-07 Investigation of Alleged Violation of Ethics Ordinance

Lenox said Council had been notified by Mr. Phil Grant, the attorney hired to conduct the investigation, that he would not be prepared to present the report this evening. Basinger said he had called Mr. Grant after the July 18 Council meeting and expressed Council's sense of urgency about concluding the investigation and the need for a report in time for the August 1 Council meeting. Mr. Grant explained he had been trying to set up a meeting with Mr. Hyde and his attorney and would make every effort to complete the

report in time for tonight's meeting. Mr. Grant's secretary advised us today the report was not completed and Mr. Grant was not in the office today so a projected completion date was unavailable. Basinger said he would try to reach Mr. Grant tomorrow and obtain that date.

Lenox moved that this item be continued to the August 15 Council meeting and if the report was received and required action prior to the August 15 meeting, that a special meeting would be called. McMenemy seconded and motion carried unanimously.

NEW AGENDA ITEMS

08-96-01 Public Hearing - Rezoning Request Gannon Building, Whitlock Place, Phase II

Lenox stated Council had received a communication by facsimile today in which the applicant asked to withdraw the rezoning request. Lenox said that under the rules, this withdrawal constitutes a termination of this application and could not be refiled for a minimum of six months and, if it was refiled, the process would start over. McMenemy made a motion that the withdrawal of the application requesting rezoning for the Gannon Building be accepted and that guidelines be followed as stated in the ordinance. Price seconded the motion. Motion carried unanimously.

08-96-02 Conceptual Plat Appeal - Beechwood Subdivision

Lenox said that Council did not have appeals very often and there was no set procedure, but the most logical method would be to have the developers present their case and even though this was not a public hearing, if anyone would like to make any comments, they were welcome to; then we would hear the staff's position.

Mike Lorber, planning consultant for the Beechwood project, addressed Council as the representative for Bobby and Sarah McWilliams and Jimmy Haligan, President of Hyland Homes. Lorber explained that the proposed Beechwood Subdivision was located in the area of Heritage Park off of Highway 74 in Kedron Village and asked that Council approve the formerly submitted plan versus a last-minute plan requested by the city staff just four hours prior to the June 17 Planning Commission meeting. An attempt was made on July 22, 1996 to ask the Planning Commission to reconsider the formerly submitted plan, but the Commission refused the request. Lorber stated further that three plans had been submitted and indicated the three plans which were displayed for Council. Lorber said it was their contention that this appeal had strong merit based on the fact that due process was violated. Lorber said the approved plan called for the following:

- Removed a greenbelt separation between this subdivision and the adjacent office site.
- Potentially made the adjacent office site unbuildable.
- Diminished the integrity of the greenbelt along the existing access road.
- Reduced the sizes of the proposed lots which directly reduced the size and value of the homes.
- Ignored existing utility locations and drainage patterns.

The formerly submitted plan:

- Followed and exceeded the city's adopted zoning and development ordinances.
- Provided over one acre more greenbelt than what was required by any City ordinance or guideline.
- Was designed with lesser density than what was allowed by the current zoning ordinance (3.8 verses 6 units per acre).
- Demonstrated that it best served the future residents of the Beechwood Subdivision.

Lorber said one significant change to the earlier plan that was submitted in the beginning of this process was city staff's recommendation to have the sewer easement placed inside of the road about 12 feet deep instead of on the more shallow, lower end of the property so that more vegetation would not be disturbed along the creek area. Lorber stated further that it was not the intent of the developer to clear cut the property except for the drainage system, the clearing of roads and the home sites. The rest of the vegetation would be preserved with additional trees and landscaping added to each home. There would also be custom landscape plans for each home.

In addition, Lorber said the dirt that came off the access road had been stockpiled and that more dirt would be added to that area which would create a 6 foot high berm within the 20 foot greenbelt area and it would be landscaped very heavily.

Several citizens voiced their concerns about the buffers, trees, and vegetation along the wetland area that separated the proposed Beechwood Subdivision and The Heritage Subdivision. Mildred Harris, President of the Concerned Citizens Committee, said she would not like to see any compromises on the buffers.

Lenox said one of the important things to note was that the Land Use Plan was amended to incorporate the buffering concept on cluster homes - that it was not an ordinance - and its intentions were that each site would be based on its individual merits and provide tools to make sure there was sufficient buffering and that the intent

was to give staff the ability to work with each site. Lenox said Council was trying to arrive at how to protect everyone's interest in the best manner possible.

Lorber said the developer had agreed with city staff to construct a 50 foot buffer along the highway and also to provide an access road out of the Beechwood site.

Pace said, from his perspective, he thought the most important elements of either plan was that it needed to be adequately buffered between Beechwood and The Heritage and Beechwood and Honeysuckle. Pace said he would prefer it if those buffers were beefed up and put the narrower buffer where it only affected four of Beechwood Subdivision's homeowners.

Williams addressed Council and said staff recommended denial of the reconsideration of the appeal. Williams stated a cluster project was defined as a single-family residential project where houses are constructed on relatively small lots with the objective of providing the space that would be saved by going to the smaller lots and reducing the price to the homeowners proportionately and that the space you would use in doing so would be used as perimeter buffering for the project. Williams said the principal here was to keep Beechwood Subdivision as far as possible away from The Heritage and thought that the buffer along the backside of Honeysuckle was a reasonable buffer. Williams said there was virtually no buffer on The Heritage side and that it was essential this project be buffered on the other side because they were proposing houses in Beechwood that were much smaller and less expensive and it would not be fair or good planning to put them any closer than they had to be. Williams said his preference was to start over, but he thought that the compromise that the Planning Commission was able to arrive at was a good one. Williams said further that the office site needed to get smaller, the cluster project needed to develop a little less density and a more compatible design with the rest of the community. Williams stated further that the best trees on that site are in that lower wetland area and everything possible needed to be done in order to save them and in order to have a reasonable buffer between the two projects.

Price said she thought the strength of Peachtree City's zoning was the fact that we could be site specific and end up with the best situation for a given area and would like to see Council arrive at an agreement where the homeowners of The Heritage have protection but not at the expense of the Beechwood project. Price stated further that if there were some site specific enhancements that were required, those are the kind of things that city staff had excelled at in the past and hoped that Council could count on that to serve them well in this instance also.

Pace said he saw very little difference between the two plans and he was concerned about protecting the existing homeowners and thought that neither of those plans did

that and thought perhaps Lorber could get a few more feet or additional trees between the existing Heritage homeowners (six to seven lots). Pace said he felt it was not a good idea to push the residential lots into the Office Institutional.

Price asked whether it was possible to charge the applicant, the Planning Commission, and city staff with working within the spirit of the two plans and be able to find site specifically where the buffers need to be placed in terms of protecting The Heritage Subdivision and the office institutional lot.

Jimmy Haligan, President of Hyland Homes, addressed Council and said that this site plan was the best for the overall situation and that the best use of this land was single-family development.

David Piet, Chairman of the Planning Commission, addressed Council and stated the Planning Commission generally felt there was too much density for this area and felt that the top plan (which was being displayed for Council), as a minimum, was the best one.

Julian Campbell, a member of the Planning Commission, addressed Council and said that the Planning Commission had worked very hard to reach a compromise. Campbell said that overall the density is far less than is allowed on this piece of property and that the GR zoning had been in place for some time and was not modified during the course of last year's Land Use Plan update. However, the common theme the Planning Commission carried throughout the discussions was to protect people in adjacent subdivisions and give that higher priority even if trade offs had to be made in other areas. Thus, more focus was placed on providing an adequate buffering along the creek and wetlands area between Beechwood and The Heritage although it became problematic along the street and along the OI. Campbell said the Planning Commission was trying to force more compromise on the part of the land owner and developer which would allow for a smaller OI use in that OI parcel. Campbell said further that the Planning Commission's final position was to take the greatest buffering that would do the greatest good between subdivisions that currently exist.

Price made a motion to uphold the appeal of the applicant for the Beechwood Subdivision approving the plan submitted and requiring that the applicant address site specific enhancements to the buffers between The Heritage and Honeysuckle.

Piet asked if the applicant would agree to require additional buffering in those areas where it was necessary and have the developer work out the details in agreement with city staff and the developer. Piet said additionally that a Planning Commission

member should be assigned to this project to work out any of these compromises that would have to be settled. Lorber replied they would agree to this.

Price said she would amend her motion and add that site specific enhancements to the buffers between The Heritage and Honeysuckle Subdivisions based on an agreed plan with city staff and approved by the Planning Commission. Brooks seconded the motion. Motion carried unanimously.

Lenox said there would be a two minute recess and that Brooks would take over the remainder of the meeting due to another engagement Lenox had to attend.

08-96-03 Post Office/Clover Reach - Entrance Agreement

Basinger addressed Council and said that for a number of years the city had tried to get the Post Office to connect the exit drive off of Highway 74 all the way through the Post Office property to Clover Reach on the rear and by so doing this would result in three more exits on Highway 74 when departing the Post Office. There would be an exit at Clover Reach and the Waffle House intersection, one at Clover Reach and the Menlo Park intersection, and a third one at the Paschall Road and Highway 74 intersection. Basinger said Post Office officials would now permit the city to make this connection if the city would pay the cost. The Post Office also plans to have other modifications to the facility in conjunction with the drive connection and had requested that the city be responsible for the design, engineering, and construction of the drive connection as well as the modifications to the facility. The city would only be responsible for the cost of the design, engineering and construction of the drive connection and the Post Office would be responsible for all costs associated with other modifications to the facility. Basinger said there was an agreement before Council with the US Postal Service on this joint project. Basinger said the project also included a connection to the cart path system and this connection would run from the path at Leach Station along Highway 74 in front of the Post Office and continue along 74 to a point just short of the Waffle House where the path would turn westbound to Clover Reach and across Clover Reach to the new commercial development on the southwest corner of the 74/54 intersection. The cost and installation of this connection would be the responsibility of PCDC. The project also included the addition of a northbound, left-turn lane off Highway 74 into the Post Office. Council had already funded and approved this addition and the lane was in place and functioned very well. Basinger said staff recommended approval of this agreement which the City Attorney had reviewed and requested this project be funded from the Council Contingency Fund.

Brooks made a motion to approve the Inter-Governmental Agreement and because of the cost, should be signed by Mayor Lenox and that funding be provided from the Council Contingency Fund in the amount of \$46,160. Price seconded the motion. Motion carried unanimously.

08-96-04 Request to Use City Logo for Non-Profit Fundraising

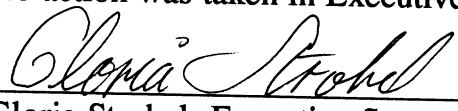
Basinger said a request had been received by the McIntosh Chiefettes to use the city logo on a Peachtree City monopoly game being produced to sell as a fundraiser. Basinger stated that city policy, CAR 5-5, states that non-profit organizations and city appointed commissions and boards may, with proper City Council authorization, be allowed to display the city logo and staff recommended approval of this request.

Price made a motion to approve the use of the Peachtree City logo by the McIntosh Chiefettes for non-profit fundraising activity. Pace seconded. Motion carried unanimously.

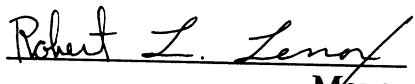
Brooks made a motion to adjourn the meeting for Executive Session. Price seconded. Motion carried unanimously.

EXECUTIVE SESSION

No action was taken in Executive Session.



Gloria Strobel, Executive Secretary

Attest: 

Mayor