

City Council of Peachtree City
Meeting Minutes
June 21, 2018
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, June 21, 2018. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

Kelly Duncan of Recreation & Special Events was honored as May's Employee of the Month, and Council recognized Fire Department Battalion Chief Chris Campbell for 25 years of service to the City.

Agenda Changes

Ernst moved to switch the order of New Agenda Items 06-18-04 and 06-18-05. Madden seconded. Motion carried unanimously.

Minutes

June 7, 2018, Regular Meeting Minutes

King moved to approve the June 7, 2018, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. Consider FY 2018 Budget Amendment

**2. Consider Stormwater Facility Maintenance Agreements – CertainTeed and
Granite & Marble Warehouse**

Madden moved to approve Consent Agenda Items 1 and 2. Prebor seconded. Motion carried unanimously.

New Agenda Items

06-18-02 Public Hearing – Consider Variance Request, 414 N. Peachtree Parkway

This request was withdrawn by the applicant.

**06-18-03 Public Hearing – Consider Transmittal Resolution, Capital Improvements Element
(CIE) Update**

Planning and Development Director Mike Warrix explained this transmittal resolution was associated with the annual update of the Capital Improvement Element (CIE) of the Comprehensive Plan. According to state law, all cities that administered impact fee programs were required to adopt CIEs as part of their Comprehensive Plans and update those plans and elements on an annual basis.

Warrix noted the text of the update was included in the meeting packet and had been available for review by the public at City Hall. The next step would be for Council to approve the CIE for submission to the Atlanta Regional Commission (ARC) to begin the regional and state review process. After those reviews, Council would formally adopt the CIE, probably in September.

Fleisch opened the public hearing. There were no comments. Fleisch closed the public hearing.

King moved to approve New Agenda Item 06-18-03, Transmittal Resolution, Capital Improvements Element (CIE) Update. Ernst seconded. Motion carried unanimously.

06-18-05 Consider Step One Annexation, SR 54 (northwest side)

Warrix noted this was the first of two Step One Annexation applications on the agenda. This request was made by the Bradshaw Family, represented by Jerry Peterson. It was for two parcels totaling 28.3 acres and included a request for Limited Use Commercial (LUC) zoning. Mixed-use development was the proposed use, and Warrix said the applicant would describe that in more detail.

Warrix presented a map showing the location of the tracts on SR 54 and Sumner Road and in relation to Smokerise Point, along with a site plan. The County's zoning of the site was Agricultural Residential (AR) with the Future Land Use Plan designating these two parcels for low-density residential.

Fleisch asked Warrix to outline the Two Step Annexation process, which they said was unique to Peachtree City. He said Step One allowed Council to examine the request, but take no formal action on annexation. The purpose was to see how the annexation request fit into the City's goals and with the Future Land Use Plan and the Comprehensive Land Use Plan. If the applicant received permission to move forward and formally applied for annexation, then the City would notify the County that there was an annexation application. That would start the Step Two Annexation process, which called for the submission of more detailed information by the applicant and would result in a final decision by Council.

Peterson spoke for property owner Scott Bradshaw. He said the adjacent property to the south housed small commercial establishments, with a veterinary office, an antique shop, an assisted living facility, a new office building, and Lexington Square. Across the road held small office and retail uses, along with the Publix center. Peterson said this showed the property was not isolated. On the Sumner Road side were small office buildings, Peterson added.

He recalled that they brought forward a different plan for these parcels in 2014 or 2015, and, after consulting with staff, decided to revise the plan. The biggest change involved wrapping residential around the north and west sides of the property to match the development across Sumner Road in both directions. They added a park in the center of the development for both the residents and office and retail users. He said the first plan had a cul-de-sac off the median cut, and that had been changed to a loop road off the median cut, with an additional right-in, right-out access point.

Topographical maps showed the high point on the eastern edge of the property, so all drainage would be towards the west, Peterson noted, which was where all the detention and water quality features would be located. One of those would be a park next to the residential entry.

Compared to the old plan, this proposal had a slightly less retail and office and more open space, Peterson reported, but residential would be about the same. He said there was good access for path connections, and sewer was close to the bottom of the property.

They had considered seeking General Commercial, Office, and Residential zonings, but staff suggested LUC, based on this concept plan, with the Land Use Plans controlling uses in the LUC, Peterson noted. He presented some ideas of what the architecture might look like, with the retail structures matching what was already in place.

Fleisch asked if this site would be served by the same lift station that was behind the Ankle and Foot Clinic, and Peterson said it would. Fleisch explained that the reason for scaling down retail from the earlier plan was to prevent traffic congestion like what was in the SR 54 West area.

Fleisch also inquired if this property was in an overlay district. Peterson noted that it met requirements for buffers on a major highway. City Manager Jon Rorie said that the County had this land in an overlay district.

Senior Planner Robin Cailloux explained that the intent of the County's overlay was to maintain the rural residential character of the existing homes in the area. She said it required 100-foot setbacks and that structures look like homes, with no commercial storefronts. All of those requirements, she said, would come into play if existing structures were significantly altered or added on to in the area.

Rorie clarified that existing structures were considered legally non-conforming, but if they were renovated, they would have to conform to overlay standards. If a building had a 50-foot setback, it would have to go to 100-foot setback if it was making major alterations, Rorie pointed out. However, he noted, the overlay district would not apply if the annexation were granted because they were County overlay districts, not Peachtree City overlay districts.

Fleisch recalled they had previously discussed making the Homeowners Association (HOA) responsible for sidewalks. Peterson said there would be an HOA that could assume that responsibility, and those details would be established in Step Two. Fleisch said she just wanted to establish expectations. She noted that there should be a sign at the eastern entry to the City, as well.

Rorie told Peterson that, if Council voted to move on to Step Two, then the City would have to ensure the forthcoming plan would include connectivity to the path system. He said it should also include landings for a multi-use bridge or tunnel crossing SR 54, and there should be an easement dedicated for that. Peterson responded that this might not be the best place for a crossing, but added that he was open to discussion.

Prebor asked what the next step would involve. Rorie said moving on to Step Two would allow the applicants to work with Planning and Zoning staff to iron out the details, such as what the LUC would require and how many residential lots would be included. Step One was just a macro look at what was proposed, he remarked, while Step Two went into detail.

Rorie asked if anyone had reached out to business owners on Genevieve Court, which was across the street, to ask if they would like to be part of this annexation. He noted that a lot of this planning for annexation involved identifying growth boundaries and should not be done piecemeal. There would be issues in the future if one parcel were in the City while the parcel across the street was in the unincorporated County, Rorie predicted. Problems could arise in terms of service delivery, such as Fire and Emergency Medical Services (EMS). He said the City might have to change the annexation method to 60% of the property owners requesting annexation, but it would be worth it to clean up the SR 54 East corridor and get all property into the City.

City Attorney Ted Meeker told Prebor that if Council approved the Step One application, the next step would be to submit a formal application for annexation. At that point, the County would be notified, and the City would be informed of any response or issues the County might have. Planning Staff would become more involved. Meeker said the total plan would be vetted by the Planning Commission before coming back to Council.

King moved to approve New Agenda Item 06-18-05, Step One Annexation, SR 54 (northwest side). Prebor seconded. Motion carried unanimously.

06-18-04 Consider Step One Annexation, SR 54 (southeast side)

Fleisch recused herself from the discussion due to previous employment with Ravin Homes, and Mayor Pro Tem Ernst presided. Warrix said this was a 60% Step One annexation, and Pam Rossetti of Ravin Homes was the applicant. He reported that owners of 66% of the included property had signed the petition for annexation, significantly more than what was required. This request included 30 parcels, totaling 105 acres.

All tracts were currently zoned Commercial by the County, Warrix noted, except for one 50-acre tract behind Governor's Square that was zoned R-20. The applicant was requesting Commercial zoning for all but that tract, which she asked to be zoned as Limited Use Residential (LUR). The applicant proposed 112 single-family homes, medium density, for those 50 acres. Warrix presented a map that showed the location, which included Publix and Stein Mart to Autera Health Center, along with a list of property owners who signed the petition and those who did not. The County's Future Land Use Plan, Warrix remarked, showed Commercial zoning for most of the property, with low-density residential on the 50-acre tract to the rear.

Richard Ferry, representing Ravin Homes, said they believed that SR 54 East had the beginnings of a good village concept. On the west side of the property were single-family homes, townhomes, offices, restaurants, stores, and a school. On the east side, their proposal would increase and improve on that concept by bringing a grocery store and a department store into the City, among other businesses, plus a residential development that would supply customers to support them. Ferry also showed the current City boundaries and how they would change if annexation were to be approved.

Ferry reaffirmed that the annexation petition met requirements by having the owners of 66% of the property sign on, exceeding the state requirement of 60%. The state also required 60% of the registered voters in the area sign the petition, but in this case, there were no registered voters residing on the properties. Ferry noted that there were 30 parcels in this annexation proposal, and 29 were a mixture of office and commercial uses.

Ferry said that advantages to the City included not only a boost to the tax base, but also the fact that any development and re-development of these properties would be governed by the City's ordinances and standards. This would give the City more say into the appearance of its eastern entrance in the future.

The proposed residential project was a little different from what Warrix outlined, Ferry noted. The total acreage was 49.254 acres, and they intended to request a medium-density LUR zoning for 94 single-family lots, about 1.9 dwelling units per acre. The density was in accordance with the goal of the Comprehensive Plan to step down density towards the City's boundary, Ferry commented. There was a 50-foot buffer around the property, and 24.2 acres would be gross open space, which was about 49% of the property. Ferry said there were three creeks on the property that they wished to protect. The creek to the north and west was most significant, but they wanted to preserve the other two as well.

Ferry said a lot would be set aside at the entrance for public safety purposes, and space had been designated on the cul-de-sac to the south for future right-of-way and connectivity. A cart path easement would run along the 50-foot buffer adjacent to the properties on Governor's Square.

Ferry said the residential development across the street on Governor's Row provided a good example of what they intended for this residential project. The architecture would be similar, and several builders had expressed interest. He showed photos from builders depicting examples of

the homes. In summary, Ferry said, this proposal would be a positive addition to the idea of an East Village. He asked Council to allow them to move on to Step Two and create a concept for a vibrant East Village.

Ernst said Ferry had answered his questions regarding public safety and other items.

Madden asked Rorie if anyone had reached out to Publix and Stein Mart. Cailloux answered, saying staff had contacted the property owner multiple times and got a response that they would need to take it up to the corporate level. She acknowledged it was a big corporation, and the same company owned the Publix, Stein Mart, and Kaufman Tires properties.

Madden noted staff pointed out that the residential plan would not meet with the County's Future Land Use program. Warrix said the County had designated it for low-density residential (R-20). Meeker confirmed that if the City annexed the land, it would be under City control, but Rorie said the County could object if the City annexed the land and re-zoned it for LUR medium density. He said that could be worked out through arbitration. It was a greater density than the County stated on its Land Use Plan, but that could be dealt with in the future, Rorie said.

Madden asked if the greater density was permitted under the City's Land Use Plan that called for less density towards the borders. Warrix said the City's Future Land Use map did not extend into the County or the County's into the City. However, Rorie pointed out, bringing the property into the City in an LUR with a greater density would be consistent with the City's Land Use Plan, and Warrix agreed.

Prebor asked Rorie if he received many complaints about the signs along this part of SR 54, such as at the Ace Hardware store. Rorie said complaints were common, but the City had no control over zoning or code enforcement in that area because it was not in Peachtree City. If it was urban, it should be municipal, he stated. He noted that, as Ferry had said, this annexation would allow Peachtree City to enforce its ordinances, such as those governing landscaping and signage, in this area. However, Rorie pointed out, there were uses currently in place that, even if the land were annexed, would be allowed to remain as legally non-conforming uses. Prebor clarified if this meant the pawnshop, and Rorie said it did, but noted that someone could not put in another pawnshop. Warrix said the LUR ordinance would allow the City to write in permitted uses.

King asked about the golf cart path access in the residential portion and said it would be a substantial commitment for the City to connect to it. Ferry pointed out the area on a map. King asked if the City would have to establish the connection to the south. Rorie mentioned there was a Special Purpose Local Option Sales Tax (SPLOST) project, currently in the preliminary stages, which would establish a cart path connection with Shiloh Mobile Home Park and Stein Mart. He said this was why it would be important to secure easements for a grade-separated crossing right now because it would be necessary to build a crossing in the future. King said it was important to maintain the City's brand as a golf cart community.

Ernst asked Rorie if the Georgia Department of Transportation (GDOT) could pull its permission for the current cart crossing at the traffic light on SR 54. Rorie said they could "un-permit" a permitted crossing at any time, and probably would if traffic increased greatly over the 26,000 vehicles a day that currently passed through the area. The permit might be revoked for safety reasons in that case. He said the City must look ahead and plan for this eventuality, even if it was 20 years in the future.

King inquired about sewer connections for the new development. Rorie said Stein Mart, Publix, and Shiloh were all connected to the sewer system. He said the sewer system was in place. It

would be fed by gravity or the pump station on the other side. Rorie noted that he felt it was a mistake to have extended the sewer system to Stein Mart and Publix without them being in the City.

Madden moved to approve New Agenda Item 06-18-04, Step One Annexation, SR 54 (southeast side). King seconded. Motion carried 4-0, with Fleisch abstaining.

Council/Staff Topics

Prebor commented that the work on the spillway was looking good, reporting that he drove by the site every day. Rorie said it was close to completion.

Fleisch also pointed out that the improvements on Spyglass Island were nearly complete. She asked City Engineer Dave Borkowski how to get the name changed on Geographic Information Systems (GIS) from Snake Island to Spyglass Island. Borkowski said Google was not helpful in getting names changed on its GIS maps. Rorie asked him to follow up with Google again, and Borkowski said they would.

Fleisch mentioned the U.S. Supreme Court had upheld a ruling requiring sales taxes to be imposed on all internet sales. Previously, sales taxes had only been assessed for websites that also had brick and mortar stores. The Mayor said this was something the Georgia Municipal Association (GMA) had been working on for a while. The state would collect the tax and pass on a portion of that money to the cities. This would create a level playing field among all internet merchants, Fleisch commented.

Executive Session

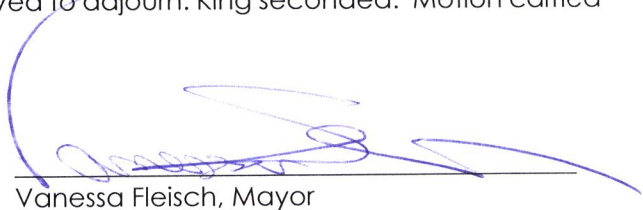
King moved to convene in executive session for threatened or pending litigation at 7:16 p.m. Ernst seconded. Motion carried unanimously.

King moved to reconvene in regular session at 7:36 p.m. Ernst seconded. Motion carried unanimously.

There begin no further business to discuss, Ernst moved to adjourn. King seconded. Motion carried unanimously. The meeting adjourned at 7:38 p.m.



Martha Barksdale, Recording Secretary



Vanessa Fleisch, Mayor