

City Council of Peachtree City
Meeting Minutes
June 6, 2013
7:00 p.m.

The Mayor and City Council of the City of Peachtree City met in regular session on Thursday, June 6, 2013. Mayor Haddix called the meeting to order at 7:01 p.m. Other Council Members in attendance: George Dienhart, Vanessa Fleisch, Eric Imker, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Haddix recognized the members of the Needs Assessment Committee, thanking them for their work, then the committee was dissolved. The adults from Class 15 of Community Emergency Response Team (CERT) training were recognized.

Public Comment

Michael Byrne asked Council to consider changing the ordinances to allow ice cream trucks in the neighborhoods, the trucks that had soft-serve ice cream. Imker apologized to Byrne for not answering his e-mail on this subject, but he had heard an ice cream truck recently when he was on the cart path. Dienhart said he had seen one, too. Fleisch said that truck was not the same type of truck. Haddix said he had spoken with staff, and ice cream trucks were currently illegal, but he would request a review of the ordinance, since they were a tradition.

Curtis Wagner discussed a recent drug bust at a residence (613 Golfview Drive) in his neighborhood, noting the residence was being used as a boarding house and bringing in undesirable people. He continued that the home next to it was occupied by a widow with small children, who was petrified of the people who were coming and going from the house. He urged Council to be more proactive before the problem became worse. Dienhart clarified that rooms were being rented out of the residence for the day or week. Wagner said they were. City Attorney Ted Meeker told Council there were some zoning issues that staff was looking into. He hoped to bring information to Council at the next meeting. Haddix added that he had introduced Wagner to the appropriate staff members prior to the start of the meeting.

Agenda Changes

Learnard requested that agenda item 04-13-12 *Discuss Traffic Conditions on SR 54 West and Consider Traffic Engineering Study on SR 54 West & MacDuff Parkway* be moved to the end of the agenda since it would probably be a lengthy discussion. Dienhart said that would be a disservice to the residents who had come for that agenda item, and it should not come up for discussion after everyone had left.

Learnard moved to change the agenda, moving agenda item 04-13-12 to follow agenda item 06-13-03. Fleisch seconded.

Haddix said there were people attending the meeting to speak on this issue, and he was not sure it was fair to delay the item.

Learnard pointed out that Nancy Price of the Peachtree City Convention & Visitors Bureau (CVB) was always last, and it would be nice to move her item up. All of the agenda items were important, but the most time would be spent on the SR 54 West discussion, and that discussion should be given its due. Haddix suggested moving 06-13-03 (Price's item) to the front. Dienhart agreed with Haddix. Learnard said that was not her motion.

Imker added that the other items could be dispensed with fairly quickly. The last time SR 54 West was discussed it took 45 minutes to an hour, and he saw no reason for those here for the other items to wait for an hour. The delay would not cause people attending the meeting for that discussion to leave the meeting.

Motion carried 4 – 1 (Dienhart).

Minutes

May 7, 2013, Workshop Minutes

May 9, 2013, Regular Meeting Minutes

Fleisch moved to approve the May 7, 2013, workshop minutes and the May 9, 2013, regular meeting minutes as written. Learnard seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider 2013 Municipal Election Agreement with Fayette County**
- 2. Consider Acceptance of FY 2012 GEMA Grant for CERT**
- 3. Consider Alcohol Ordinance Amendment – Definition of Growler**
- 4. Consider Municipal Court Ordinance Amendment – Pre-Trial Intervention Program**
- 5. Consider Cancellation of July 4th Meeting**
- 6. Consider Renewal of Mutual Aid Agreement with Fayetteville Police Department**

Fleisch moved to approve Consent Agenda items 1 – 6. Learnard seconded.

Imker pointed out that Item #2 was acceptance of a \$10,600 grant for the CERT program from the Georgia Emergency Management Agency (GEMA), which would be used for the training. It was quite an effort to train those people, but the residents did not pay for it. Haddix agreed.

Motion carried unanimously.

Old Agenda Items

05-13-03 Consider Ordinance Amendments Regarding Blankets and Tarps

Public Information Officer/City Clerk Betsy Tyler addressed Council, noting that the two ordinances had been tweaked at Council's request since the May 9 meeting to allow tarps and blankets to be put out on at dawn on the day of a special event. The original amendment allowed blankets and tarps to be left unattended for one hour. Stakes, barricades, and other items were still prohibited.

Learnard said Council knew something had to be done, and if the ordinances were not perfect and if the City found the changes were not workable, then the ordinance could be tweaked and adjusted next year. Based on e-mails, some people were very happy with the change, and some were not. Fleisch added that the City was having more and more outdoor events, but the big test would be during the July 4th events.

Haddix said he had also received e-mails with many diverse opinions. The ordinances could be adjusted if they did not work.

Learnard moved to approve the ordinance amendment regarding blankets and tarps. Dienhart seconded. Tyler reminded Council there were two ordinances with amendments.

Meeker asked Learnard to amend her motion to include both ordinances.

Learnard moved to amend her motion to include both ordinances. Dienhart seconded. Motion carried unanimously.

The motion carried unanimously.

New Agenda Items

06-13-01 Public Hearing – Consider Step Two Annexation Application, Foot Pain, LLC, Peachtree Professional Center and other tracts (SR 54 East)

Planning & Zoning Administrator David Rast gave a brief overview of the area, noting there were four tracts of land just outside the City limits that were part of the annexation application. One of them was the 4.63-acre Peachtree Professional Center tract (Foot Pain Clinic property), which had been rezoned by the Fayette County Board of Commissioners in 1999. The Paper Rose Studio tract was 1.05 acres. The Peachtree City Chiropractic and Paletta Group tracts were just under one acre each. The existing zoning was Community Commercial, and the proposed zoning in the City was Office Institutional (OI). The existing land use in Fayette County was Commercial, and it would change to Office if annexed into the City.

Rast continued the nearby residential neighbors had been heavily involved in the County's rezoning process for the Peachtree Professional Center tract, and a number of conditions had been imposed on that rezoning. Rast proposed including the conditions set by the County in the annexation and zoning process and to enhance them.

Originally, the Step One Annexation Application had included only the Peachtree Professional Center tract. The Planning Commission had asked the other three properties be included in the annexation, and the Peachtree Professional tract owner had contacted the other property owners, resulting in the Step Two application under consideration at this meeting. Rast noted one condition was to extend the cart path to the Peachtree Professional tract, but the location had not been identified yet. Staff would work with the developer to find a suitable location. No new streetlights or rights-of-way were needed. Public Works would maintain the cart path, and Public Services Director Mark Caspar had determined the cost to maintain the cart path would have a minor impact on the budget.

Staff had also analyzed the 2007 Comprehensive Plan Update, which had identified several areas the City needed to look at for future development and redevelopment. This area had been included in the Update regarding potential/future annexations and also fell under intergovernmental coordination so staff would work with the County's planning staff to look at growth boundaries, and to compare the City's Comprehensive Plan with the County's. It also fell under how to develop along transportation corridors and how to protect them. One of the recommendations was to develop overlay districts on SR 54 East so the City would have control over development. The City had also looked specifically at SR 54 East, identifying the development patterns from Peachtree Parkway East to the City limits.

One of the primary reasons for the annexation was access to sewer. Rast noted the applicant had not hidden that as a reason for the annexation, and the annexation had been reviewed by Water & Sewerage Authority General Manager Stephen Hogan. Rast said there had been discussions on the location of the lift station and how it should be sized, which would be explained later.

Rast continued that the financial impact analysis had been interesting, and there was not much of an impact. There were no residential tracts, and the four tracts were already developed. There were no impact fees or building fees to be analyzed. There were no roads or rights-of-way

maintenance. The fair market value for the Peachtree Professional tract had been \$3,329,840, and that was the value prior to the expansion. Based on the 2012 taxes, the four parcels should generate \$46,000 in property taxes, with approximately \$9,500 earmarked for the City. There really was no impact on personnel and staff. Police and Fire routinely patrolled Sumner Road and that portion of the City, and neither department felt additional personnel were needed.

City staff recommended approval of the annexation request. The Planning Commission unanimously recommended approval. Staff would work with the Peachtree Professional Center applicant to ensure the landscaping complied with City ordinances, noting the City required more extensive landscaping than the County. Rast said it would be very costly to bring the parcels in compliance with the City ordinances, and staff recommended waiting until any redevelopment occurred, then bringing the tracts into conformance.

The conditions for approval included:

1. *The applicable conditions adopted on June 24, 1999 by the Fayette County Board of Commissioners for the 4.84-acre and 0.87-acre tract of land shall be incorporated into the zoning.*
 - (a) *There shall be no vehicular access from these tracts of land provided to or from Sumner Road.*
 - (b) *Site lighting and/ or lighting mounted on the building exterior shall comply with the city's Lighting Ordinance.*
 - (c) *An undisturbed buffer of no less than 25' in width as measured from the right-of-way of Sumner Road shall be preserved on each tract of land and shall be designated on the plat of the overall property. Other than perpendicular utility crossings, clearing, grading or the removal of any vegetation from these buffers shall not be permitted. In those areas void of vegetation, the buffer shall be re-established with evergreen plant material (minimum 6' in height from finish grade) planted in staggered rows at no less than 8' on center.*
 - (d) *All impervious surfaces, including stormwater detention facilities, shall be located no less than fifty (50) feet from the right-of-way of Sumner Road.*
2. *The Applicant shall coordinate with City Staff to identify a location for an at-grade multi-use path crossing on Sumner Road and shall then be responsible for constructing a multi-use path from the SR 54/ Sumner Road intersection to the northernmost property line of the Peachtree Professional Center tract. A detailed plan shall be prepared in accordance with city standards and submitted to City staff for review prior to construction. The Applicant shall be solely responsible for design and construction of this connection at no cost to the city. It is understood the multi-use path shall not impact the existing buffer adjacent to Sumner Road.*
3. *The Applicant shall prepare a detailed analysis of landscaping requirements as they relate to Fayette County in comparison to those required by Peachtree City. Should additional plant material be required to satisfy the city's tree replacement requirements, the Applicant shall prepare a landscape plan identifying how the existing landscaping will be enhanced to comply with Peachtree City requirements. It is understood this requirement shall apply to the Peachtree Professional building tract only. Landscaping requirements on the remaining tracts will be analyzed as these tracts are either expanded or redeveloped in the future.*
4. *Upon approval of the annexation, existing conditions on each tract of land, to include parking design, landscaping, signage, lighting, etc. that do not comply with current city ordinances shall be considered as legally non-conforming. Should these improvements*

be modified and/ or if the property is redeveloped, these items shall be brought into conformance with city ordinances to the greatest extent practicable.

5. *The zoning of the parcels shall be OI Office Institutional.*
6. *The Land Use Designation of the parcels shall be OFF Office.*

The public hearing opened.

Chuck Ogletree, one of the owners of Peachtree Professional and agent for the other tracts, said his property was 70% leased and hoped to be 90% to 95% leased by the end of the year. Their purpose for the annexation was access to sewer. His building was currently served by a private septic system, and there were no issues with it currently. They felt the long-term viability of the building was to tie-in to sewer. The residential neighbors would also benefit from the annexation because the property was developed to County standards. The neighbors were not happy with the sparse buffer, and if annexed, they would strengthen the buffer. Ogletree added that, with the new addition, the value of the Peachtree Professional property was projected at \$8 million. The City would be able to collect occupational tax and stormwater fees. There should be very little impact on City services, and the annexation would give the City more control moving forward. Additional parking would be needed on his tract, and they would present a plan for more parking and an enhanced buffer to the Planning Commission in the near future.

Ogletree continued that, based on his talks with them, WASA preferred to install a regional pump station to service the entire area. The potential location of the pump station was on the low end of the property, which was on the backside of the building along Sumner Road, but outside the buffer area. There were still issues to be worked out with WASA. He said the area was a known entity, and the buildings would still be there if the annexation were not approved.

Josh Bloom said he was not actually opposed to the annexation. The City had recently annexed an area to the south, and this was going east. It appeared the City was in a race with Fayetteville to Pinewood Studio. A strategic annexation plan needed to be considered before any more took place. Bloom said he read the City's partial Comprehensive Plan update, and the plan was needed before the 2017 Comprehensive Plan was completed.

Phil Prebor said he was opposed to the annexation. The Foot Pain Clinic building was beautiful, and it fit with the City. The buildings on the other parcels were not a good fit. The City needed to look at the occupancy rates of the existing OI in the City. Council should serve those members of the community before taking on something else.

Randy Ramsden told Council he would love for the area to be annexed. His doctor had moved to the Foot Pain Clinic building. His only transportation was his golf cart, and he could not get to their new location now. It was a safety and independence issue for him.

Wade Mastin said he supported the annexation, but he was concerned about the pump station, including size, possible noise, and the location, adding there was really no buffer there if it was located on the back of the property toward Sumner Road. He also did not see how the parking could be enhanced as well as the buffer, asking if he could see a landscape plan. Rast said he had a small copy of the landscape plan and showed it to Mastin. Mastin added that Sumner Road was classified as a scenic route, but the back side of the Foot Pain Clinic was not very scenic.

Iris Salzman also wanted more information on the regional pump station. She did not want to be forced onto the sewer system, asking if that would happen. Haddix said it would not.

Romero Martinez asked what the value of the landscape plan was, whether it was 1% or 2% of the entire property.

The public hearing closed.

Haddix asked Ogletree if he could include one or two citizens in his meeting with WASA to help answer their questions about the pump station. Ogletree said he would. Haddix said the buffers would win if it came to a decision on whether to allow more parking or to enhance the buffer.

Imker referred to page 69 of 98 in the meeting packet, which was a photo layout of the property, asking Ogletree where the pump station would be located. Ogletree said he did not have any details on the location yet. If it was a regional pump station, it could be located 1,000 feet north of his parcel. If it was a private pump station, it could be as small as 12 feet by 12 feet with an above ground generator.

Public Services Director Mark Caspar said it looked relatively the same as other pump stations located in residential areas. They were generally screened with either a vegetative buffer or a privacy fence, and the residents only knew they were there when the emergency generator was running, which was infrequent.

Ogletree said the additional parking would be located in the current drain field for the septic system.

Rast read from the proposed zoning ordinance for the properties:

- (a) Multiple frontage lot: Because the subject tracts abut both SR 54 and Sumner Road, they are considered multiple frontage lots and, therefore, front building and parking setbacks shall be established adjoining the right-of-way of both public streets.
- (b) Setbacks: All impervious surfaces, including buildings, parking, stormwater detention facilities, etc., shall be located no less than forty (40) feet from the right-of-way of SR 54 and no less than fifty (50) feet from the right-of-way of Sumner Road.
The minimum side building setbacks shall be no less than ten (10) feet.
The minimum rear building setback shall be no less than twenty (20) feet.
- (c) Maximum building height: The maximum building height shall not exceed two (2) stories in height or 35 feet in height from finish grade to the ridge line of the roof.
- (d) Parking: Parking shall be provided as set forth in Section 909. No automobile parking shall be permitted within the established front building setbacks.
- (e) Curb cuts: There shall be no vehicular access from these tracts of land to or from Sumner Road.
- (f) Architectural detailing: All sides of the buildings and associated structures shall include similar architectural detailing, building materials and color selections.
- (g) Storage: No storage shall be permitted on the zoning lot outside of a fully enclosed building.
- (h) Dumpsters, loading and service areas shall not be located within any building setback and shall be properly screened from view in accordance with current city ordinances.
- (i) Site lighting: All site lighting, including all fixtures mounted on the exterior of the buildings, shall comply with the city's Lighting Ordinance.
- (j) Sumner Road undisturbed buffer: An undisturbed buffer of no less than 25' in width as measured from the right-of-way of Sumner Road shall be preserved on each tract of land

and shall be designated on the plat of the overall property. Other than perpendicular utility crossings, clearing, grading or the removal of any vegetation from these buffers shall not be permitted. In those areas void of vegetation, the buffer shall be re-established with evergreen plant material (minimum 6' in height from finish grade) planted in staggered rows at no less than 8' on center.

- (k) Multi-use path connection: The Applicant shall coordinate with City Staff to identify a location for an at-grade multi-use path crossing on Sumner Road and shall then be responsible for constructing a multi-use path from the SR 54/ Sumner Road intersection to the northernmost property line of the Peachtree Professional Center tract. A detailed plan shall be prepared in accordance with city standards and submitted to City staff for review prior to construction. The Applicant shall be solely responsible for design and construction of this connection at no cost to the city. It is understood the multi-use path shall not impact the existing buffer adjacent to Sumner Road.
- (l) Landscaping enhancements: The Applicant shall prepare a detailed analysis of landscaping requirements as they relate to Fayette County in comparison to those required by Peachtree City. Should additional plant material be required to satisfy the city's tree replacement requirements, the Applicant shall prepare a landscape plan identifying how the existing landscaping will be enhanced to comply with Peachtree City requirements.

It is understood this requirement shall apply to the Peachtree Professional building tract only. Landscaping requirements on the remaining tracts will be analyzed as these tracts are either expanded or redeveloped in the future.

- (m) Non-conforming issues: Upon approval of the annexation, existing conditions on each tract of land, to include parking design, landscaping, signage, lighting, etc., that do not comply with current city ordinances shall be considered legally non-conforming. Should these improvements be modified and/ or if the property is redeveloped, these items shall be brought into conformance with city ordinances to the greatest extent practicable.

Dienhart asked what the City would be granting leniency on. Rast said the leniency would be for the three smaller tracts, and they were very narrow. The undisturbed buffer would still apply, but no pavement or building could be any closer to the buffer than it was now. When Sumner Road was built several years ago, it was graded to leave as much buffer as possible, and the buffer was probably the thickest on the backside of those three parcels. There would also be no vehicular access from the tracts to Sumner Road.

Fleisch asked where the cart path would be located. Rast said staff wanted to involve the neighbors in locating the path, since there might be issues with cut-throughs if it was closer to Sumner Road, adding it might be better if the path were located closer to SR 54.

Haddix said there were other non-conforming commercial sites in the City that looked like the other three parcels. These would not be a special exception. If there were any significant construction on any of the tracts in the future, then the entire building would have to be brought into conformance. Nothing uncommon was going on.

Dienhart said he did not support the spread toward Pinewood Studio, but this annexation would give more protection to the City residents who lived on Sumner Road.

Imker asked Meeker for clarification on the annexation process, noting that the Step One Application simply authorized staff to work with the developer. Meeker explained that approval of a Step One Application allowed the formal application to be filed. Imker asked for the formal

interpretation of approval of a Step Two Annexation. Meeker said the property would be annexed into the City.

Imker moved to approve the Step Two Annexation Application and zoning ordinance for the tracts as discussed on SR 54 East. Learnard seconded. Motion carried 4 – 1 (Fleisch).

06-13-02 Consider Ratification of Hotel/Motel Tax

Meeker addressed Council, saying that once the changes to the hotel/motel tax had been approved by the State Legislature and the Governor, Council needed to ratify it as set forth under Georgia law. The effective date of the increase in the hotel/motel tax would be August 1, 2013.

Fleisch read the following statement:

This has been a long time in the works. I have been genuinely impressed by the way in which so many groups have worked together to get this legislation passed by the Georgia State Legislature and then signed by Governor Deal on May 7.

The City of Peachtree City is so blessed to have 416 acres of recreational amenities throughout the city. Our parks and recreational facilities are a huge draw for our residents and potential residents.

In these economic times we need to be thinking of new and innovative ways to generate revenue for our city. It made sense to me to use what we already had in our own backyard to bring in that additional revenue to our hotels and motels. The idea was not to do every event but to do signature events or tournaments that would fill our hotels and help to sustain them during this economic downturn. The parties involved in this process sought to boost the hotels' bottom line by using the Convention and Visitors bureau to bring in these events.

But before we could seriously bring this proposal to the hotels we needed to bring our own house in order. Our parks and fields were not in the condition to host any kind of quality sporting events; they were suffering from years of neglect and it was left to the volunteer sports associations to repair them, as the city had essentially abdicated its responsibility to them for routine maintenance. It took a year of intense renewed emphasis on facilities management to help bring this to fruition.

In order to get this ordinance to where it is today, it meant many people working together....and tapping into the spirit of Peachtree City. I want to thank the following groups and individuals for all of their help – the hotel general managers; Convention and Visitors Bureau (CVB); Airport Authority; sports associations; Recreation and Special Events Advisory Group; Recreation and Special Events Department; Public Works Department; State Representatives John Yates, Virgil Fludd, and Ron Mabra and State Senator Valencia Seay for sponsoring this legislation; and the Governor for the passage of this bill which allows for a new distribution of the hotel motel tax as well as an increase by 2%.

By negotiating and working with all of these groups we were able to get this legislation passed. Working together for over a year has also helped to establish business relationships that will carry on into the future as we move forward with this initiative.

I am very pleased to report to you that this weekend a large women's lacrosse tournament is being held here in the city and all of the hotel rooms are sold out. The CVB and the new sports alliance have all been poised and ready for this moment and I am pleased to make the motion on this item when the Mayor is ready.

Haddix said the state's local legislation policy had changed, but if a majority of a Council supported the legislation, then the legislative delegation supported it and brought it forward. It was not a big effort on their part. Local legislation was submitted as a batch. It was a simple policy procedure for the Legislature. Haddix said his position on the hotel/motel tax had not changed; this was another tax on the citizens of the City, and he noted that NCR booked 120 rooms per week for those attending training, and this tax increase would hit them.

Dienhart said he had not heard Rep. Matt Ramsey's name, asking if he had not been a sponsor of the legislation. Fleisch and Haddix said Ramsey, who represented the majority of the City, had recused himself.

Imker said residential citizens would not be impacted by the increase in the hotel/motel tax. He had been surprised when the hotels had supported the additional tax on their own industry. They saw that the long-term business plan would put "more heads in beds." Other cities the same size and larger had always had the higher tax, and this put the City on a level playing ground.

Haddix said it was not true that all the residents would not be impacted, adding Imker was parsing his words. Imker said it was not a residential property tax. Haddix said it would affect the City's industrial citizens, and they were being ignored.

Learnard said she understood Haddix's position. She thanked Fleisch for her hard work.

Fleisch moved to ratify Ordinance 1053, establishing the Hotel/Motel Tax at 8% as of August 1, 2013. Learnard seconded. Motion carried 3 – 2 (Haddix, Dienhart).

06-13-03 Presentation on Proposed "Diva Half-Marathon" Event for 2014

Nancy Price, CVB executive director, introduced Pat Duncan, a consultant for the CVB, and Robert Pozo, Continental Event and Sports Management Group, LLC, the producer for the "Run Like a Diva" series of races.

Duncan said the CVB was proactive in getting leads on bringing sporting events to the area, which had to be a good fit and generate economic impact. The "Run Like a Diva" half-marathon was not just a lead, but a tremendous opportunity, as it was one of the premiere women's races in the United States. Multiple races were held across the country.

Pozo said the Diva races had become very popular, adding the majority of participants were in the 30 – 50 age groups, which were the groups that had more money to spend. He reviewed the demographics for the event held in North Myrtle Beach in May 2012, noting that 57 men had participated in the half-marathon along with 4,362 women. The 5K held in conjunction with the half-marathon was a co-ed event. The majority of participants were married and had completed college or had graduate degrees. Pozo continued that, in North Myrtle Beach, 648 participants had come from North Myrtle Beach and the surrounding area; 790 had come from other parts of South Carolina; 2,953 had come from other states; and 28 participants were from other countries.

Pozo continued that the average number of days spent in town outside the 50-mile local radius was 2.31 days, with estimated room nights at 7,038. The average number of people in a party (including the runner) non-local was 3.37; and the average number for local runners was 2.05. The total number of attendees in North Myrtle Beach, based on those ratios, was 14,692. Local volunteers and spectators numbered 500. Total event attendance was estimated at 15,192.

Pozo said the direct economic impact on North Myrtle Beach was \$4,368,601, and the indirect economic impact was \$6,552,901.

Pozo said it was rare to be met with open arms by the local running club, and he appreciated the "red carpet" treatment and the time everyone had given.

Fleisch asked if anything would be planned at the Amphitheater the same weekend. Price said they were having that discussion. Pozo said his company was not an expert on concerts, and they would work with the CVB.

George Martin of the Peachtree City Running Club said they had been working on routes, adding the half-marathon was about double the size and distance of the Classic race, but logistical issues were not insurmountable. There were many options available.

Pozo said the event would be held September 7 – 8, 2014, the weekend after Labor Day, with the race normally scheduled on Sunday morning. Their Wine Country race was held on Saturday, but they generally preferred to work around traffic, and Sunday morning was usually a light traffic time. They were still discussing it. The start time was a balancing act due to the heat, so they would be talking to the Fire Department. All their races were destination races, and they worked to be a good neighbor.

04-13-12 Discuss Traffic Conditions on SR 54 West and Consider Traffic Engineering Study on SR 54 West & MacDuff Parkway

Dienhart moved to protect the citizens and homeowners of Planterra Ridge and Cardiff Park by setting a clear example and taking a solid stance on behalf of protecting all neighborhoods from intrusive development, that the City Council not allow a sixth traffic light on SR 54 West at Line Creek Drive, to prevent traffic from bogging down any further and potentially damaging existing businesses and residential neighborhoods. He further moved that Council not allow any kind of connector road to Planterra Way and said it was time for this Council to show it stood with the people and against unbridled access to neighborhoods for developers. Haddix seconded.

Learnard pointed out the agenda item was "discuss," asking Meeker for his opinion. Meeker explained that, typically, Council did not take action on items labeled for discussion. Technically, the concern was whether appropriate notice was given before taking action per the Georgia Open Meetings Law. There was nothing in the Charter regarding the situation. But the question was whether appropriate notice was given. Dienhart asked if this situation had happened before. Meeker said he did not recall voting on an item labeled for "discussion." Typically, Council gave guidance to staff on the issues, or some indication on where Council might stand. In terms of taking formal action, that had not been the practice. Dienhart asked if voting would be legal or not. Meeker felt it would be okay, but said he tended to err to the said of caution in how things were advertised on the agenda, and it was of some concern.

Haddix said that, while he supported the vote, he did not want to disrupt Council's practice, and he withdrew his second. Dienhart said that was unfortunate because Haddix had had the chance to stand up for a neighborhood. The motion died for lack of a second. Haddix said Council could still discuss the issue and arrive at an opinion, then schedule a vote for the next meeting.

Dienhart said he did not want to argue, but the four of them had made promises to the residents of Planterra Way and Cardiff Park, and not one of them had stood up for their promises. Haddix

said it was a difference of opinion. He was going to stay with protocol, and a vote would be on the next agenda.

Learnard said this was obviously an important issue. The property being focused on was owned by someone, and she asked Dienhart if he had reached out to the owner to let them know the issue would be discussed. Dienhart said the onus was on the owners as the meetings and discussions had been advertised as required by law. Learnard asked Dienhart if he had invited the property owner to any of the discussions Council had conducted. Dienhart said the owner knew it was controversial and should have seen it in the newspapers. He also had not reached out to any of the hundreds of affected families in the neighborhoods either. He asked Learnard if she reached out to everyone that would be affected by an item she put on the agenda, saying Learnard was holding him to an unfair standard. Learnard said, if she had a discussion item involving someone's property, they would be invited.

Learnard continued there were a lot of issues, and it was very complicated. She asked Dienhart if he was familiar with the SR 54 West Corridor Study on file in the Planning Office that had been done by a citizens advisory group, the Livable Centers Initiative (LCI) study. The purpose had been to examine the existing conditions within and adjacent to the West Village, and to determine potential scenarios for development to enhance the emerging activity center and create an identity for the West Village. It had been a significant undertaking. There were 10 public meetings, three presentations to Council, one to the Planning Commission, and a technical review with the Atlanta Regional Commission (ARC) staff. Learnard read from the summary, "it was important for the final plan to be in keeping with the existing character of Peachtree City."

The entire west corridor had been studied. Learnard said transportation enhancements mainly centered around cart paths. There were internal mobility requirements and connectivity of the existing and proposed alternate transportation system. The goals and objectives emphasized alternate transportation systems, consistency of land use and zoning patterns, and elements of the plan integrated the multi-use path system with the rest of the City, as well as the development of a secondary road system to assist in reducing traffic on SR 54. Learnard continued the secondary road system would parallel SR 54 on the north and south sides of the highway. Phase 1 of the secondary road south of SR 54 extend from the traffic signal at the former Days Inn entrance to Planterra Way, with the property west of the Days Inn developed as an assisted living facility or combined with the Days Inn property for a large retail/commercial development. The study strongly recommended limiting vehicular access to SR 54 at major intersections. There were four signals when the study was done - SR 54/SR 74, SR 54/The Avenue, SR 54/Huddleston Road, SR 54/MacDuff Parkway. A fifth signal had been approved for SR 54/Planterra Way. Learnard said the study strongly recommended another signal with full turning movements for SR 54/Line Creek, which would provide access to the secondary road system. The study strongly recommended a secondary road system on the north and south sides of SR 54. The master plan for the area showed signals at all of the intersections and secondary roads on both sides of the highway, including a cut-over to Planterra Way. Learnard said she talked to four of the 11 or 12 people who had been part of the study group. Everyone felt each intersection should have a signal, but the focus had been more on the north side. Another member said the secondary road should have gone to Huddleston, but Huddleston needed upgrading, so it had not happened. One of the specific reasons cited for the secondary road on the south side was to prevent a large retail development from happening on the tract between Line Creek Drive and Planterra. They had not wanted to see a large single tenant on that side of the highway. The access road was envisioned to provide secondary access to the development and to subdivide the property into smaller tracts of land.

Dienhart asked if Emily Poole, the City's economic development coordinator who worked with the Fayette County Development Authority (FCDA), had been involved in any of the current plans for the area. He said Poole had been working on something else for the area, and she had wondered why it had been difficult. Dienhart asked why Poole had not been included in the planning for this development. Learnard said she would be glad for the three of them to meet, saying it had not been intentional, just that everyone had busy schedules. She said that was a great suggestion.

Learnard said she wanted to know the consequences of closing the median at Line Creek. Dienhart said he had withdrawn that request, and he was now focused on the traffic light and the cut-through to Planterra Way. He was willing to negotiate.

Learnard said there were requirements (warrants) for signal lights, and traffic lights were intended for safety purposes. It was GDOT that determined whether a signal was warranted. Any special use permit application would show a light if warranted. The developer would have a traffic study done, and if the study showed the light was warranted, the request for the signal would come from the City. If the City decided not to apply for the signal, the City carried the liability. As for Council determining whether a light was needed, the factors were out of the City's control. Dienhart said if no application was filed, then there was no signal.

Fleisch asked if the City was liable if a signal was warranted, and the City did not apply for one. Meeker said the City could file an application, and the Georgia Department of Transportation (GDOT) could say no. There was always the question of independent engineering judgment. GDOT could put up the light whether the City applied for it or not.

Haddix said the original developer tried twice to have a light permitted at Line Creek, and the warrants were not there so the request was denied. The light was not permitted by GDOT until the City asked for it.

Dienhart said the developer had worked out a backroom deal with some members of Council, who had not included the economic development coordinator, in the discussions, which caused Poole to waste time and the money she was paid by the City to present options the developer would not even consider due to what had been worked out in the backroom deal.

Fleisch said Poole's job title included business retention. The coordinator was placed with the FCDA to keep the employee away from the political dysfunction. Fleisch said she limited her involvement with Poole to whatever Poole presented. Fleisch added that Poole had been exceedingly busy with the Industrial Park, noting that commercial real estate agents found tenants for commercial developments. Poole was focused on business retention and staying out of the political realm. Dienhart said Council should not go behind the back of someone they employed to do a job, and Fleisch was only describing part of Poole's job. Learnard said she called Poole twice a week on a regular basis, and she would call her and apologize.

Haddix said the discussion was descending into a pointless argument on both sides. He disagreed that Poole should be involved in the development of the property. There was a lot of nonsense flying around, and nothing was being accomplished. Haddix said he was the only one on Council to take part in the discussions regarding the Line Creek development before 2010.

Haddix referred to the Fayette County Comprehensive Transportation Plan, noting on page 18 of Appendix A, that Line Creek Drive/Circle were intended to be part of a system that extended

from Line Creek Circle to Huddleston Road to the east and MacDuff Crossing Shopping Center to the west. The light was never intended to be stand alone, but as part of a system.

Haddix continued with the proposed projects concerning the intersection of SR 54/SR 74, which was Appendix C of the Fayette County Comprehensive Transportation Plan. Option 1 proposed conventional intersection widening and adding additional lanes, which was an issue due to insufficient space for additional turn lanes. Option 2 focused on enhancing the existing street network to provide an option for local trips that did not need to use State Roads 54 or 74 for internal circulation. Option 3 was for a grade-separated interchange; however, this option would close off access to the shopping centers surrounding the intersection.

Haddix continued that transportation plans had to be updated every 10 years, so the work on the 2020 plan would start in 2017 or 2018. Under this process, the federal government paid 80% of the cost. The ARC and GDOT were looking at another entrance to I-85 in Coweta County, which Haddix said would help with the traffic on SR 54 West by eliminating traffic before it got to the City. He said a GDOT study would be a waste of time. What was there was already known, and there was nothing to be gained. Another traffic light would add to the delays and congestion on the road, and there was no room for more lanes. He had always been opposed to another light, and he kept his promises.

Facts were being distorted, Haddix said, and he had signed documents as proof, including meeting minutes and the approval of the traffic light from GDOT in 2009. His pet peeve was people saying a Kohl's would have been built, but not one store had been named in any of the documents. He asked the Council Members if they were willing to put a light in at Line Creek and an access road to Planterra Way. He and Dienhart were not willing to do that, and the others were flip-flopping. If one of the three would keep their promise, the discussion would end.

Fleisch clarified that in 2010 Council had been asked to consider an increase in the size of the big box, agreeing that the members had campaigned against a light at Line Creek. They also knew that denying the increase would stop the project. The development agreement and the permit for the light expired shortly after the January 2010 meeting.

Haddix said the request from the developer was to modify the size of the big box from 50,000 square feet to 65,000 square feet. It did not kill the development agreement. The light permit was still in force. The abandonment of Line Creek was still in full force. Learnard said she knew if she voted against the change it would kill the light, and it had.

Meeker clarified that the development agreement was still in place. The Special Use Permit had still been in place, but it was getting toward the end of the time period for the Special Use Permit, which would have expired at some point in 2010. It was originally approved in 2008, and there was a two-year time period in the Special Use Permit ordinance. Haddix added that when the Special Use Permit had run out, GDOT contacted him and asked if the City wanted the light permit withdrawn, and Haddix told them yes.

Dienhart said this was an opportunity for Council to keep its promises and to buy back some credibility. He urged the members to do what they had promised.

Fleisch said her item on the traffic study could be voted on, and she asked City Engineer Dave Borkowski if he had any information. Borkowski said he had asked the engineering firm that had worked on the Fayette Forward plan (2010 County Transportation Plan) if there were any

engineering drawings or backup data available, and was told there were only concept drawings and no engineering data.

Fleisch read a draft letter to GDOT asking them to conduct a traffic study on the entire corridor, which would be sent under the Mayor's signature. The draft letter, addressed to District Engineer David Millen, read:

The City Council of Peachtree City has asked me to convey to DOT concerns relative to traffic conditions on SR 54, specifically west of its intersection with SR 74 in Peachtree City. As I am sure you are aware, traffic has become increasingly congested since the widening of SR 54 was completed in 2006. Congestion during peak hours routinely backs up from MacDuff Parkway east to Willowbend Road and often to Lake Peachtree.

We understand the Georgia Department of Transportation (DOT) has made efforts to mitigate this through synchronization of the traffic signals in this area, and timing adjustments. This effort is greatly appreciated by the City; however, we feel that it is not as effective as hoped given the increased traffic.

We would like to request that DOT study this corridor in its entirety to determine if there are workable alternatives for mitigating traffic congestion.

Our staff stands ready to work with the DOT to look at these alternatives and decide which might be best suited for possible future projects. If there is anything else we need to do to request this work, please don't hesitate to contact us. Thank you for your time and consideration.

Fleisch said the cost of the study had been tweaked, increasing from \$39,000 to \$43,000. Fleisch said this was something tangible that Council could set in motion.

Haddix said the earlier study for the County's plan had been done under the auspices of the ARC, had been 80% federally funded, and had been done in cooperation with the City and County.

Paul Lentz told Council he disagreed with some of the things that had been said. He noted that in the ARC's June 2011 plan, it was predicted the traffic from central Coweta County and central Fayette County would increase from the current approximately 32,000 a day to more than 50,000 a day by 2040. The only route going east-west was SR 54. It did not include what would be diverted if an entrance to I-85 was built at Fischer Road. In the Fayette Forward Plan (2010 plan), two of the eight worst roadway segments in the County were on SR 54 West between MacDuff Parkway and SR 74. In the May 2006 Coweta County Plan, Coweta's failing sections included SR 54 East from Fischer Road to the County line. There were several traffic studies on the City's website that were similar, and two of them suggested a traffic signal at Line Creek Drive could help. Lentz said real-time adaptive traffic signals were worth investigating, and they had worked in other places. Council should not throw the idea out because there had been a bad experience in Cobb County a few years ago when there were only 20 systems in the nation. There were now several hundred. The highway was going to require significant changes. A study was needed that incorporated all those changes, including Fischer Road/I-85, and a new control system, which should be addressed immediately, and might be the only thing that could be done in the short term.

Tim Lydell said he had been involved in this discussion for five and one-half years. The discussion had always been emotional, with very little factual information. People had worked hard to get a good commercial development for SR 54 West in the past, and it had almost been there, but had not made it for some reason. Now the property was being cut up into individual parcels, and not much could go there. Lydell lived in the area and drove through it all the time at different times of day, and he noted that most of the problems were during rush hour. Lydell had attended the meeting Dienhart and Fleisch had facilitated, and he said the discussion had been fruitful, but there was no redirection to a follow-up of the topics. Another meeting was not scheduled; there was just a "thank you for attending." The discussion ended as all the others on somewhat of an emotional stage. A very comprehensive study was needed. It was time to tone down the rhetoric and take a business approach to the problem. When developers came to the City with a plan, they should give money for a traffic study to the City, and the City should find someone to do it. An independent comprehensive study by GDOT was needed; what the City was doing was not working.

Steve Brown told Council he appreciated the dialogue on this subject. He had been part of the committee that put the LCI plan together. The committee had wanted to maintain adequate traffic flow on SR 54 West. The issues on the road dated to the 1980s. He noted the area had originally been zoned for industrial, but through a series of planning mistakes over a few decades, Planterra Ridge and Cardiff Park had been built where they did not belong, and the area had been the City's Achilles heel ever since. He briefly discussed some of the plans from the LCI, including an access road from a roundabout on Planterra Way to Huddleston Road, which had been cost prohibitive. Something needed to be done that was profitable to the City and the existing businesses. With the construction of Lake McIntosh, the home values in Planterra Ridge had increased some. Brown said it made no sense to route commercial traffic through Planterra. He encouraged Council to build something in scale with the corridor that did not require a light or access roads.

Mike Lorber asked if the SR 54 West group created on May 9 was still working; he had wanted to volunteer. Dienhart said they had met, and if the group needed to meet again, he would include Lorber. Lorber asked what was discussed. Dienhart said they discussed the curb cut, light, and the median. Lorber said the corridor needed to be looked at comprehensively, not just the commercial development. Fleisch said the draft letter was about a comprehensive study.

Haddix said he lived in the City for 26 years, which predated everything on the SR 54 West area. The development kept coming, and there had been studies with miracle cures. Synching the lights was supposed to help with the traffic that backed up to Lake Peachtree. The side roads were all paying the penalty, and the vehicles on the side roads could not get onto SR 54 because it was full. He would not sign the draft letter to GDOT that Fleisch had read, since he would be agreeing to statements he did not agree with. It would have to be rewritten or the Mayor Pro-tem could sign it. He would not sign anything that portrayed his position falsely.

Dienhart said there could be no further damage to the road, but status quo had to be maintained at a minimum. A decision on development needed to be made now.

Fleisch said Dienhart was asking Council to vote on a proposal that had not been formally submitted to the City. Dienhart said he wanted Council to honor their promise, adding they had voted for an agreement that did not include a light or access to Planterra Way. Haddix said the vote in 2008 for the development agreement included the light. In 2009, the light was approved by GDOT. In February 2010, the permit for the light expired. Until then, the light was included as

part of the development agreement. The meeting on January 7, 2010, was to vote on an increase in the size of one box by 15,000 square feet.

Lydell said Council kept going back to the light. He asked why the City was in such a hurry. The current developer had a plan that did not include a big box. If Council voted for a GDOT study, there would be no information for two years. He urged Council to get a study done so they would know what they were dealing with. If the developer proceeded with his plans, it was his right; it was his land. He had the permits, and only had to conform to the current guidelines.

Haddix said the Council Members had not said they were willing to move forward until a study was done. Lydell said the study would be self-limiting. If Council told the developer they were not going to do anything until the study was done, the developer could not come to Council to ask for a big box. During those two years, the big box stores would walk away from the development. Learnard said they had lost the point of working together to find real solutions for the City, saying she would like to move forward with solutions and some actionable items. She would like to see more specifics in the letter.

Fleisch said the draft letter had been written by staff, after being advised to write a general letter, then narrow the focus after the opening salvo to get the ball rolling.

Learnard reported that she had driven through Planterra during afternoon rush hour, and she had looked at the vehicles stopped for the light. There were six speed cushions and a set of railroad tracks between Kelly Drive and the light at SR 54/Planneria Way. They were cutting through the subdivision because the alternative of the back-up on SR 74 was worse. All the vehicles had either Coweta County tags or "In God We Trust" on their tags, and every single vehicle stopped at the light had turned left onto SR 54. A traffic study took into account traffic counts, turning movements, stacking, delays, accidents, and more. She understood the medians were 40 feet, leaving room for two more lanes and a 15-foot median. Learnard said she wanted Council to work together to make good decisions, and to let staff work with GDOT. The options were plentiful. Dienhart said no one was arguing against a GDOT study. He did not want to further damage the residents in the area, and no one else was willing to make that decision.

Learnard agreed another light at Line Creek would make traffic worse, and if GDOT decided one was needed, Council would have to work on that together. She supported getting a study going. Haddix said he was seeing a double standard. Learnard talked about working together, but she would not answer the question about saying no to the traffic light. Learnard agreed.

Fleisch asked City Manager Jim Pennington what he thought of sending the letter to GDOT, starting with a more general letter to get things going. Pennington said they needed to get a foot in the door first, then get to the point where staff and GDOT were having discussions. His opinion was for Council to move forward with something general.

Fleisch proposed that staff talk with the companies in the Industrial Park to see if they were interested in staggering the workday or doing something else to help with traffic, rather than having everyone get off at 5:00 p.m. Pennington said he had seen that work in other cities and it was workable. It was something that Poole could work on, and it was in her venue. The issue was the same on SR 74 South at Rockaway Road and at SR 85 South.

Dienhart said they were diverting the attention away from the light and the cut-through to Planterra. The people did not want that. He did not understand why a simple question about the light could not be answered. Haddix reiterated that he was not going to sign a document

(letter) that said something he did not believe, especially when three Council Members refused to answer the question on the light. Learnard said it was good there were three members of Council that wanted to move forward with facts and data.

Josh Bloom said everyone wanted a traffic study, but did not want to pay for it. Everyone needed to agree to the standards of the study. Fleisch said there had never been a study of the entire corridor before, and that was the problem. The past studies had been impact studies on Line Creek itself. Bloom said, whatever was done, someone would oppose it and say it was not valid. Bloom added that, during the meeting with the developer, Dienhart had conceded on the median cut. He added that the developer said he could make the same amount of money without the light or the curb cut.

Haddix said he did not think GDOT would start a study this year, then have Council approve a development with a light. All GDOT's work would have been for nothing. Learnard asked Haddix to work with Pennington on a letter to GDOT

Fleisch moved to continue the letter asking GDOT for a study until the next meeting on June 20. Learnard seconded. Motion carried 5-0.

Imker said he would vote on issues brought before Council with all the information, pros and cons, provided by an unbiased staff and presented in the agenda packet. He would not vote on issues pretending to be proclamations or motions he personally believed were to advance one's political agendas.

Council/Staff Topics

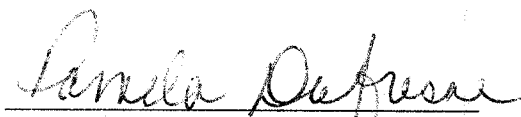
Hot Topics Update

Pennington said the City had been notified that the two new projects in the southern part of the City, Somerby and The Gates, would have a Senoia mailing address. Rast and Tyler had spoken to the postmaster, and there was a strong possibility because of the nature of the City and the value of its name that the post office might be able to change those addresses to Peachtree City. Rast was putting a package together and would like to include a letter from the City asking for the change to occur. The consensus was to send the letter since both projects were inside the City limits.

Learnard moved to convene in executive session for the acquisition or disposal of real estate, pending and threatened litigation, and personnel at 10:33 p.m. Dienhart seconded. Motion carried unanimously.

Learned moved to reconvene in regular session at 10:50 p.m. Fleisch seconded. Motion carried unanimously.

There being no further business to discuss, Dienhart moved to adjourn the meeting. Learnard seconded. Motion carried unanimously. The meeting adjourned at 10:51 p.m.


Pamela Dufresne, Deputy City Clerk


Don Haddix, Mayor