

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

June 6, 1996

7:00 p. m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, June 6, 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: Mayor Robert L. Lenox, Councilmembers Robert Brooks, Jim Pace and Annie McMenamin.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor read a proclamation of congratulations to the "86 Girls Soccer Team"

ADDITIONAL AGENDA ITEMS

There were no additional agenda items.

MINUTES

McMenamin made a motion to approve the May 16, 1996 minutes as presented. Pace seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

**06-96-01 Consider Alcoholic Beverage License Change
BJ's Sandwich Shop**

No action was taken due to the absence of the Licensee.

Lenox announced that there would be a series of three public hearings and read the rules for conducting a public hearing.

Lenox set a time limit of ten (10) minutes for those who wished to speak in favor of or in opposition of the annexation/zoning for Preserve Place Cul-de-sac.

**06-96-02 Consider Annexation/Zoning
 Preserve Place Cul-de-sac**

Williams said that city staff had initiated an application to annex an area of about 0.4 acres at the end of Preserve Place. This area included the circular turn-around for the street. Williams recommended the area should be zoned R-22 Residential to correspond with the zoning patterns of the surrounding area within the city.

Williams presented the following in support of the annexation:

Facts:

1. When the Preserve Subdivision was developed, it was anticipated it would be connected with other land owned by the developer, but outside the city limits. For that reason, Preserve Place was designed and built with a 50-foot right-of-way to the city limits line, and a temporary gravel turn-around was built in the unincorporated area at the end of the street.
2. At a later date, it was determined that it would be in the best interest of the residents on Preserve Place to terminate the street with a permanent cul-de-sac and not join it to another subdivision outside the city, as originally planned.
3. The city acquired from the developer, John Wieland Homes, a rectangle with sides of about 130 feet. This rectangle was adequate to contain a paved turn-around along with the necessary right-of-way.
4. The Fayette County Commission stated it had no opposition to the project, provided the city annex the area for the turn-around and assume permanent responsibility for its maintenance.
5. After acquiring the property and securing the county's approval, the city constructed the paved turn-around in accordance with its standards for a project of this nature.
6. The city had been unable to follow through on its obligation to annex the property until quite recently because of an annexation moratorium.
7. Once the moratorium was lifted and another project was submitted for annexation consideration, the staff decided to also include this project for consideration at the same time.
8. The proposed annexation had been properly advertised and posted.
9. The Land Use Plan Task Force specifically recommended that this area be annexed.

Lenox asked to hear from anyone else in favor of the annexation. Hearing none, Lenox asked to hear from anyone who wished to speak in opposition to the annexation.

Hearing none, Lenox called the public hearing to a close so that Council could reach a decision.

McMenamin said she and Lenox had met with the Preserve Place residents a couple of years ago and the residents had requested that a cul-de-sac be constructed to reduce the traffic. She said the annexation of the cul-de-sac was pretty much a housekeeping item which would bring the property into the city so that it could be maintained properly.

McMenamin made a motion to annex an area of 0.4 acres at the end of Preserve Place to be zoned R-22 residential to correspond with the zoning patterns of the surrounding area. Brooks seconded and motion carried unanimously.

**06-96-03 Consider Annexation/Zoning
property south of Peachtree Parkway**

Lenox called the next public hearing to order to consider the annexation and zoning of property at the southwest end of Peachtree Parkway and set a time limit of thirty (30) minutes for those who wished to speak in favor of or in opposition of the issue. Lenox asked first to hear from anyone wishing to speak in favor of the annexation.

Jerry Peterson of Peachtree City Development Corp addressed Council and requested the annexation and zoning of approximately 42 acres located south of Peachtree Parkway. Petersen said the property was a small tract of land along the city limits that had been identified in the Land Use Plan.

Petersen gave the following reasons he felt the property should be annexed:

1. The property would align the city limits with Camp Creek rather than the random lot lines presently existing;
2. The property would be developed in a manner consistent with the neighboring subdivisions, Huntington Place and Kimerridge;
3. Existing city regulations would apply to the property; and
4. Impact Fees could be collected to off set the cost of the residents using City facilities and infrastructure;

Peterson said the location of the property was south of the proposed extension of Peachtree Parkway. He said the extension would begin where Peachtree Parkway presently ended at the entry to Huntington Place and would end at the intersection of Redwine Road and Bernhard Road.

Peterson said the annexation request did not include Brown's Pond which was north of Peachtree Parkway and that water from the land would flow south which would have no impact on the pond.

Peterson said the property was bound on the east by Camp Creek which would become the city limits, bound on the south by Kimerridge Subdivision, bound on the west by Huntington Place Subdivision, and bound on the north by the proposed extension of Peachtree Parkway.

Peterson requested the property be zoned as R-22 Residential because the adjacent neighborhoods of Huntington Place and Kimerridge are both zoned R-22 and the Land Use Plan recommended R-22 for that parcel of land.

Peterson said if the property was annexed and zoned, PCDC planned to submit a concept plan to the Planning Commission. He said a preliminary concept plan indicated 35 lots which were 120 feet wide and about 200 feet deep. He said lots backing up to Huntington Place would be about forty feet deeper than the Huntington Place lots. Peterson said PCDC agreed with the Planning Commission's recommendation to increase the rear yard setbacks for the houses on those lots to give more of a separation from the existing homes there. Peterson said there would be about ten acres of greenbelt in the project with most of it being along the Camp Creek floodplain and Peachtree Parkway. He said the project would produce an entry statement which was a goal that the city had wanted to accomplish for a long time. Peterson said that the utilities were in place and that the school board had looked at the proposal would have no problem serving the 35 houses. Peterson said the right-of-way for the future extension of Peachtree Parkway had already been deeded to the city and county by PCDC at no cost. Peterson said in summary, the annexation was based on sound planning, a lot of study and a lot of discussion over the past year and he felt it was in the best interest for all the parties involved. He said the Planning Commission unanimously recommended that the property be annexed and zoned R-22 with several conditions and that PCDC agreed to abide by those conditions.

Jim Williams, Director of Developmental Services, addressed Council and presented the following facts to support annexing this parcel:

Facts:

1. The northern boundary of the tract was the northern right-of-way line of the proposed Peachtree Parkway extension. This right-of-way had already been dedicated to Fayette County for the road construction project.
2. The eastern boundary of the tract was the center line of Camp Creek, as recommended by the Land Use Plan Task Force.

3. On the west and south, the tract was bounded by the Huntington Place Subdivision and a small portion of the Kimmeridge Subdivision, both of which were zoned R-22 Residential
4. The tract was currently zoned AR Agricultural/Residential (Fayette County). This district permitted residential development on lots of at least 5 acres. The Fayette County Land Use Plan indicated this area should be reserved for residential development on lots ranging from 2 to 5 acres.
5. The R-22 zoning proposed for the tract would be consistent with the zoning on the adjacent parcels within the city, but would obviously result in a higher density of development than if the land maintained its current Fayette County Zoning classification.
6. If annexed, the tract would be served by public water and a central sewerage system.
7. The development plan indicated the tract would hold 35 lots, a density of 0.8 units per acre. This would result in a population increase of about 100.
8. The only automobile access to the tract would be from the extension of Peachtree Parkway. No cart path access was shown on the development plan.
9. More than 25 percent of the tract would be permanently preserved as city-owned greenbelt and open space.
10. The Land Use Plan Task Force specifically recommended that this tract be considered for annexation because of its location on the west side of Camp Creek.
11. The proposed annexation and zoning had been properly advertised and posted.

Williams said based on the facts, staff came to the following conclusions:

1. The area could be adequately served by existing city emergency services at little or no additional expense to the taxpayers.
2. Because of the fact many areas in Braelinn were developed at densities substantially less than permitted by zoning, this project, with its 35 homes and 100 new citizens, would not adversely affect the population projected for the village.
3. The influx of 35 new families would not adversely affect the school system or the road system.
4. The area could be served by all public utilities, and there was adequate capacity available.

5. Because the proposed project would provide for a substantial amount of permanent open space and would also provide for a central sewerage system, it would have less impact on the environment than if it were developed under county standards with total private ownership and individual septic systems.
6. The city tended to enforce environmental standards during construction more strictly than the county, thereby providing the Camp Creek watershed with a greater degree of protection than if the tract was not annexed.
7. With the construction of the Parkway extension, the tract would have excellent access to both the city and county road systems.
8. The proposed extension of the Parkway would result in greater traffic in the area. In particular, this would have an adverse impact on pedestrian circulation, especially to and from Braelinn Elementary School.
9. The proposal appeared to be in accordance with the policies and principles set forth in Section 704 of the Zoning Ordinance relative to annexation (Attachment "B") and attached a part of these minutes.
10. The Director of Financial Services prepared an independent feasibility study which was included as Attachment "C" and attached as part of these minutes.

Williams said the staff recommended that the 42.7-acre tract be annexed into the city and zoned R-22 Residential with the following understandings and conditions:

1. In the event Fayette County built the Parkway extension, as currently anticipated, PCDC would be responsible for all costs necessary to bring the road up to city standards for that portion of the road within the city.
2. If for any reason Fayette County did not build the road, PCDC would be responsible for building the entire road within the city to city standards, except for the portion that would be within the wetland area along Camp Creek.
3. The Parkway extension project, as outlined above, would be completed prior to recording any final plats within the proposed annexation area.
4. All costs associated with the Parkway extension project would be separated from and in addition to the required development impact fee.
5. The annexed area would be a part of the Braelinn Service Area with an impact fee of \$1083 per lot.
6. All lots in the annexation area which were adjacent to developed lots in the adjoining subdivisions would be designed with extra depth in order to provide for an open space buffer of at least 25 feet in addition to the required 30-foot rear setback.
7. The development plan for the annexation area would include a tot lot which would be developed as a part of the subdivision's infrastructure.
8. The annexed area would be tied into the city's cart path system, and adequate provision would be made for a safe pedestrian crossing on Peachtree Parkway.

Lenox asked to hear from anyone else who wished to speak in favor of the annexation. Hearing none, Lenox asked to hear from anyone opposing the annexation.

Mildred Harris addressed Council and said that she was not against the annexation but she was against the rezoning. Harris said that she felt one acre lots would be preferable to half acre lots because she had obtained a copy of the floodplain map which indicated a lot of area in the floodplain around Whitewater Creek. She felt that one acre lots would be better as far as the density and floodplain area was concerned.

George Cadell addressed Council and said he was opposed to the annexation/zoning because he felt every proposal that came into the city would increase the density and taxes for Peachtree City residents; particularly school taxes.

Hearing no one else to speak in opposition to the annexation, Lenox called the public hearing to a close so that Council could debate and reach a decision.

Brooks asked Williams if the lot size in the new development would be larger than the ones up against Huntington Place. Williams said the lot depth in Huntington was 160 feet and the minimum lot depth in this subdivision would be 190 feet and that the lots in Huntington were somewhat wider.

Lenox said that Council was committed publicly to holding the ultimate buildout population to less than 45,000 and kept this very much in mind when making any kind of density or annexation decision. He said the area had been considered for annexation for about five or six years because the city had always wanted to use natural boundaries for the City limits. He said the things found most germane regarding this particular annexation is that everyone who lived there would regard themselves as part of Peachtree City whether it was 20 houses or 35 houses and the families would use Peachtree City facilities, recreational and otherwise. He said the most logical entity to service the area would be Peachtree City because it could be done with virtually no additional cost. Lenox said he particularly liked the fact that the City limits would end at Camp Creek which would create a natural entry way into the city. In addition, he said there would be no reason to consider annexation unless it had economic benefit to the city. Overall he felt between the impact fees and the ongoing tax receipts that would be generated versus the cost, many goals would be accomplished with an economic benefit to the city. For those reasons, Lenox said he favored the annexation.

McMenamin said she felt it would help control the growth of the city by annexing the property and that she felt R-22 was actually less dense than R-12. Further, she thought a tot lot in the subdivision was a necessity and that it was the appropriate time to be built and access to the school was a natural attraction for young children and would

keep them closer to home and away from the heavier traffic. McMenamin also said she would prefer to see a cart path going right down the road that would be very obvious to traffic and would encourage a safer pedestrian crossing across Peachtree Parkway.

Brooks felt it was very important to have the development of the sewer for environmental reasons. Also, Brooks felt there was no need for specific guidelines regarding the tot lots, but something that would function as a gathering place for younger families.

Pace said he was in favor of the city limits following the natural boundary of Camp Creek and he felt the actual number of lots per acre were not very dense. Pace said he agreed with Brooks and would much rather have these lots connected to the sewer system than to have more septic systems. Pace said he would prefer to go along with the Planning Commission Conditions.

Lenox summarized that Council would stipulate that for approval, they would like Condition #6, to provide a 55 foot setback and not the 25 foot open space buffer. Also, Council would like Condition #7 to incorporate into the final plan that a neighborhood-type facility would be built in the greenbelt area near the entry. Lastly, Council would like some better delineation of the existing cart path crossing to consist of striping, reflectors, and signage because it would obviously get heavier usage and there would be more traffic.

Brooks said he agreed with McMenamin because in year's past when a tot lot was put into an area after the fact, it was amazing how divisive it became because no one wanted it in their backyard. Brooks said that he agreed with Pace that the overall density of the area actually would be more than one acre per home so that there would probably be ample room to find that kind of space without changing the overall plan.

Pace said he was prepared to make a motion on this issue but requested that staff rephrase the wording of Condition #7.

Webb stated that he would like to repeat the Conditions and wanted Mr. Petersen's formal approval with reference to the itemized eight Conditions with respect to the property.

Petersen said that PCDC had agreed to Conditions 1 through 5 at the Planning Commission meeting and that he wanted to be clear on Planning Commission conditions and staff Conditions.

Webb rephrased Condition's 6, 7, and 8 in the following manner:

Condition #6: All lots in the annexation area which are adjacent to developed lots in the adjoining subdivisions shall be designed with extra depth in order to provide for a 55 foot rear building setback. In addition, Webb stated that it would be whatever our city ordinances allow to take place in the setback.

Petersen said this would be acceptable to him as stated.

Condition #7: The development plan for the annexation area must include a tot lot or neighborhood passive park or gathering area which will be developed as a part of the subdivision's infrastructure and could possibly be in the greenbelt area.

Petersen said PCDC would accept the language even though he had a problem with the fact that PCDC would have to build a tot lot for Huntington Place which was a 100 lot subdivision that had been there for years and Preserve Place was only a 35 lot subdivision.

Condition #8: Webb said Condition #8 did not need rewording, but that he thought it was evident, however, from Council discussion that there would not be a tunnel or other elaborate cart path crossing necessitated by the agreement. Further, that it would be more of a situation where a cart path crossing would be made at grade.

Petersen said this was an existing crossing and that PCDC would agree with repainting, reflectors and signs.

Lenox made a motion to approve the annexation with R-22 zoning and with all of the conditions that were just agreed to by PCDC. Brooks seconded the motion. Motion passed unanimously.

06-96-04 Consider Changes to Land Use Plan

Lenox set a time limit of ten (10) minutes for those who wished to speak in favor or in opposition to consider changes to the Land Use Plan. Lenox asked to hear first from those wishing to speak in favor of the changes.

Basinger said the item had been placed the agenda for Council's reconsideration of the Land Use Plan as it affected the Palmer/Hyde property, the PCDC land and the Peachtree Colony subdivision. Basinger said the Land Use Plan was amended following a number of public hearings last year and that by that amendment, the Land Use Plan was changed to reflect that the recommended land use of the Palmer/Hyde and PCDC properties should be R-43, and the Peachtree Colony subdivision land use should be a combination of limited commercial and office institutional.

Basinger explained that soon after the Land Use Plan was amended, the owners of the Palmer/Hyde property sought to have the property rezoned to comply with that amendment and that the rezoning request was unanimously denied by Council on March 21, 1996. At the time of the denial, Council requested that the amended Land Use Plan, pertaining to the Palmer/Hyde property, PCDC land, and the Peachtree Colony subdivision, come back before Council to determine whether or not Council desired to return these properties to their original land uses. Basinger said that even though City ordinances did not require the reconsideration of such an amendment by the Planning Commission, it was thought that the best procedure would be to allow the Planning Commission to make any comments it might have had and then properly advertise a public hearing to reconsider the amendment.

Basinger said that staff initially thought the surrounding property owners were in favor of the changes; however, at the rezoning hearing it became apparent that virtually all of the property owners who surrounded the subject properties opposed the Palmer/Hyde zoning change to R-43 and opposed the amendment to the Land Use Plan, not only for the Palmer/Hyde property, but also the PCDC property. He said residents felt that because of apparent communication problems, they were unaware of the fact that the Land Use Plan was being amended, and thus failed to attend any of the public hearings during which the proposed revisions to the Land Use Plan were discussed. Basinger said if the surrounding property owners had been aware of the proposed amendment to the Land Use Plan, and had attended the public hearings on revising the plan, the great majority of them would have strongly voiced their opposition to the amendment as they did at the rezoning hearing.

Basinger said staff originally decided to recommend the changes because there was no public opposition to the revision of the Land Use Plan during the public hearings and because there was some representation to staff that some of the surrounding property owners were in favor of the changes.

Basinger said that since they had learned there was overwhelming opposition to the proposed changes, staff felt they could no longer recommend that the two properties remain R-43 and recommended that the Land Use Plan be revised to reflect that the Palmer/Hyde property and the adjacent PCDC property reflect a land use of Estate Residential. Basinger said staff recommended that the land use for Peachtree Colony subdivision remain limited commercial and office institutional.

Don Dickinson, 263 Spear Road, spoke in favor of the changes because he felt that higher density would cause more problems with water shortages.

Jan Bass, 27 Spear Road, commended Council for their actions in this matter and stated she supported a land use of LUC for Peachtree Colony subdivision.

Ethel Kubiak, a resident of Peachtree Colony Subdivision, spoke as representative for the property owners in support of the changes to the Land Use Plan because it decreased the density in the area.

Mildred Harris commented on behalf of the Concerned Citizens Committee and stated they were proud of Council for this action.

Hearing no one else to speak in favor of the changes to the Land Use Plan, Lenox asked to hear from those in opposition to the changes.

Jerry Petersen of PCDC addressed Council and suggested Council consider a LUR zoning recommendation that could combine lot sizes and creative greenbelts to address the perimeter concerns,

Mike Hyde addressed Council and agreed with Petersen.

Lenox stated that after the hearing was completed he would create a committee to work toward creating a plan that could serve everyone's purpose.

Hearing no one else to speak in opposition to the changes, Lenox called the public hearing to a close so that Council could reach a decision.

McMenamin made a motion to return the Land Use Plan recommendations for the Palmer/Hyde property and the property owned by PCDC to ER and that the land use for Peachtree Colony Subdivision remain LC and OI. Pace seconded the motion. Motion carried unanimously.

06-96-05 Consider Creation of a Special Traffic/Response Team

Basinger stated that Chief Murray had submitted a request for four additional police officers due to a 14% increase in calls for service during the first quarter of 1996. This increase was the result of a 12% increase in traffic accidents and a 30% increase in traffic-related duties. The key impact of these dramatic increases reflected on both response times to other calls for services and the time the officers had to devote to preventive patrol duty. To address the problem, Chief Murray proposed the creation of a specialized traffic and community response team which would consist of four officers who would respond to accidents, DUI enforcement, school zone enforcement, and other traffic-related duties. Basinger said these positions were requested immediately and that the Police Department had received a Fast Cops Grant that would fund 75% of the cost for two of the positions for the next three years with a total grant award of \$150,000. Further, Basinger said the

remaining costs for the rest of this fiscal year would be funded out of the Police Department's Operating Budget and at this point the city did not anticipate any problem having adequate revenues to fund these positions in 1997 and recommended Council's approval.

Lenox clarified that starting in 1997 the total cost would be \$122,000 per year and that for the next three years, \$50,000 a year would be covered by the grant so that the actual net cost for at least the next three years would be \$70,000.

McMenamin commented that one of Council's key responsibilities is to ensure the safety of our citizens and that the visibility of the police officers was of the utmost importance. These new positions would be assigned to bike patrol, golf cart patrol and community relations which were so important to our city and for these reasons she would be in favor of the request.

Brooks stated that Peachtree City had one of the smallest police forces for a comparatively sized city in the country and congratulated Chief Murray for getting the job done as economically as possible.

Pace made a motion that the request for additional officers be approved. McMenamin seconded and motion carried unanimously.

06-96-06 Library Commission Appointments

Basinger stated that the Selection Committee composed of Councilmembers Annie McMenamin, Caroline Price and himself interviewed seventeen (17) applicants to establish the Library Commission and it was the recommendation of the committee that five applicants be appointed to the following terms:

Marie Washburn	1-year term ending May 31, 1997
Chester Yri	2-year term ending May 31, 1998
Dr. Rajagopala Sridaran	2-year term ending May 31, 1998
Judi-Ann Rutherford	3-year term ending May 31, 1999
Bernard Lannan	3-year term ending May 31, 1999

Basinger said the committee also recommended that Pat Cooper and Janet Boyce be appointed to serve as alternates to fill any vacancies which would occur prior to March 31, 1997.

Basinger said the Committee felt that Linda Vaughan had valuable education experience and qualifications that would be beneficial to the Commission; however, it was highly likely

Mrs. Vaughan would not be able to serve a full term on the Commission because of a potential relocation. Therefore, the Committee also recommended that Mrs. Vaughan receive a special temporary appointment on the Commission as a Facilitator/Administrator pending relocation and that copies of all applications were available at City Hall for their review.

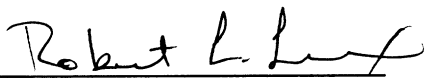
Lenox made a motion to approve the appointments as set forth by Mr. Basinger for the selection committee. Brooks seconded and the motion carried unanimously.

Lenox made a motion to take a brief recess and reconvene in Executive Session to discuss a real estate matter. Pace seconded and the motion carried unanimously.

EXECUTIVE SESSION

No action was taken in executive session.


Gloria Strobel, Executive Secretary

Attest: 
Mayor