

City Council of Peachtree City
Minutes of Meeting
June 5, 1997
7:00 p.m.

The City Council of Peachtree City met in a regular session Thursday, June 5, 1997, at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those attending in the pledge of allegiance. Council members present were: Robert Brooks, Jim Pace, Caroline Price and Annie McMenamin.

ADDITION OF AGENDA ITEMS

Mayor Lenox made a motion to add agenda item 9-97-05 to discuss the west side annexation/development. Brooks seconded the motion. Motion carried unanimously.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox presented a Certificate of Recognition to former Postmaster, Dan Davis.

Mayor Lenox presented a Certificate of Recognition to retired school teacher, Mrs. Rogers.

Mayor Lenox read a Resolution of Support for the Heritage Park Veteran's Brick Project.

MINUTES

Price made a motion to approve the minutes of the May 15, 1997 meeting as presented. Pace seconded the motion. Motion carried with McMenamin abstaining.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

6-97-01 Public Hearing - Consider Rezoning - SE Corner of Highway 74 and Willow Road

Lenox read the rules for conducting a public hearing and set a time limit of thirty minutes for each side to speak on the issue. Lenox asked first to hear from the applicant. Jerry Peterson addressed the podium on behalf of PCDC and AmCraft Builders, Inc. He said AmCraft Builders, Inc., had submitted an application to rezone a tract of 6.6 acres at the southeast corner of GA 74 and Willow Road from R-1 Residential to a proposed zoning of LUR Limited Use Residential to develop a 24-lot, single-family, detached cluster subdivision.

Peterson described the surrounding property around the proposed development. He said the tract was bordered on the west by GA 74 with property zoned GI General Industrial. To the north of the property was Willow Road with property zoned GR-12 General Residential and also a 170-foot wide City-owned greenbelt which extended between Willow Road and Hip Pocket Road. On the other side of the greenbelt was a residential area zoned R-1 Residential. He said the east side of the tract was bordered by a 190-foot, City-owned, greenbelt which extended from the property to Hip Pocket Road which was

zoned R-1 Residential. The tract was bordered on the south by 10 lots in the Lake Peachtree Subdivision which was also zoned R-1 Residential.

Peterson said the proposed plan was consistent with the Land Use Plan which recommended the property should be developed as a Limited Use Residential project at a density not to exceed 4 units per acre and that access to the site should be limited to a single entrance from Willow Road and should be properly buffered from the surrounding streets and developed property. It also required the development to be connected to the cart path system. Peterson said the proposed development would meet all of the recommendations in the Land Use Plan at a lower density of 3.6 units per acre.

Peterson said the development would also address some long-term drainage problems with a detention pond. He said the City, in cooperation with DOT, intended to install a traffic signal at the GA 74/Willow Road intersection during 1997 and the proposed development plan for the tract allowed for the right-of-way dedication along Willow Road for the traffic signal project. He said the DOT also intended to improve GA 74 into a multi-lane divided highway in the near future and the proposed project would also include an additional 25 feet which would be needed for right-of-way.

Peterson said the 1,600 - 1,800 sf homes would be priced around \$150,000.

Jim Williams, Director of Developmental Services, said the Planning Commission recommended that the property not be rezoned because they felt the proposed 24 lots were too dense for the area. He said the current zoning would allow 15 homes to be constructed with 10,000 sf lots. Williams said while staff does not often disagree with the Planning Commission, he felt strongly that Council should approve the rezoning and recommended the following six conditions:

1. The development plan should show the strip of land that will be required for the widening of GA 74. At this time it is anticipated that a strip about 25 feet wide will be needed. The developer should agree to dedicate this strip at no cost to the public.
2. The 75-foot wide greenbelt along GA 74 should be measured from the proposed new right-of-way line rather than the existing line.
3. In order to provide the land necessary for the highway expansion and the greenbelt, Lot 24 should be eliminated and converted to greenbelt. This would, of course, serve to reduce the project density.
4. The house on Lot 23 should be located as far to the east as possible in order to maximize its separation from the highway.
5. The existing power line should be removed from the area between the project and the houses along Cedar Drive. The 35-foot buffer area should be labeled tree-save buffer. That area should be re-landscaped with berms and vegetation to provide a permanent, meaningful, and effective separation between the two subdivisions; and
6. Stormwater detention should be handled as a part of an area-wide stormwater management program.

If for some reason this is not possible, it should not be approved as shown. A detention pond in the back yard of one of the lots (Lot 8) would be totally out of character with the rest of the subdivision, which otherwise appears to be well designed.

Williams said if the project was developed as planned and in accordance with the above conditions, it would be an appropriate use in that location. In addition, he felt it would not adversely affect the surrounding and nearby property and it would not put an excessive burden on the existing streets, utilities, schools, or recreation facilities. Williams said the new traffic signal at the intersection should correct the most serious safety problem in the area.

Hearing no one else to speak in favor of the rezoning, Lenox asked to hear from those opposing the rezoning.

The following citizens spoke in opposition to the rezoning: Nancy Larson, Gail Yates, Scott Powell, Johnny Head, Phyliss Aguayo, Jack Elrod, Butch Trantham, Al Messic and Bill Wheelock. The citizens had the following concerns/recommendations:

1. Sewer problems in the area have never been resolved and caused concern that new development may add too the existing problems.
2. Many citizens have been told the area was a greenbelt and do not want any development.
3. The proposed rezoning was not consistent with the nature of the existing neighborhood with larger lots.
4. Concern for the safety of children who would live in the new area backing up to Highway 74.
5. Concern that the development would add to an already serious drainage problem.
6. Increasing impervious surface could only create additional drainage problems.
7. The drainage problems should be studied and addressed before approving any construction regardless of zoning.
8. Buffers should offer more protection for existing homes rather than the new homes from Highway 74.
9. Density much higher than compared to existing neighborhood.
10. Develop property as zoned. No reason to rezone just so developer can increase profit.
11. Concern for how sewer pump station would affect neighborhood.

Hearing no one else to speak in opposition to the rezoning, Lenox called the hearing to a close and opened the floor for Council debate.

McMenamin asked the City Engineer, Cam McNair, to explain the pump station. He said the pump station would be underground and would lift the sewage to the sewer line for disposal. She asked if the storm water conditions and concerns would remain regardless of the zoning. McNair replied that the drainage concerns would be valid regardless of whether or not the area was developed and that the proposed plan was addressing the problem.

Brooks felt the Land Use Plan recommendation of rezoning the property to Limited Use Residential would allow more freedom of design for the plan but did not necessarily require an increase in density, and he could not vote in favor of the rezoning because of the high density. He also felt the drainage problems should be studied further before increasing the density in the area.

McMenamin agreed. She felt the plan was too dense. She felt the same buffers and conditions could be placed on an R-1 development without increasing the density.

Lenox felt the economics of the situation were an important consideration and did not agree that the amenities could be provided at the lower density. He felt the proposed plan was a good plan and would be good for the community.

Price was in favor of the plan because she felt it was what the Land Use Plan recommended. She said the plan addressed several challenges including the highway, existing neighborhood, drainage, etc.

Pace felt developing the property as zoned would not be as favorable as the proposed LUR plan. He said it was consistent with the Land Use Plan and also felt it was important to listen to Williams' recommendations.

Lenox felt the drainage problems that were in the area were in existence because the development did not properly address the issue.

Brooks stated he was disappointed that Council seemed to be setting a trend of approving higher density projects in exchange for higher quality projects.

Price made a motion to approve the rezoning of the 6.6 acres at the southeast corner of GA 74 and Willow Road from R-1 Residential to LUR with the following six conditions as recommended by city staff:

1. The development plan would show the strip of land that would be required for the widening of GA 74. It is anticipated that a strip about 25 feet wide would be needed. The developer should agree to dedicate this strip at no cost to the public.
2. The 75-foot wide greenbelt along GA 74 would be measured from the proposed new right-of-way line rather than the existing line.
3. In order to provide the land necessary for the highway expansion and the greenbelt, Lot 24 would be eliminated and converted to greenbelt.

4. The house on Lot 23 would be located as far to the east as possible in order to maximize its separation from the highway.
5. The existing power line would be removed from the area between the project and the houses along Cedar Drive. The 35-foot buffer area would be labeled tree-save buffer. That area would be landscaped with berms and vegetation to provide a permanent, meaningful, and effective separation between the two subdivisions; and
6. Stormwater detention would be handled as a part of an area-wide stormwater management program. If for some reason this is not possible, it would not be approved as shown. A detention pond in the back yard of one of the lots (Lot 8) would be totally out of character with the rest of the subdivision, which otherwise appears to be well designed.

Lenox seconded the motion. For the record, the applicants agreed to the conditions as stated.

Motion carried with McMenamin and Brooks voting Nay.

Lenox made a motion to take a five minute recess. Brooks seconded the motion. Motion carried unanimously.

Lenox reconvened the meeting. He said while the next item would be conducted as a public hearing, he would not be following the same procedures as the previous hearing; however, public comments would be allowed.

6-97-02 Public Hearing - Zoning Ordinance Amendment - Assisted Living Definitions.

Jim Fulton addressed Council on behalf of a special committee organized last February to review the zoning ordinance as it applied to multi-family housing definitions. Fulton said the committee recommended the definition of "dwelling" and "dwelling, multi-family" be expanded as follows:

Dwelling: A building or portion of a building, other than a mobile home, designed for, or occupied for, residential occupancy, as further defined in applicable Georgia State codes.

Dwelling, Multi-family: A dwelling deigned for, or occupied by, three (3) or more families living independently of each other. Various multi-family dwellings are further defined below:

Apartment: One of a series of three (3) or more attached dwelling units under a single roof, developed and or operated under single ownership and rental agreements, and occupied by families living independently of each other.

Condominium: One of a series of three (3) or more attached dwelling units under a single roof, each separately owned and listed as real property, and occupied by families living independently of each other.

Townhouse: One of a series of three (3) or more attached dwelling units on separate zoning lots which units are separated from each other by party wall partitions extending at least from the lowest floor level to the roof, and are occupied by families living independently of each other.

Health Care: One of a series of three (3) or more attached dwelling units under a single roof, developed and/or operated under single ownership and rental/medical fees, and occupied by health care recipients as further defined in applicable Georgia State codes. Health care facilities include nursing homes and assisted living/limited care dwellings and shall be limited to two stories with ground level entry/exit facilities provided for both stories.

Price made a motion to change the zoning ordinance to reflect the changes as suggested by the committee with one change which was to add the word "agreements" after rental in the definition of "Health Care". Motion was seconded by McMenamin. Motion carried unanimously.

6-97-03 Public Hearing - Zoning Ordinance Amendment - Text Relative to Churches.

Basinger said the City Attorney advised there may be a legal problem with proposed amendments to the zoning ordinance concerning churches and recommended Council withdraw the matter until the City Attorney could investigate the matter further.

McMenamin made a motion to withdraw the public hearing concerning an amendment to the zoning text relative to churches. Brooks seconded the motion. Motion carried unanimously.

6-97-04 Public Hearing - Update Comprehensive Plan

David Rast, City Planner, addressed Council to review a proposed amendment to the Comprehensive Plan which was adopted in 1992. Rast explained that the Georgia Planning Act of 1989 required that local governments keep their Comprehensive Plans current by updating the Short Term Work Program (STWP) identified in the plan on a regular basis. He explained that most of the goals and objectives established within the Comprehensive Plan had been achieved or were currently being implemented. Rast said once Council approved the amendment, it would be forwarded to the Atlanta Regional Commission and the Georgia Department of Community Affairs for a comprehensive review.

McMenamin made a motion to approve the amendments to the Comprehensive Plan as presented. Price seconded the motion. Motion carried unanimously.

6-97-05 Discussion - Westside Annexation/Development

Williams gave an update of the development of the west side of Peachtree City. He said the Planterra and Line Creek areas were almost completely developed and property owners in the surrounding area

were getting together to determine whether or not they could pool their resources and develop the remaining area in a joint venture to create a new village.

Brooks said he wanted this item added to the agenda because he felt his opinion had changed regarding the development of the west side of Peachtree City. He wanted the public to be aware that he was concerned about the land use proposed for the area because the existing railroad tracks would make residential development difficult. He felt it may be a good idea to leave the land zoned for industrial use which would broaden the tax base.

Price said she felt the railroad could be a great asset to the City. She also mentioned the area could be a good location for the commuter rail project.

Williams said if the west side area were to be developed as an industrial park, decisions would need to be made soon because the infrastructure that would go into the apartment and residential projects soon to be developed in the area would be entirely different for an industrial area as opposed to a residential area. He said the City would not want to construct a collector road going through two residential projects into an industrial park.

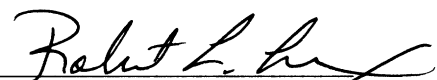
Pace did not agree with Brooks, and said he did not want to see at-grade crossings for an industrial park. He felt any development near the railroad tracks should be low density.

Lenox made a motion to adjourn the meeting into Executive Session to discuss a legal matter. Price seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

There was no action taken in executive session. Pace made a motion to adjourn the meeting at 10:50 p.m. Price seconded the motion. Motion carried unanimously.


City Clerk

Attest: 
Robert L. Lenox, Mayor