

**City Council of Peachtree City
WORKSHOP MINUTES**

May 5, 2009

6:30 p.m.

The City Council of Peachtree City and the Planning Commission met in workshop session on Monday, May 5, 2009, at 6:30 p.m. Council Members in attendance were: Mayor Harold Logsdon, Don Haddix, Cyndi Plunkett, and Doug Sturbaum. Steve Boone was out of town. Planning Commission members in attendance were: Chairman Patrick Staples, Joe Frazar, Larry Sussberg, and Lynda Wojcik.

The purpose of the workshop was to discuss changes to the General Commercial (GC) ordinance.

Staff members attending were: City Manager Bernard McMullen and Acting Developmental Services Director David Rast.

Rast said that he and City Attorney Ted Meeker had discussed the permitted uses and looked at what other jurisdictions had in their ordinances. He wanted to be more inclusive of permitted uses and uses that were not permitted. He continued that some uses were not either a yes or a no, and they were difficult to get out once they were there. Staff would be able to refer to the listing in the ordinance when business owners came in for their occupational tax, which could alleviate some of the issues the City had. Rast said his recommendation was that the "Permitted Uses" section (Section 1006.2) be changed to specifically identify the uses for GC-zoned parcels. Rast referred to the PowerPoint slide (a copy of the slide is included in the official meeting file), which was the current list of permitted uses in GC zoning districts - (Sec. 1006.2) Permitted uses.

Rast gave an overview of the current ordinance and the recommended changes:

- (a) **Retail business involving the sale of merchandise on the premises, provided no single tenant, owner, occupant, or business occupies more than 10,000 square feet.**

Rast recommended including a listing of 39 various types of businesses that would be allowed.

- (b) **Business involving the rendering of a personal service on the premises.**

Rast explained that this category would include barber and beauty shops, nail salons, shoe repair, personal services. They did not occupy as large of a space and complemented the primary businesses within a center.

- (c) **Office for governmental, business, professional or general purposes.**

There would be no limit on the square footage on this type of usage. It had been done in the City for years.

- (d) **Commercial recreation facility located entirely within a building on the premises.**

- (e) **Publicly owned building, facility or land.**
- (f) **Building, facility or land for the distribution of utility services.**
- (g) **Building, facility, or land for non-commercial park, recreation, thoroughfare or open space purposes.**

These [(e), (f), (g)] would be publicly-owned buildings and areas owned by the City or the Airport Authority, and they were allowed in most of the zoning districts in the City.

- (h) **Private or semiprivate club, lodge or social center.**

This use would be removed from the list.

- (i) **Building, facility or land for off-street automobile parking.**

This use was removed per the direction of the City Attorney, who felt it was geared more toward a stand-alone parking lot or garage, which Rast did not foresee a need for in the near future.

- (j) **Hotel or motel.**

Rast recommended that conditions be added to this category that would set the standard for the facilities the City wanted. The conditions included access to guest rooms would be only by internal hallways with no direct access to the outside. The lobby area would have to be a minimum of 800 square feet in size. Each hotel/motel site would be a minimum of two acres in size. Each hotel/motel would provide on-site management 24 hours per day. Each guest room would be no less than 300 square feet in size and would only be accessed with a magnetic keycard entry-locking device. Outside storage of commercial equipment would be prohibited. Occupational tax licenses would not be issued for any business operating out of a guest room at a hotel/motel, which happened frequently with extended stay hotels.

Sussberg expressed concern about requiring a magnetic keycard entry-locking device, noting that many high-end hotels had gone back to using keys for nostalgia. McMullen added that technology was always changing, so the ordinance should not be locked into requiring a magnetic keycard. Plunkett and McMullen both asked why the rooms had to be 300 square feet.

- (k) **Commercial trade or vocational school.**

Rast recommended changing (k) to read "Secondary education (sic: post-secondary), trade or vocational school." He continued that the Development Authority of Peachtree City (DAPC) was talking to technical schools about opening a branch in the City, and the change would allow post-secondary education in GC zoning.

- (l) **Radio and/or television station, not including a transmission tower.**
- (m) **Wholesale business involving the sale of merchandise on the premises.**
- (n) **Newspaper publishing facility.**
- (o) **Accessory uses, as described herein.**

Rast discussed adding a list of prohibited uses in GC zoning. Those uses included automobile sales or service; extended stay lodging facilities; group homes; laundry and/or dry cleaning plants; second-hand clothing; furniture and/or thrift stores, and tattoo parlors. He continued that

the uses were identified in other zoning districts, specifically General Industrial (GI) and Limited Industrial (LI).

Plunkett asked how to distinguish between an on-site dry cleaner and a dry cleaning plant. Staples suggested square footage. Sussberg said he also had a problem with dry cleaners located next to restaurants. Rast said staff could look at that. Rast added that there were also a lot of gyms opening in commercial areas. Plunkett said she would also like to see adult entertainment stores, pawn shops, check-cashing, and rent-to-own stores prohibited from GC areas.

Staples recommended that caution be used in prohibiting businesses. He wanted to be restrictive as possible, but he did not want to undermine the ordinance. Rast reiterated that some of the uses recommended for restriction were allowed in other zoning districts. Frazar suggested a preamble to the ordinance that said the list was not all inclusive, and the City reserved the right to refuse a license if the business was out of character with the community's values. Plunkett said that was arbitrary.

Another area to look at would be second-hand clothing and furniture stores, one of which had been in Peachtree Crossing. Most of the shops were located in the industrial park. Plunkett suggested allowing smaller stores (10,000 square feet or smaller) in GC, but prohibiting the larger ones, such as a Goodwill store. Frazar agreed. Plunkett said people did not want the "drop off" stores in commercial areas. Referring to the vacant Kroger store in Peachtree Crossing, Sussberg suggested that it would be a good location for an arts and crafts/antiques center similar to Collectors Corner. McMullen said that the wording in (a) needed some work since it referred to the sale of merchandise on the premises, and the merchandise could be anything. Plunkett said the ordinance should include "best practice" language to allow consignment stores with a retail concept. She also asked how the City could allow the "stall" type of stores in spaces such as the old Kroger. Staples said that could be covered with the overlay district strategy, but a trigger needed to be developed for the overlay strategy to be used. The opportunity was there to lose a viable anchor spot. Logsdon said the owner told him that he was willing to subdivide the old Kroger space if he had to.

Sussberg noted that all kinds of businesses were franchised now. He asked how the City could protect itself from being in the situation that Coweta County was in with Starship Enterprises. Rast said such businesses could not be totally restricted, but the City could identify appropriate areas, and the City had an ordinance that identified LI and GI zoning. He noted that Coweta might not have had anything in their ordinance to prohibit or restrict such shops. It was similar to the telecommunications ordinance in that the use was only allowed in certain areas.

Logsdon noted that most of the auto shops were located on Huddleston Road, but there were tire stores that also serviced vehicles in GC areas. Plunkett said she liked having the garages on Huddleston Road and asked if such uses could be limited on specific commercial corridors. Rast said that could be done with an overlay district. A base zoning would set, then the City could establish a vision for a specific corridor, identifying uses, architecture. That was probably where the City needed to go, especially after talking with the Development Authority of Peachtree City (DAPC).

Rast continued that he had spoken with the DAPC members, who wanted to get back to the village center concept. They wanted to encourage uses in centers for the neighborhoods they served. They were looking at the core uses that should be in a village center. Rast said he and some DAPC members had met with the owner of Braelinn Village, and a needs analysis should be done to determine what services the residents needed. The DAPC would present the results of the analysis to the shopping center owner, then ask the owner to target those business types. The next step would be to identify the corridors and overlay districts, identifying specific and limited uses.

Logsdon and Sturbaum asked where the private clubs, lodges, and social centers could be located if not in GC. After a brief discussion, the consensus was that those uses should be put back on the list.

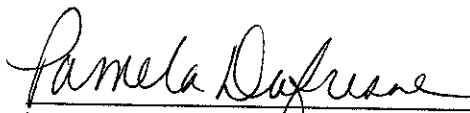
Logsdon said the work was good, but the changes would be difficult to get right. Additional uses needed to be prohibited such as adult entertainment stores, pawn shops, and bail bondsmen.

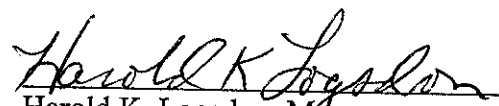
Staples said that they should not amend the ordinance in a vacuum. If a business could go in another area for a better price, then it would go in that zoning. The City needed to be cognizant of the financial incentives. Haddix said that was why definitions were important.

Sussberg said that the City had been one of the top 10 markets for his business three years ago, but they could not find a space. He suggested the DAPC could help businesses find the right landlord. Haddix said the DAPC was working toward doing just that. Plunkett said the DAPC needed a staff person to answer those questions and provide the information to the right people. Commercial real estate agents should be doing those things. Sussberg said the agents could not provide a consolidated picture of what properties were available. Haddix said the DAPC could have database of the available properties. Logsdon said the City should not get into real estate, but there should be a good faith effort to help people. Haddix agreed, adding that it was a standard function for development authority to have that kind of information.

Rast said he hoped to have the amendments ready in six to eight weeks. Plunkett said the amendments needed to get done, and she wanted it to be on the June 18 Council agenda. She added that the ordinance could be amended later on to correct any problems that had not been considered.

There being no further business to discuss, the meeting adjourned at 7:18 p.m.


Pamela Dufresne, Deputy City Clerk


Harold K. Logsdon, Mayor