City Council of Peachtree City
Minutes of Meeting
May 3, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, May 3, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Cyndi Plunkett, and Judi Rutherford. Stuart Kourajian arrived at 7:12 p.m.

Announcements, Awards, Special Recognitions
Mayor Logsdon and Major Mike DuPree and Captain Stan Pye of the Police Department recognized the graduates of the fourth Citizens Emergency Response Team (CERT) class. Paul Schwinne was recognized for his service on the Development Authority of Peachtree City.

Public Comment
There was no public comment.

Minutes
Boone moved to approve the April 19, 2007, regular meeting minutes as written. Plunkett seconded. The motion carried unanimously.

Monthly Reports
There were no comments or questions on the Monthly Reports.

Consent Agenda
1. **Alcohol License – Change in Licensee and License Representative – China Café Waikiki**
2. **Consider Approval of 2007 LARP Contracts**

Rutherford moved to approve the Consent Agenda. Boone seconded.

Rutherford asked Finance Director Paul Salvatore if the LARP contracts were with the DOT for the money to do the paving. Salvatore said they were.

The motion carried unanimously.

New Agenda Items
05-07-01 Citizen Request to Address Council Concerning Stormwater Fees
Dave Chaney, who requested the agenda item, was not in Chambers. Recording Secretary Pam Dufresne noted that Chaney was older and might have left if he could not find a parking space. Logsdon moved to table the agenda item until the end of the meeting or to the next meeting agenda if he did not arrive. Kourajian seconded. The motion carried unanimously.

05-07-02 Public Hearing – Consider Request from John Wieland Homes and Neighborhoods
- **A. Consider Rezoning Application, AR to LUR-15**
- **B. Consider Annexation and Rezoning**

05-07-03 Public Hearing – Consider Request from Levitt & Sons of Georgia, LLC
- **A. Consider Rezoning Application, AR to LUR**
- **B. Consider Annexation and Rezoning**

Logsdon noted there were additional documents on the dais – a constitutional challenge letter dated May 2, 2007, from J. Scott Jacobson and Ellen W. Smith of Holt Ney Zatcoff and Wasserman, LLP, the attorney for John Wieland Homes and Neighborhoods; an e-mail dated May 3, 2007, from David Rast to City Attorney Ted Meeker with the subject, "Wieland – constitutional challenge;" an e-mail dated April 30, 2007, to City Manager Bernard McMullen from Paul Van't Hof of the Peachtree City Civic Association (PTCCA) with the PTCCA's position paper regarding the annexations; and a copy of a petition in favor of the West Village annexation received April 30, 2007.

Mayor Logsdon said the applicants would give their presentations first (Wieland followed by Levitt & Sons), followed by staff's presentation. The requests were considered as one. He continued that each side, for and against, would have 30 minutes for comments. The time could be extended if Council felt there were still people with valid input, not a repeat of the same points.

Dan Fields of John Wieland Homes and Neighborhoods presented his company's plan for the 379.493-acre tract proposed for annexation and rezoning. (A copy of Fields' presentation is included in the official meeting file.) Fields said the major points of the City's Comprehensive Plan considered of primary importance by the City and residents who participated in charettes were to protect environmentally sensitive areas from development while extending the open space concept throughout future development; to establish a continuous planning process for Peachtree City and promote the full participation of City residents; to provide opportunities for an appropriate mix of dwelling types, sizes, and prices in order to meet the current and projected needs of City residents of all social-economic groups in accordance with their financial capabilities, mobility, and preferences; and to provide a full range of passive and active recreational facilities and service conveniently located for City residents.

Fields continued that the Connector Village would offer the opportunity to continue the lifestyle that made the City famous. There would be interconnecting paths and a planned village center. An elementary school site had been designated so children would be in close proximity to their homes and parents. The village would have 495 homes with a gross density of 1.30 units per acre.

Fields said that, according to respected land planners, a good land plan had a discernible center for the neighborhood, most dwellings within a five-minute walk of the center, a variety of dwelling types, streets within the neighborhood that formed a connected network to disperse traffic, and streets that were relatively narrow and shaded by trees, which slowed traffic and created an environment suitable for pedestrians, bicycles, and golf carts. An environmentally-sensitive plan had interconnected natural buffers to protect water quality, rear lot lines that did not extend into flood plains or wetlands, homes on sewer rather than septic, phased development for controlled growth, and had contiguous greenspace to protect riparian buffers and water recharge areas. The plan had 167 acres (40.5 acres were developable) of open space. The rear lot lines from the homes to Line Creek varied from 400 to 800 lineal feet. Buildout would be over 10 years at the rate of 49 homes per year. The boundary homes, if the lots extended to the center line of Line Creek, would be approximately two-acre lots. The neighborhood gathering places were an important feature. Fields said they were considering building a Line Creek Lodge, which would feature a swimming pool, clubhouse, and other amenities.

Fields continued that the Connector Village features included completion of MacDuff Parkway, a central park and interior pocket parks, connecting streets, interconnected buffers and cart paths, a variety of housing types and price points, tree-lined streets and natural buffers, 167 acres of open space/natural buffers, and sustainable and timeless architecture. He showed renderings and photos of various streetscapes and parallel parking. MacDuff Parkway would not be a bypass. Fields said they planned to incorporate traffic-calming devices and to create a streetscape that encouraged people to slow down as they drove past. Houses would front on MacDuff Parkway. Parallel parking would serve the guests of those homeowners. There would be no driveways in front. The homeowners' access would be through an alley to the rear, which allowed the streetscape with the canopy trees and sidewalks along the Parkway. There would be a village center with a retail component that people could walk to or get to by golf cart.

The proposed price range for the homes on the 100 and 115-foot lots were from the $500,000s to the $700,000s. The homes would be located along the creek. The homes would be 3,300 to 4,500 square feet. There would be large tree buffers behind and beside the lots. The specimen trees would be identified and preserved in those areas. The homes would have side entry garages. The front building setback would be 30 feet, and the average distance between homes would be 30-60 feet.

The proposed price range for the 90-foot homesites was from the $400,000s to $500,000s. Front porches would be typical. There would be rear tree buffers between the lots. Front and side entry garages would be available. The front setbacks would be 20 feet, and there would be an average of 20 to 30 feet between the homes. The homes along MacDuff Parkway would have 90-foot lots.

The typical lot on MacDuff Parkway would be alley-served with a 50-foot buffer. The proposed prices started from the $400,000s. The architectural streetscape would have 25-foot building setbacks with an additional 50-foot buffer adjoining. The average distance between homes would be 20-40 feet.

The 75 feet and 65 feet homesites would be priced from the $300,000s-$400,000s. The areas would be pedestrian friendly. The lots allowed for preservation of open space and more connected natural buffers. The front building line would be 20 feet, and the average between homes would be 15-25 feet.

Pricing for the 55-foot homesites would start at the $300,00s. The smaller sites allowed for the preservation of open space and more connected natural buffers. The front setback would be 15 feet, and the average between homes would be 10-20 feet. The homesites would offer a low maintenance lifestyle.

Fields said the projection for buildout was estimated at 10 years based on sales momentum. The estimation of 49 homes per year allowed time for schools and services to develop as the homes were built. The schedule would provide sustainable and consistent growth, increased tax revenue, and economic growth for surrounding businesses and restaurants. Fields said there was a lot of interest regarding approval of the annexation plan. The petition for approval had 650 signatures from people that lived all over the City, including 75 business owners.

Kathy Zickert presented the plan for Levitt and Sons for the Seasons at Peachtree City. (A copy of the PowerPoint presentation is included in the official meeting file.) She said the project would be a resort-style, age-restricted, luxury active adult community. Zickert noted that they could lawfully restrict the ages of the residents at 55, which had been confirmed by the City Attorney who drafted the conditions of zoning. The present proposal had a net positive tax impact. Seniors generated property and sales taxes, but did not put as much demand on the infrastructure. She added that the Wieland and Levitt & Sons plans would sink or swim together. The commitments they had been asked to make obligated both companies to build the MacDuff extension and the bridge over the railroad tracks. It was an incredibly expensive undertaking, and there would be no impact fee credit for the road and bridge, which would cost $6 million. Cutting the density of either project jeopardized their ability to do those projects.

Zickert continued that a quadrant of courtyard housing had been added at the request of the Planning Commission. They had been asked to consider something other than single-family homes. They had also been told to scatter the house and lot sizes throughout the development and to make the amenity package the central focus. The community would be sensitive to greenspace, with the neighborhoods surrounding the resort-style amenity facilities. The net density would be 2.12 units per acre, which was lower than the City's average net density of 2.69 units per acre. She noted that 49% of all the City's lots were in subdivisions with a net density greater than 2.12 units per acre. The plan included 403.09 gross acres, with 699 units. The gross density was 1.73 units per acre. Rights-of-way, roads, and City greenbelts took 72.66 acres for a net acreage of 330.43 acres for a net density of 2.12 units per acre. There would be 15 single-family detached floor plans with multiple elevations and up to 100,000 options for home customization. Zickert continued that everyone was aging, and Fayette County seemed to be aging, in terms of percentage of the population, at a more rapid rate than the rest of the metro region. In terms of impact and need, she said this type of development did well. There were fewer people in the units, so there was less water and sewer usage. According to statistics, the number of ambulance trips for people aged 55 to 74 (1 to 1.2 trips) was in the middle. The numbers ranged from one trip for the 18-34 age group to 4.1 trips for those 85 and older. The impact fees that would be assessed had been prorated to account for any increased demand on ambulance services. The average age of the residents was 62. She said that, according to a study conducted by William C. Darley, Jr., of Georgia Tech, the present value of net benefits to the City and County at the 10-year build-out was $47.7 million. The present value of other direct and indirect impacts to local businesses was $20 million.

Zickert noted the changes from the original proposal, and she said they could not do everything that was asked. The density had been reduced. The unit types had changed. The open space had increased from 180.1 acres to 228.7 acres (108.5 acres were usable). The access had changed from one gated entry to two non-gated entries. The north buffer had increased from 50 feet to 100 feet. She asked Council to approve the annexation and rezoning. She added that they had also worked out a development agreement.

City Planner David Rast told Council that, according to a number of people that knew the City's history, the initial plan had been to bring this area into the City, but they ran out of money before the West Village area could be purchased. Annexation of the area had been in the Comprehensive Plan documents for years, and the extension of MacDuff Parkway had also been referred to as the Westside Connector/Line Creek Parkway in the plans for years. The Council had looked at two prior annexation applications during recent years. A citizen task force had also looked at the area and worked with the landowners, and that plan had been denied by a previous Council by a 3-2 vote.

As staff began working with John Wieland Homes & Neighborhoods and Levitt & Sons, it was decided that it would be better to have a master plan for both tracts due to the requirements the City wanted, such as the extension of MacDuff Parkway. Rast said that the number of units qualified the annexations as a Development of Regional Impact (DRI), which required review by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority GRTA). He continued that GRTA had said the projects were in the best interest of the state and had come up with a number of conditions. The Planning Commission had tweaked the plans and reduced the numbers.

Rast gave a brief summary of each plan. (A copy of his PowerPoint presentation is included in the official meeting file.) Wieland owned 379.5 acres, and they proposed 495 residential units with a variety of lot sizes. The property was immediately north of the Centennial subdivision. Wieland also owned 88 acres between their property located in the County and SR 74, which was not under consideration at this meeting. The property was inside the City limits, and the "Peach Pit" landfill area was located on the 88-acre tract. He continued that Wieland had approached an adjacent property owner and purchased an additional 20 acres needed to make the road connection. The plan was not the standard cul-de-sac development found in the City. It was a more neo-traditional-type of planning, which a lot of developers were getting into. The product mix was perfect and would be a continuation of what was in the Centennial subdivision. From the staff standpoint, it was a successful and attractive development. There were 151 acres of open space, including 109.5 acres of wetlands, floodplain, associated buffers, and open space. Rast said developers usually wanted to maximize their property. What both developers had done with their property was precedent-setting, and they should be commended for providing so much open space. The Wieland tract contained the Oglethorpe transmission line easement, which was another 7.2 acres of land that could not be developed. The MacDuff Parkway right-of-way had been calculated at approximately 10 acres. Larger houses would be located next to smaller houses, which was something not seen in the City. The gross density was 1.3 units per acre. The net density was 2.35 units per acre, which was in line with most of the City's subdivisions.

Rast noted that the Levitt & Sons tract was immediately north of the Wieland tract. It was bordered to the north by the City of Tyrone and the Shamrock Industrial Park. The original plan had been similar to the City's other subdivisions. He said that he had discovered through the process that the ARC and GRTA hated the subdivision layouts in the City. Both entities disliked cul-de-sacs. He said the ARC and GRTA liked interconnecting streets and encouraged the developers to incorporate them into their plans. Levitt had removed the cul-de-sacs and put in four pods. There were streams and stream buffers that ran through the property and created a great amenity. It was property that could not be developed. There would be a significant stand of vegetation. The Scarbrough portion of the property was timbered after a previous annexation request was denied, and the vegetation was starting to grow back. The developer had committed to re-vegetating some of the areas. They had also pulled the homes back from the area of the embankment for the rock quarry. One of the conditions was to increase the buffer on the quarry side of the tract from 50 to 100 feet and to dedicate that area to the City as greenspace. Levitt & Sons had done a study on the noise level due to the railroad and the rock quarry. The City had discouraged the gated subdivision proposal. The project now had two entrances, which was better due to the number of homes that were proposed.

There was 228 acres of open space; 120 acres was floodplain and wetlands, which had to remain undisturbed. The lots were smaller. The community was similar to Lexington Park or Village Park, which were very successful. The homeowners association would take care of the lawn maintenance and the exterior of the homes. The proposal was for 699 lots. The gross density was 1.7 units per acres. The City's calculation on the net density was 2.47 units per acre compared to Levitt & Sons' calculation of 2.12 units per acre. Rast said the developer's calculation was probably more accurate.

As part of the work on the Comprehensive Plan, there had been an analysis of every subdivision in the City of the gross and net densities. Rast said he had pulled out several subdivisions to compare for density. The Connector Village's net density was 2.35 units per acre and Seasons was 2.47 units per acre. Centennial, which was still under construction, had a net density of 5 units per acre.

Rast said that the Planning Commission and Council had asked for information on the financial impact of the annexations. He introduced Planning Assistant Tony Bernard, who presented the financial impact analysis. (A copy of the PowerPoint presentation is included in the official meeting file.) Bernard said the financial model was designed to estimate revenues and expenses as a result of the annexations. The model focused on the budget components funded through general tax and fee revenues. Almost all capital costs were covered by the developers, except the bond interest on the new fire station. Another purpose of the study was long term financial planning.

Bernard noted that the study was based on the current millage rate and dollar value. The average selling price for a home in the West Village would be $350,000, and the average number of people per home would be 2.25 (two people per house in the north component and 2.5 people per house in the central component). Based on the current millage rate of 5.533 mills, the annual taxes would be $758.02 for the City. The annual tax due Fayette County would be $779.80 per home based on a 5.692 millage rate. The school tax would be $3,034.55 based on 22.15 mills, and the state tax (0.25 mills) would be $34.25. The total millage and taxes would be 33.625 mills or $4,606.63 per house. In addition to property taxes, the residents would pay $16.34 per person for motor vehicle taxes, $60.46 person in franchise taxes, $18.01 per person in selective sales and use taxes, and $53.06 per person for other revenue. The local option sales taxes would average $192.42 per person. The real estate transfer tax was $1 per $1,000 of the sales price. The turnover rate was 2.2%. The cost per person was used to calculate the impact that the increased population from the West Village would have on the City's tax revenue.

Licenses and permit fees were based on the 2007 fee schedule, and there were no foreseeable increases. The licenses and permits revenue would end as the West Village reached buildout, which was estimated at 10 years. The model only used the minimum fee for plumbing, electrical, and HVAC permits since an accurate cost per unit could not be calculated at this time. Licenses and permits fees were as follows: building permits - $0.25 per heated square feet, plumbing permits - $50 minimum, electrical permits - $50 minimum, HVAC permits - $50 minimum, soil erosion permits - $100 per acre, and zoning and subdivision fees - $300 per acre.

Bernard continued that the West Village impact fees were based on service improvements that would need to be upgraded or expanded as a result of the increased population from the annexation. There would be a total of 2,902 units/lots in the overall West Village. The estimated cost for a new fire station was $2,595,000, and the estimated cost for the Baseball Soccer Complex (BSC) expansion was $3,566,570. Impact fees from the annexation would cover 41.1% of the total cost of the fire station and 11% of the total cost of the BSC expansion. The total impact fees for the West Village Service Area would be $2,537.11 per unit. Funding for the West Village fire station would be generated by a bond. The annual debt service was estimated at $246,213.09 for 15 years. The impact fee dedication would be $133,183.46 annually for 10 years. The difference funded by the City for 10 years would be $113,029.63 annually. The BSC expansion would be covered by a bond, and the impact fees would cover 26.8% of the total cost, or 18.7% of the debt service costs.

Other cost increases included the $20,784.30 annual electric bill for the 147 street lights in the West Village. The annual cost to operate the signal, installed by the developer, at the intersection of Senoia Road and Kedron Drive was estimated at $1,671.12. At $3.95 per 4,600 square feet of impervious service, there would be an estimated 1.1 million square feet of streets and paths in the development. The stormwater/sewer cost per year would be $11,386.29. In addition, the estimated annual cost to maintain the MacDuff right-of-way and landscaping would be $27,482. The sewer and stormwater systems would be maintained as needed, and the cost would be paid by the Stormwater Utility.

Bernard also factored the increase in the City's operational costs. He noted that the model assumed the current level of service was sufficient and would remain the same should the requested annexations be approved. An increase in staff and the City budget would be needed. The 2007-2008 fiscal year budget was $23,646,388, and the City currently had 253 full-time employees and 74 part-time employees for a total of 290. Operational costs were expected to increase by $1.75 million at the time of buildout. City staff would need to increase by 21 employees to maintain the current level of service. The City's population would increase by 2,687 people.

Bernard said the financial model's scope was 80 years. The first seven years of development would be cash positive for the City; however, revenues from licenses, permits, and impact fees ended at year 10. The projected annual revenue after year 16 was $35,694.55. The total revenues (taxes and other) from the annexations over the 80-year period should be $144,000,000, and the total costs (capital costs, impact fee dedications, utility costs, operating costs) should be $141,000,000. The model indicated a cash-positive surplus of $3 million. Bernard reiterated that the model did not reflect inflation in either revenues or costs. Appreciation and depreciation were not calculated. The model was based on population and development density. If those numbers changed, the entire model changed.

Following a short break from 8:35-8:40 p.m., Rast went over the some of the conditions for each development. He said many of the recommendations were the same, but there were a few that were specific to each development.

Rast noted that the first condition for the Wieland portion regarded the transportation enhancements recommended by GRTA, which would be constructed at no cost to the City. Both Wieland and Levitt & Sons would be required to enter into development agreements with the City to ensure the items would be taken care of.

The second condition required that MacDuff Parkway be built to the City's community collector standards, with a 24-foot wide median. The single travel lanes on either side of the median should be 16 feet wide with an 80-foot right-of-way, which would allow the road to be widened in the future if it became necessary. The third condition dealt with parallel parking. Rast said that staff did not support parallel parking along MacDuff Parkway because of the road's design as a community collector. Rast continued that the fourth condition addressed the buffer ordinance and required a 50-foot wide City-owned greenbelt on either side of the road. An additional 50 feet on either side of MacDuff Parkway would be dedicated to the City as greenbelt. He said condition number five required staff and Wieland to work together to identify locations for traffic calming on MacDuff Parkway to keep the road from becoming a high-speed cut through. Number six required the developer to work with staff to look for areas to install a cart path tunnel under MacDuff Parkway as part of the road construction at no cost to the City.

Rast continued that condition seven regarded the multi-use path connection and soft trails. Staff and the developer would work together to ensure they were in the best locations. The path connection extension to Chatsworth subdivision was removed since it involved property the developer did not own.

Rast noted that the Fire Department had suggested that the utilities installed in the MacDuff Parkway right-of-way be sufficient to handle all of the growth in the area, not just the properties proposed for annexation. Condition eight required the developer to work with the Fayette County Water Department and the Fire Department to ensure the water main was the correct size and had the necessary connections.

As part of the Centennial subdivision, Wieland had donated two acres to be used for a fire station. After reviewing the Fire Department's current plan for coverage areas and levels of service, the Fire Department felt the station should be moved farther to the north. Condition nine would require the applicant and the Fire Department to work together to find an alternate location for the new fire station. An area had been tentatively identified.

Condition 10 required the applicant to landscape along MacDuff Parkway and to maintain the landscaping. As the subdivisions were turned over to the homeowners associations, the associations would become responsible for the maintenance in perpetuity.

Condition 11 referred to the maximum number of units. Once the preliminary engineering became, there could be changes based on the topography and site conditions. The number of units could not exceed 495. Condition 12 required the developer to preserve the vegetation in the areas defined as open space.

Rast continued that there were a number of lots on the southern boundary adjacent to the property set aside for the school. Condition 13 required at least a 50-foot buffer to separate the homes from the school. Condition 15 with dealt the post-construction stormwater runoff ordinance. The floodplain would be field located and surveyed to ensure none of the lots encroached.

Condition 17 dealt with the maintenance of the internal parks, landscaped areas, and signage. The maintenance would be the sole responsibility of the developer and homeowners association. Condition 18 required that the number of rental units be limited to 20% in the deed covenants and enforced by the homeowners association.

Condition 19 dealt with impact fees. Condition 20 dealt with the development agreement between the developer and the City.

Rast noted that the final condition was that the annexation and rezoning was contingent upon the annexation and rezoning of the Levitt & Sons tract.

Rast said that the many of conditions for Levitt & Sons pertaining to the transportation enhancements were the same. The first eight conditions were the same as for Wieland. Condition nine required that the number of lots not exceed 699. Condition 10 was the same.

Conditions 11 and 12 dealt with the buffers along the tract's perimeter. The requirement was to increase the buffer on the northern boundary adjacent to the quarry and industrial park in the Tyrone to 100 feet and to dedicate the buffer to the City as greenbelt. The remaining buffer around the perimeter was to be 50 feet and was to also be dedicated to the City as greenbelt. Rast said that Conditions 13-17 were the same as the conditions for Wieland.

Rast continued that Condition 18 dealt with the age restriction of the subdivision. The City Attorney had drafted the condition and could answer any questions. Condition 19 dealt with the development agreement execution. Condition 20 required that the Levitt & Sons annexation and rezoning was contingent on the annexation and rezoning of the Wieland property.

Rutherford clarified that if the Wieland annexation failed, then the City could not annex the Levitt & Sons property because it was not contiguous to the City. Rast said there was portion of the Levitt & Sons property that was contiguous to another tract already in the City.

Logsdon asked the residents who were to speak to be cognizant of the time and to remember that others wanted to speak. He also asked that the speakers not be redundant.

Residents who spoke against the annexations included Robert Brown, Dennis Chase, Larry Bowers, Beth Pullias, Gordon Furr, Lynda Wojcik, George Kadel, and Tami Morris. Paul Van't Hof of the Peachtree City Civic Association (PTCCA) did not take a position, but read a position paper with questions the PTCCA felt should be answered prior to annexing the tracts. (A copy of the PTCCA position paper is included in the official meeting file.) The concerns included the following:

- Plunkett should recuse herself since she was a resident of the area.
- Annexation was not the only path to traffic relief.
- The proposed density had a direct impact on the developers' bottom line.
- Annexations should be postponed until a complete financial impact analysis was available.
- The City would lose revenues.
- Levitt & Sons property needed a massive revegetation; it was one of the worst pieces of property in the County due to the clear-cutting.
- An unmarked barrel had been found on the Peach Pit site; the state was notified.
- People were still dumping trash at the Peach Pit.
- The Peach Pit and the quarry operation in Tyrone impacted the property.
- Future owners should be required to sign document stating they knew there was an active quarry and asphalt plant nearby.

- The air quality from the industrial area was a concern, as was the future of the proposed Lake McIntosh.
- The quality of life should not be bartered for a road.
- A school impact plan should be required.
- Land should be required for a high school.
- There should be a recreation area that would be a City-wide draw.
- The proposed annexations deviated from the Comprehensive Plan.
- The annexations should benefit the entire City of Peachtree City.
- The density was too great for the schools and the current infrastructure.
- The City should hold out for a better plan.
- The City should ask for what it wanted.
- There were too many questions that remained unanswered.

Plunkett asked the City Attorney if she was required to abstain from the vote. Meeker asked Plunkett if she would receive any financial benefit from the annexations. Plunkett said she would not. Meeker said she could continue. Brown said she did not have a direct financial impact, which required her to legally recuse herself, but she did have an interest. Plunkett said she would not recuse herself.

Residents who spoke in favor of the annexations included Dana Kinzer, Bob Wentworth, Pam Barrett, Robert DeMetz, and Mary Ann Boicourt. Their points included the following:

- The new homeowners would pay for the fire station, the road, and other items needed.
- The facts should be considered, not opinions or emotions.
- Senior housing was the fastest-growing segment in the United States.
- Space was reserved for a school and recreation facilities.
- Money would be spent in the City that was not included in the tax base.
- Wieland had agreed to work with the City on the 88 acres already in the City limits, which included the Peach Pit.
- The road would be a great benefit and would relieve traffic at SR 74/SR 54.
- The road would be built at no cost to the taxpayers.
- The process had run its course.
- No plan would satisfy everyone.
- It was time to finish the City.
- Someone had fought every previous road, school redistricting, subdivision, and shopping center, and those had all turned out fine.
- The West Village had always been a part of the Master Plan and buildout.
- The City could not control development in the area unless it was annexed.

The applicants were given time for rebuttal. Fields said the annexations and the extension of MacDuff Parkway would benefit not only the residents in Centennial, but the entire City. He said the projects would add value to the overall City. The annexation would complete the City. Fields continued that this had been the first he had heard about the unmarked barrel and the household trash dumped at the Peach Pit. He knew the chain locks had been broken, and there had been vandalism. He said they would begin to make it right the next day. He said that his company was willing to work with a citizen task force regarding the 88 acres and would contribute up to $250,000 based on the task force recommendation. He said they would also continue to work with the Board of Education regarding the 17-acre school site and to provide them a secondary access.

Zickert said there were water quality standards in place that the Levitt & Sons development would be required to meet or be fined or sued, or both. As for the clear-cut nature of the property, she said the developer had already committed to re-landscaping the area, which would be beneficial to the developer also. The more attractive it looked, the better the product. Zickert continued that Levitt & Sons had conducted environmental studies and seismic testing first thing because of the proximity to the rock quarry. The site had passed with flying colors. A development agreement that protected the zoning conditions had already been negotiated, and they were ready to sign it. It was difficult to understate the importance of the DRI review. Every potentially impacted jurisdiction and board of education received notice of the review, which solicited their comments. It was only after the ARC and GRTA received comments from the Board of Education and the concerned environmental groups that a determination was made that the DRI was in the best interests of the state.

Rutherford asked what had happen regarding the barrel found at the Peach Pit. City Engineer Dave Borkowski said he had attempted to contact the EPD, but no one had been in the office. He was still trying to contact them. Rutherford clarified that the barrel could not be moved until the state had looked at it. Borkowski said that was correct. He said he had contacted Wieland's office regarding the barrel, but he had not spoken to Fields.

Boone asked Rast to comment on the financial analysis. Rast said the model was true, but did not included property tax increases or inflation. It was basically a flat-line analysis of the development as proposed.

Boone commended staff and the applicants for their work. He said the annexations would be good for the City. They met the Comprehensive Plan and the Land Use Plan. He did not want Tyrone to annex the area or to have Tyrone or the County put in big commercial boxes, which would create more havoc. It would be the City's fifth village. The developers had to comply with the recommended conditions before they turned dirt. Having a task force look at the 88 acres in the City already owned by Wieland was notable.

Kourajian asked Zickert if Levitt & Sons was committed to a dollar amount to restore the land that was clear cut. Zickert said they were not sure what exactly would be required yet, but she understood they were required to meet the City's standards.

Kourajian asked Van't Hof about some of the items in the PTCCA's position paper. He referred to the point that a City-wide recreational draw was needed. He asked if the PTCCA's members had considered the increased traffic that would bring to the neighborhood. Van't Hof deferred to Tom O'Toole. O'Toole said that part of the village concept was to have a large recreation facility within each village. It was more about completing the village, and traffic had not been a part of the discussion on that point. Kourajian asked what they meant by a public access senior facility and whether they were asking for another Gathering Place. O'Toole said they saw this as an opportunity for the City to get another senior recreation facility, whether it was part of what was already proposed or access to what would be built. It was an opportunity to increase senior adult programming. Levitt & Sons said they would work with the Recreation Department. Kourajian noted the point regarding density along the boundaries of the projects. He asked if the PTCCA agreed with the proposals on that point. O'Toole said they agreed that the developers should comply with the standards set in the Comprehensive Plan and follow the step-down process. O'Toole said the PTCCA would gladly assist on the task force that would look at Wieland's 88 acres.

Kourajian asked why the City had received the notice of the constitutional challenge just hours prior to the meeting. Fields said it was just a legal document that was standard and regarded any conditions they were not agreeable to. Rutherford said the City had not gotten such a letter from Levitt & Sons. Richard Bacon, attorney for John Wieland Homes & Neighborhoods, said that Zickert had probably done it correctly and filed the challenge with the application, which they had not done. They had just forgotten to do it with this one. Meeker said it was rare that a zoning application was received without the notice. He confirmed that Levitt & Sons had submitted the document earlier in the process. Bacon apologized and said he was embarrassed by his oversight.

Logsdon asked about the proposed parallel parking on MacDuff Parkway in the Wieland area. Fields said that the staff had recommended against parallel parking, but the Planning Commission asked them to work with the Fire Marshal and the City Engineer. He asked Council to allow them to do so before ruling it out. The condition could be changed to add, "subject to approval by the Fire Marshal and the City Engineer." If they did not approve the plan, then it was fine. Fields said parallel parking was an enhancement that promoted traffic calming.

Logsdon said he had seen a drawing that day that showed the parallel parking as an inset and not really on the street. Fields confirmed that they had been over that idea with the Fire Marshal who had recommended a few changes.

Fire Marshal John Dailey said he met with the Wieland representatives to discuss the options. The parallel parking was included in an approximately 2,000-foot long area. There was also an alley way behind the homes. He knew exactly how much space the fire vehicles needed to set up for proper operation. The cars would be another barrier to access. Dailey added that Wieland's staff was committed to making him happy.

Logsdon asked Fields who would make the decision regarding a tunnel or bridge for the cart path. Fields said the road elevation would determine which would be better. They would work with the City Engineer on that. Borkowski confirmed that.

Kourajian asked what had happened to the lower density plans that had been considered previously. Fields said that had been the townhomes on the 89 acres. They had proposed 380 townhomes for that. The cost of constructing the road was divided among the 600-plus homes when the 89 acres was withdrawn from the plan. He said that was when the change in density had taken place. He continued that Council had asked the developer to drop the at-grade crossing and look at a bridge over the railroad tracks. They had also purchased the additional 20 acres (he showed the area on the plan) to make the road work. There had been several plans during this time.

Plunkett referred to a workshop on the plans in September 2006, which was substantially the same plan presented at this meeting. She noted that not one person on Council said the plan was perfect.

Each member of Council had expressed concern about the density at that time. There had not been much of a reduction in density. Rast noted that the plan Wieland presented at that workshop had 625 units for the property in the County. The City wanted a two-lane road with a median, rather than a four-lane road, which increased the cost for the road. There had been a reduction of approximately 130 lots since then. Rast said the September 2006 plan included the 88 acres already in the City and had a total of 919 lots, including the single-family homes and townhomes.

Rutherford said the road might not be built at a cost to the taxpayers, but nothing was built without a cost. There was a cost to traffic and the environment, and more homes were needed to pay for it. She noted that everyone who bought homes in that area knew there was only one egress. She questioned whether these plans were the best. Just because some Council Members were pro-annexation did not mean they would vote to annex anything; they wanted the best plan for the City. She credited Fields and Zickert for listening to their suggestions and making an effort to come back with better plans. She understood that the ARC and GRTA said this was good for the City, but they did not live here. She was glad for their input, but pointed out the City was suing GRTA regarding what GRTA was requiring the City to do because of the Coweta County DRIs.

Plunkett agreed. She said that she did not support annexation at any cost. The property was a natural extension of the City's boundaries, but there were too many houses. She felt the plans should go back to the Planning Commission for more work.

Rutherford asked Rast about the Comprehensive Plan and the sizes of the lots on the periphery of the north side of the City. She told Fields that if the development was to be truly in the same character as the rest of the City, then the outside lots needed to be bigger. Rast said that there were misconceptions about what the Comprehensive Plan and the Land Use Plan said regarding density along the City's boundaries. The Comprehensive Plan specifically stated that the lots should be larger along the eastern boundary of the City where there was no sewer access and floodplain. Those lots stepped down and were much larger than any where else in the City. Sewer was available along the northern boundary. The homes on the northern boundary were on one-acre lots. He continued that the Metropolitan North Georgia Water Planning District (MNGWPD) recommended that these types of cluster subdivisions be developed to leave the floodplains and wetlands devoid of development. Both of the developers could extend property lines to the center of Line Creek, which would make the lots two-three acres and would meet the intent of the Land Use Plan. The developers had chosen to protect those areas in a contiguous area rather than chop them up for the City to enforce the restrictions.

Rutherford said she understood the concept, but if 400 acres were zoned to have one-acre lots, then there should not be more than 400 houses in the middle of the area. Wieland had 495 acres. She would much rather see cluster homes, but that did not mean that there should be more houses that what the zoning permitted.

Kourajian asked if the unit density per acre was gross or net, and which was more important. Rast said the units per net acre gave a more accurate density since the land needed for the greenbelts, roads, and paths was taken out of the equation. Gross units per acre included everything. Rast said the net density was the true density.

Plunkett said the numbers she wanted to see on the Wieland property were attainable, but she was not sure they were attainable for Levitt & Sons. She did want to see if they would decrease density.

Logsdon said he liked the plans. He had driven to Franklin, Tenn., to look at a similar development to Wieland's. He had also visited the Levitt & Sons development in Canton. Both were good plans and would be good additions to the City for most part. Suggestions had been made to the developers. He could live with the density. He said he would rather the developers stepped up and reduced the density now than turn the plans back to the Planning Commission. It was time to call for a vote.

Plunkett said they were doing the developers a disservice by not sending the plans back to the Planning Commission. Boone said the plans had gone before the Planning Commission many times. The plans were viable. He could not see why the other members were so hung up on numbers. Rutherford said that 3,600 households would be affected forever by Council's decision. The Board of Education (BOE) sent a letter requesting 50 acres for another school. The questions about education had not been answered.

Fields said his company was willing to talk to the BOE about the request. The BOE had not come to them. He offered to increase the minimum lot size from 55-feet to 65 feet, which would cost the project approximately 20 lots. Twenty lots were over $1 million that could be spent on the road. The project would not be viable if the density was reduced much more. A few years ago, the road would have only cost $3 million. Gasoline prices had doubled. The cost of the road would continue to increase. The bottom line was they had to have 475 lots.

Boone moved to approve the annexation and rezoning request from John Wieland Homes & Neighborhoods for 379.493 acres contingent upon the 20 conditions listed by the Planning Commission and staff, that the density be no more than 475, further that a study group be formed to study the 89 acres currently in the City adjacent to the parcel as outlined in a letter presented earlier, and that the changes be made to the condition on parallel parking. The approval was contingent upon Levitt & Sons also being approved. Kourajian seconded.

Kourajian said he was still struggling with the density. He felt gross density was more important. Based on the 179 subdivisions in the City, the Wieland development would be 65th. If net density was used, the development would be 114th. He had done his own calculations and felt that 475 was a good number.

Plunkett said that number was where she had been heading. She would like to see the lots on the back side enlarged in an effort to meet the Comprehensive Plan.

Rutherford had a point of order. She noted that the Council had a requirement to end the meeting at 11 p.m. There was a motion on the floor. She asked Meeker if they had to vote on that motion before there was motion to extend the meeting time deadline. Meeker said yes.

Boone withdrew his motion. Kourajian removed his second.

Plunkett moved to extend the meeting deadline past 11 p.m. Rutherford seconded. The motion carried unanimously.

Boone restated his motion for John Wieland Homes & Neighborhoods with all the conditions stipulated. Kourajian seconded. The motion carried 4-1 (Rutherford).

Boone moved to approve the annexation and rezoning request by Levitt & Sons for 400.306 acres contingent upon the 21 conditions listed by the Planning Commission and staff and that the density be no more than 699 lots. Logsdon seconded.

Kourajian said that out of 179 subdivisions in the City, Levitt & Sons was 104 based on net density. Based on gross density, the Levitt & Sons development was 99th, which was the lower half on both lists. The plan had 199 units too many.

Plunkett agreed. She said that it would be difficult to make the area attractive due to the clear-cutting and commended Levitt & Sons for committing to the landscaping. She felt the project was a good use of the land, and they would be good partners for excellent tax base; however, there were too many units.

Zickert said the plan originally had 762 units, so the density had dropped 10%. She said their product, in terms of ultimate price point, was not as high as Wieland's. They had more units that would generate the same profit as Wieland. She said they could give up 20 units, but no more than that. They would have to withdraw. Plunkett asked Zickert if they were willing to go back to the Planning Commission to work on the density. Zickert said they had 108 acres of usable space that would be open space, which was why net density was important. They were not getting any credit for that.

Rutherford asked if CSX had agreed to put any money into the bridge. Zickert reported that CSX might provide a construction superintendent and contribute $25,000 to the bridge. Logsdon said he had spoken to CSX. He had only expected them to agree to an engineer on site and to expedite the permits. Rutherford asked Logsdon if he had talked to the state. Logsdon said he had spoken to the DOT, who would participate once the land was in the City. He had a tentative agreement of $300,000. Rutherford asked Logsdon if he had talked to the County. Logsdon said he had not. Plunkett said the County had an interest in the road. Rutherford said if others helped pay for the road, then it would give Levitt & Sons more options. Zickert agreed, but did not know where the opportunities were. Plunkett said the City should be given the best shot to work it out.

Plunkett had a point of order. She asked Meeker if there were other options in the event Council denied the motion. Meeker said someone on the prevailing side of the motion could make another motion.

The motion failed 1 (Boone)-4.

Plunkett moved to approve the annexation request at 600 homes and that the City look for contributions in the amount of $900,000. Zickert said, if that happened, then Levitt & Sons would walk, which would kill both annexations. Plunkett said she needed to know what kind of contribution would work for the density and the road.

Kourajian asked Plunkett if she was comfortable throwing everything away to get 600 homes, which was still very dense. Plunkett said the reason was because of the topography. She did not think R-2 was a good use for the property. Kourajian said that still put them at 1.5 homes per acre.

Logsdon said he was not a fan of cluster subdivisions, but he was not opposed to them. He asked if the houses would sell if 160 cluster homes were taken out and replaced with the same product as the rest of the development. That would be density reduction of approximately 80. Zickert said there would not be a substantial enough difference to make up for the drop.

Boone said he did not see a problem with the numbers and did not want to go back to the Planning Commission. Rutherford said the numbers were important. They were critical to the citizens. Council was responsible to everyone. She wanted the best plan for the entire City, and she was not convinced this was the best plan. Logsdon said he could live with 679 units, but he would like less.

Plunkett moved to take a 15-minute recess in order for the applicant to run the numbers. Logsdon seconded. The motion carried unanimously.

The meeting reconvened at 11:30 p.m. Zickert told Council that they could not go below 679 units, but they would contribute $150,000 to whatever project the City directed payable on final plat approval.

Plunkett asked Zickert if they could move closer to 650. One of the conditions would be that Levitt & Sons and Wieland figure out how to pay for the bridge. Zickert said that was already a condition. Rutherford said it was not reasonable to ask Wieland to pay more for the bridge at this point. Plunkett said she wanted an opportunity for additional conversation. Rutherford said Zickert had already said that was not an option.

Kourajian said there were three options – to do nothing, to vote to table the issue, or put a motion on the table. Levitt & Sons asked to leave the issue on the table. The developer agreed to split the difference between 679 and 650 for 662.

Logsdon moved to accept the density at 662 units and $150,000, along with other conditions. Boone seconded.

Kourajian said the development was now at 1.64 houses per acre and 97th out of 179. It was not acceptable to him.

The vote was 2 (Boone, Logsdon) -2 (Kourajian, Rutherford) -1 (Plunkett). Logsdon noted an abstention was a vote for the motion. Meeker verified that, according to Roberts Rules of Order, an abstention was counted as a vote in favor of the motion, so the motion carried. Logsdon said the charter defaulted to Roberts Rules of Order. Meeker said Plunkett could abstain from the vote if she had a legal conflict.

Since she was on the prevailing side, Plunkett moved to reconsider the previous vote. Kourajian seconded. The motion carried 3-2 (Boone, Logsdon).

Kourajian asked for clarification on what Council could do. Meeker said they could reverse, modify, or affirm what had been done.

Plunkett moved to reverse what Council had just done. Kourajian seconded. The motion carried 3-2 (Boone, Logsdon).

Logsdon moved to approve the request at 662 with the gracious offer of $150,000. Boone seconded.

Plunkett asked what the buffers were for the back portion of the property that was adjacent to the quarry. Rast said it could be set at anything. Staff had recommended that a 100-foot buffer be dedicated to the City as greenbelt. Plunkett asked if there was room for a larger buffer. Rast said the buffer could be increased since the density had been reduced. He said they could look at during the concept design phase.

Logsdon amended his motion to approve the annexation and rezoning request at a density of 662, accept $150,000, and all conditions. Boone seconded. The motion failed 2 (Boone, Logsdon)-3.

Plunkett moved to annex and rezone at 650 and the $150,000. Rutherford asked what would happen if the annexation and rezoning were approved and the developer walked away. Meeker said numbers at been proffered, but they should get some input from the developer before taking the vote. Zickert said that the $150,000 was off the table, and they would take the 650. Plunkett amended her motion to annex and rezone at 650 with the conditions previously provided by the Planning Commission. Logsdon seconded.

Kourajian said the plan was still too dense for him at 1.6 homes per acre and in 93rd out of 179. Plunkett said she disagreed due to the nature of the property and because it was a senior development. Boone said it was a good plan, and the developer had made a lot of concessions.

The motion carried 3-2 (Kourajian, Rutherford).

05-07-04 Consideration of Amendment to the Capital Improvement Element and Amendments to Section 307 of the Code of Ordinances, Development of Impact Fees Pertaining to the West Village Service Area

Meeker noted that, based on Council action, the impact fee items would have to be re-calculated. Boone moved to table the agenda item until the next meeting. Plunkett seconded. The motion carried unanimously.

Logsdon noted that Mr. Chaney had not arrived to discuss Agenda Item 05-07-01. Plunkett moved to table Agenda Item 05-07-01 until the next meeting. Logsdon seconded. The motion carried unanimously.

Council/Staff Topics

Rutherford moved to convene in executive session for threatened or pending litigation and personnel. Boone seconded. The motion carried unanimously.

Logsdon moved to reconvene in regular session. Rutherford seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn. Kourajian seconded the motion. The motion carried unanimously. The meeting adjourned at 12:45 a.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary