City Council of Peachtree City
Meeting Minutes
Thursday, May 2, 2019
6:30 p.m.

The City Council of Peachtree City met in regular session on Thursday, May 2, 2019. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, and Kevin Madden. Phil Prebor was absent.

Minutes

King moved to approve the April 2, 2019, Retreat Workshop Minutes and the April 18, 2019, Regular Meeting Minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. **Consider FY 2019 Budget Adjustment – Acceptance of Georgia Trauma Care Network Commission Grant**
2. **Consider FY 2019 Budget Adjustment – Police Department Software**
3. **Consider Sale of Surplus Vehicles – Electronic Auctions**
4. **Consider Contract for HA5 Pavement Mineral Bond Coating and Crack Sealing at Peachtree City Athletic Complex (PAC)**

Madden moved to approve Consent Agenda items 1, 2, 3, and 4. Ernst seconded. Motion carried unanimously.

New Agenda Items

05-19-01 Public Hearing – Consider Rezoning, GI General Industrial to LUC Limited Use Commercial, Widget Drive/Exchange Place

The Mayor opened the public hearing. Planning and Development Director Robin Cailloux explained this was the second public hearing for this rezoning request (following the Planning Commission hearing on April 8). She showed the location of the property on a zoning map, pointing out SR 74 South, the railroad with Dividend Drive running parallel to it, along with Crosstown Road, which became TDK Boulevard on the other side of SR 74. Widget Drive and Exchange Place were private roads, constructed on the property prior to 2008.

The request was for a rezoning to limited use commercial (LUC). The applicant provided a site plan, and Cailloux showed the area where a 107-room all-suite hotel was proposed. An approximate two-acre outparcel was also included in the request. The LUC district allowed retail, office, commercial recreation facilities, private clubs, hotels/motels, and restaurants. It also allowed, under certain conditions, single-family dwellings, duplexes, townhomes, multi-family residential, mixed-use with residential above commercial, and self-storage. The Future Land Use map, adopted as part of the Comprehensive Plan, designated the site and surrounding area for industrial use. The request for the hotel and outparcel in the LUC zoning district did not meet the intent of the Land Use Map, Cailloux stated.

Cailloux went on to say staff reviewed this requests on the basis of six criteria outlined in the City's ordinance. The first was whether the request conformed with the intent of the Land Use Plan. There were goals and policies outlined in the Comprehensive Plan, and staff had identified three that were applicable to this request. The first, land use and development pattern, looked at whether the request promoted the location of industrial uses in the industrial park and commercial uses in the village center. This request was not compatible with the policy.

The second policy dealt with economic development and looked to shift the tax base from residential and towards commercial uses. The City was currently at 80% residential and 20% commercial, with the goal of getting to a 75/25 division. This request met this policy.

The policy on transportation encouraged the use of alternate modes of transportation. Cailloux said this request met the goals with a condition. She showed a map of the 2011 multi-use path plan in the area. She said there was a Special Purpose Local Option Sales Tax (SPLOST) project to build a crossing over SR 74 in this area, but the location had yet to be decided. Staff recommended that a separate paved path be constructed to connect the site to a future path along TDK to help build out the comprehensive path network.

The second and third criteria in the ordinance both looked at compatibility with surrounding properties, so Cailloux discussed them together. Avery-Dennison was to the north, while the property to the west, also owned by the applicant, was vacant, and TDK was to the south of this property. Light industrial (LI) was across SR 74, with the U-Haul rental center as well as some commercial uses that dated back to before 2008, when the ordinance allowed supporting retail uses in the LI zoning district. The request for commercial, Cailloux remarked, was compatible with those industrial uses. There would be no negative impacts on either party.

The fourth criterion explored if the property had reasonable economic use as currently zoned. Cailloux said it appeared to staff to be developable as one of the many permitted uses in the GI zoning district. The proposal, if developed, would not cause a burden to infrastructure or public services, which was the fifth criterion. Traffic would not be impacted negatively, even with the highest generating use, which was a coffee shop with a drive-thru. If developed as commercial, it would have no impact on the schools. However, this was a blanket rezoning, so residential was a possibility.

The final criterion asked if there were changing conditions in the area that would either support or not support the request. Staff was unaware of any changing conditions since the adoption of the Comprehensive Plan in 2017.

In summary, Cailloux stated that this request did not conform with the Future Land Use Map, but did conform with three of the policies. It was compatible with surrounding development, and staff believed it could be developed and have economic viability under its current zoning. It did not pose any burden to the existing infrastructure, and there were no changing conditions that would support the request. For those reasons, City Planning staff recommended denial, ultimately because it did not conform with the Future Land Use Plan. The Planning Commission had unanimously recommended denial to City Council following its public hearing.

The Mayor asked if anyone wished to speak in support of the project. Nathan Dockery introduced himself as part of the Dockery Group, one of three entities involved in this project, along with Paradise Hotel Group, whose co-founder Wayne McAteer was a long-time Peachtree City resident and one of the developers of the Peachtree Conference Center, and the Hyde Group, the landowner, which owned the Pit Stop stores and developed Hyde Park.

Hilton Home2 Suites was the project planned for this site. It was a limited extended stay hotel, with each room equipped with a "working wall," which had, in addition to a work area, a microwave and convection oven so the traveler could go downstairs and purchase food to heat up. It was not a full kitchenette with a stove. This was one of Hilton's most popular products, Dockery noted.

The hotel demand in Fayette County continued to rise with the growth of the film industry and the many events and conventions that came to the county. Peachtree City lost events monthly. They knew that the annual meeting of convenience stores moved to Newnan because of a lack of hotel space. Large corporations needed between 2,000 and 10,000 room nights for all the business travelers they brought to the area. This demand meant this project would not create any competition that would hurt existing hotels, Dockery stated.

Dockery went on to note that this was near a major commercial intersection surrounded, except for Avery-Dennison, by commercial property. They were situated next door to Falcon Field, Planterra Golf Club, and other amenities that would be advantageous for hotel guests. The hotel would also serve Brooks and Senoia for movie production and visitors. This site was one of the few sites in the City that met Hilton's criteria.

The 15 acres behind the five acres included in the application would remain GI, Dockery related. This was only for the five acres that sat between SR 74 and Widget Drive, adjacent to the pond. At the end of Widget Drive was an opportunity for signalization, which would help existing businesses and encourage development of the remaining 15 acres. He recalled that there was a study underway for a path crossing in the area, and they would work with the City on that. He noted that this site was superior to other sites that might be vacant, but not for sale, because it sat next to so much commercial.

Dockery showed a photos of a prototypical Hilton Home2 Suites, located in Georgia, saying it was something Peachtree City would be proud to have. He again noted that it would support both commercial and industrial use. It would create a lot of tax revenue for the City with little impact on utilities or the school system.

Attorney Rick Lindsey noted that Widget Drive and the infrastructure was constructed on this property many years before 2008, at a cost of about $750,000. When the infrastructure was put into place, hotels and other commercial uses that supported the Industrial Park were permitted in LI, and consequently, in GI. Mike Hyde developed the property looking to do something on this corner lot, and he had done similar things in the area with a convenience store and Wings 'n' Things. Across SR 74 was a hotel, Days Inn & Suites, in LI. Relying on the zoning at the time, Hyde developed the infrastructure with an eye towards future development.

The uses permitted in GI currently were far fewer than in the early 2000s, Lindsey pointed out, limiting the options for development. If the infrastructure was not in place, he said he would agree with Cailloux's assessment that this did not fit with the Land Use Plan, but it did fit when the infrastructure was put in place. Lindsey recalled the application he brought before Council a few months ago for another property in this area, also developed with the ordinances in place at the time. Not to allow this hotel would go against case law. He pointed out the LUC gave the City the opportunity to get involved with the LUC, more so than if they just went with the GI, which was grandfathered. LUC made sense and fit with the current zoning. It did match the Land Use Plan when looking at the ordinances in place at the time of development.

Lindsey mentioned the possibility of using the land for residences, but said that would require a conditional use, which would call for a permit, and Council and Planning Commission involvement. Residential was not in the plan. He said they agreed with the condition in the staff report that, if approved, land be allotted for the cart path tie-in. That would be included in what the zoning was intended to provide, support for the Industrial Park.

For all the reasons he stated, Lindsey said they believed they met the criteria for rezoning; it would be an asset to Peachtree City, increase the tax base and shift the tax burden from homeowners, and comply with what was in place 15 years ago when the infrastructure was put in the ground.

No one else wished to speak in favor of the rezoning. No one rose to speak against it, and the Mayor closed the public hearing.

Ernst asked what was considered for the outparcel. The thought was a restaurant, Lindsey told him; something like Mimi's that would service the Industrial Park. It would not be residential. Lindsey noted that office was a possibility, as well; saying there was an office on the upper floor of the Pit Stop convenience store.

Madden asked about the zoning before it was changed in 2008. Cailloux said that, in 2008, a text amendment changed the uses permitted in GI. It had been a pyramidal zoning, which also permitted all uses beneath it. GI, for instance, allowed heavy industrial, but also anything permitted in LI. At that time, LI had a conditional use that allowed for retail and commercial uses that were supportive of the industrial users. In 2008, the City Council decided to make the zoning districts more Euclidean, or more stand-alone. What was permitted in GI was only permitted in GI. What was permitted in LI was only permitted in LI. They also removed the condition from LI which allowed the supportive commercial use.

Ernst asked why this was done. Cailloux said she was not with the City at the time, but there was some history provided by the applicant included in their packet. She reviewed the minutes of Council meetings from then and saw no direct link between the two events, but in 2007, the property owner applied for a land disturbance permit for a development of a large scale. She had looked at the plans, and it appeared to be a big box hardware store. At that time, staff denied the permit. The applicant had apparently sued the City, and the court found that the ordinance was unclear as to what supportive uses meant because there were other similar uses in the area, such as Gil-Roy's and Mimi's. Under those circumstances, Cailloux noted, in the State of Georgia, the ruling went in favor of the property owner and said the City must issue the building permit. Shortly after this finding, the City updated the Zoning Ordinance to eliminate this clause. The language at the beginning of the ordinance stated that the purpose was to eliminate encroachment of commercial into the industrial district, which would eat away at the Industrial Park and remove the ability to develop the land in an industrial nature. Cailloux said this was the reasoning she inferred from reading the information available.

Madden stated that the criteria changed for LI, but the criteria for LI was the same as LUC. Cailloux said it was even less defined than LUC. It did not list in any way what retail uses would be supported by industrial. Now, LUC listed very specific commercial uses, and the intent was not to support Industrial uses.

Madden said he had visited the area several times, and it did not appear to him that it was set up for any type of industrial use. It looked like it had been set up and money spent for a commercial application, he stated. He saw no problem with the traffic if this development was built. He was concerned about the conditional use for residential, but said that would have to come back before the Planning Commission and Council.

Cailloux pointed out that it did not. Residential was a conditional use, and, as long as the project conformed to City standards, it would not have to go back before Council. She would recommend that, if the rezoning request were approved, the ordinance be amended to include a clause that residential uses were not permitted.

King said he had visited the property, and, with the owner willing to give the easement for the path connection, he had to take into account that a half mile to the north was Gil-Roy's and the dance studio, with a McDonald's across the street, along with a Jiffy Lube, Flash Foods, and a hotel. Pit Stop was in front of it. King noted that the owner had said he did not want residential there, and he agreed with him 100%. He understood what was being said about the Land Use Plan just being completed, but it seemed unfair to him to deny this. Based on the economic impact, he concluded, a bird in the hand was better than one you were still trying to catch. He told the Mayor he would vote to do this.

Fleisch asked if there were any statistics about room nights. Kym Hughes, director of the Peachtree City Convention and Visitors Bureau (CVB), reported that, currently, they were at 60.1% occupancy. They had not recovered from 2016. By 2017, they had a 7.7% drop in occupancy. In 2018, there was another 10.1% drop. To date, in 2019 they had just hit a 3.3% increase. Last year, there were some rooms offline. According to the data, there were about 100 more rooms available today than there had been last year due to them being offline for renovation. A new hotel would provide more choices in where to stay. If they were looking at a 75 or 80% occupancy rate, Hughes told Council, they could rest assured that they were in a general growth pattern. But sitting at 60% occupancy with such a slow recovery over four years, adding another 107 rooms to the mix gave a challenge to other hotels that wanted to renovate or upgrade. She asked Council to take that into their considerations.

King moved to approve New Agenda item 05-19-01, rezoning, GI General Industrial to LUC Limited Use Commercial, Widget Drive/Exchange Place with the two conditions for the path easement and no residential. Madden seconded. Motion carried 3-1, with Fleisch voting against.

Lindsey said he wanted it on the record that the applicant was fine with those conditions.

05-19-02 Consider Bids for Pipe Lining – Group A

Public Works Superintendent Scott Hicks said staff recommended awarding a bid for $348,271 to Enviro Trenchless LLC for lining degraded pipes to prevent digging up the pipes and disturbing yards and roadways. This was the low bid among several, and there were sufficient funds in the pipe lining portion of the bond.

Ernst moved to approve New Agenda item 05-19-02, bids for pipe lining – Group A. Madden seconded. Motion carried unanimously.

05-19-03 Consider Bids for Pipe Lining – Group B

Hicks said this was basically the same thing, just for group B. Fleisch asked about costs. Hicks told her the estimate was between $6 and $7 a linear foot, depending on the size of the pipe. The bigger the pipe, the more it cost.

Madden confirmed that funds to reline pipes in both Group A and B were already there in the stormwater bond, and Hicks said that was correct.

Madden moved to approve New Agenda item 05-19-03, bids for pipe lining – Group B. King seconded. Motion carried unanimously.

Council/Staff Topics

Fleisch explained the County had asked the City to enter into an intergovernmental agreement to help with the costs to repair a bridge on Redwine Road. She wanted to know how much, if any, of this bridge was in Peachtree City. A map showed that a section of the bridge was in the City, but tax records showed that the land was in Fayette County. She showed land owned by the Wood Creek Homeowners Association and said it paid $23 a year in County taxes and nothing to Peachtree City. She asked Mike Sumner, substituting for City Attorney Ted Meeker, to confirm if any of the bridge was actually in Peachtree City. They would take action depending on what was determined. Sumner agreed.

The Mayor also noted the spillway had won a national award, and the engineers would be traveling to Washington, D.C., to accept it.

There being no further business, King moved to adjourn at 7:13 p.m. Ernst seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor