

City Council of Peachtree City
April 16, 2015
7:00 p.m.

The Mayor and City Council of Peachtree City met in regular session on Thursday, April 16, 2015, in City Council Chambers. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, and Special Recognition

Mayor Fleisch issued proclamations for Confederate History Month and National Alcohol Awareness Month. Fleisch gave a Certificate of Appreciation to Gardner Denver for allowing the City to use their parking lot for an employee driver training program. Fleisch recognized Acting Police Chief Stan Pye for 25 years of service with the City.

Public Comment

There was none.

Agenda Changes

There were none.

Minutes

King moved to approve the minutes of the April 2, 2015, regular meeting. Learnard seconded. Motion carried unanimously.

Old Agenda Items

02-15-09 Public Hearing – Consider Rezoning and Associated Variance Request, GC General Commercial to LUC-26 Limited Use Commercial, Dolce – Peachtree Atlanta (Great Wolf Lodge of Georgia, LLC), 201 Aberdeen Parkway

Fleisch established time limits of one hour for both sides of the issue in the public hearing.

Laura Hester, legal Counsel for Great Wolf Lodge, thanked Council for the time and scrutiny given to the application. This attention was what could make such a project success for years to come. Hester noted that all the uses of the project were permitted under the existing GC zoning. The LUC rezoning request was solely for the height of the project, and the variance allowed encroachment into the Transition Yard Buffer. Hester noted the applicant reserved their constitutional objection for appeal related to the zoning.

Alex Lombardo of Great Wolf stated that Great Wolf was a great neighbor at all of its properties, and would be in Peachtree City as well. Following the Planning Commission meeting, they had spent significant time and money modifying their plan, which involved investing \$90 million in an under-performing hotel, with no economic incentives being requested.

Patrick Pline of Great Wolf reviewed the plan changes since the Planning Commission hearing. They were adding approximately 132 new rooms, but with a reduced footprint abutting the adjoining neighborhoods. The water park was tucked as far away from the drive as possible. All existing and proposed exterior lighting would be shielded, and the outdoor pool, basketball court, and tennis courts would be removed. The stormwater piping on the north side of the property would be redirected away from the neighborhood.

Pline continued that, for the area adjacent to the service drive and slides, no vegetation would be removed except for two small grass triangles to finish the service road. A solid privacy fence would be added along the northern edge of the property. The dead and non-performing

understory vegetation would be cleared and replanted. The slides that encroached would not extend past the existing service drive. They were confident they could meet all the City's stormwater and site management requirements.

Pline said, even with the proposed changes, the property would remain heavily vegetated, with over 58% open space. They would also be happy to meet with staff and the neighbors to make the northern buffer more palatable. Lombardo added that the proposal was taking an existing hotel, adding a tremendous amount of amenities, but still keeping it as a hotel. The LUC zoning was consistent with other hotels throughout the City.

Senior Planner David Rast then addressed Council, saying the proposal was a rezoning request from GC to LUC to allow for the maximum height of 65 feet for the waterpark building and 56 feet for the proposed hotel building. Rast noted the current GC zoning limited the height to 35 feet unless the property is rezoned to LUC. The applicant had also requested a variance to allow the water slide tubes to encroach no more than 27 feet into the transition buffer. The Transition Yard Buffer Ordinance, which was implemented several years previously, required a minimum setback of 75 feet from an adjoining residential property.

Rast then reviewed the adjoining properties: Wisdom Pointe, Oak Manor Office Park, and Bridge Park to the west; Preston Chase, Wisdom Woods, Stillwater, the Iglesia Ni Christo church, and nearby the Peachtree City Elementary School to the north; the Coventry across Riley Parkway, and Westpark across Aberdeen Parkway.

The Land Use Plan identified the property as commercial, along with the property along SR 74 from SR 54 to Wisdom Road. The zoning map identified the property as GC. The nearby Hilton Garden Inn immediately west of the property had been rezoned from GC to LUC 21 specifically to allow the building to be 60 feet.

Rast then reviewed the history of the site, noting that in 1981, 35.9 acres of the site had been rezoned from GR-6 and GR-10 General Residential to GC. The initial Pitney Bowes complex was completed in 1983, with a Special Exception granted to permit uses as proposed, and a variance granted to permit a reduction in parking requirements. An adjoining 2.5-acre tract had been rezoned from GR-10 to GC in 1991, followed by various building expansions in 1992, 1994, and 2004. Various renovation projects had been performed in 1994, 2002, 2003, and 2008.

Rast continued that the City's GC zoning ordinance had been amended in 2008 to establish height limitations, and the transition yard buffer ordinance was adopted in 2009. The Dolce tract's existing building height and service drive/employee parking encroachments were considered non-conforming uses. Rast said the uses proposed by Great Wolf were permitted within the GC zoning district, but the rezoning to LUC was necessary to increase the building height. The proposed uses were also permitted in the LUC zoning district.

Staff recommended that the 38.4-acre Dolce tract be rezoned from GC General Commercial to LUC-26 Limited Use Commercial to permit the renovation and repurposing of the property as proposed subject to the following understandings and conditions:

- 1. The Rezoning Site Plan is schematic in nature and is intended to be illustrative only. A detailed conceptual site plan shall be prepared and submitted to City Staff and the Planning Commission as identified in the established site plan review and approval process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared, and there shall be no further encroachments into the transition yard buffer as approved by the zoning.*

2. The rezoning shall include a variance to Section 916.2 of the Transition Yard Buffer Ordinance to permit an encroachment of no more than 27 feet into the transition yard buffer, which shall be limited to the area immediately behind the indoor water park building as shown on the Rezoning Site Plan.
3. The height of the indoor water park building shall be no taller than 65 feet as measured from finish grade to the ridge line or the tallest portion of the roof.
4. The height of the four-story hotel building shall be no taller than 56 feet as measured from finish grade to the ridge line or the tallest portion of the roof.
5. The elevations for the new buildings shall be presented to and approved by the Planning Commission as a part of the established site plan review process. To the greatest extent practicable, the new buildings shall be designed to complement the architectural style and color scheme of the existing buildings on the property.
6. To the greatest extent practicable, the windows in the new hotel building that face the rear property line shall be designed to minimize the amount of light that is visible from the adjoining property.
7. All exposed water slide tubes and associated support structures shall be designated as earth tone or neutral colors.
8. There shall be no lighting attached to the outside of the water slide tubes.
9. There shall be no less than a 50 foot-wide undisturbed buffer established adjacent to Aberdeen and Riley Parkways. Except for perpendicular utility crossings and/ or fire access roads, there shall be no disturbance within these buffer areas.
10. Access to the property shall be limited to the exiting curb cut from Aberdeen Parkway. There shall be no additional access points into the property without first securing a variance from City Council.
11. All site lighting shall comply with the city's Lighting Ordinance, and shall be designed to minimize spill onto the adjoining properties. Light poles within the new parking area shall be no taller than 20 feet in height.
12. The development shall comply with all applicable stormwater ordinances, as well as the Georgia Stormwater Management Manual and the city's local design manual.
13. Great Wolf shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the renovations and repurposing of the facility, internal circulation routes, emergency response, building design and life safety issues.
14. The developer shall pay impact fees for any new development as identified within the city's Impact Fee Ordinance.
15. The Applicant shall prepare a detailed Traffic Impact Analysis to determine what, if any, traffic might be generated by the proposed development, to include a detailed analysis of the SR 74/ Aberdeen Parkway intersection, the Commerce Drive/ Aberdeen Parkway intersection, and the entrance into the development from Aberdeen Parkway. Any improvements required to mitigate impacts at these intersections related to the development as proposed, including but not limited to a traffic signal, shall be done at the sole expense of the Applicant.

Kimberly Schaeffer then addressed Council, saying she had been with Great Wolf for 18 years. Their goal was to engage and delight families. The indoor water park was the centerpiece of the family experience and was all indoors. All Great Wolf parks were state of the art as far as mechanics and water filtration systems. Families came for the water park, but the resorts had other activities, including restaurants and activities that the families could do together. Noise was not really an issue because everything was in the indoor, controlled environment. Because the primary customers were families with young children, they also shut down early at night. Customers were middle to upper income families with children in the two-year to 12-year age

range. The average spent per night per families on the room was about \$300, with an additional \$150 spent on the additional activities.

Schaeffer said there would be a job fair for Peachtree City residents and the current Dolce employees. Great Wolf wanted to be good neighbors during construction and on an ongoing basis. There would be several community days throughout the year, with proceeds going to local charities.

This facility would serve the southeast region. Schaeffer concluded by saying the Dolce property felt like home and that Peachtree city was a beautifully community. They loved the site and the community, and would be leaving 58% of the site in its current heavily wooded condition.

Those who spoke in favor of the rezoning were:

- Shayne Robinson
- Mary Chapman
- Jonathan Ciecka
- Michelle Warren

Points included:

- Fayette County needed to attract young families, and that was who would be using the facility.
- Great Wolf had upscale resorts that would not bring undesirable visitors.
- Peachtree City had worked with Home Depot and could work with Great Wolf to make it fit.
- Great Wolf would bring additional revenue that the City needed for path maintenance, the Library, and other areas that needed improvement.
- The project would bring job opportunities and amenities for residents.
- After visiting another Great Wolf, was impressed with the facility and detected no noise or odor outside the building.
- Great Wolf would be a benefit to the community – having the building abandoned would be a detriment.

Those speaking in opposition to the rezoning were:

- John Dufresne, Preston Chase, who asked that his written comments, presentation, and the zoning ordinance be included in the official record (the Zoning Ordinance in effect on April 16, 2015, is hereby incorporated by reference; the written comments and presentation are included in the official meeting file).
- Harvey George, Coventry
- Joe Woods
- Ken Ginter
- Martine Yancey
- Maria Esquen
- Don Haddix
- David Worley
- Lynn Lasher
- Russ Korn
- Connie Haynes
- Dennis Chase
- Cary Cook
- Mike Blaskovich
- Diane Henebry

Comments included:

- A water park was not a listed use for commercial zoning, so should be prohibited.
- Other Great Wolf locations were not adjacent to residential neighborhoods.
- The slides were not entirely within the building, so were prohibited in LUC zoning.
- The adjacent homes had small yards and inadequate buffering, so allowing encroachment into the Transition Yard Buffer would be a detriment.
- There was no hardship imposed on the property owner that would justify granting the variance.
- Council's action would set a precedent for neighborhoods adjacent to commercial, such as Cardiff Park.
- The use did not fit the village center concept in the City's Land Use Plan.
- There were several potential buyers for property as currently zoned, which meant it had reasonable use as currently zoned.
- The minimum parking requirements were not met.
- The traffic impact and financial impact figures provided were flawed.
- There would be negative impacts on developments downstream.
- Peachtree City should uphold its zoning ordinances.
- Noise and traffic from the project would negatively impact Peachtree City Elementary School and Southland Nursing Home
- The proposed number of visitors were too much for a town of this size and would diminish quality of life.
- Council has given Great Wolf several chances to improve the plan and conform to the ordinances, and they have not done so.
- Great Wolf had the money to conform to the current zoning.
- This was not the right location for the Great Wolf project.
- The proposal did not meet all of the criteria for a variance and should be denied.
- The site was too close to residential for this use.

During comments, Imker moved to extend the public hearing by 30 minutes for each side. Learnard seconded. Motion carried 4-1 (Fleisch).

City Attorney Ted Meeker noted that a member of the audience had a petition she wanted to make part of the record. Fleisch asked her to bring that petition forward (a copy is included in the official meeting file).

Fleisch then opened the issue for questions.

Mike Latella asked about the community days, saying that at the Planning Commission Meeting, Great Wolf had said they were very rare, but said at this meeting there would be several each year. Schaeffer said they would hold them as often as possible and would modify their proposal to reflect that there would be "at least" 12 each year (versus "up to 12").

Latella asked Rast about the parking spaces, saying there were only 521 spaces on the plan that was supposed to have 621 spaces. Rast said there was sufficient room for additional parking now or in the future.

Yancey asked if the lake area and detention pond on the property would be fenced. Great Wolf said it would not. She asked if the parking spots in the service areas would be removed, and Great Wolf said they would be removed. Yancey asked if an additional variance would be needed due to that change, and staff said no.

Loraine Miller said the Texas facility was beautiful, and she supported them coming to the Atlanta area, but could not understand why they chose Peachtree City. Schaeffer said one of their new models was to repurpose an existing hotel building to a Great Wolf Lodge. They had loved Peachtree City and the campus of the Dolce property, and felt it would be a good match. Miller said the traffic impact would be a problem, and Schaeffer said they would work with the City if the traffic was impacted.

Una Flowers asked if, because the company had been sold over last few years, would Great Wolf own the land and building or would it be a franchise. Schaeffer said Great Wolf would be the owner of the facility. Flowers said Peachtree City was being asked as a community to be a guinea pig for Great Wolf's new model with a different type of location, and asked if Council wanted to undo the planning in place for Peachtree City.

Robert Black asked if Great Wolf would be making any requests for eminent domain around this property. Pline said no. Black then asked if someone from Peachtree City approached Great Wolf about the project. Pline said that the current owner's broker (Hodges Ward Elliott, representing the owner Leeward Properties) approached Great Wolf's broker about the property.

Fleisch closed the public hearing.

Fleisch said that, in giving Great Wolf several continuances, she had thought they were amenable to making changes to the plan. However, the presentation that evening did not address the specific concerns residents expressed to the Planning Commission. Fleisch said she would not be able to support the request.

Imker said he still had many questions, but was not sure they were necessary. He wanted to see what the remainder of Council thought before making a motion, but he would be voting against the request.

Learnard said she had seen nothing subversive or intentionally lacking in Great Wolf's presentation, which had been made by decent people and a decent business looking for a good city as a location partner. She said she liked Great Wolf Lodge, but did not believe such a grand scale installation with a regional draw was compatible with Peachtree City.

King agreed and expressed his appreciation to everyone on both sides of the issue who had spent so much time and effort to show how much they cared about Peachtree City. He cautioned the audience that the Dolce property had been for sale since 2013 and was losing \$50,000 – \$100,000 per month. He said it would close. He felt Great Wolf was a good outfit, whether or not it was a good fit. He said they could only hope that the next prospective buyer was that good because, if they did not need seven feet of height or a variance, they would not need to come to Council. The site could legally house a 400,000 square-foot shopping center.

Ernst said he had pondered the issue for months, and it had been a very tough decision. Great Wolf was a great organization. The location may not have been the best choice or it might have worked out great. He agreed residents had to think about what else could go onto the site, but he had heard the community.

Imker asked the City Attorney about the constitutional objection for appeal filed by Great Wolf. Meeker said that action preserved the right of the applicant to challenge the decision legally if the application were to be denied, and was fairly standard in most zoning actions.

Ernst asked if any part of Great Wolf's plan violated the law. Meeker said Great Wolf was seeking a variance from the law. Ernst asked if, by approving the variance, council was doing anything illegal. Meeker said he still had some questions about the standards and when they applied, but those could be discussed later.

Imker said patience in waiting for the best user for the site and the free market would work, noting that the site at Walt Banks, which had sat vacant for ten years, would now be getting a Sprouts.

Imker added that, when he first heard about the Great Wolf project, he had been excited. However, he had not known about the traffic impact. He also did an economic impact study, and there was a definite financial benefit to the City. However, he had heard the citizens input, and his job was to represent the citizens.

Ernst moved to deny the applicant's request for rezoning and a variance. King seconded. Motion carried unanimously.

Council/Staff Topics

There were no topics discussed.

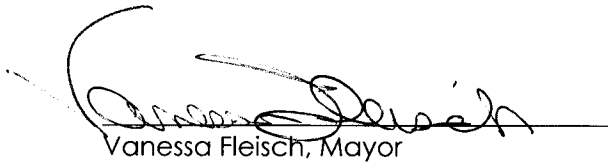
Meeker said that Council needed to enter into Executive Session to discuss pending or threatened litigation. Ernst moved to enter Executive Session to discuss pending or threatened litigation at 10:22 p.m. Learnard seconded. Motion carried unanimously.

King moved to reconvene into regular session at 10:55 p.m. Learnard seconded. Motion carried unanimously.

There being no further business to discuss, Learnard moved to adjourn the meeting. King seconded. Motion carried unanimously.

The meeting adjourned at 10:55 p.m.


Betsy Tyler, City Clerk


Vanessa Fleisch, Mayor