

**MINUTES OF JOINT WORKSHOP
WITH MEMBERS OF THE CITY COUNCIL OF PEACHTREE CITY
AND PLANNING COMMISSION**

March 21, 2011

A joint workshop with members of the City Council of Peachtree City and the Peachtree City Planning Commission was called to order in the City Hall Council Chambers at 7:45 p.m. on March 21, 2011. Those present were Mayor Don Haddix and Council members Kim Learnard, Vanessa Fleisch, Erik Imker, and Doug Sturbaum; Planning Commission Chairman Patrick Staples and Commissioners Horace Batiste and David Conner. Also present were the City Manager, Mr. Jim Pennington; the City Attorney, Mr. Ted Meeker; the Community Development Director, Mr. David Rast; the Planning Coordinator, Mr. Anthony Bernard; the Economic Development Coordinator, Mr. Joey Grisham; and the Recording Secretary, Ms. Jennis Rice.

Mr. Jim Pennington, the new City Manager, introduced himself and said how glad he was to be in Peachtree City.

Mr. Rast explained that the purpose of this workshop was to solicit input from the Planning Commission and City Council relative to a schematic site plan that had been submitted for a potential development on the Line Creek Office Park tract within the 54 West Corridor. He proceeded to give an overview of the Corridor and to review some of the issues that were identified several years ago as a part of the 54 West Corridor study and some of the recommendations of that study.

Mr. Rast explained that in the late 1990's, the Atlanta Regional Commission (ARC) came out with their Livable Centers Initiative (LCI) program. Peachtree City was one of 12 communities selected to participate in the first round of funding. The purpose of this program was to provide seed money for these jurisdictions to look at corridor studies, transportation studies, activity center development, and essentially to do some long-range planning for specific areas throughout the metro-Atlanta area.

As a part of this, the City looked at the 54 West Corridor, extending from SR 74 to the city line. During this time, SR 54 was still a two-lane road and the Department of Transportation (DOT) had been in litigation for a number of years with the Clean Air Act which had essentially put all road-building on hold. The funds were there for the road-widening project and the construction plans were done but DOT was not moving forward with any construction. This gave Staff time to develop a master plan for that particular corridor. Prior to the LCI funding, Staff had been meeting with DOT for a couple of years to discuss some elements they wanted to see incorporated within the construction plans, i.e., the tunnels underneath the highway on either side of the railroad bridge and some other design elements; and DOT was able to do this.

Mr. Rast further stated that for years, the 54 West Corridor had been designated as a major retail or regional retail shopping area. Some of the earlier plans for the city identified hundreds of acres on the north and south sides of SR 54 that had been identified for retail and commercial growth,

and the term "regional" was used in those documents. As the city was evolving, that area contained the major assemblage of retail property within the city.

While Staff was working on this plan, RAM Development (now Capital City Development) acquired the Huddleston tract where the Home Depot and Wal-Mart had been developed. They were also acquiring some of the undeveloped retail acreage on the north side of SR 54, and Staff was able to work with them as they began planning those developments. At the time, these tracts were primarily small tracts of land (less than one acre), and there was a feeling that development would be outparcel after outparcel with no uniformity. This was one of the reasons an overall master plan was prepared for this corridor.

The plan itself was funded partially by the City and partially by RAM Development since it was something that was going to impact their property. Staff and the citizen advisory group that was formed met with an architect to develop some design guidelines. Ultimately, the plan was presented to and endorsed by City Council and then forwarded to ARC for their review. The study area was primarily the north and south sides of SR 54. The West Village, as it was known at the time, was now Wilksmoor and essentially was all of the property that extended west of SR 74 between the highway and Line Creek. The property north of Centennial that was annexed into the city was not included in the study. These were the acreages that were included:

- 186 acres of industrial property;
- 215 acres of commercial property;
- 781 acres of residential property; and
- 353 acres of greenbelt and open space.

Most of this property was already developed and did not include significant amounts of raw land. The advisory group was looking at what was on the ground and how they could work with that to develop and incorporate a master plan to combine all of that property. The primary focus was the area just north and just south of SR 54, primarily because everything else had been developed.

The advisory group identified a mission statement as well as some very simple goals and objectives. At the time, SR 54 West was carrying about 36,000 cars per day and the group was concerned about adding more cars to that roadway because it was felt it was primarily an east-west connector between Fayette and Coweta counties.

The advisory group also looked at the following items:

- Transportation and circulation;
- How the existing and proposed developments in the corridor could be connected without putting everyone out on a state highway;
- Consistency in land use and zoning; and

- Continuity between what was already built and what was proposed; this was of highest importance.

Mr. Rast further stated that the elements that were included in the plan were:

- Integration of the multi-use path system.
- The secondary road system.
- Limiting curb cuts on SR 54. (DOT had approved a total of 17 curb cuts other than the existing road access points which would have created that many more movements and potential accident locations on the highway.) Staff worked with RAM Development to reduce that number to what was out there today.
- Inter-parcel access. There were three pretty significant undeveloped tracts of land at the time, the Line Creek Baptist Church, Line Creek Office Park, and Peachy Clean tracts. The intersection of SR 54 and Huddleston Road was also identified as having the potential of assembling several of the small existing retail and light industrial businesses in that area to create some type of larger development.
- Alternate transportation. One of the first things that was identified was a commuter rail station with housing, shops, etc. Though no longer on the plan, it created quite a stir at the time.
- Architectural standards had been adopted as had standards for landscaping, site lighting, and signage.
- It was hoped the gateway features would be implemented as part of the 54 West Multi-Use Bridge project.

Mr. Rast went on to explain how the goals and objectives were incorporated into the master plan:

- The secondary access road was envisioned for the north side of SR 54, primarily to provide access to all the retail development along SR 54 as well as a way to get from MacDuff to Home Depot and Wal-Mart and down to Huddleston without having to get on SR 54.
- The path system had been expanded and everything was inter-connected through this development.
- One of the concepts for the access road on the south side of SR 54 was an access road inter-connecting what was now the MacDuff Crossing development through the Line Creek Office Park tract to Planterra Ridge. The verbiage on the document recommended a future connection to Huddleston Road and the redevelopment of the corner of Huddleston.
- There were existing signals at SR 54 and SR 74, The Avenue, Huddleston Road, Home Depot/Wal-mart and Planterra, and MacDuff. As a part of the master plan, a light was also included at the intersection that would serve the proposed Line Creek retail development.

Mr. Rast described the Line Creek Office Park tract and the surrounding properties. He noted that Cardiff Park was immediately to the south and actually shared a property line with the office park tract. Cardiff Park was initially zoned GC General Commercial and was rezoned to LUR Limited Use Residential several years ago. A potential access road inter-connection was also shown with all of the paths inter-connecting all of the developments. One of the things the advisory group had tried to do with the path system was look at all of the residential development north and south of SR 54 and how people could potentially get to this area without using their automobiles.

Mr. Jim Lowe of LAI Engineering and Mr. Vince Riggio of Trinity Development were in attendance to present their proposal for this property. Mr. Lowe said they appreciated this opportunity to meet with everyone and Mr. Rast's history lesson.

Mr. Lowe explained that their firm had designed Wal-Mart, Home Depot, Best Buy, PetSmart, all the shops in the front, Fischer Crossing, the DRI for Fischer Crossing as well as the traffic studies for SR 74 and 34. He knew this area pretty well from a design and development standpoint. He was also the engineer who worked for two-plus years on the Capital City Development project. In addition to his development experience around the nation, Mr. Lowe also brought a very intimate knowledge of what had been discussed during the past three years with the Planning Commission, City Council, the attorneys, and the HOAs. This plan was what they felt was reasonable and prudent with the underlying tone of the design, which was to maintain Line Creek Drive. It also had the caveat that they were requesting to vacate, swap, or use some other mechanism for Line Creek Circle.

Mr. Lowe said they referred to this plan as Phase II of McIntosh Village. The Overlay District developed in 2004 referred to this as being part of the overall retail development of the area. He noted that this plan did not ask for a lot of concessions:

- They were complying with the Zoning Ordinance.
- They were meeting the City's size limitations for the individual tenants.
- They were trying to maintain Line Creek Drive.
- They were below the 175,000 SF approved for this site several years ago.
- They were proposing to maintain the same setback conditions that were previously imposed, i.e., 75' undisturbed to Cardiff Park. In addition to the undisturbed, they wanted to enhance the existing landscaping to provide a better buffer which would include berming, fencing, and some other creative things.

Council Member Imker wanted to clarify the ground rules and the reason for this meeting. City Council had invited the Planning Commission to this workshop so they could understand that the Planning Commission would give the approval or denial of this development because the developer was meeting all of the requirements of the zoning. However, the Planning Commission

needed to know whether City Council would give any consideration to trading or swapping Line Creek Court.

Mayor Haddix opened the floor to public comment. He stated that he was aware that an e-mail had been circulated stating that there was a plan to connect this development to Planterra Way. That was not correct and asked that no comments be made relative to the secondary road.

Ms. Caren Russell of Planterra Ridge subdivision asked if she could address Mayor Haddix's comment as the connection to Planterra Way was on the master plan for this site. Ms. Russell explained that the e-mail that was sent to Planterra Ridge residents stated emphatically that the developer was not looking to connect to Planterra. However, at the Planning Commission meeting on March 14, it was mentioned that eventually that concept might be proposed and considered.

Ms. Russell wanted the Council members and the Planning Commissioners to know, for the future, how the subdivision felt about this proposal. Mayor Haddix said that was not the purpose of this workshop and that he could contradict her because he brought up the LCI when the previous Council was discussing this and it was displayed. He thought they were getting sidetracked because connecting to Planterra Way was not the purpose of this workshop. He said this was a legitimate topic but not for this workshop.

Ms. Russell stated that the residents wanted to be sure City Council was aware of the subdivision's feelings about it. Mayor Haddix said they were aware because at least two of the Council Members were members of Council during 2008 and 2009 when the previous proposal was discussed. Ms. Russell said she would like for this to go on record; Mayor Haddix told her to consider it on record that they opposed the connection to Planterra Way.

Ms. Russell said she would like to give the specific reasons which would take about five minutes. Mayor Haddix did not want to get off track; the stated purpose of this meeting was to discuss the abandonment of the culs-de-sac and the proposed golf cart crossing on SR 54. This would be Council's input to the Planning Commission because all of the rest of the development was strictly under the Planning Commission's jurisdiction. Ms. Russell said she guessed they would send e-mails to City Council. She just thought this would be a good opportunity for her to demonstrate the legitimate traffic problem both visually and with what she said. Mayor Haddix understood her position but repeated that this was not the purpose of the workshop.

Ms. Russell proceeded to state her position on the development. She had worked for two years with Mr. Lowe and others on the Capital City Development plan. That plan included a Kohl's store which would have contributed to the city's sales tax and budget issues. Currently, there were 174,000 SF of vacant retail which consisted mainly of small mom and pop stores. She felt the proposed plan was greatly needed as shown by Fresh Market's entry into Peachtree Crossing; a draw was needed to keep the mom and pops going. This plan showed retail spaces that would

accommodate a regional store that would be that draw in Peachtree City and Fayette County to help support not only this development but the ones across the street and others. She wished the media and other sources could get away from references to "big boxes" or "medium boxes" and instead ask what would make a proposed development successful. She commended the developer on this plan and had no problems with connecting this development to the one to the west so there would be a flow of traffic without going on SR 54. She also noted that the restaurant shown was a sit-down and not a drive-thru. She was very much in favor of working with this plan and hopefully making it better ... as long as it did not connect to Planterra.

Mayor Haddix suggested Ms. Russell e-mail not only City Council but also the Planning Commission and the City Manager.

Ms. Russell added that their residents could not get out of their subdivision between 4 p.m. and 6 p.m. Mayor Haddix was aware that there were a lot of problems generated from this area. He also had problems getting out of his development onto SR 54.

Mr. Tim Lydell, a resident of Cardiff Park who lived on the other side of the wall from the proposed development, had spent a great deal of time during the past few years trying to get something else in place here. Cardiff Park's concerns were three-fold:

1. That this development not degrade the property values of their homes.
2. That it be a nice-looking facility that looked like Peachtree City at one of the entrances to the city.
3. That it bring economic value to Peachtree City.

The only real problem they had with this plan was that it was at-grade and would be more visible to Cardiff Park which would affect their property values. They had spoken to Mr. Lowe and he had agreed to most of the items in the Development Agreement/Special Use Permit that was issued for the Capital City development.

Mr. Lydell also stated that he had a concern with the way the plan was laid out relative to where the road came through in the front. This was the road that could potentially go out on Planterra Way. He felt this would take away a lot of parking spaces which would be directly related to the square footage that could be put on this land. If the road was anything like the access road on the other side of SR 54, it would not be usable by pedestrians or golf carts.

Cardiff Park had no problem with the road going away, provided the developer paid a legitimate price for it. However, they did have a problem with another road that was shown on the plan because it would dead-end at someone's door. He thought it was imperative that this area be part of the 75' setback.

Other than the items mentioned, Mr. Lydell said their subdivision did not have any real problems with this plan. They were looking for the developer to be true to his word, to give them the 75' bermed setback, to set a limit on the times that vehicle noise was permitted, and that the lighting not interfere with Cardiff Park.

Mr. Eric Snell, a resident of Planterra Ridge subdivision, had worked with Mr. Rast for many years on different projects, the first of which was the traffic study for SR 54. He thought it was necessary to consider worst-case scenarios and that everyone would agree that SR 54 going east or west in that connection area was very difficult traffic wise. It was difficult on the collectors, and changes were being made to developments to try to compensate for that. The LCI presentation was not an edict; he thought it was a prepared idea and was not being adhered to everywhere across the entire scope of the region. Whether there was a round-about or not, there had obviously been modifications made on both sides throughout the years. Relative to Ms. Russell's comments about the cut-through, Mr. Snell was concerned when the developer talked about getting rid of a road and looking for compensation but being nebulous about it. Would that compensation potentially be another cut-through?

Mr. Snell further stated that he knew the road could not go the other way because that was the Line Creek Nature Area which was given to the city under the auspices that a road not be cut across it. He also knew that Peachtree City Development Corporation (PCDC) gave the city the land going into Planterra Ridge as long as there was a greenbelt there with the thought that it would never be developed.

Mr. Snell's request would be that the developer give three feet of the greenbelt to the Southern Conservation Trust (SCT) in perpetuity. This would ease a lot of the concerns of a lot of residents.

In response to a question from Council Member Learnard, Mr. Snell pointed to the greenbelt. He stated that there obviously was a setback in there so if the developer did not intend to build on it or connect to it, why not donate the land to SCT so they could protect it? The residents were concerned that at some time in the future, there would be a request for some kind of compensation for the road. At this time, the residents did not know what that compensation might be and it was possible it could be approved sometime in the future and there would be no discussion about it. That was the reason the concern was being voiced.

Mr. Lydell said he had spoken with Council Member Learnard about the developer having to buy this land. They were concerned about connectivity in the whole area. He thought it would be a good idea for the City to sell this land to the developer so they could build on it but earmark the money for the gateway bridge. That way the money would not have to come from the taxpayers. He thought the developer would be more than happy to donate the three feet.

Ms. Phyllis Aguayo, a resident in Stoneybrook subdivision, said she was trying to keep an open mind as this parcel had been looked at over and over again. As far as she was concerned, the two most important considerations were:

1. Since there was no step-down zoning here as there was in other places, what were the residents going to experience? This was a commercial parcel that was backing up to residential.
2. This aesthetics of the Corridor were not as appealing as many had hoped they would be; it looked very commercial with buildings very close to the road. The only solace left was the wooded area. This would be lost when this development was built. How this looked from SR 54 was very important and would impact the people who lived there. It would be nice if something of the concept of buffers was retained.

Ms. Aguayo thought the Planning Commission and City Council already knew how the citizens felt about the size of the buildings in this development. She agreed that it was important to have a draw and an anchor, but the quality of the anchor was more important than the size. Although there were many small businesses that depended on an anchor to draw, it was usually the quality of the business that drew the customers as much as the anchor. Many new, big anchor-type stores could detract by taking business away from the small mom and pop stores. She was hoping the Planning Commission would review this initial concept with an eye toward getting more buffer, possibly one less store so there could be more trees. If there was going to be a restaurant, it would be nice if it did not have outdoor seating in a parking lot. Rather than rushing into making a commitment about the roads, she thought it was important to get a better idea of what was actually going to be there.

Mr. Phil Mahler of Planterra Ridge subdivision thought the City should give up both Line Creek Drive and Line Creek Circle. He did not think there was any reason the City should be responsible for a road in the middle of a shopping center. Taking away Line Creek Drive would allow the engineer to change the configuration and lower the four regional stores and that lower elevation would present fewer problems for Cardiff Park. He did not understand why the City wanted to retain control of that road.

Mayor Haddix stated that the two aspects that concerned Council were the road abandonment and crossing to the other side of the road. The rest of it was a Planning Commission issue. As far as abandoning the road was concerned, he said the Official Code of Georgia Title 32-7-2 said you could not abandon a road that had public purpose. In the LCI and the Peachtree City Transportation Plan, these roads had a purpose. They were part of the southern secondary road. The Code did not allow for preference or what you thought; it said if there was a public purpose, it could not be abandoned.

Mayor Haddix also referenced case law involving the City of Marietta vs Henderson which said a road could not be abandoned to enable a developer or a private individual. He thought it was clear that the purpose here was to abandon Line Creek Circle to build a bigger development. He did not think there was any way to escape the fact that the request was to enable a developer. It did not matter what the last Council did; it did not make it legal. Their stated purpose was clear: They wanted the money and they wanted a big box development. That did not fit the criteria.

Mr. Conner asked if the developer could purchase the road. Mayor Haddix said the City would first have to abandon it.

If that was the case, Ms. Russell thought the attorneys would have told the City Council it was illegal to do so during the negotiations with Capital City Development. Mr. Snell wondered if the City was one vote away from being sued by Capital City Development. Mr. Meeker stated that determining whether there was still a public purpose for the road was at Council's discretion. He said this was what he had told the previous Council and what he had also told this Council at this meeting. Mr. Meeker thought a development could go on this property with or without the road. Abandoning the road might give them some additional options.

Mr. Meeker said he did not know that because he had not seen what the development would look like with the road still there. The true thing was to determine whether there was still a public purpose to that road.

Mayor Haddix thought that because it was contained in the City's Transportation Plan and the LCI, a public purpose was stated within our own documentation.

In response to an inaudible comment Ms. Russell made, Mayor Haddix said it did not matter and the law did not get into that. The law said "if there was a public purpose" and there was a stated public purpose in our own documentation. We could not simply walk away from that stated purpose.

Mr. Meeker apologized for contradicting one aspect of the Mayor's comments. However, because of interruptions and distance from the microphone, his comments were inaudible.

Mayor Haddix said he was not arguing with that point but what he was saying was that the Peachtree City Transportation Plan showed Line Creek and Line Creek Circle as a segment of the south secondary road. It was specified by name in a city document and therefore the City's own Transportation Plan stated public purpose. He did not see how you could get around that.

Mr. Meeker said he would review the Transportation Plan. Mayor Haddix assured him it was in there.

Mr. Snell pointed out that Ms. Russell had been relegated to not even mention the south road that was drawn but now the mayor was bringing it back up. Mayor Haddix said this was because they were not talking about actually building the road; they were talking about the legality of abandoning the road. He said these were two different issues.

Mr. Snell needed some clarification. The City had approved the LCI which meant they had approved a road which went all across the line Creek property and connected to Planterra Way. Mayor Haddix disagreed; what he said was it was a legal point. The law said if there was a public purpose, you could not abandon it. The LCI combined with the Peachtree City Transportation Plan, which identified these roads as part of the secondary road, established a public purpose. It did not mean it was going to be built; it just meant for the legality of what this law said, there was a public purpose for this road.

Mr. Snell asked if this could be done at any point if Council decided to build this road through. He noted that it seemed Mayor Haddix was saying that legally Council had already approved it. Mayor Haddix pointed out that it was not this Council; it had been approved for a long time. He added that the City did not have the money to do it so it would not be happening in the foreseeable future.

Mr. Snell did not think anyone knew that the LCI continued to be modified throughout. The north side did not look like what was on the LCI. That created a legal doctrine of approval for everyone.

Mayor Haddix thought Mr. Snell was worried about the road. Mayor Haddix was saying that the road was not in the plan and was not even being considered.

Mr. Lowe said it was an interesting situation because as a civil engineer who had a survey company of about 30 men, he spent about five days a week abandoning roads all over the state of Georgia. It was a very, very, very common situation and was not unusual. In looking at the purpose of the road, he pointed out that this road was completely surrounded by the property that would be owned by Trinity Development. What would be the purpose of this road? It would be a road going nowhere and serving one man. He noted this was an engineer's and a surveyor's position. He was not an attorney so he would need Mr. Meeker to determine whether what he was saying was wrong or right. This was a very common situation and looked just like roads he abandoned all over the state of Georgia. It seemed like a very reasonable request on their behalf.

Mr. Lowe wanted to call a time out. They were trying to build something where, as Ms. Aguayo had said, people in the city would want to come and enjoy the shopping experience. They thought this was a great part of the community and they were excited about their plan. He was not sure where they could go about the legalities of right-of-ways unless they brought their attorney in to give his opinion about how to vacate right-of-ways in the state of Georgia. If needed, they would be glad to bring in some right-of-way experts from around the state.

Council Member Imker appreciated the Mayor's legal knowledge of this area but wanted to ask the City Attorney to help Council resolve this issue. If the majority of Council determined that this court was no longer of public interest, did the Council have the authority to say so and then abandon it?

Mr. Meeker stated the following:

- Georgia law said that Council had to make the determination that there was no longer a public purpose.
- This was the same thing he told Council a couple of years ago.
- Neither the developer nor their attorneys could make the City abandon the road; it was City Council's decision whether or not there was public purpose served by this road.
- He meant no disrespect to Mr. Riggio or Mr. Lowe, but just because they owned all of the adjacent property, there was no guarantee that whatever they showed at this meeting or whatever was ultimately approved by the Planning Commission would ever be built.
- Georgia Law did not give a lot of guidance as to what true public purpose was.

Mayor Haddix noted that there was no guarantee we would win if someone took us to court. He referred to a case in northern Georgia a few years ago where a city and Wal-mart lost a case because a road was illegally abandoned. Mr. Meeker understood that and added that anytime a case went to court, you never knew exactly what the end result would be.

Council Member Imker thought the next step would be to take a straw poll of Council to determine whether or not they thought the road had a public purpose. This meeting was called so the Planning Commission could find out whether Council was willing to consider the option of giving, selling, trading, or some other consideration of that property.

Mr. Meeker said the response should be to let the Planning Commission know whether Council was or was not willing to consider abandoning the road. He noted that this would not be saying that if and when this item came before Council on an agenda, Council would not have the right to say "no" at that time.

Council Member Learnard thought "worlds were about to collide" because Mr. Lowe and Ms. Aguayo had stated the same objective, that we would like this to be a place that looked like Peachtree City and where people would like to come. This told her that this had not only the potential to work, but to work well.

Mayor Haddix said there would obviously be differences of opinion and he agreed with that. He then added that he had one other point to his presentation which was crossing SR 54. He asked Mr. Lowe what kind of light they were proposing.

Mr. Lowe stated that idea was simple. The overlay district spoke volumes on connectivity between the whole area and specifically about McIntosh I and McIntosh II. They had looked at the connectivity between the two developments and how it operated on the north side and were trying to bring the same connection to the south side. The reality was that people would want to cross at the mid-point. They were not looking at a full traffic signal but rather a mid-block crossing, something that DOT did approve and they had standard details on their website about how to do this on a state road.

Mayor Haddix pointed out that the only problem with that was that GDOT did not allow golf carts to cross SR 54 or SR 74. He said if they had allowed it, the City would have saved a whole lot of money by not building a lot bridges and tunnels. The mayor did not care what kind of intersection Mr. Lowe was looking at; DOT would not allow the golf carts to cross.

Mr. Lowe stated that this was one component of a big development. They wanted to be able to discuss this idea, but he was not sure this had bearing on the review of the right-of-way.

Council Member Sturbaum asked whether there would be a decel lane at the secondary turn-in to the small stand-alone retail building "E" next to SR 54 and next to the detention pond. Mr. Lowe said they would do whatever the DOT asked them to do. In concept, they felt the functionality of that piece wanted to have its own entrance and exit, right-in and right-out.

Mr. Staples pointed out that the developer had already heard a lot of these questions from the Planning Commission. It was agreed the plan still needed a lot of work in terms of connectivity.

Mr. Snell asked whether they were proposing a cart path separate from the sidewalk on SR 54 between Planterra and this development.

Mr. Lowe said they absolutely were and apologized that this plan did not show it. However, they actually brought the cart path from Line Creek all the way to Planterra, down Planterra Way to connect to an existing stub near Cardiff Park and then a spin-off to the Planterra cart path.

Council Member Fleisch thought this was a huge disappointment for the last retail area to be developed in the city. She did not want this development to look like Mac I; she thought it should look like the rest of the city. In this respect, approving the road abandonment concerned her. She thought it should be blended out, that there should be more vegetation, something to make it look like the rest of the city.

Council Member Fleisch was also concerned about the strip mall shown on the plan which she felt was representative of a lot of the retail vacancies that already existed in the city. She thought there could be more vacancies of the smaller footprints and was also concerned about the economic viability of the four anchors, especially in light of what was planned for the rest of the city and the

development of the Fischer Crossings development just outside the city limits in Coweta County. She asked for Mr. Grisham's opinion.

Mr. Grisham had been to the International Council of Shopping Centers (ICSC) show a couple of weeks ago. He said there were a lot of developers who were "hot on Peachtree City" and several had expressed an interest to be here. He thought it would be "incredibly viable" at this point. The difference between this strip center and, for instance, the strip center at Westpark was that there were pretty good anchors at this center and at Westpark, Verizon was the anchor. That was a major difference. Mr. Grisham added that this was the city's "retail sweet spot" with Home Depot and Wal-mart across the street with 40,000 to 45,000 cars per day. This made a lot of sense.

Mr. Lowe added that if they were allowed the privilege of moving forward, they would work closely with the City relative to the concerns about the north side and would try to improve them with the development on the south side. He reiterated the benefit of the major tenants that would be a part of this development compared to MacDuff Crossing which did not have any major draws. They also felt this development would have a positive impact on MacDuff Crossing because it would create some more major tenants in the region of that center. If the centers were connected, it would help even more.

Mr. Staples had a recommendation given what was already there. If the parties who had responsibility for preserving and maintaining Line Creek would be open to a discussion whereby there would be cross traffic in return for dramatically enhancing the entrance area and not stepping on anything else, he would love to see Council, Staff, and Mr. Grisham strategically plan that. His fear was that this shopping area that was already developed was destined to fail. Regardless of what ultimately went in this area, the cross-connectivity would be critical. He implored everyone to keep this on the front burner.

Mayor Haddix asked whether anyone had spoken to Pathway Communities about this proposed development. Mr. Staples' response was inaudible.

Ms. Aguayo said people could probably understand why she was sometimes skeptical. She had been coming to city meetings for 25 years, hearing promises and seeing wonderful plans that did not come to fruition. She thought MacDuff Crossing and Lexington Circle were perfect examples of this. She did not think she was the only one who thought MacDuff Crossing was ill conceived and unattractive from the road, and she thought Lexington Circle spoke for itself.

Ms. Aguayo thought that if she were on Council, before she would even consider abandoning a road for a development, she would want to know what we would be getting for our roads. She would not want to see a concept; she would want to have a pretty good idea about what was going to be there if they gave up the roads. She would also want to know how that could be set in stone. She would also look at the corridor and ask what could be done here that would go beyond just

being a shopping center because we had so many shopping centers. Her experience had been that we really needed to do our homework before a decision was made and before we facilitated something, i.e., giving up the roads, we should be sure it would be worth doing.

She hoped the Planning Commission would start making demands for the right kind of buffers, connectivity, pedestrian access, attractive trees in the parking areas, and something that would make people want to do more than just shop there. She thought they should make it special and consider the things they could do to help them along. If this development was to be like what was already there, she did not think we needed anymore of that.

Ms. Russell pointed out that the developer and the architect had so much history with this property, and they knew from discussions about the previous development that the residents' concerns were that:

- The development look like The Avenue;
- There be places where people could sit;
- It be pedestrian friendly;
- The stand of pine trees remain; and
- The existing pines trees and possibly the whole development be tied into Line Creek so the landscaping would be natural looking.

Ms. Russell thought the developers also needed to know the intent of City Council on Line Creek Circle before they could go back and redraw this plan. They were under a time limit which was what necessitated this meeting being moved up from April 5. She agreed with Mr. Grisham and noted that Fresh Market had a very successful opening here. She also believed there were retailers who would be a draw to the city and be different. If this center were chopped up, there would be another nail salon and another tanning salon. There was already 174,000 SF of small spaces that needed to be rented out. This was an opportunity to show off the city with some more regional draws like Fresh Market, e.g., The Container Store, Restoration Hardware, etc.; and they were willing to work with us. What was needed now was to know whether City Council was willing to work with this so the plan could move forward and the Planning Commission and the citizens who were interested in making this a better development could move on and do their work with this.

Mr. Conner thought, from an economic development standpoint, the connectivity with the northern road was tremendous. He was curious how traffic would be impacted if there was no northern road. He thought it would just funnel more traffic through the main intersection. However, if a southern road was put in, it would help alleviate some of the traffic that went through the main intersection. He also thought connecting those two junior anchors to a relatively poor performing MacDuff Crossing would be huge relative to economic development. He thought they should take everything below the first four-way stop out of the city's hands and move it so that instead of a parking lot, it would be the Line Creek Alternate (or some other name). It should

go at least to the property line so the bones and structure would be in place for 50 years from now when this area would be redeveloped. By putting the bones and structure in place now, redevelopment could be meaningful.

Mr. Conner stated that another benefit of abandoning the lower part of Line Creek Drive was that doing so would allow the developer to take the road down significantly and drop the buildings so the sight line would be a lot better from Cardiff Park. He thought they would still want berms, extra plantings, undisturbed buffers, etc. To him, this just made sense.

Mr. Conner further stated that if the round-about was getting people flustered, he did not care about the round-about. However, ultimately, he thought the southern road needed to go all the way to Huddleston Drive. It was all about planning for future redevelopment. If we did not plan for it now, we would not get it in the future.

Mayor Haddix reminded those in attendance about the original debate on this property. This was one of the issues he and Council Member Sturbaum had pushed on. The road with the outlet to put the secondary road in place was part of the final plan. He thought Mr. Conner was talking about doing basically the same thing, and he agreed. If they were going to abandon the circle, it made no sense for the city to keep the rest of the road at their expense. He also thought allowing for the connection in the future also made sense. All this added up to the Planning Commission determining what they wanted to do before bringing it back to Council so they would know exactly what they were looking at.

Mr. Staples wanted to make sure the Planning Commission was hearing from Council what they needed. While in disagreement, what he heard was that there could be consideration for giving up not only the road that was requested but also potentially giving up all roads. As they went through the planning process, he thought it was pretty clear that abandonment of both roads gave more flexibility.

The opinions of the Council members relative to their considering abandoning the roads were as follows:

Council Member Imker

- His position was contingent on what the final plan looked like, but he was prepared to not only abandon the court but also the road itself.
- He saw no reason for the city to spend money maintaining a road into a private development.
- He really liked the idea of getting a 3' easement to go into the Line Creek Nature Area so there would be no future road cutting across to Planterra.

- He did not want to see a traffic light for crossing SR 54, not even a blinking light for pedestrians, because he did not want it to evolve into a traffic light in the future.

Council Member Learnard

- She was willing to consider it and her willingness to consider came so easily because she knew Mr. Lowe and Mr. Riggio were the ones who had previously worked with these neighbors.

Mayor Haddix

- He would look at the plan but he still did not think this was legal although that was always subject to a court of law.
- From past experience, there had to be a reversion clause so that if the development fell through, the roads would come back to the city.
- He favored the potential of having a connector for the secondary road because it had proved valuable on the north side.
- He felt SR 54 was a failed road. When it got really bad, people would not worry whether there was a secondary road; they would go down Planterra Way anyway.
- It did not make any sense to him to keep a portion of the road as a city expense if they were going to abandon any part of it.
- He totally agreed with swapping the existing roads for a new one that preserved the potential for the south secondary road.
- We could force the issue but then we would be getting into eminent domain.
- He would rather have the street there and legally accessible.
- The simpler route would be swapping it out.

Council Member Sturbaum

- He would look at the plan.
- He would like to take a look at the road going into MacDuff Crossing.
- He would also like to see the results of the conversation with Pathways.

Mr. Conner thought the concept of taking the gravel road entrance off the highway and turning it back into the Nature Area was a positive that should be pointed out to Pathways. The little road cutting across would be less square footage than what they were giving up and consequently would add to the nature area.

Mr. Snell thought they would be going from a one-lane going up to a two-lane road going across which would mean more land would be given up.

Council Member Fleisch

- Originally she was fine with the court but now thought they should abandon the bottom part as well since doing so would allow the developer to change the elevation so the development would be less visible to Cardiff Park residents.
- If this development was built at grade, she was concerned about Cardiff Park resale values.
- The developer should make the area where the dead-end was located more aesthetically pleasing.
- The 3' buffer should be deeded to the city.

Council Member Learnard asked what the plan was for trucks to get to the back of the four junior anchors. Mr. Lowe said it was Line Creek Drive.

Council Member Imker did not think the backs of the buildings would be visible to the residents of Cardiff Park because of the wall, the berm, and the trees. He also pointed to the areas of the site that would provide room for truck maneuvers.

Mr. Lowe stated that if Council wanted to eliminate both roads, they would be willing to deed the entire 75' in perpetuity to a greenbelt to the city as a land swap option to secure that buffer.

Mr. Grisham asked, from a retail standpoint, whether there would be a safe way to turn left out of Line Creek. Mr. Lowe thought there was a safe way to turn left out of Line Creek but added that it would ultimately be more advantageous to the community to have a signalized entrance at MacDuff. He did not know whether the swap idea was a reasonable option for the city, but they would work the acreages out.

Mr. Conner wondered if planning for future development would be a reason to hold on to the roads. Some of the classes the Development Authority had taken at Georgia Tech talked a lot about doing smart things today for future development. If the City did not own the roads, who would determine what the parcels around them could be used for, from a traffic standpoint, in the future? If they owned the streets, they could control how the parcels were laid out.

Mr. Conner thought that if the city did not have the southern road in the future, we would be giving up a real chip at the table for future development along the highway up to Huddleston. There was so much potential. Mayor Haddix agreed with Mr. Conner. They both noted that it might be 10, 20, or 100 years or it might never happen but they both thought it was important to preserve the option.

Ms. Russell asked what the residents' venue would be to discuss their feelings about the round-about and Planterra. Council Member Learnard asked Ms. Russell what their objections were.

Was it just because it was so difficult to get out of Planterra to that lighted intersection? Ms. Russell said it was because the round-about was currently so close to the light that she could not leave her subdivision between 4:30 p.m. and 6:00 p.m. to get out on SR 54 and turn right.

Council Member Learnard asked how it would be if it were not a round-about but just an intersection. Ms. Russell said stop signs would be needed because the traffic backed up past the tennis center. The issue was people not being able to get out of Planterra because of people from the industrial park who cut through going home to Coweta County.

Mayor Haddix understood Ms. Russell's concerns but reminded her about the huge debate during the previous plan review relative to a through street and people coming up Huddleston, making a left turn on the secondary, and going through. He also noted that the big factor was that all of Peachtree City had to be considered, not just Planterra.

Ms. Russell noted that Planterra Ridge was the largest subdivision and the problem was their not being able to exit their subdivision during peak afternoon hours. This was the current reality in spite of the fact they had been told this would stop once the widening of SR 54 and SR 74 were complete.

Mayor Haddix stated that he was not arguing about what Ms. Russell said but pointed out that everything that occurred in Wilksmoor Village impacted everyone else. He lived across the street from City Hall, and the Wilksmoor traffic impacted him and everyone else as the traffic would back up past the Wyndham Conference Center. He thought synchronizing the traffic lights had made traffic worse. When holding a meeting like this one, it was necessary that people from Planterra Ridge, Cardiff Park, and all over Peachtree City be there. This was the reason this issue could not be resolved at this meeting.

Ms. Aguayo was not speaking for SCT, but she noted that even if they were to decide that it would be all right, the land was given to them in perpetuity with deed restrictions by PCDC which was now Pathway Communities. When the other parcels were being developed, they did not think they were up to Peachtree City standards enough for them to even consider giving up that road.

Mayor Haddix pointed to another aspect of Georgia State Law regarding deed restrictions. He noted that a lot, although not all, deed restrictions expired after 20 years.

Mr. Meeker pointed out that the Line Creek strip between MacDuff Crossing and this property was actually city-owned property that was managed by SCT, but there was a deed restriction from PCDC on the property. Ms. Aguayo noted that even if the Trust were to say that it was OK with them, she would be surprised because what kind of nature center wanted to be in a shopping center? The Trust could agree, but the ultimate decision belonged to Pathways.

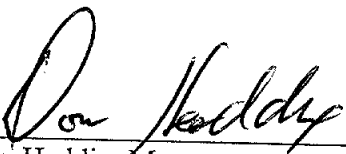
Mr. Lowe said there was a real specific reason why the site plan submitted to the City did not show a connection east or west; it was because they were not asking for that. This might be something to look at in the future. He added that this situation was unusual because this property was owned by the bank and the developers had been put on a very tight time frame. This meeting was called to determine whether City Council would consider vacating these roads. Mr. Lowe explained that they did not want to have a situation where they would spend a significant amount of time, effort, and money and then get to City Council and find out they were not willing to vacate the roads.

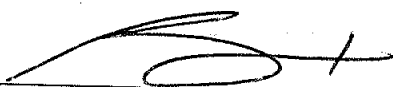
Mr. Lowe and Mr. Riggio both felt they had received some pretty good feedback from those attending this meeting, and they had a good sense about City Council's "willingness to consider."

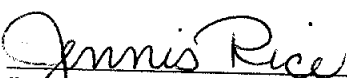
In response to a question from Mayor Haddix, Mr. Conner stated that the next step would be for them to present their revised sketches to the Planning Commission. If the plans were approved, they would then go to City Council. Mr. Meeker clarified that the Planning Commission would be approving the plan subject to Council's approval of the abandonment. For the record, Mr. Meeker emphasized that Council had indicated a "willingness to consider" the abandonment, and this was not an approval. When the plan was presented to City Council, they still had the authority to say "no."

Mr. Staples sensed Mr. Riggio and Mr. Lowe's frustration with their time frame but noted that the plans, the abandonment, and the quality of the development were all inter-related.

There being no further business, the workshop ended at 9:33 p.m.


Don Haddix, Mayor


Patrick Staples, Chairman
Planning Commission


Jennis Rice, Recording Secretary