

City Council of Peachtree City
Minutes of Meeting
March 7, 2002
7 p.m.

The City Council of Peachtree City met Thursday, March 7, 2002, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Annie McMenamin, Steve Rapson, Dan Tennant, and Murray Weed.

Announcements, Awards, Special Recognition

Brown proclaimed March 10—16 as Girl Scout Week in Peachtree City.

Approval of Minutes

Rapson noted a contradiction on Page 5 in the February 7 minutes regarding the actual motion and what Council thought they voted on concerning the Rye easement. The motion was that the playground equipment must be removed, but the playground itself as far as the concrete and the wall would remain.

Rapson said he understood that everything had to be removed and the area had to be renaturalized. McMenamin said she had the same question and called the Recording Secretary and that was the motion that was made. She was also surprised. Weed also looked into it and said the motion was correct. Weed continued that when he made the motion he just went down a laundry list of items provided by staff. Weed added he was not opposed to bringing the issue up again.

Lindsey suggested the matter be tabled and the Ryes contacted to see what they had to say. He wanted to keep things simple. He said Council could hold off on approval of the minutes. Rapson said the minutes were correct. He added that Council did not do a good job of articulating their intent. Lindsey said the Ryes would be contacted and he would let Council know the outcome of the discussion.

McMenamin moved to table the February 7 minutes. Rapson seconded. The motion carried unanimously.

Monthly Reports

Rapson said the year-to-date figures on the Crime Report for January 2002 already looked higher. Lindsey noted that the DUIs probably were doubled because of something the Police Department was doing now to defeat some legal maneuverings. In almost all DUIs now, two citations were issued – one for the per se charge, the breath test, and the second was a “less safe” citation to keep some of the cases from being lost in court while things were being done at the Appellate level. That inflated the DUI numbers, but there actually were not more arrests. Rapson said that made sense. Tennant noted that the number of calls answered by the Police Department were up dramatically – 1,500 more this year than at this time last year.

Consent Agenda

1. Consider Approval of Mower Lease
2. Authorize Mayor to Sign LARP Contract
3. Authorize July 5th as a City Holiday

McMenamin asked if the streets to be paved under the LARP contract would be listed in the Update to notify residents their streets would be paved. Basinger said it should be in the next issue.

McMenamin said she believed Council should do all it could to show its appreciation for City employees and had no problem with July 5th as a holiday. The employees who had to work on July 4th would be compensated, but she was concerned about those employees who had to work on July 5th, such as Kedron, the Library, and those performing parade clean up. Basinger said Police and Fire would also have to work. The Library and Kedron Fieldhouse would probably be closed. Depending on whether the employees wanted to be paid for the time or use comp time, the cost would be about \$10,000. Basinger said there was no way to know which option employees would decide to take. McMenamin said she was just concerned since it was an unbudgeted amount.

Weed noted that he had called Basinger earlier about the mower lease. He felt the lease/purchase program for the mowers was a great idea and could be used effectively. The City had looked at privatization for mowing the larger areas, such as ball fields, a number of years ago. At that time, it was not economically feasible to privatize the function, however, there were now many more facilities. Weed suggested that privatization be looked into again to see if the facts were different now.

McMenamin moved to approve the consent agenda. Tennant seconded. The motion carried unanimously.

Old Agenda Items

02-02-10 Appoint Members to the Golf Cart Committee

Basinger read the list of volunteers that had been submitted for appointment to the Golf Cart Committee – Ellen Cox, Marie Washburn, Lauren Davis, Ron Ryan, David Rissier, Jared Schafer, Anna Fishman, Coli Self, Scott Hitch, Steve Ivory, and Debra Andling.

Weed clarified that Steve Ivory was a replacement for Scott Hitch. Basinger said that left 10 on the committee – two for each Council Member. Brown explained that each Council Member selected one person over the age of 30 and one person under the age of 20.

Basinger said he would get with Rapson to work up an organizational meeting and schedule. Rapson said Weed would also like to be involved with the committee. Rapson suggested holding the first meeting on Thursday, April 18, at 6 p.m. He said he would like to piggyback off the Council meetings.

Nancy Larson, a walker on the cart paths, asked how many of the committee members were walkers and knew how dangerous it was when golf carts came up behind walkers and did not give a warning. McMenamin told Larson the committee meetings would be open and she would be allowed to come and express her views. Tennant noted that everyone had walked on the paths at one time or another, and that it was unfair to say that all golf cart drivers failed to warn pedestrians. Larson said she had probably been warned twice in 20 years. Rapson asked Larson to attend the April 18 meeting.

— Rapson moved to approve the members of the Golf Cart Committee. Weed seconded. The motion carried unanimously.

02-02-15 Consider Approval of Land Use Plan Update

Developmental Services Director Jim Williams told Council that the Planning Commission had recommended 78 changes to the Land Use Plan. He compared that to the 1995 update when there were approximately 500 changes to the Land Use Plan. Williams said the Land Use Plan had stabilized quite a bit and discussed the recommended changes. Williams continued that a number of the changes were considered housekeeping issues. There were many subdivisions in Peachtree City that the Land Use Plan showed as multi-family, but had been developed as single-family subdivisions. The recommendation on 23 of these was to change the land use from multi-family to single-family cluster, which was how the land was used. Williams said that was a prelude to some day rezoning the areas to a zoning classification that would not allow subdivisions to be converted into rental property or re-developed for apartment use. That was not on the horizon, but could be so Council needed to move rapidly.

Fifteen (15) of the items were the reclassification of land from Open Space to Recreation. They were used as active recreation areas, not passive open space areas. Three of the areas were being reclassified from something else to Open Space, the most notable being Drake Field. Drake Field was purchased last year by the City and was used as Open Space. Its designation should change from Commercial to Open Space.

— Williams said there was not much controversy associated with most of the changes. There were several pieces of property on Clover Reach classified as Industrial, including the Waffle House, Arby's, the skating rink, the day care center, and office park. While these uses could be considered light industrial, Clover Reach was basically a Commercial area. Williams said with the development of The Avenue and the Sleep Inn, the area had converted to Commercial. The corner lot behind the Waffle House was rezoned last year to a Commercial classification. Williams said they felt the proper trend in the area would be to let The Avenue extend down Clover Reach to include the office park, the vacant property next to the skating rink, and the skating rink.

In Westpark, three office buildings across from the shopping center were classified as Commercial. Williams said since all the surrounding property was Office and the buildings were used as Office, and then the classification should be changed to Office. The property would still be zoned Commercial, but that could be changed later if appropriate. Getting the Land Use Plan designation to fit what was actually there was important.

Williams continued that two properties were potentially very controversial. They were subject to zoning at this time. Rezoning applications had been turned in and one was scheduled for hearing and the other one was close to acceptance. Williams said those two should not be addressed in the Land Use Plan update. If the zoning designations were changed, it could look bad in terms of protocol and the reviewing of the rezoning. That was the reason both properties were left blank.

— Tennant asked about the Clover Reach area and asked why it would be controversial. Williams explained that whenever it was talked about converting a property that had historically been something else to commercial, there was a potential for people to misunderstand what the motives

— were and what might be involved. Rapson also had concerns about that. He said it was zoned Light Industrial and he was concerned how extending The Avenue would play out. He said the retaining pond was between The Avenue and what it faced. He acknowledged it was hard when five of the six pieces were either already Commercial or were functioning as Commercial. Williams said when the property owner came in to rezone the property there would be a careful review of what it was going to be and how it related to The Avenue concept. Brown said he had no problem and the properties should go Commercial, but his concern was where to stop and at what point the line would be drawn. Williams said there were two uses at the curve in the road where the use was clearly industrial, Voxcom and Menlo Park. He said that was a logical place for the line to be.

Rapson asked about the Community Service classification. There were government and churches that would be changed to the new classification. Williams said Community Service included institutional and church uses. One example was the Peachtree City United Methodist Church campus on Robinson Road. It was zoned for low-density residential use and would obviously not be used for that. Williams said Community Service would be the proper designation for the property's use. Williams continued that Braelinn Baptist had purchased a chunk of land at the tail end of the Tyrone property that came into Peachtree City. That property was also low-density residential and would become Community Service just for housekeeping purposes. Williams said there were about 11 instances. He reiterated that this was not zoning, but land use.

— McMenemy asked Williams if he saw a need for a classification that was the mixed use of office and commercial. She referred to Westpark, where so much was office, but there was also a good mix of commercial. Williams said when something like that came up LUC (Limited Use Commercial) applied. If there was piece of property that mixed commercial, office, and residential, it would be reflected in the Land Use Plan by listing all three with a slash. He said that was done for two pieces of property. One was North Cove, which was primarily single-family cluster, but also had some townhouse multi-family. The three office buildings in Westpark had nothing commercial in them.

Rapson told Williams he thought the passive and non-passive recreation designations for Open Space were good classifications. Williams said the classifications came in handy when tabulations were done for all of the land use for Recreation and all of the land use for Open Space. It was not confusing.

Weed said he asked for the Land Use Plan Update to be tabled until this meeting so he would have time to go over everything with Williams. He said he appreciated Williams' general philosophy of planning, which dealt not so much with imaginary lines on the ground but focused on a real road, or a physical delineation.

Brown thanked Williams and the Planning Commission. He acknowledged it was a grueling process to look over the parcels one by one.

— Williams said staff's recommendation was for Council to approve the changes. Brown asked if there was any public comment. Wayne Roberts of the Wynnmeade Homeowners Association

asked if the piece of property at the front of Wynnmeade was one of the parcels excluded from the Land Use Plan Update. Williams said yes.

Phyllis Aquayo asked for a clarification about the church areas. She asked if a church located in a low-density residential area and was converted to a Community Service classification, what happened if the church sold the property and the property was no longer used for Community Service. She clarified her question by asking if would it revert back to low-density residential or would it be an opportunity for the land to become something else. Brown said the zoning would stay low-density residential until there was a rezoning request. Williams added that the purpose of Community Service would lend direction to whatever action would happen at that time so there would not be a tendency to convert the property into apartments. Rapson said that would be in conflict with the Land Use Plan that was adopted.

Tennant moved to approve and ratify the Land Use Plan Update as presented. Weed seconded. The motion carried unanimously.

New Agenda Items

03-02-01 Consider Amendments to the Parking Ordinance

Police Chief Jim Murray addressed Council and explained that one of the amendments came through the Police Department and the other came through the City Engineer. Murray said he would address both amendments.

Murray said Prime Point was located behind McIntosh High School. The Department had received numerous complaints from delivery trucks and property owners in reference to the parking situation. Murray said the Department encouraged students to drive golf carts to the high school, but the golf carts were not allowed on campus. The students parked behind the high school on Prime Point and entered school through the rear gate. The businesses in the area had their employees park on the street to leave room in the parking lots for customers. This had created a major problem with cars and golf carts parked on both sides of the road and created a dangerous situation when tractor-trailer trucks made deliveries. Murray continued that it was also dangerous for emergency vehicles that needed access to Prime Point. The Community Response Team had studied the area and taken counts. It had been determined that if parking was restricted to one side of Prime Point there would be plenty of room for everyone to park. The signs had been put up as a test, before the ordinance was approved, to see if it would work. The Department had been studying it and it was a lot safer situation.

Murray explained that consideration of the situation on Commerce Drive North came from the City Engineer. Gold's Gym was on one side of the street and Royal Learner's was on the other side. People were parking on both sides of the street rather than using the parking lots. Children and parents were crossing the street and creating a situation that could be dangerous. The City Engineer recommended there be no parking on either side of the street. The Community Response Team looked at the street today and would like to try restricting the parking to one side of the street, the side of Royal Learners, and see how it would work. Murray said that would be a change to the proposed ordinance to allow parking on the east side, but not the west side, of Commerce Drive. Either option would be a safe situation.

— Brown said he spoke to the owner of the Prudential office building and he was in favor of parking on the east side of the street. Brown asked what distance parking would be allowed beyond the entrance to the gym's parking lot to have a safe sight distance.

Murray said that regarding Prime Point, the signs had been placed and were doing the job. There was more access to get emergency vehicles into the football field area, as well as room for the tractor-trailer trucks. When school was out, there was no problem. Murray said they would study it. If changes needed to be made, they would make them.

Weed asked Public Works if either of the streets got LARP money from the Department of Transportation. Public Services Director Colin Halterman said they would eventually receive funds. Weed said they needed to bear in mind that the standard LARP DOT contact required the City to contact DOT before any traffic control devices were put up.

Tennant asked where people on Prime Point who were shut out of a place to park would park. Murray said there were plenty of places to park, but everyone wanted to park as close to the entrances as they could. They could park all the way to the corner or down to the nursing homes. The problem was when two cars were parked across from one another and a truck could not get through. Tennant asked about making it "golf cart" parking only on Prime Point. Murray said that would hurt the businesses. He noted that the businesses had gotten big enough that the employees had to park on the street so there would be enough room for customers in the parking lot. The owners wanted the customers to park closer to the businesses.

— McMenamin commented that it was a great compromise limiting parking to one side of the street and should accommodate everyone. Tennant asked if anyone from the public had any comments.

J.D. Holmes, owner of Gold's Gym on Commerce Drive North, said he did not agree that it was a good compromise for Commerce Drive. He asked if the impetus behind the ordinance change was that fire trucks could not get down the street with cars parked on both sides. Murray reiterated that the City Engineer recommended parking be restricted on both sides of Commerce Drive. The Police Department wanted to restrict parking to the Royal Learners side of the road only.

— Holmes said he spent the day measuring fire trucks and the road and cars. He said with cars parked on both sides of the road there was still 17 feet of clearance and a fire truck was eight feet wide. He said he built his first gym in 1992 in Fayette County. The County said he needed so many parking spaces for the square footage of the building and he did not think he needed as many. He visited other gyms and proved that to the County. He bought the property on Commerce Drive in 1998 and used the same calculations for the number of parking spaces he needed. From the time the property was purchased and the plans were approved, City Council had changed the setback on Highway 74 from 40 feet to 60 feet. Holmes said he lost about 4,000 square feet of parking. He said he talked to the Planning Commission and they said they did not want any more impervious surface and people could park on Commerce Drive. Holmes said his business at the gym peaked at 9 a.m., around lunch, and 5-5:30 p.m. It was not an all day thing, but when they had those rushes there was not enough parking. The gym's employees parked on the street. He said it seemed like a benign amendment, but if someone came to the gym and could not find a place to park they would not join the gym. He asked Council to allow them to park on

— both sides of the street. He said Royal Learners would also lose business if there were no place for people to park.

McMenamin asked how much the gym had grown. Holmes said it was on target as far as their projections and that was why they knew there was not enough parking. He would lose a lot of business.

Tennant said the compelling statement was that it was not Holmes' fault because of the setback situation.

McMenamin said if the Chief came and said it was a safety situation, she was going with him. If it was just an engineering thing, then Council should consider it. She continued that she was concerned about safety with Royal Learners location across the street. It was dangerous when young children did not hold an adult's hand and ran across the street. Tennant said his son attended Royal Learners and he had never had a situation where he could not get into the parking lot to pick up his son. Holmes said he had also never seen a child running across the street. McMenamin said if it was a safety consideration, it was a no-brainer.

— Rapson asked Fire Chief Stony Lohr what he thought about the situation on Commerce Drive. Lohr said he hadn't walked and measured it. Four feet on each side on the fire truck was adequate, but turning and maneuvering room and access to fire hydrants also had to be considered. Lohr said he would go to Commerce Drive tomorrow and check it out. McMenamin said she would like a safety appraisal as well as an engineering appraisal.

Rapson moved to table the Commerce Drive parking amendment until Council had information from Chief Lohr. Weed seconded. Weed said it was a safety issue and he wanted to hear the Chief address any valid safety concerns. Council wanted to discuss the motion; however, City Attorney Rick Lindsey reminded Council there was no discussion on a motion to table. The motion was approved 4-1 (Tennant).

Rapson said the compromise on Prime Point made sense and there was a valid safety concern. He moved to approve the amendment to the parking ordinance for Prime Point. Tennant seconded.

Brown said that philosophically some issues would have to be addressed with future land planning issues. He said that was seen at Prime Point, but he excluded this property from his comments. Brown said people were building three-acre buildings on two-acre sites, which forced people to park in the streets. Brown continued that he would like the Planning Commission to look at some of the cases. Property values were going up and parcels were getting fewer. He did not want to take on projects that were too big for the sites.

— Tennant said he voted nay on the Commerce Drive issue because it did not make sense to go back and look at the safety issues when they already knew what the measurements were. Rapson said given what Holmes said he agreed, but he would rather wait and get more information.

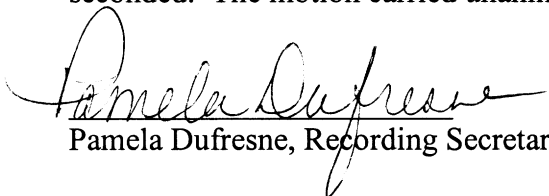
— The motion on Prime Point carried unanimously.

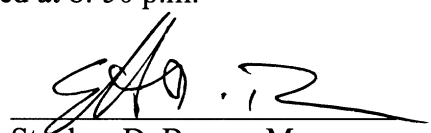
Council/Staff Topics

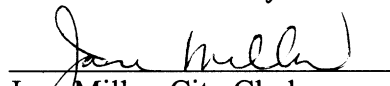
Basinger announced that the Council Retreat was scheduled for Friday and Saturday, March 15-16, at the Wyndham Conference Center. The Retreat started at 8 a.m. both days and the public was invited and encouraged to attend.

Brown said there were two legal and one real estate items for executive session. Tennant moved to adjourn into executive session. Rapson seconded. The motion carried unanimously.

There being no further business to discuss, Brown moved to adjourn the meeting. Tennant seconded. The motion carried unanimously. The meeting adjourned at 8: 50 p.m.


Pamela Dufresne, Recording Secretary


Stephen D. Brown, Mayor


Jane Miller, City Clerk