

City Council of Peachtree City
Meeting Minutes
Thursday, February 7, 2019
6:30 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, February 7, 2019. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Election and Oath of Office for Mayor Pro-tem

King nominated Ernst for another term as Mayor Pro-tem. Madden seconded. Motion carried unanimously, and Fleisch administered the oath of office to Ernst.

Public Comment

Al Yougel, executive director of Keep Peachtree City Beautiful (KPTCB), updated Council on the group's achievements during 2018. More than 900 trees were processed during the Bring One for the Chipper Christmas tree recycling event, and Yougel thanked Lee King and King Tree Experts for providing employees and equipment at various locations. He also pointed out that KPTCB provided 20,818 hours of court-ordered community service, the most ever. Last year, drop-offs of cardboard at the recycling center increased 38% over 2017, totaling 456,000 pounds. Glass drop-offs increased 186% to 288,000 pounds. Yougel accounted for that jump by noting that garbage collection companies no longer accepted glass at curbside. The total drop-off weight at the recycling center in 2018 was 1,187,000 pounds. Yougel thanked Council for their support of KPTCB.

Minutes

King moved to approve the January 17, 2019, regular meeting minutes as written. Prebor seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider Elimination/Replacement of Seasonal Position in The Fred Amphitheater**
- 2. Consider Acceptance of \$20,000 in Safety Grants from GIRMA**
- 3. Consider Elimination/Replacement of Position in Human Resources**
- 4. Consider Budget Amendment – FY 2019**
- 5. Consider Appointments to Convention & Visitors Bureau – Patti Kadkhodaian; Paul Salvatore, Jon Rorie, ex-officio capacity**

Ernst moved to approve Consent Agenda items 1-5. Madden seconded. Motion carried unanimously.

New Agenda Items

02-19-01 Public Hearing – Annual Re-adoption of Zoning Map and Ordinance

Senior Planner Robin Cailloux explained that the City re-adopted the Zoning Map and Ordinance on an annual basis to keep those documents viable throughout the year. She presented a map showing the changes in 2018 and presented a summary:

1. 279 Senoia Road, Agricultural Reserve (AR) to Limited Use Residential (LUR-17).
2. 180 Senoia Road, AR and General Industrial (GI) to LUR-18.
3. 100 Line Creek Drive, General Commercial (GC) to Limited Use Commercial (LUC-29).
4. Bradshaw tracts (annexation and zoning) on SR 54 East, AR (Fayette County) to LUC-30
5. State Route 54 (annexation and zoning) from Community Commercial (CC), Highway Commercial (HC), and R-20 Single Family Residential (Fayette County) to GC and R-43 Single Family Residential.
6. Northwest unincorporated Islands (annexation and zoning) from AR (Fayette County) to LUR-14.

Cailloux noted there were few ordinance changes, and those were text changes related to Limited Use zoning districts.

Fleisch opened the public hearing. Michael Keever of Golf View Drive asked if this information was available to the public. Cailloux said she could email a copy or provide a printed copy. No one else wished to speak, and Fleisch closed the public hearing.

King moved to approve New Agenda item 02-19-01, re-adoption of Zoning Map and Ordinance. Prebor seconded. Motion carried unanimously.

02-19-02 Public Hearing – Consider Variance to the Land Development Ordinance, Sec. 1007 Floodplain Management, 102 Pebblestump Point

City Engineer Dave Borkowski said the owner planned significant re-development of this property, but there was a lot of floodplain, and that required granting a variance. He showed the location at an area called The Point because it jutted out into Lake Peachtree. Aerial views to the west and south showed the home and old tennis courts to the side. Borkowski said the proposed project called for building a stand-alone garage and a new pool and demolishing the tennis courts. A map of the property showed that most of it was in the floodplain. The development potential on the property would be limited without a variance. Borkowski displayed a rendering of the proposed garage.

Borkowski noted that the property owner had to hire his own engineer to provide the engineering studies and modeling that the City required to show that there would be no negative impact by granting this variance. He said the plan met rise requirements, and all necessary information was in the meeting packet provided to Council. Staff recommended the variance request be approved because it met all of the City's variance criteria. There was no place to do anything on that lot without encroaching on the floodplain. Borkowski noted that staff had provided wording for a motion if Council wished to act.

Fleisch opened the public hearing. David Rutt, the applicant, said he had already begun clearing the property. The tennis court, built around 1962, was buckled and unusable, and he was also removing an old shed. His goal was to clean it all up and install the garage and a pool. Ernst asked if the garage would match the house, and Rutt said it would. Rutt also presented a letter from his only neighbor in support of the project. No one else wished to speak, and the Mayor closed the public hearing.

Prebor asked how high the garage would be above the floodplain. Borkowski stated that the floodplain was 789, and the garage would be at 791, a couple of feet above the Federal Emergency Management Agency's (FEMA) floodplain.

Ernst moved to approve New Agenda item 02-19-02, variance to Sections 1007.4.3. (3), 1007.4.5. (1), 1007.5.2. (3), and 1007.5.1. (1) of the Floodplain management/flood damage prevention ordinance in Article X of the Land Development Ordinance. King seconded. Motion carried unanimously.

02-19-03 Consider Authorization to Purchase Radios

Fire Chief Joe O'Connor told Council he was asking for the go-ahead to continue with a Special Purpose Local Option Sales Tax (SPLOST) project. He said digital radios were identified as Project 31 in the SPLOST. The County was in the process of updating the countywide public safety network from an analog system to a phase two digital system and had solicited bids for the project, budgeted in the SPLOST at \$18.2 million. This was competitively bid, and very comprehensive responses were received. E.F. Johnson was awarded the County bid for \$14,964,675.53 in

November. A component of that bid was authorization to offer competitive pricing to the municipalities in the County that will also have to upgrade their systems through Kenwood, the firm's mobile radio brand. He was asking to purchase new portable and mobile radios for the Fire Department, Police Department, Public Works, Recreation, Engineering, and Code Enforcement. O'Connor noted that many departments utilized radios and said a list had been submitted of all of them.

The Chief continued that most of the City's inventory of radios were not upgradable to the second phase of digital communications, which would be a substantial upgrade. Staff was asking for authorization to contract with Kenwood, the same brand that was building the countywide network, doing business as Radio One, for the purchase of the two-way radios.

Fleisch asked about timing. O'Connor noted that a representative from E.F. Johnson was present. The County's original goal was to have their portion of the project completed in 18 months. There were substantial upgrades to be done to that system and the 911 Center. The Chief noted that Kenwood produced more than 10,000 radios per month, so Peachtree City's order of 270 radios would be low in comparison, and he would expect quick delivery. The radios would be issued in 2019, within the one-year warranty period, even though the County might not upgrade for another year or so. He noted that these new radios would be fully compatible with the County's existing system.

City Manager Jon Rorie reiterated that this had been a competitive bid process through the County, with two responses. This was a high-technology issue, and the radios had bands that allowed them to operate within a department, as well as integrate with state or federal agencies. He emphasized that O'Connor and Police Chief Janet Moon had been part of this process from the beginning as part of the 911 Advisory Board and had put in a lot of effort.

Prebor commented that Rorie had mentioned just this week the importance of communications in these departments. O'Connor noted that Kenwood had made demonstration radios available to them, and they had been very pleased. He remarked that there was initially some hesitation in leaving their old vendor that had been in the public safety arena for many years, but they were confident in the change.

Ernst said that had been the question he wanted answered. He had no problem in this situation spending more money for the right equipment, and asked O'Connor if he was certain this was the right stuff. O'Connor said he believed it was. He reported that Moon, as chairman of the 911 board, had to review the bids and was part of the decision-making process.

Madden noted the distributor was based in Texas and asked if the product was made in the United States. The manufacturer's representative said that it was.

Madden moved to approve New Agenda item 02-19-03, purchase of new radios. Ernst seconded. Motion carried unanimously.

Council/Staff Topics

Presentation – Ordinance Revisions RFP

Cailloux said she wanted to convince Council that a complete overhaul of the City's ordinances related to development was needed and explain why staff recommended using a Unified Development Ordinance (UDO) as a model. She also would discuss the schedule for the request for proposal (RFP) and explain how it fit into the bigger picture.

First, Cailloux presented a timeline of the City's Zoning Ordinance, which was first adopted in 1970, followed by a subdivision ordinance in 1975. Then an environmental ordinance, dealing with soil, erosion, and floodplains had been adopted in 1977. That same year, the zoning ordinance was completely overhauled. The subdivision and environmental ordinances were combined in 1985 to form a Land Development Ordinance. Since then, most development had been regulated by the Zoning Ordinance and the Land Development Ordinance.

Despite many changes (over 100 between 1977 and 1987), there had not been a complete review of the ordinances since that 1977 overhaul and no effort to see how everything fit together. This resulted in unintended conflicts and inconsistencies. For example, the ordinances were often not updated to reflect changes in the City's organization and names of departments. The Zoning Ordinance had four types of street classifications, while the Land Development Ordinance had more than 15 types of streets defined. Within the Land Development Ordinance, there was a section for street design that listed only four designs, but not the same four defined in the Zoning Ordinance. This was just one example of inconsistencies, Cailloux noted.

In addition, the ordinances did not reflect changes in technology that had occurred since 1977. Cailloux said there was an ordinance that required a specific type of gas to be used in lighting, but now there were more cost-efficient methods of lighting, such as LED. Multiple paper submittals of plans were required by the ordinance, even though the Department had moved to an electronic system. The ordinance did not address changes in how mail was delivered, requiring individual mailboxes and not mentioning the kiosks that had become common.

Cailloux had been surprised to learn that, although golf carts were one of the key elements that defined the City, the ordinances did not mention amenities associated with golf carts, such as parking. Nowhere in the ordinances was golf cart parking regulated, so there were no standards requiring how many spaces should be provided or how big they should be.

One of the most influential changes since the 1977 revision was a change in the development pattern. There had been a shift from large-lot subdivisions to developments with small lots and communal parks. Cailloux said North Cove was an example, as were several phases of Everton. Cailloux recalled that, several weeks ago, Council granted a variance for a fence height that was necessary because of the smaller lot sizes. At that time, Council mentioned that the fence ordinance might need to be reviewed. Another change was the move from strip malls and office parks to mixed-use, walkable villages that appealed to both millennials and the senior population. The shift from new development to re-development was another change that must be addressed in the ordinance. Re-development had its own set of challenges, and was one of the concerns mentioned by the public when the Comprehensive Plan was updated. One of the tasks earmarked for completion within five years of adopting the Comprehensive Plan was to revise the Zoning and Land Development Ordinances to encourage re-development of those targeted areas.

Given the piecemeal and dated content of these ordinances, staff was recommending a complete review and a move to a UDO model that would combine all pertinent ordinances into one document. This could include environmental, zoning, street design and transportation, signage, building and architectural standards, and economic development incentives. A UDO outlined the entire development process in one place, which would reduce risk to developers by letting them know up front what would be required of them. This predictability could lower the cost of development. The UDO would provide universal definitions throughout the document. Cailloux also noted that it was highly graphic. She presented an example of the Raleigh, N.C., UDO, that she said reduced what would be at least 20 pages of traditional zoning ordinance text

to one graphic element with a table at the bottom of the page. The graphic nature of a UDO would be hugely efficient and easy for staff, developers, and the public to understand.

An overhaul, rather than a complete revision, was recommended because staff wanted to take elements of what was working and combine it into this new UDO. Cailloux explained that the current ordinance included two types of zoning: Euclidean and flexible. Euclidean included the traditional categories of commercial, industrial, and residential that did not overlap. The flexible zoning code, called Limited Use, was used in commercial, industrial, and residential districts, as well. The City was seeing more and more requests for these Limited Use zonings, Cailloux noted, because it offered the ability to get more of what the market was demanding. Currently, the City's Limited Use zonings were very open ended, with the developers requesting what they wanted to build. With a UDO, the City would be able to tell developers what the community wanted. The UDO would change the City's role in the Limited Use zoning process from reactive to proactive, Cailloux explained.

What staff recommended was a hybrid approach UDO, keeping the Euclidean model where it worked, such as for single-family residential neighborhoods. The hybrid UDO would allow the addition of a form-based element for use in appropriate areas, such as redevelopment areas. It would define expectations up front for property owners and developers, even before they approached the City.

Cailloux said she hoped she had shown why the UDO was a comprehensive, modern tool for the City and how it would help achieve the Comprehensive Plan's goal of reducing the barriers to redevelopment. Cailloux continued that, within the next month, staff would approach Council with a draft application for a Regional Planning Grant. She remarked that this was a new process because the Atlanta Regional Commission (ARC) had combined the Livable Centers Initiative (LCI) program and the Community Planning Grant programs into one application. The deadline to apply was late March, with the grants awarded in April or May. Cailloux was optimistic they would receive the grant, and once they knew how much money they would receive, they could issue the RFP for the revision and the UDO. Both planning efforts would run concurrently, she noted, so they remained efficient and relevant and could inform each other.

Rorie asked if there were other options, in the absence of the LCI and Community Planning grants. Cailloux said money had been set aside in the budget. There were matching funds for the grant, along with the full amount for the UDO and the ordinance revisions. Cailloux said her hope was that they would get everything they wanted from the ARC and could leverage their funds to do the UDO and possibly some more.

Fleisch inquired how long would it take to complete the UDO and the revisions. The Community Planning Grant was to help the City define and refine its redevelopment issues. Depending on the amount of money, the grant would enable the City to address some of the issues they knew would arise, such as traffic impacts. It would help with market research to ensure that the plan was practical and could actually be accomplished. It would also let the City decide if that was its vision. The UDO would then step in as the tool to implement that vision. Cailloux said she wanted the tool to reflect the vision, and that was why both parts would be done concurrently. They could begin the UDO process and have them start working on the issues that staff had already compiled, then add the form-based element as a result of the planning grant. Cailloux said they were trying to be aggressive and leverage the regional funds as much as possible.

Rorie noted the retreat sessions for the 2020 fiscal year budget would include discussions about redevelopment, Community Improvement Districts, and using code enforcement as a tool. He said he wanted Council to be thinking about these issues.

Marianne Dias asked from the audience how this would impact the village concept of the City. Fleisch said that would be determined, and Cailloux noted there would be extensive public input, with a series of public meetings, before anything was adopted.

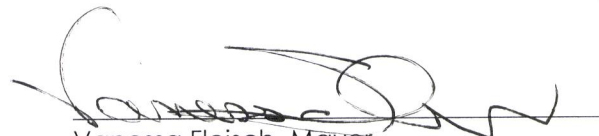
King moved to convene in executive session to discuss the acquisition, disposal, or lease of real estate and pending or threatened litigation at 7:12 p.m. Ernst seconded. Motion carried unanimously.

King moved to reconvene in regular session at 8:22 p.m. Ernst seconded. Motion carried unanimously.

King moved to authorize the City Attorney to enter into a joint defense agreement with Fayette County in the Suburban Land lawsuit. Ernst seconded. Motion carried unanimously.

King moved to authorize the City Attorney to seek an award of attorney's fees from John Dufresne and his attorney in a lawsuit involving the City and the Water and Sewerage Authority (WASA). Ernst seconded. Motion carried unanimously.

There being no further business to discuss, Madden moved to adjourn the meeting. King seconded. Motion carried unanimously. The meeting adjourned at 8:24 p.m.


Martha Barksdale, Recording Secretary
Vanessa Fleisch, Mayor