

**MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
JANUARY 5, 1995
7:00 P.M.**

The Mayor and Council of Peachtree City met in regular session on Thursday January 5, 1995 at 7:00 p.m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were Mayor Robert Lenox, Councilmembers Annie McMenamin, Edward Bradford, Robert Brooks and Caroline Price.

Mayor Pro-tem Election and Oath

McMenamin made a motion that Robert Brooks be elected as Mayor Pro-tem for 1995. Bradford seconded the motion. Motion carried unanimously and Mayor Lenox administered the oath of office to Brooks.

No items were added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Lenox announced that Councilmembers were wearing Quality Improvement Tee Shirts showing their support of Quality Improvement in Peachtree City. Mayor Lenox stated that employees had done an excellent job in identifying Quality Improvement projects to better the service given by Peachtree City.

Mayor Lenox presented a ten year service pin to Joyce Wood, Dispatcher in the Police Department.

Mayor Lenox presented a proclamation to Frances Meaders, Director of Administrative Services, that proclaimed January 27, 1995 as "Frances Meaders Day" in Peachtree City. Mayor Lenox stated that with twenty one years of service, Ms. Meaders would be retiring on January 31, 1995 and that a reception would be held in her honor on January 27, 1995 from 4:00 p.m. to 6:00 p.m. in the City Hall Council Chambers. Mayor Lenox invited all residents to attend the reception. Ms. Meaders family, husband Larry Meaders, daughter Paula Meaders Hale and Granddaughter Elizabeth Hale were present with her to receive the proclamation.

Department Reports

Mayor Lenox stated that Department Reports would be available at the next scheduled Council meeting.

Minutes

Price made a motion that the minutes of the December 15, 1994 City Council meeting be approved as presented. McMenemy seconded the motion. Motion carried unanimously.

Old Agenda Items

10-94-3 Public Hearing-Variance-Exposaic Ind. 300 Dividend Dr.

Mayor Lenox stated that the item to consider a variance request by Exposaic Industries would be conducted as a public hearing. Mayor Lenox read the rules for a public hearing and stated that each side of the issue would have fifteen minutes to be heard. Mayor Lenox asked to hear first from a representative for the applicant.

Mr. Doug Warner, attorney for Exposaic Industries, came forward and stated that the Exposaic Industries building was on 35 acres and was constructed in 1961. Warner stated that Exposaic had ceased operations several years ago and that the current tenant, Quality Pre-Cast was interested in purchasing a part of the property. Warner stated that a variance of 36.5 feet would be needed to the rear setback in order for the property to conform. Warner stated that there were plans to improve the property, which would enhance the industrial park.

Mr. Jim Williams, Director of Developmental Services, came forward and stated that staff was in favor of the variance, that they did not feel it would set a precedent and would make the property more attractive and more productive. Williams stated that there were plans to upgrade the property and that the landscape architect had prepared a plan for tree replacement on Dividend Drive and would like to have the Exposaic property be included in that process.

Mayor Lenox asked to hear from anyone in opposition to the variance and hearing none closed the public hearing and called for Council debate.

Brooks stated that the conditions required for a variance to be granted were specific and narrow and stated that the request met all the requirements. Brooks felt that it would be a good situation for the City, that the property would be improved upon. Brooks made a motion to approve the variance of 36.5 feet to the rear setback for the Exposaic office building at 300 Dividend Drive and that a condition be made that the owner work with the landscape architect to improve on the landscaping of the property. Price seconded the motion and stated that she was encouraged that properties on Dividend were being upgraded. McMenemy and Bradford concurred with Brooks and Price. Motion carried unanimously.

New Agenda Items

1-95-1 Change in License Representative - Pizza Hut

Mayor Lenox stated that Mr. James Eubanks, Jr. had made application to be the license representative at Pizza Hut, replacing Mr. John Hannah and asked Mr. Eubanks to come forward. McMnamin stated that all paperwork appeared to be in order and made a motion that Mr. James Eubanks, Jr. be appointed as license representative for Pizza Hut. Bradford seconded the motion. Motion carried unanimously.

1-95-2 Public Hearing - Rezoning of Highway 74/Peachtree Parkway

Mayor Lenox stated that the item to consider a rezoning request for the corner of Highway 74 and Peachtree Parkway from OI Office Institutional to GR-14 General Residential, would be conducted as a public hearing and stated that each side of the issue would have one hour to make their presentation. Mayor Lenox asked to hear first from the applicant.

Mr. David McKenna, Compass Development Corporation, came forward and stated that his company, a subsidiary of The Equitable, was asking for a rezoning of approximately 30 acres of land at the corner of Highway 74 and Peachtree Parkway. Mr. McKenna stated that the current zoning was OI Office Institutional and that the proposed zoning was for GR-14 General Residential for the construction of an apartment complex. Mr. McKenna stated that the apartment complex would be an upscale development with rents from \$650 per month to \$1,000 per month. Mr. McKenna stated that the site was across from the site that would be the Kedron Village Shopping Center and that the issue was not whether there should be an apartment complex constructed in Kedron, but that the proposed site was the best one for the development. Mr. McKenna stated that there would be two phases, with 276 units in the first phase. Mr. McKenna went on to say that the development would have an extensive recreation facility and security systems. Mr. McKenna stated that they had been sensitive to concerns of staff and citizens, and that along Highway 74 the units would be pulled back to provide minimal visibility from Highway 74. Mr. McKenna stated that an at-grade pedestrian crossing would be constructed across from the entrance into the shopping center and that a traffic study had been done which Mr. Peterson would explain to Council.

Mr. Jerry Peterson, Peachtree City Development Corporation, came forward and stated that due to changing market conditions, less multi-family housing and less office institutional space was needed than originally planned for. Mr. Peterson stated that Northwest Kedron was originally zoned for a 1,000 unit apartment complex, but had been down zoned to meet market demands. Mr. Peterson described other areas zoned for multi-family in the Kedron area and explained what the plans for the areas would be. Peterson stated that there were many remaining sites for Office Institutional zoning that would meet the demands of Peachtree City. Peterson stated that

— Jim Savage, Mr. Jim Care, Ms. Cathy Thomas, Mr. John MacGregor, Ms. Bonnie Beerbower, and Mr. Jim Anderson. Concerns of the residents and reasons for opposition were safety of the crossing at Peachtree Parkway, the variation from the Master Plan for Peachtree City, the high density, the lack of a pedestrian tunnel under Peachtree Parkway for safety, impact on schools, disturbance of trees, and the lack of a carpath system for the area. The consensus of the residents was that the intersection was already dangerous and that the impact of a multi-family development would increase the risk for a serious accident. A few residents stated that they did not feel they had a voice in zoning decisions and did not feel they were listened to.

Mayor Lenox closed the public hearing and called for Council debate.

Brooks asked Williams about multi-family developments being constructed in Braelinn Village and Williams stated that Peachtree Station was currently under construction and would have 180 units, and that Bob Adams would be constructing a development for the elderly on an adjacent corner with 140 units. Williams stated that other developments would be single family cluster type homes.

— McMenamin asked Williams about the apartments to be constructed on McIntosh Trail and Williams stated that they would be an extension of the Ridgelyfield Condominium Development located on Peachtree Parkway South.

Price asked how closing off Crabapple to through traffic would impact the loop road and was told that Crabapple would not have to be closed for the first phase of the apartment complex but would need to be closed for the second phase and that the plan for the loop road would still be intact.

Brooks encouraged the citizens to not give up on local government, that although every issue might not be to everyones satisfaction, government was concerned about the residents views. Brooks stated that the long term need for apartments in Peachtree City had not been addressed, but that he felt that the demand for apartments could decrease in the future. Brooks stated that he did not feel the proposed location was the only area for an apartment complex in Kedron, that there were better locations that could be considered which could be easily tied into the carpath system. Brooks stated that he felt if the Planning Commission had twelve conditions as a part of the approval, that there was already a problem with the zoning. Brooks stated that he agreed with the residents that the corner of Highway 74 and Peachtree Parkway was a very dangerous intersection and that he could not imagine an at-grade crossing in that area and could not support the rezoning.

— McMenamin stated that she agreed with Brooks, that Peachtree City Development Corporation must feel that the land currently zoned for multi-family housing would be more marketable for another use. McMenamin stated that an apartment complex would be very

transitional, and that at build-out the City could be left with many vacant apartments. McMenamin asked Police Chief Murray about calls to apartment complexes and if they generated more calls. Chief Murray stated that apartment complexes always generated more calls than single family housing, and that if alarm systems were installed in all the units, false alarm calls would increase drastically. McMenamin stated that she could not believe that an at-grade crossing would be considered for that area, that pedestrians could not cross safely. McMenamin stated that she understood that originally the plan had called for an underground tunnel. McMenamin stated that she could see no benefit to the residents of Peachtree City and could not support the rezoning.

Bradford read a list of items that were permitted in Office Institutional zoning and stated that he did not see how a multi-family development would generate less traffic, that he felt there would be an increase in traffic. Bradford stated that he could not support the rezoning.

Price stated that although the applicant had explained why the development would work in the proposed location, overall more questions had been raised than answered. Price stated that she felt the timing for the complex was not right and that many items needed to be addressed before rezoning the property. Price stated that the traffic would change the entire complexion of the area and that perhaps the entire area should be looked at before looking at a multi-family site for the area. Price stated that the intersection was dangerous and would need to have a traffic signal factored in when the commercial complex was constructed. Price stated that she felt there was more planning to do and that she could not support the rezoning.

Mayor Lenox stated that he agreed that Peachtree City needed to go by a Master Plan, but wanted the residents to know that originally Peachtree City was planned for a population of 75,000 residents and that now there would only be 40 to 50 thousand at build-out. Mayor Lenox stated that minor adjustments to the plan would need to be made from time to time to meet the demands of the market, that the plan was not cast in concrete. Mayor Lenox stated that he had no objection to apartments on the corner of the Parkway and Highway 74, but that he felt the entire area needed to be studied further.

McMenamin made a motion to deny the rezoning for 30.89 acres at the corner of Highway 74 and Peachtree Parkway from OI Office Institutional to GR-14 General Residential. Brooks seconded the motion. Motion carried unanimously.

1-95-3 Authorization and Appointment of City Officials/Positions

Mayor Lenox stated that he recommended Council authorization and appointment of the following City Officials and Positions:

City Attorney
Municipal Court Judge

Webb and Lindsey Law Firm
A. Mitchell Powell

Judge Pro Hac
City Auditor
City Clerk
City Depository
Landscape Architect

Sharon I. Pierce
Geeslin, Johnson & Wetherington
Angie Stevens
Peachtree National Bank
William Lincicome

McMenamin made a motion that the above mentioned appointments be made. Price seconded the motion. Motion carried unanimously.

1-95-4 Authorization of Legal Organ

City Manager Jim Basinger stated that in 1994 Council appointed the Fayette Citizen as the legal organ for the City. Basinger stated that while the Fayette Citizen Newspaper had adequately met the needs of the City regarding the legal advertising, staff would like to note the fact the "This Week" Newspaper was published three times weekly, which would assist staff in scheduling hearings for time sensitive issues. Basinger stated that it was staff's recommendation that the "This Week" Newspaper be appointed as the legal organ for the city.

McMenamin made a motion to appoint the "This Week" Newspaper as the legal organ for the City. Price seconded the motion. Bradford stated that he would like to see a locally owned newspaper be appointed as the legal organ and that he could not support the "This Week" Newspaper. Brooks stated that he would like to support a locally owned newspaper. McMenamin stated that the "This Week" Newspaper maintained an office in Peachtree City, and that while the Citizen had improved with Lorna Niessen as a reporter covering Peachtree City, the editors of "This Week" were actively involved in the Peachtree City Community. Bradford stated that the editor of the Citizen and the owner of the paper lived in Peachtree City. McMenamin stated that in a recent recreation survey, the "This Week" Newspaper was shown to be the most read among Peachtree City residents. Brooks stated that the "This Week" Newspaper had more circulation. Price stated that she would support the recommendation solely on behalf of the more frequent publication by "This Week". Motion carried with Lenox, McMenamin, Brooks and Price voting aye and Bradford voting nay.

1-95-5 Designation of Persons Authorized to Sign Checks

City Manager Jim Basinger stated that it was his recommendation that a combination of any two of the following positions be authorized to sign checks:

Mayor
Mayor Pro-tem
City Manager
Finance Director
Director of Administrative Services

Brooks made a motion that the recommendation of the City Manager for those authorized to sign checks be approved. McMenamin seconded the motion. Motion carried unanimously.

1-95-6 Indemnification Resolution

City Manager Jim Basinger stated that for the past few years Council had adopted a resolution indemnifying employees and City Officials regarding potential liability and that an indemnification resolution was before Council for adoption covering 1995.

Price made a motion that the indemnification resolution be adopted. McMenamin seconded the motion. Motion carried unanimously.

1-95-7 Bids - Public Works Pickup Truck

City Manager Jim Basinger stated that the city had solicited bids from fifteen vehicle dealers for the purchase of one 1994 or 1995 Ford F-150 pickup truck for the Public Works Department to replace a 1986 Ford F-150 pickup truck that was totalled in an accident on October 12, 1994. Seven firms responded to the bid as follows:

Wade Ford Smyrna, GA	\$10,927.10
Family Ford Dallas, GA	\$11,081.91
Spalding Ford Griffin, GA	\$11,300.00
Beaudry Ford Atlanta, GA	\$11,644.88
Courtesy Ford Conyers, GA	\$11,914.00
Chuck Clancy Ford Marietta, GA	\$11,989.10
Danny Belyeu Ford Newnan, GA	\$12,129.00

Basinger stated that staff recommended that the bid be awarded to Wade Ford, the low bidder, in the amount bid of \$10,927.10 with funding sources to be \$4,402.00 from the insurance company adjustment and \$6,525.10 from the City's self insurance fund. Price made a motion that the bid for supplying a 1995 Ford F-150 pickup truck be awarded to Wade Ford in the amount bid of \$10,927.10 with the funding to be \$4,402.00 from the insurance company adjustment and \$6,525.10 from the City's self insurance fund. McMenamin seconded the motion. Motion carried unanimously.

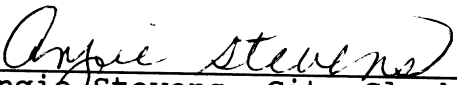
1-95-8 CSX Railroad Crossing/Kelly Drive

Mayor Lenox stated that the item to consider the CSX Railroad Crossing at Kelly Drive needed further work by staff and made a motion to table the item to the first meeting of February. McMenamin seconded the motion. Motion carried unanimously.

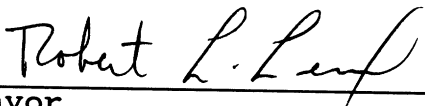
Executive Session

Brooks made a motion to adopt an indemnification resolution for Frances Meaders. McMenamin seconded the motion. Motion carried unanimously.

There being no further business to come before Council, Brooks made a motion that the meeting be adjourned at 10:30 p.m. Bradford seconded the motion. Motion carried unanimously.



Angie Stevens, City Clerk



Mayor

Attest:

RECOMMENDATIONS

The staff recommends that the tract be rezoned from OI Office/Institutional to General Residential, as recommended by the Planning Commission at its meeting on December 19, 1994, with the following twelve (12) conditions:

1. The classification to which the property should be rezoned should be GR-12 and not GR-14;
2. There should be a minimum 50-foot wide greenbelt or buffer reserved along both GA Hwy 74 and Peachtree Parkway;
3. Through a combination of grading, tree protection, berming, landscaping, and building orientation, the project should be kept separated visually from GA Hwy 74. When it is completed, it should be as inconspicuous and non-intrusive from the highway as Balmoral and Peachtree Station are from Peachtree Parkway South;
4. Along Peachtree Parkway, the frontage of the site should be devoted primarily to the project amenities and open space. The construction of the buildings should be kept to the rear of the site as much as possible;
5. Only one access point should be allowed from the apartment site to Peachtree Parkway, and it is important that this access be aligned with the proposed future main entrance to the Kedron Commercial Center across the street;
6. No occupancy of the project should be allowed until the site is safely connected to the City cart path system. This connection should be made with a pedestrian-activated traffic signal on the Parkway. The at-grade crossing on the Parkway should be for the exclusive use of the residents of the apartment project and should not be used to accommodate the general east/west pedestrian traffic from the rest of the neighborhoods along the Parkway. The developer should pay the entire cost of the path connection, including the cost of the traffic signal;
7. The development of the project should be contingent on the installation of a new 550-foot acceleration lane with a 300-foot taper on GA Hwy 74. This new lane, which is planned by GA DOT, should be in place prior to any occupancy on the site, even if the developer has to do the work at his own expense;
8. The developer should install a new right turn lane on the Parkway northbound to provide for smooth access to the new acceleration lane on GA Hwy 74 in the event cars are waiting at the intersection to turn left or go straight ahead;

RECOMMENDATIONS continued

9. The developer should install a new left turn lane on the Parkway southbound to provide for safe access to the apartment site and also to prevent traffic from backing up into the GA Hwy 74 intersection;
10. If this property is rezoned as requested, it will be necessary for the developer to negotiate with the City for the abandonment of the rights-of-way presently on the site;
11. The developer must relocate the water lines on the site at his own expense and provide the proper easements as required by the Fayette County Water System; and
12. The developer must remove all above-ground utility lines on or adjacent to the site and relocate them underground with proper easements as required by the utility companies.

The staff and the Planning Commission understand that the developer is in agreement with the conditions recommended for approval of this request.

JBW/gd

STATE OF GEORGIA
COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

I, ROBERT S. BROOKS, do solemnly swear that I will truly honestly, and faithfully discharge the duties of Mayor Pro Tem of Peachtree City to the best of my ability without fear, favor or partiality, so help me God.

Robert S. Brooks
Signature

Sworn to and subscribed before
me in open meeting this
5th day of January, 1995.

Robert L. L.
Signature

Title