

City Council of Peachtree City
Meeting Minutes
Thursday, December 7, 2023
6:30 PM

Call to Order

Members in attendance: Mayor Kim Learnard, Council Members Phil Prebor, Clinton Holland and Frank Destadio. Councilman Mike King attended via Zoom.

Pledge of Allegiance and Moment of Silence

Announcements, Awards, Special Recognition

The Mayor welcomed King, who was attending online. She went on to say that this was the final meeting for King and Prebor. King, she remarked, had been on Council 10 years. He had served on the Convention and Visitors Bureau (CVB) and coordinated the annual Memorial Day services for the City for five years. He was Mayor Pro Tem three times. Prebor had been on Council eight years and served on the 2017 Special Purpose Local Option Sales Tax (SPLOST) Committee and the Mayor's Needs Committee in 2012. He was on the Planning Commission before being elected to Council and had been Mayor Pro Tem twice.

Learnard said both had been on the Water and Sewerage Authority (WASA) board for the last five years, overseeing a massive turnaround of operations. They oversaw the new Gateway Bridge and the MacDuff Parkway Bridge, along with the Spillway at the south end of Lake Peachtree. They worked on building a new Drake Field Pavilion and created many new family events. More than 50 miles of cart paths had been added during their tenures, as had the Spyglass Island Park. They oversaw infrastructure improvements and passed needed ordinances. They approved no new apartments and modified zoning ordinances to restrict maximum density in General Residential to preserve lot size and limit the number of units per acre. She remarked on how much behind-the-scenes work went into these achievements.

King, a veteran, was notable for his concern for the military, and Prebor was a business owner in the community. Learnard said very few people had shown such dedication to the City, and she asked the audience to join her in thanking them.

King said serving for the last 10 years had been an honor, and they would be leaving the City in a much better condition than they found it. He hoped future Councils could build on that. Prebor echoed that, adding that it took the efforts of a team of staff and citizens.

Learnard noted there would be a reception for King and Prebor on December 14, and the community was invited.

- A. ~~Reception for Council Member Mike King and Council Member Phil Prebor immediately following meeting.~~ Reception will now be held on Thursday, December 14th, 2023 at 4:00 p.m. in the Community Room downstairs at City**

Hall.

Presentation

A. Housing Affordability study related to young people in Fayette County and Peachtree City

Taylor Pessin was a 15-year resident of Peachtree City and a student at Georgia State University, where she was majoring in public policy. Learnard said she was passionate about Peachtree City's future.

Pessin said she was presenting the results of a study conducted last summer as part of a course on geographic information systems (GIS). She explained that she had spent the last seven years watching housing costs become more and more out of reach and had looked at issues regarding housing inequity within the community, especially for younger people. Costs were higher for both rentals and homeowners, she reported, and 73% of millennials were living paycheck to paycheck.

Peachtree City and Fayette County faced some unique challenges. Peachtree City had experienced a 31% increase in rental prices and a 53% increase in home prices over the past few years, Pessin reported, along with an imbalance in jobs and housing that resulted in heavy commuter traffic. Lack of affordable housing made it difficult for employers to fill lower-paying jobs.

More than 40% of Fayette County's residents would be older than 65 by 2040. Pessin explained the methodology she used to come to her conclusions that tracts in the northern part of the county, including Peachtree City, had higher densities of rental units than tracts in the south. As a whole, Fayette had a lower density of rental housing stock than surrounding counties. She pointed out that most young renters in Peachtree City did not pay more than 30% of their incomes in rent, but her research showed that every one of the young homeowners did.

She compared housing among the 25–34-year-old age group and the 55–64-year-olds, saying that the younger group made up 10% or less of the population in 15 out of the 24 census tracts in the county. Pessin reported that her study confirmed the lack of affordable housing which could result in young adults seeing economic disparities, businesses experiencing difficulties in hiring, and, possibly, economic stagnation.

Her recommendations to avoid this included lowering requirements for large lot residential zonings and encouraging the development of smaller homes. Rethinking policies around rentals of auxiliary dwelling units could be a possibility. Pessin concluded by saying there should be further research done on housing accessibility in this community.

The Mayor thanked her and said the report was in the Council packet and was

available to the public on the City website.

Public Comment

Joseph Smith wanted to remind everyone that this was the anniversary of the attack on Pearl Harbor in 1941 and to recall the sacrifices made by millions who fought in World War II.

Agenda Changes

Minutes

A. November 16, 2023 Regular Meeting Minutes

Holland moved to approve the November 16, 2023, regular meeting minutes and the November 16, 2023, executive session minutes. Destadio seconded. Motion carried unanimously.

B. November 16, 2023 Executive Session Minutes

APPROVED 5-0

Consent Agenda

Destadio moved to approve Consent Agenda items A-J. Prebor seconded. Motion carried unanimously.

A. Budget Amendment - FY 2023

APPROVED 5-0

B. Budget Amendment - FY2024

APPROVED 5-0

C. Award Contract for Pension Investment Advisor

APPROVED 5-0

D. Municipal Attorney Services Terms of Appointment

APPROVED 5-0

E. Replacement of Vehicle (22007) (Fire Department)

APPROVED 5-0

F. List of Roadways Approved for Speed Detection Devices Update 2023

APPROVED 5-0

G. Replacement of Isuzu NPR Flatbed Vehicle (Sign Shop)

APPROVED 5-0

H. Replacement of F250 Vehicle (Grounds)

APPROVED 5-0

I. Replacement of 750 Dump Truck (2023 SPLOST)

APPROVED 5-0

J. Purchase of an Asphalt Spreader(2023 SPLOST)
APPROVED 5-0

Old Agenda Items

A. 11-23-03 Variance request for 100 Huddleston Road, sign height for Caliber Car Wash

Planning and Development Director Robin Cailloux noted the public hearing for this was held at the last Council meeting but, to refresh everyone's memory, she pointed out the site at the intersection of Huddleston Road and SR 54. The request was for a sign variance, which had different criteria from a zoning or land use variance. This lot fronted on both Huddleston and 54 and sat about 18.5 feet below the grade of the highway. As a corner lot, they were permitted to have two monument signs and had one on Huddleston already. This variance request was for the height of the sign they would like to erect on 54, and the applicant had provided a visualization of how they would like it to appear with a notation that it would be 26 feet high.

Attorney Rick Lindsey represented the applicant and recalled that he had asked to withdraw the request after the public hearing. There had been discussion of sign litigation the City was involved in, along with impacts the improvements at the SR 54/74 intersection might have on this property. He said he had discussed this with his client and had been given permission to request a continuance. Lindsey said he had also talked with City Attorney Ted Meeker about the pending litigation and was told it might be placed on the court calendar in early 2024. Therefore, Lindsey said his client was requesting a three-month continuance to a date certain.

Holland moved to continue this item until the second meeting in March, but Lindsey said the first meeting would be more convenient for him, so Holland amended the motion to the first meeting of March, 2024. Destadio seconded. Motion carried unanimously.

New Agenda Items

Public Hearings

A. 12-23-01 Rezoning for 1102 MacDuff Parkway from AR Agriculture Reserve to LUR Limited Use Residential

Cailloux indicated the location off of MacDuff in the most northwestern portion of the City. This property was de-annexed by the State Legislature from Tyrone and annexed into Peachtree City at the beginning of 2023. Peachtree City's ordinance required it to come in as Agricultural Reserve (AR).

The request was to rezone the property for up to 43 townhomes that would connect to the development just to the south, now called Collier Hills. The road from there would continue into this new parcel and would be the only access to that property. The zoning conditions placed on the property to the south would be carried forward

to this property, with a 100-foot buffer between the townhomes and the rear property line and a 50-foot buffer along the railroad.

Cailloux reminded Council of the considerations they were required to take into account, saying she would be discussing if the rezoning conformed with the Comprehensive Plan in addition to whether it was suitable in light of the use of nearby and adjacent properties and if it had viable economic use as currently zoned. Because the property came into the City after the Comp Plan was adopted, it did not have a designation on the Future Land Use (FLU) map. It was surrounded by a category called single-family cluster (SFC), which was created in the 1995 Comp Plan. At that time SFC allowed up to 12 dwelling units per acre, but that had since been lowered to three to six units per acre. The request met that requirement.

Another Comp Plan policy required offsetting development with green belts and parks, and Cailloux said this would be offset by the 100-foot buffer adjacent to Cresswind, which had its own 50-foot buffer, creating a total of 150 feet of buffer. The use of high-quality building materials was encouraged, and staff recommended the homes be 100% brick or stone on the front and brick/stone/cement siding on the other sides. The applicant discussed this at the Planning Commission hearing and requested that it not be 100% but be the same requirement placed on the townhomes to the south. Another policy was to encourage housing to encompass aging in place, and staff recommended at least 50% of the townhomes have ground floor bedroom/flex rooms or elevator shafts.

The Planning Commission held its public hearing November 27, and many members of the public as well as Commissioners had issues including loss of trees, additional traffic on MacDuff Parkway, stormwater runoff, impacts of a train derailment and train vibrations, and the loss of privacy for Cresswind homes. The Planning Commission unanimously recommended denial, stating reasons including having less density at the city's edge.

Should Council approve the rezoning request, staff recommended the following conditions, many of which were standard for Limited Use Residential (LUR):

- The property shall develop in conformance with the proposed master plan. Any substantive change to this plan or any of the conditions of the rezoning shall require a new rezoning action.
- The maximum number of dwelling units shall be 43.
- At least 50% of the home designs shall include either a ground-level bedroom, a ground-level flex room, or a space for an elevator.
- The minimum front building setback is 25 feet from the back of sidewalk or back of pavement. There shall be at least a 20-foot separation between buildings.
- Each unit shall have provided at least two paved parking spaces, at least one of these shall be within a fully enclosed garage.
- An additional guest parking space shall be provided on site at a rate of 1 space per 10 units.

- A combination of alternating facades shall be used to avoid a monotonous design. Building materials shall consist of brick, stone, and cementitious siding. Each side elevation shall include windows and shall include similar architectural detailing as used on the front elevation.
- A minimum 50-foot undisturbed buffer shall be provided along the railroad right-of-way. A privacy fence shall be constructed along the edge of the railroad right-of-way, and evergreen plantings shall be added to the buffer where existing trees are sparse.
- A 100-foot landscaping buffer shall be provided along the western property line. This buffer shall be enhanced with a variety of evergreen plantings to create a visual buffer. A landscape plan for this buffer shall be reviewed and approved by the Planning Department.
- At least two canopy trees shall be provided for each unit meeting the standards of the city's land development ordinance. In the case where no yard is incorporated in the lot, the required trees shall be planted on an adjacent or nearby open space that is not included in the required buffers.
- Internal streets shall be built to city standards with regards to compaction, subgrade, pavement, and other requirements as deemed by the city engineer.
- Sidewalks shall be provided on both sides of the internal road.
- All internal streets, sidewalks, parks, amenities, and landscaping shall be the responsibility of the homeowner's association (HOA).
- A statement addressing the proximity of the development to the CSX railroad shall be placed on the final plat for the overall development.
- A specimen tree survey shall be performed on the property and submitted to the City for review. Specimen trees shall be retained to the greatest extent possible, and additional tree protection shall be required during development.

Attorney Steven Jones represented the applicant. He said this was phase II of a development they rezoned to LUR in 2022. He pointed out the train tracks to the east and MacDuff Parkway on a aerial photo, noting that the only access was through the already zoned LUR development to the south. All the conditions imposed on phase I would be carried through to phase II, he remarked. The same buffers would be carried forward. He presented a site plan showing the combined phase I and phase II. He noted there were additional conditions added for phase II, such as the additional parking spots, which he said they were fine with, and the building materials requirements, and the requirement for sidewalks on both sides of the road, a landscape plan, and a specimen tree survey. Jones said the applicant consented to all of staff's recommendations.

He presented a zoom-in of the phase II concept plan, again noting that the only viable access was through phase I. State common law, as well as Peachtree City's zoning ordinance, looked at viable economic use as a criterion for a rezoning.

Because of this limited access and the limited uses of a parcel zoned AR, Jones stated that it did not have a reasonably viable economic use as presently zoned.

He pointed out the buffers and noted they were consistent with what was done in

phase I. They also supported planting an evergreen tree line along the buffer. He indicated the location of a lift station for sewer and a children's playground. They intended for this to be one cohesive neighborhood developed in similar style.

Noise from the railroad tracks was a concern they heard in the Planning Commission hearing, and Jones said there were three components that could be a noise buffer: the remaining tree line, the row of evergreens, and the townhomes themselves. As far as the concern about stormwater runoff, he noted that this development would have to comply with state mandates saying water must be retained and controlled on the property. A traffic study had been done and was mentioned at the Planning Commission that contemplated development of the entire MacDuff Parkway, and he believed it addressed the traffic concerns.

He stated that the FLU map was consistent with this proposal for all the other properties in the area. The AR designation and the limited access did not provide the owner with a viable economic use for this property. For those reasons, Jones concluded, he asked Council to rezone this to be consistent with phase I and the conditions proposed by staff.

Julio suggested that it might be best to make a motion to extend the time for public comments at the beginning, if they wished. Holland moved to extend the time allotted from 10 minutes per side to 15 minutes per side. Destadio seconded. Prebor asked if it could be extended again if needed and was told they could. Motion carried unanimously.

The Mayor opened the public hearing.

A Cresswind resident said he spoke in favor of phase I about a year and a half ago and wanted to mention a few conditions for phase I that he had not heard mentioned here. One regarded a barrier between the townhomes and the railroad tracks and the other would limit rentals in the development to no more than 25%. He encouraged Council to think about those if they approved this.

No one else wished to speak in favor, and the Mayor asked if anyone wished to speak in opposition.

Teresa Smith of Cresswind referenced a traffic study done by Pond and Co. at the intersection of MacDuff and Red Maple based on traffic data from February 22, 2023. It showed the daily vehicular volume on MacDuff at 7,585, while Red Maple volume was 975. The growth rate was calculated at 5.49%, which the study called "highly aggressive" due to residential growth in the area. Smith went on to say that the only exit from this development was in a very dangerous place, and it was already difficult to enter and exit during busy times. She said the fire station planned for MacDuff needed to be considered as well. She requested a new traffic study that would take this development into account.

Smith also noted that the Comp Plan made several references to preserving the residential character of existing neighborhoods through the use of step-down residential density, meaning this would be more appropriate closer to the city center. The Plan encouraged preservation of existing trees and replacement plantings, which the developer's plans did not. Smith remarked that selling townhomes in the mid-\$400,000s range was below the break-even point for the City services provided. She asked Council to deny this and if they did not, to wait until a comprehensive traffic study could be conducted.

Wayne Sullivan said Cresswind was a 55 and older community, and residents had earned their right to comfort and quiet in their old age. They never envisioned a development of multi-level townhomes that were 25% rentals next to their homes. The proposed buffers would not be sufficient. Traffic was bad in the area and congestion could block access for emergency vehicles. He said this development did not fit in with the character of the neighborhoods in the area.

David Freeman of Cresswind cited statistics about deaths caused by trespassing on railroad tracks and wondered how the developer could prevent children from playing on the tracks.

Cresswind's Joseph Quimby noted the playground was just 50 feet from the railroad tracks.

Nancy Steptoe of Cresswind said it was discussed at the Planning Commission that the exit was outside the emergency vehicle standards. She also was concerned about the retention pond because the land was not level. If it failed, it would flood half a dozen houses in Cresswind.

Suzanne Brown of Crescent Oak noted there was no auditory buffer from the railroad tracks for the people in the townhouses. She was also concerned about the possibility of a derailment and damage to the townhomes from vibrations from the trains. She said half the homes would be within a few feet of high-tension electrical wires. Brown stated that this parcel was supposed to be General Industrial (GI), and that was the best use for it.

Brown went on to say that neither the buffers nor the proposed number of parking spaces was adequate. She said the tot lot was insufficient. The proposal did not follow the policy of lesser density on the outskirts of the city, and Brown said they had no obligation to the developer to help him maximize the value of his investment. She suggested Council tell him to return with a proposal that took out the housing closest to the tracks, maximized parking, provided more play areas, added sidewalks, showed placement of mailboxes, and increased all the setbacks. She thought the AR zoning could be feasible.

Joseph Smith of Summit Walk said all this would add costs to taxpayers to maintain roads, sewers, and the lift station. He asserted that rental properties had a

higher crime rate and how would Police and Fire get there in a timely manner?

Cresswind's Jill Clark said she did not understand why the developers did not ask for the entire development to be approved all at once. She told Council they were depending on them to do what was best for Peachtree City, which was to deny this.

Another Cresswind resident, Ann Counts, said the developer returning for this rezoning seemed "weird" in her opinion.

The Mayor closed the public hearing.

Destadio said he remembered when this first came up, and he asked at that time if they were coming back for more. He was told "no" repeatedly, but now they were asking for more. He said he had no trust at all that they would not be coming back for a bigger piece of the pie. His concerns included proximity to the railroad, and the elevation of the detention pond. He had safety concerns because of the one-way in and out at Cresswind. He was not concerned about how the developer would make money on his investment, although other Council Members were. Prebor remonstrated that Destadio had not talked to him about it.

Destadio said they did not want to see multi-story townhomes in Peachtree City. Noise was another concern. Those were reasons he could not support this.

King said he understood the only access was from the south. Right now, it had been annexed in as AR. King reflected on the train derailment in East Palestine, Ohio, and what would happen with these townhomes in a similar situation. This was one of the few instances where he would be okay with staying with AR. If the developer wanted to reduce the number or the proximity of the townhomes to the railroad, he would be willing to consider it, but right now, he could not support this.

Prebor stated he was not in favor, citing the emergency vehicles, the wires, the railroad, the buffers, and the traffic. However, as a City, they needed to figure out what they did want, and he tasked the Planning Commission to hold some workshops because something was going to go there. Prebor noted that a citizen had mentioned industrial use. He invited them to visit the refinery on Dividend, saying the last thing they would want next to Cresswind was a refinery. The Planning Commission should meet with Cresswind residents and see what they could agree upon.

Prebor went on to comment that they had this process of a public hearing so they could hear all sides before making a decision. However, one Council Member sent an email to someone saying they were against it before this presentation. That was not how this process was supposed to work.

Learnard asked the City Attorney to comment on AR zoning and any future amendments to something less dense. Meeker said he would wait until Holland

had spoken.

Holland said he had heard about traffic studies, railroad studies, AR zoning, and noted those would be good things if that area was to be developed. Putting in 43 townhomes was too much density at the edge of the City, he remarked. He believed in following the Land Use Plan. He said the Planning Commission did a very good job and they had voted against this 5-0; and he could not go against that.

Learnard again turned to Meeker. He first said he was not advocating rezoning of the property to the one requested by the applicant. The AR designation by its nature was a holding designation, and there were other less intense residential uses that could be considered. The map showed the surrounding areas were zoned R-43 and R-12; there was Estate-Residential (ER) off of Leisure Trail, and two LURs across Senoia Road. There was General Residential (GR-4) going down SR 74. Meeker said he did not know if the property was viable for use under AR, but he did know there were less dense zoning classifications that could be considered.

Learnard said she echoed the comments Council Members and citizens had shared.

Prebor moved to deny Public Hearing item 12-23-01 Rezoning for 1102 MacDuff Parkway from AR Agriculture Reserve to LUR Limited Use Residential. Destadio seconded. Motion carried unanimously.

B. 12-23-02 Variance request for 319 Sandalin Lane for existing rear setback encroachment

Cailloux noted that this request was familiar and pointed out the location in the north-central part of the City on a lot at the end of a cul-de-sac. The homeowners had lived there for a couple of decades. They requested a building permit to repair an existing deck, and it was discovered that it encroached into the 30-foot rear setback by 1.2 feet. They were asking for a variance to reconstruct the deck. Staff had no recommended conditions if Council approved this.

Destadio moved to approve the item, but City Clerk Yasmin Julio reminded the Mayor that this was a public hearing. The Mayor opened the public hearing. No one wished to speak either in favor or in opposition, and she closed the public hearing.

Holland reflected on the discussion about this at the previous meeting and said he believed they needed to take care of citizens. A variance of 1 foot 2 inches on a new deck was a variance he could support, he stated. It would increase that home's value as well as that of surrounding properties.

Destadio moved to approve Public Hearing item 12-23-02, variance request for 319 Sandolin Lane for existing rear setback encroachment. Holland seconded. Motion

carried unanimously.

C. 12-23-03 Annexation and Rezoning for 52 acres located on Stagecoach Road and Spear Road from AR in unincorporated Fayette County to ER and LUR in Peachtree City

This was not the first time Council had heard this item, Cailloux commented. The property was on the northeast side of the City, adjacent to Booth Middle School. The applicant came before the Planning Commission and City Council in August, then changed the plan, so Council remanded it back to the Planning Commission. The Planning Commission held a second public hearing and again recommended denial, 5-0.

Cailloux showed the location, pointing out Spear Road and Stagecoach Road and indicating where the pavement ended on Stagecoach. They were proposing to continue the pavement and create a neighborhood road for two lots zoned ER. Off of Spear Road, an internal road would come in, ending in a cul-de-sac, for 21 lots zoned LUR. A fine black line on the map indicated a cart path near Stagecoach.

The property was currently zoned AR in the County, which called for five-acre minimum, and was next to R-72 land, which had a three-acre minimum. Crossing over into Peachtree City, there were minimum 1.5-acre lots and more ER along Carriage Lane.

There was a large area of environmentally sensitive land, which the County had designated for three-acre lots. Cailloux said the property would be served by private septic, and the Police and Fire had said there would be no impact on services by annexation. The roads, as required by ordinance, would be built by the developer to Peachtree City standards, as would the multi-use path.

One of the discussion points was that the plans did not have the environmentally sensitive lands pulled out as Peachtree City required, but they had since produced a map that showed them to be separately platted and dedicated to an HOA or to the City. The low density of one-acre or larger lots would be compatible with the Comp Plan and there should be ground level bedrooms and bathrooms to accommodate aging in place.

In every annexation, staff looked at the impacts on the budget, Cailloux continued. The average cost of City services per dwelling unit was \$1,379. To recoup this cost in property taxes alone, the Fair Market Value of a dwelling unit would need to be \$570,407, and these homes would exceed that.

She presented the list of conditions staff recommended if Council voted to approve this, noting that they still recommended a 50-foot buffer on the west side of the LUR subdivision road where it abutted 209 Spear. The applicant would prefer 20 feet and had submitted a plan showing 20 feet.

- Environmentally sensitive lands such as floodplains, wetlands, streams, and their associated buffers shall be platted separately from residential lots and dedicated to either a Homeowners' Association or the City.
- A 50-foot landscape buffer meeting all requirements of Section 723.2 of the Land Development Ordinance shall be located along Spear Road. A landscaping plan for this buffer shall be reviewed and approved by the Planning Division.
- A 50-foot buffer shall be provided along the western property line abutting 209 Spear Road. (The Applicant expressed concern at the meeting about this condition and preferred a 20-foot buffer).
- The LUR-zoned subdivision shall contain a maximum of 21 residential lots with a minimum lot size of one acre.
- All lots within the LUR zoning district shall comply with the zoning standards of the R-43 zoning district.
- Houses in the LUR zoning district shall be faced with either brick, stone, or cementitious siding. Building elevations facing public streets or visible from a public street shall not be blank and shall utilize the same level of architectural detailing as the front elevation.
- 75% of the houses constructed in the LUR zoning district shall have at least one ground-level bedroom and full bathroom.
- The Applicant shall establish a Homeowners' Association for the LUR zoning district, which shall be responsible for the maintenance of community facilities, subdivision entrance signs, and sidewalks. A note to this end shall be placed on the final plat.

Rick Lindsey represented the applicant, Hyde Properties. He explained that the civil engineer who had been working on this passed away, so they had been unable to present a revised plan to the Planning Commission. They had listened to comments made by citizens and by the Planning Commission and Council and now had a new map.

He pointed out the environmentally sensitive area on the revised map, saying it was about 12 acres. They proposed dedicating it to the City and would be glad to create a nature trail through it if the City desired. They were also willing to dedicate an area for Booth students to access the nature area for Project Adventure or other outdoor activities.

They wanted a 20-foot buffer on the "tail" near Spear Road because 50 feet would impact the properties across the street, Lindsey said, adding it would be heavily landscaped and dedicated to the City.

These would be large homes priced at about \$1 million each. Currently, there was no similar development of this type going on in Peachtree City. He said it was a positive thing for the City. The property was going to be developed, whether annexed or not. They believed they would have about the same number of homes

in the County because that was how it was listed under the County's FLU plan when Hyde purchased the property, Lindsey commented. Lindsey noted Peachtree City would be getting 12 acres that would be accessible to Booth students and the public. It would not be public property in the County.

He also pointed out several lots in the vicinity that were one acre or smaller, saying what they were proposing was consistent with other properties in the area. He also noted they had removed the access boundaries to adjacent land that had concerned some people. They believed this development would block access from Stagecoach to Davis Road, which was another worry for some residents.

Lindsey concluded by saying he believed they had reacted to what comments had been made and were trying to be good stewards of the property and develop it to Peachtree City standards. They were giving the City a beautiful nature area on the east side to match what was on the west side. For those reasons, he told Council, he asked them to approve this.

The Mayor opened the public hearing, asking first for those in favor of the proposal. No one came forward, so she asked for speakers who were in opposition.

Suzanne Brown said she wanted to address the need to stop residential growth and stop stretching City services to the breaking point. She mentioned Police, Fire/EMS, and paving, saying the amount of taxes collected would never equal the amount of paving they would have to do in 10 years. She said industrial growth was what was needed, and this property should be developed in the County.

Les Lumpkins of Spear Road said there was a lot of traffic on Spear Road, especially at school rush hour. People flew down the road at other times from Robinson to Ebenezer Church Road.

Joseph Smith said this would increase costs to the City and noted that the location of Booth a few years ago changed the traffic in this area. People would not be able to use Spear as an alternative. He worried about emergency vehicle access.

Larry Manwaring of Stagecoach Road said most of the land in this area was ER, while most of this proposal was close to one acre. He was skeptical that they would develop the two larger lots in this proposal as ER, saying they would be a school or multi-family housing. He said Council had a chance now to prove they listened to the citizens by denying this.

Bob Grove of Lakeside commented that he worked traffic for the school system every morning and afternoon at Booth. He was concerned about the construction equipment that would be brought in to build this development, as well as access for emergency vehicles, which was already tough during the school rush hours.

A resident of Whitfield Farms, Karen McKernan, said it seemed like Council was

just accepting this, and it was scary. She said it looked like Booth was being crowded out. McKernan also stated she had always thought this land was a preserved greenspace that would never be developed. They needed to have sewage in this area. They would have to re-create Spear Road due to traffic, she remarked as time for comments ran out.

Prebor moved to extend the time by five minutes for each side. Holland seconded. Motion carried unanimously.

McKernan continued, saying she did not understand what was going on with a new cart path on Robinson Road.

Bill Fuller of 209 Spear Road said his property would be the most affected by this latest plan because the proposed entrance and exit were a few feet from his own entrance. He was concerned about the amount of traffic that would be using that road and going on to Spear. He said he had lived there 30 years and bought three acres to ensure privacy. At the time of his purchase, the minimum lot size was two acres. Across the street from his property was a development that had a minimum of five acre lots. He felt these homes should be on at least three acres, as well. He also had concerns about the number of septic tanks.

Fuller reflected that the Planning Commission had twice recommended denial, and he asked Council to do the same.

Another Spear Road resident, who said he lived next door to Fuller, reported that he was almost rear ended almost every time he slowed down to pull into his driveway from Spear Road. He often saw cars flying down Spear Road, and there was a bend right before his driveway. He chose his home based on solitude and was disappointed to learn of this proposal.

The Mayor asked if anyone else wished to speak in favor. A Longboat resident stepped up to point out that this was going to get built, whether in the County or in the City. He noted that traffic with the first plan, with everything feeding onto Stagecoach, would be much worse. The new plan that connected to Spear would direct most of the subdivision traffic out of the school zone. Building this in Peachtree City would ensure that was what happened. He said he was glad to again see homes built on larger lots.

No one else wished to speak, and the Mayor closed the public hearing.

The Mayor asked King to kick off the Council's discussion. He said the primary issue was the traffic that would go on to Stagecoach if they did not annex this land. Peachtree City would lose the capability of controlling that side of their border. If it were approved in the County, the property owner had said, King continued, the cart path on the east would be a street. That street would funnel everything onto Stagecoach, which was the primary objection.

King also noted that to the east of the Hyde property was well in excess of 100 acres of undeveloped Fayette County land. That would be developed. If they allowed this first portion to come in as a County development, Peachtree City would have absolutely no control over that larger development to follow, and it would funnel substantially more traffic onto Stagecoach. That would mean it would cost more to keep Stagecoach in repair and provide undue strain on the Carriage Lane intersection.

He said he had to say "yes" to this for the simple reason that they now would control that side of the border. Whatever was approved by the County further east was their business.

Prebor asked Cailloux to report what the County had said it would do with Stagecoach if it went to them. The County had the opportunity to comment during the annexation process, she explained, and the County Engineer was anxious to get a connection from Stagecoach to Davis Road in the future, so they had hoped the staff conditions would require that kind of design.

Prebor went on to explain that Stagecoach used to go from Robinson to Ebenezer; there was still a roadbed there. If Peachtree City did not annex this and it went to the County, the County could create a collector road all the way to Ebenezer. He said to imagine the cut-through traffic on Carriage Lane from those hundreds of acres to get to Publix and so on.

Annexation would benefit the building of a cart path to Publix, he remarked. He mentioned that the homes would be \$1 million each, while the break-even point was \$570,000. He acknowledged there was some challenge to that, but that was the formula they had used for several years. Prebor also mentioned that the School Board put the school there, not the Peachtree City Council. The School Board was the one who bought a house and tore it down so people could cut through to Carriage Lane. If they did not annex this, it would not stop the houses from being built. It would not stop the traffic. Prebor said it was a matter of whether they wanted that traffic on Stagecoach or Spear.

To Lindsey, Prebor commented that one of the concerns raised by a citizen was about the two ER lots. Was there potential for the School Board buying it? Also, he wanted to know if they could comply with the 50-foot buffer the City had requested as opposed to the 20-foot requested by the developer?

Lindsey said the request was to bring them in as ER, not leave them AR for some unknown future use. There was no discussion going on with the School Board about the purchase of the property, and he said he did not know where that was coming from. The School Board could come in and condemn it, he acknowledged; they could condemn any property.

Learnard asked if he would be amenable to a deed restriction to ensure it remained residential? Lindsey said they would, but again noted that if the School Board wanted to take over that land, they could, even with a deed restriction. Meeker agreed, saying the Board of Education could exercise eminent domain powers. The deed restriction would prevent a transaction where it was sold outright to the School Board.

As to the 50-foot/20-foot situation, Lindsey remarked that 50 feet would put a house right on the road; 20 feet would be much better for the dedicated buffer on the west side of that finger of land. The 20 feet would be in addition to the right-of-way, he added.

What if they wanted to keep the 50 feet, Learnard asked? Michael Hyde said the new house they were putting on lot one would be closer to the road than Fuller's house. They would be amenable if the City required it to be 50 feet, though, he stated.

Prebor concluded by saying they were going to build something. It would not remain green space.

Destadio said everything Prebor said was something he had written down to say, too. Normally, he would not be in favor of this, but it was going to be developed. He wanted there to be some sort of control about what could be built on the ER lots, and Learnard noted the applicant had agreed to a deed restriction to keep the property residential, although the School Board could take it if they wanted to. Destadio said he understood that. He said they should stick with the 50-foot buffer, and with those two things, he said "yes."

Holland asked Lindsey if they would be willing to make all the properties ER? Lindsey said "no." Holland said he thought they should put sewers and a lift station there since it was in an environmentally sensitive area. It could connect on Robinson Road. Was he amenable to that? Lindsey replied that the problem was that the sewer ended on the other side of the school property. The original plan, he remarked, was for the school to bring it down closer to their property, and they had a design with a lift station so sewer could connect, but the sewer ended closer to Robinson Road. Holland said it was not a matter of it could not be done; it was a matter of money. Lindsey said it was just not economically feasible; it was too far away.

Housing at the edge of the city should be the lowest density, Holland remarked, but these lots were little more than one acre. He said Peachtree City had an ordinance that said they should be at least two acres. Cailloux said there was no ordinance, but one acre or larger was the largest size designated in the Land Use Plan.

So, Holland listed, the ER zoning was rejected; the sewers were rejected; the density was rejected, and they were not adhering to the Land Use Plan. Learnard

said one acre lots were indicated for this area, and Cailloux added that it could be anything larger than one acre. Lastly, Holland said there was a safety issue with the traffic onto Spear Road, causing problems for homeowners coming in and out of their properties. He said there were too many negatives, and he was not in favor.

Learnard said the upshot from the Planning Commission was denial because this was not in the annexation plan. That was true, and they would be tackling a new border study and annexation plan soon, she remarked. This annexation was the only thing that would protect the Stagecoach Road and Carriage Lane neighbors from the traffic headaches that would be inevitable if this was developed in the County, the Mayor continued.

To Prebor's point, she noted that this was going to be developed and asked if they wanted it to be developed in Peachtree City where they had control. Did they want to apply the R-43 setback requirements or did they want to let the County make all those decisions? She said she was in favor of the City having control and making the decisions.

King moved to approve Public Hearing item 12-23-03 Annexation and Rezoning for 52 acres located on Stagecoach Road and

Spear Road from AR in unincorporated Fayette County to ER and LUR in Peachtree City with the conditions specified. Learnard noted there were eight conditions in the packet, and when they added the requirement for a residential deed restriction, there would be nine. King amended his motion to say "with the nine conditions specified." Destadio seconded. Motion carried 4-1, with Destadio, King, Learnard, and Prebor voting in favor, and Holland voting against.

D. 12-23-04 New Alcohol License - Rockaway Development, LLC - 1211 Highway 74 South

Julio said this location was on the corner of Rockaway Road and SR 74, and the applicant was Jalal Dawani. When researching the application, multiple requirements were examined, Julio explained. One was the City requirement regarding the distance between the location and churches, schools, and alcohol treatment centers. Also, State law did not allow municipalities to authorize a package store within 500 yards of another store that sold distilled spirits. There was already a package store located 309 yards away from this location, which was the Peachtree Bottle Shop. Based on the requirement from the State law, the distance did not meet the requirement for this location.

Also, they had to take a look at the applicant. Applications were submitted to the Chief of Police, who would issue a certificate saying the applicant met all requirements. The Chief had conducted the investigation and determined that the applicant did not meet the requirements of the City code in order to be issued a license.

Staff's recommendation was to deny the issuance of a license to the applicant, which would also include the location at 1211 Highway 74 South based on the findings in the application process regarding the location and the applicant's inability to be certified by the Police Chief.

The Mayor opened the public hearing. No one wished to speak either in favor or in opposition, and she closed the hearing.

Holland said it seemed straightforward to him and moved to deny Public Hearing item 12-23-04 New Alcohol License - Rockaway Development, LLC - 1211 Highway 74 South. Destadio seconded. Motion carried unanimously.

Council/Staff Topics

A. Cancellation of the December 21st, 2023 City Council Meeting

In keeping with the customary December calendar, the Mayor said there would be no December 21 meeting.

Holland wished everyone a Merry Christmas and Happy New Year, as well as a Happy Hannukah.

Prebor thanked everyone who ran for Council seats this fall and congratulated those who won.

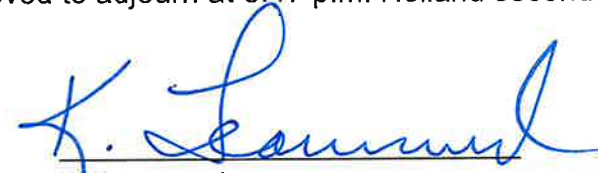
Executive Session

None

Adjourn

There being no further business, King moved to adjourn at 8:47 p.m. Holland seconded. Motion carried unanimously.


Martha Barksdale, Recording Secretary


Kim Learnard, Mayor