

Planning Commission of Peachtree City
Abbreviated Meeting Minutes
Monday, September 25, 2023
6:30 PM

Pledge of Allegiance

Vice Chairman Scott Ritenour opened the meeting with the Pledge of Allegiance. Other Commissioners in attendance included Kenneth Hamner, Mitzi Johnston, Felicia Reeves, and Andrew Kriz. Also present were Planning Director Robin Cailloux, Senior Planner Lora Hooks, Recording Secretary Martha Barksdale, and IT Specialist Jady Tallman.

Additions or Deletions

None

Announcements and Reports

1. Appointment of Alternate Kriz to Unexpired Term of Commissioner Link

Ritenour welcomed City Council Member Mike King.

Planning and Development Director Robin Cailloux noted that Kriz, formerly the alternate member, was joining the Commission as a voting member.

Approval of Minutes

1. Planning Commission Meeting September 11, 2023

Johnston moved to approve the September 11, 2023, Meeting Minutes. Reeves seconded. Motion carried 5-0.

Public Hearing

1. PH-23-07 Zoning text amendment to create Short Term Rental permit and process

State law defined a short-term rental (STR) as any home or bedroom rented for less than 30 days, Cailloux explained. While Airbnb and VRBO were probably the most well-known, she said there were more than 80 platforms that coordinated these rentals.

This was a City Council-initiated text amendment proposed in order to protect the health and safety of residents and visitors and to preserve the residential character of neighborhoods.

There had been a lot of discussion with Council, beginning in April 2022. In June of that year, STR regulations were discussed again as a Council/Staff Topics item at a City Council meeting, and workshops were held in May, June, and August of 2023, with Council voting in August to proceed with the draft ordinance through the public hearing and adoption process. Tonight was the required public hearing with

the Planning Commission, and a final public hearing was scheduled for the October 19 City Council meeting.

This proposed ordinance creates an STR permitting process, which did not currently exist. All existing STRs would be required to get a permit; none would be grandfathered in. Any residential property could be an STR; the whole house could be rented or just bedrooms or a basement. It did not have to be owner-occupied.

Recreational vehicles or detached structures, such as pool houses or guest houses, could not be used as STRs. Subleasing would not be permitted. The ordinance would cap the number of STRs at 1.5% of the homes in the city, which would be 200. The permits would be issued on a first-come, first-serve basis, with renewals guaranteed each year, if done on time. These permits were a right granted to a person, not a property, so they did not carry with the property as a zoning variance did.

As a way to mitigate impact on neighborhoods, the ordinance called for the designation of a local contact person. That person must be at least 21 years old, available at all times, and able to be on the property within one hour if requested by the City. They could be a licensed managing agent but did not have to be. Information on the local contact would be mailed to all residences within 500 feet of the property and also would be posted at the property.

This draft ordinance set some minimum standards for STRs, Cailloux continued. Parties or special events would not be permitted at an STR. Parking must be off the street on a paved surface, and garbage must be screened from view.

Only bedrooms could be used for sleeping, and bedrooms had to have a functioning egress window and a minimum of 70 square feet per person with an additional 50 square feet for each sleeper at a maximum of three people to a room.

The City noise ordinance and parking requirements had to be posted on site, along with the information about the contact person.

A criminal background check would be pulled on all property owners or agents of the LLC, and it could not show any felony convictions or nolo contendere pleas within the last five years or convictions or nolos for any crime of moral turpitude in that period. There should be no misdemeanor convictions or nolo pleas (except for traffic offenses) within the past two years.

There would be inspections from the Fire Marshal and a building inspection from Code Enforcement. Permit holders would have to sign an affidavit saying they would pay the local lodging tax. Cailloux noted that State law required listing platforms to do this, but this would be for independent renters.

The City also wanted a copy of the guest occupancy agreement, and this, too, was

required by State law. The State required information on who was staying there and for how long. Peachtree City would go further, and require the agreement include information on the noise ordinance, parking requirements, special events prohibition, and the potential for citations if not following the laws.

She listed what the Fire Marshal would be looking for during the inspection, saying this checklist had been discussed at all the Council workshops. There must be clearly visible fire extinguishers on each floor, and they must be inspected annually. Cailloux noted that these were national standards. Interconnected smoke alarms were required inside and outside each sleeping area. If propane or natural gas was used on site, there must be carbon monoxide detectors on each floor and outside each sleeping area.

Safe cooking procedures must be followed including no fire pits or grills on decks, and fire pits must be at least 25 feet from combustible materials. A hose must be available near the fire pit.

There had to be safe means of egress which meant stairs shouldn't be blocked and doors had to open with one operation. Each bedroom had to have at least one functional window. Safe electrical practices must be followed, including no use of extension cords for permanent wiring. Boxes, plates, and covers must be secure and fitted.

Code Enforcement's inspection would include checking for proper pool barriers and hot tub covers. The bedroom inspection was when they would verify the safe egress window and that there were no external locks on the doors. They would also establish the maximum number of overnight residents allowed.

Other items on Code Enforcement's inspection list include paved parking, concealed garbage containers, posted house numbers and items required by the STR ordinance. There would also be a look-around for structural and safety issues such as a loose hand railing at a staircase. These were items already listed in City code.

Originally, Cailloux continued, they had said everyone would have to get their permits renewed every January. However, Staff had voiced concern about getting all those inspections done at the same time, so they had changed the proposal to say that permits could be issued at any time of the year and would be good for 365 days.

The \$400 fee included the first Fire Marshal and Code Enforcement inspections, the mailing of notices to all residences within 500 feet, and the criminal background check. The annual renewal was also \$400 and included the inspections. There was a 30-day grace period for the annual renewal, and after those 30 days, a \$75 late fee would be applied.

The enforcement policy was “three strikes and you’re out” over a 12-month period. The offenses resulted in citations and \$1,000 fines, while the third violation also meant that the permit for that location was revoked for 24 months and the owner or local contact (whoever was found guilty) could not apply for another STR permit within 24 months.

While Council had held a lot of public discussions, Cailloux stated this was the beginning of the public hearing process, when citizens could voice their opinions. There were no time constraints like there were with a rezoning. The public hearing with City Council had been advertised for October 19, but the Planning Commission had time for consideration, she remarked.

They had received one email with five pages of comments, and Cailloux said she had prepared information on those comments. She asked Ritenour if he wanted to have public input first, and the Commissioners decided that would be best.

Ritenour opened the public hearing.

Mike Murtaugh said he was okay with an ordinance, but they needed to apply common sense. He had previously run an Airbnb and had a neighbor who had one now. Murtaugh said he felt many of these regulations were created with the infamous Smokerise party house in mind. That was no longer an issue. This ordinance, he said, by requiring notification of neighbors, gave STR owners fewer privacy rights than sex offenders.

He said the ordinance pitted neighbor against neighbor, as well. Anyone who wanted to know if a house was an STR could just contact the City. He had not heard any facts about Police calls to STRs and said City Council Member Phil Prebor was fearmongering about sex offenders at STRs when there was no evidence of that. Any safety issues would come out if they were registered under a major platform. He wanted the City to restart this process using facts.

Chris Anderson said he was concerned about violations of the Fourth Amendment rights concerning property, adding the soldiers who fought for freedom would not approve of this. He felt the people’s representatives should look out for their rights to use their property as they saw fit. Peachtree City’s principled people didn’t need these regulations, he remarked; they could govern themselves.

Another resident was concerned that the City had singled out one type of business for regulation and the levying of fines. She said the platforms had sufficient rules to prevent problems. Hotels did not have these restrictions. She wanted to sit down with Council and explain the regulations already imposed by the rental platforms.

Shawn Freeman wondered why auxiliary structures could not be used as STRs? Airbnb had a lot of regulations and would like to explain those to Council. Their guests were mainly family members of Peachtree City residents; the fearmongering

was unfair. He said he would be understanding of sensible regulations but did not feel these were reasonable.

Laurel Sorensen explained she and her family depended on Airbnb income to fund renovations to their home. She said no one was more concerned than she was about who was staying in her home because her children were upstairs. She had been able to quickly remove unsuitable guests with backing from Airbnb. Sorensen also recalled that someone on Council had referred to the \$1,000 fines as "chump change," and she said she wanted to assure them \$1,000 was a lot of money to her family. She wanted to know if a citation could be issued solely based on a complaint from a neighbor.

Donna Littleton said the people who stayed at her Airbnb were often in Peachtree City to visit family or go to medical appointments. She felt the notification of neighbors was an invitation for them to spy on the house and report anything, no matter how minor. She felt this ordinance was a violation of her private property rights.

Fayette County Board of Realtors President Angela Yoder explained that part of their organization's mission was to protect private property rights. There were still issues that needed to be addressed from the 2022 draft of this ordinance, she commented, noting that Georgia law supported the right of property owners to use their land for any lawful purpose, and this ordinance, by requiring a permit, would treat it as a privilege, not a right.

She said the ordinance violated a portion of Georgia Code that prevented rental properties from investigation and inspection without probable cause and also a section that forbade registration of any rental property for any reason.

The Board of Realtors felt the naming of a local contact person put that person in harm's way if responding to complaints about rowdy behavior.

They supported adopting an ordinance that applied to all residences in regard to noise and parking, not one that singled out STRs. She noted that the City did not appear to impose a background check on any other type of business licensee, except for pawn brokers. Landlords with long-term leases did not have to enter into a background check.

She said the property manager technically should hold a real estate license, and it appeared that the local contact person could be considered a licensee under the language of this draft ordinance.

The Board also had concerns about Fourth Amendment rights, she concluded.

Denise Anderson remarked that, in her experience, long-term renters caused more problems than guests at an STR. She thought they could depend on STR owners

to do as she did and keep a constant eye on how things were going. The fines were too high, she continued, and she would like to see a meeting with City officials and STR owners.

This ordinance was an overreach on the City's part, Chris Woolton commented, and an intrusion on property rights. He thought the permit fees and fines were excessive and suggested they be removed if the City was determined to regulate STRs. He also remarked that everyone with an STR currently should be grandfathered in and said many senior citizens who had second homes elsewhere wanted to maintain their Peachtree City homes as STRs. Woolton said he had no problems with three strikes you're out but asked the Commissioners to not make this burdensome on STR owners.

Mark Bronson said he was the person who sent the five-page email, and he supported what had been said previously. He noted that a notice of a citation could be mailed, but it might take five days to arrive, and you could be fined \$1,000 for every one of those days.

He also wondered why a permeable parking surface would not be permitted. Providing a guest's home address was not practical, as were many other requirements, such as the prohibition on providing packaged food, such as granola bars. He, too, requested that the process be restarted.

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

Kriz asked Cailloux if the \$400 permitting fee covered the costs of the inspections? and she said it did not cover all the costs incurred by the City. The fee for inspections was \$100 per hour. The cost of the mailings would vary depending on the property locations. The annual monitoring service was \$7,000 per year. There also was the cost for any calls for service to the property that might be incurred.

Did the monitoring service include the background checks? Kriz wondered, and Cailloux replied it did not. There was already a system in place, so they didn't have to get anything new. Each call for service would be about \$75. He clarified with her that the background checks would be for owners, not the renters.

Did they now have an idea of how many STRs there were in Peachtree City? Hamner asked. Cailloux said the monitoring companies had done a couple of complimentary scrubblings of the websites for her and came up with a figure of 96 for one and 94 at another time.

He mentioned the incident Cailloux had reported with the fire pit, and Cailloux noted that was not in Peachtree City, but in a nearby municipality. She said she was not aware of any safety issues that had occurred at Peachtree City's STRs. Hamner asked about crimes, and she said over the past year the number was zero or close to zero.

Reeves wondered if nearby jurisdictions had similar ordinances. Cailloux said she would not call them similar. The municipalities around them either required permits or Fire Marshal inspections. The city of South Fulton was considering an ordinance. There were others, but no immediate neighbors.

How did they decide on \$400 as the amount of the fee? Reeves asked. Cailloux replied that she took the cost of inspections and divided it by the number of STRs she thought they would get.

Reeves asked for more information on the Smokerise "party house." It was from late 2021 to early 2022, Cailloux related, when nearby residents expressed concerns to the City about disruptive behavior at the property. The City discovered this house was, at the time, owned by someone who didn't live in the country. It had been rented out, then the renters hired a management company to rent out the property for parties. Cailloux remarked that every room at that house had a bed in it. There were multiple Police calls and calls to Code Enforcement regarding garbage and so on. It took awhile to get in touch with the property owner.

Some of the commenters, Reeves observed, seemed to feel that house was the impetus for the development of this ordinance. Cailloux noted that she started in 2017, and one of her first tasks was to draft an STR ordinance, so this had been discussed at a Staff level since before she was hired.

Johnston said her questions had been answered. Ritenour asked Cailloux if they had looked at the other jurisdictions' ordinances when crafting this one? She said she looked at ordinances from all over the country. Some were clearly for destination/resort areas, but she also looked at what was happening in Roswell or in Sandy Springs. She wanted to get an idea of what tools were out there and what could work for Peachtree City.

Did the City have any jurisdiction over what Airbnb required? Ritenour asked. Georgia was a home rule state, Cailloux replied; the City's power emanated from the State, and the State gave every city power to regulate land use, including how residential structures could be used. They could require more than Airbnb, Cailloux reported, noting that she had owned an STR before she worked for the City.

Would the City know if a house was being used as an STR if there was no ordinance? Ritenour continued, and Cailloux said they would have no tools to determine that other than combing through the platform listings.

Reeves said she had not had enough time to review the email they had received that day, and Johnston agreed, saying they needed more time to research and review. Cailloux noted that Council had multiple opportunities to discuss this, and she went over the email in order to address issues with which the Planning Commission might not be as familiar. Ritenour said they would finish with their

comments, then see how they wanted to proceed.

Kriz thanked the citizens for their input. This had been in the sphere for some time, he noted, referring to the number of public Council workshops.

Kriz stated he supported an ordinance because zoning had a purpose; if too much was allowed, it was a slippery slope that could potentially change the nature of the neighborhoods. He said he lived down the street from an STR, and there had been issues. This was an issue that needed to be addressed before it became a problem. The fines were a little high, he added, proposing they be reduced to \$500.

Hamner said the question at the core of this was how much did you want your local government to tell you what you could or could not do with your property? He thought there were some things in the ordinance that were appropriate, such as asking the addresses of the STRs and if the owners were legal residents of the United States.

Overall, though, he believed the ordinance as currently written was a solution in search of a problem. He cited the notification of neighbors as an example of overreach. The fines for the violations were too high, and there would be a cost to the taxpayer. It was overkill, he concluded. He called for regulation in a way that respected the rights of the property owners while still serving the community. This draft was based on fear, not facts, Hamner went on. He urged those who were developing the ordinance to look at the way STRs were currently being operated in Peachtree City and make decisions that preserved the health and safety of all residents.

Ritenour said he saw both sides and understood the desire of the owners to make money with their property. Sometimes regulation was needed, but how much was too much? The City and residents needed to reach an agreeable outcome that allowed STRs but with some oversight.

More work needed to be done, he remarked, but he wasn't sure if that meant additional discussions. He needed more time, especially to go through the comments in the email from that afternoon. Did they want to go ahead and go through those items and Staff's responses? The other Commissioners agreed that would make sense. Hamner said it would be good to look at the details brought up in the email.

The draft said an STR permit was required in each location, and the email writer suggested changing "location" to "premises," which Cailloux said was fine.

He suggested the minimum age of the local contact be 18 instead of 21, and she said Council would need to discuss that because it was a policy decision. Kriz said he felt 18 was too young, but Hamner pointed out they were legally an adult. Cailloux said she would convey their comments to Council.

The email writer recommended the applicant provide a list of properties within 500 feet, but Cailloux said that would put an excessive burden on the applicant when the City had the tools to get that information. Of course, she continued, that didn't address the big question on whether they should keep the 500-foot notification.

It was just a notification of the opening of an STR, Kriz stated. Cailloux read the exact language, noting that it said the notification would provide information on how to lodge complaints with information on called the non-emergency Police number, Code Enforcement, and the local contact person, with an advisory to always call 911 in an emergency situation.

Kriz said he liked that. He thought people within a certain amount of space, which they could discuss, should be aware of how to contact the City with an issue. They were potentially changing the character of a neighborhood by allowing a business to operate there.

Ritenour asked how this differed from calling Code Enforcement about any other issues? Kriz said they could always call Code Enforcement, but this let them know specifically what to do about issues related to the STR.

Johnston said she didn't see the need for this if the owner was also living in the residence. Her family could come and stay in her basement, but she didn't need the whole neighborhood to know. She wasn't renting to her family, Kriz pointed out.

Hamner said he had a neighbor that had a home business, but it was not singled out? Kriz said they could regulate that, but in this case, they were trying to protect neighborhoods. Again, Hamner said this ordinance was based on fear, not fact. They had already heard there was zero crime and zero health and safety issues. He asked Kriz what was he basing this on?

Kriz replied that it was one thing to have your family visit and stay in your basement, but it was another thing to have a different family come and go every week. It changed the nature of the use of the property. Their job was to think about zoning and how this would change the use of the property and the nature of the neighborhood.

While some of these regulations might be too strict, Kriz thought others were valuable and would stop the slippery slope from occurring. He agreed that some fear might be coming into play, but he had seen issues in his own neighborhood. He asked the Commissioners to consider the notification as a way of letting neighbors know their neighborhood potentially was going to change.

Reeves asked if the list of STR permit holders would be available to the public? Cailloux said it would. They could add it to the permits they included now in the monthly report and post it online, and anyone could make an open records request.

It was public information.

The email writer was not a fan of the background check requirements, Cailloux remarked. He said he would be okay with other types of background checks, but Cailloux said she was not aware of any other types other than the system the City had in place through the Police Department. Staff's recommendation was to keep it as it was if background checks were required. In addition to pawn brokers, massage business workers had to undergo background checks.

Johnston asked about what if something came up on the check, and Cailloux said they could not get a permit if there was a felony within the last five years. The Police Department had a definition of moral turpitude. After running a background check, she explained, the Police notified them either "all clear" or "not clear, need to discuss."

Ritenour asked if the City Attorney had concerns about the requirement for background checks? and Cailloux said he had not expressed any.

Going back to the 500-foot notification, Johnston asked Cailloux if she found other jurisdictions that required that? Cailloux said there were some, but not many.

Concern about giving the Planning Director the authority to determine what State permits applied to running an STR was in the email. Someone had to decide what permits would be required, Cailloux remarked; she recommended keeping it at the Director level rather than City Manager or City Council. She added that some of the language included in ordinances was there to allow for unique situations. She couldn't think of a reason why additional permits might be required, but the language was there in case it was ever needed.

The writer wanted the requirement removed that the owner swear an affidavit that taxes were being paid, but Cailloux said Council required that, and she recommended keeping it. State law required it of major platform users. This was just for the very few who did not use a major platform. Also, questioned was the phrase "other information may be required for an application by the Planning Department," but Cailloux explained that was standard language on any permit application.

Several comments were concerned with the revocation process, she said, such as the statement that any violation could trigger a revocation hearing with the City Manager. Cailloux said that came straight from the legal team, and she would not recommend any changes. Another statement in the revocation section said a permit could be revoked if there was fraud, misrepresentation or a false statement made on the application. The writer wanted the word "intentional" added.

Hamner said he believed the writer was trying to clarify what a misrepresentation was, but Cailloux said they had no way of proving intent. Minor mistakes happened

all the time, and no one would be punished for those. This section was to be used if, in the City Manager's opinion, all other sections were not working. This language, again, was from the legal team.

The writer mentioned the five-day notice through the mail, recommending 20 days, which Cailloux and the Commissioners said was fine.

Another question in the email dealt with the statement that the permit holder must cease operation during the period before the revocation hearing. Staff's thinking was that if unsafe practices were taking place at the STR, they should not be permitted to continue. Staff recommended this provision stay, and Cailloux said this might be a policy decision for Council. Ritenour confirmed this was to protect guests, and Cailloux said it was.

The permits would be revoked for 24 months, and the writer believed there should be language added about "after all appeals were exhausted." Cailloux noted that if you won an appeal, it would be over, so this language seems unnecessary.

Garbage storage should be out of view on the street for all residences, not just STRs, the email continued, and Cailloux said that was a City Council matter and outside the scope of this review. None of the Commissioners expressed opposition to that.

The draft ordinance called for a guest registry that recorded more information than the platforms collected, including current addresses of guests and a vehicle license plate number. The writer recommended that only the primary guest's name be tracked. However, Cailloux said the Police Department said this additional information would be helpful if a criminal investigation ever happened. The owners of STRs were allowed to request additional information above what the platforms requested.

Staff recommended keeping this in the ordinance, but Hamner said he was bothered by requiring current addresses. He thought the license plate would be enough, and Cailloux agreed that if they had the license plate number, the Police could get other information.

The question had come up about allowing the sale or service of food, and the writer thought fruit and pre-packaged foods should be allowed. Serving or selling food changed the classification of the STR to a tourist accommodation, Cailloux noted, and would require a Health Department inspection, possibly putting an excessive burden on the STR owners. Staff recommended keeping the restriction.

Parking only on a paved surface was questioned, but Cailloux pointed out that "paved surface" was defined in the Zoning Ordinance to include gravel and permeable surfaces, so Staff recommended keeping it as written.

Another question in the email asked if failure of the owner or contact person to respond to a call at one property would jeopardize other properties served by that contact person? Cailloux said a violation applied only to the property associated with that violation, so this could stay as it was.

A citizen had asked about what constituted a complaint, and Cailloux explained they had to be triggered by three or more complaints by two different property owners within a six-month period. The email author suggested adding the word "validated" before "complaint," and Cailloux said that was a good clarification, but it would have to be approved by legal counsel, as would all changes they were suggesting.

What exactly was meant by "validated?" Johnston asked, and Cailloux replied that Code Enforcement got a lot of complaints and when they went out to investigate, discovered they were not valid. Did they want to say "validated by Code Enforcement?" Kriz wondered, and Cailloux said maybe call it a "substantiated complaint."

That ended the point-by-point recommendations they had received by email that afternoon. Cailloux said she had recorded the Commissioners' comments and wondered how they wanted to proceed.

Ritenour commented that he needed additional time, saying he especially wanted to know more about what other jurisdictions were doing. Cailloux told him she had a spreadsheet she would share with them.

Johnston agreed that they needed more time for review, and Reeves added that access to the research on other municipalities would be a great benefit. Hamner agreed.

Ritenour told the audience that the Commissioners realized this was important to the STR owners, their neighbors and the city as a whole. They wanted to make sure they took their time in order to make the right decisions and recommendations.

The public hearing had now officially been held, and Cailloux said she recommended they bring this back at the next meeting as a workshop item where they could still listen to public comments.

Reeves moved to continue PH 23-07 to the next Planning Commission meeting. Hamner seconded. Motion carried unanimously 5-0.

Old Agenda Items

NONE

New Agenda Items

1. 23-09-03 Updated Building Elevations, Royal Condominiums, 215 Northlake Drive

Jefferson Architecture was presenting some revised elevations for the Royal Condominiums for the Commission's review, Hooks reported. This was the Partners Pizza building and was zoned Limited Use Commercial-34 (LUC-34).

She said her understanding was that part of the reason for the revisions had to do with cost, but part was to address some concerns that the owner felt the community had with the style and appearance of the warehouse-style that was employed in the elevations that were originally approved.

She presented renderings comparing the new proposal to what was approved, saying the revisions resulted in a more pedestrian-friendly development with a traditional look using contemporary styling and materials. The overall massing of the building was divided with changes in materials and color that gave the appearance of separate buildings, with the different sections stepping in and out. The colors and materials changed with each section, and each section had a different window style.

There was a distinct base, middle, and top that reduced the bulk of the building, with the middle being set back from the ground floor. There was an outdoor space for the residential level on the second floor. The fact that the middle section was set back, Hooks remarked, helped define the ground level retail as the base. Each section of the retail floor had a unique storefront and canopy design, and the wide sidewalk allowed space for outdoor dining and gathering, making the space more user-friendly, she continued. Changes to the rear of the building included removal of the exterior elevator shaft and placing it on the interior of the building footprint.

Except for the garages and the roof level, which would be Hardie siding, the building would have at least 80% brick or stone on all sides. The color palette was soft and neutral with darker brick and metal accents.

Staff was of the opinion that the revised elevations for the mixed-use redevelopment at 215 Northlake Drive met the architectural requirements of the Land Development Ordinance and recommended approval.

Jefferson Brown of Jefferson Architecture said owner Jim Royal had to leave due to a previous engagement, but said Royal had concerns after hearing comments about the previous elevations and asked them to articulate the front and make the structure less "big box," and more inviting and warm. Brown showed material samples to the Commissioners.

Hamner asked about the relocation of the elevator shaft, and Brown explained how they wanted to reduce the massing of the garages, so they pushed the elevator shaft inside to the other side of the wall. Residents leaving their garages would walk into a five-foot vestibule, enter the elevator and go up to the first floor, second

floor, or roof.

Was the area in the middle a lobby? Johnston asked. Brown said it was a lobby on the lower level to the second floor, with the building's administrative office above that. She asked about the second floor outside areas, and Brown explained it had been restructured to provide more privacy to residents. She asked about another area, and Brown replied it was an exterior mezzanine for Partners Pizza. That concept hadn't changed from the original, he added, and the footprint and square footage were the same.

Johnston noted that the garage doors were solid, and Brown said they were a wood-look material. There was a space behind the gables to hide the mechanicals, which was a difference in this plan from the previous one. The peak of the roofs would create a parapet wall to hide the units. Johnston said she thought the doors might look better with some glass.

Reeves said it was always great when an applicant responded to their comments, and she thought the new look was an improvement. Kriz agreed, and Hamner noted this was the third version they had seen, and he believed it was the best.

Ritenour commended Royal for asking Brown to rework the design, saying there were so many other opportunities than the original warehouse-type design. This was a unique opportunity and the first of its kind in Peachtree City. He said he recalled telling Brown he wanted to see more, and they had done that with this design. He liked the color differences between the units and little things like different canopies and using the front wall as a shield for the residential units. He said it was a beautiful design.

Johnston added that she appreciated the wider sidewalks and the canopies in the new design.

Kriz moved to approve New Agenda item 23-09-03 Updated Building Elevations, Royal Condominiums, 215 Northlake Drive. Johnston seconded. Motion carried unanimously.

2. 23-09-04 Building Elevations, Caliburn Advisors, 1104 N Peachtree Parkway

This parcel was in Kedron Village, zoned General Commercial (GC). While it was adjacent to SR 74, Hooks said the building was not highly visible from the road due to the landscape buffer, especially in the summer, Hooks remarked.

The plan was to refresh and modernize the existing building, constructed as a bank in 1990, by painting the brick, renovating the entrances, and replacing the shingle roof with a metal roof. Both tenant entrances would gain prominence through a new roof line and the addition of stone to one of them.

Section 725 of the Land Development Ordinance (LDO) stated innovative, high-

quality design and development was strongly encouraged to enhance property values and long-term economic assets along designated corridors, such as SR 74. It continued, saying that diversity of architectural design was encouraged but buildings within the same development should create a cohesive visual relationship.

Currently, the building at this site was of a medium peach-colored brick, Hooks said, with an asphalt shingle roof and white trim. Its neighbors, Wendy's and World of Design, already had a modern appearance. Wendy's added corrugated metal panels and a signature red blade wall in 2016, and World of Beverage was built in 2018 with bronze corrugated metal and Nichiha wood-looking accent panels. The requested renovations would make this building more cohesive with its surroundings.

Section 728 of the LDO stated facade colors should be low reflectance, and subtle, neutral, or earth-tone colors. It also said natural brick should not be painted. Hooks said the proposed primary color for the paint here was Eider White by Sherwin-Williams. Eider White, she explained, had purple undertones, which made it appear darker and more gray than a bright white. Therefore, it had a lower reflectance.

The proposed stone veneer was a light color with a mix of hues ranging from lighter soft creams and golden umbers to light coffee and sienna rusts. Paired with dark bronze colored accents, the palette would be neutral.

While the proposal met the intent of the design standards to enhance the visual appearance of the community, as well as the commercial appeal of the individual establishment, and satisfied several of the "should" statements in the ordinance, Section 728 of the LDO stated natural brick "should" not be painted, therefore approval of agenda item 23-09-04 was at the discretion of the Planning Commission, Hooks concluded.

Property owner Steve Hale said his business was wealth management. He had lived in the county for 39 years, with an office in Tyrone for the last 20. His company bought this building in May 2022 and believed it was the most in need of updating of anything in the Kedron Shopping Center.

Johnston wondered why there were regulations regarding painting brick and using non-reflective surfaces. Cailloux replied that the ban on painted brick was an aesthetic decision made at the time the ordinance was drafted years ago. Real historical brick could be damaged by painting, but that was not the case with modern brick such as this. The stipulation about low reflectance was to reduce glare.

Would this be the only lighter-colored building in Kedron Village? Johnston asked. There was a sports medicine building that faced Georgian Park, Cailloux noted, with architect Jefferson Brown saying the palettes were very similar.

Had the Planning Commission historically approved projects with painted brick? Reeves inquired, and Cailloux recalled they had recently updated the design guidelines for SR 54 west, and painted brick was allowed.

Kriz and Hamner had no questions. Ritenour said they recently had seen three properties with this white palette, and another was coming up on the agenda. Was that a current trend?

Brown said they didn't know the others were in the queue when they created this design. Architecture should communicate something about what was being done at a building and the people who were using it. They wanted colors that would not be glaring, and they looked at the neighbors for cues to create a thread through them. The question was: How do you update a pink brick building without ripping off all the brick, thereby creating a question of sustainability? Brown said the solution seemed to be to keep the bones of the building, but modernize it and make it look clean.

Kriz said he lived in Kedron and thought this would be a great upgrade. Hamner, Johnston, and Reeves all said they liked it, but Ritenour noted that, while he liked the architectural upgrades, he was not a fan of painted brick. He noted he had dealt with it several times with homeowners associations (HOA) and noted that once brick was painted there was no going back.

Kriz moved to approve 23-09-04 Building Elevations, Caliburn Advisors, 1104 N Peachtree Parkway. Johnston seconded. Motion carried 4-1, with Hamner, Johnston, Kriz, and Reeves voting in favor; Ritenour voting against.

3. 23-09-05 Building Elevations, Westpark Walk Shopping Center, 200 Commerce Drive

The next set of elevations up for review were for Westpark Walk shopping center at the intersection of SR 54 and SR 74. Hooks pointed out that the section that contained Carrabba's was under separate management and not included in this presentation. The property was zoned GC.

She displayed photos of the original building, saying there had been very few updates since it was built in 1990. The most significant was the addition of the stair tower in 2013. At that time, a portion of the sign band was removed and replaced with metal louvers, and brick accents and metal support columns were added. EIFS panels were repainted, and the green metal roof was painted. In 2016, the roof was replaced with an asphalt shingle roof due to problems with leaks; in 2017, the Tuesday Morning facade was updated to add a pop-up area for signage.

The buildings had two brick colors: red-orange field brick with blonde accent brick. A light-colored EIFS sign band, a green metal railing for the second story, and a green stripe on the roof parapet completed the earlier building design.

The center had been sold, and the new owners were unaware of the City's architectural requirements, so, without approval, they painted the brick white with a dark gray accent color. Hooks presented photos of the original look and the newly-painted structure, noting that the painting was not complete, but they planned to paint everything, including light poles and railings.

Section 728 of the Land Development Ordinance stated that natural brick "should" not be painted. Therefore, approval was at the discretion of the Planning Commission, Hooks reported. Should the Planning Commission approve the building elevations, Staff recommended a condition be added to require painting the EIFS sign band a gray color similar to the roof color, with the color to be approved by Staff.

Taylor Brown of Bridger Properties said they purchased the property in January 2023. He apologized for beginning the renovations without approval, saying they were unaware of Peachtree City's requirements.

He went on to tell Ritenour that painting the buildings white had a direct impact on tenant sales because it seemed to be an inviting color that pulled customers in. That's why it was being used so much now.

Johnston asked what color the light poles would be painted? They would be dark gray, Brown replied. She asked the location of the band mentioned in the condition, and Hooks pointed out the correction that it would be the white strip along the top above the roof and not the strip where signage is located.

His company wanted to revitalize the center after the closing of Tuesday Morning, and Brown said he believed Carrabba's had also submitted a request for exterior updates.

Ritenour wondered if this was the only commercial property where they had done major renovations, and Brown said it was not, noting they were familiar with governmental permitting for signage, but not for exterior renovations.

Johnston said she was glad to see this center get brightened up and felt a lot of other places needed brightening up as well. She supported efforts to draw business, especially when they now had to compete with all the new commercial development along Fischer Road in Coweta County.

She said she wished it wasn't quite as bright, but she liked that it was offset with some grays. Brown said it seemed bright now, but it would mellow with age. He added that the businesses at the rear said they were already seeing an uptick in customers.

Hamner said he was glad to hear that it would tone down as it aged, and he

supported the Staff recommendation about the roof band. He, too, was glad of the refreshment in appearance.

Kriz, an attorney, noted that ignorance of the law was no excuse, but said he accepted Brown's apology. It was good to see reinvestment in the community, especially in highly-visible properties such as this. He liked the refresh and felt that Staff's recommendation was appropriate.

Ritenour again said he didn't like painted brick and would not have chosen extra-white if he did decide to paint brick. He noted that this was a high-traffic intersection and felt that pollution from vehicles might make it difficult to keep clean. He did agree that the top band should be painted a darker color to match the roof.

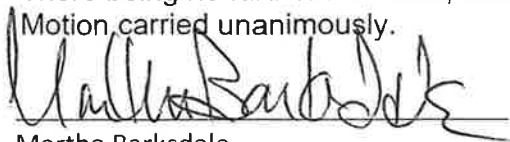
Johnston moved to approve New Agenda item 23-09-05, Building Elevations, Westpark Walk Shopping Center, 200 Commerce Drive with the condition that the EIFS sign band be painted a gray color similar to the roof color, with the color to be approved by Staff. Kriz seconded. Motion carried 4-1, with Hamner, Johnston, Kriz, and Reeves voting in favor; Ritenour voting against.

Workshop Items

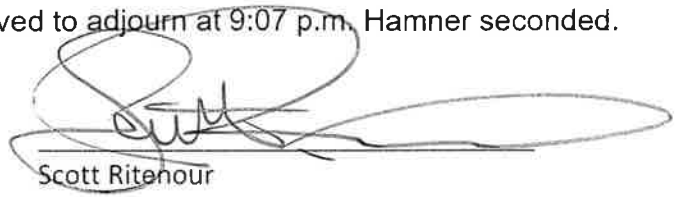
No workshop items.

At the October 9 meeting, Cailloux said there would be a workshop on the STR ordinance that was continued from this meeting. Also, the new alternate Planning Commission member would be joining them. Normally, when there was a new member, she did a Planning Commission 101 session as a refresh for both the new and returning members.

There being no further business, Kriz moved to adjourn at 9:07 p.m. Hamner seconded. Motion carried unanimously.



Martha Barksdale
Recording Secretary



Scott Ritenour
Vice Chariman