

City Council of Peachtree City
Meeting Minutes
Thursday, November 21, 2024
6:30 PM

Call to Order

The Mayor and Council of Peachtree City met in regular session on Thursday, November 21, 2024. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Laura Johnson, Suzanne Brown, Clinton Holland, and Frank Destadio.

Pledge of Allegiance and Moment of Silence

Announcements, Awards, Special Recognition

- A. 2024 Georgia Tree Council Outstanding Community Grand Award (Will be presented at the December 19th meeting)**

Presentation

A. Southern Crescent Habitat for Humanity

Cynthia Jenkins, CEO of Southern Crescent Habitat for Humanity, reported on the group's work in its coverage area of Fayette, Henry, and Clayton counties, especially the critical home repair program, which aided senior citizens and disabled persons to remain in their homes. Jenkins asked Council and citizens to contact the Habitat office if they or someone they knew might benefit from their housing programs.

B. Planning Commission Presentation

Planning Commission Chairman Scott Ritenour and Vice Chair Kenneth Hamner presented a request to Council for authorization to create a unified development ordinance (UDO), along with design guidelines for village centers. Ritenour said some of the City's zoning and land development ordinances had become outdated, lacked focus, contained contradictory language, and did not state consequences for developers who violated the rules, among other issues.

The first step, Hamner stated, would be creating a committee to develop a UDO. All Planning Commissioners had agreed to serve as this committee, and Hamner said they would need help from the City Manager, Planning Director, City Engineer, and staff. He also asked Council to allow them to hire experts as needed. The UDO committee might need two or three years to complete their work. Council could then review it and approve or adjust as needed.

He noted that some village centers had overlay districts, but Glenloch, Aberdeen, Braelinn, and Kedron did not. Destadio had been concerned that this would make all the villages have the same appearance, and Hamner assured him that was not the case. They would not delve into specifics, such as a particular type of lighting fixture, but instead set guidelines. Hamner explained that the UDO would provide

commonality, while the overlays would give each village its own unique identity and provide consequences for rogue developers.

Hamner said he wanted to be clear that they would be restructuring ordinances, not creating or developing them. They would avoid “cookie cutter” recommendations and provide leeway for variations. The Planning Commission hoped the cleaned-up UDO and overlays would support the Comprehensive Plan, be clear and objective, support economic growth, and support the community to flourish in respect to the things that made it unique.

They were seeking organization through the UDO, with consistent definitions in one place and graphics and tables to communicate ideas. He said the committee would need to hire a consultant, and there was money in the Capital Improvement Program (CIP) fund that was unused. Hamner also said there would be opportunities for public input, and Council would be updated regularly on the process.

Learnard thanked them and said many Georgia cities were working on their UDOs now. She told them Council was there to provide resources to expedite the process.

Public Comment

Destadio moved to extend the total public comment time to one hour to allow three minutes each to the 20 people who signed up to speak. Johnson seconded. Motion carried 3-2, with Destadio, Johnson, and Learnard voting in favor, and Brown and Holland voting against.

Donald Myers told Council he was against the reopening of Crabapple Lane, remarking that while some people said it was just an issue involving a few homes, traffic on Loring Lane affected all 200 homes in Kedron Hills.

Todd Weinreb suggested that volunteers install an electric gate for Lily Huelfer, the young woman who used the road to get to work, while an alternate path was being constructed.

Ned Colegrove said his family enjoyed walking safely to the playground in Kedron Hills now that the road was closed. He asked why path access should come at the expense of his neighborhood’s safety? He pointed out that if people wanted to use golf carts, they should have moved to Peachtree City.

Blake Hayes said the road should be opened in the spirit of neighborliness with the people of Tyrone.

The road should remain closed, stated Joan Brennan, who pointed out that growth in Tyrone could mean an additional 400 carts streaming into Peachtree City.

Anne Monaldo thanked the City for its Veterans Day celebration. She then said she would like to see an invocation as part of the Council's meetings.

Shane Deverell said Crabapple Lane should be open and recalled an earlier circumstance regarding a former Council Member and a blocked cart path.

Nicoli Leroo said he grew up in Fayette County and had driven to many areas on a golf cart. He thought it was a good thing for the community to have widespread access.

Hayley Eyre said only Destadio and the Mayor had answered her emails about Crabapple Lane. She urged Council to rethink their decision and restore their relationship with the County Commission in order to obtain funding for transportation projects.

Steven Humes also mentioned the severed relationship with the County and asked Council to commission a traffic study and use that data to decide if Crabapple Lane should be closed.

Khalid Martaza said he had lived his entire life in Peachtree City and hoped Council would give Tyrone residents access again. He wondered why this was the only access point that was closed.

Lauren Toering said she also had a child with disabilities and giving her an independent life was her goal. She felt that closing this path denied Lily Huelfer a chance at more independence.

Nikeia Mitchell said she lived in Fayette County, but admired Peachtree City's sense of community. She felt the closure was not based on safety concerns, and there had been no explanation of why it remained closed. She was concerned about the reputation of the community.

Jill Gardner-Clark said Lily Huelfer was a productive citizen and needed this path to get to work.

Amoy Ward said she had often used her golf cart to visit friends in Tyrone and noted that cart owners from outside Peachtree City paid a significantly higher registration fee in order to drive on Peachtree City's paths.

Susan Witmer also mentioned the goal of enabling Ms. Huelfer to get to her job. She said it was the kindest thing Council could do.

Ronda Mitchell-Wise, a Henry County resident, said she was appalled to discover the disregard for all the people who relied on access to Peachtree City via Crabapple Lane. She mentioned that people on the south side of Peachtree City did not have to open a locked gate to gain access.

Chrazlyn Yu stated that Council was demonstrating hate and exclusivity by not allowing access from Tyrone.

Jeff Angelo read a quote from the Mayor that said the consequences of this action had cost all the citizens of Peachtree City. He reflected on the lack of communication on this issue from Council and said they needed to be more solution-oriented. This issue was not going away, he pledged.

Briana Karetis remarked that the proposed minimum lot size for keeping backyard chickens was too small and asked Council to reconsider.

Agenda Changes

Minutes

Destadio moved to approve the October 17, 2024, City Council meeting minutes, the October 17, 2024 executive session minutes, and the November 7, 2024 City Council work session minutes. Holland seconded. Motion carried unanimously.

- A. October 17, 2024 City Council Meeting Minutes**
APPROVED 5-0
- B. October 17, 2024 Executive Session Minutes**
APPROVED 5-0
- C. November 7, 2024 City Council Work Session Minutes**
APPROVED 5-0

Consent Agenda

Holland moved to approve Consent Agenda items A-J. Brown seconded. Motion carried unanimously.

- A. Ordinance #1230- Boards, Commissions, and Authorities Alternate Voting**
APPROVED 5-0
- B. Surplus and Disposal of Decommissioned Vehicles**
APPROVED 5-0
- C. Capital Improvement Vehicle Purchases**
APPROVED 5-0
- D. Purchase Replacement Skid Steer Track Loader for Public Works**
APPROVED 5-0
- E. Extension of Mechanical Services Agreement**
APPROVED 5-0
- F. Budget Amendment FY2024 - LMIG**
APPROVED 5-0

G. Budget Amendments FY2024 and FY2025

APPROVED 5-0

H. Budget Amendment FY2025 - ARPA

APPROVED 5-0

I. Budget Amendment FY2025 - Keep Peachtree City Beautiful Fund

APPROVED 5-0

J. Wicker Hill Land Lease Agreement

APPROVED 5-0

Old Agenda Items

None

New Agenda Items

A. 11-24-02 Resolution #11072024-DI-C Senior Property Tax Exemption

City Manager Justin Strickland, noting that Council had hashed out many details during the last work session, stated that the City had had a senior homestead exemption for about 20 years, but the parameters had not been updated in that time. At the work session, Council decided to up the income threshold from \$30,000 to \$60,000 and discussed raising the value of the exemption from \$5,000 to \$15,000 or maybe up to \$30,000.

Currently, around 1,000 people qualified for this exemption, but raising the income cap to \$60,000 would up the number to 2,000. The tax savings would go from about \$30 to almost \$90. The cost to the City was about \$2,500 at the current level, and if everyone eligible applied, it would be about \$35,000. The cost to the City would be about \$352,000 with 100% participation. Strickland also included a table with other scenarios, but said the resolution was created using \$30,000 as the exemption amount and \$60,000 as the income cap.

Destadio moved to approve New Agenda item 11-24-02, Resolution #11072024-DI-C Senior Property Tax Exemption. Johnson seconded. Then that motion and second were withdrawn, and City Attorney Ted Meeker said the motion should be to adopt the resolution as presented in the Council packet. Holland made that motion; Johnson seconded.

Brown said she wanted to provide a meaningful benefit to seniors at the lower end of the income scale. She noted they would probably never see 100% participation, so looking at the total cost to the City was probably not an accurate representation. She thought they would have higher participation if the savings to taxpayers were increased. She proposed changing the numbers so that taxpayers with the exemption saw \$240 in savings, which would result in approximately \$470,000 in lost revenue. The only way around that drop in revenue was to go to a lower income level. She wanted to know the thoughts of the other Council members on

changing the numbers.

Learnard noted they discussed this thoroughly at the last Council meeting. What they were proposing in this resolution was a 500% increase over what they had now, she remarked.

Brown again said she was concerned about seniors at the lowest income levels and noted that the \$179 was only if they had a house valued at \$500,000, so many seniors were not saving even that. She wanted to provide a bigger reduction in the assessment to help those people.

Strickland said this resolution, as written, would reduce the municipal tax bill by about 20%. If changed to \$60,000 and \$40,000, it would be 25%, and the cost to the City would jump.

Changing the numbers around was like walking a tightrope, Johnson remarked, and she was happy with what they decided on at the work session. She felt this was an amount that could carry them into the future. Destadio agreed.

Holland said he would like to see the income cap raised to \$70,000, with the exemption staying at \$30,000. That would capture about 900 more people. He noted that it might be many years before this exemption was revised again, and this would help many people at the lowest end of the income spectrum.

The Mayor called the vote, and the motion carried 3-2, with Destadio, Johnson, and Learnard voting in favor, and Brown and Holland voting against.

B. 11-24-03 Ordinance #1231 Recreation Advisory Group

The Recreation Advisory Group was in the ordinance but had not been established for many years, and they were looking at reviving it, Strickland related. The group would be composed of seven residents with staggered three-year terms.

Johnson moved to approve New Agenda item 11-24-03 Ordinance #1231 Recreation Advisory Group. Destadio seconded.

Destadio asked about the selection process. Strickland said they would have to do a special process now, but as it was established, they could get on the same schedule as the City's other groups, commissions, and authorities.

Motion carried unanimously.

The Mayor said she was excited by this and said there would be a communications campaign to get the word out to potential applicants.

C. 11-24-04 Consider request to consent to withdrawal of application for rezoning for a portion of 201 Aberdeen Parkway

This item was withdrawn by the applicant, but the zoning ordinance typically would

require them to wait six months before they could reapply. Meeker said the applicant was asking Council to waive that provision so they did not have to wait six months to file another application for rezoning. The motion, he stated, would be to waive the six-month waiting period to reapply.

Destadio asked attorney Rick Lindsey, who represented the applicant, what time period they were looking at. Lindsey said they needed time to refine the plan and correct misinformation that had gotten out into the public. They would bring it back when appropriate, he said, which might be three months or it might be after six months.

Learnard said the motion had been stated by Meeker, and Destadio said so moved. Johnson seconded. Johnson asked if the process with the Planning Commission would start all over again, and Meeker said it would. Brown said she was not inclined to grant a waiver of the normal timeframe. Motion carried 3-2, with Destadio, Johnson, and Learnard in favor, and Brown and Holland opposed.

D. 11-24-05 Resolution #11212024-NA-10 Resolution of Support in an Amicus Brief

Meeker said there was a \$30 million judgement against the city of Milton that had been appealed and upheld in what he called a “curious decision.” Milton was asking other cities for resolutions of support for another appeal.

Holland moved to adopt New Agenda item 11-24-05 for a resolution of support in an amicus brief. Destadio seconded. Motion carried unanimously.

Public Hearings

A. 11-24-06 Zoning text amendment to allow back-yard chickens as an accessory use in certain residential zoning districts

Senior Planner Lora Hooks explained that at Council’s request, staff drafted an ordinance to allow backyard chickens in certain residential zoning districts. The Planning Commission held a public hearing on October 14, where they recommended the ordinance not be adopted, but if Council did choose to adopt it, they recommended chickens be permitted only on lots of 43,000 square feet or greater with a permitting process.

She went over the basics of the ordinance, which defined chicken as the female *Gallus gallus domesticus*, thereby prohibiting roosters, ducks, geese, turkeys, peafowl, guineas, quails, and pheasants. The draft ordinance required the chickens to be fully enclosed at all times and set the minimum coop area requirement at four square feet per chicken and the minimum run area at 10 square feet per chicken. Chickens could be kept in the rear yards only, and the minimum distance setback for a coop was set at 20 feet from property lines. The number of chickens allowed was based on the lot size.

Council requested some modifications during the November 7 work session. They wanted to bring the minimum lot size down to 10,000 square feet, remove the requirement for a permit, and add language prohibiting chickens in a multi-family residential district and these modifications had been made. They also added language that banned the selling of eggs or chicken meat, as well as language that said this ordinance would supersede any other ordinance regarding chickens.

The Mayor opened the public hearing, asking first for those who supported the ordinance.

Terri Thompson said she was in favor of allowing chickens. Her family had many allergies and already had a couple of chickens for egg production. She would like to have more, she said, adding that chickens were not loud and were good pets.

Kathryn Hynson said she kept chickens on her five acres and found had many benefits, such as eating harmful insects and providing fertilizer. She also wanted ducks to be allowed and allow more birds per lot size.

Brianna Karettis again urged Council to allow chickens on lots smaller than 10,000 square feet so she would be allowed to have some.

No one else wished to speak in favor, and Learnard asked who wanted to speak in opposition.

John Dufresne asserted the ordinance should not be adopted because a chicken coop was not an incidental or subordinate structure to a single-family home. He predicted this would cause conflict among neighbors.

A resident of Braelinn Green said she believed having chickens on smaller lots would negatively impact the quality of life for those neighborhoods.

Keith Larson expressed concerns that chickens would wander into neighboring yards. He also noted that ducks required water features, which attracted frogs, and frogs attracted copperhead snakes.

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

Destadio asked Thompson how big her lot was, and she said it was about half an acre.

Brown said she reached out to the County Extension Office, and they told her they would be glad to work with chicken owners and mentioned the 4-H chicken club. Brown also said she did not see why they could not allow one or two chickens on smaller lots.

Learnard said she had been surprised by the phone calls and emails that showed

the public support and opposition to this was about equal. She originally supported the idea of chickens, even on small lots, but now she felt they should follow the recommendation of the Planning Commission and make a half acre the minimum lot size, even though that was not what Council decided on at the work session.

Holland said he felt that was a good compromise, and Destadio agreed.

Brown did not agree. She said she could go along with what staff proposed originally but would like to allow people with smaller lots to have chickens. She said an acre or half-acre was a ridiculous size.

Johnson said the amount of emails she had gotten in opposition had changed her opinion, as well. She noted that the Planning Commission's recommendation on lot size was a unanimous vote, and she was fine with that. She asked Meeker if they needed to ask staff to re-write the ordinance to reflect the changes.

He said they did not. They needed to change paragraph D from 10,000 square feet to 22,000 square feet and eliminate the first three paragraphs under E. Holland suggested the 22,000 square feet be rounded down to 20,000 square feet, and Learnard said that was fine.

Meeker said the motion would be to approve the ordinance as presented with the following changes:

- Subparagraph D, the minimum lot size shall be increased to 20,000 sq. feet from 10,000 sq feet
- Subparagraph E, eliminate items 1-3, item 4 would read lot size from 20,000 sq feet to 42,999 sq feet, up to eight (8) chickens

So moved, Destadio said. Johnson seconded. Motion carried unanimously.

B. 11-24-07 Special Use Permit request for 400 Crosstown Drive

Hooks explained that a special use permit was an additional permission given to a property; the underlying zoning code would not change. The applicant was asking to divide this property into two tenant spaces. The big box ordinance required a special use permit because the property was more than 32,000 square feet and had been vacant for more than two years.

She stated that the location was the old Kmart building in the Braelinn Shopping Center on Crosstown Drive off Peachtree Parkway and was zoned General Commercial (GC). About 40,000 square feet would be for Ace Pickleball, with the other 47,000 square feet earmarked for retail use in the future.

The review criteria were different for a special use permit versus a rezoning:

1. Compatibility of the proposed use and location with policies established in the

comprehensive plan.

2. Compatibility of the proposed use with the character of adjacent properties and the surrounding neighborhoods and with existing and proposed development.
3. Availability of, or ability to provide, adequate utilities, drainage, parking and loading space, lighting, screening, landscaping and open space.
4. Provision of safe and convenient vehicular, pedestrian, bicycle, and alternate modes of transportation.
5. Compatibility of the proposed use with the intent and function of the GC zoning district.
6. Compliance with the applicable performance standards and requirements as set forth in the City's land development ordinance.

Hooks said staff was of the opinion that this proposal met these criteria. The applicant had provided a traffic study that showed the future buildout of this project would not change the intersections to the extent that they would fail. She reported that the Planning Commission held a public hearing at its October 28 meeting and voted unanimously to recommend approval.

A representative of Kimco Realty noted that the Kmart building had been vacant for several years, and this seemed like a good plan for that space. The traffic engineer from Kimley-Horne & Associates then went over the impact of this project to the city, noting that tax revenue would certainly increase. There would be no impact to City services, such as utilities or Public Safety. She noted that if this were turned into regular retail use, it would generate about five times the traffic.

A member of the Ace Pickleball corporate team gave some background on the company, and the local franchisee talked about the growth of pickleball as a sport. They showed photos of the Ace Pickleball facility in Roswell to give an idea of how this space would be finished out in Peachtree City.

The Mayor opened the public hearing, asking first for people who were in favor.

Jay Wilson said he was glad to see something coming to this space, and he thought an indoor pickleball facility would go over well.

Keith Larson also said he was glad to see this space being occupied and hoped they would install bike racks and indicated golf cart parking.

Ralph Hail said it would be a positive thing for the community.

The Mayor then asked if anyone wanted to speak in opposition.

Blake Hayes said he was not against this proposal, but had concerns about the parking lot being safe for pedestrians. He wanted a condition of this permit to be that they comply with all Federal and State traffic laws. He mentioned in particular the existing signs that said "yield to pedestrians," noting that State law did not allow

them. He mentioned another area that had stop signs at three driveways, and none at the other.

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

Holland said he thought this was a great opportunity and was glad to see this space being filled. He thought some of the issues being brought up, such as traffic, should go before the Planning Commission.

Destadio said he was glad to see this coming here, but also thought the Planning Commission should be involved.

This had already gone before the Planning Commission, Learnard noted. She asked when it would open, how many courts there would be, would there be concessions and food, and was the ceiling height an issue?

They were aiming to be open by this time next year or in the first quarter of 2026, the developers replied. There would be 14 courts and, as for food, there would be a cooler and packaged items. The ceiling height would be fine, they said.

Learnard asked Meeker if they needed to go back to the Planning Commission regarding the traffic issues and the law. Meeker said they were not changing the site plan, just asking for a building alteration permit. The Kimco rep said they would be happy to coordinate any of the suggested improvements with the City.

Brown said she hoped they would fix the stop sign issue, but did not feel the City should be involved with private property.

Holland moved to approve Public Hearing item 11-24-07, Special Use Permit request for 400 Crosstown Drive. Johnson seconded. Motion carried unanimously.

C. 11-24-08 Variance request for 516 Pine Circle

This property was in one of the older neighborhoods where most of the homes were built in the late 1960s-early 1970s. It was zoned for residential at R-22. A previous owner demolished the original house in 2019 and built a new one using the same footprint, but two stories. The lot had an unusual shape due to an old cemetery about four feet from the rear property line in a city-owned greenbelt, Hooks explained.

The homeowners were requesting the variances in order to add an outdoor entertainment area that included an in-ground pool with a pool deck area containing a hot tub and uncovered and covered patio areas. To do this, they needed a 10-foot encroachment of the pool deck into the 15-foot side setback and a 24.8-foot encroachment of the covered patio into the 30-foot rear setback. The applicants had provided letters of support from neighbors.

Hooks went over the criteria for a variance stated in the Zoning Ordinance:

- a.) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography;
- (b.) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships or would deprive the Applicant of privileges granted to others in similar circumstances;
- (c.) There were exceptional or extraordinary circumstances or conditions applicable to the property which precluded the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district;
- (d.) The granting of the variance would not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;
- (e.) The granting of the variance would not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; (f.) The granting of the variance would not create inconsistencies with any objective of the Comprehensive Plan.

The applicants, Bernadette and Tony Giglio, were present. Ms. Giglio said they wanted to improve the enjoyment of their home with this project. She noted that all of the neighbors supported this.

The Mayor opened the public hearing, asking for speakers in favor of the project.

Gordon Hoye said no one would be harmed if this variance was granted. It would increase property values, and the neighbors supported it.

Dar Thompson agreed, saying the uniquely shaped lot qualified this for a variance. He said what they proposed was optically a side setback encroachment, and the city greenbelt gave them an additional 20 feet.

Keith Larson was okay with this variance but was concerned about the historical graves possibly being harmed and suggested adding a condition requiring a fence or warning signs to prevent construction equipment from crushing the gravesite.

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

Learnard said her original thought was to oppose this, but the evidence presented in the public hearing changed her mind. The neighbors were in support and improving the property would improve the neighborhood. She thought the Giglios had no other options. However, she said it would be prudent to require protections around the graves.

Destadio remarked that he was usually not in favor of variances but could make exceptions for the odd-sized lots where the side and rear setbacks merged together. He said this was more of a rear setback.

Brown disagreed with granting the variances, saying what was requested were major encroachments. She said the City should protect these gravesites. She also mentioned that the prior owner scaled the new house to fill all the buildable space on the lot, but that did not give the Giglios the right to encroach into the setbacks in such a major way.

Johnson said she had mixed feelings. Variances existed for a reason, and she asked for a minute to read through the criteria.

Holland noted that he used to be against all variances but had realized that sometimes they had to break the rules in order to make Peachtree City a better place.

Johnson said she agreed this was a suitable variance.

Holland moved to approve the variance request for 516 Pine Circle. Destadio seconded. Motion carried 4-1, with Destadio, Holland, Johnson, and Learnard voting in favor, Brown in opposition.

Hooks commented that she had forgotten to mention the recommended conditions, and Meeker said they would need a new motion to include those. Holland withdrew his motion and made a motion for reconsideration. Destadio seconded. Motion carried unanimously.

Holland moved to approve the variance request for 516 Pine Circle with the recommendations from staff. Destadio seconded. Motion carried 4-1, with Destadio, Holland, Johnson, and Learnard voting in favor, Brown in opposition.

D. ~~11-24-09 Rezoning request for a portion of 201 Aberdeen Parkway from GC to GR (Withdrawn by applicant)~~

Council/Staff Topics

Strickland introduced new Assistant Public Works Director DeMarcus Hunter and new Assistant City Manager Christopher Hobby.

Holland said American Legion Post 50 was collecting donations and needed volunteers for the Wreaths Across America project.

Brown said if they were going to do anything about the deer overpopulation, it needed to be done soon. She also mentioned that the Fayette Woman's Club was doing Wreaths Across America at Camp Memorial Cemetery in Fayetteville and also needed donations. The ceremony would be December 14 at noon.

Executive Session

Holland moved to adjourn to executive session at 9:48 p.m. to discuss real estate and

pending or threatened litigation. Destadio seconded. Motion carried unanimously.

Adjourn

Holland moved to reconvene in regular session at 10:15 p.m. brown seconded. Motion carried unanimously.

There being no further business, Brown moved to adjourn the meeting. Holland seconded. Motion carried unanimously.

The meeting adjourned at 10:16 p.m.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor