

CITY COUNCIL OF PEACHTREE CITY

Minutes of Meeting

October 17, 1996

7:00 p. m.

The City Council of Peachtree City met in regular session on Thursday, October 17, 1996, at 7:00 p. m. in the City Hall Council Chambers.

Mayor Lenox led those in attendance in the pledge of allegiance. Present were: Councilmembers Annie McMenamin, Caroline Price, Bob Brooks, and Jim Pace.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor presented Proclamation to the Key Club International.

Mayor presented Employee of the Month Award to John Anderegg.

Mayor presented CAFR award to the Finance Department.

ADDITIONAL AGENDA ITEMS

There were no additional agenda items.

MINUTES

McMenamin made a motion to approve the October 3, 1996 minutes as presented. Pace seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

**10-96-03 Application for Alcohol Beverage License - Kroger - Hwy 74/Peachtree
Parkway**

Basinger addressed Council and stated that Mr. Brent C. Scott had applied for an Alcohol Beverage License to sell beer and wine at the Kroger Store located at 1101 Peachtree Parkway North in the new Kedron Shopping Center. Mr. Scott requested that he be appointed the Licensee and Mr. Lloyd Eugene Edens, Jr. be appointed as the License Representative. Further, the application appeared to be complete and in order.

McMenamin made a motion to approve the Alcohol Beverage License for the Kroger Store in the Kedron Shopping Center and to appoint Mr. Brent C. Scott as the Licensee and Mr. Lloyd Eugene Edens, Jr. as the License Representative. Brooks seconded the motion. Motion carried unanimously.

10-96-04 Public Hearing - Proposed Rezoning - Peachtree Villas

Lenox reviewed the rules for a public hearing which allowed each side an equal opportunity and established time limits of 15 minutes per side. During the hearing, members of the City Council would become hearers and no action would be required until the hearing was declared completed. The applicant and those who supported the issue, including city staff as appropriate, would be heard first. Those who opposed the issue, including city staff as appropriate, would be heard second. Prior to closing the public input portion of the meeting, Council and any member of the public, would be given the opportunity to ask questions of either side. When Council was assured the input was complete, the public hearing would be ended and Council would then debate the issue in accordance with "Roberts Rules of Order" and render a decision. The public hearing was called to order and Basinger was requested to keep time.

Ms. Pam Pleuss, area director for Lamar Management, addressed Council and said she was there on behalf of Lamar Seals of Lamar Management who owned and managed Peachtree Villas in Peachtree City and explained the reason they were asking for a rezoning was so that Lamar Management could continue to assist the elderly in Peachtree City and Fayette County. Currently, Peachtree Villas had 60 one-bedroom apartments designed strictly for the elderly, handicapped and disabled. Pleuss stated their desire was to build a 15-bed, congregate care facility on this site with a common living/kitchen area. She said the average age just at Peachtree Villas was currently 80 years of age and this facility would provide some independence and dignity for the elderly instead of having them go directly from their own homes into a nursing home and that they would have 24-hour supervision.

Jim Williams, Director of Developmental Services, addressed Council and stated that the owner desired to build 15 additional units to go along with his existing 60 units, for a total of 75 units. Williams said further this was only a few more units than was permitted by the current zoning and that the Planning Commission had recommended approval of the rezoning with certain conditions and staff agreed with the recommendation with the following conditions:

- The development of the entire tract should be limited to no more than 75 units, with 15 of those units to be in a single assisted care building.
- The site should be developed in such a way that a 50-foot (minimum) undisturbed buffer is preserved adjacent to the existing homes on Willow Road, that an undisturbed

buffer of at least 50 feet is preserved along Willow Road, and that an undisturbed buffer of at least 60 feet is preserved along GA74.

- A 50-foot watershed protection buffer should be preserved along the drainage way that runs from the west to the east through the tract.
- The developer should contribute the land (0.2 acre) needed for the intersection improvement project at no cost to the taxpayers.

Vivian Conduff addressed Council on behalf of the Peachtree City Concerned Citizens Committee and Twiggs Corner and stated their concerns were regarding the density problem and felt that rezoning .825 acres would not allow a building with 60 foot buffers. Conduff also said she thought a pumping station was being used to pump sewerage and felt this should be a consideration as well.

City Attorney Rick Lindsey asked Ms. Pleuss for the record, if the applicant had agreed to the conditions staff recommended, which were contingent upon Council approving the rezoning. Ms. Pleuss advised that Mr. Seals had agreed to the conditions stated previously.

Lenox said it was important to note that under Condition # 1, although the entire tract was being rezoned, it was really a mechanism for permitting a given density level and Condition # 1 also indicated that at no time in the future could any more units be put there than presently existed. Lenox pointed out this slight change in the category from GR10 to GR12 would not have any untoward impact on the area around the site.

Lenox called the public hearing to a close.

McMenamin asked that staff be cognizant of the pump station, whether it was sewer or septic, and make certain it was not going to contaminate or damage the existing property. Basinger explained it was not uncommon to have pump stations where there was no gravity flow throughout the city.

Price made a motion to approve the rezoning of the Peachtree Villa property to GR12 with the conditions stated previously. Pace seconded the motion. Motion carried unanimously.

10-96-05 Variance Request - Beall - SW Corner GA54 West & Huddleston Road

Sheila Aitken with Aitken Real Estate addressed Council on behalf of the Beall family and stated that the building located on the Beall property, which was on the corner of Huddleston Road and Highway 54, was vacant at present but had been used as a cafeteria-style restaurant for years with a septic tank. Further, due to a recent survey, it was discovered the property was just a little under an acre and the Beall family proposed to

dedicate 50 feet to the city for future right-of-way in return for approval of the variance in order to sell the property with a septic tank.

Williams addressed Council and stated that the cafeteria property was currently non-conforming in that it was less than one acre. Williams said his department had some significant discussions with the Health Department about the septic situation and the sanitarians had advised they did not think there was any reason why the septic system could not be fixed through a number of different alternatives. Williams said once staff had been assured of that, he felt comfortable in recommending this variance be granted and asked that the variance be granted for a total of 0.145 acres as requested, provided the 50-foot wide strip along GA54 West was donated to the city and that a properly designed and permitted new septic system was installed, inspected and approved by the Health Department, or, as an alternative, that the property was connected to a public sewer system prior to the re-establishment of any use on the property. It was felt that the redevelopment of the property with a proper sewage disposal system and in accordance with all other appropriate development codes and ordinances would be in the best interest of the city.

Having no one who wished to speak in opposition to the variance, Lenox called the public hearing to a close.

Lenox made a motion to approve the variance of 0.145 acres relative to Section 902 of the Land Development Ordinance and Section 20-2 of the Utilities and Services Ordinance with the provision that the 50-foot strip along Georgia Highway 54 West was donated to the city and that before any redevelopment took place, a properly designed and permitted new septic system be installed, inspected and approved by the Health Department, or, as an alternative, that the property be connected to a public sewer system. Price seconded the motion. Motion carried unanimously.

10-96-06 Variance Request - Rosenbach - 120 Kenton Place

Lenox explained Council would follow the same procedures for a public hearing as before.

Mr. Bernie Rosenbach addressed Council and stated his desire to construct a sunroom addition on the rear of his existing home and was asking for a variance of 2.5 feet. Rosenbach said the nearest house behind his home was about 200 to 250 feet and provided Council with a letter from Ms. Susan Cerak stating she was not in opposition to the variance.

Several of Mr. Rosenbach's neighbors came forward to speak in favor of the proposed variance.

Williams said staff recommended approval because a minor encroachment of only 2.5 feet would not adversely affect any nearby property owners.

Having no one who wished to speak in opposition to the proposed variance, Lenox called the public hearing to a close.

Brooks made a motion to grant the variance of 2.5 feet. McMenamin seconded the motion. Motion carried unanimously.

10-96-07 Update Speed Zone Ordinance - State Radar Permit

Basinger addressed Council and stated there was a revised ordinance which had been approved by the State DOT and it included all existing streets plus any new streets located in new subdivisions since the ordinance was last approved. Basinger said further that State Law did require Council's approval each time it was revised. Additionally, there was one change other than adding new streets; the speed limit was being reduced from 45 to 35 mph on the north Parkway from Stonington Drive to Highway 74. This was due to the new subdivision and shopping center that was going into that area. Staff recommended Council's approval of the Speed Zone Ordinance.

Lenox questioned whether or not Kedron Drive's speed limit was five miles per hour too low.

Chief Murray addressed Council and explained the procedure for assigning speed limits as follows:

- A survey is taken based on the speed limit driven by 85% of the people who drive on a given street. This requires an engineering study.
 - Radar is controlled by the State - permits, licensing of the operators, personnel who run it, and certification of the radar units being used. The requests for permits are sent to the State indicating distances and the ability to see on the street when you run radar.
 - The State then comes out to survey the streets to make sure Peachtree City's figures agree with the State's figures.
 - A 30 mph speed limit must be set, at the minimum, to be able to run radar in this state except for school zones.
 - The surveys taken on Kedron Drive have resulted in the 30 mph speed limit over and over.
 - The only time a permit has to be updated is when you reduce the speed limit.
- McMenamin made a motion to approve the revised Speed Zone Ordinance for Peachtree City. Price seconded the motion. Motion carried unanimously.

10-96-08 Consider Public Information Specialist Position

Basinger addressed Council and read the proposed position description. In addition, the costs determined for creating the position were as follows:

Salary	\$24,943
FICA	1,098
Medical/Dental	4,250
Retirement	1,300
Office Furniture	1,500
Phone	300
Computer	<u>3,500</u>

TOTAL: \$37,701

Basinger explained further that with FICA and benefits, the reoccurring costs each year would be \$32,401 and the one-time furniture and equipment costs are \$5,300, for a total cost the first year of \$37,701. Basinger commented he thought the city had reached a size to justify this position which would enhance both the external and internal communication process and result in improvement of the public notice requirements for variances, rezonings, and other development permits. This position will report directly to the Director of Administrative Services. It will also ensure a consistency in the quality of communications both in content and composition. Staff recommended Council approval with funding provided from the Council Contingency Fund.

Pace commented he agreed with Basinger that the city had reached a size where communication with our citizens was probably the most important area we had to deal with and he was in favor of moving forward with the position.

Brooks made a motion to approve the position and fund it, at least this year, from the Council Contingency Fund in the total amount of \$37,701. McMenamin seconded the motion. Motion carried unanimously.

Lenox made a motion to take a brief recess and reconvene in Executive Session to discuss a real estate matter. Price seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

A motion was made by Brooks to approve additional funding for the acquisition of Georgia Utilities and to transfer funds to the Water and Sewerage Authority for the valuation of Georgia Utilities. Price seconded the motion. Motion carried unanimously.

Price made a motion to adjourn. Brooks seconded the motion. Motion carried unanimously.

Gloria Strobel, Executive Secretary

Attest: _____
Mayor