

MINUTES OF MEETING
SPECIAL CALLED MEETING OF CITY COUNCIL
September 25, 1991

The City Council of Peachtree City met in a special called session on Wednesday Night, September 25, 1991, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance. Those present were: Mayor Frederick Brown, Jr. and Council members Edward Bradford, Annie McMenamin, Robert Brooks and Rich Parlontieri.

Mayor Brown explained that the purpose of the called meeting was for Council to consider an appeal to the Planning Commission's authorization for the Peachtree City United Methodist Church to expand its parking lot. The appeal was submitted by property owners living near the church including residents of the Belle Grove and Overlook Subdivisions. He called for their spokesman to present the appeal.

Mr. Frederick Raxter of 102 Bentwood Court addressed the Council and presented a petition with approximately sixty names on it urging that action be taken to prevent the expansion of the church parking lot. Mr. Raxter explained that the property under discussion was a five sided lot located away from the village center in the middle of a completely built out residential area. He stated that three sides of the lot were surrounded by single family residences which are partially buffered from the parking lot by trees and vegetation. He explained that the western section of the lot had basically no tree line and the eastern area, the area in question, was the last area on the six acres tract containing trees. Mr. Raxter stated all property surrounding the church property was residential except for Peachtree Parkway where the entrance to the property would be if plans continue as approved by the Planning Commission.

Mr. Raxter gave a brief history of the development of the church property and reported on meetings he and other residents of the area had attended with the church representatives to attempt to work out problems. The church response to their objections and suggestions was that all alternatives had been considered and the plan underway was the only one that would work with their property and budget.

Mr. Raxter stated that he and the other neighbors felt that the church was a welcome asset to the community in its present state but the plans for expansion and enlargement of activities, including parking for the expansion, would remove that balance with the community and activities on the scale proposed would be ill suited to the purely residential area. He felt this expansion would remove the church from the community type facility and place it in a "regional" type facility which would draw traffic from outside the area. He felt the land use plan included these type facilities as a basic village concept but this plan would remove it from that village concept and from the basic planning process that made the city unique. He didn't feel the adjoining property owners should be penalized and possibly have their property devalued because of the traffic problems of the church.

Mr. Raxter stated that the major objection was that the plan had been rejected by the Planning Commission in August and then approved at the September meeting without any substantial change to the design. He stated that the landscape plan could at best be described as artificial as replacement for natural vegetation and forest material that is there now. The community was also concerned that with a larger parking lot there would be more noise, more traffic and more visibility to movement within the church area. They were concerned about the appearance of the facility regardless of how it was landscaped because it would still be an asphalt parking lot. He stated that asphalt would replace approximately two acres of natural forest that is presently there. He felt that, although the church was willing to plant trees and landscaping materials, it would be decades before they would grow large enough to replace what is there now. Mr. Raxter felt there were other sites in the city that would be appropriate for the size of facility the church wants.

Mr. Raxter felt what they were proposing was a drastic change to their site for what appeared to be a one half day problem and once they accomplish that, the residents would have a seven day problem. He asked that before trees were taken down and replaced by asphalt that all alternatives be considered. He stated that they were concerned about the parking lot during off hours in that it would have to be lighted to prevent vandalism and loitering. The area is now natural and undisturbed and will be replaced with a brightly lighted area.

Mr. Raxter also pointed out that the city code requires one parking space for each five seats in the main sanctuary of the church. The sanctuary now seats about 450 requiring about 90 spaces, however, they have 168 spaces at the present time. Mr. Raxter stated that using the current city code their parking lot could accomodate a sanctuary for 840 people. Raxter stated that the church has estimated it's growth to be about 35% in the next several years and that applying 35% to their parking requirements would add 59 additional spaces not 115 as the current plan calls for.

Mr. Raxter felt that better utilization could be made of the existing parking lot by repositioning areas and using space already devoid of trees rather than clear a wooded area. Mr. Raxter pointed out that there were often times empty places in the now existing parking lot but cars are parked along the shoulder of the neighborhood streets. He felt this was a scheduling problem that could be resolved without adding parking spaces. He pointed out that not all the members are at the church at the same time.

Mr. Raxter stated that he and the neighbors were concerned about the vagueness of the landscape plan knowing the history of the landscaping for the church. He explained that the residents had to literally take steps by placing themselves in front of the bulldozers to prevent the removal of trees not designated for removal during the initial church construction. Mr. Raxter stated that the reason he and his neighbors were at this meeting appealing this action was to stop something before it happened rather than try to fix it after the fact. He felt the staff was underestimating the impact this expansion would have on the community and was overestimating the factors of landscaping in an effort to make the

project palatable to the residents of the area.

Mr. Raxter explained that he and his neighbors had attended two meetings on this subject and at one they were allowed 20 minutes and at the other only 10 minutes to express their objections. They did not feel their concerns and objections were really being treated seriously and that was the reason they were at this meeting. Mr. Raxter stated that he didn't feel this project was consistent with the zoning, land use plan and building codes for this city and that he and sixty other families were present to express their objections to this parking lot.

Mr. Raxter asked Council to consider the intent of the land use plan regarding aesthetics, village concept etc. and to consider the number of those objecting to this project. He questioned the judgement of the decisions thus far. He reminded Council that the church was a single property owner and to consider the concerns and wishes of the other property owners at this meeting.

At the close of Mr. Raxters remarks Mayor Brown opened the floor to others wishing to speak to the issue and many of the residents living near the church spoke their objections. Many pointed out that the area was now a single family built out neighborhood and this expansion would disturb the stable atmosphere of the neighborhood. Someone pointed out that this was not a personal fight between the church and the residents but was one of concern by residents regarding their quality of life and property values. The residents all concurred that the church was an asset to the community in it's present state but that any expansion would be detrimental to the neighborhood. Comments were made that if the church planned an expansion they should complete those plans first and then determine what, if any, additional parking was necessary.

Mr. Tom Cox, Vice Chairman of the Peachtree City Planning Commission, addressed Council regarding the action of the Planning Commission. He explained that the plan was brought before them twice. The first time was in August and the second in September. At the first meeting on August 12th the Commission realized there was quite a bit of neighborhood concern about the plan and approached the plan with a great deal of objectivity because of that. At that meeting the Commission voted 3 to 1 to deny the site plan for a number of reasons and the second time on September 9th the vote was 3 - 2 to approve the plan.

Mr. Cox explained that the plans changed from the first to the second meeting by changing three areas of double loaded parking to two areas of double loaded parking. Also, the setbacks changed drastically with the second plan with larger setbacks being committed to by the church on the second plan. The Martingale Drive setback was shown as 57 feet, the Windgate Road setback as 45 feet and although Larkspur Turn setback was shown as 20 feet the church agreed to remove two parking slots if necessary to expand that setback to 45 feet also. He stated that these setbacks are larger than are traditionally seen in projects of this size and, in their opinion, would adequately support landscaping that would buffer the site.

Mr. Cox stated that the landscape plan in their opinion at the first meeting had some deficiencies, however, it technically met all the criteria. By denying the plan he felt the Planning Commission actually

went beyond their authority but it was done by and large because of the concerns of the neighborhood. He stated that the second plan had significant changes, including the larger setbacks. He said that during the period between meetings additional information had come their way regarding parking on the street in the neighborhood by those attending church services, and based on the revised plan and additional information, the second plan was approved with a 3 - 2 vote.

There were questions from Council at this time with Mr. Cox explaining that the drive on Martingale would be closed and a new entrance would be allowed onto Peachtree Parkway. He also explained that the reason he felt there were two dissenting votes at the September meeting was because of trees being removed and possibly problems with the setbacks. Question about the playground was answered by church representatives that it would remain as it is now. Mr. Cox also answered that the Planning Commission had addressed the subject of water runoff and sedimentation control with Jefferson Consultants who represented the church.

Ms. Carmen Gonzales, member of the Planning Commission voting against the plan, explained that she voted against it because she had hoped the church would give up more than the four parking spaces they agreed to so that a larger setback buffer could be provided for the residents.

Mayor Brown asked if the original plan had not included an entrance lining up with Bentwood Court and City Planner, Jim Williams, acknowledged that it did but at the request of the City the church had reluctantly given it up.

Parlontieri asked Mr. Williams if Mr. Raxter's calculations regarding parking spaces were accurate. Mr. Williams explained that the zoning ordinance required at least one parking space for every five seats in the sanctuary but what happens is that this does not even come close to providing enough parking for the congregation.

Brooks questioned the need to double the parking lot when the sanctuary was not being increased at this time. Williams explained that the zoning ordinance requires that adequate offstreet parking be provided and he pointed out that there were a number of cars being parked on the street from time to time during services. He felt that in part that was due to management problems by the church during an overlap of church members coming and going resulting in open spaces in the parking lot and yet cars are parking on the streets. He also felt, however, that there were other times when all spaces in the lot are filled and cars are forced to park on the street. Brooks felt the question needed to be answered by someone from the church later on as to what their plans were regarding expansion. He stated that it appeared that the plan was a bit excessive at this time but would like someone to address the question from the church perspective.

The City Attorney was asked to address the legal parameters of the hearing. Attorney Mitch Powell explained that the City Council was acting in a judicial capacity in reviewing a decision of the Planning Commission's interpretation of the site plan review process contained in the land development ordinance. He stated that the site plan process had wide parameters, however, there were some specific standards and parking based on seating was a good example. He explained that the city codes set minimum standards and not maximums. He felt that unless the City Council

found some specific section of the site plan or landscape requirements had not been complied with the Council would uphold the Planning Commission. If there was something not complied with then the Planning Commission could be reversed. He stated that those regulations had some balancing provisions where the interest of the individual, in this case the church, would have to be balanced against the interest of the community. An example of that balancing would be that unless there was a need to remove trees they should not be removed. He felt that was what the Planning Commission had done at the meeting in that three of the members considered the need to remove the trees necessary and two members did not. He felt the City Council could also balance the factor and make a different decision if they saw fit.

Powell stated that in his opinion the question was not whether the church could use their property in this manner, as that was clear in the zoning ordinance, but it was whether or not this amount of parking was necessary and justified to the extent the trees and other vegetation must be removed.

Mr. Tom Cox of the Planning Commission explained that the landscape plan was approved at the September meeting with a condition the church agreed to that, if upon site inspection it is determined that additional parking spaces need to be removed to improve the screening of the church, the church will do so.

Ms. Becky Morris of Jefferson Consultants was present and addressed the landscape plan explaining the type and size of trees and other vegetation to be provided to provide buffering for the church.

Mr. Cox explained that the church had agreed to a number of on site inspections by the City to ensure that the buffers and berms are provided as planned and discussed at the Planning Commission meeting. He stated that this was also a condition of approval. Another condition of approval was that the church agreed to the plantings recommended by the city landscape architect.

Brooks asked when the entrance and exit off Peachtree Parkway would be put in and the Martingale Drive access closed. Mr. Sam Watts, Chairman of the Building Committee for the Methodist Church, addressed Council. He replied that the access to the Parkway and the closing of Martingale would happen during the initial phase of the project which included the parking lot expansion. He was asked by Council if the church would consider larger trees in their landscaping plan and Mr. Watts replied that their landscape architect had already been given authority to add any additional landscaping felt necessary on the site in order to meet the intent of the landscape plan.

Mr. Watts was asked to address the plans and needs for the church for the future. He stated that there was a need for more parking to accommodate the current congregation. He realized there were occasions when there was parking on the street when there were in fact open spaces in the parking lot but that was not often. He reported that the building committee had been charged with the task of resolving the parking problems immediately. Mr. Watts explained that they plan to maintain the ratio of one parking space for every three seats in the sanctuary and felt that the expanded parking would meet their needs when they did increase the size of the

sanctuary at some future time to 800/900 seats. He explained that at that time there could again be times when there would be parking on the street but he didn't think it would occur as often as it is now. He pointed out that the church is required to have three sessions on Sunday to meet the congregational needs and they hoped the enlarged sanctuary, when it was built, would eliminate the need for multiple services.

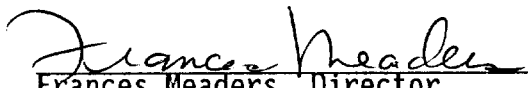
After further discussion Mayor Brown stated that the Council was to consider whether to uphold or reverse the Planning Commission's approval of the plan. It was his understanding that unless there was an error on the part of the Planning Commission where they did not comply with the city ordinances, then Council had no choice but to uphold them. The City Attorney agreed with that and Mayor Brown called for action.

Motion was made by McMenamin that the City Council uphold the Planning Commission's decision to approve the site and landscaping plan for the Methodist Church. Motion was seconded by Mayor Brown. Parlontieri pointed out that previously the church had disregarded the landscape plan approved for the church. He would hope that under the conditions spelled out by the Planning Commission and publicly accepted by the church, the plan would be strictly adhered to. Mayor Brown commented that churches are permitted in any zoning district in the city and he was not convinced that this was appropriate citing several occasions when this has been a problem for the residential property owners. He stated that these type decisions are difficult to make, especially when it is sometimes felt that a church should have special consideration. He, however, agreed that the church was a single property owner and that was how he considered this matter. Motion to uphold the Planning Commission's decision was approved unanimously.

Motion was made by Mayor Brown that the meeting be recessed and reconvened in executive session. Motion was seconded by McMenamin. Motion carried unanimously. Meeting recessed at 8:45 PM.

Executive Session

No action was taken in executive session and motion was made by Mayor Brown that the meeting be adjourned. Motion was seconded by Parlontieri. Motion carried unanimously. Meeting was adjourned at 9 PM.


 Frances Meaders, Director
 Administrative Services

 Attest
 Mayor