

City Council of Peachtree City
Meeting Minutes
Thursday, September 5, 2019
6:30 p.m.

The City Council of Peachtree City met in regular session on Thursday, September 5, 2019. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Agenda Changes

Saying it merited discussion, Madden moved to move Consent Agenda item 6 to the New Agenda section. Prebor seconded. Motion carried unanimously.

Minutes

Ernst moved to approve the August 15, 2019, special called meeting minutes and the August 15, 2019, regular meeting minutes as written. King seconded. Motion carried unanimously.

Ernst moved to approve the August 22, 2019, special called meeting minutes as written. Prebor seconded. Motion carried 4-0-1, with King abstaining.

Consent Agenda

- 1. Consider Official Intent Resolution (Reimbursement Resolution)**
- 2. Consider Non-profit Funding Agreement – Fayette Senior Services, Inc.**
- 3. Consider Non-profit Funding Agreement – Promise Place**
- 4. Consider FY 2019 Budget Amendment – Kiwanis Club of Peachtree City Donation to DARE**
- 5. Consider FY 2019 Budget Amendment – Impact Fees/Books and Other Media**

King moved to approve Consent Agenda items 1-5. Ernst seconded. Motion carried unanimously.

New Agenda Items

Consent Agenda #6 Consider Bid for Robinson Road Drainage Improvements – Crawford Grading & Pipeline, Inc.

Stormwater Manager Mike Madison said the pipe underneath Robinson Road had failed and must be excavated and replaced. He referred to the map displayed showing the location of the pipe in relation to Crosstown Road and Cameron Trail. The damage was such that the pipe could not be relined. There were failed joints and significant vertical offset, so the only option was to open cut and replace the pipe.

Robinson Road would have to be closed during this time, Madison noted, and detours would be set up utilizing Cameron Trail. At the north end, Robinson Road would be closed at Cameron Trail, and, at the south end, it would be half closed at Crosstown Road in order to allow access to Southside Church and Jennings Yard subdivision. Madison said Robinson Road would be closed for 10 days beginning September 16 and reopen September 26. Of course, weather could delay the project, he noted, adding that while he was confident the project could be completed in 10 days, they never knew what they would find when they started digging up the roads, including unmarked utilities or bad roadway soils.

Fleisch asked how they discovered this was necessary, and Madison replied that a giant sinkhole opened up in the roadway embankment and went under the road. When they ran a camera down the line, they discovered collapsed joints and vertical offset.

Ernst clarified the dates, and Prebor asked about the size of the line and was told it was 18 inches.

City Manager Jon Rorie remarked that this should be looked at as part of a bigger project. Madison said dozens of other pipes ran under Robinson Road. He noted they had just lined a series of pipes just south of this area, and others had been assessed and were not in bad shape. Rorie said this one just was in a bad enough condition that it required an open cut and replacement. Rorie commented that he wanted Madison to explain this project because they were talking about closing a major road for 10 to 14 days. He asked Madison if they had notified the School Board of the closure so it could make transportation adjustments, and Madison said they had. Police and Fire had also been notified, and it had been posted on social media and the City website.

Rorie went on to explain that both Robinson Road and Peachtree Parkway South were scheduled to be repaved using Transportation Improvement Program (TIP) funding in which the City had a match. They were trying to get this project done because the bid out was set for the near future with an estimated start date of April 2020. The idea was to assess all the pipes and complete any needed repairs before the repaving got underway. Rorie acknowledged there was no good time for a road closure, but it had to be done now.

Paving for the roughly five miles of Robinson Road that would be done next year was expected to cost about \$2.5 million, with the City's share being approximately \$650,000. The Peachtree Parkway project had a total projected cost of \$3.2 million, with the City's cost share being around \$900,000. In total, the City would pay about \$1.5 or \$1.6 million in matching funds for the projects in the FY 2020 budget. They would be doing additional paving with Special Purpose Local Option Sales Tax (SPLOST) dollars, but most of the paving money would be consumed by these two projects, with a total cost of about \$5.5 million. Rorie said he wanted to make sure everyone was aware of all these upcoming projects.

Madden asked about the estimated cost for the Robinson Road drainage improvements. Madison said the low bid, which they recommended, was \$90,272.55 from Crawford Grading & Pipeline Inc. It would be for about 82 feet of pipe. Fleisch noted they had used this company on other projects.

Madden moved to approve the Robinson Road drainage improvements by Crawford Grading & Pipeline, Inc. King seconded. Motion carried unanimously.

09-19-01 Public Hearing – Consider Variance Request to Sections 1006(b)(4)(a) and 1006(b)(4)(c) of Land Development Ordinance, 263 Greenwood Lane

Fleisch opened the public hearing.

Planning and Development Director Robin Cailloux said this request was for a variance from the Land Development Ordinance, which required all residential subdivisions to provide single combined stormwater facilities, which were designated as a City-owned greenbelt and were maintained by the City. The applicant was requesting the variance to allow for individual facilities on each lot. These facilities would remain under private ownership.

The applicant, Doug Feller, owner of Cavalier Manor LLC, had submitted a justification narrative, along with a site plan and a hydrology study. Council received a copy of the site plan in their meeting packet. The hydrology study was under review by the Engineering Department, Cailloux stated. She pointed out the property on the site map. It was on the north side of the City, with Kedron Hills to the south, and Greenwood Oaks to the west. It was a remnant property created from the realignment of Crabapple Lane and Greenwood Lane in 1997. The applicant had provided a conceptual site plan, and Cailloux highlighted where the stormwater facilities would

be located on the property. She pointed out Loring Lane and Greenwood Lane on a site map that showed there were five lots on this parcel, two in front and three in the rear.

The ordinance set forth several conditions for the granting of variances. The first looked at whether there were special conditions applicable only to this property and not to others in the same area. Staff did not identify any specific conditions or circumstances. Cailloux noted that Kedron Hills, a much larger development, had a combined facility, but Greenwood Oaks was developed under a previous ordinance, which did not require stormwater facilities if roads were not being built. They had since updated the ordinance to require stormwater facilities for all subdivisions.

The second criterion looked at whether the regulations created practical difficulty or unnecessary hardship. None had been identified, but Cailloux said staff wanted to point out that the topography of the property dictated that a combined facility probably would have to be along Loring Lane, due to the slope of the land. If the variance was approved, the applicant would have more flexibility in designing these facilities so as not to disrupt the aesthetics along Loring Lane.

A third question asked if there were exceptional conditions, and Cailloux noted this was a redevelopment lot surrounded by Kedron Hills, a much larger development which put in roads and had the flexibility to determine where their facility should go. The smaller size of this property restricted where a stormwater facility could be located.

The fourth criterion looked at whether granting a variance would constitute a special privilege. This was a request for a variance from the requirement of a specified design and maintenance. It did not preclude them from having to meet all of the other stormwater management requirements or performance measures. Staff did not believe it was a special privilege, but recommended that, if granted, the applicant be required to execute a Stormwater Management Facility Maintenance Agreement between the City and the owner for each lot. The agreement would carry with the land, so any future property owner would be bound by it. This was a standard agreement used on private stormwater facilities located throughout the City.

Cailloux stated that they also looked at whether the variance would be detrimental to public health, safety, or welfare and reminded Council that the variance was not a variance from the stormwater performance standards set by the State. The final criterion examined if this variance would conflict with the City's Comprehensive Plan, and Cailloux said it would not.

Attorney Rick Lindsey spoke for the applicant. He reminded Council that they were before them in July to obtain a rezoning on the property. It was a single parcel originally, but Council gave them permission to subdivide it into five lots. There currently was no stormwater detention on the land because the existing home was built prior to stormwater regulations being adopted. They were requesting a variance so detention could be maintained on each lot, not in one central facility that would be owned by the City. A central site would have to be on Loring Lane, Lindsey noted, right in view of all the neighbors. He described the design they wished to use on each parcel as subtle and aesthetically pleasing. It should improve the stormwater runoff in the area. Lindsey said they had looked at the City's standard maintenance agreement, and it was fine. It required all homeowners to maintain those areas and submit to an annual inspection. They were not asking for special privileges, just a re-design. He said City Engineer Dave Borkowski suggested to Feller that this was something to think about. It would greatly improve the runoff situation, meet state law, and look much better than a facility on Loring Lane, Lindsey concluded.

Resident Pam Kemp said she had concerns about individuals being able to maintain these facilities and wondered if it would eventually fall back on the City. She wanted to know if these

were retention or detention ponds or just simple swales that would be easy for a homeowner to maintain. She also asked if 12-inch pipes be involved.

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

Madden asked Cailloux if she had a site plan showing where a combined detention pond would be. Cailloux said she did not. Staff looked at the topography and noted how the water flowed. She said a detention pond would have to be between the two lots on Loring Lane. Madden wanted to know if anything would be blocking the view from Loring Lane. Cailloux told him the City's ordinance did not require landscaping. There were some safety measures that would have to be put in place, such as a chain link fence. They could always request additional landscaping, she said, pointing out that in the Everton subdivision the developers voluntarily added landscaping, probably to improve the view for potential homeowners. Madden said he was concerned about the impact on the stream that ran through Kedron Hills, saying it was quite striking, very clean and clear. He wondered if the four homeowners in Cavalier Manor would be as conscientious about maintaining detention ponds, mud holes, butterfly gardens, or rock gardens as the City would be in making sure there was no overflow and that maintenance was kept up.

Borkowski, note that the applicant's engineer was present and might be able to answer more detailed questions. Borkowski explained they were talking about individual bio-retention areas, which he described as "glorified butterfly gardens." They were not ponds; they utilized infiltration practices for stormwater and provided detention as well.

Fleisch asked if there was an inspection process and speculated that the areas Cailloux had highlighted did not show exact scale. Cailloux said there would be regular inspections and homeowners would be notified of violations they must rectify. In the past, Fleisch remarked, the City had not been vigilant about its detention/retention ponds. The Stormwater Utility had not been funded properly, she stated, but now they had more control. If this was going to be in the homeowner's back yard, she noted, they would take care of it because they had to see it every day. The City would inspect it once a year.

Prebor asked how often it would be inspected. Borkowski confirmed with Madison that there would be a City inspection once every five years. Prebor asked if a homeowner could just fill it in, but Borkowski said the agreement they would sign called for the homeowner to conduct an annual inspection and submit that information to the City. There was not a five-year lapse, Prebor clarified, and Borkowski said that was correct. Prebor commented that the homeowners would be on the hook with this design, but if there was a common facility on Loring Lane, the City would be on the hook. He said he had rather the homeowner be on the hook.

If the property was sold, Ernst inquired what assurances were there that the new homeowner would be aware of this requirement. Borkowski said the agreement went with the land and was recorded at the County Courthouse. They should see it when they purchased the property. Fleisch said it should come up in a title search, and City Attorney Ted Meeker agreed, saying it would be in the deed record.

King wanted to know what would happen if a homeowner moved away and let the property go into disrepair. Borkowski said Code Enforcement would have to get involved. King said he was concerned about three lots in Kedron Hills just to the south of this property, asking if the water would cross Loring Lane in instances of heavy rainfall. Madison said there had been problems in Kedron Hills, but it was the fault of the builder.

King also noted they were indicating four retention ponds for five homes. The ordinance called for a stormwater facility for any home with over 5,000 square feet of impervious surface or more than one acre, he remarked, pointing out that the middle lot had none and was over an acre. Borkowski said he would have to defer to their engineer. One of the facilities might cover two lots.

David Hovey, the consulting engineer for Feller Holdings, pointed out the low point on the property where a centrally-located facility would have to be placed. He indicated the location of the pipe that was the closest downstream drainage structure. The individual detention ponds would release at a rate less than the current conditions. He went on to explain that there was no detention area on the middle lot because there was an existing structure on that lot that would be remodeled. The land use would not change.

The four ponds that would be built were extremely shallow, he went on. They were less than two feet deep, with a filter medium in the bottom. It was a 10 – 30-foot pit that would infiltrate a one-year storm event into the ground. They had done a 10% downstream analysis to see the effect on the nearest stream, and there was no impact. What they were proposing was more desirable than having one central release point for all the stormwater runoff. What was proposed would be sodded lawns with an infiltration trench as part of it. The public would not see it. The property owners would have to keep it mowed, but it would not require any special upkeep.

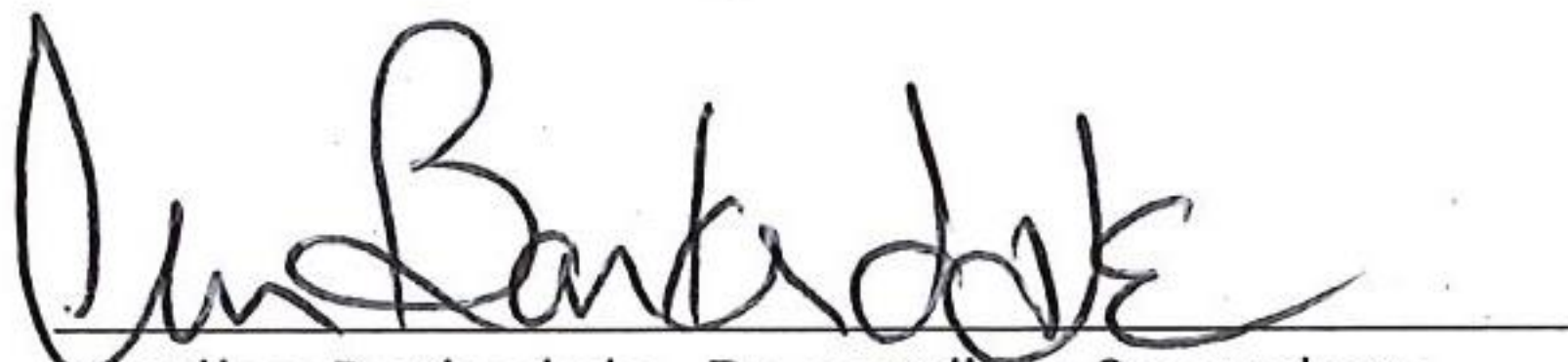
King clarified there would be no sharing of a detention pond, and Hovey noted there would be no changes to the land on the middle lot from current conditions.

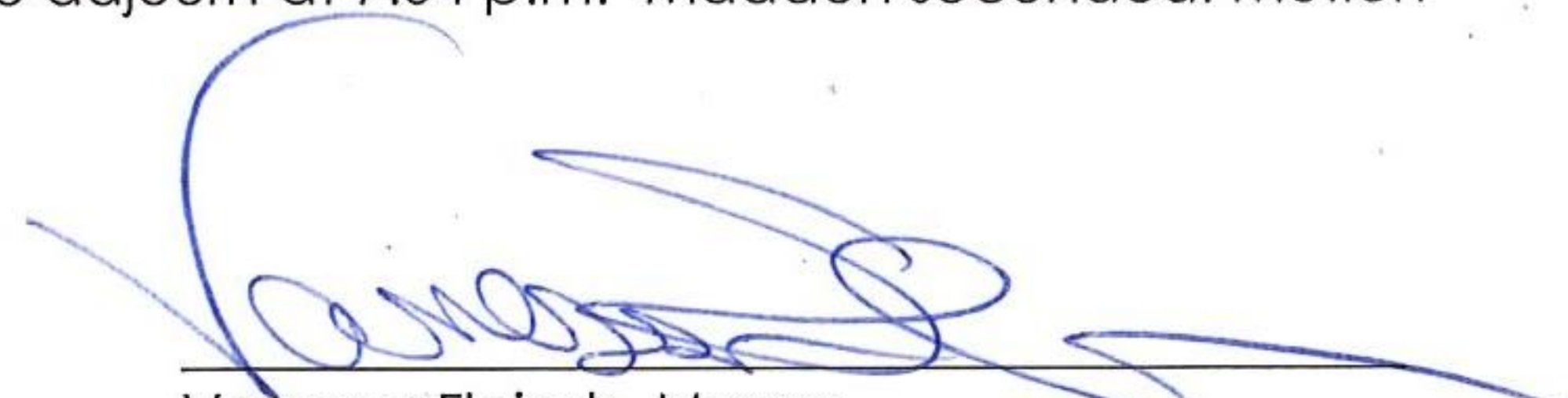
Prebor moved to approve New Agenda item 09-19-09 Variance Request to Sections 1006(b)(4)(a) and 1006(b)(4)(c) of Land Development Ordinance, 263 Greenwood Lane. Ernst seconded. Motion carried 3-2, with King and Madden dissenting.

Council/Staff Topics

Fleisch mentioned that they might want to consider moving the December 19 Council meeting to December 12. Rorie said it should be fine, but they needed to look at legal requirements for advertising in the event of any zoning requests. Fleisch said they should be able to combine both scheduled December meetings (December 5 and December 19) into one meeting on December 12.

There being no further business, Ernst moved to adjourn at 7:04 p.m. Madden seconded. Motion carried unanimously.


Martha Barksdale, Recording Secretary


Vanessa Fleisch, Mayor