

City of Fayetteville
Regular Mayor and City Council Meeting
Minutes
October 6, 2016

Call to Order

The Mayor and City Council of Fayetteville met in regular session on October 6, 2016 at 6:00 p.m. in the Council Chambers at City Hall. Mayor Edward Johnson called the meeting to order, followed by Opening Prayer and led those attending in the Pledge of Allegiance to the Flag. Council members present were: Harlan Shirley, Kathaleen Brewer, Paul Oddo, Scott Stacy, and James Williams. Staff members present were City Manager Ray Gibson and City Clerk Anne Barksdale.

Stacy moved to approve the agenda, but with agenda items #6 (#0-19-16 – Text Amendments to Zoning Section 94-169 – Light Manufacturing District (M-1)) and #8 (#0-21-16 – Text Amendments to Zoning Section 94-166 – Community Commercial (C-2)) to be tabled. Williams seconded the motion. Motion carried unanimously.

Stacy moved to approve the minutes of the Regular City Council Meeting of September 15, 2016. Brewer seconded the motion. Motion carried unanimously.

Recognitions and Presentations:

City Clerk Anne Barksdale read proclamation for Fayette County High School Hall of Fame Day. Mayor Johnson presented proclamation to Ms. Terri Gaspierik.

Public Hearings:

Mayor Johnson called Consider Beer, Wine, and Distilled Spirits License for Hanna Brothers Restaurant located at 461 Sandy Creek Rd., Ste. 2121 for Jimmy Hanna.

City Clerk Anne Barksdale stated application has been reviewed and approved.

There were no public comments.

Stacy moved to approve Beer, Wine, and Distilled Spirits License for Hanna Brothers Restaurant located at 461 Sandy Creek Rd., Ste. 2121 for Jimmy Hanna. Brewer seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider Beer and Wine License for Noorany & Ukani LLC/Cornerstone Chevron located at 95 South Jeff Davis Drive for Gulzar Noorany.

City Clerk Anne Barksdale stated application has been reviewed and approved.

There were no public comments.

Oddo moved to approve Beer and Wine License for Noorany & Ukani LLC/Cornerstone Chevron located at 95 South Jeff Davis Drive for Gulzar Noorany. Williams seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider #0-10-16 – Revert Rezoning for Parcel #0524019 – Cobblestone – RMF-15 (Multi-family Residential) to C-3 (Highway Commercial) – Second Reading.

Collaborative Firm Consultant Jahnee Prince stated, the parcel is slightly less than six acres in size, and is adjacent to the Cobblestone Apartment development, a gas/service station, and Oakbrook single-family subdivision.

The property was rezoned from C-3 to RMF-15 (Residential Multi-Family) in March 2015 to allow for the development of 33 townhouses. Since the rezoning took place, Staff has inquired multiple times as to the status of the approved project. In January, the property owner stated that they were obtaining pricing for the site work and construction of the buildings. Since then, no development plans have been submitted to the City for the project.

She said, due to the lack of a development plan being submitted to the City for this project 18 months after RMF-15 zoning was granted, a reversion of zoning to C-3 is appropriate. When the owner is ready to develop the site, another rezoning request can be made at that time.

Ms. Prince added, in June of this year, the property was sold to Fogelman Properties, located in Memphis, Tennessee. As a courtesy, planning staff sent the new property owner a certified letter informing them of the reversion of the zoning on their property. A representative of Fogelman Properties called our Senior Planner, Julie Brown, to discuss the letter and indicated that they have no plans for the property and do not object to the zoning reverting to C-3.

She said Council has the choice to revert back to C-3 or leave as RMF-15. The Future Land Use Map calls for Neighborhood Mixed Use., but it is unlikely this type of development or Highway Commercial development off of Highway 54 would occur. She stated, in her opinion as a city planner, the townhouses are a nice step down between the density of the apartments and the density of Oakbrook (single family subdivision) to the east.

Mayor Johnson says we should follow policy and revert back, although we could leave it as is and anyone could come at a later time to ask for a rezoning again.

Councilmember Williams asked if we could give the new owners a month to figure out what they want to do with the property.

Public comment was made by Brett Nolan of Knight Way. He stated C-3 zoning was more obtrusive to the community than the current residential zoning.

Williams moved to table (defer action) for one month (30 days), leaving zoning at RMF-15, giving new owner time to decide intent of property. Stacy seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider #0-20-16 – Text Amendments to Zoning Section 94-165 Downtown Historic Mixed Use District (C-1) – Second Reading.

Collaborative Firm Consultant Jahnee Prince stated we have two new allowed uses for C-1 – Farmer’s Market, only with special exception (for extra layer of review), and Radio and Television Studios without the large antenna.

Councilmember Oddo asked if the radio station coming in to town could put a small antenna (prop) on the top of the building to make it look like a radio station.

Ms. Prince said this could be covered by the sign ordinance or, if considered a sculpture (art) it would be excluded from the sign ordinance and would be considered by the Art and Architectural Advisory Committee (AAAC).

Shirley moved to approve #0-20-16 – Text Amendments to Zoning Section 94-165 Downtown Historic Mixed Use District (C-1). Stacy seconded the motion. Motion carried unanimously.

New Business:

Mayor Johnson called R-33-16 – Approve the Change Order for the Jeff Davis Drive North Pavement Milling and Overlay.

Public Services Director Chris Hindman stated, we received a change order associated with the S.R. 92 at Hood Avenue Realignment Project to perform the construction services necessary to mill and overlay Jeff Davis Drive North. The change order uses the bid unit prices from the S.R. 92 and Hood Avenue Realignment Project that was approved by the City in December 2015. The total cost of the Change Order is \$445,076.25 and if approved will be paid by the Local Maintenance & Improvement Grant monies from Fiscal Years 2014, 2015 and 2016. These are the fiscal years that Council has approved to set aside this money for the Jeff Davis Drive North Project.

The purpose of the project is to mill down Jeff Davis Drive North and to repave it from the intersection of S.R. 54 to S.R 85. The milling portion of the project is necessary due to the fact that the road is in poor condition. A normal re-surfacing of the road would not be sufficient due to the potholes and cracks that have developed over the years

He said Staff recommends approval of this resolution to approve the Change Order from Southeastern Site Development Partners in the amount of \$445,076.25, and that the mayor be authorized to sign the change order documents.

Mr. Hindman also discussed the disruption of the traffic signals on Highway 85 North due to the paving project. Unfortunately, GDOT has cut the traffic loops on all of the intersections, all the way up to Clayton County. Now the signals are on timers instead of the loops. GDOT has been notified of the problem.

Shirley moved to approve R-33-16 – Change Order from Southeastern Site Development Partners for the Jeff Davis Drive North Pavement Milling and Overlay in the amount of \$445,076.25. Oddo seconded the motion. Motion carried unanimously.

City Manager and Staff Reports:

City Manager Ray Gibson stated the Comp Plan Steering Committee will meet October 17th at 6:30pm at City Hall.

The annual Main Street golf tournament will be tomorrow at Whitewater Country Club.

Southern Ground Amphitheater will host the annual Zac Brown benefit concert on Saturday, October 15th. Proceeds will benefit Camp Southern Ground.

Mr. Gibson showed the Dragon Boat race video from last Saturday's race in Peachtree City, saying Team Fayetteville had an outstanding race and narrowly lost to Peachtree City.

Mayor's Comments:

Mayor Johnson said he visited Fayette County High School today and was impressed with the leadership of their principal, Dr. Dan Lane. He said this is not a Title One school. Enrollment is down, but he hopes that will turn around in the next year or two.

Public Comments:

There was one public comment by resident Addison Lester, asking if we could improve our sound system, as he can't hear anyone very well.

Shirley moved to adjourn the meeting. Stacy seconded the motion. The motion carried unanimously.

Respectfully submitted,

Anne Barksdale, City Clerk