

City of Fayetteville
Regular Mayor and City Council Meeting
Minutes
November 3, 2016

Call to Order

The Mayor and City Council of Fayetteville met in regular session on November 3, 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, and Scott Stacy. Councilmembers Paul Oddo and James Williams were absent. Staff members present were City Manager Ray Gibson and City Clerk Anne Barksdale.

Shirley moved to approve agenda with amendments to include tabling item #6 – #0-10-16 – Rezoning of Cobblestone Blvd. (5.89 acres) from RMF-15 (Multi-Family Residential) back to C-3 (Highway Commercial) and item #8 - #0-21-16 – Text Amendments to Zoning Section 94-166 – Community Commercial (C-2). Stacy seconded the motion. Motion carried unanimously.

Brewer moved to approve the minutes of the Regular City Council Meeting of October 20, 2016. Stacy seconded the motion. Motion carried unanimously.

Brewer moved to approve the minutes of the Called City Council Meeting of October 27, 2016. Shirley seconded the motion. Motion carried 2-0-1. Stacy abstained as he was absent from that meeting

Recognitions and Presentations:

Mayor Johnson read proclamation for National Retired Educator's Day. Sandra Watson and Carol Lunsford, of Fayette County Retired Educators Association (FCREA) were be present to accept the proclamation.

Mayor Johnson read proclamation for Bennett's Mill Middle School Parent Engagement Month. Ms. Aimee Gumerson, Ms. Rica Smith, Mr. Key, Title I Teacher Contact, and Ms. Cathy Beach, Title I Parent Liaison were present to accept the proclamation.

Interim Chief Jeff McMullan presented a K-9 retirement award to Aaros and his partner and handler Officer Warren Hartley. Aaros has served as a patrol K-9 since 2009 and is no longer capable of performing in his designated duties as a police K-9 at the Fayetteville Police Department. He will be taken out of service and become Officer Hartley's personal pet.

Public Hearings:

Mayor Johnson stated #0-10-16 – Rezoning of Cobblestone Blvd. (5.89 acres) from RMF-15 (Multi-Family Residential) back to C-3 (Highway Commercial) has been tabled to the next City Council meeting.

Mayor Johnson called Consider #0-19-16 – Text Amendments to Zoning Section 94-169 – Light Manufacturing District (M-1) – Second Reading.

Collaborative Firm Consultant Jahnee Prince stated, from time to time the City receives a request for development of a new business, or an application for a business license that due to the specialized nature of the proposed business, it is not listed in the City’s itemization of acceptable uses in any of our zoning districts.

She said the City Code describes the procedure for additions to the list of uses in a zoning district as follows.

Sec. 94-134. - Uses not listed.

- (a) For any use not listed in this chapter, the planning and zoning commission shall determine the proper requirements by classifying the proposed use among the uses which are listed and assigning the use to appropriate zoning district or prohibited uses, which may be reviewed by the city council pursuant to article II.

In an effort to provide guidance, staff researches the business type, hours of operation and any additional impact the proposed new business may have on the neighboring community. This allows the Planning and Zoning Commission to make an informed decision when a new use is added to the City’s itemization of acceptable uses, and ensures the new business is assigned to the appropriate zoning district.

Ms. Prince added, the City recently received an application for development of a blood plasma donation center. Due to the specialized nature of the business, it became apparent that this business type would need to be added to the list of uses and assigned to an appropriate zoning district.

Staff researched the proposed business and determined that this type of business would have a large regional draw, serving several surrounding counties (1,500 to 3,000 donations per week), with estimated traffic trips at (3,000 to 6,000 per week). The daily traffic activity this type of business will create will also require that an adequate amount of parking be provided.

After careful consideration of the estimated traffic trips and the parking that will be necessary for this type of business, she said Staff recommends the description for this business to be “Non mobile blood plasma donation centers” with the recommended zoning designation of M-1 (Light Manufacturing District).

Staff also recommends the use be allowed only by Special Exception, as this will allow the Planning and Zoning Commission to review and set conditions as necessary to ensure that the use will not adversely impact any neighboring community and ensure that the quality of life in Fayetteville is maintained.

She added, along with the addition of the above stated business type, staff is also proposing amendments to Section 94-169(22) with the addition of the following language:

(22) Radio and television studios or other broadcast media, provided that antenna structures are at least 500 feet from the nearest residential property line.

She said Staff recommends approval of the proposed amendment to Section 94-169 (22).

At the September 27th Planning and Zoning meeting, the Commission recommended approval of the amendments to Section 94-169 Light Manufacturing District (M-1)

There were no public comments.

Stacy moved to approve #0-19-16 – Text Amendments to Zoning Section 94-169 – Light Manufacturing District (M-1). Brewer seconded the motion. Motion carried unanimously.

Mayor Johnson stated #0-21-16 – Text Amendments to Zoning Section 94-166 – Community Commercial (C-2) has been tabled to the next City Council meeting.

Old Business:

Mayor Johnson called Consider Additional Comp Plan Steering Committee Members.

Collaborative Firm Consultant Jahnee Prince stated Mr. Jeff Hollis was nominated to serve on the Steering Committee by Councilmember Brewer. However, staff was unable to reach Mr. Hollis to confirm his willingness to serve before the September 15 meeting. Mr. Hollis spoke with staff after September 15, and he has participated in both Steering Committee meetings so far.

Additionally, she said City Manager Ray Gibson nominated Mr. Len Gough to serve on the Steering Committee. Mr. Gough has not yet been able to attend a meeting but is willing to participate.

Staff recommends that Mr. Jeff Hollis and Mr. Len Gough be nominated to the Comprehensive Plan Steering Committee.

Brewer moved to approve Len Gough and Jeff Hollis as additional Comp Plan Steering Committee Members. Stacy seconded the motion. Motion carried unanimously.

New Business:

Mayor Johnson called Consider R-35-16 – Temporary Moratorium – Zoning Applications for Highway 85 Corridor.

Collaborative Firm Consultant Jahnee Prince stated, the Highway 85 corridor from Lafayette Avenue to the northern city limits has failed to redevelop older, underutilized and deteriorating existing properties. There has been an over emphasis on narrow strip developments which utilize only street frontage and leave undeveloped property hidden from view and without adequate street frontage and thereby undesirable for development. There is excessive emphasis on automotive and other mechanical uses (fuel stations, washing establishments, repair shops, body shops, detail shops, new and used dealers, rental agencies, towing and storage facilities).

She added, these uses create objectionable environmental influences such as: loud noise, petroleum, paints, and chemicals, parking and storage of vehicles which are sometimes damaged, disabled or partially disassembled, queuing of vehicles, odors, outside storage, and outside performance of service and installation.

The current uses and development trends within the Highway 85 Corridor have a negative impact upon the economic health of the community and the resources of the City and are reducing the values of surrounding properties. She said the Highway 85 North Overlay District needs to be rewritten immediately to address these issues.

Staff recommends that the Mayor and City Council adopt a 90-day Moratorium on the acceptance and processing by the City of Fayetteville of applications for annexation and/or rezoning of property, special exceptions, conditional uses, and site development plans for properties located in the 85 Corridor within the city limits of the City of Fayetteville. This 90-day moratorium will give staff adequate time to complete a thorough review and study of the issues in the corridor and to make recommendations to revise the Highway 85 Corridor Overlay District.

Shirley moved to approve R-35-16 – Temporary Moratorium for 90 Days of Zoning Applications for annexation and/or rezoning of property, special exceptions, conditional uses, and site development plans for properties located in the 85 Corridor. Brewer seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider Amendment to Annexation Consent Agreement/IGA for the Pinewood Forrest Development.

City Manager Ray Gibson stated, on August 1, 2013 the City of Fayetteville along with Fayette County entered into an Annexation Consent Agreement/Intergovernmental Agreement with Pinewood Atlanta regarding the Pinewood Forrest mixed-use development. *Section 5(f)* of the agreement under Representations and Warranties, states that the County will be responsible for the construction costs of a multi-use tunnel under Veterans Parkway less the Pinewood Atlanta contribution of \$60,000.00.

He explained, the developer would now like to amend this 2013 agreement to allow for the construction of a bridge over Veterans Parkway that would see the County contribute up to \$836,427.00 towards the project.

Staff would like the Council to provide direction on this request so that the Fayette County BOC can move forward with making a decision at their November 8th Regularly Scheduled meeting. If approved by the County, the amended agreement will come back before the City Council for a vote.

Developer Rick Halbert commented if a bridge was built in place of a tunnel, a berm of trees would be planted on the Pinewood movie studio side of the bridge to shield the movie studios from the public. He added the bridge would meet all ADA requirements, and the City would maintain the maintenance of the bridge.

Stacy moved to approve Amendment to Annexation Consent Agreement/IGA for the Pinewood Forrest Development. Brewer seconded the motion. Motion carried unanimously.

City Manager and Staff Reports:

City Manager Ray Gibson stated he and Mayor Johnson attended the Fayette County Strategic Leadership 2016 tour of Rock Hill, SC, Fort Mill, SC, and Sugar Hill, GA and came away with some great ideas and shared vision for the City and County.

Mr. Gibson also reminded everyone of the Town Hall meeting on November 16th at 6:30 to discuss Fayette Ventures/Southside Annexation & Rezoning request.

City Council and Committee Reports:

Councilmember Brewer asked Jahnee Prince for updates to the recently held Comp Plan meeting.

Jahnee Prince said the Comp Plan meeting was very successful; those that attended had some great ideas. She said data is being collected from the Visual Preference survey that was available that night. Also there have been over 400 responses on the community survey that is open until the end of the year.

Councilmember Stacy reminded everyone of the upcoming Veteran's Day parade this Saturday and the Church Street park volunteer work day.

Mayor's Comments:

Mayor Johnson said he participated in the GA Dept. of Economic Development tour that took place in Fayetteville and the county. He said the members of the tour were very pleased with their experience in our city and county.

Mayor Johnson added this past weekend was very successful with Halloween and fall festival events. He thanked Main Street and DDA and the Fire Dept. for their help and involvement with Market Day, Chili Fest, Trick or Treat on Main Street, and Open House at the Fire Station.

Public Comments:

Donna Thompson with the Fayette County Public Arts Committee spoke about the arts program here.

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

Respectfully submitted,

Anne Barksdale, City Clerk