

City of Fayetteville
Regular Mayor and City Council Meeting
Minutes
May 21, 2015

Call to Order

The Mayor and City Council of Fayetteville met in regular session on May 21, 2015 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Clifton called the meeting to order, followed by Opening Prayer given by Ricky Passmore with the Citizens Police Academy, and then led those attending in the Pledge of Allegiance to the Flag. Council members present were: Mickey Edwards, Edward Johnson, 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 minutes of the regular Council Meeting of May 7, 2015. Oddo seconded the motion. Motion carried 4-0-1. Johnson abstained.

Recognition and Presentations:

Mayor Clifton presented Proclamation for National Public Works week to Director of Public Services, Chris Hindman, Public Works Operations Manager, Jermaine Taylor, and Water & Sewer Operations Manager, Doug Gonsalves. He congratulated them and their staff for all their hard work and everything they do on a daily basis to keep the City of Fayetteville running smoothly.

Mayor Clifton along with Police Chief Scott Pitts recognized and congratulated the graduates of the most recent Citizens Police Academy.

Mayor Clifton called Director of Government Affairs for the Atlanta Region, Deyanna Jones, to present the Comcast Annual Report. She in turn presented the Comcast Leader's and Achiever \$1,000 Scholarship award to Caitlyn Smith, a senior student at Fayette County High School.

Public Hearings:

Mayor Clifton called Consider #0-8-15 – Annexation Parcels #05-35-001 & #05-35-008 – Pinewood Forrest.

Brian Wismer, Director of Community Development stated this item should be tabled because the State required DRI (Development of Regional Impact) study has not been completed and returned. It normally takes 30 days and we cannot legally proceed until the study is complete.

There were no public comments.

Oddo moved to table #0-8-15 – Annexation Parcels #05-35-001 & #05-35-008 – Pinewood Forrest until June 18th City Council meeting. Stacy seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider #0-9-15 – Initial Zoning Parcels #05-35-001 & #05-35-008 – to PCD (Planned Community District) – Pinewood Forrest.

Brian Wismer, Director of Community Development stated this item should be tabled as well because the State required DRI study has not been completed and returned.

There were no public comments.

Johnson moved to table #0-9-15 – Initial Zoning Parcels #05-35-001 & #05-35-008 – to PCD (Planned Community District) – Pinewood Forrest until June 18th City Council meeting. Oddo seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider #0-10-15 – Amendment to PCD Zoning – 1065 Hood Road, 431 Veteran’s Parkway, and Parcel #05-28-011 – Pinewood Forrest – 2nd Reading.

Jim Pace and Bill Foley, both on the development team for Pinewood, presented powerpoint and discussed project and answered questions from previous council meeting. Mr. Foley emphasized this will not be a low income housing project; homes will start at \$200,000 and go to \$1M+ in price. He added property values in the neighborhood should go up and be a win-win for the community and the City of Fayetteville. Project will include cart path installation/connection throughout the development and ultimately back into Fayetteville. He discussed a 50’ buffer on the property (Hood Rd. and Veteran’s Pkwy.) and for northern boundary multi-family would be up to 100’ buffer. Mr. Foley is requesting Council take off sprinkler requirements in PCD zoning for this development and throughout the city. He also discussed in detail their stormwater and water quality plan to coincide with the State’s newest standards.

Brian Wismer, Director of Community Development stated the applicant is seeking an amendment to the current PCD zoning for three parcels totaling approximately 135 acres near the intersection of Veterans Parkway and Hood Road. These three parcels were annexed into the City in 2013 and approved for a mixed-use development under a master plan submitted at that time which included street networks and architectural imagery. The applicant is now seeking to refine the master plan to reflect the anticipated market demand for housing and services. These parcels will become the first phase of a master plan which also includes two of the parcels currently under consideration for annexation.

The proposed development is planned to create a walkable community, connected to the City, Studio, and Hospital through the proposed multi-use path system, with primary access off of Veterans Parkway. The conceptual plans to be developed over multiple phases (of the entire master

plan) include 600 single family homes, 600 multi-family units, 100 townhomes, 2 hotels, a mix of office and retail space, several pocket parks, and a chapel. The master plan will conform to all aspects of the land use plan currently being developed by the City of Fayetteville for the West Fayetteville Area.

Phase one of this project will specifically address housing needs and include approximately 60 single family detached homes, a small amount of mixed-use, and the first of two hotels planned for the development with a shared parking deck.

He said on April 28, the Planning & Zoning Commission reviewed the concept plan, and knowing that development details relating to stormwater/fire safety, etc. will be reviewed at the Development Plan stage, voted unanimously to give a favorable recommendation to Mayor and Council for the amended PCD zoning per the concept plan.

City Staff met with the applicant earlier this month and brought forth the following comments relating to this request. Most comments will be addressed at the Development Plan stage, but it was prudent to discuss now as those plans are under development. For informational purposes, the issues discussed included:

- Traffic calming measures should be implemented on major streets within the development.
- Stormwater impact studies will need to be done on adjacent properties. Appropriate sewer/stormwater easement distances will need to be factored in due to the development densities in certain areas.
- Consider options for centralized fire hydrant system in future phases of the mixed-use areas.
- Consider how to implement all recommendations brought forth by the findings of the DRI study currently being administered by the ARC.

In our City ordinance the PCD zone provides the following guidance for this type of project.

- Sec. 94-172 (1)e.1.

To carry out the purpose of this section, a PCD district must provide the following, as appropriate – A range in the types of residential environment, including types of housing, and community facilities/recreation activities available.

Pinewood Forrest will begin Phase 1 primarily with single family detached homes and continue to add to the types of available housing with the addition of apartments, townhomes and multi-family mixed use units as the market develops for these uses. Several pocket parks, a small “amphitheater”, two hotels, walking trails and a chapel are also planned for this mixed -use development.

As stated previously, with the development growth and interest in the West Fayetteville Area, the demand for housing created by new business activity has become evident. The addition of Pinewood Atlanta Studios, Georgia Military College and Fayette Piedmont Hospital's expansion project (adding 95 beds, 292 doctors and 852 other employees to their staff) have specifically contributed to this increased demand. As the first phase of this project (per the Concept Plan) is to primarily address housing needs, the other mixed-use components will be able to develop around and among the residential units as the market demands.

Mr. Wismer said Staff agrees with this phased approach to the development of this area and as such, an approval for the amendment to the PCD zoning of this property is appropriate, with the following conditions:

- Annexed property shall be developed consistent with the Master Plan and Land Use Plan for the West Fayetteville Area.
- Upon the initial filing of a preliminary plat for subdivision of the property contained in Phase 1A, and at each other designated phase of the master plan development, the City shall review and, if warranted, require an update to the property Development Agreement which shall be approved by the City before building permits are issued.
- The developer of this property shall work with the City to develop an implementation schedule for traffic mitigation, and provide such mitigation as recommended by the findings of the DRI study for this project area.
- An approved plan for long-term stormwater maintenance on the subject property, including budgeting and enforcement, shall be provided by the applicant to the satisfaction of City Staff and Engineers.

Mr. Wismer asked Council to strike/retract from the conditions: the developer shall not exceed the maximum number of residential units approved for the subject property; specifically stated as follows: 600 single-family units, 600 multi-family units, 100 townhomes. He said this will be added to the conditions of the annexation, where it will make more sense and apply to the entire master plan.

He added the language that required sprinkler systems has been added to the development agreement – The following language shall be added to Item 28 of the Development Agreement for the subject property: *In addition to the State Minimum Standard Code, the requirements of NFPA 1141, 1998 Edition, shall apply to all development in accordance with the PCD Zoning Ordinance. In cases of a conflict between any requirements, the most restrictive shall apply.*

Mayor Clifton asked for confirmation that Exhibit C does reference the requirement for sprinklers, to which Mr. Wismer replied yes.

Public comments were given in favor of project by environmentalist Dennis Chase who suggested we get some help to study the EPA standards for the project.

In opposition to the project was Hood Rd. resident Don Fowler, county resident Michael Sorrow Jr. and Michael Sorrow Sr., and Fayette County commissioner and county resident Randy Ognio. They cited concerns of heavy traffic, apartment concerns, and quality of life.

Mayor Clifton urged Council to take a good look at the information on the sprinkler system requirement for this motion. He said if there was a fire where someone died from smoke inhalation/fire that could have been prevented if sprinklers were there, and we did away with the sprinklers, could you sleep at night? He added that is the main decision as I see it. Our staffing level in the fire department can be a challenge at times, and to afford the personnel and/or equipment. I recommend we do not be hasty about doing away with the sprinklers at this time, if you want to wait until the next meeting to make this decision that's fine by me.

Mayor Clifton continued, I would like to have a stipulation that land is deeded or easements are granted for a tunnel or bridge as necessary; Veteran's Parkway in the future could be four-lane and an at-grade crossing would not be feasible for bicycles or golf carts. This could be added in plans at the appropriate time.

Williams moved to approve #0-10-15 – Amendment to PCD Zoning – 1065 Hood Road, 431 Veteran's Parkway, and Parcel #05-28-011 – Pinewood Forrest with the understanding that the requirement for the sprinklers for single family homes be omitted (take them out as a requirement).

Mayor Clifton asked Council if they understood the motion is to approve the ordinance and remove the sprinklers, regardless of the house spacing. Oddo seconded the motion. Motion carried 3-2. For – Oddo, Stacy, Williams; Against – Edwards, Johnson.

Mayor Clifton called Consider #0-11-15 – Annexation – 467 Veteran's Parkway – R-70 (County) to R-70 (City) – 2nd Reading.

Brian Wismer, Director of Community Development stated no changes from the 1st Reading. Recommendation from staff is to annex and rezone at R-70 because there is no development plan. If Mr. Lamb resubmits as PCD, there will need to be approval from the county as well.

Property owner Tom Lamb asked to have this item tabled so he can resubmit as a PCD annexation with a development plan.

There were no public comments.

Johnson moved to table #0-11-15 – Annexation – 467 Veteran's Parkway – R-70 (County) to R-70 (City), until June 18th City Council meeting. Stacy seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider #0-12-15 – Rezoning – 467 Veteran’s Parkway – R-70 (County) to R-70 (City) – 2nd Reading.

Property owner Tom Lamb asked to have this item tabled as well so he can resubmit as a PCD rezoning.

Brian Wismer, Director of Community Development stated this could be added to the June 18th agenda also.

There were no public comments.

Johnson moved to table #0-12-15 – Rezoning – 467 Veteran’s Parkway – R-70 (County) to R-70 (City), until the June 18th City Council meeting. Williams seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider #0-13-15 – FY 2015 Budget Amendment – Public Hearing and 1st Reading.

Mike Bush, Director of Finance and Administration stated this is the second amendment coming before Council this year. We are basing this one on preparation for the 2016 budget, these are housekeeping items and additional revenues to share.

Carleetha Talmadge, Assistant Director of Finance stated this is an amendment for Fiscal Year 2015 General Fund and Water and Sewer Fund budgets.

She explained the amended budgets and gave the budget summary:

Fund	Current Budget	Amended Budget	
General Fund	\$ 10,667,935	\$ 11,259,436	
Water and Sewer Fund	\$ 7,396,819	\$ 7,438,873	
	\$ 18,064,754	\$ 18,698,309	
		\$ 633,555	

There were no public comments.

Mayor Clifton stated this was posted for 1st Reading.

New Business:

Mayor Clifton called Consider R-16-15 – Support of Whitewater Creek Water Trail.

Chris Hindman, Director of Public Services stated Staff recommends that Council approve Resolution R-16-15 for the support of the Whitewater Creek Water Trail. This is also being presented at the Fayette County Board of Commissioners and the PTC City Council. The water trail is approximately 7.5 miles and is proposed to begin at the Ridge Nature Area in Fayetteville and ending at Starr’s Mill in Fayette County. Southern Conservation Trust is working to educate the citizens and to obtain all of the necessary easements from the landowners along Whitewater Creek. Mr. Hindman said Southern Conservation Trust is in the process of permitting for the proposed water trail with the Corps of Engineers. He also stated EPD is on board with this plan.

Mr. Dennis Chase, local environmentalist discussed this project and said the city support will be very helpful in making this project work.

Jim Qualls, member of the Southern Conservation Trust echoed his sentiments and thanked the city for their support.

Johnson moved to approve R-16-15 – Support of Whitewater Creek Water Trail. Stacy seconded the motion. Motion carried unanimously.

City Manager and Staff Reports:

Ray Gibson, City Manager stated the city has approved a new solid waste and recycling contract with Waste Industries which will be coming before Council for approval at the next meeting.

David Hunt, Waste Industries thanked the city for their continued trust in his company and he stated one change will be the pick up of recycling will occur every other week as residents will have larger containers for recyclables.

Mr. Gibson commented on the success of this past weekend’s events and thanked the staff and volunteers for the Community Walk, Taste of Fayette and the Art Show.

Brian Wismer, Director of Community Development announced the awards for Taste of Fayette – Best Taste – Star of India, Best Treat – City Café, Best Booth – Broadway Diner. He added this was the 14th year for this event.

City Council and Committee Reports:

Councilman Williams stated we will be talking with representatives of Great Wolf Water Park next week about their possible consideration of locating in the City of Fayetteville.

Councilman Stacy commented on the success of our inaugural Community Walk last Saturday, stating we had a great turnout. He thanked our volunteers and vendors/sponsors – Piedmont Fayette Hospital, Fayette Senior Services, Kroger, Wal Mart, T&G Allsports, Smith & Davis, Ultimate Fitness, Nuvu Juice Cafe, My Lifestyle Smoothie, Planet Fitness, and Results Fitness. He added we will try to make this happen again in October and be a twice a year event from now on. .

Mayor's Comments:

Mayor Clifton said he attended the GMA Heart & Soul Mobile Workshop and Tour May 13th & 14th, visiting the towns of Woodstock, Dhalonega, and Rome.

There were no public comments.

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

Respectfully submitted,

Anne Barksdale, City Clerk