

EXPERIENCE WOODSTOCK
HER HERITAGE, HER VISION

Regular Meeting of the Mayor and Council
City of Woodstock, GA
The Chambers at City Center - 8534 Main Street
770 592-6000 (Main) 770 592-6002 (City Clerk) 770 926-1375 (Fax)
<http://www.woodstockga.gov>

~ MINUTES ~

Monday, March, 23, 2015

Regular Meeting of the Mayor and Council
7:00 PM

ITEM 1. MEETING CALLED TO ORDER

7:00 PM Meeting called to order on March 23, 2015 at The Chambers at City Center, 8534 Main Street, Woodstock, GA.

Attendee Name	Title	Status	Arrived
Warren Johnson	Council Member - Ward 1	Absent	
Chris Casdia	Council Member - Ward 2	Present	
Bob Mueller	Council Member - Ward 3	Present	
Liz Baxter	Council Member - Ward 4	Present	
Bud Leonard	Council Member - Ward 5	Present	
Rob Usher	Council Member - Ward 6	Present	
Donnie Henriques	Mayor	Present	
Jeff Moon	City Manager	Present	
Eldon Basham	City Attorney	Present	
Rhonda Pezzello	City Clerk	Present	
Velda Babiak	Systems Administrator	Present	
Robert Porche	CFO	Present	
Pat Flood	Public Works Director	Present	
Preston Pooser	Parks & Recreation Director	Present	
Calvin Moss	Police Chief	Present	
David Soumas	Fire Chief	Present	
Jimmy Eley	Asst Fire Chief	Present	
Jessica Guinn	Community Development Director	Present	
Brian Stockton	Economic Development Director	Present	
Patti Hart	Current Planner	Present	
Katie Coulborn	Long Range Planner	Present	

ITEM 2. RECOGNITION OF GUESTS AND VISITORS

- 1. Proclamation – April is Parkinson's Disease Awareness Month**
- 2. Woodstock Public Safety Foundation 2014 Donor Recognition**

COMMENTS - Current Meeting:

Scott O'Meara - WPSF President read aloud the great things the foundation does.

It is a 501c3 charity organization and since 2011 has raised over \$180,000 in past four years.

Key Donors Recognized - Bronze Level Sponsors: Tuscany Italian Grill; Georgia Power; Hamilton Bank; Tenney.

Silver Level Sponsors: Paramount Solutions; Woodstock Furniture Outlet (Employees); Home Depot; Buffalo's Cafe; Main Street; Reliable Heating and Air; DW Campbell Goodyear; Hennessy Honda.

Platinum Level Sponsors: Wal-Mart; IDT Sync Company; Woodstock Furniture Outlet; Special recognition to Bob Postiglione who has donated valuable space on billboards.

WPSF Spring Festival and 5K Run will be held on Saturday, May 16th.

ITEM 3. APPOINTMENTS/OATH OF OFFICE

1. Swearing In of New Police Officer

COMMENTS - Current Meeting:

Matthew Graham was sworn in by Mayor Henriques.

ITEM 4. ANNOUNCEMENTS

1. Announcements for March 2015

Cherokee County Comprehensive Transportation Plan Update/Open House

March 24th at The Bluffs in Canton - 6 pm to 8 pm

March 26th at The Chambers at City Center - 6 pm to 8 pm

<http://www.cherokeega.com/roadway-splost-program>

Friday Night Live on April 3 - Roaring 20's Night

Time travel back to the 1920s as the spirit of the Roaring 20's is celebrated in Downtown Woodstock

April 11, 2015 at 1 PM - AMERICAN LEGION AND CITY OF WOODSTOCK'S ANNUAL FLAG RETIREMENT CEREMONY at the Park at City Center

Coming on April 18th: **GREENSTOCK DAY/EARTH DAY CELEBRATION** w/E-Recycle, Shredding, Yard Sales and Special Trash Pick up! See website for more info or call 770 517-6788.

ITEM 5. INFORMATIONAL ITEMS/PROJECT UPDATES

ITEM 6. PUBLIC COMMENT

ITEM 7. CONSENT AGENDA

COMMENTS - Current Meeting:

Motion to pull Consent Item 7.11 made by Council Members Usher/Leonard. All in favor. Motion carried 5-0.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Casdia, Mueller, Baxter, Leonard, Usher
ABSENT:	Warren Johnson

1. 2nd Reading- Text Amendment to Section 6-20 (APPROVED)

A text amendment to Section 6-20, Open Containers Prohibited, is proposed to accompany the text amendment to Chapter 82, Streets, Sidewalks and Other Public Places. This amendment would allow for approved sidewalk cafes to be considered a part of the premises of a restaurant for the purposes of on premise consumption of alcoholic beverages.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

2. 2nd Reading- Text Amendment to Chapter 82 Addition of Sidewalk Cafe Ordinance (APPROVED)

To this point, two businesses in Downtown, Village Market and Cafe and Ice, have requested consideration from Mayor and Council to allow for dining on the public sidewalk. Both requests were approved, and have operated with few noted issues. At this time, staff proposes a text amendment to permit sidewalk cafes for licensed restaurants, and to provide clear regulations for the sidewalk cafes.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

3. Memorandum of Understanding (MOU) City of Woodstock and Greenprints Alliance (APPROVED)

This was presented at the 3/16/2015 Council Work Session.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

4. Travel Expense Reimbursement for Council Member Rob Usher (APPROVED)

Attended Newly Elected Officials Training in Macon, GA from March 11, 2015 to March 13, 2015. This reimbursement is for meals and mileage in the amount of \$172.83.

Account Name/Number - 101-1110-5230-523510-00

Budget Amount - \$24,000

Amount Spent to Date - \$590.71

Encumbered Balance - 0

Amount of Request - \$172.83

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

5. Gameday Grill LLC - Retail Sale of Malt Beverages (APPROVED)

Gameday Grill LLC, located at 2990 Eagle Dr, is requesting to add retail sale of malt beverages to their current alcohol license. Mark Crumpton will be listed as the registered alcohol agent. Gameday Grill has been operating and has held an alcohol license since December 2013.

All requirements have been met according to our ordinance.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

6. GA NORTHEASTERN RAILROAD MAJOR BUDGET AMENDMENT (APPROVED)

This is for the signal replacement at Ridgewalk Parkway that was discussed with Council on March 9th and an agreement with the railroad was approved. We are sharing in the costs with Watermarke Church. They will pay \$13,000 and the City will pay \$13,000. Because this wasn't a budgeted item, a major budget amendment is being requested as attached.

311-4215-5410-541200-00 Ridgewalk Railroad Crossing Expense Requested \$13,000.00

Budgeted \$ 0

Paid out of Streets SPLOST line Item \$13,000.00

7. Contract and/or RFP (ID # 3323) USIS Contract Renewal (APPROVED)

Staff would like to request Council approve the USIS Workers Compensation Contract Renewal for the 2015-2016 year. No change in annual cost of \$8350.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

8. Paving of Various Locations (APPROVED)

An RFP (2015-13) was published soliciting bids for the paving of various areas within the City. Proposal in the amount of \$192,702.00 has been received from Wildcat Striping and Sealing to make repairs and pave areas of Ashland Parkway, and to overlay and stripe portions of Main Street. All projects are eligible for LMIG funding.

A Major Budget Amendment was attached for submittal upon approval from Council.

This same project was sent out to bid last year but was never awarded due to lack of funding. When we submitted for bids this year, we only received one responsive bidder - Wildcat Striping & Sealing.

Account Name/Number - GA-LMIG Streets Grant/250-42155410-541400-00

Budget Amount - \$221,000.00

Amount Spent to Date - 0.00

Encumbered Balance - 0.00

Amount of Request - 192,702.00

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

9. Award Bid - Pipeline Inspection Camera & Trailer to Adams Equipment Co., Inc. (APPROVED)

RFP 2015-14 was released on February 6, 2015 requesting proposals for the purchase of a pipeline inspection camera and trailer for the purpose of evaluating and maintaining the storm drain systems throughout the City.

Submittals were received from Adams Equipment Co., Inc (\$177,400.00), Atlas Inspection Technologies, LLC (\$180,952.68), and Environmental Products of Georgia (\$184,923.00). Copies of vendor proposals may be found on the z: drive for reference.

Staff recommends awarding the bid for purchase to Adams Equipment Co., Inc. as the proposal meets the requirements.

Account Name/Number - Other Equipment / 507-4325-5420-542610-00

Budget Amount - \$223,632.00

Amount Spent to Date - 0.00

Encumbered Balance - 0.00

Amount of Request - \$177,400.00

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

10. Award Bid - Mill Street Parking to Wildcat Striping & Sealing (APPROVED)

An RFP (2015-11) was released to request proposals for the paving and striping of the Mill Street Parking Lot as well as to install sidewalk and curb and gutter.

Bids were received from Wildcat Striping and Sealing (\$84,322.00), Summit Construction & Development LLC (\$101,511.20), C&S Paving Co. Inc (\$104,850.00) and CMEC, LLC (\$136,142.50).

After review, staff recommends award of bid to Wildcat Striping & Sealing in the amount of \$84,322.00.

An attachment is included detailing the budget information as multiple accounts are involved. A Major Budget Amendment has been provided from Parks & Rec and is attached for approval. DDA will be contributing \$5,000.00 and will provide landscaping once the project is complete.

Motion to approve Consent Items 7.1 through 7.10 made by Council Members Mueller/Usher. All in favor. Motion carried 5-0.

11. Paden Street Construction (TABLED)

We are requesting for Council to approve and the Mayor to sign an agreement allowing the City to pay for half the cost associated with Paden St construction pending the City Attorneys review and approval. The agreement will be provided at the Council meeting. At this time the agreement is being revised by the City Attorney to include the purchase of stream credits from the Army Corp.

Attached was a quote showing the total cost for construction at \$355,531.00 (City portion not to exceed \$177,765.50). The construction cost will be a capital project budgeted for in the FY 2016/2017 general fund budget.

This project will also require the purchase of stream credits from the Army Corp. The stream credit total cost is estimated not to exceed \$29,000 (City portion not to exceed \$14,500.00). The City portion of the stream credit cost will be paid out of the Storm Water construction line item FY 2016/2017. Total cost of the project is \$384,531.00. The total that the City would be responsible for will not exceed \$192,265.50.

Account Name/Number - to be determined from FY 16-17

COMMENTS - Current Meeting:

Motion to table until the next meeting made by Council Members Usher/Mueller. All in favor. Motion carried 5-0.

ITEM 8. PETITIONS AND COMMUNICATIONS

1. **Ordinance (ID # 3322) Public Hearing/Vote: V#128-14 and CUP#022-14 Platinum Cars, Inc Request for Conditional Use Permit and Variances (APPROVED CUP w/Conditions); (DENIED VARIANCE)**

The City of Woodstock, Georgia has received a Variance and Conditional Use Permit application from Trilochan Bhatia of Alpharetta, GA (**Case V#128-14 and CUP#022-14 Platinum Used Cars**). The property is located at 10915 Highway 92 in Woodstock, Georgia consisting of ±0.73 acres. The property is identified as tax map and parcel number 15N18 049A zoned GC (General Commercial) with Parkway Overlay in the City limits of Woodstock, GA. Variances requested are to LDO Section 7.930 #6 for building materials and 7.928 for buffers and setbacks for a non-compliant building that has been constructed on the property without permits. The Conditional Use Permit is required to allow for auto sales and service.

Hold public hearing.

COMMENTS - Current Meeting:

Presented by Katie Coulborn, Long Range Planner.

History

- Auto sales existed as a legal non-conforming use
- In 2014, applicant erected accessory structure for repairs without permits
- The structure cannot be occupied safely until it is inspected
- The building violates the zoning ordinance, so variances are required for it to remain
- Expansion of a non-conforming use requires a conditional use permit



Property before the building was erected



Current site plan including the illegal building

History



Parking Issues:

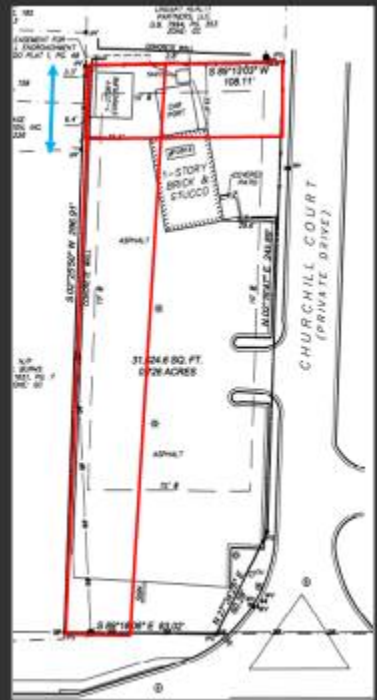
- Adjoining property owners - overflow cars are being parked illegally on the street and in other private parking lots
- Problem has led Public Works to install 'No Parking' signs along Churchill Court in certain areas (circled on the image).
- Applicant stated that they have 100-120 cars for sale on the lot at any given time. This 2014 image shows 76 cars on the lot.

Illegal Offloading Issues:

- The police have been called repeatedly about unsafe offloading practices on Churchill Court and in the median and deceleration lane on Highway 92.
- Applicant has stated that they are unable to control the delivery drivers
- Police have begun ticketing the drivers.

Variance Request

1. Variance to Sec. 7.928 for buffers – requirement is 40' against commercial and 75' against residential
2. Variance to Sec. 7.304 #19(c) for setbacks – requirement is minimum 5' from property lines. The building is 3.3' from the rear property line.
3. Variance to Sec. 7.930 #6 for architecture



CUP Request

A Conditional Use Permit is required to expand a non-conforming use into another building. Granting a CUP would make the use no longer non-conforming.

Benefits of a CUP:

- If any building on the property were to be destroyed, having a CUP would allow the applicant to rebuild and continue the use
- A CUP can be tied to the business owner so that when business ownership lapses, the use shall not be continued
- A CUP can be granted with conditions to control the visual appearance, parking and offloading practices, and intensity of the use

Recommendation

Staff and Planning Commission Recommendations:

The Development Process Committee and Planning Commission both voted to recommend approval of the Conditional Use Permit with the following conditions (and revisions from legal):

1. By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any amount of time **any period of fourteen (14) days or longer** by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.
2. No more than **60 100** cars for sale, or in the process of being sold, shall be on the lot at any given time.

- 54 marked spaces
- 76 cars parked on the lot in this photo
- 7 – 8 on street spaces adjacent to the property
- The new building takes up space where cars could park



Recommendation

3. No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking ~~on grass~~ **in the Highway 92 grass right of way.**
4. No unloading of inventory ~~on any public street, median,~~ **or any Highway 92 public right of way**
5. **No outdoor storage of any parts, chemicals, or materials.**
6. **Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court.**

Note: Council may want to add a deadline for this condition, such as "within 30 days of the issuance of this Conditional Use Permit."

Alternative Recommendation

Variance Recommendations:

The DPC **voted to recommend denial of the variance request**, but voted on additional conditions in the event variances are granted to allow the structure to remain. The Planning Commission had a tie vote and put forth **no recommendation**.

1. Upon approval of Conditional Use Permit and any variances, the applicant must submit engineered drawings and specifications for the accessory structure. When drawings are submitted and the building is inspected, the applicant must comply with the requests of the City of Woodstock Building Department and Fire Department concerning building safety, including the construction/anchoring of the building, electrical work, and proper ventilation.
2. The accessory structure must be moved so that it is no closer than five feet to any property line.
3. Variance to the Parkway Overlay buffer requirements is granted.
4. The accessory structure must be faced in brick for 80% of the façade on at least three sides of the building.

Applicant - Joe Hill (he is not the business owner listed on the application): He took over operations in December, 2014.

The cars parked along the side of Churchill Court, since he has been there, are customer cars or employee cars. Trash around back of building has been picked up since last meeting. There are still tires being sent to another lot that has a tire disposal permit to be sent for scrap.

Wants to work with the City to make this work. Started getting involved since the last Planning Commission meeting.

Doesn't think this building would be able to be bricked because it structurally won't hold it. Would have to rebuild. Need the shop to repair buildings on their lot. Prepared to move the building if that's what Council says to do. He took over in December 2014.

Drop off/unloading vehicles can't get on lot because of grading. But he can have employee's park in another location so they can unload at that location and not impede traffic.

The size of the bay is approximately 16 - 18' feet wide by 24' deep.

Council Member Usher: Question for Chief Moss - Can you fill us in on what kind of issues you had as far as permits or citations?

Chief Moss: 2 years ago - placement of 18 wheel delivery trucks taking up a lane of moving traffic. Causes problems for traffic turning right off Hwy 92 onto Churchill Court. Causes concerns for the Police and Fire Chief (can't get a fire truck back to Churchill Court businesses).

Their delivery instructions do tell delivery drivers not to park in the deceleration lanes.

Has cited tractor trailer and transport drivers. Public Works has posted no parking signs.

Council Member Baxter: Why are they allowed to park on City streets?

Chief Moss: Generally parking on the street is allowed unless signs are posted prohibiting it. However, no one can park on the street and obstruct the roadway.

There's not three lanes of traffic on Churchill Court. Parking on the street presents a hazard for those exiting Churchill Court onto Highway 92. You are forced to pass parked cars and cross the center lane.

Council Member Baxter: And businesses behind that drive large trucks create an even bigger hazard.

Chief Moss: Concerned we are going to have a serious injury/accident or fatality in this area.

Public Hearing Opened:

Robert Speers – Proponent: Office is right behind this property. Handed out two photos for Council to review. Thinks proposal by Katie would solve most of the problems. The shed is 33 inches from the fence (which is on the property line.) Agrees with the Chief, doesn't understand why we have any cars in the street at all.

Public hearing Closed.

Council Member Leonard: Agrees - doesn't understand why we have on-street parking. This car lot went in after the Highway 92 overlay. Fell through the cracks because they were able to go in under the old zoning or the overlay.

Council Member Mueller: My concern is where will the truck unload cars?

Council Member Usher: Can't do anything about the truck - they will get fined if they are on the street, but we can do something about the lot and what's on the lot (and number of vehicles per Council Member Casdia).

Planning Commission approved the CUP - w/conditions in yellow - but no recommendation (tie vote) on variances.

Katie Coulborn: They may have to have an agreement with an adjoining property owner to unload and then drive the vehicles to the lot.

Jessica Guinn: May have a verbal agreement with pine straw business next door - they just need to get it in writing. Staff is recommending a condition for written permission.

Council Member Leonard: Planning Commission excluded the side street, but we can't (#4); also not in favor of 100 cars.

Council Member Mueller: What solutions do you have for these problems?

Joe Hill: Verbal agreement with pine straw - during seasonal times - not allowed. Difference in height between two properties and concrete wall.

Rubbermaid storage building w/paint on it, but not classified as graffiti per Joe.

Council Member Mueller: Where can they unload cars?

Joe Hill: Can use pine straw lot except November until January 1. But Fed-X, Office Depot all stop to side of road and unload to businesses and never get in trouble. Will have to find an alterative during seasonal months.

Conditional Use Permit (Katie Coulborn said that a violation of a condition of zoning gives us another avenue of enforcement with the business owner and not just the individual drivers.)

Motion to approve CUP with conditions of zoning at 60 cars: Approval w/staff conditions w/Planning Commission recommendations and adding conditions #5 and #6:

Condition #1 – Staff recommended - ties CUP to the business owner

Condition #2 – Limited to no more than 60 cars for sale on the lot

Condition #3 – No parking anywhere except for on the property

Condition #4 – No unloading of inventory on any public right of way, includes Hwy. 92 & Churchill

(Add Condition # 5) – No outdoor storage

(Add Condition #6) – Wooden privacy fence to be installed within the next 30 days from today.

FINAL CONDITIONS READ AS FOLLOWS:

1. *By granting this Conditional Use Permit, the use is no longer legally non-conforming. This Conditional Use Permit is tied to the business, Platinum Cars, Inc., and the business owner, Trilochan Bhatia. If the use is discontinued for any period of fourteen (14) consecutive days or longer by either the business or the business owner, the Conditional Use Permit will become invalid and the use will no longer be permitted.*
2. *No more than 60 cars for sale, or in the process of being sold, shall be on the lot at any given time.*
3. *No parking of inventory, employee vehicles, or customer vehicles on any public street or in any parking lot other than that which exists on the subject property without a written agreement, and no parking in the Highway 92 grass right of way.*
4. *No unloading of inventory on any public street, median, or any Highway 92 public right of way.*
5. *No outdoor storage of any parts, chemicals, or materials.*
6. *Applicant shall add a wooden 6' privacy fence attached to the existing fence at the northwest corner of the property and extending to the northeast corner of the property at Churchill Court within 30 days of the granting of this Conditional Use Permit.*

Motion made by Council Members Mueller/Leonard. All in favor. Motion carried 5-0.

Variance Request:

Motion to deny variance made by Council Members Leonard/Casdia. All in favor. Motion carried 5-0.

2. Ordinance (ID # 3324) Public Hearing and Vote: LDO Chapter II Definitions and LDO Chapter VII Senior Living (APPROVED)

The City Council of the City of Woodstock is proposing revisions to the Land Development Ordinance Chapter VII Performance Zoning Standards Section 7.740 Specific Standards for Senior Living and Chapter 2 Definitions.

Hold Public Hearing as advertised.

COMMENTS - Current Meeting:

Presented by Patti Hart:

Intent is to provide consistency with State definitions of assisted living and re-enforce that assisted living is eligible for density bonuses, but independent retirement living is not eligible for those same bonuses.

March 5 – Planning Commission approved with no changes.

Definitions

Amend existing Assisted Living Definition;

Assisted Living: Multi-family housing including congregate and/or personal care services licensed by the State of Georgia as a long-term care provider and commonly referred to as "assisted living community". Assisted living goes by many names including nursing homes, personal care, residential care, or congregate care. The services offered vary widely, but frequently include core services, meals, housekeeping and transportation and often some assistance with laundry, grooming, medication management and other functions of daily living.

Definitions

Strike Existing Independent Living Definition:

Independent Retirement Living: A facility, which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette. This commercial enterprise offers services of convenience including one (1) or two (2) meals daily, transportation and planned activities. Personal care is provided on a minimal basis.

Add New Independent Living Definition:

Independent Retirement Living – Senior adult housing which consists of attached independent living developments which is composed of individual apartments or condominiums for lease or purchase, with a bedroom, bath, living area and kitchenette, including retirement communities, age restricted housing, and active adult communities. These developments may include limited social or recreational services, but generally lack centralized dining and on site medical facilities or services.

Public hearing open/closed. No one signed up to speak.

Motion to approve revisions to LDO Ch. II (Definitions) and Ch. VII 7.740 to 7.749 SL as made by Council Members Casdia/Mueller (Council Member Usher: Clarified what's being approved - what's in agenda packets plus to strike full care facility 7.744). All in favor. Motion carried 5-0.

FINAL CH. VII ORDINANCE TO READ AS FOLLOWS
CHAPTER VII
Sec 7.740 – 7.749
OF LAND DEVELOPMENT ORDINANCE

7.740. - Specific Standards for Senior Living.

7.741. - Purpose and Intent of Senior Living.

The regulations set forth in Senior Living are designed to:

- 1. Provide for the development of detached, attached, and multi-family dwelling units limited to those persons age fifty-five (55) and older as defined by the Fair Housing Act.*
- 2. Locate these developments in areas where retail, professional, civic, and cultural uses are convenient for residents to access, preferably even when they can no longer drive.*
- 3. Promote the concept of Aging in Place which provides a variety of living choices aimed at allowing residents to remain in their communities as they age. These include communities with a mix of housing type and size, active living communities and assisted living facilities.*
- 4. Promote pedestrian safety by ensuring sidewalk-oriented buildings and attractive street-facing facades that foster pedestrian activity and liveliness.*
- 5. Provide an adequate amount of meaningful open space within each development which creates areas for social interaction among neighbors, opportunities for recreation, and is easily accessible for all residents.*

7.742. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 6, repealed § 7.742, which pertained to Definitions Related to Senior Living and derived from the publication of this Land Development Code.

7.743. - Reserved.

Editor's note—

Ord. of 7-12-2010(3), § 7, repealed § 7.743, which pertained to Principal Permitted Uses and derived from the publication of this Land Development Code. Subsequently, said ordinance relocated former subsections 7.743(1)—(3) to § 7.301.

7.744. - Residential Density Bonus.

Density bonuses will be awarded to each Senior Living project which incorporates affordable units and assisted living units. These bonuses are listed in the table and are based on a percentage of the total units by project, followed by a maximum allowed density in each subarea.

<i>Density Bonus Table</i>

<i>SENIOR LIVING Subareas</i>			
	<i>SL-A</i>	<i>SL-B</i>	<i>SL-C</i>
<i>Base density</i>	4	6	12
<i>Affordable units (10%)*</i>	2	2	8
<i>Affordable units (30%)*</i>	3	3	12
<i>Affordable units (50%)*</i>	4	4	18
<i>Assisted living units (10%)*</i>			8
<i>Assisted living units (30%)*</i>			12
<i>Assisted living units (50%)*</i>			18
<i>Full-care facility (100%)*</i>			18
<i>Maximum allowed density**</i>	8	10	30
<i>*Percentages are based on the total number of units in each development and are the minimum necessary to achieve bonus density.</i>			
<i>**Affordable and assisted living unit bonuses may be combined, but cannot exceed max density</i>			

7.745. - Location Requirements.

Any project in a SL category must adhere to the following location requirements. These requirements are calculated by measuring the walkable distance on an improved surface between the main entrance of the SL neighborhood or building to the front door of the commercial facility.

1. SL-A and SL-B must be located within a three-quarter-mile radius of commercial retail uses including but not limited to grocery stores, pharmacies, and/or medical service facilities. Projects must also maintain the scale and intensity of surrounding uses.
2. SL-C must be located within a one-quarter-mile radius of commercial retail uses including but not limited to a minimum of two of the following: grocery stores, pharmacies, ~~and/or medical service facilities~~ Government Community Centers (including Senior Centers and Libraries) and Private Health Clubs. SL-C projects may be exempt from these requirements if these uses are provided on-site of an Assisted Living Community. Projects must also maintain the scale and intensity of surrounding uses.

7.746. - Site Planning Requirements.

<i>Senior Living Site Limits Table</i>			
<i>SENIOR LIVING Subareas</i>			
	<i>SL-A</i>	<i>SL-B</i>	<i>SL-C</i>
<i>Minimum lot width (feet)</i>	35	16	N/A
<i>Build-to line (feet)</i>	Min - 5 Max - 20	Min - 5 Max - 10	Min - 5 Max - 10
<i>Rear setback (minimum feet)</i>	With alley - 0 No alley - 20	With alley - 0 No alley - 20	20
<i>Side setback (minimum feet)</i>	5	N/A	N/A
<i>Buffer (feet)*</i>			
<i>R-1, R-2</i>	N/A	25	25

<i>Senior Living Site Limits Table</i>			
<i>SENIOR LIVING Subareas</i>			
	<i>SL-A</i>	<i>SL-B</i>	<i>SL-C</i>
<i>R-3, R-4</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>OSI, NC, GC</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>LI, HI</i>	<i>50</i>	<i>50</i>	<i>50</i>

**Buffers apply only on property lines contiguous to adjacent zoning categories and shall also apply to the closest compatible County Zoning Classification.*

Any project in a SL category must adhere to each of the following site planning requirements:

1. The minimum requirement for open space shall be twenty (20) percent of the project area. Required infrastructure, detention facilities and mandatory stream buffers shall not be used in open space calculations. Not more than fifty (50) percent of the total open space requirement shall be provided in the form of private open space.
2. Each unit in SL-A and SL-B shall provide a minimum of one (1) parking space in a garage structure, not to exceed two (2) spaces. All garages must be accessed through the use of rear alleys.
3. No parking in SL-C shall be permitted between the building(s) and the main access street in order to facilitate pedestrian access to the street. Vehicular access to the building(s) shall be provided from the rear, side, underneath or a courtyard. In addition, a main pedestrian access to each building shall be provided on the side facing the street.

7.747. - Street Design Requirements.

1. In order to promote a safe pedestrian environment, street design shall accommodate the use of landscape strips, a minimum six-foot wide sidewalk on both sides of the street, and dedicated on-street parking areas where appropriate.
2. When a SL project fronts an existing street, the above requirements are to be applied along the existing street along the entire frontage of the property.

7.748. - Senior Living Zoning Category Requirements.

1. The total number of units zoned under any SL category shall not exceed more than twenty (20) percent of the total number of housing units within the City Limits. The number of units that may be zoned SL will be updated as needed by the City.
2. All SL developments shall have development plans approved by the City within eighteen (18) months of receiving SL zoning or it shall revert to the previous zoning category. At its discretion, City Council may grant extensions.
3. In order to promote a pedestrian friendly environment, the following overlay standards are expressly waived in favor of the requirements in the SL site limits table: lot sizes, lot widths, streetscape adjustments, setbacks, and buffers. Any overlay standards related to streetscape themes and architectural requirements shall be adhered to.

7.749. - Senior Living General Requirements.

1. *All other sections of the City of Woodstock's Land Development Ordinance shall be enforced including but not limited to tree preservation, stream buffer requirements, engineering requirements, and signage regulations.*
2. *Upgrades to existing adjacent infrastructure shall be required including but not limited to the installation or upgrade of crosswalks and sidewalks, pedestrian signalization including count down timers and audio notification for the visually impaired, and/or wheelchair compatibility.*
3. *The exterior of each dwelling unit and other buildings shall be brick, cast stone, concrete siding such as Hardiplank, natural wood, hard coat stucco, and/or natural stone.*
4. *All residential units within SL shall incorporate applicable and "Easy Living Home" standards to include:*
 - a. *A step free entrance into the main floor at either the front or side of the structure, or through the garage;*
 - b. *A bedroom, kitchen, wheelchair friendly bathroom, and entertaining area all on the main floor;*
 - c. *Every interior door on the main floor provides a minimum thirty-two (32) inches of clear passage;*
 - d. *Blocking installed in the bathroom(s) on the main floor to facilitate the future addition of handrails or similar accessibility features.*

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Chris Casdia, Council Member - Ward 2
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Mueller, Leonard, Baxter, Casdia, Usher

3. Sign Variance 9940 Highway 92 (APPROVED)

Summitt Boone requests a sign variance to extend the time allowable for a temporary sign. LDO Section 6.6.2 limits temporary sign permits to thirty consecutive days, and no more than two times per twelve months. The applicant has a temporary sign permit for a real estate sign on the property, which is occupied by a vacant 5,800 square foot commercial building. The applicant requests to extend the allowable time to six months with an option for an additional six months if the property has not sold. Should the property sell prior to the end of the requested time, the sign would be removed immediately.

COMMENTS - Current Meeting:

Presented by Jessica Guinn:

Temporary for sale sign - 30 days - renewed one time - no more than 60 days in a 12 month period. Seeking to extend this permit for an additional 6 months with 6 month renewal option.

Staff working on sign ordinance amendments.

Not a specific hardship - but reasonable request to allow marketable time.

Applicant is here.

Motion to approve for 6 months made by Council Member Leonard/Mueller. All in favor. Motion carried 5-0. Amend to include an option for a 6 month renewal made by Council Members Leonard/Mueller. All in favor. Motion carried 5-0.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Bud Leonard, Council Member - Ward 5
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Casdia, Mueller, Baxter, Leonard, Usher

4. Sign Variance Request Park 9 Apartments- Ridgewalk Parkway (APPROVED)

On behalf of Prestwick Companies, Chuck Young requests a sign variance for temporary signage marketing the new Park 9 apartment community, currently under construction on Ridgewalk Parkway. Specific variances requested are as follows:

1. Variance from Section 6.6.2 (a) to allow more than one temporary sign on the proposed location. As proposed, the temporary sign would be located on the site of the new RaceTrac, currently under construction on Ridgewalk Parkway. RaceTrac has agreed to allow the temporary sign for Park 9 to be placed on the site, provided that RaceTrac itself will not be restricted from placing a temporary marketing sign on the site during construction of the station.
2. Variance from Section 6.6.2 (b) to allow for an extension in the time allowed for a temporary sign. Under current code a temporary sign permit is valid for no more than 30 consecutive days, no more than two times in a twelve-month period. RaceTrac has agreed to allow the proposed sign to remain on the property through the duration of the construction of the RaceTrac station; however, the sign must be removed when the store opens.

Park 9 is located on Ridgewalk Parkway, west of I-575 and just outside of the Brookshire community. This portion of Ridgewalk Parkway, up until recent months, was known as Ashland Parkway. This change has resulted in challenges directing prospective residents to the site, as Google Maps, Yahoo Maps, and similar sites have not yet updated the street name. The applicant has been working with the engineers at Google, as well as the Cherokee County GIS department to resolve this issue; however, it may take six to twelve months to complete this process. The applicant contends that temporary signage is important to marketing and directing people to the site, which also has limited visibility from Ridgewalk Parkway.

COMMENTS - Current Meeting:

Presented by Jessica Guinn:

Requesting a temporary sign directing people to this property. Got a letter from Racetrac allowing to place their temporary sign as long as it doesn't prohibit them from placing their own sign there. Has to be removed once Racetrac opens.

Jessica doesn't see it being there longer than 6 months. She agrees there is a hardship - off the beaten path.

Motion to approve (2) temporary signs at RaceTrac made by Council Members Usher/Mueller. All in favor. Motion carried 5-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Rob Usher, Council Member - Ward 6
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Casdia, Mueller, Baxter, Leonard, Usher

5. Sign Variance- Lennar 8033 Main Street 12455 Highway 92 (DENIED)

Lennar is seeking a variance to allow for two 15 square foot temporary signs- one on property located at 8033 Main Street, and one at 12455 Highway 92. These signs will serve as

marketing/directional signs for the Haney Walk subdivision, currently under development on Haney Road.

The property at 8033 Main Street is currently zoned DT-RO, which would allow for the temporary sign; however, it would be limited to two 30 day periods per year, as specified in LDO Sec. 6.6.2. The applicant would like to keep the sign in place throughout the sales phase-approximately 2 years.

12455 Main Street, the current location of Little River United Methodist Church, is zoned GC, which would also allow for a temporary sign for two 30 day periods per year. Again, the applicant would like to keep the sign in place through the sales phase.

As outlined in LDO Sec. 6.7.8, variances from LDO Chapter VI- Signs should be limited to hardship situations. No hardship has been presented to justify this variance.

COMMENTS - Current Meeting:

Presented by Jessica Guinn:

Subdivision off Haney Road (Haney Walk Subdivision). Approved 6 month period a few months ago - at Hwy 92 and Main Street and 114 Dean Street.

Seeking two additional signs - just south of Haney Road & Roundabout and at Little River UMC next to City Annex - keep in place about 2 years - 6 months was recommended on two previous signs. Formerly approved for 6 months on November 10th.

Doesn't see this as a hardship and National Sign Plaza does provide other opportunities. Recommendation by staff is not to approve.

Motion to deny made by Council Members Baxter/Casdia. All in favor. Motion carried 5 - 0.

RESULT:	DENY [UNANIMOUS]
MOVER:	Liz Baxter, Council Member - Ward 4
SECONDER:	Chris Casdia, Council Member - Ward 2
AYES:	Casdia, Mueller, Baxter, Leonard, Usher

ITEM 9. MINUTES APPROVAL

1. Approval of Minutes - March 9, 2015 Regular Council Meeting (APPROVED)

COMMENTS - Current Meeting:

Rhonda Pezzello: Council Member Usher pointed out that Pat Flood was not present - Jeremy Parker was in attendance.

Motion to approve with noted correction made by Council Members Usher/Casdia. Council Member Leonard abstained. Motion carried 4-0-1.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Rob Usher, Council Member - Ward 6
SECONDER:	Chris Casdia, Council Member - Ward 2
AYES:	Chris Casdia, Bob Mueller, Liz Baxter, Rob Usher
ABSTAIN:	Bud Leonard

ITEM 10. NEW BUSINESS

1. Discuss and Approve Modification to Chattahoochee Gold Swim Facility (APPROVED)

COMMENTS - Current Meeting:

City Manager: Owned by City - City leases to them. Council has to approve any modifications. Formality required by the lease.

Pat w/Chattahoochee Gold: Replace propane tank - want to put in 900 sq. ft. paved stamp concrete with Japanese maples and attractive entrance. This does not involve an extension in the lease.

The City Manager will bring back an update on the option to extend the lease at the next meeting. Requested by Council Member Casdia.

Council Member Casdia and Council Member Usher would like to see the drawing. **Motion to table until next meeting made by Council Members Baxter/Casdia.**

Council Member Usher: Is there a timetable on this?

Pat: Yes, kids coming in April/May. Construction to take 3 weeks. This site is to the left of current bathhouse. Drawing was shown and explained. Cost is \$25,000 for the improvements.

Every City/County has a community pool. A private citizen is funding this. It's in public good to have year around facility. Teach boy scouts, host schools - taxpayers pay zero for this. It's a bargain to the community. Benefits aside.

City Manager: No recommendation would be made from staff to build a city pool. Council Member Casdia stated that this is solely a contract matter because any improvements made to the facility will add to the costs for the City should they decide not to renew this contract in 2016.

After discussion, the original motion was retracted. Motion to approve made by Council Members Baxter/Mueller. All in favor. Motion carried 5-0.

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Liz Baxter, Council Member - Ward 4
SECONDER:	Bob Mueller, Council Member - Ward 3
AYES:	Casdia, Mueller, Baxter, Leonard, Usher

ITEM 11. OLD BUSINESS

Mayor: Thanked the American Legion for honoring our police and fire the other night.

City Manager: Sent email last week about engineering plans for modifications by County for Neese Road. (Handed out – map).

There is an unincorporated island on Neese Road that is surrounded by city limits on all sides including Hwy 92. An applicant has applied to build a gas station on this property. They had spoken to the City about annexing several months ago but decided not to proceed and went to the County instead. The property is across from City property approved for senior assisted living

project for the Beverly Searles foundation. The City has concerns about that and about traffic around the Church.

The County has asked the City if its elected officials want to go on record concerning this request.

Phillip Searles wrote a letter recommending denial based on lack of need. He asked that if Council chooses to support this project, that they consider the following - i.e., no alcohol sales, no deliveries between 1 pm to 7 am, tree buffers, no buffer reduction, and signage/lighting that could impact their residents.

Jessica Guinn, Community Development Director:

The request is to rezone from County R-40 to County GC. Had they requested GC zoning in the City Limits, they would have had to seek a conditional use permit as gas stations are not permitted by right.

With Hwy 92 Overlay this project would require a 75' buffer.

Pat Flood, Public Works Director:

His main concern is the driveway. It would be a County driveway but enters from a City road – there is a a lot more engineering that needs to be done. He asked that they not approve the concept plan. If they go through with this project, the City may not have a say-so in how it’s designed.

Because this is an island - we will be providing City services.

Mayor: From an engineering standpoint, can't fit a driveway anywhere on this that won't impact traffic.

Council Member Usher: Doesn't think it's a compatible use. Appreciate them asking our opinion.

City Manager: Will compose a letter with some facts as to whether or not they approve and to please consider these issues. Jessica will be asked to draft - what would have been required with City. Have Mayor sign it. Eldon suggested Council vote to authorize this. County will meet again on April 7th.

Motion to authorize staff to develop a letter objecting to project based on items outlined tonight and authorizes the Mayor to sign the letter - by Council Members Usher/Casdia. All in favor. Motion carried 5-0.

ITEM 12. CITY MANAGER AND STAFF COMMENTS

Requested an executive session with action to be taken afterwards.

ITEM 13. MAYOR AND COUNCIL COMMENTS

ITEM 14. EXECUTIVE SESSION - Personnel, Litigation, Real Estate

Motion to adjourn into executive session made by Council Members Usher/Mueller at 9:30 pm. All in favor. Motion carried 5-0.

Mayor has recused himself from a portion of the executive session.

Motion to reconvene into regular session made by Council Members Usher/Casdia at 9:45 pm. All in favor. Motion carried 5-0. (Mayor Henriques left the meeting before Item 14.1 was discussed.)

1. Tinsley/Postiglione Appeal (DENIED)

On behalf of Tinsley/Postiglione, Adam Webb of Webb, Klase & Lemond, LLC has submitted an appeal to a denial of a billboard application for property located south of Ridgewalk Parkway on Woodstock Parkway, fronting the northbound lanes of I-575, identified as Tax Parcel ID 15N11

041. The sign permit application was denied by staff in accordance with LDO Section, restricting billboards within 500 feet of properties either zoned or designated for single-family residential use. The proposed billboard location is located 426' from the Deer Run subdivision. The parcel is currently zoned LI (Light Industrial) within the Tech Park Overlay, which would allow for single-family residential uses on the subject property.

This item was tabled at the March 9, 2015 meeting.

Enter order denying applicant's appeal and direct City Attorney to present applicant with the order.

Motion to approve order denying applicant's appeal made by Council Members Mueller/Usher. Council Members Casdia/Leonard abstained. Motion carried 3-0.

(At the last meeting, it was stated by Mr. Webb that Jessica Guinn had done a newspaper interview regarding this subject. The City Manager went on record clarifying that she did no such interview.)

RESULT:	DENY [UNANIMOUS]
MOVER:	Bob Mueller, Council Member - Ward 3
SECONDER:	Rob Usher, Council Member - Ward 6
AYES:	Bob Mueller, Liz Baxter, Rob Usher
ABSTAIN:	Chris Casdia, Bud Leonard

ITEM 15. FINAL ADJOURNMENT

Motion for final adjournment made by Council Members Mueller/Casdia at 9:51 pm. All in favor. Motion carried 5-0.

As approved this 13th day of April, 2015.

Donnie Henriques, Mayor

Rhonda Pezzello, City Clerk