

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, December 1, 2015
7:00 p.m.

The Unified Government of Athens-Clarke County, Georgia met this date in regular monthly business session. Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby. No one was absent.

A motion was made by Commissioner Bailey, seconded by Commissioner Girtz, to approve Minutes of meetings of Tuesday, November 3 and Tuesday, November 10, 2015 with the following correction requested by Commissioner Link on page #471:

"A substitute motion was made by Commissioner NeSmith, seconded by Commissioner Link, to HOLD this item for 60 days. The motion was amended to HOLD 30 days."

This should read:

"A substitute motion was made by Commissioner Link, seconded by Commissioner NeSmith, to HOLD this item for 60 days. The motion was amended to HOLD 30 days."

The minutes were unanimously approved with the above correction.

Mayor Denson expressed appreciation to April and Bryan Wilkes for donation of the City Hall Christmas tree in memory of Tanner, their canine friend. She also expressed appreciation to the Landscape Management Division for lighting that has turned Athens into a winter wonderland.

Mayor Denson announced the Georgia Recreation and Park Association has recognized the Green Acres Baptist Church as an outstanding volunteer group who serves in the Leisure Services Department. They were recognized for their significant contributions to the East Athens Community Center. For years, Church members have devoted time and energy to enhancing the activities and programs of the Center. Accepting the award were Trevor Ross, East Athens Community Center Program Supervisor, Dr. Charles Parrish, Joan Gould, and Heather Fountain of the Church.

Written communications

There were no written communications.

Old business – Consent

Items under this section were discussed at prior public meetings and were presented for consideration as a single item. Only one vote was taken.

Citizen input

There was no citizen input.

A motion was made by Commissioner Sims, seconded by Commissioner Dickerson, to consent to action on the following 13 items. The motion passed by unanimous vote.

1. ADOPT: The following ordinance (#15-12-56) which was presented by title only as per agenda report dated November 4, 2015.

AN ORDINANCE TO AMEND THE FY2016 ANNUAL OPERATING BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE GENERAL FUND OPERATING CONTINGENCY TO THE HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT FOR THE PURPOSE OF CONTINUING THE NUISANCE ABATEMENT AND DEMOLITION PROGRAM; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund and the Special Programs Special Revenue Fund so as to provide funding to the Housing & Community Development Department for the purpose of continuing the nuisance abatement and demolition program. Said operating budget is hereby amended as follows:

Special Programs Special Revenue Fund:

REVENUES:

Increase:		
Transfers from General Fund		\$50,000

EXPENDITURES:

Increase:		
Housing & Community Development Department:		
Operating Expenses		\$50,000

General Fund:

EXPENDITURES:

Increase:		
Transfers to Special Programs Fund		\$50,000
Decrease:		
Operating Contingency		(\$50,000)

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following ordinance (#15-12-57) which was presented by title only as per agenda report dated November 5, 2015.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO ALL-WAY STOP CONTROL AT THE INTERSECTION OF ULTIMATE DRIVE AND THE PRESERVE DRIVE; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, stop control is hereby required for all four approaches to the intersection of Ultimate Drive and The Preserve Drive, as shown on Attachment #1 hereto, incorporated herein by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

3. ADOPT: The following ordinance (#15-12-58) which was presented by title only per agenda report dated November 5, 2015.

AN ORDINANCE WITH RESPECT TO AMENDING THE SOUTHEAST FIVE POINTS RESIDENTIAL PARKING DISTRICT; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. Pursuant to the provisions of Section 3-3-48 of the Code of Athens-Clarke County entitled, "Privileges and restrictions on residential parking permits," the Southeast Five Points Residential Parking District is hereby amended by adding thereto that portion of the north side of Morton Avenue beginning 50 feet west of its intersection with Woodrow Street and extending in a westerly direction along the northern side of Morton Avenue a distance of 122 feet, as more fully delineated on the drawing attached hereto, labeled Attachment 1, entitled "Residential Parking Program, 153/155 Morton Ave.," and incorporated herein by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

4. ADOPT: The following ordinance (#15-12-59) which was presented by title only transferring \$1,718,989 of Enterprise and Internal Service Fund pension expense and offsetting revenue to the General Fund for Fiscal Year 2015 as per agenda report dated October 26, 2015.

AN ORDINANCE TO AMEND THE 2015 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA TO TRANSFER FUNDING AND PROPERLY BUDGET FOR PENSION EXPENSES RESULTING FROM THE IMPLEMENTATION OF GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 68; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund and other funds to transfer funding and properly budget for pension expenses resulting from the implementation of Governmental Accounting Standards Board (GASB) Statement 68. Said Operating and Capital budget is hereby amended as follows:

General Fund Amendment:

REVENUE:

INCREASE:

Other Financing Sources:	
Transfers from Other Funds	\$1,718,989

EXPENDITURES:

INCREASE:

Other General Administration:	
Retirement Plan - Pension	\$1,718,989

Other Funds:

EXPENDITURES:

Airport Enterprise Fund:	
Retirement Plan - Pension	(\$41,818)
Transfers to General Fund	<u>\$41,818</u>
Total	\$0

Landfill Enterprise Fund:	
Retirement Plan - Pension	(\$97,762)
Transfers to General Fund	<u>\$97,762</u>
Total	\$0

Transit System Enterprise Fund:	
Retirement Plan - Pension	(\$273,462)
Transfers to General Fund	<u>\$273,462</u>
Total	\$0
Water & Sewer Enterprise Fund:	
Retirement Plan - Pension	(\$842,174)
Transfers to General Fun	<u>\$842,174</u>
Total	\$0
Solid Waste Enterprise Fund:	
Retirement Plan - Pension	(\$164,435)
Transfers to General Fund	<u>\$164,435</u>
Total	\$0
Storm Water Utility Enterprise Fund:	
Retirement Plan - Pension	(\$188,747)
Transfers to General Fund	<u>\$188,747</u>
Total	\$0
Internal Support Fund:	
Retirement Plan - Pension	(\$22,727)
Transfers to General Fund	<u>\$22,727</u>
Total	\$0
Fleet Management Fund:	
Retirement Plan - Pension	(\$58,651)
Transfers to General Fund	<u>\$58,651</u>
Total	\$0
Self-Funded Insurance & Claims Fund:	
Retirement Plan - Pension	(\$19,628)
Transfers to General Fund	<u>\$19,628</u>
Total	\$0
Self-Funded Health Insurance Fund:	
Retirement Plan - Pension	(\$9,585)
Transfers to General Fund	<u>\$9,585</u>
Total	\$0

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

- ADOPT: Authorizing resolution for submission of an application to the Georgia Department of Transportation (GDOT) for Federal Transit FY17 Supplemental capital (\$1,375,000) funding assistance and FY18 (July 1, 2017 - June 30, 2018) Formula Operating (\$2,099,000) for a total amount of \$3,474,000; authorize acceptance of the subject grant at the currently projected level or alternative level, if awarded; and authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County and GDOT as per agenda report dated October 6, 2015.

AUTHORIZING RESOLUTION

Resolution authorizing the execution of contracts between the Department of Transportation, United States of America, and the Georgia Department of Transportation, for a grant under the Title 49 U.S.C., Section 5307.

WHEREAS, the Secretary of Transportation and the Commissioner of the Georgia Department of Transportation are authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Title 49 U.S.C. the applicant gives

an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise, Disadvantaged Business Enterprise and Women Business Enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor and appropriate staff, is authorized to execute and file an application and assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.

That the Mayor and appropriate staff, is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of this grant; A: Supplemental Capital funds for July 1, 2016 – June 30, 2017; B: Operating funds for July 1, 2017 – June 30, 2018;

That the staff of the Athens Transit System, is authorized to furnish such additional information as the U.S. Department of Transportation and the Georgia Department of Transportation may require in connection with the application or the project;

That the Mayor and appropriate staff, is authorized to set forth and execute Minority Business Enterprise, DBE (Disadvantaged Business Enterprise), and WBE (Women Business Enterprise) policies and procedures in connection with the projects procurement needs.

That the Mayor and appropriate staff, is authorized to execute these grant agreements on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of the marketing, planning, capital and/or operating assistance requested in the Program of Projects and Budget.

6. ADOPT: The following resolution authorizing the application for and acceptance of both the federal Planning (PL) grant and proposed unfunded project grant amounts associate with the annual Metropolitan Transportation Planning Grant for FY2017 (July 1, 2016 – June 30, 2017), if awarded; and authorize the Mayor and appropriate staff to execute the resulting contracts between the Unified Government of Athens-Clarke County and the Georgia Department of Transportation (GDOT).

AUTHORIZING RESOLUTION

Resolution authorizing the execution of contracts between the Department of Transportation, United States of America, the Georgia Department of Transportation, and the Unified Government of Athens-Clarke County for the FY 2017 (July 1, 2016 – June 30, 2017) Planning (PL) Contract.

WHEREAS, the Federal Government requires that Urbanized Areas such as Athens have a formal planning process as it relates to the planning of transportation projects; and

WHEREAS, the Federal Government will not authorize the expenditure of funds for said transportation projects unless they come out of this formal transportation planning process; and

WHEREAS, the formal transportation planning process is organized around what is commonly known as the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS);

WHEREAS, the staff of the Unified Government of Athens-Clarke County Planning Department provides support for MACORTS planning efforts;

WHEREAS, the Federal Government will provide up to an estimated amount of \$393,600 of the funding for the transportation planning (PL) contract expenses incurred by the Unified Government of Athens-Clarke County subject to a 20% local match of the funded amount estimated to be approximately \$98,400);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor and appropriate staff are authorized to apply for a grant, accept such grant if awarded, and execute an associated contracts with the Georgia Department of Transportation (GDOT) for the FY 2017 Transportation Planning (PL) Contract Funds.

7. ADOPT: The following resolution authorizing the submission of an application for and the acceptance of the annual Transit Planning Assistance Grant (Title 49 USC Section 5303) for FY17 (July 1, 2016 - June 30, 2017), if awarded, in the estimated amount of \$71,200; and authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County and the Georgia Department of Transportation (GDOT) as per agenda report dated October 27, 2015.

AUTHORIZING RESOLUTION

Resolution authorizing the execution of contracts between the Department of Transportation, United States of America, the Georgia Department of Transportation, and the Unified Government of Athens-Clarke County, for a grant under the Title 49 U.S.C., Section 5303, for FY 2017 (July 1, 2016 through June 30, 2017).

WHEREAS, the Secretary of Transportation and the Commissioner of the Georgia Department of Transportation are authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Title 49 U.S.C. the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise, Disadvantaged Business Enterprise and Women Business Enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, the Federal government and the State of Georgia will provide approximately \$71,200 of the funding for the Transit Planning (Section 5303) contract expenses incurred by the Unified Government subject to a maximum local match of \$17,800.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor is authorized to execute and file an application on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of a technical study grant to implement specific items of the FY 2017 Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Unified Planning Work Program.

That the Mayor is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of this grant;

That Planning Director of Athens-Clarke County is authorized to furnish such additional information as the U.S. Department of Transportation and the Georgia Department of Transportation may require in connection with the application or the project;

That the Mayor is authorized to set forth and execute Minority Business Enterprise, DBE (Disadvantaged Business Enterprise), and WBE (Women Business Enterprise) policies and procedures in connection with the projects procurement needs.

That the Mayor and appropriate staff is authorized to apply for a grant, accept such grant if awarded, and execute these grant agreements on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of a technical study grant to implement specific items of the MACORTS Unified Planning Work Program.

8. APPROVE: Request to quitclaim the unopened alleyway on the south side of 384 South Church Street as shown on Attachment #1 of agenda report dated November 5, 2015; and authorize the Mayor and appropriate staff to sign any future requests for quitclaim relative to this alleyway for either of the other property owners as shown by numbered address on said attachment.

9. APPROVE: Award of a contract in the lump sum of \$267,000 to Caldwell Electrical Contractors, Inc. as the most responsive and responsible bidder for the replacement of two emergency generators for the 800 MHz radio system and the new installation of an emergency generator at the Streets and Drainage Division facility as per agenda report dated October 28, 2015; and authorize the Mayor and appropriate staff to execute all necessary documents.

10. APPROVE: Award of a lump sum/unit price contract to AllSouth Constructors, Inc. in the amount of \$1,424,500 for the Middle Oconee Water Reclamation Facility (WRF) clarifier rehabilitation project as per agenda report dated November 6, 2015; and authorize the Mayor and appropriate staff to execute all related contract documents.

11. APPROVE: Award of a lump sum contract to Southern Champion Construction, Inc. in the amount of \$1,221,600 for modifications to the Influent Pump Station (IPS) and installation of pumps at the North Oconee Water Reclamation Facility (NOWRF) as per agenda report dated November 6, 2015; and authorize the Mayor and appropriate staff to execute all related contract documents.

12. APPROVE: Staff to execute a Real-Time-Pricing (RTP) electrical service contract with Georgia Power Company for the Jail Expansion Project (SPLOST 2011 Project #01) including a one-time capital expense in the amount of \$261,334.52 funded through the available project contingency as per agenda report dated October 27, 2015; and authorize the Mayor and appropriate staff to execute all related documents.

13. Approve: Appointments to the Athens Cultural Affairs Commission.

Linda P. Ford	partial term expiring 03-31-17
Helen Kuykendall	partial term expiring 03-31-17
Matt Justus	partial term expiring 03-31-17
Jan Levinson-Hebbard	partial term expiring 03-31-18

Old and new business – Discussion

Citizen input

The following citizen input was received.

1. Tyler Dewey, 149 Tracy Street – Bronze Level Bike Friendly Community designation expires December 31; supported complete streets policy.
2. Josh Wayne, 125 Greek Park Circle – supported creation of a criminal justice task force.
3. Jesse Houle, 436 Hill Street – supported living wage.
4. Jennifer Rice, 1270 Yonah Avenue – hold town hall events for bike lanes.
5. Adam Lasler, 436 Hill Street – table goals and objectives, supported living wage.
6. Paula Laniak, 445 Ruth Street – supported affordable tiny houses.
7. Tim Denson, 2909 Midway Road – supported complete streets; engage the community.
8. Jordan Hogby, 241 Seagraves Drive – make ATS more accessible; supported bike lanes and sidewalks.

Old business - Discussion

A motion was made by Commissioner Sims, seconded by Commissioner Girtz, to approve the Tuition Reimbursement Program for Unified Government of Athens-Clarke County employees as shown in Attachment #1 of agenda report dated November 5, 2015. The motion passed by unanimous vote.

A motion was made by Commissioner Link, seconded by Commissioner Girtz, to approve the 2016 Local Maintenance Improvement Grant (LMIG) Project Report, as shown in Attachment #1 of agenda report dated November 5, 2015, which will partially comprise the FY 2017 Pavement Management Program; authorize the Mayor and appropriate staff to apply for the \$928,160 in LMIG funds that are anticipated to be available by the Georgia Department of Transportation (GDOT) in accordance with the Transportation Investment Act using the GDOT application shown in Attachment #2 of said agenda report; and authorize the Mayor and appropriate staff to sign all related applications, contracts, documents, and certifications associated with funding for these projects. The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner NeSmith, to:

- a. Approve the following Project Concepts for the Sandy Creek Park Renovations (SPLOST 2011 Project #14) as per agenda report dated October 28, 2015:
 - 1) Sub-Project #1 – Road Maintenance;
 - 2) Sub-Project #2 – Replace Fishing Pier;
 - 3) Sub-Project #3 – Replace Picnic Tables and Trashcans;
 - 4) Sub-Project #4 – Renovate Dog Parks; and,
 - 5) Sub-Project #5 – Upgrade Lakeside Trail at Lake Chapman
- b. Authorize staff to advance Sub-Projects #1-4 of SPLOST 2011 Project #14 to the Bid and Award Phase in accordance with the approved Project Concepts;
- c. Authorize staff to advance Sub-Project #5 of SPLOST 2011 Project #14, to the Preliminary Design Phase in accordance with the approved Project Concept; and
- d. Declare that it is not appropriate for public art elements to be included as part of Sub-Projects #1-4 of SPLOST 2011 Project #14 and to defer a decision on public art elements for Sub-Project #5 until the Preliminary Design Phase for Sub-Project #5.

The motion passed by roll call vote with Commissioners Dickerson, Sims, Wright, NeSmith, Bailey, Bell, Herod, and Girtz voting YES; and Commissioners Link and Hamby voting NO. (8 YES; 2 NO)

A motion was made by Commissioner Dickerson, seconded by Commissioner Herod, to award a construction contract for College Station Road Bicycle Lanes Project to Vertical Earth Inc. for a unit cost not to exceed \$2,751,669.03 as per agenda report dated November 5, 2015; and authorize the Mayor and appropriate staff to execute all related documents. The motion passed by unanimous vote.

A motion was made by Commissioner Girtz, seconded by Commissioner Sims, to approve the Legislative Review Committee recommendation that the Mayor and Commission authorize staff to prepare amendments to the taxicab ordinance and parking ordinance regarding the concepts referenced in item #6 of report dated December 1, 2015 using the Attachment #1 map of Taxi Service Tiered Fares as revised November 30, 2015. The motion passed by unanimous vote.

A motion was made by Commissioner Dickerson, seconded by Commissioner Hamby, to approve proposed FY17 Goals and Objectives as presented and schedule a work session no later than the end of January to consider commission-defined options.

A substitute motion was made by Commissioner Link, seconded by Commissioner NeSmith, to HOLD proposed FY17 Goals and Objectives and schedule a daylong retreat in January with final recommendations to be approved at the February 2, 2016 voting session.

There was a tie roll call vote on the substitute motion with Commissioners Link, NeSmith, Bailey, Girtz, and Hamby voting YES; and Commissioners Dickerson, Sims, Wright, Bell, and Herod voting NO. Mayor Denson broke the tie with a vote of YES.

New business – Consider under suspension of Rules

There was no new business.

Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission.

A public hearing was held on request of the Unified Government of Athens-Clarke County for amendment to the Future Development Map from Community Institutional to Residential Mixed Use on 20.195 acres known as 145 Anna Drive.
Type I

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Ken Beall, representing petitioner – supported Future Development Map amendment and amendment to Planned Development.

A motion was made by Commissioner Hamby, seconded by Commissioner NeSmith, to adopt the following ordinance (#15-12-60) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF THE APPROXIMATE 20.195-ACRE PARCEL OF LAND AT 145 ANNA DRIVE CURRENTLY DESIGNATED AS COMMUNITY INSTITUTIONAL TO RESIDENTIAL MIXED USE; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Official Future Development Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future development map designation of the approximate 20.195-acre parcel of land located at 145 Anna Drive, Athens-Clarke County tax map number 074C A052, presently designated Community Institutional, to Residential Mixed Use, as more particularly shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Future Development Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Future Development Map and Exhibit A hereto are available for inspection in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Beall and Company, as agent for Anna's Walk Condominium Association, for amendment to RM-1(PD) (Mixed Density Residential, Planned Development) on 20.195 acres known as 145 Anna Drive.
Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

There was no additional citizen input.

A motion was made by Commissioner Hamby, seconded by Commissioner NeSmith, to adopt the following ordinance (#15-12-61) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE EXISTING PLANNED DEVELOPMENT ZONED RM-1 (PD) (MIXED DENSITY RESIDENTIAL, PLANNED DEVELOPMENT) ON THE APPROXIMATE 20.195-ACRE PARCEL OF LAND LOCATED AT 145 ANNA DRIVE; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by amending the existing planned development zoned RM-1 (PD) (Mixed Density Residential, Planned Development) on the approximate 20.195-acre parcel of land located at 145 Anna Drive, Athens-Clarke County tax map number 074C A052, as shown on the Athens-Clarke County tax maps on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty, Athens, Georgia, as shown on Attachment A hereto. The purpose of such amendment being to permit the dedication of the existing private streets therein to public rights of way. Said affected approximate 20.195-acre parcel of land is more fully described in the drawing entitled "Anna's Walk, A Single Family Neighborhood (Condominium Ownership), 20.195 Acre Tract, 145 Anna Drive, Athens/Clarke County, Georgia, Amended PD Master Plan, Sheet 1" dated September 30, 2015, prepared by Beall & Company, on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 2. The binding plan associated with this ordinance and incorporated herein by reference consists of one sheet and is entitled "Anna's Walk, A Single Family Neighborhood (Condominium Ownership), 20.195 Acre Tract, 145 Anna Drive, Athens/Clarke County, Georgia, Amended PD Master Plan, Sheet 1" dated September 30, 2015, prepared by Beall & Company, and stamped "Binding 11/10/15".

The binding report associated with the ordinance and incorporated herein by reference consists of a total of three pages and is entitled "Written Report for Anna's Walk Community, RM-1 PD Amendment, (formerly designated as RS-10 PD), Tax Parcel 07C A052, 145 Anna Drive – 20.195 Acres, Athens-Clarke County Georgia" dated October 1, 2015, prepared by Beall & Company, and stamped "Binding 11/10/15".

Except as specifically amended hereby the provisions of all previously approved binding plans, architectural elevations and binding written reports will remain in full force and effect.

SECTION 3. The conditions of rezoning associated with this ordinance are as follows:

1. The existing building lines established by the dwelling units as they have been constructed shall be the minimum setbacks for such units from the rights-of-way. Any future additions to any of the units shall be limited to the sides or rear of the structures.
2. The condominium owners' association shall maintain the trees and other landscaping within the rights-of-way.
3. The condominium owners' association shall maintain the street lighting or pay for the conversion of such lighting to fixtures acceptable to Athens-Clarke County prior to acceptance by ACC for maintenance.
4. Any signs other than standard traffic control signs located within the proposed rights-of-way shall be removed from said rights-of-way.
5. A final plat and all necessary right-of-way deeds creating outlots for the median planting areas and establishing public rights-of-way shall be prepared for approval and recording prior to acceptance by Athens-Clarke County.
6. The Binding Report shall be amended to indicate the correct tax parcel number.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Alvin Sheats, P.O. Box 5142, introduced members of the newly formed Hancock and Athens Coalition Against Displacement.
2. Reba Kimbro, 234 Rocksprings Court – opposed University of Georgia purchase of property for student housing.
3. Danielle Iyelo, 130 Easy Street – concerned about Hancock Corridor displacement.
4. James Bell, Lithia Springs, Georgia, President CARE – supported parallel ordinance.
5. Zane Bader, 1515 Cedar Shoals Drive – supported parallel ordinance.
6. Jesse Houle, 436 Hill Street – government should be transparent.

FROM MAYOR DENSON:

1. Referred to Legislative Review Committee: Explore opportunities to expand sidewalk and pedestrian infrastructure.
2. Referred to Legislative Review Committee: Review of Code section 9-5-5 regarding subdivision of a single lot. Would ask that this be a priority item to be discussed at next meeting and reported back to the Commission by March 2016.
3. Announced proclamations will be presented to the following for participation in the Adopt Athens Program

ADOPT-A-HIGHWAY

<u>Adopting Organization</u>	<u>Location</u>
Kappa Sigma Fraternity	Oglethorpe Avenue from Prince Avenue to the perimeter
Phi Delta Theta	Fourth Street from Old Hull Road to MLK Jr. Parkway
Athens Technical College Alumni Association	Chase Street on and off ramps for the perimeter

FROM COMMISSIONER LINK:

1. Announced the Planning Commission will discuss infill housing at their December 3 meeting.
2. Supported parallel ordinance.
3. Requested work sessions be televised.

FROM COMMISSIONER DICKERSON:

1. Expressed appreciation for review of subdivision of a single lot.
2. Stated she makes every effort to return e-mails.

FROM COMMISSIONERS HAMBY, BELL, HEROD AND WRIGHT:

1. Stated discrimination will not be tolerated and a proposal will be forthcoming.

FROM COMMISSIONER NESMITH:

1. Stated Chief Freeman is doing a great job on the recent homicide.
2. Stated the University of Georgia is not purchasing houses for students.
3. Stated the Atlanta Highway corridor needs review for zoning and other updates.

FROM COMMISSIONERS LINK AND NESMITH:

1. Requested correction of disparity in lighting ordinance (floodlights)
2. Requested an update on Tallassee Road tract (Georgia Power easement)

FROM COMMISSIONER GIRTZ:

1. Requested formation of a citizen committee to pursue two related recommendations from the Prince Avenue Corridor Study to allow preparation for future funding opportunities: LMIG, T-SPLOST, SPLOST, available grants and others.

SHORT TERM RECOMMENDATION:

#3. Develop a detailed, master streetscape plan along all segments of Prince Avenue that coordinates utility placement under wide sidewalks, street tree plantings and planters, retaining walls, improved crosswalk design, and other pedestrian amenities such as appropriately scaled lighting and signage.

MID TERM RECOMMENDATION:

#7. Conduct traffic circulation analysis for the corridor. Such analysis may result in lane configuration changes, signalization changes, operational intersection improvements, and enhanced pedestrian facilities including mid-block crosswalks.

FROM COMMISSIONERS SIMS AND HEROD:

1. Requested appointment of committee to recommend potential T-SPLOST projects.

FROM COMMISSIONER BAILEY:

1. Commended elected officials for their work on goals and objectives.
2. Stated his house would be considered a minimum size.

The meeting adjourned at 8:55 p.m.

Clerk of Commission