

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, SEPTEMBER 8, 2016
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Tim Carroll, Sandra Tooley, Robert Yost, and Vivian Miller-Cody. Councilman Alvin Payton, Jr., arrived late at 5:34 p.m. and Councilman Ben Norton and Councilman Joseph "Sonny" Vickers were absent. The invocation was given by Pastor Willie Flowers, All Nations Deliverance Center, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

EMPLOYEE OF THE MONTH AWARD

Consideration of the September, 2016 Employee of the Month Award (Grady Padgett, Engineering Department - Arbor Division).

Pat Collins, City Engineer, stated that Grady Padgett began his employment with the Engineering Department on December 18, 2015 as the Heavy Equipment Operator for the Arbor Division which is the position he currently holds. As the Heavy Equipment Operator, Grady is tasked with operating an aerial lift truck, box truck and chipper, stump grinder, and chainsaws. He also performs various tasks associated with trees such as planting, pruning, and removal of hazardous limbs and trees. The Arbor Division consists of only two employees and shortly after Grady was hired, the Urban Forestry Supervisor was out on medical leave for almost ten weeks. During this time, Grady not only performed his job, but assisted with making sure all efforts were made to keep the Arbor Division operating as efficiently as possible. Grady took the initiative to request a tablet and hot spot so that he could respond quickly to work orders and E-mails while out in the field. He evaluated all open work orders and began working on the ones he could complete himself. Between January and July of 2016, the Arbor Division completed 53 work orders and 28 were completed by Grady during the ten-week timeframe. In addition, he assisted with coordination and planting of a memorial tree, maintained all written records, and assisted with site visits to confirm the size and health of trees when tree removal permits were submitted. Grady is an employee who truly stepped up during this time of need, demonstrated initiative, strong organization skills, and great customer service. For these reasons and many others, the Employee Relations Committee nominated Grady Padgett as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the August 25, 2016 Regular Meeting were approved by unanimous consent (5-0) of the Council.

PUBLIC HEARINGS

AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR AN EVENT CENTER IN A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT WITHDRAWN

Consideration of an Ordinance for a Conditional Use Permit for an event center in a Highway-Commercial (C-H) Zoning District was requested by Amrutbhai Patel (File No. CU-2016-02). The property is located at 410 North Oak Street. Mayor Gayle stated that the applicant has withdrawn this request.

ORDINANCE NO. 2016-17, A CONDITIONAL USE PERMIT FOR A SELF-STORAGE MINI-WAREHOUSE FACILITY IN A COMMUNITY-COMMERCIAL (C-C) ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit (CUP) for a self-storage mini-warehouse facility in a Community-Commercial (C-C) Zoning District as requested by Windrush Land Company (File No. CU-2016-03). The property is located at 3819 North Valdosta Road. The Greater Lowndes Planning Commission reviewed this request at their August regular meeting and recommended approval with eight conditions (5-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Windrush Land Company, represented by Spencer Carraher, is requesting a Conditional Use Permit (CUP) for a proposed self-storage mini-warehouse facility in a Community-Commercial (C-C) Zoning District. The property consists of 3.59 acres located at 3819 North Valdosta Road. This is the vacant tract of land immediately behind Music Funeral Home and adjacent to the Withlacoochee River floodplain. The applicant is proposing a complex of several mini-warehouse buildings that contain multiple self-storage units, with a total building area of approximately 61,000 square feet. The entire project will be built in stages. Approximately half of the building area will be climate-controlled with interior access hallways. The facility will also include its own small business office near the property entrance with an on-site Manager and controlled access with limited hours of availability. A small portion of the northern area of the property is within the FEMA-designated 100-year floodplain. Construction of the buildings in the floodplain area will be subject to FEMA approval. The applicant is also proposing to redesign and rebuild the existing shared driveway with Music Funeral Home giving access to North Valdosta Road. The property is located within the Neighborhood Activity Center (NAC) and the Parks/Recreation/Conservation (PRC) Character Area on the Future Development Map of the Comprehensive Plan. The PRC Character Area corresponds with the 100-year floodplain. The designated "Protected River Corridor" for the Withlacoochee River is located along the river channel which is more than 1,000 feet to the northwest of the property. The property previously contained a mobile home park (on well/septic systems in unincorporated Lowndes County), but was abandoned and cleared in 2008. The property was later annexed and rezoned to MXD in 2011 based on an approved master plan containing a mixture of offices, commercial, and multi-family uses. The owner then abandoned that master plan and in 2014, successfully petitioned the City to rezone the property to C-C in order to allow marketing of the property for conventional C-C zoning. It was mentioned and discussed at that time that a potential viable use for this property would be self-storage mini-warehouses, and it was then understood that such a use would require separate CUP approval. The owner now has the property under contract for purchase (by the applicant) for this proposed use pending approval of the CUP. Since annexation and the subsequent rezoning, there has been essentially no change with this property nor the surrounding land use pattern, the development trends of the area, nor even the challenges this property faces for any form of commercial or mixed-use development. The property still has a very peculiar shape, only one means of access which must be shared with the adjacent funeral home, little to no visibility from North Valdosta Road, lack of public sewer services, and the same environmental considerations with the overlapping floodplain. Even with the commercial zoning in place, typical commercial development of this property has many challenges and potentially active uses of this property are seemingly few. As was discussed at the time of rezoning in 2014, development of this property for self-storage mini-warehouses is indeed a logical option. It is a low traffic generator (which eases the burden upon shared access with the adjacent property), does not really require good visibility from the roadway other than an attractive entrance with simple signage, demands very little water/sewer service, and has complete flexibility in terms of building layout which can efficiently fit within the irregular shape of the property. The property itself has a very isolated nature by virtue of the adjacent river floodplain to the north and west, the vacant property to the south, and the golf course across North Valdosta Road. The only substantial neighbor is Music Funeral Home which is already separated from this property by an existing 8' solid wooden fence. The only portion of this property that was inundated in the epic flood of 2009 was the extreme northern portion where the property slopes rapidly downward into the river floodplain. Any development of this portion will require special approval from the Engineering Department and FEMA, and without their approval the applicant would simply need to eliminate the proposed buildings in the floodplain area. With exception of strict adherence to the City's buffer yard requirements, the applicant's conceptual site plan demonstrates compliance with all of the City's development standards for this type of commercial development, including the supplemental standards for mini-warehouses. With the current zoning pattern of the surrounding properties, buffer yards are only required adjacent to the County R-21 zoned properties to the south and southwest. The southwestern property (L. A. Denzer) is currently undeveloped and forested, and sits about 10' lower than most of the property. With its low elevation, lack of public right-of-way access, and no utility services, future development of this property seems unlikely. The southern property (Coleman family) is undeveloped and still heavily forested. It is mostly developable with its more than 500' of frontage along North Valdosta Road and a possibility of connection to City utilities. In such case, it would need to be annexed into the City and would likely be given a Commercial Zoning thereby eventually negating the requirement of a buffer yard between these two properties; however, perimeter landscaping is still required by the Land Development Regulations (LDR) adjacent to all these properties but not to the level of a buffer yard. The adjacent Funeral Home to the east is zoned C-N and no buffer yard is required, only screening of visibility from North Valdosta Road (because of the mini-warehouses). In lieu of the required buffer yards along the back sides of the property where they are not needed, the applicant is proposing to maintain an 8'

screening fence and a very dense buffer yard along the funeral home property. This is proposed to be a 15' building setback area that is planted with a minimum ratio of 2 canopy trees, 10 small trees and 60 shrubs per 100 linear feet. For comparison, this is literally twice the vegetation density that would normally be required in a buffer yard between commercial and residential uses. The applicant is also proposing a maximum building height of 10' for those buildings adjacent to this property line; thus, only the top 2' of the buildings might be visible above the fence until such time as the vegetation becomes fully grown. Though not required, the applicant is also proposing to install a 10' buffer area along the outside perimeter of the detention pond where there are currently no trees. The only remaining issue is that of shared access to North Valdosta Road. The applicant is proposing to completely reconstruct this shared driveway entrance, with approval by the Georgia Department of Transportation (GDOT), so that the Funeral Home will have the primary pathway for ingress/egress. City water services are already available to the property. It is eligible to have its own septic tank/drain field (for its one bathroom), but there still remains the possibility of connection to City sewer with the use of a small pump station. In general, the applicant is proposing a use and design to efficiently develop this hard-to-develop property in a manner that meets or exceeds the City's development requirements. The NAC Character Area promotes a mixed and moderate level of development intensity. With the proper conditions of approval, this is a very logical use of the property that meets the spirit and intent of the City's development regulations and the Comprehensive Plan. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be granted for a self-storage mini-warehouse facility, as generally depicted on the submitted site plan, and subject to all the current supplemental development standards for such use. The facility shall utilize security gated controlled access with limited hours of operation, and an on-site Manager. (2) Any outdoor storage areas shall be for recreational vehicles only, shall be limited to no more than 15,000 square feet of total area, and shall be located at least 200' from North Valdosta Road. (3) Access to the site from North Valdosta Road shall be provided in the form of a shared driveway and joint access easement with Music Funeral Home. Intersection improvements shall be approved by GDOT as applicable, and the main path of designed ingress/egress shall be given to the Funeral Home. (4) At the time of construction for each building in the development, the finished floor elevation of each building shall be at least 136', or at an elevation 2' above FEMA's 100-year flood elevation for the property at the time of construction, whichever is greater. FFE for each building shall be approved by the City Engineer. Development of Buildings "C" through "E" and their surrounding area shall be subject to both City Engineer and FEMA approval, as applicable. (5) All buildings shall be one story and Buildings "E" through "H" (adjacent to the Funeral Home property) shall be limited to a maximum height of 10'. (6) The eastward-facing walls of Buildings "D" and "H", and both the eastern and northern walls of the office on the eastern side of Building "A" shall comply with the provisions of LDR Section 214-7 (no metal siding). Outdoor lighting shall be building-mounted fixtures only and directed away from neighboring properties. (7) All vehicular use areas shall be paved with materials acceptable to the City Engineer. (8) In lieu of a required buffer yard along the southern and southwestern property lines, evergreen vegetation shall be required along the eastern property lines (adjacent to the Funeral Home) as depicted on the submitted site plan. In lieu of the existing 8' wooden fence along the property line, the applicant may utilize a dark green finish color on the outside walls of Buildings "E" through "H" facing the Funeral Home property. The 10' building setback area along the southern property line shall remain vegetated in a natural undisturbed state that is consistent with the adjacent property. Existing mature trees in all these areas shall remain as approved by the City Arborist. (9) Conditional Use approval shall expire after three years from the date of approval if no plans for a building permit have been submitted by that time. The Planning Commission reviewed this at their August 29, 2016 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions (5-0 vote) [same conditions as recommended by Staff, but excluded (4) and modified the language to Staff on (6)]: (1) Approval shall be granted for a self-storage mini-warehouse facility, as generally depicted on the submitted site plan, and subject to all the current supplemental development standards for such use. The facility shall utilize security gated controlled access with limited hours of operation, and an on-site Manager. (2) Any outdoor storage areas shall be for recreational vehicles only, shall be limited to no more than 15,000 square feet of total area, and shall be located at least 200' from North Valdosta Road. (3) Access to the site from North Valdosta Road shall be provided in the form of a shared driveway and joint access easement with Music Funeral Home. Intersection improvements shall be approved by GDOT as applicable, and the main path of designed ingress/egress shall be given to the Funeral Home. (4) All buildings shall be one story and Buildings "E" through "H" (adjacent to the Funeral Home property) shall be limited to a maximum height of 10'. (5) Outdoor lighting shall be building-mounted fixtures only and directed away from neighboring properties. The eastward-facing wall of Building "H", and both the eastern and northern walls of the office on the eastern side of Building "A" shall comply with the

provisions of LDR Section 214-7 (no metal siding). The eastward-facing wall of Building "D" shall be fully screened by the same dense evergreen vegetation as depicted on the site plan adjacent to Buildings "E" through "H." (6) All vehicular use areas shall be paved with materials acceptable to the City Engineer. (7) In lieu of a required buffer yard along the southern and southwestern property lines, evergreen vegetation shall be required along the eastern property lines (adjacent to the Funeral Home) as depicted on the submitted site plan. In lieu of the existing 8' wooden fence along the property line, the applicant may utilize a dark green finish color on the outside walls of Buildings "E" through "H" facing the funeral home property. The 10' building setback area along the southern property line shall remain vegetated in a natural undisturbed state that is consistent with the adjacent property. Existing mature trees in all these areas shall remain as approved by the City Arborist. (8) Conditional Use approval shall expire after three years from the date of approval if no plans for a building permit have been submitted by that time.

Nathan Brantley, Attorney, spoke in favor of the request. Mr. Brantley stated that he was representing the applicant and they feel that the use of this property for a self-storage facility meets the criteria for Conditional Use Permit approval. It is an appropriate use and the best use for the property due to its unique shape. With the low impact created by the self-storage facility, it fits into this area well. The impact to neighboring properties will be minimal. Mr. Brantley asked for Council's consideration in approving the request.

Burke Sherwood, Attorney, stated that he was representing the Denzer family who owns property on the southern portion of the area and he was neither in favor or opposed to the request but had some questions. Mr. Sherwood stated that this property is now in the estate of the Denzer family. It was mentioned that the property to the south is undevelopable and floods. The northern most portion of that property has never flooded and could be developed in the future. His only concern was that there was no buffer zone required for the rear. They may not need to have a buffer; however, if a buffer is not required for the mini storage facility and they develop this property, they do not want the requirements to be cast on them. When they develop this property, they will be asking the same thing of the City. Larry Hanson, City Manager, stated that buffer requirements are different based on the use. Matt Martin, Planning & Zoning Administrator, stated that the Denzer property is currently zoned R-21 which is in the County and is zoned for single-family homes and half acre lots. It has no frontage on a public street and is land-locked. Annexation and connection to City utilities may be requested if they develop the property for something else. The topography lines are very tight on the western boundary and the next topography going off the property hits the 100-year floodplain. On the northern edge of that is some land that extends for some distance and is the only high part of the property. It would have to be analyzed in greater detail for development potential.

Councilman Yost inquired about Music Funeral Home and what their thoughts were about this request. Matt Martin stated that the Funeral Home has had several discussions with Staff and the applicant about the details of the landscape area between the properties. There are still other landscape requirements in play, including perimeter landscaping, which the applicant would have to do around the entire perimeter of the site. It is just not quite the same density of a buffer yard. They would still do the perimeter landscaping on the south and southwest sides and utilize the natural vegetation that is already there. Councilman Yost inquired as to why they would have to have a green wall. Matt Martin stated that the fence could stay and that was the original proposal. It would hide eight feet of the ten foot tall building. The Funeral Home had discussed getting rid of the fence and let the landscaping be in a row. It is all evergreen, will be irrigated, and with the high growth rate and mature plantings placed in the ground it would not take long. The concern was that without the fence the entire wall of the building would be exposed which is not required to have a façade and could be a metal warehouse look. The request in the condition is to at least make it a dark green wall so it helps blend in with the vegetation as it is growing.

No one spoke in opposition to the request.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (5-0) to enact Ordinance No. 2016-17, an Ordinance to follow the recommendation of the Greater Lowndes Planning Commission for a self-storage mini-warehouse facility in a Community-Commercial (C-C) Zoning District as requested by Windrush Land Company with the eight conditions noted above, the complete text of which will be found in Ordinance Book XIII.

Consideration of an Ordinance to rezone 4.00 acres from Single-Family Residential (R-10) to Community-Commercial (C-C) as requested by Kelly Barcol (File No. VA-2016-10). The property is located at 2037 East Park Avenue. The Greater Lowndes Planning Commission reviewed this request at their August regular meeting and recommended approval (5-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Pastor Kelly Barcol, on behalf of Winnersville Community Center, Inc., is requesting to rezone 4.00 acres from Single-Family Residential (R-10) to Community-Commercial (C-C). The property is located at 2037 East Park Avenue which is along the north side of the road between J. L. Newbern Middle School and Scintilla Charter Academy. The property is currently vacant and the applicant is proposing to construct a mixed-use community center type facility (approximately 16,000 square feet) that contains a church as well others uses including the applicant's cross fit athletic training business, a small café (smoothie bar), after-school programs, and indoor rock climbing. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-C zoning when the property is located on a Collector or Arterial Roadway. This segment of East Park Avenue is classified as a Minor Arterial. This property received Conditional Use (CUP) approval in 2009 for a church facility (File No. CU-2009-10) under the same applicant; however, the plans for the church have now evolved to include some commercial uses that are not allowed in the existing R-10 zoning, nor under the CUP approval, and hence the need for Commercial Zoning. All of the applicant's proposed uses for this facility are a permitted use under C-C zoning. In terms of land use pattern, this portion of East Park Avenue is dominated by the J. L. Newbern Middle School, Scintilla Charter Academy, and now the west entrance to the new Valdosta High School (still under construction). There is also an abundance of vacant land as well as a widely scattered development pattern consisting of churches, offices, a few single-family homes, and some commercial businesses. In terms of zoning pattern, most of the properties are still zoned Single-Family Residential (including the three schools), but there is also some C-C and C-N zoned properties nearby with more intensive C-H zoning located closer to Inner Perimeter Road and Jaycee Shack Road. Continued Single-Family development with direct access to East Park Avenue is no longer appropriate here. These existing R-10 and R-15 zoning areas are non-compliant with the designated NAC character area on the Future Development Map, which calls for development to be of a little higher density or intensity of use. The property is located within a pocket of land that is bounded on two sides by existing schools with the only means of access coming directly from East Park Avenue. C-C zoning is acceptable here, given this arrangement and the presence of other C-C and C-N zoning areas a short distance away. This corridor is certainly not planned to become an intensive commercial corridor, but a few light-commercial uses in these pocketed areas are appropriate for the overall characteristics of the area and would help serve future non-commercial development along the corridor. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their August 29, 2016 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (5-0 vote).

Kelly Barcol, the applicant, spoke in favor of the request. Mr. Barcol stated that for the past 13 years they have done lots of things in the community. They adopted J. L. Newbern Middle School and last month they gave out over 500 backpacks. They pick up students every day for after school tutoring and an hour of cross fit training. Last year they partnered with Scintilla Charter School and started an after school program with them. If this request is approved they will get to impact more children in the community.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Ordinance No. 2016-18, an Ordinance to rezone 4.00 acres from Single-Family Residential (R-10) to Community-Commercial (C-C) as requested by Kelly Barcol, the complete text of which will be found in Ordinance Book XIII.

ORDINANCE NO. 2016-19, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 0.40 acres from Single-Family Residential (R-10) to Office-Professional (O-P) as requested by Ron Borders (File No. VA-2016-11). The property is located at 1805 Green

Circle. The Greater Lowndes Planning Commission reviewed this request at their August regular meeting and recommended approval (5-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Ron Borders is requesting to rezone 0.40 acres from Single-Family Residential (R-10) to Office-Professional (O-P). The property is located at 1805 Green Circle which is in the northeast corner of the circle, approximately 200' north of Baytree Road. The property currently contains a single-family residence (1,039 square feet) and the applicant is proposing to convert this to professional office usage and add a small parking lot (five spaces) in the front yard area (similar to the other properties along Green Circle). The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P zoning. The applicant acquired this existing rental house a year ago and is now proposing to convert this property for use as a professional office. This will consist of some minor renovations as well as the installation of a five-space parking lot in the front yard. Although these five parking spaces alone would meet the minimum parking requirements for a professional office of this size, there are still some additional on-street parking within the Green Circle right-of-way which are currently shared by all the Green Circle properties. As part of the redevelopment, a buffer yard (10' wide with opaque fence) will be required along the western, northern, and eastern property lines adjacent to R-10 zoning. It does not appear that the proposed small parking area will be large enough to trigger stormwater detention requirements. Green Circle is a small enclave area consisting of seven parcels along the north side of the Baytree Road corridor. They were all former residences. Over the past 20 years, more than half of these properties have already been rezoned to O-P and have converted to professional office usage. Due to Green Circle's small isolated nature with its only means of access coming from Baytree Road, and more than half of these properties being non-residential, continued use of these properties for residential purposes is no longer appropriate. These properties were purposefully designated Neighborhood Activity Center in the Comprehensive Plan, in the same manner as the rest of the nearby Baytree corridor. This was so they could be redeveloped in a manner consistent with the other properties along this section of the corridor which are professional offices with light commercial uses along portions of the Baytree frontage. O-P zoning is appropriate for the property as well as all the other inward properties along Green Circle. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their August 29, 2016 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (5-0 vote).

Ron Borders, 1718 Williams Street, spoke in favor of the request and asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A MOTION by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (5-0) to enact Ordinance No. 2016-19, an Ordinance to rezone 0.40 acres from Single-Family Residential (R-10) to Office-Professional (O-P) as requested by Ron Borders, the complete text of which will be found in Ordinance Book XIII.

ORDINANCE NO. 2016-20, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 0.35 acres from Single-Family Residential (R-6) to Highway-Commercial (C-H) as requested by Roger Budd Company (File No. VA-2016-12). The property is located at 402 East Mary Street. The Greater Lowndes Planning Commission reviewed this request at their August regular meeting and recommended approval (5-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that the Roger Budd Company is requesting to rezone 0.35 acres from Single-Family Residential (R-6) to Highway-Commercial (C-H). The property is located at 402 East Mary Street which is along the north side of the street, approximately 200' east of North Ashley Street. The property currently contains an existing commercial building (8,296 square feet) that was previously used as a residential contractor's office (grandfathered nonconforming use). The applicant is proposing to convert the property for use as an automotive body shop for a prospective tenant. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H zoning. Interestingly, this parcel of land has been zoned R-6 since at least 1984, and perhaps

has been zoned Residential since the City first adopted zoning in 1966; however, it seems to have always been used for commercial purposes or some kind of storage. The exact early history is still unknown, but data at the Tax Assessors Office shows the original building to have been built in 1948, with a major remodeling/addition in 1988. Its dominant use all these years appears to have been a building contractor office with accessory storage (or at least something similar). The Chelsea Restoration business (residential contractor) occupied the premises from 2006 to the Spring of 2016. Staff is considering this use of the property to have been a grandfathered-in legal non-conforming use; however, now the applicant is proposing to change this use to a different one that is more intensive and therefore not grandfathered-in thus creating the need for a zoning change to accommodate the proposed use. Given the existing commercial nature of the property, the adjacent C-H zoning to the west, and the fact that the CAC Character Area allows C-H zoning, the applicant has a strong argument for C-H to be placed on this property as well; however, C-H zoning is intended to locate on Arterial (major) streets, and not have its only access on local side streets such as East Mary Street. Staff is also concerned about the existing single-family residential uses that are immediately adjacent on two sides (east and north), as well as the other residential use (duplex) directly across the street to the south. Staff instead believes the proposed C-H zoning is a little too intensive for this property and feels that C-C zoning is a more appropriate zoning classification here. It matches the C-C rear yard of the property across the street and allows a wide range of commercial uses, including most all forms of retail sales and services and even a residential contractor's office has existed on the property for the past ten years. It should also be noted that outdoor storage for commercial uses has supplemental standards that need to be followed. If the rezoning is approved and a major automotive repair business such as a body shop moves in, then they would need to comply with these standards or else receive a Variance from the Zoning Board of Appeals. Staff found the request for C-C zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their August 29, 2016 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-H zoning (5-0 vote).

Roger Budd, III, 11 Tremblewood Trail, spoke in favor of the request. Mr. Budd stated that they have owned this property since 2000 and it was developed by the Davis family as Davis Air Conditioning, Manufacturing, and Repairs in 1948. The property is older than the Zoning Ordinance itself. It has always had a commercial use and the property has been developed as a warehouse facility with a loading dock. The property has had many heavy duty commercial uses such as a Georgia Power line repair facility and a construction and demolition facility. The primary draw for people to use this property has been due to the loading dock access. They currently have a perspective tenant who wants to do automotive work in there and they have always been operating under the assumption that this type of use was allowed. Mr. Budd asked that the existing problem with the paperwork be resolved in favor of how the property is currently situated.

No one spoke in opposition to the request.

A MOTION by Councilwoman Tooley, seconded by Councilman Payton, was unanimously adopted (5-0) to enact Ordinance No. 2016-20, an Ordinance to rezone 0.35 acres from Single-Family Residential (R-6) to Highway-Commercial (C-H) as requested by Roger Budd Company, the complete text of which will be found in Ordinance Book XIII.

ORDINANCE NO. 2016-21, AN ORDINANCE TO AMEND THE CITY OF VALDOSTA LAND DEVELOPMENT REGULATIONS, CHAPTER 310 – STORMWATER MANAGEMENT, ARTICLE 2 – STORMWATER UTILITY

Consideration of an Ordinance to amend the City of Valdosta Land Development Regulations (LDR) as it pertains to Chapter 310 - Stormwater Management, Article 2 - Stormwater Utility (File No. VA-2016-13). The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended approval (4-1 vote).

Matt Martin, Planning & Zoning Administrator, stated that the City of Valdosta is requesting to amend the Land Development Regulations (LDR) Chapter 310 - Stormwater Management, Article 2 - Stormwater Utility. The main purpose of these amendments is two-fold: First, is to implement the increase in the monthly stormwater utility multiplier rate from \$2.50 to \$3.50 per single-family unit (SFU) of measurement. This change has already been adopted as part of the City's budget for fiscal year 2017. The proposal is also to add language to the LDR that

allows any future possible change to the SFU multiplier rate to be approved as part of the City's annual budget adoption process (like any other rates/fees the City may charge for various services). And secondly, the City's Stormwater Division (Staff) who administer the City's Stormwater Utility, were relocated from the Utilities Department to the Engineering Department a few years ago. Therefore, the other purpose of the Amendments is to clarify language for housekeeping purposes (to change the references from Utilities Department and Utilities Director to Engineering Department and City Engineer, as applicable). Staff found the request consistent with the Comprehensive Plan, and recommended approval of these proposed Amendments. The Planning Commission reviewed this at their August 29, 2016 meeting, found it consistent with the Comprehensive Plan, and recommended approval (4-1 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Ordinance No. 2016-21, an Ordinance to amend the City of Valdosta Land Development Regulations (LDR) as it pertains to Chapter 310 - Stormwater Management, Article 2 - Stormwater Utility, the complete text of which will be found in Ordinance Book XIII.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2016-13, A RESOLUTION AUTHORIZING THE EXECUTION OF A STANDARD UTILITY AGREEMENT BETWEEN THE CITY OF VALDOSTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR ADJUSTMENT OF UTILITIES FOR A ROADWAY PROJECT

Consideration of a Resolution authorizing the execution of a Standard Utility Agreement between the City of Valdosta and the Georgia Department of Transportation for adjustment of utilities for a Roadway Project.

Henry Hicks, Utilities Director, stated that the Georgia Department of Transportation (GDOT) is proposing to undertake a Resurfacing Project for SR 7 BU (South Patterson/North Ashley) from SR 7 (Inner Perimeter Road South) to SR 7 (Inner Perimeter Road North). Following a review of the GDOT plans for the Roadway Project, the Utilities Department surveyed the area and identified 50 manholes and 46 valve boxes that will require adjustment in preparation for the Resurfacing Project. The work involves lowering the valve boxes and manhole rings prior to milling the road and then raising them back to the designed grade prior to resurfacing. These utilities adjustments are required in accordance with 23 CFR Part 645, Subpart A and O.C.G.A. 32-6-171. With the City responsible for the cost of the work, Staff had two viable alternatives to address the needed adjustments. The first was to advertise for bid a Contract to complete the work in conjunction with the GDOT Roadway Project. Coordinating and scheduling the work would be complex and ultimately the City's responsibility. The second was to include the work in the Roadway Contract to be let by the GDOT with the estimate provided by the City. GDOT would be responsible for the scheduling and coordination. Performing the work in-house by the Utilities Department is not considered a viable option because of the high level of resources necessary to perform the required work. Due to this and the complexity of the Project's coordination, it will be advantageous to the City to have the utilities adjustments included in the GDOT Roadway Contract. Cost for the work is estimated to be \$156,624.34. The maximum potential cost to the City will be \$172,286.77. Henry Hicks recommended that Council approve the Resolution and the Standard Utility Agreement with GDOT in the amount not to exceed \$172,286.77 to perform the utilities adjustments at the City's expense,

A MOTION by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (5-0) to enact Resolution No. 2016-13, a Resolution authorizing the execution of a Standard Utility Agreement between the City of Valdosta and the Georgia Department of Transportation not to exceed \$172,286.77 for adjustment of utilities for a Roadway Project, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2016-14, A RESOLUTION AUTHORIZING THE EXECUTION OF A STANDARD UTILITY AGREEMENT BETWEEN THE CITY OF VALDOSTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR ADJUSTMENT OF UTILITIES FOR A RESURFACING PROJECT

Consideration of a Resolution authorizing the execution the execution of a Standard Utility Agreement between the City of Valdosta and the Georgia Department of Transportation for adjustment of utilities for a Resurfacing Project.

Henry Hicks, Utilities Director, stated that the Georgia Department of Transportation (GDOT) is proposing to undertake a Project to resurface SR 7 SB (Patterson Street) from SR 7 BU (West Savannah) to SR 7 BU (East Magnolia Street). Following a review of the GDOT plans for the Roadway Project, the Utilities Department surveyed the Project area and identified 16 manholes and 12 water valve boxes that will require adjustment in preparation for the work. The work involves lowering the valve boxes and manhole rings prior to milling the road and then raising them back to the designed grade prior to resurfacing. These utilities adjustments are required in accordance with 23 CFR Part 645, Subpart A and O.C.G.A. 32-6-171. With the City responsible for the cost of the work, Staff had two viable alternatives to address the needed adjustments. The first was to advertise for bid a Contract to complete the work in conjunction with the GDOT Roadway Project. Coordinating and scheduling the work would be complex and ultimately the City's responsibility. The second was to include the work in the Roadway Contract to be let by the GDOT with the estimate provided by the City. GDOT would be responsible for all scheduling and coordination. Performing the work in-house by the Utilities Department is not considered a viable option because of the high level of resources necessary to perform the required work. Due to this and the complexity of the Project's coordination, it would be advantageous to the City to have the utilities adjustments included in the GDOT Roadway Contract. Cost for the work is estimated to be \$23,622.32. The maximum potential cost to the City will be \$25,984.55. Henry Hicks recommended that Council approve the Resolution and the Standard Utility Agreement with the Georgia Department of Transportation not to exceed \$25,984.55 to perform the utilities adjustments for this Project at the City's expense.

A MOTION by Councilman Yost, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Resolution No. 2016-14, a Resolution authorizing the execution of a Standard Utility Agreement between the City of Valdosta and the Georgia Department of Transportation not to exceed \$25,984.55 for adjustment of utilities for a Resurfacing Project, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2016-15, A RESOLUTION TO ADOPT THE LOWNDES COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

Consideration of a Resolution to adopt the Lowndes County Multi-Jurisdictional Hazard Mitigation Plan Update.

Larry Hanson, City Manager, stated that the Lowndes County Hazard Mitigation Plan is an official update of the Lowndes County Pre-Disaster Mitigation Plan and was submitted to and approved by the Georgia Emergency Management Agency (GEMA) in 2011. The Plan is intended to provide the framework for hazard mitigation strategies and actions undertaken by local governments within Lowndes County. The purpose for completing the Hazard Mitigation actions is to reduce the overall level of exposure and risk to the citizens of Lowndes County, as well as government-owned facilities and infrastructure. This Plan will meet the requirements of the Disaster Mitigation Act of 2000 and will allow Lowndes County and each of the local municipalities to maintain eligibility and qualify to secure all federally-declared disaster assistance. The prior 2011 Plan identified numerous local hazards for each of the communities within Lowndes County and for the County as a whole, as well as significant events (i.e., flood of 2009) that occurred which reinforced the need for an effective County-wide mitigation strategy. In the new Plan, some prior listed natural hazards were clarified and Public Health Emergency has been added to both the natural and man-made hazards after consulting with members of the Lowndes County Hazard Mitigation Planning Committee. The current economy continues to limit the resources available to local governments even as they must still provide vital services to the community. It is extremely important for community leaders and the public to work together in developing a strategy to address hazard-related issues in a variety of different ways. This Plan will provide local officials with a decision-making tool to help them prioritize and make the best use of a limited amount of resources in order to safeguard the community to the greatest extent possible from future disasters. A Resolution must be adopted by each local government no later than September 30, 2016. The importance of the Resolution and Plan is that it is a requirement for each local government to participate in order to receive State and Federal assistance and/or funding in the event of a disaster. Larry Hanson recommended that Council approve the Resolution to adopt the Lowndes County Hazard Mitigation Plan Update.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Resolution No. 2016-15, a Resolution to adopt the Lowndes County Multi-Jurisdictional Hazard Mitigation Plan Update, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a bid for emergency repairs for the replacement of a sewer main located at 1404 North Ashley Street.

Henry Hicks, Utilities Director, stated that on August 18, 2016, City crews responded to a report of strong sewer odors in the vicinity of 1404 North Ashley Street. Following their investigation of the call and a subsequent evaluation of the sewer system in the reported area, Utilities Department personnel determined that a 17-foot deep 18-inch sanitary sewer main was the source of the problem. Using video inspection technology, they discovered that a 14-foot section of the concrete main had collapsed. The collapse was obstructing sewage flow and creating sewer backups leading to overflows. Staff quickly installed a temporary bypass system around the obstruction to restore flow. Further inspection revealed that the remaining 166 linear feet (LF) of main was deteriorated and in danger of further collapse. A point repair of the 14-foot collapsed section was considered, but Staff ultimately determined that the best course of action to prevent future pipe failure and sewer overflows was to replace the entire 180 linear foot sewer main. Staff explored various options and determined that the most cost effective and feasible way for replacing the 17-foot deep main was pipe bursting (a minimally evasive method of replacing buried pipeline without the need for a construction trench). Cured-In-Place-Pipe (CIPP) lining was not a viable option because of the age and brittle condition of the pipe. Due to time constraints and the critical need to prevent further pipe failure, an emergency condition was issued for repairs which prevented use of the formal bidding process. Staff used the informal written bid method and received bids from three local contractors. The lowest bidder was Radney Plumbing, Inc. (RPI) with a quote of \$83,550. While RPI was preparing to undertake the work, they found that the sewer pipe at both ends of the 18 inch line were 24 inches which caused a bottleneck in the system. The Utilities Department asked for a price to replace the entire section of the 18 inch line and upsize it to 24 inches. This would expand the scope of work from 184 feet to 430 feet. The cost for the additional work was \$106,375 and the total cost for all of the work would be \$189,925. Henry Hicks recommended that Council approve the entire scope of work in the amount of \$189,925 plus a 10% contingency because this line will eventually start collapsing one section at a time and they would like to get it all replaced right now. There is also a section from Ashley Street to Lee Street that will also have to be replaced but they will come back later with bids on that.

A **MOTION** by Councilman Carroll, seconded by Councilman Yost, was adopted (4-1) with Councilwoman Tooley voting in opposition to approve a bid by Radney Plumbing in the amount of \$189,925 plus a 10% contingency for emergency repairs for the replacement of a sewer main located at 1404 North Ashley Street.

LOCAL FUNDING AND REQUESTS

Consideration of a recommendation to amend the Mayor and Council Policy Procedures and Guidelines.

Larry Hanson, City Manager, stated that the Policy Procedures and Guidelines document for the Valdosta City Council was first adopted on February 21, 1985. The purpose of the document is to assist the Mayor and Council with operating in an orderly and consistent manner and to become more efficient and effective in conducting the business of the City. The Policy Procedures and Guidelines document has been amended several times in the past. On Page 3, the word "electronically" was added which is how we deliver Agenda Packets now and on Page 5, Citizens to be Heard will be placed immediately before the City Manager's Report and the Council Comments on the Council Agenda. This will allow the City Manager, the Mayor, and the City Council to be able to respond to a citizen's comment, if they wish, while respecting the policy to not engage in debate or to vote on matters brought up during the Citizens to be Heard portion on the Agenda. At the Work Session on Tuesday, the Council also discussed changing a sentence under Citizens to be Heard to read as follows: "Citizens are limited to three minutes per person for their comments." This would eliminate the portion of the sentence that states, "however, at the discretion of the Mayor or presiding officer, the time limit may be reduced to three minutes per person." The last change was under Section VIII – Procedures for Public Hearings, Item C, and the word "then" was added to the sentence. Larry Hanson recommended that Council approve the Amendments and housekeeping

changes to the Policy Procedures and Guidelines for the Mayor and Council. Councilman Payton inquired as to when this would go into effect. Larry Hanson stated that it would go into effect at the next Council Meeting unless Council sets an effective date.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was adopted (5-0) to amend the Mayor and Council Policy Procedures and Guidelines as noted above with an implementation date set for the first Council Meeting in October.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Citizens Fire Academy is in week two of nine weeks and it has been a successful program. Council is encouraged to visit one of the classes to see citizens engaging and learning more about the Fire Department.

There are two events this week for remembrance of the 9-11 tragedy. The first event is a family movie night on September 10, 2016 and is sponsored by the City, the County, and the Parks and Recreation Authority on the Courthouse Square beginning at 7:30 p.m. The second event, a brief remembrance ceremony, will be held on Sunday, September 11, 2016 at 8:45 a.m. at Fire Station No. 1.

There is still time to sign up for the Citizens Police Academy which will begin on Thursday, September 15, 2016 and Council is encouraged to make sure citizens are aware of this opportunity.

There are seven miles of roadway in the City (Ashley Street and Patterson Street) that will be resurfaced and the Georgia Department of Transportation will be approving a contract at their October Board Meeting for the resurfacing of Interstate from Exit 18 to the Cook County line.

Larry Hanson, City Manager, stated that it was very rewarding to see the dedicated City employees during the recent storm event. There was a water main break last Wednesday night on Ashley Street and some of the Utilities Department Staff worked 18 hour shifts and then on Friday they worked 24 hour shifts. The City employees will do whatever it takes to get the job done and that is the caliber of people that we have employed. The after effects of the storm have fallen primarily on Public Works, the Engineering Department, and the Stormwater Division. On Tuesday of this week, Public Works picked up 140,000 lbs of yard debris which is 70 tons and on Wednesday, they picked up 222,000 lbs which is 111 tons. An average day of yard trash is 31 tons and as of today they had picked up another 86 tons. They have picked up 266 tons of yard debris. There was a tremendous volume of debris caused by the storm and Public Works just started on Tuesday's route today. We normally have three claw trucks working and one of those is for special pickups. The other two are used for yard trash. This week we have six claw trucks working on yard trash. We have our three trucks, two from Advanced Disposal, and one from the City of Douglas. Our employees have been working 12 hour shifts this week and will be working all day on Saturday. It will take approximately three weeks to cover the entire City and get it back to normal. There have been a number of citizens calling and sending E-mails praising the City of Valdosta employees for the work they are doing. Larry Hanson thanked the City employees for all of their hard work.

Also, the Engineering Department won an Innovation Award by the National Association of Development Organizations for street sweeping data collection. They have been documenting the number of miles that are swept by route and they use a formal GIS-based system. It will be used as a national example to cities and counties all over the country to document and show the community what they are actually doing.

COUNCIL COMMENTS

Councilman Yost thanked the Staff for their efforts during and after the storm. The residents of his District appreciate all of their hard work. Councilman Yost stated that he stopped by Mathis Auditorium on Friday morning to visit with the people who went there for safety or who were displaced. They were without electricity and the City was scrambling to find generators. We need to look at some grants to obtain a generator if Mathis Auditorium or any other facility is going to be used as a storm shelter in an emergency situation. Larry Hanson, City Manager, stated that the City's role in emergency management is to provide a facility and it is up to the Lowndes County

Emergency Management Agency to make the decision to open the shelter which is then manned by the Red Cross. He spoke with Ashley Tye, Lowndes County Emergency Management Director, and in the future they are going to have the building wired for a generator and put on a list so that in the event that a generator is needed one will be dropped off. This would not have been a responsibility of the City but we found a generator to have the lights on. This is the type of thing that we learn from and next time we will be better prepared and incorporate that into the plan. Councilman Yost stated that the last thing he wanted to say was that it is time for the City appointees on the Hospital Authority to resign effective immediately and they need to fire the CEO and the Attorney.

Councilman Carroll stated that he wanted to applaud the Staff for all of the hard work that they did during and after the storm. He also wanted to thank Larry Hanson for his pre-planning and bringing resources in to assist with the effects of the storm. The citizens and the City of Valdosta are very fortunate to have Larry Hanson at the helm.

CITIZENS TO BE HEARD

There were no citizens to be heard.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (5-0) to adjourn the September 8, 2016 Meeting of the Valdosta City Council at 6:32 p.m. to meet again in Regular Session on Thursday, September 22, 2016.

City Clerk, City of Valdosta

Mayor, City of Valdosta