

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, MARCH 10, 2022
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Scott James Matheson called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sandra Tooley, Vivian Miller-Cody, Tim Carroll, Ben Norton, Eric Howard. and Andy Gibbs. Councilman Joseph "Sonny" Vickers was absent. The invocation was given by Pastor Naaman Hooker, Morning Star Missionary Baptist Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Consideration of the March, 2022 Employee of the Month Award (William Sims, GIS/Real Property Coordinator, Engineering Department).

William Sims is the GIS/Real Property Coordinator in the Engineering Department. He typically assists Staff across the City organization with determining the type, use, and location of easements and right-of-way so they can perform their work without encroaching on private property. He will also assist by going into the field and help to mark and locate such easements or right-of-way. Part of William's job description is to assist Departments with negotiating easements and right-of way or assisting with disposal of real property if the City should decide to sell a property. However, this portion of his job description is typically not to any large degree of his assigned workload, or to any grand scale or effort. Rather, most property acquisition or disposal assignments are limited and ancillary to a capital improvement project or a maintenance effort or where a City-owned parcel is no longer needed. After all, the City's primary mission is not in the real estate sales or acquisitions business, so this portion of Mr. Sims workload is minimal. On April 9, 2020, the City Manager received a notice-to-proceed to begin the acquisition of right-of-way for the Jerry Jones Project. There are 153 parcels along the corridor, and mostly all parcels were impacted needing purchase of temporary or permanent easements or right-of-way. The original Project timeline was 24 months (January, 2020 through December 31, 2021). Thus, based on the April 1st notice, the City initially received a three-month late authorization to even begin negotiations. In addition, due to the pandemic, City Staff, including Mr. Sims (and most property owners) were quarantined. Consequently, face-to-face negotiations and acquisitions were delayed a second time and not able to start until May 1, 2020. The Project calendar was even further compressed a third time when the Certification date was moved from December 31, 2021, to October 15, 2021. From the get-go, Mr. Sims had his timeline considerably cut short before he even started and there remained a tremendous amount of negotiations yet to do (far more work than what was typically expected of him or his job duties). However, it should be noted that Mr. Sims was willing to give it a try which ultimately saved the City the cost of outsourcing the work. Given the Project was being constructed with State and Federal funds, it was the City's responsibility to acquire the right-of-way in accordance with the Federal Highway Act of 1970 and Georgia Law of 1972 and in accordance with the Right-of-Way Acquisition Contracts covering the Project. The contracts set a strict timeline (cut short by the Georgia Department of Transportation and the COVID Pandemic) and included various documentation forms that needed to be given to the property owner with copies retained for the Georgia Department of Transportation (GDOT). The rigid contract mandates required Mr. Sims to become familiar with every form and its purpose and to keep meticulous records to pass GDOT's scrutiny at the end of the Project. Having the proper forms and documentation were paramount to the City ultimately being reimbursed up to \$1 million dollars. The Project estimate for land and improvement costs was \$601,480 with a 50% increase to \$952,481 for counter offers and condemnation increases. Mr. Sims negotiated a total City payout for land and improvements of \$639,000 which fell \$313,481 below the \$952,481 ceiling. Given the City will be reimbursed up to \$1 million for acquisition costs associated with right-of-way, the \$313,481 is in effect additional cost savings the City can apply towards appraisal and Attorney's fees and other acquisition costs. Lastly, it was initially estimated by GDOT that as many as 23 parcels would need to be condemned yet only was one parcel was condemned. Mr. Sims spent many hours negotiating, answering property owner questions, and documenting his work for GDOT. He often would meet with property owners after business hours to accommodate their schedules. It is for those reasons and many more, that Pat Collins, City Engineer, nominated William Sims for the City-wide employee of the month and he asked the Employee of the Month

Selection Committee to support the nomination based on the following findings: (1) Mr. Sims met the October 15th deadline for reaching agreements with owners of every parcel. (2) He met this deadline despite three time-setbacks beyond his control, meeting the deadline in 17.5 months (6.5 months less than originally programmed). (3) He demonstrated superb organization and negotiation skills throughout the acquisition period. (4) His skills allowed the City to realize \$313,481 in acquisition savings (that ultimately can be applied towards other eligible costs associated with the \$1 million dollar reimbursement). (5) There were 23 parcels were forecasted to be condemned yet only was 1 parcel was condemned. (6) He often would meet with property owners after work hours to accommodate their schedules. (7) Both the size and scope of the acquisition project was never envisioned for someone in this position to handle alone in-house. (8) Mr. Sims stepped up beyond my expectations for the duties of the position. (9) His can-do attitude throughout the Project was outstanding and ultimately led to his success.

APPROVAL OF MINUTES

The minutes of the February 24, 2022 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2022-1, AN ORDINANCE FOR CONDITIONAL USE PERMITS FOR SALES AND STORAGE OF COMMERCIAL TRAILERS IN A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT, AND SELF-STORAGE FACILITIES AND OUTDOOR SALES AND DISPLAY IN THE INNER PERIMETER ROAD CORRIDOR OVERLAY DISTRICT (IPR COD)

Consideration of an Ordinance for Conditional Use Permits for sales and storage of commercial trailers in a Highway-Commercial (C-H) Zoning District, and self-storage facilities and outdoor sales and display in the Inner Perimeter Road Corridor Overlay District (IPR COD) as requested by Burke Batten (File No. CU-2022-01). The property is located at 4955 Inner Perimeter Road. The Planning Commission reviewed this at their February 28, 2022 Regular Meeting and recommended approval with three conditions (9-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Burke Batten is requesting a Conditional Use Permit (CUP) for sales and storage of commercial trailers in a Highway-Commercial (C-H) Zoning District, as well as a CUP for Self-Storage Facilities and Outdoor Sales & Display of Merchandise in the Inner Perimeter Road Corridor Overlay District (IPR COD). The property consists of 9.22 acres located at 4955 Inner Perimeter Road along the east side of the road approximately 1,000 feet north of U.S. Highway 84. This is the same property that was the subject of a Rezoning request last fall (File No. VA-2021-17). The property is currently vacant and uncleared, and the applicant is proposing to develop this property as part of a Commercial Trailer & Storage Container business. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the City's Inner Perimeter Road Corridor Overlay District (IPR-COD). The property was part of the very large "Brayland" tract of land which was annexed in the late 1980's. At that time, it was given a Zoning pattern that was based on an overall Master Plan for development which never materialized. Approximately 15 years ago, the Brayland tract was subdivided and auctioned off into smaller tracts. Many of the existing Zoning boundaries did not follow the new parcel lines. The property was one of those subdivided parcels which ended up with split Zoning (in this case R-P and C-H). In preparation for making this CUP application eligible for consideration, the R-P portion was rezoned to C-H so that all of the property would be consistently eligible. The applicant is proposing a mixed-commercial form of development with many of the uses being at the upper end of the intensity scale for commercial development, and approaches that of light industrial development. This area along Inner Perimeter Road is still mostly undeveloped; however, there are some light industrial uses nearby to the south of U.S. 84, as well as some intensive commercial uses one to two miles to the north (such as Ace Electric). At Staff's suggestion, and as evident on the proposed conceptual site plan, the applicant is proposing to mitigate any negative appearance of the proposed intensity of uses by completely shielding the interior of the site from Inner Perimeter Road and also the surrounding properties. The only portions that will be plainly visible will be the office building and customer parking area at the front entrance. The mini-warehouses and the extensive outdoor storage area will not be visible. As part of the overall site, each of these uses will still need to follow their own Land Development Regulations (LDR) Supplemental Standards, as well as the general requirements of the IPR-COD and LDR or seek approved

Variances as necessary. Because this is a unique combination of commercial uses with a still unknown development pattern on the surrounding properties, there should be careful consideration of the CUP conditions of approval. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following three conditions: (1) Approval shall be granted in the name of the applicant only, as owner/manager of the business, for a mixed commercial development that includes self-storage mini-warehouses, outdoor rental storage for recreational vehicles, as well as other storage and staging area for the applicant's trailer and storage unit business. (2) Site development shall be in general accordance with the conceptual site plan, which includes preserving the natural evergreen trees and other vegetation around the perimeter of the site, so that the site's interior is not very visible from Inner Perimeter Road or adjacent properties. The site's internal layout and pavement design for maneuverability and Fire Department access shall be at the discretion of the City Engineer and Fire Marshal. (3) Conditional Use approval shall expire after two years from the date of approval if no building permit and site development plans have been approved by that date. The Planning Commission reviewed this at their February 28, 2022 Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to these same three conditions as recommended by Staff (9-0 Vote).

Burke Batten, 4949 Hatfield Circle, Hahira, spoke in favor of the request. Mr. Batten stated that he is a Corporate Officer/Shareholder of Arising Industries, Inc. and they bought this land last July with the intent to expand their wholesale manufacturing network and develop a retail apparatus. It will basically be a dealership lot to stage the products that they manufacture. They build approximately 7,000 of these trailers a year and they have been in business since 2008. They have built approximately 70,000 trailers since they have been in business and they want to use this property for a pod-like business model where they will manufacture portable storage units and store the empty storage units and then lease them out to people in south Georgia and north Florida. They will deliver them and bring them back and store them empty. There is nothing actually stored in the pods on this property. This property is a great location and they feel that the proposed use is consistent with the Highway-Commercial (C-H) Zoning that they were able to secure last year. Mr. Batten asked Council's consideration in approving the request.

Councilman Howard inquired as to whether they had plans to make this their headquarters and if they would have any manufacturing in Valdosta/Lowndes County. Mr. Batten stated that Arising Industries is a family company and his father is currently the majority shareholder and he is the minority shareholder. They are in a succession plan right now and are restructuring entity-wise as to how they are going to operate in the future. Because of the current Zoning of this property, they cannot manufacture there, but this will be a separate entity that they will be operating on this parcel and it will not be Arising Industries, Inc. It will be its own separate business and have its own separate employees. This may be something like a Call Center where there would be five to ten employees answering phone calls, retail sales on-line, and on the actual location. As far as Lowndes County, they would manufacture anywhere they could find employees right now. Councilwoman Tooley inquired as to whether they would find somewhere else for the manufacturing portion. Mr. Batten stated that they currently have approximately 200,000 square feet of manufacturing capacity with 80,000 square feet in Jeff Davis County and 100,000 in Ben Hill County. Prior to COVID, they had 200 employees. They have been doing this for 14 years and all of the manufacturing will happen in those two places to start with.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman Miller-Cody to approve the Conditional Use Permits for sales and storage of commercial trailers in a Highway-Commercial (C-H) Zoning District, and self-storage facilities and outdoor sales and display in the Inner Perimeter Road Corridor Overlay District (IPR COD) as requested by Burke Batten with the following three conditions: (1) Approval shall be granted in the name of the applicant only, as owner/manager of the business, for a mixed commercial development that includes self-storage mini-warehouses, outdoor rental storage for recreational vehicles, as well as other storage and staging area for the applicant's trailer and storage unit business. (2) Site development shall be in general accordance with the conceptual site plan, which includes preserving the natural evergreen trees and other vegetation around the perimeter of the site, so that the site's interior is not very visible from Inner Perimeter Road or adjacent properties. The site's internal layout and pavement design for maneuverability and Fire Department access shall be at the discretion of the City Engineer and Fire Marshal. (3) Conditional Use approval shall expire after two years from the date of approval if no building permit and site development plans have been approved by that date. Councilman Gibbs seconded the motion. The

motion was unanimously adopted (6-0) to enact Ordinance No. 2022-1, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2022-2, AN ORDINANCE FOR 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 for a Self-Storage Mini-Warehouse facility in a Community-Commercial (C-C) Zoning District as requested by Trey Taylor DBA Bemiss Development Partners, LLC (File No. CU-2022-02). The property is located at 4036 Bemiss Road. The Planning Commission reviewed this request at their February 28, 2022 Regular Meeting and recommended approval with four conditions (9-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Trey Taylor, on behalf of Bemiss Development Partners, LLC, is requesting a Conditional Use Permit (CUP) for a Self-Storage Mini-Warehouse facility in a Community-Commercial (C-C) Zoning District. The property consists of 5.57 acres located at 4036 Bemiss Road which is along the east side of the road directly across from the intersection with Cat Creek Road. This site is the former Winn Dixie grocery store and shopping center. The applicant is proposing to convert the vacant larger building (former grocery store - 46,946 square feet) into a climate-controlled self-storage facility. The applicant's conversion will be in the form of interior remodel and only a minor amount of cosmetic changes on the outside, and with no expansions to the building. The applicant is also proposing to utilize the rear and side service areas next to this building as an outdoor storage rental area for the keeping of recreational vehicles. This area will be accessed via 6' tall security gates next to the front corners of the building. The other smaller building on the site (4,420 square feet) will continue to remain as a multi-tenant regular commercial building available for lease. It was noted that this is the same property that was the subject of the exact same CUP request last summer, under a different applicant name, which was denied by City Council by a 4-3 Vote (File No. CU-2021-01). The applicants from last summer are from the Atlanta area and they have now joined with a local development partner. On January 20, 2022, they requested and obtained special permission from the City Council to submit a new CUP request for this property before the required 12-month waiting period expires. There are no changes from the previous CUP request except for the name and composition of the applicant. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is part of a well-established commercial corridor along Bemiss Road with a wide range of existing commercial uses in the vicinity. The former grocery store has been vacant now for a couple years and Staff is not aware of any attempts to re-occupy this with another grocery store or other large retailer. Although the conversion of this large commercial building in a viable commercial area for this kind of use may seem less than ideal, it does effectively re-use the large vacant building into something productive. It also leaves the remaining portions of the near-empty shopping center open for commercial occupancy and redevelopment with additional smaller buildings. The only concern with the proposal is the proposed outdoor storage area being adjacent to the vacant residential property to the east, which is already planned for a 125-lot subdivision and whose preliminary subdivision plat has already been approved. It is very important that this proposed outdoor storage area be screened and buffered from this future subdivision as much as possible, and that the intensity level of this storage be kept reasonable. The LDR contains Supplemental Standards for Mini-Warehouses as well as Outdoor Storage, and these should be followed as they are applicable to the existing site. Unfortunately, the original buffer yard vegetation has vanished and there is insufficient space between the rear maneuvering aisles and the property line to allow a conventional buffer yard width; however, tall opaque screening with an appropriate amount of evergreen trees within this existing non-paved perimeter area should suffice. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the following four conditions: (1) Approval shall be granted for a self-storage mini-warehouse business in the existing main building only, and with accessory outdoor storage in the side and rear yard areas behind the front wall of this existing main building only. (2) The outdoor storage area shall be enclosed on the sides and rear by a minimum 8' tall privacy fence. The fence portions facing the south and west shall be permanently opaque and solid. The fence portions facing the north and east shall either be permanently opaque and solid, or instead have an added mesh screen for temporary opacity to allow time for the vegetation to grow and fill-in. A landscaped strip between the existing pavement edge and the property line, shall be planted and maintained along the sides and rear of the outdoor storage area, with landscaping that consists of a minimum 6 small trees and 2 canopy trees per 100 linear feet as approved by the City Arborist. All trees shall be evergreen variety. (3) Outdoor storage items shall be limited only to motor vehicles and customary recreational

vehicles such as boats and campers and their associated trailers. All outdoor items shall be operative and in good working condition, and neatly parked at all times. There shall be no heavy trucks or equipment, or other materials allowed. (4) Conditional Use approval shall expire after three years from the date of approval if the proposed use has not received an official Certificate of Occupancy (non-temporary) from the City by that date. The Planning Commission reviewed this at their February 28, 2022 Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the same four conditions as recommended by Staff (9-0 Vote).

Trey Taylor, 4 Fox Hollow Circle, spoke in favor of the request. Mr. Taylor stated that he appreciated Council's attention to this matter as it was previously before Council when it was a Project that was owned and run by different people. He has since come into this Project and became very interested as to how this specific parcel could be re-purposed in the best use for the City. He has spoken with several people of concern who have said they want to have various uses and they have gone down the road on each of those requests to see if they can turn these into the various uses that would benefit the citizens and that area. Specifically, they have spoken to grocery stores, and he did not know there are 36 different brands of grocery stores. He has rejection letters from all of them saying that it was just not for them. He feels that is due largely because of the Walmart grocery store in that area. They have also had it out for retail use without much success and they have had some very early discussions about some type of medical use as well. Those are not completely dead, but they are on-going and a much different use. With that, they have come back and asked for Zoning approval, which they received unanimously the other night, to say that storage is the best use for this property. It is their intent to make the property look a lot better than it is and earn a lot better than it does currently.

Councilwoman Tooley stated Mr. Taylor had said that what he sees as the best use for the City is to have the property as storage; however, that question came up before and she would be really interested in seeing what changed Council's mind to say that it would not be because they did question that due to the fact that there are so many self-storage facilities already in the City of Valdosta. She hears that Mr. Taylor is saying that it is the best use for the City because it would not be better to have an empty building anymore. Mr. Taylor stated that is part of it because it is always better to have something occupied and providing economic benefit. He was not involved in the Project before December 31, 2021 so he purchased the building at that point. The previous motion, the previous applicants, and the previous objections are really irrelevant to him because he does not know what those reasons were. It has been suggested to him that we have enough self-storage in Valdosta and that we do not need anymore. He can tell you that the people that get paid to answer those questions from a data standpoint think that Valdosta and Lowndes County are still under-developed and under-served as far as that goes for storage in general, but specifically, this is climate-controlled indoor storage. If you will think for a second, the closest one that is really climate-controlled is all the way in Remerton so all of those people who live at and near Moody Air Force Base and in District 4 do not have really easy access to quality climate-controlled storage. He is drawing a line between storage and climate-controlled storage and said that he thinks we need more climate-controlled storage. Councilwoman Tooley stated that she can understand that but it came up before and she knows that Council did not agree with that. That is one thing. Councilwoman Tooley inquired as to whether Mr. Taylor was associated with the previous applicants. Mr. Taylor stated that he actually purchased that building and brought those two on board as his partners in this Project if a storage use is approved. Councilwoman Tooley stated that the reason she asked is because everything is pretty much the same and she wondered why Council would not approve it for the other applicants when they are approving it for Mr. Taylor. She is trying to make sure they do not have any discrepancy in this saying there are different reasons and being a little biased. That is one of her reasons for asking that question as well. Mayor Matheson stated that she could not ask that question. Councilwoman Tooley inquired as to why they have the exact same steps as before and she wondered what happened and if it is going to be more economical and productive for the City. She was wondering what the big change was when something like that happens. They have a few things come up so she was just wondering. Mr. Taylor stated that he could offer an opinion and the biggest change to him is the time and the effort of marketing that they have put in to change the use on this and potentially finding other economic inhabitants of this property. They have come up empty every single time. Councilwoman Tooley inquired as to whether Mr. Taylor sees any other particular use that it could be other than just for this. Mr. Taylor stated no. He has stacks of paper to say that the grocery stores are not a good fit and the retail aspect is not a good fit. It is not him saying that but it is them coming to look at the property and saying that it just does not pencil out for them and they cannot make it work.

Councilman Gibbs inquired as to whether the plans included the storage of boats, and RVs, and fifth wheels in the outside area along the side. Mr. Taylor stated yes. In the interior of the green fenced area, they are doing that. They will be putting up the expensive green fencing to shield the view of all of that. Councilman Gibbs stated that the closest storage of that type is eight or nine miles from this location. Mr. Taylor stated that was correct and that it was located in the County. Councilman Gibbs inquired as to whether they were going to do anything to the front part area because there is so much space there and they will not need all that parking. Mr. Taylor stated that one of the benefits of the Project is that they do drop the parking and traffic requirements for the area so they could potentially take a look at that if it made sense in the future. They have not had any discussions with the Planning and Zoning Office about whether that is possible or advisable. They are just focused on the main building at the present time. Councilman Gibbs stated that he thought it was something needed. Councilwoman Tooley stated that Mr. Taylor had mentioned the timing of the Project and doing it right now because usually, it might be a longer period of time to make a decision. She inquired as to what the need was to speed it up and do it so soon. Councilman Gibbs stated that it was costing Mr. Taylor money. Councilwoman Tooley inquired as to how he knew that. Councilman Gibbs stated that Mr. Taylor has a loan and it is called economics. Mr. Taylor stated that was exactly a driver in it and he has proven to his own satisfaction that there is nothing else that is going in that building. Councilwoman Tooley stated that was because Mr. Taylor owns it. Mr. Taylor stated that they have held it out for lease and for sale even if someone would come in. Councilman Gibbs inquired as to how long the building has been empty. Mr. Taylor stated that it has been empty approximately 6 ½ years. Councilman Gibbs stated that Mr. Taylor wants to spend money on it and increase our tax digest. Mr. Taylor stated that his budget suggests \$3.5 million of new capital and he would assume that the Tax Assessor would assume that this would be worth more money. Councilman Gibbs stated that he wanted to bring more revenue to our economy and Lowndes County. Councilwoman Tooley inquired as to how many employees they would have. Mr. Taylor stated that storage does not demand a lot of employees so they think between one and three employees depending on how fast it would lease up. Also, even though he does not employ them directly in the other four tenants that are there, they probably have 8 to 20 employees.

Councilman Howard stated that he has personally reached out to four grocery stores to talk about this property and they were not interested; however, that is not the issue here right now. We cannot pick winners and losers. If they want to invest in this to do what they want to do and if they fall flat on their face, that is the chance that they are willing to take right now. That is not for Council to decide whether or not they can do that. It is their money and what they are asking Council to do is to consider this or not. It is not for Council to determine to them if they are going to lose money. If they have it to lose then that is their business. Councilwoman Tooley stated that she agreed and asked Councilman Howard how he voted for it the first time. Mayor Matheson stated that their questions should be directed to the applicant that is before you. Mr. Taylor stated that it was not in their business plan to fall flat on their faces.

Dan Davis, 1001 Cherry Creek Drive, spoke in opposition to the request. Mr. Davis stated that he has been in the storage business for 24 years in Valdosta. He spoke against this the last time that Council voted against it. A lot of the reasons that he was opposed to it are still good now plus there are some new ones. There are a couple of things that he would like to clear up. The closest climate-controlled storage is not in Remerton but it is his facility that has 60 units. Right down the road from his facility is the new Monster Storage Facility which will be opening in a couple of weeks. It has several hundred climate-controlled units. Right now, there are approximately 27 facilities in Valdosta and Lowndes County and Monster Storage, which is a national chain, will make it 28. There are approximately 3,000 climate-controlled units available in Valdosta and Lowndes County. Rates range for a 10 x 10 from \$115 per month to \$160 per month. This was just before Council nine months and there was supposed to be a moratorium on these things that the same request cannot be presented for 12 months. For some reason, this is coming up again and this is the first time it has ever happened. This is getting fast-tracked through. In general, most of the facilities he has talked to are around 15% vacancy rate on their climate-controlled storage. It is a matter of how many storage facilities that you want in Valdosta. You cannot guarantee the success or failure of a storage facility, but you get into a situation of over-developed storage just like they have in Albany. A lot of their storage facilities have graffiti and are in a bad state of repair. This is what happens when you get over-saturated. They do not make money so they start cutting corners. When that happens, you have units that get repossessed and property values start dropping. The main problem he has is with the Overlay District. Valdosta is very strict on mini-storage. Mini-storage is only allowed in certain areas, primarily industrial parks and places like that. It also has very restrictive build-outs as required by the LDR. When he wanted to expand his facility to the property across the street, he was denied that opportunity because it did not fit into the LDR and long-term planning with the City of

Valdosta. For someone else to come in and take a piece of existing property and develop it is like a slap in the face considering that he has been in business 47 years in Valdosta and in the storage business for 24 years. The City of Valdosta felt like there were too many liquor stores and vape shops so Council put a moratorium on those to not allow any more vape shops or liquor stores. It comes to a point where you get over-saturated with mini-storage on every corner. The majority of the storage facilities are being built in the County, but there are quite a few of them in Valdosta also. His opposition is still the same as it was when Council voted it down nine months ago. He is surprised that it is here three months earlier than it should be. Also, there seems to be some misconception with him and the Mayor on this and his feeling on the situation. Mr. Davis stated that he understands that the Mayor feels like he does not want or like competition; however, he does not have a problem with competition. He likes it when it is on the same level playing field. He does not like special favors granted. If you come to his facility, it is a family-owned operation. If you come to rent a storage unit at his facility and he does not have what you need then he will get on the phone and call his competitors to see if they have a unit available. They get the rate information and provide that to the customer and they draw the customer a map on how to get to that facility. A lot of people who have developed facilities here in Valdosta have come to him and discussed their plans. He spoke with Joe Singletary before he built the storage facility on Highway 41. He has also talked to John Huff about his facility, Kings Gate. He has no problem with competition and he welcomes it.

Councilman Gibbs inquired as to whether they could have Matt Martin, Planning & Zoning Coordinator, to come back to the podium to explain why this has come back before Council so that citizens will understand the rules. Matt Martin stated that whenever City Council denies a land use request, such as the one that was brought before Council in June, there is a required waiting period. By local Ordinance, the waiting period is 12 months and by State Law it is 6 months. The waiting period as described in the Ordinance is 12 months unless Council grants specific permission to submit a request earlier than 12 months but no earlier than 6 months. When that request was brought before Council in January, 2022, that was month number seven. The vote taken in January did not approve or guarantee anything and was simply to give the applicant permission to submit a Conditional Use Request to Council before the 12 months expired. Councilman Gibbs stated that the vote by Council in January was unanimous to bring it back up per the Law. Councilwoman Tooley stated that she was not at that meeting and there were only four Council members present to vote on the request. She did review the video and when you make a motion, there was no time given and the motion was approved for this Conditional Use. She thought that a lot of times when you make a motion like that then you would have to state the time or the reason for the motion or state that they are making a motion now because it is six or eight months into the time period. She was not sure if it was clear what they were saying when they made the motion. Even though the motion was approved by the four Council Members who were at the Council Meeting, it was not unanimous. Mayor Matheson stated that was what was being presented to Council at that time and of course they thought that was what was before them. Councilwoman Tooley stated that they keep saying it was unanimous but it was not because all of the Council Members were not at that Council Meeting.

A MOTION was made by Councilman Howard to approve a Conditional Use Permit for a Self-Storage Mini-Warehouse facility in a Community-Commercial (C-C) Zoning District as requested by Trey Taylor DBA Bemiss Development Partners, LLC. Councilman Gibbs seconded the motion. Councilman Carroll inquired as to whether the motion included the four conditions. Councilman Howard stated that was correct and his motion did include the following four conditions: (1) Approval shall be granted for a self-storage mini-warehouse business in the existing main building only, and with accessory outdoor storage in the side and rear yard areas behind the front wall of this existing main building only. (2) The outdoor storage area shall be enclosed on the sides and rear by a minimum 8' tall privacy fence. The fence portions facing the south and west shall be permanently opaque and solid. The fence portions facing the north and east shall either be permanently opaque and solid, or instead have an added mesh screen for temporary opacity to allow time for the vegetation to grow and fill-in. A landscaped strip between the existing pavement edge and the property line, shall be planted and maintained along the sides and rear of the outdoor storage area, with landscaping that consists of a minimum 6 small trees and 2 canopy trees per 100 linear feet as approved by the City Arborist. All trees shall be evergreen variety. (3) Outdoor storage items shall be limited only to motor vehicles and customary recreational vehicles such as boats and campers and their associated trailers. All outdoor items shall be operative and in good working condition, and neatly parked at all times. There shall be no heavy trucks or equipment, or other materials allowed. (4) Conditional Use approval shall expire after three years from the date of approval if the proposed use has not received an official Certificate of Occupancy (non-temporary) from the City by that date. Councilman Gibbs was in agreement to include the four conditions. The

motion was adopted 4-2 with Councilwoman Tooley and Councilman Norton voting in opposition to enact Ordinance No. 2022-2, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2022-3, AN ORDINANCE TO REZONE 0.45 ACRES FROM RESIDENTIAL-PROFESSIONAL (R-P) TO OFFICE-PROFESSIONAL (O-P) ZONING DISTRICT

Consideration of an Ordinance to rezone 0.45 acres from Residential-Professional (R-P) to Office-Professional (O-P) Zoning District as requested by Ashley Skipper (File No. VA-2022-01). The property is located at 2317 Bemiss Road. The Planning Commission reviewed this at their February 28, 2022 Regular Meeting and recommended approval (9-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Ashley Skipper is requesting to rezone 0.45 acres from Residential-Professional (R-P) to Office-Professional (O-P). The property is located at 2317 Bemiss Road which is at the southeast corner of Bemiss Road and Randolph Street. The property contains an existing professional office building (2,023 square feet) and both front/rear parking lots with a total of nine parking spaces. There are no proposed changes to the building or the site, except for some minor interior remodeling. The applicant is requesting the O-P Zoning in order to make the property eligible for a proposed Personal Services Shop, and other possible uses such as a yoga studio and an "esthetics" training academy. The applicant's proposed Personal Services Shop would require a Conditional Use Permit (CUP) approval in O-P Zoning and this would be reviewed under its own application at a later date if this Rezoning request is approved. 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 property is part of the low intensity stretch of the Bemiss Road corridor between the more intensive commercial nodes of the Castle Park shopping center and the Northside Drive intersection areas. This portion of the corridor is characterized by mostly professional offices and multi-family development and is reflected on the maps by the NAC Character Area. Most all of the properties in the portion of the corridor are zoned R-P, which allows both the professional offices and high-density residential uses. None of the properties in this corridor are currently zoned O-P; therefore, this particular Rezoning request gives the impression of spot zoning which is often contrary to good land use policy and gives pause when considering it. Staff was initially opposed to this Rezoning request because of the spot-zoning nature and it introducing a new zoning classification to the surrounding zoning; however, in considering the overall nature and history of the Bemiss Road corridor and the overlapping similarities of R-P and O-P Zoning, Staff is now viewing the request more positively. The only significant differences between these two Zoning Districts is that R-P Zoning allows multi-family development and O-P does not, and that O-P Zoning allows a few more limited uses than R-P such as banks which R-P does not. O-P Zoning also adds a few uses with a CUP approval, such as a commercial-sized daycare center, pharmacy, and the more intensive kind of Personal Services Shops (which the applicant is ultimately proposing). Therefore, even the introduction of a lot of O-P Zoning to this corridor would still not have very much effect on its low-key non-commercial nature. It should also be remembered that Bemiss Road is a five-lane State highway that functions as an Arterial roadway with high traffic volumes. In this regard, O-P Zoning should certainly be considered interchangeable with the surrounding R-P pattern, which some could argue is a little bit under-zoned. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval of O-P Zoning. The Planning Commission reviewed this at their February 28, 2022 Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of O-P Zoning (9-0 Vote).

Ashley Skipper, 415 Southwest Sampala Lake Road, Madison, Florida, spoke in favor of the request. Ms. Skipper stated that she was the applicant and was the owner of AS Esthetics. She is a licensed Medical Esthetician and a licensed Medical Tattoo Artist. Thus far, one of her biggest accomplishments is winning Best Esthetician of Georgia which was given to her by Georgia Business Journal and voted on by the local community. She provides over 20 services that are mainly esthetic services; however, 2 out of the 20 services are classified as tattoo which is part of the reason that she will have to come back for the Conditional Use Permit. One of those tattoo services is very unique and she is the only one who does it here in Valdosta. It is called the 3-D Areola Restoration Tattoo for Breast Cancer survivors. She is the last step of their journey and it is really a great thing that she can offer the start of their diagnosis all the way to the end when they come to see her here in Valdosta. She has actually been doing business in Valdosta for the past three years and has been renting a small space in the back of Whimsey Salon which is located in Downtown Valdosta. She has expanded and grown and is looking for a place to relocate to continue on with her dreams and aspirations for her business.

Councilwoman Miller-Cody inquired as to whether this new location would give her more privacy for the clients. Ms. Skipper stated that was correct and she was looking forward to making it a place where it is not quite as sterile and medical looking as a Doctor's Office so it does not remind them as another surgery they are going through but a very empowering place for women to receive this last step of their journey.

No one spoke in opposition to the request.

A MOTION by Councilman Howard, seconded by Councilwoman Miller-Cody, was unanimously adopted (6-0) to enact Ordinance No. 2022-3, an Ordinance to rezone 0.45 acres from Residential-Professional (R-P) to Office-Professional (O-P) Zoning District for property located at 2317 Bemiss Road as requested by Ashley Skipper, the complete text of which will be found in Ordinance Book XIV.

AN ORDINANCE TO ANNEX TWO PARCELS CURRENTLY ZONED PLANNED DEVELOPMENT (P-D){COUNTY}, CROSSROADS COMMERCIAL (C-C){COUNTY}, AND OFFICE INSTITUTIONAL (O-I){COUNTY} WITHDRAWN

Consideration of an Ordinance to annex two parcels currently zoned Planned Development (P-D) {County}, Crossroads Commercial (C-C){County}, and Office Institutional (O-I){County} as requested by Murray Staten Farms, LLC (File No. VA-2022-03). The property is located at 3550 Lake Laurie Drive. The applicant withdrew the request.

Mayor Matheson stated that the request has been withdrawn by the applicant.

AN ORDINANCE TO REZONE TWO PARCELS CURRENTLY ZONED PLANNED DEVELOPMENT (P-D){COUNTY}, CROSSROADS COMMERCIAL (C-C){COUNTY}, AND OFFICE INSTITUTIONAL (O-I){COUNTY} WITHDRAWN

Consideration of an Ordinance to rezone two parcels currently zoned Planned Development (P-D) {County}, Crossroads Commercial (C-C){County}, and Office Institutional (O-I){County} to Residential-Professional (R-P){City} as requested by Murray Staten Farms, LLC (File No. VA-2022-02). The property is located at 3550 Lake Laurie Drive. The applicant WITHDREW the request.

Mayor Matheson stated that the request has been withdrawn by the applicant.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for the purchase of two emergency standby Generators for Lift Stations located at Dillard's and the Second Harvest Food Bank.

David Frost, Utilities Director, stated that to ensure continued sewage lift station operations during power outages and to satisfy the Georgia Environmental Protection Division requirements, the Utilities Department developed a scope of work to purchase two emergency standby generators. These generators are needed to prevent lift station failures due to power outages from storms or other unexpected causes. Several years ago, the City initiated a program to purchase standby generators or emergency standby diesel pumps for all of its existing sewage lift stations. These are the final two generators needed to complete the Program. Once they are installed, all 37 of our lift stations will have some form of dedicated emergency backup capability from generators and/or backup diesel pumps. Additionally, this will complete Condition 18 of the EPD Consent Order which requires the installation of fixed generators and/or backup pumps at all lift stations by September, 2023. Moving forward, all new City lift stations will include a dedicated emergency backup capability as part of their construction. In January, 2022, the City advertised for bids for the Project to purchase and install ten emergency standby generators with automatic transfer switches for two of its lift stations. A pre-bid conference was held on January 26, 2022. Bids were received from three bidders and opened on February 8, 2022. The lowest responsive and eligible bidder was Powerhouse Diesel Generators, Inc. in the amount of \$42,178.44. David Frost, Utilities Director, recommended that Council approve the bid submitted by Powerhouse in the amount of \$42,178.44 plus a 10% contingency (\$4,217.84) to handle any unforeseen circumstances for a total of \$46,396.28.

A **MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to approve the low bid submitted by Powerhouse Diesel Generators, Inc. in the amount of \$42,178.44 plus a 10% contingency (\$4,217.84) to handle any unforeseen circumstances for a total of \$46,396.28 for the purchase of two emergency standby Generators for Lift Stations located at Dillard's and the Second Harvest Food Bank.

CITIZENS TO BE HEARD

Dwayne Johnson, 4029 Sandy Run, stated that in order for Valdosta to be great there must be a great black Valdosta. In order for there to be a great black Valdosta, there must be great black businesses. He represents the Bridge Builder Education Foundation, which is a 501(c)3 entity, and the Black Business Alliance located in Valdosta. He is advocating for black business owners who do not have either the time, connections, or access to have their voices heard as you prepare to discuss ARPA funding. He thinks that they can all agree that ARPA funds are to be distributed equitably to its intended recipients and not just to those who know how to lobby Municipality and State-Elected Officials. For the record, Presidential Executive Order 13985 outlines the Federal Government's commitment to allocate resources to invest sufficiently and equally in under-served communities. For the record, Executive Order 14050 outlines the focus on ensuring black communities have access to resources for economic success as well. Black owned businesses reported the highest rate of financial hardship, were the most likely to tap into personal funds, were the most likely to reduce their business operations in response to the COVID Pandemic and were the highest to report difficulties in paying operation expenses. He has recently obtained over 20 responses from local black owned businesses who cited that operations and financial impact due to the Pandemic such as Reminiscent, which is a brain health organization with the owner here today in the crowd, such as Different Strokes, which is one of our few black owned businesses here in Downtown. The Mental Wealth Center also cites over 60 unpaid claims since the beginning of April, 2021 which has affected their ability to provide private practice on a full-time basis. Family Insight is a counseling agency that provides therapy for underage trauma, parenting classes, and DFACS assessments and they experienced a 25% decrease in referrals and CDC-required expenses that pushed them over their monthly budgets. Mr. Johnson stated that he will also send an E-mail to the Mayor and Council with the following questions for your consideration during your upcoming Retreat: (1) What plans will you develop to properly appropriate the City's ARPA allocation? (2) How will you ensure these funds will be equitably distributed to the local black business community as well? (3) How will the City Council, Mayor, and City Manager engage the under-served members of our City to assess the needs of our black communities? (4) What will be the timeline for you to accomplish these items also? Based on their extensive database of black owned businesses, the Bridge Builder Education Foundation does offer to partner with the City of Valdosta and to become part of the solution as far as to ensure black business owners are not left out of these conversations to include an equitable process for distributing ARPA funds and a public report announcing the organizations and programs that receive funding as a result. It is his expectation as a local citizen that this information offered today additionally provides perspectives that will influence a well thought out inclusive initiative and an engagement series by the City with a focus on their database of black owned businesses.

Wendelin Hodges, 1416 Continental Drive, stated that in July of 2021, she presented a safety concern to the City Council related to speeding on her street. A speed study was performed and the results concluded that there was a speeding problem. After the meeting, several disciplines from the City approached her and they further discussed the concern; however, she met with the City Engineer and they reviewed the Policy and Procedures for Speed Humps and the importance of State compliance. During the last eight months, her street name has changed, bike lanes were added, but to no avail, the speed humps have not been installed. She is an intelligent person with experience in the City, State, and Federal government. She understands how money is allocated to the State and dispersed to the City, County, and the Federally-funded programs in the community. She is aware of the Pandemic, shortages of materials, and supply and demand in the workforce; however, the problem still remains. As she stands here today in good faith, she is asking Council to implement and complete this project. After all, the slogan states, "Love Where You Live" and a "City Without Limits."

John Robinson, 3227 San Juline Circle, Lake Park, stated that he wanted to remind Council about the presentation that they made requesting Federal funding to aid the City and help revitalize the southside. Council has been put on notice and he would like for everyone to understand that this is not a joke and it is not something they are taking lightly. Council is ultimately responsible for whatever occurs here. Council has heard about some of the problems that exist here in the City and they want Council to understand that when they go to their Retreat to please reconsider their request for the City to ask the Federal government for \$250 million for revitalization of the

southside. Mr. Robinson stated that they have other issues that they will be discussing and they are taking the steps necessary to make things happen. They are looking at involving litigation if necessary. They do not want to do that, but they do not have a choice because the condition of their community has been that way for years and years. They have been excluded and neglected. They do need some assistance and it is a shame that they have to come here before Council to ask Council to ask the Federal government to give aid to a City that needs help for the people who are under-served. These communities have been this way for years and it seems as if they are no changes here unless they take some real prominent steps. He watched a documentary recently and some of the Council Members were also in attendance. It was very unique and it showed something that was absolutely true. They have shot gun houses here, houses with old tin roofs, and it is disgraceful that the monument that is on the southside has had no running water in the fountain for over a year. It shows that it is neglect on small scales and high scales and they are taking the steps tonight to let Council know that they are making some requests of Council. Hopefully, it can be met because they are not your enemies and they want to make sure that they can make things happen. They are in a spot now to consider unification for the sake of America.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that the Strategic Initiatives Summit will be held on March 18-19, 2022 at The Woman's Building. He invited everyone to come on Saturday because they will be discussing ARPA funds. They want citizens to see the discussion even though they will not be part of the discussion. They will be able to hear what Council has put forth thus far and what the Council decides to do with that funding. ARPA funding does not go into effect until April 1, 2022 so some preliminary projects will be discussed at the Summit.

Mark Barber, City Manager, stated that Brandi Dame has been hired as the Main Street Director and she will be a tremendous asset to the City of Valdosta. She is a bundle of energy and has some wonderful ideas for our community. She was previously the City of Adel's Main Street Director and she built their Main Street Program from the ground up. She started working here at the City of Valdosta on Monday and has hit the ground running.

COUNCIL COMMENTS

There were no Council comments.

ADJOURNMENT

Mayor Matheson entertained a motion to adjourn the Regular Meeting and enter into Executive Session for the purpose of discussing real estate.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to adjourn the March 10, 2022 Meeting of the Valdosta City Council at 6:40 p.m. to enter into Executive Session for the purpose of discussing real estate.

Mayor Matheson reconvened the March 10, 2022 Meeting of the Valdosta City Council at 6:55 p.m. and stated that there was discussion of real estate in the Executive Session and no action was taken.

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to adjourn the March 10, 2022 Meeting of the Valdosta City Council at 6:55 p.m. to meet again in Regular Session on Thursday, March 24, 2022.

City Clerk, City of Valdosta

Mayor, City of Valdosta