

not be removed. Councilmember Orlans stated that is what he was wondering and thanked Brad Townsend.

Councilmember Dippolito asked Brad Townsend to go back to the photograph. Where is the five-foot dimension? Townsend pointed to the three-foot area and the five-foot area. Councilmember Dippolito clarified that the bench would have to be removed. Townsend stated that it would. And the bench, Councilmember Dippolito assumed...whoever owns that is okay with that being removed. Townsend stated that he thinks it is City ownership, so he thinks they are fine. Councilmember Dippolito clarified that is a City bench. Townsend stated that it has been there for so long, he is not sure anybody really owns it. So they will relocate that.

Councilmember Price asked if it was owned by the Historical Society. Brad Townsend stated that he does not know. Mayor Wood stated that it does not appear to be from the Historical Society. It looks like a City bench to him. Townsend stated that it doesn't have In Honor Of or Property Of or anything on it, so he does not know. Mayor Wood stated that the Historical Society benches all have plaques. Councilmember Price asked it was fixed or is it loose. Brad Townsend stated that he thinks it is loose. It will be loose. Mayor Wood stated that they will find a good home for it. Brad Townsend added that they will find an appropriate spot for it.

There was no further Council discussion. Public comment invited. None were made.

Motion: Councilmember Wynn made a motion for **Approval of a Sidewalk Café License for 14 Elizabeth Way, Fix Pizzeria with the five conditions recommended by staff.** Councilmember Diamond seconded. The motion passed unanimously.

7. Approval of a Text Amendment to the Unified Development Code (UDC), Section 10.2, Landscaping and Screening, Section 10.2.3, Neighborhood Compatibility Buffer Table. (Second Reading)

Planning and Zoning Director Brad Townsend presented this item and stated that this is the second reading in reference to the buffers required for PRDs. This is the simplified language that has been batted around. It is for the Council to determine whether it needs further clarification amendments, but it has been reviewed by staff and by legal to meet the requirements of what they believe their intent is of how PRD Buffers would be required.

Mayor Wood asked for Council questions. There were none. Mayor Wood asked David Davidson to read the ordinance.

City Attorney David Davidson conducted the second reading of an **ORDINANCE TO AMEND CHAPTER 10 OF THE UNIFIED DEVELOPMENT CODE, SECTION 10.2.3 TO ADD THE C/D BUFFER REQUIREMENT BETWEEN NEW PROJECTS PRD's AND EXISTING PRD's** stating, pursuant to their authority, the Mayor and Council now wish to update the Unified Development Code regarding buffers within the City of Roswell and adopt the following amendment:

1.

Article 10, Site Development, Section 10.2. Landscaping and Screening, Section 10.2.3, Neighborhood Compatibility Buffers table, to add under the new project PRD row and existing adjacent district PRD add a * in the column. *PRD buffer is based on existing development and the size of the proposed PRD buffer shall meet or exceed the

Mr. Davidson noted that if approved this will be the second reading.

Mayor Wood called for a motion. Councilmember Wynn said she believed there was a question before making her motion.

Mayor Wood asked for Council comment.

Council Comment:

Councilmember Dippolito asked Brad Townsend to explain to him what this means.

Brad Townsend stated that the size of the buffer that is required for a new proposed PRD would be reviewed in a manner and adopted by Council in looking at the existing PRD lot size. So, adjacent buffers would be similar as well as lot sizes and that is how the PRD would be brought forward and reviewed by Council and determined whether it was appropriate or not.

Councilmember Dippolito clarified that the buffer on the proposed property is based on the lot sizes of the existing PRD versus the lot sizes of the proposed. So, it is really not based on what the other buffer is; it is based on the lot sizes on either side of that property line. Brad Townsend stated that was correct. Councilmember Dippolito stated that he was not sure that is what this says. It really talks more about the buffers. They are in agreement on what they are saying; he is just not sure the language is correct. To him it is still a little confusing. Councilmember Dippolito stated that really the PRD buffer is based on the lot sizes of the existing development compared to the lot sizes of the proposed development. He thinks it is that simple. Brad Townsend clarified that Councilmember Dippolito does not believe that what is written does that. Councilmember Dippolito stated they were talking about comparing buffers not the lot sizes. Buffers are different than lot sizes.

Councilmember Wynn stated that the buffers are determined by lot sizes. Brad Townsend stated that was correct.

Councilmember Dippolito stated that there may not be a buffer though on the existing development.

Councilmember Wynn asked if Councilmember Dippolito would feel more comfortable saying that the size of the proposed PRD buffer and abutting lots shall meet or exceed the requirements. How does he feel it should be worded to make it clearer?

Mayor Wood stated that if the Council needs to go back and wordsmith this perhaps they need to defer it. If the Council is not comfortable with the wording, rather than trying to wordsmith it on the fly, Mayor Wood is not aware of any urgency in passing this. There is nothing pending. Brad Townsend stated that was correct.

So, if the Council has a simple answer it would be wonderful to get to it. If Council feels that it needs to be studied further, Mayor Wood would recommend a deferral. He asked City Attorney David Davidson if it was possible to defer this. David Davidson stated that it was.

Motion: Councilmember Wynn made a motion that **Approval of a Text Amendment to the Unified Development Code (UDC), Section 10.2, Landscaping and Screening, Section 10.2.3,**

Neighborhood Compatibility Buffer Table be deferred and be placed on the Mayor and City Council agenda for 10/13/14. Councilmember Dippolito seconded.

Councilmember Price asked if the Council will see this again at Committee or just come here. Brad Townsend stated that it will come back to Council.

Councilmember Wynn stated that she will make sure that Brad Townsend sends it out in an appropriate time so that everybody can read it. Again, she thinks they sent it out two weeks ago or something like that and let everybody look at it and be able to comment on the new wording.

Mayor Wood clarified that the answer is that is does not plan to go back to Committee at this time but on the other hand if there is a lot more discussion, it may be appropriate to take it to Committee. He is hopeful that Council is going to come forward with clarity and consensus.

Mayor Wood asked for any further discussion. There was none. Mayor Wood called for a vote.

Vote: The motion passed unanimously.

8. Initiation of a Text Amendment to Article 12.7, Flood Damage Prevention, and Article 13.11, Variance, of the Unified Development Code (UDC).

Community Development Deputy Director Mark Wolff presented this item and stated that this is an initiation of a Text Amendment to Article 12.7, Flood Damage Protection. It basically revises the UDC section to reflect changes that FEMA requested of the Metro Water District Flood Plain Ordinance which Roswell's ordinance is based on.

Mayor Wood clarified that they were making it a provision to comply with state law. Mark Wolff stated that was correct.

Mayor Wood called for a motion.

Public comment invited. None were made. There was no Council comment.

Motion: Councilmember Wynn made a motion for **Initiation of a Text Amendment to Article 12.7, Flood Damage Prevention, and Article 13.11, Variance, of the Unified Development Code (UDC).** Councilmember Diamond seconded. The motion passed unanimously.

9. Approval of an amendment to the City of Roswell Code of Ordinances , Article 10.15, Mobile Food Vendors to add Mobile Retail Vendors. (First Reading)

Community Development Director Alice Wakefield presented this item stating that this is the first reading of an amendment to the City of Roswell Code of Ordinances to allow for mobile retail vending. The proposal is to treat these vendors similarly to what they do for mobile food vendors. This will deal with private properties. One will not be able to sell from the trunk of his car. It has to be a legitimate mobile vehicle that the vendor would use. They would have to obtain a permit from the City of Roswell. This is the first reading and staff's recommendation is approval.

Alice Wakefield would like to say that if the first reading is approved, staff will come back at the second reading to provide a resolution to set the fee for the permit.

Mayor Wood asked if there were any questions.