

City Council of Peachtree City

Agenda

August 3, 2000

7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
 - Recognition of outgoing Roller Hockey Association President, Gary Phelps
 - Recognition of outgoing Soccer Association President, Dave Meaders
 - Ten-Year Service Pins from GMA – Annie McMenamin & Bob Brooks
- III. Minutes – Budget Workshop - July 20, 2000
Regular Meeting – July 20, 2000
- IV. Consent Agenda
 1. Comprehensive Plan Update – Short-term Work Program
- V. Old Agenda Items
 - 06-00-05 Public Hearing – Rezoning – Katz Tract
- VI. New Agenda Items
 - 08-00-01 Consider Zoning Ordinance – Retail Big Boxes
 - 08-00-02 Consider Ordinance Amendment – Ethics Ordinance
 - 08-00-03 Consider Ordinance Amendments – Watershed Protection
 - 08-00-04 Discussion – Jail Impact Fees
- VII. Council/Staff Topics
- VIII. Executive Session

Notice: This agenda is subject to change up to 24-hours prior to the meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Councilmembers

VIA: City Manager 
Director of Developmental Services 

FROM: City Planner 

DATE: July 31, 2000

SUBJECT: Comprehensive Plan Update

Recently, we were notified that the Atlanta Regional Commission (ARC) and the Georgia Department of Community Affairs (DCA) have approved our updated Short Term Work Program and Capital Improvements Element. These documents are on file in the City Clerk's office and are now ready for final adoption by City Council. A draft of a proposed resolution of adoption is attached for your review. Staff recommends that it be approved so it can be returned to ARC and DCA and complete this phase of our Comprehensive Plan Update program.

Attachment

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PEACHTREE CITY
ADOPTING THE SHORT TERM WORK PROGRAM (STWP)
AND CAPITAL IMPROVEMENTS ELEMENT (CIE) UPDATES
OF THE 1992 – 2005 COMPREHENSIVE PLAN

BE IT HEREBY RESOLVED THAT:

The Mayor and Council of the City of Peachtree City, Georgia, hereby adopt the Short Term Work Program and Capital Improvements Element updates to the 1992-2005 City of Peachtree City Comprehensive Plan.

So Resolved, this 3th day of August, 2000.

Robert L. Lenox, Mayor

Attest: _____
City Clerk

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION2000montr1
8/2/00

Activity Description	Unit	January	February	March	April	May	June	July	August	September	October	November	December	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
CART PATHS															
1. Const./Reconst./Overlay	Ft.	50	0	2,086	560	2,710	0	3,415						8,821	10,240
2. Drainage Maintenance	Hrs.	83	105	113	114	40	83	60						598	786
3. General Maintenance	Hrs.	180	414	361	114	143	61	83						1,356	1,388
4. Mowing	Hrs.	0	0	0	135	171	144	75						525	818
5. Litter Removal	Hrs.	68	45	90	53	30	75	64						425	527
FLEET MANAGEMENT															
1. Equipment Maintenance	Hrs.	43	39	43	12	15	19	3						174	155
2. Equipment Repairs	Hrs.	121	171	154	167	128	152	113						1,006	1,135
3. Vehicle Maintenance	Hrs.	76	118	133	104	133	177	108						849	554
4. Vehicle Repairs	Hrs.	237	256	283	229	243	213	210						1,671	1,713
5. Fleet Down Time	Hrs.	482	542	620	521	526	563	441						3,695	7,881
GROUNDS															
1. Litter Removal	Hrs.	321	257	464	380	217	325	347						2,311	3,038
2. Right-of-Way Mowing	Hrs.	0	0	331	653	945	792	653						3,374	3,597
3. General Maintenance	Hrs.	874	752	797	431	445	552	462						4,313	3,730
LANDSCAPE															
1. Litter Removal	Hrs.	20	32	70	68	102	115	164						571	365
2. Mowing (Sub. Entrances)	Hrs.	0	0	226	625	780	624	647						2,902	2,477
3. General Maintenance	Hrs.	657	689	544	264	196	135	143						2,628	1,751
4. Planting	Hrs.	100	0	0	23	0	53	0						176	339
RECYCLING SITE															
1. City Employees Hours	Hrs.	151	110	69	142	66	59	111						708	887
2. City Employees Salaries	Dis.	1,188	866	544	1,120	528	472	888						5,606	8,175
3. Revenues	Dis.	731	515	740	754	573	644	589						4,546	4,059
4. Participants															
a. Recycling	Num.	546	659	570	680	892	611	748						4,706	4,938
b. Composting	Num.	1,296	1,084	1,159	1,446	1,625	1,003	1,061						8,674	9,047
c. Mulch (Pick Up)	Num.	68	112	187	261	361	254	178						1,421	891
SIGN MAINTENANCE															
1. Building Maintenance	Hrs.	20	21	23	20	22	22	21						149	145
2. Subdivision Sign Maintenance	Hrs.	81	102	172	93	87	79	70						684	569
3. Traffic Sign Maintenance	Hrs.	148	143	82	141	162	130	143						949	952
STREETS															
1. Street Sweeping	Hrs.	8	40	16	70	55	0	8						197	244
2. Pavement Patching	Hrs.	0	213	147	154	0	670	154						1,338	747
3. Drainage Maintenance	Hrs.	0	102	210	117	128	128	90						775	978
4. General Maintenance	Hrs.	576	356	399	258	199	174	79						2,041	2,513
MISCELLANEOUS															
1. Vandalism	Dis.	139	79	161	89	81	79	57						685	558
2. Complaints Answered	Num.	90	38	24	34	29	22	24						261	306
3. Wash Police Cars	Hrs.	8	83	68	15	38	0	18						230	212

July

**2000 Monthly Report
Fire/EMS Department**

Fire/Accident Calls	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	2000 Y-T-D	1999 Y-T-D
Residential	4	1	2	2	0	2							11	15
Business/Industrial	1	0	2	1	0	1							5	4
Other	109	91	116	109	107	112							644	618
Total Engine Response	114	92	120	112	107	115							660	637
Dispatched Fire Calls	59	33	51	41	34	48							266	264
Response Time Fire	4:44	4:47	4:06	4:44	4:34	4:15							4:31	4:51
Rescue/EMS														
Trauma	46	57	55	65	79	84							386	449
Medical	78	86	83	65	85	73							470	453
Total # Patients	124	143	138	130	164	157							856	902
Patients Transported	78	77	77	60	83	80							455	476
Dispatched EMS Calls	113	127	128	109	145	125							747	717
Total Medic Response	155	149	151	146	186	182							969	858
Dispatched Fire/EMS Total	172	160	179	150	179	173							1013	981
Response Time EMS	4:16	3:50	4:23	3:52	4:17	4:03							4:07	4:17
EMS BILLING														
Patients Billed	93	76	73	49	59	112							462	475
Revenue Generated	19,699	15,463	15,140	9,473	11,872	23,452							95,099	94,948
*Total Revenue Received	22,142	17,267	12,259	6,490	5,624	2,699							66,481	71,792

*Revenue Received On All Outstanding Patient Accounts

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ANNOUNCEMENTS

1. Mayor Lenox will present plaque to recognize outgoing Roller Hockey Association President, Gary Phelps
2. Mayor Lenox will present plaque to recognize outgoing Soccer Association President, Dave Meaders
3. Mayor Lenox will present Ten-Year Service Pins on behalf of GMA to Annie McMenamin & Bob Brooks

Financial Services Monthly Report

STATUS OF FUNDS AS OF JUNE 30, 2000

Fund	Cash		Total Investment	Total Fund		YTD Interest	Purchasing Monthly Report		
	Balance			Balance			2000 TOTAL YTD	1999 TOTAL YTD	PERCENT INC/(DEC)
#1 General Fund	\$258,622		\$2,324,836	\$2,583,459		\$87,517	871	944	-5.09%
Council Reserve Fund	\$250,949		\$370,964	\$621,913		\$22,977	109	103	-10.64%
Library Sales Tax Fund	\$58,032		\$0	\$58,032		\$1,880	16	21	-11.63%
Public Improvement Fund	\$196,785		\$1,987,342	\$2,184,126		\$112,320	42	51	-58.15%
Police Station Lease	\$0		\$2,331,187	\$2,331,187		\$64,625	130	173	6.43%
Self Insurance Fund	\$169,861		\$1,065,701	\$1,235,563		\$31,603	1,052	1,047	-15.33%
Debt Service Fund	\$26,923		\$0	\$26,923		\$2,853	11	17	-6.45%
Bond Fund	\$0		\$0	\$0		\$0	5	12	5.88%
Municipal Court Fund	\$42,690		\$0	\$42,690		\$1,617	43	45	-34.08%
Develop & Impact Fees	\$439,817		\$125,032	\$564,848		\$13,287	\$480,723	\$189,839	-27.03%
Neighborhood Parks/Rec.	\$9,566		\$0	\$9,566		\$61			
Federal Seizures Police Fd	\$251		\$0	\$251		\$8			
Confiscated Fund	\$7,441		\$0	\$7,441		\$0			
Police Tuition Account	\$3,025		\$0	\$3,025		\$51			
Escrow Account	\$144,749		\$126,347	\$271,096		\$8,351			
Grand Total	\$1,608,709		\$8,331,410	\$9,940,119		\$347,150			

#1 Includes investments of \$250,000 for 54/Railroad Carpath Overpass Project.

Collateral Analysis as of June 30, 2000

Security Location	Bank	Total Held
Bank of New York	First Union	\$5,874,011
Bank of New York	Peachtree National	\$7,282,431

Budget Comparison

Description	Revenues - By Major Category		Difference	%
	2000 Budget	Actual YTD		
General Property Taxes	\$4,438,049	\$4,420,636	(\$17,413)	99.61%
Franchise Taxes	\$1,771,233	\$1,473,956	(\$297,277)	83.22%
Local Option Sales Tax	\$5,135,529	\$3,991,389	(\$1,144,140)	77.72%
Other Sales & Use Taxes	\$1,047,781	\$735,387	(\$312,394)	70.19%
Business Taxes	\$1,048,419	\$991,741	(\$56,678)	94.59%
Business Permits	\$395,717	\$375,529	(\$20,188)	94.90%
Non-Business Permits	\$15,346	\$13,480	(\$1,866)	87.84%
Charges for Services	\$501,016	\$378,801	(\$122,215)	75.61%
Fines & Forfeitures	\$1,012,311	\$609,940	(\$402,371)	60.25%
Investment Income	\$109,999	\$112,375	\$2,376	102.16%
Rents & Royalties	\$163,558	\$121,343	(\$42,215)	74.19%
Other Revenue	\$6,273	\$6,108	(\$165)	97.37%
Total	\$15,645,231	\$13,230,685	(\$2,414,546)	84.57%

Budget Comparison

Division	Expenditures by Division YTD		Difference	%
	2000 Budget	Actual YTD		
Administrative	\$1,030,267	\$785,591	\$244,676	76%
Developmental	\$711,079	\$480,706	\$230,373	68%
Finance	\$454,711	\$321,744	\$132,967	71%
Leisure Services	\$2,574,391	\$1,843,584	\$730,807	72%
Public Safety	\$4,308,620	\$3,136,601	\$1,172,018	73%
Public Works	\$2,053,288	\$1,461,564	\$591,724	71%
Total	\$11,132,356	\$8,029,790	\$3,102,566	72%

Summary of Major Expenditures by City Manager

Description	Budget	Award	Svgs/Short	Date
Huddleston Rd	\$0	\$23,900	-\$23,900	6/27/00

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
DEVELOPMENT PERMITS:														
12	12	21	14	17	12	11	9	12	14	10	21	6	159	309
BUILDING PERMITS:														
Single Family Residential	14	11	11	14	10	8	5	16	12	3	17	8	129	264
Multi-Family Residential	0	0	0	0	399	0	0	0	0	0	192	0	591	0
Misc.-Pools/fences/additions	45	69	85	72	68	85	45	61	52	42	38	43	705	684
Commercial/Industrial	8	5	13	15	7	11	4	11	8	17	14	23	136	116
TOTAL INSPECTIONS:	454	400	420	439	482	367	437	488	291	425	416	726	5,345	8,847
CERTIFICATE OF OCCUPANCY:														
Residential	11	17	20	18	16	16	16	19	8	11	11	5	168	301
Commercial	3	2	4	1	1	2	2	2	1	4	2	2	26	18
Multi-Family Residential	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CODE ENFORCEMENT:														
Complaints	264	241	356	285	545	564	485	417	240	317	298	228	4,240	3,692
Warning	297	250	425	244	470	353	258	339	366	405	332	244	3,983	4,245
Stop Work Orders	2	4	10	6	4	8	5	4	5	3	6	3	60	66
Citations	0	2	1	1	2	0	1	4	4	2	0	2	19	39
PERMIT FEES COLLECTED:	15,942	19,967	21,656	35,629	68,857	66,772	20,975	28,954	56,212	53,978	22,158	29,729	440,829	327,368
POPULATION: Based on	33,340	33,392	31,580*	31,633	31,679	31,725	31,771	31,826	31,849	31,881	31,913	31,928	31,928	33,306
2.9 of completed occupancy														

*Revised to reflect
2000 Census figures

2000 MONTHLY REPORTS

PERMIT FEES COLLECTED:

POPULATION: Based on 3.05 of completed occupancy

CRIME REPORT - JUNE 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0	0	0	0	0	0							0	0
RAPE	0	0	0	0	1	0							0	0
ROBBERY	0	1	0	0	0	0							1	1
AGGRAVATED ASSAULT	0	3	1	0	1	0							1	1
ARSON	0	0	0	0	0	1							5	4
AUTO THEFT	2	0	1	7	10	5							1	0
THEFT	11	18	16	18	29	18							25	16
BURGLARY	0	2	1	1	2	0							110	135
TOTAL PART I CRIMES	13	24	19	26	43	24							6	5
ALCOHOL/DRUG ARRESTS													149	162
DUI - TOTAL	19	16	14	6	13	18								
DUI - ADULT	14	14	13	4	10	17							86	66
DUI - UNDERAGE	5	2	1	2	3	1							72	56
OTHER UNDERAGE													14	10
ALCOHOL ARRESTS	7	25	24	8	7	27							98	82
DRUG ARRESTS	10	12	14	8	16	9							69	34
ARRESTS														
PROPERTY CRIMES	7	5	4	4	8	10								
PERSON CRIMES	4	7	8	5	6	4							38	37
CITY ORDINANCES	41	48	51	44	59	60							34	19
*OTHER	126	145	127	89	135	162							303	194
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.15	5.35	5.31	5.45	5.49	5.38							784	672
CALLS ANSWERED	3595	3637	5133	4965	5134	4957							5.35	3.73
TRAFFIC CITATIONS ISSUED	673	604	576	441	634	722							27,421	16,056
WARNINGS ISSUED	611	443	403	256	558	594							3650	3287
ACCIDENTS - TOTAL	60	63	85	69	71	82							2865	2579
													430	534

TOP 5 ACCIDENT LOCATIONS - MONTH TOTAL

1. HWY 54/HWY 74 7
2. HWY 54/PEACHTREE PARKWAY 5
3. HWY 54/LINE CREEK 4
4. HWY 74/CROSSTOWN DR. 3
5. HWY 54/COMMERCE DR. 2

TOP 5 ACCIDENT LOCATIONS - YEAR TOTAL

1. HWY 54/HWY 74 28
2. HWY 54/PEACHTREE PARKWAY 21
3. HWY 54/WALT BANKS RD. 19
4. HWY 74/CROSSTOWN DR. 13
5. HWY 54/COMMERCE DR. 11

LEISURE SERVICES MONTHLY REPORT 2000

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2000 Year to Date	1999 Year to Date
LIBRARY															
1. Books Circulated	Num.	10,975	11,907	12,831	11,398	13,091	17,277	0	0	0	0	0	0	77,477	139,000
2. Average Daily Traffic															
a. Monday - Saturday	Num.	539	623	565	520	507	626	0	0	0	0	0	0	539	545
b. Sunday	Num.	288	385	423	289	222	205	0	0	0	0	0	0	288	307
3. Story Time Participants	Num.	85	150	182	185	174	1,015	0	0	0	0	0	0	1,791	1,703
4. Revenue from Overdue Books	Dis.	313	1,128	1,450	1,456	1,747	1,349	0	0	0	0	0	0	7,443	10,190
5. Revenue from Copy Machine	Dis.	465	1,105	1,492	540	564	378	0	0	0	0	0	0	4,544	5,348
6. Reference Assistance	Num.	842	976	958	1,015	987	960	0	0	0	0	0	0	5,738	3,909
7. Internet Usage	Num.	754	837	833	867	978	1,021	0	0	0	0	0	0	5,290	542
8. Renewals by Phone	Num.	756	812	832	918	902	780	0	0	0	0	0	0	5,000	4,286
*FY98 Circulation totals skewed due to glitch in old AS400 system.															
RECREATION															
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Num.	1	1	2	2	2	2	0	0	0	0	0	0	10	9
b. New Programs	Num.	0	0	0	0	1	1	0	0	0	0	0	0	2	1
c. Participants	Num.	285	285	1,215	1,122	1,217	570	0	0	0	0	0	0	4,684	3,148
d. Revenues	Dis.	0	0	28,065	0	35	1,764	0	0	0	0	0	0	29,864	30,301
e. Expenses	Dis.	146	32	6,979	4,225	3,939	1,568	0	0	0	0	0	0	16,889	16,362
f. Refunds	Dis.	0	0	0	657	0	0	0	0	0	0	0	0	657	659
g. Balance (+ or -)	Dis.	-146	-32	21,086	-4,882	-3,904	196	0	0	0	0	0	0	12,318	\$13,280.00
* Some figures for Jan/Feb were erroneously reported as Adult Athletics as well as Classes															
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/Programs	Num.	99	98	96	102	103	100	0	0	0	0	0	0	598	653
b. Participants	Num.	2,055	2,139	3,794	2,562	2,562	1,189	0	0	0	0	0	0	13,882	11,304
c. Revenues	Num.	16,503	17,753	24,016	18,520	17,217	34,298	0	0	0	0	0	0	128,305	116,728
d. Expenses	Dis.	180	777	64	11	0	255	0	0	0	0	0	0	88,948	89,459
e. Refunds	Dis.	3,415	3,516	4,863	3,880	3,822	8,576	0	0	0	0	0	0	1,287	365
f. balance (+ or -)	Dis.	0	0	3	7	6	2	0	0	0	0	0	0	\$28,071.50	\$26,904.15
2. Special Events															
a. Events	Num.	0	0	493	1,045	76	6	0	0	0	0	0	0	18	19
b. Participants	Num.	0	0	25	0	0	1,500	0	0	0	0	0	0	1,620	2,531
c. Revenues	Dis.	0	0	220	1,541	365	175	0	0	0	0	0	0	1,525	1,535
d. Expenses	Dis.	0	0	25	0	0	0	0	0	0	0	0	0	2,301	1,463
e. Refunds	Dis.	0	0	-220	-1,541	-365	1,325	0	0	0	0	0	0	25	35
f. balance (+ or -)	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	(\$801.00)	\$37.05
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	112	239	315	260	253	0	0	0	0	0	0	1,179	1,009
2. Playing Field Preparation	Hrs.	339	690	697	518	552	528	0	0	0	0	0	0	3,324	3,067
3. Building Maintenance	Hrs.	240	199	168	32	80	112	0	0	0	0	0	0	831	934
4. Parks/Fields/Tennis Courts															
a. Safety Inspections	Num.	0	0	0	0	40	40	0	0	0	0	0	0	80	36
b. General Repairs/Maint.	Hrs.	292	210	100	48	64	64	0	0	0	0	0	0	778	1,032
c. Grounds/Landscape Maint.	Hrs.	308	176	96	0	48	64	0	0	0	0	0	0	892	871
5. Litter Removal	Num.	128	128	128	128	88	56	0	0	0	0	0	0	856	738
6. Vandalism Repairs	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	8
7. Complaints Answered	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	6

PERSONNEL DEPARTMENT

2000 MONTHLY REPORT

REPORT PERIOD	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	2000 YTD TOTAL	1999 YTD TOTAL
1. Authorized Permanent Positions	211	211	211	211	211	211							211	199
2. Positions Open	16	13	11	12	11	10								
3. Workers Comp. Claims Filed	3	5	0	3	3	1							15	15
4. City Veh./Equip. Accidents	1	0	0	0	0	3							4	3
5. Health Insurance Claims	\$51,319	\$101,195	\$92,721	\$76,285	(-3446)*	\$100,460							\$ 421,980	\$ 248,365
6. Law Suit Legal Fees	\$ 598	\$ 646	\$18,378	\$ 188	\$ 1,679	\$ 170							\$ 21,659	\$ 4,943

2. Police Officer/Police Department (6); Assistant Building Official/Building (1); Building Inspector/Building (1); Maintenance Worker I/Public Works (2).

3. Officer sprained wrist attempting to open door (1) Police.

4. Officer damaged patrol car and citizen's car while driving away from stop sign (1) Police; Firefighter damaged fire engine upon striking mailbox (1) Fire;

5. Balance remaining in health insurance account: \$41,605.

6. Black (\$104.54); Pathways (\$65.00).

* Excess insurance reimbursement was greater than claims expense during May.

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION

Activity Description	Unit	January	February	March	April	May	June	July	August	September	October	November	December	YEAR-TO-DATE	1999
CART PATHS															
1. Const./Reconst./Overlay	Ft.	50	0	2,086	560	2,710	0							5,406	9,640
2. Drainage Maintenance	Hrs.	83	105	113	114	40	83							538	644
3. General Maintenance	Hrs.	180	414	361	114	143	61							1,273	1,281
4. Mowing	Hrs.	0	0	0	135	171	144							450	559
5. Litter Removal	Hrs.	68	45	90	53	30	75							361	435
FLEET MANAGEMENT															
1. Equipment Maintenance	Hrs.	43	39	43	12	15	19								
2. Equipment Repairs	Hrs.	121	171	154	167	128	152							171	123
3. Vehicle Maintenance	Hrs.	76	118	133	104	133	177							893	948
4. Vehicle Repairs	Hrs.	237	256	283	229	243	213							741	456
5. Fleet Down Time	Hrs.	482	542	620	521	526	563							1,461	1,456
														3,254	7,261
GROUNDS															
1. Litter Removal	Hrs.	321	257	464	380	217	325							1,964	2,732
2. Right-of-Way Mowing	Hrs.	0	0	331	653	945	792							2,721	2,565
3. General Maintenance	Hrs.	874	752	797	431	445	552							3,851	3,296
LANDSCAPE															
1. Litter Removal	Hrs.	20	32	70	68	102	115							407	287
2. Mowing (Sub. Entrances)	Hrs.	0	0	226	625	780	624							2,255	1,995
3. General Maintenance	Hrs.	657	689	544	264	196	135							2,485	1,581
4. Planting	Hrs.	100	0	0	23	0	53							176	281
RECYCLING SITE															
1. City Employees Hours	Hrs.	151	110	69	142	66	59							597	771
2. City Employees Salaries	Dls.	1,188	866	544	1,120	528	472							4,718	7,194
3. Revenues	Dls.	731	515	740	654	573	644							3,857	3,293
4. Participants															
a. Recycling	Num.	546	659	570	680	892	611							3,958	4,404
b. Composting	Num.	1,296	1,084	1,159	1,446	1,625	1,003							7,613	8,143
c. Mulch (Pick Up)	Num.	68	112	187	261	361	254							1,243	773
SIGN MAINTENANCE															
1. Building Maintenance	Hrs.	20	21	23	20	22	22								
2. Subdivision Sign Maintenance	Hrs.	81	102	172	93	87	79							128	124
3. Traffic Sign Maintenance	Hrs.	148	143	82	141	162	130							614	504
														806	824
STREETS															
1. Street Sweeping	Hrs.	8	40	16	70	55	0								
2. Pavement Patching	Hrs.	0	213	147	154	0	670							189	202
3. Drainage Maintenance	Hrs.	0	102	210	117	128	128							1,184	513
4. General Maintenance	Hrs.	576	356	399	258	199	174							685	864
														1,962	2,101
MISCELLANEOUS															
1. Vandalism	Dls.	139	79	161	89	81	79							628	432
2. Complaints Answered	Num.	90	38	24	34	29	22							237	246
3. Wash Police Cars	Hrs.	8	83	68	15	38	0							212	189

City Council of Peachtree City
Budget Workshop
Minutes
July 20, 2000
6:00 p.m.

The City Council of Peachtree City met in a special workshop session Thursday, July 20, 2000, at 6:00 p.m. in the Peachtree City Library. Members of City Council present were: Mayor Bob Lenox, Annie McMenamin, Carol Fritz, Bob Brooks, and Dan Tennant. Staff members present were: Jim Basinger, Paul Salvatore, Colin Halterman, Randy Gaddo, Jane Miller, Stony Lohr, and Jim Murray.

Basinger addressed Council and said the FY2001 budget totaled \$25.6 Million dollars compared to \$24.8 Million FY2000. This was a 3% increase, but this percentage was not meaningful due to the varying amounts of carryover funds each year.

The General Fund revenues were projected to total almost \$16.4 Million dollars. This was a 3.59% increase in new money or just over \$568,000.

This budget was based on the current millage rate of 4.06 Mills, which had been the rate for a number of years. This rate was projected to generate \$4.3 million dollars and was a conservative 7% increase over projected FY2000 receipts. This 7% would generate a little over \$282,000 in FY2001.

The 7% projected increase included both reassessment and growth. At this point staff did not know what percentage of the projected 7% increase would be growth and what percentage would be reassessment. A new State law did require Council to either roll back the amount attributable to reassessment or publicly advertise it as a tax increase. The draft budget was not based on roll back.

The operating budget totaled \$12,280,631 and was a 6.51% increase. Basinger advised that each Director and Chief would discuss his or her division's operating budget with Council.

Basinger explained that staff had briefed Council at Retreat on the need to add 9 full-time positions and 1 part-time new position. This included 3 maintenance workers, a Librarian, a part-time Developmental Services secretary, a Fire Department Secretary, a Police Captain, and 3 Firefighter positions. Since preparation of this budget, the Acting Fire Chief had requested to add 3 more firefighter positions for a total of 6 in FY2001.

The Contingency Fund totaled \$700,000. As requested by Council at Retreat, staff had already set aside \$25,000 of this amount for contracting with non-profit organizations

Last year Council set aside \$165,000 for land acquisition. The source of these funds was Ad Valorem taxes, which were received above what was budgeted.

This budget included \$1,046,000 Cash Reserves in the Self-Insurance fund. This met past Council objectives of keeping at least \$1 Million dollars in this fund.

The FY 2001 Public Improvement Program totaled just over \$3 million dollars. At Retreat Council wanted additional funds placed in Street and Cart Path Maintenance, which had been done. Also, at Retreat, Council directed staff to move up the Library expansion from 2003 and 04 to 2002 and 03. This change had been made in the 5-Year PIP.

Development Impact Fees in the amount of \$400,000 were projected to be collected in FY2001 and were included in this budget. We had already received over \$38,000 this year of the \$400,000.

This budget included the usual \$50,000 in recreation funds from Fayette County. This year these funds would go to help pay for the Multi-Purpose rink.

Basinger advised that a consultant was completing a Pay Plan Study for the City, and that this budget did not include estimated funds for implementation of the study or for the three (3) additional firemen mentioned earlier. Basinger said staff would be prepared to recommend funding sources for the Pay Plan for Council's consideration at a meeting in the near future. Also, should Council be inclined to add 3 additional firemen, staff would recommend a funding source at a later date.

Basinger concluded his introductory comments, and advised Council that the Operating Budget totaled just over \$12.2 million dollars and represented a 6.51 percent increase.

Basinger explained that the Directors and Chiefs would now discuss their operating budgets with Council and that the Police Chief would present his budget first.

Chief Murray addressed Council and stated that the Police Department's budget had a 5% increase and that the vast majority was attributable to increased costs for services. In addition, one Captain's position would be added. Further, there had been a significant increase in the communication budget, which had to do with the payment made to Fayette County for services based on population. Murray said with the passage of the 911 service and mobile phone charge, he felt certain it would decrease next year.

Acting Chief Lohr addressed Council and stated that the total capital operating budget for fire and EMS had increased 15.45%. Of this, 1.7% was capital, 10.9% was currently personnel, and 2.8% was all other operating costs. Lohr said the initial staff plan submitted for FY2001 included 3 new firefighter/paramedic positions, 1 new secretary/receptionist, and 6 reclassified Sergeants (2 per shift). Lohr said the plan had been to identify resource requirements and to begin wrapping up staffing levels projected as necessary to continue to provide quality emergency services without adversely impacting other existing programs and projects.

Lohr explained that on July 11, the department conducted a comprehensive employee meeting to review the department's vision and plans and address employee concerns. The consensus was that additional positions needed to be accelerated for shift coverage. Staff recommended that Council authorize an additional 3 firefighter/paramedics for a total of 6 for FY2001. This would increase the number of persons assigned for each 24-hour duty shift from 10 to 12 persons. The annual additional cost of this increase would

be approximately \$120,510, and that \$118,400 would be for pay and \$2,100 for a portable radio. The staffing increase would preclude routinely having a firefighter by himself or herself at Station 84, would enable the ready response of primary apparatus to an increasing number of complexity of calls and also help compensate for decreased availability of volunteers and help improve the department's ISO rating.

Lenox said he thought the key item, which resulted from their preliminary meeting, was the fact that it was becoming increasingly difficult to obtain volunteers, and that it was almost impossible to get volunteers on the scene during the workday.

Lohr explained that initially the volunteer program was the department's sole source, and it was still an excellent source. However, whereas volunteers used to be the primary source, they were now the auxiliary source and that adequate career members were needed on duty to handle those things that were reasonably foreseeable and use the volunteer staff for larger incidents.

Lenox asked Lohr if the City came up to this manning level now (with no annexation), was the department at an appropriate manning level long-term? Lohr said he thought there would be some additional increases, but as he had commented during the last two Council Retreats - the risk analysis needed to be completed. Lohr said further that he was reasonably sure there were probably some service level increases - both for the west side and the south end and that those were separate issues and not necessarily included in the figures presented.

Lenox said having spent a lot of time on the budget during the last week, it might be interesting to contrast it with Fayette County's budget. Further, that even with the increased manning, that would be about \$2.2 Million and would cover approximately 33,000 citizens, 40% of the commercial property in the County, and all of the industrial property in the County. Lenox said additionally that the County's fire budget for next year was \$4.4 Million and they covered 20% of the commercial digest in the County, 45,000 people, and no industrial.

Basinger advised Council that the ISO rating was 4 a year ago, that this would take us to a 3 if we passed, and that we would then be one of the few cities/counties in the State that would have this rating. Basinger said everything being done would contribute towards accreditation, which Lohr had primarily been working on until he became Acting Chief. However, as soon as Chief Reed returned, the department would proceed on the accreditation process.

Lenox queried Council as to how they felt about the additional three firefighters. He said the need was clearly there, but that they would have to find the funds. McMenamin said the scheduling sheet Lohr had provided was helpful to see the actual placement of people and the lack of personnel at Station 84.

Lohr said the department had always been very lean and provided an excellent service with a minimum of resources and that one of the key factors now was that we still had a lot of good volunteers, but that the demographics had changed - volunteers did still live

here, but they did not work in Peachtree City like they used to. In addition, there were a lot of external requirements that were competing for the volunteer's time – recreation, church, business, etc. Lohr advised this was a *national* trend.

Lenox asked if we had done a comparison lately of our EMS charges. Lohr said they were way below everyone else and that that was one of the things they were researching so that they could submit some recommendations. One of the reasons was that medical protocol for advanced life support treatment would change dramatically in October. Some of the medications used typically costs \$10 or \$20 per ampoule would increase to about \$300. Also, some of the needleless systems that had been implemented by the State with an effective date of July 1st would increase costs (i.e., a box of needles that used to cost \$50, now cost \$130), and that the increases were coming a little sooner than they had anticipated. Lohr advised he thought there was a need to look at the department's fee structure.

Basinger advised that they would review, for Council's consideration, an increase in EMS fees in preparation for the August 17th City Council meeting.

In answer to Lenox's previous inquiry as to what Council thought about adding 3 new firefighter positions, Council agreed the new positions were needed. Basinger commented that they would have identified a recommended revenue source in time for the first public hearing on August 17th.

Halterman addressed Council and stated that the Public Services Division budget had increased 3.78% and that the main increases were for one new maintenance worker, merit increases, and a new program at the Recycling Center on the first and third Saturdays where they now had an equipment operator there to get rid of mulch and this was all overtime.

McMenamin said that the letters received after the July 4th Parade were pretty indicative of the way citizens felt, and that the City was being well maintained, even if citizens were not aware of how things got done.

Gaddo addressed Council and stated that there was an addition of two full-time maintenance employees for Recreation. Gaddo advised this was the minimum needed to adequately address the increased work loads brought on by the addition of the four new baseball fields, two new soccer fields, the Riley Track and Field facility, and the Kedron Multi-Purpose Rink, which accounted for the 5.62% increase. Gaddo said that a part-time Parks Monitor position had been converted to a full-time position because they had been unable to attract a qualified applicant for a part-time position. In addition, the budget to print the activities catalog had been increased in an effort to make it a more contemporary design and make it a better looking product.

At Kedron, they would be going into the second year of a three-year fixed rate contract, which meant that the rate would not increase in 2001 or 2002. As a result, they would be able to put some money into some badly needed capital projects, which they had not been able to do before.

Gaddo said they would be working on the HVAC system to improve the circulation and airflow in the lobby and offices. In addition, they would like to install an irrigation system in front of the Kedron Fieldhouse and Aquatic Center and that they were going to try and work that contract in with the irrigation contract for the adult sports facility in an effort to keep their costs down.

They would be adding the Youth Services Librarian at the Library, which would drive their salaries up. This was part of the master plan, which Council would hear more about tonight at the Council meeting. Gaddo said further that bringing in the Youth Services Librarian now would help them plan for that expansion because the whole expansion would be utilized for youth services. This person should have the expertise to advise what should go into the youth services area. In addition, the training budget for the Library had been increased as a part of the Library Master Plan.

The CCY remains steady, but there was a decrease in a salary line item due to the fact that the coordinator's salary was being reported about \$2,300 more than she was actually being paid.

Williams addressed Council and stated that their increase was only 3.12%. The bulk of the increase was attributable to a new part-time secretary who would work in Planning, Building, and Engineering. Williams said she was filling in now to take care of a heavy work load and did not want to make a permanent change until they moved into their new offices and got a feel for what they really needed in their new space. The other part of the increase had to do with adjusting to the new space for things they would need to operate with.

Miller addressed Council and stated that the Administrative Services budget had increased \$59,825 over FY2000 or 5.68%. The City Hall portion had increased 1.23% or \$9,333, which was attributable to the increased salary for legal fees, some additional training funding and the fact that Administrative Services would now be paying the entire GMA dues in the amount \$4,200 (in the past it had been split with Financial Services). Miller said the Municipal Court budget had increased 17.27% or \$50,492, which was attributable to the increased number of hours the solicitor and judge worked and their increased hourly rate.

In response to McMenamin's questions about how Administrative Services was doing on collecting fines, Miller advised that it was doing very well and that Community Corrections collected the fines for us, submitted the money to us, and tracked all the payments until the fines were paid.

Salvatore addressed Council and stated that the Financial Services' budget had increased a total of 5.76%. Finance had a 7.26% increase due to some major new State and Federal mandates. The State mandate had to do with the implementation of the Uniform Chart of Accounts and the Federal mandate had to do with a new financial reporting model (GASB 34) that would be required of all governments. These mandates

did not have to be implemented until FY2002, but they would have to start looking at software packages and become educated on the process and that it could involve some additional accounting fees from the auditing firm.

Lenox asked if this would entail some pretty basic changes in our software accounting system. Salvatore replied that the previous Financial Services Director had begun the process of having software companies demonstrate their products prior to Salvatore's employment with the City, but that due to his leaving, this initiative had been placed on hold. Salvatore advised he would continue with the process and that another software demonstration had been tentatively scheduled for August 21. Salvatore explained further that GASB 34 was the biggest change in financial reporting history.

Salvatore advised that there had not been any major increases in Information Technology and that it consisted mostly of supplies. Further, that Financial Services had acquired a surplussed police vehicle, which was being used for the Information Technology technicians' use in getting around to the various City facilities outside of City Hall to service computer equipment.

In answer to Lenox's inquiry about the responsibilities of the Information Technology Department, Matt Robinson confirmed that Information Technology was responsible for maintaining the web site, the networking, and all of the user computers – every piece of software and hardware in the City.

Salvatore added that Financial Services would be implementing a new Records Management System and that training would be required for this new system. In addition, there was a reorganization of the City Clerk's position that would cause some additional advertising costs.

Basinger thanked Council for their support and stated that there was only a very modest increase in revenues and that they would be reevaluating their revenue projections further between now and August 17th (particularly in the area of Local Option Sales Tax and some of the larger items) because there would be a need for some additional funding for the Pay Plan and for the three new firefighter positions. Basinger said by that time staff would have another several months of data to base those projections on.

McMenamin asked if staff increased sales tax revenue for future retail facilities such as The Avenue and Home Depot stores when projecting revenue. Basinger replied that this information was strictly based on historical data.

In addition, Basinger said the formula for the division of the Local Option Sales Tax funds would have to be renegotiated between the County and all the local municipalities by December 31, 2001, based on the calendar year 2000 Census.

Fritz asked if the LOST funds were based on per capita. Lenox said the current formula took the County's percentage of the total tax digest and applied that percentage to the whole sales tax pool, and the County received that much money. Lenox said further if that formula were still being applied (which it was not), the County would receive about

43.5% of sales tax revenue. After the County received their funds, the rest would be divided among the cities based on their percentage of population. This formula was used through 1992, but at some point in time when the County's amount started to decline, they would not sign a revised agreement any more. Therefore, the only alternative the City had left was to leave that formula operative. Lenox said it was interesting that, if you took the current formula and the percentage the municipalities received, the distribution formula almost perfectly matched the percentage of population.

There being no further business, Lenox adjourned the meeting at 6:50 p.m.

Gloria Reid, Executive Secretary

Attest: _____
Mayor

City Council of Peachtree City
Minutes of Meeting
July 20, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, July 20, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox and Randy Gaddo presented the Independence Day Parade Awards.

Mayor Lenox recognized the Employee of the Month - Becky Kimble.

Mayor Lenox recognized the Supervisor of the Quarter – Scott Hicks.

MINUTES

Brooks made a motion to approve the minutes of the July 6, 2000, meeting as presented. McMenamin seconded the motion. Motion carried unanimously.

Lenox read the rules for conducting the public hearings that would be held that evening.

OLD AGENDA ITEMS

06-00-04 Public Hearing – Rezoning – Cedarcroft Tract

Lenox called the hearing to order and set a time limit of 20 minutes for each side to present their case. He asked to hear from the applicant and those supporting the rezoning first. Mike Rossetti, addressed Council and stated that his position had been to withdraw the rezoning request because he had not previously received his building permit. Rossetti advised that there were three areas that needed further clarification and that he had received a verbal approval today, July 20, from City Planner David Rast and that the verbal approval was acceptable barring any other contingencies on the rezoning; therefore, he requested that the rezoning request be heard.

Lenox explained that this was a rezoning from General Commercial to GR-4, which would permit the construction of 220 homes, and that it was part of a law suit involving a large tract of land on the west side of Georgia Highway 54. One of the requirements under the settlement of that lawsuit, as adjudicated by the court, was that this rezoning takes place to reflect the actual use to which it was being put. It was and is (until rezoned) General Commercial.

Fritz asked Rossetti if the plan included a sound wall since the preliminary plat and construction plans had been approved. Rossetti said yes, it included a 3" cable concrete wall, landscaping and berming on both sides of the tract, based on the plan submitted two years ago. As far as design goes, the material was up in the air, but they had agreed the concrete wall would be best for the City.

Jim Williams, Director of Developmental Services, addressed Council and stated that Staff recommended that the property be rezoned because there would be apartments there, that it was going to be residential, and that we did not want to leave a commercial portion there because no one knew what would happen if it remained commercial.

Hearing no one else speak in favor of the rezoning, Lenox asked to hear from those opposing the rezoning. Hearing no opposition, Lenox asked if there were any questions. Hearing none, he called the hearing to a close for Council to debate the issue and render a decision.

Brooks stated that this item was really a paperwork issue as far as what had transpired before and made a motion to rezone the property from GC General Commercial to GR-4 General Residential. McMenamin seconded the motion.

Fritz requested that the Building Department be extra vigilant on this project given what had already occurred. *with the Road*

Motion carried unanimously.

NEW AGENDA ITEMS

07-00-06 Consider Alcohol License – The Civitan's "Great Chili Cook Off"

Lenox advised that this would be a little unusual because it was strictly for a one-day license to serve malt beverages during the Chili Cook Off, which would take place in the greenspace area at the Aberdeen Village Shopping Center and that this was the fifth year the Cook Off would be held.

Dr. Cliff Bost, Chairman of the Peachtree City Civitan Club, addressed Council on behalf of the applicant, Mr. Brent Wilkes (who was called out of town), and stated that Wilkes had submitted an application for a retail license to sell alcoholic beverages (malt beverages) at the "Great Chili Cook Off" to be held on Saturday, October 7, 2000. Bost said the event was being held to raise funds for charity and requested that the \$150 application fee and the \$450 annual license fee be waived. Bost provided a letter from Marilyn Royal (Aberdeen Shopping Center), stating that they did not object to the beer sales because the reputation of the individuals in the Civitan Club was one of upstanding, civic-minded citizens and felt they would responsibly control the dispensing of beer.

Lenox advised that there were two questions before them: Whether the issuance of the license was appropriate and acceptable with Council, and if the \$150 application fee and \$450 annual license renewal fee should be waived as requested by the Civitan Club in view of the fact that this was a one-day fund raiser for one of our civic and charitable organizations.

Tennant indicated he had spoken with Mr. Wilkes and Mr. Bost at some length about this and thought Council would be remiss not to be aware of the ramifications; particularly, in light of Chief Murray's comments. (Reference Chief Murray's Criminal History certification with the following remarks: *"Please note that the Police Department does not encourage the licensing of alcoholic beverage sales, especially at an event that would be outdoors in an area that is frequented by children and teenagers. Generally, the City has tried to discourage these types of events as activity that does not promote and support the good of the public."*)

In addition, Tennant stated that since this was a one-day event and he had confidence that the Civitan Club would take a great deal of care at this function, and in light of the fact that this was a fund raiser, he would be agreeable to approve the request and was in favor of waiving all fees. He said perhaps they could limit customers to no more than three 8 oz. cups so that people would feel more comfortable with it and that he would be in favor of waiving the fees.

Lenox added that it would have to be properly controlled and moderated in the same manner as the Amphitheater. Lenox said he would be in favor of issuing the license and waiving the fees because he did not think the City was setting a precedent. He also liked the fact that people could have a beer with their chili, but that people would not be "*drinking*" perse.

McMenamin said she thought the only difference was that the Club would be charging for the beer because other activities had taken place outside where wine or beer had been served. Further, that in speaking with Mr. Wilkes, he had assured her that stringent guidelines were in place and she had confidence that the event would be strictly enforced.

City Attorney Rick Lindsey addressed Council and stated that the Ordinance required that if an event were held outside, that there should be controlled ingress/egress; otherwise, it would be in violation of the Ordinance.

McMenamin said Wilkes had told her it would, in fact, be corded off and one entrance and exit would be offered and would be monitored.

Fritz asked if this would be setting any kind of precedent. Lindsey said he knew from working with the Police Department that we had had requests over the years, but had not really had a controlled ingress/egress and that had always been the reason for not allowing it. However, this was the first request that he knew of where they wanted to *charge* for beer. Lindsey said further that we had never done this before and perhaps if this worked out, we could reserve judgment after this one event as to whether we would ever do it again and in that way it would not set a precedent.

McMenamin made a motion to grant a one-day event alcohol license fee and to waive the \$150 application fee and the \$450 annual license fee. Tennant seconded the motion. Motion passed unanimously.

07-00-07 Public Hearing – Variance – Lot 9, Peachtree Subdivision, Section 12

Lenox called the hearing to order and set a time limit of 15 minutes for each side to present its case. He asked to hear from the applicant and those supporting the variance first.

Mr. Nathan Esparza, addressed Council on behalf of TMT Real Estate, Inc., owned by Tricia Mahoney, President, and stated that the company had begun purchasing scattered lots throughout Peachtree City in the older neighborhoods with the intention to build on them. Further, he had contacted Jim Williams and Tom Carty because they were very concerned about the number of trees they would be taking down based on where the house was presently placed on Lot 9. They looked at various plans attempting to find a plan that was more narrow, but due to the constriction of the lot, two setbacks on Hickory and Cedar Drive, had made for a very small footprint. Also, due to the size of the lot – it sat up high on a hill - they felt a two-story house

would be out of character within that particular neighborhood. In summary, if council granted the variance, he thought it would be in keeping with the aesthetics of the neighborhood and it would allow them to build a house that was a little higher in value than what was being sold presently on the resale market there, and it would help to raise the values of the neighborhood as well.

In response to Fritz' question about the site, Esparza advised that the area currently staked was what had already been approved without the setback. Esparza explained that this was a ranch with a bonus room over the garage and that the lot would be a low maintenance lot with very little lawn maintenance, and would be ideal for an empty nester situation.

Tennant asked Esparza if they had met with any neighbors. Esparza advised that they had met with the neighbor on the right and felt they had satisfied all his questions. Tennant then asked if they had advised the neighbor that the public hearing on the matter was scheduled to be heard tonight. Esparza said there were signs on both corners advertising the public hearing and that he had advised the neighbor earlier.

Hearing no one else speak in favor of the variance, Lenox asked to hear from those opposing.

Jim Williams, Director of Developmental Services, addressed Council and stated their recommendation was to deny the proposed variance because it would bring the house into the front setback. Williams said further that he thought it would be possible to redesign the house to fit the lot, and that variance requests were usually granted if an *extreme hardship* existed and this did not meet the criteria.

Lenox asked if there were any questions. Hearing none, he called the hearing to a close for Council to debate the issue and render a decision.

Brooks complimented Esparza for trying to save trees, but that one of the things Council evaluated when granting variances was whether there were special circumstances or something unusual about the property. Brooks added that Council was always concerned about setting a precedent for future variance requests and felt this situation was not that unique. He said it would be difficult to say no and try to justify their action to someone else making a similar request at a future date and that they could not allow him to encroach into the front setback. Brooks advised Esparza that they needed to plan a house that fit the lot.

Fritz advised she had walked the lot and felt the reduced setback would be out of character for the neighborhood and felt they were trying to build a house that really did not ~~belong~~ *fit the lot*.

McMenamin made a motion to deny the variance request to allow Lot 9, Section 12, Block C of the Lake Peachtree Subdivision to encroachment into the front setback. Fritz seconded. Motion passed unanimously.

07-00-08 Public Hearing – Variance – Kwickie/Flash Foods Store

Lenox called the hearing to order and set a time limit of 15 minutes for each side to present its case. He asked to hear from the applicant and those supporting the variance first.

Mr. Jimmy Walker, President of the Jones Company (Jones Company owns Flash Foods), addressed Council. Walker advised that Mr. Patrick Jones, Vice President of Marketing for Flash Foods, was also there to answer questions. Walker explained that their company was requesting the variance so that they could extend the building by approximately 30 feet. He said that no trees would be affected and there was plenty of buffering. The addition to the building would enable them to remodel the building at the southeast corner of GA 74 and Crosstown Drive to provide for additional storage and make the restrooms ADA compliant. The variance request to encroach 8.92 feet into the rear setback would accommodate that renovation.

Jim Williams, Director of Developmental Services, addressed Council and stated that staff recommended that the variance be granted, that it did appear that the encroachment would not be noticeable from either adjoining public right-of-way, nor did it appear that it would adversely affect their neighbor, Hoshizaki. Williams said he thought there would always be a healthy separation between the properties.

Hearing no one else speak in favor of the rezoning, Lenox asked to hear from those opposing the rezoning. Hearing no opposition, Lenox asked if there were any questions. Hearing none, he called the hearing to a close for Council to debate the issue and render a decision.

Brooks commented that certain Federal laws had changed and if, for no other reason, this would enable the company to install some ADA compliant restrooms and would justify the variance request for that specific reason.

Tennant made a motion to grant the variance request as submitted. Fritz seconded the motion. Motion carried unanimously.

07-00-09 Library Master Plan

Mr. Christopher Clark, Chairman of the Peachtree City Library Commission, addressed Council and stated that the Recreation Commission had recommended approval of the *conceptual intent* of the Library Master Plan and the Library Training and Technology Plan as presented at the City Council Retreat with the changes Council had recommended.

Clark said their recommendations fell into the primary categories of staffing, programs (particularly youth programs) and technology, which was driven by their research in trying to project five years out. They accelerated the process necessary to expand the Library's physical plan and, if approved, they would begin work on the concept as early as the remainder of this year.

Clark said further that the Library Commission fully understood that Council must approve any recommendations made by them, and they also understood that any recommendations made by the Library Commission with monetary figures attached must go through the normal budgetary cycle.

In addition, Clark said the Commission and staff promised they would review these plans on an annual basis and report on any progress made and any alterations recommended would be given at annual retreats; thereby, making this a living document. Their intent was to have and maintain a library that would meet the current and future needs of the citizens of Peachtree City.

Clark said he and Randy Gaddo had met with Walter Murphy, Director of Flint River Regional Library System, because the grant request had to be channeled through the Regional System to be in accordance with State policy.

Brooks asked if we were continuing to receive feedback from Walter Murphy. Basinger said a meeting was scheduled to meet with the Director of Library Services from the State and Walter Murphy on July 26th to discuss the expansion.

Lenox confirmed that the funding would have to be approved by the State Legislature in 2001 and that our representatives and senators should be brought into the loop for their assistance to ensure funding.

Brooks thanked Clark and said it was obvious at the Retreat how much work had gone into the Library Master Plan and made a motion to approve the *conceptual intent* of the Library Master Plan and the Training and Technology Plan as presented at the City Council Retreat in 2000. McMenamin seconded the motion. Motion carried unanimously.

07-00-10 Consider Resolution – Watershed Protection

Jim Williams addressed Council and stated that several months ago, staff had prepared some documents that went to the ARC (Atlanta Regional Commission) and the State (Department of Community Affairs) relative to our Comprehensive Plan, which consisted of the Capital Improvement Element and the Short Term Work Program. Further, that this was an obligation the City was required to fill each year in order to keep our Comprehensive Plan up to date.

Williams explained further that the Georgia Department of Community Affairs (DCA) informed Peachtree City that our Watershed Protection Ordinance was not in compliance with criteria established for Qualified Local Government status and that they had requested we adopt more stringent language in our Watershed Protection Ordinance relative to cart paths in buffer areas. Williams explained that when the Comprehensive Plan was first developed, the City had worked with the Department of Natural Resources - not the DCA. Williams said staff had explained to them that our cart path system needed to go in the watershed protection areas because that was really where our nicest areas were and we wanted our citizens to be able to go there and enjoy them. After some lengthy discussions, they agreed with the City and staff wrote our ordinance to include the paths in those areas with their concurrence. As times changed and bureaucracies changed, the DCA became interested in the letter of their laws and that their interpretation of undisturbed buffers meant *undisturbed* and to keep cart paths out of there. Williams said they had debated this for a while, but then decided there were only one or two more subdivisions that were adjoining watershed protection areas and did not see any harm in complying. Therefore, language was drafted to meet their satisfaction and was reviewed by the Planning Commission who was a little concerned about the fact that we were making an amendment to our concept of cart paths in wetland areas; however, their conclusion was let's just get this done and get on with it. He said that staff was presenting a proposed draft amendment tonight. The proposed amendment took "*paved cart paths*" out of the buffered areas, but did not preclude putting unpaved cart paths or nature trails, which was what we were doing as part of the Southern Conservation Trust Program, but in the future we would not install any more *paved* paths.

Williams explained that, if Council approved the draft, it would be forwarded to both DCA and the Atlanta Regional Commission and that Council would adopt the amendment to the Ordinance at a future Council meeting.

Williams advised that staff had been debating about several other ordinances that the DCA insisted we adopt. One ordinance had to do with ground water recharge areas (getting the water in the ground into the water table) and the DCA wanted a specific ordinance adopted that had a great deal of reference to very technical manuals that none of his staff had ever seen. Williams said that staff felt the ordinances Peachtree City currently had in effect adequately covered the situation because we had never had a problem protecting our ground water resources. He said the DCA had sent a rather terse letter advising that our status as a Qualified Local Government was being suspended because we had not done this yet, so an ordinance had been drafted that they felt would meet that situation. He said the draft ordinance would be presented to the Planning Commission on Monday, July 24th for action and would be presented to Council for adoption at the August 3rd City Council meeting.

Williams commented that he was proud of the way the City had used its Watershed Protection Ordinances to protect wetland areas and felt they had done a better job of protecting wetlands than virtually any other community in the State or the southeast and had been surprised when the DCA advised we would have to adopt their Watershed Protection Ordinance.

Williams said they recommended approval of the Watershed Protection Ordinance revisions with the full knowledge that some other ordinances would be presented for Council's approval in a couple of weeks.

Lenox clarified and directed that the proposed draft ordinance be revised to reflect that we were not creating any *new* paved cart paths in these areas and that we would not *take up* any existing cart paths and he would not want it to be construed that it applied to those cart paths that already existed. He directed that the word "*new*" be inserted in sections (4) b and (5) b. Lenox made a motion to approve the draft of the proposed amendment to the Land Development Ordinance with the changes described above. Brooks seconded the motion. Motion carried unanimously.

07-00-11 Consider Resolution – Outdoor Water Restrictions

Jim Basinger, City Manager, addressed Council and stated that, at the last meeting Council directed staff to conduct further research to determine whether or not the City could regulate the use of water from wells and streams. Basinger said the City Attorney had provided a legal opinion on the matter, but the opinion did not provide a conclusive answer to this question. In essence, the City Attorney concluded that any restrictions on the use of water from wells and streams (if litigated) "might" preempt the City from imposing such restrictions. Basinger advised that two resolutions were provided for consideration: one that restricts use of water from wells and streams, and one that did not.

Fritz stated that she felt there were no private streams - they were all State waters, and that she had a real problem with the private stream statement. She said she had asked for a definition from the DNR, but had not seen it yet, nor had she seen anything from the DNR telling us we could not do this.

Lenox said he was reluctant to pass a resolution in an area where he was not sure we had the right. Also, he referred to a statement made at the last meeting that, barring any set provision on mineral rights, if he owned a piece of land, he owned it from the surface to the core of the earth.

Fritz said she still did not see why it would be a hardship for someone with a well or a pump taking water from a stream to comply with the watering ban.

Lenox said, in essence, the resolution that was written did not address the well question, that it was in compliance, and was exactly what was taking place in the rest of the State. Lenox felt we should comply with what they had asked everyone in the State to do and that when they advised us it was more serious than that, then we would need to look at some other questions and look at it on a Statewide basis.

Brooks stated that, from a practical standpoint, we already had a resolution in place for a ban on water use and it was one that did not address wells and streams. Further, since we really did not have a problem at this point in time, we could probably leave the one we have in effect and it would allow us a certain amount of flexibility. Brooks recommended that we leave the one we had in place.

Basinger asked for clarification on Council's decision that water could not be taken out of wells and streams, and asked if that was what Council had approved.

Lenox said no, they left it the way it was - you could not water from 10:00 a.m. to 10:00 p.m. on odd and even days. Brooks said if someone was watering and there was a complaint, it would be investigated and the City could use their judgment. However, he thought the majority of Council was saying that we should take it on an issue-by-issue basis. If it was coming out of private wells, it seemed like the majority of Council was not interested in doing anything about it, but on the other hand, if it was coming out of a stream or someplace else, we would take appropriate action.

Basinger asked if Council were prohibiting taking water from streams. Brooks said they were not.

No action was taken and the current ordinance was left in place.

07-00-12 Discussion – Development Impact Fees for Fayette County Jail

Jim Basinger, City Manager, addressed Council and stated that he and the City Attorney had attended a County Jail Impact Fee meeting on July 12 along with the City Attorneys and Managers from Fayetteville and Tyrone. He said much concern was expressed about the fact that industrial and commercial developments were included in the fee. Generally speaking, the group did not feel that the industrial and commercial fee component was equitable. It was their consensus that commercial retail establishments (as a group) generated more crime than industry did. Also, the group suggested that the formula be changed from number of employees to a square footage basis and that a cap be placed on the amount of fees an industry would have to pay so as not to dissuade businesses and industries from locating here. Basinger said he had received a revised formula from the County that had a category entitled "Manufacturing" with a fee attached only to the square footage of the office space of the industry. Under this scenario, where Cooper Lighting classified as an industry, they would pay \$16,979 as opposed to \$120,129 under the previous formula. Additionally, the revised formula did place more weight and, hence, higher

fees on retail developments and the service area developments. Basinger said they did have concern at this point on the impact of the amount of the fee in some of the retail and service areas. Basinger advised there were questions to be answered on the revised formula and the City Attorneys and Managers were planning to schedule another meeting with the County on this issue. Basinger said further that Fayette County Commission Chairman Harold Bost as well as Dennis Davenport, who the City had been working closely with on this issue, were in attendance at the Council meeting to answer any questions.

Basinger said Mayor Lenox had completed an analysis of the fee and had a presentation and comments he wanted to make on this issue.

Lenox said that, when the question of the jail originally arose, everyone agreed that a new jail facility was needed in Fayette County and that the City was certainly extremely supportive of that. When it first surfaced, the idea was that it would be paid for by the tax payers of the County through Ad Valorem taxes. Then the idea surfaced that perhaps, in addition to the Ad Valorem taxes, another possible source of revenue would be to charge impact fees on new residential units in the County. Having had impact fees on residential units for nearly 10 years, the City thought this probably made some sense. Then the idea advanced that perhaps there should be impact fees on residential, commercial, and industrial. At that point he decided he could not support that idea for a number of reasons. First, there had been an enormous amount of money spent doing industrial recruiting and the idea of imposing impact fees on industry was counter productive to the whole idea of industrial recruitment. An industrial tax base had been built up in the County, 95% of which was in Peachtree City, and that it was very important to the financial balance in the County. When it came to commercial, the major concern was not so much whether Commercial businesses should pay an impact fee - it was what it did to our system of operations. Mr. Lindsey's legal opinion corroborated what was discussed at the last meeting. If impact fees were collected from new Commercial operations, we could not also exact from them other public system project improvements. In fact, the opinion said if the City got \$500,000 from someone for improvements so the Home Depot could be built, and the impact fee would have been \$150,000, the City would then have to give them back the \$350,000 and it seemed highly counter-productive.

Lenox said – both from an ethical point of view and from a legal point of view – he thought an impact fee dictated that the new people who move into a community should pay their fair share of the infrastructure that their being there raised a need for. The objective was that the County would need more jail in the future due to additional population, and it was entirely fair that new residents should pay for their share of the jail. The new people who move here would pay for the jail in two ways: when they bought their house, they were going to pay an impact fee and as soon as a new resident occupied their house, they became part of us and then they would have to start paying Ad Valorem taxes on their houses.

Lenox then presented and explained a power point slide he had prepared, which was based on 1100 units per year at \$825 per unit (attached and made a part of this official record).

Commissioner Bost and Dennis Davenport then addressed Council *from the audience* and a lengthy discussion ensued.

As a result of the discussion, and in answer to Commissioner Bost's request for clarification,

Lenox confirmed that Peachtree City would consider a residential impact fee *only*.

Davenport asked if Peachtree City still had a desire to go forward with putting together their own impact fee, and if that was the case, was that something the City would want to submit with the County to the DCA?

Lenox said he hated the idea of not levying impact fees on Commercial/Retail entities, and ordinarily he would have agreed that it was a fantastic idea, but that it hurt them too badly in the context of what the City was trying to do. Lenox said additionally that he would be happy to proceed with that, but felt we needed a little more guidance from the County about what they wanted us to do because he thought they should digest the information they heard tonight, talk to the other cities, and see how we could make this work.

COUNCIL/STAFF TOPICS

There were no council/staff topics.

EXECUTIVE SESSION

No executive session was held.

Lenox made a motion to adjourn the meeting. Brooks seconded the motion. Motion carried unanimously.

Attest: _____
Mayor Robert L. Lenox

Gloria Reid, Executive Secretary

POSITION PAPER

Proposed Rezoning: Katz/Peachtree City Holdings Tracts

Director of Developmental Services *JWV/gf*

May 25, 2000

Situation:

John Wieland Homes (JWH), acting as agent for the owners, has submitted an application to rezone 101.58 acres on the west side of Peachtree City from GI General Industrial to GR-4 General Residential. The property is owned by Grant Development (81.92 acres) and Peachtree City Holdings (19.66 acres). If the property is rezoned as proposed, JWH intends to develop a subdivision for 350 single-family homes at a density of 3.4 units per acre. The entire application is included with this paper as Attachment "A."

Facts:

1. The property proposed for rezoning has been zoned GI General Industrial for more than 25 years. The Land Use Plan, adopted in 1985, indicates that the property should be developed for industrial purposes.
2. In 1995 the Land Use Plan was updated. As a part of that effort, the City anticipated the possible creation of a new village on the west side of the City. That village would include the subject property. In the event the new village were, in fact, to materialize, the subject property was proposed for reclassification to Single-Family Cluster at a density of four units per acre (Attachment "B"). To date, that village has not yet begun to materialize.
3. The property is bordered on the north by land that is zoned and land use planned the same as the subject property.
4. The property is bordered on the east by the CSX Railroad and GA 74.
5. The property is bordered on the south by the major east-west pedestrian path and undeveloped land currently zoned GC General Commercial. However, that adjoining land is proposed for development as a 218-unit residential subdivision at a density of 3.4 units per acre. It is known as the Cedarcroft project.
6. The property is bordered on the west by land outside the City limits in the unincorporated area of Fayette County. That land is currently zoned Agricultural and is land use planned for one- to two-acre residential lots. This adjoining property is owned by one of the applicants.
7. An application for rezoning the property was previously submitted on February 4, 2000; but it was not accepted. A copy of that application is included as Attachment "C," and a copy of our rejection notice is included as Attachment "D."

8. A traffic study for the proposed project was submitted on February 25, 2000. It is included as Attachment "E" (note the date of the study). An updated traffic study was submitted at the meeting. It is also included as a part of Attachment "E."
9. A proposed site development plan was submitted with the application. It is included as Attachment "F."
10. The Mayor has created a special Westside Task Force to study the entire Westside area and make recommendations to Council as to how the area should develop and what annexation and rezoning action would be necessary to implement the desired development plan. The Task Force is probably at least a month away from being able to make any firm recommendations concerning the subject property.
11. On May 8, 2000, the Planning Commission reviewed the proposed rezoning at a public hearing and voted 5 to 0 to recommend that Council deny the request after the applicant refused to agree to a continuance until the Task Force could complete its work. The minutes of that meeting are not yet available.

Recommendation:

The staff recommends that the Council once again request that the applicant agree to a continuance to allow the appointed Task Force time to complete its work. After that, the proposed rezoning could be evaluated based on the conclusions and recommendations of the Task Force, as well as any policy established by the Council as a result of those conclusions and recommendations.

In the event the applicant is still not willing to agree to a continuance, the staff recommends that the proposed rezoning be denied. Based on the 1985 Land Use Plan, the application has no merit. Based on the 1995 update to the Land Use Plan, the application would only have merit as a part of an overall plan for the Westside area. If the applicant is unwilling or unable to wait for the development of that plan and its approval by all appropriate parties, then it would appear that the City would have no choice but to respond to the application in accordance with the 1985 Land Use Plan and reject the proposed rezoning.

To date, the applicant has not been able to present any compelling argument for changing the zoning from industrial to a relatively high-density residential category in the absence of an overall Westside plan. In fact, under the existing conditions, rezoning the property as proposed would appear to run counter to some well-established, sound planning

principles. About 40 of the proposed lots (average 60' x 120') would be directly adjacent to a main line railroad track with about 30 trains a day passing by. Another 16 lots would be directly adjacent to land zoned for general industrial use. On the third side of the property, it is proposed to put 7000-8000 square foot lots opposite property zoned for one- and two-acre residential use. This application draws what logic it has from its relationship to the proposed Cedarcroft project, which itself is generally considered to be a major land use planning mistake that owes its existence to a loophole in the Zoning Ordinance that has long since been closed to avert additional mistakes.

JBW/jir

Attachments "A" – "F"

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: Approximately 82 ACRES IN DISTRICT 7 LL 158
(81-92) REFER TO PLAT PREPARED BY INTEGRATED SCIENCE ENGINEERING AND
DATED 2/18/00

This property is presently zoned: General Industrial (GI)

The proposed zoning classification is: GENERAL RESIDENTIAL - 4 (GR-4)

I certify that I am the owner, or the duly authorized agent of the owner, of the property described above:

Signature: Lee Katz, President Lee KATZ (President)

Owner: Grant Development I, L.P. and Grant Development Corp.

Agent: John Wieland Homes, Inc., ATTN: Dan Fields

Address: 1950 Sullivan Road, Atlanta, GA 30337

Phone: (770) 996-2400, Ext. 140 Date: 2/25/00

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: James B. Williams, JAMES B. WILLIAMS.

Title: ZONING ADMINISTRATOR

Date: MARCH 8, 2000

Request Number: 2000-03

Date of Planning Commission Public Hearing: MAY 8, 2000

Date of City Council Public Hearing: JUNE 1, 2000

ATTACHMENT "A"

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: Approximately ~~10~~ 19.66 acres in District 7 IL 158

See Attached Legal Description

Tract 2

REFER TO PLAT PREPARED BY INTEGRATED SCIENCE AND DATED 2/18/00

This property is presently zoned: General Industrial (GI)

The proposed zoning classification is: General Residential - 4 (GR 4)

I certify that I am the owner, or the duly authorized agent of the owner, of the property described above:

Signature: Wray A. Russell WRAY A. RUSSELL (COO)

Owner: Pathways Development PEACHTREE CITY HOLDINGS LLC

Agent: John Wieland Homes, Inc. ATTN: Dan Fields

Address: 1950 Sullivan Road, Atlanta, Georgia 30337

Phone: (770) 996-2400 ext 140

Date: 2/25/00

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: James B. Williams JAMES B. WILLIAMS

Title: ZONING ADMINISTRATOR

Date: MARCH 8, 2000

Request Number: 2000-03

Date of Planning Commission Public Hearing: MAY 8, 2000

Date of City Council Public Hearing: JUNE 1, 2000

John Wieland
**JOHN WIELAND HOMES
AND NEIGHBORHOODS**

**RE-ZONING REQUEST
FOR
PROPOSED SINGLE-FAMILY SUBDIVISION
101.58 ACRES
at
Line Creek Parkway
Peachtree City, Georgia**

Submitted by:
John Wieland Homes and Neighborhoods
1950 Sullivan Road
Atlanta, GA 30337

February 25, 2000

2/25/00

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LETTER OF INTENT

**APPLICATION TO AMEND PEACHTREE CITY ZONING ORDINANCE
FILED BY JOHN WIELAND HOMES, INC.
PERTAINING TO PROPERTY LOCATED IN LAND LOTS 158 OF THE 7TH
DISTRICT OF FAYETTE COUNTY, GEORGIA**

The Petitioner, John Wieland Homes and Neighborhoods, Inc., wishes to rezone an approximately 102 acre tract of land (the "Property"), from General Industrial ("GI") to General Residential - 4 ("GR4"). The proposed rezoning will permit a suitable use in view of the fact that the property located in Peachtree City located southwest of the Property is currently residential and Cedarcroft, the residential subdivision adjacent to the southern boundary of the Property is currently under development. X ?

The Property is particularly suitable for residential use, best indicated by adjacent zonings to the west as AG and the south as GC, which is being developed as GR4. Over the past years, the Owners of the Property have been most cooperative in connecting the Wynnmeade neighborhood to the City, including granting an easement for the construction of the golf cart path. The Owners also participated in the cost of constructing Line Creek Parkway south of the Property. The proposed zoning would continue to bridge residential development from the Wynnmeade subdivision into the heart of Peachtree City and establish the West End as a viable residential village. ?

It is the intention of John Wieland Homes and Neighborhoods, Inc. to develop a single-family residential neighborhood that would permit a use consistent with other single-family residential developments in the area, and that no other existing or changing conditions affecting the development of the property should cause this proposal to be disapproved.

With access through the Cedarcroft neighborhood and other high-density residential uses to the south and access through proposed residential property to the north, there is no reasonable economic use of the property as presently zoned. Therefore, John Wieland Homes, Inc. respectfully submits that the zoning classification for the Property be reclassified to GR-4. ?

Petitioner: John Wieland Homes, Inc

Address: 1950 Sullivan Road
Atlanta, GA 30337

Contact Person: Dan Fields

Telephone Number: (770) 996-2400, Ext. 140

Submitted By:

Dan Fields

IMPACT ANALYSIS

LAND LOTS: 158
DISTRICT: 7
ROAD NAME: Georgia Highway 74
ZONING REQUEST: 102 acres from GI to G-4
PETITIONER: John Wieland Homes and Neighborhoods, Inc.
ADDRESS: 1950 Sullivan Road, Atlanta, GA 30337
CONTACT PERSON: Dan Fields, Vice President
DAYTIME PHONE #: (770) 996-2400, ext. 140

The following analyzes the impact of the above-proposed zoning:

A. TAX BASE

The estimated additional property tax revenues of the proposed zoning would be approximately \$300,000, based on its development as a 350 home, single-family neighborhood. In addition, Impact Fees and other fees would result from the development of this neighborhood.

B. PUBLIC EDUCATION

Peachtree City Elementary School is located at 201 Wisdom Road, approximately 1 mile east of the Property. According to Mike Satterfield, School Facilities Director for the Fayette County Board of Education, Property lies in the Peachtree City Elementary School district. The current enrollment at Peachtree City Elementary is 417 students, with a school capacity of 555 students.

Booth Middle School is located at 250 Peachtree Parkway South, approximately 3 1/2 miles east of the Property. Its current enrollment is 1061 students, with a capacity of 900.

McIntosh High School is located at 201 Walt Banks Road, approximately 4 1/2 miles east of the Property. Its current enrollment is 1476 students, with the capacity for 1425 students.

According to the Fayette County Board of Education each new home in the county adds 1.13 students to the school system. Based on that statistic, the total number of additional students from these 350 homes would be phased into the school system gradually. It is estimated that there will be approximately 52 elementary school students added each year. There would be approximately 14 middle school and 14 high school students added each year during the build-out period.

C. EMERGENCY SERVICES

The Property currently lies in Zone # 1 for police services, with the nearest station located approximately 2 miles to the southeast at 153 Willow Bend Road. According to the Chief of Police for the Peachtree City Police Department, the residential development planned for the Property, phased in over a 10 year period, should not have a significant, detrimental impact on the police department's ability to provide services to the community.

Currently, the nearest fire station and emergency medical services unit is Station # 1, located at Paschall Road & Highway 74, approximately 2 1/2 miles southeast of the Property. Additionally, two other stations, one at Peachtree Parkway North and Highway 54 and another at Crabapple Lane, may serve the Property as secondary units. The Peachtree City Fire Department declined to comment about the possible impact that the development of the Property may have on emergency services, citing a policy that dictates comment be withheld until the application and plan have been reviewed by the Peachtree City Planning Office.

D. RECREATION

In accordance with the City's land use plan objective to encourage recreational facilities in single-family residential developments, on-site amenities are planned, including a clubhouse, two lighted tennis courts, a pool, and tot lot.

Other major recreational facilities near the site include football and baseball fields at the Riley Fields Recreation Center at 176 Wisdom Road, and the Kedron Fieldhouse and Aquatic Center, which houses two pools, two basketball courts, and a game room, at 202 Kedron Drive and The Peachtree City Tennis Complex. Other than the approved Line Creek Parkway connection, there are no plans to provide vehicular access the Wynnmeade neighborhood park.

E. CITY DEVELOPMENT PLAN

The proposed zoning complements the neighboring uses and encourages use of Property consistent with other residential developments in the northwest Peachtree City area. To develop the property as currently zoned would potentially diminish residential values in the immediate area.

Wynnmeade has long been the solitary residential enclave in the northwest end of the City, separated from the rest of the city in terms of both geography and quality of life. The proposed zoning will work to link Wynnmeade to the rest of Peachtree City, drawing attention to the needs of west-end residents and stimulating the birth of a larger west-end village similar to Glenloch, Aberdeen, Braelinn, and Kedron.

The proposed zoning will help to protect the integrity of this existing and the developing residential areas to the south, assuring that incompatible uses cannot encroach upon the community's developing residential character. Although the Property is zoned for industrial uses, industrial development in such close proximity to Wynnmeade and Cedarcroft could further harm its residential character and possibly negatively impact residential values. Industrial

development in this location would also be in conflict with the city's development objective to "develop a defined Industrial Park separate from the city's residential development."

F. EXISTING ZONING CLASSIFICATIONS

The Property is within Peachtree City and are currently zoned General Industrial ("GI"). Adjacent zonings are as follows:

- Although not contiguous, the Wynnmeade subdivision, lying to the west and southwest of the Property, is currently zoned R1;
- West of the property is approximately 53 acres located in unincorporated Fayette County. The property is zoned Agricultural Residential ("AR") According to Fayette County Land Use Plan, the property located between the Wynnmeade subdivision and the Property is designated LOW DENSITY (.5-1 Unit/Acre).
- The property to the south, also known as the Cedarcroft subdivision, is zoned General Commercial ("GC") and is currently being developed by Ravin Homes as General Residential-4 ("GR4");
- The land to the immediate east of the Property, is owned by CSX Railroad and is zoned GI (cemetery is owned by Property owner);
- The land east of Highway 74, south of Wisdom Road, is zoned GC;
- The land to the north of the Property is zoned GI and is owned by Peachtree City Holdings, LLC and Cottonwood Properties.

G. PUBLIC SERVICES AVAILABLE TO PROPERTY

Utility availability letters have been obtained from Fayette County Water System, Coweta-Fayette Electric Membership Corporation, and Georgia Natural Gas Company and are attached to the application. Sewer will also be available to the property, but is discussed in detail in the analysis of impact on utilities.

H. ACCESS TO PROPERTY

Cart paths would be provided within the greenbelts and would connect with existing cart path located at the southern boundary. Several years ago, the Property owner entered into an agreement with Peachtree City to allow the cart path to be built across Property. The agreement also granted the Property owner access to Highway 54. It is the intent of the Owner and Applicant to continue Line Creek Parkway through the Property to the northern boundary (as indicated on the proposed site plan).

Becky Morris



Peachtree City Water and Sewerage Authority

February 17, 2000

Mr. Rob Gibbons
Integrated Science & Engineering
275 South Lee Street
Fayetteville, GA 30214

REF: Sewer Capacity – Katz Property (West of Highway 74 inside City Limits)

Dear Mr. Gibbons,

Concerning your request for sewer capacity to serve a proposed development of 400 residential homes, the Authority has conducted an investigation of the lines serving this development. For estimation purposes we assumed that the site would require approximately 120,000 gallons per day of capacity. The proposed development would be part of the West Village Basin. At the present time there is capacity available for this flow. The capacity is based upon current flow estimates and is not a guarantee of additional capacity. As long as the development is initiated within the next calendar year (February 17, 2000 – February 17, 2001) the Authority will provide capacity for this development. The project will be considered as being initiated when the final site plans have been approved by the Authority and City of Peachtree City.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Scott McDonald".

W. Scott McDonald
Technical Services Division Manager

Coweta-Fayette
Electric Membership Corporation
Post Office Box 488
Newnan, Georgia 30264

Telephone 770-502-0226
Facsimile 770-251-9788
<http://www.utility.org>



April 21, 1999

John Wieland Homes
Att. Donna Black
1950 Sullivan Road
P. O. Box 87363
Atlanta, Ga. 30337

RE: Service availability for Katz and PCDC Parcels

Dear Mrs. Black:

Coweta-Fayette EMC will be the power supplier for the above projects.

If you need more information, please do not hesitate to call me at, 770-502-0226 ext. 4250.

Sincerely,

A handwritten signature in cursive script, appearing to read "Travis Newman".

Travis Newman
Chief Staking Technician



Atlanta Gas Light Company

PAGE 12

recorded

8990 Georgia Highway 5
Douglasville, GA 30134-1547

April 26, 1999

Donna Black
John Wieland Homes & Neighborhoods
1950 Sullivan Road
Atlanta, Georgia 30337

RE: Katz & PCDC Properties, Hwy 74
Land Lot: 158 & 164
7th District
Peachtree City
Fayette County

Dear Donna,

This letter is to advise you that natural gas is available on Hwy 74 for the above-mentioned project.

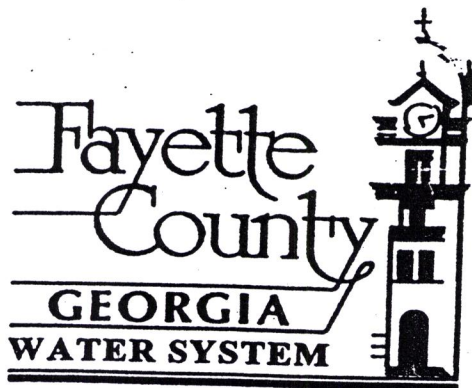
Natural gas service will be made available in accordance with Rule 7 of the Rules and Regulations of Atlanta Gas Light Company as on file with the Georgia Public Service Commission.

Thank you for choosing natural gas for this project. If I can provide any additional information, please contact me at (770) 942-3052 office, or pager (404) 871-9201.

Please forward two copies of the preliminary plat when available.

Sincerely,

Walt Harp
Senior Residential Representative



Tony V. Parrott, Director

April 20, 1999

Ms. Donna Black
John Wieland Homes
1950 Sullivan Road
P.O. Box 87363
Atlanta GA 30337

KATZ & PCDC

Dear Ms. Black:

The Fayette County Water System has water available to serve these tracts from our 20-inch water line on the east side of Highway 74. Please be advised that to get this service to your proposed property, it will require that John Wieland Homes bore Highway 74 and the railroad rights/of/way.

If you need addition information, call me at 770-461-1146 ext 101.

Sincerely,

A handwritten signature in cursive script, reading 'Tony V. Parrott'.

Tony Parrott, Director
Fayette County Water System

CONSTITUTIONAL CHALLENGE

APPLICATION TO AMEND PEACHTREE CITY ZONING ORDINANCE
FILED BY JOHN WIELAND HOMES, INC.
PERTAINING TO PROPERTY IN LAND LOTS 158
OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA.

This is to comply with the mandate of the Georgia Supreme Court decisions, which require rezoning applicants to present constitutional issues to the zoning authority as a condition precedent to seeking judicial relief.

John Wieland Homes, Inc. ("Wieland") is the rezoning petitioner with respect to the approximately 102-acre tract of land at issue in this rezoning application (the "Property"). Wieland respectfully submits that the Zoning Ordinance of Peachtree City, as amended from time to time ("Zoning Ordinance"), is unconstitutional to the extent that it classifies any of the Property in the following zoning classifications: General Industrial ("GI"). The Property is particularly suitable for residential development in the General Residential - 4 ("GR-4") category. The existing zoning classifications of the Property pursuant to the Zoning Ordinance and the pattern of development of the adjacent area deprive the current owner of any reasonable use and development of the Property. Additionally, all zoning classifications intervening between the existing zoning classifications and the GR-4 zoning classification, the zoning classification requested hereunder, would deprive Wieland of any reasonable use and development of the Property.

Accordingly, Wieland respectfully submits that the current zoning classifications of the Property established in the Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm Wieland. All zoning classifications intervening between the existing zoning classifications and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning power because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm Wieland. Further, the existing zoning classifications constitute and all zoning classifications intervening between the existing zoning classifications and the GR-4 zoning classification would constitute a taking of Wieland's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment to the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, Wieland respectfully submits that the City Council's failure to approve the requested zoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between Wieland and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

However, Wieland remains hopeful and confident that these issues can be resolved through the rezoning process in a manner that will benefit Wieland and inure to the best interests of Peachtree City.

PEACHTREE CITY

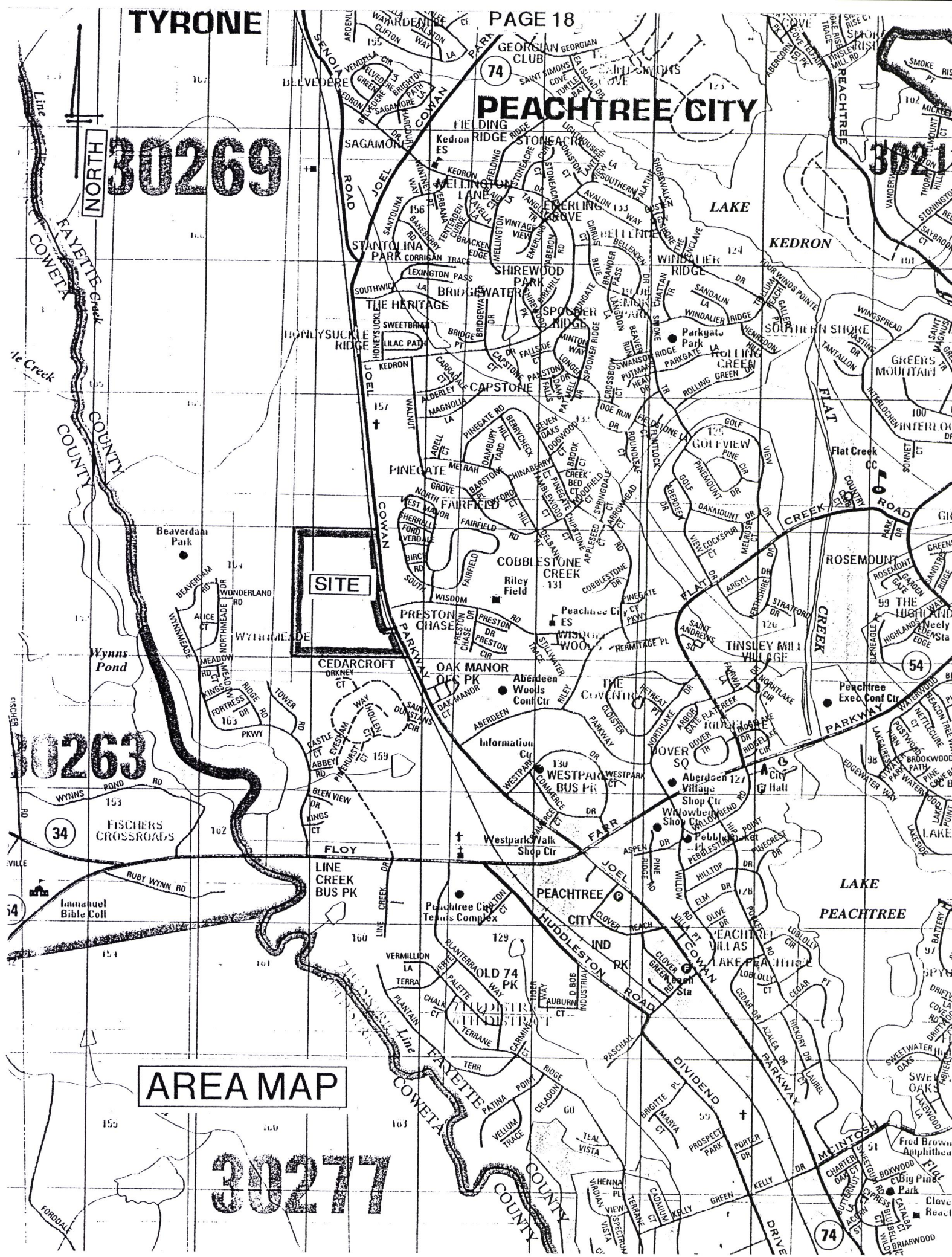
NORTH 30269

30271

SITE

AREA MAP

30277



FAYETTE COUNTY

AR

NORTH

CITY LIMITS

LUC-12

GI

AR

GR

GR-10

R1

AR

AR

LC

OI

SITE

AR

GR12

R1

GR10

GI

GC

GC

GR5

R1

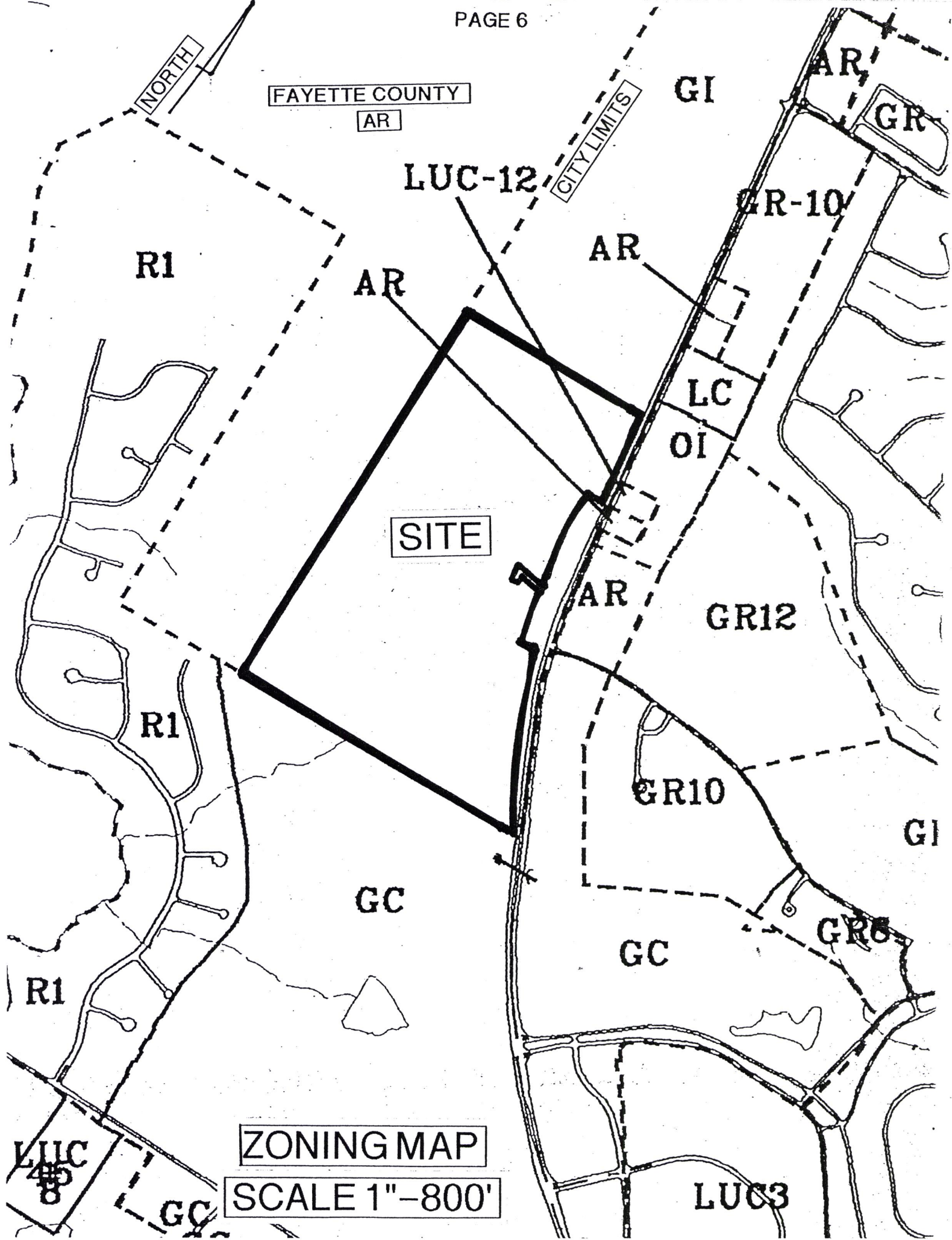
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ZONING MAP

SCALE 1"-800'

LUC3

GC

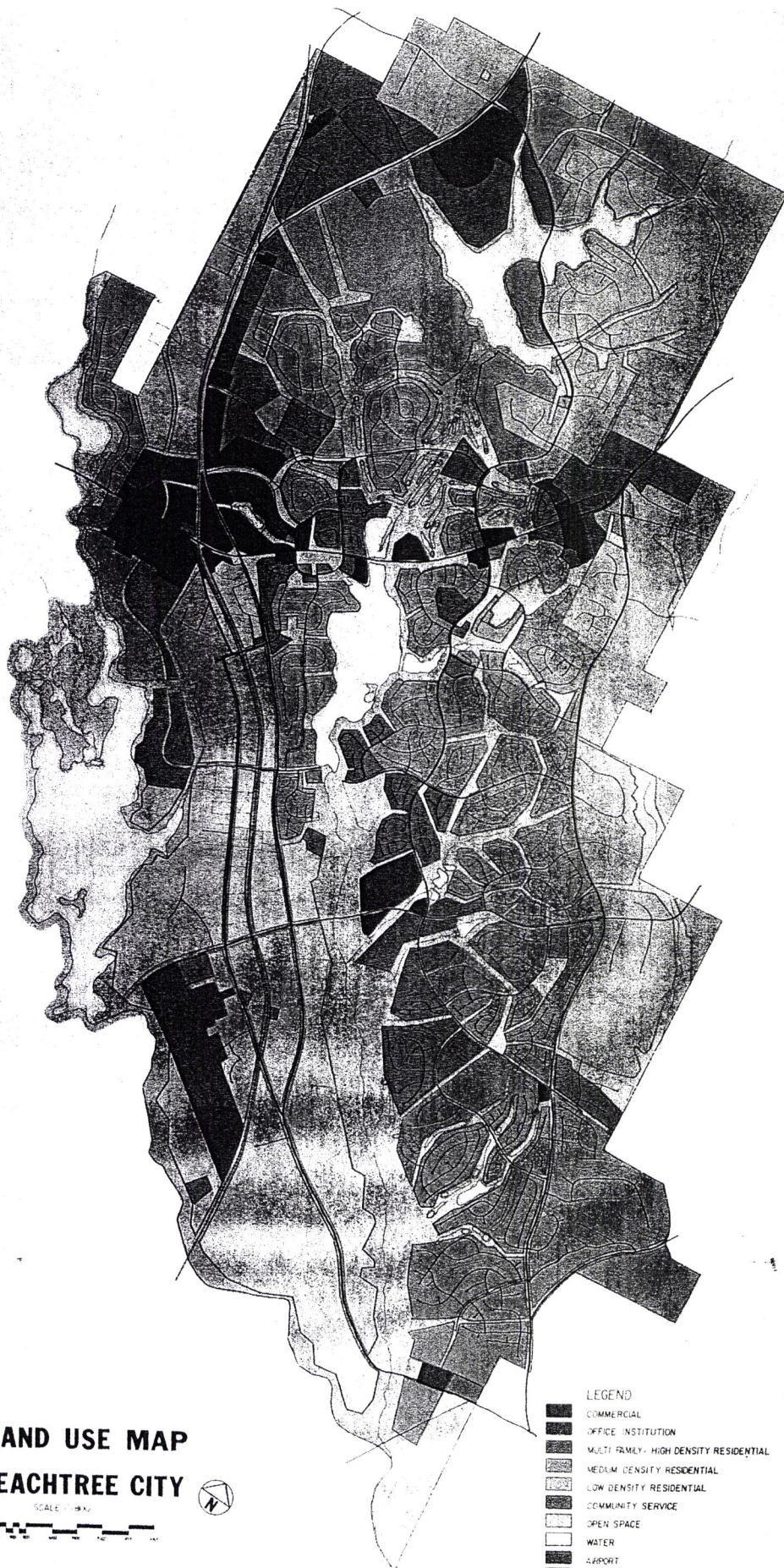


LAND USE MAP PEACHTREE CITY

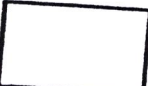
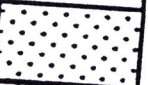
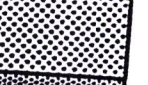
SCALE 1" = 1/4 MI.
0 1/4 1/2 3/4 1

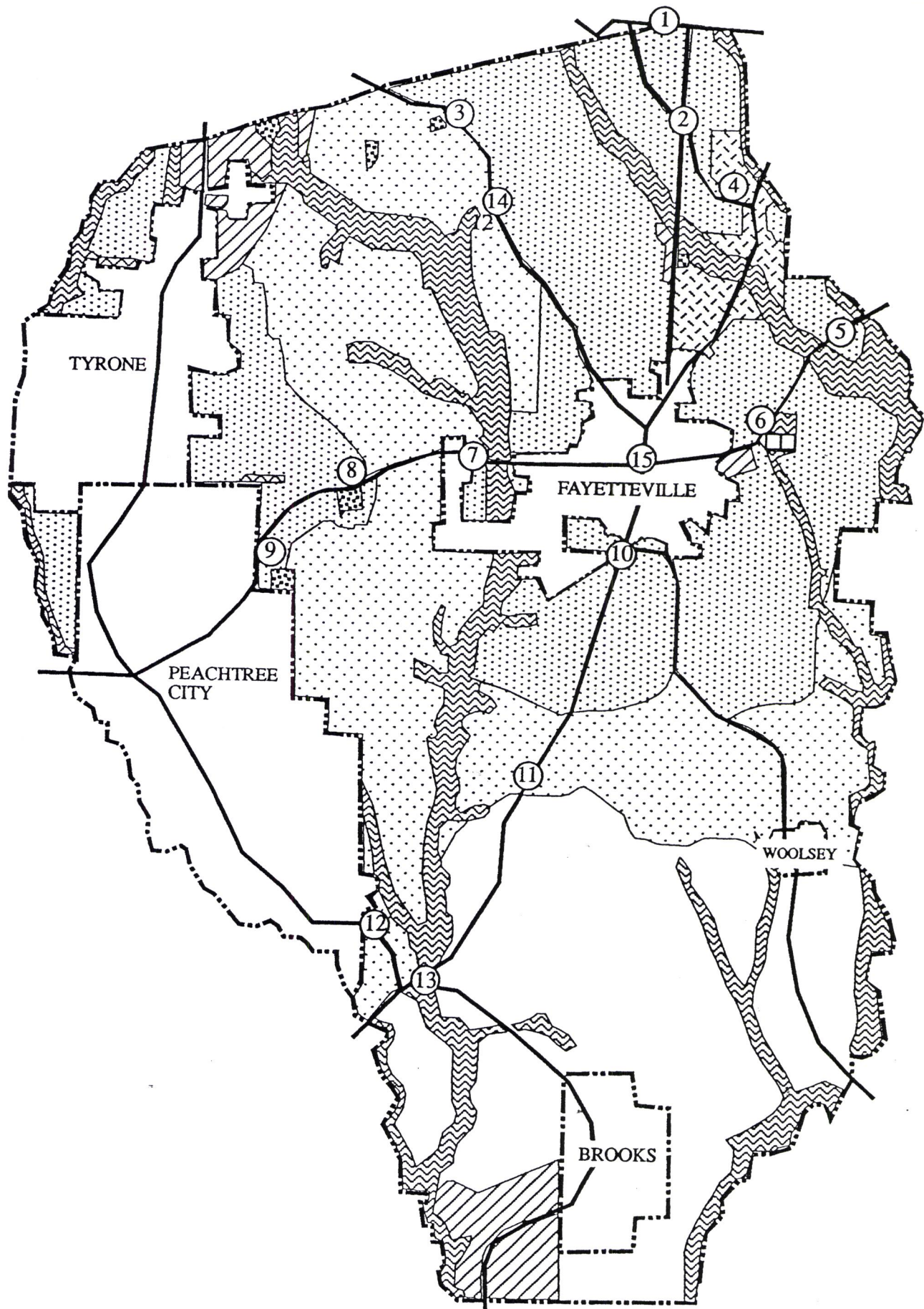


- LEGEND**
- COMMERCIAL
 - OFFICE INSTITUTION
 - MULTI FAMILY, HIGH DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - LOW DENSITY RESIDENTIAL
 - COMMUNITY SERVICE
 - OPEN SPACE
 - WATER
 - AIRPORT
 - INDUSTRIAL



LAND USE LEGEND

	AGRICULTURAL RESIDENTIAL (0.2 Unit/Acre, 5 Acre Min.)
	LOW DENSITY AGRICULTURAL (0.2-0.5 Unit/Acre)
	LOW DENSITY (0.5-1 Unit /Acre)
	LOW MEDIUM DENSITY (1-4 Unit/Acre)
	MEDIUM DENSITY (4-8 Unit/Acre)
	HIGH DENSITY (More Than 8 Unit/Acre)
	MOBILE HOMES
	COMMERCIAL
	OFFICE/INSTITUTIONAL
	LIGHT INDUSTRIAL/RESERVE
	HEAVY INDUSTRIAL
	BUSINESS PARK
	PUBLIC FACILITIES
	PARKS AND OPEN SPACE
	TRANSPORTATION COMMUNICATIONS UTILITIES
	STUDY AREA



6-14. A-R Agricultural - Residential District.

A. Description of District. This district is composed of certain lands and structures in the County providing areas for agricultural uses and is designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible to a desirable agricultural or extremely low density residential environment.

B. Permitted Uses. Within the A-R Zoning District, the following Permitted Uses shall be allowed:

1. open (Amended 1/26/86 and 6/26/86)
2. church and/or school whose use is incidental to a residential use (Amended 8/28/86)
3. single-family dwelling
4. home occupation
5. publicly owned recreation centers and similar institutions
6. accessory uses and structures (Amended 7/28/88)
7. open (Amended 1/26/86 and 6/26/86)
8. open (Amended 1/26/86 and 6/26/86)
9. farmer's market
10. growing crops, garden
11. shrubbery sales
12. open (Amended 1/26/86 and 6/26/86)
13. open (Amended 1/26/86 and 6/26/86)
14. raising and selling livestock
15. open (Amended 1/26/86 and 6/26/86)
16. religious meetings (Amended 8/28/86)

C. Conditional Uses. The following Conditional Uses shall be allowed provided that all conditions specified under Section 7-1. of the Zoning Ordinance are met:
(Amended 6-22-89)

Aircraft Landing Area

Animal Hospital, Kennel (Commercial or Non-Commercial), or Veterinary Clinic

Cemetery and Mausoleum (Human or Pet)

Church, Temple, or Place of Worship

Church or Religious Tent Meeting

Commercial Driving Range

Colleges and Universities

Cultural Facilities, Libraries, and Museums

Day Care Facility (Nursery School or Kindergarten)

Farm Building

Golf Course

Home Occupation

Hospital (Amended 2/27/92)

Kennel (See Animal Hospital, etc.)

Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables)

Rifle Range (Amended 6/9/83)

School (Private and Special), and Accessory Sports Arena, Stadium or Recreation Field

Telephone, Electric or Gas Sub-Station or Other Public Utility Facilities (Amended 7/11/90)

Temporary Carnival

D. Telecommunications Antennas and Towers. (See Section 5-49.) (Added 06/27/96)

E. Dimensional Requirements. The minimum dimensional requirements within the A-R Zoning District shall be as follows:

1. lot area: 217,800 square feet (5 acres)
2. lot width: 250 feet
3. gross floor area per dwelling unit: 1,100 square feet
4. front yard setback, as measured from the right-of-way:
 - a. major thoroughfare: 100 feet
 - b. minor thoroughfare: 75 feet

5. rear yard setback: 100 feet
6. side yard setback: 50 feet
7. height: none; however, the minimum distance from property lines to any building shall be increased one (1) foot for every two (2) or part thereof of building height over 35 feet

F. Special Regulations. (Amended 7/28/88)

Prior to the issuance of development and/or building permits, a Site Plan as defined in Section 6-10.,E.,1. and 3. of the Zoning Ordinance and Section 2-1.,C. of the Development Regulations must be submitted to the Zoning Administrator and approved by the appropriate County officials. (Amended 7/28/88)

These requirements shall apply to all Permitted Uses and Conditional Uses allowed in the A-R District except single-family dwellings, accessory buildings and uses, growing crops and gardens, and related produce stands of less than 100 square feet of floor area, and the raising and/or selling of livestock. (Amended 6/22/89)



March 2, 2000

Mr. Mark Lipsmeyer
John Wieland Homes & Neighborhoods
PO Box 87363
Atlanta, GA 30337

Re: Katz Property Watershed Protection Plan

Dear Mr. Lipsmeyer:

Integrated Science & Engineering, Inc. (ISE) has prepared this letter in response to the review comments provided to you by Peachtree City on February 8, 2000. Specifically, the comments requested information on, "what measures will be taken to protect the quality of water runoff, given the location of the project and the proposed intensity of development." Upon review of the overall topography for the proposed site, ISE feels confident that a comprehensive storm water management plan can be designed and implemented for the project. The proposed storm water management plan would address both storm water quantity and storm water quality issues associated with the proposed development.

The proposed site development could have several components integrated into the design to address the issues associated with stormwater management. Possible components could include establishment of base line water quality levels prior to construction, water quality monitoring during construction, possible utilization of wetland filtration areas, "first flush" water quality basins, and other selected Best Management Practices (BMPs) related to storm water management. All of the components outlined above would be in addition to the standard BMPs required in the Georgia Soil and Erosion Control Manual. The actual BMPs that will be incorporated into the site design will be established through discussions with JWH, Peachtree City and the design team at ISE.

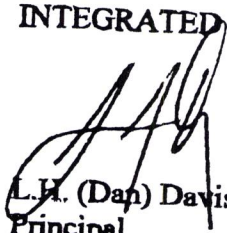
ISE has considerable experience in the areas of both stormwater management and water quality monitoring. ISE recently completed design and construction of an award winning regional detention pond in Griffin, Georgia that utilizes traditional storm water detention design in conjunction with constructed wetlands to filter typical contaminants present in storm water runoff. ISE intends to utilize similar BMPs and other engineering methods in an effort to implement a cost effective and practicable storm water management program to protect water quality associated with this property.

March 2, 2000
Page 2 of 2

ISE appreciates the opportunity to assist you with this project. Should you have any questions or comments please feel free to call us at (770) 461-4292

Sincerely,

INTEGRATED SCIENCE & ENGINEERING, INC.



L.H. (Dan) Davis, P.E.
Principal



Ronald A. Feldner, P.E.
Principal

LHD/RAF

LINE CREEK STUDY AREA

HIGHWAY 74 WEST DISTRICT, L-II:

TRACT	EXISTING LAND USE	PROPOSED LAND USE	NOTES
1. Katz Tract (Undeveloped)	Industrial	Single-Family Cluster	(a)
2. PCDC Tract "A" (Undeveloped)	Industrial	Single-Family Cluster	(a)
3. Whitlock Tract "A" (Undeveloped)	Industrial	Single-Family Cluster	(a)
4. PCDC Tract "B" (Undeveloped)	Community Service	Community Service	(b)
5. Peach State Cablevision	Industrial	Community Service	
6. PCDC Tract "C" (Undeveloped)	Industrial	Single-Family Cluster	(a)
7. McWilliams Tract (Undeveloped)	Industrial	Single-Family Cluster	(a)
8. Whitlock Tract "B" (Undeveloped)	Industrial	Single-Family Cluster	(a)
9. Kidd Tract	Industrial	Single-Family Cluster	(a)
10. Wilke Grove Baptist Church	Industrial	Community Service	
11. Collector/Bridge Tract I	Industrial	Office	(c)
12. Collector/Bridge Tract II	Industrial	Office	(d)

Footnotes:

- (a) This tract should not be developed for residential purposes until the Line Creek Collector is implemented between GA Hwy 54 and GA Hwy 74 North in order to provide the tract with proper access. The type of residential development should be single-family cluster at a density of no more than 4 units per acre. Development should be in accordance with special cluster housing standards. Special provision should be made for buffering this area from the railroad. Pedestrian path access must be provided. This tract must bear a prorata share of the cost of installing the necessary infrastructure for the neighborhood including the Collector Road, the Bridge, the pedestrian path system, neighborhood recreation land and facilities, and a school site, if necessary.
- (b) This tract should be reserved for a neighborhood recreation area, a composting/recycling center for the community, a combination of the two uses, or some other community service type uses.
- (c) This tract should be reserved for a church or some other special non-residential use. No development should be initiated until the Collector and Bridge are actually in place and operational.
- (d) This tract should be reserved for an office complex, and institutional facility, a community composting/recycling center or some other special non-residential use. No development should be initiated until the Collector and Bridge are actually in place and operational.

**RE-ZONING REQUEST
FOR
PROPOSED SINGLE-FAMILY SUBDIVISION
101.58 ACRES**

at
Line Creek Parkway
Peachtree City, Georgia

Submitted by:
John Wieland Homes
1950 Sullivan Road
Atlanta, Ga. 30337

February 4, 2000

Prepared by:
John Wieland Homes
And
Integrated Science & Engineering
275 South Lee Street
Fayetteville, Ga. 30214

ATTACHMENT "C"

SUBMITTED 2/4/00
NOT ACCEPTED

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: Approximately 82 acres in District 7 LL 158

See Attached Legal Description

See Tracts 1 & 3

(13.01 ACRES + 68.91 ACRES = 81.92 ACRES TOTAL)

This property is presently zoned: General Industrial (GI)

The proposed zoning classification is: _____

I certify that I am the owner, or the duly authorized agent of the owner, of the property described above:

Signature: [Signature]

Owner: Grant Development I, L.P. and Grant Development Corp.

Agent: John Wieland Homes, Inc., ATTN: Dan Fields

Address: 1950 Sullivan Road, Atlanta, GA 30337

Phone: (770) 996-2400, Ext. 140

Date: _____

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: _____

Title: _____

Date: _____

Request Number: _____

Date of Planning Commission Public Hearing: _____

Date of City Council Public Hearing: _____

CONENTS

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2. Current Zoning	2
3. Constitutional Challenge	3
4. Surrounding Property Owners	4
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6. Map @ 1"=800'	6
7. Site Analysis Map	7
8. Impact Analysis & Public Services	8 thru 14
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LETTER OF INTENT

**APPLICATION TO AMEND PEACHTREE CITY ZONING ORDINANCE
FILED BY JOHN WIELAND HOMES, INC.
PERTAINING TO PROPERTY LOCATED IN LAND LOTS 158 OF THE 7TH
DISTRICT OF FAYETTE COUNTY, GEORGIA**

The Petitioner, John Wieland Homes and Neighborhoods, Inc., wishes to rezone an approximately 102 acre tract of land (the "Property"), from General Industrial ("GI") to General Residential - 4 ("GR4"). The proposed rezoning will permit a suitable use in view of the fact that the property immediately to the southwest of the proposed site is currently residential and the property to the south of the proposed site is being developed as residential.

The Property is particularly suitable for residential use, best indicated by adjacent zonings to the west as AG and the south as GC, which is being developed as GR4. The proposed zoning would create a bridge of residential development from the Wynnmeade subdivision into the heart of Peachtree City, while concurrently helping the west end to develop a residential character all its own.

It is the intention of John Wieland Homes and Neighborhoods, Inc. to develop a single family residential development that would be similar to other single family residential developments in the area, and that no other existing or changing conditions affecting the development of the property would cause this proposal to be disapproved.

With access through other properties being developed as residential, there is no reasonable economic use of the property as presently zoned. Therefore, John Wieland Homes, Inc. respectfully submits that the zoning classification for the Property be reclassified to GR-4.

Petitioner: John Wieland Homes, Inc

Address: 1950 Sullivan Road
Atlanta, GA 30337

Contact Person: Dan Fields

Telephone Number: (770) 996-2400, Ext. 140

Submitted By:

Dan Fields
Dan Fields

CURRENT ZONING CLASSIFICATIONS

Approximately 102 acres of the Property are within Peachtree City and are currently zoned General Industrial ("GI"). Adjacent zonings are as follows:

- The Wynnmeade subdivision, lying to the west and southwest of the Property, is currently zoned R1;
- West of the property in unincorporated Fayette County is zoned Agricultural Residential ("AR").
- The property to the southeast, planned as the Cedarcroft subdivision, is zoned General Commercial ("GC") and allows General Residential-4 ("GR4");
- The land to the east of the Property, lying south of Wisdom Road, is zoned GC; ?
- The land to the north of the Property is zoned GI.

CONSTITUTIONAL CHALLENGE

APPLICATION TO AMEND PEACHTREE CITY ZONING ORDINANCE
FILED BY JOHN WIELAND HOMES, INC.
PERTAINING TO PROPERTY IN LAND LOTS 158
OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA.

This is to comply with the mandate of the Georgia Supreme Court decisions which require rezoning applicants to present constitutional issues to the zoning authority as a condition precedent to seeking judicial relief.

John Wieland Homes, Inc. ("Wieland") is the rezoning petitioner with respect to the approximately 102 acre tract of land at issue in this rezoning application (the "Property"). Wieland respectfully submits that the Zoning Ordinance of Peachtree City, as amended from time to time ("Zoning Ordinance"), is unconstitutional to the extent that it classifies any of the Property in the following zoning classifications: General Industrial ("GI") or Agricultural Residential ("AR"). The Property is particularly suitable for residential development in the General Residential - 4 ("GR-4") category. The existing zoning classifications of the Property pursuant to the Zoning Ordinance and the pattern of development of the adjacent area deprive the current owner of any reasonable use and development of the Property. Additionally, all zoning classifications intervening between the existing zoning classifications and the GR-4 zoning classification, the zoning classification requested hereunder, would deprive Wieland of any reasonable use and development of the Property.

Accordingly, Wieland respectfully submits that the current zoning classifications of the Property established in the Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm Wieland. All zoning classifications intervening between the existing zoning classifications and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning power because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm Wieland. Further, the existing zoning classifications constitute and all zoning classifications intervening between the existing zoning classifications and the GR-4 zoning classification would constitute a taking of Wieland's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment to the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, Wieland respectfully submits that the City Council's failure to approve the requested zoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between Wieland and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

However, Wieland remains hopeful and confident that these issues can be resolved through the rezoning process in a manner that will benefit Wieland and inure to the best interests of Peachtree City.

Adjacent Owners

MAIL_OWNE	MAILING_A	C_MCITYST	C_MAIL_ST	C_MAIL_ZI
Myron Leach	Po Box 337	Peachtree City Ga 30269	GA	30269
James W. Fulton	308 Highway 74 N	Peachtree City Ga 30269-1102	GA	30269-1102
Maymie Hill Lee	193 Bob Smith Rd	Sharpsburg Ga 30277-2341	GA	30277-2341
Cottonwood Properties	483 Robinson Rd	Peachtree City Ga 30269-1883	GA	30269-1883
Annette Leach & Virgil Ergle	105 Wisdom Rd	Peachtree City Ga 30269-3927	GA	30269-3927
Mason & Patricia Wright	399 Highway 74 N	Peachtree City Ga 30269-1101	GA	30269-1101
Jody Gannon	8280 Carlton Rd	Riverdale Ga 30296-1261	GA	30296-1261
Ravin Homes Inc	Po Box 450233	Atlanta Ga 31145-0233	GA	31145-0233
Ravin Homes Inc	Po Box 450233	Atlanta Ga 31145-0233	GA	31145-0233
Eddie N. Harris	622 Tower Rd	Peachtree City Ga 30269-1020	GA	30269-1020
Earnest & Michelle Caldwell	620 Tower Rd	Peachtree City Ga 30269-1020	GA	30269-1020
Lawrence J. Acree	618 Tower Rd	Peachtree City Ga 30269-1020	GA	30269-1020
Richard A. Allis	202 Camp Creek Trl	Peachtree City Ga 30269-2303	GA	30269-2303
John O. Dillahun	614 Tower Rd.	Peachtree City Ga 30269-1020	GA	30269-1020
Jimmy & Susan L. Corley	612 Tower Rd.	Peachtree City Ga 30269-1020	GA	30269-1020
Carlos & Elena R. Hernandez	610 Tower Rd.	Peachtree City Ga 30269-1020	GA	30269-1020
Robert W. & Sharon Rupp	608 Tower Rd.	Peachtree City Ga 30269-1020	GA	30269-1020
Peachtree City Holdings	200 Westpark Dr., Suite 300	Peachtree City Ga 30269-1447	GA	30269-1447

FAYETTE COUNTY

NORTH

KEDRON DRIVE

Cem

PEACHTREE CITY LIMITS

SITE

Aberdeen

WISDOM ROAD

HIGHWAY 74

PEACHTREE CITY Pond

Wynns

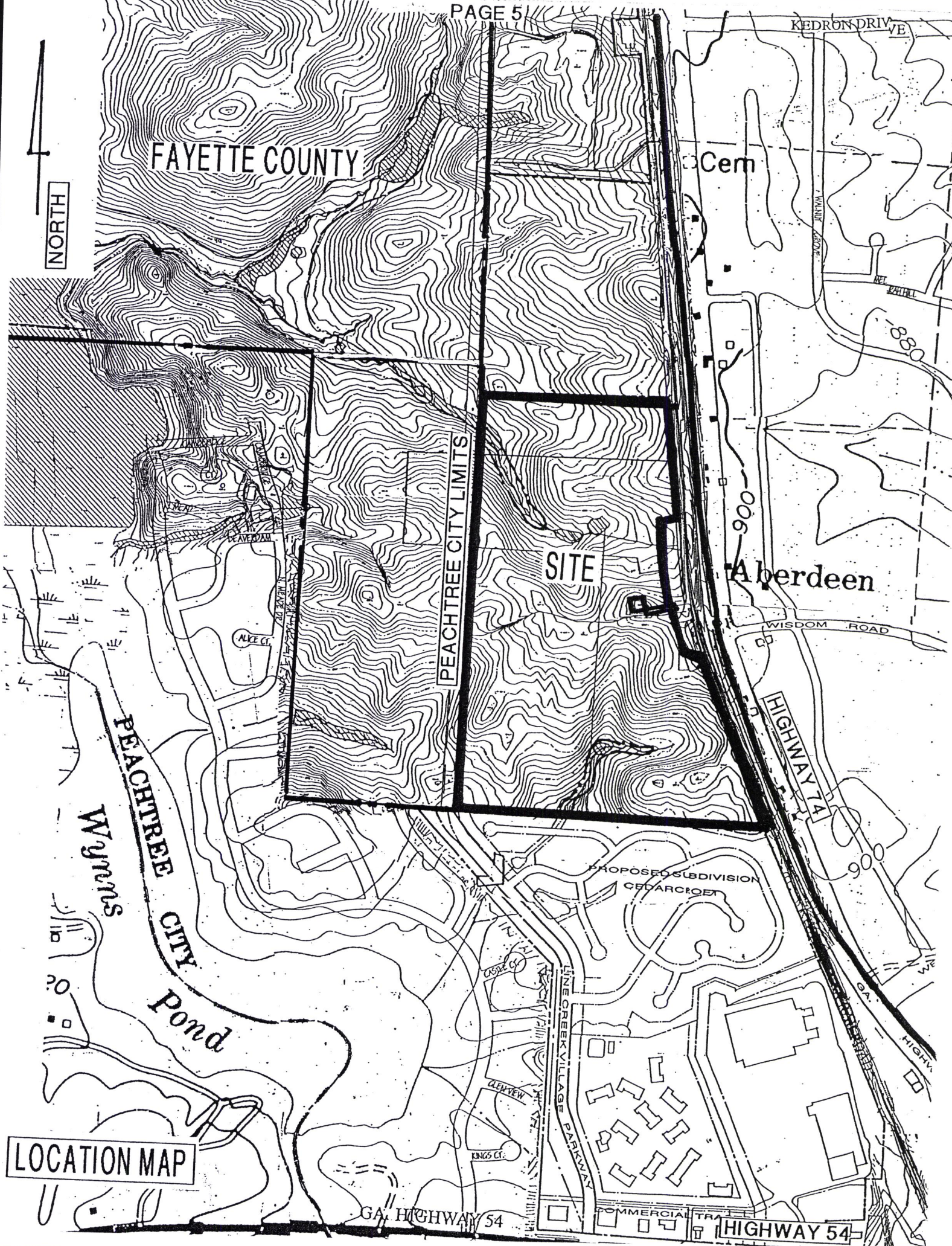
PROPOSED SUBDIVISION
CEDAR CREEK

LINE CREEK VILLAGE PARKWAY

LOCATION MAP

GA. HIGHWAY 54

HIGHWAY 54



NORTH

FAYETTE COUNTY
AR

CITY LIMITS

LUC-12

GI

AR

GR

GR-10

R1

AR

AR

LC

OI

SITE

AR

GR12

R1

GR10

GI

GC

GC

GR8

R1

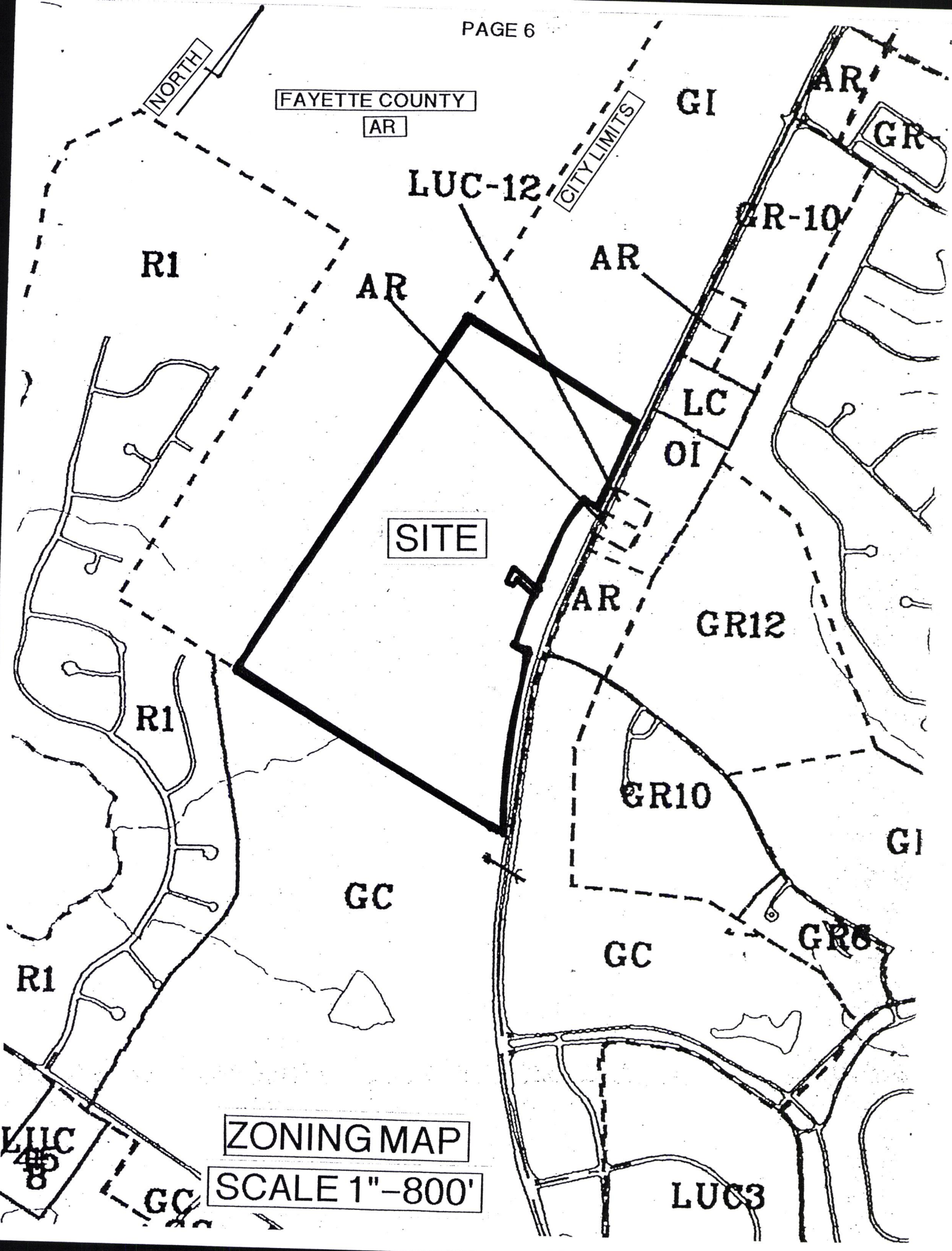
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ZONING MAP

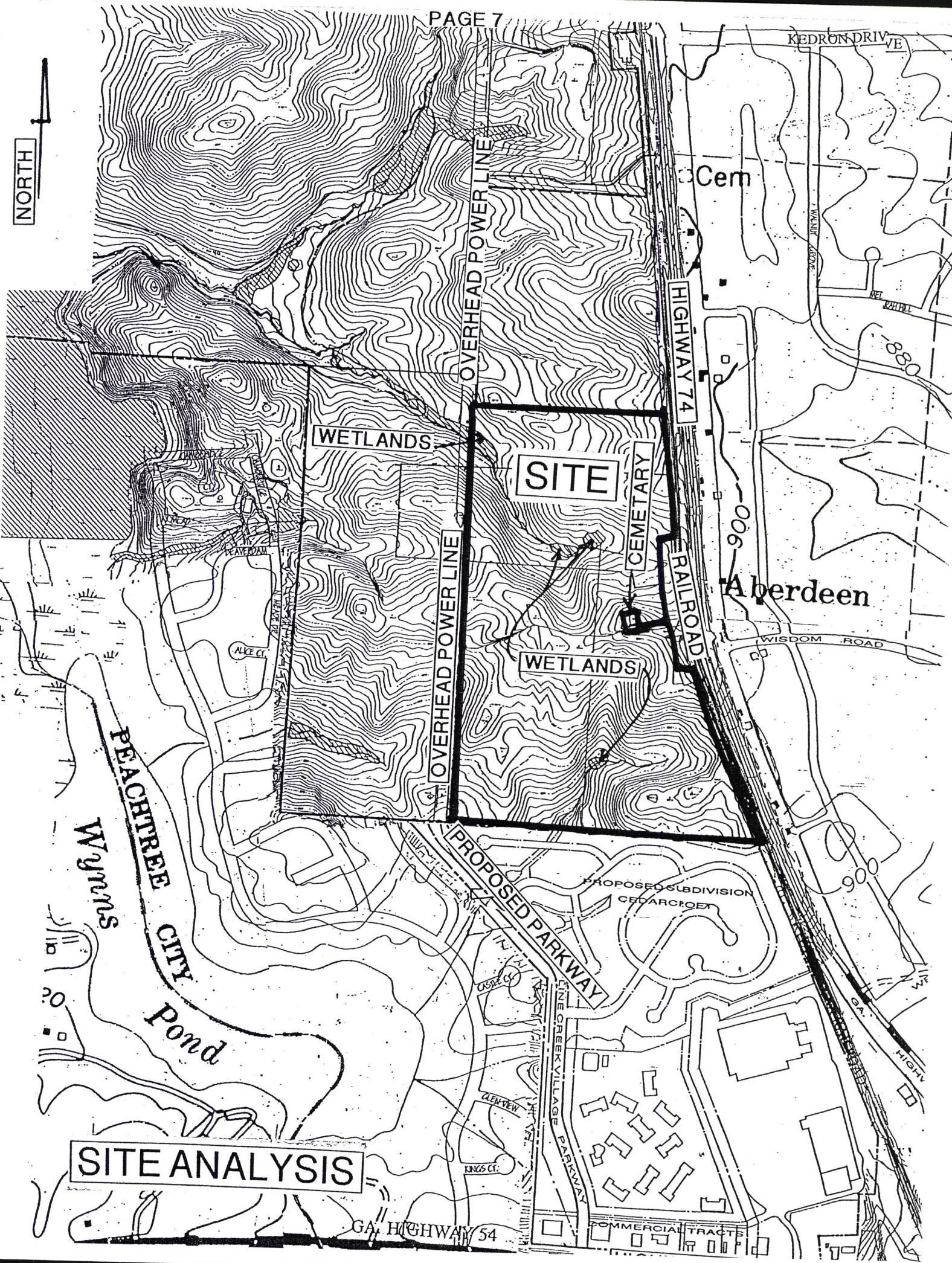
SCALE 1"-800'

LUC3

GC



NORTH



SITE ANALYSIS

IMPACT ANALYSIS

LAND LOTS: 158
 DISTRICT: 7
 ROAD NAME: Georgia Highway 74
 ZONING REQUEST: 102 acres from GI to G-4
 PETITIONER: John Wieland Homes and Neighborhoods, Inc.
 ADDRESS: 1950 Sullivan Road, Atlanta, GA 30337
 CONTACT PERSON: Dan Fields, Vice President
 DAYTIME PHONE #: (770) 996-2400, ext. 140

The following analyzes the impact of the above proposed zoning:

A. TAX BASE

The proposed zoning would provide additional tax revenues to the City based on its development as a 400 home, single family neighborhood. If the zoning of this property is approved and the proposed land plan is executed, the following revenues could be expected.

A. Possible City Revenues on 102 undeveloped city acres

Total Estimated Land Value*	\$ 966,469
Assessed Value at 40% Total Value	\$ 386,587
<u>x City Millage Rate and Fire (10.37 mills)</u>	<u>.01037</u>
Possible City Tax Revenues from all undeveloped acreage	\$ 4,008

*Per tax records obtained at the Office of the Fayette County Tax Assessor

B. Potential City Tax Revenues based on 400 homes

Total Estimated Value**	\$ 80,000,000.00
Assessed Value at 40% Total Value	\$ 32,000,000.00
<u>x City Millage Rate (3.299 mills)</u>	
Possible City Tax Revenues from proposed development	\$ 1,055,680.00

**Based on average sale price of \$200,000 per home

Impact fees and other fees charged by the City are not included in the above calculations.

B. PUBLIC EDUCATION

Peachtree City Elementary School is located at 201 Wisdom Road, approximately 1 mile east of the Property. According to Mike Satterfield, School Facilities Director for the Fayette County Board of Education, current enrollment at Peachtree City Elementary is 527 students, with a school capacity of 555 students.

Booth Middle School is located at 250 Peachtree Parkway South, approximately 3 1/2 miles east of the Property. Its current enrollment is 1057 students, with a capacity of 1100 (with trailers).

McIntosh High School is located at 201 Walt Banks Road, approximately 4 1/2 miles east of the Property. Its current enrollment is 1591 students, with the capacity for 2100 students (with trailers).

According to the Fayette County Board of Education each new home in the county adds 1.3 students to the school system. Based on that statistic, the total number of additional students from these 400 homes would be approximately 520. These students, however, would be phased into the school system gradually over the estimated 10 year build-out period of the development. Exhibit A offers the estimated distribution of new students entering the school system over the build-out period.

C. EMERGENCY SERVICES

The Property currently lies in Zone # 1 for police services, with the nearest station located approximately 2 miles to the southeast at 153 Willow Bend Road. According to the Chief of Police for the Peachtree City Police Department, the residential development planned for the Property, phased in over a 10 year period, should not have a significant, detrimental impact on the police department's ability to provide services to the community.

Currently, the nearest fire station and emergency medical services unit is Station # 1, located at Paschall Road & Highway 74, approximately 2 1/2 miles southeast of the Property. Additionally, two other stations, one at Peachtree Parkway North and Highway 54 and another at Crabapple Lane, may serve the Property as secondary units. The Peachtree City Fire Department declined to comment about the possible impact that the development of the Property may have on emergency services, citing a policy that dictates comment be withheld until the application and plan have been reviewed by the Peachtree City Planning Office.

D. RECREATION

In accordance with the City's land use plan objective to encourage recreational facilities in single-family residential developments, on-site amenities are planned, including a clubhouse, four lighted tennis courts, a pool, and tot lot.

Other major recreational facilities near the site include football and baseball fields at the Riley Fields Recreation Center at 176 Wisdom Road, and the Kedron Fieldhouse and Aquatic Center, which houses two pools, two basketball courts, and a game room, at 202 Kedron Drive and The Peachtree City Tennis Complex.

E. CITY DEVELOPMENT PLAN

The proposed zoning complements the city development plan, encouraging improvement of the unique character of the west end area.

Wynnmeade has long been the solitary residential enclave in the northwest end of the City, separated from the rest of the city in terms of both geography and quality of life. The proposed zoning will work to link Wynnmeade to the rest of Peachtree City, drawing attention to the needs of west-end residents and stimulating the birth of a larger west-end village similar to Glenloch, Aberdeen, Braelinn, and Kedron.

The proposed zoning will help to protect the integrity of this existing residential area, assuring that incompatible uses cannot encroach upon the community's established character. Although the Property is zoned for industrial uses, industrial development in such close proximity to Wynnmeade and Cedarcroft could further harm its sagging residential property values. Industrial development in this location would also be in conflict with the city's development objective to "develop a defined Industrial Park separate from the city's residential development."

F. PUBLIC SERVICES AVAILABLE TO PROPERTY

Utility availability letters have been obtained from Fayette County Water System, Coweta-Fayette Electric Membership Corporation, and Georgia Natural Gas Company and are attached to the application. Sewer will also be available to the property. There is a proposed sanitary sewer manhole planned in the parkway approximately 650 l.f. south of the southern property line of the Katz property. This sanitary sewer service will be connected to the new pump station in Wynnmeade S/D via an 8" gravity line. The proposed development will tie into this manhole. This line & the WWTP have capacity to serve this property fully developed as planned (see enclosed letter from Peachtree City Water & Sewer Department).

Coweta-Fayette
Electric Membership Corporation
Post Office Box 488
Newnan, Georgia 30264

Telephone 770-502-0226
Facsimile 770-251-9788
<http://www.utility.org>



April 21, 1999

John Wieland Homes
Att. Donna Black
1950 Sullivan Road
P. O. Box 87363
Atlanta, Ga. 30337

RE: Service availability for Katz and PCDC Parcels

Dear Mrs. Black:

Coweta-Fayette EMC will be the power supplier for the above projects.

If you need more information, please do not hesitate to call me at, 770-502-0226 ext. 4250.

Sincerely,

A handwritten signature in cursive script, appearing to read "Travis Newman".

Travis Newman
Chief Staking Technician



recorded

Atlanta Gas Light Company

8990 Georgia Highway 5
Douglasville, GA 30134-1547

April 26, 1999

Donna Black
John Wieland Homes & Neighborhoods
1950 Sullivan Road
Atlanta, Georgia 30337

RE: Katz & PCDC Properties, Hwy 74
Land Lot: 158 & 164
7th District
Peachtree City
Fayette County

Dear Donna,

This letter is to advise you that natural gas is available on Hwy 74 for the above-mentioned project.

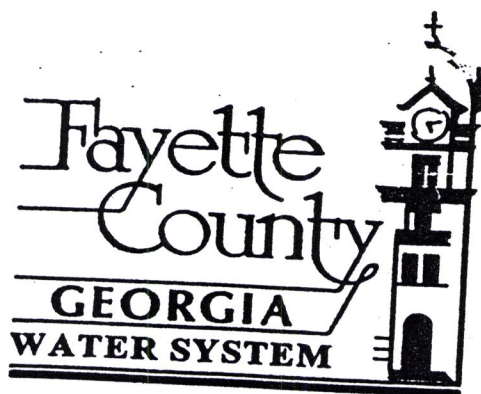
Natural gas service will be made available in accordance with Rule 7 of the Rules and Regulations of Atlanta Gas Light Company as on file with the Georgia Public Service Commission.

Thank you for choosing natural gas for this project. If I can provide any additional information, please contact me at (770) 942-3052 office, or pager (404) 871-9201.

Please forward two copies of the preliminary plat when available.

Sincerely,

Walt Harp
Senior Residential Representative



Tony V. Parrott, Director

April 20, 1999

Ms. Donna Black
John Wieland Homes
1950 Sullivan Road
P.O. Box 87363
Atlanta GA 30337

KATZ & PCDC

Dear Ms. Black:

The Fayette County Water System has water available to serve these tracts from our 20-inch water line on the east side of Highway 74. Please be advised that to get this service to your proposed property, it will require that John Wieland Homes bore Highway 74 and the railroad rights/of/way.

If you need addition information, call me at 770-461-1146 ext 101.

Sincerely,

Tony Parrott, Director
Fayette County Water System



Peachtree City Water and Sewerage Authority

February 2, 2000

Mr. Rob Gibbons
Integrated Science & Engineering
275 South Lee Street
Fayetteville, GA 30214

REF: Sewer Capacity – Katz Property (West of Highway 74 inside City Limits)

Dear Mr. Gibbons,

Concerning your request for sewer capacity to serve a proposed development of 300 residential homes, the Authority has conducted an investigation of the lines serving this development. For estimation purposes we assumed that the site would require approximately 90,000 gallons per day of capacity. The proposed development would be part of the West Village Basin. At the present time there is capacity available for this flow. The capacity is based upon current flow estimates and is not a guarantee of additional capacity. As long as the development is initiated within the next calendar year (February 2, 2000 – February 2, 2001) the Authority will provide capacity for this development. The project will be considered as being initiated when the final site plans have been approved by the Authority and City of Peachtree City.

Sincerely,

A handwritten signature in black ink, reading "W. Scott McDonald".

W. Scott McDonald
Technical Services Division Manager

NORTH

PAGE 15

SITE

Winn's Pond

1:245,000 FEET

COASTAL SURVEY

CLAYTON, FAYETTE, AND HENRY COUNTIES, GEORGIA

TABLE 8.--BUILDING SITE DEVELOPMENT

[Some of the terms used in this table to describe restrictive soil features are defined in the Glossary text for definitions of "slight," "moderate," and "severe." Absence of an entry means soil was rated]

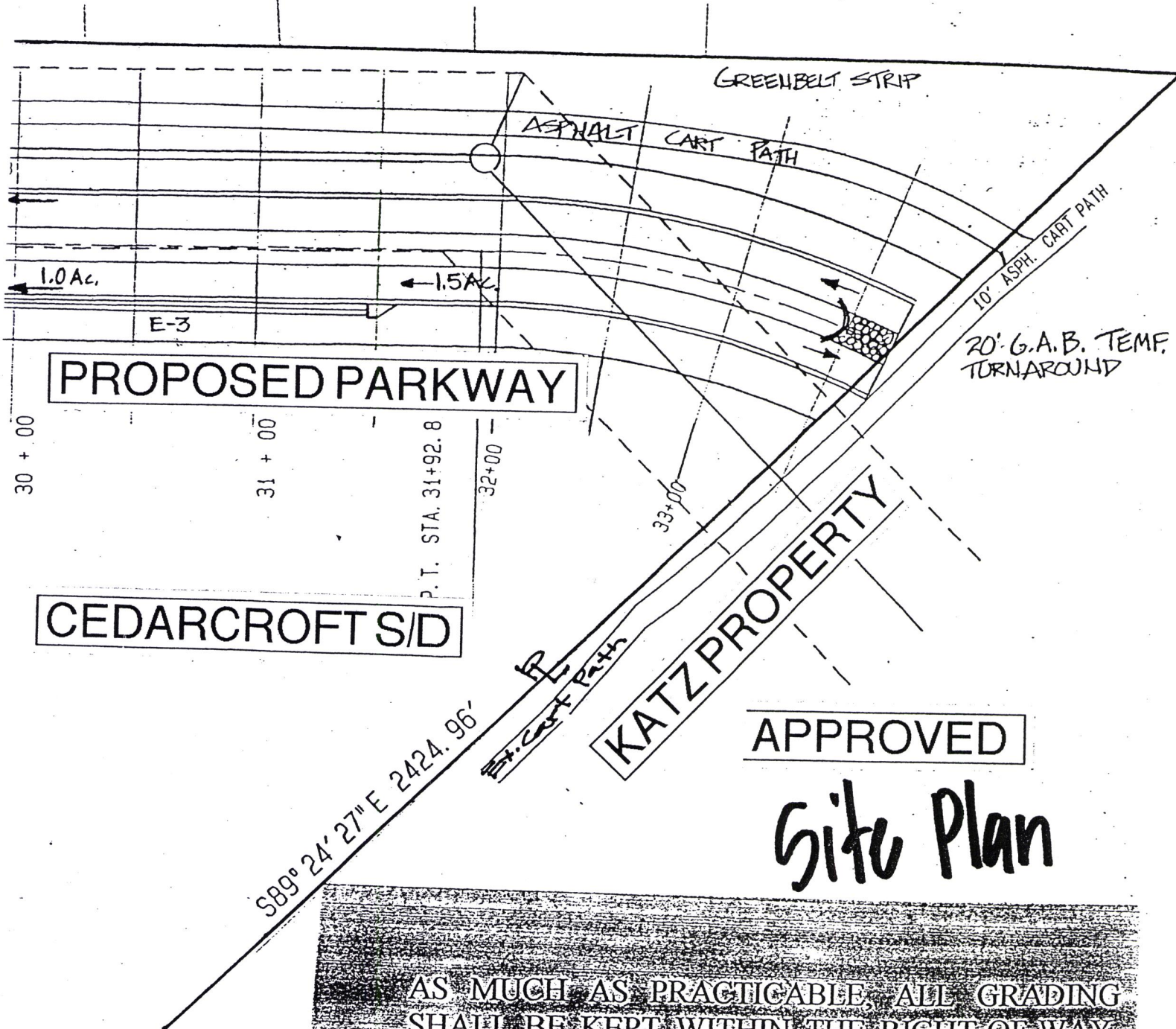
Soil name and map symbol	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local and st
AkA----- Altavista	Severe: wetness, floods, cutbanks cave.	Severe: floods.	Severe: wetness, floods.	Severe: wetness, floods.	Severe: floods, low stre
AmB----- Appling	Moderate: too clayey.	Slight-----	Slight-----	Moderate: slope.	Slight.
AmC, AnC2----- Appling	Moderate: too clayey, slope.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: slope.
AsC----- Ashlar	Severe: depth to rock.	Moderate: depth to rock.	Severe: depth to rock.	Moderate: depth to rock.	Moderate: depth to
AtE----- Ashlar	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.
CA*----- Cartecay	Severe: floods, wetness.	Severe: floods, wetness.	Severe: floods, wetness.	Severe: floods, wetness.	Severe: floods, wetness.
CeB----- Cecil	Moderate: too clayey.	Slight-----	Slight-----	Moderate: slope.	Moderate: low stren
CeC, Cfc2----- Cecil	Moderate: too clayey.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: low stren
CuC*----- Cecil	Moderate: too clayey.	Slight-----	Slight-----	Moderate: slope.	Moderate: low stren
DgB----- Davidson	Moderate: too clayey.	Slight-----	Slight-----	Moderate: slope.	Moderate: low stren
DgC----- Davidson	Moderate: too clayey, slope.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: low stren
GeB----- Gwinnett	Moderate: too clayey, depth to rock.	Moderate: shrink-swell.	Moderate: shrink-swell.	Moderate: slope.	Moderate: shrink-sw
GW2----- Gwinnett	Moderate: too clayey, depth to rock.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: slope.
WE2----- Gwinnett	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.
WC3----- Gwinnett	Moderate: too clayey, depth to rock.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: slope.
MdB----- Madison	Moderate: too clayey.	Slight-----	Slight-----	Moderate: slope.	Moderate: low stren
MdC, Mfc2----- Madison	Moderate: too clayey.	Moderate: slope.	Moderate: slope.	Severe: slope.	Moderate: low stren
MfE2----- Madison	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.	Severe: slope.

See footnote at end of table.

NOTE: ROAD WILL BE EXTENDED AS OUTLINED ON THE PTC LAND

USE PLAN DATED NOVEMBER 2, 1995

SEE PAGE 67



AS MUCH AS PRACTICABLE, ALL GRADING SHALL BE KEPT WITHIN THE RIGHT-OF-WAY. ALL SLOPES TO BE KEPT TO A 3:1 MINIMUM. 2:1 SLOPES SHALL ONLY BE USED WHERE APPROVED BY THE CITY ENGINEER.

PATRICK M. O'NEILL, P.E.

30214

SITE

AREA MAP

30277



INTEGRATED
Science & Engineering

Atlanta / Jacksonville

770 294 9669

Mark Lipsmeyer

\$50 PAID 2/4/00 to
cashier (23)

275 South Lee Street, Fayetteville, GA 30214
(p) 770.461.4292 (f) 770.461.4801

Letter of Transmittal

To: **Jim Williams**
Company: Community Development
City Hall
Peachtree City, Ga.

Date: 2/4/00

Job No.: 00016.00

Re: Rezoning Request

From: **Becky Morris**
Project: Katz & Pathway Properties- 101.58 ac.,
LL158 & 164, 7th Dist., Peachtree City

We are sending you: ☒ Attached ☐ Under separate cover via the following items:
☒ Prints ☒ Reports ☐ Specifications ☐ Copy of letter
☐ Diskette ☐

Copies	Date	No.	Description
1	2/2/00	2 pgs.	Request for Rezoning signed by property owners
10	8/21/97	1 sh.	Certified Boundary Survey for the three tracts with legal descriptions
10	2/2/00	1 sh.	Conceptual Plan (by others)
1	2/4/00	18 pgs.	Re-zoning Request Report

NOT ACCEPTED

These are transmitted as checked below:

- | | | |
|--|---|---|
| ☒ For approval | ☐ Approved as submitted | ☐ Resubmit _____ copies for approval |
| ☐ For your use | ☐ Approved as noted | ☐ Submit _____ copies for distribution |
| ☐ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☐ For review and comment | ☐ | |
| ☐ For bids due _____ 19 | | ☐ Prints returned after loan to us |

Remarks:

Please place on the Planning Commission agenda.

Copy to: Pathway Communities
John Wieland Homes

Signed: Becky Morris

Becky Morris



Dr. JOHN D. DECOTIS
SUPERINTENDENT

FAYETTE COUNTY BOARD OF EDUCATION

P.O. BOX 879
FAYETTEVILLE, GEORGIA 30214-0879
PHONE: (770) 460-3535
FAX: (770) 460-8191

February 3, 2000

BOARD MEMBERS:
DEBBIE CONDON, CHAIR
GREG POWERS, VICE-CHAIR
CONNIE HALE
MICKEY LITTLEFIELD
WOODY SHELNUTT

Peachtree City Planning and Zoning Department
151 Willowbend Road
Peachtree City, GA 30269

Attention: Mr. Jim Williams

RE: Rezoning for Katz Property - West of 74/North of 54

Dear Mr. Williams:

The Fayette County Board of Education Facilities Planning Division has reviewed the above listed request for rezoning and is providing the information listed below.

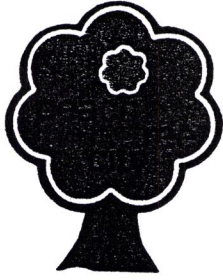
If this application is approved, school system data shows it will impact the schools listed below as follows:

<u>School</u>	<u>Facility Capacity</u>	<u>Current Enrollment</u>	<u>Zoning will Increase Students by</u>	<u>Trailers Currently On Site</u>
Kedron Elementary	800	805	300	6
Booth Middle	900	1061	75	13
McIntosh High	1476	1425	75	6

I hope this information will be beneficial in your deliberations for this rezoning request.

Sincerely,

A handwritten signature in cursive script that reads "John D. DeCotis".
Dr. John DeCotis
Superintendent



Peachtree City

Georgia

February 9, 2000

Mr. Dan Fields
John Wieland Homes, Inc.
1950 Sullivan Road
Atlanta, GA 30337

RE: Proposed Rezoning – Katz Tract/Peachtree City Holdings Tract

Dear Mr. Fields:

The staff has completed its initial review of the application you submitted on February 4th. Based on that review, it has been determined that the application is incomplete and cannot be accepted for processing.

The required application fee was not included, nor was the required traffic impact study. In addition there are numerous issues and deficiencies that still need to be addressed. These are outlined in the attached Initial Review Report.

While we have tried to prepare a comprehensive list for you to work with, we cannot guarantee we have included all deficiencies and issues in this preliminary review. Please take the time to respond fully and accurately to all of the points outlined in the Review Report. In addition, feel free to add additional information that you think would be useful in evaluating the proposed rezoning. This will help avoid further delays in processing this matter.

Sincerely,

James B. Williams
Director of Developmental Services

JBW:gr
Attachment

INITIAL REVIEW REPORT
Proposed Rezoning: Katz/Peachtree City Holdings Tracts
Submitted February 4, 2000
Reviewed February 8, 2000

Application Form:

- Needs to be redone to include proposed zoning classification, legible name and title of owners, and application date.

Letter of Intent:

- It is respectfully suggested that the logic in this letter could be strengthened substantially.

Current Zoning:

- The Wynnmeade Subdivision is not adjacent to this property.
- Explain what the county classification of AR means. Include a copy of the ordinance as it pertains to AR districts.
- Cedarcroft lies to the south, not southeast.
- The land to the east is zoned GI and belongs to the CSX Railroad.
- Is the zoning of the land across the railroad and GA74 really relevant?

Constitutional Challenge:

- To our knowledge, the applicants do not own land within the city that is included in this application and is zoned AR.

Adjacent Owners:

- We need a plan showing the location of all listed owners.
- The list is not current or complete and needs to be updated.
- Include the CSX Railroad as an adjacent owner.
- Who owns the cemetery and its access strip?

Location Map:

- Acceptable.

Zoning Map:

- Acceptable.

Site Analysis:

- We need a larger scale map for this purpose.
- We need current topo at 2 foot intervals, as per item #13 of the instructions.
- We need all drainage ways shown, all wetlands should be delineated, and all watershed protection areas included.

Impact Analysis:

Tax Base:

- Please justify the total estimated value of the project.
- The analysis looks only at public revenues. What will be the cost to service the area?

Education:

- Will this project generate the need for a new school?
- Please recheck your school statistics. They do not appear to be consistent with information provided to us by the Board.
- Would the elementary students go to Peachtree or Kedron?
- What will be the impact on each school?
- We do not have the Exhibit A which you reference in this section.

Emergency Services:

- Please include the estimated response times for these services and compare to typical current responses.

Recreation:

- The concept plan does not show 4 tennis courts.
- We question the convenience of the Kedron facility and the Tennis Center for neighborhood recreation purposes.
- Will this project have access to the Wynnmeade neighborhood park?

Development Plan:

- Explain the phrase "encouraging the improvement of the unique character of the west end area." Just what is the referenced unique character and how does this project relate to it?
- There are many who would argue that a project of 400 residential lots averaging about 6000 square feet would not necessarily protect the integrity of an established residential area where the lots average twice that size.
- What does the reference to sagging property values for Cedarcroft mean?
- How does this proposed project not conflict with the city's development plan in that it is intended to encroach into an area that has been well-defined as an industrial area for many years and is not currently adjacent to any property that is land use planned or zoned for residential purposes?

Public Services:

- This project calls for 400 homes, but the WASA letter stipulates only 300 homes.

Soil Survey:

- The soil survey information is not usable in its current form.

Parkway Plan:

- The proposed access road appears to be located outside the city limits. What is intended? It appears the road is drawn within the city on the concept plan.

Area Map:

- Acceptable.

Project Survey:

- This document stipulates that not all cemeteries are shown on the survey. We would prefer that they all be shown.

Concept Plan:

- The plan does not show its scale, the surrounding features, the city limit lines, or cart paths.
- The plan does not show the significant environmental features of the site, especially the watershed protection areas.
- The plan does not reflect any concern for buffers or the city's buffer ordinance.
- The access road extends past the entrance to the subdivision. Please explain and justify.
- Explain what measures will be taken to protect the quality of water runoff, given the location of the project and the proposed intensity of development. A water impact study should be included with the application

TECHNICAL MEMORANDUM

To: Beth Malczewski, John Wieland Homes
From: Marsha Anderson, Street Smarts
Date: 25 July 1997
Subject: Peachtree City Housing Development

Introduction

This report summarizes the results of the traffic study conducted for John Wieland Homes for the proposed housing development to the north of S.R. 54 and west of S.R. 74 in Peachtree City, Georgia.

The project will consist of 326 single family dwelling units. The buildout year for the development is 2009.

Figure 1 shows the location of the site.

This report is divided into sections which detail the essential steps in determining the impact of the development. The work plan and the organization of material is as follows:

- Inventory the existing roadway network
- Collect existing traffic data
- Identify planned improvements to the road network
- Determine number of trips generated by the development
- Distribute the new traffic on the roadway network
- Analyze future conditions of the road network
- Report results and conclusions
- Make recommendations

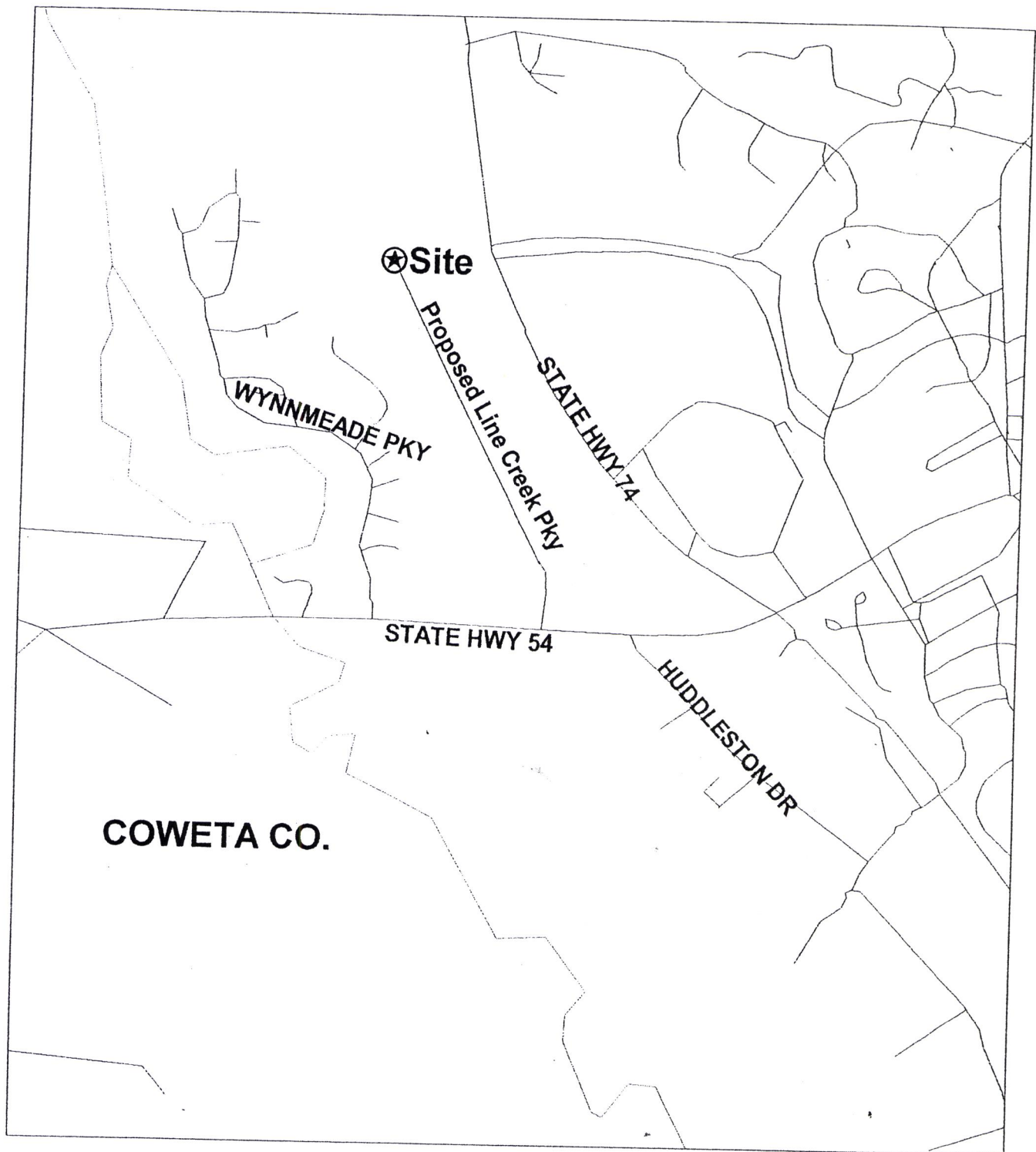


Figure 1. Site Location

Roadway Inventory

In order to determine existing traffic conditions in the area, an inventory was made of the major roads surrounding the site. The following describes the primary road network in the vicinity of the new development:

1. S.R. 54 is a two-lane arterial west of S.R. 74 and a 4-lane divided arterial east of S.R. 74. S.R. 54 runs east through downtown Peachtree City toward Fayetteville and west into Coweta County to connect with S.R. 34, which runs west to I-85 and Newnan. S.R. 54 has a 45 mph speed limit and serves a mixture of land uses. There are traffic signals on S.R. 54 at S.R. 74 and at Wynnmeade Parkway. There is a bridge on S.R. 54 over the railroad between S.R. 74 and Huddleston Drive. There is another bridge on S.R. 54 over Line Creek at the Fayette-Coweta county line, west of Wynnmeade Parkway.
2. S.R. 74 is a 4-lane divided arterial north of S.R. 54 and a 2-lane arterial south of S.R. 54. It runs north through Tyrone toward I-85 and Fairburn and south toward S.R. 85, which in turn runs north to Fayetteville and Atlanta and south to Columbus. S.R. 74 has a 50 mph speed limit north of S.R. 54. Much of the land along S.R. 74 to the north is undeveloped. S.R. 74 has a 40 mph speed limit south of S.R. 54 and serves mainly industrial and office uses.
3. Huddleston Drive is a 2-lane collector with a 30 mph speed limit that runs parallel to S.R. 74 to the west from S.R. 54 to where it ties into S.R. 74. It forms the south leg of a T-intersection with S.R. 54. There is a stop sign on Huddleston Drive at S.R. 54. Left turns off of S.R. 54 onto Huddleston Drive are restricted from 3 to 6 p.m. Monday through Friday; however, several vehicles were observed making this turn anyway.
4. Wynnmeade Parkway is a two lane residential road with a 30 mph speed limit. It forms the north leg of a T-intersection with S.R. 54. There is a traffic signal and turn lanes on S.R. 54 at Wynnmeade Parkway.
5. Line Creek Parkway is a proposed roadway that will serve three proposed developments: Line Creek Apartments (399 units), Cedarcroft subdivision (218 single family units), and the John Wieland Homes development. Information provided by the developer indicates that the probable configuration of the roadway will be two lanes with a landscaped median. It will form the north leg of a T-intersection with S.R. 54.

Existing Traffic Conditions

A.M. and P.M. peak hour turning movement counts were collected for the following intersections:

- S.R. 54 and S.R. 74
- S.R. 54 and Huddleston Drive
- S.R. 54 and Wynnmeade Parkway

The turning movement counts were performed after school was out for the summer. Based on previous experience, the count data were increased by 10% for the existing conditions analysis to reflect conditions when school is in session.

The A.M. counts also had to be adjusted due to construction activity on S.R. 54. Construction was being done on S.R. 54 west of S.R. 74 on the morning of the day the counts were taken. One lane of S.R. 54 was closed, and flagmen would alternate between letting the eastbound and westbound traffic move. While the directional distribution of the turning movements collected was felt to be unaffected by this activity, it was felt that the volumes would probably be lower than they would have been under normal operating conditions.

The volumes were adjusted based on comparison of the P.M. turning movement count collected at the intersection of S.R. 74 and S.R. 54 for this study and the count performed in May 1994 as part of the *Major Thoroughfare Report for Peachtree City* which Street Smarts prepared for the City of Peachtree City in September 1995.

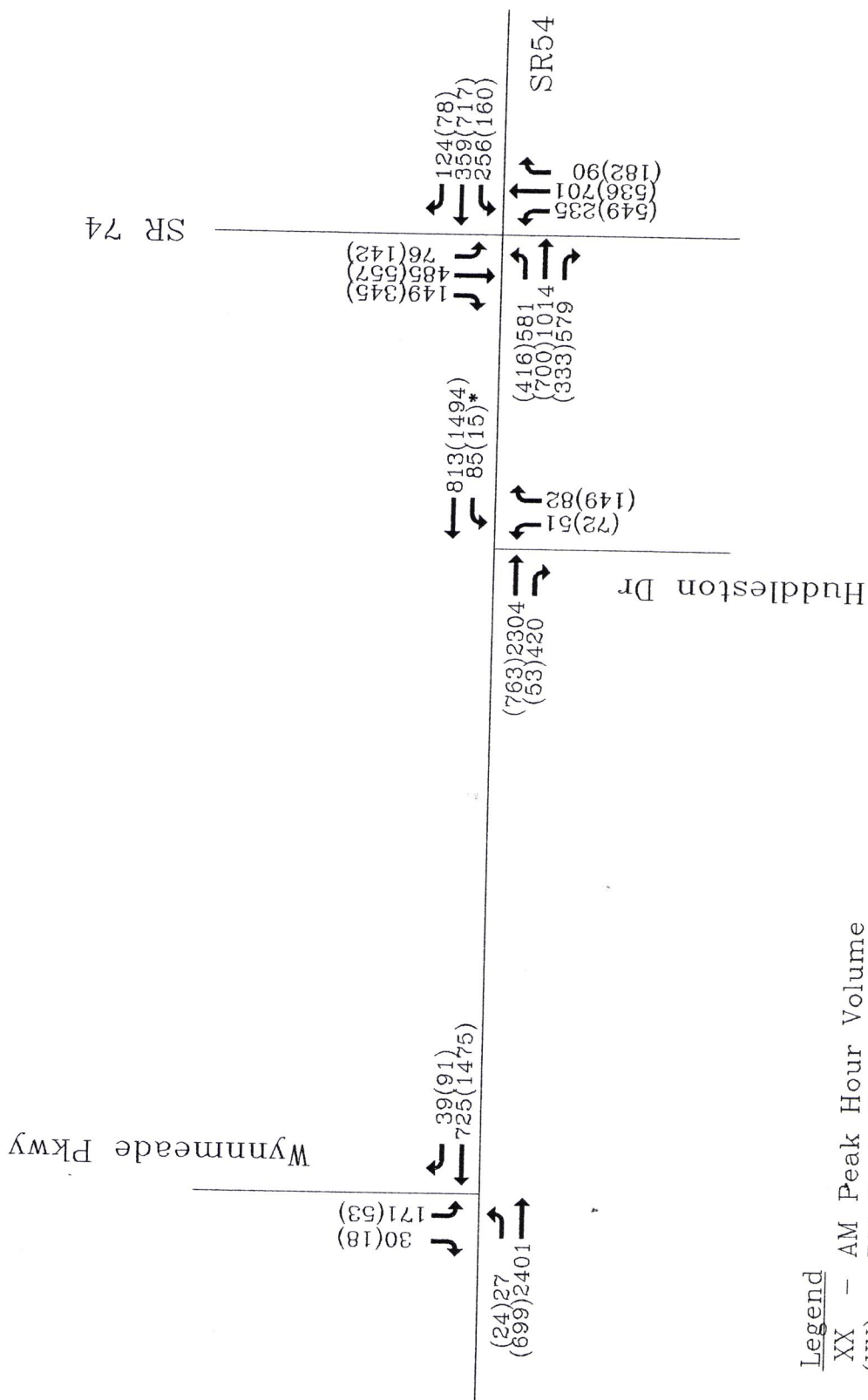
Figure 2 shows the existing peak hour turning volumes after they were adjusted for school traffic and construction activity.

Twenty-four hour directional counts were also taken using automatic traffic recorders on S.R. 54 between Huddleston Drive and Wynnmeade Parkway and on S.R. 74 south of S.R. 54.

Major Roadway Projects

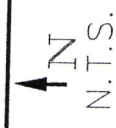
Three major roadway projects are planned in the vicinity of the site. S.R. 74 will be widened to 6 lanes from S.R. 54 to TDK Boulevard. Between TDK Boulevard and S.R. 85, S.R. 74 will be widened to 4 lanes. From conversations with the Georgia DOT, the widening of S.R. 74 between S.R. 54 and TDK Boulevard should be complete by 2009.

S.R. 54 is planned be widened to 4-lane divided west of S.R. 74. Median openings are planned at City Circle and Wynnmeade Parkway. No median opening is planned at



Legend
 XX - AM Peak Hour Volume
 (XX) - PM Peak Hour Volume

* Left turns restricted 3-6 pm Monday - Friday



Adjusted Existing Traffic Volumes

FIGURE 2

Huddleston Drive due to the proximity of the railroad bridge. There is a possibility that Wynnmeade Parkway would be realigned to T into Line Creek Parkway and that Line Creek Parkway would then have a median opening and a traffic signal on S.R. 54. If the Wynnmeade Parkway opening were kept at the existing intersection of Wynnmeade Parkway and S.R. 54, Line Creek Parkway would probably not receive a median opening because it would be too close to the opening at Wynnmeade Parkway. The DOT will not commit to the widening of S.R. 54 being complete by 2009 since the project is currently unfunded and may be subject to air quality restrictions. However, it is more likely than not that it will be completed by 2009.

Future Background Conditions

The future growth in an area can be forecast a number of different ways. One method is to compare historic traffic volumes to determine a growth rate for the area. A comparison of 1993 and 1996 Georgia DOT AADT volumes yields an overall growth rate for the roadways around the site of 4%.

Another way to predict future traffic volumes is to use the Atlanta Regional Commission's (ARC's) *Vision 2020 Baseline Forecasts*. The ARC used the 1990 census data and knowledge of current trends and policies in the Atlanta region to predict the employment and population in the 417 census tracts in the Atlanta region for every five years from 1995 to 2020. Comparison of the ARC's 1995 and 2010 population and employment figures for the census tracts surrounding the site indicates a growth rate of 3.6% per year.

An annual growth factor of 4% was applied to the adjusted existing volumes for twelve years to develop the background traffic for the Year 2009 buildout. Four percent is moderate for a rapidly developing area such as Peachtree City; however, given the relatively long time period over which it was applied, it was felt to be a reasonable factor.

Project Traffic

The typical procedure for determining the traffic generated by a new development is to apply the rates or equations developed by the Institute of Transportation Engineers (ITE) as published in *Trip Generation, 5th Ed.* and *Trip Generation, 5th Ed., February 1995 Update*. The rates and equations in these informational reports are calculated from nationally collected data.

The trip generation for the site was based on information provided by the developer. The results of the trip generation are shown in Table 1.

Table 1. Trip Generation

Land Use	Intensity	Daily	A.M. Peak Hour		P.M. Peak Hour	
			In	Out	In	Out
Single family homes	326 units	3,065	59	166	203	110

Source: ITE *Trip Generation*, 5th edition, and *Trip Generation*, 5th Edition, February 1995 Update

Distribution and Assignment

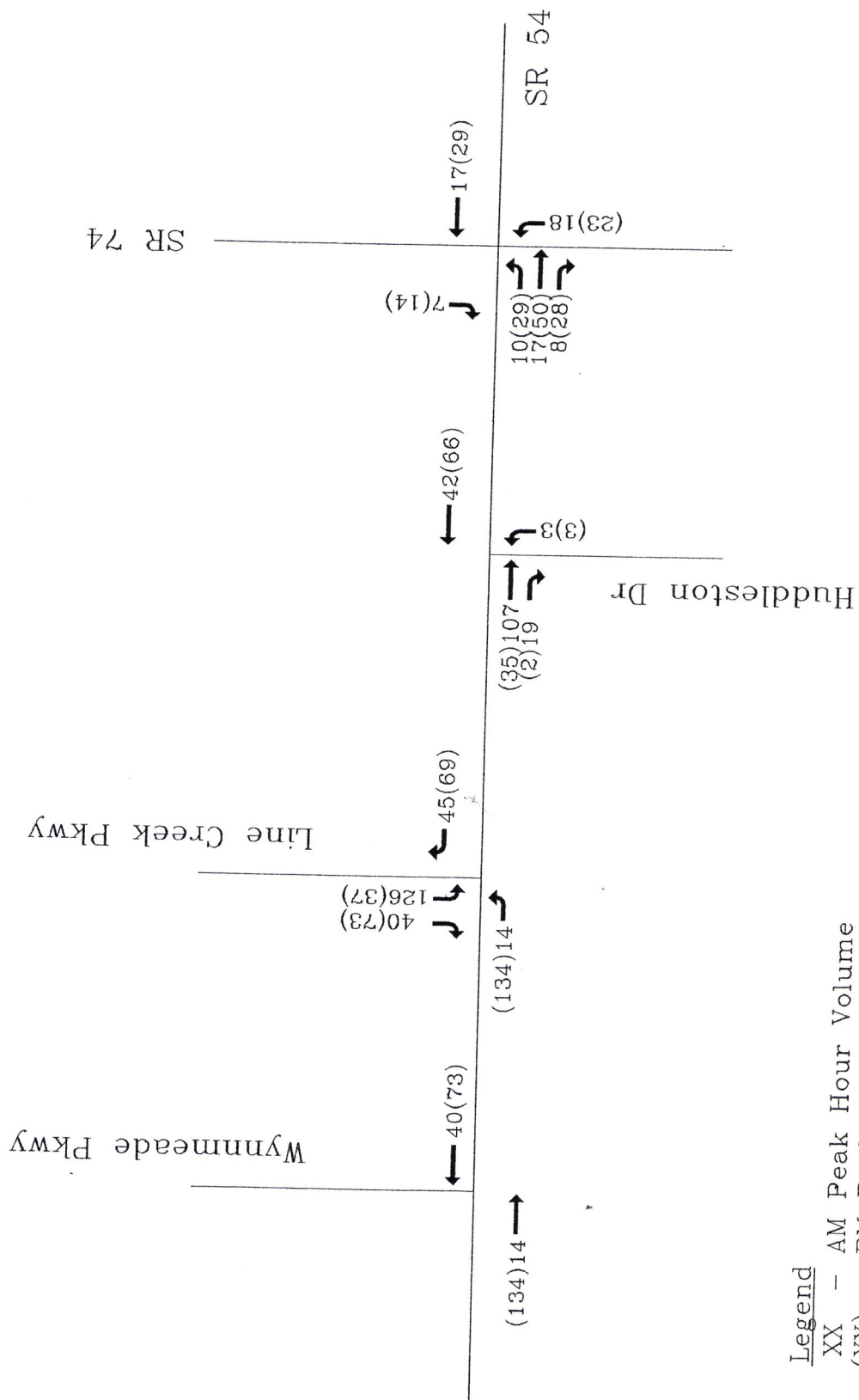
The trip distribution for the traffic generated by the proposed development was based on the existing traffic counts. The directional split on S.R. 54 is approximately 77% EB/23% WB during the A.M. and 34% EB/66% WB during the P.M. The appropriate distribution percentages were applied to the trips generated by the proposed development as shown in Table 1. The site generated traffic volumes were assigned to the road network and added to the future background traffic volumes to represent future conditions expected after the proposed development is built out. Figure 3 shows the site generated traffic assigned to the road network, and Figure 4 shows the projected volumes for the total future traffic conditions.

Future Conditions Analysis

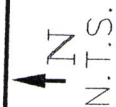
Future conditions were analyzed using the procedures in the *Highway Capacity Manual (HCM)*, 3rd Edition, 1994 Update. This is the standard methodology for the analysis of traffic conditions.

Traffic conditions at signalized intersections are evaluated in terms of average vehicle delays and are reported as a level of service (LOS). Levels of service A through D are generally accepted by most reviewing agencies as acceptable peak hour operations. LOS E and F are generally considered unacceptable peak hour conditions, requiring improvements at some point in time.

The criteria for levels-of-service for signalized intersections are shown in Table 2. Levels of service for signalized intersections are reported in composite fashion, i.e., one LOS for the entire intersection and are presented in terms of average stopped vehicle delay.

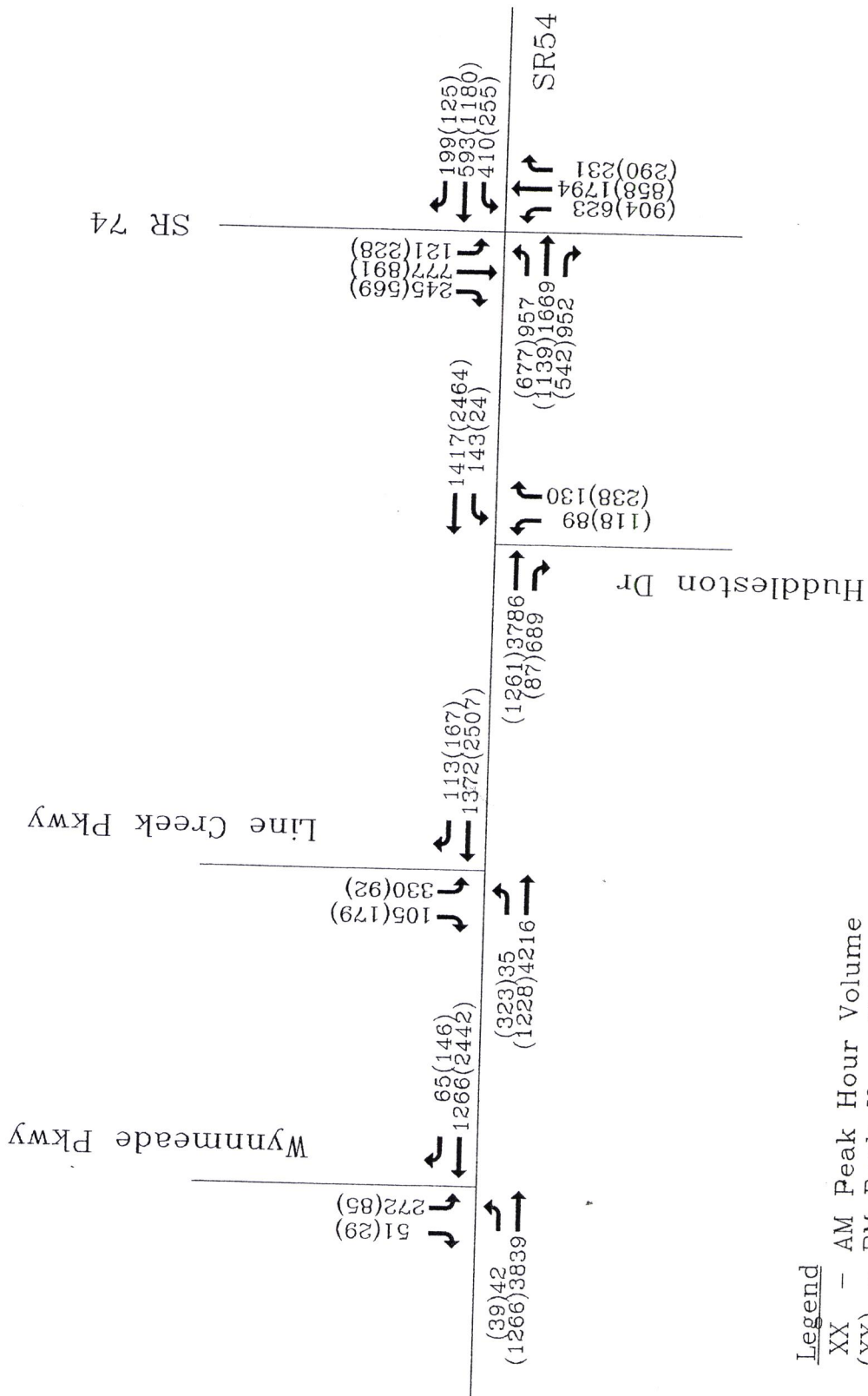


Legend
 XX - AM Peak Hour Volume
 (XX) - PM Peak Hour Volume



Project Traffic

FIGURE 3



Legend

- XX - AM Peak Hour Volume
- (XX) - PM Peak Hour Volume



Total Future Traffic Volumes

Table 2. LOS for Signalized Intersections

Level of Service	Stopped Delay Per Vehicle (sec.)
A	< 5.1
B	5.1 to 15.0
C	15.1 to 25.0
D	25.1 to 40.0
E	40.1 to 60.0
F	> 60.0

Source: *Highway Capacity Manual, 3rd Edition, 1994 Update*

Traffic conditions at unsignalized intersections are evaluated in terms of average total delay. Poor levels of service for minor street approaches to unsignalized intersections are not uncommon, because the continuous flow traffic will always get the right-of-way priority. The level of service criteria for unsignalized intersections are shown in Table 3.

Table 3. LOS for Unsignalized Intersections

Level of Service	Stopped Delay Per Vehicle (sec.)
A	< 5.1
B	5.1 to 10.0
C	10.1 to 20.0
D	20.1 to 30.0
E	30.1 to 45.0
F	> 45.0

Source: *Highway Capacity Manual, 3rd Edition, 1994 Update*

Using the methods described above, the level of service was determined for each of the study intersections with the existing lane configurations for: 1) existing, 2) existing + project, 3) future background without the project, and 4) future with project traffic conditions. The level of service was also determined for Line Creek Parkway. Table 4 shows the results of the analysis.

Table 4. Intersection Level of Service with Existing Lane Configurations

Intersection	Existing		Existing + Project		Future Background		Future with Project	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
S.R. 54 & Wynnmeade Parkway	F	C	F	C	F	F	F	F
S.R. 54 & Line Creek Parkway	-	-	F	F	F	F	F	F
S.R. 54 & Huddleston Drive	F	F	F	F	F	F	F	F
S.R. 54 & S.R. 74	F	F	F	F	F	F	F	F

As can be seen from Table 4, the levels of service for the existing lane configurations is unacceptable for at least one time period for all of the study intersections. The poor levels of service are a result of the roadways being inadequate to handle the growth which has occurred and will continue to occur in the Peachtree City area. ***It should be noted that the adding the project traffic does not cause a decrease in level of service.***

The intersections were reanalyzed with their probable lane configurations after the S.R. 54 and S.R. 74 widenings are complete. A through lane was added in each direction on S.R. 54 with left turn bays as appropriate. The traffic which would reroute because there would be no median openings at Huddleston or at Line Creek Parkway was reassigned. A southbound through lane on S.R. 74 at its intersection with S.R. 54 was added. This improvement was recommended in the *Major Thoroughfare Report for Peachtree City*. The levels of service which would result from the improvements are shown in Table 5.

Table 5. Intersection Level of Service after S.R. 54 and S.R. 74 Widenings

Intersection	Existing		Existing + Project		Future Background		Future with Project	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
S.R. 54 & Wynnmeade Parkway	F	A	F	A	F	B	F	B
S.R. 54 & Line Creek Parkway	-	-	A	A	A	A	B	F ¹
S.R. 54 & Huddleston Drive	A	A	A	A	F	A	F	C
S.R. 54 & S.R. 74	D	D	D	E	F	F	F	F

¹Level of service for southbound right turn movement is F. The through volume on S.R. 54 will experience no delay.

As can be seen from Table 5, the levels of service improve at most of the intersections after the widenings. By comparing the future background and future with project levels of service, it can be seen that the project traffic is predicted to cause a decrease in level of service at the intersection of S.R. 54 and Huddleston Drive for P.M. peak hour conditions, but that the level of service is still forecast to be acceptable. A similar situation occurs at Line Creek Parkway for the A.M. peak hour. For the P.M. peak hour at Line Creek Parkway, the addition of the project traffic and the heavy westbound through volume on S.R. 54 causes the level of service for the southbound right turn movement to deteriorate to an unacceptable level. An acceleration lane should be build on S.R. 54 to facilitate the right turn movement.

It should be remembered that to account for the construction on the day the counts were taken, the A.M. counts were adjusted upward. The poor levels of service during the A.M. peak may indicate that the adjustment was overly conservative.

In the *Major Thoroughfare Report for Peachtree City*, it was recommended that dual lefts be installed on the northbound, eastbound, and westbound approaches of the intersection of S.R. 54 and S.R. 74. These improvements are still recommended and would provide a higher level of service than shown in the table for the intersection during both the A.M. and the P.M. peak.

A third scenario which was assessed was the possibility of rerouting Wynnmeade Parkway to tie in with Line Creek Parkway and putting a median opening and traffic signal at Line Creek Parkway. The traffic which would reroute was reassigned. The rerouting of Wynnmeade Parkway would have no effect on the intersection of S.R. 54 at S.R. 74. The levels of service which would result are shown in Table 6.

Table 6. Intersection Level of Service after Rerouting Wynnmeade Parkway

Intersection	Existing + Project		Future Background		Future with Project	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
S.R. 54 & Line Creek Parkway	F	B	F	F	F	F
S.R. 54 & Huddleston Drive	A	A	F	A	F	B

By comparing the levels of service shown in Tables 5 and 6 for Line Creek Parkway and Wynnmeade Parkway, it can be seen that combining the two roadways does not provide a higher level of service for either one. By combining the volumes, the portion of the traffic signal cycle length allotted to the side street must be higher, which means there is less green time for the main street and thus causes more delay for the through movements. While a traffic signal would be convenient for vehicles wishing to turn left into or out of Line Creek Parkway, it would cause the overall intersection level of service to decrease to an unacceptable level during the P.M. peak hour for future conditions, with or without the John Wieland Homes project.

Conclusions and Recommendations

The substantial amount of growth which is anticipated to occur in the Peachtree City area is going to place a strain on the transportation infrastructure of the area. The Georgia DOT and Peachtree City are taking positive steps to improve the traffic conditions in the City by widening S.R. 54 and S.R. 74.

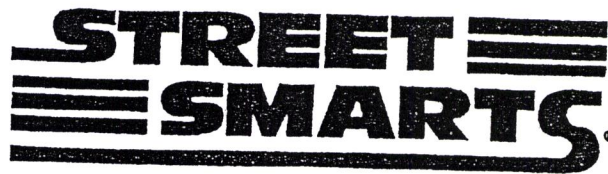
This traffic study was conducted for John Wieland Homes for a proposed housing development north of S.R. 54 and west of S.R. 74 in Peachtree City, Georgia. The project will consist of 326 single family dwelling units. The buildout year for the development is 2009. Due to the long buildout time frame, it is predicted that many other developments will already be open in the vicinity of the site and therefore that the traffic from these other developments will be on the road network before the traffic from the John Wieland development.

There are two major roadway projects in the vicinity of the site which will improve traffic conditions around the site. The widening of S.R. 74 will allow for an additional southbound through lane at the intersection of S.R. 74 and S.R. 54. This widening should be complete by 2009. The widening of S.R. 54 will improve operating conditions along S.R. 54 considerably. It should be noted that the widening of S.R. 54 is not funded but that the Georgia DOT is confident that the project will be constructed.

The traffic from the proposed development is not predicted to cause the level of service at any of the study intersections to decrease to an unacceptable level. An acceleration lane should be built on S.R. 54 at Line Creek Parkway to improve the level of service for the southbound right turn.

The realignment of Wynnmeade Parkway to feed into Line Creek Parkway is not recommended because it is forecast to concentrate too much traffic in an already congested area.

It is recommended that Peachtree City continue to consider adding dual lefts northbound, eastbound, and westbound at the intersection of S.R. 74 and S.R. 54 to improve the operating conditions and accommodate areawide growth.



Planning and Transportation Engineering

5 May 2000

Mr. Dan Fields
John Wieland Homes
1950 Sullivan Road
Atlanta, Georgia 30337
Sent via Fax: (770) 907-3419

Subject: Trip Generation Comparison

Dear Mr. Fields;

As you requested, we have done a trip generation comparison for a 100-acre parcel located in Peachtree City. The parcel is currently zoned industrial; a rezoning to residential has been requested. The number of trips expected if the land is developed under the two zonings was estimated.

The trip generation was based the information you provided regarding the size and intensity that could be built under the two zonings. If the land were developed under the existing industrial zoning at 10,000 square feet per acre, a typical density for the area, approximately 1 million square feet of industrial use could be developed. If the land is rezoned residential, 350 to 400 single family units will be built.

The rates and equations given in Institute of Transportation Engineers' (ITE) *Trip Generation, 6th Edition* were used. The rates and equations in this informational report are calculated based on nationally collected data. This is the usual method for estimating the number of trips expected from a new development. The results of the trip generation are shown in the table below.

According to the ITE *Trip Generation*, trucks make up approximately 8% of the total trips at an industrial park (similar to light industrial). According to the U.S. Department of Transportation's *Urban Transportation Planning for Goods and Services*, approximately 2.27 truck trips per acre per day are expected for residential developments. The daily truck trips expected under the two zonings are shown in the table as well. The

Mr. Dan Fields
5 May 2000
Page 2 of 2

truck trips are not in addition to the total trips shown; they are already included in the total.

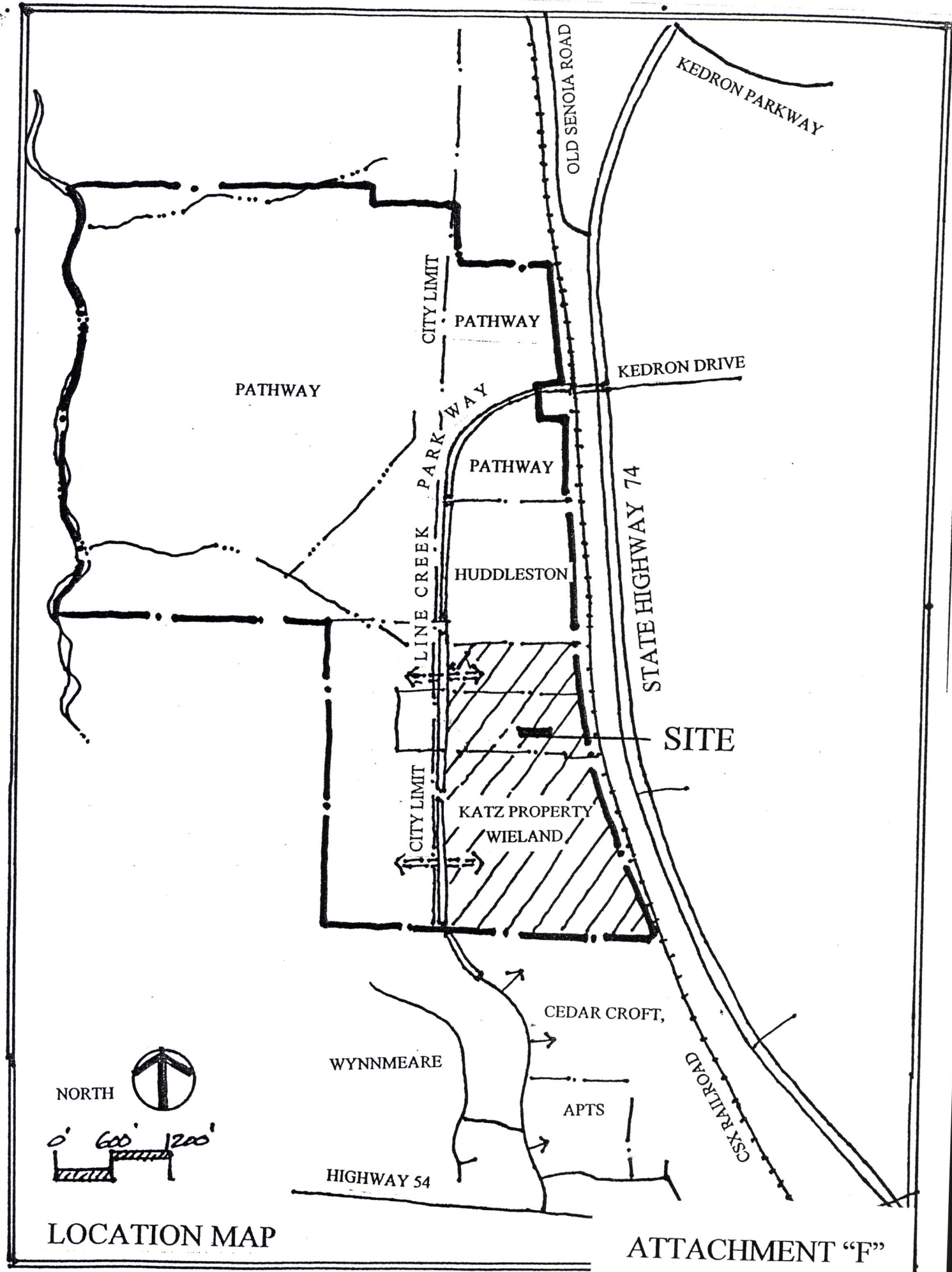
Zoning	ITE Land Use	Intensity	Daily	A.M. Peak Hour		P.M. Peak Hour	
				In	Out	In	Out
Industrial	General Light Industrial (Code 110)	1,000,000 s.f.	7,366	963	131	152	1,118
Truck trips	8% of total		589				
Residential	Single Family Detached Housing (Code 210)	400 units	3,711	72	217	239	135
Truck trips	2.27 per acre	100 acres	227				

As can be seen from the above table, the current industrial zoning would be expected to generate twice as many trips on a daily basis as the requested residential zoning. It would generate over three times as many during the A.M. and P.M. peak hours. It would generate over twice as many truck trips on a daily basis as well.

We hope you find this information useful. Please call if you have any questions.

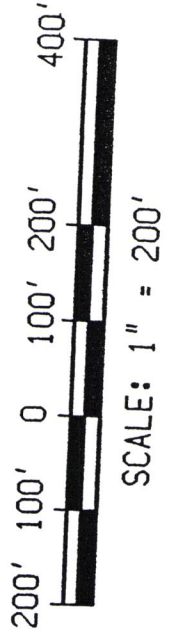
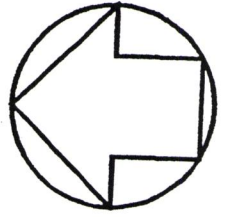
Sincerely,

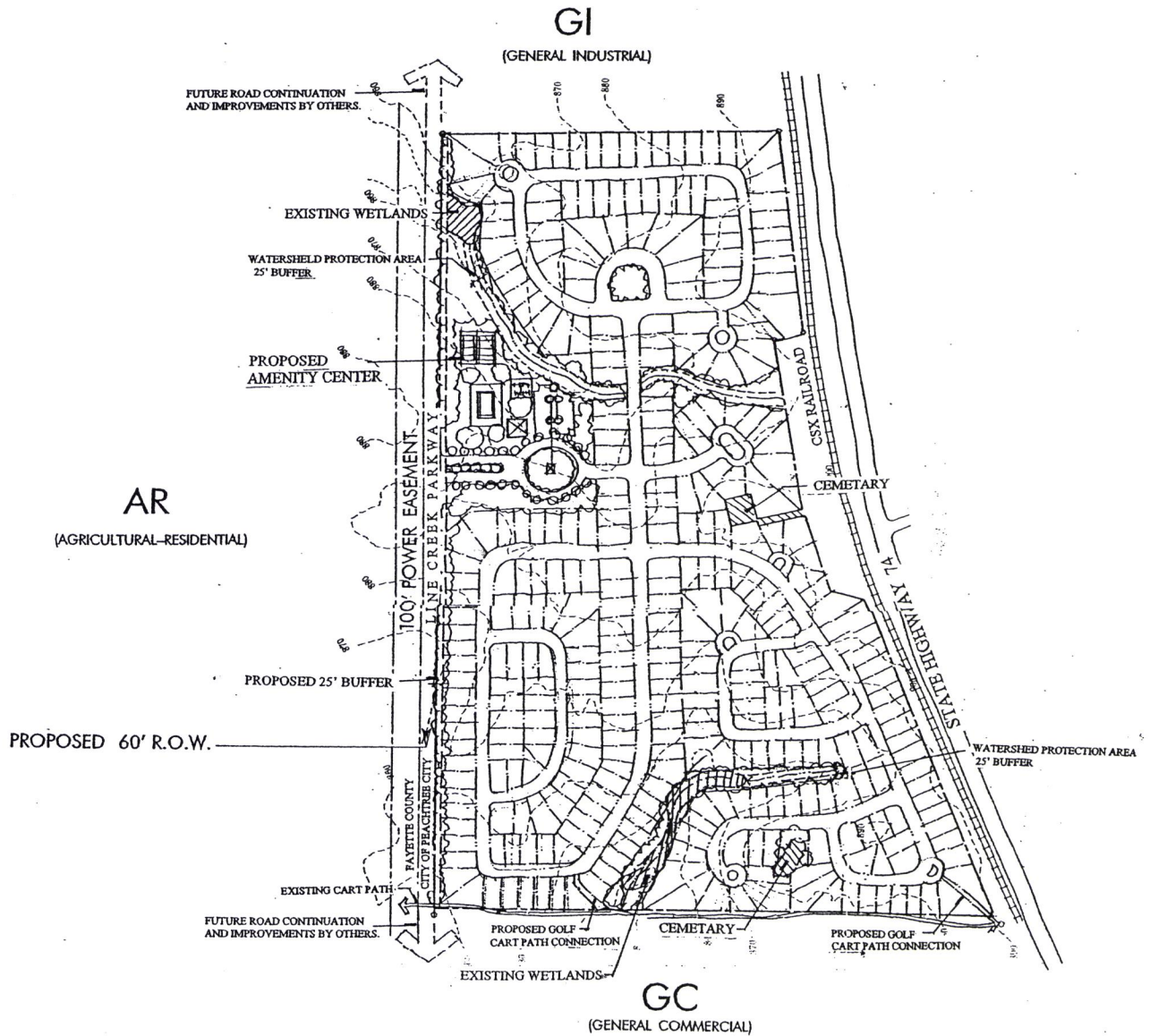
Julie M Doyle
Julie M. Doyle



DEVELOPMENT SUMMARY

TOTAL SITE AREA: 102.1 +/- ACRES
EXISTING ZONING: GI (GENERAL INDUSTRIAL)
PROPOSED ZONING: GR-4 (4 LOTS PER ACRE)
TOTAL NUMBER OF ALLOWABLE LOTS: 408





PROJECT	TASK	ORIGINAL <u>FEBRUARY 24, 2009</u>	6
KATZ PROPERTY Westside Village PEACHTREE CITY, GEORGIA	SITE PLAN	REVISIONS:	7
		1	8
		2	9
		3	10
		4	11
		5	12

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager

FROM: Director of Developmental Services

DATE: July 18, 2000

SUBJECT: Big Box Legislation



As requested, I have prepared the following draft of a proposed amendment to the Zoning Ordinance to help regulate the development of "Big Box" retail establishments in Peachtree City. The purpose of this memo is to stimulate discussion rather than recommend a specific course of action at this time.

As an introduction to the subject, it is important to know that there are only two zoning districts that can currently accommodate "Big Box" concept: LUC Limited Use Commercial and GC General Commercial. Inasmuch as the LUC districts involve only custom-tailored rezonings, we shall focus our attention on the GC district. Attached for reference purposes is a copy of the existing text that pertains to this district.

Permitted Uses

The GC zoning district in Paragraph (a) of Section 1006.2 lists "Retail business involving the sale of merchandise on the premises" as a permitted use. We are proposing that this paragraph be amended to read as follows:

- (a) Retail business involving the sale of merchandise on the premises, provided no single tenant occupies more than 12,000 square feet and no individual zoning lot accommodates more than 100,000 square feet of leasable floor area.

Conditional Uses

In Section 1006.3, the conditional uses that are permitted in a GC zoning district are specified. We are proposing that a new paragraph be added to this section to read as follows:

- (a) Retail business involving the sale of merchandise on an individual zoning lot where an individual tenant occupies more than 12,000 square feet or the gross floor area on the zoning lot is 100,000 square feet or more, subject to the following conditions:
- (1) No single tenant shall occupy more than 100,000 square feet;
 - (2) All buildings shall be designed so that it appears from outside no individual tenant occupies more than 12,000 square feet;
 - (3) Any tenant that occupies more than 12,000 square feet shall provide the City Attorney with enforceable assurances that, in the event it ceases its business for any reason, it will not unreasonably keep the space unoccupied;
 - (4) The owner of the zoning lot shall prepare a Traffic Management Plan which identifies the traffic problems that will be generated by development on the premises and which presents reasonable solutions to those problems. The Plan must be updated on an annual basis, and it must be approved by the City Engineer;
 - (5) The owner of the zoning lot shall prepare a Water Management Plan which identifies the water management problems that will be generated by development on the premises and which presents reasonable solutions to those problems. The Plan must be updated on an annual basis, and it must be approved by the City Engineer;

JBW/jir

Attachment

Sec. 1006. GC general commercial district.

(1006.1) *Intent of district:* It is intended that the GC zoning district be established and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve city and regional commercial needs. These regulations are also intended to accommodate businesses which benefit from being located in close proximity to each other, and to discourage any encroachment by other uses capable of adversely affecting the basic commercial character of the district. It is further intended that these regulations will reduce traffic congestion, provide for adequate off-street parking, and avoid the development of "strip" type business areas.

(1006.2) *Permitted uses:* The following uses shall be permitted in any GC zoning district:

- (a) Retail business involving the sale of merchandise on the premises.
- (b) Business involving the rendering of a personal service on the premises.
- (c) Office for governmental, business, professional or general purposes.
- (d) Commercial recreation facility located entirely within a building on the premises.
- (e) Publicly owned building, facility or land.
- (f) Building, facility or land for the distribution of utility services.
- (g) Building, facility, or land for noncommercial park, recreation, thoroughfare or open space purposes.
- (h) Private or semiprivate club, lodge or social center.
- (i) Building, facility or land for off-street automobile parking.
- (j) Hotel or motel.
- (k) Commercial trade or vocational school.
- (l) Radio and/or television station, not including a transmission tower.
- (m) Wholesale business involving the sale of merchandise on the premises.
- (n) Newspaper publishing facility.
- (o) Accessory use: See section 908.

(1006.3) *Conditional uses:* The following uses shall be permitted in any GC zoning district on a conditional basis:

- (a) All conditional uses permitted in subsection (1005.3) for LC zoning districts, subject to the same conditions.
- (b) Dwelling in combination with any use permitted in this district, provided all dwelling units have direct access to a street or other public area.
- (c) Open setback depth for the sale, rental and/or storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from

the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.

- (d) Commercial recreational facility or land where the use is not located entirely within a building on the premises, on the following condition:
 - (1) The zoning lot is not less than one acre in area.
 - (2) The zoning lot is not adjacent to or across the street from any residential zoning lot.
- (e) Transportation facility or terminal, provided service is primarily for passenger transportation rather than freight transportation.
- (f) Community hospital, including customary accessory functions, provided the zoning lot is not less than ten acres in area.
- (g) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:
 - (1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.
 - (2) Minimum zoning lot area is three acres.
 - (3) Minimum lot width: 100 feet.
 - (4) Minimum setback area, front:
 - (a) Building: 40 feet.
 - (b) Parking: 20 feet.
 - (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.
 - (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
 - (7) Maximum building height: As approved by the fire department.
 - (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
 - (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
 - (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.
 - (11) One nonilluminated sign not greater than 32 square feet in area for each panel of a double-sided structure is permitted.

(12) Parking: See section 909.

(13) Lighting: See section (1005A.4)(n).

(14) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(Ord. No. 220, 11-6-1980; Ord. No. 408, 8-21-1986; Ord. No. 650, 11-16-1995)

(1006.4) *Other requirements*: Unless otherwise specified in this Ordinance, uses permitted in GC zoning districts shall conform to the following standards:

- (a) Minimum zoning lot area: 30,000 square feet.
- (b) Minimum lot width: 150 feet.
- (c) Minimum front setback depth:
 - (1) Building: 40 feet.
 - (2) Driveway/parking: 20 feet.
- (d) Minimum side setback depth: Ten feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (e) Minimum rear setback depth: 20 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (f) Maximum building height: Ten stories, but if over 35 feet, it must be approved by the fire department.
- (g) Parking: See section 909.
- (h) Signs: See Peachtree City sign ordinance.

Cross reference—The "sign ordinance" is found in § 66-1 et seq. of the Code.

- (i) Storage: No storage will be permitted on the zoning lot outside a fully enclosed building unless the storage area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The required fence or wall must provide for a reasonable visual separation between the storage area and any adjoining property.
- (j) All zoning lots shall have direct access onto an arterial, major collector or industrial/commercial road or have access to an arterial, major collector or industrial/commercial road via an access street.
- (k) No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.
- (l) All parking and service areas must be separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.

- (m) No outside loudspeaker systems shall be utilized.
- (n) All lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots.
- (o) A landscape plan is required for the site, and must be reviewed by a registered landscape architect to be designated by the city and by the planning commission prior to issuance of occupancy permit. If no action is taken or time extended within 30 days from filing, such request shall be considered approved. The landscape plan shall be fully implemented prior to occupancy and if not completed an occupancy permit will not be issued. If it is infeasible to complete the landscaping due to weather conditions or other extenuating circumstances then the owner shall post a performance bond or other acceptable security in an amount equal to 110 percent of the cost of the landscaping improvements which remain incomplete. The owner shall have a one year period in which to complete the required improvements in a satisfactory manner.
The owner shall provide adequate maintenance of the landscaping improvements for a minimum of one year from implementation. The city shall inspect special screening at least once during this period to ensure that the approved plan has been fully implemented and maintained. If it is found that the landscaping, as stated in this section, has died within a one-year period, such landscaping shall be replaced by the owner.
- (p) Items (c) and (o) above shall be binding standards on all development after March 5, 1981. Development completed prior to this date will not need to meet such standards now or in the future and will be limited to a 20-foot front setback depth.
(Ord. No. 233, 4-2-1981; Ord. No. 268, § 1(C)(7), 6-3-1982; Ord. No. 366, § 19, 5-22-1985)

Sec. 1006A. LUC limited-use commercial district.*

(1006A.1) *Intent of district:* It is intended that the LUC zoning district be established and reserved for restricted commercial business purposes. Recognizing that a commercial district with its variety of land uses could cause a detrimental impact on neighboring lands, the regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve city and regional commercial needs and to promote the interests of the particular neighbors and the public welfare at large. These regulations are intended for use only when a commercial district, in its unrestricted form, would be an isolated district, unrelated and detrimental to the surrounding area. These regulations are also intended to reduce traffic congestion, provide for adequate off-street parking, prohibit the development of "strip" type business areas, and prohibit encroachment by other uses capable of adversely affecting the character of the district.

(1006A.2) *Permitted uses:* Any one or more of the following uses may be permitted in any LUC zoning district. (The specific use and any related activity anticipated by the party

***Editor's note—**Specific LUC districts are set out in § 1006B.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
City Attorney

DATE: July 27, 2000

SUBJECT: Ethics Ordinance

On June 15, 2000, Council tabled the consideration of amendments to the Ethics Ordinance to enable the City Attorney to make further recommendations to amend the ordinance as it pertained to Financial Disclosures and Conflict of Interests. The City Attorney has reviewed several ordinances from other cities as well as the sample ordinance provided by GMA. He felt the proposed ordinance is comparable, if not better than the other ordinances. The only recommendation he considered making concerned the establishment of separate financial disclosure requirements for the position of City Attorney similar to what the law requires of elected officials.

However, since Council has also instructed staff to investigate how the position of City Attorney is handled with other cities and to place the item on a future agenda for discussion prior to December of this year, I have not included such changes at this time. I have not found a comparable ethics ordinance that requires separate financial disclosure requirements from the City Attorney. I have requested job descriptions and ordinances pertaining to the position of City Attorney from several other cities. I anticipate being able to provide this information to you for discussion in the near future.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager
FROM: Director of Developmental Services 
DATE: July 25, 2000
SUBJECT: Watershed Protection

At the last meeting, Council approved an amendment to the Watershed Protection Ordinance that was recommended by the Georgia DCA. Also at that meeting, two new watershed ordinances recommended by DCA were discussed. They pertained to the protection of groundwater recharge areas and wetlands.

At its meeting on July 24, 2000, the Planning Commission approved the ordinances and recommended that they be officially adopted by Council.

The ordinances have been combined into a single ordinance as Sections 1007 and 1008 of Article X of the Land Development Ordinance. A copy of this proposed new ordinance is included with this memo as Attachment "A." Staff recommends approval.

JBW/jir

Attachment "A"

AN ORDINANCE TO AMEND
THE PEACHTREE CITY LAND DEVELOPMENT ORDINANCE
TO ADD TWO NEW SECTIONS TO ARTICLE X ENVIRONMENTAL STANDARDS
RELATIVE TO WETLAND PROTECTION
AND GROUNDWATER RECHARGE AREAS
AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Article X, Environmental Standards, be amended as follows:

- (a) The existing Section 1007, entitled Enforcement, shall be renumbered to Section 1009.
- (b) A new Section 1007 to be entitled Groundwater Recharge Areas and a new Section 1008 to be entitled Wetland Protection shall be added to read as follows:

Section 1007. Groundwater Recharge Areas.

(a) **Purpose.**

In order to provide for the health, safety, and welfare of the public and a healthy economic climate within the City of Peachtree City and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources that Peachtree City and surrounding communities rely on as sources of public water.

Groundwater resources are contained within underground reservoirs known as aquifers. These aquifers are zones of rock beneath the earth's surface capable of containing or producing water from a well. They occupy vast regions of the subsurface and are replenished by infiltration of surface water runoff in zones of the surface known as groundwater recharge areas. Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

(b) **Definitions.**

In order to administer and enforce the provisions of this Section, the following definitions shall be used:

- (1) Aquifer means any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

- (2) DRASTIC Methodology means the standardized system for evaluating ground-water pollution potential using the hydro geologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035.
 - (3) Pollution Susceptibility means the relative vulnerability of an aquifer to being polluted from spills; discharges; leaks; impoundments; applications of chemicals, injections, and other human activities in the recharge area.
 - (4) Pollution Susceptibility Map means the relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)
 - (5) Recharge Area means any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.
 - (6) Significant Recharge Areas means those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).
- (c) **Establishment of the Groundwater Recharge Area Protection District.**

- (1) The Groundwater Recharge Area Protection District is hereby established which shall correspond to all lands within the jurisdiction of the City of Peachtree City, Georgia, that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. Said map is hereby adopted and made a part of this Ordinance.
- (2) Determination of Pollution Susceptibility: Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this Ordinance.

(d) **Protection Criteria.**

- (1) No construction may proceed on any building to be served by a septic tank unless the Fayette County Health Department first approves the proposed septic tank installation as meeting the requirements of the Georgia Department of Human Resources Manual for On-Site Sewage Management (hereinafter DHR Manual) and paragraph (2) below:
- (2) New buildings served by a septic tank/drain field system shall be on lots having minimum size limitations as follows, based on application of Table MT-1 of the DHR Manual (hereinafter DHR Table MT-1). The minimums set forth in DHR

Table MT-1 may be increased further based on consideration of other factors (set forth in Sections A-F) of the DHR Manual.

- a. One hundred fifty percent (150%) of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a high pollution susceptibility area;
 - b. One hundred twenty-five percent (125%) of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a medium pollution susceptibility area;
 - c. One hundred ten percent (110%) of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a low pollution susceptibility area.
 - d. In no event shall the minimum lot size for any building served by a septic tank/drain field system be less than one (1) acre.
- (3) New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acre-feet; or a low pollution susceptibility area and exceed 50 acre-feet. As a minimum, the liner shall be constructed of compacted clay having a thickness of one foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
 - (4) New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
 - (5) New facilities that handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
 - (6) Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.
 - (7) Commercial and industrial operations, either new or existing, which require washing truck railroad cars (tanks or other load types) shall provide containment equal to 110% of the container volume as well as a treatment plan and appropriate equipment to handle an emergency.

(e) **Exemptions.**

- (1) Any lot of record approved prior to the adoption of this Ordinance is exempt from the minimum lot size requirements contained in Paragraph (d)(2)a., b., c., and d. above.

Section 1008. Wetland Protection.

(a) **Purpose.**

The wetlands in the City of Peachtree City are indispensable and fragile natural resources with significant development constraints due to flooding, erosion, and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat areas for fish, wildlife, and vegetation; water quality maintenance and pollution control; flood control; erosion control; natural resource education; scientific study; and open space and recreational opportunities.

Nationally, a considerable number of these important natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution, and other acts. Piecemeal or cumulative losses will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare.

The purpose of this Section is to promote wetlands protection while taking into account varying ecological, economic development, recreational, and aesthetic values. Activities that may damage wetlands should be located on upland sites to the greatest degree practicable as determined through a permitting process.

(b) **Definitions.**

In order to administer and enforce the provisions of this Section, the following definitions shall be used:

- (1) Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.
- (2) Generalized Wetlands Map: The current U.S. Fish and Wildlife Service National Wetlands Inventory maps for the City of Peachtree City, Georgia.

- (3) Jurisdictional Wetland: An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.
 - (4) Jurisdictional Wetland Determination: A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.
 - (5) Regulated Activity: Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.
 - (6) Perennial Stream: Any stream which flows continuously throughout the year and supports aquatic life whose life history requires residence in flowing water for a continuous period of six months or longer.
 - (7) Intermittent Stream: Any stream which flows for only part of the year and does not support aquatic life whose life history requires residence in flowing water for a continuous period of at least six months.
- (c) **Establishment of the Wetlands Protection District.**

- (1) The Wetlands Protection District is hereby established which shall correspond to all lands within the jurisdiction of the City of Peachtree City, Georgia, that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. This map shall be referred to as the Generalized Wetlands Map and is hereby adopted by reference and declared to be a part of this Ordinance, together with all explanatory matter thereon and attached thereto.
 - (2) The Generalized Wetlands Map does not represent the boundaries of jurisdictional wetlands within the City of Peachtree City and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this Ordinance does not relieve the landowner from federal or state permitting requirements.
- (d) **Protection Criteria.**

Requirement for Local Permit or Permission. No regulated activity will be permitted within the Wetlands Protection District without written permission or a permit from the City of Peachtree City. If the area proposed for development is located within 50 feet of a Wetlands Protection District boundary, as determined by the City Planner using the Generalized Wetlands Map, a U.S. Army Corps of Engineers determination shall be required. If the Corps determines that wetlands are present on the proposed

development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

(e) Permitted Uses.

The following uses shall be allowed within the Wetlands Protection District to the extent that they are not prohibited by any other Ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein.

- (1) Conservation or preservation of soil, water, vegetation, fish, and other wildlife, provided it does not affect waters of Georgia or of the United States in such a way that would require an individual 404 Permit.
- (2) Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding, and canoeing.
- (3) Forestry practices applied in accordance with Best Management Practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.
- (4) The cultivation of agricultural crops. Agricultural activities shall be subject to Best Management Practices approved by the Georgia Department of Agriculture.
- (5) The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed, and that approved agricultural Best Management Practices are followed.
- (6) Education, scientific research, and nature trails.

(f) Prohibited Uses.

All uses not classified as permitted uses in paragraph (e) above are considered to be prohibited uses.

(g) Administration and Enforcement.

For purposes of administering and enforcing the provisions of the Wetland Protection Section of the Land Development Ordinance, the following requirements shall apply; and they shall be in addition to other requirements pertaining to site plans elsewhere in the Land Development Ordinance:

- (1) Site Plans. Application for a development permit for a project involving wetlands shall include a site plan, drawn at a scale of at least one (1) inch equals fifty (50) feet with the following information:
- a. A map of all planned excavation and fill, including calculations of the volume of cut-and-fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale, and vertical scale must be shown on the cross-sectional drawings.
 - b. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
 - c. Location, dimensions, and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet.
 - d. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected intermittent or perennial stream or water body.
 - e. Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two (2) feet and no greater than one (1) foot for slopes less than or equal to two percent (2%).
 - f. All proposed temporary disruptions or diversions of local hydrology.
- (2) Activities to Comply with Site Plan. All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan can be made only with the approval of the Planning Commission. Minor changes can be made by the City Planner.
- (3) Duration of Permit Validity.
- a. If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.
 - b. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.
 - c. Written notice of pending expiration of the development permit shall be issued by the Building Official.

(4) Penalties.

- a. When a building or other structure has been constructed in violation of this Section, the violator may be required to remove the structure.
- b. When removal of vegetative cover, excavation, or fill has taken place in violation of this Section, the violator may be required to restore the affected land to its original contours and to restore the vegetation with similar native vegetation. The restoration plan must be approved by the City Planner.
- c. If a violation of this Ordinance that also constitutes a violation of any provision of the Clean Water Act, as amended, is discovered, the Building Official shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.

- (5) Suspension, Revocation. The Building Official may suspend or revoke a permit if he finds that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed in their entirety.

Done, Ratified, and Passed this _____ day of _____, 2000.

Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: July 27, 2000
SUBJECT: Jail Development Impact Fee

The attached memo from City Attorney Lindsay summarizes the key points for excluding non-residents fees that were made at last Tuesday's meeting between representatives of the municipalities and Fayette County. It was the firm position of the municipal representatives that there should be no non-resident jail impact fee. Mr. Davenport was not sure he could legally support that position, but agreed to give it serious consideration. The City Attorney memo was an effort to summarize for Mr. Davenport the key points upon which a legal defense could be made for excluding non-resident fees. I do expect to receive a revised Jail Development Impact Fee proposal from Mr. Davenport any day now, and hopefully, one that excludes non-resident fees. If the proposal arrives prior to the Council meeting, staff will forward it directly to you.

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July 27, 2000

VIA FACSIMILE (770) 719-4832

Mr. Dennis Davenport
McNally, Fox & Cameron
100 Habersham Drive
Fayetteville, Georgia 30214

RE: Development Impact Fee for Jail Purposes

Dear Dennis:

As you know, the City of Peachtree City wants to co-operate in formulating a jail impact fee which will properly spread the costs of constructing the new jail between present residents and future residents while maintaining PTC's and the rest of the county's ability to attract businesses. I will continue to offer my input to you in an effort to make the jail impact fee a reality. On behalf of PTC, please accept our gratitude for all of your hard work and continuing efforts to "pull us together" so that we all can have the same or similar ordinance.

After Tuesday's meeting, I thought further about the equity of excluding non-residential development from the impact fee structure. Although one can surely argue that excluding all businesses is not fair to the residents, I believe an equal, and quite possibly better, argument can be made that such an exemption is not only fair, it is the best solution to a problem of trying to achieve tax equity for the construction of the jail. Let me put forth my reasons for this belief.

First, as Jim Williams stated, most if not all of the businesses in this county, as in any county, would not be here if there were no residents living here. It is the residential population which is the driving force behind businesses seeking to locate here. Sure, some businesses receive some customers who live in surrounding counties just as our residents shop at businesses located outside of Fayette, but a majority of the customer base surely comes from the immediately surrounding areas. Therefore, it does not seem unfair to place the burden of paying for the new jail construction on the group who created the growth demands and, subsequently, the jail demands. Also, businesses will have no choice but to pass the added costs of an impact onto their customers through higher product and service prices. Therefore, placing the costs on

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businesses will only result in the "trickle down effect" which ultimately lands on the local residents anyway.

Second, our businesses pay a higher portion of the ad valorem tax than do our residents. While homeowners only pay the ad valorem on their houses, real property, automobiles, boats, trailers, golf carts and the like, businesses pay ad valorem on everything which the business owns including equipment, inventory, and office furniture. Additionally, businesses are most often located on real property which is worth quite a bit more than residential property which results in higher ad valorem taxes from our business owners. This additional ad valorem tax from our businesses should be taken into account when determining tax equity on the impact fees.

Third, many business owners live in Fayette County. The impact fee which contains both residential and non-residential components is taxing these citizens twice. I believe it would be difficult to argue that a resident who locates his or her business in this county should have to pay twice for the new jail construction. From a tax generating, job generating, and environmental cleaning perspective we should encourage individuals to locate their businesses here and not in some other county.

Fourth, I do not know the exact relationship (and I doubt if anyone really does) between the taxes paid by a citizen - both residential and non-residential - and the level of services received. I am sure that businesses pay more for what they receive than do the residents. I have heard that businesses pay three dollars for every dollar they receive in services and the opposite is true for the residents. Like most general statements, I am sure this is flawed and overly simplified; however, as stated above, I believe we can safely assume that businesses pay more than residents for the services received and utilized by the businesses. Thus, some recognition of this fact justifies an exemption of the impact fee which is simply another tax.

Therefore, I believe that the exemption of the non-residential component can easily be justified from a tax equity point of view. From a usage point of view, I do not know the relationship between residential crime and commercial crime. I am sure that some of the crimes committed at the commercial areas do not involve any of our residents; however, I am also sure that a good portion of the crimes which occur at the commercial areas target our residents. Thus, our residents benefit from the jail even when the crimes occur in the commercial areas.

Please give the arguments contained in this letter some thought. I will be happy to discuss this matter with you further, if you desire.

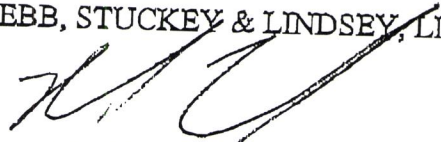
June 27, 2000

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Best regards.

Sincerely,

WEBB, STUCKEY & LINDSEY, LLC


Richard P. Lindsey

RPL:jmf