

City Council of Peachtree City
Agenda
June 18, 2009
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Proclamation for the 40th Anniversary of MA Industries
 - Recognize John Dailey for 20 Years of Service
 - Optimist Club Check Presentation to PD for the K-9 Program
- IV. Public Comment
- V. Agenda Changes
- VI. Monthly Reports
- VII. Minutes
 - May 21, 2009, Regular Meeting Minutes
 - June 8, 2009, Workshop Minutes
- VIII. Consent Agenda
 - 1. Consider Amendment to Automatic Fire Sprinkler System Ordinance
 - 2. Consider Surplus of 1994 Ford, Communications Vehicle #8
 - 3. Consider Amendment to Alcohol Ordinance
 - 4. Consider Alcohol Qualifying Location Permit - City Hall Plaza/Drake Field
 - 5. Consider Acceptance of Drainage Easements
 - 6. Consider Budget Amendments
- IX. Old Agenda Items
 - 06-08-08 Public Hearing – Consider Amendments, Specific Permitted Uses in Multiple Zoning Districts
 - a. Sec. 1006 GC, General commercial district*
 - 03-09-01 Public Hearing – Consider Rezoning, 37.001 acres, GI to LUR, Southpark International Industrial Park
- X. New Agenda Items
 - 06-09-01 Public Hearing – Consider Variance to Setback, 100 Hermitage Place
 - 06-09-02 Final Discussion on Hip Pocket Sewer/ Consider Standards Application Process Policy for Sewer Connection
 - 06-09-03 Consider Cancellation of Tinsley Mill Stormwater Grant
 - 06-09-04 Consider RFP – Tennis Center Management Services
 - 06-09-05 Consider Resolution for Land Swap with Fayette County
 - 06-09-06 Request from Cheers to Address Council
 - 06-09-07 Consider Keep Peachtree City Beautiful FY 2010 Budget
 - 06-09-08 Consider Agreement with Keep Peachtree City Beautiful
 - 06-09-09 Consider Amendment to Solid Waste Ordinance – Franchise Fee
 - 06-09-10 Consider FY 2010 Funding Request - Promise Place
 - 06-09-11 Consider FY 2010 Funding Request – Fayette Senior Services
 - 06-09-12 Consider Proposed 2009 Budget Amendments, and Additions to Bricks & Mortar Loan
- XI. Council/Staff Topics
 - Results of Library Survey
 - Discussion of Proposed 2009-2010 Budget
 - Briefing of Developmental Services Re-organization
- XII. Executive Session

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

2009 City Event Calendar

<u>April</u>	<u>May</u>	<u>June</u>
		6/4 – City Council Meeting CANCELLED 6/5 & 6 - LeAnn Rimes @ The Fred 6/8 & 9 – Budget Workshop, 6:30 pm 6/13 – Get Back!/Beatlemania @ The Fred Rotary Car Show, Drake Field 6/18 – City Council Meeting, 7 pm 6/ 20 – Flicks @ The Fred (American Graffiti) 6/26 & 27 – The Beach Boys @ The Fred
<u>July</u>	<u>August</u>	<u>September</u>
7/2 – City Council Meeting CANCELLED 7/3 – (City offices closed for Independence Day holiday) - Family Sock Hop, Amphitheater 7/4 – Independence Day Parade, Fireworks 7/7 –Council Workshop (Tentative), 6:30 7/10 – World Classic Rockers @ The Fred 7/16 – City Council Meeting, 7 pm 7/17 & 18 – The Spinners @ The Fred 7/24,25, 31 & 8/1 – Twilight Theater @ The Fred – Oliver!	8/4 –Council Workshop (Tentative), 6:30 8/6 – City Council Meeting, 7 pm 8/7 - Glenn Miller Orchestra @ The Fred 8/14 & 15 – Hippiefest @ The Fred 8/20 – City Council Meeting, 7 pm 8/21 & 22 – Peter Cetera @ The Fred 8/29 – Kidz Fest 8/29 – 9/4 Municipal Election Qualifying	9/1 –Council Workshop (Tentative), 6:30 9/3 – City Council Meeting, 7 pm 9/7 – Labor Day, City Offices Closed 9/11 – Amy Grant @ The Fred 9/17 – City Council Meeting, 7 pm 9/18, 19, 25, & 26 – Twilight Theater @ The Fred – Annie Get Your Gun 9/19 & 20 – Shakerag Arts & Crafts Festival 9/26 & 27 – International Festival & Dragonboat Races
<u>October</u>	<u>November</u>	<u>December</u>
10/1 – City Council Meeting, 7 pm 10/6 – Council Workshop (Tentative), 6:30 10/15 – City Council Meeting, 7 pm 10/17 – PTC Classic Road Race 10/31 - Halloween	11/3 – Municipal Election, 7 - 7 – Council Workshop (Tentative), 6:30 11/5 – City Council Meeting, 7 pm 11/19 – City Council Meeting, 7 pm 11/26 & 27 – Thanksgiving Holiday, City Offices Closed	12/1 – Election Run-Off (if needed) –Council Workshop (Tentative), 6:30 12/3 – City Council Meeting, 7 pm 12/5 – Hometown Holiday 12/17 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City Offices Closed
<u>January</u>	<u>February</u>	<u>March</u>
1/1 – New Year's Day, City Offices Closed 1/5 – Council Workshop (Tentative), 6:30 1/7 – City Council Meeting, 7 pm 1/18 – MLK Holiday, City Offices Closed 1/21 – City Council Meeting, 7 pm	2/2 – Council Workshop (Tentative), 6:30 2/4 – City Council Meeting, 7 pm 2/18 – City Council Meeting, 7 pm	3/2 – Council Workshop (Tentative), 6:30 3/4 – City Council Meeting, 7 pm 3/18 – City Council Meeting, 7 pm

Note: Items in **BOLD** are new additions

Updated 5/20/09

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: April 2009

	<u>March-09</u>	<u>April-09</u>	<u>FY 2009 YTD</u>	<u>FY 2008 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	0	3	17	13
City Vehicle / Equipment Accidents	2	0	10	5
Employee Turnover Rate ***		0.00%	1.68%	3.73%
Lawsuit Legal Fees	\$2,824.80	\$3,685.50	\$47,657.02	\$47,646.80

*** The FY 2008 figure is for the full year. Of the 12 terminations in FY 2008, 2 were retirements. Of the 4 terminations year-to-date in FY 2009, 3 have been retirements

Municipal Court

Fines Collected	\$186,274.50	\$111,760.00	\$943,649.00	\$860,673.08
Online Transactions	189	112	1,080	1,144
Citations Closed	674	290	3,182	4,077
Jail Fund Balance	\$6,622.16	-\$4,007.88	\$160,966.23	\$133,039.66

* Approximately 33% of the Municipal Court Fines Collected reflect mandated add-ons that pass through to State and other agencies.

** A positive Jail Fund Balance reflects a credit with the County based on jail fees paid versus number of prisoners housed

Public Information

New Businesses Registered	33	18	140	136
Public Contacts, Questions & Complaints	113	90	530	457

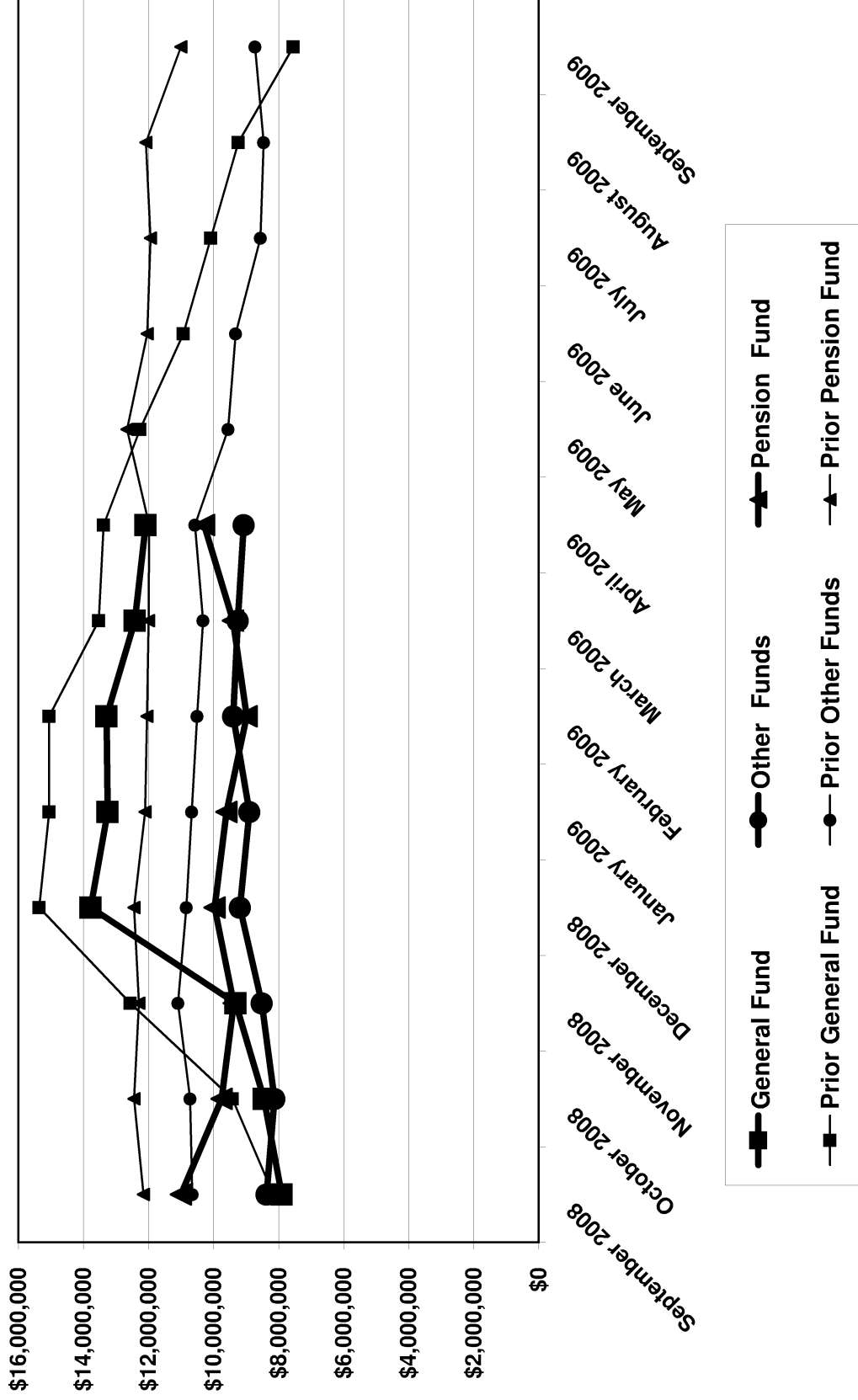
This includes 3 complaints against Comcast Cable Company and 2 Open Records/Discovery Requests.

PEACHTREE CITY BUILDING DEPARTMENT
FY 2009

	Mar-09	Apr-09	Fiscal Y-T-D 2009	Fiscal Y-T-D 2008
DEVELOPMENT PERMITS:	2	5	21	38
BUILDING PERMITS:				
Single Family Residential	2	5	14	26
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	37	37	229	312
Commercial/Industrial	11	12	77	101
TOTAL INSPECTIONS:	379	187	2,398	3,307
CERTIFICATE OF OCCUPANCY:				
Residential	4	2	31	32
Commercial	2	5	32	36
Multi-Family Residential	0	5	151 *	0
CODE ENFORCEMENT:				
Sign Violations	63	72	891	670
New Rehab	7	8	40	51
Rehab Inspections	7	8	60	71
Tree Removal Permits	92	92	447	592
Notice of Violations - Construction	0	0	6	26
Notice of Violations-Non-Construction	119	184	1,042	1,085
Stop Work Orders	2	3	15	29
Compliance Inspections	179	276	1,564	1,780
Founded Complaints	8	13	100	86
Unfounded Complaints	9	6	54	49
Assessments	9	6	29	186
Water Ban Violations	1	1	10	80
Citations	3	3	36	26
Architect Review Board Permit Approval	23	38	195	263
PERMIT FEES COLLECTED:	22,577	45,064	311,324	235,224
POPULATION:	36,663	36,667	36,667	36,320
Based on 2.09 persons per new completed dwelling unit.				

*The 5 unit multi-family certificate of occupancy was a fire damage rebuild and not added to the population count.

CITY OF PEACHTREE CITY
FISCAL YEAR 2009 (with prior year comparison)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



Note: Other Funds include Special Revenue Funds, Capital Projects Funds, Debt Service Funds, Proprietary Funds (including the Stormwater Utility Fund), and Agency Funds.

**CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR YEAR ENDED APRIL 30, 2009**

PERCENTAGE OF BUDGET YEAR COMPLETED 58.3%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 9,865,605	\$ 8,947,518	\$ (918,087)	90.69%
Franchise Taxes	2,395,859	2,025,699	(370,160)	84.55%
Local Option Sales Tax	6,324,351	3,587,644	(2,736,707)	56.73%
Other Sales & Use Taxes	691,266	393,032	(298,234)	56.86%
Business Taxes	2,282,903	2,197,779	(85,124)	96.27%
Licenses & Permits	809,749	630,618	(179,131)	77.88%
Intergovernmental/Grants	199,000	119,211	(79,789)	59.91%
Charges for Services - Other	758,996	375,313	(383,683)	49.45%
EMS Billings	306,710	147,319	(159,391)	48.03%
Fines & Forfeitures	1,043,670	637,748	(405,922)	61.11%
Investment Income	372,620	57,833	(314,787)	15.52%
Other Revenue	13,766	10,764	(3,002)	78.19%
Other Financing Sources	1,019,977	615,442	(404,535)	60.34%
Total General Fund Revenues	\$ 26,084,472	\$ 19,745,920	\$ (6,338,552)	75.70%
Surplus Carryover	130,983	-	(130,983)	0.00%
Total General Fund	\$ 26,215,455	\$ 19,745,920	\$ (6,469,535)	75.32%

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 451,127	\$ 240,723	210,404	53.36%
Administrative Services	1,033,936	563,836	470,100	54.53%
Financial Services	1,079,103	622,524	456,579	57.69%
Police Services	6,260,593	3,464,028	2,796,565	55.33%
Fire/EMS Services	5,820,188	3,331,213	2,488,975	57.24%
Public Works	3,845,140	2,321,018	1,524,122	60.36%
Leisure Services	4,736,909	2,562,653	2,174,256	54.10%
Developmental Services	1,334,073	750,050	584,023	56.22%
Non-Divisional:				
Council Contingency	41,900	-	41,900	0.00%
Non-Profit Organizations	28,100	23,100	5,000	82.21%
Transfer to Development Authority	35,000	35,000	-	100.00%
Development Authority Debt Service	140,297	113,909	26,388	81.19%
Transfers to Other Funds	1,755,620	1,205,250	550,370	68.65%
Liability Insurance	99,310	56,586	42,724	56.98%
Legal Services	125,675	47,657	78,018	37.92%
General Administration/Bad Debt Expense	65,000	7,471	57,529	11.49%
Budgeted Savings	(636,516)	-	(636,516)	0.00%
Total General Fund	\$ 26,215,455	\$ 15,345,018	\$ 10,870,437	58.53%

HOTEL/MOTEL FUND REVENUES

Description	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 967,621	\$ 443,039	\$ (524,582)	45.79%

HOTEL/MOTEL TRANSFERS OUT

Type	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 322,540	\$ 147,680	\$ 174,860	45.79%
Transfer to Tourism Association	645,081	295,359	349,722	45.79%
Total Hotel/Motel Transfers Out	\$ 967,621	\$ 443,039	\$ 524,582	45.79%

CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF APRIL 30, 2009

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER APRIL 2009			
Description	Vendor	Award	Date
Bunker Gear	Fisher Scientific	\$ 10,242.48	04/02/2009
Bunker Gear	Fisher Scientific	\$ 10,441.26	04/13/2009
Station 82 HVAC Design	Leo A. Daly	\$ 26,951.50	04/17/2009
Cast House Catering	Bernadette Boisis	\$ 10,000.00	04/22/2009
Amphitheater Cleaning	Hand Cleaning	\$ 13,910.00	04/27/2009
Dump Truck Body	Ox Bodies Inc.	\$ 18,090.00	04/29/2009
CLOMAR for Flat Creek Bridge	Integrated Science Engineering	\$ 13,900.00	04/30/2009

PURCHASING REPORT FOR MONTH ENDED APRIL 30, 2009 AND APRIL 30, 2008		
Activity	Fiscal Year 2009	Fiscal Year 2008
Purchase Orders / Requisitions Processed	259	264
City Store Requisitions Processed	9	9
Sealed Bids Requested	3	2
Requests for Proposals	0	0
Bids Awarded	5	3
Requests for Proposals Awarded	2	1
Contracts Prepared	7	2
Electronic Auction	2	0
Fixed Assets Purchased	8	3

**CITY OF PEACHTREE CITY
DONATIONS RECEIVED
APRIL 2009**

POLICE

Cert Donation-Bill Reilly's Union City Toyota	\$704.00
Vest Fund-Stanley & Sandra Smith	\$ 200.00

GENERAL

Donation-fish for Lake Peachtree-Tri4Gold Inc.	\$904.00
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TOTAL MONTH OF APRIL 2009

\$1,808.00

City of Peachtree City
Information Technology Statistics
April 2009
(as of 5/26/2009)

Goals and Objectives Summary (Statistically-based):

Goal 1: Minimize down-time for all critical servers.

Objective 1: Ensure maximum 5% downtime annually (438 hours out of 8,760 available hours) for primary application, file and email servers

Reported hours of downtime in April 2009 – 0.0 hours (100.00% uptime, 0.00% downtime)

Reported hours of downtime in FY2009 – 2.17 hours (99.96% uptime, 0.04% downtime)

Reported hours of downtime in FY2008 - 85 hours (99.03% uptime, 0.07% downtime)

Goal 2: Improve first call resolution for technical support issues.

Objective 1: Ensure first call resolution 90% of the time within 1 hour for “emergency” issues, 4 hours for “important” issues, and 12 hours for “normal” issues.

Period	Total Number of Issues	Number of Issues Resolved	%	Number of "Emergency" Issues	Number of "Emergency" Issues Resolved in 1 hour	%	Number of "Important" Issues	Number of "Important" Issues Resolved in 4 hours	%	Number of "Normal" Issues	Number of "Normal" Issues Resolved in 12 hours	%
April 2009	134	128	95.52%	0	0	0.00%	4	4	100.00%	124	119	96.0%
FY2009	776	749	96.52%	0	0	0.00%	20	19	95.00%	735	656	89.25%

Website Statistics for www.peachtree-city.org
Visits

A visit is defined as a series of actions that begins when a visitor views their first page from the server, and ends when the visitor leaves the site or remains idle beyond the idle-time limit. The default idle-time limit is thirty minutes.

Total Number of Website Visits in April 2009 – 44,473

Unique Visitors – 24,395

Visitors Who Visited More Than Once In the Month – 3,744

Total Number of Website Visits in FY2009 (to date) – 432,309

Unique Visitors – 231,328

Visitors Who Visited More Than Once in the Period – 40,788

Total Number of Website Visits in FY2008 (full year) – 933,369

Unique Visitors – 461,447

Visitors Who Visited More Than Once in the Period – 88,799

Top 10 Pages Visited

Most popular pages visited in April 2009*

<u>Rank</u>	<u>Page</u>	<u>Number of Visits</u>
1	Home Page	9,142
2	Page Not Found (redirection from old sites)	5,556
3	Jobs	2,408
4	Parks and Recreation	2,392
5	Police Department	1,874
6	Library	1,746
7	Tennis Center	1,674
8	Airport	1,223
9	Events Calendar	1,092
10	About Peachtree City	1,018

Most popular pages visited in FY2009* (to date)

<u>Rank</u>	<u>Page</u>	<u>Number of Visits</u>
1	Home Page	104,433
2	Page Not Found (redirection from old sites)	47,041
3	Jobs	28,480
4	Parks and Recreation	20,354
5	Police Department	19,573
6	Library	19,115
7	Falcon Field Airport	14,177
8	Events Calendar	10,369
9	News Releases (News Flash)	10,279
10	About Peachtree City	10,016

*accounts for both direct hits and redirections (for example, the Police Department page is accessed at /police and /index.asp?NID=55

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2009 MONTHLY REPORT**

	Mar. 09	Apr. 09	2009 FY-T-D	2008 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	1	1	14	19
Actual Business/Industrial Fires	1	2	7	5
Rescue/EMS Assist	150	144	999	1028
Vehicle/Golfcart Accidents	19	22	135	116
False Alarms	24	17	145	151
¹Other	23	27	200	202
Total Engine Response	218	213	1500	1521
 Dispatched Fire Calls	 49	 51	 374	 377
 Response Time Fire	 5:31	 5:14	 5:00	 5:00
 RESCUE/EMS				
Trauma	27	28	218	188
Medical	151	124	918	921
Total # Patients	178	152	1136	1109
 Patients Transported	 85	 67	 575	 539
 Dispatched EMS Calls	 171	 162	 1131	 1139
 ²Total Medic Response	 211	 181	 1377	 1403
 Response Time EMS	 4:36	 4:41	 4:31	 4:38
 Dispatched Fire/EMS Total	 220	 213	 1505	 1516
 EMS BILLING				
Patients Billed	85	67	570	531

¹Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

²Includes Fire Assist Responses

LEISURE SERVICES MONTHLY REPORT

Apr-09

<u>Activity Description</u>	<u>Unit</u>	<u>Apr. 09</u>	<u>FY 2009 YTD</u>	<u>FY 2008 YTD</u>
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Library

Books Circulated	number	37,191	254,266	246,012
Internet Usage	visits	3,285	22,626	25,809
Computer Lab Use	hours	0*	38	217

*Lab closed due to hour reductions

Recreation

Class/Program Revenue	\$	\$2,559	\$20,402	\$21,172
Playing Field Preparations	hours	880	4,291	4,279
Building Maintenance	hours	508	3,147	3,116
Litter Removal	hours	243	1,980	1,927
Complaints answered	number	2	11	15

Amphitheater Rentals, commercial

1

None

Amphitheater Rentals, nonprofit*

0

None

PEACHTREE CITY POLICE DEPARTMENT

2009 MONTHLY REPORT

	MARCH 2009	APRIL 2009	2009 Calendar Year to Date	2008 Calendar Year to Date
PART I CRIMES				
Criminal Homicide	0	0	0	0
Rape	1	1	2	0
Robbery	0	0	2	0
Aggravated Assault	1	0	4	1
Arson	0	0	0	0
Motor Vehicle Theft	4	7	16	28
Theft	48	49	174	117
Burglary	6	2	19	20
TOTAL PART I CRIMES	60	59	217	166
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	13	26	63	65
DUI – ADULT	9	23	54	60
DUI – UNDERAGE	4	3	9	5
MINOR IN POSSESSION OF ALCOHOL	11	3	25	25
DRUG ARRESTS:				
MARIJUANA	9	12	46	27
METHAMPHEDIMINE	1	1	1	0
COCAINE	0	2	3	4
OTHER (opium, heroin, etc)	0	0	0	1
ARRESTS				
PROPERTY CRIMES	15	24	78	61
PERSON CRIMES	11	6	37	16
CITY ORDINANCES	30	30	132	99
TRAFFIC OFFENSES	36	46	174	173
OTHER	48	29	139	128
AVERAGE RESPONSE TIME	7.47	7.31	6.84	5.48
CALLS ANSWERED	4,768	4,868	19,122	21,697

TRAFFIC

CITATIONS ISSUED	444	502	2,143	2,241
WARNINGS	524	574	2,298	2,796
ACCIDENTS	98	88	352	380

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	7
HWY 54 / PLANTERRA WAY	4
HWY 54 / PEACHTREE PARKWAY	3
HWY 74 / ROCKAWAY ROAD	3
HWY 54 / HUDDLESTON DR	3

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	21
HWY 54 / PEACHTREE PARKWAY	12
HWY 74 / ROCKAWAY ROAD	11
HWY 54 / WALTBANKS ROAD	8
HWY 54 / PLANTERRA WAY	6

**PUBLIC SERVICES MONTHLY REPORT
APRIL 2009**

<u>Activity Description</u>	<u>Unit</u>	<u>April-09</u>	<u>FY2009 YTD</u>	<u>FY2008 YTD</u>
Street Patching	Hrs.	383	879	841
Street Crack Sealing	Hrs.	0	330	176
Street Crack Sealing	Mi.	0.00	1.92	~~
Street General Miantenance	Hrs.	242	2,843	3,178
Storm Water Maintenance	Hrs.	351	3,211	3,568
Cart Path Paving	Ft.	1,829	8,974	24,099
Cart Path Prepped for Paving	Ft.	0	~~	~~
Cart Path Litter Removal	Hrs.	119	1,023	900
Cart Path Drainage Maintenance	Hrs.	291	1,230	544
Cart Path General Maintenance	Hrs.	667	3,337	3,378
Subdivision Sign Maintenance	Hrs.	48	169	236
Traffic Sign Maintenance	Hrs.	150	1,015	787
Vandalism Repairs	Hrs.	4	162	330
Vandalism Repairs	Dls.	\$350	\$3,947	\$7,891
Citizen Complaints Answered	Num.	224	660	439
Community Service	Hrs.	16	206	194
 <u>Recycling</u>				
Manhours	Hrs.	65	925	879
Participants:				
Recycling	Num.	1,028	2,590	1,954
Composting	Num.	1,762	7,425	6,654
Mulch Pick UP	Num.	127	221	297
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	62		

City Council of Peachtree City
Minutes of Meeting
May 21, 2009
7:00 p.m.

Mayor Logsdon called the meeting to order at 7:01 p.m. Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett (left for a portion of the meeting, 7:45-8:15 p.m.), and Doug Sturbaum.

Announcements, Awards and Special Recognition

Mayor Logsdon recognized the McIntosh High School Boys Varsity Soccer Team for an outstanding season. June was proclaimed as Childhood Cancer Awareness Month in conjunction with the Peachtree City Optimists Club. May 17-23 was proclaimed as EMS Week in Peachtree City. Sandy Faulkner was recognized for 30 years of service as a paramedic, and Wes Delay was recognized for 34 years of service as a paramedic. The Citizens Police Academy graduates, Community Emergency Response Team (CERT) graduates, and Teen CERT graduates were recognized. The City's CERT team was recognized for earning first place in statewide competition. The Police Department Honor Guard was recognized for earning second place in a statewide competition. Police Corporal Keith Isaac was recognized as the Employee of the Month.

Public Comment

Lynda Wojcik addressed Council concerning the leasing of City-owned land to organizations or businesses, specifically the property located between Weber Station and Christ Our Shepherd Lutheran Church. She said it was not appropriate for the City to lease land to any organization that would change the topography or cut down trees. It should be reserved for Open Space or future use of the City.

Agenda Changes

Sturbaum moved to move New Agenda Items 05-09-07 and 05-09-08 to the bottom of the New Agenda Items packet. Haddix seconded. The motion carried 4-0.

Minutes

Sturbaum moved to approve the May 5, 2009, workshop minutes and the May 7, 2009, regular meeting minutes as written. Haddix seconded. The motion carried 4-0.

Consent Agenda

- 1. Consider Alcohol License – NEW – Cheers**
- 2. Consider Appointment to Library Commission – Keely Suiter**
- 3. Consider Surplus Sale of Various Vehicles**

Logsdon noted there was an additional document on the dais – a memo from staff to Council regarding the surplus sale of various vehicles. Boone moved to approve the Consent Agenda Items 1-3. Haddix seconded. The motion carried 4-0.

Old Agenda Items

There were no Old Agenda Items.

New Agenda Items

05-09-05 Consider Acceptance of Donation of Score/Storage Building for Riley Field – Youth Football Association

Leisure Services Director Randy Gaddo addressed Council. (A copy of his PowerPoint presentation is included in official meeting file.) Gaddo said the Youth Football Association wanted to build and donate the scoring/storage building, which would overlook the lower field at Riley. It would be a 24-foot by 14-foot two-story structure. The top would be the scoring stand, and the bottom would be secure storage. The project had been reviewed by the Planning Department, and the permits would be pulled at the appropriate time.

Gaddo added that the building's appearance would mirror the other building at the football field. Once the donation was accepted, they would get started on the project. Logsdon asked about the cost of the structure, and Gaddo noted that the association had received a lot of in-kind donations and labor from members. Boone said the additional building would be an advantage for Riley Field.

Sturbaum moved to accept the donation of a score/storage building for Riley Field by the Youth Football Association. Haddix seconded. The motion carried 4-0.

05-09-06 Consider Donation of 2 Surplus Vehicles to Airport Authority

City Manager Bernard McMullen said the surplus vehicles had been used by the Police Department and could no longer be used due to the mileage. The vehicles would be used by crews that were on layovers, giving them the ability to leave Falcon Field to eat or run errands. It would be an additional amenity to offer when competing with other airports.

Logsdon asked about the liability issues in event of an accident. McMullen said the Airport Authority would have its own insurance for the vehicles.

Haddix said that the vehicles would be more value to the City in this capacity than as a trade-in or selling as surplus. He moved to approve the donation of two surplus vehicles to the Airport Authority. Boone seconded. The motion carried 4-0.

05-09-09 Consider Employee Cell Phone Policy

Information Technology Administrator Matt Robinson addressed Council concerning City Administrative Regulation (CAR) 9-8 Cell Phone Usage Policy for employees and elected officials. The highlights of the policy included giving employees designated as "on call" the option of either having a City cell phone or using their own cell phone and plan and asking the City for reimbursement at a set rate. Phones provided by the City should be used only for official City business, and any emergency personal incoming calls would be reimbursed to the City by the affected employee. The City would purchase and pay for a cell phone and service for each Council Member upon request, and the cell phone would only be used for City business. Employees who violated the policy would be subject to disciplinary action.

Sturbaum asked which provider would be used. Robinson said staff was still looking at providers, but Verizon would be the most likely provider.

Logsdon asked how users would be monitored to ensure the City-issued phone was used only for official business. Robinson said there would be documentation that had to be signed. He agreed that it would be difficult, but the rationale for the policy had to do with the Internal Revenue Service (IRS) regulations and how employees could use cell phones. There were two types of plans – a fully accountable plan, where all calls were identified, or a flat reimbursement rate, which is what the City preferred. There would be an administrative burden in trying to reconcile a fully accountable plan. Logsdon said he understood the rationale. A cell phone was just another means of communication, and as common as the phone on the desk.

Financial Services Director Paul Salvatore added that the IRS considered use of a cell phone as a taxable benefit. McMullen said the policy was the City's effort to be in compliance with the IRS. Haddix asked if staff felt it could be monitored in a reasonable fashion. McMullen said that the reimbursement rate would cost no more than it would for the City to provide the cell phone, and it made the process very simple. The only people that would be monitored would be those choosing to use a City-owned phone. He continued that Robinson monitored the top 10 users in terms of minutes. If usage seemed out of line, Robinson would meet with the employee's director to address the issue.

Robinson said the patterns of usage had been determined during the analysis of the current bills. He said a single incident might fall through the cracks, but the policy would stop any abuse. Sturbaum asked where cell phone use and driving a City vehicle would be covered. Robinson said it was not addressed in this policy, but the City had safety guidelines for other devices that should cover cell phones. Sturbaum asked that safety be stressed when the cell phones were issued to City employees.

Sturbaum moved to approve the employee cell phone policy. Boone seconded. The motion carried 4-0.

05-09-10 Consider Formal Acceptance of Multi-Use Path Easement in Twiggs Corner
City Engineer Dave Borkowski recommended Council purchase an easement, then accept the easement for a multi-use path once it was signed by the Twiggs Corner Community Association. He continued that the residents of Peachtree Villas had used the path along SR 74 that was demolished during the highway widening. During the construction, Twiggs Corner had allowed residents of Peachtree Villas to use its parking lot for access to the path system. Since that time, staff and Twiggs Corner had worked to formalize the agreement. Both parties had agreed to \$1,600 in exchange for the permanent path easement. Once the easement had been signed, Public Works could pave the path. Borkowski thanked Twiggs Corner for their assistance in this matter.

Sturbaum moved to approve the formal acceptance of the multi-use path easement in Twiggs Corner. Boone seconded. The motion carried 4-0.

05-09-11 Consider Local Government Agreement for Multi-Use Path Tunnels under SR 74 Widening (Phase 2)

Borkowski said the second phase (Cooper Circle to SR 85) would go out to bid in July, according to the Georgia Department of Transportation (DOT). The City had agreed to pay 20%

of the construction cost for the two tunnels in the phase. All the drawings and lighting plans had been completed. The agreement formalized everything. There were funds in the 2008 Public Improvement Program (PIP) to cover the costs. Boone asked how much was left in the 2008 PIP. Salvatore said that \$118,000 had been aside for the tunnels, and there was approximately \$20,000 left in the 2008 PIP contingency fund. McMullen pointed out that, if the tunnels were going to be built, they had to be installed during the widening of the highway.

Haddix moved to approve the local government agreement for multi-use path tunnels under SR 74 widening (Phase 2). Boone seconded. The motion carried unanimously.

05-09-12 Consider Amendment to Animal Control Agreement with Fayette County

City Attorney Ted Meeker noted that the City had an agreement with Fayette County to provide animal control services. There had been issues regarding whether Fayette County State Court or the City's Municipal Court had jurisdiction to hear cases. To prevent such issues in the future, the amended agreement had been prepared. Meeker said the proposed amendments designated the State Court as the Municipal Court of Peachtree City and the State Court Solicitor as the Municipal Court Solicitor only for animal control cases.

Haddix moved to approve the amendment to the animal control agreement with Fayette County. Boone seconded. The motion carried 4-0.

05-09-13 Consider Acceptance of Fire Safety Education Bus

Logsdon noted there was an additional item on the dais – a memo from staff to Council concerning the fire safety education bus. Fire Marshal John Dailey said the Peachtree City Volunteer Firefighters Association had approved \$500 for the purchase of a surplus bus from the Fayette County Board of Education. He noted that the City of Fairburn had used such a bus for a few years, and the program had been very successful. The program would target elementary school students, and the bus would also be used at special functions and open houses. The City's Fire Department had used the bus, and the children and parents had enjoyed it. It had been on the table previously, but was taken off due to budget issues. The Volunteer Association had agreed to purchase the bus for \$500. The enhancements need for the bus would be paid through corporate donations, and some had already given verbal commitments. The City would maintain the bus.

Boone said the bus would be advantageous in teaching children and moved to accept the surplus school bus to be turned into a mobile fire safety classroom. Haddix seconded. The motion carried 4-0.

05-09-14 Consider Easement for Signal Installation at SR 74/Wisdom Road

Logsdon noted there was an additional item on the dais – a memo from staff to Council regarding the easement for the signal installation at SR 74/Wisdom Road. Borkowski said staff had been working with CSX Railroad for several months, and CSX had verbally agreed to the easement in April. The City had received the documents during that week, and the documents had been reviewed by the City Attorney and staff and were acceptable. Staff recommended Council accept a temporary construction easement to finish the signal and authorize payment of

\$4,585 to CSX for the permanent easement contingent on the DOT accepting the permanent easement.

Sturbaum asked how long it would take to get the signal installed. Borkowski said the contractor had not yet returned his call, but it should not take more than a few months. The equipment was ready. Logsdon asked why there was a temporary easement. Borkowski said that was so the City could install the signal and guardrail. The permanent easement was for DOT to maintain the signal. Haddix asked that Council be notified by e-mail when the installation began.

Boone moved to approve the easement for the signal installation at SR 74/Wisdom Road and for the temporary easement to later become a permanent easement. Haddix seconded. The motion carried 4-0.

Plunkett returned at 8:14 p.m.

05-09-07 Discuss Results of RFI for Kedron Management/Consider Issuing RFP

Gaddo said that the Request for Information (RFI) had been issued on March 31. The goal had been to determine if there was interest in management of the facility and to decrease expenses and increase revenue. The RFI was issued to interested contractors and was listed on the City's website. On April 16, four attendees participated in an optional site visit. On April 30, three submissions were received, including one from the Kedron staff, and one e-mail. Both of the third party submissions focused on the Fieldhouse operations, with neither expressing a desire to manage the aquatic component. The staff submission had focused on a consolidated approach.

Gaddo summarized the submissions. The Dunwoody-based Georgia Sports League, LLC, promoted and operated adult and youth sports leagues and special events. Currently, it had arrangements with three cities and a business park for adult programs. They proposed self-sufficiency by streamlining management and increasing programming. Georgia Sports League indicated they would be responsible for all personnel and utility costs associated with the fieldhouse, but suggested separate pool management.

Dar Thompson, local businessman and health club owner, suggested options to remodel the facility to accommodate an ice rink. He also suggested keeping the pool operation status quo, but he was not clear on how the management would be structured.

Kedron staff suggested a "pay to play" approach to bring revenues up and expenses down for a nearly 50% reduction in the burden to taxpayers. They suggested a consolidated fieldhouse/aquatic approach. The staff would use a two-year, three-phased approach to reach their goal. Phase I would increase the revenue via pool use fees, which was on the agenda. Phase II would cut expenses, which was included in the 2010 budget submission, and open uses of the facility and rink. Phase III included actively promoting the facility for rentals, especially during low use times.

Gaddo said staff also received an e-mail from the Dive Center expressing an interest in managing the aquatic center only. Due to a family emergency, the Dive Center had been unable to submit an RFI.

Gaddo said the Request for Proposal (RFP) process would take three to four months. He continued that Council would be briefed on the full staff proposal during the budget workshop, and many of the adjustments were to be included in the proposals for the FY 2010 budget.

Logsdon asked if the RFP could be put out and that Kedron staff also present their proposal. Haddix agreed, adding that he wanted to see more numbers so there would be sufficient information to make a decision. Sturbaum said the City might also be able to glean ideas from the RFPs. Plunkett said the RFPs should be specific, including the management structure, revenues, and percentage shares. Sturbaum said there should be a cost structure and business model across the board.

Boone asked how much the Board of Education paid for the swim teams' use of the pools. Gaddo said that the Board of Education did not pay the swim fees for the teams; the users and parents paid them. Staff had recommended an increase in the fees. Haddix said that the RFP should include recognition of out-of-County versus in-County users. McMullen said that the fees would be covered in the next agenda item and during the budget workshop. Sturbaum asked for a sensitivity analysis of the RFP based on the fee structure and whether there would be a gain or loss in the customer base.

Plunkett said Council needed to keep in mind that changing the fees across the board to the real cost to use City recreation facilities would change the entire tenor of the City. Gaddo said that, due to the fiscal issues, the City had to look at a "pay to play" environment. Haddix said the City could not continue to provide services with disregard of the costs. Plunkett said they needed to be sensitive to quality of life issues, and the recreation facilities were important to continue to have as amenities.

Mary Snell, a Fielding Ridge resident, addressed the quality life in her neighborhood since the roller hockey rink was built. She said there was a real problem with noise, and the noise impact had not been researched enough prior to the construction. The tests that had been done showed the noise was eight times that of a regular neighborhood. The quality of life on her street had been lost between the school and the Kedron facility. Logsdon asked Snell if her recommendation was to shut down Kedron. Snell said it would be preferable, but the noise should be contained inside. It should be a neighborhood center, and the rink enclosed.

Richard Spain suggested, given the prior comments, that the RFP include a stipulation that there be no expansion at the facility, and that it be operated as it was.

David Pina, a resident of the same area as Snell, said that the Recreation Department did a great job providing activities, and the Kedron facility and rink were wonderful. Recreation was not about making money, but providing an experience for the City's residents. Over the years, poor choices had been made that turned the City into a good place, not the amazing place it had been. He felt Council was going to make an emotional decision and a poor choice because of the difficult economic times. He noted that everything was cyclical.

05-09-08 Consider Revision of Fee Schedule for Kedron Fieldhouse and Glenloch Pools

(A copy of the PowerPoint presentation is included in the official meeting file.) Gaddo noted that staff's operational review led to adjustments in the fees. The recommendations included increasing the daily pool fees by \$1 in each category, which would increase revenue an estimated \$15,000. The recommended changes for the daily pool passes included ages 0-2, would remain free; ages 3-11, \$3 to \$4; ages 12-64, \$4 to \$5; and 65 and older, \$2 to \$3.

Recommended changes for seasonal pool passes included changing the passes from semi-annual to quarterly, which was a more flexible option. The out-of-County rate would be double the in-County rate. The estimated revenue increase would be \$28,000. The existing in-County rates were paid semi-annually, and the proposed rate would be paid quarterly. Individuals currently paid \$65 twice a year; the proposed rate would be \$60 quarterly. A two-person family paid \$120 currently; the proposed rate would be \$110 quarterly. A three-person family paid \$165 semi-annually compared to the proposed rate of \$150 quarterly. A family of four paid \$200 twice a year compared to the proposed rate of \$180 four times a year. A five-person family paid \$225 every six months compared to \$225 every three months.

The proposed increases in swim team fees were based on actual expenses for the time and space each team used the pools. The estimated increase in revenue would be \$55,000. The four categories of swim teams included the Southern Crescent Aquatic Team (SCAT), Pirates (summer), Masters (an adult program), and the County high schools. SCAT had 125 members paying \$5 per swimmer per month; the proposed increase would be \$32 per swimmer per month. The Pirates, approximately 150 swimmers, did not have a fee; the proposed increase was \$5 per swimmer in-County and \$10 per swimmer out-of-County. There were approximately 15 Masters swimmers who paid \$5 per swimmer per month; the proposed increase would be \$18. Approximately 150 youths participated on the high school swim teams, paying \$3 per swimmer per month; the proposed increase was \$32 per swimmer per month. Gaddo noted that the Masters used only two lanes, while the other teams used them all.

Gaddo said that, if approved, the increases would be implemented in September because the existing fees had already been advertised, and registration was already in progress. He requested Council approve the proposed increases.

Plunkett asked if the fees for the swim teams were in addition to the registration fees for the team. Gaddo said they were, adding that the recommended increases were based on the number of lanes used by the team, as well as the time of use. Plunkett asked if there would be additional charges for SCAT members that lived out of the County. Gaddo said they would pay the same rate.

Residents who spoke included Mike Scott, Jim Schmidt, Craig Ludwick (a swim coach at McIntosh High School), Bob Walsh, Beth Pullias, Lynda Wojcik, and Bob Brown. Comments included:

- Swimming should not be compared to other sports. There was a cost to use the facility, but the argument was spurious.
- If the City wanted to create a great place, then it should not be "pay as you play."

- The formula used for the high school teams was disproportionate. The teams used the facility early in the morning when others were not using it.
- All athletic programs in the City should contribute to the cost of running Kedron and all amenities.
- The increase in fees was 640% for the swim teams. The City should look at running the facility more efficiently.
- Increasing daily passes by \$1 would raise money, but some swimmers would not come anymore.
- One high school team used four lanes for four hours each week. There were usually 10 members per lane. Raising the fees would cause a decline in use.
- The RFPs should include noise abatement. The proposed fee structure was unnecessarily cumbersome. The fees should be based on the lane by the hour to be fairer.
- City residents should pay the least money, but County residents should be charged more.
- Fees for high school team members living in the City should be lower than for other team members.
- Swimming fees were much lower than those for other high school sports.
- If a student did not pay the fee for a school team, the student was not barred from participating in the sport.

McMullen explained that the City received \$150,000 from Fayette County each year for recreation, and the purpose of the money was to keep the fees for County residents the same as those charged to City residents. Plunkett added that an analysis had been done that showed the City made out better by accepting the \$150,000 from the County than it would if additional fees were collected from County residents. McMullen said the fees would have to be increased significantly to get back the \$150,000.

Logsdon said that continuing to operate the facility the same way – doing nothing – was not an option. McMullen said part of the proposal for the FY 2010 budget was to eliminate four positions at Kedron to make the operation more efficient, and another part involved reducing other expenses. Logsdon said this was not an attempt to make the operation pay for itself, but the facility cost the taxpayers over \$1 million annually. This was another hard decision Council would have to make.

Plunkett suggested voting on the proposed increases separately.

Haddix moved to approve the daily pool fee increase as presented. Boone seconded. The motion carried unanimously.

Haddix moved to accept the proposed changes to the seasonal pool pass rates as indicated. There was a brief discussion on the proposed increase, with Sturbaum noting that he had concerns about the sensitivity analysis as a whole. Logsdon seconded. The motion carried 4-1 (Sturbaum).

Gaddo pointed out that the proposed increase in rates was based on the expenses for the pool. Staff could look at the out-of-County membership of teams. Boone felt the proposed fee might

be excessive for the high school teams, but more money should be coming from the Board of Education. It was the only covered pool in the County. Kedron Manager Scott McCord said that, under the current fee schedule, the City received \$1,500 per year for all five teams. Haddix asked if team members with season passes had to pay the team fee. Gaddo said that had not come up before. The public was not allowed in while the teams were using the pools.

Plunkett moved to continue discussion of the proposed swim team increases to talk with SCAT to get a better idea of how many lived in-County and out-of-County, to get more information on rates in different areas, and to talk to the Board of Education about participating in the costs. McIntosh and Starr's Mill High Schools should get priority and a better rate, if possible, since their parents paid City taxes. Boone seconded. The motion carried unanimously.

Council/Staff Topics

Borkowski reported that the Atlanta Regional Commission (ARC) had contacted the City and asked if the methodology was appropriate for the distribution of Phase II stimulus funds. The state received \$27.1 million to be used for transportation only, which would be allocated by ARC to the Atlanta region. The distribution was weighted on several factors, including the unemployment rate, greatest level of economic distress, labor force, population, and median household income. Fayette County would receive \$1.1 million, and the County would work with the cities on the distribution. ARC needed an answer by May 22. Boone asked Borkowski if he felt it was appropriate. Borkowski said it met the intent of the Recovery Act. McMullen added that he saw no fruitfulness in disputing the methodology. The effort needed to be in getting projects "shovel-ready" to meet the tight timelines. Plunkett asked if the City had any projects that met the criteria. McMullen said only projects in the Transportation Improvement Plan (TIP) were eligible. The City had two projects on the list, and it would be an extreme hurdle to get them ready by December 31. The same methodology required for the CSX bridge and multi-use paths had to be followed. The paving of Dividend Drive was not in the TIP, but he wanted to try to get that project eligible for the funding. The Council consensus was to respond that the methodology was acceptable.

Plunkett moved to convene in executive session for threatened or pending litigation and personnel at 9:30 p.m. Sturbaum seconded. The motion carried unanimously.

Plunkett moved to reconvene in regular session at 10:00 p.m. Boone seconded. The motion carried unanimously.

Sturbaum moved to adjourn the meeting. Haddix seconded. The motion carried unanimously. The meeting adjourned at 10:05 p.m.

Pam Dufresne, Deputy City Clerk

Harold K. Logsdon, Mayor

City Council of Peachtree City
Budget Workshop
MINUTES
June 8, 2009

The Mayor and City Council of Peachtree City held a workshop session on Monday, June 8, 2009, to discuss the FY 2010 Budget. Mayor Logsdon called the workshop to order at 6:30 p.m. Other Council Members attending were Cyndi Plunkett, Doug Sturbaum, and Don Haddix. Steve Boone was unable to attend.

Staff members attending were City Manager Bernard McMullen, Financial Services Director Paul Salvatore, Assistant Finance Director Janet Camburn, Administrative Services Director Nikki Vrana, City Engineer Dave Borkowski (representing Developmental Services), Leisure Services Director Randy Gaddo, Fire Chief Ed Eiswerth, Police Chief Skip Clark, Public Services Director Tom Corbett, Stormwater Utility Manager Mark Caspar, Recreation Administrator Sherry McHugh, Planning Assistant Tony Bernard, and Information Technology Administrator Matt Robinson.

McMullen said staff would present a continuation of the modified 2009 budget. There were some slight changes, the details of which would be reviewed by Salvatore. Salvatore gave a presentation on the FY 2010 proposed budget (a copy of the Power Point is included in the official meeting file).

Salvatore said that there were signs of a serious economic downturn in the fall of 2008, and staff projected significant revenue shortfalls for FY 2009 that would also impact future years. In the long-range projections, staff had originally estimated the need for a 1.5 mill tax increase, and the projection had increased to 2.25 mills as FY 2009 progressed.

Salvatore continued that staff had presented an FY 2009 budget amendment in response to the economic downturn, reflecting a \$912,000 reduction in estimated revenues and a \$1.66 million reduction in expenditures and one-time revenue sources. Staff also reduced the projected use of cash reserves from \$1.15 million to \$394,000. Some of the elements involved in the reduced expenditures included reduced operating hours for the Library and Kedron Fieldhouse. Employee contributions for health insurance were doubled, a charge was implemented for employee take-home vehicles, and the City discontinued offering leave to part-time employees.

Salvatore said that additional strong action had been required in FY 2009. Those actions included staff reductions in Public Works and Recreation and the outsourcing of grass cutting and landscaping services; staff reductions in Developmental Services; revision of staffing and fees for Kedron Fieldhouse; and outsourced operations for the Clover Reach and Pebble Pocket swimming pools.

Salvatore then reviewed the highlights for the FY 2010 budget. He indicated the budget was balanced with no projected use of cash reserves. The proposed budget included a 0.244 millage rate increase. No merit or Cost of Living Allowance (COLA) salary increases were included for employees, and the Mayor and City Council salary increases were not included. The only new

position requested was a police detective position in response to the marked increase in fraud-related crimes.

Salvatore then addressed the reasons for the proposed millage rate increase. He said that there was an existing budget deficit from prior actions, and the reinstatement of the standard salary increases for employees in FY 2011 would have a significant impact on the budget. He also noted that no funds were budgeted for paving, which had been covered by the Special Local Option Sales Tax (SPLOST). An additional \$1.1 million would have to be added for street and path maintenance if the SPLOST was not renewed. The increase also funded the new detective position. Finally, the 2009 resident survey supported a modest tax increase, with 50% of respondents saying the City should approach the financial difficulties through a combination of service cuts and a tax increase, and an additional 24% had opted for a tax increase alone to address the problems.

Salvatore then noted some of the additional elements of the resident survey addressed in the budget. There was a concern about safety on the paths, and the Police Department proposed adding a golf cart for additional path patrols. Ninety percent of residents felt that the City had the right amount or too few recreational facilities, and the proposed budget neither added nor decreased facilities. Several options were currently being researched for more cost-effective operation of Kedron, the Tennis Center, and the Amphitheater. Ninety-three percent of residents felt the City had the right amount or too few special events, and the budget had no reduction in special events. The Library had ranked very high as an important service, and the proposed budget maintained full staffing levels for the current operations. Salvatore added that a patron survey was currently being conducted about possible improvements in the operating hours. Salvatore also noted that the Library was experiencing some savings due to the retirement of some long-term employees.

Salvatore reviewed the 2010 revenue projections, noting that staff expected no change in the tax digest and only a modest increase in property taxes due to the millage increase. There was no projected increase in sales taxes from the reduced projection for FY 2009. A 32.9% shortfall in building fees was projected in FY 2009, resulting in projected actual revenue of \$209,720, resulting in no projected increase in the proposed FY 2010 budget. Salvatore said staff projected a significant increase in recreation program fees due to the fees changes recently approved by Council and for the additional revenue anticipated from the Pebble Pocket and Clover Reach pools under the USA Pools contract. Council had continued the proposed fee increases for Kedron Fieldhouse until the June 18 meeting.

Salvatore said the revenue from the sale of fixed assets would drop considerably due to the number of vehicles being sold this year. The projections for Hotel/Motel tax projected a 2% increase for FY 2010 due to the focus of the Peachtree City Tourism Association, the NCR expansion and training facility, and the projected tournaments in the coming year.

The total projected revenue was \$26,300,530 (a 2% increase over the projected revenues for FY 2009).

Salvatore listed some of the major changes in the staff requested budgets and the City Manager's proposed budget. This included the elimination of eight of the nine requested positions for the Police Department, modified estimates for Police Communications due to a projected savings when the new radio system for Public Works and Recreation was implemented. He continued that an Ultrox oxygen station had been added to the EMS budget at a cost of \$23,000, but the equipment was expected to generate a cost savings in three years. McMullen indicated that he wanted to order this and the oxygen system for the Fire Department prior to the start of the year, with payment coming from FY 2010. The new radio system would put all City employees on the same system. McMullen added that there were still six fire positions suspended that had not been requested this year but would be added if grant funding became available.

Salvatore said that the proposed budget included the elimination of one full-time and three part-time positions at Kedron Fieldhouse.

Salvatore reviewed the five-year financial model, noting that staff was projecting an \$800,000 deficit in FY 2009 that would need to be addressed with cash reserves. The proposed budget and tax increase resulted in no projected use of cash reserves. Staff projected using approximately \$350,000 of cash reserves with a .245 millage rate increase in 2011. Staff began projecting conservative increases in sales taxes in 2011. Salvatore noted that future projected millage increases reflected some of the items cut this year that would need to be readdressed, but a rise in the economy could benefit those projects in FY 2012 and beyond.

Salvatore said the 2010 Public Improvement Program (PIP) was mostly essentials, including replacing the diesel fuel system at Public Works, the new radios for Public Works and Recreation, and the Self-Contained Breathing Apparatus (SCBA) upgrade and oxygen system, which would be financed for approximately \$39,000 per year. There were also six police vehicles and two police motorcycles programmed. Logsdon asked what the motorcycles would be used for, and Chief Clark said they would be used on the streets, and the motorcycles would replace two of the originally requested eight replacement vehicles.

The 2011 PIP included a Public Works dump truck, resurfacing of the small pool at Kedron, and replacing several public safety vehicles. Logsdon asked if the simulated firing range had been put back in the PIP, and Clark said it had been added to a later year. Salvatore said they would also need to look at replacing the City Hall telephone system in FY 2011. Logsdon asked if multiple agencies could team up and purchase the firearm training simulator. Clark said yes, but there were some logistical challenges that would reduce the potential savings. Plunkett asked if smaller agencies might be able to pay for using it, and Clark said that could be investigated. Salvatore said the primary cost for FY 2012 was replacement of the bubble at Kedron (\$250,000).

Salvatore then reviewed the Special Purpose Local Option Sales Tax (SPLOST) projects, noting that funds were still programmed for the SR 54 West gateway bridge, the SR 54 bridge over Lake Peachtree, improvements at Peachtree Parkway/Walt Banks Road, railroad crossing signal improvements, Peachtree Parkway North improvements, the SR 74 frontage road, street resurfacing, Paschall Road/SR 74 tunnel, and path resurfacing. McMullen said the City had enough SPLOST funding to carry street paving and path paving through FY 2010. McMullen

said the engineering was completed and the City was in right-of-way acquisition for the Paschall Road/SR 74 tunnel.

Salvatore then listed some possible projects that would be eligible for SPLOST under the new law. Those included Fire Department equipment and buildings totaling \$7.4 million, from which the City could see as much as \$3 million from impact fees. The remaining \$4.4 million could potentially be covered by SPLOST under the new state law and if the County and the voters renewed the SPLOST for these types of items in addition to transportation projects.

Lisa Curtis asked what "Plan B" was if the SPLOST was not renewed. Sturbaum said the items would have to be postponed or paid for out of the regular budget. Al Yougel asked when the Rockaway Road relocation and moving the Recycling Center would happen. Logsdon noted that the bid let had been postponed to September 15, and it was a two-year project. Yougel asked what that meant in terms of the Recycling Center. McMullen said the existing site had been reconfigured to accommodate the widening. However, Old Rockaway Road would be accessed from New Rockaway Road, which would provide some additional space between the center and Meade Field. Yougel clarified that the road widening project would not require the center to be moved, and McMullen said that was correct.

Curtis asked if anyone had looked at the budget in terms of what made sense, noting that resurfacing a pool might not be as important as something for public safety. Leisure Services Director Randy Gaddo noted that particular project had been moved out in the past, and if it was not essential in FY 2011, it could be moved out again. Plunkett also noted that putting off some projects increased the maintenance costs to such a degree that there was not a savings. Sturbaum added that Council looked at all the requests in terms of "wants" and "needs."

Darlene Gulli asked why the City would finance purchases if there were adequate funds to pay for them. McMullen said there were three reasons. Having a solid fund balance was important in maintaining a high bond rating, which allowed cities to obtain a better interest rate. The second issue was that, typically, the City could get a lower interest rate on loans than the City earned on investments. The final reason was that, spreading out the cost of a facility ensured that those who were using the facility were paying for that facility over time, rather than placing the full costs on the people living in the City when the facility was built.

McMullen addressed the Amphitheater budget for 2010, noting that it reflected a change from Friday and Saturday nights to just one night (most likely Saturday). McMullen said currently the concerts were only averaging 1,450 tickets per night. Staff felt the economics dictated a single-night event, and the proposed budget was for a six-concert series. McMullen said there would also be four spotlight concerts, the same as 2009. Funding was also in place for special events and for repairs to the facility. McMullen noted that some of the personnel expenses reflected the employees working in other departments during the off-season, and those hours would be charged to the City's General Fund.

Gulli asked why the City budgeted for overtime. McMullen said the City had police officers, who were working events, but were still employees of the City. Gulli asked about the single-night concert series, noting that the current number of ticketholders could not be served and that

was lost revenue. McMullen noted that it cost almost double for a two-night concert. Gulli asked about increasing marketing to increase ticket sales, and McMullen and Council noted that marketing had been increased with minimal impact. Gaddo said that was one reason for increasing the community events, which were drawing in people who were unaware of the Amphitheater. Sue Memmer asked why the Amphitheater had gone from volunteer ushers to paid ushers, and Gaddo said it was a reliability issue. McMullen added that there were also incidents that volunteers would not deal with that employees were trained to address.

Salvatore said there were no major changes to the Stormwater Utility Fund. The City would retain proper bond coverage, meeting the mandatory 1.15 debt ratio. There were no new bond issues planned and no rate increase proposed. McMullen noted that there were still unfunded projects that would eventually require a rate increase, and staff would have to approach Council in the future to address those outstanding projects, but that was not anticipated until 2011.

Salvatore concluded his presentation by reviewing the FY 2009 Bricks & Mortar Loan, which totaled \$2.4 million with an annual debt service of \$218,900. The list had been expanded to include ongoing maintenance issues at several of the buildings. The full debt service was included in the FY 2010 budget. McMullen indicated the additional items would come before Council at the June 18, 2009, City Council meeting.

Logsdon said he felt staff had done a good job with the budget during this economy. However, with the reactions around metro Atlanta to a millage increase and despite what the survey said, he felt the reserves should be used to cover the shortfall in lieu of the millage increase. He would not ask the citizens for a millage increase when the City had 35% in reserves. He said if the economy stayed flat, the reserves would still be within acceptable levels. If the economy improved, then sales taxes would improve and could potentially cover any shortfall. Logsdon felt a burden had been placed on the employees, and they had paid their fair share, but he was not willing to ask the citizens for a millage increase. Logsdon noted that citizens would already see a \$250 property tax increase because the state was not funding the Homeowner Tax Relief Grant.

Plunkett said she was not completely sold on the amount of the increase. In 2003 the Council approved a 0.58 mill increase, and the following year the citizens approved a 0.25 millage increase for the Library expansion and .09 for operations. Had that been implemented at the time, the City would not be in the situation it now was. In her four years on Council, they had added 20 public safety positions, with the corresponding funding only a 0.25 millage increase, which did not cover those employees. She said this Council had been very fiscally responsible, and they were now faced with what type of Peachtree City residents would live in – a bare bones community or the full package that people moved here to enjoy. She said the citizens had told Council they wanted the amenities.

Plunkett noted the City did not look as nice as it did six months ago – she felt that would be addressed over time as the contract was fine-tuned – and hours had been cut at the Library and Kedron. If SPLOST did not pass, the City was facing a huge increase next year to cover those projects. Logsdon said he would rather push harder for the SPLOST because that gave the person paying the tax a choice. Plunkett said the City would not know whether the SPLOST would be renewed until after the budget and millage rate had to be adopted. Plunkett said they

had to take responsibility for where the City was right now, and Councils had not always done that in the past. She felt two more police officers were needed. She felt they could not cut the budget to such bare bones.

Haddix said that, by postponing expenditures, the City was not holding even. Postponing maintenance made that maintenance cost more in the future. Things were not getting cheaper. Things had reached a point when people had to do a little more. He did not see the economy bouncing back that quickly. Although he did not want a tax increase, he did not think a quarter of a mill was unreasonable.

Logsdon reiterated that what staff had proposed was doable without a millage increase. Plunkett was concerned about what taking money from the FY 2010 reserves would do to 2011 and beyond. Haddix noted that it would compound the problems that would be faced in future years. Logsdon said that the numbers reflected a bad economy, which was going to turn around by 2012 and 2013.

Plunkett asked staff to bring back three proposed budgets before the next meeting – one with a 0.24 mill increase, a 0.125 mill increase, and one with no millage increase. Sturbaum agreed and also asked staff to factor in what would be needed if the SPLOST were not renewed.

Plunkett expressed concern that, when she took office, Police, Fire and Recreation had about equal percentages of the budget, and Recreation had been consistently reduced. She noted that the budget assumed Council would make all the changes at Kedron, the Tennis Center, and the Amphitheater.

Sturbaum offered kudos to staff for the constant adjustments to the budget and for keeping the City from reaching the dire straits that other communities had reached.

Gulli noted that Council had said staff had done a good job, and asked why they were not taking staff's advice about the millage increase.

Memmer asked what Professional Services were, and staff noted that included surveying, engineering studies, attorney fees, the USA Pools contract, and more. Yougel said he preferred the proposed millage increase. Walsh said he supported the Mayor's position and felt that, with the reserves available, the City should not be putting more on the taxpayers. He asked about future revenue projections. Salvatore noted that he projected no increase in sales taxes in 2010, but had projected a 2% increase in FY 2011 and returned to a 4% increase projection for 2012 and beyond.

Vanessa Fleisch said, if the economy stayed flat and there was no millage increase and no SPLOST, then her concern was that they were putting more of a burden on Police and Fire. Plunkett agreed and said she still felt they needed to add two police positions. Haddix added that, when the economy went down, the need for public safety went up due to both crime and people not maintaining their homes.

Administrative Services Director Nikki Vrana asked Salvatore to clarify the dollar amount of a 0.244 millage increase on a \$250,000 home. Salvatore said it would come to \$24.40.

Memmer asked what contingency funds were in the Police Department. Salvatore explained that was a holding category for personnel requests, which included salary and benefits as well as all the equipment. If the positions were approved, the funds would be moved to the correct space. Plunkett noted that Council also had a contingency fund that allowed them some discretionary funding to address emergencies. Memmer said she was also in favor of the tax increase.

John Munford said the previous year's budget had funds identified as departmental savings due to job vacancies, and asked if the 2010 budget contained that. McMullen said yes, but it had been reduced from 2.5% to 2% of the departments' operating expenses. Salvatore noted that the model returned to 2.5% in future years. Munford asked if the City could reduce the police officers' off-duty activities and increase overtime for path patrols or other activities, wondering if that would be cheaper than hiring a complete new position. McMullen noted that off-duty activities were paid for by the contractor (churches who had traffic direction paid those officers). He also said that if the officers were working those hours for the City, the City would be paying time and a half, which increased the cost. Munford asked if there was some portion of the off-duty pay that came to the City for the cost of the vehicles or any other equipment used. McMullen said no, but that was part of the reason for the payment plan.

McMullen summarized that Council wanted to see a revised five-year model with no millage increase, 0.122, and 0.244 millage rate increases, and with an additional police officer. Council said that was correct. Plunkett encouraged the citizens in attendance to have their friends e-mail Council with their preference about the millage rate.

Logsdon asked, if the millage rate increase were on a ballot, did the public think it would pass. Several members of the audience said yes. Gulli added that Council had basically done that with the survey. Logsdon noted that not everyone took the survey. Gulli noted that not everyone voted, either, and Council still had to act on the will of those who voted.

Chief Eiswerth said he had conveyed to his employees that the COLA and merit increases were not in the budget, and the employees said "okay." Then employees took a hit with the increase in health insurance. He felt that employees had given up hundreds of dollars, and had accepted that as part of the team, but Council would not ask citizens to add \$25 per year to the overall effort. Eiswerth said that was sending the wrong message to employees. Haddix felt that the best approach was to spread the costs as thinly as possible, which included asking for some contribution from the citizens.

McMullen noted there were three additional items for discussion (foreclosure trends, real estate market, and Kedron fees).

Foreclosure & Vacancy Rates

Planning Assistant Tony Bernard gave a review of the foreclosure rates and vacancy rates in Peachtree City and the changes since he last presented the information in February (PowerPoint presentations are included in the official meeting file). There had been 131 foreclosures in the

City during the last 14 months, and there were currently nine, including one multi-family unit. There was 240,197 square feet out of 1.87 million square feet of retail space vacant, approximately 13%. The City had 5,235,282 square feet of industrial space, and 735,281, or 14.1% was vacant. There were 473.23 acres of undeveloped land left within the City's Industrial Park.

Swimming Fees

Gaddo then reviewed swimming fees, noting that Council had asked staff to re-look at the proposed fees for swim teams. Gaddo reviewed an alternate proposal that included a three-tiered fee based on Peachtree City, Fayette County, and non-county residency. He noted that the proposed breakdown would result in an estimated \$4,715 in fees from Fayette County residents, which could jeopardize the \$150,000 that Fayette County provided for recreation.

Plunkett asked about setting up the fees with a fenced account that would not jeopardize the County funding. Gaddo said he was not sure that would work. Plunkett felt that the City needed some of the funding coming in to help pay for the facilities by the people who used them the most. McMullen expressed concern that any effort to have Fayette County residents pay more could jeopardize the \$150,000. He felt that there was no way the City could make that up in fees. Plunkett said that City residents paid over \$900,000 to Fayette County for County recreation (in addition to what they paid to the City for recreation), and she said there was no way City residents used that much County recreation. Gaddo said that, due to the schools, the swim program had probably the highest percentage of users from outside the City. The rest of the programs averaged 85% City resident participation.

Gaddo said another alternative was to charge each team per hour per lane used at the facility. He noted that the FY 2010 budget for Kedron included about \$120,000 in other potential revenue and was based on recommendations made in staff's proposal as part of the Request for Proposal (RFP) process.

Some of the other fee recommendations included new fees for Special Olympics, Special Needs, Paddlers, Open Gym, and Game Room equipment fees; increased fees for adult athletics and rental rates for Room 3. Other options included changing the instructor-City split on recreation classes, expanding classes and camps, using the rink for programming, and changing the bubble installation dates to avoid spring break.

McMullen noted that all the reductions were in the proposed budget. Plunkett reiterated that this was a reduction in services. She felt the staff at Kedron did a great job, but she did not want people to think the City was balancing the budget without service cuts. Some things needed to be cut, but others would begin to impact how residents experienced the City.

Gaddo noted that, with the existing staff, a savings could be realized by having the bubble consultant only come when the bubble went up, rather than when it went up and came down. Gaddo said using the consultant over the years had helped to extend the life of the bubble, but noted the staff on site now knew the process, especially that of taking the bubble down.

McMullen said staff's intention was to bring these fees back to Council for approval. Plunkett noted that it was still a significant increase for the swim teams. Gaddo noted that the City received a total of \$1,500 each year for all five school swim teams, so it was an increase from almost nothing. McMullen pointed out that the association fees for other sports were significantly higher than those for swimming. Gaddo also pointed out that other associations included a fee that went toward the maintenance of their respective facilities, and the swimmers did not. Plunkett reiterated that staff needed to talk to the School Board about the proposed increase, not saying that the proposed fees were unreasonable, but recognizing that the percentage increase was significant.

Gulli asked about the pools currently being outsourced, saying they were making money and Kedron needed to be given the same opportunity. Plunkett said it was a philosophical question as to whether all recreation should be revenue driven, and she felt that it should not all be that way. Gaddo said staff was working to reduce the costs, even though they had not eliminated them. Haddix said there had to be a balance between the users and the general taxes.

Plunkett asked staff to put some of the statistics on the proposed price changes out to the affected teams, noting the rates compared favorably to other team sports costs. Kedron Manager Scott McCord asked if the bubble would go back up in the fall of 2009. McMullen said that the FY 2010 budget included funds to put the bubble back up. Fleisch said that she felt that people resented increases when they were not informed, and she suggested doing some sort of board at Kedron that would be seen by the users.

McMullen asked if Council wanted staff to continue with the three-tiered pricing, and Council said no, to leave County residents the same as City residents, and only have a higher tier for out-of-County residents. McMullen noted that Council did not have to adopt these exact fees, but would need to adopt some type of fees to cover the estimated \$200,000 in additional revenue proposed for the FY 2010 budget by October 1.

Logsdon called for a brief break at 9:20 p.m. The workshop reconvened at 9:40 p.m.

McMullen proposed, to achieve a second police officer without impacting the budget, to budget the officer for six months to reflect the reality of the time needed for training. The \$30,000 needed for FY 2009 could be covered by currently vacant positions that he had not approved to fill (a staff assistant position in Administrative Services and some part-time positions that were unfilled at the Library and were not needed based on some hour changes for the other part-time library employees). Plunkett noted that the officer was her interpretation and she did not want to dictate that the Chief had to have another officer. Clark indicated he was fine with the recommendation. McMullen noted that crime had seen a reasonable and understandable increase based on the economy – the department absolutely needed another officer, but McMullen felt the fraud detective was the priority. Salvatore noted that in 2011, the full year salary for the officer would be included.

Salvatore showed that, by eliminating the millage increase, a total of \$474,000 in cash reserves would be required for FY 2010. However, in 2011, the City would need to increase the millage rate by 0.67 mills or use over \$800,000 in cash reserves. Logsdon noted that still assumed a

shortfall in sales tax revenue, and Salvatore said it assumed no increase. Logsdon said they were very conservative assumptions, but Salvatore noted they thought the 2% projected sales tax increase for FY 2009 seemed conservative at the time, but had still been very high.

Plunkett asked what returning the merit increases or COLA increases would do. Salvatore said merit increases would double the use of cash reserves in FY 2010.

Salvatore then showed a 0.122 millage rate increase, which used 237,000 in cash reserves, but the increase in 2011 would either be .548 or would require using over \$600,000 of the reserves.

Gulli asked what it would do to keep the 0.244 millage increase and return the employee merit increases. Salvatore said it would impact the reserves by the cost of the increases – \$274,185 for COLA and \$469,064 for merit increases. Gulli was concerned that if the budget did not include merit increases then the employees would not get increases. Logsdon said that he felt all the Council Members agreed that, if the economy turned around and sales taxes would support the increases, then they would look at reinstating them.

Gulli noted that the majority of residents present favored the tax increase, as had the majority of those who took the survey.

McMullen said staff would include the police officer for six months. The only item remaining for debate was no millage, partial millage, or full millage rate increase. Council did not have to make a decision until the millage was adopted at the end of July. McMullen asked if Council wanted an additional workshop. Salvatore said there were workshops tentatively scheduled for June 9 and June 15. McMullen also suggested the June 18 agenda as a discussion item. Council supported that suggestion, saying to add a discussion to Council/Staff Topics on June 18. No additional workshops would be held.

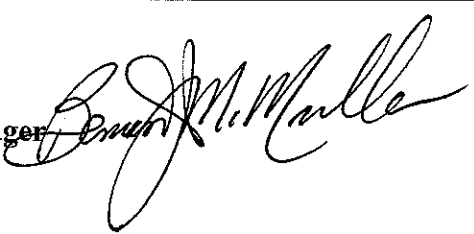
Haddix noted that the Council pay raise would still need to be addressed because the ordinance had been changed. McMullen said the direction he had heard from Council at Retreat was that the funding would not be included in the 2010 budget, which would allow a budget amendment to reinstate it if the economy turned around. Logsdon agreed that, at Retreat, they had indicated if there were no employee raises, there would be no Mayor and Council raises. Plunkett and Sturbaum felt reinstating them should be tied to the employee increases. Salvatore noted that the COLA would be easier to reinstate than merit because merit took effect with varying hire dates, but the COLA could be implemented at a given date. Haddix said he would like to put back the COLA. Gulli noted that raises should be based on merit.

There being no further discussion, Logsdon adjourned the workshop at 10:10 p.m.

CITY OF PEACHTREE CITY

Interoffice Memorandum

TO: Mayor & City Council

VIA Mr. Bernard McMullen, City Manager 
Ed Eiswerth, Fire Chief 

FROM: John Dailey, Fire Marshal 

DATE: June 4, 2009

SUBJECT: Ordinance Amendment – Automatic Fire Sprinkler System
June 18, 2009, City Council Meeting

Recommendation

That Council adopt the attached amendment to the Automatic Fire Sprinkler System Ordinance.

Discussion

There has recently been a situation in which the language of “live entertainment” was brought in to question. After discussions with staff and the city attorney, we have determined that the term “live entertainment” should include descriptions such as a “DJ”, karaoke, stand up comedy, and talent contest. The proposed amendment incorporates these items into the definition.

Budget Impact

None

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR REQUIREMENTS FOR AUTOMATIC SPRINKLER SYSTEMS; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Paragraph (a), Section 102, Article IV, Chapter 38, of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Sec. 38-102. Requirements.

(a) Buildings of any type construction or occupancy of 5,000 square feet or more of the total floor space for commercial buildings, including parking garages, and all assembly occupancies where seating is available for 100 or more persons ~~or where entertainment* is planned or~~ allowed, all bars and nightclubs, and residential occupancies, (definition of R3 in the International Building Code), which meet the criteria below:

Deleted: and/

Deleted: live

Multifamily buildings to include those multifamily structures identified within the city zoning ordinance, appendix A zoning**, article VI definitions, which are defined as care home, multifamily dwelling, apartment, condominium, townhouse, two-family dwelling, hotels, and also to include nursing and assisted living homes and row houses.

* Entertainment includes but is not limited to: band, DJ, karaoke, stand up comedy, talent contest, paid, unpaid, any act on or off a stage or platform, and any sporting event, amusement, diversion, or distraction.

**_Section: International Building Code 1996 Edition; Section 3403.1

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause

and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2009.

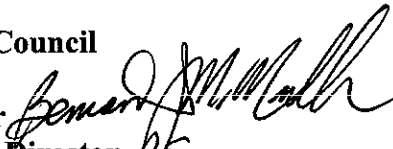
Harold K. Logsdon, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTRAOFFICE MEMORANDUM

TO: Mayor Logsdon and Members of Council

VIA: Bernard McMullen, City Manager 
Paul Salvatore, Financial Services Director 
Janet Camburn, Assistant Financial Services Director 

FROM: Angela Egan, Purchasing Agent 

DATE: June 10, 2009

SUBJECT: Request to Surplus Goods
Council Meeting: June 18, 2009

Recommendation. Staff recommends Council declare surplus Fire Department's 1994 Communication Vehicle, "Comm 8", VIN 1FDKF37M3RNA52848, one additional Crown Vic VIN 2FAFP71W4XX109807 from Public Works and the attached list of items stored in Recreation's basement.

Discussion. Fire Department plans to decommission Comm. 8. Public Works determined one additional vehicle which needs to be declared surplus as a result of the reduction in work staff. Recreation staff has compiled a list of items stored in their basement that are no longer needed by City staff.

All items, not retained by another department, per requirements of City Administrative Regulation (CAR) 7-1, Section V, Number A (3), City Staff must submit to City Council, for approval, a consolidated list of surplus property. Once approved by City Council, approved items will be disposed of. Staff will research the most economical method of disposal for the City of the above items. City Manager will give final approval for disposal.

Budget Impact. There is no specific amount of revenue in the budget related to the sale of these goods. Any monies received from the sale of items at public auction would be placed into the City's general fund.

2009 ITEMS FOR STORAGE

Kedron

2 boxes Light Lenses round large clear
1 white bucket mp765 - Floor Applicant

Recreation

Misc. Locks & handsets

Public Works

8 Floor Heaters Holmes, Home essen. gray OK-Working Order
One touch, maxi heat

Planning Dept

1 Corkboard w/metal frame Large 3ftx6ft
1 Insulation Duct Wrap 1.5"x48"x100"
1 Simple sided Desk no draws
12 Room dividers Gray padded

Library

Overhead projector Beige
podium with micro stand arm Walnut color

Gathering Place

3 Round Tables Large Plastic Gray top/blk lgs All Broken

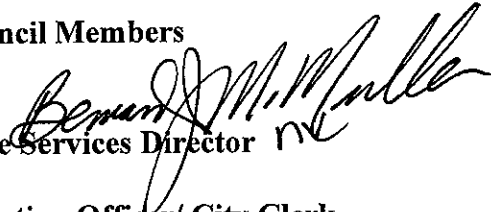
Unclaimed

1 Good size desk w/drawers oak color 2 draws/ea side TOP SAGS
14 Square Card Tables grey
1 Metal Bike Rack Silver Will check W/DJ or
2 Laminated tables Long rectangular silver/metal legs
? Rolls of Paper varied sizes & color brown, yellow

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director

FROM: Public Information Officer/ City Clerk

DATE: June 9, 2009

SUBJECT: Alcohol Ordinance Amendment – Open Container and Package Sales
June 18, 2009, City Council Meeting

Recommendation:

Staff recommends that Council adopt the attached ordinance amendment.

Discussion:

Peachtree City's alcoholic beverage ordinance prohibits the possession of open containers of alcoholic beverages on Peachtree City streets and paths and prohibits restaurants and bars with pouring licenses from allowing patrons to remove packaged alcohol from the premises.

In 2008, the State Legislature adopted a new law permitting restaurant patrons to take home partially consumed bottles of wine under strict conditions (the bottle must be resealed, bagged, dated, and placed in the glove compartment, trunk, or behind the back seat of the vehicle).

Peachtree City has been enforcing the law in accordance with the new state rules. However, two sections of the City Code conflict with State law. The amendment is a housekeeping item to bring the City's codes into conformance.

Budget Impact:

This item will have no budgetary impact.

AN ORDINANCE TO AMEND THE ALCOHOL ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROHIBIT POSSESSION OF OPENED ALCOHOLIC BEVERAGE CONTAINERS ON STREETS AND CART PATHS; TO PROHIBIT PACKAGE SALES IN CERTAIN ESTABLISHMENTS; TO PROVIDE FOR EXCEPTIONS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Section 6-108 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Sec. 6-108. Possession of opened alcoholic beverage containers on streets and cart paths prohibited; exceptions.

No person shall have in their possession any opened or unsealed alcoholic beverage container in any motor vehicle on public streets and cart paths in the city, except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. 3-6-4.

Section 2. Section 6-113 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Sec. 6-113. Package sales prohibited in certain establishments; exceptions.

The sale of alcoholic beverages by the package to be carried off the premises shall be prohibited in any restaurant, cafe, eating place, private club or in any establishment other than in a retail store or grocery store owning a retail license for the sale of alcoholic beverages to be consumed off the premises, except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. 3-6-4.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2009.

Harold K. Logsdon, Mayor

Attest: _____
City Clerk

REFERENCE: § 3-6-4. Removal of partially consumed bottle of wine from premises

Notwithstanding any other contrary provision of law, any restaurant which is licensed to sell alcoholic beverages for consumption on the premises may permit a patron to remove one unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises. A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises. The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container. If transported in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a locked trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: Deputy City Clerk

DATE: June 9, 2009

SUBJECT: Qualifying Location Permit – Drake Field/Library Lower Level
Parking Lot
June 18, 2009, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a qualifying location permit for September 25, 2009.

Discussion:

As you know, a City-sponsored 50th Anniversary celebration and VIP reception is planned for September 25, 2009, at Drake Field or the Library lower level parking lot as part of the Dragon Boat Races & International Festival. Staff is requesting that Council approve that area as a qualifying location. The City would serve as the Licensee and Public Information Officer/City Clerk Betsy Tyler would serve as the License Representative. Because Drake Field is one of the City parks where alcohol is normally prohibited, staff envisions this qualifying location permit request for the September 25 event only. The upper level of the plaza lies within the prohibited distance of the church, but the lower parking area and Drake Field are appropriate distances from the church.

Budgetary Impact:

There would be no impact on the budget.

Attachments

Application for Qualifying Location Permit

Name: <i>City of Peachtree City</i>		Location: <i>Lower level library lot only</i> <i>City Hall Plaza / Drake Field</i>	
Mailing Address: <i>151 Willowbend Rd, Peachtree City</i>		Business Telephone: <i>770-487-7657</i>	
Name of Licensee: <i>City of Peachtree City</i>	Home Address: <i>151 Willowbend Rd.</i>	Home Phone Number: <i>770-487-7657</i>	
Name of License Representative: <i>ANN E. Tyler</i>	Home Address: <i>83 Twiggs Corner, PTC</i>	Home Phone Number: <i>770-487-6585</i>	
Please indicate the type of permit you are applying for:			
☐ Malt Beverage			
☐ Wine			
☐ Distilled Spirits (Includes Malt Beverage and Wine)			
NAME <i>Individual Owner's Name, Partners' Names, Corporation Name and the name of a Contact Person regarding License changes, taxes, etc.:</i>	ADDRESS <i>Please provide Home Addresses for the individuals listed:</i>	TELEPHONE <i>Please provide Home and Business Numbers for individuals listed:</i>	
<i>Elected Mayor & City Council</i>			
<i>Currently: Harold K. Cogsdon</i>	<i>116 Morallion Hills</i>	<i>770-487-8336</i>	
<i>Cyndi Plunkett</i>	<i>220 Independence Ln.</i>	<i>770-487-8608</i>	
<i>Doug Sturbaum</i>	<i>455 Plantain Terrace</i>	<i>678-939-3201</i> 770	
<i>Steve Boone</i>	<i>607 Spectrum Vista</i>	<i>770-486-8544</i>	
<i>Don Haddix</i>	<i>7 Dover Trail</i>	<i>770-487-4740</i>	

State of Georgia

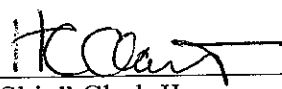
City of Peachtree City

I, H.C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

Ann E. "Betsy" Tyler

83 Twiggs Corner
Peachtree City, GA 30269

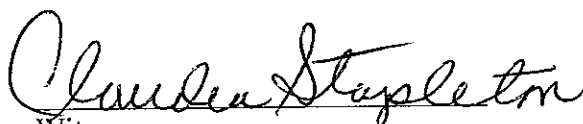
has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.



H.C. "Skip" Clark II
Chief of Police

5/15/09

Date



Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *James McCall*
Developmental Services Director *David*
City Engineer *David A. Brinkley*

FROM: Stormwater Manager *[Signature]*

DATE: June 10, 2009

SUBJECT: Formal Acceptance of Drainage Easements
June 18, 2009 City Council Meeting

Recommendation:

Staff recommends that Council accept a Temporary Construction Easement and Permanent Drainage Easement from the Fayette County Board of Education (FCBOE) for the Lakeside Subdivision Drainage Improvement project as well as another drainage easement from the homeowner located along Azalea Drive.

Discussion:

The City has the need to do storm water construction and maintenance in areas in which it does not currently have drainage easements. Two easements were requested from the FCBOE for access areas needed to install larger drainage pipes. This will help the City prevent flooding of the adjacent property and provide proper water flow.

The other easement request is from a home owner located off of Azalea Drive. This easement is needed in order to upgrade an existing swale to provide proper water flow. This area currently floods as a result of the undersized swale and needs to be properly graded.

As such staff requests that Council accept these easements.

Budget Impact:

There is no direct cost with accepting these easements. However, there will be costs with the work to be completed which has been budgeted under a specific project or under the operation and maintenance line item.

Attachments
Easement Agreements

cc: File

After recording, return to:

Theodore P. Meeker, III
Sumner Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

**STATE OF GEORGIA
COUNTY OF FAYETTE**

DEED OF EASEMENT

THIS INDENTURE, made and entered into this 4 day of JUNE in the year 2009, between Norman W. Grigg as party of the first part, hereinafter referred to as "GRANTOR", and the City of Peachtree City, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as "GRANTEE" (GRANTOR" and "GRANTEE" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESS THAT: Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these present does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee the following:

A perpetual non-exclusive easement over, through, under and across certain property described below being a permanent easement consisting of approximately 4,817 square feet in area as shown on the plat of the property titled "Lakeside Subdivision Drainage Improvements, prepared by W.D. Gray and Associates, Inc. for the City of Peachtree City, Georgia, dated May 12, 2009, said plat attached hereto and made a part of this deed as Exhibit "A," said easement being more particularly described in the Legal Description attached hereto as Exhibit "B," which Exhibits are incorporated herein by express reference and made a part hereof.

The purpose of the grant of easement is to allow the Grantee, through its agents and employees, the right and privilege to enter upon, install, construct and maintain a Drainage Easement, together with all necessary and required pipes, conduits and apparatus, over, through, under, and across the subject property. The permanent easement herein granted shall be perpetual in duration.

The Grantor shall assume no liability for injuries or damages to public users of the City's drainage easement, and Grantor shall forfeit no other property rights by virtue of the existence of this easement on his property.

This instrument shall be binding upon the heirs, successors and assigns of the Grantor herein and shall inure to the benefit of the successors in interest of the grantee herein.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals, or if corporate, have caused this document to be executed by its duly authorized officers and its seal to be hereunto affixed, as of this day and the year first above written.

OWNER: Norman W. Grigg

By: Norman W. Grigg
Printed Name
Norm W. Grigg
Signature

Signed sealed and delivered,
In the presence of

[Signature]
Witness

NOTARY:

Kathleen Thomas
Printed name

Kathleen Thomas
Signature

My Commission expires:

SEAL

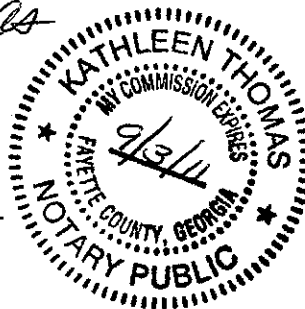
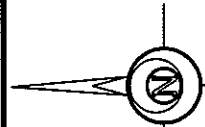


EXHIBIT "A"

LAKE PEACHTREE SUBDIVISION

SECTION No. 12

AZALEA DRIVE (50' R/W)



NORTH BEARING BASED ON
GEORGIA DEPT. OF
TRANSPORTATION MONUMENTS
(G.S. 505 & 61 C&G-206).
COMPUTED BASED ON
MONUMENT GPS 90C.

CURVE TABLE

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	129.80'	04°25'05"	10.02'	10.01'	50.1'	S 76°47'30" E
2	129.80'	04°24'45"	10.00'	10.00'	50.0'	S 80°17'54" E
3	113.30'	08°16'29"	135.12'	127.27'	76.88'	S 74°39'51" E
4	143.39'	42°31'40"	106.43'	104.01'	55.80'	S 68°16'08" E
5	5862.85'	00°19'39"	33.50'	33.50'	16.73'	N 32°00'13" W

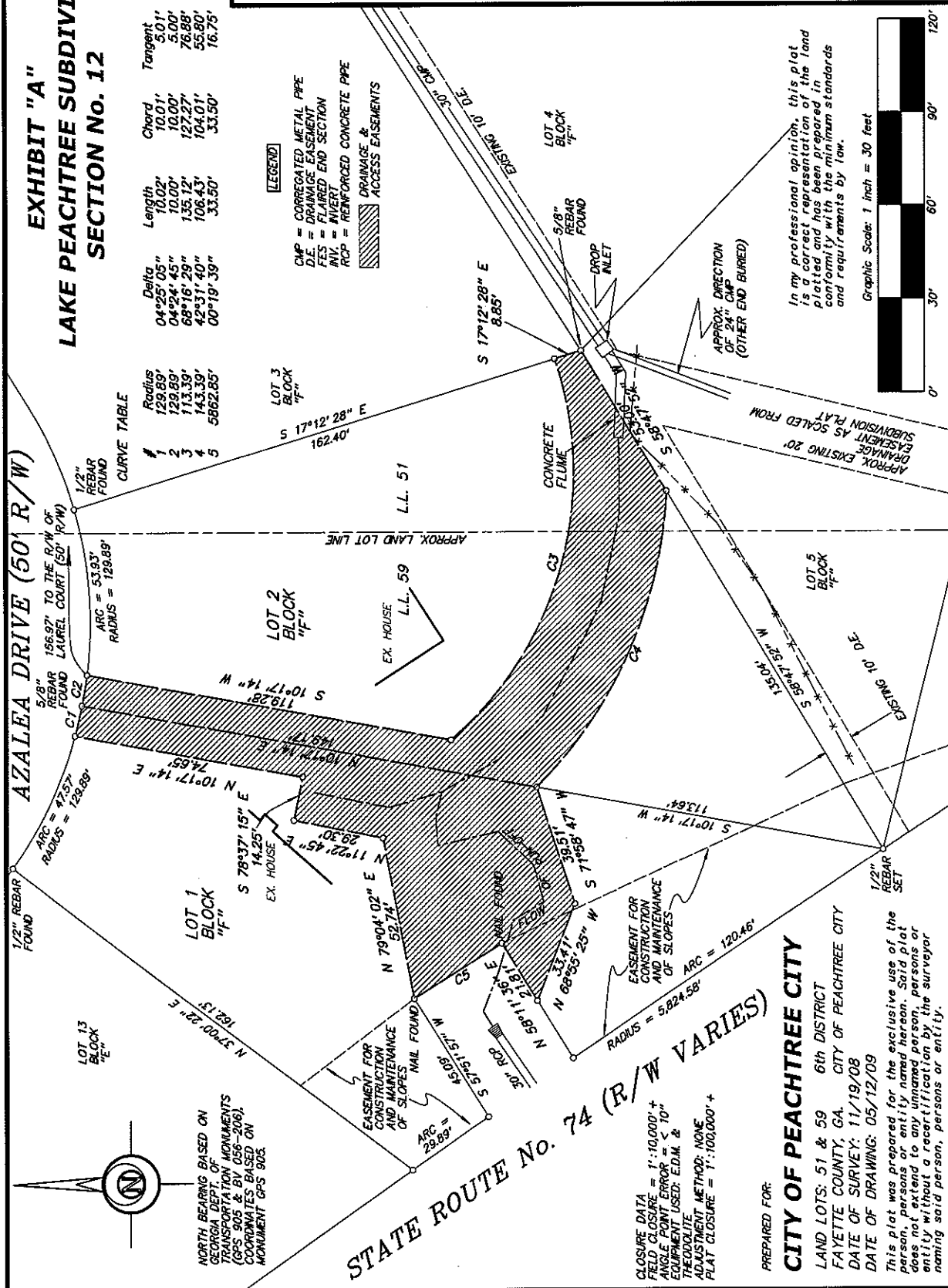
LEGEND

- CUP = CORRUGATED METAL PIPE
- DEF = DRAINAGE EASEMENT
- FES = FLARED END SECTION
- INV = INVERT
- RCP = REINFORCED CONCRETE PIPE
- DRAINAGE & ACCESS EASEMENTS

land surveyors - planners
160 GREENCASTLE ROAD
SUITE B TYRONE
GEORGIA 30290
PH. 770-486-7552
FAX 770-486-0496

W.D. Gray and
Associates, Inc.

JOB NO. 0811008



In my professional opinion, this plat
is a correct representation of the land
platted and has been prepared in
conformity with the minimum standards
and requirements by law.

Graphic Scale: 1 inch = 30 feet



STATE ROUTE No. 74 (R/W VARIES)

PREPARED FOR:
CITY OF PEACHTREE CITY

LAND LOTS: 51 & 59 6TH DISTRICT
FAYETTE COUNTY, GA. CITY OF PEACHTREE CITY
DATE OF SURVEY: 11/19/08
DATE OF DRAWING: 05/12/09

This plat was prepared for the exclusive use of the
person, persons or entity named herein. Said plat
shall not be used for any other purpose without the
entity without a recertification by the surveyor
naming said person, persons or entity.

CLOSURE DATA
FIELD CLOSURE = 1:10,000' +
ANGLE POINT ERROR = < 10"
EQUIPMENT USED: E.D.M. &
THEODOLITE
ADJUSTMENT METHOD: NONE
PLAT CLOSURE = 1:100,000' +

EXHIBIT "B"
Drainage and Access Easement
Lot 1, Block "F" Lake Peachtree Subdivision Section No. 12

All that tract or parcel of land lying and being in Land Lot 59 of the 6th District of Fayette County, Georgia and being more particularly described as follows:

BEGINNING at a 5/8" rebar on the south right-of-way of Azalea Drive (50' right-of-way) that is 166.97 feet southwesterly from the intersection of southeasterly right-of-way of Azalea Drive and the southwesterly right-of-way of Laurel Court (50' right-of-way) as measured along the southerly right-of-way of Azalea Drive; **THENCE** leaving the right-of-way of Azalea Drive and along the property line dividing Lot 1 and Lot 2 South 10 degrees 17 minutes 14 seconds West a distance of 149.17 feet to a point; **THENCE** leaving said property line South 71 degrees 58 minutes 47 seconds West a distance of 39.51 feet to a point; **THENCE** North 68 degrees 55 minutes 25 seconds West a distance of 33.41 feet to a point on the right-of-way of State Route No. 74 (right-of-way varies); **THENCE** along said right-of-way the following courses and distances: North 58 degrees 11 minutes 36 seconds East a distance of 21.81 feet to a point on a curve; **THENCE** along a curve to the left having a radius of 5,862.85 feet, a delta of 00 degrees 19 minutes 39 seconds, an arc length of 33.50 feet, and a chord which bears North 32 degrees 00 minutes 13 seconds West having a chord distance of 33.50 feet to a point on a line; **THENCE** leaving the right-of-way of State Route No. 74 North 79 degrees 04 minutes 02 seconds East a distance of 52.74 feet to a point; **THENCE** North 11 degrees 22 minutes 45 seconds East a distance of 29.30 feet to a point; **THENCE** South 78 degrees 37 minutes 15 seconds East a distance of 14.25 feet to a point; **THENCE** North 10 degrees 17 minutes 14 seconds East a distance of 74.65 feet to a point on a curve on the south right-of-way of Azalea Drive; **THENCE** along said right-of-way along a curve to the left having a radius of 129.89 feet, a delta of 04 degrees 25 minutes 05 seconds, an arc length of 10.02 feet, and a chord which bears South 76 degrees 47 minutes 30 seconds East having a chord distance of 10.01 feet to a 5/8" rebar which is the **POINT OF BEGINNING**, and containing 4,817 square feet or 0.111 acre(s) of land, more or less.

After recording, please return to:
Theodore P. Meeker, III, Esq.
Davis & Meeker, LLC
6631 Watson Street
Union City, Georgia 30291

TEMPORARY CONSTRUCTION EASEMENT

STATE OF GEORGIA
FAYETTE COUNTY

THIS CONVEYANCE made and executed the 1st day of June 2009.

WITNESSETH that Fayette County Board of Education, the undersigned, (hereinafter referred to as 'Grantor'), is the owner of a tract of land in Fayette County, Georgia, which is affected by the project to be performed by the City of Peachtree City, Georgia, identified as Lakeside Subdivision Drainage Improvements (hereinafter "the Project") and as set forth on the set of construction plans titled Lakeside Subdivision Drainage Improvements, dated 04/30/09, (hereinafter "the Plans") which plans are maintained in the office of the City Engineer, City of Peachtree City, 153 Willowbend Road, Peachtree City, Georgia 30269 to which reference is hereby made.

NOW, THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant to the City of Peachtree City, Georgia the right to execute certain construction and or improvements as indicated on the Plans over and upon the Grantor's property abutting on and adjacent to the Project in such manner as the City of Peachtree City may deem proper to support or accommodate the Project, including the right to construct and maintain any required slopes and utilities, relocated or added, or other improvements reflected on the Plans, within the following easement area being more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 98 of the 7th Land District, District of Fayette County, Georgia, and being more particularly shown on Exhibit "A" attached hereto and made a part hereto by this reference.

Said right of way is hereby conveyed, consisting of 1,243 square feet, more or less, as shown crosshatched on the plat of the property titled "Lakeside Subdivision Drainage Improvements, prepared by Integrated Science and Engineering for the City of Peachtree City, Georgia, dated April 2009, said plat attached hereto and made a part of this deed as Exhibit "A," said easement being more particularly described in the Legal Description attached hereto as Exhibit "B," said Exhibits A and B begin incorporated herein and made a part hereof. The easement conveyed herein expires upon completion of the Project by the City of Peachtree City, Georgia.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.

In consideration of the temporary construction easement granted herein, and to the greatest extent practicable, the City of Peachtree City agrees to replace or restore the easement area upon completion of the Project to the condition of such area as of the date of this Temporary Construction Easement.

IN WITNESSETH WHEREOF, Grantor has hereunto set his hand and seal the day above written.

Signed, Sealed and Delivered
this 1st day of June, 2009,
2009, in the presence of:

Jeri Smith (L.S.)
Signature of Grantor

____ (L.S.)
Signature of Grantor

Julie Rojas
Witness

Katherine C Smith
Notary Public

6-8-10

Exhibit "B"

All that tract or parcel of land lying and being in Land Lot 98 of the 7th Land District of Fayette County, Georgia, and being more particularly described as follows:

To arrive at the True Point of Beginning, commence at the northwest corner of Lot 65 Lakeside, as per Plat recorded in Plat Book 11, Pages 30-31, Fayette County, Georgia Records. THENCE along the northerly line of said lot North 77 degrees 15 minutes 54 seconds East for a distance of 12.76 feet to the True Point of Beginning,

THENCE North 11 degrees 03 minutes 15 seconds West for a distance of 25.47 feet to a point;

THENCE South 78 degrees 56 minutes 45 seconds West for a distance of 61.92 feet to a point;

THENCE North 11 degrees 03 minutes 15 seconds West for a distance of 5.00 feet to a point;

THENCE South 78 degrees 56 minutes 45 seconds West for a distance of 60.00 feet to a point;

THENCE South 63 degrees 52 minutes 55 seconds West for a distance of 60.69 feet to a point;

THENCE North 59 degrees 25 minutes 43 seconds East for a distance of 62.18 feet to a point;

THENCE North 78 degrees 56 minutes 45 seconds East for a distance of 126.93 feet to a point;

THENCE South 11 degrees 03 minutes 15 seconds East for a distance of 35.33 feet to the northerly line of said lot;

THENCE along said northerly line South 77 degrees 15 minutes 54 seconds West for a distance of 5.00 feet to the True Point of Beginning;

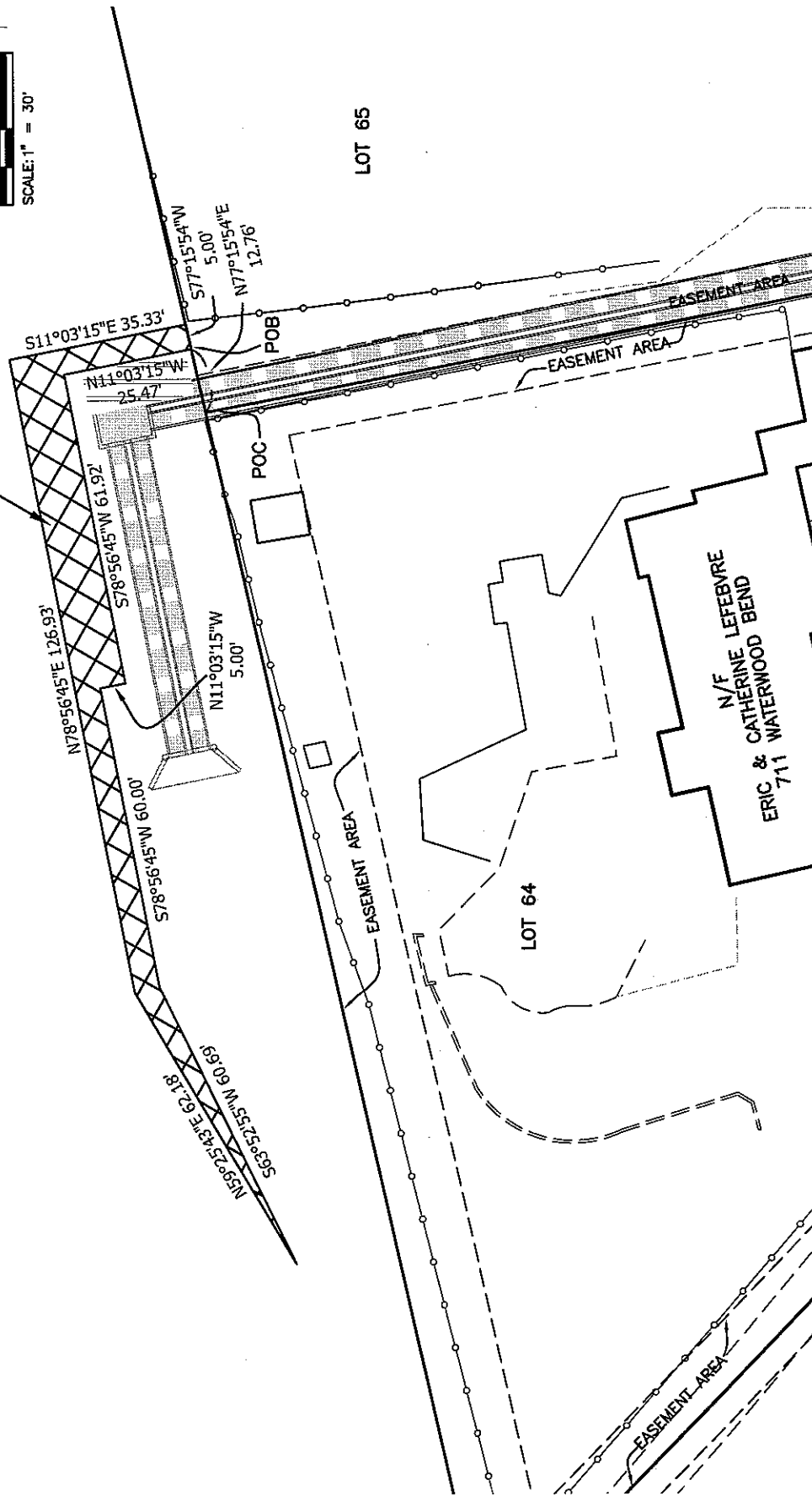
Together with and subject to covenants, easements, and restrictions of record.

Said property contains 1,243 square feet

1,243 SF TEMPORARY
CONSTRUCTION EASEMENT

N/F
FAYETTE COUNTY BOARD
OF EDUCATION

0' 7.5' 15' 30'
SCALE: 1" = 30'



INTEGRATED
Science & Engineering

150 NORTH CANTERBURY AVENUE, SUITE 100, ATLANTA, GEORGIA 30309
404.525.1111

EASEMENT EXHIBIT
FOR
LAKESIDE SUBDIVISION DRAINAGE IMPROVEMENTS
CITY OF PEACHTREE CITY, GEORGIA

FAYETTE COUNTY BOARD OF EDUCATION
EXHIBIT A

APPROVED: _____
DATE: _____

APPROVED: _____
DATE: _____

APPROVED: _____
DATE: _____

APPROVED: _____
DATE: _____

After recording, return to:

Theodore P. Meeker, III
Davis & Meeker, LLC
6631 Watson Street
Union City, GA 30291

**STATE OF GEORGIA
COUNTY OF FAYETTE**

DEED OF EASEMENT

THIS INDENTURE, made and entered into this 1st day of JUNE in the year 2009, between Fayette County Board of Education as party of the first part, hereinafter referred to as "GRANTOR", and the City of Peachtree City, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as "GRANTEE" (GRANTOR and "GRANTEE" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESS THAT: Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these present does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee the following:

A perpetual non-exclusive easement over, through, under and across certain property described consisting of approximately 6,957 square feet in area as shown crosshatched on the plat of the property titled "Lakeside Subdivision Drainage Improvements, prepared by Integrated Science and Engineering for the City of Peachtree City, Georgia, dated April 2009, said plat attached hereto and made a part of this deed as Exhibit "A," said easement being more particularly described in the Legal Description attached hereto as Exhibit "B," which Exhibits are incorporated herein by express reference and made a part hereof.

The purpose of the grant of easement is to allow the Grantee, through its agents and employees, the right and privilege to install, construct and maintain a Drainage Easement, together with all necessary and required pipes, conduits and apparatus, over, through, under, and across the subject property. The permanent easement herein granted shall be perpetual in duration.

The Grantor shall assume no liability for injuries or damages to public users of the City's drainage easement, and Grantor shall forfeit no other property rights by virtue of the existence of this easement on his property.

This instrument shall be binding upon the heirs, successors and assigns of the Grantor herein and shall inure to the benefit of the successors in interest of the grantee herein.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals, or if corporate, have caused this document to be executed by its duly authorized officers and its seal to be hereunto affixed, as of this day and the year first above written.

OWNER: Fayette County Board of Education

By: Terri Smith
Printed Name

Terri Smith
Signature

Board Chair
Title

Signed sealed and delivered,
In the presence of

Julie Rojas
Witness

NOTARY:

Katherine C. Smith
Printed name

Katherine C. Smith
Signature

My Commission expires: 6-8-10

SEAL

EXHIBIT "B"

All that tract or parcel of land lying and being in Land Lot 98 of the 7th Land District of Fayette County, Georgia, and being more particularly described as follows:

Beginning at northeast corner of Lot 64 Lakeside, as per Plat recorded in Plat Book 11, Pages 30-31, Fayette County, Georgia Records.

THENCE along the northerly line of said lot South 77 degrees 15 minutes 54 seconds West for a distance of 247.40 feet to the northwest corner of said lot;

THENCE North 50 degrees 10 minutes 58 seconds West for a distance of 25.18 feet to a point;

THENCE North 77 degrees 15 minutes 54 seconds East for a distance of 95.45 feet to a point;

THENCE North 63 degrees 52 minutes 55 seconds East for a distance of 60.69 feet to a point;

THENCE North 78 degrees 56 minutes 45 seconds East for a distance of 60.00 feet to a point;

THENCE South 11 degrees 03 minutes 15 seconds East for a distance of 5.00 feet to a point;

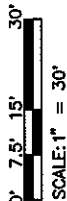
THENCE North 78 degrees 56 minutes 45 seconds East for a distance of 61.92 feet to a point;

THENCE South 11 degrees 03 minutes 15 seconds East for a distance of 25.47 feet to the northerly line of Lot 65 Plat Book 11, Pages 30-31, Fayette County, Georgia Records;

THENCE along said northerly line South 77 degrees 15 minutes 54 seconds West for a distance of 12.76 feet to the Point of Beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 6,957 square feet



6,957 SF PERMANENT
DRAINAGE EASEMENT

N/F
FAYETTE COUNTY BOARD
OF EDUCATION

S11°03'15"E
5.00'

N78°56'45"E 60.00'

S11°03'15"E
25.47'

N77°15'54"E 95.45'

N63°21'55"E 60.69'

S77°15'54"W 247.40'

N50°10'58"W
25.18'

POB

LOT 65

S77°15'54"W
12.76'

LOT 64

N/F
ERIC & CATHERINE LEFEBVRE
711 WATERWOOD BEND

EASEMENT AREA

EASEMENT AREA

INTEGRATED
Science & Engineering
INC.

EASEMENT EXHIBIT
FOR
LAKESIDE SUBDIVISION DRAINAGE IMPROVEMENTS
CITY OF PEACHTREE CITY, GEORGIA

FAYETTE COUNTY BOARD
OF EDUCATION
EXHIBIT A

DATE	REVISION

APPROVED: _____
DATE: _____

PROJECT NO: 01090.85
SHEET NO: 10/04
SHEET TOTAL: 10
DATE: APRIL 2009

After recording, return to:

Theodore P. Meeker, III
SUMNER MEEKER, LLC
14 EAST BROAD STREET
NEWNAN, GEORGIA 30263

STATE OF GEORGIA
COUNTY OF FAYETTE

DEED OF EASEMENT

THIS INDENTURE, made and entered into this 12 day of June 09 in the year 2009, between Lawrence E. and Jody L. Landrum as parties of the first part, hereinafter referred to collectively as "GRANTOR", and the City of Peachtree City, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as "GRANTEE" (GRANTOR and "GRANTEE" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESS THAT: Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee the following:

A perpetual non-exclusive easement over, through, under and across certain property described below being a permanent easement consisting of approximately 5,123 square feet in area as shown crosshatched on the plat of the property titled "Lakeside Subdivision Drainage Improvements, prepared by W.D. Gray and Associates, Inc. for the City of Peachtree City, Georgia", dated May 12, 2009, said plat attached hereto and made a part of this deed as Exhibit "A," said easement being more particularly described in the Legal Description attached hereto as Exhibit "B," which Exhibits are incorporated herein by express reference and made a part hereof.

The purpose of the grant of easement is to allow the Grantee, through its agents and employees, the right and privilege to enter upon, install, construct and maintain a Drainage Easement, together with all necessary and required pipes, conduits and apparatus, over, through, under, and across the subject property. The permanent easement herein granted shall be perpetual in duration.

The Grantor shall assume no liability for injuries or damages to public users of the City's drainage easement, and Grantor shall forfeit no other property rights by virtue of the existence of this easement on his property.

This instrument shall be binding upon the heirs, successors and assigns of the Grantor herein and shall inure to the benefit of the successors in interest of the grantee herein.

EXHIBIT "B"
Drainage and Access Easement
Lot 2, Block "F" Lake Peachtree Subdivision Section No. 12

All that tract or parcel of land lying and being in Land Lots 51 and 59 of the 6th District of Fayette County, Georgia and being more particularly described as follows:

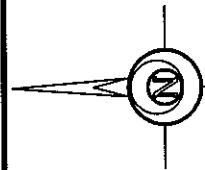
BEGINNING at a point on the south right-of-way of Azalea Drive (50' right-of-way) that is 156.97 feet southwesterly from the intersection of southeasterly right-of-way of Azalea Drive and the southwesterly right-of-way of Laurel Court (50' right-of-way) as measured along the southerly right-of-way of Azalea Drive; **THENCE** leaving the right-of-way of Azalea Drive; South 10 degrees 17 minutes 14 seconds West a distance of 119.28 feet to a point on a curve; **THENCE** along a curve to the left having a radius of 113.39 feet, a delta of 68 degrees 16 minutes 29 seconds, an arc length of 135.12 feet, and a chord which bears South 74 degrees 39 minutes 51 seconds East having a chord distance of 127.27 feet to a point on the east property line of Lot 2;

THENCE along said property line South 17 degrees 12 minutes 28 seconds East a distance of 8.85 feet to a 5/8" rebar at the southeast corner of Lot 2; **THENCE** along the property line dividing Lot 2 and Lot 5 South 58 degrees 47 minutes 52 seconds West a distance of 53.00 feet to a point on a curve; **THENCE** leaving said dividing property line along a curve to the right having a radius of 143.39 feet, a delta of 42 degrees 31 minutes 40 seconds, an arc length of 106.43 feet, and a chord which bears North 66 degrees 16 minutes 09 seconds West having a chord distance of 104.01 feet to a point on the property line dividing Lot 2 and Lot 1; **THENCE** along said property line North 10 degrees 17 minutes 14 seconds East a distance of 149.17 feet to a 5/8" rebar on a curve on the south right-of-way of Azalea Drive; **THENCE** along said right-of-way along a curve to the left having a radius of 129.89 feet, a delta of 04 degrees 24 minutes 45 seconds, an arc length of 10.00 feet, and a chord which bears South 80 degrees 17 minutes 54 seconds East having a chord distance of 10.00 feet to a point which is the **POINT OF BEGINNING**, and containing 5,123 square feet or 0.118 acre(s) of land, more or less.

EXHIBIT "A" LAKE PEACHTREE SUBDIVISION SECTION No. 12

AZALEA DRIVE (50' R/W)

STATE ROUTE No. 74 (R/W VARIES)



NORTH BEARING BASED ON
GEORGIA DEPT. OF
TRANSPORTATION MONUMENTS
(GPS 905 & BY 056-206).
COORDINATES BASED ON
MONUMENT GPS 905.

CURVE TABLE

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	129.89'	04°25'05"	10.02'	10.01'	3.01'	S 78°17'00" E
2	129.89'	04°24'45"	10.00'	10.00'	3.00'	S 80°17'54" E
3	129.89'	68°16'29"	135.12'	127.27'	76.88'	S 74°39'51" E
4	143.39'	42°31'40"	106.43'	104.01'	55.80'	S 68°16'09" E
5	5862.85'	00°19'39"	33.50'	33.50'	16.75'	N 32°00'13" W

LEGEND

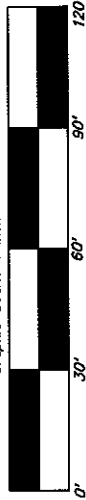
- CMP = CORRUGATED METAL PIPE
- D.E. = DRAINAGE EASEMENT
- FES = FLARED END SECTION
- INV. = INVERT
- RCF = REINFORCED CONCRETE PIPE
- DRAINAGE & ACCESS EASEMENTS

land surveyors - planners
160 GREENCASTLE ROAD SUITE B TYRONE
GEORGIA 30290
PH. 770-486-7552 FAX 770-486-0496

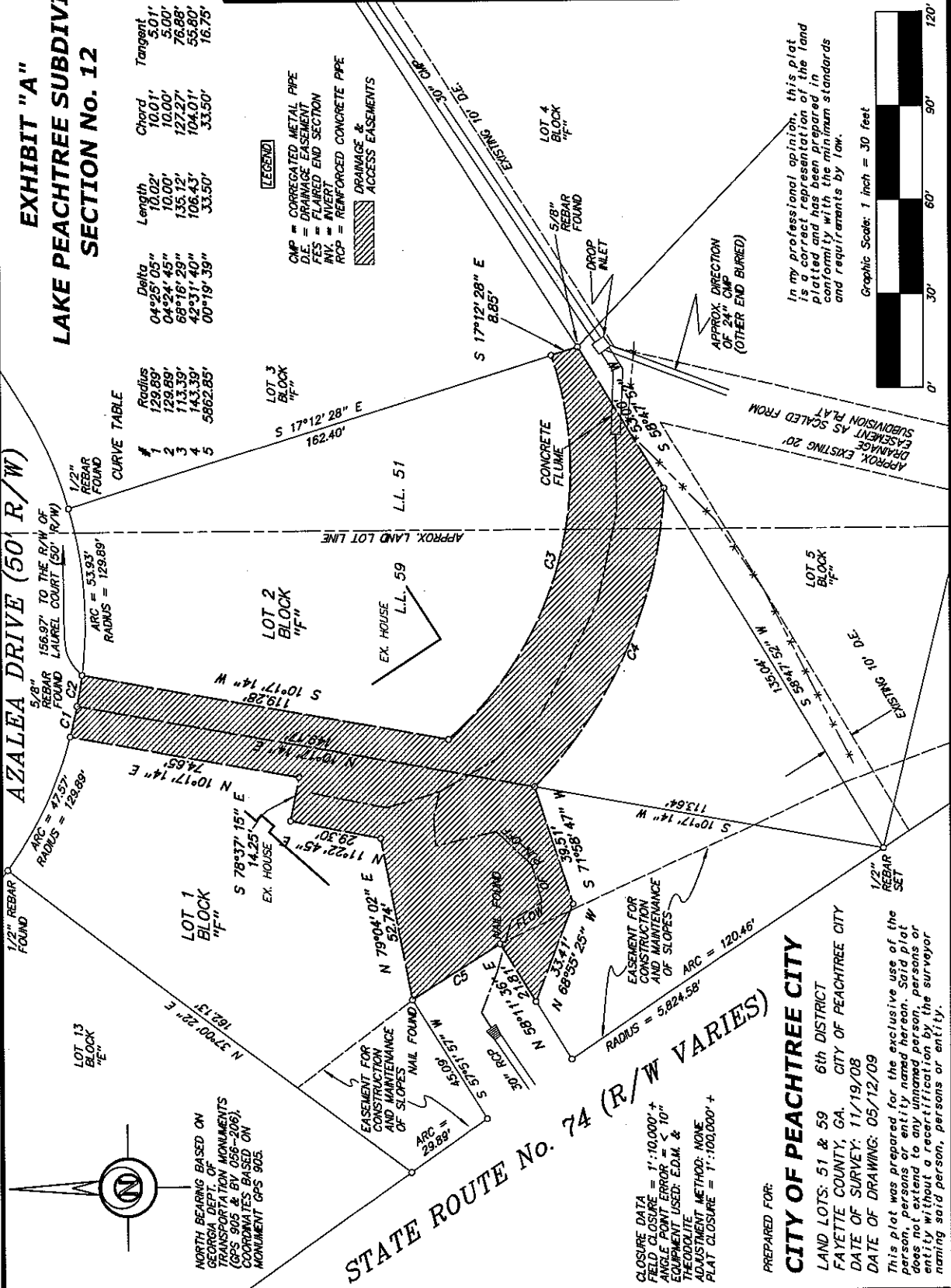
W.D. Gray and
Associates, Inc.

JOB NO. 0811008

Graphic Scale: 1 inch = 30 feet



In my professional opinion, this plat
is a correct representation of the land
platted and has been prepared in
conformity with the minimum standards
and requirements by law.



PREPARED FOR:
CITY OF PEACHTREE CITY

LAND LOTS: 51 & 59 6th DISTRICT
FAYETTE COUNTY, GA. CITY OF PEACHTREE CITY
DATE OF SURVEY: 11/19/08
DATE OF DRAWING: 05/12/09

This plat was prepared for the exclusive use of the
person, persons or entity named hereon. Said plat
does not extend to any unnamed person, persons or
entity without a recertification by the surveyor
naming said person, persons or entity.

CLOSURE DATA
FIELD CLOSURE = 1':10,000'+
ANGLE POINT ERROR = < 10"
EQUIPMENT USED: EDM &
THEODOLITE
ADJUSTMENT METHOD: NONE
PLAT CLOSURE = 1':100,000'+

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals, or if corporate, have caused this document to be executed by its duly authorized officers and its seal to be hereunto affixed, as of this day and the year first above written.

OWNERS: Lawrence E. and Jody L. Landrum

By: LAURENCE E LANDRUM
Printed Name

Lawrence E. Landrum
Signature

By: Jody L. Landrum
Printed Name

Jody L. Landrum
Signature

Signed sealed and delivered,
In the presence of

Amey K. Hester
Witness

NOTARY:

Kathy D. Dorsey
Printed name

Kathy Dorsey
Signature

My Commission expires:

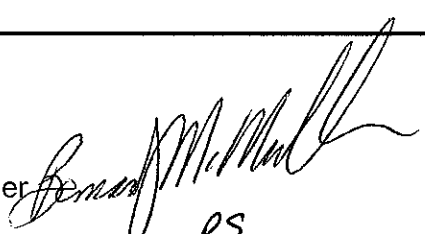
Notary Public, Fayette County, Georgia
My Commission Expires, March 4th, 2011

SEAL

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *P.S.*
Janet I. Camburn, Assistant Finance Director 

DATE: June 11, 2009

SUBJECT: Budget Amendments – **Fiscal Year 2009**

June 18, 2009 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendments.

Discussion:

Attached please find budget amendments 09-040 through 09-042 for fiscal year 2009 submitted for your approval. Budget amendment 09-040 amends the 2009 Amphitheater budget. This entry simply corrects a prior budget amendment that was submitted to and approved by City Council on May 7, 2009. An amount of \$6,000 reducing the Amphitheater budget for Opening Acts expense should have been \$2,000, not \$6,000 as approved. Budget amendment 09-040 will correct that. Budget amendment 09-041 establishes a budget in the Amphitheater Fund for the 50th Anniversary celebration. Costs associated with this event are covered by 1) a transfer from a Special Revenue Fund where a \$2,000 deposit for the celebration has already been made, 2) additional sponsors for the event, and 3) participant fees. Budget amendment 09-042 transfers budgeted funds from the Kedron budget to the Recreation budget to cover costs associated with community pools.

Budget Impact:

The net affect of the budget amendments increases revenues and expenditures in the Amphitheater Fund by \$12,000. There is no budget impact on the General Fund or Special Revenue Fund

If you have any questions please do not hesitate to contact either Paul Salvatore or Janet Camburn.

Thank you for your attention to this matter.

Attachment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 09-040

DATE June 18, 2009

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
565-6180-57-3118	xxx	Opening Acts	4,000	
565-00-34-7300	xxx	Summer Concert Series	4,000	

\$ 8,000 \$ -

To correct budget amendment 09-038 approved by City Council on May 7, 2009. A reduction in budgeted Opening Acts Expense should have been \$2,000 rather than \$6,000 as submitted and approved. This amendment will make the correction to the budget.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 09-041

DATE June 18, 2009

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
565-6185-52-2300	xxx	Rentals	600	
565-6185-52-3400	xxx	Printing & Binding	250	
565-6185-52-3450	xxx	Postage	500	
565-6185-53-1175	xxx	Operating Supplies	5,849	
565-6185-57-9100	xxx	Contingency	801	
565-00-39-1266	xxx	Transfer from Fund 266	2,000	
565-00-34-7602	xxx	Sponsors - 50th Anniversary	1,500	
565-00-34-7306	xxx	VIP Reception - 50th Anniversary	4,500	
266-6110-61-1565	xxx	Transfer to Fund 565	2,000	
266-6110-53-1175	xxx	Operating Supplies		2,000

\$ 18,000 \$ 2,000

To set-up a budget for the 50th VIP Dinner and transfer funds that were previously donated from the Special Revenue Fund that received the funds to the Amphitheater Fund.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 09-042

DATE June 18, 2009

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-6110-52-1200	xxx	Professional Services - Rec	1,247	
100-6122-52-1200	xxx	Professional Services - Kedron		1,247
			\$ 1,247	\$ 1,247

To transfer budgeted funds from the Kedron budget to the Recreation budget in association with pools other than the Kedron pool to cover variances.

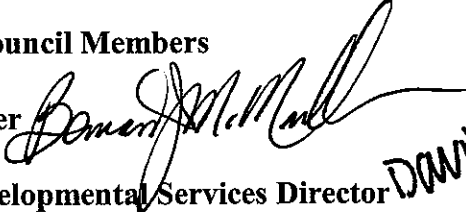
ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Interim Developmental Services Director 

DATE: June 11, 2009

SUBJECT: Proposed amendments to Section 1006, GC General Commercial zoning district regarding permitted uses.
June 18, 2009 City Council Agenda

Recommendation:

Approve amendments as submitted.

Discussion:

As discussed at numerous Planning Commission meetings as well as a joint City Council/ Planning Commission workshop, Staff is proposing to expand the list of permitted uses within the GC General Commercial zoning district to identify specific uses that would be permitted as well as to identify specific uses that would not be permitted within this zone.

These changes were discussed in a Public Hearing at the June 9 Planning Commission meeting where there was a unanimous vote to forward these to City Council with a recommendation that they be approved.

Following adoption of these uses, Staff will begin the process of identifying specific overlay zones for village centers, neighborhood centers and other commercial areas to identify a mix of uses that would be appropriate within those areas. It is anticipated this exercise will take several months to complete, but will assist us with the future development and redevelopment of these areas.

Budget impact:

There are no budget impacts associated with this request.

UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
June 9, 2009

PH-09-06 Consider amendments to GC General Commercial zoning district, specifically to identify uses that would be permitted and those that would not be permitted.

Mr. Rast stated that based on discussion at the joint Planning Commission/City Council workshop on May 5 as well as discussion at the May 11 Planning Commission meeting, Staff was proposing several amendments to the GC General Commercial zoning district. These amendments would identify specific uses that would be permitted within this zone as well as uses that would not be permitted.

Mr. Rast stated that the proposed ordinance had been modified based on comments that had been made at those meetings. He noted that the ordinance had also been reviewed by the City Attorney, and he was comfortable with the proposed verbiage.

No one else spoke in favor of or in opposition to the proposed amendments.

The Commissioners agreed that these amendments had been discussed at length and they were ready to make a motion for their approval. Mr. Scott wanted to ensure that there was nothing in the ordinance that would prohibit the college campus concept. Mr. Rast stated that this would be a permitted use under "Post-secondary education, trade or vocational school."

After discussion, a motion was made by Mr. Frazar, seconded by Ms. Wojcik, and unanimously adopted that the Planning Commission endorse the proposed amendments and forward them to City Council with a recommendation for approval.

AN ORDINANCE TO AMEND ARTICLE X, REQUIREMENTS BY DISTRICT, SECTION 1006, GC GENERAL COMMERCIAL ZONING DISTRICT, AS AMENDED, SPECIFICALLY SECTION 1006.2 PERMITTED USES, TO PROVIDE FOR USES PERMITTED WITHIN THE GC ZONING DISTRICT; TO PROHIBIT SPECIFIC USES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Peachtree City that:

Section 1. Article X, Requirements by District, Section 1006.2, Permitted uses within the GC general commercial zoning district of the Peachtree City Zoning Ordinance, as amended, be repealed in its entirety and replaced as follows:

(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, provided no single tenant, owner, occupant, or business occupies more than 10,000 square feet.
 - 1) Antique shops, including antique auction houses.
 - 2) Art and school supply stores.
 - 3) Automotive car wash facilities.
 - 4) Automobile maintenance facilities (brake repair, installation of tires, tune-up shops, oil change services, emission stations, etc.) subject to all activities taking place within an enclosed building.
 - 5) Automotive parts store.
 - 6) Automotive rentals.
 - 7) Bakeries.
 - 8) Bar, nightclub, tavern and/ or lounges.
 - 9) Bicycle shops.
 - 10) Boat sales and supply.
 - 11) Book or stationery stores.
 - 12) Camera and/ or photography store.
 - 13) Clothing sales and apparel stores.
 - 14) Consignment stores.
 - 15) Convenience food stores.
 - 16) Department stores.
 - 17) Drive-in restaurants.
 - 18) Drop-off and/ or donation center, provided that merchandise is

dropped inside of an enclosed building or tenant space and there is no sale of donated merchandise on the premises.

- 19) Drug stores.
- 20) Electronic equipment sales and service (TV, VCR, stereo equipment, etc.).
- 21) Florists.
- 22) Food and/ or grocery stores.
- 23) Food catering establishments.
- 24) Funeral home and mausoleum.
- 25) Furniture rental and/ or sales.
- 26) Garden supply centers and greenhouses.
- 27) Gift shops.
- 28) Golf cart sales and supply.
- 29) Hardware stores.
- 30) Hobby shops.
- 31) Ice cream shops.
- 32) Interior decorating shops.
- 33) Jewelry stores.
- 34) Music stores.
- 35) Newspaper publishing facility.
- 36) Pet shops and/ or grooming facilities.
- 37) Photography shops and studios.
- 38) Plumbing, electrical, pool and home building supply showrooms and sales centers provided there is no outside storage associated with the use.
- 39) Radio, recording or television studios and broadcasting stations, not including a transmission tower on the premises.
- 40) Radio and television repair shops.
- 41) Record and/ or video sales and rental services.
- 42) Rental facilities provided there is no merchandise stored outside of the building and/ or tenant space.
- 43) Restaurants and lounges.
- 44) Shoe sales.
- 45) Small appliance repair shops.
- 46) Sporting goods stores.
- 47) Toy stores.

(b) Business involving the rendering of a personal service on the premises.

- 1) Barber and/ or beauty shops.
- 2) Custom dressmaking and sewing shops.
- 3) Day care facility, subject to the following conditions:
 - a. A minimum of 100 SF of outdoor recreation area per child is provided, and the outdoor play area is enclosed with a 6' tall fence.
 - b. Compliance with all state day care standards.

- c. Compliance with all health regulations.
 - 4) Dry cleaning establishments, including dry cleaning pick-up and delivery stations, not to exceed 2,500 SF of gross floor area.
 - 5) Locksmith shops.
 - 6) Nail salons.
 - 7) Photocopying and/ or reproduction services.
 - 8) Shoe repair shops.
 - 9) Tailor shops.
 - 10) Travel agencies.
 - 11) Watch and clock repair shops.
- (c) Office for governmental, business, professional or general purposes.
 - 1) Accounting offices.
 - 2) Animal hospitals and/ or veterinary clinics.
 - 3) Banks and/ or financial institutions.
 - 4) Clinics and health centers.
 - 5) Design studios (architecture, engineering, landscape architecture, etc.)
 - 6) Educational facilities.
 - 7) Insurance office.
 - 8) Instructional studios (art, dance, martial arts, yoga, etc.)
 - 9) Law offices.
 - 10) Medical offices (doctor, dentist, chiropractor, etc.).
 - 11) Other public or professional offices.
- (d) Commercial recreation facility located entirely within a building on the premises.
 - 1) Amusement centers and arcades, including billiards and pool halls.
 - 2) Athletic and health clubs.
 - 3) Children's gym and/ or indoor recreation facilities.
 - 4) Cultural facilities (art galleries, museums, theaters, libraries and other similar uses).
 - 5) Indoor recreation facilities (bowling alleys, skating rinks, shooting ranges, movie theaters, etc.).
- (e) Publicly owned building, facility or land.
- (f) Building, facility or land for the distribution of utility services.
- (g) Building, facility, or land for non-commercial park, recreation, thoroughfare or open space purposes.
- (h) Private or semiprivate club, lodge or social center.

(i) Hotel or motel, subject to the following conditions:

1. All guest rooms shall be accessible by internal hallways only.
2. The lobby area shall be a minimum of 800 SF in size.
3. Each hotel/ motel site shall be a minimum of two (2) acres in size.
4. Each hotel/ motel shall provide on-site management 24 hours per day.
5. Each guest room shall include a complete bathroom facility, including sink, toilet and tub/ shower.
6. On-site storage of commercial equipment shall be prohibited.
7. Occupational tax licenses shall not be issued for any business operating out of a guest room at the hotel/ motel.

(k) Post-secondary education, trade or vocational school.

(l) Accessory uses, as described herein.

(1006.2a) *Prohibited uses*: The following uses shall NOT be permitted in any GC zoning district:

- (a) Adult entertainment.
- (b) Adult novelty stores, book stores, entertainment centers, theatres, and amusement facilities, peep shows and/ or massage parlors.
- (c) Automobile sales.
- (d) Bail bond services.
- (e) Bingo parlor.
- (f) Blood bank and/ or plasma center.
- (g) Check cashing facilities.
- (h) Cemetery.
- (i) Crematory.
- (j) Extended stay lodging facilities.
- (k) Facilities for dumping, disposal, incineration or reduction of garbage or refuse.
- (l) Group homes.
- (m) Kennels.
- (n) Open yard for the sale, rental and/ or storage of materials or equipment, including junk or salvage materials.
- (o) Pawn shops, second hand stores, closeout or liquidation stores, flea markets and/ or bankruptcy or fire sales.
- (p) Scrap and salvage services.
- (q) Second-hand clothing and/ or thrift stores.
- (r) Tattoo parlors.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided,

hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2009.

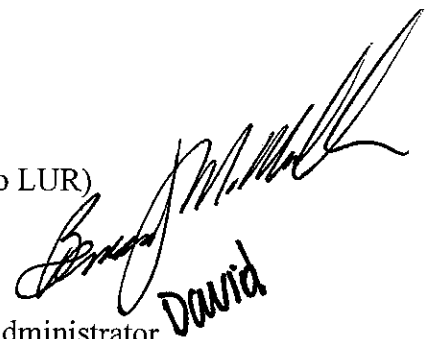
Harold K. Logsdon, Mayor

Attest: _____
City Clerk

POSITION PAPER

Callula Hill
Proposed rezoning of a 37.001-acre tract (GI to LUR)
Southpark International industrial park
Pathway Communities

Interim Developmental Services Director/ Zoning Administrator
June 11, 2009



David

Situation:

Pathway Communities owns a 37.001-acre tract of land within the Southpark International industrial park with access from an extension of FieldTurf Drive. The subject tract is zoned GI General Industrial and designated as IND Industrial on the city's Land Use Map. The applicant is requesting that the property be rezoned to accommodate a mixed-use development consisting of no more than eighty (80) single-family detached residential lots, an events center and no more than twelve (12) guest villas.

The Applicant has indicated the residential portion of the development would be age targeted, but not age restricted. The events center would be owned and managed by a private owner, and would be available for corporate meetings, weddings, parties, etc. The guest villas would be utilized for lodging business or corporate travelers, those attending functions at the events center, golf outings, etc.

In order to accommodate this request, the Applicant is requesting that the entire tract be rezoned to LUR Limited Use Residential. Both the residential component and the commercial component would be identified as permitted uses within the specific LUR zoning district established for this development.

The subject tract sits on a heavily wooded knoll with a change in elevation of approximately 70' from the center of the property to the property lines. The property overlooks and is bordered on the north, south, east and west by the Planterra Ridge golf course, which is owned and operated by Sequoia Golf. The property is also bordered on the west and overlooks approximately 600 acres owned by the Fayette County Board of Commissioners, which is the location of the future Lake McIntosh.

Currently, vehicular access is provided via TDK Boulevard and Southpark Drive, which runs through the Southpark International industrial park. The Southpark International industrial park is home to the Shinsei Corporation, FieldTurf, Metal Forming, Rinnai, Jasper Transmissions and Aventure Aviation, among others, as well as the Planterra Ridge golf course and clubhouse. Two tracts totaling approximately eight (8) acres remain undeveloped within the overall industrial park. The existing businesses within the Southpark International industrial park are primarily office and distribution facilities.

Callula Hill (37.001 acres)

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While not a part of this application, Staff has also analyzed the existing and proposed development patterns within the Southpark/ Lake McIntosh study area. This analysis included existing and proposed development both within Peachtree City and unincorporated Coweta County, potential road connections, flight patterns associated with Falcon Field, and the completion of Lake McIntosh. It was felt this exercise was vital to gain a better understanding of the impact changes in zoning and/ or land use may or may not have on the development within this portion of the city. Recommendations based on this analysis will be presented to the Planning Commission and City Council as a part of the next update to the city's Land Use Plan.

Because the subject tract is not currently zoned for residential or commercial use, the Applicant is requesting that it be rezoned to an appropriate classification. The rezoning would also require a change in the land use designation from IND Industrial to SFC Single-family cluster residential and COM Commercial accordingly. A copy of the Request for Rezoning application is included as Attachment "A".

Facts:

1. The subject tract is 37.001 acres in size and zoned GI General Industrial. Pathway Communities has owned the property for many years.
2. The Land Use Plan designates the subject tract as IND Industrial.
3. The Applicant has prepared a master plan for the property identifying how the subdivision and events center would be situated. Because the property abuts the golf course and future lake, there is no perimeter buffering provided to separate the development from the adjoining land uses.
4. The Sequoia Golf tracts, which abut the property on all four sides, are currently zoned GI General Industrial. With the recent amendments to the city's Zoning Ordinance, Staff will be recommending that these parcels be rezoned to OS-P Open Space Public as a part of the update to the zoning map.
5. The Fayette County Board of Commissioners tract, which also abuts the property, is currently zoned GI General Industrial. With the recent amendments to the city's Zoning Ordinance, Staff will be recommending that this tract be rezoned to OS-C Open Space – Conservation as a part of the update to the zoning map.
6. The Sequoia Golf tracts and the Fayette County Board of Commissioners tract are all designated as OS Open Space on the city's Land Use Map.

Callula Hill (37.001 acres)

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7. While predominately surrounded by recreation and open space, the parcels across the golf course access drive and the right-of-way of FieldTurf Drive are zoned industrial and will more than likely be developed with industrial uses.
8. The property is located near the end of the Falcon Field runway and the development will be subject to noise from aircraft taking off and landing at the airport.
9. The only means of access to the property is through the city's industrial park. Residents and visitors would turn into and travel through the Southpark International industrial park, which would require interaction with industrial traffic on a daily basis.
10. There is currently no multi-use path connectivity to the property from the city's multi-use path system, other than the cart paths associated with the golf course.
11. With a build-out projection of 80 homes, approximately 184 residents would live in the community. The Applicant has indicated the development would be age targeted, which may result in school-age children living in the subdivision. The Fayette County Board of Education does not currently route busses in this portion of the industrial park.
12. At their meeting on May 13, 2009, the Peachtree City Airport Authority voted unanimously that the development will not adversely affect operations of Falcon Field Airport subject to several criteria (Attachment "B").
13. At their meeting on June 9, the Planning Commission voted 3 to 2 in favor of forwarding this item to City Council with a recommendation that it be approved (Attachment "C").

Possible solutions:

1. Recommend that the property be rezoned as proposed.
2. Recommend that the property be rezoned subject to understandings and conditions.
3. Recommend that the rezoning request not be approved.
4. Recommend that the project be tabled for further discussion and to allow the Applicant to research and address concerns.

Discussion:

The Applicant has proposed a mixed-use development that has been designed to take advantage of panoramic views of both the Planterra Ridge golf course and Lake McIntosh. The topography of the property and the fact the property is heavily wooded with a mix of mature pines and

Callula Hill (37.001 acres)

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hardwoods provides an opportunity to design a neighborhood that blends in with the environment in which it is located.

The Applicant has provided a concept that is well thought out and, if executed as described, could be one of the more desirable neighborhoods in Peachtree City. The concept blends the architectural style and building materials of the homes with the landscape and establishes home sites that step down the terrain to take advantage of the views from the property.

The events center, which would be the first of its kind in Peachtree City, would provide both indoor and outdoor event spaces as well as lodging facilities. Guests could take advantage of the adjoining golf course and the amenities associated with Lake McIntosh. The proximity of this facility to Falcon Field and the various tenants within the industrial park would provide an opportunity to host meetings and special events on a regular basis.

The Applicant has indicated they would enact deed covenants and restrictions that would require the preservation of mature vegetation on each lot. The Homeowner's Association would also enforce architectural design as well as maintain all internal parks within the subdivision. It is imperative that additional steps be taken through designation of undisturbed buffers on each lot to ensure vegetation is preserved.

The Applicant has indicated they are in discussions with Sequoia Golf about the possibility of constructing a driveway access to the events center service area from the private driveway leading to the golf clubhouse, which would eliminate the need for service traffic to enter the events center through the subdivision.

The Applicant has also indicated it is their intent to improve the TDK Boulevard extension as soon as the county has completed construction of the dam associated with Lake McIntosh and would utilize this as the main point of access into the subdivision as opposed to using the internal streets within the Southpark industrial park. This road would ultimately be extended to provide access to the lake as well as two undeveloped tracts of land.

The Applicant has indicated they have had several meetings with the Airport Manager and members of the Peachtree City Airport Authority who have stated they neither support nor object to the proposed development, but instead would require specific language be recorded on the final plat as well as within the closing documents notifying prospective buyers of the proximity to the airport.

The Applicant has indicated they would be willing to work with the city to provide multi-use path access to this development. Within the Multi-use Path System Master Plan, the city has identified the need to construct a multi-use path along the entire length of Dividend Drive to provide a means of interconnecting the property within the industrial park to the existing multi-

Callula Hill (37.001 acres)

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use path system. With the increase of industrial traffic, including both trucks and employees, it is important that golf cart and alternate forms of transportation (walking, biking, etc.) be separated from the road.

Staff has analyzed the remaining acreage within the industrial park and has found there are approximately 473 acres of land left to be developed. In addition, Staff has identified approximately 800,000 SF of vacant space within the industrial park.

Additionally, Staff's analysis of the Southpark/ Lake McIntosh study area found there is a significant amount of existing residential development already surrounding Lake McIntosh as well as a significant amount of residential growth proposed around the lake.

Evaluation based on Zoning Ordinance:

Based on Section 1304(d) of the city's Zoning Ordinance, the following factors shall be considered when evaluating a proposed change to the zoning map:

(1) Whether the zoning proposal is in conformity with the policy and intent of the land use plan;

The city's Land Use Plan was adopted in May of 1985 and has been updated periodically through the years. The Land Use Plan is intended as a guide for the physical development of the city and to be a tool for identifying those areas best and least suited for various types and intensities of development. The Land Use Plan also establishes goals and policies to guide land use decisions.

Future land use represents the interface between established goals and objectives and the reality of physical development. Regarding future land use, the Land Use Plan states:

The viability of Peachtree City of the future depends on how well city officials, professional staff and residents are able to interpret, implement and adopt this plan according to the purpose, concepts, goals and objectives previously established. To reiterate, the purpose of the Peachtree City Land Use Plan is to guide the physical development of the city. Primary concepts are:

- 1. Protection of the natural environment,*
- 2. Planned growth,*
- 3. Village centers, and*
- 4. Appropriate industrial development.*

Callula Hill (37.001 acres)

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The goal of the industrial component of the Land Use Plan is to “*Promote the establishment of a diversified industrial base of clean industries to support a stable economy.*” This section further states,

The industrial park of Peachtree City should be the location for all existing and future industry in the city. The park is a clearly and logically defined area of the city set aside for the exclusive use of industry and related activities. Physical and development properties of the park are conducive to growth within the existing park by current and additional occupants of the park.

Further, this section states “*Efforts on the parts of the city and developers should be towards protecting the park from encroachment by non-industrial or otherwise incompatible uses.*”

Taking this into consideration, one’s first impulse may be to take the position that the proposed development does not comply with the adopted principles of the Land Use Plan and to recommend that the proposal not be approved. However, the residential component of the Land Use Plan suggests that medium-density multi-family should be constructed near the industrial park, so as to permit close work/ home relationships.

The plan also suggests that high-density multi-family located near the industrial park and adjacent to the proposed Lake McIntosh would serve to provide proximity of large numbers of people to the city’s primary job area and to allow the maximum, feasible number of people to enjoy the amenities associated with the lake.

While the Applicant is not proposing a medium- or high-density multi-family development within the industrial park, they are proposing to develop a single-family detached residential subdivision. The proposed development would allow the residents to enjoy the amenities associated with Lake McIntosh and the Planterra Ridge golf course as the subject tract provides 360° views of both the golf course and the lake.

To say that the city has never veered from the adopted land use plan is not an accurate statement. If this were the case, for example, what we know today as the North Cove, Albemarle, Cottage Grove, Sutton’s Cove, Larkin’s Landing, The Point at Lake Kedron and St. Simon’s Cove subdivisions – all of which are located directly adjacent to or within close proximity to Lake Kedron, would be developed as condominiums, townhomes and apartments. In addition, what we know as The Avenue retail center would be developed as an industrial site; and what we know as the Somerby at Peachtree City development would be developed as an industrial site. These are but a few examples of developments that have been approved with a land use that is different than what was initially identified within the Land Use Plan at the time.

Callula Hill (37.001 acres)

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Again, the purpose of the Land Use Plan and its updates is to establish a guide for future development within the city. As rezoning proposals are brought forth that suggest a change to the designated land use, they must be reviewed on their merits and then a determination made as to whether or not the findings support amending the Land Use Plan.

(2) *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;*

The subject tract is located within the Southpark International industrial subdivision, which includes a variety of businesses that are primarily office and distribution in nature. Southpark is also home to the Planterra Ridge golf course and clubhouse. The subject tract is surrounded by the golf course and Lake McIntosh, and has golf course and/ or lake views in each direction.

While the property could be developed as an industrial use, which would allow a corporate office campus, it is unlikely the existing topography or vegetation would be preserved to the extent it could be if the property was developed as residential as proposed.

The Applicant has identified access into the development as a concern and has plans to extend TDK Boulevard once the construction of the dam for Lake McIntosh is complete to provide a primary entrance into the subdivision as opposed to entering through the industrial park. The Applicant has also identified the proximity of the property to the airport and has agreed to include language within the deed covenants and restrictions such that any potential buyer would be aware there is an airport close by. This is similar to what was done when Planterra Ridge was developed.

(3) *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;*

The Applicant has indicated the proposed rezoning is supported by the golf course and several of the businesses within the industrial park. The parcels immediately adjoining the development would benefit from the development aesthetically, as more of the vegetation would be preserved if the property was developed as residential as opposed to industrial or office.

It is possible the proposed residential component, as well as the events center and villas, would enhance the businesses within the industrial park as well as Falcon Field, by providing corporate travel and meeting space. It is also possible residents who currently work in the industrial park would live there as well.

In addition, as the parcels adjacent to or in close proximity to this property begin to develop, it is possible there may be a professional office or research and development complex on the 6-acre

Callula Hill (37.001 acres)

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tract of land across FieldTurf Drive; a hotel and conference center, corporate headquarters or professional office on the 5.2-acre tract adjacent to lake McIntosh; and light industrial, office/warehouse, professional office or airport-related uses on the 16-acre tract adjacent to Falcon Field.

(4) *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;*

The property as currently zoned could be developed as a variety of industrial uses, from large scale manufacturing to small office/ warehouse space. The property could also be developed as a corporate office campus or training facility. Simply put, the property could be developed as currently zoned.

The question is whether or not industrial use is the most desirable use for this tract of land. The Applicant has indicated they have discussed the property with potential buyers but did not feel what they were proposing was suitable for the property.

It is a fact the property could be developed with a large manufacturing or distribution building. In doing so, the majority, if not all, of the existing vegetation would most likely be removed and the rolling topography flattened to accommodate large buildings, parking and stormwater facilities. More than likely, most types of industrial development would not take advantage of the panoramic views of Lake McIntosh or the golf course.

(5) *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and*

The proposed use would not result in excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The infrastructure is in place to support the development as proposed. The Applicant would be responsible for extending utilities into the site and constructing roads and amenities.

The Applicant has also indicated a willingness to work with the city to extend the multi-use path system to interconnect with this development. Although a definitive location has yet to be determined, it is felt that an extension of the path adjacent to Dividend Drive would be appropriate and would also support the recommendations within the city's Multi-use Path System Master Plan.

It should be noted the Fayette County Board of Education does not currently provide bus service to this portion of the industrial park, as there are no residential developments in this area.

Callula Hill (37.001 acres)

June 11, 2009

Page 9

- (6) *Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal.*

The Southpark/ Lake McIntosh analysis identified an overall view of existing development and what may be developed in the immediate vicinity of Lake McIntosh, both within Peachtree City and unincorporated Coweta County. While not a part of this application, this study identified the need to plan and prepare for this development while protecting the boundaries of the lake.

The proposed development, while not industrial, is consistent with other developments that have been approved adjacent to the lake. It is possible the proposed development may have less environmental impact on the surrounding properties, including the lake, due to the fact there would be less impervious surface (building, parking, sidewalks, etc.) and more preservation of natural topography and existing vegetation.

Recommendation:

Staff recommends that the proposed rezoning of the 37.001-acre tract of land within the Southpark International industrial park from GI to LUR be forwarded to City Council with a recommendation that it be approved subject to the following understandings and conditions:

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed concept plat, which must be approved by the Planning Commission as a part of the established review and approval process. It is understood the general layout of the streets and individual lots may change once final engineering documents are prepared.
2. There shall be no more than eighty (80) single-family detached lots within the overall subdivision.
3. The event center shall not exceed 15,000 SF in size. There shall be no more than twelve (12) villas as a part of the events center.
4. The Applicant shall coordinate with City Staff to determine the location and extent of a multi-use path to be constructed within the right-of-way of Dividend Drive from TDK Boulevard to Kelly Drive. The path shall be designed and constructed by the Applicant at no expense to the city.
5. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the Homeowner's Association in perpetuity.
6. Within two (2) years of issuance of construction plan approval, the Applicant shall improve, at no expense to the city, the extension of TDK Boulevard from its current terminus to the TDK Boulevard/ FieldTurf Drive intersection as well as the extension of

Callula Hill (37.001 acres)

June 11, 2009

Page 10

FieldTurf Drive, from its current terminus to TDK Boulevard. The intent of these road extensions shall be to provide an alternate route into the subdivision. This road construction shall also include a paved multi-use path, which will connect the multi-use path adjacent to Dividend Drive to the TDK Boulevard/ FieldTurf Drive intersection.

7. The Applicant shall coordinate with the Fayette County Water Department and the Peachtree City Fire Department to ensure appropriately sized water lines are constructed as a part of this development.
8. The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.
9. The location of the floodplain shall be field located and surveyed prior to preparation of the engineering drawings. Absolutely no development shall be permitted within the floodplain.
10. The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.
11. At a minimum, the rear 20' of each residential lot shall be designated as an undisturbed natural buffer and the removal of any existing vegetation within this area shall be prohibited except for perpendicular utility crossings.
12. Existing vegetation within the areas identified as open space on the concept plat must be protected prior to, during and following construction.
13. The final plat, as well as the deed covenants and restrictions, shall include language acceptable to the City Attorney and the Peachtree City Airport Authority identifying the proximity of the subject tract to Falcon Field Airport.
14. The Applicant shall establish deed covenants for the overall subdivision that shall limit rental units to no more than 20 percent of the total number of dwelling units in the subdivision. The covenants shall provide for the strict enforcement of the limit on rental units, and the developer shall establish the administrative structure for that enforcement prior to sale of the first dwelling unit in the subdivision.
15. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
16. The land use designation of the subject tract shall be changed from IND Industrial to SFC Single-Family Cluster and COM Commercial accordingly.
17. It is understood there is a discrepancy between the topography shown on the schematic plat and the city's GIS system, which is based on the North American Vertical Datum (NAVD) of 1988. Field run topo shall be provided as a part of the concept plat submittal, at which time it will be determined to what extent existing vegetation may need to be removed to accommodate this development.

Callula Hill (37.001 acres)

June 11, 2009

Page 11

18. A tree survey shall be provided as a part of the concept plat submittal and shall include all vegetation 6" in caliper and greater.
19. The Restrictive Covenants shall be modified to include language notifying future property owners of the air show and other activities associated with the airport.



BALCH & BINGHAM LLP

Alabama • Georgia • Mississippi • Washington, DC

Attorneys and Counselors
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(404) 261-6020
(404) 261-3656 Fax
www.balch.com

Stephen Fusco
(404) 962-3554

(866) 690-7373 (direct fax)
sfusco@balch.com

January 14, 2009

BY HAND DELIVERY

Mr. David E. Rast
Peachtree City Planning Department
153 Willowbend Road
Peachtree City, GA 30269

Re: Pathway Communities ~ Callula Hill (G1 to LUR)

Dear Mr. Rast:

I am writing on behalf of my client, Pathway Communities, to request that the above-referenced rezoning application be approved by Peachtree City. As I am sure you know, Georgia law requires that an applicant file constitutional objections in order to preserve his/her legal rights. See Dekalb County v. Post Properties, Inc., 245 Ga. 214, 217 (1980); see also Cobb County Board of Commissioners v. Poss, 257 Ga. 393 (1987). I generally file these objections with rezoning applications as a matter of course as they are standard with all rezoning applications. On behalf of Pathway Communities, please consider this letter as Pathway's "constitutional objections" and please include this letter as a part of the official zoning file for this matter. If you have any questions/concerns regarding these objections, then please do not hesitate to contact me. Again, this letter is not intended to be at all antagonistic but rather is merely perfunctory.

The denial of the above-referenced rezoning request would amount to an unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of 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.

Additionally, a denial of the above-referenced rezoning request would discriminate unfairly between the owners of property and others similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of 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.

RECEIVED JAN 15 2009

Mr. David E. Rast
January 14, 2009
Page 2

Moreover, a denial of the above-referenced rezoning request would amount to a taking of property, in violation of the Fifth and Fourteenth Amendment of 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.

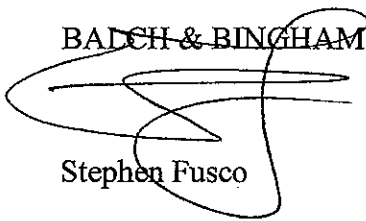
Furthermore, a denial of the above-referenced rezoning request would be an arbitrary and unreasonable use of the zoning and police powers because it bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms property owners and constitutes a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of 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 of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Finally, it is respectfully submitted that the City's actions regarding the adoption of its zoning ordinance, zoning map, future land use map and other zoning regulations, to the extent they are interpreted to prohibit development as contemplated by the Applicant, are unconstitutional, a denial of substantive and procedural process, arbitrary and capricious and a violation of the zoning and police powers of Peachtree City insofar as such adoption or designation was not compliant with the Peachtree City Zoning Ordinance and the Zoning Procedures Law.

If you should have any questions, then please do not hesitate to contact me.

Sincerely,

BALCH & BINGHAM LLP



Stephen Fusco

SF:rlw

cc: Ms. Elizabeth Thibo
Mr. Gene Lavine
Mr. Jeff Carson



Please use blue or black ink to fill out this form.

REZONING PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Fee: \$250\acre
 Receipt # 137246
 Date Filed 12/22/08
 Case # 2008-38
 Office Use Only

SITE LOCATION	Address <u>LAND LOT 57.6TH DISTRICT</u> <u>PEACHTREE CITY, FAYETTE COUNTY GA</u> Proposed Use: <u>MIXED-USE RESIDENTIAL</u> Site in which Village: ☐ Aberdeen ☐ Braelinn ☐ Glenloch ☐ Kedron ☐ Wilksmoor ☒ Industrial	SITE INFORMATION	Parcel #(s) <u>0615 028</u> Existing Zoning <u>G.I.</u> Proposed Zoning <u>L.U.R.</u> Property Size: <u>1,611 763.5</u> <u>37.001</u> Square Feet Acres
APPLICANT	Name <u>GENE LAVINE</u> Address <u>100 WORLD DR. SUITE 240</u> City, State, Zip <u>PEACHTREE CITY, GA 30269</u> Phone # <u>770-487-8585</u> Email <u>GLAVINE@PATHWAYCOMM.COM</u>	OWNER	Name <u>PCH INVESTMENTS, L.L.C.</u> Address <u>100 WORLD DR. SUITE 240</u> City, State, Zip <u>PEACHTREE CITY, GA 30269</u> Phone # <u>770-487-8585</u> Email <u>GLAVINE@PATHWAYCOMM.COM</u>

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LOCATION OF	Entrance to Site: <u>NORTH OFF HUSKY DR. (EXTENDED)</u> Tree Save and Landscape Buffers: <u>AS DEPICTED ON SITE PLAN</u> Other Buffers: <u>N/A</u> Greenbelts (to be dedicated to the city): <u>N/A</u> Multi-Use Path Connections: <u>NORTH AND SOUTH</u> Historical Resources: <u>NONE KNOWN</u> Natural Features: <u>VIEW OF FUTURE LAKE MCINTOSH & GOLF COURSE</u> Stormwater Retention: <u>SEVERAL DETENTION / WATER QUALITY PONDS</u>
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BUILDING INFORMATION	Building type: <u>RESIDENTIAL HOUSING</u> Hrs of operation: <u>N/A</u> to <u>N/A</u> # of stories: <u>2</u> Building height: <u>35'</u> Floor Area (Sq ft) <u>1800 - 4000</u> Existing Proposed # of dwelling units: <u>80</u> Units\acre: <u>2.16</u> # of employees: <u>N/A</u> <u>N/A</u> Existing Proposed	Briefly describe proposed use of property: (A separate detailed report is still required to be attached to this application) <u>80 SINGLE FAMILY DETACHED DWELLINGS</u> Parking: <u>N/A</u> <u>N/A</u> <u>N/A</u> <u>N/A</u> # Required # Existing # Proposed # Previous
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TYPE OF CONSTRUCTION	Structural Material: ☒ Wood ☐ Metal ☐ Concrete ☐ Brick ☐ Other _____ Roof Material: ☐ Metal ☐ Tar ☒ Shingles ☐ Slate ☐ Other _____ Interior Finish: ☒ Drywall ☐ Wood ☐ Concrete ☐ Stucco ☐ Other _____ Exterior Finish: ☐ Wood ☐ Metal ☐ Concrete ☐ Brick ☒ Other <u>VARIOUS</u>	SETBACKS	<table style="width: 100%;"> <tr> <th></th> <th style="text-align: center;">Required</th> <th style="text-align: center;">Proposed</th> </tr> <tr> <td>Front (Building)</td> <td style="text-align: center;"><u>N/A</u> ft</td> <td style="text-align: center;"><u>5</u> ft</td> </tr> <tr> <td>Front (Parking)</td> <td style="text-align: center;"><u>N/A</u> ft</td> <td style="text-align: center;"><u>N/A</u> ft</td> </tr> <tr> <td>Side</td> <td style="text-align: center;"><u>20</u> ft</td> <td style="text-align: center;"><u>70' LOTS - 10</u> <u>50' 40' LOTS - 5</u></td> </tr> <tr> <td>Rear</td> <td style="text-align: center;"><u>40</u> ft</td> <td style="text-align: center;"><u>20</u> ft</td> </tr> </table>		Required	Proposed	Front (Building)	<u>N/A</u> ft	<u>5</u> ft	Front (Parking)	<u>N/A</u> ft	<u>N/A</u> ft	Side	<u>20</u> ft	<u>70' LOTS - 10</u> <u>50' 40' LOTS - 5</u>	Rear	<u>40</u> ft	<u>20</u> ft
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TRANSPORTATION INFORMATION	Name of access or adjacent street	# of access points	ROW width (ft)	Pavement width (ft)	# of lanes	Paved? (Y or N)	Roadway design capacity ¹	Traffic volume (ADT) ²	Est. traffic generated (ADT) ³
		Highway 74	1	UNDER CONSTR.		4	Y	35000	15000
Estimated traffic generated by heavy vehicles: ¹ See GADOT Highway Capacity Manual ² See GADOT Traffic Survey Unit (ADT - Average Daily Traffic) ³ Base on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per yr ft)									
Types of vehicles(s): <u>WASTE, DELIVERY</u>								ADT: <u>3</u>	
(vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)									

UTILITIES & SERVICES INFO	Solid waste collection:		Water supply:		Estimated total water demand (gpd):
	Natural gas: <u>NGL</u>		☐ Individual Well(s)	☐ Community System	<u>30600</u>
Electrical Service: <u>GEORGIA POWER</u>	☐ Yes ☐ No	☒ Municipal System: (Fayette County Water Dept)			
Telephone Service: <u>BELLSOUTH/ATT</u>	☐ Yes ☐ No	Wastewater collection/treatment:		Estimated total wastewater discharge (gpd):	
Cable TV Service: <u>COMCAST</u>	☐ Yes ☐ No	☐ Individual Onsite ☐ Community System		<u>30600</u>	
		☒ Municipal System: (Peachtree City WASA)			

FIRE INFORMATION	Automatic Fire Sprinklers:		Briefly describe daily operations:	
	☐ Yes ☒ No, why? <u>ON GOING DISCUSSIONS</u>		(A separate detailed report is still required to be attached to this application)	
Automatic Fire Alarm:		<u>80 SINGLE FAMILY DETACHED DWELLINGS</u>		
☐ Yes ☒ No, why? <u>WITH FIRE DEPT.</u>				
# of Fire Hydrants: <u>6</u>	<u>1</u> Existing <u>11</u> Proposed			
Hazardous Material On Site? (If yes, describe type and method of storage to the right:)	☐ Yes ☒ No	Material(s): <u>N/A</u>	Storage: <u>N/A</u>	

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that the above listed information and the accompanying materials as requested are accurate.

Applicant Signature: [Signature] Date: 12-22-08

Property Owner Signature: [Signature] Date: 12-22-08

Please complete the attached checklist.

OFFICE ONLY

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: David E. Rant Date: 12-29-08

Date & Time of Planning Commission Public Hearing: Jan. 12, 2009 (workshop) / Feb. 9, 2009 (PH)

Date of City Council Public Hearing: Feb. 19, 2009 Case Number: 2008-38



Please use blue or black ink to fill out this form.

REZONING PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Fee: \$250/acre

Receipt # 137246

Date Filed 12/22/08

Case # 2008-38

Office Use Only

SITE LOCATION	Address _____ Proposed Use: _____ Site in which Village: ☐ Aberdeen ☐ Braelinn ☐ Glenloch ☐ Kedron ☐ Wilksmoor ☐ Industrial	SITE INFORMATION	Parcel #(s) _____ Existing Zoning _____ Proposed Zoning _____ Property Size: _____ Square Feet _____ Acres
APPLICANT	Name _____ Address _____ City, State, Zip _____ Phone # _____ Email _____	OWNER	Name _____ Address _____ City, State, Zip _____ Phone # _____ Email _____

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BUILDING INFORMATION	Building type: <u>EVENT CENTER/VILLAS</u> Hrs of operation: <u>AS RENTED</u> # of stories: <u>2</u> Building height: <u>35'</u> Floor Area (Sq ft) <u>0</u> Existing <u>15,000 SF</u> Proposed # of dwelling units: <u>N/A</u> Units/acre: <u>N/A</u> # of employees: <u>0</u> Existing <u>2+</u> Proposed	Briefly describe proposed use of property: (A separate detailed report is still required to be attached to this application) <u>15,000 SF EVENT CENTER</u> <u>12 OVERNIGHT VILLAS</u> Parking: <u>75</u> # Required <u>0</u> # Existing <u>175</u> # Proposed <u>0</u> # Previous
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TYPE OF CONSTRUCTION	Structural Material: ☒ Wood ☐ Metal ☐ Concrete ☐ Brick ☐ Other _____ Roof Material: ☐ Metal ☐ Tar ☒ Shingles ☐ Slate ☐ Other _____ Interior Finish: ☒ Drywall ☐ Wood ☐ Concrete ☐ Stucco ☐ Other _____ Exterior Finish: ☐ Wood ☐ Metal ☐ Concrete ☐ Brick ☒ Other <u>VARIOUS</u>	SETBACKS	<table style="width: 100%;"> <tr> <th></th> <th style="text-align: center;">Required</th> <th style="text-align: center;">Proposed</th> </tr> <tr> <td>Front (Building)</td> <td style="text-align: center;"><u>N/A</u> ft</td> <td style="text-align: center;"><u>20</u> ft</td> </tr> <tr> <td>Front (Parking)</td> <td style="text-align: center;"><u>N/A</u> ft</td> <td style="text-align: center;"><u>20</u> ft</td> </tr> <tr> <td>Side</td> <td style="text-align: center;"><u>20</u> ft</td> <td style="text-align: center;"><u>20</u> ft</td> </tr> <tr> <td>Rear</td> <td style="text-align: center;"><u>40</u> ft</td> <td style="text-align: center;"><u>20</u> ft</td> </tr> </table>		Required	Proposed	Front (Building)	<u>N/A</u> ft	<u>20</u> ft	Front (Parking)	<u>N/A</u> ft	<u>20</u> ft	Side	<u>20</u> ft	<u>20</u> ft	Rear	<u>40</u> ft	<u>20</u> ft
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Types of Vehicles(s): _____									ADT: _____
(vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)									

UTILITIES & SERVICES INFO	Solid waste collection: _____		** Please attach letters from utilities indicating that their services can support the proposed development **	
	Natural gas: _____			Water supply:
Electrical Service: _____	Underground? ☐ Yes ☐ No		☐ Individual Well(s) ☐ Community System	
Telephone Service: _____	Underground? ☐ Yes ☐ No		☐ Municipal System: (Fayette County Water Dept)	
Cable TV Service: _____	Underground? ☐ Yes ☐ No		Wastewater collection/treatment:	Estimated total wastewater discharge (gpd): _____
			☐ Individual Onsite ☐ Community System	
			☐ Municipal System: (Peachtree City WASA)	

FIRE INFORMATION	Automatic Fire Sprinklers:		Briefly describe daily operations: (A separate detailed report is still required to be attached to this application)	
	☒ Yes ☐ No, why? _____		15,000 SF EXHIBIT CENTER	
Automatic Fire Alarm:		12 OVERNIGHT VILLAS		
☒ Yes ☐ No, why? _____				
# of Fire Hydrants: _____	Existing ☒ Proposed ☐			
Hazardous Material On Site? (If yes, describe type and method of storage to the right:)		☐ Yes ☐ No	Material(s): _____ Storage: _____	

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that the above listed information and the accompanying materials as requested are accurate.

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Please complete the attached checklist.

OFFICE ONLY

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Signature: David E. Fast Date: 12-29-08

Date & Time of Planning Commission Public Hearing: Jan. 12, 2009 (Workshop) / Feb. 9, 2009 (PH)

Date of City Council Public Hearing: Feb. 19, 2009 Case Number: 2008-38

CALLULA HILL
Rezoning Written Narrative

1. Land Use - The Applicant proposes to rezone the 37.001 acre parcel from General Industrial to Limited Use Residential that shall consist of 29 acres planned for an age-targeted single family residential community and 8 acres planned for a 12,000 to 15,000 square foot Event Center with 12 overnight villas. Given the proximity of the parcel to the Golf Course, future Lake McIntosh, and Falcon Field Airport, the applicant feels that a quality, age-targeted mixed use, residential community is a much better use of the property than its current industrial zoning.

a. Impacts on public & educational facilities - As an age-targeted community, the impacts of Callula Hill on public facilities will be positive. In addition to providing tax revenues, mature adults historically like to become involved with their surrounding community by volunteering their time to community organizations. Impacts of Callula Hill on the educational facilities will also be positive in that the project shall generate an estimated \$431,039 per year in school taxes, yet as an age-targeted community, will have minimal demand on educational facilities. As outlined in the Economic Impact Schedule provided by the applicant, this project provides for an estimated one time fees contribution of approximately \$616,872 and an additional annual tax and usage revenue of approximately \$837,755 per year at full build-out.

b. The maximum number of planned single family residential units is 80. In addition, the applicant plans to develop 12 overnight villas as part of the Event Center.

c. The maximum height on all structures will be 35 feet from finished grade.

d. Impacts on neighboring properties - Callula Hill is bordered almost entirely by Planterra Ridge Golf Course. The applicant maintains that, as opposed to an industrial complex, Callula Hill will have a positive impact on the Golf Course from a visual and aesthetics perspective as well as financially. It is the intent of the applicant to provide at closing of each residence a one year membership to the Cannongate Golf Club to promote a future relationship between residents and the Cannongate Club.

e. Proposed special amenities - As depicted on the schematic site plan, Callula Hill shall provide a wide variety of both passive and active amenities for future residents. These activities shall be centered around three major park areas that will incorporate such uses as open air pavilions, horseshoe pits, bocce ball courts, outdoor cooking areas as well as outdoor fireplace and seating areas. In addition to sidewalks on both sides of the streets, Callula Hill will provide a fitness trail and a multi-use path system that will connect residents to any park or

green area within the community as well as two separate connections to the golf club and to the Peachtree City golf cart system.

f. Proposed phasing of development – Based upon the current market conditions and allowable timeframes, it is estimated that Callula Hill will begin construction of the residential portion of the development in early to mid 2010 with first home sales in late 2010 or early 2011. Development of the Event Center is anticipated to begin construction at the same time as the initial residential development however; close attention will be paid to market conditions at the time of development to ensure sustainability of the project.

2. Community Design

a. How the project fits within the village concept of the city – Although the current Peachtree City Village map identifies the subject property as part of the “industrial village”, one need only visit the subject property to understand clearly that its best use is residential development. Considering its proximity to the existing golf course, the new Lake McIntosh reservoir and Peachtree City Falcon Field, this property is clearly one of the last remaining parcels ideally suited to quality, mixed use residential development in the City. Furthermore, considering the project’s compact layout and reasonably low proposed density of 2.16 units per acre, Callula Hill is a model of village concepts in that the entire community shall be designed to promote a sense of place and connectivity through architectural materials and landscape design features including but not limited to signage, street lights, mailboxes and multi-use trails.

b. Multi-use path connections – Two separate connections have been proposed for Callula Hill. The first connection near the north-west corner of the property will allow residents to access the Golf Club and surrounding path system designed for public use. A second connection at the main entrance to the community will allow access to public streets and ultimately to the Peachtree City multi-use path system.

c. Incorporating crime prevention principles into site and building design – In order to provide a safer and more livable community, Callula Hill will implement strategies of the Crime Prevention through Environmental Design (CPTED) methodology which reduces criminal behavior and at the same time encourages residents to “keep an eye out” for each other. Natural Surveillance will be promoted through pedestrian friendly sidewalks and streets, front porches, and adequate nighttime lighting. Territorial Reinforcement and Natural Access Control will be achieved with landscape and hardscape features that define property lines and distinguish private spaces from public spaces. Timely and effective maintenance of both common area landscaping and hardscapes as well as resident landscaping through a mandatory and professionally managed Community Association will present a “well cared for” appearance and deter vandalism.

d. Providing parking at the rear of commercial buildings – Parking at the event center is not at the front of the building and shall be screened by landscaping as well as the overnight villas.

e. Locating structures close to the street edge – The applicant is proposing a 5' front setback on all residential structures.

f. Eliminating large parking lots between public streets and building entrances – Not applicable.

g. Preserving natural resources on the site – Natural topography of the site has been incorporated into both site and structural design efforts in order to preserve the community's most valuable natural resource which is the natural views of both the future Lake McIntosh and the existing golf course. Every effort shall be made to preserve natural tree save areas and existing vegetation where possible.

h. Incorporating natural storm water management designs as wet ponds and as architectural features – In light of the recent drought conditions and the fact that this site is reasonably small in size and does not meet the current minimum of a 25 acre drainage area required for a wet pond. The applicant has used careful planning and consideration in efforts minimize the impervious areas and strongly feels that the use of wet ponds is impractical for this community. In lieu of wet ponds, the applicant proposes the use of detention and water quality ponds that shall be designed in such a way as to meet current EPD and PTC standards as well as be aesthetically pleasing.

i. Protecting and restoring the natural terrain, drainage, and vegetation – As depicted by the schematic site and site section plans, the applicant has taken much care and consideration into the overall planning of this development. While this site may have obvious topographic challenges, the applicant considers these challenges as positives and intends to accentuate these positive attributes through thoughtful site design, allowing for scenic views of both Lake McIntosh and the surrounding golf course.

j. Aligning new roads to the natural contours of the land. (See explanation I)

k. Building architecture, signs, landscaping, lighting, and retention of natural vegetation along roadways and property boundaries. (See explanation I)

l. Preserving and/or providing open space. (See explanation I)

3. Economic Development – As outlined in the Economic Impact Schedule this project provides a positive impact to Peachtree City, Fayette County and its current resident base. See Economic Impact Schedule.

4. Fire and Rescue

a. Impacts of the proposal on established level of service standards. The closest fire station is Leach Station (#81) located approximately 1.9 miles from Callula Hill at 110 Paschall Road. Additionally, Weber Station (#83) on Peachtree Parkway is approximately 2 miles away from Callula Hill.

b. Additional mitigation measures such as sprinklers and fire-rated construction if outside travel time. The Event Center and overnight villas will be sprinkled and will meet all current requirements of the PTC commercial building codes. Additionally, in order to achieve the best possible ingress and egress to the event center, the operator of the event center shall provide parking attendants at any event that exceeds 75 guests.

c. Proposed improvements, including possible transportation improvements to achieve a satisfactory LOS. – As part of this development, the applicant has identified the need to extend Husky drive from its current end location to the Southern most point of the subject property and as such would be responsible to extend Husky drive to that point, construct it to meet current Peachtree City standards and ultimately dedicate the street to the city.

5. Potable Water

a. Potable water will be provided by Fayette County Water System (reference the attached service letter).

b. Improvements proposed. – Currently, the existing potable water lines end at or near the intersection of Husky Drive and Southpark Drive. All necessary water lines would need to be extended into and throughout the subject property and as such the applicant would be responsible for such extension.

6. Sewer

a. Sanitary sewer will be provided by Peachtree City Water and Sewerage Authority (reference the attached service letter).

b. Proposed improvements to accommodate development. Currently, the existing Sanitary Sewer lines border both the North West and South East property lines of the subject property. All necessary Sanitary Sewer lines would need to be extended into and throughout the subject property and as such the applicant would be responsible for such extension.

7. Transportation

a. Impacts of the proposal on established level of service (LOS) standards. Based upon an estimated 900 vehicle trips per day (448 - residential, 108 - villas, 344 - event center) the total impact of this development would be considered very minimal or minor and should have no negative impact on the LOS of the closest major arterial roadways. The closest major arterial road is Hwy 74 which is currently in the process of upgrades to 4 lanes with an approximate capacity of 35,000 trips per day. The most recent usage numbers in 2007 show an approximate use of 16,000 trips per day thus the additional 900 trips per day from Callula Hill would be considered a very minor increase in the total trips per day.

b. Improvements proposed, both motorized and non-motorized – as shown on the schematic site plan

c. Address connectivity of sidewalks and/or multi-use path system to adjacent properties, as well as the connectivity of internal roads to adjacent properties. – As illustrated in section 1.e

AGL Resources
Atlanta Gas Light
Chattanooga Gas
Elizabethtown Gas
Elkton Gas
Florida City Gas
Virginia Natural Gas
AGL Networks
Sequent Energy Management

404 584 3895 phone
www.atlantagaslight.com

Ten Peachtree Place
Atlanta, GA 30309

12/22/2008

Pathway Communities
1132 W. Peachtree St. NW
Suite 100
Atlanta, GA 30309
Mat Turner-Andrews

Re: Callula Hills
Husky Drive @ SouthPark Drive
LL: 57
District: 6th
Fayette County

Dear Ms. Turner-Andrews,

This is to advise you that natural gas is presently available to serve the above Residential project at the intersection of Husky and Southpark.

This is to further advise you that natural gas service will be made available to the above referenced project in accordance with the Rules and Regulations governing our operations on file with the Georgia Public Service Commission at the time said service is requested.

Please contact Bobby Chester at 678-878-5016 regarding gas installation.

Sincerely,

Leigh-Ann Morefield

Leigh-Ann Morefield
Sales Coordinator
404-584-3884



Atlanta Gas Light

HC Cable OPCO, LLC.

D.B.A NuLink

2A Jackson St.

Newnan, GA 30263

Pathway Communities

1132 W. Peachtree St., NW

Suite 100

Atlanta, GA 30309

RE: Callula Hills/Peachtree City

Mat Turner-Andrews,

We are interested in deploying our Digital Network within the Callula Hills development in Peachtree City. Let this serve as a letter of intent. Please forward a copy of the site plan so we can develop the necessary budget models.

Thank you,

Michael Mayo

Manager of Technical Operations

119 Smith Street
Jonesboro, Georgia 30236



December 19, 2008

Mat Turner-Andrews
Pathway Communities
1132 W. Peachtree St., NW
Suite 100
Atlanta, GA. 30309

RE: Electric Service Availability

This letter is to confirm the availability of electric service for your 37 acre residential development to be located off of Huskey Road in Peachtree City. This property is located in Land Lot 57 of the 6th District, City of Peachtree City, in Fayette County, Georgia.

Detail of the type and method of service must be coordinated with Company standard procedures. We look forward to working with you on this project. If you have any questions, give me a call at 770-603-5375.

Respectfully,

A handwritten signature in cursive script that reads "Jimmy Fogg".

Jimmy Fogg
Project Manager



Peachtree City Water and Sewerage Authority

December 18, 2008

Jeff Carson, CMP
Land Development Manager
Pathway Communities
World Dr.
Peachtree City, GA 30269

RE: Sewer Availability for Parcel #0615 028 at Land Lot 57 6th District

Dear Mr. Carson

There is sanitary sewer lines and sewer service available for the above mentioned property. The lines are 8" in size and are accessible for tie in.

If you have any question please fee free to call.

Sincerely,

Nathan B. Brooks
Construction Coordinator
Peachtree City Water & Sewerage Authority

Jeff Carson

From: Matthew Scott Bergen [mbergen@fayettecountyga.gov]
Sent: Thursday, December 18, 2008 4:30 PM
To: Jeff Carson
Subject: FW: Husky Drive Parcel

Matt Bergen
Construction Inspector
Fayette County Water System
Phone 770-320-6020
Fax 770-719-5576
e-mail mbergen@fayettecountyga.gov

From: David Rast [mailto:planner@peachtree-city.org]
Sent: Tuesday, December 16, 2008 9:00 AM
To: Matthew Scott Bergen
Subject: RE: Husky Drive Parcel

Thanks - exactly what we need at this point.

From: Matthew Scott Bergen [mailto:mbergen@fayettecountyga.gov]
Sent: Tuesday, December 16, 2008 8:50 AM
To: David Rast
Subject: Husky Drive Parcel

In reference to Parcel #0615 028 on Husky Drive, there is accessibility to water from this parcel. System requirements cannot be determined until site specific plan has been submitted. Please contact me should you have any questions.

Matt Bergen
Construction Inspector
Fayette County Water System
Phone 770-320-6020
Fax 770-719-5576
e-mail mbergen@fayettecountyga.gov

This message (including any attachments) contains information that may be confidential. Unless you are the intended recipient (or authorized to receive for the intended recipient), you may not read, print, retain, use, copy, distribute or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail, and destroy all copies of the original message (including any attachments).

12/18/2008

Callula Hill
Economic Impact Schedule

Project Assumptions:

Number of SF Units	80	Disturbed Acreage (AC)	31.981
Avg SF Unit Price	\$ 550,000.00	NPDES Fee (\$/disturbed ac)	\$ 40.00
Avg SF size (Sf)	2500	Total Acreage (AC)	37.001
Number of Villas	12	Event Center Acreage (AC)	8
Avg Villa Price	\$ 250,000.00	Linear Feet of Road	5230
Avg Villa Size (Sf)	1000	Road width BC to BC (Ft)	26
Avg Homestead Ex	\$ 3,000.00	Pavement Width (Ft)	22
PTC Impact Fee/SF Unit	\$ 1,083.00	Sidewalk width (Ft)	5
Event Center size (Sf)	15000	Estimated Time of Build-out (Yrs)	3
Event Center Value	\$ 5,000,000.00		
SF cost of Event Center	\$ 200.00		
Residents per unit	1.80		

Res Sewer usage rate: 300 gpd @ \$4.38/1000 gal

Comm Sewer usage rate: 300 persons @ 10 gpd @ \$4.85/1000 gal + villas at 300 gpd @ \$4.38/1000 gal

Res Water usage rate: 300gpd @ \$16/mo for first 2000 gal then \$2.80/1000

Comm Water usage rate: 3000gpd @ \$16/mo + \$3.80/1000 gal plus villas at 300 gpd @ \$16/mo (first 2000) + \$2.80/1000 gal

PTC Impact fee based upon City Wide Service Area fee of \$1,083 per unit

Callula Hill
Economic Impact Schedule

SF Residential Property Taxes Breakdown

Entity	Avg Sales Price	40% Assessed Value	Avg Homestead Exemption	Assessed Value	Millage	Annual Taxes (per unit)	Total Annual Taxes
<u>PTC</u>	\$ 550,000.00	\$ 220,000.00	\$ 3,000.00	\$ 217,000.00	5.533	\$ 1,200.66	\$ 96,052.88
<u>County</u>	\$ 550,000.00	\$ 220,000.00	\$ 3,000.00	\$ 217,000.00	5.692	\$ 1,235.16	\$ 98,813.12
<u>School</u>	\$ 550,000.00	\$ 220,000.00	\$ 3,000.00	\$ 217,000.00	22.15	\$ 4,806.55	\$ 384,524.00
<u>State</u>	\$ 550,000.00	\$ 220,000.00	\$ 3,000.00	\$ 217,000.00	0.25	\$ 54.25	\$ 4,340.00
					Total/Unit	\$ 7,296.63	\$ -
					<u>Total</u>	<u>\$ 583,730.00</u>	

Event Center Property Taxes Breakdown

Entity	Avg Sales Price	40% Assessed Value	Millage	Annual Taxes
<u>PTC</u>	\$ 5,000,000.00	\$ 2,000,000.00	5.533	\$ 11,066.00
<u>County</u>	\$ 5,000,000.00	\$ 2,000,000.00	5.692	\$ 11,384.00
<u>School</u>	\$ 5,000,000.00	\$ 2,000,000.00	22.15	\$ 44,300.00
<u>State</u>	\$ 5,000,000.00	\$ 2,000,000.00	0.25	\$ 500.00
			Total	<u>\$ 67,250.00</u>

Villas Property Taxes Breakdown

Entity	Avg Sales Price	40% Assessed Value	Millage	Annual Taxes
<u>PTC</u>	\$ 250,000.00	\$ 100,000.00	5.533	\$ 553.30
<u>County</u>	\$ 250,000.00	\$ 100,000.00	5.692	\$ 569.20
<u>School</u>	\$ 250,000.00	\$ 100,000.00	22.15	\$ 2,215.00
<u>State</u>	\$ 250,000.00	\$ 100,000.00	0.25	\$ 25.00
			Total/Unit	<u>\$ 3,362.50</u>
			Total	<u>\$ 40,350.00</u>

\$ 431,039.00

Callula Hill
Economic Impact Schedule

Revenue Increases - Per Capita
(Annualized growth in revenue per capita)

	Revenue Per Person	# Average persons added	Annual Taxes
<u>Motor Vehicle Taxes</u>	\$ 16.34	144	\$ 2,352.96
<u>Franchise Taxes</u>			
GA Power	\$ 21.95	144	\$ 3,160.80
Atlanta Gas	\$ 7.16	144	\$ 1,031.04
Bellsouth/ATT	\$ 7.20	144	\$ 1,036.80
Coweta Fayette EMC	\$ 18.22	144	\$ 2,623.68
Comcast	\$ 5.82	144	\$ 838.08
Newnan Utilities	\$ 0.10	144	\$ 14.40
<u>Selective Sales and Use Taxes</u>			
Alcoholic Beverage Tax	\$ 15.85	144	\$ 2,282.40
Mixed Drink Tax	\$ 2.15	144	\$ 309.60
<u>Real Estate Transfer Tax</u>	\$ 1.83	144	\$ 263.52
<u>Local Option Tax</u>	\$ 194.42	144	\$ 27,996.48

Total Revenue Increase \$ 41,909.76

Other Revenues
(Annualized revenues per capita)

	Revenue Per Person	# Average persons added	Annual Taxes
<u>Charges for Services</u>			
EMS Revenues	\$ 8.24	144	
Recycling Revenues	\$ 0.16	144	\$ 23.04
Recreation Program Fees	\$ 13.18	144	\$ 1,897.92
<u>Fines and Forfeitures</u>			
Municipal Court Fines	\$ 30.84	144	\$ 4,440.96
Library Fines	\$ 0.64	144	\$ 92.16

Total Other Revenues \$ 6,454.08

<u>Impact Fees</u>	No. units	Square Footage	Fee/unit	Fee/1000sf	Total
SF Residential	80		\$ 1,083.00		\$ 86,640.00
Comm - Event		15000		\$ 2,183.00	\$ 32,745.00
Comm - Villas		12000		\$ 2,183.00	\$ 26,196.00
<u>Total</u>					\$ 145,581.00

Callula Hill
Economic Impact Schedule

Licenses, Permits, Fees (One Time Fees)

	<u>Residential</u>	<u>Comm/Villas</u>	<u>Combined</u>
Rezoning Fee			\$ 9,250.25
NPDES Fees (half to PTC & half to EPD)			\$ 1,279.24

Plan Review Fees - SD

Conceptual Plat (\$250 + \$4/lot)	\$ 570.00
Preliminary Plat (\$250 + \$4/lot)	\$ 570.00
Constructions Plans (\$300)	\$ 300.00
Final Plat (\$250 + \$10/lot)	\$ 1,050.00
Street Numbering Fee (\$15/lot)	\$ 1,200.00

Plan Review Fees - Comm

Conceptual Site Plan (\$250 + \$10/Ac)	\$ 330.00
Final Site Plan (\$250 + \$10/Ac)	\$ 330.00
Landscape Plan (\$150)	\$ 150.00

Subtotal \$ 3,690.00 \$ 810.00

Land Disturbance Fee (\$200 + \$100/Ac) \$ 3,900.10

Construction Fees

Building Permits (\$0.25/heated sf)	\$ 50,000.00	
Building Permits (\$5 per \$1000 const cost)		\$ 27,000.00
Plan Review Fee (\$.05/heated sf)	\$ 10,000.00	\$ 1,350.00
Plumbing Permits (\$50 min)	\$ 4,000.00	\$ 540.00
Electrical Permits (\$50 min)	\$ 4,000.00	\$ 540.00
HVAC Permits (\$50 min)	\$ 4,000.00	\$ 540.00
Soil Erosion Permits (\$100 per acre)	\$ 3,692.10	\$ 800.00
Certificate of Occupancy (\$50)	\$ 4,000.00	\$ 650.00

Subtotal \$ 75,692.10 \$ 30,770.00

Commercial Development Fee (\$100 per acre)		\$ 800.00
Res Sewer Connection Fee (\$1750 per connection)	\$ 140,000.00	
Comm Sewer Connection Fee (\$2250/villa + \$3050/ERC)		\$ 57,500.00
Res Water Connection (\$1300 per connection)	\$ 104,000.00	
Comm Water Connection (\$2100/unit + \$18400)		\$ 43,600.00

Total Construction Fees \$ 319,692.10 \$ 132,670.00

Annual Fees

	<u>Residential</u>	<u>Comm/Villas</u>
Res Sewer Usage	\$ 38,368.80	
Comm Sewer Usage		\$ 11,066.07
Res Water Usage	\$ 34,512.00	
Comm Water Usage		\$ 9,529.80
Tier 2 DSFR Stormwater User Fee (\$3.95/mo)	\$ 3,792.00	
NSFR Stormwater User Fee (\$3.95/ERU)		\$ 793.43
<u>Total Annual Fees</u>	\$ 76,672.80	\$ 21,389.30

Callula Hill
Economic Impact Schedule

<u>Description</u>	<u>Residential</u>	<u>Event Center & Villas</u>	<u>Total</u>
<u>One Time Fees</u>			
<u>Impact Fees</u>	\$ 86,640.00	\$ 58,941.00	\$ 145,581.00
<u>Rezoning Fee</u>			\$ 9,250.25
<u>NPDES Fee</u>			\$ 1,279.24
<u>Plan Review Fees</u>	\$ 3,690.00	\$ 810.00	\$ 4,500.00
<u>Land Disturbance Fee</u>			\$ 3,900.10
<u>Construction Fees</u>	\$ 75,692.10	\$ 30,770.00	\$ 106,462.10
<u>Commercial Development Fee</u>		\$ 800.00	\$ 800.00
<u>Sewer Connection Fee</u>	\$ 140,000.00	\$ 57,500.00	\$ 197,500.00
<u>Water Connection Fee</u>	\$ 104,000.00	\$ 43,600.00	\$ 147,600.00
Total	\$ 410,022.10	\$ 192,421.00	\$ 616,872.69

<u>Description</u>	<u>Residential</u>	<u>Event Center & Villas</u>	<u>Total</u>
<u>Annual Fees</u>			
<u>Property Taxes</u>	\$ 583,730.00	\$ 107,600.00	\$ 691,330.00
<u>Sewer Usage</u>	\$ 38,368.80	\$ 11,066.07	\$ 49,434.87
<u>Water Usage</u>	\$ 34,512.00	\$ 9,529.80	\$ 44,041.80
<u>Stormwater Usage</u>	\$ 3,792.00	\$ 793.43	\$ 4,585.43
<u>Revenue Increases</u>	\$ 41,909.76		\$ 41,909.76
<u>Other Revenues</u>	\$ 6,454.08		\$ 6,454.08
Total	\$ 708,766.64	\$ 128,989.30	\$ 837,755.94

Based on:

SF Residential Units	80
Event Center (Sf)	15000
Villas	12

Note:

Estimated revenues under existing industrial zoning (based on 250,000 Sqft with potential 8 - 10 year build)

<u>One Time Fees</u>	\$ 379,105.36
<u>Annual Tax Revenues</u>	\$ 372,074.99
<u>Net Difference One Time Fees</u>	\$ 237,767.33
<u>Net Difference One Annual Taxes</u>	\$ 465,680.95

Callula Hill
Economic Impact Schedule

Cost Increases - Utility Costs

<u>Utility Costs</u>	<u>Units</u>	<u>Unit Rate</u>	<u>Total Cost/Year</u>
Street Lights (19)	19	141.39	\$ 2,686.41
Impervious Surface (Sf)	188280	0.010304348	\$ 1,940.10
Street Maintenance (Sy)	13423.67	5.00	\$ 3,355.92 (over 20 years)
Total			\$ 7,982.43

Cost Increases - Operational Costs

2007 Baseline

Based on 2007 City budget and 2007 City Population of: 36,242

<u>City Division</u>	<u>2007 Budget</u>	<u>2007 City Staff</u>	<u>Cost per Pop.</u>	<u>Persons per Pop Required.</u>
City Council & City Manager	\$ 477,615.00	5.5	\$ 13.18	0.000151758
Administrative Services	\$ 1,021,658.00	10	\$ 28.19	0.000275923
Financial Services	\$ 895,237.00	10	\$ 24.70	0.000275923
Police/Communications	\$ 5,561,137.00	70	\$ 153.44	0.001931461
Fire/Emergency Services	\$ 5,217,785.00	60	\$ 143.97	0.001655538
Public Works	\$ 3,907,675.00	57	\$ 107.82	0.001572761
Leisure Services	\$ 4,916,774.00	59	\$ 135.67	0.001627945
Developmental Services	\$ 1,648,507.00	18.5	\$ 45.49	0.000510457
Total	\$ 23,646,388.00	290	\$ 652.46	0.008001766

Cost Increases at time of build-out

Based on Population Increase of: 144
Population after build-out: 36,386

<u>City Division</u>	<u>Budget Increase</u>	<u>Staff Increase</u>
City Council & City Manager	\$ 1,897.70	0
Administrative Services	\$ 4,059.34	0
Financial Services	\$ 3,557.04	0
Police/Communications	\$ 22,096.01	0.3
Fire/Emergency Services	\$ 20,731.78	0.2
Public Works	\$ 15,526.33	0.2
Leisure Services	\$ 19,535.77	0.2
Developmental Services	\$ 6,550.00	0.1
Total	\$ 93,953.97	1

Callula Hill

Economic Impact Schedule

Revenues

One Time Fees

Annual Fees

Year 1

Year 2

Year 3

Year 4

Year 5

Total Revenue

Costs

Total Annual Capital Costs

Impact Fee Dedications

Total Annual Utility Costs

Total Annual Renewal/Maint Costs

Total Annual Incremental Operational Costs

Total Costs

Difference (Revenue-Costs) \$

(Assume Three Year Build Out)

5 Year Total \$ 3,552,168.43

After Recording, Return To:
Scott J. Arnold, Esquire
King & Spalding
191 Peachtree Street
Atlanta, GA 30305

FILED
FAYETTE COUNTY, GA.

'34 DEC 30 PM 3 40

CLERK OF SUPERIOR COURT

QUIT-CLAIM DEED

STATE OF GEORGIA, FAYETTE COUNTY.

THIS INDENTURE, made this 30th day of December in the year One Thousand Nine Hundred and Ninety-Four between THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a New York Corporation, as Grantor, and PEACHTREE CITY HOLDINGS, L.L.C., a Georgia limited liability company, as Grantee,

WITNESSETH: That Grantor for and in consideration of the sum of ONE AND NO/100THS DOLLARS (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged, by these presents does, subject to the conditions hereinafter stated, remise, convey, release, and forever quit-claim to the said Grantee the property described on Exhibit "A" attached hereto and made a part hereof, with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging, together with any impact fee credits relating to the Property to the extent the same were funded by contributions of real property; provided, however, that any cash refunds of impact fees shall be and remain the property of Grantor, and Grantee agrees by its acceptance of this Deed that any such cash refunds received by Grantee shall be immediately paid to Grantor by Grantee.

TOGETHER WITH all appurtenances and easements pertaining to said property (regardless of how obtained, created or established); specifically including those created by plats and deeds, or by prescription, express grant, or by reservations, express or implied.

Grantor also hereby conveys to Grantee any and all rights of reverter, reversions, or any rights of entry for conditions broken, which may have been reserved unto Grantor in connection with Project, as established by, under, or contained in any of the deeds of conveyance listed in Exhibit "B" attached hereto.

Note with regard to the rights, interests and powers specifically transferred hereby that the Exhibits attached hereto in which same are listed provide only brief summary descriptions of the nature of such rights in the comments section which have been used for purposes of identification by the parties to this instrument, and same are not intended to be relied upon by third parties, nor do these comments and summaries constitute a complete listing of, or in any way limit the nature of the rights obtained or granted in the original instrument as transferred hereby. The reference to the deed book and page at which each such right is granted, reserved or acquired, shall control to

the extent in conflict or incompletely summarized by, the comments contained in the Exhibits to this instrument.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, Grantee's successors, heirs and assigns, so that neither the said Grantor, nor any person or persons claiming under Grantor shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the said Grantor has executed this Deed the day and year first above written.

Signed, sealed and delivered
in our presence this 29th day
of December, 1994

Bruce Cunningham

Witness

Ann A. Woodard

Notary Public

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By:

Name: Thomas P. Kennedy

Title: Investment Officer

(CORPORATE SEAL)

My Commission expires: Notary Public, DeKalb County, Georgia
My Commission Expires July 14, 1997

(NOTARY SEAL)

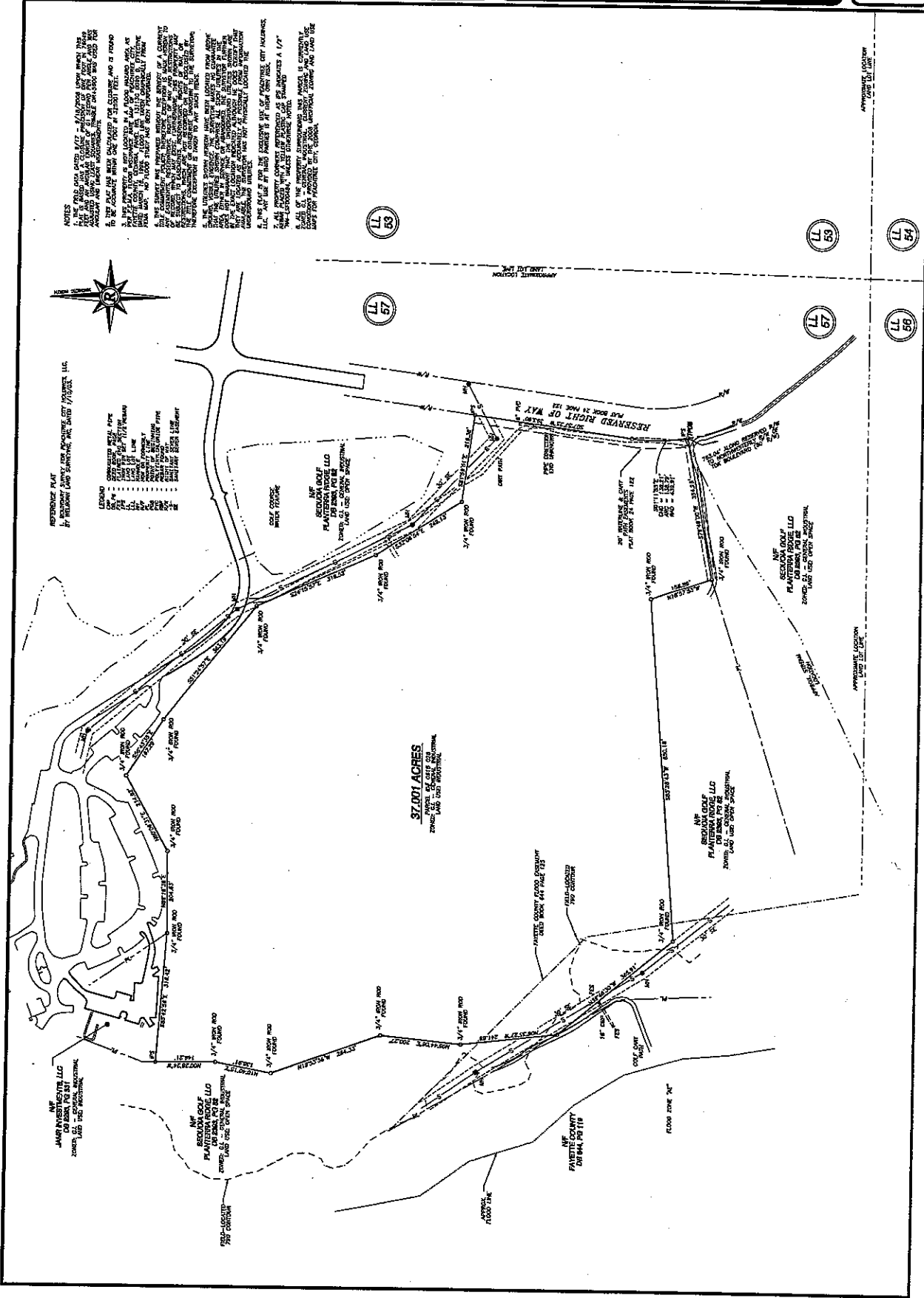


South Park Hill Tract
Legal Description

All that tract or parcel of land lying and being in Land Lot 57, 6th District, City of Peachtree City, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northwesterly Right of Way of TDK Boulevard (80' Right of Way) and the southwesterly Reserved 80' Right of Way; thence along the southwesterly Reserved 80' Right of Way a distance of 763.04 feet to an iron pin set, being the TRUE POINT OF BEGINNING (Note: all further references to "iron pin set" in this description are 1/2" rebar with yellow plastic cap stamped "Rochester-LSF000484"); thence along the property now or formerly Sequoia Golf Planterra Ridge, LLC the following calls: 79°46'00" West, a distance of 354.26 feet to a 3/4 inch iron rod found; thence North 18°57'53" West, a distance of 156.89 feet to a 3/4 inch iron rod found; thence South 85°28'43" West, a distance of 850.18 feet to a 3/4 inch iron rod found; thence North 39°46'30" West, a distance of 365.91 feet to a point; thence North 06°35'27" West, a distance of 241.89 feet to a 3/4 inch iron rod found; thence North 05°44'08" East, a distance of 200.27 feet to a 3/4 inch iron rod found; thence North 19°53'36" West, a distance of 284.33 feet to a 3/4 inch iron rod found; thence North 10°40'15" East, a distance of 138.91 feet to a 3/4 inch iron rod found; thence North 00°28'24" West, a distance of 149.21 feet to an iron pin set; thence along the property of now or formerly JAMR Investments, LLC South 85°42'56" East, a distance of 318.42 feet to a 3/4 inch iron rod found; thence along the property now or formerly Sequoia Golf Planterra Ridge, LLC the following calls: North 89°16'36" East, a distance of 204.63 feet to a 3/4 inch iron rod found; thence North 60°06'31" East, a distance of 214.82 feet to a 3/4 inch iron rod found; thence South 56°43'35" East, a distance of 167.29 feet to a 3/4 inch iron rod found; thence South 51°24'57" East, a distance of 363.19 feet to a 3/4 inch iron rod found; thence South 24°15'57" East, a distance of 318.52 feet to a 3/4 inch iron rod found; thence South 32°08'54" East, a distance of 249.13 feet to a 3/4 inch iron rod found; thence South 81°59'51" East, a distance of 219.38 feet to an iron pin set along the westerly Reserved 80' Right of Way; thence along said Right of Way the following calls: South 07°57'25" West, a distance of 393.60 feet to a point; thence 138.79 feet along a curve to the left, said curve having a chord of South 01°11'55" East 138.21 feet and a radius of 439.91 feet to an iron pin set, being the TRUE POINT OF BEGINNING.

Said tract contains 37.001 acres.



Land Use Summary:

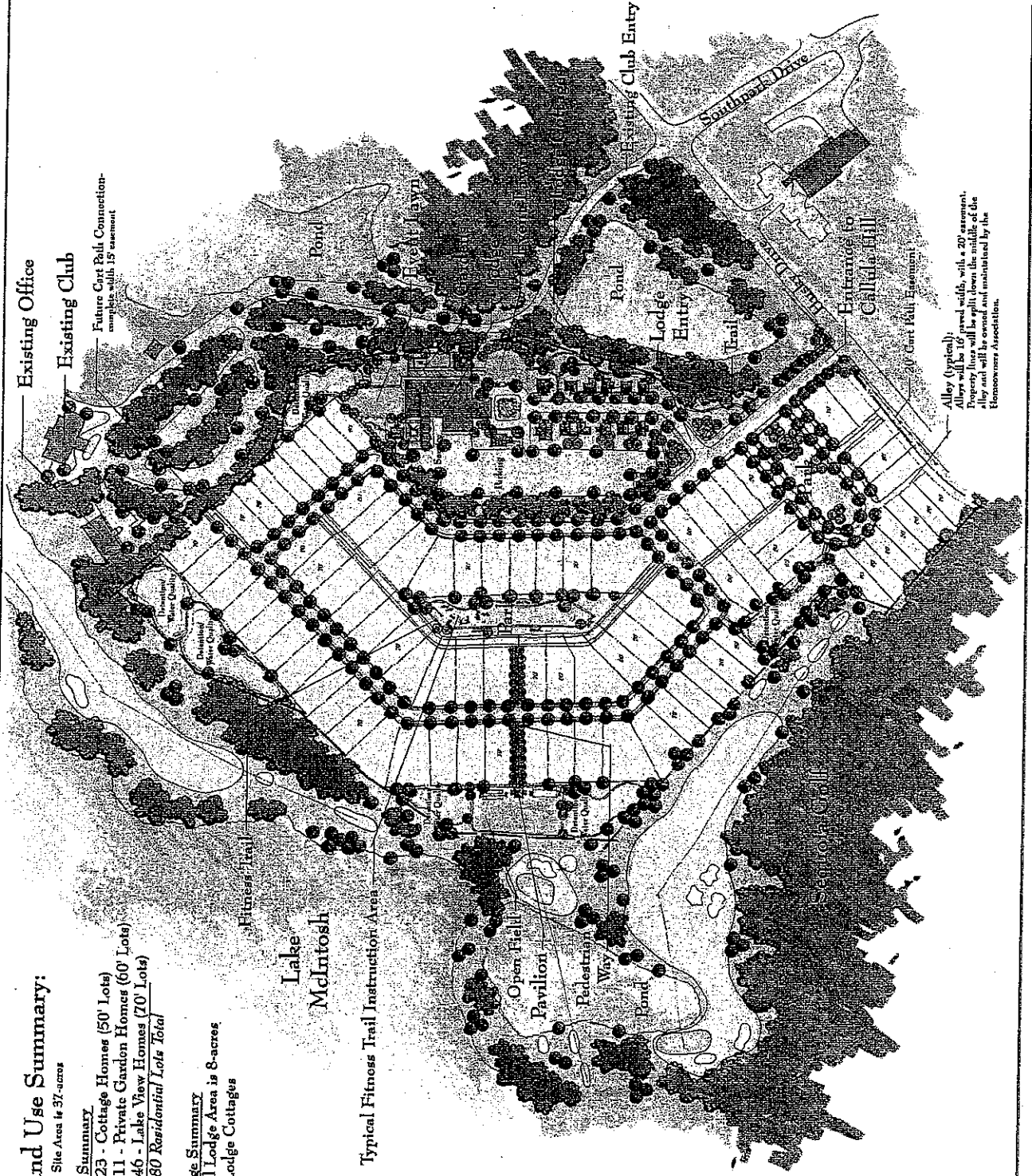
Total Site Area is 37-acres

Lot Summary

- 23 - Cottage Homes (50' Lots)
- 11 - Private Garden Homes (60' Lots)
- 46 - Lake View Homes (70' Lots)
- 80 Residential Lots Total

Lodge Summary

Total Lodge Area is 8-acres
12 Lodge Cottages



December 22, 2004
Project No. 12-000-02
NYS

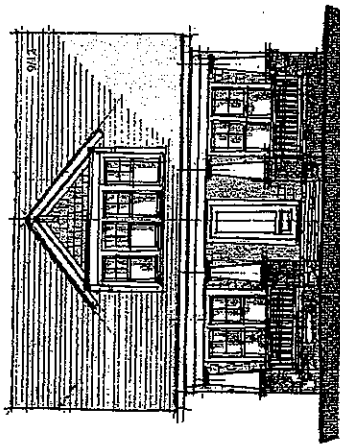
Callula Hill: A Small Beauty in Peachtree City
Conceptual Master Plan - Option 1
Peachtree City, Georgia



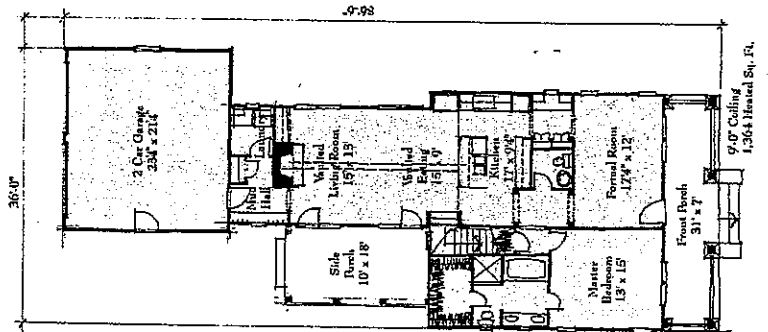
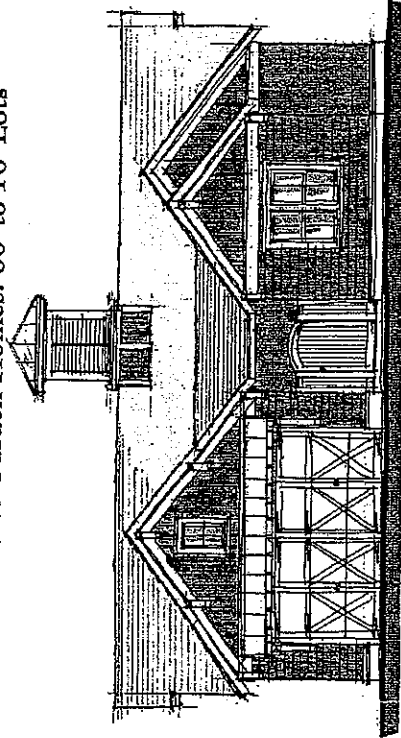
High Grove Partners
1200 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: 404.525.1200
Fax: 404.525.1201
www.highbrook.com

Cottage Homes: 50' to 55' Lots

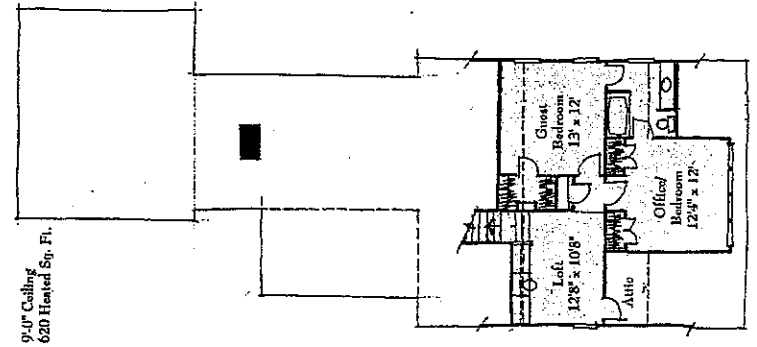
Elevation



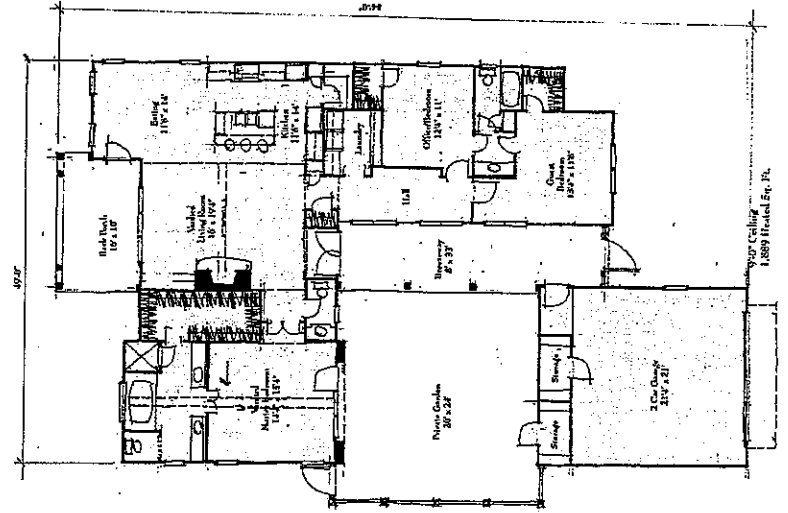
Private Garden Homes: 60' to 70' Lots



First Floor Plan



Second Floor Plan



Floor Plan

Callula Hill: A Small Beauty in Peachtree City

TYPICAL HOME PLANS AND ELEVATIONS

PEACHTREE CITY, GEORGIA



Architectural Services
by Hoot/Croove, Inc.

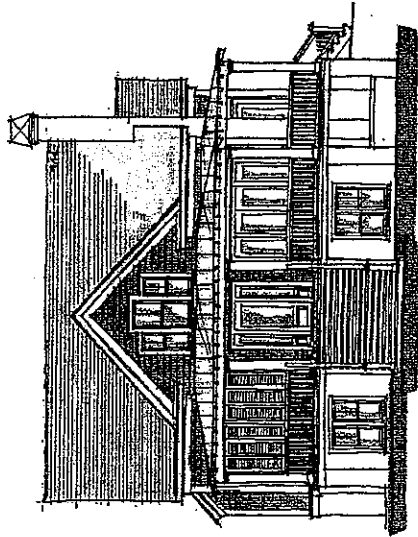
December 22, 2004

Project No.: 040305-05

N/A

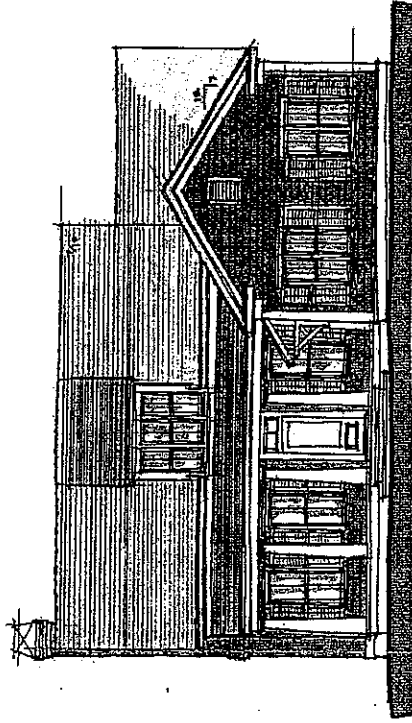
Lake View Homes: 70' Lots (front view)

Elevation



Lake View Homes: 70' Lots (rear view)

Elevation

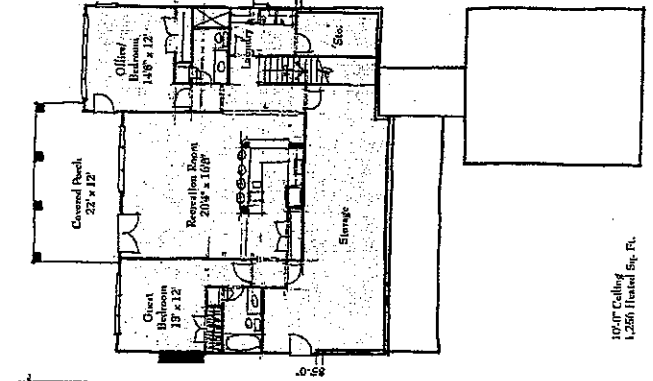
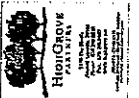


Callula Hill: A Small Beauty in Peachtree City

TYPICAL HOME PLANS AND ELEVATIONS

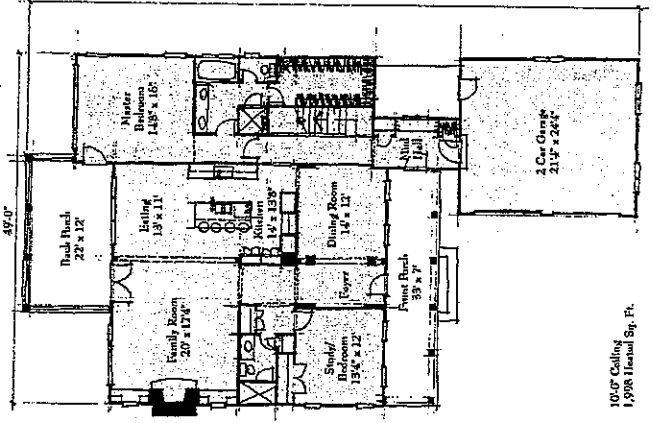
Architectural Division
L. H. H. & S. H. H. Architects, Inc.

December 22, 2004
Project No. 10000000



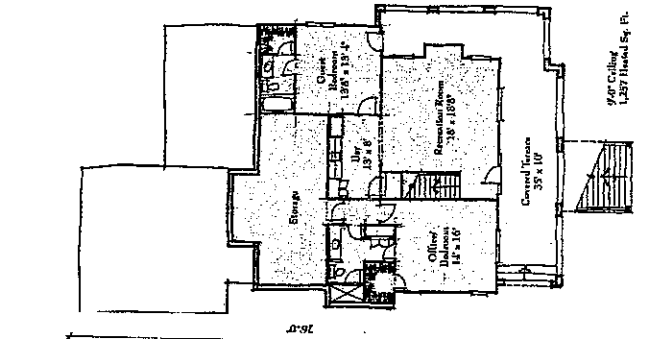
10'-0" Ceiling
1,256 Net Sq. Ft.

Terrace Floor Plan



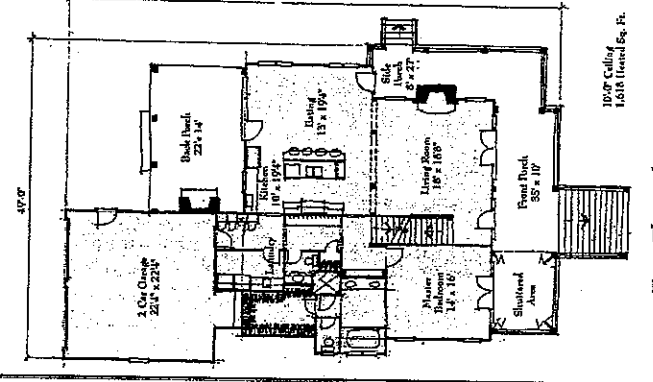
10'-0" Ceiling
1,998 Net Sq. Ft.

First Floor Plan



10'-0" Ceiling
1,257 Net Sq. Ft.

Terrace Floor Plan



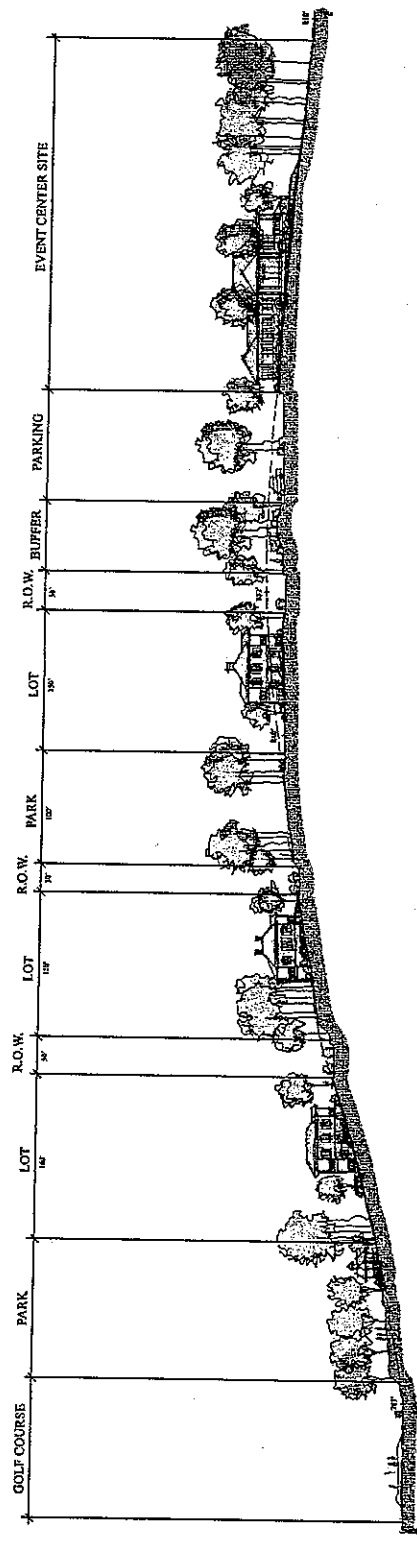
10'-0" Ceiling
1,618 Net Sq. Ft.

First Floor Plan

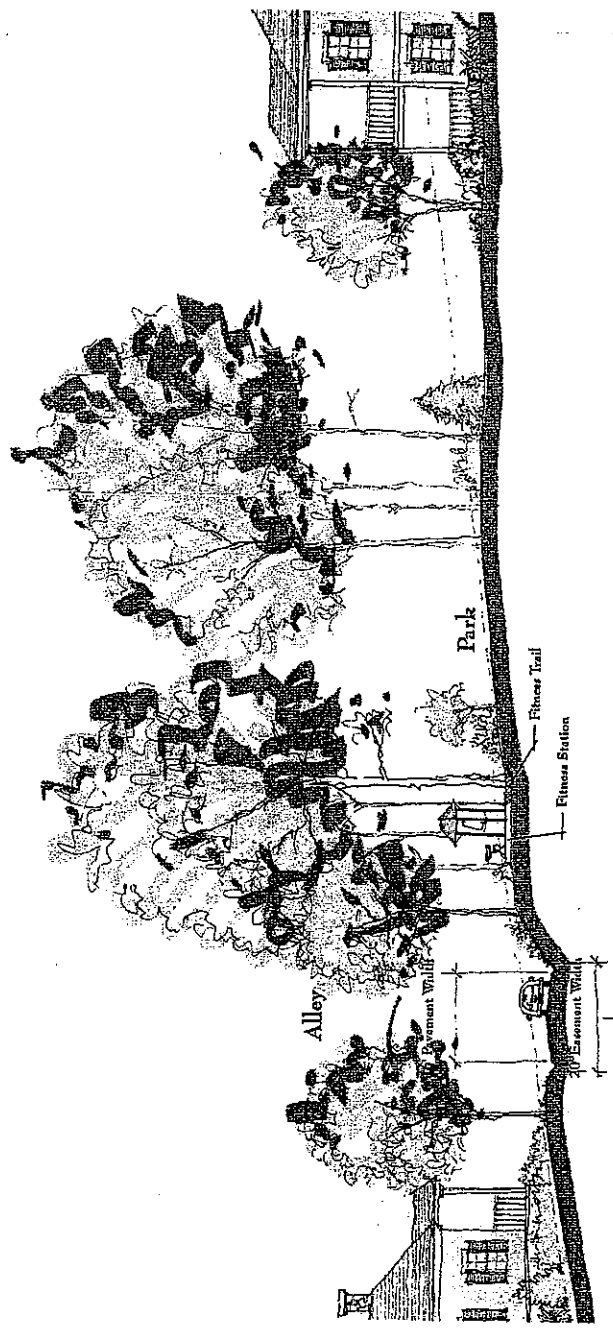


Callala Hill: A Small Beauty in Peachtree City
 Site Sections
 Peachtree City, Georgia

December 22, 2008
 Project No.: H00200-08
 ALL

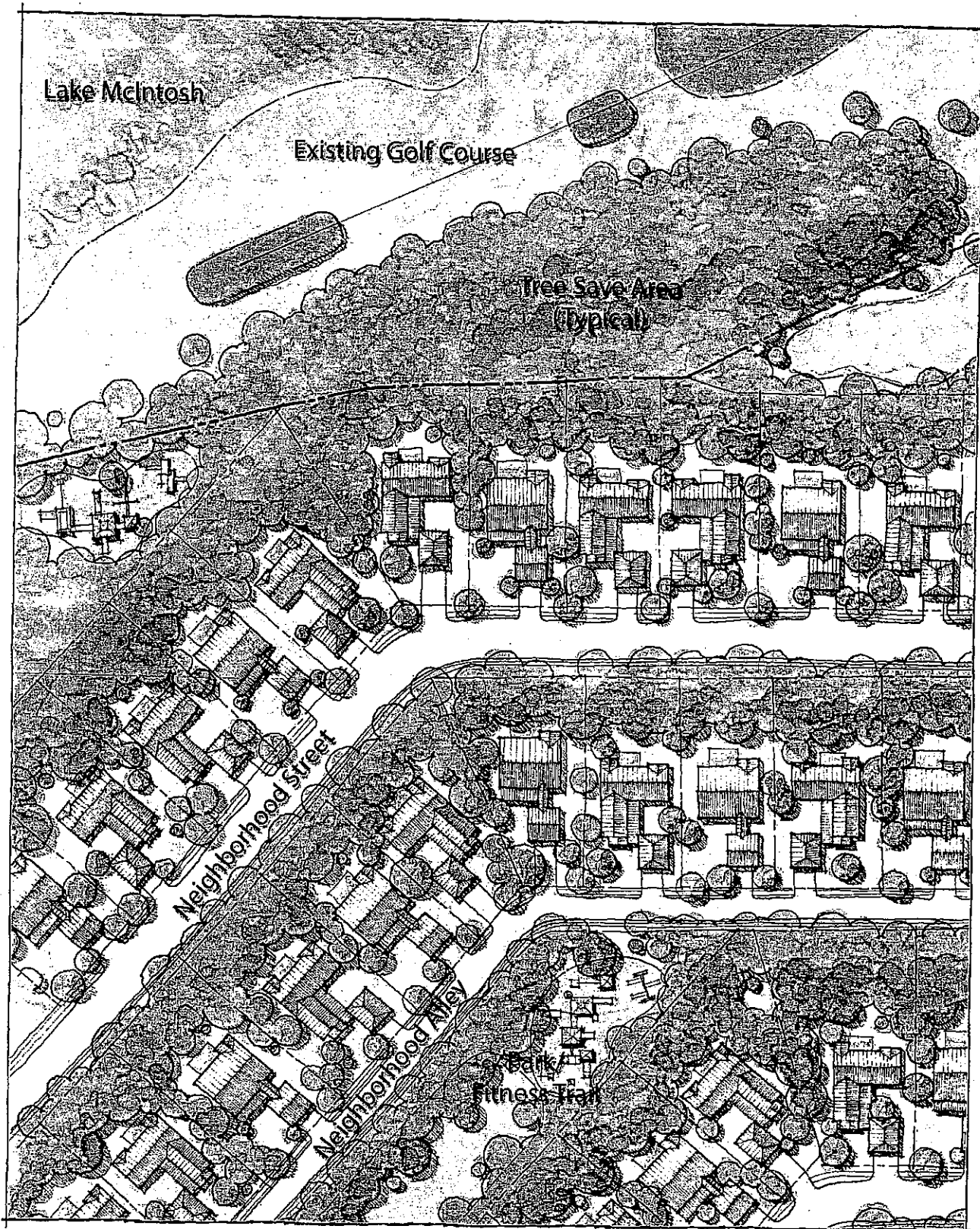


Site Section: Golf Course through Event Center



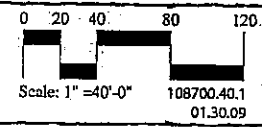
Section through Alley

Property lines and at center of alley (typical)
 Property lines and at center of alley (typical)



Callula Hill

Residential Lot Study





PEACHTREE CITY AIRPORT AUTHORITY

May 13, 2009

Planning Commission
Peachtree City, Georgia
151 Willowbend Road
Peachtree City, Georgia 30269

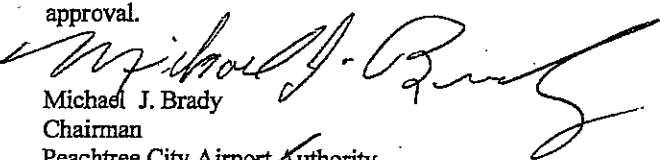
Re: Callula Hill Development

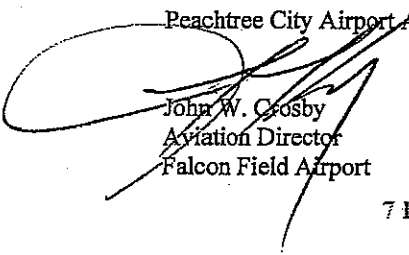
Chairman Staples:

The submittal by Pathways Communities regarding the Callula Hill Development has been reviewed by the Chairman of the Airport Authority and management in cooperation with the FAA. The development will not adversely affect the operations of Falcon Field Airport if the following criteria are met:

1. Pathways Communities must agree to include the language in recorded documents in each land purchase agreement that specifically addresses the presence of the airport and the associated noise. The language to be placed in the Callula Hill deeds must be approved by the Airport Authority. Those documents must be part of the property deeds and pass from one owner to the next.
2. Pathways Communities must provide a binding document acknowledging that the area (<1 acre) of the development that does fall within the Runway Protection Zone (RPZ) will be void of any structure and not have an occupied dwelling directly located on the edge of the affected RPZ area.
3. Pathways Communities must acknowledge the application of the City Ordinance regarding Airport Height Zoning to the subject property and agree not to allow any object or structure to penetrate the protected surfaces in the ordinance or the approaches to the airport.
4. The Developer must agree to remove anything on Developer's property that penetrates the protected airspace above Developer's property in accordance with the City Ordinance regarding Airport Height Zoning.

The PCAA reserves the right to review and comment on any major changes to the present submittal. This position is recommended by the Chairman and Aviation Director and is subject to formal Airport Authority approval.


Michael J. Brady
Chairman
Peachtree City Airport Authority


John W. Crosby
Aviation Director
Falcon Field Airport

7 FALCON DRIVE PEACHTREE CITY, GEORGIA 30269
770.487.2225 (FAX) 770.487.8814
www.kffc.org

**ADDITIONAL RESTRICTIVE COVENANT TO BE INSERTED INTO THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS TO BE
RECORDED ON THE DEED RECORDS OF FAYETTE COUNTY ON THE
PROPOSED CALLULA HILL PROJECT:**

Declarant, by execution and recording of this Declaration, and all subsequent purchasers of properties covered by this Declaration, by acceptance and recording of their respective deeds, hereby agree and acknowledge as follows: (i) that Peachtree City-Falcon Field Airport, under the ownership, operation and control of the Peachtree City Airport Authority, is situated in very close proximity to the property covered by this Declaration; (ii) that the property covered by this Declaration lies immediately adjacent and contiguous to the well-established flight path used regularly by aircraft approaching and departing the runway at the airport, and under protected airspace, as more fully defined in the Peachtree City Zoning Ordinance; (iii) that the airport and the aircraft operations associated therewith, have been in existence continually for a period of over forty years and that such aircraft operations, and the noise and emissions associated therewith, will continue in the future, and will increase in volume and frequency in the future; (iv) that they freely acknowledge and accept the rights of the airport, its operations, and the aircraft landing and taking off at the airport to utilize the current flight path and protected airspace, and grant to the Peachtree City Airport Authority and such aircraft the continuing rights to use such flight path and protected airspace and to increase the volume and frequency of flights along such flight path and in the protected airspace in the future; (v) that they waive and release any and all claims against the Peachtree City Airport Authority based on both existing volume and frequency of air traffic operations along the current flight path and in the protected airspace, as well as

any increases in volume and frequency of such air traffic operations in the future, as well as any claims related to noise or emissions generated either at the airport or by aircraft landing at or departing from the airport, as well as any and all claims associated therewith in the future; (vi) that they will not use their respective properties, or allow anyone to use their respective properties, to interfere with the safe approach and departure operations along the current flight path, or in the protected airspace above the property of Declarant, or cause any hazard to aircraft using said flight path and protected airspace, or any hazard to persons or property, and will not cause any lighting, either generated on the property, or reflected by structures on the property, to interfere with the safe operation of such aircraft, or allow any structures or modified air flows to interfere with the safe operation of such aircraft along the current flight path or within the protected airspace.

UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
June 9, 2009

PH-09-04 Proposed rezoning of a 37.001-acre tract within the Southpark International Industrial Park from GI to LUR to accommodate 80 single-family detached homes, an events center and twelve freestanding villas. The Applicant was Pathway Communities.

The Chairman opened the public hearing at 7:05 p.m.

Mr. Rast's memo to the Planning Commission explained that Pathway Communities owned this 37.001-acre tract of land within the Southpark International industrial park with access from an extension of FieldTurf Drive. The tract was zoned GI General Industrial and designated as IND Industrial on the city's Land Use Map. The applicant was requesting that the property be rezoned to accommodate a mixed-use development consisting of no more than eighty (80) single-family detached residential lots, an events center, and no more than twelve (12) guest villas.

Mr. Gene Lavine, Vice President of Pathway Communities, addressed the Commission. He noted that this proposal had been discussed several times previously but they wanted to give a brief overview of their proposal for the site nonetheless. He noted that Mr. Bill Lincicome of HighGrove Partners was also in attendance. He was very involved in the planning of this site and had a long history with Peachtree City.

Mr. Lincicome stated that he was a partner with HighGrove Partners as well as a registered Landscape Architect and Architect in the state of Georgia. He described the proposed site which would be surrounded by Planterra Ridge Golf Club and the future Lake McIntosh. He noted that the site had tremendous elevations and the land plan was specifically designed to take advantage of the site's topographic conditions. A series of parks had also been integrated into the plan. He noted that the lots were purposely deeper than was typical to allow for the landscape buffer and transition in the grade.

Mr. Lavine then addressed the potential economic impact of this development for Peachtree City. He felt from the beginning that rezoning this property made perfect sense and that this site had all of the positives. However, he did not anticipate all of the questions that had come up. He still believed strongly, though, that without a doubt the best use for the property was residential development.

Mr. Lavine said the number one question they were asked during the open house that was held at the Information Center when this plan was first introduced was, "When would prospective buyers be able to purchase a lot?" People saw all of the positives of the site,

i.e., the views, the topo, the location, and that the product would be age targeted. He noted that as of 3:00 that afternoon, there were 14 new home constructions for sale in Peachtree City. He thought the city needed more quality new home construction.

Mr. Lavine acknowledged that the #1 negative comment about this plan was that it was departing from the Comprehensive Plan. He emphasized that the Comprehensive Land Use Plan was a guide that could be changed when needed. He noted that Peachtree City stuck to their values and concepts but also made changes at the right time. He felt this was the right time. He stated that there was a land plan that was prepared in the 1970's and included the property where Callula Hill was proposed. This plan showed high-density housing surrounding the lake on both sides of the property.

The #2 negative comment concerned the site's proximity to the airport. Mr. Lavine noted that a letter had been received recently from the Airport Authority that stated that, although they could not say they supported the plan, they had no objections to it. He added that there was one portion of the property that was less than one acre in size that was in the runway protection zone (RPZ); this was where a detention facility would be located.

The third negative comment concerned the density of the plan. Mr. Lavine noted that the marketing group within Pathway Communities looked at the people who would buy these homes, what the buyers were looking for, and how many of the homes could realistically be sold. The density was based on that information and was very consistent with what Peachtree City currently had to offer.

No one else spoke in favor of this proposal.

Mr. Bob Grove, a Peachtree City resident since 1979, was speaking in support of a letter that Mr. Jim Savage, the former manager of Falcon Field, had written outlining his concerns with the proposed residential development (Attachment 1). He acknowledged that the Airport Authority had given their consent to this proposal. Mr. Grove flew in and out of Falcon Field on a regular basis and was also on the Air Safety Committee for the Airport Authority and the Air Show Board. He said they still had quite a few concerns especially in relation to the Air Show even though it was only one weekend of the year.

Mr. Walter Gammell lived on Robinson Road and was in attendance to represent the Peachtree City Civic Association. He noted that their association represented about 25 subdivisions within Peachtree City and included about 1,200 homeowners. He noted that

they pushed education to ensure their homeowners were aware of the issues. A recent poll of their membership showed they were overwhelmingly opposed to this development. Their position paper, included as Attachment 2 to these minutes, reflected their opinion that, among other things, this plan strayed too far from the city's village concept and the property was surrounded by too much industrial development. He felt it was an awesome design and offered great amenities, but the negatives outweighed the positives.

Ms. Phyllis Aguayo, a Peachtree City resident, stated that she had been coming to Planning Commission meetings for the past 23 years. She noted that when they moved here, the city was marketed based on its Land Use Plan and how the city would be in the future. They were told that this was a planned community and that it was guaranteed so they knew what they would have in the future. She said this was not part of that plan. Despite the fact that this was a pretty site with mature trees and a future lakeview, in her opinion the negative impact far exceeded any benefit. Even though the developer was touting the taxes the city would receive from this dense residential development, it had been shown time and time again that the cost of providing services and maintaining infrastructure always surpassed taxes received.

Ms. Aguayo also said that maintaining large undisturbed buffers between any development and water supply reservoirs should be tantamount. She felt this densely wooded, beautiful land would just about have to be clear cut to provide so many residences. The trees shown on the plan were not the mature stands of trees that currently existed. She did not see how 80 homes could be constructed on less than 24 acres and any large stands of trees be preserved.

The proposal to construct 80 homes, 12 villas, an events center, parking, roads, and infrastructure was high density in an area where there was a reservoir. She did not think it was a good idea. She also pointed out that, although lovely, the deeper the slopes, the greater the impact of the impervious surface on the stream. Ms. Aguayo said that other negatives associated with this proposal included accessing homes through industrial property, lack of school bus routing, lack of connectivity to the cart path system, proximity to airport take-off, density, and lack of separation between land uses.

Ms. Aguayo said the impact on the integrity of the Land Use and Comprehensive Plans was also of great concern because it would be harder to enforce or oppose them as we diverted from them. She thought a better use of this property would be corporate headquarters or offices which would not require rezoning the property. She pointed to a

bonus that Gwinnett County was receiving because of a corporate headquarters that was being built there. She thought this was a perfect location for an executive park and should be aggressively marketed as such. This type development would have little impact on traffic and the environment and would be much better for our taxes. She urged the Commission to think of the integrity of the city's Plan and to do what was right for the city.

In response to a question from Ms. Wojcik about the location of the events center, Mr. Lincicome stated that these plans were conceptual, but the idea was to shelter the center into the side of the hill. He also explained that the villas were very small one- and two-bedroom houses that would be rental property; they would be similar in concept to a motel room with a kitchen area.

Ms. Wojcik pointed to some discrepancies on the documents that had been provided. She noted that the information provided by Mr. Savage indicated that the elevation of the top of the hill was 882' which would mean planes would be approaching the airport only 40' above that. Mr. Rast explained that the topography shown on the site plan was from an aerial and was not field-run topo; this was not always accurate. He noted that there was a discrepancy between the topography that Pathways showed on their plan and what the City's data showed. The intent of the drawing was to show worst-case where the horizontal flight pattern would be based on the data the city had. There was about a 20' discrepancy between what the city showed and what the Applicant showed.

Mr. Lavine stated that although their entire site had not been field run, they did field verify certain locations on the site, all of which matched up with the topo and the vertical information they had. Consequently, he was fairly confident the question was not with the topo they had provided. He noted that a predominant rise on the property was visible and was also obvious when walking the property. He noted that, if approved, this property would have to meet the conditions of approval as well as the ordinances of both the city and the airport.

Mr. Staples felt that if there was a discrepancy in the topography which required that some of the site be clear cut, language should be added to the conditions of the potential approval of this request that would protect against losing the tree save on this site.

Mr. Lavine understood what Mr. Staples was saying and he agreed that the discrepancy must be addressed. However, he noted that at the end of the day, the conditions were the conditions and they would be required to maintain the tree save.

Mr. Lavine further stated that they had addressed the concerns about tree protection and protection of Lake McIntosh, and he thought it was very important to continue to do that. However, the reality of the situation was that the current industrial zoning would allow the property to be clear cut and flattened much more than they would do in a residential situation and would destroy the beauty of it. They did not want to do that and felt this plan was a much better alternative.

Mr. Staples agreed. He just wanted to be sure that the positive aspects of the plan were preserved by the language in the zoning.

Mr. Lincicome stated that landscape controls were embedded in the City's ordinances and they were committed to them. The intentions of the plan and the developer were to meet the standards of Peachtree City and to develop the property in a much more sensitive way than an industrial user would. They wanted to work with the topography and have landscape and architectural requirements that supported the terraced concept they were proposing for this land.

Mr. Rast stated that there was language in the recommended conditions of approval regarding tree preservation on the lots. He noted that there would also be an Architectural Review Board (ARB) to handle tree removal on each of the lots.

Mr. Staples reiterated his fear that if any of the lots were clear cut because of elevation concerns, there would be no trees to preserve.

Mr. Lincicome said there would be trees cut down for the houses, roads, etc., but there were also tree replacement requirements. They were committed to doing that.

Mr. Lavine pointed out that this would not be the case if the property remained industrial.

Mr. Staples was not sure these assurances addressed his concerns relative to the elevation.

Mr. Sussberg was concerned about the document that the Commissioners received around 2:00 that afternoon. He was uncomfortable with the soft language he was hearing relative to this rezoning request, e.g., "intention." He felt that if something was brought before the Planning Commission, it should be concrete and final.

Mr. Rast asked what document they received at 2:00. Mr. Sussberg said there was a document about the topography as well as an e-mail with the draft of the zoning ordinance. Mr. Rast pointed out that the City's e-mail had been down since about 10:00 that morning and that the Commissioners had received the position paper on this proposal a week ago. He added that the draft of the zoning ordinance with comments from Mr. Lavine and the City Manager had been sent out that morning before the e-mail system went down. However, it appeared that for whatever reason, the Commissioners did not receive it until 2:00 that afternoon.

Mr. Staples also wondered whether there was language about the caliper of the trees on the site. Mr. Lavine stated that there was language in their documents that no trees greater than 6" in diameter could be cut down without written approval of the ARB. Mr. Staples thought this should be part of the conditions of approval. Mr. Lavine said it was a condition of the LUR zoning.

Mr. Rast stated that a tree survey would be required as part of the preliminary plat process and confirmed that the Restrictive Covenants for the property would be recorded along with the final plat. He also stated that language that said a 6" caliper tree could not be removed would be problematic if that tree happened to be in the middle of a road.

Ms. Wojcik's biggest concern was the site's proximity to the airport. She recognized the benefits of the views of Lake McIntosh and the proposed County park, but had a problem with the prospect of taking a piece of property in the industrial park and rezoning it for residential development. This property was not connected to any of the villages, even if the golf cart path was built as proposed, and was a total deviation from the Land Use Plan.

Mr. Lavine stated that it was not only important to look at this property but also to look at the entire area. Such a plan had been prepared and Mr. Lavine described it to the audience. The plan showed that at one time, everything south of Highway 54 and west of Highway 74 was zoned Industrial. If the City had not deviated from the Land Use Plan, such developments as The Avenue and Planterra Ridge subdivision would not have been built. Mr. Lavine pointed out that if you looked at how this area had developed, this plan made sense. He also noted that historically the areas around the lakes were residential.

Mr. Lavine also said there was no way to guarantee that a plane would never crash over this property. On that same theory, however, should future roads and lakes not be built because of the possibility that a car might crash or someone might drown?

Mr. Staples further stated that the Comprehensive Plan Advisory Board identified this area as a character area. The implication of that was that the land use needed to be reviewed in contemplation of changes that were occurring in that area.

In response to a question from Mr. Scott, Mr. Lavine stated that they had committed to building a dedicated cart path along the right-of-way of Dividend Drive from TDK to Kelly Drive.

Mr. Lincicome pointed out, and Mr. Scott agreed, that they must plan for future recreational facilities in this area. This connection was not only to this neighborhood but to those future uses as well.

Mr. Lavine stated that the comment had been made that this development was in the middle of nowhere and did not belong. He felt the cart paths were very important in addressing that concern; Mr. Scott felt the cart path connection was key to this development. Mr. Lavine said they had actually driven a golf cart the longest route possible to measure the distance and calculate the time involved to drive from FieldTurf Drive, Southpark, TDK, Dividend Drive, and Kelly Drive to the Braelinn Village retail center. The distance was 3.77 miles and it took approximately 13 minutes. From Planter Ridge subdivision, the distance was 3.45 miles and the time was 11.9 minutes.

Mr. Staples appreciated what Pathways had done and hoped they would continue to work with the City to explore additional incremental improvements in connectivity for this project. He realized that a bridge over Highway 74 was not feasible.

Mr. Staples thought that, although small, this would be a marginal plus for the Braelinn Village retail center.

Mr. Frazar interpreted an FAA document to say that there could be no structures on an area of the plan where 10 lots were located. Mr. Rast stated that this was not an official FAA document and had not been officially adopted by the FAA. Mr. Grove stated that the FAA made recommendations but they did not have any say in local outcomes. Mr. Frazar said he read the entire 140-page document and did not read that. It specifically said that no structures could be built in zones 1, 2, and 4 which were directly off the runway.

Mr. Lavine stated that the Airport Authority made it very clear in the meeting to which Mr. Frazar was referring that this was not the law but a recommendation.

Mr. Lavine read an excerpt from the letter from the Airport Authority that stated that this development would not adversely affect the operations of Falcon Field Airport.

Mr. Frazar stated that the FAA document was written to guide development of the airports in the Southeast. Although he thought this was a good plan, he questioned the wisdom of ignoring sound guidance from the FAA.

Mr. Lavine stated that the Airport Authority had identified a section of the property that was in the RPZ that was less than one acre in size and was located approximately where the detention pond was shown. When the property was fully engineered and designed, if more of the lots were in that RPZ, they would be eliminated from the plan. That was their commitment.

Mr. Frazar told Mr. Grove that he was not aware that some buildings were vacated during the Air Show. Mr. Grove explained what parameters guided that evacuation. Mr. Frazar wanted to know whether the homes in Callula Hill would have to be vacated during the air show. Mr. Grove stated that the residences would not have to be vacated.

Ms. Wojcik stated that the Planning Commission did not have to follow what the Airport Authority said. With all due respect to the Airport Authority, she did not think the Commission should ignore the opinion of others who might be more knowledgeable than the Airport Authority. She asked if Mr. Lavine would eliminate the 10 lots Mr. Frazar stated were in the RPZ. Mr. Lavine stated that based on the fact that some of the information in the letter from Mr. Savage appeared to be inaccurate, he would not make that commitment.

Mr. Staples further stated that there was always a risk factor involved in being located in the proximity of an airport. He acknowledged that a plane could crash and hit those homes, but there could also be 300 people sitting in cubicles within an office or industrial building when a plane crashed. These were issues he thought needed to be considered and they needed to let the Airport Authority do their job. They had provided an opinion and, from his perspective, that was the opinion the Planning Commission needed to work with.

Mr. Staples pointed out that there were disclosures about both the safety and noise issues. He thought there should also be a disclosure about the Air Show.

Mr. Frazar felt the issue was alternatives, industrial versus residential development. He asked Mr. Lavine how much leveling and tree removal were involved in the industrial uses proposed for this site. Mr. Lavine said it was massive because of the topo. Mr. Frazar wanted to confirm that Pathways had seriously considered other uses for this property. Mr. Lavine said they had, both environmentally and aesthetically. He noted that when someone came to them, they looked at whether the proposed use was a good one.

For the benefit of those who might not have known, Mr. Frazar read an excerpt from the 1985 Land Use Plan on future land use:

The future land use map of Peachtree City is a conceptual, graphic illustration of how the city may look in the year 2000 assuming the Land Use Plan is followed. While no plan can predict precisely where development will occur, awareness of the dynamic nature of change occurring in Peachtree City makes it obvious that any future land use map of the city is only one of the many ways that the plan could be interpreted.

Mr. Frazar pointed out that the plan recommended that the best use was to surround it with residential areas. He said he was more concerned about safety than about whether it followed the rigid Land Use Plan.

Ms. Aguayo asked whether someone would be able to walk or drive to this area without going through the industrial park. Even with the connection on Dividend Drive, the cart path would not be connected from residential to residential. She pointed out that she had seen in the past that despite the fact that the airport was in this area before any homes, complaints would soon begin that would put pressure on the airport to change its operations to conform to the wishes of the residents.

Relative to the density of the development, Ms. Aguayo said that coupled with the other residential development that had been approved lately, the City was way over the top of what the citizens wanted.

The Chairman closed the public hearing at 8:23 p.m.

Mr. Frazar felt compliments were due to City Staff, Pathways, and the citizens who had communicated with the Commission. He said that most everyone preferred that nothing be built on this property. However, when he explained to the people with whom he spoke

that something would eventually be built on this property, residential development was favored 2:1 over industrial.

Mr. Frazar stated that he did have some reservations but felt the property was better suited for residential development than industrial. It was a beautiful piece of property. He wished it was closer to some of the villages but he noted that people already traveled great distances throughout the city on golf carts.

Mr. Frazar also felt the economic impact favored residential development over industrial. He said he remained concerned about the density and the trees that would be cut down due to the rocks on the hill. He noted that the pines were on the lower slopes, but hardwoods were on the higher elevations; he did not like to lose hardwoods. Mr. Frazar said he still thought Pathways should be good citizens and commit to not building in the FAA impact zones. He thought they would make just as much money.

Mr. Staples asked that the vote on this proposal be a roll call vote where each Commissioner would explain the reasons for his/her vote. He thought this would provide more guidance to City Council as to the methodology behind the final vote.

Ms. Wojcik would vote to recommend City Council not approve the proposed rezoning. Her reasons were as follows:

- Proximity to the airport and the associated noise – she would be in favor of the proposal if only the events center and the temporary lodging facilities were built on the site.
- Deviation from the Land Use Plan.

Mr. Scott would vote to recommend City Council approve the proposed rezoning. His reasons were as follows:

- He thought it was a very good plan.
- The developer had done his homework and had answered all of the objections that had been raised.
- He loved the connection with the golf cart path.
- It seemed like a natural use of this land.

Mr. Scott said he would like to see the roadway improvements happen quicker. He felt the developer would be true to their commitments.

Mr. Frazar would vote to recommend City Council approve the proposed rezoning subject to the understandings and conditions laid out by this Commission. His reasons were as follows:

- He liked the plan.
- The property was more suited to residential development and he did not think it was a major departure from the Land Use Plan.

He wished the issue of the airport zone could be resolved. He supported the rezoning but was concerned the events center would never be built. Mr. Lavine said it would be built. Mr. Frazar said if he was still sitting on the Planning Commission and the developer came back to request a variance that removed the events center, he would vote against it. He wanted the events center. In his view, there would be no relief from this plan.

Mr. Sussberg would vote to recommend City Council not approve the proposed rezoning for the following reasons:

- The plan did not conform to the policies and intent of the Comprehensive Plan.
- The property did not fit with the village concept.
- He had real concerns about the airport and particularly the ten lots and how they related to the FAA guidelines.

Mr. Staples would vote to recommend City Council approve the proposed rezoning. His reasons were as follows:

- He felt deeply that Peachtree City had core values that included preserving natural vegetation, cart paths, families, and safety. In that spirit, he thought there were some positives to this development, e.g., preservation of the natural landscape.
- He wanted three additional conditions to be added to the conditions of approval relative to clear cutting, caliper of the trees, and the Air Show.
- Preservation of as many trees as possible.
- Lot-specific considerations.
- Tree caliper permission.
- He loved the unique architectural concept and noted that no one ever griped about the density in North Cove. This came down to execution of the architectural and building quality and integration with natural landscape.

- Connectivity and the cart path improvements were a big deal. He challenged the developer to take it a step further, whatever that might mean.
- Airport noise and safety would be issues but he did not see how a choice could be made between four homes, an office complex, or an industrial building. There would be disclosures about the noise, but let the buyer beware.
- For him, the economic impact did not push him one way or the other.
- A big positive for this development was what alternatively could be built on this site.
- In seeking the legal opinion from the City Attorney, he felt this rezoning would not set a precedent because of the unique nature of this project.
- From a village standpoint, he thought Braelinn would see a small benefit.

Mr. Staples thought there had been great participation by the citizens and also appreciated all of Pathways' efforts.

After discussion, a motion was made by Mr. Scott and seconded by Mr. Frazar that the proposed rezoning of the 37.001-acre tract within the Southpark International Industrial Park from GI to LUR be forwarded to City Council with a recommendation for approval subject to the following understandings and conditions. The motion passed by a vote of 3 to 2 with Ms. Wojcik and Mr. Sussberg voting against the motion.

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed concept plat, which must be approved by the Planning Commission as a part of the established review and approval process. It is understood the general layout of the streets and individual lots may change once final engineering documents are prepared.
2. There shall be no more than eighty (80) single-family detached lots within the overall subdivision.
3. The event center shall not exceed 15,000 SF in size. There shall be no more than twelve (12) villas as a part of the events center.
4. The Applicant shall coordinate with City Staff to determine the location and extent of a multi-use path to be constructed within the right-of-way of Dividend Drive from TDK Boulevard to Kelly Drive. The path shall be designed and constructed by the Applicant at no expense to the city.
5. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the Homeowner's Association in perpetuity.

6. Within two (2) years of issuance of construction plan approval, the Applicant shall improve, at no expense to the city, the extension of TDK Boulevard from its current terminus to the TDK Boulevard/ FieldTurf Drive intersection as well as the extension of FieldTurf Drive, from its current terminus to TDK Boulevard. The intent of these road extensions shall be to provide an alternate route into the subdivision.
7. The Applicant shall coordinate with the Fayette County Water Department and the Peachtree City Fire Department to ensure appropriately sized water lines are constructed as a part of this development.
8. The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.
9. The location of the floodplain shall be field located and surveyed prior to preparation of the engineering drawings. Absolutely no development shall be permitted within the floodplain.
10. The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.
11. At a minimum, the rear 20' of each residential lot shall be designated as an undisturbed natural buffer and the removal of any existing vegetation within this area shall be prohibited except for perpendicular utility crossings.
12. Existing vegetation within the areas identified as open space on the concept plat must be protected prior to, during and following construction.
13. The final plat, as well as the deed covenants and restrictions, shall include language acceptable to the City Attorney and the Peachtree City Airport Authority identifying the proximity of the subject tract to Falcon Field Airport.
14. The Applicant shall establish deed covenants for the overall subdivision that shall limit rental units to no more than 20 percent of the total number of dwelling units in the subdivision. The covenants shall provide for the strict enforcement of the limit on rental units, and the developer shall establish the administrative structure for that enforcement prior to sale of the first dwelling unit in the subdivision.
15. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
16. The land use designation of the subject tract shall be changed from IND Industrial to SFC Single-Family Cluster and COM Commercial accordingly.
17. It is understood there is a discrepancy between the topography shown on the schematic plat and the city's GIS system, which is based on the North American Vertical Datum (NAVD) of 1988. Field run top shall be provided as a part of the

concept plat submittal, at which time it will be determined to what extent existing vegetation may need to be removed to accommodate this development.

18. A tree survey shall be provided as a part of the concept plat submittal and shall include all vegetation 6" in caliper and greater.
19. The Restrictive Covenants shall be modified to include language notifying future property owners of the air show and other activities associated with the airport.

Attachments

1. Letter from James Savage
2. PTCCA Position Paper

June 8, 2009

Mr. Patrick Staples, Chairman
Peachtree City Planning Commission
151 Willowbend Road
Peachtree City, GA 30269

RE: Callula Hills Rezoning

Dear Mr. Staples:

I write in opposition to the rezoning of 37.001 acres of land in the Southpark Industrial Park from GI to LUR for the construction of some 80+ residential units at the proposed Callula Hills subdivision.

For a short background of my experience: I was a member of the City Council in the early 1980's when we created the Peachtree City Airport Authority. After the death of Eastern Air Lines, for whom I flew as Captain with 24 years experience, I became Airport Manager at Peachtree City-Falcon Field (FFC), serving for thirteen years. I departed in December of 2003. I currently work as an on-site quality assurance inspector with Wilbur Smith Associates, a company that provides civil engineering services to airports world-wide.

During my 33 years as a resident in Peachtree City, I have seen a number of efforts to develop residential housing within the Industrial Park (and therefore near FFC) and with the exception of Planterra Ridge subdivision, most have failed. As a citizen of one of the best planned communities in the country, I believe our Land Use Plan, along with the input of volunteer "planners" such as the Planning Commission, have contributed greatly to that distinction. Placing residential housing within the industrial park with its normal industrial sounds, smells and truck traffic, but especially in close proximity to a very active airport, not only violates that plan, it is simply a bad idea regardless of the potential "great view" of the future Lake McIntosh.

I have read the proposed restrictive covenants for inclusion with the property deeds to the site in question and wonder why anyone looking to buy such a residence would even consider it. Even a cursory review of the document would reveal that you should "expect lots of noise now, and more in the future." It seems to me that such restrictive covenants would only be necessary where incompatible land uses are placed adjacent to each other.

Based on available documents at FFC this morning, it appears that the closest housing unit proposed is only **1,325 feet** from the departure end of Runway 31 at its closest point (currently) and is offset from the extended center line of the runway by approximately **800 feet**. However, another lot located on the western most segment of the proposed development, that is approximately **2,000 feet** from the current runway end, is only **175 feet** from the extended centerline of the runway. It is anticipated that the runway surface will soon be extended to the northwest by some 1,000 feet to enhance the runway safety area, which will shorten these distances considerably.

When the wind favors operating to the southeast on Runway 13, the normal 3 degree glide slope will have **most** landing aircraft passing abeam of the subdivision at its closest point at only **141 feet** above the runway elevation. The "hill" in the proposed subdivision is approximately **40 feet higher** than the airport.

Under summer time operating conditions, one could expect that jet aircraft and large propeller powered aircraft departing on Runway 31 (and operating at full takeoff power) could be less than **200 feet above the ground** as they pass to the west of the proposed subdivision. For comparison, the wingspan on some jets that fly into FFC can be more than **90 feet** wide.

It should be noted that even though the airport has established an informal "noise abatement procedure" that calls for aircraft departing on Runway 31 to turn to a westerly heading *as soon as practical*, that turn would most likely not occur until the aircraft has passed the proposed subdivision. It is also likely that on occasion, aircraft departing on Runway 31 will actually turn in a northerly direction and pass directly over the area in question.

While FFC has a good safety record, aircraft accidents have occurred at the airport. Safety experts will tell you that most aircraft accidents occur during the takeoff and landing phases of flight. The closer a residence is located to the end of the runway surface or the extended runway centerline, the greater the risk to its occupants.

As you are probably aware, The Great Georgia Air Show will hold its annual event this coming October. Because the air show aircraft operate at very low altitudes, the Federal Aviation Administration has required the operators at the sewerage treatment plant, on the southwest corner of the airport, to vacate their buildings during the performance. I do not know if such a requirement would be necessary for the residents of Callula Hills, but at best the noise and potential safety issues must be a consideration.

Peachtree City-Falcon Field is a vital component to local businesses and industry, as well as the aviation minded citizens of Peachtree City. The airport has always strived to be a good neighbor to the community, and this has been accomplished in part because the airport is surrounded by the industrial park. I believe this is a very good zoning match. Placing residential property this close to the airport inside an area zoned for General Industrial will alter that match needlessly.

It is not uncommon to find residents that do not know an airport exists within the city limits of Peachtree City. Perhaps this is a "mixed bag" for airport marketing efforts, but it does show that to many residents, the airport does not affect their daily lives in a negative way. Please help keep it that way by recommending to the City Council that this zoning be denied.

I will not be able to attend the Planning Commission meeting on June 9th due to a previous commitment. I ask that this letter be placed in the record as one opposing the proposed change in zoning.

Thank you.

Sincerely,



James H. Savage
117 Camp Creek Trail
Peachtree City, GA 30269

c.c. David Rast, City Planner, Peachtree City Planning Commission; Peachtree City Airport Authority

PTCCA Position Paper
Callula Hills Development
As Proposed by Pathways Communities on Feb. 23, 2009

Position:

The Peachtree City Civic Association is against the request to rezone from GI to LUR 37 acres to create Callula Hills as proposed by Pathways Communities. Significant benefit to the city has not been shown to justify a deviation from our land use plan and comprehensive plan. The location of this property entirely within the industrial park and its close proximity to Falcon Field both dictate that it non-residential.

There are several reasons that we have come to this conclusion:

1. Not Part of Master Plan: This is an argument that we have deviated from in the past, because the benefit to the city for rezoning exceeded the negative aspect associated from deviating from the plan, in the mind of the majority. In this case it is hard to make that same argument. This land has always been intended to be industrial property. Because it has not succeeded in that capacity to date is not reason enough to rezone it for another use. The revenue the city may get from residential zoning should not be the sole reason it is granted.
2. Location: Being in the heart of the industrial park makes the access to this parcel for residential use, difficult, if not hazardous. There is no golf cart access, and only one way in and one way out for vehicles. Truck traffic and air traffic noise is not conducive to a quality of life that we want to perpetuate in PTC. The proximity to Falcon Field is not favorable either for safety and noise. Even though the airport authority does not object to the development from their perspective; that does not mean as officials of Peachtree City we should not object from a quality of life perspective. This residential area would be isolated from any other residential development which makes it unlike any other residential area of the city and have severe negative impact on the future of our village concept. In Addition, there is minimal access to shopping or a nearby village.
3. Timing: We as a city are looking for sources of revenue. Pathways Communities is looking to profit from this land that has been sitting vacant. However, we will not always be in an economic downturn. We would be making this decision purely based on economics. Our city is based on more than that. We have the responsibility to look past the immediate fiscal crisis and determine if this development is in the best interests of the city, those that live here now, and those that will live here in the future. A decision to rezone this property now would be shortsighted and would undermine our high standards for quality of life.
4. Future Hassle: Years from now when residents of "Callula Hills" are before you complaining of air traffic patterns, truck noise, golf carts cutting through their community, or lack of access to

other parts of the city by golf cart, what will be your response? It does not matter what papers are signed when homes are bought, complaints will surface if people feel that their quality of life or safety are jeopardized. It will be on the city of Peachtree City's shoulders to fix and address these issues indefinitely. Money will be spent in some capacity to address them. (i.e. Chadsworth subdivision's golf cart path re-routing)

Recommendation:

The PTCCA recommends that the rezoning request by Pathways communities be denied at this time. We also recommend that the development authority and city officials aggressively pursue businesses looking for a corporate headquarters in an attractive location. We feel this is the best use for this location, and for this use the property would not require rezoning. We hope that the city exercises patience and finds a business to occupy this space rather than making any decisions that detract from our master plan.

**AN ORDINANCE TO AMEND THE PEACHTREE CITY ZONING
ORDINANCE TO REZONE A 37.001-ACRE TRACT OF LAND WITHIN
THE SOUTHPARK INTERNATIONAL INDUSTRIAL PARK FOR
RESIDENTIAL AND COMMERCIAL USE,
AND FOR OTHER PURPOSES.**

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council
of the City of Peachtree City that:

Section 1. Article X, Requirements by District, Section 1013A, Specific
Limited Use Residential zoning district of the Peachtree City Zoning Ordinance, be
repealed in its entirety and replaced as follows:

(Section 1013A.16) Limited use residential district no. 16

- (a) A single tract of land as described below shall be rezoned from its present
classification of GI General Industrial to LUR-16 Limited use residential subject to
the conditions et forth herein. In the event of a conflict between the provisions of
this ordinance and the regulations of the LUR zoning district, the most restrictive
regulation shall apply.

All that tract or parcel of land lying and being in Land Lot 57, 6th District, City of Peachtree City,
Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northwesterly Right of Way of TDK Boulevard (80' Right of
Way) and the southwesterly Reserved 80' Right of Way; thence along the southwesterly
Reserved 80' Right of Way a distance of 763.04 feet to an iron pin set, being the TRUE POINT
OF BEGINNING (Note: all further references to "iron pin set" in this description are 1/2" rebar with
yellow plastic cap stamped "Rochester-LSF000484"); thence along the property now or formerly
Sequoia Golf Planterra Ridge, LLC the following calls: 79°46'00" West, a distance of 354.26 feet
to a 3/4 inch iron rod found; thence North 18°57'53" West, a distance of 156.89 feet to a 3/4 inch
iron rod found; thence South 85°28'43" West, a distance of 850.18 feet to a 3/4 inch iron rod
found; thence North 39°46'30" West, a distance of 365.91 feet to a point; thence North 06°35'27"
West, a distance of 241.89 feet to a 3/4 inch iron rod found; thence North 05°44'08" East, a
distance of 200.27 feet to a 3/4 inch iron rod found; thence North 19°53'36" West, a distance of
284.33 feet to a 3/4 inch iron rod found; thence North 10°40'15" East, a distance of 138.91 feet to
a 3/4 inch iron rod found; thence North 00°28'24" West, a distance of 149.21 feet to an iron pin
set; thence along the property of now or formerly JAMR Investments, LLC South 85°42'56" East,
a distance of 318.42 feet to a 3/4 inch iron rod found; thence along the property now or formerly
Sequoia Golf Planterra Ridge, LLC the following calls: North 89°16'36" East, a distance of 204.63
feet to a 3/4 inch iron rod found; thence North 60°06'31" East, a distance of 214.82 feet to a 3/4
inch iron rod found; thence South 56°43'35" East, a distance of 167.29 feet to a 3/4 inch iron rod
found; thence South 51°24'57" East, a distance of 363.19 feet to a 3/4 inch iron rod found; thence
South 24°15'57" East, a distance of 318.52 feet to a 3/4 inch iron rod found; thence South
32°08'54" East, a distance of 249.13 feet to a 3/4 inch iron rod found; thence South 81°59'51"
East, a distance of 219.38 feet to an iron pin set along the westerly Reserved 80' Right of Way;
thence along said Right of Way the following calls: South 07°57'25" West, a distance of 393.60
feet to a point; thence 138.79 feet along a curve to the left, said curve having a chord of South

01°11'55" East 138.21 feet and a radius of 439.91 feet to an iron pin set, being the TRUE POINT OF BEGINNING.

Said tract contains 37.001 acres.

- (b) This tract is illustrated on the on the Boundary Survey prepared for Peachtree City Holdings, LLC by Rochester & Associates, Inc. (last revised December 2, 2008), a copy of which is attached hereto as Exhibit "A" and incorporated herein by express reference.

It is intended that the LUR-16 zoning district be established specifically for an 80-lot single-family detached residential subdivision, a 15,000 SF events center and no more than twelve (12) detached villas to be developed substantially in accordance with the conditions set forth in this ordinance.

- (c) Development shall take place in substantial conformance with the master plan prepared by HighGrove Partners (last revised December 22nd 2008, a copy of which is attached hereto as Exhibit "B" and incorporated herein by express reference. Any substantive change to this plan or any of the conditions and requirements of this section shall require a new rezoning action.

(Section 1016.16A.16.1) Permitted uses.

- (a) No more than eighty (80) single-family detached lots with the following dimensions:
 - 1. 46 lots shall measure no less than 70' x 140' (with front, side or rear entry garages)
 - 2. 11 lots shall measure no less than 60' x 140' (with front, side or rear entry garages)
 - 3. 23 lots shall measure no less than 50' x 140' (with front, side or rear entry garages)
- (b) An events center no greater than 15,000 SF in floor area.
- (c) Twelve (12) guest villas
- (d) A privately owned clubhouse, including an outdoor pool, tennis courts and other customary accessory uses.
- (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 or open space purposes.

- (h) Customary home occupations, as identified herein.
- (i) Accessory uses, as identified herein.

(Section 1016A.16.2) Conditional uses.

No conditional uses shall be permitted within this zoning district.

(Section 1016A.16.3) Other requirements.

- (a) Minimum floor area per dwelling unit: 1800'
- (b) Minimum zoning lot area: As described herein and shown on the concept plat approved as a part of the rezoning.
- (c) Minimum lot width: As described herein and shown on the concept plat approved as a part of the rezoning.
- (d) Minimum front building setbacks: 5'; provided that each dwelling unit provides at least two paved parking spaces off the right-of-way; at least one of those spaces must be within a fully enclosed garage, and no part of the garage shall be within 5' of the right-of-way.
- (e) Minimum side building setbacks: 0'; provided that at least a 10' separation is maintained between detached dwelling units, and further provided, that at least one 20' separation is provided between every 10 detached dwelling units.
- (f) Minimum rear building setbacks: 10'; provided that for those units served by a dedicated alley with garage access in the rear of the homes, at least two paved parking spaces shall be provided off of the alley; at least one of those spaces shall be within a fully enclosed garage, and no part of the garage shall be located less than 20' from the edge of alley.
- (g) Maximum building height: Three stories, not including a basement level.
- (h) Alley access: Alleys shall be a minimum of twenty (20) feet in width and shall be paved with a suitable surface to support fire and emergency apparatus.
- (i) Uses permitted above garages: On those lots where detached garages are located behind homes, the second floor of these buildings shall be limited to storage or home office use only. Garage apartments, granny flats, or other residential uses within these second floor areas shall not be permitted.
- (j) Buffers: An undisturbed buffer of no less than twenty (20) feet in width shall be maintained along the rear property line of all lots. Clearing and/ or grading within this buffer, except for perpendicular utility crossings and by hand under-brushing

of scrub trees and debris with a maximum of six (6) caliper inches as measured at the base of the tree, shall not be permitted. Stormwater detention and/ or water quality features shall not be permitted within this buffer. The undisturbed buffer shall be identified on the final plat prior to recording. Perpendicular crossings for driveways shall be permitted within this buffer.

- (k) Street trees: Street trees shall be required along each residential street within the subdivision. An overall street tree planting plan shall be developed identifying locations of each street tree. All street trees shall be planted within the planting area between the back of curb and the sidewalk, shall be a minimum of 3" caliper and shall be no less than 35' on center.
- (l) Architectural concept: A unified architectural concept for the overall development must be developed and approved by the Planning Commission. The architectural design, building materials and color selections of all buildings and structures on the site must be substantially the same. Each home with a side elevation facing a public street shall include architectural detailing to avoid creating a blank wall facing the public street.
- (m) Development concept: Development shall take place substantially in conformance with the approved concept plat (Exhibit "B"), as well as the design concepts presented with the zoning request and approved as a part of the concept. Substantial deviation from the approved concept plat or design concepts shall require city council approval.

Approval of the rezoning of this tract is subject to the following understandings and conditions:

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed concept plat, which must be approved by the Planning Commission as a part of the established review and approval process. It is understood the general layout of the streets and individual lots may change once final engineering documents are prepared.
2. There shall be no more than eighty (80) single-family detached lots within the overall subdivision.
3. The event center shall not exceed 15,000 SF in size. There shall be no more than twelve (12) villas as a part of the events center.
4. The Applicant shall coordinate with City Staff to determine the location and extent of a multi-use path to be constructed within the right-of-way of Dividend Drive from TDK Boulevard to Kelly Drive. The path shall be designed and constructed by the Applicant at no expense to the city.

5. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the Homeowner's Association in perpetuity.
6. Within two (2) years of issuance of construction plan approval, the Applicant shall improve, at no expense to the city, the extension of TDK Boulevard from its current terminus to the TDK Boulevard/ FieldTurf Drive intersection as well as the extension of FieldTurf Drive, from its current terminus to TDK Boulevard. The intent of these road extensions shall be to provide an alternate route into the subdivision. This road construction shall also include a paved multi-use path, which will connect the multi-use path adjacent to Dividend Drive to the TDK Boulevard/ FieldTurf Drive intersection.
7. The Applicant shall coordinate with the Fayette County Water Department and the Peachtree City Fire Department to ensure appropriately sized water lines are constructed as a part of this development.
8. The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.
9. The location of the floodplain shall be field located and surveyed prior to preparation of the engineering drawings. Absolutely no development shall be permitted within the floodplain.
10. The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.
11. At a minimum, the rear 20' of each residential lot shall be designated as an undisturbed natural buffer and the removal of any existing vegetation within this area shall be prohibited except for perpendicular utility crossings.
12. Existing vegetation within the areas identified as open space on the concept plat must be protected prior to, during and following construction.
13. The final plat, as well as the deed covenants and restrictions, shall include language acceptable to the City Attorney and the Peachtree City Airport Authority identifying the proximity of the subject tract to Falcon Field Airport.
14. The Applicant shall establish deed covenants for the overall subdivision that shall limit rental units to no more than 20 percent of the total number of dwelling units in the subdivision. The covenants shall provide for the strict enforcement of the limit on rental units, and the developer shall establish the administrative structure for that enforcement prior to sale of the first dwelling unit in the subdivision.

15. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
16. The land use designation of the subject tract shall be changed from IND Industrial to SFC Single-Family Cluster and COM Commercial accordingly.
17. It is understood there is a discrepancy between the topography shown on the schematic plat and the city's GIS system, which is based on the North American Vertical Datum (NAVD) of 1988. Field run top shall be provided as a part of the concept plat submittal, at which time it will be determined to what extent existing vegetation may need to be removed to accommodate this development.
18. A tree survey shall be provided as a part of the concept plat submittal and shall include all vegetation 6" in caliper and greater.
19. The Restrictive Covenants shall be modified to include language notifying future property owners of the air show and other activities associated with the airport.

In accordance with the conditions of approval (adopted May 13, 2009) imposed by the Peachtree City Airport Authority, the rezoning of this tract is subject to the following understandings and conditions:

1. Pathway Communities must agree to include the following language in recorded documents in each land purchase agreement that specifically addresses the presence of the airport and the associated noise. Those documents must be part of the property deeds and pass from one owner to the next.

Declarant, by execution and recording of this Declaration, and all subsequent purchasers of properties covered by this Declaration, by acceptance and recording of their respective deeds, hereby agree and acknowledge as follows:

- (i) that Peachtree City-Falcon Field Airport, under the ownership, operation and control of the Peachtree City Airport Authority, is situated in very close proximity to the property covered by this Declaration;*
- (ii) that the property covered by this Declaration lies immediately adjacent and contiguous to the well-established flight path used regularly by aircraft approaching and departing the runway at the airport, and under protected airspace, as more fully defined in the Peachtree City Zoning Ordinance;*
- (iii) that the airport and the aircraft operations associated therewith, have been in existence continually for a period of over forty years and that such aircraft operations, and the noise and emissions associated therewith, will continue in the future, and will increase in volume and frequency in the future;*
- (iv) that they freely acknowledge and accept the rights of the airport, its operations, and the aircraft landing and taking off at the airport to*

utilize the current flight path and protected airspace, and grant to the Peachtree City Airport Authority and such aircraft the continuing rights to use such flight path and protected airspace and to increase the volume and frequency of flights along such flight path and in the protected airspace in the future;

- (v) that they waive and release any and all claims against the Peachtree City Airport Authority based on both existing volume and frequency of air traffic operations along the current flight path and in the protected airspace, as well as any increases in volume and frequency of such air traffic operations in the future, as well as any claims related to noise or emissions generated either at the airport or by aircraft landing at or departing from the airport, as well as any and all claims associated therewith in the future;*
- (vi) that they will not use their respective properties, or allow anyone to use their respective properties, to interfere with the safe approach and departure operations along the current flight path, or in the protected airspace above the property of Declarant, or cause any hazard to aircraft using said flight path and protected airspace, or any hazard to persons or property, and will not cause any lighting, either generated on the property, or reflected by structures on the property, to interfere with the safe operation of such aircraft, or allow any structures or modified air flows to interfere with the safe operation of such aircraft along the current flight path or within the protected airspace.*

2. Pathway Communities must provide a binding document acknowledging that the area (<1 acre) of the development that does fall within the Runway Protection Zone (RPZ) will be void of any structure and not have an occupied dwelling directly located on the edge of the affected RPZ area.
3. Pathway Communities must acknowledge the application of the city ordinance regarding Airport Height Zoning to the subject property and agree not to allow any object or structure to penetrate the protected surfaces in the ordinance or the approaches to the airport.
4. The Developer must agree to remove anything on the Developer's property that penetrates the protected airspace above Developer's property in accordance with the City Ordinance regarding Airport Height Zoning.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this

ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2009.

Harold K. Logsdon, Mayor

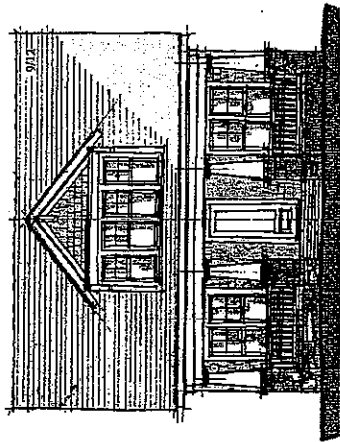
Attest:

City Clerk

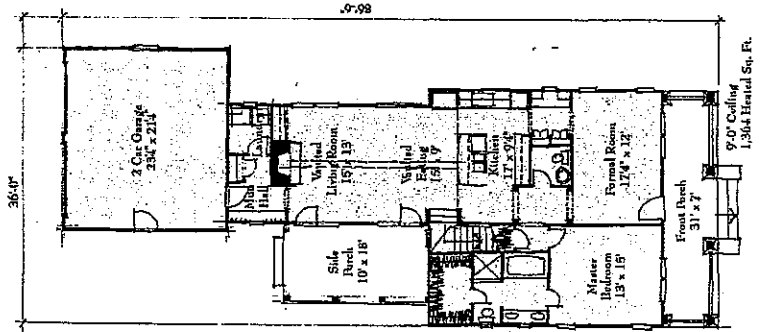
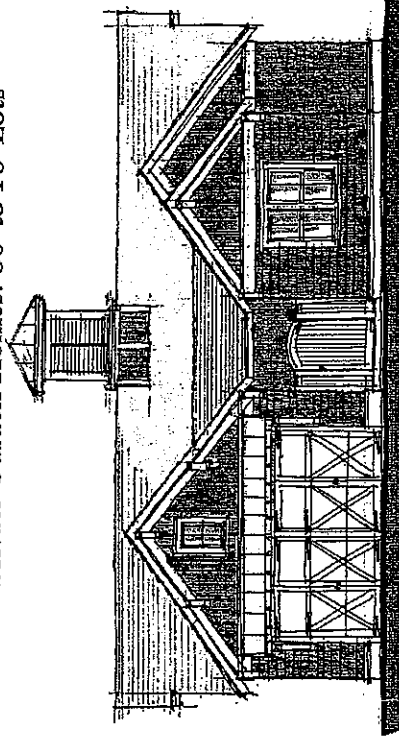


Cottage Homes: 50' to 55' Lots

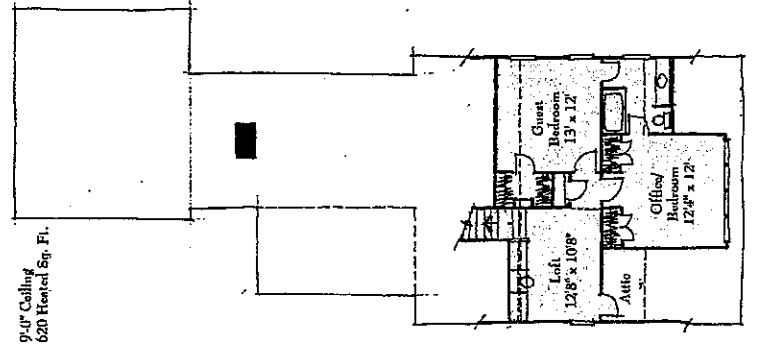
Elevation



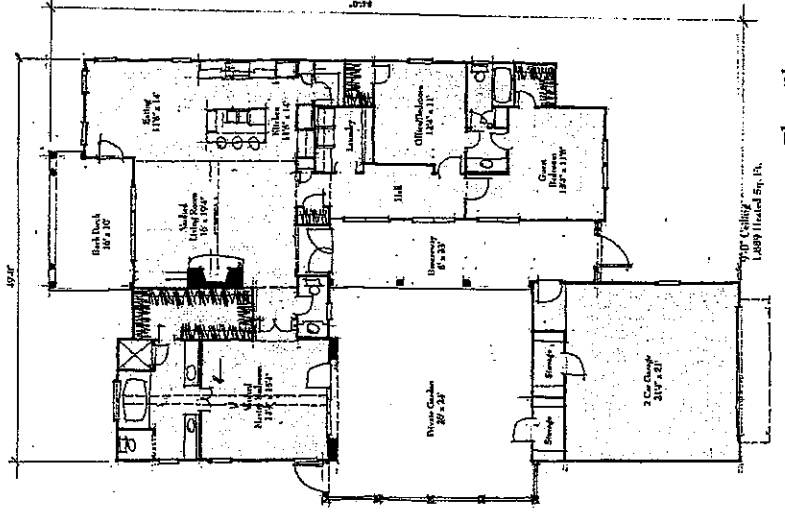
Private Garden Homes: 60' to 70' Lots



First Floor Plan



Second Floor Plan



Floor Plan

Callula Hill: A Small Beauty in Peachtree City

Typical Home Plans and Elevations

Peachtree City, Georgia



Architectural Firm
1. HuntGrove and Associates, Inc.

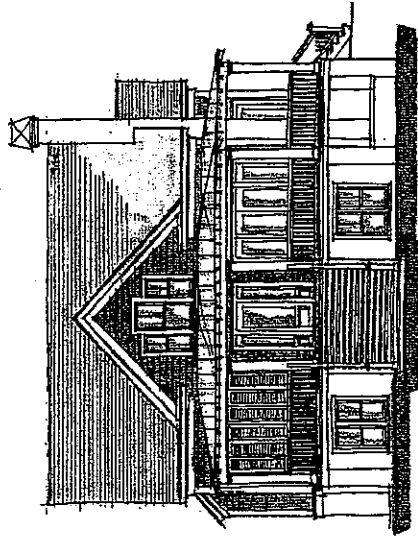
December 12, 2008

Project No.: H00000-08

N.T.S.

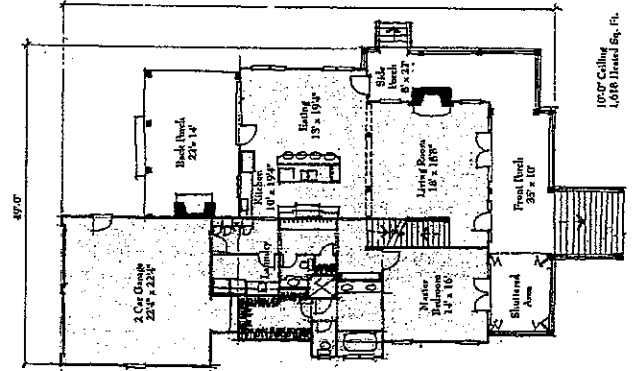
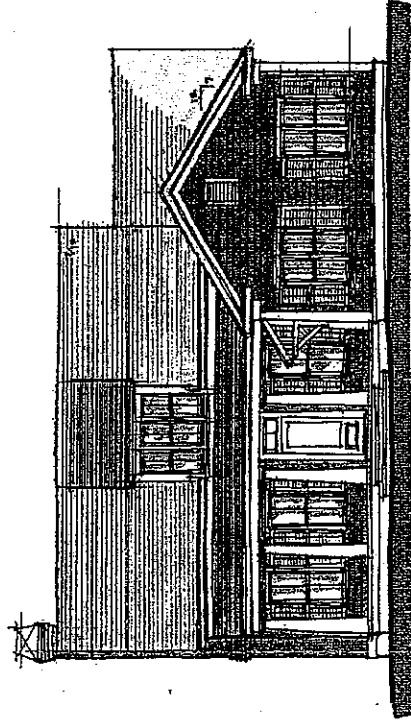
Lake View Homes: 70' Lots (front view)

Elevation

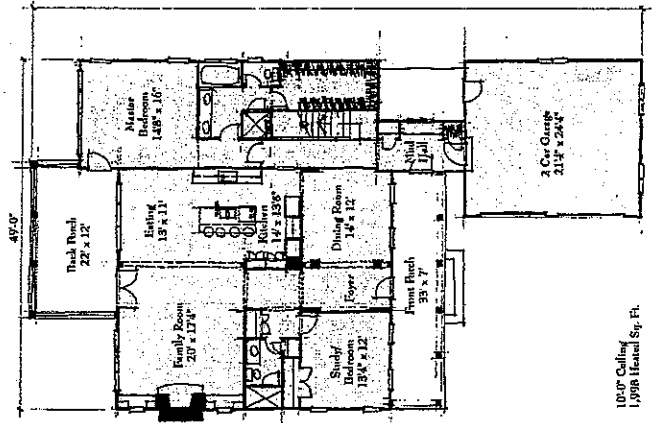


Lake View Homes: 70' Lots (rear view)

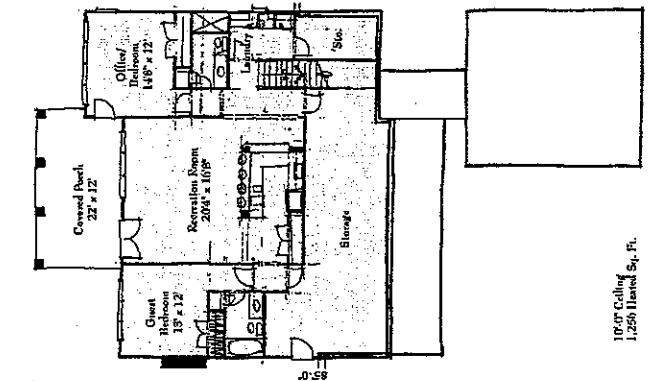
Elevation



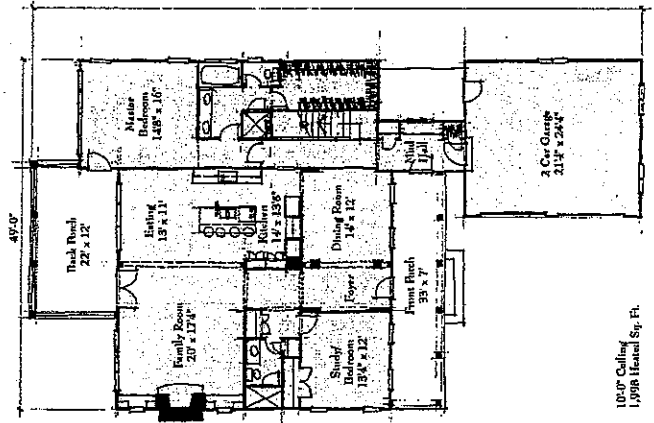
First Floor Plan



First Floor Plan



Terrace Floor Plan



Terrace Floor Plan

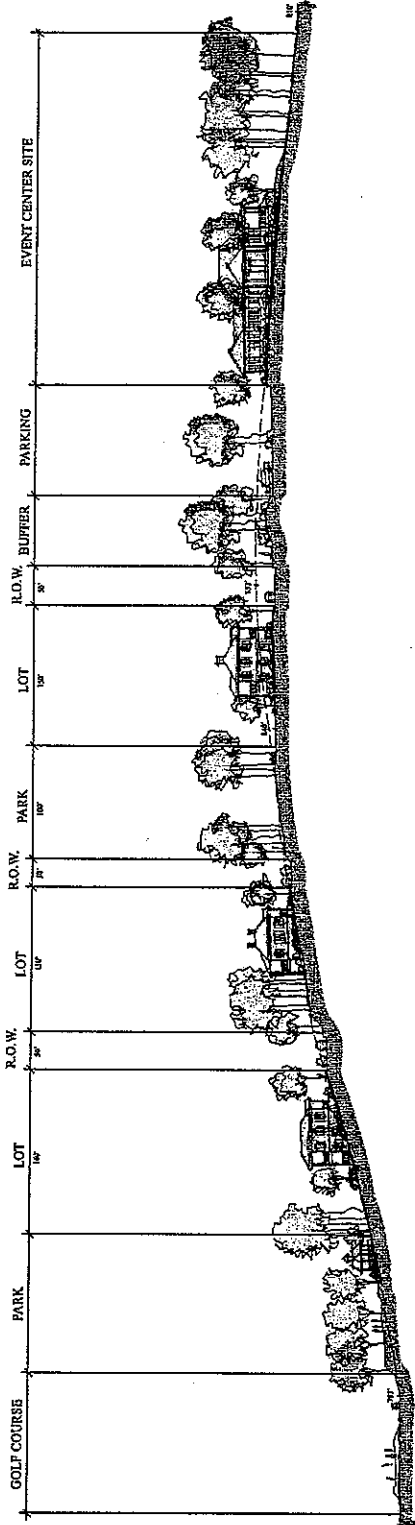
Callula Hill: A Small Beauty in Peachtree City

Site Sections
Peachtree City, Georgia

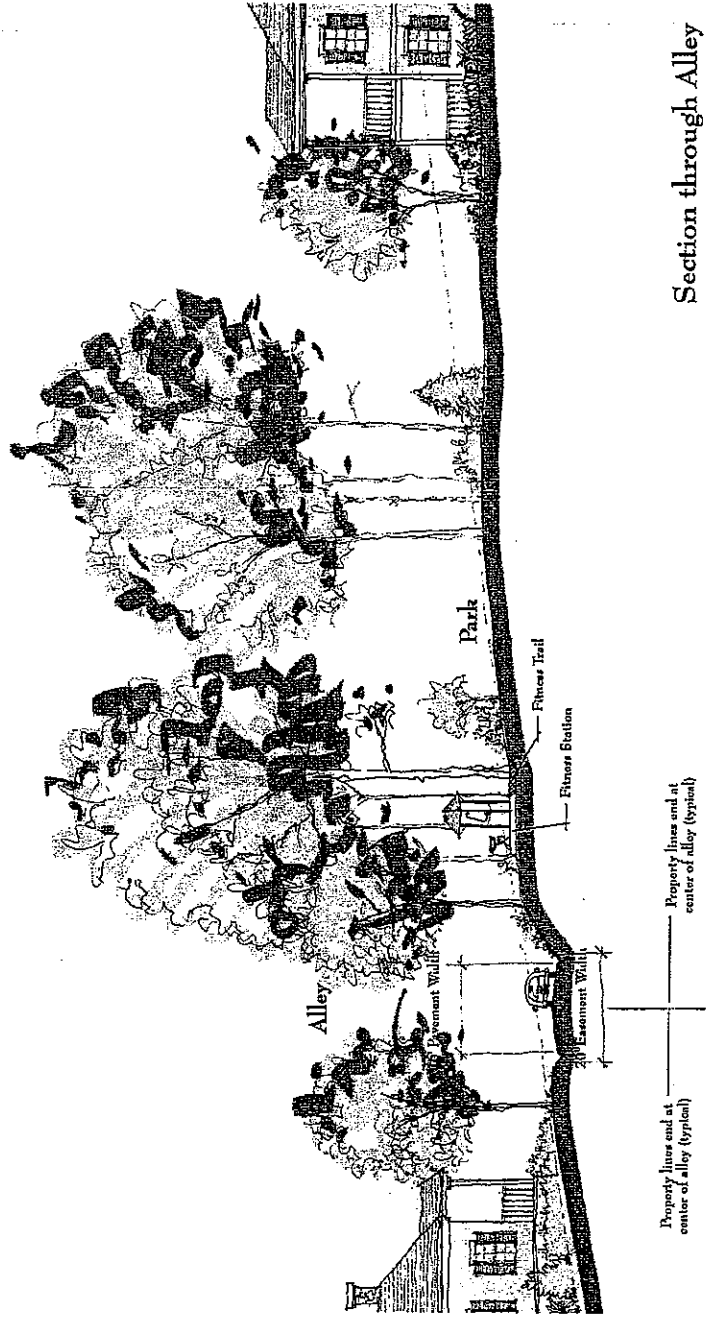
December 21, 2008
Project No.: 10000048
N.T.S.

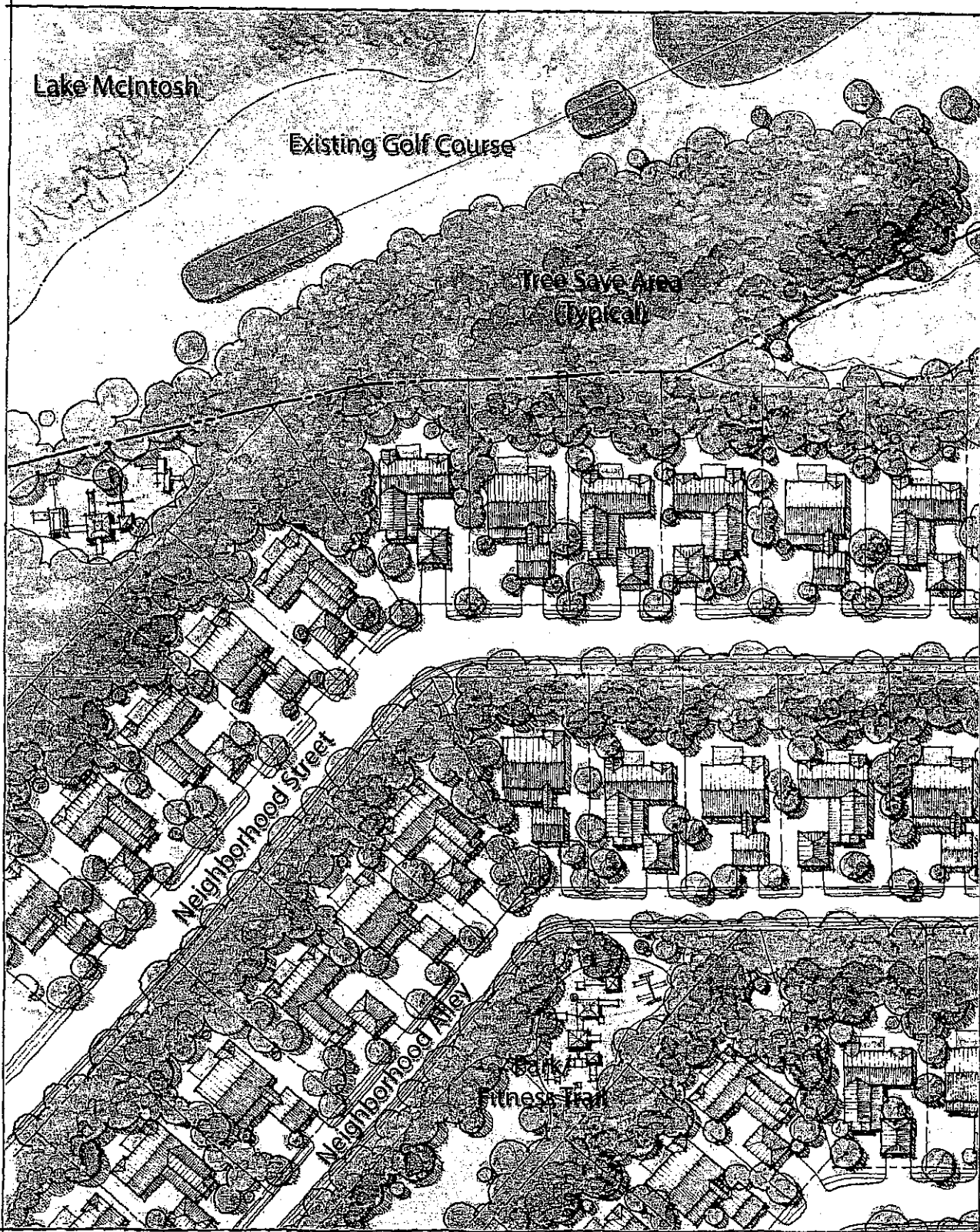


Site Section: Golf Course through Event Center



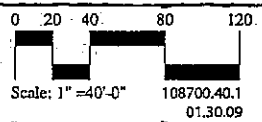
Section through Alley





Callula Hill

Residential Lot Study



POSITION PAPER

Proposed Variance: 100 Hermitage Place
Lot 77, The Coventry subdivision

Interim Developmental Services Director
June 11, 2009



David

Situation:

Mr. David Conner owns the property located at 100 Hermitage Place within Phase 3 of The Coventry subdivision. The subject tract is 0.588 acres in size and is zoned R-15 Residential. The property is located on a cul-de-sac and is bordered on the side and rear by a city-owned greenbelt. The Applicant desires to construct an attached 23.5' x 32' garage on the home which would encroach 4.2' into the required 15' side building setback.

Because the proposed addition would extend into the established building setback, the Applicant has submitted a request for a variance to permit this encroachment (Attachment "A").

Facts:

1. Lot 77 within Phase 3 of The Coventry subdivision is zoned R-15 Residential, which requires a minimum side building setback of 15'. The existing structure complies with this setback.
2. The subject tract is located on a cul-de-sac. One side and the rear of the property abut a city-owned greenbelt. The side setback in question abuts this greenbelt.
3. A portion of the proposed garage addition would extend 4.2' into the minimum 15' side building setback.
4. The proposed addition has been approved by The Coventry Homeowner's Association. Both the architecture and color scheme would complement the existing home.
5. The Applicant has provided letters from several property owners expressing their support of the proposed variance.

Discussion:

The Applicant desires to increase the size and usability of the existing home on the property. The proposed addition would include a garage and workshop on the ground level and a playroom on the second level. The architectural design and exterior color selection would blend in with the existing two-story home.

Proposed Variance: 100 Hermitage Place

June 11, 2009

Page 2

Because of the irregular shape of the lot and the placement of the existing home, the proposed addition would encroach into the established side building setback. The side property line abuts a city-owned greenbelt. From the street, it would not appear as if the addition encroached into the building setback.

Review criteria:

Based on the review criteria established within Section 1207 of the city's Zoning Ordinance, City Council shall not grant the request unless all of the following findings can be made:

- (a) **There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;**

Staff findings:

- *The subject tract is located within an approved subdivision on a cul-de-sac.*
- *The subject tract is irregularly shaped and is bordered on the side and rear by a city-owned greenbelt.*
- *The placement of the home would limit an expansion to either side of the home without encroaching into the established side building setbacks.*

- (b) **The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;**

Staff findings

- *The minimum side building setback within the R-15 Residential zoning district is 15'.*
- *The existing structure complies with all required building setbacks.*
- *The Applicant has designed the proposed addition such that the majority of the structure would be located out of the required building setback.*
- *In order to comply with the required building setbacks, the proposed addition would have to decrease in width, which would limit the ability to access the garage.*

- (c) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;**

Proposed Variance: 100 Hermitage Place

June 11, 2009

Page 3

Staff findings

- *The subject lot is irregularly shaped and includes a total of six (6) sides.*
- *The majority of the other lots within this phase of the subdivision are rectangular in shape.*
- *The side and rear of the lot abut a city-owned greenbelt.*
- *The proposed addition would encroach into the side building setback adjoining this greenbelt.*
- *The existing home on the lot complies with all established building setbacks.*

- (d) **The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and**

Staff findings

- *The minimum side building setback within the R-15 zoning district is 15'. It appears the existing homes within this phase of the subdivision comply with these setbacks.*
- *While the side property lines of many of the existing lots within the subdivision abut one another, the side and rear of the subject lot abuts a city-owned greenbelt.*
- *The proposed addition would not impact any of the homes on the adjoining property.*

- (e) **The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.**

Staff findings

- *Phase Three of The Coventry subdivision was developed several years ago and is fully developed.*
- *The proposed addition would provide additional garage and living space for the current property owner and his family.*
- *The proposed addition would be similar in design to the architecture and color scheme of the existing home.*
- *The Coventry Homeowner's Association has provided their approval of the proposed addition.*
- *The Applicant has provided letters of support from several of his neighbors indicating their approval of the variance request.*

- (f) **The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.**

Proposed Variance: 100 Hermitage Place

June 11, 2009

Page 4

Staff findings:

- *Many of the discussions pertaining to the update to the city's Comprehensive Plan included a need to include provisions to protect the character of existing neighborhoods as well as to encourage redevelopment and reinvestment within these neighborhoods.*
- *The Applicant desires to enhance the property with this addition.*
- *There will be no detrimental impact to the existing home or the neighborhood.*

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the City Council shall deny the request in writing, stating the reasons for the denial.

Recommendation:

Staff recommends that the Variance be approved subject to the following understandings and conditions:

1. *The variance shall be limited to an encroachment of 4.2' as shown on the Boundary Survey prepared for David Conner (dated April 21, 2009). There shall be no other encroachments permitted without first securing additional variances.*
2. *A Foundation Survey shall be provided as a part of the Building Permit process identifying this encroachment.*
3. *The existing fence along the side property line shall be removed from the city-owned greenbelt and located on the property line.*

Attachments



Please use blue or black ink to fill out this form.

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00

Receipt # 00152076
Date Filed 05/05/09
Case # V-2009-03
Office Use Only

VARIANCE LOCATION	Street Address <u>100 Hermitage Place</u> <u>Peachtree City, GA 30269</u>	PROPERTY OWNER	Name <u>David H Conner</u>
	Zoning District: ☒ Residential ☐ Multi-Family ☐ Commercial\Industrial\Office		Phone <u>(770) 487-4636</u> Email <u>dconner@tpinspection.com</u>
VARIANCE LOCATION	Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below)	PROPERTY INFO	Subdivision: <u>The Coventry</u>
	Variance from which ordinance: ☐ Sign ☐ Fence ☐ Land Development ☒ Zoning		Phase: <u>III</u> Lot # <u>77</u>
APPLICANT	Name <u>David H Conner</u> Address <u>100 Hermitage Place</u> City, State, Zip <u>Peachtree City, GA 30269</u> Phone # <u>(770) 487-4636</u> Email <u>dconner@tpinspection.com</u>	SUPPORTING DOCUMENTS	Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application) ☒ Site plan (with property lines and proposed work) ☒ A detailed report justifying the requested variance ☒ Letters of support from adjacent property owners ☒ Digital Photographs \ Renderings (CD or Email) ☐ Other Items Demonstrating Need (topo. Survey, etc)

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application? ☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback? ☐ Yes ☐ No	
ADMINISTRATIVE VARIANCE	3.) Is the violation an existing setback violation? ☐ Yes ☐ No	
	4.) How long has the violation existed? _____ Years	
ADMINISTRATIVE VARIANCE	5.) What is the required setback? _____ Feet	
	6.) How much of a variance is being requested? _____ Feet	
ADMINISTRATIVE VARIANCE	7.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application? ☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions? ☐ Yes ☐ No	
SPECIAL EXCEPTION	3.) Is the violation an existing setback violation? ☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking? (Circle One)	
SPECIAL EXCEPTION	5.) What is the required setback, height, or spaces? _____	
	6.) How much of a variance is being requested? _____	

VARIANCE	Please review the ordinances and instructions on the back of this page.	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application) <u>The rear corner of a proposed addition encroaches into the setback.</u>
	1.) Is a current survey included with the application? ☒ Yes ☐ No	
VARIANCE	2.) How much of a variance is being requested? <u>5</u> Feet	N/A - This variance request is for an addition that has not yet been built.
	3.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☐ No	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: [Signature] Date 5/4/09

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:	
Signature: <u>David E. Post</u>	Date of Acceptance: <u>05-06-09</u>	Date of Public Hearing: <u>06-18-09</u>

To: City Staff, and City Council
From: David Conner, 100 Hermitage Place, Peachtree City, GA 30269
Date: May 4, 2008
Re: Variance Request

My family and I would like to build an addition on our house adding an attached garage with a bonus room located above. The back corner of the proposed addition would encroach approximately 4.5' into the 15' setback of one of the side lot lines adjacent to the city owned green belt/ open space. Please consider the following detailed report, site plan survey, site pictures (on CD), letters of support from neighborhood residents, and the attached variance application requesting a 5' reduction from the required 15' setback.

Review Criteria Considerations

- a) Our lot (#77) has such special circumstances regarding its shape and location that the strict application of the setback ordinance denies us the privileges enjoyed by others in the vicinity. Most of the lots in the Coventry subdivision are four-sided, rectangular lots. Ours is an irregularly shaped, six-sided lot. The problem that we have encountered with this is that the Northwestern side lot lines intersect at odd angles incongruent with the lay of the house. While the side wall of the addition does not violate the setback ordinance where it meets the proposed front wall, it gradually falls into the 15' setback as it approaches the proposed rear wall, ultimately encroaching approximately 4.5' into the setback at this rear corner. Our addition would fit within the prescribed setbacks of the majority of the other lots in the vicinity. The location of our lot is unique in that this side lot line adjoins a city-owned greenbelt/open space along its entire length.
- b) The strict application of the 15' setback ordinance results in practical difficulties for the proposed addition as well. In order to have the front wall wide enough for a garage door, the side wall of the addition would have to be built at an acute angle to the front wall so that it paralleled the side lot line. All of the other homes and additions in the Coventry (and most throughout Peachtree City) are designed with wall intersections of 90 degrees, and we would like to follow suit. Also, if the side wall were to be built at an acute angle to the front wall, a safety hazard would exist; using the scenario of the skewed side wall, a car entering the garage would run into the side wall as it pulled straight in.
- c) Both the six-sided shape of our lot and the original placement of our house on our lot result in extraordinary circumstances which preclude us from complying with the 15' setback ordinance which would not generally apply to most of the other lots on our street and in our subdivision.
- d) This variance request does not constitute granting special privileges inconsistent with the limitations on other property in the same zoning district. The side lot line in question adjoins a city-owned greenbelt/open space, and the precedent has already been set by the city to grant setback variances under these circumstances.

- e) Granting this variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone and neighborhood in which our lot is located. Our lot will still have a 10' setback on our side of the lot line with mature trees in the greenbelt near our property that physically set it apart from the public space.
- f) Granting this variance will not create inconsistencies with any objective of the comprehensive plan. The proposed addition will not change the role that our property currently plays in the city's comprehensive plan. The encroachment of the addition's back corner will be unobtrusive to the public due to the mature trees and evergreen plantings on our lot and in the adjoining greenbelt. Please note that in the attached street-view picture, the house and the truck parked in the driveway are almost completely obscured by trees and plantings, which will not be disturbed during construction. Note- this picture was taken while standing near the multi-use path marker #1555.00.

The basis for this variance request is in harmony with the spirit of the zoning ordinances of our street, our subdivision, and of our city. We feel it would cause no detriment to the public and will add to the neighborhood and the city. We appreciate your consideration of this matter.

Sincerely,



David Conner and family
100 Hermitage Place
Peachtree City, GA 30269
(770) 487-4636

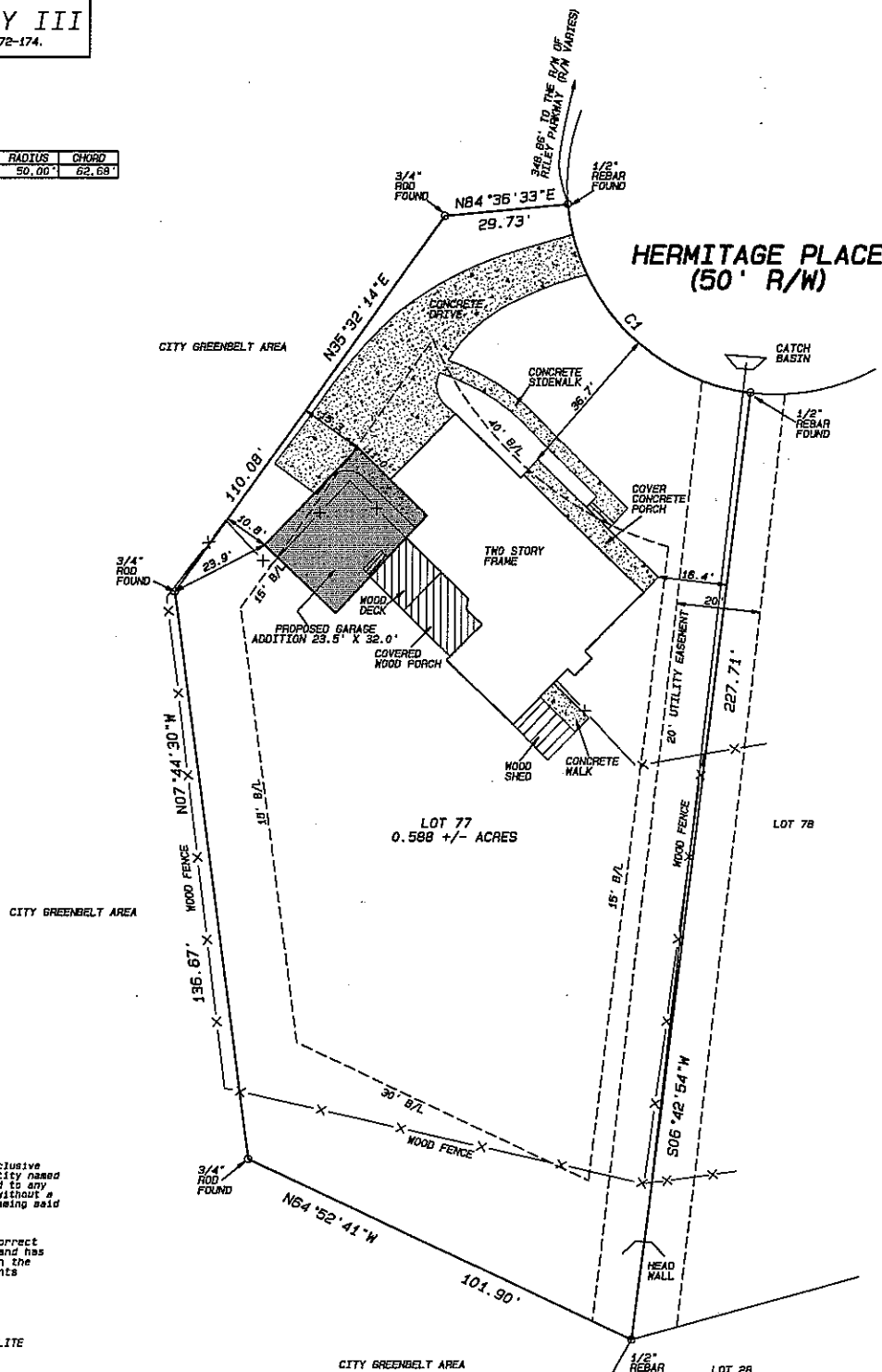
LOT 77
THE COVENTRY III
 PLAT BOOK 16, PAGES 172-174.

LINE	ARC	CHORD BEARING	RADIUS	CHORD
C1	67.74'	S44°13'44"E	50.00'	62.68'

LEGEND
 R/W RIGHT-OF-WAY
 B/L BUILDING LINE



NORTH BASED ON
 SUBDIVISION PLAT
 PLAT BOOK 16, PAGES 172-174.

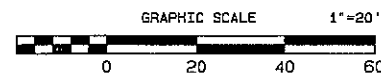


This plat was prepared for the exclusive use of the person, persons, or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this plat is a correct representation of land platted and has been prepared in conformity with the minimum standards and requirements by law.

CLOSURE DATA
 FIELD CLOSURE = 1' : 10,000+
 ANGLE POINT ERROR = < 10"
 EQUIPMENT USED: E.D.M. & THEODOLITE
 ADJUSTMENT METHOD: NONE
 PLAT CLOSURE = 1' : 100,000+

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP.
 No: 13113C 00856 & 13113C 0087E
 Dated: SEPTEMBER 26, 2008



W.D. Gray and Associates, Inc.
 land surveyors - planners
 P.O. Box 3847 Peachtree City, GA 30269
 (770) 486-7552 Fax (770) 486-0495

PREPARED FOR:

DAVID CONNER

Land Lot: 131	DATE OF SURVEY: 04-20-09
District: 7TH	DATE OF DRAWING: 04-21-09
FAYETTE COUNTY, GA	REV.
Scale: 1" = 20'	Job No: 0904011

THE COVENTRY
Homeowners Association

To: David H Conner, 100 Hermitage Place

Subject: Coventry Architectural Review Committee Application

Date: May 27, 2009

Mr. Conner,

Your conceptual plans for your garage addition have been received and reviewed by the Coventry homeowners association architectural review committee. The proposed addition and its location on your lot are appropriate and in keeping with the rest of the Coventry subdivision. Your plans have been approved.

Coventry Architectural Review Committee Representative:

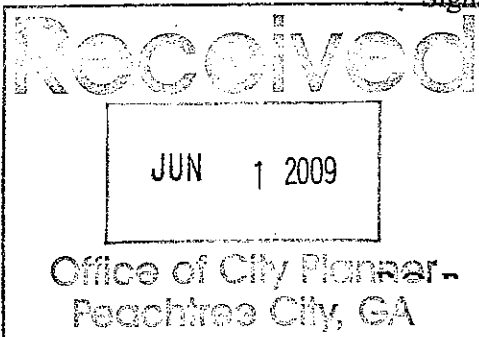
Tim Dwyer
Name
Tim Dwyer
Signature

5/27/09
Date

Coventry Homeowners Association President:

Stephen Mitchell
Name
Stephen Mitchell
Signature

5-29-09
Date

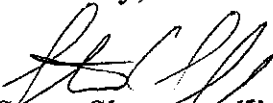


May 4, 2009

To whom it may concern,

I live next door to the Conner family, and I support the new addition and variance request being proposed by David Conner for his property located at 100 Hermitage Place in Peachtree City. I feel that both our neighborhood and our city will benefit from it.

Sincerely,



Steve Skowronski

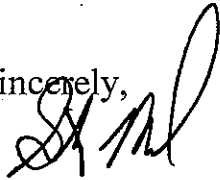
The Skowronski Family
102 Hermitage Pl
Peachtree City, GA 30269
(770) 487-3218

May 4, 2009

To whom it may concern,

I live on the same street as the Conner family, and I support the new addition and variance request being proposed by David Conner for his property located at 100 Hermitage Place in Peachtree City. I feel that both our neighborhood and our city will benefit from it.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Muh', written over the word 'Sincerely,'.

Steve Muh

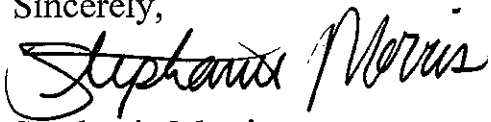
The Muh Family
114 Hermitage Place
Peachtree City, GA 30269
(770) 631-6244

May 4, 2009

To whom it may concern,

I live in the same subdivision as the Conner family, and I support the new addition and variance request being proposed by David Conner for his property located at 100 Hermitage Place in Peachtree City. I feel that both our neighborhood and our city will benefit from it.

Sincerely,


Stephanie Morris

The Morris Family
156 Cloister Dr
Peachtree City, GA 30269
(770) 632-6145

May 4, 2009

To whom it may concern,

I live in the same subdivision as the Conner family, and I support the new addition and variance request being proposed by David Conner for his property located at 100 Hermitage Place in Peachtree City. I feel that both our neighborhood and our city will benefit from it.

Sincerely,



Ann Walker

The Walker Family
174 Cloister Dr
Peachtree City, GA 30269
(770) 486-0060

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *[Signature]*
Financial Services Director *P.S.*
Assistant Financial Services Director *[Signature]*
Purchasing Agent *[Signature]*
Interim Developmental Services Director *DAB for DER*

FROM: City Engineer *[Signature]*

DATE: June 1, 2009

SUBJECT: Providing Sewer Service to Hip Pocket Road Area
June 18, 2009 City Council Meeting

Recommendation:

Staff recommends that City Council adopt the attached policy for septic tank failures. Staff also recommends that the City not pursue providing public sewer service to the Hip Pocket Road area at this time.

Discussion:

On February 12, 2009, staff made a presentation to the homeowners in the Hip Pocket area to discuss the possibility of putting the area on public sewer. On March 7, 2009, a similar presentation was also made at the City Council Retreat. In summary, the final option presented for discussion was a low-pressure system that all the lots currently on septic (71 lots) would be required to hook on to. The costs for the final option would be

Hip Pocket Low-Pressure Sewer - Estimated Finance Costs - REVISED				
		\$ 936,673	Engineering & Construction Costs (est.)	
		\$ 131,657	Bond closing costs (est.)	
		\$ 1,068,330	Total Amount to be financed (estimated)	
		(\$97,774.02)	15 yrs	Annual Payment @ 4.25% annual interest rate (est.)
		(\$82,129.09)	20 yrs	Annual Payment @ 4.50% annual interest rate (est.)
			71 lots	
		(\$1,377.10)	Cost per year per lot - 15 years	
		(\$1,156.75)	Cost per year per lot - 20 years	
Total Cost per lot - 15 years		\$20,656.48		
Total Cost per lot - 20 years		\$23,134.96		

The financing mechanism suggested for this project was to establish a Special Assessment District (SAD) consisting of just the lots that are currently on septic systems (71 lots). The City could then finance the construction through a revenue bond and pay back the bond from revenues from the SAD over 15 to 20 years. If the City decided to establish a SAD, then the homeowners in the SAD would have to approve a referendum in an election. The monthly assessment would be in the range of \$100/lot/month for 15 to 20 years. This assessment would be in addition to the monthly sewer bill the residents in the SAD would receive.

Another financing option that was explored was for the City to establish the SAD and the Peachtree City Water and Sewerage Authority (WASA) would fund the cost of construction. The City would essentially reimburse WASA for the construction from the revenues of the SAD. It is the opinion of the Water and Sewerage Director, Mr. Larry Turner, that his Board would approve this option; however no official request has been made.

The City also asked WASA if they would fund the entire cost of the project through their current ratepayer structure. Mr. Turner stated that WASA had never done something like this before and that they would be concerned about setting a precedent.

Lastly the City explored grants funded through the Georgia Environmental Facilities Authority (GEFA) and the Federal Stimulus package. From staff's review and consultation with GEFA, the City would not qualify for any grants, only some low interest loans. The Federal Stimulus program for water and sewer projects was closed and not adding any new projects.

The feedback from the citizens in the area ranged from a few saying that they were in favor, to a majority saying they were not in favor of the project. Specifically three said yes to the project with two qualifying their support to only if the City pay for the project. Sixteen responses were in firm opposition to the project, mostly due to the monthly cost they would have to bear, and the fact that some had already spent several thousand dollars to repair their existing septic system. City Council has been provided copies of all the emails and letters from the citizens on this issue.

Due to the general lack of citizen support for this project and the fact that there are currently no known environmental issues in Lake Peachtree due to the septic systems, staff recommends no further action on providing public sewer to this area. Staff's only recommendation is that Council adopt the attached policy on septic tank failures.

Budget Impact:

There is no budget impact associated with these recommendations.

Attachment

Peachtree City Policy for Septic System Failures

Peachtree City Policy for Septic System Failures

Procedure for Resolving a Septic System Failure

1. Contact Fayette County Environmental Health to tell them the problems experienced and request an evaluation of the existing septic system.
2. Once Environmental Health has evaluated the system and confirmed there is a problem, they will advise the homeowner of options to explore including immediate onsite repair options available or if additional information is needed such as soils reports or alternative system design proposals. Environmental Health can supply the homeowner with a list of approved individuals capable of performing soil surveys and designing specific systems.
3. Environmental Health will review testing reports and advise the homeowner on options for repair and/or replacement.
4. If no system can be permitted on the property then the homeowner will have to pursue the option of connecting to the public sewer operated by the Peachtree City Water and Sewerage Authority (WASA).
5. If connection to public sewer is not an option and the septic system continues to fail, then home may need to be vacated and the certificate of occupancy for the home revoked.

Should a homeowner decide that they would rather connect to the public sewage system instead of permitting an on-site septic system then they must follow the procedure below.

Procedure for Permitting a Private Sewage Line in City Right-of-Way

1. Homeowner must work with Fayette County Environmental Health and complete steps 1 through 3 above and develop cost estimates for the on-site options.
2. Homeowner must contact WASA to determine which manhole they can permit a connection to.
3. Homeowner must hire a professional engineer to develop a set of plans that meet City of Peachtree City and WASA standards for sewer design (either pressure or gravity). These plans must contain at a minimum the following information.
 - i. Surveyed property lines
 - ii. Easements
 - iii. Topography
 - iv. Existing utility locations
 - v. Existing above ground features
 - vi. Erosion control measures
 - vii. Grinder pump calculations and details (if pressure option is chosen)
 - viii. Force main size, details and locations along with method of installation (if pressure option is chosen). Method of installation is either open

trench or boring. The City does not allow open trench installation across roads or driveways.

- ix. Sewer main size, details, and locations along with method if installation (if gravity option is chosen). Method of installation is either open trench or boring. The City does not allow open trench installation across roads or driveways.
4. City of Peachtree City and WASA must review and approve the plans in step 3 above.
5. Homeowner must sign a maintenance agreement that they will be responsible for maintenance of the private line.
6. Homeowner must provide an as-built drawing showing location of installed sewer lines.
7. City Engineer must take the signed maintenance agreement to City Council for approval and necessary signatures. Justification must be provided to City Council as to why connection via private line in right-of-way is necessary and can not be done on-site. Any easements needed to be conveyed to the City must be presented and approved at the same time.

Contacts

City of Peachtree City
David Borkowski
City Engineer
153 Willowbend Road
Peachtree City, Georgia 30269
770-631-2538

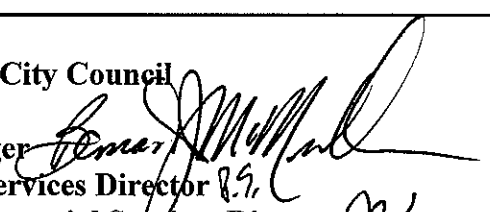
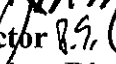
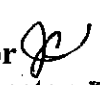
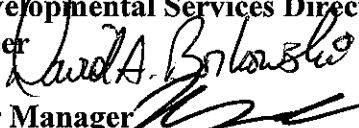
**Peachtree City Water and
Sewer Authority**
Larry Turner
Director
1127 Highway 74 South
Peachtree City, Georgia 30269
770-487-7993

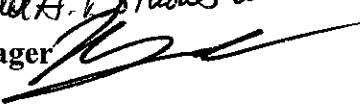
**Fayette County
Environmental Health**
Robert Kurbes
Environmental Health
Specialist III
153 Willowbend Road
Peachtree City, Georgia 30269
770-631-2538

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Financial Services Director 
Assistant Financial Services Director 
Interim Developmental Services Director *DAB & DER*
City Engineer 

FROM: Stormwater Manager 

DATE: June 9, 2009

SUBJECT: Tinsley Mill Village Request to Withdraw from the Flood Mitigation Assistance Program Grant
June 18, 2009 City Council Meeting

Recommendation:

Staff recommends that City Council act on the Tinsley Mill Village Home Owners Associations (TMHA) request to withdraw from the Flood Mitigation Assistance Program Grant.

Discussion:

Tinsley Mill Village has been experiencing reoccurring flooding since the early 1970's. Since the flooding occurs on private property, neither Peachtree City nor Fayette County have been able to financially aid in remediation of the problem.

TMHA hired Integrated Science and Engineering (ISE) to write a grant proposal and work through the different federal programs in order to resolve the flooding problems. In March of 2005 the City of Peachtree City was awarded a Pre-Disaster Mitigation grant for a flood control project in Tinsley Mill. After the feasibility study was completed for this grant, it was determined that the continued pursuit of the original scope of work was not technically feasible. This grant was terminated and ISE and the City of Peachtree City worked on a new grant application that would fulfill a more fully encompassing scope.

A new grant application was completed in February of 2007 and submitted under the Federal Emergency Management Agency (FEMA) program. This grant was approved by FEMA in November of 2007. As such City Council approved an agreement to administer the grant on behalf of TMHA at the April 17, 2008 council meeting. The approved agreement stipulated the

Tinsley Mill Village Request to Withdraw from the Flood Mitigation Assistance Program Grant

June 18, 2009 City Council Meeting

Page 2

terms to which the TMHA local match was to be funded along with other project management details.

Under the terms of the approved agreement between the City and TMHA, the City accepted the grant with a total approved cost of \$892,410. The City was to pay all invoices and submit reimbursement requests to FEMA and TMHA. To date FEMA has reimbursed the City 75% and TMHA the remaining 25% for all work completed.

As part of the agreement TMHA provided a Letter of Credit in the amount of \$95,000 to cover match requirements through the completion of permitting. In addition the agreement was structured such that the TMHA had options to cancel this agreement during the design phase. The Letter of Credit provided adequate funds to cover the design and any reimbursements that FEMA may want repaid if the project is canceled.

On January 21, 2009 TMHA notified the City that they had been unsuccessful in collecting the special assessments associated with the grant and requested that the City seek other methods by which to fund the project.

Based on the January 21, 2009 notification staff researched the potential for using a special assessment district (SAD) to aid TMHA in the funding of the project. These findings were presented at the City Council Workshop which was held on February 4, 2009. At the conclusion of the workshop City Council determined that it was not in the best interest of the City to use a SAD to fund the TMHA project. The basis for this decision was that it would be setting precedence for future private developments to request a SAD to fund projects which are under their responsibility for maintenance.

City staff again looked for other funding options. Because the City currently owns Lake Peachtree and the lake would be expanded as a result of the TMHA project, the City could purchase an easement for the area in question from TMHA to maintain complete ownership of the lake. In addition to this area the City would need easements from TMHA to complete the project for the neighboring Flat Creek Villas Bypass Channel. Based on this the City obtained appraisals for these areas.

On May 13, 2009, the City sent a letter (attached) to TMHA offering \$78,710.00 for the easements and property mentioned above. With the funds already collected by TMHA for their matching obligation (approximately \$40,000), the remaining funds needed would be reduced to \$104,395.00. (It is important to note that the remaining funds are based on the original cost estimated in the grant application.)

On June 1, 2009 TMHA sent a letter to the City (attached) thanking the City for its efforts and requesting that the City withdraw the grant. In addition the TMHA requested that the City return the Letter of Credit submitted as soon as possible.

Should council choose to withdraw the grant, there is a potential that FEMA could ask to be reimbursed the \$18,437.08 of grant money already paid. As such staff recommends that TMHA be required to submit certified funds for this amount prior to the City relinquishing the Letter of

Tinsley Mill Village Request to Withdraw from the Flood Mitigation Assistance Program Grant

June 18, 2009 City Council Meeting

Page 3

Credit. In addition, withdrawing the grant will result in it being very unlikely that the City and TMHA will receive future grant funding for this project.

As a result of canceling this project the current design for addressing the Flat Creek Villas Bypass project is no longer feasible. Alternate concepts will need to be developed. Not proceeding with the TMHA Flood Mitigation project makes this a much more difficult project.

Budget Impact:

The City of Peachtree City will not have direct costs associated with canceling the grant. However, a good portion of the engineering costs already expended for Flat Creek Bypass Channel would be lost.

Attachments

cc: City Engineer
City Manager

PEACHTREE CITY
PLAN TO STAY™

ENGINEERING DEPARTMENT
153 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-631-2538
FAX: 770-631-2552
WWW.PEACHTREE-CITY.ORG

May 13, 2009

Mr. Dick Eskew
9 Northlake Drive
Peachtree City, GA 30269

Re: Tinsley Mill
Easements

Dear Mr. Eskew:

We are happy to inform you that we have completed our analysis of alternate funding options for the proposed FEMA grant project at Tinsley Mill. We have had appraisals (copies attached) done on the easements that the City would need from Tinsley Mill for the Flat Creek Villas Project, and for expanding Lake Peachtree into the Tennis Court Area.

Staff is prepared to recommend to the Mayor and City Council that the City offer Tinsley Mill \$78,710.00 for two (2) permanent easements, and one fee simple property (Lake Peachtree expansion into the Tennis Court Area) to help defray Tinsley Mill's matching funds obligation. According to our records, this would leave Tinsley Mill with a matching funds obligation of approximately \$104,395.00.

As has been discussed in the past, staff feels the available grant funding, plus now this additional funding source is the best opportunity that may ever occur to fix the flooding problems that have occurred over the years in Tinsley Mill. Please take this into consideration as you discuss this issue.

The City requests a formal decision from your Board in writing as to whether the additional funds would enable Tinsley Mill to finish the grant project. If the decision from the Board is that it still can not meet the financial obligations in the grant, then the City will need a letter from the Board requesting that the City withdraw the grant.

Thank you for your time and patience in this matter. Please let me know if you are in need of any further information concerning this issue. I can be reached at 770-631-2538.

Sincerely,



David A. Borkowski, P.E.
City Engineer

Attachments

cc: David Rast Acting Developmental Services Director
Bernard McMullen City Manager
file

Tinsley Mill Village CA, Inc

P. O. Box 143089
Fayetteville, GA 30214
(770) 692-0152
(770) 692-0156 Fax

June 1, 2009

David A. Borkowski, P.E., M.ASCE
City Engineer
City of Peachtree City
153 Willowbend Road
Peachtree City, Georgia 30269

Mr. Borkowski,

Tinsley Mill is very appreciative of the efforts you have gone through to try and find alternative means of financing for the FEMA grant project for Tinsley Mill, however, due to the HOA financial hardships, the Tinsley Mill Village HOA Board has determined that we cannot meet our financial obligations of the grant and we are requesting the City withdraw the grant.

If there was any way to obtain full funding for the project we would be more than happy to grant the necessary easements in order to get the project completed.

As requested previously, please return the letter of credit to Greg Wassey, the TMV Treasurer, so that we can cash out the CD we have backing said letter of credit. You may mail the letter of credit to Greg Wassey @ 1 Northlake Circle, Peachtree City, GA 30269.

Sincerely,



Parker Cleveland
Tinsley Mill Village HOA Board President

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager
Financial Services Director
Leisure Services Director
Purchasing Agent

DATE: June 2, 2009

SUBJECT: Consider Results of RFP, Outsourcing of Tennis Center Management
For City Council Meeting June 18, 2009

Recommendation: That Council considers results of a Request for Proposal for Management Services for the Tennis Center, approves Sequoia Golf Holdings, LLC, (Canongate) as the contract awardee and authorizes the Mayor to sign the contract.

Discussion: The City issued a Request for Proposals on March 31, 2009 to approximately 25 prospective firms or individuals and posted the RFP on the City website. There were two mandatory pre-proposal walk-through sessions held, one on April 14 and one on April 24. A total of sixteen companies responded. Proposals were due May 5. On that date we received 7 proposals, from: Canongate; Middle GA Tennis; Ben Maes (current PCTC manager); Tarpley Tennis; Full Impact Events /Malibu Jack's; Edwards Tennis; and Recreation Management. A five-member senior staff panel convened to evaluate the candidates based on five criteria: Respondent's background and experience; Respondent's financial stability; Respondent's proposed service and maintenance program; Respondent's cash flow analysis and pro forma; and the Respondent's proposed payment to the City. Each panel member scored each respondent from 1 to 5 in each category. The panel then interviewed the top three candidates.

In the final analysis, Canongate clearly met and exceeded the letter and intent of the goals that the city had set for operation of the Tennis Center, which generally was to maintain high standards, significantly reduce cost to the City of operating the Center and provide a positive revenue stream back to the City. We had also asked that the Contractor be able to absorb all operations, management and general maintenance of the facilities, provide a full range of contemporary tennis services as well as pro shop and restaurant amenities, ensure affordable public access and opportunities and give existing staff the opportunity to transition with the new arrangements. There was also a desire to open up new possibilities to attract tournaments that would benefit local hotel/motel and retail business. Most important, the City wanted a smooth transition that would be transparent to the general public and the tennis community.

Canongate is particularly well-positioned to accommodate these goals. The company has a proven successful business record in the Atlanta metro and Fayette-Coweta area and in Macon, with several very vibrant golf and tennis operations. In addition, they run several similar facilities in Texas. Total they have an inventory of 57 tennis courts at 10 locations. Locally they have 14 tennis courts at several sites in Fayette and Coweta counties. These courts can be leveraged with the Tennis Center courts to attract larger tournaments that have not previously been possible due to the limited number of appropriate courts.

Canongate is well capitalized with a strong balance sheet and healthy cash flow sources. We anticipate that this will enable them to move into operations here with minimal concern for disruption of service. Canongate intends to offer multiple access options and services for the public and can also provide PCTC members with other social benefits at local Canongate clubs and other Canongate member benefits. With a customer base of about 14,000 families in the metro-Atlanta area, this will also be a draw to bring visitors from other areas into the city.

Canongate has agreed to accept full responsibility for all general maintenance at the facility including utilities, operations and maintenance costs and staffing. With advance coordination and budgeting the city would be responsible for some capital improvement items such as resurfacing courts, structural maintenance of major facilities and other major items. The division of responsibilities will be clearly defined in the contract.

If approved, the contract would be effective July 1 and end on December 31, 2009 (Initial Term). Thereafter it would renew annually at the City's and Contractor's mutual agreement no later than 30 days prior to expiration, for up to fifteen additional calendar years, subject to each party's right to terminate. The contract is in the process of being finalized with the City Attorney and will be forwarded to Council early in the week of June 15th. Any unaddressed terms will be discussed at the Council presentation.

Budgetary Impact: During the preliminary transition period between the effective date of operation and Jan. 1, 2010 Canongate would pay the city \$250 per month while they established operations. After January 1, Canongate would pay \$2,000 per month (\$24,000 annually) or 3 percent of all gross revenues, whichever is greater.

**EVALUATION SUMMARY
TENNIS CENTER MANAGEMENT
COMBINED EVALUATION**

Company	Respondent's background and experience (25% weight)	Respondent's financial stability (25% weight)	Proposed Payment to City (25% weight)	Respondent's service and maintenance program (20% weight)	Respondent's cash flow analysis and pro forma (5% weight)	Weighted Score
Canongate Golf *	4.5	5.0	5.0	4.5	4.0	4.7
Middle GA Tennis	4.5	3.0	4.0	4.5	4.5	4.0
Ben Maes	3.7	1.5	3.0	4.1	2.0	3.0
Tarpley Tennis	2.6	3.0	4.0	2.3	2.0	2.9
Edwards Tennis, Inc.	3.0	1.0	0.0	3.3	3.0	1.8
Recreation Management	1.0	3.5	0.0	0.7	0.5	1.3
Events/Malibu Jacks	1.5	1.0	0.0	1.7	1.0	1.0

*Most current financial statements of Sequoia Golf Holdings, LLC (Canongate) have been examined by senior staff members of the City's Financial Services Division.

*Proposed payment to the City - evaluation includes guaranteed monthly payments to City as well as perceived financial ability to meet this monthly amount in addition to Proposer's offer of capital improvements and repairs.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager *Bernard M. Muller*
Finance Director *P.S.*
Leisure Services Director *[Signature]*

DATE: June 11, 2009

SUBJECT: Consider Resolution for Land Swap with Fayette County
For City Council Meeting June 18, 2009

Recommendation:

That Council approves and authorizes the mayor to sign a resolution to swap city property located near the County Animal Shelter for county property located on Kelly Drive/McIntosh Trail.

Discussion:

The city property in question is 3.39 acres on South Highway 74 between the Rite Aide store and the County Animal Shelter. The city's zoning ordinance categorizes this land as Open Space; the uses of this zoning category are detailed in the attached ordinance section. The resolution includes a requirement for the County to grant an easement to the City for a section of cart path to support the Rite Aide Tunnel that will be constructed as part of the Hwy 74 Phase II widening.

The 7.81-acre county property in question is on Kelly Drive and is the site of a former County Water System plant which has been decommissioned. If the swap is approved, this property is earmarked for an RC (remote controlled) vehicle track that is proposed by Peachtree City citizens who will form an association similar to other youth sport and special activity associations. They would enter into the same agreement with the Recreation Department that other associations complete annually. This group has committed to building the track and minor support structures and running the program at no up front cost to the city. The city would treat this as any other facility, paying utilities (in this case water and electricity) and assisting with some maintenance items as needed. I have attached as additional information a memo from a 2007 Recreation Commission meeting when we first considered this track on another piece of property. The Kelly Drive site was determined to be a better location and was the subject of the initial inquiry to the county about obtaining it. The county had previously proposed a passive park at the Kelly Drive location, however, their project has not proceeded due to lack of funding. The resolution contains a clause that specifies that the City shall have a first right of refusal in the event that Fayette County discontinues its use of the property it is acquiring and elects to sell it to a third party.

Budget Impact:

There will be no impact on the city budget other than minor utility charges.

Attachments: Resolution
Appraisals
Zoning Ordinance section
Rec. Commission memo

(1009.2)*Permitted uses:* The following uses shall be permitted in any OS zoning district:

- (a) Publicly owned building, facility or land.
- (b) Building, facility or land for the distribution of utility services.
- (c) Building, facility or land for noncommercial park, recreation, thoroughfare, or open space purposes.
- (d) Private boat dock, fishing pier, boathouse and related accessory concession and support facilities.
- (e) Unlighted, regulation size or par three golf course.
- (f) Agriculture, forestry and horticulture.
- (g) Wildlife refuge, including a one-family dwelling for a caretaker.
- (h) Private or semipublic campground operated on a noncommercial basis.
- (i) Accessory use: See section 908.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXCHANGE OF REAL PROPERTY PURSUANT
TO OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 36-9-3(a)(2)(D) AND
AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS IN
CONNECTION THERETO**

WHEREAS, Fayette County, Georgia owns a certain tract or parcel of land on McIntosh Trail, containing 7.81 acres, located in Land Lot 51 of the 6th District of Fayette County, Georgia; said parcel is designated as Tax Parcel ID # 0614 016 (hereinafter "Parcel A"); and

WHEREAS, Peachtree City, Georgia owns a certain tract or parcel of land located in Land Lot 29 of the 6th District of Fayette County, Georgia. The parcel of real property owned by Peachtree City is located on Highway 74, contains 3.39 acres and is rectangular in shape, being 467 feet by 377 feet by 465 feet by 334 feet; said parcel is further identified as the property road frontage found between an existing Rite Aid store to the west (1232 Highway 74 South) and the Fayette County Animal Shelter to the east (hereinafter "Parcel B"); and

WHEREAS, it has been demonstrated to the City Council that an exchange or swap of said tracts or parcels of real property is in the best interest of the citizens of the City; and

WHEREAS, O.C.G.A. § 36-37-6(c) allows the City to exchange or swap real property belonging to the City for other real property of equal or greater value; and

WHEREAS, in compliance with the above cited Georgia Code Section, notice of said exchange shall be advertised in The Fayette Daily News once a week for four consecutive weeks to wit: _____, _____, _____ and _____, 2009, being within a six week period prior to the closing date of said exchange or swap of real property; and

WHEREAS, appraisals to establish the value of both tracts or parcels have been obtained and analyzed by the appropriate representatives of Fayette County and Peachtree City and is attached hereto as Exhibits "A" and "B";

NOW, THEREFORE, IT IS HEREBY RESOLVED that the appraised value of said parcels are hereby approved, the advertisement as required by Georgia law is hereby authorized, and the exchange and/or swap of said parcels of land is hereby approved and the Mayor is authorized to execute deeds and any and all closing documents on behalf of City with the City attesting said documents, subject to the following conditions:

1. Fayette County hereby grants a first right of refusal to Peachtree City to re-acquire Parcel B in the event that Fayette County determines that Parcel B is no longer necessary to be used by Fayette County or otherwise elects to dispose of Parcel B; and

2. Fayette County shall convey to Peachtree City, or Peachtree City shall reserve, a golf cart easement on Parcel B, the area of said easement being generally depicted on Exhibit "C" attached hereto.

So resolved this ____ day of June, 2009.

CITY OF PEACHTREE CITY, GEORGIA

Harold Logsdon, Mayor

Attest:

Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Recreation Commissioners

FROM: Director of Leisure Services

DATE: October 9, 2007

SUBJECT: Consider Proposal to Lease Kelly Park Land from County

Recommendation: Staff recommends that the Commission approve a proposal to request that the county either donate or lease for an amount not to exceed \$1 per month the conceptual Kelly Park site (old water plant) and use the land to locate a Remote Controlled vehicle track and other recreational amenities.

Discussion: The County had previously issued an unsolicited proposal to put a passive park with walking trails and picnic areas on this site. However, funding for that park has been diverted to recreation projects in other areas of the counties. This area of the city already has a major park at McIntosh Complex with picnic amenities; a playground for public use during non-school hours behind Huddleston Elementary; and a playground at Big Pine. In addition there are ample cart path connections to provide miles of walking trails. A passive park as suggested by the county at the Kelly Drive site is not needed in this area.

However, that piece of property would be a perfect fit for the previously-proposed Remote Control (RC) vehicle course. Recall that several months ago local resident Tom Rycroft brought a proposal before the Commission for an RC track, which the Commission endorsed. The original site was to be in the wooded area behind the BMX start line and adjacent to the dog park. However, much tree clearing and site work would have been required to make that work. The Kelly Park site is flat, cleared and essentially ready for the track to be built by volunteers. There is parking on site, a water source and ample space for a port-a-john or a future restroom facility. The site is fenced and can be secured if needed. As previously discussed, there is credible local interest in the RC sport and it could draw local, regional and even national events. Mr. Rycroft is willing to form an association to manage operations at the track.

I have had informal discussion with the County Parks and Recreation Director, who informally polled the County Recreation Commission to determine if the idea was acceptable. I also suggested that \$100,000 of the original \$400,000-plus promised for Kelly Park should be provided to make improvements, as the park would be opened to use by all County residents. The Commission appeared supportive of the land donation or lease but not supportive of funding.

If the Commission agrees with this recommendation, I request the Chairman sign a letter to the Chair of the County Recreation Commission, and possibly appear at a county Recreation Commission meeting to present and discuss the proposal. Once both commissions come to an agreement, we would take the request to our city council and the county recreation staff would do the same to their county commission for approvals.

Part of the presentation to city council would be to inform them of the details for the RC track. We would ask Mr. Rycroft to appear at that meeting as well.

PREPARED FOR
FAYETTE COUNTY BOARD OF COMMISSIONERS
C/O MR. SCOTT BENNETT
COUNTY ATTORNEY

SUMMARY APPRAISAL REPORT
OF
3.39 +/- ACRE LAND TRACT

PROPERTY OF PEACHTREE CITY
NORTH SIDE OF HIGHWAY 74
BETWEEN HOLLY GROVE ROAD
AND REDWINE ROAD
- REVISION OF LAND USE -

6TH LAND DISTRICT - LAND LOT 29
PEACHTREE CITY, FAYETTE COUNTY, GEORGIA

EFFECTIVE DATE OF APPRAISAL
JUNE 15, 2008

PREPARED BY
ROBERT WILSON
GCGRPA NO. 1497

POINT SOUTH APPRAISAL SERVICES

Fayette County BOC
June 15, 2008
Page 2

The subject property is described as a vacant and undeveloped tract of land totaling approximately 3.39 acres located along the northern side of Highway 74 South. The location is further identified as the property road frontage found between an existing Rite Aid store to the west and the Fayette County Animal Shelter to the east. The subject property is titled in the name of Peachtree City. The land parcel is described briefly as a wooded tract, generally rectangular in shape. The property is found slightly below street grade, mostly level and sloping to the rear. The property has approximately 470 feet of frontage on Highway 74 and an average depth of approximately 365 feet. The immediate neighborhood is developed with a mix of both single family residential (joins property rear) as well as commercial development found both constructed and planned. All public utilities are located in the immediate area; and Peachtree City indicates the property is zoned OS - Open Space. Notable planned development in close proximity to the subject includes realignment of the Rockaway Road intersection with Highway 74 currently found east of the subject; with the existing intersection of Holly Grove Road located immediately west of the subject serving Wilshire Pavilion. Additionally, property located across Highway 74 from the subject is currently zoned and approved for a large mixed use commercial and retirement facility at this time.

Considering the subjects location and property characteristics; it is our conclusion a highest and best use decision for commercial retail development would meet most criteria for proper development of the property.

Based on our investigation and analysis, it is our opinion that the Market Value of the Fee Simple Interest of the subject property, as of May 20, 2008; the last date of property inspection is:

SIX HUNDRED EIGHT FIVE THOUSAND DOLLARS
(\$685,000)

Fayette County BOC
June 15, 2008
Page 3

We appreciate the opportunity to be of service in this matter.

Sincerely,



Robert Wilson
GCGRPA No. 1497
Certified General Appraiser

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SUMMARY APPRAISAL REPORT
(File No. PS8238CN)

OWNERSHIP RECORD:	Peachtree City
ADDRESS:	PO Box 2371
CITY/STATE:	Peachtree City, Ga. 30269
CLIENT:	Fayette County Board Of Commissioners C/O Mr. Scott Bennett
ADDRESS:	140 Stonewall Avenue
CITY/STATE:	Fayetteville, Ga. 30214
TELEPHONE:	(678) 251-7843
PROPERTY INFORMATION:	3.39 Acre Land Tract (+/-)
STREET ADDRESS:	N/S Highway 74 South
CITY/STATE:	Peachtree City, Ga. 30269
COUNTY:	Fayette
LAND DISTRICT:	6th
LAND LOT:	29
AERO ATLAS:	1313-F-07
TAX PARCEL NO.:	06-09-004 (North Part)
TAX ASSESSMENT (FMV):	Land - \$970,000 (Exempt) As Total Of 19.00 Acres
ATLANTA MSA:	0520
STATE/COUNTY CODE:	13113
FEMA PANEL:	13113C 0090 D (03/18/1996)
DEED REFERENCE:	Not Available

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

IDENTIFICATION OF PROPERTY:	Northside of Highway 74 Between Holly Grove Road & Redwine Road Peachtree City, Georgia
LEGAL DESCRIPTION:	District 6 - Land Lot 29 Fayette County, Georgia
EFFECTIVE DATE OF VALUE:	05/20/2008
TYPE OF PROPERTY:	Land-Vacant / Undeveloped
IMPROVEMENTS:	None
LAND AREA:	3.39 Ac +/- (147,668 SF)
ROAD FRONTAGE:	470 Feet +/- Highway 74
TOPOGRAPHY:	Slight slope to level - woodland tract
PUBLIC UTILITIES:	All available to area
ZONING DISTRICT:	OS - Open Space Peachtree City Authority
HIGHEST AND BEST USE:	Commercial / Retail
INTEREST APPRAISED:	Fee Simple Interest
INDICATED VALUES	
COST APPROACH:	NA
SALES COMPARISON APPROACH:	\$685,000
INCOME CAPITALIZATION APPROACH:	NA
MARKET VALUE	\$685,000

IDENTIFICATION OF THE PROPERTY

The subject property is identified as a vacant and undeveloped tract of land totaling approximately 3.39 acres located along the northern side of Highway 74 South. The location is further identified as the property road frontage found between an existing Rite Aid store to the west and the Fayette County Animal Shelter to the east.

The subject is further identified by tax parcel number as the northern part of 06-09-004 as divided by Highway 74 from its southern remainder; and by various plats, maps and photographs found within the body of this report.

LEGAL DESCRIPTION

A written legal description has not been provided nor a Deed Book and Page reference found during our course of investigation and analysis of the subject property. The location of the property is placed in incorporated Peachtree City, Fayette County, Land District 6 - Land Lot 29; as part of Tax Parcel 06-09-004.

PURPOSE OF THE APPRAISAL

The purpose of the appraisal has been to provide an opinion of Market Value of the fee simple interest in the subject found in the "As Is" condition and status at the time of inspection.

INTENDED USE - CLIENT OF APPRAISAL REPORT

The appraisal report has been prepared for Mr. Scott Bennett; County Attorney; on behalf of the Fayette County Board of Commissioners. The intended use of this appraisal is internal decision making and possible acquisition purposes.

EFFECTIVE DATE OF APPRAISAL

The market value opinion expressed herein considers May 20, 2008 as the effective date of appraisal and last property inspection.

PROPERTY RIGHT APPRAISED

The property right appraised is the fee simple ownership. Fee simple is an absolute fee, which is an inheritable estate and a fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power and taxation. The value sought is the fair market value.

The title to the property is assumed to be free and clear of any liens or encumbrances.

COMPETENCY PROVISION

With reference to qualifications of appraiser in the Exhibit Section; Robert Wilson is a Georgia Certified General Real Estate Appraiser and has had previous appraisal experience with this type of property. Appraiser is locally based and familiar with immediate market area. Our office files include numerous commercial and industrial appraisals; both improved and unimproved; performed in Fayette County and the surrounding markets of Clayton, Spalding, Coweta, Henry and South Fulton Counties for various lending institutions, state and local government agencies, individual developers, among others.

The appraiser holds a license as a Georgia Certified General Real Property Appraiser (GCGRPA) with the State of Georgia, No. 1497 required for performing this category of appraisal assignment.

THREE YEAR OWNERSHIP HISTORY

The subject property is currently in the name of Peachtree City. Fayette County property record card and plat map records indicate City ownership extending for period of time exceeding three years.

PREPARED FOR
FAYETTE COUNTY BOARD OF COMMISSIONERS
C/O MR. SCOTT BENNETT
COUNTY ATTORNEY

SUMMARY APPRAISAL REPORT
OF
7.81 +/- ACRE LAND TRACT

PROPERTY OF FAYETTE COUNTY
SOUTHEAST SIDE OF McINTOSH TRAIL
AT SOUTH END OF LAKE PEACHTREE
- REVISION OF LAND USE -

6TH LAND DISTRICT - LAND LOT 52
PEACHTREE CITY, FAYETTE COUNTY, GEORGIA

EFFECTIVE DATE OF APPRAISAL
JUNE 18, 2008

PREPARED BY
ROBERT WILSON
GCGRPA NO. 1497

POINT SOUTH APPRAISAL SERVICES

Fayette County BOC
June 18, 2008
Page 2

The subject property is described as a partially developed tract of land totaling approximately 7.81 acres located along the southeastern side of McIntosh Trail, just east of its intersection with Highway 74. The location is further identified as across from the south end of Lake Peachtree and just east of Sweetgum Road. The subject property is titled in the name of Fayette County and had a long history of use by Fayette County Water Department as a maintenance facility / storage yard. The land parcel is described as partially cleared toward the road side of the property, becoming woodland over the rear section with a moderate slope in a southerly direction. The cleared and graded area included a former steel maintenance building that no longer exists and appears recently razed. The eastern side of the property is traversed by a Flat Creek and spillway runoff from the Lake Peachtree spillway located further east along McIntosh Road.

The property has approximately 850 feet of frontage on McIntosh Trail and an average depth of approximately 550 feet. The immediate neighborhood is developed with a mix of predominantly single family residential found on and off Lake Peachtree, as well as public and institutional uses of Huddleston Elementary School, the Braelinn Recreation Center and the Peachtree City Public Works facility found just east of the subject.

All public utilities are located in the immediate area; and Peachtree City indicates the property is zoned OS - Open Space.

Considering the subjects location and property characteristics; it is our conclusion a highest and best use decision for a compatible institutional use or use like religious / church, assisted living facility or nursing home would blend well into the immediate neighborhood with convenience of location off Highway 74 and nearby commercial ancillary development. Office - Institutional District zoning would most closely match uses intended for the OS District. This type and other nearby or surrounding market sales were identified and selected in our comparison process.

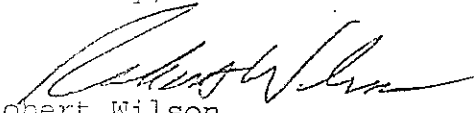
Fayette County BOC
June 18, 2008
Page 3

Based on our investigation and analysis, it is our opinion that the Market Value of the Fee Simple Interest of the subject property, as of May 20, 2008; the last date of property inspection is:

SEVEN HUNDRED TEN THOUSAND DOLLARS
(\$710,000)

We appreciate the opportunity to be of service in this matter.

Sincerely,



Robert Wilson
CCCRPA No. 1497
Certified General Appraiser

SUMMARY APPRAISAL REPORT
(File No. PS8237CN)

OWNERSHIP RECORD:	Fayette County BOC
ADDRESS:	140 Stonewall Avenue
CITY/STATE:	Fayetteville, Ga. 30214
CLIENT:	Fayette County Board Of Commissioners C/O Mr. Scott Bennett
ADDRESS:	140 Stonewall Avenue
CITY/STATE:	Fayetteville, Ga. 30214
TELEPHONE:	(678) 251-7843
PROPERTY INFORMATION:	7.81 Acre Land Tract (+/-)
STREET ADDRESS:	SE Side McIntosh Trail
CITY/STATE:	Peachtree City, Ga. 30269
COUNTY:	Fayette
LAND DISTRICT:	6th
LAND LOT:	51
AERO ATLAS:	1303-B-10
TAX PARCEL NO.:	06-14-016
TAX ASSESSMENT (FMV):	\$715,000 (Exempt)
ATLANTA MSA:	0520
STATE/COUNTY CODE:	13113
FEMA PANEL:	13113C 0090 D (03/18/1996)
DEED REFERENCE:	Not Available

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

IDENTIFICATION OF PROPERTY:	SE Side McIntosh Trail Across From Lake Peachtree Peachtree City, Georgia
LEGAL DESCRIPTION:	District 6 - Land Lot 51 Fayette County, Georgia
EFFECTIVE DATE OF VALUE:	May 20, 2008
TYPE OF PROPERTY:	Land - Partially Developed
IMPROVEMENTS:	Partial Graded, Fence
LAND AREA:	7.81 Ac +/- (340,204 SF)
LAND AREA BREAKDOWN:	6.36 Acres (Developable) 1.45 Acres (Creek/Wetland)
ROAD FRONTAGE:	850 Feet +/- McIntosh Trl
TOPOGRAPHY:	Slight slope to level - open and woodland tract
PUBLIC UTILITIES:	All available to area
ZONING DISTRICT:	OS - Open Space Peachtree City Authority
HIGHEST AND BEST USE:	OI Office - Institutional
INTEREST APPRAISED:	Fee Simple Interest
INDICATED VALUES	
COST APPROACH:	NA
SALES COMPARISON APPROACH:	\$710,000
INCOME CAPITALIZATION APPROACH:	NA
MARKET VALUE	\$710,000

IDENTIFICATION OF THE PROPERTY

The subject property is identified as a partially developed tract of land totaling approximately 7.81 acres located along the southeastern side of McIntosh Trail across from the extreme southern end of Lake Peachtree; just east of Sweetgum Road.

The subject is further identified by tax parcel number as 06-14-016; and by various plats, maps and photographs found within the body of this report.

LEGAL DESCRIPTION

A written legal description has not been provided nor a Deed Book and Page reference found during our course of investigation and analysis of the subject property. The location of the property is placed in incorporated Peachtree City, Fayette County, Land District 6 - Land Lot 51; being all or part of Tax Parcel 06-14-016.

PURPOSE OF THE APPRAISAL

The purpose of the appraisal has been to provide an opinion of Market Value of the fee simple interest in the subject found in the "As Is" condition and status at the time of inspection.

INTENDED USE - CLIENT OF APPRAISAL REPORT

The appraisal report has been prepared for Mr. Scott Bennett; County Attorney; on behalf of the Fayette County Board of Commissioners. The intended use of this appraisal is internal decision making and possible acquisition purposes.

EFFECTIVE DATE OF APPRAISAL

The market value opinion expressed herein considers May 20, 2008 as the effective date of appraisal and last property inspection.

PROPERTY RIGHT APPRAISED

The property right appraised is the fee simple ownership. Fee simple is an absolute fee, which is an inheritable estate and a fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power and taxation. The value sought is the fair market value.

The title to the property is assumed to be free and clear of any liens or encumbrances.

COMPETENCY PROVISION

With reference to qualifications of appraiser in the Exhibit Section; Robert Wilson is a Georgia Certified General Real Estate Appraiser and has had previous appraisal experience with this type of property. Appraiser is locally based and familiar with immediate market area. Our office files include numerous commercial and industrial appraisals; both improved and unimproved; performed in Fayette County and the surrounding markets of Clayton, Spalding, Coweta, Henry and South Fulton Counties for various lending institutions, state and local government agencies, individual developers, among others.

The appraiser holds a license as a Georgia Certified General Real Property Appraiser (GCGRPA) with the State of Georgia, No. 1497 required for performing this category of appraisal assignment.

THREE YEAR OWNERSHIP HISTORY

The subject property is currently in the name of Fayette County. Fayette County property record card and plat map records indicate Fayette County ownership extending for period of time exceeding three years with use of the property by the Fayette County Water Department for a maintenance facility.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director

FROM: Public Information Officer/City Clerk 

DATE: June 11, 2009

SUBJECT: Consider Requested Reduction in Alcohol License Fee – Cheers Bottle Shop
June 18, 2009, City Council Meeting

Recommendation:

That Council deny the requested reduction in Alcohol License fees.

Discussion:

At the May 21 City Council Meeting, the Mayor and Council approved a new alcohol license for Cheer's Bottle Shop for 2009. The applicant requested staff to issue the license for July 1, 2009, through December 31, 2009, to save costs on the actual license.

The City's Alcohol Ordinance addresses the payment of the Alcohol License fees as follows:

Sec. 6-42. Renewal of licenses by city clerk.

- (a) For any new license granted under this article prior to July 1, the licensee shall pay the full annual license fee.
- (b) For any new license granted under this article subsequent to July 1, the license fee shall be reduced by one-half.

The store manager, Mr. Afzal Virani, has submitted the attached request for a change in the license date from July 1 to June 22, which does not require Council approval but does require payment of the full annual fee of \$5,000. Mr. Virani is also requesting that Council pro-rate the yearly fee and only assess the half-year fee plus the pro-rated amount of \$416.67 for the month of June.

Staff's concern in granting this request to pro-rate the fee is the potential impact on both alcohol licenses and occupational taxes, which also have the July 1 date for a 50% reduction of the annual fee. Many businesses, including those distributing alcohol, open at various points during the year. In 2009, 85 businesses opened between February and May, and six new alcohol licenses have been granted this year.

Equally, businesses close during the calendar year. Early this spring, two liquor stores closed after paying the full year's alcohol license fee. Once of the managers requested a refund of the pro-rated amount for the time her store would not be open. Based on the ordinance, which does not provide for pro-rated fees or for refunds, the request was denied.

Approving a request for pro-rated fees could set a precedent for similar requests in the future from both categories of applicants, and have a significant impact on the annual revenue from these two sources.

Budget Impact:

If approved, this item has a direct negative budgetary impact of \$2,083.33 and potential ramifications on future payments for new alcohol licenses and new occupational taxes.

Dear

Honorable Mayor & Council Member

My name is Afzal Virani ,Manager of Cheer's Bottle Shop, located at 2591 Hwy 54 west Peachtree city. We had applied for a alcohol licence sometime in early May, 2009 and it was approved on May 21st, 2009. The effective date on the licence is July 1st and that's the day we are planing to open the business. The reason why we chose July 1st to be the opening day for few different reasons

- a) It is a middle of the year so the city alcohol licence fee is \$2500.00 vs 5000.00
- b) It will be The 4th of July weekend right after we open and as we all know this is one of the busiest weekend for this business

However we are unable to Stock the store prior to our opening date because the liquor, beer and wine distributors will not be able to send any deliveries until we have a valid alcohol Licence from the city and State therefore it will not be possible to receive all the deliveries and stocks at the store overnight and it is not possible to have everything ready before the weekend.

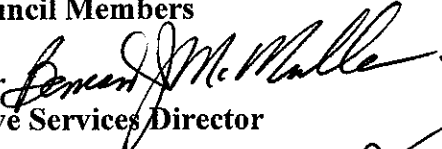
I would like to request if city council would consider changing the effective date on the alcohol licence to June 22nd ,2009 which would allow us the time that we need to get everything done, receive all inventory during that week and be prepared for the grand opening on July 1st. Further I do understand if city council grant my request, in that case my licence duration will be little over 6 months, so if city want us to pay for an additional month we would gladly pay prorated amount for the whole month of June which would be \$416.66

Once again I would like to thank you for your time and consideration on the above request and if I need to post this request as an Agenda for the June 18th meeting please let me know, your cooperation and early action in this matter will be highly appreciated

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director

FROM: Public Information Officer/City Clerk 

DATE: June 11, 2009

SUBJECT: Consider Agreement with KPTCB
June 18, 2009, City Council Meeting

Recommendation:

That Council adopt the agreement as presented on June 11 with KPTCB for services in exchange for residential curbside solid waste franchise fees.

Discussion:

In April, Council took action to help further Peachtree City's ongoing efforts to be a "green" community by amending the Health & Sanitation Ordinance to require garbage companies to offer recycling as part of the base cost of their services. Previously, many of the companies had charged additional fees to recycle, resulting in an estimated five percent or fewer of their customers in Peachtree City choosing to participate in the program. The City offered drop-off recycling services at the Recycling Center, and the Public Works Department estimated that service accounted for an additional two percent of Peachtree City's solid waste being diverted from landfills. This was an incredibly low percentage when some communities are seeing as much as 60% of their solid waste diverted from landfills, and the Fayette County Solid Waste Plan goal is a 25% reduction in solid waste going to landfills.

During the months the above-reference ordinance was developed, resident Al Yougel and a group of citizens formed Keep Peachtree City Beautiful, Inc. (KPTCB) an organization dedicated to promoting recycling and reducing litter as part of their mission. The organization formed a Board of Directors, secured their non-profit status, and this month were officially certified as a Keep America Beautiful, Inc., Affiliate. This year, KPTCB is also taking on operation of our Recycling Center under a separate lease agreement with the City.

As noted, Recycling is a major component of the KPTCB mission. Under the terms of the agreement, KPTCB will help to educate our residents about the curbside recycling options available to them, and the additional drop-off recycling stations at the Recycling Center and Public Works. They will undertake this education effort in our local schools, as well as at public gatherings and public facilities to increase public participation in the recycling programs.

A second element of KPTCB's mission is to address litter, which is a growing problem in Peachtree City. Last year, Peachtree City had more than two full-time positions dedicated to litter removal, in addition to the mowing and landscaping crews who cleaned up as part of the typical rotation. With the outsourcing of this function, litter removal has been taken on by the contractor for mowing and landscaping. However, the contract does not address many of the other natural areas along Peachtree City's lakes, streams, and greenbelts. In this category, KPTC will also be providing education about litter's costs and detrimental effects on our watersheds and natural environment, but they will also be taking on an additional service to the City – supervising court-sentenced community service workers to assist in the cleanup.

Finally, KPTCB will be undertaking beautification projects within the City as part of their mission and service for the Franchise Fee.

Attached is the agreement developed among staff, KPTCB, and the City Attorney. Per the terms of the agreement, the City will retain the funds in a separate account and distribute those funds based on invoices submitted by KPTCB. The agreement also provides for annual budget approval by the City Council.

Budget Impact:

This item should be revenue neutral, with the payment to KPTCB coming entirely from the franchise fee imposed; however, it will further public education and increase service for the community in terms of recycling, litter, and beautification.

STATE OF GEORGIA
COUNTY OF FAYETTE

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2009 between THE CITY OF PEACHTREE CITY (hereinafter referred to as "City") and KEEP PEACHTREE CITY BEAUTIFUL, INC., a nonprofit corporation organized under the laws of the State of Georgia, hereinafter referred to as "KPTCB".

WITNESSETH:

WHEREAS, KPTCB is a Peachtree City and Fayette County based nonprofit corporation which provides the City with litter prevention, waste reduction and beautification services; and

WHEREAS, KPTCB wishes to further enhance the services it provides to the City; and

WHEREAS, the City has imposed a waste hauler fee on all companies which provide sanitation services in the City; and

WHEREAS, the City desires to appropriate the waste hauler fees it collects to KPTCB so that KPTCB can further fund its operations and can provide additional litter prevention, waste reduction and beautification services, and public education.

NOW, THEREFORE, in consideration of the mutual promises and benefits to be obtained by each of the parties, it is hereby agreed as follows:

NOW, THEREFORE, in consideration of the mutual covenants provided herein, the City and KPTCB agree to enter into this Agreement to provide revenue to KPTCB to enable KPTCB to provide litter prevention, waste reduction and beautification, and educational services to the City, which, in turn, benefits all citizens of the City, as follows:

- (1) The City shall dedicate, expend and pay to KPTCB the waste hauler fees it receives from companies providing sanitation services within the city.. The City shall maintain the funds in a separate fund which amounts will be distributed to KPTCB based on invoices submitted to the City by KPTCB.
- (2) KPTCB shall utilize the funds it receives from the City pursuant to this Agreement and in accordance with an annual budget submitted to the City and approved by the City Council prior to October 1 of each year. Budgeted funds shall be used to provide litter

prevention, waste reduction and beautification services, and public education services to residents of the City and for the benefit of the citizens of the City.

- (3) This Agreement shall continue and shall be in force from the effective date of this Agreement through and including December 31, 2009. Thereafter, this agreement shall renew automatically for a one year term beginning January 1 and expiring on December 31 of each year thereafter unless a party hereto shall give written notice to the other party of non-renewal at least sixty (60) days prior to the renewal date.
- (4) If this Agreement is deemed to be for the acquisition of any supplies, materials, equipment or other personal property, then title to such supplies, materials, equipment or other personal property shall remain in KPTCB until fully paid for by the City.
- (5) Both the City and KPTCB have agreed, through their respective representatives to enter into this Agreement and have given the Mayor and Executive Director of KPTCB the power to sign on behalf of each.
- (6) This Agreement shall be separate and not in any way dependent upon any other agreements, leases, or contracts between the City and KPTCB.
- (7) Whenever notice is required under the terms of this Lease, such notice shall be deemed given three (3) days from the mailing of said notice via U.S. Certified or Registered Mail, Return Receipt Requested, unless sooner received, addressed to the following:

If to City:
City of Peachtree City
c/o City Manager
151 Willowbend Road
Peachtree City, Georgia 30269

If to KPTCB:
Keep Peachtree City Beautiful, Inc.
c/o Executive Director
209 McIntosh Trail
Peachtree City, Georgia 30269

IN WITNESS WHEREOF, the parties herein hereunto set their hands and seals the day and year written below.

THIS AGREEMENT EXECUTED IN COUNTERPARTS ON THE DATE BELOW EACH PARTY'S NAME BELOW, AND THE PARTIES HEREBY AFFIX THEIR NAMES, SIGNATURES, AND SEALS, WITH THE FULL INTENT TO BE BOUND HEREBY.

CITY:

KPTCB:

City of Peachtree City

Keep Peachtree City Beautiful, Inc.

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
FROM: City Manager 
DATE: June 12, 2009
SUBJECT: KPTCB Budget
June 18, 2009, City Council Meeting

Recommendation:

That Council approve the FY 2010 KPTCB Budget, contingent upon the approval of the service agreement with KPTCB and the amendment to the Health and Sanitation Ordinance for Franchise Fees.

Discussion:

Al Yougel, Executive Director for Keep Peachtree City Beautiful, Inc., has submitted the attached budget for Council review. Mr. Yougel will be at the June 18 meeting to discuss the budget and answer questions.

Budget Impact:

The KPTCB account will be maintained by the City, but funded through the Residential Curbside Solid Waste Franchise Fees and any donations made to the group, through a service agreement with KPTCB (next agenda item). The item should be revenue neutral to the City.

KPTCB FRANCHISE FEE BUDGET

Purchased/Contracted Svc	1ST Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	2nd Yr	3rd Yr	4th Yr	5th Yr
Professional Services									
Tax/990 Preparation		750			750	800	800	850	850
Recyclables Removal	375	375	600	600	1950	0	0	0	0
Technical Services									
Video Production		1800			1800	2500			
School Media	2100		200		2300	2300			
Repairs & Maint Equipment					0				
Repairs & Maint Vehicles									
Truck					0	0	450	650	
Golf cart					0	150			
Recycle trailer					0		400	250	
Rentals									
Golf cart		210	210	210	630				
Truck					0				
Recycle Trailer			100		100	100			
Liability Insurance									
Recycle stations		750			750	600	625		
Vehicles						0	500	1300	1100
Other				360	360	330			
Communications	90	90	90	90	360				
Advertising/Promotion					0				
Printing & Duplication									
Brochure/Poster	250	300	150	150	850				
Mailers w/PTC	400	400	400	400	1600				
Office	150		100		250				
Postage									
Direct Mail w/PTC	400	400	400	400	1600				
Office	30	30	30	30	120				
Travel									
Seminars					0				
KAB mid-year					0				
Dues & Fees									
KAB				200	200				
Education & Training									
Grant writing		350			350				
Seminars		150			150				
Community Service Leaders	75		75		150				
Total Purchase/Contracted	3870	5605	2715	2080	14270				

KPTCB FRANCHISE FEE BUDGET

			1ST Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	2nd Yr	3rd Yr	4th Yr	5th Yr
Supplies											
Office Supplies			30	30	30	30	120				
Operating Supplies			350	100	300	350	1100				
Computer Supplies							0				
Gasoline & Oil			180	180	180	180	720				
Small Tools & Equipment											
Hand Tools			150			75	225				
Other			100			200	300				
Uniforms											
Shirts/Vests			70			70	140				
Total Supplies			880	310	855	560	2605				
Capital Outlay											
Machinery & Equipment											
Trash Bins & Posts			800	300	400	400	1900				
Recycle Bins				250	250	250	750	1500			
Street & Path Signs							0	800			
Computer Equipment			700				700				
Total Capital Outlay			1500	550	650	650	3350				
Capital Reserve											
Recycle Trailer			500	500	1500	2200	4700	9000			
Golf Cart			300	400	800	900	2400				
Truck				500	500	2000	3000	3500			
Cardboard Bailer							0	2500	2500		
Total Capital Reserve			800	1400	2800	5100	10100				
Personnel Services & Bene											
Regular salaries							0				
Part time wages			2700	2700	2700	2700	10800				
Total Personnel Services			2700	2700	2700	2700	10800				
TOTAL KPTCB			9750	10565	9720	11090	41125				

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *Gene J. McMiller*
Administrative Services Director *IV*

FROM: Public Information Officer/City Clerk *RA*

DATE: June 11, 2009

SUBJECT: Consider Amendment to Health and Sanitation Ordinance for Residential Solid Waste Franchise Fee
June 18, 2009, City Council Meeting

Recommendation:

That Council adopt the ordinance amendment if the KPTC Budget has been accepted and the agreement with KPTCB approved.

Discussion:

On April 16, Council adopted an ordinance amendment requiring all residential curbside garbage companies serving Peachtree City to sign an non-exclusive Franchise Agreement with the City for the use of our streets, and to provide recycling services as part of their base cost.

At that time, Council asked staff to postpone imposing a \$1.00 per customer per quarter franchise fee on the haulers until Keep Peachtree City Beautiful, Inc. (KPTCB), had finalized a budget and a formal agreement was developed for the services that would be provided.

The preceding two agenda items are the KPTCB Budget and the agreement between the City and KPTCB for services in exchange for the franchise fees. The attached ordinance imposes the franchise fee in time for the haulers to implement the new franchise agreements with their customers.

Budget Impact:

This item is revenue neutral for the City, earning an estimated \$40,000 per year to be paid to KPTCB for recycling and litter education, litter removal, and supervision of community service workers in community cleanup and litter removal tasks.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, TO PROVIDE FOR A CURBSIDE RESIDENTIAL SOLID WASTE FRANCHISE FEE; TO REPEAL CONFLICTING ORDINANCES EXCEPT AS HEREIN EXPRESSLY PROVIDED; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Article III, Solid Waste Management of Chapter 42, Health and Sanitation, of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by adding paragraph (e)(5) as follows:

Sec. 42-83. Requirements.

(e) Private businesses which operate in the city and provide curbside residential solid waste collection and disposal services shall comply with the following additional minimum requirements:

- 1) Annually or upon request, provide written assurance and description of disposal capability to support the city for ten years into the future.
- 2) Enter into a non-exclusive Franchise Agreement with the City of Peachtree City for authorization to provide waste collection, recycling, and yard waste removal services to city residents and to use publicly owned streets and rights-of-ways.
- 3) Offer single-stream, curbside residential recycling services as part of the base services. The following materials, at a minimum, shall be recycled:
 - a. Newspaper
 - b. Glass containers
 - c. Aluminum beverage and bimetal cans
 - d. HDPE and PET plastic containers
 - e. Cardboard

Recyclable materials may be added to this list at the discretion of the collection company. the company shall provide suitable containers to its residential customers to facilitate recycling.

- 4) Offer curbside collection and disposal service for yard trimmings in residential areas. Bagging or container systems shall be determined by the waste collection companies.

- 5) Pay to the city, on a quarterly basis four times a year, a \$1.00 (one dollar) per customer per quarter franchise fee. It shall be the duty of a Franchisee to pay to

the city the franchise fee for the preceding quarter within 45 days after the end of the quarter. For purposes of this article, the quarters shall end on March 31, June 30, September 30 and December 31 of each year.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council. Companies with valid indemnification agreements on file shall have until August 14, 2009, to comply with the requirements set forth herein.

This _____ day of _____ 2009.

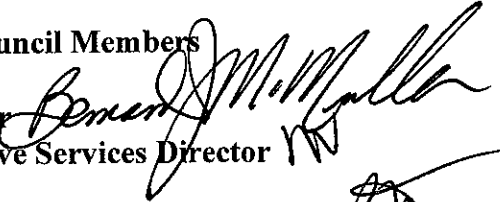
Harold Logsdon, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director 

FROM: Public Information Officer/City Clerk 

DATE: June 9, 2009

SUBJECT: Non Profit Funding Request – Promise Place
June 18, 2009, City Council Meeting

Recommendation:

That Council provide direction on the amount of non-profit funding for Promise Place to include in the FY 2010 budget.

Discussion:

For the past several years, Council has approved funding in support of Promise Place in accordance with CAR 8-3 (attached). Per the terms of the policy, Promise Place provides services the City does not that meet the basic needs of some of our residents who are victims of domestic violence, including emergency shelter, support groups, assistance in obtaining emergency protective orders, and in providing domestic violence and teen dating education programs. Peachtree City residents comprise over half of those served by the agency.

Attached is the request from Promise Place Executive Director Sonja Strickland for the annual amount of \$7,500 to support the ongoing efforts of the organization. The requested amount meets the terms of the policy.

Budget Impact:

This item will have a budgetary impact of \$7,500, which was included in the proposed FY 2010 Budget as presented on June 8 pending Council approval of the request.

**CAR 8-3 City Council Funding for Non-Profit
Organizations in Fayette County**

CAR 8-3

**OPR: City Hall
4/00 (Amended 02/09)**

Purpose	Section	I
Policy		II

I. Purpose

The Purpose of this regulation is to establish a policy for consistent response to requests for donations on behalf of non-profit organizations, including public schools, in Fayette County.

II. Policy

While the City of Peachtree City has no financial responsibility to assist non-profit organizations, including public schools, with funding or providing labor, there have been requests in the past for this assistance, and it is anticipated that there may be requests in the future. In an effort to ensure consistency, fairness, and compliance with anti-gratuities laws, the following guidelines have been established:

- A. Council will budget no more than \$25,000 annually for all non-profit funding.
- B. The City would assume no liability for any project for which the City provides funding and/or labor.
- C. Services provided to Peachtree City residents by a non-profit organization shall be addressed in a contract between the City of Peachtree City and the organization.
- D. Non-Profit Organizations

1. Basic Needs

As a general rule, funding for non-profit organizations serving Fayette County should be provided by the Fayette County Commission to ensure that Peachtree City residents are not subject to double payment through their municipal and County taxes. However, Council reserves the right to make contributions to non-profit organizations that provide services that meet the basic needs (food, shelter, protection) of Peachtree City residents based upon the merit of the request. Requests for funding for non-profit organizations that provide basic needs shall not require matching funds but such requests shall be prorated based upon the total annual budget of the organization and the percentage of Peachtree City residents served by the organization in comparison to the total number of people they serve. The amount of funding provided shall be the lesser of the amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or \$7,500.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. These funds, once identified, will be budgeted for annually, upon written request by the organization that would be subject to prorated allocation as noted above.

2. General Needs

Should Council approve a funding request for an organization that provides for general needs (other than food, shelter and protection), a dollar for dollar match up to a limit of \$5,000 in funding/labor may be provided as a match to any non-government funding provided to the organization. If the organization serves people other than Peachtree City residents, request shall be prorated based upon the percentage of Peachtree City residents served in comparison to the total population served. The amount of funding provided shall be the lesser of the actual amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or \$5,000.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. Requests from a non-profit organization in the General Needs category will be considered no more often than every five years.

3. Public Schools

- a. Each request for funding/labor will be considered by the Peachtree City Recreation Commission, who will forward a recommendation to the City Council for final decision.
 - b. Council will evaluate each request and make a decision based on the merit of the request.
 - c. No more than one request, per school, will be considered in any five consecutive year period.
 - d. Only Fayette County public schools whose attendance boundaries include Peachtree City will be eligible for consideration.
 - e. Requests for funding/labor must be for enhancements to playgrounds and playing fields only. Any playground/playing field for which the City makes a contribution must be made available for use by City residents when not being used by the school. A formal agreement with the School Board would be required.
 - f. Should Council approve a funding request, a dollar for dollar match up to a limit of \$5,000 in funding/labor may be provided as a match to any funding provided by the school or any school organization (i.e. booster club). All funding requests must be submitted by June 1.
- E. All requests for funding must be made using the attached form. 501c3 non-profit organizations should include a copy of the previous calendar year form 990. Other non-profits should attach a copy of their current fiscal year budget.
- F. The City Council will have final approval on all funding requests. All funding requests must be submitted to and approved by Council by June 1 for consideration for funding in the next fiscal year budget.
- G. In emergency situations (a sudden, urgent, need for help or relief, created by some unexpected financial event), the City Council may vote to provide funding outside of the provisions above from the Council Contingency Fund. Adherence to anti-gratuities requirements would still apply.

APPROVED:
Mayor and Councilmembers



P.O. Box 854 • Fayetteville, GA 30214 • Telephone (770) 461-3839 • Fax (770) 460-6591

May 19, 2009

Director of Administrative Services
151 Willowbend Rd.
Peachtree City, GA 30269

To Whom It May Concern:

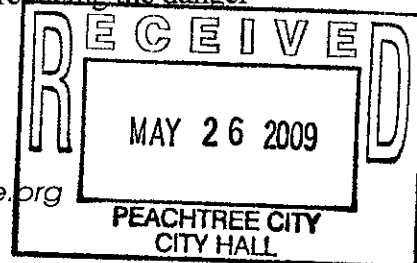
The Fayette County Council on Domestic Violence, Inc d/b/a Promise Place wishes to take this opportunity to thank Peachtree City for its continued support of our organization. Last year Promise Place provided direct services to 1,625 adult clients and 1,235 children. Of those clients, 928 were Fayette County residents (representing 887 children) and 488 lived in Peachtree City. 19 clients were Fayette County residents but did not identify their city of residence. Promise Place provided emergency shelter to 35 women and 48 children from Peachtree City. 207 women attended our support group and we assisted 185 clients in obtaining emergency protective orders. Our Teen Dating Violence Prevention Program reached 1,582 high school students in Fayette County and our domestic violence awareness talks were presented to 1,622 community members.

The breakdown of our services by city is as follows:

<u>Direct Services</u>	<u>No. of Clients</u>	<u>% of F.C.</u>	<u>% of Total</u>
Brooks	32	4%	3.5%
Fairburn	27	3%	3%
Fayetteville/Unincorp.F.C.	302	33%	32.5%
Peachtree City	488	53%	52.5%
Tyrone	46	5%	5%
Unknown F.C.	19	2%	2%
Out of County	14		1.5%

<u>Prevention/Awareness Services</u>	<u>Participants</u>	<u>No. of PTC</u>
Teen Dating Violence Prevention Program	1,582	791
Community Awareness Presentations	1,622	811

Additionally, we collaborate with the Peachtree City Police Department as well as the other law enforcement agencies in Fayette County to ensure that domestic violence victims are given our information at the time of a violent incident and that police officers are able to contact us for assistance. We believe that this is an important service because when we are able to assist DV victims in escaping violent homes, we help reduce the number of 911 calls to officers, alleviating their volume of calls and reducing the danger to them in responding to DV calls.





P.O. Box 854 • Fayetteville, GA 30214 • Telephone (770) 461-3839 • Fax (770) 460-6591

Place also recognizes that victims of domestic violence and their children need an emergency shelter to go to in a moment of crisis. Promise Place opened our emergency shelter on May 15, 2007 and welcomed our first domestic violence victim and her child into the shelter on May 17th. This emergency shelter has been a safe refuge for victims of domestic violence and their children to go in their moment of crisis. Additionally, Promise Place provides counseling services and many other programs to both the victim and her children, as they heal from the trauma that they have experienced. This year, Promise Place has provided shelter to 348 women and children.

Because of your continuing support, Promise Place is making a difference in the lives of abused women and their children in Fayette County. To help continue this much needed service, we are requesting \$7,500.00 from the FY 2010 Annual Budget's designated funds for nonprofit organizations. Our cost in this past fiscal year to provide direct services and prevention services was \$52.37 per person. Your donation would help defray the \$109,453.30 cost of providing direct and prevention services to Peachtree City residents.

We hope that the Peachtree City Council will continue to support us in our work and will grant our request for the amount of \$7,500.00.

Sincerely,

Sonja Strickland
Executive Director

Peachtree City

Funding Request for Non-Profit Organization

Organization Information:

Organization Name: Promise Place – Fayette County Council on Domestic Violence

Address: P.O. Box 854, Fayetteville, GA 30214

Phone: (770) 461-3839

Fax: (770) 460-6591

Contact Person: Sonja Strickland

Title: Executive Director

Financial Information:

Total Annual Budget: \$491,446.78

Total Clients Served Annually: 6,064 – Direct Services- 2,860, Prevention – 3,204

Peachtree City Residents Served Annually: 2,090 – Direct Services – 488, Prevention – 1,602

Funding Request Information

Funding Amount Requested: \$7,500.00

Funding Use(s); To enhance our Legal Advocacy program to clients and to help our emergency domestic violence shelter

Additional Information:

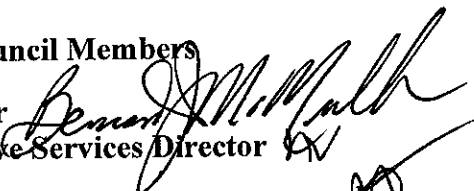
Promise Place opened our emergency shelter in Fayette County for women and children. We provide 24 hr. crisis services; we also assist with legal advocacy. We have a teen dating violence prevention program that we present to Fayette County 9th graders.

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date **Council** **Amount**
Submitted: _____ **Approval Date:** _____ **Approved:** _____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager 
Administrative Services Director
FROM: Public Information Officer/City Clerk 
DATE: June 9, 2009
SUBJECT: Non Profit Funding Request – Fayette Senior Services
June 18, 2009, City Council Meeting

Recommendation:

That Council provide direction on the amount of non-profit funding for Fayette Senior Services to include in the FY 2010 budget.

Discussion:

For the past several years, Council has approved funding in support of Fayette Senior Services in accordance with CAR 8-3. Per the terms of the policy, Fayette Senior Services provides services the City does not that meet the basic needs of some of our residents in the form home delivered meals for seniors. The CAR stipulates that the amount of funding shall be the lesser of the amount requested, the annual budget used to serve Peachtree City residents, or \$7,500. In this case, the \$7,500 is the lesser of the amounts.

Last year, Fayette Senior Services Director Debbie Britt requested an additional \$8,130 in funding to help address shortfalls in the home delivered meals program. Council granted this request, under paragraph G of the policy relating to emergency situations, providing a total of \$15,600 in the FY 2009 Budget.

Attached is Ms. Britt's request for funding from the FY 2010 budget. The request is for the \$15,630 requested in 2009 to address ongoing funding shortfalls due to increased demands for services and higher costs of providing services, and to avoid reductions in service next year. Of the Home Delivered Meals Program's budget, over \$60,000 served Peachtree City residents. An additional \$24,500 served Peachtree City residents participating in the Congregate Meal Program.

Budget Impact:

This item will have a budgetary impact equal to the amount of funding approved by Council; however, the proposed FY 2010 Budget as presented on June 8 incorporated funding to cover this request if approved.

Fayette Senior Services

Nikki Vrana
B

May 11, 2009

Mr. Bernie McMullen
City Manager, City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

RE: FY2010 Request for Funding

Dear Bernie,

Fayette Senior Services, Inc. respectfully submits a request for funding assistance in the amount of \$15,630 from the City of Peachtree City for the period July 1, 2009 through June 30, 2010.

As you know, Fayette Senior Services provides a wide variety of basic-need social services to Peachtree City's senior citizens to help them remain independent and improve their quality of life. Our request asks for a continuation of the support we received for FY09. If granted, the funds will be used to address the FY10 shortfall in our Home Delivered Meal program (Meals on Wheels). The shortfall is directly attributed to the increased demand for service; the higher costs associated with providing service, and decreased funding support as a result of the ongoing downturn of today's economy.

For your review and consideration, please find attached a line item budget for our nutrition program(s). The average annual number of home delivered meals each client receives is 260 meals. The number of Peachtree City residents served is noted accordingly. Without the continuance of support from our local governments, our waiting lists will grow significantly higher and it is likely that a reduction in service to existing clients will become necessary.

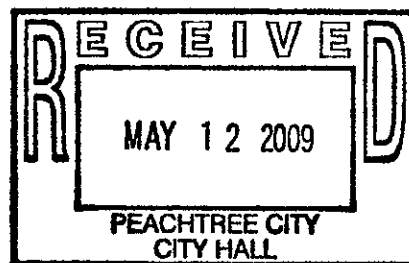
We sincerely appreciate the long-time support from the City of Peachtree City and we look forward to a continued partnership in our cooperative efforts to make a meaningful difference in the lives of Peachtree City's senior citizens.

Sincerely,

Debbie Britt

Debbie Britt
Executive Director

Cc: Nikki Vrana
Nancy Meaders





**Funding Request
For Non-Profit Organizations**

Organization Information:

Organization Name: Fayette Senior Services, Inc.
Address: 4 Center Drive, Fayetteville, GA 30214
Phone #: 770-461-0813 Fax #: 770-461-2448
Contact Person: Debbie Britt
Title: Executive Director

Financial Information:

Total Annual Budget: \$952,844
Total Clients Served Annually: 440 YTD as of 5/11/09
Peachtree City Residents Served Annually: 136 YTD as of 5/11/09

Funding Request Information:

Funding Amount Requested: \$15,630
Funding Use(s): Home Delivered Meals (Meals On Wheels)
Additional Information on Organization/Services: _____
Please see attached.

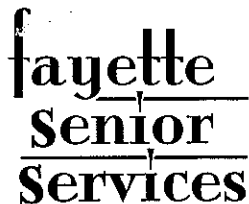
REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date **Council** **Amount**
Submitted: _____ **Approval Date:** _____ **Approved:** _____

**Fayette Senior Services, Inc.
FY10 Request for Funding**

Home Delivered Meals		# Persons
Actual Cost of Meals	\$ 5.35	
No. of Meals FY 2010	44,455.00	
Total cost of program	\$ 237,834.25	
FY10 Projected Funding:		
Federal/State Home Delivered	\$ 55,211.00	
United Way	\$ 8,673.00	*
Fayette County	\$ 105,310.00	* 105
PTC	\$ 15,630.00	* 65
Fayetteville	\$ 17,500.00	* 53
Tyrone	\$ -	6
Brooks	\$ -	8
Total Funding	\$ 202,324.00	
Shortfall	\$ (35,510.25)	
Congregate Meal Program		# Persons
Actual Cost of Meals	\$ 13.28	
No. of Meals FY 2010	7,702	
Total cost of program	\$ 102,282.56	
FY10 Projected Funding:		
Federal/State Congregate	\$ 94,331.00	
Fayette County	\$ 7,246.00	* 26
PTC	\$ -	12
Fayetteville	\$ -	12
Tyrone	\$ -	1
Brooks	\$ -	0
Total Funding	\$ 101,577.00	
Shortfall	\$ (705.56)	
Total cost for combined programs	\$ 340,116.81	
Total shortfall for combined programs	\$ (36,215.81)	

**Funding Pending*



Fayette Senior Services, Inc. provides a wide variety of basic-need services to Fayette County's senior citizens. The number of clients by location who receive one or more social services such as Meals on Wheels, In-home/personal care services, transportation, respite care, adult day care, congregate meal program, etc. are as follows:

YTD as of 5/11/09

1. Unincorporated Fayette County*	169 persons (38%)
2. Peachtree City:	136 persons (31%)
3. Fayetteville:	106 persons (24%)
4. Tyrone:	19 persons (5 %)
5. Brooks:	<u>10 persons (2%)</u>

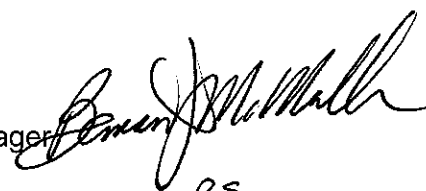
TOTAL PERSONS SERVED 440 persons

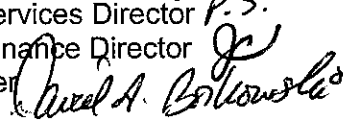
**Includes the Town of Woolsey*

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *P.S.*
Janet I. Camburn, Assistant Finance Director *JIC*
David Borkowski, City Engineer 

DATE: June 11, 2009

SUBJECT: Budget Amendment – 2009 Bricks & Mortar Loan – **Fiscal Year 2009**
June 18, 2009 City Council Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment associated with additional projects to be funded by the 2009 Bricks & Mortar Loan.

Discussion:

Within the next couple of months the City is expected to complete the process of securing a Bricks & Mortar loan for the Police Department Renovation and the Underpinning Issues at City Hall. In addition, the City is requesting Council to approve the inclusion of the projects listed below as part of this Bricks & Mortar financing. The City Engineer will present additional information regarding these projects at the June 18, 2009 Council Meeting.

2009 Bricks and Mortar Loan Adjustment Project Descriptions and Justifications

- City Hall Parking Lot Resurfacing:
 - The parking lot around City Hall and the library vary in age and some areas are over 10-years old. Some areas are starting to show significant signs of distress due to age, poor subgrade or utility cuts. Maintenance and/or replacement should be performed on these older areas to defray more costly repairs in the future. This project will entail milling some areas and repaving, while other areas that are worse will require full depth replacement.
- Leach Station 81 – Driveway and Parking Lot Repairs
 - The fire station pavement is over 9 years old and is starting to show signs of distress in some areas. Maintenance and/or replacement should be performed on these areas to defray more costly repairs in the future. Staff is currently working with United Consulting to look at each area of pavement and design the proper repair or replacement method.

- Neely Station 82 – Redesign (HVAC/moisture Repairs)
 - Neely Station was remodeled inside in 2003 to accommodate new sleeping quarters on the second floor. Since then the firefighters have experienced very poor temperature and humidity control. Repairs to the HVAC and to the way the second floor is sealed from the rest of the building are greatly needed to provide proper living conditions.
- Neely Station 82 – Roof Repairs
 - The roof over the engine bays is a standing seam metal roof on a very flat slope. This has required over the years to have coatings put over the roof to seal the joints and connections to prevent leaks. The time has come for the roof to be re-sealed again to prevent leaks.
- Neely Station 82 – Driveway and Parking Lot Repairs
 - The station building was built many years ago and expanded in 1987 to have more office space. Some concrete paving was replaced in 2007. Some of the remaining concrete pavement may be over 20-years old. Maintenance and/or replacement should be performed on the remaining areas to defray more costly repairs in the future. Staff is currently working with United Consulting to look at each area of pavement and design the proper repair or replacement method.
- Weber Station 83 – Driveway and Parking Lot Repairs
 - This station was built in 1988 with an expansion for additional sleeping quarters completed in 2007. Pavement Rehabilitation on some areas of concrete was completed in 2007. Some of the remaining concrete pavement may be over 20-years old. Maintenance and/or replacement should be performed on the remaining areas to defray more costly repairs in the future. Staff is currently working with United Consulting to look at each area of pavement and design the proper repair or replacement method.
- Weber Station 83 – Pressure Sewer Connection
 - This station is currently served by a septic system for all the sewage disposal needs. According to the Fayette County Environmental Health Department records there have been problems in the past with this system. The original system failed and an experimental sand system was installed. Since the new sand system was installed there have not been any serious problems with the system itself. However the best long term solution would be to connect to public sewer.
- Satterthwaite Station 84 - Pressure Sewer Connection
 - This station is currently served by a septic system for all the sewage disposal needs. According to the Fayette County Environmental Health Department records there have been problems in the past which required a new field to be built. Since then there have not been any reported problems. However with more firefighters being stationed here, the best long term solution for the station will be to connect to public sewer.
- Satterthwaite Station 84 Remodel and Expansion
 - This station was built in 1994. Since that time the department has added firefighters to this station and is in need of more space to better accommodate them. The remodel and expansion will be much like the recent expansion to Station 83 with about 1,300 square feet of living space.

Budget Impact:

The budget impact for the attached budget amendment 09-043 is an increase of \$1,080,294 to both budgeted revenues (loan proceeds) and budgeted expenditures in the 2009 PIP Fund. The balance of the proposed Bricks & Mortar loan has already been approved by City Council as part of the 2009 budget process. The annual debt service for this amendment is included in the proposed FY 2010 budget and is estimated at \$95,160.

If you have any questions please do not hesitate to contact Paul Salvatore, Janet Camburn, or Dave Borkowski.

Thank you for your attention to this matter.

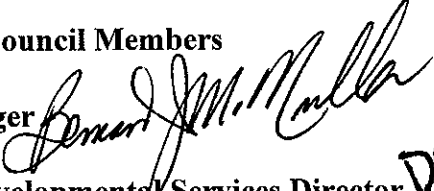
Attachment

JIC/BUDGET AMENDMENTS – FY 09 – 6/18/2009 – B&M Loan

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Interim Developmental Services Director 

DATE: June 12, 2009

SUBJECT: Proposed reorganization of Developmental Services Division
June 18, 2009 City Council Agenda

The following information is being presented City Council to obtain their feedback.

In an effort to streamline duties and responsibilities within Developmental Services, and in response to the recent Reduction in Force, Staff is proposing additional modifications to the organizational structure of Developmental Services, specifically within the Building and Code Enforcement Departments. These changes will allow us to place more emphasis on administering the Housing and Property Maintenance Codes, enhancing the Neighborhood Assessment Program, administering and completing rehab inspections in a timely manner, as well as creating a liaison who would work closely with property owners, Homeowner Associations, absentee property owners, etc. in an effort to maintain the character of existing neighborhoods.

Two officers would be devoted to enforcing the Municipal Code as well as the Zoning and Land Development Ordinances. Their duties would include, but not be limited to, enforcing building requirements, watering restrictions, health and sanitation issues, destruction of city property, signs, occupational tax, parking restrictions, etc. These officers would be in the field on a daily basis trying to head off code-related issues and work closely with staff to enforce ordinances.

Staff is proposing to reclassify the Senior Code Enforcement Officer to **HOUSING CODE OFFICIAL**, which would report directly to the Building Official. The two Code Enforcement Officer positions would be reclassified to **MUNICIPAL CODE OFFICER** and they would report directly to the Director.

Proposed reorganization of Developmental Services Division

June 12, 2009

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Job duties would be as follows:

Housing Code Official

Neighborhood Assessment Program
Residential, commercial and industrial rehabilitation
ARB approval/ review for permitting process
Building Official support
Emergency response
Community education (Building Safety Week, Landlord Training, PTC 101, etc.)

Municipal Code Officers

Chapter 18 (fence permits, pool fence, etc.)
Watering restrictions
Health and Sanitation ordinance
Destruction of Government Property
Sign ordinance
Tree removal permits
Occupational tax, alcohol license taxes, etc.
Parking restrictions
Appendix A (zoning ordinance)
Appendix B (land development ordinance)

Another position that would be reclassified is the Planning Assistant, which would become **PLANNER/ ECONOMIC DEVELOPMENT COORDINATOR**. This position would continue to report to the City Planner and would work with developers and individual business owners throughout the plan review process to ensure their understanding of city permitting and review processes. Once plans are approved, this position would serve as a liaison between the city and business owners, shopping center managers, tenants, etc. as issues arise and to assist them with understanding city policies. This position would also serve as a staff liaison to the Development Authority of Peachtree City.

The position changes will be submitted to the Mercer Group for review and any adjustments in pay grade will be submitted to Council for approval. These changes and the proposed reorganization are shown on the attached organizational chart.

The final item is changing the name of Developmental Services to **COMMUNITY DEVELOPMENT**. With the recent changes to staffing levels, organizational structure and the fact the city is moving from "development mode" to "stability and sustainability," this new division name is better suited for the direction in which we are headed. I would like to work with our staff to become more proactive as opposed to reactive, develop policies that will promote smart and positive growth, provide realistic expectations for redevelopment opportunities and

Proposed reorganization of Developmental Services Division

June 12, 2009

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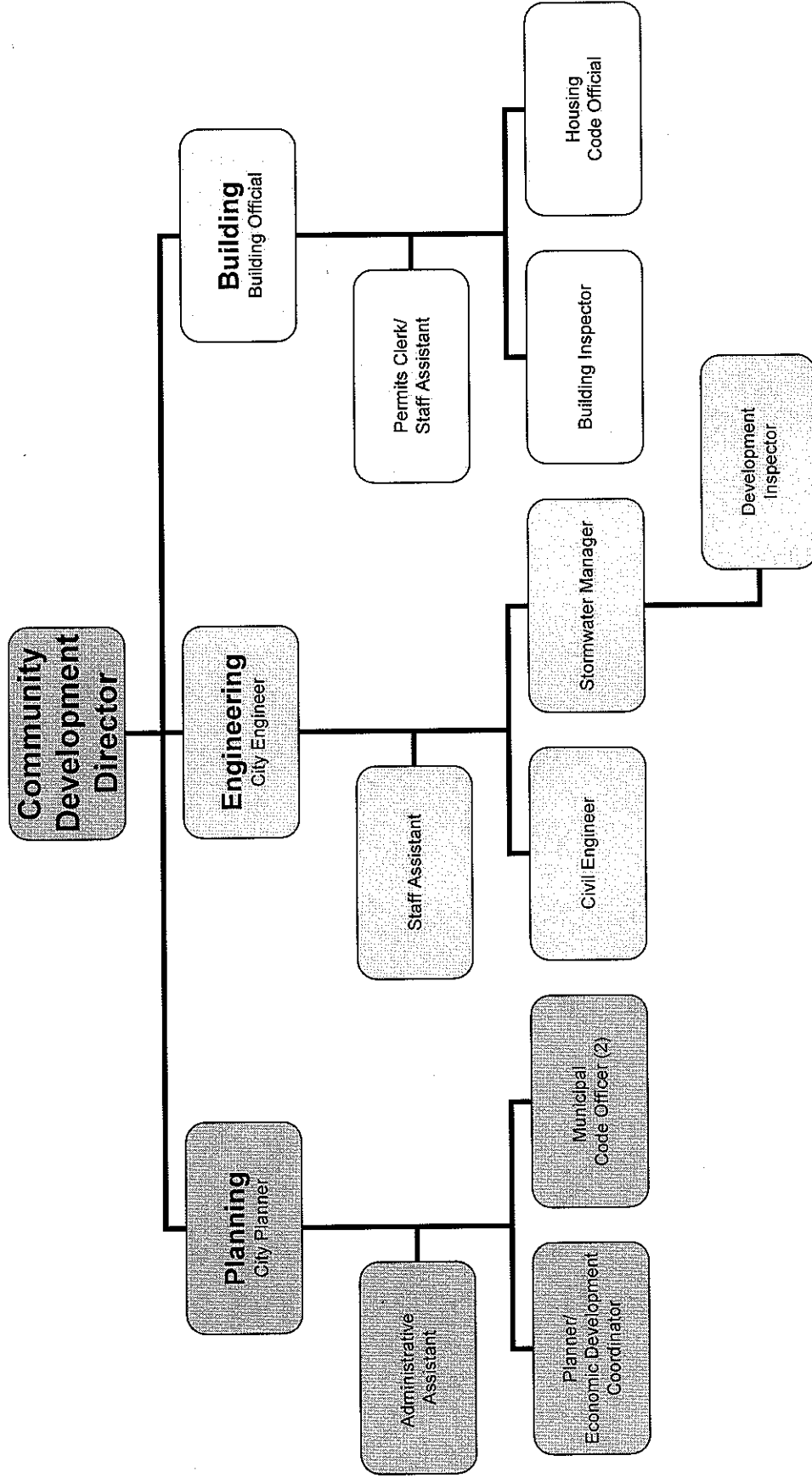
work closely with individual villages to promote a sense of identity. I also see us working closely with the Development Authority of Peachtree City, the Airport Authority, Tourism Association and Recreation Commission to achieve these goals and to make sure we are all headed in the same direction.

Changing the department name will require an ordinance amendment, which will be placed on a subsequent Council agenda for approval.

Budget impact:

There are no budget impacts associated with this request.

Community Development Division



City Council of Peachtree City

REVISED AGENDA

June 18, 2009

7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Proclamation for the 40th Anniversary of MA Industries
 - Recognize John Dailey for 20 Years of Service
 - Recognize Employee of the Month -- Jesse Brooks
- IV. Public Comment
- V. Agenda Changes
- VI. Monthly Reports
- VII. Minutes
 - May 21, 2009, Regular Meeting Minutes
 - June 8, 2009, Workshop Minutes
- VIII. Consent Agenda
 1. Consider Amendment to Automatic Fire Sprinkler System Ordinance
 2. Consider Surplus of 1994 Ford, Communications Vehicle #8
 3. Consider Amendment to Alcohol Ordinance – partially consumed bottles of wine
 4. Consider Alcohol Qualifying Location Permit - City Hall Plaza/Drake Field
 5. Consider Acceptance of Drainage Easements
 6. Consider Budget Amendments
 7. **Consider Additional P/T Firefighter Headcount**
- IX. Old Agenda Items
 - 06-08-08 Public Hearing – Consider Amendments, Specific Permitted Uses in Multiple Zoning Districts
 - a. *Sec. 1006 GC, General commercial district*
 - 03-09-01 Public Hearing – Consider Rezoning, 37.001 acres, GI to LUR, Southpark International Industrial Park
- X. New Agenda Items
 - 06-09-01 Public Hearing – Consider Variance to Setback, 100 Hermitage Place
 - 06-09-02 Final Discussion on Hip Pocket Sewer/ Consider Standards Application Process Policy for Sewer Connection
 - ~~06-09-03 Consider Cancellation of Tinsley Mill Stormwater Grant~~
 - 06-09-04 Consider RFP – Tennis Center Management Services
 - 06-09-05 Consider Resolution for Land Swap with Fayette County
 - 06-09-06 Request from Cheers to Address Council for Fee Reduction
 - 06-09-07 Consider Keep Peachtree City Beautiful FY 2010 Budget
 - 06-09-08 Consider Agreement with Keep Peachtree City Beautiful
 - 06-09-09 Consider Amendment to Solid Waste Ordinance – Franchise Fee
 - 06-09-10 Consider FY 2010 Funding Request - Promise Place
 - 06-09-11 Consider FY 2010 Funding Request – Fayette Senior Services
 - 06-09-12 Consider Proposed 2009 Budget Amendments, and Additions to Bricks & Mortar Loan
- XI. Council/Staff Topics
 - Results of Library Survey
 - Discussion of Proposed 2009-2010 Budget
 - Briefing of Developmental Services Re-organization
- XII. Executive Session

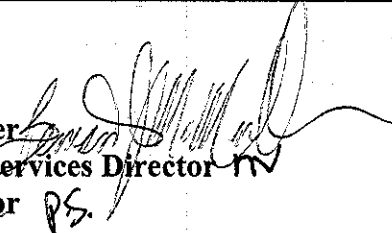
Moved to July 16

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Bernie McMullen, City Manager 
Nikki Vrana, Administrative Services Director
Paul Salvatore, Finance Director *PS.*

FROM: Ed Eiswerth, Fire Chief *u*

DATE: June 15, 2009

SUBJECT: CONSIDER ADDITIONAL P/T FIREFIGHTER HEADCOUNT
June 18, 2009 City Council Agenda

Recommendation:

Increase the approved headcount of part-time firefighters in FY09 from twenty-one to twenty-two effective July 1, 2009.

Discussion:

In the FY09 approved budget, Council approved \$327,993 in salaries for part-time firefighters with a corresponding headcount of twenty-one positions. While the staffing of part-time firefighters does not guarantee each part-timer a certain number of hours, it does however limit the total number of shifts per month to 8 with a maximum of 96 shifts per year. The Asst. Chief/Operations within the Fire Department maintains schedule logs to ensure that these limits are strictly adhered to, and that the Fire Department operates within the approved budget.

This year the Department changed the way full time firefighters are granted time off. The P/T firefighters are then scheduled based on time-off of F/T firefighters. This change resulted in a large decrease in the use of overtime by F/T firefighters covering for others who were off.

Part-time firefighters fill in for F/T firefighters who are scheduled for vacation, holiday, training, K-day, military leave, and sick leave. Not every part-time firefighter works the maximum number of shifts per year and each P/T firefighters works when they can and depending on the shifts requiring coverage. Adding additional P/T firefighters provides management with more flexibility for scheduling to match "openings" with availability of P/T firefighters.

The headcount prepared by the Finance Department in the FY10 budget will reflect the adjusted headcount for accommodating twenty-two part-time firefighters.

Budget Impact:

This item will have no budgetary impact.