City Council of Peachtree City
Agenda
June 17, 2010
7:00 p.m.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Announcements, Awards, Special Recognition**
Recognition of Library Volunteers
"Let Freedom Ring" Proclamation
Recognition of Dartmouth Place Community CPR/SAVE
Recognition of Ricky Howard for 10 Years of Service

IV. **Citizen Comment**
Any member of the public attending the meeting may comment on any issue or item that is not included on the agenda. The time limit is two (2) minutes.

V. **Agenda Changes**

VI. **Minutes**
June 1, 2010, Budget Workshop Minutes
June 3, 2010, Regular Meeting Minutes

VII. **Consent Agenda**
1. **Consider Alcohol License – NEW – Borgo Italia, 2882 Highway 54 West**
Applications for new licenses must be approved by Council. Applicant has met the requirements.
2. **Consider Alcohol License – NEW – Tuscany Wine Distributors of Georgia, 1000 Cooper Circle, #102**
Applications for new licenses must be approved by Council. Applicant has met the requirements.
3. **Consider Adoption of Partial Update to the Comprehensive Plan**
Consider adoption of update so it can be forward to ARC and DCA

VIII. **Old Agenda Items**
06-10-01 Public Hearing – Consider Rezoning, LUR-13 to GR, Newgate Road
Continued to June 17, 2010, due to continuance by Planning Commission until June 14
06-10-05 Consider Approval of PCTA Lease Agreement
Revision to lease agreement includes use of space at Amphitheater Box Office Building for Visitors Center and use of funds from Council Contingency for facility modifications

IX. **New Agenda Items**
06-10-06 Consider Cancelling the July 1 Council Meeting
Consider cancelling meeting due to lack of agenda items
06-10-07 Consider Lake Peachtree Usage/Rental Fees
Consider use of Lake Peachtree for teambuilding events conducted by companies staying at either the Wyndham or Dolce conference centers, establishing parameters for use and a fee
06-10-08 Consider Decommissioning the Library Commission
Consider dissolving the Library Commission, assign its primary function of public access to the Recreation Commission and encourage seated Library Commission members to transfer their membership to the Friends of the Library
06-10-09 Consider LARP Agreement for Resurfacing
Consider contract with DOT to resurface 1.67 mile of Dividend Drive (Paschall Road to TDK) in FY 2011

X. **Council/Staff Topics**
Library Master Plan
Hot Topics Update

XI. **Executive Session**

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

City Council of Peachtree City
Budget Workshop
Minutes of Meeting
June 1, 2010
6:30 p.m.

The City Council of Peachtree City met in a workshop session on Tuesday, June 1, 2010, Council Members in attendance were: Mayor Don Haddix, Vanessa Fleisch, Eric Imker, Kim Learnard, and Doug Sturbaum.

The purpose of the workshop was to discuss the FY 2011 budget. Copies of all the presentations are included in the meeting file.

Haddix commented that everyone knew it was going to be a rough year for the budget, and no one wanted to take from the cash reserves, increase the millage rate, or cut services. The City was getting hit from all over the place, and somehow it had to be fixed.

City Manager Bernard McMullen and Financial Services Director Paul Salvatore gave an overview of the City Manager's proposed FY 2011 budget. Salvatore said the City had been dealing with the severe economic downturn for two years. The anticipated shortfall in FY 2009 had been $912,000, with an actual shortfall of $938,000. The anticipated revenue shortfall for FY 2010 was $621,000. Mid-year budget adjustments had been required both years in response to adverse projections.

Actions taken to alleviate the shortfalls included a net reduction in force from 259 full-time employees in FY 2008 to 231 currently. Employee contributions for health insurance were increased 100%. Employees were now charged for take-home vehicles. All benefits for part-time employees were discontinued indefinitely, and there were no merit or standard salary increases for all employees, including no increases for Council. Imker asked what the average cost of health insurance was for an employee, and the answer was approximately $600 for a family.

Salvatore continued that the 38 full-time positions that been eliminated in the last two fiscal years included an assistant city manager, 23 positions in the Public Works, six maintenance positions in Recreation, one full-time program coordinator at Kedron Fieldhouse, the planning director position, two building inspectors, the plans examiner, a staff assistant, and one Code Enforcement position. The part-time positions eliminated included three at Kedron and one in Administrative Services.

The full-time positions that had been added included one customer service representative in Administrative Services, two police positions, six firefighters [Staffing for Adequate Fire and Emergency Response (SAFER) grant], and one contract manager in Public Works. In addition, six full-time and four part-time positions would be frozen in the FY 2011 proposed budget. A total of 44 full-time positions and eight part-time positions had been cut or frozen.

Salvatore continued that the highlights of the proposed budget included a proposed 0.25 mill increase in the Maintenance and Operating (M&O) millage rate that would offset the revenue impact of the decline in the property values in the tax digest. It did not include funding for the 10 existing vacant positions that were currently frozen, nor did it include raises [Cost of Living Allowance (COLA), merit, additional promotions, or stipends] for existing personnel or Council. No new employees were proposed. Staff proposed using cash reserves to partially pay for Public Safety vehicles (one fire engine and eight patrol vehicles) due to the current lending conditions.

Additional highlights included the elimination of Council contingency and the Public Improvement Program (PIP) contingency at $50,000 each due to the excess in cash reserves over the 20%, a reduction of $25,000 in Legal contingency, elimination of Fourth of July expenses [$49,000 transfer from General Fund to Peachtree City Tourism Association (PCTA) budget], deferment of buildings and grounds maintenance, deferment of computer equipment replacement ($78,000), reduction in Library materials ($30,000), reduction in street supplies ($26,000), delaying capital expenditures, and providing for no increase in funding for the Development Authority of Peachtree City (DAPC).

Salvatore continued that the proposed General Fund budget totaled $26,756,190. If the Public Safety vehicles were financed instead of paying cash, the budget would total $26,047,127, essentially a 0% increase. If the equipment was purchased with cash ($881,000), the estimated use of cash reserves would be $764,000, avoiding $50,000 in closing costs, plus the interest expense on the loan. If the equipment was financed, approximately $55,000 would be used from cash reserves. Salvatore added that $1.3 million had been cut from the departmental budget requests.

The General Fund revenues totaled $25,991,849. A 0.25 mill increase in the M&O millage rate was proposed to offset the decline in the tax digest ($459,000). A 2% increase had been assumed for Local Option Sales Tax (LOST) revenues, which was currently approximately 3% more than projected. The proposed budget included a $100,000 increase for golf cart re-registration and a 30% decrease (-$44,000) in the County's recreation contribution (normally $150,000). Salvatore added that staff had been told the County planned to reduce the contribution to a flat $100,000. Overall, there was an estimated 4.12% increase in projected revenues over FY 2010 (2.3% with no millage increase).

McMullen gave an overview of the City Manager's cuts to the budget, noting the computer supplies had been cut back for the third year, and it would be the second year for the stop gap measure of upgrading the memory in existing equipment. McMullen said the PCTA budget currently included $26,000 for fireworks. There were four events that took place on July 4, the parade, the fireworks, the fire expo, and the concert. Staff was looking at a breakdown of the costs and working with PCTA Executive Director Nancy Price to see if there might be alternative funding available for at least the parade and fireworks. Imker said shifting the Fourth of July from the General Fund to the PCTA was the right move. McMullen said the proposed use of surplus reserves prior to the cuts he recommended had been $2,119,204, and the amount had been reduced to $765,341 after his cuts.

Sturbaum said much of the Microsoft Windows support would be terminated this year, and asked if that would be a problem for the City. Systems Administrator Matt Robinson said that some computers had older versions of Windows on them, but those computer systems would be upgraded. They did not expect an impact in FY 2011.

Imker told Assistant Fire Chief Joe O'Conor that Fire Chief Ed Eiswerth had really impressed upon him the need for a part-time administrative employee. O'Conor said the part-time employee would assist the Training and Fire Marshal offices, noting that that staff officers did the work now, but the process was very inefficient. They hoped the part-time employee would help gain efficiency. Imker asked which of the City Manager's cuts the Fire Department would want back, the three promotions from sergeant to lieutenant or the part-time administrative employee. O'Conor said the immediate need was staff support.

Haddix noted that sometimes not spending ended up costing the City more. He asked if there would be a savings or a net gain in cost if the part-time person was hired but three promotions were delayed. O'Conor said it was a leadership issue; someone needed to be in charge. The testing and education requirements were more stringent for a lieutenant. The intent of the promotion proposal was to have two lieutenants on each shift to assist the battalion commander. Haddix asked about the part-time staff assistant position. O'Conor said that position was about efficiency and whether it was better to use a battalion commander to enter data or lesson plans for a training program. They felt someone could be trained to enter the data in lieu of spending officers' time on that.

Fleisch asked about the reserve engine. McMullen said, if the fourth engine had not been put on line and the configuration had been maintained, he was sure there would have been a request for a rescue truck that had been in the budget for a few years and kept getting put off. A priority had been put on getting the reserve engine, and the rescue truck had moved to 2012. O'Conor said that when an engine went out for routine maintenance, its area of the City was not covered until the engine was up and running again. The reserve engine would be used for that time, and now the two closest engines from the closest stations helped with the coverage. The engines were big heavy trucks with special parts. McMullen said they still had some coverage prior to making the adjustment for improving the ISO rating. Now, when one of the engines was down, there was no reserve to use so the Department was now down to one front line engine. Haddix and Imker supported the need for a reserve engine. Imker said the value of savings on the fire insurance due to the change in the ISO rating should offset the cost of the engine.

Haddix asked if the sports associations were helping with any items that had been cut in Leisure Services' budget. Sturbaum, who served as president of the Little League, said the associations were helping as much as possible to offset some costs. Learnard asked when the bubble replacement for Kedron Fieldhouse was budgeted. McMullen said it was in the 2012 PIP. Imker referred to the HVAC replacement at Kedron that had been moved from FY 2011 to FY 2012. McMullen said there was a 3% increase in the FY 2012 budget model, and that should cover the replacement and maintenance for the items that had been pushed from FY 2011 to FY 2012.

Imker said the budget workshop process should include the previous fiscal year's approved budget, the department's requested budget, as well as the recommended budget. It was hard to imagine what the reduction was to understand what was left. The presentation needed three additional columns.

Salvatore went over the five-year model, noting that cash reserve would deplete rapidly over the next few years due to the cumulative effect of the expense increases. Currently at 37%, the proposed FY 2011 budget would reduce the cash reserve to 32%, but a 2.1 millage rate increase would be needed in 2014 to maintain the 20% cash reserve. Previous Councils had been shown the same issue before the economic downturn. The increase in service levels without a corresponding funding source would eventually catch up, and the existing problem had never been addressed long-term.

Imker said the five-year chart was the second most important chart, and he did not want to leave this budget period without a good solution to the five-year problem. An action plan was needed, and a Council decision was needed on a five-year plan. He said there should be a budget that was sustainable forever. Salvatore said the 3%, 4%, and 5% increases in the future budget years were not for anything specific. Imker said there could be $5 million swing in the next few years on the model, but there should at least be a plan. Salvatore said there would be a big hit in 2013 when the re-negotiation of the LOST with the 2010 Census numbers would occur. The rest of the County was growing, but the City was more built out, reducing its overall share of the tax. The LOST projections in the five-year model had gone down by $1 million to account for that. Imker said the five-year plan was based on what it would take just to maintain everything. McMullen said the future years were based on this year's budget, which included nothing but stopgaps for IT materials, and there was no money to do anything better in terms of Recreation. McMullen said the proposed 0.25 mill increase did not address everything that had been discussed. Imker said he understood. Sturbaum noted that the budget was a living, breathing document and adjustments were made all along. Haddix agreed, adding that the long-term financial picture had always been a concern. When spending increased, the cash reserve needed to be kept at 20%.

Salvatore said a decrease in service was proposed due to the freeze on the 10 vacant positions. He said that, within his department, the accounting manager position was frozen, and that was an important position to the City and in meeting the Governmental Accounting Standards Board (GASB) requirements. It had also been recommended by the auditors.

Learnard asked if anyone found a 2.15 mill increase in 2014 acceptable. The consensus was no. Sturbaum said the proposed increase was just to break even, which was unacceptable. Haddix said the simple reality was that either services had to be cut, or there would be a big millage increase. Learnard added that putting off maintenance and upgrades would also be a big problem at some point. Sturbaum added that an additional $5 million was needed for stormwater repairs to some streets. Fleisch said property assessments could also drop next year. Learnard clarified that a 0.25 mill increase only offset the decrease in the ad valorem tax. Haddix said there were a lot of factors, and the City had no control over many of them. Sturbaum said they had to mitigate. People lived in the City for what was provided. No one wanted taxes to go up or the quality of life to go down. It was hard to find the harmonic balance due to the dynamics of the economy. He added the City was required to provide some of the services.

There was a break from 8:02 p.m. to 8:14 p.m.

McMullen briefly went over Imker's suggestions from the 2010 Retreat. Imker had recommended furlough days, saving $46,000 per day. McMullen suggested using unpaid holidays as furlough days, adding that furloughs were not a long-term solution. Imker said if done on a holiday, there would be no loss of service. He understood it was not long-term. He did not want to shy away from any option to cut costs.

McMullen continued with Imker's list, which included department budget reductions (budget reduced by $1,657,612), a reduction in force (budget savings for unfunded positions - $358,883), department contingencies (reduced by $80,000), hotel/motel tax increase (evaluate in fall of 2010), Recreation Department revenue($659,476 estimated in 2011 and $3,039,225 in expenses-21.7% revenue vs. expenses), increasing investment income(1.38% interest rate, annual return on CDs was $72,375, early payment of pension contribution saved $50,000), eliminating 401K retirement contribution (savings would be $170,000), an energy billing audit (RFPs received, award pending, total for FY 2010 for electricity and natural gas, excluding street lights, was $440,000), downgrading positions in line with job responsibilities (job descriptions changed as duties modified), and implementing an across-the-board 1% reduction in City salaries ($133,000).

Imker explained that the audit of energy billings was to look for any errors in the billing. Cities that had audited the billing had recouped 10%-15% of the costs.

Imker said downgrading positions would save money in the long-term since less money would be required for raises. Salvatore said that the last time the City had external salary study done was 10 years ago, and it cost the City approximately $700,000 to implement and bring the pay scale up to the market. Fire Captain Ron Mundy said the Council at that time wanted to have a pay study done every two years to keep from being in that position again. McMullen clarified that an internal salary survey was done every few years. A pay and classification study was much broader with a complete analysis and pay study. Imker said the purpose of the list was to generate thought. He had had another 30 items with no dollar amounts, just ideas. Haddix said Council was not against anything on the list. Some things had been done, and others were in the process. He was willing to look at anything to save money.

Mundy said the purpose of the 2000 classification and pay study was to remain competitive in trying to attract long-term career-minded employees. The City was losing sight of that. He said the City employees would not get merit or Cost of Living Allowance (COLA) for the second year, and there had been a 100% increase in the cost of insurance benefits. Those items totaled 13.8% of the salary of the lowest paid firefighter. The employees wanted to provide the citizens with the level of service they were accustomed to, and he asked Council to let the citizens decide the level of service they wanted.

Imker said there were hard decisions to make, and his presentation was another perspective on the City Manager's budget proposal. He discussed the five-year summary chart, which showed a potential $13,611,098 shortfall by FY 2015. He asked that the true problem be discussed and for the chart to show the true problem and amount of the shortage. Salvatore said he had never tried to hide the future shortfalls, which had developed over the years due to the service level increases with no corresponding funding. Staff had always shown the millage increases required. Smaller increases over the years would have helped because more money was going sooner. The cash reserves should be used for one-time items rather than funding the cost of employees. Imker said, for instance, raising the millage rate just one mill would raise $10 million over the next five years. The overall tax rate would go down about the same amount because the fair market value of homes had gone done. Imker said his position was that once that tax increase started it would never be reduced. Haddix asked what that increase would do to the City's ability to attract potential employees. Imker said there were many considerations to make, and he was trying to look at both sides.

Imker referred to the bonds, noting that the most expensive payment was for the Library expansion bond at $400,000 annually until 2019. Council did not increase the millage rate when the Library bond was approved in 2004, and the money was coming out of the General Fund. He said he did not understand why that Council had not increased the millage at that time, since it would have been acceptable due to the voter referendum.

Imker looked at the General Fund revenues, looking at projected surpluses and shortfalls that were $10,000. He noted the projected decrease of $49,123 in the Occupational Tax. Administrative Services Director Nikki Vrana said that 350 businesses had closed this fiscal year, and 328 had just been turned over to Code Enforcement due to non-payment this year. The Occupational Tax was based on the number of employees, and Panasonic had a big lay-off, and other businesses had fewer employees as well. Imker asked why nothing was projected for land disturbance fees. Interim Community Development Director/City Planner David Rast said there was no development. Imker said it was good to budget worst-case. Imker referred to the $200,000 difference between the $706,421 projected for Recreation program fees and the actual $503,984 that was projected. Leisure Services Director Randy Gaddo pointed out that the budget had been based on the proposed increase in fees that Council only partially adopted. Imker said that was a significant dollar value. He noted that the higher fees were enacted this year, so he expected the projected amount to be higher for FY 2011. Salvatore said they wanted to see how the participation worked out since the higher fees could drive people away. Imker said that was a conservative approach, so there could be a more favorable number. Imker said the message was that conservative revenue numbers were used, and he liked that approach.

Imker looked at the General Fund expenditures, noting that the FY 2011 budget was higher than last year. There were increases in the overall department budgets, except Recreation. McMullen explained almost $400,000 of the increase, including the fact that retirement costs had gone up $106,000, which was tied to the additional Public Safety employees added a year ago. The cost of health insurance had increased $286,000. Those two items plus the money for the Public Safety vehicles totaled approximately $1.1 million.

Imker referred to the projected budget increases in the five-year model, 4% in FY 2011, 4% in 2012, 5% in FY 2013, and 5% in FY 2014. Those increases would pay for the unknowns, but also included salary increases and operating budget increases. Imker said the SPLOST money ran out in 2012. After that, there should be an additional $1.5 million added to the budget each year for resurfacing, so he added another $4.5 million hit to the budget, the actual amount the City would be short in FY 2015 would be $18.1 million. Imker said they needed the full picture of what would happen, and the Public Services line item needed to be changed. He suggested 2% department increases each year, which accounted for $4.7 million in savings. Imker said that, when the fees for the Water and Sewerage Authority (WASA) and the Stormwater Utility were included, residents actually paid about eight mills. The City got a great deal for 5.33 mills.

Imker said it was easy to justify a 0.25 mill tax increase. He could justify a one mill increase by telling residents that the increase would be offset by the decrease in the fair market value, but he was not looking at that option. McMullen said the amount the tax digest decreased justified the 0.25 mill increase. Imker said the entire tax bill, including County and Board of Education taxes, could easily go over $100 in savings, and McMullen said as long as the County did not raise its millage rate.

Imker asked that everyone who had e-mailed Council regarding high grass also e-mail Public Services to tell them where the problems were so they could be corrected.

Imker continued that the City had an $18 million problem over the next five years, and he could propose $1 million in cuts this year, which would take a lot more from the employees, including reducing the headcount. He said every business in the country was making the same kind of decisions – cutting pay or firing people. The City's had the alternative of raising taxes. He said he would do a 0.75 mill increase that would generate $1.5 to $2 million per year for the next five years, cutting $10 million of the $18 million problem. Saving $1 million in FY 2011 without a tax increase would save approximately $5 million over the next five years. The $18 million could not be solved in one year. There were many variables. He just wanted to solve half of it.

Learnard asked what the options would be. She asked Imker to put a list together to see what would happen to the $18 million problem. Imker said his option would include pay cuts, furlough days, eliminating the 401K contribution, and a couple of employees. The head count should be discussed in executive session. Learnard said she would like to look at all the options such as furlough days with no reduction in benefits and a 0.75 mill increase. Imker said his position was no tax increase.

Haddix said that a private business could also cut product and production lines, reducing the overall business, but it was difficult to reduce services in a City. Imker said there was the partial list McMullen put together. Learnard said she would like to see the impact on the real problem, and she agreed about putting in the money needed to cover what had been paid for with SPLOST funds after 2012. She wanted to look at the real problem and all the possible combinations of options.

Haddix said there had to be a comprehensive list of cuts that included all segments. It would have to include service cuts.

Learnard asked what residents would get for a tax increase, such as more mowing. Fleisch said $20,000 would get one more round of landscaping throughout the City and three additional rounds on the secondary roads, per her conversation with Interim Public Services Director Scott Hicks. She said she appreciated the work Imker had done. The City had been dealt a bad hand, and Imker's ideas would have helped immensely a few years ago, but they had hit rock bottom. She said the intangibles helped make the City what it was, and the bulk of them were in Public Services. Taking away things such as the July 4th fireworks took away from the fabric of the City. The City was 50 years old, and what sold the City was community, and they were starting to chip away at that.

Sturbaum said the City offered many amenities other cities did not offer, including fire and police where many municipalities relied on the County. The City could turn over things to the County, but that did not benefit the City. Haddix said he had been in the City 23 years and had seen when the service personnel did not count and what it took to get the staffing up. He did not want to go back to that. Imker pointed out that the Board of Education had given a 4% salary cut and three furlough days. The decisions were tough.

O'Conor questioned how long it would be before Fayette County had just another school system, not the jewel it that it was. The City had a dedicated and motivated workforce. At some point when there were no COLAs or merit raises, there would be an intangible cost. There had been a wonderful commitment from the employees to the citizens and from Council to the employees over the years, and he would hate to see that go away.

Sturbaum said, if the fire engine and police vehicles ($881,000) were backed out just for FY 2011, that would decrease the amount taken out of the cash reserves to $117,000. Increasing the millage rate by 0.25 mills would reduce the shortfall to $336,000, the equivalent to 0.1785 mills or another 1.3% in cuts. That would solve the problem for this year, but the vehicles would have to be replaced eventually. He was concerned about putting cuts on the backs of the employees. He said they needed to look at long-term options and make some tough decisions.

Imker said he knew the majority of Council did not support pay cuts. He was not sure about any of the other options. Sturbaum said he might support volunteer furlough days and would like to discuss it. Employees at Panasonic had considered it. Imker said that was a viable option he would have taken advantage of; Council could see how it was working after three months.

Haddix asked for input on putting off the Public Safety vehicle purchases. Police Chief H.C. "Skip" Clark said they could be put off, but the City would pay for it later. The cars reached their usable lifetimes at about 100,000 miles. The entire replacement cycle would be thrown off, and there would be a domino effect. McMullen said they would have to shift everything one year. The average annual mileage for police cars was 13,500. Most of the cars had more than 100,000 on them when they were replaced, so another 13,000 miles would be added.

O'Conor said the City currently had a 12-year old fire engine in service, and 10-12 years on the front line was expected, with another three to five years in reserve status. It took about one year to order a fire truck. Haddix asked O'Conor if it was smart to delay the purchase for another year. O'Conor said they were working without a net. Clark said the cars were 10 years old before they were replaced, and then they were assigned elsewhere in the City. They could do push the replacement out, but everything had a consequence. McMullen said the City re-used furniture and uniforms. The staff was dedicated and frugal and looked for ways to save money.

Imker asked that five-year models include the money for paving after the SPLOST ran out and for the projected increases in the five-year models to be lower. Haddix asked Imker if he wanted to keep the service levels where they were, increase them, or decrease them. Imker said he wanted them to remain as they were. Sturbaum asked staff to cut 5% more from the proposed budget and discuss how it would affect service levels. He also asked staff to prepare models with 0.25, 0.5, and 0.75 mill increases. Imker said the five-year models needed to show that too. Haddix asked again if anyone wanted to cut service levels. Fleisch, Sturbaum, and Learnard said they did not want to go below the current level. Haddix said that was the fundamental question. Imker said the City had to stop comparing itself to other cities. All cities were having problems and looking the worse for wear, and so was the City.

Robert Aber, a City firefighter, said there had been discussion on what could be taken from employees, but they had not seen how those cuts would affect individuals, and asked Council if they would accept that from their pay. Imker said that was not relevant. Salvatore said it had been frustrating over the years to have the service levels increased without increasing the millage rate, which was a great part of the cause for where the City was at now.

Randy Boyett said small businesses were living with what they had. He was not against a tax increase, but he had not heard anything to convince him to support it. He asked that the truth be told, and if there were no other option, he would support raising taxes. He asked if there was anything in between raising taxes or taking away services that could be done, or any innovation. He suggested citizens working with each department to look for solutions. The teacher that took a pay cut would have to pay more taxes.

Tom Langley said his valuation did not go down. Imker said the re-assessments varied. The deadline for an appeal of the re-assessment was June 15. Langley said if his assessment went down and the tax went up, he could end up paying more taxes.

There being no further business to discuss, the meeting adjourned at 10:45 p.m.

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor

City Council of Peachtree City
Meeting Minutes
June 3, 2010
7:00 p.m.

The City Council of Peachtree City met Thursday, June 3, 2010, in the City Hall Council Chambers. Mayor Don Haddix called the meeting to order at 7:02 p.m. Council Members present: Vanessa Fleisch, Erik Imker, Kim Learnard, and Doug Sturbaum.

Announcements, Awards, Special Recognition

Mayor Haddix recognized Financial Services Director Paul Salvatore for 10 years of service and Mechanic Jesse Brooks for 15 years of service.

Haddix announced that the owner of the Peachtree Crossing Shopping Center had indicated that the Fresh Market had indicated their intent to locate in part of the vacant "baby Kroger" space.

Public Comment

There was none.

Agenda Changes

There were none.

Minutes

April 26, 2010, Workshop Minutes
May 20, 2010, Regular Meeting Minutes

Learnard moved to approve the minutes of the April 26, 2010, workshop and the May 20, 2010, regular meeting. Fleisch seconded. Motion carried unanimously.

Consent Agenda

1. **Consider Amendments to Alcoholic Beverage Ordinance**
2. **Consider Alcohol License – NEW – China House, 1200 Highway 74 South, Ste 16**
3. **Consider Approval of Amendment for Hotel/Motel Tax Appropriation Agreement**
4. **Consider Appointments to PCTA – Sherri Smith Brown, Bill Rial, Becky She (alternate)**

Sturbaum moved to approve the Consent Agenda as presented. Learnard seconded. Motion carried 4-1 (Imker).

Old Agenda Items

There were none.

New Agenda Items

06-10-01 Public Hearing – consider rezoning, LUR-13 to GR, Newgate Road

Sturbaum moved to continue this item to the June 17, 2010, agenda to allow the Planning Commission to continue consideration of the request. Fleisch seconded. Motion carried unanimously.

06-10-02 Public hearing – Consider Variance to Sign Ordinance, NCR
Sturbaum moved to continue the item to a meeting no later than September 2, 2010, at the request of the applicant. Fleisch seconded. Motion carried unanimously.

06-10-03 Consider Partial Exemption from Impact Fees, SANY
Sturbaum welcomed SANY and moved to approve the proposed exemption from their impact fees (calculated at 75% by staff), based on two conditions: that SANY obtain their building permit by December 31, 2010, and that SANY obtain their Certificate of Occupancy by December 31, 2011, and that Council would entertain requests for extensions to the deadlines if the delays were due to factors other than the inaction of SANY. Learnard seconded. Motion carried unanimously.

06-10-04 Consider Resolution in Opposition to the Public Safety Employer-Employee Cooperation Act of 2009
City Manager Bernard McMullen explained that, the previous week, staff had learned that a proposed amendment to HR 4899 would require collective bargaining with public safety employees. The majority of agencies representing governments (including the International City/County Management Association, the National Association of Counties, National League of Cities, and the National Sheriff's Association) opposed the amendment, and the resolution would be forwarded to the U.S. Senators and Representative, along with the local delegation and other government agencies in Fayette County expressing opposition to this requirement.

Sturbaum moved to adopt the resolution. Fleisch seconded. Motion carried unanimously.

06-10-05 Consider Approval of PCTA Lease Agreement
McMullen said the City had an existing agreement with the Peachtree City Tourism Association (PCTA) for the operation of the Visitors Center at the Tennis Center. This lease would reflect the relocation of the Visitors Center to one of two spaces in the building with the Amphitheater box office on McIntosh Trail.

McMullen reviewed the existing design of the main floor of the facility, with the box office, a conference room, and some additional counter space on the left, and a large space on the right that was currently functioning as an annex of The Gathering Place. McMullen said he had asked staff to look at the pros and cons of using both spaces for the Visitors Center.

Plan A remodeled the existing box office space. This would allow for continued use of the Gathering Place annex and would provide increased rental revenue potential for the Gathering Place, allow the continued use of the annex space for adult programming, minimize wear and tear on card tables in the annex, and provide greater staff utilization for coverage of the Visitors Center with coverage by Amphitheater staff. The negatives included the perception (branding) of the existing space as the box office, the existing PCTA furniture did not fit in the space available, there were potential security problems for the box office, the existing space offered no room for growth or future displays or maps, the upstairs office space was accessed through the space, and the noise level of a Visitors Center could potentially intrude on the box office working environment (especially the proposed area for the children of visitors). The cost of Plan

A, converting the existing space for dual use, was roughly estimated at between $10,000 and $20,000.

Plan B consisted of converting the annex space for the Visitors Center. McMullen said this option would provide greater rental revenue from the PCTA versus using the existing space, would be easily accessible and clearly marked with Visitors Center signage, provided more space for the tourism furniture, more visibility for displays and potential for maps and future interactive displays, space for the PCTA board meetings, and could potentially provide shared space with the Development Authority of Peachtree City (DAPC) if needed. The negatives for this proposal included the displacement of the groups currently using the annex. The estimated cost to modify the larger space was be between $20,000 and $30,000 to add a reception counter, seating area, office, children's play area, and an area for displays in the currently open room.

Leisure Services Director Randy Gaddo then reviewed the calendar of activities scheduled for the annex space in June, noting that the facility was primarily used by bridge groups, but there were also yoga classes, Music Alive practices, and other events scheduled daily, Mondays through Thursdays that month. Gaddo said the Gathering Place did not have adequate space to accommodate these users at the scheduled times. One group was using the annex because they normally met at the Glenloch Recreation Center but had already been displaced during the summer for Camp McIntosh.

Jim Shirm addressed Council and said he was the English as a Second Language instructor for the class that used the lower level space, noting that they were looking for additional space but had some options in Fayetteville. He said he also represented the bridge group that used the annex, and the space had been of great benefit because tables could be left up during the week. At one point the group had used both the main floor and the lower floor, but the stairs had been too challenging for the age group playing. Shirm said the bridge group was very concerned about losing a space to play. They understood the need to generate revenue, but asked the City to look very hard at finding a place for them if the annex was to be converted to a Visitors Center.

Bob Hudson asked what credible marketing or business studies had been done to show that the renovation costs would be offset by revenue from the Visitors Center. He asked what accommodation the City would provide for the displaced groups.

Imker asked what impact using the existing space would have on the annex users. McMullen said there would be no impact. Imker asked when the move was to be completed. Tourism Director Nancy Price said Canongate, which managed the Tennis Center, had already taken possession of the old space, and the furniture was currently being stored in the Recreation Department basement.

Haddix asked Price if Option A provided enough space. Price said she did not have exact measurements of the current space versus the space used at the center, and McMullen said total square footage was similar, but the configuration was very different. Price said Plan A was adequate for the moment, but did not allow for any growth.

Fleisch asked if the long-term goal would be to move into the larger space once other accommodations could be found for the other groups. Price said she hated to see the investment put into remodeling the smaller area, only to incur costs in a couple of years for the expansion.

Haddix said the City did not want to completely eliminate space for the groups using the annex, but asked if they had looked City-wide for alternatives. Gathering Place Coordinator Janet Werner said the calendar Gaddo had shown had just been for June, and there were other meetings and events scheduled for the space in the coming months. The annex left the larger space at The Gathering Place available for rentals, since the City was making a greater effort to produce some revenue to offset the costs of recreation. Learnard asked how long the City had been using the annex, and Werner said three years.

Haddix asked what location would be acceptable to the bridge group, specifically mentioning the Kedron Fieldhouse. Werner said that move might necessitate a change in times for the groups. The bridge groups used space in four-hour increments. Gaddo added that Kedron was a much more active, youth-oriented facility, and he thought the environment would be disruptive to the bridge players. He indicated that City staff had looked at both Glenloch and Kedron.

Haddix asked if they had looked at the First Baptist Church's The Bridge Community Center, and Gaddo said that had been looked at in the past but there was no space for storage. Imker asked about the Shakerag Gazebo and whether that would work for either a Visitors' Center or the bridge groups if another space could be found for Southern Conservation Trust. Gaddo did not think so because there were no restrooms and no running water at the location.

Imker said that, given enough time, this problem could be solved. He also thought the renovation could be done for less than $10,000 for the current space to buy time to solve the larger location issues.

Shirm thanked Imker and said that, as the community aged, he felt the bridge program would expand. He said the large room at The Gathering Place was ideal, and they were actually constrained by the current annex space. Price noted that there were some other issues with the current annex space that made it less than ideal for the group, and added that the Amphitheater currently covered utility costs for the entire main level.

Fleisch suggested looking at forgoing the weekend revenue at The Gathering Place to accommodate the groups. Gaddo said that would take a great deal of shuffling because the entire facility was provided during rentals.

Sturbaum asked Development Authority of Peachtree City (DAPC) Chairman Mark Hollums if he was aware of any properties in the City that might be adequate for the groups currently using the annex. Hollums said he would research the matter. Hollums asked if the group had approached any of the local churches, and Shirm said yes, but the challenge continued to be the lack of storage space for their tables.

Imker asked staff to provide an estimate for doubling the size of the large room at the Gathering Place, in line with what had been proposed for the bond referendum a few years previously. He felt it could be done for under $100,000, although that would not be feasible in the short term. McMullen said the reallocation of the 2009 Bricks and Mortar included the reconfiguration of the downstairs at City Hall to include a community room. McMullen said he had not seen the drawings, but that space might work for some of these uses.

Imker said he was still in favor of pursuing Option A now, with the goal of expanding into the annex space later. Sturbaum asked PCTA Chairman Kai Wolter if it was critical for Council to make a decision that night, or if a decision in two weeks would work. Wolter felt two weeks would not be a problem. Haddix said he would like the time to find some way to make everyone happy.

Imker clarified that, if no viable alternative could be found in the next two weeks for those using the annex, then the City would choose Option A for the interim. Council seemed to be in general agreement with this statement.

Sturbaum moved to continue the item until June 17 to give staff time to provide additional information on alternatives. Fleisch seconded. Motion carried unanimously.

<u>Council/Staff Topics</u>

Hot Topics Update

McMullen reported that the Paschall Road tunnel was underway, with excavation work on the west side of Highway 74 visible from the roadway. Imker asked about a citizen email Council had received that afternoon. McMullen explained that there was a request from a property owner about using some of the dirt at the construction site for leveling on his lot. McMullen said he had forwarded the request to the City Engineer for clarification on use for private property, and added that the resident would have to have an approved drainage and grading plan. The City Engineer would contact both the resident and the contractor about the request.

Staff was still planning to bring back the Telecommunications Tower ordinance amendments and application process at the July 15 meeting.

The Georgia Department of Transportation's realignment of Rockaway Road was progressing, and McMullen indicated they were looking at the realignment being completed in mid-September.

The engineering proposal had been received for the design of the MacDuff Parkway tunnel. Staff would be meeting with the Camden Apartments people about an easement for the path connection and bringing the design contract to Council in a few weeks.

Sturbaum moved to enter executive session to discuss a personnel matter at 7:59 p.m. Learnard seconded. Motion carried unanimously.

Sturbaum moved to reconvene into regular session at 8:27 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, Sturbaum moved to adjourn the meeting. Learnard seconded. The motion carried unanimously. The meeting adjourned at 8:27 p.m.

Betsy Tyler, City Clerk

Don Haddix, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**

FROM: **Deputy City Clerk**

DATE: **June 2, 2010**

SUBJECT: **Alcohol License – NEW – Borgo Italia**
June 17, 2010, Regular Meeting

Recommendation:
Staff recommends Council consider the attached application for a new alcohol license.

Discussion:
Borgo Italia, 2771 2882 West Highway 54, has submitted a request for a new alcohol license. Mr. Scotty Wen has requested he be appointed as the Licensee and License Representative. He will attend the meeting on Thursday, June 17, to answer any questions you may have.

Budgetary Impact:
The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for the sale of beer and wine, which is $1,350, and, if they choose to serve on Sunday, they will pay an additional $500 annually.

Attachments

CARGT INVESTMENTS LLC
DBA BORGO ITALIA

To whom it may concern

I Raimondo De Angelis as the sole managing partner of CARGT INVESTMENTS LLC D.B.A. Borgo Italia, located at 2882 west highway 54, Peachtree City Georgia, here by appoint Mr. Scotty Wen as the General Manager of the above market place.

Regards

Raimondo De Angelis

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: BORGO ITALIA	**Business Location:** PEACHTREE CITY	
Nature of Business: DELI AND GROCERY	**Mailing Address:** 2882 HWY 54 WEST	**Business Phone Number:** (770)629-2300
Name of Licensee: SCOTTY WEN	**Home Address:** 12411 RIVIERA DR, FAYETTEVILLE 30215	**Home Phone Number:** N/A
Name of License Representative: SCOTTY WEN	**Home Address:** SAME AS ABOVE	**Home Phone Number:** (404) 358-2990

Please indicate type of licenses applying for:

	Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer
✓	Malt Beverage		Malt Beverage		Malt Beverage
✓	Wine		Wine		Wine
	Distilled Spirits		Distilled Spirits		Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	ADDRESS Please provide Home Addresses for the individuals listed:	PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:
CARGT INVESTMENTS LLC		(770)629-2300
DE ANGELIS, RAIMONDO	6207 MERRICK DRIVE	
	PEACHTREE CITY, GA 30269	770 314 3283

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES / NO

If YES, Please Provide Name of Employee: ______________________

PEACHTREE CITY
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CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

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:

Scotty Dz Lung Wen

12411 Rivera Dr.
Fayetteville, GA 30215

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, 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

5/28/10
Date

Major R.M. DePree
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**

FROM: **Deputy City Clerk**

DATE: **June 3, 2010**

SUBJECT: **Alcohol License – NEW – Tuscany Wine Distributors of Georgia**
June 17, 2010, Regular Meeting

Recommendation:
Staff recommends Council consider the attached application for a new alcohol license.

Discussion:
Tuscany Wine Distributors of Georgia, 1000 Cooper Circle, #102, has submitted a request for a new alcohol license as a wholesale dealer for malt beverage and wine. Ms. Danielle Goldberg has requested she be appointed as the Licensee and License Representative. She will attend the meeting on Thursday, June 17, to answer any questions you may have.

Budgetary Impact:
The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for a wholesale dealer of beer and wine, which is based on the occupational tax, and will also be required to pay an alcohol excise tax on anything sold to businesses located in the City.

Attachments

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: TUSCANY WINE DISTRIBUTORS OF GEORGIA INC.	**Business Location:** 1000 COOPER CIRCLE, # 102 PTC, GA 30269	
Nature of Business: WINE AND BEER DISTRIBUTOR	**Mailing Address:** 1000 COOPER CIRCLE, # 102 PTC, GA 30269	**Business Phone Number:** 770-631-9995 TEMP
Name of Licensee: Danielle M Goldberg	**Home Address:** 113 Paddock Trail PTC GA 30269	**Home Phone Number:** 954) 775 5516
Name of License Representative: Danielle M Goldberg	**Home Address:** 113 Paddock Trail PTC GA 30269	**Home Phone Number:** 954) 775-5516

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
	Malt Beverage		Malt Beverage	X	Malt Beverage
	Wine		Wine	X	Wine
	Distilled Spirits		Distilled Spirits		Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	**ADDRESS** Please provide Home Addresses for the individuals listed:	**PHONE NUMBERS** Please provide Home and Business Phone Numbers for individuals listed:
Danielle M. Goldberg	113 Paddock Trail PTC. GA 30269	954) 775 5516
Douglas Hechler	1500 NE 6th CT #5 Victoria Park Wilton Manors FL 33334	954) 547-1254
Eric S Goldberg	113 Paddock Trail PTC GA 33269	954) 802-3072

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES NO

If YES, Please Provide Name of Employee: ______

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

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:

Danielle M. Goldberg

113 Paddock Trail
Peachtree City, GA 30269

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, 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.

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

6/2/10
Date

Major RM DuBois
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**

FROM: **Community Development Director** David

DATE: **June 9, 2010**

SUBJECT: **Adoption of 2010 Annual Update to Comprehensive Plan**
June 17, 2010 City Council Agenda

Recommendation:
Staff recommends that Council approve the attached Adoption Resolution and authorize Staff to forward this document to the Atlanta Regional Commission (ARC) and the Georgia Department of Community Affairs (DCA).

Discussion:
Both the ARC and DCA have completed their review of the city's 2010 Annual Update to the Comprehensive Plan. Submittal of these documents assures ARC and DCA that local governments are in compliance with their adopted Comprehensive Plans and allows us to maintain our status as a Qualified Local Government (QLG). These documents must be officially adopted by City Council in order to complete this step in updating our Comprehensive Plan.

A copy of the 2010 Annual Update is available on the Planning Department page on the city's website at www.peachtree-city.org/plan.

Budget Impact:
There is no budget impact associated with the adoption of this document.

Attachment

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY ADOPTING THE 2010 ANNUAL UPDATE TO THE PEACHTREE CITY COMPREHENSIVE PLAN.

WHEREAS, the City of Peachtree City has completed the 2010 Annual Update to the city's Comprehensive Plan in accordance with the revised Local Planning Standards as adopted by the Georgia Department of Community Affairs (DCA); and

WHEREAS, the City of Peachtree City has prepared an updated Short Term Work Program (STWP) and Capital Improvements Element (CIE) in accordance with the Development Impact Fee Compliance Requirements Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989; and

WHEREAS, the City of Peachtree City has prepared an Annual Impact Fee Financial Report in accordance with the Development Impact Fee Compliance Requirements Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989.

BE IT THEREFORE RESOLVED, the Mayor and Council of the City of Peachtree City do hereby adopt the 2010 Annual Update to the Peachtree City Comprehensive Plan in accordance with the requirements of the Georgia Planning Act of 1989.

SO RESOLVED, this _____ day of _____________, 2010.

____
Don Haddix, Mayor

____

____

____

____

Attest: _____________________________
City Clerk

Sonny Perdue
Governor

Georgia™
Department of
Community Affairs

Mike Beatty
Commissioner

April 8, 2010

Mr. Charles Krautler
Executive Director
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, Georgia 30303

Dear Mr. Krautler:

Our staff has reviewed the Annual Update of the Capital Improvement Element (CIE Update) for the City of Peachtree City and finds that it adequately addresses applicable requirements.

The next step is for the local government to adopt the CIE Annual Update. Based upon the date that your staff certified the submittal as complete, the earliest acceptable adoption date is May 16, 2010. As soon as your office provides written notice that the CIE Update has been adopted and provides DCA with a digital copy of the final adopted version of this document, we will notify the City of Peachtree City that its Qualified Local Government status has been extended.

Sincerely,

James R. Frederick, Director
Office of Planning and Quality Growth

JF/nah
cc: Dan Reuter, Atlanta Regional Commission Land Use Division Director
Jared Lombard, Atlanta Regional Commission Planner

ATLANTA REGIONAL COMMISSION

PLANNING • LEADERSHIP • RESULTS

April 8, 2010

The Honorable Don Haddix, Mayor
City of Peachtree City
151 Willow Bend Road
Peachtree City, Georgia 30269

RE: Peachtree City CIE & STWP Update

Dear Mayor Haddix:

We are pleased to inform you that the Georgia Department of Community Affairs (DCA) has determined that the Short Term Work Program (STWP) and Capital Improvement Element (CIE) update for the City of Peachtree City are in compliance with the Development Impact Fee Act and the Minimum Standards and Procedures for Local Comprehensive Planning.

I commend you and Peachtree City for your commitment to the comprehensive planning process. Please contact Jared Lombard at 404-463-3302 if you have any questions or if we can provide further assistance.

Sincerely,

Charles Krautler

Charles Krautler
Director

Enclosure

C: David Rast, City of Peachtree City

POSITION PAPER

Proposed Rezoning: Newgate Road tract (5.62 acres)
NorSouth Companies of Georgia, LLC

Community Development Director David
June 9, 2010

Situation:

Peachtree City Holdings, L.L.C. owns a 5.62-acre tract of land on Newgate Road. The property is currently undeveloped and was rezoned from GC General Commercial to LUR-13 Limited Use Residential District No. 13 on March 1, 2007, specifically for the development of a 21-unit townhome development and associated parking. In conjunction with the change in zoning, the land use designation was changed from COM commercial to MF multi-family. To date, there has been no development on the property.

NorSouth Companies of Georgia LLC has the property under contract and desires to rezone the property to develop a 100-unit age-restricted apartment complex for senior adults. The property is currently zoned to allow townhomes, which is included in the definition of multi-family within the city's zoning ordinance. The city's moratorium on multi-family housing states the moratorium shall not apply to property already zoned for use as multi-family. As the property is already zoned for multi-family, the moratorium does not apply to this tract of land.

Because the property is not currently zoned for the development as proposed, the Applicant is requesting that it be rezoned to an appropriate classification. A copy of the application is included as Attachment "A".

Facts:

1. The overall tract is 5.62 acres and is zoned LUR-13 Limited Use Residential District No. 13.

2. The property is designated as MF multi-family on the city's land use map.

3. The majority of the site was pre-cleared and pre-graded in 1999. Mature vegetation covers a portion of the site, while the majority of the site has reforested with a dense cover of second-growth pine trees and understory vegetation.

4. Apartments are not a permitted use within the LUR Limited Use Residential zoning district.

5. The Applicant is requesting that the property be rezoned to GR General Residential to accommodate an age-restricted apartment complex for senior adults. A total of 100 one- and two-bedroom units would be located on the 5.62-acre tract creating a density of 17.79 units per acre which would create a zoning designation of GR-18.

6. At their meeting on November 2, 2006, City Council lifted the moratorium on multi-family housing for this tract and authorized Staff and the Planning Commission to work with the former developer.

7. The property was rezoned from GC General Commercial to LUR-13 Limited Use Residential District No. 13 on March 1, 2007, to accommodate the development of 21 townhome units.

8. The property is currently zoned to allow townhomes, which is included in the city's definition of multi-family. The city's moratorium on multi-family housing states the moratorium shall not apply to property already zoned for use as multi-family. As the property is already zoned for use as multi-family, the moratorium does not apply to this tract of land.

9. A city-owned greenbelt (zoned OS Open Space) along the northern and eastern property boundary separates this tract from the Kedron Village retail center. The greenbelt consists of a wide natural area and contains a creek, wetlands, floodplain and associated buffers. The retail center tract is zoned GC General Commercial and is designated as COM Commercial on the Land Use Plan.

10. The property abuts the Holiday Inn Suites tract to the south, which is zoned GC General Commercial and is designated as COM Commercial on the city's land use plan.

11. A 50'-wide tree save and landscape buffer along the entire western property boundary separates the property from SR 74. A city-owned greenbelt (zoned OS Open Space) separates the southern boundary from an existing car wash facility on a portion of the southern property boundary.

12. The schematic site plan identifies the proposed layout of the building, associated parking and amenity areas. It should be noted the site plan itself is not being reviewed at this time, as the development would follow the city's site plan review process should the rezoning be approved.

13. All of the on-site amenities would be owned and maintained by the property owner.

14. The Applicant has indicated that a portion of the funding for the proposed development would come through the Georgia Department of Community Affairs (DCA) Housing Tax Credit Program, which allocates federal and state tax credits to owners of qualified rental properties who reserve all or a portion of their units for occupancy for tenants of low to moderate income.

15. The Applicant has indicated this development would not be classified as subsidized housing, section 8 housing or affordable housing. Rather, the development would target moderate income seniors earning up to $30,100 for a one-bedroom unit and up to $34,400

for a two-bedroom unit. Approximately 20% of the overall units would be set aside as market rate for residents with no maximum income levels.

16. At a Special Called meeting on May 24, the Planning Commission voted to continue discussion of this item until their June 14 meeting at which time they requested that Staff provide language that could be included within a Development Agreement should they forward this item to City Council with a recommendation that it be approved. Staff will forward the recommendation of the Planning Commission and an excerpt from the June 14 meeting minutes to City Council following that meeting.

Possible decisions:

1. Recommend that the property be rezoned as proposed.
2. Recommend that the property be rezoned subject to 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.

Conformance with adopted plans:

The following is an analysis as to whether or not the proposed development is consistent with the recommendations of the 1985 Land Use Plan, the village concept adopted as a part of the 1990 Comprehensive Plan, the findings adopted as a part of the Partial Plan Update prepared as background information for the 2013 Comprehensive Plan, and the Housing Study performed as a part of the Partial Plan Update.

One of the goals within the 1985 Land Use Plan recommends that the city *"provide opportunities for an appropriate mix of dwelling types, sizes and process in order to meet the current and projected needs of city residents of all socio-economic groups in accordance with their financial capabilities, mobility and preferences."* The current zoning of the property for townhomes is consistent with this goal.

The 1995 update to the Land Use Plan recommends that *"the amount of land planned and zoned for multi-family use be limited to no more than what is absolutely necessary to meet the housing needs of the city at its build-out stage."* The property was rezoned to allow a multi-family development when it was rezoned for the townhome development. The Applicant is proposing to rezone the property to a zoning classification that will still permit multi-family development – the only difference being the former approval (and current zoning of the property) for 21 townhomes and the proposed rezoning for use as 100 age-restricted senior apartments.

The current zoning and land use designation, in addition to the zoning classification being proposed, is consistent with the recommendations identified within the 1985 Land Use Plan.

Peachtree City was developed utilizing the village concept. Each of the city's five villages was planned and developed for a build-out population of 10-15,000 residents. Each of the villages has a distinct village center, which is accessible by major thoroughfares and includes a variety of retail, office and service facilities. Recreation, community service, multi-family and medium density residential developments are in close proximity to each village center, while low-density residential development lies farther away from each village center.

Most, if not all, of the residential property off of Georgian Park between the Kedron Village retail center and Lake Kedron is designated as MF multi-family on the city's land use map and is zoned GR which would accommodate multi-family development. The initial vision for this portion of the city included condominiums, townhomes and apartments, which supported the village concept and the step-down zoning theory. All but the former AMLI apartments and the Georgian Park condominiums were developed as single-family detached residential.

The current zoning of the property as well as the proposed development is consistent with the village concept adopted as a part of the 1990 Comprehensive Plan.

The Partial Plan Update prepared as a part of the pending update to the 2013 Comprehensive Plan indicated that the majority of the city's population is between the ages of 40 and 55, and in twenty years that population is anticipated to be over 65 years of age. To accommodate this population, the plan suggested that the city designate additional areas for senior and/ or age-restricted housing and to identify existing subdivisions that might be redeveloped for senior housing in the future.

During the preparation of and following the adoption of the Partial Plan Update, the city rezoned the former Stephens tract at the intersection of SR 74 South and Rockaway Road for a 310-unit age-restricted continuing care facility to include condominiums, apartments, assisted living, memory care and skilled nursing units. That project has yet to start construction.

The city also annexed and rezoned approximately 401 acres within Wilksmoor Village for a 650-unit age-restricted subdivision geared towards active seniors. That project has yet to start construction.

The city also approved the Towne Club development, which is an age-restricted apartment complex geared towards seniors. That development is complete and contains 144 residential units.

The Partial Plan Update noted that the city does not have a housing authority or any community-based organizations that provide housing for low- to moderate-income residents and recommended that as aging residential areas or older multi-family units are redeveloped, an emphasis should be put on the provision of housing for low- to moderate-income families. This particular element was tied to the redevelopment of existing structures as opposed to new construction.

The plan found that the majority of current programs addressing senior housing needs in Peachtree City are administered through private care facilities or non-profit organizations. The non-profit Southland Nursing Home and Integra Rehab facility has the capacity to house 155 seniors and accepts both Medicare and Medicaid. In 2003, Southland was recognized as a quality award recipient by the American Health Care Association and National Center for Assisted Living and operated at an occupancy rate of 97%. Ashley Glen, a private assisted living facility, also provides nursing care to Peachtree City seniors, specifically those dealing with Alzheimer's disease and other memory impairments. Ashley Glenn maintains an occupancy rate of 99% and a waiting list for future residents.

Publicly subsidized rental housing is available for seniors at the Peachtree Villas Apartments, which offer 60 one-bedroom subsidized units for seniors, and Woodsmill Apartments, which offers 22 two-bedroom units. Both of these complexes maintain a 100% occupancy rate as well as a waiting list for future residents.

The proposed development, in conjunction with the senior housing developments previously approved, is consistent with the findings adopted as a part of the Partial Plan Update.

As a part of the data collection for the Partial Plan Update, the city hired a consultant to analyze the city's existing housing structure, to include an evaluation of the housing type and mix, condition and occupancy, cost of housing, cost-burdened households, special housing needs and jobs-balance housing. The consultant analyzed data from the U.S. Census Bureau, city records and other sources to develop their findings.

The study found that the city's elderly population had grown considerably from 1990 to 2000, and that the number of residents over the age of 65 within the city will increase by approximately 93% between 2005 and 2030. Residents aged 65 or older made up 6.4% (1,215 of 19,027 residents) of the population in 1990 but grew to make up 7.9% (2,487 of 31,580 residents) by 2000. Over a third of Peachtree City's senior population (36.3%) has one or more disabilities and of this disabled population, 232 seniors have a self-care disability. Approximately 3% of seniors live below the poverty level. Notably, all of the seniors living below the poverty level are female and 63 have one or more disabilities.

In 2000, the median income in Peachtree City for households with householders between the ages of 65 and 74 was $44,091 and $30,958 for households aged 75 and older, while, according to the United States Department of Housing and Urban Development (USHUD), the Area Median Income for all households in the region was $63,100.

The Applicant is proposing to utilize Housing Tax Credits to finance construction of the proposed development, which would allow them to target moderate-income seniors capable of living independently. Moderate-income seniors earning up to $30,120 would qualify for a one-bedroom unit and those earning up to $34,400 would qualify for a two-bedroom unit. Approximately 20% of the total number of units would be set aside at market rate for those seniors with no maximum income levels.

The proposed development would provide housing for low to moderate income seniors currently residing within Peachtree City as identified within the Housing Study prepared as a part of the Partial Plan Update.

A recent study conducted by the Atlanta Regional Commission (ARC) indicates the metropolitan Atlanta region is experiencing a dramatic increase in its older population and anticipates that, between 2000 and 2015, the aging population is expected to double. By 2030, ARC anticipates that more than 1.2 million individuals over the age of 60 will call the region home. Within Fayette County, ARC anticipates a population increase of 205% in the 55+ age bracket between 2005 and 2030.

In response to this growing trend, ARC has developed the Lifelong Communities program to encourage local governments to provide housing and transportation options for older adults in an effort to allow them to stay within their communities as they age. In a recent survey, ARC found that 83% of the regions 55+ population said they plan to remain in their community as long as possible. They also found that, after raising their children, paying their mortgage and contributing to neighborhood, civic and religious organizations, many found it difficult to stay in their communities because they could not afford to do so.

As a part of this program, ARC is encouraging the development of condominiums, apartments, duplexes and quadraplexes throughout metro-Atlanta that are geared towards senior adults that would allow them to downsize, reduce yard maintenance and live close to neighbors. One of the recommendations of this program is that this type of housing be developed with sidewalks, greenspace and nearby shopping to help residents remain active and provide alternatives to the automobile.

The proposed development is consistent with the goals established as a part of ARC's Lifelong Communities program and would complement the previously approved Towne Club, Somerby and Wilksmoor senior residential developments.

<u>Evaluation based on Zoning Ordinance:</u>

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.

One of the goals within the 1985 Land Use Plan recommends that the city *"provide opportunities for an appropriate mix of dwelling types, sizes and process in order to meet the current and projected needs of city residents of all socio-economic groups in accordance with their financial capabilities, mobility and preferences."* The 1995 update to the Land Use Plan recommends that *"the amount of land planned and zoned for multi-family use be limited to no more than what is absolutely necessary to meet the housing needs of the city at its build-out stage."*

Staff finds that the proposed development is consistent with the policy and intent of the Land Use Plan based on the following:

- *The proposed development would be a 100-unit age-restricted apartment complex for senior adults.*
- *There are no existing apartment complexes within the city specifically targeted for moderate-income senior adults. Rental rates within the Towne Club and Somerby developments are at market rate and the Wilksmoor development would be predominantly single-family detached dwelling units.*
- *The subject tract is currently zoned for multi-family development and has been approved for 21 townhome units.*
- *The land use designation of the property is multi-family.*
- *The proposed development would provide high-density housing adjacent to an established village center.*
- *The proposed development would have minimal impact on the existing street network.*
- *The proposed development would be interconnected to the city's multi-use path system.*

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

A city-owned greenbelt separates the proposed development from the Kedron Village retail center. A tree save and landscape buffer separates the development from SR 74. The existing development on Newgate Road includes a hotel, car wash and convenience store and gas station.

The proposed development would have no detrimental impact on any of these existing businesses. Residents and employees would have access to the adjoining businesses, the Kedron

Fieldhouse and Aquatic Center, Kedron Elementary School, St. Paul Lutheran Church, as well as various medical offices adjacent to Georgian Park via the multi-use path system.

Staff finds that the proposed development would be suitable and enhance the use and development of adjacent and nearby property based on the following:

- *The proposed use is consistent with the village center concept and the step-down zoning theory as it provides multi-family immediately adjacent to the village center.*
- *The proposed development would utilize existing buffers and greenbelts as an amenity.*
- *Residents would have access to existing office and retail uses located on Newgate Road, Georgian Park and within the Kedron Village retail center via the multi-use path system.*
- *Residents would have access to the Kedron Fieldhouse and Aquatic Center, Kedron Elementary School, St. Paul Lutheran Church and other amenities.*

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

The proposed development will provide a population to support the adjoining businesses. Residents will be able to walk, drive or use a golf cart to access local retail and office uses. The subject tract is ideally located adjacent to a village center as well as a major thoroughfare should residents need to travel into Atlanta or other areas.

Staff finds that the proposed development would not adversely affect the existing use and usability of adjoining properties for the following reasons:

- *The subject tract is currently zoned for 21 townhome units, and it was envisioned this type of use was more suitable for the subject tract than retail or office use. Similarly, the proposed development is envisioned to be a suitable use for the property.*
- *This is the last remaining undeveloped tract of land on Newgate Road. There are two tracts of land left to develop on Georgian Park and one tract within the Kedron Village retail center.*
- *Residents, employees and visitors would have immediate access to existing office, retail and restaurant use within the Kedron Village area.*

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

The property is currently zoned for 21 townhome units. The former Applicant proposed high-end townhome units with elevator access to each level, but this development did not materialize. As currently zoned, there is no indication that the property does not have a reasonable economic use.

(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 subject tract was pre-cleared and pre-graded in 1999, and there has been no activity on the property since that time. All site infrastructure, including roads and utilities, were installed by the developer as a part of the Newgate Road commercial subdivision.

Staff finds that the proposed development will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools based on the following:

- *The proposed change in use from 21 townhomes to 100 senior apartments decreases the total number of AM peak hour trips from 10.56 to 6.6 trips (37.5% reduction) and the PM peak hour trips from 12.96 to 12.1 trips (6.64% reduction).*
- *Newgate Road is completed and has been accepted by the city.*
- *All utilities to serve the development, including water and sewer, are in place.*
- *There would be no burden to the school system.*
- *The proposed development offers classes and activities for residents, which would not burden the city's recreation department.*

(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.

There are no other existing or changing conditions affecting the use and development of the property.

<u>Recommendation:</u>

Staff recommends that the proposed rezoning of the 5.62-acre tract of land on Newgate Road within the Newgate Road commercial subdivision from LUR-13 to GR-18 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 conceptual site plan, which must be reviewed and approved by the Planning Commission as a part of the established site plan review and approval process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared.
2. There shall be no more than one hundred (100) apartments, all of which shall be age-restricted, within the overall development.
3. Existing vegetation within all tree save and landscape buffers shall be preserved to the greatest extent practicable prior to, during and following construction activities.

4. The exterior building materials and color selection shall be submitted to and approved by the Planning Commission. Building architecture, exterior materials and color selection shall follow the city's design guidelines ordinance.
5. The Applicant shall coordinate with City Staff to determine the location and extent of the multi-use path connection from this development to the existing path on Newgate Road. The path shall be designed and constructed by the Applicant at no expense to the city.
6. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the community association.
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. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
12. At the Applicant's request, the property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and the developer shall adhere to policies and procedures that demonstrate the intent required under this provision. In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this Paragraph 1318.
13. The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto as Attachment "B". The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.

Attachments

ROSENZWEIG, JONES, HORNE & GRIFFIS, P.C.
ATTORNEYS AT LAW
32 South Court Square
PO Box 220
NEWNAN, GEORGIA 30264

MELISSA DARDEN GRIFFIS (GA, AL)

TELEPHONE (770) 253-3282
FAX (770) 251-7262
e-mail: melissa@newnanlaw.com

April 22, 2010

City of Peachtree City, Georgia
Attn: City Clerk
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Rezoning Request of 5.62 Acre Tract Located on Newgate Road

Dear Ladies and Gentlemen:

In the near future you will be considering the above rezoning of approximately 5.62 acre tract located on Newgate Road in Peachtree City, Georgia. We look forward to the opportunity to bring this request to your attention and do anticipate your full support in this endeavor. Among the facts supporting the rezoning are the following:

- The rezoning proposal would not adversely affect the existing use or usability of adjacent or nearby property.
- The rezoning proposal will not result in a use which will or would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- The rezoning proposal will facilitate the principles of smart development so highly valued by Peachtree City, Georgia.
- The zoning proposal is in conformity with the policy and intent of the land use plan.
- The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property as it will allow residents to use the golf cart path system to access grocery stores, restaurants, shops, etc.
- The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property, but will compliment the area by providing a senior living environment with numerous on-site amenities for its residents.

- The property to be rezoned has no reasonable economic use as currently zoned, as it has been listed and marketed unsuccessfully for numerous years.

- The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools as the residents are age sixty-two (62) and older and they will have limited impact, especially since they can so easily access the golf cart path system with the neighboring commercial developments.

- There are other existing or changing conditions affecting the use and development of the property which give supportive grounds for approval of the zoning proposal as a marketing analysis and research has revealed a high demand for a community for this age group and with the amenities that are to be provided.

Although we anticipate approval of this rezoning request, as required under Georgia law we must formally notify you that a denial of the requested rezoning would deny and deprive the applicants and property owners of their constitutional rights, because any such denial would be arbitrary, capricious, unreasonable, unrelated to any public purpose and the denial of equal protection rights.

Should you have any questions or desire to discuss this matter, please feel free to contact me, at your convenience.

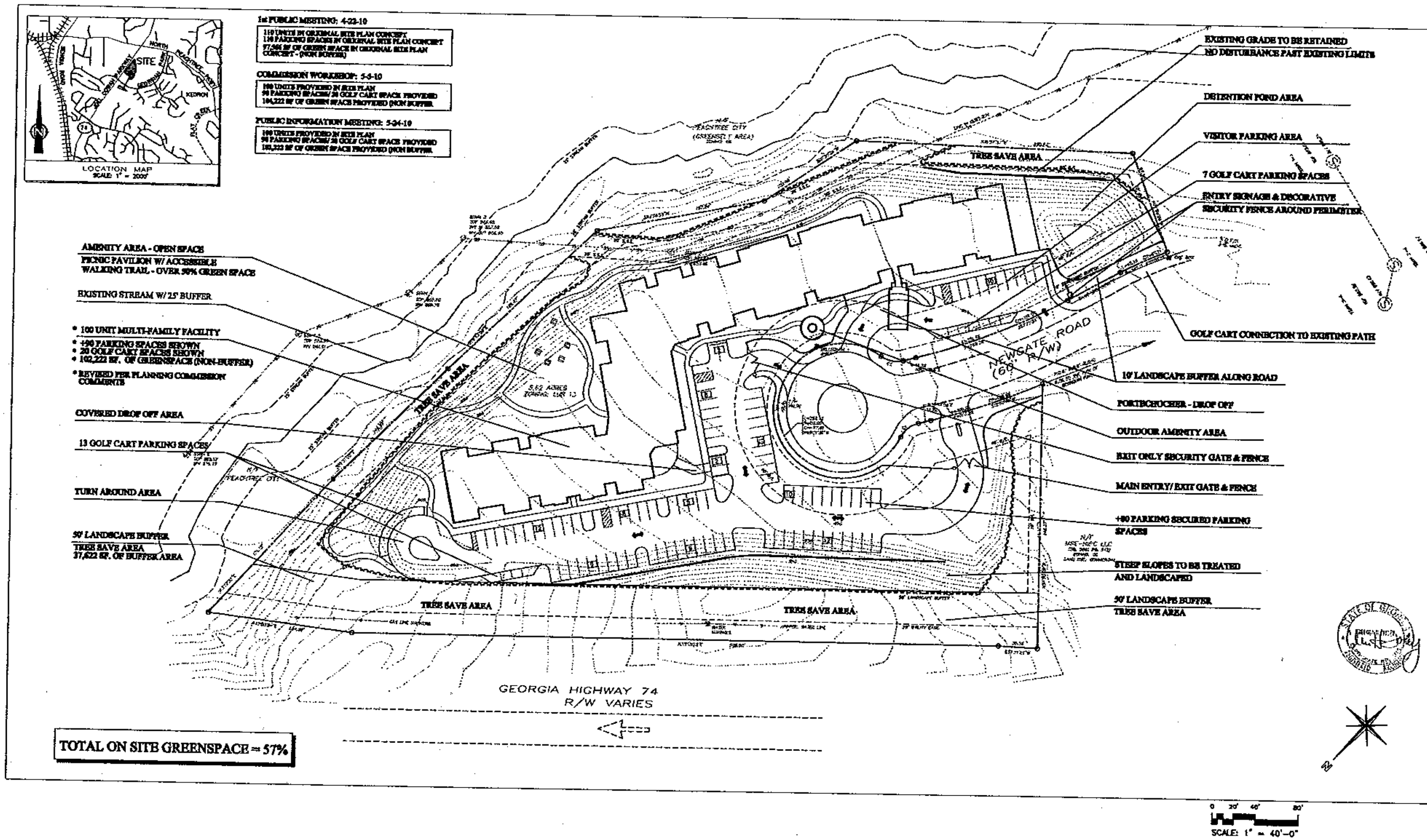
Sincerely,

Melissa D. Griffis

Melissa D. Griffis

MDG/nkw

c: Mr. Don Haddix, Mayor
Mr. Eric Imker, Post 1
Mr. Doug Sturbaum, Post 2
Ms. Kim Learnard, Post 3
Ms. Vanessa Fleisch, Post 4
Mr. Theodore P. Meeker, III, City Attorney
Mr. Bernard McMullen, City Manager



SENIOR RESIDENCE AT KEDRON VILLAGE

4-22-10; REVISED 5-5-10; REVISED 5-18-10
SCALE: 1"=40'-0"

REVISED PER PLANNING COMMISSION WORKSHOP

LAND LOT 134, 7TH DISTRICT, FAYETTE COUNTY, GEORGIA

NORSOUTH DEVELOPMENT CO. OF GEORGIA
2000 RIVEREDGE PARKWAY, SUITE 950
ATLANTA, GA 30328 678-460-2868

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
1513 Cleveland Avenue Building 100 Suite 102 East Point, Georgia 30344 (404) 761-1299

Schematic Site Plan

CLOSURE DATA

FIELD CLOSURE=1'IN 10,000+
ANGLE POINT ERROR=< 20"

ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+
EQUIPMENT USED=E.D.M. & THEODOLITE

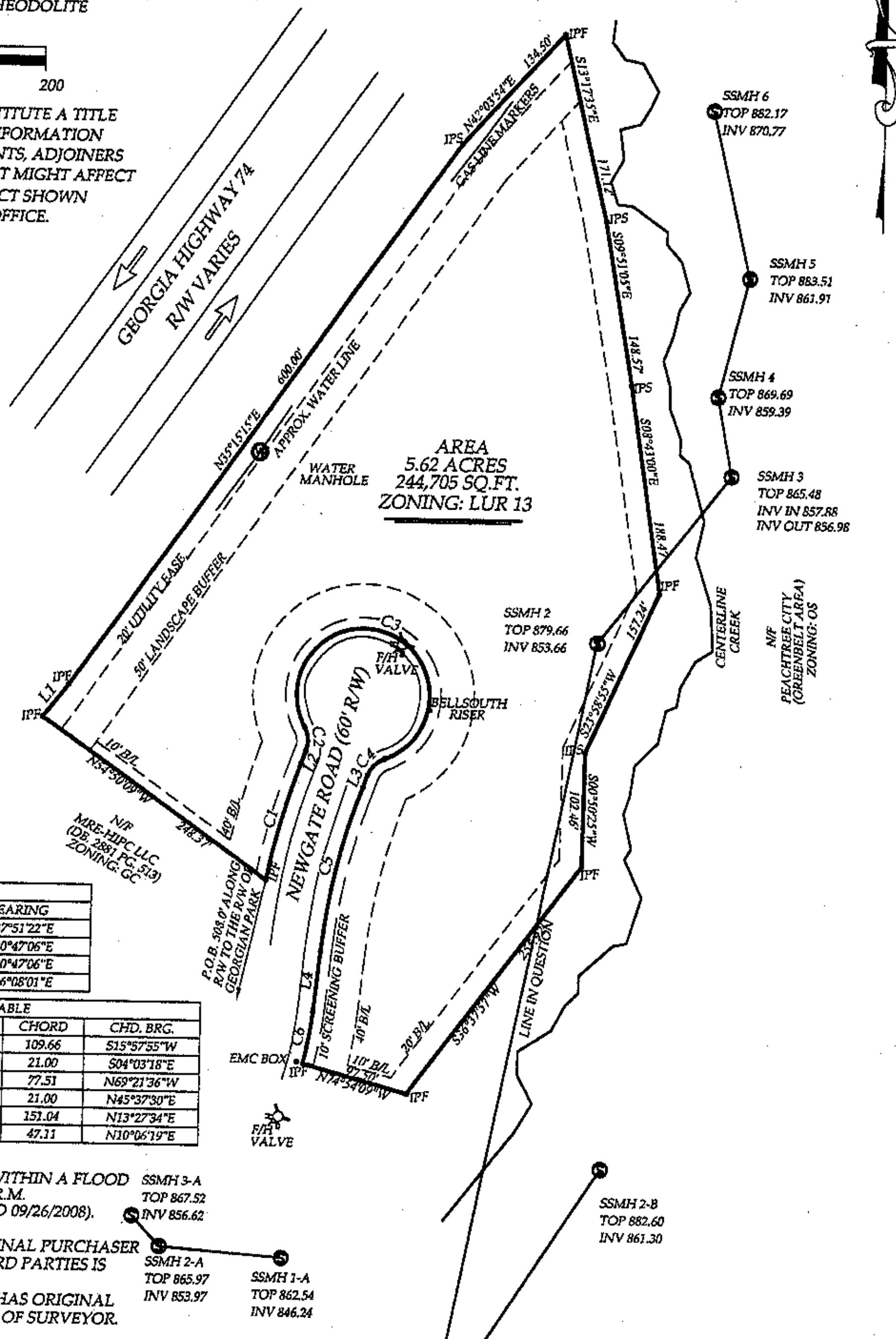
GRAPHIC SCALE

0 50 100 200

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

SENIOR RESIDENCES AT KEDRON VILLAGE

TAX ID NUMBER 073518003



LINE TABLE		
LINE	LENGTH	BEARING
L1	36.55	N37°51'22"E
L2	11.79	N20°47'06"E
L3	11.79	N20°47'06"E
L4	54.99	N06°08'01"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHD. BRG.
C1	109.79	652.28	109.66	S15°57'55"W
C2	21.67	25.00	21.00	S04°03'18"E
C3	292.72	60.00	77.51	N69°21'36"W
C4	21.67	25.00	21.00	N45°37'30"E
C5	151.45	592.28	151.04	N13°27'34"E
C6	47.15	340.11	47.11	N10°06'19"E

THIS PROPERTY DOES NOT LIES WITHIN A FLOOD HAZARD AREA AS PER FEMA F.I.R.M. MAP NUMBER 13113C0155E(DATED 09/26/2008).

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.

LEGEND
IPF=IRON PIN FOUND
IPS=IRON PIN SET
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
℞=PROPERTY LINE
℄=CENTERLINE
EP= EDGE OF PAVEMENT
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE

Prepared For:

NorSouth Development Company of Georgia

District:	7TH		
Land Lot:	134	Date:	04/20/10
County:	FAYETTE, GA	F.W.P.D.	02/06/07
Scale:	1" = 100'	Job No:	07-0042

DELTA SURVEYORS INC.™

P.O. BOX 571
Fayetteville, GA 30214
770-460-9342
(fax) 770-460-7114

JOHN 3:16

RDG

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

PEACHTREE CITY

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 # 00174746
Date Filed 04 / 23 / 10
Case # 2010-09
Office Use Only

SITE LOCATION

Address: Land Lot 134 - 7th District
Newgate Road, Peachtree City

Proposed Use: Age Restricted Senior Apartments-Gen Residential

Site in which Village:
☐ Aberdeen ☐ Braelinn ☐ Glenloch ☒ Kedron ☐ Wilksmoor ☐ Industrial

SITE INFORMATION

Parcel #(s): Land Lot 134 - 7th District

Existing Zoning: LUR 13 Limited Use Residential
Proposed Zoning: GR General Residential
Property Size: 244,705 Square Feet | 5.62 Acres

APPLICANT

Name: Norsouth Development Company of Georgia, LLC
Address: 2000 Riveredge Parkway, Suite 950
City, State, Zip: Atlanta, GA 30328
Phone #: 678-460-2869
Email: brendan@norsouth.com

OWNER

Name: PeachTree City Holdings, LLC
Address: 100 World Drive, Suite 240
City, State, Zip: Peachtree City, GA 30269
Phone #: 770-487-8585
Email: pheaberg@pathwaycomm.com

IMPACTED AREAS

	Square Feet	Acres	Total acres ÷ Impacted acres
Disturbed Area	184,052	4.22	75.2 %
Impervious Area	105,852	2.43	43.3 %
Open Space & Greenbelts	141,807	3.25	57.9 %

LAND USE & ZONING

Please record all surrounding property within 200ft of site

	Land Use	Zoning
North	Commercial	General Commercial
East	Commercial	General Commercial
South	Commercial	General Commercial
West	GA Highway 74	Open Space

LOCATION OF

Entrance to Site: Newgate Road
Tree Save and Landscape Buffers: 10' screening buffer at Newgate Rd., West 50' landscape buffer, 20' utility easement
Other Buffers: None
Greenbelts (to be dedicated to the city): None
Multi-Use Path Connections: At southwest corner - 150' off property on Newgate Road
Historical Resources: None
Natural Features: None
Stormwater Retention: On site as improved landscape feature

BUILDING INFORMATION

Building type: Senior Apartments
Hrs of operation: 24 hours to
\# of stories: 3 Building height: 38 ft
Floor Area (Sq ft): 0 Existing | 127,000 Proposed
\# of dwelling units: 110 Units\acre: 19.6
\# of employees: 0 Existing | 4 Proposed

Briefly describe proposed use of property:
(A separate detailed report is still required to be attached to this application)
Senior age restricted amenitized apartment project

Parking: 220 # Required | 0 # Existing | 110 # Proposed | 0 # Pervious

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

SETBACKS

	Required	Proposed
Front (Building)	20 ft	40 ft
Front (Parking)	20 ft	10 ft
Side	15 ft	10 ft
Rear	0 ft	20 ft

Rezoning application

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]
	Newgate Road	1	60 ft	33 ft	2	Y	Unknown	Unknown	12.96 tph peak

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 y sf)

Types of vehicles(s): Waste and Furniture Delivery (vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc) ADT: Unknown

UTILITIES & SERVICES INFO

Solid waste collection: City Approved Contractor

Natural gas: Unknown

Electrical Service: Coweta-Fayette EMC — Underground? ☒ Yes ☐ No

Telephone Service: Bell South — Underground? ☒ Yes ☐ No

Cable TV Service: Comcast — Underground? ☒ Yes ☐ No

**** Please attach letters from utilities indicating that their services can support the proposed development ****

Water supply: ☐ Individual Well(s) ☐ Community System ☒ Municipal System: (Fayette County Water Dept)

Estimated total water demand (gpd): TBD

Wastewater collection\treatment: ☐ Individual Onsite ☐ Community System ☒ Municipal System: (Peachtree City WASA)

Estimated total wastewater discharge (gpd): TBD

FIRE INFORMATION

Automatic Fire Sprinklers: ☒ Yes ☐ No, why? NFPA 13

Automatic Fire Alarm: ☒ Yes ☐ No, why?

\# of Fire Hydrants: 1 (Existing) / 2 (Proposed)

Briefly describe daily operations: (A separate detailed report is still required to be attached to this application)

A rental community for persons aged 62 years and older who are living independently. All residents execute a long term lease agreement of 12 months. Residents pay 100% of their rent. There is no subsidy.

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.

Applicant Signature: [signature] Date: 4-22-10

Property Owner Signature: [signature] Date:

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. Rast Date: 04-23-10

Date & Time of Planning Commission Public Hearing: 04-26 (Workshop), 05-10 (Public Hearing)

Date of City Council Public Hearing: 06-03-10 Case Number: 2010-09

PATHWAY®
COMMUNITIES
THE DEVELOPERS OF PEACHTREE CITY

April 22, 2010

Mr. David Rast
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear David:

As the owner of an approximately 5.62 acre site on Newgate Road, Peachtree City Holdings, L.L.C. grants permission to Mr. Brendan Barr of NorSouth Corporation to submit a rezoning application for this parcel.

Thank you and please contact us with any questions.

Sincerely,

Margaret M. Sullivan
President

MMS/ra

MIDTOWN 1132 West Peachtree Street NW, Ste 100 Atlanta, GA 30309 TEL 770.487.8585 FAX 404.885.9971
PEACHTREE CITY 100 World Drive, Ste 240 Peachtree City, GA 30269 TEL 770.487.8585 FAX 770.487.9328

Property Deeds

A copy of the property deed is on file at Pathways Development, and in the City Files from the previous zoning application and will be provided upon request.

LEGAL DESCRIPTION
5.62 ACRES NEWGATE ROAD PEACHTREE CITY GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 134 OF THE 7TH DISTRICT, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY OF NEWGATE ROAD (60' R/W) BEING 508.00' NORTH OF A POINT WHERE THE WEST RIGHT OF WAY OF NEWGATE ROAD AND THE NORTH RIGHT OF WAY OF GEORGIAN PARK INTERSECT; THENCE RUNNING N 54 50 09 W A DISTANCE OF 248.37' TO AN IRON PIN FOUND ON THE EAST RIGHT OF WAY OF GEORGIA HIGHWAY 74 (R/W VARIES), THENCE RUNNING ALONG SAID R/W N 37 51 22 E A DISTANCE OF 36.55' TO AN IRON PIN FOUND, THENCE COUNTINUING ALONG SAID R/W N 35 15 15 E A DISTANCE OF 600.00' TO A IRON PIN SET, THENCE CONTINUING ALONG SAID R/W N 42 03 54 E A DISTANCE OF 134.50' TO AN IRON PIN FOUND, THENCE LEAVING SAID R/W AND RUNNING S 13 17 35 E A DISTANCE OF 171.12' TO AN IRON PIN SET, THENCE RUNNING S 09 51 05 E, A DISTANCE OF 148.57' TO AN IRON PIN SET, THENCE RUNNING S 08 43 00 E A DISTANCE OF 188.47' TO AN IRON PIN FOUND, THENCE RUNNING S 23 58 55 W A DISTANCE OF 157.24' TO AN IRON PIN SET, THENCE RUNNING S 00 50 25 W A DISTANCE OF 102.46' TO AN IRON PIN FOUND, THENCE RUNNING S 36 37 57 W A DISTANCE OF 255.92' TO AN IRON PIN FOUND, THENCE RUNNING N 74 54 09 W A DISTANCE OF 97.50' TO AN IRON PIN FOUND ON THE EAST R/W OF NEWGATE ROAD, THENCE CURVING TO THE LEFT ALONG SAID R/W A CHORD BEARING OF N 10 06 19 E A CHORD DISTANCE OF 47.11' , BEING SUBTENDED BY AN ARC DISTANCE OF 47.15' TO A POINT, CONTINUING ALONG SAID R/W N 06 08 01 E A DISTANCE OF 54.99' TO A POINT,THENCE CURVING TO THE RIGHT ALONG SAID R/W A CHORD BEARING OF N 13 27 34 E A CHORD DISTANCE OF 151.04' , BEING SUBTENDED BY AN ARC DISTANCE OF 151.45' TO A POINT, CONTINUING ALONG SAID R/W N 20 47 06 E A DISTANCE OF 11.79' TO A POINT, THENCE CURVING TO THE RIGHT ALONG SAID R/W A CHORD BEARING OF N 45 37 30 E A CHORD DISTANCE OF 21.00', BEING SUBTENDED BY AN ARC DISTANCE OF 21.67' TO A POINT,CONTINUING ALONG SAID R/W CURVING TO THE LEFT A CHORD BEARING OF N 69 21 36 W A CHORD DISTANCE OF 77.51' , BEING SUBTENDED BY AN ARC DISTANCE OF 292.72' TO A POINT,CONTINUING ALONG SAID R/W CURVING TO THE RIGHT A CHORD

Norsouth Development Company of Georgia 10093 City of Peachtree City

DATE	INVOICE NO	DESCRIPTION	ACCOUNT	INVOICE AMOUNT
4-16-10	041610	KV: rezoning app fee	800-000 14112	740.50

CHECK DATE	4-20-10	CHECK NUMBER	1410	TOTAL >	740.50

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

WARNING - THIS CHECK IS PROTECTED BY SPECIAL SECURITY FEATURES

Norsouth Development Company of Georgia
Operating Account
329 Commercial Drive, Ste 110
Savannah, Georgia 31406

The Savannah Bank, NA
P O Box 188
Savannah, GA 31402

64-465
612

DATE	CHECK NO.	AMOUNT
April 20, 2010	1410	$********740.50

Pay: ********************************Seven hundred forty dollars and 50 cents

PAY TO THE ORDER OF City of Peachtree City

SECURITY FEATURES INCLUDE MICROPRINTING • VOID PANTOGRAPH • ENDORSEMENT BACKER • BROWNSTAIN CHEMICAL REACTANT

⑈0000001410⑈ ⑆061204654⑆1065138⑈

Fees

From: Matthew Scott Bergen [mailto:mbergen@fayettecountyga.gov]
Sent: Thursday, April 22, 2010 8:34 AM
To: Brendan Barr
Cc: tcarty@ptcgovernment.org; Dave Borkowski; COMMUNITY DEVELOPMENT; planner@peachtree-city.org
Subject: RE: Fayette County Water System Contact Information

We currently have water service available to this parcel. The parcel ID# is 073518003. There is currently an 8" C900 main that serves this parcel. Readings in this area are 95 static, 60 residual with an average of 1300 GPM. Please note that we require a master meter to be placed on all multi family projects and state standards require each unit be sub metered with single check BFPD. Please feel free to contact me should you have any questions.

Sincerely,

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

ENVIRONMENTAL CONSTRAINTS ANALYSIS
SENIOR RESIDENCES AT KEDRON VILLAGE

THE APPLICANT PROPOSES A 110 UNIT SENIOR RESIDENCE BUILDING ON A 5.62 ACRE SITE LOCATED AT THE END OF NEWGATE ROAD IN THE KEDRON VILLAGE PORTION OF PEACHTREE CITY. THIS ANALYSIS WILL INCLUDE ENVIRONMENTAL FEATURES WHICH COULD BE AFFECTED BY THE PROPOSED DEVELOPMENT.

1. STATE WATERS: THERE IS A CREEK LOCATED OFF-SITE APPROXIMATELY 30 TO 60 FEET EAST OF THE EASTERN PROPERTY LINE. THE STREAM AND ITS ATTENDANT 25 FOOT STATE E.P.D. BUFFER ARE WHOLEY LOCATED IN THE ADJACENT PEACHTREE CITY GREENBELT. THE SUBJECT SITE WAS PREVIOUSLY CLEARED AND GRADED LEAVING A 20 FOOT UNDISTURBED BUFFER OF EXISTING TREES ADJACENT TO THE GREENBELT AND CREEK. THE PROPOSED SENIOR DEVELOPMENT WILL LEAVE THIS 20 FOOT UNDISTURBED BUFFER INTACT. DURING CONSTRUCTION, THE OFF-SITE CREEK WILL BE IDENTIFIED AS A CRITICAL AREA AND ADDITIONAL EROSION CONTROL MEASURES WILL BE EMPLOYED.

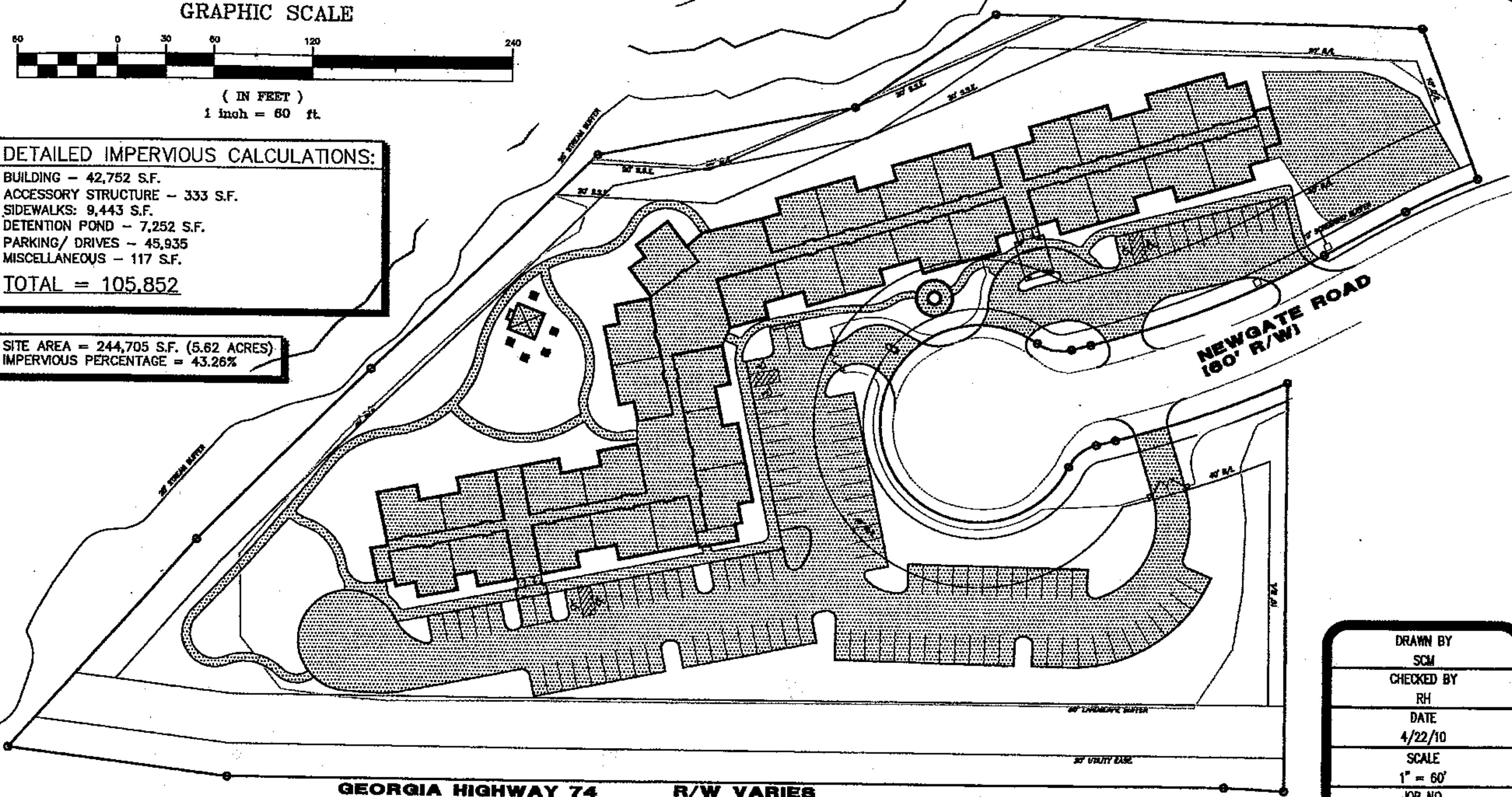
2. SLOPES: THE DEVELOPABLE PORTION OF THE SITE WAS PREVIOUSLY CLEARED AND GRADED. THERE ARE SOME SLOPES EXCEEDING 15% LOCATED IN THE BUFFERS WHICH WILL REMAIN UNDISTURBED. ON THE INTERIOR OF THE SITE THE PREVIOUS MASS GRADING LEFT SOME 2:1 CUT AND FILL SLOPES. THE 2:1 SLOPES WERE PREVIOUSLY STABILIZED. CARE WILL BE TAKEN TO STABILIZE ALL GRADED AREAS DURING AND AFTER CONSTRUCTION.

3. VEGETATION: THE DEVELOPABLE PORTION OF THE SITE WAS PREVIOUSLY CLEARED AND GRADED LEAVING THE EXISTING TREE COVER UNDISTURBED WITHIN THE 50 FOOT LANDSCAPE BUFFER ALONG THE NORTHWEST PROPERTY LINE (ALONG GEORGIA HIGHWAY 74) AND ALONG THE 20 FOOT SETBACK TO THE EAST (ADJACENT THE CREEK). THE PREVIOUSLY GRADED PORTION OF THE TRACT NOW SUPPORTS SMALL FIRST GROWTH PINES AND BRUSH. THE SITE PLAN FOR THE PROPOSED SENIOR BUILDING IS CONCEIVED TO LIMIT OUR DISTURBANCE TO THE PORTION OF THE SITE PREVIOUSLY CLEARED. THIS STRATEGY WILL PRESERVE ANY SIGNIFICANT VEGETATION THAT EXISTS ON THE PROPERTY.

J. Lancaster Associates, Inc.
Planners, Engineers, Landscape Architects
255 VILLAGE PARKWAY, SUITE 630, MARIETTA, GA 30067 . 770-955-2421 . JLASSOC@BELLSOUTH.NET

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.



DETAILED IMPERVIOUS CALCULATIONS:
BUILDING – 42,752 S.F.
ACCESSORY STRUCTURE – 333 S.F.
SIDEWALKS: 9,443 S.F.
DETENTION POND – 7,252 S.F.
PARKING/ DRIVES – 45,935
MISCELLANEOUS – 117 S.F.
TOTAL = 105,852

SITE AREA = 244,705 S.F. (5.62 ACRES)
IMPERVIOUS PERCENTAGE = 43.26%

SENIOR RESIDENCES AT KEDRON VILLAGE

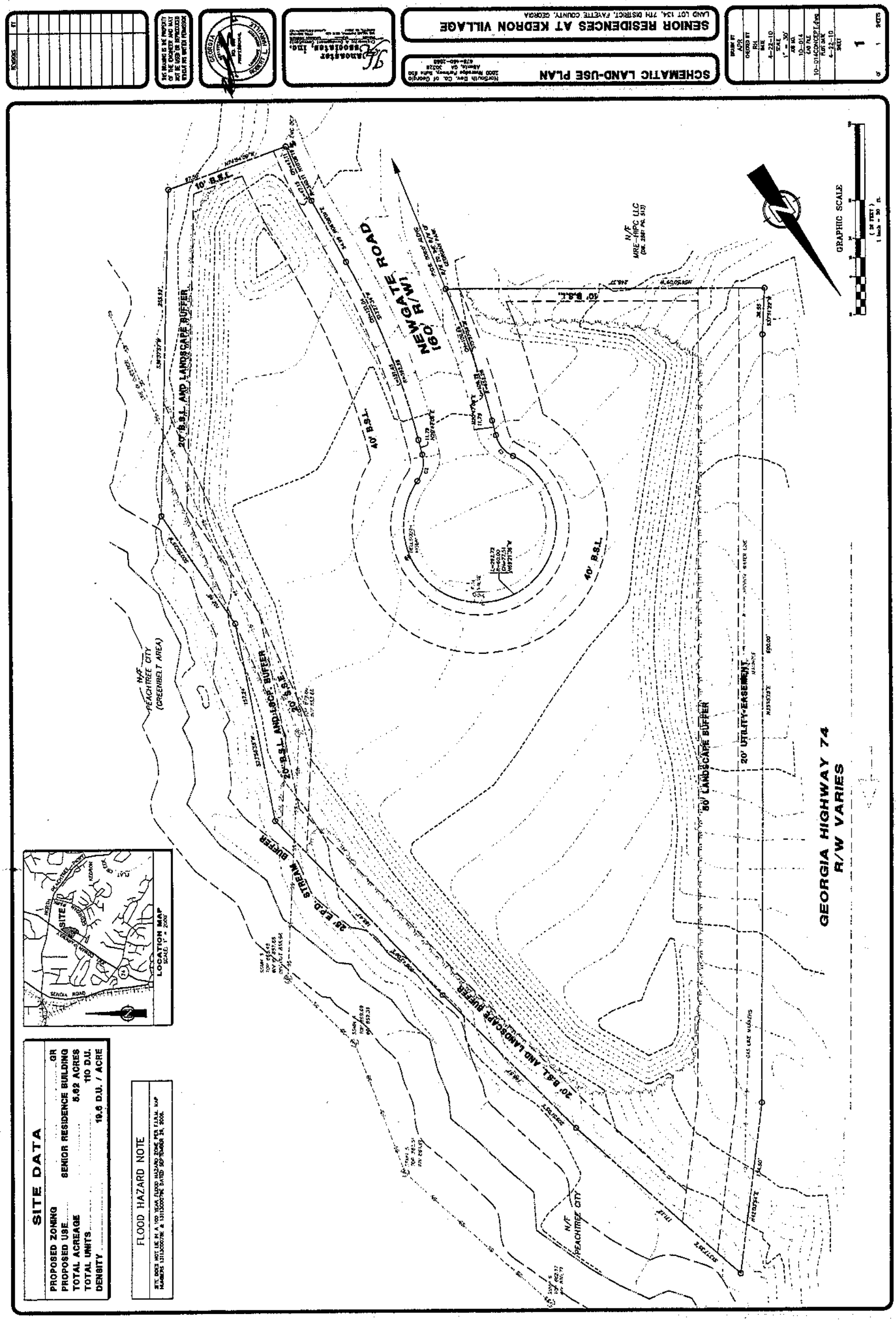
LAND LOT 134, 7TH DISTRICT, FAYETTE COUNTY, GEORGIA

IMPERVIOUS SURFACE EXHIBIT

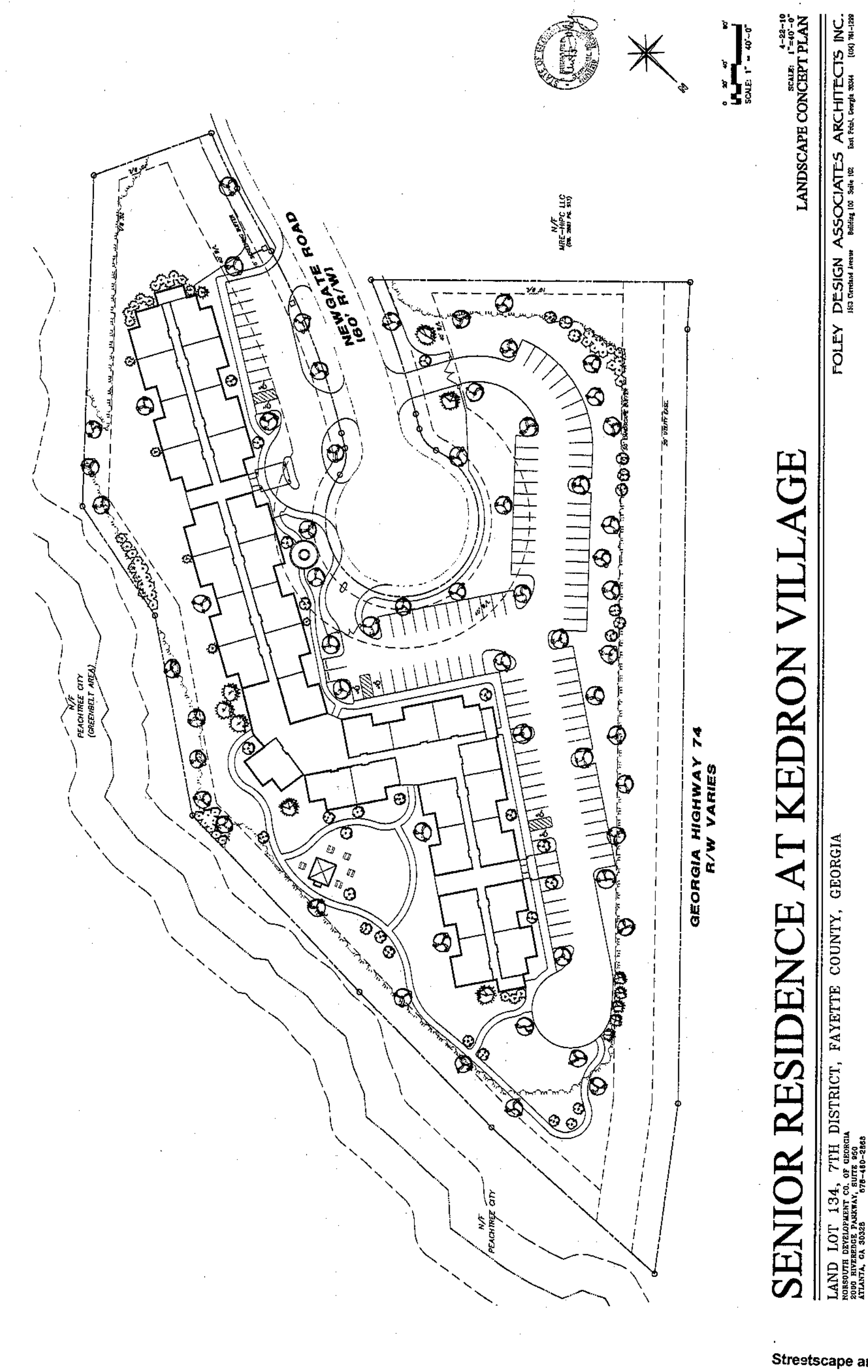
NorSouth Dev. Co. of Georgia
2000 Riveredge Parkway, Suite 950
Atlanta, GA 30328
678-460-2868

J. Lancaster Associates, inc.
Engineering & Development Consultants
Planners . Engineers . Landscape Architects
255 VILLAGE PARKWAY, SUITE 630 (770) 955-2421
MARIETTA, GA 30067 JLASSOC@BELLSOUTH.NET

DRAWN BY	SCM
CHECKED BY	RH
DATE	4/22/10
SCALE	1" = 60'
JOB NO.	10-014
CAD FILE	10-104CONCEPT.dwg
PLOT DATE	4-22-10
SHEET	A



Schematic Land Use Plan



Streetscape and Landscape Plan

The Senior Residences at Kedron Village
Community Facilities and Infrastructure Plan

Water System
The proposed development will have minimal impact on the water system. In order to mitigate this impact the property will utilizing higher efficiency lavatory faucets, toilets and shower heads. The applicant intends to minimize the demand for municipal water by utilizing an irrigation well as a supplemental source of irrigation water.

Sewer System
The proposed development will have minimal impact on the water system.

Garbage Collection
The proposed development will have minimal impact on the garbage collection system.

School System

The current zoning allows for townhouse with no age restriction. The senior residences will be an age restricted community and residents will be 62 years or older. Thus, the site will have no impact on the school system.

Transportation System
Based on prior experience with similar facilities, the applicant anticipates that the average age of the senior residences will be in the mid to upper 70's and the residents will be less inclined to drive. The proposed development will generate less trips per day than the townhouses (as allowed per the current zoning). The attached "Trip Generation Analysis" calculations provided by Lancaster& Associates (civil engineer) supports this conclusion.

Conclusion
The proposed senior residences will have minimal impact on Peachtree City's community facilities and infrastructure.

The Senior Residences at Kedron Village
Emergency Response Plans

Fire Department

The site is in close proximity to a Peachtree City fire station (3.25 miles approx). Sufficient response times from the fire department would be expected at this site.

The applicant intends to "sprinkle" the facility with an NFPA 13 (and/or NFPA 13R) fire protection system and limit the height of the apartment building in accordance with requirements by the fire chief.

Police Department

The PeachTree City police department is located in close proximity (1.50 miles approx.) to the proposed senior residences. Sufficient response times for police services would be expected at this site.

The applicant intends to take measure to secure the property. The parking areas will be protected by a fence and vehicular gate system which can only be accesed via a card reader and call box. The gates will be equipped with a Knox Box to allow access for emergency response vehicles. Access to the building will be controlled by magnetic locks wiht a card reader & call box system also. The units on the ground floor units will be "prewired" for alarm systems that can be activated by the tenants at their discretion.

Ambulance Services

The site is in close proximity to the PeachTree City Urgent Care Center (3.25 miles approx). Adequate response times from the urgent care center would be expected at this site

The applicant intends to equip each unit with "pull cord" emergency alert systems which will activate lights and buzzers in the corridors.

Architectural Program
Senior Residences at Kedron Village

General Program – Age Restricted Senior Apartments, with amenities. This project would comply with the EarthCraft Multifamily program for environmental and energy efficiency for site, building, construction, and operations.

● Site Data

- Number of Buildings: 1 Plus Covered Pavilion Area and Potting Shed
- Number of Units: 110
- Total Square Footage: 127,000

The building is proposed as a 3 story building, with amenity areas primarily on the grade level, with elevators central to each floor. The building as portrayed in the conceptual elevation attached will be designed using architectural character reflective of the Kedron Village area, for exterior elements and common landscaping. Exterior lighting, decorative fencing, and signage will be coordinated in finishes and Peachtree City standards. The Parking for the site will provide for guest parking, covered drop off, and gated, controlled parking for the residents. All site and building areas will be handicap accessible.

● Standard Design Elements:

▪Exterior Wall Finish Exterior wall faces in excess of 40% earth tone brick, fiber cement siding, shingle roof with metal roof accents.

▪Attractive Features

1. Decorative Elements (shutters & ventilation elements).
2. Covered entry to buildings and units.
3. Durable attractive railing elements at stairs and porches/patios.

● Amenities:

- Community Area
- Community Laundry
- Exterior Gathering Area/ Covered Porch
- Units 100% accessible and adaptable
- Movie Theater
- Beauty Parlor
- Library
- Furnished Exercise/Fitness Center.
- Arts & Crafts/Activity Center
- Equipped Computer Center
- Attractively fenced community gardens
- Equipped walking path w/ sitting areas.
- Covered pavilion w/ picnic/barbecue facilities.
- Complete built-in fire sprinkler system in every unit and community center w/ exterior audio and visual alarm system.

● Additional Amenities

- Elevators

- Community Kitchen
- Community Restrooms
- Leasing Offices
- Maintenance
- Trash Rooms
- Resident Storage

- Unit Features:
  - HVAC
  - Refrigerator "Energy Star"
  - Under counter Dishwasher "Energy Star"
  - Range "Energy Star"
  - Powder Based Stove Top Fire Suppression System
  - Built-in Medicine Cabinet
  - Cable TV in Bedroom/ Living Room
  - Garbage Disposal
  - Washer/Dryer Hookups w/ drain pan
  - Ceiling Fans in Living Room & Bedrooms
  - Refrigerator w/ ice maker
  - Range Hood ducted to exterior
  - Lever Door Hardware throughout
  - Window Blinds

- Accessibility Standards:
  - 5% Handicap Accessible Units
  - 2% (part of 5%) equipped w/ roll-in showers
  - 2% Hearing and Visual Impaired Units

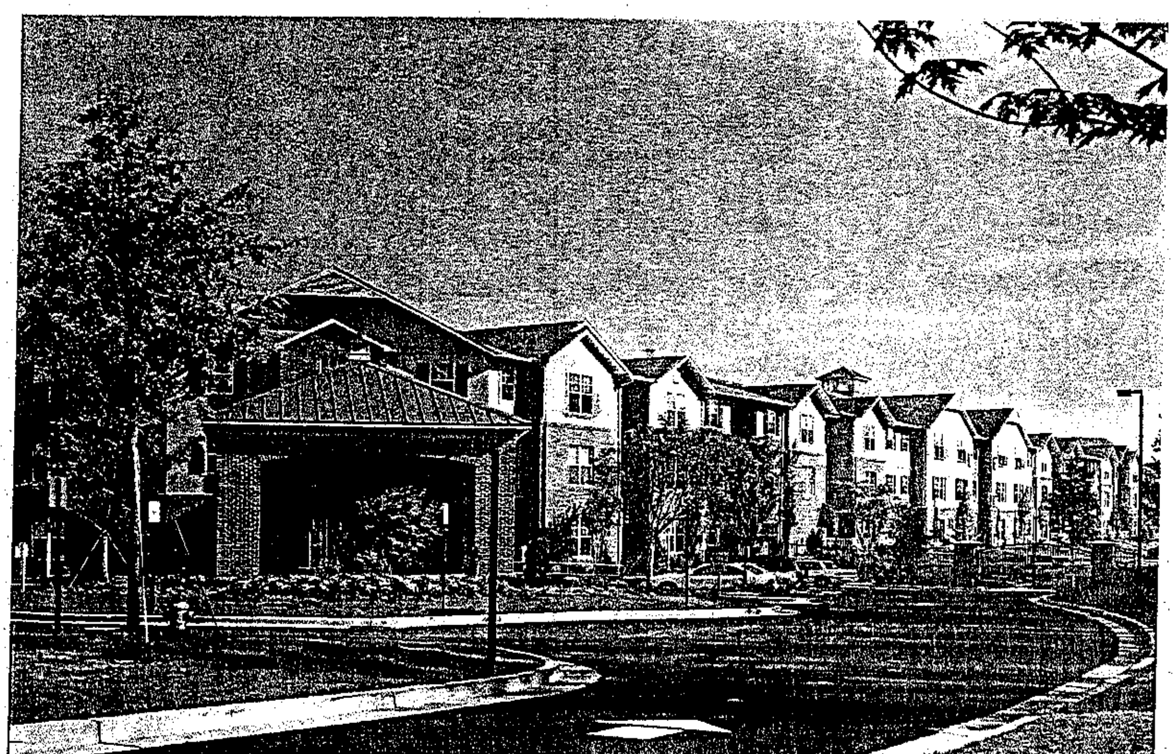
- Landscaping:
  - Shrubs min. 2 gal.
  - Trees at Streetscape min. 2 ½" caliper.
  - Canopy Trees min. 2" caliper.
  - Flowering Trees min. 1" caliper.
  - Low maintenance plant materials
- Site Lighting:
  - Min. 1 foot-candle in parking lots and along pedestrian walks.
  - Illumination for property entrance signage.

- Unit Types and Square Footage:

Unit Type	Unit Sq. Ft.
1 Bedrm/1 Bath	725 s.f.
2 Bedrm/1 Bath	927 s.f.
2 Bedrm/2 Bath	992

Examples of Proposed Amenities and Finishes

COMMUNITY ROOM

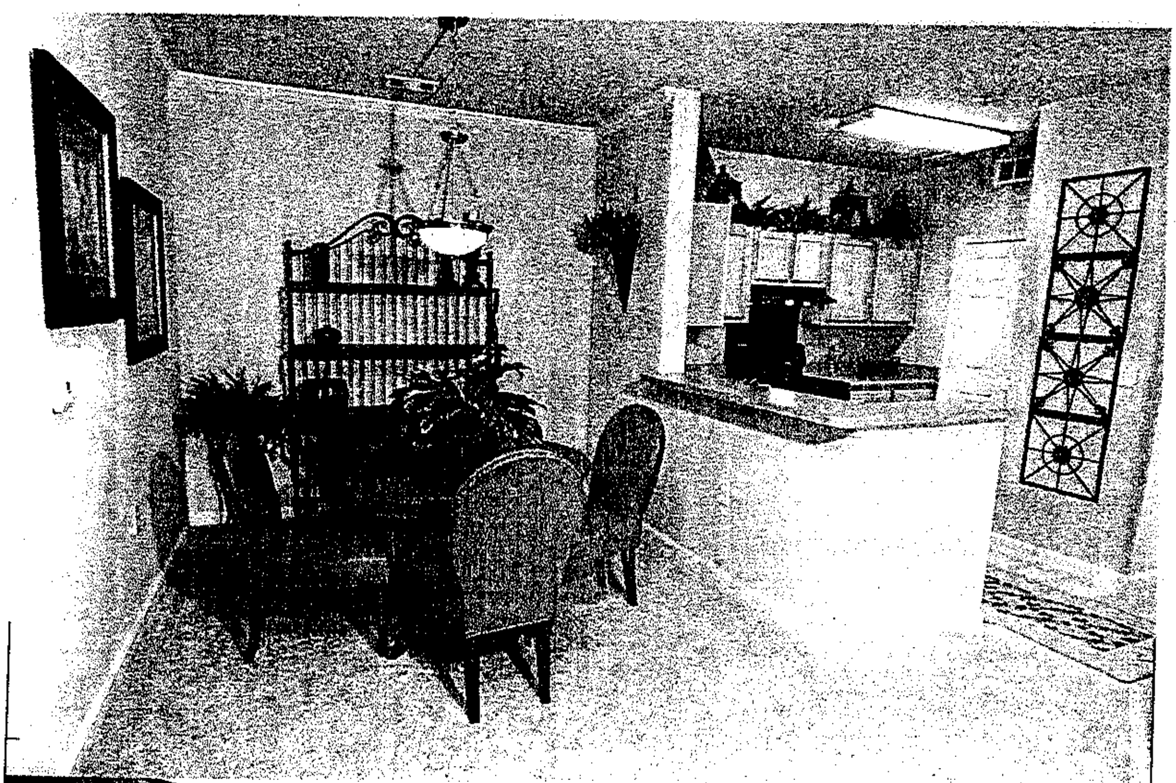


COVERED DROP-OFF AREA

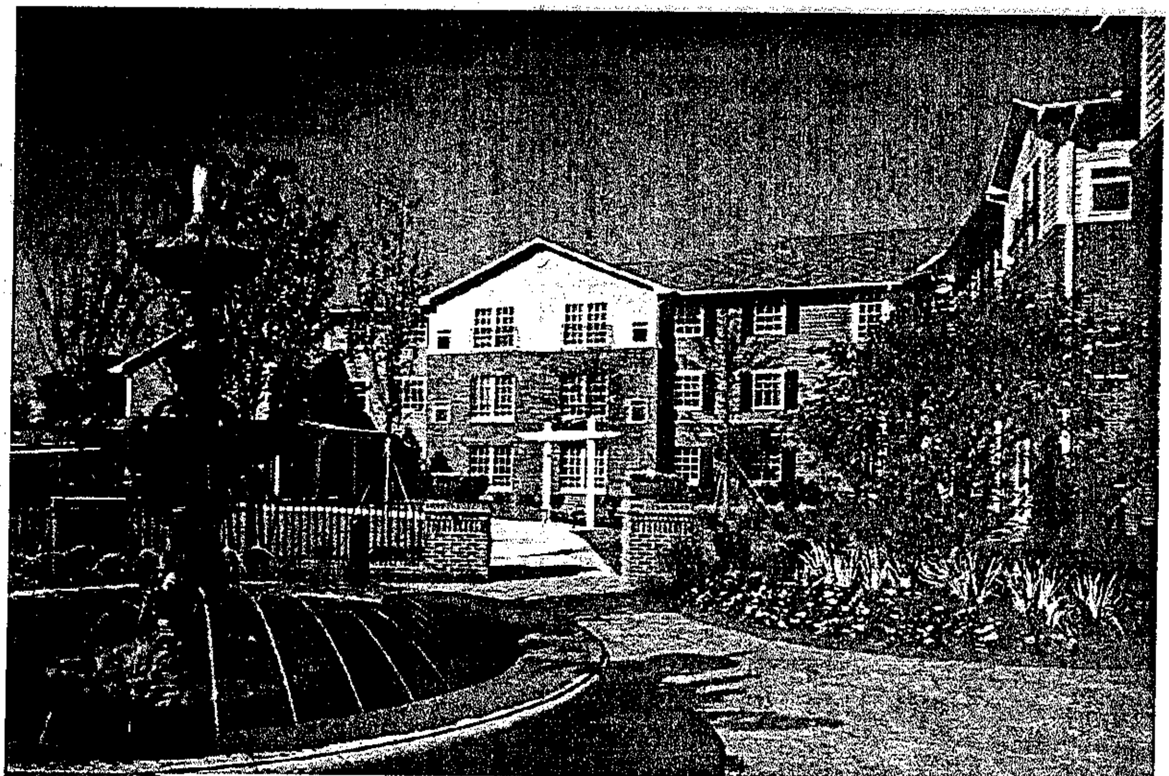
HAIR SALON

ELEVATOR LOBBY

INTERIOR HALLWAYS

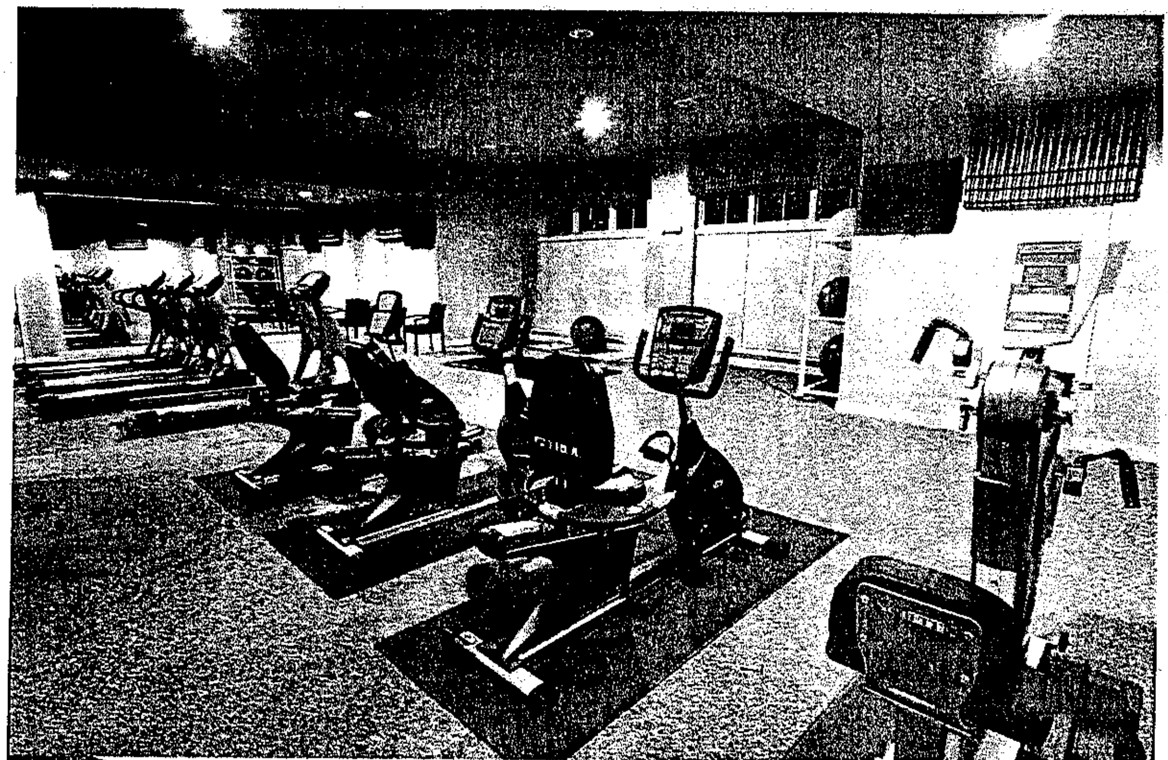


DINING AREA

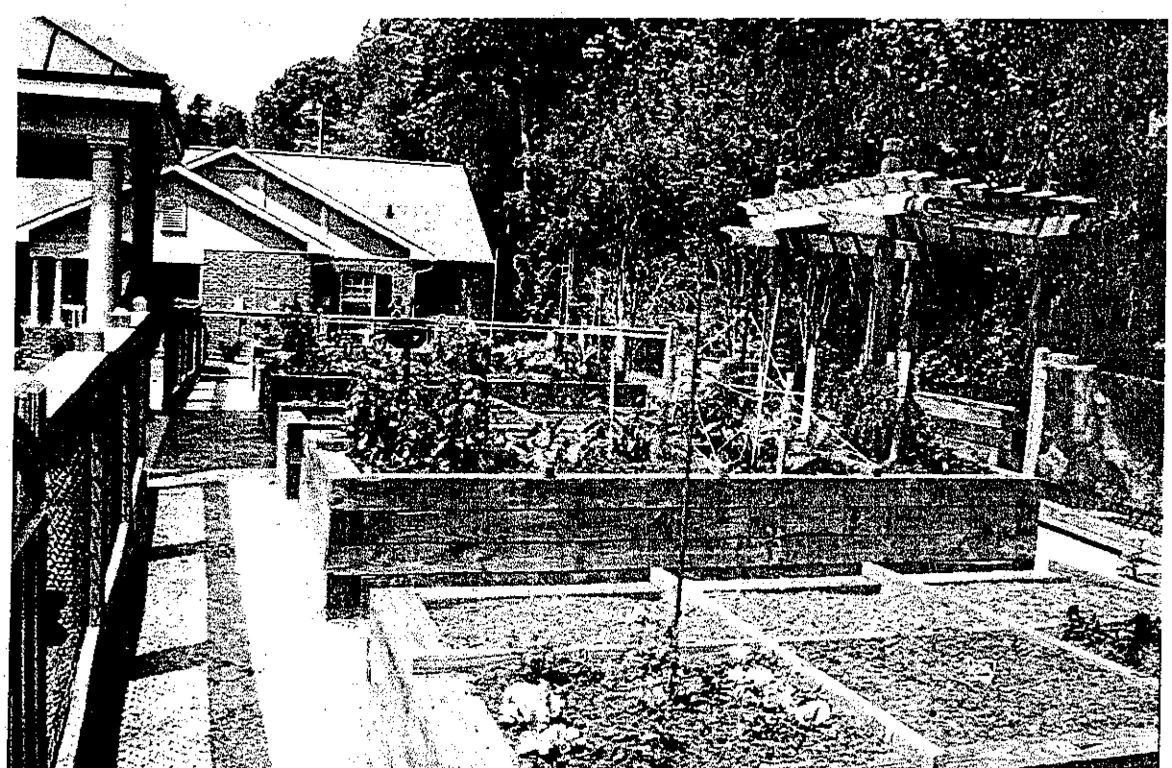


COURTYARDS

LIBRARY



FITNESS CENTER



GARDENING

SUSTAINABILITY PRACTICES

All current and future NorSouth projects are designed and certified as EarthCraft Housing* (ECH) multifamily. Green design and building techniques will include, but not be limited to:

- Sustainable site planning
- Energy efficient building envelopes, lighting fixtures and appliances
- Indoor air quality improvements and maximization of natural light
- Resident awareness and education programs

* **EarthCraft House,™** created in 1999, is a residential green building program of the Greater Atlanta Home Builders Association in partnership with Southface Energy Institute. This program serves as a blueprint for energy- and resource -efficient homes.

ELEVATION NOTES:

1. ARCHITECTURAL ROOF SHINGLES
2. STANDING SEAM METAL ROOFING
3. SHED DORMER WITH LOUVERS
4. SHED DORMER WITH VINYL FIXED WINDOWS
5. GABLE DORMER WITH LOUVERS
6. GABLE LOUVER
7. CEMENT-FIBER FASIA BOARD
8. CEMENT-FIBER VENTILATED SOFFIT
9. CEMENT-FIBER DOUBLE FRIEZE BOARD
10. CEMENT-FIBER WRAPPED COLUMN AND TRIM
11. CEMENT-FIBER BOARD & BATTEN PANELS & TRIM
12. CEMENT-FIBER SHINGLE PANELS
13. CEMENT-FIBER HEADER TRIM BOARD WITH DRIP CAP & FLASHING
14. CEMENT-FIBER CORNER BOARD
15. CEMENT-FIBER FLOOR TRANSITION BOARD
16. CEMENT-FIBER 4" EXPOSED LAP SIDING
17. CEMENT-FIBER 5" EXPOSED LAP SIDING
18. SYNTHETIC BRACKET
19. VINYL GUARDRAIL
20. DECORATIVE METAL BALCONETTE
21. DECORATIVE VINYL SHUTTER PANELS
22. SINGLE HUNG VINYL WINDOW SYSTEM
23. STOREFRONT DOOR & WINDOW SYSTEM
24. METAL FLASHING WATERTABLE
25. BRICK: RUNNING BOND COURSE (FIELD COLOR 1)
26. BRICK: RUNNING BOND COURSE (FIELD COLOR 2)
27. BRICK SOLDIER COURSE (BRICK COLOR TO MATCH ADJOINING FIELD COLOR)
28. BRICK: ROWLOCK COURSE (BRICK COLOR TO MATCH ADJOINING FIELD COLOR)
29. SEAMLESS ALUMINUM GUTTERS & DOWNSPOUTS
30. EXTERIOR DECORATIVE LIGHT FIXTURE
31. FALSE LOUVERS- SEE WINDOW TYPES
32. SIMULATED WINDOW WITH BRICK RECESS
33. WALL PACK LIGHT FIXTURE

SENIOR RESIDENCE AT KEDRON VILLAGE

4-22-10
SCALE: 1/16"=1'-0"
CONCEPTUAL ELEVATION

LAND LOT 134, 7TH DISTRICT, FAYETTE COUNTY, GEORGIA
NORSOUTH DEVELOPMENT CO. OF GEORGIA
2000 RIVEREDGE PARKWAY, SUITE 950
ATLANTA, GA 30328 678-460-2865

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
1515 Cleveland Avenue Building 100 Suite 102 East Point, Georgia 30344 (404) 761-1299

Narrative for Rezoning Permit Application

Senior Residences at Kedron Village
Land Lot 134 – 7th District, Newgate Road
Application by NorSouth Development

1. **Land Use:** Whether the proposed zoning and/ or land uses are consistent with the long-range land use designation, as well as:
    a) Proposed uses and impacts on public & educational facilities.
    b) Proposed maximum number of dwelling units.
    c) Maximum height of all proposed structures.
    d) Mitigation of impacts on neighboring properties, including vehicular access plan, landscaping and screening, setback and buffer requirements, and transitioning of density/ intensity of land use.
    e) Proposed special amenities including a commitment to landscaping with indigenous, drought tolerant species.
    f) Proposed phasing of development and their relationship to supportive utilities, facilities, transportation, and service components to accommodate the impacts of the development.

Response:

The current land use for the parcel is Multi-Family, zoned LUR 13. The proposed use is for Multi-Family with a GR zoning which would allow for a Senior Age Restricted Apartment use. This use is consistent with the long-range land use.

A) The proposed use of senior amenitized apartments would provide up to 120 new residents to the City, and utilize existing public facilities already available in the City, which were sized for such a development. Educational facilities would not be impacted due to the restricted age of the residents.

B) The proposed maximum dwelling units would be 110, in a mixture of one and two bedroom units.

C) The maximum height of the proposed structure as measured by definition would be proposed at 38 feet, with roof peaks at 44 feet above average grade. We have reviewed this with the Fire Marshall and have their concurrence that this would be acceptable.

D) Surrounding the property is Highway 74 to the west, which has a 50' buffer, and is further separated by the grade change and embankment which screens the majority of the building from the Highway. To the North and East, the property is separated from the Kedron Village Shopping Center by a City Greenbelt containing a stream and buffers. The site plan provides for a setback on both sides to preserve the existing hardwoods and greenbelt. The Property to the South is General Commercial, a hotel and a car wash which will have landscape and screening from the entry to the site, and will likely benefit for commercial use by the new residents of this project. This site is separated from residential densities, with transition of the buffers to nearby commercial uses, and transition of commercial and high density residential at the condominiums on Las Brisas

Court. Access to the property will be from Newgate Road. Being age-restricted senior use, the daily car trips and traffic periods will be within previously planned traffic use for Georgian Parkway and the Kedron Village area. A cart path connection from the property on the east side of Newgate Road is proposed, along with cart parking on site providing path access to the City and Shopping Areas. Regular Transportation will be provided for the residents as an amenity, reducing individual car trips. Parking for residents will be in a gated area.

E) The project will provide interior amenities for the residents of Community Rooms, Activity Rooms, Fitness Center, Salon, Wii Room, Library, and Central Laundry areas. Exterior amenities will include community garden areas, covered pavilion, outdoor grilling area, and garden spaces. The site will be developed under EarthCraft Multifamily standards, which will include of drought tolerant non invasive landscape materials, harvesting rainwater for irrigation, and reduction in water use.

F) The entire project would be built in one phase, including all amenities.

2. **Community Design:** How the proposal will address the principles & standards of community design including, but not limited to:
    a) How the project fits within the village concept of the city as set forth in the city's comprehensive plan.
    b) Providing multi-use path connections between residential and commercial properties and community facilities.
    c) Incorporating crime prevention principles into site and building designs
    d) Providing parking at the rear of commercial buildings.
    e) Locating structures close to the street edge.
    f) Eliminating or limiting large parking lots between public streets and building entrances.
    g) Preserving natural resources on the site.
    h) Incorporating natural storm water management designs as wet ponds and as architectural features of new developments.
    i) Protecting and restoring the natural terrain, drainage, and vegetation.
    j) Aligning new roads to the natural contours of the land.
    k) Building architecture, signs, landscaping, lighting, and retention of natural vegetation along roadways and property boundaries.
    l) Preserving and/ or providing open space.

Response:

(a) The proposed development fits within the village concept of the city as set forth in the city's Comprehensive Plan by adhering to the "step down" practice. Kedron Village Senior Residences is located adjacent to the Kedron Village shopping center. The proposed density and building height is very comparable to the adjacent hotel and appropriate for this immediate location.

In addition, the proposed development is consistent with the Comprehensive Plan in the following nature:

Section 1.1 Housing

Goal: *"Provide a broad range of housing opportunities with an appropriate mix of homes regarding size, type, price and location in order to satisfy the needs of new and future residents while ensuring natural pleasing surroundings."*

In addition to satisfying the needs of new and future residents, Kedron Village Senior Residences serves the needs of <u>existing</u> residents by providing an economical housing solution to Peachtree City seniors who are disinterested in the maintenance responsibilities of homeownership, but also want to live in an environment where they are surrounded by neighbors in similar age.

Policies: *"Promote the availability of senior living accommodations in order to keep up with the changing demographics of our society."*

The seniors' population is the fastest growing segment of the country's population. Currently, there is no independent living (which doesn't provide meals), senior rental community in Peachtree City. Kedron Village Senior Residences provides a housing option that:

- Doesn't include the cost and time expenditures of home ownership
- Provides services and amenities specifically targeted to the senior demographic
- Allows seniors to live in an environment with people similar in age

Kedron Village Senior Residences provides a housing need to existing Peachtree City senior residents that does not currently exist.

Section 1.6 Land Use

Goal: *"Establish appropriate land uses in areas that are suitable for development that would not endanger but protect the surrounding environment and aesthetics."*

Policies: *"Keep proper balance of different land uses promoting industry in the industrial park, commercial areas in the village centers, and residential developments that become less dense as you move away from the village center."*

Kedron Village Senior Residences is adjacent to the Kedron Village retail center, or village center. The building will be three stories in height, with the residential development located further away from the village center typically two stories in height. This is evidence of the proposed development supporting the intent of residential development becoming less dense as you move away from the village center.

Currently there is a dense condominium project at Las Brasis, at the intersection of Newgate Road and Georgian Parkway, which provides the nearest residential use to the project site.

Section 3.12 Social and economic development – housing options

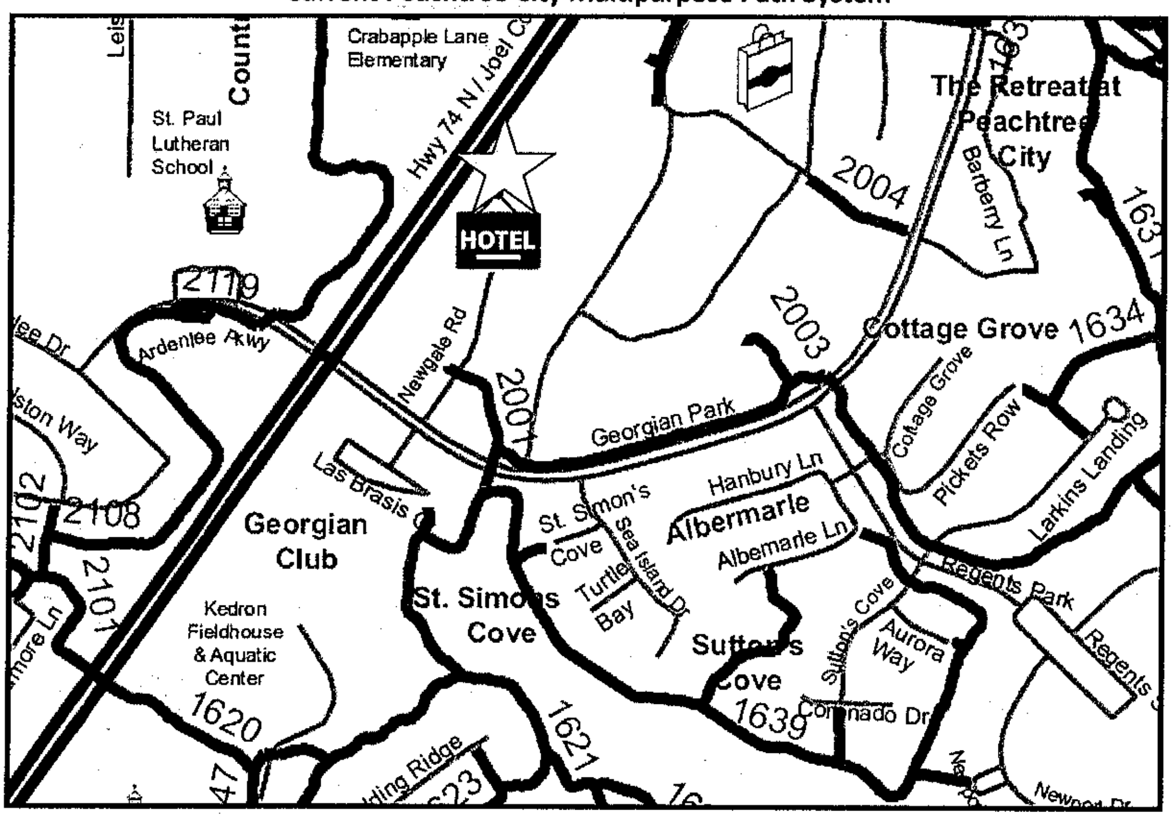
Goal: *"A range of housing size, cost, and density should be provided in each community to make it possible for all who work in the community to also live in the community, to promote a mixture of income and age groups in each community, and to provide a range of housing choice to meet market needs."*

In addition, the Comprehensive Plan states that the "city encourages the development of senior housing to provide housing options for our aging population. Many of these dense residential developments are close to shopping so that residents can utilize the multi-purpose path system to reach their destination without travelling by automobile."

Kedron Village Senior Residences is consistent with this intent of the Comprehensive Plan.

(b)

Current Peachtree City Multipurpose Path System



Kedron Village Senior Residences will provide a multi-purpose path connection to the current path system allowing for linkage between residential properties, commercial properties and community facilities. An opportunity for connection is provided a few hundred feet from the property line and will be constructed at the expense of the applicant. This connection will provide adjacent access for the residents to the following:

- The 450,000 square feet of commercial use at Kedron Village anchored by Target, Publix, Bed bath & Beyond, Hibbet Sports and Ross Dress For Less
- The twelve eating establishments of Kedron Village
- The Kedron Fieldhouse and Aquatic Center
- Residential developments of Georgian Club, St. Simons Cove, Albemarle, Cottage Grove and Retreat at Peachtree City
- Myriad of medical office services located along Georgian Park. These services include, but are not limited to dentistry, women's healthcare, physical therapy and cardiology

It is the intent of the applicant to provide not only golf carts, but potentially a golf cart "shuttle service" for the residents to the adjacent retail, medical and community facilities to limit the impact on the existing streets and transportation facilities. It is also the intent of the applicant to connect the existing cart path, approximately 150 feet off site on Newgate Road to the site at the applicant's expense, and to provide golf cart parking on site.

(c) Incorporating crime prevention principles into site and building designs

The community itself will be secured with perimeter aluminum fencing typically six feet high; this measure provides a controlled method for both vehicular and pedestrian access to the property. Vehicular access will be controlled with a motorized gate at the main entrance to the property. The gate is closed at all times, and electronically opened through a card reader system. All resident parking is located behind the gate. Pedestrian access onto the property is controlled through gates conveniently located for the residents. The gates are locked at all times, and unlocked by an electronic device distributed to each resident upon their moving into the community.

The building itself is secured at all times. The entrance doors into the building are locked with a magnetic locking system. The doors are unlocked with an electronic device distributed to the residents upon their moving into the community. Closed circuit cameras are located at the building entrance points as well. The building access points will be strategically located to minimize travel distances for the residents from the parking areas, but kept to a minimum to allow for better management.

All ground floor units will be pre-wired for a security system on all doors and windows. Upon occupancy, each resident has the ability to engage a security monitory system should they so choose. Additional closed circuit cameras are located in various interior areas of the building.

Finally, guest parking spaces are be located near the main entrance of the community. The management office is located within this vicinity to allow for the community staff to easily see new guests or potential residents upon their entry to the property. The building and parking are close to the street, but limited in size. From the gated parking areas 90% of the spaces will be within 200 feet of a controlled entrance. Covered Drop offs are provided for inclement weather and residents returning from shopping.

The site was stripped and graded in 1999, and the proposed development plan stays within the limit of that grading, preserving the trees surrounding the property. The detention area on site will be developed as a wet pond as a landscaped feature for the project. The Building architecture, signage, landscaping, and lighting will be within city standards, extending the earth tone, natural materials, and character of the area. The higher density of the building, combined with less intensive parking use allows over 57% of the site to be left as open space.

3. **Economic Development:** Identify whether or not the proposed use is an existing county-based business or targeted industry, as identified by the Fayette County development authority and/or the development authority of the city. Provide an estimate the development will have on the city's tax base.

Response:
The proposed development is not an existing county-based business or targeted industry as identified by the Fayette County or City Development Authority. The economic benefits to Peachtree City from the development of Kedron Village Senior Residences will be substantial and sustained over a significant period. These impacts can be characterized by their duration. They are either:

- <u>One-time-</u> occurring only once during the project, typically during the construction and development phase.

- <u>Recurring-</u> benefits from the project that occur annually due to the on-going operation of the project.

The one-time economic benefit from Kedron Village Senior Residences to Peachtree City during construction is $6.0M. The total recurring economic benefit from Kedron Village Senior Residences to Peachtree City and Fayette County from increased market value, retail spending and additional property and sales taxes is $7.0 million.

METHODOLOGY

To assess the overall economic impacts resulting from the development of Kedron Village Senior Residences, two measures of economic impact were considered in the analysis—

- Local Public Revenues- the taxes and other public revenues generated by Kedron Village Senior Residences which will go to local governments—Peachtree City, Fayette County and the Fayette County School District.
- General economic benefit- the economic growth which will occur in Peachtree City's economy from development. This includes the value of new construction, employment, payroll, construction materials purchased locally, etc.

LOCAL PUBLIC REVENUES

The local public revenues represent the taxes and other public revenues generated by Kedron Village Senior Residences which will go to local governments. The local public revenues to Peachtree City can be categorized as follows:

- The one-time local public benefits are defined as the economic benefits resulting directly from the construction and development of the project. Examples of these economic benefits include local sales taxes from the purchasing of construction materials and spending from construction labor at the jobsite, development impact fees, sewer and water tap fees, building permit and review fees.
- The recurring local public benefits are defined as the economic benefits from the operation of Kedron Village Senior Residences once construction is completed and the residential units are occupied. Examples of these economic benefits include the property taxes, local sales taxes and business license/occupational taxes.

The development of Kedron Village Senior Residences will have a one-time local public revenue impact from construction to Peachtree City of $556,672. In addition, the recurring local public revenues from operations of Kedron Village Senior Residences to Peachtree City, Fayette County and the Fayette County School District are $103,271.

GENERAL ECONOMIC BENEFITS

The general economic benefits represent the economic growth which will occur in Peachtree City's economy from the development. This includes the value of new construction, employment, payroll, construction materials purchased locally, etc. The general economic benefits to Peachtree City can be categorized as follows:

- The one-time general economic benefits are defined as the economic benefits resulting directly from the construction and development of the project. Examples of these economic benefits include total construction value, construction materials purchased locally, annual construction payroll, annual construction employment and annual spending by construction workers.

- The recurring general economic benefits are defined as the economic benefits from the operation of Kedron Village Senior Residences once construction is completed and the residential units are occupied. Examples of these economic benefits include the new market value, purchases by operation of Kedron Village Senior Residences, purchases by employees of Kedron Village Senior Residences and purchases by new residents of Kedron Village Senior Residences.

The development of Kedron Village Senior Residences will have a one-time general economic benefit impact from construction to Peachtree City of \$5.4 million. In addition, the recurring general economic benefits from operations of Kedron Village Senior Residences to Peachtree City are \$7.0M.

ECONOMIC IMPACT ANALYSIS

The aforementioned information was provided by the Bleakly Advisory Group. Norsouth Companies retained the services of the Bleakly Advisory Group to perform an analysis (attached) of the economic impacts to Peachtree City, Georgia from the development of Kedron Village Senior Residences.

Bleakly Advisory Group, Inc. is a specialized real estate and economic advisory firm based in Atlanta, Georgia which provides services to the public and private sectors. Founded in 2001, Bleakly Advisory Group have been focused on helping developers, governments and non-profit organizations deal with a wide range of real estate related issues to understand how market and economic forces impact their development vision. The firm is grounded in more than 25 years of experience in both consulting and implementation, and their clients include developers, land owners, investors, corporations, institutions, development corporations, public authorities and governments.

4. **Fire and Rescue:** Discuss how fire safety will be addressed:

   a) Impacts of the proposal on established level of service (LOS) standards.
   b) Additional mitigation measures such as sprinklers and fire-rated construction if outside travel time.
   c) Proposed improvements, including possible transportation improvements to achieve a satisfactory LOS.

Response:

The proposed project should have no impacts on Level of Service Standards. The building will be fully sprinklered with a NFPA 13 system.

5. **Potable Water:** Describe how water will be provided to the site:
    a) Relationship of the proposed development to supportive public utilities.
    b) Improvements proposed, especially if the proposal relies on groundwater or recharge areas.

Response:
Public water is available to the parcel, Fayette County ID# 073518003, served by an 8" C900 water main.

6. **Sewer:** Describe how sanitary sewer service will be provided to the site:

    a) Relationship of the proposed development to supportive public utilities, where consistent with the comprehensive plan.
    b) Proposed improvements to accommodate development

Response:
Sanitary sewer is available to the site, with the existing line and connection on the east side of the site.

7. **Transportation:** Describe measures to achieve level of service 'D' or better. The limits of any traffic study shall be determined by the city engineer and the city's traffic consultant and shall include:

    a) Impacts of the proposal on established level of service (LOS) standards.
    b) Improvements proposed, both motorized and non-motorized.
    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.

Response:
The site as currently approved for 24 multifamily townhouses which achieved an acceptable level of service 'D' or better. The proposed use for 110 senior residences would provide a 6.6% to 37.5% reduction in peak trips compared to the current townhouse use. The site is approximately 150' from the existing cart path intersection on Newgate Road, and we propose providing the connection between this development and that intersection at the cost to the applicant. There is only one access to the property, from Newgate Road.

NORSOUTH

BleaklyAdvisoryGroup

May 5, 2010

Mr. Brendan S. Barr
Vice President of Development
Norsouth Companies
2000 Riveredge Parkway
Suite 950
Atlanta GA 30328

Re: Economic Benefits to Peachtree City, Georgia from the creation of the Kedron Village Active Senior Housing Development

Dear Brendan:

Per our engagement letter, this letter report summarizes the results of our analysis of the economic impacts to Peachtree City, Georgia from the development of Kedron Village, an active senior housing development being proposed by Norsouth Companies.

THE PROJECT

The Kedron Village senior housing development would be located on a 5.6 acre site at the intersection of Newgate Road and Highway 74 in Peachtree City, Georgia. The development will consist of 93 age restricted senior housing units. There will be 18 one-bedroom and 75 two bedroom units. Kedron Village will also include common areas, a community kitchen, an exercise room and other areas for the residents to meet and socialize. The development will consist of both market rate and income restricted senior housing units and will provide the residents of Peachtree City and Fayette County with an attractive new housing alternative for seniors from the area who are seeking an active senior lifestyle.

Norsouth Companies is a highly experienced multifamily development company headquartered in Savannah and Atlanta, Georgia.

The project will provide an attractive rental housing alternative for 62 and older residents of Peachtree City and Fayette County, with spacious one and two bedroom units, many project amenities, services and substantial landscaping which assure its compatibility with other quality developments in Peachtree City.

METHODOLOGY

To assess the overall economic impacts resulting from Kedron Village, two measures of economic impact were considered:

- ***General economic benefit*** – the economic growth which will occur in Peachtree City's economy from the development. This includes the value of new construction, employment, payroll, construction materials purchased locally, etc.

6000 Lake Forrest Drive • Suite 108 • Atlanta, GA 30328
Tel: 404-845-3550 • Fax: 404-795-0707 • Cell: 404-316-8990 • Email: ken@blagroup.com

- ***Local public revenues*** – the taxes and other public revenues generated by Kedron Village which will go to local governments—Peachtree City, Fayette County and the Fayette County School District. This is effectively the local government's "cash-on cash" return from the project.

These two measures of economic impact were evaluated in terms of three areas:

- ***Economic impacts due to construction*** -- -- the economic effects resulting directly from the construction and development of the project.
- ***Economic impacts due to operations*** -- -- those economic effects resulting from the ongoing operations of Kedron Village.
- ***Economic impacts due to employees/residents/businesses*** -- -- those economic effects resulting from expenditures for its operation, its employees, and residents who live, at Kedron Village

In addition, economic impacts can be characterized by their duration. They are either:

- *One-time*—occurring only once during a project, typically during the construction and development phase.
- *Recurring*—benefits from the project that occur annual due to the on-going operation of the project.

THE ECONOMIC IMPACTS OF KEDRON VILLAGE

Presented below and detailed in the accompanying exhibits is an assessment of the economic benefits from Kedron Village, during its construction and operations.

I. Economic Benefits from Construction of Kedron Village

Exhibit 1 presents a summary of the economic impacts to Peachtree City from the development of Kedron Village. They are:

A. General Economic Benefits

- ***Total Construction Value:*** The construction of 93 residential units and related common areas will have a total construction cost of $5,301,000.
- ***Construction Materials Purchased Locally:*** An estimated $1,458,000 in construction materials will be purchased locally (Fayette County).
- ***Annual Construction Payroll:*** The project should take a year to complete and the construction payroll will be $2,385,000.
- ***Annual Construction Employment:*** There will be approximately 52 construction jobs at the site.
- ***Annual local spending by construction workers:*** The construction workers will spend approximately $134,830 on goods and services near the worksite.

- ***Total General Economic Benefit from Construction: $5.4 million***

B. Public Revenues to Peachtree City/Fayette County

- *Local Sales Taxes (LOST & ESPLOST):*
  - From construction materials: $58,311
  - From construction labor spending at the jobsite: $2,697

- *Impact Fees:* $322,388

- *Sewer and Water Tap Fees:* $132,525

- *Building Permit and Plan Review Fees*: $30,741

- ***Total Public Revenues to Peachtree City/Fayette County from Construction: $481,714***

II. Economic Benefits to Peachtree City from the Operation of Kedron Village

Exhibits 2 & 3 detail the economic benefits to Peachtree City and Fayette County from the operation of Kedron Village once construction is completed and the residential units are occupied. Exhibit 2 presents a detailing of the General Economic Benefits and Exhibit 3 the Public Revenues to Peachtree City from Kedron Village.

B. General Economic Benefits to Peachtree City

- *New Market Value:* The estimated market value of Kedron Village will be $6.0 million.

- *Economic Purchases by Operation of Kedron Village:* The management of Kedron Village will purchase locally approximately $148,440 annually in local goods, services and utilities as part of its on-going operations.

- *Economic Purchases by Employees of Kedron Village:* The four permanent employees with a total payroll of $86,741 will spend $24,287 annually near their place of employment.

- *Economic Purchases by New Residents:* Assuming new residents to Peachtree City will occupy 50% of the 93 senior housing units, they will have a combined household income of over $1.83 million and will spend $397,628 in local retail purchases annually.

- ***The General Economic Benefit from the Operations of the Kedron Village will be $6.6 million annually.***

C. Public Revenues from Operations to Peachtree City

- *The property taxes from Kedron Village will be substantial:* It will generate approximately $85,000 in annual property taxes to Peachtree City, Fayette County and the Fayette County School District.

- *Local Sales Taxes (LOST & ESPLOST):* Peachtree City, Fayette County and the Fayette County School District will receive over $570,355 in new retail sales from the operation of Kedron Village and an additional $11,407 in local sales taxes annually from its operation and the spending by employees and residents of the project.

- ***Business License/Occupational Tax:*** are estimated to be $93 per year to the City.

- ***The Public Revenues from the Operations of Kedron Village to Peachtree City, Fayette County and the Fayette County School District will be $98,499 annually.***

SUMMARY

The economic benefits to Peachtree City from the development of Kedron Village will be substantial and sustained over a significant period. The key economic benefits are:

During Construction (one-time benefit):

- *$5.3 million in construction value*
- *$1.5 million in construction materials purchased locally*
- *52 construction jobs,*
- *$2.4 million in construction payroll*
- *$135,000 in local spending by construction workers*
- *$5.4 million in general economic benefits during construction*
- *$481,714 in public revenues to Peachtree City, Fayette County from construction*

During Operations (recurring every year):

- *$6.0 million in additional market value*
- *$570,000 in annual retail sales in the city and county,*
- *4 permanent employees*
- *$87,000 in annual payroll*
- *$85,000 in annual property taxes*
- *$11,400 in local sales taxes to the County and School District*
- *$98,499 in annual local governmental revenues*

$6.6 million in Total Annual Economic Benefit from Kedron Village to Peachtree City and Fayette County from increased market value, retail spending and additional property and sales taxes

We hope the information included in this report is useful in your discussions with Peachtree City. Kedron Village will have a significant economic impact on the City and County in addition to broadening the housing options available to local seniors. Please let us know if you have any questions regarding this analysis.

Very truly yours,

Kenneth D. Bleakly, Jr.
President.

Exhibit I: Economic Benefits From Construction of Kedron Village, Peachtree City			
General Economic Benefits from Construction	**Units**	**Aver. Cost /Unit**	**Construction Value**
Construction Costs			
One Bedroom/ One Bath Units	18	$ 57,000	$ 1,026,000
Two Bedroom/Two Bath Units	57	$ 57,000	$ 3,249,000
Two Bedroom/Two Bath Units	18	$ 57,000	$ 1,026,000
Total	93		**$ 5,301,000**
Construction Materials 55%			$ 2,915,550
Construction Materials purchased locally 50%			$ 1,457,775
Labor Cost			$ 2,385,450
Average Annual Payroll (12 month construction)			$ 2,385,450
Average construction wage			$ 46,000
Average annual FTE construction payroll			52
Annual worksite retail spending by construction workers			$ 134,830
General Economic Benefits From Construction			**$ 5,435,830**
Public Revenues to Peachtree City/Fayette County from Construction			
Local sales taxes from construction materials (2%)			$ 58,311
Local sales taxes from construction labor retail spending			$ 2,697
Fees			
Land Disturbance Fee ($200 plus $100 per acre X 5.6 acres)			$ 760
Impact Fee, Residential	93	$3,466	$ 322,378
Sewer and Water Fees:			
Water and Meter Fees ($100 per unit)	93	$ 100	$ 9,300
Sewer & Connection Fee	93	$ 1,425	$ 132,525
Building permit/plan review fees			
Building Permit at $5/$1000 of construction cost	$5,301,000	$0.0050	$26,505
Plan Review Fee @ $.05 per total heated SF	84,733	$0.0500	$4,237
Public Revenues From Construction			**$481,714**

Source: Bleakly Advisory Group

Exhibit II: Estimated Economic Benefit From Operations of Kedron Village, Peachtree City

Increased Market Value	**Units**	**Value Unit**	**Market Value**
Residential Units	93	$ 65,000	$ 6,045,000
Total Project Market Value			**$ 6,045,000**
Local Operations of Kedron Village	**Total Purchases**	**Local Purchases**	**Annual Local Purchases**
Maintenance and Supply Expenses	$ 121,099	$ 96,879	
Utilities	$ 51,561	$ 51,561	-
Subtotal	$ 172,660	$ 148,440	$ 148,440
Permanent Payroll	**Total Employees**	**Total Payroll**	**Local Purchases by Employees**
Estimated Permanent Employees	4	$ 86,741	$24, 287
Local Purchases by New Residents	**New Households @ 50%**	**Household Income**	**Local Purchases by Residents**
Market Rate Units	9	$ 45,900	$ 115,668
Income Restricted Units @ 50% and 60% AMI	38	$ 26,500	$ 281,960
Subtotal	47	$ 1,833,200	$ 397,628
Annual Local Purchases--Operation, Employees and Residents			$ 570,355
	General Economic Benefit from Operations		**$ 6,615,355**

Source: Bleakly Advisory Group

Exhibit III: Local Governmental Revenues from Kedron Village	
Property Taxes	
Market Value of Kedron Village	$6,045,000
Assessed Value of Kedron Village	$2,418,000
Peachtree City Tax Rates	
Peachtree City @.005534	$13,381
Fayette County Schools @ .023420	$56,630
Fayette County Incorporated @ .005400	$13,057
County EMS @ .000548	$1,325
State of Georgia @ .00025	$605
Total Property Tax	**$84,998**
Local Sales Taxes	
Annual Retail Sales	
Local Expenditures for Operation s	$96,879
Local Expenditures by Employees	$24,287
Local Expenditures by Residents	$397,628
Total Local Taxable Retail Sales	$570,355
Annual Local Sales Taxes from Kedron Village Retail Sales @ $.02 (LOST & ESPLOST)	**$11,407**
Annual Business License/Occupation Tax	
Number of Employees	4
Occupation Tax per employee	$18.40
General Charge	$20.00
Total Annual Occupation Tax	**$93.60**
Total Annual Local Governmental Revenues	**$98,499**

Source: Bleakly Advisory Group

TRIP GENERATION ANALYSIS
SENIOR RESIDENCES AT KEDRON VILLAGE

A. EXISTING LAND-USE: 24 PROPOSED TOWNHOUSES

* LAND-USE CODE 230, RESIDENTIAL CONDOMINIUM/TOWNHOUSES

1. WEEKDAY PEAK TRIP ENDS/UNIT
   - a. A.M. PEAK
     0.44 TRIPS/HOUR X 24 UNITS = 10.56 TRIPS / HOUR
   - b. P.M. PEAK
     0.54 TRIPS/HOUR X 24 UNITS = 12.96 TRIPS / HOUR

B. PROPOSED LAND-USE: 110 SENIOR HOUSING UNITS

* LAND-USE CODE 253, ELDERLY HOUSING ATTACHED

1. WEEKDAY PEAK TRIP ENDS/UNIT
   - a. A.M. PEAK
     0.06 TRIPS/HOUR X 110 UNITS = 6.6 TRIPS / HOUR
   - b. P.M. PEAK
     0.11 TRIPS/HOUR X 110 UNITS = 12.1 TRIPS / HOUR

C. COMPARISON OF LAND USES

1. WEEKDAY PEAK TRIP ENDS
   - a. A.M. PEAK

TOWNHOUSES =	10.56 TRIPS
SENIOR HOUSING =	6.6 TRIPS
YIELD =	37.5% REDUCTION

   - b. P.M. PEAK

TOWNHOUSES =	12.96 TRIPS
SENIOR HOUSING =	12.1 TRIPS
YIELD =	6.64% REDUCTION

NOTE: TRIP GENERATION RATES WERE TAKEN FROM THE INSTITUTE OF TRANSPORTATION ENGINEERS <u>TRIP GENERATION, 5TH EDITION</u>.

Section 17- information
Land Lot 134 – 7th District, Newgate Road
Application by NorSouth Development

Kedron Village Senior Residences will be a high quality, mixed income community reserved for persons aged 62 years and older who are living independently. That being said, the Applicant is willing to allow for a restriction on the property wherein all residents must be age sixty two (62) and older. The community will target seniors who currently live an active, independent lifestyle; so all of the residences are equipped with kitchens and the community does not provide any meals.

This community will be a non-subsidized housing community; and will offer housing to moderate income seniors at affordable prices. Every resident living in the community will be responsible for paying 100 percent of their monthly rent. The primary resident is a senior citizen living on a fixed income comprised typically of social security benefits, pensions and other retirement plans, and financial aid from their adult children. From looking at the resident profile of our other communities, our effective market begins at the age of 70, is predominantly female and single—86% of our residences are occupied by a single person household. That being said, two bedroom, two bathroom unit plans will be offered to encourage couples to reside at the property.

A portion of the residences are set aside for moderate income seniors at specific income limits, while a portion of the residences are set aside as market rate to persons with no maximum income restrictions. More specifically:

- A portion of the one bedroom residences are set aside for persons earning a minimum of $18,840 and a maximum of $30,120 annually. Our one bedroom residences are occupied by a single person household 97 percent of the time.

- A portion of the two bedroom residences are set aside for persons earning a minimum of $22,790 and a maximum of $34,440 annually. Two bedroom residences are occupied by a single person household at least 75 percent of the time.

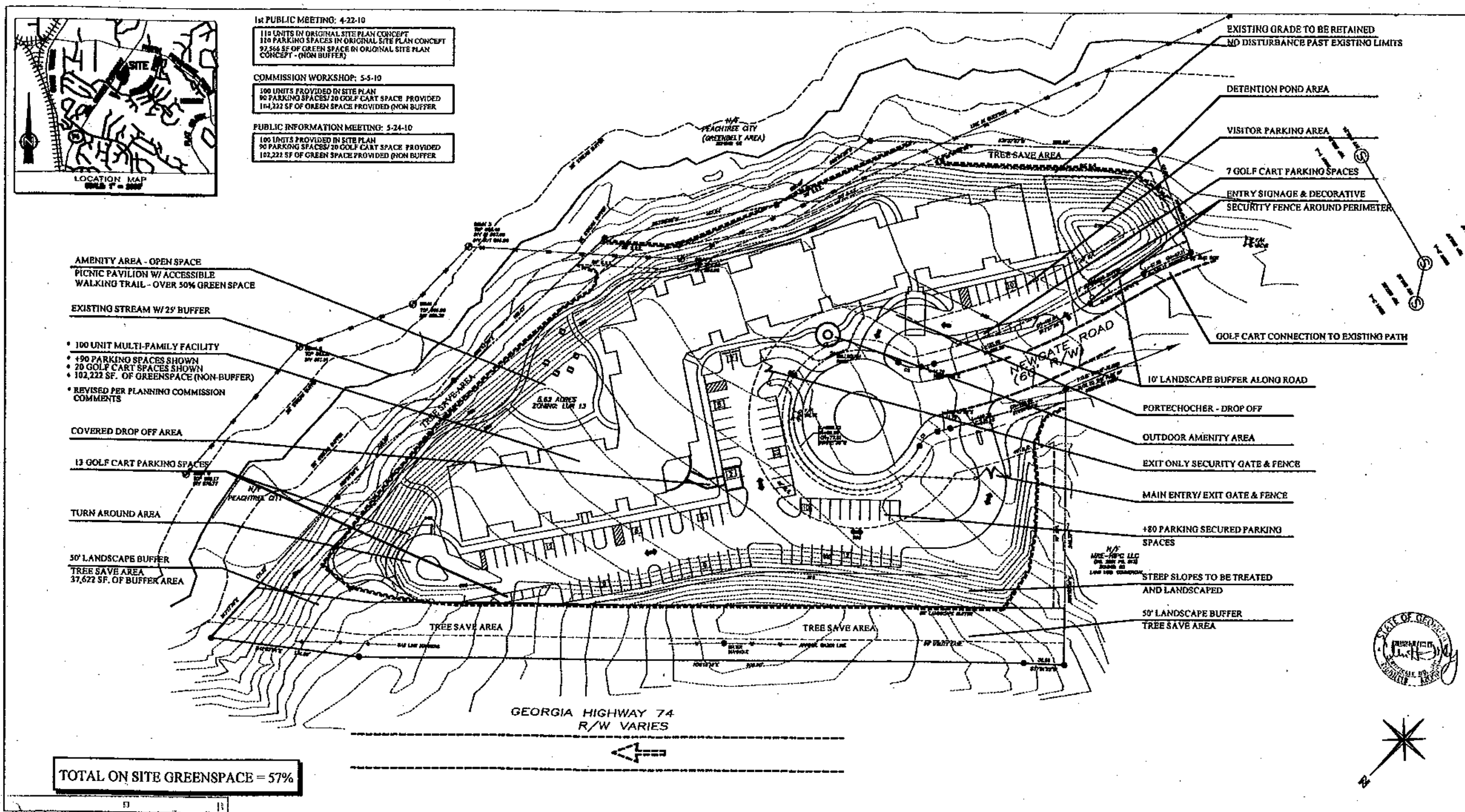
This community would be "service enriched" to support an active lifestyle. Examples of onsite services include medical screenings, exercise classes and pottery classes. This community would be "amenity laden" to encourage resident socialization. Such amenities would include gardening plots, game room, fitness center and a barbeque area.

In conclusion, many benefits exist for age restricted housing targeted to moderate income seniors:

- The length of residency of our residents is longer than for general occupancy communities—with 2/3 of our residents having a tenure of at least 2 years. This leads to a lower level of resident turnover and a very stable operating asset

- Seniors have a minimal impact on community infrastructure—most notably on schools and roads

- Serves a housing need for the fastest growing segment of the country's population
- Income requirements are based upon the residents retirement income; primarily social security income, pensions, aid from adult children or often the sale of a single family home



0 20' 40' 80'
SCALE: 1" = 40'-0"

Received
MAY 20 2010
Office of Planner

SENIOR RESIDENCE AT KEDRON VILLAGE

LAND LOT 134, 7TH DISTRICT, FAYETTE COUNTY, GEORGIA

NORSOUTH DEVELOPMENT CO. OF GEORGIA
2000 RIVEREDGE PARKWAY, SUITE 950
ATLANTA, GA 30328 678-460-2868

4-22-10; REVISED 5-5-10; REVISED 5-18-10
SCALE: 1"=40'-0"

REVISED PER PLANNING COMMISSION WORKSHOP

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
1513 Cleveland Avenue Building 100 Suite 102 East Point, Georgia 30344 (404) 761-1299

Ordinance Number ______ (GR-18)

AN ORDINANCE TO AMEND SECTION 1004A OF THE PEACHTREE CITY ZONING ORDINANCE TO REZONE A 5.62-ACRE TRACT OF LAND ON NEWGATE ROAD FROM LUR-13 LIMITED USE RESIDENTIAL TO GR-18 GENERAL RESIDENTIAL TO PERMIT A 100-UNIT AGE-RESTRICTED APARTMENT COMPLEX FOR SENIOR ADULTS, AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article X, Requirements by district, of the Peachtree City Zoning Ordinance, specifically Section 1004A Property rezoned to GR, be amended to add Section 1004A.2 as follows:

(Section 1004A.2) *Newgate Road tract (GR-18)*

(a) The property described below shall be rezoned from its present classification of LUR-13 Limited Use Residential to GR-18 General Residential. Said property is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 134 OF THE 7th DISTRICT, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY OF NEWGATE ROAD (60' R/W) BEING 508.00' NORTH OF A POINT WHERE THE WEST RIGHT OF WAY OF NEWGATE ROAD AND THE NORTH RIGHT OF WAY OF GEORGIAN PARK INTERSECT; THENCE RUNNING N 54 50 09 W A DISTANCE OF 248.37' TO AN IRON PIN FOUND ON THE EAST RIGHT OF WAY OF GEORGIA HIGHWAY 74 (R/W VARIES), THENCE RUNNING ALONG SAID R/W N 37 51 22 E A DISTANCE OF 36.55' TO AN IRON PIN FOUND, THENCE COUNTINUING ALONG SAID R/W N 35 15 15 E A DISTANCE OF 600.00' TO A IRON PIN SET, THENCE CONTINUING ALONG SAID R/W N 42 03 54 E A DISTANCE OF 134.50' TO AN IRON PIN FOUND, THENCE LEAVING SAID R/W AND RUNNING S 13 17 35 E A DISTANCE OF 171.12' TO AN IRON PIN SET, THENCE RUNNING S 09 51 05 E, A DISTANCE OF 148.57' TO AN IRON PIN SET, THENCE RUNNING S 08 43 00 E A DISTANCE OF 188.47' TO AN IRON PIN FOUND, THENCE RUNNING S 23 58 55 W A DISTANCE OF 157.24' TO AN IRON PIN SET, THENCE RUNNING S 00 50 25 W A DISTANCE OF 102.46' TO AN IRON PIN FOUND, THENCE RUNNING S 36 37 57 W A DISTANCE OF 255.92' TO AN IRON PIN FOUND, THENCE RUNNING N 74 54 09 W A DISTANCE OF 97.50' TO AN IRON PIN FOUND ON THE EAST R/W OF NEWGATE ROAD, THENCE CURVING TO THE LEFT ALONG SAID R/W A CHORD BEARING OF N 10 06 19 E A CHORD DISTANCE OF 47.11' , BEING SUBTENDED BY AN ARC DISTANCE OF 47.15' TO A POINT, CONTINUING ALONG SAID R/W N 06 08 01 E A DISTANCE OF 54.99' TO A POINT,THENCE CURVING TO THE RIGHT ALONG SAID R/W A CHORD BEARING OF N 13 27 34 E A CHORD DISTANCE OF 151.04' , BEING SUBTENDED BY AN ARC DISTANCE OF 151.45' TO A POINT, CONTINUING ALONG SAID R/W N 20 47 06 E A DISTANCE OF 11.79' TO A POINT, THENCE CURVING TO THE RIGHT ALONG SAID R/W A CHORD BEARING OF N 45 37 30 E A CHORD DISTANCE OF 21.00', BEING SUBTENDED BY AN ARC DISTANCE OF 21.67' TO A POINT,CONTINUING ALONG

SAID R/W CURVING TO THE LEFT A CHORD BEARING OF N 69 21 36 W A CHORD DISTANCE OF 77.51' , BEING SUBTENDED BY AN ARC DISTANCE OF 292.72' TO A POINT,CONTINUING ALONG SAID R/W CURVING TO THE RIGHT A CHORD BEARING OF S 04 03 18 E A CHORD DISTANCE OF 21.00' , BEING SUBTENDED BY AN ARC DISTANCE OF 21.67' TO A POINT, THENCE CONTINUING ALONG SAID R/W S 20 47 06 W, A DISTANCE OF 11.79' TO A POINT, THENCE CURVING TO THE LEFT ALONG SAID R/W A CHORD BEARING OF S 15 57 55 W A CHORD DISTANCE OF 109.66' , BEING SUBTENDED BY AN ARC DISTANCE OF 109.79' TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 5.62 ACRES.

(b) This tract is illustrated on the Boundary Survey prepared by Delta Surveyors, Inc. (dated April 20, 2010), a copy of which is attached hereto as Exhibit "A" and incorporated herein by express reference.

(c) It is intended that the GR-18 zoning designation be established for the property specifically for the development of a 100-unit apartment complex for senior adults and that age restrictions be placed on the property to accommodate residents 62 years of age and older.

(d) Development shall take place substantially in conformance with the schematic master plan prepared by Foley Design Associates Architects, Inc. (last revised May 18, 2010) for "Kedron Senior Residences," a copy of which is attached as Exhibit "B". It is understood the building layout, internal circulation, parking areas and stormwater detention areas may change once detailed site and grading plans are prepared; however, any increase in the total number of residential units or any modification to the conditions and requirements of this section shall require a new rezoning action.

(Section 1004A.2.1) *Permitted uses.*

1. No more than 100 dwelling units, all of which shall be age-restricted, shall be permitted within the overall development.

2. Ancillary uses, such as, but not limited to, a beauty salon, barber shop, fitness studio or dining facility located wholly within the building.

3. Publicly owned building, facility or land.

4. Building, facility or land for the distribution of utility services.

5. Building, facility or land for non-commercial park, recreation or open space purposes solely for the use of the occupants, staff, and guests of the development.

6. Customary home occupations, as identified herein.

7. Accessory uses, as identified herein.

(Section 1004A.2.2) *Conditional uses.*

No conditional uses shall be permitted within this zoning district.

(Section 1004A.2.3) *Other requirements.*

1. Minimum floor area per dwelling unit:

   a. 1 Bedroom/ 1 Bath 725 SF
   b. 2 Bedroom/ 1 Bath 927 SF
   c. 2 Bedroom/ 2 Bath 992 SF

2. Minimum zoning lot area.

   As described herein and shown on the schematic master plan approved as a part of the rezoning.

3. Maximum number of dwelling units.

   A total of 100 residential units as described herein.

4. Minimum lot width.

   As described herein and shown on the schematic master plan approved as a part of the rezoning.

5. Minimum front building setback.

   a. Building: 40'
   b. Parking: 10'

6. Minimum side setback.

   15'; provided that the building layout and separation is in accordance with current building and life safety codes and approved by the city's Building Official and Fire Marshal.

7. Minimum rear setback.

   20'; provided that the building layout and separation is in accordance with current building and life safety codes and approved by the city's Building Official and Fire Marshal.

8. Maximum building height.

   Each building shall be no more than three (3) stories in height and shall not exceed 48 feet in height from finish grade to the ridge line or the tallest portion of the roof. The building height shall be reviewed and approved by the Building Official and Fire Marshal as a part of the site plan approval process.

9. Parking.

A minimum of one (1) vehicular parking space (9' x 18') shall be provided for each residential unit. A minimum of 25 golf cart parking spaces (6' x 10') shall be provided. It is understood that all parking areas will be enclosed with a security fence with electronic security gates.

Dumpsters, loading and service areas shall not be located within any building setback areas and shall be properly screened from view in accordance with city ordinances.

10. Multi-use path connections.

The Applicant shall coordinate with City Staff to determine the location of a multi-use path connection from this development to the existing multi-use path on Newgate Road and shall responsible for designing and constructing this multi-use path connection at no cost to the city.

11. Signs.

As set forth within the city's Sign Ordinance.

12. Tree save and landscape buffers.

No less than a 50' tree save and landscape buffer shall be provided adjacent to SR 74, as measured from the right-of-way. Absolutely no disturbance will be permitted within this area and all existing vegetation within this buffer area shall be preserved.

13. Internal buffers and tree save areas.

Tree save areas shall be delineated with tree save fencing and approved by the City Landscape Architect prior to any land disturbance activities. These areas shall be maintained with natural vegetation and/ or enhanced with berms, fencing and landscaping. No vegetation shall be removed from these areas without city approval.

14. Curb cuts.

The overall development shall be limited to no more than four access drives onto Newgate Road.

15. Architectural concept.

The architectural design, color selection and exterior building materials for all buildings shall comply with the city's Design Guidelines Ordinance. All sides of each building must include architectural detailing and similar building materials.

16. Site lighting.

A complete site lighting plan, including all lighting proposed on the exterior of each building, shall be reviewed and approved by City Staff prior to installation. All lighting shall comply with the city's Lighting Ordinance.

17. Landscape concept.

A complete landscape plan for the overall development shall be prepared in accordance with the city's landscape ordinance and submitted to and approved by the Planning Commission. Landscaping shall extend along the entire site frontage on Newgate Road and shall include a combination of berms and plant material to provide a permanent vegetative buffer. Berms must be a minimum of three (3) feet in height with 3:1 slopes. All landscaped areas shall include an underground irrigation system with a programmable timer.

18. Stormwater detention.

The overall development shall comply with the city's post-construction stormwater runoff management ordinance.

19. Delineation of floodplain.

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.

20. Development impact fees.

The developer shall pay impact fees as identified within the city's Development Impact Fee Ordinance. Impact fees for the entire development shall be due prior to issuance of the Building Permit.

21. Age-restriction.

At the Applicant's request, the Property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and adhere to policies and procedures that demonstrate the intent required under this provision.

In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this paragraph.

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 ______________________ 2010.

____
Don Haddix, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

CLOSURE DATA

FIELD CLOSURE=1'IN 10,000+
ANGLE POINT ERROR=< 20"

ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+
EQUIPMENT USED=E.D.M. & THEODOLITE

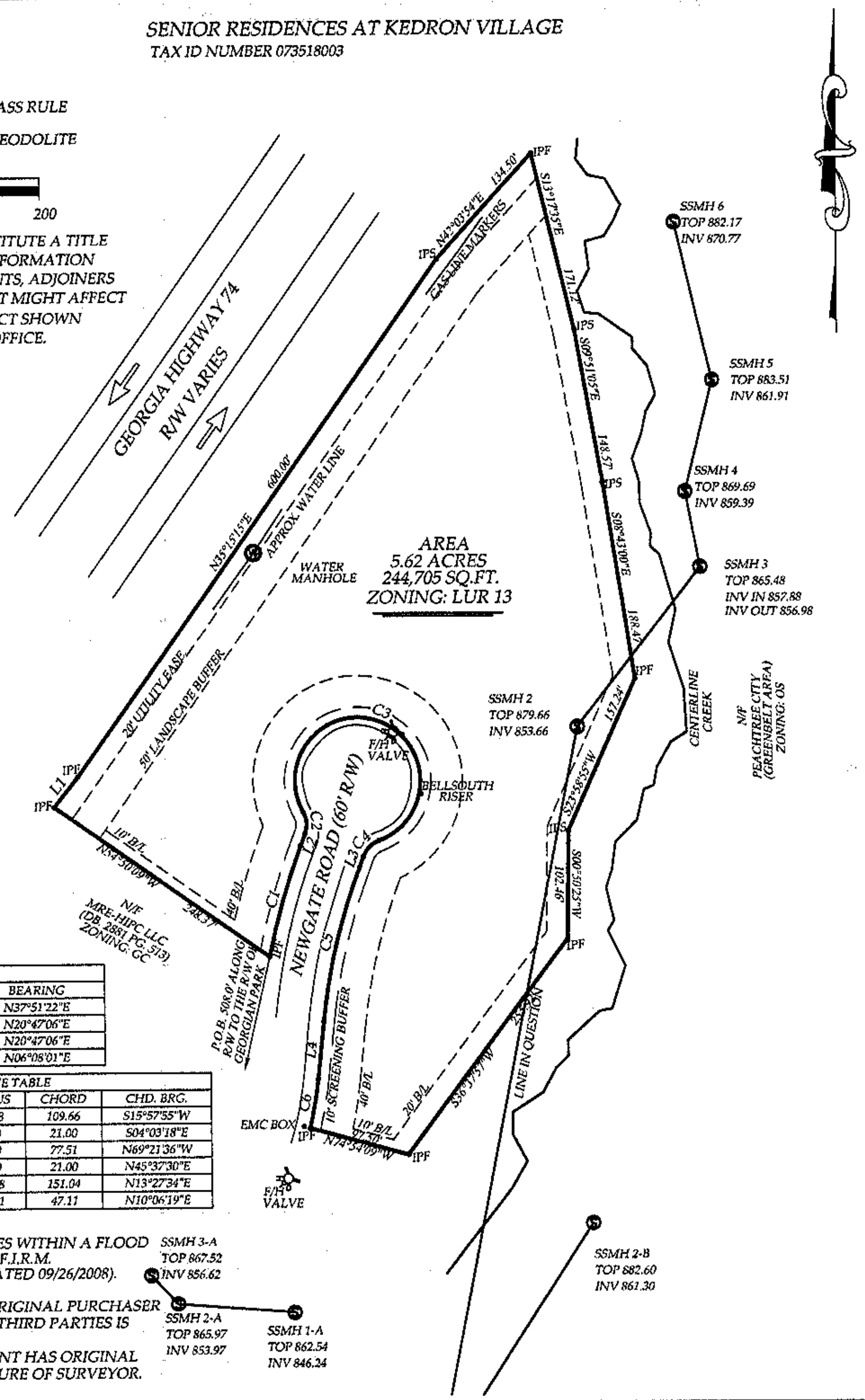
GRAPHIC SCALE

0 50 100 200

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

SENIOR RESIDENCES AT KEDRON VILLAGE

TAX ID NUMBER 073518003



LINE TABLE		
LINE	LENGTH	BEARING
L1	36.55	N37°51'22"E
L2	11.79	N20°47'06"E
L3	11.79	N20°47'06"E
L4	54.99	N06°08'01"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHD. BRG.
C1	109.79	652.28	109.66	S15°57'55"W
C2	21.67	25.00	21.00	S04°03'18"E
C3	292.72	60.00	77.51	N69°21'36"W
C4	21.67	25.00	21.00	N45°37'30"E
C5	151.45	592.28	151.04	N13°27'34"E
C6	47.15	340.11	47.11	N10°06'19"E

THIS PROPERTY DOES NOT LIES WITHIN A FLOOD HAZARD AREA AS PER FEMA F.I.R.M. MAP NUMBER 13113C0155E(DATED 09/26/2008).

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.

LEGEND
IPF=IRON PIN FOUND
IPS=IRON PIN SET
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
PL =PROPERTY LINE
CL =CENTERLINE
EP= EDGE OF PAVEMENT
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE

Prepared For:
NorSouth Development Company of Georgia

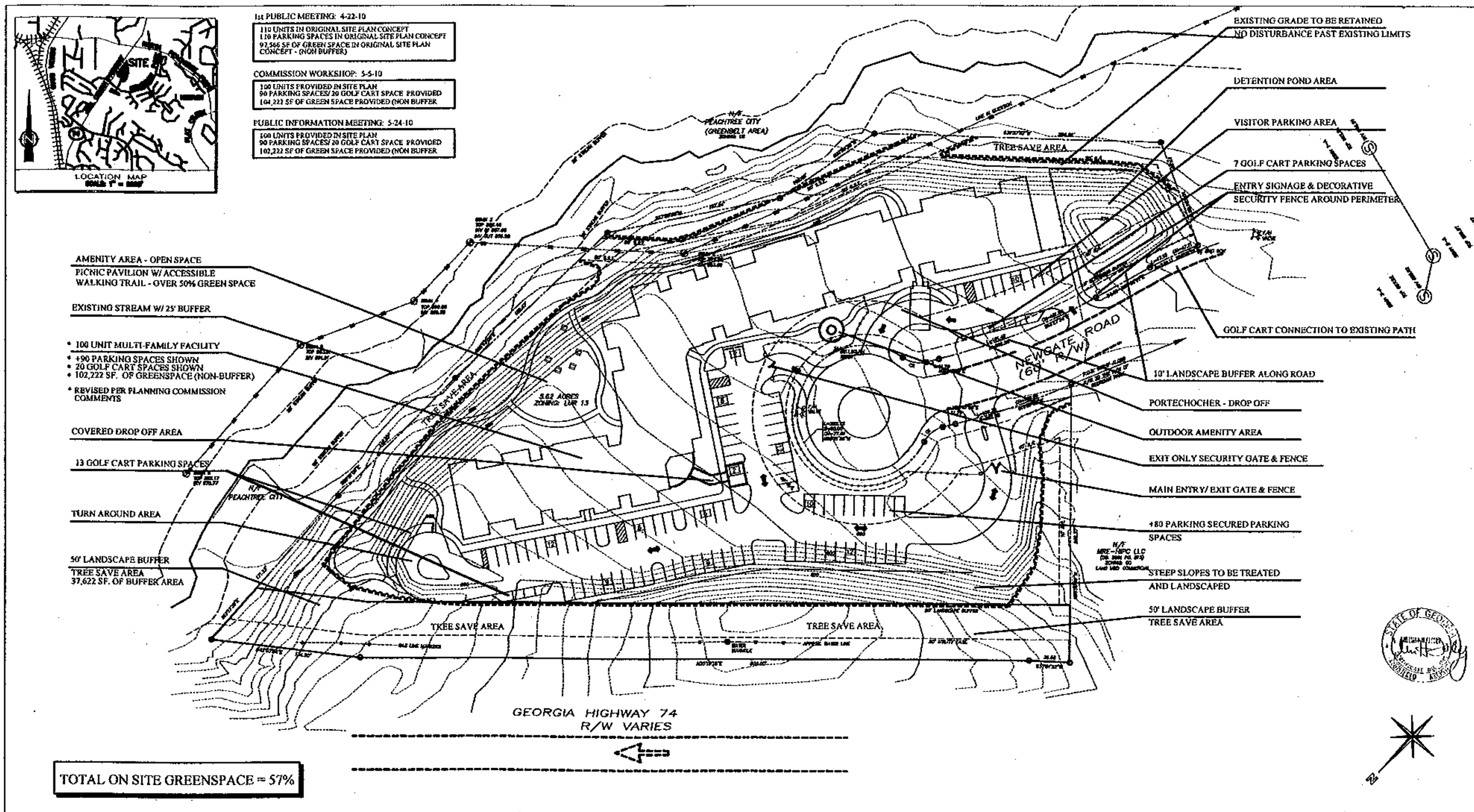
District:	7TH		
Land Lot:	134	Date:	04/20/10
County:	FAYETTE, GA	F.W.P.D.	02/06/07
Scale:	1" = 100'	Job No:	07-0042

DELTA SURVEYORS INC.™

P.O. BOX 571
Fayetteville, GA 30214
770-460-9342
(fax) 770-460-7114
JOHN 3:16

RDG

Exhibit "A"



SCALE: 1" = 40'-0"

Received

SENIOR RESIDENCE AT KEDRON VILLAGE

4-22-10; REVISED 6-5-10; REVISED 5-18-10
SCALE: 1"=40'-0"
REVISED PER PLANNING COMMISSION WORKSHOP

LAND LOT 134, 7TH DISTRICT, FAYETTE COUNTY, GEORGIA

NORSOUTH DEVELOPMENT CO. OF GEORGIA
2000 RIVEREDGE PARKWAY, SUITE 950
ATLANTA, GA 30328 678-460-2888

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
1513 Cleveland Avenue Building 100 Suite 102 East Point, Georgia 30344 (404) 761-1299

Exhibit "B"

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Planning Commission**

FROM: **Community Development Director** David

DATE: **June 8, 2010**

SUBJECT: **Proposed rezoning of 5.62-acre Newgate Road tract from LUR-13 Limited Use Residential to GR General Residential.**
Supplemental information

In response to several questions raised during and following our May 24 meeting, Staff is providing the following information for your review. In addition, Staff is providing the proposed ordinance for the subject tract should rezoning be approved.

Staff continues to recommend that the proposed rezoning be forwarded to City Council with a recommendation that it be approved, subject to the conditions outlined within our Position Paper as well as the attached ordinance.

What types of uses are included in the definition of "multi-family"?

The city defines multi-family as apartments, townhomes, duplexes, condominiums and assisted living facilities.

What is the total number of multi-family units within each village?

The following is based on the definition of multi-family above and Staff's parcel inventory of each tract of land within the city:

Village	Residential units (total)	Multi-family units (total)	Percentage
Aberdeen	1,626	450	28%
Braelinn	4,662	1,105*	24%
Glenloch	2,231	262	12%
Kedron	3,470	580	17%
Wilksmoor	3,282**	569***	17%

** includes 310 units approved as a part of the Somerby development*
*** includes future single-family detached residential development approved for Wieland and Scarbrough tracts*
**** includes 111 courtyard units approved as a part of the Scarbrough annexation/ rezoning*

What is the percentage of apartments (only) within each village?

Village	Total number of residential units	Apartments	Percentage
Aberdeen	1,626	90	6%
Braelinn	4,662	787*	17%
Glenloch	2,231	198	9%
Kedron	3,470	528	15%
Wilksmoor	3,282	399	12%

* *includes 150 apartment units approved as a part of the Somerby development*

What is the occupancy rate and rental rates within the existing apartment complexes and how many units are subsidized?

Name	Constructed	Units	Occupancy	Rent structure	Subsidized?	Waiting list?
Balmoral	1988	312	94.87%	1 BR - $730 2 BR - $788 3 BR - $910	0	No
Camden	2001	399	93%	Yield star Based on availability ($700 – 1,400)	0	No
Gables Court	1988	198	96%	1 BR - $754 2 BR - $850 3 BR - $979	0	Yes (1 BR)
Harmony Village	1995	180	95%	1 BR - $649 2 BR - $659 3 BR - $719 4 BR - $729	26 (Sec. 8)	No
Peachtree Villas	1980	60	100%	1/3 gross income (62 or older)	60	Yes
The Retreat Kedron Village	2001	216	98.6%	Yield star Based on availability ($689 – 1,900)	0	Yes
The Retreat Peachtree City	1999	312	96%	Yield star ($800 - $1,200)	0	No
Towne Club	2008	145	30%	1 BR - $3,000 2 BR - $3,800	0	No
Wisdom Woods	1984	23	100%	Based on gross income	23 (Sec. 8)	Yes
Woodsmill	1984	50	100%	Based on gross income	50 (Sec. 8)	Yes

What is the occupancy rate and rental rates within the existing assisted living facilities and nursing homes and how many units are subsidized?

Name	Constructed	Units	Occupancy	Rent structure	Subsidized?	Waiting list?
Ashley Glenn	1998	69	99%	\$3,700-\$4,700/ month	0	Yes
Southland Nursing	1980	155	94%	\$172/ day (semi-private) \$182/ day (private)		Yes (long term)

What were the site-specific conditions adopted as a part of the LUR-13 zoning for the former townhome development on the Newgate Road tract?

The overall development of the tract is subject to the following conditions:

1. The schematic site plan is intended only to suggest a concept and shall not be considered the final approved development plan. That plan must be prepared and approved as part of the regular conceptual site plan review process.
2. The conceptual site plan must comply with the recent amendments to the city's Land Development Ordinance, including all setbacks identified within the LUR Limited Use Residential zoning district.
3. The architectural design and exterior building materials of each building must be similar in design and color. The sides and rear of each building must include architectural detailing and similar building materials as those used on the front elevation.
4. The site plan must provide for fully landscaped entrances off of Newgate Road, including meandering berms and extensive landscaping as necessary to assist in screening the parking areas from view.
5. A multi-use path connection must be provided between this development and the existing multi-use path adjacent to the Georgian Park Car Wash.
6. This development is located within the Kedron Service Area, which requires an impact fee of \$1,283 per residential unit. Impact fees in the amount of \$26,943 (\$1,283 x 21 units) must be submitted prior to approval of the final site plan.
7. The minimum size of each unit shall be no less than 3,000 SF as shown on the schematic floor plans presented to City Council at their meeting on March 1, 2007.
8. The overall project shall be developed in substantial conformance with the overall schematic site plan as presented to City Council at their meeting on March 1, 2007, and attached to this ordinance as "Exhibit B".

9. The land use designation for this tract should be changed from COM Commercial to MF Multi-family.

What guarantees do we have that NorSouth would not construct the development and then 'flip' the property to someone else, and how do we assure the city has regulations in place to prevent this from becoming a subsidized housing project in the future?

To get a better understanding of the Housing Tax Credit program and how this program is administered, I met with Laurel Hart, Nan Maddux and Fenice Taylor within the Office of Affordable Housing at the Georgia Department of Community Affairs (DCA). Laurel serves as the Director of this program, Nan is the Compliance Manager and Fenice is the Tax Credit Program Manager. I also researched this program through the U.S. Department of Housing and Urban Development website.

The Housing Tax Credit program was enacted by Congress in 1986 to provide the private market with an incentive to invest in affordable rental housing. Federal housing credits are awarded to developers of qualified projects. Developers then sell these credits to investors to raise capital for their projects, which reduces the debt the developer would otherwise have to borrow. Because the debt is lower, a tax credit property can in turn offer lower, more affordable rents.

States allocate housing tax credits through a competitive process. The DCA administers this program for the State of Georgia. Federal law requires that funds are allocated for projects that are structured to remain affordable for the longest period of time.

To be eligible for housing tax credits, a proposed project must be a residential rental property; must commit to one of two possible low-income occupancy threshold requirements; must restrict rents, including utility charges, in low-income units; and operate under the rent and income restrictions for 30 years or longer, pursuant to written agreements with the DCA.

The Housing Tax Credit program requires a minimum affordability period of 30 years (i.e., a 15-year compliance period and a subsequent 15-year extended use period). Tenant incomes are recertified annually to ensure their continued eligibility.

NorSouth is proposing to place a deed restriction on the property to restrict the development for older persons as defined by the Fair Housing Act. The development is intended to be operated for occupancy by persons age 62 and older. In addition to the ordinance, the Development Agreement would require the developer and its successors to comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy.

Should NorSouth sell the property or outsource management functions in the future, DCA would have to review and approve each subsequent owner and/ or management company before they could participate in the Housing Tax Credit program.

UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
May 24, 2010

PH-10-02 **Consider Proposed Rezoning of a 5.62-acre tract of land on Newgate Road within Kedron Village from LUR-13 Limited Use Residential to GR General Residential in order to develop an age-restricted apartment complex specifically for senior adults. The Applicant is NorSouth Development Company of Georgia, LLC.**

Mr. Rast provided a brief introduction to the proposed rezoning of a 5.62-acre tract of land on Newgate Road within Kedron Village from LUR-13 Limited Use Residential to GR-18 General Residential in order to develop a 100-unit, age-restricted senior apartment complex. He described the residential development surrounding the Kedron Village retail center. Several years ago when the City rezoned Kedron Village, all of the area bordering Lake Kedron was envisioned for high-density housing, e.g., multi-family, townhomes, condominiums, etc. The master planning of the city provided for higher density development close to the retail centers with lots getting larger as one moved further away from the center.

Mr. Rast explained that this piece of property had been rezoned a couple of years ago from GC General Commercial to LUR-13 Limited Use Residential for a 21-unit townhome development which was never constructed. He noted that the current zoning remained LUR-13 and the land use designation remained Multi-Family. Since the LUR zoning did not allow apartments, the Applicant was requesting the property be rezoned to GR.

Mr. Brendan Barr and Mr. Jervon Harris of NorSouth Companies and Mr. Bill Foley of Foley Design were in attendance to present the proposed rezoning request. Mr. Barr acknowledged the senior residents of Kedron Village who were in attendance and thanked them for attending this meeting.

Mr. Barr began by comparing their proposal to what was currently approved for this site. Since the workshop on May 10, 2010, they had reduced their unit count by 9 percent from 110 to 100 units. The proposed parking had been reduced from 110 vehicle spaces to 90 vehicle spaces and they had added 20 parking spaces for golf carts. In addition, the greenspace on the site had been increased by about 5 percent.

Their developments were targeted to elderly moderate income seniors capable of living independently. Their communities were service enriched and amenity laden to support an active lifestyle; their target market was senior adults aged 62 and older who were living on a fixed income and interested in living in an environment where the services and amenities were geared to their age demographic.

Mr. Barr stated that 80 percent of their units were two bedroom/one bathroom or two bedroom/two bathroom, 20 percent were offered at market rate, and all of their properties were built to EarthCraft multi-family housing standards. Their overall objective was to provide affordable housing which went beyond the rent since their residents were also paying the utility costs. The more energy efficient their units were, the lower their utility costs would be.

As for the reasons they felt there was a need for these communities, Mr. Barr listed the following:

- The population was growing older very quickly;
- There were more single-person and single-parent households in our country than ever before;
- The life expectancy was longer; and
- Retirement income needed to last longer.

Their approximate rents were: One bedroom - $660 to $750, and Two bedroom - $760 to $950. Utility costs ranged from $40 to $61 per month, depending on the size of the unit. Their construction methods were geared toward sustainable site planning and energy efficiency.

A three-story building with elevators and air-conditioned hallways was proposed for this site. Twenty percent of the apartments were one bedroom/one bath, 60% were two bedroom/one bath, and 20% were two bedroom/two bath. Property management was located onsite 24 hours per day as was property maintenance staff. One residence was allocated to the staffs that were equipped to respond to 24-hour emergencies. Their properties were secured with access gates for not only cars but also pedestrians. Each building entrance was monitored with a closed-circuit camera. Every door was locked but could be accessed with a key fob or a card the residents would be issued. They took security very seriously.

Mr. Barr pointed out that half their residents were converted homeowners or non-householders who had sold their homes; moved to be near adult children and grandchildren; and lived with a non-spousal relative. NorSouth was trying to bridge the gap that existed between the time someone wanted to own and maintain a home to the time when they needed housing that provided more health care or assisted living. Their product provided a continuation of independent living based around services, socialization, and amenities.

Mr. Barr did not believe all seniors wanted to live in apartments but he also did not believe all seniors wanted to live in a house.

Mr. Barr stated that the site was very attractive to them because of its immediate adjacency to not only the Kedron Village retail center but also the medical offices. They also would like to build an extension to the cart path system and tie it to the development so they could possibly provide a shuttle service for their residents. This would reduce the impact on the roads.

Mr. Barr displayed the typical floor plans for the different apartments they offered and also mentioned the following benefits of age-restricted housing:

- There was no impact on schools.
- There was minimal impact on the roads (peak trips would actually be reduced compared to the townhome development).
- They would still pay property taxes.
- They would create economic benefits.
- These were very stable properties where residents tended to stay for an extended period of time.

Mr. Barr reviewed the one-time and recurring economic benefits the City could expect to receive: $5.87 million in general economic benefit from construction and $6.6 million annually through the operation of the property. This was broken down as follows:

During construction:

- $5.3 million in construction, of which $1.4 million would be in construction materials purchased locally;
- 52 construction jobs;
- $58,000 in sales taxes from the constructions material purchased;
- $241,000 in impact fees that would be paid to the city;
- $132,000 in sewer fees; and
- $26,000 for a building permit.

On-going, annual recurring benefits:

- $6 million in additional market value;
- $150,000 in supply and utility expenses purchased annually;
- $25,000 in purchases by the employees;

- Over $500,000 in purchases by the new residents;
- $85,000 in income taxes; and
- $570,000 in retail sales taxes.

Mr. Foley explained the following aspects of the development:

- The site had been cleared years ago and prepped for sale as a commercial site; there was currently a low growth of pine trees across the property. Their plan would not impact any deciduous trees or any of the tree buffer along Highway 74.
- Since the last workshop with the Planning Commission on April 26, the plan had been revised to rearrange the buildings and, per suggestions made by the Planning Commission and residents, the number of units had been reduced.
- Charging stations and parking areas for the carts had been relocated to the rear of the site.

Mr. Foley explained that the EarthCraft aspect of the development was both site and environmental, e.g., re-harvesting the rainwater from the roof and re-using it for landscaping. By using the EarthCraft standards, they had been able to achieve buildings that were 17 percent more efficient than required by current energy codes which would further reduce utility bills. He noted that the long-term goal of EarthCraft was minimal impact on the natural environment and on energy.

Mr. Foley noted the following:

- They had spoken to the Fire Chief and were aware a water connection would be required to the current hydrant on Newgate Road. These buildings would be fully sprinkled.
- Greenspace would be worked along the creek buffer.
- The units would meet the city's architectural standards and reflect the local area's architectural character. There was a commitment that the building would be at least 30 percent masonry brick and would reflect the character of the Kedron Village area.
- There would be minimal impact for impervious surface.
- A sound study was currently being done to evaluate the noise impact from Highway 74; an existing earthen berm would help to buffer the site visually and from the noise on Highway 74.
- Combined with the city greenspace and the buffers around the site, there would be more than 10 acres of greenspace surrounding the development. They felt this would provide a low impact on the surrounding area for many years.

Mr. Foley also said they would be looking into the abandonment of the cul-de-sac on Newgate Road which would increase the amount of greenspace. It would not affect the amount of parking or the number of units.

Mr. Barr wanted to clear up some misconceptions that had been directed their way:

- The multi-family moratorium had been lifted for this site so that should not be a consideration. In response to a question from the audience, Mr. Barr explained that the moratorium only applied to sites that were not zoned for multi-family development. This site was zoned for multi-family.
- Tax credits were not a subsidy or rental assistance that was passed on to the resident. This was a means to finance affordable housing and the tax credits were passed on to the investors who were providing the financing for the project.
- The property would be deed restricted to elderly persons aged 62 and older. This would be enacted on day one and would be carried through the life of the property.
- There was no rental assistance. Residents paid 100 percent of their own rent. This was not subsidized housing. The reason NorSouth was able to offer housing at a lower rent structure went back to the way the property was financed. It was financed with equities at a lower percentage than other projects; it had nothing to do with rental assistance.
- This was not Phase 2 of Harmony Village which was 50 percent three and four bedrooms. Harmony Village was targeted to families. Their rents were considerably higher than Harmony Village and their density was half the size. He did not think this was a fair comparison.

For the benefit of the citizens in attendance, Mr. Rast reviewed the items discussed in Staff's position paper. He explained that prior to the rezoning application for the 21 townhomes being heard by both Planning Commission and City Council, the Applicant requested that City Council lift the moratorium for that particular tract of land. City Council granted that request and the property was ultimately rezoned to LUR Limited Use Residential which was a multi-family zoning district. The definition of multi-family in the city's Zoning Ordinance included apartments, condominiums, townhomes, and assisted living. The moratorium language stated that the moratorium did not apply if the property was already zoned for multi-family development; this was the case with this piece of property.

Mr. Rast further stated that the reason the GR zoning was being requested was because the LUR zoning designation did not identify apartments as a permitted use. The number of units (100) divided by the gross acreage (5.62) produced the density (17.79) and equated to a GR-18 zoning designation.

Before reviewing an application for rezoning, Staff determined whether or not the application was consistent with the plans that had been adopted through the years. The 1985 Land Use Plan was the guiding document under which the majority of the city had been developed, and one of the goals of this plan was to provide a variety of housing styles for both existing and future residents of the city.

When updating these plans in the 1990's, it was felt that multi-family development in general should be limited to no more than what was absolutely necessary to meet the housing needs of the city at its build-out stage. Mr. Rast pointed out that the city had not yet reached build-out as there were quite a few residential units that had been approved but had not yet been developed. He thought it would be several years before the city reached actual build-out.

Mr. Rast explained that the Land Use Plan, the Comprehensive Plan, and even the plans before them reflected a desire to develop Peachtree City under the village concept which meant there would be a series of villages within the city, each of which would have their own village center where the retail and commercial uses were located. For the most part, that was the way the villages had developed.

These plans adopted by the City clearly stated that the higher-density residential housing should be in close proximity to the village center. It was felt these residents may or may not have automobiles and might need to walk to the village centers. The size of the lots would increase the further one moved away from the village center. Mr. Rast noted that this was the step-down theory that had been used for years. This proposal complied with that theory in that it provided the higher density housing adjacent to the village center and connectivity to the path system which would reduce the number of vehicle trips on the roads.

As part of the partial plan update for the 2013 Comprehensive Plan, the City hired a consultant to develop a housing study to look at existing development to determine the city's needs for different types of housing. It was noted in that study that there was a need for housing for low- to moderate-income seniors which this proposal would provide. The study also included data about the anticipated growth of the elderly population and indicated that the number of residents over the age of 65 was predicted to increase by 93 percent. As this segment of the population continued to age, what type of housing should be provided and what was the median income of those households?

Mr. Rast also stated that ARC had started a Lifelong Communities program, one of the goals of which was to encourage local governments to provide housing and transportation options for their residents so that people could age in the place where they had lived. ARC had found that there were a lot of people within metro Atlanta who had contributed to and lived in communities who got to a point where they could not afford to stay there.

Mr. Rast then reviewed the criteria in the Zoning Ordinance upon which Staff's recommendation for a proposed rezoning was based. To summarize, Staff's position was that the proposed rezoning:

- Conformed with the policy and intent of the Land Use Plan.
- The proposed use was suitable based on the existing use and development of adjacent and nearby property.
- This area was envisioned for commercial development. There were a number of other multi-family developments in close proximity to this one; and it was easily accessible to the Kedron Village retail center, the Newgate Road commercial area, Kedron Fieldhouse, Kedron Elementary, and a number of other developments that would benefit from this development.
- The property was zoned for 21 townhome units but was never developed. It was not known whether the property could be developed as zoned.

  Mr. Staples wanted to verify that there had been a number of conditions associated with the previous limited use zoning of this property. He thought that would lessen the likelihood that the property would be developed as currently zoned and so would have to be rezoned. Mr. Rast said that was correct.

- The traffic impact of this development would be less than what the 21 townhome units would have provided and would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- There were no other existing or changing conditions affecting the use and development of the property.

Mr. Rast stated that Staff's recommendation was that the proposed rezoning of the 5.62-acre tract of land on Newgate Road within the Newgate Road commercial subdivision from LUR-13 to GR-18 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 conceptual site plan, which must be reviewed and approved by the Planning Commission as a part of the established site plan review and approval process. It is understood the general layout of the

buildings, parking areas and amenities may change once final engineering documents are prepared.

2. There shall be no more than one hundred (100) age-restricted apartments within the overall development.
3. Existing vegetation within all tree save and landscape buffers shall be preserved to the greatest extent practicable prior to, during and following construction activities.
4. The exterior building materials and color selection shall be submitted to and approved by the Planning Commission. Building architecture, exterior materials and color selection shall follow the city's design guidelines ordinance.
5. The Applicant shall coordinate with City Staff to determine the location and extent of the multi-use path connection from this development to the existing path on Newgate Road. The path shall be designed and constructed by the Applicant at no expense to the city.
6. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the community association.
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. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
12. At the Applicant's request, the property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and adhere to policies and procedures that demonstrate the intent required under this provision. In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this Paragraph 1318.

13. The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto. The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.

Mr. Rast explained that the development agreement was something the City had done on a number of occasions primarily when property was rezoned. Due to the rezoning, the City was able to impose some conditions on the particular development. This was not as restrictive as the LUR and LUC zonings which were site specific and ran with the land. At the workshop both citizens and Planning Commission members were interested in going the extra mile to ensure the age restrictions, covenants and other items NorSouth had proposed were provided. The development agreement would be a legal document on top of the zoning that would provide that assurance. He added that this document would be agreed to by the Applicant, adopted by City Council, and referenced in the zoning ordinance.

Ms. Betty Robinson, a 30-year resident of Peachtree City, had managed the Information Center for 15 of those years. She thought this was a very important topic and noted that questions about senior housing were always among the top 10 questions she was asked. All she had to offer was Peachtree Villas, and they had a waiting list of over 100. She felt this was very necessary and was glad the Commission was looking at this development.

No one else spoke in favor of the proposed rezoning.

Ms. Beth Pullias of Kedron Village stated that she took the tour of four or five properties that NorSouth had offered to staff and any citizens who were interested. She admitted that she was against it when it was first proposed, but tried to keep an open mind. After visiting all of the communities on the tour, she had found:

- The residents they met all seemed very happy where they were.
- She was impressed with the way the older complexes were maintained.

Ms. Pullias did have the following concerns on this proposed development and was glad there would be a development agreement:

- She thought 100 units was a lot for this parcel and would like to see NorSouth reduce that number further.
- She was concerned about the management of the property in perpetuity. She did not think NorSouth would continue to manage it and thought the city should have

some say in who took over because any rental unit would rise or fall based on the management.
- She liked the idea of eliminating the cul-de-sac and thought adding more trees to the site would really enhance it.
- She did not like the gating but was more in favor of gating only the resident's parking area.

Ms. Pullias thought part of the problem with multi-family development in Peachtree City was renting it, e.g., Lexington Circle. She noted that NorSouth's properties were 95 to 98 percent occupied and did not sit empty. She thought NorSouth's development would fill a niche in the community and would be used. These concerns, however, should be worked out in the development agreement.

Mr. Frank Kimble lived in the Georgian Park Condominiums and was their property manager. His concerns included the following:

- Traffic was the biggest concern.
  - Could any type of traffic control be installed this close to the traffic signal on Highway 74?
- The overall traffic impact (not peak hours) would be greater than the 21 townhomes would have provided.
- Golf carts used their parking lot when crossing Georgian Park; he was concerned for their safety.
- One hundred units was a lot for this site; 90 parking spaces did not seem like enough.
- Their community did not allow golf carts to park in the parking lot because they became an eyesore.
- What would happen if NorSouth could not fill the community with seniors?
- What if the developer filed bankruptcy?
- What if the development was not completed?
- Would this development increase the current residents' property values?
- How would the retention pond drain? They already had a problem in that area.

Ms. Bonnie Beerbower of Crabapple Lane and Ms. Elizabeth Podolski of Las Brasis Court spoke in opposition to the proposed development.

Their concerns included the following:

- Were three-story buildings allowed without a variance?

Mr. Rast said that three-story apartment buildings had always been permitted. Variances were required for office and retail buildings.

- Were 90 parking spaces enough for 100 units? As people aged, more people (maids, health care, etc.) came to help them.
- Traffic was already horrendous.
- Emergency access would be difficult.
- What if the apartments were not rented?
- What about the wetlands?

It was felt these issues should be addressed before anything was approved.

The Chairman closed the public hearing.

Mr. Staples appreciated NorSouth offering the tour of the facilities and the people who were able to participate. His impression of the way these facilities were operated mitigated any concerns he had about parking. Occupancy of their buildings ran at 95+ percent and yet parking lots were two-thirds empty. Having said that, he felt there were some issues with the traffic on Georgian Park.

Ms. Wojcik was very much in favor of a development like this in Peachtree City, and she saw the need for it. However, she did not like the look and feel of a gated community. If there was compromise on that issue, she would want only one section to be gated. She thought the buffers on the property were good but wondered if NorSouth had added any buffering to the site.

Mr. Foley said they had increased the amount of greenspace which would be turned into pathways and park space in and around the building. The buffer behind the property would also be enhanced. By pulling the building back, they could save more trees. Over 50 percent of the site would have enhanced landscaping and greenspace. He noted that the schematic plan did not show the planting. Mr. Foley pointed out that the retention pond would be used as an amenity. Trees and planted areas would be added in, along, and around that area.

Ms. Wojcik had mentioned in a previous workshop about restricting the age to 65 and over instead of 62 and over. She had also mentioned allowing other seniors in the city to participate in the activities at this facility even though they did not live there. She thought this would help to integrate the development with the city.

Mr. Barr stated that elderly was defined as 62 and older and was not discretionary. They were interested in pursuing the concept of offering their services to the surrounding community. He thought there were some technical considerations that would need to be considered. There were residents at some of their other properties who had brought in friends to engage in their services.

Mr. Wojcik asked about the restrictions that were put on the rezoning of this property for the 21 townhomes and whether any of them could be applied to this property to address the citizens' concerns.

Mr. Sussberg was not able to go on the tour, but he did meet Mr. Barr at the facility in College Park and visited the facility in East Point over the weekend. He was able to speak to a lot of the residents before Mr. Barr arrived and had the following comments:

- Both properties were very open even with the fencing. He understood the need for fencing, especially on the ground floor.
- The open classes might create more of a parking problem.
- There was an exclusivity to these properties to have their own functions.

Relative to the issue of age 62, Mr. Sussberg stated that the manager at the East Point facility told him that during the first two months she was there, 18 of their residents had passed away which had created an issue with vacancies. The decision was made to drop the age limit to 55 and at the present time, half of the population was 55 and half was 62. This had created more stability and long-term renters for the property. He asked Mr. Barr whether it would be better to create stability by starting at age 55 than to start at age 62 and not fill up or possibly lose a lot of residents which would create vacancies.

Mr. Barr explained that these were two different programs with two different compliance regulations. The program for 62 and older required that every resident in the community meet that age requirement. The program for 55 and older required that the person signing the lease be at least 55 years of age. There were actually a percentage of the units that could be leased to people under the age of 55. Consequently, there was the potential that it would not be a true elderly community. The requirement for the Kedron Village community would be 62 and older.

Mr. Sussberg thought this might create the instability that College Park experienced. Mr. Barr stated that losing 18 residents in two months was unprecedented. Their properties typically ran at 95 percent occupancy and above, and there was a waiting list for a lot of them.

Mr. Sussberg asked about the average length of residence. Mr. Barr stated that an audit of 500 leases during the summer of 2009 showed two-thirds of their residents had a minimum residency of two years.

Mr. Sussberg wanted to be sure that if this proposal moved forward, the stormwater and traffic issues would be reviewed on an ongoing basis during the site plan review process to ensure drainage and traffic issues could be alleviated. Mr. Rast stated that stormwater was reviewed during conceptual and final site plan review. There were specific ordinances to address water quality and stormwater retention. When the engineer for this site did their hydrology and water quality studies, all of the surrounding basins would be taken into account. This would occur if the rezoning was approved. The intersection and traffic improvements on Newgate Road and Georgian Park would also be looked at during the site plan review process.

Mr. Sussberg stated that in the end, his concerns were with NorSouth and the successors of NorSouth, whether by receivership or sale, and drafting a development agreement that protected our community.

Mr. Sussberg added that he had spent 10 years as a volunteer on the board of trustees for an assisted living and independent living facility in New York. He thought the NorSouth facilities were very impressive but noted they were for profit. He added that the properties ran a high occupancy rate and were extremely attractive; the residents were proud of their homes. He also thought it was great that pull cords were available in every room in case of emergency.

Mr. Frazar had some questions that he thought would address the concerns he had about the type of developer NorSouth was. He needed to know for the citizens of Peachtree City how credible they were. He was familiar with people who took over bad apartments, converted them, upgraded them at the cheapest grade they could, and then turned them over again. This was not what Peachtree City wanted.

- How many senior residence properties did NorSouth own?

  Mr. Barr stated:

  - Two years ago they sold a large portfolio of their properties and currently did not own any senior residences.
  - They had developed six properties and managed two of the six.

  Mr. Harris stated that the properties that were sold were initially built with the intention of long-term ownership. A company approached NorSouth about buying the management company and through the process of buying the management company, they took interest in the general properties. The management sale eventually evolved into a general partnership sale of the properties that NorSouth owned at the time. It was an opportunity that came to NorSouth, not one that NorSouth was looking for.

Mr. Frazar wanted to know whether it was the money or the quality of the buyer that determined whether they sold their properties. Mr. Harris stated the original investors, the debt holders, and the partnership structure that was in place when the properties were built were still in place. The only change was the general partner. All of the programs that were put in place and in most cases the original partners and/or the original management companies were still in place.

Mr. Frazar did not think it was necessary to go any further until this was worked out. He thought the City should have right of refusal on who NorSouth might sell the property to as well as who the management company would be in order to maintain the standards that had been discussed. He was more concerned about the long term.

Mr. Harris understood what Mr. Frazar was saying and added that the same ownership entity would own the property for at least the next 15 years. Mr. Frazar emphasized that he wanted the high standard in this community. Mr. Harris said they were willing to commit to that; it was just the process they would need to go through to create the development agreement to support their commitment and address the city's concerns. They had voluntarily committed to the zoning conditions that would run with the land. Those conditions included the following:

- An age restriction of 62 years and older;
- Limiting the amount of parking to the agreed-upon optimal amount;
- Gating a certain part of the property; and
- Using the ARC stormwater management methodology.

Mr. Staples thought NorSouth had a beautiful product and the Planning Commission wanted to make sure it stayed that way and that it enhanced property values. This all rested on the development agreement which would establish minimum standards. He had no doubt that NorSouth would work with Staff on these technical details.

Mr. Staples said one of the biggest problems was the cart path going into Kedron Village. He felt that if this was done right, there would be very few cars in their parking lot but they would have a lot of golf carts.

Ms. Mary Giles, a resident of Braelinn Village who went on the NorSouth tour, stated that her understanding was that the minimum age to receive Social Security was going up. That being the case, she assumed that people aged 62 to 65 with low to moderate incomes would need to work to make a living which would result in the traffic increasing, not decreasing.

Ms. Giles said she appreciated the tour and being able to go on it, but her disappointment was that none of the properties were owned by NorSouth. She was looking for properties that had been built by and were still managed by NorSouth so she was not sure how representative the tour was.

Mr. Scott was very concerned about the gated property. He did not like it and wondered if there was any way they could do without it. Mr. Foley said they were only talking about gating the parking for the residents which was something the residents wanted, regardless of how safe a community was.

To address comments that had been made about parking, Mr. Foley stated that the national average was .65 for seniors in the 62 to 65 year age group but was higher for amenitized communities where it was one space per unit with staff. This average held true even as the projects and residents aged.

Mr. Staples wondered how abandoning the cul-de-sac would benefit this development. Mr. Foley said the building could be repositioned and there would be approximately three-quarters of an acre more greenspace.

Ms. Wojcik thought there should be more greenspace in the front of their facility. Mr. Foley said some of it would be in the front. She thought, from what Mr. Foley had said, that most of it would be in the back. She felt the front of the site would look even more crowded than if the City did not abandon the cul-de-sac. Mr. Foley said there would be some reconfiguring of the site if the abandonment did occur, and it would create more open space on the site.

Ms. Wojcik wondered if the gated portion of the site could be moved so it was not visible. Mr. Harris thought they could move it back and create more of a boulevard feel on the main entrance. He thought that would actually be an improvement to the plan. He added that NorSouth did not consider this a gated community because the entrance to the community, the visitor parking, and the main entrance to the building were fully accessible outside of the gate. This was secured parking and it was a very important issue for their residents.

Ms. Wojcik asked where the fencing would be on the site. Mr. Harris said they had not looked that closely at that aspect of the plan, but he thought it would be at the edge of the tree save area in some locations. The visible fencing would be decorative, transitioning to black metal perimeter fencing. Ms. Wojcik thought their elderly residents would enjoy seeing the critters that would not be able to access their site because of the fencing.

Mr. Staples said he did not like the gates until he toured the properties. He still did not like them but was more tolerant of them. There was more of an open feel to these sites than one would anticipate.

Mr. Staples thought people would be very interested in the external entry units and asked how many of them would be available in the proposed development. Mr. Harris said most of the units on the ground floor would be direct entry. If the cul-de-sac was abandoned, they could get more parking on the rear of the building and increase the greenspace in the front which would allow them to add more direct-entry units.

Mr. Harris said it had not been NorSouth's experience that any of the parking lots at their properties were full, and they were willing to reduce the number of spaces. Their residents did not demand parking but rather proximity to entrances and flat, accessible routes to their units. The parking requirements decreased over time because as their residents aged, they were less likely to drive.

Mr. Kimble did not understand the objections to the fencing. If he encouraged his mother who was in her eighties to move here, he would be much more comfortable if there was security fencing.

Mr. Staples wondered about the elevations from Georgian Park.

Ms. Becky Kimble, who lived in the Georgian Park Condominiums and had lived in Peachtree City almost 19 years, was concerned about the fact that NorSouth did not manage any of their properties. She pointed out that the residents did not own the property and there were no association fees that were paid to maintain the property. She was afraid the facility would go in to a state of disarray.

Mr. Harris offered the following explanation about how NorSouth developed for their own portfolio and for others. In most cases, even though NorSouth's role might have changed, the properties were still structured the same and the same manager was still in place. Part of Mr. Barr's job at NorSouth was to underwrite these properties so they performed over a 15-year period. As part of the underwriting, the rents were set and the amount of debt on the property was considered. The occupancy was underwritten at a conservative level so that if they only got 93 percent occupancy (which was far less than any of the properties they had built), the properties would still carry themselves. They were also building to EarthCraft standards so that the properties would age well.

Mr. Staples asked about the annual audit. Mr. Harris explained that as part of the tax credit program, the Department of Community Affairs (DCA) audited the properties. This was a physical audit as well as a compliance audit.

Mr. Staples was less concerned about the management company but more about the worst case scenario where there was new management, the building was not maintained, they failed the audit, and lost the tax credits. Mr. Harris said he had not been involved in a project that was recaptured although he had been involved when issues were identified in an audit and had to be brought into compliance. If the items were not brought into compliance, there was the risk of recapturing the tax credits. Mr. Harris said that NorSouth would not allow the situation to go that far.

Mr. Foley stated that any compliance issues would ultimately go back on the investors because they would lose their tax credits.

Mr. Staples strongly suggested that Staff research the worst case scenarios to be sure the necessary items were incorporated into the development agreement.

Ms. Wojcik wanted to know what happened after 15 years. Mr. Barr explained that 15 years was the compliance period and the length of time the property provided tax credits for the investors. Typically, after the 15 year-compliance period:

- The tax credit benefits expired.
- The property was typically recapitalized with a new capital structure, with either new tax credits or the property could go to a new unrestricted market rate property.
- The age restriction would remain in place.
- As part of the new capital structure, any renovations and/or improvements that were needed would be made.

Relative to the management/ownership issue, Mr. Barr explained that NorSouth was started in 1986. Since that time, they had developed over 6,200 units. They built, developed, owned, and managed general occupancy apartments which were apartments that had no age restriction. Around 2003, they finished their first senior community. Since then, that had been their focus. Throughout that time, they managed most of those properties. When the owners were approached to sell the management company, it was seen as an exit out of the ownership and management of general occupancy apartments.

NorSouth felt their future was in age-restricted senior developments. Some of their communities were also sold within that transaction.

Mr. Barr further explained that they currently were at the point where they were starting to grow their management side. They were two months away from breaking ground on a project in Woodstock and were also pursuing a project in Johns Creek both of which they were developing to own and manage. They did not want people to have the impression that they were merchant builders who built something, flipped it and then moved on. That was not how their owners had operated. The incentive behind the sale of their portfolio in 2008 was to get out of the model of general occupancy apartments.

Mr. Frazar appreciated Mr. Barr's explanation.

In response to a question from Mr. Staples about the development agreement, Mr. Harris stated that in the past they would come up with a list of zoning conditions based on the concerns they had heard from the Planning Commission, staff, and the public. NorSouth also write of letter of intent that would spell out their level of commitment as to what they intended to do; the zoning conditions would be a part of this letter as well. They would present this to City Council.

Mr. Rast thought there was a unified concern over specific items that needed to be addressed further. If necessary, a draft of the final development agreement could be forwarded to City Council. He did not think there was anything that could not be overcome.

After discussion, a motion was made by Ms. Wojcik, seconded by Mr. Scott, and unanimously adopted that the proposed rezoning of the 5.62-acre tract of land on Newgate Road within Kedron Village from LUR-13 Limited Use Residential to GR-18 General Residential in order to develop an age-restricted apartment complex specifically for senior adults be continued to the June 14, 2010, Planning Commission meeting to work on the language for the development agreement.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager**

DATE: **June 11, 2010**

SUBJECT: **Approval of Revised Lease between Peachtree City Tourism Association (PCTA) and Peachtree City for a Visitor Center**
June 17, 2010 Council Agenda

Recommendation:
Council approve the attached lease between the PCTA and Peachtree City for space within the Amphitheater Box Office building to be used as a Visitor's Center and to authorize the use of Council contingency for facility modifications.

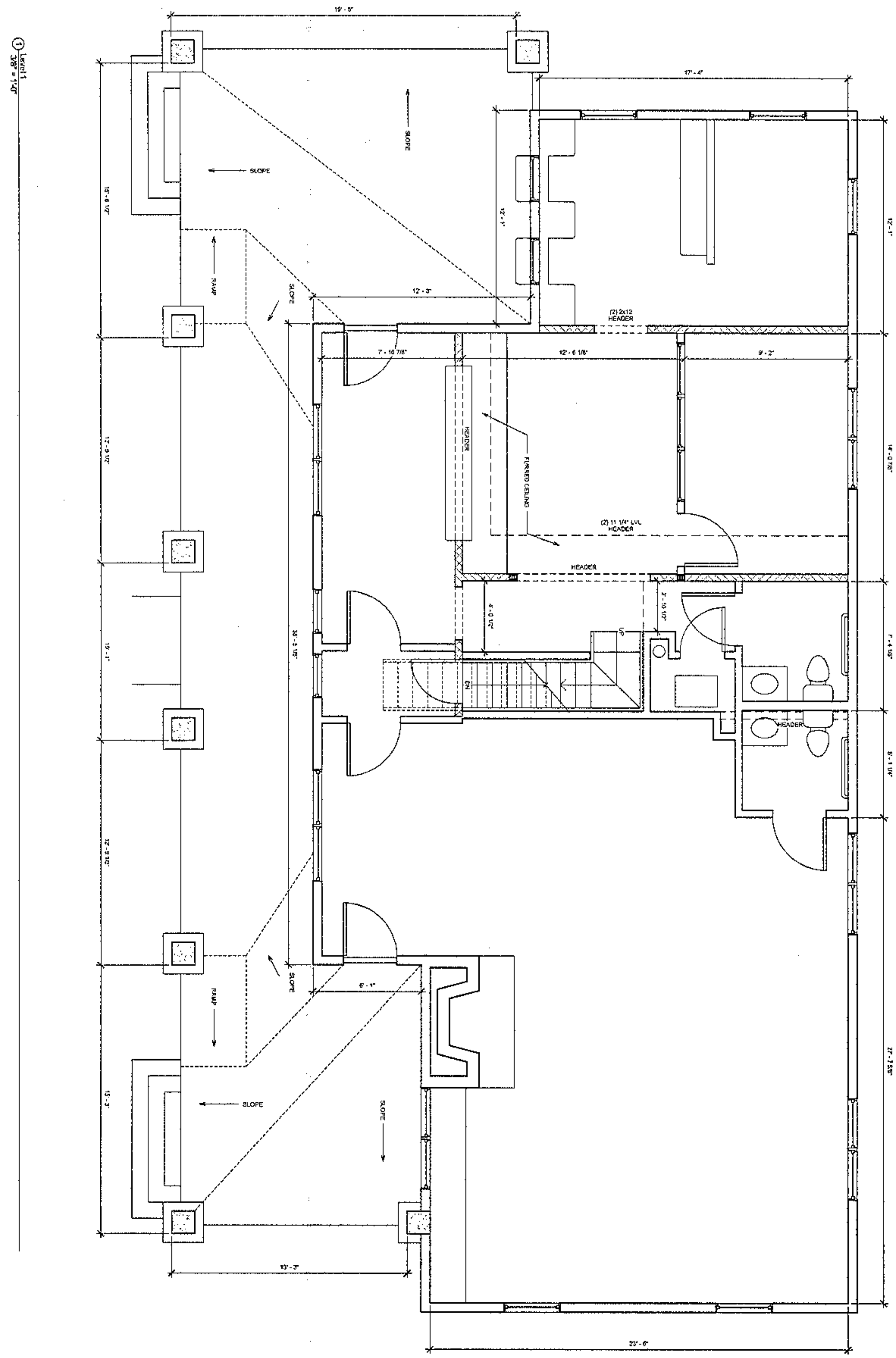
Discussion:
Previously, the PCTA operated a Welcome Center in the pro-shop building located at the Tennis Center. The Council recently approved an agreement with the PCTA where City employees located at the Amphitheater box office would provide all staffing needs for the PCTA; including the Visitor's Center (previous Welcome Center). Locating the Visitor's Center in this location is expected to provide better access to visitors since many activities occur in this area and allows for efficient use of staffing. The lease indicates that the City would be responsible for the initial build out of the Visitor's Center. Subsequently, PCTA would pay a proportionate share of the utilities for the building. The PCTA board approved this lease at their May 19, 2010 meeting.

At the June 3rd Council meeting, staff briefed Council on two options for location of the Visitor's Center within the Box Office building (Attachment 1). Option 1 was immediately adjacent to the current Box Office and Option 2 was the old SCT space currently used as an annex to The Gathering Place. Although Option 2 provided more space for the Visitor's Center and had simpler renovation requirements, it also required identifying alternate space for groups using the annex. The annex is currently used by the ACBL Bridge group on Wednesdays, 11 a.m.-4 p.m. Tuesdays and Thursdays, 7-11 p.m., and Saturdays, 12-4 p.m.; a yoga exercise class uses the annex on Monday mornings; a senior exercise group uses the annex on Mondays-Wednesday, 9-10 a.m. and Fridays, 9 a.m.-12 p.m.; and Music Alive uses the annex on Monday evenings, 7-11 p.m.

Council directed staff to identify potential alternate space for the bridge group and provide this information at the June 17th Council meeting. Staff has looked at The Gathering Place, Kedron Fieldhouse, the Floy Farr Room in the Library, and unfinished space in the lower level of City Hall. Additionally, Mark Hollums of the Peachtree City Development Authority was checking on availability of vacant commercial space. Mark has been unsuccessful in identifying any suitable space. A decision matrix is attached to this memo to assist Council in making a decision to proceed with Option 1 or Option 2.

Budget Impact:

Staff intends to brief council on two options for use of space in the box office building during this agenda item. The cost will be a function of which option council directs staff to proceed with. The intent is to fund modifications using Council contingency.



C. Elizabeth Stevens Morris
404 316 6936
Date: 052010
Scale: as noted
Sheet number:
A101

Welcome Center and Ticket Office

201 McIntosh Trail
Peachtree City, GA 30269

ATTACHMENT 1

Proposed Welcome Center Space

Existing Box Office Space

Pro

- Provides increased rental revenue potential for Gathering Place
- Allows continued use of Annex space for adult programming
- Minimizes wear and tear on card tables in annex
- Greater staff utilization for coverage of Visitors Center

Con

- Existing space has already been branded as Box Office
- Tourism furniture will not fit in space
- Security for box office could be jeopardized
- No room for growth or future displays or maps
- The upstairs office is inconvenient for Mary to access
- Noise level of Welcome Center could potentially be intrusive for Box Office working environment (kids corner)

Cost

- Approximately $10 to $20 thousand

Annex Space (Next Door to Box Office)

Pro

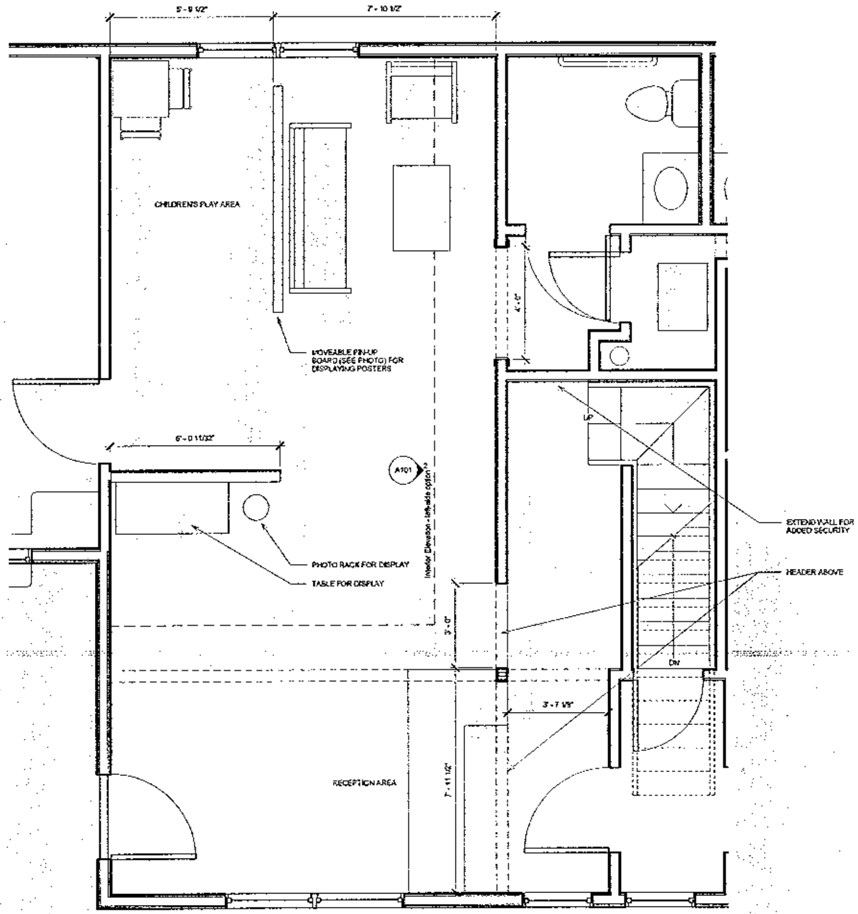
- Greater rent revenue from Tourism vs. existing space based on square footage of space
- Easily accessible and clearly marked with Visitors Center signage
- Space is more than adequate to accommodate Tourism furniture
- More visibility for brochure displays and potential for maps and future interactive displays of the City
- Space for Board of Directors to meet
- Could potentially share space with DAPC if office space is needed

Con

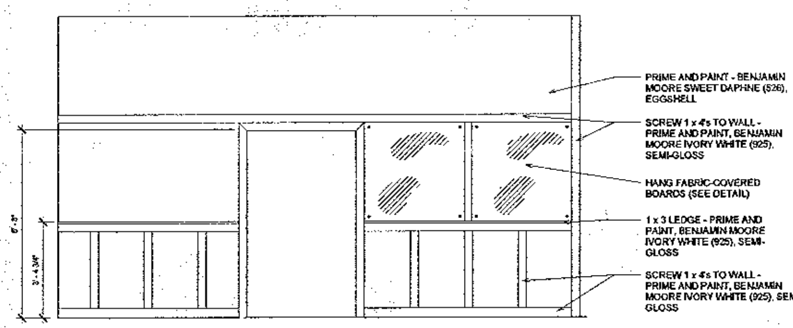
- Displacement of groups currently using space

Cost

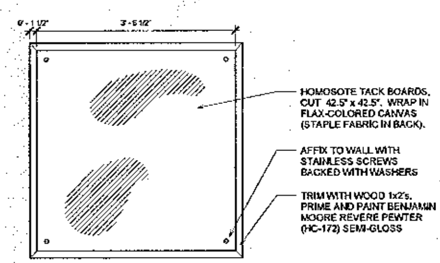
- Approximately $20 -$30 thousand



① Plan of left-side option
1/2" = 1'-0"



② Interior Elevation - left-side option
1/2" = 1'-0"



③ Detail - fabric-covered panel
1" = 1'-0"

Welcome Center and Ticket Office

201 McIntosh Trail
Peachtree City, GA 30269

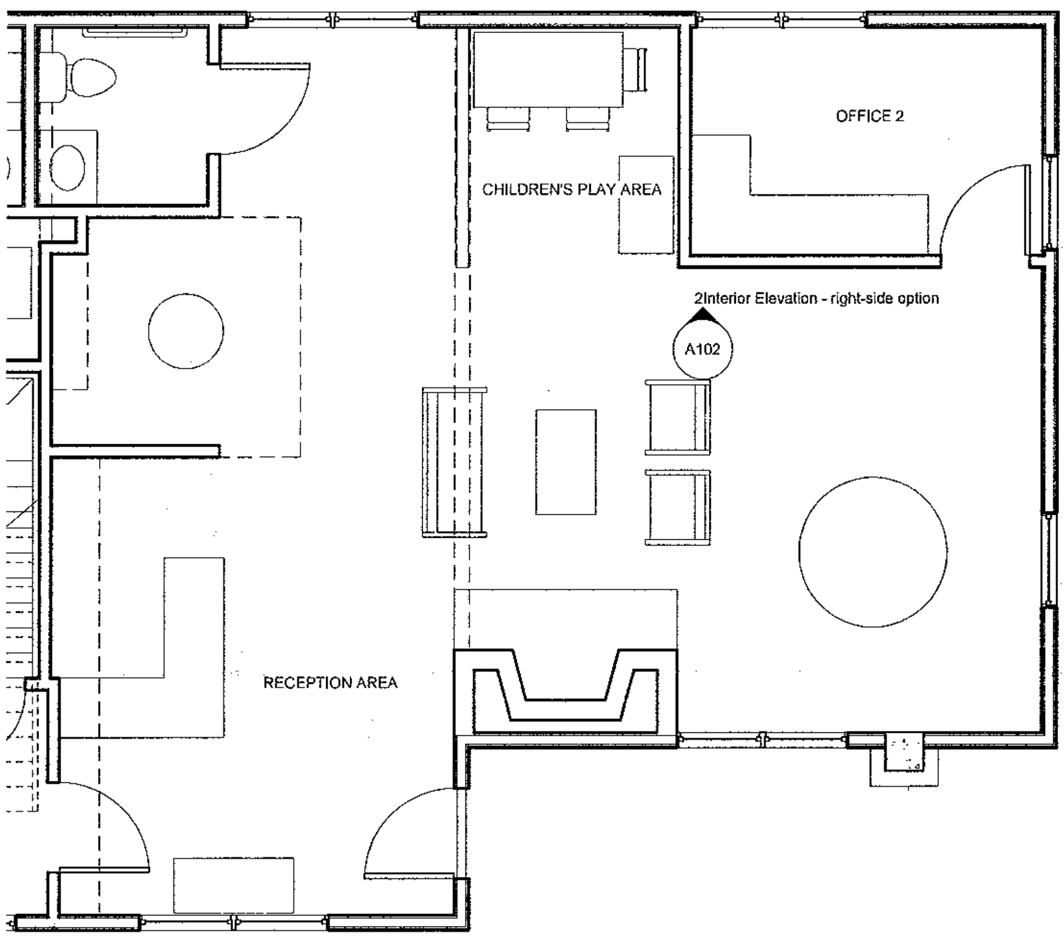
C. Elizabeth Stevens Morris
404 316 5936

Date: 05/20/10

Scale: as noted

Sheet number:

A101



1 Plan of right-side option 1
1/4" = 1'-0"

Welcome Center and Ticket Office

201 McIntosh Trail
Peachtree City, GA 30269

Elizabeth Morris
404 316 5936

Date: 06/02/10

Scale: as noted

Sheet number:

A103

ATTACHMENT 2

Decision Matrix
Bridge Player Relocation Options

	Gath. Place	GP Annex	Lower level CH	Kedron Rm.2	Floy Farr Rm
ADA Access	Yes	Yes	Yes	Yes	Yes
Parking **Footnote *1**	Yes	Yes	Limited	Limited	Limited
Restrooms **Footnote *2**	Yes	Yes	Yes***2**	Yes***2**	Yes
Impact on GP or other programs ***3**	See **footnote 3**	See **footnote 3**	See **footnote 3**	See **footnote 3**	See **footnote 3**
Event-appropriate space? ***4**	Yes	Yes- quiet and private	Yes	No - noisy	Yes – though would displace other users
Recreation ***5** Staff oversight	Full oversight	Close and frequent oversight	See **footnote #5**	Oversight available, but challenging***5**	Oversight available, but challenging ***5**
MAX # of Tables space can hold	28	10-12	12	14	15
Storage	Yes	Yes (share materials, store at Gath. Pl.)	Potential – area isn't finished	None, storage at a premium	Limited

Footnotes:

***1: Parking**: There is very close parking directly adjacent to the **Gathering Place** with several handicap spaces. The **City Hall lower level** has limited space and only two handicap spaces on lower level parking so people would often have to park at Picnic Park and walk, and this parking is congested on certain days. **Kedron Room 2** parking is often at a premium when all activities are active there. **Floy Farr room** parking is the same as City Hall lower level.

*2: Restrooms at **City Hall space** only accessible by transiting the lower lobby area of Community Services, which can be congested with people there for permits, planning, etc. Restrooms at **Kedron Rm. 2** shared with all Kedron users.

***3. Impact on Programs if players moved from Annex**: If the bridge players remain in the **Gathering Place Annex**, staff would continue to program that room with intent to free up space at the **Gathering Place**, especially evenings and weekends, for revenue producing rentals or paid classes. (Gathering Place rental revenue, FY09, $8,133; FY10 YTD, $5,723) **Using Library Floy Farr room** for the bridge group's current date/time (Wed, 11 a.m.-4 p.m.; Tu & Thu, 7-11 p.m.; Sat. 12-4) would (especially the Tu/Thu 7 – 11 block) frequently conflict with time now used free of charge by homeowner's associations and other community groups; city commissions, associations and authorities; civic groups, scouting groups, veterans groups; and other non-profits such as Quilter's Guild, Autism Support Group, etc. **City Hall, Floy Farr, Kedron, and Gathering Place Space** is intended for multiple users, therefore, tables and chairs could not be left permanently set up. Ms. Braender (one of the Bridge coordinators) indicated this would not be an issue.

***4:** The bridge players require a relatively quiet environment where there are not a lot of distractions. **City Hall, Gathering Place, and Floy Farr** space should meet this requirement. **Kedron** is a very active youth and adult recreation center which would be far too noisy.

***5: Recreation Staff Oversight**: Due to staff layoffs and gapped positions the recreation staff would not be in a position to monitor, coordinate or assist with card players' activities other than at the **Gathering Place or Gathering Place Annex**. **Kedron space**, staff could oversee but adds a burden to reduced staff and hours, plus some card activities are before or after Kedron's current opening/closing hours. **Library space**, library staff has no time to oversee.

Additional Note: If Annex space is removed from city availability, it would also displace Music Alive (Mon, 7-11); free senior exercise group, M-W, 9-10, F, 9-12 a.m.; and a paid Yoga class during summer, M, 9-10:30 a.m.. In addition, we would lose pending rentals of the Annex including: a medical group wishing to rent the space 4 times, and a school testing service at least 10 times with possibility of ongoing rental.

STATE OF GEORGIA
COUNTY OF FAYETTE

LEASE AGREEMENT

THIS LEASE, executed on the dates shown next to the parties' signatures, by and between City of Peachtree City, first party (hereinafter called "Lessor") and Peachtree City Tourism Association, Inc., second party (hereinafter called "Lessee"); "Lessor" as used in this Lease shall include first party, its heirs, representatives, assigns and successors in title to premises. "Lessee" shall include second party, its heirs and representatives, and if this Lease shall be validly assigned or sublet, shall include also Lessees assignees or sub-lessees, as to premises covered by such assignments or sub-lease. "Lessor" and "Lessee" include male and female, singular and plural, corporation, partnership, LLC or individual, as may fit the particular parties.

For and in consideration of the mutual obligations contained herein and ten dollars ($10.00) the receipt and sufficiency of which, is hereby acknowledged the parties agree as follows:

1. PREMISES

1.1 Lessor does hereby rent and lease to the Lessee property and facilities thereon designated ________________ square feet located in the structure at 201 McIntosh Trail, Peachtree City, Georgia 30269 (hereinafter referred to collectively as "Premises") for the use as a Visitor's Center.

1.2 Lessor shall complete initial alterations and improvements to the Premises to accommodate the Visitor's Center.

1.3 Lessee shall manage and operate the Premises in accordance with the By-Laws approved by the Lessor and Lessee, or as subsequently amended.

2. TERM/RENEWAL TERMS

2.1 The Initial Term of this Lease shall begin on the date of approval by both Lessor and Lessee and ending on December 31, 2010; provided, however, that this Lease shall automatically renew for a term of one (1) year, beginning on January 1 and ending on December 31 of each succeeding year unless either party gives the other party written notice of its intention to not renew this Lease, which notice must be given not less than forty-five (45) days prior to the expiration of the then-current term.

2.2 In addition to any other rights of either party set forth in this Agreement, either party may terminate this Lease Agreement by providing thirty (30) days written notice to the other party.

3.
FUNDING

3.1 The Lessor shall pay to the Lessee that portion of the Hotel/Motel Tax authorized by Georgia Law and other funding authorized within the Lessor's approved budget specifically for the Lessee. Said funds shall be utilized by Lessee for the operation and maintenance of the premises and to promote tourism within the City of Peachtree City, Georgia, and for the operation of a visitors center for the City of Peachtree City.

3.2 Any user fees generated from the Premises shall be retained by Lessee and shall only be utilized by Lessee to operate and maintain the Premises and to promote tourism within the City of Peachtree City, Georgia, and the operation of a visitors center within the City.

4.
USES OF PREMISES

4.1 Premises shall be used for the promotion of tourism within the City and for the operation of a visitors center for the benefit of the City, as well as all other purposes that Lessor approves in writing. Premises shall not be used for any illegal purposes; nor in violation of any regulation of any governmental body, nor in any manner to create any nuisance or trespass; nor in any manner to vitiate the insurance, or increase the rate of insurance, on premises. The Lessee will comply with all rules and regulations of the building published from time to time by the Lessor.

4.2 Lessee may grant licenses to third parties for temporary use of the Premises and facilities located thereon only for the purpose above-stated, and provided such parties are "responsible third parties". The term "responsible third parties" shall mean parties who: a) comply with all rules and regulations of state and local governing authorities; b) supply a certificate of insurance in accordance with the rules and regulations established for the operation of the Premises; and c) agree in writing to abide by the rules and regulations established for the operation of the Premises.

4.3 Lessee shall maintain and repair the premises, in accordance with Section 6 hereof, in the same condition as the Premises and facilities thereon are presently in.

4.4 Prior to authorizing third party use of the Premises, Lessee will develop, and Lessor shall approve, policies for the use and care of the Premises, including bond and insurance requirements.

5.
CARE OF PREMISES

Lessee shall commit no act of waste and shall take good care of the Premises and the fixtures and appurtenances therein, and shall in the use and occupancy of the Premises, conform to all lawful orders, regulations, ordinances, and laws issued by any duly constituted governmental body or agency that governs the premises.

6.
REPAIRS/MAINTENANCE/IMPROVEMENTS

6.1 Lessor shall make all necessary repairs to the exterior, building structure, heating, air conditioning, plumbing, the building's parking areas, the building's landscaping, exterior roof, and electrical system. Lessee shall be liable for and shall indemnify and hold Lessor harmless with respect to damage or injury to the leased Premises, or the person or property of the Lessee, or the person or property of Lessees other sub-lessees or anyone in its control or hire. Lessor shall not be responsible to Lessee for any loss of property from the Premises hereby leased, however occurring or for any damages therefore, except if caused by Lessor's sole negligence or willful misconduct.

6.2 Lessor shall cause the exterior building structure and common exterior areas to be cleaned and generally cared for; will furnish electricity for lighting the exterior of building. Lessor shall not be liable for any damages directly or indirectly resulting from the installation, use, or interruption of use of any equipment in connection with the furnishing of services referred to in this paragraph, and in particular any interruption in services by any cause beyond the immediate and direct control of Lessor.

6.3 Lessee shall not install any capital improvements, as hereafter defined, without the written permission of the Lessor. All capital improvements installed by the Lessee shall be fixtures and appertain to the Premises. Title to all fixtures, including fixtures installed by Lessee, shall be held by Lessor. As used herein, "capital improvements" means any fixture installed on the Premises that costs Lessee five thousand dollars ($5,000.00) or more and has a useful life of at least three (3) years.

7.
INSURANCE

7.1 Lessee shall carry extended insurance insuring Lessee's interest in its improvements and betterments to the Premises, all partitions, fixtures, additions, and other property placed in or about the Premises by Lessee, and any and all furniture, equipment, supplies, and other property owned, leased, held, or possessed by it and contained therein. Lessee agrees to carry a policy or policies of comprehensive general liability insurance, including personal injury with minimum limits of $1,000,000.00 per occurrence, $3,000,000.00 per occurrence in the aggregate. Such general liability insurance policy described above shall; (i) name Lessor as an additional insured(s); and (ii) be issued by an insurance company having an A.M. Best rating of "A" or better and a financial category of "VI" or better (or otherwise approved by Lessor, which approval shall not be unreasonably withheld) which is licensed to do business in the State of Georgia; and (iii) provide that said insurance shall not be cancelled unless thirty (30) days prior written notice shall have been given to Lessor. Said policy or policies, or certificates adequate to evidence such insurance coverage, shall be delivered to Lessor by Lessee at least annually or upon request by Lessor.

7.2 Lessor may carry insurance to cover property damage for the full insurable value of the premises and liability insurance including personal injury with minimum limits of $1,000,000.00 per occurrence, $3,000,000.00 per occurrence in the aggregate in which case Lessee shall pay its proportionate share of premiums.

8.
LESSOR ACCESS

Lessor and/or its agents may enter the Premises to exhibit same to prospective purchasers or tenants; to inspect Premises to see that Lessee is complying with all his obligations hereunder; and to make repairs required of Lessor under the terms hereof or repairs or modification to any adjoining space.

9.
DEFAULT/REMEDIES

9.1 The following shall be events of default of this Lease:

9.1.1 Any petition is filed by or against Lessee under any section or chapter of the United States Bankruptcy Act as amended; provided that if an involuntary petition in bankruptcy is filed against Lessee, Lessee shall have thirty (30) days within which to have the petition dismissed.

9.1.2 Lessee shall become insolvent or make a transfer in fraud of creditors;

9.1.3 Lessee shall make an assignment for benefit of creditors;

9.1.4 A permanent receiver is appointed for a substantial part of the assets of Lessee;

9.1.5 The leasehold interest is levied on under execution;

9.1.6 The Lessee shall fail to comply with any material term, provision, condition, or covenant of this Lease (excluding 9.1.1 through 9.1.5 above), or comply with any of Lessor's Rules and Regulations now or later established for the government of this building, and shall not cure such failure within ten (10) days after written notice to the Lessee of such failure to comply;

9.2 In any such event, Lessor shall have the option to (in addition to and not in limitation of any other remedy permitted by law or by this Lease) terminate this Lease, in which event Lessee shall immediately surrender the Premises to Lessor, but if Lessee shall fail to surrender the Premises, Lessor may, without further notice and without prejudice to any other remedy Lessor may have to repossession or arrearages in rent or damages for breach of contract, enter upon the Premises and expel or remove Lessee and its effects, by force if necessary, without being liable to prosecution or any claim for damages therefore; and Lessee agrees to indemnify Lessor for all loss and damage which Lessor may suffer by reason of such Lease termination, whether through inability to relet the Premises for the remainder of the Lessee's term, or through decrease in rent for remainder of Lessee's term, cost of reletting the Premises including improvements to the Premises. Lessor's right to collect from Lessee all amounts owed pursuant to this Lease, including amounts accrued prior to termination and all future post-termination rents, taxes and penalties owing Lessor pursuant to this Lease shall survive the termination of the Lease by Lessor pursuant to this Paragraph.

9.3 If Lessee remains in possession of the Premises after the termination or expiration of this Lease and without the execution of a new Lease, Lessee shall be deemed to be occupying the Premises as a tenant at sufferance and shall be subject to all the covenants and provisions of this Lease insofar as the same are applicable to a lessee at sufferance and in no event shall there be any renewal of this Lease by operation of law.

9.4 At termination of this Lease, Lessee shall surrender Premises and keys thereof of Lessor in same condition as at commencement of term, reasonable natural wear and tear only expected.

10.
ASSIGNMENT/SUBLEASE

Lessee shall not, without the Lessor's prior written consent: (i) mortgage, pledge, encumber, assign, convey, or transfer (whether voluntarily, by operation of law, or otherwise) all or any interest in this Lease of the Premises; (ii) allow any lien to attach to Lessee's interest in the Premises or this Lease; (iii) permit the use or occupancy of the

Premises of any part thereof by any one other than Lessee except for purposes stated herein; (iv) sub-lease any part or all of the Premises or assign this Lease Agreement; or (v) any attempt to consummate any of the foregoing without the Lessor's prior written consent shall be void.

11.
INDEMNIFICATION

To the extent permitted by Georgia law, Lessee and Lessor agree to indemnify and shall hold the other harmless from any and all claims, liability, costs, or expenses for any injury or death to any person or damage to any property arising out of or in any way relating to any act or omission of its respective agents, employees, contractors, invitees, licensees, sub-lessees, or assignees, including attorney's fees and costs of litigation. The provisions of this Lease with respect to any claims or liability occurring or cause prior to any expiration or termination of this Lease shall survive such expiration or termination.

12.
ENVIRONMENTAL INDEMNITY

Lessee shall conduct its business within the Premises and on the Land in compliance with all applicable federal, state, or local laws and regulations related to pollution control, hazardous or toxic waste, substances, and other environmental and ecological matters, including, but not limited to the Federal Water Pollution Control Act (33 U.S.C. §1251, et seq.), Resource Conservation and Recovery Act (42 U.S.C. §6901, et seq.), Safe Drinking Water Act (42 U.S.C. §300f, et seq.), Toxic Substances Control Act (15 U.S.C. §2601, et seq.), the Clean Air Act (42 U.S.C. §300f, et seq.), Comprehensive Environmental Response of Compensation and Liability Act (42 U.S.C. §9601, et seq.), and other comparable state laws, as well as the Georgia Comprehensive Solid Waste Management Act (O.C.G.A. §12-8-20, et seq.) and the Georgia Rules for Solid Waste Management (particularly Chapter 39-3-4 and Rule 391-3-4-.15 pertaining to biomedical waste). Lessee agrees to indemnify and hold Lessor harmless from and against all causes, claims, demands, losses, liabilities, costs, and expenses (including, without limitation, attorney's fees) incurred, directly or indirectly, by Lessor as a result of or in connection with Lessee's failure to comply with any of the foregoing provisions.

13.
ATTORNEY'S FEES/EXPENSES

Lessee agrees to pay all reasonable attorney's fees and reasonable expenses the Lessor incurs in enforcing any of the obligations of the Lessee under this Lease, or in any litigation or negotiation in which the Lessor shall, without its fault, become involved through or an account of the Lessee.

14.
ENTIRE AGREEMENT

This Lease contains the entire agreement of the parties and no representations or agreements, oral or otherwise, between the parties not embodied herein shall be of any force or effect.

15.
WAIVER

No failure of Lessor to exercise any power given Lessor, hereunder, or to insist upon strict compliance by Lessee of any obligation hereunder, and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of Lessor's right to demand exact compliance with the terms hereof.

16.
TIME ESSENCE

Time is of the essence of this Lease Agreement.

17.
NO ESTATE

This contract shall create the relationship of landlord and tenant between Lessor and Lessee; no estate shall pass out of Lessor; Lessee has only a usufruct, not subject to levy or sale.

18.
SUBORDINATION

Lessee agrees that this Lease shall be subject and subordinate to any bond indenture, loan deed or loan now on said Premises and all future loan or loan deed on said Premises and to all advances made, or which may be hereafter made, on account of said loan deeds or encumbrances to the full extent of all debts and charges secured thereby and to any renewals or extensions of all or any part and to any loan deeds which any owner of said Premises may hereafter at any time elect to place on said Premises, and Lessee agrees upon request to hereafter execute any paper or papers which the counsel for Lessor may deem necessary to accomplish that end and, in default of Lessee so doing, that Lessor is hereby empowered to execute such paper or papers in the name of Lessee, and as the act and deed of Lessee, and this authority is hereby declared to be coupled with an interest and not revocable, and it is further expressly agreed that Lessor shall not be liable to Lessee for breach of covenant or quiet enjoyment by reason of the foreclosure and/or sale of the demised Premises under any loan deed or mortgage now or hereafter affecting the demised Premises.

19.
UTILTIES

19.1 Lessee shall be responsible for a proportional share of all utilities consumed by Lessee, and proper and lawful waste disposal. The proportional share shall be calculated by adding the square footage of the Visitor's Center plus fifty percent (50%) of the office and storage space on the second floor and determining the fractional total of the entire building square footage. The lessee share be responsible for this fractional total of all utilities. The Lessor shall not be responsible for interruption of utility services.

20.
NOTICES

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 Lessor:
City of Peachtree City
c/o City Manager
151 Willowbend Road
Peachtree City, Georgia 30269

If to Lessee:
Peachtree City Tourism Association, Inc.
c/o Registered Agent
201 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.

LESSOR:	LESSEE:
City of Peachtree City	Peachtree City Tourism Association, Inc.
____________________	____________________
By: Don Haddix	By: ____________
Title: Mayor	Title: ____________
Date: ____________	Date: ____________

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **Bernard J. McMullen, City Manager**

DATE: **June 7, 2010**

SUBJECT: **Consider Cancellation of the July 1, 2010 City Council Meeting**
June 17, 2010, City Council Meeting

Recommendation:

That Council consider cancelling the July 1, 2010 City Council Meeting.

Discussion:

Due to the July 4th holiday and many residents' traveling during that week, staff has worked to schedule City Council agenda items around the July 1 meeting. At this time, there are no items on the agenda, allowing Council to consider cancellation of the meeting if you so desire.

Budget Impact:

This item has no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **City Council**

VIA: **City Manager**
Finance Director P.S.

FROM: **Director of Leisure Services**

DATE: **June 3, 2010**

SUBJECT: **Consider Lake Peachtree Usage/Rental Fee**
For June 17, 2010 City Council Meeting

Recommendation: Recommend that Council approves a Lake Peachtree rental fee and policy, effective immediately, as explained below.

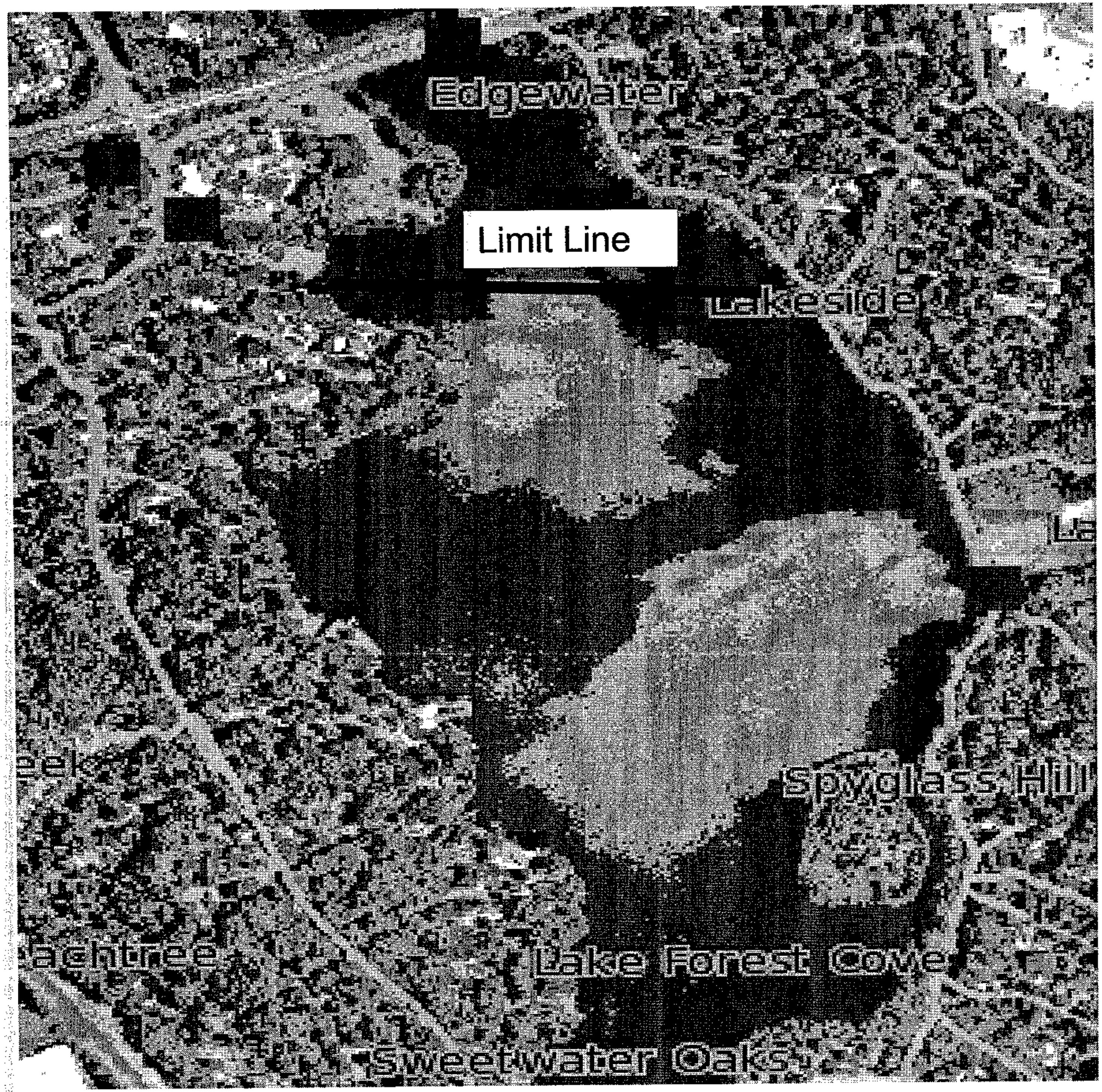
Discussion: On April 1 Council granted a one-time approval to use Lake Peachtree in the immediate vicinity of Drake Field and Picnic Park for a dragon boat team-building event. The event was held as part of a business conference at a local conference center. The Council directed staff to form a committee to examine issues surrounding rental of Lake Peachtree for the benefit of the local hospitality industry and business community and bring a recommendation back to Council. For purposes of this recommendation only the two local conference centers (Wyndham Peachtree and Dolce) are considered as they are the only two venues that could host an event large enough to bear the expense of this level teambuilding exercise. Any other requests will be considered on a case by case basis. Only events booking a sufficient number of hotel rooms at either of the conference centers, as determined by each center, will be considered. This discussion does not include the two well-established, locally-sponsored triathlons and the annual Rotary Dragon Boat Race and International Festival already using the lake; these events will continue as usual.

The Steering Committee consisted of representatives from the local hospitality industry including conference center and hotel management, event promoters, the Lake Peachtree Homeowners Association, local triathlon organizers, the Recreation Commission, the Tourism Association, City Council and staff. After three meetings the committee was able to identify and address the needs and concerns of all participants to a point where they were prepared to bring a recommendation to Council. The committee developed a number of parameters within which the lake can be rented and used for this purpose. These include:

- 1. The two local conference centers will select a preferred event promoter of their choice to coordinate these events with the City. The event promoter will be responsible to ensure that all approved rules are followed when putting on these events.

- 2. The event promoter will be required to complete a special events package through the Leisure Services Division to ensure that all affected departments are aware of the event. The event package process will be streamlined for these events to ensure the industry can be competitive and responsive to potential clients.
- 3. Only non-motorized boats are considered for this purpose; no gas or electric boats except for authorized safety or support boats.
- 4. The area of the lake designated for use is limited to the area in the northern portion of the lake from the Highway 54 bridge to a conceptual line that will be noted on a map of the lake and understood by the hospitality industry representatives. It will be their event promoter's responsibility to ensure the line is not crossed. Primary point for launching the non-motorized boats will be from Drake Field; however, if necessary the Battery Way boat landing may be used only for launching and retrieving boats. Boats will stay at least 50 feet from any shore except for launching and retrieving or when embarking or disembarking participants during the event.
- 5. As a pilot program, lake usage of this kind will be limited to no more than 10 of these events prior to the end of calendar year 2010. Eight of the 10 will be allowed weekdays only between the hours of 8 a.m. and 5 p.m.; two of the 10 will be allowed on weekends between the hours of 8 a.m. and 5 p.m. After each of the first three events and thereafter as needed, the committee will convene to review the event to determine if rules are being followed or if changes are needed. A determination whether or not a total annual limit on these events will be necessary or appropriate will be made by City Council prior to calendar year 2011.
- 6. A Lake/Drake rental fee of $500 per event is recommended. This funding will go into the City's general fund where it can support administrative and lake maintenance costs associated with this program. Funding for these items may also be sought through the Tourism Association as they support and benefit the hospitality industry in Peachtree City. Police and fire support fees, which are paid separately from rental fees, will be determined by each public safety department. A security deposit of $300 will be assessed and will be returned when the site is properly cleaned by renters after the event.

Budget Impact: No negative budgetary impact is anticipated. Successful implementation of this event program will contribute revenue to the city's general fund.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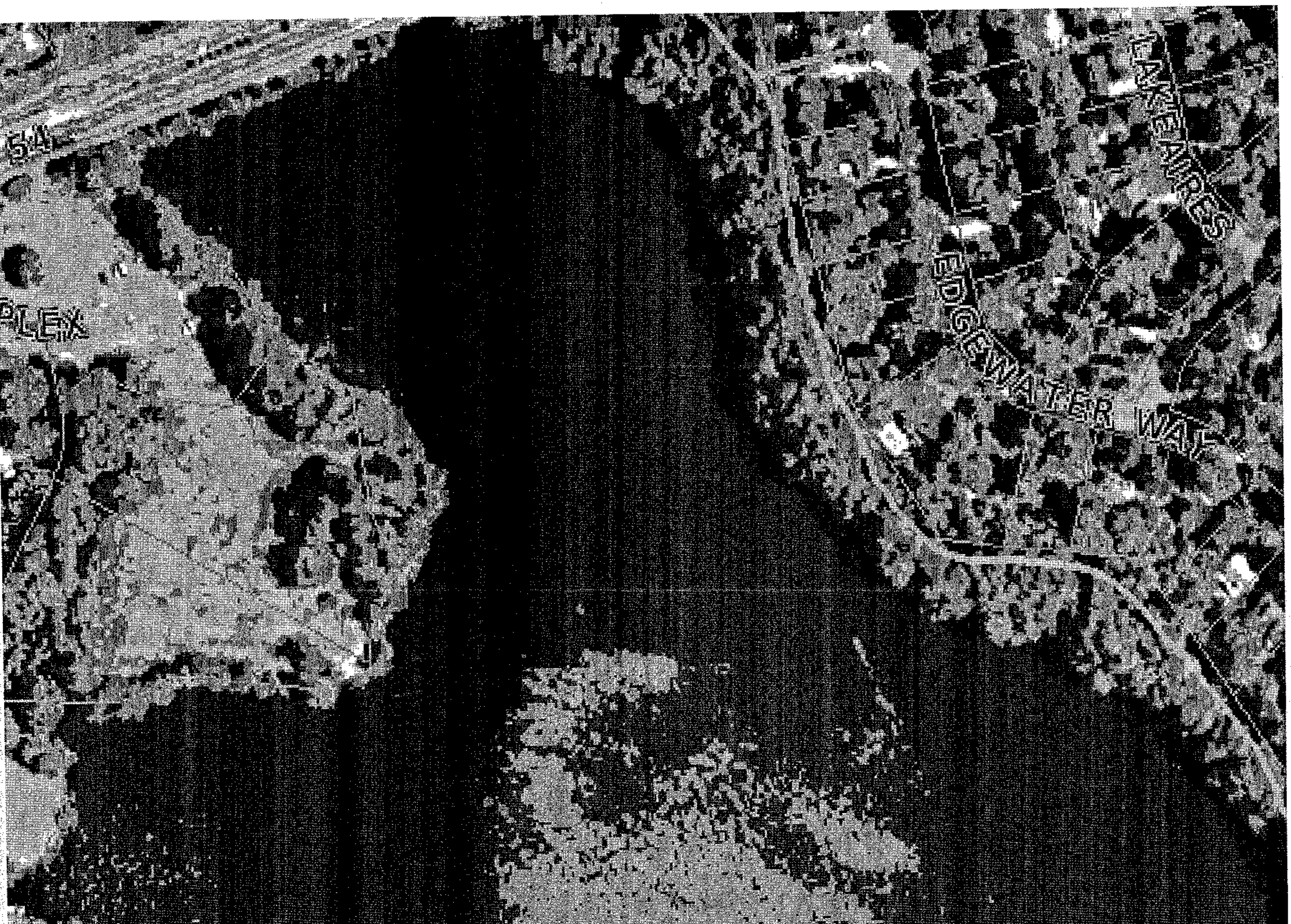
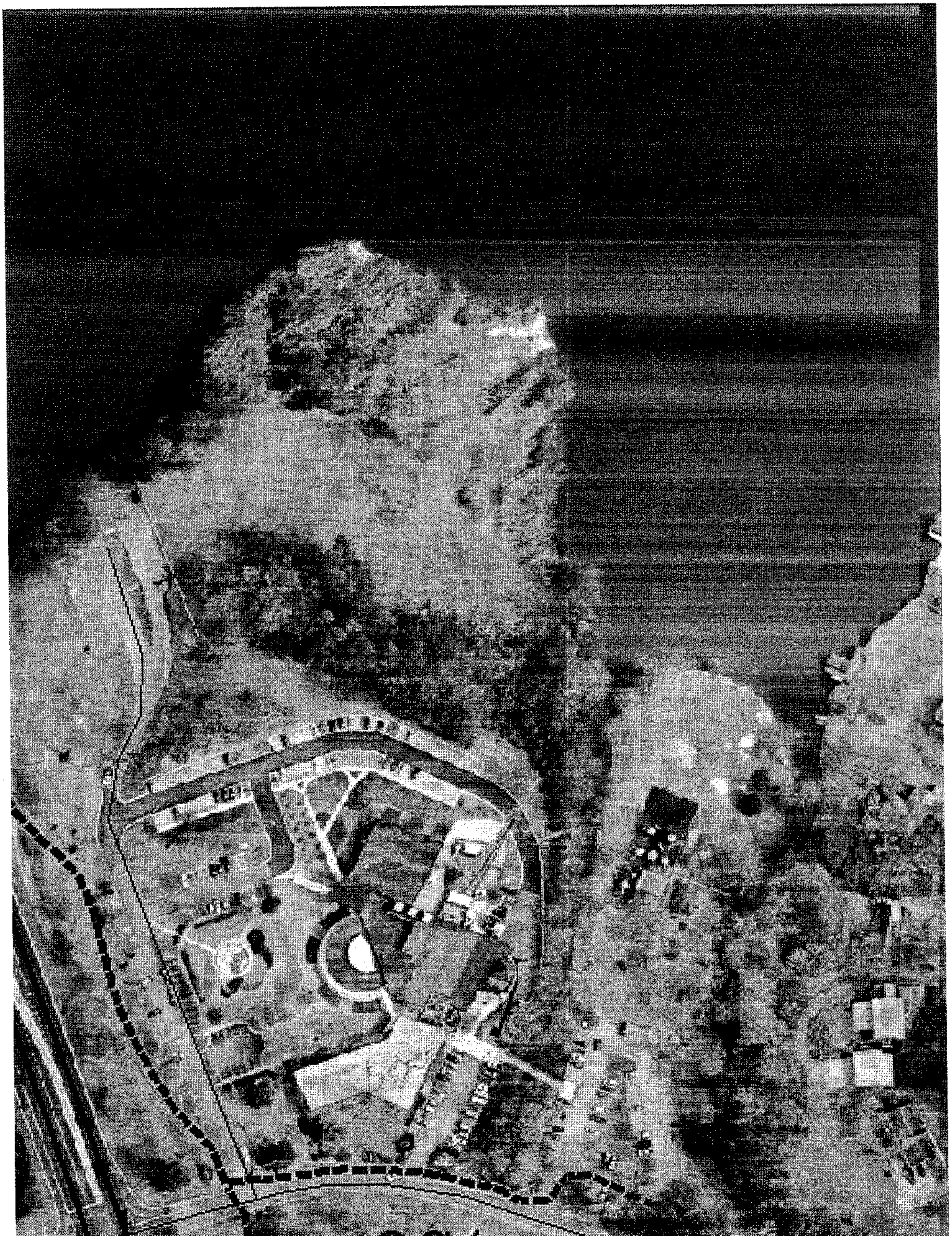
Limit Line
Lakeside
Spyglass Hill
Lake Forest Cove
Sweetwater Oaks



LAKEAIRES
EDGEWATER WAY
54
PLEX
600 Ft



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**City Council**
VIA:	**City Manager**
FROM:	**Director of Leisure Services**
DATE:	**June 8, 2010**
SUBJECT:	**Consider Decommissioning the Library Commission** *For June 17, 2010 City Council Meeting*

Recommendation: That the City Council approves a staff recommendation to dissolve the Library Commission, assign its primary function to another city commission (Recreation Commission is recommended) and encourage seated members to transition to Library Corporation membership as a means of re-directing commissioners' efforts to activities that more directly benefit Library operations and staff.

Background: At a May 25, 2010 special called Library Commission meeting, the Commission adopted a resolution that the Library Commission either continue to be in existence as is, or that it be de-commissioned and the remaining roles and responsibilities of the commission be assigned to another city commission by the same action that dissolves the Commission. The primary duty identified was to ensure that the public had a conduit through which their concerns or ideas concerning the Library could be channeled. The Recreation Commission was identified as the public body best suited to do this. The suggestion is to assign one member of the Recreation Commission as the Library Liaison to bring items of interest to the Commission's attention. This is parallel with the Recreation Commission's assignment of each member as liaison for other areas of interest, such as youth sports, recreation programs and events, Youth Council, etc. There is a June 21 Recreation Commission meeting where that body will officially consider this recommendation; this memo was sent to all Recreation Commission members and a telephone/email poll with them was conducted. To date, the Commissioners have individually responded that they can accept the proposal. The Commissioners' response, though, is an informal poll and will not become an official response until such time as a formal vote on this matter is taken.

The Library Commission was officially appointed April 14, 1996. Its predecessor, formed in 1995, was a limited-duration, single-purpose committee tasked with making recommendations for spending down excess funds ($428,000) from a County SPLOST for constructing and equipping a County library in Fayetteville. The Commission's primary goal was to continue making recommendations for spending down the excess but also adopted other generalized goals, to include:

- Promoting and supporting library services in Peachtree city;
- Assisting and recommending policies for the operations and programs of the library;
- Providing recommendations regarding budgeting needs of the library; and
- Advising City Council and staff in their efforts to establish and maintain the highest quality of library services for Peachtree City.

The enhancement funds have now been depleted and along with them a major aspect of the Library Commission's mission. The other goals noted above overlap with duties already performed by the long-standing Friends of the Library (FOL), which has served continuously since its chartering in 1973 as the support group that guided the opening of the first Peachtree City library. The FOL mission as stated in its charter is to:

*Provide guidance to Library operations
*Recommend policies and procedures
*Raise money and dispense funds
*Provide "advice" when necessary

This duplication of efforts between the Commission and FOL has ultimately led to consuming an unacceptable amount of the Library staff's already severely-limited and over-burdened time and energy. It appears that the long-established Library Corporation can, and in some cases already is, achieving many of the Commission goals and could effectively assume all those aforementioned goals if needed. As budgets have been cut and staffing has been reduced, current Library employees must focus on only priority efforts that best accomplish the mission. They already answer to the City's staff organizational chain of command and it is duplicitous to have two additional volunteer bodies to serve when one would be more streamlined and efficient.

It should be made clear that this in no way reflects negatively on the Library Commission or the function they have served over the years. Library commissioners are dedicated supporters of the Library who helped expend funds that fostered development of the Library into the 3rd busiest in the Georgia PINES system and 19th busiest overall in Georgia. Rather, this recommendation intends to enable those interested in promoting an outstanding library to better use their time and energy in a way that will directly support Library operations and the staff.

Budget Impact: No budgetary impact is anticipated.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and Council Members**
VIA:	**City Manager** **Financial Services Director** P.S. **Assistant Finance Director**
FROM:	**Public Services Director**
DATE:	**June 10, 2010**
SUBJECT:	**Local Assistance Road Program (LARP) Contract** ***June 17, 2010 City Council Agenda***

Recommendation:

Staff recommends that the City enter into a contract with the Georgia Department of Transportation (GDOT) for resurfacing of a total of 1.67 miles of Dividend Drive (from Paschall Road to TDK) in fiscal year 2011 and authorize the Mayor to sign the Local Assistance Road Program (LARP) contract **S012476-LAU.**

Discussion:

Staff has reviewed the Georgia Department of Transportation (GDOT) Local Assistance Road Program (LARP) contract S0124796-LAU which is a standard GDOT contract. This contract is available for review should Council desire to do so.

The contract amount of **$86,884.80** with GDOT is the approximate cost of only the materials needed to complete this paving area. All other cost associated with the installation of the asphalt paving such as: labor, equipment, milling or delivery costs would be the responsibility of the City. Staff estimates that the total project cost, including materials and installation, would be approximately **$245,000** based on recent bids for similar services.

Based on past LARP projects completed, the City Staff generally projects receiving only 80% of the contract amount from GDOT. This means that out of the proposed $86,884.80 contract amount the City projects a reimbursement of **$69,507.84**. Therefore based on the estimated project cost of $245,000, the City's responsible contribution to the project would be approximately **$175,492.16** at the completion of the project.

Budget Impact:

Based on the discussion above staff estimates a balance of **$175,492.16** would be allocated from fiscal year 2011 SPLOST funds. This project is included in the list of projects proposed to Council during retreat for SPLOST funding.

cc: City Engineer

City Council of Peachtree City
REVISED AGENDA
June 17, 2010
7:00 p.m.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Announcements, Awards, Special Recognition**
Recognition of Library Volunteers
"Let Freedom Ring" Proclamation
Recognition of Dartmouth Place Community CPR/SAVE
Recognition of Ricky Howard for 10 Years of Service

IV. **Citizen Comment**
Any member of the public attending the meeting may comment on any issue or item that is not included on the agenda. The time limit is two (2) minutes.

V. **Agenda Changes**

VI. **Minutes**
June 1, 2010, Budget Workshop Minutes
June 2, 2010, Budget Workshop Minutes
June 3, 2010, Regular Meeting Minutes

VII. **Consent Agenda**
1. **Consider Alcohol License – NEW – Borgo Italia, 2882 Highway 54 West**
Applications for new licenses must be approved by Council. Applicant has met the requirements.
2. **Consider Alcohol License – NEW – Tuscany Wine Distributors of Georgia, 1000 Cooper Circle, #102**
Applications for new licenses must be approved by Council. Applicant has met the requirements.
3. **Consider Adoption of Partial Update to the Comprehensive Plan**
Consider adoption of update so it can be forward to ARC and DCA

VIII. **Old Agenda Items**
06-10-01 Public Hearing – Consider Rezoning, LUR-13 to GR, Newgate Road
Continued to June 17, 2010, due to continuance by Planning Commission until June 14
06-10-05 Consider Approval of PCTA Lease Agreement
Revision to lease agreement includes use of space at Amphitheater Box Office Building for Visitors Center and use of funds from Council Contingency for facility modifications

IX. **New Agenda Items**
06-10-06 Consider Cancelling the July 1 Council Meeting
Consider cancelling meeting due to lack of agenda items
06-10-07 Consider Lake Peachtree Usage/Rental Fees
Consider use of Lake Peachtree for teambuilding events conducted by companies staying at either the Wyndham or Dolce conference centers, establishing parameters for use and a fee
06-10-08 Consider Decommissioning the Library Commission
Consider dissolving the Library Commission, assign its primary function of public access to the Recreation Commission and encourage seated Library Commission members to transfer their membership to the Friends of the Library
06-10-09 Consider LARP Agreement for Resurfacing
Consider contract with DOT to resurface 1.67 mile of Dividend Drive (Paschall Road to TDK) in FY 2011
06-10-10 Consider Additional Grass Mowing on Secondary Roads
Consider increasing frequency of mowing on City's secondary roads and 73 other areas currently not mowed

X. **Council/Staff Topics**
Library Master Plan
Hot Topics Update

XI. **Executive Session**

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

City Council of Peachtree City
Budget Workshop
Minutes of Meeting
June 2, 2010
6:30 p.m.

The City Council of Peachtree City met in a workshop session on Wednesday, June 2, 2010, at 6:30 p.m. Council Members in attendance on June 2 were: Mayor Don Haddix, Eric Imker, Kim Learnard, and Doug Sturbaum. Vanessa Fleisch was unable to attend.

The purpose of the workshop was to discuss the FY 2011 budget. Copies of all the presentations are included in the meeting file. This meeting was a continuation of the June 1 workshop.

Salvatore gave an overview of the Amphitheater budget, which totaled $790,407. He noted there had been a reallocation of personnel expenses due to the shared personnel arrangement with the Peachtree City Tourism Association (PCTA), which allowed the Amphitheater to reduce its expense budget by $32,000. No changes were planned to the format (one-night concert series) or ticket prices. The PCTA would contribute approximately $19,000 to the Amphitheater, not including the employee expenses. He pointed out that there would be no transfer from the General Fund to help support operations. Imker asked if there would be a transfer from the Amphitheater to the General Fund if there was a favorable revenue situation. Salvatore said that any money would be set aside for capital improvements and other needs rather than using money from the General Fund. McMullen said a fund balance within the Amphitheater fund should be developed to cover unexpected expenses. Learnard asked PCTA Executive Director/Amphitheater Manager Nancy Price how the season was going. Price said some of the Friday night season ticket holders were lost due to the Saturday night-only series. The venue was not full for the first concert, but ticket sales for Cheap Trick concert on June 5 were close to a sell-out.

Salvatore said the total budget for the Stormwater Utility was $1,335,722. No rate changes were proposed, and there would be no new bond issues for capital improvements. The budget met the debt service coverage requirements of the bond covenants. Imker asked how long the Stormwater Utility would pay $270,000 each year for debt service. Assistant Finance Director Janet Camburn said the payments went through 2027 for the $3.5 million bond. Salvatore added it was a 20-year bond. Imker said the payments seemed much higher and to last longer for the utility bond. Imker asked for more information on the bond.

Imker said he was trying to save every dollar possible, asking about contracted services for the utility. He asked if street sweeping could be re-negotiated and done fewer times. Stormwater Manager Mark Caspar said the professional/contracted services were outlined in the Notice of Intent with the state. The current Best Management Practice said the City would sweep specific streets monthly to eliminate the potential for debris going into storm drains. He said they could ask the state if it could be done less frequently. Imker asked Caspar to look into it. Imker asked if another bond could be required in a few years and if it would be for the same amount of money. Caspar said another bond probably would be needed, but he was not sure about the amount. They were working on an infrastructure replacement analysis, which would help determine whether a rate increase or another bond would be needed.

Salvatore continued that a 2% increase was projected in the hotel/motel tax ($780,667), and there had been no change in the formula (6%). An evaluation of the different options for the collection and disbursement of the hotel/motel tax was planned in the fall. Learnard asked if that would be effective after the first of the year. McMullen said it would be considered local legislation, so it had to be approved by the state legislature and signed by the governor. The estimated revenue from the garbage franchise fee for Keep Peachtree City Beautiful was $41,125.

Mark Hollums, chairman of the Peachtree City Development Authority (DAPC) gave an overview of the board's proposed budget for FY 2011, noting they were asking for an increase from $35,000 to $150,000. Hollums said the total expenses were projected at $147,465. The increases included a full-time staff person, which Hollums said they needed desperately. He had discussed sharing an employee with McMullen, noting that the amount budgeted ($35,000) was probably not realistic. Also included was a small amount for office space and equipment ($2,500 each).

Learnard said she was in awe of how much the DAPC had done as volunteers with a shoestring budget. She said office space should be in City Hall and that person needed to be City staff, maybe part of Community Development. Haddix said that would not work since development authorities were created by the state to do what City staff could not do. Sturbaum said that the Official Annotated Code of Georgia (OCGA) Section 36 defined the role of development authorities. Learnard said she would look at it, but felt a staff person was the way to go. Sturbaum said he had no problem looking at it, but there were many things to consider. Learnard said economic development was the single most important thing the City could do. If the City was going to spend that kind of money, she wanted to have those conversations since the City was short on staff. Haddix said the state took development authorities away from cities for legal reasons because there had been too much corruption, too much political/developer involvement. The state mandated that development authorities be separate legal entities. Haddix said economic development was separate structure, from the state down.

McMullen said the proposed FY 2011 budget included $35,000 for the DAPC. Staff needed guidance as to what to do. If Council wanted to increase the DAPC budget, then staff needed to know how it was to be done. An amount of the millage rate could be separated out to support the DAPC. Haddix said the DAPC was desperately needed to help get employers in the City. Sturbaum said the DAPC had done a good job in retaining the industries the City had, and there was always another city looking to take it away. Hollums said the state did not have a retention program. All its efforts were geared toward new industry. Haddix said the County's efforts were geared to the same. Hollums said 0.1 mills would provide the funding needed for the DAPC. Imker said they needed to wait until the big picture was in place before making a decision.

McMullen continued that the recreation "grant" revenue from Fayette County would decrease from $150,000 to just over $100,000 due to the County's cutbacks. Recreation Administrator

Sherry McHugh went over suggestions to increase revenue to make up for the reduction. The youth sports association usage fee would be assessed at $25 per Rest of County (ROC) registrant in all youth sports. Based on 1,771 ROC's participating in youth sports annually, the estimated revenue would be $44,275. The per class usage fee for ROC's in any paid instructor class, program, or special event where fees were changed would also be increased – classes up to $25, fee would be $2/person, estimated 712 users ($1,424); classes up to $26 or more, the fee would be $3/person, estimated 774 users, $2,322. The fees for Camp McIntosh and Teen Camp for ROC registrants would be an additional $20 per week; the estimate for 51 users was $2,040. The projected total was $50,061.

Sturbaum was concerned about the possible drop-out rate, noting that approximately 8% of the Little League fell into the ROC category. McHugh said that was possible, but the City also had some sports that the County did not offer, including lacrosse and swimming. She added that some parents and youth also preferred the City programs, and there were some City residents who preferred the County programs.

McMullen said the County would approve its budget before July 1, so they should know how much would be cut by the June 15 workshop. Sturbaum said to bring the proposed fee increases to Council at the first meeting after the County approved its budget. Imker said the additional fee for the classes seemed low and suggested increasing it by $5 and $10 rather than $2 and $3. McHugh said if the price for the class was too much, then people would not sign up. McMullen said staff would look at similar programs in other cities to see how much was charged.

McMullen went over the proposed changes to the 2009 Bricks & Mortar Fund allocation, pointing out the increase in the allocation for the Station 84 remodel and expansion from $334,430 to $748,076. City Engineer Dave Borkowski said the improvements were the same as those planned for Station 83 on Peachtree Parkway South, but Station 84's site on Crabapple Lane had problems when it came to getting the larger equipment in and out of the bays. Borkowski noted there was a steep incline, which they dealt with by coming in and out of the back of the station.

Assistant Fire Chief Joe O'Conor explained that the combined angle of the driveway and pitch of the road were damaging vehicles when making hard left turns out of the front of the station. The station was at the edge of the City, and the vehicles had to turn to the left for the majority of the calls. The downward angle and the hard left turn against the road include sheared body bolts where the cab of the truck was attached to the frame. Once the issue was identified, the vehicles began running out of the back of the building. The crew had to back in from Crabapple, around the parking lot and into the bay on the backside of the station. The location of the generator and retaining wall limited the space for the turning radius. O'Conor said the cost to replace the tires that were damaged alone was substantial.

Borkowski went over the original plan, Option A with a rear turnaround, Option A with raising the grade of Crabapple, and Option C, which was the better long-term fix. Option C included remodeling half of the existing engine bay and building a new bay that employees would access by steps. The estimated cost was $825,000. O'Conor noted that Stations 83 and 84 were still on septic, and they were over budget on tires this year.

Imker suggested an Option D, jack hammer the floor out and restore it at the same level of Crabapple. O'Conor said the lot was primarily granite, and they did not know what they would find under the slab. That might have been the issue with the original design. Imker said he wanted to look into it, estimating the cost at $500,000. McMullen said staff would work with Leo Daley on it. They would also have to rebuild the driveway and lower the foundation all around the building, so they would bring the numbers back. Fire Captain Jeff Kolduff said the station would have to close for Option D. The consensus was to proceed with Option C.

Learnard asked what the time frame was. McMullen said Borkowski was negotiating on the changes to the design, then they would bring any change in the amount to Council for approval. Staff had also worked with a local construction firm on the price estimates. Borkowski said the final drawings could be ready within six weeks of authorization per Leo Daley.

Imker asked that the ending year of loans be included in descriptions for debt service.

There was a break from 8:09 p.m. to 8:16 p.m.

McMullen compared the General Fund expenditures from FY 2008 through the proposed FY 2011 budget. He pointed out that Sturbaum, at the previous workshop, had asked to cut 5% from the proposed budget. He said that, to cut 5% out of the General Fund, the discretionary items in the budget would have to be reduced by 50%. Sturbaum said that was the information he needed. McMullen said that the proposed budget for FY 2011 was not that different from the FY 2008 actual budget, noting that there was an additional $700,000 included in the FY 2011 budget for the Public Safety vehicles that would be purchased with cash.

Robert Brown said he had no argument with the calculations based on the assumption that there would be no cut in personnel. However, personnel was not nondiscretionary spending as it was almost $18 million of a $26 million budget. Anything left would have to be cut substantially for any amount of savings. The City had a lot of debt, and the interest on the cash reserve savings was only $72,000. He asked how much was paid in interest on the City's debt. Salvatore said he had looked at refinancing the debt, but it would cost more money in lawyers and fees than the City would save. Brown asked why the City could not use the reserves to pay off the debt to get rid of the interest cost of the debt, which would help balance the budget. The City was paying more in interest than it was getting from the interest. Salvatore said the City would have to wait until the loans were callable, adding that the Bricks & Mortar loan had breakage fees. Brown asked why the cash reserve was not used to pay for the 2009 Bricks & Mortar loan. Salvatore said the five-year model showed the cash reserve being naturally spent down. Expenditures had greatly exceeded revenues every year. It would be naturally spent down without spending large chunks.

Imker asked about grants, saying that the City sometimes needed 100% in reserve for some grants, because the City was reimbursed for what was spent. Brown said the cash reserve was one of the biggest issues he had, and it should be used in those types of grant circumstances, but it was not there to just get built up. The City was on track to get the reserve down to 20% in four years, but it was not the way he wanted to see it get there. Salvatore said the gap would really close when the Special Purpose Local Option Sales Tax (SPLOST) money would be gone in 2013. The Public Works budget would have to increase by $1.5 million, and the City could possibly lose another $1 million when the Local Option Sales Tax (LOST) was re-negotiated.

Salvatore went over the millage rate scenarios that had been requested at the June 1 workshop. Salvatore said that if there were no increase in FY 2011, the cumulative deficit in five years would be $18,237,004, a 2.70 mill increase would be required in FY 2013 to maintain a 20% reserve, and the ending cumulative millage rate would be 7.834 after FY 2015. A 0.25 mill increase in FY 2011 would cut the cumulative deficit to $15,904,782, with a 2.30 millage increase in FY 2013, and a rate of 7.684 mills in FY 2015. A 0.50 millage increase in FY 2011 would result in a $13,572,561 deficit in FY 2015, with a 1.90 millage increase in FY 2013 and a cumulative rate of 7.534 mills in FY 2015. A 0.75 mill increase in FY 2011 would result in a deficit of $11,240,336, with a 2.20 mill increase required in FY 2014 for a cumulative millage rate of 8.084. An increase of one mill in FY 2011 would result in a cumulative deficit of $8,908,112 by FY 2015, an increase of 1.6 mills in FY 2014, and a cumulative millage rate of 7.734 mills. Salvatore added that a one mill increase in FY 2011 plus incremental increases of 0.30 mills each year until FY 2015 when a 0.50 mill increase would be needed would result in a cumulative deficit of $2,862,645 and a cumulative tax rate of 7.534 mills. Salvatore clarified that this was the Maintenance & Operation (M&O) rate only. The bond rate stayed steady at just under 0.4 mills each year.

Haddix said a huge pivot in the election this year would be all it would take to turn all the models upside down. Everything was speculative. McMullen agreed that there was a lot of looking into a crystal ball required. Brown said he was opposed to tax increases, but incremental increases were better than a big one, suggesting 0.5 mills each year for five years. There was the possibility of more revenue coming in if the economy improved and the digest went up.

Haddix said the reason for the Town Hall the following week meeting was so citizens could tell Council what they wanted. Sturbaum added that if there was fiscal mismanagement, the state reserved the right to intervene. Imker said he did not want a millage increase, but if that was Council's decision, then smaller incremental increases were more palatable than large increases. He added that it might be a good year for a one mill increase due to the decrease in assessments. Sturbaum agreed there needed to be a long-term fiscal policy, and Council would have to be disciplined. Any surplus should be re-invested into the City to decrease the deficit. Imker said there might not need to be a budget increase next year, especially if new businesses came to the Industrial Park. The City had done the right job in being conservative with revenue projections and liberal with expenditure projections. He would like to see an array of options with the starting millage rate, so there would be an educated guess. Imker said he would like to see incremental increases added to the 0.75 mill model and would like to look at all of them with 20% cash reserve in 2015. Salvatore said that, with every scenario, the more money that went in up front, the lower the deficit would be in the end.

Imker said Council had a choice of maintaining the current level of services with no tax increase in FY 2011 in the personnel line items, with furlough days, a pay cut, and the elimination of the 401K retirement account. They could generate an additional $1 million this year. A furlough day, if done properly, would not reduce service. Haddix said another option was a SPLOST. Imker said that in the November election was clear. The City's survey in January did not include options for cutting Public Safety; the only options were service cuts or a tax increase. Salvatore said that, before implementing those changes, the real consideration was implementing another pay and classification study, which created another problem that had to be fixed in the out years of the model. He reminded Council that it had cost the City $750,000 the last time a full study was done. Imker said he was not afraid of new people coming in with fresh blood and new ideas. A lot of people wanted a City job.

Fire Captain Ron Mundy asked Imker if he wanted to cut Public Safety to save taxpayers $26 per year. Imker said he represented residents who told him there were too many police. He had not been on Council long enough to know if the City had too much or too little Public Safety. Mundy said that it was not a fair statement to say services would not suffer if more was taken from the employees. Imker said times were tough everywhere. Everyone was concerned about their jobs. He left Panasonic six months before the company sent jobs overseas. People were accepting pay cuts rather than leave the workforce.

Brown said he was unemployed and looking for a new job. Federal politics put his company out of business. If taxes went up, he would have to take more money out of his savings. There were residents who would not have much sympathy for City employees that might have to take three furlough days per year. The economy was bad, and people were hurting. If the City's budget could be saved without a major tax increase by City employees taking a couple of furlough days, then that was what had to be done. Haddix sympathized with everyone, noting he closed his 20-year business because of federal policies and he made the choice to retire early. Council could not adopt an answer that pleased everyone. There was not a simple answer.

Sturbaum said the budget could be balanced in an hour with rampant red-lining, and critical services would be cut. They had to find the fine line to make the budget balance with the appropriate long-term solution and maintaining service levels.

Randy Boyett said that, during tough times, there was an advantage to having some income. The choices appeared to be no service, less service, or more tax. He had very rarely seen a budget that could not improve services and be cut 10%. He did not want to freeze salaries or cut positions. Haddix emphasized that the last millage increase was in 2004.

McMullen said the issue was that, during the last four to five years, approximately 30 Public Safety employees had been hired without an increase in the millage rate to support it. The options were to eliminate those employees. Those employees had been paid for by improving services, improving energy consumption, improving the way business was done in the vehicle maintenance shop, improving how communications were purchased, and making oxygen rather than buying it. Staff looked for improvements every year. Previous Councils had added services and not asked the citizens to pay for them. The City was at the point where someone had to pay or cut the services, or run out of money. Boyett said there was a strong sentiment that people were tired of more taxes. Haddix said he received e-mails from both sides. Boyett said the issue was black and white. He asked whether the City could manage through this time without a tax increase. Haddix said some items had already been delayed for several years. Learnard agreed, adding that maintenance on vehicles could be postponed, but sooner or later that maintenance had to be done. Haddix asked what services were considered non-essential. The reply was Leisure Services (library, recreation). Haddix said cutting Leisure Services decreased property values.

Learnard said the Town Hall meeting needed to begin with a serious dose of history so everyone had a perspective on how things got to this point. Haddix said the City had 249% more recreation than other cities the same size. Sturbaum said the City also provided police services, which were provided by the County for many cities the same size. If the City ended up with a debt service problem, it would lose its bond rating. Salvatore verified that was correct. Learnard asked that the Class B city data be included at the Town Hall meeting. Boyett said, if a one mill increase was needed to fix everything, then Council should do it and vow to never raise the millage rate again.

Salvatore said there were multiple scenarios of the five-year models. The one mill increase in FY 2011 with small incremental increases over the next five years gave the lowest millage rate over the five-year period. Learnard said she was looking for a five-year sustainable budget that optimized the cumulative millage rate over the coming five years.

Imker said he was done with his former approach to the budget and would help Council implement the most efficient plan possible.

The remainder of the discussion focused on the format for the Town Hall Budget Meeting on June 10.

There being no further business to discuss, the meeting adjourned at 10:10 p.m.

______________________________ ______________________________

Pamela Dufresne, Deputy City Clerk Don Haddix, Mayor

June 11, 2010

Honorable Mayor and Members of City Council:

Re: June agenda item "Approval of PCTA Lease Agreement"

We are asking that only Plan A of the facility modification be approved.

We request the Game Room be allowed to continue to be available for adult recreation. We also think signage of "The Annex" would be appropriate. Neither of us coordinators will be able to attend next council meeting due to previously scheduled games that cannot be changed. Many of our interested players will also not be present.

To our knowledge alternative space in PTC has not been located that would be workable. Although we remain open to further suggestions, it is evident so far that short of any more costly expanded space to The Gathering Place, the Game Room at the Annex remains best suited for the needs of bridge players.

As certified directors of American Contract Bridge League (ACBL) sanctioned games, we represent approximately 115 on the roster of players who play multiple times each week. These are primarily PTC residents, and all who play purchase Gathering Place Access Membership cards. It is our desire this program remain in PTC as it has for 28 years.

We two are the only active ACBL coordinators with jurisdiction in Fayette County; we feel we add a valuable program to the offering for the city. As volunteers to the city program, we offer quality games to draw PTC residents and those outside the community who have heard about the city's outstanding bridge program. Every week we offer five games for players of all skill levels, and once a week there's a game just for beginners. As the baby boomers continue to retire and older seniors become physically unable to play gold and tennis, there will be a growing need for bridge games

.
We respectfully point out that Jim Schirm is a frequent player, but not a spokesman for our group and it is apparent he has indicated "perceived" needs of this group. Mayor Haddix has been misled to believe we are an unhappy group meeting at this location. While we are crowded at times and greatly prefer The Gathering Place, we are understanding of the economy and will "make do" until a time that expansion can be considered.

The current space does work for us. The proximity of the adjacent building allows us to easily share program materials. Also, having a designated game room prevents need for extra setup and takedown of furniture which is not easy for most of the rather senior adults. This designated room also saves wear and tear on the equipment…rather than purchasing new tables each year we have been able to make use of the same tables the four years we have used the annex room which has saved recreation budget funds. Our games maximize space four days a week and two nights. As schedule permits we use a room at The Gathering Place. Other groups are then allowed to meet at the annex. This sharing results in a wider variety of program activities for the community. We utilize a stand-up dry erase sign outside directing plays as to which building is scheduled.

Why Kedron is not an appropriate alternative:

1. The noise level is too great for those concentrating in bridge.
2. The size of Room 2 would not accommodate enough game tables.
3. If all 6 games were not in one location, materials would have to be duplication at considerable cost.
4. There is no assurance that future schedule of program would not "bump" our four-hour blocks of scheduled time as this facility serves multiple age groups.
5. Evening play hours four bridge are later than Kedrons open hour schedule.
6. Storage and security for all materials at question.

Why City Hall rooms (Floy Farr Room & Community Room) are not appropriate alternatives:

1. Parking: insufficient handicapped spots and other cart & car parking
2. Greater walking distance from playground area parking
3. Hours available in this building at question
4. On-going availability

   In consideration of City Hall lower level space, according to communication from David Rast:

   > "If, in fact, they are able to use our area, it needs to be with the understanding that <u>any</u> event or meeting we have would "trump" their card game and they would have to cancel or reschedule. The room we are planning was not meant to be used as a game room."

   With this information we do not see this area as workable as our games are held on a regular basis and the locations are printed on an internet schedule. As providers of ACBL sanctioned games, we are not at liberty to reschedule.

We appreciate your acceptance of this communication due to our inability to be present at the scheduled meeting and be heard at that time. We would be pleased and honored to meet with you individually or collectively as a council or contacted as we are the sole leadership and spokespersons for this group. Thank you for consideration of this request.

Joan Braender   Jeanette Keener

June 15, 2010

Dear Mayor and City Council:

Regarding New Agenda Item 06-10-07 for the Council meeting 6/17/10

I am writing today as the President of the Lake Peachtree Association. It was my pleasure to work with Randy Gaddo, Vanessa Fleisch, and other members of a committee to evaluate use of Lake Peachtree for a minimal number of non-motorized boating events. We appreciate the coordination efforts of everyone involved, and we support the pilot program that will take place the rest of this year. However, we respectfully submit that the rental amount for Lake/Drake of $500 is extremely low. Given that a single Dragon Boat involves 22 people, and that several boats are in use during a team building event, this equates to little more than pennies per participant. Since part of this money will be earmarked to support the lake, I would support a more realistic fee be imposed on participants, one that would adequately cover some lake preservation costs. Secondly, I respectfully request that you give full consideration to earmarking those dollars for the lake, and not allow the funds to blend into the General Fund where they may end up funding other projects.

Thank-you,

Tim S. Therrell

President Lake Peachtree Association

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and Council Members**
VIA:	**City Manager** **Financial Services Director** P.F. **Assistant Finance Director**
FROM:	**Public Services Director**
DATE:	**June 16, 2010**
SUBJECT:	**Additional Landscaping and Mowing of Secondary Roads FY2010** ***June 17, 2010 City Council Agenda***

Recommendation:
Staff recommends that council give guidance as to the increase of mowing and landscaping requirements for the remainder of FY2010 to be funded by Council Contingency.

Discussion:
During the June 15 budget work shop Council gave staff direction to evaluate the cost to increase the level of service for the remainder of FY2010. Based on the direction for FY2011 service levels staff has developed costs to extend the existing schedule to meet the proposed FY2011 schedule.

Secondary Roads Currently Mowed: $3,028
Based on the current contract 32 locations are mowed at a rate of three times (3) during the projected growing season (March 1 to October 31) or once every 10 ½ weeks. The proposed increase for FY 2011 is to complete mowing of these same areas eight (8) times a year or once every four (4) weeks. In order to meet this same schedule for the remainder of the FY2010 two (2) additional occurrences would be needed for August and September of this fiscal year. The total for this additional service would be **$3,028.00**

Secondary Roads <u>Not</u> Currently Mowed: $11,700
Based on the current contract 73 secondary streets are not currently mowed. The proposed increase for FY 2011 is to complete mowing of these areas four (4) times a year or once every eight (8) weeks. In order to meet this schedule for the remainder of the FY2010 two (2) occurrences would to be planned once in June/July and again in August/September. The total for this additional service would be **$11,700.**

In consideration of this line item council should be aware that minimal calls are received regarding these areas. A number of these areas are now being maintained by concerned citizens. Staff recommends just adding the areas not now being mowed and monitoring the other areas.

Budget Impact:
Base the additional services selected by Council, funds will be transferred from City Council Contingency account 100-1505-57-9100 to Public Works contractual services account 100-4100-52-1245 for disbursement.

cc: Contractual Services Manager

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

FROM: **Community Development Director** David

VIA: **City Manager**

DATE: **June 17, 2010**

SUBJECT: **Proposed Rezoning of 5.62-acre Newgate Road tract (LUR-13 to GR-18)**
NorSouth Development Company of Georgia, LLC
June 17, 2010 City Council meeting

At their meeting earlier this week, the Planning Commission voted unanimously to recommend that the rezoning be approved subject to the following understandings and conditions (Attachment "A"). The additional conditions imposed by Planning Commission are shown in **bold font**:

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed conceptual site plan, which must be reviewed and approved by the Planning Commission as a part of the established site plan review and approval process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared.
2. There shall be no more than one hundred (100) apartments, all of which shall be age-restricted, within the overall development.
3. Existing vegetation within all tree save and landscape buffers shall be preserved to the greatest extent practicable prior to, during and following construction activities.
4. The exterior building materials and color selection shall be submitted to and approved by the Planning Commission. Building architecture, exterior materials and color selection shall follow the city's design guidelines ordinance.
5. The Applicant shall coordinate with City Staff to determine the location and extent of the multi-use path connection from this development to the existing path on Newgate Road. The path shall be designed and constructed by the Applicant at no expense to the city.
6. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the community association.

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. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.

12. At the Applicant's request, the property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and the developer shall adhere to policies and procedures that demonstrate the intent required under this provision. In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this Paragraph 1318.

13. The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto as Attachment "B". The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.

14. **The Applicant shall notify the City of Peachtree City of any changes in ownership or management of the development.**

15. **The Applicant shall work with City Staff and the Fire Marshal to identify a suitable location for the security gates with the intent being to move the gates as far into the property as possible.**

16. **The Applicant shall provide covered parking for golf carts on the property.**

17. **The Applicant shall provide line of sight elevations from SR 74 and Georgian Park to determine the impact of the building on these areas.**

18. **The final site plan and architectural plans shall ensure that all mechanical units are properly screened from view.**
19. **The landscape plan shall be reviewed and approved by the City Landscape Architect and the Planning Commission in accordance with the city's landscape ordinance.**
20. **The Applicant shall work with City Staff to determine the location of the access to the existing golf cart path. This shall include reviewing a proposed new path connection across the existing creek to provide direct access into the retail center.**
21. **A copy of the annual audit report shall be provided to the city.**

The Planning Commission also recommended that, should the rezoning be approved, these conditions as well as any imposed by City Council be recorded in a Development Agreement between NorSouth Development Company of Georgia, LLC and the City of Peachtree City.

Should Council vote to approve the rezoning, City Staff will work with the City Attorney to formalize the Development Agreement and will bring this back for Council approval at the July 15 meeting.

In addition to these conditions, NorSouth provided a Letter of Intent and additional conditions they would impose on this development.

WORKING DRAFT

June 2, 2010

Peachtree City Planning Commission
153 Willowbend Road
Peachtree City, GA 30269

Re: Letter of Intent for the Kedron Senior Village Rezoning Request (Zoning Case #2010-10):

To the Planning Commission,

On behalf of the NorSouth Development Company of Georgia, it has been a pleasure meeting and working with the Planning Department and the Planning Commission to discuss your concerns regarding the rezoning of a 5.62 acre tract on Newgate Road (as described in Exhibit A) from LUR-13 to GR-18 to allow the development of the proposed senior apartments. We expect that our combined efforts will result in a sustainable community that compliments the existing developments in Kedron Village and serves the housing needs of the aging population in Peachtree City.

The purpose of this letter is to set forth our mutual expectations and priorities for the development, with particular regard to the concerns raised by City staff, the Planning Commission and the concerned citizens of Peachtree City. Furthermore, this letter is intended to establish the terms and conditions of rezoning. It is our intent that the conditions established in this letter will become the basis for a Development Agreement between the Norsouth ("The Developer") and Peachtree City ("The City").

During the course of our various meetings, the following concerns have been expressed:

- ***Age Restriction***
- ***Gated Communities***
- ***Amenities***

In response to these concerns, the development team has taken (or will undertake) the following measures:

(i) Zoning Conditions (Exhibit B)

The development team has modified the site plan and created a list of Zoning Conditions, which are intended to be part of the approved rezoning. The proposed zoning conditions are attached as Exhibit "B".

It's our understanding that the development will be required to comply with any zoning conditions adopted with the rezoning approval.

(ii) Development Agreement (Exhibit C)

The development team intends to enter into a Development Agreement with the City subject to rezoning of the property. Proposed stipulations to the development agreement are being provided to clarify our positions and expected courses of action regarding the development agreement. The Developed Agreement is attached as Exhibit "C".

It is understanding that the development team will be required to enter a Development Agreement following the rezoning approval.

The rezoning request received a recommendation for approval from City staff. We'll make our final presentation to the Planning Commission on June 14th, 2010. At that time, we intend to request that the Planning Commission provide their final review and forward the rezoning request to City Council with a recommendation that the rezoning be approved subject to our mutual understanding and conditions described in this letter.

We appreciated your time and tremendous attention towards this endeavor. We're extremely excited about this development and look forward to a continued relationship.

Sincerely,

David H. Dixon, Managing Partner
NorSouth Development Company of Georgia, LLC

Attachments: Property Description (Exhibit A)
Proposed Zoning Conditions ("Exhibit B)
Summary of Intent (Exhibit C)

Kedron Senior Village

EXHIBIT "B"
Proposed Zoning Conditions

Condition #1 - Gated Communities
At no time shall the entire community be gated such that vehicular access to the property is completely restricted. However, the resident parking shall be secured subject to the following:

For the purposes of this condition, "accessible" shall mean not restricted by a vehicular or pedestrian gate system. "Secured" shall mean that ingress and egress is restricted via the use of fences and gates. "Controlled" shall mean that ingress and egress will be limited via the use of manual locks, magnetic locks, call boxes, card readers, security cameras and/or other similar devices. The use of said devices to control access thru doorways shall be at the developer/owners discretion.

At least one entrance to the building to be identified as the "main public entrance" shall be accessible by vehicles and pedestrians. Access to the main public entrance shall be controlled. The developer shall provide "visitor and employee" parking in the vicinity of the main public entrance. Visitor and employee parking shall be for the use of employees, visitors and potential residents. A section of the parking to be identified as "resident parking" shall be for the use of the residents and their visitors only. The resident parking shall be controlled and secured. Sections of the building in the vicinity of the resident parking shall be controlled and secured.

Condition #2 - Site Lighting
Parking lot lighting shall be limited to decorative (post-top) fixtures and outdoor lighting shall be located and oriented such that adjacent properties and roadways are not adversely affected and such that no direct light is cast upon adjacent properties and roadways.

The mounting height of outdoor lighting fixtures shall be limited to 20 feet. However, wall mounted lights shall be mounted higher than 20 feet.

The following types of lighting shall not be allowed:

- Cobra-Head
- Shoe-Box
- Pole-Mounted Flood Lights

This condition shall not apply to roadway lighting in the Newgate Road right-of-way.

Condition #3 - Signage
The property shall be limited to one ground signs shall be monument type signs that are architecturally compatible with the building(s). All signage shall be permitted and built in accordance with the ordinances that are applicable at the time of permitting.

The following types of signs shall not be allowed at the property:

- Electronic (Digital Message)
- Animated, Rotating , Revolving, Flashing
- Roof, Pylon, Portable, Tri-faced
- Pole Signs, except traffic control signs (speed limit, directional, stop, and yield signs, etc.) shall be allowed only in accordance with the sign ordinance.
- Permanent Signage with Interchangeable Letters
- Exposed Bulb* (halogen, neon, florescent, etc.)

*The limitation on exposed bulbs shall not apply to externally illuminated signs. Externally illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadway.

Kedron Senior Village

Exhibit "C"
Stipulations to the Development Agreement

The following will be stipulated in the Development Agreement between the owner/developer and Peachtree City:

Age Restriction
The Developer shall execute deed restrictions at closing to include the following:

- Age restriction that limits tenants age to 62 years or older

The property will be comprised of rental units and at least one management unit. The rental units shall be reserved for tenants at or over the age of sixty-two (62) years. However, the management unit(s) may be occupied by a member of the property's staff whose age may be less than sixty-two (62) years. The age restriction shall not apply to the management unit(s).

Prior to the issuance of a certificate of occupancy, the Developer will provide proof of the deed restrictions have been recorded.

Project Amenities.
The Developer shall provide the following amenities at the property:

- Community Room
- Fitness Center
- Game Room
- Beauty Salon
- BBQ & Picnic Area with Covered Pavilion
- Community Gardening Area with planter beds
- Golf Cart Spaces and Recharging Station(s)

For purposes of this agreement, the 15 year period immediately following the issuance of a certificate-of-occupancy shall be called the "compliance period".

The Developer shall maintain the amenities during the compliance period. However, at the Developer's sole discretion the Developer shall have the right to replace or substitute these amenities in order to adjust to the changing needs of the tenants and compete with similar properties.

Zoning Covenants.
The Developer shall attach the zoning conditions as described in Exhibit B to the rezoning request. Furthermore, the Developer shall record the zoning conditions at closing.

Prior to the issuance of a certificate-of-occupancy, the Developer shall provide proof that the zoning conditions have been recorded.

UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
June 14, 2010

PH-10-02 **Consider Proposed Rezoning of a 5.62-acre tract of land on Newgate Road within Kedron Village from LUR-13 Limited Use Residential to GR General Residential in order to develop an age-restricted apartment complex specifically for senior adults. The Applicant is NorSouth Development Company of Georgia, LLC.**

The Chairman opened the public hearing at 7:04 p.m. He explained that this public hearing had been continued from the May 24, 2010, Planning Commission meeting. The purpose of this discussion was to identify the items that would be included in the development agreement for this age-restricted apartment complex for senior adults that was being proposed by NorSouth Companies.

Mr. Rast provided the background and current status of this proposal and reviewed the conditions of approval recommended by City Staff. For the benefit of the public who were in attendance, he also described the supplemental information that had been provided to the Planning Commission and was posted on the City's website. He noted that NorSouth had provided a draft Letter of Intent as well as further information on proposed zoning conditions and stipulations to be included in the Development Agreement; these items would also be discussed. These thoughts could be included in the Planning Commission's recommendation to City Council.

Mr. Rast stated that Staff's review had included looking at how this development conformed to the different Plans that had been adopted by the City as well as the housing study that was part of the Partial Plan Update to the Comprehensive Plan. It also conformed to the village concept where higher density development was closer to the village center.

Mr. Rast stated that the supplemental information also included an analysis staff had done of existing multi-family units. City records showed the following:

- Of the 15,271 residential units within the city, 2,966 or 20% were multi-family; this number included the 310 units approved as part of the Somerby development, the 650+ units approved for the Wieland development, and the 111 courtyard units approved as part of the Scarbrough annexation.
- Of the total residential units in the city, 13% were apartments.
- Only 355 of the residential units in the city or 2% were geared toward senior adults.
- Every one of the city's existing apartment complexes, with the exception of Towne Club, were 90% or greater occupancy; some had a waiting list.
- Wisdom Woods and Woodsmill apartments were Section 8 housing and were pretty much full.

City Staff also looked at the occupancy and rental rates for assisted living and nursing facilities. Ashley Glen Assisted Living had 69 units, 99% occupancy with a waiting list. Southland Nursing Home had 155 units, 94% occupancy with a waiting list.

Mr. Rast explained that the point of this analysis was to show that there were not a lot of vacancies in the existing apartment complexes within the city. The number of units designated for seniors was relatively low compared to other types of developments in the city.

The conditions that were part of Staff's recommendation for approval were identified in the position paper and were part of the zoning as well. Mr. Rast explained that there was a section in the city ordinance designed for parcels that were rezoned to GR. Rezoning to this GR classification would allow site-specific conditions to be imposed on this property. This was similar to what had been done when Wilshire Village was rezoned to GC several years ago; specific uses and zoning conditions were adopted for that land and that development. The same would be done for this development. If NorSouth were to sell this property, the same conditions would apply to the next owner.

NorSouth had provided a schematic site plan as part of their rezoning application. As they looked at floodplain and topography, it was understood that the plan could change. The first condition of approval allowed that. Any substantial change to the plan, i.e., a change in density, would have to come back to Staff, the Planning Commission, and ultimately City Council for review.

Mr. Rast provided the following details relative to Staff's recommendations for approval:

- The number of apartments and the age restriction would be carried over to the zoning.
- It was understood there could be no disturbance in the tree save and landscape buffer along Highway 74, and the Applicant should also preserve as much of the remaining vegetation as possible.
- The final selections of exterior building materials and colors would be brought back to the full Planning Commission for review and approval. The elevations proposed must comply with the design guidelines within the Land Development Ordinance.
- Although the connection to the cart path was shown on the site plan, he would like to work with NorSouth to be sure it was designed safely and in the proper location.
- The internal infrastructure on the property, i.e., parks, landscaping, signage, etc., would be the sole responsibility of the developer or the community association. The City would not assume ownership or maintenance responsibilities for anything which was internal to the property.
- Close coordination with the Fire Department would be necessary to ensure emergency access to the site and all sides of the building. This would be part of the detailed plan review process.
- The City had an ordinance in place to require a detailed stormwater management plan was prepared, and it would be reviewed as part of the final site plan.
- Because of the elevation of this site in context to the elevation of the stream that separated this property from the shopping center, it was not thought the floodplain would be an issue. However, this would be part of the detailed site analysis.

- Close coordination between the Building, Fire, and Police Departments would be required to discuss emergency response, building design, and life/safety issues. The architect had told the Planning Commission about some of their internal controls such as emergency pull cords, fire sprinklers, etc.
- Every development in the city was now required to pay impact fees; these would be due before the building permit was issued.
- The age restriction associated with this development would be part of the conditions of approval as well as the zoning ordinance. The Fair Housing Act, how it was administered, and the requirements for both the City and the Applicant were quite detailed. A similar condition was put on the other age-restricted developments in the city.
- The development agreement would be recorded with the Clerk of Superior Court and would run with the land. If approved and NorSouth did not develop the property, the only way to do away with the development agreement would be to rezone the property.

Mr. Rast further stated that he had met with the people who administered the Tax Credit Program at the Georgia Department of Community Affairs (DCA) Office of Affordable Housing, the Director of the program, the Compliance Manager, and the Tax Credit Program Manager.

Mr. Brendan Barr and Mr. Jervon Harris of NorSouth Companies and Mr. Bill Foley of Foley Design were in attendance to present the proposed rezoning request. Mr. Barr stated that they had prepared a Letter of Intent, an Exhibit "B" with the proposed zoning conditions, and an Exhibit "C" that included stipulations to the development agreement.

One of the concerns expressed by the Planning Commission at the last meeting dealt with gated communities. Exhibit "B" explained in greater detail their intent in gating a portion of their site, which was to provide secure parking; they were not trying to gate the property itself. Visitor, guest, and employee parking and even a portion of resident parking was non-gated and was fully accessible to everyone. Typically, the gated area was internalized in their property and was not noticeable.

Exhibit "B" also included limitations relative to the height and type of lighting that would be used; certain types of fixtures were excluded. Although there had not yet been any discussion on signage, they included certain specifications that would not be allowed on this site. This would be discussed further during the site plan review process.

Mr. Barr explained that Exhibit "C" addressed the following stipulations that would be included in the development agreement:

- Age restriction – all residents would be 62 years or older.
- Project amenities.
- Zoning covenants.

Mr. Barr noted that prior to the issuance of a certificate of occupancy, NorSouth would provide proof that the zoning conditions had been recorded.

Mr. Frazar was concerned about the period of management and ownership to which their business model would commit. He thought the City should have right-of-refusal on the management company.

Mr. Barr said their intention was to develop, sell, and manage the property. If the management company changed or the property was sold, the buyer or the subsequent management company would have to be approved by DCA and the limited partners who had invested in the project. Mr. Barr said no investor would agree to the City's having right-of-refusal on that change.

Mr. Frazar felt it was the role of government to protect its interests in this community. He wanted the City to have some type of assurance that the building would continue to be maintained the way NorSouth had described. Mr. Barr thought Mr. Rast probably had a better understanding of the Housing Tax Credit program and what management oversight there would be.

Mr. Rast explained the following about the Housing Tax Credit program:

- There were a number of guarantees to which either the developer or those involved with financing the project had to adhere.
- Any subsequent developer would have to abide by the same standards as the initial developer in order to take ownership of the property. DCA's checks and balances were pretty rigorous to ensure the new owner could meet the requirements of the program. DCA approval was required in order to participate in the program. If NorSouth did not continue to manage the property, any ownership group, financial partner, or management group had to be screened, reviewed, and approved by DCA in order to participate.
- There was a 15-year compliance period during which the State performed routine audits of the property.

Mr. Rast stated that the City probably had more assurances with this program than with a typical retail development in the city.

Mr. Staples pointed out that any developer in the city, whether retail, commercial, office, or industrial, could flip their project and someone else would own the property. Mr. Frazar felt that most of the Commissioners agreed this type development was needed in the community. However, he was concerned the standards would not be maintained.

Mr. Rast's discussions with DCA indicated their oversight of these projects continued for the 15-year compliance period, no matter who owned or managed the property. Essentially, there was a 30-year compliance period because after the initial 15 years, whoever owned the property could apply for additional tax credits to upgrade the property for an additional 15-year compliance period.

Mr. Frazar asked whether DCA kept the City informed of this process and any issues there might be with the property. His experience with the government (as a general officer with the United State Army) was that the more the higher-up's got involved, the less the execution was to standard. He had learned that it was better to execute at the lowest level so that the people who had the most interest in a project would help maintain the standards. It concerned him that the State would be the approving authority for this community. Peachtree City wanted high standards, and he thought we would know better what was good for our community. Mr. Frazar wanted a moral and ethical commitment from NorSouth that they understood the City's concerns and would go overboard to meet the standards and to keep the City informed.

Mr. Harris thought they could commit to some level of notification but did not think they could get people to invest or lend to the project if the City had right of refusal or approval. Mr. Harris noted that all of the properties on the tour were still being maintained to the same standards as when NorSouth managed them. He felt Mr. Frazar was asking NorSouth to make a commitment no other developer had to make.

Mr. Frazar was nervous that it would not be in writing.

Mr. Foley stated that they had been working with this program for years. Ms. Laurel Hart, the director of the program at DCA, was a resident of Peachtree City. The DCA standards were the highest standards for apartments for senior and family developments anywhere in the state and around the country. Their annual audits maintained the property as well as who was in place. This was one of the hardest programs to get funded and to get in place in the United States, and the restrictions were the tightest they could be. This was one of the most expensive programs to go through because of the size of the units, the maintenance, the long-term proof of economic viability, marketability, and the ability to maintain them through the 30-year compliance period. The standards were the toughest in the industry.

Mr. Foley further stated that NorSouth was one of the most highly respected groups in the state, and for years they had the best track record for developing these projects. It was more than just managing the projects; it was setting up the program and meeting the high standards of DCA, or the project could not be funded. There was not another development in the country that had the restrictions of this program. This was the strongest and best program and the highest standards were maintained through the DCA controls.

In response to further comments Mr. Frazar made, Mr. Foley stated that DCA standards were higher than any commercial standards and the City was more protected with this program than with any existing commercial project.

Mr. Rast explained that the City did not approve projects and then walk away. The Fire Marshal did an annual inspection of these buildings; and the Building Official, Housing Code Official, and Code Enforcement Officers were all in these buildings on at least an annual basis. This was in addition to the staff from DCA who would come in and do their inspection. This equated to more oversight than was provided on any other development in the city. DCA had specific requirements above and beyond the City's building, fire, or maintenance codes in order to ensure the construction remained compliant.

Mr. Rast further stated that the owner of the property had to certify that each resident met the standards of eligibility in order to live in their community. This program was highly regulated by the State and through the local jurisdiction.

Mr. Frazar appreciated these explanations.

Ms. Wojcik had thought since the beginning that there were little things NorSouth was not giving to the city, e.g., moving the gating further back, and offering covered golf cart spaces to reduce the deterioration of the golf carts. It concerned her that if the small things the community wanted were not important to them, the big things might not be either.

Mr. Harris said they tried to address the items on the list they received from Mr. Rast. Their thought was that the other things would be addressed during the site plan review process. They were not opposed to providing covered golf cart spaces and would in fact add some. They also could commit to some level of notification if there was a change in management or ownership. The gates were an issue that could be worked out during site plan review.

Mr. Harris added that they tried to address the major concerns, one of which was this being a gated community, by explaining that it was not a gated community. The property was not gated and access to the front door would always remain accessible by vehicles, pedestrians, and carts. Ms. Wojcik did not like the look or the feel of a gate. She thought the lack of gates, the extra trees, and the extra greenspace were what made this city; and they were slowly being chipped away as developers came in and changed things. Her experience had been that if the little stuff was not in writing, it did not happen after developers got what they wanted. The City's only opportunity to get something done was when a zoning was changed.

Mr. Harris felt they had done a pretty good job of crafting the language based on the Commission's comments. He did not know that they could get every little nuance addressed in the zoning conditions, but they could work on such items as obscuring the gates during the site plan process.

Ms. Wojcik thought the way to address these concerns in the zoning conditions was to make the schematic part of the agreement.

Mr. Staples reminded Ms. Wojcik that NorSouth was considering abandonment of the cul-de-sac on the property.

Ms. Wojcik continued to contend that NorSouth was giving nothing to the City.

Mr. Harris thought the intent was to put on paper what had previously been discussed. Ms. Wojcik stated that her concerns had been brought up in previous meetings. Mr. Harris agreed that they had. He added that they felt secured parking was an important part of this program; providing gated parking did not make this a gated community. Their residents wanted that sense of security; the access points to the buildings were also within the gated area.

Ms. Wojcik stated that what it boiled down to was that she did not see where NorSouth was giving Peachtree City anything as a result of Exhibits "B" and "C." She reiterated that her experience had been that if it was not in writing before the rezoning was approved, it did not happen.

Mr. Sussberg said that if Ms. Wojcik had been able to tour the properties, she would have seen that the gates were not an issue and that the facilities were well constructed. He noted that this was just the initial process. Ms. Wojcik pointed out that if the issues were not addressed in the City's codes, it was difficult to address them after the rezoning was approved.

Mr. Staples totally agreed with what Ms. Wojcik was saying but thought part of the problem was that she had not toured any of the properties. Having toured the properties, the look and feel of the gates were one of Mr. Staples' lower priorities because you were not even aware they were there. The gates on paper seemed to be much more of an issue than they were.

Ms. Wojcik mentioned two similar facilities she had visited, one in Kentucky near Cincinnati and one in Kansas City that had no gated parking for their residents. These facilities were at full occupancy so she did not see where secured parking was as important as NorSouth wanted the City to believe.

Ms. Wojcik said she would also like to see more greenspace and suggested using permeable parking instead of the concrete. She would like to see these issues addressed at this point to avoid their not being addressed later.

Mr. Harris reminded Ms. Wojcik about the increased greenspace on their revised plan. He thought in excess of 50% of the site was green. Ms. Wojcik pointed out that a lot of the greenspace was the buffer. Mr. Harris said it was still green.

Mr. Scott wanted to echo some of what Ms. Wojcik had to say, especially about the gates as he did not like them either. He noted that if the cul-de-sac was abandoned, he thought at least one of the gates would have to be relocated. Mr. Harris agreed that the whole site plan would change.

Mr. Scott said he was concerned about the Fire Department's access to the other side of the building. Mr. Foley said they had met with the Fire Department early on, and they were very confident NorSouth could meet their requirements.

Mr. Scott appreciated being able to go on the tour and noted that the properties were very well maintained, some of them being eight or nine years old. He thought the longevity of their management positions seemed to work well. The site plan review of this property would be very important.

Mr. Staples thought this was an appropriate use for this property, but he thought condition #4 was a little weak. The Shoppes at the Village Piazza was a large project that had not turned out as he thought it would, and he felt it could have been much better. He thought it was important to tighten up the language at this stage of the process to avoid disappointments later on. At the very least, he thought line of sight elevations from Highway 74, Georgian Park, and a sampling of any of the residential areas should be a part of condition #4. If there was an issue with what they were seeing, could screening or natural landscaping be used to block those views?

Mr. Staples commended NorSouth for the landscaping at their facilities – the gardens, the integration with the natural landscaping, and screening.

Mr. Rast pointed out that this would fall under the landscape ordinance and would be a separate submittal to the Planning Commission.

Mr. Staples did not think multiple checks and redundancy hurt in these cases.

Mr. Scott pointed out that the connection to the golf cart path would be a site plan issue.

Mr. Staples' opinion was that NorSouth was not causing the traffic issue that existed in this area. However, if this plan went through, they would be part of the problem and it would be their issue. He was not sure what should be done regarding the vehicular and golf cart traffic in this area and specifically at the intersection of Newgate Road and Georgian Park.

Mr. Harris shared those concerns but at this point did not have any solutions.

Mr. Staples asked what could be done from the city's standpoint; it needed to be addressed regardless of the development on this property.

Mr. Rast stated that this was a Police Department enforcement issue. The City had looked at signage and all of the access points on Georgian Park had been approved as part of each development.

Mr. Staples said even the golf cart connections were problematic. He wished there was a better solution.

In response to an inaudible question from Mr. Sussberg, Mr. Rast stated that Staff had looked at relocating the access to the shopping center coming out of the tunnel to avoid the sharp right-hand turn. A design had previously been prepared by one of the City's consultants; permitting would be involved because of the stream crossing. He did not know what the cost would be.

Mr. Sussberg asked if NorSouth would consider the possibility of covering the cost to connect their development directly into Kedron Village shopping center, assuming it was reasonable, or contributing to that effort.

Mr. Rast stated that the plan that was designed had a path connection just north of the car wash. Instead of turning behind the car wash, it went straight across and crossed the creek to the further of the entrance drives. Staff had been working with the developer of the shopping center to put that in. However, it was lost because of the litigation and all of the costs associated with it. This had been identified early on as an issue for carts coming out of the tunnel.

Mr. Staples thought it would be appropriate for NorSouth to talk with the shop owners in Kedron Village about this issue. It was a safety issue for cart path travel from the Newgate site to the shopping center. He thought this would be a win/win situation for both the shopping complex and for their residents. Unfortunately, this was currently a very dangerous three-minute golf cart drive. Mr. Sussberg thought this could be the give-back Ms. Wojcik was looking for.

Mr. Sussberg added that he had spent 20 years in non-profit assisted living and thought the quality of this construction was fabulous and the landscaping, outstanding. He understood the concerns about the gating, but it was set back. He thought people in their late 70's would want the gating. Contrary to what some believed, he felt there was a tremendous demand for this kind of housing for people who could not afford to maintain a home any longer but were not ready for assisted living; people wanted independent living with added security. He thought NorSouth's facilities were extremely attractive and, if the rezoning was approved, any issues could be addressed through the site plan review process.

At Mr. Staples' request, Mr. Rast reviewed the conditions and/or requirements that were added as a result of this discussion:

- The City shall be notified of any changes in ownership or management.
- The security gates would be shifted into the property further away from the road.
- Covered golf cart parking would be provided.
- Line of sight elevations from Highway 74 and Georgian Park would be provided.
- Mechanical units would be screened.
- A landscape plan would be provided.
- Golf cart connectivity to the retail center from across the creek would be explored.
- A copy of the annual audit report would be provided to the city.

Mr. Rast noted that the screening of the mechanical units and submittal of a landscape plan were identified in a separate ordinance relative to the site plan approval process.

Mr. Staples clarified that NorSouth was not making a commitment to provide the golf cart connection to Kedron Village; it was only a commitment to engage in discussions with the City and the shop owners. He thought it would be a shame if NorSouth's residents did not feel comfortable taking a three-minute golf cart trip to Kedron Village; this would have a profound impact on their quality of life. He thought this was a huge opportunity for NorSouth.

Mr. Scott asked whether NorSouth was amenable to the additional conditions. Mr. Harris asked that the conditions be repeated and they agreed to them.

After discussion, a motion was made by Mr. Scott, seconded by Mr. Staples, and unanimously adopted that the proposed rezoning of the 5.62-acre tract of land on Newgate Road within Kedron Village from LUR-13 Limited Use Residential to GR General Residential in order to develop an age-restricted apartment complex specifically for senior adults be forwarded to City Council with a recommendation that it be approved subject to the following 21 understandings and conditions, 13 of which were previously recommended by City Staff and 8 which were added at this meeting. Mr. Staples asked for a roll call vote and asked each Commissioner to articulate the reasons for their vote so that City Council would be aware of their position.

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed conceptual site plan, which must be reviewed and approved by the Planning Commission as a part of the established site plan review and approval process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared.
2. There shall be no more than one hundred (100) apartments, all of which shall be age-restricted, within the overall development.
3. Existing vegetation within all tree save and landscape buffers shall be preserved to the greatest extent practicable prior to, during and following construction activities.
4. The exterior building materials and color selection shall be submitted to and approved by the Planning Commission. Building architecture, exterior materials and color selection shall follow the city's design guidelines ordinance.
5. The Applicant shall coordinate with City Staff to determine the location and extent of the multi-use path connection from this development to the existing path on Newgate Road. The path shall be designed and constructed by the Applicant at no expense to the city.
6. The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the community association.
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. The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.
12. At the Applicant's request, the property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and the developer shall adhere to policies and procedures that demonstrate the intent required under this provision. In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this Paragraph 1318.
13. The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto as Attachment "B".

The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.

14. The Applicant shall notify the City of Peachtree City of any changes in ownership or management of the development.
15. The Applicant shall work with City Staff and the Fire Marshal to identify a suitable location for the security gates with the intent being to move the gates as far into the property as possible.
16. The Applicant shall provide covered parking for golf carts on the property.
17. The Applicant shall provide line of sight elevations from SR 74 and Georgian Park to determine the impact of the building on these areas.
18. The final site plan and architectural plans shall ensure that all mechanical units are properly screened from view.
19. The landscape plan shall be reviewed and approved by the City Landscape Architect and the Planning Commission in accordance with the city's landscape ordinance.
20. The Applicant shall work with City Staff to determine the location of the access to the existing golf cart path. This shall include reviewing a proposed new path connection across the existing creek to provide direct access into the retail center.
21. A copy of the annual audit report shall be provided to the city.

The roll call vote was as follows:

- Ms. Wojcik recommended approval subject to all 21 conditions. If all of the conditions were not met, she hoped City Council would not vote to approve this request.
- Mr. Scott recommended approval with all 21 conditions.
- Mr. Sussberg recommended approval with all 21 conditions. He saw a strong need for this development and thought the quality of NorSouth's projects was outstanding. He thought City Staff might hold them to an even higher standard. In the end, he thought it would be an extremely attractive project. He took seriously the comments and concerns that had come in from the community, both for and against. When it came to the site development, the Commission must ensure they delivered a project that worked.
- Mr. Frazar recommended approval. He thought there was a need for this in the community. He also felt City Hall should be notified anytime a building or facility within the city was not in compliance with the City's standards. This could be a great addition to the city or it could be an eyesore depending on how it was maintained.
- Mr. Staples recommended approval. Especially when a proposal was somewhat controversial, he looked at the Comprehensive Plan and land uses in the area to determine how the proposal would fit. He thought this was an appropriate use for this area based on the amenities available to the residents, the land use, the step down, and the proximity to the village center. Trees were important, but there were parcels in the city that would be developed. The proposed use must be evaluated based on other potential uses, not on non-development. He thought this use was consistent with the Comprehensive Plan and everything the Commissioners were taught in their ARC training relative to projections and the type of housing the community would need to provide.

Mr. Staples wanted to speak frankly. He thought a lot of people thought there were going be a bunch of old, poor people in this building. The fact of the matter was that there were a lot of people, himself included, who might be doing OK for themselves and who had parents or grandparents who simply could not afford $2,000 or $3,000 a month for rent. He said this was also true of the entrepreneurs and up-and-coming executives the Development Authority was trying to attract to Peachtree City. His biggest fear and the biggest challenge with this was execution. He thought the best the Commission could do was to get better every time.

City Council of Peachtree City
REVISED AGENDA
June 17, 2010
7:00 p.m.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Announcements, Awards, Special Recognition**
Recognition of Library Volunteers
"Let Freedom Ring" Proclamation
Recognition of Dartmouth Place Community CPR/SAVE
Recognition of Ricky Howard for 10 Years of Service

IV. **Citizen Comment**
Any member of the public attending the meeting may comment on any issue or item that is not included on the agenda. The time limit is two (2) minutes.

V. **Agenda Changes**

VI. **Minutes**
June 1, 2010, Budget Workshop Minutes
June 2, 2010, Budget Workshop Minutes
June 3, 2010, Regular Meeting Minutes

VII. **Consent Agenda**
1. Consider Alcohol License – NEW – Borgo Italia, 2882 Highway 54 West
Applications for new licenses must be approved by Council. Applicant has met the requirements.
2. Consider Alcohol License – NEW – Tuscany Wine Distributors of Georgia, 1000 Cooper Circle, #102
Applications for new licenses must be approved by Council. Applicant has met the requirements.
3. Consider Adoption of Partial Update to the Comprehensive Plan
Consider adoption of update so it can be forward to ARC and DCA

VIII. **Old Agenda Items**
06-10-01 Public Hearing – Consider Rezoning, LUR-13 to GR, Newgate Road
Continued to June 17, 2010, due to continuance by Planning Commission until June 14
06-10-05 Consider Approval of PCTA Lease Agreement
Revision to lease agreement includes use of space at Amphitheater Box Office Building for Visitors Center and use of funds from Council Contingency for facility modifications

IX. **New Agenda Items**
06-10-06 Consider Cancelling the July 1 Council Meeting
Consider cancelling meeting due to lack of agenda items
06-10-07 Consider Lake Peachtree Usage/Rental Fees
Consider use of Lake Peachtree for teambuilding events conducted by companies staying at either the Wyndham or Dolce conference centers, establishing parameters for use and a fee
06-10-08 Consider Decommissioning the Library Commission
Consider dissolving the Library Commission, assign its primary function of public access to the Recreation Commission and encourage seated Library Commission members to transfer their membership to the Friends of the Library
06-10-09 Consider LARP Agreement for Resurfacing
Consider contract with DOT to resurface 1.67 mile of Dividend Drive (Paschall Road to TDK) in FY 2011
06-10-10 Consider Additional Grass Mowing on Secondary Roads
Consider increasing frequency of mowing on City's secondary roads and 73 other areas currently not mowed

X. **Council/Staff Topics**
Library Master Plan
Hot Topics Update

XI. **Executive Session**

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

City Council of Peachtree City
Budget Workshop
Minutes of Meeting
June 2, 2010
6:30 p.m.

The City Council of Peachtree City met in a workshop session on Wednesday, June 2, 2010, at 6:30 p.m. Council Members in attendance on June 2 were: Mayor Don Haddix, Eric Imker, Kim Learnard, and Doug Sturbaum. Vanessa Fleisch was unable to attend.

The purpose of the workshop was to discuss the FY 2011 budget. Copies of all the presentations are included in the meeting file. This meeting was a continuation of the June 1 workshop.

Salvatore gave an overview of the Amphitheater budget, which totaled $790,407. He noted there had been a reallocation of personnel expenses due to the shared personnel arrangement with the Peachtree City Tourism Association (PCTA), which allowed the Amphitheater to reduce its expense budget by $32,000. No changes were planned to the format (one-night concert series) or ticket prices. The PCTA would contribute approximately $19,000 to the Amphitheater, not including the employee expenses. He pointed out that there would be no transfer from the General Fund to help support operations. Imker asked if there would be a transfer from the Amphitheater to the General Fund if there was a favorable revenue situation. Salvatore said that any money would be set aside for capital improvements and other needs rather than using money from the General Fund. McMullen said a fund balance within the Amphitheater fund should be developed to cover unexpected expenses. Learnard asked PCTA Executive Director/Amphitheater Manager Nancy Price how the season was going. Price said some of the Friday night season ticket holders were lost due to the Saturday night-only series. The venue was not full for the first concert, but ticket sales for Cheap Trick concert on June 5 were close to a sell-out.

Salvatore said the total budget for the Stormwater Utility was $1,335,722. No rate changes were proposed, and there would be no new bond issues for capital improvements. The budget met the debt service coverage requirements of the bond covenants. Imker asked how long the Stormwater Utility would pay $270,000 each year for debt service. Assistant Finance Director Janet Camburn said the payments went through 2027 for the $3.5 million bond. Salvatore added it was a 20-year bond. Imker said the payments seemed much higher and to last longer for the utility bond. Imker asked for more information on the bond.

Imker said he was trying to save every dollar possible, asking about contracted services for the utility. He asked if street sweeping could be re-negotiated and done fewer times. Stormwater Manager Mark Caspar said the professional/contracted services were outlined in the Notice of Intent with the state. The current Best Management Practice said the City would sweep specific streets monthly to eliminate the potential for debris going into storm drains. He said they could ask the state if it could be done less frequently. Imker asked Caspar to look into it. Imker asked if another bond could be required in a few years and if it would be for the same amount of money. Caspar said another bond probably would be needed, but he was not sure about the amount. They were working on an infrastructure replacement analysis, which would help determine whether a rate increase or another bond would be needed.

Salvatore continued that a 2% increase was projected in the hotel/motel tax ($780,667), and there had been no change in the formula (6%). An evaluation of the different options for the collection and disbursement of the hotel/motel tax was planned in the fall. Learnard asked if that would be effective after the first of the year. McMullen said it would be considered local legislation, so it had to be approved by the state legislature and signed by the governor. The estimated revenue from the garbage franchise fee for Keep Peachtree City Beautiful was $41,125.

Mark Hollums, chairman of the Peachtree City Development Authority (DAPC) gave an overview of the board's proposed budget for FY 2011, noting they were asking for an increase from $35,000 to $150,000. Hollums said the total expenses were projected at $147,465. The increases included a full-time staff person, which Hollums said they needed desperately. He had discussed sharing an employee with McMullen, noting that the amount budgeted ($35,000) was probably not realistic. Also included was a small amount for office space and equipment ($2,500 each).

Learnard said she was in awe of how much the DAPC had done as volunteers with a shoestring budget. She said office space should be in City Hall and that person needed to be City staff, maybe part of Community Development. Haddix said that would not work since development authorities were created by the state to do what City staff could not do. Sturbaum said that the Official Annotated Code of Georgia (OCGA) Section 36 defined the role of development authorities. Learnard said she would look at it, but felt a staff person was the way to go. Sturbaum said he had no problem looking at it, but there were many things to consider. Learnard said economic development was the single most important thing the City could do. If the City was going to spend that kind of money, she wanted to have those conversations since the City was short on staff. Haddix said the state took development authorities away from cities for legal reasons because there had been too much corruption, too much political/developer involvement. The state mandated that development authorities be separate legal entities. Haddix said economic development was separate structure, from the state down.

McMullen said the proposed FY 2011 budget included $35,000 for the DAPC. Staff needed guidance as to what to do. If Council wanted to increase the DAPC budget, then staff needed to know how it was to be done. An amount of the millage rate could be separated out to support the DAPC. Haddix said the DAPC was desperately needed to help get employers in the City. Sturbaum said the DAPC had done a good job in retaining the industries the City had, and there was always another city looking to take it away. Hollums said the state did not have a retention program. All its efforts were geared toward new industry. Haddix said the County's efforts were geared to the same. Hollums said 0.1 mills would provide the funding needed for the DAPC. Imker said they needed to wait until the big picture was in place before making a decision.

McMullen continued that the recreation "grant" revenue from Fayette County would decrease from $150,000 to just over $100,000 due to the County's cutbacks. Recreation Administrator

Sherry McHugh went over suggestions to increase revenue to make up for the reduction. The youth sports association usage fee would be assessed at $25 per Rest of County (ROC) registrant in all youth sports. Based on 1,771 ROC's participating in youth sports annually, the estimated revenue would be $44,275. The per class usage fee for ROC's in any paid instructor class, program, or special event where fees were changed would also be increased – classes up to $25, fee would be $2/person, estimated 712 users ($1,424); classes up to $26 or more, the fee would be $3/person, estimated 774 users, $2,322. The fees for Camp McIntosh and Teen Camp for ROC registrants would be an additional $20 per week; the estimate for 51 users was $2,040. The projected total was $50,061.

Sturbaum was concerned about the possible drop-out rate, noting that approximately 8% of the Little League fell into the ROC category. McHugh said that was possible, but the City also had some sports that the County did not offer, including lacrosse and swimming. She added that some parents and youth also preferred the City programs, and there were some City residents who preferred the County programs.

McMullen said the County would approve its budget before July 1, so they should know how much would be cut by the June 15 workshop. Sturbaum said to bring the proposed fee increases to Council at the first meeting after the County approved its budget. Imker said the additional fee for the classes seemed low and suggested increasing it by $5 and $10 rather than $2 and $3. McHugh said if the price for the class was too much, then people would not sign up. McMullen said staff would look at similar programs in other cities to see how much was charged.

McMullen went over the proposed changes to the 2009 Bricks & Mortar Fund allocation, pointing out the increase in the allocation for the Station 84 remodel and expansion from $334,430 to $748,076. City Engineer Dave Borkowski said the improvements were the same as those planned for Station 83 on Peachtree Parkway South, but Station 84's site on Crabapple Lane had problems when it came to getting the larger equipment in and out of the bays. Borkowski noted there was a steep incline, which they dealt with by coming in and out of the back of the station.

Assistant Fire Chief Joe O'Conor explained that the combined angle of the driveway and pitch of the road were damaging vehicles when making hard left turns out of the front of the station. The station was at the edge of the City, and the vehicles had to turn to the left for the majority of the calls. The downward angle and the hard left turn against the road include sheared body bolts where the cab of the truck was attached to the frame. Once the issue was identified, the vehicles began running out of the back of the building. The crew had to back in from Crabapple, around the parking lot and into the bay on the backside of the station. The location of the generator and retaining wall limited the space for the turning radius. O'Conor said the cost to replace the tires that were damaged alone was substantial.

Borkowski went over the original plan, Option A with a rear turnaround, Option A with raising the grade of Crabapple, and Option C, which was the better long-term fix. Option C included remodeling half of the existing engine bay and building a new bay that employees would access by steps. The estimated cost was $825,000. O'Conor noted that Stations 83 and 84 were still on septic, and they were over budget on tires this year.

Imker suggested an Option D, jack hammer the floor out and restore it at the same level of Crabapple. O'Conor said the lot was primarily granite, and they did not know what they would find under the slab. That might have been the issue with the original design. Imker said he wanted to look into it, estimating the cost at $500,000. McMullen said staff would work with Leo Daley on it. They would also have to rebuild the driveway and lower the foundation all around the building, so they would bring the numbers back. Fire Captain Jeff Kolduff said the station would have to close for Option D. The consensus was to proceed with Option C.

Learnard asked what the time frame was. McMullen said Borkowski was negotiating on the changes to the design, then they would bring any change in the amount to Council for approval. Staff had also worked with a local construction firm on the price estimates. Borkowski said the final drawings could be ready within six weeks of authorization per Leo Daley.

Imker asked that the ending year of loans be included in descriptions for debt service.

There was a break from 8:09 p.m. to 8:16 p.m.

McMullen compared the General Fund expenditures from FY 2008 through the proposed FY 2011 budget. He pointed out that Sturbaum, at the previous workshop, had asked to cut 5% from the proposed budget. He said that, to cut 5% out of the General Fund, the discretionary items in the budget would have to be reduced by 50%. Sturbaum said that was the information he needed. McMullen said that the proposed budget for FY 2011 was not that different from the FY 2008 actual budget, noting that there was an additional $700,000 included in the FY 2011 budget for the Public Safety vehicles that would be purchased with cash.

Robert Brown said he had no argument with the calculations based on the assumption that there would be no cut in personnel. However, personnel was not nondiscretionary spending as it was almost $18 million of a $26 million budget. Anything left would have to be cut substantially for any amount of savings. The City had a lot of debt, and the interest on the cash reserve savings was only $72,000. He asked how much was paid in interest on the City's debt. Salvatore said he had looked at refinancing the debt, but it would cost more money in lawyers and fees than the City would save. Brown asked why the City could not use the reserves to pay off the debt to get rid of the interest cost of the debt, which would help balance the budget. The City was paying more in interest than it was getting from the interest. Salvatore said the City would have to wait until the loans were callable, adding that the Bricks & Mortar loan had breakage fees. Brown asked why the cash reserve was not used to pay for the 2009 Bricks & Mortar loan. Salvatore said the five-year model showed the cash reserve being naturally spent down. Expenditures had greatly exceeded revenues every year. It would be naturally spent down without spending large chunks.

Imker asked about grants, saying that the City sometimes needed 100% in reserve for some grants, because the City was reimbursed for what was spent. Brown said the cash reserve was one of the biggest issues he had, and it should be used in those types of grant circumstances, but it was not there to just get built up. The City was on track to get the reserve down to 20% in four years, but it was not the way he wanted to see it get there. Salvatore said the gap would really close when the Special Purpose Local Option Sales Tax (SPLOST) money would be gone in 2013. The Public Works budget would have to increase by $1.5 million, and the City could possibly lose another $1 million when the Local Option Sales Tax (LOST) was re-negotiated.

Salvatore went over the millage rate scenarios that had been requested at the June 1 workshop. Salvatore said that if there were no increase in FY 2011, the cumulative deficit in five years would be $18,237,004, a 2.70 mill increase would be required in FY 2013 to maintain a 20% reserve, and the ending cumulative millage rate would be 7.834 after FY 2015. A 0.25 mill increase in FY 2011 would cut the cumulative deficit to $15,904,782, with a 2.30 millage increase in FY 2013, and a rate of 7.684 mills in FY 2015. A 0.50 millage increase in FY 2011 would result in a $13,572,561 deficit in FY 2015, with a 1.90 millage increase in FY 2013 and a cumulative rate of 7.534 mills in FY 2015. A 0.75 mill increase in FY 2011 would result in a deficit of $11,240,336, with a 2.20 mill increase required in FY 2014 for a cumulative millage rate of 8.084. An increase of one mill in FY 2011 would result in a cumulative deficit of $8,908,112 by FY 2015, an increase of 1.6 mills in FY 2014, and a cumulative millage rate of 7.734 mills. Salvatore added that a one mill increase in FY 2011 plus incremental increases of 0.30 mills each year until FY 2015 when a 0.50 mill increase would be needed would result in a cumulative deficit of $2,862,645 and a cumulative tax rate of 7.534 mills. Salvatore clarified that this was the Maintenance & Operation (M&O) rate only. The bond rate stayed steady at just under 0.4 mills each year.

Haddix said a huge pivot in the election this year would be all it would take to turn all the models upside down. Everything was speculative. McMullen agreed that there was a lot of looking into a crystal ball required. Brown said he was opposed to tax increases, but incremental increases were better than a big one, suggesting 0.5 mills each year for five years. There was the possibility of more revenue coming in if the economy improved and the digest went up.

Haddix said the reason for the Town Hall the following week meeting was so citizens could tell Council what they wanted. Sturbaum added that if there was fiscal mismanagement, the state reserved the right to intervene. Imker said he did not want a millage increase, but if that was Council's decision, then smaller incremental increases were more palatable than large increases. He added that it might be a good year for a one mill increase due to the decrease in assessments. Sturbaum agreed there needed to be a long-term fiscal policy, and Council would have to be disciplined. Any surplus should be re-invested into the City to decrease the deficit. Imker said there might not need to be a budget increase next year, especially if new businesses came to the Industrial Park. The City had done the right job in being conservative with revenue projections and liberal with expenditure projections. He would like to see an array of options with the starting millage rate, so there would be an educated guess. Imker said he would like to see incremental increases added to the 0.75 mill model and would like to look at all of them with 20% cash reserve in 2015. Salvatore said that, with every scenario, the more money that went in up front, the lower the deficit would be in the end.

Imker said Council had a choice of maintaining the current level of services with no tax increase in FY 2011 in the personnel line items, with furlough days, a pay cut, and the elimination of the 401K retirement account. They could generate an additional $1 million this year. A furlough day, if done properly, would not reduce service. Haddix said another option was a SPLOST. Imker said that in the November election was clear. The City's survey in January did not include options for cutting Public Safety; the only options were service cuts or a tax increase. Salvatore said that, before implementing those changes, the real consideration was implementing another pay and classification study, which created another problem that had to be fixed in the out years of the model. He reminded Council that it had cost the City $750,000 the last time a full study was done. Imker said he was not afraid of new people coming in with fresh blood and new ideas. A lot of people wanted a City job.

Fire Captain Ron Mundy asked Imker if he wanted to cut Public Safety to save taxpayers $26 per year. Imker said he represented residents who told him there were too many police. He had not been on Council long enough to know if the City had too much or too little Public Safety. Mundy said that it was not a fair statement to say services would not suffer if more was taken from the employees. Imker said times were tough everywhere. Everyone was concerned about their jobs. He left Panasonic six months before the company sent jobs overseas. People were accepting pay cuts rather than leave the workforce.

Brown said he was unemployed and looking for a new job. Federal politics put his company out of business. If taxes went up, he would have to take more money out of his savings. There were residents who would not have much sympathy for City employees that might have to take three furlough days per year. The economy was bad, and people were hurting. If the City's budget could be saved without a major tax increase by City employees taking a couple of furlough days, then that was what had to be done. Haddix sympathized with everyone, noting he closed his 20-year business because of federal policies and he made the choice to retire early. Council could not adopt an answer that pleased everyone. There was not a simple answer.

Sturbaum said the budget could be balanced in an hour with rampant red-lining, and critical services would be cut. They had to find the fine line to make the budget balance with the appropriate long-term solution and maintaining service levels.

Randy Boyett said that, during tough times, there was an advantage to having some income. The choices appeared to be no service, less service, or more tax. He had very rarely seen a budget that could not improve services and be cut 10%. He did not want to freeze salaries or cut positions. Haddix emphasized that the last millage increase was in 2004.

McMullen said the issue was that, during the last four to five years, approximately 30 Public Safety employees had been hired without an increase in the millage rate to support it. The options were to eliminate those employees. Those employees had been paid for by improving services, improving energy consumption, improving the way business was done in the vehicle maintenance shop, improving how communications were purchased, and making oxygen rather than buying it. Staff looked for improvements every year. Previous Councils had added services and not asked the citizens to pay for them. The City was at the point where someone had to pay or cut the services, or run out of money. Boyett said there was a strong sentiment that people were tired of more taxes. Haddix said he received e-mails from both sides. Boyett said the issue was black and white. He asked whether the City could manage through this time without a tax increase. Haddix said some items had already been delayed for several years. Learnard agreed, adding that maintenance on vehicles could be postponed, but sooner or later that maintenance had to be done. Haddix asked what services were considered non-essential. The reply was Leisure Services (library, recreation). Haddix said cutting Leisure Services decreased property values.

Learnard said the Town Hall meeting needed to begin with a serious dose of history so everyone had a perspective on how things got to this point. Haddix said the City had 249% more recreation than other cities the same size. Sturbaum said the City also provided police services, which were provided by the County for many cities the same size. If the City ended up with a debt service problem, it would lose its bond rating. Salvatore verified that was correct. Learnard asked that the Class B city data be included at the Town Hall meeting. Boyett said, if a one mill increase was needed to fix everything, then Council should do it and vow to never raise the millage rate again.

Salvatore said there were multiple scenarios of the five-year models. The one mill increase in FY 2011 with small incremental increases over the next five years gave the lowest millage rate over the five-year period. Learnard said she was looking for a five-year sustainable budget that optimized the cumulative millage rate over the coming five years.

Imker said he was done with his former approach to the budget and would help Council implement the most efficient plan possible.

The remainder of the discussion focused on the format for the Town Hall Budget Meeting on June 10.

There being no further business to discuss, the meeting adjourned at 10:10 p.m.

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor

June 11, 2010

Honorable Mayor and Members of City Council:

Re: June agenda item "Approval of PCTA Lease Agreement"

We are asking that only Plan A of the facility modification be approved.

We request the Game Room be allowed to continue to be available for adult recreation. We also think signage of "The Annex" would be appropriate. Neither of us coordinators will be able to attend next council meeting due to previously scheduled games that cannot be changed. Many of our interested players will also not be present.

To our knowledge alternative space in PTC has not been located that would be workable. Although we remain open to further suggestions, it is evident so far that short of any more costly expanded space to The Gathering Place, the Game Room at the Annex remains best suited for the needs of bridge players.

As certified directors of American Contract Bridge League (ACBL) sanctioned games, we represent approximately 115 on the roster of players who play multiple times each week. These are primarily PTC residents, and all who play purchase Gathering Place Access Membership cards. It is our desire this program remain in PTC as it has for 28 years.

We two are the only active ACBL coordinators with jurisdiction in Fayette County; we feel we add a valuable program to the offering for the city. As volunteers to the city program, we offer quality games to draw PTC residents and those outside the community who have heard about the city's outstanding bridge program. Every week we offer five games for players of all skill levels, and once a week there's a game just for beginners. As the baby boomers continue to retire and older seniors become physically unable to play gold and tennis, there will be a growing need for bridge games

.

We respectfully point out that Jim Schirm is a frequent player, but not a spokesman for our group and it is apparent he has indicated "perceived" needs of this group. Mayor Haddix has been misled to believe we are an unhappy group meeting at this location. While we are crowded at times and greatly prefer The Gathering Place, we are understanding of the economy and will "make do" until a time that expansion can be considered.

The current space does work for us. The proximity of the adjacent building allows us to easily share program materials. Also, having a designated game room prevents need for extra setup and takedown of furniture which is not easy for most of the rather senior adults. This designated room also saves wear and tear on the equipment…rather than purchasing new tables each year we have been able to make use of the same tables the four years we have used the annex room which has saved recreation budget funds. Our games maximize space four days a week and two nights. As schedule permits we use a room at The Gathering Place. Other groups are then allowed to meet at the annex. This sharing results in a wider variety of program activities for the community. We utilize a stand-up dry erase sign outside directing plays as to which building is scheduled.

Why Kedron is not an appropriate alternative:

1. The noise level is too great for those concentrating in bridge.
2. The size of Room 2 would not accommodate enough game tables.
3. If all 6 games were not in one location, materials would have to be duplication at considerable cost.
4. There is no assurance that future schedule of program would not "bump" our four-hour blocks of scheduled time as this facility serves multiple age groups.
5. Evening play hours four bridge are later than Kedrons open hour schedule.
6. Storage and security for all materials at question.

Why City Hall rooms (Floy Farr Room & Community Room) are not appropriate alternatives:

1. Parking: insufficient handicapped spots and other cart & car parking
2. Greater walking distance from playground area parking
3. Hours available in this building at question
4. On-going availability
   In consideration of City Hall lower level space, according to communication from David Rast:

   > "If, in fact, they are able to use our area, it needs to be with the understanding that <u>any</u> event or meeting we have would "trump" their card game and they would have to cancel or reschedule. The room we are planning was not meant to be used as a game room."

   With this information we do not see this area as workable as our games are held on a regular basis and the locations are printed on an internet schedule. As providers of ACBL sanctioned games, we are not at liberty to reschedule.

We appreciate your acceptance of this communication due to our inability to be present at the scheduled meeting and be heard at that time. We would be pleased and honored to meet with you individually or collectively as a council or contacted as we are the sole leadership and spokespersons for this group. Thank you for consideration of this request.

Joan Braender Jeanette Keener

06-10-07

June 15, 2010

Dear Mayor and City Council:

Regarding New Agenda Item 06-10-07 for the Council meeting 6/17/10

I am writing today as the President of the Lake Peachtree Association. It was my pleasure to work with Randy Gaddo, Vanessa Fleisch, and other members of a committee to evaluate use of Lake Peachtree for a minimal number of non-motorized boating events. We appreciate the coordination efforts of everyone involved, and we support the pilot program that will take place the rest of this year. However, we respectfully submit that the rental amount for Lake/Drake of $500 is extremely low. Given that a single Dragon Boat involves 22 people, and that several boats are in use during a team building event, this equates to little more than pennies per participant. Since part of this money will be earmarked to support the lake, I would support a more realistic fee be imposed on participants, one that would adequately cover some lake preservation costs. Secondly, I respectfully request that you give full consideration to earmarking those dollars for the lake, and not allow the funds to blend into the General Fund where they may end up funding other projects.

Thank-you,

Tim S. Therrell

President Lake Peachtree Association

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager
Financial Services Director
Assistant Finance Director

FROM: Public Services Director

DATE: June 16, 2010

SUBJECT: Additional Landscaping and Mowing of Secondary Roads FY2010
June 17, 2010 City Council Agenda

Recommendation:
Staff recommends that council give guidance as to the increase of mowing and landscaping requirements for the remainder of FY2010 to be funded by Council Contingency.

Discussion:
During the June 15 budget work shop Council gave staff direction to evaluate the cost to increase the level of service for the remainder of FY2010. Based on the direction for FY2011 service levels staff has developed costs to extend the existing schedule to meet the proposed FY2011 schedule.

Secondary Roads Currently Mowed: $3,028
Based on the current contract 32 locations are mowed at a rate of three times (3) during the projected growing season (March 1 to October 31) or once every 10 ½ weeks. The proposed increase for FY 2011 is to complete mowing of these same areas eight (8) times a year or once every four (4) weeks. In order to meet this same schedule for the remainder of the FY2010 two (2) additional occurrences would be needed for August and September of this fiscal year. The total for this additional service would be **$3,028.00**

Secondary Roads Not Currently Mowed: $11,700
Based on the current contract 73 secondary streets are not currently mowed. The proposed increase for FY 2011 is to complete mowing of these areas four (4) times a year or once every eight (8) weeks. In order to meet this schedule for the remainder of the FY2010 two (2) occurrences would to be planned once in June/July and again in August/September. The total for this additional service would be **$11,700.**

In consideration of this line item council should be aware that minimal calls are received regarding these areas. A number of these areas are now being maintained by concerned citizens. Staff recommends just adding the areas not now being mowed and monitoring the other areas.

Budget Impact:
Base the additional services selected by Council, funds will be transferred from City Council Contingency account 100-1505-57-9100 to Public Works contractual services account 100-4100-52-1245 for disbursement.

cc: Contractual Services Manager