

City Council of Peachtree City
Agenda
June 5, 2008
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Proclamation for Jefferson Davis' Bicentennial Birthday
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - May 15, 2008, Regular Meeting Minutes
 - May 19, 2008, Workshop Minutes
- VII. Monthly Reports
- VIII. Consent Agenda
 - 1. Consider Approval of Fayette County Water Easement for USGS Monitoring Station in Line Creek Nature Area for Lake McIntosh
 - 2. Consider Budget Amendments
- IX. Old Agenda Items
 - 05-08-05 Public Hearing – Consider Variance Request – Buffer, Northlake/Aberdeen Parkway
- X. New Agenda Items
 - 06-08-01 Public Hearing – Consider Special Use Permit, Line Creek Retail
 - 06-08-02 Public Hearing – Consider Lifting Multi-family Housing Moratorium – Wieland's 89-acre Tract
 - 06-08-03 Consider Bid for Bobcat
 - 06-08-04 Consider FY 2009 Funding Request - Huddleston Elementary School
 - 06-08-05 Consider/Discuss Multi-Use Sports Complex Proposal
- XI. Council/Staff Topics
- XII. 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
Minutes of Meeting
May 15, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, May 15, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:02 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized the graduates of the Citizens Police Academy. Logsdon recognized the Hawks, first place, and Team Asia, second place, of the Peachtree City Mayor's High School Basketball League. The senior members of the Youth Council Serving Fayette County were recognized for their service. The winners of the Building Safety Week coloring contest were recognized. Kathy Thomas of the Building Department was recognized as the Employee of the Month.

Public Comment

There was none.

Agenda Changes

There were no agenda changes.

Minutes

Plunkett moved to approve the May 1, 2008, special called meeting minutes and May 1, 2008, regular meeting minutes as written. Boone seconded. The motion carried unanimously.

Consent Agenda

1. Alcohol License – Change in License Representative – Outback Steakhouse
2. Alcohol License – Addition of Distilled Spirits – Bia's
3. Consider Easement from Southland Nursing Homes, Inc., for Riley Field Driveway
4. Consider 2008 LARP Contract
5. Consider Appointments to the Library Commission -- Paul Lentz, Sally Meyer

Plunkett moved to approve Consent Agenda items 1-5. Sturbaum seconded. The motion carried unanimously.

Old Agenda Items

- 03-08-01 Consider Comprehensive Revenue Analysis/Fee Changes**
- **Occupational Taxes**

Acting Administrative Services Director/City Clerk Betsy Tyler reported that, since the April 3 meeting, she had contacted the Fayette County Chamber of Commerce and the Fayette County Development Authority regarding the proposed fee increase. Both entities had concerns about imposing a tax increase during the current economy and felt the estimated \$20,000 in revenue the City would receive was a poor trade-off for the negative feelings it would generate. There was also concern about the equity of how the increase was distributed. Based on the input for a more equitable distribution of the increase, staff proposed a minimum fee of \$105 and a maximum fee of \$6,000. She asked Council to clarify whether staff could charge the \$20 administrative fee to organizations not required to pay the occupational tax but that wanted to be included in the database, to cover administrative costs. There were several business categories that were exempt

from the tax, but either wanted to have a business license or be included in the business database on the City website. Currently, those companies were not charged anything, but the administrative costs were the same. It was a modest amount and was a fee to cover the costs, not a tax. Tyler recommended the revised proposal be imposed for the 2009 occupational tax and that the \$20 administrative fee to be included in the database be effective immediately.

Logsdon said he had spoken with Virginia Gibbs of the Chamber of Commerce and was surprised by their concern. He pointed out that the increase was less than one percent for most of the businesses in the City. Tyler said it would be an approximate five percent increase for the City's top four employers, but the tax had not changed since 2004.

City Manager Bernard McMullen noted that Council had two additional documents on the dais relating to the agenda item – an e-mail from Gibbs regarding the proposed increase in the Occupational Tax and the proposed Developmental Services fee schedule.

Sturbaum said he had read the e-mail from Gibbs and understood the economic state in the country. However, the City had a responsibility to provide services, and the City also incurred additional expenses. Council used *jurisprudence* when looking at these things. He commended staff for providing an alternate option.

Plunkett agreed that the alternate option was better, but she did not see the correlation between the increase and services. She saw no need to increase the fees now. She was especially concerned about smaller businesses, and felt \$5 could be a lot. Logsdon said he had concerns, but felt there was a direct correlation to services. The cost of running government continued to increase. Seventy percent of the City's budget was salary and benefits, which continued to increase. If they looked at the fees annually or they were based on inflation and the cost to run government, then the numbers would probably be significantly higher than what was proposed. He did not like raising the fees, but the alternate option had done a better job of dispersing the cost through the spectrum. Boone noted that there could be a turnaround in the economy in the next year. Services had to be provided. A one to two percent increase was very legitimate.

Haddix said he had paid a lot more when he was in business. He was more comfortable with the alternate option, too. Either businesses or residents had to pay the cost. Haddix moved to approve the Occupational Tax fee changes. Boone seconded. The motion carried 4-1 (Plunkett).

- **Developmental Services Fees**

City Planner David Rast said staff had compared the fees to other cities and found those cities charged for things the City did not. They also looked at the staff time involved with plan review, inspections, re-inspections, and other tasks, and staff felt establishing fees for certain tasks was warranted. Developmental Services included Planning, Engineering, Stormwater, Building, and Code Enforcement departments. Each department had individual tasks; some mandated by the state. They had tried to make the process as simple as possible through ordinances and the plan review process. However, staff was sometimes being used as plan checkers in the plan review arena. A plan review fee needed to be incorporated to encourage developers to complete their plans prior to submittal and to compensate the City for the time spent on them. With inspections, staff found that the building inspectors were doing a punch list with contractors on site as

opposed to having the contractors call when the building was ready for inspection. They found the development inspector was requested to do things that others should have done, which led to several re-inspections. Since the April 3 meeting, the proposed fees had been posted on the website and had been presented at the quarterly builders meeting on April 24. The builders felt the re-inspection fees were more than they should be, so staff looked at them again and restructured them to be more in line with fees charged in other jurisdictions. The plan review fees were also lowered so they were more in line with jurisdictions on the south side of the metro area.

Plunkett said she was concerned that the increased fees would keep people from going back to staff and the Planning Commission. She appreciated the time staff had spent on the plans that came before Council. She knew it created additional work, but she was concerned that the City would not receive the same caliber of plans. Rast said staff went over the conceptual site plans with a checklist. If everything was not complete, then the applicant was notified. When the plans were resubmitted, then the resubmittal fee would be charged. He did not see it as a deterrent, but a "get your act together before submittal" fee. Plunkett said she wanted to ensure the City got what it wanted.

Scott Bradshaw, chairman of the government affairs committee for the Homebuilders Association of Midwest Georgia, said the proposed increases had come up suddenly in April without a chance for study. They had studied the proposed fees and had come up with some of the same findings as staff. They found the fees in their 10-county area to be varied. Some fees were on the development side, while others were on the builder side. They took a hypothetical situation and ran it through all the entities, excluding the impact fees and Health Department fees. The increase in the City's fees would add an additional \$2,950 to a developer's cost, which was not unreasonable. The City was not the most expensive jurisdiction to do business with on the development end. On the building end, they had not included re-inspections, since that was a separate issue. The City was within a reasonable parameter with a cost of a little over \$1,600 for a house. His organization was fairly comfortable with the proposed increases.

Bradshaw said the biggest issue was the re-inspection fees. He noted there were two reasons for a re-inspection – a good reason and plain stupidity on the builder's part. He proposed that staff be given flexibility on levying the fee for re-inspection depending on the severity of the problem. Building Official Tom Carty said the policy was a little different from other cities. There might be a list of five to six items, but they would pass the inspection. A fee would not be charged for the first visit because an inspector would have to go back anyway. An automatic fee was charged if an inspector found that the items on the list had not been corrected. Logsdon said what happened was similar to what Bradshaw suggested. Boone said he liked the flexibility on the front end.

Boone moved to approve the Developmental Services fee schedule proposed by staff and to incorporate them into the appropriate City ordinance. Sturbaum seconded. The motion carried unanimously. Sturbaum thanked Bradshaw for working with the City.

- **Recreation Facility Rental Fees and The Gathering Place User Fees**

Leisure Services Director Randy Gaddo gave a brief PowerPoint on the proposed Recreation and Gathering Place fees. He noted that staff and Council had met with the Senior Adult Council in late April. Based on that meeting, Gaddo said the recommended fees for The Gathering Place were \$10/person/year for City and County residents and \$20 per year for out-of-County users. The access fee did not include rentals or people taking instructional classes offered by the Recreation Department at The Gathering Place. It would be effective January 2, 2009, and staff would begin collecting fees in the November/December time frame. They were also looking at access cards or other identification devices for users.

Gaddo continued that the facility rental fees would be charged to groups that had not been previously charged, such as churches, schools, and civic groups. The 3-No-Fee bookings per year (could be bumped up to one week before event for rental or instructional class) were still recommended. The 3-No-Fee bookings would be based on "organizational" events, not individual classes or groups. The civic groups must be based in the City and show an IRS "Letter of Determination" as proof of the organization's 501c(3) status. Gaddo said staff recommended tabling this proposal to allow staff more time to determine a means of defining the various groups more closely to avoid conflicting policy. The differences included those groups existing for public service (civic groups, homeowners associations) and those strictly having a social event. Gaddo said they were not abandoning the proposal, but were asking for time to ensure an equitable policy. He added that the Senior Adult Council also had other concerns.

Plunkett asked if the City could charge higher fees to the County residents. Gaddo said that had been discussed, but it could not be done due to the City's agreement with the County for the funding it provided every year. Plunkett noted that Fayette County charged City seniors more to use the County facility. She said they should discuss the issue with the County Commission. Logsdon said that senior issues were on the agenda for the July meeting of the Association of Fayette County Governments. Haddix said he had spoken to someone from the County who stated that the City came up on the short end of the stick because it had its own recreation program and was not entitled. Plunkett noted that was an ongoing issue.

Plunkett moved to continue the topic to give staff additional time. Haddix seconded. The motion carried unanimously.

03-08-07 Consider Rezoning, GC to LUC-21, Wisdom Road (Fairfield Inn)

Logsdon said that the applicant had requested the item be tabled until the June 5 meeting. Plunkett moved to continue the rezoning until June 5. Boone seconded. The motion carried unanimously.

04-08-15 Consider Contract – EMS Billing

Fire Chief Ed Eiswerth stated that the billing had been a joint effort between Capt. Dave Williamson and the Purchasing Department. The Department asked for a staff assistant to help with billing and had been turned down. The federal law changed a lot and often, including the Medicare and Medicaid programs. They could also send their staff assistants for training, but there were so many changes in federal mandates that a bigger expert was needed. It would also

help with liability issues. Staff recommended outsourcing the collections to Ambulance Reimbursement Systems, Inc.

Plunkett asked if the funds were budgeted. Eiswerth said that the funds would be included in the budget for the 2008-2009 fiscal year, but \$8,125 was needed for the remainder of this budget year.

Logsdon agreed that an expert was needed due to the changes, but said they should consider passing the cost on to those who used the service. Plunkett noted that Council had recently increased the EMS fees, adding that this should have been considered at the time so the additional cost could be passed on to those who used the service. McMullen noted that the vendor would be paid based on collections, and the collection rate was expected to increase. Eiswerth added that all the agencies Williamson had spoken with that used an agency reported their collections had increased.

Plunkett moved to approve outsourcing the EMS billing to Ambulance Reimbursement Systems, Inc., in the amount of 6.5% of net collections. Sturbaum seconded. The motion carried unanimously.

New Agenda Items

05-08-04 Public Hearing – Consider Variance Request – Sign, Kedron Office Park

Plunkett moved to continue the variance request indefinitely at the applicant's request. Boone seconded. The motion carried unanimously.

05-08-05 Public Hearing – Consider Variance Request – Buffer, Northlake/Aberdeen Parkway

Plunkett moved to continue the variance request to June 5. Boone seconded. The motion carried unanimously.

05-08-06 Citizen Request to address Council Regarding Brown Bagging

Ric Hunt noted that Council had banned brown bagging in November, but he preferred to call it "byob," bring your own bottle. It had been going on for years in the City. Many of the restaurants had limited space, as well as a limited variety of spirits. He was a wine collector and liked to bring one of his 20-year old cabernets to have with his steak dinner. It was a quality of life issue. It was acceptable in many places to bring in your own wine and pay a corkage fee. The City allowed patrons to bring their own beverages to the Amphitheater, and it should be allowed in restaurants. Hunt said that, as far as he knew, brown bagging had not caused a problem in the City. He gave Logsdon another 47 signatures to go with the petition he had presented to Council at the May 1 meeting. He asked Council to change the ordinance back as it was or consider another proposal that met reasonable objections.

Logsdon said he had not known that brown bagging was allowed in the City until Council had approved the ordinance amendment that prohibited it. City Attorney Ted Meeker clarified that brown bagging had not been prohibited until the recent amendment. The City's ordinances had been silent until then. Plunkett asked why the issue had come up. Meeker said that staff had been looking at what was needed to be done for private events and golf clubs. It was found the

City did not have a prohibition against brown bagging. Meeker noted that, historically, brown bagging became a practice when cities tried to prevent adult entertainment venues from opening. The Georgia Supreme Court ruled that the venues were allowed, but could not serve alcohol. The venues found a way around it by encouraging brown bagging, so jurisdictions prohibiting brown bagging. It was a loophole that staff wanted to tie up before something happened.

Plunkett said she did not have a problem with businesses that already had an alcohol license letting people bring in their own and charge a fee to do so. She had a problem with brown bagging being allowed in restaurants that could not get a license due to their proximity to schools and churches or businesses that could not get an alcohol license due to their police record. There was also a liability issue. Businesses that were licensed had people on staff eligible to serve. Meeker said he heard two things that needed to be done. First, the business should have an alcohol license. Second, the business had to have the type of license for the libation that was brought in. Patrons should not bring in liquor if the business was licensed for beer and wine. Boone said brown bagging should be limited to wines and malt beverages.

Hunt noted that the reason a restaurant might not have a full alcohol license was because it did not have enough business to justify it or enough space to have it. Meeker said allowing patrons to bring in distilled spirits in that case expanded the license the business received from the City.

Boone asked about re-corking a bottle upon leaving a restaurant and noted that bottle should be placed in the trunk. Hunt said that was a common practice in many states. As a practical matter, Hunt discussed the issue with a restaurant owner in the City, who had asked a City police officer whether a person could be arrested for the open container. The officer said that, technically, the person should be arrested, but they would not be stopped without reason, such as driving erratically. Hunt said that was a reasonable way to do it and encouraged people to not drink as much. Boone asked what the restaurants had to say about the issues. They were making a profit from alcohol sales. Hunt said that was why a corkage fee was charged. They would rather allow brown bagging than lose someone's business.

Meeker said that, technically, if an open bottle was in the car, even in the trunk, it was still an open container. A bigger issue was that the state prohibited businesses with on-premise consumption licenses from letting people pour their own drinks. Customers had to physically give their bottles to the bartender so the server could bring it to the table.

Sturbaum asked, if he brought in his own spirits, how a restaurant owner could stop someone from drinking an entire bottle. Meeker said they could refuse to serve the customer even under that circumstance. Sturbaum asked if the business would refund the corkage fee. Meeker said they would not, but could allow the customer to take the remainder of the bottle home. Hunt said they could just ask the patron to leave if they were misbehaving or abusing alcohol.

Plunkett said she meant no disrespect, but the restaurants made money on alcohol. She asked staff to work with Hunt, query the restaurants, then draft an ordinance for Council to look at. Logsdon said he also wanted to hear from the restaurants. If an overwhelming majority were against brown bagging, then there was no need to draft an ordinance.

Haddix expressed concern that a 17-year old server might not be able to monitor the intoxication level of a customer. Meeker said that, in order to serve a drink, the server had to be at least 18. If a bottle was brought into a business, then it had to be checked at the bar.

Juan Matute said that brown bagging was not a novel idea, especially with wines since there were so many. He said he guaranteed a local restaurant would not have the Georges de Latour Private Reserve wine he wanted. There were regulations that governed serving wine in the establishment. The customer would only be bringing in a wine the restaurant did not have and paying a corkage fee. Meeker agreed that wine was the market that was most impacted.

Meeker clarified Council's direction – to look at the issue and draft an ordinance, depending on the response from the restaurants. Haddix asked if a restaurant would be required to post whether brown bagging was allowed or not. Hunt noted that most people called a restaurant before taking their own wine.

05-08-07 Consider Position Reclassifications for Staff Assistant and Executive Assistant

Tyler presented a request to formally reclassify the staff assistant to staff assistant/deputy city clerk (grade 72 to 73) following Council's appointment, and the executive assistant to administrative services supervisor (grade 75 to 77). Plunkett moved to approve the reclassifications. Boone seconded. The motion carried unanimously.

05-08-08 Consider Ordinance Amendment – Alcoholic Beverage Handling Permit

Police Chief Skip Clark said staff had been working on the amendment for a while to have some uniformity between all cities and Fayette County regarding the permits.

Plunkett said she was concerned that servers who had pled *nolo contendere* would not be able to get a permit. Sometimes the plea was used when there was not enough evidence or the court was trying to be lenient. Meeker said that a plea of *nolo contendere* was not a finding of guilt under the law. Plunkett said it was considered as guilty under the permit process because they would not be able to get a permit. Meeker said that was not one of the amendments under consideration. It had been in the ordinance.

Logsdon clarified that the process had been worked out between the City and Fayetteville. Clark said it had. The agreement provided some consistency in the process. Tyrone was not at that stage yet.

Logsdon said the one change had to do with wearing the badge. Council had, at one time, agreed to have the permits on the premises rather than requiring the servers to wear them. It could be a problem for young ladies to have their full names displayed. The amendment included wearing the badge, but the badge would only have first name and last initial on the back side. Clark said the servers had to wear the permits. They had made sure it was consistent.

Boone asked Plunkett if she wanted to take out the portion dealing with *nolo contendere* pleas. Plunkett said no, but the judge should be aware that accepting *nolo* pleas on those types of cases could keep people from getting an alcoholic beverage handling permit.

Boone moved to adopt the ordinance revision and authorize the Mayor to sign the associated intergovernmental alcohol control agreement. Haddix seconded. The motion carried unanimously.

Council/Staff Topics

Logsdon recognized Atlanta Christian College President Dean Collins, who announced that the City and Newnan had been selected as the top two venues for consideration for the college's relocation during that day's Board of Directors meeting. A task force would be appointed for the next phase. Logsdon thanked Mark Hollums for his work. Haddix and Sturbaum thanked Collins. Logsdon said the work had just begun.

Rast noted that the Georgia Regional Transportation Authority (GRTA) had ruled the Fischer's Crossing commercial development in Coweta County was a Development of Regional Impact (DRI). There were some required transportation improvements in the City and in Coweta County, and the City would have the opportunity to respond to the findings in the next several weeks. The findings were similar to those for the McIntosh Trail development. There would be over one million square feet of commercial space with spray irrigation, which was another concern. Rast said they would forward the report to Council. Logsdon said he spoke with the legal department at GRTA earlier, and that person had assured him that all the requirements for the City would be withdrawn. Boone asked if the plans included the widening of State Road (SR) 154. Rast said it did not. Most of the improvements were at SR 34/Fischer Road. Meeker said one of the conditions was to build an additional turn lane out of Planterra, rather than widening SR 154. Logsdon noted that the new head of GRTA had no transportation experience. Rast said that 90% of the 150-acre project was impervious surface, with 561 tons of solid waste disposal per year upstream from Wynn's Pond and Line Creek. Logsdon expressed concerns about stormwater and Lake McIntosh, and noted that the *Newnan Times-Herald* reported that there might be a delay if the developer could not answer questions by May 16. Rast said the plan that was submitted to GRTA included a road network that Coweta County said they would not approve. Plunkett said the City should continue to monitor the project.

Plunkett moved to convene in executive session to discuss pending or threatened litigation and personnel at 8:45 p.m. Boone seconded. The motion carried unanimously.

Sturbaum moved to reconvene in regular session at 9:05 p.m. Boone seconded. The motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn the meeting. Haddix seconded. The motion carried unanimously. The meeting adjourned at 9:17 p.m.

Pamela Dufresne, Deputy City Clerk

Harold K. Logsdon, Mayor

City Council of Peachtree City
Workshop
Minutes of Meeting
May 19, 2008
7:00 p.m.

The workshop started at 7:30 p.m. due to a Planning Commission meeting that preceded the meeting. Council members attending were Mayor Harold Logsdon, Steve Boone, Doug Sturbaum, Cyndi Plunkett, and Don Haddix. Theo Scott attended from the Peachtree City Planning Commission. Staff members attending included City Manager Bernard McMullen, Assistant City Manager Colin Halterman, City Planner David Rast, and Planning Assistant Tony Bernard.

The purpose of the workshop was to discuss special uses in zoning districts and revisions to the zoning map.

Rast reviewed the current and proposed permitted and conditional uses for Limited Industrial (LI) zoning, showing the corresponding areas within the City currently under this zoning. Rast said several months ago staff had proposed several changes to the LI and General Industrial (GI) zoning districts. Limited Industrial should include a broader range of smaller uses, including warehouses and some of the more retail-like uses that were occurring in the Industrial Park. Conditional uses could include an open storage yard or church. Staff was not proposing any changes to the LI zoning.

General Industrial encompassed a much larger area of the Industrial Park, and staff was not proposing any changes to the permitted uses. Staff proposed adding indoor/outdoor athletic training facilities to conditional uses, with a number of additional conditions that would have to be met. Staff was seeing a lot of karate studios and dance studios and other uses that had a lot of afternoon and evening traffic. Those uses were sharing walls with manufacturing and storage, without necessarily knowing what type of separation was between the spaces such as firewalls and sprinkler systems, or if the HVAC was shared. There had also been some problems with shared parking in conjunction with tractor-trailers delivering supplies competing with children running to and from classes. Staff wanted to separate those types of uses, so was proposing some conditions including requiring the property owner to provide proof of adequate parking, separate tenant entrances separated by firewalls with sprinklers for assembly activities, and HVAC systems that did not allow for air to circulate with the other spaces in the building.

Logsdon and Boone felt those were good recommendations. Plunkett asked if the same conditions would be beneficial for LI as well, noting some of the permitted uses associated with children's activities. Rast agreed to incorporate those conditions into LI, particularly relating to the parking requirements.

Haddix asked Rast to consider requiring exterior protective measures relating to outside storage yards or outdoor athletic training facilities. McMullen also suggested fencing off some of the parking to maintain a separation between the public uses and the industrial uses. Sturbaum asked that parking for the athletic facilities be self-contained so as to preclude accessibility to tractor-trailer trucks.

John Tiernan addressed the current situation at the proposed Home Plate facility, which included a separate entrance and parking from the truck traffic. McMullen also mentioned raised pedestrian crosswalks, signage, and traffic flow to help address the separation of tractor-trailer traffic. Haddix asked if supervision for parent drop-off/pickup could be required, but staff felt

that would be unenforceable. There was also a discussion about golf cart shuttles for less mobile customers, such as spectator grandparents, from the building to the field. Scott noted that the design should not be so restrictive that it impacted emergency vehicle access. Tiernan felt that using the term "reasonable measures" was appropriate language. Once the highway widening was completed and the median cut was installed for the truck entrance, he felt there should be minimal mixing of passenger car and truck traffic. McMullen said his primary concern was future sites that might fall into this category and the unintended consequences of the language they adopted. Plunkett concurred that they needed language with enough flexibility to address other issues as they arose.

Rast then continued to the R-10 – R-22 residential zoning districts. Staff had found a number of uses that should no longer be in the R zoning areas, as well as several definitions that needed to be updated. These included discussions of modular and mobile homes, docks (Plunkett requested that language be added, "where permitted by deed restrictions"), unlighted golf courses, riding, stables and cemeteries. Staff recommended adding language for non-commercial horticulture, neighborhood recreation, and on-site sewage disposal systems.

Plunkett asked if the City could limit the septic tanks to those currently in existence. Rast said there was a requirement for lots with septic to be one-acre, which would preclude anyone in that area converting from sewer to septic. Haddix asked staff to look at the definitions for church and place of worship. Rast said that, several years ago, staff had looked at rezoning all the church sites to Open Space (OS), but met with significant resistance. Rast noted that churches would still be required to be on three-acre sites, even within that zoning district.

Rast then addressed R-43, noting most lots with this zoning were on the eastern boundary of the city. The language precluding mobile or manufactured homes would be updated; private boat docks were eliminated from this use because no sites existed that would allow this. Guest house was removed as a permitted use and put into a conditional use. Language allowing non-commercial horticulture, including animals with additional conditions, and neighborhood recreation was added. Riding stables, cemeteries, and daycare uses were removed.

Council discussed the practicality of requiring sewer for larger lots, and Halterman noted that it was often cost prohibitive. McMullen noted that it would be a matter of working with the Water and Sewerage Authority (WASA) to design lift stations to serve any of the remaining property to determine if the developers could afford the expense.

Phyllis Aguayo commented, noting that when septic was located in the wrong place, it was terrible. However, she said that septic had functioned very well in some of the areas. Aguayo felt that septic done properly was preferable to sewer from an environmental standpoint. McMullen said there would be a separate workshop on the matter of sewage in the future.

Rast then addressed Villa Residential (VR), noting there was only one tract in the City under this zoning. Staff was proposing the removal of a private boat dock, since no lake was available. Rast felt there would not be any future uses of this zoning category. Plunkett asked if they could stipulate that this category was no longer viable and would not be used in the future. McMullen felt it might be possible to eliminate the category, allowing the TDK house to continue as a non-conforming use.

Rast noted the changes proposed for Estate Residential (ER), also primarily located on the eastern border with two small areas on the northern border of the city. Staff proposed eliminating cemeteries and daycares and making guest houses a conditional use. Council and staff felt some additional work needed to be done on the wording relating to guest houses. Haddix also noted the need to define renters and tenants.

Rast asked if Council wanted to see zoning that allowed for grandmother/mother-in-law suites, etc. Plunkett said that, realistically, adult children were coming back home, and parents were living longer, but she felt those issues were addressed with the unrelated people language already in place.

Rast then addressed the General Residential (GR) zoning districts, which allowed smaller lots and cluster neighborhoods. Rast said he wanted to avoid situations where someone might purchase two lots and then divide them to three or four. Boone also expressed concern about overbuilding lots, such as with the "McMansion" issues in some older neighborhoods. Logsdon argued that there was some benefit, including less density and redevelopment of older areas, to replacing two small homes with one larger one. McMullen said that, in redevelopment, there were three choices – rehab the old house, tear down an old house and build higher density, or tear down and build a bigger house. Rast noted the primary changes included the removal of golf courses and leaving in private schools and daycares. Staff added recreation areas, condominiums, and churches.

McMullen questioned removing daycare from R-43, which had larger lots, and leaving it in GR, which had smaller sites. Rast said this applied specifically to Primrose School. McMullen asked, if there were only one or two exceptions, whether the zoning could be changed and the existing uses would become non-conforming. Rast said the care home allowance, which covered Southland Nursing Home, probably also fell into that category.

Rast then continued to Limited Commercial (LC) zoning, noting that there were very few tracts in the City. Staff proposed no changes to that zoning category. Rast said this was another category of a couple of old residential homes along the highway, and he doubted any future sites would be zoned LC. Council asked if it made sense to eliminate the category, like VR.

Rast addressed Office Institutional (OI) zoning areas, stating that OI had similar language to LI and GI, identifying professional office and personal services. Rast noted that a clearer definition would be needed, and he would seek advice from City Attorney Ted Meeker for recommendations. Staff proposed adding government offices, research and labs, banks, educational institutions, and churches, with conditions. Some of the terms had also been expanded and clarified.

Rast continued with Open Space (OS), proposing several changes to clean up the zoning. Rast noted that most OS-zoned property was owned by the City, and staff recommended removing forestry, wildlife refuges, and campgrounds. Boat docks, fishing piers and add golf courses would be left in the ordinance. The zoning allowed telecommunication towers and cemeteries that already existed. Rast commented that private marinas would be removed. Plunkett and Boone questioned if Lake McIntosh would not have appropriate areas for a private marina to offer sailboats and electric powered boating. Lynda Wojcik expressed concern about commercializing the green spaces and changing the character of the city. Staff added cemeteries

and eliminated assembly facilities and riding stables. Plunkett asked why riding stables were being removed, and Sturbaum asked why assembly facilities were removed. Rast said those could be left in.

Rast proceeded to Agricultural Reserve (AR), stating that very few AR tracts remained. Staff added agriculture uses, guest houses with conditions, noncommercial horticulture, boat docks, and recreation facilities. Logsdon said the overall wording referencing the "new town" and many areas still being rural needed updating.

Rast then continued to R-1 Residential zoning, noting that the area along Hip Pocket was the only area zoned R-1, and the ordinance stipulated no further R-1 zoning would be allowed. Staff removed golf courses, riding stables, and cemeteries. Staff added non-commercial horticulture.

Rast then brought up Airport Industrial (AI), saying staff was waiting until the Airport Authority completed its master plan before proposing any changes to this zoning district.

Rast presented General Commercial (GC), stating that staff was not proposing any changes, but would look at the height issues for hotels to resolve it within the zoning ordinance. Haddix said there might be a way to address the increased landscaping so that the City did not have to go through the Limited Use Commercial (LUC) rezoning for each hotel.

Rast concluded with Limited Use Commercial (LUC), indicating that staff was not proposing any changes. Logsdon commented that this is where the hotel height issues occurred, with Haddix noting that verbiage could be added to keep Council from constantly dealing with landscaping issues.

Rast said he wanted to confer with Meeker following the Special Use Permit exercise to see if there was a need to modify some of the language relating to that and the LUC rezoning.

The meeting ended at 9:05 PM.

Betsy Tyler, City Clerk

Harold K. Logsdon, Mayor

Linda Morton, Recording Secretary

2008 City Event Calendar

		<u>June</u>
		6/2 – Budget Workshop, 6:00 pm (Additional workshop on 6/3 at 6:30 pm, if needed) 6/5 – City Council Meeting, 7 pm 6/12 – Budget Workshop, 6:30 pm 6/19 – City Council Meeting, 7 pm
<u>July</u>	<u>August</u>	<u>September</u>
7/3 – City Council Meeting, 7 pm 7/4 – Independence Day, City Offices Closed 7/7 – City Council Workshop (Tentative), 6:30 pm 7/10 – Budget Workshop, 6:30 pm 7/17 – City Council Meeting, 7 pm 7/28 – City Council Special Called Meeting (Millage) - TBA	8/4 – City Council Workshop (Tentative), 6:30 pm 8/7 – City Council Meeting, 7 pm 8/21 – City Council Meeting, 7 pm 8/30 – Kidz Festival, Shakerag Knoll	9/1 – Labor Day, City Offices Closed 9/1 – City Council Workshop (Tentative), 6:30 pm 9/4 – City Council Meeting, 7 pm 9/18 – City Council Meeting, 7 pm 9/20 & 21 – Shakerag Arts & Crafts Festival 9/27 – Dragon Boat Racing & Int'l Festival
<u>October</u>	<u>November</u>	<u>December</u>
10/2 – City Council Meeting, 7 pm 10/6 – City Council Workshop (Tentative), 6:30 pm 10/11-12 – Great Georgia Air Show 10/16 – City Council Meeting, 7 pm	11/3 – City Council Workshop (Tentative), 6:30 pm 11/6 – City Council Meeting, 7 pm 11/11 – Veteran's Day Ceremony, 9:30 am 11/20 – City Council Meeting, 7 pm	12/1 – City Council Workshop (Tentative), 6:30 pm 12/4 – City Council Meeting, 7 pm 12/6 – Hometown Holiday 12/18 – City Council Meeting, 7 pm 12/24-25 – Christmas Holiday, City offices closed

2009 City Event Calendar

<u>January</u>	<u>February</u>	<u>March</u>
1/1 – New Years Day, City offices closed – City Council Meeting, 7 pm (reschedule?) 1/5 – City Council Workshop (Tentative), 6:30 pm 1/15 – City Council Meeting, 7 pm	2/2 – City Council Workshop (Tentative), 6:30 pm 2/5 – City Council Meeting, 7 pm 2/19 – City Council Meeting, 7 pm	3/2 – City Council Workshop (Tentative), 6:30 pm 3/5 – City Council Meeting, 7 pm 3/19 – City Council Meeting, 7 pm

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

Updated 5/30/08

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: April 2008

	<u>March-08</u>	<u>April-08</u>	<u>FY 2008 YTD</u>	<u>FY 2007 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	4	1	13	14
City Vehicle / Equipment Accidents	0	0	5	15
Lawsuit Legal Fees	\$4,971.84	\$12,538.19	\$40,074.91	\$45,471.90

Municipal Court

Fines Collected	\$134,439.00	\$127,763.50	\$860,673.08	\$809,711.30
Online Transactions	182	138	1,144	1,081
Citations Closed	677	682	4,077	4,055
Jail Fund Balance	\$2,021.22	\$3,421.99	\$133,039.66	\$103,747.09

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

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

Public Information

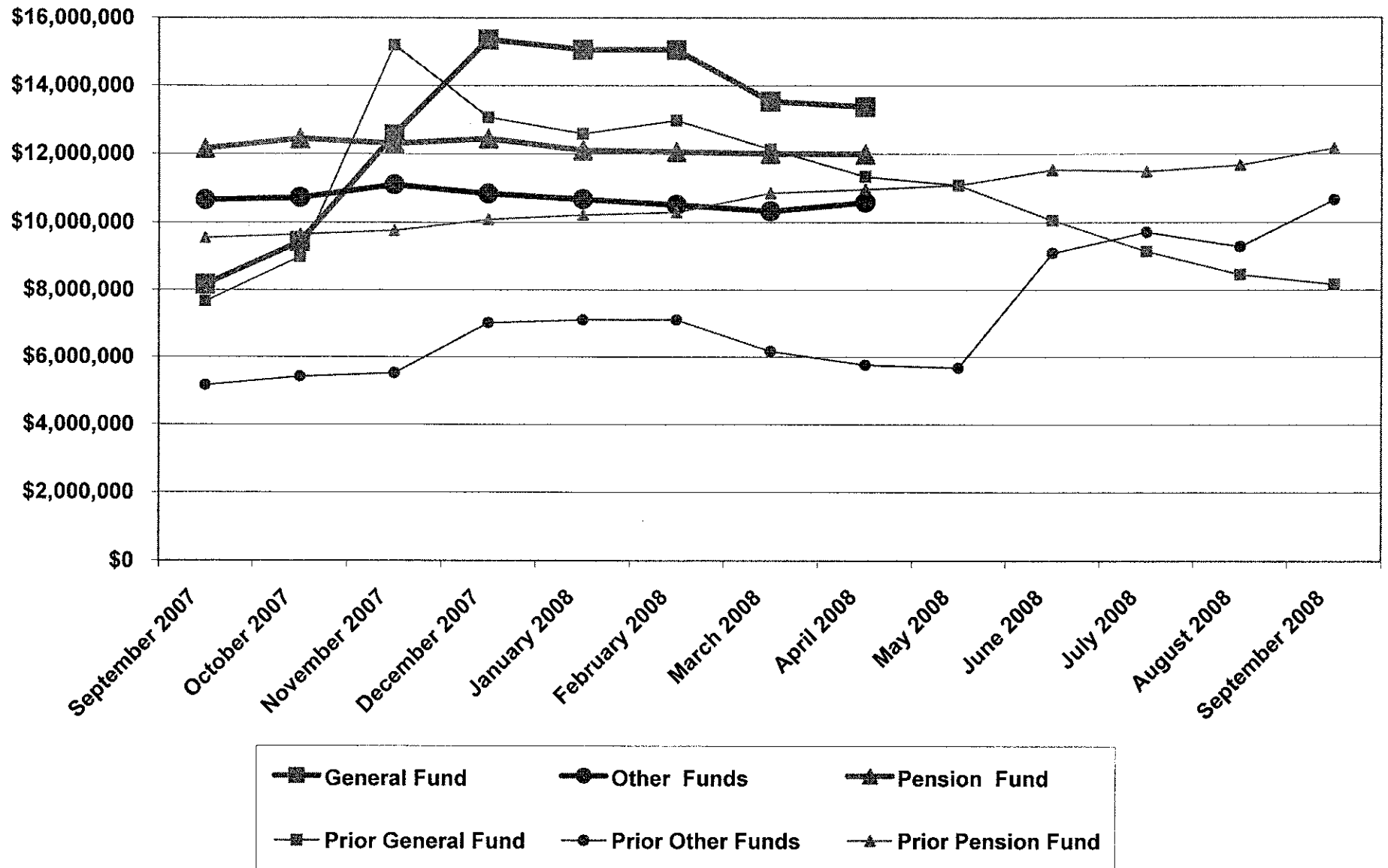
New Businesses Registered	27	24	136	222
Public Contacts, Questions & Complaints	68	75	457	501

This includes 3 complaints against Comcast Cable Company and 4 Open Records/Discovery Requests.

PEACHTREE CITY BUILDING DEPARTMENT
FY 2008

	Mar-08	Apr-08	Fiscal Y-T-D 2,008	Fiscal Y-T-D 2007
DEVELOPMENT PERMITS:	2	4	38	45
BUILDING PERMITS:				
Single Family Residential	1	3	26	53
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	57	65	312	326
Commercial/Industrial	13	12	101	87
TOTAL INSPECTIONS:	400	522	3,307	3,809
CERTIFICATE OF OCCUPANCY:				
Residential	1	3	32	50
Commercial	7	4	36	40
Multi-Family Residential	0	0	0	0
CODE ENFORCEMENT:				
Sign Violations	131	79	670	1,091
New Rehab	11	10	51	45
Rehab Inspections	5	12	71	87
Tree Removal Permits	135	139	592	706
Notice of Violations - Construction	0	5	26	131
Notice of Violations-Non-Construction	174	297	1,085	1,221
Stop Work Orders	1	1	29	51
Compliance Inspections	304	517	1,780	2,136
Founded Complaints	18	22	86	135
Unfounded Complaints	3	7	49	93
Assessments	55	5	186	132
Water Ban Violations	1	5	80	35
Citations	4	1	26	19
Architect Review Board Permit Approval	37	47	263	193
PERMIT FEES COLLECTED:	29,732	60,599	235,224	208,620
POPULATION:	36,314	36,320	36,320	36,166
Based on 2.09 persons per new completed dwelling unit.				

CITY OF PEACHTREE CITY
FISCAL YEAR 2008 (with prior year comparison)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



**CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR YEAR ENDED APRIL 30, 2008**

PERCENTAGE OF BUDGET YEAR COMPLETED 58.3%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 9,492,743	\$ 9,341,364	\$ (151,379)	98.41%
Franchise Taxes	2,277,001	1,969,834	(307,167)	86.51%
Local Option Sales Tax	6,979,162	3,931,642	(3,047,520)	56.33%
Other Sales & Use Taxes	692,287	390,446	(301,841)	56.40%
Business Taxes	2,200,323	2,165,151	(35,172)	98.40%
Licenses & Permits	847,916	570,485	(277,431)	67.28%
Intergovernmental/Grants	204,000	130,252	(73,748)	63.85%
Charges for Services	1,058,688	547,290	(511,398)	51.70%
Fines & Forfeitures	1,068,259	598,597	(469,662)	56.03%
Investment Income	561,449	288,446	(273,003)	51.38%
Other Revenue	18,934	5,876	(13,058)	31.03%
Other Financing Sources	410,937	436,739	25,802	106.28%
Total General Fund Revenues	\$ 25,811,699	\$ 20,376,122	\$ (5,435,577)	78.94%
Surplus Carryover	1,103,725	-	(1,103,725)	0.00%
Total General Fund	\$ 26,915,424	\$ 20,376,122	\$ (6,539,302)	75.70%

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 495,266	\$ 299,826	195,440	60.54%
Administrative Services	997,549	558,838	438,711	56.02%
Financial Services	1,064,207	594,993	469,214	55.91%
Police Services	5,917,516	3,045,346	2,872,170	51.46%
Fire/EMS Services	5,773,230	3,112,742	2,660,488	53.92%
Public Works	3,958,278	2,181,352	1,776,926	55.11%
Leisure Services	5,053,815	2,490,053	2,563,762	49.27%
Developmental Services	1,366,291	725,013	641,278	53.06%
Non-Divisional:				
Council Contingency	79,900	-	79,900	0.00%
Non-Profit Organizations	20,000	15,000	5,000	75.00%
Transfer to Development Authority	170,042	126,871	43,171	74.61%
Transfers to Other Funds	2,478,097	1,499,287	978,810	60.50%
Liability Insurance	99,310	57,524	41,786	57.92%
Legal Services	153,024	47,647	105,377	31.14%
General Administration/Bad Debt Expense	78,750	3,950	74,800	5.02%
Other	(789,851)	-	(789,851)	0.00%
Total General Fund	\$ 26,915,424	\$ 14,758,442	\$ 12,156,982	54.83%

HOTEL/MOTEL FUND REVENUES

Description	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 979,420	\$ 569,754	\$ (409,666)	58.17%

HOTEL/MOTEL TRANSFERS OUT

Type	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 326,473	\$ 189,918	\$ 136,555	58.17%
Transfer to Tourism Association	652,947	379,836	273,111	58.17%
Total Hotel/Motel Transfers Out	\$ 979,420	\$ 569,754	\$ 409,666	58.17%

**CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF APRIL 30, 2008**

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER APRIL 2008			
Description	Vendor	Award	Date
Arch. Design for Repair (PD Bldg.)	Leo A. Daly	\$ 39,000.00	04/14/2008
Prof. Svcs. - Mold Issue (PD Bldg.)	Leo A. Daly	\$ 10,999.00	04/09/2008
Design Exterior Drainage (PD Bldg.)	Integrated Science & Engineering	\$ 18,200.00	04/15/2008
Resurface Glenloch Pool	USA Pool Mgmt	\$ 16,100.00	04/15/2008

PURCHASING REPORT FOR MONTH ENDED APRIL 30, 2008 AND APRIL 30, 2007		
Activity	Fiscal Year 2008	Fiscal Year 2007
Purchase Orders / Requisitions Processed	264	268
City Store Requisitions Processed	9	10
Sealed Bids Requested	2	4
Requests for Proposals	0	1
Bids Awarded	3	2
Requests for Proposals Awarded	1	1
Contracts Prepared	2	3
Fixed Assets Purchased	3	11

INFORMATION TECHNOLOGY REPORT APRIL 2008 AND YEAR-TO-DATE		
Activity	Current Month	Fiscal Year 2008
Work Orders Created	74	839
Work Orders Closed	58	805
Work Orders Open	16	29
Project Work Orders	74	628
Technical Support	74	839
Website Visits	90,752	472,924

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2008 MONTHLY REPORT**

	Mar. 08	Apr. 08	2008 FY-T-D	2007 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	3	1	19	15
Actual Business/Industrial Fires	1	0	5	7
Rescue/EMS Assist	156	139	1028	980
Vehicle/Golfcart Accidents	10	16	116	150
False Alarms	26	15	151	176
¹Other	54	27	202	187
Total Engine Response	250	198	1521	1515
 Dispatched Fire Calls	 72	 49	 377	 418
 Response Time Fire	 5:21	 4:28	 5:00	 5:00
 RESCUE/EMS				
Trauma	25	27	188	240
Medical	152	63	921	966
Total # Patients	177	90	1109	1206
 Patients Transported	 83	 61	 539	 617
 Dispatched EMS Calls	 178	 153	 1139	 1094
 ²Total Medic Response	 204	 177	 1403	 1497
 Response Time EMS	 4:25	 4:43	 4:38	 4:34
 Dispatched Fire/EMS Total	 250	 202	 1516	 1512
 EMS BILLING				
Patients Billed	80	61	531	501
 Revenue Generated	 44,875	 35,465	 246,093	 204,912
 ³Total Revenue Received	 36,133	 25,780	 187,891	 149,727

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

²Includes Fire Assist Responses

³Revenue Received on All Outstanding Accounts

LEISURE SERVICES MONTHLY REPORT

Apr-08

<u>Activity Description</u>	<u>Unit</u>	<u>April 2008</u>	<u>FY 2008 YTD</u>	<u>FY 2007 YTD</u>
Library				
Books Circulated	number	36,220	246,012	220,183
Internet Usage	visits	3,845	25,809	23,417
Computer Lab Use	hours	30	217	202

Recreation

Class/Program Revenue	\$	\$2,375	\$21,172	\$19,503
Playing Surface Mowing	hours	*480	905	912
Playing Field Preparations	hours	871	4,279	4,281
Building Maintenance	hours	507	3,116	3,047
Litter Removal	hours	235	1,927	2,028
Complaints answered	number	5	15	12

* Started Outsourced Sports Field Mowing in April 08. This mowing was during transition.

**PEACHTREE CITY POLICE DEPARTMENT
2008 MONTHLY REPORT**

	MARCH 2008	APRIL 2008	2008 CYTD	2007 CYTD
PART I CRIMES				
Criminal Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	0	0	0	1
Aggravated Assault	0	0	1	1
Arson	0	0	0	0
Motor Vehicle Theft	3	7	28	19
Theft	27	33	117	70
Burglary	8	0	20	14
TOTAL PART I CRIMES	38	40	166	105
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	25	12	65	65
DUI – ADULT	25	9	60	59
DUI – UNDERAGE	0	3	5	6
MINOR IN POSSESSION OF ALCOHOL	8	2	25	18
DRUG ARRESTS:				
MARIJUANA	2	3	27	13
METHAMPHEDIMINE	0	0	0	4
COCAINE	0	0	4	0
OTHER (opium, herion, etc)	1	0	1	7
ARRESTS				
PROPERTY CRIMES	14	8	51	48
PERSON CRIMES	3	1	16	25
CITY ORDINANCES	36	14	99	114
TRAFFIC OFFENSES	32	39	173	219
OTHER	28	32	128	186
AVERAGE RESPONSE TIME	5.41	5.52	5.47	5.49
CALLS ANSWERED	5,454	5,084	21,697	21,687

TRAFFIC

CITATIONS ISSUED	547	502	2241	2570
WARNINGS	722	550	2796	2605
ACCIDENTS	91	95	382	400

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	4
HWY 74 / ROCK-A-WAY ROAD	4
HWY 54 / ROBINSON ROAD	3
HWY 74 / KELLY DRIVE	3
HWY 74 / HOLLY GROVE ROAD	3

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	31
HWY 74 / KELLY DRIVE	9
HWY 74 / ROCK-A-WAY ROAD	8
HWY 54 / PEACHTREE PARKWAY	7
HWY 74 / HOLLY GROVE ROAD	6

PUBLIC SERVICES MONTHLY REPORT

APRIL 2008

<u>Activity Description</u>	<u>Unit</u>	<u>APRIL 2008</u>	<u>FY2008 YTD</u>	<u>FY2007 YTD</u>
Street Patching	Hrs	250	841	1,009
Street Crack Sealing	Hrs.	138	176	420
Street General Maintenance	Hrs.	633	2,978	1,241
Storm Water Maintenance	Hrs.	286	3,768	2,705
Cart Path Paving	Ft.	7,471	24,099	21,854
Cart Path Prepped for Paving	Ft.	1,200	24,243	12,889
Cart Path Litter Removal	Hrs.	45	900	856
Cart Path Drainage Maintenance	Hrs.	186	544	1,042
Cart Path General Maintenance	Hrs.	476	3,378	856
R.O.W. Mowing	Hrs.	639	1,053	1,786
R.O.W. Litter Removal	Hrs.	499	324	3,572
R.O.W. General Maintenance	Hrs.	399	4,396	1,825
Subdivision Sign Maintenance	Hrs.	435	1,121	1,822
Landscape Maintenance	Hrs.	132	607	872
Landscape Planting/Mulch	Hrs.	746	2,308	2,254
Subdivision Sign Maintenance	Hrs.	50	236	568
Traffic Sign Maintenance	Hrs.	137	787	672
Vandalism Repairs	Hrs.	48	330	224
Vandalism Repairs	Dls.	631	7,891	3,653
Citizen Complaints Answered	Num.	43	439	480
Community Service	Hrs.	16	194	40
<u>RECYCLING SITE</u>				
Manhours	Hrs.	119	879	327
<u>Participants</u>				
Recycling	Num.	317	1,954	1,651
Composting	Num.	1,303	6,654	5,879
Mulch Picked-Up	Num.	66	297	369
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	59.45		

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *[Signature]*
Development Services Director *[Signature]*
City Planner *[Signature]*
City Engineer *[Signature]*

FROM: Stormwater Manager *[Signature]*

DATE: May 16, 2008

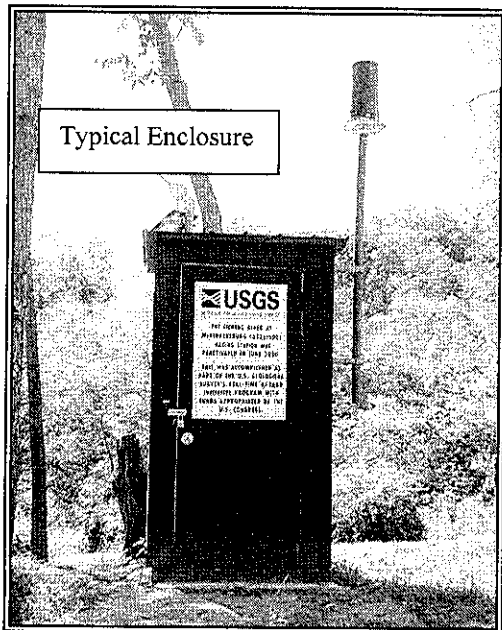
SUBJECT: Fayette County Water Easement for USGS Water Quality Monitoring Station
June 5, 2008 City Council Meeting

Recommendation:

Staff recommends that City Council grant a permanent easement to the Fayette County Water System for the purposes of installing and maintaining a water quality monitoring station.

Discussion:

The Fayette County Water System (FCWS) informed staff that, as a condition of their wetland permit for Lake McIntosh, they were required to install a water quality monitoring station. Based on the distance requirements, the station had to be located somewhere on City property adjacent to Line Creek.



Staff had met with the FCWS to learn more about the scope of the project. FCWS informed staff that the project will involve the installation of a small pad (5'x5') on which to place the monitoring equipment (solar power supply, rain gauge, antenna and testing equipment) and an enclosure.

A small plastic tube (<2" diameter) will be hand trenched from the enclosure to the stream for the purposes of drawing water samples. Small posts will be installed approximately 30' from the edge of the water for the purposes of suspending a cable across the creek. The cable will be used for suspending tubes to gage stream heights and flows.

All supplies and equipment will be hand carried to the location. One or two small scrub trees will be removed during the installation and all work will be done by hand.

The easement is located on property that has deed restrictions. Staff has contacted Pathway Communities and requested that they lift the deed restrictions in order for the City of Peachtree City to grant the easement. Pathways has verbally stated that this will not be an issue and they will provide the City with a quitclaim deed releasing the restrictions for this easement.

Therefore staff supports granting the easement and recommends Council grant the easement conditioned upon receipt of the quitclaim deed from Pathway Communities.

Budget Impact:

There is no budget impact associated with this request.

Attachments:

Easement Document
Maps of Area

cc: City Engineer's File

After recording, return to:

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

**STATE OF GEORGIA
COUNTY OF FAYETTE**

DEED OF EASEMENT

THIS INDENTURE, made and entered into this _____ day of _____ in the year 2008, between the City of Peachtree City, a political subdivision of the State of Georgia as party of the first part, hereinafter referred to as "GRANTOR", and the Fayette County Water System, as party of the second part, hereinafter referred to as "GRANTEE" (GRANTOR and "GRANTEE" to include their respective heirs, successors and assigns where the context requires or permits).

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

10' WIDE EASEMENT: A perpetual non-exclusive easement on certain property described below being a permanent easement approximately 0.032 acres as described as "Easement Area #1" within the plat titled *USGS Line Creek Stream Monitoring Station*, dated February 28, 2008 (Exhibit "A"). Such exhibit is, by this reference, incorporated herein and made a part hereof. That certain property, upon which this easement crosses, is more fully described in the Legal Description (Exhibit "B") attached hereto and is, by this reference, incorporated herein and made a part hereof. The purpose of the grant of easement is to allow the Grantee, through its agents and employees, the right and privilege to install, construct and maintain a stormwater monitoring station, together with all necessary and required conduits and apparatus, under the subject property. The permanent easement herein granted shall be perpetual in duration.

The Grantor shall assume no liability for injuries or damages to users of the easement conveyed herein, and Grantor shall forfeit no other property rights by virtue of the existence of this easement on his property. Grantee shall indemnify Grantor for any and all claims that arise from the use of the easement rights conveyed herein by Grantee, its agents, employees, and assigns.

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

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

OWNER: City of Peachtree City

By: _____
Mayor

Signature

Signed sealed and delivered,
In the presence of

Witness

NOTARY:

Printed name

Signature

My Commission expires:

SEAL

EXHIBIT "B"

BEGINNING at a computed point in the center of Line Creek, said center of Line Creek is also the boundary between the counties of Fayette & Coweta, Georgia, said computed point being located South 19 degrees 29 minutes 38 seconds West a distance of 517.26 feet from the intersection of the centerlines of State Route #54 and Wynnemeade Parkway.

THENCE, departing said center of Line Creek, North 59 degrees 03 minutes 27 seconds East for a distance of 51.03 feet to a 1/2"iron pin set;

THENCE North 74 degrees 32 minutes 02 seconds East for a distance of 89.14 feet to a 1/2"iron pin set;

THENCE South 15 degrees 27 minutes 58 seconds East for a distance of 10.00 feet to a 1/2"iron pin set;

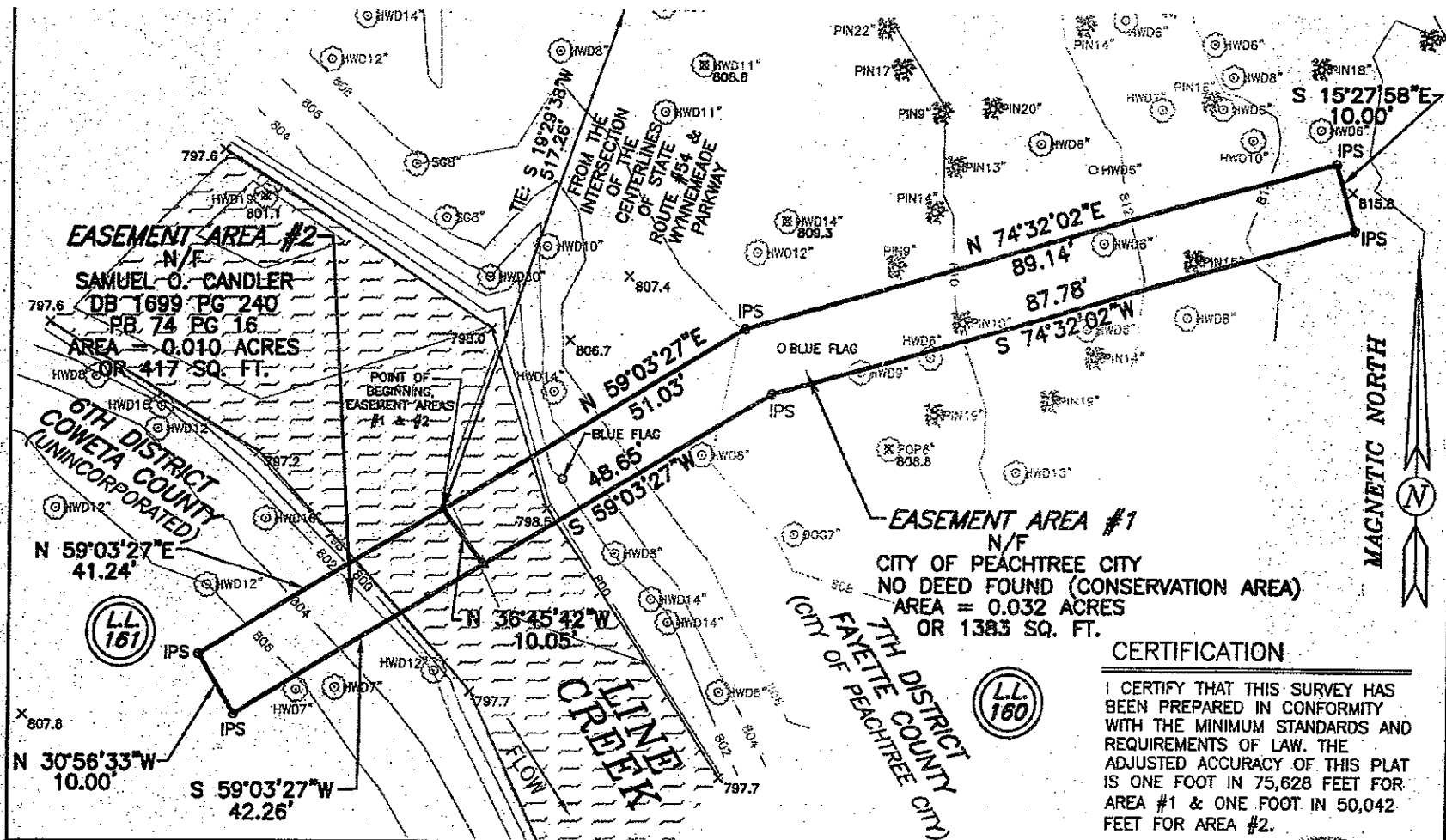
THENCE South 74 degrees 32 minutes 02 seconds West for a distance of 87.78 feet to a 1/2"iron pin set;

THENCE South 59 degrees 03 minutes 27 seconds West for a distance of 48.65 feet to a computed point in the center of Line Creek;

THENCE proceeding along said center of Line Creek North 36 degrees 45 minutes 42 seconds West for a distance of 10.05 feet to a computed point, said computed point being the POINT OF BEGINNING.

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

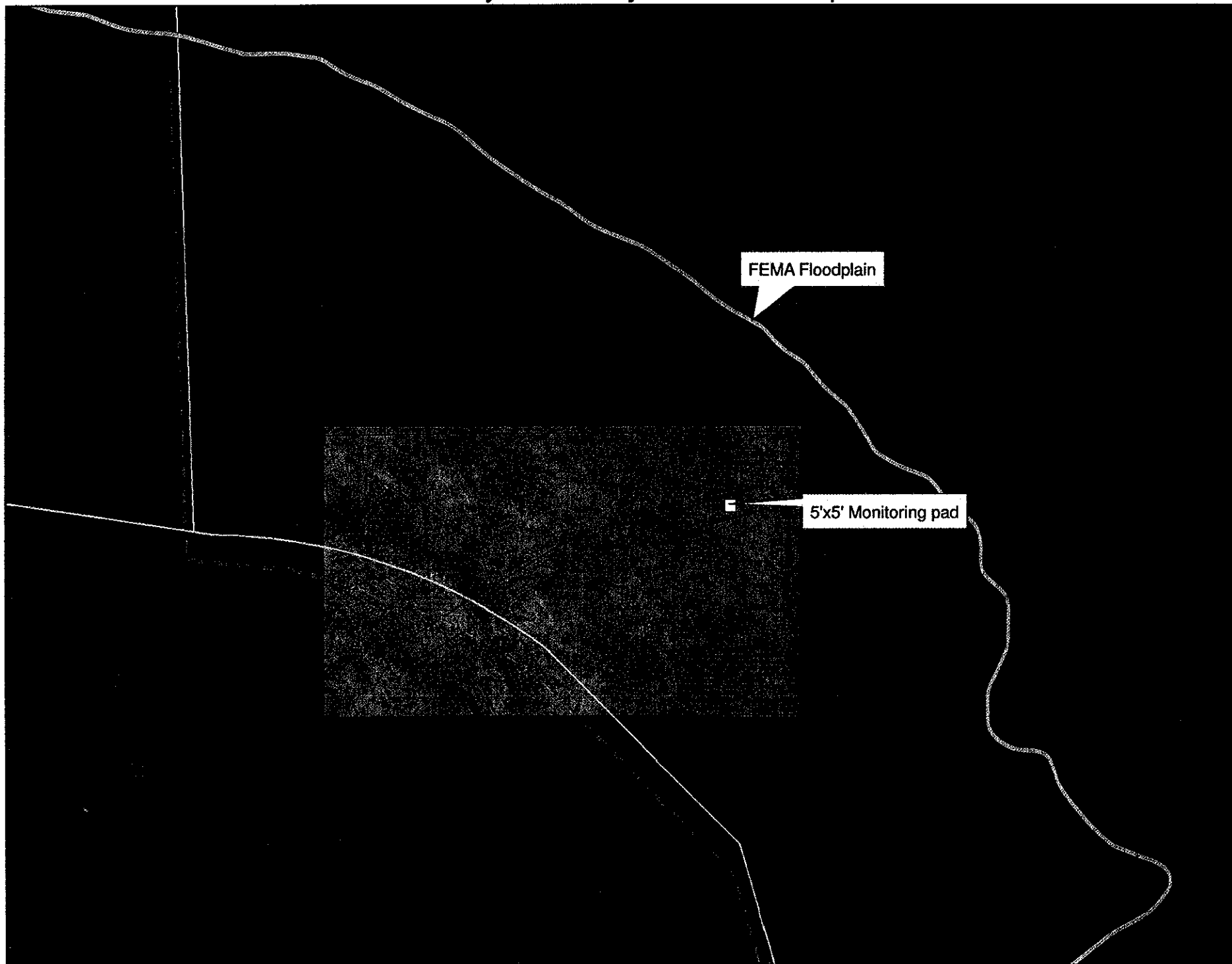
Said tract or parcel of land contains 0.032 acres or 1383 square feet.



VALENTINO & ASSOCIATES INC. LAND SURVEYORS 1280 WINCHESTER PARKWAY SUITE 243 SMYRNA, GEORGIA 30080 PHONE (770) 438-0015 FAX (770) 435-6050	EASEMENT EXHIBIT SURVEY FOR: USGS LINE CREEK STREAM MONITORING STATION LAND LOT 161 6TH DISTRICT COWETA COUNTY, GEORGIA, AND LAND LOT 160 7TH DISTRICT CITY OF PEACHTREE CITY FAYETTE COUNTY, GEORGIA				
DATE: 2/28/08	SCALE: 1" = 20'	JOB NO. 27063	FILE NO. 27063--TOP01	SHEET 1 OF 1	

Exhibit A

Fayette County Easement Request

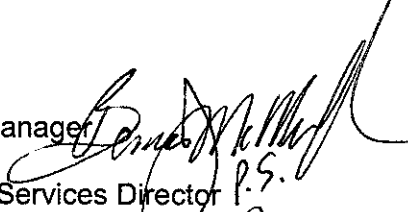


Fayette County Easement Request



CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

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

DATE: May 27, 2008

SUBJECT: Budget Amendments – Fiscal Year 2008

June 5, 2008 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached fiscal year 2008 budget amendments.

Discussion:

Attached please find two budget amendments (08-015 and 08-016) for fiscal year 2008 submitted for your approval. Budget amendment 08-015 increases both budgeted revenues and expenditures in the General Fund to recognize a \$2,000 donation from the Fayette Board of Education to the Library for the purchase of books and educational materials for the Books on Loan Program. The funds have been received from the Board of Education and deposited to cover the expenditures. Budget amendment 08-016 increases both revenues and expenditures in the General Fund to recognize \$500 received for the purchase of smoke detectors by the Code Enforcement Department. These funds have also been received and deposited to cover the expenditures. Budget amendment 08-017 increases both budgeted revenues and expenditures in the HAZMAT Special Revenue Fund by \$2,000 to recognize a \$2,000 reimbursement from the Fayette County Resource Council for the purchase of uniforms for the HAZMAT team. These funds have already been received and deposited.

Budget Impact:

The first two proposed budget amendments increase General Fund revenues and expenditures by a total of \$2,500. The final budget amendment increases revenues and expenditures in the HAZMAT Special Revenue Fund by \$2,000.

If you have any questions, please do not hesitate to contact Finance Department Staff.

Thank you for your attention to this matter.

Attachments

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-015

DATE June 5, 2008

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-00-34-2102	xxx	Donations	2,000	
100-6510-53-1401	xxx	Books on Loan Program	2,000	

TOTAL \$ 4,000 \$ -

To increase both revenues and expenditures in the General Fund to recognize \$2,000 in funds received from the Fayette Board of Education for the Books on Loan Program.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-016

DATE June 5, 2008

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-00-34-2102	xxx	Donations	500	
100-7450-53-1175	xxx	Operating Supplies - Code Enforcement	500	

TOTAL \$ 1,000 \$ -

To increase both revenues and expenditures in the General Fund to recognize \$500 in funds received for smoke detectors to be purchased by Code Enforcement for disbursement.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 08-017

DATE June 5, 2008

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
204-00-34-7901	xxx	Reimbursments	2,000	
204-3510-53-1725	xxx	Uniforms	2,000	

TOTAL \$ 4,000 \$ -

To increase both revenue and expenditures in the HAZMAT Fund to recognized \$2,000 received from the Fayette County Resource Council to be used for uniforms in the HAZMAT Fund.

ENTERED _____

APPROVED _____

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

May 30, 2008

City of Peachtree City, Georgia
Attn: Ms. Betsy Tyler, City Clerk
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Variance Request of Northlake Woods Offices, LLC
Corner of Northlake Drive and Aberdeen Parkway, Peachtree City, Georgia

Dear Ladies and Gentlemen:

The above-referenced matter is scheduled for hearing before the City Council on June 5, 2008 at 7:00 p.m. We are still attempting to address numerous issues that have arisen since the approval of the plan by City Staff and we are hereby requesting to postpone said hearing until the next meeting of June 19, 2008, so that these issues can be addressed.

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

Yours truly,



Melissa D. Griffis

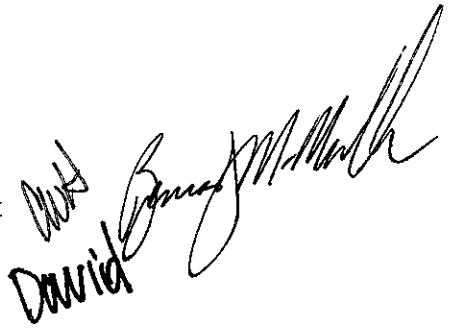
MDG/kr

c: Mr. Harold Logsdon, Mayor
Mr. Don Haddix, Post 1
Mr. Doug Sturbaum, Post 2
Mr. Steve Boone, Post 3
Ms. Cyndi Plunkett, Post 4
Mr. Theodore P. Meeker, III, City Attorney
Mr. Bernard McMullen, City Manager

POSITION PAPER

Proposed Special Use Permit
Line Creek retail center, SR 54 West

City Planner/ Zoning Administrator
May 23, 2008

Handwritten signature of David B. Smith in black ink, slanted upwards to the right.

Situation:

Capital City Development owns the property known to us as the Line Creek office park. City Council entered into a Development Agreement with the Applicant on February 6, 2008 to abandon Line Creek Drive, Line Creek Court and the associated right-of-way of both roads. The combined acreage of the overall tract, including the existing right-of-way of Line Creek Drive and Line Creek Court, exceeds 16 acres.

The subject property is zoned GC General Commercial and designated as COM Commercial on the city's Land Use Map. The Applicant is proposing a multi-building retail development that would encompass 175,000 SF. Both the existing zoning and land use designation allow retail development. However, the Applicant must first secure a Special Use Permit from the city to accommodate a development of this size.

The overall development would include a total of five (5) mid-size retail stores ranging in size from 25,500 – 42,000 SF. In addition, the plan proposes 14,400 SF of small retail shops. A total of 700 parking spaces would also be provided, which meets the minimum parking requirements for retail development (1 space/ 250 SF). The overall parking lot would be designed in such a manner as to break up the large expanse of paving. Additionally, pedestrian corridors would be provided throughout the parking lots to allow visitors to walk between stores. Parking for golf carts would be provided in front of the retail stores as well as within a designated parking area along the eastern property boundary.

The site plan identifies extensive landscaping throughout the site as well as along the SR 54 frontage. A series of internal courtyards, planters and seating areas would be provided in the sidewalk areas in front of the buildings. Raised speed tables would be located throughout the development as internal traffic calming devices.

The buffer adjacent to the Cardiff Park subdivision ranges in width from 50' to 95', a portion of which would include a bio-retention area. A second bio-retention area would be located adjacent to the entrance drive. The Applicant has indicated this buffer would also include berms, fencing and new vegetation to assist in screening the service court from the homes in Cardiff Park.

The Applicant has also provided schematic building elevations of the retail buildings and has used a variety of architectural detailing, windows and changes in building materials to create the appearance of smaller shops. While schematic in nature, the elevations as proposed appear to be

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

Page 2

consistent with the SR 54 West Design Guidelines and would create a unique-looking retail development.

The Applicant initially submitted their Special Use Permit application on March 21, 2008, at which time they were notified the application was not complete. Additional information was submitted several weeks later and the application was deemed complete on April 21, 2008. The information was forwarded to City Staff for review and then presented to the Planning Commission in a Public Hearing on May 12, 2008.

As a part of their Special Use Permit submittal package (Attachment “A”), the Applicant has submitted schematic building elevations and a schematic landscape plan as well as a conceptual Hydrology Report (Attachment “B”) and Traffic Impact Analysis (Attachment “C”).

At their meeting on May 12, 2008, the Planning Commission discussed this item in a Public Hearing workshop. At that time, Staff had not completed their position paper and no action was taken (Attachment “D”). At a Special Called Meeting on May 19, 2008, the Planning Commission voted unanimously (4-0) to forward the project to City Council with a recommendation that it be approved, subject to the conditions identified within Staff’s Position Paper (Attachment “E”).

Compatibility with Special Use Permit criteria:

In accordance with Section 1006.4(d) of the GC General Commercial zoning ordinance, the Planning Commission and City Council shall consider the following criteria when reviewing an application for Special Use Permit:

(a) Compatibility of the proposed use and location with the policies established in the Comprehensive Plan.

The subject tract has been zoned GC General Commercial and designated as COM Commercial on the city’s Land Use Map for many years. In fact, some of the earlier master plans for Peachtree City identified the SR 54 West corridor as the area where larger and regional retail uses should be concentrated. Retail use is permitted within the GC General Commercial zoning district, however the size of the proposed development warrants review as a Special Use Permit.

The subject tract is located within the SR 54 West Corridor Overlay District. Within the SR 54 West Corridor Study (adopted by City Council on October 4, 2001), a portion of this document was devoted to identifying property within the corridor that could potentially be redeveloped.

As a part of this study, the following language was included within “Elements of the Plan”:

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

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“Line Creek office park (Peachy Clean car wash, Line Creek office building, warehouse building), undeveloped property

A variety of property owners control the parcels within this commercial subdivision. It is envisioned that all of the property will eventually be combined to create a single parcel for a sizable mixed-use development. The proposed signalized entrance from GA 54 along with access from the proposed secondary road system should make this a viable candidate for a significant development. The site is bordered by open space to the east and west and a residential subdivision to the south.”

This report and the subsequent SR 54 West Design Guidelines were intended to establish guidelines for development and redevelopment within the SR 54 West Corridor. As stated within the ordinance, the intent of the SR 54 West Corridor Overlay District was *“to enhance the viability and livability of all property within the SR 54 West corridor. The purpose of the Overlay District is to achieve and maintain a unified, pleasing aesthetic and visual quality in site planning, architectural design, building materials, landscaping, site lighting and signage; and to promote and encourage the use of alternate modes of transportation within the corridor through the provision of interconnecting streets, sidewalks and a multi-use path system. The intent of the GA 54 West Design Guidelines is to assure respect for and reduce incompatible and adverse impacts on the visual experience from the roadway.”*

The proposed development complies with the permitted uses identified within the GC General Commercial zoning district, the COM Commercial land use designation, and the findings of the SR 54 West Corridor Study.

(b) *Compatibility of the proposed use with the character of adjacent properties and the surrounding neighborhoods and with existing and proposed development.*

The SR 54 West Corridor Study was prepared to provide a framework for development and redevelopment within the SR 54 West Corridor. The stated goals of this plan were to emphasize alternate transportation opportunities, provide consistent transportation and circulation, develop consistent land use and zoning patterns and provide guidelines to enhance the aesthetics throughout the study area.

The proposed development would provide multi-use path connections to the existing multi-use path network adjacent to Planterra Way as well as the adjoining Line Creek Nature Area and Shoppes at the Village Piazza retail development. Additionally, the internal golf cart and pedestrian circulation patterns would be enhanced by wider sidewalks, raised crosswalks and dedicated golf cart parking spaces within the parking area and in front of the retail stores.

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

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The proposed development complies with the zoning and land use of the surrounding properties within the SR 54 West Corridor. It should be noted the Cardiff Park subdivision to the south was originally rezoned from GC General Commercial to LUR Limited Use Residential. The Applicant is proposing enhanced buffering and screening along the rear of the property to separate the proposed retail development from the adjoining residential development.

(c) Availability of, or ability to provide, adequate utilities, drainage, parking and loading space, lighting, screening, landscaping and open space.

All utilities are available on or adjacent to this site, including water, sanitary sewer, electricity, gas, telephone and cable. The Applicant has provided a conceptual Hydrology Study which identifies how water quality and stormwater will be addressed. During the conceptual and final site plan review process, the City's Engineering Department will be working closely with the Applicant to ensure the design of these features complies with city ordinances.

In addition, the Applicant is required to provide detailed site lighting and landscaping plans, as well as schematic building elevations for review and approval as a part of the Special Use Permit, conceptual site plan and final site plan review process. These documents will be reviewed in detail with the Planning Commission as a part of the city's established plan review process.

(d) Provision of safe and convenient vehicular, pedestrian, bicycle, and alternate modes of transportation.

The Applicant has provided a detailed Traffic Study which identifies the trips that will be generated by this development and how they will impact the existing intersections within the overall study area. The Applicant will be submitting a request to GDOT for the installation of a traffic signal at the entrance to this development off of SR 54.

Internal circulation will be enhanced by identifying and providing primary circulation routes that feed into smaller parking areas. Raised pavement at major internal intersections as well as raised crosswalks at pedestrian and golf cart crossings will enhance the safety of these areas and act as internal traffic calming throughout the development.

(e) Compatibility of the proposed use with the intent and function of the GC zoning district.

The intent of the GC General Commercial zoning district states:

"It is intended that the GC zoning district be established and reserved for general business purposes. The regulations that apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

Page 5

businesses to serve city and regional commercial needs. These regulations are also intended to accommodate businesses which benefit from being located in close proximity to each other, and to discourage any encroachment by other uses capable of adversely affecting the basic commercial character of the district. It is further intended that these regulations will reduce traffic congestion, provide for adequate off-street parking, and limit the development of "strip" type business areas.

The city council does hereby find that, based upon studies conducted on behalf of the city and by other cities, big box developments, typically over 32,000 square feet for an individual business, and developments with over 150,000 square feet of retail space, can have negative impacts on a community. In particular, such developments can have a negative impact on the scale of retail development in the community, and can also adversely impact existing retail businesses in the city. Additionally, such developments can result in an over-supply of commercial development within the city, thereby shifting the economic focus of the community. Employment opportunities may also be adversely affected by such developments. Finally, such developments are contrary to the city's comprehensive plan, as well as the goals and objectives of providing public safety services to the city's residents. For the foregoing reasons, the city council has determined it to be in the best interests of the city to provide that such developments may only be established pursuant to a special use permit, subject to the terms and conditions for the application and approval thereof set for in this section."

The SR 54 West Corridor provides a concentration of retail development that serves not only the residents of Wilksmoor Village but the entire population of Peachtree City. With the expansion of the city's multi-use path system, these areas are not only accessible by vehicular traffic but will also be accessible by golf carts, pedestrians, bicyclists, and the disabled.

The overall development includes two tenants that would exceed 32,000 SF in size and the established overall size of 150,000 SF, which requires a Special Use Permit. The Applicant has complied with all requirements of the established SUP Special Use Permit process. The proposed development and the Special Use Permit application have been reviewed by City Staff and there have been no significant issues noted as to the impact this development would have on providing services. Specific details pertaining to internal turning radii and circulation as well as building design would be resolved during the conceptual and final site plan review process.

(f) Compliance with applicable performance standards and requirements as set forth in the City's Land Development Ordinance.

The city's Land Development Ordinance identifies specific criteria pertaining to site planning and design, architectural and aesthetic guidelines, standards for lighting design, water resources protection, vegetation protection and landscaping, among other items. Although schematic in nature, the proposed site plan meets or exceeds these requirements. As a part of the conceptual

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

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site plan and final site plan review process, Staff and the Planning Commission would work closely with the Applicant to ensure all of the items identified within the Land Development Ordinance are addressed.

In addition, the subject tract is located within the city's first Corridor Overlay District, which identifies additional criteria as well as specific Design Guidelines the Applicant would need to address. The plan meets or exceeds the items contained within both the COR (SR 54 West) and the SR 54 West Corridor Design Guidelines.

Recommendation:

Based on a thorough review of the Applicant's Special Use Permit application as it relates to the established submittal requirements, Staff is of the opinion that the Applicant has met the requirements of the Special Use Permit application process. If Council approves the Special Use Permit for this development, Staff recommends the following recommendations and conditions be incorporated into the approval:

1. Approval of the Special Use Permit is conditioned upon the execution of all items identified within the recorded Development Agreement, attached hereto as Exhibit "A" and incorporated herein by express reference.
2. Development shall take place in conformance with the master plan and schematic building elevations prepared by Site Solutions (last revised April 16, 2008), a copy of which is attached hereto as Exhibit "B" and incorporated herein by express reference. Any substantive change to these plans or any of the conditions and requirements of this section shall require an amendment of the Special Use Permit application approved by City Council.
3. In addition to those uses identified within the Development Agreement, the following uses shall be permitted:
 - (a) Retail business involving the sale of merchandise on the premises.
 - (b) Business involving the rendering of a personal service on the premises.
 - (c) Office for governmental, business, professional or general purposes.
 - (d) No more than one business whose primary business is the sale of alcohol; provided that this restriction shall not prohibit individual restaurants from selling beer, wine, distilled spirits or other beverages. Such business whose primary business is the sale of alcohol shall not be located within a freestanding building or tenant space exceeding 3,000 SF in gross floor area.

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

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- (e) Automobile parts sales; provided that the repair of vehicles on the premises of any business by the property owner, the tenant or customers shall be prohibited.
 - (f) Indoor commercial recreation facility.
 - (g) Publicly owned building, facility or land.
 - (h) Building, facility or land for a non-commercial park, recreation, thoroughfare or open space purposes.
 - (i) Accessory use, in accordance with Section 908.
4. In addition to those uses identified within the Development Agreement, the following uses shall **not** be permitted:
- (a) Hotel or motel.
 - (b) Cocktail lounge, disco or dance hall.
 - (c) Automobile repair facilities, including oil change facilities and emissions testing centers.
 - (d) Automobile washing facilities.
 - (e) Automobile sales and leasing (new and used vehicles).
 - (f) Boat sales and leasing (new and used).
 - (g) Establishments whose primary business is the sale of gasoline or diesel.
 - (h) Animal hospitals or veterinary clinics with outdoor kennel facilities.
 - (i) Adult novelty stores, book stores, entertainment centers, theatres, and amusement facilities, peep shows and massage parlors, provided that this restriction shall not prohibit a day spa from locating within the development.
 - (j) Bingo parlor, bowling alley, pool hall, billiards parlor, skating rink and roller rink.
 - (k) Electronic gaming centers where the primary business is from game playing.
 - (l) Pawn shops, second hand stores, closeout or liquidation stores, flea markets, bankruptcy or fire sales, provided that this restriction shall not prohibit a consignment store from selling new and/ or unused merchandise.
 - (m) Blood bank and plasma centers.
 - (n) Tattoo parlors.
 - (o) Check-cashing facilities, where check-cashing is the primary function of the business.
 - (p) Facilities for dumping, disposal, incineration or reduction of garbage or refuse.
 - (q) A site for day laborers to congregate or to solicit work.
 - (r) Transportation facility or terminal.
 - (s) Self-service storage facilities, i.e., mini-warehouses.
 - (t) Off-street auto parking facility.
 - (u) Open yard for the sale, rental, and/ or storage of materials or equipment, including junk or salvage materials.

Proposed Special Use Permit – Line Creek retail center

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5. There shall be no conditional uses permitted on the property.
6. The site plan shall provide for a dedicated access drive to the adjoining Flexxon tract (formerly known as the Peachy Clean car wash tract) as shown on the final site plan approved for The Shoppes at the Village Piazza on August 21, 2007. The location and design of this access drive shall be coordinated with the adjoining property owner and approved by City Staff prior to being shown on the conceptual site plan.
7. The design of all parking areas, including the dimensions of all planting islands, shall comply with city ordinances and be reflected on the conceptual site plan submittal.
8. The location of all dumpsters and associated dumpster enclosures shall be identified on the conceptual site plan. Those dumpsters located behind retail buildings “B”, “C”, “D” and “E” shall be located and designed such that noise generation will be kept to a minimum. Where applicable, compactors shall be located within these buildings to minimize noise.
9. The rear building elevations of retail buildings “B”, “C”, “D” and “E” shall contain architectural features to minimize the appearance of blank walls. The parapets on the rear of these buildings shall be increased in height and designed to screen views from off-site to the roof-mounted mechanical and utility equipment.
10. Site lighting shall comply with current city ordinances. A detailed photometric site lighting plan, which includes lighting on the exterior of all buildings, shall be prepared and submitted prior to approval of the final site plan. Site and security lighting along the rear of retail buildings “B”, “C”, “D” and “E” shall be designed to prevent glare and spillover onto the adjoining residential subdivision.
11. In addition to the required maintenance inspection of all plant material at the end of the 2-year period from the date the Certificate of Occupancy is issued (conducted by the City Landscape Architect), the developer and/ or project owner shall agree to meet with the City Landscape Architect and a representative from the Cardiff Park Homeowner’s Association to inspect the plant material located between the development and Cardiff Park at a 3-year and 5-year period from date the Certificate of Occupancy is issued. Any vegetation that is dead, dying or diseased must be replaced at the owner’s expense.

Proposed Special Use Permit – Line Creek retail center

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12. It is understood the buffer at the rear of the subject tract is paramount and the Applicant shall agree to develop a detailed berming, fencing and landscape plan that is reviewed and approved by the City Landscape Architect and the Planning Commission as a part of the conceptual site plan submittal package.
13. In addition to the 50' greenbelt along the southern property boundary adjoining the Cardiff Park subdivision that is to be dedicated to the city, the Applicant shall install a berm of no less than 6' in height from finish grade to the top of the berm with slopes not exceeding a 3:1 slope. The top of the berm must be designed with a minimum 4'-wide crown, where a 6' tall stockade-type privacy fence shall be installed. The fence shall be painted or stained a neutral color. At the base and on both sides of the fence, evergreen vines (Confederate Jasmine, Boston Ivy, etc.) shall be planted at 4' on center and be trained to ultimately cover the fence. The slopes of the berm shall be planted with a combination of evergreen plant material (Leyland Cypress, Cryptomeria Japonica, etc.) planted in staggered rows at 8' on center. The minimum height of the evergreen plant material shall be no less than 5-6' in height from finish grade to the top of the plant material at the time of planting. All exposed areas on the berm shall be mulched with no less than 4" of fresh hardwood bark mulch. A drip irrigation system shall be installed and utilized to irrigate all plant material for no less than twelve (12) months from date of installation and acceptance by the city. The berm, fence and landscaping shall be installed once the site is cleared and graded and prior to issuance of a Building Permit.
14. The Applicant shall secure appropriate approvals from GDOT prior to installing any sidewalk, lighting, landscaping and/ or irrigation within the GDOT right-of-way and shall provide appropriate documentation to City Staff indicating GDOT approval.
15. It is understood that clearing or grading shall not be permitted until the final site plan is approved. Approval of the proposed traffic signal and appropriate turn lanes shall be obtained from GDOT and submitted to City Staff prior to approval of the final site plan.
16. It is understood that modifications to the proposed site plan and building elevations may be required based on conditions that may be imposed as a part of the Special Use Permit review process.
17. The Applicant shall continue to work with City Staff and the Planning Commission to ensure that all elements of the proposed site plan and building elevations comply with current city ordinances. It is imperative that the Applicant coordinate with the Building Official, Fire Marshal and City Engineer to review the proposed development.

Proposed Special Use Permit – Line Creek retail center

May 23, 2008

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18. Should there be substantial changes to the schematic site plan submitted as a part of the Special Use Permit application, the Applicant shall file a new site plan and supporting documentation in accordance with the established criteria within Section 1006.4(f) of the GC General Commercial zoning ordinance.



Doc ID: 007747770008 Type: GLR
Filed: 03/18/2008 at 02:00:00 PM
Fee Amt: \$24.00 Page 1 of 8
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

BK **3371** PG **308-315**

AFTER RECORDING RETURN TO:

**THEODORE P. MEEKER, III
DAVIS & MEEKER, LLC
6631 WATSON STREET
UNION CITY, GEORGIA 30291**

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into by Capital City Development Partners, LLC and its successors and assigns ("Developer") and the City of Peachtree City, Georgia ("City") to provide for the orderly development of the property more particularly described as Exhibit "A" which is incorporated herein by express reference ("Property").

Whereas, Developer submitted to the City a request for abandonment and proposal to purchase a certain right-of-way known as Line Creek Circle and most of the right-of way known as Line Creek Drive (together "Right-of-Way") which have ceased to be used by the public to the extent that they no longer serve a substantial public purpose and anticipate submitting a proposal to develop the Property according to the City's GC zoning, the request for abandonment and purchase having been approved by the City Council on February 13, 2008 under certain terms and conditions; and,

Whereas, it is the intent of this Agreement to finalize the terms of Right-of-Way abandonment, certain of the development conditions, restrictions, and all conditions to which the parties have agreed as of this date.

Now Therefore, in exchange of the mutual promises and considerations contained herein and for other good and valuable consideration, the parties agree the Right-of-Way abandonment is approved and said approval is conditioned further as follows:

1. The Developer agrees that the restrictions and conditions contained herein are binding on its successors-in-title to the real property, any other entities by which the property owner shall be known, all assigns, successors-in-interest to the development, and any entity taking possession of this development.

2. This Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to apprise any successors-in-title of this Development Agreement.
3. The Developer agrees that nothing contained in this Agreement shall obviate the requirement that the Developer comply with all city ordinances, building codes, and development standards. Any plans submitted by the Developer shall be submitted to the City in accordance with the City's established plan review process under the terms of applicable city ordinances. With respect to all these requirements, the City will not unreasonably withhold approval of Developer's plans.
4. The Developer agrees to include the restrictions and covenants contained herein on any and all deeds the Developer signs to transfer said Property or otherwise to reference this deed restriction on any forms of conveyance. If Developer fails to include said restrictions and covenants, the City shall have the option to file said restrictions and covenants in the chain of title of said Property so the restrictions and covenants will run with the land.
5. All Parties agree that this Agreement is entered into voluntarily and that all parties will incur their own legal expenses.
6. In the event an ambiguity exists in the interpretation or implementation of this Agreement, the parties will first look at the Agreement itself to clarify such ambiguity. In the event the ambiguity is still not resolved, the parties will next look to the GC zoning ordinance, and then, if necessary, to the rules, regulations and other ordinances of the City. In the event of a conflict between the provisions of this Agreement and the regulations of the GC zoning ordinance, the most restrictive regulation shall apply.
7. Developer shall cause the Right-of-Way to be appraised by a qualified appraiser acceptable to both the City and Developer. All costs associated with the appraisal shall be paid by the Developer. Developer shall pay to the City the appraised value of the Right-of-Way which in no case shall be less than Five Hundred Thousand (\$500,000.00) Dollars. If the appraised value for the Right-of-Way exceeds Five Hundred Thousand Dollars, Developer shall transfer to the City a portion of the western edge of the Property which abuts the City's property known as Line Creek Nature Preserve. The portion of Property to be so transferred shall equal in value the amount the abandoned Right-of-Way which exceeds Five Hundred Thousand Dollars. Developer shall pay said sum to the City within

fifteen (15) days of approval of the final site plan for the first phase of development on the Property or the sale of any portion thereof. In the event that a final site plan is not approved within five (5) years of the date of this Agreement, Developer shall quitclaim any interest it has in the Right-of-Way to the City and the City shall quitclaim to Developer all of the property it may have acquired under the terms of this paragraph.

8. The Developer shall prepare a plat of the Property that combines all parcels currently platted as individual parcels into a single parcel. Said plat shall be submitted to city staff for review and approval and recorded in the Fayette County Tax Assessor's Office prior to submittal of a conceptual site plan. Should any portion of the overall tract be subdivided and sold for development, a subdivision plat must be prepared and recorded prior to submittal of a conceptual site plan for that particular tract of land. Appropriate setbacks shall be incorporated into each parcel in accordance with city ordinances.
9. The Developer shall prepare a conceptual site plan for the Property in accordance with the city's established site plan review process. It is understood the proposed development would require a Special Use Permit as identified by city ordinance and, further, there is no guarantee the city will ultimately grant such Special Use Permit except for the buildings approved in sub-paragraph (b) below.

At a minimum, the conceptual site plan shall contain the following:

- (a) The total square footage for all buildings on the site shall not exceed 175,000 SF.
- (b) No more than three (3) buildings with single tenants or occupants may exceed 32,000 SF of enclosed space, with a maximum of 50,000 SF for any single tenant or occupant.
- (c) No freestanding restaurant with a drive-thru window for pick-up of food or drink orders shall be allowed on the Property; provided that this restriction shall not prohibit a freestanding restaurant from maintaining designated parking areas for patrons to pick up food orders "to go" and further provided that this restriction shall not prohibit a coffee shop. As used herein, the term "coffee shop" shall mean a small restaurant in which coffee and light snacks and other drinks are served.
- (d) No business whose primary business is the sale of gasoline or diesel shall be allowed on the Property.
- (e) The minimum number of vehicular parking spaces required for the total square footage of all buildings on the Property shall be provided in accordance with city ordinances. Shared parking shall be encouraged.

- (f) Stormwater detention shall not be permitted within the 30' landscape buffer adjacent to SR 54.
 - (g) Golf cart parking spaces shall be provided throughout the development in close proximity to the entrance to each tenant space.
 - (h) A vegetated buffer measuring no less than 50 feet in width shall be provided along the entire length of the southern property boundary adjoining Cardiff Park. Any portion of this buffer that does not contain vegetation shall be replanted to provide a dense cover of trees. Said buffer shall be dedicated to the City as greenbelt prior to submittal of the final site plan. Appropriate building and parking setbacks in accordance with city ordinances shall be established from the original property boundary; however, in no event shall the building setbacks be less than 75 feet from the current property boundary.
10. In addition to the conceptual site plan, the following documents shall be prepared and submitted along with the conceptual site plan review package:
- (a) A schematic site lighting plan for the overall site that is prepared in accordance with the city's lighting ordinance and the SR 54 West Design Guidelines.
 - (b) A schematic landscaping plan for the overall site that is prepared in accordance with the city's landscape ordinance and the SR 54 West Design Guidelines. All canopy trees shall be no less than 6" in caliper.
 - (c) A schematic stormwater management plan for the overall site that is prepared in accordance with the city's stormwater ordinance.
 - (d) Schematic elevations of all buildings, including exterior materials and color selections, that is prepared in accordance with the SR 54 West Design Guidelines.
 - (e) A schematic site amenities plan that is prepared in accordance with the SR 54 West Design Guidelines. Said plan shall identify public seating areas, public spaces with fountains, hardscape features and integrated pedestrian walkways.
 - (f) A schematic pedestrian circulation plan that identifies pedestrian movement, locations of crosswalks and entry features to buildings and individual tenant spaces.
 - (g) A schematic multi-use path circulation plan, identifying locations of multi-use path connections, parking areas and potential charging stations. At a minimum, the plan shall include a 10' wide multi-use path spanning the entire frontage of the Property abutting SR 54 and a separate path

connection extending from the SR 54/Planterra Way intersection to the Peachtree City Tennis Center.

11. The Developer shall agree to the following:
 - (a) Should retaining walls be required at the rear of the site to accommodate a change in grade, said walls shall be constructed of earthen fill gabion baskets and planted to create a vegetated wall.
 - (b) No disturbance shall be permitted within the city-owned tract to the west (Line Creek Nature Area).
 - (c) Once clearing and grading is complete and the buildings are under construction, the city landscape architect shall review the eastern property boundary to determine if additional plant material is necessary in order to screen views of this development from Planterra Way.
 - (d) Sound baffles shall be installed on all roof-top mechanical equipment facing Cardiff Park.
 - (e) Delivery trucks shall be restricted from making deliveries between the hours of 8:00PM and 8:00AM.
 - (f) An outdoor sound system shall be provided throughout the development that provides music. Said outdoor sound system shall be equal to or similar to that currently provided at the Avenue.
12. The Developer shall work in good faith with the Planterra Homeowners Association, the Cardiff Park Homeowners Association and the city landscape architect to develop a landscape plan for the east and west sides of the Planterra Way entrance, which shall include an underground irrigation system. The Developer shall install the agreed upon landscaping and irrigation at no cost to the City or the individual Associations.

This condition is contingent on the City and the individual HOA's entering into an agreement for the perpetual maintenance of said landscaping and irrigation. It is understood the City shall not maintain these improvements.
13. There shall be no internal road connection between the Property and Planterra Way. By agreeing to this condition, the City recognizes this is a modification to the approved SR 54 West Master Plan. The City shall adopt a modification to this plan eliminating this requirement.
14. The Developer, at his own option and expense, may request approval from the Georgia Department of Transportation (GDOT) for the installation of a traffic signal at the entrance to the

development from SR 54. Said signal shall be installed on decorative poles and mast arms identified within the SR 54 West Design Guidelines. The cost of the signal warrant analysis, construction plans, equipment, lane improvements and installation shall be the sole responsibility of the Developer. The City shall not oppose the installation of such a traffic signal. The City and the Developer shall cooperate and work together with the GDOT for the abandonment of the right-of-way currently known as Line Creek Drive owned by the State of Georgia or GDOT. Developer shall reimburse the City for any and all costs associated with such abandonment.

15. As of this date, there is no plan which has been approved by the City for the Property. Accordingly, any such plan must be reviewed and approved in accordance with existing city ordinances. Nothing in this agreement shall preclude City Staff, the Planning Commission and/or City Council from imposing additional conditions on the development of the Property in accordance with the City's established plan review process.
16. Developer covenants that it will not at any time make any claim or demand, nor sue nor commence, nor prosecute, nor cause or allow to be prosecuted in its name any action at law or in equity against City regarding the restrictions contained in Section 1006 of the Peachtree City Zoning Ordinance including, without limitation, any challenges to the size restrictions on structures located within the GC Zoning District provided the City does not apply any restrictions which are more severe or limiting than those set forth in this Agreement and provided further that the City acts according to the requirements set forth in the ordinance, the law, and the Georgia and federal constitutions. Developer fully understands that this covenant not to sue may be pleaded as a complete defense to any action that may be brought against City with respect to such issues.
17. **COVENANTS RUNNING WITH THE LAND.** The terms and conditions of this Agreement shall be binding upon the Developer and its successors in title and shall run with the title to the Property identified herein.
18. **DATE OF EFFECTIVENESS OF THIS AGREEMENT.** This Agreement shall be effective between the parties, their successors and assigns, immediately upon execution of this Agreement by all parties hereto.
19. **PREVIOUS WRITTEN AND ORAL STATEMENTS.** All previously written or transcribed plans, documents, letters, notes, minutes,

and memorandums, together with all oral representations and agreements concerning all matters set forth in this Agreement have been incorporated herein, and the terms and conditions of this Agreement shall supersede any previous agreements between the parties.

20. **AMENDMENT AND MODIFICATION OF AGREEMENT.** This Agreement represents the entire understanding of the parties hereto, and any amendments, changes, additions, or deletions shall be made in writing upon the mutual agreement of the parties, executed by the City and the Developer, or the Developer's assigns and successors in title to the remaining undeveloped portion of the above described Property.
21. **BINDING EFFECT.** This Agreement shall be binding upon the undersigned, their heirs, administrators, executors, successors, and assigns.
22. **NOTICES.** Any notices, requests, or other communications required or permitted to be given hereunder shall be in writing and shall be delivered by hand or courier or mailed by United States registered or certified mail, return receipt requested, postage prepaid and addressed to each party at the address set forth below, or transmitted by facsimile to the facsimile number set forth below with hard copy sent within three (3) days thereof by one of the other approved methods of delivery. Any such notice, request, or other communication shall be considered given or delivered, as the case may be, on the date of hand or courier delivery or facsimile transmission or on the third (3rd) day following deposit in the United States mail as provided above. Rejection or other refusal to accept or inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice, request, or other communication. By giving at least five (5) days' prior written notice thereof, any party may from time to time and at any time change its mailing address or facsimile number hereunder.

If to the City: City of Peachtree City
 151 Willowbend Road
 Peachtree City, GA 30269
 Attn: City Manager

If to the Developer: Mr. Doug McMurrain
 Capital City Development Partners, LLC
 P.O. Box 4939
 Edwards, CO 81632

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and affixed their seals this 13th day of February, 2008.

CITY OF PEACHTREE CITY, GEORGIA

By: Harold Logsdon
Harold Logsdon, Mayor

ATTEST:

[Signature]
City Clerk
(SEAL)
Sworn to and subscribed before me
this 13th day of February, 2008.
Pamela P. Dufresne
Notary Public



CAPITAL CITY DEVELOPMENT PARTNERS, LLC (Developer)

[Signature]
Witness

By: [Signature]
Doug McMurrain, (SEAL)
Managing Member

Sworn to and subscribed before me
this 25th day of February, 2008.

[Signature]
Notary Public
Richard P. Lindberg
My Commission Expires March 2011

TOTAL SITE AREA = 16 ACRES

RETAIL A = 45,300 SF
 RETAIL B = 42,000 SF
 RETAIL C = 28,000 SF
 RETAIL D = 20,300 SF
 RETAIL E = 25,000 SF
 SHOPS A = 6,400 SF
 SHOPS B = 5,000 SF

TOTAL SF BUILDING = 175,000 SF

TOTAL PARKING SPACES PROVIDED = 700 SPACES
 (4 SPACES PER 1000 SF)

Site Plan

GOLF CART PARKING (TYP.)

WALK FROM
 RETAIL "A"
 TO RETAIL "B"

PLANTERA WAY

OUTDOOR PATIO SPACE

GRASS PAVED FIRE LANE

CURVED WALLS

TERRACED WALLS

CART PATH

ENHANCED BUFFER

BIO - RETENTION

CENTRAL COURT WITH
 FOCAL WATER FEATURE

RAISED SPEED TABLE
 WITH VEHICULAR PAVERS

OCTAGONAL COURTYARD

FUTURE SHOPS:
 NOT IN SCOPE

BIO - RETENTION

ENTRY DRIVE

MASONRY PIERS

MONUMENT SIGN

HIGHWAY 54

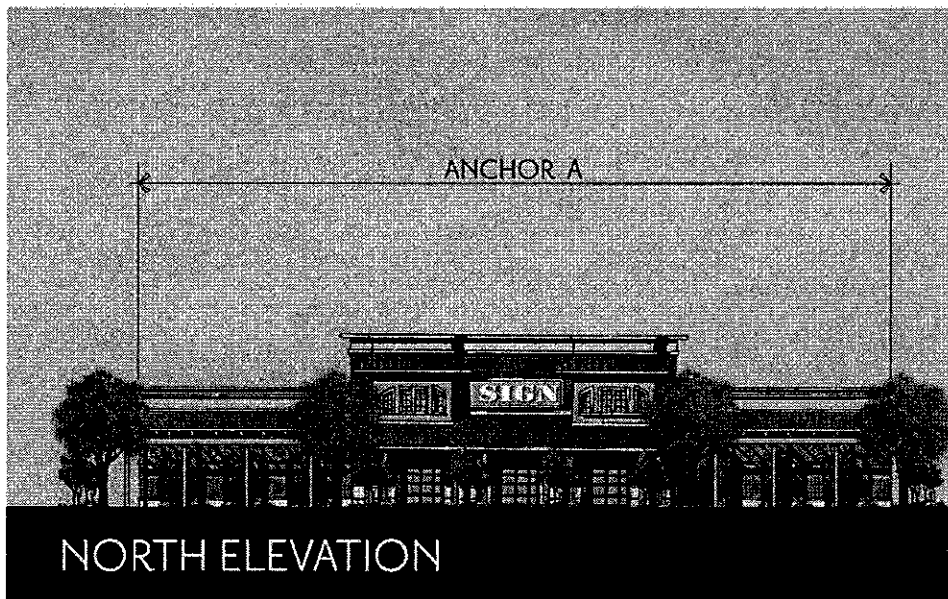
PEACHTREE CITY
 LINE CREEK RETAIL

Peachtree City, GA.

CAPITAL CITY
 DEVELOPMENT



April 16, 2008





**UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
May 12, 2008**

PH-08-07 Proposed Special Use Permit, Line Creek retail development (SR 54 West). Applicant is requesting a Special Use Permit to permit a 175,000 SF retail development within the GC General Commercial zoning district.

Mr. Rick Lindsey of Webb, Lindsey and Wade was in attendance to represent Capital City Development. Mr. Jim Lowe of LAI Engineering was in the audience. He gave a brief overview of the history of this project and listed the following aspects of the plan to illustrate how this development would fit in and be an asset to the community:

- It fit the requirements of the zoning of the property, the Land Use Plan, and the Comprehensive Plan.
- There would be a grand entrance off of Highway 54, two lanes in and two lanes out.
- At the city's request, Retail A would be located close to Highway 54. A terraced and covered patio was proposed with interesting architectural features to break up the façade along Highway 54.
- Varied walls, heights, dimensions, and plantings would be used to give an attractive appearance from Highway 54.
- A 50' dedicated landscape greenbelt would be given to the city and would be enhanced with landscaping and fence to buffer the development from Cardiff Park subdivision.
- A great change in grade was proposed so that the tops of the buildings would be below the berms and the enhanced landscaping.
- The goal was that these buildings would be virtually invisible to the subdivision.
- They would adhere to the minimum 75' setback.

Mr. Lindsey stated that they were looking at rearranging the parking to give a better pedestrian access from Retail A to the smaller shops. He said they were committed to making the development pedestrian friendly. There would also be lots of plantings so that people traveling from one store to another would be comfortable. Their intention was that people would come to this shopping center, park in one location and walk around.

Mr. Lindsey stated that, although he was told he would have the appraisal by now, he still did not know the value of the right-of-way that was sold to the developer by the city. He noted that if the value exceeded \$500,000, it might be necessary to move the buildings or reduce their size.

Mr. Lindsey explained how they would address some of the aspects of the special use permit application:

- Twenty-four percent of the total acreage would be left pervious.
- Parking – The minimum number of parking spaces would be installed (700 spaces for the 175,000 SF of retail).
- The safety of the location – There would be two lanes in and two lanes out but only one access point.
- They had committed to putting the golf cart path along the Highway 54 frontage and would also connect it to the Tennis Center.
- They had also committed to enhancing the buffer along Planterra Way and the landscaping at the entrance to Planterra Ridge subdivision.

Mr. Tim Lydell, a resident of Cardiff Park subdivision, stated that he had some questions about some information he had downloaded from the City's website. He wondered if this was the entire Special Use Permit application. Mr. Rast explained that there was a separate hydrology study as well as the traffic impact analysis which had not been scanned due to their size. He noted that they were available for review at City Hall.

Mr. Lydell felt that were some things that the Development Agreement that had been approved by City Council and the 24 points that were part of that agreement should be included in this plan. He was afraid that if they were not included at this point, they might not be part of the plan that was ultimately approved. He noted that there were an additional five or six points that were brought up at the City Council meeting that also were not included in the plan.

Mr. Lydell was a little disappointed that Mr. Lindsey had stated that there would be some changes to this plan and also that he had not yet received the appraisal. He worried about that. He thought the Planning Commission should see all of the items associated with this plan before it moved on to City Council. He was very concerned about the precedent this process would set and how it would be perceived by other builders.

Mr. Mullin agreed with all of Mr. Lydell's comments. He did not feel that Staff had had an appropriate amount of time to review the package that had been submitted. He asked whether all of this information would be available to the Planning Commission before the next meeting was scheduled. Mr. Rast said they would.

Ms. Caren Russell, a resident of Planterra Ridge subdivision, also had some concerns. She said the main one was the cart path connection from Planterra up to the new development but also getting to Wal-mart. Currently everyone used the street when they came out of Planterra because their cart path ended just before the Tennis Center. She wondered if the City could commit to putting down a path along Planterra Way on the Tennis Center side up to the corner that would also connect to the new bridge.

Ms. Russell also had a concern relative to the City's promise to the residents that the west side of the city would look like the rest of Peachtree City. One of the issues associated with that was the medians on Highway 54 which were to be addressed after the widening was completed. She said she had been talking to Mr. Rast's office for the past year and a half about the possibility of applying for grants for the seasonal planting. At first she was told that it was too early to apply for them, then she was told there was not enough staff to apply for the grants, and most recently she was told that the grants had been rescinded. She thought it might be possible to tie the landscaping into this development and the appraisal. She wished the City would allocate the money so that concurrent with this development, the medians on 54 West would be seasonally planted so that both the existing development and the new one would look finished "once and for all." She also suggested that the City apply now for grants for seasonal planting of the medians on Highway 74 instead of waiting until the widening was finished. Ms. Russell clarified that her concern was with all of the grass medians on Highway 54 from SR 74 to the Line Creek city limits.

Mr. Jeff Slade of Cardiff Park subdivision was in attendance and spoke in opposition to the proposed special use permit. Although he knew the first plan was history, he noted that there were three buildings in the back with known tenants, no parking up to the buffer, and a much nicer buffer. This plan showed four large buildings, parking right up to the buffer, and unknown tenants. He thought that if the Special Use Permit was granted, it was, in essence, for nothing because the quality of life and the value of the homes in Cardiff Park would be greatly diminished. On the other hand, he noted that, if the Special Use Permit was granted, the value of the developer's property would be greatly enhanced. He felt the purpose of the special use permit was not to benefit the developer and the city. He hoped the Planning Commission would restore a greater buffer, eliminate the parking up to the buffer, and reduce the size of the buildings so that the amount of parking could also be reduced.

Another resident stated that he had heard that wells were beginning to be used to irrigate. He thought it would be a wonderful idea if the soccer fields and the ball fields used well

water instead of sewage water. He wanted to ensure that if wells were used on this property, they would have to go through the Health Department. He also urged Staff and the developer to get with the Corps of Engineers so that any wetlands on the property could be preserved.

Mr. Orville Barber of Wynnmeade Subdivision said he had heard about this project for the past two years. What upset him the most was when the developer threatened to put a service station on this property. He wanted to know whether there were any other shopping centers in the city that were required to get a Special Use Permit to build a shopping center of this size.

Mr. Rast explained that this was the first development that fell under the Special Use Permit criteria. The Braelinn Village and Kedron Village Retail Centers, Home Depot and Wal-mart were all larger than this development. However, they fell under the GC zoning before the restrictions on the size of the buildings were adopted.

Mr. Barber was concerned about the precedent approving this Special Use Permit would set. He thought exceptions were a bad idea.

Ms. Beth Pullias, a resident in the Kedron Village area of Peachtree City, wanted to echo a lot of Mr. Lydell's sentiments. She did not think this plan had come any further since the last time it was discussed. She hoped it would come back before the Planning Commission again before it went to City Council.

Ms. Pullias had a few suggestions and comments:

- As nice as the concept of the terraced walls was, she would much prefer to keep the mature trees on the corner.
- She did not care whether Retail A was visible from Highway 54; she preferred not to see it. That was the way it was when they first moved to the city 10 years ago, and she felt the city was moving further and further away from that.
- Shops A and B looked like filler shops to her, and she did not think the city needed any more small shops. She thought the city would benefit more from a park or a nice gateway entrance into the Line Creek Nature Area.
- The cart paths were far too close to Highway 54. She felt people were risking their lives to use the cart paths on the opposite side of the street.
- The buffer behind Shops A, C, D, and E was not large enough for Cardiff Park. She thought it should be the same depth all the way down.

- Because the appraisal was not available, it was not possible to discuss the potential of eliminating Retail E.

Ms. Pullias said she was expecting more and did not think this plan was special enough to warrant a Special Use Permit.

Mr. Lindsey wanted to respond to some of the comments that had been made:

- The Development Agreement had already been filed with the county and was binding on the property. It had not been included in the Special Use Permit application because it seemed redundant to do so.
- He also wished the appraisal had been available for this meeting. He had done everything he could to ensure it was and would continue to do so.
- The Special Use application was originally filed in March and so had been before Staff for some time. It was a lot to prepare and to review.
- One of the comments at the last meeting was that they should ensure there was a secure way of getting from one side of the development to the other. He did not think addressing that required a major change to the plan.
- He felt this property was eligible for a Special Use Permit because without it, the property would be developed in a way that would not protect Cardiff Park.
- This property had been zoned GC for many, many years and the time had come for Highway 54 to develop.
- He applauded Ms. Russell's efforts to try to improve the west side of the city. He thought it already looked better than when he moved here 30 years ago. He agreed that enhancing the medians in this part of the city was a great idea.
- He stated that this was not an exception; this was another checkpoint for the developer to go through.

In response to a question from Mr. Staples about how an appraisal greater than \$500,000 might impact this development, Mr. Rast explained that the Development Agreement stipulated that there would be a minimum vegetative buffer of 50' adjacent to Cardiff Park and that it would be dedicated to the city.

Mr. Staples noted that he was not happy about the size of the buffer but he was very, very glad the Planning Commission was addressing the issue of pedestrian traffic flow. He also felt that the median improvements could do a lot for the people who were concerned about the appearance of Highway 54. He added that he did not feel a 6' fence would do anything for the people who were at or below grade. His preference would be to have

vegetation and berming. Fencing would be his last option, but he noted that a fence was better than the back of a building. Mr. Mullin pointed out that it was a combination of a berm and a fence.

Mr. Staples said he would really like to see more enhancement of the buffer. Mr. Lowe said they would look at it.

No one else spoke in favor of or in opposition to the proposed Special Use Permit.

The Chairman closed the public portion of the public hearing.

Mr. Mullin asked Mr. Rast to explain the Special Use Permit process. He noted that this was the first application and it would set a precedent for all of the Special Use Permits that would come before the Commission. Mr. Rast stated that this was his first Special Use Permit as well. He explained that he and the City Attorney had done a lot of research into how other jurisdictions handled large-scale development. A lot of them had lost court battles and consequently ended up with whatever they got. He and the City Attorney tried to come up with a process the Applicant would have to go through where they would address specific criteria, primarily the impacts a large development would have on a city – the surrounding neighborhoods, the infrastructure, public services, Fire and Rescue, etc. The burden would be on the Applicant to show why this development was good for the city.

Mr. Rast further explained that the application was quite different from the initial application that was submitted. He noted that it did not have enough information and was not as thorough as it needed to be. When the Applicant was told, they responded with additional information.

Mr. Rast stated that City Council laid out specific ground rules for this development within the Development Agreement, which had been signed by City Council and the property owner and had been recorded at the Courthouse. That document was binding. The Special Use Permit was a separate submittal and document. If it was ultimately approved by City Council, it would be a separate document. They would then go through the conceptual site plan process and the findings in the Development Agreement and the Special Use Permit would be adopted as conditions of approval of the conceptual site plan.

Mr. Scott asked whether there was an issue with deed restrictions. Mr. Rast stated that there were no deed restrictions on this tract of land.

Mr. Rast further stated that the criteria in the Special Use Permit originated in rezoning applications, requirements for developments of regional impact, and large planning studies. Staff felt it was justifiable to ask the questions to which the Applicant must respond. He said the Applicant had done that and had also provided the preliminary hydrology report which the City Engineer and Stormwater Manager had reviewed. Mr. Rast noted that from the beginning of this process, one of the major concerns related to how the stormwater for such a large development would be handled. LAI had looked at this aspect of the plan, and it was not going to be inexpensive to solve this problem. However, he noted that was not the City's issue; it must be solved and it must meet the requirements of the Stormwater Ordinance.

Mr. Rast further stated that another concern with a development of this size with only one way in and one way out was traffic and emergency access. To mitigate that, the developer proposed more than a single lane in and out as well as a traffic signal on Highway 54. The signal would have to be approved by DOT.

Mr. Rast said there were other questions the City had relative to internal circulation and truck access to the stores. He noted that these details would be worked out during the conceptual site plan review.

Mr. Rast stated that all of the documents had been distributed for review, and there were no glaring issues in the preliminary comments he had received. He noted that there were some issues that had been raised at this meeting that would need to be incorporated into the conditions of approval.

Mr. Mullin said he wanted to move cautiously and very slowly. He thought the process was working to the advantage of the city and the community. He did wonder, though, why the Development Agreement was not part of the Special Use Permit. Mr. Rast stated that the Development Agreement was a stand-alone document but, through the conditions of approval, it would be incorporated into the Special Use Permit.

In response to a question from Mr. Staples, Mr. Rast stated that the permitted uses were initially spelled out in the Development Agreement, i.e., total square footage, the number of buildings of a specific size, use restrictions, etc. Mr. Staples was also concerned about

future users of these facilities. He wanted to be sure that all aspects of concern were addressed.

Mr. Lindsey suggested that the Development Agreement be scanned and put on the website. Mr. Rast stated that Mr. Bernard said it already was on the website.

Mr. Scott thought this development would probably generate 4,000 to 5,000 trips per day. Mr. Lindsey did not recall, but he knew it was part of the traffic report which was part of the application. He thought changing the lanes would be a big plus. Mr. Lindsey said that would help pedestrians as well as the internal flow of traffic. Mr. Scott thought it would also encourage people to park and walk.

Mr. Mullin wanted to know what would happen if there was wording in the Development Agreement that did not exactly mirror what was in the Special Use Permit. Mr. Lindsey said the tougher language would control.

Mr. Mullin was confident that Mr. Lowe and his crew, the Commission members, and Staff could come up with a 50' wide buffer that screened Cardiff Park visually and from sound. The biggest concern was that the residents of Cardiff Park did not hear, see, or smell this development and the emphasis should be on designing the buffer because that would determine the ultimate success or failure of the development.

Mr. Lydell stated that what rubbed the Cardiff Park residents the wrong way was that the plan dated August 18, 2007, showed a buffer that went from a minimum of 70' to 140'. Mr. Mullin understood what Mr. Lydell was saying, but he thought it was possible to so enhance the buffer that the same goal would be reached regardless of its depth.

Mr. Staples explained that there was less margin of error in a 50' buffer than in a 70', and there had been many projects in the city that had not panned out the way they were supposed to. Consequently, he thought there was a huge execution risk with this smaller buffer.

Mr. Lydell stated that there were supposed to be approximately five points that were to be appended to the Development Agreement, but they were nowhere to be seen. The value of 28 homes in Cardiff Park was very much at stake, and he thought it was very important that the requirements be very specific.

Mr. Lowe emphasized that they had always said they wanted to do what was right with Cardiff Park, the City, Planterra Ridge, and the entire community. They were trying to work with the site plan process so everyone could get what they needed. He did not understand what level of site plan and landscape plan review would be required in the special use process because, if approved, they would have to go through it again.

In response, Mr. Mullin said he would have a hard time getting behind this plan until the buffer was designed. He had a lot of sympathy for the people who lived in Cardiff Park and felt they had to rely on the professionals to make sure their lifestyle was not altered. He did not think it would take a lot of effort to address the buffer in a preliminary manner. Mr. Lowe said they had surveyed all of the trees on the site, and they would do that.

Mr. Lowe asked that a special hearing be scheduled so that the approval process could continue.

Mr. Mullin tried to reassure Mr. Lydell by telling him that he was very sure that no one was trying to pull the wool over anyone and that no one was going to forget any of the issues that had been raised. He admitted that there was a bad track record of developers and developments that had good intentions going forward, but he had never seen one covered and addressed like this one. The 50' buffer was not going anywhere. He was fairly sure the 50' design would address the issues that Mr. Lydell had raised.

Mr. Staples asked that the additional points Mr. Lydell mentioned be e-mailed to the Commission. Mr. Mullin said that one of the issues was cross-circulation. He added that the way this development was nestled into the community was just as important as how this development was addressed along Highway 54 and how it affected Cardiff Park. He did not see any major concern that could not be addressed based upon the conditions in the Development Agreement and the wording in the Special Use Permit.

Mr. Mullin also felt that the Development Agreement should be included as part of the Special Use Permit process. The next developer who wanted a Special Use Permit should know that there were a lot of issues and concerns that would have to be addressed. They should see that it would be a very long and cumbersome process. He was confident that, ultimately, this would be a really nice development with architecture, landscaping, and buffers and that it would be nestled into the other developments in that area. He thought it would reflect and actually be better than what was on the north side of

Highway 54. He said there were a lot of people watching and it was necessary that everyone did their part.

Mr. Lowe said their focus at the Special Called meeting on May 19, 2008, would be to show how this development would benefit the city.

Mr. Staples pointed out that this was the net benefit to the city because any development project had negatives.

Mr. Scott stated that he was very concerned about the traffic flow in this development and noted that he wanted it to be better than what existed in the Target development. The difference between that development and The Avenue was significant, and the difference was in the design and inner flow of the traffic.

Mr. Staples said he would love to see what they could do in a 55' or 70' buffer. He was also concerned about the sound that would be generated from this development and specifically what would come from the dumpsters. He mentioned the compacting units that were proposed for the Walgreens development on Rockaway Road. He thought they definitely needed to be incorporated into this development.

After discussion, a motion was made by Mr. Scott and seconded by Mr. Staples to consider the Special Use Permit in a Special Called meeting on May 19, 2008, at 6:00 p.m. prior to the workshop with City Council at 7:00 p.m. The motion passed by a vote of 3 to 0 as Mr. Roach was not in attendance for the vote.

SPECIAL CALLED MEETING
PEACHTREE CITY PLANNING COMMISSION
MINUTES OF MEETING
May 19, 2008

A special called meeting of the Planning Commission was called to order in the City Hall Council Chambers at 7:00 p.m. on May 19, 2008. Those members present were the Chairman, Mr. Marty Mullin; the Vice Chairman, Mr. Theo Scott; and Commissioners Larry Roach and John McCann. Also present were the City Planner, Mr. David Rast; the Planning Assistant, Mr. Tony Bernard; Mayor Harold Logsdon and the Recording Secretary, Ms. Cinnamon Mack. Commissioner Patrick Staples was out of town.

PUBLIC HEARING ITEM

PH-08-07 Special Use Permit for the Line Creek retail development (SR 54 West).

Mr. Rick Lindsey was in attendance to represent Capital City Development and to discuss the parameters identified within the Special Use Permit his client had entered into with City Council pertaining to the Line Creek retail development located on SR 54 West. The applicant had requested a Special Use Permit to permit a 175,000 SF retail development within the GC General Commercial zoning district.

Mr. Lindsay presented a synopsis of 27 items contained within the Development Agreement:

- The agreement was binding not only for the current applicant but their successors.
- Any ambiguity between the agreement and ordinances are resolved in light of the most restrictive regulation.
- The Applicant must pay the city a minimum of \$500,000, for purchase of the right-of-way.
- The total size of the development shall not exceed 175,000 square feet.
- No more than three buildings with single tenants shall exceed 32,000 square feet.
- No free standing restaurant with a drive-thru would be permitted, which did not apply to a coffee shop.
- No business would be permitted whose primary service is the sale of gasoline.
- The minimum number of parking spaces required by the parking ordinance would be provided.
- No stormwater detention facilities would be located in the 30' buffer adjacent to Highway 54.
- Golf cart parking would be provided throughout the site.

- A vegetated buffer of no less than 50' would be provided between the site and the Cardiff Park subdivision, and this property would be deeded to the city as greenbelt.
- No buildings would be located closer than 75' from the current rear property boundary.
- A schematic site plan must be submitted.
- A schematic landscaping plan must be submitted.
- A schematic stormwater management plan must be submitted.
- A schematic elevations plan must be submitted.
- A schematic amenities plan must be submitted.
- A schematic pedestrian circulation plan must be submitted.
- A schematic golf cart path plan must be submitted.
- The retaining walls in the rear must be constructed of earthen filled baskets.
- No disturbance would be permitted in the Line Creek Nature Area.
- The developer must work with city Staff to determine if additional planting and trees were required on the eastern property line once the property was cleared.
- Sound baffles shall be installed on all roof top mechanical equipment
- Delivery trucks were prohibited from making deliveries between the hours of 8:00PM and 8:00AM.
- Outdoor sound system should be similar to that in the Avenues.
- The developer should work with the Cardiff Park and Planterra Ridge Homeowner Associations to design a landscape plan for the entrance to Planterra Way with the developer installing the agreed upon plan.
- No internal road connection from the site to Planterra Way which was a change from the City's Comprehensive Plan.
- The developer shall approach the Georgia Department of Transportation regarding a traffic signal at the single entrance of SR 54.

Mr. Lindsey stated that the Development Agreement was now on file at the County Courthouse and was legally binding for both parties. He also stated that he did agree with Staff's position paper and that Mr. Rast had reviewed the information in accordance with the requirements of the Special Use Permit.

Mr. Lindsey stated that he did agree with most of the recommendations in the position paper but needed clarification on 3(d), 4(o), 5, 14, 15 and 18. He was also aware that the residents of Cardiff Park were present to discuss the project.

Mr. Rast stated the following:

- 3(d) identified a number of uses in the Development Agreement. This use primarily dealt with a free standing alcohol sales business but did not prohibit a restaurant that sold alcohol.
- 4(o) referred to a check cashing business where that was the primary function not being prohibited but a free standing bank was allowed.
- 5 referred to no conditional uses being allowed on the property. GC General Commercial zoning listed a number of uses permitted as conditional uses, and he felt these were not appropriate for this tract of land.
- 15 pertained to clearing and grading. City ordinances stated that clearing and grading were not allowed until a final site plan was approved. In addition there was the concern that if GDOT did not approve the traffic signal there would be a substantial amount of square footage with one way in and one way out, and Staff would have to re-evaluate the project if there was no traffic signal.
- 18 pertained to changes in the schematic site plan. The Special Use Permit criteria included language pertaining to amending an application as well as identifying specific criteria that would need to be followed in order to do so. Staff would review any changes with the Planning Commission Representative to make a determination as to whether or not the proposed changes warranted a new review process.

Mr. Lindsey stated that he had a concern with waiting until they had obtained approval from GDOT before Staff would approve their final site plan. They felt that they should not have to wait because the time frame could vary from three to nine months. Mr. Mullin questioned if Staff meant that clearing could not be granted until the final site plan was approved. Mr. Rast stated that he did not believe the Planning Commission could make the recommendation since this was an ordinance requirement. He said the Applicant could present their request to City Council at the meeting scheduled on June 5, 2008.

Mr. Rast stated that several individuals involved with the project had submitted concerns which had been included in the Development Agreement.

Mr. Tim Lydell, a resident of Cardiff Park, came forward to ask if there was a 50' greenbelt in addition to a berm and 3:1 slope. This was confirmed. He also wanted confirmation that the berm would be installed prior to the issuance of a building permit. Mr. Rast replied that the intent was to get the berm established to mitigate the noise

during construction. Mr. Lydell also noted that pages of the Development Agreement were missing on the website. Mr. Rast stated that would be corrected.

Mr. Jim Lowe of Capital City Development came forward and stated that he would have problems with the 3:1 slope due to dimension restraints. He offered to increase the height. In addition the developer would add an 8' fence. Mr. Mullin recommends a staggered effect to increase the density of the trees for sight and sound.

Mr. Phyllis Aguayo, a resident of Peachtree City came forward to address her concerns with the position paper. She felt that the magnitude of the development was still an issue with the residents of Peachtree City. She also stated that the purpose of the overlay district was to enhance viability and livability. She did not see how that would be true for residents living behind the development. Ms. Aguayo also stated that the 50' buffer was not adequate enough for a development behind a residential subdivision.

Ms. Aguayo stated that she did not feel that another traffic signal was needed. She also felt that a big box over 32,000 square feet and a development over 175,000 square feet would bring a negative impact to the residents near by. She also went on to state that any development should be phased and that no grading or clearing should be allowed until they are ready to pour.

Mr. Jeff Slade, a resident of Cardiff Park came forward to state that he believed that we were getting three scaled down big boxes with nothing in between. He felt that a special use permit was just a "scam" to put a large building in a small area that was adjacent to a subdivision. Mr. Slade stated that the special use was not suitable for the area in his view.

Ms. Beth Pullias, a resident of Peachtree City stated that she did not believe that the development was "special enough" for a special use permit. She also felt that a development of this size should have more than one way in or out, while the other large developments have four to six entrance/exits. She also understood that Pathways was not willing to grant easement as well as the neighboring communities not wanting an entrance off of Planterra Way. Ms. Pullias would also like to know how the trucks would get to "Retail A" with the truck zone facing in. She also reiterated that a smaller scaled development was needed on this tract of land.

Mr. Mullin asked why Pathways would not grant access. Mr. Rast responded that Pathways had control of the deed restrictions and did not give specific reasoning for the denial.

Mr. Mullin stated that he understood the residents concern for not wanting to have a connection in their neighborhood but believed it was a mistake to not have it. Residents were concerned about the traffic that was expected with the Target development but that traffic never came.

Ms. Kathy Chaney, a resident of Peachtree City stated that she was very disappointed with the amount of traffic that was already on SR 54 and the new development would bring much more. Mr. Mullin again responded that staff had been working two years on this development. The development as presented was a compromise on what could have been. There was no way to please everyone in the community. He felt this was a nice balance to handle a medium sized box.

Mr. Mullin asked if a meeting with Pathway Communities could be scheduled to discuss the connectivity of this development and the Shoppes at the Village Piazza.

Mr. Paul Van't Hoff a resident of Planterra Ridge stated that he understood the disappointment that the residents chose not to have an entrance on Terrane Ridge. The speed bumps previously installed had not decreased the amount of traffic. If the residents had to park in the street they would. The residents were at their wits end with the traffic.

Ms. Karen Russell, a resident of Planterra Ridge came forward and stated that it would be wonderful if Pathway would agree to the connection. She felt that the main traffic problems were coming from Coweta and felt that a meeting should take place with Coweta officials.

After discussion, a motion was made by Mr. McCann, seconded by Mr. Scott, and unanimously adopted that the special use permit for the Line Creek retail development on SR 54 be forwarded to City Council with a recommendation that it be approved with the conditions identified in Staff's position paper dated May 16, 2008.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:25 p.m.

Marty Mullin, Chairman

Attest: _____
Cinnamon Mack, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *Benjamin J. McPherson*
Developmental Services Director *CW*

FROM: City Planner/ Zoning Administrator *David*

DATE: May 22, 2008

SUBJECT: Request by John Wieland Homes and Neighborhoods to lift the moratorium on multi-family housing for an 89-acre tract within Wilksmoor Village
June 5, 2008 City Council agenda

Recommendation:

Based on the appeal procedures outlined in Section 1404 of the Multi-Family Rezoning Moratorium (Attachment "A"), Staff is not authorized to make a recommendation to Council on the request to lift the multi-family moratorium.

Discussion:

John Wieland Homes and Neighborhoods submitted a letter to City Staff on May 19, 2008 (Attachment "B") requesting that City Council lift the moratorium on multi-family housing for an 89.146-acre tract of land within Wilksmoor Village. The subject tract is located within the city limits of Peachtree City and is zoned GI General Industrial and is designated as IND Industrial on the city's Land Use Map.

At the request of City Council, the Applicant has been working with a citizen task force to develop a master plan for the 89-acre tract and to identify how this tract would interact with the recently annexed and approved development within Wilksmoor Village. The master plan developed and endorsed by the task force identifies a total of 125 detached homes, 161 attached homes and 58 condominiums for a total of 344 residential units (Attachment "C"). The master plan also identifies a large centralized recreation area as well as neighborhood parks within each neighborhood. The northern portion of the property identifies a potential office component or location for Atlanta Christian College.

The Applicant's request is to lift the moratorium on multi-family development only. Should this occur, the property would have to be rezoned to accommodate the proposed residential component. Staff would analyze the overall development and provide a recommendation to both the Planning Commission and City Council.

Request to lift multi-family moratorium

May 22, 2008

Page 2

Staff and the Applicant will be available at Thursday's meeting to answer questions pertaining to this request. Mr. Dan Fields, representing John Wieland Homes and Neighborhoods, has requested that he be allowed to make a brief presentation on their proposed development.

Budget impact:

Should the application move forward, budget impacts would be analyzed as a part of the rezoning process.

Attachments

Sec. 1401. Purpose.

In order to protect the health, safety, and welfare of its citizens, the city has determined that a moratorium on the zoning or rezoning of property for development of multifamily housing needs to be adopted and enforced for all property in the City of Peachtree City not currently zoned for use as multifamily.

This moratorium is intended to promote: the orderly development of property in the city; maintain the high quality of police services now provided; maintain the high quality of emergency and fire services now provided; maintain the quality of education now provided; maintain the high quality of life now existing; help reduce traffic congestion; and ameliorate air quality standards.

(Ord. No. 727, 11-4-1999)

Sec. 1402. Findings.

The mayor and council have made the following findings of fact in consideration of this moratorium:

- (a) The development of additional multifamily housing would create a significant burden on the police department and emergency and fire departments for the city;
- (b) The development of additional multi-family housing would overburden area schools
- (c) The development of additional multi-family housing would exhaust available resources, thus reducing the quality of life now existing; and
- (d) The development of additional multi-family housing would increase traffic congestion, which also reduces air quality.

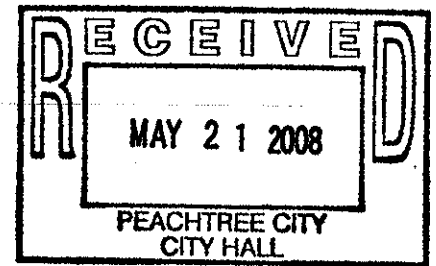
(Ord. No. 727, 11-4-1999)

Sec. 1403. Moratorium.

The Mayor and Council of the City of Peachtree City hereby directs its staff to accept no applications seeking to zone or rezone property to any designation that would allow the development of the property as multi-family.

- (a) Multi-family shall include apartments, townhouses, duplexes, condominiums and assisted living facilities.
- (b) This moratorium shall be in effect for a period of one year and shall automatically expire if not reviewed by the mayor and council and if deemed necessary, renewed.
- (c) This moratorium shall not apply to property already zoned for use as multifamily.

(Ord. No. 727, 11-4-1999)



May 19, 2008

Mayor and City Council
c/o Mr. David Rast
City Planner
Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Re: Multi-Family Moratorium

Dear Mr. Mayor and Council Members,

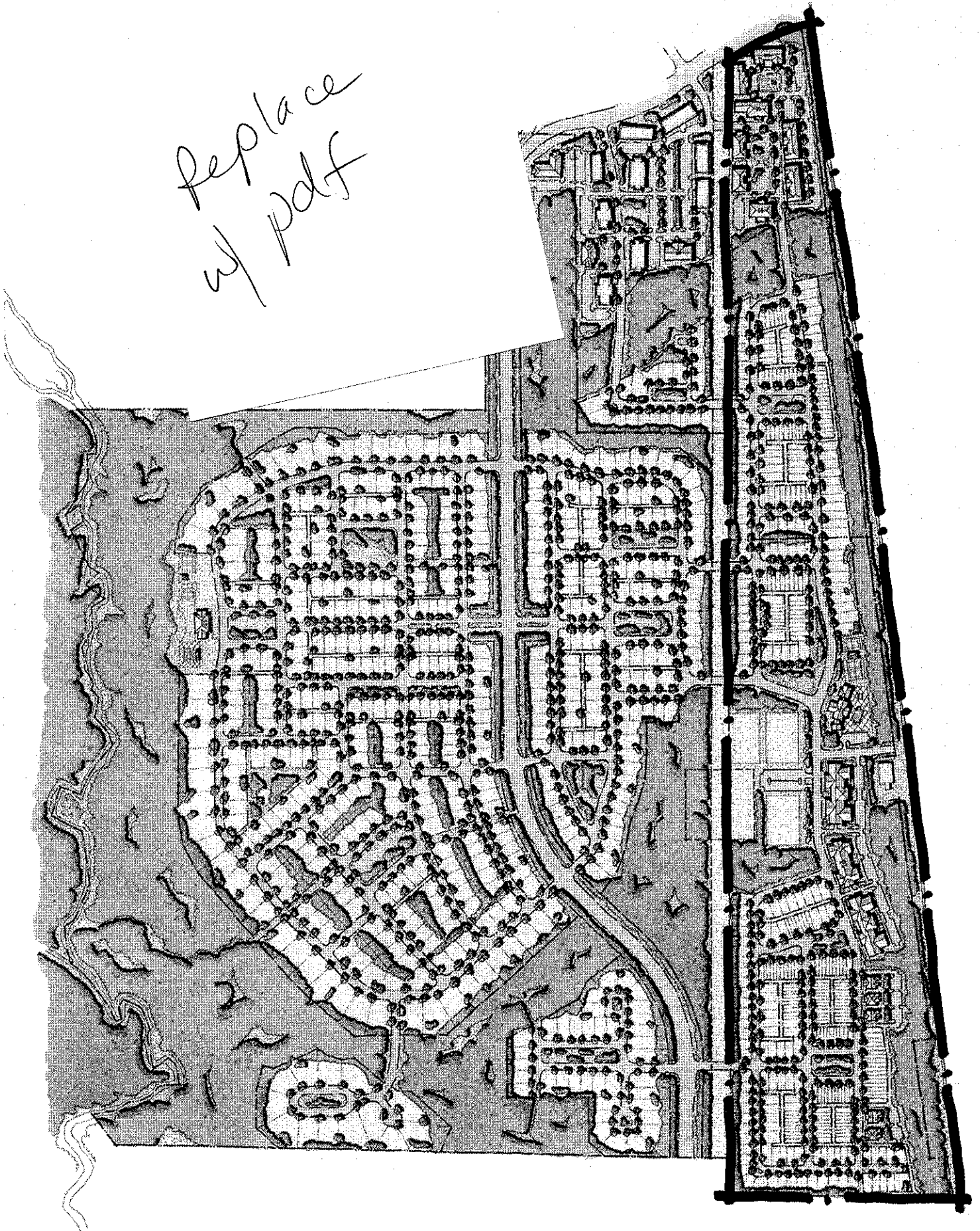
As you know, John Wieland Homes and Neighborhoods, Inc. currently owns approximately 89 acres located within the city limits of Peachtree City. Over the past year, we have met with the City's Task Force in order to determine appropriate plans for the development of the acreage.

At the final Task Force meeting on Thursday, May 8, 2008, Task Force approved recommendation to approve our land plan for the property. This plan included 125 detached homes, 161 attached homes and 58 condominium units. I am writing to formally request that Peachtree City lift its Multi Family Rezoning Moratorium (Article XIV) in order for our rezoning request to be heard by the Council.

Sincerely,

Dan Fields
Vice President

replace
w/ pdf



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *[Signature]*
Financial Services Director *P.S.*
Assistant Financial Services Director *SC*
Purchasing Agent *one*
Developmental Services Director *[Signature]*
City Engineer *[Signature]*

FROM: Stormwater Manager

DATE: May 21, 2008 *[Signature]*

SUBJECT: Purchase of Bobcat T320 with Forestry Kit
June 5, 2008 Council Meeting

Recommendation:

Staff recommends that City Council award the bid for the Bobcat T320 with forestry kit to Perimeter Bobcat of Lake City, Georgia, for their bid amount of \$71,864.90.

Discussion:

The City desires purchasing this equipment to continue to provide the stormwater crew with the equipment needed to properly complete projects in the City. This proposed Bobcat T320 has tracks rather than wheels, which provides much needed traction in the wet environments in which the Stormwater crew regularly encounters. In addition, this Bobcat will be equipped with a forestry attachment. This attachment will be a vital addition to the Stormwater Utility. It will allow the crew to clean detention ponds and drainage easements throughout the City in a fraction of the time and at a higher efficiency. Thus, reducing man hours significantly.

Prior to the bid solicitation, City staff conducted a demo of both pieces of equipment listed below in addition to other similar models. Upon review of the equipment, staff was approved to "Brand Name Purchase" of the Bobcat T320 by the City Manager for the following reasons:

1. The City currently has three (3) other Bobcat Skid-Loaders and twenty-five (25) attachments in the inventory. This is important in that it would make the T320 compatible with both current attachments and for familiarity with maintenance needs.
2. It operated during field test in the applicable environments without bogging down.

3. It was capable of clearing trees on a steep grades (both up an down the grade) without losing power.
4. The forestry attachment was equipped with a breaking system, which was not found on the other device(s). (This is a big concern for safety should the operator need an emergency shut down; it will stop the system right away, not letting the cutting blades spin until their momentum has stopped.)
5. Other equipment did not perform well during the demo. (Examples include losing a track after minimal operations.)
6. Safety concerns with other equipment. (Examples include the non-braking forestry attachment and having a single arm which could impose tipping of equipment.)

As a result of the "brand name" solicitation two bids were received as follows:

Perimeter Bobcat	\$ 71,864.90 (Bobcat T320)
Atlanta JCB	\$ 70,250.00 (JCB 110T)

Because Perimeter Bobcat is the only bidder that bid the specified Bobcat equipment and the results of the equipment evaluation listed above, staff recommends Council approve the purchase from Perimeter Bobcat.

Budget Impact:

There are adequate funds available in the budget line items for machinery and vehicles with the exception of \$6,389.90 which staff recommends be transferred from the operating supplies line item of the Stormwater Utility Fund 521-4250-53-1175.

If approved by City Council, funds totaling \$71,864.90 will be dispersed from the Stormwater fund 521-4250-54-2100.

Attachments

cc: City Engineer's File

SPECIFICATIONS
 BID # 08-149BSW
 BOBCAT T-320 (M0039) COMPACT RUBBER TRACK LOADER

SUBMITTED BY:	
NAME OF FIRM: <u>Perimeter Bobcat</u>	PHONE: <u>404-608-8533</u>
BIDDER'S NAME: <u>Steve Banks</u>	FAX: <u>866-365-3969</u>
	CELL: <u>770-652-9021</u>
ADDRESS: <u>1637 Forest Parkway</u> <u>Lake City, GA. 30260</u>	
EMAIL: <u>steve-banks@bobcat.com</u>	
AUTHORIZED SIGNATURE: <u>[Signature]</u>	
NAME AND TITLE (ABOVE): <u>Steve Banks / Territory Manager</u>	

This specification covers a new Bobcat Compact Rubber Track Loader with Forestry Attachment.

VENDOR INFORMATION: This new Bobcat Compact Rubber Track Loader with Forestry Attachment offered shall conform with the detailed requirements listed below, unless otherwise noted. Bidders are to indicate **exactly** what they are offering in each one of the following blanks in the "BIDDER'S RESPONSE" column. If this is not done, or it is incomplete, **YOUR BID WILL NOT BE CONSIDERED FOR AWARD. DO NOT USE "COMPLY", "OK", "YES", "SAME", an "X", a "V" CHECKMARK or a (") DITTO MARK.**

SUPPORTING DATA: Bidders must furnish catalog pages, specification sheets, or similar data to support statements made in **BIDDER'S RESPONSE** column. Failure to furnish required data, **MAY BE CONSIDERED AS CAUSE FOR REJECTION OF BID.**

BASIC REQUIREMENTS

BIDDER'S RESPONSE

DESCRIPTION	BOBCAR T320 COMPACT RUBBER TRACK LOADER	Bobcat T320 Compact Rubber Track Loader
ENGINE	(MINIMUM) 92 HP TURBO TIER 2 DIESEL AUTOMATICALLY ACTIVATED AIR INTAKE HEATER	92 Hp Turbo Tier 2 Diesel Automatically Activated Air Intake Heater
AUXILIARY HYDRAULICS	VARIABLE FLOW/MAXIMUM FLOW	Variable Flow/Maximum Flow
INTERLOCK CONTROLS	INTERLOCK CONTROL SYSTEM ENGINE/HYDRAULIC SYSTEM SHUT DOWN	Interlock Control System Engine/Hydraulic System Shut Down
INSTRUMENT	HOOR METER, ENGINE TEMPERTURE FUEL GAUGE, WARNING LIGHTS LIFT ARM SUPPORT	Hour meter, Engine Temperature Fuel Gauge, Warning Lights Lift Arm Support
LIGHTS	FRONT AND REAR MOUNTED	Front and Rear Mounted
OPERATOR CAB INCLUDES:	ADJUSTABLE VINYL SUSPENSION SEAT DOME LIGHT, ELECTRICAL POWER POINT INTERIOR CAB FOAM, TOP & REAR WINDOWS PARKING BRAKE, SEAT BAR, SEAT BELT	Adjustable Vinyl Suspension Seat Dome Light, Electrical Power Point Interior Cab Foam, Top & Rear Windows Parking Brake, Seat Bar, Seat Belt

ROPS

ROLL OVER PROTECTIVE STRUCTURE

Roll over protective Structure

Page 2
Bobcat Specifications

FOPS

FALLEN OBJECT PROTECTIVE STRUCTURE

Fallen object protective structure

TRACKS

EIGHTEEN INCH RUBBER

Eighteen inch Rubber Tracks

MUFFLER

SPARK ARRESTOR MUFFLER

SPARK ARRESTOR Muffler

ADDITIONAL
EQUIPMENT

CAB ENCLOSURE WITH HEAT AND A/C
HIGH FLOW HYDRAULICS, SOUND REDUCTION
HYDRAULIC BUCKET POSITIONING
DELUXE INSTRUMENT PANEL
HORN, BACKUP ALARM, ENGINE BLOCK HEATER
ATTACHMENT CONTROL KIT
CAB ACCESSORY HARNESS

CAB ENCLOSURE WITH Heat & A/C
High Flow Hydraulics, sound reduction
Hydraulic Bucket positioning
Deluxe Instrument panel
Horn, Backup Alarm, Eng Block Heater
Attachment Control Kit
Cab Accessory HARNESS

FACTORY
INSTALLED

ELECTABLE JOYSTICK CONTROLS

Selectable Joystick Controls

DEALER
INSTALLED

FORESTRY APPLICATION KIT (7131810)

Forestry Applications Kit

ATTACHMENTS

80" C/I HEAVY DUTY BUCKET
(WITH TEETH)

80" C/I Heavy Duty Tooth Bucket

FORESTRY CUTTER - 73.4 OVERALL WIDTH
(SAFETY BRAKE)
FRONT GATE KIT (7136624)

Forestry Cutter - 73.4 overall width
safety Brake, Front gate

WARRANTY

12 MONTHS, UNLIMITED HOURS

12 months, unlimited hours

ADDITIONALLY

COMPACT TRACK LOADER NEEDS TO BE
ABLE TO ATTACH TO ANY BOBCAT ATTACHMENTS

Compact track loader will
attach to any Bobcat attachments

BIDDERS MUST BE ABLE TO PROVIDE ON SITE
DEMONSTRATION UPON REQUEST.

Will provide on site demo

THE CITY SHALL OBTAIN CLEAR TITLE TO ALL
VEHICLES; ALL VEHICLES SHALL BE CLEAR OF ANY
LIENS OR SCURITY INTERESTS. SELLERS SHALL
SIGN AN AFFIDAVIT OF TITLE AT TIME OF TRANSACTION.
SEE ATTACHED.

Will sign Affidavit at time
of transaction

BID AMOUNT DELIVERED:
(F.O.B. Peachtree City, GA)

\$ 71,864.90

NAME OF FIRM SUBMITTING BID # 08-149BSW

Perimeter Bobcat

SPECIFICATIONS
 BID # 08-149BSW
 BOBCAT T-320 (M0039) COMPACT RUBBER TRACK LOADER

SUBMITTED BY: <u>Atlanta JCB</u> NAME OF FIRM: <u>Atlanta JCB</u> BIDDER'S NAME: <u>Steve Judkins</u> ADDRESS: <u>2679 Barrett Lakes Blvd.</u> <u>Kennesaw, GA 30144</u> EMAIL: <u>sjudkins@atlantajcb.com</u> AUTHORIZED SIGNATURE: <u>[Signature]</u> NAME AND TITLE (ABOVE): <u>Steve Judkins Sales Manager</u>	PHONE: <u>(678) 594-5400</u> FAX: <u>(678) 594-7868</u> CELL: <u>(770) 652-8782</u>
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This specification covers a new Bobcat Compact Rubber Track Loader with Forestry Attachment.

VENDOR INFORMATION: This new Bobcat Compact Rubber Track Loader with Forestry Attachment offered shall conform with the detailed requirements listed below, unless otherwise noted. Bidders are to indicate **exactly** what they are offering in each one of the following blanks in the "BIDDER'S RESPONSE" column. If this is not done, or it is incomplete, **YOUR BID WILL NOT BE CONSIDERED FOR AWARD. DO NOT USE "COMPLY", "OK", "YES", "SAME", an "X", a "V" CHECKMARK or a (") DITTO MARK.**

SUPPORTING DATA: Bidders must furnish catalog pages, specification sheets, or similar data to support statements made in **BIDDER'S RESPONSE** column. Failure to furnish required data, **MAY BE CONSIDERED AS CAUSE FOR REJECTION OF BID.**

BASIC REQUIREMENTS

BIDDER'S RESPONSE

DESCRIPTION	BOBCAR T320 COMPACT RUBBER TRACK LOADER	<u>JCB 1110T Compact Track Loader</u>
ENGINE	(MINIMUM) 92 HP TURBO TIER 2 DIESEL AUTOMATICALLY ACTIVATED AIR INTAKE HEATER	<u>92HP JCB Diesel Tier 2</u>
AUXILIARY HYDRAULICS	VARIABLE FLOW/MAXIMUM FLOW	<u>high flow 35.7 gpm</u>
INTERLOCK CONTROLS	INTERLOCK CONTROL SYSTEM ENGINE/HYDRAULIC SYSTEM SHUT DOWN	<u>interlock control system</u> <u>hour meter, engine temp, fuel gauge</u> <u>warning lights, lift support</u>
INSTRUMENT	HOUR METER, ENGINE TEMPERTURE FUEL GAUGE, WARNING LIGHTS LIFT ARM SUPPORT	<u>front & rear mounted</u>
LIGHTS	FRONT AND REAR MOUNTED	<u>all items listed to the left</u> <u>are included</u>
OPERATOR CAB INCLUDES:	ADJUSTABLE VINYL SUSPENSION SEAT DOME LIGHT, ELECTRICAL POWER POINT INTERIOR CAB FOAM, TOP & REAR WINDOWS PARKING BRAKE, SEAT BAR, SEAT BELT	

ROPS ROLL OVER PROTECTIVE STRUCTURE

FOPS FALLEN OBJECT PROTECTIVE STRUCTURE

TRACKS EIGHTEEN INCH RUBBER

MUFFLER SPARK ARRESTOR MUFFLER

ADDITIONAL EQUIPMENT CAB ENCLOSURE WITH HEAT AND A/C
HIGH FLOW HYDRAULICS, SOUND REDUCTION
HYDRAULIC BUCKET POSITIONING
DELUXE INSTRUMENT PANEL
HORN, BACKUP ALARM, ENGINE BLOCK HEATER
ATTACHMENT CONTROL KIT
CAB ACCESSORY HARNESS

FACTORY INSTALLED ELECTABLE JOYSTICK CONTROLS

DEALER INSTALLED FORESTRY APPLICATION KIT (7131810)

ATTACHMENTS 80" C/I HEAVY DUTY BUCKET
(WITH TEETH)

FORESTRY CUTTER - 73.4 OVERALL WIDTH
(SAFETY BRAKE)
FRONT GATE KIT (7136624)

WARRANTY 12 MONTHS, UNLIMITED HOURS

ADDITIONALLY COMPACT TRACK LOADER NEEDS TO BE
ABLE TO ATTACH TO ANY BOBCAT ATTACHMENTS

BIDDERS MUST BE ABLE TO PROVIDE ON SITE
DEMONSTRATION UPON REQUEST.

THE CITY SHALL OBTAIN CLEAR TITLE TO ALL
VEHICLES; ALL VEHICLES SHALL BE CLEAR OF ANY
LIENS OR SCURITY INTERESTS. SELLERS SHALL
SIGN AN AFFIDAVIT OF TITLE AT TIME OF TRANSACTION.
SEE ATTACHED.

Roll over protective Structure

Page 2
Bobcat Specifications

fallen object protective structure
18" tracks (rubber)
spark arrestor muffler

all items to the left are included

JCB servo (all hand) controls

front & rear guards
84" extreme duty tooth bucket

Bradco model 165-6 Magnum
Mulcher

24 months / 2,000 hrs. (see brochure)
fully compatible with Bobcat
attachments

demo performed already

clear of all liens

BID AMOUNT DELIVERED:
(F.O.B. Peachtree City, GA)

NAME OF FIRM SUBMITTING BID # 08-149BSW

\$ 70,250.00

Atlanta JCB

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: City Council

VIA: City Manager
Assistant City Manager
Finance Director
Public Works Superintendent

FROM: Director of Leisure Services

DATE: May 29, 2008

SUBJECT: Consider FY09 Funding Request – Huddleston Elementary School
For June 5 City Council Meeting

Recommendation: That Council approves request for funding (in-kind, labor and equipment) of \$5,000 from Huddleston Elementary School for construction of an asphalt surfaced track and approve Public Works to complete the work during this summer, time permitting. Further request that Council authorizes the mayor to sign an agreement with the Fayette County Board of Education for this assistance in accordance with CAR 8-3.

Discussion: Huddleston Elementary School has requested city assistance to build a running track around their playground area. The track would be a little under a quarter mile long and 12 feet wide. It would be used during school days by students and would be available for community use when school is not in session. Public Works has reviewed the project and has determined that they can provide labor and equipment to construct the track for the \$5,000 in in-kind services as requested. If approved, Council would be approving Public Works to perform this work using city equipment. This request falls within the guidelines of CAR 8-3. Huddleston Elementary last received city funding for playground equipment in June 1999. The PTO would like to complete this project prior to the next school year. Public Works has indicated they should be able to complete, pending any unforeseen major projects.

Budgetary Impact: No budget impact anticipated.



**Funding Request
For Non-Profit Organizations**

Organization Information:

Organization Name: Huddleston Elementary School-Track committee
Address: 200 McIntosh Trail
Phone #: (770) 631-3255 Fax #: _____
Contact Person: Katie Ward, Mike Davis, Mellissa Valladao
Title: Co-Chair (PTO President) co-chair (Hes Coach) cochair
(770) 631-8117 (770) 486-9122

Financial Information:

Total Annual Budget: The PTO has raised \$7000 for the track
Total Clients Served Annually: 621 students plus 1000's of public clients
Peachtree City Residents Served Annually: The school's playground will be used by thousands of residents in our area.

Funding Request Information:

Funding Amount Requested: \$5,000
Funding Use(s): Build a running track around the HES playground
Additional Information on Organization/Services: We are asking for funding on a running track for the students and families in the area

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: _____ Council Approval Date: _____ Amount Approved: _____

May 6, 2008

Ms. Sherry McHugh
Peachtree City Recreation Department
191 McIntosh Trail
Peachtree City, Georgia 30269

Dear Sherry,

I write on behalf of Huddleston Elementary School to request assistance from the Recreation Commission, the Mayor and the City Council in addressing a significant recreation need in Peachtree City.

Huddleston Elementary currently has 621 children enrolled in the school. As you know, Huddleston Elementary School, like all Fayette County schools, aims at providing a safe and nurturing environment for its children so that each student may achieve according to their potential. However, Huddleston Elementary, unlike many other Peachtree City elementary schools, has been without a running track since its inception. As a result, the children have been required to engage in various running activities and physical education courses in the driveway designated for the school bus entrance loop. These conditions while not ideal have also created a well-founded concern in the faculty, parents and the community, for our children's health, safety and growth. Under the current conditions the pavement is not ideal for running activities due to the likelihood of falls; the bus loop exposes the children unnecessarily to traffic; and the physical education staff is limited in both coursework and after-school activities.

Thus, although the principal, staff and parents at Huddleston Elementary have had great success in independently providing a well-suited environment to its children year after year, the school leadership, and the community-at-large, have identified a physical recreation need that cannot be remedied without some financial assistance from the City Recreation Commission, Mayor and City Council. Although, the proposed cost for a new running track about \$13,000, Huddleston Elementary is asking for a grant of \$5,000 towards the fund established for its construction. If granted, it is anticipated that the new track could be complete for the upcoming school year and would be placed in the field behind the school.

Please be aware that we do not approach the Commission without due consideration. In fact, the outpouring of support for this running track was displayed

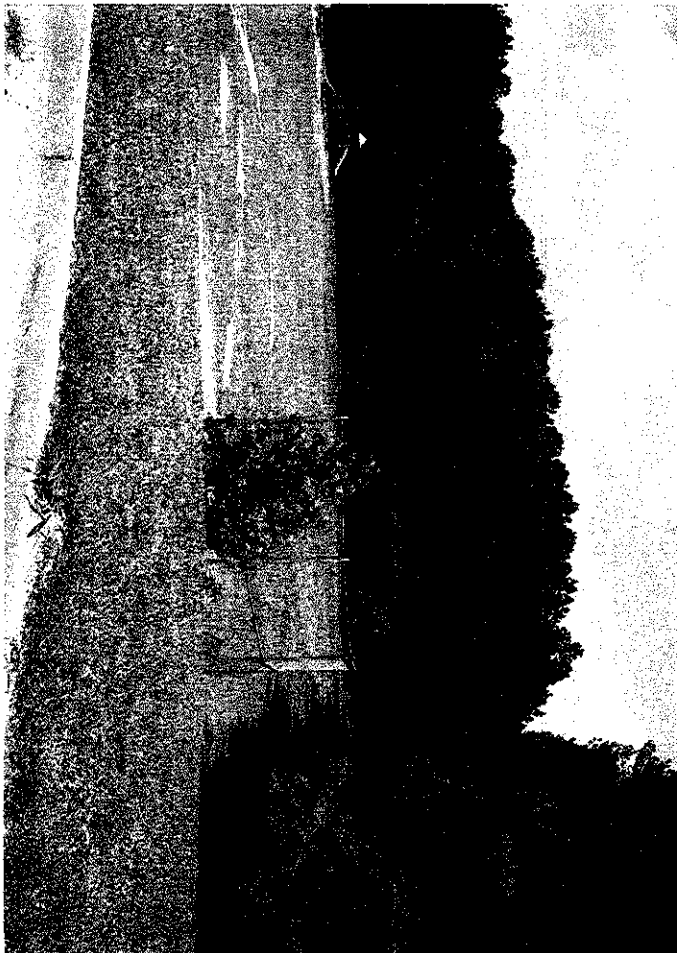
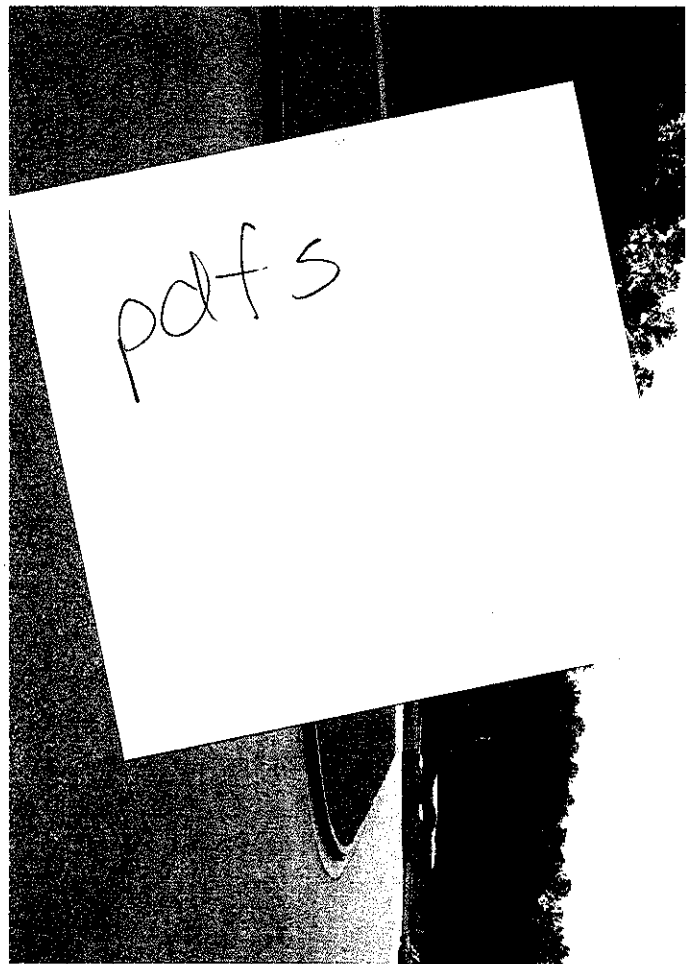
only a few weeks ago when approximately 400 runners participated in the "Huddleston Hustle" running event, which raised approximately \$7,000 towards the running track.

Moreover, we hope the Commission considers the fact that outside of school hours, the track would continue to promote physical fitness in the community since local residents could also take advantage the track.

In conclusion, we ask the Commission for a \$5000 grant towards the construction of a running track at Huddleston Elementary School. Thank you for your time and consideration. If any further documentation is needed, or if you would like a more detailed presentation with respect to this request, please let us know.

Sincerely,

Melissa Valladares
HES Playground Committee Co-chair



CITY OF PEACHTREE CITY, GEORGIA
PEACHTREE CITY PUBLIC WORKS DEPARTMENT
HUDDLESTON ELEMENTARY SCHOOL - WALK TRACK
ESTIMATE to Construct a 1150' x 12' Walking Track

Crew	Date	Materials	Total
Streets	03/24/08	10,181.25	10,181.25
		2,123.90	2,123.90
		80.50	80.50
		34.30	34.30
		33.75	33.75
Subtotal		\$12,453.70	\$12,453.70

(PRICES ARE SUBJECT TO CHANGE DUE TO FUEL COSTS)

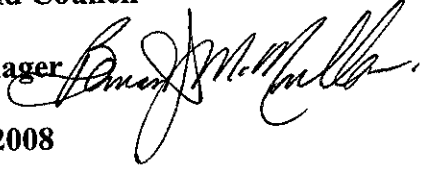


HUDDLESTON

PROPOSED TRACK SITE

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: May 30, 2008
SUBJECT: Consider/Discuss Multi-Use Sports Complex Proposal
June 5, 2008 Council Agenda

Dar Thompson has submitted a request to present a proposed development at the Baseball Soccer Complex (BSC). The development would include an ice ring, basketball courts, fitness center, multi-purpose enclosed field, and meeting rooms.

Staff met with Dar on May 29, 2008 to review his proposal. Attached is a schematic site plan of the proposed development. Dar indicated that he would have additional drawings completed and present them at the Council meeting. Dar also presented preliminary income and expense figures for this development.

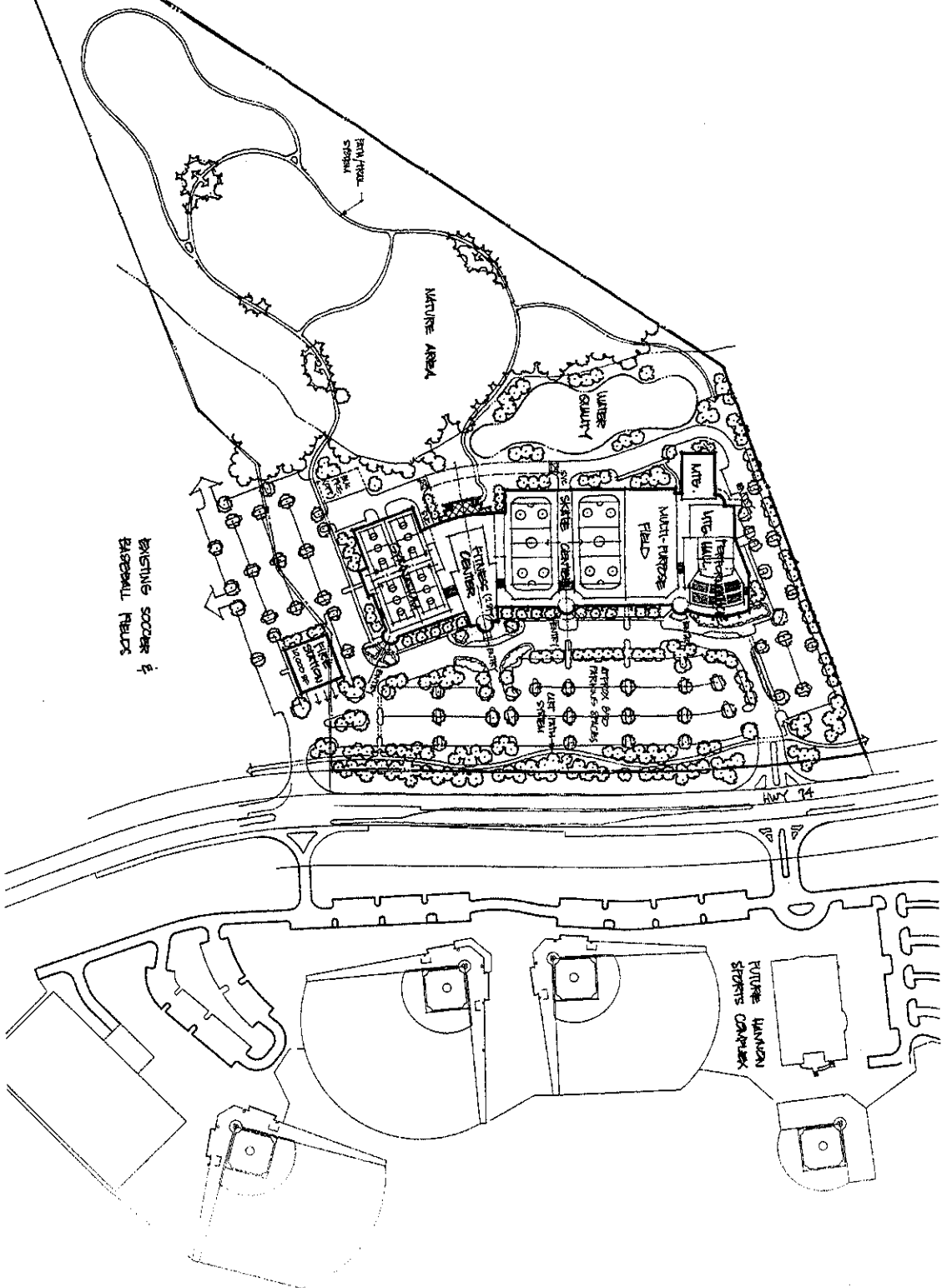
Staff is in the process of reviewing these numbers and will forward additional information next week.

Attachment –

Foley Design Associates Architects, Inc. – Conceptual Site Improvement Plan 5/30/08

PEACHTREE CITY COMMUNITY CENTER & SPORTSPLEX

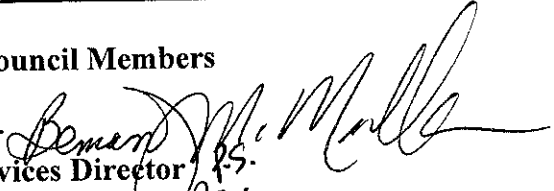
PEACHTREE CITY, GEORGIA

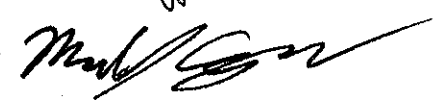


CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Financial Services Director
Assistant Finance Director
Purchasing Agent
Developmental Services Director

FROM: Stormwater Manager 

DATE: June 4, 2008

SUBJECT: City of Peachtree City Police Station Renovation Project
June 5, 2008 City Council Agenda

Recommendation:

Staff recommends that City Council approve the change order from Leslie Contracting, Inc (Leslie) for the completion of drainage renovations of the City's Police Department for the lump sum amount \$69,796.

Discussion:

As part of the Police Station renovations it was apparent that changes to the existing grade and drainage system are needed. This is in an effort to keep water from the adjacent grade, as well as from the roof drains, from stagnating near the foundation of the building.

Because Leslie is currently completing renovations to the exterior of the building, and because the incomplete grading work impacts their ability to complete the exterior of the building, staff requested a proposal from them to complete the grading work.

Leslie provided a proposal showing good practice and included numbers from four separate grading companies. These numbers have been attached for council review.

Based on this proposal staff recommends that Council approve the change order with Leslie for the lump sum amount of \$69,796.

Budget Impact:

Staff proposes to use Bricks and Mortar funding to cover these changes in scope.

Attachments

cc: City Engineer's File
Police Chief

SITEWORK

DESCRIPTION	UNIT	QUANTITY	LABOR	MATERIAL	SUB	LABOR	MATERIAL	SUB	TOTAL
erosion control/grading/demo/storm	SUB	1			37000.00	0	0	37,000	37,000
soil testing	SUB	1			3000.00	0	0	3,000	3,000
staking/engineering	SUB	1			2500.00	0	0	2,500	2,500
paving/curbs:						0	0	0	0
curb & gutter 24"	LF	70			15.00	0	0	1,050	1,050
gab under paving	TN	132	5.00	15.50	13.50	660	2,046	1,782	4,488
concrete paving	SF	1826			6.00	0	0	10,956	10,956
concrete flumes	SF	100			6.00	0	0	600	600
sidewalks - site	SF	300			4.00	0	0	1,200	1,200
fencing	SUB	1			2100.00	0	0	2,100	2,100
bollards	EA	4	125.00	250.00		500	1,000	0	1,500
						0	0	0	0
subtotal						1,160	3,046	60,188	64,394
labor burdens/taxes						290	183		473
subtotal						1,450	3,229	60,188	64,867
permit									
builders risk									60
design									0
subtotal									64,926
fee									4,869
subtotal									\$69,796
payment/performance bond									0
TOTAL									\$69,796

exclude

7.50%

Excludes:

- sod or seeding
- irrigation modifications/repairs
- rock excavation
- dewatering
- prime coat and asphalt paving
- pavement marking
- trailer parking area and related demo, grading, paving, curb, fencing and gate relocation
- permits
- bonds

ADD \$5400 if excess soil must be hauled off site

Erosion/Demo/Grading/Storm Tabulation	KW Contracting	Murphy Clearing & Grading	Arnold Grading & Pipe	Floyd S. Lee Grading	Brent Scarbrough & Company	Creek Contracting, LLC
Erosion Control	(in grading)	\$7,300	(in grading)	\$4,830	\$3,430	\$4,886
Demolition	(in grading)	\$6,800	(in grading)	\$16,900	\$7,300	\$6,980
Grading	\$38,000	\$7,700	\$19,643	\$13,500	\$8,500	\$8,000
Storm Drainage	(in grading)	\$17,160	\$19,302	\$15,288	\$19,107	\$18,691
TOTAL	\$38,000	\$38,960	\$38,945	\$50,518	\$38,337	\$38,557

Alternate to haul-off excess earth

ADD \$900

ADD \$3,500

ADD \$3,000

N/A

ADD \$5,000

N/A

**PTC SPORTS COMPLEX
ESTIMATED COSTS**

BUILDING AND OPERATING COSTS

Building	Sq. Ft.	Estimated Const. Cost	Estimated Utility Costs	Estimated Annual Maint.	Estimated Liability Ins.	Reserves Roof & Structure	Total Annual Operating
Ice Rink	70,000	6,242,355	161,000	350,000	9,289	70,000	590,289
Basketball	35,200	2,973,802	98,560	176,000	4,671	35,200	314,431
Multi-Purpose Fields	25,700	1,954,092	71,960	128,500	3,410	25,700	229,570
Fitness Center	30,000	2,450,007	84,000	150,000	3,981	30,000	267,981
Meeting Halls	18,000	1,689,660	41,400	90,000	2,389	18,000	151,789
Total Buildings	178,900	\$ 15,309,916	\$ 456,920	\$ 894,500	\$ 23,740	\$ 178,900	\$ 1,554,060
Stormwater Utility Billing				\$ 270		12	\$3,240.00
Total Annual Operating Costs							\$ 1,557,300

ESTIMATED DEVELOPMENT BUDGET

Description	Amount
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Building Costs

Buildings	\$ 15,309,916
Architect Fees (5%)	765,496
Contingency (5%)	765,496
Construction Management (3%)	459,297

Subtotal Building	\$ 17,300,205
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Site Work

Construction Cost	1,664,158
Engineering (10%)	166,416
Contingency (10%)	166,416
Lighting Consultant	35,000
Surveying	35,500
Construction Staking	40,000
Construction Management (4%)	66,566
Phase I Environmental	6,000
Sub-surface Investigation	24,000
Boundary Survey & Topo	35,500
Tree Survey	12,000

Subtotal Site Work	\$ 2,251,555
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Total Buildings & Site Work	\$ 19,551,760
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Annual Debt Service on \$19,800,000 Bond - 20 Years at 5.00 %	\$ 1,588,803
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Total Annual Expenses	\$ 3,146,103
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Expected Annual Revenues From Ice Rink & Fitness Center	\$ 588,000
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Tenant Payments of Utilities and R/M Costs	\$ 695,000
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Total City's Costs - Does Not Include Employee Costs	\$ 1,863,103
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Based on Estimated 2008 Digest, 1 mill Equals	\$ 1,866,764
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Notes:

- Estimated construction costs based on 2008 Means Building Construction Cost Data. Mean cost data does not include site work.
- Estimated utility costs based on selected City facilities.
- Estimated annual maintenance costs based on \$1.50/SF electrical/HVAC/plumbing, \$0.50/SF water/sewer/natural gas, \$1.50/SF interior maintenance, \$0.50/SF landscape maintenance, and \$1.00/SF custodial.
- Estimated liability insurance costs based on selected City facilities.
- Estimated reserves, roof and structure based on \$1.00 SF/Year for 15 years.