



**CITY COUNCIL OF PEACHTREE CITY
REGULAR MEETING AGENDA**

**Peachtree City
Mayor & City Council**
Vanessa Fleisch, Mayor
Phil Prebor – Post 1
Mike King – Post 2
Kevin Madden – Post 3
Terry Ernst – Post 4

(REVISED AGENDA)

May 2, 2019

6:30 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - April 2, 2019, Retreat Workshop Minutes
 - April 18, 2019, Regular Meeting Minutes
- VII. Consent Agenda
 - 1. Consider FY 2019 Budget Adjustment – Acceptance of Georgia Trauma Care Network Commission Grant
 - 2. Consider FY 2019 Budget Adjustment – Police Department Software
 - 3. Consider Sale of Surplus Vehicles – Electronic Auctions
 - 4. Consider Contract for HA5 Pavement Mineral Bond Coating and Crack Sealing at Peachtree City Athletic Complex (PAC)
- VIII. Old Agenda Items
- IX. New Agenda Items
 - 05-19-01 Public Hearing – Consider Rezoning, GI General Industrial to LUC Limited Use Commercial, Widget Drive/Exchange Place (Robin Cailloux)
 - 05-19-02 Consider Bids for Pipe Lining – Group A (Mike Madison) **(REVISED MEMO)**
 - 05-19-03 Consider Bids for Pipe Lining – Group B (Mike Madison) **(REVISED MEMO)**
- X. Council/Staff Topics
- XI. Executive Session
- XII. Adjourn

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

**City Council of Peachtree City
Retreat Workshop Minutes
April 2, 2019**

The Mayor and Council of Peachtree City met in Retreat workshop session on April 2, 2019. Mayor Vanessa Fleisch opened the workshop at 6:30 p.m. Council members attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor. Workshop topics were facility management and departmental service capacities.

City Manager Jon Rorie reminded the group that this was the second of three planned Retreat workshops. The first, held on March 5, dealt with economic development and redevelopment, Community Improvement Districts (CIDs), traffic, and roads. The Retreat sessions were designed to break down "big picture" issues into smaller topics for discussion. This would ultimately lead to the decisions that must be made during the budget process. The topics for this workshop included examining what facilities management involved and the service capacities of three departments – Recreation, to include Buildings and Grounds, along with the Police and the Fire Departments. Those, plus Public Works, consumed most of the budget dollars.

Rorie again stated the City's mission was to supply high-quality services to the City's 35,000 residents, who each had their own opinions about what was needed. In March, they talked about safeguarding the community going forward. He said they should be trying to set the stage for the future. He repeated one of his favorite sayings – "A little well done was better than a lot just done," adding that they could not be all things to all people at all times. They must focus their attention on accomplishing the greatest good for the greatest amount of people. Safeguarding the community involved constantly balancing the means, or revenues, with the ends, or expenses. They needed to figure out how to provide these services in the most cost-effective manner, keeping in mind that sometimes those needs could not be met. Rorie went on to note that he was often asked to provide a service that was politically acceptable, but not administratively sustainable. The only way to give services was for the City to take. Every time there was an incremental decision, it provoked a down chain event.

They should be examining the opportunities and the risks that might impact the City in the future. Planning for those situations would allow for choices. Rorie said they should look at the past and try to create the future by evaluating the opportunities and risks that they knew would be coming.

Rorie presented a "wordle" that he used at the March Retreat. It used the One PTC study to show things residents liked, such as the cart paths, safety, and community. It showed that sports programs were a little less popular than the path system, which ranked high. The aquatics center was cited less often. Fireworks were listed as popular. Rorie noted that the fireworks show itself cost \$26,000, but that cost did not all include the cost of all the labor that went into the July 4 activities. That one day wound up costing around \$60,000. Low crime rate was also cited. Rorie said that would be discussed later.

Suggested improvements mentioned the need for a central gathering place and the lack of affordable housing. Maintenance of amenities was cited. Being over-policed was mentioned as a complaint, and that would fall under a discussion of service capacities. Well-paying jobs was also mentioned as a need. Rorie said he often heard people say they needed to recruit high-paying jobs. In the March Retreat, it was noted that about 15,000 people drove out of the City to work every day, and about 16,000 commuted to Peachtree City. Rorie asked if developing a piece of property in the industrial park could lead to those high-paying jobs. The industries would

have to be targeted to ensure that they would provide good jobs that would allow people to live and work in the City. The list of needs also included maintenance of the path system.

Rorie presented a list of what residents thought would be the biggest challenges over the next decade. Traffic was near the top, but Rorie said that was only an issue at a few intersections. Surrounding development, also high on the list, was related to traffic because as development surrounded the City, it would impact traffic. Jobs and path maintenance also were listed, as was the updating of recreation facilities. About 60% of the respondents named crime as a problem.

Rorie went over the City's budget policy, which called for establishing a baseline budget that served as an agreed upon point of departure for subsequent budget discussions. Any additional services above that baseline should be fully funded at the time of the adoption of that budget and ongoing funding sources should be clearly identified. These funding sources must be new or clearly identified through expense reductions. He remarked that this was a nice way of saying that a dollar could only be spent once, and they should figure out what would give the best return on that dollar.

Rorie referred to the work of the Needs Assessment Committee of 2013. It asked respondents to rank five City departments in terms of their importance to them. Police was first, followed by Fire, then Public Works. Recreation was fourth, with the Library fifth. The gap was not great between any of these, however, Rorie pointed out, it depended on what the respondent thought was most important. Another question asked about the amount of property taxes paid in relation to the services they received. Most agreed that they paid a fair amount of taxes for the services received. Most people also agreed that the City did not spend too much on any one service. These responses begged the question of where cuts could be made if that was what Council wanted. He recalled the outcry a few years ago when they cut the Library's book budget by \$25,000.

The City owned 41 buildings and 25 structures, such as the Pavilion at Drake Field and the City Hall plaza fountain. They budgeted \$6,000 for annual maintenance of the fountain. That sounded like nothing until the \$6,000 was multiplied by years and years. That was what was meant by facilities maintenance. The insured value of buildings and facilities was roughly \$56 million, Rorie noted. The 2019 budget allocated \$511,000, or about 1.4% of the total budget, for building repair and maintenance. That line in the budget also dealt with items such as pest control contracts, heating and air conditioning service, backflow, fire alarms, and so on. Those were day-to-day expenses, but \$175,000 went to other maintenance needs, such as bathroom upgrades and painting.

They had invested about \$330,000 over the past few years in bridges and tunnels. This year, \$100,000 was set aside for safeguarding them. Rorie showed a photo of a cart path bridge that went over a stream. Water ran underneath the pipe instead of through it. He asked if it was it better to spend the money to repair it or remove it entirely. He showed the location on a map and pointed out that there were other routes if the bridge was removed. He said he did not know the answer, but that was what facilities management was about.

A photo of playground equipment showed that even "maintenance-free" concrete required some maintenance. Signs were subject to wear and tear as well. A scorekeeper's stand at the Peachtree City Athletic Center (PAC) needed painting. Other buildings there also needed work. A sinkhole at the tennis courts on Blue Smoke had needed repair. All Children's Playground had been patched, and equipment had required replacement, which Rorie said had been done under warranty. Residential toilets were installed and had to be replaced with commercial ones.

Many of these problems were dealt with through a \$3 million facilities bond. The 2015 bond called for replacing roofs at the Tennis Center, the Library, and the Police Department. Other items included renovations at the Amphitheater. The importance of any of these depended on an individual perspective, Rorie commented.

Recreation and Special Events Department

Recreation and Special Events Director Quinn Bledsoe showed excerpts from the 2007-2011 Recreation Master Plan, a tool the department used to measure where it was in terms of programs and facilities at the time. The National Recreation and Park Association compiled a list of amenities and the correct level they recommended for cities. The Master Plan showed that Peachtree City was short four tot lots, which Bledsoe found interesting. She said this list was standard at the time, but the Association had since deleted these recommendations because each area had differing needs.

Objectives for the Recreation Department stated in the Master Plan included providing services firstly to the residents of Peachtree City, secondly to the residents of Fayette County, thirdly to employees of Peachtree City businesses who participated in corporate teams, and, fourthly, to individuals living outside of Peachtree City and Fayette County. Bledsoe noted that non-resident participation in youth sports should be held to 30% or less.

Another objective was to implement a three-tiered fee structure to ensure that all participants paid in line with their tax participation. Peachtree City residents who played in a youth sports association paid \$15, while Fayette County residents paid \$25, and players from outside the county paid \$50.

The third objective set forth in the Master Plan was to assess the adequacy of maintenance staff resources to keep existing and future facilities maintained as they should be. The Plan also called for looking for other ways to provide services more economically.

The Plan said the funding for the Recreation Department would remain proportionately the same as in previous years by utilizing higher user fees and grants/sponsorships. It stated that residential property would be completely built-out by 2008, with a population of 37,500. The build-out had not occurred, but was close, as was the population estimation, Bledsoe stated.

Peachtree City Recreation programs would receive a minimum of \$150,000 a year from Fayette County, plus the adjusted growth in the tax digest, Bledsoe read from the Plan. She said they were at the \$150,000 now. When the recession hit, the County reduced its contribution to \$114,000 and had just now gotten it back up to the promised level for 2007-2011. The funding was probably not where it needed to be, Bledsoe commented.

Rorie noted the County's portion was \$150,000 in 2007, then dropped to \$114,000, but now was back at the per-recession level, asking if value of that \$150,000 was the same today as in 2007. The concept of pursuing the fair share of tax equity was not a fair assessment of what was going on. That was why the three-tier system of user fees was important. In 2016, a similar system was imposed on golf carts. Right now, Peachtree City residents paid \$45, or \$15 a year, to register their carts for a three-year period. People from outside the City paid \$115 per year. That number was calculated through a formula, Rorie said, concluding that, those who used the path system, and did not pay Peachtree City taxes, should pay more. The fee system should favor the residents of Peachtree City who footed the bill.

Lastly, Bledsoe said of the Master Plan, the user fees should increase to pay for maintenance of facilities. At the time this was written, \$5 was charged to everyone. The tiered system was implemented in 2012. It might be time to look at the fees again, she remarked.

Fleisch asked Bledsoe to explain how the payments worked. The City only received \$5 of every \$100 paid to a youth association in 2010. Now the City received more with the tiered system. Fleisch said many people were unhappy when it changed, but it was necessary. A lot of the money went to maintenance. In 2010, that account only brought in \$40,000 to cover all the baseball fields and tennis courts.

Bledsoe pointed out that the City's mission statement included a call for ensuring that residents had a safe and healthy environment in which to enjoy leisure time. Rorie noted that this meant this department was in line with the mission of the City, as were all departments. They were all aimed to providing high quality services.

There were 416 acres of public recreation facilities in Peachtree City, Bledsoe said, noting that it was not wild space, but space that had to be maintained. The City owned 15 baseball fields, seven softball fields, 10 full-size soccer fields, two lacrosse fields, two football fields, 35 tennis courts, plus playgrounds/tot lots, and concession stands. There were 226 trash cans in the parks and City facilities, and 65 along the paths. Someone had to empty those.

Recreation questions were included on the 2013 Needs Assessment. Bledsoe noted that the average homeowner contributed \$57 a year towards recreation, and the assessment showed that most wanted that figure to stay about the same. In the 2013 budget, fees subsidized about 20% of some program costs. Most respondents said the fees should be increased, with more of the costs passed on to the users.

Bledsoe used a chart of her department's employees to show the new right-of-way workers who mowed grass at City facilities, medians, and other public property. The facility coordinator team emptied trash cans, cleaned buildings, and executed many construction projects. Currently, they were working on the Amphitheater. Bledsoe explained that the grounds maintenance crews mowed, weeded, aerated, and fertilized all the athletic fields, in addition to other needed duties, such as spraying for army worms. That was a lot of work for just seven people.

Rorie asked Bledsoe about the right-of-way mowers. She said there were five new positions, and they had filled two of them. They had been recruiting since July, Rorie noted.

A map of recreational facilities the City maintained showed that they were spread throughout the City.

Bledsoe detailed facts about the Peachtree City Athletic Complex (PAC), saying it consisted of 88 acres, with six multi-purpose fields, eight baseball diamonds, and was a sports tourism facility which attracted tournaments with out-of-town participants. The fields were predominantly used by the Soccer Association, which preferred the grass be kept at three-quarters of an inch to enhance ball movement. But that was not possible, with staffing limitations, so it was kept at one and one-half inches. Even that required mowing twice a week. Rorie said if it was mowed to three-fourths inch it would require more irrigation, plus an additional mowing each week, which meant more clippings to dispose of. Bledsoe noted that they would have to buy Bermuda mowers for this, and Rorie pointed out that mechanics would have to work extra to keep the blades sharp.

Bledsoe referred to an email from a resident that claimed that soccer was the fastest-growing

youth sport in America and around the world. The writer asked for a soccer court, or soccer park, which could be placed on a converted tennis or basketball court.

Bledsoe noted that there were about 20 undeveloped acres between Eaton Lane and the PAC. They had surveyed the land and considered what could be added and the cost. Additional parking was a consideration as well as providing more playing surfaces. They had looked at turfing the fields at the PAC, which would make them rain-proof, but drainage was a big problem for four of the fields. Last year had near-record rainfall, she reported, and two of the fields were closed many more days than they were open. She said there might be a lot of clay at Field 2 that retained moisture. Other problems were because the fields abutted a floodplain. The infields would usually dry out quickly, Bledsoe stated, but the outfielders might find themselves standing in water. Fields 3 and 4 were used by the Little League championship team, and they were troupers about working around the weather problems, Bledsoe remarked.

A turfed field could drain around 78 inches of water per hour, but was expensive. A provider gave a quote to turf soccer fields 2 and 6, baseball fields 3 and 4, and softball fields 5 and 6. Fence to fence turfing of the soccer fields would call for turf 15 feet inside the fence with a concrete barrier, then grass. Grass could not be mowed next to artificial turf. There was a reduction in price if several fields were done at one time, but Bledsoe said the costs could be about \$1 million per field. The expected lifespan of a turf field would be eight to 12 years. There would never be a return on the investment. Rorie pointed out that if the field lasted 10 years, with a debt service of \$1 million, it would cost an average of \$110,000 per year, and at the end of the paying off period, the turf would need to be replaced again.

Planning Commission Chairman Frank Destadio asked where the cost estimate originated, and Bledsoe said a company came out and walked the area with her to arrive at the estimate. She had a written quote that she said she would send him. Destadio remarked that the company he worked for after he retired from the Air Force put in these fields for the Fulton County School System. The cost was not as much as Bledsoe stated, and the fields lasted longer. In response to a question from Prebor, Destadio said he did not remember the cost, but it was not \$1 million a field, and they still were being used and he had been gone from the company for 10 or 15 years.

Rorie told him they had two or three quotes, and another was expected. Bledsoe said the average cost had been about \$8 a square foot, but the other company said they could get it down by at least \$1 a square foot. When about 159,000 square feet was involved, that was a lot of money.

One of the biggest costs, Destadio noted, was the huge drainage system underneath. Fleisch stated that would be a one-time only cost. There were two kinds of pellets that could be used as well, Destadio noted.

Pam Kemp asked if they were looking to expand into the floodplain. Bledsoe said it was not; most of the area under consideration was close to the road. Most of the land they had looked at was not shown on the slide.

Prebor asked how much as spent on maintenance per field, and Bledsoe told him they would be getting to that.

At this point, numbers did not matter, Rorie commented. This was about conception and how they were looking at the issue. At least they were having the discussion, even if they did nothing.

Bledsoe went over figures used at last year's Retreat from a study done by Georgia Power

regarding the cost of upgrading to LED lighting at the soccer fields, which would be either \$488,000 or \$648,000, depending on the options chosen. With the more expensive choice, it would take 44 years for the City to recoup this money through energy savings, and 29.5 years if they reduced the scope of the project. Rorie joked that it was simple -- you needed to play on the dirt and in the dark. Bledsoe added that recouping the costs for LED lighting at the baseball fields would take about 25 years.

The Meade Complex, just down the road from the PAC, housed lacrosse, girls softball, and adult softball. The adult softball fields needed serious lighting upgrades, but they could not find a company that would install LED lights on wooden poles. The poles were aging, Bledsoe said. Adult softball was the only sport the City ran. She recalled that the Master Plan called for keeping out-of-county players at 30% or less. In spring, they were at 35% and 63% in summer. Prebor asked why the out-of-county numbers were so high. A softball league participant attending the meeting noted that most of the teams were sponsored by specific companies and the players, who worked at those industries, usually lived in other counties. He also said he did not believe the three-tier fee structure applied to adult softball players. Rorie said that was correct.

Bledsoe noted that the girls softball fields had worse drainage than the baseball fields. Rorie attested to that, saying his shoes got stuck in the mud.

Bledsoe presented another email. This one claimed that lacrosse was the fastest growing sport in the country, and Peachtree City was becoming the lacrosse hub on the southside. Bledsoe said they were looking at a plan to relocate and re-purpose some fields. A drawing showed how this could be configured by replacing tennis courts and removing two fields. Another field that used to be a baseball field was now open, and could be a rectangular field for multiple uses. It required that one corner be built up so it could be level, and they were doing that.

The splash pad at the Glenloch Recreation Center was well underway. Bledsoe reported that Glenloch was becoming a more regional recreation area, with tennis and basketball courts, a skate park, soccer fields, a swimming pool and splash pad, and a recreation center. It was the City's most comprehensive center, she noted.

Riley Field, off Wisdom Road, was 20 acres with a field for youth football and a practice field, plus a concession area. There was a track that was in poor condition. Bledsoe said the track association had asked the City to re-do it at a cost of about \$150,000. They had not seriously looked at this because the track program had only 32 people. Some people liked to walk on the track, but the City had about 100 miles of paths that were fine for walking.

The Kedron Fieldhouse/Aquatic Center was on 20 acres with a large pool, small pool, indoor basketball arena, hockey rink, three classrooms, and a playground. They re-opened the pool on April 1 after removing the bubble used during the winter. The building and pool was built in 1995, and the bubble was replaced in 2011/12, giving it a 16-year lifespan. Replacing the bubble was expensive, Bledsoe noted; the material alone cost \$500,000. They hoped to get 15 years of service from it, meaning it was about halfway through its lifespan. The last bubble replacement was a big investment that was not planned for. They needed to decide soon if they wanted to continue to replace the bubble or erect a permanent cover. Going to a seasonal operation was another option. The contract with United Pools of America was \$221,000, which Bledsoe termed as money well spent. They did all the hiring and training of lifeguards, and it was very difficult to fill lifeguard positions.

Bledsoe presented information on usage. In October through March, when the bubble was up,

6,210 people used the pool. Of those, 3,500 lived in Peachtree City, while almost 1,400 lived in the County. There were 584 out-of-county users, and the remainder did not list their residence. In total, about 21,000 people paid to use the pool. Swim teams also used the pool, including those from all the County's high schools. Their numbers were small, but this was the only pool available to them right now.

Madden clarified that this was the only indoor pool for public use in Fayette County. He asked how much Peachtree City received from the Fayette County Board of Education from this use. Bledsoe said they paid \$32 a month per swimmer. The season lasted about three months. King said it was basically about \$100 per person per season.

Rorie and Prebor both noted these were user fees, paid for by swimmers or their parents, because all school sports were self-funded. Prebor asked what members of the public paid to swim, and Bledsoe replied that it was \$5 for ages 11 and older, \$3 for seniors, \$4 for children age 3 to 11, and younger children could swim for free. This was per visit; passes were available that offered small discounts.

Fleisch wanted to know if there was a tiered system based on residence like there was in the sports leagues, and Bledsoe responded there was not. Bledsoe said now was the time to look at the fee structure for pools, maybe when they set fees for the splash pad, which would soon open. The out-of-county fees for recreation programs were usually 25% more than what Peachtree City residents paid, Bledsoe remarked.

The Mayor asked when they would be discussing this again, noting that the lead time would be important to the schools, which would have to find new venues for swimming if they decided not to replace the bubble.

Rorie told her the capital improvement plan (CIP) was set for only a five-year pocket. They were talking about seven more years until the bubble needed to be replaced, so it would not show up for another two years. However, Rorie stated, they did not have to wait to have this conversation. These kinds of issues were what they needed to talk about when planning for facility maintenance. Should they continue to do what they had always done or look at how to restructure these items in the future, he asked.

Rorie said he had no problem as a Peachtree City resident and taxpayer paying for the pool or the athletic fields, but he did feel the users should bear the costs associated with the use of that facility in terms of programming. Rorie noted that he did not go to Kedron and swim, yet he paid the cost of the pool. A lot of people made that same choice, and he felt more of the cost should be borne by those who did use the pool. However, Rorie said he also understood that cost could drive demand, and you did not want to price users out. There was a sweet spot to aim for. He suggested they look at the Building Department. When a resident wanted to build something, they went to the Building Department, paid a fee, and got a permit. Even though they collected fees, the City still subsidized the Building Department to the tune of 7 – 10% a year. There was not enough permit revenue to fully fund the department. Rorie said that made sense to him. The permits allowed for a house to be built, and that house would be driving the tax base. Each department had its own sweet spot, and there was no one right answer. Rorie said he did not think it was possible to fund the entire operation of the pool through user fees.

Bledsoe added that the Southern Crescent Aquatic Team (SCAT) was a year-round swim team that averaged between 300-400 kids a quarter and was a strong program.

Problems with the Kedron gym floor were an immediate concern, Bledsoe reported. She showed photos of how the gym floor was separating from its underlayment. You could tap along the seams and hear a hollow sound, indicating that adhesion was being lost between the floor and the subsurface. The floor was installed in 1995 and was Granwood, which was no longer manufactured. It was a combination of sawdust and concrete and was extremely hard. Usually it was used outdoors, they had learned. Bledsoe said this was not a budgeted expense or on her five-year plan model. She hoped they could nurse it along until the end of the fiscal year. A moisture meter read 24.9, and 5 was an acceptable level. They were looking at options to replace it. Wood was out of the question for both installation and maintenance costs. Other options would cost between \$175,000 and \$200,000, depending on the material chosen and the installation requirements. She said there would be about three or four weeks of downtime during installation.

Prebor asked if the flooring laid on top of concrete, and Bledsoe said they thought so. Fleisch recalled that they had a similar problem when there were electrical problems at the pool because they did not have the "as-builts." She called it the "building of many mysteries." Bledsoe said they refinished and resealed the floor every November, and noted the floors were unharmed during the fire. Fleisch pointed out that the source of the moisture was the big issue and hoped it was not from an underground stream.

Rorie took over to talk about the maintenance demands at the Tennis Center. He said there were 14 acres of property there, containing one recreational building, with a total of 24 tennis courts, six of which were covered. Twelve were hard courts, basically asphalt, which required resurfacing, and six were clay. There were 512 members and 355 memberships. The Adult Tennis League had 2,662 participants, and 1,209 were Peachtree City residents. That was a pretty standard breakdown, and Peachtree City was a border town that attracted people from other areas, Rorie pointed out.

Players paid through member fees or on a per use basis. There were 1,807 Peachtree City residents per year using the Tennis Center, playing an average of twice a week to total nearly 188,000 visits per year.

Rorie gave some statistics on economic impact events held at the Tennis Center. These events brought in 624 players who spent 1,405 hotel nights at \$100 per night. That was \$140,000 of hotel room rents. The hotel/motel tax generated \$8 per room. Roughly \$3.50 came to the City's General Fund, while another portion went to the Convention and Visitors Bureau (CVB), and about \$1.50 went to Tourism Product Development (TPD). The TPD money went into maintenance of the facilities, including the PAC, the Tennis Center, the Amphitheater, and the BMX track. It cost \$30,000 per year to refinish the courts at the Tennis Center. It would take 3,750 room nights to get enough money just to resurface the courts. The \$30,000 resurfaced four courts a year. There was a value to economic impact, but it only went so far.

One "dream" item for the Tennis Center in order to retain current events was to upgrade to LED lighting, which Rorie said they already knew the cost of from the PAC. They also wanted a three-year rotation of court resurfacing, and to install electronic scoreboards for collegiate and national events.

Rorie pointed out that they had been told pickleball was the fastest growing sport in America. Some programs, such as baseball and football, were in decline. If there were 35,000 residents in Peachtree City, and 350 participated in pickleball, that would be a 1% participation rate. There was a demand for those courts that probably exceeded the demand for some of the City's 35 tennis courts, and Rorie pondering if some of the tennis courts should be turned into pickleball

courts. The Soccer Association wanted a soccer park. There could be a dual-use court with striping for four pickleball courts and also one tennis court. He said the courts at the Tennis Center were used by people paying membership or user fees. The remaining public courts were not subject to user fees. The City spent money maintaining them, then competing with the Tennis Center where there were fees. The City also spent money maintaining the Tennis Center's courts.

Rorie explained a soccer court as an urban-type soccer field, saying a small-scale lacrosse or soccer field could be built for two-on-two or three-on-three play. There were ways the City could facilitate use of the tennis courts. He also pointed to the PAC, asking if it was better to turf a field that was underwater or rebuild it at Braelinn. He asked what was the second right answer. That was how he wanted to focus on the Tennis Center. It was a nice facility, but it was a costly facility. The question was how to make the best use of that facility for 35,000 Peachtree City residents, not the 50% of users who came across the Coweta line. If they converted some courts to covered soccer courts or pickleball courts, they could maximize the use of one location and not have facilities strung all over the City.

Madden asked about the 355 memberships. He wondered what the cost was, and Rorie said ClubCorp set the price. It was in their contract that they managed it and set prices. Rorie said the City got \$24,000 a year, plus profit sharing. It amounted to about \$30,000 total a year. The roof the City installed cost \$240,000, Rorie pointed out. He asked again where the City wanted to be in 50 years and whether they wanted to continue with the same methods.

Madden noted that it would be \$85 more per membership for them to give the City the \$30,000 it cost annually to resurface the tennis courts. Fleisch pointed out that there was a contract. No one knew exactly how long the contract had been in place, but it was more than eight years. Destadio asked if they were aware that ClubCorp was planning to convert some courts at Flat Creek Club to pickleball courts. Destadio said they were looking at doing that at another club as well. They would be offering the pickleball players a reduced social membership fee, he added. Rorie said he had factored it into his thought process, but he had 35,000 people, not just 350.

There were 12 tot lots and 11 playgrounds in the City. Rorie showed a photo of the Braelinn tot lot, pointing out the City did not own the land, but had an agreement to use it. The tot lot at Braelinn was dated. He showed a photo of the playground at Glenloch with \$45,000 worth of new equipment. Ten of those would be \$450,000, and 20 would be \$900,000. Prebor asked if they had to be replaced with the one similar to the Glenloch tot lot. Rorie said they did not, but the question was, did they have to be replaced at all and were they all needed.

Bledsoe pointed out on a map that many tot lots were in close proximity to each other, such as Braelinn Green, Three Ponds, and Rockspray. The All Children's Playground was due for an update, and it might need to be relocated.

Rorie said there were 23 tot lots and playgrounds, but just four fire stations. Prebor added there was just one City Hall.

The 2020 capital projects list included a replacement for equipment at All Children's Playground. Some of it had deteriorated, even though it was not dangerous. They had talked about moving the playground to a shaded area near the Presbyterian Church. Bledsoe said she was asked all the time about providing shade at the playground. They had \$300,000 to spend on the playground, and it would cost \$75,000 to construct a shade structure. The question was whether it would be more cost-efficient to move to an area that was already shaded. If so, there were consequences. Leaves and pine needles would have to be removed. Mold grew on structures in

shade and required pressure washing.

Bledsoe said the City spent \$2.3 million on recreation and special events and \$3.6 million on buildings and grounds.

Rorie said he asked Bledsoe and Finance Director Paul Salvatore to figure out the cost associated with maintenance at City recreation facilities. Bledsoe said it cost \$22.47 a month to empty a trash can; trash bags were \$.41 each. Rorie showed a listing of all the trash cans in the City. There were five at the Skate Park, where there was a lot of litter.

Bledsoe showed the summary page that showed what the City spent at each facility, saying it was a fair representation. She also showed the utility costs, which included restrooms and water and sewerage. Lighting was the main concern. Soccer officials had a key and could turn the lights on, but citizens did not, so they had to play in the daylight hours.

Prebor asked if these costs could be divided by the number of Peachtree City participants. He said he wanted to know how much they paid per participant, and Bledsoe remarked that it was hard to compare because some sports just cost more than others. Prebor asked how they would arrive at costs if somebody wanted a tiddly-wink group that would require 10 square feet, when another said they wanted an equestrian center.

Rorie said it would be a challenge. He noted that hockey cost \$34,000, and there were but 100 players. Some sports had more players and higher costs. Maybe you were overpaying for them. It was a tough equity question. Prebor said he knew it was tough. Soccer was important to people in Peachtree City. Rorie said all sports were important.

King noted that you probably paid around \$1,500 a year for your child to participate in a sports league. ClubCorp was looking to privatize pickleball, and he felt that, sooner or later, all these associations would get to the point where it was profitable, and an entrepreneur would take over. That's what MOBA had done, Prebor interjected. Once that happened, the City could just lease them the property.

Fleisch said she was thankful to have these numbers. The 2011 facilities bond stopped the hemorrhaging of everything looking so bad. It took care of maintenance that should have been in the normal budget. They were now able to put money aside to keep up with needed repairs. For many years, she remarked, they had no numbers. They had come a long way.

Rorie showed photos of upgrades at the BMX track, along with the new Skate Park. There would still be graffiti and litter. Another photo showed the old Glenloch and the new features. None of this was cheap.

Rorie mentioned the change in the fee structures that happened in May 2012, noting that many people were not happy. However, nothing was free, and things had to keep moving forward. The questions they needed to consider included whether to increase the facility user fees at the Tennis Center and to have users pay electrical costs. He said he had no problem with mowing the grass, but he did resent paying for electricity when he could not cut it on himself. He said he often could see the lights on at the Glenloch tennis courts and not a soul around.

There was a 10-minute break before the Retreat resumed.

Fire - Rescue

Fire Chief Joe O'Connor began by presenting figures showing the demand for services. The department's focus was on providing quality services through education, prevention, and effective emergency response. They tried to make sure they took advantage of every opportunity to prevent fire through the Fire Marshal's office and also through education programs.

An organizational chart showed how the department was staffed on a day-in-day-out basis under the direction of a battalion chief, who worked a 24-hour shift with their personnel. Under the battalion chief's supervision were five stations, the newest being Station 85, a quick response station on the south end of town. The four fire stations were Station 81 on Paschal Road; Station Fire 82, the headquarters on Peachtree Parkway and SR 54; Station 83 on the south end of Peachtree Parkway; and Station 84 was on Crabapple. Each station operated an engine and an ambulance, each staffed with two people. The shift commander staffed their own vehicle.

The department operated with a staffing of 19-20 every day. They were authorized for 20 full-time positions per shift. The chart showed all the full-time positions who worked 24-hour shifts every third day, which equaled 2,800 hours per year instead of the 2,280 hours a typical employee worked. Historically, O'Connor reported, they utilized a core group of part-time emergency medical technicians (EMTs) and paramedics to backfill employees who were taking time off for holidays and vacations. Many of this loyal group had served more than 10 years, he noted. O'Connor stated that recruiting for these part-time positions had become more difficult since the economy had picked up. They were approaching full staffing, but had just received a retirement notice from another full-time employee. It was a constant battle to maintain that full-time staffing, he remarked. The volunteer firefighter program was experiencing staffing issues as well.

The 2013 survey of residents showed that the average homeowner paid \$155 a year to run the Fire Department, and about 70% felt that was the right amount. About 60% said they did not think that amount should be increased to add additional staffing. The respondents were asked if they would be willing to pay \$45 a year in additional taxes for five years to fund a new station in the West Village. About 70% said the City should build no new fire stations.

O'Connor noted that rebranding as the EMS and Fire Department might be in order, based on the increasing number of medical calls to which they responded. Most of the demand was for medical services. In 2018, they answered a few false alarms, good intent calls, which were for things like unexplained steam or smoke, and service calls for assistance, such as helping an invalid who had fallen. They also aided people who needed help with a variety of issues. Most calls, however, were for rescue and emergencies. Fires represented only 62 of the 4,118 calls that year.

There were 957 service calls, which could be anything from a downed tree to a fully-involved house fire, of which there were a few in 2018. There were 2,880 medical calls, representing 70% of all calls. These could be anything from minor injuries to full cardiac arrest. They evaluated almost 3,000 people and transported around 1,800 of those. They billed the insurance companies of the patients they transported. The system was not set up to bill for the assessment of a patient. In 2018, they billed for \$1.1 million. O'Connor noted that 7% of their calls were to assist invalids without medical complaint. They ran these calls every day, and they were for someone who had fallen, was not injured, but needed help to get back on their feet. Added to the medical patients, this totaled about 77% of all calls.

Of the 62 fire calls, 12 were vehicle fires; 13 were brush and grass fires, and 17 were fires in buildings. There were no fire fatalities. Fires represented 15 out of every 1,000 calls they received, or 1.5% of all responses. Working structure fires represented 1.5 incidents per 1,000, or .15%, O'Connor pointed

out. This year could be much worse, though; it was an unknown. Therefore, they maintained staffing to provide a high level of service.

O'Connor provided information on the patients they transported. Their average age was 60.5 years. He showed the City's population by age groups and the number of EMS patients for each group. The trend went upward as age increased. Even though people age 80 and older comprised just 3% of the population, they represented 31% of the medical patients transported.

Most calls occurred at people's homes; there were few to businesses and industries. Peachtree City was an active community, so calls to outside areas were not unusual. Calls to assisted living facilities and nursing homes represented about 14% of their medical calls. O'Connor looked at the five assisted living facilities and one nursing home and listed the number of residents, the number of EMS total calls to the facility, the number of patients seen, the number of patients transported, and the estimate of how much EMS revenue was generated from these six buildings. These buildings represented 657 residency units but they went to them 697 times in 2018, saw almost 600 patients and transported almost 500 of them, generating about \$250,000. Of the \$1.1 million in revenue, nearly 25% was raised from those six facilities. He noted that these patients were covered by Medicare, and as long as EMS generated a bill in a reasonable amount of time, Medicare would pay it, so these were patients they were typically compensated for in transporting to the hospital. He highlighted Somerby on Rockaway Road as an example of what he was saying, noting that they saw 62 patients there and transported 55, generating more than \$29,000 in revenue.

They pulled out location data and created a map showing where most calls were. The nursing home and assisting living facilities showed the most calls, along with the area on Shakerag Hill where many doctors' offices were. They frequently transported patients to hospitals in Atlanta from those offices, he noted. O'Connor showed a "hot spot" for calls in the northwestern part of the City that he said was new. It was Cresswind. That community would increasingly demand service.

O'Connor ran the numbers to see which stations had the heaviest loads. Station 85, which opened in the fall, had just 2% of the total calls in 2018. However, the Chief reported, when he looked at January 2019, Station 85 had 12% of the calls. Station 84, traditionally one of the slower stations, had 13% of the calls, while the other stations each had about 25% of the load. Fleisch asked which station covered Cresswind, and O'Connor said it was Station 84, if they were home. He went on to explain that everything was contingent on the stations being at home. There was a primary station, a secondary station, a tertiary station, and so on. As stations were out on call, they would go down the list to the next closest. So Station 84 was the primary station for Cresswind, but it was not the only station that could answer a call there.

Most calls occurred when people were up and about, from 9 a.m. to 9 p.m. If they wanted to load up their staff for when demand was greatest, that's when it would be. But O'Connor said he wanted to highlight a couple of times. The calls at 4 a.m. were never good; something bad had happened, the Chief remarked. There must be a standing force ready, and there was.

There were almost 1,000 times in 2018 when there were two calls at the same time; there were 400 times when there were three calls at once; 120 times saw four calls. The highest number O'Connor said he found was eight simultaneous calls. They used every unit they had, and the County helped with some. That was how the system was built, he noted.

O'Connor went on to say that they did physicals on their volunteers at a cost of \$500, along with background checks, and provided uniforms and equipment for about \$3,000. The volunteers got a nominal stipend of \$10 per four hours spent in the fire station. In total, this was about \$100,000 a

year. There was a time, O'Connor stated, when all the volunteers were Firefighter 2, which was a higher level of firefighter qualification, and all were qualified as hazardous materials operators. Right now, of the 19 volunteers, just nine were full-qualified interior structure firefighters. A few years ago, they started a support program for people who wanted to volunteer, but did not wish to go inside burning buildings. There were currently five of these exterior only firefighters, and five more in training.

One of the areas where they were feeling the pinch was that the volunteer force had always been their field team for recruits. Many of their full-time employees were hired from the volunteer ranks, but that was becoming more difficult. In 2018, volunteers contributed 7,735 hours to the department, about 322 24-hour days donated. By comparison, in 2013, volunteer firefighters donated 21,000 hours, equaling 875 days.

Fleisch asked if the new career hires were fully-trained. O'Connor replied that they tried to only hire fully-trained personnel, but in the last round of hiring, they did, for the first time, have to hire less than fully-trained people. The department was paying for training to bring them up to minimum standards. That, they foresaw, would continue, as well as struggles for the volunteer program. This was not just a local issue, the Chief noted, it was nationwide. They were watching this issue. There was no reserve capacity in their full-time ranks; they had always counted on part-time to backfill. O'Connor, responding to a question from Ernst, said they had been relying on the part-time force more heavily recently, due to some long-term absences in the full-time ranks. As of two weeks ago, they had filled every spot at every station, attaining the optimum 20 firefighters a day. Then, they received notice of a retirement and a resignation. There were peaks and valleys, and they would continue.

Structure fires created the greatest demand for the most people at the same time, O'Connor noted, presenting a list of the 15 positions that had to be filled at a fire involving a 2,000 square foot house. Larger structures would require more resources. Many of the jobs at the fire scene needed to happen at the same time; that was why so many personnel were needed. As mentioned, they ran concurrent calls, so personnel who were on one call were not available for another. That was why they often had to borrow personnel.

Ernst noted that transporting patients to a hospital was not just a matter of dropping them off and coming home. O'Connor explained what was meant by "wall time." Wall time was the time spent with patients at the hospital for a bed to open up, and they could be moved from the ambulance stretcher to the bed in the emergency room. Sometimes during busy times, they had to go from one hospital to another if there was no room.

Destadio asked about mutual aid agreements, and O'Connor said they had them with neighboring jurisdictions. However, Fayette County's resources were stretched so thin that Peachtree City went to help them five times as often as the County helped Peachtree City. They had calls from Coweta, also. O'Connor said they often responded to calls at The Pavilion in Fayetteville. Peachtree City seemed more often to be givers, which was a blessing and a curse, because that was two or four fewer folks to answer calls in the City. Destadio reflected that he was familiar with the issues O'Connor described because he supervised fire departments in the Air Force. Medical calls then far outnumbered fire and crash calls. The number of fire calls was low because they did so many education programs and handed out smoke detectors, as Peachtree City had done. Destadio said it might be time to look at how the Fire Department was structured and see if they needed to focus more on the medical side.

Peachtree City had always been very progressive in its EMS program. The first paramedics in Fayette County were in Peachtree City, the Chief noted. They had some phenomenally qualified

people.

The Fire Department represented about 22% of the City budget, O'Connor reported, with the vast majority of expenses in personnel costs. He cited what it would cost to add two firefighter/EMTs per shift (six total). All of the City's firefighters were fully qualified as either EMTs, advanced or intermediate, or paramedics, which required about a year and a half of school beyond the EMT certification, which took about a year as well. The list covered starting salary and benefits, physicals, and background checks for a total of about \$436,000. He emphasized that this was with the starting salary, and they had personnel with a broad range of experience.

Police Department

Police Chief Janet Moon began with the department's mission statement: *Safeguarding the quality of life in our community through professional services and community partnerships*. The organizational chart showed they were authorized for 65 sworn officers, but there was one unfunded position, so they had 64 sworn officers. There were five non-sworn officers, for a total head count of 69. In the 2013 Needs Assessment, code enforcement and other things were in the Police Department so the number went up to 72 or 74. They also had part-time school crossing guards and two court bailiffs, another position that was difficult to keep staffed. There were people in field training and administrative positions. The rubber met the road, she remarked, in the Patrol Division, with Community Response and Field Investigation. Community Response included school resource officers, the auxiliary officers, and the chaplains. She pointed out Marianne Dias in the audience as one of the auxiliary officers.

The Needs Assessment Survey said the average homeowner paid \$165 a year to the Police Department in 2013, Moon noted. Most people felt this was adequate. Increasing the head count would cost \$6 a year, and most said not to increase it.

There were more than 60,000 calls for service in 2018. Moon described calls for service as either dispatched or self-initiated or self-directed. Dispatched calls came from citizens who called 911. Self-initiated or self-directed could be from officers to address an immediate situation or scheduled in advance to address a community issue. A lot of time there was as directed patrol calendar. If a resident had filled out a form online saying people were running the stop sign in their neighborhood, and in a few days an officer was seen sitting there, that was a directed patrol activity. They counted all calls for service where a police officer was dispatched or self-initiated. Like the Fire Department, they also answered calls outside the City for mutual aid. Ernst asked if the calls for service figures included traffic stops, and Moon said it did, as self-initiated activity.

After midnight, the number of calls went down, and the officers were busiest during the days. The software program did not differentiate between response times for emergency and non-emergency calls. The average response time was five minutes and 18 seconds. They did not rush on non-emergency calls for safety reasons. In the past, many officers had been killed in traffic accidents because they were pushing to get the response times down. They were trying to back away from speed on non-emergency calls.

Part I crimes were the "Big Eight" – larceny, theft, motor vehicle theft, arson, aggravated assault, robbery, forcible rape, and criminal homicide. Larceny and theft posted Peachtree City's biggest numbers. Peachtree City had 503 Part I crimes in 2018. Newnan had 1,257; Lagrange, 1,633, and Dalton, 1,172. These were Class B cities like Peachtree City. The Fayette County Sheriff's Department recorded 531 Part I crimes in 2018, while Fayetteville had 520, and Tyrone, 111. As a county, Fayette did pretty well, Moon said.

There were 162 thefts in Peachtree City, along with 148 incidences of shoplifting reported in 2018. Entering autos was 101. Police chiefs were antsy about Part I crimes because the offender drove them, Moon noted. In one weekend, for instance, there could be an outbreak of entering autos that would skew the numbers. That was the case this year; crime numbers were up due to an increase in entering autos.

Moon said she wondered when she first came to Peachtree City why the motor vehicle theft numbers seemed high, then saw it was due to golf cart theft.

Part II crimes were not considered as serious as Part I. There were 1,264 in 2018. They included drug offenses, frauds, and driving under the influence. She noted that traffic enforcement directly correlated with lower crime rates. However, Moon pointed out that not everyone got a ticket. They wrote 6,755 tickets in 2018, but gave 9,303 warnings. They taught officers to look beyond the ticket for other evidence of crime on a traffic stop.

There were 53 golf cart accidents in 2018; 26 with injuries. Drivers 16 and younger were involved in 25 of the collisions, and 141 golf cart citations were issued, along with 333 warnings.

Moon said they paid no stipend to the Auxiliary Police Force. They logged 1,664 hours in 2018; 647 were related to community relations events. The Auxiliary officers helped at 64 events. They were trained in traffic direction and control. There were 17 members. A few did administrative tasks, and others helped in the field. It cost about \$500 to outfit them with a uniform, badge, and flashlight. This program had been in operation for 30 years.

It was expensive to hire police officers, Moon stated. Peachtree City officers rode solo. What skewed the number on the cost of hiring was the take-home vehicle. All officers had the opportunity to take their vehicle home. Each fully-outfitted vehicle cost \$59,000. If they asked to increase the head count, it would cost about \$157,000 per officer, much of that in the cost of the car. Radios were expensive. Mobile radios cost about \$5,000.

Ernst asked if officers paid a stipend for the take-home cars. Moon said if they lived within 10 miles, they did not pay, but beyond that, they paid a stipend in order to take the car home. Rorie said it could be considered a user fee.

General Fund expenditures on the Police in the 2019 budget was a little more than \$7 million, Moon pointed out.

Summary

In 2014, the City did a classification and compensation study, Rorie noted. That data was now five years old, and they were looking to budget a new one this year through the use of the cash reserves. Staff had asked for estimates and learned a full study would cost about \$45,000. Rorie said he decided not to follow through. Everyone knew the market was strong, and vacancies were hard to fill. The largest drop in job applications between 2013 and 2017 nationwide was in law enforcement, which showed a 63% decline. Applications for firefighter/EMTs went down 38% and for maintenance workers, 33%. Chief administrative officers asked about this said workers stated that the government could not offer salaries that were competitive with the private sector. Some said there was a negative public perception about working with the government. Others stated that they lacked effective recruitment tools.

In December, the City did a survey of salaries and benefits for police officers in nearby cities. At

the time, the starting salary for an officer in Peachtree City was \$38,652. After the cost of living adjustment, the starting salary went to \$39,619. They looked at all related costs, such as health insurance, to get a total annual compensation. Too often, Rorie remarked, people looked only at the starting salary without considering the value of a defined benefit (DB) program over a defined contribution (DC) program or the differences in health insurance.

In December, one of the things they looked at was recruitment for the Georgia Bureau of Investigation (GBI). The GBI required a four-year degree. A special agent started at \$48,952. Peachtree City's starting salary, for an officer who was not required to have a degree, was \$39,619. In Fayetteville, an Officer II, meaning someone who was certified, started at \$40,425.

The Fayette County Sheriff's Department lost 25 sworn deputies in 2018; 11 went to other agencies. Peachtree City lost a couple of officers to the Coweta County Sheriff's Office; a couple went to the GBI; some went to the Department of Revenue and others went to the Secret Service. He said there was similar movement in the Fire Department.

They looked at nearby Class B cities in their market area. The starting salary for firefighters and police officers in Peachtree City was \$39,619; paramedics started at \$43,732. Fayette County started paramedics at \$44,735. When you looked at the total compensation, Peachtree City looked more competitive.

Moon said there would be five vacancies in the Police Department as of the next day. Battalion Chiefs with the Fire Department noted that they were competing with hospitals for recruits. Paramedics basically brought the emergency room to the scene. They needed to come up with a better recruitment and salary package. They needed to ensure parity and maintain it across the range of experience. That was why another classification and compensation study was needed. The findings should not present any big issues because they had been doing cost of living raises along the way to keep them pretty close in the market. They knew for a fact they would have to tweak the Public Safety side of the house, Rorie concluded.

Finally, Rorie showed a dollar, using it as an example of the answer to various questions about funding, such as how to fund economic development and re-development, the initiatives of the Fayette County Development Authority, medical insurance for employees, salaries for employees, how to buy a firetruck, fix a park, mow the grass. At the end of the day, it came down to the fact that they could tell you what it cost to put a light on the flagpole at the Amphitheater. He held the dollar aloft, noting it could only be spent once. They would have to decide how to spend it, but it would only be spent once. It could be divided only so many ways. That was the purpose of looking at economic development in Retreat session one, facilities management in Retreat session two, along with service capacities, which implied there was a capacity to what they did. They could not be all things to all people at all times, and they needed to remember that when they looked at where they were going for the next 10, 15, or 20 years, regardless of what had been done in the past.

The workshop concluded at 9:35 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

**City Council of Peachtree City
Meeting Minutes
Thursday, April 18, 2019
6:30 p.m.**

The City Council of Peachtree City met in regular session on Thursday, April 18, 2019. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

The Mayor honored Jim O'Connell of the Recreation Department as the City's Supervisor of the Quarter. She also recognized Harold Layton of the Recreation Department for 15 years of service.

Fleisch presented members of the Dixie Wing Commemorative Air Force with a proclamation commemorating World War II Heritage Days to be held April 27 – 28.

In recognition of Alcohol Awareness Month, Council Member Phil Prebor, representing Drug Free Fayette, presented a short film on the County's Social Host Law.

American Legion Post 50 made a presentation honoring Law Enforcement Officer of the Year Officer Brian Boynton and Firefighter of the Year Lt. Brian Glennie. It was also announced that both had been named winners at the state level.

Public Comment

Bill Bizjak voiced his opinion on the City's future development. He appreciated the efforts to maintain greenspaces and the village concept, but was concerned about the proposed city center and plans for property on Lake McIntosh. He did not care for the additional apartments that could come with these developments and asked for more public forums before any plans were finalized.

Minutes

King moved to approve the March 7, 2019, and March 21, 2019, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider Fire/EMS Automatic Aid Agreement with Fayette County**
- 2. Consider Elimination and Replacement of Position in the Financial Services Division Consider**
- 3. Elimination and Replacement of Position in the Convention & Visitors Bureau (CVB)**
- 4. Consider Appointment of Fayette County Library Board Representative – David Hill**
- 5. Consider Budget Adjustment – FY 2019**

Madden moved to approve Consent Agenda items 1-5. Ernst seconded. Motion carried unanimously.

New Agenda Items

- 04-19-01 Public Hearing – Consider Variance Request, Sec. 1004, Watershed protection buffers, 506 Telfair Park**

Ernst said he would recuse himself from this item because he was friends with the homeowner.

City Engineer Dave Borkowski explained this was a request for a variance from one of the watershed protection buffers, the no impervious service setback from reservoirs. The property owners wanted to build a pool, and the City discovered that the buffers and setbacks from Lake Kedron left no room on the property. He showed a plat and an aerial view of the property as seen

from Peachtree Parkway. The homeowners had a detailed survey performed, and Borkowski pointed out the existing patio and how the back of the house abutted the setback line. Because of this, they could not add any additional impervious surface.

The homeowners wanted to construct an infinity pool in the back, Borkowski continued, and had offered to construct a rain garden to mitigate the intrusion. The rain garden, which was a mini detention pond that mimicked pre-development conditions, would allow water run-off from the property to soak into the ground before reaching the lake. Borkowski showed a rendering of what the homeowners proposed, which included a retaining wall to limit the water intrusion. As required, staff reviewed the request against Section 1303 of the ordinance. Borkowski had provided Council with the variance criteria in his memo, and staff believed the request complied with each point. The construction of the rain garden would improve the stormwater runoff from that lot. If Council approved the variance, staff recommended the conditions that they design the rain garden according to the Blue Book (the state manual) standards, which they intended to do, and install a level spreader downstream from the rain garden to spread the flow of water coming from the rain garden to the lake.

The Mayor opened the public hearing. Property owner Heather Harding said she appreciated the efforts of the City's Engineering Department to help them understand the problem and the code requirements. She and her husband bought the home in the North Cove subdivision about four summers ago, with the intent of staying until their children graduated from high school in 2020. However, she was in a serious accident in 2016, so they had decided to make Peachtree City their permanent home. The pool would be a welcome addition to their property, and she would use it for her ongoing physical therapy requirements.

Duncan Harding continued that the City had required a topographical survey, which they had done, to see where the three floodplains were on their property. The Hardings had employed a landscape architect to see if the pool could be added in another location without encroaching into the buffer and setback. He determined it would be unfeasible to tear out all the existing concrete, and that doing so would lower the home's property value. They moved forward with a plan, knowing they would need a variance. Harding said they reviewed the purpose of the 50-foot setback and arrived at the concept of the rain garden, which was supported by the Georgia Stormwater Management Manual. This was not something they had invented. They had explained the plans to their neighbors, a few of whom had visited the site. The neighbors had no objections, and the Hardings included letters from the neighbors and the North Cove Homeowners Association (HOA) in the application packet. In summary, they did not intend to build a pool when they bought the house, so they had not discovered the buffer requirements at the time. However, their circumstances had changed, and they asked Council to grant the variance.

No one else wished to speak in favor of the variance. In opposition, Ralph Hale said he thought granting this variance would set a negative precedent. He noted that Lake Kedron was a source of drinking water. He added that the first 100 feet from the shoreline was supposed to be natural vegetation, but he saw pine straw right down to the water in many locations.

Jerry Crozier asked if he could speak in favor. He stated this was a great issue for a variance. If someone came up with a great design that made sense, Council's purpose was to look at it and say they would help them out. It was obvious the Hardings had put a lot of time and thought into this, and he saw no problem with it.

Nancy Kendall spoke against the variance, saying Lake Kedron was a reservoir. She said she was making modifications to her long-time home, but was staying within the law, which was what everyone should have to do, especially when their actions could affect the entire community. No one else wished to speak on the issue, and Fleisch closed the public hearing.

King asked Borkowski how many watershed buffer intrusions were there on Lake Kedron. Borkowski recalled at least two no-impervious setback intrusions that he could remember. King wanted to know if the property lines went to the lake shore. Duncan Harding said it did. King also asked if the Water Department was okay with this, and Borkowski said the Water Department had not been consulted.

Prebor wanted to know if the rain garden would actually improve the stormwater situation. Borkowski told him the rain garden would allow the first flush of water to sit and percolate into the ground, whereas now it just flowed to the lake. This was an improvement. Prebor said this, plus the fact that the HOA and the neighbors were fine with it, made him okay with the variance.

Madden noted a section of the information on the rain garden that mentioned pipes and other components "if needed," asking who would determine the need. Borkowski said the Engineering Department would review the project according to the Blue Book. Sometimes underdrains were required, Borkowski said, but they were confident the rain garden would mitigate the loss of the impervious area.

The rain garden was a new idea to Council, Fleisch noted. Borkowski confirmed they were more common on commercial lots and called "bio-retention areas." He said they were not often included on individual home lots because they added to the cost of the home, but there might be a big pond that served a whole neighborhood. Fleisch asked about the permitting process to ensure that things were built to standards. Borkowski confirmed it was no different that the regular permitting process, and they could review all the plans electronically and look at drainage. Safebuilt would look at the wall plan, and Planning would look at the setbacks. They all would be in the loop and know what to look for.

Ernst withdrew his recusal, noting his friendship was with the applicants for the following agenda item.

Prebor moved to approve New Agenda item 04-19-01, variance request, Sec. 1004, watershed protection buffers, 506 Telfair Park. Madden seconded. Motion carried 4-1 (King).

04-19-02 Consider Request to Abandon Drainage Easement, 300 Turnbridge Circle

Ernst recused himself from the discussion.

Borkowski said the homeowners approached the City with a request to build a pool, but staff had discovered that a drainage easement took up almost the entire back yard. He showed a final plat that indicated a 20-foot drainage easement along the back property line, along with an aerial view of the property with the easement superimposed. The drainage easement would block them from putting in any permanent installations. Borkowski said a concrete pad or a fence that could easily be removed would be fine, but a pool or a building would not be allowed.

Staff visited the property and determined there was no reason for the drainage easement. It appeared to have been incorrectly marked on the plat, possibly by the surveyor extending the drainage easement that was on a lot further down where there actually was storm drainage. The drainage easement was dedicated to the City for maintenance, and staff recommended the City abandon it. The owner would pay for survey costs to re-plat and record the property without the drainage easement.

Madden confirmed the property was platted incorrectly, and Borkowski said it was not uncommon to see a drainage easement where there should not be one. Madden said if that was the case, he had no problem with this request.

City Attorney Ted Meeker stated he assumed the property owner would be willing to sign an acknowledgment accepting the City's abandonment, as required by Georgia law. The owner, who was present at the meeting, confirmed her willingness to do this.

Madden moved to approve New Agenda item 04-19-02, consider request to abandon drainage easement, 300 Turnbridge Circle. King seconded. Motion carried 4-0-1, with Ernst abstaining.

04-19-03 Consider Request by B. Lilley Productions to Hold Air Shows at Atlanta Regional Airport – Falcon Field

Brian Lilley of B. Lilley Productions gave Council an overview of a proposal to bring an air show back to Falcon Field. He said the company's background was in event management, and they had been producing air shows since 2007. Currently, they produced five shows annually, all of them either started from scratch or re-started after a hiatus. Their next show, in Fort Lauderdale, Florida, would be their 35th since they started in Ocean City, Maryland, 12 years ago. Their shows impacted four of the top 10 and six of the top 20 media markets in the United States and had totaled about 2 million attendees.

Lilley listed benefits of an air show, saying they attracted visitors to the area and promoted the community and the airport. He noted that an air show was a signature aviation event, which was important in an aviation-influenced community such as Peachtree City. On rehearsal day, they hosted events for local science, technology, engineering, and math (STEM) students. The show itself would involve and support through donations many groups, including the Dixie Wing and the Civil Air Patrol.

Their production model was based on their event management background. The company had a full-time staff of seven and utilized professional sub-contractors for parking, air operations, and food and beverages. They worked closely with local public safety departments, and safety was the primary concern. Hosting an annual air show required commitment from the host city and the venue, he acknowledged. They had adopted a sustainable financial model with low dependence on ticket sales. The model had the ability to weather a storm, literally.

Lilley thanked Airport Director Hope Macaluso for participating in discussions with them, and said they were now asking for support from the City to continue pursuing an event. B. Lilley Productions would cover costs inside the airport for the show, but were asking the City to provide services outside the airport, such as traffic control and emergency services. They would remit 50% of the costs for the inside airport services to the City two weeks prior to the show and pay the balance within 30 days after the show.

Madden said Lilley was aware of the City's history with its last air show. He asked how B. Lilley handled reimbursement of ticket holders if the show had to be canceled. Lilley said they had only had one total cancellation, and, in that instance, they gave the ticket holders the option of a full refund or to hold on to their tickets for the next year's show. About 75% opted to keep their tickets, he noted.

Prebor asked City Manager Jon Rorie if they charged for services provided when someone held an event in the City, and Rorie replied that they charged for everything from setting up traffic cones to Emergency Medical Services (EMS). That would be a substantial cost. Rorie stated those expenses for the 2014 show came to around \$40,000, and costs would be higher today. Prebor also asked if, based on past history with air shows, a performance bond would be required. That was a possibility, according to Rorie. Prebor said he liked the idea of an air show; it brought the community together, and he wanted them to keep the discussion going.

Madden clarified that, if the City's costs were \$50,000, that two weeks before the show, Lilley's firm would give them a check for \$25,000, and Lilley said that was correct.

Ernst noted this would require a significant number of law enforcement personnel and would be a major expense. They probably would have to go outside their department to cover those needs.

Parking had been an issue at previous air shows. King asked if they had a plan and wondered how many people they were talking about. Lilley said they would have their parking management company come in and do an assessment, noting that golf cart parking made Peachtree City a unique situation. It was not just spaces, there were flow rates and lanes to consider. King mused that there would be a lot of empty parking lots in the Industrial Park that they could possibly use. Lilley said parking was a key piece that they started planning for early in the process.

Lilley told Ernst they would cover all costs involved with parking.

Fleisch clarified that they were a for-profit company. She noted that the most recent air show had possibly grown too big for their community, leading to problems on the first day. She assumed they had estimates of attendance. Lilley said they had a preliminary assessment, based on what their previous shows brought in. With the right plan and infrastructure, they could handle almost any act, he noted.

Responding to a statement from Fleisch, Police Chief Janet Moon said the last air show required 38 officers, inside and outside the grounds. Fleisch was concerned about the City using its own funds to back a for-profit company's venture.

Rorie told the Mayor that no action was required on their part that night. He felt providing Public Safety resources for a private venture on public property was a step backward, and Fleisch said that was her concern. Ernst said he was concerned as well, and the other Council members agreed.

Lilley told them that their production model allowed them to mitigate the risk. If there was an incident, the situation of the 2015 show would not be repeated.

Fleisch said it would be okay for Lilley to continue the discussions with Macaluso and the Airport Authority, but to keep Council's concerns in mind.

04-19-04 Consider SR 54 East Access Management Plan Presentation

Rorie said this presentation would focus on long-term goals for the corridor. The City had Pond and Company assess the corridor from the SR 74 intersection east to Sumner Road. The study focused on transportation projects that addressed safety, capacity, and accessibility. It led to specific project recommendations and talked about the need to partner with other organizations and agencies to look at some improvements and enhancements to traffic flow. There was little the City could do unless it partnered with the Georgia Department of Transportation (GDOT), Rorie noted. This was a state highway. Traffic management along SR 54 and SR 74 was an important issue in Peachtree City. Rorie noted that the earlier Gateway Coalition study led to recommendations along the SR 74 North Corridor from Peachtree City past the I-85 interchange and into Fairburn. The majority of the SR 54 East corridor covered in this study was currently in compliance with GDOT access management standards or could be, with implementation of projects recommended in the corridor study. They were talking about leveraging things like new development and City and state funds to bring about these projects. They needed a perspective so that when they could, they would be able to implement some of these projects.

The key was balancing access and mobility. The amount of time it took to travel from one place to another depended on how many access points there were in the corridor. Drivers could maintain 70 mph on the Interstate because access was controlled. On a corridor such as SR 54/74, more access points created congestion and slowed down the flow of traffic, hindering mobility. Traffic safety was the number one thing to consider. Rorie showed a heat map that indicated locations of traffic accidents along the corridor from July 2015 to June 2018. It showed that most were at intersections. About 53% were rear-end crashes, and 26% were angle crashes. There were 109 injury crashes, but none resulted in fatalities. Rorie stated this showed that speed mattered.

Rorie showed the different types of crashes that took place along the corridor, with the conclusion that the most hazardous spots were at the intersections. The study went on to discuss ways to alter traffic patterns to reduce conflicts, thereby reducing crashes and increasing mobility.

The study began at Commerce Drive and included 15 recommendations for improvements. Rorie pointed out that it did not cover the SR 54/74 intersection. The entire report would be posted on the City's website. The map divided SR 54 into segments and indicated signalized full access intersections with a blue rectangle. Yellow ovals meant unsignalized full access intersections, with yellow triangles denoting unsignalized right in, right out intersections.

Segment 1 of the study covered Commerce Drive to Peachtree Parkway, and Rorie noted the intersections and turning movements. He said traffic signals increased safety, but limited mobility. One of the study's recommendations was to close the median break at Commerce Drive, making it right in, right out, which would eliminate cars trying to turn left. In the mornings, there was movement of eastbound cars turning left that was not a big factor because most of the traffic on SR 54 was headed east. In the afternoon, there was a lot of conflict with the much heavier westbound traffic, hence the recommendation. A new roadway between Westpark Walk and Northlake Drive was the next recommendation, as was the addition of turn lanes to both SR 54/Northlake/Willowbend and SR 54/Flat Creek/Willowbend.

Rorie noted that interparcel access in commercial developments enabled drivers to go from one business to another without having to get on the main road, and that was why they talked about adding a road between Northlake and Westpark Walk. It would give a longer queue lane on SR 54 and create a road network away from the main intersection.

In Segment 2, which extended from Peachtree Parkway to Prime Point/Robinson Road, the study recommended adding turn lanes on Peachtree Parkway, a signalized intersection. It also recommended converting the existing intersection with Dan Lakly Drive into an R-cut, which allowed for left turns off the highway, but moved them so the motorist did not have to cross lanes of traffic. They were being installed at several locations along SR 74, including Kedron Drive S, Senoia Road and Lexington Pass, Rorie noted. Dan Lakly Drive was an unsignalized full access intersection. An R-cut would allow Dan Lakly motorists to intersect with Peachtree Parkway rather than jockey across SR 54. Petrol Point and other locations were also mentioned for this type of change. Rorie said the question was what would the priorities be and how the improvements would impact long-term planning.

Segment 3 was extended to Sumner Road East, which was in Fayette County, not Peachtree City. There had already been requests for a signal there, but a signal had to be warranted by traffic counts and crash data. The study suggested converting the intersection to an R-cut, not adding a signal. Rorie pointed out this was GDOT's state route, and GDOT would be the ones to install a signal. Secondly, it was unlikely that this intersection would meet the criteria for a signal. This was in Fayette County, so the County would have to partner with GDOT. The intersection with Governor's Square was earmarked for an R-cut to reduce conflicts for left turns without requiring another signal that would hamper traffic flow.

Rorie again noted all this was about being proactive, not reactive, adding that if it were easy, it would have already been done. The very discussion of closing Commerce to SR 54 made his head spin, he remarked, noting that many business owners feared that access management would have a negative impact, but several studies had proved otherwise. Rorie reported that his hometown in North Carolina had U.S. 1 running through it, and they were having a huge debate about access management. He was aware this would not be easy and would be time-consuming. It required permission from GDOT, which meant engineered plans. The next step would be submitting this plan to GDOT for review. The City and GDOT would prioritize projects based on crash data and mobility. Design was next, then they would have to figure out the funding. Most projects, Rorie commented, came with an 80/20 match, but there were exceptions. The GDOT R-cuts along the SR 74 North corridor were fully funded by GDOT's Quick Response Fund, which was limited in scope and cost. Quick Response Funds could not be used for \$400,000 or \$500,000 projects.

The displaced left turn project at SR 54/74 was originally scheduled for 2020, but had been pushed back to 2021 with a completion date of 2023. This was projected to be an \$8 million to \$10 million project, fully funded by GDOT, with no matching funds from the City required.

The Special Purpose Local Option Sales Tax (SPLOST), Rorie related, included \$1 million for leveraging with Transportation Improvement Project (TIP) funds and grants. Peachtree Parkway and Robinson Road were scheduled to be paved over the next 18 months to two years, but most of the costs would come from TIP funds. For example, they could prioritize a project at Governor's Square, complete the design, and go to GDOT and do a 20% match to move it forward. If the money was there, the City could provide 100% of the funding.

Rorie told Council this was just an update. There would be recommendations later. He again emphasized that they needed to look at long-term traffic management on the SR 54 East corridor by partnering with GDOT and Fayette County.

Fleisch noted that there had been little inconvenience during the installation of the R-cuts along SR 74, and she believed these projects on SR 54 would be similar. King added that most of the work had been completed at night.

04-19-05 Consider Revised Indemnification Resolution – Defamation Suits

City Clerk Betsy Tyler explained this was a revision to the annual indemnification resolution that would provide legal expense coverage to an elected or appointed official, a volunteer, or City employee who had been defamed in a public media outlet so as to present a valid claim for defamation under Georgia law. Legal counsel would be selected by the person bringing the suit and would be reimbursed by the City at a rate not to exceed the approved hourly rate of the City Attorney, plus 20%. The City would have the right to seek reimbursement for the legal costs if the suit was successful.

Meeker then provided the definition of "libel" as the false and malicious defamation of another, expressed in writing, intended to injure the reputation of the person and exposing that person to public hatred, contempt, or ridicule. He said actual malice had to be proven in a case of libel brought by public figures, which Meeker noted included all seven people sitting on the dais. Non-public figures could sue on the basis of hatred, ill-will, or charges to injure, which were lesser standards than when free speech rights were at issue and could apply to media. Constitutional free speech/public figures had a higher standard. It required knowledge of falsity or reckless disregard of whether a statement was false.

Meeker continued that slander or oral defamation occurred when a false and malicious statement was uttered to a third party. These would be statements that were so offensive that

malice was implied, even if not shown. Examples included imputing to a person a crime punishable by law or making charges against another in reference to that person's trade, office, or profession that was likely to injure that person in his or her business.

Georgia law generally treated libel more seriously than slander because libel involved a deliberate act of expressing defamation in writing. The theory behind that, Meeker noted, was that if it was in writing, it was more permanent.

Tyler then presented examples of statements that might or might not be considered defamatory. She noted that saying "Mayor Smith was the worst Mayor we've ever had" was not defamation; it was opinion. Someone could say "Council was wrong/blind/stupid to approve variance x or ordinance x" as an opinion. However, it might be defamation to say "Planning Commission Member X was paid for a vote" or "Employee X was paid to issue a permit." That would be accepting a bribe, which was an illegal act. If there was proof the official or employee did this, then it was not defamation. However, if the person making the statement knew it to be false or did not care if it was false, then it could be considered defamation because false accusations of a crime was not protected speech.

The Mayor asked about Planning Commission members, and Tyler told her they were volunteers from the community. Meeker said that hypothetical Planning Commission member could be considered a public figure and rise to the higher standard of proof of defamation under Georgia law. He said Police Chief Janet Moon and Fire Chief Joe O'Connor would be public figures, but it was questionable if the Fire Marshal was. The person who cut grass at the Peachtree City Athletic Complex (PAC) was not.

Fleisch said she wanted to pose a hypothetical situation and recalled that it was hard to get volunteer firefighters. In 2013, O'Connor related, volunteers put in 26,068 hours; last year, that number shrunk to 7,386. He said people had more family obligations now, and the ability to volunteer and meet training requirements had lessened.

The Mayor went on to describe a hypothetical situation in which volunteer firefighters visited a senior citizen's home, at the request of the senior's out-of-state daughter, to check a smoke alarm that was beeping. After the firefighters left, the homeowner noticed an item of value was missing and told her daughter, who jumped on Facebook to accuse the firefighters, by name, of stealing it. There was a lot of discussion, and the Police investigated the incident. Later, the item was found in the senior's safe deposit box. Meanwhile, the volunteers had been publicly accused of theft. The Mayor asked how the indemnification policy would protect them. Meeker said they could pursue it on their own or they could ask the City to help with legal fees under the resolution that was proposed now.

Fleisch then noted the citizen Infrastructure Advisory Group, which had been comprised of five volunteers who spent months looking around the community to make recommendations of what should be on the SPLOST project list. One of the projects was a bridge. No definite location had been decided, but several neighborhood associations were upset. The City was even accused of class warfare. Members of the Advisory Group were accused of taking bribes. Meeker said the same principle would apply.

Meeker said the intent behind this resolution was to pay for legal action in cases such as this, where people who were not public figures were defamed. He reiterated that the standard for defamation for public figures was much higher. This change would indemnify non-public figures for their legal costs if they sued.

Fleisch introduced Sean Young of the American Civil Liberties Union (ACLU), who he had asked to speak. The Mayor again reiterated that the purpose of this policy change was to protect non-public figures. Young said the motivations were not important; it was the effect. The effect of the resolution for them was that it could intimidate ordinary citizens from criticizing their government for fear of a lawsuit.

The Mayor then opened the floor for comments from the large crowd attending, reminding speakers that they would be granted two minutes each under Council rules for public comment.

Bobby Rouse of Americans for Prosperity thanked Council for having this discussion. His organization's goal was to enhance civic discourse and defend free speech rights. He said they opposed the amendment because it required taxpayers to fund any defamation suit raised by any City employee, elected, or appointed official, or volunteer. The First Amendment did not protect maliciously false speech against public figures, but the Supreme Court had set precedent. This resolution allowed public figures to threaten residents' efforts to hold them accountable. It could cause citizens to hold back in public discourse for fear they would be the object of a taxpayer-funded lawsuit and the threat of a sizable attorney's fee award against them. The Constitution protected free speech for all citizens, and exercising those rights was necessary for maintaining a dynamic society open to new and challenging ideas. He said this ordinance [sic] was unnecessary and could have a chilling impact on free speech. He asked Council not to enact it.

Olivia Cleveland, a 12-year-old student at J.C. Booth Middle School, said she did not support the idea of suing people for hate speech with taxpayers' money that could be used to build roads, hospitals, and schools. She said she knew people could go to the extreme to criticize Council's actions, but by putting themselves in a public position, they opened themselves to those opinions and thoughts. Donald Trump was not using taxpayer money to sue people who hurt his feelings. Social media was a platform that gave people the courage to voice their opinions, which was their First Amendment right and should not be denied by local government.

Daniel Stuart also said public servants must not be allowed to use public funds to sue their critics. They had the right to sue as private citizens but no special indemnity should apply. He noted that Rorie was the only one who had spoken publicly about this action and had become a target for the community's outrage. Stuart told Rorie to "Suck it up and listen. When you propose something outrageous, be prepared for outrage." He stated those who could not take the criticism should grow a spine, and he would be happy to have them take him to court for saying that. He was certain he would win. He said he and others believed this was an attempt to silence criticism. Stuart called it an "Orwellian power grab" and urged Council to table this idea. It would cost the City precious funds that were needed for other projects.

David Richardson told Council he was dismayed and embarrassed to see his City ridiculed in the Atlanta media for doing something as ill-conceived as this. He was a public figure, a newspaper columnist, and stated he could have embarrassed the City leaders by writing a column, but would not do that as a neighbor. He noted that he believed passing this resolution would open the City up to even more lawsuits. Richardson advised them to abandon the idea and never reconsider it.

Jerry Crozier called the people who supported this "fools" and went on to say the First Amendment protected unpopular speech. If he said the way they spent tax dollars was criminal, that was his opinion. Crozier told Council he would be first one to step up to be sued if they were stupid enough to do this. He told them they should be utterly embarrassed at having brought this up.

David Wilkerson introduced himself as a traditionalist, a Christian, and a combat veteran of Vietnam. He said he understood that if any public worker decided they were defamed, the City could use taxpayer money to sue. Any citizen who spoke up could be impoverished through the lawsuits. He called it "fascism." First they take a person's free speech, then a person's weapons, then a person's property, then a person's life, he told the crowd. He said it started in small steps and mentioned Council's previous discussion of going to a single provider for residential garbage service as an example. Wilkerson asked who originated the idea for this resolution originated.

Another citizen, who did not state his name, said he was there during the meeting about garbage privatization and stated that Rorie said he would sue citizens who alleged he was corrupt. This resolution seemed to be backing up that threat. He, too, urged Council not to follow through with this.

A Kedron resident stated this was a direct threat to the citizens and intimidation beyond comprehension. He said he once had an issue with the City and sent four emails without a reply. Then he was invited to meet with Rorie, and the situation was solved. The resident said he told Rorie this was a total display of incompetence, so he guessed Rorie wanted to sue him, too.

Bob Ross remarked that he expected government leaders to be moral, honest, and have a servant's heart. They should always put the people first. After hearing a couple of hypotheticals, Ross noted that he still did not know how many volunteers they needed and how many they did not get due to the threat of disparaging comments on Facebook. He said this resolution did not meet the requirement to prioritize government over the governed. Most people could recognize unfounded criticism. He urged officials to look at the election results to see that most people did not pay attention to the criticism they read on Facebook.

Dennis Benson remarked that the television cameras in the room showed that this was a monumentally bad idea. He called the logic used to justify the resolution "bizarre," saying he could not believe Council cared what was said about them on Facebook. He noted that this was not a hard decision to make, and said he trusted they did not elect a bunch of "snowflakes."

Nick Ferrante read from the Declaration of Independence, commenting that passing this resolution would be the same as government without consent of the people.

Kenneth Martin commented that he grew up with defamation of character and should not have to pay for City officials to "protect their own butts" when something was said against them. He asked if they would do the same for him, if a City official said something against him. He said everyone had their own ideas and should be free to share them. The community should be moving forward.

The ACLU's Young noted that it was rare, in this contentious political environment, to have people from the left and the right agreeing on one thing. The First Amendment protected the right to criticize public officials. Threatening constituents with lawsuits was undemocratic. This resolution did not just put taxpayers on the hook to pay the City's cost; if a defamation lawsuit was brought and dismissed due to the First Amendment, there was something in Georgia called an "anti-slap statute" that required the plaintiff to pay the defendant's legal fees. Taxpayers would not only be paying the City's legal fees, they would be paying the fees of the defendant. After that, the constituent could sue for malicious abuse of process. If successful, taxpayers would pay that, as well.

Mike Greer said he had two concerns. One was that it could lead to frivolous lawsuits at taxpayer expense. Secondly, one of the founding precepts of American democracy was that citizens could speak out against government, and they were putting that to shame.

Tom Woolf noted that Rorie had been quoted in *The Fayette Citizen* as saying this was a brave new world. Woolf recalled that "Brave New World" was a cautionary dystopian novel about a world where the public did not speak up or engage in civic life. That was the world this type of resolution would create, Woolf commented. He said he had lived in Peachtree City for less than a year and had not had a lot of time to form an opinion of the local government. This was not a good first impression.

Steve Brown told the group he had been an elected official with both the City and Fayette County. He recalled that 20 years ago he wrote a letter to the editor describing corruption in government and, when the City Attorney threatened litigation, he wrote another letter to the editor describing what had happened. The attorney sued. Brown credited a local newspaper editor with publishing the letters and standing behind him. Without that, and the public support for him it encouraged, he would have been sued into oblivion. His legal fees amounted to about \$10,000 and only stopped there because the attorney had to drop the lawsuit. Brown said he was on the verge of taking out a second mortgage to pay the legal fees. He reported that he was willing to bankrupt his family to point out the corruption in the City. The City Council backed the City Attorney at that time. Brown then said timing public comments at these meetings was horrible. Citizens should never have a stopwatch put on their input, he remarked. He told Council not to make the City look worse than it already did.

Nathan Watts felt the example Fleisch gave earlier about the firefighters was irrelevant. Bad things were spoken every day about people on Facebook and Twitter. He told Council they could behave like petulant children or be like most adults and move on. This was not thought out. If someone in California said something they did not like, he asked if Council send Peachtree City tax dollars to sue someone there. Watts asked about mysterious social media accounts and whether the City would pay a private investigator to find out who ran them. He said that he was fine with them using their own money to sue, but using the City's money to sue as a politician interfered with the First Amendment. He told Rorie it was a brave new world; learn how to navigate it. Watts thought the country would grind to a halt if the President used tax dollars to sue everyone who called him corrupt. A City Manager felt he was more special than that. He told Rorie to "grow the F up" and said, no matter how Council voted at this point, they were going to lose. That this came up for consideration meant citizens should look into more of their actions.

Cleveland, age 12, spoke again to say all the people there cared about their community and wanted to do what was right.

A resident of Preston Circle remarked that this was undemocratic and far from the Constitution. He said it reminded him of Castro's Cuba or Maduro's Venezuela. Citizens needed to be allowed to state their opinions and that this was a democracy.

Tom Langley said this broke his heart. He had been looking all day on social media, and this had reached all across the state. A talk show host had called Council idiots for thinking this. He dared the City to sue him, saying he would bankrupt them.

Another resident told Council it was insulting to consider this. Taxpayer money should not be used for public officials to pursue petty Facebook arguments. He asked Council if they thought so little of their constituents that they thought this would pass.

Marianne Dias explained that she was a volunteer with the Peachtree City Police Department, and she would hate for anyone to say anything nasty about her because she tried to love everyone in town. She gestured to the dais and staff seating area and stated that she knew every one of those people and loved them all. Her take on the situation was that when you let people speak, you learned who they were – whether they were nice, kind, hateful, loving, or whatever.

She also wanted to remind everyone that they were all Peachtree City and not to say stupid things about people on Facebook or anywhere. She said Jesus said "love as you love yourself," which made a big difference.

Claudia Eisenberg related her ties to the community, but said she was totally embarrassed by this resolution's proposal. Her question was whose idea it had been. Others from the crowd shouted out their questions about this, too.

Anne Latham said she came from a military family and raised her family in Peachtree City. She noted that comments on Facebook were just words, and Council could ignore them. They were words, not physical actions. This was silliness and was less than what this City was. Everything she was raised upon was being threatened by something as silly as this.

Garvin Edwards said he wanted to talk about free speech. He said he read in the paper that Rick Ross said anyone who would wear a Trump hat or a Trump shirt should be shot. He said he was offended by that, but was told to suck it up. That's how he felt about this issue. Council should suck it up.

Martine Yancey said she was often a critic of the City. Over the last few months, she had seen an effort to shut down the voices of the citizens. If someone wanted to file an ethics violation against a City employee or official for violating the code of the City, Council threatened to stop people with a lawsuit and its cost if it was ruled unfounded. She said they were silencing citizens and alleged they were going against the law by limiting citizen comments on any issue to two minutes with a maximum of 10. That was a way of silencing citizens when they should be encouraging them to speak out. She urged Council to stop trying to silence citizens. She said the more they tried to silence her, the more she would fight back. They had to learn to work together as a community and listen to each other. She told them she prayed they would not go through with this.

Jesse Crozier asked who came up with the idea for this resolution to speak up. The crowd urged him to wait for an answer. He asked Meeker, Rorie, King, Fleisch, and Ernst, if they did and got "no" for answers.

Watts, physically unable to speak, returned to the microphone with several people to read his additional comments. He noted that he had cancer and had no wages that could be garnished. He said he was willing to post anything anyone wanted posted because he had nothing to lose in a lawsuit. Elliott said he was calling Rorie out publicly as being corrupt.

A woman who did not state her name said she was embarrassed. The voters had put those people up on the podium and now they were giving the people a spanking because they did not go along with everything they wanted. She said her daughter was in media and was constantly criticized, but she went on with her life. The citizens would have to hire their own lawyer and spend their own time to defend themselves in a defamation suit. She shouted that she was tired of this, tired of how the country was going, and now it had trickled down to their own hometown. She was tired of being told what she could and could not say. She would continue to say what she wanted, and, if Council didn't like what was on social media, they should turn it off. She worked in the schools and when kids were hurting because someone slammed them on social media, their parents told them to turn it off. She wondered why Council and City officials were on social media at all. She commended Moon for not responding to all the social media criticism the Police Department received. The Fire Department was the same. She told Council this should be a lesson for them: next time there was an election, do not run. She did not care who started this, they were all guilty. She urged Council members and staff to resign if they could not handle criticism.

McIntosh High student Jack Bragg told Council he felt that this being on the agenda made them all guilty of wanting to silence the free speech of their own citizens. There were numerous things on Twitter, and it made Peachtree City look horrible at a national level. It was despicable. He said they talked about libel law and the First Amendment in his AP Government class. He reminded them that they were all public servants and had chosen to represent the citizens. If they did not like the way people talked about them, do not run.

Another resident who did not state his name called it a "bonehead idea," and said there had been a lot of bonehead ideas. He told them not to have any more bonehead ideas.

A resident gave a quote that he said was from Albert Einstein: "The main difference between genius and stupidity is that genius has its limits."

Comments from the public were concluded.

King said he had been on the Council for six years and had now witnessed the second item that they had made a mistake to allow on the agenda. He continued that all seven people on the dais knew each other fairly well, and five of them had gotten into this business because they wanted to make Peachtree City better. He said some of the things this Mayor and Council had done, such as getting MacDuff Parkway extended at no cost to the City, Drake Field, the spillway, had been really good. Like the gentleman who talked about his service in Vietnam, there were other people on Council who had defended everyone's First Amendment rights. King said he would do so again. The intent behind the resolution had been to protect someone like a police sergeant, for instance, who gave someone a ticket and that person went ballistic on social media and defamed him to the extent that he could not get another job in another city. King said he would put it on his dime if the police sergeant had to sue someone to recover his good name. King understood the crowd was upset because Council was looking at using public money to protect City officials, but many of the ethics complaints filed were frivolous. He asked if those attending realized it costing their tax dollars to defend against frivolous suits, saying they needed to keep that in mind as well. King looked at truth as the total truth, and wanted to bring out all the facts. Council had learned a serious lesson. All five of them would, in the future, take a much bigger interest in agenda items before they hit the street. He admitted that most of them did not see the proposed agenda until the Monday prior to the Council meeting. That could be fixed. He said he believed the circus had run its course and wanted to move that they deny this ordinance. The Mayor asked for a second.

Ernst asked if he could speak before the vote. He stated he had been a public servant for 47 years and had retired from the Army and from the Peachtree City Police Department after 20 years of service. Ernst said all a man or woman had was their integrity, and he did not care for his integrity to be challenged. Ernst said he had done nothing but give his career for this City and would continue to do so. Council made a mistake; maybe they had not understood it fully, but the crowd was loud and clear. They would move on and learn from their mistake. He said he wanted them to know he would never do anything to embarrass Peachtree City.

Prebor said he wanted to echo King and Ernst's comments. He was against the resolution, but they all had to admit there was a problem as a society that needed work. He noted that serving on Council was essentially a volunteer job. His wife was ill, and it was not easy. Everybody with him on the dais was doing the best they could. Prebor said he agreed with King that they should have looked at this more closely before it came up on the agenda. He said he would take responsibility for it, also, and appreciated hearing from everybody.

Madden said they lived in a wonderful age when someone could reach millions of people with a few strokes of the keyboard. But this was also a terrible time when irresponsible imbeciles used the

same power to harass, insult, and shame children with unfair and hurtful accusations. The country's intelligence agencies had shown how enemies of democracy could use the country's freedom of information to attack America by spreading false rumors and inflammatory rhetoric about the culture, society, leadership, and candidates for public office here. Madden asked what should be done to protect the children, nation, and even Peachtree City workers and officials from the cranks and enemies who would use freedom of speech against them. These were some of the most important questions of the time, Madden went on. Should they take vengeance against the enemies of democracy with cyberwarfare or even worse, he asked. Should they use expensive legal action or should they sacrifice their ideals of fair play and truth-telling on the altar of the internet, he asked. He mused that Pandora's box had already been opened, adding that on social media words like "empathy" and "honor" gave way to expressions like "hate speech, fake news, white supremacy, and Communists." He sometimes wondered why anyone would put themselves up for public office, saying he had seen things on the internet that would make George Orwell blush. Madden asked if justice would be served if they sued the liars, responding that he thought not. They could not legislate fairness and truth-telling, as both required character. Madden noted that, in the year he had served with this Council and the conscientious City Staff, he had observed the meaning of public service. Today, Peachtree City was a better and safer place because of their sacrifices and efforts for the public good. No amount of bullying and bad-mouthing could change that. He said he did not have the answers to all the questions he had posed, but discussing them was as good a first step. However, he did not believe this resolution was the answer, either.

King moved to deny the amendment. Ernst seconded. Motion carried unanimously.

Prebor moved to convene in executive session for threatened or pending litigation at 9:30 p.m. King seconded. Motion carried unanimously.

King moved to reconvene in regular session at 9:45 p.m. Ernst seconded. Motion carried unanimously.

King moved to enter into a Joint Defense Agreement with the Peachtree City Water and Sewerage Authority in the Dufresne case, as discussed in Executive Session. Prebor seconded. Motion carried unanimously.

There being no further business, Madden moved to adjourn the meeting. Ernst seconded. Motion carried unanimously. The meeting adjourned at 9:47 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan Rorie, City Manager 
Paul Salvatore, Director of Financial Services *P.S.*
Kelly Bush, Assistant Finance Director *K.B.*

FROM: Joe O'Connor, Fire Chief 

DATE: April 18, 2019

SUBJECT: Budget Amendments – Georgia Trauma Care Network Commission -
Trauma Grant

May 2, 2019 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the application and the attached budget amendment to the fiscal year 2019 budget resolution.

Discussion:

Peachtree City has been offered the opportunity to receive a grant from the Georgia Trauma Care Network Commission in the amount of \$4,308.90. If accepted, these funds must be used to purchase trauma related equipment. Use of this grant will benefit the citizens by offsetting equipment costs associated with upgrading current equipment. Under the terms of the grant, Peachtree City would purchase the items and then be reimbursed up to \$4,308.90.

The attached budget amendment will increase the general fund other revenue account budget and the EMS operating supplies budget to accommodate that reimbursement.

Budget Impact:

The attached budget amendment will increase both revenues and expenditures in the general fund by \$4,308.90. This is a reimbursement grant with no matching requirements.

Attachments: Budget Amendment.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 19-10

DATE 5/2/2019

[illegible]

NOW, THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2019 Budget Resolution to :
for operating grant from Georgia Association of Emergency Medical Services to reimburse opetating supplies.

Entered

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director 
Kelly Bush, Assistant Finance Director 

DATE: April 25, 2019

SUBJECT: Budget Amendments – Fiscal Year 2019
May 2, 2019 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment to amend the 2019 budget resolutions.

Discussion:

Attached please find budget amendments 19-09 for fiscal year 2019 submitted for your approval. This budget amendment provides a budget for accident report fees collected in prior years in a special revenue fund to be spent on traffic related items – specifically the fees are funding a crash data retrieval system in fiscal year 2019.

Budget Impact:

The proposed budget amendments impact the Special Revenue Fund 208 in Fiscal year 2019 by increasing both revenue and expenditures.

If you have any questions, please do not hesitate to contact either Paul Salvatore or Kelly Bush.

Thank you for your attention to this matter.

Attachments

Kbb/ Council Reports–Budget Amendments for FY2019

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 19-09

DATE 05/02/2019

[illegible]

NOW, THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2019 Budget Resolution increasing both Revenue and Expense in the Fund 208 for to utilize accident report fees. for the purchase of a crash data retrieval system.

Entered _____

Approved _____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorle, City Manager
Paul Salvatore, Financial Services Director
Scott Hicks, Public Works Superintendent *P.S.*
Angela Egan, Purchasing Agent *ae*

FROM: Josh Doughty, Fleet Manager *JD*

DATE: April 19, 2019

SUBJECT: Sale of surplus vehicles – electronic auctions
May 2, 2019, City Council Meeting

Recommendation:

Staff recommends the City Council declare surplus a 2008 Chevrolet C4500 Ambulance and a 2003 Komatsu PC60-7B track hoe.

Discussion:

The 2008 Chevrolet C4500 Ambulance has over 127,000 miles on it while the 2003 Komatsu PC60-7B has over 2,600 hours.

Staff expects to use the Govdeals.com electronic auction site to dispose of these items.

Budget Impact: This will have no negative impact for the City.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 
Paul Salvatore, Financial Services Director

FROM: Jonathan Miller, EIT Civil Engineer

DATE: April 30, 2019

SUBJECT: Crack Sealing and HA5 Mineral Bond for Peachtree Athletic Complex

RECOMMENDATION:

Staff recommends the City Council approve Blount Construction to complete HA5 Pavement Mineral Bond Coating and Crack Sealing Services for the Peachtree Athletic Complex Parking Lot at the proposed price of \$79,604.29 for fiscal year 2019.

DISCUSSION:

The Peachtree Athletic Complex Parking lot has a current condition that makes it an ideal candidate for Crack Sealing and HA5. This process would extend the serviceability of the pavement and protect against oxidation, extending the life of the pavement.

Staff has reviewed the proposal and finds it acceptable. Therefore, staff recommends that Council approve the following proposal:

Peachtree Athletic Complex HA5					(If Needed)
Items	Unit	Qty	Unit Price	Total	
Mob/Demob	LS	1	\$720.00	\$720.00	
Traffic Control	LS	1	\$1,599.16	\$1,599.16	
HA5 Mineral Bond	SY	27000	\$2.62	\$70,740.00	
Asphalt Crack Seal	LS	1	\$6,545.13	\$6,545.13	
			Total=	\$79,604.29	

BUDGET IMPACT: There are sufficient budgeted funds available in account #381-6110-541200-FB19-001 for this project.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Cailloux, AICP
Planning and Development Director 

DATE: April 25, 2019

SUBJECT: Rezoning of 5.8-Acres on Exchange Place/Widgef Drive (Tax Parcels 0615 037 and 0615 036) from General Industrial (GI) to Limited Use Commercial (LUC)
May 2, 2019 City Council Meeting

Request

W. Michael Hyde, the Applicant, is requesting the rezoning of 5.79 acres from General Industrial (GI) to Limited Use Commercial (LUC) in order to construct a 107-room extended-stay hotel with a commercial outparcel. Figure 1 depicts the zoning for the property and surrounding area.



Figure 1: Existing Zoning. The property is zoned GI (General Industrial)

Widget Drive Rezoning Request

Page 2

Location

The subject property is undeveloped and has road frontage on Exchange Place and Widget Drive, which are both private roads. Widget Drive connects SR 74 South to TDK Boulevard behind the existing Pit Stop fuel station and Wings N Things restaurant. The request is for the two (2) parcels on the northeast side of Widget Drive and does not include the pond on SR 74 South or the parcel on the southwest side of Widget Drive adjacent to the railroad.

The city's Future Land Use Map designates the subject property for future industrial use, which is defined in the 2017 Comprehensive Plan as, "Manufacturing facilities, warehousing, processing plants, factories, laboratories and similar uses. Compatible zoning districts include LI light industrial and GI general industrial. LUI limited use industrial may be compatible." Figure 2 depicts the Future Land Use plan for the property and surrounding area.



Figure 2: Future Land Use Plan. The property is planned for IND (Industrial)

Widget Drive Rezoning Request

Page 3

Proposed Development Plan

The Applicant is proposing a 107-room extended stay hotel and commercial outparcel, as shown on the attached Schematic Site Plan. Development of both uses would comply with the zoning standards established in the LUC zoning district. These are:

- Permitted Uses:
 - Retail, office, commercial recreation facility, private club, hotel, restaurant, vocational school, radio station, wholesale business, newspaper publishing, residential, and other conditional uses.
- Building setbacks:
 - Front - 40 feet
 - Front Parking – 40 feet
 - Side – 10 feet
 - Rear – 20 feet

All other City development standards would apply to the development, including but not limited to Parking, Signage, Landscaping, Environmental and water quality. The City Engineer has noted that the existing pond is defined as a State Water; therefore, the required 25-foot no-disturb buffer will be applied to the development.

Evaluation Criteria:

Staff has reviewed the proposal based on the criteria established in Section 1304(d) of the City's Zoning Ordinance:

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

The City's Comprehensive Plan is compiled of two elements: The Goals and Policies section and the Future Land Use plan. The proposal does not conform with the Future Land Use plan. The future land use category for the property is Industrial.

Within The Goals and Policies, staff has identified three (3) policies that are relevant to this application:

- Promote the location of industrial uses in the industrial park, commercial uses in the village centers, and step down residential densities the further they are from village centers. (Land Use and Development Patterns Policies)
- Work towards reducing the tax burden on the residents by shifting the tax base towards industrial and commercial users. (Economic Development Policies)
- Encourage alternative modes such as walking, bicycling, and driving golf-carts by providing a comprehensive system of multi-use paths and facilities connecting all the villages and activity centers in the City. (Transportation Policies)

The proposal is in conflict with the first policy, which encourages commercial uses to be located in village centers. The property is not in an identified village center. Braelinn Village center is located less than one half mile from this site, across SR 74 S on Crosstown Drive.

Widget Drive Rezoning Request

Page 4

The proposal does support the second policy by converting undeveloped property into commercial use; thereby adding to the commercial property tax base. In addition to the increased property value, the lodging tax generated from the hotel will support tourism marketing, capital projects and general city operations.

The proposal could meet the third policy if the property owner provides the proposed multi-use cart path connection to the property. The site is near two planned multi-use path projects (See Figure 3):

1. SR 74 S crossing (specific location not determined)
2. TDK Boulevard path

The feasibility study for the SR 74 crossing is funded in the current SPLOST. The TDK Boulevard path is unfunded except through Section 706 of the Land Development Ordinance, which states that the Planning Commission shall require multi-use paths on residential and commercial developments. In the case where no paths are present to which the developer can connect, they are required to dedicate the easement and deposit a cash payment equal to the cost of installing the multi-use path. This is done during the conceptual site plan review step.

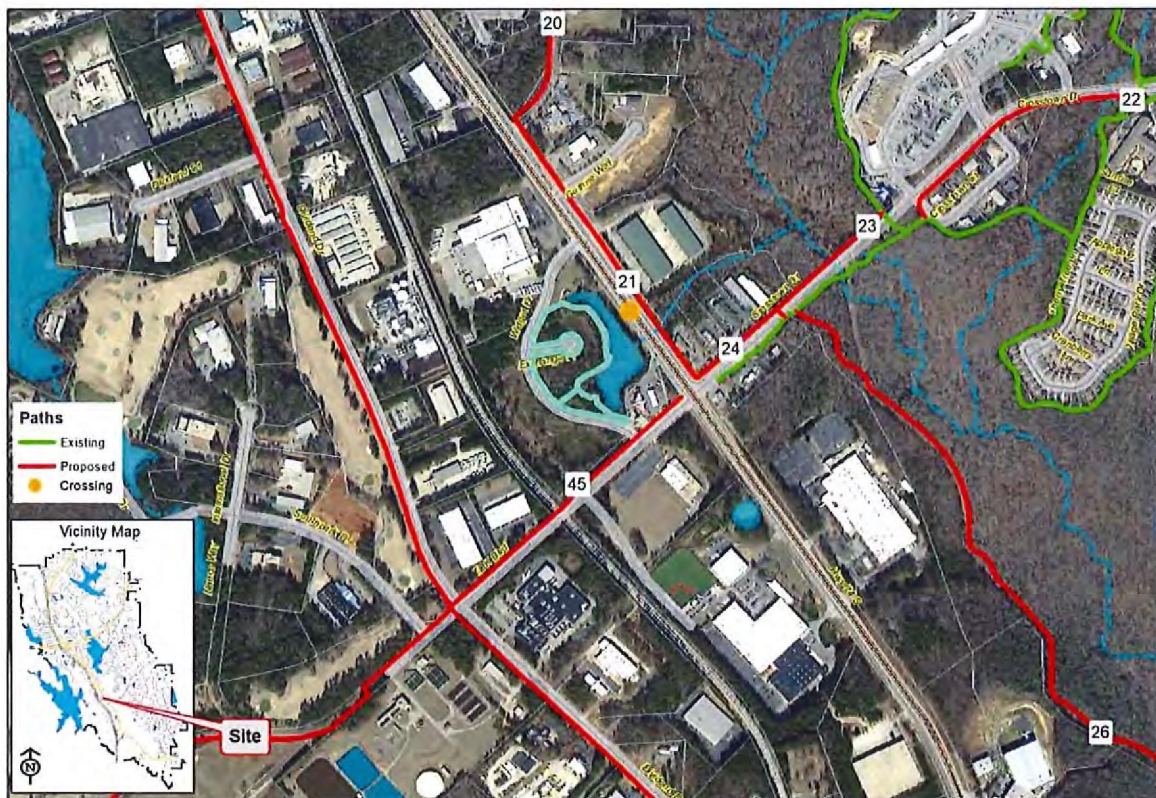


Figure 3: Existing and Planned Paths. Crossing point reflects project for general SR 74 crossing, and not that specific location.

Widget Drive Rezoning Request

Page 5

Although the final location of the SR 74 crossing is unknown at this time, preserving an access easement along Widget Drive for multi-use path access would allow some flexibility for future connection if the crossing is located in this area.

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

The site has Avery Dennison manufacturing complex to the north and a gas station is to the south. The western side of Widget Drive is undeveloped and bound by the railroad on the western boundary. TDK Components industrial site is located to the south across TDK Boulevard. The UHaul storage and rental site is located to the east across SR 74 S. Several fast food restaurants, another gas station, Days Inn and another self-storage site are located at the intersection of Crosstown Drive and SR 74 S.

Commercial uses that provide service functions to industrial users such as food and fuel are often considered compatible with industrial uses. Property zoned Light Industrial, located across SR 74, was developed with commercial uses, including a hotel, under the historical zoning code. Prior to 2008 the city's zoning ordinance allowed some commercial uses in the industrial zoning districts. The intent of the re-write of the industrial zoning districts in 2008, as stated in the ordinance, is to protect undeveloped areas suitable for industrial uses and to discourage encroachment by other uses that may adversely affect the industrial users.

Adverse effects include traffic impacts and environmental (noise, smell, and water) impacts. The transportation network in the immediate area, SR 74 and TDK Boulevard, are considered mixed-traffic corridors serving a multitude of uses. The addition of commercial traffic on these roads will not impact the surrounding user's ability to continue their operations on these roads. The addition of commercial uses will not have environmental effects on the industrial uses. Therefore, the proposed use is considered compatible with nearby uses.

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

As stated above, the proposed uses are considered compatible. Residential uses are typically considered incompatible with industrial uses due to the inevitable complaints of noise, smells, and traffic resulting from the residents. However, hotels are considered commercial uses due to the short-term residential nature of hotel guests.

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

Staff is not aware of any reasons that the property could not be developed under the GI zoning district.

Widget Drive Rezoning Request

Page 6

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

Using International Traffic Engineer trip generation standards, the proposed hotel will generate 477 trips per day, 36 trip during the AM peak hours (7 am – 9 am) and 36 trips during the PM peak hours (4 pm – 6 pm). The highest trip volume generated from the commercial outparcel would be an additional 1,177 daily trips of which 83 trips occur during the PM peak hours (2,500 square foot fast food use estimated). In total, the greatest estimated trip generation from the proposal is 1,655 daily trips and 119 PM peak trips.

According to the GDOT traffic count data, TDK Boulevard carries 6,200 vehicles per day and its largest peak count was 400 vehicles going north during the PM hours. TDK can carry an estimated 670 vehicles at peak hours, known as the Design Hour Volume (DHV), before its level of service drops to an unacceptable level. With the additional peak trips generated from the site (119), the estimated peak volume of TDK will not exceed its DHV.

SR 74 S carries 26,000 vehicles with the greatest volume of 1,300 vehicles going north during the PM hours. The SR 74 capacity is about 36,000 vehicles per day; the additional 1,655 trips estimated from the proposal will not result in deficient operations of SR 74.

The proposal will have not effects on the public school system, and public utilities are available on the site. The Fayette County Water System and the Peachtree City Water and Sewer Authority have capacity to serve the proposed development. Direct impacts on the police and fire departments will be mitigated by the Development Impact Fees generated from the development.

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

Staff is unaware of other existing or changing conditions affecting the property.

Planning Commission Action

The Peachtree City Planning Commission conducted a Public Hearing on their April 8, 2019 regular meeting. At that meeting, Commissioners voted 3-0 to recommend denial of the request to Council. A copy of the minutes from the meeting are attached.

Recommendation

In summary, the request is not in compliance with the Future Land Use plan, supports 2 of the 3 applicable Comprehensive Plan's Goals and Policies, is compatible with the surrounding uses, and will not have a negative impact on the existing public infrastructure. Because the request is not supported by the Land Use and Development Patterns policies and Future Land Use plan adopted in the 2017 Comprehensive Plan,

Widget Drive Rezoning Request

Page 7

staff does not recommend approval of the rezoning. Should the City Council approve the request, staff recommends the following condition:

- The applicant shall construct a multi-use path parallel to Widget Drive, meeting the City path standards. The property owner shall be responsible for the maintenance of the path. The applicant may contribute the cost of constructing this path, as determined by the City Engineer, in lieu of constructing the path, as stipulated in the Land Development Ordinance Section 706.

Concept Plan shall expire 12 months from the date of approval if a Final Site Plan has not been submitted to the City Planner

OWNER OF RECORD

PTC Widget, LLC
P.O. BOX 2506
PEACHTREE CITY, GA
30269-2506
(770) 487-9997
Michael Hyde

Developer:
Nathan Dockery
Office: 770-632-7716
Fax: 770-783-5002

Bench mark used: Jack Berry & Associates,
GPS control network, station name JWB1023,
33°22'38.619417"N, 84°34'45.057775"W
Elevation 835.141 NAVD 29

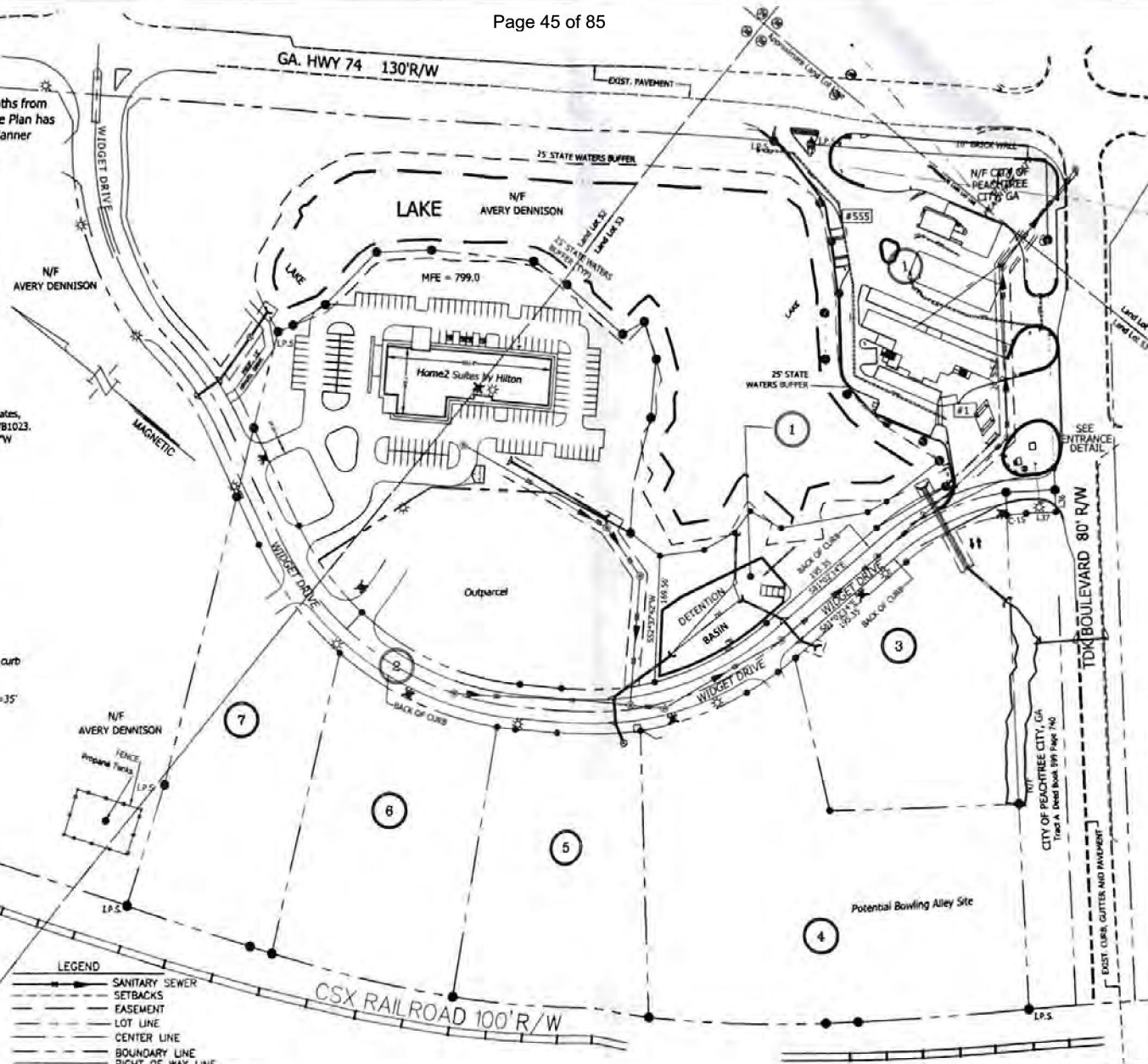
#70 = Street Address

MFE = Minimum Floor Elevation

ZONING-G/I

SETBACKS:
FRONT=50' from back of curb
SIDE=20'
REAR=50'
MAX. BUILDING HEIGHT=35'

- LEGEND**
- SANITARY SEWER
 - SETBACKS
 - EASEMENT
 - LOT LINE
 - CENTER LINE
 - BOUNDARY LINE
 - RIGHT OF WAY LINE
 - P.O.A. R/W
 - IPS
 - IPF
 - D.E.
 - S.S.E.
 - PROPERTY OWNERS ASSOCIATION
 - RIGHT OF WAY
 - IRON PIN SET
 - IRON PIN FOUND
 - DRAINAGE EASEMENT
 - SANITARY SEWER EASEMENT
 - BOUNDARY CORNER
 - LOT CORNER
 - LIGHT POLES
 - HYDRANT ASSEMBLY



SHEET 1 OF 1

THE EXCHANGE
Concept Plan

LAND LOTS 52 & 53, 6TH DISTRICT,
PEACHTREE CITY, FAYETTE COUNTY, GEORGIA

SCALE: 1" = 100'

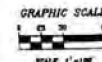
DATE: 03-13-19

JOB NO.14M6014.10

ACTIVITY	NAME
DESIGNED BY:	C. SHANNON
DRAWN BY:	J. D. REED
CHECKED BY:	R. GALPIN
APPROVED BY:	X
REGISTRATION NO.	X

ashford engineers LLC
337 Vintage Bay Drive, D18
Marco Island, Florida 34145
Tel. (770) 435-2733 Fax. (770) 435-7639
civil engineers - land planning - development services

CONSENT UNDER THE
This document is a site plan for the development of the land shown on the map. It is not to be used for any other purpose without the written consent of the engineer. The engineer is not responsible for the accuracy of the information provided by the owner or for the results of the development. The engineer is not responsible for the results of the development. The engineer is not responsible for the results of the development.





REZONING APPLICATION

Planning & Development
 153 Willowbend Rd, Peachtree City, GA 30269
 P: (770) 487-5731
WWW.PEACHTREE-CITY.ORG

LOCATION	Address <u>Exchange Place (Widget Dr.)</u>		ZONING & LAND USE	Zoning <u>GI</u> <u>LUC</u>		
	Parcel #(s): <u>8-11 PLUS road portion of Lot 2</u>			Existing Proposed		
	Property Size: <u>5.79 Ac. (incl. 1.65 Ac Lot 2 road)</u> <u>(NIC Detention - off site)</u>			Land Use Map <u>IND.</u> <u>COM.</u> Existing Proposed		
APPLICANT	Name <u>W. Michael Hyde (Manager)</u>			OWNER	Name <u>PTC WIDGET, LLC</u>	
	Address <u>PO Box 2506</u>				Address <u>(SAME)</u>	
	City, State, Zip <u>Peachtree City, GA 30269</u>				City, State, Zip <u>(C)</u>	
	Phone # <u>770-487-9997</u>				Phone # <u>(C)</u>	
	Email <u>OMNIWMH@gmail.com</u>				Email <u>OMNIWMH@gmail.com</u>	
OPEN SPACE & PUBLIC	Open Space <u>-0-</u> <u>-0-</u> Acres %		MULTI-USE PATH	Distance to nearest multi-use path: <u>~600</u> ft. <u>(far side SR 74 & TOL Blvd.)</u>		
	Land Dedicated for Public Use <u>-0-</u> (school, emergency response, public park, greenbelt, etc.)			Linear feet of multi-use path to be provided: <u>-0-</u> ft.		
TRANSPORTATION	Name of access or adjacent street			# of access points		
	<u>Widget Dr (off SR 74 & TOL Blvd)</u> <u>↳ (private street)</u>					
	Estimated trip generation (Bases on ITE ratios)			ADT		
	Vehicle Type: <u>(TBD)</u>					
	Vehicle Type: <u>(TBD)</u>					
FIRE SUPPRESSION	Automatic Fire Sprinklers: ☒ Yes ☐ No, why? _____			Briefly describe daily operations: (Number of employees, etc. A separate detailed explanation may be included in the Written Narrative) <u>(SEE NARRATIVE)</u>		
	Automatic Fire Alarm: ☒ Yes ☐ No, why? _____					
	Hazardous Material On Site? (If yes, describe type and method of storage to the right:)					
	☐ Yes ☒ No			Material(s): <u>N/A</u> Storage: <u>N/A</u>		

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the property to collect data. By signing below, I certify that the above listed information and the accompanying materials are accurate.

Applicant Signature: W. Michael Hyde Date: 3/1/2019
 Property Owner Signature: W. Michael Hyde (Manager) Date: 3/1/2019

Written Narrative

Project: Exchange Place

Location: Widget Drive, Peachtree City, GA

The subject property consists of 5.79 acres, also shown as Tracts 8, 9, 10, 11 and a portion of Tract 2 as shown on the recorded plat titled The Exchange Final Plat and dated 2-27-15. The current zoning of the property is General Industrial (GI) and the proposed zoning is Limited Use Commercial (LUC). The proposed use of the parcel would be for a limited use Professional Extended Stay Hotel with one outparcel, likely to be developed as a complimentary office/restaurant overlooking the pond. The hotel is proposed to contain 107 units.

The current zoning of the subject property is GI, which traditionally allowed for any use also allowed in Limited Industrial, which allowed many commercial retail type uses so long as they served the industrial park. This property was appraised based on allowed commercial valuations, financed accordingly, and purchased solely for the intent of allowed commercial development, then improved with private road access and partially developed (by the same owner today) on the corner with multiple commercial uses as late as 2011 Wing's & Things. The land use map currently shows this property as GI. Currently a hotel is being operated across the street which was and remains zoned LI to this day, located on property shown as Commercial in the land use plan as of 2016. The subject property is immediately adjacent to existing commercial development, as well as across the street, and is separated from the majority of other industrial uses by the railroad track. The zoning proposal is consistent with how the property was purchased and what was unquestionably allowed and encouraged at the time of purchase (to grow and assist the industrial park), and is also consistent with the overall growth plan as commercial and business uses continue to build and move into the Hwy 74 corridor to the west. Rather than develop this property with grandfathered rights or our unquestionable legal standing, and have it developed as another legal non-conforming use matching the surrounding area, GI does have considerable front and rear setbacks that encumber much of the development benefit of being so close to the pond, which LUC alleviates all those issues for the hotel and outparcel. LUC allows for a more quality development. The need for quality hospitality product in this corridor of the city is evident by the current market absorption and demand seen consistently over the past several years, this niche being specifically tailored toward industrial park needs exactly as this property was zoned and purchased/developed to help facilitate.

This type of use should have no negative impact on any adjoining or nearby properties. Additionally, there will be no impact to the school system from this type of use on the property under the LUC permitted uses. Road access is already installed as Widget Drive runs between Hwy 74 and TDK Blvd. and contains all utilities.

This property development will create considerable annual property tax revenue, as well as continuous hotel tax/fee revenue for the City. Developer is also very open to cooperate with any possible public-

private partnership to include connection to the path system and allow path connections through the property for the expansion of the city's path system as a whole.

This proposed hotel has strict guidelines that will meet or exceed all architectural and landscaping requirements for Peachtree City. This will be a quality project that will enhance the economic development of the area and support growing business and industry in the community.

COMPLETE APPRAISAL IN A
SUMMARY REPORT

OF

"Highway 74 Lake Park"
A Proposed 9-Lot Business Park on 22.80 Acres
Located on the NW/C of Highway 74 and TDK Blvd.
Within the Confines of the Peachtree City Industrial Park
Peachtree City, Fayette County, Georgia
Land Lot 53 of the 6th District

COPY

FOR

Mr. Jerry R. Stapleton
Senior Vice President
Commercial Banking
Peachtree National Bank
Post Office Drawer 2650
Peachtree City, Georgia 30269

BY

South Metro Appraisal Company
197 Mask Road
Brooks, Georgia 30205
(770) 716-5083

Effective Appraisal Date:
March 20, 2002

South Metro Appraisal Company

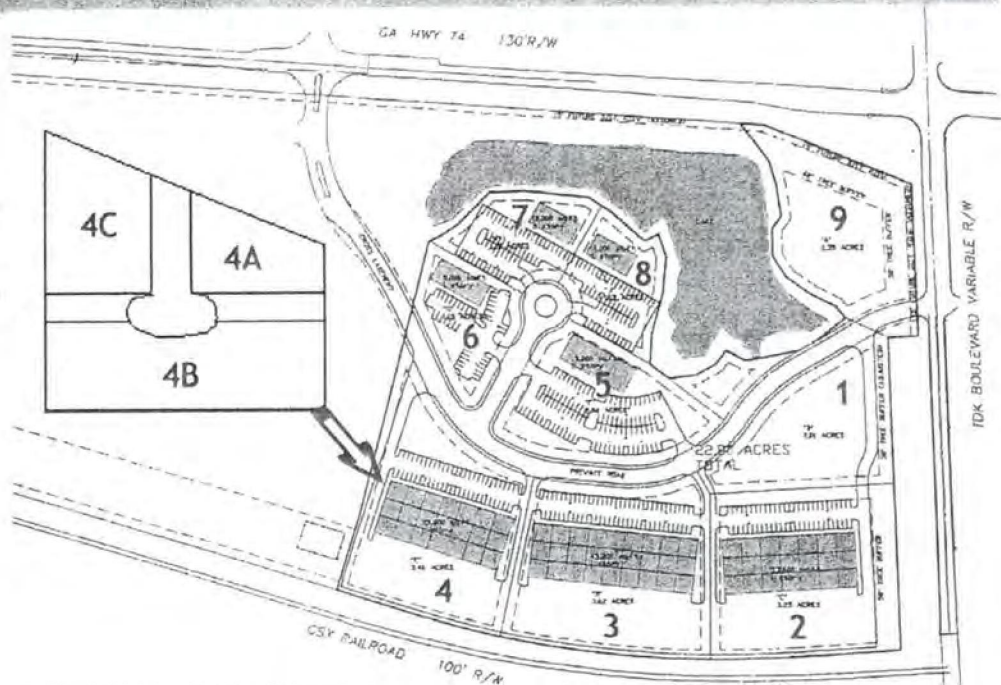
MARCH, 2002

GROUP
VI

LAND FOR SALE

HIGHWAY 74 "THE
EXCHANGE"
Peachtree City, GA

- Excellent visibility from Hwy 74
- Convenient access thru signal-controlled intersection
- Zoning: GI (General Industrial)
- High-speed fiber-optic availability
- Office, industrial, and retail use

HIGHWAY 74 LAKE PARK
Peachtree City, GeorgiaGROUP VI CORPORATION
MARCH 5, 2002

ZONING = GI

SETBACKS:

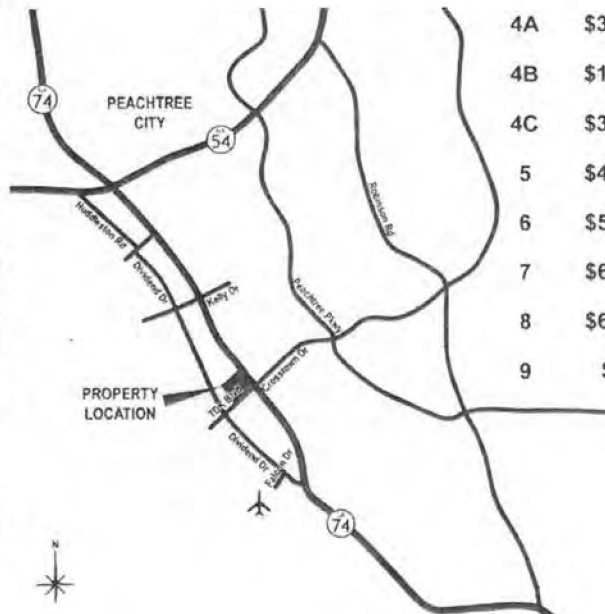
FRONT = 30' (FROM BACK OF CURB)
SIDE = 20'
REAR = 20'

LOT	\$/ ACRE	# OF ACRES	SF BLDG
1	\$598,950	2.11	N/A
2	\$130,680	3.35	33,600
3	\$217,800	3.65	43,200
4A	\$326,700	1.00	33,500
4B	\$141,570	1.43	47,905
4C	\$326,700	1.00	33,500
5	\$435,600	2.22	19,000
6	\$522,720	1.15	8,000
7	\$609,840	1.15	10,000
8	\$609,840	1.15	10,000
9	SOLD	2.25	N/A

For more information

DAVID ROSSETTI
770-389-9100Group VI Corporation
900 Westpark Drive
Suite 300
Peachtree City, GA 30269
P 770-389-9100
F 770-631-7274

www.groupvi.com



This information has been obtained from sources believed reliable. While we do not doubt its accuracy we have not verified it and make no guarantee, warranty, or representation about it.

SETTLEMENT STATEMENT

PURCHASER: Hyde Investments, LLLP

SELLER: Avery Dennison Corporation

LENDER Peachtree National Bank

TRANSACTION: Acquisition & Development Loan

PROPERTY: 22.8 Acres of Land; Land Lots 52, 53 & 48 of the 6th
Dist. Fayette County along Hwy. 74 and TDK
Boulevard

DATE CLOSED: April 15, 2002

*Purchase
DATE*

SELLER'S TRANSACTION:

SALES PRICE:

[REDACTED]

**LESS DISBURSEMENTS ON BEHALF OF
SELLER:**

To Clerk of Superior Court of Fayette
County for Transfer Tax

[REDACTED] (843.60)

Proration of Real Property Taxes 1/1/02
through 4/15/02

[REDACTED] (536.57)

4% Commission to Cushman &
Wakefield of Georgia, Inc.

[REDACTED] (33,744.00)

4% Commission to Group VI Real Estate
(Broker holds \$35,000 Earnest Money)

[REDACTED] (33,744.00)

TOTAL AMOUNT DUE SELLER:

[REDACTED]

age of 10 years or age.
An instructional clinic will be offered to two age groups, 10 and under, and 11 to 16. To pre-register for the Peachtree City Optimist Club Jr. Golf Clinic contact George at 770-253-8505.

MIKE FITZPATRICK'S
Student Athlete of the Week

Courtney Nelms
Golf-McIntosh HS
Coach: Stacy Smith
Details on Page 8A

THE WEATHER

TODAY...
Becoming mostly sunny by mid morning. Highs in the lower 70s. North winds 10 to 15 mph. Lows in the mid 40s.



FRIDAY...Partly cloudy. Highs in the lower 70s. Lows in the mid 40s.

SATURDAY...Mostly cloudy. A 20 percent chance of showers in the afternoon. Highs in the upper 70s. Lows in the mid-50s.

TODAY'S QUOTE

'We believe in bringing honor to crime victims...'

-Fayette County District Attorney Bill McBrook in promoting National Crime Victims Week which runs through this week.

What's Inside

DeathsPage 2A
OpinionsPage 4A
SportsPage 6A

Avery Dennison land will host 'industrial subdivision'

Page 52 of 85

TODAY IN PTC
Apr 12, 2002

By DANNY HARRISON

One of the more picturesque pieces of real estate in Peachtree City's industrial park may soon be developed into a small "industrial subdivision." But developers say that the end result will be a positive for the city, not a negative.

That parcel of land is located on the northeast corner of Hwy. 74 South and TDK Boulevard, adjacent to the Avery-Dennison Fasson plant. In fact, the 22.8-acre tract of land being marked for subdivision is a portion of Avery-Dennison's original 57-acre campus.

Group IV representatives attended Monday night's Peachtree City Planning Commission meeting to show city officials a concept plat of their upcoming project. The drawing shows nine individual lots, six of which range in size from 1.13 acres to 2.35 acres and would be located around the existing lake. The other three lots, 3.35 to 3.62 acres in size, would be situated at the rear of the property away from Hwy. 74.

"The intention is to maintain the topography and to keep it as natural as possible,"

Group VI's Carl Lange told commissioners. He said that the lake would remain intact and would continue to be maintained by Avery-Dennison.

City Planner David Rast said that Avery-Dennison originally planned to hold the undeveloped land with the possibility of relocating its headquarters in mind. When that idea was phased out, the decision was made to sell the land.

"I think we'll get a good product," Rast said, noting that the more likely uses include professional offices for the front properties and offices with warehouses and showrooms for the rear properties. He said that, technically, a restaurant or hotel could located in the project, but that it was unlikely to be used as such.

The concept plat Lange presented also showed a driveway that would connect with Avery-Dennison's current Hwy. 74 entrance, run through the new development behind the lake and then connect with TDK Boulevard.

Commissioners voted to approve the concept plat.

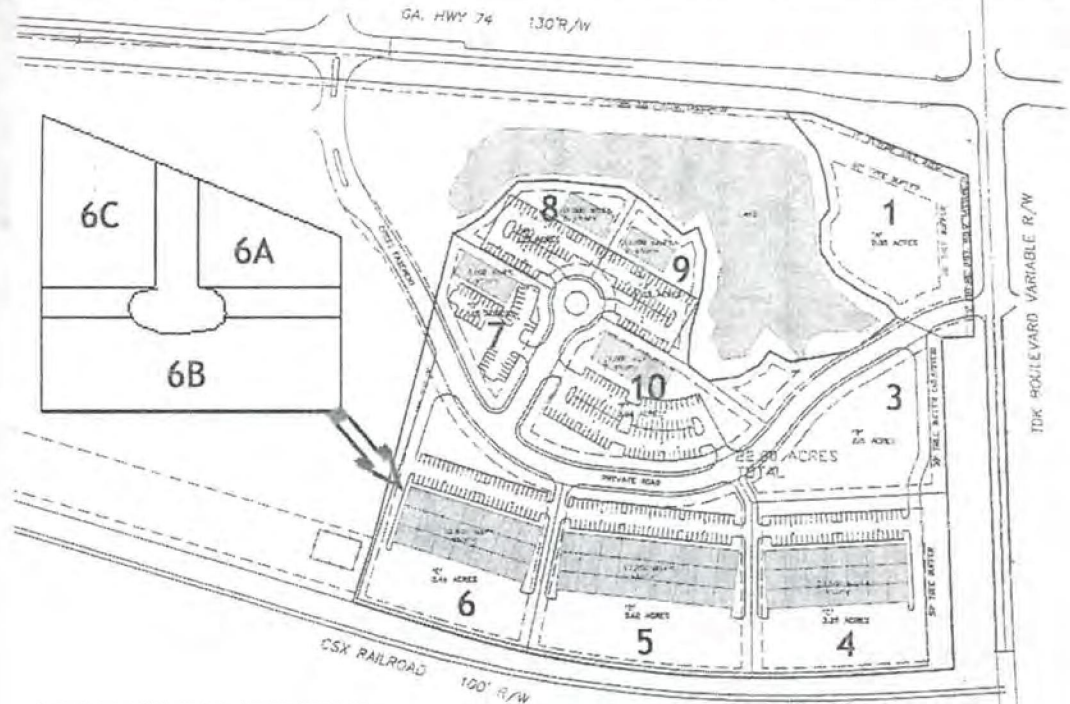
X

WAS BUILT

LAND FOR SALE

HIGHWAY 74 "THE EXCHANGE" Peachtree City, GA

- Excellent visibility from Hwy 74
- Convenient access thru signal-controlled intersection
- Zoning: GI (General Industrial)
- High-speed fiber-optic availability
- Office, industrial, and retail use



HIGHWAY 74 LAKE PARK Peachtree City, Georgia

GROUP VI CORPORATION
NOVEMBER 9, 2005

ZONING = GI

SETBACKS:

FRONT = 30' (FROM BACK OF CURB)
SIDE = 20'
REAR = 20'

LOT	\$/ACRE	# ACRES	SF BLDG
1	\$750,000	2.3	SOLD
2	Road/Detention	3.28	N/A
3	\$650,000	2.11	21,000
4	\$175,000	3.24	32,500
5	\$250,000	3.35	33,500
6A	\$300,000	1.00	10,000
6B	\$250,000	1.35	13,500
6C	\$300,000	1.00	10,000
7	\$525,000	1.15	10,000
8	\$650,000	1.15	10,000
9	\$650,000	1.15	10,000
10	\$625,000	1.69	17,000

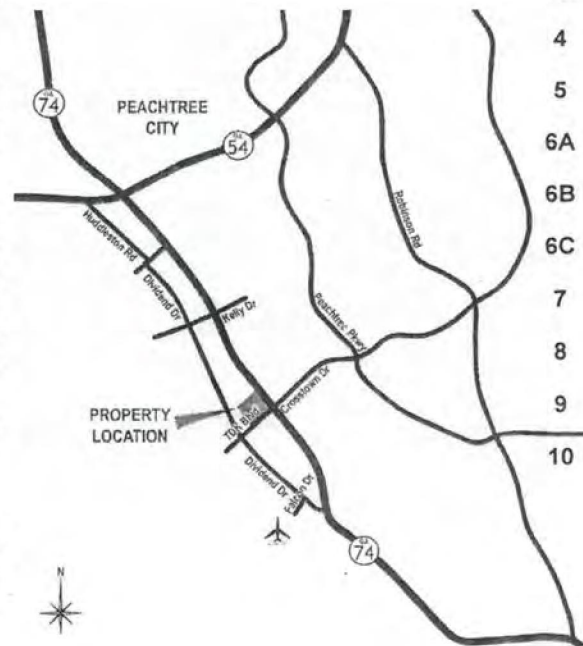
1.69

For more information

DAVID ROSSETTI
770-389-9100

Group VI Corporation
900 Westpark Drive
Suite 300
Peachtree City, GA 30269
P 770-389-9100
F 770-631-7274

www.groupvi.com



This information has been obtained from sources believed reliable. While we do not doubt its accuracy we have not verified it and make no guarantee, warranty, or representation about it.

IN THE SUPERIOR COURT FOR THE COUNTY OF FAYETTE
STATE OF GEORGIA

HYDE INVESTMENTS, LLLP, *
Plaintiff, *

VS. *

CIVIL ACTION FILE
NUMBER 2006V-0748(E)

THE CITY OF PEACHTREE CITY, and *
HAROLD LOGSDON, Mayor, JUDI- *
ANN RUTHERFORD, STUART *
KOURAJIAN, STEVE BOONE, and *
CYNDI PLUNKETT, City Council *
Members, in their official capacities as *
Mayor and City Council, *
Defendants. *



ORDER ON CROSS MOTIONS FOR SUMMARY JUDGMENT

The court is in receipt of a motion for reconsideration of this court's order of September 12, 2007, wherein the court denied summary judgment to both parties in this action for declaratory judgment, seeking additional information upon which to base a decision. The Plaintiff and Defendants all state that there is no additional information which they might provide.

The Plaintiff submitted evidence that several restaurants, retail businesses, and even a store which is similar to the Plaintiff's proposed use, a Gil Roy's, have been operating in the Gi District for years. While the Defendants attempted to

explain that the Gil Roy's was a non-conforming use which had been grandfathered in, the Defendants failed to offer a sufficient explanation as to why the restaurants and businesses, which do not otherwise meet the stated requirements of the GI District as noted in the language of the ordinance itself, have been allowed while Plaintiff's business has been denied all necessary permits. Thus, under the unique circumstances of this case, to deny the Plaintiff's permits based on the ordinance would be unreasonable, arbitrary, capricious, and would exceed the Defendants' discretionary powers as a matter of law. (See, e.g., *City of Rome v. Shadyside Memorial Gardens*, 93 Ga. App. 759 (1956), *City of Atlanta Board of Zoning Adjustment v. Kelly*, 238 Ga. App. 799 (1999), and *Shoemake v. Woodland Equities, Inc.*, 252 Ga. 389 (1984)).

Therefore, the Plaintiff's motion for summary judgment is hereby **GRANTED**, while the Defendants' motion is hereby **DENIED**.

SO ORDERED AND ADJUDGED, this the 13 day of NOVEMBER, 2007.

PASCHAL A. ENGLISH, JR.
JUDGE, SUPERIOR COURTS
GRIFFIN JUDICIAL CIRCUIT

Sec. 1008. GI general industrial district.

(1008.1) *Intent of district:* It is intended that the GI zoning district be established and reserved for basic or primary types of industrial uses which involve extensive manufacturing, processing or assembly operations. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for industries which require sizable tracts of land and/ or employ large numbers of workers. The intention is also to reserve and protect undeveloped areas of Peachtree City which are suitable for such industries, and to discourage encroachment by other uses which are capable of adversely affecting the basic industrial character of the district.

(1008.2) *Permitted uses:* The following uses shall be permitted in any GI zoning district:

- Accessory uses;
- Agriculture and forestry;
- Aircraft hangar and maintenance facility;
- Aviation facility;
- Building contractor and related construction;
- Building material sales and service (wholesale);
- Commercial greenhouse or plant nursery (wholesale)
- Distribution facility;
- Electrical, telephone or other public utility;
- Golf course;
- Manufacturing and assembly;
- Offices, professional;
- Outdoor storage facilities, excluding junk, salvage yards or wrecked vehicles;
- Printing services;
- Public buildings, facilities and utilities;
- Radio, television, recording and/ or rehearsal studio facility;
- Ready-mix concrete plants and pre-cast concrete manufacturing and sales;
- Recovered materials processing facility;
- Recycling collection centers;

Research and development facility;
Research laboratories, including medical and dental labs;
Self-storage warehouse facility;
Sewage treatment facility;
Telecommunications towers and antennas;
Trade or vocational school;
Transportation equipment storage and maintenance facility;
Truck fleet maintenance shop;
Warehouse and storage facility;
Wholesale trade and distribution facility, including office showrooms and display areas

(1008.3) *Conditional uses:* The following uses shall be permitted in any GI zoning district on a conditional basis:

- (a) Open yard for the storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.
- (b) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:
 - (1) Notwithstanding any other requirements in this section, the following conditions shall apply to all churches regardless of zoning district:
 - (2) Minimum zoning lot area is three acres.
 - (3) Minimum lot width is 100 feet.
 - (4) Minimum setback area, front:

Building	40 feet
Parking	20 feet

- (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.
- (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (7) Maximum building height: As approved by the fire department.
- (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
- (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
- (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.
- (11) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(1008.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in GI zoning districts shall conform to the following standards:

- (a)
 - (1) Minimum zoning lot area: 80,000 square feet.
 - (2) Minimum zoning lot area complying with the LI requirements: 40,000 square feet.
- (b)
 - (1) Minimum lot width: 200 feet.
 - (2) Minimum lot width complying with the LI requirements: 150 feet.
- (c) Minimum front setback depth: 50 feet.
- (d) Minimum side setback depth: 20 feet. If adjoining a residential zoning lot, the building setback shall be 100 feet.
- (e) Minimum rear yard: 50 feet. If adjoining a residential zoning lot, the

building setback shall be 100 feet.

- (f) Maximum building height and structure height:

Unlimited, but if the height of a proposed building exceeds 35', as measured from finish grade to the ridge line or the tallest portion of the roof, the proposed site access, site circulation and building design details regarding the overall building layout, proposed construction methods, and overall fire protection plan shall be reviewed and approved by the Fire Marshal and Building Official in accordance with current fire and building codes prior to the review by the Peachtree City Planning Commission. The Fire Marshal and Building Official may impose additional or alternative requirements to the approval based on conditions to include but are not limited to, the type of building, construction type and/ or the planned occupancy and use of the building and overall life safety considerations.

In addition to this review, federal air space regulations may apply should the building exceed 35' in height.

- (g) No automobile parking or service areas will be permitted within the required front setback depth or within 50 feet of the property line of any adjoining residential zoning lot.
- (h) No open burning will be permitted on any zoning lot.
- (i) All industries must be approved by state and federal regulatory agencies relative to meeting standards for environmental quality.

(Ord. No. 201, 6-5-1980; Ord. No. 233, 4-2-1981; Ord. No. 366, § 19, 5-22-1985)

Sec. 1007. LI limited industrial district.

(1007.1) *Intent of district.* It is intended that the LI zoning district be established for light industrial uses which are not significantly objectionable, in terms of appearance, noise, odor, fumes, etc., to surrounding properties. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for uses of a light industrial nature, to protect and reserve undeveloped areas of Peachtree City which are suitable for such industries, and to discourage encroachment by other uses which are capable of adversely affecting the limited industrial character of the district.

(1007.2) *Permitted uses.* The following uses shall be permitted in any LI zoning district provided no noise, vibration, smoke, gas, fume, odor, dust, fire hazard, radiation or other injurious or obnoxious condition related to those uses creates a nuisance beyond the premises on which they are located. Only the specific retail uses listed below shall be permitted in the LI zoning district.

- (a) Accessory uses to permitted uses;
- (b) Agriculture and forestry;
- (c) Ambulance service;
- (d) Amusement or recreational activities located wholly within a building;
- (e) Animal hospital, veterinary clinic, kennel, animal boarding or animal grooming salon;
- (f) A freestanding Automatic teller machine
- (g) Automobile repair and maintenance facility;
- (h) Automobile, truck and trailer leasing or rental facility;
- (i) Bakery and catering service;
- (j) Wholesale Building material sales and service;
- (k) Cabinet shops and furniture repair;
- (l) Car wash facility;
- (m) Colleges and universities
- (n) Day care facilities;
- (o) Assembly and Distribution of products and merchandise;
- (p) Dry cleaning plant operations and service outlets;
- (q) Electrical appliances, sales and service;
- (r) Electrical supply facility;

- (s) Electrical, telephone or other public utility station;
- (t) Electronic, video or mechanical game amusement center;
- (u) Emissions and inspections;
- (v) Equipment rental;
- (w) Fabricating shops (woodworking, upholstery, sheet metal, etc.)
- (x) Farm and garden supply stores, including nurseries and greenhouses;
- (y) Fraternal clubs and lodges (non-commercial);
- (z) Furniture repair, refinishing, refurbishing and upholstery
- (aa) Glass sales and installation;
- (bb) Golf cart sales and service facility;
- (cc) Hardware sales;
- (dd) Health service clinics, including accessory pharmacies;
- (ee) Indoor shooting range;
- (ff) Lighting assembly, sales and service;
- (gg) Office furniture sales and supply;
- (hh) Paint sales and supply;
- (ii) Photography studio, photo processing facility;
- (jj) Plumbing and/ or HVAC sales and supply;
- (kk) Printing, blueprinting, book binding, Photostatting, lithography and publishing facility;
- (ll) Public buildings, facilities and utilities;
- (mm) Radio, television, recording and/ or rehearsal studio facility;
- (nn) Research laboratories, including medical and dental labs;
- (oo) Self-storage mini-warehouse facility;
- (pp) Sign painting and fabricating shops;
- (qq) Small electric motor repair;
- (rr) Teaching of music, voice, dance, karate, etc.;
- (ss) Telecommunications towers;
- (tt) Telegraph or messenger service;
- (uu) Telephone business office;

- (vv) Trade or vocational school.

(1007.3) *Conditional uses.* The following uses shall be permitted in any LI zoning district on a conditional basis:

- (a) Open yard for the storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.
- (c) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:
 - (1) Notwithstanding any other requirements in this section, the following conditions shall apply to all churches regardless of zoning district:
 - (2) Minimum zoning lot area is three acres.
 - (3) Minimum lot width is 100 feet.
 - (4) Minimum setback area, front:

Building	40 feet
Parking	20 feet
 - (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.
 - (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
 - (7) Maximum building height: As approved by the fire department.
 - (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
 - (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
 - (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.

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

(1007.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in LI zoning districts shall conform to the following standards:

- (a) Minimum zoning lot area: 20,000 square feet.
- (b) Minimum lot width: 100 feet.
- (c) Minimum front setback depth: 30 feet.
- (d) Minimum side setback depth: 20 feet. If adjoining a residential zoning lot, the building setback shall be 100 feet.
- (e) Minimum rear setback depth: 20 feet. If adjoining a residential zoning lot, the building setback shall be 100 feet.
- (f) Maximum building and structure height:
Unlimited, but if the height of a proposed building exceeds 35', as measured from finish grade to the ridge line or the tallest portion of the roof, the proposed site access, site circulation and building design details regarding the overall building layout, proposed construction methods, and overall fire protection plan shall be reviewed and approved by the Fire Marshal and Building Official in accordance with current fire and building codes prior to the review by the Peachtree City Planning Commission. The Fire Marshal and Building Official may impose additional or alternative requirements to the approval based on conditions to include but are not limited to, the type of building, construction type and/ or the planned occupancy and use of the building and overall life safety considerations.

In addition to this review, federal air space regulations may apply should the building exceed 35' in height

- (g) Maximum structure size for retail uses permitted in this district: 10,000 square feet. There is no maximum structure size for other non-retail uses permitted in the LI zoning district.
- (h) No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.
- (i) All parking and service areas must be separated from adjoining residential lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The required screen, fence

or wall must provide for a reasonable visual separation between the properties.

- (j) No open burning will be permitted on any zoning lot.
- (k) All industries must be approved by state and federal regulatory agencies relative to meeting standards for environmental quality.

(Ord. No. 199, 6-5-1980; Ord. No. 233, 4-2-1981; Ord. No. 366, § 19, 5-22-1985)

www.thecitizen.com

FRIDAY
November 16, 2007
VOL. 12, NO. 696
NEWSSTAND 50¢

The Peachtree Citizen



"Gas can kill! Trust me. I know. After Twin Brother Mark ate broccoli at dinner, by bedtime he was dead." — Rick Ryckley, A4
Thought-provoking columnists, A4

Christmas coffee house
Stars on the Southern Crescent
kick off the holiday season, B1



Opinion



DAVID EPPS

Tonight's the night

"Tonight's the night! It's gonna be alright," begins the chorus of a song by pop singer Rod Stewart. In my case, "tonight's the night" and I certainly hope "it's gonna be alright!"

Tonight, God willing and the congregation doesn't

PTC loses lawsuit over industrial zoning

By JOHN MUNFORD
jmunford@TheCitizen.com

Peachtree City cannot deny a developer's application to build a Lowe's Home Improvement store on the northwest corner industrially-zoned land off Ga. Highway 74 and TDK Boulevard, a court

has ruled.

The win for Hyde Investments clears the way for the Lowe's to be built, but at this time it appears the home improvement company will not build a location there, said Mike Hyde of Hyde Investments.

However, the ruling stands

to have significant impact for industrially zoned parcels in the city and particularly those located along major highways. If the ruling is upheld or goes unchallenged, the city may be forced to allow retail uses in the city's industrial park.

The win for Hyde Investments

came in the granting of a motion for summary judgment from Fayette County Superior Court Judge Paschal A. English Jr. The company had argued in court that the city has allowed a number of other retail establishments to operate on industrially-zoned parcels, including restaurants.

Hyde Investments had also argued that the type of sales expected at Lowe's would be the same as that of Gill-Roy's Got It hardware just a bit north on Hwy. 74 which was also on industrially zoned land.

See LAWSUIT, A3

Veterans Day



Residents sound off on issues in Aberdeen

February 13, 2008

Mr. W. Michael Hyde
Hyde Investments
P.O. Box 2506
Peachtree City, GA 30269-2506

Re: The Shoppes at Braelinn (SR 74 South and TDK Boulevard)
Conceptual site plan review comments

Dear Mike:

We are in receipt of your conceptual site plan for the Shoppes at Braelinn development, which is proposed at the intersection of SR 74 South and TDK Boulevard. These plans and supporting documentation were submitted to our office on February 4. Prior to forwarding these plans to City Staff for review, the following items must be addressed and the plans revised accordingly:

1. *The submittal package does not meet the minimum conceptual site plan submittal requirements and is therefore not considered a complete application. In accordance with Section 505 of the city's Land Development Ordinance, you must provide a tree survey of the property (refer to Section 1104) and a conceptual stormwater management plan (refer to Section 1011(f)(2)), both of which are attached for your use.*
2. *We would consider the property line closest to SR 74 as the front property boundary. As such, the front setback depth of 50' would apply to this property boundary. Within the G1 zoning ordinance, paragraph (i) states "no automobile parking or service areas will be permitted within the required front setback depth." This applies to the parking areas and associated drive aisles. One thing you might consider is to shift the property boundary to the centerline of the access drive and then measure the setback from the centerline of the road.*
3. *In accordance with Section 905 of the zoning ordinance, this tract is considered a multiple frontage lot. As such, the minimum front setback applies to the property frontage adjoining TDK Boulevard.*
4. *The layout of the parking areas does not comply with Section 1109 of the city's landscape ordinance (attached). Please refer to paragraphs (b), (e), (h), (i) and (j).*
5. *Dumpster or other mechanical equipment locations are not identified on the site plan. Please refer to Section 1110 of the landscape ordinance (attached) for design and screening requirements.*
6. *The proposed parking must comply with Section 909 of the city's zoning ordinance (attached), which identifies minimum standards for retail and restaurant uses. These parking requirements must be incorporated into the overall site plan.*

The Shoppes at Braelinn (SR 74 South and TDK Boulevard)

February 13, 2008

Page 2

Please forward this information to your Engineer and ask him to revise the site plan accordingly. I will be happy to meet with you to review these items, as well as provide a preliminary review of the new site plan prior to submitting this information for Staff review.

Once the plan and project data sheets are revised, please resubmit ten full-size copies and one 11" x 17" reduction and I will distribute this information for Staff review. We will then place this item on the next available Planning Commission agenda for review in a workshop format.

Should you have any questions, please do not hesitate to contact me at (770) 487-5731.

Sincerely,

David E. Rast

David E. Rast, ASLA
City Planner

Attachments

<i>cc:</i>	<i>Marty Mullin</i>	<i>Planning Commission Chairman</i>
	<i>Bernard McMullen</i>	<i>City Manager</i>
	<i>Dave Borkowski</i>	<i>City Engineer</i>
	<i>file</i>	

Sec. 1008. - GI general industrial district.

(1008.1) *Intent of district:* It is intended that the GI zoning district be established and reserved for basic or primary types of industrial uses which involve extensive manufacturing, processing or assembly operations. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for industries which require sizable tracts of land and/or employ large numbers of workers. The intention is also to reserve and protect undeveloped areas of Peachtree City which are suitable for such industries, and to discourage encroachment by other uses which are capable of adversely affecting the basic industrial character of the district.

(1008.2) *Permitted uses:* The following uses shall be permitted in any GI zoning district:

- (a) Accessory uses;
- (b) Agriculture and forestry;
- (c) Aircraft hangar and maintenance facility;
- (d) Automobile repair and maintenance facility;
- (e) Aviation facility;
- (f) Building contractor and related construction;
- (g) Building material sales and service (wholesale, no sales to the general public);
- (h) Commercial greenhouse or plant nursery (wholesale);
- (i) Distribution facility;
- (j) Electrical, cable, telephone or other public utility;
- (k) Manufacturing and assembly;
- (l) Offices, professional;
- (m) Outdoor storage facilities, excluding junk, salvage yards or wrecked vehicles;
- (n)

- Printing services;
- (o) Public government buildings, facilities and utilities;
- (p) Radio, television, recording and/or rehearsal studio facility;
- (q) Ready-mix concrete plants and pre-cast concrete manufacturing and sales;
- (r) Recovered materials processing facility;
- (s) Recycling collection centers;
- (t) Research and development facility;
- (u) Research laboratories, including medical and dental labs;
- (v) Self-storage warehouse facility;
- (w) Sewage treatment facility;
- (x) Trade or vocational school;
- (y) Transportation equipment storage and maintenance facility;
- (z) Truck fleet maintenance shop;
- (aa) Warehouse and storage facility;
- (bb) Wholesale trade and distribution facility, including office showrooms and display areas.

(1008.3) *Conditional uses*: The following uses shall be permitted in any GI zoning district on a conditional basis:

- (a) Open yard for the storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.
- (b)

Church or other place of worship, on the following conditions:

- (1) Notwithstanding any other requirements in this section, the following conditions shall apply to all churches regardless of zoning district.
- (2) Minimum zoning lot area is three acres.
- (3) Minimum lot width is 100 feet.
- (4) Minimum setback area, front:
Building: 40 feet
Parking: 20 feet
- (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.
- (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (7) Maximum building height: As approved by the fire department.
- (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
- (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
- (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable evergreen planting screen six feet in height at time of planting. The required fence, wall, or evergreen planting screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.
- (11) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance, or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(c)

Indoor and/outdoor athletic training facility on the following conditions:

(1)

The owner of the property shall provide documentation to the city indicating there is sufficient parking on the site to accommodate the proposed use as well as the other tenants within the building, and that parking will not interfere with existing service courts, loading docks and/or truck traffic. As a part of this exercise, the owner of the property shall also include a detailed site plan identifying where parking will be provided for each use within the building.

(2)

The tenant space shall have a dedicated entrance that is not shared with other tenants within the building.

(3)

The tenant space shall have dedicated bathroom facilities that are not shared with other tenants within the building.

(4)

The tenant space shall be separated from other uses within the building with appropriate fire walls and contains a fire sprinkler system designed for assembly activities.

(5)

The tenant space shall contain a self-contained HVAC system which does not circulate air from other tenants within the building.

(6)

The tenant space shall contain a dedicated space inside the building designed to "hold" patrons until picked up by their parent or authorized designee. The intent of this provision is to provide a safe area inside of the building as opposed to having children waiting outside of the building.

(7)

Should the athletic training facility include both indoor and outdoor facilities, the owner of the property shall provide a designated sidewalk and/or access route connecting the two facilities. The purpose of this designated connection is to separate patrons of the training facility from interacting with vehicular and/or truck traffic.

(d)

Telecommunications facilities and support structures in accordance with the provisions of the wireless telecommunications facilities ordinance.

(1008.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in GI zoning districts shall conform to the following standards:

(a)

Minimum zoning lot area: 80,000 square feet.

- (b) Minimum lot width: 200 feet.
- (c) Minimum front setback depth: 50 feet.
- (d) Minimum side setback depth: 20 feet.
Note: If adjoining a residential zoning lot, the building setback shall be 100 feet.
- (e) Minimum rear yard: 50 feet.
Note: If adjoining a residential zoning lot, the building setback shall be 100 feet.
- (f) Maximum building height and structure height: Unlimited, but if the height of a proposed building exceeds 35 feet, as measured from finish grade to the ridge line or the tallest portion of the roof, the proposed site access, site circulation and building design details regarding the overall building layout, proposed construction methods, and overall fire protection plan shall be reviewed and approved by the fire marshal and building official in accordance with current fire and building codes prior to the review by the city planning commission. The fire marshal and building official may impose additional or alternative requirements to the approval based on conditions to include but are not limited to, the type of building, construction type and/or the planned occupancy and use of the building and overall life safety considerations.
In addition to this review, federal air space regulations may apply should the building exceed 35 feet in height.
- (g) No automobile parking or service areas will be permitted within the required front setback depth or within 50 feet of the property line of any adjoining residential zoning lot.
- (h) No open burning will be permitted on any zoning lot.
- (i) All industries must be approved by state and federal regulatory agencies relative to meeting standards for environmental quality.

(Ord. No. 954, § 1, 8-7-2008; Ord. No. 983, § 1, 8-20-2009; Ord. No. 1002, §§ 1, 2, 7-15-2010)

Editor's note—

Ord. No. 954, § 1, adopted August 7, 2008, repealed former § 1008 and enacted a new § 1008 as set out herein. The former section pertained to similar subject matter and derived from Ord. No. 201, 6-5-1980; Ord. No. 233, 4-2-1981; Ord. No. 366, § 19, 5-22-1985; Ord. No. 931, § 1, 2-21-2008.

Sec. 1007. - LI light industrial district.

(1007.1) *Intent of district.* It is intended that the LI zoning district be established for light industrial uses which are not significantly objectionable, in terms of appearance, noise, odor, fumes, etc., to surrounding properties. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for uses of a light industrial nature, to protect and reserve undeveloped areas of Peachtree City which are suitable for such industries, and to discourage encroachment by other uses which are capable of adversely affecting the light industrial character of the district.

(1007.2) *Permitted uses.* The following uses shall be permitted in any LI zoning district provided no noise, vibration, smoke, gas, fume, odor, dust, fire hazard, radiation or other injurious or obnoxious condition related to those uses creates a nuisance beyond the premises on which they are located.

Only the uses specified below shall be permitted within the LI zoning district:

- (a) Accessory uses to permitted uses;
- (b) Agriculture and forestry;
- (c) Ambulance service;
- (d) Amusement or recreational activities located wholly within a building;
- (e) Animal hospital, veterinary clinic, kennel, animal boarding or animal grooming salon;
- (f) Assembly and distribution of products and merchandise;
- (g) Automatic teller machine, provided that it is not a part of, or on the same parcel as, a bank or financial institution;
- (h) Automobile repair and maintenance facility;
- (i) Automobile, truck and trailer leasing or rental facility;
- (j) Bakery and catering service;
- (k) Building material sales and service (wholesale, with no sales to the general public);
- (l) Cabinet shops and furniture repair;
- (m)

- (n) Car wash facility;
- (o) Day care facilities;
- (p) Dry cleaning plant operations and service outlets;
- (q) Electrical/electronic appliances, sales and service;
- (r) Electrical/electronic supply facility;
- (s) Electrical, telephone or other public utility station;
- (t) Electronic, video or mechanical game amusement center;
- (u) Emissions and inspection testing;
- (v) Equipment rental;
- (w) Fabricating shops (woodworking, upholstery, sheet metal, etc.);
- (x) Farm and garden supply stores, including nurseries and greenhouses;
- (y) Floor coverings sales and supply;
- (z) Fraternal clubs and lodges (non-commercial);
- (aa) Furniture repair, refinishing, refurbishing and upholstery;
- (bb) Glass sales and installation;
- (cc) Golf cart rental, sales and service facility;
- (dd) Hardware sales;
- (ee) Health service clinics, including accessory pharmacies;
- (ff) Indoor shooting range;
- (gg) Light manufacturing, processing, and assembly;
- (hh) Lighting assembly, sales and service;

- Office furniture sales and supply;
- (ii) Paint sales and supply;
- (jj) Photography studio, photo processing facility;
- (kk) Plumbing and/or HVAC sales and supply;
- (ll) Printing, blueprinting, book binding, photostatting, lithography and publishing facility;
- (mm) Public buildings, facilities and utilities;
- (nn) Radio, television, recording and/or rehearsal studio facility;
- (oo) Research laboratories, including medical and dental labs;
- (pp) Self-storage mini-warehouse facility;
- (qq) Sign painting and fabricating shops;
- (rr) Small electric motor repair;
- (ss) Studio for teaching music, voice, dance, karate, etc.;
- (tt) Telegraph or messenger service; and
- (uu) Trade or vocational school.

(1007.3) *Conditional uses.* The following uses shall be permitted in any LI zoning district on a conditional basis:

- (a) Open yard for the storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.
- (b) Church or other place of worship, on the following conditions:
 - (1) Notwithstanding any other requirements in this section, the following conditions shall apply to all churches regardless of zoning district.

- (2) Minimum zoning lot area is three acres.
- (3) Minimum lot width is 100 feet.
- (4) Minimum setback area, front:
Building: 40 feet
Parking: 20 feet
- (5) Minimum setback area, side: 15 feet.
Note: If adjoining a residential lot, the building setback shall be 75 feet.
- (6) Minimum setback area, rear: 30 feet.
Note: If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (7) Maximum building height: As approved by the fire marshal.
- (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
- (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
- (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable evergreen planting screen six feet in height at time of planting. The required fence, wall, or evergreen planting screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.
- (11) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance, or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(c)

Indoor and/outdoor athletic training facility on the following conditions:

- (1) The owner of the property shall provide documentation to the city indicating there is sufficient parking on the site to accommodate the proposed use as well as the other tenants within the building, and that parking will not

interfere with existing service courts, loading docks and/or truck traffic. As a part of this exercise, the owner of the property shall also include a detailed site plan identifying where parking will be provided for each use within the building.

(2)

The tenant space shall have a dedicated entrance that is not shared with other tenants within the building.

(3)

The tenant space shall have dedicated bathroom facilities that are not shared with other tenants within the building.

(4)

The tenant space shall be separated from other uses within the building with appropriate fire walls and contains a fire sprinkler system designed for assembly activities.

(5)

The tenant space shall contain a self-contained HVAC system which does not circulate air from other tenants within the building.

(6)

The tenant space shall contain a dedicated space inside the building designed to "hold" patrons until picked up by their parent or authorized designee. The intent of this provision is to provide a safe area inside of the building as opposed to having children waiting outside of the building.

(7)

Should the athletic training facility include both indoor and outdoor facilities, the owner of the property shall provide a designated sidewalk and/or access route connecting the two facilities. The purpose of this designated connection is to separate patrons of the training facility from interacting with vehicular and/or truck traffic.

(d)

Telecommunications facilities and support structures in accordance with the provisions of the wireless telecommunications facilities ordinance.

(1007.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in LI zoning districts shall conform to the following standards:

(a)

Minimum zoning lot area: 20,000 square feet.

(b)

Minimum lot width: 100 feet.

(c)

Minimum front setback depth: 30 feet.

(d)

Minimum side setback depth: 20 feet.

Note: If adjoining a residential zoning lot, the building setback shall be 100 feet.

(e)

Minimum rear setback depth: 20 feet.

Note: If adjoining a residential zoning lot, the building setback shall be 100 feet.

(f)

Maximum building and structure height: Unlimited, but if the height of a proposed building exceeds 35 feet, as measured from finish grade to the ridge line or the tallest portion of the roof, the proposed site access, site circulation and building design details regarding the overall building layout, proposed construction methods, and overall fire protection plan shall be reviewed and approved by the fire marshal and building official in accordance with current fire and building codes prior to the review by the city planning commission. The fire marshal and building official may impose additional or alternative requirements to the approval based on conditions to include but are not limited to, the type of building, construction type and/or the planned occupancy and use of the building and overall life safety considerations.

In addition to this review, federal air space regulations may apply should the building exceed 35 feet in height

(g)

Maximum structure size for retail uses permitted in this district: 10,000 square feet.

There is no maximum structure size for other non-retail uses permitted in the LI zoning district.

(h)

No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.

(i)

All parking and service areas must be separated from adjoining residential lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The required screen, fence or wall must provide for a reasonable visual separation between the properties.

(j)

No open burning will be permitted on any zoning lot.

(k)

All industries must be approved by state and federal regulatory agencies relative to meeting standards for environmental quality.

(Ord. No. 953, § 1, 8-7-2008; Ord. No. 1003, §§ 1, 2, 7-15-2010)

Editor's note—

Ord. No. 953, § 1, adopted August 7, 2008, repealed and reenacted section 1007 in its entirety to read as herein set out. Formerly, section 1007 pertained to similar subject matter, and derived from Ord. No. 199, adopted June 5, 1980; Ord. No. 233, adopted April 2, 1981; Ord. No. 366, § 19, adopted May 22, 1985; Ord. No. 408, adopted August 21, 1986; Ord. No. 430, adopted May 7, 1987; Ord. No. 933, § 1, adopted February 21, 2008.

**Peachtree City Planning Commission
Meeting Minutes
April 8, 2019
7:00 p.m.**

The Peachtree City Planning Commission met Monday, April 8, 2019, at City Hall. Chairman Frank Destadio presided. Other Planning Commissioners present were Lisa Curtis and JT Rabun, along with alternate Scott Ritenour. Commissioners Paul Gresham and Michael Link were absent. Planning and Development Director Robin Cailloux, Planning Assistant Chandra Wright, IT Specialist Julie Zilich, and Recording Secretary Martha Barksdale also were present.

Announcements and Reports

Destadio noted that even though Ritenour was seated at the dais, he was not allowed to vote. His comments and questions were welcome.

Cailloux clarified that with only three Commissioners present, items needed a 3-0 vote to pass. If the vote was split among the three, the item was automatically disapproved per City ordinance.

Approval of Minutes

Planning Commission Meeting March 25, 2019

Because Curtis was absent from the March 25 meeting, and therefore could not vote on the minutes, Cailloux suggested they table this item until the next meeting because of the requirement that there be at least three votes for approval. Destadio agreed, and approval of the minutes was tabled.

Public Hearings

PH-19-03 Consider rezoning of Tax Parcel ID 0615 036 and 0615 037, 5.5 acres located at the intersection of Widget Drive and Exchange Place, from GI General Industrial to LUC Limited Use Commercial to allow a hotel and commercial outparcel

Destadio opened the hearing. Cailloux said this property was along SR 74 on the south side of the City. The property was along Widget Drive and Exchange Place, both private roads. The Future Land Use Map designed this area as industrial.

The request was to rezone the property from General Industrial (GI) to Limited Use Commercial (LUC) to allow a full-suite hotel and commercial outparcel. The Future Land Use was for industrial, defined as manufacturing facilities, warehousing, processing plants, factories, laboratories and similar uses. LUC was typically site-specific, Cailloux noted, but, since the applicant did not indicate a specific use for the outparcel, conditions for the LUC zoning district would have to apply.

Staff used six criteria listed in the City zoning ordinance when reviewing rezoning requests, Cailloux noted. The first asked if the zoning was in conformance with the City Land Use and the Comprehensive Plan. She explained that there were two elements of the Comprehensive Plan: the Future Land Use Map and the goals and policies. As far as the first one, the property was designated for industrial use and currently zoned as industrial, so the request did not meet that standard.

Staff then reviewed the goals and policies and identified three that could apply. The first was to promote the location of industrial uses in the Industrial Park and commercial uses in the village centers, with a step down in intensity further out from the village centers. The second concerned economic development policies and required working towards reducing the tax burden on the residents by shifting the tax base towards industrial and commercial users. The third goal was to encourage alternative modes such as walking, bicycling, etc. by providing a comprehensive system of multi-use paths and facilities connecting all the villages and activity centers in the City.

The first policy was not satisfied by the request because the property was not in a village center. Cailloux pointed out that the Braelinn Village center was nearby, but this site was not in that village center. It was within the Industrial Park, so putting a commercial use there would not meet the intent of that land use goal.

The second goal, working towards reducing the tax burden, was met. Development of the property would add to the general tax base. There would also be tax revenue from the hotel, which went towards projects of the Convention and Visitors Bureau (CVB) as well as some tourist development projects and general City operations.

The third goal was to encourage alternative modes by providing a comprehensive system of paths. Cailloux mapped out the future direction of the path system, with existing paths in green and future ones in red. The Flat Creek path, although shown in red, would very soon be finished and open to the public. Projects 20 and 21 on the map were funded by the Special Purpose Local Option Sales Tax (SPLOST), while projects 24, 45, and 51 were planned, but not funded by SPLOST. An orange dot on the map indicated that a crossing was planned over SR 74. So far, only the engineering work had been funded, and no location had been designated. The applicant had indicated willingness to work with the City and provide connections to the multi-use paths on their property. Staff listed some conditions to be added if the Commission decided to recommend approval.

In summary of the first rezoning criteria, the request did not meet the future land use plan, and met two of the three identified Comprehensive Plan goals and policies.

The second rezoning criteria asked if the use would be consistent with other uses in the vicinity. Cailloux showed that Avery Dennison and the Pit Stop station were adjacent to the undeveloped property. Commercial uses and industrial uses are present across Highway 74. At one time, the City did permit supportive commercial uses in the Light Industrial (LI), and that LI uses were permitted in the GI zoning district. This was changed in 2008 by City Council to a strict industrial category. The non-conforming uses seen here were done before that zoning change.

To determine if a use is consistent with surrounding uses, staff reviews whether the proposed use would negatively affect the other uses in the district. Traffic generation was one aspect. Staff used the most intense usage in that category and added it to the most recent Georgia Department of Transportation trip counts. Even at the most intense development, the capacity of those roads could handle potential generated traffic from this site, she reported. The public school system would not be affected by this use, and the public utilities, water and sewer, both indicated they had capacity for this use. Impact on Police and Fire would be mitigated by impact fees assessed by the City.

These reviews showed there were both pros and cons for approving this rezoning. Planning Staff's role is to implement and manage the Comprehensive Plan. Because this request did not meet that criteria of the rezoning, Staff did not recommend approval. Should the Planning Commission recommend approval to City Council, Staff had identified one condition: that the applicant construct a multi-use path parallel to Widget Drive that met path standards and be responsible for maintaining that path. The City Ordinance allowed the applicant to contribute the cost of construction, determined by the City Engineer, in lieu of constructing the path.

Developer Nathan Dockery represented the applicant. He said his firm was involved in the Guthrie Way project, an all-commercial development built after 2008 in the LI zoning district. Destadio said that was a nice development. Dockery stated the hotel followed the standards of the City's LI uses, which previously contained commercial uses and were included in the GI zoning. He said they had a legal standing to build the hotel based on litigation. The LUC was merely a site-specific version of that LI zoning. They planned to use the prototype for the Hilton Home2 Suites with the setbacks provided in LUC, creating a higher-quality project. This would involve landscaping, layout, insurance – everything about the project would be much nicer, Dockery stated. All utilities were on-site, paid for by the owner

when the road was installed. Dockery pointed to the Days Inn on the map and said it was in an area zoned LI, but with all commercial uses.

His firm had been involved with the building of another Hilton Home2 Suites, Dockery reported. This would be a good project for this corner and was in keeping with the City and County's goals of attracting jobs and creating revenue. The building looked good, he stated, and was geared for the traveler staying one to five days. There was no food service on-site.

Dockery said they were willing to work with the City on the path crossing, whether it was a bridge or a tunnel. One of their key points was to bring cart path traffic across 74 to their property and to provide access to the Industrial Park. They intended to work with the City to do that. Right now, there was no good way to cross SR 74 to get from the Kroger to Planterra Ridge. Destadio added there was no good way to cross SR 74 anywhere.

Dockery included several exterior and interior photos of the type of hotel they planned, saying they could accent it with stone or brick to meet City requirements. Michael Hyde Jr. of THG Properties, owner of this property, spoke for the proposal. He gave a history of this property, understanding that the City was against any sort of "spot zoning" or exceptions to its ordinances. He noted that they purchased the property in 2003, five years before the City changed the Zoning Ordinance. His firm ran the Pit Stop convenience stores throughout town, including one on SR 54 which would be discussed later in the meeting. They also built the Pit Stop on SR 74 and Crosstown, which, in addition to being a Pit Stop store, also housed their office. They were proud of that building and intended to be there 50 years or more, Hyde remarked.

They purchased this property, had it appraised, developed, put in a \$700,000 road, and completed the convenience store and other commercial uses, a Subway and Wings 'n Things. He noted that Wings n' Things was added in 2011, well after the ordinance was changed in 2008. He said this was a chance for the City to right a wrong it committed in 2008 by effectively rezoning their property against their will and without their consent.

Destadio told him they were not there to litigate past action, but to discuss the current request for rezoning. Hyde, like everyone else, had five minutes to support his request.

Hyde said he only wanted to make the point that theirs was a local company, and they purchased this property with the intent of doing a commercial development. It was rezoned in 2008, and they were effectively asking that it be zoned back.

Destadio noted that Hyde included a rather detailed proposal stating much of what he had just said. He noted that he believed all the other Commissioners had read it. He thanked Hyde for his comments. He told Hyde he was glad the audience got a chance to hear that history and said he didn't mean to cut him off, but he seemed to be getting a little emotional. Hyde joked that this project was "his baby." No one else wished to speak in favor of this proposal.

Smokerise resident Gary Ricards spoke against the proposal. He said he spent 40 years in manufacturing capacities and 10 years in the hotel industry. He noted there were a limited number of industrial zoned parcels in Peachtree City, and he was in favor of retaining them because they provided more of an opportunity for a large number of higher-paying jobs than a hotel would. He appreciated the Home2 concept, but knew that most of the employment would be at around minimum wage, whereas in manufacturing, wages were higher. Jobs were why people came to an area. There was probably a tax advantage to having an industrial employer. Ricards remarked that they might start out like Sany, with 25 or so employees, but now was expanding to 300 employees.

There were no other comments, and Destadio closed the public hearing.

Destadio asked Hyde to return to the podium. Destadio told him that a hotel would do a lot of good for the City, and Cailloux did a good job of pointing out the pros and cons of rezoning this property. He noted that the information packet Hyde submitted with the rezoning application seemed "in your face." Destadio said Hyde did not include an explanation of the benefits of rezoning this property, but rather talked about a lawsuit against the City and how he won it, along with an article from the newspaper talking about the suit. All this, Destadio commented, was just saying that Hyde felt he deserved to have this approved. Destadio said he understood that when Hyde's firm purchased the property, it was zoned GI and the package cited the uses and sub-uses of GI. He asked if they were trying to build a Lowe's at that time? Hyde said they had had a number of interested entities, and Lowe's had been one. The City turned them down, and they took it to court and won.

Destadio said the applicant won the lawsuit and had a right to build in 2008 or 2009. He noted that from 2008 or 2009 to 2019, Hyde's firm decided not to build that facility. Now he was asking to build another facility that didn't meet the ordinance. The Planning Commissioners were not attorneys, Destadio noted, they were there to rule if the request complied with the current ordinance. He said he felt the City had made an effort to look at all the requirements for rezoning, such as economic development, but the Planning Commission was there to consider the Land Use Plan.

Hyde said the hotel would provide about \$100,000 in property taxes each year and about \$300,000-\$400,000 in hotel/motel use taxes each year beginning year one and escalating.

The Planning Commission's job was to look at whether items complied with the Land Use Plan and planning ordinances. Destadio went on to say that he agreed with Ricards. He recalled the airport had recently gotten a displaced threshold, which would allow planes to take on more fuel and depart on longer flights. He also recalled that a long-time local businessman recently told the Commission he wished there was more industrial property in the City. They needed to preserve industrial land, Destadio said. Based upon that, Destadio said he wasn't in favor for changing from industrial to another use.

Rabun remarked that planning, by its very nature, was a long-term enterprise, but the Planning Commission had to make short-term decisions based on the Comprehensive Plan and the Land Use Plan it contained. He said it was his understanding that they could build what they were asking for under the current zoning, so the Planning Commission did not have to rezone. Hyde said it was their position that they had vested rights to allow construction. Rabun said that was not his question and asked staff if a hotel could be built in the GI district. Cailloux said that was the applicant's position, but the City said it had to be in the GC zoning district. Hyde said the setbacks in GI were severe. In the LUC zoning, the hotel could be closer to the lake.

Rabun said he always tried to look at the long-term. They should let the plan play itself out and see if they could attract more industrial development. Curtis echoed Rabun's comments and said she would encourage GI development in that area.

Ritenour also agreed, saying he had observed over the past several meetings that they often were being asked to change industrial properties to commercial use. They needed to look towards the vision for future development and see if there were areas where something like this would be better suited. He said he would rather see this stay industrial and see what could go there.

Hyde told Destadio he appreciated their time. He said he wanted to frame it from a historic perspective and noted that the land was surrounded by commercial, but said he understood it was changed in 2008.

Destadio asked if the developments across the street were built before 2008, and Cailloux said she did not know, but it was her understanding they were. Destadio said he knew the Days Inn was there in 2000. They must have been built under the LI clause, and, in his mind, that was something the City needed to correct.

Rabun moved that they recommend disapproval to City Council of item PH-19-03, rezoning of Tax Parcel ID 0615 036 and 0615 037, 5.5 acres located at the intersection of Widget Drive and Exchange Place, from GI General Industrial to LUC to allow a hotel and commercial outparcel. Curtis seconded. Motion carried unanimously.

New Agenda Items

04-19-01 Consider revised landscape plan, Granite and Marble (2 Falcon Drive)

Wright said this was on the corner of Dividend Drive and Falcon Drive. The Commission previously approved the landscape plan in November, 2018. The previous plan called for planting 92 trees on the site and contributing the cost of 49 to the City's Tree Save Fund. However, all of the trees were delivered to the building site through an error in reading the plan. The owner asked the landscape architect to go back and re-do the plan to accommodate the number of trees that were delivered. Now they were asking to plant 131 trees on the site, Wright reported, and, instead of contributing to the Tree Fund, they wanted to plant 14 willow oaks at a designated spot in the City.

Cailloux pointed out that the ordinance did allow the applicant to directly plant the trees, but Staff usually discouraged this because the City did not have the staff resources to oversee these offsite plantings. In this case, the applicant was under duress, so the City worked with Parks and Recreation and found a spot at the Braelinn Fields, next to Oak Grove Elementary, where the trees could be planted. They were grading the final field there now, and the trees would be welcome.

Karen Kitchings represented the project. Destadio said that even though it was allowed in the ordinance, he was not in favor of allowing developers to plant trees offsite. The Tree Fund was like money in the bank and allowed the City to plant trees where they wanted and to maintain them. He said he was certain Kitchings would follow through, but others who were allowed to do their own plantings might not maintain them. Cailloux noted the alternative compliance was at the Planning Commission's discretion. They could deny it.

Kitchings explained that, at first, the landscape designer did not believe there was room for more trees, but after visiting the site, she noted an area near the drive could accommodate some trees that would enhance the building and add color. There were blank areas all over that could be enhanced with crepe myrtles and other trees that would add color in the fall. Kitchings showed photos illustrating where the trees could go. She said she hoped the Commission would allow them to plant the additional trees since they were needed and also because they made the mistake of ordering them.

When he visited the site, Destadio noted, he saw plenty of areas where trees could be planted. He said he saw a dead cherry tree and noted that it would be replaced. He did see a lot of large trees on the site plan that were going in along the driveway off of Dividend and the road that went straight through. The asphalt was being placed soon, so Kitchings asked Destadio if they could go ahead and plant them so they would not have to drive large vehicles over the new asphalt. There was an area around the detention ponds that had the same issue. Those were the only areas they wanted to go ahead with, and Destadio said he took it on himself to give them permission.

Cailloux said she worked with Recreation Director Quinn Bledsoe and City Manager Jon Rorie to determine where the willow oaks would be planted. Destadio confirmed that they would place

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan N. Rorie, City Manager *JN*
 Paul Salvatore, Financial Services Director *KB*
 Angela Egan, Purchasing Agent *AE*

FROM: Mike Madison, Stormwater Manager *MM*

DATE: April 25, 2019

SUBJECT: 2019 Stormwater Pipe Rehabilitation Project – CCCP Pipe Group A
May 2, 2019 City Council Agenda

Recommendation:

Staff recommends that City Council award the bid for the 2019 Stormwater Pipe Rehabilitation Project – CCCP Pipe Group A to Enviro Trenchless, LLC for their unit cost base bid amount of \$348,271.00.

Discussion: The existing storm drainage pipes selected for this spin cast pipe lining bid are exhibiting various types of structural degradation including severe invert corrosion, holes in the pipe inverts and failing pipe joints. Trenchless pipe rehabilitation is the best option to repair the observed failures in that it can be quickly installed and provides a structural component without having significant excavations and/or road closures. Therefore, staff solicited unit cost bids from qualified contractors to perform the rehabilitation work. The results of this bid are as follows:

Enviro Trenchless, LLC	\$348,271.00
Utility Asset Management	\$359,381.00
Bio-Nomic Services	\$364,038.00
IPR Southeast	\$378,446.00
Vortex Services	\$418,956.00
RDJE, Inc	\$577,085.00
Proshot Concrete	\$732,172.00

Budget Impact: Sufficient funds in the amount of \$348,271.00 is available in the Stormwater Bond Pipe Lining #521-4250-541947-SW-00047.

REVISED (Funding Account)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan N. Rorie, City Manager 
Paul Salvatore, Financial Services Director 
Angela Egan, Purchasing Agent 

FROM: Mike Madison, Stormwater Manager 

DATE: April 25, 2019

SUBJECT: 2019 Stormwater Pipe Rehabilitation Project – CCCP Pipe Group B
May 2, 2019 City Council Agenda

Recommendation:

Staff recommends that City Council award the bid for the 2019 Stormwater Pipe Rehabilitation Project – CCCP Pipe Group B to Enviro Trenchless, LLC for their unit cost base bid amount of \$308,934.00.

Discussion: The existing storm drainage pipes selected for this spin cast pipe lining bid are exhibiting various types of structural degradation including severe invert corrosion, holes in the pipe inverts and failing pipe joints. Trenchless pipe rehabilitation is the best option to repair the observed failures in that it can be quickly installed and provides a structural component without having significant excavations and/or road closures. Therefore, staff solicited unit cost bids from qualified contractors to perform the rehabilitation work. The results of this bid are as follows:

Enviro Trenchless, LLC	\$308,934.00
Utility Asset Management	\$383,829.00
IPR Southeast	\$384,942.00
Bio-Nomic Services	\$389,868.00
Vortex Services	\$514,958.00
RDJE, Inc	\$568,695.00
Proshot Concrete	\$731,235.00

Budget Impact: Sufficient funds in the amount of \$308,934.00 is available in the Stormwater Bond Pipe Lining #521-4250-541947-SW-00047.

REVISED (Funding Account)