

City Council of Peachtree City
Agenda
March 1, 2007
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Proclamation for DeMolay Week
 - Recognize David Murphy, Andy Lee, and Chad Matheny for 10 Years of Service
- IV. Public Comment
- V. Minutes
 - February 6, 2007, Workshop Minutes
 - February 15, 2007, Regular Meeting Minutes
- VI. Monthly Reports
- VII. Consent Agenda
 - 1. Consider Budget Amendment
- VIII. Old Agenda Items
 - 02-07-04 Citizen Request to Address Council Regarding Selection Process for Job Opening
- IX. New Agenda Items
 - 03-07-01 Alcohol License – NEW – Johnny's Pizza
 - 03-07-02 Public Hearing – Consider Rezoning, Newgate Road, GC to LUR
 - 03-07-03 Public Hearing – Consider Rezoning, Haynes Tract, Carriage Lane, ER to LUR
 - 03-07-04 Consider Approval of a City Flag
 - 03-07-05 Consider Ordinance Amendment for False Fire Alarm Penalties
 - 03-07-06 Consider Website Agreement with Peachtree City Airport Authority
 - 03-07-07 Consider MacDuff Parkway Landscaping Bid Recommendation
 - 03-07-08 Consider Traffic Signal Request, SR 74/Wisdom Road
 - 03-07-09 Consider Surplus of Two Pick-up Trucks and Sale to Airport Authority
 - 03-07-10 Consider Truck Bids
- X. Council/Staff Topics
 - Update on Great American Clean-up
 - Update on Peachtree City Travel Baseball Issues
- XI. Executive Session

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

City of Peachtree City
WORKSHOP
Minutes of Meeting
February 6, 2007
6:30 p.m.

The City Council of Peachtree City met in a joint workshop session with the Planning Commission on Tuesday, February 6, 2007, at 6:35 p.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford. Planning Commission members attending were: Marty Mullin, Larry Roach, Theo Scott, and Patrick Staples.

Staff members attending were: Assistant City Manager/Developmental Services Director Colin Halterman, Administrative Services Director/City Clerk Jane Miller, City Planner David Rast, Fire Marshal John Dailey, and City Attorney Ted Meeker.

The purpose of the workshop was to discuss the West Village annexation requests. Rast told Council that staff and the Planning Commission had been working with John Wieland Homes & Neighborhoods and Levitt & Sons on their plans. Changes had been made to both plans based on comments from the Planning Commission, the Atlanta Regional Commission (ARC), and the Georgia Regional Transportation Authority (GRTA). The density had been reduced in both plans.

Dan Fields of John Wieland Homes & Neighborhoods went over the plan for the Connector Village. (A copy of the PowerPoint is included in the official meeting file.) He pointed out that the proposed plan met the following components of the City's Comprehensive Plan:

- To protect environmentally sensitive areas from development while extending the open space concept throughout future development;
- To establish a continuous planning process for Peachtree City and promote the full participation of City residents;
- To provide opportunities for an appropriate mix of dwelling types, sizes and prices in order to meet the current and projected needs of City residents of all social-economic groups in accordance with their financial capabilities, mobility and preferences; and
- To provide a full range of passive and active recreational facilities and services conveniently located for City residents.

Fields compared the proposed density of the Fayette County portion of the Connector Village (495 homes, 380 gross acres, 1.30 units/gross acre) to Georgian Park (195 homes, 214 gross acres, 0.91 units), Planterra (436 homes, 306 acres, 1.42 units/gross acre), Ashton Park (30 homes, 15 gross acres, 1.94 units/gross acre), and Ardenlee (155 homes, 75 gross acres, 2.05 units/gross acre).

Fields went over the features of a good land plan as stated by current respected land planners. The features included:

- The neighborhood had a discernible center;
- Most dwellings were within a five-minute walk to the center;
- Variety of dwelling types;
- Streets within the neighborhood formed a connected network, which dispersed traffic; and
- Streets were relatively narrow and shaded by rows of trees, which slowed traffic, creating an environment suitable for pedestrians and bicycles (and golf carts).

Fields went over the benefits to the plan, which included:

- MacDuff Parkway completion;
- Great lawn and interior pocket parks;
- Connecting streets;
- Interconnected buffers and cart paths;
- Variety of housing types and price points;
- Tree-lined streets and natural buffers;
- 167 acres of open space/natural buffers; and
- Sustainable and timeless architecture.

Fields showed drawings of the plan, which showed the interconnection of the streets. He noted that parallel parking along portions of MacDuff Parkway was needed for the streetscape and for traffic-calming. The divided median on MacDuff would tighten as the road approached the village section. The parallel parking, which would serve the guests at the homes along MacDuff Parkway, would be 100 feet from the intersections so it would not interfere with visibility at the intersections. Alley access to the back of the homes created the streetscape. He added that the retail at the village center was added at the request of the Planning Commission. Fields said a tree survey was prepared to help determine the specimen trees to save, and many of the park areas throughout the plan were developed based on the tree survey.

Fields said the typical lot size on the western side of the development would be 100 feet to 115 feet wide. The homes would be in the \$500,000-\$600,000 price range. The property lines would not extend into the buffers so the owners would not encroach on the creek. The buffers would be preserved in perpetuity. He showed a drawing of the typical 95-foot wide lot with buffers and trees in the rear yard. The cart path would meander through the backyard tree buffer. The typical MacDuff Parkway lot would be served with an alley and have a 50-foot wide lot.

Fields said the plan received a unanimous vote from the Planning Commission. They were moving in the right direction. Discussion continued on some issues. He continued that it was important to get Council's input along the way.

Kathy Zickert from Levitt & Sons told Council that, based on comments they had received, their plan had changed considerably and had improved. The proposed number of units had dropped from 752 to 699. She continued that they had also changed the unit mix. They had been advised to consider a quadraplex of townhomes, and they added approximately 100 units. It would be the typical quad product. The developer had also added another access point, eliminated the gate, and created pods with greenspace rather than cul-de-sacs. However, it would be difficult to connect the pods without using stream crossings, which they wanted to avoid as much as possible. By eliminating the cul-de-sacs, there would be more than 100 acres of open space with walking trails that would connect to Wieland's development and to the cart path system. Every lot had its own greenspace, which made the lots look bigger and was a nice amenity for the package. The pods contained different setbacks, lot sizes, and housing styles. The buffers off the stream had increased. The total open space was 228.7 acres; the usable open space was in excess of 100 acres. She noted that the GRTA and ARC input echoed many of the same concerns the City had.

Rutherford asked if the quad units were attached. Zickert said this was not a multi-family product. The quads would be four detached houses centered on a courtyard.

Kourajian asked how much the total acreage was and how much acreage was developable. Zickert said the overall density was 1.73 units per acre for 403 acres. All but approximately 128 acres was developable.

Fields said their proposal was 495 lots for 380 acres. Plunkett asked Fields about the paths off MacDuff Parkway. Fields clarified that the cart path was on one side and a sidewalk was on the other side of the parkway. Rutherford asked if the sidewalks would be narrow enough so they could not be used by golf carts. Fields said they would. Rutherford and Plunkett noted that they would need to ensure the golf cart lights were shielded from the road. Fields said he understood that and it would be considered. Boone wanted to ensure there was enough room for cars to pass between the median and the parallel parking. Fields said the engineering drawings would show that better and said that the design would follow traffic safety guidelines.

Plunkett noted that the majority of parks seemed to be for the residents. Fields said they would be residential parks that would be maintained by the homeowners association, but he noted there were a few that could be shared with the City for public use. Rutherford noted there were no multi-purpose fields in the plan. Fields said there were not, but they were looking at expanding the Baseball Soccer Complex as part of the process.

Staples said the Wieland plan had his vote because it was moving in the right direction. They were not working in a vacuum. Council would get more information on the cost benefits than the Planning Commission had received. The Commission approved the plan based on the information they had. Rutherford said Council did not have a secret formula to share.

Plunkett asked the commissioners, since they felt the plan was moving in the right direction, if they felt the plan was still a fluid document. Scott said they had looked at preserving as many trees as possible, ensuring there were undisturbed areas, and the interconnectivity of the total project. The changes were very good from what they had started with to what they had now. Maintaining trees and open space was the top parameter the Planning Commission looked at. The information was still limited. There were still traffic studies to be done. Scott said the commissioners felt the parallel parking would be a good traffic-calming device. Staples added that they had looked at the positive attributes of the community and how the plan correlated with them. One of the reasons they looked at open space was because of the density.

Rutherford asked if there were a variety of price points. Fields said the prices ranged from the high \$200,000 to \$500,000 plus. The size ranged from 2,500 square feet to 4,500 square feet. Rutherford asked if there would be a variety of housing types. Fields said the multi-story homes would have the master bedroom on the first floor. The homes along MacDuff Parkway would be narrower, longer homes with rear entry garages or detached garages. The larger homes would be similar to the homes in River Oaks in Tyrone.

Plunkett asked if there would be a separate amenities area from Centennial. Fields said that was the current plan. Staples noted that the plan for Centennial had shown more trees saved than actually had been saved. He asked Fields for assurance that would not happen in this area. Fields said there were areas in Centennial where more trees should have been saved. However, the Village Green was a popular gathering place for the community. It was nice to have, and the caveat was there would be some space preserved for that type of activity.

Kourajian asked the dimensions of the biggest lots. Fields said the lots along the western boundary were 100-115 feet wide and were typically one-acre lots. The lot sizes were trimmed down so the lot line did not go all the way to Line Creek and to protect the environment. The lot range was from 22,000 square feet to 28,000 square feet, but would look much larger. Forty percent of the development would be on one-quarter-acre lots.

Staples asked Fields about the architecture. Fields said the architecture would probably follow the same theme as in Centennial. The homes would not look as wide, but would have depth in the rear.

Rutherford asked Dailey to comment on the plan. Dailey said the Fire Department had been concerned about the parallel parking along MacDuff Parkway. It was good to see it was in sections. It was not ideal. The trucks ranged from nine feet to 16 feet in width. Plunkett noted there appeared to be three large cul-de-sacs and asked if it would be a problem servicing those areas. Dailey said that, based on the overview, there were not an excessive number of cul-de-sacs in the Levitt & Sons plan, and there appeared to be accessibility.

Kourajian asked Zickert about the lot sizes in the Levitt & Sons plan. Zickert said the lots ranged from 7,200 square feet (60 feet x 120 feet) to 9,600 square feet (80 feet x 120 feet). As with the Wieland plans, the lots lines did not go far back, so there would be greenspace behind the lots. She explained that their residents usually did not want big lots or to take care of yards, so Levitt took care of the yards. Rutherford asked about the size of the homes. Zickert said they were 1,500 square feet to 3,000 square feet, if the home was on a basement lot. There were 12 to 15 different floor plans. Each floor plan had approximately five elevations. The model park would also be the second entrance to the development. The quad product would cost approximately \$180,000, and the balance of the property would be \$200,000 and above depending on size and upgrades.

Logsdon asked how long it would take to build out the development. Zickert said the construction was market-driven, but 18-24 months was anticipated. The building would be done in pods. Having different product types available in each pod gave that advantage.

Staples noted that the Planning Commission's concern with the Levitt & Sons plan was there had been no architectural deviation. He said the developer had agreed to co-mingle types. Scott said he would like to see wooden cart bridges over the creek. Zickert said she would ask about the bridges, but they did not want to damage the stream. She added that they were willing to consider some way for the public to use the passive recreation areas, such as a conservation easement to the creek. People would enjoy walking along the creek. She would also get an answer regarding the golf cart connection. There would also be playground in the clubhouse area for visiting grandchildren.

Residents who spoke about the annexations included Linda Wojcik, Richard Spain, Phyllis Aguayo, Dana Kinzer, Dennis Chase, and Robert DeMas. Their comments included:

- City should gain something from the developments;
- Projects should be an enhancement to the City;
- Open land and park areas should be donated to the City and open to all residents;
- There were questions as to how much of the open space was not buildable to begin with
- There was too much density on sensitive land;
- There were concerns about the Peach Pit and noise from the blasting at the rock quarry in Tyrone;
- The property would be low density if it developed under the County's zoning;
- The property would be low density if it were annexed and developed according to the City's Land Use Plan;
- Residents in the area would shop, dine, and spend money in the City;
- People chose to live in cluster subdivisions;
- The area would develop and bring traffic whether it was in the City or not; it would be better if the City controlled it;

- The northern piece of property had been clear-cut previously and should be restored;
- The City would benefit from the extension of MacDuff Parkway at no expense to the taxpayer; and
- The fight for perfection would lose the good that could come from the developments.

There were also concerns about how close the homes in the Levitt & Sons project would be. Zickert said the developer would obey the international fire code and had not finalized the plans. Dailey added that the distance between the homes was addressed in the Building Code. Rast said that was not something that was looked at at this point, but would be addressed.

Rutherford noted that the Levitt & Sons development would be designed for people ages 55 and over who did not want lawns to take care of. She continued that there was no requirement for the City to annex the property. Each Council Member would look at the proposed projects long and hard before making a decision. Some saw the annexation as additional income from property taxes, while others saw it as more of an expense. Wieland's original plan had included soccer fields, which the City would have to maintain. She reiterated that there was no obligation to annex the property.

Rutherford asked for clarification regarding the Peach Pit. Fields explained that it was an area that had been used as a dump. The study had been completed, and no hazardous materials had been found. It was construction debris.

Zickert noted that Levitt & Sons needed to replant the northern piece of property that had been clear-cut. She said that portion the property was challenged in terms of vegetation. She reiterated that the development would not touch Line Creek.

Rast commented regarding the density issue. He said the Planning Commission was comfortable with the units proposed. The impact fees had not been addressed yet, and the impact fee committee could look at using the fees to offset the costs of improvements. He continued that the projects had been designed, so far, so the road improvements, extension of MacDuff Parkway, and the bridge over the railroad tracks would be done at no expense to the City. The impact fee committee would also look at the impact on the Police Department, Fire Department, and on the recreation facilities. The density played a big part in determining the impact fees. Until the density was determined, they could not submit the impact fees for review. Staff and the Planning Commission did not have an issue with the density. As the density decreased, elements of the plans would be lost. He said guidance was needed.

Logsdon asked why the impact fees could not be determined with the proposed density. It would be at least 30 days before Council would get to look at the plan. Rast said a recommendation for the impact fees had to be part of the zoning for the property. They needed to know the number of homes that would be served by fire and police.

Rutherford said the committee needed to look at the perceived needs of the area. There was historical data available from other projects. Staples said the Planning Commission could not give Council everything they wanted until they saw the financials. A full breadth of information was needed. Rutherford said density was not an appropriate discussion for the workshop.

Zickert noted that her company had agreed to do certain things, but those things depended on the density and how much the impact fees were. She said they were not afraid to slow down the process to avoid any misunderstanding. Rutherford added that they should not be afraid to slow the process down to make sure it was the best plan for the City. Meeker said there needed to be an identification of what the capital needs would be.

Wojcik asked Council to consider adding two more citizens to the impact fee committee so the residents would feel more involved in the process. Logsdon said he would consider the suggestion.

There being no further business to discuss, the meeting adjourned at 8:15 p.m.

Jane Miller, City Clerks

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City Council of Peachtree City
Minutes of Meeting
February 15, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, February 15, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, and Cyndi Plunkett. Judi Rutherford was out of town and unable to attend.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Frank Bumpus of the Recreation Department for 10 years of service. Chester Cannaday of the Fire Department was recognized for 15 years of service. Donald Jordan of the Recreation Department was recognized for 20 years of service.

Public Comment

There was no Public Comment.

Minutes

Kourajian moved to approve the February 1, 2007, regular meeting minutes as written. Boone seconded. The motion carried unanimously.

Consent Agenda

- 1. Consider Agreement with Fayette County Board of Education**
- 2. Consider Resolution on 911 Radio Retuning**
- 3. Consider Declaration of Surplus, Engine 85**
- 4. Consider Bid for Lot 5 Whitlock Place Detention Pond Facility Upgrade**
- 5. Consider Bid for Hip Pocket Road Culvert Replacement**
- 6. Consider Approval and Acceptance of Non-matching FEMA Grant for CERT**

Boone moved to accept Consent Agenda Items 1-6 as stated. Kourajian seconded. The motion carried unanimously.

New Agenda Items

02-07-03 Consider Request to Form Education Commission

Cele Eifert addressed Council regarding the formation of an Education Commission. She recommended Council establish the Peachtree City Commission on Education. She pointed out that the proposal dealt only in part with the Fayette County Board of Education (BOE). She had also shown School Superintendent John DeCotis and BOE Chairman Terri Smith the point paper and said they were both supportive of such a commission as it dealt with the BOE. She continued that education was everyone's business, and all residents were affected. The commission would be an entity to represent the residents' educational concerns starting with pre-kindergarten and going through to post-secondary and adult education levels. She suggested the possibility of a recurring Citizens Academy designed to teach residents about the City and how it was run. The City's success was inextricably linked to education, which was why brochures touted the County's education system. Eifert said the proposed commission should be on par with the Peachtree City Tourism Association and the Library Commission. Prospective and existing businesses were concerned about housing values, neighborhood strength, the City's appeal to professionals, and the availability of a high quality workforce. She noted that 55% of residents' property tax bills were for the school system, and another 10% was for a school bond.

Eifert referred to the City of Oakland, Calif., which had a number of good schools, but had problems with unsafe conditions and poor student performance. As a result, the City's mayor established an education commission composed of citizens and business people who made recommendations. Eifert continued that the County did not have a degraded school situation, but the residents should be proactive and preventative in nature. The commission would focus on the ramifications of education on the residents. She envisioned the commission interacting with all entities in a cooperative spirit.

Plunkett asked City Attorney Ted Meeker if the City could arbitrarily form a new commission and what the procedure entailed. Meeker said there was authority under state law to form a Recreation Commission, but there was nothing to his knowledge authorizing a city to create an Education Commission unless the city had a school system. Eifert noted that the state had an education coordinating council that had the ability to work with councils down to the local level. Meeker said he would need to research the issue and report back to Council. He asked Eifert to provide the information she had found.

Logsdon asked if the proposed committee could be created by the BOE, since that was the elected entity concerned with the schools. Eifert said that was in place with the school board. She was suggesting a body that would look out for the City's interests. She noted that no member serving on the current BOE was a City resident.

Boone asked if the BOE would recognize such a body. Eifert said she had spoken with Sam Sweat, the assistant superintendent of operations, and with BOE Chairman Smith. Both said they would welcome someone from the City in an official capacity at the school board meetings. She said the commission would be purely advisory to the Mayor and/or the Council. Logsdon said it would be the entire Council.

Kourajian said he liked the idea, but he was not sure how it would work. He asked if the other municipalities could have a similar board. Eifert said all the municipalities should have commissions to get their voices heard at the schools. She noted that the Fairfax County, Virginia, school board had representatives from each city so each would have a voice at the school board.

Plunkett said she would like Council to have a workshop with the BOE to discuss the topic and come up with a working model. Meeker said he needed to make sure it could be done first. He added that, if the BOE was interested in the concept, then they could appoint groups limited to each municipality. Eifert said the vision for the commission was to do more than just work with the BOE. The commission could look at pre-kindergarten accreditation at the schools in town, as well as work with developers. Plunkett said continuing education was of interest to her. Eifert questioned why a community college could not be considered in the industrial park. There was a whole realm of things beyond the BOE.

Kourajian reiterated that it was a good idea, but he wanted to ensure it was not just a stop gap to help just one part of the City. He wanted to know the best way to implement it.

Logsdon directed Meeker to research the matter. Kourajian noted that a workshop would help fine tune the idea.

Boone asked Eifert if there were any organizational templates available from Fairfax County. Eifert said there was information available through the Fairfax County BOE's website.

Plunkett told Eifert she would let her know what Meeker found out.

02-07-04 Citizen Request to Address Council Regarding Selection Process for Job Opening

Logsdon noted there was an additional document on the dais – an e-mail from the citizen, Melvin Ewing, requesting that the agenda item be moved to the March 1 agenda.

02-07-05 Citizen Request to Address Council Regarding Denial of a Building Permit

Richard Van't Hof and his attorney, Charles Gallagher, addressed Council. Gallagher told Council that Van't Hof was trying to get a permit to put a bathroom in a detached garage he was building at his residence at 100 Cedar Point. Gallagher noted that Van't Hof was an avid car collector who was trying to build a garage with an upstairs storage space. The builder was Pfeifer Construction. The original plans had the bathroom on the main level, but Van't Hof had decided that an upstairs bathroom would be better since the walls were not in and it was easy to run the plumbing upstairs. He had realized that he was not permitted for an upstairs bathroom and ran into resistance from the City when he tried to amend his permit. Gallagher said that Van't Hof was told that putting a bathroom in the storage area would result in a detached living space. Gallagher continued that, according to City ordinance, the area also needed a kitchen and a bedroom to be considered a living space. Subsequently, Gallagher said Van't Hof was told that an upstairs bathroom was not permitted structurally. The construction was redone according to the Building Department request. Gallagher showed some photos of the construction (A copy of the PowerPoint presentation is included in the official meeting file.) Gallagher said he had contacted the City Attorney several times. He had been directed to absolutely no legal authority nor had he been told what to do in order to receive a permit. The garage had been constructed according to code, and there was nothing in the code to preclude the bathroom. The upstairs bathroom was not in the original permit, but they were trying to rectify that. Gallagher noted that John Wieland Homes & Neighborhoods had upstairs bathrooms (full baths) in the detached garages in Centennial. He and his client had tried to deal with the Building Department and with the City Attorney. It was a reasonable request to run the plumbing upstairs for a bathroom, when a bathroom was approved downstairs. He saw no reason or no basis for denying the permit.

Building Official Tom Carty told Council that the inspectors had inspected the structure, and he had spoken to Gallagher. It was not a zoning debate. The concern with this garage was structural. Carty continued that he had spoken with the builder regarding the details. The garage was a very nice structure with a 12½-foot ceiling, which was where the structural elements became a problem. The general framing needed to be different. Carty said he and the builder were aware of the details. The narrow walls, even though it was a steel structure, would not take a horizontal load. The code had changed regarding how high a building could go with a narrow wall. There was nothing in the code to allow occupancy above this level. The garage could be built. The builder was aware of the detail in the code provided by his inspectors. He agreed with his inspectors. Carty said it was the City's position not to recommend occupancy, and the City was obligated to protect the occupant. There was nothing wrong with the staircase on the outside, but there was something wrong with someone being on the second floor in the shower.

Logsdon asked if someone was going to live over the garage. Gallagher said no one was going to live there. The structure was not intended for occupancy; it was a space to store and work on antique car parts. He said if that information had been shared there would have been no reason to come before Council. He said the information Carty had just provided was contrary to the information he had provided to them. In a letter to Pfeifer Building Company dated October 26, 2006, Gallagher said that Carty noted a problem with the two by fours on 16-inch centers and asked that be corrected to two by fours on eight-inch center. The walls were not 12½ feet high, but were between 10 and 12 feet high. Gallagher said that the changes had been made after the builder received the information from Carty. The problem with the process was that one set of information was given out, then changes had been required. The changes were made, and now it was something else. He apologized for not being correctly permitted in the beginning, but they were trying to correct that. The builder had done everything that was required.

Carty said that Gallagher was not privy to all the information given to the builder. He had been working with the builder with the understanding that it would be as permitted – a one-story building with attic access. Once it changed from a one-story building to putting in a bathroom, putting in electrical service, and calling it a story, it became a habitable space. Carty said he was obligated to turn it down, and he could not approve it as a one-story building. If the construction went back to one-story with attic storage, then the permit would be approved. Other things had to be done before the frame inspection was approved, but they were details he could work out with the builder. Carty said he had no problem with heated storage. He would have no problem with the bathroom if it were built at a level staff could work with in the code.

Boone asked if the exterior stairs violated the code. Carty said they were fine.

Kourajian asked about the discrepancy in height. Carty said it was 12½ feet and Gallagher said it was 10-12 feet. Gallagher said that even the code allowed the two by fours on eight-inch centers until the height was 14 feet. He said that, by definition, the upstairs was not living space. According to Section 908.1(n) of the zoning Ordinance, a living space had to include, at a minimum, a bathroom, kitchen facilities, and a bedroom. Gallagher said he brought that up to Carty, who told him that was true, but someone could plug in a hot plate and make a kitchen facility. Gallagher said that was not a reasonable response. Boone asked if a kitchen and living quarters were planned in the future. Gallagher said absolutely not. If that were to happen, there would be another ordinance to cover that. Gallagher said he and Carty had discussed capping the plumbing as it stood and putting flooring or carpeting over it, then addressing it later.

Carty said his concern was the storage space becoming a floor that would allow people to be up there. He continued that Wieland built the attic spaces in Centennial as bonus rooms. This structure was built as a one-story building with an attic. He said they could debate the zoning issues, but not the structural issues. He could not approve the structure as anything else due to the narrow walls. The narrow walls would never get approved for a two-story structure. In order to be two stories, an engineer would have to change the entire structure around.

Plunkett asked if a two-story structure was allowed in the zoning. Carty said it was since it was not in the setback. Kourajian clarified that the difference between this structure and the Wieland structure were the narrow walls. Carty said the structural elements exceeded the allowable codes and included the narrow walls and the structure itself.

Logsdon clarified that he understood the structure would be approved if the bathroom were not upstairs. Carty said that once he and the builder had gone through the routine inspections and final frame, he would have approved it. He said they were at that point, but could not close up the frame until certain steps had taken place.

Plunkett noted that a bathroom was plumbed into the main floor, also. Gallagher confirmed this. Gallagher said the reason for the upstairs bathroom was because it would be cost prohibitive to add it later. It was cheaper and easier to put in at this point. He said one minute the structure supported it, and the next minute it did not. He said it either would or would not. Plunkett noted that it took more support for a bathroom than storage.

Kourajian asked if the upstairs would be used as a work area. It sounded like the area was to be used for more than storage. Gallagher said the area was for the purpose of storage. It was not a living space. The work would be type of work done in a garage. Thus far, he had been shown no authority that precluded the structure from having a bathroom upstairs. If anything else needed to be done, they would agree to it now.

Boone asked Carty if it would work if the builder went to two by sixes and vertical bracing on the doors. Carty said they would probably have to lower the structure, since it exceeded the allowable height according to the code. He reiterated it was not a zoning issue; it was a matter of building a second story versus an attic. They were built differently, then it got into the details of framing.

Kourajian asked why the wall height varied. Duey Pfeifer, the builder, explained that there was a foundation wall around some of the perimeter, which was the reason for the fluctuation. Plunkett asked why the bathroom could not go over an area with the shorter walls. Pfeifer showed the location on the photos and said the wall height was less in that area. Carty said they were not talking about the vertical load. It had to do with racking of the building with wind loads and narrow walls that exceeded the building code heights. Pfeifer asked if, from the code's point of view, it made any difference that the steel beams were anchored in concrete. Carty said he was not talking about the steel. Pfeifer said if that steel was not going anywhere, then why would the building collapse side to side. Carty said the opposite walls were the load-bearing walls.

Kourajian asked if just a toilet could be put in. Carty said no bathroom should go in. If Council approved a bathroom, a future homeowner would think it was fine to use as a living space.

Meeker said the distinction was that this was not a zoning issue, but a building code issue. It was Carty's job to explain why permits were denied.

Logsdon suggested forgetting the bathroom since it was not essential. Gallagher said that had been discussed. He asked Carty to say why the bathroom was denied, then he would explain it to Van't Hof. It was about the principle. The homeowner and builder should have permitted the structure correctly in the beginning. It appeared the City was tired of builders building something and asking forgiveness. They had been originally told the bathroom was not allowed because of zoning, then it was changed to a building code issue.

Kourajian asked what constituted a kitchen facility, and whether it was a microwave and a sink with running water. Gallagher said the state required that a bonus room have a closet to be considered living quarters. There was no closet and there would not be an electrical set-up for appliances.

City Manager Bernard McMullen said there needed to be some clarification. The zoning ordinance provided a definition for what classified a space as living quarters. That was not what was being discussed. The distinction was between a structure that just had a roof and a structure that had a floor and a roof. Carty said that, if the bathroom was out, then it was considered as storage. He said Carty was being generous. The exterior stairwell and the finished floor made it a floor instead of storage space in his opinion. McMullen said it had nothing to do with a bedroom and a kitchen. It was strictly a structural issue. Gallagher said they were not disputing the floor. The framing was approved with a floor. Kourajian said that had not been disputed. Carty had approved the floor.

Kourajian asked Carty what they could do to have a bathroom. Carty said they would need to change the entire structure.

Van't Hof said the history on the project went way back. He said that, when he first asked about the bathroom, Carty told him he could not do it per the code. Van't Hof talked to the builder, who told him that was probably correct. Van't Hof decided to do some research and found that was not true in the ordinances. He went back to Carty and asked him to provide him with the information since the structure was built with enough support for an upstairs area. Van't Hof said it was approximately three weeks later when Carty gave him a copy of the information. After that, he went out on his own and found other homes that had done what he was asking for. Van't Hof said he went to Carty and asked him why he could not have a bathroom in the storage area. Carty told Van't Hof he could not have one because he, the building official, said so. He continued that Carty told him he did not care if he put in a pool table and had all his friends up there, but he could not have a bathroom. Van't Hof said it was not a structural problem to him if a slate pool table could go in the storage area. Each beam could support 61,000 pounds. The walls took over from the beams. They were working off the right codes. There had been a building mistake with the location of a wall, which had been corrected. He said he understood the issue that people could live there if a bathroom went in. He might consider putting in a sofa and a television, and he would want to be able to go to the bathroom without having to go outside. He said he did not understand the structural issues.

Logsdon asked Van't Hof what he was asking for. Gallagher said they were asking for an amended permit.

Meeker said he read the request as an appeal of Carty's decision. Gallagher said it was an appeal of Carty's decision not to give an amended permit. Meeker said Council could either uphold the decision, or reverse the decision. Carty added that his inspectors wrote the stop work order before the other discussions were held. It was strictly a framing issue between the Building Department and the builder. The permit had been issued; the project was on a stop work order.

Carty continued that he had only spoken with Gallagher on the phone, and he had been to Carty's office to look over any of the paperwork. Gallagher said that, during their conversations, he made it clear that his advice to his client was to cap the plumbing and put flooring or carpet over it. He said Carty had expressly assured him that the other concerns addressed by the stop work order had been

addressed by the builder. Carty also told him that the only issue was whether or not a bathroom could be built in the storage area.

Plunkett said there was not a process to appeal a stop work order, only for a permit denial. Meeker said it was proper since, in essence, a denial had been issued and this process was necessary to move forward. Carty said that, based on their last conversation, Gallagher understood it was a framing issue. He had been dealing with the builder. Boone said it seemed it was a matter of working things out with Carty and the builder. Plunkett said if they came to loggerheads, then this was the proper arena. Meeker said approval of the framing had been denied.

Pfeifer said that the stop work was on the initial permit. He had gone back with a subsequent plan involving the stairway and upstairs space that was approved. The approval was based on the plumbing coming out. When Van't Hof decided to research the bathroom issue, there was an impasse. Nothing had been done on the structure since. Boone suggested to Van't Hof that he take out the bathroom and move on. Van't Hof said that would be fine, but there were bathrooms in other places. The bathroom was allowed by ordinance. It had not been on the original permit document because he was told he could not do it, then he did his own research.

Carty said that the structure had failed the framing inspection. The garage became a two-story structure if the bathroom was in the storage space. The building was not structurally sound for two stories. The downstairs bathroom would be fine. The area had to be returned to an attic, then it would be approved.

Kourajian said that, when it came to safety, he had to listen to staff. He moved to deny the appeal for the stop work. Boone seconded.

Gallagher asked that, if the denial was Council's decision, they direct Carty to provide information on what to do in order to put a bathroom in the storage area and pass inspection. Kourajian agreed with Gallagher. Carty said he had already given the builder a letter with the code references and details in it.

The motion carried unanimously.

02-07-05 Consider Peachtree City Travel Baseball Presentation

Logsdon noted there were two additional documents on the dais – an interoffice memo from Leisure Services Director Randy Gaddo to Mayor and Council dated February 13, 2007, with the subject, "Request to Remand Item 02-07-06 to Staff and/or Recreation Commission" and a letter dated February 15, 2007, from Linda North, the district administrator for Little League Baseball in the South Metro Area.

Matt Trebuchon addressed Council. He noted that his organization was recognized as a youth baseball association by the Peachtree City Parks and Recreation Department. He said they had worked with the City during the last two weeks, but had been unable to work out any resolution. (A copy of the PowerPoint is included in the official meeting file.) He went over the local options for players, which included the Peachtree City Little League, Peachtree City Travel Baseball (PTB), Fayette County Baseball, Tyrone Baseball, private organizations such as the Dugout Club and Home Plate, and out of town (Chain Baseball Academy and East Cobb) programs.

Trebuchon continued that the issues included just and equitable use of the City-owned facilities, specifically practice and game scheduling at the Baseball Soccer Complex (BSC) and the Recreation Department and City's understanding of the positive economic impact PTB had on the local community. The goals included just and equitable scheduling of practices and games at the BSC, just and equitable treatment and respect from the Recreation Department currently and in the future to avoid similar issues, and to continue to make the City a premier national location for baseball and to continually attract visitors and generate the positive economic impact that accompanied it.

Trebuchon gave a summary of the chain of events for the two weeks prior to this meeting. He noted that PTC presented a two-minute briefing during the Public Comment section at the February 1 Council meeting. On February 2, PTB was contacted by a staff member who asked about the situation. On February 6, a staff member sent an e-mail asking the quantity of PTB teams for the scheduling meeting on February 7. The PTB sent an e-mail back to the staff member with the information. Later that day, Trebuchon said he sent another e-mail to the staff member offering his services to attend and help with the scheduling meeting. The staff member replied via e-mail and thanked him and said he might be brought in soon. On February 7, Trebuchon received a call from the staff member who asked him to attend the scheduling meeting that afternoon. Trebuchon attended the meeting and was given a copy of the "Completed Practice Schedule for BSC." Later in the meeting, it was disclosed that the coaches of one PTCLL age division had already seen the schedule and selected practice times. Trebuchon said PTCLL was able to choose practice slots before PTB was allowed to view the schedule.

Trebuchon presented statistics from 2004-2007 that showed the percentage of athlete registrations of PTCLL and PTB. This year, PTB had 21% of the players and PTCLL had 79%. PTB had 17% of the association teams, and PTCLL had 83%. PTCLL teams averaged two or three practices a week at the BSC, while PTB had one-half of practice a week. PTCLL had 96% of the assigned practices compared to PTB's 4% of practices. Trebuchon said the game assignments in 2006 for times other than holidays when the PTCLL did not play (excluding Challenger) included PTB, 0%; Columbus, 1%; South Coweta, 1%; Brooks, 5%; Senoia, 6%; and PTCLL, 87%.

Trebuchon noted the positive economic impact of the tournaments sponsored by PTB. In 2005, PTB hosted three tournaments, which included 262 teams (103 from outside of Georgia). The three tournaments brought in \$2,104,154 in economic impact (2,575 hotel nights and 43,303 meals). In 2006, the PTC hosted four tournaments, which included 451 teams (219 from outside of Georgia) and brought in \$4,176,474 in economic impact. The 2006 tournaments generated 5,475 hotel nights and 82,578 meals.

Trebuchon continued that if PTB had to pay usage fees, then the large tournaments would be in jeopardy. The average 80-team tournament garnered a team entry fee of \$300 for a total of \$24,000. An average of 1,600 spectators paid \$5 each to attend for a total of \$8,000, and approximately \$40 for each of the teams was spent on the concession sales for \$3,200. The expenses for the tournaments included umpiring fees of \$80 each for 210 games (\$16,000), 65 dozen baseballs at \$36 per dozen (\$2,340), 10 sets of awards/trophies at \$320 each (\$3,200), sanction fees at \$30 per team (\$2,400), tournament insurance at \$7 per team (\$560), trash dumpster (\$300), cleaning supplies (\$100), and miscellaneous office supplies (\$200) for a subtotal of \$9,300. Out of the \$9,300, PTB paid the present Recreation Department usage fee of 10% (\$930) for a net

revenue of \$8,370. The four-team split was \$2,094 to help finance their seasons. The 12-year old teams played in a tournament in Cooperstown, N.Y., each year, and the money helped finance those trips. The proposed fee structure was \$50 for day games (178 games at a cost of \$8,900) and \$65 for night games (32 games at a cost of \$2,080). There would be a net loss of \$1,680. Trebuchon continued that, if there was no fundraising reward, then the 40-plus people needed as staff to run the tournaments would not volunteer.

Trebuchon questioned the fee structure and asked why local associations were charged to use the facilities. He said if 10% of the profit was not enough, then maybe a larger percentage or a five-way split with the Recreation Department should be considered. He said it was ludicrous to charge a local association \$10,000 for weekend use of the fields.

Trebuchon referred to a March 28, 2002, Recreation Department memo to the youth organizations on a meeting planned to help the associations learn how to attract large tournaments. He noted that if the new fees were imposed large tournaments were in jeopardy. The result would be \$4,176,474 or more not being spent in the City.

Trebuchon read the following paragraph from the Youth Sports Association facility agreement which was the criteria used to allow youth associations to hold tournaments above and beyond their regular season:

The City will incur the cost of lighting the fields for any of the Peachtree City Youth Association's tournaments with the stipulation that all funds generated at these tournaments be reinvested either to maintain fields, to keep the cost of the registration down or to provide scholarships to needy children.

Trebuchon explained that PTB teams did not play a traditional local game schedule like PTCLL. PTB teams played in weekend tournaments throughout the season. The quantity of tournaments a team played in was left up to the discretion of the individual teams, but they must play in the PTB tournaments. Trebuchon said that, since the tournaments were their regular season, there should be no usage fees.

Trebuchon noted that this was an urgent, time sensitive matter and asked Council to get involved with the issues. He said the policy should change if that was the issue. He asked Council to help the children strive for and attain their goals by allowing them to run profitable tournaments to support their season. He also noted the \$4.1 million positive economic impact that flowed into the community. He asked for supervisory oversight in search of just and equitable treatment by and from the Recreation Department.

Logsdon asked Gaddo for his comments. Gaddo said he agreed with a lot of what Trebuchon had said. The issue had been forming for a few years. He noted that when PTB started most of the players came from outside the City, and they used the fields located at Riley at the time. PTB was told they needed to up the percentage of local players, which they had done over the years. He agreed they needed to look at the field usage policy. Gaddo asked Council to remand the issue to staff. Boone said that what needed to be done. He said he liked the economic impact numbers. Gaddo said he would like to see how those numbers were derived. Trebuchon said he would give him the information. Gaddo said that, for the short-term issues, they needed to straighten out the

season so it was not interrupted. He told Trebuchon he would call him the next day to set up a meeting. Trebuchon said he understood that the Recreation Department had a budget that was strapped for every dime. PTB did not mind helping out by putting more into the account, but they could not put the league into the negative. Gaddo said he understood, and that PTB was not the only association with issues regarding the fees.

Plunkett noted that the Recreation Commission met February 26. She suggested Trebuchon talk to them. Gaddo said he wanted to try to work the issues out at the staff level first. Trebuchon said the February 26 meeting would be too late as far the schedule. That issue had to be dealt with before the weekend. Gaddo agreed. Plunkett said she wanted a report by the March 15 meeting. McMullen said there should be an update at the March 1 meeting.

Kourajian asked about the fields at the Braelinn complex. Gaddo said PTB had complete use of those fields for practice, but the fields were not lit so the issue was how long they could practice, at least until daylight savings time started. Trebuchon added that PTCLL was using one of the fields and had asked to use two more, so it was a stretch to say PTB had complete use of the Braelinn fields. They could now only use the fields on the weekends on a first-come, first-served basis. Kourajian asked for a soft copy of the presentation.

Plunkett asked Gaddo to run the numbers from the tournaments by the Tourism Association. If the tournaments were a viable tourism opportunity, then they should work together to ensure the fees did not take away from the tourism opportunity. Gaddo agreed. He had recently attended a meeting about that with the Tourism Association and the hotel managers.

Gaddo noted that Council had approved the usage fees. He said that Trebuchon had indicated that two of their teams went to the Little League World Series in Cooperstown, N.Y., every year. He said that did not fit with the intent of the supplementary program. It did not seem fair to benefit two teams and not the whole program. He said PTB had a totally different structure than PTCLL, and he had not understood that until he saw the presentation.

Trebuchon explained that the Cooperstown trip started before he joined PTB. He said that a 12-years old only tournament was held annually with 96 teams from all over the world participating. PTB had secured a certificate to allow a team to participate every year. As long as the chain was not broken, PTB could send a team. He said they were doing it for the children of the City.

02-07-07 Presentation of 2007 Peachtree City Transportation Plan

City Engineer Dave Borkowski addressed Council. He said staff was not requesting a vote on the plan. It was a tool to use in the budgeting and planning process.

Borkowski gave a brief Traffic 101 lesson. He explained that functional classification was basically how a road functioned. The Level of Service (LOS) told how well the road functioned. The range was from LOS A (excellent) to LOS F (failing). He continued that the Transportation Plan had been prepared by City's transportation consultant, QK4. At this point, that meant that traffic counts had been compiled, the analysis of the LOS at various intersections had been completed, growth rates have been estimated, current traffic conditions had been evaluated, and future needs had been identified.

A review of the Functional Classification of the road network had been completed. The summary of the existing conditions showed that traffic volumes in the entire SR 74 and SR 54 corridors had increased significantly. The SR 54/SR 74 intersection was severely congested during both the morning and evening peak hours. Money was included in the 2009 Transportation Improvement Plan (TIP) for design of intersection improvements. There had been very little traffic growth on the east side of the City.

The existing LOS at the following intersections:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park (WB approach)	F	F
North Kedron Drive	C	C
South Kedron Drive (WB approach)	F	F
Peachtree Parkway	C	C
SR 54	F	E
Crosstown Drive /TDK Boulevard	C	D
Rockaway Road	F	F
SR 54 @	<u>LOS-am</u>	<u>LOS-pm</u>
MacDuff Parkway	C	C
Huddleston Road	B	C
Peachtree Parkway	B	B
Robinson Road	D	C
Walt Banks Road	C	C
Peachtree Parkway @		
Georgian Park (NB approach)	D	D
Crosstown Drive	B	C
Walt Banks Road	C	C

As surrounding areas continued to grow, traffic was expected to increase in the City. The growth projections were made based on the Atlanta Regional Commission's (ARC's) model. Traffic on the entire length of SR 74 was expected to increase 4.5%; SR 54 Line Creek to Peachtree Parkway, 4.5%; Crosstown Drive/TDK Blvd., 4.5%; Huddleston Road between Paschall Road and SR 54, 3.5%; Dividend Drive between Kelly Green and TDK Boulevard, 3.5%; SR 54 east of Peachtree Parkway, 2%; Robinson Road (entire length), 2%; North Peachtree Parkway, 1%; South Peachtree Parkway, 1%; and all other collectors, 1%.

Borkowski said there were currently several projects in the planning and development stages during the next nine-year (2006 -2015) planning period. The state route system projects included SR 54 landscape enhancements, Phase IV, streetscape; SR 54 bridge, gateway, multi-use path; SR 74 (Joel Cowan Parkway), Segment 1 (south of Crosstown Drive to SR 54), widening; SR 74 (Joel Cowan Parkway), Segment 2 (SR 85 to south of Crosstown Drive), widening; SR 54/Stevens Entry, traffic signal; SR 74/Wisdom Road, traffic signal; and SR 74 (Joel Cowan Parkway) grade separation at SR 54, intersection improvements. The City street system improvements included Peachtree Parkway/Crosstown Drive, intersection improvements; Huddleston Road/Dividend Drive at Paschall Road, intersection improvements; Peachtree Parkway/Walt Banks Road, intersection improvements; Peachtree Parkway/Braelinn Road, turn lanes; TDK Boulevard/Dividend Drive, turn lanes; Crosstown/Robinson, intersection improvements; Peachtree Parkway North – Loring Lane

and Tinsley Mill Road, turn lanes; Redwine Road/Robinson Road, intersection improvements, Park Place Drive extension, new road; MacDuff Parkway, streetscape; TDK Boulevard Extension between Dividend Drive and McIntosh Trail in Coweta County, new road; MacDuff Parkway, Phase 1 extension to Kedron Drive, new road; SR 74 interparcel connection, Gillroy's to Avery Dennison, road to be constructed on east side of SR 74, new road; and SR 74 interparcel connection, Sierra Drive to Dividend Drive, road to be constructed on west side of SR 74, new road.

The LOS for 2015 with the program projects completed included the following:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park	C	B
North Kedron Drive	C	C
South Kedron (Stop Sign)	F	F
South Kedron (Signalized)	C	C
Peachtree Parkway	C	C
SR 54	D	D
SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Crosstown Drive/TDK Boulevard	C	D
Rockaway Road	C	C
SR 54 @		
MacDuff Parkway	C	D
Huddleston Road	C	C
Peachtree Parkway	C	C
Robinson Road (Existing)	E	F
Robinson Road (Improved)	D	D
Walt Banks Road	D	D
Peachtree Parkway		
Georgian Park (Signalized)	B	B
Crosstown Drive	C	B
Walt Banks Road	C	C

Based on future conditions and LOS in 2015, additional projects might be warranted.

The proposed new improvements from 2005 to 2015 included SR 74/South Kedron Drive, traffic signal; SR 54/Robinson Road, intersection improvements; TDK Boulevard/Dividend Drive, traffic signal; MacDuff Parkway, Phase II, new road; and Georgian Park/Peachtree Parkway, traffic signal.

Programmed projects for 2015 to 2025 included SR 74 (Joel Cowan Parkway) grade separation at SR 54, intersection improvements; Crosstown Drive between SR 74 and Peachtree Parkway, widening; and Redwine Road extension, new road.

The projected 2025 LOS with the programmed projects included:

SR 74 @	<u>LOS-am</u>	<u>LOS-pm</u>
Georgian Park	C	B
North Kedron Drive	C	C

South Kedron (Signalized)	C	C
Peachtree Parkway	C	C
SR 54	F	F
Crosstown Drive/TDK Boulevard	C	D
Rockaway Road	C	D
SR 54 @		
MacDuff Parkway	D	F
Huddleston Drive	D	D
Peachtree Parkway	D	D
Robinson Road	F	F
Robinson Road (Improved)	D	D
Walt Banks Road	E	E
Walt Banks Road (Improved)	D	D
Peachtree Parkway		
Georgian Park (Signalized)	C	C
Crosstown Drive	C	C
Walt Banks Road	C	C

Additional projects that might be warranted based on future conditions and LOS in 2025 included SR 74/SR 54, intersection improvements; SR 54/Robinson Road, intersection improvements; and SR 54/Walt Banks Road, intersection improvements.

Borkowski summarized that City staff believed that it had an excellent transportation plan that would help guide project prioritization during the budget process. City staff would also be proposing changes to the City ordinances to eliminate errors and inconsistencies between the ordinances and the Transportation Plan.

Kourajian asked when the information would be updated. Borkowski said it was not in the timetable in the immediate future, but probably in the 2009 TIP.

Plunkett noted that traffic was expected to increase on Crosstown Drive/TDK Boulevard by only 4.5 %. She asked if the prediction included the large developments planned in Coweta County. Borkowski said the developments were not included.

Kourajian noted that the LOS at SR 74/SR 54 was still an F. He asked if it included the road improvements on SR 54. Borkowski said it did not include the road widening, but they should wait for the SR 74 improvements to be completed then get new numbers.

Boone asked if the City plan was in line with the County's Transportation Plan. Borkowski said it was, and the projects in the County's plan that were relevant to the City had been included.

02-07-08 Consider Allowing Alcohol at a Tour de Georgia Event at City Hall Plaza

Public Information Officer/Deputy City Clerk Betsy Tyler told Council that the Tour de Georgia would start April 16 at City Hall. There was a local organizing committee working on a number of events that would start the Friday prior to the race and go through the day of the race. One of the events would be a VIP reception that the committee would like to hold at the City Hall Plaza at the race start. Tyler said they would like to serve alcohol to the invited attendees at the event. She

continued that they checked with Meeker, who said the Plaza and Council Chambers did not fall under the City ordinance prohibiting alcohol in the parks. In the event of inclement weather, the reception would move into Council Chambers.

Lauren Yawn, executive director of the Peachtree City Tourism Association (PCTA), said that in addition to the reception, there would be a Breakaway benefit at the first concert at the Amphitheater on April 14. The benefit included the raffle of a Lexus, and the proceeds would be given to the Georgia Cancer Coalition. The Tour de Georgia did not have an automobile company as the title sponsor this year, so the Georgia Department of Economic Development and the Georgia Cancer Coalition were the main contributors. The Athlete Planning Dinner would be held on Sunday at the Wyndham with local dignitaries attending. The race started Monday. Kourajian clarified that they were asking for the ability to serve a glass of wine at the reception. Tyler said that was correct. Meeker noted that the only alcohol prohibition in the ordinances applied to City parks. Since they wanted to serve alcohol at the events, Council was the proper venue to address the issue. Tyler added there was a City policy regarding use of the Plaza for events, which allowed alcohol if Council approved it.

Kourajian moved to allow alcohol at the City Hall Plaza and in Council Chambers during a Tour de Georgia event. Plunkett seconded. The motion carried unanimously.

02-07-09 Consider Waiving Golf Cart Registration Requirements for the Tour de Georgia

Tyler said this request was also related to the Tour de Georgia. The riders had commented that they enjoyed seeing the golf carts lining the streets as they rode through the City in the past. She continued that they were promoting people having their carts along the tour route; however, it was Fayette County hosting the overall start, and Tyrone and Fayetteville residents also had golf carts.

Kourajian asked if there would be any liability in allowing the unregistered carts. Meeker said no.

Plunkett moved to allow the golf cart registration requirement to be lifted beginning on Friday, April 13, through the end of the race on Monday, April 16. Boone seconded. Plunkett amended her motion to include Thursday, April 12, since some of the athletes would arrive on Thursday. Boone seconded the amendment. The motion carried unanimously.

02-07-09 Consider Brand Name Purchase – Firehouse Software Mobile EMS

Assistant Fire Marshal Dave Williamson addressed Council. Staff recommended the purchase of the Firehouse Mobile EMS software at a total cost of \$5,800 and a budget adjustment from the EMS small tools and equipment account to the EMS computer supplies account for this amount. The software would enhance EMS data collection, streamline operations, and cut down on the turnaround time at the hospital.

Boone moved to approve the brand name purchase of the Firehouse Mobile EMS software. Plunkett seconded.

Kourajian asked where the funds would come from for the unbudgeted software. Williams said that it would come out of the EMS small tools and equipment account and be transferred to EMS computer supplies. Kourajian asked if they could take that much out. Williamson said there was an

item for stair chairs, and staff had decided they could wait one additional budget year to replace the stair chairs since they were not in as bad a condition as they thought and had been maintained better.

Boone amended his motion to include that no more than \$5,800 be spent. Plunkett seconded the amendment. The motion carried unanimously.

02-07-10 Consider Brand Name Purchase – FY 2007 Preplan Software Purchase

Captain Ron Mundy said staff recommended the sole source and brand name purchase of the REMOTE ACCESS preplan software and implementation services from Group 1 Solutions, Inc., in Suwanee at an amount not to exceed \$108,000. Two programs were evaluated on their ability to incorporate the data and the digitized drawings of structures and properties in the area to be viewed in the office and as needed in field vehicles. The ACS Firehouse Mobile Preplan software had been deemed inadequate. Staff had been unable to locate any other preplanning software with the abilities of REMOTE ACCESS. REMOTE ACCESS would enhance operational effectiveness, and it had been selected for use by the Georgia Mutual Aid Group and several other metro Atlanta departments as the standard for preplan software. In 2004, Gwinnett County sent out a proposal to over 50 software development and conversion organizations. Gwinnett's specifications were similar to Peachtree City's. Group 1 Solutions was the only firm supplying a proposal and was selected by Gwinnett County.

The Fire Department had worked in concert with the IT department, and IT had reviewed the technical requirements and functionality of the software and supported its use in the City's environment. The plan was to implement the program with up to 210 of the City's highest priority properties. The budgetary impact was \$108,000, which was identified in the Public Improvement Program. Financial Services Director Paul Salvatore said the software had been pegged in the PIP for multi-year funding at a cost of \$24,546 in debt service for five years. Additional buildings would be added during the five years.

Boone asked if just major businesses would be on the list. Mundy said they were the highest priorities based on high hazard content or occupancy, such as the schools. Boone asked if it had been tested in Gwinnett County. Mundy said that REMOTE ACCESS had been the only software that met Gwinnett's needs. Kourajian asked if others were using it. Mundy said several were. The software also gave the City the capability to communicate with the Georgia Mutual Aid Group in event of an emergency that required input from adjoining agencies.

Kourajian asked why only up to 210 buildings were included. Mundy said that was all they had money for now. Additional money was included to use consultants if the City did not have the resources to complete it or the resources were not readily available. Kourajian asked if the 210 could grow. Mundy said the number would grow over time. McMullen added that it was the estimate right now. Out of the \$108,000, \$42,000 was for preplanning and site support. The estimate was that the most the City could do for that price was 210 buildings.

Boone moved to accept the sole source purchase of REMOTE ACCESS preplan software and the implementation service of Group 1 Solutions in Suwanee in an amount not to exceed \$108,000. Kourajian seconded.

Kourajian asked the timeline for implementation. Mundy said they hoped to begin the process and get in the books within 45 days.

The motion carried unanimously.

Council/Staff Topics

Discussion on Hotel/Motel Tax Revenue and Permit Revenue

Logsdon noted there was an additional document on the dais – a spreadsheet entitled “Building Department Permit Fees Analysis.” Salvatore noted that there had been a question as to why the permit revenue was down at the last meeting. He reviewed the hotel/motel tax and permit revenues for Council. He said permits were down, which was not unusual considering the City was reaching buildout. He said the largest drop in permit revenue was in commercial buildings. The same number of permits were issued, but the permits were based on square footage. The permits year-to-date had been for smaller buildings. Building fees were the second largest drop, which was a reflection of the residential activity going on. Those were the two main categories, and they tallied up to \$77,000. Salvatore anticipated there would be a revenue shortfall for the year in this category, but it was difficult to anticipate how much it would be. Kourajian said that it was down by one-third. Salvatore said they had budgeted flat on building permit revenue. In prior years, they had budgeted a 5% decrease, but the revenue had continued to go up. A decision was made to budget at 0%, and this year it was down. Plunkett asked what was being done about the shortfall. Salvatore said the trend could continue, or it might pick up. Plunkett said if it continued they should look at the budget and decide where it would be made up. Salvatore said there would be a mid-year finance review at Council Retreat, and they would look at the whole picture. Overall through January, revenues were at 102%.

Salvatore continued with the hotel/motel tax. He spoke with Bill Bexley of the PCTA, who told him that the tax was down statewide. The surge last year was due to the Hurricane Katrina evacuees. The Days Inn had also closed, which accounted for approximately \$33,000. He was hoping the other hotels would pick that up. One of the conference centers had also closed for a few weeks, so those numbers were down. He had spoken to the management at that conference center, and the numbers were good for January. The revenue should improve.

Kourajian asked for an update on the Flat Creek and CSX multi-use bridges. McMullen said a letter was received that day from the Corps of Engineers, and the national permit for the perpendicular stream crossing had been denied. Borkowski had spoken to Ecological Solutions, the consultant that coordinated the permit, who would speak with the Corps of Engineers to find out what was going on.

McMullen continued that Moreland Altobelli had submitted a revised category of exclusion for the bridge over the CSX railroad tracks in early January. They had not heard back yet. DOT had a policy where they would not accept plans until the plans had received the categorical exclusion. That policy had changed so the City could submit the plans, which would be done as soon as the revised plans were ready. Logsdon asked for a best guess for completion. McMullen said he would not want to say when it would be done.

McMullen said there had been a large turn-out for the February 13 workshop on the lake buffers. Staff went over the proposed changes and asked for feedback. Staff would revisit the comments

and make revisions. There would be one more workshop before coming back to Council with a final recommendation. The residents had asked that staff have the County look at the proposed changes, too, and get some initial feedback from them.

McMullen continued that the MacDuff Parkway landscape bids had come in that day. Eight bids were received, and two would be disqualified. The bid approval should be on the March 1 agenda.

Boone moved to convene in executive session for threatened or pending litigation and a personnel issue. Plunkett seconded. The motion carried unanimously.

Kourajian moved to reconvene in regular session. Plunkett seconded. The motion carried unanimously.

Plunkett moved to authorize the City Attorney to resolve the Cahill Connor case for the amount discussed in executive session. Boone seconded. The motion carried unanimously.

Plunkett moved to approve the agreement with Chief Lohr. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Plunkett moved to adjourn. Kourajian seconded the motion. The motion carried unanimously. The meeting adjourned at 10:10 p.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

2007 City Event Calendar

		<u>March</u>
		3/1 – City Council Meeting, 7 pm 3/2&3 – City Council Retreat, Wyndham (8-5) 3/6 – Tour de Georgia Media Tour, 4 – 6 pm at City Hall City Council Workshop, 6:30 pm 3/15 – City Council Meeting, 7 pm
<u>April</u>	<u>May</u>	<u>June</u>
4/3 – City Council Workshop (Tentative), 6:30 pm 4/5 – City Council Meeting, 7 pm 4/7 – PTC Community Litter Cleanup, 8 am – 1 pm 4/14 – Spring Yard & Garden Show 4/16 - Tour de Georgia begins in Peachtree City 4/19 - City Council Meeting, 7 pm	5/1 - City Council Workshop (Tentative), 6:30 pm 5/3 – City Council Meeting, 7 pm 5/5&6 – Spring Cleanup 5/12 – Touch A Truck 5/17 - City Council Meeting, 7 pm 5/28 – Memorial Day, City offices closed Memorial Day Celebration	6/5 – City Council Workshop (Tentative), 6:30 pm 6/7 - City Council Meeting, 7 pm 6/21 - City Council Meeting, 7 pm
<u>July</u>	<u>August</u>	<u>September</u>
7/3 – City Council Workshop (Tentative), 6:30 pm 7/4 – Independence Day – City offices closed, Parade & Fireworks 7/5 – City Council Meeting, 7 pm 7/19 – City Council Meeting, 7 pm	8/2 – City Council Meeting, 7 pm 8/7 – City Council Workshop (Tentative), 6:30 pm 8/16 – City Council Meeting, 7 pm 8/25 – Kidz' Fest	9/3 – Labor Day, City offices closed 9/4 – City Council Workshop (Tentative), 6:30 pm 9/6 – City Council Meeting, 7 pm 9/15&16 – Shakerag Arts & Crafts Festival 9/20 – City Council Meeting, 7 pm
<u>October</u>	<u>November</u>	<u>December</u>
10/2– City Council Workshop (Tentative), 6:30 pm 10/4 – City Council Meeting, 7 pm 10/13 & 14 – Great Georgia Air Show 10/18 – City Council Meeting, 7 pm 10/20 – PTC Classic Road Race	11/1 – City Council Meeting, 7 pm 11/3 –Chili Cook-Off 11/6– City Council Workshop (Tentative), 6:30 pm 11/15 – City Council Meeting, 7 pm 11/22 & 23 – Thanksgiving Holiday, City offices closed	12/1 – Hometown Holiday 12/4– City Council Workshop (Tentative), 6:30 pm 12/6 – City Council Meeting, 7 pm 12/20 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City offices closed

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

Updated 2/21/07

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: January 2007

	<u>December-06</u>	<u>January-07</u>	<u>FY 2007 YTD</u>	<u>FY 2006 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	2	2	8	4
City Vehicle / Equipment Accidents	3	2	7	4
Lawsuit Legal Fees	\$6,955.77	\$7,673.85	\$20,844.45	\$25,194.53

Municipal Court

Fines Collected	\$91,135.00	\$115,580.85	\$404,437.30	\$494,931.82
Online Transactions	157	166	530	711
Citations Closed	568	566	2,053	2,651
Jail Fund Balance	\$4,804.27	\$3,144.91	\$92,562.08	\$77,299.62

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

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

Public Information

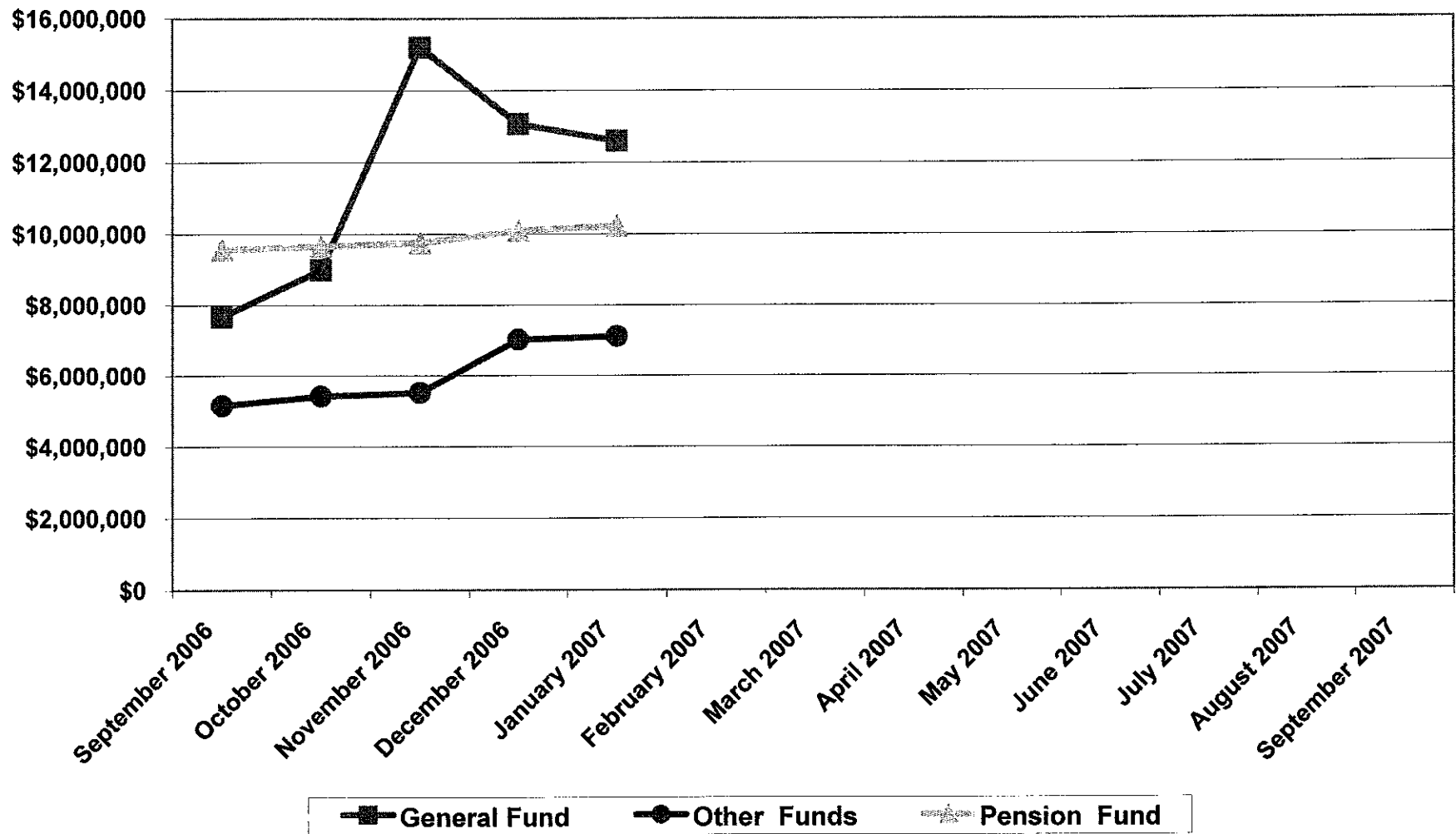
New Businesses Registered	26	30	112	92
Public Contacts, Questions & Complaints	55	72	272	321

This includes 4 complaints against Comcast Cable Company, 1 sanitation company complaint, and 8 Open Records/Discovery Requests.

**PEACHTREE CITY BUILDING DEPARTMENT
FY 2007**

	Dec-07	Jan-07	Fiscal Y-T-D 2007	Fiscal Y-T-D 2006
DEVELOPMENT PERMITS:	3	7	22	59
BUILDING PERMITS:				
Single Family Residential	1	21	42	61
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	32	54	162	133
Commercial/Industrial	15	8	50	44
TOTAL INSPECTIONS:	528	553	2,114	2,183
CERTIFICATE OF OCCUPANCY:				
Residential	7	11	35	36
Commercial	4	1	22	17
Multi-Family Residential	0	0	0	0
CODE ENFORCEMENT:				
Sign Violations	62	77	699	1093
Rehab	22	13	66	55
Notice of Violations	128	154	733	566
Citations	5	0	8	5
Stop Work Orders	5	8	26	28
Complaints From Citizens	12	20	57	53
PERMIT FEES COLLECTED:	22,064	21,393	144,668	256,615
POPULATION:	36,114	36,137	36,137	35,888
Based on 2.09 of completed occupancy				

**CITY OF PEACHTREE CITY
FISCAL YEAR 2007
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)**



CITY OF PEACHTREE CITY
GENERAL FUND AND HOTEL/MOTEL TAX FUND BUDGET COMPARISON (UNAUDITED)
FOR THE FOUR MONTHS ENDED JANUARY 31, 2007

PERCENTAGE OF BUDGET YEAR COMPLETED 33.33%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 10,094,474	\$ 9,039,652	\$ (1,054,822)	89.55%
Franchise Taxes	2,191,127	118,344	(2,072,783)	5.40%
Local Option Sales Tax	7,046,292	2,330,950	(4,715,342)	33.08%
Other Sales & Use Taxes	652,642	233,948	(418,694)	35.85%
Business Taxes	2,086,038	1,971,286	(114,752)	94.50%
Licenses & Permits	956,294	460,748	(495,546)	48.18%
Grants	378,366	194,234	(184,132)	51.33%
Charges for Services	1,177,313	260,728	(916,585)	22.15%
Fines & Forfeitures	1,140,817	275,112	(865,705)	24.12%
Investment Income	428,565	225,428	(203,137)	52.60%
Other Revenue	9,227	14,759	5,532	159.95%
Other Financing Sources	407,943	100,427	(307,516)	24.62%
Total General Fund Revenues	\$ 26,569,098	\$ 15,225,616	\$ (11,343,482)	57.31%
Surplus Carryover	594,202	-		
Total General Fund	\$ 27,163,300	\$ 15,225,616		

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 482,855	\$ 142,366	340,489	29.48%
Administrative Services	1,032,585	325,062	707,523	31.48%
Financial Services	897,958	295,296	602,662	32.89%
Police Services	5,568,253	1,690,442	3,877,811	30.36%
Fire/EMS Services	5,211,897	1,564,635	3,647,262	30.02%
Public Works	4,313,679	1,331,989	2,981,690	30.88%
Leisure Services	4,960,384	1,486,963	3,473,421	29.98%
Developmental Services	1,331,667	400,643	931,024	30.09%
Non-Divisional:				
Council Contingency	94,760	-	94,760	0.00%
Non-Profit Organizations	20,000	-	20,000	0.00%
Transfer to Development Authority	35,000	35,000	-	100.00%
Transfers to Other Funds	3,371,202	1,787,005	1,584,197	53.01%
Liability Insurance	80,835	53,141	27,694	65.74%
Legal Services	162,880	33,740	129,140	20.71%
General Administration	72,279	-	72,279	0.00%
Other - Estimated Departmental Savings	(472,934)	-	(472,934)	0.00%
Total General Fund	\$ 27,163,300	\$ 9,146,282	\$ 18,017,018	33.67%

HOTEL/MOTEL FUND REVENUES

Description	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 1,092,291	\$ 289,508	\$ (802,783)	26.50%

HOTEL/MOTEL TRANSFERS OUT

Type	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 364,097	\$ 96,503	\$ 267,594	26.50%
Transfer to Tourism Association	728,194	193,005	535,189	26.50%
Total Hotel/Motel Transfers Out	\$ 1,092,291	\$ 289,508	\$ 802,783	26.50%

CITY OF PEACHTREE CITY
FINANCIAL SERVICES MONTHLY REPORT (UNAUDITED)
AS OF JANUARY 31, 2007

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER JANUARY 2007			
Description	Vendor	Award	Date
None to Report for this month			

PURCHASING REPORT FOR MONTH ENDED JANUARY 31, 2007 AND JANUARY 31, 2006		
Activity	Fiscal Year 2007	Fiscal Year 2006
Purchase Orders / Requisitions Processed	229	199
City Store Requisitions Processed	8	8
Sealed Bids Requested	6	12
Requests for Proposals	0	0
Bids Awarded	3	0
Requests for Proposals Awarded	0	1
Contracts Prepared	6	1
Fixed Assets Purchased	4	4

INFORMATION TECHNOLOGY REPORT JANUARY 2007 AND YEAR-TO-DATE		
Activity	Current Month	Fiscal Year 2007
Work Orders Created	118	448
Work Orders Closed	92	409
Work Orders Open	26	35
Project Work Orders	111	390
Technical Support	114	401
Website Visits	79,541	253,885

LEISURE SERVICES MONTHLY REPORT

Jan-07

<u>Activity Description</u>	<u>Unit</u>	<u>Jan. 07</u>	<u>FY 2007 YTD</u>	<u>FY 2006 YTD</u>
Library				
Books Circulated	number	32,057	120,510	67,888
Internet Usage	visits	3,694	12,050	6,803
Computer Lab Use	hours	47	120	59

***Low use due to holidays**

Recreation

Class/Program Revenue	\$	\$2,351	\$9,966	\$12,268
Playing Surface Mowing	hours	0	912	930
Playing Field Preparations	hours	475	1,650	1,621
Building Maintenance	hours	395	1,625	1,630
Safety Inspections	visits	50	200	200
Litter Removal	hours	288	1,116	1,050
Complaints answered	number	0	2	3

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2007 MONTHLY REPORT**

	Dec. 06	Jan. 07	2007 FY-T-D	2006 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	2	4	8	12
Actual Business/Industrial Fires	1	1	4	6
Rescue/EMS Assist	138	161	609	581
Vehicle/Golfcart Accidents	20	22	74	112
False Alarms	25	16	102	79
¹ Other	37	24	107	106
Total Engine Response	223	228	904	896
 Dispatched Fire Calls	 64	 51	 240	 230
 Response Time Fire	 5:04	 4:48	 5:00	 4:57
 RESCUE/EMS				
Trauma	35	39	146	322
Medical	138	155	561	433
Total # Patients	173	194	707	755
 Patients Transported	 81	 97	 367	 337
 Dispatched EMS Calls	 161	 176	 660	 670
 ² Total Medic Response	 196	 243	 893	 823
 Response Time EMS	 4:47	 4:35	 4:42	 4:05
 Dispatched Fire/EMS Total	 225	 227	 900	 900
 EMS BILLING				
Patients Billed	61	79	289	323
 Revenue Generated	 24,821	 33,797	 115,102	 126,200
 ³ Total Revenue Received	 17,972	 26,736	 80,481	 91,229

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

²Includes Fire Assist Responses

³Revenue Received on All Outstanding Accounts

Due to staffing shortages at the Police Department,
the monthly report will not be ready until
just prior to the March 1 Council meeting.

PUBLIC SERVICES MONTHLY REPORT

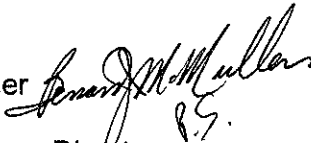
JANUARY 2007

<u>Activity Description</u>	<u>Unit</u>	<u>January-07</u>	<u>FY 2007 YTD</u>	<u>FY 2006 YTD</u>
Street Patching	Hrs.	24	313	688
Street Crack Sealing	Hrs.	293	360	0
Drainage Maintenance	Hrs.	169	1,328	630
Street Sweeping	Hrs.	75	234	165
Cart Path Paving	Ft.	0	6,710	8,704
Cart Path Prepped for Paving	Ft.	0	4,672	5,752
Cart Path Litter Removal	Hrs.	171	611	469
Cart Path Drainage Maintenance	Hrs.	60	590	1168
R.O.W. Mowing	Hrs.	0	672	504
R.O.W. litter Removal	Hrs.	586	2,114	1,674
General Maintenance	Hrs.	301	1,063	1,519
Mowing (Subdivision Entrances	Hrs.	0	548	1,433
Landscape Maintenance	Hrs.	114	353	381
Landscape Planting/Mulching	Hrs.	836	921	1,847
Subdivision Sign Maintenance	Hrs.	77	259	117
Traffic Sign Maintenance	Hrs.	102	443	662
Vandalism Repairs	Hrs.	59	149	21
Vandalism Repairs	Dls.	802	2,381	714
Citizen Complaints Answered	Num.	65	240	212
Community Service	Hrs.	0	40	97
<u>RECYCLING SITE</u>				
Manhours	Hrs.	36	174	252
PARTICIPANTS				
Recycling	Num.	193	698	899
Composting	Num.	860	2,596	3,882
Mulch Pick Up	Num.	24	59	287

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

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

DATE: February 22, 2007

SUBJECT: Budget Amendment – Fiscal Year 2007
March 1, 2007 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached fiscal year 2007 budget amendment.

Discussion:

Attached please find budget amendment 07-006 for fiscal year 2007 submitted for your approval. This budget amendment increases expenditures in the Stormwater Utility Fund by \$90,000 for the purchase of a vehicle and machinery for stormwater operations. These expenditures will be funded through the use of fiscal year 2007 contingency (\$77,928) and fiscal year 2006 unrestricted net assets (\$12,072). The expenditures, originally budgeted in fiscal year 2006, were expected to be financed through a lease/purchase agreement, along with a street sweeper and other equipment. Since it has been determined that it would be more cost effective to contract for street sweeping and drainage vacuuming, Staff recommends that the 2007 contingency and 2006 unrestricted net assets be used to fund these purchases on a cash basis.

Budget Impact:

The proposed budget amendment increases the overall Stormwater Utility Fund budget by \$12,072 and projects a balance of \$68,205 in unrestricted net assets in the fund at September 30, 2007.

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

Thank you for your attention to this matter.

Attachment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-006

DATE March 1, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
521-4250-54-2200	xxx	Vehicles	29,000	
521-4250-54-2100	xxx	Machinery	61,000	
521-00-38-9025	xxx	Surplus Carryforward	12,072	
TOTAL			\$ 102,072	\$ -

To increase budget for the cash purchase of vehicles and machinery for the Stormwater Utility Fund. Funds to be provided from fiscal year 2007 contingency (\$77,928) and fiscal year 2006 unrestricted net assets (\$12,072).

ENTERED _____

APPROVED _____

Pam Dufresne

From: Betsy Tyler
Sent: Monday, January 29, 2007 10:40 AM
To: tmeeker@fairburn.com; Colin Halterman; Bernard McMullen; Pam Dufresne
Subject: Melvin Ewing on February 15 Agenda.

FYI -

From: Betsy Tyler
Sent: Monday, January 29, 2007 10:39 AM
To: 'Melvin Ewing'
Subject: RE: REQUEST TO BE PLACED ON COUNCIL AGENDA to Deputy Cty Clerk

Melvin:

Per City Code Section 2-33(c), I have forwarded your request to the City Clerk and she will place your request on the February 15, 2007, City Council agenda. The meeting begins at 7:00 p.m.

Betsy

From: Melvin Ewing [mailto:melvinewing@yahoo.com]
Sent: Monday, January 29, 2007 10:16 AM
To: Betsy Tyler
Cc: CITY COUNCIL
Subject: REQUEST TO BE PLACED ON COUNCIL AGENDA to Deputy Cty Clerk

Please consider this as a formal request to be placed on the earliest and next available City Council agenda for purposes of discussions regarding the City Staff's selection process for the recently advertised STORMWATER MANAGER's position.

I have been a resident and citizen of the City of Peachtree City, Georgia since 1985.

I am a registered Professional Engineer in the State of Georgia; I'm a published author; I have nearly 30 years of professional experience; I put together the Storm Water Management Plan for the City of Macon; I am a current vendor with the City (I'm on the City's vendor list); I have contracted (in the past) directly with the City to provide professional services for somewhere around eight civil engineering projects; and, I am a past Chairman of the Peachtree City Water and Sewerage Authority (serving for 5 full years).

To this end, I would desire to ask the following (but not limited to) questions:

1. Isn't it true that the City of Peachtree City is an equal opportunity employer?
2. Isn't it true that the City of Peachtree City always endeavors to seek out the most qualified applicant during its' selection process for public employment openings (or in this case, the recently advertised STORMWATER MANAGER position)?
3. Does the City of Peachtree City have a "weight-average" rating system in its evaluation methodology which it uses in the selection process for public positions? If so, what is it?

01/29/2007

4. Was the applicant/interviewee for this public post (STORMWATER MANAGER), Mr. **Wes Saunders**, a former PTC official, either a authority or commission official?
5. Why does someone like myself (i.e., a PTC resident since 1985) not rate an interview for this post?

At this meeting it will also be my formal intention to initiate a formal PROTEST as to the "CHOSEN ONE" for the STORMWATER MANAGER'S position.

Please let me know something on this at your earliest convenience.

Your kindness in this matter has been greatly appreciated.

Melvin Ewing

404-545-4299 (MOBILE)

Yahoo! My Yahoo! Mail Make Y! your home page

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YAHOO! MAILWelcome, **melvinewing**
[Sign Out, My Account][Mail Home](#) - [Mail_Tutorials](#) - [Help](#)**\$9.99** per month

GET IT NOW

AVAILABLE WITH THE FAMILY TALK PLAN.
2-YEAR AGREEMENT AND OTHER RESTRICTIONS APPLY.[Mail](#) | [Addresses](#) | [Calendar](#) | [Notepad](#)[Mail For Mobile](#) - [Mail Upgrades](#) - [Options](#)[Check Mail](#)[Compose](#)[Search Mail](#)[Search the Web](#) Get FREE Phones
at Cingular![Previous](#) | [Next](#) | [Back to Messages](#)[Delete](#)[Reply](#)[Forward](#)[Move...](#)**CORRECTED****Folders** [Add - Edit]**Inbox (16)****Draft****Sent****Bulk (1)** [Empty]**Trash** [Empty]This message is not flagged. [[Flag Message](#) - [Mark as Unread](#)][Printable View](#)**Date:** Thu, 15 Feb 2007 10:22:32 -0800 (PST)**From:** "Melvin Ewing" <melvinewing@yahoo.com> [Add to Address Book](#) [Add Mobile](#)**Subject:** 02-15-2007 City Council Agenda**To:** jmillier@peachtree-city.org**Search Shortcuts**[My Photos](#)[My Attachments](#) See your credit
score - free Earn a degree
in 1 yr Mort Rate: 4.7%
Bad Credit OK Degrees in as
fast as 1 year.

HALL
As we discussed earlier this morning at City, I am requesting that my City Council Agenda item be moved to the first Council meeting in March 2007.

I am making this request because of the latest information request materials which I received this date from City Hall. Because of this, I feel that I will need additional time to study this information as well as adequately prepare for my presentation.

Your kindness in this matter is greatly appreciated.

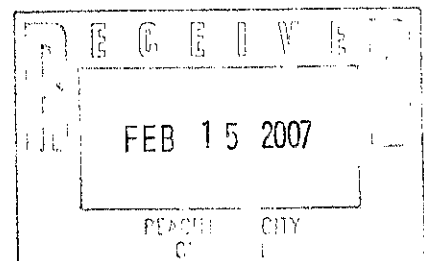
Melvin Ewing

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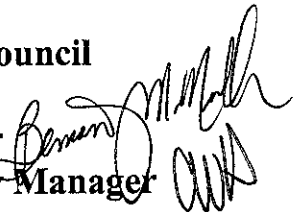
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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 
Assistant City Manager 

FROM: City Clerk 

DATE: February 23, 2007

SUBJECT: Alcohol License – NEW – Johnny's New York Style Pizza
March 1, 2007, Regular Meeting

Recommendation:

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

Discussion:

Johnny's New York Style Pizza, a restaurant to be located at 2779 Highway 54 West, has submitted a request for a new alcohol license. Mr. Christopher Noah has requested he be appointed as the Licensee and the License Representative. He will attend the meeting on Thursday, March 1st, to answer any questions you may have.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for beer and wine (\$1,350), plus \$500 for Sunday Sales.

JSM:pd

Attachments

Application For Alcoholic Beverage License

Business Name: JOHNNY'S NY STYLE PIZZA	Business Location: 2779 HWY 54 PEACHTREE CITY, GA 30269	
Nature of Business: RESTAURANT	Mailing Address: 101 GREENBLADE POINT PTC, GA 30269	Business Phone Number: (404) 906-7709
Name of Licensee: CHRISTOPHER M. NOAH	Home Address: 101 GREENBLADE POINT PTC, GA 30269	Home Phone Number: (770) 487-0905
Name of License Representative: CHRISTOPHER M. NOAH	Home Address: 101 GREENBLADE POINT PTC, GA 30269	Home Phone Number: (770) 487-0905

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
☒	Malt Beverage	☐	Malt Beverage	☐	Malt Beverage
☒	Wine	☐	Wine	☐	Wine
☐	Distilled Spirits	☐	Distilled Spirits	☐	Distilled Spirits

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
CDR RESTAURANTS, INC	101 GREENBLADE POINT PEACHTREE CITY, GA 30269	(404) 906-7709
CHRISTOPHER M. NOAH	101 GREENBLADE POINT PTC, GA 30269	H (770) 487-0905 W (404) 906-7709
DEAN E. MOORE	100 MACKENZIE LANE FAYETTEVILLE, GA 30214	W/H (770) 312-8969
RICHARD F. PEARCE	1780 HIGHLAND CLUB DRIVE ALPHARETTA, GA 30004	W/H (678) 595-7138

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

If YES, Please Provide Name of Employee: _____

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police for the City of Peachtree City, do hereby certify that:

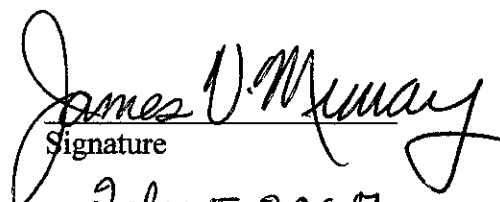
Christopher Noah

Name

101 Greenblade Point Peachtree City, GA 30269

Address

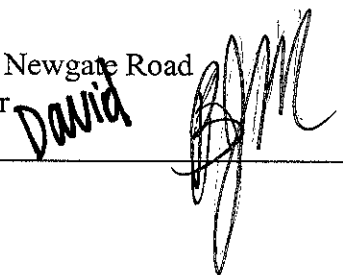
Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.


Signature
Feb. 5, 2007
Date


Witness

POSITION PAPER

Proposed Rezoning: Newgate Road townhomes, Newgate Road
City Planner/ Zoning Administrator
February 22, 2007



Situation:

Peachtree City Holdings, L.L.C. owns a 5.613-acre tract of land on Newgate Road. The property is currently undeveloped and is zoned GC General Commercial. Weatherup Construction has the property under contract and desires to construct a 21-unit townhome development and associated parking on the property. Because the property is not currently zoned for this type of use, the Applicant is requesting that it be rezoned to an appropriate classification. A copy of the application is included as Attachment "A".

Facts:

1. The overall tract is 5.613-acres in size and is currently zoned GC General Commercial.
2. The City's Land Use Plan designates this tract as COM Commercial (Attachment "B").
3. The majority of the site was pre-cleared and pre-graded several years ago. A mature stand of trees and vegetation surrounds the perimeter of the site and the interior of the site contains a dense stand of second-growth pine trees.
4. The Applicant is requesting that the entire tract be rezoned to LUR Limited Use Residential to accommodate a 21-unit townhome development and associated parking. The density of the proposed development would be 3.7-units/ acre.
5. At their meeting on November 2, 2006, City Council lifted the moratorium on multi-family housing for this particular tract and authorized Staff and the Planning Commission to work with the prospective developer on this proposal (Attachment "C").
6. A city-owned greenbelt separates this tract from the Kedron Village retail center to the north and east. The greenbelt consists of a wide natural area, which contains a creek, wetlands, flood plain and associated buffers. The retail center tract is zoned GC General Commercial and is designated as COM Commercial on the Land Use Plan.
7. The property abuts the Holiday Inn Suites tract to the south. This tract is zoned GC General Commercial and is designated as COM Commercial on the Land Use Plan.
8. The property abuts the right-of-way of SR 74 North to the west and a city owned greenbelt to the south.
9. The Applicant submitted a schematic site plan (Attachment "D") identifying six (6) freestanding townhome buildings and associated parking. Two driveways from the cul-de-sac at the end of Newgate Road would provide access into the development.

Newgate Road townhomes, Newgate Road

February 22, 2007

Page 2

Extensive landscaping and large open areas would be provided both within and around the perimeter of the site. The Applicant intends to preserve as many of the existing trees on-site as possible.

10. A Homeowner's Association would maintain the exterior of the buildings and the internal roads, landscaping, lighting and other amenities.
11. At their meeting on January 22, 2007, the Planning Commission voted unanimously to recommend that the proposed rezoning be approved subject to the conditions recommended by City Staff (Attachment "E").

Recommendation:

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

1. The schematic site plan is intended only to suggest a concept and shall not be considered the final approved development plan. That plan must be prepared and approved as part of the regular conceptual site plan review process.
2. The conceptual site plan must comply with the recent amendments to the city's Land Development Ordinance, including all setbacks identified within the LUR Limited Use Residential zoning district.
3. The architectural design and exterior building materials of each building must be similar. The sides and rear of each building must include architectural detailing and similar building materials as those used on the front elevation.
4. The site plan must provide for fully landscaped entrances off of Newgate Road, including meandering berms and extensive landscaping as necessary to assist in screening the parking areas from view.
5. A multi-use path connection must be provided between this development and the existing multi-use path adjacent to the Georgian Park Car Wash.
6. This development is located within the Kedron Service Area, which requires an impact fee of \$1,283 per residential unit. Impact fees in the amount of \$26,943 (\$1,283 x 21 units) must be submitted prior to approval of the final site plan.
7. The land use designation for this tract should be changed from COM Commercial to MF Multi-family.

Newgate Road townhomes, Newgate Road

February 22, 2007

Page 3

A copy of the proposed amendments to Section 1005B.3 is attached to this document after Attachment "F."

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property:

Tract 3 of Final Plat of Georgian Park Commercial Center recorded 3/27/96

LL 134 7th District. Newgate Road

This property is presently zoned: gc

The proposed zoning classification is: LUR

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

Signature: _____

Owner: (print) Peachtree City Holdings, L.L.C.

Agent: (print) Pathway Communities

Address: 200 Westpark Drive, Suite 300, Peachtree City, GA 30269

Phone: 770-487-8585

Date: 12/5/06

This request, along with the required fee (\$600 + \$25/acre) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: _____

Title: _____

Date: _____

Request Number: _____

Date of Planning Commission Public Hearing: 01-22-06

Date of City Council Public Hearing: 02-15-06

D.B. 440/P.G. 763

Georgia Highway No. 74
(R/W Varies)

EDGE OF EXISTING PAVING

EX. 20' UTILITY
EASEMENT

3

5.613+ AC.
2445123 SQ. FT.

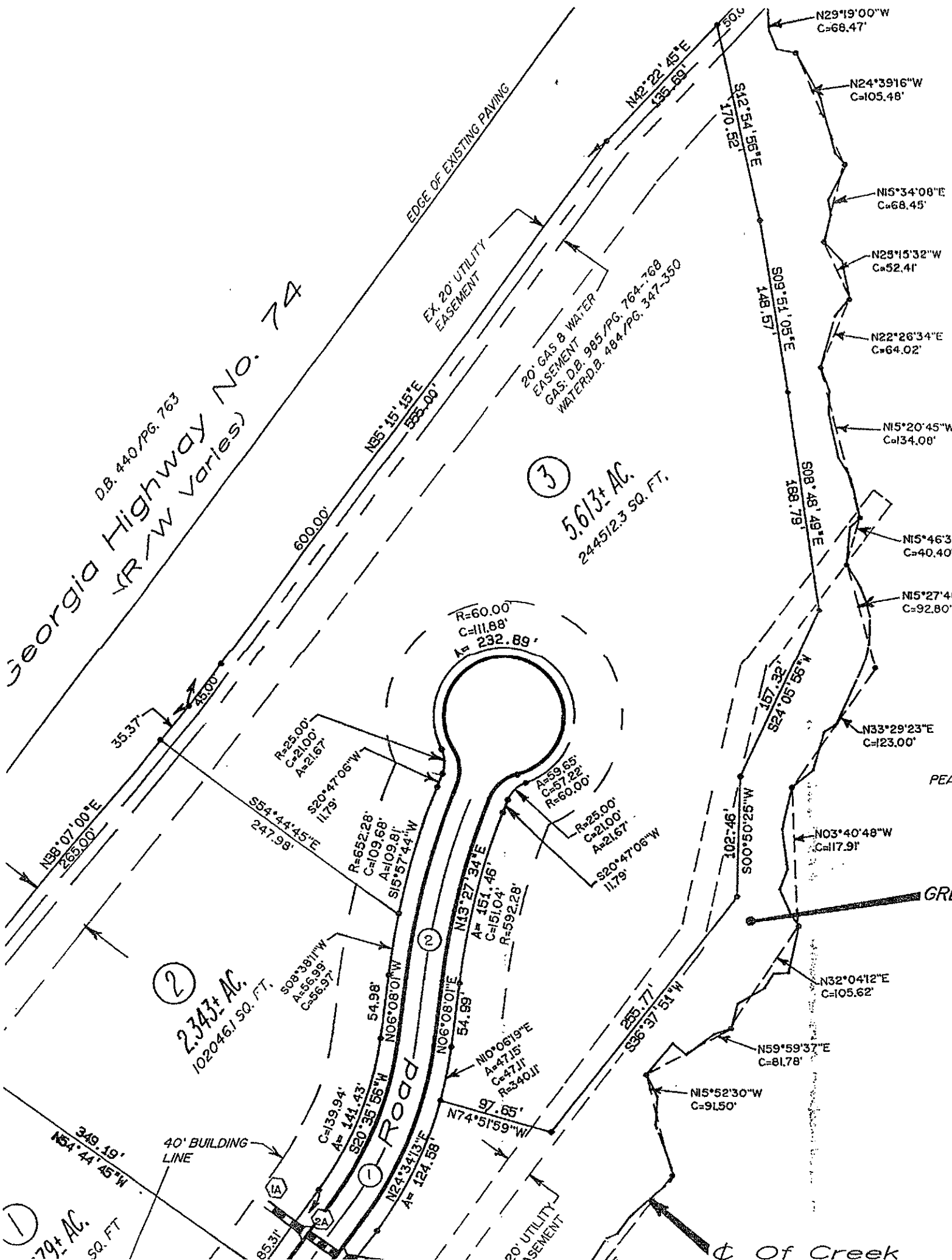
20' GAS & WATER
EASEMENT
GAS: D.B. 985/P.G. 764-768
WATER: D.B. 484/P.G. 347-350

2

2.343+ AC.
1020461 SQ. FT.

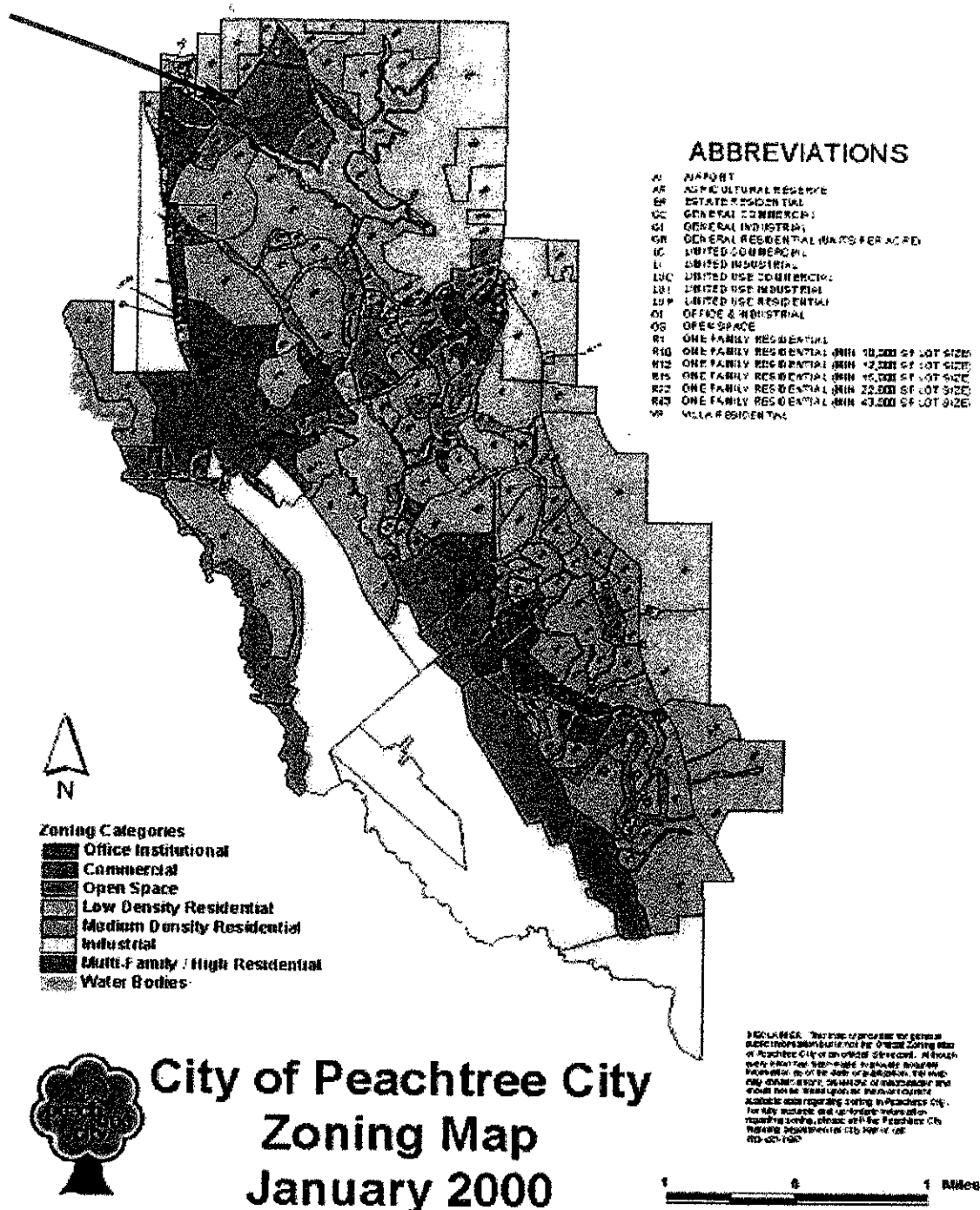
40' BUILDING
LINE

1
79+ AC.
SQ. FT.



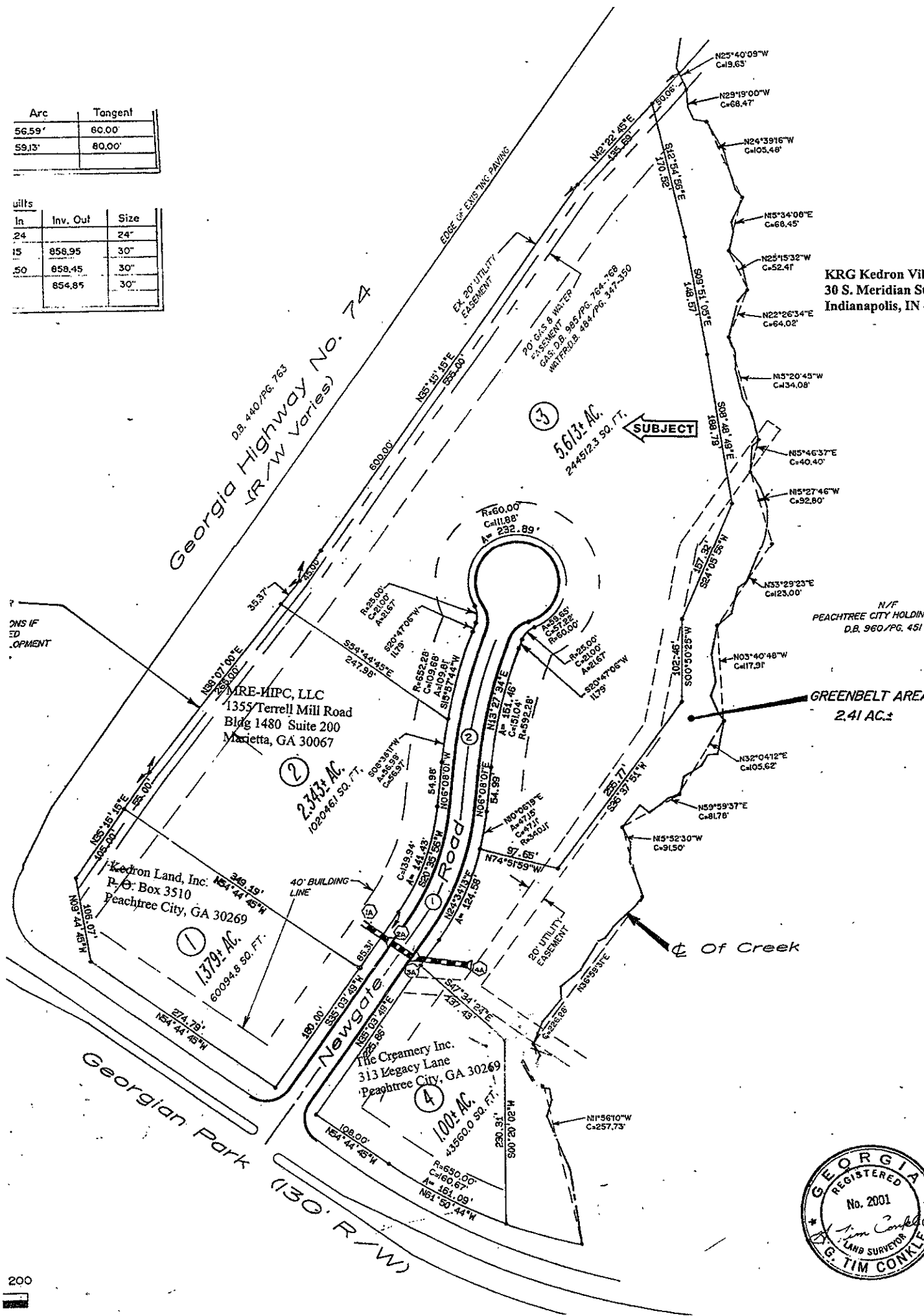
ALL THAT TRACT or parcel of land lying and being in Land Lot 134 of the 7th Land District, Peachtree City, Fayette County, Georgia and being more particularly described as follows:

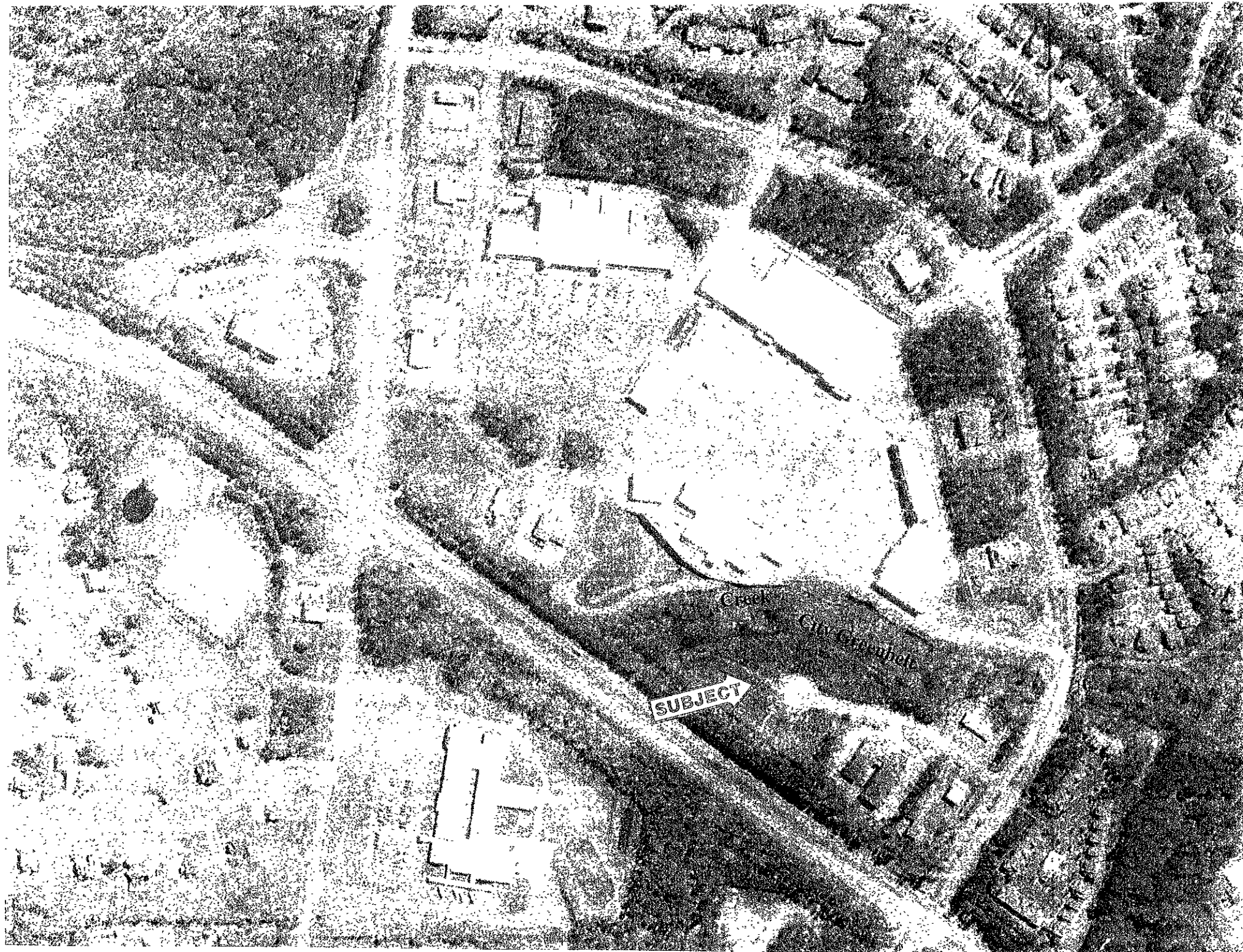
TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the northeasterly right-of-way of Georgian Park (130' r/w) and the northwesterly right-of-way of Newgate Road and run thence along said right-of-way of Newgate Road north 35 degrees 3 minutes 49 seconds east a distance of 180 feet; run thence along said right-of-way line north 35 degrees 3 minutes 49 seconds east a distance of 85.31 feet to a point; run thence along said right-of-way line along the arc of a curve to the left a distance of 141.43 feet to a point, said arc being subtended by a chord bearing north 20 degrees 35 minutes 56 seconds east a distance of 139.94 feet; run thence along said right-of-way line north 6 degrees 8 minutes 1 second east a distance of 54.98 feet to a point; run thence along said right-of-way line along the arc of a curve to the right a distance of 56.99 feet to the True Point of Beginning, said arc being subtended by a chord bearing north 8 degrees 38 minutes 11 seconds east a distance of 56.97 feet; run thence north 54 degrees 44 minutes 45 seconds west a distance of 247.98 feet to a point on the southeasterly right-of-way of Georgia Highway 74 (r/w varies); run thence along said right-of-way line north 35 degrees 15 minutes 15 seconds east a distance of 35.37 feet to a point; run thence along said right-of-way line north 35 degrees 15 minutes 15 seconds east a distance of 600 feet to a point; run thence along said right-of-way line north 42 degrees 22 minutes 45 seconds east a distance of 135.69 feet to a point; thence leaving said right-of-way line and run south 12 degrees 54 minutes 56 seconds east a distance of 170.52 feet to a point; run thence south 9 degrees 51 minutes 5 seconds east a distance of 148.57 feet to a point; run thence south 8 degrees 48 minutes 49 seconds east a distance of 188.79 feet to a point; run thence south 24 degrees 5 minutes 56 seconds west a distance of 157.32 feet to a point; run thence south 0 degrees 50 minutes 25 seconds west a distance of 102.46 feet to a point; run thence south 36 degrees 37 minutes 51 seconds west a distance of 255.77 feet to a point; run thence north 74 degrees 51 minutes 59 seconds west a distance of 97.65 feet to a point on the easterly right-of-way line of Newgate Road; run thence in a generally northerly direction along said right-of-way line of Newgate Road following the meanderings and curvatures thereof through the cul-de-sac of Newgate Road and continuing to run along said right-of-way line in a counterclockwise manner along said cul-de-sac right-of-way line and then in a generally southerly direction along said right-of-way line following the meanderings and curvatures thereof to the True Point of Beginning as established above; being shown and described as 5.613 acres, more or less, being Tract 3 on that certain final plat of Georgia Park Commercial Center prepared by G. Tim Conkle, Georgia Registered Land Surveyor No. 2001, dated February 15, 1996.



Arc	Tangent
56.59'	80.00'
59.13'	80.00'

In	Inv. Out	Size
24		24"
15	858.95	30"
50	658.45	30"
	854.85	30"





Fire Station

Crabapple School

SUBJECT

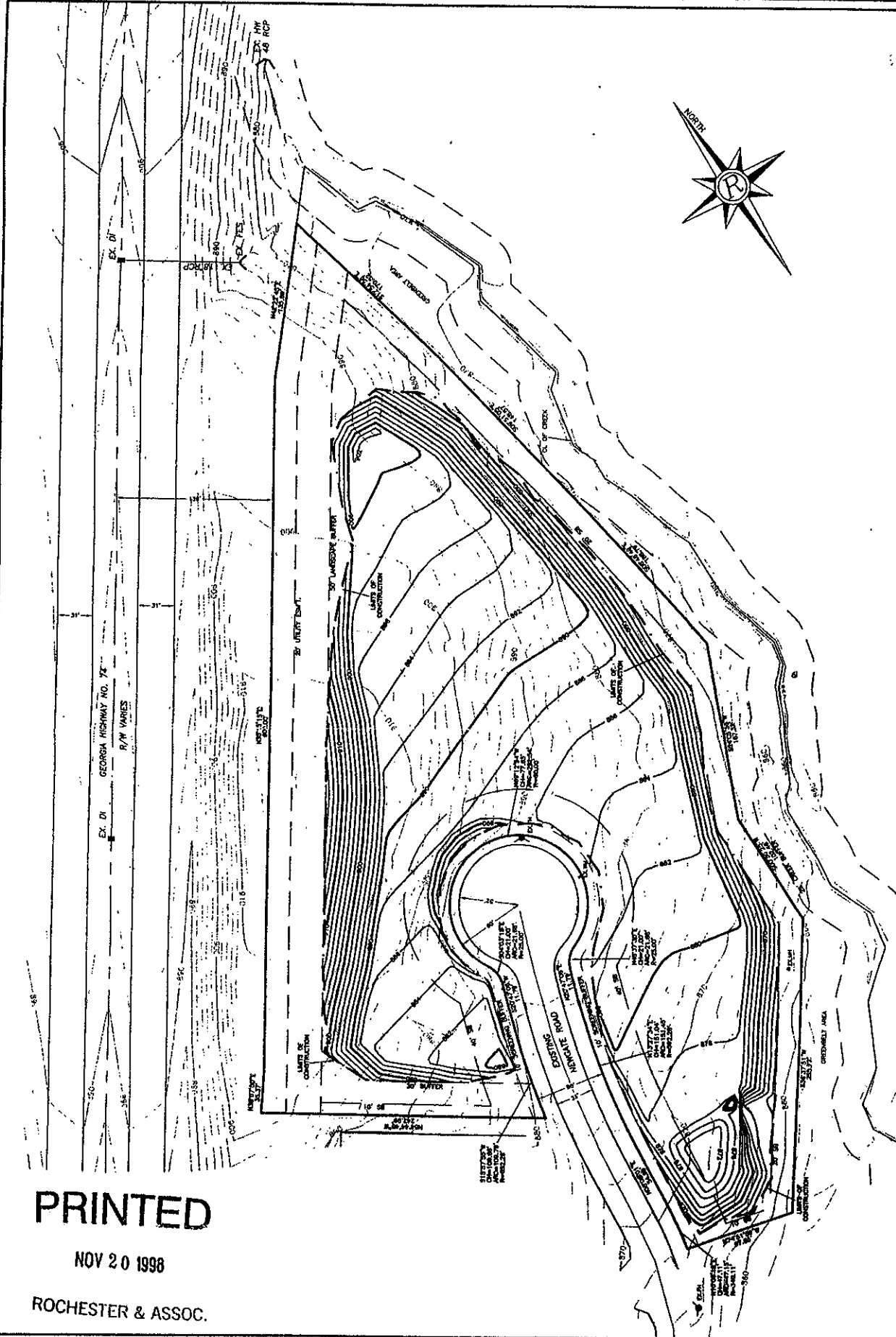


- III. h) A creek runs along the eastern boundary of the site along the city greenbelt. There is existing vegetation around the perimeter of the site.

III. I) The site was pre-graded about 10 years ago and some preliminary work was done on the stormwater pond. Sewer, power and water are all available to the site.

III. I) A report analyzing how the proposed rezoning will affect the City, especially with respect to:

- a. Tax base: At buildout there will be 21 total units, each valued at approximately \$400,000.
- b. Public education: Because of the type of product, we believe this will appeal to empty nesters and as such, will not have a direct affect on the school system.
- c. Police and fire protection: Construction will be of insulated concrete block with a four (4) hour fire rating. Police protection should be no more or less than other neighborhoods.
- d. Emergency medical services: This development is not a retirement community, but rather will be marketed to empty nesters in the 50 to 65 year old range. Service should be no more or less than other neighborhoods.
- e. Transportation facilities: NA
- f. Utilities: Because of the insulated concrete block construction, the buildings will be well insulated and usually use one-third (1/3) less energy to heat and cool.
- g. Environmental protection: The property is bounded by Hwy. 74 ROW and the city greenbelt as shown on the plat.
- h. Recreation program: Because of the population we feel will purchase a townhome here, there should not be an impact on the recreation program.
- i. Implementation of the overall development plan: There will be 21 units total, 3 buildings with 4 units and 3 buildings with 3 units. Each unit will have approximately 3,000 square feet heated and with a 600 square foot garage and storage. The units will be three stories with a private elevator. The property will be well landscaped with a cook out area and pavilion. Each unit will be priced from \$350,000 to \$400,000.



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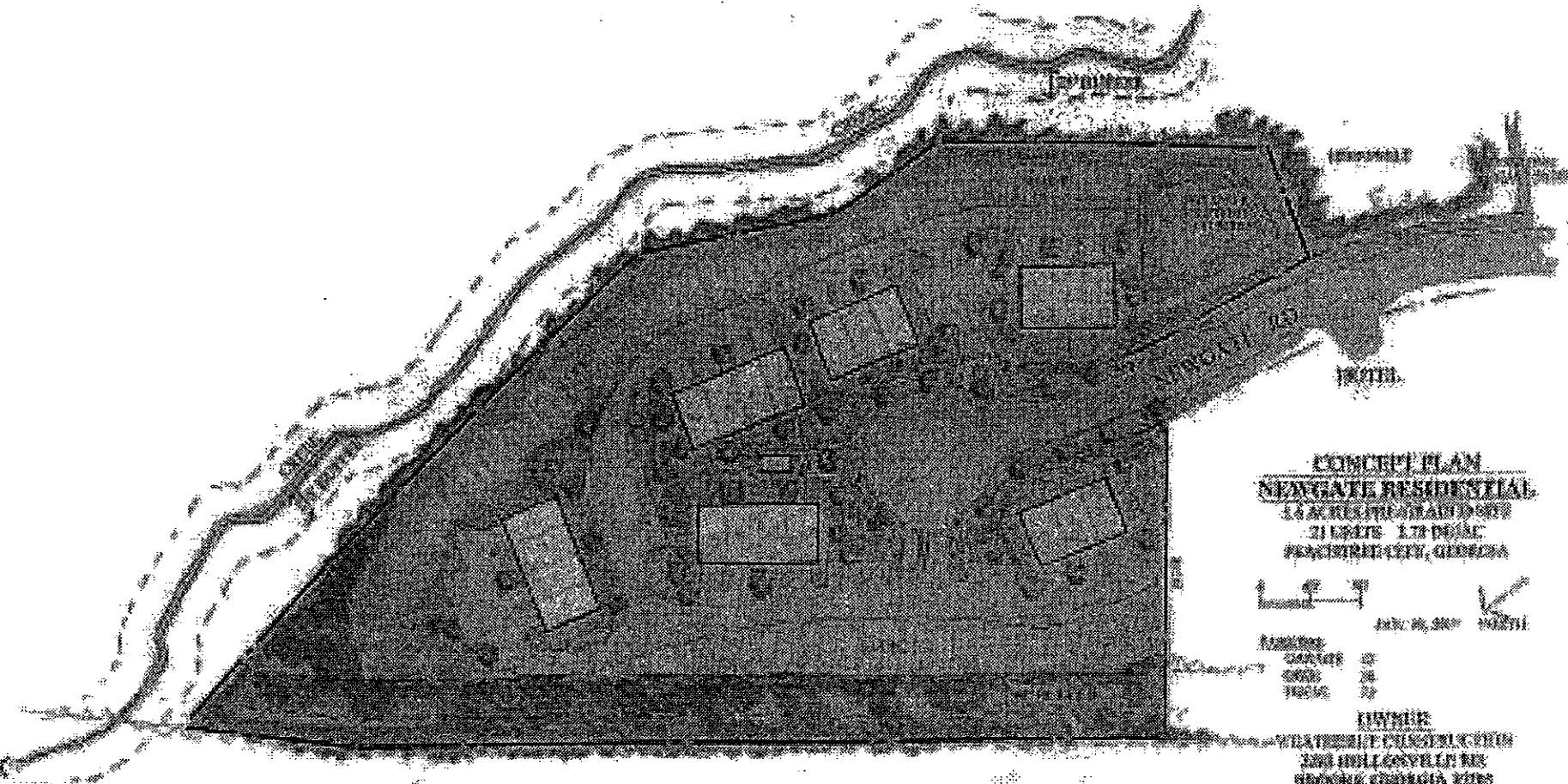
NOV 20 1998

ROCHESTER & ASSOC.

SHEET 1 OF 1
DATE 10/07/98
SCALE 1"=80'
JOB NO. 98140.04

GRADING PLAN
FOR
**NEWGATE
COMMERCIAL SITE**
LOCATED IN

rochester
rochester & associates, inc.
U.S. FEDERAL AREA - U.S. FEDERAL PARK



CONCEPT PLAN
NEVIGATE RESIDENTIAL
 1.6 ACRES (11.1 HECTARES)
 21 UNITS 1.75 HOURS
 PEACHTREE CITY, GEORGIA



LEGEND
 GARAGE 12'
 DRIVE 24'
 TRUCK 30'

LOCUS
 WILKINSON COUNTY, GA
 200 HILL COUNTRY RD
 PEACHTREE CITY, GEORGIA 30084

THE HOUSE 1.1

HIGHWAY 74



Kedron K-V/Parkway West Neighborhood

K-V	1.000	Heathergate S/D	SFL	R-43	4.00	0	3	0.00
K-V	1.001	Residence (Patrylo)	SFL	R-43	1.00	0	1	0.00
K-V	2.000	Interlochen S/D	SFM	R-22	103.13	0	107	9.11
K-V	2.001	Residence (Routon)	SFM	R-22	1.00	0	1	0.00
K-V	3.000	Greer's Mountain S/D	SFL	R-43	50.95	0	30	0.00
K-V	3.001	Kingston Hill (undeveloped)	SFL	R-43	0.80	0	1	0.00
K-V	4.000	North Peachtree Estates S/D, Phase II	SFL	R-43	11.04	0	6	0.00
K-V	5.000	Fayette County (Boat Docks)	OS	OS	3.75	0	0	3.75
K-V	6.000	Lake Kedron	OS	OS	186.30	0	0	230.80
K-V	7.000	The Peninsula S/D	SFM	LUR-6	57.08	0	54	6.18
K-V	8.000	North Cove S/D	MF	LUR-3	22.84	0	39	2.11
K-V	9.000	Amli Apartments (Georgian Park)	MF	GR-14	25.00	0	312	0.00
K-V	10.000	Cottage Grove S/D	MF	GR-14	11.53	0	35	2.50
K-V	11.000	Larkin's Landing S/D	MF	GR-14	16.26	0	21	7.91
K-V	12.000	The Point on Lake Kedron S/D	MF	GR-12	60.10	0	63	0.00
K-V	13.000	Sutton's Cove S/D	MF	GR-14	20.55	0	30	9.95
K-V	14.000	Albemarle S/D	MF	GR-14	14.22	0	35	5.12
K-V	15.000	St. Simons Cove S/D	MF	GR-14	10.72	0	48	0.46
K-V	16.000	Georgian Club condominiums	MF	GR-14	5.50	0	52	14.52
K-V	16.001	City of PTC (greenbelt)	OS	OS	14.52	0	1	14.52
K-V	17.000	Kedron Village retail center tract:						
K-V	17.001	Phase I (Kroger)	COM	GC	14.60	85,735	1	0.00
K-V	17.002	Phase II (Target)	COM	GC	34.14	279,800	1	0.00
K-V	17.003	KFC/ Pizza Hut (vacant)	COM	GC	1.40	3,100	1	0.00
K-V	17.004	Wachovia Bank	COM	GC	1.50	3,600	1	0.00
K-V	17.005	Outback Steakhouse	COM	GC	2.10	6,163	1	0.00
K-V	17.006	Corner tract (undeveloped)	COM	GC	2.10	0	1	0.00
K-V	17.007	Wendy's	COM	GC	1.22	3,200	1	0.00
K-V	17.008	SunTrust Bank	COM	GC	1.69	3,617	1	0.00
K-V	17.009	Pathway Communities (undeveloped)	COM	GC	1.50	0	1	0.00
K-V	18.000	Georgian Park retail tracts:						
K-V	18.001	Kedron Tire	COM	GC	1.02	6,587	1	0.00
K-V	18.002	Georgian Park Bike Center	COM	GC	0.85	6,000	1	0.00
K-V	18.003	Pathway Communities (undeveloped)	COM	GC	0.83	0	1	0.00
K-V	18.004	Vassey Office building	COM	GC	1.06	12,000	1	0.00
K-V	18.005	City of PTC (Regents Park extension)	COM	GC	0.56	0	1	0.00
K-V	18.006	Undeveloped (Pathway Communities)	COM	GC	1.36	0	1	0.00
K-V	18.007	Fairwinds building	COM	GC	1.17	14,000	1	0.00
K-V	18.008	Pathway Communities (undeveloped)	COM	GC	1.52	0	1	0.00
K-V	18.009	Lifeboat Medical building	COM	GC	1.04	6,200	1	0.00
K-V	19.000	Newgate Commercial S/D:						
K-V	19.001	Georgian Park convenience center	COM	GC	1.38	8,704	1	0.00
K-V	19.002	Holiday Inn Express	COM	GC	2.34	65,000	1	0.00
K-V	19.003	Pathway Communities (undeveloped)	COM	GC	5.60	0	1	0.00
K-V	19.004	Georgian Park car wash	COM	GC	1.00	2,894	1	0.00
K-V	19.005	City of PTC (greenbelt)	OS	OS	2.41	0	1	2.41

EXCERPT FROM APPROVED MINUTES

CITY COUNCIL MEETING

NOVEMBER 2, 2006

New Agenda Items

11-06-01 Public Hearing – Consider Request from Pathway Communities to Lift the Multi-family Housing Moratorium for a Parcel on Newgate Road

Gene Weatherup addressed Council regarding his plan for low-density senior townhomes. He reminded Council that he requested the moratorium be lifted for a similar project on Petrol Point approximately six months earlier, and the request was turned down. He met with the Development Authority of Peachtree City, who also told him that the plan was not a good fit with Petrol Point and guided him to Newgate Road.

Weatherup continued that he wanted to build a six-building, 21-unit complex. Newgate Road was located off Georgian Park, right behind the Holiday Inn. The parcel was approximately the same size as the Georgian Park Condominiums property, which was on the other side of Georgian Park. He explained the difference between a townhome and a condominium. He said a townhome owner owned the property underneath the home and the yard. The difference between a freestanding home and townhome was that townhomes did not have a side yard between them. A condominium association owned the property in a condominium development, while the homeowner owned the portion of the building the homeowner occupied. There was less density with a townhome development as opposed to condominiums or apartments. Weatherup said it would be very high-end product with elevators, 10-foot ceilings, and two-car garages. They would be designed for people who did not want to, or could not, negotiate stairs.

Weatherup continued that Georgian Park had 52 units on 5.5 acres. His project would have 21 units on 5.6 acres, which was approximately one-quarter of an acre per unit. The density was not very high. The development would not be a good investment for rental property owners since rent for a \$375,000 townhome, plus taxes and insurance, would be \$4,000 per month. There would also be restrictions on the number of units, usually three, that could be rented at any one time. The townhomes would be high-end homes, not rental properties. There would be low density, high taxes (approximately \$7 million valuation on the property), and probably very few school children. The development would be very secluded, an enclave in the woods.

Lynda Wojcik addressed Council and said she had been against the project on Petrol Point. She had also been against it at Newgate Road at the beginning of the meeting. She asked Weatherup if he planned clear-cut the property, then plant trees. Weatherup said the site had been pre-graded years ago. There would be no clear-cutting, but he would have to cut a few trees. Wojcik said the proposed density was very reasonable and would fit in with the existing area.

Rutherford asked what the current zoning was on the property. Rast said it was GC General Commercial.

Steve Fraas, chairman of the Development Authority of Peachtree City, said that Weatherup had given a very impressive presentation to his board. The project seemed to fit a need in the City and was a great opportunity for the City, if there were no objection from the people around it.

Plunkett had a point of order. She pointed out that the purpose of the hearing was not for approval of the dwellings, but to lift the moratorium so staff and the Planning Commission would be able to look over the plans and to allow the plans to go through the process. Rast added that the lifting of the moratorium applied only to this project and the 5.6 acres.

Kourajian asked Rast how much time the project would take and what were the City's costs. Rast said that was hard to say since the onus was on the applicant. They would essentially be going through the rezoning process. Rutherford added that the necessary rezoning was part of the staff's job.

Plunkett moved to approve the request to lift the multi-family housing rezoning moratorium to allow discussion for the Newgate Road project only. Kourajian seconded. The motion carried unanimously.

EXCERPT FROM APPROVED MINUTES PLANNING COMMISSION MEETING

JANUARY 22, 2007

PH-07-01

Proposed Rezoning: Newgate Road townhomes, Newgate Road.

Mr. Gene Weatherup was in attendance to present a schematic site plan for a proposed 21-unit townhome development on Newgate Road. The subject tract was 5.6 acres and was currently undeveloped. Mr. Weatherup had revised the site plan based on comments he received at the January 8 Planning Commission workshop. The new site plan reduced the total number of additional parking spaces provided on the overall site and replaced paved parking with pervious pavement. The Applicant indicated he had removed 18-19 parking spaces from the site and added dedicated parking spaces for golf carts with power receptacles. He indicated his intentions were to leave the existing detention area undisturbed to preserve vegetation in this portion of the site.

Mr. Rast reiterated the Planning Commission had made positive suggestions during the workshop discussion and the plan was changed to address those comments. He said the plan continued to improve and Mr. Weatherup should be commended for working with Staff and the Planning Commission. Mr. Rast also indicated this project could be an example of how to utilize pervious pavement within a development site. He assured the Planning Commission that Staff would work with the developer to preserve as much of the existing vegetation on site as possible and to ensure the development would be screened from Newgate Road.

Mr. Rast affirmed that Staff recommended that the Planning Commission forward this item to City Council with a recommendation that it be approved. He also recommended that the seven conditions be included in the Planning Commission motion along with the draft of the proposed ordinance.

When asked if anyone was in favor of the proposed rezoning, Ms. Lynda Wojcik, a resident of Peachtree City, addressed the Commissioners to state that she felt this was a much better fit for the area and the City versus the retail that was originally planned.

No one spoke in opposition to the proposal.

Mr. Mullin asked Staff if they knew the reason Council lifted the multi-family moratorium for this particular tract of land. Mr. Rast replied that this tract of land had been identified as a potential location for a residential/townhome development for several years because of its proximity to SR 74 and to the Kedron Village retail center. He said the proposed development complied with the Land Use Plan in that it provided multi-family housing adjacent to a village retail center. He also stated he felt that traffic generated by 21 townhome units would be far less than if the property was developed as retail or commercial as currently zoned.

Planning Commission meeting minutes

January 22, 2007

Page 2

Mr. Rast also said that more units could have been shown on the site plan but that was not the end result or product that Mr. Weatherup desired. He stated that most developers tried to max out the property, but the density of this development would be far less than most townhome developments within the city.

Mr. Staples added that City Council was reviewing requests to lift the moratorium on a case by case basis and considered how the particular tract of land was zoned and designated on the Land Use Plan. He felt Council also took into consideration how a particular request complied with the comprehensive plan, the village concept, and density patterns.

Ms. Wojcik came forward to add that she had been present at the City Council meeting when the moratorium was lifted for this tract of land. Her perception was that Council felt the proposed townhome development would be a better fit in this area than additional retail and that changing the zoning from commercial to multi-family was less of an impact to the area. She felt the proposal was well received by Council.

She also stated that she was at the meeting when Mr. Weatherup originally wanted to put the development on Petrol Point and that Council voted against the development going there. She indicated that Council repeatedly asked the City Attorney to confirm that lifting the moratorium only applied to this tract of land and that Council was not interested in approving additional multi-family and that this was an exception.

After discussion, a motion was made by Mr. Scott, seconded by Mr. Staples, and unanimously adopted to forward to City Council the proposed rezoning request with a recommendation that it be approved subject to the following understandings and conditions:

- 1. The schematic site plan is intended only to suggest a concept and shall not be considered the final approved development plan. That plan must be prepared and approved as part of the regular conceptual site plan review process.*
- 2. The conceptual site plan must comply with the recent amendments to the city's Land Development Ordinance, including all setbacks identified within the LUR Limited Use Residential zoning district.*
- 3. The architectural design and exterior building materials of each building must be similar. The sides and rear of each building must include architectural detailing and similar building materials as those used on the front elevation.*
- 4. The site plan must provide for fully landscaped entrances off of Newgate Road, including meandering berms and extensive landscaping as necessary to assist in screening the parking areas from view.*
- 5. A multi-use path connection must be provided between this development and the existing multi-use path adjacent to the Georgian Park Car Wash.*

Planning Commission meeting minutes

January 22, 2007

Page 3

- 6. This development is located within the Kedron Service Area, which requires an impact fee of \$1,283 per residential unit. Impact fees in the amount of \$26,943 (\$1,283 x 21 units) must be submitted prior to approval of the final site plan.*
- 7. The land use designation for this tract should be changed from COM Commercial to MF Multi-family.*

The Applicant agreed to the conditions.

**AN ORDINANCE TO AMEND THE
PEACHTREE CITY ZONING ORDINANCE
TO REZONE A 5.613-ACRE TRACT OF LAND ON NEWGATE ROAD
FROM GC GENERAL COMMERCIAL TO LUR LIMITED USE RESIDENTIAL
FOR A 21-UNIT TOWNHOME DEVELOPMENT,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that a 5.613-acre tract of land at the northern end of Newgate Road shall be rezoned from its current designation of GC General Commercial to LUR-Limited Use Residential by amending Section 1013A Specific Limited-Use Residential Districts and adding Section 1013A.13 as follows:

(Section 1013A.13) *Limited use residential district no. 13.*

The property described below shall be rezoned from its present classification of GC General Commercial to LUR-13:

ALL THAT TRACT or parcel of land lying and being in Land Lot 134 of the 7th Land District, Peachtree City, Fayette County, Georgia and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the northeasterly right-of-way of Georgian Park (130' r/w) and the northwesterly right-of-way of Newgate Road and run thence along said right-of-way of Newgate Road north 35 degrees 3 minutes 49 seconds east a distance of 180 feet; run thence along said right-of-way line north 35 degrees 3 minutes 49 seconds east a distance of 85.31 feet to a point; run thence along said right-of-way line along the arc of a curve to the left a distance of 141.43 feet to a point, said arc being subtended by a chord bearing north 20 degrees 35 minutes 56 seconds east a distance of 139.94 feet; run thence along said right-of-way line north 6 degrees 8 minutes 1 second east a distance of 54.98 feet to a point; run thence along said right-of-way line along the arc of a curve to the right a distance of 56.99 feet to the True Point of Beginning, said arc being subtended by a chord bearing north 8 degrees 38 minutes 11 seconds east a distance of 56.97 feet; run thence north 54 degrees 44 minutes 45 seconds west a distance of 247.98 feet to a point on the southeasterly right-of-way of Georgia Highway 74 (r/w varies); run thence along said right-of-way line north 35 degrees 15 minutes 15 seconds east a distance of 35.37 feet to a point; run thence along said right-of-way line north 35 degrees 15 minutes 15 seconds east a distance of 600 feet to a point; run thence along said right-of-way line north 42 degrees 22 minutes 45 seconds east a distance of 135.69 feet to a point; thence leaving said right-of-way line and run south 12 degrees 54 minutes 56 seconds east a distance of 170.52 feet to a point; run thence south 9 degrees 51 minutes 5 seconds east a distance of 148.57 feet to a point; run thence south 8 degrees 48 minutes 49 seconds east a distance of 188.79 feet to a point; run thence south 24 degrees 5 minutes 56 seconds west a distance of 157.32 feet to a point; run thence south 0 degrees 50 minutes 25 seconds west a distance of 102.46 feet to a point; run thence south 36 degrees 37

minutes 5 1 seconds west a distance of 255.77 feet to a point; run thence north 74 degrees 51 minutes 59 seconds west a distance of 97.65 feet to a point on the easterly right-of-way line of Newgate Road; run thence in a generally northerly direction along said right-of-way line of Newgate Road following the meanderings and curvatures thereof through the cul-de-sac of Newgate Road and continuing to run along said right-of-way line in a counterclockwise manner along said cul-de-sac right-of-way line and then in a generally southerly direction along said right-of-way line following the meanderings and curvatures thereof to the True Point of Beginning as established above; being shown and described as 5.613 acres, more or less, being Tract 3 on that certain final plat of Georgia Park Commercial Center prepared by G. Tim Conkle, Georgia Registered Land Surveyor No. 2001, dated February 15, 1996.

A survey of the subject tract is shown as Exhibit "A" and a general development concept is shown as Exhibit "B", both of which are included with this ordinance as attachments. Development shall take place in conformance with the master plan prepared by Peterson Planning (last revised January 10, 2007). Any substantive change to this plan or any of the conditions and requirements of this section shall require a new rezoning action.

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

1. The schematic site plan is intended only to suggest a concept and shall not be considered the final approved development plan. That plan must be prepared and approved as part of the regular conceptual site plan review process.
2. The conceptual site plan must comply with the recent amendments to the city's Land Development Ordinance, including all setbacks identified within the LUR Limited Use Residential zoning district.
3. The architectural design and exterior building materials of each building must be similar. The sides and rear of each building must include architectural detailing and similar building materials as those used on the front elevation.
4. The site plan must provide for fully landscaped entrances off of Newgate Road, including meandering berms and extensive landscaping as necessary to assist in screening the parking areas from view.
5. A multi-use path connection must be provided between this development and the existing multi-use path adjacent to the Georgian Park Car Wash.
6. This development is located within the Kedron Service Area, which requires an impact fee of \$1,283 per residential unit. Impact fees in the amount of \$26,943 (\$1,283 x 21 units) must be submitted prior to approval of the final site plan.
7. The land use designation for this tract should be changed from COM Commercial to MF Multi-family.

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

Done, Ratified, and Passed this _____ day of _____ 2007.

Harold K. Logsdon, Mayor

Attest: _____
Jane Miller, City Clerk

POSITION PAPER

Proposed Rezoning: Haynes tract, Carriage Lane
City Planner/ Zoning Administrator
February 23, 2007

DM 2/23/07
David

Situation

Mr. Thomas Haynes owns a 3.82-acre tract of land on Carriage Lane. The property is currently zoned ER Estate Residential and contains a single-family residence and a guesthouse, both of which are permitted within the ER zoning district. Mr. Haynes desires to subdivide the property into two parcels, each parcel containing one home. Because the current zoning would not permit this subdivision, the Applicant is requesting the overall tract be rezoned to an appropriate classification. A copy of the application is included as Attachment "A".

Facts

1. The overall tract is 3.82 acres in size and is currently zoned ER Estate Residential.
2. The Land Use Plan designates the area south of GA 54 and east of Robinson Road to be developed for low-density residential purposes with individual lots of at least three acres.
3. Shakerag Plantation was initially recorded in the early 1970's as a 10-lot subdivision with all lots exceeding three acres in size (Attachment "B"). The overall subdivision complies with the current zoning and land use designation.
4. The properties to the north and west are within the Shakerag Plantation subdivision and are 3.68 acres and 3.98 acres in size and are zoned ER Estate Residential.
5. The Mascara property to the west is approximately 0.95 acres in size and has been zoned ER Estate Residential for many years. Access to this tract is off of Stagecoach Road.
6. The 31.75-acre tract to the east was rezoned from ER to LUR Limited Use Residential on July 1, 1999, to allow a subdivision of 12 single-family detached residential lots (Attachment "C"). This property had been involved in litigation for many years and the rezoning proposal was an attempt to resolve the outstanding problems and settle the litigation. The lot immediately adjacent to the Haynes tract is 2.0 acres.
7. The two lots that would be created if this rezoning were approved would be 2.0 and 1.82 acres in size (Attachment "D").
8. The Applicant filed a similar rezoning request in 2001 requesting that he be allowed to subdivide the property into two parcels. The purpose of this request was to allow the construction of an additional home on the newly created parcel. Staff recommended that the rezoning request not be approved (Attachment "E").

Proposed Rezoning: Haynes tract, Carriage Lane

February 23, 2007

Page 2

9. At their meeting on June 11, 2001, the Planning Commission voted to recommend that the rezoning request not be approved (Attachment "F").
10. At their meeting on July 5, 2001, the City Council voted to recommend that the rezoning request be denied (Attachment "G").
11. Following the City Council meeting, the former City Attorney sent a letter to Mr. Haynes notifying him that he could construct a guesthouse on the property as long as certain conditions were met (Attachment "H"). The Applicant applied for and received a Building Permit and constructed a freestanding guesthouse on the property, which meets applicable building setbacks and has been used as a residence for Mr. Haynes' son and his family.
12. Mr. Haynes now desires to subdivide the property into two tracts of land. Because these tracts are less than three acres in size as required within the ER Estate Residential zoning district, the Applicant is requesting that the overall tract be rezoned to LUR-9A Limited Use Residential to accommodate the proposed subdivision.
13. A copy of the ER Estate Residential and the LUR Limited Use Residential zoning classifications are provided as Attachments "I" and "J".
14. At their meeting on February 12, 2007, the Planning Commission voted unanimously to recommend that the rezoning request not be approved (Attachment "K").

Recommendation

City Staff continues to object to the proposed rezoning and recommends that it not be approved. The subject tract is located within an established subdivision of three-acre lots, and the rezoning would allow the expansion of an existing Limited Use Residential zoning district into an established subdivision. The overall 3.82-acre tract includes a single-family residence and a freestanding guesthouse, both of which are permitted and were constructed in accordance with the ER Estate Residential zoning district. Allowing the subdivision of this individual tract of land would set a precedent that could open the door for similar subdivision requests throughout the Estate Residential zoning district.

Attachments

ROSENZWEIG, JONES & MACNABB, P. C.
ATTORNEYS AT LAW
32 SOUTH COURT SQUARE
POST OFFICE BOX 220
NEWNAN, GEORGIA 30264

MELISSA DARDEN GRIFFIS (GA, AL)

January 3, 2007

TELEPHONE (770) 253-3282
FAX (770) 251-7262
e-mail: mgriffis@rjm-pc.com

David E. Rast, ASLA
City Planner
City of Peachtree City Planning Department
153 Willowbend Road
Peachtree City, Georgia 30269

RE: Mr. Thomas C. Haynes, Jr.
Approx. 3.820 Acres Located on Carriage Lane, Peachtree City, Georgia

Dear Mr. Rast:

The applicant in the above-described property ("the Property") in Peachtree City, Georgia, hereby makes this application to rezone the Property from ER to LUR, which provides a suitable environment for extending the current LUR district on Carriage Lane for those uses which benefit from close proximity to each other, consistent with the Peachtree City Zoning Ordinance.

As noted on the "Request for Rezoning for City of Peachtree City, Georgia" Form enclosed herewith, the zoning designation requested is the most appropriate zoning for the Property insofar as it is located adjacent to property currently zoning LUR on the same street. The adoption of the proposed zoning change will facilitate the smart growth and development that is expected in Peachtree City.

For the reasons stated above, Mr. Haynes believes that this application is not only consistent with, but advances the intent of the Peachtree City Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of LUR zoning in a manner consistent with principles of smart development so highly valued by Peachtree City.

Mr. Haynes has, at attached Tabs (A) through (G), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** Mr. Haynes, as applicant, and George Rosenzweig or myself, as counsel for Mr. Haynes, look forward to working with you and your staff as you review and analyze the enclosed Application.

RECEIVED JAN 5 2007

Attachment "A"

David E. Rast, ASLA
January 3, 2007
Page 2

I look forward to receiving Planner's Recommendation in the near future.

Yours truly,

A handwritten signature in black ink, appearing to read "Melissa Darden Griffis". The signature is fluid and cursive, with the first name "Melissa" being the most prominent part.

Melissa Darden Griffis
FOR MR. THOMAS C. HAYNES, JR.

MDG/kr
Enclosures

c: Mr. Thomas Haynes, Jr.

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property:
Land Lot 68 of the Seventh District of Fayette County, Georgia, and being known as
Lot 5, Block "B" of Shakerag Plantation.

This property is presently zoned: ER

The proposed zoning classification is: LUR

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

Signature: Thomas C. Haynes, Jr.

Owner: (print) Thomas C. Haynes, Jr.

Agent: (print) _____

Address: 108 Carriage Lane, Peachtree City, Georgia 30269

Phone: (770) 487-9962

Date: 12/15/2006

This request, along with the required fee (\$600 + \$25/acre) and supplemental documents, has properly submitted and is hereby accepted for consideration by the Planning Commission and the Council:

Signature: David E. Rant

Title: City Planner / Zoning Administrator

Date: 01-25-07

Request Number: 2007-01

Date of Planning Commission Public Hearing: Feb. 12, 2007

Date of City Council Public Hearing: March 1, 2007

REQUEST FOR REZONING

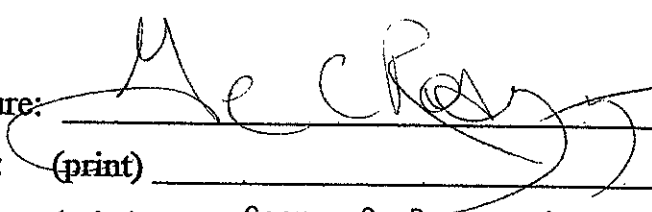
CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property:
Land Lot 68 of the Seventh District of Fayette County, Georgia, and being known as
Lot 5, Block "B" of Shakerag Plantation.

This property is presently zoned: ER

The proposed zoning classification is: LUR

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

Signature: 

Owner: (print) _____

Agent: (print) George C. Rosenzweig, Esq.

Address: 32 South Court Square, Newnan, Georgia 30263

Phone: (770) 253-3282

Date: 1/3/2007

This request, along with the required fee (\$600 + \$25/acre) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the Council:

Signature: David E. Rant

Title: City Planner / Zoning Administrator

Date: 01-25-07

Request Number: 2007-01

Date of Planning Commission Public Hearing: Feb. 12, 2007

Date of City Council Public Hearing: March 1, 2007

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property:
Land Lot 68 of the Seventh District of Fayette County, Georgia, and being known as
Lot 5, Block "B" of Shakerag Plantation.

This property is presently zoned: ER

The proposed zoning classification is: LUR

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

Signature: Melissa D. Griffis

Owner: (print) _____

Agent: (print) Melissa D. Griffis, Esq.

Address: 32 South Court Square, Newnan, Georgia 30263

Phone: (770) 253-3282

Date: 12/15/2006

This request, along with the required fee (\$600 + \$25/acre) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the Council:

Signature: David E. Rort

Title: City Planner / Zoning Administrator

Date: 01-25-07

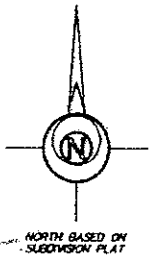
Request Number: 2007-01

Date of Planning Commission Public Hearing: Feb. 12, 2007

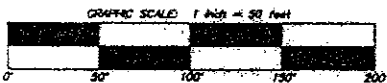
Date of City Council Public Hearing: March 1, 2007

**PLAT FOR REZONING
FROM ER TO LUR**

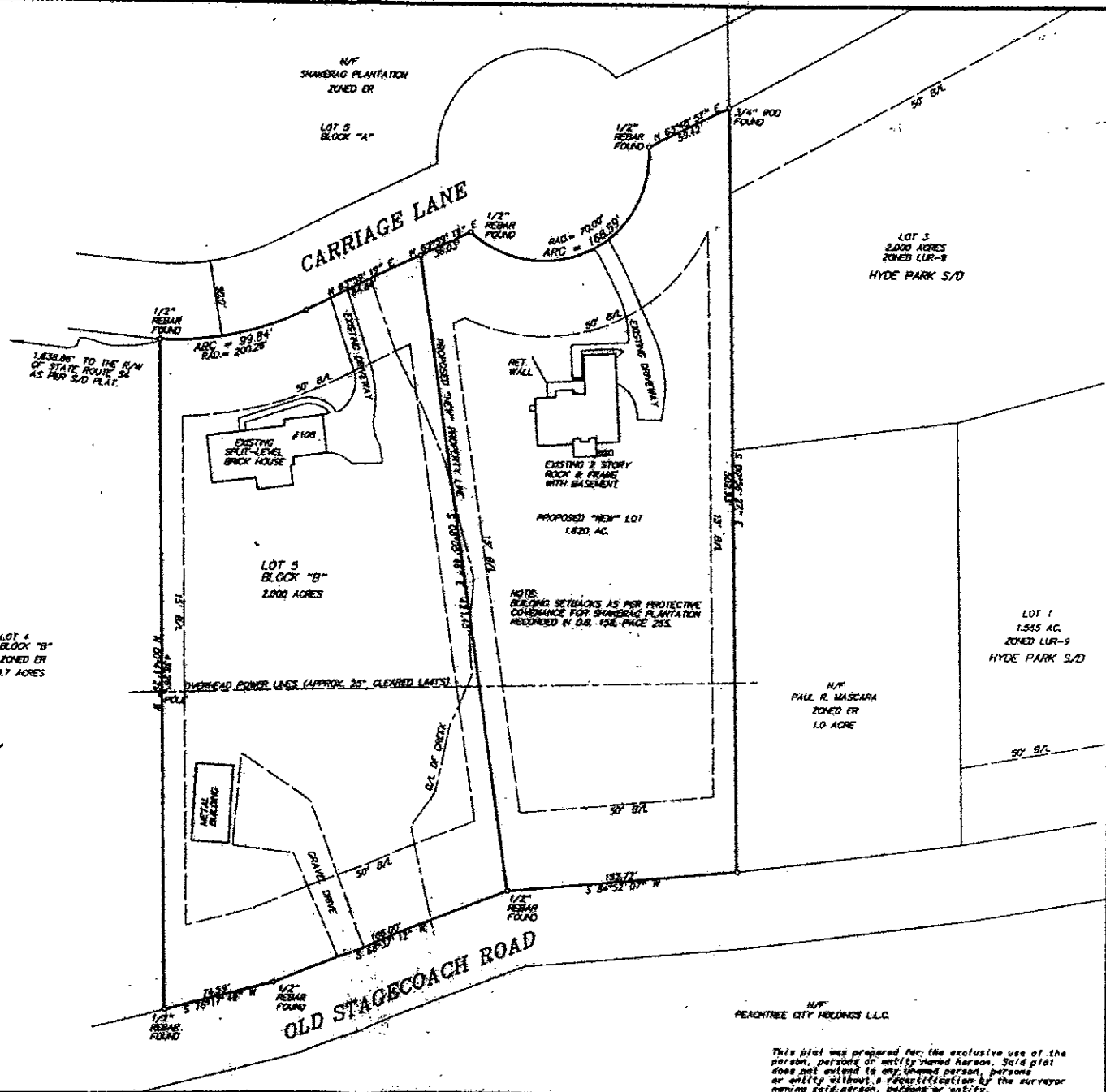
**LOT 5, BLOCK "B"
SHAKERAG PLANTATION
TOTAL AREA 3.820 ACRES**



NOTE:
THIS PLAT IS INTENDED FOR USE IN REZONING
AND IS NOT TO BE RECORDED OR USED FOR
ANY OTHER PURPOSE.



LOT 4
BLOCK "B"
ZONED ER
3.7 ACRES



OLD STAGECOACH ROAD

N/E
PEACHTREE CITY HOLDINGS L.L.C.

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

**W.D. Gray and
Associates, Inc.**

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

PREPARED FOR:

THOMAS C. HAYNES, JR.

LAND LOT 08	DATE: 03-18-01
7th DISTRICT	REV. 04-23-01 12/01/08
FAYETTE COUNTY, GA.	REF:
SCALE: 1" = 50'	JOB NO. 0102056

STATE OF GEORGIA

FAYETTE

County 174 174

THIS INDENTURE, Made this 23rd day of January in the year of our Lord One Thousand, Nine Hundred and Seventy Eight, between

of the County of Fayette and State of Georgia of the first part, and
THOMAS C. HAYNES, JR. AND GENEVA C. HAYNES
of the County of Clayton and State of Georgia, of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS-----DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, ha s granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part, themselves/their heirs and assigns, all that tract or parcel of land lying and being in Land Lot 68 of the Seventh District of Fayette County, Georgia, and being known as Lot 5, Block "B" of Shakerag Plantation as shown by plat of survey dated September 25, 1972, prepared by R. A. Oslin, Jr., Registered Surveyor, and recorded in Plat Book 7, Page 75, in the office of the Clerk of the Superior Court of Fayette County, Georgia.

Reference is made to the hereinabove described plat for a more particular description of said lot. Said lot is sold subject to the Restrictive Covenants recorded in Deed Book 158, Page 255, Fayette County Records.

This being the same property as conveyed by Warranty Deed dated January 6, 1977, from Errol A. Brown to Craftmark, Inc., filed for record January 10, 1977, and recorded in Deed Book 158, Page 254, Fayette County Records.

Fayette County, Georgia
Clerk of Superior Court
Date 1-25-78
6.9.60

This is to certify that this document is a true and certified copy. Any alteration on this copy voids this certification.

H. Wiana 10-6-06
City of Peachtree City Date

ORA # 22

FILED 1-25-1978
1-25-1978
10 30 AM
CLERK SUPERIOR COURT

Statements as to the Reasons for the Proposed Rezoning:

1. The rezoning proposal provides a suitable environment for extending the current LUR district on Carriage Lane from ER for those uses which benefit from close proximity to each other, consistent with the Peachtree City Zoning Ordinance.
2. The rezoning proposal would not adversely affect the existing use or usability of adjacent or nearby property.
3. The rezoning proposal will not result in a use which will or would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. The rezoning proposal will facilitate the principles of smart development so highly valued by Peachtree City, Georgia.

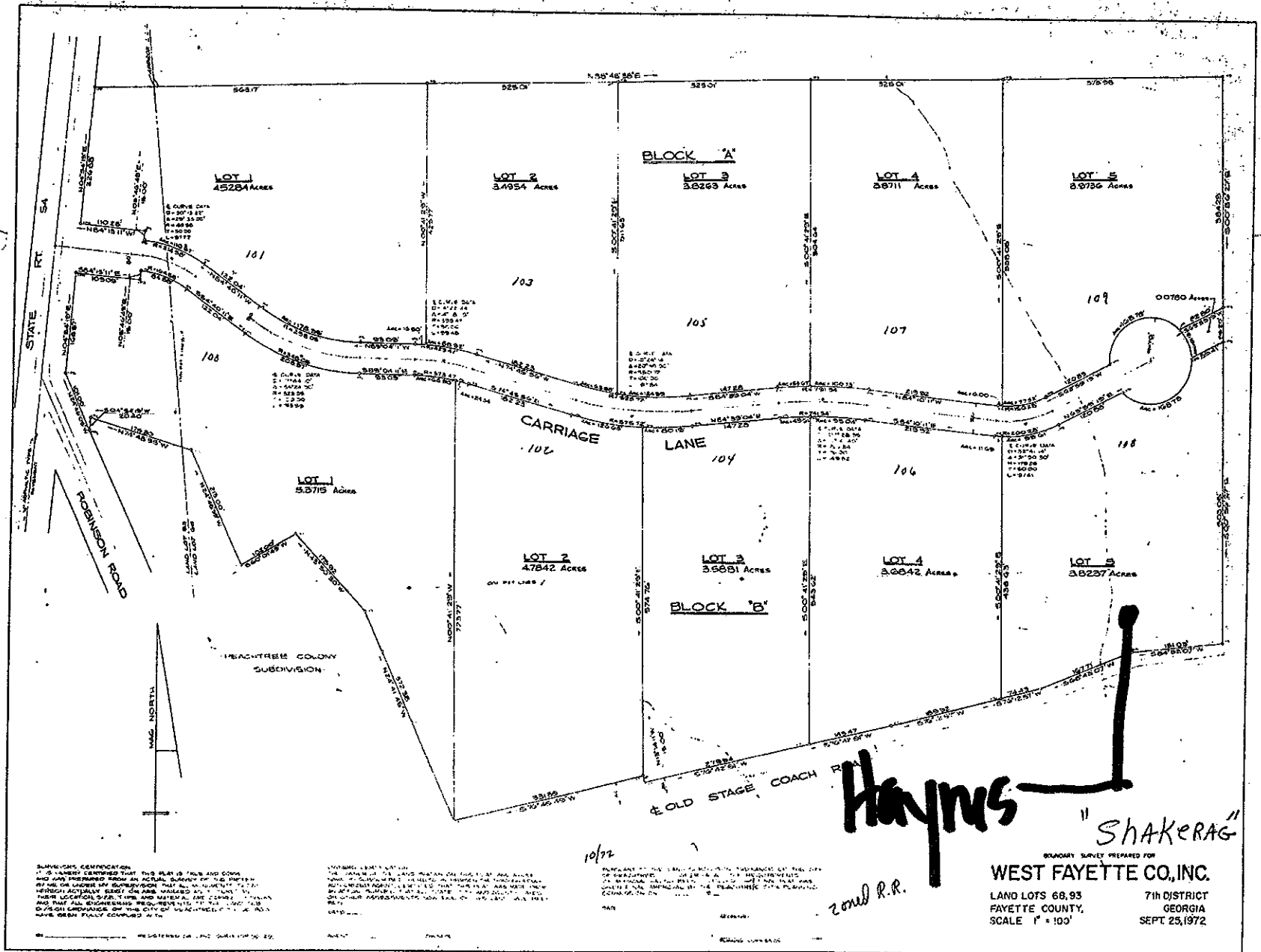
**NAMES AND ADDRESSES OF ALL PROPERTY OWNERS
WITHIN 200 FEET OF THE BOUNDARY OF THE PROPERTY**

Joe Jackson
106 Carriage Lane
Peachtree City, Georgia 30269

Ron Ranes
109 Carriage Lane
Peachtree City, Georgia 30269

Joseph Mascara
301 Stagecoach Road
Peachtree City, Georgia 30269

Hyde Properties, L.L.C.
100 Petrol Point
Peachtree City, Georgia 30269



PROX. L.L.L. & PEACHTREE CITY CITY LIMITS

N/F
TRAMMELL
ZONED: MHP

LL
69

LL
60

P.O.B.

APPROX. L.L.L.

LL
61

APPROX. L.L.L.

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N/F
DAVIS

GEORGIA, FAYETTE COUNTY
Filed and recorded this 15th day of MAY 2005 at 11:10 A.M.
Book 11, Page 119
J. D. Giddens, Clerk

UTILITIES PROTECTION CENTER
2nd FLOOR
1000 ATLANTA
30308-0004
UNIVERSITY OF GEORGIA
1-800-521-7411
TRUCK WORKERS MUST WEAR SEAT BELT

SHEET : 2

OLD STAGECOACH ROAD
(DIRT)

N/F
PEACHTREE HOLDINGS

Prepared for
HYDE PROPERTIES, L.L.P.

Subdivision: HYDE PARK
Lot: N/A P.B. ~ PG.
Land Lot: 68 District: 7 TH
County: FAYETTE, GA. F.W.P.011/26/04
Scale: 1" = 100' Date: 01/26/05 Job No: 04-0145

Attachment C

N/F
WESTMINSTER
MEMORIAL GARDENS
ZONED: OPEN SPACE

CENTERLINE CURVE DATA
CL-1
R=273.68
L=298.51
Tan=166.05
Delta=62°29'38"

LOT 5 BLK A
SHAKERAG S/D

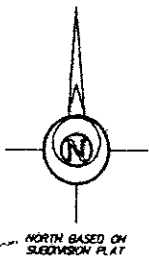
LOT 5 BLK B
SHAKERAG S/D



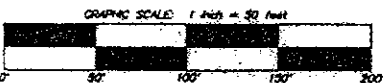
THIS MAP IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON.

**PLAT FOR REZONING
FROM ER TO LUR**

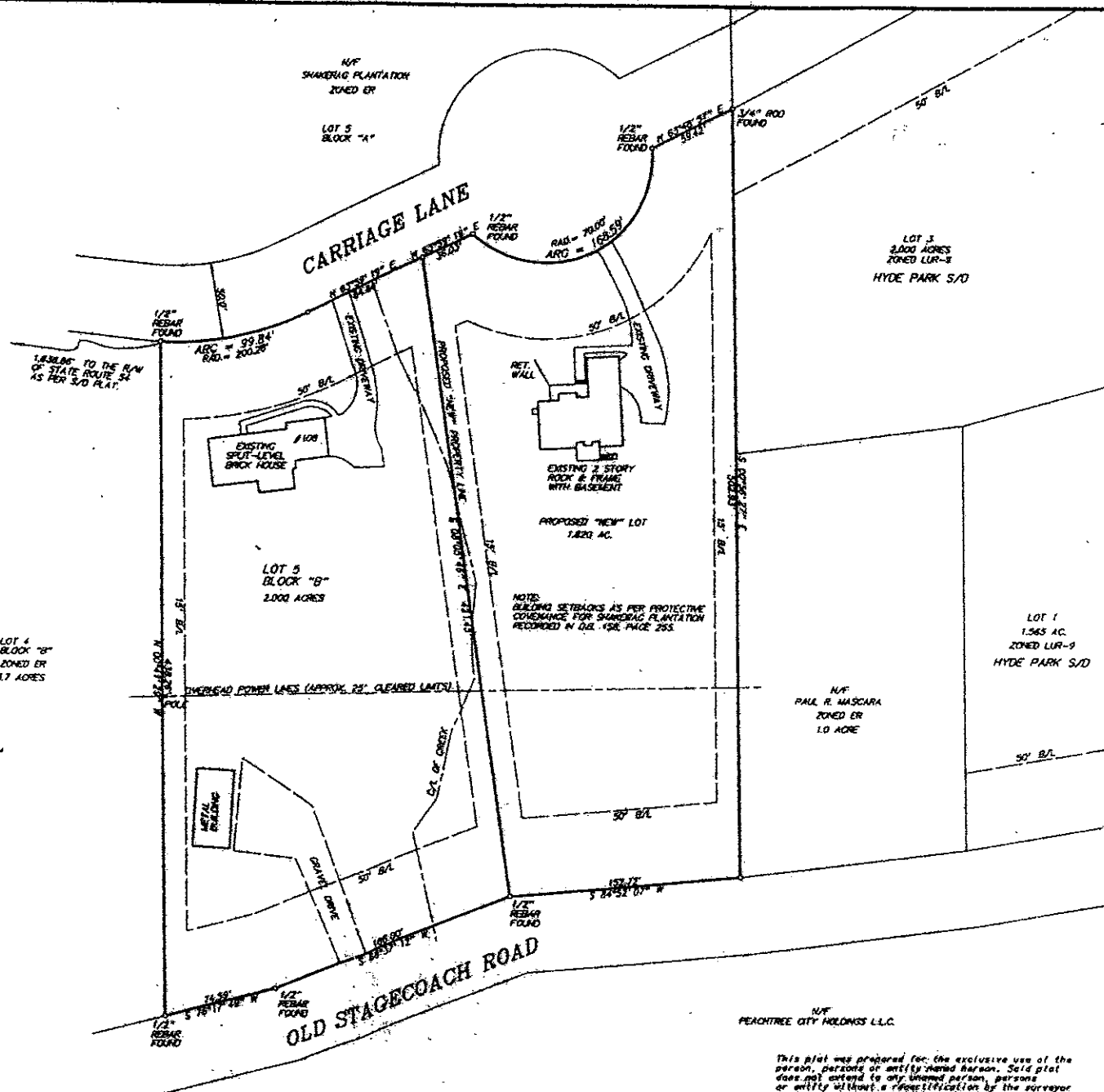
**LOT 5, BLOCK "B"
SHAKERAG PLANTATION
TOTAL AREA 3.820 ACRES**



NOTE:
THIS PLAT IS INTENDED FOR USE IN REZONING
AND IS NOT TO BE RECORDED OR USED FOR
ANY OTHER PURPOSE.



LOT 4
BLOCK "B"
ZONED ER
3.7 ACRES



LOT 3
2.000 ACRES
ZONED LUR-2
HYDE PARK S/D

LOT 1
1.565 AC.
ZONED LUR-9
HYDE PARK S/D

N/E
PAUL R. MASCARA
ZONED ER
1.0 ACRE

N/E
PEACHTREE CITY HOLDINGS L.L.C.

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

**W.D. Gray and
Associates, Inc.**

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

PREPARED FOR:

THOMAS C. HAYNES, JR.

LAND LOT 68	DATE: 03-19-01
7th DISTRICT	REV. 04-23-01 12/01/06
FAYETTE COUNTY, GA.	REF.
SCALE: 1" = 50'	JOB NO. 0102056

Attachment D

POSITION PAPER
Proposed Rezoning: Haynes property
Lot 5, Block B, Shakerag Plantation subdivision
City Planner
June 8, 2001 David

Situation:

The owner of the property at 108 Carriage Lane has requested that the property be rezoned from ER, Estate Residential to LUR-9A, Limited Use Residential to allow the subdivision of the property into two parcels.

Facts:

1. Shakerag Plantation was initially recorded in the early 1970's as a 10-lot subdivision with all lots exceeding three acres in size.
2. The Haynes property comprises 3.82 acres and is currently zoned ER Estate Residential, which allows one-family dwellings on lots of at least three acres.
3. The Land Use Plan calls for the area south of GA 54 and east of Robinson Road to be developed for low-density residential purposes with individual lots of at least three acres.
4. The 31.75-acre tract to the east was recently rezoned to LUR Limited Use Residential to allow a subdivision of 12 single-family detached residential lots. This property had been involved in litigation for several years, and the rezoning proposal was an attempt to resolve the outstanding problems and settle the litigation.
5. The Mascara property to the west is approximately 0.95 acres in size and has been zoned ER Estate Residential for many years. Access to this property is from Old Stagecoach Road.
6. The properties to the north and west are within the Shakerag Plantation subdivision and are 3.68 acres and 3.98 acres in size and are zoned ER Estate Residential.

Recommendation:

The Staff recommends that the proposed rezoning be denied because it is not in accordance with the Land Use Plan. The Applicant is proposing an expansion of an existing Limited Use Residential into an established subdivision of 3+ acre lots. This would set a precedent that could potentially allow similar subdivisions within the Estate Residential zoning district.

Attachment: Request Brochure

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property

LAND LOT 68 OF THE SEVENTH DISTRICT OF FAYETTE
COUNTY, GEORGIA, AND BEING KNOWN AS LOT 5,
BLOCK "B" OF SHAKERAG PLANTATION.

This property is presently zoned: ER

The proposed zoning classification is: LUR

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

Signature: Thomas C. Haynes, Jr.

Owner: (print) THOMAS C. HAYNES, JR. / GENEVA C. HAYNES

Agent: (print) _____

Address: 108 CARRIAGE LANE PEACHTREE CITY, GA. 302

Phone: 770-487-9962 Date: 4-30-01

This request, along with the required fee (\$10/acre, minimum \$200) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: James B. Wilbur

Title: ZONING ADMINISTRATOR

Date: May 11, 2001

Request Number: 2001-04

Date of Planning Commission Public Hearing: June 11, 2001

Date of City Council Public Hearing: July 5, 2001

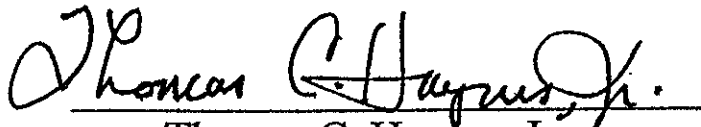
III.

3. A statement as to the reason for the proposed rezoning.

Statement

I, Thomas C. Haynes, Jr., and my wife, Geneva C. Haynes are requesting rezoning of our property so that our son, Gary S. Haynes can build his home nearby.

My wife had a stroke last year, and both of us are under doctor's care. We would feel more secure having our son live nearby, in the event of an emergency.


Thomas C. Haynes, Jr.

House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Amendment 13
(Dec. 18, 1865)

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Amendment 14
(July 28, 1868)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

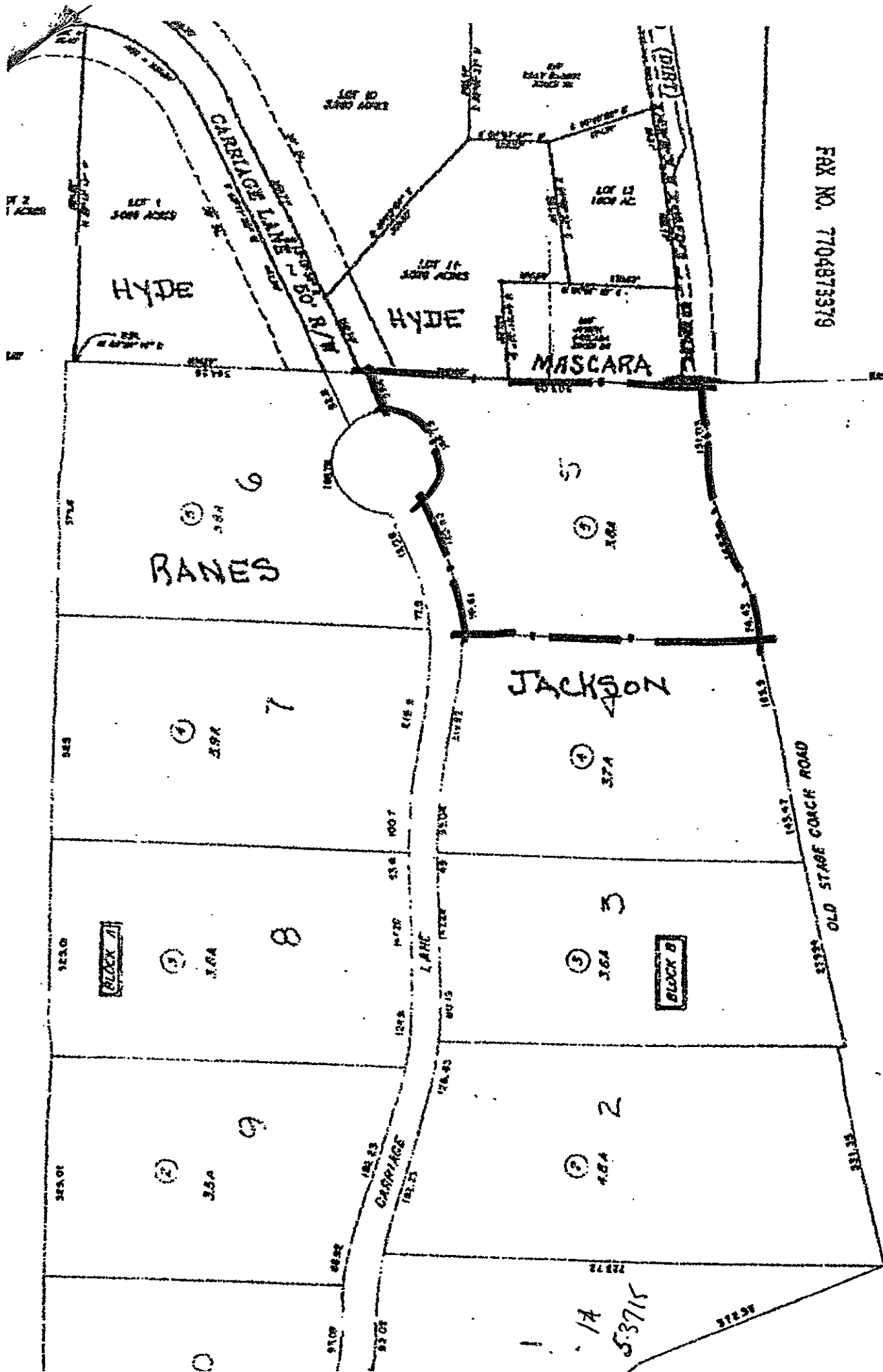
Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or

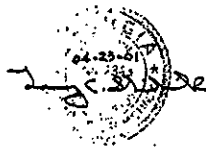
<http://www.gonolme.com/usconstitution/amendments.asp>

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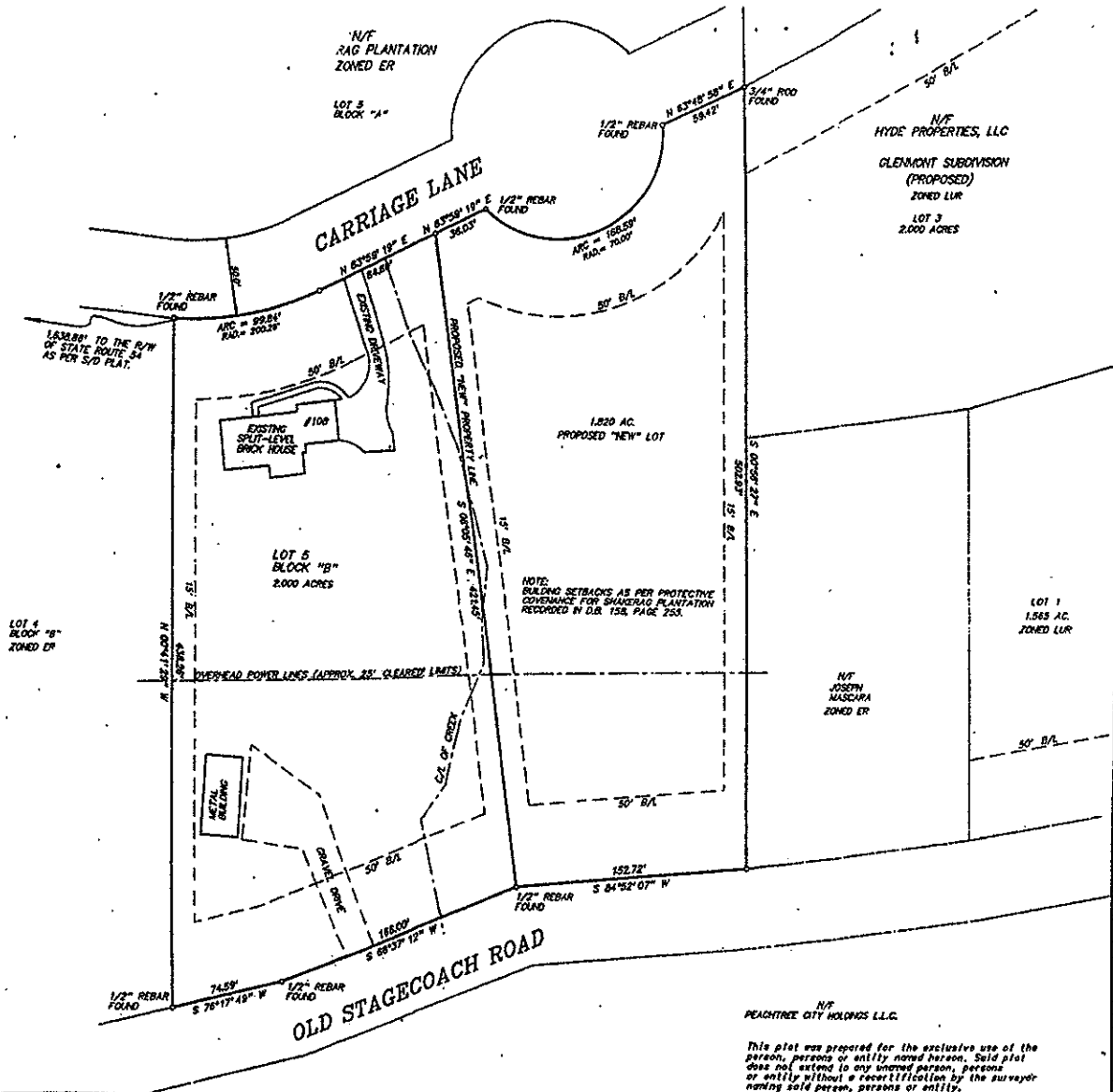
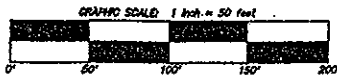


PLAT FOR REZONING
FROM ER TO LUR

LOT 5, BLOCK "B"
SHAKERAG PLANTATION
TOTAL AREA 3.820 ACRES



NOTE:
THIS PLAT IS INTENDED FOR USE IN REZONING
AND IS NOT TO BE RECORDED OR USED FOR
ANY OTHER PURPOSE.



W.D. Gray and
Associates, Inc.

land surveyors — planners
103 WESTPARK DRIVE SUITE F PEACHTREE CITY
GEORGIA 30269
PH. 770-486-7552 FAX 770-486-0496

PREPARED FOR:

THOMAS C. HAYNES, JR.

N/F
PEACHTREE CITY HOLDINGS, LLC.

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

LAND LOT 68	DATE: 03-19-01
7th DISTRICT	REV. 04-23-01
FAYETTE COUNTY, GA.	REF.
SCALE: 1" = 50'	JOB NO. 0102058

Attachment "B"

**EXCERPT FROM APPROVED MINUTES
PLANNING COMMISSION
June 11, 2001 meeting**

**PH-01-04 Proposed Rezoning, Lot 5, Block B, Shakerag Plantation Sub-division,
108 Carriage Lane, ER to LUR-9A**

Mr. Saunders opened the public hearing at 7:30 p.m.

The property owner, Mr. Thomas Haynes, was in attendance to present the request to rezone this 3.82-acre property at 108 Carriage Lane. It was zoned ER Estate Residential, and he was asking that it be rezoned to LUR-9A Limited Use Residential to allow the subdivision of the property into two parcels. He stated that the reason for the rezoning was to allow their son to build a home next to theirs so he would be close by in case of an emergency.

Mr. Haynes reviewed the rezoning history in the Carriage Lane area. He stated that they were not concerned with the zoning district that would be assigned to their property as long as their son would be allowed to build a home next to theirs.

Mr. Haynes referred to Amendment 14 to the U.S. Constitution which was dated 1868. He highlighted several words used in this amendment and read their definitions from a Webster's Dictionary of 1847. He felt it was safe to assume the intent of this amendment based on these definitions. They felt that a vote that deprived them of the right to build this home would violate their rights under Amendment 14 to the Constitution.

Mr. Haynes noted that the Ordinance would allow them to build a guest house on their property. He said they had considered this but, for financial reasons, would prefer not to.

Mr. Rast explained that this property was located within Shakerag Plantation which was initially recorded in the early 1970's as a 10-lot subdivision with all lots exceeding three acres in size. The Haynes property comprised 3.82 acres and was zoned ER. It conformed to the overall lot sizes in the subdivision as well as the Land Use Plan which called for low-density residential development with individual lots of at least three acres for the area south of GA 54 and east of Robinson Road.

Mr. Rast reviewed the zoning classifications of the surrounding properties and explained that the 31.75-acre tract to the east was recently rezoned to LUR Limited Use Residential to allow a subdivision of 12 single-family detached residential lots. This property had been involved in litigation for many years, and the rezoning proposal was an attempt to resolve the outstanding problems and settle the litigation. He explained that the reason the rezoning was approved was because some of the lots within the subdivision were smaller than the three acres required under ER zoning.

The Mascara property to the west was approximately 0.95 acres in size and had been zoned ER for many years. Access to this property was from Old Stagecoach Road. The properties to the

north and west were 3.68 acres and 3.98 acres in size and within the Shakerag Plantation subdivision. They were zoned ER and conformed to the Land Use Plan.

Mr. Rast stated that Mr. Haynes was proposing an expansion of an existing LUR zoning into an established subdivision of 3+ acre lots. He added that, although Staff sympathized with Mr. Haynes' desire to subdivide the property, the Staff recommendation was that the proposed rezoning be denied because it was not in accordance with the Land Use Plan. It was felt this would set a precedent that could potentially allow similar subdivisions within the ER zoning district.

Mr. Joe Jackson of 106 Carriage Lane lived next door to the Haynes. He noted that Mr. Haynes cited several portions of the Fourteen Amendment to the Constitution to support his request. However, Mr. Jackson stated that for all of those same reasons, he opposed this proposal and wanted the zoning to remain ER. He stated that he had been told that the reason they needed to change the zoning of this property was because they could not have a kitchen in a guest house if the zoning remained ER. His research had indicated that a kitchen would be allowed; in fact, there would be no restrictions if they built a guest house. Consequently, he saw no reason to change the zoning for the property which would negatively impact the quality of life of their neighbors if other lots in the area were also subdivided.

Ms. Kelly Ranes of 109 Carriage Lane was also in attendance to speak in opposition to this rezoning. She stated that she very much disliked having to speak out against the efforts of this very good neighbor but felt an obligation to do so to protect the integrity of their neighborhood. She did not object to the Haynes building a guest house on the property as zoned but opposed the rezoning which she felt would open the door to the subdivision of other properties in their neighborhood.

Mr. Ronnie Ranes of 109 Carriage Lane felt the main reason for the rezoning was so the Haynes would not have to put all of their property at risk because of the mortgage on the new structure. He stated that he also did not object to the house being built but did oppose rezoning the property.

In response to a question from Mr. Haynes, Mr. Lindsey stated that the Zoning Ordinance defined a guest house. It could not be rented out but could be used by relatives and guests. In addition, he stated there was no restriction on having a kitchen.

The public hearing was closed at 8:00 p.m.

Dr. Schumacher thanked Mr. Haynes for his research and felt his legal presentation was "the most refreshing he had heard at a Planning Commission meeting in some time." He assured Mr. Haynes that the Fourteenth Amendment was also very important to the Commissioners.

Mr. Finney noted that building a guest house seemed like the simplest solution because it would not require rezoning and would also satisfy the desires of all parties involved.

Mr. Saunders pointed out that City Council would make the final decision on this matter.

After discussion, a motion was made by Mr. Ames and seconded by Mr. Finney to forward the proposed rezoning to City Council with a recommendation for denial. The motion passed by a vote of 4 to 1 with Dr. Schumacher voting against it.

**EXCERPT FROM APPROVED MINUTES
CITY COUNCIL MEETING
July 5, 2001**

07-01-01 Rezoning Request – Haynes Property – 108 Carriage Lane

Lenox read the rules for Public Hearings, establishing time limits of 20 minutes per side for those for and against the project.

Property owner Thomas Haynes addressed Council regarding his request to rezone the 3.82-acre property at 108 Carriage Lane. Haynes told Council he had lived in Peachtree City for 30 years, 25 years on Carriage Lane. Haynes told Council that $\frac{3}{4}$ of his lot had never been used and that his youngest son wanted a home on Carriage Lane. Haynes said he would like to rezone the parcel from ER (Estate Residential) to LUR-9A (Limited Use Residential) so he could subdivide the tract into two parcels. Haynes told Council he knew he could build a guest house according to City Code, but preferred to subdivide the property so his son could have his own home. Haynes referred to the rezoning of a 30-acre tract adjoining his property from ER to LUR. He said he thought by these rezonings he should have an equal right to a rezoning. He said when Carriage Lane was developed it had 10 tracts. He showed Council a plat of Carriage Lane which showed an 11th lot of only 1.42 acres. He asked if that was a computer error. Williams told Council the lot could be subdivided if the Council or the Planning Commission subdivided it, but that staff didn't consider that lot subdivided and that if someone tried to sell the 11th lot they could be prosecuted. Haynes said a creek ran down the middle of his property. If subdivided, the additional lot would be a two-acre plat.

Kelly Ranes, Phyllis Aquayo, Joe Jackson, Ronnie Ranes, and Larry Manwaring spoke in opposition to the rezoning. They were concerned that subdividing the lot could set precedence for others to do the same.

Williams told Council that staff and Planning Commission had recommended denial of the rezoning request. He added that Haynes had a perfect solution by building a guest house. He pointed out that guest houses could not be rented or used for income, and were intended only for guests and/or family and could not be sold separately.

McMenamin said that while she had a lot of empathy for Haynes, she could not approve the rezoning. Fritz agreed and added that opening the door for one rezoning opened the door for everybody else. Lenox said the precedence issue also worried him the most. He added that some people would subdivide their ER lots just for the money.

Haynes told Council he would proceed to build a guest house and asked if he needed anything in writing that said it was permitted for him to do so. Lenox said Council would forward a letter stating that he had that right.

McMenamin moved to deny the rezoning. Fritz seconded the motion. The motion carried 4-0. Tennant abstained due to a prior business relationship with Haynes.

WEBB, LINDSEY, COLLINS, JONES & WADE, LLC
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†† Tennessee

July 9, 2001

Mr. Thomas Haynes
108 Carriage Lane
Peachtree City, Georgia 30269

Dear Tom:

This letter is being sent to you pursuant to your request made of the City Council on July 5, 2001. As you know, your home is located in the estate residential zoning district (hereinafter "ER"). The permitted uses in the ER zoning district according to Section 1003.2(a) and (b) are "one-family dwelling (other than a mobile home), including a guest house facility" and "one-family dwelling (other than a mobile home) used primarily as a guest house or second home." The definition of "guest house" found in Article VI of the Zoning Code is defined as follows:

Living quarters situated within an attached or detached accessory building located on the same premises as the principal building; such quarters shall be used only by bonafide non-paying guests or relatives of the owners or occupants of the principal building and shall not be rented or otherwise occupied as a separate dwelling.

Thus, according to the definition of guest house and the requirements for the ER zoning district, you may construct a guest house on your property for your son, Gary. Of course, you will have to comply with the remaining provisions of the zoning ordinances, building code, etc. For your convenience, I have included a copy of the Estate Residential Zoning Ordinance.

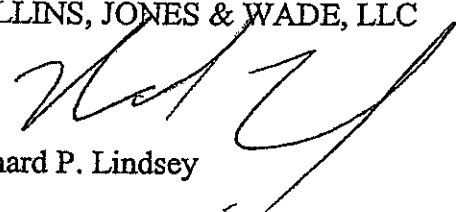
July 9, 2001

Page 2

Best regards.

Sincerely,

WEBB, LINDSEY,
COLLINS, JONES & WADE, LLC

A handwritten signature in black ink, appearing to read 'R. Lindsey', is written over the printed name.

Richard P. Lindsey

RPL:jmf

Enclosure

cc: Mr. Jim Williams, ✓
City of Peachtree City

Sec. 1003. [ER] estate residential district.

(1003.1) *Intent of district:* It is intended that the ER zoning district be reserved and developed for low-density residential purposes where agriculture-type conditional uses would be expected. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on zoning lots having an area of three acres or more with provisions for on-site sewage disposal and limited agricultural activities. These regulations are also intended to discourage encroachment by commercial, industrial or other uses capable of adversely affecting the intended residential character of the district.

(1003.2) *Permitted uses:* The following uses shall be permitted in an ER zoning district:

- (a) One-family dwelling (other than a mobile home), including a guest house facility.
- (b) One-family dwelling (other than a mobile home) using primarily as a guest house or second home.
- (c) Publicly owned building, facility or land.
- (d) Building, facility or land for the distribution of utility services.
- (e) Building, facility or land for noncommercial park, recreation, thoroughfare, or open space purposes.
- (f) Private boat dock, fishing pier, boathouse, and related accessory concession and support facilities.
- (g) Accessory uses: See section 908.
- (h) Customary home occupation: See section 907.

(1003.3) *Conditional uses:* The following uses shall be permitted in any ER residential zoning district on a conditional basis:

- (a) Noncommercial horticulture or agriculture on the following conditions:
 - (1) No poultry or livestock shall be maintained within 100 feet of the property line of any adjoining street or residential zoning lot; except when it abuts an AR or ER zoning lot, it may be no closer than ten feet.
 - (2) No building used for animals shall be constructed within 200 feet of any property line; except when it abuts an AR or ER zoning lot, it may be no closer than 50 feet.
 - (3) At least 5,000 square feet of fenced area shall be provided for each animal, not including household pets, to be maintained on the zoning lot.
- (b) On-site sewage disposal system on the following conditions:
 - (1) A permit for the system is obtained from the county health department prior to its installation.
- (c) Cemetery on the following conditions:
 - (1) The zoning lot is not less than ten acres in area.

- (2) There is no crematorium or dwelling, other than a one-family dwelling for a caretaker, on the lot.
 - (3) The lot has direct access onto an arterial road.
 - (4) No building is constructed less than 100 feet from any property line.
 - (5) All gravesites shall be at least 50 feet from any property line.
 - (6) No identification sign is installed other than one nonilluminated sign not greater than 24 square feet in area for each panel of a double-sided structure.
- (d) Riding stable on the following conditions:
- (1) The zoning lot is not less than ten acres in area.
 - (2) No building is constructed within 200 feet from any property line.
 - (3) Animals are not maintained within 100 feet of the property line of any adjoining residential zoning lot.
 - (4) The building height requirements for the district are maintained.
 - (5) The zoning lot has direct access onto an arterial or major collector road.
 - (6) No activities, other than normal maintenance, will be conducted within 100 feet of the property line of any adjoining residential zoning lot.
 - (7) No automobile parking will be permitted within 100 feet of any property line.
 - (8) No identification sign is installed other than one, nonilluminated sign not greater than 24 square feet in the area for each panel of a double-sided structure.
- (e) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:
- (1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.
 - (2) Minimum zoning lot area is three acres.
 - (3) Minimum lot width: 100 feet.
 - (4) Minimum setback area, front:
 - (a) Building: 40 feet.
 - (b) Parking: 20 feet.
 - (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.
 - (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
 - (7) Maximum building height: As approved by the fire department.

- (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.
 - (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.
 - (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.
 - (11) One nonilluminated sign not greater than 32 square feet in area for each panel of a double-sided structure is permitted.
 - (12) Parking: See section 909.
 - (13) Lighting: See section (1005A.4)(n).
 - (14) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.
- (f) Private school, nursery or day care facility on the following conditions:
- (1) No building is constructed within 75 feet of the property line of any adjoining residential zoning lot.
 - (2) The setback and height requirements for the district are maintained.
 - (3) The zoning lot has direct access onto an arterial or major collector road.
 - (4) No automobile parking will be permitted within the front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.
 - (5) Parking, service and/or play areas are separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.
 - (6) Plans for the facilities must receive the written approval of the state regulatory agencies and the fire department prior to any construction or occupancy.
 - (7) No identification sign is installed other than one nonilluminated sign no greater than 24 square feet in area for each panel of a double-sided structure.

(Ord. No. 268, § 1(C)(3), 6-3-1982; Ord. No. 408, 8-21-1986)

(1003.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in ER residential zoning districts shall conform to the following standards:

- (a) Minimum floor area per dwelling unit: 1,600 square feet.
- (b) Minimum zoning lot area: Three acres.
- (c) Minimum land area per dwelling unit: Three acres.
- (d) Minimum lot width: 250 feet.
- (e) Minimum front setback depth: 100 feet.
- (f) Minimum side setback depth: 15 feet.
- (g) Minimum rear setback depth: 30 feet.
- (h) Maximum building height: 35 feet.
- (i) Parking: See section 909.
- (j) Signs: See Peachtree City sign ordinance.

(Ord. No. 366, § 19, 5-22-1985)

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

Sec. 1013. LUR limited-use residential.

(1013.1) *Intent of district.* It is intended that the LUR zoning district be established and reserved for restricted residential development allowing flexibility in design. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment while allowing for a uniqueness in design.

(1013.2) *Permitted uses.* Any one or more of the following uses may be permitted in any LUR district (the specific use and design must be delineated in the zoning request). The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses.

- (a) Single-family detached;
- (b) Single-family attached;
- (c) Townhouse;
- (d) Condominium;
- (e) Cluster housing subdivision;
- (f) Accessory use.

(1013.3) *Other requirements.* Unless otherwise specified in this ordinance, uses permitted in LUR zoning districts shall conform to the following standards:

- (a) Minimum total zoning lot area: five acres.
- (b) Minimum floor area per dwelling unit: 1,000 square feet.
- (c) Minimum side setback depth: 30 feet from project boundary; 20 feet between detached buildings.
- (d) Minimum rear setback depth: 40 feet when rear setback depth of lot adjoins the project boundary.

(Ord. No. 456, 3-17-1988)

UNAPPROVED EXCERPT OF MINUTES
OF PLANNING COMMISSION MEETING OF 02/12/07

PH-07-02 Proposed Rezoning: Haynes tract, Carriage Lane (ER to LUR).

Melissa Griffis, Esq., of Rosenzweig, Jones & MacNabb, P.C., was in attendance to present Mr. Thomas Haynes' request to rezone a 3.82-acre tract of land he owned on Carriage Lane in Shakerag Plantation from ER Estate Residential to LUR Limited Use Residential. Mr. Haynes was in the audience.

Ms. Griffis stated that there had been a previous request to rezone this property. She said this request had been modified because the City recommended that, instead of rezoning the property, Mr. Haynes build a guest house which was what he did. She noted that it met all applicable setbacks and building codes and had been permitted.

Ms. Griffis explained that the property was currently zoned ER and contained a single-family residence and a guesthouse, both of which were permitted within the ER zoning district. She explained that Mr. Haynes desired to subdivide the property into two parcels, each parcel containing one home.

Ms. Griffis stated that Mrs. Haynes had passed away and, due to his age and medical condition, Mr. Haynes needed to sell his home and move to a smaller home on one level. It had been on the market for over a year and had not sold. She stated that because both homes had to be sold together, there was no market for them. Consequently, they felt the property had no economic value or use as it was currently zoned. Ms. Griffis felt this property was unique in that it was the only lot in the subdivision where the house was not built in the middle of the parcel. A creek flowing in the middle of the parcel could naturally divide it.

Ms. Griffis stated that rezoning this property would have limited applicability to other ER lots. However, they thought this was an unusual lot and property; and due to the special circumstances and Mr. Haynes' situation, they were asking that the Planning Commission recommend that City Council approve the rezoning. She requested that she be reserved some time to respond to anyone opposing their request.

Ms. Griffis further stated that the LUR zoning was consistent with other properties in this area. Over 30 acres to the east had been rezoned to LUR for the Hyde Park Subdivision, and most of the lots in that subdivision were two acres, some of them less than two acres. She added that the .95-acre Mascara property was zoned ER, and the property directly east of it was also less than two acres. Rezoning the property to LUR would allow Mr. Haynes to divide his property into two lots, one of two acres and one of 1.82 acres.

Ms. Griffis acknowledged that the ER zoning required that lots be a minimum of three acres in size but noted that there were other parcels in that area that were less than three acres. She also pointed out that the property was unique in that the house was not built in the middle of the lot

Unapproved Excerpt - Planning Commission meeting

February 12, 2007

Page 2

because of a spring that ran through the middle of the parcel. Therefore, it was thought that would be a natural place to divide the property. Due to the special circumstances of the lot and Mr. Haynes' health, they asked that the rezoning be approved.

Mr. Staples questioned Ms. Griffis about her statement that there was no economic use for the property. He wondered if she meant there was "diminished" economic use. She said that they were contending that there was no economic value because the house had been on the market for over a year and there had been no offers to purchase it. He assumed the property had been listed at multiple values and had been substantially reduced. Ms. Griffis said it did not matter what the price, no one was interested in purchasing two homes.

In response to a request from Mr. Staples to describe the two homes on the property, Ms. Griffis stated that the home where Mr. Haynes had lived for 30 years was a brick home; a portion of it was one story but the bedrooms, bathrooms, and kitchen were on two floors and required Mr. Haynes to go up and down stairs which was becoming difficult for him. The guest house was a newer, vinyl-sided two-story where Mr. Haynes' son and his family resided.

No one else spoke in favor of the proposed rezoning.

Ms. Phyllis Aquayo of Stonington Drive stated that this was a difficult situation in that her heart went out to Mr. Haynes. However, the obligation was to determine what was best for the City. She stated that she was at the meeting when the previous request to rezone this property was made. She recalled that at that time, both the Planning Commission and City Council had the concern that allowing this rezoning would have a domino effect that would require approval to subdivide properties in other areas of the City as well.

Ms. Aguayo further stated that there had been an effort to keep the ER zoning in this area for many years. As a result, the family was permitted to build the guest house to accommodate their son. One of the concerns with the rezoning request that was specifically mentioned by the Planning Commission and City Council was that the property would eventually be sold as two separate lots, and they wanted to avoid that happening. She noted that now that they had built the extra house, they were saying that the property had less value. However, by building the guest house, the City was able to accommodate their original request. She felt that to allow the rezoning at this point would lead to requests elsewhere.

Mr. Randy Hough of Spear Road had lived at this address for 22 years and stated that he regretted Mr. Haynes' situation but emphasized that the property was zoned ER. He had stood in opposition to rezonings in this area many times in the past. He stated that when they purchased their ER lots, they understood that the integrity of the zoning would be maintained. He stated that somehow he was not aware of the fact that the Hyde property had been rezoned to LUR-9 in July 1999 but his concern now was what would happen next. He said there were rumors that offers had been made to three property owners on Robinson Road near the Methodist Church and

Unapproved Excerpt - Planning Commission meeting

February 12, 2007

Page 3

Spear Road. If the rezoning of the Haynes' property went through, his understanding was that the developer intended to raze those three houses and erect higher density housing in that area.

Mr. Hough appealed to the integrity of the Planning Commission and urged them to uphold the zoning of this property. The residents in this area had made their land purchases based on a promise that was implied by the zoning. That promise was that, whenever possible, the zoning would be maintained.

Mr. Ronald Ranes, who also lived on Carriage Lane, stated that he also had been in Council Chambers multiple times for issues like this where people wanted to spot zone for their own benefit. He was at the meeting where the original rezoning request was denied. It was stated during those deliberations that the reason they wanted to build a second house was so that Mr. Haynes' son Gary could live next door to his parents. However, ER zoning allowed a guest house to be built on the property. The real reason they wanted to split the property was so that Mr. Haynes' house, which was almost paid off, would not put be at risk because of the mortgage on his son's house.

Mr. Ranes said he was truly sympathetic with the Haynes' situation. However, he thought that instead of rezoning the property, the current home could be remodeled so that it was on one level. He noted that the Haynes had been trying to sell the property on their own and had not hired a realtor. If they really wanted to sell the house and were having trouble doing so, he thought it would be a good idea to hire a professional to sell it. He also noted that the "For Sale" sign was actually in front of the guest house even though they said they were trying to sell Mr. Haynes' house. Mr. Ranes pointed out that the Haynes knew before they built the guest house that it could not be spot zoned, but they built it anyway.

Mr. Ranes further stated that the 32 acres that had been rezoned to LUR in 1999 which reduced the number of homes that could be constructed from 23 to 11. He noted that his home was also not built in the middle of his property so if the rezoning was approved, he could spot zone his property as well which was not the intent of the ER zoning. If approved, he felt the rezoning would produce a domino effect. He also clarified that the City had not recommended that the Haynes build the guest house; the City Attorney had only told them what they were permitted to do.

Mr. Joe Jackson, who lived next door to the property proposed for rezoning, sympathized with Mr. Haynes. He said he had discussed the situation with the Haynes prior to and after the initial rezoning request and had told them he thought it was a bad idea. He had invested in ER property and would like to keep it ER property.

Ms. Kelly Ranes of Carriage Lane Subdivision said that she lived across the street from the Haynes and felt as if they had been fighting a battle to keep from being closed in from both ends of their street ever since they bought their house. She said that she also had attended multiple

Unapproved Excerpt - Planning Commission meeting

February 12, 2007

Page 4

meetings opposing rezoning requests in this area. Although rezoning the Hyde property to LUR had been mentioned as a precedent and therefore a justification to rezone the Haynes property, she personally felt the zoning should have remained ER. She pointed out, however, that the LUR zoning considerably reduced the number of homes that could be built on the property and also provided a pond, a park, greenspace, and open space, amenities which somewhat made up for the fact that the lots were a little smaller than the ER zoning required. She stated that this would not be the case with this property.

Ms. Raney also noted that she had spoken with another neighbor, Mr. Grutt, who also was very much against the rezoning. She pointed out that there were only six or seven families in this neighborhood and 50 percent of them were in attendance at this meeting.

No one else spoke in opposition to the proposed rezoning.

Mr. Rast gave a brief overview and history of the property to give some perspective as to where the lot was located and how it fit into the area. He stated that the lot abutted a 2-acre lot in Hyde Park and the .95-acre Mascara lot which had been zoned ER for many years even though it was also less than the three-acre minimum. He also noted that the Hyde Park rezoning was the result of a lengthy litigation process.

Mr. Rast further explained that after the previous rezoning request was denied, the City Attorney sent a letter to the Applicant telling him that they could be accommodated by designing the second house as a guest house. He noted that the guest house was constructed and Mr. and Mrs. Haynes' son and his family had lived on the property since then.

Mr. Rast stated that the Land Use Plan designated the property south of Highway 54 and east of Robinson Road as Single-Family Low Density Residential. He added that the homes in this area of the City were primarily on septic systems.

Based on the fact that the rezoning was not consistent with the Land Use Plan, Staff's recommendation was that the rezoning request not be approved. Rezoning a lot that was within a platted subdivision would set a bad precedent.

In response to the comments that had been made, Ms. Griffis noted that Mr. Haynes was a licensed realtor. She reiterated that the property had no economic value with two houses on it, that it would divide naturally on the creek, and that other lots in the area were less than the three-acre minimum required by ER zoning. She asked that the Commission keep these points in mind when considering their recommendation.

Several neighbors asked whether the property had ever been listed on the Multiple Listing Service (MLS). Mr. Haynes acknowledged that it had not.

Unapproved Excerpt - Planning Commission meeting

February 12, 2007

Page 5

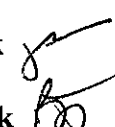
Mr. McCann noted that the property was zoned ER; Mr. Roach stated that it was contrary to the Land Use Plan; and Mr. Staples stated that although the Commission was sympathetic to the circumstances, it was not necessary to set a precedent.

After discussion, a motion was made by Mr. Staples, seconded by Mr. McCann, and unanimously adopted to forward the proposed rezoning to City Council with a recommendation that it not be approved.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director / City Clerk 

FROM: Public Information Officer/Deputy City Clerk 

DATE: February 22, 2007

SUBJECT: Consider City Flag
March 1, 2007, City Council Meeting

Recommendation:

That Council discuss the possibility of creating a City Flag from the current logo.

Discussion:

Mayor Logsdon asked staff to investigate the cost of having a City Flag produced using the City's relatively new logo on a white background, to be flown in the City Hall Plaza.

Staff solicited quotes from three vendors for pricing on 5'x8' nylon outdoor flags, with the full color logo on a white background. The lowest price provided was from Atlas Flags at \$775 for five flags (\$155 per flag). The price per flag decreases with the purchase of 10 flags, but staff feels that five flags will be adequate to last for the next two years (based on the necessary replacement rate for the U.S. and State Flags).

In addition to flying over the plaza, the City Flag could also serve as a backdrop during events and presentations.

Budget Impact:

This will have a \$775 impact on the Public Information budget, but funding is available in the Printing and Binding line item, which is used for the marketing materials, maps, and UPDATE Newsletter.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *Bonnie McManis*
Assistant City Manager *WTS*
Fire Chief *SM*

FROM: Fire Marshal *JO*

DATE: February 22, 2007

SUBJECT: Ordinance Amendment Relative to False Fire Alarm Penalties
March 1, 2007, City Council Meeting

Recommendation:

Staff recommends that Council adopt the attached Ordinance Amendment.

Discussion:

Peachtree City Code provides for the assessment of fines for continued false fire alarms at businesses within a single calendar year. However, there are occasions when continued false fire alarms drain the department's resources and need remedial action, but they do not fall within the technical timeframe of the ordinance. Most recently this occurred with a business having more than three false fire alarm responses in a period of less than six months. Because the alarms spanned two calendar years, the department was unable to issue a citation that would help to encourage corrective action to resolve the ongoing problem.

Staff feels that the minor change proposed will help to clarify the ordinance and will assist in preventing unnecessary responses so that the department's resources are available for legitimate emergencies.

Budget Impact:

This item will have no significant budgetary impact.

AN ORDINANCE TO AMEND ARTICLE II, CHAPTER 38 FIRE PROTECTION AND PREVENTION, BE AMENDED TO PROVIDE FOR FALSE ALARM PENALTIES AND FINES; FOR CLARIFICATION; AND FOR OTHER PURPOSES.

Section 1. That Article II, Chapter 38 Fire Protection and Prevention, Section 38-36(a) of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Section 38-36. False alarm penalties and fines.

(a) For any preventable false alarm that occurs at the same location and the same panel three times within a 24-hour period the owner or responsible person(s) of the premises will be assessed a fine of up to \$250.00, and up to an additional \$100.00 for every subsequent false fire alarm thereafter until the system has been restored to proper working order and documentation of that repair provided to the fire department. For other false alarms separated by more than 24 hours, no fines shall be assessed to a business or residence for the first three false alarms, at the same alarm panel location responded to by the fire department during each calendar year. For every subsequent preventable false alarm that occurs at the same premises within a period of twelve (12) consecutive calendar months, a fine shall be assessed in the amount of up to \$250.00. If the responsible person(s) for the property at which an alarm occurs fail to provide one or more current key holders, a fee of up to \$100.00 will be assessed against the person(s) responsible for the property. If a key holder refuses to respond when requested by the fire department, a fine of up to \$250.00 will be assessed against the person(s) responsible for the property, and the responsible person(s) for the property are liable for any damages and costs, of incidents or emergencies that may occur within or to their property, and/or to any other impacted property. Additionally, if responding firefighters are unable to access the building and have reason to believe that a fire or other emergency is occurring within the premises, they are authorized to use forcible entry at their discretion. The owner or responsible person(s) for the property and/or their insurance companies are also responsible for costs of repair or replacement of property that may be damaged by or due to forcible entry. A key holder is an authorized person designated by the owner or responsible person(s) of the property who has authorization, keys, and/or codes required to access the property and reset the alarm. The fire chief, fire marshal, and senior fire officer on duty are authorized to issue or authorize issuance of appropriate citations.

Deleted: the calendar year

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

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or

any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

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

Done, Ratified and Passed this _____ day of _____ 2007.

Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Administrative Services Director / City Clerk 
Financial Services Director 

FROM: System Administrator 
Public Information Officer/Deputy City Clerk 

DATE: February 22, 2007

SUBJECT: Consider Web Site Agreement with Airport Authority
March 1, 2007, City Council Meeting

Recommendation:

Staff recommends that Council approve an agreement with the Peachtree City Airport Authority to include the Authority in the City of Peachtree City web site (The agreement will be forwarded to Council prior to the March 1 meeting after review by the City Attorney).

Discussion:

City Staff recently completed an overhaul to the City's web site, focusing on developing a unified, positive, and professional web portal that would provide citizens and prospective residents and businesses with a single source for information on the governmental operations of Peachtree City. This was an effort to eliminate some of the confusion that can occur when site visitors know that a feature or amenity is located in Peachtree City, but they may not know who owns or manages the facility. Staff also hoped to eliminate duplication of effort in having multiple sites with pages of similar or identical information. Finally, staff saw an opportunity for cost savings for the various component units that currently either have no web site or are paying for the creation and maintenance of separate sites.

Now that the City's portion of the site has been launched, the Peachtree City Airport Authority has expressed a desire to bring their web site presence under the umbrella of the City's site. The Authority's existing site has remained somewhat static over the past several years, and our conversations with Airport staff indicate that they have ongoing difficulties in having the site updated.

Through our contract with Civic Plus, there will be no ongoing costs associated with this arrangement with the Airport Authority. The Authority has agreed to pay the one-time \$800 fee to design a banner in keeping with the City's overall feel, but unique to the airport and its pages on the site. Through the proposed arrangement with the Authority, the City would provide training for Airport staff members to create and update web pages, as is done among the divisions and departments within the City.

If Council approves the arrangement, the same opportunity would be made available to our other component units - the Peachtree City Water and Sewerage Authority, the Development Authority of Peachtree City, and the Peachtree City Tourism Association.

Budget Impact:

This item will have no budgetary impact because the Airport Authority will assume the additional costs of creating a separate banner for their web pages. If additional recurring expenses increase in future years due to bringing any of the component units onto the City's site, these costs would be passed onto the component units.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *James McWhorter*
Assistant City Manager *W.K.*
Financial Services Director *P.S.*
Assistant Financial Services Director *J.*
Public Services Director *K.C.*
Purchasing Agent *me*

FROM: City Planner *David*

DATE: February 21, 2007

SUBJECT: MacDuff Parkway Landscaping Bid Recommendation
March 1, 2007 City Council Agenda

Recommendation:

Staff recommends that City Council award the bid for the MacDuff Parkway Landscaping project to North Georgia Land Services, Inc. of Norcross, Georgia, for their lump sum bid amount not to exceed \$201,101.64.

Discussion:

The City is landscaping the median and right-of-way on MacDuff Parkway from State Route 54 to Gatehouse Road. On January 12, 2007 the City of Peachtree City solicited bids from thirty-one (31) contractors for landscaping. In addition to the mail solicitation, the City advertised the bid on January 17 and 31, 2007 and posted the bid on the City's website. Eighteen (18) contractors attended the mandatory pre-bid meeting held on February 1, 2007. Eleven (11) bids were received, opened, and reviewed on February 15, 2007. Eight (8) of the eleven (11) bidders complied with the specifications. The bid results are as follows:

North Georgia Land Services, Inc.	\$ 201,101.64
Lorber and Associates, Inc.	\$ 203,892.80
A Abby Lawn Care, Inc.	\$ 214,276.18
Natures Landscape Services, Inc.	\$ 226,802.94
Gibson Landscape Service, Inc.	\$ 234,565.82
Catalpa Landscape Management & Design	\$ 246,739.48
Piedmont Landscape Contractor, LLC	\$ 294,493.45
Creekside Nurseries, Inc.	\$ 342,935.20

The landscape bid included a two (2) year full maintenance program and guarantee on all plant materials. The cost for the maintenance and guarantee of plant material varied from a low of \$12,000.00 to a high of \$85,200.00.

The Purchasing Agent conducted a thorough reference check on the low bidder, with excellent results for dependability, reliability, scheduling, and other critical factors. Currently, Cobb County is in year three (3) of a three (3) year maintenance program for their medians and are extremely satisfied with their maintenance program.

Budget Impact:

Currently, a total of \$115,770.00 is budgeted in the 2006 and 2007 SPLOST budget for the landscaping of MacDuff Parkway. The additional \$85,331.64 will be appropriated from accumulated SPLOST project savings.

Attachments

MacDUFF PARKWAY LANDSCAPING BID ANALYSIS
BID IRREGULARITIES

Vendor	Bid Amount Submitted	Corrected Extension	Variance	Irregularities Comments
CMC Landscaping	\$195,618.82	\$195,672.35	\$53.53	Bid Rejected - Failure to submit Bid Tender Form
North Georgia Land Services, Inc.	\$201,101.64	\$201,101.64	\$0.00	<i>Minor Irregularity - Failed to indicate number of days for completion of project on Bid Tender Form. Specifications specifies maximum of 60 days.</i>
Lorber and Associates	\$203,892.80	\$203,892.80	\$0.00	
A Abby Lawn Care	\$214,276.18	\$214,276.18	\$0.00	
Estes Landscape Design	\$225,253.69	\$225,253.59	(\$0.10)	Bid Rejected - No Bid Bond Submitted
Natures Landscape Service	\$226,803.00	\$226,802.94	(\$0.06)	<i>Minor Irregularity - Bid on Bid Tender Form was \$226,803.00 and on Unit Pricing Sheet, Bid was \$226,802.94</i>
Gibson Landscape Service	\$234,521.00	\$234,565.82	\$44.82	<i>Minor Irregularity - Questionnaire Sheet is incomplete.</i>
Catalpa Landscape Management	\$247,664.88	\$246,739.48	(\$925.40)	<i>Minor Irregularity - Bid on Bid Tender Form was \$247,664.88 and on Unit Pricing Sheet, Bid was \$246,664.88.</i>
Piedmont Landscape Contractors	\$295,573.45	\$294,493.45	(\$1,080.00)	
High Grove Partners, LLC	\$323,642.82	\$327,820.84	\$4,178.02	Bid Rejected - Failure to submit Bid Tender Form and Bid Bond <i>Minor Irregularity - Failed to submit Questionnaire Sheet.</i>
Creekside Nurseries	\$342,935.20	\$342,935.20	\$0.00	

Note: The irregularities were discussed with the City Attorney.

**CITY OF PEACHTREE CITY
BID TABULATION SHEET**

• Attendance at municipality pre-bid mtg. required.
• 5% bid bond required.

page 1002

(07-123BPW)

BID TITLE: MacDuff Parkway Landscape Enhancement/Installation

DATE: Feb. 15, 2007 3:30

BIDS OPENED BY: Charlotte Burns
WITNESSED BY: Colin W. Halterman

BUDGET:

TIME COMPLETED:

BIDDER NAME	MAILING ADDRESS	BID AMOUNT	BOND	MISC. INFO
North Georgia Land Sves.	1825 Bolton Circle	\$201,101.64	✓	1+2
High Grove Partners	7730 The Bluffs	\$323,642.82	NO	NO
Nature's Land. Serv.		226,803.00	cc	1+2
CMC Landscaping		195,618.82	cc	
Abby Lawn Care	215 Shamrock Tyron e	214,276.18	cc.	1+2
Piedmont Landscape Contractors		\$295,573.45	BB.	1+2

page 2 of 2

TIME COMPLETED: 3:45

[illegible]

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Councilmembers

VIA: City Manager *Bernard McMillan*
Financial Services Director *L.S.*
Assistant Financial Services Director *J*
Purchasing Agent *one*
Developmental Services Director *AWA*

FROM: City Engineer *David A. Bokowski*

DATE: February 22, 2007

SUBJECT: Traffic Signal Request – State Route 74 and Wisdom Road
March 1, 2007 City Council Meeting

Recommendation:

Staff recommends that Council authorize the Mayor to sign the attached signal request form from the Georgia Department of Transportation (DOT).

Discussion:

The Thomaston District office of the DOT has informed the City that the intersection of State Route 74 and Wisdom Road meets the warrants for a traffic signal. The DOT has forwarded the attached application to the City so the process of approval can continue. Once the City signs the application and agrees to pay for the cost of installation and electricity, the DOT will forward on to Atlanta for final approval.

If Atlanta approves the signal application, then the City can proceed with construction drawings and bidding of the signal installation.

Budget Impact:

There is no cost for the application. There is \$121,560 budgeted in the 2008 SPLOST fund for design and construction of the signal.

Attachment

cc: File



Department of Transportation

State of Georgia

#2 Capitol Square, S.W.

Atlanta, Georgia 30334-1002

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5206

DAVID E. STUDSTILL, JR.,
CHIEF ENGINEER
(404) 656-5277

BUDDY GRATTON, P.E.
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

February 12, 2007

Mr. David Borkowski, P.E.
Peachtree City Engineer
153 Willowbend Road
Peachtree City, Georgia 30269

RE: State Route 74 at Wisdom Road

Dear Mr. Borkowski:

Attached for your handling is a traffic signal permit application for the intersection of State Route 74 at Wisdom Road. We have updated information for our review of this location and will be recommending the installation of a traffic signal at that intersection.

Please take the necessary measures to have the traffic signal permit signed by the City and return the application to our District Office at 715 Andrews Drive, Thomaston, Georgia 30286.

If you have any questions concerning this application or the intersection, please contact our office at 706-646-6554.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike England", is written over a horizontal line.

Mike England
District Traffic Engineer

ME
attachment
file

RECEIVED FEB 13 2007

Distribution:
White - Applicant
Yellow - State Traffic Engineer
Pink - District Traffic Engineer

Do Not Write In This Space

Application No. _____

Permit No. _____

DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

REQUEST FOR TRAFFIC SIGNAL

To the Georgia Department of Transportation:

The City of Peachtree City in Fayette County hereby request approval for the use of a traffic signal at the location described below:

LOCATION

Local Street names: SR 74 ~~Tyrone Road~~ at Wisdom Road

State Route Numbers: 74 at _____

TYPE SIGNAL

☒ Stop and Go ☐ Flashing Beacon ☐ School Beacon ☐ Other

CONDITIONS OF APPLICATION AND STANDARDS OF OPERATION

In the event that the Georgia Department of Transportation authorizes the use of a traffic signal at the above location, the undersigned agrees to participate in the costs to purchase and install the signal. This level of participation will be determined after a study of the location has been completed. The signal must be installed to the Department's standards and conform with the authorization issued by the Department and the provisions set forth therein.

COST OF OPERATION

The full and entire costs of the electric energy and telephone service used to operate the signal shall be at the expense of the applicant without any cost to the Georgia Department of Transportation. The applicant understands that the Department may ask for participation in the cost for the purchase, installation and maintenance of the signal if approved.

INSPECTION AND APPROVAL

The installation, maintenance and operation of said signal shall be subject at all times to inspection and approval by a duly authorized engineer of the Georgia Department of Transportation.

RIGHT TO REVOKE

The Georgia Department of Transportation reserves the right to revoke the approval should it for any reason desire to do so, by giving the applicant thirty (30) days written notice, and in that event, the applicant agrees to remove said signal from said right-of-way at its own expense or allow it to be removed by the Department.

This application is hereby submitted and all of the terms and conditions are hereby agreed to. The undersigned are duly authorized to execute this instrument.

This the _____ day of _____ ²⁰₁₉

Attest:

By: _____

Title: _____

Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council Members

VIA: City Manager 
Assistant City Manager 
Financial Services Director P.S.
Assistant Financial Services Director 

FROM: Purchasing Agent 

DATE: February 22, 2007

SUBJECT: Surplus of Two (2) Pick-up Trucks and Sale to Airport Authority
March 1, 2007 City Council Agenda

Recommendation:

Staff recommends that Council declare surplus the following two (2) pick-up trucks currently in use by Public Works and allow the Airport Authority to purchase these vehicles:

- 1997 Ford F-150 VIN # 1FTDF1723VNC68662 City Asset # 3062
- 1995 Ford F-250 VIN # 1FTHF25HOSNA52861 City Asset # 3007

Discussion:

The City solicited sealed bids on January 23, 2007, for four (4) Ford utility vehicles. Bids included trade in options for the above trucks. Two companies submitted bids on one or more of the vehicles and trade-ins are as follows:

Ford Truck trade-in (1 of 2)	Trade-In
Legacy Ford	\$1,800
Allan Vigil Ford	\$1,000

Ford Truck trade-in (2 of 2)	Trade-In
Legacy Ford	\$2,000
Allan Vigil Ford	\$1,000

The Airport Authority has requested to purchase these two vehicles for a total price of \$3,800.00, see attached. If this sale is approved, staff will obtain a letter of indemnification from the Airport Authority before the vehicles are transferred, see attached.

Budget Impact:

The \$3,800 offered by the Airport Authority is the maximum amount offered by the bidders for trade-in.



PEACHTREE CITY AIRPORT AUTHORITY

February 21, 2007

Mr. Bernard McMullen
City Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mr. McMullen:

The Peachtree City Airport Authority is requesting that the City Council authorize the City of Peachtree City to sell the Airport two (2) surplus maintenance trucks in an amount not to exceed \$3,800.00. We are also requesting that the existing light bars remain on the vehicles, as they will be provide additional safety for maintenance staff operating on the airfield. The vehicles are listed as follows:

1997 Ford F-150 VIN#1FTDF1723VNC68662 City Asset #3062 \$2,000.00

1995 Ford F-250 VIN#1FTHF25HOSNA52861 City Asset #3007 \$1,800.00

We would like to include this request on the March 1, 2006 City Council agenda with your permission.

Thank you for your assistance and support of Falcon Field Airport.

Best regards,



John Crosby
Airport Director

Cc: Peachtree City Council
Peachtree City Airport Authority

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

BILL OF SALE AND RELEASE OF LIABILITY AGREEMENT

THE City of Peachtree City, Georgia (hereinafter referred to as "Seller") has agreed to sell that certain property identified on Exhibit "A" attached hereto and incorporated herein by express reference (hereinafter referred to as the "Vehicles") to the Peachtree City Airport Authority (hereinafter referred to as "Purchaser") for the price of _____.

For an in addition to the consideration set forth above, Purchaser agrees to indemnify and hold Seller, its employees, agents, legal representatives, successors and assigns harmless from each and every claim, demand, liability or other obligation which may be asserted against Purchaser and Seller and which may arise, or be connected with, loss, injury or damage relating to removing and using the Vehicles, including but not limited to the use of the Vehicle by any and all board members, employees, agents, contractors, or subcontractors of the Purchaser. The Purchaser accepts the dedication of the Vehicle and takes title to, and possession of the Vehicles "AS IS" with no warranties, either express or implied, as to the condition of the Vehicles or their suitability for the purpose to which the Purchaser intends to use the Vehicles. The undersigned agrees not to bring any action at law or equity against Seller, its agents, or employees the behalf of the undersigned nor on behalf of any board members, guests, invitees, employees, contractors, or subcontractors of the Purchaser, whether a minor or an adult, arising from or relating to any injury connected with the use of the Vehicles or the care, custody or control thereof; and the undersigned shall defend Seller, its agents, servants or employees against any such actions brought by any other person with respect to the undersigned; or guests of the undersigned's use of the Purchaser's Property and indemnify Seller, its agents and employees for anything for which the undersigned or any guests, invitees or employees of the undersigned is responsible either alone or jointly and severally to the extent allowed by law. The undersigned further agree to indemnify Seller, its agents, servants or employees for all losses on claims, costs of defense including attorney's fees and court costs for any claims arising out of the use or maintenance of the Vehicles.

The Vehicles are sold in "As Is" condition, with no further warranties or guarantees. Purchaser acknowledges that it will remove the Vehicles from their existing location at _____, Peachtree City, Georgia at no expense to the Seller. Taking possession and moving the Vehicles will be done by the Purchaser at a time and date agreeable to the Seller. Purchaser will insure that the Vehicles are properly insured at the time that Purchaser takes possession of the same.

Accepted by resolution of the Peachtree City Airport Authority this _____ day of _____, 2007.

PEACHTREE CITY AIRPORT AUTHORITY

By: _____
Chairman

ATTEST:

Secretary

(SEAL)

EXHIBIT A

- 1997 Ford F-150 VIN # 1FTDF1723VNC68662 City Asset # 3062
- 1995 Ford F-250 VIN # 1FTHF25HOSNA52861 City Asset # 3007

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *Bernard M. Muller*
Assistant City Manager *[Signature]*
Leisure Services Director *See 201 Ry 2/25/07*
Financial Services Director *[Signature]*
Purchasing Agent *[Signature]*

FROM: Public Services Director *[Signature]*

DATE: February 20, 2007

SUBJECT: Truck Bids

March 1, 2007 City Council Meeting

Recommendation:

Staff recommends that four (4) low bids for new Ford vehicles be accepted as described herein. The low bid for each vehicle is underlined in the table below.

Discussion:

The City solicited sealed bids on January 23, 2007, for four (4) Ford utility vehicles. The desired vehicles included three F-250 pickup trucks and one F-350 dump truck. Two companies submitted bids on these vehicles, as follows:

<u>Vehicle</u>	<u>A. Vigil Ford</u>	<u>Legacy Ford</u>	<u>Activity</u>
F-350 Dump Truck	<u>\$28,992.64</u>	\$29,240.00	Storm Water Utility
F-250 Pickup #1	<u>\$24,296.00</u>	\$24,309.00	Public Works
F-250 Pickup #2	\$24,296.00	<u>\$24,129.00</u>	Public Works
F-250 Pickup #3	<u>\$21,207.00</u>	\$21,779.00	Recreation

Each of the low bids has been examined and all required specifications have been met.

Budgetary Impact:

Funds are available in account #100-4100-54-2050 to cover the combined \$48,425 cost of the two F-250's for Public Works. Funding is also available in account #100-6110-54-2050 for the F-250 for Recreation, and in 521-4250-54-2200 for the F-350 for the dump truck for the Storm Water Utility, subject to approval of the budget amendment on the Consent Agenda.

ROSENZWEIG, JONES & MACNABB, P. C.
ATTORNEYS AT LAW
32 SOUTH COURT SQUARE
POST OFFICE BOX 220
NEWNAN, GEORGIA 30264

MELISSA DARDEN GRIFFIS (GA, AL)

TELEPHONE (770) 251-3262
FAX (770) 251-7262
e-mail: mgriffis@rjm-pc.com

March 1, 2007

VIA FACSIMILE
AND FIRST CLASS MAIL

City of Peachtree City, Georgia
Attn: Ms. Jane Miller, City Clerk
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Rezoning Request of Mr. Thomas C. Haynes, Jr.
Approx. 3.820± Acres located on Carriage Lane, Peachtree City, Georgia

Dear Ladies and Gentlemen:

The above-referenced matter is scheduled for hearing before the City Council tonight, March 1, 2007 at 7:00 p.m. Numerous issues have arisen since the Planning Commission meeting and we are hereby requesting to postpone said hearing for two (2) weeks so that these issues can be addressed.

In the interim if there is any expense to advertise, we will be more than happy to reimburse the City for any said expenses. Should you have any questions or desire to discuss this matter, please feel free to contact me, at your convenience.

Sincerely,



Melissa D. Griffis

MDG/kr

c: Mr. Harold Logsdon, Mayor
Ms. Judi-ann Rutherford, Post 1
Mr. Stuart Kourajian, Post 2
Mr. Steve Boone, Post 3
Ms. Cyndi Plunkett, Post 4
Mr. Theodore P. Meeker, III, City Attorney
Mr. Bernard McMullen, City Manager