

City Council of Peachtree City
REVISED AGENDA
February 6, 2014
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
- IV. 10-Minute Talk
Paul Lentz, Friends of the Library
- V. Public Comment
- VI. Agenda Changes
- VII. Minutes
January 16, 2014, Regular Meeting
- VIII. Consent Agenda
 - 1. Consider Stormwater Maintenance Agreement with Hearthside at PTC, L.P.
 - 2. ~~Consider Resolution Authorizing Submittal of GATEway Grant Application for~~
~~SR 54/SR 74 Landscape Enhancement Project~~
 - 3. Consider Bid Award for TDK Bridge Repairs – Massana Construction
- IX. Old Agenda Items
09-12-06 Facilities Bond Projects Status Report/Update
- X. New Agenda Items
 - 02-14-01 Consider Amendment to Fire Protection and Prevention Ordinance
 - 02-14-02 Consider Amendments to Landscape Plan Procedures for Retail, Commercial and Industrial Properties Ordinance
Staff & Planning Commission have proposed amendments to update existing ordinance
 - 02-14-03 Consider Signal Application for SR 54 W/ Line Creek DR Intersection
Traffic study for The Overlook retail center (proposed) recommends traffic signal at intersection
 - 02-14-04 Consider Initiating Abandonment Process for Roads and Right-of-Way of Line Creek DR and Line Creek CT
Developer of The Overlook retail center (proposed) desires to acquire a portion of Line Creek Drive & Line Creek Court
 - 02-14-05 Consider Request to Allow Private Road Connection across City Property from The Overlook Retail Development to Planterra Way
Request for Council guidance on whether to initiate sale process or land swap
 - ~~02-14-06 Consider Participating in Design of Multi-Use Path from Peachtree City to Senoia~~
 - 02-14-07 Consider Bid for Guns – Smyrna Police Distributors
 - 02-14-08 Consider Bid for Lake Peachtree Bridge Handrails – Beatty Construction
 - 02-14-09 Consider Bid for Landscape Maintenance – Hybrid Insourcing/Outsourcing, with Outsourcing to True Green, Brickman Group, and Valley Crest
 - 12-14-10 Consider Amendment to FY 2014 Amphitheater Budget
- XI. Council/Staff Topics
Hot Topics Update
- XII. Executive Session

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

Business Retention & Expansion Program Report:

January, 2014

- Held several meetings with private investment group regarding commercial real estate projects in Peachtree City
- Meetings with small business owner regarding signage/growth difficulties
- Several Meetings with 'Company A' regarding expansion project.
 - Brought in regional partners to assist in workforce development project
 - Workforce expansion project initiated
- 'Company B' expansion project meetings held.
 - Facilities buildout and workforce expansions initiated
- 'Company C' expansion project initiated.
 - Brought in regional partners to assist in facility expansion
 - Meeting with state partner(s) to discuss workforce expansion
- 'Company D' is film production company
 - Meetings to locate new film productions in Peachtree City
 - Assistance with location of appropriate spaces
- Provided Emergency Vehicle Restoration Services with assistance in relocating to Peachtree City
 - New Facility occupied as of February 1
 - Provided assistance with securing corporate legal services
- 'Company E' looking to expand workforce
 - Brought in firm to assist with business and workforce development, per company's request
- 'Company F' is film production company
 - Assisting them with locating appropriate space in PTC for next film
- Escorted two PTC firms to Southern Crescent Technical College
 - Connect with industrial program directors
 - Provided resources for future workforce recruitment out of SCTC
- Other things to note:
 - Next Industrial Operations Council Meeting scheduled for March 11 at Eaton
 - Industry Survey currently under development, to be implemented beginning in February
 - Industry appreciation gifts distributed in person at beginning of January

12-14-10

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: James Pennington, City Manager 
Paul Salvatore, Financial Services Director *P.S.*

From: Nancy Price, Amphitheater Manager 

Subject: Approval of 2014 Amphitheater Budget Amendment

Recommendation:

Staff recommends that the City Council approve the 2014 Amphitheater Budget Amendment

Discussion:

The Frederick Brown Jr. Amphitheater is celebrating the 20th Anniversary of the Concert Series this year and is planning a special lineup for the 2014 Concert Series which will require an increase of the Program Talent Expense. This expense will be offset with an increase in Summer Concert Series Revenue and Sponsorships.

Also, The Frederick Brown Jr. Amphitheater has also added a Spotlight Concert for the Diva Half Marathon, as well as three co-presented concerts which requires an increase in both the revenue and expense side of the Amphitheater budget.

Budget Impact:

The budget impact will be to increase both revenue and expense in the amphitheater budget by \$125,665.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

[illegible]

Explanation: Increase Amphitheater Budget to reflect higher level acts in the 2014 Concert Series and the 2014 Spotlight Concert Schedule on both the Revenue and Expense side. Increase the Amphitheater Budget to reflect the addition of three (3) co-presenting concerts with Spotlight Concert Revenue increased as well as the corresponding expenses

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City Council of Peachtree City
Meeting Minutes
January 16, 2014
7:00 p.m.

The Mayor and Council of Peachtree City met on Thursday, January 16, 2014, at City Hall. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Other Council Members attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Beverly Fochtman, Iggy Gomes, and Betty Keane of Home Instead Senior Care, the sponsors for the Be a Santa a Senior (BASTAS) program, recognized the Police Department and the Auxiliary Police for their efforts in collecting, wrapping, and delivering 152 of 740 Santa sacks at Christmas, the largest single delivery by any of the participating organizations. Mayor Fleisch recognized the members of the McIntosh Girls Volleyball Team, state AAAAA champions. Police Lt. John Jenkins was recognized as the Supervisor of the Quarter for the 4th quarter of 2013 and as the Supervisor of the Year. Belinda Washington-Wilder of Recreation was recognized as the 2013 Employee of the Year.

Minutes

December 19, 2014, Regular Meeting Minutes

January 2, 2014, Regular Meeting Minutes

Fleisch noted Council Member Ernst would not be voting on the December 19, 2014, meeting minutes since he had not taken office yet.

Learnard moved to approve the December 19, 2014, regular meeting minutes as written. Imker seconded. Motion carried 4-0-1 (Ernst).

Learnard moved to approve the January 2, 2014, regular meeting minutes as written. Imker seconded. Motion carried unanimously.

Monthly Reports

Imker noted that, on page 13 of the Monthly Reports in the packet, the Local Option Sales Tax (LOST) collections were at 23% for the first quarter of the fiscal year rather than at 25%. He asked if this was seasonal or a trend. Financial Services Director Paul Salvatore verified that the LOST figures were down from the first two months of FY 2013 (October and November), but he would prefer to see three full months of actuals before any budget adjustments were made. Imker noted that 1% was approximately \$60,000, and they needed to keep an eye on it. Salvatore said he would be watching closely as LOST was the second largest revenue source.

Imker referred to an updated chart on the dais, noting there had been a discrepancy regarding the pension fund. The chart in the packet showed a decrease in the pension fund to \$24 million, while the revised chart showed the fund had gone up to \$26 million, asking what happened. Salvatore apologized for the error, saying it was strictly a staff clerical error.

Imker noted there had been a donation of \$2,000 to the Police Department from Kiewit Infrastructure South. Police Chief H.C. "Skip" Clark said Kiewit had a holiday fundraiser each year for a selected charity, and this year they had chosen the Police Department.

Under Litigation Expenses, Imker noted the report went back to October, the beginning of the fiscal year, pointing out that the Mrosek lawsuit had been on each bill submitted by City Attorney Ted Meeker. He asked if the Mrosek project was the Bradford Estates/Creekside

Crossing/Southside Church (BCS) Pond and if it was an active case. Meeker reminded Imker the line item he was questioning was an active lawsuit. Imker said he had asked for an accounting since he had been on Council, the City had spent up to \$51,000 in legal services to take care of the case. He asked if anything was coming to a close. Meeker said no and indicated this would be a discussion to have in executive session.

Imker referred to the Top 5 Accident Locations in the Police Department report, noting there had been 93 accidents at the intersection of SR 54/SR 74 during the last calendar year, which was double the next location for accidents. These were state roads, and the City had to use its resources for everything needed after the accidents occurred. He asked if there was anything the state could do to help with those resources. City Manager Jim Pennington said the state had been notified continuously about the problem, and the state responded that this site was one of many with similar or worse problems. It was why the City was number one on the list for the new traffic response system. The contracts for the new system were underway, and it should be in place and operating in April, but it was simply a stop-gap measure and might not fix the problem. The intersection was a bottleneck and would continue to be a bottleneck.

Imker told the Council Members that, every three to four months, he would have a list of items to go over that he felt were important information for the citizens.

Consent Agenda

1. Consider Authorization of Legal Organ – Fayette County News/Today in Peachtree City
2. Consider Annual Indemnification Resolution
3. Consider Appointments to Airport Authority (PCAA)
Bryan LeBrecque and Tom Fulton (alternate)
4. Consider Appointments to Convention & Visitors Bureau (CVB) Byron Perrman, Sherri Smith Brown, Rick Barnes, Wende Blumberg (hotel/motel alternate)
5. Consider Appointments to Water & Sewerage Authority (WASA)
Cliff Stern, William Holland, John Dufresne (alternate)
6. Consider Appointments to Recreation & Special Events Advisory Board
Joe Kuebler and Briana MacDowell (alternate)
7. Consider Bid for Pursuit Accessories – TransComm Services, \$112,420
8. Consider Retirement/Surplus of K-9 Enko
9. Consider Alcohol License – NEW – Marco's Pizza, 147 Highway 74
10. Consider Official Intent Resolution
11. Consider Acceptance of Georgia Emergency Management Agency (GEMA) Grant for CERT Program
12. Consider Change in Rate Structure for City Attorney – Increase from \$110 to \$150/hour
13. Consider Bid for Grinding Services – Tag Grinding, \$4.25 per cubic yard hauled off

Fleisch noted there were additional staff memos on the dais for Consent Agenda items 3, 4, 5, 6, 12, and 13.

Imker moved to approve Consent Agenda items 1 – 13. Ernst seconded. Motion carried unanimously.

At the request of an audience member, Fleisch read the names of the appointees to the commissions and authorities.

New Agenda Items

01-14-01 Public Hearing – Consider Variance to Rear Building Setback, 120 Lexington Pass

Planning & Zoning Administrator David Rast gave Council a brief overview of the property at 120 Lexington Pass and the request to build a freestanding garage. The home was built in 1996 in the Heritage subdivision, which was zoned R-22. The established rear building setback was 30 feet. The

five-sided, one-third-acre lot had two rear yards, and the backyard had a downward slope. The home's garage had bays for two cars and a golf cart. The applicants wanted to build a freestanding garage that would encroach 15 feet into the 30-foot rear setback. The freestanding garage would be 21 feet, six inches long by 21 feet, six inches wide, and would have two bays. The garage would be finished to match the home.

Anthony Szekalski, applicant, told Council he was the original homeowner. His family had lived there for 18 years, and the City encouraged homeowners to reinvest in their property. The freestanding garage would increase the property's value. His family wanted to preserve an oak tree he had planted with his daughters when they first moved into the house, which was part of the reason for the orientation of the garage on the property. He also wanted to eliminate unsightly cars in the driveway as well as have a place for a utility trailer that was currently being stored elsewhere. The homeowners association (HOA) supported the variance request. The garage would add to the tax base because the property would be taxed at a higher rate. Jobs would be created to build the garage, and all the materials would be purchased in the City. The topography of the lot was challenging, and there was limited space for a freestanding building.

Rast said staff found there were special circumstances for this situation, including the shape of the lot, which adjoined six properties. There really was no other area to put the garage. The request was consistent with other variances in the subdivision and other areas of the City. The applicant was trying to save as much natural vegetation as possible, and Szekalski had gotten approval from the HOA and the adjoining property owners that would be most impacted. Staff's conditions included the following:

- 1. The variance shall be limited to an encroachment of no more than fifteen (15) feet into the rear building setback as shown on the site plan provided by the Applicant. There shall be no additional encroachments permitted without first securing additional variances.*
- 2. Following completion of construction and prior to issuance of the Certificate of Occupancy, the Applicant shall provide a Foundation Survey to the Building Official identifying the location of the new construction. The purpose of this survey is to ensure the new construction does not encroach any further into the building setback than permitted by this variance.*
- 3. To the greatest extent practicable, existing vegetation shall be preserved along the side and rear property lines abutting Lots 38 and 61. This vegetation shall be supplemented with no less than six to eight (6 – 8) evergreen shrubs (minimum six feet in height), planted in staggered rows as determined by the City Landscape Architect to augment existing vegetation separating the garage from the adjoining properties.*

Fleisch opened the public hearing. No one spoke for or against the variance. The public hearing closed.

Imker said he had no concerns with the variance request.

King asked Szekalski if the neighbor closest to the where the garage would be located would be inconvenienced at all. Szekalski said his neighbor was also considering a freestanding garage for his golf cart, which was currently parked in the woods behind his neighbor's house.

Ernst said he had visited the property and met with the homeowner. He had no problems with the variance request, adding the freestanding garage would look nice.

Learnard asked how many bays were on the current garage. Szekalski said there was a double bay, a single bay, and a golf cart bay. The new garage would add two more doors. Learnard did not

recall any similar variances, asking Rast what could be built without going into the setback. Rast said the garage could be 15 feet shorter. Szekalski said there was a four-foot indentation to preserve the tree, adding he could put the golf cart garage on the other side, but he would have to cut the tree down.

Learnard said variance requests were her least favorite part of being on Council. She always wanted residents to get the best possible use of their property, but every decision Council made set precedent. A variance was an exception to the law and should be used in extreme circumstances when there were no other options.

Fleisch agreed, adding the Szakalskis had a beautiful yard, but she was concerned about setting a precedent about going 15 feet into the setback in that area.

Imker moved to approve the variance request for 102 Lexington Pass, with the three conditions presented by staff. King seconded. Motion carried 3-2 (Fleisch, Learnard).

01-14-02 Public Hearing – Consider Variance to Fence Ordinance, 101 Sumner Place Court

Rast said the applicant was requesting a fence in excess of four feet in height as well as a solid wood fence within a residential front yard. The fence had been installed without a permit at the Amendola-Fernandez home in Sumner Place at Smokerise, which was zoned R-43. Staff discovered the fence had been installed and had been trying to work with the applicant to resolve the issue. The home had frontage on two public streets, Sumner Place Court and Sumner Road. The building setback was 50 feet. The applicants installed a five-foot aluminum picket fence in the front yard facing Sumner Place Court and a five-foot solid wood fence in the front yard adjacent to Sumner Road. Section 18-65(e) and (f) of the Code of Ordinances addressed the height of fences, requiring that fences installed within the setback area adjoining a street should not be in excess of four feet within a residential yard, and fences installed in a residential front yard should not be made of any material that restricted the view through the fence by more than 50% of the total barrier as viewed from the street.

Alexandra Fernandez, the applicant, addressed Council, saying they had gone to Home Depot and Allied Fence, as well as the home's builder, about putting up the fence. All the sources had the wrong information. She said they were told to keep the fence 15 feet inside the property line in order to avoid utilities. They had added another eight feet, for a total of 23 feet. Fernandez said they spent \$9,681 for the fence and \$2,300 for 41 gallons of stain to cover 530 feet of wood privacy fence. She said they used the subdivision covenants for the guidelines, adding the actual City sales representative for Allied Fence was out on medical leave. They had also driven around the City and taken photos of various fences.

Fernandez continued there were several reasons they chose the taller privacy fence, including the security and safety of their children. The proximity to Sumner Road and SR 54 was an issue. The speed limit on Sumner Road was 30 miles per hour, but the majority of cars sped through much faster. Privacy and quality of life were also issues. There was noise from traffic on SR 54. Their commercial neighbors were another issue. Numerous vehicles came and went from the medical building, and the thrift store used their backyard as a storage area. The backyards of all the commercial areas were in need of attention. There was also concern about the stop sign and intersection at Sumner Road and Sumner Place Court. She noted that City Engineer Dave Borkowski had checked the visibility at the intersection because of the fence, and he had found no issue with the sight visibility. The fence also helped keep the deer in their front yard and out of the fenced-in area. Due to the topography, lowering the fence to four feet would not make a visual difference to drivers on Sumner Road and the house would continue to block the view from Sumner Road to Sumner Place Court.

Fernandez said they had looked at every way to fix the fence before applying for the variance. The company that installed it had refused to take any responsibility. It would cost more than \$5,000 to bring the fence into compliance. Since the wood fence had been stained, Home Depot could not re-use the fencing. The requirement for the 50% visibility meant the slats could not be wider than four inches apart. The slats were five and one-half inches wide, which was wide enough for the kids to go through. Fernandez apologized for the inconvenience they had caused, and she pointed out every corner lot was not in the same situation. She compared their situation to Centennial and Cedarcroft having the wood fence and concrete walls along the railroad tracks to help with the noise.

Rast said it was an interesting situation, and the applicants had worked with the Building Department, Allied Fence, and Home Depot to resolve the issue without any luck. Staff's position, however, was the variance should not be approved. In most cases, the intent of the fence ordinance was to have the streets as natural looking as possible. Sumner Road was not a designated scenic road, but when it was designed, the intent had been to preserve the existing vegetation along the edge of the road so it would have the appearance of a scenic road. The height was not the only issue; the solid wood barrier along the side of the road was.

The public hearing opened.

Joann Bennett said she had been the realtor for the applicants. They had discussed the fence with the builder, but the applicants had decided to wait to build the fence. Bennett said she was surprised to find that a local company had not followed the protocol and had not obtained a permit to build the fence. The applicants were new to the area, and they had depended on the local company to do things correctly. She did not know if anything could be done to keep this from happening again. From a real estate point of view, the fence had enhanced the value of the applicants' property, and it did not impede the view at the stop sign. The stain on the fence had been chosen to blend in with the trees.

No one else spoke. The public hearing closed.

King asked how much business the fence company had done with the City. Rast said he had not pulled the numbers, but it was substantial, and the company had applied for permits in the past.

Ernst asked if the fence at a home at the intersection of Parkgate/Blue Smoke Trail had needed a variance. Rast said the fence appeared to be newer and to have replaced a fence that had been there for years. There were fences that had not followed the ordinance in place. The fence at Parkgate/Blue Smoke Trail was one that staff had been looking at. Staff was trying to determine when the fence had been erected, as well as what ordinance had been in place at the time.

Fleisch was concerned about the look of the commercial properties behind the residential property, pointing out the commercial properties had recently been annexed. She asked what could be done to alleviate the conditions. Rast said he had pulled the conditions, and there were two separate issues. One was the Code Enforcement issue, and staff would have them address that the next day.

Rast continued there were several conditions for annexation, and one was for the developer of the medical building to work with staff on the landscape plan approved by the County to make

sure it adhered to City requirements, with an additional condition to supplement planting along the detention area and to screen the parking. That had not happened yet, and Rast said he would call the developer and landscape architect the next day. He had met with the original landscape architect. Fleisch clarified the conditions had not included a time frame for all of that to occur. Rast confirmed this.

Learnard said this was an unfortunate situation, and the issue was with the fence builder, not the City. She also had gone by the property, and she found the fence to be blocky and obtrusive, and not in keeping with the surrounding area. If Council approved this variance, then they might as well throw the fence ordinance out the window.

Ernst agreed, saying the action needed to be from the homeowner against the fence company.

Imker said the City had granted variances in the past for special circumstances, but in this case, the City needed to preserve the intent of the fence ordinance.

Fernandez said she had been reading the ordinances, and there was nothing in the code about houses that faced commercial properties. She said theirs was a special case, and there was an exception to every rule. There were four different problems.

King said he would like to help, but he had to agree that the fault was with the fence company not doing the right thing, and it was ultimately the homeowner's responsibility to ensure a permit was issued. He would like to bring the fence company in to discuss it, but there was no legal way for Council to do so.

Fleisch agreed, adding the commercial properties had been there for years and were not unknown to the applicants when they purchased the home.

Learnard moved to deny the variance request to the fence ordinance at 101 Sumner Place Court. Imker seconded. Motion carried unanimously.

01-14-03 Consider Agreement with CVB Executive Director

This agenda item concerned amendments to the employment agreement with Convention and Visitors Bureau (CVB) Executive Director Nancy Price following recommendations made by the CVB Board. The agreement addressed terms of employment, salary, and fringe benefits as well as the cost alignment between the CVB and the City. The CVB paid 80.9160% of the total compensation package and 100% of any additional payments they might provide to Price.

Learnard moved to approve the amended agreement with CVB Executive Director Nancy Price. Ernst seconded. Motion carried unanimously.

01-14-04 ~~Discuss/Consider Traffic Signal Application at SR 54 West/Line Creek~~

This item was removed from the agenda.

01-14-05 Discuss/Consider Traffic Engineering Study for SR 54 Corridor

Pennington said staff had been discussing the issues at SR 74/SR 54 and the SR 54 corridor. The biggest problem the City had was making long-term determinations for the corridor. Staff had expressed its concerns to the Georgia Department of Transportation (GDOT), and GDOT had indicated that the City would have to fund a traffic study to move forward, and they might be able to help. Staff recommended proceeding with the traffic study, which would be all-encompassing. There were two alternatives for Council to consider – either to go out for a

Request for Proposal (RFP) or to use the City's current consultant to begin the study as soon as possible. Pennington said, in his opinion, the study needed to move forward.

Learnard asked how Council would know the limits of the study, asking if there was list of what would be included. Borkowski said staff had a good outline of what needed to be studied and where, and it would include the entire corridor from City Hall to MacDuff Parkway, looking at every intersection and side street, including the future extension of MacDuff Parkway to SR 74. Learnard asked if the study would include what was in place and what needed to be done. Borkowski said it would look at the existing conditions and what could be done in the future to make it better, as well as what could be done 10 years from now.

Ernst asked if it would include what could happen between the City and Thomas Crossroads. Borkowski said background traffic growth would also be considered. Pennington said traffic came in from Coweta County and from Fayetteville. The City needed to know what happened at the traffic signals as the traffic picked up. He added staff needed to know what was happening, and whether MacDuff was sized properly and what would happen with the road in 10 years.

Ernst said he did not want to spend the money, but it appeared to be a necessary evil, adding the state could possibly help reimburse the City in the future. Pennington said there were a number of other sources for funding in the future, including the Atlanta Regional Commission (ARC), which controlled GDOT funding. Staff wanted to have something on the books and to be ready to go if the opportunity arose.

Fleisch said there was a suggestion to look at Planterra Way south with the possibility of a right turn, asking if that would be part of the study as well. Borkowski confirmed that it would be included.

King said the corridor had been a mess since the City had been in existence. There was a population center to the west and an employment center to the east. There would always be traffic. If there was any criticism on how the City was developed by its founders, it would be having the City located in the middle of a population and employment area. The study might help. It was a bottleneck, but conditions were nowhere near what was happening in Alpharetta or anything on the northside of Atlanta.

Borkowski said the study would be money well-spent from an engineering perspective because the City was being proactive. Staff would have something to take to the ARC and GDOT for grant funding. King said it was the state's road. Borkowski said it was not on GDOT's planning horizon at all.

Fleisch said the other part of the discussion with GDOT was that they rated the intersection of SR 54/SR 74 a "C," but the City rated it an "F."

Imker said \$70,000 for the study was outrageous. The City did not need to count traffic, but to look at the things that could be changed. The completion of MacDuff Parkway would change the entire dynamic since 25% of the traffic was there because MacDuff was not available to them. The traffic light synchronization was coming up in the spring. The study should be delayed.

Pennington said that was exactly why the study should be done now. The west side was moving forward, and the developers would be coming to Council soon asking for some changes in the

zoning. Something would happen eventually at Line Creek, and the question was how all that would fit together.

Imker said the developer should do a traffic study for MacDuff Parkway if one was done. He could not see the condemnation of 40 houses between SR 54 and the new development to add to MacDuff Parkway. Based on his own study, the developer could decrease the number of lots, which would reduce the number of people. Things would change with the synchronization, and it seemed premature to have a study done now.

Borkowski said one of the advantages to doing the study right away was the City could share travel demand forecast information with the developer, who would be required to do a study on MacDuff Parkway to know the impact of the development. Imker said there needed to be a list of alternatives to improve traffic, not traffic counts.

Fleisch asked if the study included more than traffic counts. Borkowski said the counts were an integral part of the study, but there had not been a comprehensive study of the corridor. It would also evaluate alternatives and look at out-of-the-box things.

Learnard said she liked data, and they had to start somewhere. The City could wait or it could start a study now with a snapshot of what the City had, enumerate the projections, and get started.

Imker said that the dynamics would be different in six months, and he did not see any solutions other than staying off the road during morning and afternoon rush hours.

Ernst asked how long the study would take. Borkowski said, if it started right away, staff should get the preliminary recommendations in three months. They could give that data to DOT.

Imker said the traffic patterns would change after the signal synchronization began, and GDOT would tell the City to do the study over. The study should be delayed. He reiterated \$70,000 was outrageous, and it should include solutions.

Learnard said there was a lot to think about, adding none of this was static and conditions would keep changing. She said the study was what needed to be done now to get the City to ground zero and moving in a positive direction. Imker said he would rather spend the money on possible solutions than traffic counts.

Pennington said the study was not a traffic count, but an all-inclusive transportation study. The City had lots of traffic counts, but it needed everything all together. Imker said he would need to see the statement of work. Learnard said that was a point well taken. Imker said he wanted to see what they would get for the money. He needed more than nebulous statements.

Imker moved to table the agenda item for further information. There was no second. The motion failed.

Ernst moved to approve agenda item 01-14-05, the traffic study, using the current proposal from the City's traffic consultant. Learnard seconded. Motion carried 3-2(Imker, King).

01-14-06 Consider Funding of Mayor and Council Salaries

Ernst moved to approve agenda item 01-14-06. King seconded.

Ernst said Council had been paid the same wage for many years. The ordinance was amended to increase the salaries in 2007, but the salary increases had never been budgeted. The economy had made a significant turn. City employees had received a pay raise in October. It was time to restore the increase to Council.

King said the minutes included good reasons to increase the salaries, but then the recession hit. A study was planned for City staff and compensation. Council and staff were looking at saving money in other areas. This was just one of the things that needed to happen. They did not need the money; it would be more of a reimbursement for service. If he was not worth it, the voters could fire him in two years.

Imker said that, in reading the memo, the salary for Mayor and Council had been in place for 22 years. The 2007 ordinance amendment became effective in 2010 when a new Council took office. However, due to the economic conditions, the Council properly made the decision to not take the salary increase. Council had foregone \$132,000 in salary since that time while the employees had been compensated with pay in lieu of raise and a 2% cost of living. He would not have considered this prior to the December 19 Council meeting when the City had gotten the best financial news it had received in four years.

Motion carried unanimously.

01-14-07 Consider Appointment of Council Representative to Serve on the CVB Board

Fleisch noted that there were a number of boards in the City, and a member of the City Council sat on the Convention & Visitors Bureau board.

Ernst nominated King to serve as Council representative to the CVB board. Learnard seconded. Motion carried unanimously.

Council/Staff Topics

Hot Topics Update

Pennington said the City still had not gotten any word from the County regarding when the dredging would start on Lake Peachtree. Staff would meet with the County on January 22, and they hoped to have more information then.

Pennington continued that the City had been notified that the County had started lowering Lake Peachtree to allow for maintenance on docks. The lowering was going slower than anticipated due to the excessive rain.

Pennington recalled that Imker had asked why there had been no swim team information included on the Recreation Department's monthly report for November. The problem at the time was the information had not been entered into the books. He said the rosters for the teams had been due on January 15, and to this point, \$7,097 had been collected in program fees.

Learnard noted that the Library closed at 6:00 p.m. on January 16 and would reopen on Tuesday, January 21.

Learnard moved to adjourn into executive session for pending/threatened litigation at 8:56 p.m. Ernst seconded. Motion carried unanimously.

Learnard moved to reconvene in regular session at 9:05 p.m. King seconded. Motion carried unanimously.

There being no further business, Learnard moved to adjourn the meeting. King seconded. Motion carried unanimously. The meeting adjourned at 9:06 p.m.

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor

STATE OF GEORGIA
COUNTY OF FAYETTE

After Recording Return to:
City Manager, City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Peachtree City STORMWATER FACILITY MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 7 day of January, 2014, by and between
(Insert Full Name of Owner) Hearthside at PTC, L.P. hereinafter called
the "Landowner", and the City of Peachtree City, hereinafter called the City. WITNESSETH, that
WHEREAS, the Landowner is the owner of certain real property described as (Tax Map/Parcel
Identification Number) 073518003 as recorded by deed in the land
records of the City of Peachtree City, Georgia, Deed Book 3944 Page 477, hereinafter
called the "Property".

WHEREAS, the Landowner is proceeding to build on and develop the property; and WHEREAS, the Site
Plan/Subdivision Plan known as Hearthside at PTC (Name of Plan/Development)

hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for detention of stormwater within the confines of the property; and

WHEREAS, the City and the Landowner, its successors and assigns, agree that the health, safety, and welfare of the residents of City of Peachtree City, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site stormwater management facilities as shown on the Plan be constructed and adequately maintained by the Landowner, its successors and assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities shall be constructed by the Landowner, its successors and assigns, in accordance with the plans and specifications identified in the Plan dated 4/5/12, titled Heartside at Peachtree City - Senior Housing on file in the office of the City Engineer and incorporated herein by express reference.
2. The Landowner, its successors and assigns, shall adequately maintain the stormwater management facilities. This includes all pipes, channels or other conveyances built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions. The Stormwater Structural Control Maintenance Checklists found in the latest edition of the *Georgia Stormwater Management Manual* are to be used to establish what good working condition is acceptable to the City.
3. The Landowner, its successors and assigns, shall inspect the stormwater management facility and submit an inspection report annually. The inspection shall be performed by a registered professional engineer with experience in stormwater facility design, construction, and maintenance. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report.
4. The Landowner, its successors and assigns, hereby grants permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management facilities whenever the City deems necessary. The purpose of inspection is to follow up on reported deficiencies and/or to respond to citizen complaints. The City shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.
5. In the event the Landowner, its successors and assigns, fails to maintain the stormwater management facilities in good working condition acceptable to the City, the

City may enter upon the Property and take whatever steps necessary to correct deficiencies identified in the inspection report and to charge the costs of such repairs to the Landowner, its successors and assigns. The Landowner shall be given notice of the deficiencies identified in the inspection report so as to take the necessary corrective action. Such corrective action shall be completed within thirty (30) days of the Landowner's receipt of such notice. In the event that the Landowner cannot complete such remedial action within this time period, the Landowner shall provide a schedule for completion, which schedule must be approved by the City. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Landowner outside of the easement for the stormwater management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the City.

6. The Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management facilities (including sediment removal) is outlined on the approved plans, the schedule will be followed.
7. In the event the City pursuant to this Agreement, performs work of any nature or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the City, and the Landowner agrees to hold the City harmless from any liability in the event the stormwater management facilities fail to operate properly.
9. This Agreement shall be recorded among the land records of City of Peachtree City, Georgia, and shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests.

WITNESS the following signatures and seals:

HEARTHSIDE AT PTC, L.P.

Company/Corporation/Partnership Name (Seal)

By: [Signature]

MANAGER, NS PARTNERS, LLC

IS: GENERAL PARTNER (Type Name and Title)

[Signature]
Witness

The foregoing Agreement was acknowledged before me this 7 day of January, 2014, by

[Signature]

NOTARY PUBLIC

My Commission Expires: Nov 27, 2016

COUNTY OF DeKalb, GEORGIA

MAUREEN K FREEHILL

NOTARY PUBLIC

DEKALB COUNTY, GEORGIA

MY COMMISSION EXPIRES NOVEMBER 27, 2016

Mayor of Peachtree City

Witness

The foregoing Agreement was acknowledged before me this ____ day of _____, 20____, by

NOTARY PUBLIC

My Commission Expires: _____

Approved as to Form:

City Attorney

Date

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager *[initials]*
Financial Services Director *Q.S.*
Assistant Financial Services Director *VB*
Accounting Manager
Purchasing Agent *[initials]*
Community Services Director *[initials]*

FROM: City Engineer *David A. Bolonski*

DATE: January 30, 2014

SUBJECT: Bid Award for TDK Bridge Repairs
February 6, 2014, City Council Meeting

Recommendation:

Staff Recommends awarding contract for handrail replacement to Massana Construction for the lump sum amount of \$22,697.

Discussion:

Because of the safety concerns and significant deterioration of the expansion joint on the TDK Bridge over CSX rail, staff had repairs designed and put out to bid. Three companies attended the pre-bid meeting and Staff received three bids.

Massana Construction	\$22,697
Engineered Restorations Inc.	\$34,500
Beatty Construction	\$64,300

Based on the bid documents and references, Staff recommends awarding the bid to Massana Construction.

Budget Impact:

There are funds available in the TDK Bridge Repair project (334-4110-541488) for this project.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: James Pennington, City Manager 
Paul Salvatore, Finance Director *P.S.*

FROM: Jonathan N. Rorie, Community Services Director 

DATE: January 24, 2014

SUBJECT: Facility Authority Bond Project Status
February 6, 2014 *City Council Meeting*

Discussion

Staff continues to make progress toward completion of authorized facility bond projects. At the beginning of the process we had identified thirty-six (36) initial projects. As the projects evolved, funding was shifted among the projects to meet greater priorities. In addition, staff continued to work on some projects by leveraging funding within departmental budgets to complete lower level needs. Based upon the thirty-six (36) initial projects:

- 28 - Projects were funded
- 24 - Projects have been completed
- 2 - Projects remain active and in progress
- 2 - Projects have been "parked" with initial funding re-allocated to other projects.
- 2 - Projects should be deleted from the list (Riley Field Sewer Upgrade, BSC Parking Lots)

At this time, contingency (unencumbered) amounts total approximately \$75,000. Staff is recommending that \$50,000 be re-allocated to fund Battery Way Boat Dock/Pier Replacement. Staff will present options for council consideration.

CITY OF PEACHTREE CITY
FUND 380 (FACILITIES AUTHORITY)
November 21, 2013

Project	Budget Status			Funding Balance Status			Project Balance 11/21/2013
	Budget as of 10/1/2013	Budget Adjustments	Amended Budget 11/21/2013	Previous FY Expenditures	To Date FY14 Expenditures	Encumbered as of 11/21/2013	
	=H5+I5		=SUM(J5;K5)				=L5+N5+O5+P5
Fire Department							
Station 81 Driveway & Parking Lot	-	-	-	-	-	-	-
Fire Department Parking Resurfacing	25,055	-	25,055	(25,055)	-	-	-
Station 82 Exterior Sealing	22,897	-	22,897	(22,897)	-	-	-
Station 82 Roof Remodel	-	-	-	-	-	-	-
Station 81 Exterior Sealing	23,901	-	23,901	(23,901)	-	-	-
Fire Dept Training Fac Upgrade	60,069	-	60,069	(60,069)	-	-	-
Station 83 Sewer	-	-	-	-	-	-	-
Police Department							
PD HVAC Upgrades	95,000	-	95,000	(95,000)	-	-	-
Public Works							
BSC Building Improvements	-	-	-	-	-	-	-
PW Breakroom & Restrooms	7,229	-	7,229	(7,229)	-	-	-
PW Fuel Pump Canopy	64,608	-	64,608	(64,608)	-	-	-
Bulk Oil Storage	13,680	-	13,680	(13,680)	-	-	-
Culture & Recreation							
Gathering Place Improvements	59,394	-	59,394	(59,394)	-	-	-
Recreation Admin. Building Upgrade	549,918	(11,396)	538,522	(533,122)	(5,400)	-	-
All Children's Playground	42,000	-	42,000	-	-	-	42,000
All City Pools Electrical Upgrade	45,000	-	45,000	-	-	-	45,000
BMX Tower/Pavilion Upgrade	3,741	-	3,741	(3,741)	-	-	-
BSC Parking Lots	-	-	-	-	-	-	-
BSC Irrigation Pump	62,013	-	62,013	(62,013)	-	-	-
Battery Way Boat Docks	-	-	-	-	-	-	-
Braelinn Field Upgrade	18,323	-	18,323	(18,323)	-	-	-
Cast House	10,114	-	10,114	(10,114)	-	-	-
City Tennis Court Upgrades	213,480	-	213,480	(193,620)	-	-	19,860
Tennis Center Improvements	240,679	881	241,560	(222,483)	(19,077)	-	-
Amphitheater Improvements	105,055	-	105,055	(105,055)	-	-	-
McIntosh Sanitary Sewer	196,168	(2,056)	194,112	(194,112)	-	-	-
Meade Field Electrical Upgrade	12,777	-	12,777	(12,777)	-	-	-
Riley Field Sewer Upgrade	-	-	-	-	-	-	-
Kedron Large Pool Resurfacing	29,650	-	29,650	(29,650)	-	-	-
Kedron Small Pool Resurfacing	13,475	-	13,475	(13,475)	-	-	-
Kedron Bubble Replacement	667,505	-	667,505	(667,505)	-	-	-
Library Exterior Sealing	105,743	-	105,743	(105,743)	-	-	-
Library Building Repairs	56,596	-	56,596	(56,596)	-	-	-
Library Roof Replacement	186,716	-	186,716	(186,716)	-	-	-
Amphitheater Box Office	-	-	-	-	-	-	-
Glenlock Rec Center	20,000	(137)	19,863	(19,863)	-	-	-
PIP Contingency	62,623	12,208	74,831	-	-	-	74,831
Issuance costs	2,162	500	2,662	(2,162)	(500)	-	-
\$ 3,015,571	\$	\$	\$ 3,015,571	\$ (2,808,903)	\$ (24,977)	\$	\$ 181,691

GA Public Library Grant

100,000

(100,000)

Interest Earnings FY 2013 (through August)

1,132

Prior Years's Interest of \$2,134 added to contingency for FY 2013 budget

Check

\$ 3,015,571

Proceeds of \$5,774,330 consisted of \$5,475,000 (bond par value) & \$299,330 (premium on bonds)
Costs associated with retiring debt consisted of the following:

Premium on Bond Redemption	\$18,532
2007 Brick & Mortar Principal (Note w/BB&T)	\$1,853,215
2006 Lease Principal (Energy Performance)	\$725,773
2007 B&M Interest	\$5,504
	<u>\$2,603,024</u>
Costs associated with issuance	\$159,001
Balance left for projects	\$3,012,305
Interest earnings for projects	\$3,266
	<u>\$5,774,330</u>

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: James Pennington, City Manager
Joseph O'Connor, Fire Chief

FROM: David Williamson, Fire Marshal

DATE: January 30, 2014

SUBJECT: Adoption of Amended Fire Protection and Prevention Ordinance

Recommendation:

Staff recommends that the City Council adopt the attached Amended Chapter 38 Fire Protection and Prevention Ordinance.

Discussion:

The following changes have been included in the proposed ordinance:

Adoption of the 2012 International Fire and NFPA 101 Life Safety Codes as modified by the Georgia State Fire Marshal's Office. Also adopts annexes of both codes.

Outlines the required clearance for fire hydrants and fire department connections as adopted by the State of Georgia State Fire Marshal's Office.

Appoints the Fire Chief as the authority having jurisdiction and the Fire Marshal as the fire code official for fire code interruption and enforcement.

Requires Board and Care, Assisted Living Communities and age restricted multifamily housing to be equipped with a NFPA 13 fire sprinkler system instead of a 13R fire sprinkler system.

Requires maintenance and reporting of records for fire safety systems via a third party as approved by Council on December 19, 2013.

Budget Impact:

There is no budgetary impact.

AN ORDINANCE TO AMEND CHAPTER 38, FIRE PROTECTION AND PREVENTION, OF THE PEACHTREE CITY CODE OF ORDINANCES, AS AMENDED, SO AS TO PROVIDE FOR THE ADOPTION OF THE NATIONAL FIRE CODES; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR APPEALS; TO ESTABLISH PENALTIES; TO PROVIDE FOR FALSE ALARMS; TO PROVIDE FOR FIREWORKS AND PYROTECHNICS ON CITY-OWNED PROPERTY; TO PROVIDE FOR AUTOMATIC FIRE SPRINKLER SYSTEMS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; 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 same:

Section 1. That Chapter 38, Fire Protection and Prevention, of the Peachtree City Code of Ordinances, as amended, is hereby repealed in its entirety and replaced as follows:

ARTICLE I. IN GENERAL

Sec. 38-1. Violation of abatement orders.

Any person served with a notice from the fire chief, or his designee, to abate any fire hazard shall comply with such notice and promptly notify the chief or designee.

Sec. 38-2. Obstruction of approach or visibility of fire hydrants and fire department connections

It shall be unlawful for any person, vegetation, or object to obstruct the approach or visibility of any fire hydrant or fire department connection closer than fifteen feet in any direction, parallel with the street access. A minimum three foot clear space shall be maintained around the circumference of fire hydrants and fire department connections. Any vegetation within this area must be maintained at a height even with or below the lowest level of the cap of the lowest discharge.

Secs. 38-3 – 38-30. Reserved)

ARTICLE II. FIRE PREVENTION CODE

Sec. 38-31. Adopted.

There is adopted by the council, for the purpose of prescribing regulations governing conditions to life and property from fire, explosion and hazardous materials and conditions, those certain codes known as the National Fire Codes, published by the National Fire Protection Association (NFPA), and the International Fire Code (IFC), 2012 or more recent edition, both as modified and

adopted as the state minimum fire safety standards, except whereas those state governing agencies have omitted the following:

- a) Section 103 Department of Fire Prevention,
- b) Section 105 Permits,
- c) Section 109 Violations,
- d) Section 112 Service Utilities,
- e) Appendix B, Fire-Flow for Buildings,
- f) Appendix C, Fire Hydrant Locations, and
- g) Appendix D, Fire Apparatus Access Roads in the International Fire Code 2012,
- h) Annex A, Explanatory Material in NFPA 101, Life Safety Code, 2012 or more current edition, the city hereby recognizes said sections.

Additionally, NFPA Standard 1, Fire Code, 2012 or more current edition will continue as a standard. The fire chief/fire marshal and the office of the city clerk will maintain copies of these codes. These codes are adopted and incorporated as fully as if set out at length in this section; and the provisions of such codes shall be controlling within the city, subject to all amendments, modifications, deletions, and conflicting provisions in this Code that do not provide standards less stringent than the state minimum fire safety standards. The fire chief shall be designated as the Authority Having Jurisdiction and the fire marshal shall be designated as the Fire Code Official.

Sec. 38-32. Enforcement.

The fire prevention codes adopted in this article shall be enforced by the chief, fire marshal and assistant fire marshal of the fire department.

Sec. 38-33. Appeals.

Whenever the fire code official of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the fire prevention code may have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire code official of the fire department to the chief of the fire department within 30 days from the date of the decision appealed. Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the fire prevention code may have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the council within 30 days from the date of the decision appealed.

Sec. 38-34. Penalties.

- (a) Any person who shall violate any of the provisions of the fire prevention code adopted in this article or fail to comply with such code, or who shall violate or fail to comply with any order made under such code, or who shall build in violation of any detailed statement of specification or plans submitted and approved under such code, shall, for each violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in

section 1-11. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within reasonable; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

- (b) The application of the penalty shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 38-35. False alarm definitions and procedures.

- (a) A false alarm shall mean the receipt by the fire department or 911 dispatch center via a private alarm monitoring service, (i.e. Tyco, Wells Fargo, Simplex, etc), or by responsible individuals on site, any audio and or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of smoke or fire, or
- (b) The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user by way of failure to properly maintain such system by a qualified technician or company specializing in routine installation and maintenance of an automatic fire alarm system in accordance with NFPA Standard 72, National Fire Alarm Code.
- (c) Once the fire department responds to any fire alarm, it shall be unlawful for the alarm panel to be reset by the owner of the premises or his/her designee until authorized by a fire department official (fire chief, fire marshal, or incident commander).
- (d) It shall be the responsibility of the owner or other responsible party to have his or her alarm system inspected, maintained, and repaired in accordance with the manufacturer's recommendations and NFPA Standard 72, National Fire Alarm Code. It shall also be the responsibility of the owner or other responsible party to provide satisfactory alternate fire watch for any malfunctioning fire alarm system when that system is required for operation of the facility.
- (e) The city and the city fire department assume no responsibility for alarm system problems or malfunctions between the individuals or businesses and their respective alarm company.

Sec. 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 period of 12 consecutive calendar months. For every subsequent preventable false alarm that occurs at the same premises within a

period of 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.

The false alarm violations set forth herein shall not apply if the false fire alarms were caused by severe weather, lightning strikes, power surges, or any other potential sources for which the responsible party has no control. The fire officer in charge shall have the responsibility to determine if a false fire alarm was due to foreseeable and preventable conditions or if it was due to extraordinary reasons beyond the control of the responsible party. Additionally, if the property or fire alarm monitoring company from which an alarm is received provides appropriate information to verify that the alarm is false prior to the arrival of the first responding fire unit, the on scene fire officer will confirm the accuracy of the information and the cause of the incident. Absent other infractions, the first two such alarms will be documented but not counted in the incidents that activate citations in accordance with subsection (a).

- (b) Once an establishment has been assessed a fine for excessive false fire alarms, the owner or occupant of the property must provide official documentation to include any necessary attachments from contractors of the status of the system, what if any portions of the system required replacement, and notification that the system is at 100 percent operational status. Documentation of repairs shall be sent to the fire department within ten working days of the date of citation being adjudicated.

Sec. 38-37. Permits.

The city fire department is authorized to establish, require, and issue permits, certificates, notices, approvals and orders pertaining to fire control and fire hazards pursuant to the National Fire Codes published by the National Fire Protection Association (NFPA), and the International Fire Code (IFC), 2012 or more current edition, both as modified and adopted as the state minimum fire safety standards. They may revoke a permit or approval based upon any violation of the Code found during inspection, or for which there have been misrepresentations or false statements submitted in the application or plans upon which the permit or approval was based

Sec. 38-38. Fee schedule.

Fees for fire department services shall be levied as set forth in the schedule of fees and charges adopted by the city council.

Sec. 38-39. Implementation.

The requirements of this ordinance are effective when approved. The fire chief is authorized to publish regulations, policies and procedures to implement these requirements, and may delegate enforcement of these requirements to the fire marshal and/or other designated fire officials.

Secs. 38-40 – 38-50 Reserved.

ARTICLE III. FIREWORKS AND PYROTECHNICS ON CITY-OWNED PROPERTY

Sec. 38-51. Definition.

Fireworks shall have the same definition as set forth in O.C.G.A. § 25-10-1, and shall mean any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including blank cartridges, balloons requiring fire underneath to propel them, firecrackers, torpedoes, skyrockets, Roman candles, bombs, sparklers, and other combustibles and explosives of like construction, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.

Sec. 38-52. Fireworks prohibited on city property.

The use, igniting, storage or manufacturing, sale, or exhibition of any and all fireworks, including pyrotechnic devices shall be unlawful on any city owned or controlled property other than residential streets; provided, however, that this prohibition shall not extend to any person or entity with whom the city has entered into a contractual agreement for the purposes of providing such devices, including but not limited to the July 4th display.

Sec. 38-53. Enforcement.

This article shall be enforceable by officials representing; code enforcement, the city police department, fire chief, fire marshal, or designee of the office of the fire chief.

Secs. 38-54 – 38-70 Reserved.

ARTICLE IV. AUTOMATIC FIRE SPRINKLER SYSTEMS

Sec. 38-71. Definitions.

Automatic fire sprinkler systems shall be required as noted in section 38-45. Automatic fire sprinkler systems are defined in those sections of the National Fire Protection Association, Fire Codes, specifically:

- a) NFPA 13 Standard for the Installation of Sprinkler Systems;
- b) NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes;
- c) NFPA 13R Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height;
- d) NFPA 14 Standard for the Installation of Standpipe and Hose Systems.

Sec. 38-72. Authority.

The fire chief or fire marshal or the fire department designated representative for the authority having jurisdiction shall have the authority to require water valves, sprinkler control valves, and/or standpipe connections where in his/her opinion it would benefit firefighters in controlling a fire in any structure. A sprinkler control valve and water flow device shall be provided for each floor. This is not to restrict the fire marshal having jurisdiction from requiring the installation of a water-based fire protection system and/or smoke detection system if, in the opinion of the fire marshal, and for the public interest, the health and welfare of the firefighters, and the protection of human life, such a system would serve to benefit all parties that may be affected by the type of construction, hazard of content, limited access to the structure, and for other purposes. Based on the type of construction and the tenants' ability to evacuate, the fire marshal shall have the authority to designate which system is best suited in each situation, but not less than the standard set by the requirements of the National Fire Protection Association.

Sec. 38-73. Requirements.

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

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

The multifamily occupancies identified below are required to be equipped with a NFPA 13 compliant fire sprinkler system:

Board and Care, Assisted Living Communities, age restricted multifamily structures.

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

- (b) Existing buildings, when required to have automatic sprinkler protection by subsection (a), shall be retrofitted for automatic sprinklers as required by the fire marshal in accordance with NFPA Standards when the cost of remodel or renovation exceeds 50 percent of the latest approved assessed value of the building. These buildings shall be required to upgrade to meet all current codes, standards, and ordinances as applicable for required fire protection and life safety systems.
- (c) Historical buildings may require an equivalency concept and working through of the process in conjunction with the historical society and NFPA 914 Code for Fire Protection of Historic Structures.
- (d) The owner or occupant of any building shall be responsible for having the system inspected and tested in accordance with NFPA 25 Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2011 Edition.

Sec. 38-74. Maintaining existing fire sprinkler systems or shutting off fire sprinkler systems.

- (a) Any existing fire sprinkler system in any structure shall be maintained to the extent recognized by the NFPA (National Fire Protection Association).
- (b) No person shall shut off, disable, or disarm any automatic fire sprinkler system except for the following purposes:
 - (1) In order to perform required or necessary service or maintenance to such system. Any such maintenance may be conducted after notice has been given to the fire department.
 - (2) In the event of accidental damage to the system that causes undo water flow.
- (c) In the event that a fire sprinkler system must stay off for an extended time due to repair or maintenance a fire watch may be required during that period. If required the fire watch is to remain in effect until such time that the system is returned to its full capacity.

Sec.38-18. Maintenance and Reporting of Records for Fire Safety Systems

Records of all system inspections, tests and maintenance required by the governing NFPA standard for the systems listed below shall be maintained on the premises for a minimum of three years and shall be provided to the City through a third-party inspection reporting system of the City's choosing, at a fee of not more than twenty dollars per system, per annum.

- a) Automatic Fire Sprinkler System
- b) Fire Alarm System
- c) Commercial Hood Cleaning
- d) Commercial Hood Suppression System
- e) Standpipe
- f) Active Smoke Control System

- g) Private Hydrant System
- h) Fire Pump
- i) Spray Paint Booth
- j) Emergency Generator

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, 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 adoption.

Done, Ratified, and passed this ____ day of _____ 2014.

Mayor

City Clerk City Council Attest

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Community Services Director 

FROM: Planning and Zoning Administrator 

DATE: January 30, 2014

SUBJECT: Consider Amendments to Article XI., Division 3 of the Land Development Ordinance related to Landscape Plan Procedures for Retail, Commercial and Industrial Properties
February 6, 2014 City Council meeting

Recommendation:

That Council adopt the amendments to the Landscape Plan Procedures for Retail, Commercial and Industrial Properties Ordinance as proposed.

Discussion:

Staff has been working with the Planning Commission in an effort to update our current landscape ordinance. The initial intent of this effort was simply to increase the total number of canopy trees required to meet tree replacement requirements. As we began to review the ordinance, we found additional items that we wanted to update and/ or strengthen as well.

Attachment "A" identifies those changes recommended by the Planning Commission as well as a number of housekeeping amendments proposed by Staff. Existing language that will be removed has been ~~stricken through~~ and language to be added has been **highlighted**. In addition, the entire ordinance has been reorganized to better reflect parking lot design standards and associated landscaping requirements.

At their meeting on December 5, 2013, the Planning Commission voted unanimously to forward the ordinance to City Council with a recommendation that it be approved (Attachment "B").

Budget impact:

There are no budget impacts associated with this request.

DIVISION 3.
PARKING LOT DESIGN STANDARDS AND LANDSCAPING REQUIREMENTS
FOR RETAIL, COMMERCIAL AND INDUSTRIAL PROPERTIES

Section 1108. Parking lot design standards.

All parking lots on property zoned for retail, commercial and industrial use shall be designed in accordance with the following:

- (a) Off-street automobile parking shall be provided in accordance with the schedule of minimum off-street parking requirements as identified within the city's zoning ordinance.
- (b) Permanent off-street automobile parking shall not exceed 125% of the minimum number of spaces required for the approved use as identified in the schedule of minimum off-street parking requirements ~~without first securing a variance from city council.~~
 - (1) Should a higher number of parking spaces be provided, the tree replacement requirements calculated for the additional paved surfaces (both impervious and pervious) shall be doubled and reflected on the landscape plan.
 - ~~(2) For those developments that exceed the minimum number of parking spaces required, no more than 50% of the total number of additional parking spaces shall be impervious. Pervious pavement shall be required within the remaining parking spaces up to, but not exceeding 125% of the minimum number of parking spaces required.~~
- (c) Parking lots shall be designed such that no more than 12 parking spaces are located in a continuous row without the provision of a planting island.
 - (1) Internal planting islands shall have a minimum width of 10' as measured from back of curb.
 - (2) Planting islands on the end of rows of parking shall be a minimum of 12' in width as measured from back of curb.
 - (3) The corners of all planting islands shall have a minimum ~~curve~~ radius of 3'.
 - (4) Parking spaces that abut a planting island shall be increased to 10' in width.
 - (5) Linear planting islands may be used to separate rows of parking. Where applicable, the linear planting islands shall be a minimum of 10' in width as measured from back of curb.
- (d) Planting islands shall be 100% landscaped with canopy trees, understory trees, evergreen shrubs and/ or groundcover in mulched beds.

- (1) Shrubs and/ or groundcover shall be maintained so as not to exceed 36" in height at maturity.
 - (2) Sod and/ or lawn areas shall not be permitted within planting islands.
- (e) The perimeter of all parking lots shall be landscaped with evergreen plant material.
 - (1) Individual plants shall be a minimum of 3-gallon in size and no less than 24" in height as measured from finish grade to the top of the shrub at the time of planting.
 - (2) The center of all planting holes shall be no closer than 36" from the back of curb or edge of pavement.
 - (3) Plants shall be installed in staggered rows at no less than 4' on center with no more than 2' between rows of shrubs.
- (f) A planting area of no less than 10' in width as measured from back of curb shall separate all parking lots, driveways and/ or service courts from an adjoining property line.
- (g) Plant material shall not obstruct the view between 24" and 60" in height adjacent to all access drives, internal streets and/ or parking aisles.
- (h) Wherever practicable, planting areas shall be located in front of and on the sides of retail, commercial and industrial buildings.
 - (1) Planting areas along the front of buildings shall be a minimum of 10' in width.
 - (2) Planting areas along the sides of buildings shall be a minimum of 6' in width.
- (i) Concrete wheel stops shall be provided in all parking spaces that abut a sidewalk.
 - (1) The center of each wheel stops shall be no less than 18" from the face of curb.
 - (2) In lieu wheel stops, the sidewalk may be increased to no less than 6' in width to ensure there is a clear, accessible route of no less than 48" in width on all areas of the sidewalk.

Section 1109. Screening requirements

All trash containment areas, utilities and mechanical equipment shall be screened in accordance with the following:

- (a) ~~An opaque wall or fence shall be used to screen heating, ventilation, air conditioning or other mechanical and utility equipment.~~

All heating, ventilation, air conditioning or other mechanical equipment shall be screened by an opaque wall or fence and/ or evergreen plant material.

- (1) The screening material shall exceed the height of the equipment by no less than 12" at the time of installation.
 - (2) The screening material shall be designed in such a manner as to not interfere with the operation of the equipment.
 - (3) Where applicable, the screening material shall be designed to be compatible exterior of the building.
- (b) Mechanical and/ or utility equipment located on the roof of a structure shall be fully screened from streets and/ or adjoining property.
- (1) Site line studies shall be provided as a part of the conceptual site plan and building elevation approval process to ensure the equipment is not visible.
 - (2) Baffles and/ or other noise reducing devices may be required to mitigate noise impact shall be provided where retail, commercial or industrial tracts adjoin residential property to mitigate noise impacts.
- (c) Equipment associated with the provision of on-site electric, cable, telephone, gas or other utilities shall be screened with evergreen plant material. It is understood that areas around certain utilities must remain clear in accordance with their requirements.
- (d) All trash containment devices, including waste grease containers, recycling areas, trash compactors and dumpsters, shall be enclosed within a trash containment area and located so as not to be visible from the adjoining streets and/ or properties.
- (e) Trash containment areas shall meet the following standards:
- (1) A masonry wall with a solid wood or metal gate shall enclose the back and sides of all trash containment areas.
 - (a) The masonry wall shall be a minimum of 8' in height or 2' taller than the highest point of the trash containment device.
 - (b) The masonry wall shall be finished in a manner to be which is compatible with the design, materials and color selections used on the principal building.
 - (c) All unfinished surfaces on the interior of the structure trash containment area shall be painted or stained black or dark brown.

- (2) All trash containment devices shall be placed on a concrete pad that is designed to provide adequate support for the device and to allow for positive drainage.
 - (a) The concrete pad shall extend a minimum of 8' in front of the trash containment area to provide support for the front wheels of the service vehicle.
 - (b) Grease receptacle containers shall be placed within appropriate spill containment devices.
- (3) The trash containment area shall conform to Peachtree City Water and Sewerage Authority and Fayette County Health Department regulations.
- (4) Rubber lids, rubber inserts and rubber feet shall be specified on all trash containment devices. ~~Additionally rubber inserts and rubber feet shall be used on all trash containment devices~~ to assist in reducing noise when the devices are being emptied.
- (5) The front of all trash containment areas shall be designed with a solid wood or metal gate with appropriate support posts and locking devices.
 - (a) The gate shall be a minimum of 8' in height or 2' taller than the highest point of the trash containment device.
 - (b) Gates shall be maintained in good working order and kept closed when the trash containment devices are not being used.
- ~~(7) Screening may not be required with the trash containment area is not visible from off-site.~~

Section 1110. Landscape plan specifications.

A landscape plan shall be provided for all new retail, commercial or industrial development ~~{not including individual lots for single-family residential purposes}~~ and shall comply with the following:

- (a) The plan shall be prepared and/ or signed and sealed by a Registered Landscape Architect licensed to practice in the State of Georgia.
- (b) The plan shall include a detailed summary of all site-related improvements and impervious area as identified herein
- (c) ~~The plan shall include 1 canopy tree and 1 understory tree for every 1,000 square feet of impervious area on the site.~~

The plan shall provide no less than 3 caliper inches of canopy trees and no less than 2 caliper inches of understory trees for every 1,000 square feet of impervious surface on the overall site.

Example:

A development site contains 68,000 SF of impervious surface.

Divide 68,000 by 1,000, which equals 68.

Multiply 68 x 3 to determine the total caliper inches of canopy trees required. In this case, a total of 204 caliper inches of canopy trees must be provided.

Multiply 68 x 2 to determine the total caliper inches of understory trees required. In this case, a total of 136 caliper inches of understory trees must be provided.

- (1) Each canopy tree shall be a minimum of 2 ½" in caliper.
 - (2) Each deciduous understory tree shall be a minimum of 2" in caliper.
 - (3) Each multi-trunk tree used as understory trees shall have a minimum of three canes, each of which shall be a minimum of 2" in caliper.
 - (4) Each evergreen understory tree shall be a minimum of 15-gallon in size or a minimum of 6' in height above finish grade at the time of planting.
 - (5) Sizing and grading standards for all plant material shall comply with the latest edition of the American Standard for Nursery Stock as prepared by the American Association of Nurserymen and adopted by the American National Standards Institute, Inc. (ANSI Z60.1).
- (d) All areas not devoted to structures, parking, driveways, site development features or the preservation of natural vegetation shall be landscaped.
- (e) Preservation of existing vegetation on a project site is highly encouraged.
- (1) For those developments that designate and maintain tree save areas other than vegetation located within tree save and/ or landscape buffers, undisturbed buffers, no impervious buffers, delineated wetland or floodplain areas, stream buffers, designated open space, watershed protection buffers or areas identified for future development, the city landscape architect and the planning commission may permit up to a 25% reduction in the total number of trees required by this ordinance.

Tree credit shall apply to canopy tree replacement requirements only and shall be determined as follows:

$$\frac{\text{Total SF of project site designated as tree save area}}{\text{Total SF of project site that can be developed}} \times 100 = \text{Potential tree credit (\%)}$$

Example:

The total developable area of a 2.3-acre tract is 1.4 acres (60,984 SF).

The Applicant is proposing to designate 6,500 SF as a permanent tree save area. The potential tree credit is calculated as follows:

$$\frac{6,500}{60,984} \times 100 = 11\% \text{ of potential tree save credit}$$

- (2) Special consideration shall may be given when specimen trees are preserved and protected on a project site. These trees shall be identified on the tree survey submitted as a part of the conceptual site plan review process and shall be inspected by the City Landscape Architect and/ or a Certified Arborist to determine the health of the tree.

In those instances where specimen trees are protected, the Planning Commission may consider a reduction in the total caliper inches of trees required by this ordinance.

- ~~(f) All plant material approved as a part of the landscape plan shall be installed and maintained in accordance with current industry standards.~~
- (f) It is recommended, but not required, that all planting and lawn areas include an underground irrigation system with a programmable timer and operational rain shut-off device.
- (1) If an underground irrigation system is not provided, a water source shall be provided no less than 100' from all planting areas.
- (2) The property owner shall be responsible for insuring the plant material is properly watered.
- (h) The city landscape architect may require additional vegetation to assist in re-naturalizing areas which visually impact public rights-of-way. The intent of this requirement is to supplement tree replacement requirements with smaller plant material (one-gallon maximum) in buffer areas that are void of vegetation

Section 1111. Landscape plan submittal requirements.

The Applicant shall submit two full size, one 11" 17" reduction, and an electronic copy in .pdf format of the landscape plan to the planning and zoning administrator, at which time they will be date stamped as received.

The landscape plan shall contain the following information:

- (a) Title of project and ~~physical~~ address of the site.
- (b) Site location map, north ~~arrow~~ point, and scale of drawing.
- (c) Name, address and telephone number of owner/ developer.
- (d) Name address and telephone number of the person who prepared the plan.

- (e) A detailed summary of existing site conditions as follows:

Site information:

	Total SF	Total acreage
Total site area		
Unbuildable area:		
- Flood plain, wetlands, etc.		
- Tree save and landscape buffers		
- Other buffers (unbuildable land)		
- Designated tree save areas		
Total unbuildable area		
Total buildable area		

Impervious area calculations:

	Total SF	Total acreage
Buildings, accessory structures, etc.		
Drives, parking, service courts, etc.		
Sidewalks, outdoor patios, etc.		
Detention areas		
Total impervious area		

- (f) The total number of canopy and understory caliper inches required to meet tree replacement requirements.
- (g) A detailed planting key, including the botanical and common name of all plant material; the quantity of each species; the size (caliper, height, width); condition, (i.e., balled and burlapped, container grown, bare root, collected, etc.); and special remarks (number of stems, color or bloom, etc.).
- (h) An estimated cost of the landscape improvements.
- (i) Pertinent site features, including buildings, sidewalks, drives, parking areas signs, site lighting, meter boxes, underground utility lines, curbing and the available water source.
- (j) Greenbelts, buffers, stormwater detention areas, drainage inlets and structures, wetlands and floodplain areas.
- (k) Site lighting poles, exterior mechanical equipment, underground utilities and associated easements.

Section 1112. Planting and maintenance criteria.

The following notes shall be required on all landscape plans submitted for review and approval:

- (a) All plant material shall comply with the latest edition of the American Standard for Nursery Stock as prepared by the American Association of Nurserymen and adopted by the American National Standards Institute, Inc. (ANSI Z60.1).
- (b) All plant material shall be maintained in compliance with the latest edition of the National Tree Care Standards as prepared by the Tree Care Industry Association (TCIA) and adopted by the American National Standards Institute (ANSI A300).
- (c) It shall be the duty of any person or persons owning or occupying property subject to this ordinance to maintain said property in good condition so as to present a healthy, neat, and orderly appearance. Property shall be kept free from refuse and debris. Planting beds shall be mulched with a minimum of three (3) inches of fresh mulch at least once each year to prevent weed growth and to maintain soil moisture. Plant materials shall be pruned as necessary to maintain good health and character. Turf areas shall be mowed periodically. All roadways, curbs and sidewalks shall be edged when necessary in order to prevent encroachment from adjacent grassed areas.
- (d) Where landscaping areas adjoin grassed rights-of-way, such areas shall be considered part of the landscaped area for purposes of maintenance. At of completion of site improvements, the property owner shall have an implied easement on rights-of-way extending from the site to the road pavement in order to complete the required maintenance.
- (e) A maintenance inspection of trees shall be performed periodically within and at the end of 3 full years from the date the Certificate of Occupancy is issued. Project owners at the time of the maintenance inspections are responsible for ordinance compliance.
- (f) The owners of the property and their agents, or assigns shall be responsible for the installation, preservation and maintenance of all planting and physical features shown on this plan. The owners shall be responsible for annual maintenance of the vegetation to include, but not be limited to, fertilization, pruning (within limits), pest control, mulching, mowing, protection of the root zones from equipment, construction and related material, watering schedule for irrigation system and any other continuing maintenance operations required to maintain the health and vitality of all plant

material. Failure to maintain all plantings in accordance with this plan shall constitute a violation of this ordinance and shall result in issuance of appropriate citations and/ or fines.

- (g) All plant material shall be allowed to reach its mature size and shall be maintained at its mature size. Except for trimming and pruning done in strict accordance with the terms, conditions and provisions of a permit issued by the city, vegetation shall not be cut or severely pruned or otherwise damaged so that their natural form is impaired. A violation of this section shall subject the violator to a fine as specified within the land development ordinance. In addition to this fine, the owner of the property where a violation has occurred shall be required to replace each unlawfully pruned, damaged, or removed tree with a tree of equal size as determined by the city.

Section 1113. Plant guarantee requirements.

In order to ensure the plantings approved as a part of the overall landscape plan remain in good health, the notes shall be provided on all landscape plans submitted for review and approval:

- (a) The property owner shall guarantee all plant material for a minimum of 3 years from date of acceptance by the city landscape architect and the issuance of a Certificate of Occupancy. Thereafter, the city landscape architect shall inspect said improvements and shall make a determination of whether or not the required trees and landscaping are healthy and have a reasonable chance of surviving to maturity. The Owner shall be notified by letter of any replacements or restoration that must be made to maintain compliance with this Ordinance. All unhealthy and dead plant material shall be replaced within 45 days of receipt of such letter in conformance with the approved landscape plan.
- (b) After development is complete, the city landscape architect shall continue to make random inspections to insure that all existing trees of protected size as well as replacement and/ or supplemental trees are maintained. Tree planting shall be required should any of these trees die, be removed, or be destroyed at any time after completion of development. This regulation applies to all projects regardless of the date the development permit or development approval was issued.

Section 1114. Landscape plan approval process.

- (a) The plan shall not be accepted until after the site is cleared and graded and the building is under construction.
- (b) The city landscape architect shall review the plan for conformance with these regulations. If the plan does not meet these requirements, the plan will be returned with comments and suggestions for correction. If the plan meets the requirements, the plan shall be placed on the next available planning commission agenda.
- (c) The planning and zoning administrator shall submit the results of the city landscape architect's review to the planning commission.
- (d) The planning commission shall review the plan, taking into consideration the requirements identified herein and the recommendation of the city landscape architect.
- (e) Should the planning commission approve the plan, a copy shall be returned to the developer with the approval inscribed thereon, along with a notation of any understandings and conditions.
- (f) If the planning commission does not approve the plan, the developer may resubmit, with necessary changes, following the same procedures as if it were an original application, or he may appeal the decision using the procedures set out herein.
- (g) All landscaping identified on the approved plan shall be installed prior to the issuance of a certificate of occupancy.
 - (1) In lieu of installing the plant material, a cash bond or other acceptable security in an amount equal to 125% of the city's estimated cost of the required improvements which have not been installed or are not installed in a satisfactory manner may be submitted to the planning and zoning administrator.
 - (2) Upon posting a bond or security, the developer shall have a one-year period in which to complete the required improvements in a satisfactory manner, or the bond or other security shall be forfeited and revoked, and the city shall then take whatever action is necessary to complete the required improvements.
 - (3) When a developer has installed the required landscaping improvements, he shall request that the planning and zoning administrator schedule an inspection by the city landscape architect. If the city landscape architect approves the installation, he shall submit a written report to the planning and zoning administrator, and the project shall be released for a certificate of occupancy. If the city landscape architect does not approve the installation, he shall submit a report stating his reasons for disapproval so the developer

can make the necessary corrections. A re-inspection fee, as established within the schedule of fees, shall be required for any required re-inspections.

**UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
December 9, 2013**

OLD AGENDA ITEM

**11-13-02 Consider Amendments to Landscape Plan Procedures for
Retail, Commercial and Industrial Properties Ordinance.**

Mr. Destadio pointed out that this item had been continued from the November 11 meeting, where the Commissioners had given Mr. Rast a handful of changes, additions, deletions, and modifications. He thought the draft Mr. Rast had provided looked pretty good.

Mr. Rast described the changes that had been incorporated into this draft and how they compared to the current tree replacement requirements. He used the Calpis numbers and showed two of the charts that would be shown on the new landscape plans. They would basically provide the total buildable area and the total impervious surface. The tree replacement would be based on the amount of total impervious surface. The Commissioners and Mr. Hayes agreed with Mr. Rast's proposal.

Mr. Rast noted that currently the ordinance requirement for canopy trees was one canopy tree for every 1,000 SF of impervious surface, and the minimum canopy was 2 ½" caliper. For every 1,000 SF of impervious surface, the minimum understory tree requirement was 2" caliper. The proposed wording was that "the plan shall provide no less than 3 caliper inches of canopy trees and no less than 2 caliper inches of understory trees for every 1,000 SF of impervious surface."

Mr. Destadio said the point was the minimum had been increased from 2-½" to 3", which was one of Ms. Wojcik's concerns, and the change would not significantly impact the developer. Ms. Wojcik pointed out they had said it cost quite a bit more for the extra half-inch trees. Mr. Rast said the city was still getting the same number of understory trees but they were larger.

Mr. Conner thought the whole concept was to get more caliper inches but still allow them to buy a 2-½" tree if they wanted to. They would just have to buy more of them. It was going to be based on a 3" caliper for the ratio.

The Commissioners agreed that in Section 1110, Landscape plan specifications, the wording should be changed so that each caliper tree must be a minimum of 2-½ caliper inches. The requirement for understory trees would remain at 2" caliper.

Mr. Destadio stated for the record that if someone could not put in all of the required trees, they could plant them elsewhere in the city.

Mr. Destadio thought Mr. Rast had done a great job going through all the comments.

Mr. Rast continued his review of the proposed changes to the ordinance and noted the following:

- Plant material approved as part of a landscape plan shall be installed and maintained in accordance with the current industry standards. These would be compared to national standards. The American standards for nursery stock were prepared by the American Association of Nurserymen and adopted by the American National Standards Institute. Any reputable contractor would know what that meant, and the nurseries that they buy from would also have to comply with those standards.
- A section was added regarding the special consideration the Planning Commission might give relative to preservation of specimen trees. He noted it said there "may," rather than "will," be a tree credit. The Commissioners liked "may" better. If we grant tree credit was granted, it would be for canopy trees only. No credit would be granted for understory trees. This was very similar to what was currently in the ordinance.
- The physical address of the site would be included on the landscape plans and would also be noted on the memos that were sent out.
- Language had been added to section K to require site lighting poles, mechanical equipment, underground utilities, and associated easements be shown on the plan.
- Section 1112 had been changed to Planting and maintenance criteria. Paragraphs A and B had been added relative to the plant material. The first one referenced the ANSI standard again. The second one dealt with the maintenance. There were tree care standards that had been written by the Tree Care Industry Association, and those had also been adopted by ANSI.

Mr. Rast stated that these amendments would give us a lot more teeth than what we currently had because we would be able to go to a document that any certified nurseryman or contractor should be following.

Mr. Rast said there would be fewer conditions of approval in the memos Staff prepared for the Planning Commission since the Applicant would be required to include certain notes on the plans they submitted for review.

In response to a comment from Mr. Destadio, it was pointed out that the owners were responsible for annual maintenance that included but was not limited to fertilization, pruning, pest control, mulching, mowing. However, this was not always the case. The ordinance had previously been changed to require that if the property changed ownership, the new owners would still be responsible for those maintenance responsibilities. The point was to stop repeating all these items in the conditions of approval and also is to make the landscape architects, or whoever prepares the plans, actually look at the ordinance and hopefully relay that to their client.

Mr. Jones asked what kind of added burden would be placed on staff to ensure property owners complied with Section 1113, Plant guarantee requirements. Mr. Rast said that hopefully after the first of the year, we would have some additional help with this. Mr. Destadio noted that the only change was from two years of maintenance to three so the Planning Commission had not increased the city's responsibility. He noted that when this was previously discussed, Mr. Rorie recognized how understaffed we were and it was decided not to change it at that time. Mr. Daily stated that it was also recognized this would probably be community-enforced. Peachtree City residents were not shy about bringing these things to staff's attention.

After discussion, a motion was made by Mr. Conner, seconded by Ms. Wojcik, and unanimously adopted that we approve 11-13-02 with the change to section 1110 C1, that each canopy tree shall be a minimum of 2 ½ inch caliper instead of 3 inches.

Mr. Rast was not sure when this would be on the Council agenda but stated they would like one or more of the Planning Commissioners to be there and perhaps participate in the presentation to show that the Planning Commission was initiating these changes.

AN ORDINANCE TO AMEND ARTICLE XI, DIVISION 3, OF THE PEACHTREE CITY LAND DEVELOPMENT ORDINANCE, AS AMENDED, TO ESTABLISH PARKING LOT DESIGN STANDARDS AND LANDSCAPING REQUIREMENTS FOR RETAIL, COMMERCIAL AND INDUSTRIAL PROPERTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

Section 1. Division 3. Landscape Plan Procedures for Retail, Commercial and Industrial Properties, be repealed in its entirety and amended follows:

DIVISION 3.
PARKING LOT DESIGN STANDARDS AND LANDSCAPING REQUIREMENTS
FOR RETAIL, COMMERCIAL AND INDUSTRIAL PROPERTIES

Section 1108. Parking lot design standards.

All parking lots on property zoned for retail, commercial and industrial use shall be designed in accordance with the following:

- (a) Off-street automobile parking shall be provided in accordance with the schedule of minimum off-street parking requirements as identified within the city's zoning ordinance.
- (b) Permanent off-street automobile parking shall not exceed 125% of the minimum number of spaces required for the approved use as identified in the schedule of minimum off-street parking requirements without first securing a variance from city council.
 - (1) Should a higher number of parking spaces be provided, the tree replacement requirements calculated for the additional paved surfaces (both impervious and pervious) shall be doubled and reflected on the landscape plan.
- (c) Parking lots shall be designed such that no more than 12 parking spaces are located in a continuous row without the provision of a planting island.
 - (1) Internal planting islands shall have a minimum width of 10' as measured from back of curb.
 - (2) Planting islands on the end of rows of parking shall be a minimum of 12' in width as measured from back of curb.
 - (3) The corners of all planting islands shall have a minimum radius of 3'.

- (4) Parking spaces that abut a planting island shall be increased to 10' in width.
 - (5) Linear planting islands may be used to separate rows of parking. Where applicable, the linear planting islands shall be a minimum of 10' in width as measured from back of curb.
- (d) Planting islands shall be 100% landscaped with canopy trees, understory trees, evergreen shrubs and/ or groundcover in mulched beds.
 - (1) Shrubs and/ or groundcover shall be maintained so as not to exceed 36" in height at maturity.
 - (2) Sod and/ or lawn areas shall not be permitted within planting islands.
- (e) The perimeter of all parking lots shall be landscaped with evergreen plant material.
 - (1) Individual plants shall be a minimum of 3-gallon in size and no less than 24" in height as measured from finish grade to the top of the shrub at the time of planting.
 - (2) The center of all planting holes shall be no closer than 36" from the back of curb or edge of pavement.
 - (3) Plants shall be installed in staggered rows at no less than 4' on center with no more than 2' between rows of shrubs.
- (f) A planting area of no less than 10' in width as measured from back of curb shall separate all parking lots, driveways and/ or service courts from an adjoining property line.
- (g) Plant material shall not obstruct the view between 24" and 60" in height adjacent to all access drives, internal streets and/ or parking aisles.
- (h) Wherever practicable, planting areas shall be located in front of and on the sides of retail, commercial and industrial buildings.
 - (1) Planting areas along the front of buildings shall be a minimum of 10' in width.
 - (2) Planting areas along the sides of buildings shall be a minimum of 6' in width.
- (i) Concrete wheel stops shall be provided in all parking spaces that abut a sidewalk.
 - (1) The center of each wheel stops shall be no less than 18" from the face of curb.
 - (2) In lieu wheel stops, the sidewalk may be increased to no less than 6' in width to ensure there is a clear, accessible route of no less than 48" in width on all areas of the sidewalk.

Section 1109. Screening requirements

All trash containment areas, utilities and mechanical equipment shall be screened in accordance with the following:

- (a) All heating, ventilation, air conditioning or other mechanical equipment shall be screened by an opaque wall or fence and/ or evergreen plant material.
 - (1) The screening material shall exceed the height of the equipment by no less than 12" at the time of installation.
 - (2) The screening material shall be designed in such a manner as to not interfere with the operation of the equipment.
 - (3) Where applicable, the screening material shall be designed to be compatible exterior of the building.
- (b) Mechanical and/ or utility equipment located on the roof of a structure shall be fully screened from streets and/ or adjoining property.
 - (1) Site line studies shall be provided as a part of the conceptual site plan and building elevation approval process to ensure the equipment is not visible.
 - (2) Baffles and/ or other noise reducing devices shall be provided where retail, commercial or industrial tracts adjoin residential property to mitigate noise impacts.
- (c) Equipment associated with the provision of on-site electric, cable, telephone, gas or other utilities shall be screened with evergreen plant material. It is understood that areas around certain utilities must remain clear in accordance with their requirements.
- (d) All trash containment devices, including waste grease containers, recycling areas, trash compactors and dumpsters, shall be enclosed within a trash containment area and located so as not to be visible from the adjoining streets and/ or properties.
- (e) Trash containment areas shall meet the following standards:
 - (1) A masonry shall enclose the back and sides of all trash containment areas.
 - (a) The masonry wall shall be a minimum of 8' in height or 2' taller than the highest point of the trash containment device.
 - (b) The masonry wall shall be finished in a manner ~~to be~~ which is compatible with the design, materials and color selections used on the principal building.
 - (c) All unfinished surfaces on the interior of the ~~structure~~ trash containment area shall be painted or stained black or dark brown.
 - (2) All trash containment devices shall be placed on a concrete pad that is designed to provide adequate support for the device and to allow for positive drainage.

- (a) The concrete pad shall extend a minimum of 8' in front of the trash containment area to provide support for the front wheels of the service vehicle.
 - (b) Grease receptacle containers shall be placed within appropriate spill containment devices.
- (3) The trash containment area shall conform to Peachtree City Water and Sewerage Authority and Fayette County Health Department regulations.
- (4) Rubber lids, rubber inserts and rubber feet shall be specified on all trash containment devices to assist in reducing noise when the devices are being emptied.
- (5) The front of all trash containment areas shall be designed with a solid wood or metal gate with appropriate support posts and locking devices.
 - (a) The gate shall be a minimum of 8' in height or 2' taller than the highest point of the trash containment device.
 - (b) Gates shall be maintained in good working order and kept closed when the trash containment devices are not being used.

Section 1110. Landscape plan specifications.

A landscape plan shall be provided for all new retail, commercial or industrial development and shall comply with the following:

- (a) The plan shall be prepared and/ or signed and sealed by a Registered Landscape Architect licensed to practice in the State of Georgia.
- (b) The plan shall include a detailed summary of all site-related improvements and impervious area as identified herein
- (c) The plan shall provide no less than 3 caliper inches of canopy trees and no less than 2 caliper inches of understory trees for every 1,000 square feet of impervious surface on the overall site.

Example:

A development site contains 68,000 SF of impervious surface.

Divide 68,000 by 1,000, which equals 68.

Multiply 68 x 3 to determine the total caliper inches of canopy trees required. In this case, a total of 204 caliper inches of canopy trees must be provided.

Multiply 68 x 2 to determine the total caliper inches of understory trees required. In this case, a total of 136 caliper inches of understory trees must be provided.

- (1) Each canopy tree shall be a minimum of 2 ½" in caliper.
- (2) Each deciduous understory tree shall be a minimum of 2" in caliper.
- (3) Each multi-trunk tree used as understory trees shall have a minimum of three canes, each of which shall be a minimum of 2" in caliper.

- (4) Each evergreen understory tree shall be a minimum of 15-gallon in size or a minimum of 6' in height above finish grade at the time of planting.
- (5) Sizing and grading standards for all plant material shall comply with the latest edition of the American Standard for Nursery Stock as prepared by the American Association of Nurserymen and adopted by the American National Standards Institute, Inc. (ANSI Z60.1).
- (d) All areas not devoted to structures, parking, driveways, site development features or the preservation of natural vegetation shall be landscaped.
- (e) Preservation of existing vegetation on a project site is highly encouraged.
 - (1) For those developments that designate and maintain tree save areas other than vegetation located within tree save and/ or landscape buffers, undisturbed buffers, no impervious buffers, delineated wetland or floodplain areas, stream buffers, designated open space, watershed protection buffers or areas identified for future development, the city landscape architect and the planning commission may permit up to a 25% reduction in the total number of trees required by this ordinance.

Tree credit shall apply to canopy tree replacement requirements only and shall be determined as follows:

$$\frac{\text{Total SF of project site designated as tree save area}}{\text{Total SF of project site that can be developed}} \times 100 = \text{Potential tree credit (\%)}$$

Example:

The total developable area of a 2.3-acre tract is 1.4 acres (60,984 SF).

The Applicant is proposing to designate 6,500 SF as a permanent tree save area. The potential tree credit is calculated as follows:

$$\frac{6,500}{60,984} \times 100 = 11\% \text{ of potential tree save credit}$$

- (2) Special consideration may be given when specimen trees are preserved and protected on a project site. These trees shall be identified on the tree survey submitted as a part of the conceptual site plan review process and shall be inspected by the City Landscape Architect and/ or a Certified Arborist to determine the health of the tree.

In those instances where specimen trees are protected, the Planning Commission may consider a reduction in the total caliper inches of trees required by this ordinance.
- (f) It is recommended, but not required, that all planting and lawn areas include an underground irrigation system with a programmable timer and operational rain shut-off device.
 - (1) If an underground irrigation system is not provided, a water source shall be provided no less than 100' from all planting areas.

- (2) The property owner shall be responsible for insuring the plant material is properly watered.
- (h) The city landscape architect may require additional vegetation to assist in re-naturalizing areas which visually impact public rights-of-way. The intent of this requirement is to supplement tree replacement requirements with smaller plant material (one-gallon maximum) in buffer areas that are void of vegetation.

Section 1111. Landscape plan submittal requirements.

The Applicant shall submit two full size, one 11" 17" reduction, and an electronic copy in .pdf format of the landscape plan to the planning and zoning administrator, at which time they will be date stamped as received.

The landscape plan shall contain the following information:

- (a) Title of project and physical address of the site.
- (b) Site location map, north arrow, and scale of drawing.
- (c) Name, address and telephone number of owner/ developer.
- (d) Name address and telephone number of the person who prepared the plan.
- (e) A detailed summary of existing site conditions as follows:

Site information:

	Total SF	Total acreage
Total site area		
Unbuildable area:		
- Flood plain, wetlands, etc.		
- Tree save and landscape buffers		
- Other buffers (unbuildable land)		
- Designated tree save areas		
Total unbuildable area		
Total buildable area		

Impervious area calculations:

	Total SF	Total acreage
Buildings, accessory structures, etc.		
Drives, parking, service courts, etc.		
Sidewalks, outdoor patios, etc.		
Detention areas		
Total impervious area		

- (f) The total number of canopy and understory caliper inches required to meet tree replacement requirements.
- (g) A detailed planting key, including the botanical and common name of all plant material; the quantity of each species; the size (caliper, height, width); condition, (i.e., balled and burlapped, container grown, bare root, collected, etc.); and special remarks (number of stems, color or bloom, etc.).
- (h) An estimated cost of the landscape improvements.
- (i) Pertinent site features, including buildings, sidewalks, drives, parking areas signs, site lighting, meter boxes, underground utility lines, curbing and the available water source.
- (j) Greenbelts, buffers, stormwater detention areas, drainage inlets and structures, wetlands and floodplain areas.
- (k) Site lighting poles, exterior mechanical equipment, underground utilities and associated easements.

Section 1112. Planting and maintenance criteria.

The following notes shall be required on all landscape plans submitted for review and approval:

- (a) All plant material shall comply with the latest edition of the American Standard for Nursery Stock as prepared by the American Association of Nurserymen and adopted by the American National Standards Institute, Inc. (ANSI Z60.1).
- (b) All plant material shall be maintained in compliance with the latest edition of the National Tree Care Standards as prepared by the Tree Care Industry Association (TCIA) and adopted by the American National Standards Institute (ANSI A300).
- (c) It shall be the duty of any person or persons owning or occupying property subject to this ordinance to maintain said property in good condition so as to present a healthy, neat, and orderly appearance. Property shall be kept free from refuse and debris. Planting beds shall be mulched with a minimum of three (3) inches of fresh mulch at least once each year to prevent weed growth and to maintain soil moisture. Plant materials shall be pruned as necessary to maintain good health and character. Turf areas shall be mowed periodically. All roadways, curbs and sidewalks shall be edged when necessary in order to prevent encroachment from adjacent grassed areas.
- (d) Where landscaping areas adjoin grassed rights-of-way, such areas shall be considered part of the landscaped area for purposes of maintenance.

At of completion of site improvements, the property owner shall have an implied easement on rights-of-way extending from the site to the road pavement in order to complete the required maintenance.

- (e) A maintenance inspection of trees shall be performed periodically within and at the end of 3 full years from the date the Certificate of Occupancy is issued. Project owners at the time of the maintenance inspections are responsible for ordinance compliance.
- (f) The owners of the property and their agents, or assigns shall be responsible for the installation, preservation and maintenance of all planting and physical features shown on this plan. The owners shall be responsible for annual maintenance of the vegetation to include, but not be limited to, fertilization, pruning (within limits), pest control, mulching, mowing, protection of the root zones from equipment, construction and related material, watering schedule for irrigation system and any other continuing maintenance operations required to maintain the health and vitality of all plant material. Failure to maintain all plantings in accordance with this plan shall constitute a violation of this ordinance and shall result in issuance of appropriate citations and/ or fines.
- (g) All plant material shall be allowed to reach its mature size and shall be maintained at its mature size. Except for trimming and pruning done in strict accordance with the terms, conditions and provisions of a permit issued by the city, vegetation shall not be cut or severely pruned or otherwise damaged so that their natural form is impaired. A violation of this section shall subject the violator to a fine as specified within the land development ordinance. In addition to this fine, the owner of the property where a violation has occurred shall be required to replace each unlawfully pruned, damaged, or removed tree with a tree of equal size as determined by the city.

Section 1113. Plant guarantee requirements.

In order to ensure the plantings approved as a part of the overall landscape plan remain in good health, the notes shall be provided on all landscape plans submitted for review and approval:

- (a) The property owner shall guarantee all plant material for a minimum of 3 years from date of acceptance by the city landscape architect and the issuance of a Certificate of Occupancy. Thereafter, the city landscape architect shall inspect said improvements and shall make a determination of whether or not the required trees and landscaping are healthy and have a reasonable chance of surviving to maturity. The Owner shall be notified by letter of any replacements or restoration that must be made to maintain compliance with this Ordinance. All unhealthy and dead plant

material shall be replaced within 45 days of receipt of such letter in conformance with the approved landscape plan.

- (b) After development is complete, the city landscape architect shall continue to make random inspections to insure that all existing trees of protected size as well as replacement and/ or supplemental trees are maintained. Tree planting shall be required should any of these trees die, be removed, or be destroyed at any time after completion of development. This regulation applies to all projects regardless of the date the development permit or development approval was issued.

Section 1114. Landscape plan approval process.

- (a) The plan shall not be accepted until after the site is cleared and graded and the building is under construction.
- (b) The city landscape architect shall review the plan for conformance with these regulations. If the plan does not meet these requirements, the plan will be returned with comments and suggestions for correction. If the plan meets the requirements, the plan shall be placed on the next available planning commission agenda.
- (c) The planning and zoning administrator shall submit the results of the city landscape architect's review to the planning commission.
- (d) The planning commission shall review the plan, taking into consideration the requirements identified herein and the recommendation of the city landscape architect.
- (e) Should the planning commission approve the plan, a copy shall be returned to the developer with the approval inscribed thereon, along with a notation of any understandings and conditions.
- (f) If the planning commission does not approve the plan, the developer may resubmit, with necessary changes, following the same procedures as if it were an original application, or he may appeal the decision using the procedures set out herein.
- (g) All landscaping identified on the approved plan shall be installed prior to the issuance of a certificate of occupancy.
 - (1) In lieu of installing the plant material, a cash bond or other acceptable security in an amount equal to 125% of the city's estimated cost of the required improvements which have not been installed or are not installed in a satisfactory manner may be submitted to the planning and zoning administrator.
 - (2) Upon posting a bond or security, the developer shall have a one-year period in which to complete the required improvements in a satisfactory manner, or the bond or other security shall be forfeited and revoked, and the city shall then take whatever action is necessary to complete the required improvements.

- (3) When a developer has installed the required landscaping improvements, he shall request that the planning and zoning administrator schedule an inspection by the city landscape architect. If the city landscape architect approves the installation, he shall submit a written report to the planning and zoning administrator, and the project shall be released for a certificate of occupancy. If the city landscape architect does not approve the installation, he shall submit a report stating his reasons for disapproval so the developer can make the necessary corrections. A re-inspection fee, as established within the schedule of fees, shall be required for any required re-inspections.

Section 1115. Alternative compliance.

- (a) Overview.

In those instances where the available land within a project site cannot bear the total number of canopy and/ or understory trees required by this ordinance, the city hereby establishes an alternative compliance program. Alternative compliance shall be limited to an off-site planting program as described herein.

- (b) Consideration of alternative compliance shall adhere to the following guidelines:

- (1) All canopy and understory trees that can reasonably be planted on a project site shall be provided. The remaining trees shall be considered for alternative compliance.
- (2) In no instance shall more than fifty (50) percent of the canopy and understory trees required by this ordinance be met through alternative compliance.
- (3) Requests for alternative compliance shall be considered as a part of the established landscape plan review process.

- (c) Off-site planting program.

Off-site planting provides an opportunity to utilize canopy and understory trees to re-vegetate city-owned property, open space, recreation facilities and road rights-of-way. Off-site plantings shall be permitted on city-owned property only. Locations for off-site plantings and species of trees shall be identified by the City Landscape Architect prior to preparation of the off-site planting plan.

Off-site planting shall be considered in accordance with the following guidelines:

- (1) An off-site planting plan shall be provided as a part of the landscape plan submittal package, and shall include, at a minimum, the location, species and size of all trees proposed to meet the established tree replacement requirements.
- (2) The landscape plan and the off-site planting plan shall be reviewed and approved by the City Landscape Architect and the Planning Commission as a part of the landscape plan approval process.
- (3) Off-site plantings shall be installed in accordance with current American National Standards Institute (ANSI) guidelines and procedures.
- (4) The Applicant shall guarantee all off-site plantings in accordance with the maintenance criteria and plant guarantee requirements identified herein.
- (5) All off-site plantings shall be installed and approved by the City Landscape Architect prior to the issuance of a certificate of occupancy as described herein.
- (6) The following note shall be provided on the approved off-site planting plan:

The plant material identified on this plan was approved by the City Landscape Architect and the Planning Commission in accordance with the city's off-site planting program. Along with the approved landscape plan, it is understood this off-site planting fulfills the tree replacement requirements for the _____ development located at _____ as established by the city's landscape ordinance. This off-site planting plan shall be attached to the approved landscape plan and shall be maintained by the City Landscape Architect.

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

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

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

This _____ day of _____ 2014.

Vanessa Fleisch, Mayor

Attest:

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Community Services Director

FROM: City Engineer *David A. Bokorsli*

DATE: January 24, 2014

SUBJECT: Signal Application – Overlook development on Line Creek Dr.
February 6, 2014, City Council Meeting

Recommendation:

Staff recommends that a signal application be signed by the City and forwarded to the Georgia Department of Transportation (DOT) for their review of a proposed signal at SR 54 and Line Creek Drive.

Discussion:

The Overlook developer has submitted a traffic study analyzing the impacts of the total proposed development. The study recommends installing a traffic signal at the intersection of Line Creek Drive and SR 54 based on projected traffic conditions.

City staff contacted the DOT and requested a review regarding the installation of the traffic signal. The DOT process requires the city to submit a signal application to begin the review process. The developer will be making a formal presentation requesting a signed signal application be forwarded to the DOT for review.

The Existing traffic conditions at Line Creek Drive, Planterra Way, and MacDuff Parkway consists of several movements with Level of Service (LOS) ratings of F. Staff fully expects that a signal at Line Creek Drive will increase delays on SR 54 during peak times. However a signal would enhance safety for motorists accessing development on Line Creek drive.

Therefore, in order to keep the process moving, Staff is recommending that a signal application be forwarded to the DOT so staff can work with the developer and the DOT on any required improvements.

Staff will have completed the technical review of the new traffic study before the Council Meeting.

Should Council proceed with a signal application, Staff will forward the application to DOT for their review. Because the proposed location of the signal does not meet GDOT distance standards between traffic signals and because of existing traffic flow delays on SR 54, GDOT will be assessing the impact of the additional signal or other alternatives very closely in their review.

Budget Impact:

Submittal of the signal application will not have a substantial budget impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *[Signature]*
Community Services Director *[Signature]*

FROM: Planning and Zoning Administrator *David*

DATE: January 30, 2014

SUBJECT: Consider Authorizing City Staff and the City Attorney to Initiate the Abandonment Process for the Roads and Rights-of-Way Associated with Line Creek Drive and Line Creek Court.
February 6, 2014 City Council meeting

Recommendation:

That Council provide guidance as to whether or not to authorize City Staff and the City Attorney to initiate the road and rights-of-way abandonment process for Line Creek Drive and Line Creek Court.

Discussion:

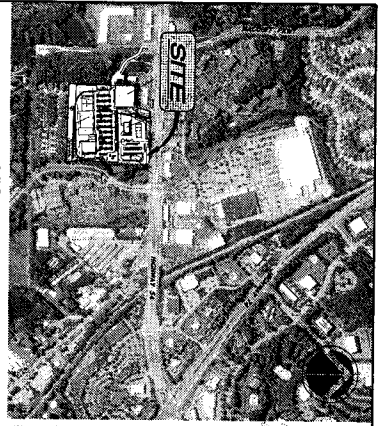
On January 17, 2014, LAI Engineering submitted the conceptual site plan submittal package for The Overlook retail center, which would be located on the former Line Creek Office Park tract. The proposed development would include a total of 82,554 SF of retail space, not including the proposed RaceTrac or two outparcels. The development as proposed would not require a Special Use Permit.

In order to accommodate the development as proposed, the Applicant is requesting that the city abandon a portion of the road and rights-of-way associated with Line Creek Drive and Line Creek Court. An appraisal of this property estimates the Market Value at \$100,000.

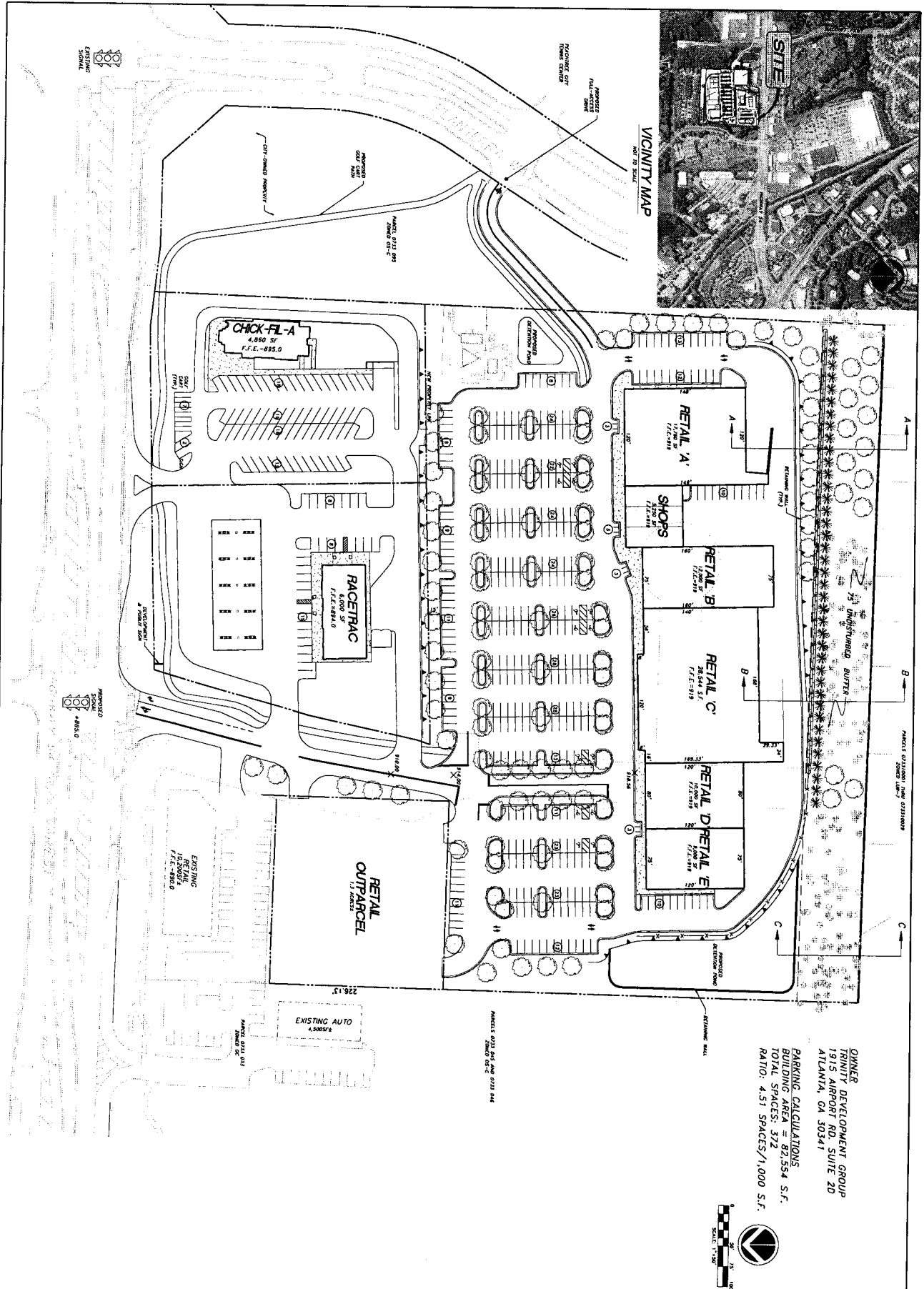
LAI Engineering will be requesting that City Council authorize City Staff and the City Attorney to begin the abandonment process.

Budget impact:

Negative budget impacts would be limited to the City Attorney fees associated with the abandonment process.



VICINITY MAP
Hwy 70 State



OWNER
TRINITY DEVELOPMENT GROUP
1915 AIRPORT RD. SUITE 20
ATLANTA, GA 30341

PARKING CALCULATIONS
BUILDING AREA = 82,554 S.F.
TOTAL SPACES: 372
RATIO: 4.51 SPACES/1,000 S.F.



REVISIONS

THE OVERLOOK
LINE CREEK DRIVE AT HWY 54
TRINITY DEVELOPMENT

LAND LOT 9C, DISTRICT 7

PEACHTREE CITY, GEORGIA

LAI ENGINEERING
1800 PARKWAY PL. - STE. 720
MARIETTA, GA 30067
PHONE: 770.423.0807
FAX: 770.423.1262
WWW.LAIENGINEERING.COM



JOB NO 10188	DWG NAME 12188 CSP 12
SHEET 1	DATE 12/17/2013
CONCEPT PLAN	

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Community Services Director 

FROM: Planning and Zoning Administrator  David

DATE: January 30, 2014

SUBJECT: Consider Request to Allow Private Road Connection Across City Property from The Overlook Retail Development to Planterra Way.
February 6, 2014 City Council meeting

Recommendation:

That Council provide guidance as to whether or not to authorize City Staff and the City Attorney to initiate selling and/ or swapping city-owned property to accommodate a private road connection from The Overlook retail development to Planterra Way.

Discussion:

On January 17, 2014, LAI Engineering submitted the conceptual site plan for The Overlook retail center, which would be located on the former Line Creek Office Park tract. The proposed development would include a total of 82,554 SF of retail space, not including the proposed RaceTrac or two outparcels. The development as proposed would not require a Special Use Permit.

The site plan proposes a private road connection across city-owned property to connect the development to Planterra Way. Should Council desire, the property required for the road connection can be sold or swapped for a tract of land of equal to or greater value.

LAI Engineering will be seeking guidance from City Council as to whether or not they would consider this road connection and, if so, if they would authorize City Staff and the City Attorney to work with them to begin the acquisition process.

Budget impact:

There are no budget impacts associated with this request.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

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

FROM: City Engineer 

DATE: January 31, 2014

SUBJECT: Multi-Use Path from Peachtree City to Senoia
February 6, 2014, City Council Meeting

Staff has been approached by the City of Senoia to participate in the design of a multi-use path that would connect Peachtree City to the City of Senoia along Rockaway Road. Staff will present a PowerPoint detailing the conceptual route, proposed connections, costs/funding sources and how it fits into our master plan of the area.

At the conclusion of the presentation Staff will request direction from Council on whether to draft an inter-governmental agreement and allocate funding, or to decline the request from the City of Senoia.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: James Pennington, City Manager *JP*
Paul Salvatore, Financial Services Director *P.S.*
Kelly Bush, Assistant Financial Services Director *KB*
Angela R. Egan, Purchasing Agent *AE*

FROM: H.C."Skip" Clark II, Chief of Police *SC*

DATE: January 31th, 2014

SUBJECT: Police Department firearms transition and Brand Name Purchase
Consent Agenda – February 6th, City Council Meeting

Recommendation:

Staff recommends the purchase of Brand Name GLOCK 17 and GLOCK 26 as replacements of our current service pistols, the Sig Sauer P220 and GLOCK 27. Staff further recommends utilizing our existing weapons, duty gear, and ammunition as a trade in to minimize the transition cost.

Discussion:

The department's Firearms Instructors were tasked with evaluating department's current service firearms, the Sig Sauer P220 (.45 cal) and GLOCK 27 (.40 cal) to determine if we should stay with our current firearms or make a transition to new service firearms. It is their recommendations that we should transition to the GLOCK 17 (9mm) for patrol and the GLOCK 26 (9mm) for CID or special assignment.

Based on several unique features and service and support reliability, the Police Department believes the GLOCK best meets these needs for the Department's service pistols. Some of the key differences that contributed to the selection of the GLOCK were its ease of serviceability and interchangeability of parts. In addition, the proximity of the manufacturer's US headquarters in Smyrna, GA, will ensure access to GLOCK's customer support.

There are several advantages to purchasing the GLOCK. The GLOCK is a double action firearm in contrast to our current double action/single action pistol. This allows for more consistent shot to shot trigger pressure, and theoretically should improve shooting accuracy as well as aid in teaching shooting fundamentals to newer shooters. The GLOCK has adjustable back straps that allows for individual modifications based on the shooters hands, allowing for a better grip and control of the weapon.

Although the department would be transitioning from a .45 caliber to a 9mm round, advancements in ballistics have minimized the differences. This advancement in technology allows the focus to be on shot placement and not bullet size, weight, or speed.

By transitioning to the GLOCK 17 and 26 the Department standardizes the ammunition to 9mm department-wide, as opposed to deploying .45 caliber and 9mm. This will result in annual savings of 20% in ammunition purchasing.

Bids were received from four local GLOCK authorized distributors, with requests made for trade-in allowances for our existing firearms, duty gear, and ammunition. Results are as follows:

VENDOR	GLOCK & DUTY GEAR ACQUISITION COST	TRADE-IN ALLOWANCE	Transition Cost
Ed's Public Safety	\$45520.80	\$35570.00	\$9950.80
GT Distributors	\$42307.10	\$32914.00	\$9393.10
KEEPRS	\$42699.62	\$34130.00	\$8569.62
Smyrna Police Distributors	\$42496.00	\$40260.00	\$2236.00

Budget Impact:

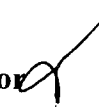
Although the transition is not a previously budgeted request, the Department is requesting authorization to trade in their existing equipment to offset the transition cost. Additionally, the Department will utilize existing budgeted money for duty gear and accessory replacements towards the transition. This budgeted amount is used annually to replace worn and broken duty gear. The balance of the transition cost, \$2,236.00, will be expended from the current uniform budget.

Annual Budgeted Duty gear/Accessory replacement funds	\$ 3570.00
<u>Smyrna Police Distributors</u>	<u>-\$ 2236.00</u>
Amount remaining in duty gear budget	\$ 1334.00

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Financial Services Director *P.S.*
Assistant Financial Services Director *128*
Accounting Manager
Purchasing Agent *one*
Community Services Director 

FROM: City Engineer 

DATE: January 30, 2014

SUBJECT: Bid Award for Lake Peachtree Bridge Handrails
February 6, 2014, City Council Meeting

Recommendation:

Staff Recommends awarding contract for handrail replacement to Beatty Construction for the lump sum amount of \$56,000.

Discussion:

Because of the safety concerns and significant deterioration of the handrails on the pedestrian bridge over Lake Peachtree, staff had repairs designed and put out to bid. Three companies attended the pre-bid meeting and Staff received two bids.

Beatty Construction	\$56,000
Massana Construcion	\$65,188
Engineered Restorations	No bid

Based on the bid documents and references, Staff recommends awarding the bid to Beatty Construction.

Budget Impact:

There is \$44,000 budgeted in this project account (334-4110-541493). If approved by Council, Staff recommends transferring \$12,000 from the TDK Bridge Repair project (334-4110-541488) to make up the balance, as this project is under budget.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: James L. Pennington, City Manager 
Paul Salvatore, Financial Services Director *p.s.*
Angela Egan, Purchasing Agent 

FROM: Jonathan N. Rorie, Community Services Director 

DATE: January 30, 2014

SUBJECT: Landscape Maintenance Contract Award
February 6, 2014 City Council Agenda

Recommendation

Recently the city received bids for outsourcing citywide landscape maintenance services to include services for:

- State Roadways- SR54 and 74
- Primary Roads-37 total roads including Peachtree Parkway, Macduff Parkway, Kedron Dr. etc.
- Right-of-Way(ROW) Tree Trimming
- Subdivision and Other Landscape Islands-500 locations throughout the city
- Municipal Facilities and Parks- 12 Municipal Facilities (City Hall, PD, FD's etc.) and 12 City Parks.

The city received three bids from the following Metro Atlanta companies.

*True Green	\$343,797
*Brickman Group	\$361,479
*Valley Crest	\$794,295

**The amounts above do not include bid pricing for ROW tree trimming.*

Staff recommends that City Council award the bid for landscape services using a hybrid In-source/Outsource approach. Specifically, staff recommends outsourcing service delivery for the landscape maintenance services to the low bidder in three (3) different categories:

- Brickman Group, LTD be awarded an annual bid totaling \$49,000 for landscape maintenance services along SR 74 and SR 54.

- ValleyCrest Landscape Maintenance, Inc. be awarded an annual bid for a not to exceed amount of \$100,000 for Right-of-Way Tree Trimming along Primary and Secondary Roads
- True Green Landcare, LLC. be awarded an annual bid totaling \$129,500 for landscape services for subdivision and city landscape islands

In addition, staff recommends in-sourcing landscaping services for landscape services along Primary and Secondary roads, and within Municipal Facilities and Parks. To accomplish in-sourcing, the city will need to hire four (4) full-time personnel and two (2) seasonal/temporary workers. Also, the city will need to absorb start-up costs associated with equipping the personnel for the task. The initial FY 2014 estimated cost for personnel and equipment is approximately \$170,000. Beginning in FY 2015, the annual ongoing cost for personnel and equipment is estimated at \$223,000.

Discussion:

In FY 2014, a total of \$226,789 is budgeted for landscape services; therefore, if all landscape services were awarded to the lowest bidder, the city would realize an unbudgeted cost **increase** of roughly \$118,000.

Over the course of the last few years, the city has realized advantages and disadvantages from outsourcing the production of services, but regardless of who provides the service, the city is still held accountable for the quality of the product or service as measured by public opinion. Since the outsourcing of Landscaping began in FY 2010, the results have been marginal at best with common complaints regarding how the city does not look as good as it used to.

Simply put, we must re-think our service delivery models that are cost effective and maximize the use of our resources. Under our proposed service delivery model, annual funding will be utilized to award contracts to multiple vendors and hire additional personnel to produce the service. The intent is to place performance accountability on the production side so that choice and competition can be achieved.

Budget Impact

The estimated cost for outsourcing to three (3) different vendors in FY 2014 is approximately \$278,500. Additionally, the estimated cost for personnel, equipment, and related supplies to in-source portions of landscape service is estimated at \$170,000 for FY 2014. Overall, the total estimated increase in cost in FY 2014 is approximately \$221,711. In FY 2015 an estimated increase of \$275,000 over the current FY2014 budget.