



CITY COUNCIL

Kim Learnard, Mayor

Frank Destadio, Mayor Pro Tem | Laura Johnson, Post 1

Suzanne Brown, Post 2 | Clinton Holland, Post 3

SCAN FOR AGENDA
PACKET



Regular Meeting Agenda
September 5, 2024 | 6:30 PM
City Hall

1. **Call to Order**
2. **Pledge of Allegiance and Moment of Silence**
3. **Announcements, Awards, Special Recognition**
4. **Public Comment**
5. **Agenda Changes**
6. **Minutes**
 - A. August 15, 2024 City Council Meeting Minutes
 - B. August 15, 2024 Executive Session Minutes
7. **Consent Agenda**
 - A. FY2024 Budget Amendment - Back to School Bash Sponsorship - American Black Belt Academy of Peachtree City
 - B. FY 2024 Budget Amendments – DARE Fund donation
 - C. UKG Agreement for a Human Resources software system
8. **Old Agenda Items**
9. **New Agenda Items**
 - A. 09-24-01 SR 54 @ Huddleston Intersection Improvements
- Funding Source: 2017 SPLOST Project #7 - 321-4220-541400-SP17-007 and FCDA Grant.
 - B. 09-24-02 Demolition of Old Animal Shelter @ 1262 SR-74
- Funding Source: Station 85 Construction – South Side 322-3510-541300-SP23-010
 - C. 09-24-03 Kedron Aquatic Center Roof Replacement
- Funding Source: Kedron New Roof 230-6122-541200-CIP23-29
 - D. 09-24-04 Phase II Environmental Assessment of Flat Creek Outfall Property
- Funding Source: City Manager Professional Services Fund 100-1320-521200.
10. **Public Hearings**
 - A. 09-24-05 Zoning text amendment to the Administrative Variance ordinance (Robin Cailloux)

- B. 09-24-06 Variance request for 127 Loblolly Drive for side setback encroachment (Mike Leady)
- C. 09-24-07 Variance request for 196 Westberry Street for maximum fence height increase (Jerry and Sianna Afari)

11. Council/Staff Topics

12. Executive Session

13. Adjourn

It is the policy of the City of Peachtree City that all city-sponsored public meetings and events are accessible to people with disabilities and are in compliance with Title VI of the Civil Rights Act of 1964. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA or need assistance per Title VI, please contact the City's Title VI and ADA Coordinator, Dr. Teaa Allston-Bing at (770) 632-4276 or e-mail tallston-bing@peachtree-city.org at least three (3) business days before the scheduled meeting or event to request an accommodation.

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

This meeting will be held in Council Chambers at City Hall

City Council of Peachtree City
Meeting Minutes
Thursday, August 15, 2024
9:30 AM

Call to Order

The Mayor and Council of Peachtree City met in regular session on Thursday, August 15, 2024. Mayor Kim Learnard called the meeting to order at 9:30 a.m. Council members attending: Laura Johnson, Suzanne Brown, Clinton Holland, and Frank Destadio. Councilman Holland left to go to a training class after the vote to appoint the new City Manager.

Holland moved to shift Consent Agenda item A to the front of the meeting. Destadio seconded. Motion carried unanimously.

Brown moved to place Consent Agenda item B under Old Business on the agenda. Destadio seconded. Motion carried unanimously.

Holland moved to approve Consent Agenda item A, appointment of Justin Strickland as City Manager. Destadio seconded. Motion carried unanimously.

Pledge of Allegiance and Moment of Silence

Announcements, Awards, Special Recognition

None

Presentation

A. Safer Streets for All - Federal Grant

City Engineer Dave Borkowski introduced Richard Fangmann of Pond & Co. for an update about the Safer Streets and Roads for All action plan for Fayette County and its municipalities. He said Paola Kimbell was the project manager on the Fayette County side. The Georgia Department of Transportation (GDOT), the Federal Highway Administration, and the Atlanta Regional Commission (ARC) were also involved.

As they looked for ways to provide safer transportation systems, Fangmann said data was important, but they also needed community input. The paths and trails networks were being considered in addition to roads. He listed the core elements of the Safe Systems approach: safe road users, safe vehicles, post-crash care, and safe speeds, then went over what they would do to implement this approach.

Fangmann went over the timeline, pointing out that the first public meeting would be August 27 in Fayetteville, with several pop-up events planned throughout the county in August and September. The study would wrap up around the end of the year, with the final plan presentation in February. He went over the preliminary data that had been gathered, showing a county map that indicated areas that had the

highest concentration of crashes. He said more data would be forthcoming in about a month.

Learnard asked about the federal grant that was funding this, and Fangmann said it was a direct award grant to Fayette County.

B. 2024 Community Survey

Interim Assistant City Manager Yasmin Julio said the City conducted a survey of residents every year, and in 2023 began to utilize Zencity for this. This year's survey ran from May through July, and Zencity's Lee Feldman joined the meeting virtually to review some of the results. This year there was a sample size of 1,236 residents, which Feldman said was large for a community Peachtree City's size. He noted the demographics of the sample were consistent with the city's demographics.

The survey showed that 91% of the respondents were satisfied with life in Peachtree City, adding that this was the only city he had seen that had zero negative responses for two consecutive years. He went on to more specific questions, which had generally positive responses, and Feldman noted that the question about waste and recycling services saw a big jump in favorability. The widest variance dealt with the ability of citizens to give input to government and the availability of jobs that paid a living wage. Residents were very happy with the overall safety of Peachtree City.

Feldman showed that Peachtree City scored highest in all categories, when compared to several other Georgia cities. He indicated they should be especially proud of the high marks regarding ease of getting around by public transportation, attributing that to the path system. Free text responses showed that the cart paths were what people loved, and that traffic was what they wanted changed.

The survey also included some rotating questions. One asked if respondents would support a city-wide mandatory trash and curbside recycling program, and 58% said they would. Learnard said she found that very interesting.

Another question asked what respondents considered a living wage in Peachtree City, and 73% said between \$40,000 and \$124,999, and 28% said between \$75,000 and \$99,999. The survey showed that 56% considered affordable housing costs to be between \$750 and \$1,499 a month, while 22% pegged it as between \$1,000 and \$1,250.

The majority of respondents felt that the City could improve transparency and increase citizen input by setting up an online platform for submitting feedback and suggestions. Others felt it could be improved through regular surveys.

Destadio said he was glad to see people were leaning towards a trash pickup program, which had been a years-long issue.

Brown asked how they determined the bracket for the income levels, and Feldman said they used the breakdown that the Federal Census used. If Peachtree City wanted to do a survey on affordability issues, they could come up with a number that was more fine-tuned. Brown said she asked because they used \$50,000 as the average wage they were striving for when trying to attract industry. Was that enough? Feldman suggested using percentages of the average median income.

How did they get the information from the other cities? Johnson asked. Zencity conducted a national poll twice a year, Feldman replied. Johnson said this was great information.

Learnard noted the high number of respondents and that it was statistically accurate. She said she would leave it up to Strickland and staff to determine if a plan of action was needed.

Public Comment

Dan Bell told Council he and many residents were concerned about the deer population and the dangers the deer posed on the roadways. He asked Council to look at this, gather data, and explore solutions. In addition to posing a danger to motorists, deer were spreaders of tick-borne diseases.

Ralph Hail wanted to talk about short-term rentals (STRs) and asked Council to adopt an ordinance to regulate them, as had been discussed for many months. He said he was against STRs, but if they were going to exist, they needed to be regulated and licensed like any business.

Keith Larson noted that the Parks and Recreation Master Plan was due to be delivered to Council next month for approval, and he said a citizen advisory board, although called for, was never formed. The only public input was a single survey, and several local groups, such as the Southside Cycle Club, the Peachtree Running Club, and the Triathlon Club, were not consulted until the City Manager stepped in at Larson's request. Larson suggested the City Manager share the plan with the public for two weeks prior to its presentation to Council.

Agenda Changes

Motion made to move Consent item A to the beginning of the meeting.

APPROVED 5-0

Motion made to move Consent item B to Old Agenda items.

APPROVED 5-0

Minutes

Johnson moved to approve the July 30 and 31, 2024, City Council retreat minutes, the August 1, 2024, City Council meeting minutes, and the August 1, 2024, executive session minutes. Brown seconded. Motion carried unanimously.

A. July 30 and 31, 2024 City Council Retreat Minutes

APPROVED 4-0

B. August 1, 2024 City Council Meeting Minutes
APPROVED 4-0

C. August 1, 2024 Executive Session Minutes
APPROVED 4-0

Consent Agenda

A. Appoint Justin Strickland as City Manager
APPROVED 5-0

B. Crosstown and Peachtree Parkway Roundabout 100% Design Proposal
Motion to approve in the amount of \$51,250.
APPROVED 3-1(Brown)

Old Agenda Items

At a previous meeting, the 60% design was approved by Council, and Borkowski was now seeking authorization to proceed to the 100% design at a cost of \$51,250.

Brown said some Council members had received an email that morning from former Council Member Mike King, and she would like to discuss some of the issues he had brought up. Learnard asked at what time she received the email, and Brown replied at 8:22 a.m.

Strickland said Borkowski had been given King's questions and could respond. The first regarded reaction from the neighbors, and Borkowski said they had met with the Brookfield homeowners association (HOA) many months ago. The HOA was concerned about the greenbelt on the northeast corner of the intersection. The design showed about 50 feet of the greenbelt being left undisturbed, and the City was willing to do a landscape plan and perhaps add a fence to help with screening and noise.

Johnson asked if the HOA thought that was sufficient, and Borkowski said it did. That was not part of the 100% design; they would have to get a separate proposal and add it before it was bid out. Strickland said they would do the civil engineering, then add the landscaping, and Borkowski said they could bring it back to Council for approval.

King also mentioned that the relocation of utilities would be extensive and asked how long homes would be without power. Borkowski said it would take at least a year just to move everything. The power, telecom, and gas companies would be notified they had to move out of the rights-of-way, and they would do it themselves, generally at no cost. Water line relocation was budgeted at \$250,000.

Destadio asked if the relocations would be done by boring or digging up the road? Borkowski said it was up to the contractors, but he was sure boring would be part of it. The shoulders, not the whole intersection, would be torn up, and power to the neighborhoods would not be shut off for any significant length of time.

The email also said that the traffic issues were only in the morning and afternoon. Borkowski said that was often the case at any intersection; how much delay was acceptable? They had been addressing this issue for more than 20 years. Strickland noted that the studies they had done showed this was a failing intersection. Traffic backed up for several hundred feet at peak hours, Borkowski remarked.

King also mentioned that private property might have to be purchased, and Borkowski said they would have to purchase right-of-way from the bank on the northwest corner and also from the retirement community on the southwest corner. This was common for transportation projects.

King asked why not construct a lane from the entrance of Mucklow's eastward to the intersection to allow the traffic to flow freely for southerly commuters. Southward traffic to the Parkway could be restricted to the left lane and the right lane restricted to turning westward. Borkowski remarked that they had looked at this intersection many times, and the recommendation from traffic engineers every time was to build a roundabout.

Destadio said he did not want them to tear everything up with no plan for putting it back together correctly. He was looking for the least impact to the residents.

Learnard said there were several recommendations over the years indicating that this failing intersection required a roundabout. She noted that Pond & Co.'s Fangmann, who she said was the region's foremost expert on traffic safety, told them that day that roundabouts reduced congestion, improved safety, and reduced injury rates.

She went on to comment that it was an interesting approach for someone who had a concern to send one email, omitting the Mayor, one hour before the meeting was to start. Council was accessible and could have had these conversations at the appropriate time, she remarked.

The Mayor recalled that Borkowski and then-Interim City Manager Bernie McMullen had been more than satisfied with the conversations they had with the Brookfield HOA. Any kind of improvement would cause disruption, but they needed to keep in mind that the end game was increased traffic safety and throughput. The County had just built a roundabout a little to the south at Peachtree Parkway and Redwine Road.

Learnard said one thing she always bragged about was that this Council tackled long-standing issues. This intersection project had been in the books for more than 20 years; there was \$1.5 million from the 2004 SPLOST still earmarked for this. Learnard also mentioned that the last Recreation Master Plan was done in 2011, and this Council had commissioned a new one. Taking care of long-deferred maintenance at City facilities was another issue this Council had tackled. The roundabout was one more thing on a list that had been deferred for decades that needed to be done for the benefit of the City, and she said they would do everything possible to minimize disruption to citizens, but it was time to fix this problem.

Destadio said he had found people did not know how to drive through roundabouts, and he hoped there would be adequate direction. He thought they needed to look at this intersection, and they had the money to do it. He said he did not get the email, either, but King asked good questions and he was satisfied with Borkowski's answers. He told Borkowski he wanted to see the design with the final landscaping plan included. Strickland said they could provide that before they put the bid out.

Brown stated that she did not think answering questions from citizens was a problem and said she wondered if the cost justified doing this. Many people had expressed concerns about what was next because they feared creating a traffic circle here meant they would be opening up TDK Boulevard. She said she had addressed that, but people were fearful.

Strickland said when they got 100% on civil, they could meet with the HOA and get them to sign off on the design of the buffer. Destadio said that was reasonable.

Johnson said she was glad to hear from the Pond and Zencity people. The maps Fangmann presented showed fewer accidents at roundabouts. This was a failing intersection. The word cloud that Zencity shared showed that citizens valued safety and wanted traffic fixed. The roundabout would be a solution. She noted that it hurt to grow sometimes, but the sacrifices would be short-lived, and this would benefit the city in the long-term.

Johnson moved to approve Old Agenda item, Crosstown and Peachtree Parkway Roundabout 100% Design Proposal with funding from the 2017 SPLOST in the amount of \$51,250. Destadio seconded and said they should add the approval of the landscaping to the final proposal. Motion carried 3-1, with Destadio, Johnson, and Learnard voting in favor, Brown in opposition.

New Agenda Items

A. 08-24-05 Ordinance #1223 Council meeting time amendment

At its July 30 and 31 retreat, Council discussed eliminating the 2x2 sessions and incorporating work sessions, which were allowed under Georgia's Open Meetings Act as long as a quorum was present and information was posted as required. Council requested these work sessions be held as the first meeting of every month at 9:30 a.m. The second meeting of the month would be at 6:30 p.m. and would be the regularly scheduled Council meeting. Council had wanted to implement this in September, but due to advertising requirements for public hearings, the effective date would have to be October 1, Julio reported.

Brown moved to approve Ordinance 1223 to amend City Ordinance Sec. 2-32, Time and Place of Meeting. Destadio seconded. Motion carried unanimously.

B. 08-24-06 Ordinance #1224 Public Participation amendment

This was another topic that came up in the retreat. Julio noted that the Zencity survey showed an inability to share information with government was a topic of

concern to citizens, and this was a way to allow them more of a voice. It was also a step in the process of moving policies into ordinances. Julio said Council would be amending the current ordinance to allow citizens to speak about items on that meeting's agenda.

Brown questioned if the speaker should be required to give their address, noting that some people had rather that not be announced in public. She suggested that speakers just state their neighborhood. The other Council members said they would be fine with that.

Brown moved to approve with the recommended amendment. Destadio seconded. Motion carried unanimously.

C. 08-24-07 FY2025 Convention and Visitors Bureau Budget

Convention and Visitors Bureau (CVB) Executive Director Tyler Runyon said the CVB Board of Directors had unanimously approved the fiscal year 2025 budget of \$1,004,586. He pointed out that the new budget contained a line item for enhancements and incentives to enable his team to be more aggressive about attracting new business that would boost the hotel/motel tax. The CVB was in the midst of a rebrand and full web rebuild that should launch at the end of January.

Among the CVB's accomplishments since he took on the job five months ago, Runyon said they had brought in five baseball tournaments with the potential for seven or eight more, resulting in more room nights in local hotels and spending in the city. He said there had been a year to date increase of 5.2% in hotel nights. Runyon also mentioned community events sponsored by the CVB such as Hops and Props and Wine and Warbirds.

Brown asked again about the hotel rooms, and Runyon said there was an 8% hotel/motel tax that was divided between the City and the CVB. Residents did not pay the tax; it came from outsiders visiting the city.

Johnson thanked Runyon for examining the CVB's operations and finding ways to be better. She moved to approve the FY 2025 budget for the Peachtree City CVB. Destadio seconded. Motion carried unanimously.

D. 08-24-08 FY2025 Keep Peachtree City Beautiful, Inc. Budget

Keep Peachtree City Beautiful (KPTCB) Director Al Yougel asked Council to approve an FY 2025 budget of \$176,337. It projected revenue of \$46,873 in franchise fees, assessed at \$1 per customer each quarter. Other revenues came from contracts with the City to pick up litter and maintain waste bins along the multi-use paths and at Line Creek.

He went over expenses, highlighting \$2,000 that they paid the City towards tax preparation. Contract labor and printing costs had gone up.

Yougel mentioned that since COVID, there had been a 350% increase in the amount of cardboard brought into the recycling center. He said they closed the recycling center from 5 p.m. on Saturday until Monday morning. Drop offs were not all recyclables—people left Styrofoam, furniture, and toys. Brown said they needed to find a better option.

Strickland noted they had talked about changing the fees for the waste haulers, and Yougel proposed \$1 a month. Strickland said he wanted to get several people together to talk about what that money would fund. Would the extra revenue be enough to fully staff the recycling center and have someone to check IDs? The biggest logistical hurdle to closing it was that that City vehicles had to have access in order to fuel up.

Brown moved to approve the budget as submitted. Johnson seconded. Motion carried unanimously.

E. 08-24-09 Plumbing Code update

Planning and Development Director Robin Cailloux explained that Peachtree City was within the Metropolitan North Georgia Water Planning District, which had adopted a five-year strategic plan as required by State law. The first item in the plan was adoption of an update to the building plumbing code to increase water efficiency in several ways, the most obvious being reduced maximum flow in kitchen and bathroom fixtures. The City transmitted the proposed plumbing code amendments to the Department of Community Affairs (DCA), and it was approved.

Learnard asked if every city was doing this, and Cailloux said every one in the district, which extended to the Tennessee line. Destadio asked about the reduction in water flow for residential fixtures, and Cailloux replied that was only for new construction.

Brown made a motion to approve the proposed changes to the plumbing code. Destadio seconded. Motion passed unanimously.

Public Hearings

A. 08-24-10 Variance request for rear setback encroachment, 515 Clearwater Cove

Cailloux showed the property on a zoning map, pointing out that it backed up to the Three Ponds area. A site plan included the outline of the house, and Cailloux indicated the deck that encroached into the rear setback. This house was built at a time when building permits were not required for decks. She said there had been several similar variance requests because of this in this neighborhood.

The existing deck encroached into the 20-foot rear setback by about 11 feet. The homeowners were proposing increasing the size of the deck from 12x14 to 12x19 and enclosing a portion of it to create a sunroom. She listed other properties on this street that had similar variances granted over the years. Two were for 10-foot encroachments, and one was for two feet.

The ordinance stated that there were six criteria that should be proved in order for a variance to be granted. These included special circumstances applicable to the property and that not granting the variance would result in unnecessary hardship.

The applicant was not present. Cailloux said they were informed of the hearing, and a sign was posted on the property.

The Mayor opened the public hearing. No one wished to speak in favor or in opposition to the request, and she closed the hearing.

Learnard said she did not see that this would be materially detrimental. She drove through this neighborhood and was glad to see homeowners wanting to improve their property.

Brown said the fact that the applicants did not address any of the six criteria was a problem, as was the fact that they were not present. They did not have to be present, she went on, but their application packet should contain enough information to convince Council to grant the request.

She indicated she had a detailed analysis of the six criteria and could go through it, but the point was that she did not think this should be approved because they did not meet those requirements, even though the deck had been there since 1996. The City had a right to protect its green spaces, such as Three Ponds. She said she understood it was difficult to find properties that met all of a family's needs, but she could not support this.

Destadio's sticking point was the enlargement of the deck and that it was going vertical, as well. He said he could not see going against the ordinance just because somebody wanted a sunroom.

The footprint expanding from 14 to 19 feet was not into the rear setback, so Johnson said that was not a concern of hers. Cailloux said even replacing what was there would require a variance. Cailloux explained if Council did not grant a variance, the owners would have to remove the deck. She told Council they could grant exactly what had been requested or something else, such as maintaining a deck at the existing size but not enclosing it. They also could never repair more than 50% of the deck without a variance, she said.

If Council denied this, could they come back in six months with a different request? Learnard asked, but Cailloux said they would have to remove the deck if this was

denied. If they wanted to go to court, the court date would probably be past the six-month timeframe.

If they came back, asked Johnson, would they have to start again by paying the fees and the wait time? Cailloux said they would, although Council could waive the fee; the time would be the same.

Could Council grant a variance that day to enable the homeowner to keep the existing deck? Learnard inquired, and Cailloux said yes. Brown said she would support granting a variance only to the exact footprint and current build of the existing deck.

City Attorney Ted Meeker noted that the setbacks were in place at the time of construction, so the deck had always been illegal, and the 50% rule would not apply. If Council wanted to allow them to keep and maintain the deck in its current situation, then a variance for the existing footprint would have to be approved.

Johnson said it was her understanding that the homeowner initially was looking to replace the deck, and then the project grew. She could support replacing the deck to the size it was.

Brown asked if there were side setbacks on this property? Cailloux told her that it was zoned General Residential (GR), which allowed for zero side setbacks, but required a minimum of 10 feet between building structures.

Meeker proposed a motion to approve a variance that complied with the existing footprint of the deck but nothing further. He said that included maintenance in the existing deck area. So moved, said Brown. Johnson seconded. Motion carried unanimously.

B. 08-24-11 Variance request for increased parking, 705 Highway 54 W

This was a bank building in the Peachtree Corners shopping center. It was developed under the old development ordinance, and the new owners wanted to redevelop it, again as a bank, but as a smaller building.

They were planning on razing the entire site, and the ordinance said when that was done, they would have to come into compliance with the current development standards. One of those was parking ratio requirements that said a building of this size would have a minimum of 14 spaces. The ordinance set a 125% cap, and the applicant was requesting 24 spaces. Cailloux noted this was less than the 31 currently on the site.

If approved, the applicant would be required to replace tree caliper inches on the property at a double rate. This would be calculated only for the increased amount of impervious surface (the 10 extra parking spaces), which was about 1,600 square feet. The ordinance said that equaled a tree replacement of about three trees,

which when doubled was six additional trees. Right now, there was a 30-foot buffer between the parking and the State right-of-way, and they would be increasing that buffer to 60 feet to comply with current development standards. There would be plenty of space in that additional 30 feet for those six trees, Cailloux remarked.

She reminded Council of the six criteria for variances that they must consider.

Matt Brockelman represented VyStar Credit Union represented the applicant. He said they included responses to the six criteria in their application packet. He introduced Bob Corley from Sevan Multi-Site Solutions to assist with technical questions. Brockelman gave a brief overview of VyStar, saying they were a military-based credit union with nearly a million members in north Florida and Georgia.

The Mayor opened the public hearing. No one wished to speak either in favor or in opposition, and she closed the hearing.

Destadio noted that the ordinance called for caliper inches, not a specific number of trees, but Cailloux said she could take the minimum caliper inches required and convert it into the number of trees. These would just be additional trees; they still had to plant the required number of trees throughout the property. If this variance was approved, the next step would be approval of the conceptual site plan by the Planning Commission. Landscape plan approval came near the end of the construction process.

Learnard verified that the additional space from the reduced amount of parking would allow doubling of the buffer along SR 54, and Cailloux said that was correct. Learnard remarked that she had no problem with additional trees and welcoming a new business.

Brown remarked that although the bank that was there now was closed, there were a number of cars parked in the lot. Brockelman said he, too, had seen that, and the cars all seemed to be parked on the side near the Chick-fil-A. They knew their parking lot was likely to be used by patrons of surrounding businesses, and that was fine. Brown asked why so many spaces would be left adjacent to Chick-fil-A as opposed to moving them to the other side of the property? Corley said that layout allowed for better traffic flow for the drive thru.

Brown also asked if they were amenable to setting up spaces for golf cart parking? Would they be installing bicycle racks? Neither of these were required, she added.

Corley said VyStar provided bicycle parking at all its locations and would be willing to look at golf cart parking. Brockelman said they could not make a commitment, but it was a conversation they were having. Cailloux said the Planning Commission could require it during the conceptual site plan process.

Johnson noted that golf cart parking did not count towards the parking requirement. Cailloux said most developers did not want to put more parking in than they needed, but they did not have to build the maximum number and could use extra spaces for carts. These were conversations that the Planning Commission could have.

Brown asked what their business model required, and Corley said 24 spaces; there would be eight full-time employees, plus customer spaces and two ADA spaces.

Brown moved to approve the variance as submitted. Johnson seconded. Motion carried unanimously.

C. 08-24-12 New Alcohol License - 9292 Korean BBQ, 220 City Circle, Suite 500

9292 Korean BBQ in The Avenue had requested a license to sell beer, wine, and distilled spirits with Sunday sales. There would be a positive impact to the City budget this year of \$2,750 and \$5,500 going forward, Deputy City Clerk Stacey Collins reported. The applicant and location met all requirements.

The Mayor opened the public hearing. No one wished to speak in favor or in opposition. The Mayor closed the public hearing.

Brown moved to approve. Johnson seconded. Motion carried unanimously.

Council/Staff Topics

Upcoming Events

Learnard mentioned Night Market the next evening at Drake Field, the American Junior Golf Association Tournament going on at Planterra, and the shredding event on August 24.

Parking Requirements

Over the last few years, Cailloux told Council, they had identified a growing issue in the Zoning Ordinance with the minimum parking requirement and the 125% maximum, specifically with banks and medical offices. In businesses that were already developed, she said staff had come up with creative solutions involving unmarked, unpaved areas, but that was not sustainable or a position they would like to be in, and she said she would like to have a discussion about modifying the parking requirements just for banks and medical offices. As a Zoning Ordinance change, Cailloux explained this would have to go before both the Planning Commission and City Council for public hearings.

Recreation Master Plan

Strickland noted there would be two public town halls in September on the Recreation Master Plan. These would be opportunities for the public to review and provide feedback before the Plan was presented to Council in October. Learnard pointed out that the Plan was developed with public input on surveys and interviews.

Short-Term Rental Ordinance

He also mentioned that the Planning Commission would be talking about the short-term rental ordinance at its next meeting, and it would then be coming back to Council.

Public Communications Manager

Julio introduced new Public Communications Manager Vivian Lett.

Executive Session

Johnson moved to adjourn to executive session to discuss pending or threatened litigation at 11:58 a.m. Destadio seconded. Motion carried unanimously.

Destadio moved to reconvene in regular session at 12:42 p.m. Johnson seconded. Motion carried unanimously.

Adjourn

There being no further business, Brown moved to adjourn the meeting. Johnson seconded. Motion carried unanimously.

The meeting adjourned at 12:42 p.m.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Harold Layton 8/29/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: FY2024 Budget Amendment - Back to School Bash Sponsorship -
American Black Belt Academy of Peachtree City

Recommendation:

Approve the attached budget amendment and accept sponsorship funds from the American Black Belt Academy of Peachtree City for the Back to School Bash.

Discussion:

The Back to School Bash is an annual event hosted at the Glenloch Recreation Center. Families participate in swimming, bounce houses, and other activities to celebrate the new school year. American Black Belt Academy of Peachtree City has generously offered sponsorship for the event in the amount of \$250.

Budget Impact:

The attached budget amendment will increase both the revenue and expenditure in the General Fund by \$250.00

Attachments:

1. Budget Amendments for FY2024 - Back to School Bash (2)

CITY OF PEACHTREE CITY

BUDGET AMENDMENT	
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	NUMBER	24-23
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	DATE	09/05/2024
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[illegible]

NOW , THEREFORE, BE IT RESOLVED Council hereby amends the Fiscal Year 2024 Budget Resolution to budget for Sponsorship of the Back to School Bash.

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Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Janet Moon, Police Chief 8/23/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: FY 2024 Budget Amendments – DARE Fund donation

Recommendation:

Accept the Kiwanis Club of PTC donation and approve the attached budget amendment to the fiscal year 2024 budget resolution.

Discussion:

The City received a donation from the Kiwanis Club of Peachtree City in the amount of \$1,380.10 for the Police Department's DARE. program. The DARE Program Fund was established to account for the purchase of materials for the DARE programs in the Peachtree City schools.

Budget Impact:

The attached budget amendment will increase both the revenue and expenditure accounts in the DARE Program Fund by \$1,381.00

Attachments:

1. Budget Amendments for FY2024 - DARE Fund Donation

BUDGET AMENDMENT

DATE 09/05/2024

NOW , THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2024 Budget Resolution to budget donation for DARE supplies from Kiwanis Club of Peachtree City Georgia Inc

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Kelly Bush, Assistant Finance Director 8/29/2024
Yasmin Julio, Interim Assistant City Manager 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: UKG Agreement for a Human Resources software system

Recommendation:

Approve a contract with UKG in the amount of \$45,024 annually and for a \$11,000 one-time setup.

Discussion:

The Human Resources department has budgeted for a Human Resources Information System to centralize HR processes, such as onboarding, benefits management, and performance tracking, streamlining operations and improving accuracy. UKG is already used by the City for timekeeping and interacts with our financial software, BS&A, as necessary. This software as a service (SaaS) is budgeted for fiscal year 2025 but requires prepayment. The total cost of the software is \$45,024 annually (\$3,752 per month ongoing) along with a one-time \$11,000 implementation fee.

Budget Impact:

This item is budgeted in Fiscal Year 2025 in the Human Resources Technical Services - Software.

Attachments:

1. UKG Agreement



Quote#: Q-269387
Expires: 04 Aug, 2024
Sales Executive: Ian Lesniewski
Effective Date: Effective as of the date of last signature of this Order

ORDER FORM

Order Type: Quote
Date: 08 Jul, 2024

Customer Legal Name:
CITY OF PEACHTREE CITY

Ship To: CITY OF PEACHTREE CITY
151 WILLOW BEND RD
PEACHTREE CITY, GA 30269 USA

Customer Legal Address:
151 WILLOW BEND RD, PEACHTREE CITY, GA 30269 USA

Bill To: CITY OF PEACHTREE CITY
151 WILLOW BEND RD
PEACHTREE CITY, GA 30269 USA

Bill To Contact:

Ship To Contact: Teaa Allston-Bing

Ship to Phone: 770-632-4276
Ship to Mobile:
Contact: Teaa Allston-Bing
Email: tallston-bing@peachtree-city.org

Currency: USD
Customer PO Number:
Solution ID: 6203638
Initial Term: 36 months
Uplift Percent: 4 %

Shipping Terms: Shipping Point
Ship Method: FedEx Ground
Freight Term: Prepay & Add
Renewal Term: 12 months
Payment Terms: Net 30 Days

Billing Start Date: 120 Days from the Effective Date

Subscription Services

Billing Frequency: Monthly in Arrears

Subscription Services	Quantity	PEPM	Monthly Price
UKG READY HR	350	USD 3.78	USD 1,323.00
UKG READY BENEFITS	350	USD 3.47	USD 1,214.50
UKG READY LEARNING	350	USD 2.21	USD 773.50



Subscription Services	Quantity	PEPM	Monthly Price
UKG READY PERFORMANCE	350	USD 0.63	USD 220.50
UKG READY RECRUITING	350	USD 0.63	USD 220.50
UKG READY INTEGRATION HUB	1	USD 0.00	USD 0.00
Total Price			USD 3,752.00

One Time Setup Fee

Billing Frequency: 4 Equal Quarterly Installments, commencing at the end of month in which this Order Form is dated

Item	Total Price
One Time Setup Fees	USD 11,000.00

Quote Summary

Item	Total Price
Minimum Monthly SaaS Service & Equipment Rental Fee	USD 3,752.00

Item	Total Price
Minimum Annual SaaS Service & Equipment Rental Fee	USD 45,024.00

Item	Total Price
Total One Time Fees	USD 11,000.00

Order Notes:

The applicable Subscription Fees are due monthly in arrears based on the actual number of employees subject to the Minimum Quantity as set forth in this order and invoiced following the end of each month commencing on the Billing Start Date. Customer agrees that UKG shall direct debit its designated bank account for the applicable invoice amount in the month the invoice is due.

The monthly subscription amount (number of employees multiplied by the applicable Subscription Fee) may increase or decrease if the number of employees increases or decreases, but in no event shall the monthly Subscription Fee be calculated on less than the Monthly Minimum Quantity above.

After the Initial Term, the Subscription Fee shall increase per annum by the Uplift amount set forth above.

UKG will provide the Services in accordance with the Services Descriptions and Statements of Work located at: www.ukg.com/services-descriptions

This order entered into between the Customer and Kronos SaaShr, Inc., a UKG company, is subject to the terms and conditions of the Master Agreement Reference #18221 dated March 18th, 2019 between the Lead Agency (acting as "Owner") and Kronos SaaShr, Inc. (as the "Contractor"), as amended (collectively referred to as the "US Communities Agreement #18221").



IN WITNESS WHEREOF, the parties have caused this Order to be executed by their authorized representatives and shall be effective as of the date of the last signature below.

CITY OF PEACHTREE CITY		Kronos SaaShr, Inc.	
Signature:	_____	Signature:	_____
Name:	_____	Name:	_____
Title:	_____	Title:	_____
Date:	_____	Date:	_____
The monthly price on this Order has been rounded to two decimal places for display purposes. As many as eight decimal places may be present in the actual price. Due to the rounding calculations, the actual price may not display as expected when displayed on your Order. Nonetheless, the actual price on your invoice is the true and binding total for this Order for purposes of amounts owed for the term.			



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: David Borkowski, City Engineer 8/26/2024
Angela Egan, Purchasing Agent 8/27/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Yasmin Julio, Interim Assistant City Manager 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-01 SR 54 @ Huddleston Intersection Improvements

Recommendation:

Award a contract for intersection improvements (converting Huddleston road to dual left turns) at SR 54 and Huddleston Rd. to Piedmont Paving, Inc. in the amount of \$212,862.00.

Discussion:

This project was advertised for construction and two bidders submitted bids to be considered for this project. Piedmont paving had the lowest bid at \$212,862.00. Staff reviewed the bids and interviewed Piedmont Paving to make sure they understood the scope of the bid. After review, Staff recommends awarding the bid to Piedmont Paving. The other bidder was McLeroy Grading with a bid price of \$283,564.00.

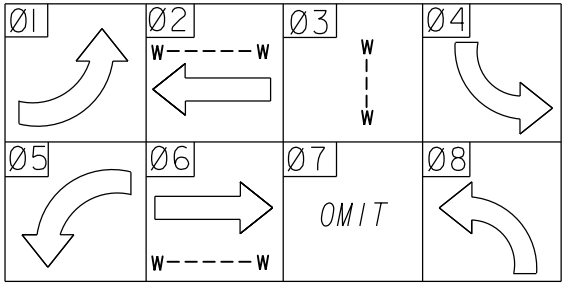
Budget Impact:

If approved, this project will be funded by a combination of a Fayette County Development Authority (FCDA) grant and 2017 Special Purpose Local Option Sales Tax (SPLOST) funds. The grant agreement is to pay 50% of project costs. The matching funds and any cost overruns are available in SPLOST 2017 Project #7 from 321-4220-541400-SP17-007.

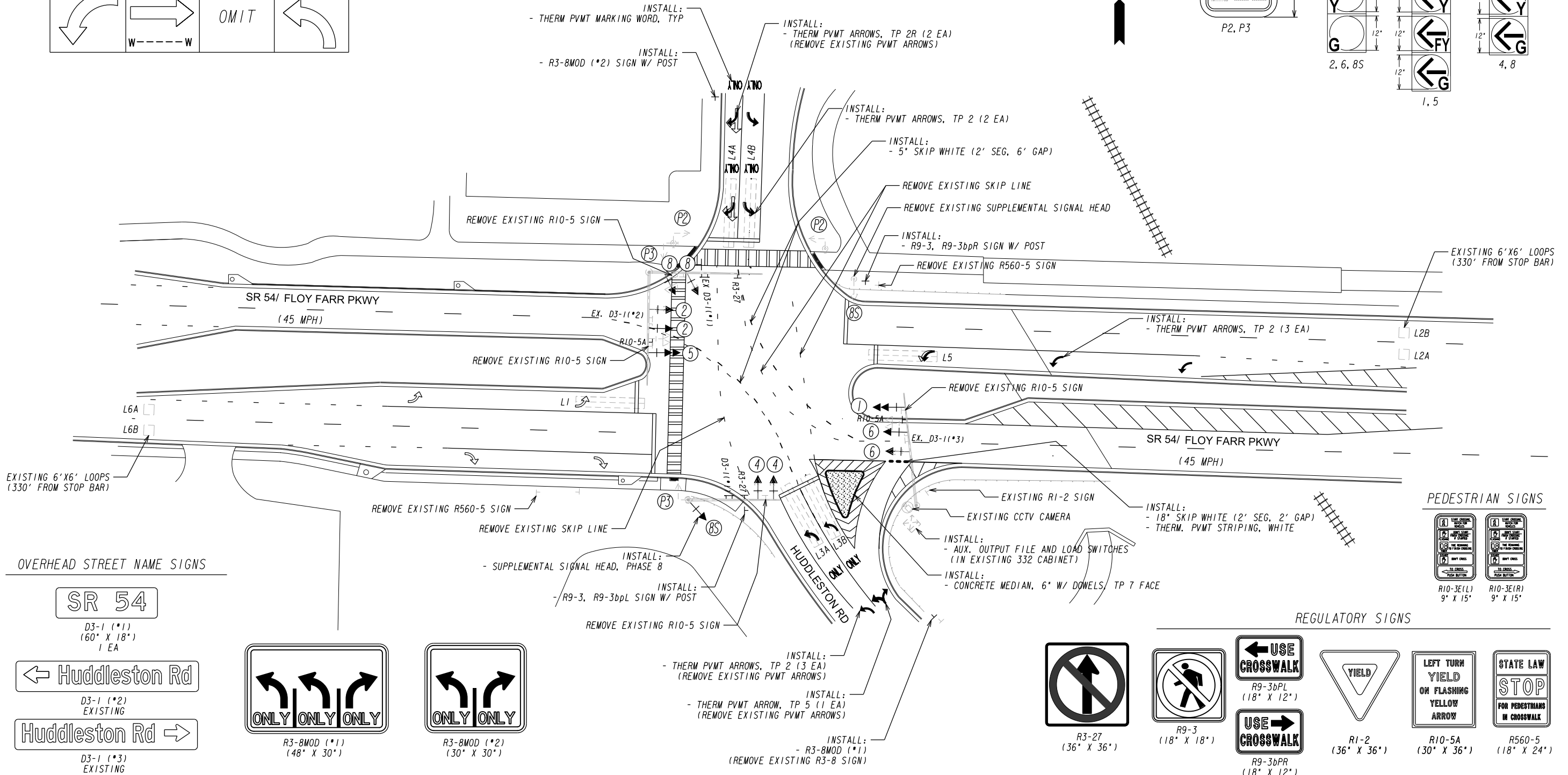
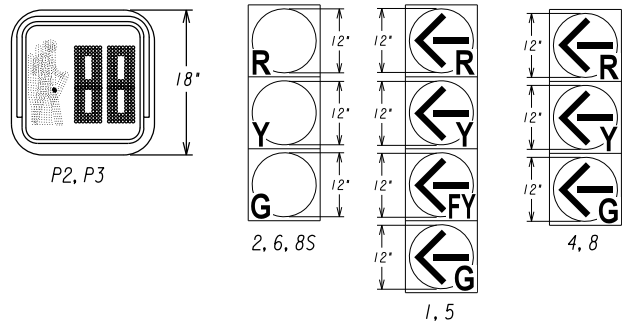
Attachments:

1. Intersection Plan

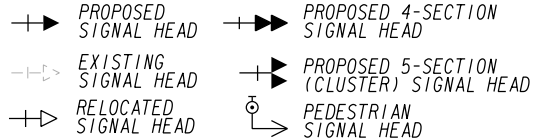
PHASING DIAGRAM



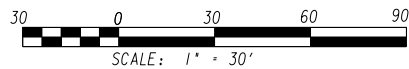
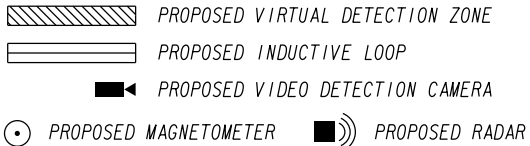
LED SIGNAL HEADS W/ TP 1X
RETROREFLECTIVE TAPE ON BACKPLATES



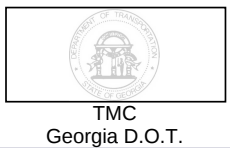
SIGNAL LEGEND



DETECTION LEGEND



APPROVED



TRAFFIC SIGNAL PLANS

SIGNAL PLAN
SR 54/ FLOY FARR PKWY @
HUDDLESTON RD

CHECKED:	DATE:	DRAWING No.
BACKCHECKED:	DATE:	27-0002
CORRECTED:	DATE:	Page 26 of 48
VERIFIED:	DATE:	

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: David Borkowski, City Engineer 8/26/2024
Angela Egan, Purchasing Agent 8/27/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Yasmin Julio, Interim Assistant City Manager 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-02 Demolition of Old Animal Shelter @ 1262 SR-74

Recommendation:

Approve Brent Scarbrough & Company's proposal for the demolition and removal of above ground facilities at the old Fayette County Animal Shelter for the amount of \$42,255.00.

Discussion:

The City has acquired the property at the Old Fayette County Animal Shelter and is planning to construct a new fire station at this location. Three contractors were solicited to submit proposals for demolishing and removing the existing buildings and miscellaneous above ground features. All three contractors submitted bids and are as follows:

- **Brent Scarborough and Company (BSC) \$42,255**
- SRC Ventures \$61,200
- Willow Dell \$83,457.90

Staff has discussed the work with BSC and recommends awarding the work to Brent Scarbrough & Company.

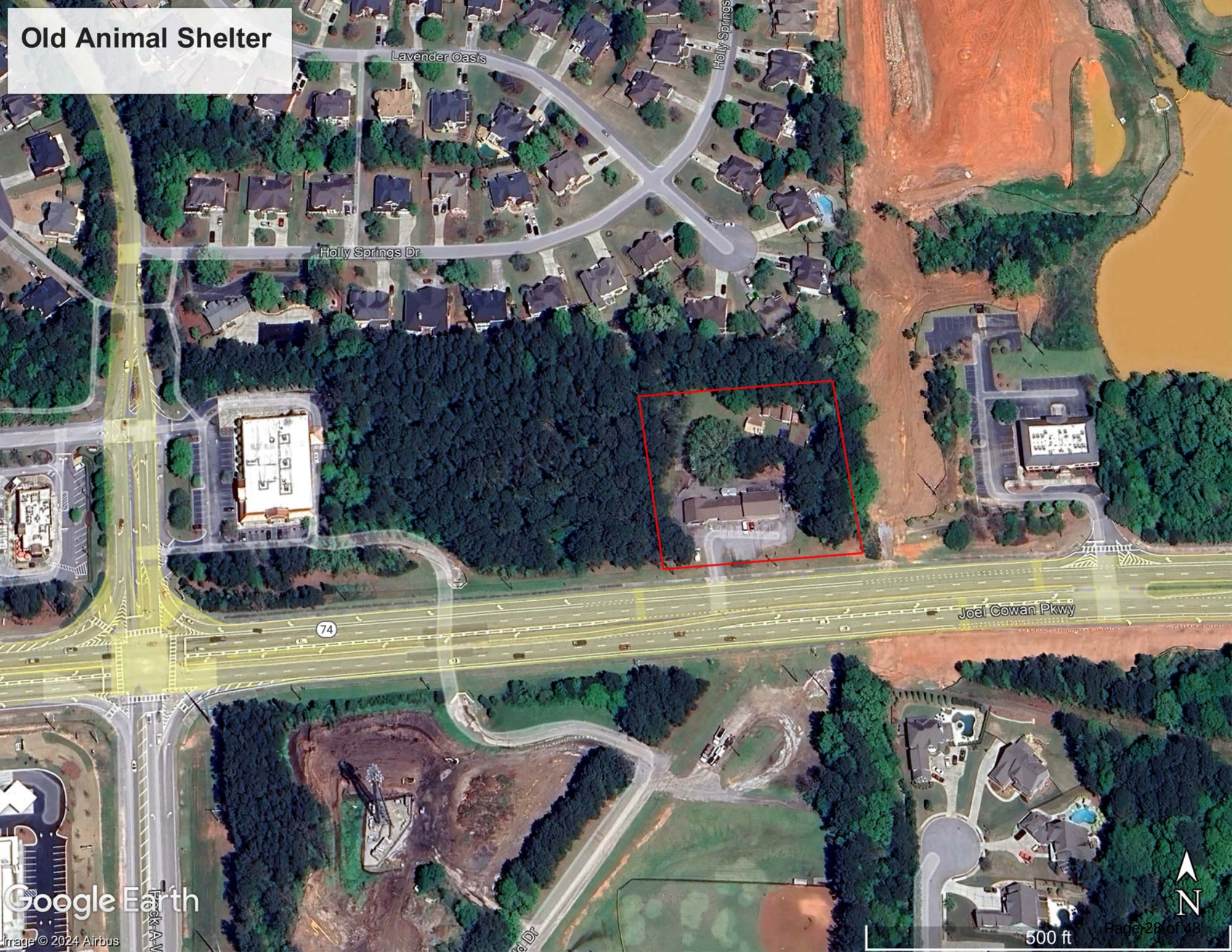
Budget Impact:

Funding is available in 2023 SPLOST Project 10.

Attachments:

1. Old Animal Shelter

Old Animal Shelter



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: David Borkowski, City Engineer 8/26/2024
Angela Egan, Purchasing Agent 8/27/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Yasmin Julio, Interim Assistant City Manager 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-03 Kedron Aquatic Center Roof Replacement

Recommendation:

Award contract for replacing the roof of the Kedron Aquatic Center to Roof Technology Partners in the amount of \$649,600.00.

Discussion:

This project was advertised for construction and 6 bidders submitted bids to be considered for this project. However; upon review of the bids, the two lowest bidders failed to meet the minimum qualifications to be considered for this project (see attached explanation for a breakdown of their bid submittal failings). Staff and our architect (CPL) reviewed the bid with Roof Technology Partners. After the review, Roof Technology Partners was found to be the lowest responsive and responsible bidder. Therefore, Staff recommends awarding them the contract.

KEDRON RE-ROOFING PROJECT	
FIRM	APPARENT BID
USA Construction	\$ 479,840.00
Caliber Construction	\$ 645,955.00
Roof Technology Partners	\$ 649,600.00

Forza Group, Inc.	\$ 706,500.00
Rycars Construction	\$ 722,105.00
J&R Construction	\$ 1,094,357.00

Budget Impact:

If approved this project will be funded out of the ARPA fund set aside for the Kedron Aquatic Center Roof, 230-6122-541200-CIP23-29.

Attachments:

1. Bid Review

REVIEW OF BIDS SUBMITTED FOR KEDRON RE-ROOFING PROJECT

USA CONSTRUCTION

- Bid Bond – missing
- Bidders Qualifications – "Please reference our bid proposal pages."
- No state contractor's license # listed – Required in this case
- Included a sample agreement which I guess indicates they will not use our agreement in the bid documents.
- Their staffing matrix has the PM, Superintendent and all onsite staff blank.
 - Alison Abbott, Sales Manager, has a page listing very general experience and skills, no specific projects
- Bid form lacks the Attest signature.
- % of work to be performed with own forces – 30% - 70%
- Subs – "Sub-contracting information to be provided on award"
- Schedule A1 – blank (Current projects for bidder)
- Schedule B1 – blank (Projects for bidder last three years)
- Schedule C1 – blank (staff)
- Schedule A2 – blank (subcontractor Current projects for bidder)
- Schedule B2 – blank (Projects for subcontractors last three years)
- Schedule C2 – blank (staff)

We recommend this bid be rejected as neither responsive nor responsible.

- Non-responsive: did not conform to the requirements stated, no bid bond.
- Non-responsible: provided no information that they have the expertise, experience, staff, etc. to perform the job.

CALIPER CONSTRUCTION, LLC

- Two permanent employees
- 5% of the work done by Caliper Staff
- Subcontractor: GA Gutter Service
- Largest contract – City of College Park – City Hall roofing \$365,000
- Schedule A1 – Name of project only, no contact information or details
- Schedule B1 – missing
- Schedule C1 – "see attached" Attached: one page summary with NO references
- Schedule A2 – MISSING (subcontractor Current projects for bidder)
- Schedule B2 – MISSING (Projects for subcontractors last three years)
- Schedule C2 – MISSING (staff)

We recommend this bid be rejected as neither responsive nor responsible.

- Non-responsive: did not conform to the requirements stated
- Non-responsible: provided no information that they have the expertise, experience, staff, etc. to perform the job.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: David Borkowski, City Engineer 8/26/2024
Angela Egan, Purchasing Agent 8/27/2024
Kelly Bush, Assistant Finance Director 8/29/2024
Yasmin Julio, Interim Assistant City Manager 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-04 Phase II Environmental Assessment of Flat Creek Outfall Property

Recommendation:

Award contract to perform a Phase II Environmental Assessment of the old WASA property located behind the police department to United Consulting for \$66,180.00.

Discussion:

The City is looking to purchase this property from the Peachtree City Water and Sewerage Authority (WASA). As part of our due diligence on this purchase, a Phase I environmental assessment was conducted, which found multiple possible sources of contamination that should be investigated. A Phase II assessment will definitively determine if the site is contaminated and the relative extent and nature of any contamination. Therefore, Staff requested quotes from three qualified firms to conduct a Phase II assessment. Two of the firms returned proposals covering all items in the project scope, Arcadis and United Consulting. The Arcadis proposal is for \$85,937.20. The United Proposal is for \$66,180.00. The third firm, NOVA, returned a proposal that does not cover the entire scope and thus was eliminated from consideration.

Budget Impact:

If approved, funding is available in the City Manager Professional Services Fund 100-1320-521200 to cover the expenses.

Attachments:

1. Old WASA Plant

Old WASA Plant



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Robin Cailloux, Planning Director 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-05 Zoning text amendment to the Administrative Variance ordinance

Recommendation:

Staff recommends adoption of the proposed text amendments to the Administrative Variance ordinance.

Discussion:

Councilman Holland initiated a request to amend the Administrative Variance section of the Zoning Ordinance (Sec 1204) during the May 2, 2024, Council meeting. After discussing the history of the ordinance and the annual frequency of requests, the City Council directed this item to proceed to the Planning Commission for their review and recommendation.

Staff presented the current version of the administrative variance ordinance along with its history, a summary of other jurisdictions' ordinances, and Council comments on Councilman Holland's recommended changes at a public hearing held by the Planning Commission on June 24, 2024. The Planning Commission also held a public workshop at their July 22 meeting where they voted to recommend approval of the text amendment to the Administrative Zoning ordinance. (The draft red-line ordinance is attached to this memo).

A summary of the Planning Commission's recommended changes to the Administrative Variance ordinance is provided below:

- Add a residential zoning district requirement to all types of administrative zoning requests except the parking reduction type.
- Reduce the maximum reduction percentage for the public-land adjacency administrative variance type from 25 percent to 10 percent; and clarify that road right-of-way is not applicable to this type of administrative variance request.
- Reduce the maximum reduction percentage for the rear setback administrative variance type from 50 percent to 10 percent.

- Duplicate the clarification language (Sec. 1204.c) from the public-land adjacency administrative variance type in the rear setback administrative variance type (Section 1204.b) that requires there to be no other feasible location on the property to accommodate the proposed structure without encroaching into the minimum zoning setback.
- Add a requirement of the applicant to provide substantiating data to support their request for a parking reduction.
- Remove the requirement for written consent from adjacent property owners and the Home Owners' Association; replace it with written notification from the city to the adjacent property owners of the request. This notification will include information on the request and how to submit an objection to the city.
- Add public notice requirements per O.C.G.A 36-66-1, the Zoning Procedures Law.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

1. Draft Administrative Variance ordinance

Sec. 1204. Administrative variance.

- (1) Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of the ~~zoning administrator~~city planner, the city manager and a member of city council. Applications may be considered only if the following requirements are met, either:
 - (a) The request pertains to ~~either~~ an existing residential zoning setback violation provided that the property owner making the request is not the same property owner who was responsible for the violation; or
 - (b) The request is for a rear residential zoning setback encroachment that would not exceed 1050 percent of the required setback per the zoning district ordinance, provided that there is no other feasible location on the property that would accommodate the proposed structure without encroaching into the minimum zoning setback, the following conditions are satisfied: and
 - ~~(1) The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; or; and~~
 - ~~(2) The applicant provides written consent of the home owners' association, if applicable, and all property owners adjacent to the requested property; or~~
 - (c) The request is for a decrease of not more than 25-10 percent of the minimum residential zoning building setback, provided that the property line in question and the associated building zoning setback adjoins a publicly-owned property other than a road right-of-way, and there is no other possible feasible location on the property that would accommodate the proposed building expansion structure without encroaching into the established minimum building zoning setback, provided and that the following conditions are satisfied:
 - ~~(1) The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; and~~
 - ~~(2) The applicant provides written consent of the home owners' association, if applicable, and all property owners adjacent to the requested property; or; or~~
 - (d) The request is for a decrease of not more than 25 percent in the minimum number of parking spaces required by the city's parking ordinance for non-residential uses only, provided the applicant identifies on the site plan where this parking would be located if needed in the future and substantiating data to support the request; or
 - (e) The request is for an increase in the maximum height of a fence or wall; provided that:
 - (1) Such wall or fence is justified by reason of safety and security pertaining to pool barriers or other International Building Code standards as adopted by the city, and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the surrounding neighborhood; or
 - (2) Such greater height is justified for topographic reasons, and is not more than a 25 percent increase in maximum height standards per chapter 18 of this Code, and is not incompatible with the surrounding neighborhood.
- (2) In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.
- (3) In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee shall

issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

- (4) If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.
- (5) The administrative variance committee shall act on all requests in a timely manner and shall comply with the notice requirements of O.C.G.A. 36-66-1, the Georgia Zoning Procedures Law, appeals within 15 working days after the application is deemed complete by the zoning administrator. In addition, the city planner shall send notice of the requested administrative variance to all adjacent property owners, except city-owned properties, via public mail using the property ownership information provided by the Fayette County Tax Commissioner's office. Such notice shall include information on the request, the date and time and location of the administrative variance committee meeting, and contact information on how to submit an objection to the request.
- (6) If a request for an administrative variance does not meet the requirements of this section, the applicant may apply for a variance under section 1206 et al.
- ~~(6)~~(7) If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Robin Cailloux, Planning Director 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-06 Variance request for 127 Loblolly Drive for side setback encroachment

Recommendation:

If Council approves the variance request, staff has no recommended conditions of approval.

Discussion:

The Applicant is requesting relief in the form of a variance from the side setback requirement of the R-1 zoning district Section 1011.4(g), which requires a 7.5-foot side setback. The applicant is requesting to encroach into this setback by 2 feet to allow the construction of an attached single garage.

As part of the application, the Applicant has included a justification narrative and a site plan, which are attached to this memo.

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance, City Council may grant a variance when:

- a. Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or
- b. The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Per section 1207 of the Peachtree City Zoning Ordinance, City Council shall consider the following factors when making a decision:

- a. There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography, so that the strict application of this

ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;

- b. The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;
- c. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;
- d. The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;
- e. The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and
- f. The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

- 1. Applicant Narrative
- 2. Proposed Site Plan

Summary

We would like to build a 12x24 attached garage to the left side of the home to store the vehicle out of the weather and out of sight for neighbors.

Support for variance request: 127 Loblolly Circle

- A) The home sits diagonally on the lot. Because of the positing of the house, it makes the proposed garage encroach 2' into the set back. Lake Peachtree is to the rear of the home.
- B) The unnecessary hardship would be the that the vehicle would be in view of neighbors and shorten the life of the cars finish.
- C) The property is limited to only this location to construct the proposed garage. There is a retain wall/pool in the back. Theres no where to construct a detached garage due to existing set back regulations either.
- D) There is precedence in that others on the same road have needed variances in order to get their garages constructed. This encroachment is on the owners own lot. Its an unbuildable lot with a drainage easement.
- E) The granting of this variance will not affect anyone in the way of health, safety, or welfare. The neighbor to the left is co-owner of the property in which the variance is being asked. He has no problems with this request.
- F) The variance will not create inconsistencies with any objectives of the comprehensive master plan.

Minor Revision to Final Plat of Lots 37, 38 39 & A Portion of The Public Area

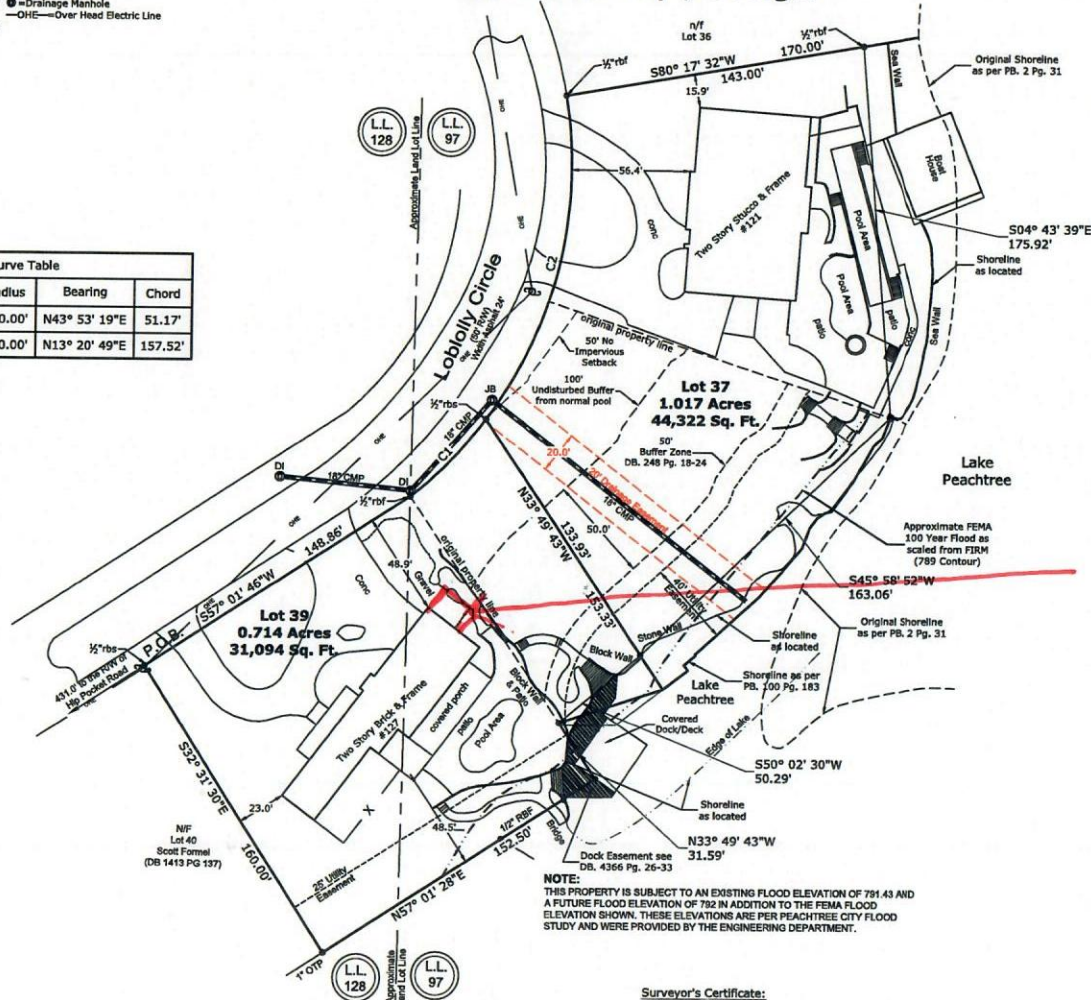
Peachtree Corporation of Georgia Phase Two

Land Lots 97 & 128 of the 7th District
Peachtree City, Georgia

Legend
 OTP=Open Top Pipe
 RBF=Rebar Found
 RBS=Rebar Set
 RW=Right of Way
 IPF=Iron Pin Found
 P.O.B.=Point of Beginning
 B/L=Building Line
 D.E.=Drainage Easement
 N/F=Now or Formerly
 F.W.P.D.=Field Work Performed Date
 G=Gas Valve
 W=Water Meter
 U=Utility Pole
 DI=Drop Inlet
 FH=Fire Hydrant
 LP=Light Pole
 F=Fence
 DM=Drainage Manhole
 OHE=Over Head Electric Line

This Box reserved for the Clerk of the Superior Courts.

Curve Table				
Curve #	Length	Radius	Bearing	Chord
C1	51.31'	200.00'	N43° 53' 19"E	51.17'
C2	161.91'	200.00'	N13° 20' 49"E	157.52'



NOTE:
 THIS PROPERTY IS SUBJECT TO AN EXISTING FLOOD ELEVATION OF 791.43 AND A FUTURE FLOOD ELEVATION OF 792 IN ADDITION TO THE FEMA FLOOD ELEVATION SHOWN. THESE ELEVATIONS ARE PER PEACHTREE CITY FLOOD STUDY AND WERE PROVIDED BY THE ENGINEERING DEPARTMENT.

Surveyor's Certificate:

As required by subsection (d) of O.C.G.A. Section 15-6-57, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

BY: *[Signature]*
 GA R.L.S. Ronald T. Godwin

2696
 License NO.

09/19/2022
 Date

GRAPHIC SCALE 1" = 40'
 0 20 40 80

CLOSURE DATA:
 Field Closure=1" IN 10,000+
 Angle Point Error=< 20"
 Equipment Used=Topcon 3005W, Sokkia SX, & Topcon Hyper GA GPS System
 Adjustment Method=Compass Rule
 Plat Closure=1" IN 100,000+

The term "Certification" as used in Rule "190-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(5) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

FOUR CORNERS SURVEYING



Page:	Plat/Dead	Book	Page
1	186	186	186
2	187	187	187
3	188	188	188
4	189	189	189
5	190	190	190

Lots 37, 38, 39 & Public Area
 Peachtree Corporation of Georgia
 121 & 127 Lobloby Circle
 Land Lots 97 & 128 of the 7th District
 Peachtree City, Fayette County, Georgia

Sheryl A. Stille
 Michael W. Leedy

Job #:
 21-026fp
 Drawn By: RTG
 Reviewed By: RTG
 Date: 09/19/2022
 F.W.P.D.: 12/23/21
 Scale: 1" = 40'
 Sheet: 2 of 2

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, City Manager

FROM: Robin Cailloux, Planning Director 8/29/2024
Justin Strickland, City Manager 8/29/2024

DATE: September 5, 2024

SUBJECT: 09-24-07 Variance request for 196 Westberry Street for maximum fence height increase

Recommendation:

Should the City Council approve the variance, staff has no recommended conditions of approval.

Discussion:

The Applicant is requesting relief in the form of a variance from the maximum fence height in a front yard requirement of Section 18-165(e) and (f). The applicant's property is a corner lot with frontage on Westberry Street and Cain Avenue, and they would like to build a 6-foot tall privacy fence along the portion of their property abutting Cain Avenue.

As part of the application, the Applicant has included a justification narrative and a site plan, which are attached to this memo.

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance, City Council may grant a variance when:

- a. Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or
- b. The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Per section 1207 of the Peachtree City Zoning Ordinance, City Council shall consider the following factors when making a decision:

- a. There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
- b. The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;
- c. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;
- d. The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;
- e. The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and
- f. The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

- 1. Applicant Narrative
- 2. Proposed Site Plan

Variance Request Appeal for Six-Foot Privacy Fence at 196 Westberry St

Introduction

This report is submitted in support of my appeal for a variance to construct a six-foot wood privacy fence around my backyard, located at 196 Westberry St, Peachtree City, GA 30269, which is on a corner lot at the intersection of Cain Avenue and Westberry St. My initial request was denied due to concerns about obstructing vision at the intersection and creating a hazard to traffic. I believe that the specific conditions of my property warrant reconsideration, as outlined below.

(a) Special Circumstances Applicable to the Property

The property at 196 Westberry St has unique characteristics that distinguish it from other properties in the vicinity. Specifically:

- **Location:** As a corner lot, my property is bordered by two streets. The layout of the property and the placement of the house already create a natural barrier that does not obstruct vision.
- **Shape and Size:** The lot has an irregular shape that makes it challenging to comply with standard fencing regulations without sacrificing privacy and security. This limits the usable backyard space compared to interior lots. Strict application of the ordinance would deny the property owner the ability to utilize their backyard space fully, a privilege enjoyed by other properties in the vicinity. The easement in the rear has a substantial downgrade elevation which causes a 6 foot fence to appear as a 3 foot fence from the street and sidewalk level. {refer to attachment (A)}.
- **Surroundings:** The home's elevation and construction of the 3rd car garage in relation to the sidewalk and street create a situation where vision of the adjacent street is limited.

Strict application of the ordinance denies my property the privilege of enhanced privacy and security that other properties in the vicinity enjoy.

(b) Practical Difficulties or Unnecessary Hardships

The literal interpretation and application of the ordinance would result in significant hardships:

- **Literal Interpretation:** Section. 18-164. – Part (e) states in the opinion of the city engineer, it obstructs the vision of any street intersection, or in any way creates hazard to traffic. An arial view or view from a legal plat alone would lead an objective

opinion to conclude that it is a safety hazard. When the implementation of additional evidence, such as street view from all road and walkways is applied, it is made objectively clear that the intended fence location at 14' away from the westside of the home does not create any safety concern.

- **Privacy:** A four-foot non-privacy fence would not provide adequate privacy, which is a reasonable expectation for homeowners.
- **Health & Security:** The current fencing regulations compromise the security of the property, as a lower fence is easier to breach, which entering and exiting. Also the biggest safety concern is for my two children, both under the age of 2.5, and at that age cannot comprehend certain orders to not run out into the street. My wife has arthritis in her right knee which was recently aggravated by an infection that led to surgery in April of 2024. This physical ailment restricts my wife the adequate ability to run after my toddler before she is entering the street. This same toddler, born from two division I athletes, also has the astounding ability to climb over a 4-foot fence. This poses a fatal safety concern which leads to our request for a 6 foot fence. (Attachment B, health records).
- **Aesthetic Value:** A six-foot wood privacy fence is consistent with the aesthetic character of the neighborhood and would enhance the visual appeal of the property. Not having a 6-foot privacy fence would negatively impacting the property's value and the homeowner's enjoyment.

(c) Exceptional or Extraordinary Circumstances

The property has unique conditions that prevent compliance with the existing ordinance:

- **Traffic Patterns:** The specific traffic patterns at this intersection create a safety concern. Several times my child has run outside and across the street. The traffic on Westberry Street at times runs at speeds up to at least 40 mph, due to the downhill approach of cars on approach as well as no stop signs or speed bumps to slow traffic. At these speeds the ability for the driver to stop adequately to prevent a fatal collision is not likely. The design and placement of the fence will help maintain the safety of my children from fatal accidents.
- **Property Layout:** The layout of the property and the surrounding area create conditions where a strict application of the ordinance imposes greater restrictions compared to other properties in the same zoning district. The easement in the rear

has so low of a downgrade in elevation that installing the fence without the variance would create more of a hazard for the public.

- **House Placement:** The placement of the house on the lot already obstructs the line of sight at the intersection, meaning that the intended location of the six-foot fence would not add any additional obstruction.
- **Topography:** The land elevation and existing landscaping naturally limit visibility, making the additional height of the fence inconsequential in terms of traffic safety.

(d) Consistency with Limitations on Other Properties

Granting this variance would not constitute the granting of special privileges:

- **Consistency:** Other properties with similar conditions in the same zoning district have been allowed to construct six-foot privacy fences. {see Attachment D}
- **Equal Treatment:** Approving this request would ensure equal treatment under similar circumstances, maintaining fairness and consistency within the zoning district.

(e) Impact on Public Health, Safety, or General Welfare

Granting this variance will not be detrimental to public health, safety, or general welfare:

- **Traffic Safety:** The proposed location of the fence does not obstruct the vision of oncoming traffic due to the existing placement of the house and natural landscaping. (see Attachment E)
- **Community Impact:** The fence will enhance the overall security and privacy of the property without negatively impacting the neighborhood.

(f) Consistency with the Comprehensive Plan

The proposed variance aligns with the objectives of the comprehensive plan:

- **Community Character:** The fence design is consistent with the community's character and aesthetic goals. There are several other homes in the immediate area that have had the exact style of fence installed.
- **Safety and Welfare:** The variance supports the safety and welfare of the residents by providing enhanced privacy and security.

Conclusion

Considering the unique circumstances of my property, the practical difficulties posed by strict application of the ordinance, and the lack of negative impact on public safety and welfare, I respectfully request that the variance for a six-foot wood privacy fence at 14' from the west side of the home be granted.

Thank you for your consideration.

Sincerely,

Jerry Afari
196 Westberry St
Peachtree City, GA 30269
717-669-3879
jerry.afari@gmail.com

196 Westberry Fence Drawing

THIS BOX RESERVED FOR THE CLERK OF THE SUPERIOR COURT

Survey Legend:	
HP	Hydrographer
M	Machine
DI	Drip Inlet (DI)
SSM	Sanitary Sewer Manhole (SSM)
SS	Sanitary Sewer
DE	Drainage Easement
AE	Access Easement
UL	Utility Easement
R/W	Right-of-way
SL	Sanitary Sewer Line
SL	Storm Line
POB	Point of Beginning
POC	Point of Commencement
BSL	Building Setback Line
PPF	PK Nail Found
PKS	PK Nail Set
IPS	1/2" Iron Pin Set w/ Cap (COA 813)
IPP	1/2" Iron Pin Found w/ Cap
EW	Existing Fence

Survey Notes:

1. This Survey was authorized by Pulte Homes.
2. Fieldwork performed on 9/16/2023.
3. Additional improvements located on 2/7/2024.
4. The total calculated area of this lot is 16,464 square feet or 0.38 acre.
5. All matters of title are excepted. This plat is subject to all legal easements and right-of-ways, either public or private.
6. Unless otherwise specified, all distances shown are horizontal ground distances in U.S. Survey Feet (39.37 inches = 1 meter).

Survey Certification:

This plat is a recirculation of an existing plat or portion of land and does not constitute or create a new parcel or make any changes to any real property boundaries. The recording of this plat is for informational purposes only and does not constitute a warranty of any kind. The undersigned certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Travis Pruitt

2/16/24



196-15
Address:
196 Westberry Street

Field Requirements:
Front: 15' Provided that each dwelling unit provides at least two paved parking spaces off of the right-of-way, at least one of those spaces shall be within a fully enclosed garage and no part of the garage shall be within 20' of the right-of-way.
Side: 5' Provided that at least 10' of separation is maintained between dwellings, and further provided that at least one 20' separation is provided between every 10 dwelling units.
Rear: 15' Provided that for those units served by a dedicated alley with garage access in the rear of the homes, at least two paved parking spaces shall be provided off of the alley, at least one of those spaces shall be within a fully enclosed garage and no part of the garage shall be located less than 20' from the edge of the alley.

References:
The Final Plat for Elevation Phase 7B prepared by Travis Pruitt & Associates, Inc. Recorded in First Book 131, pages 267-273, Fayette County Records.

Flood Hazard Note:
By graphic showing only, this property does not lie within a 100 year flood hazard zone and is depicted on ZONE X as defined by the F.E.M.A. Flood Insurance Rate Map of Fayette County, Georgia and incorporated area map number 1311002668, effective date 9/26/2008.

Survey Closure Data:
This plat of Survey has been calculated for closure and is found to be accurate within 1 foot in 81,642 feet.
This plat has been prepared using a Leica TS 12 Robotic Total Station.
The Field Data upon which this plat is based has a closure precision of 1 foot in 77,339 feet and an angular error of 1 second per angle point, and was adjusted using compass rule.
A portion of this Survey was performed using a Trimble YX0 GPS Receiver with network adjusted real time kinematics measurements referenced to the NAD83 Network. The GPS Survey included redundant measurements with positional accuracy better than 0.07'.

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Norcross, Georgia 30093
Phone: (770) 416-7311
Fax: (770) 416-8758
www.travispruitt.com

DATE: 2/16/2024
SCALE: 1" = 20' (11x17)
C/L: LUT 0866
J/N: 1-23-0342
CLIENT: PULTE HOMES

Contact Person:
NORMAN SCHUCK

Certificate of Authorization #612 Sheet No. 1 of 1

REVISIONS

AS-BUILT SURVEY
EVERTON
PHASE 7B
LOT 564

LAND LOT 168 - 7th DISTRICT
CITY OF PEACHTREE CITY - FAYETTE COUNTY - GEORGIA

GRAPHIC SCALE - IN FEET

10 0 20 40 60