

City Council of Peachtree City

REVISED AGENDA

December 3, 2015

7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Recognize Lani De Mello, Downs Syndrome International Gymnastics World Champion
 - Recognize Community Emergency Response Team (CERT) Graduates
 - Recognize Citizens Police Academy Graduates
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - November 19, 2015, Regular Meeting Minutes
- VII. Consent Agenda
 - 1. Consider Revision to Stormwater Management Ordinance
 - 2. Consider Acceptance of Donation from SAFEbuilt
 - 3. Consider Bid/Purchase of Ambulance
- VIII. Old Agenda Items
 - 10-15-03** **Consider Adoption of Right-of-Way Occupancy Ordinance**
 - **Consider Changes to Fee Schedule (new memo)**

Originally continued to December 17. Staff requests additional continuance due to potential meeting cancellation
- IX. New Agenda Items
 - 12-15-01** **Public Hearing – Consider Request for Street Name Change (Whitlock Place to Masonic Place)**
 - 12-15-02** **Public Hearing – Consider Variance Requests, Chick-fil-A (707 HWY 54)**

Applicant is requesting several variances in an effort to re-develop the property
 - 12-15-03** **Consider Spear Road Culvert Repair Emergency Award**

Bids due Monday, November 30
 - 12-15-04** **Consider Approval of Stormwater Detention/ Wetland Amenity for the Overlook Retail Center within Line Creek Nature Area**
 - 12-15-05** **Consider Financing for Municipal Broadband Initiative**

Staff requests this item be continued to January 7
 - 12-05-06** **Consider Cancelling December 17 Meeting**
- X. Council/Staff Topics
- XI. Executive Session
- XII. Adjourn

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

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager
FROM: City Clerk
DATE: December 2, 2015
SUBJECT: Consider Right of Way Occupancy Ordinance (Request for Continuance)
December 3, 2015, City Council Meeting

Recommendation:

That Council continue the agenda item from the December 17 agenda to a future agenda in 2016.

Discussion:

At the November 19 Council Meeting, Council continued this item to the December 17 agenda. Because that meeting is now under consideration for cancellation, staff is asking Council to continue the item for staff to bring back in 2016.

Budget Impact:

This item should have no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Financial Services Director P.S.
Assistant Financial Services Director K. Bue
Accounting Manager
Purchasing Agent

FROM: City Engineer David A. Gorkowski

DATE: December 2, 2015

SUBJECT: Spear Road Culvert Repair Emergency Award
December 3, 2015, City Council Meeting

Recommendation:

Staff recommends that the emergency bid be awarded to Ronnie D. Jones, Inc., in the amount of \$335,999.

Discussion:

After Staff was made aware of the washout on Spear Road we immediately went to work on getting an emergency bid out for pricing on the repairs. The culvert repairs and shoulder improvements were previously identified projects so plans had already been prepared which enabled us to expedite the process. What also helped expedite the process is that the repairs qualified as an emergency so we did not have to follow HB 1079 and have a bid out for 30 days.

Staff pre-selected three qualified candidates that the City had worked with previously to get bid quotes from. Bids were received Monday, November 30th and are ranked as follows.

Bidder	Base Bid	Alternate
Ronnie D. Jones	\$308,303	\$335,999
Brent Scarborough	\$529,823	\$648,805
Strack	\$646,743.60	\$645,793

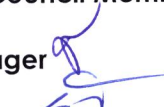
Based on a review of the bids, Staff is recommending the City award the contract to Ronnie D. Jones, Inc. Staff is also recommending awarding the Alternate Bid instead of the Base Bid. The Alternate Bid is a complete replacement of the culverts with concrete pipe instead of repairs to the existing pipes. Staff is recommending the Alternate Bid because for an additional \$27,696, the City will get a new installation that will last longer and provide increased hydraulic capacity.

Budget Impact:

This project within budget and is currently funded in the 2014 PIP fund and in the Stormwater Utility Budget under Contractual Services. \$216,216 would come from Stormwater Contractual Services and \$119,783 from the 2014 PIP fund.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager 
FROM: City Clerk 
DATE: December 2, 2015
SUBJECT: Consider Financing for Municipal Broadband Initiative
December 3, 2015, City Council Meeting

Recommendation:

That Council continue the agenda item from the December 17 agenda to the January 7, 2016, agenda.

Discussion:

As discussed in the December 1 Workshop, staff is continuing to perform the appropriate due diligence before moving forward with this project. The Public Facilities Authority Meeting for December 3 was also cancelled in anticipation of this item moving to the January 7 agenda.

Budget Impact:

This item should have no budgetary impact.

City Council of Peachtree City
Agenda
December 3, 2015
7:00 p.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Announcements, Awards, Special Recognition**
 - Recognize Eric Imker for His Tenure on City Council**
 - Recognize Lani De Mello, Downs Syndrome International Gymnastics World Champion**
 - Recognize Community Emergency Response Team (CERT) Graduates**
 - Recognize Citizens Police Academy Graduates**
- IV. Public Comment**
- V. Agenda Changes**
- VI. Minutes**
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 - 12-15-01 Public Hearing – Consider Request for Street Name Change (Whitlock Place to Masonic Place)**
 - 12-15-02 Public Hearing – Consider Variance Requests, Chick-fil-A (707 HWY 54)**
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**City Council of Peachtree City
Meeting Minutes
November 19, 2015
7:00 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, November 19, 2015. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Eric Imker, Mike King, and Kim Learnard.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized Special Events & Marketing Coordinator Kelly Duncan of the Recreation & Special Events Department as the Employee of the Month for October. Fleisch thanked the Fayette County Board of Commissioners for working with the City on the new water franchise agreement that was approved by Council on November 5 and by the Commissioners on November 12. She recognized Commissioner David Barlow, who was among the meeting attendees. Fleisch also thanked the Peachtree City Convention & Visitors Bureau (CVB) for the Christmas lights at City Hall Plaza.

Minutes

November 5, 2015, Regular Meeting Minutes

King moved to approve the November 5, 2015, regular meeting minutes as written. Ernst seconded. Motion carried unanimously.

Consent Agenda

1. Consider Elimination/Replacement of One (1) Position in Planning & Zoning Dept.
2. Consider Budget Adjustments – FY 2015
3. Consider Budget Adjustments – FY 2016
4. Consider Acceptance of Donation from Police Appreciation
5. Consider Elimination/Replacement of One (1) Position in the Police Department
6. Consider Sewer Easements for MOBA Corp.
7. Consider Brand Name Contractor for Portion of Irrigation Project at Peachtree City Athletic Complex (PAC) – Fitzgerald & Sons
8. Consider Approval of Additional Mower for Buildings & Grounds – Wade Tractor and Equipment Company

Ernst moved to approve Consent Agenda items 1 – 8. Learnard seconded. Motion carried unanimously.

Old Agenda Items

- 10-15-03 Consider Adoption of Right-of-Way Occupancy Ordinance**
• **Consider Changes to Fee Schedule (new memo)**

Interim City Manager Jon Rorie noted Council had looked at a 16-page draft ordinance on October 2, which was very comprehensive. Staff wanted to ensure there would be enough time for comments from the stakeholders, which included City residents and the utilities. Staff met with representatives from the various utilities on October 12, and revisions had been made based on that those comments.

Rorie said staff needed to ensure an ordinance was not being created that was cumbersome for the City to enforce or for the companies providing the services. He asked Council to continue the agenda item until December 17.

Imker moved to continue agenda item 10-15-03 until December 17. Ernst seconded. Motion carried unanimously.

New Agenda Items

11-15-06 Certify Election Results

Public Information Officer/City Clerk Betsy Tyler noted the election results as certified by the Fayette County Board of Elections were before Council. She said it was required for Council to certify the municipal election results as listed:

<u>City Council Post 1</u>	<u>(2,077 total votes)</u>
Phil Prebor	1,638 (78.86%)
Shayne Robinson	427 (20.56%)
Write-in Votes	12 (0.58%)

<u>City Council Post 2</u>	<u>(1,702 total votes)</u>
Mike King	1,519 (89.25%)
Write-in Votes	183 (10.75%)

<u>Referendum</u>	<u>(2,064 total votes)</u>
YES	715 (34.64%)
NO	1,349 (65.36%)

Ernst moved to approve agenda item 11-15-06, certifying the election results. Learnard seconded. Motion carried unanimously.

11-15-07 Consider Development Agreement – The Overlook

Senior Planner David Rast addressed Council, saying staff had worked with City Attorney Ted Meeker, Southern Conservation Trust (SCT), and Trinity Development on the final draft. It had taken several months. The intent was to finalize and formalize the agreement between all parties at this meeting. There were 37 points in the agreement that were divided into different sections, including conditions of conceptual site plan approval for the Property, W HWY 54/Line Creek Drive intersection enhancements, the access road through Nature Area to connect the Overlook and MacDuff Crossing retail centers, construction of a stormwater detention/wetland area within the Nature Area, and funding for future improvements within the Line Creek Nature Area.

Rast said there were two items that had been modified that he wanted to bring to Council's attention, adding the changes were not in the document included in Council's packet. The first item was a change to item #26, which addressed the gravel drive into the Nature Area. The item originally required paving of the gravel road and widening it to 24 feet. Rast said SCT had concerns about widening and paving the road, which could lead to an increase in speed of the traffic, an increase in runoff from the paved road, and a negative impact on the ambience of the Nature Area. The organization wanted the road to remain gravel and its width to be limited to 15 – 16 feet. The developer had agreed to grade the road and install drainage swales along both sides of the gravel road.

Condition #21 dealt with the access road connecting the Overlook to MacDuff Crossing, which would provide another outlet for traffic at the MacDuff Crossing/SR 54 W traffic signal. The developer had been required to provide the City with a formal agreement with the MacDuff Crossing retail center owner indicating their approval and support of the proposed access road connection to their property. The formalized agreement between the retail centers had not taken place. Language had been added to the development agreement that would allow the developer to pave to the MacDuff Crossing property line with a payment of no less than \$25,000

to the City for future completion of the access road. The City would continue negotiations with the MacDuff Crossing owners.

King asked if the MacDuff Crossing owner wanted the connection. Rorie said the MacDuff Crossing owner was currently asking for several stipulations, including a non-compete contract, which was a stretch. It did not mean things could not move forward.

Learnard asked SCT Executive Director Pam Young how her organization felt about the proposed agreement. Young said the agreement would keep the entrance to the Nature Area as natural as possible and kept conservation in mind. The pervious surface would remain. The risk management concerns had also been addressed.

Imker said he had wanted the connection from The Overlook to MacDuff Crossing from the beginning. He understood the MacDuff Crossing owner did not want competition from the new development, but he hoped that the owner would see minimal competition and allow the connection. He said it was a smart move on the owner's part to not agree with the access road at this time, and on City's part to have everything in place to make it happen when the connection would be allowed. Rast said the property line was approximately 25 feet from the parking lot in MacDuff Crossing, which was a short section.

Imker moved to approve the development agreement as discussed. King seconded. Motion carried unanimously.

11-15-08 Consider Appointment to Facilities Authority Board

Rorie said there were two options for Council to consider. They could appoint a current Council Member or appoint the newly-elected Council Member who would take office in January to fill the open seat on the Public Facilities Authority board. Former Council Member George Dienhart's term ended in June.

Imker pointed out that the City was close to considering the broadband initiative, and the Authority would be responsible for approving the bond for the initiative. He said the Public Facilities Authority had been created several years ago as another board to approve bonds taken out by the City. He noted that, per the bylaws, the five Council Members served on the board. It had also been implied that, when a Council Member left office, a new Council Member would take over the seat on the board. It was a gentleman's agreement that the five Council Members would serve on the authority.

Dienhart resigned from Council to run for Mayor in 2013, subsequently losing the election to Fleisch, Imker said. He did not resign his seat on the Public Facilities Authority, which had broken the spirit of the bylaws. Three seats were open at that time on the authority. Imker said he stepped aside so the two newly elected Council Members could serve and so Dienhart could keep his seat since he wanted to fulfill his public duty. Dienhart's term on the Authority had ended in June, and the appointment should have come to Council at that time. If it had, Imker would be serving on the board.

Imker continued that, even though he only had a month and a half left on Council, he wanted a say in the vote on the bond. He had concerns regarding the broadband initiative, noting the Authority would vote on the bond issuance before the end of December, and he wanted a say as a voting member. Imker pledged to resign from the Public Facilities Authority on December 31, as a matter of procedure. He said would like to be appointed.

Learnard nominated Imker to serve on the Public Facilities Authority board. King seconded. Motion carried unanimously.

11-15-09 Update on the Peachtree City Fire Department 50th Anniversary & Plans by the Volunteer Firefighters Association

Fire Chief Joe O'Connor addressed Council, saying that, in 1966, the City Council had founded the Fire Department as an all-volunteer organization. The department was approaching its 50th anniversary in 2016. The Volunteer Firefighters Association was now a separate organization made up of both volunteer and paid firefighters. It was a 501(c)(3) organization that raised funds, supported the Fire Department, and supported fire prevention in the City.

In recognition of the coming milestone, the Volunteer Association planned to raise funds to restore the 1949 fire truck to operation, the first one in the City, and to enhance the site of the first fire station located at the corner of SR 74 and Paschall Road. An entrance to a multi-use path tunnel under SR 74 was now located on the site. O'Connor noted the fire truck still drove great, but it did not stop.

O'Connor continued that the original station had been demolished in 2001, and the new station was built next to the site. Fire Chief Gerald Reed had died in 2000, and plans were made by Council at that time to make the site of the original station into a park in memory of Reed. No funds had ever been spent on the park. O'Connor said the volunteer association wanted to take what was left of the site after the installation of the adjacent path and tunnel to build Reed Park, which would be a passive park with minimal maintenance needed. The location was on City-owned property, and the plan was to make a donation to Council for the park, which was why O'Connor wanted Council to be aware of the plans. He committed to bringing Council the final draft of the park plans before construction would begin.

O'Connor continued that six of the founding members of the Fire Department would be recognized at a banquet in January. In April, the Fire Department would ask Council to recognize the contributions of the founding members to the community.

Fleisch asked what the costs would be for the fire engine restoration. O'Connor said they were hoping for in-kind donations, and much of the costs were unknown. The Volunteer Association had said they would underwrite the costs.

King asked if they were going to rebuild the original engine and braking system on the fire truck. O'Connor said he preferred the vehicle look the same, but might include a newer engine and braking system.

Fleisch asked if the volunteers would sell Christmas trees and wreaths this year. O'Connor said they would, and they hoped the tree sale would be a big part of the fundraising. The sale would be held at Fire Station 81.

Learnard clarified that they hoped to have the passive park ready by July. O'Connor said they did. The July 4th parade in 2016 marked the end of the 50th year, O'Connor said.

No action was required. Council consensus was to proceed.

11-15-10 Consider Findings of Hearing Officer in Ethics Complaint

City Attorney Ted Meeker noted Mayor Fleisch's attorney had not arrived, asking to change the order of the agenda.

King moved to consider agenda item 11-15-12 Consider Access Easement for AT&T Switching (106 Petrol Point) at this time. Ernst seconded. Motion carried unanimously.

11-15-12 Consider Access Easement for AT&T Switching (106 Petrol Point)

Rast addressed Council, saying that AT&T had requested a permanent access easement for a gravel driveway on City-owned property for the purpose of providing access to utility manholes and other mechanical equipment located at the rear of their facility on Petrol Point. There were utility manholes, junction boxes, and other equipment at the location. The proposed circular drive located within the City's 50-foot wide greenbelt would allow service vehicles to park while equipment was being serviced. Several similar easements had been granted over the years. Rast said staff would meet with AT&T regarding the removal of some small trees in the greenbelt and to ensure there was adequate sight distance at the driveway location.

Imker asked what the square footage of the easement would be, asking if it was less than 5,000 square feet. Rast said it should be, adding the area would be surveyed once a site was selected.

Imker asked if there would be any new landscaping. Rast said staff had discussed it with AT&T. The intent was to screen the area as much as possible. They had also discussed minimal disturbance in the greenbelt and adding vegetation to hide the gravel road. Imker said he wanted landscaping to be a requirement. Rast said that requirement would be put into the easement document once the exact limits of the easement were determined.

Learnard moved to approve the access easement for AT&T switching. Ernst seconded. Motion carried unanimously.

Fleisch's attorney arrived. She turned the meeting over to Mayor Pro-tem Mike King and left Council Chambers.

11-15-10 Consider Findings of Hearing Officer in Ethics Complaint

Meeker said the ethics complaint was filed on September 24 against Mayor Fleisch by Martine Yancey concerning campaign disclosure reports filed in 2013. Per the complaint, the reports for the mayoral campaign had been filed on time, but the reports required for Fleisch's final year as a Council Member had not been. As required by the Ethics Ordinance, Tommy Greer, an attorney from Carrollton, was randomly selected as the hearing officer from a pool of five eligible attorneys.

Meeker reported that Greer's findings were (1) that the complaint had not been timely filed (the ordinance called for no action on any complaint filed later than one year after a violation); and (2) the complaint was not justified (Greer found no intent to violate state rules as demonstrated by Fleisch previously reporting a zero-balance in the Council campaign account and obtaining a new account as directed by the State for the Mayoral campaign, followed by subsequent timely filings as required). His recommendation was dismissal of the complaint.

Meeker said Council had three options:

1. Accept the findings and recommendations of the hearing officer;
2. Accept the findings of fact and reject the recommendation, instead substituting its own discipline; or
3. **(Requires supermajority vote)** Reject the findings and recommendations and either:
 - a) Dismiss the complaint; or
 - b) Conduct a hearing to determine alternate findings and recommendations.

Learnard moved to accept the findings and recommendation of the hearing officer, that being 1) the complaint was not timely filed, 2) complaint was not justified, and 3) recommendation of dismissal. Ernst seconded. Motion carried 4-0.

Fleisch returned to the meeting.

11-15-11 Consider Employment Agreement & Appointment of City Manager – Jon Rorie

Rorie reported the contractual agreement that had been discussed in executive session had been published on the City website and included in the agenda packet. It spelled out the terms of employment, and Rorie noted the City Manager was employed at the discretion of City Council.

Ernst moved to approve the employment agreement and appointment of Jon Rorie as City Manager. King seconded. Motion carried unanimously.

Rorie commented that he had no expectations when he had been appointed as the interim City Manager. There had been bumps in the road during the last six months, and there would continue to be bumps in the road. In a sense, he was a pitcher, and he did not have to throw strikes all the time. Rorie recognized he did not have all the answers. He had other people behind him, including Council and the City Attorney, for support. There were challenges ahead, including financial sustainability issues, traffic, golf cart registration and path maintenance (how to deal with the City's number one amenity), service level impacts, and more. It was important that the City had a history, but they could not look in the rear view mirror. They had to look forward. There would be debates and controversy, but at the end of the day, they were trying to move the City forward to a future that staff, Council, and the residents could come home to.

Executive Session

There were no topics for executive session.

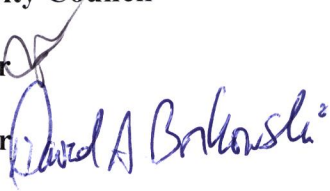
There being no further business, King moved to adjourn the meeting at 7:46 p.m. Ernst seconded. Motion carried unanimously.

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager
FROM: City Engineer 
DATE: November 6, 2015, 2015
SUBJECT: Stormwater Management Ordinance Revision
December 3, 2015, City Council Meeting

Recommendation:

Staff recommends that City Council authorize the Mayor to sign the attached ordinance revision to the City's Stormwater Management Ordinance.

Discussion:

The City currently uses the Georgia Stormwater Management Manual (GSMM) in the design and review of all stormwater projects in the City. The Atlanta Regional Commission (ARC) has been working this year to update the GSMM to correct errors and to include new best management practices (BMPs). Some of the new BMPs include practices that will completely retain run-off from small storms and not allow any downstream discharges for water quality.

Once the new manual is approved by the ARC and put out for local adoption in 2016, the City will have to decide whether or not to include these new BMPs in our tool box of stormwater practices. There is also feedback coming from the Georgia Environmental Protection Division (EPD) that these new BMPs may be required in our 2017 Municipal Stormwater Permit, regardless of what the City decides.

Given the above issues, staff feels that it is prudent to continue to use the current edition of the GSMM until staff receives clear direction from the EPD on adoption of the new manual. This also enables staff time to review and receive proper training.

Budget Impact:

There is no budget impact for this ordinance amendment.

Attachment - Ordinance

AN ORDINANCE TO AMEND ARTICLE VIII, OF THE PEACHTREE CITY LAND DEVELOPMENT ORDINANCE, AS AMENDED, TO ESTABLISH STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT; 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. Article X. Water Resource Protection, of the Peachtree City Land Development Ordinance, as amended, be further amended to revise Sec. 1011(a)(6) as follows:

Sec. 1011. - Stormwater management for new development and redevelopment.

(a) General provisions.

- (6) Stormwater Design Manual. The city will utilize the policy, criteria and information including technical specifications and standards in the ~~latest edition of the August 2001 edition of the~~ Georgia Stormwater Management Manual and any relevant local addenda, for the proper implementation of the requirements of this ordinance. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

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 _____ 2015.

Vanessa Fleisch, Mayor

Attest:

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jon Rorie, City Manager 
Paul Salvatore, Financial Services Director 

FROM: Ellece Brown, Director, HR & Risk Management 

DATE: November 20, 2015

SUBJECT: Acceptance of Donation from SAFEbuilt
December 3, 2015, City Council Meeting

Recommendation

Staff recommends accepting a donation in the amount of \$2500 from SAFEbuilt in Tyrone, Georgia.

Discussion

SAFEbuilt contacted the Human Resources Department in 2014 and expressed the desire to make a donation to support an employee activity/event. SAFEbuilt is continuing to show their appreciation for the hard work and dedication of City employees by sponsoring this year's Employee Christmas and Awards Luncheon as well.

Budget Impact

Since the Annual Employee Christmas and Awards Luncheon is a budgeted item in the 2016 Budget, the impact of this donation is a savings of \$2500 to the General Fund.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Members of Council

VIA: Jonathan Rorie, City Manager 
Paul Salvatore, Financial Services Director *p.s.*
Angela Egan, Purchasing Agent
Joe O'Connor, Fire Chief 

FROM: Jeff Koldoff, Operations Officer & Apparatus Committee Chairman

DATE: November 25, 2015,

SUBJECT: Request to purchase Ambulance (FY2016)

Recommendation:

Staff requests City Council authorize the purchase of a Type 1 Ambulance from Custom Truck & Bodyworks of Woodbury, Georgia, for their bid amount of \$215,722.00. Their bid documents indicate we should expect an anticipated delivery of the completed vehicle approximately 120 - 180 days after the receipt of the chassis from Ford in approximately 10 weeks for placing the order.

Discussion:

The Fire Department's Apparatus Committee developed specifications for a new ambulance to replace the Department's oldest / highest mileage Ambulance, built on a 2003 Ford Van Chassis. Specifications were sent by the City Purchasing Agent to eight ambulance dealers / manufacturers, with bids due on November 10th. Two bids were received meeting all significant requirements, one from Custom Truck and Bodyworks for a bid amount \$215,722.00 and the other from Affordable Ambulance LLC. of Tyrone (Dealer for Demers Ambulance of Canada) for \$228,089.00.

The Fire Department recommends accepting the lower bid from Custom Truck and Bodyworks which is \$12,367 less than the bid from Affordable Ambulance LLC. The Department has purchased its last two ambulances from Custom Truck and they have been receptive in working with the City to resolve any issues. The proximity of their manufacturing plant in Woodbury has been advantageous for coordinating any service or repairs needed after the sale.

Budget Impact:

The FY 2016 Public Improvement Plan included \$234,284.00 for this purchase. Staff requests council approve the purchase amount of \$215,722.00 from Custom Truck & Bodyworks for this purchase, which is below the budget amount.

STAFF REPORT

TO: Mayor and Council Members

VIA: City Manager
Planning and Development Director *dk*

FROM: Senior Planner *David*

DATE: November 18, 2015

SUBJECT: Consider request to change the name of a public street
(Whitlock Place to Masonic Place)
December 3, 2015 City Council Agenda

Recommendation:

That Council approve the request to change the name of a public street from Whitlock Place to Masonic Place.

Discussion:

Whitlock Place is an existing public street within the Whitlock Place commercial subdivision and is approximately 265' in length, connecting N HWY 74 to Park Place. The road was constructed during Phase 2 of the subdivision, which was platted on January 21, 1994.

While there are a number of businesses located within the subdivision, there is only one tract of land with a physical address on Whitlock Place. The owner of that tract, Masonic Lodge #288, has petitioned the city and requested that the street name be changed from Whitlock Place to Masonic Place.

The Applicant has complied with the procedures identified within Section 803(f)(6) of the Land Development Ordinance. In addition, all property owners abutting the street have been notified of the potential name change.



Whitlock Place commercial subdivision

Budget Impact:

There are no budget impacts associated with this request.

Attachment

Application to Change Street Name: Whitlock Place to Masonic Drive

PLACE
BHY

In accordance with Peachtree City ordinance Appendix B, Sec. 803. Design/construction standards. (Streets) (f), (6) Procedure for changing street names.

1. A written petition in support of the proposed change bearing the signatures of at least 51 percent of the property owners fronting on the street. The property owners who sign the petition must own at least 51 percent of the linear street frontage on both sides of the street right-of-way.

Petition in support of changing the street name of Whitlock Place to Masonic Drive

Property Owner

Bruce H. Gunnin
Bruce H. Gunnin, Trustee for Masonic Lodge #288

9/29/15
Date

Gregory J. Carroll
Gregory J. Carroll, Worshipful Master for Masonic Lodge #288

10/1/15
Date

There are no other property owners on Whitlock Place therefore the address of 201 Whitlock Place, the address of Masonic Lodge #288, constitutes 100% of the property owners on this street.

1739 072

2. The existing street name and the proposed street name.

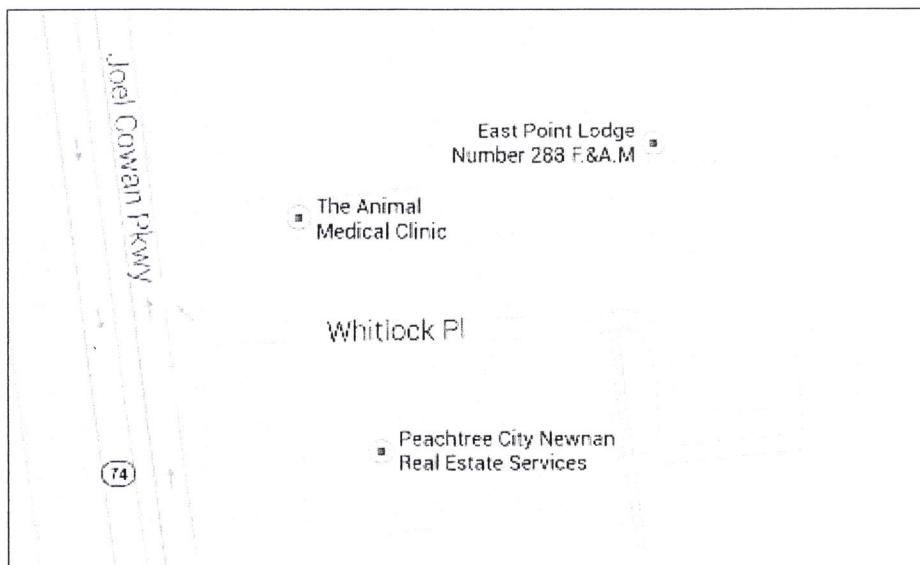
Existing street name: Whitlock Place

Proposed street name: Masonic Drive

3. The reason for proposing a street name change.

To better direct traffic to Masonic Lodge 288, the only property on the street.
Please note in the map below, The Animal Medical Clinic and Peachtree City Newnan Real Estate Services properties are addressed on State Road 74.

4. A map clearly showing the street for which a name change is proposed.



5. A \$250.00 filing fee.

RECEIVED OCT - 7 2015

STAFF REPORT

TO: Mayor and City Council Members

VIA: Jon Rorie City Manager
Mike Warrix Planning and Development Director

FROM: David Rast Senior Planner

DATE: November 19, 2015

REQUEST: Consider Variance Requests to Zoning and Land Development Ordinances for Chick-fil-A tract (707 HWY 54)
December 3, 2015 City Council Agenda

Case Number:	PV15-0008
Property location:	707 HWY 54, Peachtree Crossing retail center
Current zoning:	GC General Commercial
Current Land Use Designation:	COM Commercial
Parcel size:	0.979 acres
Property owner:	Chick-fil-A, Inc.
Applicant:	InterPlan, LLC (c/o Chick-fil-A, Inc.)

Background information:

Chick-fil-A owns the tract of land located at 707 HWY 54 within the Peachtree Crossing retail center. The existing building was constructed in 1983 as a Hardee's restaurant and was compliant with applicable ordinances and regulations at the time it was approved and constructed. Chick-fil-A acquired the property in 1992 and renovated the former Hardee's building into a freestanding Chick-fil-A restaurant.

The Applicant desires to demolish the existing building and parking area and then redevelop the property. The development as proposed would include a prototypical Chick-fil-A restaurant building with a dual drive-thru lane, enhancements to the internal parking and circulation patterns, and a designated loading and service area. Ingress and egress would be limited to the service drive within the Peachtree Crossing retail center, and the existing exit onto Dan Lakly Drive would be removed.

Section 906 of the Zoning Ordinance identifies the existing development as a "lawfully existing nonconforming use". Because the Applicant desires to remove the existing nonconforming uses and then redevelop the property, the new development must comply with current city ordinances.

Proposed Variance: Chick-fil-A tract (707 HWY 54)

November 19, 2015

Page 2

Request:

In order to redevelop the property as proposed, the Applicant is requesting variances from several zoning and land development ordinances.

- Section 1006.5(c)(1) of the Zoning Ordinance establishes a front building setback of 40' within the GC zoning district. The building as proposed would be located 24' from the property line associated with Dan Lakly Drive. **The Applicant is requesting a variance of 16' to permit this encroachment.**
- Section 903 of the Zoning Ordinance stipulates that lanes associated with a drive-thru window shall be considered part of the principal building when determining building location on a lot. The drive-thru lane as proposed would be located 29.6' from the property line associated with HWY 54. **The Applicant is requesting a variance of 10.4' to permit this encroachment.**
- Likewise, the drive-thru lane as proposed would be located 10.9' from the property line associated with Dan Lakly Drive. **The Applicant is requesting a variance of 29.1' to permit this encroachment.**
- Section 723.1(c)(4) of the Land Development Ordinance would require a tree save and landscape buffer of no less than 33' in depth adjacent to HWY 54. The site plan as proposed would provide a tree save and landscape buffer of 30.5' in depth adjacent to HWY 54. **The Applicant is requesting a variance of 2.5' to permit this reduction.**

Variance - Consideration:

In accordance with Section 1202 of the Zoning Ordinance and Section 1302 of the Land Development Ordinance, variances shall only be granted upon showing that:

- (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/ land development ordinance; or
- (b) The application of the particular provision of the zoning/ land development 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.

Variance - Review Criteria:

Section 1207 of the Zoning Ordinance and Section 1303 of the Land Development Ordinance state:

In reviewing a request for a variance, the City Council shall not grant the request unless all of the following findings can be made:

Proposed Variance: Chick-fil-A tract (707 HWY 54)

November 19, 2015

Page 3

- (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.*

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 city council shall deny the request in writing, stating the reasons for the denial.

Staff Analysis:

The existing development was approved and constructed prior to the adoption of many of our current ordinances and is therefore considered a lawfully existing nonconforming use. Any modifications to the property, including expansions of the building and/ or parking areas, would require that the site be brought into compliance with current zoning and land development ordinances, or that the property owner seek variance(s) to permit such expansions.

Because the property has frontage on HWY 54 and Dan Lakly Drive, both of which are public streets, it is classified as a multiple-frontage lot. As such, the front building (40') and parking (20') setbacks identified within the GC General Commercial zoning district are applicable to both street frontages. The building and drive-thru lanes as proposed

Proposed Variance: Chick-fil-A tract (707 HWY 54)

November 19, 2015

Page 4

would encroach into the front building setback adjacent to both HWY 54 and Dan Lakly Drive.

In addition to the established building and parking setbacks, the property is also subject to the Buffer Standards for Major Thoroughfares Ordinance (adopted on October 16, 1997). Based on the average depth of the property, the ordinance requires no less than a 33'-wide tree save and landscape buffer as measured from the right-of-way. The tree save and landscape buffer as proposed would be 30.5' in width.

Possible Conditions of Approval:

Should Council determine that granting the variances as requested would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning and land development ordinance or there are extraordinary and exceptional conditions pertaining to the subject tract because of its size, shape or topography that would create an unnecessary hardship for the owner while causing no detriment to the public, Staff proposes that the following understandings and conditions be considered as a condition of approval:

1. *The proposed curb line parallel to the western property boundary (BB&T tract) shall be shifted to the east such that it is no closer to the property line than the existing curb line, the intent being to preserve existing vegetation within the planting area between the two parcels. It is understood the drive aisle would reduce in width accordingly.*
2. *In addition to the tree replacement as required by the city's landscape ordinance, no less than six canopy trees (min. 3" caliper) and six understory trees (min. 2" caliper) shall be planted within the tree save and landscape buffer adjacent to HWY 54.*
3. *The existing Bald Cypress trees adjacent to Dan Lakly Drive shall be protected during construction activities.*
4. *A masonry wall of no less than 4' in height and 80' in length shall be installed adjacent to the drive-thru lane and parallel to HWY 54, the intent being to shield views of the cars stacking in the drive-thru lanes and the menu boards from the highway.*



Please use blue or black ink to fill out this form.

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731

F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00

Variance Fee: \$250.00

Receipt #

Date Filed

Case #

Office Use Only

VARIANCE LOCATION	Street Address <u>707 GA 54</u> <u>Peachtree City, GA 30269</u>	PROPERTY OWNER	Name <u>Chicko-fil-A, Inc.</u>
	Zoning District: ☐ Residential ☐ Multi-Family ☒ Commercial\Industrial\Office Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below) Variance from which ordinance: ☐ Sign ☐ Fence ☒ Land Development ☐ Zoning		Phone <u>(404) 305-7745</u>
APPLICANT	Name <u>Interplan LLC c/o Chick-fil-A Inc</u>	PROPERTY INFO	Subdivision: _____
	Address <u>604 Courtland Street, Suite 100</u>		Phase: _____ Lot # <u>94</u>
APPLICANT	City, State, Zip <u>Orlando, FL 32804</u>	SUPPORTING DOCUMENTS	Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application) ☒ Site plan (with property lines and proposed work) ☒ A detailed report justifying the requested variance ☐ Letters of support from adjacent property owners ☒ Digital Photographs \ Renderings (CD or Email) ☒ Other Items Demonstrating Need (topo. Survey, etc)
	Phone # <u>(407) 645-5008</u>		
APPLICANT	Email <u>sanderson@inteplanllc.com; egraf@interplanllc.com</u>		

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback?	☐ Yes ☐ No	
ADMINISTRATIVE VARIANCE	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) How long has the violation existed?	_____ Years	
ADMINISTRATIVE VARIANCE	5.) What is the required setback?	_____ Feet	
	6.) How much of a variance is being requested?	_____ Feet	
ADMINISTRATIVE VARIANCE	7.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions?	☐ Yes ☐ No	
SPECIAL EXCEPTION	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking?	(Circle One)	
SPECIAL EXCEPTION	5.) What is the required setback, height, or spaces?	_____	
	6.) How much of a variance is being requested?	_____	

VARIANCE	Please review the ordinances and instructions on the back of this page. 1.) Is a current survey included with the application? ☒ Yes ☐ No 2.) How much of a variance is being requested? _____ Feet 3.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application) Reference attached Request Letter for Variances for the new Chick-fil-A restaurant. N/A, no violation occurred.
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I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: [Signature] Date 10/15/2015

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES Signature: <u>David E. Bart</u>	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below: Date of Acceptance: <u>10-29-15</u> Date of Public Hearing: <u>12-03-15</u>
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Variance Application
Revised 6/2008

RECEIVED OCT 16 2015

inv. 00018313

www.peachtree-city.org
Fax: 770-487-5732

October 29, 2015 (last revised November 12, 2015)

David Rast, ASLA
Senior Planner
City of Peachtree City
153 Willowbend Road
Peachtree City, GA 30269
770-487-5731

Reference: Request for Zoning & Land Development Ordinance Variances
IP # 2015.0153
Chick-fil-A, Peachtree City
707 Georgia Highway 54, Peachtree City, GA 30269

Dear Mr. Rast:

The existing Chick-fil-A restaurant located at 707 Georgia Highway 54 in Peachtree City was originally constructed in 1983 as a Hardee's Restaurant. It was later converted to a Chick-fil-A in 1992 and now the building sits at over 30 years old. Chick-fil-A likes the location of the restaurant and wishes to replace the old building with a brand new custom Chick-fil-A building smaller than any of the prototypical buildings and smaller in size to the existing building. In the process Chick-fil-A would also like to add a second drive thru lane to accommodate the drive thru traffic and help alleviate congestion.

In order to redevelop the existing property, the proposed site plan will require approval of several variances. Chick-fil-A is not looking to increase the development footprint within the parcel and plans to maintain the existing green area around the existing site.

On behalf of our client (Chick-fil-A, Inc.), we would like to make a formal request for a variance to the following Zoning and Land Development Ordinances for the above referenced Chick-fil-A:

Zoning Ordinance Variances

1. Request a variance from Section 1006.5(c)(1) to reduce the east building setback along Dan Lakly Drive from 40 ft to 24 ft. Dan Lakly Drive for all intensive purposes is actually the entrance drive to the shopping center behind Chick-fil-A and would typically require a 10' side building setback. However, it is platted as a public right-of-way and therefore is considered a second front building setback to this site.

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Chick-fil-A, Peachtree City

October 29, 2015 (last revised November 12, 2015)

Page 2 of 4

2. Request a variance from Section 903 to permit the encroachment of the drive thru lane into the building setback along Dan Lakly Drive. A reduction of the drive thru lane setback from 40 ft to 10.4 ft (encroachment of 29.6 ft) is requested.
3. Request a variance from Section 903 to permit the encroachment of the drive thru lane into the building setback along GA Hwy 54. A reduction of the drive thru lane setback of 40 ft to 29.1ft (encroachment of 10.9 ft) is requested. The existing parking field is setback only 28.3 ft along this property line so the proposed plan *increases* the width of the existing landscaped area adjacent to the right-of-way by approximately 2 ft.

Land Development Ordinance Variance

1. Request a variance from Section 723.1(c)(4) to reduce the tree save and landscape buffer adjacent to an arterial highway (GA Hwy 54) by 2.5' (33' to 30.5'). Because the average depth of the property is 213', the depth of the buffer is established at 20' plus the average depth of the lot that exceeds 200', which would require a tree save and landscape buffer of 33' in depth. The existing tree save and landscape buffer is 28.3' in depth. The proposed tree save and landscape buffer would increase to 30.5' in depth. The plan as proposed increases the depth of the tree save and landscape buffer by 2.2'.

STANDARDS OF REVIEW FOR VARIANCE

- a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that strict application of this ordinance denies the property privileges enjoyed by other property in the vicinity and under identical zoning district classification;

Response: The project site is currently operating as a Chick-fil-A restaurant in a building that is over 30 years old. The variances requested are all necessary to redevelop the site with a new building and meet current code conditions. The proposed development is not encroaching into any of the existing green areas along GA Hwy 54 and Dan Lakly Drive, the number of parking spaces has been increased to meet code and the maximum impervious area is being reduced from what is existing. Ultimately the new layout will impact less of the property than the current site.

- 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;

Response: Chick-fil-A proposes to improve the site from the current conditions. Strict or literal interpretation and application of the ordinances will not allow Chick-fil-A to redevelop the site with a similar size building then currently exists. We have enclosed

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Chick-fil-A, Peachtree City

October 29, 2015 (last revised November 12, 2015)

Page 3 of 4

several exhibits listed below that show how this property cannot be developed without the need for variances.

- 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;

Response: The properties adjacent to the Chick-fil-A site are currently developed and it is not possible to increase the size of the project parcel to redevelop the site with a new Chick-fil-A restaurant and meet the current setback and buffer requirements. If this was a new project then a larger parcel would be sought to develop and meet the code but in this situation we are restricted to the existing parcel size to redevelop.

- 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;

Response: Chick-fil-A is not asking for any special privileges, only to redevelop an existing site with a similar size building and site infrastructure.

- 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.

Response: The proposed project layout will actually improve the safety and general welfare of the public by isolating the drive thru lanes from the field of parking spaces. It will no longer be necessary to cross the drive thru lane to access the building as is in the existing site conditions.

- f) The granting of such variance will not create inconsistencies with any objective of the comprehensive plan.

Response: The comprehensive plan will not be affected as the project site is being redeveloped to replace an existing restaurant with a new restaurant.

Site Plan Exhibits

Exhibit 1 – Existing Site Plan

- Exhibit 1 shows the layout of the building and parking spaces as the property is developed today. The existing front parking spaces along GA Hwy 54 are setback 29.6' from the property line encroaching into the required 40' landscape buffer. Also, the parking along Dan Laky Drive is setback 8.3' from the property line, encroaching into the 20' parking setback. The existing site as it sits today is non-conforming and could not be developed today without setback variances from GA Hwy 54 and Dan Laky Drive.

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Chick-fil-A, Peachtree City

October 29, 2015 (last revised November 12, 2015)

Page 4 of 4

Exhibit 2 – Proposed Site Plan

- Exhibit 2 shows the Proposed Site Plan layout of how Chick-fil-A would like to redevelop the site. This is the site plan that requires the variances listed above.

Exhibit 3 – Isolated Drive Thru Lane Site Plan

- Exhibit 3 shows a layout of the site with an isolated drive thru lane and the building shifted to meet the required building setbacks. Similar to the Proposed Site Plan, the drive through lane is separate from the parking field and customers do not have to cross the drive through lane to get to the building. However, by shifting the building and drive thru over to meet the setbacks, there is no longer enough room for parking. This configuration provides only 20 parking spaces which is 25 less than the required number so a variance would still be required for parking. The lack of that much parking is not ideal for Chick-fil-a and could also affect the already heavily parked shopping center.

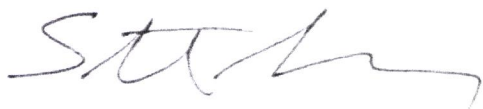
Exhibit 4 – Centered New Building / Drive Thru Lane Wrapped against Building

- Exhibit 4 shows a layout of the site with the building centered and the drive thru lane wrapped against the building. This is similar to the existing site layout with the drive thru lane against the building which does not address the issue of pedestrians crossing the drive thru to get to the building. This layout meets the required building setbacks but again there is not enough room to create enough parking spaces. This layout provides only 23 spaces, 22 short of what is required.

Upon review of this request and documentation provided, please feel free to contact me at (407) 645-5008 with any questions.

Respectfully,

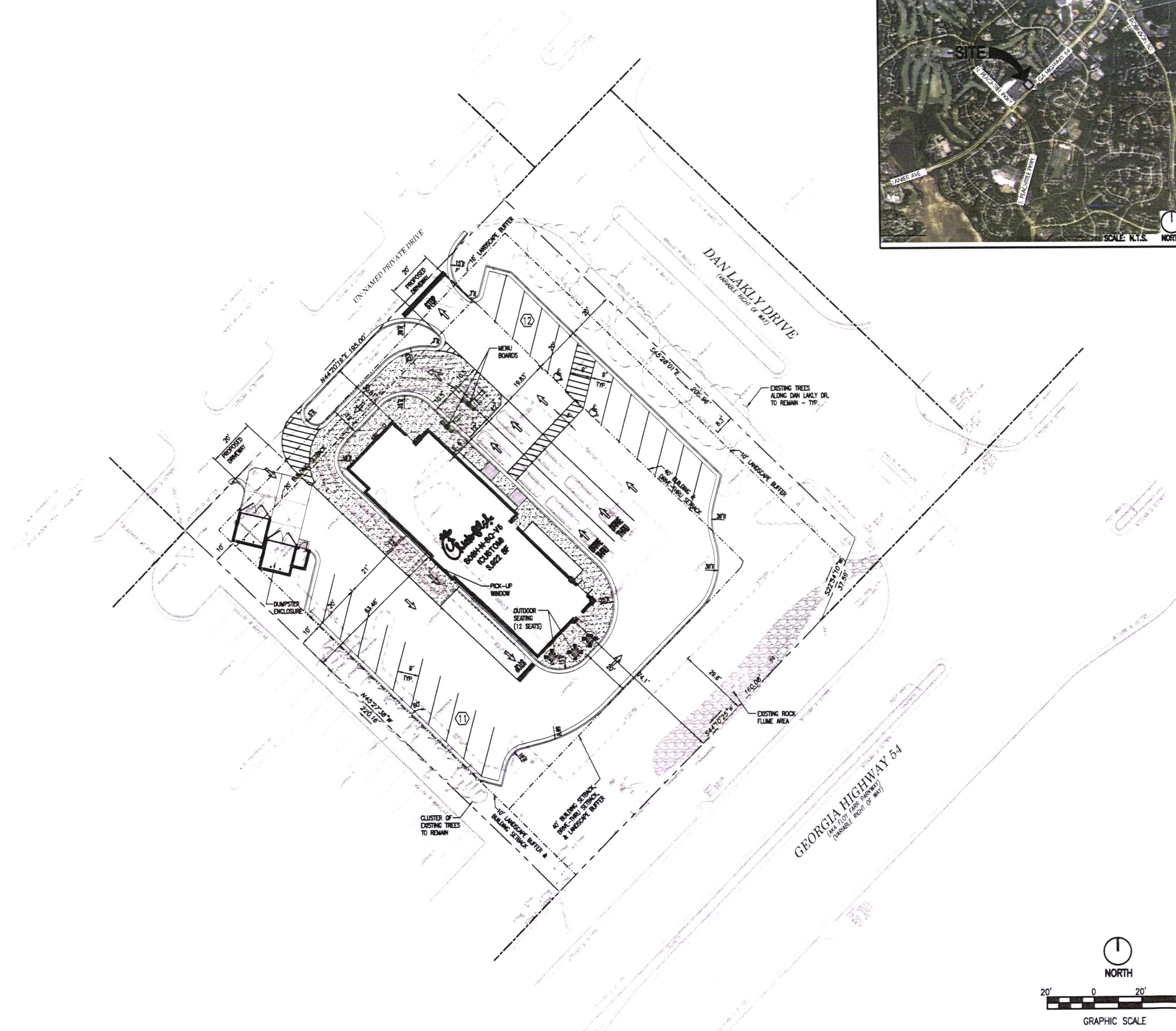
INTERPLAN LLC



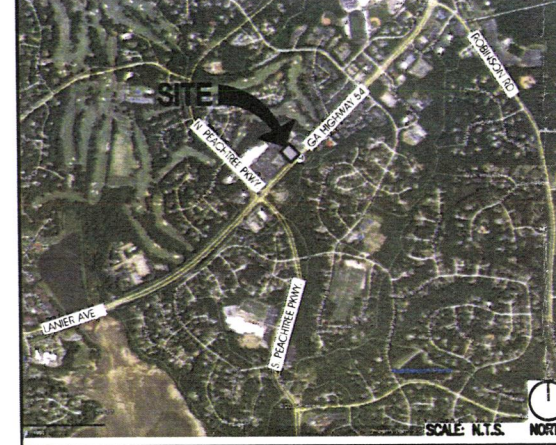
Stuart Anderson, P.E.
Director of Civil Engineering

enclosures

cc: J. Latimer, Chick-fil-A Inc
T. Hayes, JLL
E. Graf, J. Stalder, T. Gee, R. Jardaneh, Interplan LLC



VICINITY MAP



SITE DATA

LEASE AREA	42,641 SF	0.979 ACRES
PROPOSED PAVEMENT AREA	23,898 SF	(54.1%)
PROPOSED GREEN AREA	15,629 SF	(36.7%)
PROPOSED BUILDING AREA	3,822 SF	(9.2%)
PROPOSED IMPERVIOUS AREA	27,812 SF	(63.3%)
PROPOSED PERVIOUS (OPEN SPACE) AREA	15,629 SF	(36.7%)
EXISTING IMPERVIOUS AREA	29,843 SF	(70.0%)
EXISTING PERVIOUS (OPEN SPACE) AREA	12,798 SF	(30.0%)

BUILDING AREA	
EXISTING BUILDING AREA	4,871 SF
PROPOSED BUILDING AREA	3,822 SF

ZONING GC (GENERAL COMMERCIAL)

NUMBER OF SEATS	
INDOOR	80 SEATS
OUTDOOR	24 SEATS

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.	74 FT.
SIDE (Southwest)	10 FT.	101 FT.
SIDE (Northwest, Dan Lakly Dr.)	40 FT.	53 FT.
REAR (Northwest)	20 FT.	31 FT.

LANDSCAPE BUFFER	REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.	40 FT.
SIDE (Southwest)	10 FT.	10 FT.
SIDE (Northwest, Dan Lakly Dr.)	10 FT.	41 FT.
REAR (Northwest)	10 FT.	10 FT.

PARKING REQUIRED
One (1) Space per 100 SF of Gross Floor Area, Plus Any Outdoor Dining Area
Building + Patio = 3,822 sf + 610 sf = 4,432 sf
= (4,432 / 100) x 1
= 45 SPACES

EXISTING PARKING	
REGULAR	48 SPACES
HANDICAP	2 SPACES
TOTAL	42 SPACES

PARKING PROVIDED	
REGULAR	21 SPACES
HANDICAP	2 SPACES
TOTAL	23 SPACES



5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:
Mark Date By
△
△
△
△
△
△

Seal
STUART ANDERSON, P.E.
GA. REG. # PE0836342
AA 003420
CA 0660
604 COUNTRY STREET, SUITE 110
ORLANDO, FLORIDA 32804
PH 407.659.9124
FX 407.659.9124

INTERPLAN
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

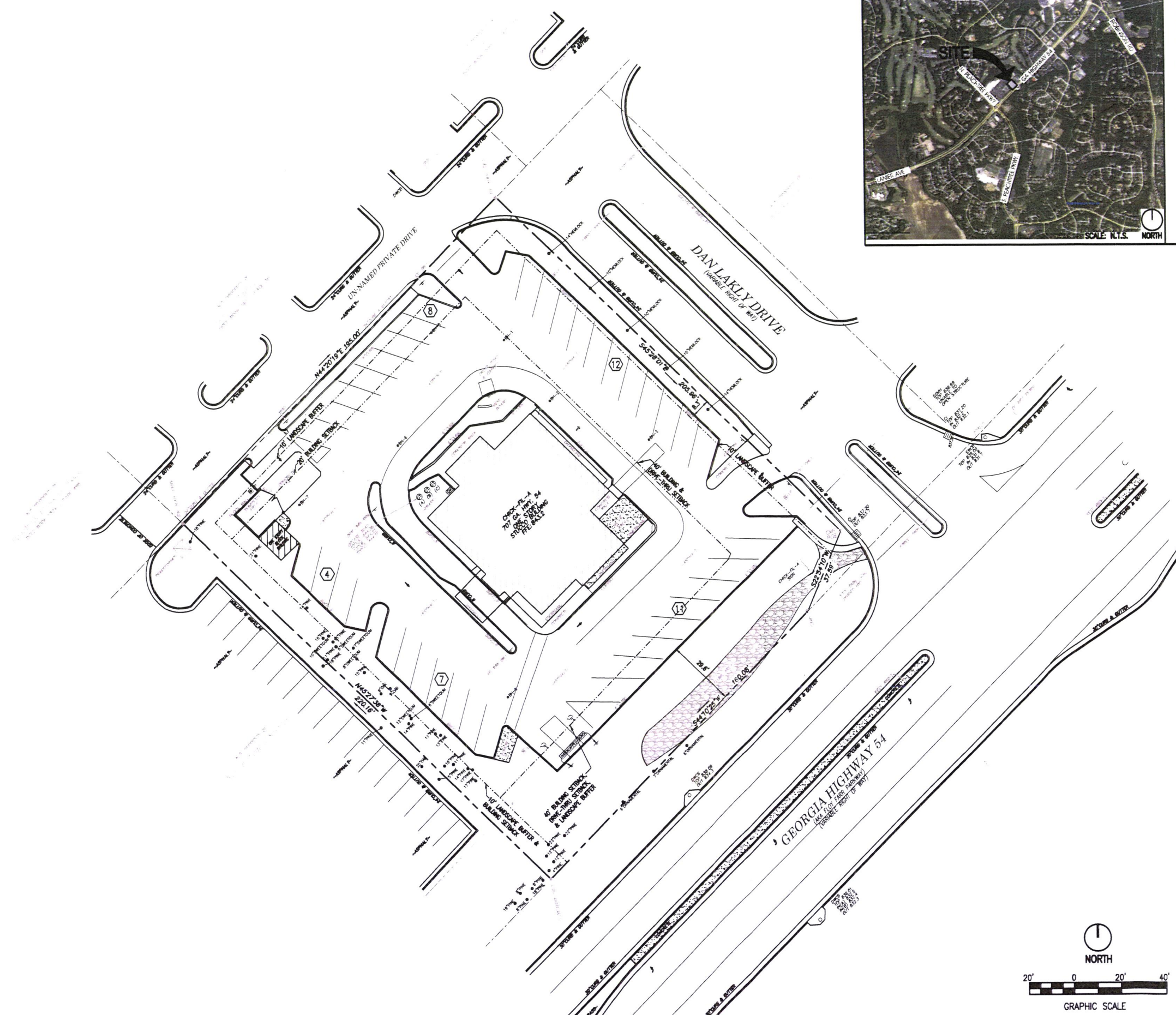
STORE
FSU 508H-V5-N-SQ
PEACHTREE CITY
707 GA-54
PEACHTREE CITY,
GEORGIA 30269

SHEET TITLE
PROPOSED SITE
PLAN EXHIBIT

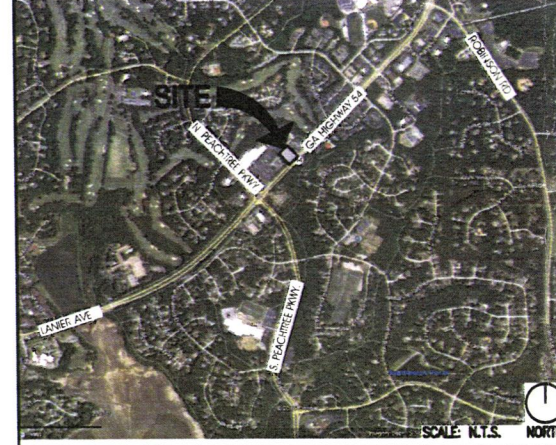
VERSION: 5
ISSUE DATE: 10-2015

Job No. : 2015.0153
Store : 838
Date : 10/15/15
Drawn By : MJ
Checked By : JS

Sheet
EX-4



VICINITY MAP



SITE DATA

LEASE AREA	42,641 SF	0.970 ACRES
EXISTING IMPERVIOUS AREA	29,843 SF	(70.0%)
EXISTING PERVIOUS (OPEN SPACE) AREA	12,798 SF	(30.0%)
		100 %
BUILDING AREA	4,071 S.F.	
ZONING	GC (GENERAL COMMERCIAL)	
EXISTING PARKING		
REGULAR	48 SPACES	
HANDICAP	2 SPACES	
TOTAL	42 SPACES	

5200 Buffington Rd.
Atlanta Georgia,
30349-2988

Revisions:

Mark	Date	By
△		
△		
△		
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Seal

STUART ANDERSON, P.E.
GA. REG. # PE038342

AA 003420
CA 0660
604 CORTLAND STREET, SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.629.9124

INTERPLAN 91
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

STORE
FSU SOBHV-5-N-SQ
PEACHTREE CITY

707 GA-54
PEACHTREE CITY,
GEORGIA 30269

SHEET TITLE
EXISTING
SITE PLAN

VERSION: 5
ISSUE DATE: 10-2015

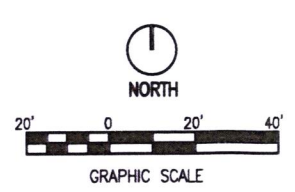
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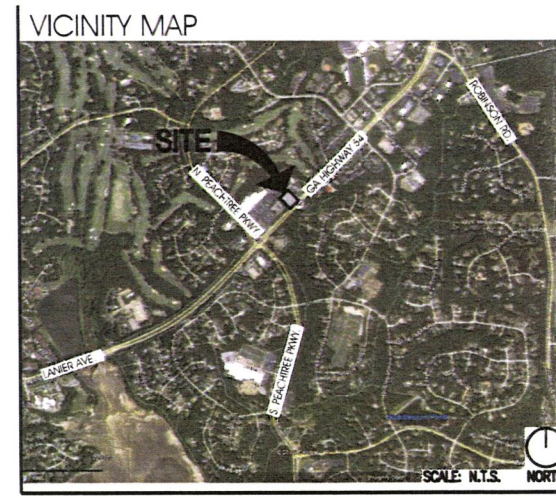
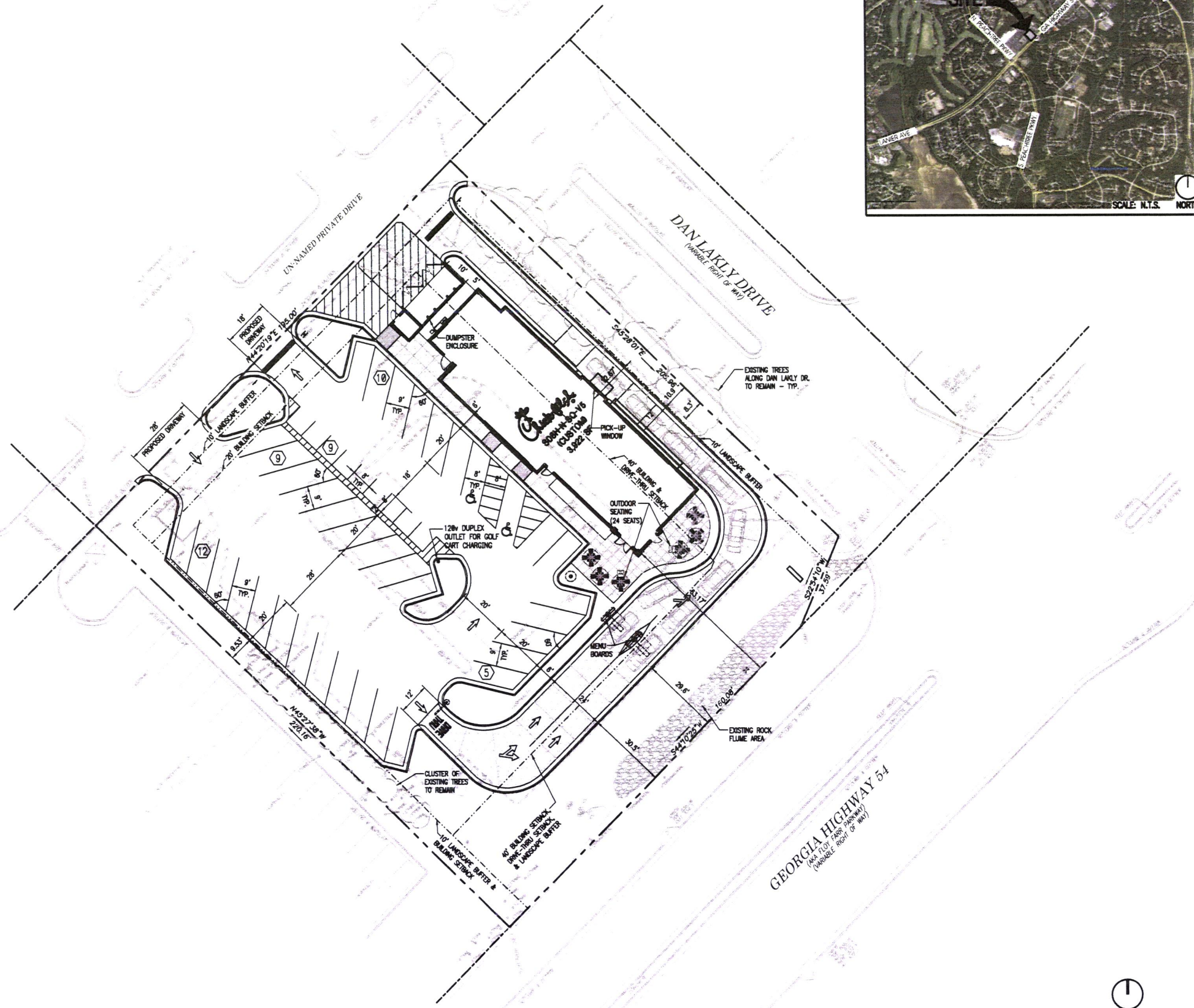
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EX-1

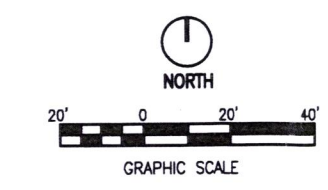
EXISTING SITE PLAN
RECEIVED OCT 29 2015

1" = 20'





SITE DATA		
LEASE AREA	42,641 SF	0.979 ACRES
PROPOSED PAVEMENT AREA	25,698 SF	(60.3%)
PROPOSED GREEN AREA	13,821 SF	(30.5%)
PROPOSED BUILDING AREA	3,922 SF	(9.2%)
PROPOSED IMPERVIOUS AREA	29,620 SF	(69.5%)
PROPOSED PERVIOUS (OPEN SPACE) AREA	13,821 SF	(30.5%)
EXISTING IMPERVIOUS AREA	29,843 SF	(70.0%)
EXISTING PERVIOUS (OPEN SPACE) AREA	12,798 SF	(29.0%)
BUILDING AREA		
EXISTING BUILDING AREA	4,071 SF	
PROPOSED BUILDING AREA	3,922 SF	
ZONING	GC (GENERAL COMMERCIAL)	
NUMBER OF SEATS		
INDOOR	80 SEATS	
OUTDOOR	24 SEATS	
BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.	63 FT.
SIDE (Southwest)	10 FT.	132 FT.
SIDE (Northeast, Dan Laky Dr.)	40 FT.	24 FT.
REAR (Northwest)	20 FT.	41 FT.
LANDSCAPE BUFFER	REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.	30 FT.
SIDE (Southwest)	10 FT.	8.5 FT.
SIDE (Northeast, Dan Laky Dr.)	10 FT.	10 FT.
REAR (Northwest)	10 FT.	17 FT.
PARKING REQUIRED		
One (1) Space per 100 SF of Gross Floor Area, Plus Any Outdoor Dining Area		
Building + Patio = 3,922 sf + 610 sf = 4,532 sf		
= (4,532 / 100) x 1		
= 45 SPACES		
EXISTING PARKING		
REGULAR		48 SPACES
HANDICAP		2 SPACES
TOTAL		42 SPACES
PARKING PROVIDED		
REGULAR		34 SPACES
HANDICAP		2 SPACES
GOLF CART SPACES		9 SPACES
TOTAL		45 SPACES



PROPOSED SITE PLAN
RECEIVED OCT 29 2015

1" = 20'

5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:
Mark Date By
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△
△
Seal

STUART ANDERSON, P.E.
GA. REG.# PCB38342

AA 003420
CA 8660
601 CORRIANO STREET, SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.659.9124

INTERPLAN
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

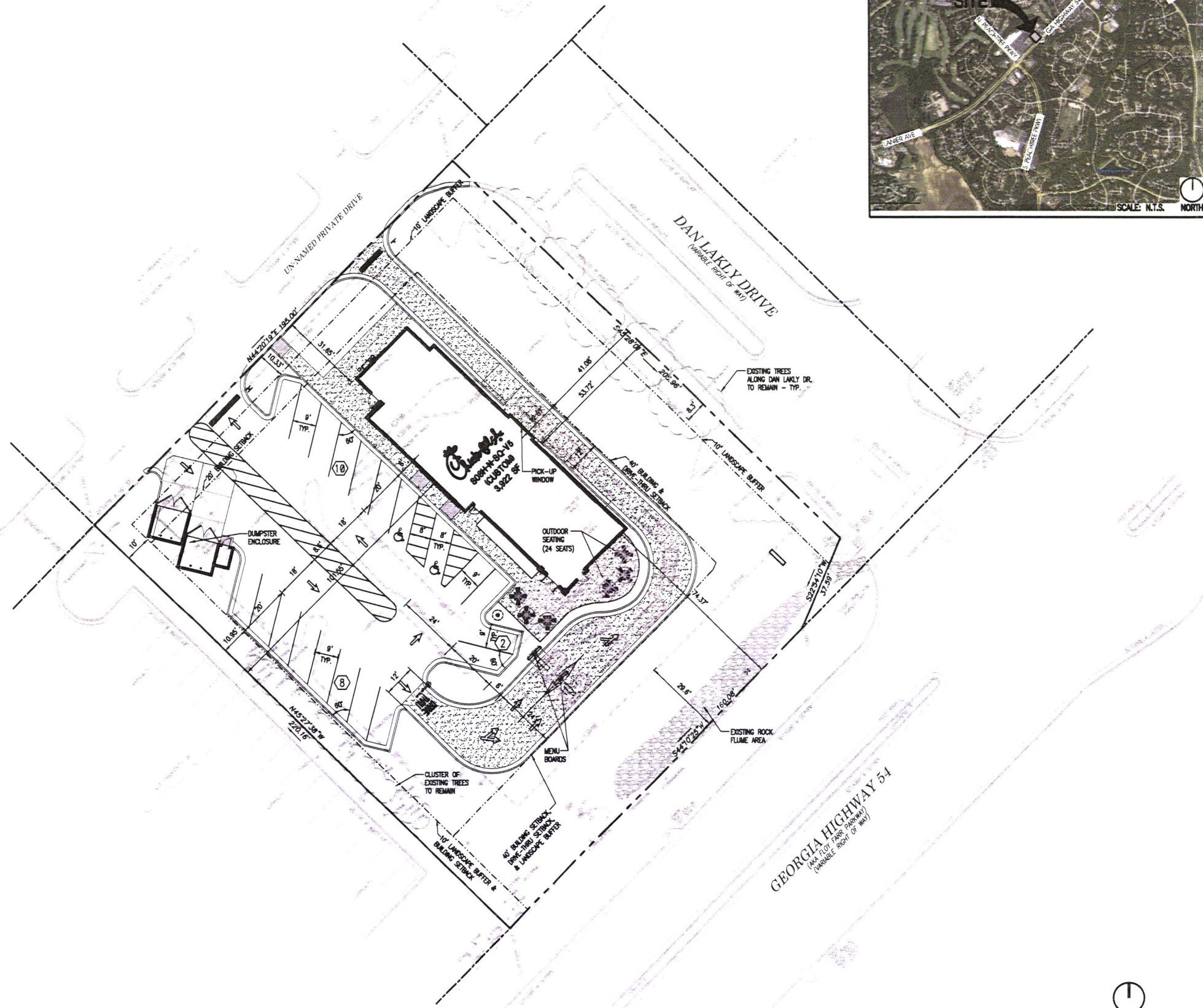
STORE
FSU 508H-V5-N-SQ
PEACHTREE CITY
707 GA-54
PEACHTREE CITY,
GEORGIA 30269

SHEET TITLE
PROPOSED SITE
PLAN EXHIBIT

VERSION: 5
ISSUE DATE: 10-2015

Job No. : 2015.0153
Store : 838
Date : 10/15/15
Drawn By : MJ
Checked By : JS

Sheet
EX-2



LEASE AREA		42,641 SF	0.979 ACRES
PROPOSED PAVEMENT AREA	19,561 SF	(45.9%)	
PROPOSED GREEN AREA	19,158 SF	(44.9%)	
PROPOSED BUILDING AREA	3,922 SF	(9.2%)	
		100 %	
PROPOSED IMPERVIOUS AREA	23,483 SF	(55.1%)	
PROPOSED PERVIOUS (OPEN SPACE) AREA	19,158 SF	(44.9%)	
		100 %	
EXISTING IMPERVIOUS AREA	29,843 SF	(70.0%)	
EXISTING PERVIOUS (OPEN SPACE) AREA	12,798 SF	(30.0%)	
		100 %	
BUILDING AREA			
EXISTING BUILDING AREA	4,871 SF		
PROPOSED BUILDING AREA	3,922 SF		
ZONING		GC (GENERAL COMMERCIAL)	
NUMBER OF SEATS			
INDOOR	80 SEATS		
OUTDOOR	24 SEATS		
BUILDING SETBACKS		REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.		74 FT.
SIDE (Southwest)	10 FT.		101 FT.
SIDE (Northeast, Dan Lakdy Dr.)	40 FT.		53 FT.
REAR (Northwest)	20 FT.		31 FT.
LANDSCAPE BUFFER		REQUIRED	PROVIDED
FRONT (Southeast, GA Hwy. 54)	40 FT.		40 FT.
SIDE (Southwest)	10 FT.		10 FT.
SIDE (Northeast, Dan Lakdy Dr.)	10 FT.		41 FT.
REAR (Northwest)	10 FT.		10 FT.
PARKING REQUIRED			
One (1) Space per 100 SF of Gross Floor Area, Plus Any Outdoor Dining Area			
Building + Patio = 3,922 sf + 610 sf = 4,532 sf			
= (4,532 / 100) x 1			
= 45 SPACES			
EXISTING PARKING			
REGULAR		40 SPACES	
HANDICAP		2 SPACES	
TOTAL		42 SPACES	
PARKING PROVIDED			
REGULAR		18 SPACES	
HANDICAP		2 SPACES	
TOTAL		20 SPACES	



5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:

Mark	Date	By
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Seal

STUART ANDERSON, P.E.
GA. REG.# PE038342

AA 003470
CA 8640
404 CORDLAND STREET, SUITE 100
CUMMINGS, GEORGIA 31804
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INTERPLAN
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

STORE
FSU 508H-V5-N-SQ
PEACHTREE CITY

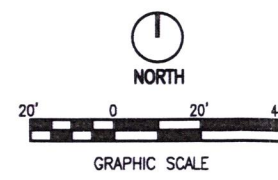
707 GA-54
PEACHTREE CITY,
GEORGIA 30269

SHEET TITLE
PROPOSED SITE
PLAN EXHIBIT

VERSION: 3
ISSUE DATE: 10-2015

Job No. : 2015.0153
Store : 838
Date : 10/15/15
Drawn By : MJ
Checked By : JS

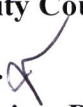
Sheet
EX-3

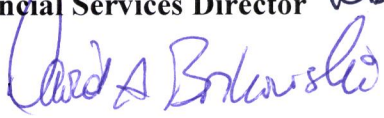


CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Financial Services Director 
Assistant Financial Services Director 

FROM: City Engineer 

DATE: November 24, 2015

SUBJECT: Spear Road Culvert Repair Emergency Award
December 3, 2015, City Council Meeting

Staff is preparing to receive Bids on Monday November 30th. After Bids are opened and reviewed, Staff will prepare a recommendation for award to City Council prior to the Thursday meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Planning and Development Director

FROM: City Engineer *David A. Borkowski*

DATE: November 24, 2015

SUBJECT: Stormwater Detention/Wetland Amenity for Overlook Retail Center
within Line Creek Nature Area
December 3, 2015, City Council Meeting

Recommendation:

Staff recommends that City Council approve the construction plans for the detention/wetland amenity for the Overlook Retail Center within the Line Creek Nature Area subject to the condition that City Staff and the Southern Conservation Trust (SCT) approve the final construction drawings.

Discussion:

Staff and the SCT have had several meetings discussing the details of the detention/wetland amenity area. Staff is currently reviewing the latest set of construction drawings and anticipates having some comments that will need to be addressed.

The signed development agreement states that City Council has to approve the plan once City Staff and SCT have approved the plan. However, in the interest of time, Staff is recommending that Council approve the plan subject to the conditions stated above.

Budget Impact:

There is no budget impact for this item.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *P.S.*

DATE: November 25, 2015

SUBJECT: Consider Financing of Municipal Broadband Project
December 3, 2015, City Council Agenda

Recommendation

Approve the attached Authorizing Resolution, which will allow the Mayor to sign all agreements associated with the financing of the municipal broadband project.

Discussion:

On September 17, 2015, the City Council approved a resolution to move forward with the municipal broadband project and to allow the city to come back later and reimburse the city coffers with debt proceeds for any cash outlays incurred to date. In the meantime staff and our consultants have moved forward with sending out requests for proposals for engineering, construction, and materials and equipment needed to build out the network. We have received excellent responses to the RFPs that will result in favorable cost variances from the business plan. In addition to reimbursing city coffers for expenses to date, the remainder of the debt proceeds will be used to cover these other expenses associated with constructing the project.

The bids for the financing are due next week, so more information will be forthcoming on the interest rate for the loan and which financial institution won the bid.

Budget Impact – Staff expects the debt service payments to be within the debt service estimates presented in the business plan, which are approximately \$365K per year for ten years.

AUTHORIZING RESOLUTION

WHEREAS, the Council of Peachtree City has determined that a true and very real need exists for the purchase of the fiber optic broadband network described in the Agreement of Sale, to be dated the date of its execution and delivery (the "Agreement"), to be entered into between Peachtree City, Georgia (the "Purchaser") and the City of Peachtree City Public Facilities Authority (the "Seller"), to be substantially in the form presented to this meeting; and

WHEREAS, the Purchaser desires to purchase the fiber optic broadband network from the Seller, subject to the terms and conditions of and for the purposes set forth in the Agreement; and

WHEREAS, the Seller plans to transfer, convey, and assign to _____ (the "Assignee") (i) all of its right, title, and interest in and to all payments of purchase price to be made by the Purchaser under the Agreement, except for payments arising from Unassigned Rights, as defined in the Agreement, and (ii) all of its right to exercise all remedies set forth in the Agreement, pursuant to an Absolute Assignment Agreement, to be dated the date of its execution and delivery (the "Assignment"), between the Seller and the Assignee, to provide funds to finance the costs of acquiring, constructing, and installing the fiber optic broadband network; and

WHEREAS, the Seller plans to deposit the proceeds received under the Assignment with _____, as escrow agent (the "Escrow Agent"), pursuant to an Escrow Agreement, to be dated the date of its execution and delivery (the "Escrow Agreement"), to be entered into between the Seller and the Escrow Agent, to be applied to pay the costs of acquiring, constructing, and installing the fiber optic broadband network; and

WHEREAS, copies of the forms of the Agreement, the Assignment, and the Escrow Agreement have been submitted to the Purchaser and are now on file with the Purchaser;

NOW, THEREFORE, the Council of Peachtree City hereby resolves as follows:

1. The form, terms, and conditions and the execution, delivery, and performance of the Agreement, which has been filed with the Purchaser, are hereby approved and authorized. The Agreement shall be in substantially the form submitted to the Council of Peachtree City with such changes, corrections, deletions, insertions, variations, additions, or omissions as may be approved by the Mayor or Mayor Pro Tempore of the Purchaser, whose approval thereof shall be conclusively evidenced by the execution of the Agreement.

2. The Mayor or Mayor Pro Tempore of the Purchaser is hereby authorized and directed to execute on behalf of the Purchaser the Agreement, and the City Clerk of the Purchaser is hereby authorized and directed to affix thereto and attest the seal of the Purchaser, upon proper execution and delivery of the other party thereto, provided, that in no event shall any such attestation or affixation of the seal of the Purchaser be required as a prerequisite to the effectiveness thereof, and the Mayor or Mayor Pro Tempore of the Purchaser and the City Clerk of the Purchaser are authorized and directed to deliver the Agreement on behalf of the Purchaser to the other party thereto, and to execute and deliver all such other instruments, documents, affidavits, or certificates and to do and perform all such things and acts as each shall deem necessary or appropriate in

furtherance of the carrying out of the transactions authorized by this Resolution or contemplated by the instruments and documents referred to in this Resolution.

3. The Mayor or Mayor Pro Tempore of the Purchaser is authorized and directed on behalf of the Purchaser (i) to execute and deliver a certificate as to the reasonable expectations of the Purchaser regarding the amount and use of the proceeds of the purchase obligation contemplated by the Agreement, (ii) to execute and file with the Internal Revenue Service Internal Revenue Service Form 8038G, as required by Section 149(e) of the Internal Revenue Code of 1986, as amended (the "Code"), and (iii) to execute and make all other certifications and filings required under Section 103 of the Code and the applicable Treasury Regulations promulgated thereunder.

4. The Council of Peachtree City hereby approves the terms of the Assignment and the Escrow Agreement.

5. This Resolution and the Agreement, the Assignment, and the Escrow Agreement, as approved by this Resolution, which are hereby incorporated in this Resolution by this reference thereto, shall be placed on file at the office of the Purchaser and made available for public inspection by any interested party immediately following the passage and approval of this Resolution.

6. The Council of Peachtree City hereby designates the purchase obligation contemplated by the Agreement as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code and covenants that the Agreement does not constitute a "private activity bond," as defined in Section 141 of the Code, and that not more than \$10,000,000 in aggregate principal amount of obligations the interest on which is excludable from gross income for federal income tax purposes (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds, as defined in Section 145 of the Code), including the Agreement, have been or shall be issued by the Purchaser, including all subordinate entities of the Purchaser and all entities that issue obligations on behalf of the Purchaser, during the calendar year 2015.

7. All motions, orders, ordinances, bylaws, resolutions, and parts thereof in conflict herewith are hereby repealed to the extent only of such conflict. This repealer shall not be construed as reviving any motion, order, ordinance, bylaw, resolution, or part thereof.

8. This Resolution shall become effective immediately, and if any section, paragraph, clause, or provision hereof shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining provisions hereof.

[Signatures and Seals to Follow]

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this 3rd day of
December 2015.

PEACHTREE CITY, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

City Clerk

CITY CLERK'S CERTIFICATE

I, **BETSY TYLER**, the duly appointed, qualified, and acting City Clerk of Peachtree City, Georgia (the "Purchaser"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on December 3, 2015 by the Council of Peachtree City in a meeting duly called and assembled in accordance with applicable laws and with the procedures of the Purchaser, by a vote of ___ Yea and ___ Nay, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of the foregoing resolution appears of public record in the Minute Book of the Purchaser, which is in my custody and control.

Given under my hand and the seal of the Purchaser, this 3rd day of December 2015.

City Clerk, Peachtree City, Georgia

(SEAL)