



**CITY COUNCIL OF PEACHTREE CITY
REGULAR MEETING AGENDA
DECEMBER 2, 2021
6:30 p.m.**

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

-
- I. Call to Order**
 - II. Pledge of Allegiance**
 - III. Announcements, Awards, Special Recognition**
 - IV. Public Comment**
 - V. Agenda Changes**
 - VI. Minutes**
November 18, 2021 – Regular Meeting Minutes
 - VII. Consent Agenda**
 - 1. Pool Contract
 - 2. 522 Golfview Drive Drain Improvement Bid Approval
 - 3. CCCP Pipelining project Bid Approval
 - 4. Approval of 8 Police Vehicles Bid approval
 - 5. FY2022 Budget Amendment – Police Replacement Vehicle
 - 6. FY2022 Budget Amendment – Safebuilt Donation
 - 7. Resolution for Support of 2021-2022 TIP Project Funding
 - 8. New Alcohol License – Red Rice Bowl – 2808 Highway 54
 - VIII. Old Agenda Items**
 - 11-21-01 Peachtree City Public Facilities Authority Loan
 - 11-21-04 Variance – Front Setback – 243 Valley View
 - IX. New Agenda Items**
 - 12-21-01 Public Hearing – Rezoning Request from LUC to LUR – Smokerise Corners Subdivision
(Cailloux)
 - 12-21-02 Public Hearing – Variance Request - Encroachment into Zoning Setback – 319 Loring
Lane (Cailloux)
 - X. Council/Staff Topics**
 - 1. Multi Use Path System Advisory Group Council Recommendation Presentations
 - XI. Executive Session**
 - XII. Adjourn**

**City Council of Peachtree City
Meeting Minutes
Thursday, November 18, 2021
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, November 18, 2021. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

None

Public Comment

Suzanne Brown expressed her dissatisfaction over the State House redistricting that divided Peachtree City over three districts and Fayette County into four. She also decried the fact that no City Council members were present at a public hearing to protest the new districts.

Agenda Changes

None

Minutes

King moved to approve the November 4, 2021, regular meeting and executive session minutes. Madden seconded. Motion carried unanimously with Fleisch abstaining due to her absence from that meeting.

Consent Agenda

- 1. FY22 Budget Amendment - Ballistic Shields Police Grant**
- 2. Capital Improvement Plan Purchase - Fire Department Administrative Vehicle**
- 3. City Manager Employment Agreement Amendment**
- 4. T-Mobile - Fourth Amendment to Ground Lease Agreement**
- 5. FY22 Budget Amendment - Early Retirement of Debt**

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

Old Agenda items

None

New Agenda items

11-21-02 Crabapple Lane East - Traffic Concerns

City Manager Jon Rorie said he first wanted to talk about the possible closure of Crabapple Lane to vehicle traffic. He showed a county map, pointed out that, while Brooks and Woolsey were well separated from the other municipalities, the boundaries of Fayetteville and Peachtree City were growing closer along SR 54. But, it was the Tyrone/Peachtree City border that he wanted to discuss.

Rorie presented the 2019 Fayette County Master Path Plan, which, he noted, had never been presented to the Peachtree City City Council for approval. He said he had been told that was because the County knew they would not approve it.

An aerial photo and a diagram of traffic counts on Kelly Drive, Kelly Green, and Dividend Drive illustrated the issue with cut-through traffic through Planterra. It had been a problem for years.

The City spent \$737,000 to enhance traffic flow at Planterra Way, SR 54, and The Home Depot. Roughly 20% came from the Special Purpose Local Option Sales Tax (SPLOST), but the rest came from Peachtree City. The key to traffic management was to control access points. The Planterra traffic had caused years of headaches.

Rorie went on to discuss the long-term consequences of growth, saying Peachtree City had decided not to annex land along Crabapple Lane and in the Dogwood Trail area, but growth was coming. They needed to think about that and the consequences. If they did nothing today, they would suffer the consequences in the future.

They had heard about this issue from residents of Kedron Hills, Kedron Estates, even residents from in and around Tyrone. Based on the current cut-through traffic and the prospects for future growth in that area, it was in the best interests of Peachtree City residents to take action to close Crabapple Lane to vehicle traffic effective December 1, 2021. That was staff's recommendation and had been vetted through legal.

Madden moved to close Crabapple Lane to vehicular traffic effective December 1, 2021. King seconded. Motion carried unanimously. Motion carried unanimously.

Rorie showed a video clip from a workshop meeting Tyrone held to discuss cart path access along Crabapple Lane. In the video, Tyrone Mayor Eric Dial said they were in the design and acquisition phase of constructing a path along Tyrone Road. He went on to add, however, that his priority in constructing a path network was to help Tyrone businesses and feed Tyrone. They had an obligation to keep people in Tyrone, even though he would like to see a connection to Peachtree City. But it was not the town's responsibility to get people to Peachtree City; their responsibility was to get them to downtown Tyrone. Rorie said he felt Dial's comments made Tyrone's position clear.

Peachtree City's Multi-Use Path Master Plan had a goal of creating a network so Peachtree City residents could access all locations in the City. There were a few gaps, he admitted. The purpose of the network was to provide access, not convenience. There were challenges, such as navigation over railroads, through wetlands and greenbelts, and around trees. It was a 100-mile linear park. The Plan was presented to Council as part of this year's budget process.

Residents said the path network was Peachtree City's number one amenity, and they were willing to pay more in taxes to maintain it. Many places were trying to duplicate it. Fleisch and Cailloux reported that people called, and even visited, from all over the country to find out about the path system. Even Fayetteville, Tyrone, and Fayette County were trying to duplicate what Peachtree City had and were trying to access Peachtree City's path network. That was okay, Rorie stated; he wanted them to come into Peachtree City, but it was not his responsibility to make sure they could get into Peachtree City. His responsibility was the network for Peachtree City residents.

Rorie presented the north connectivity portion of the County's path master plan, indicating that it showed a path connection via Crabapple, as well as a side path that led to SR 74 and south to Peachtree City; this also included a \$3 million bridge. The south connectivity portion showed Redwine Road and Robinson Road, with some tunnels and bridges as connections.

Who paid for all this? A Peachtree City tax bill for a home valued at \$363,300 showed that house was taxed by Fayette County at 4.277 for every \$1,000 of appraised value. Everyone in Peachtree City paid

taxes to Fayette County. They also paid 6.232 per \$1,000 to the City. Every dollar collected in ad valorem tax in Peachtree City went to Public Safety. Peachtree City residents also paid taxes to the Board of Education and for 911 services. This example home paid a total of \$4,512 a year or \$376 per month for the pleasure, or the burden, of living in Peachtree City. So who helped pay for paths in Fayette County? Peachtree City taxpayers. They paid for everything on the 100-mile path network and also helping to pay for connections into the City.

Rorie read an email he received from a Fayette County resident regarding a bridge on Redwine Road that sat between Fayette County and Peachtree City. It was constructed by Fayette County and at the time of construction it was known that Peachtree City would not take on any liability for maintenance. The email said the bridge was dangerous and patched with plywood. The writer urged Rorie to "stop this political grandstanding with Fayette County and fix this problem." Another writer urged him to use the higher cart registration fees to repair path bridge connections from the County into the City, while another also mentioned the Redwine Road bridge as needing repairs and accused the City of using the increased fees from non-residents as a "cash cow" for additional income. They said it was negligent to ignore the bridge since it connected into their path system.

The south connectivity project included a path down Redwine from Fayetteville. It was planned to be extended through a Federal aid project matched by Fayette County dollars. There was to be a tunnel at the Starr's Mill school complex, but the Board of Education did not want that. Then owners of property adjacent to that proposed tunnel site requested and were granted annexation into Peachtree City. The planning of the south connectivity project was ongoing.

The side path on Dogwood Trail to SR 74 was indicated in the County Transportation Plan, but Rorie doubted if they would be successful in getting State permission to build a side path along the highway.

Moving back to the south side, Rorie showed a side path planned along Peachtree Parkway to access the path network from Redwine without going through Timberlake. Another connection went with a yet-to-be path on Redwine, then along SR 74 to Publix. He noted that Peachtree City residents would be paying twice for these connections. They currently had an intergovernmental agreement with the County to relocate the Starr's Mill tunnel further north under Redwine at Robinson Road. It would cost about \$1.5 million. Peachtree City taxpayers were also paying for paths along Robinson Road that would enhance connectivity on the network and to the tunnel specifically. They wanted and supported those connections, Rorie continued, but they needed to be in the right locations.

He moved on to discuss funding for these projects. South Peachtree Parkway Path and Bridge was listed on the Master Plan, but had no funding source identified. The other projects were the same. The total cost would be about \$1 million. The South Peachtree Parkway project would be a partnership between the County and the City, while the path along SR 74 was Peachtree City's.

An example of a Tyrone tax bill for a \$360,000 house showed the taxes at about \$4,000 a year with an effective tax rate of 31.232 mills. The effective tax rate in Peachtree City was 31.049. It cost more, taxwise, to live in Tyrone, with fewer services, he noted, saying the expectation was for Peachtree City to continue to subsidize that.

Maintenance and operations expenses for the 100-mile Peachtree City path network totaled about \$3.2 million a year. The Georgia Department of Transportation (GDOT) paid nothing; neither did Coweta County, Fayette County, the Atlanta Regional Commission (ARC), or SPLOST shares from other municipalities. There were 239 at-grade crossings that were being identified, signed, and painted. They were working to finish the Best Buy tunnel and had just finished the Gateway Bridge, which wound up

costing about \$4.2 million. They had switched the path resurfacing from asphalt to concrete, which cost more but lasted longer. Peachtree City had to pay for Public Safety and Public Works personnel to patrol and maintain the path network. They paid people to pick up litter and work as Code Enforcement. Once again he pointed out Tyrone's lower tax rate and that none of that money went to Peachtree City for the path network.

The next project, now in engineering, was a high-intensity activated crosswalk (HAWK) signal at Lake Kedron. Traffic counts determined the sites for these HAWK signal crossings and about 6,000 cars a day passed by this crossing on Peachtree Parkway. It would cost more than \$150,000, and neither GDOT nor Fayette County was paying anything.

Rorie showed the location of the City's most recent annexation, the Longboat subdivision, on a map. The residents there said they wanted to pay an average of about \$1,000 a year in order to be able to connect to the Peachtree City path network. That annexation was also part of the Growth Boundary Study from 2014. Another project was on SR 54 East across from Walt Banks Road and involved building a path around the church and in front of the cemetery. The cost was already nearing \$800,000 and they had not even started acquiring much of the property they would need to go down Carriage Lane to the new Booth Middle School. It was a SPLOST identified project and would definitely be a cost overrun. All of these projects were being done to improve connectivity up to SR 74; they were for network, not convenience.

When it came to Crabapple, Rorie recalled that people said Peachtree City just needed to charge more for cart registration for non-residents. That was right, he said; if people were going to access this number one amenity that Peachtree City taxpayers paid \$3.2 million a year for, they needed to pay a fee based on some type of tax equity. There were two ways to calculate it. In the first method, you could take the \$3.2 million and divide it by the number of Peachtree City golf carts, which was 10,608. That came to \$301.65 plus a \$15 registration fee, for a total of \$316.65. That was what everyone resident who registered a cart paid. It also could be based on housing units. There were about 14,735 housing units in Peachtree City. Divided into \$3.2 million, the total was \$217.17. Add the \$15, and the amount was \$232.17. They needed to decide which method to use to charge people outside the City or they could keep subsidizing it for the use of others.

Rorie showed a list all the expenses that added up to make that \$3.2 million. It did not include \$300,000 for vehicles and machinery. Maintenance and resurfacing cost \$700,000; it took \$45,000 a year to keep the trash cans emptied. Fleisch pointed out that police patrols were not figured into the list, and Rorie said it was not, but they were tracked. However, the police were saying in the path advisory group meetings that it did not really make sense to have more patrols on the paths, since they did not greatly deter incidents.

Now it was time to connect the dots. Crabapple Lane was a problem in terms of vehicle access, but it also was a point for Fayette County to access the system. The Cart Path Master Plan and the Fayette County Transportation Plan, which had not been approved by Peachtree City, was supportive of these access points as long as they were not through subdivisions.

Ernst pointed out that the projected closing date on the slide should read 2022, not 2021.

Rorie read from the minutes of an April, 2021, Fayette County Commission meeting when a developer requested that the County make Crabapple Lane a designated cart path. The Commission Vice Chairman asked if Peachtree City had any objections. Rorie stated that it was rejected via the Fayette County Transportation Committee when the Peachtree City representative did not support a path

connection along Crabapple Lane. They told them to follow the Transportation Plan and create a side path along Dogwood to SR 74. Rorie said there was another route that could go through the Dogwood Church property, if the church would let them. Rorie pointed out that there were challenges with any proposal.

At the County Commission meeting, County Engineer Phil Mallon said he contacted Rorie about the proposal, and Rorie told him they understood that Crabapple Lane was a county road and they could designate it a path if they so chose. County Commissioner Eric Maxwell recalled that Peachtree City had at times uses berms or humps to prevent entry and could do this again. Maxwell acknowledged that it was always a problem going between the County and Peachtree City, but County residents wanted to use the paths. Rorie said that was fine, if the County provided the right connectivity.

County Administrator Steve Rapson, the minutes continued, said Peachtree City had a reciprocal arrangement with Tyrone about golf carts that said if a citizen was a resident of Fayette County they could pay a higher fee and use the path system. Rorie said they did not have a reciprocal agreement with Tyrone; it was eliminated years ago. Rapson said the County's position was that it developed property and wanted the connectivity to the paths. He stated there was some sensitivity as to where connection points would be and that Peachtree City had the right to block or build a berm to block access to their road.

What this meant, Rorie summarized, was that the developer was in the unincorporated County, but wanted access to Peachtree City's paths. Commission Vice Chair Edge Gibbons said he lived in Kedron Hills, and carts and cars already used Crabapple to get into Peachtree City. They would continue to do so whether they approved this request or not, so he was not going to vote against it. The motion passed the Board 5-0, even though, Rorie noted, it was opposed by Peachtree City on the Transportation Committee. Peachtree City never got a say on the Transportation Plan because it was never presented to them. Basically, the County was saying they would do what they were going to do so they did not have to spend money to build a side path along Dogwood Trail. Tyrone had made it clear their priority was to get people into Tyrone, not Peachtree City.

The developer who made the request to the County, Madden observed, was selling homes with the promise of full access to the Peachtree City path network. Every new house built in Peachtree City paid an impact fee of \$4,308, which went to the path system. This developer was promising his homebuyers all the benefits of Peachtree City for free.

Fleisch noted there was a path bridge spanning SR 74 on Peachtree City's plan. If Council was in agreement, she stated, she would like to remove that project. They already had a tunnel, so this would not serve Peachtree City. Council agreed.

Rorie summarized by saying Peachtree City taxpayers funded the number one amenity that people were trying to duplicate. There were multiple conflicts on the path system between walkers, cyclists, and cart users. That was inherent in a multi-use path system. The key was to control and maintain it. With that in mind, Rorie's recommendation was to close Crabapple Lane to golf cart traffic effective June 1, 2022. That gave Fayette County and Tyrone a six-month window to install the side paths along Dogwood Trail as identified in the Fayette County Transportation Plan. He was aware that was a short timeframe and said they would be willing to work collaboratively to make this a reality.

Secondly, he said they should increase the annual non-resident fee for path use and registration. He reminded Council that he had presented two methods of calculating the fee, and said they would have to decide. There might be other methods and doing nothing was a decision as well. Staff

needed direction in order to print brochures and begin registration in January. That was done with an outsourced contractor, which was another path expense.

Council might want to consider requiring liability insurance for all carts effective January 1. He was not asking them to take action that night, but to give him direction if they wanted him to look into it further. If you were going to drive on Peachtree City's 191 street miles with a weapon, you were required to have insurance, and he could not understand why it was not a requirement on the 100 miles of cart paths with something that could be a weapon, as well.

King said he had no issue with the closing date, but acknowledged that it would be difficult for Tyrone and Fayette County to meet that deadline. He said imposing it would require them to come to Peachtree City for an extension, if needed, and to state their progress. Then Council could decide if they wanted to extend it beyond June 1, 2022.

Prebor asked about the path near the old World Air building. King said it already existed and came out at Dogwood Church. It was an old roadbed, Rorie commented. All that was needed was to get permission and make the connection. There would be a few challenges, such as ditches, but Peachtree City had to deal with those types of challenges, as well. They were not saying they did not want people from Tyrone to come into Peachtree City, Prebor remarked, they were just saying they should use the path that was already there.

Exactly, said King, noting they could change the speed limit temporarily on Dogwood Trail to allow for golf carts. He had seen golf carts on Ellison Road, which was on the northeast side of Tyrone.

They spent \$200,000 per mile to resurface cart paths, Fleisch stated, with the goal of resurfacing nine or 10 miles a year. Tyrone had budgeted \$566,000 for cart path construction. That did not take the purchase of easements into account; Peachtree City just bought an easement for \$200,000. It could get expensive, especially through commercial areas. Last year, Peachtree City spent \$4.7 million, including the bridge, on cart paths. That was basically half of Tyrone's General Fund budget. Peachtree City used some money from SPLOST, she noted.

Ernst noted that winter was coming, and Tyrone and the County could run into weather problems. He suggested they start work the next day.

During the years of the economic downturn, the Mayor recalled, there were years when they paved nothing. They had come a long way, and that was why people wanted to be there. Connectivity was improved. The ultimate price for the HAWK signal at Crosstown was close to \$300,000 because of the rock work required. She hoped the one on Peachtree Parkway would not be that expensive. They had spent a lot of money on improvements, and the \$165 they charged was a drop in the bucket, Fleisch commented. \$165 times 1,000 carts didn't even cover the cost of resurfacing one mile.

They had been contemplating for a long time just how much time to allot for building the side path, Madden stated. Giving them six months allowed Tyrone time to begin the project, then, if needed, they could ask for an extension, which Peachtree City could grant if they felt there was sufficient progress. The Peachtree City Council had been accused of all sorts of "nasty" reasons for closing the road, Madden continued, but they had offered other solutions to a problem that did not affect its residents. Tyrone would finally find out how much it cost to build and maintain a golf cart path. Peachtree City would welcome anyone who wanted to enter the city via that path. They would have to pay for it; they would no longer be the "cash cow" for Fayette County. Peachtree City paid 40% of the taxes in Fayette County. It was interesting to hear the arguments from Tyrone residents who wanted

to come to Peachtree City and use the amenities for nothing, Madden remarked, pointing out that if Fayette County helped pay for this path, it would be some of Peachtree City residents' tax dollars that were being used.

Madden moved to close Crabapple Lane to golf cart traffic effective June 1, 2022, to allow adequate time for Fayette County and Tyrone to install side paths along Dogwood Trail as identified on the Fayette County Transportation Plan. King seconded. Motion carried unanimously.

King asked if they could delay voting on the registration fees for two weeks? Fleisch said the problem with that was the delay on the outsourcing of the printing of the registration forms. She asked Assistant Finance Director Kelly Bush if that would be a problem? and she said it would be. Fleisch asked Bush to think about adding an educational component to the registration materials, letting people know about the 100 miles of paths, and the tunnels and bridges they had to maintain. They also should include that the value of the path system was about \$25 million.

If they had to decide now, King said he would favor using simple arithmetic by dividing the \$3.2 million by the number of carts now registered, including those of non-residents, and making that the non-resident fee.

Prebor favored the smaller number because, he said, it divided it by each house. It was not just golf carts using the paths; there were bikes and runners. If a non-resident wanted to bring a cart into Peachtree City, they should pay what each Peachtree City household paid.

Ernst suggested rounding off that number, which was \$232.17, to \$250, including the \$15 registration fee. It would be \$235 plus \$15 to equal \$250, Rorie stated.

Madden moved to increase the fees for non-resident golf carts to \$235 a year, plus \$15, for a total of \$250 per cart, beginning January 1, 2022. King seconded. Motion carried unanimously.

Fleisch said they would discuss liability insurance at a later date because they needed more information. She asked City Clerk Yasmin Julio if they could insert some stronger wording into the registration information to encourage people to get insurance? Rorie said he could have some information on insurance by the December 2 meeting, but Bush said there would not be time to get it into the forms that were being printed.

A lot of people thought their homeowners' insurance would cover them in case of a golf cart accident, Ernst said. It did not; listing the cart on the homeowners' insurance covered it for theft, but not liability in an accident.

Golf cart liability insurance was inexpensive, Madden added. His family paid \$12 20 years ago; now it was \$17 for half a million dollars in liability insurance.

Rorie said having insurance was just common sense, and he did not know if they needed to regulate common sense, just encourage it. Fleisch said they could just use the words "strongly recommend" rather than "encourage." They could just work on the language and not legislate it.

11-21-03 Reclassification of 5 Part-Time FF/EMTs to 2 Full-Time FF/EMT – Paramedic

Interim Fire Chief Clint Murphy noted they were still struggling to hire part-time firefighters/emergency medical technicians (EMTs). They briefed Council on this in the spring, and the situation had not improved, so now they were asking Council to let them reclassify funds from the part-time budget to

the full-time budget in order to hire a full-time firefighter/EMT and a full-time firefighter/paramedic. This would be an equal amount. Right now, he stated, it was hard to find part-time employees, but they did have some people who were interested in full-time positions.

Ernst clarified that, as it now stood, there were no full-time openings. Murphy said that was correct. This change would allow them to hire two people full-time by eliminating part-time positions.

King moved to approve New Agenda item 11-21-03, Reclassification of 5 Part-Time FF/EMTs to 2 Full-Time FF/EMT – Paramedic. Prebor seconded. Motion carried unanimously.

11-21-04 Public Hearing - Variance - Front Setback - 243 Valley View

Planning and Development Director Robin Cailloux said this property was in a cul-de-sac on the south side and backed up to a greenbelt abutting the Kroger/Kmart shopping center. A Code Enforcement officer on patrol discovered that work had been done without a permit by the homeowner. The homeowner submitted a permit with a survey that showed the front porch addition encroached into the setback by about seven feet. She displayed an aerial photo taken in January 2020 that showed the house without the porch and a photo taken recently showing the house with the porch addition. The applicant had submitted documentation that the addition met the minimum building code.

The ordinance required that a variance be judged by six criteria. There were no special conditions that would result in a hardship if the variance was not granted, and the regulations did not create an unnecessary hardship. There were no exceptional circumstances, and granting the variance would give this lot a privilege other lots did not have. It would not present a detriment to public health, safety, or welfare. It did not conflict with the Comprehensive Plan, which encouraged reinvestments into property.

The applicant was not present to speak. Cailloux said there was a significant language barrier with the property owners, but staff had done their best to communicate with them. Fleisch asked if the neighbors had weighed in? and Cailloux said they had asked the applicant to provide letters of support, but they had not.

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

Prebor said he was always interested in what the neighbors had to say on any variance request, and that was not provided here. He suggested they table this until the applicant could provide letters of support from neighbors. Separately, he stated, they needed to talk about this situation, which happened far too often.

Ernst asked how Code Enforcement happened to catch this? Cailloux said they were patrolling the neighborhood and saw the work had been done without a permit being posted. They tried to touch each subdivision once a week, so they knew this porch had not been there a week before. This was a simple porch addition and could have been done in a weekend, she remarked.

Could they table this without advertising it again? Fleisch wondered. If it was tabled, Cailloux said she would ask Julio, who spoke Spanish, to reach out to the applicant and explain what they needed. City Attorney Ted Meeker asked if they were put on notice that it was this evening? and Cailloux said she spoke to them and a notice of the hearing was posted on their property. Prebor said they should get a letter in Spanish.

Cailloux said the next meeting would be December 2, and it would not have to be advertised again.

Fleisch said they should continue it to the 2nd.

Madden asked if they were new to the community? Cailloux said they had been here awhile and were business owners.

King moved to table New Agenda item 11-21-04, Variance - Front Setback - 243 Valley View until December 2. Prebor seconded. Motion carried unanimously.

There being no further business, Madden moved to adjourn. Ernst seconded. Motion carried unanimously, and the meeting adjourned at 8 p.m.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager *JR*
Paul Salvatore, Finance Manager *PS*

FROM: Quinn Bledsoe, Director, Recreation & Special Events *QB*

DATE: December 2, 2021

SUBJECT: Consider the contract award for the operation of pools and splash pad

Recommendation

Approve an increase to the contract for the operation of all City aquatic facilities.

Discussion

Since 1998, the City has contracted with United Pools to operate the Peachtree City pools. During this time, United Pools has provided year round water quality control, basic pool maintenance, swim instruction and lifeguard staffing services. The company has also maintained the fountain at City Hall. In 2019, the Glenloch Splash pad was added to the contract at no additional charge. The cost of pool chemicals was shifted from the City to United Pools in 2015. The company has worked with the City to keep costs as low as possible while providing quality services. The last contract increase of 2% was in 2019. There are no other known companies currently providing comprehensive year round pool service within the area. The seasonal pools at the local country clubs utilize United Pools as well.

Budget Impact

The contract amount will be \$265,415. A budget amendment of \$20,990 is attached.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 22-08

DATE 12/02/2021

ACCOUNT	PROJECT	DESCRIPTION	INCREASE	DECREASE
---------	---------	-------------	----------	----------

[illegible]

NOW, THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2022 Budget Resolution to allocate Funds for increase in Pool Contract

Entered

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jon Rorie, City Manager ✓
Paul Salvatore, Financial Services Director P.S.
Angela Egan, Purchasing Agent me

FROM: Mike Madison, Stormwater Manager mm

DATE: November 30, 2021

SUBJECT: 522 Golfview Drive Drainage Improvements
December 2, 2021 City Council Meeting Agenda

Recommendation:

Award the 522 Golfview Drive Drainage Improvements project to Blount Construction for their low bid amount of \$159,820.61

Discussion: During moderate to significant rain events, the backyard of 522 Golfview Drive experiences routine flooding due to, in part, the outflow from a storm drain system located on Blue Smoke Drive. The property also receives stormwater runoff from adjoining privately owned property.

This project will reduce the volume of stormwater runoff directed towards the backyard of 522 Golfview Drive by installing a pipe system that will convey the stormwater runoff generated by Blue Smoke Trail away from the backyard. Staff solicited bids from qualified contractors to perform the storm drainage related work. The results of the bids are as follows:

Blount Construction Company, Inc.	\$159,820.61
Crawford Grading & Pipeline	\$167,290.00
RDJE, Inc.	\$199,825.00
Construction, Engineering & Mgmt, Inc.	\$245,790.00

Budget Impact: Funds in the amount of \$159,820.61 are available in 521-4250-541947 Infrastructure.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jon Rorie, City Manager *JR*
Paul Salvatore, Financial Services Director *P.S.*
Angela Egan, Purchasing Agent *one*

FROM: Mike Madison, Stormwater Manager *mm*

DATE: November 30, 2021

SUBJECT: Stormwater Pipe Rehabilitation Project – CCCP Lining
Method *December 2, 2021 City Council Agenda*

Recommendation:

Award the bid for the Stormwater Pipe Rehabilitation Project – CCCP Lining Method to Utility Asset Management for their low base bid amount of \$225,904.00.

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

Utility Asset Management	\$225,904.00
EnviroTrenchless, LLC	\$259,460.00
RDJE, Inc.	\$262,075.00
Video Industrial Services	\$304,410.00
Proshot	\$449,624.00
IPR	\$477,650.00
Vortex Services	\$483,820.00

Budget Impact: Funds in the amount of \$225,904.00 are available in 521-4250-54194 7 Infrastructure.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager

FROM: Janet Moon, Chief of Police
 Paul J. Salvatore, Financial Services Director
 Kelly Bush, Assistant Finance Director
 Angela Egan, Purchasing Agent

DATE: November 18, 2021

SUBJECT: Purchase of Police Vehicles

December 2, 2021 City Council Agenda

Recommendation:

Authorize the purchase of six (6) 2022 Ford Police Utility Vehicles for the bid price of \$222,558 from Allen Vigil Ford – Morrow and two (2) 2022 Ford F150 Responder Vehicles for the bid price of \$78,265.60 from Wade Ford – Smyrna.

Discussion:

The City issued bid packages to a number of Ford distributors. The bid responses are below.

	WADE FORD	ALLAN VIGIL-MORROW
<i>Ford Interceptor Utility each</i>	\$37,624.40	\$37,593.00
<i>Extended Price for qty. 6</i>	\$225,746.40	\$225.558.00
<i>Ford F150 Responder each</i>	\$39,132.80	No Bid
<i>Extended Price for qty. 2</i>	\$78,265.60	No Bid

This purchase is necessary to maintain a sufficient fleet of patrol units and pool vehicles in compliance with the City's Personnel Policy Manual (I. Safety & Accident Reporting; Section 8 – Repair & Replacement).

Budget Impact:

Sufficient funds are budgeted in the Capital Equipment Lease Fund 337 and the police vehicles are included in the FY22 Intent to Finance Resolution.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager

FROM: Janet Moon, Chief of Police
Paul J. Salvatore, Financial Services Director
Kelly Bush, Assistant Finance Director
Angela Egan, Purchasing Agent

DATE: November 18, 2021

SUBJECT: FY2022 Budget Amendment – Police Replacement Vehicle
December 2, 2021 City Council Consent Agenda

Recommendation:

Approve the attached budget amendment 22-07 amending the fiscal year 2022 Budget Resolution

Discussion:

Attached please find budget amendment 22-07 to budget for the replacement of a police utility vehicle totaled in a collision on 05/03/2021. Insurance reimbursement of \$36,293.25 will cover the full cost to transfer/replace equipment in the vehicle and \$29,383.25 of the vehicle replacement. The total cost to purchase the vehicle and transfer equipment will be \$44,503.00

- One 2022 Ford Police Utility Vehicle - Allen Vigil Ford – Smyrna for \$37,593.00.
- Transfer/replacement of equipment - 144th Marketing for \$6,910.00.

Budget Impact:

The proposed budget amendment will increase both revenues and expenditures in the General Fund by \$44,503.

DATE 12/02/2021

[illegible]

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager *JR*

FROM: Paul J. Salvatore, Financial Services Director *PS*
Kelly Bush, Assistant Finance Director *KB*
Ellece Brown, Human Resource Director

DATE: November 24, 2021

SUBJECT: FY2022 Budget Amendment
December 2, 2021 *City Council Consent Agenda*

Recommendation:

Approve the budget amendment for the donation towards the City Employee Holiday Luncheon.

Discussion:

Staff received a donation from Safebuilt for \$3,000. The attached budget amendment accepts the donation and allocates funds toward the employee holiday luncheon.

Budget Impact:

The proposed budget amendment will increase both revenue and expenditures in the General Fund.

Attachments
Budget Amendment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 22-09

DATE 12/02/2021

ACCOUNT	PROJECT	DESCRIPTION	INCREASE	DECREASE
---------	---------	-------------	----------	----------

[illegible]

NOW , THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2022 Budget Resolution to allocate Donation toward employee holiday luncheon.

Entered

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & City Council Members

VIA: City Manager, Jonathan N. Rorie ✓

FROM: City Engineer, David Borkowski, P.E., M. ASCE 

DATE: November 23, 2021

SUBJECT: Resolution of Commitment to Implement ARC 2021 TIP
December 2, 2021 City Council Meeting

Recommendation:

That City Council authorize the Mayor to sign the attached commitment resolution in support of the 2021 Transportation Improvement Plan (TIP) paving project request.

Discussion:

Earlier this year the Atlanta Regional Commission (ARC) solicited a call for projects that could be included in the 2021 TIP for potential Federal funding. Staff has been working with the County to resubmit some of our larger resurfacing projects into the TIP. In order for the application to be complete, each municipality must submit a resolution of commitment to the ARC promising to fund the project match if the project is awarded.

The attached resolution references approximately 3 miles of Peachtree City collector roads for resurfacing. These roads being Huddleston Road (SR 54 to Dividend), Kelly Drive/Kelly Green (Terrane Ridge to SR 74), McIntosh Trail (Peachtree Parkway to Robinson Road) and Ebenezer Road (Robinson Road to City Limits).

Staff feels that collaborating with the County to bundle roads together into a large project would provide much better economy of scale than if the City were to do it alone.

Budget Impact:

If funds are awarded from the ARC for these paving projects, the City's required local match would come from the City's General Fund Line Item for Resurfacing.

CITY OF PEACHTREE CITY
STATE OF GEORGIA

**Resolution of Commitment to Implement ARC 2021 TIP
Local Let Resurfacing Project for Peachtree City**

WHEREAS, Peachtree City continues to support the development and enhancement of its transportation infrastructure as a means to create and sustain livable environments, efficient vehicular movement, reduced congestion, improved air quality, safer roads, and general facilitation of public mobility; and

WHEREAS, the Atlanta Regional Commission (ARC) has issued a 2021 solicitation for Transportation Improvement Program (TIP) project funding proposals, and Fayette County desires to submit an application for consideration to fund multiple resurfacing projects within the County; and

WHEREAS, the purpose of the resurfacing projects is to maintain existing corridors within Fayette County that provide essential connectivity on a local and regional level; and

WHEREAS, the grant agreement for Federal financial assistance, if awarded, will impose certain obligations upon Fayette County, including Peachtree City, to provide the local share of the project costs; and

WHEREAS, Peachtree City will provide all necessary certifications and assurances to the ARC required for the project.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of Peachtree City authorizes the filing of a grant application with the Atlanta Regional Commission (ARC) for the resurfacing of multiple roads within the incorporated and unincorporated limits of Fayette County, in an amount of **\$7,091,786.90**;
2. Of the project total, **\$2,388,896.89** are for roads within the incorporated limits of Peachtree City and will be the responsibility of Peachtree City. The balance of the project amount is for other local governments within the County;
3. The roads within Peachtree City are Huddleston Road (SR 54 to Dividend), Kelly Drive/Kelly Green (Terrane Ridge to SR 74), McIntosh Trail (Peachtree Parkway to Robinson Road) and Ebenezer Road (Robinson Road to City Limits);
4. The City Council of Peachtree City is aware that the ARC may award an amount that is less than the amount for which the City has applied (**\$2,388,896.89**);
5. The Mayor of Peachtree City is authorized to execute and file the necessary certifications, assurances and other documents required by the ARC for the grant application; and

6. Peachtree City commits to providing the required local match up to \$1,000,000 (20% of CST +CEI+PE) for the roads in Peachtree City if the project is awarded.

This _____ day of _____, 2021

ATTEST:

Yasmin Julio, City Clerk

Vanessa Fleisch, Mayor

Road Name	Functional Classification	Scope of Work	Pavement Rating	Length (Centerline Miles)	Preliminary Engineering (PE)	GDOT Construction Oversight	Construction	Construction, Engineering, & Inspections (CEI)	Total Cost Estimate	Federal Share (80%)	Local Match (20%)
Fayette County											
85 Connector From SR 85 to Woods Road	Major Collector	Mill, Open-graded Interlayer (OGI), and Overlay	69.16	3.60	\$ 28,800.00	\$ 1,419.56	\$ 1,522,004.84	\$ 80,182.80	\$ 1,632,407.20	\$ 1,305,925.76	\$ 326,481.44
New Hope Road From SR 92 to City Limit	Major Collector	Mill, Patch, and Overlay	71.06	3.40	\$ 27,200.00	\$ 1,340.69	\$ 1,374,521.67	\$ 75,728.20	\$ 1,478,790.57	\$ 1,183,032.45	\$ 295,758.11
Banks Road From City Limits to SR 54	Major Collector	Mill, Patch, and Overlay		1.58	\$ 12,640.00	\$ 623.03	\$ 692,460.36	\$ 35,191.34	\$ 740,914.72	\$ 592,731.78	\$ 148,182.94
				8.58	\$ 68,640.00	\$ 3,383.28	\$ 3,588,986.87	\$ 191,102.34	\$ 3,852,112.49	\$ 3,081,689.99	\$ 770,422.50
City of Fayetteville											
Banks Road From SR 85 to County Line	Major Collector	Mill, Patch, and Overlay		0.16	\$ 1,280.00	\$ 63.09	\$ 185,136.69	\$ 3,563.68	\$ 190,043.46	\$ 152,034.77	\$ 38,008.69
				0.16	\$ 1,280.00	\$ 63.09	\$ 185,136.69	\$ 3,563.68	\$ 190,043.46	\$ 152,034.77	\$ 38,008.69
Peachtree City											
Huddleston Road From SR 54 to Dividend Drive	Minor Arterial	Mill, Patch, and Overlay	53	0.74	\$ 5,920.00	\$ 291.80	\$ 616,896.50	\$ 16,482.02	\$ 639,590.32	\$ 511,672.25	\$ 127,918.06
Kelly Drive and Kelly Green From SR 74 to Terrane Ridge	Minor Arterial	Full Depth Reclamation (FDR) with 2-inch Binder and 2-inch Overlay	45	0.61	\$ 4,880.00	\$ 240.54	\$ 507,859.00	\$ 13,586.53	\$ 526,566.07	\$ 421,252.85	\$ 105,313.21
McIntosh Trail From Peachtree Parkway to Robinson Road	Minor Arterial	Mill, Patch, and Overlay	60	0.96	\$ 7,680.00	\$ 378.55	\$ 712,147.70	\$ 21,382.08	\$ 741,588.33	\$ 593,270.66	\$ 148,317.67
Ebenezer Road From Robinson Road to City Limit	Minor Arterial	Mill, Patch, and Overlay	68	0.53	\$ 4,240.00	\$ 208.99	\$ 464,898.50	\$ 11,804.69	\$ 481,152.18	\$ 384,921.74	\$ 96,230.44
				2.84	\$ 22,720.00	\$ 1,119.87	\$ 2,301,801.70	\$ 63,255.32	\$ 2,388,896.89	\$ 1,911,117.52	\$ 477,779.38
Town of Tyrone											
Dogwood Trail From Sennio Road to Farr Road	Major Collector	Full Depth Reclamation (FDR) with 2-inch Binder and 2-inch Overlay	59	1.10	\$ 8,800.00	\$ 433.75	\$ 627,000.00	\$ 24,500.30	\$ 660,734.05	\$ 528,587.24	\$ 132,146.81
				1.10	\$ 8,800.00	\$ 433.75	\$ 627,000.00	\$ 24,500.30	\$ 660,734.05	\$ 528,587.24	\$ 132,146.81
TOTALS				12.68	\$ 101,440.00	\$ 5,000.00	\$ 6,702,925.26	\$ 282,421.64	\$ 7,091,786.90	\$ 5,673,429.52	\$ 1,418,357.38

City Share
20% CST +100% PE, GDOT, CEI
\$ 547,455.53

However requesting funding for 80/20 total cost.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Yasmin Julio, City Clerk 

DATE: November 29, 2021

SUBJECT: Alcohol License – NEW – Red Rice Bowl
December 2, 2021, Consent Agenda

Recommendation:

Approve the attached application for a new alcohol license.

Discussion:

Red Rice Bowl, 2808 Highway 54, has submitted a request for a new alcohol license. Ms. Yufeng Ding requested that she be appointed as the Licensee and the License Representative. They were previously licensed but due to the pandemic, they did not renew their license in 2021.

The business location and Ms. Ding meet the requirements of the alcohol ordinance to be granted a license.

Budget Impact:

The budgetary impact of the alcohol beverage license will be positive. The applicant will be required to pay the annual fee for distilled spirits, malt beverage and wine, which is \$5,000 annually, plus \$500 for Sunday sales.

AK 143857
K&J
11-8-2021

City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
PeachtreeCityGA.gov

Office of the City Clerk

Application for Alcoholic Beverage License

Business Name: Red Peach Bowl		Business Location: 2808 Hwy 54 Peachtree City, GA 30269		Number of Serving Bars: 1	
Nature of Business: Restaurant		Mailing Address: 2808 Hwy 54 Peachtree City, GA 30269		Business Phone Number: 770-629-2211	
Name of Licensee: Red Michael's Kitchen Inc		Home Address:		Home/Cell Phone Number:	
Name of License Representative: Yufeng Ding		Home Address: [REDACTED] SWING DR Peachtree City, GA 30269		Home/Cell Phone Number: [REDACTED]	
Type of License:					
Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
Manufacturer					
Malt Beverage	☒	Malt Beverage	☒	Malt Beverage	☒
Wine	☒	Wine	☒	Wine	☒
Distilled Spirits	☒	Distilled Spirits	☒	Distilled Spirits	☒
Sunday Sales	☒	Holidays	☒		
Please complete information below (use separate sheet if necessary):					
Name: Individual Owner's Name, Partners' Names, Corporation Name, and name of Contact Person regarding License Changes, Taxes, etc.		Address: Please provide Home Addresses for the individuals listed		Phone Numbers: Please provide Home and Business Phone Numbers for individuals listed	
Yufeng Ding		[REDACTED] SWING DR Peachtree City, GA 30269		[REDACTED]	
Contact Person: Yufeng Ding					
E-mail Addresses for License Applicant(s): [REDACTED]					
Is any person who owns an interest in the Alcohol License an employee of the City of Peachtree City? YES/NO ☒					
If YES, please provide name of employee: _____					

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager *JR*

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

DATE: November 24, 2021

SUBJECT: Peachtree City Public Facilities Authority Loan
December 2, 2021 City Council Meeting

Recommendation

Approve the Authorizing Resolution and Lender for the 2021 Peachtree City Public Facilities Authority Loan in the amount of \$3,500,000.

Discussion:

At the November 4 City Council Meeting, council authorized staff to move forward with this loan, as presented by the City Manager. It will cover the cost of citywide building improvements, including the expansion of three public safety facilities, as well as various other projects. The loan will be secured by an intergovernmental agreement between the City and the Peachtree City Public Facilities Authority. The Authority will act as an intermediary in this transaction and will assign rights to receive loan installment payments to the lender chosen. The Authority will also hold title to the Peachtree City Police Headquarters building until improvements to the building are completed. Attached are documents necessary to affect this transaction, including an Authorizing Resolution that we ask Council to approve.

This resolution will authorize the Mayor to sign all documents necessary to execute the \$3.5MM borrowing. As mentioned at the November 4 meeting, this loan will have a 10-year term and we estimate the annual interest rate will be approximately 1.85% (fixed). Staff expects the closing to take place on December 15.

The city's placement agent for this transaction, Raymond James and Associates, is currently handling the bidding process to identify a suitable lender. The bids are due back to them on Tuesday November 30 and staff will inform Council of the winner at the Council meeting.

Budget Impact

The estimated debt service expense for the remainder of FY 2022 is \$290K and the city budgeted \$305,642 in the Debt Service Fund for this expense. The estimate of full annual debt service in future fiscal years is \$384,472, based on an annual interest rate of 1.85% and making quarterly

payments over a 10-year term (See attached Estimated Debt Service Schedule). Debt Service payments will be backed by the full faith and credit of the city's taxing authority.

AUTHORIZING RESOLUTION

WHEREAS, the Council of the City of Peachtree City, Georgia, the body charged with managing the affairs of the City of Peachtree City, Georgia (the “Purchaser”), determined that it is in the best interest of the Purchaser to transfer a certain tract of land including the Purchaser’s Police Station (the “Land”) to the City of Peachtree City Public Facilities Authority (the “Seller”) and to purchase the Land together with the Police Station as improved and certain equipment to be located on the Land (collectively, the “Project”) back from the Seller; and

WHEREAS, the Seller is a public body corporate and politic and public corporation duly created and validly existing under and pursuant to an Act of the General Assembly of the State of Georgia entitled the “City of Peachtree City Public Facilities Authority Act” (2011 Ga. Laws 4121 to 4131, inclusive) (the “Act”); and

WHEREAS, the Act authorizes the Seller to acquire, construct, add to, extend, improve, equip, and dispose of “projects,” which are defined to mean and include all buildings, facilities, and equipment necessary or convenient for the efficient operation of the Purchaser; and

WHEREAS, the Act also authorizes the Seller (1) to acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes; (2) to acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, real property or rights or easements therein, or franchises necessary or convenient for its corporate purposes, and to use the same so long as its corporate existence shall continue, and to lease or make contracts with respect to the use of or dispose of the same in any manner it deems to the best advantage of the Seller; and (3) to execute contracts, installment sale agreements, and other agreements and instruments necessary or convenient in connection with the acquisition, construction, addition, extension, improvement, or equipping of a project, including contracts with the Purchaser upon such terms and for such purposes as the Seller and the Purchaser deem advisable and as they are authorized by law; and

WHEREAS, the Act also authorizes the Seller (1) to borrow money for any of its corporate purposes and to provide for the payment of the same and for the rights of the holders thereof; and (2) to pledge and allocate moneys received pursuant to an intergovernmental contract and the revenues, fees, tolls, charges, and earnings derived from any particular project or projects to the payment of the principal and interest thereon; and

WHEREAS, Article IX, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 authorizes the Purchaser (1) to contract for any period not exceeding fifty years with any public corporation or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, if such contract deals with activities, services, or facilities that the contracting parties are authorized by law to undertake or provide, and (2) in connection with any such contract to convey any existing facilities or equipment to any public corporation or public authority; and

WHEREAS, Article IX, Section III, Paragraph III(a)(1) of the Constitution of the State of Georgia of 1983 authorizes the Purchaser to, among other things, provide police protection.

WHEREAS, the Purchaser proposes to purchase the Project from the Seller pursuant an Agreement of Sale, dated as of December 15, 2021 (the “Agreement of Sale”), under the terms of which the Purchaser (1) will agree to make installment payments of the purchase price (the “Installment Payments”) to the Seller in amounts sufficient to enable the Seller to repay the Agreement Amount (as hereafter defined) when due; and (2) will agree to levy an annual ad valorem tax on all taxable property located within the corporate limits of the Purchaser, at such rate or rates, without limitation as to rate or amount, as may be necessary to produce in each year revenues that are sufficient to fulfill the Purchaser’s obligations under the Agreement of Sale; and

WHEREAS, in furtherance of the purposes for which it was created, Seller proposes to assign its right to receive the Installment Payments under the Agreement of Sale to [Lender] (the “Lender”) pursuant to an Assignment and Transfer Agreement, dated as of December 15, 2021 (the “Transfer Agreement”), and in consideration of such assignment, the Lender will provide funds needed to pay the costs of the Project (the “Agreement Amount”); and

WHEREAS, the Seller and the Purchaser will retain Raymond James & Associates, Inc. (the “Placement Agent”) to act as their exclusive placement agent to arrange a private placement of the assignment of the Agreement of Sale with the Lender, pursuant to a Placement Agent Agreement, to be dated the date of its execution and delivery (the “Placement Agreement”), among the Purchaser, the Seller, and the Placement Agent; and

WHEREAS, the Purchaser desires to make the Installment Payments required under the Agreement of Sale directly to the Lender in accordance with the provisions relating thereto set forth in the Agreement of Sale; and

WHEREAS, after careful study and investigation, the Purchaser desires to execute the Limited Warranty Deed and enter into the Agreement of Sale and the Placement Agent Agreement (collectively, the “Contracts”), approve and acknowledge the Transfer Agreement and to fund the Projects; and

WHEREAS, attached hereto are forms of the Contracts.

NOW, THEREFORE, BE IT RESOLVED by the Council of Peachtree City as follows:

Section 1. Findings. The obligation of the Purchaser to make the payments under the Agreement of Sale constitute a general obligation of the Purchaser and a pledge of the full faith and credit of the Purchaser to provide the funds required to fulfill any such obligation. As security for the payments required to be made and the obligations required to be performed by the Purchaser under the Agreement of Sale, the Purchaser hereby pledges to the Seller its full faith and credit and taxing power for such payment and performance. The Agreement of Sale, however, shall not be construed as limiting the right of the Purchaser to make the payments

called for by this Agreement out of any funds lawfully available to it for such purpose, from whatever source derived (including general funds).

Section 2. Transfer of the Existing Facilities. Under the Agreement of Sale, the existing Land shall initially be transferred from the Purchaser to the Seller, and a limited warranty deed for such purpose is authorized to be executed and delivered by the Mayor or other appropriate officer.

Section 3. Authorization of the Contracts. The forms, terms, and conditions of the Contracts and the Transfer Agreement and the execution, delivery, and performance of the Contracts, which have been filed with the Purchaser, are hereby approved and authorized. The Contracts and the Transfer Agreement shall be in substantially the forms submitted to the Council of Peachtree City in this meeting with such changes, corrections, deletions, insertions, variations, additions, or omissions as may be approved by the Mayor or Mayor Pro Tem of the Purchaser, whose approval thereof shall be conclusively evidenced by the execution of the Contracts. The Mayor or Mayor Pro Tem of the Purchaser is hereby authorized and directed to execute on behalf of the Purchaser the Contracts, 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 parties thereto. The Contracts are hereby spread upon the minutes.

Section 4. General Authority. The Mayor, Mayor Pro Tem, City Clerk, City Attorney, City Manager, and all other officers, employees and agents of the Purchaser are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the provisions of the documents herein authorized and as may be necessary to carry out the purposes and intents of this Resolution.

Section 5. Approval of Prior Action; Repeal of Conflicting Resolutions. All acts and doings of the Council of the City, the officers, employees and agents of the Purchaser which are in conformity with the purposes and intents of this Resolution and performance of the Contracts shall be, and the same hereby are, in all respects, approved and confirmed are hereby ratified, approved and confirmed. All resolutions or parts thereof of the Purchaser in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

Adopted and approved this ____ day of December, 2021.

CITY OF PEACHTREE CITY, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

City Clerk

Attach Exhibits

CITY CLERK'S CERTIFICATE

STATE OF GEORGIA

COUNTY OF FAYETTE

The undersigned City Clerk of the City of Peachtree City, Georgia (the "Purchaser") and keeper of the records and seal thereof, DOES HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of the Resolution adopted by the Purchaser in a meeting duly called and assembled on the ____ day of December, 2021, which meeting was open to the public and at which a quorum was presenting and acting throughout, the original of which Resolution has been duly recorded in the Minute Book of the Purchaser which is in my custody and control.

WITNESS my official hand and seal of the Purchaser, this ____ day of December, 2021.

City Clerk

(SEAL)

City of Peachtree City Public Facilities Authority (GA)

Installment Purchase Financing, Series 2021

(as of 11-5-21)

Estimated Debt Service Schedule - Quarterly Payments

Date	Principal	Coupon	Interest	Total P+I
12/30/2021	-	-	-	-
03/30/2022	77,233.00	1.850%	18,885.42	96,118.42
06/30/2022	80,288.00	1.850%	15,830.30	96,118.30
09/30/2022	80,659.00	1.850%	15,458.97	96,117.97
12/30/2022	81,033.00	1.850%	15,085.92	96,118.92
03/30/2023	81,407.00	1.850%	14,711.14	96,118.14
06/30/2023	81,784.00	1.850%	14,334.63	96,118.63
09/30/2023	82,162.00	1.850%	13,956.38	96,118.38
12/30/2023	82,542.00	1.850%	13,576.38	96,118.38
03/30/2024	82,924.00	1.850%	13,194.63	96,118.63
06/30/2024	83,307.00	1.850%	12,811.10	96,118.10
09/30/2024	83,693.00	1.850%	12,425.81	96,118.81
12/30/2024	84,080.00	1.850%	12,038.73	96,118.73
03/30/2025	84,469.00	1.850%	11,649.86	96,118.86
06/30/2025	84,859.00	1.850%	11,259.19	96,118.19
09/30/2025	85,252.00	1.850%	10,866.72	96,118.72
12/30/2025	85,646.00	1.850%	10,472.42	96,118.42
03/30/2026	86,042.00	1.850%	10,076.31	96,118.31
06/30/2026	86,440.00	1.850%	9,678.37	96,118.37
09/30/2026	86,840.00	1.850%	9,278.58	96,118.58
12/30/2026	87,242.00	1.850%	8,876.95	96,118.95
03/30/2027	87,645.00	1.850%	8,473.45	96,118.45
06/30/2027	88,050.00	1.850%	8,068.10	96,118.10
09/30/2027	88,458.00	1.850%	7,660.86	96,118.86
12/30/2027	88,867.00	1.850%	7,251.75	96,118.75
03/30/2028	89,278.00	1.850%	6,840.74	96,118.74
06/30/2028	89,691.00	1.850%	6,427.83	96,118.83
09/30/2028	90,105.00	1.850%	6,013.00	96,118.00
12/30/2028	90,522.00	1.850%	5,596.27	96,118.27
03/30/2029	90,941.00	1.850%	5,177.60	96,118.60
06/30/2029	91,361.00	1.850%	4,757.00	96,118.00
09/30/2029	91,784.00	1.850%	4,334.46	96,118.46
12/30/2029	92,209.00	1.850%	3,909.96	96,118.96
03/30/2030	92,635.00	1.850%	3,483.49	96,118.49
06/30/2030	93,063.00	1.850%	3,055.05	96,118.05
09/30/2030	93,494.00	1.850%	2,624.64	96,118.64
12/30/2030	93,926.00	1.850%	2,192.23	96,118.23
03/30/2031	94,361.00	1.850%	1,757.82	96,118.82
06/30/2031	94,797.00	1.850%	1,321.40	96,118.40
09/30/2031	95,235.00	1.850%	882.96	96,117.96
12/30/2031	95,676.00	1.850%	442.50	96,118.50
Total	\$3,500,000.00	-	\$344,738.92	\$3,844,738.92

Yield Statistics

Bond Year Dollars	\$18,634.53
Average Life	5.324 Years
Average Coupon	1.8500002%
DV01	1,768.55
Net Interest Cost (NIC)	1.8500002%
True Interest Cost (TIC)	1.8542367%
Bond Yield for Arbitrage Purposes	1.8542367%
All Inclusive Cost (AIC)	2.2627568%

IRS Form 8038

Net Interest Cost	1.8500002%
Weighted Average Maturity	5.324 Years

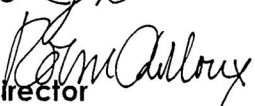
2021 (11-5-21) | SINGLE PURPOSE | 11/ 5/2021 | 4:57 PM

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP 
Planning and Development Director

DATE: November 22, 2021

SUBJECT: Variance Request, GR-6 Zoning Front Setback, 243 Valley View
December 2, 2021 City Council Meeting

Discussion:

The request was presented and the public hearing was held at the November 18 City Council meeting. Council voted to continue the item until the December 2 meeting.

The Applicant is requesting relief in the form of a variance from the front setback requirement [Section 1004.4(f)] of the GR-6, General Residential zoning district which requires a minimum front building setback of 15 feet. The Applicant has built a front porch without a permit that encroaches into the front setback by approximately 7 feet. The rest of the home is in compliance with other GR setbacks. (See figure one)

As part of the application, the Applicant has included a survey showing the porch encroachment and building plans showing that the construction was built to Georgia minimum building code. The subject property is located in the cul-de-sac of Valley View within the Braelinn Green subdivision. The lot is generally flat and backs up to the city's greenbelt and a multi-use path. (see figure two)

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance variances shall only be granted if:

- (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.

Variance Criteria

Section 1207 of the Peachtree City Zoning Ordinance states the City Council shall not grant a variance unless all of the following findings can be made

243 Valley View Variance Request

Page 2

- (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;*

Staff Comment: There are no special circumstances are applicable to the property.

- (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;*

Staff Comment: No evidence of practical difficulties or unnecessary hardship was presented as part of the application.

- (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;*

Staff Comment: There are no exceptional or extraordinary circumstances on the property that don't also apply to other lots in the subdivision.

- (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;*

Staff Comment: Granting this variance would constitute the granting of a special privilege inconsistent with the setback requirements 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*

Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare. There are no sight-distance concerns with the front porch's location.

- (f) *The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.*

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan, which encourages the protection of the character of existing neighborhoods as well as the reinvestment within neighborhoods.

Budget Impacts:

There are no budget impacts associated with the variance request.

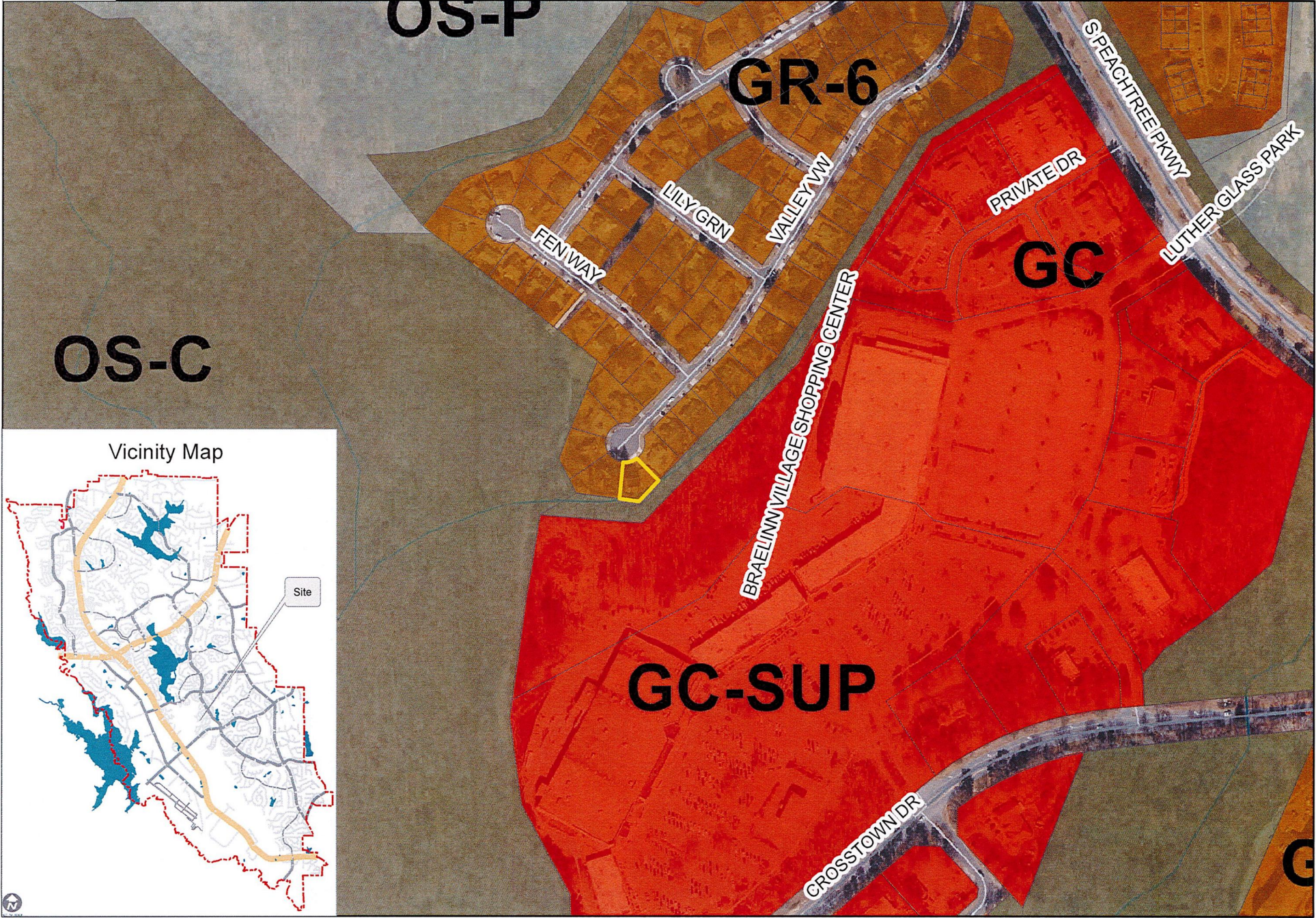
243 Valley View Variance Request
Page 3

Figure One: Aerial photo taken January 2020



Figure Two: Picture of front porch addition



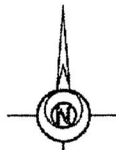


**LOT 70
BRAELINN GREEN**
PLAT BOOK 18, PAGES 134-135

RESERVED FOR CLERK OF SUPERIOR COURT

NOTES:

1. THIS IS A RETRACEMENT SURVEY OF AN EXISTING TRACT AS RECORDED IN DEED BOOK 4685, PAGES 602-603 AND PLAT BOOK 18, PAGES 134-135, FAYETTE COUNTY, GEORGIA RECORDS.
2. CURRENT OWNER: EFRAIN GONZALEZ PER DEED BOOK 4685, PAGES 602-603, FAYETTE COUNTY, GEORGIA RECORDS AS OF 12-07-2017.
3. THIS SURVEY WAS AUTHORIZED BY ESTELA GONZALEZ.
4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
5. RECORD BEARING APPLIED TO SOUTH PROPERTY LINE.



NORTH BASED ON
PLAT BOOK 18,
PAGES 134-135

**Foundation Location on Addition Only
For Review and Approval by Governing Municipality Only**

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 180-6-09 THE TERM CERTIFICATION AS USED IN BOARD RULE 180-6-09(2) AND (3) AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, BUFFERS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

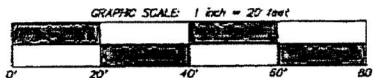
W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES. BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS, UNDERGROUND UTILITIES SHOULD BE IDENTIFIED AND LOCATED. W.D. GRAY AND ASSOCIATES, INC. ASSUMES NO LIABILITY FOR LOSS OR DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, THE UNDERSIGNED SURVEYOR AND W.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEES, REPRESENTATIONS, OR WARRANTY REGARDING INFORMATION SHOWN HEREON PERTAINING TO RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS, SETBACK LINES, BUFFERS, AND OTHER SIMILAR MATTERS. OTHER CONDITIONS OR DOCUMENTS MAY EXIST THAT WOULD AFFECT THIS PROPERTY. NO LIABILITY IS ASSUMED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY PURPOSE OF THE LAND. 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 15-6-07.

Larry C. Shimshock
Larry C. Shimshock, Ga. PLS No. 2343

09-01-2021
Date



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREIN. NO CERTIFICATION OF LIABILITY IS EXTENDED TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

**W.D. Gray and
Associates, Inc.**
LSF000701

land surveyors - planners

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



CURVE TABLE

Δ	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	50.00'	53°05'18"	46.33'	44.69'	24.98'	N 70°39'10" E

The field data upon which this survey is based has been compiled for closure by latitude and departures and has a closure precision of one foot in 23,745 ft. and an angular error of 8 seconds per angle point, and is UNADJUSTED.

It is my professional opinion, that this plat is true and correct representation of the land plotted, has been prepared to meet the minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 89,775 feet.

IN MY PROFESSIONAL OPINION, BY VISUAL OBSERVATION OF THE REFERENCED FLOOD INSURANCE RATE MAP, THE AREA OF THIS FOUNDATION LOCATION IS GRAPHICALLY SHOWN TO BE IN A ZONE AS FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP.
MAP NUMBER: 1311J00080B
DATED: SEPTEMBER 24, 2008

NOTE: FLOOD HAZARD ELEVATIONS WERE OUTSIDE THE SCOPE OF WORK REQUESTED BY CLIENT.

PREPARED FOR:

ESTELA GONZALEZ

243 Valley View

LAND LOT: 49	DATE OF SURVEY: 08-27-21
6th DISTRICT	DATE OF DRAWING: 09-01-21
CITY OF PEACHTREE CITY FAYETTE COUNTY, GA.	REVISED:
SCALE: 1" = 20'	JOB NO. 2108021

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP 
Planning and Development Director

DATE: November 22, 2021

SUBJECT: Rezoning of 17.4-Acres, Smokerise Corners subdivision from Limited Use Commercial (LUC-30) to Limited Use Residential (LUR-19)
June 15, 2017 City Council Meeting

Request

Chadwick Homes, the Applicant, is requesting the rezoning of 17.4 acres from Limited Use Commercial (LUC-30) to Limited Use Residential (LUR-19). The request is to reduce the side setback on the single-family lots and remove the condition requiring front porches on at least half of the homes.

Location

The subject property is part of the mixed-use development located on Sumner Road and State Route 54. If approved, the commercial portion of the development will remain zoned LUC-30. The request to rezone is only for the portion of the development already under construction and known as Smokerise Corners.

Discussion

The LUC-30 permits up to 27 single-family residential lots. The entire mixed-use development was planned and zoned by the Bradshaw Family LLC. The residential portion was subsequently sold to Chadwick Homes. The design of the single-family homes are different than the home designs originally proposed by Bradshaw Family LLC. Therefore, the applicant is requesting changes to the zoning conditions pertaining to the home designs, which states : *Home styles shall comply with the examples submitted by the developer. At least half of the homes shall have front porches for at least half of the front elevation. (1006B.30.f.7)*

The proposed homes are courtyard-style homes with front-facing garages and central courtyards, similar to homes built by the applicant in the Saranac subdivision. To accommodate the central courtyard, they are wider homes. The applicant has been able to build these homes on the larger lots in the subdivision, but they will not fit on the remaining lots without a change in the side setback. The current required side setback is

Smokerise Corners Rezoning

Page 2

10 feet. The applicant is requesting that the side setback be changed to a 10-foot building separation.

Planning Commission Workshop

The Planning Commission hosted a public workshop on the request at their November 8 meeting. Comments from both the public and the Planning Commission recognized the appeal of the internal courtyard design for the proposed homes, but also regretted the loss of the front porches.

Evaluation Criteria:

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

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

Because there is no change in the land use proposed, the request complies with the policies and intents of the Comprehensive Plan.

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

The proposed residential use is compatible between the low-density residential uses across Sumner Road and the Office/Commercial uses on State Route 54.

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

Because there is no change in the land use proposed, the request will not adversely affect the nearby properties

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

No evidence has been provided stating that the property could not be used as it is currently zoned or with the current zoning conditions.

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

Because the request does not change the approved land use, there will not be any burdensome use of existing public facilities or services.

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

There are no changing conditions giving support to the request, nor was evidence of change provided by the applicant. Staff notes that the requested zoning setback is similar to other subdivisions zoned LUR in the City.

Smokerise Corners Rezoning

Page 3

Recommendation

Staff is of the opinion that the proposed rezoning meets a majority of the criteria for rezoning and recommends approval of the request. The draft ordinances are attached.

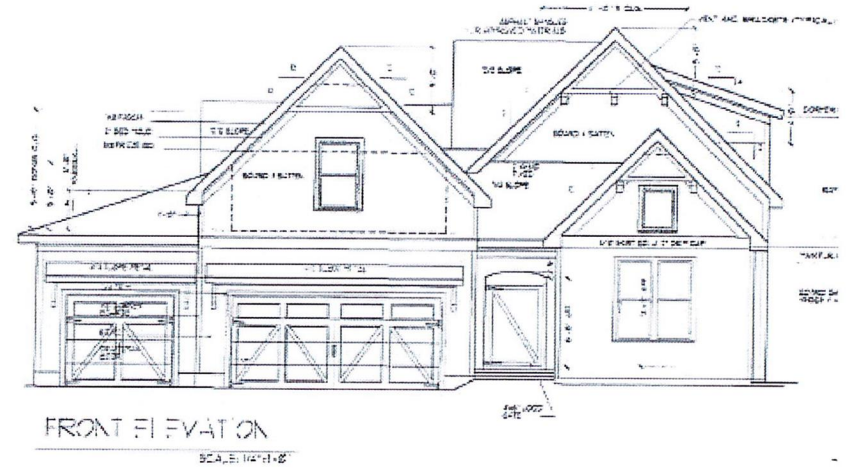
Approved Home Designs:

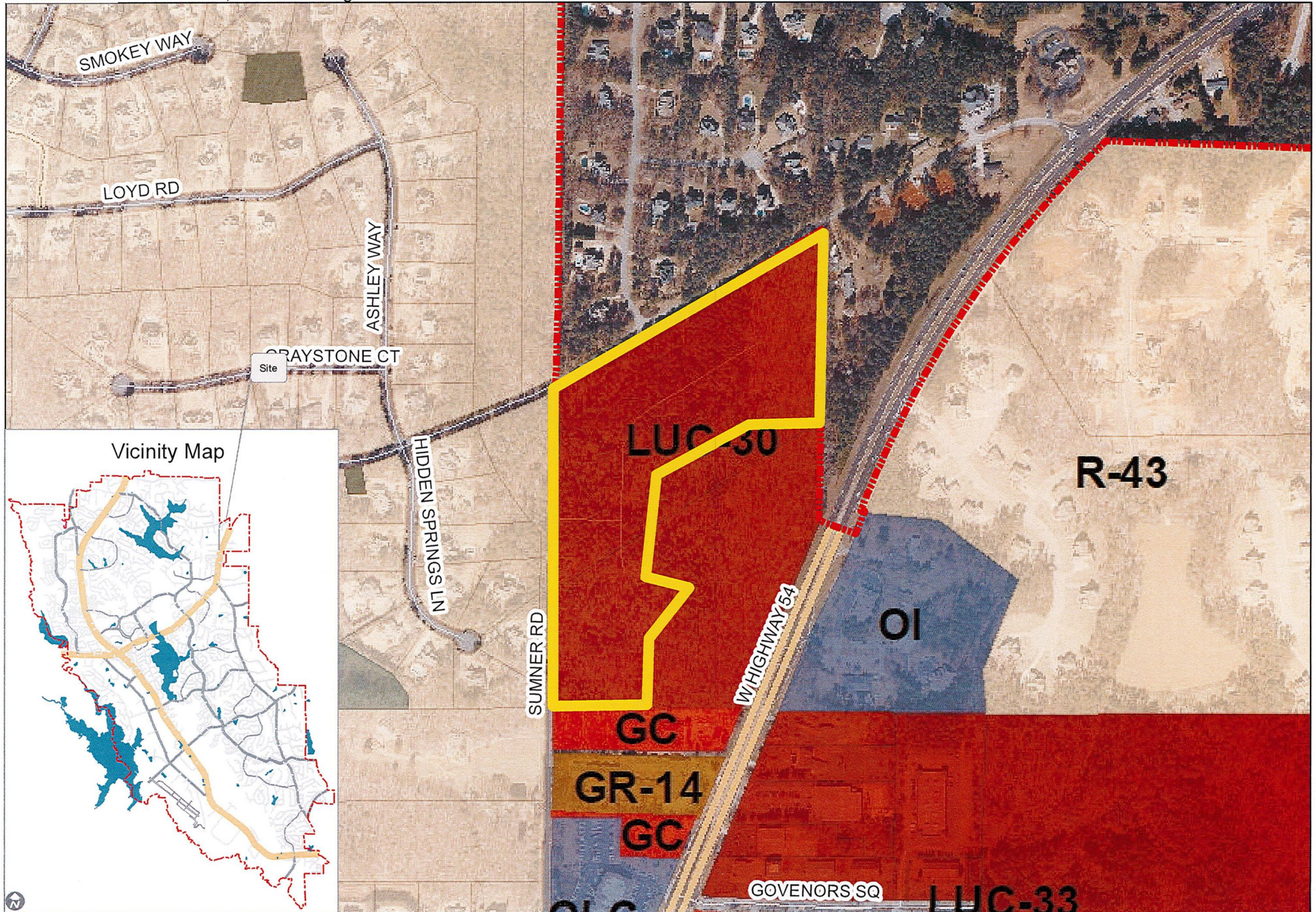


RESIDENTIAL EXAMPLES



Proposed Home Design:





Applicant

NARRATIVE

This is a request to zone the residential portion of the attached property from LUC 30 to LUR. This property includes the existing 26 lots on the north portion of the “Bradshaw” property now owned and being built by Chadwick Homes. The subdivision is complete with all the utilities, streets and detention in place, and several homes under construction. The intent of the builder is to build homes similar to those on their recently completed Saranac and Maybeck neighborhoods in northwest Peachtree City. Both of these neighborhoods have been well received and popular.

The builder recently realized that the LUC residential required a 10’ side yard on both sides of the home, while the LUR has instead a 10’ building separation for the sides. Also the LUC required a front porch across most of the front of the home. While the 10’ side setback worked on the first homes permitted because of being on the large cul du sac lots, most of the lots are 70’ by 150’ and will not allow the large side setbacks. Also the large front porch does not work with these floor plans and would look really clumsy if attached to the fronts.

Therefore the main request for this zoning is to change the side setbacks from 10’ to 10’ building separation, and eliminate the requirement for a front porch. Thus matching requirements for Saranac and Maybeck.

None of the elements discussed in the 2018 zoning have changed including Land Use, Community Design, Economic, Emergency Services, Utilities, or Transportation.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP 
Planning and Development Director

DATE: November 23, 2021

SUBJECT: Public Hearing: Variance Request, R-43 Zoning Front Setback Requirement,
319 Loring Lane
December 2, 2021 City Council Meeting

Discussion:

The Applicant is requesting relief in the form of a variance from the front setback requirement [Section 1002.4(g)] of the R-43, One-Family Residential zoning district, which requires a minimum front building setback of 50 feet. The Applicant proposes to construct a detached pool house, encroaching into the front setback by approximately 15 feet.

This property is within the Cavalier Manor subdivision and is one of the internal lots with no public road frontage. (See figure 1.) Per the City ordinance definitions, a front property line is the one adjacent to a public street or the line that the driveway cuts across. In this case, since the lot has no public street frontage, the front line is determined to be the one that the driveway cuts across.

The house's front entrance is oriented toward the property's side property line. As a result, what is legally defined as the front yard of the lot is effectively being used as the side yard. (See figure 2.) The applicant would like to build a pool house next to the pool.

As part of the application, the Applicant has included a justification narrative, site plans/plat showing the proposed improvement in relation to the front property line, photos of the proposed foundation location, and a letter of support from the adjacent property owner most affected by the request, Lot 3 of the Cavalier Manor subdivision.

319 Loring Lane Variance Request

Page 2

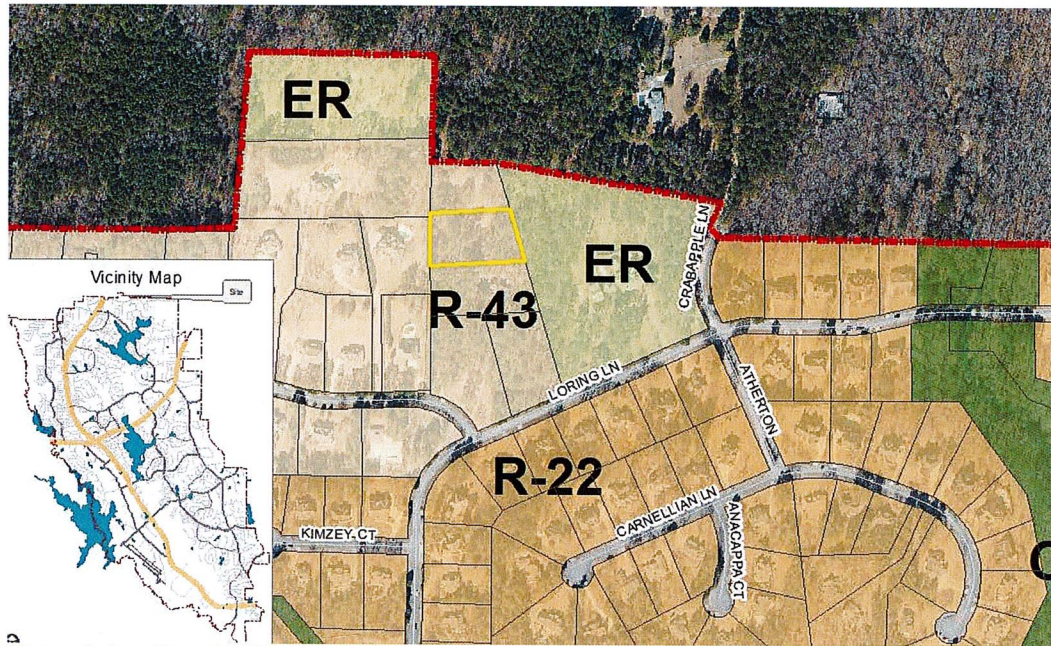


Figure 1: Location of 319 Loring Lane

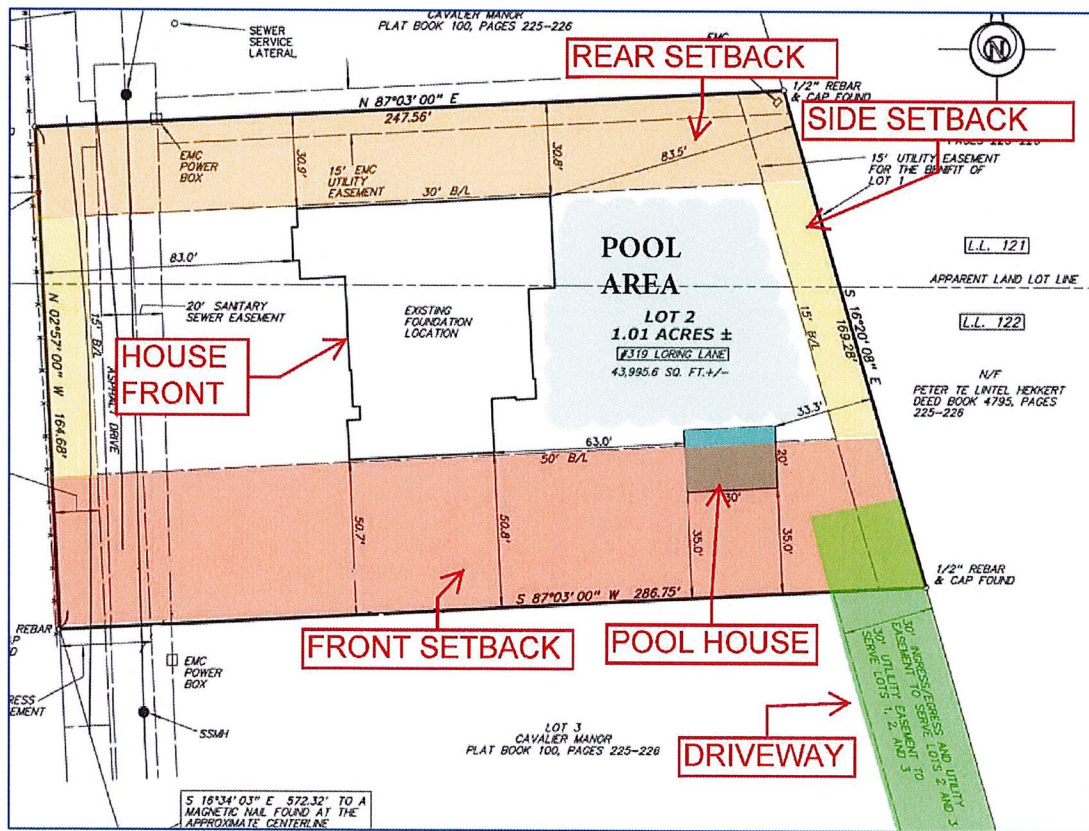


Figure 2: Lot Setbacks

319 Loring Lane Variance Request

Page 3

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted if:

- (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.*

Variance Criteria

Section 1207 of the Peachtree City Zoning Ordinance states the City Council shall not grant a variance unless all of the following findings can be made

- (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;*

Staff Comment: The property has a unique location in that it does not have public road frontage. As a result of required setbacks, the lot is wider than it is deep. In order to achieve a rear yard for the pool and general privacy, the home is oriented toward the side property lines. Strict application of the front setbacks denies the property of privileges that other lots in the immediate area enjoy.

- (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;*

Staff Comment: Staff is unaware of any other lot in the City with similar circumstances. Strict application of the front setback requirements would require that the pool house size be significantly reduced or relocated too close to the proposed pool.

- (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;*

Staff Comment: As stated above, the lot's shape and lack of public road frontage precludes the applicant from complying with the strict interpretation of the ordinance.

319 Loring Lane Variance Request

Page 4

(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;*

Staff Comment: Granting this variance would not constitute the granting of a special privilege inconsistent with the limitations of the property.

(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*

Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare. The applicant has the support of the adjoining property owner most affected by the request.

(f) *The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.*

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan, which encourages the protection of the character of existing neighborhoods as well as the redevelopment and reinvestment within neighborhoods.

Budget Impacts:

There are no budget impacts of the request.

ATTACHMENTS

Steven L. Jones | Counsel
Direct Dial: 678.336.7282
Cell Phone: 404.218.275
E-mail: sjones@taylorenchlish.com

October 25, 2021

VIA EMAIL: RCailloux@peachtree-city.org

Ms. Robin Cailloux, Director
Peachtree City, Georgia
Planning & Development Department
153 Willowbend Road
Peachtree City, Georgia 30269

Re: 319 Loring Lane, Peachtree City, Georgia 30269; Parcel Identification Number (“TPN”): 0729 047 (the “Property”); Application for Variance (the “Application”) regarding front yard setback applicable to the Property.

Dear Ms. Cailloux:

This letter serves to convey to the Planning & Development Department (the “Department”) of the City of Peachtree City, Georgia (the “City”), and as the report/letter of intent (this “Report”) for, the following which are enclosed:

- Exhibit A: The variance application (the “Application”) of Mr. Luis G. Arango (the “Applicant”) for a variance regarding the front yard set back applied to the Property.
- Exhibit B: A copy of the Final Plat (the “Final Plat”) of Cavalier Manor (the “Subdivision”), recorded on March 11, 2020, at Plat Book 100, Pages 225-226 of the Real Estate Records (the “Records”) of the Clerk of the Superior Court of Fayette County, Georgia.
- Exhibit C: A limited warranty deed (the “Vesting Deed”), dated May 22, 2020, vesting title in the Applicant, recorded on June 1, 2020 at Deed Book 5043, Pages 191-192 of the Records.
- Exhibit D: A site plan (the “Site Plan”), dated April 7, 2021, revised September 29, 2021, showing the location of the foundation on the Property and **the proposed location of the accessory structure for which the Application seeks to reduce the front yard setback applied to the Property (the “Pool House”), a thirty foot (30’) by twenty foot (20’) pool house.**

Ms. Robin Cailloux, Director
October 25, 2021
Page 2 of 6

- Exhibit E: An as-built topographical survey of the Property (the “**Topographical Survey**”), dated September 17, 2021, showing the existing location of the foundation and drainage basin on the Property.
- Exhibit F: A letter of support (the “**Letter of Support**”) from the owners, Joshua William Thomson and Carlyn J. Thomson (the “**Thomsons**”), of Lot 3 (“**Lot 3**”) of the Subdivision, which is identified by the postal address 317 Loring Lane, Peachtree City, Georgia 30269 and TPN 0729 022.
- Exhibit G: Photographs of the Property.

The following will be hand delivered to your office by the Applicant or his representative: (1) a check in the amount of THREE HUNDRED AND NO/100ths DOLLARS (\$300.00) payable to City; and (2) the original Letter of Support. Upon receipt of both, please return to me stamped “received” copies of this Report and all enclosures.

The purpose of the Application is to allow the construction of a Pool House (i.e., a thirty foot (30’) by twenty foot (20’) accessory structure) on the Property, as shown on the Site Plan (attached as Exhibit D). The Application should be granted because the Variance Criteria (defined below) all support granting the Application to reduce the front yard setback applied to the Property from fifty (50) feet to thirty-five (35) feet. Additionally, **the Pool House (and the Property) will be screened from Lot 3 (which shares with the Property the boundary line the setback from which this Application seeks to vary) with a **row of over sixty (60) leyland cypress trees**.**

The Zoning Ordinance as applied to the Property

As shown in Exhibit B (the Final Plat), the Property owned by the Applicant and the subject of the Application is Lot 2 of the Cavalier Manor subdivision which fronts on Loring Lane and Greenwood Lane, both of which are public rights-of-way. The Property is served by a thirty (30) foot driveway and utility easement which runs from Loring Lane along the eastern most property lines of Lot 5 (i.e., 315 Loring Lane; TPN: 0729 046) and Lot 3 of the Subdivision. Like the Property, Lot 1 and Lot 3 of the Subdivision also do not front on a public right-of-way and are served by driveway and utility easements.

The Property is zoned R-43 One-Family Residential District (“**R-43**”) under the 1977 Zoning Ordinance of Peachtree City, Georgia, as amended (the “**Zoning Ordinance**”), which is codified at Appendix A of the Code of Ordinances, City of Peachtree City, Georgia (the “**Code of Ordinances**”). The R-43 zoning district requires a front yard setback of fifty feet (50’) (the “**Setback**”). (Zoning Ordinance § 1002.4(g)). Additionally, the R-43 zoning district mandates a rear yard setback of thirty feet (30’) and side yard setbacks of fifteen feet (15’).

Ms. Robin Cailloux, Director
 October 25, 2021
 Page 3 of 6

The Final Plat for the Subdivision requires a sediment basin be installed on each lot in the Subdivision. (See note 13 on the Final Plat). Due to the location of the driveway and utility easements that pass through, and along the western and eastern property lines of, the Property, the topography of the Property, the ideal location for the sediment basin (due to topography of the Property as shown on *Exhibit D* and *Exhibit E*), and the orientation of surrounding single-family dwellings, the single-family dwelling under construction on the Property (the “**House**”) is oriented so that the front and rear of the House face the side property lines.

The result is that the buildable area of the Property is extremely narrow, such that the House’s sides meet the Property’s front and rear setbacks. Once a pool is constructed on the Property, as shown on *Exhibit D*, the location for an accessory structure becomes aesthetically and functionally problematic. However, to ameliorate these unique circumstances and difficulties, Sections 1206 and 1207 of the Zoning Ordinance allow the Setback to be varied if the criteria (the “**Variance Criteria**”) under Section 1207 of the Zoning Ordinance are satisfied. Below, this letter restates each Variance Criteria and shows why each is met.

(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;

There are special circumstances applicable to the Property such that strict application of the Setback would deny the Property of privileges enjoyed by other property in the vicinity and under the same zoning district. These special circumstances include the location, shape, size, surroundings, and topography of the Property. The Property is uniquely situated because it does not front on a public right-of-way. Instead, as shown on the Plat for the Subdivision (*Exhibit B*), the Property is served by a utility and driveway easement. And, the Property is wider than it is deep. Additionally, the topography of the Property slopes from north to south meaning the ideal location for the drainage basin is the southern end of the Property. Therefore, the ideal (and permitted) orientation of the House is with the front and rear of the house facing the sides of the Property. However, that orientation (based on the unique location, shape, size, surroundings, and topography of the Property) means that the platted setbacks (which track the Zoning Ordinance) are inconsistently applied to the House. In other words, the front and rear setbacks apply to the area of the Property where one would expect side yard setbacks to be applied. As a result, the unique location, shape, size, surroundings, and topography of the Property are such that strict application of the Zoning Ordinance would deny the Applicant and Property of privileges enjoyed by other properties in the vicinity under the R-43 zoning district. Namely, other similarly situated properties are able to place accessory structures in their rear yards within fifteen feet (15’) of their side property line. Here, as applied to the Property, that is not the case. Therefore, Variance Factor (a) is satisfied.

(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

Ms. Robin Cailloux, Director
October 25, 2021
Page 4 of 6

applicant of privileges granted to others in similar circumstances;

If the strict application of the Setback is applied to the Property, the result will be that the Pool House will be in close proximity to the existing location for the pool on the Property. As shown on the exhibits to this letter and as shown above, application of the rear, side, and front yard setbacks to the Property does not reflect the realities of the development of the Property or the intent of the setbacks. The proposed location of the Pool House will be thirty-five feet (35') away from the common property line with Lot 3 of the Subdivision. The rear of the house on Lot 3 of the Subdivision and the side of the Home under construction the Property both face the common property line the setback from which this Application seeks to vary. Therefore, varying the fifty foot (50') rear Setback applicable to the Property down to thirty-five feet (35') is consistent with the intent of fifteen foot (15') side setback and the thirty foot (30') rear setback under the R-43 zoning district. On the other hand, if the Setback is not varied, the Property (and the Owner/Applicant) will experience practice difficulties constructing the Pool House in that it will be too close to the pool, aesthetically and functionally. That is an unnecessary hardship. Consequently, Variance Criteria (b) is satisfied.

(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;

Unlike other R-43 zoning parcels, as noted above, the Property does not front on a public right-of-way. As a result, the distinct setbacks for rear, front, and side yards do not apply to the Property in the same way that they apply to lots that do front on public rights-of-way. In other words, the rear, front, and side yards of the Property are dictated by the ideal placement of the Home, not the geographical location of the Property. These exceptional and extraordinary circumstances prevent the Property from complying with the Setback with respect to the Pool House. Specifically, the Property was platted with the front yard facing the closest public rights-of-way. However, those rights-of-way are hundreds of feet and multiple parcels to the south. The vast majority of the parcels zoned R-43 in the City do front on public one or more public rights-of-way. Thus, there are exceptional and extraordinary circumstances that apply to the Property that do not apply generally to other property in the same zoning district. It follows, then, that Variance Factor (c) is satisfied.

(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;

The granting of the Application will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district. Upon information and belief, the City has granted similar variances to that requested by the Application. Granting the Application will not be inconsistent with the limitations imposed on other property. If the

Ms. Robin Cailloux, Director
October 25, 2021
Page 5 of 6

Application is granted, the Pool House will still be thirty-five feet (35') away from the Property's common property line with Lot 3. The side and rear yard setbacks in the R-43 zoning district are fifteen feet (15') and thirty feet (30'), respectively. And, as noted above, the setbacks for the R-43 zoning district—which are intended to drive development with greater front yard setbacks from the public right-of-way than rear and side property lines—do not apply with the same intent to the Property. Therefore, if the Application is granted, the resulting thirty-five (35) foot front yard setback will not be inconsistent with the limitations on other property in the same zoning district. Based on the above, Variance Factor (d) is satisfied.

(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

If the Application is granted, it will not be materially detrimental to the public health, safety, or general welfare and will not be injurious to property or improvements in the zoning district or neighborhood in which the Property is located. As noted above, the Property is uniquely situated because the front, side, and rear setbacks applicable to the Property are not consistent with the orientation of the house or the orientation of the House on the Property. If the Application is approved, the result will be a front yard setback that is greater than the rear and side yard setbacks required in the R-43 zoning district. Since the House that will be constructed on the Property is oriented with the side of the house facing the front yard setback, approving the Application will result in a front yard setback that is more than double the setback that would apply to the property if the setbacks were consistent with the orientation of the House. Additionally, the owners of the property to the south of the Property, which share the boundary with the Property the setback from which the Application seeks to vary, have written the Letter of Support, attached as Exhibit F. The Letter of Support reads, in part, as follows:

We, Joshua William Thomson and Carlyn J. Thomson, have reviewed and support Luis G. Arango's Variance Application . . . We are the owners of 317 Loring Lane, which is Lot 3 of the . . . [S]ubdivision. Mr. Arango's application seeks a reduction in the . . . setback measured from the line shared between our property and Mr. Arango's property. Therefore, we are the most affected by this request and hope that our support will go a long way toward helping Mr. Arango get the City's approval for the [Application requesting a] variance.

(Ex. F, Letter of Support). Therefore, granting the Application will not be materially detrimental to the public health, safety, or general welfare and it will not be injurious to property or improvements in the zoning district or neighborhood in which the Property is located. Consequently, Variance Factor (e) is satisfied.

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

The granting of the variance will not create inconsistencies with any objective of the

Ms. Robin Cailloux, Director
October 25, 2021
Page 6 of 6

comprehensive plan. The Peachtree City Comprehensive Plan, as updated in 2017, sets forth the objectives for land development and use in the City, among many other strategy planning, transportation, housing, and other community development goals. For example, regarding the City's land use and development patterns policies, page 15 of the 2017 update provides a list of ten (10) policies none of which would be inconsistent with granting the Application. Accordingly, Variance Criteria (f) is satisfied.

As shown above, all of the Variance Factors are satisfied and, as a result, the Applicant respectfully requests that the Application be granted. Additionally, the Applicant will install a visual vegetative screen of fast, tall growing leyland cypress along the property line from which the Application seeks to reduce the setback thereby mitigating any visual impact resulting from approval of the Application.

Should you desire any additional information, please contact me using the information contained in the letterhead on the first page of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven L. Jones', with a stylized, cursive script.

Steven L. Jones

Enclosures

cc: Ms. Lora Hooks, Senior Planner (lhooks@peachtree-city.org)
Ms. Chandra Wright, Planner (cwright@peachtree-city.org)
Mr. Luis Arango (luisgarango@outlook.com)
Mr. John Mendez (john1mendez@yahoo.com)