

City Council of Peachtree City
REVISED AGENDA
October 21, 2004
7:00 p.m.

- I. Prayer
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Mike Stewart from Public Works as September Employee of the Month
Recognize Colin Halterman for 20 Years of Service
- IV. Minutes
October 7, 2004, Regular Meeting Minutes
- V. Consent Agenda
 - 1. Alcoholic Beverage License – Change in License Representative –
Kwickie/Flash Foods #246
 - 2. Consider Request from Braelinn Elementary for Construction of Track
 - 3. Consider Amendment to Smoking Ordinance Regarding Smoking in City
Parks/Facilities
 - 4. Consider Approval of Sanitary Sewer Easement Request for Braelinn Church
- VI. Old Agenda Items
 - 10-04-03 Consider Step One Annexation Application from John Wieland
 - 10-04-05 Consider Approval of Site Plan for Kedron Village Retail Expansion
- VII. New Agenda Items
 - 10-04-10 Consider Comments Concerning Alcohol Handling Permits –
Sonny Ishmael, Beef O’Brady’s
 - 10-04-11 Alcoholic Beverage License – Change in Owner – Thai Isan Restaurant
(Papaya Thai)
 - 10-04-12 Consider Resolution to Support Statewide Smoking Ban
 - 10-04-13 Discussion on Questionable Programming on the Expanded Basic
Broadcast Cable System
- VIII. Council/Staff Topics
Update on Kedron Phase I Traffic Lights
- IX. Executive Session

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

Revised 10/21/04

City Council of Peachtree City
Minutes of Regular Meeting
October 7, 2004
7:00 p.m.

The City Council of Peachtree City met Thursday, October 7, 2004, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown recognized Wes Saunders for his service on the Planning Commission. He also recognized Ken Griffin of the Lacrosse Association and Jay Rivard of the Youth Basketball Association. Brown read a proclamation of appreciation to the Library staff for their efforts during the move. Brown proclaimed October as Breast Cancer Awareness Month.

Rutherford moved to table Agenda Items 10-04-03 Consider Step One Annexation Application from John Wieland Homes, 10-04-04 Consider TDK Preliminary Engineering, and 10-04-05 Consider Approval of Site Plan for Kedron Village Retail Center Expansion. Rapson seconded. Rapson asked City Manager Bernard McMullen to arrange a meeting on Sunday, October 10, at 2 p.m., so he could review the plans. The motion carried unanimously.

Minutes

Rutherford moved to approve the September 2, 2004, Regular Meeting Minutes as amended; the September 14, 2004, Special Called Meeting Minutes; the September 14, 2004, Regular Meeting Minutes as amended; and the September 21, 2004, Special Called Meeting Minutes. Kourajian seconded. The motion carried unanimously.

Monthly Reports

Brown noted that the Great Georgia Airshow would be held Saturday-Sunday, October 9-10. Four Nights in October started October 7 and would run through October 10. The Peachtree City Classic Road Race would be on October 16. The top five accident sites for the month were GA 54/Planterra Drive, GA 54/GA 74, GA 54/Peachtree Parkway, GA 74/Rockaway Road, and GA 54/Huddleston Drive. Cart path paving year-to-date was 21,444 feet compared to 10,313 feet last year.

Consent Agenda

- 1. Consider Extending Compliance Date for Alcohol Handling Permits**
- 2. Consider Donation of Surplus Property**
- 3. Consider Approval of Surplus Items for Auction**

Brown noted there were additional documents for Consent Agenda Items #1 and #3 – a letter to Council from Sonny and Donna Ishmael and a memo to Council dated October 7, 2004, with the subject “Auction of Surplus Property – Additional Items.”

Rapson asked if anyone had spoken to Chief Murray regarding the letter on the dais concerning the alcohol permits. Chief Murray said that the only protests they had received had been from people with criminal records. Rutherford pointed out that the letter specifically addressed servers who had Minor in Possession charges on their criminal history. Chief Murray said that there had to be at least two years since the charge. He said the servers could still work for the businesses, but servers with permits would have to take the drinks to the tables.

Rutherford moved to approve the consent agenda. Rapson seconded. The motion carried unanimously.

Old Agenda Items

**09-04-CA1 Alcoholic Beverage License – Change in License Representative –
Eckerd #3458, City Circle**

09-04-13 Alcoholic Beverage License – NEW – Eckerd #6743, Wilshire Pavilion
Weed moved to approve 09-04-CA1 and 09-04-13, the alcohol beverage licenses. Rutherford seconded. The motion carried unanimously.

**09-04-14 Tax Relief for Seniors with an Annual Household Income of \$30,000
or less**

Brown noted there was an additional document on the dais from City Manager Bernard McMullen – an e-mail dated October 6, 2004, with the subject “A Bill to be Entitled.”

Brown moved that Council define the qualifications for a \$5,000 homestead exemption for Peachtree City senior citizens as 1) any homeowner who had reached the age of 65 on or before January 1 of the current taxable year; 2) the combination of the homeowner and spouse’s total annual income as defined by the Internal Revenue Service being less than \$30,000 for the calendar year immediately preceding the current taxable year. The \$30,000 total income would exclude non-taxable Social Security. Weed seconded. The motion carried 4-1 (Rutherford).

New Agenda Items

10-04-01 Consider Resolution on Homestead Exemption for Seniors

Brown noted there was an additional document on the dais – an amended version of a Bill to be Entitled an Act.

Brown moved to accept the resolution as amended on the dais. Rapson seconded. The motion carried 4-1 (Rutherford).

10-04-02 Overview of Aberdeen Woods Conference Center Renovation

Brown noted there were additional documents on the dais – an e-mail from the City Manager to Mayor and Council with the subject, “FW: Aberdeen Woods Construction GIS Map” and a copy of the GIS map.

Glen Wallberg, president of the Pitney Bowes Sales and Service Training Center (Aberdeen Woods), addressed Council. Wallberg said that the Aberdeen Woods Conference Center (AWCC) had been under renovation for the last 18 months and was now in the final phase, which was the training building (the conference center). The renovation of the training building was critical to the project and was different from the other phases. The training building was the engine that drove the rest of the center; however, the building was close to residential areas. Closing the training building during the day would reduce revenue over the three-month project, which would affect the 200 employees. Rescheduling meetings meant that current customers might not return. The plan was to work around the scheduled events, with some of the work to be done at night.

Wallberg said they recognized the fact that working at night near a residential area created potential problems. Wallberg continued that they had discussed the matter with the Building Official and had sent a letter to the residents within hearing distance of the project. A hotline had been set up and would be manned during the construction so citizens with problems could call. The neighbors had been invited to a meeting to discuss the construction and potential problems. Construction would be scheduled during normal working hours as often as possible. He added they might have to come to the City with any problems they could not solve. Wallberg said his purpose for attending the Council meeting was to get the information out.

Brown said he attended an informational meeting held for the neighbors who were affected. He noted that the building was constructed of steel and the noise would reverberate throughout the structure, which would disrupt any meetings held during the day. He said that if neighbors called the hotline with a problem, then the work would cease until a way could be figured out how to do the work differently.

Wallberg said the work had started recently, and they had not heard anything from the neighbors yet. There was the potential that there would be no disruption to the neighbors. He reiterated that keeping the training building open was critical to maintaining their customer base.

Rapson asked what made the noise. Wallberg said saws would be running, and materials would be torn off the building. The soffets and the eaves would be torn off and replaced. The work would be performed from 6 p.m.-3 a.m. Rapson told Wallberg the conference center was doing what it should do as a good neighbor. Wallberg said letters had been sent to 90 residents. The exterior portion of the work would be done by mid-January, and the interior work should be completed in March.

10-04-06 Consider Letter Regarding EMS Funding/Tax Equity

McMullen explained that he wanted to send a letter from the Council to the Fayette County Board of Commissioners and ask them to establish a special service district for emergency medical services (EMS). The County had a special revenue district for fire services, which provided service to the unincorporated County, Brooks, Tyrone, and Woolsey.

McMullen explained that the County funded the EMS through the County's general fund and provided services to all the municipalities and the unincorporated County, except Peachtree City. The City's residents paid for their own EMS services, as well as services for the County. The City's residents were taxed twice for EMS services.

McMullen continued that there was a difference in how the City and County staffed their EMS. The City only had one person, a lieutenant, funded in the EMS budget. The County had 59 of its fire and EMS personnel covered in the fire services budget, with 28 funded in the EMS budget. The County's firefighters also served a dual role, just as the City's firefighters, by fighting fires and providing emergency medical services.

Brown suggested that the County take the fire districts and create an EMS overlay. McMullen said there could be a cookbook approach. Those who received their fire service from the County paid an additional millage rate for the service. The County could establish an additional millage rate for EMS, which would be added to the tax bill of those served by the County. The only exception would be Fayetteville, which provided fire services, but did not provide EMS. Brown noted that the savings to City taxpayers would be over \$2.5 million over a 10-year period.

Rutherford moved to go forward with the letter regarding EMS funding tax equity and that the Mayor and full Council sign it. Rapson seconded.

Kourajian referred to a comment in a newspaper article by Commission Chairman Greg Dunn, who had suggested that the County would gladly take over EMS services for the City. He asked if that was something Council should consider. McMullen said he had spoken to the County's fire and emergency services chief to find out how the City would be supported if the County took over EMS service. The County would have one ambulance at Station 82 and would require all the City's pumpers to be ALS qualified. All of the pumpers would have to be upgraded and the three ambulances the City currently had would be reduced to one. Kourajian clarified that for a quarter million dollars the City would have to spend money on the pumpers and ambulance coverage would be reduced by 67%.

Rapson asked if the ALS requirement was required of the other jurisdictions. McMullen said the only municipality that could be required to do so would be Fayetteville, and he did not have that answer. Rapson said Fayetteville did not have that requirement.

Rutherford said if one ambulance covered the whole City, then a pumper could answer a call from the Braelinn area if it was ALS certified. Rapson said they would be creating mutual aid and ensuring the City could provide mutual aid. It would cost \$95,000 each to reconfigure the City's pumpers. The initial cost would be \$300,000 and the ambulance support would be reduced by two-thirds.

Kourajian asked if this letter would be the first formal communication. Rapson said the matter had been discussed at Retreat. Brown added that he, personally, had talked to the Commissioners about the matter in the past.

The motion carried unanimously.

10-04-07 Consider Award of Employee Insurance

Brown noted there were additional documents on the dais – a memo to Mayor and Council from the Financial Services Director dated October 7, 2004, with the subject “Health Insurance Broker Selection” and a copy of the Request for Proposal, with addendums #1 and #2.

Administrative Services Director/City Clerk Jane Miller said that the City had been self-insured through American Medical Security (AMS), which provided third-party administrative services and excess insurance. Private Healthcare Systems (PHCS) was the preferred provider network.

Miller continued that Clark Weeks, the City’s consultant, had suggested saving money by comparing preferred provider networks. An RFP was prepared that asked for quotes for third-party administration, excess insurance, and a comparison of the anticipated claims costs based on the negotiated rates of the networks. There were 21 responses, all of which were evaluated by Weeks. Miller said it appeared that, if the City used United Healthcare and their network, then the City would save \$500,000 in payments based on historical data. Staff recommended United Healthcare as the third-party administrator and excess coverage provider. Miller said three of six United Healthcare brokers were interviewed, and staff recommended Palmer and Kay based on their fees and experience.

Rapson stated, for the record, that 21 solicitations were received and staff recommended United Healthcare. Six brokers were considered. Weeks said there were actually five selected for interviews since two submitted a joint proposal. Rapson said the logic was sound and the three selected for interviews had the most volume with United Healthcare. The two brokers that were not selected for interviews did not have a significant volume of business with United Healthcare. Rapson noted that the three brokers selected were platinum level brokers. Weeks added that the firms selected were also not the biggest brokers. The selection had nothing to do with the size of the firm, but with the volume of business with United Healthcare. Miller added that the negotiated rate United Healthcare was less than the AMS network. She explained that if the negotiated rate for United Healthcare was \$73 for a procedure, and the PHCS rate was \$83, then the City paid \$73 as opposed to \$83. Rapson noted that the cost of medical claims, on average, would be 28% less with United Healthcare.

Kourajian asked the difference between being fully insured and self-insured. Weeks said that insurance companies were in business to make money, and insurance was based on the law of large numbers. There might be a random event, but if the random event occurred enough times it became a certainty. Whether fully insured or self-insured, the

companies looked at the claims over the last few years. If an insurance premium was paid, the bid was loaded by 5%. Over time, the City would pay about 5% more if fully insured. If self-insured, the City would save money over time.

Miller said the last time the City had reviewed companies was in 2001, and staff had not done an in-depth analyses of the claims, but had looked at fixed costs. She cautioned that if the City shopped the market too often, nobody would respond to bids and RFPs.

Weeks said the company also offered a substantial pricing advantage, and that no one else was even close. Kourajian asked if there was anything written into the agreement that would increase costs. Miller noted there was excess coverage for anything over \$50,000. Rapson said timing was good since the market had become more competitive. Miller said the employees were surveyed regarding the doctors and medical facilities they used. The results were compared to the network providers in United Healthcare and all but a few were included.

Rapson moved to go with United Healthcare as recommended by City staff and to appoint the firm of Palmer and Kay as the City's health insurance broker. Rutherford seconded. The motion carried unanimously.

Council commended Miller and Financial Services Director Paul Salvatore for their work. Salvatore introduced Chris Clark, a representative from Palmer and Kay.

10-04-08 Consider Award of City 457/401a Pension Plans

Salvatore told Council that the change only affected employees' money. The goals were to reduce fees, to continue to have good choices and returns, and to provide better customer service. Staff went through the RFP process and recommended Southtrust as the preferred pension provider.

Kourajian asked if Southtrust had a local representative. Salvatore said the representative was Kevin Kelly in the Atlanta office. Weeks added that Kelly had agreed to come to the City on demand or for special events. He said there was also an 800 number. Rapson asked if they could look at adding other 457 plans. Weeks explained that it was a mass issue. If the City did not have the mass, the cost for participants could not be reduced. He said the two components of costs were the asset fees and the per account fees. The vendor looked at both fees to pay freight. If assets were taken away, the cost would go up. If there were more than one provider, the employees would carry the costs. Weeks added that Southtrust would just be an administrator.

Brown said his concern was whether they could tap into a broad range of funds. Weeks said Southtrust was just the administrator.

Rutherford said there was news that Southtrust would merge with Wachovia. She asked if a merger would affect the City. Weeks said the pricing was guaranteed for three years with an option to renew for another two years. No Southtrust funds were offered. There

might be a money market fund, but Weeks was unsure. Weeks added that Southtrust was very competitive and that each employee that participated would have an additional \$1,000 in the their account for the next five years.

Rutherford moved to approve Southtrust as the vendor for the 457/401a defined contribution pension plans and to authorize the Mayor to sign the resolution and the plan documents pending approval by the City Attorney. Kourajian seconded. The motion carried unanimously.

10-04-09 Consider Award of City Banking Services

Salvatore told Council that seven banks submitted proposals and were rated on several criteria. The criteria included qualifications and experience, approach implementation, relationship support, references, and the cost proposal. The cost proposal rated most heavily and narrowed the field from seven to four banks. Staff look at the final four based on the cost proposal. The top two banks were Southtrust and Wachovia. Salvatore said staff recommended Southtrust Bank for banking services pending the City Attorney's approval of the one-year contract with two automatic one-year renewals.

Rutherford moved to approve the recommendation to award the one-year contract to Southtrust Bank for comprehensive banking services with two automatic one-year renewals and to authorize the Mayor or City Manager to sign all contracts and agreements required after review by the City Attorney. Rapson seconded.

Kourajian asked if City employees received free accounts with the current bank. Rapson said he set the banking services up and that employees received free checking with direct deposit at Peachtree National Bank. Rapson suggested asking Southtrust if they provided the same services. Southtrust representative Tina Hunt said that they offered free checking to employees with direct deposit. Other perks included free safe deposit boxes, no cost ATM, reduced rates on loans, and other possible services. She said the nearest Southtrust branch was in Braelinn Village. Hunter pointed out that one advantage was there would be more offices in the City when the merger with Wachovia was complete. She said information would be available at the branch office and that she could bring starter kits to the City.

The motion carried unanimously.

Council/Staff Topics

Rutherford asked if the new positions included in the FY 2005 budget had been posted. Miller said most had been posted and they were working on ads for some of the positions such as purchasing agent and assistant planner. She added that they were still working on the job description for the fire marshal position.

Rutherford asked about the City Engineer position, which had been open for some time. Developmental Services Director Clyde Stricklin said there had been interviews, and they were interested in one person. That person, however, was working for the Federal

Emergency Management Administration (FEMA) and was currently very busy in Florida. Miller added that staff had been advised not to hire for the newly approved positions until after October 1.

Update on Kedron Phase 1 Traffic Lights

Stricklin reported that staff had been unable to confirm any negotiations between BBT and Faison. He had spoken to the City Attorney about writing a third notice letter to BBT. Weed asked what action the City could take. Meeker said the City could shut down the shopping center. However, Meeker said the best course of action would be to give them another two weeks to put the letter together and hear from the shopping center's management company.

Weed made a statement regarding New Agenda Item 10-04-01 Consider Resolution on Homestead Exemption for Seniors. Weed said that, because the vote was not unanimous, the request for legislation would be dead in the water. The County's legislative body had historically refused to consider any legislation if there was not a unanimous vote.

Meeker said there was a matter of pending or threatened litigation for executive session. Rutherford moved to reconvene in executive session. Kourajian seconded. The motion carried unanimously.

Brown moved to reconvene in regular session. Rutherford seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn the meeting. Brown seconded. The motion carried unanimously. The meeting adjourned at 9:55 p.m.

Jane Miller, City Clerk

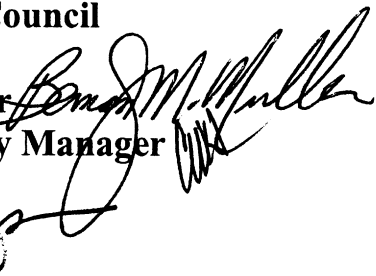
Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 
Assistant City Manager

FROM: City Clerk 

DATE: October 14, 2004

SUBJECT: Alcohol License – Change in License Representative – Kwickie/Flash
Foods #246
October 21, 2004, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a change in the alcoholic beverage license.

Discussion:

Kwickie/Flash Foods #246, 1001 Crosstown Road, has submitted an application for a change in License Representative. Ms. Bonnie Sue Campbell has requested she be appointed as the License Representative. Ms. Campbell will attend the October 21st meeting to answer any questions you may have.

Budgetary Impact:

The change in License Representative will have no impact on the budget.

JM:pd

Attachment



CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Kwickie IFlash Foods #246	Business Location: 1001 Cross Town Rd. Peachtree City, Ga. 30269	Phone Number: 770-631-1747
Nature of Business: Convenience Store	Mailing Address: P.O. Box 2149 102 Lee Avenue Waycross, Ga. 31502	Corp Business Phone Number: 912-285-4010 x221
Name of Licensee: William Glen Bryson	Home Address: 3915 Old Walerstown Rd Waycross, Ga. 31503	Home Phone Number: 912-285-7592
Name of License Representative: Bonnie Sue Campbell	Home Address: 204 Fredrick Street Hogansville, Ga. 30230	Home Phone Number: 706-637-5281

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

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
List of Corporate Officers and	Directors Attached	.
Jackie Cunningham, License Clerk	172 Beagle Blvd Alma, Ga. 31510	W 912-285-4010 x221 H 912-632-8202

Is any person who owns an interest in the license an employee of the City of Peachtree City? _____



POLICE DEPARTMENT

350 South Highway 74 • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



JAMES V. MURRAY
Chief of Police

State of Georgia

City of Peachtree City:

I, Robert M. DuPree, Major of Police for the City of Peachtree City, do hereby certify that:

Bonnie Sue Campbell

Name

204 Fredrick Street Hogansville, GA 30230

Address

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

Robert M. DuPree
Signature

9/29/04
Date

[Signature]
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager
Assistant City Manager 

FROM: Administrative Services Director / City Clerk 

DATE: October 14, 2004

SUBJECT: Consider Request from Braelinn Elementary for Construction of Track
October 21, 2004 Council Agenda Item

Recommendation:

Consider approval of a request from Braelinn Elementary School for the City to provide up to \$5,000 in labor to construct a walking track at Braelinn Elementary School.

Discussion:

In May, the City received a request from Braelinn Elementary School to provide labor for the construction of a track at the school (attached). I advised Ms. Wenonah Bell, principal of the school, that the request could not be considered for approval until the beginning of fiscal year 2005. Ms. Bell has requested that Council now consider approval of their request. Tom Corbett, Public Services Director, has provided information that the labor cost may exceed \$5,000 and Ms. Bell has indicated that the PTO will pay the City for any costs above \$5,000, which is in compliance with the policy approved in CAR 8-3 (attached).

CAR 8-3 requires that the Recreation Commission make a recommendation on all requests for funding that the City receives from public schools. The Recreation Commission is meeting on Monday, October 18 and will forward a recommendation after the meeting. A copy of their recommendation will be placed on the dais for the Council meeting.

Budget Impact:

Labor cost of no more than \$5,000.

/jsm

Attachments

CC: Randy Gaddo
Tom Corbett



Funding Request For Non-Profit Organizations

Organization Information:

Organization Name: Braelinn Elementary School PTO
Address: 975 Robinson Road Peachtree City, GA 30269
Phone #: 770-631-5410 Fax #: 770-631-5430
Contact Person: Wenonah Bell, Principal or
Title: Laura Abbey, PTO Chairperson

Financial Information:

Total Annual Budget: \$21,400
Total Clients Served Annually: 583 students
Peachtree City Residents Served Annually: Approximately 800 parents and countless others who use our playground/track area.

Funding Request Information:

Funding Amount Requested: \$5,000.00
Funding Use(s): Track for walking and running
Additional Information on Organization/Services: We would like you to provide the labor and equipment required for installation. We will pay for the materials.

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: 5-24-04 Council Approval Date: _____ Amount Approved: _____

**CAR 8-3 City Council Funding for Non-Profit
Organizations in Fayette County**

CAR 8-3

**OPR: City Hall
4/00 (Amended 5/04)**

Purpose	Section	I
Policy		II

I. Purpose

The Purpose of this regulation is to establish a policy for consistent response to requests for donations on behalf of non-profit organizations, including public schools, in Fayette County.

II. Policy

While the City of Peachtree City has no financial responsibility to assist non-profit organizations, including public schools, with funding or providing labor, there have been requests in the past for this assistance, and it is anticipated that there may be requests in the future. In an effort to ensure consistency and fairness, the following guidelines have been established:

- A. Council will budget no more than \$25,000 annually for all non-profit funding.
- B. The City would assume no liability for any project for which the City provides funding and/or labor.
- C. Services provided to Peachtree City residents by a non-profit organization shall be addressed in a contract between the City of Peachtree City and the organization.
- D. Non-Profit Organizations
 - 1. Basic Needs

As a general rule, funding for non-profit organizations serving Fayette County should be provided by the Fayette County Commission to ensure that Peachtree City residents are not subject to double payment through their municipal and County taxes. However, Council reserves the right to make contributions to non-profit organizations that provide services that meet the basic needs (food, shelter, protection) of Peachtree City residents based upon the merit of the request. Requests for funding for non-profit organizations that provide basic needs shall not require matching funds but such requests shall be prorated based upon the total annual budget of the organization and the percentage of Peachtree City residents served by the organization in comparison to the total number of people they serve. The amount of funding provided shall be the lesser of the amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or \$7,500.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. These funds, once identified, will be budgeted for annually, upon written request by the organization that would be subject to prorated allocation as noted above.

- 2. General Needs

Should Council approve a funding request for an organization that provides for general needs (other than food, shelter and protection), a dollar for dollar match up to a limit of \$5,000 in funding/labor may be provided as a match to any non-government funding provided to the organization. If the organization serves people other than Peachtree City residents, request shall be prorated based upon the percentage of Peachtree City residents served in comparison to the total population served. The amount of funding provided shall be the lesser of the actual amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or \$5,000.00. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. Requests from a non-profit organization in the General Needs category will be considered no more often than every five years.

3. Public Schools

- a. Each request for funding/labor will be considered by the Peachtree City Recreation Commission, who will forward a recommendation to the City Council for final decision.
 - b. Council will evaluate each request and make a decision based on the merit of the request.
 - c. No more than one request, per school, will be considered in any five consecutive year period.
 - d. Only Fayette County public schools whose attendance boundaries include Peachtree City will be eligible for consideration.
 - e. Requests for funding/labor must be for enhancements to playgrounds and playing fields only. Any playground/playing field for which the City makes a contribution must be made available for use by City residents when not being used by the school. A formal agreement with the School Board would be required.
 - f. Should Council approve a funding request, a dollar for dollar match up to a limit of \$5,000 in funding/labor may be provided as a match to any funding provided by the school or any school organization (i.e. booster club). All funding requests must be submitted by June 1.
- E. All requests for funding must be made using the attached form. 501c3 non-profit organizations should include a copy of the previous calendar year form 990. Other non-profits should attach a copy of their current fiscal year budget.
- F. The City Council will have final approval on all funding requests. All funding requests must be submitted by June 1 for consideration for funding in the next fiscal year budget.

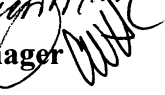
APPROVED:

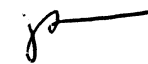
Mayor and Councilmembers

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
Assistant City Manager 

FROM: Administrative Services Director / City Clerk 

DATE: October 14, 2004

SUBJECT: Consider Amendment to Smoking Ordinance in City Parks/Facilities
October 21, 2004 Council Agenda Item

Recommendation:

Consider approval of the attached amendment to the City's smoking ordinance relative to smoking restrictions in City parks and facilities.

Discussion:

The current smoking ordinance does not address smoking restrictions in City parks and other recreation facilities. Staff was requested to prepare an amendment to the ordinance to address this issue. Attached is an amendment to the smoking ordinance that defines *outdoor public facility* and also prohibits smoking within twenty-five feet of bleachers, dugouts, pools, restrooms, playgrounds and sports field sidelines where people may be sitting. It also requires that if there is a designated smoking areas at a facility (i.e. at the Amphitheater), then smoking is only permitted within that designated area.

Budget Impact:

None

/jsm

Attachment

Ordinance # _____

**AN ORDINANCE TO AMEND ARTICLE IV, SECTION 42 OF THE
PEACHTREE CITY CODE OF ORDINANCES TO PROVIDE FOR THE
DEFINITION OF AN OUTDOOR PUBLIC FACILITY, TO ADDRESS THE
PROHIBITION OF SMOKING AT CITY OUTDOOR PUBLIC FACILITIES,
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 42-117 relating to Definitions be amended, and that a Sec. 42-119 (a) be added following Sec. 42-119, as follows:

Sec. 42-117. Definitions

Outdoor Public Facility means any sports arenas, ball fields, parks, amphitheaters, tennis centers, tennis courts and other outdoor recreation area owned by the City of Peachtree City.

Sec. 42-119 (a). Prohibition of Smoking at City Outdoor Public Facilities

- A. Smoking shall not be permitted within twenty-five (25) feet of bleachers, dugouts, pools, restrooms, playgrounds or sports field sidelines where people may be sitting.
- B. If designated smoking areas are provided at any facility, then smoking is only permitted within that designated area.

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

Done, Ratified, and Passed this _____ day of _____ 2004.

Stephen D. Brown, Mayor

Attest: _____
City Clerk

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *Bernice McMillan*
Developmental Services Director *WY*

DATE: October 14, 2004

SUBJECT: Approval of Sanitary Sewer Easement for Braelinn Church
October 21, 2004 City Council agenda

Recommendation:

Staff recommends that City Council approve the easement request from Braelinn Church and authorize the Mayor to sign the Deed of Conveyance and Easement (Attachment "A").

Discussion:

Several years ago, Braelinn Church (formerly Braelinn Baptist Church) purchased approximately 69 acres of land immediately north of and adjoining Peachtree City for a new location for their Church campus. While the majority of the property is within the city limits of Tyrone, one of the parcels acquired encompasses 3.803-acres and is located within Peachtree City.

On January 18, 2001, representatives from Braelinn Church appeared before City Council requesting that they be allowed to connect to the City's sanitary sewer system. After a brief discussion, Council voted unanimously to grant the Church's request subject to various conditions (Attachment "B").

CDH Partners, who was hired by the Church to develop a master plan and to prepare construction drawings for the first phase of their new campus, submitted a set of drawings to the City on July 16, 2004 along with a Deed of Conveyance and Easement. Staff reviewed these plans to ensure they were in compliance with the conditions of City Council approval and the City's Land Development Ordinance. Comments were forwarded to the Applicant, and a revised set of documents along with supporting documentation was submitted on September 23, 2004. Staff has reviewed this information and has approved the drawings for construction.

The Applicant was required to submit construction drawings to the City because they are proposing to install a portion of the new sanitary sewer line within the City-owned greenbelt north of the Kedron Office Park. An easement is necessary before this work can commence, and the easement will be granted in favor of the Peachtree City Water and Sewerage Authority, who has also approved these plans.

Budget impact:

There are no budget impacts associated with this request.

Attachments

DEED OF CONVEYANCE AND EASEMENT

STATE OF GEORGIA, FAYETTE COUNTY

IN CONSIDERATION OF THE SUM OF ONE DOLLAR AND OTHER CONSIDERATIONS to them paid, Grantors,

_____ hereby give and convey unto **Peachtree City Water & Sewerage Authority**, political subdivision of the State of Georgia, its successors and assigns,

A free, permanent and uninterrupted easement, use, liberty and privilege of a right of way for twenty (20) feet in width, in, on, under and through the property of the undersigned, for the purpose of laying, maintaining and operating a line of sewer pipe or pipes, including all appurtenant structures, as a part of the sewerage system of said Authority, and for the consideration aforesaid, the undersigned hereby agrees that said Authority, through its agents, may lay such additional lines of sewer pipe or pipes in, on, under and through said property, and the said pipe or pipes may be of such size and may be laid at such depth as may be determined by the Authority or its agents, and the undersigned hereby expressly agrees that said Authority shall have construction and maintenance easement of such minimum working width (not to exceed an additional twenty (20) feet) as is reasonably necessary for the proper installation and maintenance of such sewer line or lines; and the undersigned further agrees that said Authority, its successors and assigns, shall have the right to operate and maintain said line or lines in and through said property and right of way granted, together with the right of ingress and egress to and from the same to the extent necessary to install, inspect, repair, keep up, replace, maintain and operate said line.

This Deed is also made for the purpose of conveying all of Grantor's right, title and interest in and to any sewer lines or appurtenances thereto located on the above-described property. The Grantor and Grantee agree that the fair market value of the property and sewer lines and appurtenances thereto being conveyed by this Deed is \$_____.

TO HAVE AND TO HOLD said land and appurtenances unto said **PEACHTREE CITY WATER & SEWERAGE AUTHORITY**, its successors, executors, administrators, and assigns, in fee simple.

Grantors warrant the title to said land against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor(s) have hereunto set its hand(s) and affixed its seal this ____ day of _____, 20____.

COMPANY NAME

Signed, sealed and delivered
in presence of:

By: _____
Printed Name and Title

Unofficial Witness

Signature

Notary Public

By: _____
Printed Name and Title

(NOTARY SEAL)
My commission expires:

Signature

**Excerpt from Minutes of
City Council Meeting
January 18, 2001**

NEW AGENDA ITEMS

01-01-07 Consider Sewer Service for Braelinn Baptist Church – approved
5-0

Jeff Killingsworth, representative for the Braelinn Baptist Church, addressed Council to request access to the Peachtree City sewer system. The church is being built on Highway 74 North. The main portion of the property is located within the city limits of Tyrone and a portion of the property is located in Peachtree City.

Mayor Lenox explained that Council approval was required to allowing sewerage service to extend outside the city limits of Peachtree City.

Fritz asked what facilities would be built on the property. Killingsworth replied that the church was still in the concept phase of their development plans, but that they would first build a sanctuary / multipurpose building with plans to expand that facility in the future.

McMenamin asked what the current zoning was for the property. Killingsworth said that he believed the current zoning was AR (Agricultural.)

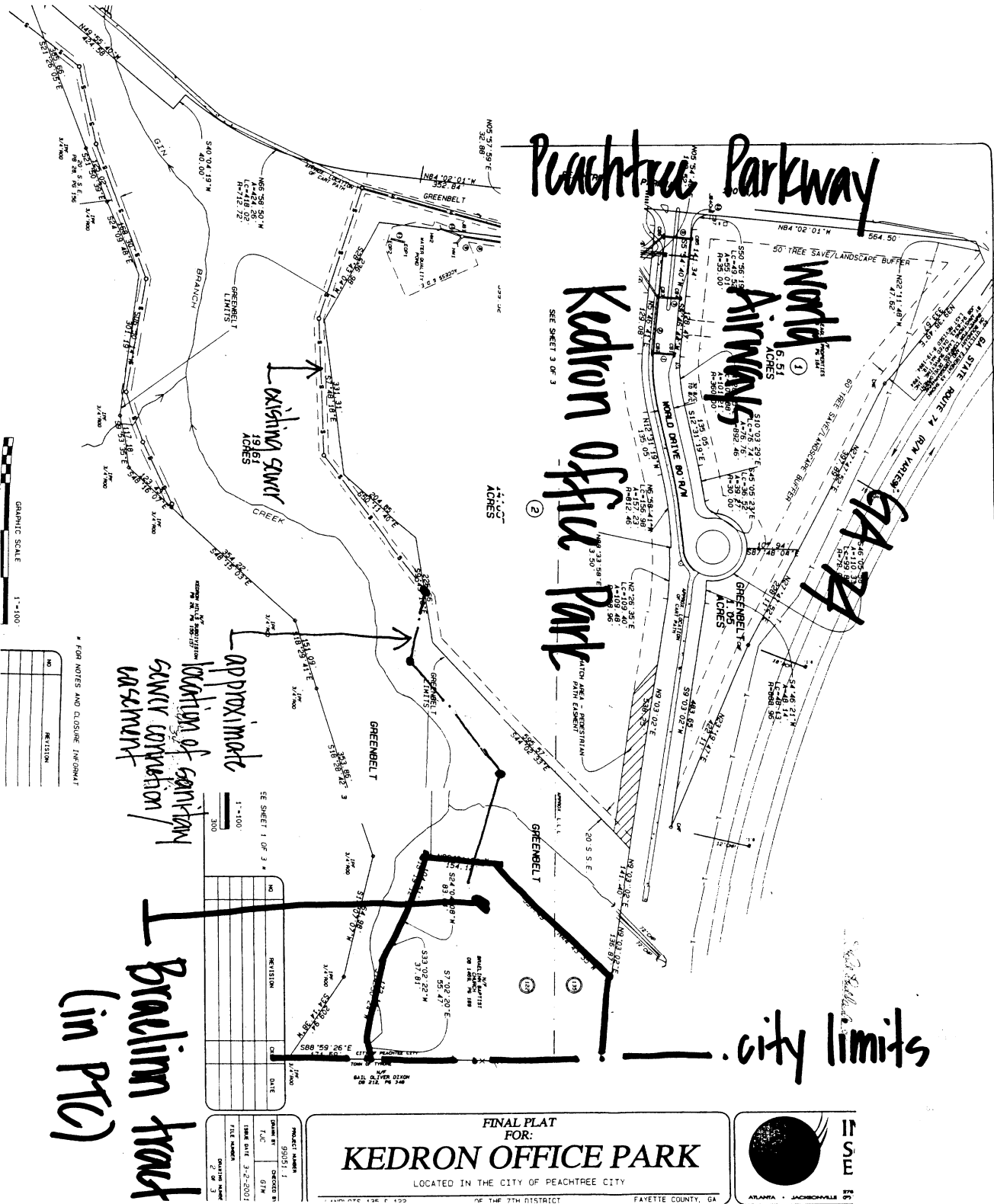
Lenox reviewed staff's proposed conditions for approval and asked Mr. Killingsworth if he agreed to such:

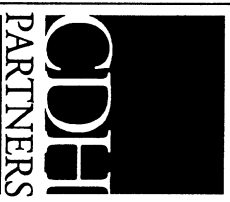
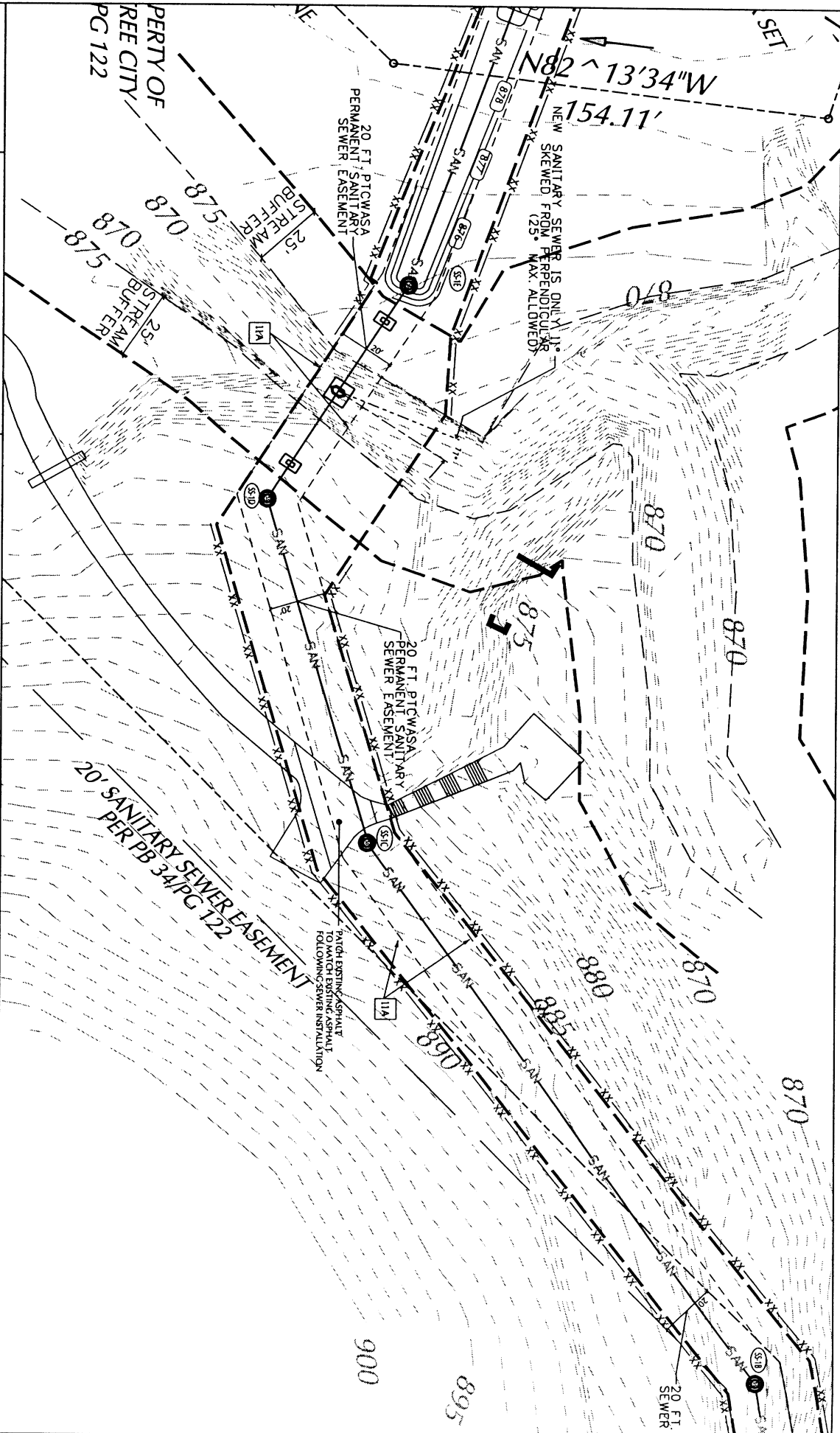
1. The sewer service could not be extended beyond the church property to serve other properties.
2. The church could not subdivide its property for sale or lease to a non-church entity, and then provide sewer access for that non-church entity.
3. The church should define for the city what church uses it intends to provide on the property, and sewer service should be limited to those uses.

Killingsworth said the church would agree to those conditions.

Fritz asked Larry Turner, Water and Sewerage Authority (WASA) General Manager, if WASA had received the necessary permits to expand the Rockaway Wastewater Treatment Plant. Turner said WASA had not received the final permit, but that the Environmental Protection Division (EPD) did grant approval for them to proceed with the final design on the expansion. Turner said that once WASA received the final EPD permit, they would be able to commit to provide the church with the capacity needed for sewerage service.

Brooks was in favor of granting the request for three reasons: part of the property was located in Peachtree City; the watershed would be protected; and a significant number of Peachtree City residents would attend the church. Brooks made a motion to grant the request with the three conditions recommended by staff and agreed to by Killingsworth. Fritz seconded the motion. Motion carried unanimously.





675 Tower Road
Marietta, GA 30060-6958
Off: 770.423.0016
Fax: 770.424.0260
www.cdhparkers.com

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by CDH PARTNERS INC.

SUPPLEMENTAL DRAWING FOR:
BRAELINN CHURCH
JOEL COWAN PARKWAY
TYRONE, GEORGIA

JOB NO.: 2004-0044 RELEASE DATE: 07/19/2004

DRAWING NUMBER:

SHEET TITLE:

**SANITARY SEWER
EASEMENT PLAT**

1" = 50'

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *Benny M. Muller*
Developmental Services Director *City*

DATE: October 14, 2004

SUBJECT: Consider Step One annexation application from John Wieland Homes
October 21, 2004 City Council agenda

Recommendation:

Because this is consideration of a Step One submittal, Staff is unable to make a recommendation to City Council at this time.

Discussion

In accordance with the City's recently adopted Annexation Review Process, John Wieland Homes and Neighborhoods (JWH) has submitted their Step One application for review (Attachment "A"). This information *"is intended to provide a general overview of the proposed annexation and identifies how the annexation and proposed development may or may not be compatible with the established goals within the City's Comprehensive Plan."*

The property in question is approximately 364.8 acres and is located immediately north of the Centennial and Ashton Woods subdivisions (Attachment "B"). Approximately 108 acres of the overall tract are located within the 100-year floodplain and are undevelopable.

City Staff has reviewed this information and feels it meets the basic intent of these requirements. However, there are several items that will warrant further discussion and a detailed analysis by City Staff, the Planning Commission and other governmental agencies should this proposal move forward to Step Two.

Budget impacts

Budgetary considerations include a significant amount of Staff time, legal fees, advertising costs, and the overall impact to the City's long-range infrastructure and maintenance budget. However, it should be noted that impact fees could be structured and incorporated into the rezoning that would offset some of these costs.

ANNEXATION INFORMATION

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- RECREATION
- LAND USE
- NATURAL RESOURCES
- COMMUNITY SERVICES AND FACILITIES
- COMMUNITY AESTHETICS
- PLANNING

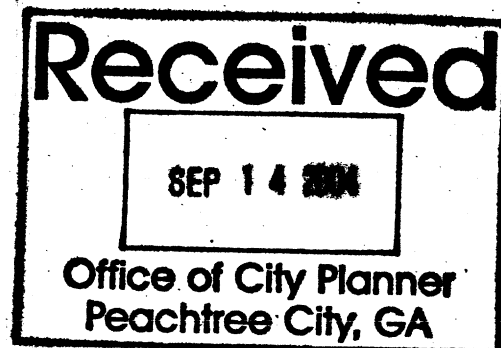
STEP 2

ANNEXATION REQUEST FORM

- REQUEST FOR ANNEXATION FORM
- ZONING APPLICATION AND FEE
- CERIFICATE OF ELIGIBILITY
- ACKNOWLEDGEMENT OF PEACHTREE CITY'S ANNEXATION POLICY, LAND USE PLAN AND CITY ORDINANCES
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SECTION IV

ZONING MAP



**LAND USE PLAN – PEACHTREE CITY
ZONING CLASSIFICATION – FAYETTE COUNTY**

SECTION V

**SITE ANALYSIS
WATER IMPACT STUDY**

SECTION VI

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SECTION VII

TRAFFIC STUDY (TO BE PROVIDED)

SECTION VIII

CONCEPT PLAN

SECTION I:

CONTACT INFORMATION

Applicant:	John Wieland Homes and Neighborhoods, Inc
Address:	1950 Sullivan Road Atlanta, GA 30337
Contact Person:	Dan Fields Vice President
Telephone Number:	(770) 703-2140
Submitted By:	Dan Fields

SECTION II

PROJECT INFORMATION

The approximately 360-acre annexation project is located in Land Lots 164, 165, 166, 184, 185 and 186 of the 7th District of Fayette County, Georgia. An additional 88-acre parcel is also part of the proposed project located in the city limits of Peachtree City, Georgia located in Land Lots 156, 157 and 158.

LOCATION OF PROPERTY

The project is located north of Chadworth at Ashton Reserve, Centennial and the future Centennial Elementary School site and west of Highway 74. Coweta County is west of property.

BRIEF DESCRIPTION OF PROPOSED PROJECT

The Applicant desires to work with the City Council, Planning Commission, Planning Staff and other professionals to emphasize the creation of a mixed-use community that will contain transportation choices and provide a range of housing opportunities. Throughout the metro Atlanta area, the Applicant's neighborhoods have been sited by the Atlanta Regional Commission as "positive examples of smart growth." In order to ensure the Applicant meets the expectations of Peachtree City, a complete market study is being conducted to ensure the appropriate components and housing mix are included.

It is anticipated that the project will be designed to include pocket parks, recreational areas, open space areas and other planning techniques that make the task of preserving recreational greenspace and the creation of civic parks easier.

HOUSING

Consistent with the overall goals of the city, the Applicant intends to provide a broad range of housing opportunities. The Applicant anticipates an overall density that is similar to the surrounding area. It is expected that a diverse range of housing types and price points will be suggested during the charettes. However, for planning purposes, the following components may be considered: a village center with mixed-use product, traditional residential and alley served residential, senior living areas, office opportunities and civic space. These living areas will be enhanced with on-site amenities, open spaces and cart path access.

COMMERCIAL

The area along State Route 74 includes a mixture of retail and residential. Most industrial uses are locating in the industrial corridor, south of State Route 54. Further research is needed to identify gaps in the four established village centers. It has been suggested that some retail parcels be located near State Route 74. Additional retail and office space may be

configured within the village area (currently zoned industrial within the city limits).

ECONOMIC DEVELOPMENT

It is anticipated that the completed mixed-use of residential, office and retail space will provide the city increased value providing the city over \$400,000 annually in tax revenue. With the variety of housing types, it is anticipated that additional city services will be minimal.

TRANSPORTATION

The ARC study indicates the population of Coweta County will double by the year 2030. Most of the undeveloped area of the county that will provide new space for the expansion is in the eastern portion of the county. This trend will continue to apply pressure to the intersection of Highway 54 and Highway 74. This project offers the opportunity to extend MacDuff Parkway from an existing point west of this major intersection on Highway 54 to a point north of this intersection on Highway 74. It is anticipated that the completion of MacDuff Parkway will mitigate increasing traffic congestion at State Routes 74 and 54. A traffic study will be conducted during the review period to evaluate the impact of the project. In addition, safety studies will be completed to ensure highest safety standards are met for the railroad crossing. The City, CSX Railroad, Department of Transportation and the Applicant have initiated work to incorporate the latest design techniques and technology to provide the safest railroad crossing and connection point for the extension of MacDuff Parkway and Highway 74. Included in the design will be measures to ensure adequate traffic flow on Highway 74. The development of this area will be a natural extension of the LCI plan adjacent to Highway 54 that the city has researched, planned, approved and started to construct.

RECREATION

Should the annexation occur, the Applicant has agreed to donate up to four soccer fields for the purpose of preserving recreational green space. Other neighborhood amenities may include a clubhouse, swimming pool, pocket parks and open spaces that may provide neighborhood view corridors and areas for jogging and biking trails and nature observation. The land plan will include additions to the multi-use cart path system to allow residents access to on-site amenities as well as existing paths to established areas.

LAND USE

The 88 acres located within the city limits are currently zoned industrial. The 360 acres located in unincorporated Fayette County are zoned R-70. Annexation will allow the City to meet its goal of “following the village concept.”

NATURAL RESOURCES

The Line Creek water recharge area is the source of Lake McIntosh – the future water reservoir. Planning will include input from professionals regarding water quality protection, flood protection, wetlands and streambed identification and necessary protection measures. The final concept should include adequate open space to protect the streams.

COMMUNITY SERVICES AND FACILITIES

In addition to civic parks and spaces, a church site may be identified within the project.

As to fire and safety, it is anticipated that fire and safety grades will improve for the area west of State Route 74. The extension of Macduff to State Route 74 should provide faster response time for fire and police services may be improved for the area. Furthermore, the property located in the County is currently served by the County's Tyrone station.

The Fayette County Board of Education currently owns an elementary school site on MacDuff Parkway, just south of the project. Completion of the Centennial Elementary School will provide additional capacity for Peachtree City residents - eliminating the need for potential future school redistricting. The Fayette County Board of Education has expressed its reluctance to construct Centennial Elementary School until MacDuff has been completed. With the annexation approval and construction of MacDuff Parkway, the Board of Education can begin the new school. Upon completion of the new school, existing Peachtree City residents living in the surrounding area will have better access to school.

COMMUNITY AESTHETICS

Through the planning charette process, detailed streetscape and architectural design will be discussed. Much like the LCI along State Route 54, a pattern book will be developed to define and display the anticipated architectural details, the landscape improvements and to establish the overall theme and vision.

PLANNING

The Applicant desires to host two land planning charettes. These meetings, designed to encourage citizen input throughout the city, will bring together the staff, annexation committee, churches, citizens, seniors, Realtors, adjacent property owners, land planning specialists and other interested parties in an effort to collaborate on the future for this area of Peachtree City. Cooperation between the staff and our professional team will allow us to develop a clear understanding of the annexation proposal, the goals and limitations, and how these might fit the city's desires. The community's input will be critical in developing a creative yet realistic and economically feasible proposal. The Applicant will work with a consulting team specializing in land planning charettes, to bring ideas to a tangible design quickly. Our overall goal is to construct a quality development that the citizens help to plan that incorporates the best interests and lifestyles of the existing residents as well as the future residents.



TOTAL ACRES = 1025.6 ±
TOTAL ACRES IN FLOOD HAZARD = 249.8±

DISTRICT 7
FAYETTE COUNTY, GEORGIA



Broward Davis
& Assoc., Inc.

PROJECT
WESTSIDE
VILLAGE
COMPOSITE
PLAT

OWNER / SURVEYOR
JOHN WIELAND
HOMES, INC.

DATE
12-14-98

DATE
12-14-98

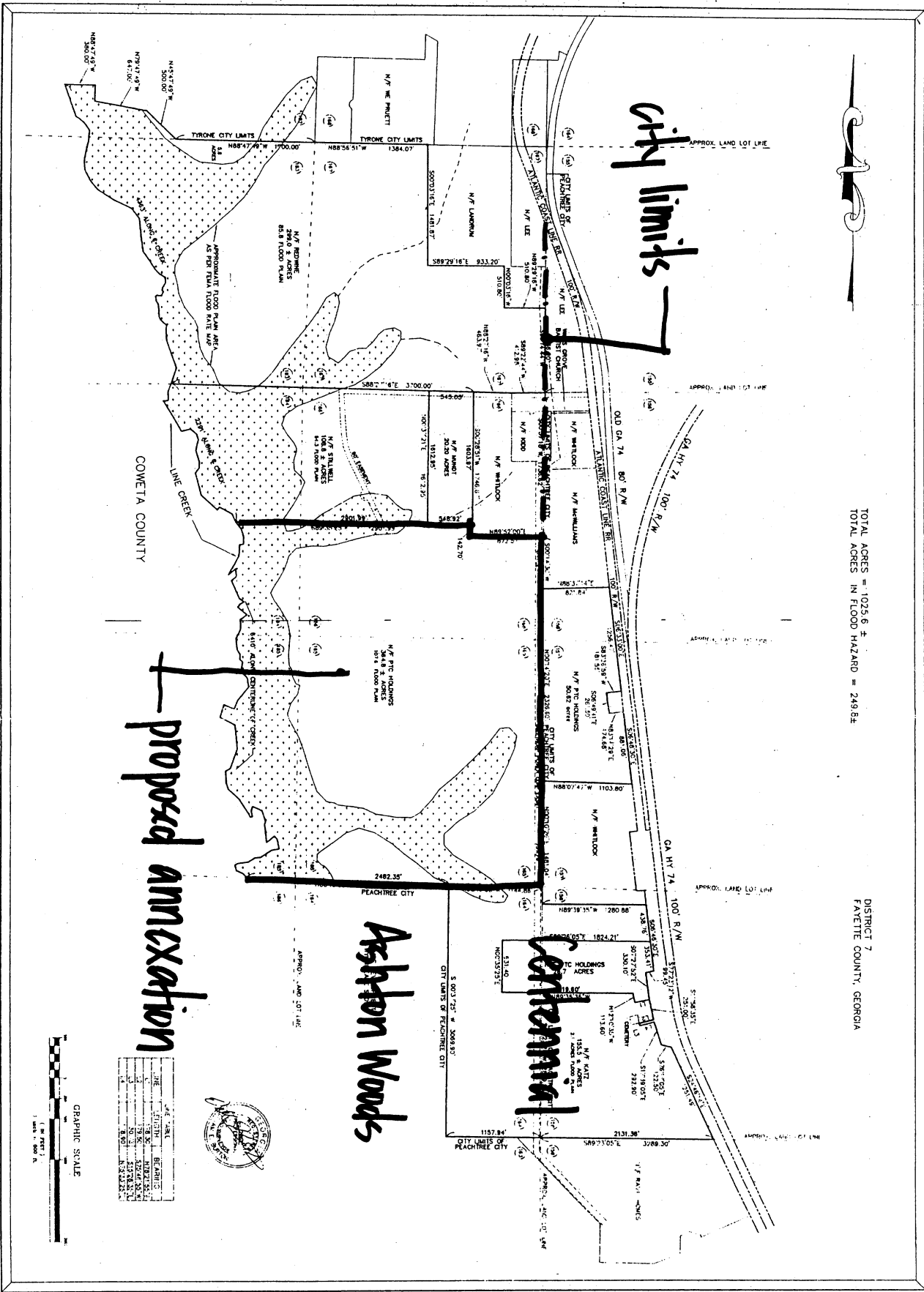
DATE
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12-14-98

Attachment "B"



Steve Brown

PROPOSED ANNEXATION: WEST VILLAGE - SOME THINGS TO CONSIDER
Phyllis Aguayo

The people who moved to Peachtree City through the years thought of the land use plan and zoning as a guarantee of what they were investing in.

The city made a contract with residents who bought into promises about what Peachtree City would be in the future, what the population would be when all the lots are built on as planned, how much high density, low density, multifamily, office, commercial, industrial, Open Space, buffers, tree save, etc. would exist, and what the nature of each of these categories would be. Peachtree City marketed itself based on its plan, the Village Concept. The Land Use Plan and the Comprehensive Plan call for a step down of density as you get away from the village centers and towards the city's boundaries. The land in question is indeed the city's boundary, bordering on Coweta County, with Tyrone to the North, and as such should be zoned at our lowest density, ER, multi-acre lots like those on the city's Eastern and Northern outskirts. The West Village's center is the area around the 74/ 54 intersection. With or without annexation, that village already contains its full complement of commercial, multi family and high density zoning. To add any more of these categories would be in violation of our own land use and comprehensive concepts.

To change these plans and ordinances at this time to accommodate a new agenda threatens all that Peachtree City represents to those of us who have come to love living here. In determining whether to accept an annexation, the advantages to and the impact on the entire city need to be considered. The land in question was proposed for annexation before, when it was owned by PCDC (Pathways), and annexation was denied because the plan presented was not in the best interest of the city. At issue were questions of density, the creation of traffic, the blasting at the quarry, the Peach Pit former dumpsite, proximity to Line Creek which provides us with drinking water, and protection of the flood-plain and wetlands that protect the quality of the water in that creek. These concerns have not gone away. In addition, people were worried about what the county might allow. That worry has been resolved, as the county fought the battle in court against higher density, and won. The land as now zoned would allow nothing smaller than two acre lots.

This brings us back to questions of density and traffic, especially how allowing more residences than the number that was upheld in court (about 138 lots) would impact the traffic on both 54 and 74. I am aware that some of the residents believe that having an access road onto Hwy. 74 would relieve their traffic woes, but I wonder whether they have given consideration to how much additional traffic development could create, as well as the impact of having McDuff become the shortcut for everyone wanting to get to and from 54 and 74. The city needs to consider what the line up of traffic would be like on Hwy. 74 trying to cross the RR tracks when waiting for trains to pass. In any case, it is probable that a road to Hwy. 74

will be built whether the land is annexed or not, as there will need to be access for emergency services. It is my hope that whoever does the zoning take into account that the impact of this road in terms of safety and convenience will depend on the density of development that is allowed along it.

Given these and other concerns, it seems to me that if Peachtree City decides to annex the land, there should be some stringent requirements in advance:

1. No more housing units than than would be allowed under the present county zoning after removing sensitive and unbuildable land. (The developer would obtain the advantage of being able to market as Peachtree City and having a creative mix of lot sizes, affording them a savings in the expense of running infrastructure.)
2. All of the wetlands protected as one piece, with no property lines extended into them, after accurate delineation of the wetlands is achieved, with a conservation easement for the undeveloped portion of the land, thus protecting the wetlands and watershed and quality of our drinking water.
3. A commitment to providing ample undisturbed natural buffers around, and tree preservation within the project(s), with no clear-cutting of trees on lots, given the environmentally sensitive nature and aesthetic beauty of the area.
4. A development agreement that all amenities promised and conditions agreed to will be provided. (a commitment to the projects without recourse to asking for rezoning or variances in the future after the land is annexed.)
5. A commitment by council that the final package (before annexation) will be sent for peer review by unbiased experts (consulting or engineering firm), at city expense , choices of firm to be provided by Line Creek Association.
6. Impact on schools and school access be considered given that the board of education does not intend to build a school in the area in the near future.
7. It would be wise to wait until the completion of Why 54 widening to see what traffic changes result.

There is never an obligation for a city to annex land, nor to zone land to be annexed in any way other than what is in the best interest of the city. Peachtree City has the opportunity here to be choosy and require exactly what it wants or say, "no thank-you " to annexation.

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager *Barbara McCallister*
Developmental Services Director

DATE: October 15, 2004

SUBJECT: Approval of site plan for expansion of Kedron Village retail center
October 21, 2004 City Council agenda

Recommendation

City Staff has reviewed the final site plan, architectural program, landscape plan and exterior lighting plan for the expansion of the Kedron Village retail center to determine their conformance with the terms of the Consent Order (Attachment "A") and the conditions of conceptual site plan approval (Attachment "B"). In addition, Staff has reviewed these documents for conformance with the review comments forwarded to the Applicant following the completion of the Staff review process. With the exception of a slight impact to the existing wetland and buffer area adjacent to the adjoining stream (less than 0.1 acres), the plans appear to comply with these stipulations.

The Applicant has also submitted a detailed sign program for Phase Two of the overall retail center and Staff forwarded our review comments for incorporation into this document. We anticipate the receipt of the revised sign program on Monday and will forward our recommendation to you at that time.

Discussion

The final site plan for the expansion of the Kedron Village retail center was submitted to City Staff at 2:00PM on Friday, September 24. Receipt of the final site plan completed the submittal of all documents identified within the Consent Order and conditions of conceptual site plan approval, including the final site plan, architectural program, landscape plan, exterior lighting plan and signage program.

The final site plan encompasses sixty four (64) pages and includes the boundary survey, demolition plan, site plan, grading plan, stormwater pollution prevention plan, sanitary sewer profiles, stormwater sewer profiles, construction details, landscape plan, irrigation plan and lighting plan. As required by our Land Development Ordinance, a detailed Hydrology Study was included with the final site plan submittal.

Approval of site plan for expansion of Kedron Village retail center

October 15, 2004

Page Two

Staff completed our review of the final site plan and forwarded a detailed list of comments to Faison and their Civil Engineer on October 6 (Attachment "C"). Staff provided a separate letter to the Applicant with review comments pertaining to the landscape plan (Attachment "D"). Because of the number of comments and the complexity of this development, Staff met with the Applicant and their Civil Engineer and Landscape Architect from Haines, Gibson and Associates on October 6 to review these comments.

At the same time Staff was reviewing these documents, our Engineering and Stormwater Consultant (Integrated Sciences and Engineering) was reviewing the final site plan and the Hydrology Study for conformance with the City Post-Construction Stormwater Management Ordinance. A detailed list of comments was generated by ISE and forwarded to Faison along with Staff's review comments (Attachment "E"). Again, because of the complexity of this development and the number of comments generated by ISE, Staff met with representatives from Faison, ISE and Haines, Gibson and Associates to review these comments on October 8.

At 4:00PM on October 14, Faison submitted three sets of the revised final site plan to City Staff for review. In addition to these drawings, Haines, Gibson and Associates provided a written response to each of Staff's review comments as well as those comments generated by ISE (Attachments "F" and "G"). Staff has reviewed these documents to ensure their compliance with the review comments forwarded to the Applicant, and it appears the majority of our comments have been addressed and the plans have been revised accordingly.

As a part of the conditions of conceptual site plan approval, Faison submitted a detailed architectural program to City Staff for review. Following an initial meeting where schematic elevations were presented and discussed, the architectural program was submitted to the City on August 31, 2004. The architectural program was reviewed by City Staff and two members from the Planning Commission in conjunction with representatives from Faison and their Architect (The Phillips Partnership) and the Corporate Architect and Vice-President of Development for Target (Attachment "H").

Additionally, as required by the conditions of conceptual site plan approval, the signage consultant for this development (DeNyse Signs) submitted a detailed sign program to City Staff on September 16. The proposed sign program was reviewed in accordance with the City's Sign Ordinance as well as the architectural program for the overall retail center, and a detailed list of comments was forwarded to the Applicant. We anticipate receipt of a revised sign program by the middle of next week.

Prior to the submittal of the final site plan, Faison submitted a traffic study prepared by Moreland Altobelli. This study analyzed traffic conditions on Georgian Park and concluded "except for foregoing requirements for a median cut and left and right turn lanes at the Kedron Village South driveway and the right turn lane at the Kedron Village North driveway the

Approval of site plan for expansion of Kedron Village retail center

October 15, 2004

Page Three

proposed Kedron Village expansion will not generate enough additional trips to warrant further lane capacity" (Attachment "I").

Following the submittal of this document, the City requested that our Engineering Consultant (Qk4) review the study and conduct a detailed analysis of the proposed intersection adjacent to Lot 14. The first scenario analyzed included no center median cut and the second scenario included a full-movement intersection.

Table 13 on page 17 of this report (Attachment "J") includes a level of comparison of the two alternatives. The Qk4 analysis further indicated on page 19 that, "Even though the level of service analysis shows no level of service lower than "C" for either Scenario 1 or 2, the opening of the median along Georgian Park south of the development would provide an additional access point to this development."

In addition to the impacts of this development on Georgian Park, Qk4 was asked to evaluate the traffic impacts on two existing intersections on Peachtree Parkway. Traffic counts were taken at the Loring Lane (Kedron Hills) intersection and the Tinsley Mill (Smokerise Plantation) intersection (Attachment "K"). This report concluded, "adding southbound left-turn lanes on Peachtree Parkway would NOT significantly improve the operation of either intersection." However, the report also concluded "addition of the southbound left-turn lanes would improve the safety of each intersection, even if the levels of service did not increase."

Included with this report are review comments from the Lake Kedron Homeowner's Association (Attachment "L") and the St. Simon's Cove neighborhood (Attachment "M").

Budget impact

There are no budgetary impacts associated with this request.

Potential conditions of approval

Should Council vote to approve the final site plan as submitted, City Staff recommends that the following items be incorporated into the conditions of final site plan approval:

- 1. All construction traffic shall be limited to the new access drive across from the AMLI apartment entrance. Signage shall be installed on Georgian Park at this intersection warning motorists of construction traffic entering and exiting the roadway.*
- 2. The sixteen (16) parking spaces adjacent to Outparcel Retail Building 400 should be deleted and the grading in this area reconfigured to reduce impacts to the existing wetland and associated wetland protection buffer.*
- 3. The Applicant should continue to work with City Staff to determine if the golf cart spaces proposed within the landscaped islands adjacent to the Target entrance can be relocated or shifted to the inside of these islands to prevent golf carts from backing into the travel lanes.*

Approval of site plan for expansion of Kedron Village retail center

October 15, 2004

Page Four

4. *All areas throughout this development, including entrance drives, where cart paths and/or sidewalks intersect with vehicular traffic must include a painted crosswalk and associated signage.*
5. *The Applicant must submit detailed engineering drawings, including all calculations and inspection notes of the proposed rock gabion retaining walls to City Staff.*
6. *The Applicant must continue to work with City Staff and the Planning Commission Representatives to review the architectural program, landscape plan and site lighting plan.*
7. *The Applicant must continue to coordinate with City Staff and the Planning Commission Representative to identify locations of all dumpsters and mechanical equipment to determine what type of screening or enclosures might be necessary to screen views to these areas from off-site.*
8. *All lighting on the rear of each building must be substantially the same or similar to the Architectural Area Lighting wall sconce as submitted by Faison (Attachment "N"). Each light must be directed down to prevent light from leaving the project site.*
9. *The Applicant must submit as-builts of the development in digital format (.dxf, .dwg, or .dgn) prior to issuance of the Certificate of Occupancy. All digital format files must reference a known street intersection and have the following data projections - horizontal - NAD 1983, UTM Zone 16 in feet; vertical - NGVD 1929 in feet.*

List of Attachments

Attachment "A"	Consent Order
Attachment "B"	Excerpt of City Council meeting minutes – conceptual site plan approval (June 21, 2004)
Attachment "C"	Final site plan review comments (Staff)
Attachment "D"	Landscape plan review comments (Staff)
Attachment "E"	Civil and hydrology study review comments (Integrated Science and Engineering)
Attachment "F"	Response to final site plan review comments (Haines, Gibson and Associates)
Attachment "G"	Response to landscape plan review comments (Haines, Gibson and Associates)
Attachment "H"	Architectural program meeting notes (Staff)
Attachment "I"	Traffic Impact Study (Moreland Altobelli)
Attachment "J"	Traffic Impact Study (Qk4)
Attachment "K"	Peachtree Parkway intersection analysis (Qk4)
Attachment "L"	Review comments (Lake Kedron Community Association)
Attachment "M"	Review comments (St. Simon's Cove)
Attachment "N"	Security wall sconce (Architectural Area Lighting)

Attachment "A"

(a) One (1) out parcel of no less than three and one-half (3 ½) acres and no more than four (4) acres shall be carved out of the Property and shall be shown on the conceptual site plan . At such time as the out parcel is developed, the maximum developed retail space shall not exceed 50,000 square feet for the out parcel as a whole. The out parcel may share parking with other developed areas, provided the overall building size does not exceed that provided by this paragraph.

(b) All remaining development for the Property shall be shown on a revised Conceptual Site Plan to be submitted by Plaintiff FCD to the City. The Conceptual Site Plan shall encompass both phase 2 and phase 3 under the plan currently being litigated.

(c) The total square footage of developed enclosed space shown on the Conceptual Site Plan, excluding the out parcel shall not exceed 215,000 square feet of retail square footage and an additional 14,800 square feet of second floor office space.

(d) The Conceptual Site Plan shall include a Target store of not more than 125,000 square feet. The 125,000 square feet designated for Target is a portion of the overall parcel allotment of 215,000 retail square feet specified in paragraph (c).

(e) The existing Georgian Park Private Drive extension, ^(a.k.a. Regents Park extension) into Kedron Commercial Village shall be dedicated by Peachtree City Holdings LLC to the City of Peachtree City. Such road shall not be extended to serve the Kedron Commercial Village beyond its current configuration.

(f) An entrance/exit shall be established into the Property off Georgian Park at the location of the second entrance to the AMLI apartments, and shall be denoted on the Conceptual Site Plan as the AMLI South entrance.

(g) An additional entrance/exit shall be established into the Property off Georgian Park utilizing the southwestern portion of lot 14.

(h) The configuration of Georgian Park shall not change, other than what is necessary to accommodate the newly agreed upon entrances described in paragraphs (f) and (g) or the traffic calming devices provided for in paragraph (i).

(i) Reasonable traffic calming measures, including traffic control signage and striping along Georgian Park, shall be installed by Plaintiff at the direction of the City upon advice of its traffic engineer.

3. Intervenor shall have the right to review the Conceptual Site Plan to insure compliance with the terms stated herein.

4. Intervenor shall not object to Final Site Plan approval, provided that the Final Site Plan(s) substantially complies in all material respects with the Conceptual Site Plan as described in this Order.

5. Recommended items 1, 6, 7, 8 and 9 of Mr. David Rast's memo of October 10, 2003 shall be incorporated herein by reference. No other recommended conditions as set forth in said memo shall be applicable to the development.

6. Left turn lanes and right turn lanes shall be installed by Plaintiff if and when traffic warrants on Peachtree Parkway at its intersections with Tinsley Mill Road and Loring Lane; provided Plaintiff shall not be required to obtain or pay for right-of-way to accommodate such lanes. Determination of need for such lanes shall be made by the City, based on recommendations of its traffic engineer.

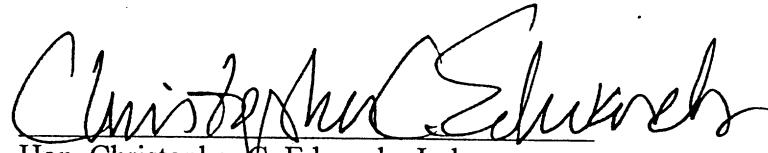
7. The Court makes no finding of liability in this matter, each Party respectively denying liability and voluntarily agreeing to comply with this Order.

8. Each Party shall bear its own fees for counsel and any experts.

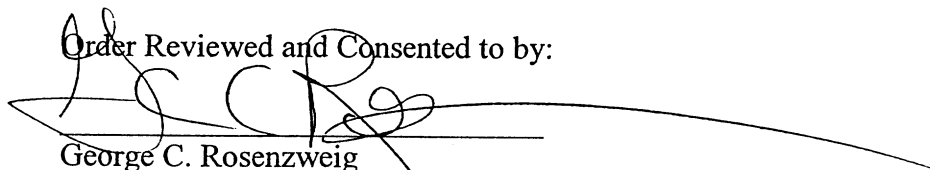
9. At such time as FCD obtains Final Site Plan approval, Plaintiffs shall file a dismissal. In the event Final Site Plan approval is not obtained, the parties shall have the right to proceed pursuant to the Georgia Civil Practice Act.

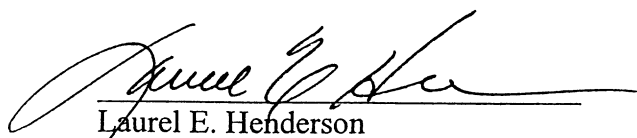
10. This Order shall only be modified by further Order of this Court.

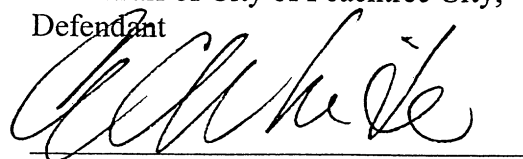
SO ORDERED THIS 29 DAY OF March, 2004.


Hon. Christopher C. Edwards, Judge
Superior Court of Fayette County
Griffin Judicial Circuit

Order Reviewed and Consented to by:


George C. Rosenzweig
On Behalf of Peachtree City Holdings LLC
and FCD Development LLC,, Plaintiffs


Laurel E. Henderson
On Behalf of City of Peachtree City,
Defendant


Eric C. White
On Behalf of Lake Kedron Community
Association, Intervenors

**EXCERPT OF
CITY COUNCIL MEETING MINUTES
JUNE 21, 2004**

06-04-02 Consider Kedron Village Expansion Conceptual Site Plan

Mike Cohen addressed Council on behalf of the developer, FCD Development (Faison). He noted that the plan had become more complicated than anticipated and had a long history. Cohen discussed Plan # CP-5 and showed a colored version of CP-5 with all the parcel lines and setbacks removed. He noted the parcel lines and setbacks were required for the plan, but could be confusing during the presentation.

Cohen said the developer began meeting with staff in December 2002, and staff had identified several crucial criteria that were honored with each submission. The first was that passage between the existing shopping center and the expansion was safe, continuous, and appealing. Cohen said there would be a straight drive between Target and Kroger, as well the outparcels and Building 800 on the west end. The second criterion was, to the best extent possible, to have Target and Kroger share a joint loading area. Cohen said the Target building was moved to accommodate the joint loading requirement. The third criterion was to integrate the shopping center as a whole and to have the expansion function on its own. To accommodate that request, cart paths came directly into the project at each entrance so golf carts could park in designated golf cart parking spaces without having to mix with vehicular traffic. The final criterion was to recognize the City's way of life. Cohen said they had addressed that with the cart paths and cart parking spaces (139 spaces). They had also created a connection of buildings that allowed pedestrians safe ingress and egress throughout the center, almost creating a horseshoe like The Avenue. Building 900 created circulation in the plan and broke up the view of parking. Building 800 had also been re-oriented to create almost a "Main Street" feel when entering that area.

Cohen noted that everyone knew FCD's opinion was that the plan complied with the City's codes and ordinances, as well as the settlement agreement.

Cohen said he also wanted to address questions he had gotten over the last few weeks. He pointed out that the property had an irregular shape to start with, and staff asked that each parcel be treated individually in order to comply with the ordinances. An additional landscaped buffer would be placed at the western edge of the Target parcel to create a visual barrier of the parking field, as requested by the City Planner. Cohen noted that they had been asked several times if the landscaping complied with the ordinance. He continued that they had hired the landscape architect used by The Avenue and that compliance with the landscape ordinance was mandatory. Cohen had letters from the landscape architect, who said the plan met the ordinance. Cohen said the plan's blended greenspace average was 35%, with the Target parcel at 35% greenspace, the outparcel at 45%, and the retail tracts combined were at 32%-38%. According to Cohen, the City's greenspace requirement was 25%.

Cohen continued that the Target building was located 250 feet from the median cut at the Regents Park/Georgian Park intersection. The building was moved to accommodate the

entrance at Amli Apartments, as required by the consent order and to honor staff's requirement that Target and Kroger share loading. There was a 30-foot grade difference between the Regents Park/Georgian Park intersection and the estimated finished elevation of the Target. The Target building would be 25 feet high with a parapet. Cohen said the building should be difficult to see due to the elevation change and landscaping. Cohen said they had worked hard with staff on CP-5 to make the plan better, and it had not been just slapped together.

Kourajian asked Cohen to show how the greenspace played out on each of the tracts. Cohen showed the areas on the plan and also gave Council a letter from their engineer dated June 17, 2004, regarding the plan and greenspace. Brown noted that Council had received a letter from Hanes, Gipson and Associates, Inc., consulting engineers, dated June 17, 2004. Rapson clarified that Cohen was including the retention pond and the wetlands as part of the greenspace. Cohen said the analysis included the portion of the pond on Target property, and Target's property extended halfway into the stream buffer. Cohen said they had an agreement for shared detention on the adjacent lot.

Weed asked for the dimensions of the greenbelt on the right side of the plan. Cohen said there was a 20-foot buffer, except where there were landscaped inlets. Rapson clarified that there were 20-foot buffers on each parcel, which would give a 40-foot buffer. Brown asked Cohen if they would consider putting more landscaped islands, or swaths of vegetation, in the parking lot, and Cohen said they would look at further refinements.

Brown asked about the truck turnaround between Buildings 100 and 200 and expressed concern about the parking spaces located in the area. Cohen said that was something they would look at as the plan progressed, and that their goal was not to create a danger. Brown said the engineering might be correct, but expressed concern about truck drivers' ability to negotiate the 45-degree turn. Cohen said their goal had been to provide parking for the retail in the area. Brown asked Cohen if they would consider removing the parking spaces in the area. Cohen said they could revise the plan to meet everyone's needs.

Richard Gilbert spoke on behalf of the residents of the St. Simon's Cove subdivision. He said the plan had created new needs for the residents. Gilbert asked that there be no median cut allowed at the westerly entrance on Georgian Park, at the St. Simon's entrance, or at Newgate Road. A median cut allowed for easier access for those traveling northbound on GA 74 and an increase in traffic on the western approaches of Georgian Park from GA 74. He said the proposed changes would maintain efficient traffic flow. The residents requested there be no U-turns allowed at the St. Simon's Cove subdivision or the Newgate intersection. Gilbert requested no truck traffic greater than two axles from the Amli entrance to GA 74, so trucks would have to access the Amli entrance from Peachtree Parkway. The residents also asked for traffic-calming devices along Georgian Park.

Gilbert noted there was concern about the width of the setbacks on the southern side of the development and the fact that they would be looking at the back of the concrete

buildings for a long time. The residents requested that a berm be installed on the southern side to mitigate light and noise, such as the original berms on Regents Park. They would also like for signs to be posted at St. Simon's Cove to indicate it was a private community.

Kourajian asked Gilbert if the residents' concern about the median cut would be taken away if no trucks were allowed. Rutherford said she had no problem with truck traffic, but asked about moving vans or furniture trucks. Gilbert said local truck traffic was always allowed, but reiterated their desire that there be no commercial truck traffic on Georgian Park. Rapson said commercial truck traffic could be restricted on City streets.

Brown pointed out that the setbacks did meet the legal limit. Gilbert said they had to ensure the buffers were respected. Kourajian asked if the berm on the southside would be on the St. Simon's side of the street. Gilbert said the berm would mitigate the lights and traffic from that entrance. Kourajian said he understood their concerns, but he felt more people would drive past St. Simon's to get to the Amli entrance if all the entrances were right-in, right-out. Gilbert said if there were four-way stops at the intersections, then the residents could get in and out of their subdivision, as well as the residents of Georgian Park Condominiums.

John Hedge spoke on behalf of the Lake Kedron Community Association and referenced their letter dated June 4, 2004. He said that CP-5 did not comply with the consent order and noted the liberal interpretation of shared parking. Hedge continued that a lot of the discussion on traffic calming could have been avoided if the traffic study and engineering work had been done with the conceptual site plan. The main concern was safety all along Georgian Park. Hedge asked that the letter (June 4 letter) be made part of the minutes.

Lake Kedron Community Association

June 4, 2004

*Peachtree City Council Members
City Hall, Peachtree City, GA 30269*

Dear Council Members:

At the June 3, 2004 City Council meeting, I was asked by Mayor Steve Brown to forward my notes and comments on our position of CSP-5 pertaining to the Kedron Village center. Please feel free to contact me directly if you have any questions regarding the following:

First off, the consent order signed by the three parties to the lawsuit, pertained to agreed upon modifications to Site plan #12("SP-12"). This plan had several positive attributes included therein including building positions, property line setbacks and the overall development plan from an esthetic point of view. The newly submitted site plan, ("CSP-5") is considerably different than SP-12, to the extent that it could be construed as an entirely new submittal of a project plan. We agreed to specific modifications to SP-12

and did not expect the developer to take the liberty of making significant changes to SP-12 other than to incorporate the consent order agreed terms. CSP-5 has buildings in different locations and of different sizes that go far beyond anything that had to be incorporate to account for the consent order items. The new plan has significantly (to the plans detriment) eliminated the >100 foot setback from the existing cart path along Georgian Park that served as a buffer to everyone that lives along Georgian Park and which allowed for the professional offices to tie into the new development. Additionally, the location of the Target store, which was originally located behind permanent green space, is now shifted to the right so that they could add additional buildings to the left side of the store. This was neither a condition of the consent order nor was it required to accommodate the newly agreed upon AMLI south entrance. Shifting the building will result in the building's roof and mechanical units to be visible from Georgian Park. Several other significant modifications are now shown on CSP-5 which simply makes this a new submittal and not an extension of what had been reviewed and discussed by all parties for the last 10 months. If a side by side comparison occurred between SP-12 and CSP-5, the only conclusion that could be made is that the two plans bear very little similarities and CSP-5 could be considered a newly submitted plan. In fact the Project Data sheet for this new plan makes no reference to prior submittals which raises more evidence to this issue. We believe that the new CSP-5 plans should revert back to the original configuration of SP-12 as far as positioning of stores, parking and setbacks and must only accommodate the size reductions, the road configurations and the other very specific requirements of the consent order.

Secondly, and separately, we do not believe CSP-5 complies with the consent order for two specific reasons. Item 2(a) "...out parcel may share parking with other developed areas" and item 2(i) Reasonable traffic calming measures need to be installed...at the direction of the City upon advice of its traffic engineer."

Item 2(i): The plans have no indications of what if any traffic calming or entrance/exit configurations will exist at either of the new entry points or anywhere else along Georgian Park. This was a significant issue of the lawsuit and was a requirement of the conceptual site plan. To state that this will be done as part of the final site plan is unacceptable and is not specific to this in the consent order. Certain other conditions of the consent order that were specific to the final site plan were separately specified as such in the consent order. This one was not and to arbitrarily say that it will come later is inappropriate. We simply can not confirm compliance of this plan with the consent order without understanding the plans for traffic calming measures and entrance configurations. Again, you will recall that this matter and the entire safety related issues along Georgian Park were high priority items for all parties of the legal action.

Item 2(a): The question raised has two parts; first, if the "Required" parking for the development is for 724 spaces (cars only) then why does CSP-5 have 1,155 included therein? Secondly, it was specifically agreed that no incremental parking would occur related to the future out parcel retail space 4.0 acres and 50,000 square feet.

The consent order states "The out parcel may share parking with other developed areas." The use of the word MAY in this sentence allowed the developer a right to use other parking, thus not requiring or allowing for it to have separate or incremental parking associated with it. The use of the word MAY did not mean that the developer had a choice. A choice of whether they could use or if they could have additional parking spaces, rather it created an absolute. This was how the specific item was negotiated and agreed upon.

*Reference is made to the definition of the word "May" in Webster's Dictionary as this will be referred to if the matter reverts back to Superior Court. In Webster's New Word Dictionary, "May" is defined as **1. The ability or power; now generally replaced by can (applicable in this case); 2. Possibility or likelihood [it may rain] (not applicable); 3. Permission or chance [you may go] (applicable as it confirms a positive); 4. Contingency, as in clauses of purpose they died so that we may live] (not applicable); 5. Wish, hope, or prayer: used in exclamations and apostrophes [may he rest in peach] (not applicable); 6. LAW – shall, must (applicable, as in they must or shall use shared parking) Synonymous with "can."***

The use of the word may in the consent order was used as in, "You may have a piece of candy; you may go out and play; you may use the parking already provided to serve other buildings."

On March 25, 2004 the three parties to the lawsuit met and separately negotiated each term of the Settlement Agreement. (Please see Exhibit A for this Agreement.) In the third bullet point it states, "Additional development of the remaining out parcel, not to exceed 4.0 acres, to no more than 50,000 retail space would have no shared parking." The point was discussed at length and it was agreed that this retail space would have no separate or incremental parking associated or included on the revised site plan. CSP-5 violates this agreed upon condition wherein 304 additional spaces are included to what already is an oversized parking area that accommodates the other developed retail space. The use of the word MAY in the consent order did not give the developer a choice of either using the other existing parking or to add yet more spaces to an overburdened parking lot.

In our discussions with Mr. Cohen of Faison, it was agreed that a reduction in parking space commensurate with the reduction in planned square footage from 269,000 of SP-12 to 215,000 of currently developable property at the Kroger center would occur. This agreement has been breached as it is not reflected in CSP-5. What CSP-5 reflects is a development very similar to the Fayette Pavilion, and not that of the Avenue; again as we previously discussed and agreed to with the developer. (See Exhibit B for a summary of CSP-5 Car Parking.)

On an additional note, we believe that the property must be evaluated in three distinct parcels for compliance with coverage ratios and impervious layer requirements. There currently exists a contract for sale of 12.88 acres to Target for the property containing their store. This plot would take with it most of the buffer green space along Georgian Park. This plot would most likely qualify for a review of coverage and layer issues. The second plot is that of the future out parcel which includes a reconfigured detention pond area of sizable space. This plot is separately identified on the plan and would again most likely qualify for a review. This leaves the remaining retail plot which is virtually 100% covered by either retail stores or parking spaces save only minimum setback areas and island planting beds. This plot would most likely not meet the requirements for coverage and layer tests. We ask that the council require separate calculation

and each be evaluated, as this is the intended plot configuration, plot disposition and development plan. This lack of open/buffer/green space did not exist on SP-12 as there were >100 feet of side and back setbacks anticipated. This matter was brought on as a new issue in the submission of the significantly modified CSP-5.

We ask that you please consider these concerns in your evaluation of CSP-5. We believe the developer has overstepped its rights and has interpreted the terms of the consent order incorrectly. Additionally we do not understand why, nor do we agree with the drastic modifications from SP-12 in as much as this could appear to be an entirely new submittal.

We re not in agreement that CSP-5 complies with the consent order and we are prepared to pursue our legal remedies thereto.

We look forward to open and conciliatory discussions to hopefully modify the plan so that it complies with the consent order and are available to meet at most times that are convenient with the various parties. We look forward to continuing to work with the City Staff on making sure that a quality and appropriate project is developed, consistent with the City's Master Plan and of consistent quality and standards.

Please do not hesitate to call me at any time at 678-571-6502.

Sincerely,

John F. Hedge

President, Lake Kedron Community Association

Hedge continued that the Target parcel was under contract for sale to Target and a majority of the greenspace belonged to that parcel. He asked staff if they concurred with the impervious surface calculation. City Planner David Rast said he had not seen the letter. Hedge asked Council to look diligently at the calculations. Hedge felt there would be a lot of bricks and mortar and very little greenspace once the Target parcel was removed from the picture.

Hedge referred to SP-12, the plan negotiated with the consent order. There were specific points that modified that plan, including the position of the Target building. This plan (CP-5) created more questions and concerns, which would have to be addressed by the Lake Kedron Association and the City.

Hedge addressed entrances and felt the Amli south entrance was a good compromise. There were now multiple entrances and there was no reason for anyone to drive along Georgian Park to get to the Target. Hedge said the issue of right-in, right-out created major problems. People would make U-turns regardless of any signage. The entrances were designed to get the northbound cars off GA 74 without going by any homeowners groups.

Hedge noted there were certain items in the consent order that had not been presented in the site plan and he reserved the right to take those items back to court.

Cohen addressed the traffic study. He said the City Engineer had requested a traffic study as part of the implementation of the consent order, but a traffic study was not required by the consent order, or by ordinance, at this point in the process. It would be the second study done for this project. Approval of the conceptual site plan allowed them to go forward with the engineering drawings and the recommendations of traffic engineers. Cohen noted that Hedge felt they needed to do the engineering drawings, then figure out the traffic-calming measures. Cohen pointed out that engineering drawings for a project of this size were in excess of \$200,000. He said it was unreasonable to ask for engineering drawings when the conceptual site plan had not been approved. Cohen said they realized they had to install traffic-calming devices as determined by the City Engineer in order to comply with the consent order.

Cohen discussed SP-12 and what it meant. He said it was clear in the first paragraph of the consent order that Faison should have time to prepare a new site plan. Cohen continued that the plan had to be new because they had to bring in two new roads in exchange for giving up their vested rights to the Regents Park entrance. He said they had taken no liberties with the plan. SP-12 had outparcels. Cohen referred to an October 10, 2003, memo written by Rast that listed the parking ratios of eight significant developments. Of the eight, the Kedron expansion was six of eight. If the golf cart parking spaces were backed out, the expansion would be seven of eight. Cohen said the parking fields were reasonably drawn for the nature of the project.

Cohen said it was important to note the closing of the median cut on Georgian Park. Cohen said Hedge agreed that a full movement at the intersection at the south part of Lot 14 was fundamental and was a critical piece of the settlement. Cohen said they were not willing to give it up. He noted that U-turns on Georgian Park and signage were City matters. Although, the best time to make those decisions would be after the traffic study had been completed and the plan had been engineered. Cohen continued that was a misconception in the newspapers that the entrance was directly across from St. Simon's Cove and it was not. Cohen said they were willing, once the project was underway, to investigate on an individual basis with the affected homeowners and do the right thing. Committing to something before all the facts were known would be inappropriate and immature.

Rapson said the golf cart path was a concern. Rapson asked Cohen if they were willing to expand the 20-foot buffer along the east part of the property and put in a cart path. The path coming from GA 74 would have to cross the entrance point, but that was better than traversing the entire parking lot, which Rapson said was a safety concern. He continued that they might have to shift the buildings, but doing so would eliminate the issues of the residents concerning greenspace and golf carts.

Cohen reiterated that the plan was obviously conceptual. His concern was the grade and any retaining walls that might be needed. They had explored moving the path to the north side of the Lot 14 entrance for safety's sake. Their position was that the buffer met

the ordinance requirements and there would be easier movement on the blacktop. Rapson said his concern was for the residential portion of the area.

Brown compared the Braelinn Shopping Center to the expansion and noted that Braelinn was a local attraction, while Target would be a regional attraction. The people coming to shop at the Target might not have an appreciation for the safety of golf carts in the parking lot. Rapson said he realized the plan met the ordinance and he was asking for a concession.

Cohen said they wanted to design a project the City could be proud of and that embraced the City's way of life. Golf carts were obviously a part of that. The plan Council was considering was a conceptual site plan, a starting point. The plan met all the codes. They were willing to make it better as the plan moved forward. The things everyone wanted were all final site plan issues. He reiterated they wanted to do a nice, safe project.

Rutherford agreed that the plan before Council was flexible and changes would be open to discussions as they were made. Cohen agreed.

Rapson asked Cohen if that was his position on some of the other issue raised by the homeowners. Cohen said their position was that the location of the entrance made things better and eliminated commercial traffic throughout a swath of Georgian Park from Amli to outlot 14, which was much better than what had been proposed in SP-12. He asked that the process be followed and then they would address the issues of those specifically affected. Cohen said they were not willing to berm the entire length of Georgian Park to the St. Simon's subdivision and it was not needed.

Brown said they were not asking to berm the entire section, but said they all agreed there might be some light issues at night and asked for reasonable remedies.

Kourajian said he understood about the median cut, but asked why the developer was against a right-out only. He noted that Cohen had pointed out the commercial traffic would be reduced. Kourajian said that, by allowing a left turn, the traffic would continue on that portion of Georgian Park. Cohen said the City Engineer had concluded a right-out created a more dangerous situation. The traffic study would address those kinds of issues. Rapson noted that the City Engineer was evaluating several scenarios at that time, but it seemed that the developer might not be discounting the idea of a right-out only. Cohen said it should be done as part of the traffic study, and as part of the traffic-calming measures.

Kourajian asked Cohen what the estimated distance was from St. Simon's Cove. Cohen said it was 250 feet from the center of median break to the center of the next median break at St. Simon's. Rutherford asked if the entrance could go further south on Lot 14. Cohen said there were problems because of a stream, a culvert, and the grade. Kourajian asked where the trucks would enter the shopping area. Cohen pointed out where the Kroger trucks currently entered and said the Target trucks would do the same and utilize the jogway to get to the Target loading dock.

Hedge referred to the April 24, 1995, approval memo for the Kedron Kroger development, which also addressed the entire area. Hedge read the following from the letter – *A landscape plan must be submitted and approved by the City for the corner outlot and the perimeter of the site all along the Parkway and Georgian Park.* Hedge noted there probably was an approved landscape plan that addressed the issues of buffering or set forth the requirements for buffering, sight lines, and minimum setbacks. The memo also read – *As each outparcel is developed, berming and additional landscaping details will be required as part of the outparcel site review plan process.* Hedge said he understood there was a staff recommendation letter recently done on CP-5 and he had heard no discussion on the staff letter. Rapson told Hedge that he was about to hear some discussion on those recommendations.

Brown noted for the record that Council had just been given a sheet entitled “Peachtree City Significant Projects Comparative Parking Ratio Analysis.” Brown commended Cohen on the golf cart parking spaces and said they had set a new standard.

Rapson moved to approve the conceptual site plan for the Kedron Village Retail Center Expansion subject to the following stipulations (Rapson noted the first five conditions were taken from the staff recommendation paper):

1. A separate lighting plan for this development must be provided as part of the final site plan indicating the requirements of this ordinance (Sec. 1006.4(n) of the GC zoning requirements) is met.
2. The final site plan must include a detailed tabulation indicating the extent of impervious area on each parcel (per Sec. 1006.4(q)).
3. A detailed delineation of all wetland areas and associated buffers must be included on the final site plan and no grading or disturbance shall occur within these areas.
4. The parking areas must be revised to meet this requirement (Sec. 1109(13) of the landscape Ordinance.
5. No tree removal shall be permitted on any of the parcels covered by the Conceptual Site Plan until a landscape plan for the parcel on which work is to be performed has been finally approved.
6. This issue (screening and buffers between incompatible uses per Sec. 10109(14) of the landscape Ordinance) will be addressed once the final site plan is submitted and staff has a clear understanding of how the grading and/or retaining walls might impact the adjoining commercial developments adjacent to Georgia Park.
7. The Developer shall adopt an architectural program for all buildings within the retail center. The architectural program shall be approved by the City as part of the final site plan approval.
8. The median cut reflected on the plan at the western edge of the property along Georgian Park Drive is not approved, but is rather subject to further analysis in the traffic study, which will be required in connection with the final site plan. The access to the property at that curb cut shall be determined in such analysis, based on the report of the traffic engineer in consultation with the City Engineer.

9. This approval is expressly subject to compliance with conditions 6-9 set forth in David Rast's memo of Oct. 10, 2003.
10. Approval is only for four individual tracts – no action on Georgian Parkway is being implied or approved.
11. We are not approving the "J Loop" reflected on the plan until we have validated this is not a concern via a traffic standpoint, which would resolve the issue in the parking adjacent to the Target loading area.
12. Provide for engineering review.
13. Speed tables, pedestrian calming measures in front of Target.
14. Evaluate and consider connecting every other island in parking lot to enhance landscaping at parking.
15. Eliminate parking areas behind building 400, east of building 100 in truck turnaround
16. We are not approving that the greenspace requirement has been met per City ordinance until such a time as City Staff has validated the calculations.
17. Evaluate expanding the buffer for the golf cart path along western edge of the property.
18. This approval is expressly subject to compliance with all the terms of the Consent Order of March 29, 2004, not expressly repeated herein.

Weed seconded.

Rapson noted that the applicant had agreed to the stipulations and one other. Cohen reiterated the developer's agreement to work with the lots in St. Simon's affected by the entrance at outlot 14 as soon as the impact and which lots were affected was known.

Weed noted that the City was owed two traffic lights – one at Peachtree Parkway and GA 74 and one at Georgian Park and GA 74. He wanted a stipulation that the appropriate lights be in place prior to issuing the Certificate of Occupancy. Cohen noted that the traffic light issue was eliminated during the settlement and was not one of the conditions carried forward. Rapson said he did not know that.

Besseche said the lights at GA 74/Georgian Park and at World Drive and the Kroger entrance (Peachtree Parkway) were stipulated for phase one. The lights were to be implemented when the warrants were met. Besseche said the parties had been contacted, but they had not heard back from them yet. Rutherford clarified that the lights were the responsibility of another party and not this developer. Meeker said that was correct. Rapson recalled that Council had previously directed staff to find out about the lights and asked if those individuals would still put the lights in. Meeker said yes, per the previous agreement.

Pat Heaburg of Pathway Communities told Council his understanding was that when phase one was done, the developer applied for a light at the intersection of World Drive and Peachtree Parkway, which the City denied. An agreement was then written that required the developer to put in a light when they wanted to at the discretion of the City. Rapson said he read the motion and the motion stipulated, that when the warrants were

met, the developer would put in the lights at the World Drive site and the GA 74/Georgian Park intersection. Heaburg said the letter was written in 1995 and that the light was the developer's option at no expense to the City. Meeker added when the warrants were met. Rapson agreed with Meeker. Meeker read the letter and said it specified the lights would go in when the operator demonstrated the warrants were met. Rapson read the condition from the April 24, 1995, conceptual plan – "Traffic lights need to be installed at no City expense if, and when, traffic warrants indicated and/or follows the SR 74/Georgian Park intersection, the entrance to the Center on the Parkway, and/or at the Parkway/Georgian Park intersection. If the operator of the shopping center demonstrates that the warrants for the signal are present at the entrance for the shopping center, then approval for the signal shall not be unreasonable withheld by the City."

Weed said they needed to clarify who owed the City the traffic light. Meeker said they had contacted the applicant for the first phase, Sofran. Meeker said they were listed as the applicant. Heaberg noted that Sofran had sold the shopping center to BBT in Atlanta, and they were the current operator.

John Young asked Council if no one would pay for the lights, then who would be responsible for the cost. He recounted a recent incident at the light and noted the traffic study done by Faison six-10 months ago. Young reiterated that everyone had agreed safety was an issue and someone had to step up and take responsibility for the lights. Council agreed.

Brown noted this was just the first stage of the process. He told Cohen he had a schematic design from Kingston, R.I., that had some enhancements he would like to show them. The motion carried unanimously.

**EXCERPT FROM CITY STAFF MEMO
DATED OCTOBER 10, 2003**

(CONDITIONS 1, 6, 7, 8 and 9 REFERRED TO IN CONDITION #9 OF
CONCEPTUAL SITE PLAN APPROVAL)

Recommendation

Staff recommends that the conceptual site plan for Phases 2 and 3 of the Kedron Village retail center be approved subject to the following understandings and conditions:

- 1. The development shall take place in conformance with the conceptual site plan as presented and approved. Any modifications to this plan will warrant further review by City Staff and the Planning Commission.*
- 2. ~~The Developer must submit a subdivision plat for the overall tract dividing the property into two parcels as shown on the conceptual site plan.~~*
- 3. ~~The Developer at his own expense shall design and install a traffic signal and any improvements that are necessary at the GA 74/ Georgian Park intersection. This traffic light must be fully operational prior to issuance of any occupancy permits for the development.~~*
- 4. ~~The Developer at his own expense shall fund traffic calming improvements at the Georgian Park/ Regents Park intersection. At a minimum, these improvements shall include a four way stop and associated pavement markings.~~*
- 5. ~~The Developer at his own expense shall fund the relocation of the existing cart path crossing and associated path infrastructure at the Georgian Park/ Regents Park intersection further north on Georgian Park if deemed necessary.~~*
- 6. The Developer shall agree to adopt an architectural program for all buildings within the retail center. This program must be approved by the City as a part of the final site plan approval.*
- 7. The Developer must agree that out-of-store marketing will not be conducted nor will any materials be stored outside main buildings unless the displays and materials are under canopies approved by the City as a part of the project architecture, which must be approved as a part of the final site plan.*
- 8. The Developer must agree to provide the City with plans for landscaping, exterior lighting and signage; and those plans must be approved by the City as a part of the final site plan approval.*
- 9. The Developer must continue to coordinate with the Fire Marshal and the Building Official to ensure the overall development conforms to current life safety and building codes.*

October 6, 2004

Mr. Mike Cohn
Faison
1200 Ashford Parkway, Suite 110
Atlanta, GA 30338

Re: Kedron Village retail center expansion
Final site plan review comments

Dear Mike:

Peachtree City Staff has completed our review of the final site plan for the expansion of the Kedron Village retail center, which was submitted to our office at 2:00 PM on September 24. The receipt of these drawings completes your final site plan submittal, which also includes the landscape plan, architectural concept, signage program, traffic study and hydrology study. Each of these documents will be reviewed separately and you will be notified of any changes that need to be incorporated into these documents.

As you are aware, the final site plan submittal package is very detailed and complex. I would like to commend you and your consultants for maintaining a positive working relationship with City Staff throughout this project and look forward to the completion of a successful development.

Prior to forwarding a recommendation from Staff to City Council, the following items must be addressed and the plans revised accordingly

Cover Sheet

1. *The 24-hour emergency telephone number provided appears to be an office number as opposed to an emergency telephone number.*
2. *The F.I.R.M. Map and flood hazard area information identified in Note #2 contradicts the information contained on the boundary survey. Additionally, the latest F.I.R.M. maps for Peachtree City were updated in 1996.*
3. *The total site area identified in Note #3 contradicts the acreage identified within the boundary survey.*
4. *The total disturbed area identified in General Note #4 must be verified. You must also provide a detailed breakdown of all impervious area on the site, including buildings, parking areas, sidewalks and service areas. This information will be used to determine tree replacement requirements.*

Kedron Village retail center expansion

October 6, 2004

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Boundary Survey

- 1. The total acreage of the site identified on this survey must be confirmed. The total acreage identified on the boundary survey must be the same as the total project area identified on the cover sheet and site plan.*
- 2. The acreage of each outparcel adjacent to Georgian Park must be identified on the boundary survey.*
- 3. The minimum building and parking setbacks identified on the boundary survey are not correct. The minimum front building setback is 40' and the minimum front driveway and parking setback is 20'. The minimum side building setback is 10' and the minimum rear building setback is 20'. Variances will be required for those setbacks identified on the site plan that do not meet these requirements.*
- 4. The survey must identify a 25' undisturbed natural buffer adjacent to all wetland areas as required by Section 1004(b)(2) of our Water Resource Protection Ordinance.*
- 5. The survey must identify a 25'-wide tree save and landscape buffer on all non-residential lots adjacent to Georgian Park that are a part of this development, as stipulated within Section 707.3(b) of our Buffer Ordinance.*

Overall Utilities Demolition Plan

- 1. There are several existing sanitary sewer lines and laterals that will be relocated or removed as a part of this development. You will be required to maintain sanitary service to each outparcel that will be impacted by the relocation of their sanitary sewer laterals and coordinate the recording of subsequent easements as necessary.*
- 2. You must coordinate with the City's Development Inspector to develop a construction staging plan identifying how you plan to remove all utility lines, paths, curb and gutter, etc. without disrupting service to existing businesses and patrons of the existing retail center. We will also need to coordinate with you prior to construction to determine what type of signage will be necessary to direct vehicular and golf cart traffic away from the construction site as well as delineate alternate path routes to the existing retail center while this section is under construction.*
- 3. The plans must identify how and when you plan to remove the existing path connections from the Lifeboat Medical and Fairwinds buildings and how you intend to restore vegetation where the existing path connection was located.*
- 4. The plan must clearly delineate to what extent existing curb and gutter will be removed on Georgian Park and the Regents Park extension.*
- 5. You must confirm the removal of the existing sanitary sewer line adjacent to the stream buffer and the 10" PVC sewer line connection to the outparcel at the end of Newgate Road will not impact the development of this site.*
- 6. The plan must identify the 25' undisturbed natural buffer adjacent to all delineated wetland areas as required by our Water Resource Protection Ordinance.*
- 7. The existing streetlight within the median of Georgian Park must be re-installed as close to the new median break as possible.*

Kedron Village retail center expansion

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Overall Site Plan

1. *The second note must be amended to require stabilization "immediately following land disturbing activity."*
2. *All areas where cart paths or sidewalks cross the travel lanes of vehicles must be striped and signed as golf cart or pedestrian crosswalks.*
3. *All areas where cart paths intersect curb and gutter must be ramped so that the path is flush with the adjoining road, and a detail must be provided identifying how this transition will be constructed.*
4. *Concrete wheel stops must be included in all non-golf cart parking spaces that abut the sidewalk adjacent to the Target Building and Retail Buildings 400 and 900. The center of each wheel stop should be no less than eighteen inches (18") from the face of the curb.*
5. *All handicap accessible parking spaces must be ADA compliant and include appropriate accessible parking signage.*
6. *The site plan must identify the location of all dumpsters and associated screening. If the location of the dumpster pads/ enclosures is not known at this time due to unspecified tenant needs, you must add a note to the drawing stating that you will comply with Section 908.3(c) of the City's Zoning Ordinance. This section states "dumpsters are permitted as an accessory use as long as they are not located within a building setback and are effectively screened from view from any adjoining street." Because dumpsters are considered as outside storage, Section 1006.4(i) states "No storage will be permitted on the zoning lot outside a fully enclosed building unless the storage area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The required fence or wall must provide for a reasonable visual separation between the storage area and any adjoining property." Once you determine where the dumpsters will be located, we will work with you to determine screening requirements.*
7. *The plan must indicate if the speed tables throughout the development will be constructed of asphalt, concrete or a combination of concrete and pavers.*
8. *The plan must indicate if the linear island connecting the Target entrance to the Outparcel Retail Building will be landscaped or a sidewalk.*
9. *The plans must identify where the service entrance and dumpster will be located adjacent to Retail Building 900 (see #6 above).*
10. *Section 18-342 (c) of the City's Fence Ordinance requires that all chain link fencing in commercial zoning districts must be black, green or brown vinyl coated. The site plan identifies a 4'-high fence and the fence detail identifies a 6'-high fence. Please verify and identify whether or not the fence will have a top and bottom rail for support.*
11. *The plan must include a detail or cut sheet of the cart corrals proposed within the parking area for Target. Our Sign Ordinance does not permit signage or advertising on these corrals.*
12. *The plan must include regulatory signage for users of the cart path, such as 'stop' and 'yield' as appropriate. These signs should be smaller in scale than the typical signage used for vehicular traffic.*

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13. *The existing paved access to the outparcel adjacent to the Lifeboat Medical building must be removed and a new curb and gutter installed directing traffic into the Lifeboat Medical tract and away from the detention pond.*
14. *Before commencement of construction, you must provide documentation from the Corps of Engineers and any other agencies having jurisdiction over the existing wetland areas indicating their approval for the removal of the wetlands as proposed prior to any disturbance within this area.*
15. *The plan must be revised to reflect the correct spelling (Las "Brasis" Court) of the name of the road within the Georgian Park condominiums.*

Overall Utility Plan

1. *As a part of the Building Permit application, you will be required to provide engineered footings for all buildings that abut a sanitary sewer or storm sewer easement.*
2. *Prior to any construction affecting the adjoining Vassey Medical Building tract, you must provide documentation from the owner of this property indicating they have granted the appropriate construction easements as identified on the utility plan.*
3. *All areas disturbed by construction within the right-of-way of the Regents Park extension must be fine-graded and re-sodded as soon as the utility installation is complete. Please note there is an existing irrigation system within the right-of-way as well that must remain operational following the completion of this work.*
4. *The plan identifies that several utility easements are "to be modified." You must provide a copy of the Reciprocal Easement Agreement (REA) indicating that cross easements are permitted within this development.*

Overall Grading Plan

1. *The plan proposes to pre-clear and pre-grade the two outparcels on either side of the entrance across from the AMLI apartments. Additionally, the plan calls for the removal of all vegetation within the 25' tree save and landscape buffer on these lots. We typically discourage the pre-clearing and pre-grading of parcels unless there is a schematic site plan submitted for review. The two outparcels adjacent to this new entrance are not a part of the overall Kedron Village expansion and must comply with our established review criteria before we can approve any clearing or grading on these parcels.*
2. *The plan must identify a dedicated maintenance access easement to each of the stormwater detention ponds.*
3. *Fill slopes that are constructed at a 2:1 slope must be stabilized with matting, mulch and/or plant material to ensure that silt does not leave the site and travel onto adjoining property.*
4. *The plan must identify a guardrail or chain link fence barrier between the golf cart and vehicular parking spaces and the steep slopes adjacent to Outparcel Retail Building 400.*

Construction Details

1. *The plans must identify that each entrance off of Georgian Park must be constructed with a commercial driveway per City standards.*

Kedron Village retail center expansion

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2. *The concrete cart path underpass and CMP cart path underpass detail are not necessary and should be removed from the drawings.*

Site Lighting Plan

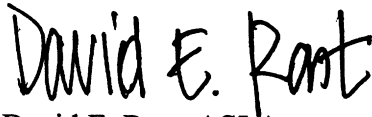
1. *The plan must identify the relocation and re-installation of the existing streetlight within the median of Georgian Park at the new entrance adjacent to the detention pond.*

I have also attached a copy of the report we received from Integrated Science and Engineering, which includes their analysis of the final site plan as well as the Hydrology Study. These items will also need to be addressed and incorporated into the revised final site plan prior to Staff making a recommendation to City Council.

Once these items have been addressed and the plans are revised accordingly, please submit three (3) copies of the final site plan to me for review. Upon approval of these drawings by City Council, I will forward two (2) copies to the Building Department and authorize them to release the appropriate Development Permits.

Should you have any questions, please do not hesitate to contact me at (770) 487-5731.

Sincerely,



David E. Rast, ASLA
City Planner

Attachment

cc: *Mayor and Council Members*
 Bernie McMullen *City Manager*
 Clyde Stricklin *Developmental Services Director*
 Ted Meeker *City Attorney*
 Chuck Borysiak *Faison*
 Bob McCann *Haines, Gipson & Associates*
 file

October 6, 2004

Mr. Mike Cohn
Faison
1200 Ashford Parkway, Suite 110
Atlanta, GA 30338

Re: Kedron Village retail center expansion
Landscape plan review comments

Dear Mike:

Peachtree City Staff has completed our review of the landscape and irrigation plans for the expansion of the Kedron Village retail center. These drawings were submitted to our office at 2:00 PM on September 24 in conjunction with the submittal of the final site plan.

Prior to forwarding a recommendation from Staff to City Council, the following items must be addressed and the plans revised accordingly:

Landscape plan

- 1. The plan must include a detailed breakdown of all impervious area on the site, including buildings, parking areas, sidewalks and loading areas. It appears the plan may have been prepared using "total disturbed area" as opposed to "total impervious area," which impacts the overall tree replacement requirements.*
- 2. The plan appears to be using the natural area behind the Kroger site (Phase 1) as a part of the tree credit calculations for this phase of the development. Our files indicate this area was left natural as a part of the overall stormwater detention system and has already been used as a part of the tree credit issued to Phase One of the overall development. We cannot count this area twice.*
- 3. The tree survey information you provided seems very thorough, but is not the method we use to calculate or recommend tree credit. We do not issue tree credit for areas that our ordinances require to remain natural (i.e., tree save and landscape buffers, wetland protection buffers, stream buffers, etc.). The plan must include a detailed analysis of the areas you are proposing to use for tree credit so that we can determine what, if any, tree credit we can recommend for this project.*
- 4. The plan must identify what areas you are using to determine that 11.25-acres of the overall site is being left as greenspace.*
- 5. The plan must be revised to provide all understory trees required by our tree replacement requirements. We do not issue tree credit for understory trees.*
- 6. All canopy trees must be a minimum of 2½" caliper inches.*

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Page 2

7. *The tree replacement calculation you provided indicates that you are proposing a total of 1278 caliper inches of canopy trees and 642 caliper inches of understory trees for this development. Assuming that the total permanently disturbed area (997,088 SF) is the same as total impervious area, the City's tree replacement requirements stipulate that you must provide a minimum of 997 canopy trees (minimum 2½" caliper or a total of 2,492.5 caliper inches) and 997 understory trees (minimum 1" caliper or a total of 997 caliper inches). It appears you are well under both of these requirements.*
8. *All islands within the parking area should include two canopy trees. These islands were designed large enough to accommodate two canopy trees, as opposed to one canopy or three understory trees as proposed.*
9. *The plan must identify the existing street trees adjacent to the existing Kroger internal drive if these are to be preserved.*
10. *The lawn area adjacent to Outparcel Retail Building 800 should contain a similar planting as that across the driveway to screen the side of the building.*
11. *The linear planting area between the Target entrance and the outparcel retail buildings was designed so that large canopy trees could be located within this area. The use of Leyland Cypress or Cryptomeria in this island could result in a visual obstruction that may not be desired.*
12. *The plan identifies a row of plant material adjacent to the Target building, but the site plan calls for a sidewalk in this area. Both plans must be consistent.*
13. *The plan must identify the existing plant material adjacent to the Regents Park extension, as most of this will remain undisturbed. All areas disturbed by construction must be stabilized and landscaped as appropriate.*
14. *The detail of the landscape islands is confusing. The plan must identify what type and how many of each shrub and groundcover will be installed in each island.*
15. *It is very difficult to determine what and how many plants will be installed throughout this project, as the plant material is not labeled on the landscape plan. If this is the way the project will be bid and installed, we will require an as-built of the landscape plan prior to issuance of a Certificate of Occupancy so we will have a record of what has actually been installed.*
16. *The plan must include screening between this development and the adjoining Fairwinds office building. Additionally, you must provide a detail indicating how many trees will be planted on the 2:1 embankment between this development and the outparcels along Georgian Park.*
17. *The detention pond adjacent to Georgian Park must be redesigned to provide a 25' wide tree save and landscape buffer adjacent to Georgian Park. Additionally, the landscaping on this lot must comply with the overall landscape plan approved for the outparcels adjacent to Georgian Park.*
18. *All areas within the median of Georgian Park that are disturbed by construction activities must be fine graded and seeded or sodded.*
19. *There are numerous errors in the size of plant material identified within the plant list.*

Kedron Village retail center expansion

October 6, 2004

Page 3

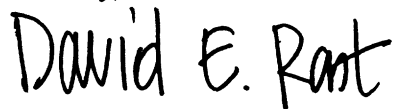
Irrigation Plan

- 1. This plan appears to be incomplete, and must identify to what extent the overall site will be irrigated.*
- 2. All sleeving must be identified on the site plan and installed as a part of the development of the site. Irrigation must be provided to all planting areas adjacent to the buildings, to all landscaped islands and all landscaped areas behind the buildings.*
- 3. Your irrigation contractor must secure an Irrigation Permit from the Building Department prior to commencement of construction.*

Once these items have been addressed and the plans revised accordingly, please submit three (3) copies of the revised drawings to me for review. Once the drawings are revised and I can confirm they have addressed each of these comments, I will forward our recommendation to City Council.

Should you have any questions, please do not hesitate to contact me at (770) 487-5731.

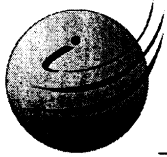
Sincerely,



David E. Rast, ASLA
City Planner

Attachment

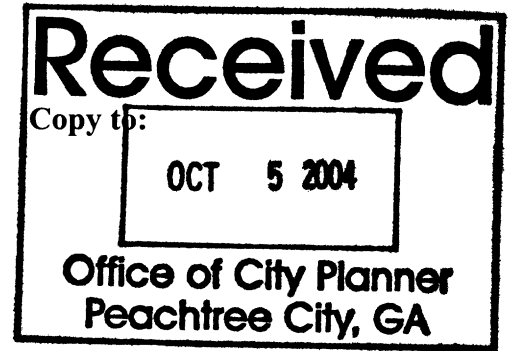
cc: *Mayor and Council Members*
 Bernie McMullen *City Manager*
 Clyde Stricklin *Developmental Services Director*
 Ted Meeker *City Attorney*
 Chuck Borysiak *Faison*
 Bob McCann *Haines, Gipson & Associates*
 file



Memorandum

To: Clyde Stricklin
Company: Development Services Division
Peachtree City
From: Richard Greuel, P.E. ^{RG} and Brian Shoun, P.E. ^{BS}
Date: October 4, 2004
Subject: Kedron Village Expansion (Target)
Construction plan review
Plans dated 7/22/04
Prepared by: Haines, Gipson & Associates

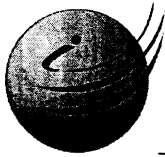
Project No.:



ISE has completed a review of the above project and the following comments are offered:

Land Development Ordinance

- Sec 1010 (f)(3)(i) Maintenance Agreement to be provided for review.
- Sec 1010 (f)(3)(h) Maintenance Easements to be shown on plans.
- Sec 1010 (f)(3)(f) Maintenance Plan to be provided for review.
- Sec 1010 (f)(3)(c) Topographical base map to extend at least 100 feet from property line.
- Sec 1010 (f)(3)(d)(viii) Clearly state the increase in volume of runoff that the development causes
- Sec 1010 (f)(3)(d)(iv) Clearly state the volume of runoff for pre- and post-development conditions.
- Sec 1010 (d)(3) Show compliance with this section.
- Sec 1008 State whether or not wetlands are protected by this section and if protected show compliance.
- Sec 1007 State whether or not land is located in a groundwater recharge area and if in said area show compliance.
- Sec 1003 (b)(4) State whether or not this development drains directly into a perennial tributary of Lake Kedron and if so, show compliance.
- Sec 1001 (b)(3) Delineate of boundaries and contour elevations of adjacent stream (appears that the drainage basin of the stream is in excess of 100 acres.
 - Delineate of boundaries and contour elevations of 100 year flood.

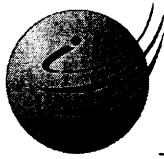


Memorandum

- Sec 1002 (b)(2) Stake floodplain boundary at least every 100 feet.
- Delineate property boundaries on USGS topographic quadrangle map provided in hydrologic report.
- Delineate property boundaries on USDA soil survey map provided in hydrologic report.
- Show compliance with Sec 1005(b)(3)(a).
- Show compliance with Sec 1005(b)(3)(b).

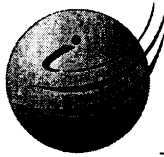
General Comments:

- Since the large driveway entrance across from Regents Park is not to be used as an entrance, then:
 - Remove the right turn lane
 - Decrease curb radius on each side of drive to 25 feet
 - Construct cart path to follow radius
 - Construct only one ramp for cart path and line it with existing crossing through the drive's grassed median.
- Explain why an 18 foot long parking space is provided behind Building 400.
- Construct a "4-way stop" at the main entrance drive and drive in front of Kroger shops (state "4-way" on signs).
- At other 4-way stop, state "4-way" on signs.
- Construct a "stop" across the drive from the stop near Bldg 400.
- Determine if cart parking will interfere with left sight distance on drive (north of triangle island, north of bldg 400).
- Construct a "stop" on the east / west heavy duty pavement lane next to the triangle island.
- Construct a yield sign behind Bldg 700 for right turn from drive entrance to rear of building.
- Portion of chain link fence located outside of construction easement at Pond #1.
- No handicap ramps show on plans.
- Ramp slope for cart paths to be 1 inch / 12 inch typical.
- Show how the wet ponds will retain water for the required permanent pool elevation.



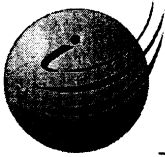
Memorandum

- As per the GA Stormwater Manual, the wet ponds are to have a means of draining for the purpose of maintenance.
- State the reasons why you believe that 0.52 feet is considered “insignificant” as per the statement in your hydrologic assesment report (100 year event post-developed water surface elevation increase at dual 80 inch CMP under Georgian Park).
- Conditions placed on concrete wall behind Target building (sanitary sewer and storm drainage pipes located in slope supported by wall – wall is located in proposed easements:
 - Specific wall designed by current GA registered professional engineer,
 - Design for sloped backfill,
 - Design for partially saturated backfill (if sanitary or storm lines leak),
 - Require maximum allowable footing pressure to be determined by a geotechnical engineer,
 - Copy of reviewed and approved (by design engineer) shop drawings to be supplied to City,
 - Contractor to certify that wall, sanitary sewer and storm lines were constructed per plans,
 - Sanitary sewer pipe to be ductile iron,
 - Storm pipe to be RCP class 3, and
 - All pipe to be bedded and covered in stone to a depth of 2 feet above top of pipe.
- Condition placed on gabion wall located near storm line N-3 to N-4 (footing located on fill because of the construction of the storm drainage line).
 - Require specific detailed drawings designed by current GA professional engineer.
 - Require maximum allowable footing pressure to be determined by a geotechnical engineer.
 - Storm pipe to be RCP class 3, and
 - All pipe to be bedded and covered in stone to a depth of 2 feet above top of pipe.
- Conditions placed on gabion wall west of Bldgs 200 / 300 / 400:
 - Assume partially saturated soil because water line is located in top of retained earth,
 - Fire water line to be constructed out of ductile iron,
 - Require maximum allowable footing pressure to be determined by a geotechnical engineer,
 - Require specific detailed drawings designed by current GA professional engineer



Memorandum

- Conditions placed on gabion wall west of bldg 800 (large storm pipe located in wall and to be City maintained):
 - Require maximum allowable footing pressure to be determined by a geotechnical engineer,
 - Require specific detailed drawings designed by current GA professional engineer
 - Copy of reviewed and approved (by design engineer) shop drawings to be supplied to City,
 - Contractor to certify that wall and storm lines were constructed per plans,
 - Storm pipe to be RCP class 3, and
 - All pipe to be bedded and covered in stone to a depth of 2 feet above top of pipe.
- Conditions placed on gabion wall west of bldg 100 (storm pipe located in wall):
 - Require maximum allowable footing pressure to be determined by a geotechnical engineer,
 - Require specific detailed drawings designed by current GA professional engineer
 - Storm pipe to be RCP class 3, and
 - All pipe to be bedded and covered in stone to a depth of 2 feet above top of pipe.
- Sheet C-1 Overall Site Plan – section at A-A
 - State height of knee wall
 - State type of material of knee wall
- State minimum distance from yard inlet
- Show how runoff will be directed into yard inlets S-2, R-1 and N-9.
- Enlarge sump area to ensure all runoff enters yard inlet F-1.
- Require drainage easement from Pegasus Family Limited Partnership to complete the required 20 foot wide drainage easement.
- Require drainage easement from structure N-1 to N-5 for offsite drainage.
- Require drainage easement from structure A-4 to F-1 for offsite drainage.
- Sheet C-4-I
 - Show limits of construction and provide tree save barrier.
 - Along state waters buffer – require a double row of silt fence.
- Sheet C-4-II



Memorandum

- Show how areas in between the temporary sediment basins drain to those basins.
 - Show required sedimentation minimum storage volume and provided storage volumes.
 - Show how the sediment will be removed from temporary basin (pond #1).
- Sheet C-4-III
 - Prior to the construction of curb, show how runoff will be prevented from discharging down any newly constructed slopes
 - Provide additional erosion control measures from runoff generated from the existing eastern driveway.
 - Provide additional erosion control measures for the slope where the cart path will be constructed just south of the Target building pad.
 - Show erosion control measures for the construction west of the fill slope on the sewer line.
 - Provide erosion control measures for the constructed swale to yard inlet E-1.
- Sheet C-6A
 - Require specified pipe wall gauge thickness for all pipe having cover in excess of 10 feet.
 - Require specified pipe wall gauge thickness for all pipe located in any proposed City drainage easement.
 - Require stone backfill and 2 feet of cover for any pipe with cover in excess of 15 feet or specified by the manufacturer (which ever is more restrictive).
- Construction Details
 - Provide pavement detail for work in City rights-of-way.
 - Handicap ramp detail – construct 1” / 12” slopes in all directions.
 - Storm outlet protection – Provide required information for outlets – Q-1, P-1 and T-1.
 - Retrofitting with stone filter ring – specify height and size of ½ round CMP used as filter.

HAINES, GIPSON & ASSOCIATES, INC.

CONSULTING ENGINEERS

THOMAS G. HAINES, P.E.
RANDALL W. GIPSON, P.E.
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DANIEL D. CAMPBELL, P.E.
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October 14, 2004

DAVID A. MATTSON, P.E.
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Mr. David Rast, ASLA
City Planner
Peachtree City Planning Department
153 Willowbend Road
Peachtree City, Georgia 30269

Re: Kedron Village Retail Center Expansion
HGA Job No. 2004-123

Dear David,

The purpose of this letter is explain the revisions to the civil design drawings for the Kedron Village Retail Expansion project in response to the following:

- City staff's plan review letter dated October 6, 2004
- Integrated Science and Engineering's review memorandum dated October 4, 2004
- City Fire Marshal, John Dailey's, review memorandum dated October 4, 2004
- Peachtree City Water and Sewerage Authority review letter by W. Scott McDonald, P.E., dated September 29, 2004

City Staff Comments:

Cover Sheet:

1. The mobile telephone number of Faison's Director of Retail Development was added to the emergency contact information.
2. The F.I.R.M. panel information was updated and corrected in note #2.
3. The total site area was corrected in note #3.
4. The total disturbed area and a detailed breakdown of impervious areas on the site was updated in note #4.

Boundary Survey:

1. The total acreage of the site was confirmed and all acreages match those stated on the cover sheet.
2. Acreages of all outparcels adjacent to Georgian Park were added to the survey information.
3. All setback distances were corrected.
4. The 25' undisturbed natural buffer adjacent to all wetlands was added to the survey information.
5. The 25' wide tree save and landscape buffer was added to the one acre outparcel along Georgian Park that will be developed as part of this project.

Utilities Demolition Plan:

1. A note has been added to this sheet addressing this comment.
2. A note has been added to this sheet addressing this comment.
3. A note was added to this sheet stating that the cart path connections shall be removed during the initial grading phase and all disturbed areas must be mulched and seeded

4. Designations were added to the sheet stating the extent of curb and gutter to be removed along Georgian Park.
5. The upstream sanitary sewer connection near the end of Newgate Road will be re-located and routed around the proposed detention pond.
6. The 25' undisturbed natural buffer was added to this sheet.
7. The existing street light in the Georgian Park median shall be re-located as noted.

Site Plan:

1. Note #2 was amended as required.
2. Striping and signage was added at all locations where pedestrian or cart paths cross vehicular travel lanes.
3. Cart path ramps were added at all appropriate locations.
4. Concrete wheelstops were added at each required location.
5. Appropriate signage, striping and wheelstops were added to each handicap parking space.
6. A note specifying that dumpster locations and appropriate screening will be required at a later date was added to the sheet.
7. The speed tables (speed bumps) will be constructed of asphalt as noted on the construction detail.
8. The linear island connecting Target and the outparcel retail buildings will be landscaped.
9. A note specifying that the final location and configuration of service access and dumpster location will be coordinated at a later date was added to the sheet.
10. All fences on site will be 4' high and black vinyl coated as specified on the site plan and construction detail.
11. The Target cart corral detail is included in the construction detail sheets.
12. Cart path regulatory signage and sign details were added to the site plan and construction details sheets.
13. The paved access to the Lifeboat Medical building was modified as required.
14. The appropriate approval letter from the Army Corps of Engineers was forwarded to you for your review.
15. The spelling of "La Brasis Court" was revised.

Utility Plan:

1. A note has been added to this sheet addressing this comment.
2. The appropriate easement agreements will be forwarded to the city prior to any construction affecting the Vassey Medical building.
3. A note has been added to this sheet addressing this comment.
4. The Reciprocal Easement Agreement will be forwarded to the city prior to construction on the site.

Grading Plan:

1. The mass grading of the outparcels was removed from the grading plan.
2. Maintenance and access easements to each of the detention ponds were included on the site plan.
3. A note has been added to this sheet addressing this comment.
4. A chain link fence was added in the location noted.

Construction Details:

1. Notes stating that all driveways along Georgian Park must be constructed with a commercial driveway per Peachtree City standards were added to the site plan in the appropriate locations.
2. The details noted were removed from the construction plan sheets.

Site Lighting Plan:

1. The site lighting plan provides photometric information for new, on-site lighting fixtures only. The light pole to be re-located in the median of Georgian Park was stipulated on both the utilities demolition plan and the utility plan.

Integrated Science and Engineering Comments:

Land Development Ordinance:

1. The Maintenance Agreement will be forward to the city staff for review.
2. The detention pond maintenance and access easements are shown on the site plan.
3. The Maintenance Plan will be forwarded to the city staff for review.
4. Per coordination with the city staff, the existing topographic information provided is sufficient.
5. The increase in volume runoff for pre- and post- development conditions will be shown in the revised hydrology study.
6. The increase in volume runoff for pre- and post- development conditions will be shown in the revised hydrology study.
7. Per coordination with the city staff, this area is not in a ground re-charge area due to its proximity to Kedron Lake.
8. The appropriate approval letter from the Army Corps of Engineers was forwarded to you for your review.
9. Per coordination with the city staff, this area is not in a ground re-charge area due to its proximity to Kedron Lake.
10. Per the Phase I Environmental Site Assessment, this site does not drain into a perennial tributary of Lake Kedron.
11. Per coordination with the city staff, the boundaries and contours of the adjacent drainage feature along the western property line are sufficient.
12. The boundaries and contour elevations of the 100-year storm event will be outlined in the revised hydrology study.
13. The 100-year floodplain boundary of the drainage feature along the western boundary will be noted in the revised hydrology study
14. The site property boundaries will be noted on the USGS topographic map in the revised hydrology study.
15. The site property boundaries will be noted on the USDA Soil Survey map in the revised hydrology study.
16. This comment was being clarified by the ISE plan reviewer.
17. This comment was being clarified by the ISE plan reviewer.

General Comments:

1. Per coordination with the city staff, no plan revisions were required.
2. Per coordination with the city staff, no plan revisions were required.

3. The cart path at the Georgian Park/Regents Park intersection was modified as noted.
4. The cart path at the Georgian Park/Regents Park intersection was modified as noted.
5. Per coordination with the city staff, no plan revisions were required.
6. The appropriate stop signs were added as required.
7. A note was added to the site plan stating that "4-way" signs shall be placed below all stop signs at all 4-way stop locations. A construction detail of this sign was added to the construction detail sheets.
8. A stop sign was added at the location noted.
9. Per coordination with the city staff, no plan revisions were required.
10. A stop sign was added at the location noted.
11. A yield sign was added at the location noted.
12. The chain link fence was shifted inside the construction easement for pond #1.
13. Handicap ramps were added in all appropriate locations.
14. The handicap ramp detail was modified to stipulate 1"/12" slopes in all directions.
15. The geotechnical engineer will verify the permeability of the soils to ensure that the detention ponds will maintain permanent pools of water.
16. Concrete pads for portable dewatering pump staging areas were added adjacent to each detention pond weir box structure.
17. The water surface elevation increase for the 100 year post-developed storm at the 80" CMP culverts under Georgian Park will be analyzed in the revised hydrology study.
- 18-25. The retaining wall design engineer will submit a letter to the city stating that the retaining wall behind the Target building will be designed by a registered Georgia professional engineer.
26. The sanitary sewer line behind the Target retaining wall was changed to ductile iron pipe.
27. A city drainage easement is not required for this storm drainage line so reinforced concrete pipe is not required.
28. A city drainage easement is not required for this storm drainage line so pipe bedding shall be per manufacturer's specifications.
- 29-31. The retaining wall design engineer will submit a letter to the city stating that the rock gabion retaining wall will be designed by a registered Georgia professional engineer.
32. A city drainage easement is not required for this storm drainage line so reinforced concrete pipe is not required.
33. A city drainage easement is not required for this storm drainage line so pipe bedding shall be per manufacturer's specifications.
- 34-35. The retaining wall design engineer will submit a letter to the city stating that the rock gabion retaining wall will be designed by a registered Georgia professional engineer.
36. The water line will be changed to ductile iron pipe.

- 37-43. The retaining wall design engineer will submit a letter to the city stating that the rock gabion retaining wall will be designed by a registered Georgia professional engineer.
- 44. A city drainage easement is not required for this storm drainage line so reinforced concrete pipe is not required.
- 45. A city drainage easement is not required for this storm drainage line so pipe bedding shall be per manufacturer's specifications.
- 46-48. The retaining wall design engineer will submit a letter to the city stating that the rock gabion retaining wall will be designed by a registered Georgia professional engineer.
- 49. A city drainage easement is not required for this storm drainage line so reinforced concrete pipe is not required.
- 50. A city drainage easement is not required for this storm drainage line so pipe bedding shall be per manufacturer's specifications.
- 51. The height of the knee wall is labeled on cross section A-A detail on the overall site plan.
- 52. The knee wall shall be constructed of either railroad ties or modular block as stated on the cross section A-A detail on the overall site plan sheet.
- 53. The minimum distance of the yard inlet from the knee wall and the property line were labeled on cross section A-A detail on the overall site plan.
- 54. Yard inlets S-2, R-1, and N-9 are not intended to necessarily capture stormwater runoff while each outparcel is undeveloped. The inlets are intended to provide a connection to the underground stormwater system when each outparcel is developed.
- 55. Per coordination with the city staff, no plan revisions were required.
- 56. Per coordination with the city staff, no plan revisions were required.
- 57. Per coordination with the city staff, no drainage easement is required for this drainage line.
- 58. Per coordination with the city staff, no drainage easement is required for this drainage line.
- 59. The limits of construction and tree save barrier fence will be added to all erosion control plan sheets.
- 60. The silt fence along the stream buffer area was designated as "double row" on all erosion control plan sheets.
- 61. A brush barrier was added to the Phase II erosion control plan to prevent sediment from leaving the site and to direct stormwater to detention pond #2 during construction.
- 62. The required sediment minimum storage volumes will be added to the temporary sediment basins.
- 63. Additional erosion control measures will be added to the erosion control plan sheets to prevent stormwater from discharging down any newly constructed slopes.
- 64. Additional erosion control measures will be added to the erosion control plan sheets to prevent erosion from the eastern driveway.

65. Additional erosion control measures will be added to the erosion control plan sheets to prevent erosion from the slope at the cart path south of the Target building pad.
66. Additional erosion control measures will be added to the erosion control plan sheets to prevent erosion on the western fill slope near the sanitary sewer line.
67. Additional erosion control measures will be added to the erosion control plan sheets to prevent erosion near yard inlet E-1.
68. The storm drainage pipe wall gauge thickness requirements will be added to the storm drainage profile sheets.
69. Per coordination with the city staff, no drainage easements are required for any drainage lines on the site.
70. Per coordination with the city staff, no drainage easement is required for this drainage line.
71. All pavement in the city right-of-way shall be constructed with a heavy duty pavement section as shown on the site plan and specified in the construction detail sheets.
72. The handicap ramp detail was modified to stipulate 1"/12" slopes in all directions.
73. Storm outlet protection information was added for outlets Q-1, P-1, and T-1.
74. The height and size of the ½ round CMP retrofit for each weir box structure was added to the retrofit detail.

Fire Marshal Comments:

1. The 8" water line was extended along the southwestern entrance drive and connected to the existing water line in front of the Lifeboat Medical building to create a looped water supply system.
2. Fire hydrant locations were coordinated and adjusted per the direction of the fire marshal.
3. A note stipulating that none of the fire department connections shall be blocked by any type of utility structure was added to the utility plan sheets.
4. Per coordination with the city staff, no plan revisions were required.
5. A 10' wide concrete sidewalk was added around the rear and side of the Target building.
6. The fire hydrant detail on sheet C-13 was modified as required.
7. A note stipulating that the contractor must contact the fire marshal to coordinate final fire lane striping was added to the utility plan sheets.

Peachtree City Water and Sewerage Authority Comments:

1. The existing 8" sanitary sewer line near detention pond #1 will be re-located as shown on the utility plan sheets. The existing sanitary line that is within the pond footprint will be removed.
2. The location of SSMH 6-A was adjusted so that the inflow angle to the downstream manhole is greater than 90 degrees.
3. Sanitary sewer Line 2 has been designated as a publicly owned line. SSMH 2-C was added on the end of the line as a stub-out to the adjacent outparcel. A note

Mr. David Rast
October 14, 2004
HGA Job No. 2004-123
Page 7

- was added to the utility plan sheets and profiles stating that all lines shall be SDR-26 PVC with a class "B" bedding.
4. Sanitary sewer Line 3 has been designated as a publicly owned line. SSMH 3-B was added on the end of the line as a stub-out to the adjacent outparcel. A note was added to the utility plan sheets and profiles stating that all lines shall be SDR-26 PVC with a class "B" bedding.
 5. Portions of sanitary sewer Lines 5 and 7 have been designated as a publicly owned lines. SSMH 7-A was added on the end of the line as a stub-out to the adjacent outparcel. A note was added to the utility plan sheets and profiles stating that all lines shall be SDR-26 PVC with a class "B" bedding.
 6. The downstream slope of 4.25% was added to the Line 1 sanitary sewer profile on sheet C-5A.
 7. The entire length of sanitary sewer Line A was revised to be 10" ductile iron pipe.
 8. An outside drop structure was added to SSMH 1-E.
 9. Per the revision to the sanitary sewer routing, SSMH 1-H was re-located and re-named SSMH 6-A. The existing upstream sanitary sewer line profile was added to sheet C-5C.
 10. The appropriate note was added to all utility plan sheets and all sanitary sewer profile sheets.
 11. I will submit the EPD Sanitary Sewer Extension application to you once all design drawings have been approved.
 12. The plan review and inspection fee will be submitted to you once the design drawings are approved.
 13. The as-built checklist will be forwarded to the developer and contractor.

I hope this information will be helpful during your subsequent review of the civil design drawings. Please contact me if you have any questions regarding this matter.

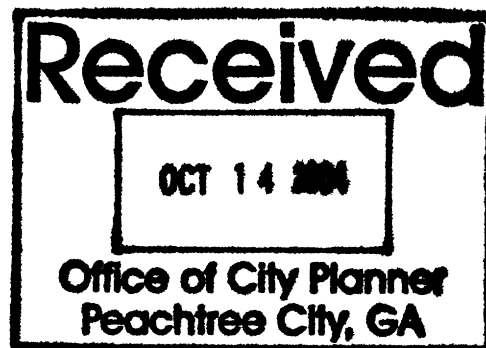
Very truly yours,
HAINES, GIPSON & ASSOCIATES, INC.



Robert A. McCann, P.E.
Associate

c.c. Chuck Borysiak- Faison

October 13, 2004



Mr. David E. Rast, ASLA
City Planner
Peachtree City Planning Department
153 Willowbend Road
Peachtree City, GA 30269

RE: Response to Landscape Comments

1. Landscape Plan

1. *The plan must include a detailed breakdown of all impervious area on the site, including buildings, parking areas, sidewalks and loading areas. It appears the plan may have been prepared using "total disturbed area" as opposed to "total impervious area," which impacts the overall tree replacement requirements. **The Landscape Plan shows detailed pervious and impervious calculations.***
2. *The plan appears to be using the natural area behind the Kroger site (Phase 1) as a part of the tree credit calculations for this phase of the development. Our files indicate this area was left natural as a part of the overall stormwater detention system and has already been used as a part of the tree credit issued to Phase One of the overall development. We cannot count this area twice. **Comment Removed.***
3. *The tree survey information you provided seems very thorough, but is not the method we use to calculate or recommend tree credit. We do not issue tree credit for areas that our ordinances require to remain natural (i.e., tree save and landscape buffers, wetland protection buffers, stream buffers, etc.). The plan must include a detailed analysis of the areas you are proposing to use for tree credit so that we can determine what, if any, tree credit we can recommend for this project. **The Landscape Plan shows the tree save areas with acreage to be used toward tree credit.***
4. *The plan must identify what areas you are using to determine that 11.25-acres of the overall site is being left as greenspace. **The Landscape Plan shows the areas we are using to determine the 12.7 acres of greenspace.***
5. *The plan must be revised to provide all understory trees required by our tree replacement requirements. We do not issue tree credit for understory trees. **The Landscape Plan shows that we meet the understory tree requirement. Pine Tree Seedlings, in addition to the flowering accent and evergreen trees we are proposing, are approved for understory use.***
6. *All canopy trees must be a minimum of 2½" caliper inches. **The Landscape Plan has been revised to show all Canopy trees at a minimum of 2 ½" caliper with the net use of 1" caliper Pine Trees as necessary to meet the requirement.***
7. *The tree replacement calculation you provided indicates that you are proposing a total of 1278 caliper inches of canopy trees and 642 caliper inches of understory trees for this development. Assuming that the total permanently disturbed area (997,088 SF) is the same as total impervious area, the City's tree replacement requirements stipulate that you must provide a minimum of 997 canopy trees (minimum 2½" caliper or a total of 2,492.5 caliper inches) and 997 understory trees (minimum 1" caliper or a total of 997 caliper inches). It appears you are well under both of these requirements. **The Landscape Plan has been revised to show that we meet the tree requirements. See Sheet L1-6.***
8. *All islands within the parking area should include two canopy trees. These islands were designed large enough to accommodate two canopy trees, as opposed to one canopy or three understory trees as proposed. **The Landscape Plan has been revised to show the required trees and locations as discussed with the City Planner.***

ing 800 should contain a similar planting as that across the driveway to screen the side of the building. **The Landscape Plan has been revised to show similar planting across the drive.**

11. *The linear planting area between the Target entrance and the outparcel retail buildings was designed so that large canopy trees could be located within this area. The use of Leyland Cypress or Cryptomeria in this island could result in a visual obstruction that may not be desired. **The Landscape Plan has been revised to show understory trees as requested by the City Planner.***
12. *The plan identifies a row of plant material adjacent to the Target building, but the site plan calls for a sidewalk in this area. Both plans must be consistent. **The Landscape Plan has been revised to show a sidewalk for access.***
13. *The plan must identify the existing plant material adjacent to the Regents Park extension, as most of this will remain undisturbed. All areas disturbed by construction must be stabilized and landscaped as appropriate. **The Landscape Plan shows a note to re-seed disturbed areas not called out with landscaping.***
14. *The detail of the landscape islands is confusing. The plan must identify what type and how many of each shrub and groundcover will be installed in each island. **The Landscape Plan has been revised to show detailed areas of each planting space.***
15. *It is very difficult to determine what and how many plants will be installed throughout this project, as the plant material is not labeled on the landscape plan. If this is the way the project will be bid and installed, we will require an as-built of the landscape plan prior to issuance of a Certificate of Occupancy so we will have a record of what has actually been installed. **The Landscape Plan has been revised to show detailed areas of each planting space.***
16. *The plan must include screening between this development and the adjoining Fairwinds office building. Additionally, you must provide a detail indicating how many trees will be planted on the 2:1 embankment between this development and the outparcels along Georgian Park. **The Landscape Plan has been revised to show additional screening and a section of the proposed plantings.***
17. *The detention pond adjacent to Georgian Park must be redesigned to provide a 25' wide tree save and landscape buffer adjacent to Georgian Park. Additionally, the landscaping on this lot must comply with the overall landscape plan approved for the outparcels adjacent to Georgian Park. **The Landscape Plan has been revised to show the requested landscape along Georgian Park.***
18. *All areas within the median of Georgian Park that are disturbed by construction activities must be fine graded and seeded or sodded. **The Landscape Plan has been revised to show seeding of disturbed areas not addressed with landscaping.***
19. *There are numerous errors in the size of plant material identified within the plant list. **The Plant list has been revised.***

Irrigation Plan

1. *This plan appears to be incomplete, and must identify to what extent the overall site will be irrigated.*
2. *All sleeving must be identified on the site plan and installed as a part of the development of the site. Irrigation must be provided to all planting areas adjacent to the buildings, to all landscaped islands and all landscaped areas behind the buildings.*
3. *Your irrigation contractor must secure an Irrigation Permit from the Building Department prior to commencement of construction.*

(The irrigation Plan addresses all comments below.)

Date: October 12, 2004

To: Mayor and City Council
City Manager
Director of Developmental Services

From: David E. Rast, ASLA *David*
City Planner

Re: **Kedron Village retail center expansion – architectural program**
Summary of meeting notes/ elevations

The architectural program for the expansion of the Kedron Village retail center was officially submitted to City Staff on August 31, 2004. Prior to that submittal, I met with representatives from Faison, The Phillips Partnership and Target to discuss the overall architectural program and character of the retail center on two separate occasions.

The Phillips Partnership is working for Faison to develop the building elevations and architectural program for the retail component of the center. This is the same architectural firm that designed The Avenue and the retail and loft residential component of Lexington Circle. Target uses their own in-house Architects for the design of their buildings.

At our first meeting, Faison and their design team presented schematic elevations for the center, which provided the opportunity to discuss the following issues and concerns:

- *Incorporating some of the architectural elements from Phase One into the new development, but the need for this development to stand on its own. Essentially, we agreed that the architectural program and color scheme used on the existing development was "dated" and similar to many Kroger developments throughout Atlanta.*
- *Promoting pedestrian circulation (i.e., no blank walls, creating individual storefronts, canopies, awnings, etc.) through the design of the buildings*
- *Capturing the village-retail feel through the use of proportion and scale*
- *Creating areas for gathering and outdoor seating in some of the niches and open spaces*
- *Minimizing security lighting on the rear of the buildings (wall packs) to avoid spill onto adjoining properties*
- *Looking at all exposed building elevations and creating architectural features as necessary*

The second meeting included Faison and their design team, representatives from the Planning Commission (Dennis Payton and Paul Johnson) and City Staff. The general consensus from Staff and the Planning Commission representatives was the plans and elevations far exceeded what we originally anticipated and were something we could support. There were a few suggestions and comments given to Faison's design team, but nothing we felt would hold up our endorsement of the architectural program as proposed. Following this meeting, the architectural elevations and color board were officially submitted.

Kedron Village retail center expansion – architectural program

October 12, 2004

Page Two

The following is a summary of the architectural program, specifically dealing with the elevations submitted by Target:

Front elevation:

- *Target indicated the current trend with other big-box retailers was to raise the height of the parapet (roof line) to gain exposure. What Target is doing with their new prototype is to actually lower the overall height of the parapet so their buildings will blend in with the other retail buildings within the development. For example, the height of the parapet walls at Home Depot and Wal-Mart approaches 35-38' and the height of the parapet at Target will range from 26' to 32'.*
- *The entrance to the Target is located at the far right side of the building and is highlighted by a covered canopy and a significant amount of floor-to-ceiling glass (see perspective).*
- *The sidewalk in front of their building includes landscaped areas, seating, trash receptacles, bicycle racks, etc. as well as a pattern scored into the sidewalk. They have included low walls in front of the three raised areas in front of the building to screen the cart storage areas.*
- *The front elevation includes a smaller version of the canopy/ trellis to the left of the entrance in front of the glass windows of the customer service area. Another canopy/ trellis is located on the left side of the building in front of the glass windows of their training room.*
- *They are using the same pinkish brick as the existing Kroger in some areas to blend the two developments together. Additionally, all buildings throughout this phase of the development will include a stone base and a darker brick (see materials color board).*
- *We have asked them to look at the blank wall on the left side of their front elevation (which is the wall of the warehouse/ storage area) and try and replicate some of the EIFS panels or other features to architecturally break this area into smaller components. Again, landscaping will be used to screen this area.*
- *We also asked if the EIFS panels could become glass display windows, but they said the area behind the front wall is also a storage area.*

Left Elevation

- *This elevation addresses the need to design each elevation visible from the entrance drive. A portion of this elevation will be visible from the new entrance across from AMLI, and Target has addressed this by using similar building materials and colors used on the front of the building. The side elevation of the retail building also includes significant detailing, and there is a substantial evergreen hedge proposed adjacent to the access drive.*

Right Elevation

- *This elevation will be visible from the Regents Park extension. What they have done is to turn the corner and use similar design and materials as the front of the building. They propose brick, stone and EIFS panels. The rear corner includes a higher parapet wall and will use the same brick as the Kroger. This wall has been raised to 33' to assist in screening the rooftop mechanical equipment from view. Also, this corner will be set 8'-10' below the elevation of the road, which will assist in screening this corner of the building.*

Kedron Village retail center expansion – architectural program

October 12, 2004

Page Three

Rear Elevation

- *This is the back of the building, but includes detailed architecture at the corner facing the Regents Park extension. Again, this corner was raised to screen rooftop mechanical equipment. The remainder of this elevation will not be visible from off-site and will be painted concrete block to match the colors of the building. This elevation also sits below the existing elevation and the slopes will be heavily planted with pine trees and other evergreen material.*

General architectural comments

- *Throughout the development, the parapet walls at the entrances to the larger tenants are raised, which is similar to the raised component of the Target elevation.*
- *All of the metal storefront (the metal portion that holds the glass) will be similar as opposed to what was done at The Avenue (each tenant having their own storefront).*
- *All awnings throughout the development will be the same color.*
- *The EIFS panels may be changed to glass in some areas for showcase windows as the tenants are identified.*
- *We asked Faison to identify a standard security/ wall pack fixture that will be used throughout the retail center, and have suggested that they specify something similar to what was used at The Avenue and Wal-Mart where the light is directed down as opposed to out and off of the property.*

Please let me know if you have additional questions. Again, there are still a few minor items that need to be addressed, but overall, we are pleased with the architectural program Faison and their design team have submitted.

**Traffic Impact Study
Of Traffic Conditions on Georgian Park**

Kedron Village - Expansion

Peachtree City, Georgia

Prepared by
Moreland Altobelli Associates, Inc.

July 2004

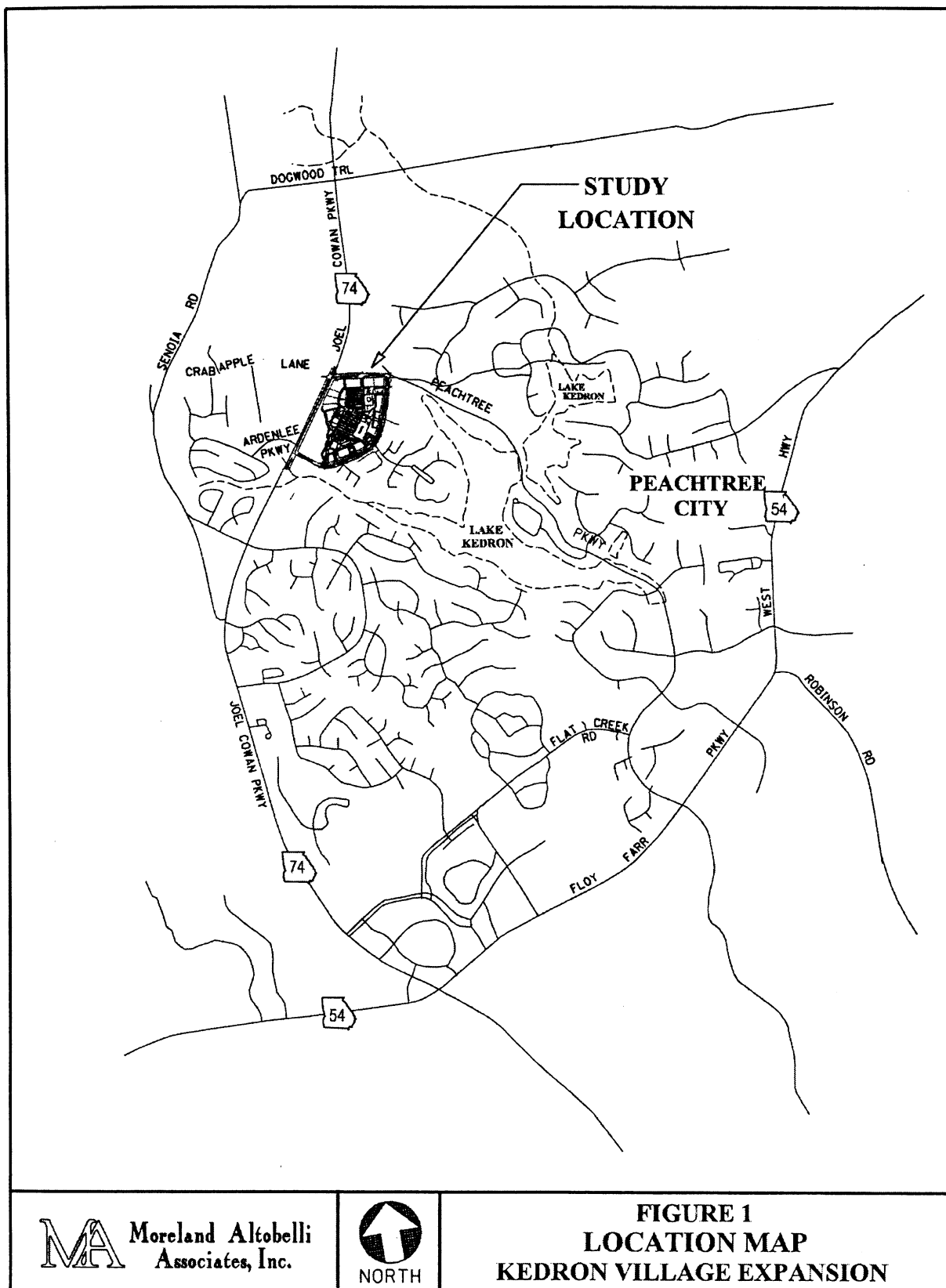
INTRODUCTION

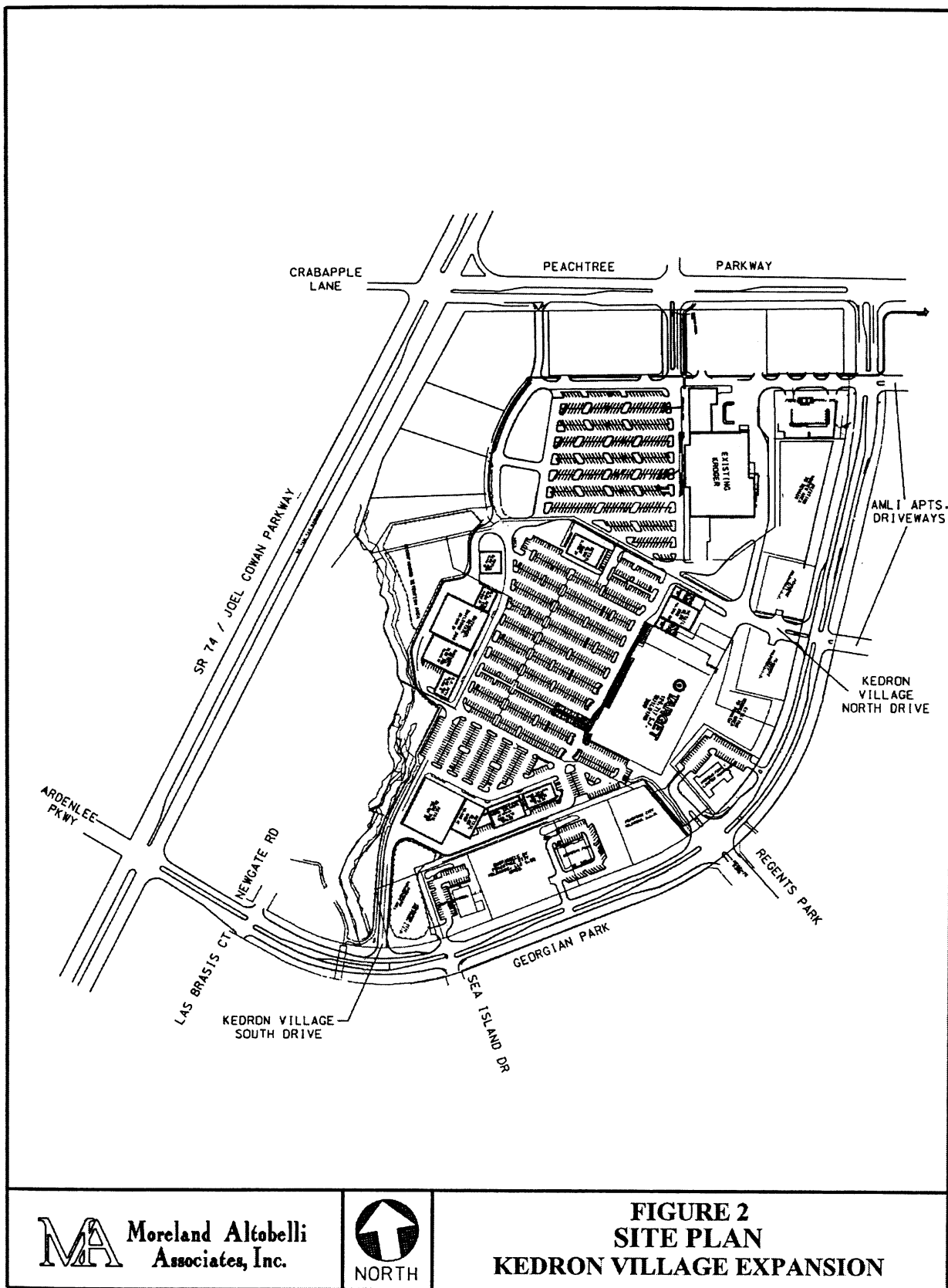
The purpose of this study is to analyze future traffic conditions on Georgian Park in light of the proposed expansion of Kedron Village, and to recommend improvements to maintain acceptable traffic operating conditions, if any, upon the completion of the expansion. The proposed expansion of the existing shopping center development is expected to be constructed in 2005. The project location map is shown in Figure 1.

The Project site is located at the southeast corner of SR 74 and Peachtree Parkway/Crabapple Lane in Peachtree City, Georgia. Georgian Park surrounds the backside of the shopping center. The Kedron Village expansion is comprised of a Target parcel (124,717 SF) in building 300, two retail center parcel stores (90,283 SF), a retail outparcel (50,000 SF) in building 100, 200, 300, and 400 with 2nd level office space (14,800 SF). Additionally 10,000 SF of retail space was added to account for traffic out parcels that surround the interior of the center that are owned by others. The center will have two new extensions onto Georgian Park. Figure 2 shows a preliminary site plan of the development.

EXISTING CONDITIONS

With the consent of city engineer, existing traffic volumes collected from the September 2003 study were used for this report. Peak hour turning movements were collected for both the morning peak period (7:00 – 9:00 a.m.) and the evening peak hour (4:00 – 6:00 p.m.) at five major intersections surrounding the Kedron Village development. Additionally, approach daily traffic volumes were collected at all of the major intersections, and accident data at each location was obtained from the Peachtree City Police Department.





EXISTING TRAFFIC CONDITIONS

Georgian Park

Georgian Park is a loop roadway that extends from SR 74 to Peachtree Parkway. Georgian Park forms a village collector roadway around the Kedron Village development and is posted for a 30 mph speed limit. The roadway is a two-lane divided roadway and has an approximate average daily traffic volume of 3,100 vehicles per day.

Intersection Sight Distance Investigations

The new locations of the proposed north and south driveways of Kedron Village at Georgian Park were investigated to determine if there is adequate sight distance for vehicles to exit onto Georgian Park. MA visited the proposed intersections, and measured the sight distance for both right and left directions of Kedron North and Kedron South. Results of the intersection sight distance investigations showed that both of these intersections had adequate sight distance in both directions. The results for the measured distance and the required distance are shown in Table 1.

TABLE 1: Sight Distance

Intersection	Required Distance (ft)		Measured Distance (ft)	
	Left	Right	Left	Right
Kedron Village South at Georgian Park	180	205	300	250
Kedron Village North at Georgian Park	180	205	400	225

FUTURE TRAFFIC CONDITIONS

Future year 2005 traffic conditions were determined from the summarization of background traffic and the trip generation of the proposed development. The background traffic was increased by 2% to account for one year of general growth in population and traffic in the Peachtree City area. Build-year traffic conditions were manually distributed and assigned to the study area roadway network.

Project Trip Generation

Vehicle trip generation was estimated for the expansion of Kedron Village Shopping Center using trip generation rates and equations developed by the Institute of Transportation Engineers (ITE) and published in a report titled, *Trip Generation, Sixth Edition*. Full build-out and occupancy of the development was assumed when applying the trip generation rates and equations. A summary of the trips generated by the expansion of Kedron Village Shopping Center and Office Space can be found in Table 2.

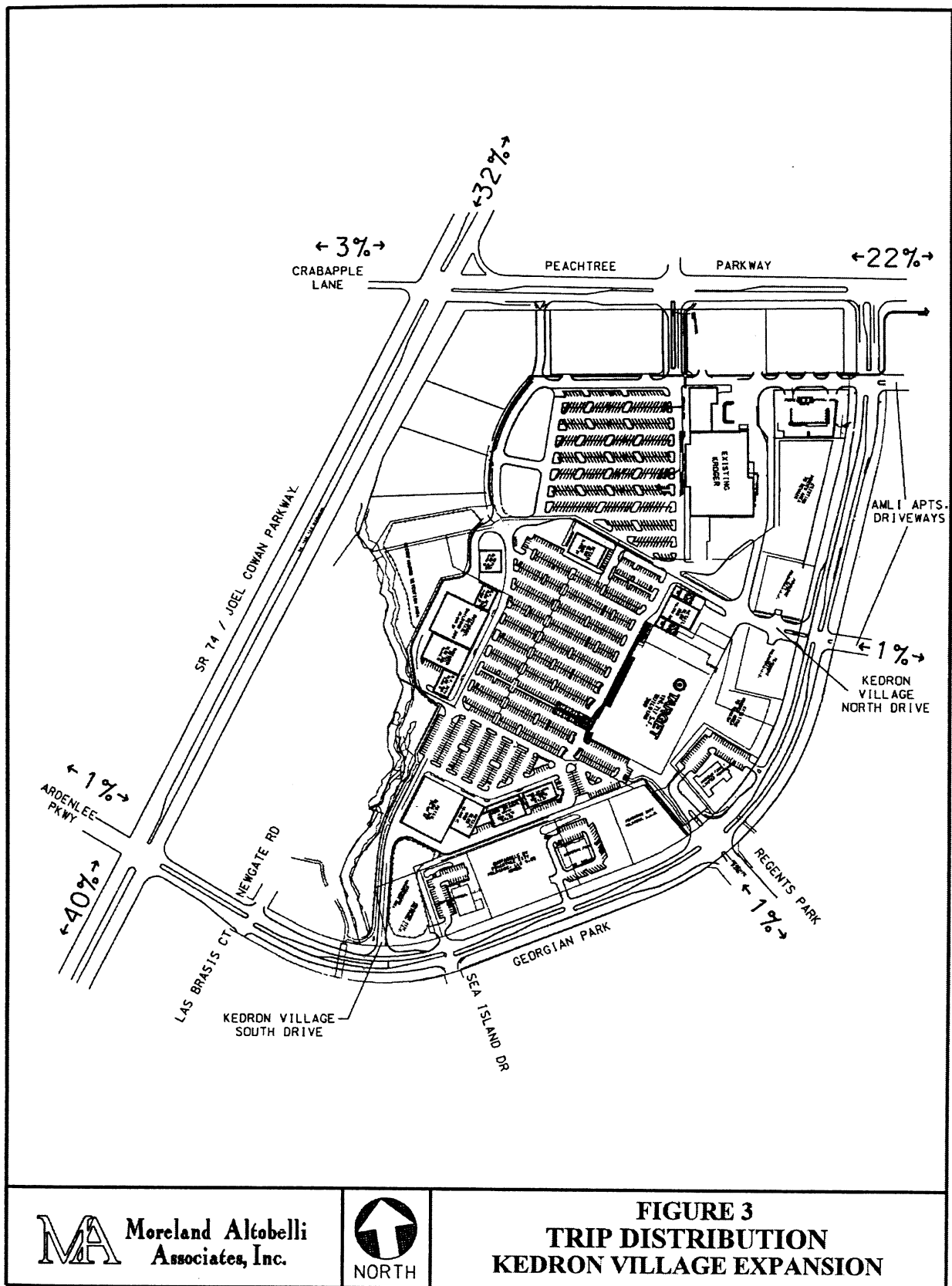
TABLE 2: Trip Generation

Kedron Village Expansion	Weekly Daily Trips	AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit
Shopping Center - 265,000 SF	12,796	171	110	572	619
Office Space - 14,800 SF	306	35	5	48	47
Total	13,416	210	117	634	681

Traffic Distribution and Assignment

The estimated net new external trips were manually distributed and assigned to the study area road network. The distribution of these trips was a function of the existing traffic patterns, population within the area and proximity to other trip generators and the adjacent roadway network. The project's external network trip distribution was then applied to the background traffic according to the following distribution, which is shown in Figure 3.

- 40% to and from the south on SR 74/Joel Cowan Parkway
- 32% to and from the north on SR 74/Joel Cowan Parkway
- 22% to and from the east on Peachtree Parkway
- 3% to and from the west on Crabapple Lane
- 2% to and from the east on Regents Park
- 1% to and from the west on Ardenlee Parkway
- 1% to and from the east from Amli Apartments



ANALYSIS OF FUTURE TRAFFIC CONDITIONS

Traffic Signal Warrant Analysis

A traffic signal warrant analysis was conducted at the two new commercial unsignalized intersections on Georgian Park under future traffic conditions:

- Georgian Park at Kedron Village North Driveway/Amlt Apartments Driveway
- Georgian Park at Kedron Village South Driveway

The warrant studies for the above listed intersections are contained in the Appendix of this report. The results of the warrant studies indicate that under future traffic conditions, these two intersections would not require traffic signal control.

Intersection Capacity Analysis

The goal of this analysis is to investigate the traffic operational performance of the individual intersections of the study. This analysis was conducted using the methodology outlined in the *2000 Highway Capacity Manual* (HCM). This methodology is the industry standard for the evaluation of intersection capacity and delay. In order to facilitate the analysis, a computerized procedure referred to as the Highway Capacity Software (HCS) was used. This software conforms to the methodology of the HCM. HCS determines operational characteristics of the intersection. Two of these characteristics that help define the conditions at an intersection are the volume-to-capacity (V/C) ratio and the vehicular delay.

The V/C ratio indicates whether an intersection has adequate capacity to handle the traffic volume. The V/C ratio ranges in value from 0.1 to 1.0. When a V/C value is 1.0 or greater for a particular traffic movement, this can indicate that either an additional lane or improvement to the traffic control, i.e. a traffic signal, would be required. The vehicular delay value that results from the HCS analysis is used to determine the level of service of an intersection. Level of service (LOS) is a letter designation used to describe traffic operating conditions, on a declining scale from A to F. LOS "A" represents free-flow traffic conditions and LOS "F" represents extreme delays with stopped traffic conditions. Table 3 indicates the relationship between intersection delay and level of service for unsignalized intersections.

TABLE 3: Level-of-Service Criteria For Unsignalized Intersections

Level of Service	Average Control Delay (seconds/vehicle)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Future Build traffic capacity analyses were conducted using the future background and future Build traffic volumes created by the trip distribution.

The results of the capacity analysis are summarized in Table 4 below:

**TABLE 4: Summary of Intersection Capacity Analysis
Future Traffic Conditions**

Name of Intersection	Type of Control	AM Peak Hour		PM Peak Hour	
		V/C ¹	Delay ² (LOS)	V/C ¹	Delay ² (LOS)
Georgian Park at Kedron Village North Driveway	Unsignalized	0.0	11.9 (B)	0.26	30.7 (D)
Georgian Park at Kedron Village South Driveway	Unsignalized	0.0	12.3 (B)	0.08	25.9 (D)

¹ For unsignalized and signalized intersections, V/C ratio is given for worse case minor street lane.

² For unsignalized intersections, delay and LOS is given for minor street approach only.

The results of the intersection capacity studies indicate that the two intersections will operate at acceptable levels of service in the future.

It is recommended that a median cut be established at the Kedron Village South driveway and that a 175-foot left turn lane and a 150-foot right turn lane be constructed on Georgian Park at the Kedron Village South driveway. These distances along with median cut were assumed in the calculations. The median cut should be created to avoid U – turns on Georgian Park. On Georgian Park at the Kedron Village North driveway a median cut already exists, and the existing left turn lane on Georgian Park is adequate, however, it is recommended that a 150-foot

right turn lane be constructed at this driveway. Also, it is recommended that right turn lanes of 150 feet in length be constructed on these driveways. The recommended distances were assumed in the analysis. The roadway thru-lane capacity of the existing Georgian Park is sufficient to handle the proposed number of trips generated by Kedron Village Expansion as evidenced by the V/C ratios.

Multi-Way Stop Analysis

In addition to traffic signal warrant analysis and intersection capacity analysis, the intersections of Georgian Park at Kedron Village were evaluated for multi-way stop control, given the added concern of golf cart use and pedestrians. The hourly volume of conflicting traffic movements is the basis of the multi – way stop control warrant. *The Manual on Uniform Traffic Control Devices* (MUTCD) recommends that multi – way stop control be required for intersections with volume warrants for a minimum of eight hours of the day and that multi – way stop control not be used at multi – lane approaches. The intersections of Georgian Park at Kedron Village driveway do not meet the warrant criteria set by MUTCD for the installation of multi – way stop controls. With the addition of two new driveways, one to the north and one to the south of Regents Park, there is not sufficient thru traffic expected between the two new driveways to warrant a multi – way stop at either of these driveways; however, community concern with engineering judgment can be used as the basis of a multi – way stop control. After the expansion of Kedron Village, multi – way stop control could be implemented at these intersections if the city deems it to be prudent.

CONCLUSIONS

Except for foregoing requirements for a median cut and left and right turn lanes at the Kedron Village South driveway and right turn lane at the Kedron Village North driveway the proposed Kedron Village expansion will not generate enough additional trips to warrant additional lane capacity.

Proposed Kedron Village Development
Peachtree City, Georgia

TRAFFIC IMPACT STUDY

September 2004

Prepared for:

City of Peachtree City, Georgia

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EXECUTIVE SUMMARY

Principal Findings

- Mainline traffic flow will not be adversely affected by the presence of this shopping center.
- Approximately one-third of the traffic that would use this shopping center development is "passer-by" from either SR 74 or Peachtree Parkway. This traffic would only be a factor at the site access intersections and connecting roadways.
- Two existing intersections – Peachtree Parkway @ Kroger main driveway / World Drive and SR 74 @ Georgian Park are currently unsignalized. It is assumed that both of these intersections will be signalized within the next two years. The analysis within this study document assumes both intersections as signalized.
- The existing intersection of Peachtree Parkway @ Georgian Park is currently unsignalized. The construction of this development will require the signalization of this intersection in order to maintain an acceptable level of service.
- Two development scenarios have been analyzed in this study. Both are identical with the exception of the intersection of Georgian Park @ the south access roadway. Scenario 1 assumes the raised median on Georgian Park remaining closed, limiting this intersection to right-in-right-out access only. Scenario 2 assumes this median to be opened with left and right-turn lanes provided on Georgian Park, providing a full-movement intersection.
- Even though the level of service analysis shows no level of service lower than "C" for either Scenario 1 or 2, the opening of the median in Scenario 2 would provide an additional full movement access point for this development. This is desirable due to the development size and the fact the other access points are relatively close together on the north and east sides of the development.
- Providing the full movement access intersection south of the development would intercept much of the development-generated traffic, reducing traffic on the remainder of Georgian Park compared to Scenario 1 and reducing traffic impacts to nearby residents.

Recommended Roadway Improvements

1. Construct all access points and intersection lane configurations as shown in developer's site plan, including the two eastbound approach lanes on the east access roadway as it approaches Georgian Park, plus a southbound right-turn lane on the Georgian Park approach.
2. Signalize existing intersection of Peachtree Parkway @ Georgian Park. Due to close proximity, coordinate signal operation with other nearby signals at Peachtree Parkway @ Kroger driveway and at SR 74 @ Peachtree Parkway.
3. Construct proposed intersection of Georgian Park @ south access roadway as full movement intersection with median opening and eastbound left-turn lane and westbound right-turn lane on Georgian Park. This intersection should always remain three-legged.



INTRODUCTION

The purpose of this study is to analyze the traffic impacts of a proposed development along SR 74 between Georgian Park and North Peachtree Parkway. The site, whose general location is shown in Figure 1, is accessible to SR 74 indirectly via Peachtree Parkway and Georgian Park. This development is the expansion of the existing Kedron Village Shopping Center. The existing shopping center consists of a Kroger, a strip shopping center, and several developed out parcels.

This study identifies the magnitude of additional traffic the proposed development will generate. The impact of the development upon the adjacent roadway network will be measured in terms of level of service. Since the build-out for this development is expected to take place in a short time frame, it is assumed that the entire development is to be built in a single phase.

THE PROPOSED DEVELOPMENT

This new development, as currently proposed, consists of an anchor discount store, several retail out-buildings, and a small amount of office space on the upper floor of one of the retail buildings. It will adjoin the south side of the existing Kedron Village shopping center and use the existing site circulation roadways for access to Peachtree Parkway. Table 1 lists the proposed land uses and sizes.

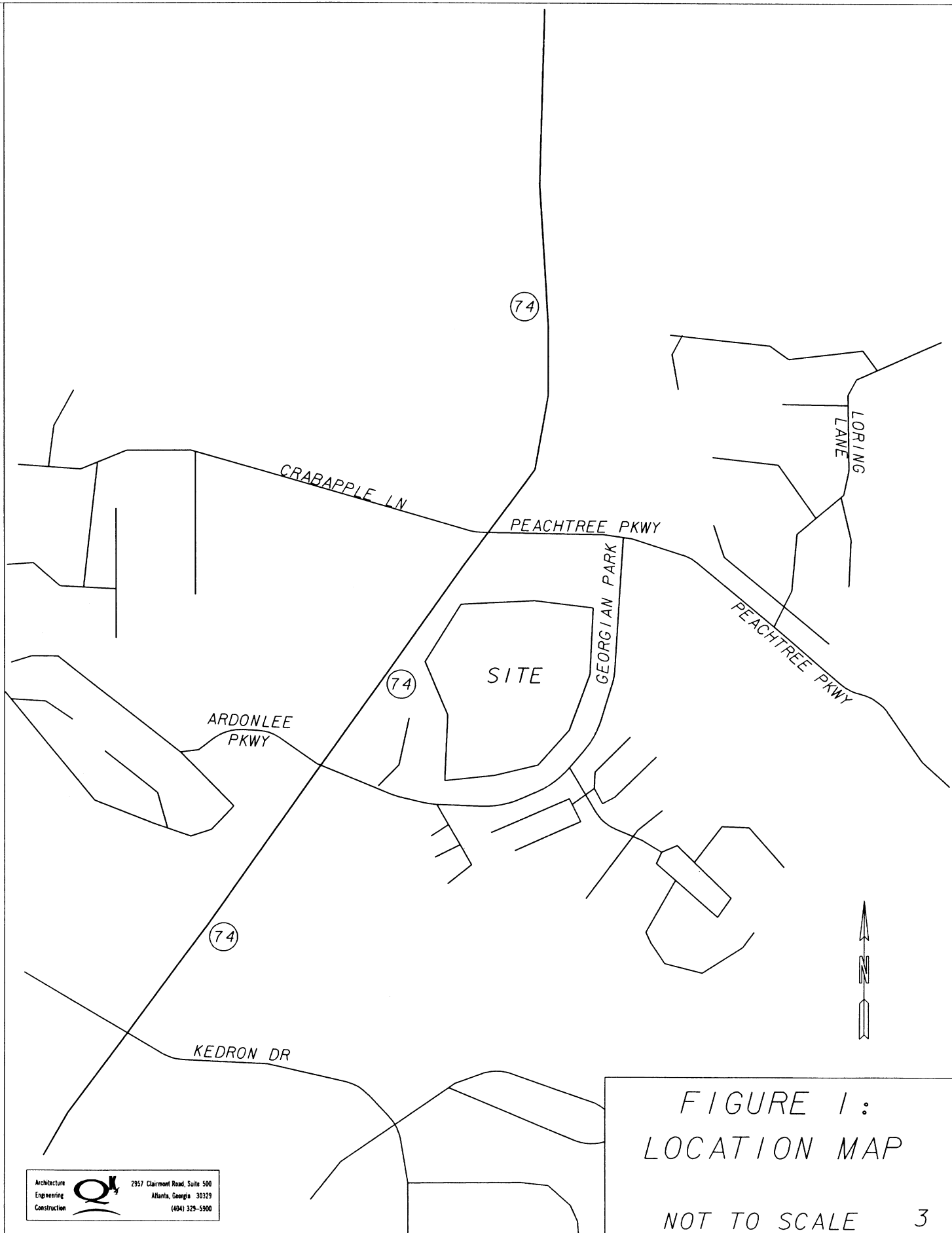
Table 1: Major Land Uses – Proposed Development

Discount Store	124,717 sq ft
Retail Buildings 100A, 100B, 200, 900	26,000 sq ft
Retail Buildings 100 400, 800	56,400 sq ft
Retail Buildings 400-700	57,121 sq ft
Office above Buildings 400 & 500	14,800 sq ft
Total	279,038 sq ft

STUDY AREA AND EXISTING ROADWAY FACILITIES

A study area has been defined. It includes the immediate vicinity of the proposed site. Peachtree Parkway serves as the northern boundary of this study area. Georgian Park serves as the east and south boundary. SR 74 is the western boundary.

SR 74 is a four-lane divided facility throughout the study area. It connects Peachtree City to Tyrone and I-85 to the north. Peachtree Parkway is four-lane divided between SR 74 and the existing Kroger access driveway. East of that intersection, Peachtree Parkway transitions to a two-lane facility. Georgian Park is a divided parkway with a minimum of one through lane in each direction and turn lanes at existing intersections. The intersection of SR 74 @ Peachtree Parkway is signalized. All other intersections are currently unsignalized with stop sign control on the side streets.





PREVIOUS TRAFFIC STUDY

Moreland Altobelli Associates prepared traffic impact studies for this same development in September, 2003 and July, 2004. This study has been prepared as an independent evaluation of the traffic impacts of this development at the request of Peachtree City.

SCOPE OF THE TRAFFIC STUDY

This study will measure the traffic impacts of the proposed retail development on the nearby roadway network, while also forecasting traffic generation volumes based on the proposed land uses. P.M. peak hour traffic volumes will be projected onto the major roadways that serve the immediate vicinity, and level of service analyses will be completed for the "no-build" assumption and for full build-out. Based on this analysis, roadway improvements will be recommended.

SCENARIOS FOR ANALYSIS

Market conditions will determine the time frame when this development will be developed, but it is likely that the shopping center would be developed as a single phase.

Three distinct scenarios are evaluated. They are listed below:

- **2006-Background:** Existing Traffic Volumes + two years compounded growth
- **2006-Build – Scenario 1:** 2006-Background traffic volumes + development-generated traffic volumes (site scenario 1)
- **2006-Build – Scenario 2:** 2006-Background traffic volumes + development-generated traffic volumes (site scenario 2)

The 2006-Background scenario assumes traffic conditions in 2006 if this development were not constructed. Traffic volumes used for this scenario include existing traffic volumes and 2 years of traffic growth. Levels of Service derived from the 2006-Background scenario will be used as the basis for comparing the traffic impacts of the proposed retail development.

There are two small vacant out parcels located behind the development at the intersection of the future east access roadway and Georgian Park. The developer of this project does not own these parcels. Based on their location, they are not likely to be restaurants due to their lack of visibility to SR 74 or Peachtree Parkway. They are more likely to be banks or small medical office buildings, similar to other parcels along Georgian Park. Since they are not likely to be constructed prior to the large development in question, and since the future development of these small sites are not likely to be major traffic generators, these two out parcels have not been directly included in this study.



HISTORICAL TRAFFIC GROWTH

The Georgia Department of Transportation collects daily machine counts of traffic on major routes once a year. A list of these counts in the vicinity of the development has been compiled as a part of this study (Table 2).

The purpose of collecting these counts is to provide a basis for estimating an annual growth rate. The overall combined average growth for this period has been 12.16%. Converted to an annual growth rate, the number becomes approximately 2.91%. For the purposes of this study, a more conservative number of 3.5% will be used. Table 2 lists each count station included, the location, and the actual average annual daily traffic (A.A.D.T.) volumes.

For the purpose of this study, the assumed build-out year for the proposed development is 2006. Two years of compounding the 3.5% growth rate results in a growth factor of 7.12% for use in increasing existing traffic volumes to reflect increases in population and development within the study area.

Table 2: Historical Traffic Growth: 1998-2002

D.O.T. Count Station	Predom. Roadway Direction	Roadway Name, Location	Historical A.A.D.T. Volumes				
			1998	1999	2000	2001	2002
118	N-S	SR 74	24,150	30,480	29,643	31,554	26,096
121	N-S	Old SR 74	3,248	3,683	3,360	3,738	4,641
178	E-W	Tyrone Road	6,223	6,853	6,520	8,586	8,657
300	N-S	SR 74	21,200	26,757	23,035	23,800	23,278
302	N-S	SR 74	25,000	31,553	27,414	31,875	26,852
ANNUAL VOLUME TOTALS			79,821	99,326	89,972	99,553	89,524

DEFINITION OF THE STUDY NETWORK

Nine existing local intersections are included within this study area. These intersections would be the ones most affected by vehicles entering and leaving this development. Of the nine existing intersections, six are located along Georgian Park. According to the latest site plan, there will be two direct entrances along Georgian Park and two access locations on Peachtree Parkway via the existing Kroger shopping center. These have been added to the network as well. Table 3 lists all eight intersections. Figure 2 (page 6) shows their locations. The ID numbers also shown in Table 3 are how these intersections are identified in the traffic assignment software.

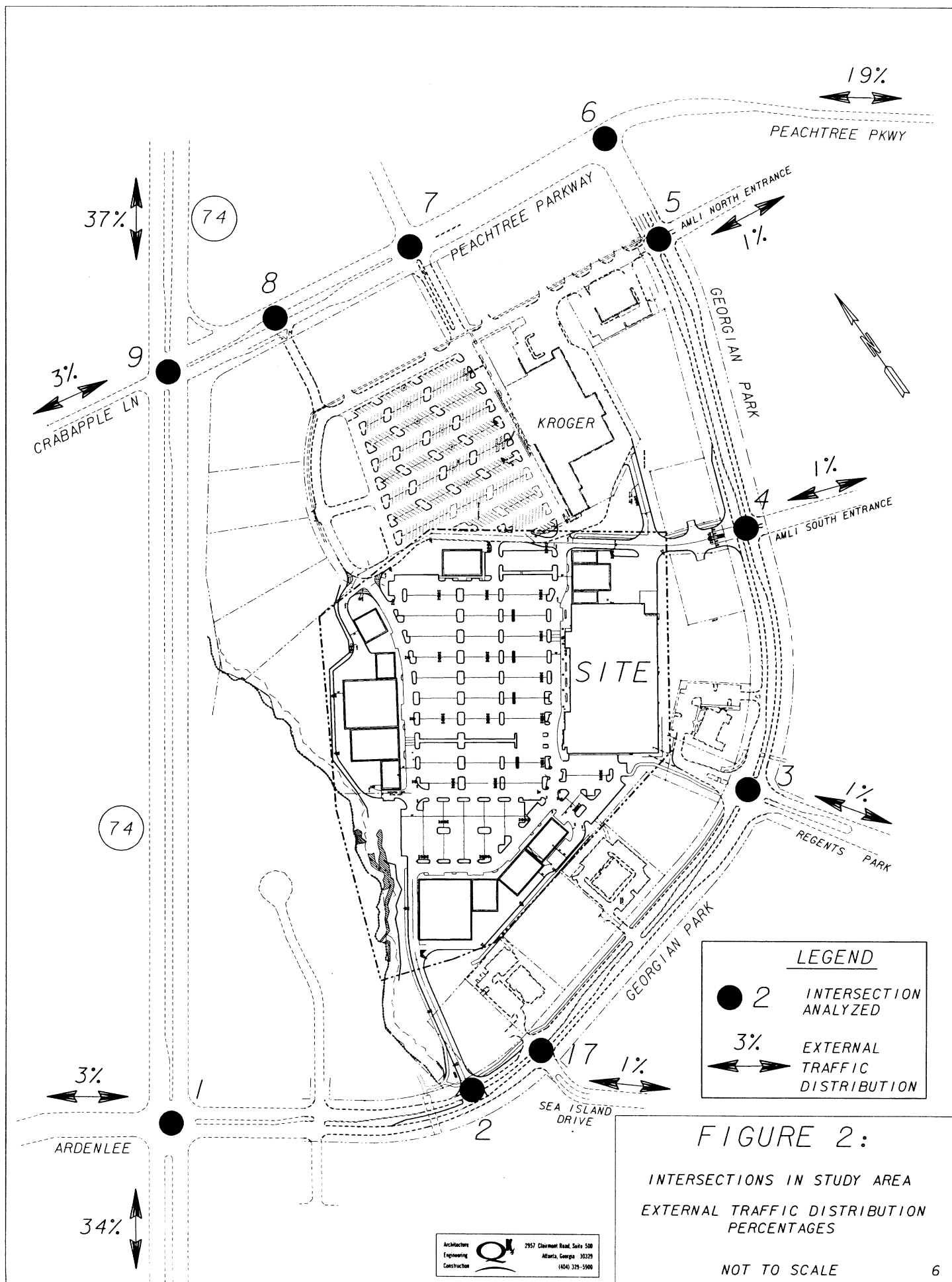




Table 3: Existing Intersections Included in Study Network

1	SR 74 @ Georgian Park
3	Georgian Park @ Regents Drive
4	Georgian Park @ Amli Apartments Access Driveway South
5	Georgian Park @ Amli Apts. Access Driveway N / Kroger
6	Peachtree Parkway @ Georgian Park
7	Peachtree Parkway @ Kroger / World Drive
8	Peachtree Parkway @ existing north access road (right-in right-out only)
9	SR 74 @ Peachtree Parkway
17	Georgian Park @ Sea Island Drive

TRAFFIC GENERATION

As previously discussed, this development contains predominately retail sites with a relatively small amount of office space. For this reason, only the p.m. peak hour will be evaluated in this study. For most retail land uses, the a.m. peak hour traffic generation volumes are relatively small.

The retail land uses include an anchor discount store plus three clusters of adjacent shops. The retail space has been divided into three separate sites, based on these separate clusters of retail space. This was done in order to account for the likelihood that patrons may access the development using different access roadways, depending on their location within the development. To account for this, each "site" is handled separately in the traffic assignment process.

The first retail site consists of the anchor store along with nearby retail buildings 100A, 100B, 200, and 900. The second retail site consists of the cluster of retail buildings 400, 500, 600, and 700, located on the south side of the development. The third retail site consists of retail building 800 along with out parcel buildings 100-400, which are all located on the west side of the development. The office space is located atop retail buildings 400 and 500, but will be handled separately in the traffic assignment process.

All trip generation volumes have been derived from equations or rates published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 7th Edition*. For the purposes of this study, the volumes assume a "worst-case" scenario, i.e., 100% occupancy for all sites.



All of the retail sites within this development will attract passer-by traffic from SR 74 and Peachtree Parkway. The amount of traffic that is passer-by traffic is not new traffic added to the roadway network. This traffic is already on these nearby roadways. Passer-by traffic is only a factor at the intersections where traffic must change its route to enter the development and the roadways between the original route and the development itself. The passer-by component of each retail "site" is uniquely identified, since each is handled separately in the traffic assignment process. The passer-by percentage used in this study is derived from Table 5.6 in the *ITE Trip Generation Handbook, Second Edition*. The 34% "passer-by" percentage is the average rate given for a typical shopping center.

Table 4 summarizes the traffic generation for each site in the p.m. peak hour. Listed with each site is the ITE land use code and page from the Trip Generation Manual from which the trip generation volumes were derived. The percent per land use of the total site-generated traffic that is assumed passer-by is listed for each passer-by site designation. Figure 3 shows the location of each site within the overall development plan.

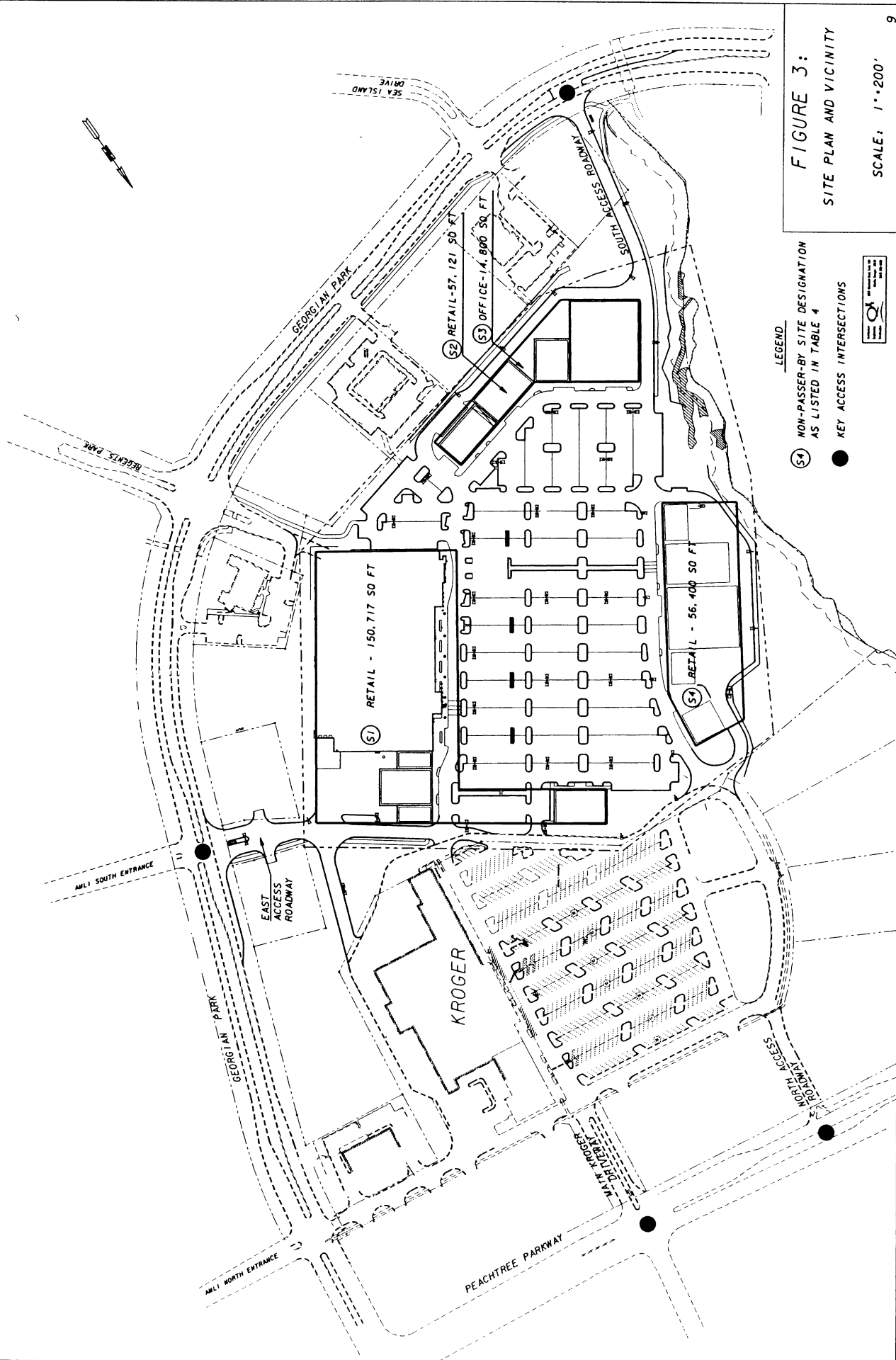
Table 4: Traffic Generation Summary (vehicles per hour, p.m. peak hour)

S1	Discount Store + Retail 100A,100BB, 200, 900	Shopping Center	820	1453	-	261	282
S2	Retail Bldgs 400-700	Shopping Center	820	1453	-	68	74
S3	Office over Bldgs 400 & 500	General Office	710	1160	0	16	80
S4	Retail Buildings 800, OP 100-400	Shopping Center	820	1453	-	67	73
S5	Passer-by traffic for S1	Shopping Center	820	1453	34	139	139
S6	Passer-by traffic for S2	Shopping Center	820	1453	34	36	36
S7	Passer-by traffic for S4	Shopping Center	820	1453	34	36	36

TRAFFIC DISTRIBUTION

The external traffic distribution to and from the study area has been estimated based on the overall percentage of p.m. peak hour traffic volumes that are currently entering and leaving the study area. These sites are assumed to have market areas that closely approximate this distribution of traffic.

Figure 2 shows the traffic distribution percentages for each non-passer-by site designation at the boundaries of the study area. Each external distribution percentage is assumed to be the same for both inbound and outbound traffic. Passer-by traffic, by definition, is already on the local roadway network, thus those site designations have no external traffic distribution and are not included in Figure 2.





Passer-by traffic is derived from the existing traffic stream at the closest intersections to the site entrances and added to the access routes, while deducted from the through movements on the original roadways. Based on existing p.m. peak hour traffic patterns, 64% of the total "passer-by" traffic for all three retail sites will originate from SR 74, while the remaining 36% will originate from Peachtree Parkway.

TRAFFIC ASSIGNMENT

Assignment of site-generated traffic onto the roadway network was performed using the traffic generation and traffic distribution assumptions discussed in the previous sections. This traffic assignment was completed for the p.m. peak hour in the year 2006.

Traffic assignments were computed using WinTASS. WinTASS is a program that computes future turning movement volumes at each intersection in a network. It does this by summing existing turning movements, turning movements attributed to growth of existing traffic (existing movements multiplied a growth factor), and turning movements attributed to site-generated traffic (turning movement distribution percentages multiplied by the trip generation volumes).

Three scenarios have been evaluated as part of this study. The "No-Build" Scenario (hereafter referred to as the Background Scenario) assumes only the existing traffic volumes plus the two years of compounded growth. The "Build" Scenario 1 (hereafter referred to as Scenario 1) assumes the construction of the proposed development, but with only right-in-right-out access to Georgian Park via the south access roadway. "Build" Scenario 2 (hereafter referred to as Scenario 2) is identical to Scenario 1, except that it assumes a full movement intersection at Georgia Park and the south access roadway. Both Scenarios 1 and 2 add the site-generated and passer-by volumes from the proposed development to the volumes included in the Background Scenario.

Appendix A contains the existing p.m. peak hour turning volumes as well as those for the Background Scenario. Appendix B contains the p.m. peak hour turning volumes and traffic assignment spreadsheets for Scenario 1. Appendix C contains the p.m. peak hour turning volumes and traffic assignment spreadsheets for Scenario 2.

Even though the site-generated volumes are the same for both Scenarios 1 and 2, the predicted turning movements at most intersections are different due to the different routes that traffic would take to enter or leave the development. Different routes are necessary because there is one less full movement access to the development available in Scenario 1 compared to Scenario 2.

As part of the traffic assignment process, WinTASS identifies the percentage distributions of the existing, growth, and site components of the assigned volumes at each intersection. This capability makes it possible to identify which intersections are most or least affected by traffic generated by this development.



Tables 5 and 6 summarize the percentage distributions at key intersections for Scenarios 1 and 2, respectively.

Table 5: Distribution of Assigned Volumes - Scenario 1

SR 74 @ Georgian Park	12.97	87.03
Georgian Park @ south access roadway	62.28	37.72
Georgian Park @ Regents Park / commercial driveway	38.54	61.46
Georgian Park @ Amlie south entrance/ east access roadway	55.50	44.50
Georgian Park @ Amlie north entrance / Kroger driveway	29.55	70.45
Peachtree Parkway @ Georgian Park	11.06	88.94
Peachtree Parkway @ Kroger driveway / World Dr.	19.17	80.83
Peachtree Parkway @ north access roadway	25.32	74.68
SR 74 @ Peachtree Parkway	11.52	88.48
Georgian Park @ Sea Island Drive	37.57	62.43

Table 6: Distribution of Assigned Volumes - Scenario 2

SR 74 @ Georgian Park	14.19	85.81
Georgian Park @ south access roadway	66.48	33.52
Georgian Park @ Regents Park / commercial driveway	27.50	72.50
Georgian Park @ Amlie south entrance/ east access roadway	47.61	52.39
Georgian Park @ Amlie north entrance / Kroger driveway	30.68	69.32
Peachtree Parkway @ Georgian Park	11.06	88.94
Peachtree Parkway @ Kroger driveway / World Dr.	18.68	81.32
Peachtree Parkway @ north access roadway	22.44	77.56
SR 74 @ Peachtree Parkway	10.30	89.70
Georgian Park @ Sea Island Drive	26.81	73.19

Site-generated traffic is a relatively small percentage of the total for the intersections along SR 74 and Peachtree Parkway. These percentages at intersections on these two roadways vary from 10.30% to a maximum of 25.32%. Along Georgian Park, which has lower existing volumes, the site traffic percentages are significantly higher, up to 2/3 of the total at the proposed intersection with the south access roadway in Scenario 2.



LEVEL OF SERVICE ANALYSIS – BACKGROUND SCENARIO

The background scenario assumes existing intersection volumes plus two years of compounded growth with existing lane configurations. The only assumed differences from the existing condition is the addition of traffic signals at the intersections of SR 74 @ Georgian Park and Peachtree Parkway @ Kroger driveway / World Drive. Both of these intersections are expected to be signalized within the next two years, whether or not this development is constructed. Levels of service have been computed for the p.m. peak hour.

SR 74 is a four-lane facility with a 44-foot depressed median and separate left and right turn lanes at both Georgian Park and Peachtree Parkway. Peachtree Parkway has a raised median between SR 74 and Georgian Park and two through lanes in each direction. Peachtree Parkway transitions to a two-lane facility east of Georgian Park. Georgian Park has a raised median for its entire length. Most of the Georgian Park has one lane in each direction, but there are sections with width sufficient for two lanes, but there is no striping to delineate them. All intersections have left-turn lanes in the median, and most have right-turn lanes. Table 7 summarizes the approach laneage for each existing intersection where level of service was computed.

Table 7: Intersection Lane Configurations, Background Scenario

SR 74 @ Georgian Park	1	2	1	1	2	1	-	1	1	-	1	1
Georgian Park @ Regents Park / commercial driveway	1	1	1	1	1	1	-	1	-	-	1	1
Georgian Park @ Amli south entrance	-	1	-	1	1	-	-	-	-	1	-	1
Georgian Park @ Amli north entrance / Kroger driveway	1	1	1	1	1	1	-	1	-	-	1	-
Peachtree Parkway @ Georgian Park	1	-	1	-	-	-	-	1	1	1	1	-
Peachtree Parkway @ Kroger driveway / World Dr.	1	1	-	1	1	-	1	2	1	1	2	1
Peachtree Parkway @ north access roadway	-	-	1	-	-	-	-	2	1	-	2	-
SR 74 @ Peachtree Parkway	1	2	1	2	2	1	-	1	-	1	1	1
Georgian Park @ Sea Island Drive	-	1	-	-	1	-	1	1	-	1	1	-

Level of Service analysis was performed using the signalized and unsignalized intersection methodologies found in the 2000 edition of the *Highway Capacity Manual*. The Highway Capacity Manual defines level of service (LOS) in terms of the amount of delay experienced by roadway users. Levels of service are qualitative measures of delay designated by the letters A, B, C, D, E, and F. LOS "A" signifies no delay, while LOS "F" signifies extreme congestion with long delays. LOS "C" signifies little congestion with relatively short delays. Table 8 summarizes the results of the level of service analysis for the Background Scenario.



All of the existing intersections are currently unsignalized, with the exception of SR 74 @ Peachtree Parkway. However, SR 74 @ Georgian Park and Peachtree Pkwy @ Kroger are slated to be signalized within the next two years, so they are assumed signalized as well. All intersection lane configurations are assumed to be as existing. Table 8 summarizes the level of service for each of the eight existing intersections within the study area.

Table 8: Level of Service Summary, Background Scenario

					Approach Delay (Unsig) Inters. Delay (Sig)
SR 74 @ Georgian Park	Yes	p.m. peak	-	B	14.0 sec
Georgian Park @ Sea Island Drive	No	p.m. peak	NB	B	10.4 sec
Georgian Park @ Regents Drive	No	p.m. peak	EB	B	10.1 sec
Georgian Park @ Amlie South	No	p.m. peak	WB LT	B	10.0 sec
Georgian park @ Amlie N. / Kroger	No	p.m. peak	EB & WB	B	10.0 sec
Peachtree Pkwy. @ Georgian Park	No	p.m. peak	NB LT*	F	60.5 sec
Peachtree Pkwy. @ Kroger/World Dr	Yes	p.m. peak	-	A	9.0 sec
Peachtree Pkwy. @ north access roadway	No	p.m. peak	NB	B	11.4 sec
SR 74 @ Peachtree Pkwy	Yes	p.m. peak	-	C	23.5 sec

* Overall NB approach level of service is "D", with average delay of 32.0 sec.

Table 8 shows that eight of the nine intersections operate at level of service "C" or better, which is considered acceptable for intersections in a suburban area. The only intersection with a poor level of service is Peachtree Parkway @ Georgian Park. The northbound left-turn approach of Georgian Park at Peachtree Parkway shows level of service "F" with an average delay of one minute. Based on the results of this analysis, this intersection may require signalization some time in the future, even if this development were never constructed. Appendix D includes the level of service printouts for the Background Scenario.

LEVEL OF SERVICE ANALYSIS – SCENARIO 1

Scenario 1 assumes construction of the proposed addition to Kedron Village along with the site access driveways that are shown in the current site plan. The only change from that plan is a closed median at the west access driveway where it intersects Georgian Park. Since the median would remain closed, that intersection would only allow right turns onto and right turns off the south access roadway.

All lane configurations are assumed to be same as for the Background scenario, except at the two intersections where the site plan proposes lane additions to accommodate the development. The site plan adds a westbound right-turn lane on Georgian Park as it approaches the south access roadway. The plan also adds an east access roadway that would intersect Georgian Park

opposite its existing intersection with the south entrance of the Amli apartment complex. Table 9 shows the approach lane configurations at each intersection.

Table 9: Intersection Lane Configurations, Scenario 1

SR 74 @ Georgian Park	1	2	1	1	2	1	-	1	1	-	1	1
Georgian Park @ south access roadway	-	-	-	-	-	1	-	1	-	-	1	1
Georgian Park @ Sea Island Drive	-	1	-	-	1	-	1	1	-	1	1	-
Georgian Park @ Regents Park / commercial driveway	1	1	1	1	1	1	-	1	-	-	1	1
Georgian Park @ Amli south entrance/ east access roadway	1	1	-	1	1	1	1	1	-	-	1	1
Georgian Park @ Amli north entrance / Kroger driveway	1	1	1	1	1	1	-	1	-	-	1	-
Peachtree Parkway @ Georgian Park	1	-	1	-	-	-	-	1	1	1	1	-
Peachtree Parkway @ Kroger driveway / World Dr.	1	1	-	1	1	-	1	2	1	1	2	1
Peachtree Parkway @ north access roadway	-	-	1	-	-	-	-	2	1	-	2	-
SR 74 @ Peachtree Parkway	1	2	1	2	2	1	-	1	-	1	1	1

Table 10 summarizes the level of service of each intersection. Traffic control is assumed to be the same as for the Background Scenario, except for Peachtree Parkway @ Georgian Park. Since that intersection showed level of service "F" for one approach, this intersection was analyzed as both signalized and unsignalized. The signalized analysis is shown in bold.

Table 10: Level of Service Summary, Scenario 1

					Approach Delay (Unsig) / Inters Delay (Sig)
SR 74 @ Georgian Park	Yes	p.m. peak	-	B	14.4 sec
Georgian Park @ south access roadway	No	p.m. peak	SB	B	11.4 sec
Georgian Park @ Sea Island Drive	No	p.m. peak	NB	B	12.2 sec
Georgian Park @ Regents Drive	No	p.m. peak	EB	B	11.7 sec
Georgian Park @ Amli South / east access roadway	No	p.m. peak	EB LT	C	16.2 sec
Georgian park @ Amli N. / Kroger	No	p.m. peak	WB	B	11.3 sec
Peachtree Pkwy. @ Georgian Park	No	p.m. peak	NB LT*	F	220.5 sec
Peachtree Pkwy. @ Georgian Park (signalized)	Yes	p.m. peak	-	C	28.1 sec
Peachtree Pkwy. @ Kroger/World Dr	Yes	p.m. peak	-	B	13.1 sec
Peachtree Pkwy. @ north access roadway	No	p.m. peak	NB	B	12.3 sec
SR 74 @ Peachtree Pkwy	Yes	p.m. peak	-	C	27.3 sec

* Overall NB approach level of service is "F", with average delay of 98.3 sec.



The comparison of Table 8 (Background Scenario) with Table 10 (Scenario 1) shows slightly higher average delay at most intersections resulting in the same or slightly lower levels of service. But even with the development-generated traffic added to the existing roadway network, no level of service is worse than "C". This implies that the roadway network has sufficient capacity to accommodate this development.

The only exception to this conclusion is at Peachtree Parkway @ Georgian Park. As an unsignalized intersection, the delay for the northbound left-turn approach increases from 60.5 seconds (a minimal level of service "F") to 220.5 seconds. The average delay for the entire northbound approach increases from 32.0 seconds (level of service "D") to 98.3 seconds (level of service "F"). Under the Background Scenario, this intersection is already approaching the need for signalization, at least for the Georgian Park approach. Construction of this development would add enough new traffic on the roadway network to push this intersection to failure (level of service "F") without signalization. As a signalized intersection with no changes to the lane configuration, the level of service would be "C", which is considered acceptable for a suburban area. Appendix E includes the level of service printouts for Scenario 1.

LEVEL OF SERVICE ANALYSIS – SCENARIO 2

Scenario 2 also assumes construction of the proposed addition to Kedron Village along with the site access driveways that are shown in the current site plan. The only change from Scenario 1 is the opening of the median at the west access driveway where it intersects Georgian Park along with the addition of an eastbound left-turn lane on Georgian Park. Table 11 shows the intersection lane configurations for Scenario 2.

Table 11: Intersection Lane Configurations, Scenario 2

	SR 74			Georgian Park			Peachtree Parkway			World Dr.		
	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right
SR 74 @ Georgian Park	1	2	1	1	2	1	-	1	1	-	1	1
Georgian Park @ south access roadway	-	-	-	-	1	-	1	1	-	-	1	1
Georgian Park @ Sea Island Drive	-	1	-	-	1	-	1	1	-	1	1	-
Georgian Park @ Regents Park / commercial driveway	1	1	1	1	1	1	-	1	-	-	1	1
Georgian Park @ Amli south entrance/ east access roadway	1	1	-	1	1	1	1	1	-	-	1	1
Georgian Park @ Amli north entrance / Kroger driveway	1	1	1	1	1	1	-	1	-	-	1	-
Peachtree Parkway @ Georgian Park	1	-	1	-	-	-	-	1	1	1	1	-
Peachtree Parkway @ Kroger driveway / World Dr.	1	1	-	1	1	-	1	2	1	1	2	1
Peachtree Parkway @ north access roadway	-	-	1	-	-	-	-	2	1	-	2	-
SR 74 @ Peachtree Parkway	1	2	1	2	2	1	-	1	-	1	1	1



Scenario 2 is consistent with the developer's site plan. The opening of this median would create a new full-movement intersection along Georgian Park, altering traffic patterns from Scenario 1 by adding a new access point for traffic entering from the west and south.

Table 12 summarizes the level of service analysis for each intersection. Traffic control is assumed to be the same as for Scenario 1, including the analysis of Peachtree Parkway @ Georgian Park as both signalized and unsignalized intersections.

Table 12: Level of Service Summary, Scenario 2

					Level of Service (LOS)
SR 74 @ Georgian Park	Yes	p.m. peak	-	C	21.2 sec
Georgian Park @ west access roadway	No	p.m. peak	SB	B	12.5 sec
Georgian Park @ Sea Island Drive	No	p.m. peak	NB	B	11.4 sec
Georgian Park @ Regents Drive	No	p.m. peak	EB	B	11.0 sec
Georgian Park @ Amli South / east access roadway	No	p.m. peak	EB LT	B	13.0 sec
Georgian park @ Amli N. / Kroger	No	p.m. peak	WB	B	11.4 sec
Peachtree Pkwy. @ Georgian Park	No	p.m. peak	NB LT*	F	214.5 sec
Peachtree Pkwy. @ Georgian Park (signalized)	Yes	p.m. peak	-	C	26.3 sec
Peachtree Pkwy. @ Kroger/World Dr	Yes	p.m. peak	-	B	13.1 sec
Peachtree Pkwy. @ north access roadway	No	p.m. peak	NB	B	12.2 sec
SR 74 @ Peachtree Pkwy	Yes	p.m. peak	-	C	25.3 sec

* Overall NB approach level of service is "F", with average delay of 93.3 sec.

Table 12 (Scenario 2) shows similar but not identical results as Table 10 (Scenario 1). All of the intersections south and east of Georgian Park @ Sea Island Drive show slightly higher delays, while the remaining intersections show the same or lower delays. That comparison makes sense, since the presence of a full movement access point south of the development would tend to attract more site-generated traffic to that section of Georgian Park, while reducing traffic elsewhere. Appendix F includes the level of service printouts for Scenario 2.

Table 13 compares the level of service results for all three scenarios. Since the majority of intersections in the study area are located along Peachtree Parkway or on Georgian Way north of Sea Island Drive, Scenario 2 would result in lower delays at 6 of 10 intersections, with identical delays at two intersections along Peachtree Parkway. Only two intersections would have higher delays under Scenario 2 than Scenario 1.

The addition of an additional full movement intersection south of the development would divert much of the development-generated traffic from the northern section of Georgian Park. Under Scenario 1, much of this traffic which would otherwise continue east and north on Georgian Way to enter the development via the north access roadway or use Peachtree Parkway and enter from there. This diversion of traffic resulting from the opening of the median at the south access roadway would reduce the amount of traffic using the east access roadway from Georgian Way. The level of service for this eastbound left-turn movement would improve from "C" to "B".

Table 13: Level of Service Comparison

			Level of Service Scenario 1		Level of Service Scenario 2	
SR 74 @ Georgian Park	B	14.0 sec	B	14.4 sec	C	21.2 sec
Georgian Park @ south access roadway	-	-	B	11.4 sec	B	12.5 sec
Georgian Park @ Sea Island Drive	B	10.4 sec	B	12.2 sec	B	11.4 sec
Georgian Park @ Regents Drive	B	10.1 sec	B	11.7 sec	B	11.0 sec
Georgian Park @ Amlie South / east access roadway	B	10.0 sec	C	16.2 sec	B	13.0 sec
Georgian park @ Amlie N. / Kroger	B	10.0 sec	B	11.3 sec	B	11.4 sec
Peachtree Pkwy. @ Georgian Park (Unsignalized)	F	60.5 sec	F	220.5 sec	F	214.5 sec
Peachtree Pkwy. @ Georgian Park (Signalized)	-	-	C	28.1 sec	C	26.3 sec
Peachtree Pkwy. @ Kroger/World Dr	A	9.0 sec	B	13.1 sec	B	13.1 sec
Peachtree Pkwy. @ north access roadway	B	11.4 sec	B	12.3 sec	B	12.2 sec
SR 74 @ Peachtree Pkwy	C	23.5 sec	C	27.3 sec	C	25.3 sec

As seen in Table 13, the only intersection with a noticeable increase in delay from Scenario 1 to Scenario 2 is SR 74 @ Georgian Park. This added delay is caused by the diversion of some of the development-generated traffic from Peachtree Parkway to the south access point via SR 74 @ Georgian Park. Even with the added traffic, the level of service would not decrease. It remains "C" for both Scenarios 1 and 2.



CONCLUSIONS AND RECOMMENDATIONS:

This study has reviewed the traffic impacts of the proposed shopping center development, assuming a full build-out development over the next two years. The current site plan submitted includes mostly retail land-uses with a small amount of office space. This development, as currently proposed, consists of a discount store, several other retail buildings and office space above two of the retail buildings. This new development would be constructed immediately south of the existing Kedron Village shopping center, which is anchored by a Kroger. The new development would connect to the existing shopping center and extend the existing internal circulation roadways.

One-third of the traffic that would use the retail portion of this development is "passer-by" and already uses the roadway network adjacent the development. This traffic would be a factor at intersections with the access roadways and along the connecting roadways between the development and SR 74.

The only intersection currently signalized is SR 74 @ Peachtree Parkway. The existing intersections of SR 74 @ Peachtree Parkway and Peachtree Parkway @ the main Kroger access roadway are scheduled to be signalized within the next couple of years. This study assumes that these intersections will be signalized as planned. All other intersections are unsignalized with stop sign control on the minor street approaches.

If this development were not constructed (Background Scenario), each intersection included in this study would operate at level of service "C" or better, except Peachtree Parkway @ Georgian Park. At that intersection, the northbound left-turn movement would operate at level of service "F".

If this development is constructed as planned, but without full movement access south of the development along Georgian Park (Scenario 1), no intersection would operate with a level of service worse than "C", again with the exception of Peachtree Parkway @ Georgian Park. The northbound delay would dramatically increase, requiring signalization of that intersection to achieve a level of service "C".

If this development is constructed as planned, including the proposed full movement access south of the development (Scenario 2), no intersection would operate with a level of service worse than "C", with the exception of Peachtree Parkway @ Georgian Park. However, the additional full movement access point would divert some of the traffic from Georgian Park north of that intersection, reducing delay at several intersections. The level of service at the northern access point on Georgian would actually improve from "C" to "B". The only intersection with a noticeable increase in delay would be SR 74 @ Georgian Park, but the level of service would remain "C".



If the proposed development is constructed as shown in the site plan with or without the new median opening along Georgian Park, the existing roadway network has sufficient excess capacity to accommodate the development-generated traffic. The only necessary off-site roadway improvement would be the signalization of the intersection of Peachtree Parkway @ Georgian Park.

Even though the level of service analysis shows no level of service lower than "C" for either Scenario 1 or 2, the opening of the median along Georgian Park south of the development would provide an additional access point to this development. Due to the development size and the fact that the other access points are relatively close together and only on the north and east sides, it is recommended that this full movement access intersection be provided along Georgian Park.

Providing this full-movement access intersection south of the development will intercept much of the development-generated traffic. This new intersection would reduce traffic on the remainder of Georgian Park compared to Scenario 1 and reduce traffic impacts to nearby residents.

The intersection with the south access roadway would be located within 300 feet west of Sea Island Drive. However, this intersection would be three-legged with the south access roadway approach leading in the opposite direction from Sea Island Drive. For this reason, no changes to the Georgian Park median between Sea Island Drive and the south access roadway would be required. Also, most of the development-generated traffic using the south access roadway would enter or leave from the west, never reaching Sea Island Drive.

In order to prevent traffic conflicts in the future with Sea Island Drive, the intersection with the south access roadway should remain three-legged, with no roadway or commercial driveway ever lining up opposite Georgian Park.

RECOMMENDED ROADWAY IMPROVEMENTS:

Refer to Figure 4 (next page) for map of roadway improvements listed below:

1. Construct all access points and intersection lane configurations as shown in developer's site plan, including two eastbound approach lanes on the east access roadway as it approaches Georgian Park, plus a southbound right-turn lane on the Georgian Park approach.
2. Signalize the existing intersection of Peachtree Parkway @ Georgian Park. Due to close proximity, coordinate signal operation with other signals at Peachtree Parkway @ Kroger driveway / World Drive and SR 74 @ Peachtree Parkway.
3. Construct proposed intersection of Georgian Park @ south access roadway as full movement intersection with median opening and eastbound left-turn lane and westbound right-turn lane on Georgian Park. This intersection should always remain three-legged.



Architecture

Engineering

Construction

Memorandum

TO: David Rast, Clyde Stricklin
FROM: Jeffrey W. Dyer, P.E.
SUBJECT: Peachtree Parkway
DATE: September 27, 2004
FILE: 4607A

This memorandum is a summary of the level of service analysis at the intersections of Peachtree Parkway @ Tinsley Mill Road and Peachtree Parkway @ Loring Lane. Traffic counts were recorded at both intersections for both the morning and afternoon peak hours on September 9, 2004.

Each intersection is three-legged with stop control on the side streets. There is one through lane in each direction on Peachtree Parkway, and no exclusive left-turn lane. There are single lane approaches on the side streets. Based on existing conditions and review of the existing traffic counts, the most feasible potential improvement at either of these intersections would be the addition of a southbound left-turn lane on Peachtree Parkway. Intersection level of service was evaluated for each intersection using the following two scenarios:

- Existing intersection configuration – no southbound left-turn lane
- Modified intersection configuration – added southbound left-turn lane

Tables 1 and 2 summarize the results of level of service analysis using the unsignalized methodology in the 2000 edition of the *Highway Capacity Manual*. Table 1 is for Tinsley Mill Road and Table 2 for Loring Lane.

Table 1: Level of Service Summary – Peachtree Parkway @ Tinsley Mill Road

Time Period	Configuration	Control	Level of Service	Delay (sec)	Level of Service
a.m. peak	Existing	8.5 sec	A	13.3 sec	B
a.m. peak	SB left-turn lane	8.5 sec	A	13.3 sec	B
p.m. peak	Existing	8.1 sec	A	12.2 sec	B
p.m. peak	SB left-turn lane	8.1 sec	A	12.2 sec	B

Table 2: Level of Service Summary – Peachtree Parkway @ Loring Lane

Time Period	Configuration	Control	Level of Service	Delay (sec)	Level of Service
a.m. peak	Existing	8.9 sec	A	18.8 sec	C
a.m. peak	SB left-turn lane	8.9 sec	A	18.8 sec	C
p.m. peak	Existing	8.2 sec	A	17.1 sec	C
p.m. peak	SB left-turn lane	8.2 sec	A	17.1 sec	C



Architecture

Engineering

Construction

Memorandum

Tables 1 and 2 show the level of service for the southbound left-turn movement at both intersections to be "A", with and without the left-turn lane. The side road approach is level of service "B" on Tinsley Mill Road and "C" on Loring Lane. At both intersections, neither the level of service nor control delay would change due to the addition of a southbound left-turn lane. All of the levels of service listed in Tables 1 and 2 are considered acceptable for a suburban area like Peachtree City. Based on the level of service analyses, adding southbound left-turn lanes at either intersection would not significantly improve the operation of either intersection.

Accident Analysis

A total of 36 accident reports were obtained in the vicinity of these intersections between 1998 and 2003. Of these, 7 were rear-end collisions at the intersection with Tinsley Mill Road that might have been prevented if there had been a southbound left-turn lane on Peachtree Parkway. Another 9 were similar accidents at Loring Lane that might have been prevented with a southbound left-turn lane.

Speed studies on Peachtree Parkway in the vicinity of these intersections showed average speeds in excess of the 35 MPH speed limit, with 85th percentile speeds of 44 MPH near Tinsley Mill Road and 47 MPH near Loring Lane. High speeds coupled with tailgating probably was the most important contributing factor to the majority of the rear-end collisions at these intersections.

Conclusions

Adding southbound left-turn lanes on Peachtree Parkway would NOT significantly improve the operation of either intersection. According to the level of service analysis, the existing southbound left-turning volumes are not high enough to cause noticeable delay on Peachtree Parkway for through vehicles. However there have been several accidents at both intersections that could have been prevented if those left turn lanes had been in place. This is more of an issue of driver behavior and excessive speed than capacity or delay. With or without southbound left-turn lanes, increased police enforcement of speed limits would likely lower the number of accidents at these intersections. Addition of the southbound left-turn lanes would improve the safety of each intersection, even if the levels of service did not increase.

Attachments

Attached to this memorandum are the intersection traffic counts followed by the level of service printouts for each of the three intersection configurations discussed in this memorandum.

Target site plan review
Lake Kedron Community Association

- 1) Impervious vs. Green space calculation needs specifics. Where are the 11 acres of open space?
- 2) Why were requirements of wetland disturbance permitted? Said none, which they agreed to and now showing .79 acres disturbed.
- 3) Roof top exposure with mechanical equipment.
- 4) 20 foot setback behind building 400 should be preserved. Eliminate the parking and setback would be fine.
- 5) More speed bumps are needed in front of Target.
- 6) Replicate the solid barrier in the parking lot several more times. Wal-Mart parking lot has a solid barrier every three car rows. This should be required here as well.
- 7) Space between target and building 400-Keep as green space with a walkway connecting buildings to promote foot traffic or designate entire area as a cart parking lot only. This will add safety. Wal-Mart's lot has only one designated cart area that should be replicated here. Eliminate the cart parking areas that back into flow of traffic throughout plan.
- 8) Wooded areas along Georgian Park must be permanently designated as no build space forever.
- 9) Make entrance area adjacent to bank a right turn or roundabout flow only. This will be a very dangerous intersection without calming devices.
- 10) Eliminate car parking to the right of OP400. This will remedy the wetland disruption issue and make safer traffic flow as cars are now backing into main flow area.
- 11) Make solid barrier at the right side of the target parking area and in front of building 700.
- 12) Add a speed bump adjacent to building 700.
- 13) Add stop signs to the left of target at the 5 way intersection.
- 14) Eliminate cart parking in front of building 400 and in islands in front of target.
- 15) Area behind target-paved or grasses in area for emergency vehicle traffic.

October 3, 2004

VIA US MAIL DELIVERY AND EMAIL

Mayor and Council
City of Peachtree City

Re: St. Simon's Cove Neighborhood/Target Development

Dear Council Members,

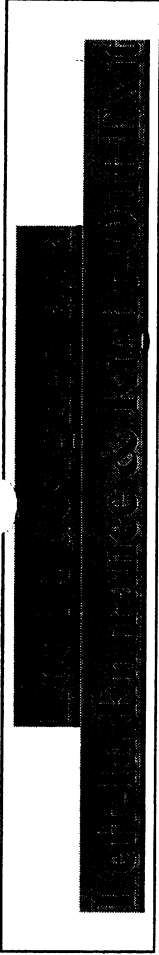
After discussions with the Mayor and a review of the September 2004 "Traffic Impact Study," the undersigned Saint Simon's Cove residents would like to respectfully submit the attached "Statement of Needs" as related to Faison's latest proposal.

The proposed "Needs" will act to protect the neighborhood from the impact of development while allowing the City to maintain continuity with the Consent Order. It is the most sincere hope of the citizens of St. Simon's Cove that the City Council will recognize their "Needs," and will act accordingly to protect the character, safety, and value of St. Simon's Cove.

Very Truly Yours,

Statement of Needs for St. Simon's Cove
10-3-04

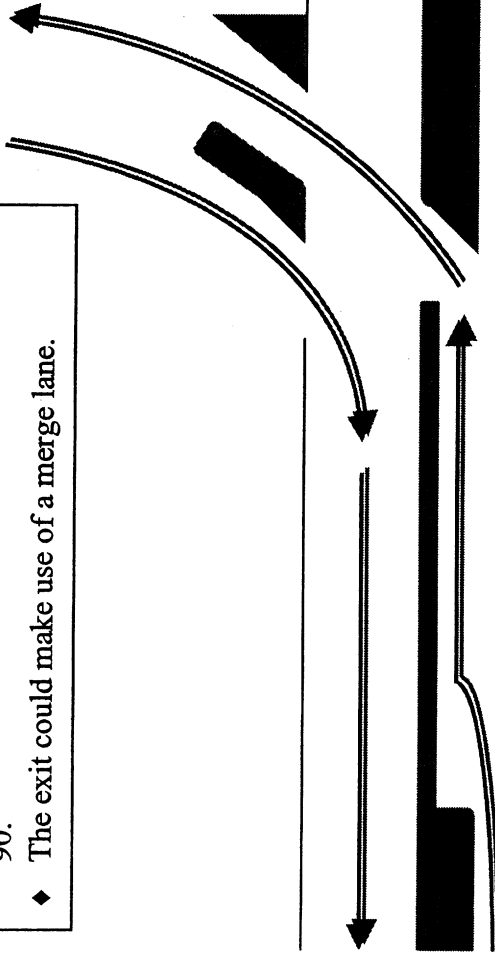
- 1) Construct the proposed intersection of Georgian Park @ south access roadway (Lot 14) as an eastbound left-in entrance and a westbound right-out exit (see diagrams).
 - The traffic study does not support the need for a westbound right-in or an eastbound left-out.
 - The elimination of the right-in and left-out will improve traffic flow and reduce the number of vehicles passing by the local neighborhoods (see diagrams).
- 2) Construct a 6' berm (rather than 4') in front of the Saint Simons Cove neighborhood and extend it to the golf cart tunnel.
 - The added height and length of the berm will help ensure protection from noise, light, and traffic pollution (especially during the winter months, when many of the area trees are barren).
 - Require that the tree stock on this berm be given a 4 year guarantee.
- 3) Require that all Kedron Village commercial truck traffic enter and exit the development by way of Peachtree Parkway.
- 4) Do not allow for any rear mounted lighting on buildings.
- 5) Require noise deflectors for any rooftop HVAC units.
- 6) Stipulate that no cinemas/theatres be built within the Kedron Village Shopping Center.



Notes:

- ◆ The left-in entrance and right-out exit should be located as far to the SW corner of Lot 14 as possible.
- ◆ The entrance and exit should flow off (and onto) Georgian Park at 45 degree angles, rather than 90.
- ◆ The exit could make use of a merge lane.

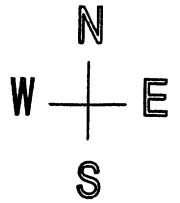
Red = Shopping Center Traffic



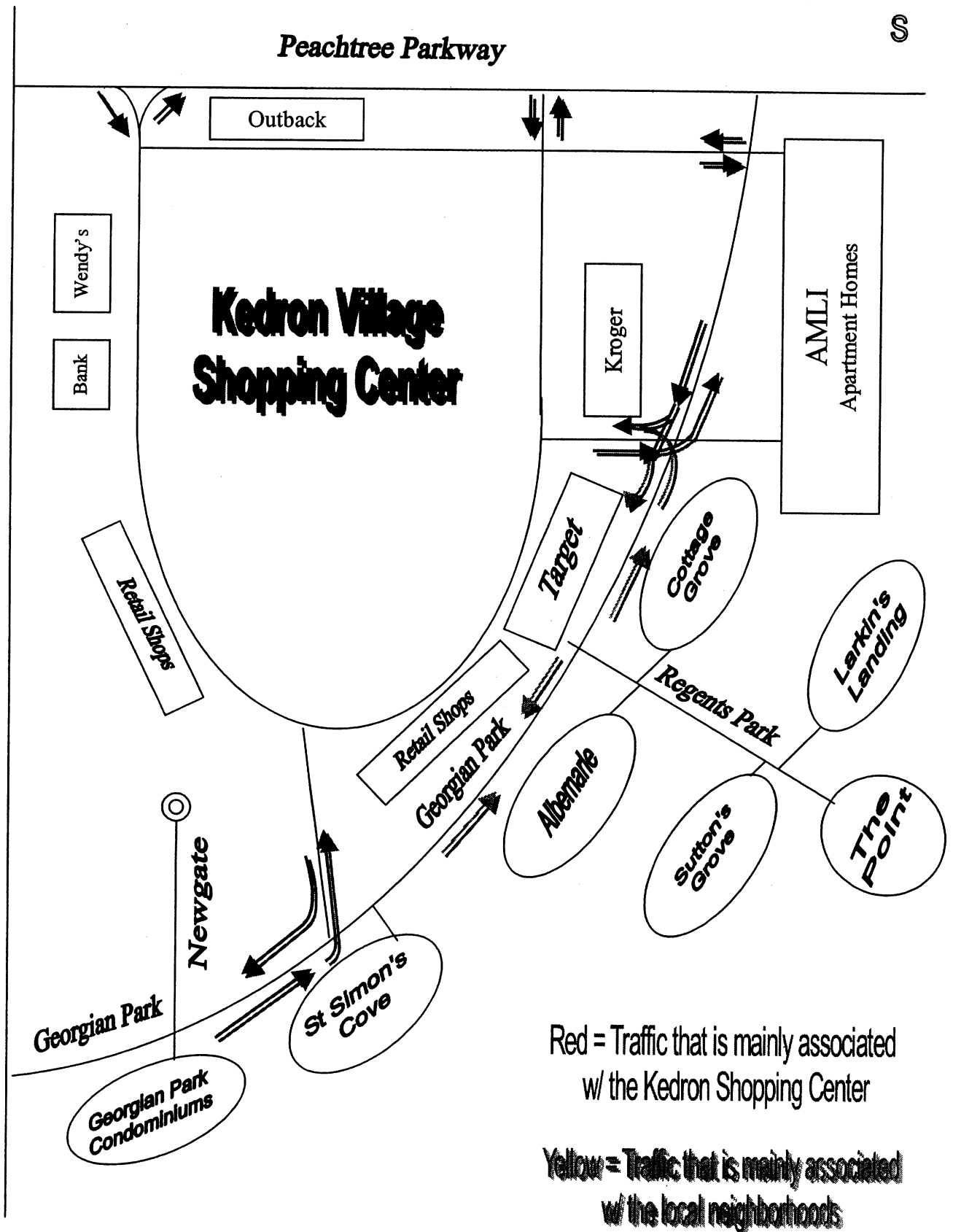
6' tall berm with landscaping (running from the cart path tunnel to St. Simon's entrance)

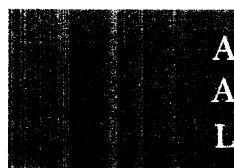
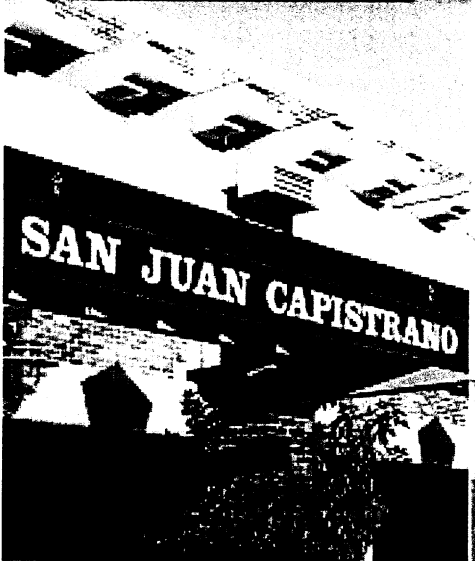
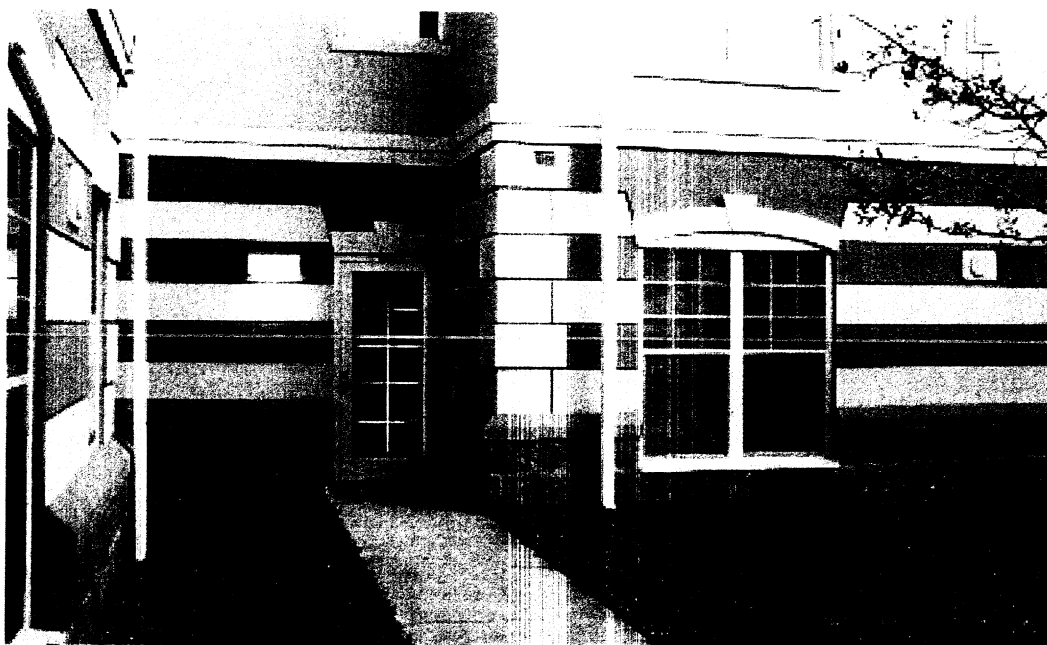
St. Simon's Cove

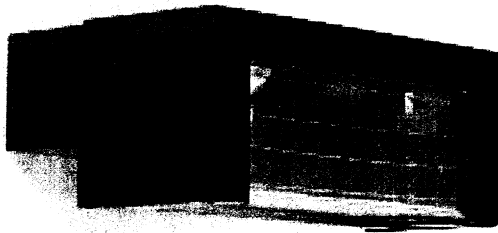
Traffic Flow w/ the 14 development
Left In Entrance & Right Out



GA 74







SQUARE ADJUSTABLE COUNTER

ALS 176A

ALS 176B

SMALL	LARGE
ALS 176A - 70MH	ALS 178A - 100MH
ALS 176A - 100MH	ALS 178A - 175MH
ALS 176A - 175MH	ALS 178A - 250MH
ALS 176A - 70HPS	ALS 178A - 100HPS
ALS 176A - 100HPS	ALS 178A - 150HPS
ALS 176A - 150HPS	ALS 178A - 250HPS

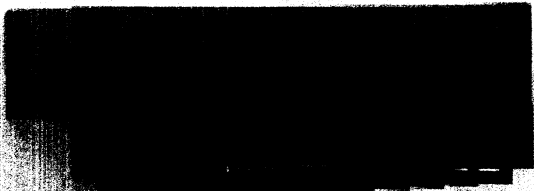


SQUARE WIDE ANGLE

ALS 176B

ALS 178B

SMALL	LARGE
ALS 176B - 70MH	ALS 178B - 100MH
ALS 176B - 100MH	ALS 178B - 175MH
ALS 176B - 175MH	ALS 178B - 250MH
ALS 176B - 70HPS	ALS 178B - 100HPS
ALS 176B - 100HPS	ALS 178B - 150HPS
ALS 176B - 150HPS	ALS 178B - 250HPS

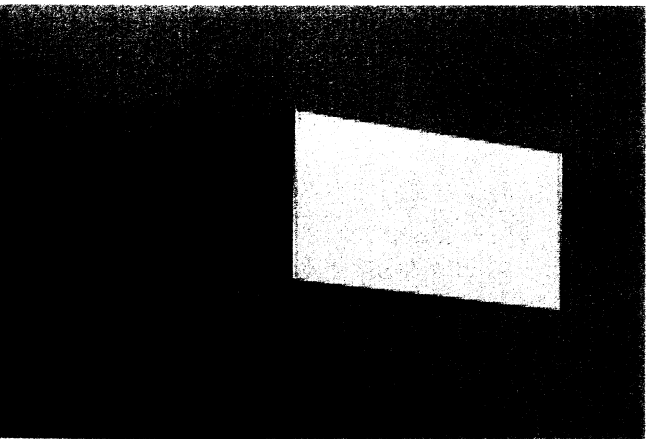


SQUARE CAST GUARD

ALS 176BG

ALS 178BG

SMALL	LARGE
ALS 176BG - 70MH	ALS 178BG - 100MH
ALS 176BG - 100MH	ALS 178BG - 175MH
ALS 176BG - 175MH	ALS 178BG - 250MH
ALS 176BG - 70HPS	ALS 178BG - 100HPS
ALS 176BG - 100HPS	ALS 178BG - 150HPS
ALS 176BG - 150HPS	ALS 178BG - 250HPS

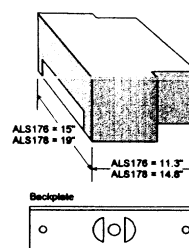
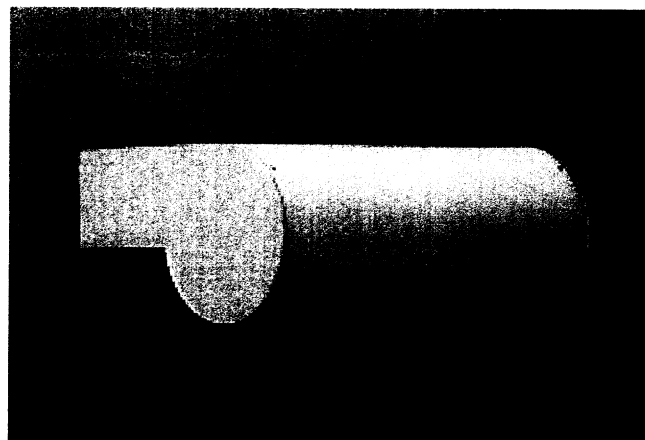
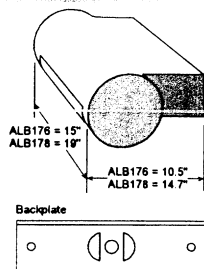
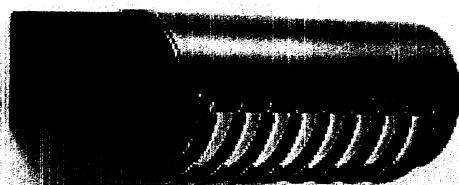


SQUARE DOWNLIGHT

ALS 176D

ALS 178D

SMALL	LARGE
ALS 176D - 70MH	ALS 178D - 100MH
ALS 176D - 100MH	ALS 178D - 175MH
ALS 176D - 175MH	ALS 178D - 250MH
ALS 176D - 70HPS	ALS 178D - 100HPS
ALS 176D - 100HPS	ALS 178D - 150HPS
ALS 176D - 150HPS	ALS 176D - 250HPS



ROUND CAST GUARD

ALR 176B

ALR 178B

SMALL

LARGE

ALR 176B - 70MH	ALR 178B - 100MH
ALR 176B - 100MH	ALR 178B - 175MH
ALR 176B - 70HPS	ALR 178B - 100HPS
ALR 176B - 100HPS	ALR 178B - 150HPS

ROUND WIDE ANGLE

ALR 176BG

ALR 178BG

SMALL

LARGE

ALR 176BG - 70MH	ALR 178BG - 100MH
ALR 176BG - 100MH	ALR 178BG - 175MH
ALR 176BG - 70HPS	ALR 178BG - 100HPS
ALR 176BG - 100HPS	ALR 178BG - 150HPS

ORDERING EXAMPLES

FIXTURE	BALLAST	VOLTAGE	COLOR
ALS 176A	70MH	120	BLK
ALR 176BG	100HPS	277	WHT

DETAILS

70MH

70 watt metal halide multitap ballast 120/208/240/277 volt

100MH

100 watt metal halide multitap ballast 120/208/240/277 volt

175MH

175 watt metal halide multitap ballast 120/208/240/277 volt

250MH (mogul base clear ED-28 lamp)

250 watt metal halide multitap ballast 120/208/240/277 volt

70HPS

70 watt high pressure sodium multitap ballast 120/208/240/277 volt

100HPS

100 watt high pressure sodium multitap ballast 120/208/240/277 volt

150HPS

150 watt high pressure sodium multitap ballast 120/208/240/277 volt

250HPS (mogul base clear ED-18 lamp)

250 watt high pressure sodium multitap ballast 120/208/240/277 volt

Specifications

HOUSING

The lamp housing shall be extruded 6061 T-6 aluminum. The removable end caps shall be cast #356 aluminum sealed with a silicone gasket. Guards are heavy cast aluminum. The mounting plate shall be cast #356 aluminum with a minimum wall thickness of .250 inches. All hardware shall be stainless steel. Lenses shall be tempered glass on the square units and formed opal acrylic on the round units. Reflectors shall be formed specular aluminum.

ALS 176/8A LOUVER

The louver assembly shall have a formed frame with four adjustable louver blades. The blades shall be spring tensioned and held parallel in place with a positioning strap. The socket shall be mounted to an adjustable yoke for lamp positioning. Louvers are finished in matte black.

ELECTRICAL

All electrical components and materials shall be U.L. recognized. Ballasts are high power factor rated for -30° starting. Medium base porcelain sockets are 4KV rated. Mogul base porcelain sockets are 4KV rated. The electrical assembly shall be prewired with quick disconnects for servicing.

MOUNTING

The cast mounting plate shall attach to the wall through two holes, 12.375 inches on center. The fixture shall slip over a lip along the top edge of the

mounting plate. The fixture is then secured at the bottom with two stainless steel screws.

FINISH

Fixture finish shall consist of cleaning, etching, and rinsing followed by a protective chromate primer, deionized water rinse, oven dry off and top coated with a thermoset TGIC super polyester powder coat finish. The finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

RELAMPING

The lamp is accessed by loosening three set screws and removing the end cap.

CERTIFICATION

Fixtures shall be listed with U.L. Laboratories for wet location use.

WARRANTY

Fixture shall be warranted to be free of defects for three years. Ballast components shall carry the ballast manufacturer's limited warranty.

WARNING: Fixture must be grounded in accordance with local codes or the National Electric Code. Failure to do so may result in serious personal injury.

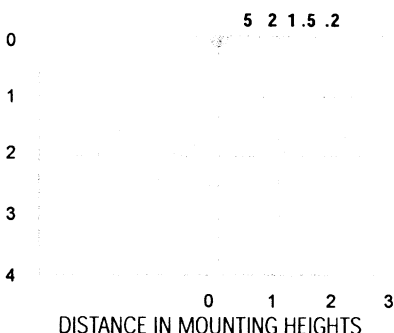
CONVERSION FACTORS

LAMP TYPE	8'	10'	12'	14'	16'
70 w MH	.81	.52	.36	.26	.20
100 w MH	1.37	.88	.61	.45	.34
175 w MH	2.25	1.44	1.00	.73	.56
250 w MH	3.53	2.26	1.57	1.15	.88
70 w HPS	.92	.59	.41	.30	.23
100 w HPS	1.53	.98	.68	.50	.38
150 w HPS	2.56	1.64	1.14	.83	.64
250 w HPS	4.41	2.82	1.96	1.43	1.10

Note: If using a lamp with a different lumen output than listed above, consult AAL for conversion factor.

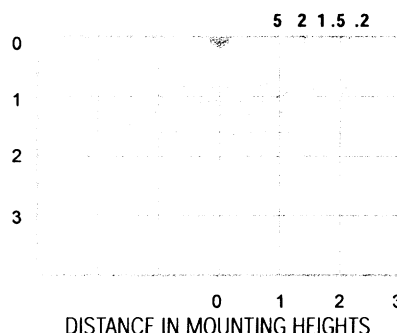
ALS 176B-175MH

Horizontal footcandles
12' mounting height



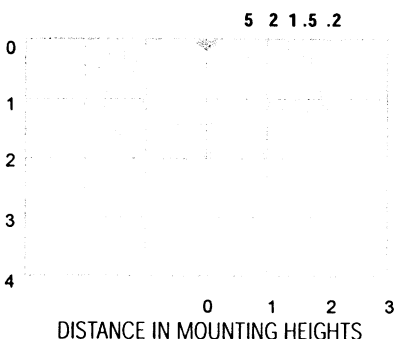
ALS 176BG-175MH

Horizontal footcandles
12' mounting height



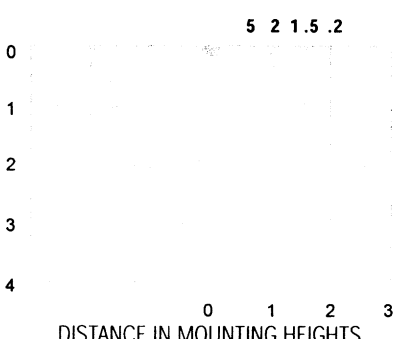
ALS 176A-45°-175MH

Horizontal footcandles
12' mounting height



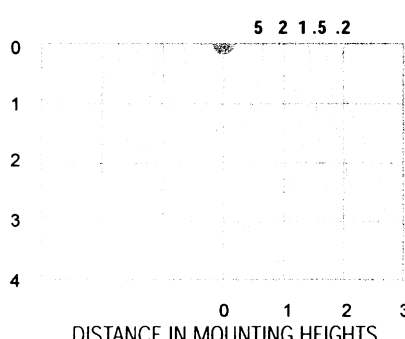
ALS 176A-60°-175MH

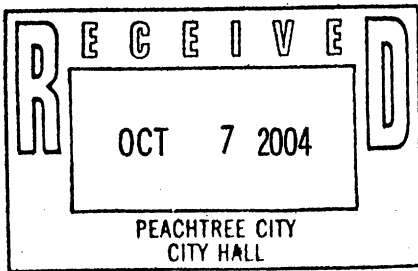
Horizontal footcandles
12' mounting height



ALS 176A-70°-175MH

Horizontal footcandles
12' mounting height





1413 Creston Hill
Peachtree City, GA
October 7, 2004

Dear Peachtree City Councilpersons:

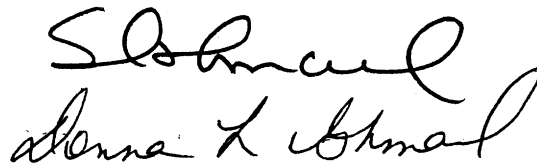
As you are aware, all restaurant employees who handle alcoholic beverages will be required to obtain an Alcoholic Beverage Handling Permit by November 30, 2004. We agree that this is a necessary precaution to protect our community from credit card fraud and underage drinking; however, one of the stipulations concerns us. Persons convicted of a Minor in Possession of Alcohol within the last two years will automatically be declared ineligible for the permit. Young people who have been loyal employees for many years will lose their jobs. These people have already been punished for their crime. Is it fair to take away their jobs as well?

Dozens of our city's servers will be affected by this law. College students who are paying their way through school and have been contributing members of our community for years will now have to look out of town for employment. Many do not have a reliable mode of transportation.

Many Peachtree City restaurants will be hurt by this decision. The labor market is quite thin for this industry already. Why must we send our few good employees to Newnan or Fayetteville to work? Our surrounding communities do not have this stipulation.

Please consider allowing these young people to continue serving and working in our community. Please instruct the Peachtree City Police Department not to deny this permit solely based on a Minor in Possession conviction. Thank you for your consideration in this matter.

Respectfully,


Sonny and Donna Ishmael

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager
Assistant City Manager

FROM: City Clerk

DATE: October 14, 2004

SUBJECT: Alcohol License – Thai Isan Restaurant
October 21, 2004, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a change in the alcoholic beverage license.

Discussion:

Thai Isan (formerly Papaya Thai), a restaurant located at 1009 Peachtree Parkway North, has submitted an application for a change in Licensee and License Representative due to a change in ownership of the restaurant. The name of the restaurant will change to Thai Isan Restaurant. Ms. Ta Crocker has requested she be appointed as the Licensee and License Representative. Ms. Crocker will attend the October 21st meeting to answer any questions you may have.

Budgetary Impact:

The change in ownership and Licensee and License Representative will have no impact on the budget.

JM:pd

Attachment



CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Thai Isan Restaurant	Business Location: 1009 Peachtree Pkwy N, Peachtree City, GA 30269	
Nature of Business: Restaurant	Mailing Address: 597 Major Rd Sharpsburg, GA 30277	Business Phone Number: (678) 364-0775
Name of Licensee: Ta Crocker	Home Address: 597 Major Rd Sharpsburg, GA 30277	Home Phone Number: (770) 463-0648
Name of License Representative: Same as above	Home Address:	Home Phone Number:

Please indicate type of licenses applying for:

	Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer
✓	Malt Beverage		Malt Beverage		Malt Beverage
✓	Wine		Wine		Wine
	Distilled Spirits		Distilled Spirits		Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
Ta Crocker	597 Major Rd Sharpsburg, GA 30277	(770) 463-0648
Crocker Investment Inc.	597 Major Rd Sharpsburg, GA 30277	(678) 364-0775

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



POLICE DEPARTMENT

350 South Highway 74 • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



JAMES V. MURRAY
Chief of Police

State of Georgia

City of Peachtree City:

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

Ta Crocker
Name

597 Major Road Sharpsburg, GA 30277
Address

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

Robert M. Decker, Major
Witness

James V. Murray
Signature
Oct. 7, 2004
Date

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
FROM: City Manager 
DATE: October 14, 2004
SUBJECT: Consider Resolution in Support of Statewide Smoking Ban
October 21, 2004 Council Agenda Item

Recommendation:

Consider adoption of the attached resolution in support of a statewide smoking ban.

Discussion:

Staff was directed to prepare a resolution in support of a statewide ban on smoking in places of employment, including restaurants. This resolution, if adopted by Council, would be forwarded to the State legislature for their consideration and possible action.

Budget Impact:

None

BJM/jsm

Attachment

**RESOLUTION OF SUPPORT FOR A STATEWIDE BAN ON
THE SMOKING OF TOBACCO PRODUCTS WITHIN WORKPLACES
IN THE STATE OF GEORGIA**

WHEREAS, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that environmental tobacco smoke is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer; and

WHEREAS, children exposed to secondhand smoke have an increased risk of asthma, respiratory infections, sudden infant death syndrome, developmental abnormalities, and cancer; and

WHEREAS, a significant amount of secondhand smoke exposure occurs in the workplace; and

WHEREAS, in recognition of these facts, to protect the public health and welfare, and to guarantee the right of nonsmokers to breathe smoke free air, the Mayor and Council of Peachtree City passed the Peachtree City Smoke Free Air Act on August 19, 2004; and

WHEREAS, statewide legislation prohibiting smoking in workplaces would extend the protection to smokers and non-smokers alike to breathe smoke free air in places of employment, including restaurants; and

WHEREAS, statewide legislation prohibiting smoking in restaurants would also provide a level playing field for businesses catering to the public that might otherwise see revenues reduced due to uneven legislation and intermittent protection of the public and employees;

NOW, THEREFORE, BE IT RESOLVED that the members of the Peachtree City Council do hereby encourage and support the members of the General Assembly to pass legislation prohibiting the smoking of tobacco products in places of employment, including restaurants, throughout the State of Georgia.

IT IS SO RESOLVED, this 21st day of October 2004.

ATTEST:

Jane Miller, City Clerk

Stephen D. Brown, Mayor

September 8, 2004

Ms. Teresa Clark
112 Sweetwater Oaks
Peachtree City, GA 30269

Dear Ms. Clark:

As you know, I have heard from a number of families in our city that are deeply concerned about the adult content that is beginning to appear on the FX Network. Several parents have also cited concerns with the August 22, 2004, "Nip/Tuck" episode and the network's willingness to expand into adult content. I would guess that there are many parents in our city like you who are not even aware that the sports station was veering into other types of programming in the late evening hours.

Our city staff contacted Comcast and we were told that concerned parents like yourself would have to purchase a new television set with V-Chip technology manufactured after Fall of 2000 (13 inch set or larger) or that you would need to obtain a digital V-Chip box at an additional monthly cost. I find it unacceptable that our local families would have to pay extra to have programming removed from a station included in "basic" cable subscriptions.

The city is currently negotiating a new franchise agreement with Comcast, and I will place an agenda item on our October 21, 2004, council meeting so that the City Council and staff can hear everyone's concerns on this issue. In addition, we will check with other cable providers like Newnan Utilities to see if they offer their subscribers the opportunity to block out programming.

We will list the agenda item as: ***DISCUSSION ON QUESTIONABLE PROGRAMMING ON THE BASIC BROADCAST CABLE STATIONS***

You will find enclosed in this letter a sheet from the FCC website regarding obscenity, indecency and profanity and how it is prohibited. Thank you for expressing your concerns on behalf of Peachtree City families. I look forward to a good dialog on this topic at our City Council meeting.

Sincerely,



Stephen D. Brown
Mayor

SDB:gr

Enclosure

cc: City Manager
Peachtree City Council

If you would like to issue a complaint with Comcast Cable, please send all such correspondence to:

Mr. Andy Macke
Director, Government and Community Affairs
Comcast, Atlanta Region
2925 Courtyards Drive
Norcross, GA 30071
Phone: 770-559-2768



Parents' Place

[FCC](#) > [Parents' Place](#) > [Obscenity/Indecency](#)

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[Internet - Content Access](#)

[Emergency - Amber Plan](#)

[Cable in the Classroom](#)

Obscenity, Indecency, & Profanity



It's against the Law!

It is a violation of federal law to broadcast obscene programming at any time. It is also a violation of federal law to broadcast indecent programming during certain hours. Congress has given the Federal Communications Commission (FCC) the responsibility for administratively enforcing the law that governs these types of broadcasts. The Commission may revoke a station license, impose a monetary forfeiture, withhold or place conditions on the renewal of a broadcast license, or issue a warning, for the broadcast of obscene or indecent material. For more information about FCC indecency enforcement actions, see <http://www.fcc.gov/eb/broadcast/opi.html>.

Obscene Broadcasts are Prohibited at all Times

Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet a three-prong test:

- An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

Indecent Broadcast Restrictions

The FCC has defined broadcast indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities." Indecent programming contains patently offensive sexual or excretory references that do not rise to the level of obscenity. Indecent programming may, however, be restricted in order to avoid its broadcast during times of the day when there is a reasonable risk that children may be in the audience.

Consistent with a federal statute and federal court decisions interpreting the indecency statute, the Commission adopted a rule pursuant to which broadcasts -- both on television and radio -- that fit within the indecency definition and that are aired between 6:00 a.m. and 10:00 p.m. are subject to indecency enforcement action.

Profane Broadcast Restrictions

Profane material is defined as including language that denotes certain of those personally reviling epithets naturally tending to provoke violent resentment or denoting language so grossly offensive to members of the public who actually hear it as to amount to a nuisance.

Like indecency, profane speech is prohibited on broadcast radio and television between 6am and 10pm.

First Amendment and Obscenity/Indecency

Expressions of views that do not involve a "clear and present danger of serious substantive evil" come under the protection of the Constitution, which guarantees freedom of speech and freedom of the press. The Communications Act prohibits the FCC from censoring broadcast material, in most cases, and from making any regulation that would interfere with freedom of speech. According to an FCC opinion on this subject, "the public interest is best served by permitting free expression of views." This principle ensures that the most diverse and opposing opinions will be expressed, even though some may be highly offensive. The Courts have said that indecent material is protected by the First Amendment to the Constitution and cannot be banned entirely. Nonetheless, the FCC has taken numerous enforcement actions against broadcast stations for violations of the restrictions on broadcast indecency.

Enforcement of Indecent Broadcast Restrictions

Enforcement actions in this area are based on documented complaints received from the public about indecent or obscene broadcasting. The FCC's staff reviews each complaint to determine whether it has sufficient information to suggest that there has been a violation of the obscenity or indecency laws. If it appears that a violation may have occurred, the staff will start an investigation by sending a letter of inquiry to the broadcast station.

If a complaint does not contain information sufficient to determine that a violation may have occurred, the complaint will be dismissed. In such a case, the complainant has the option of re-filing the complaint with additional information, filing a petition for reconsideration of the staff action, or filing an application for review (appeal) to the full Commission.

If the facts and information contained in the complaint suggest that a

violation did not occur, then the complaint will be denied. In that situation, the complainant has the option of filing a petition for reconsideration of the staff action or an appeal to the full Commission.

Context

In making indecency determinations, context is key! The FCC staff must analyze what was actually said during the broadcast, the meaning of what was said, and the context in which it was stated.

How can I file a complaint about obscenity, indecency or profanity on the radio or television?

The Commission asks complainants to provide the following information:

1. the date and time of the alleged broadcast;
2. the call sign of the station involved; and
3. information regarding the details of what was actually said (or depicted) during the alleged indecent, profane or obscene broadcast.

With respect to item (3), in making indecency determinations, context is key! The Commission staff must have sufficient information regarding what was actually said during the alleged broadcast, the meaning of what was said and the context in which it was stated. There is flexibility in how a complainant may provide this information. For example, the complainant may provide a significant excerpt of the program describing what was actually said (or depicted) or a full or partial tape or transcript of the material. In whatever form the complainant provides the information, it must be sufficiently detailed such that the Commission can determine the words and language actually used during the broadcast and the context of those words or language.

You may file a written complaint and mail it to:

FCC
Enforcement Bureau, Investigations and Hearings Division
445 12th Street, SW
Washington, D.C. 20554

or

You can file at fccinfo@fcc.gov

or

Toll Free:

1-888-CALL-FCC (1-888-225-5322) voice
1-888-TELL-FCC (1-888-835-5322) tty

For a list of the Commission's recent enforcement actions in this area, please visit the FCC's Enforcement Bureau Web site at <http://www.fcc.gov/eb/broadcast/opi.html>.

last reviewed/updated on 3/31/04

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Federal Communications Commission
445 12th Street SW
Washington, DC 20554
[More FCC Contact Information...](#)

Phone: 1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 1-866-418-0232
E-mail: fccinfo@fcc.gov

- [Web Policies & Privacy Statement](#)
- [Required Browser Plug-ins](#)
- [Customer Service Standards](#)
- [Freedom of Information Act](#)

September 13, 2004

Mr. Andy Macke
Director, Government and Community Affairs
Comcast, Atlanta Region
2925 Courtyards Drive
Norcross, GA 30071

Dear Mr. Macke,

On August 22, 2004, I was channel-surfing after 10:00 pm and came across a program that I would never want my children to watch. The program was Nip/Tuck, episode 2-9 (prod.# 177609, original air date : August 17, 2004, episode title: Rose & Raven Rosenberg). As a consumer, I want your help in keeping this type of programming out of my home.

I have teenagers that stay up past 10:00 pm and they also watch TV at friend's houses. While I try very hard to monitor their viewing, it is not possible to do that 100 percent of the time. In addition to late night programming that is not suitable for children, there are many prime-time programs that are also not suitable for my children. A study that appears in September's Pediatrics journal documents the harmful effect upon teenagers when they watch popular shows that feature abundant sexual content.

Robert Sachs , President & CEO, National Cable & Telecommunications (NCTA) , said " cable operators commit to offering blocking technology at no additional charge." I have been told that this technology is already provided to satellite consumers. I want you to offer this technology to your cable subscribers at no cost. Then, I will be responsible for controlling the programming content that enters my home.

Thank you for taking the time to listen to my concerns. I expect you to contact me with your ideas on solving this programming problem.

Sincerely,

Teresa Clark
112 Sweetwater Oaks
Peachtree City, GA 30269

cc: Mayor Steve Brown
Peachtree City Council Members

Betsy Tyler

To: Steve Brown (E-mail)
Cc: Gloria Reid
Subject: FW: FX programming complaint

Steve,
Andy's information is in the emails below on the V Chip. The FCC Information is at <http://www.fcc.gov/parents/content.html> .
Betsy

-----Original Message-----

From: Macke, Andy [mailto:Andy_Macke@cable.comcast.com]
Sent: Monday, August 23, 2004 2:41 PM
To: Betsy Tyler
Subject: RE: FX programming complaint

All TV's made since Fall 2000 sized 13" or larger are equipped with a V Chip.

While we cannot accommodate a subscriber opting out of FX, we can order a filter. However, this is non standard equipment and would be at the subscriber's expense.

Hope this helps

Andy

Andy Macke
Director, Government & Community Affairs
Comcast - Atlanta Region
phone: 770-559-2768
fax: 770-559-7623
email: Andy_Macke@cable.comcast.com

-----Original Message-----

From: Betsy Tyler [mailto:btyler@ptcgovernment.org]
Sent: Monday, August 23, 2004 1:36 PM
To: Macke, Andy
Cc: Steve Brown (E-mail); Bernard McMullen
Subject: RE: FX programming complaint

Thanks Andy -

Just to confirm, if someone has expanded basic but no digital box, then they don't have the VChip unless it's in their TV? AND, they cannot opt out of the FX channel if they wish to continue receiving the Expanded Basic programming?

Oh, the Mayor indicated that the CSR mentioned removing the channel from the surf option, but she felt that didn't really get rid of it because the channel number could still be pressed in.

Thanks,
Betsy

-----Original Message-----

From: Macke, Andy [mailto:Andy_Macke@cable.comcast.com]
Sent: Monday, August 23, 2004 1:02 PM

To: Betsy Tyler
Subject: RE: FX programming complaint

Betsy:

Our digital boxes have a V Chip embedded in them. If this function is activated, any program above a certain rating will require a parental control code. I believe that most TVs have this functionality as well.

Another option is to use the auto program function of the TV to eliminate Fx from the "surf" options.

Our customer service reps are trained to instruct customers in how to make this happen.

Let me know if you need further information.

Thanks
Andy

Andy Macke
Director, Government & Community Affairs
Comcast - Atlanta Region
phone: 770-559-2768
fax: 770-559-7623
email: Andy_Macke@cable.comcast.com

-----Original Message-----

From: Betsy Tyler [mailto:btyler@ptcgovernment.org]
Sent: Monday, August 23, 2004 11:37 AM
To: Macke, Andy
Cc: Steve Brown (E-mail); Bernard McMullen
Subject: FX programming complaint
Importance: High

Andy,

The Mayor got a complaint today from a woman with children who found some programming offensive this weekend on FX (I believe she indicated it was the show Nip/Tuck). She contacted COMCAST and the Mayor to complain, feeling that, even though it was on later in the evening, it was not decent for general broadcast.

The Mayor would like to know ASAP what customers' options are (and the cost) for V-Chips, and if Comcast has the ability to let customers opt out of receiving specific channels in the Expanded Basic package.

Please advise.

Betsy

Issue Details

Your cable provider will block indecent channels for free!

Making a new commitment, **leading cable companies** representing about 85 percent of all cable subscribers, **will make available upon request, at no additional charge, channel blocking technology** to any cable customer who doesn't already possess the equipment necessary to block channels.

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- IN THE CITY COUNCIL OF PEACHTREE CITY
STATE OF GEORGIA

SUBJECT MATTER:

KEDRON VILLAGE EXPANSION
CONCEPTUAL SITE PLAN

COPY

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) FAISON
) CASE NO. 060402
)
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The following proceedings at the City Council meeting taken down before Linda C. Breedlove, Certified Court Reporter for the State of Georgia; commencing at approximately 10:30 p.m. on Thursday, October 21, 2004, at 151 Willowbend Road, Peachtree City, Georgia.

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I N D E X

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P R O C E E D I N G S

10:30 p.m.

MR. COHEN: The way the question was phrased earlier, are we authorized to make changes on the Target elevation on behalf of Target, we are not expressly authorized to do that.

What I was hoping to achieve tonight, because I know there are strong opinions in a number of ways, is to really get a sense from Council as to conceptually what the concerns were, what the issues were, what the materials or treatments or other architectural articulations conceptually that would work, and see if that was a starting point to bridge the gap together.

One thing I don't have from Council specifically are a whole lot of specific questions or comments other than some snippets that I've read.

MR. RAPSON: Let me just start off with a very simple -- simply put. The outparcels, the architectural and elevation for all the other outparcels are fantastic. We really like that.

MR. COHEN: Thank you.

MR. RAPSON: We've very pleased with them.

MR. WEED: We could not be happier.

1 MR. RAPSON: And quite frankly we feel that
2 the Target elevation is just not up to the same
3 standard as the rest of the development. That's
4 our concern. So if you want to know what we want
5 it to look like, we want it to look like everything
6 else.

7 THE MAYOR: You know, if you divide it by the
8 outparcels and the Target, you're looking at
9 roughly 50/50 in terms of your square footage.
10 Obviously the Target is the focal point of that
11 development and we would like it to coexist in some
12 sort of architecturally harmony with the rest of
13 the -- with the outparcels which we really like.

14 MR. COHEN: You know, the interesting -- well,
15 you know, you never know how these things are going
16 to transpire. The interesting thing that the
17 design team did, both our design team and Target's
18 design team, was we actually started with the
19 Target elevation first from the planning standpoint
20 and then developed the rest of the property around
21 the Target elevation. Because as I read in a
22 couple of places, Target is the focal point of the
23 development and certainly size-wise. So it's
24 somewhat ironic that that's going to come back to
25 bite us from a design standpoint.

1 The other nuance that we had to live with
2 because of the playing field is that there is an
3 existing center next door. And the second largest
4 tenant in this project once it is completed will
5 not be anything on the applicant's property, so
6 part of the reason for the design of the Target was
7 as a transitional matter. And I understand there's
8 a lot of different ways to transition things.

9 With the comment, and I can't remember which
10 of you had made a comment, that you want it to look
11 like everything else, I think there's -- I think
12 past a certain point there's a danger in that.

13 The danger in that is that what is nice about
14 it if you use a project like The Avenue as a
15 barometer, and what is nice about to smaller
16 buildings that we're developing, and the architect
17 is here tonight who did the Avenue, or his firm did
18 the Avenue and who did our location, is that there
19 is a matter of scale to it.

20 The reason it feels real and it feels cozy is
21 because it is a series of two and three thousand
22 square foot stores, about that, and maybe a junior
23 anchor along the way.

24 To take that pattern and theme and number of
25 elements and apply it to 125,000 square foot store,

1 I think creates to some extent a Disney World type
2 effect. I don't think at the end of the day what
3 may look interesting and feel right to the five of
4 you and me standing here tonight is really going to
5 be the result you want in the real world. So I
6 would caution against over applying architectural
7 elements to the Target elevation.

8 Now, having said that, are there things --
9 let's get to the issue --

10 THE MAYOR: If I can interrupt here. We have
11 an ordinance that says we can't go past 11:00, so
12 if you would watch the clock for us and then we'll
13 have to make a motion to continue.

14 MR. RAPSON: What time is it?

15 THE MAYOR: 10:30. Well, I'll just go ahead
16 and make a motion that we can continue past 11:00
17 if needed.

18 MR. RAPSON: Second.

19 THE MAYOR: All in favor?

20 (All council members agree.)

21 MR. COHEN: Are there things that we can do to
22 the Target elevation that accomplish the purposes
23 that I think you're trying to achieve, which if I
24 had my crystal ball, to a large extent I would say
25 probably it would evolve around the right side of

1 the store and some of the applications between the
2 entrance and the right side of the store. Yes,
3 there are things that we can do to break up longer
4 expansions, to create more interesting
5 architecture, to the application, possibly even a
6 number of show windows instead of just an efis
7 panel. Not that the efis panel is not replicated
8 elsewhere in the project, that there's not a common
9 theme, but we can do certain things.

10 My starting premise tonight is -- well, I'll
11 say this for the record, is that it is certainly
12 our position that with regard to the condition that
13 was imposed upon us way back by Staff and has
14 carried through in the conceptual site plan
15 approval, we feel we meet that condition legally.
16 So I just want to say that for the record because I
17 have to.

18 Are there things that we're willing to do and
19 consider and otherwise to sway some of the concerns
20 that have been expressed individually, previously
21 and more collectively tonight? Absolutely. But I
22 think -- as I look the one thing I can probably say
23 conclusively is that -- I don't think you want it
24 either -- is that is to have a series of faux
25 storefronts is not replicative of the existing

1 architecture. It's not part of the existing
2 architectural program, faux stores, most everything
3 else is real. I don't think is it what the Council
4 and the City really want.

5 THE MAYOR: But to let you know, we're not
6 asking for a series of storefronts. We're asking
7 for an imaginative attempt to break up the space
8 and obviously there have been some examples of
9 using faux storefronts because we just essentially
10 borrowed what you had on your elevation for the
11 other buildings and did a paste-on on top of the
12 overlay on the Target because that's essentially
13 all we had that was in the same architectural realm
14 as what you had as an outparcel.

15 MR. COHEN: Exactly.

16 THE MAYOR: That in no way suggests that
17 that's exactly the look we're looking for. We're
18 just looking for an imaginative way to break up the
19 space. Now, one rumor that has been circulating
20 and maybe this will help with that point, we've
21 been told there's going to be a Starbucks in
22 Target. Is there anything close to that?

23 MR. COHEN: Well...

24 THE MAYOR: Because I was going to say -- the
25 reason I ask is if you do have an element like that

1 whether it be a Starbucks or whatever it may be,
2 that may be your great opportunity to actually
3 build some sort of facade, an outcrop, that comes
4 off from the building like Perimeter Mall, if
5 you're familiar with Perimeter Mall, where the
6 restaurants off the big boxes or something.

7 MR. COHEN: I live and work within a mile from
8 the mall. I eat there frequently.

9 THE MAYOR: Something along those lines where
10 they've done something imaginative coming off of a
11 box where you could have a facade that, you know,
12 utilizes the Starbucks or whatever the store may
13 be.

14 MR. COHEN: I think there's probably a number
15 of questions and then I'll try and hit all of them.

16 The first question with regard to the rumor
17 whether there will be a Starbucks in Target is not
18 a rumor. What has happened is Target with
19 Starbucks together with a number of other food
20 vendors, Pizza Hut, I understand as well, have
21 reached national licensing agreements to procure
22 each other's wares in the stores.

23 It may be best for me to pull out the
24 elevation. Can I turn the board around here for a
25 second?

1 THE MAYOR: We've got the elevation on a
2 powerpoint if you want it?

3 MR. COHEN: I've actually got one that's a
4 little prettier in anticipation of this
5 conversation.

6 THE MAYOR: Okay.

7 MR. COHEN: I guess since we just jumped in I
8 don't need to say why I'm here.

9 THE MAYOR: Well, Mike, I think where this is
10 going is obviously there's some concern about the
11 architecture. We feel like there's a need to do
12 something a little more creative than what's been
13 done.

14 If you don't have the authority to say we can
15 do this or we can do that, then, you know, we don't
16 really want to get in a situation where we're
17 churning issues around for an extended period of
18 time and we may have to come back anyway to finish
19 the discussion. And you know, we're honestly
20 asking. We've got some points we want to bring up,
21 I mean, beyond the architecture points. We could
22 provide some of those points for you in a list for
23 you to go ahead and review it and to look out and
24 then you could come back with an answer on some of
25 the architectural questions and the next meeting if

1 you want to do that.

2 MR. COHEN: Well, where does that leave the
3 approval of the overall project?

4 THE MAYOR: Well, I'm just going to say, and
5 y'all correct me if I'm wrong, but I think the
6 architecture question is a very, very strong
7 question and I think we're inclined to say let's
8 see where we can go with that first and see where
9 the process takes us.

10 That's the worry that if you can't pull the
11 trigger on that decision, then can you bring
12 somebody in that can look at this and say hey, from
13 Target's perspective or from our corporate
14 perspective, yeah, we could do some things and we
15 can show you some stuff that we just kind of, you
16 know, where we did the overlays and stuff like that
17 and let them think about it.

18 MR. COHEN: Let me answer your last question
19 first and I'll come back to that. On the issue of
20 Starbucks and the food vendors. This area to the
21 right of the store front, or to the left of the
22 store front, where am I? To the left of the
23 entrance as you look at the elevation and to the
24 right as you are in the store is where the
25 quote/unquote food court is.

1 It's a Starbucks kiosk and a Food Avenue
2 Express, which is Target's typical walk up,
3 purchase food. It's not a completely segregated
4 Starbucks like you see in a Barnes & Noble or in
5 traditional bookstores.

6 The licensing agreements that Target has
7 reached with it's National Food Vendors are part of
8 this food court arrangement. They're articulating
9 what it is. There already is a series of windows
10 where you can look in to the food court and see
11 activity under the main entrance canopy. So I'm
12 not sure if that addresses the question or comment
13 but that's the intent. It's immediate when you
14 walk in the store. It's a common seating area.
15 It's not like if Barnes & Noble or a Borders where
16 it is broken up and segregated and has separate
17 entrances.

18 MR. KOURAJIAN: And so that stops right there
19 at the overhang? Could you point to where that
20 stops?

21 MR. COHEN: Right in here (indicating). The
22 main entrance, food court, behind the food court
23 cash registers and so forth.

24 MR. KOURAJIAN: Then what are your thoughts
25 for the whole rest of the side?

1 MR. COHEN: Well, one of the -- I guess Mr.
2 Rast advised me to mention to the Council was that
3 the only difference between this board and the one
4 that was submitted with our elevation is we've
5 actually -- since Target submitted separate
6 renderings we've actually colorized that with the
7 same colors and materials which were absent on our
8 original submittal.

9 THE MAYOR: Well, what we've got, we've got
10 the same thing up there essentially.

11 MR. COHEN: Yeah, it looks like in the middle
12 there's a little bit of color.

13 THE MAYOR: It's missing the color.

14 MR. COHEN: It's missing the color and
15 the landscaping.

16 THE MAYOR: But what I'm talking about is if
17 you look at the left side of that front elevation,
18 not the outparcels there on the far left side.

19 MR. COHEN: Yes.

20 THE MAYOR: Obviously that's warehouse space.
21 To be very honest with you that looks like
22 warehouse space. It looks like the space that
23 ought to be in the back of the building and I
24 realize that you've got some constraints with
25 dropping that box, you know, on that site and that

1 you've got to -- but this space right in there, you
2 know, there's nothing from here all the way over to
3 here that has anything to do with Target's
4 branding. It doesn't have anything to do with
5 Target's image. It's all locked up in this section
6 (indicating) here and one thing if you were showing
7 -- go to 12, Matt. You know, this is the same
8 store but we've broken it here and we just added
9 some of those facade elements that you had on the
10 other outparcels.

11 Now I understand that this is not cut and dry,
12 like I said, exactly what we want to do but you've
13 still got this large size box piece here that has
14 all the branding elements of Target and it does
15 everything that Target -- accomplishes everything
16 Target wants to accomplish but you don't have
17 something that looks like a huge warehouse out in
18 the front at the street frontage. It really
19 creatively breaks up the space.

20 One thing is if you've got the Starbucks, you
21 know, they may be able to create some kind of thing
22 that it has actually a Starbucks signage on it or
23 something in that neighborhood.

24 MR. COHEN: I think that violates the signage
25 ordinance though.

1 THE MAYOR: I'd be willing to get a variance.
2 MR. KOURAJIAN: Plus it's way on the right
3 side.
4 THE MAYOR: I understand. I'm saying just for
5 the signage perspective, just for, you know, to
6 break up the space visually.
7 MR. RAPSON: I think one of the things you
8 asked us early on was the Disneyland issue. I
9 think that's a good example. We want it to look
10 like it's a part of that particular landscape if it
11 sits out. If you look at a high elevation and you
12 look at -- I know you have one looking down into
13 the parking lot and you see all the different
14 components associated with it, it doesn't look like
15 it fits in.
16 MR. COHEN: I think there's certainly room
17 between this and what I would call Disneyland. I
18 think Disneyland would not work here because you've
19 got the existing Kroger to deal with. Part of the
20 condition is also -- would be harmonious with the
21 existing Kroger.
22 THE MAYOR: Elements apart --
23 MR. RAPSON: Do you want to change the Kroger?
24 I've been thinking about that?
25 MR. COHEN: I do not what to.

1 THE MAYOR: But essentially though, if I'm not
2 mistaken, your outparcels are also supposed to have
3 had some harmony with Kroger in and of itself too,
4 correct?

5 MR. COHEN: They do and I think they are and I
6 believe they do through the use of the glass
7 treatment and the color of brick, but let me back
8 up a step.

9 With regard to the elevation I think, but let
10 me make sure I understand. I hear everybody
11 saying, and to make sure that everybody's felt like
12 that they've had a chance to express their opinions
13 so we know what all the comments are, from an area
14 standpoint, I think the focus is in this area
15 (indicating).

16 THE MAYOR: Yes.

17 MR. COHEN: Is that an accurate statement?

18 MR. RAPSON: Yes.

19 THE MAYOR: That's the sorest point.

20 MR. RAPSON: The three areas that look
21 duplicate right past the Target logo, are those
22 basically a fake facade with high glasses?

23 THE MAYOR: No, that's efis.

24 MR. RAPSON: That's an efis?

25 MR. COHEN: They're currently proposed to be

1 efis which was intended to match a number of the
2 other storefronts in the projects.

3 MS. RUTHERFORD: But those storefronts may
4 eventually go to glass if they have -- if the
5 tenant's want it.

6 MR. COHEN: They may or may not.

7 What I was going to suggest from a concept
8 standpoint, I think -- tell me how this sounds,
9 feels. From a perspective standpoint, just so
10 everybody's aware, this area here (indicating)
11 which may look and feel like it's on -- this one
12 you're saying wasteland was that --

13 THE MAYOR: Warehouse.

14 MR. COHEN: Some warehouse. This actually --
15 I like your words better than mine. This actually
16 protrudes from the storefront approximately 30 feet
17 so it's not -- it's not --

18 MS. RUTHERFORD: Flat.

19 MR. COHEN: Flat. But I think what I hear
20 everybody saying is maybe an element here to
21 balance --

22 THE MAYOR: Yes. Something, yes. Take it to
23 the center. I mean, you know --

24 MR. COHEN: Well, this is --

25 THE MAYOR: -- from here all the way back up

1 there.

2 MR. COHEN: Go back up to there. This area

3 (indicating) with carts and a pharmacy so that area

4 is somewhat --

5 MS. RUTHERFORD: It's three-dimensional.

6 MR. COHEN: Three-dimensional already. So if

7 you could take an element similar to this, maybe

8 not quite as big so you can honor the scale as well

9 coming off of the outparcels.

10 MR. WEED: You've got a nice height/plane

11 transition.

12 MR. COHEN: I like that. A nice height/plane

13 transition.

14 MR. WEED: From one element to the next.

15 MR. COHEN: From one element to the next.

16 MR. RAPSON: Somebody's been studying.

17 MR. COHEN: That's good.

18 THE MAYOR: But essentially you've got an

19 outcropping here (indicating) you can do something

20 with this, roof elevation --

21 MR. RAPSON: Put something in the roof

22 elevation that appears to a roof element.

23 THE MAYOR: And then that way you've got --

24 you're breaking --

25 MR. COHEN: Maybe a cap, need some sort of cap

1 or something?

2 MR. RAPSON: Something.

3 THE MAYOR: There you go. You're breaking up
4 the plane and then all you've got to deal with is
5 right in here (indicating).

6 MR. COHEN: So let me to recap. There's a lot
7 of glass here (indicating) by the way. That's a
8 nice glass storefront.

9 To recap: Some sort of element here to the
10 north of the pharmacy?

11 MR. RAPSON: Yes.

12 THE MAYOR: And, you know, if you've got the
13 Starbucks thing right there and Starbucks is going
14 to be right there, right? Right in there
15 (indicating)?

16 MR. COHEN: Well, it's not -- I'm not sure
17 it's right at the exit. I think it is --

18 THE MAYOR: But I mean I'm talking about in
19 relation to the store it would be somewhere in that
20 vicinity; is that correct?

21 MR. COHEN: Somewhere in there. Somewhere in
22 there is the food area.

23 THE MAYOR: So could you not do some sort of
24 facade right here for the Starbucks?

25 MR. COHEN: Well, it's not just to -- that

1 unfortunately gets into proprietary issues.
2 They've got national -- When we heard that Target
3 was doing deals with Starbucks, one of our first
4 questions was that's great, can you do it like a
5 book store. The answer was, you know, we wish we
6 could but the reason we got everybody hauled in was
7 to have this collective national licensing
8 agreement that allows them to do what they do. So
9 to the extent that there are multiple vendors who
10 have a part of this licensing arrangement, they
11 unfortunately don't have the flexibility to create
12 the Starbucks entrance. That's one of those
13 operational issues that --

14 THE MAYOR: It may not be an idea.

15 MR. COHEN: Well, but at some point it's not a
16 Target either then. That's the -- you're right
17 under their main sign.

18 MR. RAPSON: Name brand, name brand.

19 THE MAYOR: No, but what I'm saying is -- I'm
20 not talking about anything near the dimensions of
21 the Target, I'm talking about something that's a
22 dimension of that building right there
23 (indicating). That's a 200 square -- I mean what
24 is that 2,000 square feet probably, right? I'm
25 talking about putting that right there

1 (indicating).
2 MR. COHEN: Are you talking about -- I may be
3 misunderstanding. Are you talking about being the
4 --
5 THE MAYOR: In other words you've got --
6 MR. COHEN: You've got the cover here for
7 pedestrian crossing and access.
8 THE MAYOR: I'm not talking about a huge sign.
9 MR. COHEN: Are you talking about possibly
10 replacing one of those elements with something
11 closer to the main element that --
12 THE MAYOR: Yes.
13 MR. COHEN: What does that do?
14 THE MAYOR: We're trying to break up that
15 plane. I mean the efis material it is essentially
16 just the brick wall and another --
17 MR. COHEN: I think that the -- I think with
18 regard to efis we can do -- these can be show
19 windows.
20 THE MAYOR: Yes. Now that would be -- that
21 would be --
22 MR. WEED: Show improvement.
23 THE MAYOR: Absolutely. That would be an
24 improvement. That's a great direction to go in.
25 MR. COHEN: And then we're clear on the

1 others?

2 MR. KOURAJIAN: Talking about the northern --

3 MR. COHEN: Here?

4 MR. KOURAJIAN: Yes.

5 MR. COHEN: Doing something here with maybe

6 some show windows to match these show windows and

7 pull out the efis panel. Well, actually what I

8 think is a nice treatment, let me find it, is

9 there's an area where we have -- something like

10 right here (indicating). Show windows from a scale

11 standpoint, you know. I think what can go in here

12 is something like that (indicating). I think to

13 have a show window would be out of scale.

14 THE MAYOR: And if you did the awning and, you

15 know, really it brings out the sidewalk or

16 something because my main concern is when you look

17 at what the architectural program is for the entire

18 development you talk about pedestrian flow, you

19 talk about continuity, and various other elements,

20 you know, things that you're looking for in there,

21 there's really no reason to walk to the left side

22 of that building.

23 MR. COHEN: Except to get to those stores.

24 THE MAYOR: No. What you're going to do is --

25 it's the same model that you see in all the other

1 big, large shopping centers. You get in your car,
2 you pull out of Target, you get in your car and you
3 drive over to those small boxes and then you park
4 in front of those and then you go in the small
5 boxes. That's the mentality because there's
6 nothing attractive or meaningful to make you want
7 to walk down there.

8 MR. RAPSON: That's true.

9 MR. COHEN: I think what we can do is, we've
10 all just discussed, add an element here. I can't
11 remember your terminology but I like it. What was
12 it?

13 MS. RUTHERFORD: Height --

14 MR. WEED: Nice transitional height/plane
15 between the existing --

16 MR. COHEN: With a show window and an efis
17 that's broken up.

18 MS. RUTHERFORD: What's on top of that?

19 MR. COHEN: What's that?

20 MS. RUTHERFORD: What kind of roof or cap over
21 the three windows?

22 MR. KOURAJIAN: Let him say what he
23 understands.

24 MR. COHEN: A cap on that here?

25 THE MAYOR: You've got them where the Target

1 symbol is already. See you're building in there?
2 Create some symmetry and take it on the other side.
3 See the building is way out of balance. You've got
4 four elements rising on the right side and you've
5 got -- you're completely flat on the left side.
6 That's what makes --
7 MR. WEED: But if he adds some show windows
8 that's he talking about --
9 THE MAYOR: Yeah. But as I'm saying as it is
10 right now, it's off balance.
11 MR. COHEN: Well, I'm not sure with the pop-
12 out in the 3-D world that it is back on balance
13 with the top but here (indicating) and then show
14 windows here?
15 MR. WEED: Yes.
16 THE MAYOR: That would be awesome.
17 MR. COHEN: Broken up?
18 MR. WEED: That's great.
19 THE MAYOR: Now, the question is --
20 MR. COHEN: The question is can I commit to
21 that?
22 THE MAYOR: Yes. You've got it.
23 MR. RAPSON: That's a million-dollar question.
24 MR. COHEN: And it might -- one more thing too
25 though because -- can you hit 15?

1 MR. KOURAJIAN: Maybe more money than that.
2 MR. COHEN: 15, is that my quotes?
3 THE MAYOR: No. That's the right side
4 elevation. I think that what was suffering just as
5 badly, the left side of the front elevation. What
6 can we do with that because that is heavily
7 exposed? I mean you're going to see that from
8 several of the outparcels and you're going to see
9 that from the entrance drive south.
10 MR. COHEN: I get inverted on all the right
11 side, left side, on this because the outparcels are
12 in parcels and --
13 MR. KOURAJIAN: That's up there at the
14 entrance to Target.
15 THE MAYOR: Which one?
16 MR. COHEN: Right there (indicating).
17 MR. KOURAJIAN: Right there.
18 MR. COHEN: And that is that.
19 THE MAYOR: You've got a great view of that
20 from the parking lot, the other out buildings and
21 the drive.
22 MR. RAPSON: How about a Starbucks entrance
23 on the right side? They're just not competing with
24 Target. Now the golf carts are going to dump there
25 so everybody will stay there.

1 (Everyone is laughing.)

2 MR. WEED: To make a long story short before
3 the Mayor designs it for you, I think what we're
4 looking for is essentially something complimentary
5 to the ideas that you just expressed as to the
6 front.

7 THE MAYOR: Right.

8 MR. WEED: And once again to help break up
9 what -- either though I understand it is three-
10 dimensional there is some very long panels there
11 that we think you can certainly decide better than
12 we can to break up more and you know how. You know
13 how to do that better than we do and we have
14 confidence you can do that.

15 THE MAYOR: Well, we see this, you know, you
16 can see this in Jonesboro and all the other places
17 and it's the same format. I will tell you what
18 people do is they get into their car and they walk
19 in the store, they get back in the car and they go
20 down to the next one and they get in the car
21 because you don't want to walk in front of that.
22 There's no reason -- there's no invitation. That's
23 what I'm looking for.

24 MR. COHEN: Okay.

25 THE MAYOR: And that's what the Avenue does

1 really, really well.

2 MR. COHEN: See that's what I'm looking for is
3 I just wanted to understand the collective
4 comments.

5 THE MAYOR: Yes, those are collective
6 comments.

7 MR. COHEN: So do you have the pointer?

8 THE MAYOR: Yes.

9 MR. COHEN: May I borrow this?

10 THE MAYOR: Certainly.

11 MR. COHEN: So if we -- in order to replicate
12 --

13 THE MAYOR: Well, like to show you a concern,
14 okay? Picture this. Coming from here (indicating)
15 the golf cart path -- the golf cart path is coming
16 right down here (indicating). All right? So
17 you're going to come in your golf cart and you're
18 going to feed onto this side of the building. It
19 would be nice to have something there.

20 One of the issues that we were talking about,
21 you know, it is an aside issue which you've got
22 some parking in this area right in here
23 (indicating) which would be that lot right in there
24 and we were talking about see here's the golf cart
25 path coming right up here (indicating).

1 So you're bringing your golf cart path down
2 right in that right elevation and it is like
3 wouldn't it be nice to have that more inviting
4 feel, you know, when you're coming in on your golf
5 cart. I mean, you know, like you're entering some
6 -- you're entering something really, really nice
7 which that is. I mean these elevations are
8 perfect. So we were thinking about, you know -- we
9 were thinking about can you -- we're looking at
10 maybe how can you alter that so that it is an
11 entrance feature for the golf cart.

12 MR. COHEN: Right -- a comment given that it
13 was supposed to be the main entrance for the
14 project --

15 THE MAYOR: I understand.

16 MR. COHEN: And that's what bothered us.

17 THE MAYOR: I understand. That hurts.

18 MR. COHEN: I think probably from a capital
19 standpoint we're beyond the building issues. We
20 can talk about more specifics when we dig into the
21 plan.

22 One of the things that we've had to do in
23 order to accommodate this entrance since we were
24 last here is actually acquire that outparcel at the
25 market price. We're not -- we're not really in a

1 remaining capital position to have three grand
2 entrances.

3 THE MAYOR: No, I understand.

4 MR. COHEN: I do think that we can do
5 something on the side of the building here. May I
6 borrow the pointer?

7 THE MAYOR: Sure.

8 MR. COHEN: Maybe add a show window here
9 possibly (indicating) bring it to some human scale
10 and some additional element there?

11 MR. WEED: Exactly.

12 THE MAYOR: What if you had -- for example,
13 take the right -- for example -- you're getting off
14 the pathway.

15 MR. COHEN: Yeah.

16 THE MAYOR: What if you had some sort of
17 features that extended off the building? I'm not
18 talking about anything elaborate. I'm just talking
19 about maybe an arch that goes over -- you know,
20 just a thin, brick arch that goes over --

21 MR. COHEN: With all due respect. You're
22 asking me my personal opinion?

23 THE MAYOR: Yeah.

24 MR. COHEN: I think that's a little cheesy.

25 MR. RAPSON: I would agree with you.

1 MR. COHEN: Personally. And I think part of
2 the issue in coming to --

3 MS. RUTHERFORD: If he's willing to put a show
4 window in there and he's willing to break up the
5 righthand side of the where it is all that long
6 thing, then that's what we want. We want some
7 texture to the building.

8 MR. WEED: Let me interject something. Let's
9 let the professionals do their job. You go, you
10 design the building and I think we've clearly, I
11 hope, communicated to you a design philosophy.

12 MR. COHEN: Right.

13 MR. WEED: You're going to come back with
14 something far better than the five of us can design
15 and I have every confidence in you guys.

16 MR. COHEN: I guess come back where is the
17 question. Is it -- if you read the conditions that
18 are currently in the recommendation letter there is
19 some carry-over conditions where we go back to
20 Staff with whom we've actually worked for three or
21 four months on these elevations including two in-
22 person meetings with Target and with the Planning
23 Commission. So do we go back to Staff to finish
24 it?

25 THE MAYOR: Well, I'll tell you this from this

1 perspective. Obviously the Council is taking the
2 place of the Planning Commission. And
3 unfortunately, and this is not your fault, okay,
4 this is absolutely one hundred percent not your
5 fault. We had a lot of dialogue before it ever got
6 to the City Council. I mean, you all were talking
7 -- you know, you all were talking with everybody
8 under the sun in the City but it never got to us
9 until just recently.

10 MR. COHEN: I think -- well --

11 THE MAYOR: I'm just telling him that's why we
12 are where we are today.

13 MR. COHEN: I understand and I, just for the
14 record, I completely understand that comment and I
15 completely agree with that comment. It's also the
16 process that's required by the Code for final site
17 plan approval on certain things is to have Staff
18 level approvals and a member of the planning
19 commission meet.

20 THE MAYOR: I understand.

21 MR. COHEN: And so I just want to make clear
22 there was not -- absolutely not an attempt to keep
23 Council out. That's the process we were told to
24 follow based on the Code.

25 THE MAYOR: Well, this is not our standard

1 procedure. We understand that.

2 MS. RUTHERFORD: We understand that.

3 MR. RAPSON: We are under a consent order and
4 I think to try to bring some closure to this I
5 think you have a pretty good idea of what we want
6 in the front of the building from what you said
7 just now and on the right side we want to mirror
8 that same type of concept.

9 Now, whether that's a window with some efis, a
10 couple of awnings, maybe extending the sidewalk,
11 we'll let you design that. You kind of have the
12 gist of what we want but we have a whole list of
13 things we want to go over with you but we need to
14 get past this one first. We all knew this was the
15 one that we wanted to start with.

16 MR. COHEN: It's not the one I wanted to start
17 with.

18 MR. RAPSON: Well, I know.

19 MS. RUTHERFORD: That was first on our agenda,
20 let's hear what's first on his agenda.

21 MR. RAPSON: So I'm saying from our point of
22 view if you can make those decisions, then we are
23 prepared to go through our laundry of stuff that
24 the vast majority of the Council feel like -- we
25 want to bring closure to this this evening.

1 MR. COHEN: I do too.

2 MR. RAPSON: But if we can't get past the one,
3 then we have to make a decision as a Council.

4 MR. COHEN: We're good to move on.

5 MR. RAPSON: So when you say we're good to
6 move on what does that mean?

7 MR. COHEN: We're good to move on tonight
8 meaning --

9 MR. WEED: If you can accommodate --

10 MR. RAPSON: You can make decisions and you
11 can accommodate these --

12 MR. COHEN: I can accommodate these changes
13 and work with Target on redesigning the elements
14 that we talked about and deliver something that
15 meets your satisfaction.

16 MS. RUTHERFORD: So let me understand you
17 before we move forward.

18 MR. COHEN: Thank you.

19 MS. RUTHERFORD: You're comfortable that you
20 can make whatever accommodations that you need,
21 we're given you the broad outlines that you asked
22 for and that at the end of the night, that that
23 will not be -- that if we approve it we're
24 approving it with that --

25 MR. COHEN: Condition?

1 MS. RUTHERFORD: Condition.

2 MR. KOURAJIAN: How do we work that in, Ted?

3 MR. RAPSON: Ted, would the language in

4 essence be -- Ted, would the language in essence be

5 that the developer agrees to modify the Target

6 architecture based on the discussion that just

7 occurred? Is that sufficient?

8 MR. MEEKER: I think that would be too

9 ambiguous.

10 MR. RAPSON: Okay. Well, then --

11 MR. MEEKER: I think it would have to come --

12 I mean, Mike, I hate to say this but I think the

13 architecture would have to come back here and just

14 be ratified by the Council.

15 MS. RUTHERFORD: So we can approve the plan

16 pending that that returns --

17 MR. MEEKER: Pending the architectural

18 approval.

19 MR. RAPSON: Pending the final approval --

20 MR. COHEN: To the extent that we're doing

21 that I'd like to outline what some of the

22 parameters were so that it's not open book on --

23 not open book on the building when we're further

24 down the road with the project.

25 MR. RAPSON: I think that's more than

1 appropriate.

2 MR. WEED: I think that's fair.

3 MS. RUTHERFORD: Absolutely.

4 MR. RAPSON: Let's not interrupt him and let
5 him -- we have a court reporter here to take
6 everything down.

7 MR. COHEN: I think we're deep enough into
8 this without another month expenditure of funds for
9 pursuing a deal only to come back and have an
10 absolute discretionary --

11 MR. WEED: You're absolutely right. Start
12 talking.

13 MR. COHEN: So --

14 MR. RAPSON: We're listening.

15 MR. COHEN: For the record --

16 MR. RAPSON: Here, do you want the pointer to
17 make it easier.

18 MR. COHEN: Well, I'm not sure the pointer
19 shows up on it.

20 THE MAYOR: Do Number 10. It might be easier
21 to put it up this way. That's your Target
22 elevation.

23 MR. COHEN: What we have committed to, for the
24 record, is on the north portion of the front Target
25 elevation to add a proportional --

1 THE MAYOR: There you go.

2 MR. COHEN: -- architectural element to
3 transition from the outparcel to the Target
4 building that contains some element of --

5 THE MAYOR: -- of what's found in the --

6 MR. COHEN: -- of storefront. Not real
7 storefront but the window box and that kind of
8 glass feature similar to some of the other ones on
9 the project.

10 Coming across the pop-out, I won't commit to,
11 but I'll commit to considering some element on top
12 of the what we would call the cart rack protrusion.
13 And when I say I won't commit to it only because
14 once you've put that in the real world and have
15 architects working on it with the dimensions coming
16 out, I'm not sure how it will look also going up
17 but we'll obviously -- we'll look into that and
18 consider it.

19 We'll agree to show windows on each of these
20 three elements which I believe I heard consensus on
21 would eliminate something here if we can dress
22 those three up. One thing I think that we can do
23 and this is actually something I thought about this
24 afternoon, in this area (indicating), this is
25 really just for the benefit of the project and not

1 based on a comment tonight, I think there's -- one
2 of the awnings in here might be a little different
3 than the rest of the project and I think we would
4 consider looking into consistency there.

5 Excuse me for one second. When I said "this
6 area", I mean the area of Target's entrance to the
7 left of the pop-out that contains their sign.

8 And then coming around to the right elevation
9 or the south elevation if we could go back to that
10 side, please.

11 THE MAYOR: 15.

12 MR. COHEN: Thank you. Add some sort of
13 window element here and then maybe an additional
14 architectural element here to break up the facade
15 for those who are coming in at the -- what I call
16 the non-entrance.

17 MR. RAPSON: So that would be the south side
18 of --

19 MR. COHEN: That would be the right elevation.

20 THE MAYOR: The right elevation.

21 MR. RAPSON: Right elevation, southeast?

22 MR. COHEN: Correct. Anything else?

23 THE MAYOR: To clarify, on the right elevation
24 --

25 MR. RAPSON: Those two will be windows,

1 correct?

2 MS. RUTHERFORD: Which --

3 MR. RAPSON: On the southwest side, the first

4 two?

5 MR. COHEN: The first one at least.

6 THE MAYOR: On the front elevation --

7 MR. COHEN: The first one being the closest to

8 the front of the store.

9 MS. RUTHERFORD: Correct.

10 THE MAYOR: From the front entrance?

11 MR. COHEN: Yes.

12 THE MAYOR: I just want to make sure. You did

13 speak to having some symmetry in the front

14 elevations to where we were going to not have that

15 -- going across from the 30 of this panel all the

16 way across --

17 MR. COHEN: In this area (indicating).

18 MR. WEED: He's already agreed to the far

19 right on my far left, your --

20 THE MAYOR: I'm just making sure I'm hearing

21 right.

22 MR. COHEN: Let me repeat -- well, it probably

23 won't be exactly the same but in concept -- one

24 second please.

25 (Whereupon, a brief off-the-record discussion

1 ensued.)

2 MR. COHEN: For the record I will -- sorry,

3 the man who spoke in favor of annexation got me all

4 revved up and I can't slow down.

5 Now I'm starting over for the clarity of the

6 record. On the northern portion of the Target

7 elevation closest to -- we'll call this by number

8 Retail Building 100B, we will add an architectural

9 element of proportional size at the north --

10 MR. WEED: And this may help too. Council,

11 why don't we identify this slide as Exhibit A and

12 the next slide as Exhibit B. We'll put them in the

13 record, we've got the court reporter here and then

14 we'll know exactly what we're talking about.

15 MR. COHEN: Okay with me as long as there is

16 no Exhibit C.

17 MR. RAPSON: Well then you can just refer to

18 it as the right side or left side or whatever

19 exhibit to make it a whole lot easier.

20 MR. COHEN: All right. As we face Exhibit A

21 --

22 MR. RAPSON: Isn't that easier.

23 MR. COHEN: I think the store may be built by

24 the time I finish this.

25 As you face the elevation of Exhibit A on the

1 left side of the Target elevation adjacent to
2 outparcel B, I think I got it all, we will add an
3 architectural element of proportional size to match
4 the three that are currently existing between the
5 Target entrance and that elevation.

6 Coming to the right as you face Exhibit A, we
7 will consider adding some sort of vertical element
8 above or in the vicinity of the pop-out for the
9 storage carts and the only reason that I'm not
10 comfortable saying we'll commit to that tonight is
11 because of the protrusion and the impact that is
12 going to have as a 3-D element, I'm not sure how an
13 additional pop-out is going to look there. It
14 might end up actually looking in balance. So we'll
15 take that under advisement and try and further
16 break up that span.

17 Backing up a step as we go back to the left of
18 Exhibit A, the added architectural element will
19 have some form of show or display windows in it as
20 will, moving to the right on Exhibit A, each of the
21 pop-ups between the cart storage and the front
22 entrance.

23 THE MAYOR: You currently have an efis.

24 MR. COHEN: Well, yeah, some element of maybe
25 reduced efis and show windows. I don't think

1 anyone wants a window that that -- that would be
2 about an 18-foot window.

3 THE MAYOR: Right.

4 MR. COHEN: There are other and I can call
5 them -- there are similar elevations for building
6 600 which shows a split between show windows and
7 efis and we will do some sort of proportional split
8 based on the size of the Target elevation in each
9 of those three existing pop-ups and the one we
10 agreed to add on the left side.

11 I think that covers the front elevation.

12 MR. WEED: You had -- the awning.

13 MS. RUTHERFORD: Yeah, the awning.

14 MR. WEED: What about the awning on the far
15 right?

16 MR. COHEN: On the far right I wanted to take
17 a look at the awning and compare it to the other
18 awnings in the project and -- not the canvas
19 awnings but the harder awnings and I just point
20 that out. I don't think there's an issue with that
21 awning. I may have an issue, I probably shouldn't
22 have brought it up but I probably --

23 THE MAYOR: I think you can take some of what
24 you've got over there.

25 MR. RAPSON: If you can incorporate it in that

1 that would be fine.

2 THE MAYOR: Yeah.

3 MR. COHEN: Okay.

4 MR. WEED: I think that would be great.

5 MR. COHEN: So is that it for the --

6 MR. RAPSON: That's it for --

7 MR. COHEN: For Exhibit A?

8 MR. RAPSON: For Exhibit A.

9 MR. WEED: Which is Slide 15.

10 MR. COHEN: Doing okay, George?

11 THE MAYOR: No, no, no, slide 15 is Exhibit B.

12 MR. COHEN: All right. This is Exhibit B, the

13 right elevation for the Target store at the

14 entrance formerly known as Regents Park. We have a

15 display window here similar to the ones we do on

16 the front. And some sort of architectural element

17 to the right of the second existing element working

18 back from the storefront to break up that facade;

19 is that correct?

20 MR. WEED: Yes, that's correct.

21 THE MAYOR: And just to clarify you're talking

22 about doing something that's consistent with the

23 architecture that you had in the outparcels in

24 order to achieve the pedestrian friendliness and

25 harmony with the rest of the out buildings?

1 MR. COHEN: I think what we're really talking
2 about here is adding some sort of architecture
3 element. I'm not sure what it means on the side of
4 the building to make it pedestrian friendly or
5 otherwise. I think what we're -- I thought the
6 goal here was to essentially, from left to right as
7 you face the elevation continue the architecture to
8 break up the span but I think that may not be what
9 that was said but that was what we intended.

10 MS. RUTHERFORD: That's fine.

11 MR. KOURAJIAN: That's fine to me.

12 THE MAYOR: Well, so you're going show window
13 far left, right, with the efis panel on the far
14 left, correct? Something of that nature?

15 MR. COHEN: Correct. Thank you.

16 THE MAYOR: And then this stays --

17 MR. RAPSON: Is that similar to the Building
18 600 as well?

19 MR. COHEN: Well, it will probably be similar
20 with whatever we end up with on the front. They'll
21 all be in balance with each other.

22 MR. RAPSON: That will be consistent.

23 THE MAYOR: And then whatever is done to the
24 right of that will probably remain the efis and I'm
25 talking about the next efis panel in the center

1 there?

2 MR. COHEN: We'll look into that but to the

3 extent that I'm comfortable making a commitment

4 tonight with show windows on the right elevation

5 for Exhibit B this is -- show windows, I think

6 that's where I could go.

7 MR. RAPSON: What about the third one you're

8 going to add which would be the one you're adding

9 to the right of Exhibit B?

10 MR. COHEN: To the extent there's a third one

11 there is a balance issue so maybe the show window

12 goes on the second one to balance the first and the

13 third. It will be architecturally --

14 THE MAYOR: Now, is that a doorway in the

15 center of the large span there? Is that an

16 emergency exit?

17 MR. COHEN: It looks like an emergency door.

18 THE MAYOR: So you could just take the element

19 and go around the door with it or something?

20 MR. COHEN: Depending on where it went, yeah.

21 I mean it might be if there were three elements on

22 here in order to better balance it the spacing

23 becomes a little different. I'll leave that to

24 architects.

25 THE MAYOR: Yes.

1 MR. RAPSON: That's fine.
2 THE MAYOR: I think that's workable.
3 MR. COHEN: Are we good on that? Was that
4 enough --
5 Ted, was that enough definition for the
6 record, George?
7 MR. ROSENZWEIG: What slide was Exhibit B?
8 THE MAYOR: Slide 15.
9 MR. ROSENZWEIG: Then what is A?
10 THE MAYOR: 10.
11 MR. RAPSON: Slide 10.
12 MR. COHEN: Can we get copies of those?
13 MR. RAPSON: You can get copies of those too.
14 Is there a disk here or something that we could get
15 --
16 THE MAYOR: He could make them.
17 MR. RAPSON: He can make you copies.
18 MR. COHEN: Thank you. And just for the
19 record I just want to clarify for the record so
20 there's no confusion that a display window is not a
21 window looking into shoppers, it's a display
22 window.
23 MS. RUTHERFORD: Right.
24 THE MAYOR: Right.
25 MR. COHEN: Does that get it?

1 MR. RAPSON: That gets step one.

2 MS. RUTHERFORD: Thank you.

3 THE MAYOR: Now, obviously we've spent a lot
4 of time in Executive Session and we've got quite a
5 few issues that we want to discuss with you. Well,
6 items, I'm sorry, they say items. I think most of
7 these are going to be pretty easy and I think it is
8 just a matter of going through them. Some of them
9 we may need some further discussion on but we can
10 take them one at a time if you'd like and see what
11 you -- are you prepared to?

12 MR. COHEN: I guess, yeah. I kind of had a
13 little -- do you want me to go down my list?

14 MS. RUTHERFORD: We've had our big list, let's
15 do his.

16 MR. COHEN: Well, for the purpose of the
17 record I actually prepared a list because when
18 we're asked to do various specific things for the
19 most part when we were last together and I think --
20 I know it's getting late and you were in Executive
21 Session for a long period of time, but I do think
22 it is important for us to get on the record how
23 we've dealt with what is asked of us last time. I
24 want to ulgress for a minute.

25 We've got our design team here tonight and

1 everybody in the room knows, we've been working
2 hard on this for longer than any of us really wants
3 to admit that we've all working together so I want
4 to really start, when we started to thank not only
5 our design team who has worked tirelessly to try
6 and balance a lot of conflicting and competing
7 interests but also City Staff who has been doing
8 the same thing. And the Planning Commission early
9 on was very instructive in neighborhood meetings
10 and getting us some initial feedback which was
11 actually, if I remember correctly, at the instance
12 of the Mayor early on and then we've been before
13 Council a few times. You've provided us feedback
14 along the way as well. And also the Kedron
15 neighborhood and Tim and John and the Saint Simon's
16 neighborhood more recently has provided us with
17 invaluable insight.

18 We haven't also agreed with everything and the
19 forum that we were in was not always a forum of
20 harmony, but I think at the end of the day the
21 project we'll end up with is immeasurably better in
22 virtually every material respect than the one we
23 started with two years ago. So I just wanted to
24 digress and thank everybody for the journey.

25 The second thing I want to say, and this was

1 actually not on my agenda but this actually
2 occurred while the Council was in Executive Session
3 is that rather than have any more discord on this,
4 we spent a good bit of time while you were in
5 Executive Session with the St. Simon's neighbors
6 and I'll ask Mr. Turner to confirm this once I'm
7 done, but we have made our peace and we have agreed
8 to a couple of things in their favor as a
9 responsible developer and they are in a position, I
10 believe, John, once I make this announcement to
11 stand up and say that they support our project and
12 don't have any further issues with us. I think
13 that one concession is meaningful day-to-day and
14 the other concession, I think, is meaningful from
15 what it meant to us but also what it meant to them.
16 We've agreed to raise the four-foot berm to six
17 feet and to extend it a little bit toward the
18 tunnel. We've also agreed so we don't have to get
19 into prolonged discussions about traffic studies
20 and who is right and what conditions go where and
21 end up yelling at each other into the night, we've
22 agreed to limit the southern access point to a left
23 and right out only to be designed as part of the
24 process to insure that the neighbors that -- and
25 it's not just the St. Simon's neighbors who are

1 impacted by this it is also the Regents Park
2 neighbors that egress will not be made out of the
3 south entrance to the north. So if I could ask
4 John to confirm that, he wanted to say a few words.

5 MR. TURNER: First, we wanted to thank the
6 Council for letting us come and get involved in
7 this whole process for the whole time and I know it
8 has been stressful for all of you as it has been
9 for us. We really appreciate Mr. Cohen talking to
10 us while you stepped out. I'm sure that was your
11 master plan to give us a chance to talk. But we do
12 appreciate --

13 THE MAYOR: We take all the credit for that.

14 MR. TURNER: We appreciate him coming and
15 talking to us and looking at what we have, you
16 know, how it affects us. He has stepped up and we
17 really appreciate it and we had different
18 discussions and he kept coming back and said how
19 about this and he has agreed to do essentially what
20 we have asked. To do the six-foot berm and to
21 extend it and to do the left in and the right out.
22 And we still would like to ask Council to, with the
23 deliveries, to use Peachtree Parkway and I don't
24 know if Mr. Cohen understands that by that we mean
25 you could still go down Georgian Park and get in at

1 the Amli but that would keep it on the other side
2 of the street from the Amli people and that would
3 allow the trucks to get in to the center of the
4 development. We asked Council to do that for all
5 the neighborhoods. That would help not only us and
6 the other neighborhoods but the Georgian Park
7 Condos. It's the one thing, you know, we could do
8 that would help them to keep traffic from going
9 behind them, delivery traffic.

10 So we as a neighborhood got together and we
11 wanted to thank Mr. Cohen for stepping up and doing
12 this for us and we appreciate his time, your time,
13 the other neighborhoods time and we're happy with
14 the deal. Thank you.

15 MR. RAPSON: For the record, John, restricting
16 to commercial traffic on Georgian Park is really a
17 separate issue because Council can take issue on
18 that. It's not really part of this. So if you
19 don't hear it tonight I'm just saying it's not --

20 THE MAYOR: -- a decision that needs to be
21 made --

22 MR. COHEN: Does that take some more stuff off
23 your list?

24 Back to the starting point. In June this
25 Council approved unanimously our preliminary site

1 plan with 17 conditions. We feel we've complied
2 with all the conditions and I will run through them
3 quickly for the record.

4 The first condition was the submission of the
5 separate lighting plan that meets the DC zoning
6 ordinance which was done and approved by Staff and
7 I think there are other issues with the lighting
8 plan that I'm aware of.

9 The second condition was -- actually the
10 second condition also relates to a later condition
11 on calculations so it is condition two and
12 condition 15 which deal with greenspace and the
13 requirement of the GC ordinance allowing no more
14 than 75 percent of a pervious surface on a zoning
15 lot. We've got four zoning lots. Each of the four
16 zoning lots have not only over 25 percent of
17 pervious surface, but over 30 and some upwards of
18 40. The project average has actually gone up from
19 37 from 35, last time, and all of the pervious
20 surface calculations are shown on the landscape
21 plan individually by an area broken down into the
22 parking lot islands so the calculations are very
23 specific.

24 The third condition was a condition about
25 which there has been some confusion in the last

1 couple of days and the confusion, I believe, stems
2 and deals with the Watershed Protection Ordinance.
3 The confusion stems from the fact that in the
4 City's minutes for the meeting, the condition that
5 came through was an outright prohibition on the
6 grading of any wetlands.

7 If you go back to the actual transcript for
8 the hearing, that was kind of the second part of a
9 two-part condition. The first part of which was
10 that Faison needs to comply with the Watershed
11 Protection Buffer Ordinance which requires a 25
12 foot buffer from the edge of stream.

13 And the prohibition on grading wetlands was
14 intended to apply to the Watershed Protection
15 Ordinance, not to the entire project. We are and
16 have been very open about the fact that we'll be
17 disturbing a minor amount of wetlands .079 acres,
18 have been forthcoming about that with Staff or a
19 year-and-a-half now. Doesn't even get to the size
20 that requires any sort of permitting, just notice
21 to the EPD when we're done. But I think there's
22 been a little bit of a misunderstanding on the
23 wetlands because of the condition that was in the
24 minutes not really replicating the condition that
25 was on the transcript and I'll let y'all go back to

1 the transcript and Council go back to the
2 transcript as well. But that's our position that
3 we do satisfy that condition.

4 The fourth condition I will tell you deals
5 with a landscape requirement and I will
6 affirmatively say this actually, to my knowledge,
7 the only portion of the project that doesn't
8 technically comply with Code because we exceed it
9 in so many other ways and that is the issue of
10 having no more than 12 parking spaces in a
11 continuous row without a landscaped island.

12 The islands required by the ordinance are
13 required to be five-feet wide assuming they run the
14 length of two parking spaces, it's 38 feet long for
15 190 square feet. Our islands are a little further
16 apart designed to create a continuous feel and I
17 think you really get a good look at it on the
18 perspective that you mentioned so it feels like a
19 buffer block.

20 Most of our islands are 38 x 12, which is 450
21 square feet, 250 percent of the minimum requirement
22 but the larger islands are 400 percent of the
23 minimum islands and we worked actually very hard
24 with Staff to come up with that condition certainly
25 for -- under the context, I know we're still in

1 litigation. Hopefully that's something that's
2 falling by the board's very soon. We're more than
3 willing to meet the Code and put islands every 12
4 spaces, five-feet-wide that's required by Code but
5 I think you guys like this better. I'll let
6 Council decide on that.

7 THE MAYOR: The larger islands I greatly
8 appreciate because I think you need larger islands.
9 You see these pathetic trees that can't make it in
10 these small islands and it's because, you know, you
11 just don't give them anything to work with. I
12 appreciate that and I'd be willing, and I think
13 maybe we all might be willing because in essence
14 we've got a tree and a landscape ordinance that
15 we'll be discussing in further meetings but
16 essentially I think, David, isn't that kind of
17 creating -- the larger islands is kind of the
18 standard we're going to anyway so you're just kind
19 of ahead of our Ordinance with going with a larger
20 island.

21 MR. RAPSON: What he's trying to say is we
22 like it.

23 MR. COHEN: Well, it's been the first time
24 we've been ahead since we've known each other.

25 MS. RUTHERFORD: Just think Red Sox, it's okay

1 right up to the end.

2 MR. COHEN: Actually we've got some Red Sox
3 fans with us tonight.

4 Condition six was that the Landscape Ordinance
5 needed to show screening and how we intend to
6 address adjacent uses. The Landscape Plan was
7 submitted. We received a significant amount of
8 comments from -- City Staff had responded by
9 agreeing to do all of the things we were asked in
10 the comments so I don't think there are any issues
11 on the Landscape Plan. David, are there?

12 MR. RAST: (Shakes head negatively.)

13 Seven was the Architectural Program which
14 we've addressed so I will omit my defense of our
15 Architectural Program.

16 Eight was the median cut. We've addressed
17 that with regard to St. Simon's. For the record I
18 think I've probably failed to say that the
19 condition was that a traffic engineer do a study.
20 Two have done studies, ours and one of the City's
21 both actually recommended the median break be
22 included in the project and we've agreed to modify
23 it tonight. For the record the recommendation from
24 the traffic engineer was that it be an open median
25 cut.

1 Number nine a tie back to the City Planner's
2 memo of October 10th, 2003, about a year ago. In
3 tying in four conditions, architectural program, we
4 discussed prohibition on out-of-store marketing.
5 We agreed to have no out-of-store marketing,
6 landscape lighting and signage plans all submitted
7 and approved by Staff and the Fire Marshall
8 Coordination was also coordinated with Staff and
9 completed.

10 Condition 10 was an acknowledgment that
11 nothing approved in June, expressed or implied, any
12 approvals on Georgian Park which we agree.

13 Number 11 was to eliminate or modify what we
14 call the J-Loop. I think that was Councilman
15 Rapson's terminology and we actually removed the J-
16 Loop and redesigned that entire area to a much
17 better configuration.

18 Condition 12 was providing speed tables and
19 pedestrian calming measures in front of Target
20 which are completed and shown on the final site
21 plan that Staff has approved.

22 Condition 13 was to evaluate and consider
23 connecting every other island in the parking lot to
24 enhance landscaping and parking. This was
25 significantly evaluated with Staff and the final

1 determination was reached that to create a kind of
2 deadend of u-turns at several points along the way
3 would not only be confusing for consumers, but also
4 unsafe for emergency type vehicles and so that was
5 considered and determined it was not appropriate
6 for the project.

7 Condition 14 was to eliminate the parking
8 areas behind Building 400 and all the parking east
9 of Building Number 100 in the truck turn-around
10 areas. All the parking behind Building 100 was
11 removed. All the parking behind Building 400 was
12 relocated in connection with the re-work of that
13 entire area that used to be the J-Loop.

14 Condition 15 was meeting the greenspace
15 requirement for each parcel, there are four
16 parcels, the blended average for all the parcels is
17 37 percent. I think that is probably not legally
18 relevant. 39 percent for the Target parcel, 40
19 percent for the retail outparcel, 35 percent for
20 the larger retail parcel and 34 percent for the
21 smaller retail parcel and all those calculations
22 are shown in the Landscape Ordinance.

23 The sixteenth condition was to evaluate
24 expanding the buffer for the golf cart path along
25 the western edge of the property as well as berms

1 and noise for light pollution and I think the
2 sixteenth condition I believe came up at the point
3 of the meeting where we were working through some
4 issues with St. Simon's for the first time. We've
5 done a number of things that we think -- in
6 addition to what we've agreed to tonight just
7 basically making it better for everybody along
8 Georgian Park.

9 First and foremost we're very serious about
10 the Consent Order that we entered into and about
11 complying with it. As we got into engineering
12 design we realized that the area where the south
13 entrance was designed for us, Lot 14, was also the
14 lowest point on the spot. Also the natural point
15 for a retention pond but you can't put an entrance
16 in retention ponds in the same spot so we've gone
17 out at a market price and contracted and acquired
18 outlot 14 which will now essentially be greenspace.
19 So there's no buildings, no light imitating and
20 actually there's a further buffer on the south end
21 of the project.

22 Coming in that entrance we moved the golf cart
23 path closer to the entry drive leaving a larger
24 greenspace between the property line and the
25 developed area. Along Georgian Park, one of the

1 comments I think Councilman Rapson, I think this
2 may have been an issue you and I had discussed at
3 our past meeting.

4 MR. RAPSON: Mike, we could give you the
5 pointer and could you point because George is
6 getting more and more upset. I think we understand
7 the map well enough everybody is like okay, I know
8 what he's saying.

9 THE MAYOR: Do you have this specific one?
10 Could you just bring this and like maybe put it
11 towards the screen so we're all looking in the same
12 direction? Thank you.

13 MR. RAPSON: If y'all want to get up and move
14 so you can see you're more than welcome to come.

15 MR. COHEN: Sorry for the visual confusion. I
16 tend to visualize this plan in my sleep now. It's
17 easy for me to talk about it.

18 MR. RAPSON: It's sad that we all were
19 following you.

20 MR. COHEN: This is outlot 14 at the southern
21 entrance and we will be acquiring that and making
22 it part of the project and it will include the pond
23 and landscaping.

24 THE MAYOR: Are you planting that area?

25 MR. COHEN: We are. We actually have

1 somewhere tonight a rendering of that if you would
2 like to see it.

3 THE MAYOR: So I mean in essence will that
4 create -- can you get some plantings in there to
5 the point that it will create a visual buffer or
6 are you talking about low -- are you talking about
7 like aquatic -- is that going to be wet or dry?

8 MR. COHEN: I think it's -- yeah, let's back
9 up and start discussing the pond. It will be a wet
10 pond. It is designed at it's normal function to
11 house four to six feet of water. Under City
12 Ordinances it needs to be surrounded by a fence.

13 The most visible point of the pond because of
14 the way the grades worked is actually going to be
15 from right here (indicating). And because of the
16 grades right here being from the entrance at Outlot
17 14. Unfortunately because of the way the grades
18 work, we, for most of the pond, we can install the
19 fence into the slopes of the pond so as to take it
20 out of visibility.

21 We can't at the southern most portions so
22 rather than just use ordinance compliant fencing
23 which is shown in this rendering, we'd be willing
24 to upgrade the fencing so it's something nicer.

25 MR. RAPSON: So you can actually put the

1 fencing in the slopes so it appears that there's no
2 fencing?

3 MR. COHEN: For most of the pond. In most of
4 the pond it could look like the fencing had in some
5 places they had become a negative edge fencing. It
6 will be -- protrude from the pond in some places
7 but the place we can do it is at the entrance
8 because of the grade. So we will agree for the
9 fencing here to be some sort of decorative fencing
10 and not the chain-link that is required by Code.

11 THE MAYOR: Thank you.

12 MR. RAPSON: That's actually number 37 on our
13 list so you're doing really well.

14 MS. RUTHERFORD: You have to know we
15 eliminated a lot of things between like 12 and 37.

16 MR. RAPSON: Just don't panic.

17 MR. COHEN: I just wondered if I need to go to
18 the ATM machine.

19 Where was I?

20 MR. RAPSON: You were acquiring lot --

21 MR. COHEN: We talked about the pond. The
22 other thing that we've done, one of the discussions
23 Councilman Rapson and I had at our last meeting was
24 to try and find a better way for cart movement here
25 (indicating).

1 And after working with Staff and realizing
2 that that's really not a great place, it's fine for
3 now but that's really not a great place for carts,
4 we've agreed to provide a cart path along the
5 perimeter of Georgian Park to be used by everybody
6 including the three outparcels or four outparcels
7 so that's how we -- so we've made that a much
8 better condition.

9 THE MAYOR: That will work very well.

10 MR. COHEN: For people in carts.

11 THE MAYOR: That will work very well.

12 MR. COHEN: We also relocated to some extent
13 the cart path that comes in off the entrance at out
14 lot 14 into the project CP-5 which was the
15 preliminary site plan. That's going to meander
16 back in here a little bit which would have caused
17 us to have to do some grading and other things and
18 replanting.

19 We still may have to do some grading and
20 replanting but once it's done we've agreed to move
21 their cart paths still separated from but closer to
22 the road which would allow a larger buffer in that
23 area (indicating).

24 THE MAYOR: Mike, may I ask what the culvert
25 is since you're on that cart path there in the

1 corner? One of our issues obviously is that we've
2 got a great history with safety problems with the
3 culvert. If it has any T-bone that comes down into
4 it and if he has collisions at the end of it, did
5 you eliminate that element where it comes down from
6 the drive?

7 MR. COHEN: For the record I think you are
8 speaking about the cart paths intersection south of
9 the south entrance?

10 THE MAYOR: Right, correct.

11 MR. COHEN: We can agree and we will agree to
12 redesign that to have a less acute connectivity.

13 THE MAYOR: That would be great.

14 MR. COHEN: Is that an accurate --

15 MR. RAPSON: Can I ask where's Ted, where's
16 our attorney?

17 MR. WEED: Right here somewhere.

18 MR. RAPSON: Because I'm assuming as he's
19 making these statement I'm just checking these off
20 my list as opposed to going back and reading all
21 this to him. Is that okay?

22 MR. MEEKER: That's fine.

23 MR. RAPSON: So let me ask another question
24 since you're right there.

25 MR. COHEN: Sure.

1 MR. RAPSON: That is, can you agree to
2 evaluate and obtain Staff approval for the golf
3 cart paths with regards to the slope? What we
4 don't want to do is we don't want to create an
5 unsafe slope and I'm not sure if that's the entire
6 side if there's any of those areas. I know that
7 some of that was an issue with Staff. If it's not
8 an issue that's fine but I just wanted to --

9 THE MAYOR: That was going to be a pretty
10 steep slope right there. That was going to be a
11 steep drop down there in that culvert? You're
12 going to take care of that, right?

13 MR. COHEN: Well, I think what we spoke to was
14 that the angle of the connection I have not been
15 made aware of an issue by Staff regarding -- based
16 on the civil drawings the steepness of the slope.

17 THE MAYOR: Can I tell you one thing, Mike?
18 This is a discussion we had with Staff. We all got
19 together. Obviously you've got the culvert coming
20 here and we thought maybe it's a better idea just
21 to eliminate that drop all together and possibly
22 see if you could bring it slowly off up here and
23 have it pick up --

24 MR. COHEN: The problem there is that it would
25 require a stream crossing.

1 THE MAYOR: Oh, it does?
2 MR. COHEN: Yeah.
3 MR. RAPSON: But you understand the concern.
4 I just want to evaluate and make sure that we're
5 not --
6 MR. COHEN: Safe cart movement 90 degree
7 angle.
8 MS. RUTHERFORD: Not a --
9 THE MAYOR: Yes. Ninety degree is a big
10 problem, okay?
11 MR. KOURAJIAN: But the slope he's talking
12 about is a downward slope?
13 MR. COHEN: Well, the slope -- Bob, do we have
14 calculations?
15 UNKNOWN SPEAKER BOB: I don't remember.
16 MR. COHEN: Staff has not made it an issue.
17 UNKNOWN SPEAKER BOB: I don't remember offhand
18 exactly what that slope is but we can figure it out
19 and coordinate that with Staff to make sure that it
20 --
21 MR. RAPSON: That's all we're asking.
22 MR. COHEN: Part of the issue here is, and I
23 don't know what some person considers steep and
24 someone doesn't, I think that we need to be mindful
25 of the fact that we are creating an entrance here

1 in the lowest part of the property relatively close
2 to the stream. So there is slope there, yes. It's
3 not going to be flat in any event.

4 MR. RAPSON: We're not asking you to build it
5 up and make it slope.

6 THE MAYOR: That might be an example where we
7 can take some digital photos of the ones that don't
8 work that we have already and just give them some
9 examples of what's not working.

10 MS. RUTHERFORD: Mike, we're not sure that it
11 is, we're just asking that as --

12 THE MAYOR: I'm just asking if we have
13 actually here but we don't.

14 MR. RAPSON: Just evaluate it --

15 MR. COHEN: Okay.

16 MS. RUTHERFORD: If 16-year-old boys will go
17 freewheeling down it, we don't want it.

18 MR. RAPSON: It's dangerous.

19 MR. COHEN: To again look like the truck
20 traffic just put up signs that no sixteen-year-old
21 boys freewheeling?

22 THE MAYOR: Yeah, right.

23 MR. COHEN: And then lastly, the last
24 condition was the approval was expressly subject to
25 compliance of all the terms of the consent order

1 which obviously it is our opinion that it was and
2 they are.

3 So those are the 17 conditions that Council
4 imposed in approving the preliminary site plan. In
5 addition to those conditions we have received after
6 multiple exchanges of drawings and hundreds of
7 comments and other requests from Staff, we have
8 received a letter dated October 15th from Staff
9 outlining an additional initially nine and then
10 subsequently added two additional conditions for
11 approval of this plan. And I'm not sure what is
12 left on your list but I'm willing to address these
13 conditions now or if you --

14 MR. RAPSON: Just keep going and we'll
15 reconcile the rest.

16 MR. WEED: We may not have a list.

17 MR. RAPSON: We'll have a list.

18 MR. COHEN: If you guys want to step out and
19 talk about it that's okay with me.

20 MR. RAPSON: We already did.

21 MR. COHEN: Condition one was that all
22 construction traffic limited to the access drive
23 across from Amli. I think we've addressed that
24 already.

25 MS. RUTHERFORD: Yep.

1 MR. COHEN: That's really a City issue not a
2 Faison issue.

3 Condition two was relative to the 16 parking
4 spaces adjacent to outparcel retail building 400.

5 THE MAYOR: Can you point to those?

6 MR. COHEN: Yes. It is these 16 spaces here
7 between Building 700 and Building 400 along the
8 entry drive off of Georgian Park (indicating). I
9 believe the condition was raised with regard to
10 those spaces relative to the -- via the wetlands
11 and the Watershed Ordinance Protection, which I
12 said earlier I think we actually complied with, and
13 --

14 MR. RAPSON: If I could just interrupt for a
15 second.

16 MR. COHEN: Sure.

17 MR. RAPSON: I believe this was pertaining to
18 the other Building 400 towards the top of the map.
19 The ones behind Building 400.

20 MR. COHEN: These?

21 MR. RAPSON: Yes.

22 MR. COHEN: No, there's ten there. It was
23 these (indicating).

24 MR. RAPSON: Okay.

25 MS. RUTHERFORD: It was those.

1 THE MAYOR: Yeah, well, what we were looking
2 for was to take the golf cart path and since it's
3 terminating right in here (indicating), go ahead
4 and just bring it down to that point. And then
5 these spaces for lack of a better word, the footer
6 of the parking spaces, just have a path run along
7 that footer right there so it's still off the
8 street and then it would terminate here
9 (indicating).

10 MR. COHEN: And then the spaces would go away.

11 MS. RUTHERFORD: Golf -- yeah.

12 THE MAYOR: Or convert them to golf cart
13 spaces --

14 MR. RAPSON: Covert to golf cart spaces or --

15 MR. COHEN: May I ask a question before I
16 respond to that? I don't know what's on the rest
17 of your list with regard to parking so before I
18 agree to changes in parking --

19 THE MAYOR: You want to add more?

20 MR. COHEN: I want to add a deck. No, I'm
21 just kidding. Before I agree to any changes in
22 parking, I'd like to know what's on the rest of
23 your list relative to parking so I'm not --

24 MR. RAPSON: Okay, well, let me go over those
25 real quick because I think I've got most of those

1 highlighted.

2 It's going to go hand-in-hand with stipulation
3 three, you're on number two. What we were going to
4 do there is ask to eliminate all golf cart parking
5 islands that back out into the flow of traffic and
6 determine if they could be reconfigured to the
7 inside of these islands to provide golf carts from
8 backing into the travel lanes. I think the way it
9 read before was your number three --

10 MR. COHEN: For purpose of the record and for
11 understanding the context of condition three, are
12 we talking about --

13 MR. RAPSON: Yes, sir.

14 MR. COHEN: The four areas in front of the
15 Target store?

16 MR. RAPSON: Yes.

17 MR. COHEN: That contain six spaces each?

18 MS. RUTHERFORD: Yes. Because we had to back
19 into the parking space.

20 THE MAYOR: We applaud Target for --

21 MR. COHEN: Or you could -- they could back
22 into the space.

23 THE MAYOR: Yeah, we applaud Target for trying
24 to get the parking spaces to the door. That's the
25 optimal goal there but --

1 MR. RAPSON: Maybe just put the island.

2 THE MAYOR: But the thing is you've got
3 traffic in a situation like where you've got it
4 coming from this direction. You've got it coming
5 from this direction and then you've got it coming
6 from both of the parking channels too. So for
7 somebody backing out you've literally got to be
8 looking in four directions to see if there's a car
9 that's approaching that end cap.

10 MR. RAPSON: And then while you're looking at
11 -- let me read what we said one more time, okay?
12 Eliminate all golf cart parking islands that back
13 out into the flow of traffic and determine if they
14 can be reconfigured to the inside of these islands
15 to prevent golf carts from backing into the travel
16 lanes. So you could --

17 MR. COHEN: And that comment is again these
18 four --

19 MS. RUTHERFORD: Yeah. Can you flip them
20 around so the golf carts go --

21 MR. COHEN: Yes. I don't know if we can flip
22 them but I can agree I think -- we can agree to the
23 condition which is eliminate and potentially
24 reconfigure. If we can't re-figure we've agreed to
25 eliminate which remedies the safety issue.

1 THE MAYOR: That works for us.

2 MR. RAPSON: We'll check that one off the

3 list. Let me see if I have any --

4 MR. COHEN: By all, all once again just for

5 the record means?

6 MR. RAPSON: Instead of all, let's make that

7 --

8 MR. COHEN: The four golf cart parking islands

9 in front of -- to the left and to the right of the

10 Target entrance.

11 MR. RAPSON: All right.

12 THE MAYOR: Did you want to make quick

13 comment, John?

14 MR. HEDGE: Yeah. Can we also have a similar

15 -- This is John Hedge for the court reporter.

16 There are significant amounts of golf cart

17 parking spaces immediately in front of the

18 outparcel buildings on the righthand side of this

19 that also directly back out. They're not in

20 islands, they're on curbs. But you've got the same

21 issue --

22 THE MAYOR: He has a point.

23 MR. HEDGE: -- relative to what you're talking

24 about. You have one there (indicating), one there,

25 right there, right there (indicating).

1 THE MAYOR: Well, one issue we looked at John

2 --

3 MR. HEDGE: Well, it's not just in the
4 islands.

5 THE MAYOR: One issue we looked at in relation
6 to that though, obviously the Target is an
7 attracter. So you're going to have a lot of
8 traffic that's going to the Target. When you get
9 to some of those outparcels around there where it
10 goes embedded into the curb, are you talking about
11 those spaces where it actually goes into the curb?

12 MR. HEDGE: Yeah. But the only problem that
13 you have with that, Mr. Mayor and others, is that
14 all southbound traffic as indicated by the traffic
15 studies are going to come up here northbound, go on
16 that when they've got one of two ways to get to
17 Target.

18 THE MAYOR: I understand.

19 MR. HEDGE: Either in front of these outparcel
20 buildings -- well, I guess there's three ways.
21 Down to this center one and go down that way or cut
22 through the variation of the islands. So you're
23 right that Target is the draw but to get to the
24 draw all these golf cart parking spaces are backing
25 out directly into one of the two main flow areas to

1 get to Target. So you've got all these safety
2 issues with all these golf carts around that.

3 THE MAYOR: I see what you're saying but I'll
4 tell you what. I don't have near as much heartburn
5 with those as I have with the ones in front of the
6 Target.

7 MR. HEDGE: Well, it's only going to take one.

8 MR. RAPSON: There's actually five. Of the
9 four you mentioned there's also additional ones
10 that looks like it is the very front of that island
11 right there.

12 MR. COHEN: Here?

13 MR. RAPSON: Yes.

14 THE MAYOR: Even the bottom there.

15 MR. RAPSON: The slot.

16 MR. COHEN: Okay.

17 MR. RAPSON: So why don't we make the motion
18 eliminate all golf cart -- actually eliminate the
19 five identified golf cart islands, the two
20 immediately in front of Target, the two just south
21 or the three just catty-cornered across from each
22 other just south of the Target?

23 THE MAYOR: See if we can reconfigure them you
24 said?

25 MR. RAPSON: And reconfigure them. I'm saying

1 we would -- well, we're going to eliminate them --
2 MR. COHEN: And reconfigure if possible.
3 MR. RAPSON: Yes.
4 THE MAYOR: Yes, sir.
5 MR. COHEN: For the five six-cart-islands in
6 the vicinity of Target?
7 THE MAYOR: Thank you, yes.
8 MR. COHEN: Okay, got that.
9 John had made a comment about the traffic
10 study and I just wanted to respond to it. I think
11 the comment was that all northbound traffic was
12 going to be using this entrance. I think that both
13 traffic studies are -- City's traffic study for the
14 record show this first lane of traffic coming
15 northbound on 74, some going to Peachtree Parkway
16 and some going Georgian Park. It's not that every
17 car coming north on 74 is turning into that
18 entrance.
19 MR. RAPSON: Let me do two others since you're
20 trying to do parking all together. The other one
21 was eliminate the golf -- the cart parking to the
22 right of OP400. This will remedy the wetland
23 destruct area and make safer traffic flows as far
24 as cars now backing into the main inbound flow
25 area. That is the southeast to the cart path, main

1 cart path parking. I think that was the first one
2 we just talked about. You agreed to that
3 stipulation, right, the 16?
4 MR. COHEN: I agreed to consider pending the
5 remainder of the parking.
6 MS. RUTHERFORD: That's what that is.
7 MR. RAPSON: I'm just making sure we get them
8 all. I'll check that one off.
9 Then the last one is eliminate parking on the
10 east side of the retail building 400. That's for
11 the two handicapped parking, those two.
12 MR. COHEN: These two here (indicating).
13 MR. RAPSON: Just those two.
14 MR. COHEN: Right there.
15 MS. RUTHERFORD: Because if you've got trucks
16 going around there, those will all be truck --
17 THE MAYOR: And well actually with this too,
18 if, for example, say there's no hope for the these
19 parking spaces for re-configuring them. If there's
20 no hope for re-configuring those spaces an
21 alternative we're looking at is you have spaces
22 here for golf -- it could be converted to golf
23 carts. It might be a natural too because you've
24 got the golf cart path terminating right at that
25 spot anyway.

1 MR. COHEN: I think the issue with these
2 spaces is from a retailer's standpoint they are
3 right at the front door as well. We've already
4 eliminated a significant amount of parking in front
5 of Target by constructing the heartscaped area here
6 and wider island there (indicating). So I'm really
7 not -- I'd rather not do that. I think we can find
8 other places for them that are safe or eliminate
9 them but I would be --

10 THE MAYOR: Well, we like the number of golf
11 cart spaces that you have. We think you're onto
12 something really, really good. I think it's just a
13 matter of where can you accommodate them. And I
14 think that's -- we just offered that as a
15 suggestion -- looking for another spot.

16 MS. RUTHERFORD: We'll leave that up to him.
17 He's got experts he can use.

18 MR. COHEN: Thank you. Is that the totality
19 of parking for Council?

20 MR. RAPSON: Hold on, I'm looking. Yes.

21 MR. COHEN: We'll agree to those -- to the
22 three changes that have been requested.

23 MR. RAPSON: Okay.

24 MR. COHEN: The three changes are: Eliminated
25 two handicapped spaces to the north of Building

1 400; eliminating the parking spaces to the south of
2 Outparcel Building 400; and extending the cart path
3 in it's place; and then eliminating the five
4 islands of six-carts each in the vicinity of
5 Target's entrance and analyze relocating those
6 elsewhere.

7 THE MAYOR: Thank you.

8 MR. RAPSON: Thank you.

9 THE MAYOR: Preferably as close to the Target
10 entrance as possible.

11 MR. RAPSON: Well, and I think that's always
12 their preference.

13 THE MAYOR: I'm just stating it for the
14 record.

15 MR. RAPSON: That takes us to number four, I
16 believe.

17 MR. COHEN: Number four includes painting
18 crosswalks and signage and all cart path and
19 sidewalk intersections of property, that's fine.

20 Number five is requirements submitting the --
21 requiring submitting detailed engineering drawings
22 for the retaining walls and, David, the retaining
23 walls are designed built type -- where are you,
24 behind the box? There you are.

25 They are designed built retaining walls. I

1 think we could provide you drawings up front and
2 then upon completion. I believe you had a
3 conversation with the engineers about this.

4 MR. RAST: I got a letter from them and
5 they're going to -- just stating that they would
6 send us those drawings so that's the main reason
7 that that is in here is just to --

8 MR. COHEN: Okay. So for the record, can we
9 say on the record that we have delivered a letter
10 wherein our engineer committed to provide the
11 drawings required by condition 4?

12 MR. RAST: Condition 5.

13 MR. COHEN: Condition 5.

14 Condition 6 is okay which is the continuing --
15 well, it says applicant must continue to work with
16 Staff and Planning Commission relative to the
17 architectural appropriate landscape plan and site
18 lighting plan. I think we've probably diverged
19 from that earlier where we agreed with Council on
20 the components of a revised Target elevation, but
21 otherwise condition six is acceptable to us.

22 Condition seven is the requirement to identify
23 locations of dumpsters, mechanical equipment and
24 screening which is acceptable to us.

25 Condition eight --

1 MR. RAPSON: Let me, before we leave seven, we
2 have two additional stipulations.
3 MR. COHEN: Well, then I retract my agreement.
4 MR. RAPSON: That's okay. In regards to the
5 dumpsters, we would like to make a requirement that
6 the dumpsters be masonry with gate and/or
7 enclosures and must not be visible either
8 internally or off site.
9 MR. COHEN: The question, Mr. Rapson, is does
10 the prohibition eligibility apply to the dumpster
11 or the masonry around it?
12 MS. RUTHERFORD: The dumpster.
13 MR. RAPSON: The dumpster.
14 MR. COHEN: Okay.
15 MS. RUTHERFORD: We don't want to be able to
16 drive by and see the dumpster.
17 MR. COHEN: Yes.
18 MR. RAPSON: There's another one too. Is that
19 a yes?
20 MR. COHEN: I'll wait for the next one.
21 MR. RAPSON: Okay. For the mechanical
22 equipment we also want to limit the visibility from
23 the rooftop exposure, the same requirement, we
24 don't want it to be seen internally from this site
25 or off site.

1 MR. COHEN: I think through the design --
2 excuse me one second.

3 MR. KOURAJIAN: Steve, when you say that it
4 needs to be the same, you're not saying it needs to
5 be masonry?

6 MR. RAPSON: No. I'm saying this is a
7 different issue.

8 MS. RUTHERFORD: As much as possible we want
9 the quiet and --

10 MR. RAPSON: I think because of the height of
11 the building elevation the mechanical is not an
12 issue anyway.

13 MS. RUTHERFORD: Okay.

14 MR. COHEN: Excuse me just one second.

15 THE MAYOR: That's okay, take your time.

16 MR. RAPSON: I would like to make one
17 amendment. Maybe this will solve some of the
18 issues.

19 MR. COHEN: Is this a retracted amendment?

20 MR. RAPSON: It's a refinement. For the
21 dumpsters that are located behind your retail
22 buildings the very lower -- I guess you would call
23 that the southwest retail buildings, obviously
24 there's no way those can be seen unless you're back
25 there. So the requirement as far as masonry for

1 those can in essence be waived.

2 I believe the requirement, David, is they have
3 to be, I guess, have a gate type enclosure,
4 something like that. But this wouldn't haven to be
5 the same masonry with the gate enclosure. Does
6 that make sense? We're trying to cut you some
7 slack.

8 MR. COHEN: Thank you.

9 THE MAYOR: So in other words if it's exposed
10 to the open parking lot area or the drives, then we
11 want a masonry --

12 MR. RAPSON: If it's exposed you want to be
13 able to have it enclosed in masonry-type with the
14 gate.

15 The other requirement for mechanical equipment
16 is that you install some noise deflectors on those
17 in regards to -- in regards to the ones that you
18 would be able to hear.

19 MR. COHEN: I see. One second.

20 A couple of things on the request for, I
21 think, deflectors was the buzz word, visibility is
22 not an issue because the project has been designed
23 with an extensive network of paraffins to guard
24 against visibility breaches.

25 The paraffins are also designed and intended

1 to contain noise. So I think the intent or design
2 is that the paraffins act as deflectors.

3 MR. RAPSON: How about install noise
4 deflectors if appropriate. That gives you the
5 flexibility to use them if you deem them to be
6 needed.

7 MR. COHEN: I actually think in this case I am
8 told that there is state law standards for HVAC
9 decibels. When you say appropriate could that be
10 the governing standard?

11 MR. RAPSON: I have no ideas what the standard
12 is so...

13 MR. COHEN: Neither do I.

14 THE MAYOR: Are we aware of that standard?

15 MR. RAPSON: Are we okay with that standard,
16 Clyde, David?

17 MR. RAST: That's what we use in our noise
18 Abatement Ordinance. I mean it is --

19 MS. RUTHERFORD: Okay, sounds good to me.

20 THE MAYOR: So we could -- the Noise Abatement
21 Ordinance would be applicable to this?

22 MR. COHEN: We will agree to comply with the
23 Noise Abatement Ordinance. That might be the
24 easiest way to say it.

25 MR. RAPSON: Okay. That takes us back if

1 you're okay with those then -- we're back to
2 dumpsters, aren't we?

3 THE MAYOR: Yes.

4 MR. COHEN: We are okay with condition 7 as
5 modified by Councilman Rapson with regard to the
6 dumpsters behind the outparcel buildings. They're
7 not visible from the parking lot. Is that okay?

8 THE MAYOR: Yes.

9 MR. COHEN: And that brings us to Condition 8
10 which is a condition that all lighting on the rear
11 of each vehicle is substantially similar or the
12 same to the lighting that was submitted to Staff
13 and we're okay with that.

14 Condition 9 was a requirement for submission
15 of the Asbel (ph.) drawings in electronic format
16 and we're okay with that.

17 MR. RAPSON: Could I change and reword
18 condition number 10 as opposed to what you have in
19 front of you? It's a slight modification but I
20 think it's important. Number 10 which is the
21 signalize the existing.

22 MR. COHEN: Yes, you may.

23 MR. RAPSON: What we would prefer that to read
24 is owner shall be responsible for paying to and
25 then everything else stays the same. Does that

1 make sense? And then when it gets to due to the
2 close proximity it would say owner will coordinate
3 signal operation and plan signal -- owner shall.

4 MR. COHEN: I had a question about --
5 depending upon how we resolve the question I have I
6 think we can address that condition or that request
7 easily.

8 One of the -- we met with and I believe the
9 City's traffic engineer, Forez (ph.) is here
10 tonight. We met with him at length to go through
11 the City's traffic study which we don't dispute.
12 But one the things that we discussed with him with
13 regard to installing this signal which would
14 essentially be the third new signal in this area in
15 addition to the ones that are being sought
16 elsewhere at Peachtree Parkway and the Kroger
17 entrance, as well as 74 and Georgian Park, is that
18 it might be that the level of service analysis that
19 was done by the City Engineer assuming that two
20 lights were installed already.

21 One of the things we discussed with Staff and
22 the traffic engineer was perhaps it might be a
23 better approach rather than to affirmatively
24 require this signal today not knowing what the real
25 impact of adding the first two lights is going to

1 be but perhaps it might be better for everybody if
2 we, Faison, committed to do an analysis within a
3 reasonable period of time after the project opened
4 and the other lights had already been installed to
5 determine if the third signal really is needed
6 depending upon the actual traffic pattern of the
7 project which are all relatively hypothetical at
8 this time.

9 MR. RAPSON: Why don't we table that issue and
10 then come back to it. It will be something I
11 imagine we would like to discuss. Is that okay?

12 MR. COHEN: That's fine.

13 MR. RAPSON: If we skip to number 11? The
14 only difference in Number 11 would be that the word
15 developer would be changed to owner.

16 MR. COHEN: I'm okay with that. Well, let me
17 back up a step. I think -- I think there's a
18 nuance here that needs to be addressed and actually
19 I just read the condition a little more closely.

20 THE MAYOR: Are you talking about 11?

21 MR. COHEN: Condition 11. This condition
22 arose as part of the consent agreement and part of
23 our settlement agreement. This condition only
24 applies if the project is built. Because if the
25 project is not built there's no way to look back

1 and obviously at that point in time the project is
2 not creating any traffic if it's not built.

3 I think that what would be more appropriate
4 here because you can say the left turn lanes and
5 the right turn lanes shall be installed by the
6 applicant or owner. It's not a Peachtree City
7 holdings issue. The condition doesn't run with
8 Peachtree City holdings if for some reason the
9 project doesn't happen. It's a project specific --

10 MS. RUTHERFORD: So we can leave change
11 developer to owner and then say --

12 MR. RAPSON: That's exactly -- the only change
13 that I made was the change "developer to owner".

14 MS. RUTHERFORD: Right. But what he wants it
15 to continue to say is --

16 MR. MEEKER: Change it to owner or owners.

17 MR. RAPSON: That's exactly the only change
18 that I made was the change developer to owner.

19 MS. RUTHERFORD: Right. But what he wants it
20 to continue to say is --

21 MR. MEEKER: Change it to owner or owners
22 because remember there is at least one parcel
23 that's going to be sold out.

24 MR. COHEN: Right. But I think it's not -- I
25 don't think there's every been any intent to tag

1 Target with a condition. I think it would be a --
2 MS. RUTHERFORD: But the question becomes --
3 what he doesn't want is to wind up being
4 responsible for something that's not built so take
5 the sentence and add if project is built.
6 MR. COHEN: Well, it also --
7 THE MAYOR: Wait a minute.
8 MR. COHEN: Peachtree City holdings has
9 nothing to do with the condition.
10 MS. RUTHERFORD: So you want to take Peachtree
11 City holdings out and make it owner -- by the owner
12 or the owners --
13 MR. RAPSON: Let the attorneys tell us.
14 George, Ted, what should it say?
15 (Whereupon, a brief pause was taken.)
16 MR. RAPSON: Owner or successor is that what
17 I'm hearing?
18 MR. COHEN: Owner or successor but only if the
19 event the project is built because the owner is
20 currently Peachtree City Holdings and the condition
21 --
22 MR. RAPSON: So you might write every
23 condition on here as only if the thing is built.
24 None of the conditions will survive it if the thing
25 is not built.

1 MR. COHEN: I'm not sure that's accurate.

2 MR. RAPSON: Well, I guess that's true.

3 MR. COHEN: But if it's not built it's -- it's
4 never the intent to back charge Peachtree City
5 Holdings with road widening in the event of a
6 project is not built.

7 MS. RUTHERFORD: Correct.

8 MR. RAPSON: Okay. We can make that change
9 only if built.

10 Now, we go to the other issues. Are you
11 ready? I want to try to read these and go through
12 them fairly quickly.

13 We're going to go to the City Council topics
14 there first.

15 MR. COHEN: Is there a copy of something I can
16 look at while you're --

17 MR. RAPSON: I've got so many notes on it I
18 think it would just scare you.

19 MR. COHEN: It actually scares me not having
20 it in front of me.

21 THE MAYOR: Actually most of them -- we've hit
22 most of them.

23 MR. RAPSON: One of the requirements we would
24 like to add is to upgrade the lighting fixtures in
25 the parking lot. When we say upgrade we're talking

1 about -- I guess a good example, David, of an
2 upgraded lights would be kind of like what they're
3 putting over there at the LCI? Would that be a
4 fair statement?

5 MR. RAST: No.

6 MR. RAPSON: Could you maybe explain what
7 we're trying to do when we say upgraded lighting?

8 MS. RUTHERFORD: Instead of the ones that are
9 in the --

10 THE MAYOR: You're talking about in the
11 parking lot?

12 MR. RAPSON: Yes.

13 MS. RUTHERFORD: Instead of the ones that are
14 in the Kroger parking lot.

15 THE MAYOR: You're talking in the parking lot?

16 MR. RAPSON: Yes, parking lot.

17 MS. RUTHERFORD: Instead of the ones that are
18 in the Kroger parking lot, get a better light and
19 that would work?

20 MR. RAST: Well, at the LCI what we did we had
21 the ornamental lights along the street skate but
22 what we got in the parking lots themselves it's
23 kind of a modified shoebox.

24 THE MAYOR: Yeah, they have them at The
25 Avenue.

1 MR. RAST: What it is it's a -- instead of the
2 big boxy lights like are at the Kroger now, I think
3 the new types it's a night lighting and will light
4 down and I know that's contrary to what we talked
5 about before.

6 MR. COHEN: What number is that contrary to
7 what we talked about?

8 THE MAYOR: Well, see and again that's the
9 change. The Council had never discussed that. You
10 had several discussions where we had never
11 discussed it and when we looked at the lights that
12 were in the parking lot at Kroger, we really didn't
13 want to replicate that because we thought that's
14 not something we want.

15 MR. RAPSON: It's a condition that we're
16 asking for.

17 MR. COHEN: Let's -- I'll make a note of it.
18 That's what I want to do.

19 MR. RAPSON: He'll make a list? I guess
20 George is going to make a list?

21 MR. COHEN: Yes.

22 MR. RAPSON: Require that the golf cart path
23 system be nine foot. Right now I think on all the
24 different final conceptual -- the conceptual as
25 well as the final site plan, they're eight foot and

1 that's primarily because we're going to be very
2 recently or very soon making that a standard of the
3 City and it just helps with regards to golf paths
4 and passing each other.

5 MR. COHEN: Okay, meaning.

6 MR. RAPSON: Okay meaning it's on George's
7 list? Okay.

8 Just to reiterate obviously we've talked about
9 this several times. No disturbances approved in
10 regards to the 25-foot undisturbed natural tree
11 buffer requirement. We just want to make sure
12 you're in compliance with that.

13 No pre-cutting or pre-grading is implied
14 and/or complied.

15 MS. RUTHERFORD: And/or approved.

16 MR. RAPSON: And then the only variance that
17 we're aware of that we will make part of the final
18 site plan is the variance between the Target store
19 and the adjacent building to the Target store. I
20 believe that was --

21 MR. COHEN: Correct for the -- I'm glad you
22 mentioned that.

23 MR. RAPSON: Yes. I just want to incorporate
24 what we know to be true. Let me go back to the
25 other ones here.

1 Also we wanted to eliminate the -- I think --
2 I'm calling it the Georgia DOT guardrails and put
3 instead the wood ones that are very similar to the
4 ones over at Home Depot and Wal-Mart, the heavy
5 timber. We just think aesthetically that will make
6 this site a lot more pleasing.

7 I'm assuming you're just accepting these and
8 then we'll go over them.

9 MR. COHEN: Right.

10 MR. RAPSON: He's listing.

11 (*Reporter's note: Everyone is talking over
12 one another in an open forum.)

13 MR. COHEN: I'm actually calculating.

14 THE MAYOR: Didn't Wal-Mart do that?

15 MR. RAST: They actually did both. They used
16 the wood rails along the main entrance and then the
17 metal guardrails along the back with --

18 MR. RAPSON: So you couldn't see it. I think
19 that would be appropriate. We'd be okay with
20 putting guardrails on behind the back of the
21 buildings, it's really just the visible.

22 MR. COHEN: Visible? Yeah.

23 THE MAYOR: Where you're -- an entrance.

24 MR. RAPSON: We'd also --

25 MR. ROSENZWEIG: While they're talking, would

1 you re-read number four? The pre-cutting and the
2 pre-grading, I'm not sure I got that.

3 MR. RAPSON: Oh, okay. No pre-cut or pre-
4 grading is implied and/or approved.

5 MS. RUTHERFORD: In other words you just can't
6 start digging until --

7 MR. ROSENZWEIG: Until you're permitted?

8 MR. RAPSON: Until permitted.

9 MS. RUTHERFORD: Right.

10 MR. RAPSON: We'd like to require any deed
11 conservation easement in regards to the wooden
12 areas along Georgian Park to keep those greenspace.

13 MR. COHEN: Deeded to whom?

14 MR. RAPSON: The conservation easement would
15 be deeded to the City. I know it's really unusual
16 but we've done that before.

17 THE MAYOR: I think they can just --

18 MS. RUTHERFORD: They can --

19 MR. RAPSON: They keep it themselves --

20 THE MAYOR: You can hold that, Mike. You
21 don't have to give it.

22 MR. RAPSON: However the attorneys tell us to
23 do it. It's just a conseervation easement so that
24 it stays green.

25 MR. COHEN: But how is that defined? Where

1 are the boundaries of that?

2 MS. RUTHERFORD: It's the area around Georgian
3 Park.

4 MR. RAPSON: It would be that area
5 (indicating) point your little thing. That area,
6 that area --

7 MR. WEED: The greenspace along Georgian Park.

8 MR. COHEN: There's an area identified on the
9 site plan behind Kroger that says existing wooden
10 area to remain 2.1 acres.

11 THE MAYOR: Yes.

12 MR. COHEN: And then there's an area behind
13 the Target store that says existing wood area to
14 remain. Are we talking about those two areas?

15 THE MAYOR: Yes, sir.

16 MR. RAPSON: This last one is going to be a
17 bigger hurdle. The space between the Target store
18 and Building 400. This is this area here
19 (indicating). We've come to it several times this
20 evening. We'd like to keep that greenspace if at
21 all possible. Have the golf cart come down, have
22 golf carts there.

23 MR. COHEN: You know, I have to say with all
24 due respect I think that's a little late to trip
25 that button when we agreed earlier that we

1 addressed all the parking space comments first of
2 all.

3 Second of all I know where that comment came
4 from because I've gotten the same letters that you
5 do and it was a concept that we started on on SP-12
6 which is what got us here today. So it's a little
7 bit disturbing to me for that reason. But we are
8 not amenable to that. That goes, I think, well
9 beyond the --

10 MR. RAPSON: That's okay, it's not a deal
11 breaker. That was actually -- I don't think I've
12 missed any.

13 MS. RUTHERFORD: Nope.

14 MR. RAPSON: I think that's all the
15 stipulations we had so do we want to go back to the
16 original one, the signalization issue?

17 MR. COHEN: Do you want to do that and then go
18 to the rest of the list?

19 MR. RAPSON: Yes, I think so.

20 MR. COHEN: Okay. I think what I had posed
21 for signalization was, and you have your expert
22 here so I imagine you're going to let him address
23 it, was potentially considering timing nuance of
24 actually getting the project open and the other
25 signals in and see how they work and see what real

1 world traffic does before you put a third new light
2 in the --

3 MS. RUTHERFORD: I guess --

4 MR. COHEN: Not that we're unwilling to do it
5 it is just it may not be necessary.

6 MR. RAPSON: Well, I guess one of the concerns
7 I have is the fact that the reason we don't have
8 two traffic signals is because previous Council
9 kind of agreed to the same terms you're asking us
10 to agree to to be quite frank.

11 MR. COHEN: Well, I think that --

12 MR. WEED: There was a situation there where
13 he said/she said --

14 MR. COHEN: I'm well aware of that situation
15 and unfortunately am not in a position to resolve
16 it. I do think that we would be certainly willing
17 to concede and accept much clearer language with
18 which you may be dealing today.

19 MR. RAPSON: Would you be comfortable with the
20 language that the owner shall be responsible for
21 paying for the signalization, pretty much the same
22 language, and then adding at the very end of that
23 upon City Council direction? Would that give you
24 any measure --

25 MR. COHEN: I think that's a good starting

1 point but I think what I would like -- I think that
2 the issue is if the project warrants it. If we get
3 ten years out and there's enough development
4 elsewhere --

5 MR. RAPSON: I guess the issue that I have is
6 -- the only thing I have before me is the traffic
7 study that says that intersection will fail. I
8 mean it's one of the very clear things that I think
9 the traffic report show.

10 MR. COHEN: Let's do this. I think this may
11 be best fore everybody. We'll agree to the
12 condition -- we'll agree to the condition. I would
13 like to work with Council and with Staff going
14 forward with regard to installation potentially
15 later and see -- If it is something -- I think is
16 better for the community but I want to be sure.
17 The intent is not to shirk our responsibilities or
18 to put the Council, the City and the community,
19 most importantly, in the same situation that you
20 have today.

21 MR. RAPSON: I would say that we add the
22 stipulation upon City Council direction. That way
23 you have that flexibility. We have to actually
24 tell Staff to go do something as opposed to --

25 MS. RUTHERFORD: Well, I have a problem with

1 this. We're where we are today because we told
2 staff to go do something and now we're having a
3 problem getting it done. But I also -- I'm not
4 real keen on two lights in less than like five car-
5 lengths apart.

6 MR. COHEN: That's my concern.

7 MS. RUTHERFORD: So what I would like to do is
8 have the flexibility that he's agreed that they are
9 responsible to put the light in but I would like to
10 be a little more definitive than when we direct
11 them then say we'll look at it at six months or one
12 year.

13 MR. COHEN: I'd be willing to -- I'd be
14 willing to do a -- we'll commit to do a warrent
15 study.

16 MS. RUTHERFORD: You know what, six months --

17 MR. RAPSON: We've already had a warrent study
18 done. We've already got one back from the engineer
19 that says it fails. We're going to have another --

20 MS. RUTHERFORD: No. We're not going to do
21 another study. We're not going to do another
22 study. What we're going to do is look at what
23 happens when we put those two lights in. How that
24 actually in reality affects the thing. And if in
25 six months after the two lights are in now, they

1 say okay, what's the reality of what's happening
2 and do we have to need --

3 MR. COHEN: How about maybe this is a way to
4 handle it. And I just want to be clear on it. I'm
5 fine to agree to install a light. I'll agree to
6 install it as part of our requirements for
7 approval. I have concerns for the community and
8 the impact of a third light. I heard somebody
9 mention, I'm not sure who, that you have a warrent
10 study now. You actually don't have a warrent study
11 now. I believe what you have now is a level of
12 service study which uses some hypothetical
13 assumptions about what cars will be doing when.

14 The warrent study done is based on actual
15 cars. It's what we did a year ago before the
16 project was first before Council.

17 We certainly -- if there's a financial
18 concern, I think what maybe a way to solve this
19 would be to do several things. One, we'll agree to
20 put the signal in. We'll agree to, as part of our
21 obligations post a letter of credit in an amount
22 that would be equivalent to the signal for a period
23 of two years during which time Council has the
24 right to ask us to do an actual warrent study.

25 If you do then the warrent study comes in then

1 a signal is needed then we'll install the signal
2 and you have a letter of credit as collateral.

3 MR. MEEKER: A financial guarantee. A
4 irrevocable letter of credit is what you're talking
5 about?

6 MR. COHEN: Yes.

7 MR. RAPSON: One of the problems I have with
8 that is -- the problem I'm having with that is the
9 two-year window.

10 If you go out here and build this thing as
11 fast as I think you're going to, I don't have a
12 concern. But if you don't build it as fast as you
13 do then you're not going to need the warrents
14 because you're not going to need the warrents --

15 MR. COHEN: Two years from CO's.

16 MR. RAPSON: I would be agreeable to that.

17 THE MAYOR: I'd like it to be our warrent
18 study --

19 MR. COHEN: Fine. You have two years from
20 issuance of our certificate of occupancy.

21 MR. RAPSON: For what?

22 MR. KOURAJIAN: For the final outparcel or for
23 Target or for what?

24 MS. RUTHERFORD: From the first building or
25 the last building?

1 MR. RAPSON: To the last building? I'd be
2 agreeable to that.

3 MR. COHEN: That's fine.

4 MR. RAPSON: See, we can work.

5 THE MAYOR: And it's our warrent study?

6 MR. COHEN: Should I recount this for the
7 record.

8 MR. MEEKER: Let's tie the next condition in
9 the same way, Mike.

10 MR. COHEN: A conditional -- I don't want to
11 do that because that was a condition -- that's
12 modifying the consent decree which we didn't do
13 agree to.

14 MR. TURNER: Can I interject in that? Our
15 concern as a citizen is we're in the same position
16 that we are trying to find the money to pay for it.

17 MR. COHEN: We've offered to put up a letter
18 of credit.

19 MR. TURNER: On the lights, not on the lanes.

20 MR. COHEN: The lanes were never
21 collateralized under the consent agreement.

22 MS. RUTHERFORD: We can't do anything with the
23 --

24 MR. RAPSON: Let's go ahead and do number 10
25 first. Can we go ahead and do the signalization

1 and reword that?

2 MR. COHEN: We will agree to signalize the
3 existing intersection of Peachtree Parkway and
4 Georgian Park as evidenced by a warrent study
5 performed by the City within two years after final
6 CO is issued for the project. And as collateral
7 for the financial obligation for us to install the
8 signal, we will deliver to the City an irrevocable
9 letter or credit in the amount equal to the bid for
10 the signal.

11 MR. KOURAJIAN: Who pays for the warrent
12 studies?

13 MR. COHEN: I believe it's your consultant.
14 The Mayor wanted to do --

15 THE MAYOR: And that would be, just so I've
16 got it clear, for a two-year period we're listing
17 it as the owners shall, correct?

18 MR. COHEN: Yes.

19 THE MAYOR: One in the same? Owner or owners
20 shall? So in other words --

21 MR. COHEN: We have a letter of credit
22 regardless. If we disappear you've got that money
23 in the bank.

24 THE MAYOR: Okay.

25 MR. RAPSON: That's agreed.

1 MR. COHEN: May I just amplify one comment to
2 make sure everybody's on the same page? This is
3 just for clarity, record, given other things that
4 happen to developers elsewhere in the country or in
5 the state.

6 The installation of the signal is wholly
7 conditional on the warrent study and the issuance
8 of the CO's are 100 percent independent of the
9 signal.

10 MR. RAPSON: Right.

11 MS. RUTHERFORD: We can't even look at the
12 light until after --

13 MR. COHEN: Until after the CO? Exactly. I
14 just wanted to clarify that.

15 THE MAYOR: You just wanted to make sure we
16 weren't jerking you out of the CO's, we've got it.

17 MR. RAPSON: Number 11, did we finalize the
18 owner and successor for the left turn?

19 MR. COHEN: I'll defer to Council on that?

20 MR. RAPSON: I thought all we were going to
21 change was the owner or successor. I just want to
22 make sure he's okay with that. I think we already
23 approved that because we changed the last of it to
24 say only if built. So we're on George's list.

25 George would be doing the conservation

1 easement? Are you the one writing that up?

2 MR. COHEN: I don't think we've agreed to that

3 yet.

4 MR. RAPSON: We're going to get to that but I

5 think we just need to clarify that when we come to

6 it.

7 For the record, we incorporate the St. Simon's

8 agreement that you reached in regards to what

9 you're doing for them. The two stipulations you

10 agreed to earlier.

11 MR. WEED: It's already stated in the record.

12 MR. RAPSON: Just making sure.

13 MR. COHEN: We still agree to it.

14 I want to talk a little bit about the lighting

15 fixtures. If I understand the comments there may

16 be two issues here.

17 I think the preeminent issue is and David,

18 please correct me if I'm wrong, is that the issue

19 of lights fell over and how that looks and what it

20 creates.

21 I do think as we talked about it in a number

22 of places, one of the difficult -- one of the many

23 difficult nuances of this project has been

24 balancing what is there with what we want to put

25 there. I think part of architecture, I think, you

1 know, light standards maybe the second most obvious
2 piece of equipment in the project. So I don't
3 think it would be appropriate to take Avenue style,
4 old-timey lampposts, and put them complete through
5 the project because I think it would look
6 completely dissimilar to what is there now.

7 One of the things David and I discussed was,
8 and these words mean more to him than they do to
9 me, but I think they have meaning, is that we would
10 agree to use a type of light with a flat lens and a
11 recessed vertical bulb so that there is no light
12 spill over. The light appears more modern than the
13 dated ten-year-old Kroger lights and we could
14 probably do them in a color that was somewhat
15 aesthetically matching so that there's --

16 THE MAYOR: Well, that's essentially what you
17 did at the Avenue too though. I mean we're not
18 talking --

19 MR. COHEN: The Avenue, I think, has a
20 combination of different things.

21 THE MAYOR: Yeah, and essentially you've got
22 --

23 MR. COHEN: Yeah. I just want to be clear on
24 that.

25 THE MAYOR: And that's essentially what we're

1 looking at.

2 MS. RUTHERFORD: We're not expecting gas
3 lamps.

4 MR. RAPSON: We're okay with that.

5 MR. COHEN: Golf cart paths nine feet instead
6 of eight feet. We've had pioneers before tonight
7 so we can be pioneers again.

8 MR. RAPSON: Thank you.

9 MR. COHEN: No disturbance of the 25 foot
10 undisturbed natural tree buffer, I think we already
11 complied with that. David is there --

12 MR. RAST: The only area where that will be
13 disturbed is on the Lot 14 and basically the reason
14 is that's being graded down for the retention pond
15 and there's no vegetation in that 25 foot buffer
16 right now. On the landscaped land we do have some
17 fairly substantial planning there.

18 MR. COHEN: So we're actually enhancing the
19 existing by violating the 25 foot.

20 MR. RAPSON: Well, if we could just include
21 that perhaps when we get to the variance. I just
22 like to know what variances we're approving for the
23 final site plan.

24 MR. COHEN: No pre-grading or pre-cutting is
25 implied or approved until permitted and I think

1 that's actually an existing condition. I'll
2 reconfirm that we agree to that.

3 Thank you for the variance on the zero lot
4 line between Target and Building 100B. I think
5 that makes the project better by not having that
6 parking there.

7 Eliminate the Georgia DOT guardrails and put
8 wood guardrails at the entrances. We will agree to
9 that.

10 I'm going to skip the conservation for a
11 second. And then the last condition was condition
12 8 which I would not agree to.

13 So I think that gets us back to the
14 conservation easement and I'd like a moment with
15 Counsel before I respond.

16 THE MAYOR: Sure.

17 (Whereupon, a brief pause was taken in the
18 case.)

19 MR. COHEN: With regard to the conservation
20 easements confirmation, is it is Council's intent
21 to make sure these areas remain undeveloped?

22 THE MAYOR: Yes.

23 MR. COHEN: But no affirmative requirement for
24 running trails. It stays the way it is?

25 THE MAYOR: Green and natural.

1 MR. COHEN: There is, while we're speaking of
2 natural, there is some of -- some of the back of
3 Kroger drains into, David, I believe on the
4 greenspace on the Target parcel pursuant to the
5 permits that were received. So obviously that's a
6 condition we will not undo.

7 THE MAYOR: That won't be a problem.

8 MR. RAPSON: That's not a problem.

9 MR. COHEN: Okay, and I guess from a
10 processing standpoint, I guess, we will agree to
11 survey the appropriate area but obviously in some
12 of these areas we're installing landscaping. I
13 don't think it is your intent to include in the
14 conservation area the areas that we need to grade
15 and install. Landscaping so we'll agree to do a
16 survey and agree on it?

17 MR. RAPSON: That's correct.

18 MR. COHEN: Is that it?

19 MR. RAPSON: I thought of one. No, I'm
20 joking.

21 THE MAYOR: Last chance on the greenspace.

22 MR. COHEN: Okay.

23 THE MAYOR: Tim, John, do you all want to make
24 a comment real quick before we sew things up?

25 MR. HEDGE: Yes, if you don't mind.

1 MR. COHEN: May I one second, John.
2 Will I have an opportunity to respond?
3 THE MAYOR: Absolutely.
4 MR. RAPSON: Absolutely.
5 THE MAYOR: Keep it to five if you can.
6 MR. HEDGE: I'm John Hedge, I'm the President
7 of the Lake Kedron Community Association, not the
8 Kedron Hills Homeowner's Association as people like
9 to refer to it as.
10 I appreciate Mike and his effort. I
11 appreciate the work that this City Council has put
12 forth in doing a diligent job of reviewing this
13 plan. I think it is precedent setting the amount
14 of effort you guys have put forth.
15 We want this process to go forward. We want
16 this process to start seeing some material changes
17 which means building and let's move on with life.
18 I will try to ask you once again to consider a
19 couple of very, what we think, are dangerous spots
20 and I'll be very brief because I'm not going to go
21 through all of them because a lot of what we talked
22 about --
23 THE MAYOR: Hopefully we hit some of them.
24 MR. HEDGE: Yes. I'm going to be very
25 quick. The traffic studies said the majority

1 of traffic going to this shopping center from
2 the south, which I think was over 75 percent,
3 was going to go down this way, come down the
4 back stretch of Taladega here and enter the
5 shopping center.

6 There's no stop sign, there's nothing to slow
7 down traffic coming into here (indicating). Right
8 now there's a stop sign there and there's a stop
9 sign there (indicating) so hopefully those people
10 are going to stop. These people have a right-of-
11 way to come into this thing wherever they want to
12 do. I'd ask you to consider a stop sign there just
13 to slow the traffic and make sure that there's no
14 uncertainty and creating a dangerous spot right
15 there.

16 Secondly, I don't know why that's not going
17 forward. We don't agree with that. Yeah, this
18 concerns us because we see this all the time at
19 Braelinn and at Wal-Mart and everything else.

20 You come in here (indicating) and if this is
21 too congested you go here. But wait a minute,
22 there's congestion here so what are you going to
23 do? You're going to go anyway you can to get over
24 here. Secondly, if you don't go this way which is
25 a heavy paved road, you come this way. This is the

1 other main way you get there. What are you going
2 to do when you get here or here or here
3 (indicating)? You're going to shoot across here
4 (indicating).

5 Same thing getting out. If you come down here
6 and this is -- you're going to cross here
7 (indicating). We think that this area should be
8 solid and be very consistent with what you see over
9 there. We think you're creating traffic issues
10 right at the entrance to the -- for the northbound
11 traffic. We have a very big concern up here and
12 I'll come back to that real quick.

13 We talked about the golf cart spaces and the
14 islands, I think we addressed six of them. I think
15 with most of the traffic coming this way and going
16 this way or going this way to get to Target, these
17 are going to become a real problem for the police
18 chief as well as Fayette County Hospital.

19 We think there is opportunities to improve
20 this. There's a stop sign or some sort of speed
21 table along here to slow the traffic down so that
22 that doesn't become a major issue.

23 Illuminate those golf cart parking which we
24 saw, you've already taken action on six of them.

25 We think you need some -- that (indicating)

1 you agreed to eliminate, which we appreciate it.
2 We think that ought to be solid to take away people
3 from using that as a cut-through both on the in and
4 the outbound traffic. We think that needs to be
5 solid because you're going to have people down here
6 and they're going to start cutting through any of
7 these to find parking spaces plus you're backing
8 out into the secondary main entrance in there.
9 We think at the very least that island ought
10 to be solid and that island ought to be solid
11 (indicating).
12 The other thing there is you've got virtually
13 acres of blacktop where any car on this side of
14 this barrier can just traverse anywhere he wants to
15 laterally both to get in, get out, go this way.
16 The Wal-mart parking spot shopping center parking
17 lot is about this same size. They have a barrier
18 every three traffic rows. We ask you to make this
19 consistent, make it safe because there's going to
20 be a tremendous amount of cross traffic in here
21 especially since this is straight parking. It's not
22 tilted parking so you don't know which way you're
23 going. So you're going to have cars going both
24 ways on each one as well as cutting through. And
25 I'll guarantee you that every person in this

1 building does that, me included.

2 We think that this ought to be a dedicated
3 golf cart area. And the reason is this. Golf
4 carts predominately from the neighborhoods are
5 going to come down here, you can put all of the
6 parking for golf carts over there (indicating) plus
7 I think there's a couple of safety issues.

8 We talked about inter-connecting this and make
9 it more foot friendly as opposed to traffic
10 friendly. I think it is a nice opportunity to put
11 a walkway and a crosswalk that interconnect these
12 so that people that come out of this entrance
13 instead of getting in their cars and zipping across
14 the barriers and parking over here (indicating)
15 would be more inclined to walk.

16 They're not going to do it under the current
17 configuration because the current configuration of
18 that space has five islands in it and has 84
19 parking spaces for cars in it jammed in that
20 corner. And every cart from the community is
21 coming down here to use this shopping center is
22 going to get caught in that malay. So I would ask
23 you to please consider being more firm about making
24 some modifications to that area.

25 Plus I don't think the idea of illuminating

1 the five, six-cart parking spots and not finding a
2 home for them is consistent with what we talked
3 about all along in this project. We think that's a
4 great opportunity to make a showcase piece and that
5 one I don't really care about.

6 Our position is it is time to move forward.
7 Let's not do something today that we're going to
8 regret and have to take corrective action later,
9 i.e., these barriers that I talked about because
10 they are going to create dangerous situations.

11 We've got to stop analyzing these things and
12 we've got to start requiring them, I'm glad we're
13 doing that today. Require some of these additional
14 proposals.

15 You know we talked all along and I think Mr.
16 Rapson you mentioned it before today, health and
17 safety. We're creating some hotspots, they're
18 going to happen.

19 This is not a Peachtree City development.
20 This is a regional development. There's people
21 that don't know how to drive with golf cart backing
22 out of spaces. They're going to see those spaces
23 in front of those buildings, it's going to be the
24 closest one to where they're going to go. They're
25 going to pull into it. They're going to park there

1 as close regardless of the sign. You're creating
2 some problems. I think you should reconsider them.

3 There's a couple of more legal issues. Number
4 one the consent order required that the space along
5 Georgian Park, the stub, be permanently as part of
6 this condition of approval be deeded to the City.
7 We've talked about deeding the greenspace. I want
8 to make sure on the record that that still is going
9 to happen.

10 THE MAYOR: When you're referring to the stub
11 what stub? Where the cart path is?

12 MR. HEDGE: No --

13 MS. RUTHERFORD: No, Regents Park --

14 MR. HEDGE: The existing Regents Park
15 extension for Kedron shall be stubbed off. I just
16 want to make sure that's going to happen.

17 THE MAYOR: Sure.

18 MR. HEDGE: And then my only other --
19 greenspace on Georgian Park which -- I appreciate
20 the effort you guys are doing. I wish you would
21 reconsider some of these additional, what I think
22 are some pretty critical, safety issues. Thank
23 you.

24 THE MAYOR: Thanks, John.

25 Did you want to respond to any of that?

1 MR. COHEN: May I respond to a couple of
2 things?

3 MR. RAPSON: Yes, please.

4 MR. COHEN: First of all the entrance off of -
5 the south entrance by Building 700, we'll agree to
6 a stop sign or a speed bump or some accommodation
7 for traffic calming.

8 I found one of John's comments most
9 illuminating and that is every time I pick up the
10 paper in the section all I pick up and read about
11 is how bad Wal-Mart is and how ugly -- not Wal-Mart
12 here just corporate issue.

13 I think I heard John saying or requesting that
14 we make some revisions here so that we would
15 actually look like the Wal-Mart parking lot which
16 is the first time I've ever heard that here.

17 I disagree with virtually all of John's
18 comments. I think from a legal standpoint they go
19 well beyond the neighborhood's right under the
20 consent and into project design which is a Staff
21 issue. You've had engineers look at the plan as
22 well as Staff who are trained to look at that.

23 This is not a regional development. There's a
24 Target in Newnan and there's a Target in
25 Fayetteville. People from Senoia or Tyrone or

1 elsewhere in South Fulton or North Fayette County
2 will be shopping here, shop the Avenue and are very
3 well versed in driving in projects with golf carts.

4 What we do that other projects don't is we
5 actually put the carts in a space where they are
6 supposed to be so that people know to be on the
7 lookout for them and to not have to be -- averting
8 carts throughout the project.

9 I disagree with the comment about being
10 Taladega. With regards to the greenspace and the
11 golf cart requirements here, John, as much as I
12 like you I'll have to tell you I think that's
13 wanting your cake and eating it too. You guys are
14 the reason the entrance is not here and I believe
15 your neighborhood is about the only neighborhood
16 that will use that cart path. I think other
17 neighborhoods are coming in riding cart paths on
18 the north and cart paths on the south. I'll
19 reiterate my objection to that as a condition of
20 what we went through with Council.

21 With regard to barriers. This is a very
22 different project than Wal-Mart. Wal-Mart is not a
23 shopping center. It's a single store next to a
24 Home Depot which is also single store. Comparing
25 the design at any level is not appropriate and so I

1 disagree with the request that you have a
2 requirement for additional barriers. I think we go
3 above and beyond our landscaping and pedestrian
4 movement and circulation already. I think that's
5 it.

6 THE MAYOR: But you are amenable to some sort
7 of slowing down function or stop sign by the 700
8 building there?

9 MR. COHEN: Yes. Sure. And as well as a
10 reaffirmation of a commitment that this is
11 dedicated to the city as a requirement of the
12 consent agreement.

13 That's all I have.

14 THE MAYOR: Wrap it up Steve.

15 MR. RAPSON: With that said I personally want
16 to thank everybody involved. I know Staff's given
17 a lot of effort. Because as reluctantly as I'd
18 like to I'd like to also thank Ted and George.
19 It's been very fun working with both of you.

20 I move that we approve the final site plan for
21 the Kedron Building Retail Expansion subject to the
22 conditions discussed and agreed to by Mike Cohen
23 and it's reflected in the transcript. A copy of
24 the transcript and all exhibits attached thereto
25 will be attached to these minutes an incorporated

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into this motion by specific reference so as to
accurately reflect the conditions of the approval.

MS. RUTHERFORD: Second.

THE MAYOR: We have a motion and a second.
Any further discussion? All in favor? All
opposed?

(Whereupon, the approval was carried
unanimously and the proceedings were concluded at
approximately 1:00 a.m.)

C E R T I F I C A T E

STATE OF GEORGIA

COUNTY OF FAYETTE

I, Linda C. Breedlove, Certified Court Reporter for the State of Georgia, hereby certify that the foregoing transcription of an audio tape was transcribed by me, as stated in the caption; and the questions and answers were reduced to print by me; that the foregoing pages 4 through 121 represent a true, correct, transcript of the proceedings taken on October 21, 2004; and were transcribed to the best of my ability; that I am not a relative, employee, attorney or counsel of any of the parties; am not a relative or employee of attorney or counsel for any of said parties; nor am I financially interested in the action.

This, the 31st day of October, 2004.


Linda C. Breedlove

Certificate No. B-2113

Certified Court Reporter