

City Council of Peachtree City
Meeting Summary
October 19, 2000
7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
 - Employee of the Month – David Murphy
 - Ten-Year Service Pin – Robert Todd
 - Recognize Willis Granger for service on the Planning Commission
 - Recognize Tom Carty and the West GA Inspectors Association
 - Recognize Police Department for Achieving Reaccreditation
- III. Minutes – October 5, 2000
- IV. Consent Agenda - Approved 4-0
 - 1. Consider Agreement – Tower Lease
 - 2. Consider Ordinance Revision – Outdoor Burning
- V. Old Agenda Items
 - 09-00-01 Consider Ordinance – Outside Storage Display – approved 4-0
- VI. New Agenda Items
 - 10-00-06 Public Hearing – Consider Lifting the Moratorium on Multi-Family Zoning as it applies to the Lexington Commons Commercial Development at the Walt Banks/SR-54 Intersection – approved 4-0
 - 10-00-07 Public Hearing – Variance, Potash, 121 Cedar Point – approved 4-0
 - 10-00-08 Public Hearing - Consider Ordinance – “Big Box” Regulations – no action
 - 10-00-09 Consider Jail Impact Fees – approved 4-0
- VII. Council/Staff Topics
- VIII. Executive Session

Councilmembers present: Mayor Bob Lenox, Annie McMenamin, Carol Fritz and Bob Brooks. Dan Tennant was absent.

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Notice: This agenda is subject to change up to 24-hours prior to the meeting.

ANNOUNCEMENTS

1. Police Department Reaccreditation Recognition
2. Employee of the Month – David Murphy
3. Ten-Year Service Pin – Robert Todd
4. Recognize out-going Little League President, Ed Martin
5. Recognize Willis Granger for service on the Planning Commission

City Council of Peachtree City
Minutes of Meeting
October 5, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, October 5, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Protem Annie McMenamin led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Dan Tennant and Bob Brooks. Mayor Robert Lenox was absent due to a trip to Australia.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Cecelia Eifert, Commission on Children and Youth Commissioner and Youth Advisory Board (YAB) Advisor, recognized 20 teens who serve on the YAB.

MINUTES

Brooks made a motion to approve the minutes of the August 17, 2000, as presented. Tennant seconded the motion. Motion carried unanimously.

Fritz asked that the minutes of September 20th be amended to reflect that she was absent so that she could attend the Regional Leadership Institute. Brooks made a motion to approve the minutes of the September 20, 2000, as amended. Tennant seconded the motion. Motion carried with Fritz abstaining.

CONSENT AGENDA

1. Approve Surplus Items for Auction
2. Consider Bid – Riley Track and Field
3. Consider Resolution - Establishment of a Community Greenspace Trust Fund

Brooks made a motion to approve the consent agenda items. Tennant seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

09-00-01 Consider Ordinance – Outside Storage Display

At the request of staff, Brooks made a motion to table this item until the meeting on October 19, 2000. Tennant seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

10-00-01 Consider Alcohol License – Sushi Yoshi, 285 Hwy 74 N

Brooks made a motion to approve an application for an alcoholic beverage license for Sushi Yoshi, a new Japanese restaurant to be located at 285 Highway 74 North, and to appoint Ms. Atsuko Maeda as the Licensee and License Representative. Tennant seconded the motion. Motion carried unanimously.

10-00-02 Public Discussion of the Lexington Commons Commercial Development at the Walt Banks/SR-54 Intersection

The City Manager, Jim Basinger, explained that at the last meeting Mayor Lenox announced he had been advised by Bob Adams that he had been unable to secure the financing necessary to develop the property located at the corner of Walt Banks Road and Highway 54 in accordance with the limited use conditions the City had imposed. It was felt that too much retail space was included in the LUC zoning when compared to the amount of retail space currently in place or under construction in Peachtree City. Adams wanted to reduce the amount of retail space and increase the number of apartments on the site. Mr. Adams' option to purchase the property would expire in December 2000, and if it did, the property would revert back to its previous zoning. Since the City had been involved in a fourteen-year legal battle concerning the property, Mayor Lenox announced at the last meeting that he had made an executive decision to instruct the Director of Developmental Services, Jim Williams, to gather all the necessary information on Mr. Adams' proposed revisions to the LUC zoning. Basinger explained that if Council agreed to consider the revisions, the first step would be to consider lifting the moratorium on multi-family zoning at the October 19th Council meeting. If Council lifted the moratorium, the rezoning request could be heard by Council at the November 2, 2000, meeting.

Jim Williams gave Council an overview of the revised proposed project.

Brooks felt that the proposed development should not be considered as apartments, but as a mixed-use development. He felt the development of the proposed project was very important to the surrounding neighbors and that it would reduce traffic. He said the adjacent neighborhood association was supportive of the development and they were concerned that the property could revert back to its previous zoning.

Tennant asked if the development would consist of apartments or condominiums. He said he had been told the final decision would be market driven. Brooks felt Tenant's concerns were related to homeowner involvement and the impact on traffic and the school system. Brooks felt it was important to allow the proposed plan back into the process for further study.

McMenamin said a considerable amount of tax dollars had already been spent on the property and she felt it would be a mistake not to try and salvage the progress that had been made before the property and zoning reverted back to Mr. Lassiter.

Brooks made a motion to instruct staff to hold a public hearing on October 19, 2000, to consider lifting the moratorium on multi-family/apartment development in respect to the Lexington Commons project and no other project. Fritz seconded the motion. Motion carried unanimously.

10-00-03 Public Hearing – Set Millage Rate

Basinger explained that at the last meeting Council elected to rollback the millage rate at 3.84 mills. He said that action needed to be reaffirmed to meet state advertising requirements. McMenamin asked if there were any comments from the audience concerning the millage rate. There were none. Brooks made a motion to set the LOST rollback rate at 4.296 mills, the gross

millage rate at 8.132 mills and net millage rate at 3.836 mills. Fritz seconded the motion. Motion carried unanimously.

10-00-04 Discussion - Inspections of Public Pools – no action

Robert Kurbis from the Environmental Health Department addressed Council and reviewed a new law that required the inspections of public pools. He said the state law specifically excluded apartment, subdivision and country club pools, which were the largest source of complaints to his office. He explained that unless local governments adopted their own legislation governing the inspection of such pools by December 31, 2000, the new state law must be enforced. Kurbis said the Fayette County Board of Health was considering such local legislation, and if adopted by the County, he would ask Peachtree City to also adopt it so that it could be enforced in the municipal court system. He said he would return to Council with the proposed ordinance after it was adopted by the County.

Brooks asked if the state was providing funding for the enforcement of the new law. Kurbis said it did not. He said by excluding the biggest complaint producers (apartments, subdivision, and country club pools) the law allowed those facilities to utilize the County as courtesy pool inspectors with no enforcement ability. Kurbis said the proposed local ordinance would require those facilities to follow the same fee schedule for permits and inspections as the other pools.

Fritz asked Jim Williams, Director of Developmental Services, for comments. Williams said the Building Official had reviewed the proposed ordinance and was prepared to submit the necessary ordinance amendments for adoption. Williams said existing pools would be required to follow the operational procedures of the pools, but structural or design changes would not be required. He said a plan review process would be required for new pools.

10-00-05 Discussion – Process for Filling Authority/Commission Vacancies

Tennant addressed Council with his concerns about the process for filling vacancies on authorities and commissions. Tennant admitted he was ignorant of the facts and assumed that because Willis Granger was not selected to serve a second term on the Planning Commission he had not reapplied. Tennant said he voted to accept Mr. Payton's nomination without having all of the facts presented to him. Tennant said he understood that it was his own fault that he did not have all of the facts and he accepted most of the blame for voting the way that he did. He said it seemed that at times, unless he asked all of the right questions at City Hall, he would not get vital information he needed to make informed decisions.

Tennant felt Mr. Granger was a known commodity who reflected the values and feelings of the citizens of Peachtree City. He said Granger had strong convictions about preserving Peachtree City's lifestyle by opposing annexation, high density, big boxes, etc. and he was known to vote on the side of ordinary homeowners and not the side of the development community. Tennant felt Granger was not recommended for reappoint by the selection committee (comprised of Mayor Bob Lenox, Councilman Annie McMenamin and City Manager Jim Basinger) because of those convictions. He felt Mr. Granger was denied serving due to political retribution for taking a strong stand. He believed that Lenox and McMenamin saw to it that a known commodity was brushed aside in favor of someone who might possibly be a little more sensitive to the needs and the wishes of the development community. Tennant said he did not know the candidate who was

selected, but he felt it was obvious that the selection committee felt a new presence on the Planning Commission was needed. Tennant felt it was interesting that two members on the Development Authority were serving on their third six-year term and one member was serving his fifth six-year term.

Tennant clarified that he was not upset because Granger was not reappointed, but that he said he was upset that he was not informed of who the candidates were and that the appointment procedure was not properly followed. He suggested the following changes be made to the ordinance or procedures:

1. Names of all applicants for commission/authorities be made public in the legal organ and City UPDATE.
2. The selection committee be comprised of the City Manager and two members of Council to be rotated in an orderly and routine manner so that no Councilmember can pick or choose which committee he or she serves and to preclude the Mayor from unilaterally using his authority to appoint himself to serve on a committee of his choice
3. All members of Council receive a copy of each candidates application prior to voting on the appointment and that all members are provided a summary page with information about each application
4. A maximum two-term limit be imposed on board, authority commission appointments.

He felt it should be a proactive presumption that Councilmembers are kept informed of vital matters rather than a reactive game of twenty questions.

Fritz said Tennant had known for three weeks that she was looking at the process and he never called to ask what she had learned or for her opinion on the issue. She said she had consulted with the City Attorney, GMA, and State Solicitor General in Fayette County, Steve Harris. She said the bottom line was that there was no problem with the process. She said the Open Meetings Law was vague as to whether or not the interviews should be held in an open meeting. She suggested getting clarification on the law and obtaining an opinion from the Attorney General. Until the law could be clarified, she felt the interviews should be held in an open meeting. She also recommended advising the applicants of the dates scheduled for interviews at the time they submit their application because she understood there were problems with scheduling interviews. Fritz said she was offended by Tennant's allegations that there was a conspiracy to keep Mr. Granger from being reappointed. She said she was interested in the applications and took the initiative to request the information. She said there were very qualified applicants who submitted applications and they should not have been dismissed because Granger reapplied for the position. She was not in favor of changing the process.

A heated discussion ensued between Fritz and Tennant. Brooks interjected his comments on the issue. He felt it was important to be careful of applicants' feelings because they were volunteering to serve. He also felt that reappointments to commissions/authorities should not be automatic because it would deter future applicants. He also felt that Tennant should have taken the initiative to be more informed and said Tennant was "asleep at the wheel". Brooks pointed out that the nominating committee did not make the final recommendation, but in fact Council made the decision, including Mr. Tennant. Brooks said he wished Tennant had discussed his concerns with him or another member of Council, so that they would not have had to read about it on the front page of the newspaper. Tennant felt the issue should be discussed in a public forum and not

privately.

McMenamin felt Lenox was very generous in allowing Councilmembers to volunteer to serve on the selection committees. She felt they should continue to volunteer because there would be times that someone would not be able to serve. She noted that she had to fill in for Tennant when he was not available to conduct interviews. McMenamin said she was not offended by Tennant's comments because she knew what really happened. She assured the public that there was no prior discussion about any applicant, and she was not aware of how Mr. Granger voted on any particular item. She explained the factors that went into the selection process. She felt it worked well. She said she was sorry that Tennant mistrusted her, Lenox and Basinger. Tenant said he did not distrust Basinger.

Tennant made a motion to reconsider the Planning Commission appointment at the November 2, 2000 meeting. Motion died from a lack of a second.

COUNCIL/STAFF TOPICS

Staff briefed Council on a commercial rezoning issue that was before the County Commission regarding property located on Highway 74 South adjacent to the city limits. Staff felt that the City needed to have a strong representation at the County's public hearing on the issue. McMenamin asked Williams to be prepared to speak for the Council at the hearing and voice their opposition to the rezoning.

Staff informed Council that the Fayette County Jail had exceeded its capacity. The County asked the City to consider allowing defendants to post bonds without going to jail and waiting 72 hours for a bond hearing. They also asked that other punishments be considered in lieu of jail time for some cases. Lindsey said that 90% of the City's probation cases resulted in a probation violation for which he normally recommended jail time. The new jail facility should be complete in two years.

McMenamin instructed the City Attorney to investigate the legality of limiting term limits for commission and authority members so that Council could discuss the issue at the November 2nd Council meeting.

McMenamin said that while Council may disagree and have heated discussions from time to time, she did not feel they would ever lose the common vision to protect the health, safety and welfare of the citizens, and they would continue to work in that direction.

Brooks made a motion to adjourn the meeting. Fritz seconded the motion. Motion carried unanimously and meeting adjourned at 8:30 p.m.

Attest: _____
Mayor Robert L. Lenox

City Clerk, Nancy Faulkner



POLICE DEPARTMENT

153 Willowbend Road • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



JAMES V. MURRAY
Chief of Police

TO: MAYOR AND CITY COUNCIL
FROM: JIM MURRAY, CHIEF OF POLICE
DATE: OCTOBER 12, 2000
SUBJECT: TOWER AGREEMENT WITH SATELLITE RADIO

Attached to this memo is a copy of the ground lease agreement that has been drafted between SATELLITE RADIO and the City of Peachtree City. Contained below is an analysis of the revenue that will be generated by the agreement

The contract is for five (5) five-year periods. It is renewable every (5) years with an increase of 2% per year beginning with the sixth year of the lease. The revenue expected during the full contract period is as follows:

1 - 5 years	\$20,400 per year	\$102,000
6 - 10 years	\$20,808 to \$22,524	\$108,307
11 - 15 years	\$22,974 to \$24,868	\$119,557
16 - 20 years	\$25,365 to \$27,455	\$131,998
21 - 25 years	\$28,004 to \$30,312	\$145,733

This contract has been reviewed and approved by both the City Attorney and the Director of Finance. It is my recommendation that the City approve this agreement with SATELLITE RADIO, INC.

CC: City Manager

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Clerk 
VIA: City Manager
DATE: October 13, 2000
SUBJECT: Tower Agreement

The standard 41-page tower agreement referenced in Chief Murray's memo is available for review in my office.

CITY OF PEACHTREE CITY
INTER-OFFICE MEMORANDUM

TO: Mayor Lenox and Members of Council

VIA: City Manager, ATTN: Mr. Jim Basinger 
City Clerk, ATTN: Nancy Faulkner

FROM: 
Stony Lohr
Acting Fire Chief

DATE: October 12nd, 2000

SUBJECT: Modification of City Burning Ordinance

Staff requests that Council approve the modification of the City's burning ordinance contained in Section 42-45 (a), (b), (c), and (d) of the City Code.

Modification of section (a) consolidates the listing of activities that are not permitted.

Modification of subparagraph (b) decreases the size of a permitted small fire from 125 cubic feet (e.g., 5 feet by 5 feet by 5 feet) to 75 cubic feet (e.g., 5 feet by 5 feet by 3 feet). The Fire Department believes that a fire of 125 cubic feet is no longer appropriate or safe for developed residential areas within Peachtree City unless there are special precautions.

Modification of subparagraph (c) adds fires exceeding 75 cubic feet to the category of large fires that require special provisions and safeguards.

Modification of subparagraph (d) adds a new paragraph that recognizes and provides procedures for special events such as camp fires, luau's and bonfires.

Addition of subparagraph (e) re-designates former subparagraph (d) but does not change existing procedures.

Addition of subparagraph (f) clarifies monitoring and enforcement, and the conditions under which a fire may have to be extinguished.

Addition of subparagraph (g) authorizes the Fire Chief to publish implementing rules, regulations and procedures. This would provide detailed information on the Burn Line, Internet access and any other methods of communication that may become available. It also allows changing details of implementation without requiring that the City Code be changed each time.

Section 42-45, Burning or burying

(a) **Garbage, rubbish, hydrocarbons and other restrictions.** The burning of garbage, rubbish, automotive tires and tubes, asphalt shingles, PVC pipe, insulation, treated lumber, adhesives, shale oil, nitro-cellulose, combustible liquids and other products manufactured from derivatives of petroleum is prohibited. The use of hydrocarbons to start or fuel a fire is prohibited. Only one active burn site is permitted on any lot one acre or less in size. The burying of garbage or rubbish is prohibited except for burying in an designated landfill as approved by the authority having jurisdiction. Controlled outdoor burning will not be permitted to continue if it becomes a public nuisance or a health hazard.

(b) **Garden trash, yard debris or brush in small amounts.** The burning of garden trash, yard debris and brush is permitted in small amounts not exceeding 75 cubic feet provided that there is compliance with O.C.G.A. § 12-9-1 et seq., that authorization has been granted by the Fire Chief or his designated representative, that proper safeguards have been taken to prevent spread of the fire, and that the fire is attended at all times until it is fully extinguished. Fires must be fully extinguished by nightfall.

(c) **Brush in large quantities.** The burning of brush in amounts exceeding 75 cubic feet is prohibited within the city unless authorization has been granted by the Fire Chief or the Fire Marshal. Outdoor burning involving land development such as large sites, new developments and subdivisions must be permitted in person through the Fire Marshal's office. Applications for this permit can be picked up from 8:00AM – 5:00PM, Monday through Friday, (except holidays), at the fire department headquarters at 105 Peachtree Parkway, North. These types of permits require inspection of the site, the burn pit, the air curtain and fire prevention procedures, and may take up to five (5) working days from the time that the application is received.

(d) **Special Events.** For special occasions where outdoor cooking takes place in a manner other than the utilization of an approved grill such as social functions which include campfires for cooking, luau, or any other similar type of cooking activity, and for bonfires, campfires and similar activities, the person in charge of the activity must obtain authorization through the Office of the Fire Marshal.

(e) **Authorization for burning required.** Authorization to perform outdoor burning is required for all outdoor burning except for outdoor cooking on approved charcoal or gas grills. Each request to conduct outdoor burning shall be made to the fire department in person or via communication acceptable to the department. The Fire Chief and the Fire Marshal shall have reasonable discretion as to when outdoor burning is allowed based on existing or forecasted weather conditions.

(f) **Monitoring and enforcement.** The Fire Department will periodically monitor authorized burning to assess compliance with safety and environmental requirements and will investigate complaints and reports of violations. For any fires found not in compliance, Fire Department personnel may require the correction of the deficiency(ies) or direct extinguishment of the fire, as they judge appropriate. In no case should burning be allowed to continue if in the Fire Officer's judgment smoke or other particles of combustion have or are likely to enter openings in someone's home, or become a hazard to someone's property, or if the fire is causing other discernible adverse affects. Failure to be in compliance with any of the rules and regulations noted above may result in revocation of any authorization to burn that has been issued, and a verbal warning, written warning, or citation as appropriate. Citations may be issued by the Fire Chief, Fire Marshal, Fire Department Operations Officer, Code Enforcement Officers, and Police Officers.

(g) **Implementation.** The Fire Chief is authorized to publish rules, regulations and procedures to implement the above requirements for controlled burning.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager
FROM: Director of Developmental Services 
DATE: October 11, 2000
SUBJECT: Proposed Outside Display Ordinance

On September 7, 2000, staff presented a draft of an ordinance proposed to regulate the outdoor storage and display of materials in commercial areas. At that time, Council directed staff to study the matter further and meet with representatives of the business community to get their input.

Since that time, staff has met with about 30 business owners and members of the Chamber of Commerce. Based on those discussions, the draft of the ordinance has been substantially revised. The revised draft was approved by the Planning Commission at its meeting on October 9, 2000. **Staff recommends that the revised draft be adopted by Council.**

The revised draft is included as Attachment "A." For reference, the original draft is included as Attachment "B"; and a copy of the existing ordinance is included as Attachment "C." Finally, a copy of a portion of the minutes of the Council meeting of September 7, 2000, is also included for your information as Attachment "D."

JBW/jir

Attachments "A" – "D"

AN ORDINANCE TO AMEND
THE PEACHTREE CITY SIGN ORDINANCE
TO RESTRICT THE OUTSIDE DISPLAY OF
PRODUCTS AND MATERIALS
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 66-169 of the Sign Ordinance, Outside Displays, Paragraphs (a) and (b) be deleted in their entirety and replaced with a new Section 66-169 to read as follows:

- (a) Commodities that are for sale or for lease as well as any other products and materials that are associated with a particular business shall not be displayed or stored outside in any commercial area unless:
 - (1) They are in an approved, permanent, fully enclosed space; and they are reasonably screened from public view; or
 - (2) They are stored or displayed in accordance with the specific understandings and conditions of a site plan that has been approved by the Planning Commission as a part of the Site Plan Review process; or
 - (3) They are confined to an area no more than six (6) feet from an exterior wall of the primary building on a zoning lot and they comply with the following requirements:
 - a. They do not encroach into a zoning setback area, a required buffer, or a landscaped area;
 - b. They do not interfere with pedestrian or vehicular traffic on the site;
 - c. They do not occupy more than twelve (12) lineal feet of space along an exterior wall;
 - d. They are not stored or displayed outside for more than twenty-four (24) consecutive hours; and
 - e. There is no sign that is legible off-site that is associated with the materials that are stored or displayed; or
 - (4) A Temporary Use Permit is secured for such display or storage.

- (b) A Temporary Use Permit may be issued by the Zoning Administrator in accordance with the following criteria:
- (1) No more than four (4) Temporary Use Permits may be issued for any zoning lot in any calendar year.
 - (2) No single Temporary Use Permit shall be issued for more than seven (7) consecutive days.
 - (3) Prior to the issuance of a Temporary Use Permit, an applicant must submit an application to the City Planner for City Staff review and approval in order to assure that the proposed temporary use will not pose a health or safety hazard or be detrimental to the public welfare.
 - (4) No sign that is legible off-site shall be displayed in conjunction with the Temporary Use Permit.
- (c) Trucks making a delivery to a business in a commercial area shall not park in that area for more than two (2) hours after the delivery is made. Trucks that are not making a delivery shall not park in a commercial area unless the owner of the truck is the owner of a business in the commercial area or unless the truck driver is actually doing business in the commercial area.
- (d) No vehicle which displays advertising for a business in a commercial area (with the exception of a door panel sign not more than four [4] square feet in area and no more than 48 inches above the ground) shall be parked so that the advertising is legible from a public street.
- (e) Trucks over 20 feet in length, trailers, and tractors designed to be used with detachable trailers shall not be stored in a commercial area for more than two (2) hours unless they are stored at a designated loading dock or at some other area designated for such storage on a site plan that has been approved by the Planning Commission as a part of the Site Plan Review Process.
- (f) Products shall not be sold from any truck or trailer parked or stored in a commercial area unless they are in an area that has been designated for such use on a site plan that has been approved by the Planning Commission as a part of the Site Plan Review Process.
- (g) No occupant of any vehicle that is parked in a commercial area for any reason shall be allowed to sleep overnight within that vehicle.

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

Done, Ratified, and Passed this _____ day of _____, 2000.

Mayor

Attest: _____
City Clerk

AN ORDINANCE TO AMEND
THE PEACHTREE CITY SIGN ORDINANCE
TO RESTRICT THE OUTSIDE DISPLAY OF
PRODUCTS AND MATERIALS
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 66-169 of the Sign Ordinance, Outside Displays, Paragraphs (a) and (b) be deleted in their entirety and replaced with a new Section 66-169 to read as follows:

- a) Products and materials shall not be displayed or stored outside in any commercial area unless:
 - (1) They are in an approved, permanent, fully enclosed space; and they are reasonably screened from public view; or
 - (2) They are confined to an area no more than six (6) feet from the exterior wall of the store building; they do not encroach into a zoning setback area; they are not visible from a public street; they do not occupy any more than 100 lineal feet of the store frontage; and if they occupy an area intended to serve as a walkway, a pathway of about six (6) feet wide must be maintained at all times; or
 - (3) A Temporary Use Permit is secured for such display or storage.
- b) A Temporary Use Permit may be issued by the Zoning Administrator in accordance with the following criteria:
 - (1) No more than four (4) Temporary Use Permits may be issued for any zoning lot in any calendar year.
 - (2) No single Temporary Use Permit shall be issued for more than seven (7) consecutive days.
 - (3) Prior to the issuance of a Temporary Use Permit, an applicant must secure the approval of the Fayette County Health Department, the Police Chief, the Fire Chief, the City Engineer, the Building Official, and the City Planner in order to assure that the proposed temporary use will not pose a health or safety hazard or be detrimental to the public welfare.

- (4) No sign that is legible off-site shall be displayed in conjunction with the Temporary Use Permit.
- c) Trucks making a delivery to a business in a commercial area shall not park in that area for more than two (2) hours after the delivery is made. Trucks that are not making a delivery shall not park in a commercial area unless the owner of the truck is the owner of a business in the commercial area or unless the truck driver is actually doing business in the commercial area.
- d) No truck which displays advertising for a business in a commercial area shall be parked so that the advertising is legible off-site.
- e) Trucks and trailers shall not be stored in a commercial area for more than two (2) hours unless they are stored at a designated loading dock or unless they are stored in an area that is screened from public view.
- f) Products shall not be sold from any truck or trailer parked or stored in a commercial 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 _____, 2000.

Mayor

Attest: _____
City Clerk

Sec. 66-169. Outside displays.

- (a) As a matter of right, products may be displayed outside of a store building on property zoned for commercial uses, provided the product displays and any related sales activities are confined to an area no more than six feet from the wall of the store building, and provided further that the displays do not encroach into any zoning setback area. No signage connected with these out-of-store displays shall be legible off site unless otherwise permitted by this chapter.
- (b) Products may be displayed outside of a store building and beyond six feet from the wall of the store building on property zoned for commercial uses, provided a temporary use permit is obtained from the zoning administrator. A permit may be issued for no more than ten consecutive days and no more often than once every 90 days for a particular business premise. Prior to the issuance of a temporary use permit, it must be demonstrated that the proposed outside display will not pose a health or safety hazard as a result of its operation. No signage connected with these out-of-store displays shall be legible off site unless otherwise permitted by this chapter.

(Code 1980, § 5-125(D)(8))

\$8,663.12, or double the cost for those below 50,000 square feet. All other fees, whether Office Institutional, Industrial, or whatever, would be \$1,588.24. Basinger said the City Attorney felt that these fees were at a level that probably would not affect the City's ability to work with developers in obtaining needed project improvements as new developments came on line. Basinger said staff recommended that Council adopt the jail impact fee schedule as proposed and submit the proposed fees to the City's Impact Fee Committee for consideration and approval. He said staff would then submit a recommendation and an ordinance incorporating Peachtree City's CIE (Capital Improvement Element) and the fee schedule for Council's consideration and approval at a future Council meeting.

Fritz asked if anyone had discussed the fees with any members of the Development Authority and what their response had been to the jail impact fee proposal. Lenox said he had spoken with a couple of the Development Authority members informally, and the general feeling was that it was reasonable; particularly since the brunt of the fee fell to retail businesses, and that that was probably appropriate. Lenox said further that the Industrial fee was viewed as equitable and not a burden to recruiting. Brooks stated that he had received the same kind of feedback from the same kinds of conversations.

Citizen Steve Brown addressed Council from the audience, and Mayor Lenox reiterated that Commercial fees were a *flat figure*, and that structures of less than 50,000 square feet would pay an impact fee of \$4,331; those over 50,000 square feet would pay twice that - \$8,663 - the same as residential - a flat figure per unit.

McMenamin made a motion to adopt the Jail Impact Fee Schedule as proposed. Brooks seconded the motion. Motion carried unanimously.

08-00-10 Consider Employee Pay Plan

Basinger addressed Council and stated that Mr. Phillip Robertson, Consultant for the Mercer Group, would arrive a little late because his flight had been delayed due to weather and requested that this item be moved towards the end of the agenda.

Lenox said they would hold this item if there were no objections and go on to the new agenda items. There were no objections.

NEW AGENDA ITEMS

09-00-01 Consider Ordinance - Outside Storage Display

Director of Developmental Services Jim Williams addressed Council and stated that the Planning Commission had reviewed and recommended the Outside Storage Display Ordinance for Council's consideration. Williams said he would first like to review the highlights of the ordinance and take some time at the end to answer questions and discuss the matter. He added that Council did not necessarily have to adopt the ordinance at this meeting.

Williams said further that, between the time the Planning Commission acted on the ordinance and now, he had received feedback from some commercial people in town who were unhappy about some of the provisions. Williams explained that the ordinance began by referencing that

products and materials not be displayed or stored outside in any commercial areas unless they were out of sight from the street, or they were in some kind of a fully enclosed structure." This meant that in the case of K-Mart, for example, it could be an outside structure, but that there should be a fence around it, or some kind of containment for it, so that products and materials were not sitting in the parking lot. Williams said the idea was to *not* have big piles of building materials and lawn materials out in the parking lot.

He said the second point was that, if the products were not outside under limited circumstances, and contained within six feet of the building, the products could be stored as long as they were not visible from the street, did not occupy more than 100 lineal feet of the store frontage, and that at least six feet of walkway (if a walkway was intended there) be kept open so people would not have to walk out into the parking areas or drive ways to get around. Williams said further that this was the section he had received the most comment on, and that this ordinance was basically a change from the existing ordinance in that the current ordinance (which was developed several years ago through a committee that was set up to develop it) stated you could have outside storage as long as it was within six feet of the outside of the building. Williams said he thought the current ordinance was easy to administer and had not been overly abused. Williams continued by saying that the new restrictions being proposed were substantially more burdensome. He said that it would come into effect if someone had a newspaper rack and a couple of other things sitting outside (which was commonly done at convenience stores for example), and that these things were considered outside storage and all were visible from off site and they did not have six feet of walkway around them. He said the new ordinance would be aimed at a K-Mart type of situation, but perhaps did not adequately take into consideration the convenience store situation.

Williams said the third type of condition for outside storage and displays would require a temporary use permit. He said this was how the City took care of things like Christmas Tree sales in a parking lot. Williams explained that the vendor would have to meet certain conditions. The conditions were that the time was limited (specifically limited), and that a number of approvals had to be obtained from the Police Department, Fire Department, etc., to ensure the event was handled safely. He said the sale could take place as long as these approvals were obtained, and that it was always necessary to provide for those types of situations. In addition, there should not be a sign that was legible from off site.

Williams explained that the main part of the ordinance had to do with trucks and trailers in commercial areas. The new ordinance intended that trucks would not stay in commercial areas for more than two hours after a delivery was made – that this would give the driver an opportunity to get out and have lunch. Trucks not making a delivery would not be allowed to park in a commercial area unless the owner of the truck was the owner of a business in that commercial area or unless the truck driver was actually doing business in the area. Williams said this was intended to keep someone from parking a truck on a continuing basis in a shopping center parking lot. Williams added that the City had received many complaints over the past year about this issue.

Further, any truck that displayed advertising for a business in a commercial area should be parked so that the advertising was not legible from a public street off site. Also, trucks and trailers should not be stored in a commercial area for more than two hours unless they were stored at a designated loading dock, or unless they were stored in an area that was screened

from public view so that trucks could not pull up and stop all over the commercial area - sometimes waiting several days to be unloaded. He said from time to time trucks would pull up into parking lots and sell from them - pine straw was the most common thing sold in this manner - and that several of the businesses did that with great regularity. Williams said this was usually a pretty messy operation and that sometimes safety was questionable because of the truck and the traffic in the parking lot. Williams advised that these last four conditions addressed the truck and storage portion of it.

Brooks asked that they look at a specific example like Pike's Nursery. He said Pikes had a couple of trailers (more toward the back that he thought were actually behind fences) that sold pine straw. He asked if that would be okay since they were in a "screened area" that was screened from public view. Williams said the Planning Commission said they did not want selling out of a truck - period. Lenox said it was not so much that they sold out of the truck - you go in to buy pine straw, and they asked you to pull your truck around to their truck and that was how they loaded it; otherwise, where were they going to put it and how would they handle it. Lenox asked further if someone could sell out of a trailer in a commercial area if that was part of the temporary use permit. Williams said as long as you had the temporary use permit, you could do this for a short period of time only and as long as it did not cause a safety hazard.

Brooks said he could understand some of the intent, but that he thought it would create an unnecessary hardship. For example, in the Pikes situation, the fact that their trucks were located behind a screened fence that this seemed like a practical way to handle pine straw. Brooks said, frankly, if you were going to unload the pine straw out of the truck and stack it somewhere else, it would almost create more of a mess than just leaving it in the trailer. Brooks said he would like to see the ordinance worded in a way that businesses could at least be practical. Williams said that would be no problem.

McMenamin said she had received some calls from members of the Fayette County Chamber of Commerce requesting that those members be allowed to have an opportunity to participate in discussions in this regard and review the ordinance as it progressed, and that she had advised the Chamber members that this would not be a problem. In addition, McMenamin asked if it would be appropriate to prohibit overnight parking of mobile homes or tourist-type vehicles in this ordinance. She said she was asking this because of a story she had heard that Wal-Mart allowed overnight parking in their parking lots for up to two days. McMenamin added that she understood Wal-Mart was doing this mainly in tourist areas because it was very convenient in a 24-hour parking lot to allow people to park there and do their shopping early in the morning or late at night or when it was convenient. McMenamin said further that it might never happen in Peachtree City, but that she thought it would be a good idea to be proactive in preventing that type of situation from occurring. Williams said they could include this.

Fritz asked to go back to item number two regarding the six-foot walkway requirement. She thought that that requirement could be a real problem for some places because some places did not have the space required for a six-foot walkway, like a convenience store, and felt this would be a real nightmare for a convenience store. She said she thought it was geared more towards a larger store. Fritz said, for example, she felt the requirement that storage not occupy any more than 100 lineal feet, which could possibly be the whole front of a

convenience store, might encourage abuse by smaller businesses. Williams asked Fritz if she felt they should leave it the way it was originally written – that they could use six feet of the outside space. Fritz replied that she did not see that Peachtree City had had a great problem and asked Building Official Tom Carty if the City had experienced any big problems. Carty replied “no.” Fritz asked why the City would want to create more bureaucracy. McMenamin answered that she thought sometimes in the *big box* areas (that the City was now facing), slabs or timbers, etc., were stored in the front and that it was difficult to get around them, and she thought the City was trying to prevent this from occurring.

Lenox said this situation did not preclude the typical store from having a side walk sale four times a year, and felt the store could probably work around some of these rules through the permit process as long as everyone agreed that it was safe. For example, K-Mart displayed their flowers that seemed to stay out for a fairly long time and pretty much fell within the range of the existing ordinance. However, Lenox added that they did block the sidewalk to some extent and would not meet the six-foot pathway issue necessarily, but that the flowers were contained.

McMenamin asked if there would be any restrictions regarding the appearances of the fences mentioned in the ordinance. Williams replied that these restrictions were addressed in the current fence ordinance itself.

McMenamin suggested that a copy of the ordinance be sent to the Chamber of Commerce and to anyone else who was interested in reviewing a copy. In this way, Chamber members and anyone else who wished to review the ordinance, could submit their recommendations and that perhaps Council could discuss those ideas at the next meeting.

Lenox asked how this would impact a restaurant with seating on the outside. Williams said the ordinance would not apply to this situation.

Williams said the only portion that caused a real problem with interpretation was the Yard Time business, which was probably the perfect business for that particular site and did not fit this ordinance at all. He said Council could grant a variance to operate this type of business rather than struggle to make an ordinance that would fit this situation.

Lenox said he did not have a problem with most of the proposed ordinance because it was fairly practical and was, in the interpretation - an application, and that it became tricky to have an ordinance that would not be abused and that was not an undue burden on a business. For example, prior to the issuance of a temporary use permit, Lenox said that portion of the ordinance seemed a little daunting, but in actuality, the business needed to obtain clearance from the Health Department and the rest of it was internal with Peachtree City, and that the City would have a process to get that done pretty quickly in the usual manner. Williams responded that a typical approval for this situation took less than a week. Williams added that the most difficult situations involved *tent sales* because the tent material had to be inspected to ensure the material was not combustible.

Williams said if Council had no further input, he would contact the President of the Fayette County Chamber of Commerce to obtain input from their members or anyone else who might want to participate in the matter. Williams also advised that he had sent copies of the proposed ordinance

to those people who called him with concerns and had asked for their input as well.

Lenox added that the convenience store issue was a little tricky because many of them had newspaper racks, ice vending machines, propane cylinders, sometimes soft drinks, etc., all visible from the street, and that the City should make sure we were practical about this kind of circumstance.

Brooks said he thought part of the problem was that consumers wanted these things to be visible from the street (i.e., if you want a newspaper, you want to be able to see a newspaper stand from your automobile). Williams said the way this issue was resolved previously was that if products could be displayed within that six-foot range, it was fair game. He said this kept the huge mounds of Coca-Cola boxes from being displayed because it was difficult to get them up against the wall. Williams added that the proposed ordinance would also impact big racks of tires that some of the service stations put out on display.

Lenox asked if Council wanted to continue this matter to the next meeting, and requested that Williams actively solicit input from the Chamber of Commerce and perhaps the local shopping centers.

Robert Brown addressed Council and said that part of the issue on who would have this might be solved if, instead of saying "not visible from any roads," say "arterial or collector roads." That would get the unsightly displays off of the City's main roads and onto side roads where they would be more appropriate, and that this would also take care of "Yard Time" because that was not on an arterial or collector road. In addition, the issue of the convenience stores could possibly be handled by a minimum of any display under 10 lineal feet and could take the entire sidewalk because if a convenience store even had a sidewalk, it was maybe six feet wide anyway, so if they said six feet, they would cover the whole thing. Brown continued by saying that the primary reason for implementing this ordinance would be to take care of the big displays on the big box-type stores. Further, regarding whether products could be sold out of trailers, that Councilman Brooks was correct, it sometimes made a bigger mess to unload the trailer, but that if products were sold out of trailers, they should be screened and the trailers at Pikes Nursery were not screened – they were clearly visible from the highway. Brown said further that it was mentioned at the Planning Commission meeting that there were a number of golf cart dealers on Huddleston Road and the golf carts took up much more than six feet. Another point Brown raised was the parking of vehicles overnight in Wal-Mart. He said he did not think this issue would fit this category because this would be an amendment to the Sign Ordinance, and since those motor homes parking in the Wal-Mart parking lot were not part of Wal-Mart's advertising, and since the homes did not actually advertise for Wal-Mart, that this might not be appropriate for the Sign Ordinance, but it might be appropriate to cover this in another ordinance.

Lenox said he completely agreed, and that he did not want vendors selling anything out of trucks, - including pine straw. If the truck was not parked in the parking lot – in other words – the truck was in a contained area or part of the operations area of the establishment – that this was a different story.

Steve Brown addressed Council and advised that the Home Depot in Snellville, Georgia, had devised a system where the tractor-trailer could actually run into the store itself with decking that was put up after the trailer was pulled in, and this enabled them to sell from the container inside

the store. He added that newspapers had extra protection under the law, so that newspaper racks could not be moved even if Council wanted to move them. Brown said the Supreme Court always ruled in favor of newspaper stands.

Lenox said they would continue this matter to the September 20th meeting.

Basinger addressed Council and advised that Mr. Phillip Robertson, of The Mercer Group, had arrived.

08-00-10 Consider Employee Pay Plan

Lenox advised that Council would now return to this item to consider the Employee Pay Plan.

(Note: The Mercer Group will be referred to as "The Group" for reporting purposes in this transcript.)

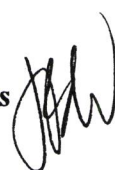
Basinger addressed Council and stated that Mr. Phillip Robertson would present the proposed Pay and Classification Plan and the process by which it was developed, but that he would like to make several comments first. Basinger said that, in preliminary meetings between staff and individual Council members over the past few weeks, it was generally felt that staff should pursue implementing the plan at the 75th percentile as opposed to the 50th or 85th percentiles. He said The Mercer Group estimated the cost of implementing the study at the 75th percentile to be almost \$500,000. He said further that certainly this was a major increase to the salary line item should Council approve the plan at that level. He advised that staff had attempted to provide Council detailed information on the salary increases based on the 75th percentile.

Basinger advised that it appeared that, due to an Open Records request, some very preliminary working papers and incomplete information on the study had unfortunately been distributed to some employees. Basinger stated further that he knew, based on this preliminary and incomplete information, that some of those employees were prematurely concerned about some aspects of the Plan as it related to them, and rightly so. As stated in the Plan provided to Council, and as Mr. Robertson would explain, employees who disagreed with their new grade, salary or position title could file an appeal. Basinger said further that, if Council felt uncomfortable approving such a large expenditure tonight and desired additional information or time to consider this matter, then staff would recommend Council table this item. However, in the interest of the City's employees, should Council elect to table this item tonight, and a plan not be acted on until after October 1st, he recommended that Council consider taking action tonight to make the plan – whenever it might be approved – retroactive to October 1st. Basinger then suggested that Council proceed with Mr. Robertson's presentation.

Mr. Phillip Robertson, Consultant for The Group, addressed Council and explained that the study itself had two parts – a compensation part and a classification part – done independently of each other and brought together at the end as they fit positions into an overall pay plan. Regarding compensation, comparable local organizations had been identified to survey for their salary levels – minimum and maximum – for certain chosen positions. Those positions were called *benchmark positions* and were chosen specifically because they were fairly common positions throughout the market. Robertson asked Council to keep in mind that no individual employee's salary was set by whether or not their position was chosen as a benchmark position – that benchmark positions

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager 
FROM: Director of Developmental Services 
DATE: October 11, 2000
SUBJECT: Lexington Commons

Bob Adams Homes, Inc., as agent for the owners of the 73.2-acre tract at the corner of GA 54 and Walt Banks Road, has requested that Council lift the moratorium on multi-family development that is currently in effect so that the City can consider a proposed change in the zoning of that tract.

The owners of the property and their developer desire to decrease the amount of land approved for commercial development and increase the amount of land for residential development, including a mix of apartment units and townhouses.

If Council agrees to lift the moratorium as requested, the Planning Commission is scheduled to hold a public hearing on the matter on October 23; and the proposed rezoning could then be heard by Council at the meeting on November 2.

Included for your information is a copy of the request for rezoning (Attachment "A"), as well as a copy of the LUC Limited Use Commercial Ordinance that currently applies to the property (Attachment "B").

JBW/jir

Attachments "A" – "B"

REQUEST FOR REZONING
CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: 52.763 acres of land at the corner of Walt Banks Road and Georgia Highway 54 (legal description attached.)

This property is presently zoned LUC-15 with conditions.

The proposed zoning classification is LUC-15 with modified conditions (see attached).

I certify that we are the owners or the duly authorized agent of the owners of the property described above:

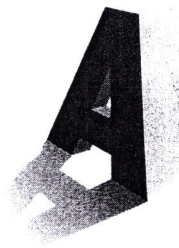
1.	William Lassiter Palm Beach Development Corp.	<u>Beverly Holder</u> Signature	<u>9-15-00</u> Date
2.	J. Robert Adams Bob Adams Homes, Inc.	<u>Beverly Holder</u> Signature	<u>9-15-00</u> Date

Agent: Beverly Holder, Acquisition Administrator
Bob Adams Homes, Inc. 115 Lloyd Ave., Tyrone, GA 30290 / (770) 487-5334

.....
This request, along with the required fee and supplemental documents has been properly submitted and is hereby accepted for consideration by the Planning Commission and City Council:

Signature: James B. Williams
Title: ZONING ADMINISTRATOR
Date: OCTOBER 10, 2000
Request No. 2000-08
Date of Planning Commission Hearing: OCTOBER 23, 2000
Date of City Council Public Hearing: NOVEMBER 2, 2000

NOTE: SCHEDULE CONTINGENT ON COUNCIL
LIFTING APARTMENT MORATORIUM
ON OCTOBER 19, 2000.



ADAMS COMPANY

Adams & Co. Real Estate, Inc.
5784 Lake Forrest Drive, Suite 290
Atlanta, GA 30328
Tel: 404-255-7535
Fax: 404-250-1168
www.adamsre.com

October 5, 2000

Mr. Jim Williams
Director of Development Services
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Re: Modifications to Rezoning— LUC-15 - 73.2 acre parcels at the northwest corner of the intersection of GA 54 and Walt Banks Road

Dear Mr. Williams:

As you know, we have made a number of modifications to the intended development contemplated in the LUC-15 zoning case located at Walt Banks Road and Georgia Highway 54. These changes are outlined below and include a number of clarifications to the ordinance as requested by Bob Adams Homes, Inc. The modifications requested by Bob Adams Homes are intended to clarify the intent of the original zoning case. The requested modifications are as follows:

1. Since specific building layout will occur as the project evolves, we request 1006B.15.2 to read as follows: "Development shall take place in conformance with the *concept of the project and street layout as shown on the Sizemore Floyd master plan dated October 5, 2000*. Any substantive change to *the concept of said plan* or any of the conditions and requirements of this Section will require a new rezoning action."
2. To clarify the permitted uses as discussed, we request that 1006B.15.3(b) to read as follows: "Multi-Family Residences in second, *third and fourth* Floor Lofts. We also request several additional permitted uses. They are as follows:

(f) "*Assisted Living*."

(g) *"Live/Work Space"* Live/Work space is defined as space that will be developed to provide a place where people may work, live or do either or both within the space that they lease or own. A limited amount of these units are shown on the master plan. These may be two story buildings or the second story over retail or office space.

(h) *Any other general commercial use as allowed under the General Commercial (GC) zoning category*

Following "h" of the permitted uses, we ask that the following sentence be added to clarify the commercial uses:

"Commercial uses as referenced above are by definition those uses currently acceptable under the current General Commercial (GC) zoning category."

3. Please insert the following maximum floor areas in place of the maximum floor areas contained in the previous zoning ordinance in Section 1006B.15.5:

<i>Commercial Space</i>	<i>179,000sf</i>
<i>including a maximum retail area of</i>	<i>137,000sf</i>
<i>Residential space (lofts and townhouses)</i>	<i>260 units</i>
<i>Live/ Work space</i>	<i>68,000sf</i>
<i>Daycare</i>	<i>13,500sf</i>
<i>Hotel/assisted living</i>	<i>45,000sf</i>

4. Since paragraphs 1006B.15.5(a) – (d) pertain to the commercial portion of this project, we ask that the current paragraph "g" (Commercial Tenants) be re-lettered as "e" and placed in the appropriate order. Additionally, we request that the following language be placed in subsection (e) (Commercial Tenants):

"The largest single commercial tenant in the Center shall have a footprint of no more than 50,000 square feet; the second largest tenant shall have a footprint of no more than 40,000 square feet; and the third largest tenant shall have a footprint of no more than 32,000 square feet. The term footprint is meant to describe the horizontal area enclosed by the building walls and is specifically not intended to describe the building's overall square footage. These

limitations are applied to the retail buildings only, and as to the measurement of the individual tenant's space, not to the multiple floor aspect of the building. In addition, a building may contain a space of the size described above as well as additional spaces, making the total building area larger than the limitations described above."

The intent of this paragraph is to clarify the City's goal to limit "big box" retail while confirming the developer's ability to build buildings larger than the limitation numbers, and that the office and multifamily portions of the development are not subject to such limitations.

5. Within subsection (e) (Commercial Tenants), the drive-thru language should read as follows:

"All drive-thru facilities shall be located away from the main shopping street and the park. All drive thru facilities must be located to the side and/or rear of any buildings located on the side streets."

6. In keeping with the outline change requested above, as the current paragraph "e" pertains to residential uses, we ask that it be re-lettered "g". Additionally, the Maximum Multi-Family Loft units should read "260" units.
7. Due to the overlap of uses, we request that we not be required to meet the parking requirements of section 909, and that the overall site ratio control. The entire site will contain approximately 1,450 parking spaces which provides for approximately 3.5 spaces per 1,000 square feet for all commercial space and 1.5 spaces per per loft unit.
8. Paragraph 1006.B.15.5.p should be changed to provide that the development will have four monument signs as shown on the site plan. Each of these signs will be the maximum size allowable under the sign ordinance. The nature of a mixed use, town square development's inward facing retail street may require revisiting this issue at a later date if leasing results require additional signage area on the main roads.
9. Paragraph 1006.B.15.5q should be changed to provide that the maximum building height can be four stories plus basement. Underground parking is allowed and would not be counted as a story when measuring the building's height for this limitation.

10. In order to clarify all the buffer areas involved in this project, we request a additional sections to be added to 1006B.15.5(r) (Buffers) to read as - follows:

"7) A minimum 50-foot wide landscaped buffer between the Lexington Circle commercial/office development and the Lexington Park residential development where single-family residential lots abut the commercial/office center."

8) The landscape buffer along Walt Banks Road and Floy Farr Parkway will need to be graded and cleared as part of the site development process. Wherever possible, major trees shall be saved, including the specimen oak at the corner. The landscape plan for the buffers on both roads shall be in line with the Peachtree Parkway side of Kedron Village Kroger center, which is a landscaped buffer but specifically not an undisturbed buffer.

11. We ask that paragraph "s" have the following change to the last sentence:

"...The tract shall be limited to two commercial curb cuts on Walt Banks Road with each curb cut servicing one way traffic"

12. In order to further strengthen the control-checks on this project, we request the following change to paragraph 1006B.15.5(t) (Architectural Concept):

"The overall tract must be developed in accordance with an architectural concept for the commercial and multi-family residential uses. The architectural concept plans shall be approved by Bob Adams Homes, Inc. on the Heard/Hendrix parcel and Mr. William Lassiter on the Palm Beach Development Corp. parcel or their assigns before submittal to the City of Peachtree City. The architectural concept shall be approved by the Planning Commission as a part of the overall design criteria for the tract."

The developer's land planner or master plan architect shall prepare a detailed set of architectural standards for the development, and all buildings in the development shall be required to meet the standards set forth in this document. Any issues of interpretation shall be decided by a board comprised of

Mr. Jim Williams

Page 5 of 5

the developers of the commercial space, the residential space, and the land planner/architect.

13. Regarding traffic improvements, as they will be specifically outlined in the Development Agreement, we ask that 1006B.15.5(x) read as follows:

“Based on the traffic study that was prepared for this project and a careful analysis of that study, the developer shall be responsible for the implementation of traffic system improvements as outlined per the Development Agreement dated _____ as may be revised per this zoning ordinance”

Additionally, paragraphs 1006B.15.5(x)(1) through (3) be deleted in their entirety. We will install right turn deceleration lanes at the project intersections on Walt Banks Road, as well as meet the requirements of sections 4-5.

14. To clarify paragraph 1006B.15.6 we request the following change:

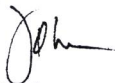
“The requirements and conditions specified in this Section shall remain in effect unless specifically amended or revoked by subsequent action of the City Council in accordance with the established procedure for zoning amendments.

15. Lastly, as an additional measure to further strengthen the outcome of this project, we ask that paragraph 18 of the Development Agreement be renumbered as 1006B.15.7 of the zoning ordinance and to read as follows:

“The property owners agree that this Ordinance and the referenced Development Agreement dated _____ shall be binding on it and any of its successors-in-title to the real property, and any other entities by which the property owner shall be known, all assigns, successors-in-interest to the development, and any entity taking possession of this development.”

Thanks for your assistance in this matter.

Sincerely,



John R. Perlman

Lexington Circle
Land Density Analysis: proposed vs. Zoning Case
October 5, 2000

Zoning Case	retail	office	lofts	total area
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total developable area (sf)	265,000	80,000	80,000	425,000
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Approximate areas in square feet

Proposed development:	retail	office	lofts	public	Assisted Living or Hotel	Live/Work
Supermarket	40,000					
Drugstore	14,500					
Retail Shop space	58,700					
Freestanding retail bldgs.	23,800					
Daycare				13,500		
Townhouses			60,000			
Multifamily Lofts			170,000			
Assisted Living/Hotel					45,000	
Office Space		42,000				
Live Work Units						69,300
total	137,000	42,000	230,000	13,500	45,000	69,300
						536,800

variance	(128,000)	(38,000)	150,000	13,500	45,000	69,300	111,800
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Uses listed above are intended as examples of proposed retail uses. Neither supermarket nor drugstore is confirmed at this time. Multifamily square footage is an estimate based on projected unit sizes.

Peachtree City Retail Market Study

Development	Anchor Tenants	Area	Proposed
Braelinn Village	Kroger K-Mart Blockbuster	226,500 sf	
Aberdeen Village		36,000 sf	
Willowbend Center		15,000 sf	
Kedron Village phase II	Kroger proposed	94,000 sf	125,000 sf
Wilshire Pavillion	Publix		80,000 sf
The Avenue Peachtree City		168,000 sf	
Peachtree Crossing	Harris Teeter	150,000 sf	
Peachtree East	Stein Mart Publix	148,000 sf	
West Park Walk	Carmike	50,000 sf	
Freestanding	Eckerds Various other	24,000 sf 50,000 sf	
PC Promenade	under const.		18,700 sf
Wal*Mart/Home Depot	proposed		300,000 sf
Lexington Circle	proposed		137,000 sf
Total existing retail		961,500 sf	
Total proposed retail			660,700 sf
Total of existing and proposed			1,622,200 sf
Three mile population		26,626	
retail space per person		36.11 sf	60.93 sf
Atlanta Average retail/person		19.00 sf	
National average retail/person		11-14 sf	

AN ORDINANCE TO AMEND
THE PEACHTREE CITY ZONING ORDINANCE
TO REZONE PROPERTY AT THE NORTHWEST CORNER OF
GA 54 AND WALT BANKS ROAD
FOR LIMITED USE COMMERCIAL DEVELOPMENT
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 1006B.15 be added to the Peachtree City Code of Ordinances to read as follows:

Section 1006B.15 Limited Use Commercial District No. 15.

The purpose of this Section is to rezone the 73.2-acre tract at the northwest corner of GA 54 and Walt Banks Road to an LUC-15 Limited Use Commercial classification in order to permit the development of the property in accordance with the approved master plan concept prepared by Ozell Stankus Associates Architects, dated December 2, 1999 (Attachment "A"), subject to the following conditions and requirements:

1006B.15.1. Effect on Other Zoning Districts.

The LUC-15 zoning district created by this Section replaces the following existing zoning classifications:

- a) LUC-7 Palm Beach property.
- b) LUR-8 Lallande property.
- c) LUR-9 Lallande/Scott property.

1006B.15.2. Conformance with Master Plan.

Development shall take place in conformance with the approved master plan (Attachment "A"). Any substantive change to this plan or any of the conditions and requirements of this Section will require a new rezoning action.

1006B.15.3. Permitted Uses.

- a) Single-Family Detached Residences.
- b) Multi-Family Residences.
- c) General Retail Commercial.
- d) Theater and Restaurant Commercial.
- e) General Office Commercial.

1006B.15.4. Conditional Uses.

No conditional uses shall be permitted in this district.

1006B.15.5. Other Requirements.

- a) Maximum Areas:

General Retail Space	150,000 square feet
Theater and Restaurant Space	50,000 square feet
General Office Space	90,000 square feet

- b) Maximum Residential Units

Single-Family Detached	130 units
Multi-Family	30 units

- c) Minimum Open Space Area:

At least 16 acres of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.

- d) Commercial Tenants:
 - 1. No single commercial tenant shall occupy more than 32,000 square feet of floor area.
 - 2. No three commercial tenants shall occupy a combined floor area of more than 80,000 square feet.
 - 3. No more than six commercial tenants shall occupy more than 12,000 square feet of floor area each.

- e) Single-Family Detached Residential:

There shall be two types of single-family detached residential lots. Type "A" shall have a minimum width of 82 feet and shall be located adjacent to the greenbelt along the west property line of the tract. There shall be at least 22 Type "A" lots. All other lots shall be Type "B," and they shall have a minimum width of 52 feet.

- f) Minimum Residential Lot Area:

Type "A"	7800 square feet
Type "B"	5600 square feet
Multi-Family	N/A

- g) Minimum Residential Floor Area:
 - Type "A" 1800 square feet
 - Type "B" 1200 square feet
 - Multi-Family 800 square feet

- h) Minimum Front Setback:
 - Type "A" 30 feet from back of curb
 - Type "B" 15 feet from back of curb
 - All Other Uses 10 feet from back of curb

- i) Minimum Side Setback:
 - Type "A" 5 feet
 - Type "B" 3 feet
 - All Other Uses 0 feet

- j) Minimum Rear Setback:
 - Type "A" 20 feet
 - Type "B" 17 feet
 - All Other Uses 0 feet

- k) Building Separation:

If any buildings within the tract are not attached, there must be a minimum separation between them of 10 feet.

- l) Parking:

As set forth in Section 909.

- m) Signs:

As set forth in the Sign Ordinance and in accordance with a sign program for the tract which shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

- n) Maximum Building Height:

Three stores plus a basement.

- o) Buffers:

The following buffers and greenbelts shall be provided:

 1. A minimum 35-foot wide, City-owned greenbelt along the north property line adjoining the Mathis property;
 2. A minimum 50-foot wide, City-owned greenbelt along the west property line adjoining the Southern Trace and Parkway Estates subdivisions.

3. A minimum 60-foot wide, City-owned greenbelt along the east property line adjacent to GA 54 in all areas where residential lots are platted;
4. A minimum 60-foot wide landscaped buffer along the eastern property line adjacent to GA 54 in all areas where residential lots are not platted;
5. A minimum 50-foot wide landscaped buffer along the southern property line adjacent to Walt Banks Road where residential lots are not platted;
6. A minimum 100-foot wide greenbelt along the southern property line adjacent to Walt Banks Road where residential lots are platted.

p) Curb Cuts:

The tract shall be limited to one curb cut on GA 54 and one curb cut on Walt Banks Road to serve the single-family detached lots.

The tract shall be limited to three commercial curb cuts on GA 54 (one at the existing median cut and two other right-in, right-out cuts about equally spaced between the median cut and Walt Banks Road). The tract shall be limited to one commercial curb cut on Walt Banks Road.

q) Architectural Concept:

The overall tract must be developed in accordance with an architectural concept for the commercial and residential uses. The architectural concept shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

r) Landscape Concept:

In addition to an architectural concept, the overall tract must be developed in accordance with an approved landscape concept that includes islands at each entrance, all medians, and all landscape areas shown on the master plan.

s) Tree-Save Areas:

In developing the tract, the developer shall make every reasonable effort to provide meaningful tree-save areas in addition to the required greenbelts and buffers.

t) Watershed Protection:

The developer must take whatever steps are necessary to assure that the quality and quantity of stormwater runoff from the tract is

properly controlled in accordance with established "best management practices."

u) Traffic Improvements:

The developer shall be responsible for preparing a traffic study for the entire project, securing the approval of the conclusions and recommendations of the traffic study by the City's traffic consultant, and implementing the improvements which are proposed and approved prior to the occupancy of the commercial portion of the project.

1006B.15.6 Application of Requirements and Conditions:

The requirements and conditions specified in this Section shall remain in effect unless specifically amended or revoked by subsequent action of City Council in accordance with the established procedure for zoning amendments.

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

Done, Ratified, and Passed this _____ day of _____, 2000.

Mayor

Attest: _____
City Clerk

Attachment "A"

POSITION PAPER

Proposed Variance: Lot 2, Block L, Section 3, Lake Peachtree Subdivision
Director of Developmental Services
October 11, 2000



Situation:

The owner of Lot 2 at 121 Cedar Point wants to extend the rear of his existing garage a total of 12 feet toward his rear property line. That would encroach into the required setback area about 9 feet. He has requested a variance in order to make this extension (Attachment "A").

Facts:

1. Lot 2 is adjacent to Lot 1; and both lots are owned by Mr. Potash, the applicant.
2. The proposed encroachment would be in the setback area between Lots 1 and 2, making the applicant also the adjoining property owner.
3. Lot 1 is undeveloped at this time.
4. If the variance is approved as proposed, the structure would still be at least 21 feet from the property line.
5. The variance request has been properly posted and advertised.

Recommendation:

The staff recommends that a variance of 9 feet be granted. It does not appear the encroachment would in any way adversely affect the nearby properties or the neighborhood.

JBW/jir

Attachment "A"

**REQUEST FOR VARIANCE
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 121 CEDAR POINT

The reason this variance is being requested is as follows: I AM EXTENDING my GARAGE and the plans will put the extended area 8'6" INTO THE 30' setback. I currently own the property to the rear which has the setback in question

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

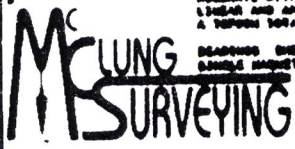
Name: (Please type or Print) MARTIN D. POTASH, JR
Address: 121 CEDAR POINT
Phone: (770) 487-9255
Signature: Martin D. Potash, Jr.

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

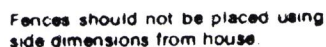
Signature: James B. Williams ZONING ADMINISTRATOR
Title: JAMES B. WILLIAMS

Date of Acceptance: SEPTEMBER 26, 2000

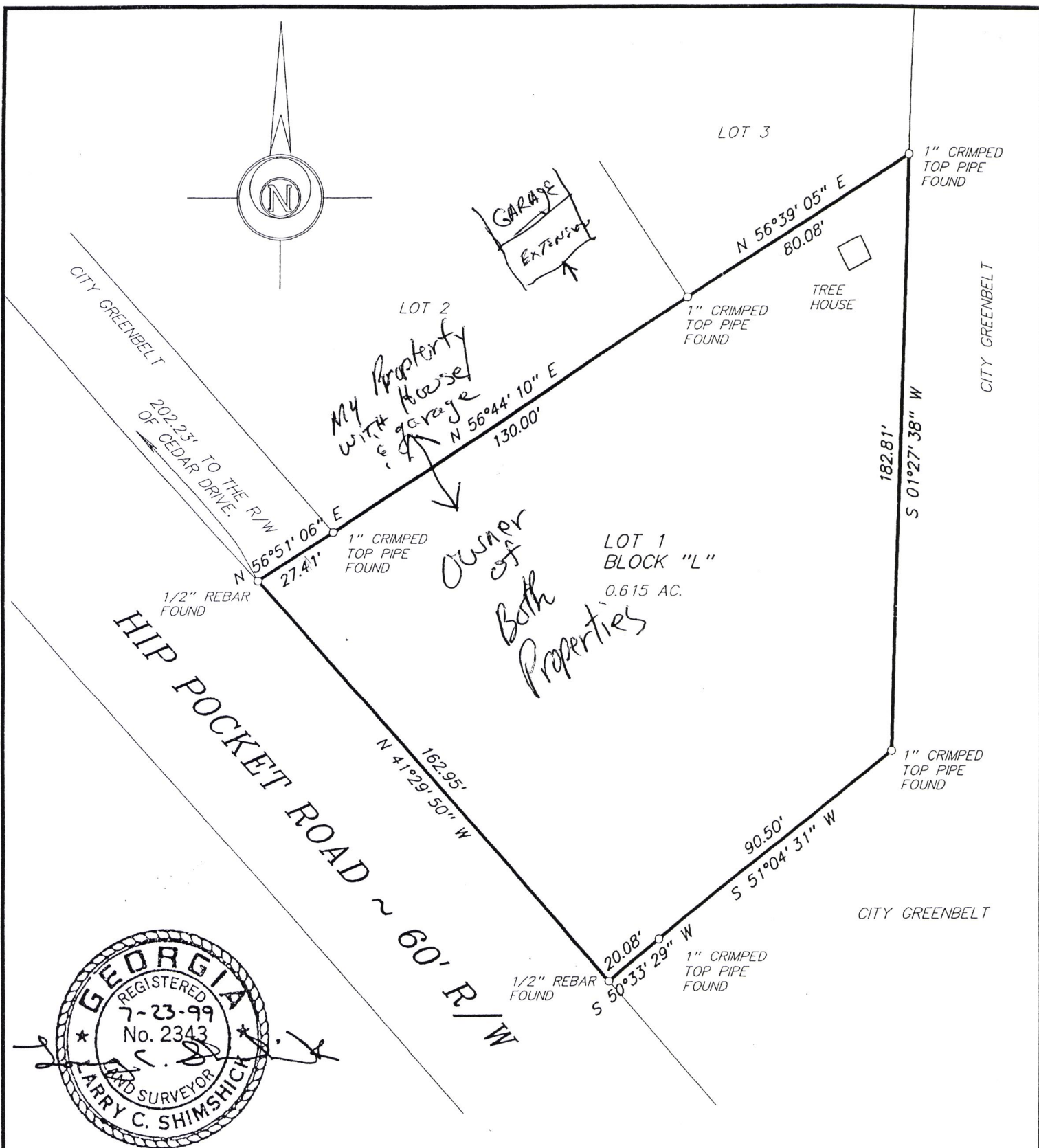
Date of Public Hearing: PLANNING COMMISSION: NOT REQUIRED; CITY COUNCIL: OCTOBER 19, 2000



Perry E. McClung, Surveyor



LIBERTY

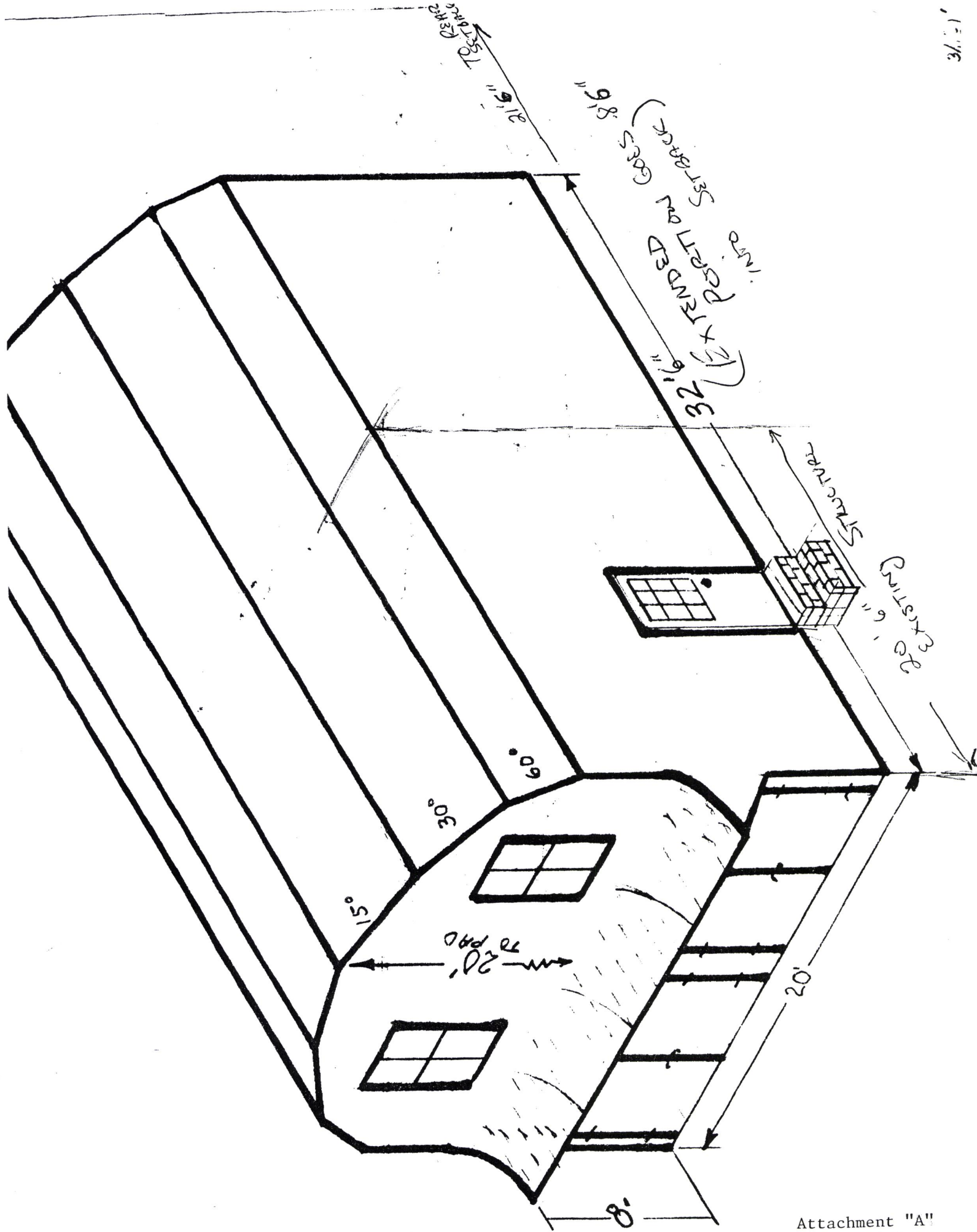


In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements by law.

This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP
Community No.: 130078 0090 D
Dated: MARCH 18, 1996

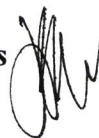
Attachment "A"
Page 3 of 4



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
VIA: City Manager
FROM: Director of Developmental Services
DATE: October 11, 2000
SUBJECT: Proposed "Big Box" Ordinance



Several months ago, staff presented to Council a proposal to help regulate the development of "big box" retail establishments in Peachtree City. Council directed staff to take the matter to the Planning Commission for additional study.

The Commission has discussed this matter at one of its regular sessions and at two public hearings. At its meeting on September 25, 2000, the Commission approved a draft and recommended that it be adopted by Council as an amendment to the Zoning Ordinance. Subsequent to that action, the draft was reviewed by the City Attorney.

Included with this memo as Attachment "A" is a copy of the ordinance as recommended by the Commission and as edited by the City Attorney. **The staff recommends it be adopted.**

Also, included as Attachment "B" is a copy of Section 1006 of the Zoning Ordinance which is proposed to be amended by this ordinance.

JBW/jir

Attachments "A" - "B"

AN ORDINANCE TO AMEND
THE PEACHTREE CITY ZONING ORDINANCE
TO CONTROL THE DEVELOPMENT
OF "BIG BOX" COMMERCIAL STRUCTURES
AND FOR OTHER PURPOSES

WHEREAS, The City of Peachtree City ("Peachtree City") was planned, designed, and built on the concept that there would not be one large central business area with a concentration of retail, other commercial, and office uses but, rather, that there would be a few separate, distinct villages with neighborhood and smaller areas of retail, other commercial, and office uses separated by and surrounded by residential areas (the "Plan");

WHEREAS, Peachtree City has strived to maintain this Plan throughout its developmental history;

WHEREAS, the infrastructure, including roads, cart paths, utility lines, fire stations, and storm water structures, was built following the Plan;

WHEREAS, many residents moved to Peachtree City because of the Plan and because the town appears different from many other suburban areas and these residents have invested money and time on their homes in reliance on the Plan;

WHEREAS, the current mix and size of commercial residential uses has, in large measure, remained true to the Plan and no one village or area of town has a concentration of commercial uses that is disproportionately higher than the other villages or areas of town;

WHEREAS, the current trend in retail shopping seems to be the concentration of shops into single, large stores with sizes approaching and far exceeding 100,000 square feet;

WHEREAS, the intent of retailers in building such larger stores is the concentration of shoppers into fewer stores;

WHEREAS, this concentration of shoppers increases the demands on the local infrastructure by increasing the number of vehicles required to travel to fewer, and sometimes farther-away areas, increasing the demands on the surrounding roads, increasing the demands on the surrounding cart paths, increasing the demands on the surrounding utility lines, increasing the demands on the surrounding fire stations, and increasing the demands on surrounding storm water structures;

9/28/00

WHEREAS, the concentration of larger retail stores increases the rate of crime in these areas and, thus, the need for greater police protection;

WHEREAS, the concentration of retail areas increases traffic and the incidents of what is now commonly known as "road rage";

WHEREAS, the increasing size of retail stores increases the need for more vehicle parking and, thus, increases the need for more landscaping and architectural controls to keep the scale of development consistent with the existing commercial and residential mix and appearance of the town; and

WHEREAS, the increase in the size of retail stores poses an even greater threat to the economic viability of an area and criminal activity in an area if such retail stores remain vacant for an appreciable period of time.

NOW, THEREFORE, in order to address the problems created by the increasing size of retail stores and to accommodate, where practicable, the stated desires of the owners of such retail stores to develop large facilities, the Mayor and City Council of Peachtree City adopt the following ordinance to apply to all projects submitted for conceptual site plan review on or after August 28, 2000; specifically excluding the property north of GA 54 and west of GA 74 known as the Huddleston Property and the property in Kedron Village known as the Kedron Center, both of which have already filed conceptual site plans with the City.

1. That Section 1006.2 General Commercial District, Paragraph (a) be deleted in its entirety and replaced with a new Paragraph 1006.2(a) to read as follows:
 - (a) Retail business involving the sale of merchandise on the premises, provided no single tenant occupies more than 10,000 square feet.
2. That Section 1006.3 General Commercial District, Paragraphs (a) through (g) be renumbered Paragraphs (b) through (h) and that a new Paragraph (a) be included to read as follows:
 - (a) Retail business involving the sale of merchandise on an individual zoning lot where an individual tenant occupies more than 10,000 square feet subject to the following conditions:

(1) Maximum Areas (on any zoning lot):

General Retail Space	150,000 square feet
Theater and Restaurant Space	50,000 square feet

- (2) No single commercial tenant shall occupy more than 32,000 square feet of floor area.
- (3) No three commercial tenants shall occupy a combined floor area of more than 80,000 square feet.
- (4) No more than six commercial tenants shall occupy more than 10,000 square feet of floor area each.
- (5) All exterior building elevations that face public streets and/or customer parking areas shall be designed so that there are no large expanses of blank walls. This requirement can be met by employing the use of architectural features including but not limited to the following: Doors, windows, pilasters, columns, horizontal and vertical offsets, material and color variations, decorative cornices, awnings, canopies, murals, and graphics. In order to assure conformance with this requirement, exterior building elevations must be reviewed and approved as a part of the overall Final Site Plan review process.
- (6) Any tenant that occupies more than 10,000 square feet shall provide the City Attorney with a copy of the rental agreement between the tenant and its landlord which contains a contract provision prohibiting the tenant from voluntarily vacating such premises or otherwise ceasing to conduct its retail business on such premises while simultaneously preventing the landlord, by continuing to pay rent or otherwise, from leasing the premises to another person or company who will operate a permitted business on the premises. If such a tenant voluntarily vacates such premises or otherwise ceases to conduct its retail business on the premises, the landlord shall be free to market and lease such premises to another person or company regardless of any contractual rights the tenant may have with the landlord.
- (7) The owner of the zoning lot shall prepare a Traffic Management Plan which identifies the traffic problems that will be generated by development on the premises and which presents reasonable

9/28/00

solutions to those problems. The Plan must be prepared by a qualified professional Traffic Planner at no cost to the City, and it must be approved by the City Engineer;

- (8) The owner of the zoning lot shall prepare a Water Management Plan which identifies the water management problems that will be generated by development on the premises and which presents reasonable solutions to those problems. The Plan must be prepared by a qualified professional Engineer at no cost to the City, and it must be approved by the City Engineer;

3. That Section 1006.4 General Commercial District be amended to add a new Paragraph (q) to read as follows:

- (q) No use permitted in this zoning district shall be allowed to cover more than 75 percent of the zoning lot on which it is located with impervious surfaces.

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

Done, Ratified, and Passed this _____ day of _____, 2000.

Mayor

Attest: _____

City Clerk

9/28/00

Sec. 1006. GC general commercial district.

(1006.1) *Intent of district:* It is intended that the GC zoning district be established and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve city and regional commercial needs. These regulations are also intended to accommodate businesses which benefit from being located in close proximity to each other, and to discourage any encroachment by other uses capable of adversely affecting the basic commercial character of the district. It is further intended that these regulations will reduce traffic congestion, provide for adequate off-street parking, and avoid the development of "strip" type business areas.

(1006.2) *Permitted uses:* The following uses shall be permitted in any GC zoning district:

- (a) Retail business involving the sale of merchandise on the premises.
- (b) Business involving the rendering of a personal service on the premises.
- (c) Office for governmental, business, professional or general purposes.
- (d) Commercial recreation facility located entirely within a building on the premises.
- (e) Publicly owned building, facility or land.
- (f) Building, facility or land for the distribution of utility services.
- (g) Building, facility, or land for noncommercial park, recreation, thoroughfare or open space purposes.
- (h) Private or semiprivate club, lodge or social center.
- (i) Building, facility or land for off-street automobile parking.
- (j) Hotel or motel.
- (k) Commercial trade or vocational school.
- (l) Radio and/or television station, not including a transmission tower.
- (m) Wholesale business involving the sale of merchandise on the premises.
- (n) Newspaper publishing facility.
- (o) Accessory use: See section 908.

(1006.3) *Conditional uses:* The following uses shall be permitted in any GC zoning district on a conditional basis:

- (a) All conditional uses permitted in subsection (1005.3) for LC zoning districts, subject to the same conditions.
- (b) Dwelling in combination with any use permitted in this district, provided all dwelling units have direct access to a street or other public area.
- (c) Open setback depth for the sale, rental and/or storage of materials or equipment, excluding junk or salvage materials, provided that the 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 above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.

- (d) Commercial recreational facility or land where the use is not located entirely within a building on the premises, on the following condition:

- (1) The zoning lot is not less than one acre in area.
- (2) The zoning lot is not adjacent to or across the street from any residential zoning lot.

- (e) Transportation facility or terminal, provided service is primarily for passenger transportation rather than freight transportation.

- (f) Community hospital, including customary accessory functions, provided the zoning lot is not less than ten acres in area.

- (g) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:

- (1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.

- (2) Minimum zoning lot area is three acres.

- (3) Minimum lot width: 100 feet.

- (4) Minimum setback area, front:

- (a) Building: 40 feet.

- (b) Parking: 20 feet.

- (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.

- (6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.

- (7) Maximum building height: As approved by the fire department.

- (8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.

- (9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.

- (10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.

- (11) One nonilluminated sign not greater than 32 square feet in area for each panel of a double-sided structure is permitted.

(12) Parking: See section 909.

(13) Lighting: See section (1005A.4)(n).

(14) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(Ord. No. 220, 11-6-1980; Ord. No. 408, 8-21-1986; Ord. No. 650, 11-16-1995)

(1006.4) *Other requirements:* Unless otherwise specified in this Ordinance, uses permitted in GC zoning districts shall conform to the following standards:

- (a) Minimum zoning lot area: 30,000 square feet.
- (b) Minimum lot width: 150 feet.
- (c) Minimum front setback depth:
 - (1) Building: 40 feet.
 - (2) Driveway/parking: 20 feet.
- (d) Minimum side setback depth: Ten feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (e) Minimum rear setback depth: 20 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.
- (f) Maximum building height: Ten stories, but if over 35 feet, it must be approved by the fire department.
- (g) Parking: See section 909.
- (h) Signs: See Peachtree City sign ordinance.

Cross reference—The "sign ordinance" is found in § 66-1 et seq. of the Code.

- (i) Storage: 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.
- (j) All zoning lots shall have direct access onto an arterial, major collector or industrial/commercial road or have access to an arterial, major collector or industrial/commercial road via an access street.
- (k) No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.
- (l) All parking and service areas must be separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.

- (m) No outside loudspeaker systems shall be utilized.
- (n) All lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots.
- (o) A landscape plan is required for the site, and must be reviewed by a registered landscape architect to be designated by the city and by the planning commission prior to issuance of occupancy permit. If no action is taken or time extended within 30 days from filing, such request shall be considered approved. The landscape plan shall be fully implemented prior to occupancy and if not completed an occupancy permit will not be issued. If it is infeasible to complete the landscaping due to weather conditions or other extenuating circumstances then the owner shall post a performance bond or other acceptable security in an amount equal to 110 percent of the cost of the landscaping improvements which remain incomplete. The owner shall have a one year period in which to complete the required improvements in a satisfactory manner.

The owner shall provide adequate maintenance of the landscaping improvements for a minimum of one year from implementation. The city shall inspect special screening at least once during this period to ensure that the approved plan has been fully implemented and maintained. If it is found that the landscaping, as stated in this section, has died within a one-year period, such landscaping shall be replaced by the owner.

- (p) Items (c) and (o) above shall be binding standards on all development after March 5, 1981. Development completed prior to this date will not need to meet such standards now or in the future and will be limited to a 20-foot front setback depth.

(Ord. No. 233, 4-2-1981; Ord. No. 268, § 1(C)(7), 6-3-1982; Ord. No. 366, § 19, 5-22-1985)

Sec. 1006A. LUC limited-use commercial district.*

(1006A.1) *Intent of district:* It is intended that the LUC zoning district be established and reserved for restricted commercial business purposes. Recognizing that a commercial district with its variety of land uses could cause a detrimental impact on neighboring lands, the regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve city and regional commercial needs and to promote the interests of the particular neighbors and the public welfare at large. These regulations are intended for use only when a commercial district, in its unrestricted form, would be an isolated district, unrelated and detrimental to the surrounding area. These regulations are also intended to reduce traffic congestion, provide for adequate off-street parking, prohibit the development of "strip" type business areas, and prohibit encroachment by other uses capable of adversely affecting the character of the district.

(1006A.2) *Permitted uses:* Any one or more of the following uses may be permitted in any LUC zoning district. (The specific use and any related activity anticipated by the party

***Editor's note—**Specific LUC districts are set out in § 1006B.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager 

DATE: October 11, 2000

SUBJECT: Jail Impact Fee

Based on concerns expressed by other municipalities, the County has again revised subject fee as reflected in the attached October 10, 2000, correspondence. Also attached is the latest Council-approved fee based on your action at the September 7, 2000, meeting. The following comparison is provided:

Type Fee	Structure Size	9/7/00 Approved	10/10/00 Revision
Retail Trade	≤10,000 S.F.		\$ 4,744.23
	>10,000 S.F.		\$ 9,488.46
	≤50,000 S.F.		
	<50,000 S.F.	\$ 4,331.56	
	>50,000 S.F.	\$ 8,663.12	\$ 14,232.69
Other	N/A	\$ 1,588.24	\$ 2,609.33

I did contact Tyrone Manager Barry Amos on this matter. He felt his Council would approve this latest proposed revision.

Cc: City Attorney
DDS, DFS, CC

2 Atch

TABLE 16

JAIL FACILITY IMPACT FEE CALCULATION FOR HOUSEHOLDS (DWELLING UNITS)

	Capital Improvement Component	Interest Component	Subtotal	Administration (3%)	Impact Fee
Household (dwelling unit)	\$392.29	\$452.16	\$844.45	\$25.33	\$869.78

TABLE 17

JAIL FACILITY IMPACT FEE CALCULATION FOR NONRESIDENTIAL ESTABLISHMENTS

Establishment Type	Number of Employees	Number of Establishments	Average Number of Employees	Size of Structure	Capital Improvement	Interest	Subtotal	Administration (3%)	Subtotal	Jail-Use Equivalency	Impact Fee
Retail Trade	5,445	358	15	≤10,000 sq ft	\$2,139.75	\$2,466.30	\$4,606.05	\$138.18	\$4,744.23	1	\$4,744.23
				> 10,000 sq ft, ≤50,000 sq ft						2	\$9,488.46
				>50,000 sq ft						3	\$14,232.69
Other	12,753	1,175	11	NA	\$1,569.15	\$1,808.62	\$3,377.77	\$101.33	\$3,479.10	0.75	\$2,609.33

Source of Number of Employees, Number of Establishments, and Average Number of Employees for Fayette County: County Business Patterns 1995.

TABLE 16
JAIL FACILITY IMPACT FEE CALCULATION FOR HOUSEHOLDS (DWELLING UNITS)

	Capital Improvement Component	Interest Component	Subtotal	Administration (3%)	Impact Fee
Household (dwelling unit)	\$392.29	\$378.70	\$770.99	\$23.13	\$794.12

TABLE 17
JAIL FACILITY IMPACT FEE CALCULATION FOR NONRESIDENTIAL ESTABLISHMENTS

Establishment Type	Number of Employees	Number of Establishments	Average Number of Employees	Size of Structure	Capital Improvement	Interest	Subtotal	Administration (3%)	Subtotal	Jail-Use Equivalency	Impact Fee
Retail Trade	5,445	358	15	Less than 50,000 sq ft	\$2,139.75	\$2,065.65	\$4,205.40	\$126.16	\$4,331.56	1	\$4,331.56
				50,000 sq ft or Greater	\$2,139.75	\$2,065.65	\$4,205.40	\$126.16	\$4,331.56	2	\$8,663.12
Other	12,753	1,175	11	NA	\$1,569.15	\$1,514.81	\$3,083.96	\$92.52	\$3,176.48	0.5	\$1,588.24

Source of Number of Employees, Number of Establishments, and Average Number of Employees for Fayette County: County Business Patterns 1995.