

City Council of Peachtree City
Agenda
October 15, 2015
7:00 p.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Announcements, Awards, Special Recognition**
 - Proclamation – Retired Teachers Day**
 - Proclamation – Toastmasters Weekend**
 - Recognize Rob Todd – 25 Years of Service**
- IV. Public Comment**
- V. Agenda Changes**
- VI. Minutes**
 - October 1, 2015, Regular Meeting Minutes**
- VII. Monthly Reports**
- VIII. Consent Agenda**
 - 1. Consider Ethics Resolution**
- IX. Old Agenda Items**
 - 08-15-06 Public Hearing – Consider Rezoning, R-43 to LUC, Hwy 54/Robinson Road**
Applicant desires to rezone 0.83-acre tract to permit medical office building.
 - 08-15-07 Public Hearing – Consider Text Amendment to Zoning Ordinance, Accessory Uses**
- X. New Agenda Items**
 - 10-15-05 Public Hearing – Consider Variance Request, HWY 54/ Robinson RD**
Applicant desires to remove tree save and landscape buffer and replace with landscape buffer
 - 10-15-06 Public Hearing – Consider Amendments to W HWY 54 Design Guidelines**
 - 10-15-07 Consider Bid for Asphalt Spreader – Reynolds Warren Equipment**
 - 10-15-08 Discuss/Consider Social Hosting Ordinance Relative to Underage Alcohol Consumption**
 - 10-15-09 Discuss Golf Cart Ordinance Amendments Relative to Registration & Outside City Limits Fees**
Continued discussion/consideration will be on November 19
- XI. Council/Staff Topics**
- XII. Executive Session**
- XIII. Adjourn**

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

**City Council of Peachtree City
Meeting Minutes
October 1, 2015
7:00 p.m.**

The Peachtree City Mayor and Council met in regular session on Thursday, October 1, 2015. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Eric Imker, and Kim Learnard. Mike King was out of town.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized Public Works Superintendent Scott Hicks for 30 years of service.

Minutes

September 17, 2015, Regular Meeting Minutes

Ernst moved to approve the September 17, 2015, regular meeting minutes as written. Learnard seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider Appointments to the Planning Commission – *Frank Destadio, Jack Bernard, JT Rabun (alternate)***
- 2. Consider Surplus of Old Freddie the Fire Truck and Andy the Ambulance**
- 3. Consider Surplus of Vehicles and Other Items**
- 4. Consider Acceptance of Traffic Cone Donation**

Learnard moved to approve the Consent Agenda items 1 – 4. Ernst seconded. Motion carried unanimously.

New Agenda Items

- 10-15-01 Public Hearing: Consider Variance Request to Buffer Standards for Major Thoroughfares Ordinance (414, 422, 424 and 426 Robinson RD)**

Fleisch announced that she would recuse herself because Keller Williams Realty, her employer, had an agent listing the four lots. She asked for nominations for someone to run the public hearing due to the absence of Mayor Pro-tem Mike King,

Ernst nominated Learnard to chair the public hearing. Imker seconded. Motion carried unanimously (3-0).

Imker said that Council was not permitted to take action when only three Council Members were voting. He asked City Attorney Ted Meeker if the recusal by Fleisch was considered as a "no" vote. Meeker said Fleisch's presence counted as a quorum of Council, but her vote on this issue would be counted as an abstention. However, the vote of the remaining three members would have to be unanimous.

After the protocol for the public hearing was read, Learnard assured those in attendance that Council had received their e-mails and read them. She noted she did not respond to all the e-mails she received, but Council had heard the residents' concerns.

There was a brief discussion on setting time limits on the public hearing and on speakers. The consensus was for speakers to be reasonable with the time they took and to not repeat what others had said.

Learnard opened the public hearing, asking if the applicant wished to present first.

Gary Lawson spoke on behalf of the applicant, Karl Franzen, Zenco Development, Inc. Lawson said the applicant had purchased the lots in November 2014 on the basis of a fully approved plat that had been recorded at Fayette County and approved by the City without the 50-foot buffer that had been added in addition to the greenbelt buffer. If the buffer stayed in effect, the property would be worthless. Denial of the variance would deny the applicant his constitutional right to enjoy his property. It would not be concurrent with Georgia law to deny the applicant the use of his property. The plat had been approved, recorded, and signed by the appropriate parties, and now the City wanted the applicant to lose the money he had put into the property.

Trina Talley 418 Robinson Road, which was located directly behind the tract, addressed Council. She asked, if a variance was granted, was there any way Council could require the applicant to put something very nice along the front instead of just a buffer and yards.

Rock DeGolian, Homebuilders Association of Midwest Georgia, stated the organization's support of the variance request, saying the plat had been recorded. The Georgia Homebuilders Association also supported the variance request.

Scott Bradshaw noted a variance was a remedy to a problem. The applicant's issue was beyond the problem stage, and was now a situation. A variance was needed. He noted that the requirements for a variance had been met and the hardship had been established. Bradshaw continued that the applicant had to have \$300,000 to \$400,000 invested in the project at this point. It would be a hardship if he could not proceed. The hardship could not be the fault of an applicant, who was the builder in this case. Staff had admitted a mistake was made over one year ago. The applicant had been working cooperatively with the staff on this plan for nearly a year. Variances required special conditions, which in this case was the configuration of the property. Most variances that were granted were based on the configuration of a lot or tract of land. Without a variance, the project could not progress. The applicant was asking for 25 feet of the 50-foot buffer along a collector road with an 80-foot right-of-way, and 25 feet was not a lot of square footage for one-acre lots. Bradshaw continued there was a heavy growth of trees on the tract. The public would not be able to see the houses because of all the trees. Granting the variance would not create a public safety hazard. The Fire Department had approved the plan, and the applicant had agreed to put in extra items. It was not a problem for the neighbors, who would be better off with the improvements to the drainage system. It would not be a police problem because there would be four addresses with mailboxes, so the police would know how to get there. The only thing left to consider was aesthetics, and no one would be able to see the houses from Robinson Road. If Council did not approve the variance, it would be considered a regulatory taking, which could become very costly. The applicant had not shot himself in the foot, then came asking for help. City staff had shot the applicant in the foot. He asked Council to do the right and fair thing.

Planning & Zoning Director Michael Warrix addressed Council, saying the request for a variance from Section 723.2 of the City's Land Development Ordinance. Prior to the subdivision of the 4.3-acre tract in October 2014, it was known as the Hayes tract. All four lots had frontage on Robinson Road, which was classified as a community collector roadway. City ordinances required that all residential lots fronting community collectors have a 50-foot City-owned greenbelt buffer. In error, staff had not taken the 50-foot greenbelt requirement into account when reviewing the applications and plats for the four lots. In August 2015, a building permit had been issued. Shortly after that, the greenbelt oversight was brought to staff's attention by a concerned resident of that area, and the building permit was subsequently rescinded.

Warrix continued that the applicant had asked for a 25-foot variance to the 50-foot greenbelt buffers and had proposed a 25-foot landscaped buffer. Warrix said, in staff's opinion, the request was not in harmony with purpose and intent of the City's Land Development Ordinance. It failed to meet the criteria for granting variances as outlined in the ordinances. Staff could not support the application and recommended denial.

Pamela Kemp gave a brief history of the property since 1953, when it was purchased by the Harris family. She noted the tract had been zoned Estate Residential (ER) when the City was incorporated in 1959. The four tracts owned by the Harris family were zoned Estate Residential (ER). In 1990, Orville Harris won a lawsuit against the City regarding the zoning of Tracts 2 and 3 as ER, and the determination was the zoning was unconstitutional, confiscatory, and void. Tract 1 (the tract for which this variance had been requested) was located across Robinson Road from Tracts 2 and 3. At the October 4, 1990, City Council meeting, Tracts 2 and 3 (66 acres) were rezoned to R-43. Tract 1 was not included in the rezoning, and Robinson Road was the boundary for the tracts. Hayes Development purchased Tracts 1, 2, and 3 in 1994. Tract 4 was considered wetlands and was donated to the City. Avalon Park was built on Tracts 2 and 3. Kemp pointed out that Tract 1 had never been rezoned and remained ER.

In May 2014, Toney Martin of Martin Dobson Homes applied for the first variance for the tract, which was to allow for a stormwater retention area on each lot as opposed to one central retention area. The variance was heard and approved in July 2014. Kemp pointed out that Martin had signed the application as the property owner, but Anne Hayes did not sell the property to Martin until August 1, 2014. Kemp alleged that this misrepresentation made the first variance null and void.

On September 17, 2014, Martin Dodson Homes asked Council for two additional variances, one for an additional curb cut and the other to allow more than two homes on a driveway. Kemp noted that Senior Planner David Rast reported that the zoning of the property was not clear. The variance requests were approved.

Kemp continued that there were 20 subdivisions along the length of Robinson Road, and 17 of them were behind 50-foot greenbelts. Kemp, an Avalon Park homeowner, said the greenbelt along her subdivision accounted for more than an acre of land. Kemp said a vote to approve the variance would open the door for the destruction of approximately a quarter mile of mature trees. The door would be opened to end of Robinson Road as a well-functioning collector road. Several properties along the northern end of Robinson Road were zoned ER and could face redevelopment as their owners passed on or sold their properties. With additional curbs allowed, the road could become another City street.

Kemp added that, through an open records request, she had obtained several e-mails that dated back to early 2013. According to Kemp, the e-mails showed a continuous effort by staff to problem solve and look for loopholes to get the project through. There was a systemic problem with a staff that looked to circumvent the rules rather than enforce them. She referred to an e-mail dated March 4, 2013, from Larry Seabolt of Integrated Science & Engineering (ISE) to Rast and City Engineer Dave Borkowski. She continued that Seabolt had provided a list of obstacles the project had and asked staff to help in finding which sections of the ordinances should be considered for variances. Kemp said staff had used their time to find loopholes, parse ordinances, and find work arounds for the applicant. She had found crucial facts with limited knowledge and had used only the internet.

Kemp asked Council to consider requiring a closing document for all variance applications and to strengthen the City's ordinances. In addition, she asked Council to consider limiting the number of variances that could be granted for a single piece of property. Four variances on a single property should have sent a red flag, and Council should approach all variances with the mindset to deny.

Kevin Dwyer, a resident of Doubletrace Lane, said his property was on the downhill side of the tract. Robinson Road had been built on a ridge, and the topography fell off east and west of the road. There was an area of floodplain from Petrol Point to Huddleston Pond. All the water from Robinson Road ran down behind his house and to his neighbors to the north and south, Dwyer said. His concern was the flooding of their properties after this tract was developed. The plan submitted by the developer removed all the mature trees and vegetation, replacing them with eight two-inch caliper trees in 25-foot landscaped buffer. Stripping the land would increase the speed of the flow of water onto his property. Dwyer said he had landscaped his back yard twice in 23 years. The first time was right after moving in, and the second time was to help funnel the water away from his house. He would have to put a huge drain system in his backyard to handle the drainage from the proposed development. Dwyer was also concerned about the septic tanks, adding septic could not be put on back-filled property. The plans for septic and stormwater had been approved without staff stepping foot on the property to see the huge slope going down. Dwyer noted the survey for the drainage plan was off by 100 feet. There would be two retention ponds and two septic fields directly behind his backyard. He pointed out that one of the driveways had also moved 60 feet to the north, which moved it away from the area for which the variance had been granted.

Derek Wagner, also a resident of Doubletrace Lane, said he was against the variance. Wagner said the problems started with the first plat. He noted the zoning on the recorded plat as R-43, and the zoning clearly stated there was a 50-foot greenbelt, which was indicated as a building setback line. Had the surveyor done the job properly, it would have been clearly indicated. There was an area noted as open space and a landscape easement, which Wagner said was incorrect, adding it was a greenspace easement. The submitted plat was a misrepresentation of what was actually on the property. Wagner noted that he was a licensed surveyor in Georgia and said the first variance should never have been approved. There were violations of the Plat Act on the original survey and plat. A Certificate of Authorization was not on the plat, and the required information was not there to calculate the areas. By the time the 50 feet of greenbelt was removed, Wagner said well under an acre was left to build on. Lot 4 was the largest tract, and it had 0.8 buildable acres left after deducting the greenspace, while the smallest tract had 0.65 acres left. There were also additional building setbacks that had to be measured from the 50-foot greenbelt line, which left even less room to build. The development proposal should never have been considered. Two areas on the plat were considered to have Group C soil, which had a high possibility of septic failure, and alternatives should be sought. The entire property was never meant to be developed by the time the 50-foot greenbelt and the building setbacks were taken away.

Greg Ferrara, president of the Whitfield Farms homeowners association (HOA), said most people moved to Peachtree City because of the planned nature of the community, the established greenspaces, and how the City was laid out. One of their concerns was safety, saying there had been several situations in front of their neighborhood with school bus stops. There were three bus stops along Robinson Road – Whitfield Farms, Robinson Woods, and one closer to SR 54 at Williams Court. The sight lines at the property were limited. People passed buses, and they were concerned this would increase with the more limited sight lines. As the south side of the City had developed, the traffic on Robinson Road increased. The additional driveways would

aggravate that situation. He noted that when Whitfield Farms was built in the mid- to late-1980s, one home had been six feet over the building setback line, and the builder had to reinforce the foundation six feet in the other direction, then cut the home from its foundation and slide home six feet. He asked Council to be consistent with those standards.

Chuck Sanford told Council he had lived on Doubletrace Lane for 32 years. He was speaking on behalf of his family and 30 other families that lived on Doubletrace Lane and Pinto Point. He presented Council with letters of opposition from those families. He asked Council to consider voiding the previously approved variances on the Zenco property, citing the invalid subdivision of the 4.3-acre tract in October 2014. Sanford read from several areas of the Code of Ordinances regarding plat submittals, saying plats were required to identify all buffers and greenbelts and the location of any areas to be reserved, donated, or dedicated for public use. He said those areas of the ordinances referred to the 50-foot greenbelt, which had not been included in the application, drawings, or surveys submitted. Zenco had also asked to remove all the trees from a 30-foot x 1,300-foot long stretch, which was the equivalent of 1.5 acres of the 4.3-acre tract. The area had mature tree canopy, understory trees, and native shrubs and plants. Zenco planned to replace them with eight two-inch caliper trees along the 1,300-foot stretch of Robinson Road. There was a big difference between a 50-foot undisturbed greenbelt and a 25-foot landscaped buffer, in addition to the trees. The applicant was also planning to clear cut another 1.9 acres of trees for extensive grading for the homes, detention ponds, and driveways. Zenco now planned to clear-cut 80% of the 4.3 acres. He said it was an unreasonable fantasy to think the future homeowners would maintain the detention ponds. If the four homes were built, another 100 homes would lose their protection from the undisturbed greenbelt buffer and would be left with only a 30-foot buffer that would only last a few years before homeowners cut the trees that touched their homes so they would have backyards. The extensive grading in the 1.9-acre area would kill tree roots in the building zone. The subdivision of the property should be voided. The problems/hardships with the tract were self-inflicted. The tract was too narrow to build on, and would be too narrow even if this variance was approved. The request was detrimental to the public's health, safety, and community welfare.

Martine Yancey said her concern was about run-off, noting it was not possible to create four one-acre lots with all the setbacks. The tract had been purchased from a real estate agent by one developer, then sold to another developer after some variances were granted. She questioned why no homes had been built on this tract when the others in Avalon Park were built. The tract included the 50-foot greenbelt, a cart path easement, as well as other problems that had been noted. The adjoining parcels on Robinson Road were listed as City greenbelt. The tract should be left undeveloped. Yancey said she at first felt the City should purchase the property due to the staff mistakes. Zenco could sell it to another developer or donate it to the City. The taxpayers were not responsible for the mistakes made by both sides. Zenco had grounds for a lawsuit. The builder did not do his due diligence and should have done the legwork. There had been too many mistakes made by staff in the last year, and management needed to look at the staffing in the department. She asked Council to stop taking a cookie-cutter approach to the land that was left in the City.

Learnard reminded the speakers they were here to discuss topics not people.

Kyle Scruggs said the Robinson Road tract was directly in front of his property in Avalon Park. He said it was obvious that not much could be done with the tract. The surrounding neighborhoods had problems with stormwater runoff, and there had also been problems with the handling of the situation. He noted that one of the speakers in favor of the variance had stated the

neighbors did not have a problem with the variance. Scruggs said, as a neighbor, they had a problem with it.

David Minor, an Avalon Court resident, recalled that when he had wanted to put a basketball court in his yard, he had wanted to know what land he owned. He got a plat from the City, and he found out where he could build. He verified that with the City. He spent \$17,000 and did his homework. The builder should have done his homework, too. It was not the City's fault. Everything was in the ordinances.

Steve Brown noted the variance criteria, saying there needed to be a hardship for a variance. The effects on the neighbors' properties were the hardship. It was a hardship on the citizens, because the City was not following the ordinances or supplying greenbelt. He asked Council to get out of the "variance business," saying they had given too many. Brown (a former mayor) said maybe three had been approved during his tenure. As a current member of the Fayette County Board of Commissioners, Brown could not recall any variances that had been approved in the last five years. Sometimes people bought a bad piece of property, and they wanted Council to bail them out. He told Council it was their job to defend the ordinances and the citizens of the City.

Lynn Lasher said that, despite some missteps by the City, the onus was on the owner and the surveyor, as well as the engineer. She referred to an e-mail the engineer had sent to the Senior Planner and City Engineer, which had included a five-item checklist the engineer was responsible for, and the first item on the list was the 50-foot greenbelt along Robinson Road.

Phil Boswell said Robinson Road was the longest thoroughfare in the City that did not cross a state highway. There were issues with the sellers, buyers, engineers, and City officials. He said the best thing to do was to table the request indefinitely until things were worked out between everyone involved or to vote no.

Lisa Blancher, who moved to the City in August 2014, said she had seen the variance signs in 2014 and had assumed they were for the house. They moved there because they liked the greenspace and cart paths. She urged Council to deny the variance.

Sharon Waples said property values would be affected either way Council voted. The City would have to pay someone. Her neighborhood had septic tanks, and she had seen septic failures. Council should limit variances unless there was an emergency situation. For most residents, their homes were the largest investments made in their lifetimes. Right now, they were talking about houses, not anyone's home. She asked Council to consider the citizens and to oppose the variance. Everyone made mistakes, and this mistake should be stopped before it went any further.

No other speakers came forward, and Learnard closed the public hearing.

Imker reported that Council had received an e-mail that day from the applicant's attorney ratifying the applicant's constitutional right to sue the City. He said he was ready to stand behind the City's 35,000 residents and stand up to a lawsuit. There were no other comments.

Imker moved to deny the variance request to the buffer standards for which the public hearing had just been held. Ernst seconded. Motion carried 3-0-1 (Fleisch).

10-15-02 Consider Amendment to SAFEbuilt Professional Services Agreement

Warrix reported that he had been looking at areas where efficiency and customer service could be improved in the department. The City had outsourced building services to SAFEbuilt since 2012, and it had been very cost effective and worked well. The amendment to SAFEbuilt's agreement would require them to provide a full-time permit specialist to work at the front desk, and the City staff member currently performing those duties would be reassigned to work with Planning, Engineering, and Stormwater. SAFEbuilt's proposal included an increase to 75% of the fees collected rather than 70%. The additional 5% was approximately \$33,000, which was the cost of the full-time permit specialist. There would be no contribution from the City for the position. SAFEbuilt would absorb all the overhead costs associated with the position.

Learnard moved to amend the SAFEbuilt professional services agreement as explained. Ernst seconded. Motion carried unanimously.

10-15-03 Consider Adoption of Right-of-Way Occupancy Ordinance

Interim City Manager Jon Rorie said City Engineer Dave Borkowski would give an overview of the 18-page ordinance. In addition, Rorie asked Council to continue the agenda item until November 5 to allow more time for Council review, staff review, and vendor review before voting.

Borkowski noted the City's existing ordinances did not adequately deal with companies that wanted to install telecommunications facilities within the City's rights-of-way. The current ordinances basically dealt with tree preservation and requiring utilities to be buried, but did not address how the City's rights-of-way were used, which resulted in a lack of control for the City. The proposed ordinance did not prohibit companies from using the rights-of-way, which was a key point since state law did not allow that. The proposed ordinance would establish the following chief controls:

- The companies would have to register with the City and pay a one-time fee unless it was specifically exempted by state or federal law.
- New installations in the rights-of-way would have to be permitted. Specific detailed drawings and surveys would be required, as well as bonds and information on the excavation.
- A permit fee would be required. The fee would be established in line with the Georgia Department of Transportation (GDOT) Administrative Code.
- Procedures/rules for franchising within the City limits would be established. Local franchises would not be required to have a local franchise, but they would have to show proof of state franchise compliance.

Imker moved to continue agenda item 10-15-03 to November 5. Ernst seconded. Motion carried unanimously.

10-15-04 Consider Authorization for Title Issue – Abandonment of Line Creek Drive

Meeker said a title issue had arisen with respect to the abandonment of Line Creek Drive. The title to a portion of the right-of-way had not been conveyed back to the City from GDOT after the road was widened. In order to complete the abandonment, this issue had to be resolved. Staff had spoken to Trinity Development about adding this to the overall cost of the right-of-way.

Ernst clarified there would be no cost to the City. Meeker said that, when it was all done, there would be no cost to the City.

Ernst moved to approve agenda item 10-15-04 Consider Authorization for Title Issue – Abandonment of Line Creek Drive. Learnard seconded. Motion carried unanimously.

Council/Staff Topics

Fleisch announced that the City's team came in second in the Dragonboat Races held September 26 thanks to Police Chief Janet Moon. The team won by one minute, six seconds. She thanked the members of the Police and Fire Departments who manned the boat.

Executive Session

Learnard moved to convene in executive session at 8:44 p.m. to discuss pending or threatened litigation and personnel. Ernst seconded. Motion carried unanimously.

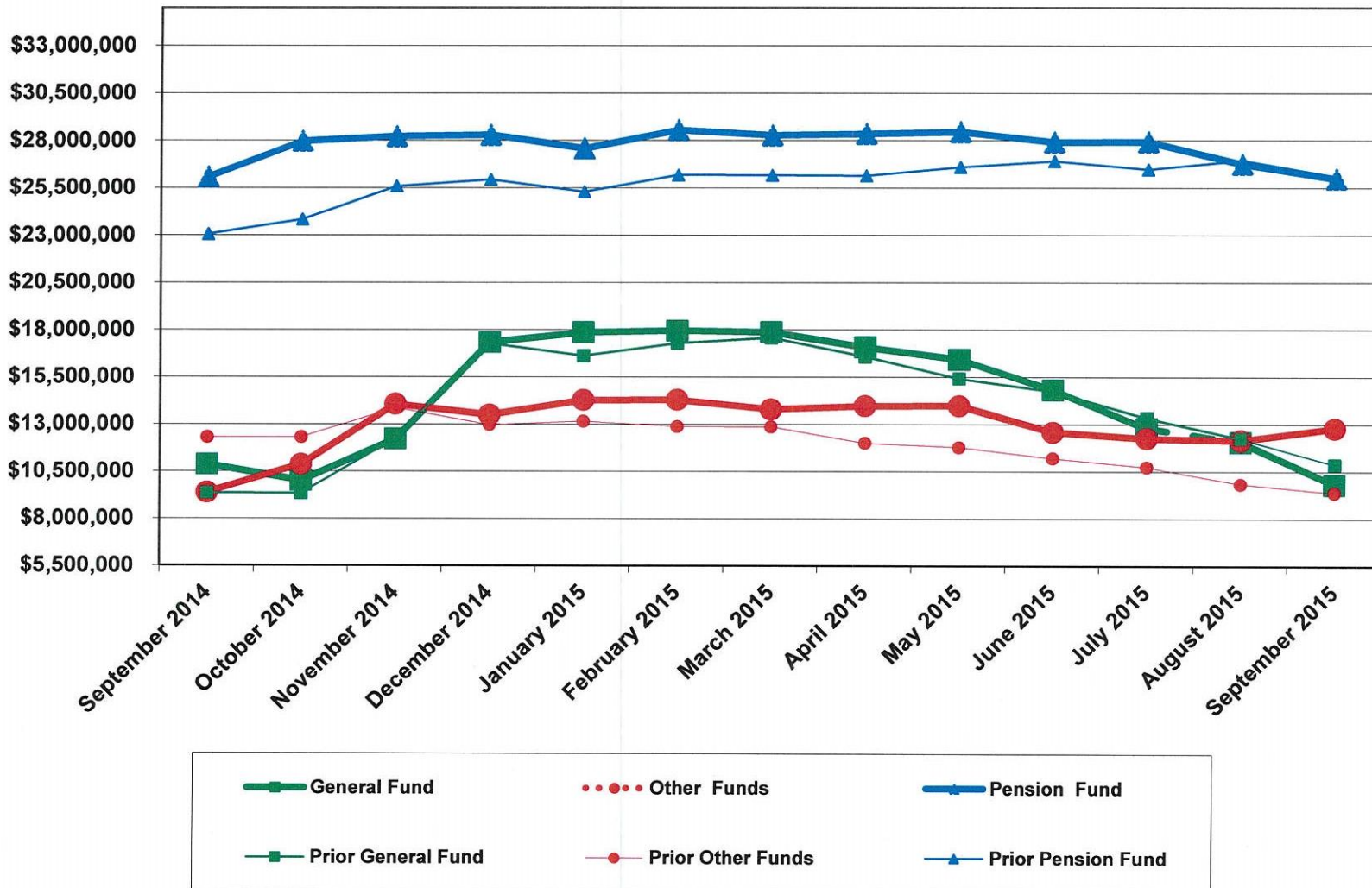
Learnard moved to reconvene in regular session at 9:38 p.m. Ernst seconded. Motion carried unanimously.

There being no further business, Learnard moved to adjourn. Ernst seconded. Motion carried unanimously. The meeting adjourned at 9:39 p.m.

Pamela Dufresne, City Clerk

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY
FISCAL YEAR 2015 (with prior year comparison and current year estimates)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



Note: Other Funds include Special Revenue Funds, Capital Projects Funds, Debt Service Funds, Proprietary Funds (including the Stormwater Utility Fund), and Agency Funds.

CITY OF PEACHTREE CITY
FINANCIAL SERVICES DIVISION
MONTHLY REPORT (UNAUDITED)
AS OF SEPTEMBER 30, 2015

Fund	Cash Balance	Total Investment	Total Cash and Investments	YTD Interest
General Fund	\$ 1,513,972	\$ 8,301,892	\$ 9,815,864	\$ 49,071
Neighborhood Parks Fund	7,428	-	7,428	4
DARE Fund	2,260	-	2,260	1
State Seizures Fund	112,322	-	112,322	32
HAZMAT Fund	131	-	131	-
Police Tuition Fund	4,287	-	4,287	2
Youth Council Fund	501	-	501	1
Fire/EMS Grant Fund	1,068	-	1,068	1
PD Cert/Grant Fund	2,374	-	2,374	2
Police Donation Fund	3,611	-	3,611	2
Explorer Troop Fund	1,250	-	1,250	1
Federal Seizures Fund	34,845	-	34,845	26
Athletic Fee Funds	-	-	-	-
KPTCB Fund	2,053	-	2,053	-
Hotel/Motel Tax Fund	-	-	-	-
S.P.L.O.S.T. Fund	26,448	-	26,448	2,333
Impact Fees Fund	1,210,110	-	1,210,110	403
Public Improvement Funds	475,477	2,804,840	3,280,317	1,495
Debt Service Funds	91,114	-	91,114	69
Stormwater Utility Fund	979,023	6,457,829	7,436,852	3,206
Amphitheater Fund	230,361	-	230,361	134
Flexible Spending Account Fund	(2,001)	-	(2,001)	-
Municipal Court Fund	245,200	-	245,200	-
Landscape Deposit Fund	102,300	-	102,300	-
Total Collateralized Funds	\$ 5,044,134	\$ 17,564,561	\$ 22,608,695	\$ 56,783
Pension Trust Fund	19,500	25,956,629	25,976,129	N/A
Grand Total	\$ 5,063,634	\$ 43,521,190	\$ 48,584,824	\$ 56,783

Collateral Analysis as of September 2015		
Safe-keeping Bank	Bank	Total Held
State Approved Pooled Collateral	PNC	43,467,967
State Approved Pooled Collateral	SunTrust	78,880,299

CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR THE TWELVE MONTHS
ENDED SEPTEMBER 30, 2015

PERCENTAGE OF BUDGET YEAR COMPLETED 100.00% (ACTUAL TRANSACTIONS STILL PENDING)

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2015 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	\$ 13,442,288	\$ 13,065,764	\$ (376,524)	97.20%
Franchise Taxes	2,560,699	2,664,769	104,070	104.06%
Local Option Sales Tax	6,305,144	6,635,680	330,536	105.24%
Other Sales & Use Taxes	783,511	806,223	22,712	102.90%
Business Taxes	2,266,957	2,327,035	60,078	102.65%
Licenses & Permits	919,492	973,829	54,337	105.91%
Intergovernmental/Grants	443,482	435,624	(7,858)	98.23%
Charges for Services	1,302,132	1,357,702	55,570	104.27%
EMS Billings	709,533	757,373	47,840	106.74%
Fines & Forfeitures	908,102	1,064,033	155,931	117.17%
Investment Income	50,919	56,012	5,093	110.00%
Other Revenue	167,688	193,344	25,656	115.30%
Other Financing Sources	822,641	804,322	(18,319)	97.77%
Total General Fund Revenues	\$ 30,682,588	\$ 31,141,710	\$ 459,122	101.50%
Surplus Carryover	2,197,403			
Total General Fund	\$ 32,879,991			

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2015 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	\$ 450,968	\$ 395,298	\$ 55,670	87.66%
Administrative Services	1,293,789	1,159,052	134,737	89.59%
Financial Services	1,617,192	1,547,059	70,133	95.66%
Police Services/Code Enforcement	6,966,916	6,413,169	553,747	92.05%
Fire/EMS Services	7,153,593	6,979,116	174,477	97.56%
Public Works/Buildings & Grounds/Engineering	7,273,253	6,187,370	1,085,883	85.07%
Community Services	4,512,339	4,141,803	370,536	91.79%
Non-Divisional:				
Unemployment Insurance	20,000	2,465	17,535	12.33%
Non-Profit Organizations	22,500	22,500	-	100.00%
Transfer to Airport Authority	102,000	102,000	-	100.00%
Transfers to Other Funds	3,639,947	3,087,887	552,060	84.83%
Liability Insurance	133,195	145,599	(12,404)	109.31%
Litigation Services	225,000	124,005	100,995	55.11%
General Administration/Miscellaneous	73,095	47,628	25,467	65.16%
	4,215,737	3,532,084	683,653	
Budgeted Savings	(603,796)	-	(603,796)	0.00%
Total General Fund	\$ 32,879,991	\$ 30,354,951	\$ 2,525,040	92.32%

HOTEL/MOTEL FUND REVENUES

Description	2015 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	\$ 1,521,994	\$ 1,512,321	\$ (9,673)	99.36%

HOTEL/MOTEL TRANSFERS OUT

Type	2015 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	\$ 760,997	\$ 756,160	\$ 4,837	99.36%
Transfer to Tourism Association	760,997	756,161	4,836	99.36%
Total Hotel/Motel Transfers Out	\$ 1,521,994	\$ 1,512,321	\$ 9,673	99.36%

CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF SEPTEMBER 30, 2015

SUMMARY OF PURCHASE ORDERS ISSUED OVER \$25,000 APPROVED BY CITY MANAGER SEPTEMBER 2015			
Description	Vendor	Award	Date
None to Report			
PURCHASING REPORT FOR MONTH ENDED SEPTEMBER 30, 2015 AND SEPTEMBER 30, 2014			
Activity	Fiscal Year 2015	Fiscal Year 2014	
Purchase Orders / Requisitions Processed	129	131	
City Store Requisitions Processed	12	14	
Sealed Bids Requested	1	1	
Requests for Proposals	1	1	
Bids Awarded	2	0	
Requests for Proposals Awarded	0	0	
Contracts Prepared	2	0	
Electronic Auction	0	0	
Fixed Assets Purchases	1	0	
Purchase Ford Fusion (Lease Payoff)			

CITY OF PEACHTREE CITY
DONATIONS RECEIVED
SEPTEMBER 2015

Drake Field Pavilion

CVB

45,000.00

TOTAL MONTH OF SEPTEMBER 2015

\$ 45,000.00

**CITY OF PEACHTREE CITY
LITIGATION SERVICES
FISCAL YEAR 2015
PAID AS OF September, 2015**

Litigation Services (100-1505-579130)

Vendor	Month Paid	Project	Amount
Sumner Meeker	November	EEOC Claim	979.28
Sumner Meeker	November	GolfView	405.00
Sumner Meeker	November	Harbor Loop	525.00
Sumner Meeker	November	Mrosek	75.00
Sumner Meeker	November	Pathways	360.00
Sumner Meeker	November	Preston Chase	365.00
Sumner Meeker	November	Triad	9,382.42
Sumner Meeker	November	Wynnmeade	3,077.08
Sumner Meeker	December	Pathways	750.00
Sumner Meeker	December	Triad	7,012.44
Sumner Meeker	December	Wynnmeade	1,501.80
Sumner Meeker	January	Breedlove	750.00
Sumner Meeker	January	Mrosek	780.00
Sumner Meeker	January	Pathways	825.00
Sumner Meeker	January	Triad	1,740.00
Sumner Meeker	January	Wynnmeade	1,511.88
Sumner Meeker	February	Erica Clark	935.60
Sumner Meeker	February	EEOC Claim	2,327.25
Sumner Meeker	February	Harbor Loop	150.00
Sumner Meeker	February	EEOC Claim	720.00
Sumner Meeker	February	Preston Chase	120.00
Sumner Meeker	February	EEOC Claim	450.00
Sumner Meeker	February	Wynnmeade	1,092.60
Sumner Meeker	February	EEOC Claim	570.00
Sumner Meeker	February	EEOC Claim	420.00
Sumner Meeker	February	Mrosek	1,395.00
Sumner Meeker	February	Pathways	525.00
Sumner Meeker	February	Wynnmeade	597.60
Sumner Meeker	March	EEOC Claim	510.00
Sumner Meeker	March	Harbor Loop	720.00
Sumner Meeker	March	EEOC Claim	3,394.30
Sumner Meeker	March	Pathways	795.00
Sumner Meeker	March	Mrosek	4,440.00
Sumner Meeker	March	Wynnmeade	120.00
Sumner Meeker	May	Breedlove	1,802.25
Sumner Meeker	May	Erica Clark	465.00
Sumner Meeker	May	EEOC Claim	1,451.20
Sumner Meeker	May	GolfView	120.00
Sumner Meeker	May	Harbor Loop	135.00
Sumner Meeker	May	Mrosek	2,442.40
Sumner Meeker	May	EEOC Claim	1,382.15
Sumner Meeker	May	PTC Holdings	210.00
Sumner Meeker	May	Wynnmeade	1,272.60
Sumner Meeker	June	Breedlove	2,177.25
Sumner Meeker	June	Erica Clark	120.00
Sumner Meeker	June	EEOC Claim	225.00
Sumner Meeker	June	GolfView	735.00
Sumner Meeker	June	Harbor Loop	825.00
Sumner Meeker	June	EEOC Claim	1,207.75

Sumner Meeker	June	Mrosek	75.00
Sumner Meeker	June	Pathways	1,652.15
Sumner Meeker	June	Wynnmeade	507.60
Sumner Meeker	July	Breedlove	1,609.50
Sumner Meeker	July	EEOC Claim	680.60
Sumner Meeker	July	EEOC Claim	2,025.80
Sumner Meeker	July	Pathways	917.15
Sumner Meeker	July	Move Legal Fees/ Stormwater Projects	(11,713.56)
Sumner Meeker	August	Breedlove	480.00
Sumner Meeker	August	EEOC Claim	1,841.20
Sumner Meeker	August	EEOC Claim	240.00
Sumner Meeker	August	Pathways	525.00
Sumner Meeker	September	Ellicott	917.25
Sumner Meeker	September	EEOC Claim	3,890.60
Sumner Meeker	September	Mrosek	300.00
Sumner Meeker	September	Pathways	932.15
			68,773.29

GIRMA	December	Vehicle Accident	3,833.99
GIRMA	December	Vehicle Accident	730.87
GIRMA	January	EEOC Claim	196.00
GIRMA	January	Vehicle Accident	3,626.62
GIRMA	January	Vehicle Accident	694.91
GIRMA	February	Vehicle Accident	1,501.27
GIRMA	February	Vehicle Accident	2,710.45
GIRMA	February	Property Damage	4,220.00
GIRMA	June	Vehicle Accident	329.18
GIRMA	August	EEOC Claim	49.00
GIRMA	August	Vehicle Accident	5,000.00
GIRMA	September	Vehicle Accident	343.83
GIRMA	September	Vehicle Accident	546.98
GIRMA	September	Vehicle Accident	4,282.50
GIRMA	September	Vehicle Accident	5,000.00
GIRMA	September	Vehicle Accident	966.00
			34,031.60

Claims Management Resources	August	Property Repair	173.37
Integrated Science & Eng.	October	Mrosek	95.00
Integrated Science & Eng.	December	Triad	1,125.00
Law Offices of Shane Smith	April	Erick Clark claim	16,500.00
WSG Reporting	October	Triad	2,031.35
WSG Reporting	December	Triad	630.65
			20,555.37

Total Litigation Services to Date	\$ 123,360.26
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September FY2015 Litigation Expenses (100-1505-579130)	\$ 17,179.31
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Legal Fees: Lake Peachtree Dam

Intergrated Science & Eng.	April	Lake Peachtree Dam	3,847.50
Intergrated Science & Eng.	April	Lake Peachtree Dam	3,005.00
Intergrated Science & Eng.	May	Lake Peachtree Dam	38,840.00
Intergrated Science & Eng.	September	Lake Peachtree Dam	5,525.00
Smith, Welch, Webb & White	November	Lake Peachtree Dam	3,744.73
Smith, Welch, Webb & White	December	Lake Peachtree Dam	11,100.48
Smith, Welch, Webb & White	January	Lake Peachtree Dam	1,286.25
Smith, Welch, Webb & White	February	Lake Peachtree Dam	2,078.75
Smith, Welch, Webb & White	March	Lake Peachtree Dam	2,753.95
Smith, Welch, Webb & White	April	Lake Peachtree Dam	2,110.50
Smith, Welch, Webb & White	May	Lake Peachtree Dam	6,513.44
Smith, Welch, Webb & White	June	Lake Peachtree Dam	8,520.15
Smith, Welch, Webb & White	July	Lake Peachtree Dam	6,137.42
Smith, Welch, Webb & White	August	Lake Peachtree Dam	7,591.15
Smith, Welch, Webb & White	September	Lake Peachtree Dam	4,911.05
Sumner Meeker	November	Lake Peachtree Dam	1,680.00
Sumner Meeker	December	Lake Peachtree Dam	1,665.00
Sumner Meeker	January	Lake Peachtree Dam	2,085.00
Sumner Meeker	February	Lake Peachtree Dam	2,310.00
Sumner Meeker	February	Lake Peachtree Dam	4,517.15
Sumner Meeker	March	Lake Peachtree Dam	690.00
Sumner Meeker	May	Lake Peachtree Dam	1,995.00
Sumner Meeker	June	Lake Peachtree	645.00
Sumner Meeker	July	Lake Peachtree Dam	1,065.00
Sumner Meeker	August	Lake Peachtree Dam	435.00
Sumner Meeker	September	Lake Peachtree Dam	225.00

** Total Lake Peachtree Dam Legal Fees	\$ 125,277.52
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September Litigation Services (334-4110-54-CIP-00000082)	\$ 10,661.05
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** Note: Legal Fees associated with the Lake Peachtree Dam have now been assigned to the Capital Improvement Fund g/l account 334-4110-54-CIP-00000082.

**FY2015 MONTHLY REPORT
LIBRARY**

ACTIVITY DESCRIPTION	UNIT	October	November	December	January	February	March	April	May	June	July	August	September	FY2015 YEAR-TO-DATE	FY2014 YEAR-TO-DATE
Items - Acquired	Num.	476	394	284	418	879	358	290	250	349	302	237	242	4,479	5,605
Items - Circulated	Num.	32,875	29,190	26,991	28,518	29,685	32,673	29,275	31,172	37,847	35,946	32,672	31,315	378,159	399,135
Items - Loaned to Other Libraries	Num.	1,315	1,117	1,086	1,178	1,203	1,260	1,038	1,038	1,210	1,100	1,242	1,218	14,005	13,868
Items - Borrowed From Other Libraries	Num.	1,852	1,168	1,382	1,862	1,586	2,019	1,620	1,506	2,005	1,900	1,686	1,884	20,470	22,087
Class Visits	Num.	2	2	0	2	1	5	2	1	0	0	0	1	16	11
Group Meetings	Num.	41	20	25	30	28	40	36	22	34	30	36	32	374	342
Monthly Traffic	Num.	17,325	19,201	17,819	17,648	19,855	19,951	18,330	17,952	20,823	19,919	19,165	18,619	226,607	214,945
Children's Programs Number of Participants	Num.	32	18	15	21	29	27	24	19	39	36	13	26	299	253
Adult Programs Number of Participants	Num.	5	6	3	4	3	3	6	3	8	5	2	2	50	48
Revenue from Overdue Books	Dls.	3,623	2,695	3,305	4,149	3,715	3,957	3,108	3,827	4,424	4,659	3,694	3,330	44,486	49,999
Revenue from Copies Made	Dls.	606	407	255	589	650	624	656	619	532	806	607	602	6,953	6,342
Reference Assistance	Num.	1,502	1,123	1,028	963	1,152	1,286	1,235	1,175	1,485	1,384	1,306	1,176	14,815	16,233
Exams Proctored Revenue from Proctoring	Num. Dls.	21 270	20 270	24 320	16 270	13 160	15 230	27 330	24 410	26 420	45 650	16 200	24 330	271 3,860	312 4,580
Internet Usage	Num.	2,121	1,697	1,528	1,798	1,659	1,969	1,810	1,597	1,706	1,841	1,960	2,036	21,722	22,588
Volunteers Number of Hours Worked	Num.	36 279	32 237	40 279	39 279	33 260	40 265	55 325	48 295	45 313	47 303	41 272	38 246	494 3,353	429 2,830
Digital Downloads	Num.	1,530	1,578	1,798	1,690	1,783	2,057	1,947	1,097	1,194	2,319	2,125	2,045	21,163	16,358
Electronic Reference Access (Excluding GALILEO)	Num.	135	87	158	165	119	118	148	123	155	74	70	61	1,413	N/A

Notes: Returned to normal hours of operation on Tuesday, September 8th. Staff is currently evaluating several online Reference subscriptions, with an eye on condensing current print resources and creating more small group study space. Condensing Reference will also allow staff to free up more space for circulating collection including Young Adult and Large Print. One new purchase for FY16 will be Reference USA, a database that is frequently requested. Expect more changes in FY16 including downloadable music. Initial preparation is underway for participation in PLA's Project Outcome, which will assist staff in creating benchmarks.

PEACHTREE CITY POLICE DEPARTMENT
2015 MONTHLY REPORT

2015 2014
 Calendar Year to Date Calendar Year to Date

September 2015 August 2015

PART I CRIMES: Criminal Homicide, Forcible Rape, Robbery, Aggravated Assault, Arson, Burglary, Motor Vehicle Theft, Theft (Shoplifting, Entering Auto, & Theft)

<u>TOTAL PART I CRIMES</u>	49	69	431	361
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<u>DUI ARRESTS</u>	7	6	119	84
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DRUG ARRESTS: Marijuana, Methamphetamine, Cocaine, Other

TOTAL DRUG ARRESTS	4	10	84	67
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OTHER ARRESTS

PROPERTY CRIMES	17	7	95	147
PERSON CRIMES	5	3	47	64
TRAFFIC OFFENSES	18	38	194	139
OTHER	24	21	181	274

<u>CALLS FOR SERVICE</u>	4,728	4,238	38,944	37,601
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TRAFFIC

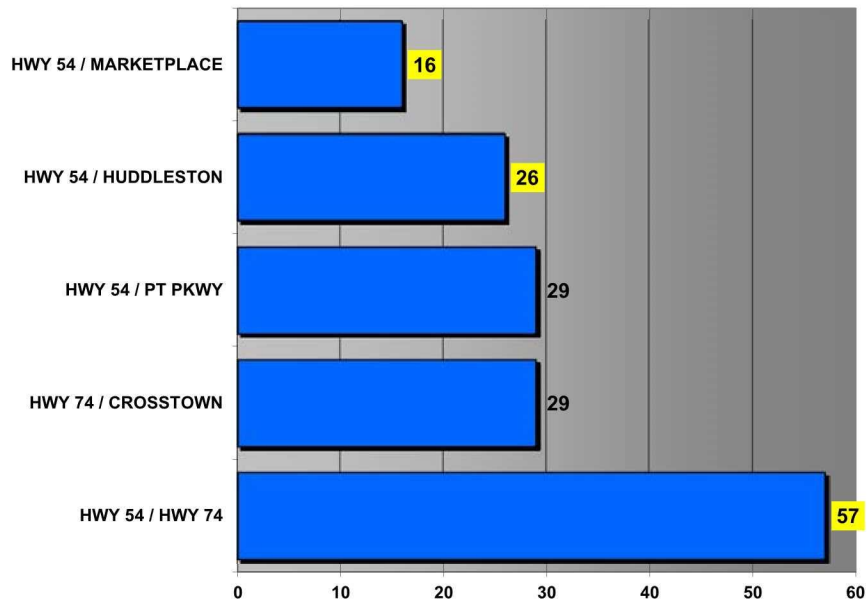
CITATIONS ISSUED	740	930	7,592	5,462
CITY ORDINANCES	22	33	276	374
WARNINGS	556	312	6,409	6,584
ROADWAY CRASHES	55	65	587	561

TOP 10 ACCIDENT LOCATIONS 2015

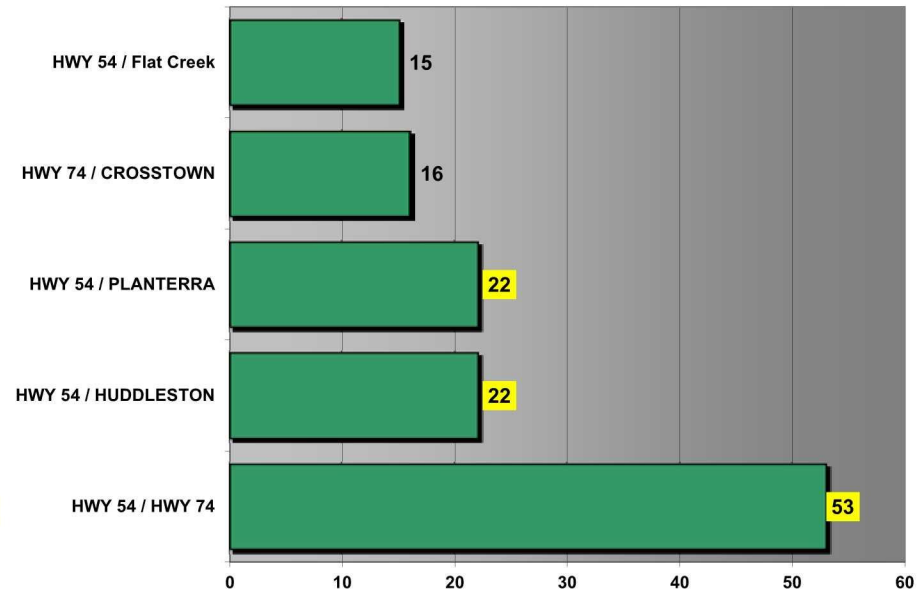
	MONTH	YTD
HWY 74 / KEDRON DR	3	57
HWY 54 / PTREE PKWY	3	29
HWY 74 / CROSSTOWN DR / TDK BLVD	3	28
HWY 54 / PLANTERRA WAY	2	26
HWY 54 / MCDUFF PKWY	2	19
		16
		14
		13
		10
		9

Collision Type	2015 YTD	2014 YTD
Roadway Collisions	587	561
Collisions w/ Injury	132	104
Collisions w/ Fatality	2	1
Cart Collisions	32	48
Cart Collision w/ Injury	15	17
Carts w/ Driver < 17	10	15

2015 Top 5 Collision Locations YTD



2014 Top 5 Locations YTD



Peachtree City Code Enforcement 3rd Quarter Report 2015

	Jan - Mar 2015	Apr - Jun 2015	Jul - Sep 2015	Jul - Sep 2014	Oct - Dec 2015	2015 YTD	2014 YTD
<u>Case Summary</u>							
Cleanliness of Premises (Grass)							
New Cases	10	180	137	183		327	399
NOVs Reactive	0	18	18	13		36	36
NOVs Proactive	10	156	118	167		284	349
Citations	0	3	0	0		3	1
Unfounded	0	4	1	3		5	14
Cleanliness of Premises (Trash)							
New Cases	123	60	50	67		233	232
NOVs Reactive	18	16	12	13		46	47
NOVs Proactive	101	37	35	49		173	158
Citations	1	3	0	0		4	4
Unfounded	3	5	3	5		11	25
Cleanliness of Premises (Auto)							
New Cases	45	23	16	27		84	101
NOVs Reactive	5	4	5	3		14	10
NOVs Proactive	40	19	9	21		68	82
Citations	2	0	0	0		2	1
Unfounded	0	0	2	3		2	8
Parking Restrictions							
New Cases	87	38	32	69		157	158
NOVs Reactive	6	7	2	11		15	33
NOVs Proactive	79	27	28	53		134	108
Citations	0	0	1	0		1	1
Unfounded	2	4	1	5		7	17
Accessory Use to Dwellings							
New Cases	59	25	36	49		120	108
NOVs Reactive	2	1	6	11		9	17
NOVs Proactive	56	22	30	35		108	85
Citations	0	0	0	0		0	0
Unfounded	1	2	0	3		3	6
Sign Violations							
New Cases	33	2	13	25		48	100
NOVs Reactive	2	0	1	0		3	6
NOVs Proactive	30	2	12	23		44	92
Citations	1	0	0	0		1	1
Unfounded	0	0	0	2		0	2
Rehabs							
New Cases	7	3	3	11		13	21
NOVs Reactive	3	1	2	3		6	13
NOVs Proactive	4	2	1	8		7	8
Citations	0	1	0	0		1	1
Unfounded	0	0	0	0		0	0
Miscellaneous							
New Cases	57	86	179	106		322	408
NOVs Reactive	20	23	24	28		67	97
NOVs Proactive	29	50	147	66		226	256
Citations	4	7	5	7		16	18
Unfounded	7	8	5	10		20	45
<u>Totals</u>							
New Cases	421	417	466	537		1304	1527
NOVs Reactive	56	70	70	82		196	259
NOVs Proactive	349	315	380	422		1044	1138
Citations	8	14	6	7		28	27
Unfounded	13	23	12	31		48	117
Stormwater Bill Delivery	0	0	0	0		0	152
Ordinance Letter Delivery	0	0	0	0		0	204
Signs Confiscated	255	190	251	556		696	1464
Parks Checked	204	156	136	237		496	729

PUBLIC SERVICES QUARTERLY REPORT
FY 2015

Public Works Quarterly Report

Activity Description	Unit	4th Quarter 2015	FY2015 YTD	Annual Goal
General				
Average time to complete vandalism repairs once notified	Days	2.5	1.8	3
Average time to respond to a citizen complaint and assign action	Days	4.7	4.2	5
Streets				
Street Patching	Hrs.	30	452	2,500
Street Crack Sealing	Hrs.	0	34	435
Street General Maintenance	Hrs.	1,240	3,464	3,500
Storm Water Maintenance	Hrs.	746	5,465	8,000
Street Sweeping	Ft/Mls	828960/157	4665461/884	360
Cart Paths				
Cart Path Paving	Ft.	13,978	31,652	31,680
Cart Path Prep	Ft.	11,298	33,723	
Cart Path Litter Removal	Hrs.	6	58	1,250
Time to remove trees on paths once reported	Days	1.5	1.5	2
Cart Path Drainage Maintenance	Hrs.	120	2,584	2,500
Cart Path General Maintenance	Hrs.	367	3,137	3,250
Signs				
Average time to respond to traffic sign maintenance issues	Days	1.0	1.0	2
Signs Changed over to new reflectivity and mixed letter standard (completion date 2018)	Each	51	311	350
Entrance Sign Maintenance	Each	217	760	
Contracted Services				
Time for contractor to remove trees once notified	Days	4.0	4.0	3
Time for landscaping and mowing contractor to fix an issue once notified	Days	0.0	0.0	2
Time for contractor to remove dead animals and debris from road once notified.	Days	1.0	1.0	1
Fleet Maintenance				
Average time to complete a preventative maintenance on a Light Car/Truck	Hrs.	3.1	2.3	3
Average time to complete a preventative maintenance on a Heavy Truck	Hrs.	8.0	6.6	6
Average time to complete a preventative maintenance on a Heavy Equipment	Hrs.	7.0	4.6	6
Ratio of time spent on preventative maintenance versus other repair items		2 to 1	2 to 1	2 to 1
Facility Maintenance				
Sports Complex Maintenance	Hrs.	3,889	7,397	2,500
Parks General Maintenance	Hrs.	368	2,162	435
General Maintenance	Hrs.	2,253	5,691	2,000
Vandalism	Hrs.	8	38	0
Litter Removal	Hrs.	604	2,397	2,000
Building Maintenance	Hrs	1,101	3,552	2,500

Note: General maintenance line items include activities not included in paving operations. These include but are not limited; storm clean up, litter removal, curb repair etc.

CITY OF PEACHTREE CITY
RECREATION & SPECIAL EVENTS REVENUE
AS OF SEPTEMBER 30, 2015
WITH COMPARISONS TO SEPTEMBER 30TH FY2012, FY2013 & FY2014
Percent of budget year completed to date: 100.00%

	ACTUAL THRU SEPTEMBER			ORIGINAL		CURRENT	ACTUAL	%
<u>RECREATION REVENUE</u>	FY 2012	FY 2013	FY 2014	BUDGET	BUD	BUDGET	THRU	Collected
				FY 2015	ADJ.	FY 2015	SEPT.	To Date
							FY 2015	
Events	-	9,215	8,659	5,000		5,000	7,172	143.44%
Program Fees - Recreation	\$186,544	\$186,362	\$182,852	\$190,000.00	\$ -	\$190,000	\$193,097	101.63%
Program Fees - Kedron	170,448	177,512	210,706	173,000	42,000	215,000	222,498	103.49%
Program Fees - Kedron Open Gym	16,181	16,646	15,433	16,080	-	16,080	23,377	145.38%
Program Fees- Athletic Tournaments	2,310	13,060	2,695	3,400		3,400	20,125	591.91%
Facility Maintenance Rec.- Athletic Assoc.	43,130	111,408	83,768	94,000	-	94,000	129,407	137.67%
Facility Maintenance Ked- Athletic Assoc.	-	13,210	11,905	\$13,500	-	13,500	1,231	9.12%
Facility Rental- Tennis Center	24,000	24,000	22,000	24,000		24,000	26,000	108.33%
Facility Rental - Recreation	5,631	22,476	32,460	19,176	10,000	29,176	5,598	19.19%
Facility Rental - Kedron	18,465	20,394	24,645	20,347	-	20,347	25,791	126.76%
-	-	-	-	-	-	-	-	-
Program Fees - Pool Fees/Passes	62,188	96,558	97,635	80,000	-	80,000	92,405	115.51%
Program Fees - Kedron Swim Teams	11,603	51,675	62,550	52,000	-	52,000	60,494	116.33%
Program Fees - Kedron Swim Lessons	9,233	15,427	10,573	13,000	-	13,000	14,623	112.48%
Program Fees - Rec Pool Revenue	24,155	5,193	7,040	24,100		24,100	5,489	22.78%
	\$573,888	\$763,136	\$772,921	\$ 727,603	\$ 52,000	\$779,603	\$827,307	106.12%

Recreation Programming- The Divas Health and Fitness Expo was held at Kedron on the 10th & 11th. Kedron was the site for the City's Benefits Fair on the 18th. The Campus and Konos Academy are using space at Kedron for their respective volleyball programs. The pools closed to install the bubble on the 27th.

Special Events- The Tri PTC Sprint Triathlon was held at Lake McIntosh on the 5th with an estimated 1,100 people in attendance. The Divas 5K and Half Marathon was held at the McIntosh Trail Complex and surrounding cart paths on the 12th with an estimated 4,000 athletes participating. The 38th Annual Shakerag Arts and Crafts Festival was held at Shakerag Knoll on the 19th & 20th with 118 vendors and an estimated 6,000 people in attendance over the two days. The Dragon Boat races and International Festival was held at Lake McIntosh on the 26th with 33 teams competing and an estimated 700 in attendance.

Tournaments Notes- The Publix Atlanta Cup Soccer Tournament was held at the PAC on the 5th & 6th with 31 teams competing and an estimated 1,550 in attendance. We had a PTB baseball Tournament at the PAC on the 13th with 35 teams competing and an estimated 1,050 in attendance. Our second PTB baseball tournament of the month was held at the PAC on the 27th with 12 teams

PEACHTREE CITY CONVENTION & VISITORS BUREAU ATTENDANCE RECORD

2 Year Term (unless specified below)

September-15

Term of Appointment

Report Date: Month Year

Name & Term Length (start/end)	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Wende Blumberg, Chairperson Hotel/Motel <i>01/01/15-12/31/15</i>	12	12	11	1	4/15/2015	92%
Eric Snell, Recreation and Special Events Advisory Board Rep. <i>01/01/15 - 12/31/16</i>	12	8	6	2	2/18/2015 4/15/2015	75%
Sherri Smith Brown Business Owner <i>01/01/14-12/31/15</i>	12	12	11	1	03/18/15	92%
Jonathan Fralick Recreation Venue <i>1/1/2015 - 12/13/16</i>	12	9	7	1	6/24/2015	78%
Mike King City Council <i>01/01/15-12/31/15</i>	12	12	8	4	01/21/2015 05/20/2015 06/24/2015 08/19/2015	67%
Hope Macaluso, Secretary/Treasurer Airport Authority <i>01/01/14-12/31/15</i>	12	12	12	0		100%
Rick Barnes Vice Chairperson Retail <i>01/01/14-12/31/15</i>	12	12	11	1	8/19/2015	92%
Vendo Toming, Business Owner <i>02/06/15 - 12/31/16</i>	12	8	6	2	2/18/2015 06/24/2015	75%
Mike Regli Hotel/Motel Alternate <i>01/01/15-12/31/16</i>	12	9	7	2	2/18/2015 09/16/2015	78%

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
VIA: City Manager 
FROM: City Clerk 
DATE: October 9, 2015
SUBJECT: Consider Ethics Resolution
October 15, 2015, City Council Meeting

Recommendation:

That Council adopt the attached Ethics Resolution reaffirming the ethics principals outlined under the GMA Cities of Ethics program.

Discussion:

Peachtree City applied for and received designation as a Certified City of Ethics in June of 2000 under the program managed by the Georgia Municipal Association. The program requires periodic review of the City's Ethics Ordinance, which Peachtree City updated in 2014, and for Council to reaffirm the ethics principles outlined by GMA for the conduct of the City's affairs for regular recertification.

Those principles, as outlined in the attached resolution,

- Serve others, not ourselves.
- Use resources with efficiency and economy
- Treat all people fairly
- Use the power of our position for the well being of our constituents
- Create an environment of honesty, openness and integrity

The resolution and letter requesting recertification as a City of Ethics is due to GMA in November 2015.

Budget Impact:

This item should have no budgetary impact.

ETHICS RESOLUTION

WHEREAS the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics Program; and,

WHEREAS the City of Peachtree City wishes to continue to be certified as a Certified City of Ethics under the GMA Program; and,

WHEREAS part of the recertification process requires the Mayor and Council to subscribe to the ethics principals approved by the GMA Board;

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Peachtree City, Georgia, that as a group and as individuals, we, the Mayor and City Council of Peachtree City, subscribe to the following ethics principles and pledge to conduct the affairs of the City of Peachtree City accordingly:

- ◆ Serve others, not ourselves.
- ◆ Use resources with efficiency and economy
- ◆ Treat all people fairly
- ◆ Use the power of our position for the well being of our constituents
- ◆ Create an environment of honesty, openness, and integrity

Resolved this ____ day of _____ 2015.

Vanessa Fleisch, Mayor

ATTEST: _____
Betsy Tyler, City Clerk

STAFF REPORT

TO: Mayor and City Council

VIA: Interim City Manager *of*
Planning and Development Director *WJW*

FROM: Senior Planner *David*

DATE: October 9, 2015

SUBJECT: Public Hearing: Consider request to rezone a 0.83-acre tract of land at the corner of HWY 54 and Robinson Road from R-43 Residential to LUC Limited Use Commercial to permit a freestanding medical office building and associated parking.
October 15, 2015 City Council meeting

Property size: 0.83 acres
Property location: HWY 54/ Robinson Road
Zoning - existing: R-43 Residential
Zoning - proposed: LUC Limited Use Commercial
Land use - existing: OFF Office
Land use - proposed: OFF Office

Staff recommendation: Approval subject to conditions

Overview:

Cygnus Peachtree, LLC owns a 0.83-acre tract of land within the northwest quadrant of the HWY 54/ Robinson Road intersection. The triangular-shaped parcel is undeveloped and bordered by HWY 54, Robinson Road and Robinson Court. The property is zoned R-43 Residential and designated as OFF Office on the city's Land Use Map.

Urgent Pain Management, Inc. (Applicant) desires to construct a freestanding medical office building and associated parking on the property. The proposed 7,8726,250 SF building would be two stories in height, and has been reduced in size from the previous application which showed a structure of 7,872 SF. Access would be limited to two curb cuts on Robinson Court.

The R-43 zoning designation does not permit the proposed use. In addition, Sections 801, 806 and 905 within the zoning ordinance include stipulations that would restrict and/ or limit the ability to develop the property as currently zoned.

Also, Section 723 of the Land Development Ordinance, specifically subsections 723.1(b) and (c) and 723.2(b) and (c) as they relate to non-residential property abutting arterial

HWY 54/ Robinson Road tract

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highways and community collector roads are applicable to the subject tract. The Applicant has submitted a Variance Request and is seeking relief from the tree save and buffer requirements. The variance request is being considered concurrently with the request to rezone the property.

The Applicant is requesting that the property be rezoned from R-43 Residential to LUC Limited Use Commercial to permit the use as proposed, as well as to establish site-specific conditions as they relate to this tract of land.

A copy of the revised Request for Rezoning application is included as Attachment "A".

Discussion:

An analysis of existing development patterns within the city was included in the Community Assessment portion of the 2007 Partial Plan Update to the Comprehensive Plan. As a part of the analysis of existing development patterns, the assessment identified "areas of disinvestment, needing redevelopment, or improvements to aesthetics or attractiveness", including aging retail, residential and mixed use developments.

Pertaining to mixed-use developments, the report states:

In addition to areas envisioned for redevelopment, there are a number of areas within the city that will see continued development. Left alone, these areas will more than likely develop in a haphazard manner with no aesthetic standards, design guidelines or overall master plan. The city should work proactively with individual property owners to establish a uniform plan for the area and to establish overlay districts, zoning regulations or other forms of aesthetic control to assist in guiding these areas as they develop and/ or re-develop.

Specific to the subject tract and the adjoining Peachtree Colony subdivision, the report states:

One of the earlier residential subdivisions within the city, Peachtree Colony sits at the corner of HWY 54 and Robinson Road and is home to a cluster of small homes on small lots. Combined, the Peachtree Colony area could provide significant acreage for a larger development. The city's Land Use Plan designates these and the surrounding parcels as office use. Through the years, several developers have tried to assemble the parcels for potential developments. While none of these attempts has materialized, it is likely the parcels will one day be combined for a larger retail and/ or commercial development.

While the rezoning as proposed does not include an overall master plan for the Peachtree Colony subdivision, the rezoning provides an opportunity to establish architectural and aesthetic design guidelines, landscaping and buffering standards and other conditions that could be incorporated into an overlay district or master plan for the area should the Peachtree Colony area be redeveloped in the future.

Evaluation based on Zoning Ordinance:

Section 1304(d) of the city's Zoning Ordinance identifies the following factors that are to be considered when evaluating a proposed change to the zoning map:

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

One of the goals identified within the Land Use Plan is a provision for "the appropriate allocation and compatible arrangement of land uses". To achieve this, the plan recommends the following:

1. *Establish a healthy mix of land use proportions of the city's total land area which will ensure such balances as enough commercial to support residential population and enough industrial land to provide for an adequate employment base and allowing for the expansion of existing industrial firms.*
2. *Provide a separation between different land uses, even the different density of housing classifications, by the use of natural open spaces, major and minor collector roads, landscape buffers or lakes and streams.*
3. *Discourage strip commercial development along the state highways bisecting the city by encouraging the concentration of commercial businesses and providing areas for residential, office and open space use.*

The Land Use Plan identified future land use patterns throughout the city and designated the HWY 54/ Robinson Road intersection as a neighborhood activity center. While undeveloped when the Land Use Plan was adopted, this area now includes the Shakerag Hill and Prime Point commercial areas, as well as the proposed Peachtree Colony commercial area.

The Land Use Plan establishes the following guidelines applicable to village centers and neighborhood activity centers:

1. *Direct access to arterial or collector roads.*
2. *Adequate water, sewer, storm drainage and power systems.*
3. *Controlled ingress and egress in order to minimize traffic congestion.*
4. *Adequate off-street parking.*
5. *Safe access to residential areas via the path system.*
6. *Appropriate buffers, landscaping, setbacks and controlled signing and lighting to ensure quality development.*
7. *Strip and spot commercial zoning should be prohibited in order to avoid undermining of existing and future commercial and residential development.*

Staff finds that the proposed rezoning is consistent with the policy and intent of the Land Use Plan based on the following:

HWY 54/ Robinson Road tract

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- The subject tract is designated as OFF Office on the Land Use Plan. However, the current zoning designation of R-43 is not consistent with this land use designation. Rezoning the property as proposed would comply with the recommendations within the land use plan. ~~and the zoning as proposed is consistent with this designation.~~
- The subject tract has direct access to Robinson Road via Robinson Court.
- All utilities are in place to serve the development.
- The proposed development provides adequate off-street parking, multi-use path access and appropriate landscaping and buffering.
- The proposed use would be a continuation of the existing uses within the Shakerag Hill and Prime Point commercial areas.

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

The subject tract is surrounded by estate residential to the north, residential to the east, office and commercial to the south and office, commercial and civic use to the west.

Following is a summary of existing developments within the general vicinity:

Parcel	Direction	Current use	Zoning	Land Use
Shakerag Plantation	north	Undeveloped/ residential	ER	SFL
Peachtree Colony subdivision	east	residential	R-1	OFF
Mowell Funeral Home	south	commercial	OI	OFF
The Village store	south	commercial	LUC-9	COM
Coldwell Banker Bullard Realty	west	commercial	OI	OFF
Holy Trinity Catholic Church	west	church	OS-P	CS

Staff finds that the zoning would be suitable and would be consistent with the use and development of adjacent and nearby property based on the following:

- The subject tract, as well as the Peachtree Colony subdivision, is designated for office use on the Land Use Plan. The zoning as proposed supports this designation.
- The proposed use is consistent with the mix of retail, office and commercial uses within the Shakerag Hill and Prime Point commercial areas.

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

Until such time the overall Peachtree Colony subdivision is redeveloped, the only separation between the existing subdivision and the subject tract would be Robinson

HWY 54/ Robinson Road tract

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Court and its associated 80' right-of-way. Robinson Court would provide the only means of ingress and egress for residents of Peachtree Colony and patrons of the proposed office building.

While the rezoning as proposed may generate interest in redeveloping a larger area, it will be important to ensure appropriate buffering and screening is provided to establish a visual separation between the office and residential uses.

Staff finds that the proposed zoning would not adversely affect the existing use and usability of adjoining properties based on the following:

- *The subject tract, as well as the Peachtree Colony subdivision, is designated for office use on the Land Use Plan. The proposed zoning is consistent with this designation.*

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

The subject tract is 0.83-acres in size and zoned R-43 Residential, which requires a minimum lot size of one acre. Due to the lot not meeting the minimum lot size requirements of the R-43 zoning district, it is considered a legally existing **substandard lot of record**.

The size, shape and configuration of the property were established as a part of the Highway 54 road-widening project and the realignment of Robinson Road. It is Staff's position the lot would be difficult, if not impossible, to develop as currently zoned without first granting numerous variances.

In addition to their rezoning application, the Applicant has submitted a variance request and is seeking relief from the tree save and landscape buffer ordinance. The special provisions within this ordinance allow a reduction in the width of the tree save and landscape buffer. However, they are not applicable to this tract of land because the average depth of the parcel is less than the 200 to 220 feet identified within the ordinance.

In addition, several of our established zoning and land development ordinances would limit, if not prohibit, the development of the property. Rezoning the property to an LUC zoning designation would allow the city to adopt specific uses as well as site-specific zoning criteria.

Staff finds the property to be affected by the zoning proposal cannot be developed as currently zoned based on the following:

HWY 54/ Robinson Road tract

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- The R-43 zone requires a minimum lot size of one acre.
- A number of variances to both the Zoning and Land Development Ordinance would be required in order to develop the property as currently zoned.

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

While there are challenges associated with developing the subject tract, there do not appear to be any issues related to availability of utilities, vehicular access or multi-use path access. The City Engineer provided information as it relates to stormwater design and water quality features.

Staff finds that the use as proposed would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools based on the following:

- All utilities to support the development are in place.
- The subject tract has direct access to a public street.
- The use as proposed would not be a burden to the school system.

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

The proposed rezoning supports the recommendations of the Land Use Plan and the findings within the Community Assessment portion of the 2007 Partial Plan Update to the Comprehensive Plan.

Possible solutions:

1. Recommend that the rezoning request be approved as proposed.
2. Recommend that the rezoning request be approved subject to conditions.
3. Recommend that the rezoning request not be approved.
4. Recommend that the rezoning request be tabled for further discussion and to allow the Applicant to research and address concerns.

Recommendation:

Based on the analysis and findings presented herein, Staff recommends that the subject tract be rezoned from R-43 Residential to LUC Limited Use Commercial subject to the following understandings and conditions:

1. The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed conceptual site plan which must be reviewed and approved by the Planning Commission as a part of the

HWY 54/ Robinson Road tract

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established site plan review process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared.

2. The building elevations shall be reviewed and approved by the Planning Commission as a part of the established site plan review process. The architectural design, exterior building materials and color selection of the proposed building shall be consistent with the building elevations provided as a part of the rezoning application.
3. A detailed landscape plan indicating how this development and associated parking area will be screened from the homes within Peachtree Colony shall be reviewed and approved by the Planning Commission as a part of the established site plan review process.

~~4. In accordance with the Tree Save and Landscape Buffer Ordinance, no less than a 20' tree save and landscape buffer shall be preserved along the HWY 54 and Robinson Road street frontages.~~

~~5.4.~~ The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.

~~6.5.~~ The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.

~~7.6.~~ The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.

A copy of the proposed ordinance is included as Attachment "B".

Attachments

REVISED

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



REZONING PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Fee: \$600 + \$50/acre

Receipt # 10009

Date Filed 07/24/19

Case # PR15-0001

Office Use Only

SITE LOCATION	Address <u>No assigned physical address of record</u>	SITE INFORMATION	Parcel #(s) <u>9F.262.0108.9 & 3B 0718 090</u>
	Proposed Use: <u>Medical Office Building</u>		Existing Zoning <u>R-43</u>
APPLICANT	Site in which Village: ☐ Aberdeen ☐ Braelinn ☐ Glenloch ☐ Kedron ☐ Wilksmoor ☐ Industrial	OWNER	Proposed Zoning <u>LUC</u>
	Name <u>Urgent Pain Management, Inc.</u>		Property Size: <u>36,155</u> <u>0.83</u> Square Feet Acres
APPLICANT	Address <u>3200 Shakerag Hill</u>	OWNER	Name <u>Cygnus Peachtree, LLC</u>
	City, State, Zip <u>Peachtree City, GA 30229</u>		Address <u>3860 Peachtree Rd., NW</u>
APPLICANT	Phone # <u>770.629.2424</u>	OWNER	City, State, Zip <u>Atlanta, GA 30305</u>
	Email		Phone # <u>404.467.5614</u>
APPLICANT		OWNER	Email

IMPACTED AREAS	Sq ft Acres		Total acres ± Impacted acres	LAND USE & ZONING	Please record all surrounding property within 200ft of site	
	Square Feet	Acres			Land Use	Zoning
Disturbed Area	<u>TBD</u>		%	North	<u>OFF/SEL</u>	<u>R1/ER</u>
Impervious Area	<u>TBD</u>		%	East	<u>OFF</u>	<u>R1</u>
Open Space & Greenbelts	<u>N/A</u>		%	South	<u>Com/Off</u>	<u>LUC-9/01</u>
			%	West	<u>OFF/LS</u>	<u>01/DS-P</u>

LOCATION OF	Entrance to Site: <u>Entrance and exit drives will be limited to Robinson Ct.</u>
	Tree Save and Landscape Buffers: <u>Requesting variance to remove tree, save, and landscape req't</u>
	Other Buffers: <u>Establishing 25' landscape buffer adjacent to Hwy. 54 and Robinson Rd.</u>
	Greenbelts (to be dedicated to the city): <u>N/A</u>
	Multi-Use Path Connections: <u>As shown on site plan - adjacent to Robinson Court</u>
	Historical Resources: <u>N/A</u>
LOCATION OF	Natural Features: <u>This is a sloping lot with no streams or wetlands on the property</u>
	Stormwater Retention: <u>Underground system</u>

BUILDING INFORMATION	Building type: <u>Medical Office Building</u>	Briefly describe proposed use of property: (A separate detailed report is still required to be attached to this application)	
	Hrs of operation: <u>9 AM</u> to <u>5 PM</u>		
	# of stories: <u>2</u> Building height: <u>N/A</u>		
	Floor Area (Sq ft) Existing <u>7,000</u> Proposed		
	# of dwelling units: <u>N/A</u> Units/acre: <u>N/A</u>		
	# of employees: Existing <u>N/A</u> Proposed <u>11-15</u>		
BUILDING INFORMATION	Parking: <u>31</u> Required <u>N/A</u> Existing <u>31</u> Proposed <u>31</u> Previous		

TYPE OF CONSTRUCTION	Structural Material:	SETBACKS	Required	Proposed	
	☐ Wood ☐ Metal ☐ Concrete ☐ Brick ☐ Other <u>TBD</u>		Front (Building)	<u>40</u> ft	<u>20</u> ft
	Roof Material:		Front (Parking)		
	☐ Metal ☐ Tar ☐ Shingles ☐ Slate ☐ Other <u>TBD</u>		Side	<u>25</u> ft	<u>20</u> ft
	Interior Finish:		Rear		
	☒ Drywall ☐ Wood ☐ Concrete ☐ Stucco ☐ Other				
TYPE OF CONSTRUCTION	Exterior Finish:				
	☐ Wood ☐ Metal ☐ Concrete ☒ Brick ☐ Other				

Landscape

Rezoning Application
Revised 6/2009

www.peachtree-city.org
Fax: 770-631-2552

RECEIVED SEP 18 2015

originally rec'd. 06-17-15
*revised to include additional information

Attachment "A"

TRANSPORTATION INFORMATION	Name of access or adjacent street	# of access points	ROW width (ft)	Pavement width (ft)	# of lanes	Paved? (Y or N)	Roadway design capacity ¹	Traffic volume (ADT) ²	Est. traffic generated (ADT) ³
	Robinson Court	2	80'	20'	2	Y			
	Georgra Highway 54	Ø	varies	36'	4	Y			
	Robinson Road	Ø	100'	34'	2	Y			
Estimated traffic generated by heavy vehicles:				¹ See GADOT Highway Capacity Manual ² See GADOT Traffic Survey Unit (ADT - Average Daily Traffic) ³ Based on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per y of)					
Types of vehicles(s): _____ ADT: _____ (vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)									

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

OFFICE ONLY

TRANSPORTATION INFORMATION	Name of access or adjacent street	# of access points	ROW width (ft)	Pavement width (ft)	# of lanes	Paved? (Y or N)	Roadway design capacity ¹	Traffic volume (ADT) ²	Est. traffic generated (ADT) ³
	Robinson Court	2							
	Georgia Highway 54	0							
	Robinson Road	0							
Estimated traffic generated by heavy vehicles:			¹ See GADOT Highway Capacity Manual ² See GADOT Traffic Survey Unit (ADT - Average Daily Traffic) ³ Base on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per y sf)						
Types of vehicles(s): _____ ADT: _____ (vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)									

UTILITIES & SERVICES INFO	Solid waste collection: _____	** Please attach letters from utilities indicating that their services can support the proposed development **	
	Natural gas: _____		
	Electrical Service: _____ Underground? ☐ Yes ☐ No	Water supply: ☐ Individual Well(s) ☐ Community System ☐ Municipal System: (Fayette County Water Dept)	Estimated total water demand (gpd): _____
	Telephone Service: _____ Underground? ☐ Yes ☐ No	Wastewater collection/treatment: ☐ Individual Onsite ☐ Community System ☐ Municipal System: (Peachtree City WASA)	Estimated total wastewater discharge (gpd): _____
Cable TV Service: _____ Underground? ☐ Yes ☐ No			

FIRE INFORMATION	Automatic Fire Sprinklers: ☐ Yes ☐ No, why? _____	Briefly describe daily operations: (A separate detailed report is still required to be attached to this application)	
	Automatic Fire Alarm: ☐ Yes ☐ No, why? _____		
	# of Fire Hydrants: _____ Existing Proposed		
	Hazardous Material On Site? (If yes, describe type and method of storage to the right:)	☐ Yes ☐ No	Material(s): _____

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that the above listed information and the accompanying materials as requested are accurate.

Applicant Signature: [Signature] Date: 6-17-05

Property Owner Signature: _____ Date: _____

Please complete the attached checklist.

OFFICE ONLY

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 the City Council:

Signature: David E. Rant Date: 07-24-15

Date & Time of Planning Commission Public Hearing: 07-13-15 ~ 08-10-15

Date of City Council Public Hearing: 08-06-15 ~ 08-20-15 Case Number: PR15-0001

** continued to following meeting.*

**Impact Analysis
Rezoning Application
Urgent Pain Management, Inc.**

Property Information:

Land Lots: 68 and 93
District: 7th District
County: Fayette County
City: Peachtree City
Tax I.D. Number: 9F-262-0108-9 & 38
Road Frontage: Georgia State Highway 54 and Robinson Road
Zoning Request: From R-43 to LUC

Parties in Interest:

Petitioner/Purchaser

Name: Urgent Pain Management, Inc.
3200 Shakerag Hill
Suite B
Peachtree City, Georgia 30269
Attention: Dr. Francis Acquah, CEO
(Petitioning under Purchase Agreement)

Owner/Seller

Name: Cygnus Peachtree, LLC
Cygnus Capital Real Estate Advisors
3060 Peachtree Rd NW
Suite 1080
Atlanta, Georgia 30305
Attention: Matthew Sherman

Contact Person: Matthew L. Ramsey, Esq.
Warner, Hooper & Ramsey, P.C.
900 Westpark Drive – Suite 210
Peachtree City, Georgia 30269
770-487-4494

Petitioner Information:

Urgent Pain Management, Inc. is a Georgia corporation owned by Dr. Francis Acquah. Dr. Acquah has practiced Pain Management at Southern Regional Medical Center since graduating from Emory University Hospital's Pain Fellowship Program in 1994.

Dr. Acquah has been practicing anesthesiology and pain management for 32 years and has two office locations, including one in the Shakerag medical office area in Peachtree City. Dr. Acquah has extensive knowledge and skill in the management of patients with chronic pain and cancer related pain. His patients have strongly recommended him to others.

Urgent Pain Management, Inc. desires to build a two-story medical office building on the subject property. The proposed building will allow Dr. Acquah to provide a more comfortable environment for the treatment of his patients by expanding his clinical practice which will serve Peachtree City's residents very well.

Overview of Request:

The proposed use of the property is for a 2-story medical office building. The rezoning of the property from R-43 to LUC will permit a use that is suitable in view of the use and development of nearby properties. The proposed use of the property will be consistent with and will complement the use of other properties in the surrounding area. This subject property is located in close proximity to the Shakerag medical office park located across Robinson Road and the Prime Point office buildings located across Georgia State Highway 54. The architecture and landscaping will be of a very high quality and will serve as an aesthetic enhancement to that commercial corridor.

It is our opinion that the proposed development is consistent with the goals and objectives of the City's Land Use Plan. This proposed development will provide a medical office building on a vacant parcel that has limited development capacity and poses several constraints. The topography and shape of the land make this subject parcel practically undevelopable for residential use.

Topography and Environmental Constraints:

The subject parcel is an approximately 0.83-acre triangular-shaped parcel of land located between Georgia State Highway 54, Robinson Road, and Robinson Court. The grade at the intersection of Highway 54 and Robinson Road is approximately twenty (20) feet higher than the grade of the subject property along Robinson Court. There are no streams, watercourses, or wetlands located on the subject property. Due to the shape of the subject property and the setback constraints caused by the property being located between three (3) streets, a majority of the property will be improved with impervious surfaces; however, landscape screening along Georgia Highway 54 and Robinson Road will soften the appearance of the site.

Economic Considerations:

The project will significantly increase the value of the property which will provide a substantial increase in the amount of property taxes paid by the owner of this property.

In addition, the medical office building will create between 6 and 10 new jobs in Peachtree City.

Police and Fire Protection:

The property is located less than two miles from the Neely Station at the intersection of Peachtree Parkway and Georgia Highway 54. Police service is provided out of the City police station at 50 S Highway 74, Peachtree City, GA 30269.

Adjacent Property:

The triangle shaped property is bounded on each side by a public roadway (Georgia Highway 54, Robinson Road and Robinson Court) and does not share a common boundary line with a private land owner. The rezoning plan will not adversely affect the existing use or usability of nearby property and, in fact, compliments the uses in this area very well. For this reason, the rezoning of the property will contribute to the overall usability of nearby properties in that it promotes the Land Use Plan for the area.

The subject property, as it is currently zoned, does not have a reasonable economic use. The current zoning is R-43 and the property could not be developed for that purpose. Due to the increased commercial use of surrounding properties, this tract of land is not reasonably suitable for residential use.

Utilities:

All utilities are in place or can be run to the property with minimal cost.

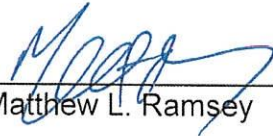
Transportation and Infrastructure:

The proposed rezoning of the property will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. Access to the property in question will be from Robinson Court. The proposed use will not exceed the capacity of existing transportation facilities or utilities. The property owner will certainly work in good faith with the City in the future to provide any necessary easements in the event the City wishes to tie this location into the cart path system. A traffic impact study was not necessary for this proposal because it does not meet the minimum threshold for such evaluation. Proposed access to the property would be by way of a drive off Robinson Court.

Schools:

There will be no impact on schools as a result of this rezoning proposal.

Respectfully submitted this 17 day of June, 2015, by Matthew L. Ramsey, Esq., attorney and agent for Petitioner, Urgent Pain Management, Inc. pursuant to a contract to purchase the property contingent on the rezoning of the parcel.



Matthew L. Ramsey

STATE OF GEORGIA

COUNTY OF FAYETTE

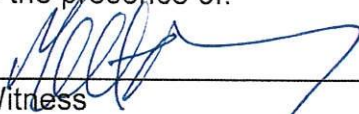
DELEGATION OF AGENT

I, Dr. Francis Acquah, CEO of Urgent Pain Management, Inc., do hereby authorize Matthew L. Ramsey, Esq. of the law firm of Warner, Hooper & Ramsey to act as my duly authorized agent for the purpose of requesting a rezoning for that certain property located at Georgia State Highway 54 and Robinson Road in Land Lots 68 and 93 of the 7th District, Fayette County, Georgia, consisting of an approximately 0.83 acre tract.

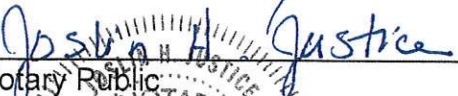


Francis Acquah

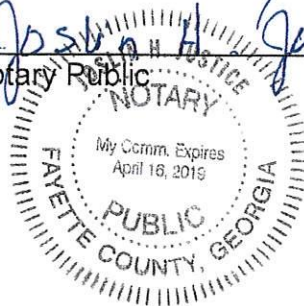
Signed, sealed, and delivered
in the presence of:

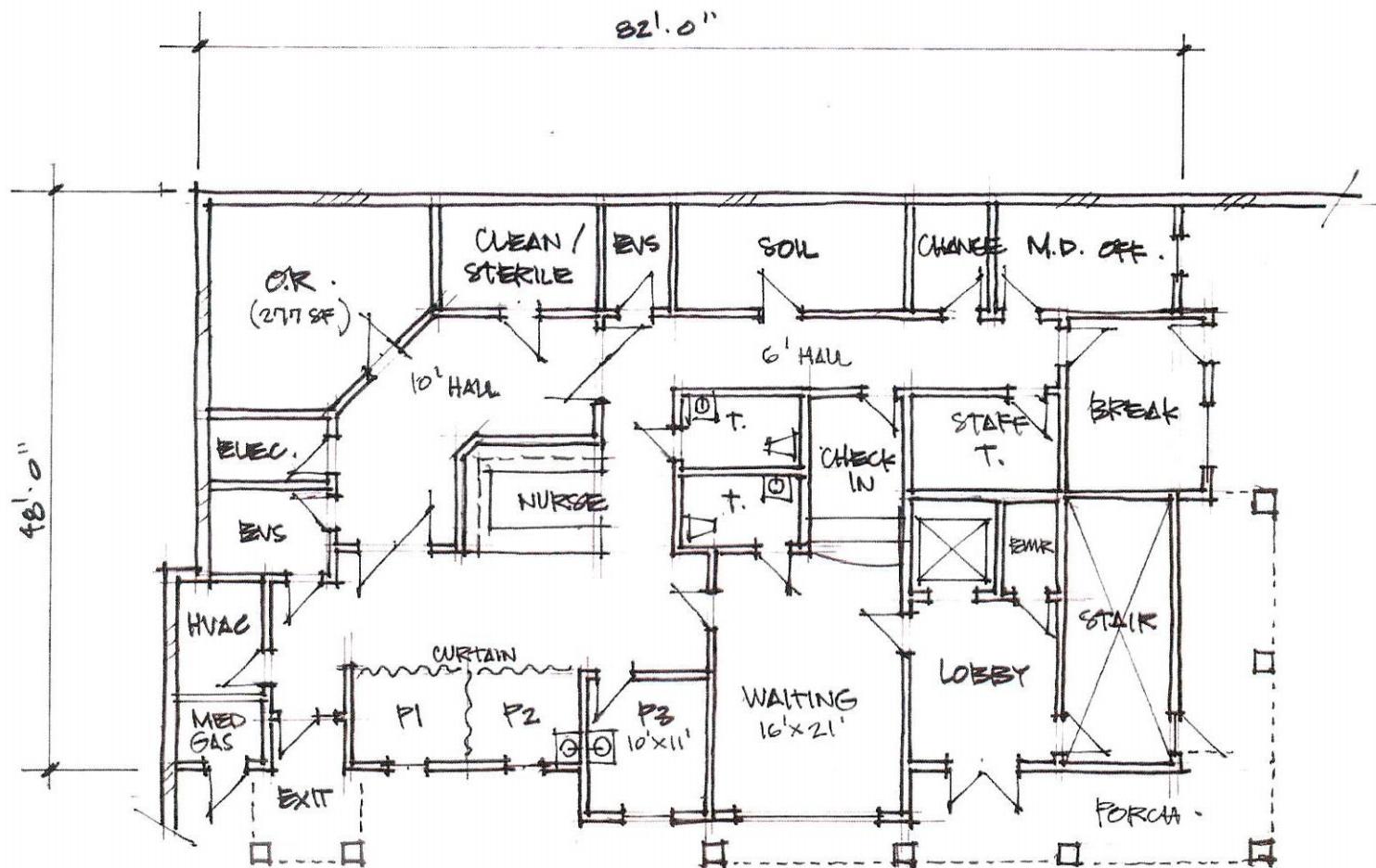


Witness

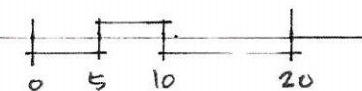


Notary Public

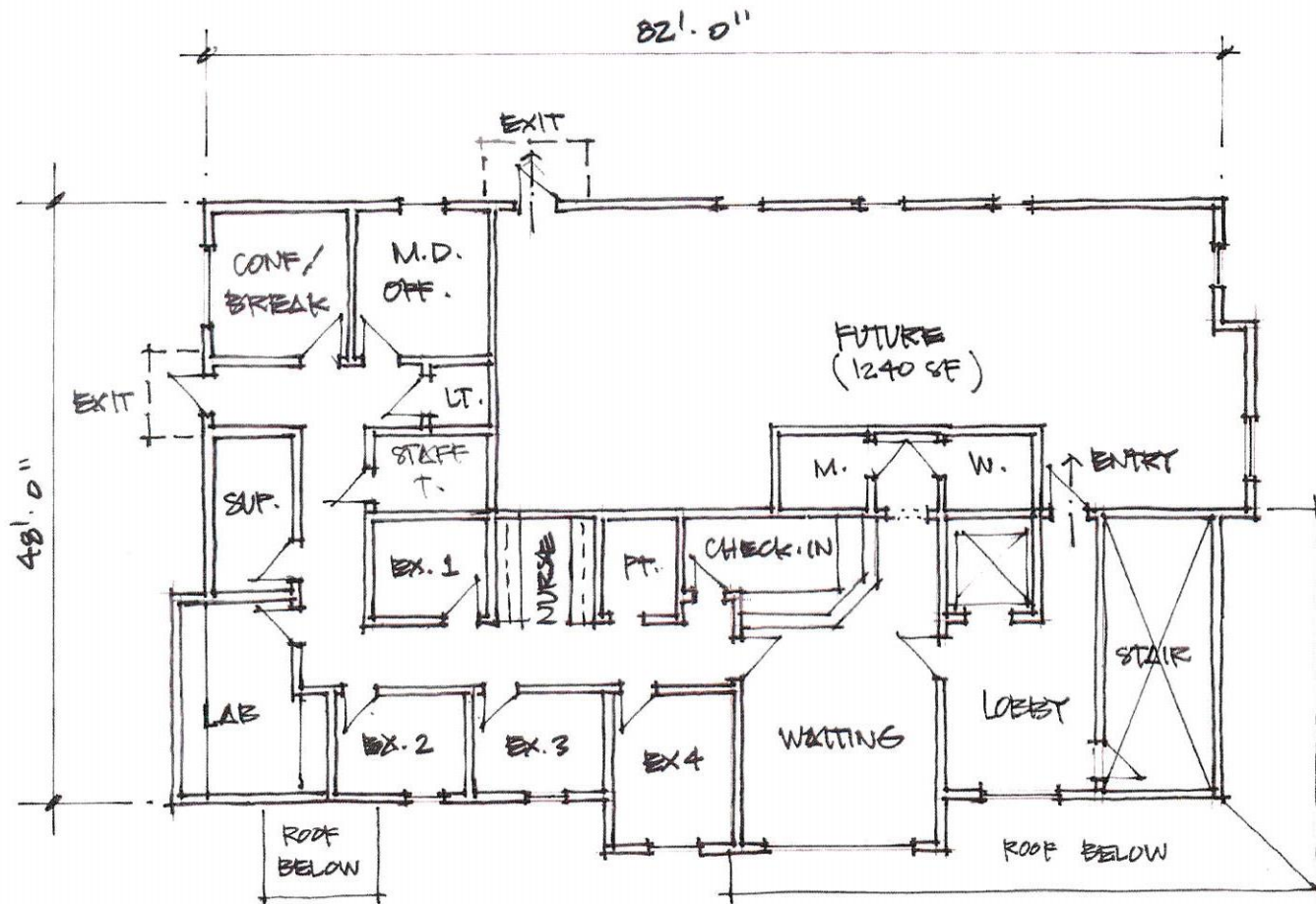




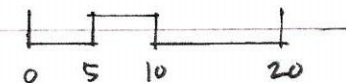
UPMC - FIRST FLOOR



URGENT PAIN MANAGEMENT CLINIC



UPMC - 2ND FLOOR



URGENT PAIN MANAGEMENT CLINIC



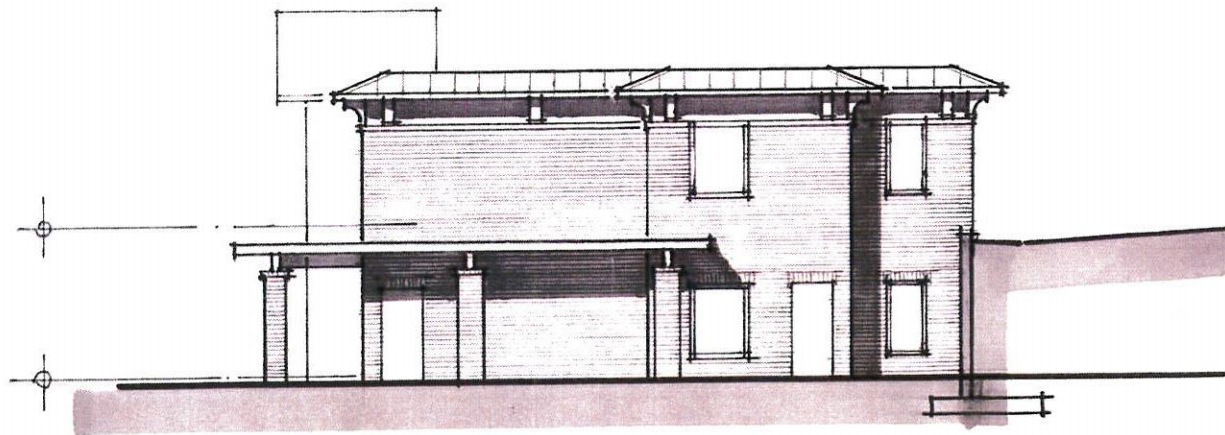
DAVIS
ARCHITECTS

JULY 24, 2015



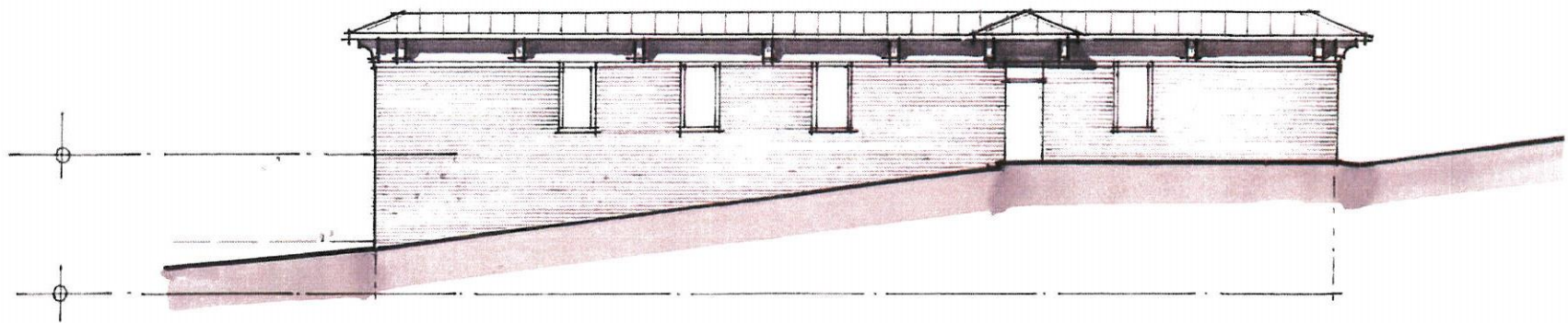
EAST ELEVATION
JULY 24, 2015

URGENT PAIN MANAGEMENT CLINIC



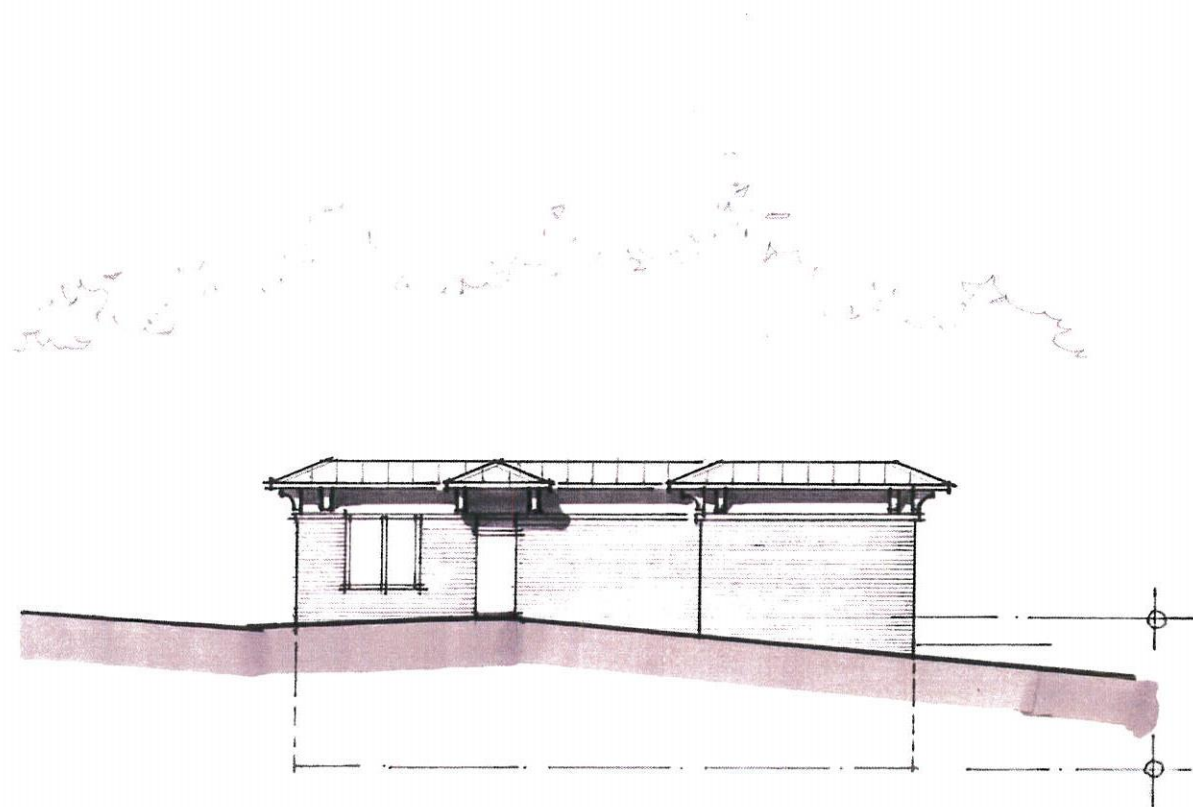
NORTH ELEVATION
JULY 24, 2015

URGENT PAIN MANAGEMENT CLINIC



WEST ELEVATION
JULY 24, 2015

URGENT PAIN MANAGEMENT CLINIC



SOUTH ELEVATION
JULY 24, 2015

URGENT PAIN MANAGEMENT CLINIC

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Interim City Manager 
Planning and Zoning Director 

FROM: Senior Planner 

DATE: October 9, 2015

SUBJECT: Public Hearing: Consider text amendment to Accessory Use Ordinance as it relates to parking of trailers, recreational vehicles, travel trailers, camper pick-up coaches, motorized homes, boat trailers or boats on residential property.
October 15, 2015 City Council meeting

Recommendation

That Council adopt the text amendments to Section 908.1(l) of the Accessory Use Ordinance to include the changes recommended by the Planning Commission and Code Enforcement as they relate to parking of recreational vehicles on residential property.

Discussion

The proposed amendments were presented to City Council on September 17, 2015 at which time Staff was requested to amend certain language within the ordinance. Those amendments have been made and the ordinance is now ready for consideration.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SPECIFICALLY TO ADDRESS PARKING AND STORAGE OF RECREATIONAL VEHICLES ON RESIDENTIAL PROPERTY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article IX, Section 908.1 (I), Uses accessory to dwellings, of the Peachtree City Zoning Ordinance, as amended, be deleted and replaced as follows:

(908.1) Uses accessory to dwellings:

~~(I) No trailer, recreational vehicle, travel trailer, camper pick-up coach, motorized home, boat trailer or boat shall be permitted to be parked in front of or at the side of the main building or within 20 feet of the rear lot line, unless same is parked or stored completely within an enclosed garage or roofed carport.~~

~~(I) The term "recreational vehicles" as used herein shall refer to travel trailers, camper pick-up coaches, motorized homes, boats, personal watercraft (e.g., jet skis, etc.) and trailers associated with boats and personal watercraft.~~

~~Recreational vehicles may be stored on a residential zoning lot within an enclosed garage or carport attached to the primary structure or constructed as a freestanding structure in accordance with applicable building setbacks. The exterior building and roof materials, roof pitch and color scheme of a freestanding garage or carport shall be similar to the building and roof materials, roof pitch and color scheme used on the primary structure on the zoning lot.~~

~~Recreational vehicles stored on a residential zoning lot that are not located within an enclosed garage or carport shall be parked in accordance with city ordinances and shall not be located in front of or at the side of the primary structure on the zoning lot.~~

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2015.

Vanessa Fleisch, Mayor

Attest: _____
| City Clerk

STAFF REPORT

TO: Mayor and City Council

VIA: Interim City Manager *af*

FROM: Planning and Development Director *WIK*
Senior Planner *David*

DATE: October 7, 2015

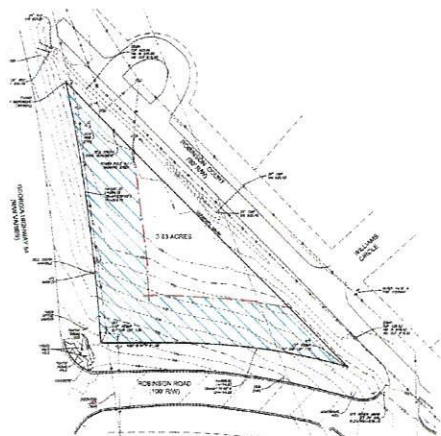
REQUEST: Consider Variance Request to Section 723 of the Land Development Ordinance, Urgent Pain Medical tract (PV15-0001)
October 15, 2015 City Council agenda

Background:

This is a request for a variance from the requirements of Section 723 (Buffer Standards for Major Thoroughfares) of the City's Land Development Ordinance. The property owner is Cygnus Peachtree LLC, and the Applicant is Urgent Pain Management, Inc.

The subject property is located at the intersection of Highway 54 and Robinson Road. It is a triangular-shaped tract of land that is 0.83 acres in size. The property is currently zoned R-43 Residential. Due to it not meeting the minimum lot size requirements of the R-43 zoning district, it is a legally existing **substandard lot of record**.

The subject property was established when Robinson Road was realigned to connect to the planned extension of Prime Point as a part of the Highway 54 road-widening project, resulting in a **multiple frontage lot** with road frontage on Highway 54, Robinson Road and Robinson Court.



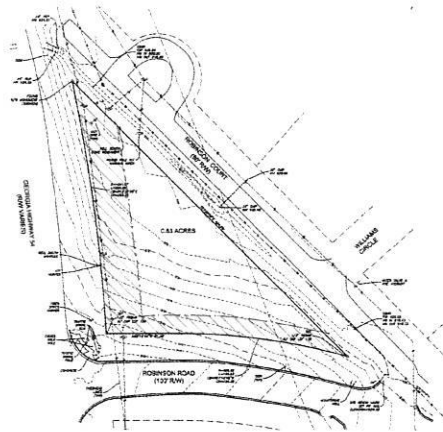
Tree save and landscape buffers (as required)

By virtue of its location along Highway 54 and Robinson Road, the subject property is also subject to **Section 723 (Buffer Standards for Major Thoroughfares)** of the City's Land Development Ordinance. The ordinance requires a 60 foot wide tree save and landscape buffer along Highway 54, which is classified as an arterial highway. In addition, the ordinance requires a 50 foot wide tree save and landscape buffer along Robinson Road, which is classified as a community collector roadway.

Request for Variance: HWY 54/ Robinson RD tract

October 5, 2015

Page 2



Tree save and landscape buffers (reduced)

Special provisions within the ordinance allow for reductions of the required buffers. The buffer adjacent to Highway 54 can be reduced to no less than 40 feet in width, while the buffer adjacent to Robinson Road can be reduced to no less than 30 feet in width subject to the approval of the City Landscape Architect and the Planning Commission, and with the installation of additional vegetation as defined within the ordinance.

In order to develop the property as proposed (medical office), the Applicant is seeking relief from the buffer requirements identified within Section 723. The Applicant is requesting that these requirements be removed from the subject property and, instead, they be allowed to designate a landscape buffer of no less than 20 feet in width adjacent to Highway 54 and Robinson Road. As a part of this variance application, the Applicant has provided a schematic landscape plan identifying the tree replacement requirements and how those trees could be distributed on the property and within the adjoining rights-of-way.

It is important to note that the Applicant has submitted a separate rezoning application seeking to rezone the subject property from R-43 Residential to LUC Limited Use Commercial to accommodate a freestanding medical office building and associated parking. If approved, the rezoning would establish the building setback at 25 feet and the parking setback at 8 feet. Because this is a multiple frontage lot, the building and parking setbacks would be applicable to each property boundary.

A copy of the variance application and supporting documentation is included as Attachment "A".

Request for Variance: HWY 54/ Robinson RD tract

October 5, 2015

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Variance Process

Section 1302 of the Land Development Ordinance states:

Variances shall only be granted upon showing that:

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

Review Criteria

Section 1303 of the Land Development Ordinance states:

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

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

Staff finds there are unique and special circumstances (specifically substandard lot of record, location, multiple roadway frontages, shape, size and topography) applicable to the subject parcel that were not caused by the Applicant. The subject property as currently zoned is considered a substandard lot of record. In addition, the buffer requirements of Section 723 of the Land Development Ordinance are applicable to the subject property.

These special circumstances are specific and unique to the subject property and are not applicable to any of the surrounding parcels. It is Staff's opinion the subject property would be extremely difficult to develop without granting relief in the form of a variance from the buffer requirements of Section 723.

- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Land Development Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;**

Staff finds the strict or literal interpretation of this ordinance would result in practical difficulties or unnecessary hardships in developing the subject property

Request for Variance: HWY 54/ Robinson RD tract

October 5, 2015

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as proposed. Applying the minimum buffer required by the ordinance (40 feet adjacent to Highway 54 and 30 feet adjacent to Robinson Road) would reduce the developable portion of the lot significantly, from 0.83 acres to roughly 0.43 acres. It should be noted that the buffer area adjacent to Highway 54 is predominantly void of vegetation due to an overhead power line and associated utility easement. It should also be noted the buffer area adjacent to Robinson Road drops approximately 6 to 8 feet in elevation from the right-of-way of Robinson Road.

- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;**

Staff finds there are exceptional or extraordinary circumstances or conditions applicable to the subject property which are not the result of the Applicant or the property owner. These circumstances and conditions were the result of the Highway 54 road-widening project and the associated realignment of Robinson Road. Existing circumstances and conditions were further compounded with the adoption of Section 723 (Buffer Standards for Major Thoroughfares) of the Land Development Ordinance in 1997 requiring tree save and landscape buffers adjacent to Highway 54 and Robinson Road.

It is Staff's opinion that the size, irregular shape, and multiple frontage of the subject property significantly restricts any development of the property. It is also Staff's opinion that Section 723 further restricts development of the property and precludes the Applicant from complying with the Zoning Ordinance and Land Development Ordinance.

- (d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;**

Staff finds granting the variance as requested would not constitute the granting of special privileges available to other properties. As stated previously, the subject property is unique in that it is a legally existing substandard lot of record. Granting relief in this case would not constitute any special privilege to the property owner.

- (e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.**

Request for Variance: HWY 54/ Robinson RD tract

October 5, 2015

Page 5

Staff finds granting the variance would not be detrimental to the public health, safety, or general welfare, nor would it have a negative impact on existing properties within the immediate area. It is important to note that the proposed development of the property is consistent with and supportive of the City's adopted Comprehensive Plan and Land Use Plan.

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

Staff finds that the granting of a variance in this case would not be inconsistent with the City's adopted Comprehensive Plan. The proposed use of land (office) is in conformance with the City's adopted Comprehensive Plan and Land Use Plan. The Comprehensive Plan contains the following general recommendation:

The Carriage Lane/ Peachtree Colony area should be redeveloped to reorient Carriage Lane away from GA 54 to Robinson Road and to replace the Peachtree Colony structures with a carefully selected array of office and possibly limited use commercial uses. It is recommended that the undeveloped tracts in this area be developed in accordance with the R-43 standards with special buffering considerations for any adjacent lots already developed as Estate Residential.

In addition, the Community Assessment portion of the 2007 update to the Comprehensive Plan included the following as it relates to the Peachtree Colony area:

One of the earlier residential subdivisions within the city, Peachtree Colony sits at the corner of SR 54 East and Robinson Road and is home to a cluster of small homes on small lots. Combined, the Peachtree Colony area could provide significant acreage for a larger development. The city's Land Use Plan designates these and the surrounding parcels as office use. Through the years, several developers have tried to assemble the parcels for potential developments. While none of these attempts has materialized, it is likely the parcels will one day be combined for a larger retail and/ or commercial development.

Recommendation

The subject property is a legally existing substandard lot of record. As such, a variance is warranted in order to allow the property owner some practical use of the property. As a result, Staff recommends that City Council grant the requested variance from Section 723 of the City's Land Development Ordinance, specifically subsections 723.1(b) and (c) and 723.2 (b) and (c), subject to the following understandings and conditions:

Request for Variance: HWY 54/ Robinson RD tract

October 5, 2015

Page 6

1. In lieu of the buffers required by Section 723, the Applicant shall provide no less than a 20 foot wide landscape buffer adjacent to Highway 54 and Robinson Road as shown on the zoning site plan (last revised October 5, 2015).
2. In addition to the tree replacement requirements identified within the landscape ordinance, the Applicant shall provide additional understory and canopy trees that amount to no less than 25 percent of the caliper inches of trees required for the entire site by the landscape ordinance. These additional trees shall be located within the landscape buffer adjacent to HWY 54 and Robinson Road.
3. A schematic landscape plan shall be submitted as a part of the conceptual site plan submittal package that identifies how the tree replacement requirements, as well as the additional trees, will be met. It is understood some of these trees may be planted within the rights-of-way of Highway 54 and Robinson Road.
4. The Applicant shall coordinate with City Staff to ensure the trees planted within the right-of-way of Highway 54 are consistent with the existing trees within the right-of-way planted as a part of the Highway 54 East landscape enhancement project.
5. The Applicant shall coordinate with City Staff and the GDOT District Office to secure a Limited Encroachment Permit to allow the installation of trees and other vegetation within the GDOT right-of-way. It is understood the applicant or their successors shall be responsible for maintaining this plant material in perpetuity as a part of the routine landscape maintenance of the overall site.



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

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731

F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00

Receipt #

Date Filed 09/18/15

Case # PV15-0007

Office Use Only

VARIANCE LOCATION	Street Address <u>No Assigned Address of Record</u>	PROPERTY OWNER	Name <u>Cygnus Peachtree, LLC</u>
	Zoning District: ☐ Residential ☐ Multi-Family ☐ Commercial/Industrial/Office		Phone <u>404-467-5614</u>
VARIANCE TYPE	Variance Type: ☐ Administrative ☐ Special Exception ☐ Variance (check one below)	PROPERTY INFO	Subdivision: <u>N/A</u>
	Variance from which ordinances: ☐ Sign ☐ Fence ☒ Land Development ☐ Zoning		Phase: <u>N/A</u> Lot # <u>N/A</u>
APPLICANT	Name <u>Urgent Pain Management, Inc.</u>	SUPPORTING DOCUMENTS	Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application)
	Address <u>3200 Shakerag Hill</u> City, State, Zip <u>Peachtree City, GA 30269</u> Phone # <u>770-629-2424</u> Email _____		☐ Site plan (with property lines and proposed work) ☒ A detailed report justifying the requested variance ☐ Letters of support from adjacent property owners ☒ Digital Photographs \ Renderings (CD or Email) ☒ Other Items Demonstrating Need (topo. Survey, etc)

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

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

VARIANCE	Please review the ordinances and instructions on the back of this page.	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	1.) Is a current survey included with the application? ☒ Yes ☐ No	
	2.) How much of a variance is being requested? <u>5 inches front</u> Feet	See Attached
	3.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☒ No <u>N/A</u>	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

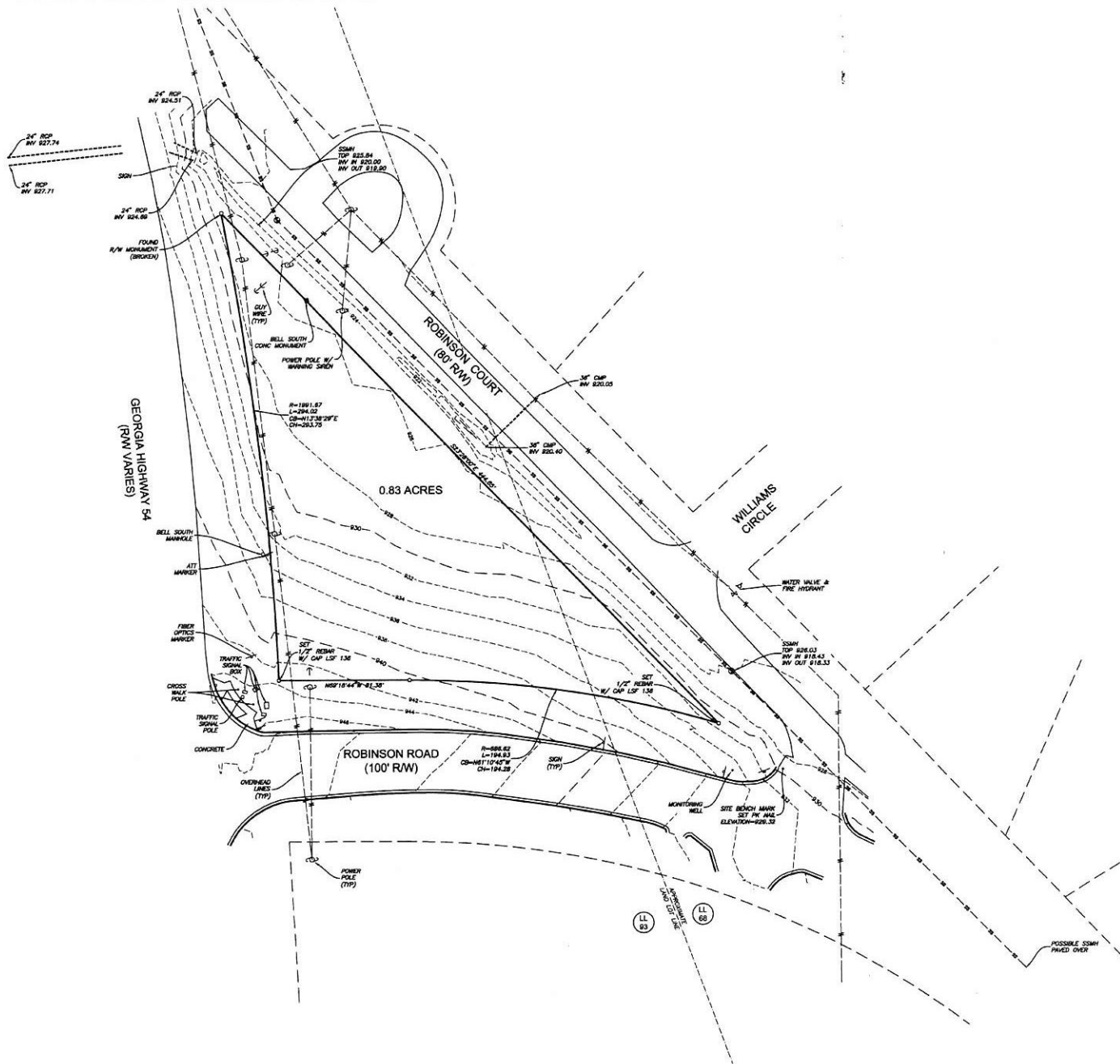
Signature of Owner/Agent: [Signature]

Date 9-18-15

OFFICE ONLY

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

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:	
Signature: <u>David E. Rant</u>	Date of Acceptance: <u>09-18-15</u>	Date of Public Hearing: <u>10-15-15</u>



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.G.C.A. 15-5-67.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 42,060 FEET, AND AN ANGULAR ERROR OF 5" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 249,023 FEET.

INTEGRATED SCIENCE & ENGINEERING LSF000136

SCOTT D. GRUSENMEYER RLS 3130
SGRUSENMEYER@INTE.COM

FIELD WORK PERFORMED: 5/27/15
DATE OF PLAT PREPARATION: 5/27/15

EQUIPMENT UTILIZED:
LEICA TS12 P 3"



STAFF REPORT

TO: Mayor and City Council

VIA: Interim City Manager 
Planning and Development Director 

FROM: Senior Planner 

DATE: October 7, 2015

REQUEST: Consider Amendments to the Georgia 54 West Design Guidelines as it
Pertains to Tenant Wall Signage (POA15-0001)
October 15, 2015 City Council agenda

Background

The GA 54 West Design Guidelines (last revised August 6, 2004) were adopted as a part of the GA 54 West COR Corridor Overlay District. The purpose of establishing an Overlay District was to *"achieve and maintain a unified, pleasing aesthetic and visual quality in site planning, architectural design, building materials, landscaping, site lighting and signage; and to promote and encourage the use of alternate modes of transportation within the corridor through the provision of interconnecting streets, sidewalks and a multi-use path system."*

Specific to tenant wall signage, the Design Guidelines establish **primary tenants** as *"the anchor tenants of a particular business located in corner tenant spaces"* and **in-line tenants** as *"those tenant spaces not considered primary tenants."* The sign program does not include provisions for the potential of larger tenants within the corridor.

In reviewing the building elevations and the wall signs for several tenants proposed within The Overlook, as well as the pending redevelopment of the former Office Depot tenant space, we have realized the tenant wall signage program as currently adopted may limit the size of the wall signs on larger tenant spaces within the corridor.

Staff is proposing several housekeeping-related amendments to the GA 54 West Design Guidelines, specifically as they relate to tenant wall signage. A copy of this portion of the Design Guidelines is attached, including the changes as proposed.

Signage

General

In addition to the requirements of these guidelines, all tenant signage must comply with the Peachtree City Sign Ordinance. Each tenant is responsible for obtaining a Sign Permit prior to installing any signage and for obtaining appropriate electrical permits prior to installing any lighting to illuminate signs.

Village identification signage

Village identification signage shall be located at the major property entries and shall be constructed of materials listed within these guidelines. There shall be no more than ~~eight (8)~~ten (10) tenant identification panels located on each monument sign (~~four~~five on each side). The distribution of those four spots will be at the sole discretion of the developer or property owner.



Figure 13 – Typical village monument signage

Signage
(cont'd)

Monument signage

Monument signs shall be used to identify the major tenant within a particular building. A maximum of two brick colors shall be used on each monument sign and these colors must be the same colors used on the building. Individual tenant signage shall be individual or scripted letters in user's trademark format and color, face-mounted to back. Illumination of each monument sign shall conform to the requirements specified within these Design Guidelines.

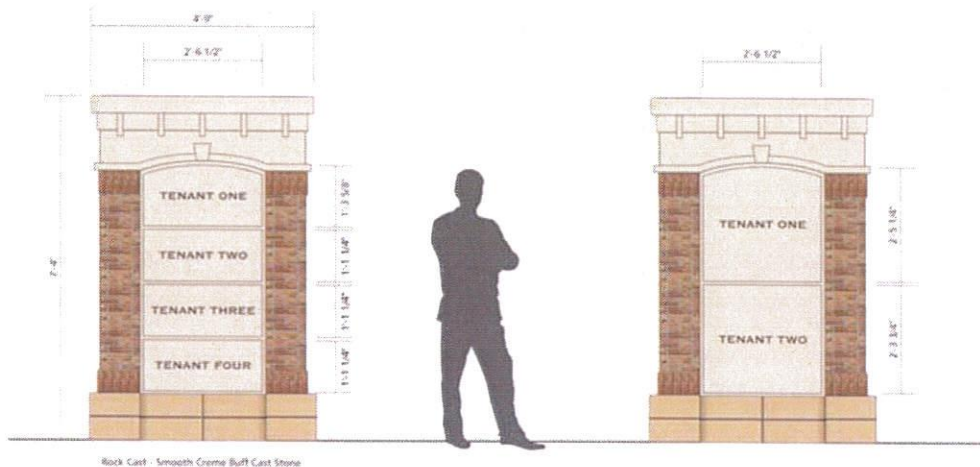


Figure 14 – Typical monument sign

Tenant wall signage program

Tenant wall signage refers to any sign or graphic parallel to the face of the building and shall project no more than ten (10) inches in depth from the wall surface to the face of the sign or graphic. ~~Each tenant wall sign shall not exceed one and one half (1½) square feet per linear foot of building frontage, to a maximum size of fifty (50) square feet.~~ Tenant wall signage shall be limited to the sign band provided for each tenant space and shall not extend above or beyond the allotted area. Building frontage shall be defined as the area measured from the centerline of each divisive wall and containing a single tenant.

Individual tenant wall signs shall be comprised of internally illuminated reverse channel letters, either mounted individually on the face of the building or on an enclosed sign cabinet containing all electrical components and wiring. Each sign shall be installed so as to minimize damage to the building façade, and all holes through the building shall be properly waterproofed.

The **area of a tenant wall sign** shall be determined by the smallest rectangle required to enclose the letters or graphic. The overall length of a tenant wall sign shall not exceed seventy-five (75) percent of the overall length of the building frontage for a particular tenant space. All tenant wall signage must occur within the façade of the building, preferably within a designated sign band, and shall not extend above the eave line or parapet line.

**Signage
(cont'd)****Submittal requirements**

All signage shall comply with both the letter and intent of these guidelines and the Peachtree City Sign Ordinance. No signage shall be installed until written approval is obtained from both the property owner and the City. Individual tenants are responsible for obtaining all required permits prior to installing any signage. ~~The Sign Permit Application shall be obtained and filed with the City Planner/ Sign Administrator and shall contain the following minimum information:~~

- ~~1. A \$25.00 application review fee made payable to the City of Peachtree City.~~
- ~~2. Name, address, telephone number and Business License number of the legal owner of the business, the applicant, and the sign contractor, where applicable.~~
- ~~3. Complete description and/ or drawings showing the size, shape, height and location of the sign on the property or building.~~
- ~~4. A sketch showing street graphic faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion and color. This sketch should also contain all pertinent information required by the Building Department such as structure and building materials in accordance with the Standard Building Code as amended by the City of Peachtree City, GA.~~
- ~~5. Color and material samples completely described and keyed to the proposed sign.~~
- ~~6. Agent authorization statement signed by the owner or authorized manager of the business, allowing agent or sign contractor to act in their place, if applicable.~~
- ~~7. Zoning, property dimensions, vicinity map, site address, highway right-of-way, compliance with the electrical code (if applicable) and any such information deemed necessary for a complete review of the application.~~

~~The initial determination to grant or deny a sign permit shall be made by the City Planner. If the applicant is not satisfied with this determination, or should the City Planner determine that the application is more appropriately acted upon by the Sign Committee, the matter shall be deferred to the Sign Committee for final action. A decision shall be rendered within 15 days within fifteen (15) days from the filing date.~~

Permitted signage guidelines

~~There are two types of tenant wall signage that will be permitted on individual buildings within the GA 54 West Overlay District. Due to the fact that many of the buildings have frontage on more than one street, these guidelines have been designed to allow more than one wall sign to identify individual tenant spaces. Approval of more than one tenant wall sign shall be at the sole discretion of the City Planner, and in no instance shall more than two tenant wall signs be permitted for a single tenant.~~

**Signage
(cont'd)**

Tenant wall signage shall be established based on the classification of the tenant space as defined below:

1. **Anchor tenants** shall be those tenant spaces with no less than 100 LF of building or tenant frontage.
2. **Primary tenants** shall be those tenants located in corner tenant spaces and/ or those with no less than 10,000 SF of floor area.
3. **In-line tenants** shall be those tenants that are not anchor tenants or primary tenants.

For anchor tenants, the size of the wall sign shall be limited to no more than one and one-half square feet per linear foot of building frontage, with a maximum size not to exceed 150 SF. Individual letters shall be no more than five feet in height.

For primary tenants, the size of the wall sign shall be limited to no more than one and one-half square feet per linear foot of building frontage, with a maximum size not to exceed 100 SF. Individual letters shall be no more than four feet in height.

For in-line tenants, the wall sign shall be limited to no more than one and one-half square feet per linear foot of building frontage, with a maximum size not to exceed 50 SF. Individual letters shall be no more than 24" in height.

~~**Primary tenant wall signage** is intended to identify the anchor tenants of a particular building and the businesses located within corner tenant spaces.~~

- ~~2. **In-line tenant wall signage** is intended to identify those tenant spaces not considered primary tenants.~~

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council

VIA: Jonathan Roric, Interim City Manager *JR*
Paul Salvatore, Financial Services Director *PS*
Angela Egan, Purchasing Agent *AE*
Scott Hicks, Public services Superintendent *SH*

FROM: Josh Doughty, Fleet Manager *JD*

DATE: October 2, 2015

SUBJECT: Asphalt spreader

Recommendation:

Staff recommends the purchase of one (1) 2015 LeeBoy 8500c Asphalt spreader from Reynolds Warren equipment for the bid price of \$144,900.00. This machine is a replacement for the Blaw Knox spreader that was surplusd in 2013 due to replacement parts no longer being available.

Discussion:

Bid packages were sent to a number of equipment distributors. Bids were received from three (3) dealers and they are as follows:

BIDDER	BID
Reynolds Warren equipment	\$144,900.00
Yancey bros. company	\$169,203.00
ASC construction eq.	\$159,398.00

Budget Impact:

The 2016 PIP budget for the one (1) replacement asphalt spreader is \$165,000.00. Bid came in under budget by \$20,100. PIP account 336-4110-542050

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *JR (via email)*
City Solicitor

FROM: Sgt. Kay Crider *KC (BC)*

DATE: October 9, 2015

SUBJECT: Discuss/Consider Social Hosting Ordinance Relative to Underage Alcohol Consumption
October 15, 2015, City Council Meeting

Recommendation:

That Council adopt the Social Hosting Ordinance.

Discussion:

Over the past several months, the local volunteer organizations AVPRIDE and Fayette FACTOR have worked with Peachtree City and Fayette County to develop Social Hosting ordinances to discourage legal adults from providing people under the age of 21 with access to alcoholic beverages. Fayette County adopted a similar ordinance to the attached last month.

The ordinance is structured to prohibit legal adults from hosting or allowing events at any residence or location where they know or reasonably should know that underage persons will consume alcohol. The ordinance does not apply to legally-protected religious observances, underage persons legally possessing alcohol as part of their employment, or to conduct that occurs solely between parents and their own child in their own household.

Budget Impact:

This item should have no significant budgetary impact.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, SO AS TO PROVIDE FOR THE REGULATION OF THE PROVISION OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF TWENTY-ONE (21) BY PERSONS WHO HOST EVENTS OR GATHERINGS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Chapter 50, Offenses and Miscellaneous Provisions, Article 1, is hereby amended by adding a new Section 50-21 to read and to be codified as follows:

Sec. 50-21. Social Hosting.

- (a) **Purpose.** The City Council desires to protect the health, safety and welfare of all persons living in and visiting the City. The use of alcohol by persons under the age of twenty-one (21) is prohibited by Georgia law and under the Peachtree City Code of Ordinances. This Section prohibits and establishes penalties for any person hosting an event or gathering where alcohol is present and being possessed or consumed by persons under twenty-one (21) years of age.
- (b) **Findings.** The City Council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The City Council finds that:
 - (1) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
 - (2) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions. Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
 - (3) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.
 - (4) An ordinance is necessary to help further combat underage consumption. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.
- (c) **Definitions.** For purposes of this ordinance, the following terms have the following meanings:
 - (1) **Alcohol** means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

- (2) **Alcoholic beverage** means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- (3) **Event or gathering** means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (4) **Host** means to aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event, whether that host is present or not.
- (5) **Parent** means any person having legal custody of a juvenile:
 - a. As natural, adoptive parent, or step-parent;
 - b. As a legal guardian; or
 - c. As a person to whom legal custody has been given by order of the court.
- (6) **Person** means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.
- (7) **Residence or Premises** means any home, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, or any other place of assembly, public or private, whether occupied as a dwelling or for any social function, and whether owned, leased, or rented.
- (8) **Underage Person** is any individual under twenty-one (21) years of age.

(d) **Prohibited Acts.**

- (1) It is unlawful for any person(s) to:
 - a. host or allow an event or gathering;
 - b. at any residence, premises, or on any other private or public property;
 - c. where alcohol or alcoholic beverages are present;
 - d. when the person knows or reasonably should know that an underage person will or does
 - 1. consume any alcohol or alcoholic beverage; or
 - 2. possess any alcohol or alcoholic beverage with the intent to consume it; and
 - e. the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
- (2) A person is criminally responsible for violating Section 50-21 (d) of this ordinance if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.

(e) **Exceptions.**

- (1) This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
- (2) This ordinance does not apply to legally protected religious observances.
- (3) This ordinance does not apply to alcoholic beverage licensees who are licensed by Peachtree City and the State of Georgia.
- (4) This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____, 2015.

Vanessa Fleisch, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *JP (via email)*

FROM: City Clerk *SA*

DATE: October 8, 2015

SUBJECT: Golf Cart Ordinance Amendments and Relative to Registration and Nonresident Fees
October 15, 2015, City Council Meeting

Recommendation:

That Council review the proposed ordinance amendment and associated fees and provide direction to staff for the final version for adoption.

Discussion:

Next year (calendar year 2016), Peachtree City will once again go through the process of registering and issuing decals for all 12,000 golf carts using Peachtree City streets and paths. Knowing this during the FY 2016 budget process, Council discussed increasing the golf cart registration fee from \$12 for a one-year to five-year decal to \$15 per year. Staff was directed to review the ordinance and fee schedule to make recommendations for implementing this amount, which was included in the projected revenues for the FY 2016 adopted budget.

History:

Peachtree City began requiring the registration of golf carts in 1993, and the one-time fee was set at \$10. This was necessary due to the growing number of carts to assist the Police Department in the identification of abandoned or stolen carts along the path system and to allow for identification of carts reported for reckless driving or accidents. In 1995, the registration fee was increased to \$12 and the City added language requiring an annual non-resident user fee of \$60 per year. During this time, state law only permitted a one-time registration fee of no more than \$15.

In 2005, the Police Department reported that over half of the golf carts they dealt with were not properly registered, with some carts being driven by the third or fourth owner subsequent to the owner of record in the City database. Council approved a decal replacement program every five years, beginning in 2006 and repeating in 2011 and every five years thereafter. The cost of the decal remained \$12 (state law continued to limit the fee to a maximum of \$15), which covered the administrative costs of purchasing the decals and maintaining the registration database.

In 2007, the Town of Tyrone began registering golf carts, and the City and Tyrone implemented reciprocal registration recognition, meaning Tyrone residents wishing to use golf carts on

Peachtree City paths did not have to register in Peachtree City, and Peachtree City residents had the same options for using paths in Tyrone.

In 2014, state law relating to golf carts and similar vehicles underwent significant amendments to allow for more wide-spread use throughout the state. While Peachtree City's program was grandfathered, one change in the law lifted the former registration restrictions to allow for a registration fee (still limited to \$15), but that could be imposed more frequently.

The attached ordinance makes several changes and allows for new fees in keeping with those directed by Council during the FY 2016 Budget adoption.

Since that time, staff and several residents have also made suggestions that were evaluated, with several incorporated into the proposal as appropriate for the pending renewal cycle next year.

Ordinance Highlights:

- Cart registration for Peachtree City residents would be increased from \$12 for up to five years (with no proration option) to \$15 per year paid in three-year cycles.
 - Total of \$45 for the three-year registration
- The nonresident path user fee, which has not changed since the 1990s, was increased from \$60 per year to \$100 per year to more accurately reflect the City's current expenditures on the maintenance of the 100-mile path system. Nonresidents would register and pay the nonresident fee each year.
 - Total of \$115 each year for registration and nonresident fee
- Proration options have been included for both the registration and nonresident fees.
- Recovery of any unused portion of the registration fee and nonresident fee was transitioned to the cart seller to include in the sales price of the cart (previously, only the nonresident fee was addressed and the fee applied to any new cart the nonresident registered instead of the old cart under the new owner).
- The cart transfer fee was increased from \$5 to \$15
- The reciprocal registration for residents of Tyrone has been eliminated.

Implementation Strategy:

- Retain existing white, numbered decals (currently affixed to about 12,000 registered carts) and issue supplemental colored bar stickers for the new three-year period of coverage.
 - This will reduce staff time in the re-entry of all owner data in the creation of an entirely new database. It will also reduce costs through the purchase of smaller supplemental stickers instead of the full-sized decals for all 12,000 carts.
- Issue different (in color and location) registration decals for nonresidents (approximately 1,000 of the current 12,000 carts). A new color decal would be issued each year upon payment of both the registration fee and the nonresident path user fee.
 - This will provide the Police Department with a visual cue when encountering a nonresident cart that has not paid the annual renewal.
- Utilize the new BS&A software to allow for online registration and payment of fees based on the existing database of registered carts.
- Utilize the new BS&A software for direct billing to registered resident and nonresident cart owners (in lieu of mass mailing to all residential addresses in the City).
- The new registration process also provides a good time to reach all cart owners with an enhanced public education campaign, which would include updated path and street maps, updating the golf cart and path information brochure, and education on requirements (such as the requirement to provide an audible signal).

The proposed ordinance is attached in both a clean and redline version for ease of review.

AN ORDINANCE TO AMEND CHAPTER 78 OF THE PEACHTREE CITY CODE OF ORDINANCES, AS AMENDED, SO AS TO PROVIDE FOR THE REGISTRATION AND TRANSFER OF MOTORIZED CARTS; TO REPEAL EXISTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; 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 1. Article III, Motorized Carts, Section 78-92(a), of the Traffic Ordinance of the City of Peachtree City, Georgia, as amended, is hereby repealed in its entirety and replaced as follows:

Sec. 78-92. - Registration/decal/ transfer requirements.

- (a) Motorized carts. It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the recreation paths and streets and those areas accessible by the public within the corporate limits of the city to register the cart with the city within ten business days of the date of purchase. Two decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the city clerk's office. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to maintain current registration and decal(s) on a motorized cart shall be a violation of this section and subject the owner of such cart to the penalties set forth in section 1-11.
- (1) Registration fee. The registration fee for each cart shall be \$15 per year, as established by O.C.G.A. 40-6-365(c)(3). Registered carts shall display the required decals issued by the office of the city clerk, which shall remain in effect until the next regular registration period. Registration periods for Peachtree City residents shall be every three years. Registration periods for nonresidents shall occur annually.
- (2) Nonresident user fee. In addition to the registration fee, an annual path system user fee shall be established by the Mayor and City Council for each cart and be charged to nonresidents of the city. The nonresident fee is due by January 31 each year and shall be paid annually until such time as the cart is released and decals are returned to the City.
- (3) Assessment and proration of fees.
- a. Registration fees shall be assessed as follows:
- Registration Year: \$45 (for the subsequent three-calendar year period)
 - Year 1 – \$45 (\$30 on or after July 1)
 - Year 2 - \$30 (\$15 on or after July 1)
 - Year 3 / New Registration Year - \$15 (\$45 for subsequent three-year period after registration renewals commence)

b. Nonresident fees are assessed annually and shall be due by January 31 of the calendar year covered. The nonresident user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership as follows:

- Registration on or after April 1 = 75%
- Registration on or after July 1 = 50%
- Registration on or after October 1 = 25%

Failure to pay the annual nonresident user fee by January 31 will result in a \$20.00 penalty and the cart shall be considered an unregistered cart after January 31 until such time as the annual fees and penalties are paid.

c. Assessed registration and nonresident user fees shall remain with the cart and attached decals. Recovery of these fees upon sale of a cart shall be part of the negotiated price between seller and buyer.

(3) Registration and payment deadline. If a cart is not registered within ten business days of purchase, a \$20.00 penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten business-day period. If the registration is not renewed within the designated renewal period of a registration year, at \$20 penalty will be applied in addition to the registration fee.

(4) Transfers. Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of \$15.00, and if the new owner is not a city resident, the nonresident user fee all subsequent years shall be due from the new owner. If the registration is not transferred within ten business days, a \$20.00 penalty will be applied in addition to the \$15.00 transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the city of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale.

(5) Special tourism events. Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

Registration requirements will be waived for a five-day period beginning July 2 and ending July 6 for the annual 4th of July activities.

(6) Homeowner relocation. In the event that a registered motorized cart owner changes his/her address or contact information after the motorized cart is registered, that owner shall have 60 days to provide their new contact information to the City Clerk's office. If the ownership information is not updated within 60 days of relocation, a \$20.00 penalty will be applied and the cart shall be considered an unregistered cart after the 60-day period.

City residents relocating outside the corporate City limits shall be responsible for the annual nonresident user fee for all registered carts that will be used within the City. The fee shall be prorated for the first year of payment as described in paragraph (3) above.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon adoption by the City Council.

This _____ day of _____ 2011.

Vanessa Fleisch, Mayor

Attest _____
City Clerk

AN ORDINANCE TO AMEND CHAPTER 78 OF THE PEACHTREE CITY CODE OF ORDINANCES, AS AMENDED, SO AS TO PROVIDE FOR THE REGISTRATION AND TRANSFER OF MOTORIZED CARTS; TO REPEAL EXISTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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Sec. 78-92. - Registration/~~decal~~/ transfer requirements.

(a) Motorized carts. It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the recreation paths and streets and those areas accessible by the public within the corporate limits of the city to register the cart with the city within ten business days of the date of purchase. Two ~~numerical~~ decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the city clerk's office. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to ~~have-maintain a~~ current registration ~~and~~ decal(s) on a motorized cart shall be a violation of this section and subject the owner of such cart to the penalties set forth in section 1-11.

- (1) ~~Resident-Registration~~ fee. The registration fee for each cart shall be \$15 per year, as established by O.C.G.A. 40-6-365(c)(3). Registered carts shall display the required decals issued by the office of the city clerk, which shall remain in effect until the next regular registration period. Registration periods for Peachtree City residents shall be every three years. Registration periods for nonresidents shall occur annually. for motorized carts owned by city residents shall be \$12.00, and the registration shall be effective until the next regular registration period. Registration periods shall occur every five years, beginning in 2006.
- (2) Nonresident user fee. In addition to the initial \$12.00 registration fee ~~for the registration and decal~~, an annual registration/path system user fee shall be established by the Mayor and City Council for each cart, of \$60.00 shall and be charged to nonresidents of the city. The nonresident fee is due by January 31 each year until such time as the and shall be paid annually until such time as the cart is released and decals are returned to the City. cart is sold or otherwise disposed of. This

(3) Assessment and proration of fees.

a. Registration fees shall be assessed as follows:

- Registration Year: \$45 (for the subsequent three-calendar year period)
- Year 1 - \$45 (\$30 on or after July 1)
- Year 2 - \$30 (\$15 on or after July 1)

- Year 3 / New Registration Year - \$15 (\$45 for subsequent three-year period after registration renewals commence)

b. Nonresident fees are assessed annually and shall be due by January 31 of the calendar year covered. The nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership as follows:

- Registration on or after April 1 = 75%
- Registration on or after July 1 = 50%
- Registration on or after October 1 = 25%

Failure to pay the annual nonresident user fee by January 31 will result in a \$20.00 penalty and the cart shall be considered an unregistered cart after January 31 until such time as the annual fees and penalties are paid.

c. Assessed registration and nonresident user fees shall remain with the cart and attached decals. Recovery of these fees upon sale of a cart shall be part of the negotiated price between seller and buyer.

~~unless the nonresident had previously paid the registration/user fee the same calendar year, in which case the \$12.00 registration fee would be required to register and obtain decals for the new cart.~~

(3) Registration and payment deadline. If ~~the a~~ cart is not registered within ten business days of purchase, a \$20.00 penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten business-day period. If the registration is not renewed within the designated renewal period of a registration year, at \$20 penalty will be applied in addition to the registration fee.

(4) Transfers. Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of ~~\$5.00~~ \$15.00, and if the new owner is not a city resident, the nonresident ~~registration/user fee for the balance of the all subsequent years~~ shall be due from the new owner. If the registration is not transferred within ten business days, a \$20.00 penalty will be applied in addition to the ~~\$15.00~~ 5.00 transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the city of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale.

(5) Special tourism events. Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

Registration requirements will be waived for a five-day period beginning July 2 and ending July 6 for the annual 4th of July activities.

(6) ~~Tyrone registration. The city will honor/recognize permits issued by the Town of Tyrone. Registered Tyrone residents will be afforded the same privileges in the city as those city resident permit holders, and all sections of the ordinance from which this section derives will apply to those non-residents.~~

(7) Homeowner relocation. In the event that a registered motorized cart owner changes his/her address or contact information after the motorized cart is registered, that owner shall have 60 days to provide their new contact information to the ~~appropriate city department~~ City Clerk's office. If the ownership information is not updated within 60 days of relocation, a \$20.00 penalty will be applied and the cart shall be considered an unregistered cart after the 60-day period.

City residents relocating outside the corporate City limits shall be responsible for the annual nonresident user fee for all registered carts that will be used within the City. The fee shall be prorated for the first year of payment as described in paragraph (3) above.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon adoption by the City Council.

This _____ day of _____ 2011.

Vanessa Fleisch, Mayor

Attest _____
City Clerk