BOARD OF COUNTY COMMISSIONERS
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Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

July 28, 2016
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order
Invocation by Commissioner David Barlow
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of State Court Interns. *(page 4)*

PUBLIC HEARING:

2. Consideration of Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronting on Ebenezer Church Road and Davis Road with (1) condition. *(page 5)*

3. Consideration of Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions. *(page 152)*

4. Consideration of Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110., Sec. 110-3. , Sec. 110-145., Sec. 110-146., Sec. 110-169., Sec. 110-173., and Sec. 110-174. *(page 181)*

5. Consideration of Resolution 2016-09 for the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone. *(page 226)*

6. Consideration of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road. *(page 253)*

7. Consideration of Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle. *(page 267)*

8. Consideration of Ordinance 2016-13, Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Sections 104-27., 104-28., 104-29., 104-55., 104-63., 104-111., 104-113., 104-114., 104-115., 104-152., 104-153., 104-154., 104-155., 104-212., 104-213., 104-215., 104-217., 104-218. 104-219., 104-220., and 104-221. *(page 283)*

9. Consideration of Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use. *(page 329)*

CONSENT AGENDA:

10. Approval of staff's request to approve the Resolution for Trustee Change regarding the 98 Lease Pool Program and Resolution for Amendment to Equipment List related to the 98 Lease Pool Program. *(page 343)*

11. Approval to accept a donation from the Fellowship of Love Church; increase the 2017 budget donation revenue account by $4,000.00; and to increase the Furniture & Fixtures expense account by $4,000.00 for the purpose of buying tables for the Library's Distance Learning Center. *(page 362)*

12. Approval of staff's recommendation to award annual bid #1137-B for Asphalt Concrete to E.R. Snell of Tyrone as the primary vendor and to the three plants of C.W. Matthews as secondary vendors through the end of fiscal year 2017 with a not-to-exceed amount of $911,900. *(page 364)*

13. Approval of staff's recommendation to allocate $185,000 of the requested 2016 Special Local Maintenance & Improvement Grant (LMIG) against the FEMA/GEMA December 2015 storm flooding projects. *(page 371)*

14. Approval of the July 14, 2016 Board of Commissioners Meeting Minutes. *(page 373)*

OLD BUSINESS:

15. Consideration and approval for delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax. This was approved on July 14, 2016 as "Discussion concerning whether Fayette County seeks to request a four-year or six-year Special Purpose Local Option Sales Tax." *(page 388)*

NEW BUSINESS:

16. Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sission, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board. *(page 389)*

17. Consideration of staff's recommendation to reduce the General Fund Flood Damage loan to the Stormwater Utility for projects associated with the storm damages (FY2016 December 2015 floods) and revise Stormwater Utility project budgets approved in FY2015 budget. *(page 395)*

18. Consideration of the Fayetteville annexation of 1373 North SR 85, and the rezoning of said property from A-R (Agricultural-Residential) to C-2 (Community-Commercial). *(page 397)*

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

Procurements:

A. RFP 1082-P: Road Pavement Consulting Services *(page 417)*

Contract Renewals:

A. RFP #916, Renewal 1: Auditing Personal Property Accounts for Compliance *(page 419)*
B. Contract #976-N, Renewal 2: Methane, Groundwater and Surface Water Monitoring *(page 420)*
C. Contract #949-A, Renewal 1: Road Stabilization / Dust Control *(page 421)*
D. Contract #985-B, Renewal 1: Water System Chemicals for Fiscal Year 2017 *(page 422)*

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:	State Court	Presenter(s):	Judge Jason B. Thompson
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Proclamation/Recognition #1

Wording for the Agenda:

Recognition of the Fayette County State Court interns.

Background/History/Details:

Fayette State Court offers internships for high school, undergraduate, and law school students throughout the year. The internships are on a volunteer basis, grant funded, or for academic credit. Interns help us with court filings, community outreach projects, and legal research in both criminal and civil cases.

Honorable Judge Jason Thompson and the Board will recognize interns. They are as follows:

Erin Deitrich: law student intern
Brandon Price-Crum: law student intern
Jumoke Aremu: high school intern
Matt Chrzanowski: undergraduate intern

What action are you seeking from the Board of Commissioners?

Recognition of the Fayette County State Court interns.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	No

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #2

Wording for the Agenda:

Consideration of Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronting on Ebenezer Church Road and Davis Road with (1) condition.

Background/History/Details:

Staff recommends approval of rezoning petition 1257-16 for PUD-PRD with one (1) condition.

Planning Commission recommends approval of rezoning petition 1257-16 for R-80 with one (1) condition.

Planning Commission: Chairman Graw made a motion to recommend that petition 1257-16 be approved as R-80 with one (1) condition. Brian Haren seconded the motion. The motion passed 3-2. Jim Graw, Brian Haren, and Arnold Martin voted in favor of the motion. Al Gilbert and John Culbreth voted against the motion.

What action are you seeking from the Board of Commissioners?

Staff recommends approval of rezoning petition 1257-16 for PUD-PRD with one (1) condition.

Planning Commission recommends approval of rezoning petition 1257-16 for R-80 with one (1) condition.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **PUD-PRD CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1257-16

WHEREAS, TSTT Investments LLC, Owner, and Brent Holdings, LLC Donna Black & Randy Boyd, Agent, having come before the Fayette County Planning Commission on July 7, 2016, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 212.832 acres from A-R and R-40 to PUD-PRD, in the area of Ebenezer Church Road & Davis Road, Land Lot 4, 5, & 28 of the 7th District, for the purpose of developing a Single-Family Residential Subdivision; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED** as R-80.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

PLANNING COMMISSION RECOMMENDATION

DATE: July 7, 2016

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1257-16, the application of TSTT Investments LLC to rezone 212.832 acres from A-R and R-40 to PUD-PRD, be: R-80

✓ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

JIM GRAW, CHAIRMAN

ARNOLD MARTIN, III, VICE-CHAIRMAN

JOHN CULBRETH -NO

AL GILBERT -NO

BRIAN HAREN

Remarks:

The Planning Commission voted 3-2 to recommend to the BOC the property be rezoned R-80. The vote was 3 in favor, 2 opposed

4. Consideration of Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots. This property is located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronts on Ebenezer Church Road and Davis Road.

Chairman Graw stated that he assumes a lot of people came out for this petition. He asked the people who wanted to speak in favor to raise their hands. He then asked the people who wanted to speak in opposition to raise their hands. He said that there were 20-25 people who wanted to speak in opposition of the petition. He stated that the Planning Commission was going to maintain a strict 20 minute rule. He said the petitioner and the people who want to speak in favor will have 20 minutes and those wanting to speak in opposition will have 20 minutes. He added that if the 25 people who want to speak in opposition all come up to the podium they would have 30 seconds to speak, and will not have enough time to say what they want. He suggested to the people speaking in opposition to get together and pick four (4) or five (5) representatives that will speak on their behalf at the podium. He added that if the four (4) or five (5) people do not take all of the 20 minutes they would be glad to recognize others that would like to come up and speak in opposition. He reiterated that the Planning Commission would not go over the 20 minute time rule. He said that they will take 10 minute break to allow them to get representatives.

Randy Boyd stated that he was a registered engineer and land surveyor and would be representing TSTT Investments, who is the owner of this property. He said that the property is approximately 213 acres and a slither on the Davis Road end is currently zoned R-40; the rest of property is zoned A-R and is supported on the south end by Ebenezer Church Road. He gave a quick history about the property stating that the property was presented in 2005 with an additional 50 acres on the north side of Davis Road. He added that he presented the rezoning of 268 acres with 182 lots. He stated the portion that they are asking for now would have comprised of 140 lots. He said that the petition was denied. He stated that in 2007 they came back before the Planning Commission and asked for approval for R-50 (one (1) acre zoning) with 106 lots on the same 213 acres. He said that they worked with staff and reduced the number of lots down to 92. He added that they come before you tonight with a request of a PUD-PRD, with 91 lots. He stated that they're request is for the 213 acres minus the right-of-way, flood plain, and storm-water detention areas; this yields a 182 net acres which is the definition calculation of the acreage, and the land use plan calls for a yield of one (1) unit every two (2) to three (3) acres. He said they divided 182 acres by the two (2) which they feel is appropriate in this situation, because they have a one (1) to two (2) land use plan north of Davis Road. He added that ours start the two (2) to three (3) and works further south into the County where it joins up with the A-R or five (5) acre zoning. He stated that they are within the comprehensive land use plan of the density of one (1) lot every two (2) acres. He asked that they approve the plan tonight as submitted. He said to the audience that for a PUD-PRD zoning developers are come before the Planning Commission in an informal basis to discuss the project. He added that they came before them for their benefit two (2) different times and they addressed issues of contiguous area, buffers, second entrance coming out of Davis Road, and lot size. He stated that they have addressed all the concerns and cleaned the site plan up. He said that on the last revision the open space area was 36.7 and the letter of intent still said 34 acres. He asked that they approve it as submitted and as they have worked out with them in the last couple of months.

Chairman Graw asked if anyone would like to speak in favor of the petition. Hearing none he asked if anyone would like to speak in opposition. He asked if anyone else wanted to speak in opposition.

Al Gilbert said people in opposition could come down to the front.

Col. Jack F. Smith resident of Fayette County read the following statement:

My name is COL (Ret) Jack F. Smith and I live at 180 Martha's Cove.;
I retired after serving 26 years with the US Army Corps of Engineers
422 feet of my property line adjoins this proposed development.
I am honored to state that residents of neighborhoods that surround the planned development in question have selected me to be their spokesperson. I have asked to express their desire that the rezoning request of 212 acres bordering Ebenezer Church to the South; Country Trace to the West; Davis Road to the North; And Martha's Cove and the Crafts property to the East be denied.
By a raise of hands, who present agrees that I am your spokesperson?
I would also like to state for the record that I have had numerous communications from residents all over the county, to include Peachtree City and Fayetteville, who do not want to see the tone and texture of the county to be changed to high density subdivisions.
Rezoning Petition 1257-16 consisting of parcels 0702-005 and 0703-016 from A-R to PUD-PRD and Parcel 0703-023 be rezoned from R-40 to PUD-PRD needs to be denied.
Primarily because the planned development as currently shown, **violates** the Fayette Land Use Plan on 70 of the proposed 91 lots.
Bob Craft and his wife Alysia lived on 150 acres of land that adjoins this proposed development. Bob is no longer with us but Alysia traveled from Florida this week to attend this hearing. Alysia please raise your hand.
In memory of Bob, I would like to ask two questions that Bob always asked at rezoning hearings.

1. Has the county changed the Land Use Plan?
2. Has the developer provided a compelling reason to not follow the Fayette Land Use Plan? Lot 11 (1.00), 20 (1.01), 26 (1.03), 36 (1.05), 37 (1.08)

The last 3 years in the Army I was responsible for all of Master Planning, Construction and Maintenance of all army facilities in Central Command: Kuwait, Iraq, Kazakhstan, Afghanistan, Qatar, Bahrain and Yemen.
Key Lesson learned…once you lose control of a Master Plan it is next to impossible to recover. As an Army planner, the saying goes that a plan never survives first contact
The Fayette County Master plan, both the initial and the current Fayette Land Use Plan, did not survive first contact.
One only needs to look at a map of Fayette County to see the initial plan. **Five cities** Woolsey, Brooks, Tyrone, Peachtree City, Fayetteville had their city limits extended to allow a significant portion of the county to have high density development (A total of 36,000 acres)…the rest of the county was zoned predominantly A-R which requires a minimum of five acre lots for each single family home.
A new **Fayette Land Use Plan** was put into place in the mid 1980s. The reason for the change is that developers simply do not make **enough money** on five acre developments…so development was stymied, which to the casual observer was what the initial plan was supposed to accomplish. The Land Use Plan in its most basic form surrendered the 5 acre requirement in the middle half of the county to 2-3 acre parcels.
Now the Fayette Land Use Plan is under attack: Say no to the planned development in question. This development violates the Land Use Plan 70 times of the 91 lots shown on the document. That's correct 77% of the homes planned for construction sit on 1+ acre.
Central Park and the vision for Fayette County
The Numbers
91 Lots
70 lots do not meet the Fayette County Land Use Plan (77%)
16 lots are less than 1 and a qtr acre…18%
15 houses along Davis ~4/10th of a mile = 3.75 house/ 1/10th of a mile
28 houses within stone throw of Davis = 7 houses/ 1/10th of a mile of frontage
27 houses currently on Davis—2.3 miles =4.6 miles of frontage…
13 houses on one side is 0.5 houses/10th of a mile
14 houses on other side is 0.6 mile/10th of a mile
The Frontage Density along Davis is two orders of magnitude higher if this development project is approved.
If any citizen wants to verify any of my numbers concerning surrounding properties simply type into your

Search Engine "**Fayette County GA GIS**". When you zoom into the Fayette County map far enough you will see the boundaries of every parcel of land in the County. Tap the "i" button then click on any parcel and you can find out a great deal of information, such as, the owner, when it sold last, what it sold for, the zoning for the property and how many acres are on the parcel.

The Planned Development is a Cartoon

Little to no consideration for Topography

Little to no consideration for Hydrology

4 of 8 Ponds are located where little to no runoff can get to them due to topography; unless!

Does the developer intend to deforest large swaths of the 212 acres in order to flatten lots, reshape the topography and to modify the hydrology…This would be a scar to this part of county.

I challenge every committee member to drive down three roads before you make recommendation: Ebenezer Road, Ebenezer Church Road, and Davis Road.

You will not see any curbs, no sidewalks, no big parking lots, very few street lights except for at the churches.

In all of that vast land containing over 5000 acres one can find only a handful of lots less than two acres and four of those are in this development. I suspect all of them occurred during land transactions before the Fayette Land Use Plan was in effect, except the four R-40 in this plan.

These lots were formed when the county took control over Davis road. When the right-of-way was applied, this small sliver of land was formed between the road and the 165 acre parcel to the south. The amount of land produced a single 4.8 acre lot and last developer who attempted to have this land rezoned summarily requested R-40 zoning which requires only one acre per house. The board approved it with debate or comment. This lot is so narrow a single house would not be allowed to be built on the 4.8 acre lot because it is less than 100 feet wide at its widest point. But now there are four lots that no house can be built.

The Fayette Land Use Plan was placed in jeopardy by allowing that rezoning. There were eight different single family residential zoning that would have preserved the integrity of the Land Use Plan. It is Ironic that the majority of the four R-40 lots in this plan is located on 2+ acre lots.

Let's talk about 1 Acre. An acre is 43,560 ft^2. Big number. Big if you are moving out of apartments, condos, townhouses and/or duplexes. But a square one acre lot is only 208 feet on a side. How many people present have a driveway that is longer than 200 feet long.

You put a 2500 square foot house with a two car garage, a 12 foot wide driveway and a 23 foot turnout to get into the garage; and your standing less than 60 feet from your neighbors property line.

The denser the subdivision the higher the storm **water runoff**. 91 (2500 ft^2) houses is 5.2 acres of nonporous area, add-in garages, driveways and sheds and there is another 5-8 acres and there are 14.8 acres of roads. For every 1 inch of rain this development receives 5.7 million gallons of water. Almost 1 million of those gallons will land on nonporous surfaces. The ponds in this part of the county are already under stress with silt during and after heavy rains. This development will only exacerbate this problem with even more runoff. When will the county develop a comprehensive plan to manage storm water from this and future large tract developments?

There are over 3200 acres within 2.5 miles of this development with the vast majority of that acreage consisting of large tracts. Almost all of this land will be on the market in the next 10-20 years. If that development mirrors this development the streams and ponds will be unable to handle such runoff with just retention ponds.

-Sewage vs Septic…1 Acre, given the right soil conditions can service a household waste water needs. There is one caution for this developer. Most of the high ground on this property are high because the soil sits on granite domes. Getting the ground to perk on each of the one acre lots will be problematic. I would be way more comfortable if minimum lot size for septic was three acres given the fact the thousands of acres are going be up for development in the next two decades.

There is going to be time when Fayette County has to come to terms with pulling itself out of **third world status**. How can the most affluent county in the state of Georgia be a third world county?

Most of us have heard countries referred to as developed countries and others as third world countries…but most of us were never given the difference between the two.

Throughout human history there has been great civilizations...Mayans, Aztecs, Greeks, and Romans. It takes two things for a civilization to exist, much less prosper.

1. The delivery of clean potable water to the population and
2. The proper removal, treatment and/or disposal of human waste.

Developed countries provide these two services to the majority of their population, third world countries do not.

I've been told the reason vast portions of the county are on well water and septic is to control development. You do not withhold basic services to your population to control development. You control development by rigorous enforcement of your zoning ordinances.

This development does not meet the Fayette Land Use Plan and should be denied.

-Other points about the plan:
The **Amenity Area** is poorly located. Is this to be a building with a community pool? It is not clear on the drawing.
51 of 91 houses are north of the stream. Simply to allow more residents to walk to the amenity area the amenity area should be centrally located.
The amenity area could be on one of the lots co-joined with the 100 year flood zone so the land can be maintained as a community park with walking and bike trails.
Either that or extend the adjoining lots into the flood plane with the appropriate caveats that no construction can occur on that part of the lot; or make it a construction buffer zone that exists on edge of the development. Either solution will solve the "un-owned land" problem.
Un-owned land is unmanaged land and unmaintained land. Such land is where illegal dumping takes place; Rampant under and over growth occurs and where people of ill repute gather to do nefarious activities.
There are similar issues with the pond areas. Those pond dams need to be maintained so no trees take root on those dams. When such trees die and the roots rot, you create weak points in those dams. As this plan exists; no one has responsibility for the ponds.
We have two such ponds on Martha's Cove that have houses on them and the owners had to agree to allow inspectors to inspect the ponds. So there is no reason to have un-owned land around these ponds. I will also add that neither of the ponds have been inspected since the current owners acquired their property. In one case that is 14 years.
-**Davis Road**
51 houses within a quarter mile of Davis road equates to over 300 residents +/-
Fire and rescue and the sheriff/police forces have to go 6-7 miles out of their way to respond to the north end of the development
Does the county have the plan and the funds to pave Davis?
-Sim City
I have spoken to Runoff…water…septic vs sewer…lot size…watershed management…paving of roads…curbs….sidewalks and street lights…. The game crashes when you do not account for the required infrastructure to support development. The Fayette Land Use Plan is about to crash.
-To summarize the positive aspects of this plan:

- 3+ acre lots along Martha's Cove
- 100 foot buffer on east and west sides
- Stream land protected as a set aside

To summarize the negative aspects of this plan:

- 48 less than 2 acre lots along Country Trace and Davis…why not the same 3+ acre consideration given to those land owners
- 3 one Acre lots adjoined to Craft's 150 Acre lot
- Two 1 Acre lots on Ebenezer Church Road
- Location of Amenity Area
- No plan to manage or maintain stream area
- No consideration of Topography
- No consideration of Hydrology=an irrational pond plan

Property rights of land owners is usually a subject at these type of hearings. There is no "landowner" in this instance. TSTT Investment LLC is not a person. It is a company whose sole purpose is to maximize profits for its investors. They have no presence in the county, they have no stake in the current or future of the county and they have zero concern for the impact of this development on the surrounding communities. The county Government has no responsibility to ensure this investment company maximizes their profit. None of the citizens in the county have no responsibility to ensure this investment company maximizes its profits.
Thank you for your time and consideration.
Enforce the Fayette Land Use Plan
Recommend that this rezoning request be denied.

Chairman Graw asked if anyone else would like to speak in opposition and how much time was remaining.

Chanelle Blaine replied seven (7) minutes.

Dave Hannum a resident of Fayette County whose property backs up to this proposed subdivision, stated that he has sent pictures and videos to the Planning Commission regarding the water problem with the storm-water runoff because the property is higher than them. He said that they are concerned by what is going to happen when 91 lots, which they feel is too much of a density for that, area become a reality; and he receives double as much water as he has now. He added that he won't be able to live there and that his property will be underwater a good portion of the time. He asked for a denial of this project until they can come up with a better situation for the homeowners that are there because of this storm-water issue.

Chairman Graw asked if anyone else would like to speak in opposition.

Timothy Gwin stated that he has lived on Ebenezer Church Road most of his life. He said that he bought his parent's house after they were unable to keep it up. He added that the property is on seven (7) acres and they have enjoyed the quality of life so much they bought the house next door for family. He stated that when he was a youngster all they would hear is frogs and crickets at night and now his son who is in his old room, hears only traffic all night. He said that we've heard about the storm-water and the changes that will take place, but he would like to bring up the traffic issue. He added that in the morning and in the evenings when he leaves his driveway he has to gun his truck, to get out on to Ebenezer Church Road, to get into the flow of traffic. He stated with that many cars that are now going to be here with this many new houses it's going to be even more difficult. He said for him to maintain his property he has to use a tractor, and when he gets on Ebenezer Church Road he is routinely runoff the road just to cut the grass. He added that the traffic is getting to a point where it is unsustainable, and that the speed limit needs to be lowered on Ebenezer Church for there are lots of blind driveways. He stated that he just wanted to address that to the Planning Commission and he thanked them for their time.

Chairman Graw asked if anyone else would like to speak in opposition. He asked how much time remained.

Chanelle Blaine replied 5 minutes.

Norman Noldie a resident of Fayette County stated he object to this proposal primarily from the fact that Davis Road is a dirt road and it has been for years. He said if we get that type of density that has access to Davis Road it will no longer be usable by the residents or for that matter anyone else. He added that it will be rutted and rough as it is right now. He stated that he knows of three (3) spots on Davis Road just where John Smith property ends and proceeds to Lester Road; where he lives in fear that one (1) day a larger vehicle will take out my wife's vehicle or anyone else who lives on Davis Road because of the blind areas. He said that if the County has no plans of surfacing Davis Road then all their doing is creating a danger zone for those people who might live in that subdivision and for all of the residents who live on Davis Road. He added if they should approve this no construction traffic should be allowed on Davis Road whatsoever. He stated that one (1) concrete truck on a wet day is going to make that road unusable, and if they put more than one (1) concrete truck on there, Davis Road will become unusable for anyone and it will become a serious expense for the County.

John Burns a resident of Fayette County asked if they had received the videos of the flooding

coming through Dave Hannum's property. He said that he is the recipient of that because he has the retention pond on his property that receives all the water from both sides of the subdivision. He stated that it goes on one (1) side of the road underneath which has a big dip in the road, and now that road is going to fail the whole subdivision is going to be cut off. He added that the subdivision will be cut off from the world because there is no way of getting in and out of the subdivision but through that road. He said that if you have seen the flooding coming off of his property multiply that by I don't know how many. He stated that the retention pond on his property holds eight (8) feet of water and is stocked with bass and brim. He added that he loves his property and that the developer is trying to take it away from him. He stated that the beautiful lake behind his property (the McKnights) that his retention pond protects will all be gone. He said that he bought and cleaned up the retention pond next to him that had set for five (5) years and he would like to retain what he has and that's why he moved to Fayette County.

Chairman Graw asked how much time.

Chanelle Blaine replied 36 seconds.

Chairman Graw stated that Mr. Randy Boyd has 16 minutes to rebut.

Randy Boyd stated that this plan does not violate the comprehensive land use plan. He said that the comprehensive land use plan speaks to density and not lot size. He added that the land use plan says one (1) dwelling unit per two (2) to three (3) acres. He stated that he had given the definition of a net density acre a while ago, it is total area minus the right-of-way, floodplain, and the area dedicated to the storm-water detention basin; that leaves 182 acres divided by the two (2) is 91 lots that's how we came up with the 91 lots. He said they were well within their rights to develop this property using one (1) acre lots and a variation of size lots, which we have done here. He added that they put the three (3) acre lots next to the Martha Cove's subdivision because they have five (5) acre lots. He reiterated that this is within the comprehensive land use plan. He stated that the plan has not been change within the last 25 years that he knows of. He added that Mr. Smith said they were not paying any attention to the topography or hydrology of the runoff, and that's totally not true. He stated that we have a current topographical survey and a level three (3) soils analysis. He added that each lot will support a septic tank and some lots are larger because the soil isn't as good. He stated that he did not see massive amounts of granite popping out on top of those fields, but if there were any we compensated for that with the size of the lots. He said that the detention basins will be placed in the low areas; and they are not going to do a mass grading on a piece of property. He added that the detention basins are looked to be located at the low point where the topography flows to. He stated that the gentleman that is having problems with flooding on his lot it will get better as you put a detention there and you can over detained to control the runoff on your property. He said that Davis Road is going to be updated one (1) day on the thoroughfare plan it is given the collector status which requires an 80 ft. right-of-way. He added that the right-of-way would have to be obtained; but he doesn't know if the residents realize it or not, there is about 640 acres north of Davis Road that is zoned one (1) acre lots that is called Waterlace Subdivision and it has an entrance coming out onto Davis Road. He stated that it has already been approved and they're quickly moving that way now that the recession is over and people are building houses once again. He said that plans should have already been turned in, and they probably shouldn't be years and years away. He added that he believed it's going to be very close to being developed soon. He reiterated that

there is an entrance on Davis Road and that something is going to need to be done on Davis Road very soon. He stated that he believes the planners and staff of the County has taken that into consideration because it is a collector street; you can't have a collector street be a gravel road it is going to be approved one (1) day. He said that these detention basins will be monitored; the ordinance was not in place when the subdivision next door along Martha's Cove was put in. He added that there is not a Storm-water Management ordinance that requires these detention basins/water quality basins be put on separate pieces of property that are not owned by an individual but by the home owners association. He stated that it has to be monitored it has to have the grass cut, you have to have it cleaned out, and you don't let trees grow in it. He reiterated that it is a requirement now and it won't be forgotten like it has been for the subdivision that was developed to the east of us. He said that the request is for 91 lots on 213 acres; it is well within the land use plan; we work with the Planning Commission and has answered all the questions you have asked us to do; and we request that you rezone this as we have submitted and I will leave the remainder of the time to Donna Black who will address some other issues.

Randy Boyd stated that I think I have covered all that we would like to cover thank you.

Chairman Graw stated that we have heard from those speaking in favor and opposition and I will now bring it before the Planning Commission.

Al Gilbert reads the condition for the rezoning:

> The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

Randy Boyd said that they will agree to the condition.

Chairman Graw asked why the increase to 70 one (1) acre lots, because in the previous meeting had with the Planning Commission the original amount of one (1) acre lots were 66.

Randy Boyd replied that he hadn't realized they had increased the amount of lots. He stated that they just addressed their comments with the buffers and thought they addressed all of their concerns.

Chairman Graw stated that if he remembers correctly he thought that there were 66 lots on the last right up they received. He said that I may be incorrect but thought I saw 66. He asked what was his reason was again.

Randy Boyd reiterated that they addressed all their concerns and thought they would have addressed that at the last meeting. He stated when they had started out they initially had all of the 91 lots were one (1) acre when they submitted it to them in 2007. He said that design had massive amounts of protective area all around the property. He added that under the PUD-PRD zoning requirements or suggestions is to have different size lots; so we came back making these lots larger next to the Windridge Subdivision but my original design was all one (1) acre lots which is not in conflict with other PUD's that have been done. He stated that New Haven that is on Bernhard Road and Redwine

Road and we are within very close to those percentages. He said that there are not a lot of PUD's that have been approved by this County, and that he has worked in this County for 35 years and has never had one (1) approved. He added that there was another PUD Brechin Park down toward Highway 74 in Peachtree City and it has 82 one (1) acre lots. He reiterated that his original intent was to have all one (1) acre lots with massive amounts of open space and he said that personally he thinks that is a better idea. He stated that there is one (1) acre lot on this design; 68 one (1) to two (2) acre lots; 13 two (2) to three (3) acre lots; eight (8) three acre lots, and one (1) four acre lot. He said that is the breakdown that we have gotten at your request of making a dukes mixer of different lot sizes. He added that if you make lots larger land has to come from somewhere, and what it did was consume all of the open space, and if you had 91 one (1) acre lots you could make everything else open space. He reiterated that he thought it was a good design also and thought they had addressed all of their comments.

Arnold Martin stated that this major concern was safety on Davis Road and in their initial talks they discussed having two entrances at the front of the subdivision. He said that this would be major concern for the homeowners at the rear if there was an emergency. He added that it is required to have two (2) entrances and it is recommended by our County Engineer that one (1) be placed on Davis Road. He stated that he understands the recommendation, but wanted to know what the developers were going to do.

Randy Boyd stated that if Davis Road were paved we wouldn't be having this conversation. He said that when Waterlace Subdivision comes down and touches on there with their hundreds of lots that they surface Davis Road. He added that it is already designated a collector street which requires and 80 ft. right-of-way, which we are willing to donate at no cost to the County. He reiterated that it is going have to be improved and cannot stay a dirt road forever. He stated that he agrees with the County Engineer Phil Mallon that the connectivity is a lot better, we don't like for it to be dumped out on a dirt road. He said if they're willing to allow them to go in and developed the subdivision they would have the right-of-way there. He added that they could get a performance bond, and grade it and curb it to get it ready; we can also gate it until they get Davis Road upgraded.

Arnold Martin asked how the developers were going to handle construction vehicles on Davis Road.

Randy Boyd replied that if this gets approved they would put in the right-of-way, we grade it, and have the road ready even paved it, except for the fact that it is gated only until Davis Road is improved then you take the gate down and allow people to use it. He stated that for now it is a safety issue we just won't allow people to exit on Davis Road, instead they would ride around as if that exit doesn't exist. He said that he could take the Planning Commission to some subdivision that are currently doing that; but he doesn't know if Engineering will have an issue with it, but it is doable.

Donna Black stated that they are open to different access options. She said they are willing to have an access on Davis and Ebenezer Church Road like the County Engineer has asked; we can rearrange the plan so that you have the two (2) accesses on Ebenezer Church Road and no access on Davis. She added that they have talked to the County Attorney to allow for only an emergency access for Davis Road, and he was not opposed to it although, that is not the desire of the County Engineer. She stated that the plan can evolve to figure out what the County prefers as far as access. She said regarding construction traffic they are more than willing to restrict construction traffic so it

is not on Davis Road.

Arnold Martin stated that they are applying for a PUD-PRD and the definition states that the intent of the plan is to encourage creativity and resourcefulness in residential development and to provide open space, parks, and recreation facilities for the residents of the development and or the general public. He asked based upon that definition how you are meeting the intent. He said that he understands they have a lot of open space but what else will they be doing to follow the intent.

Donna Black stated that what Mr. Boyd indicated earlier the original plan had a great deal of open space and smaller lots but the desire of the Planning Commission is for people to have larger lots and a mix of lot sizes. She said in meeting those standards we increased the lot size and reduced the open space. She added that there is still room for recreational facilities, screen buffers to still be preserved, and floodplain and/or wetlands preservation that are still in there. She asked if he was talking about walking paths or that sort of thing.

Arnold Martin replied yes and that the public would like to hear more of a definition of what you are applying for and how you will be meeting it based upon that request.

Donna Black stated that typically open space within a subdivision would be the property of the Home Owners Association or the subdivision and those areas are typically not open to the public; so you won't have problems with people using those areas for maybe nefarious activities, those areas are open for people that will use the subdivision to have unstructured nature time with a lot of the creeks and stream buffers that can provide areas for walking; as well as a more developed amenity area.

Arnold Martin asked Pete Frisina about how the PUD-PRD meets the land use plan. He stated that in the information he received that the subject property lies within areas designated as rural residential one (1) unit per two (2) to three (3) acres. He said that we have a strong discrepancy as far as understanding and would like for him to clear it up.

Pete Frisina replied that the density is based on housing units and it says one (1) housing unit per two (2) to three (3) acres of the PUD's we have in place right now Whitewater Creek, Highgrove, Timberlake, New Haven, Horseman's Run, Jefferson Woods, Woodcreek, and Brechin Park are all based on that of units per acre and not acres per units not minimum lot size. He stated that all of those subdivisions have one (1) acre or one (1) acre plus, and all met the merits of the land use plan based on that. He said that he requirements for open space in this subdivision based on their calculations is about 5.2 acres; in terms of the PUD its so many thousand square feet per unit; and 91 lots turned into 5.2 acres of open space, so they have a little bit larger amount of open space in the subdivision with 36 acres.

Chairman Graw said what you're saying is that the developer has met and exceeded the criteria that is required for the PUD-PRD.

Pete Frisina said that it is the net density per acres per unit. He said that two (2) acres or three (3) acres would be fine under normal straight zoning.

Al Gilbert asked if there were any plans for a recreational structure like a clubhouse or tennis court.

Donna Black replied that we do normally build picnic structures, play facilities, swings for sitting and enjoying, landscaping, and there are a number of facilities that can be installed.

Chairman Graw stated there was a petition presented to us with an estimated 215 signatures on the petition; the petition said: *These signatures consist of persons who desire that the Fayette County Planning Commission deny TSTT Investment LLC to rezone parcels 0702-005 and 0703-016 from A-R to PUD-PRD and parcel 0703-023 from R-40 to PUD-PRD.* He said that they received copy of Mr. Hannum's letter and pictures to make part of the official record. He added that the Planning Commission also received a four (4) page letter from Mrs. Trudy Whittington of Country Trace asking us to deny the petition.

Chairman Graw asked if any of the Planning Commission had any questions.

Chairman Graw stated that he had several concerns the first being traffic, the traffic study estimates that there will be 960 vehicle traffic trips per day at buildout and build out is five (5) to eight (8) years away. He said at the same time Waterlace Subdivision is coming south (buildout date unknown) and hits Davis Road and when this subdivision is completed I suspect the County will pave Davis Road. He added that if Waterlace Subdivision is done in five (5) to eight (8) years we will see Davis Road paved in 2023-24. He asked if his guess was right to Phil Mallon, County Engineer.

Phil Mallon replied that would be for the Board of Commissioner's to answer not me.

Chairman Graw said let's assume now that Davis Road is still gravel and Waterlace is not down to Davis Road; about 480 trips at buildout will be using Davis Road, and about 480 trips will be using Ebenezer Church; they will be going east and west from both locations. He stated that if Davis Road becomes too bad those 480 trips per day (in & out); there will be fewer people using Davis Road and going through the subdivision to use Ebenezer Church depending on how Davis Road is maintained. He said that the more cars that would use the road to go through the subdivision create a safety problem especially at buildout if you have 91 lots. He added that the land use plan calls for one (1) unit per two (2) to three (3) acres which means that A-R is not going to always be A-R. He stated that at some point and time that property is going to be rezoned to something, and we don't know what at this time. He said that Mr. Boyd mention that someone wanted one (1) acre lots but the Planning Commission turned it down. He added that one (1) acre zoning is too dense for that area and it's unfair to the citizens that live there. He stated that the PUD-PRD is and would set a poor precedent for the area; if you look at the area of Bridger Point there is a 100 acre piece of property that touches this property, and I found out today that it is considered as phase two (2) of Bridger Point. He said that the PUD-PRD has a recommended 71 one (1) acre lots, 13 lots are two (2) acres and I believe that's 14 percent, 8 lots are three (3) acres and that's nine (9) percent, and there is a four (4) acre lot in there too. He added that when he looks at the zoning map the entire area is A-R five (5) acre minimum. He reiterated that this would set a very poor precedent for the area. He stated that he feels the PUD-PRD is a backdoor way of getting 71 one (1) acre lots into an area that is minimum five (5) acres. He said that he didn't feel comfortable with it and it wasn't fair to the residents of that area. He added that there are only two (2) lots on Arnold Road that is R-70, and I

believe a lot of that property south of Ebenezer around Arnold Road is A-R except for the Zack Brown property. He stated that the Planning Commission listens to people and they have always been told that you cannot let the applause and the emotion to get to you and get you all flustered; he said that he has thought about this before the meeting and it's not the all applause and the emotion out there that is getting him to say what he is saying.

Chairman Graw asked if there was anyone else who had any comments.

Brian Haren asked Mr. Hannum how often he experiences that level of flooding.

Mr. Hannum replied all too often, but every time there is a moderate to major rain storm. He said this has happen several times this year already even though we are in a drought situation. He added that the pictures were from this year and that he has pictures from prior years that are even worse.

Brian Haren asked Mr. Hammum how much flow, do you estimate comes off of the property we are discussing this evening.

Mr. Hannum replied anywhere from 75-90 percent.

Brian Haren said that's all the questions he has.

Chairman Graw asked if anyone else has any questions.

Al Gilbert stated that he has been on the Planning Commission for 30 years and a concern he is having is that the land use plan has always been their guiding light. He said that this does meet the land use. He added that it is troubling because the last few months we don't recognize land use, so we reinvent land use. He stated that he was not comfortable with the zoning, but it also troubles me that it meets the land use and there is a lot of opposition to it. He said that he knows what he is saying is not popular with the group out there, but the land use plan has been the guiding light for Fayette County over the years, and that has allowed us to have the quality development in the County by following and honoring that plan.

Jim Graw made a motion to recommend approval for R-80 zoning of Petition No. 1257-16. He said that R-80 is a minimum three (3) acre lot size and a 2500 square foot minimum house size. He added that if it were to be zoned three (3) acres that would still yield about 60 lots, and about 650 vehicle trips; with a 300 vehicle trip in reduction per day. He said that he would feel more comfortable with it because of the one (1) road going through the subdivision and Davis Road not being paved.

Pete Frisina asked if that was with the condition.

Chairman Graw replied with the condition that Mr. Boyd has agreed to.

Motion seconded by Brian Haren. The zoning petition was recommended for approval by a vote of 3-2. Jim Graw, Brian Haren, and Arnold Martin voting in favor of the petition. Al Gilbert and John Culbreth voting against the petition.

Formal Petition Requesting Disapproval of Rezoning Request

Fayette County Planning Commission

These signatures consist of persons who desire that the Fayette County Planning Commission deny TTST Investment LLC to rezon parcels 0702-005 and 0703-016 from A.R to PUD-PRD and Parcel 0703-023 from R-40 to PUD-PRD.

Name	Signature	Address
Sandra Jensen	Sandra Jensen	130 Hillred Dr.
Walter Jensen	[illegible]	130 Hillred Dr.
Kaylin Hazelwood	Kaylin Hazelwood	130 Hillred Dr.
Katharine Bullock	Katharine Bullock	155 Marthas Cove
RALPH BULLOCK	[illegible]	155 MARTHAS COVE
Rebecca Bergen	Rebecca Bergen	448 Ebenezer Church Rd.
HEATHER FREDERICKS	[illegible]	135 HILLRED DR
Carmen Bowra	[illegible]	190 Hillred Dr
Matthew Fabor	[illegible]	160 Hillred Dr.
Terri Lanham	Terri Lanham	120 Hillred Dr
Ken Lanham	Ken Lanham	120 Hillred Dr
Evelyn Duke	Evelyn Duke	120 Hillred Dr
Sue CASEY	Sue Casey	145 Bridger Pt Rd
William E. CASEY	William E. Casey	145 BRIDGER PT. RD.
Alanna Fopiano	[illegible]	200 Hillred Dr.
Katie Anne Fopiano	[illegible]	200 Hillred Drive
Terri Fopiano	[illegible]	200 Hillred Drive
Joyce Parks	[illegible]	84 Bay Branch Blvd
James Morrissey	[illegible]	125 Hillred Drive
Etta Morrissey	Etta Morrissey	125 Hillred Dr.
DEAN POPE	DEAN POPE	105 HILLRED
Michael McClellan	[illegible]	118 Nelms
JOHN G HILL	John G. Hill	1211 Redwine Rd
James D. Simers	[illegible]	155 Bridger Point
Carolyn Simers	[illegible]	155 Bridger Point Rd
[illegible]	Bruce Runnals	466 Davis Rd.
Sharron Runnals	Sharron Runnals	466 Davis Rd.
Lynda B. Whitehead	Lynda B. Whitehead	250 Youngs Circle
[illegible]	Anthony M Logan	372 Senoia Rd. Tyrone Ga
Tim Murphy	[illegible]	135 Mockingbird
William L. Dufree	William L. Dufree	155 Gantt Lane
Lloyd Bentenbaugh	[illegible]	105 Autumn Glen Cir.
Sandra Landrum	Sandra Landrum	105 Autumn Glen Cir

Want 215-7033 6/18

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Name	Signature	Address
Tony Kelley		220 Boxboro Court
Joann E. Bulwinski		320 HILLCREST AVE FTVILLE.
JERRY JAMES		120 S Tore Creek Ct.
WAYNE LEE		120 LAKE CITY DR
William Zelner		202 Terra Cotta
DANNY L BRAND		300 Early Court
WAYNE WILKINS		205 old mill ct.
MIKE CLAYTON		509 Ebenezer Church Rd
Arlene N Law		300 Ridgemont Drive
William Peters		118 Davis Rd
Denise Simpson		125 Bridger Pt Rd
FRANK L. SIMPSON		125 BRIDGER POINT Rd
Sabrina Barlow		167 Davis RD
Andrea Barlow		167 Davis Rd
Diane M Barlow		167 Davis Road
Beverly Williams		110 Bridger Point Rd.
Marilyn Lapinski		150 Hillcrest Dr.
W. G. Adams		150 Bridger Pt Rd.
George Wood		298 Ebenezer Ch. Rd
Donna Wood		298 Ebenezer Ch Rd
DOUGLAS PETERS		145 HILLRED DR
Kim Detuler		170 Hillred Dr.
DAVID W. MAXEY		175 Hillred Dr.
Danny Barker		130 Marthas Cu
JOSH BURNS		115 Marthas Cove
KEN SUMMERS		235 Ridgecrest DR
James Kincaid		330 Swams Dr Peachtree C
R. Whitehead		250 Youngs Circle, Fayetteville, GA
Deborah Harris		180 Marilyn Dr.
Walter Harris		180 Marilyn Dr East
Rea Moore		770 715-5906
Sherry Brotherton		33 Entown Pl 30214

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Name	Signature	Address
JAMES MARGRAVE		451 DAVIS RD
Helen Margrave	Helen Margrave	451 Davis Rd.
Amanda Patterson		60 Country Trace
JACK Smith		180 MARTH'S Cove
Trudy Whittington	Trudy Whittington	35 Country Trace
SALLY Smith	Sally Smith	230 Davis Road
John S. SMITH JR		230 DAVIS RD
Pat Hockett	Patricia A. Hockett	301 Ebenezer Church Rd
David Large		310 Glade Knoll Trail
Larry McNeil		456 Ebenezer Church Rd.
David W Hockett	David W Hockett	301 EBENEZER CHURCH Rd.
Bill Hamner	Bill Hamner	45 Country Trace
ANNY MARSH		85 COUNTRY TRACE
Anthony Dehoff		100 Bridge Pointe Rd
LoWean McKnight		100 Bridgepoint Rd
Jonathan Carr	Jonathan Carr	600 ebenezer church
Myla Mae Carr	Myla Mae Carr	600 ebenezer church
JUNE C MARSH	June C Marsh	85 COUNTRY TRACE
Cindy Blair	Cindy Blair	135 Martha's Cove
DAVID HANNUM		100 MARTHA'S COVE
Michael Cooley		220 Martha's Cove
Felipe Hernandez		297 Ebenezer Ch Rd
JOHN BURNS		115 MARTHA'S COVE
ANGELA BURNS	Angela Burns	115 MARTHA'S COVE
Peter Blair	Peter Blair	135 Marthas Cove
Mimi Hamner	MIMI HAMNER	45 Country Trace
Cindy Nash		135 Martha's Cove
CHARLES H. CUMMING	Charles H Cumming	100 HUNTERS GLEN
JANETTA M. CUMMING	Janetta M. Cumming	100 HUNTERS GLEN
John Law		300 Ridgemont Drive
Vic Kemenesk.		175 Robin Ct. Fayetteville
KEITH CORBIN		115 Watershed Way
SUSAN M SMITH	Susan M Smith	180 Marthas CV

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Name	Signature	Address
LaVeta Faber	LaVeta Faber	195 Martha's Cove
Ken Faber	Ken L Faber	195 Martha's Cove
Charles Faber	[illegible]	195 Martha Cove
Lyn C Howell	Lyn C Howell	175 Marthas Cove
Jay Howell	Jay Howell	175 Marthas Cove
KAS BARLAR	[illegible]	130 MARTHAS CV
ROBERT BARLAR	[illegible]	130 Marthas CV
TRI HOANG	[illegible]	105 MARTHAS CV
Kelly Williams	[illegible]	215 Marthas Cove
Lawanna Mott	[illegible]	235 Marthas Cove
MARVIN MOTT	[illegible]	235 MARTHA'S COVE
Amy Loomis	Amy M. Loomis	235 Marthas Cove
Teresa Williams	[illegible]	215 Martha's Cove
MILTON CRISLER	[illegible]	295 EMILY PARK
JOHN BORG	[illegible]	175 RED OAK DR FAYETTEVILLE
Pam Dufresne	[illegible]	213 Preston Chase, PTC
Richard A King	[illegible]	135 Ridge Point Rd
Robyn Windsor	[illegible]	200 Martha's Cove
FRANK WINDSOR	[illegible]	200 MARTHAS COVE
Eddie Windsor	[illegible]	200 Marthas cove
Frances Windsor	Frances Windsor	200 Marthas Cove
Kim Robinson	[illegible]	115 Hillred Dr.
JOHN FREDERICKS	[illegible]	135 HILLRED DRIVE
SUSAN MARSH	[illegible]	155 Hillred DRIVE
Liberato Agnore	[illegible]	165 Hillred Dr
Anthony Agnore	[illegible]	165 Hillred Dr.
Regina Agnore	[illegible]	165 Hillred Dr.
Christina Agnore	[illegible]	165 Hillred Dr
Nina Ann C. Ralph	[illegible]	195 Hillred Dr.
Matthew Loeffler	[illegible]	195 Hillred Dr.
Chad Fagnano	[illegible]	200 Hillred Dr.
Randy Fagnano	[illegible]	200 Hillred Dr
MATTHEW BOWRA	[illegible]	190 HILLRED DR

JULY 7, 2016

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Name	Signature	Address
JULIE YOKUM	Julie P. Yokum	317 ADAMS RD FAY 30214
TABITHA WILLIAMS	Tabitha Williams	321 ADAMS RD. Fay 30214
[illegible] RANGE	[illegible]	319 ADAMS RD 30214
Tina Range	Tina Range	319 Adams rd 30214
KATHY RANDALL	K. Randall	635 N. Fairfield dr 30269
Becky Lake	Becky Lake	323 Adams Rd 30214
Andrew Lake	[illegible]	323 Adams Rd 30214
Linda Lake	Linda Lake	383 Adams Rd 30214
Larry Lake	Larry Lake	383 Adams Rd 30214
Christy Kelley	Christy Kelley	317 Adams Rd FAY 30214
Marylanne Grunendler	Marylanne Grunendler	317 Adams Rd Fay 30214
Nicholas A. Yokum	Nicholas A. Yokum	317 Adams Rd Fay. 30214
Meredith C Yokum	Meredith C Yokum	317 Adams Rd Fay. 30214
Zachary Yokum	[illegible]	317 Adams Rd Fay 30214
Melanie Davis	Melanie Davis	315 Adams Rd Fay 30214
John W. Davis Jr.	[illegible]	315 Adams Rd Fay 30214
Leslie Branson	[illegible]	360 Merryvale Fay 30215
Shann Kimbell	Shann Kimbell	123 Goza Rd Fay 30215
Lisa Schumacher	Lisa Schumacher	112 Tapestry Tr. FTC 30269
DONNA S. JORDAN	Donna S. Jordan	138 Arnold Rd. Fayetteville 30215
RUSS JORDAN	Russ Jordan	138 Arnold Rd Fayetteville 30215
Broderick Arnold	[illegible]	249 Arnold Rd Fayetteville 30215
NORMAN NOLDE	Norman R. Nolde	202 DAVIS RD, FAYETTEVILLE, 30215
Sylvia Nolde	Sylvia Nolde	202 DAVIS Rd. Fayetteville GA 30215
MARK SHAMES	[illegible]	105 Hamilton Glen Fay. 30215
Lynn Jean Peters	[illegible]	144 Hill Rd Dr
THOMAS S. WALLER	Thomas S. Waller	639 Sandy Creek
RICHARD ROBINSON	Richard Robinson	507 Quarters Rd FAYETTEVILLE, 30215
DONNA K. ROBINSON	Donna K. Robinson	507 Quarters Rd, Fayetteville 30215
[illegible]	Elaine Barg[illegible]	135 Fox Hunt Ct Fayetteville
Lloyd K Lewis	Lloyd K Lewis	135 Fox Hunt Court
Beth Capehart	Beth Capehart	125 Fox Hunt Ct
Art Cuckert	Art Cuckert	125 FOX HUNT CT Fayetteville

Formal Petition Requesting Disapproval of Rezoning Request

Fayette County Planning Commission

These signatures consist of persons who desire that the Fayette County Planning Commission deny TTST Investment LLC to rezon parcels 0702-005 and 0703-016 from A.R to PUD-PRD and Parcel 0703-023 from R-40 to PUD-PRD.

Name	Signature	Address
RANDY PRICE	[illegible]	475 MILLHOUSE DR TYRONE
WILLIAM TIMBS	[illegible]	425 MILLHOUSE DR TYRONE
Cindy Beals	Cindy Beals	170 Williamsburg Way Fville
Renee Sowinski	Renee Sowinski	109 Doubletrace Ln Peachtree City
Liz DeRosen	[illegible]	110 Sussex Lane Fayetteville
Anna Just-Buddy	[illegible]	362 Quarters Road Fay. 30215
Robert Washington	Robert Washington	362 Quarters Rd. Fay. 30215
Gabriel Holyfield	Gabriel Holyfield	197 Lynn Dr Fayetteville GA 30215
Chyie Holyfield	Chyie Holyfield	197 Lynn Dr Fayetteville GA 30215
Marty Pritt	Marty Pritt	471 Forest Ave - Fayetteville, 30214
Lisa Wheatley	Lisa Wheatley	456 Lake Shore Dr. 30214
Elise Wheatley	Elise Wheatley	440 Williamsburg Way 30214
Nick Wheatley	[illegible]	440 Williamsburg Way 30214
Victoria Anderson	Victoria M. Anderson	110 Chanel Ct Fayetteville, 30215
Chris Price	Chris Price	288 Forest Rd. Greenville, GA 30222
Ronnie Lockett	Ronnie Lockett	Ebenezer Church Rd 30215
Ixy Lockett	Ixy Lockett	" " " "
Franklin Whittington	Franklin Whittington	35 Country Trace Fvll 30215
Rickey L. Ward	Rickey L. Ward	619 Lester Rd. Fayetteville. 30215
Ellen Phillips	[illegible]	418 Ebenezer Ch Rd 30215
ROBERT A. MARTIN JR	[illegible]	401 LESTER RD
Mike Mahoney	[illegible]	115 HILLRED DR
Loren Cooley	[illegible]	220 Martha's Ct
Susan Cooley	Susan Cooley	220 Martha's Ct
PAULA HEIGHTON	Paula Heighton	324 Nelms Rd - Fay.
COLIN J. DUFFALA	Colin J. Duffala	123 ARLINGTON TRACE
Don Mazur	Don Mazur	168 Hamilton Glen Ct.
Steve Amy	Steve Amy	548 Davis Rd.
Lamar Dove	[illegible]	380 EBENEZER CH RD 30215
Todd Patterson	[illegible]	60 Country Trace, Fayetteville, GA 30215

Formal Petition Requesting Disapproval of Rezoning Request

Fayette County Planning Commission

These signatures consist of persons who desire that the Fayette County Planning Commission deny TTST Investment LLC to rezone parcels 0702-005 and 0703-016 from A-R to PUD-PRD and Parcel 0703-023 from R-40 to PUD-PRD.

Name	Signature	Address
Frankie Waddington	Frankie Waddington	148 Nelms Rd Fayetteville, GA
Shelly Taylor	Shelly Taylor	202 Nelms Rd Fayetteville GA
Les Grindge	Leslie D. Grindge	176 Nelms Rd Fayetteville Ga
LARRY DRIVER	Larry E Driver	330 EBENEZER Rd. FAYETTEVILLE GA
Donald L. Taylor	Donald L Taylor	202 NELMS Rd Fayetteville
Diane Vaughan	Diane Vaughan	213 Nelms Fayetteville GA
Haley McClellan	[illegible]	118 Nelms Rd, Fayetteville GA
Jalo McClellan	Jalo McClellan	118 Nelms Rd, FAYETTEVILLE
Pat Peters	Pat Peters	118 Davis Road Fayetteville
Kenneth Thrasher	Kenneth Thrasher	418 Ebenezer Ch Rd
Ryan Yolitz	Ryan Yolitz	240 Cottonmill Ct.
Andrew Vaugh	Andrew Vaugh	550 DAVIS Rd
Susan Cooley	Susan Cooley	220 Marthas Cove
Loren Cooley	[illegible]	220 Marthas Cv
Steve Plunkett	Steve Plunkett	185 Hilland Dr.
Don Mazur	Don Mazur	160 Hamilton Glen Ct
Timothy Gwin	Timothy Gwin	256 Ebenezer Church Rd.
Rosaline Gwin	Rosaline Gwin	242 Ebenezer Church Rd.
Shanna Wells	Shanna Wells	548 Davis Rd. Fayetteville

Formal Petition Requesting Disapproval of Rezoning Request

Fayette County Planning Commission

These signatures consist of persons who desire that the Fayette County Planning Commission deny TTST Investment LLC to rezone parcels 0702-005 and 0703-016 from A-R to PUD-PRD and Parcel 0703-023 from R-40 to PUD-PRD.

Name	Signature	Address
Regina Little	Regina G Little	699 Ebenezer Church Rd.
William P Little	William P Little	699 Ebenezer Rd.
Julie L Little	Julie L Little	468 Ebenezer Rd.

My name is Trudy Whittington. I live at 35 Country Trace and our property line directly adjoins the rezoning request No. 1257-16 involving 212 acres between Ebenezer Church Road and Davis Road. This petition is asking for a change in zoning from A-R to PUD-PRD. This letter reflects my passion and my concerns over this and other rezoning request in Fayette Co and my heartfelt reasons for asking this petition to be denied as presented. This letter shares the feelings of my neighbors on Country Trace as well.

The Fayette County web site opens with the statement, "Where Quality is a Life Style". And that is my reason for writing to you, to request the denial of this rezoning petition as it stands because it adversely affects the "Fayette County Quality of Life Style" for the whole county.

A few weeks ago the TV movie series "Centennial" played on TV. My husband and I watched with great interest as the lives of three families and their succeeding generations unfolded over the course of 200 years. It showed the struggles, hardships, and victories they experienced over the course of these years as they started a town from nothing but dreams and a vision for the future and saw it develop into a thriving, prosperous town over the years. And, NO it was not easy. As new people, seeking to make a profit, started coming into their area, their vision, their goals, their stewardship of the land all started to change...

That story is not unlike the story of Fayetteville, GA. That story is not unlike those of us affected by rezoning requests in our areas hoping we are not about to see major change come into our area which we feel is REALLY NOT in the best interest of FAYETTE CO---not just to us. We may appear to be selfish, uncompromising, unwilling for change to take place in OUR area but that is not the case at all. We are a voice for the intangible assets of living in an area zoned A-R and the intangible quality of life this zoning affords those fortunate enough to live in such an area.

When zoning districts are changed or as new developments take place whether in the city or the county the IMPACT is the same. The environment of the land and the area both change--never to be the same again—erosion and storm water runoff become real problems. Yes, wildlife, which we have in abundance, is impacted. Wild flowers and wild plants which have grown undisturbed in areas for years are completely destroyed. The Green Canopy of so many trees taken out by huge machines has an impact on the quality of our air and our health, not to mention the loss of the esthetic beauty of majestic old trees. Our roads, our schools, our infrastructure, our hospital, our first responders ALL are impacted by changes in zoning districts regardless of where they take place.

An important task of being placed here on earth is to be GOOD STEWARDS of the earth protecting the land as best we can through well planned Land Use Plans and good conservation measures. The Land Use Plan for the area being discussed calls for land to be developed in NO LESS THAN 2 & 3 acre lots. This plan was put in place for a reason---to protect the environment as much as possible through future developments. And, YES, this comes right in the HEART of the county surrounded by a huge A-R zoning district which is where we live. Are we opposed to this land being developed? NO! Land owners and developers have the right to develop land just as we have the right to plead for development to take place with comprise, with compatibility, with respect for the surrounding properties already established, and within the zoning districts as set forth in the Land Use Plan. Referring back to the movie, "Centennial", problems started arising for that town when people started coming in wanting to change things around to make a huge profit for themselves foregoing what was best for the town and the environment. The new arrivals had no SWEAT EQUITY in their town. They only saw a way to make a fast buck at the expense of others in the town. They had no VESTED INTEREST in the way the townspeople envisioned their future growth. Who cares what's here, who cares who's involved, who cares what the impact on the environment is---I'm an outsider who sees a way to make off the land what I can at any expense. The ugly monster "GREED" rears itself into the middle of a peaceful, well planned area.

Taking 200 + pristine acres right in the heart of this county and turning them into 1 acre + lots is equal to strip mining in other places of the country. Once the huge machinery is brought in to---as much as I hate the word---RAPE THE LAND this area will lose the majority of the trees just to make it EASIER TO DEVELOP. At the same time, the huge graders start grading down the land stripping all the topsoil from the area. The esthetic and intangible beauty of these 200 acres will never recover from such a devastating development. Natural conservation areas are IMPACTED and are reduced to manmade water collection ponds. What beauty has ever been seen in a collection pond? None I have ever seen. That would be the trade-off in this area—natural beauty for manmade sinkholes to collect rain water during heavy rains. How esthetically pleasing is that? It is just a requirement when the natural shape of a land mass has been altered by uncreative development.

In reading through ALL of the Zoning Districts Specifications from R-40 to A-R they all start out with part (a) *Description of District*. This district is composed of certain lands and structures in the county, having a **low density** single-family residential character and **is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment**.

In reading through the Zoning Districts Specifications for Planned Unit Development or PUD, under part (a) *Purpose*. The intent of this section is to:

(2) Encourage FLEXIBLE and CREATIVE concepts in site planning;

(3) PRESERVE the NATURAL AMENITIES of the land by encouraging scenic and functional open spaces;

(4) Accomplish a MORE DESIRABLE ENVIRONMENT than would be possible through the strict application of minimum requirements of this chapter;

(5) Provide for an EFFICENT USE OF LAND resulting in smaller networks of utilities and streets and thereby lower development and housing costs; and

(6) Provide an ENVIRONMENT OF STABLE CHARACTER COMPATIBLE WITH SURROUNDING AREAS.

(b) *Developmental standards*. Each planned unit development shall meet the following standards in addition to any other as hereinafter set forth:

(1) The development shall **UTILIZE CREATIVE AND FLEXIBLE DESIGN** including, but not limited to: varied lot sizes, amenities, mixed uses, etc;

(2) The development shall be COMPATIBLE WITH SURROUNDING USES and with the LAND USE PLAN OF THE COUNTY;

Well, just reading through those guidelines one could ask, "Why is this even open for discussion?" Should this process have just stopped at, "This is not in line with the county Land Use Plan. Come back when your plans are compatible with and in compliance with the rules and regulations already set in place to protect our citizens from such drastic changes to this area, changes which impact the Quality Life Style already established around this land."

Look at what they, TSTT Investments, did instead. They took a plan that could possibly have been tweaked had it all been designed for 2 & 3 acres from the beginning for the good and instead brought back a plan that just destroys these beautiful 200 acres. When asked to include some 2 & 3 acre tracts to go along with all the 1 acre tracts they were proposing, rather than combining lots and increasing the size of the lots as they were drawn out, they went in and turned all the conservation areas into 2 & 3 acre lots just for the simple reason of the almighty dollar and nothing more. What does TSTT Investments have invested in Fayette County and its future---NOTHING! They are only after what they think can be the biggest return on their investment of foreclosed land they picked up on the cheap. I do not know if an "Economic feasibility report or market analysis" has been done or not. Nor do I know if the "Impact study of environmentally sensitive areas, including, but not limited to: watershed protection, wetlands, or groundwater recharge" has been done. Both of these reports or studies are to be a part of the development plan presented to the Planning and Zoning Boards and to the Board of

Commissioners. Looking at the plat as presented would give the impression these two very important studies have not been completed.

The zoning stipulations further state:
Planned Residential Development.

(1) *Purpose*. The intent of a planned residential develop (PRD) is to encourage CREATIVITY and RESOURCEFULNESS in residential development and to provide open space, parks and recreational facilities for the residence of the development and/or the general public.

Reading ahead in the guidelines for PRD it states:
Common open space requirements. Planned residential developments shall meet the following common space requirements.

(a) A minimum of 2,500 square feet per lot shall be reserved for open space. The open space shall not be located in the following areas: street right-of-ways (public or private); all land located within the 100-year floodplain; water impoundments; and all land proposed to be dedicated to a governing authority.

There are so many requirements set forth in the above mentioned zoning district requirements and guidelines that I fail to see present in this plan as proposed, so I certainly urge denial of this request as asked.

We read in The Citizen people no longer want to build on large lots. A drive through Platinum Ridge between Spear Road and Ebenezer Road will contradict this by showing very recent and on-going development in there on 5 acre tracts or more. Roads were cut through, lots were marked, but the trees and environment have been protected by not going in and massively cutting down all the trees and grading all the land away. Driveways and house placement are the only places where clear cutting and grading take place. That's being good stewards of the land and helping to protect the environment. Septic tanks and field lines are dug but not in a way to destroy the area.

Reading through the zoning district requirements some words are repeated over and over under various headings. Some of these words are CREATIVE, COMPATIBLE, AMENITIES, CONSERVATION AREAS, PRESERVE, ENVIRONMENT, EFFICIENT USE, SENIC, OPEN SPACE. However, no matter how many times these and other words have been used I am unable to place any of those words into the rezoning request for this acreage.

An example, of the land being clear cut for ease of development and how once lost cannot be replaced is just to ride down Old Norton Road and look at what happened to the vast amount of pristine acreage there was to work with, yet the vastly different sad story the finished work shows. There are just shotgun rows of houses with no trees in their front yards and only a few trees still existing on the back property lines probably there more of a buffer zone than any other reason. The esthetic beauty of this land has been lost forever through this method of development. There had been such beauty to have worked with, but the words I read from the zoning districts requirements were obviously overlooked. Businesses wishing to build in the county/city have to comply with a tree ordinance and replace so many trees cut down with a set number of much younger trees being planted in place of those lost to development. However, where you would think the real value of saving and replacing trees would be is in residential areas but no such ordinance to protect the trees and the environment in residential areas exist. This is what we want to prevent from happening right here in the HEART of Fayette County on this land in question. If we dare not to speak out against this rezoning, who will? The Land Use Plan is in place to protect and guide present and future growth and development within the county. However, there exists the possibility a developer could request a zoning change and, then with proper persuasion, established guidelines could be ignored and zonings changed in the blink of an eye. The Land Use Plan is in place for a reason and we are asking for the present zoning of this area as presently set forth in the Land Use Plan for the county for 2 & 3 acre lots or greater on this land to be upheld.

The Citizen newspaper on May 18, 2016 reported that you the commissioners had denied a rezoning request on Ebenezer Road based on good, sound, logical reasoning. Commissioner Randy Ognio stated, "We don't represent consumers; **we represent citizens**. Once you approve one, here they come." We are hopeful you will support us in the same way. The Citizen on May 25, 2016 showed where the city council had rejected plans for apartments within the heart of the city. Mayor Ed Johnson stated, "Nice plan, wrong place." In all good faith, I cannot even say this is a good plan. To me it is a destructive plan. In another article in The Citizen on June 08, 2016 City Councilwoman Brewer submitted an article about our Fayetteville schools having become Title 1 schools based one a larger lower income base within the county. If that is the case, higher density will only serve to increase that base and continue to lower the once highly held reputations of our schools.

At a community meeting held recently, one person spoke up as being a millennial and haivng purchased a 5 acre lot because they did not want the crowded city life for their family. Another person there laughed and said, "We were all millennials when we bought here 35 & 40 years ago." So, there is diversity in this group of citizens making the request to deny this rezoning petition.

Coming back to the movie Centennial, it ended with these words:

> "What are we, if not the product of our past? What kind of future are we to have if we do not realize we are creating it right now? A pattern of life is vanishing. Land is our most valuable commodity. Everything has its limits, even land development. What's it going to profit us if we over strip our land to such an extent we lose all its natural resources. The earth is not something you can keep taking from without giving something back. The earth is something you protect every day of the year. We have to look to the past and get back to some basic principles, if there is going to be any future worth having. Any time speaking the truth is out of place, we're all in big trouble."

The whole movie "Centennial" was about being **good stewards** of the land. Not to just take from the land for making a profit, but to use the earth we've been given in wise and resourceful ways to protect and preserve this land for the future as well.

Thank you for hearing my heartfelt reasons for asking that this rezoning request be denied because it is not in compliance with the guidelines of the established County Land Use Plan for this particular land. Let's work to be sure this area can continue to proclaim the motto of Fayette County for our area, "Where Quality is a Life Style".

Thank you for taking the time to read through my deeply, heartfelt concerns for the future growth and development of Fayette County, a place I have always been proud to call home. And a place I seek to stand up for and to defend with my voice for Fayette County to continue to be a place "Where Quality is a Life Style".

Sincerely,
Trudy Whittington
35 Country Trace
Fayetteville, GA 30215
[redacted]

Pete Frisina

From: David Hannum [redacted]
Sent: Wednesday, July 06, 2016 3:27 PM
To: Pete Frisina
Subject: July 7th Planning Meeting
Attachments: storm water issues.pdf

For the planning commission, and thanks before the fact.

These are the pictures of what a moderate rain does to my property, with the advent of Petition 1257-16 and an extra load of storm water from the 91 new residences just imagine what my water issues will be in the future. Most, if not all of the water comes from above, 30-40 feet above on the back of my property, as I live on the lot/s line of this new development. Development is coming, but we need to protect our current residents from an overload in our storm water system by allowing to many parcels on this property. Please remember these pictures and add twice the water coming from as much as 30-40 feet above my property and see what I have to look forward to, as well as my neighbors. This could end up a disaster if it is allowed with this many lots. Please help us we depend on you all.

Thanks for my chance to let you know our issues matter.

Dave Hannum
100 Martha's Cove
Fayetteville, GA 30215

Lou Jean McKnight
100 Bridger Point Road
Fayetteville, GA 30215
[redacted]

July 6, 2016

Fayette County Planning and Zoning Board

140 Stonewall Avenue

Fayetteville, GA 30214

Mr. Jim Graw, Chairman

Gentlemen:

My home is down hill from the proposed PUD-PRD development on Ebenezer Church Road. My late husband and I purchased our property, two lots in the Bridger Point subdivision (17 acres total), on the corner of Bridger Drive and Willow Pond Road, as they were called then, in the early 1980's to build our "forever home". As his parents owned a farm in Mississippi, he recognized that a portion of the property, which I understand was formerly a farm belonging to the Redwine family, was an old pond or lake bed. Since he enjoyed fishing with the children, he saw this as a plus for the property, and the first project after purchasing the property was to build a new dam. The next was to stock the pond with bass, bream and crappie.

We knew and accepted the challenges of living in "the country". At the time Willow Pond Road saw maybe 12-15 cars a day and it was so narrow that two cars coming in opposite directions had to hug the outside of the road. We knew we had to provide our own water, gas, and septic tanks. Fire protection was from a volunteer fire department. During a power outage due to an ice storm, or wind knocking trees down on power lines, we were among the last to have our electricity restored. The wait was sometimes up to five days. It would be almost ten years before cable TV made its way down the road. We accepted this in exchange for the peace and tranquility of country living - even if on occasion it involved having a possum in my bed room and a king snake in the dining room.

Over the past ten or fifteen years, as Ebenezer Church Road was widened and became a cut through from Redwine Road to Peachtree City via Ebenezer Rd./ Crosstown Road or Hwy. 54 and Lester Road and a few more five acre subdivisions were added along Ebenezer Church Road, our little pond has become increasingly stressed with rainwater runoff during periods of heavy rain as we saw last fall. The mud and silt that flows into my pond turns it dirty orange and it takes weeks for it to settle down to the gray blue that mirrors the trees and deer stopping by for a drink.

We built our pond for recreational purposes for family and friends. Providing a storm water reservoir for Fayette County and most especially for out of county PUD - PRD developers was never in our plan, nor should it be in yours. I have enclosed pictures from last fall to illustrate the amount of water that comes my way. The back side of the dam also gets the runoff from Bridger Point Road.

My family and I, three generations of us now, urge each you of to please vote against the proposed PUD-PRD development and to keep the current land use plan intact.

Sincerely yours,

Lou Jean McKnight

Lou Jean McKnight

Back side of dam where runoff from Bridger Point Road and emergency spill way on dam converge.

Storm water going over emergency spill way on dam

Taken from spillway looking northwest

Same wash out area heading into pond

24 inch diameter culvert to assist water flow was inadequate and washout area visible above

Looking across pond from house side towards dam

REQUESTED ACTION: A-R and R-40 to PUD-PRD

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Undeveloped

LOCATION: Ebenezer Church Road & Davis Road

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 4, 5, & 28

OWNER: TSTT Investments LLC

AGENT: Brent Holdings, LLC Donna Black & Randy Boyd

PLANNING COMMISSION PUBLIC HEARING: July 7, 2016

BOARD OF COMMISSIONERS PUBLIC HEARING: July 28, 2016

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 91 lots on 212.832 acres.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

1. **1257-16**

INVESTIGATION

A. PROPERTY SITE

The subject property is a 212.832 acre tract fronting on Ebenezer Church Road and Davis Road in Land Lot(s) 4, 5, & 28 of the 7th District. Ebenezer Church Road and Davis Road are classified as Collector roads on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R and R-40.

History: Petition 1139-05 to rezone 268.05 acres from A-R and R-40 to R-50 to develop a single-family residential subdivision with 182 lots was denied by the Board of Commissioners (BOC) on February 2, 2005. The subject property was a portion of this rezoning.

Petition 1192-07 to rezone 213.77 acres from A-R and R-40 to R-50 to develop a single-family residential subdivision with 106 lots was submitted in 2007. The request was later revised to 92 lots. The applicant withdrew the rezoning petition prior to the BOC public hearing.

B. SURROUNDING ZONING AND USES

The general situation is a 212.832 acre tract that is zoned A-R and R-40. In the vicinity of the subject property is land which is zoned A-R and R-40. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Davis Road)	100.0 acres (approximate)	R-40	Undeveloped portion of Waterlace Subdivision	Low Density Residential (1Unit/1 to 2 Acres)
South (across Ebenezer Church Road)	5.0 3.8 5.0 5.0	A-R A-R A-R A-R	Single-Family Residential Single-Family Residential Single-Family Residential Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acres)
East	28.0 100.4 Windridge Subdivision 5.99 5.0 5.01 5.15 5.01 5.27	A-R A-R A-R A-R A-R A-R A-R A-R	Single-Family Residential Single-Family Residential & undeveloped portion (phase 2) of Bridger Point Subdivision Single-Family Residential Single-Family Residential Single-Family Residential Undeveloped Single-Family Residential Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acres)
West	5.0 17.54 19.2 16.8 6.0 5.0	A-R A-R A-R A-R A-R A-R	Single-Family Residential Undeveloped Single-Family Residential Single-Family Residential Single-Family Residential Undeveloped	Rural Residential (1 Unit/2 to 3 Acres)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential (1 Unit/2 to 3 Acres) and Conservation Areas. This request conforms to the Fayette County Comprehensive Plan.

Per **Sec.** 110-149. - Planned unit development, density shall be interpreted as the number of dwelling units per net acre devoted to residential development. The Zoning Ordinance defines a net acre as follows: *Acre, net,* means a gross acre less: street rights-of-way, both public and private; all land located within the 100-year floodplain; all water/stormwater impoundments; and all lands proposed to be dedicated to a governing authority. The following density calculation is per the applicant's Summary of Intent:

Total Site Area:	212.0 acres
Less Flood Plain Area:	-8.7 acres
Less pond areas:	-7.1 acres
Less r.o.w areas:	-14.2 acres
NET ACRES:	182.1 acres

Density:
Proposed Density: .5 units/net acre = 91 lots

A density of .5 units per one (1) net acre equates to one (1) unit per two (2) net acres. This density conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from A-R and R-40 to Planned Unit Development- Planned Residential Development (PUD-PRD) for the purpose of developing a Single-Family Residential Subdivision. A Planned Unit Development (PUD) shall be considered to be a separate zoning district in which the Development Plan and Summary of Intent, as approved, establish the uses, restrictions, and regulations according to which development shall occur. The purpose/intent and development standards of a PUD are as follows:

(1) Encourage the development of large lots of land as: planned residential developments (PRD), planned industrial parks (PIP), planned retreats or lodges (PRL), planned entertainment farming (PEF), planned outdoor recreation (POR), and planned small business center (PSBC);

(2) Encourage flexible and creative concepts in site planning;

(3) Preserve the natural amenities of the land by encouraging scenic and functional open spaces;

(4) Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this chapter;

(5) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs; and

(6) Provide an environment of stable character compatible with surrounding areas.

Development standards. Each planned unit development shall meet the following standards in addition to any other as hereinafter set forth:

(1) The development shall utilize creative and flexible design including, but not limited to: varied lot sizes, amenities, mixed uses, etc.;

(2) The development shall be compatible with surrounding uses and with the land use plan of the county; and

(3) Paving of roads. Developers of approved planned unit developments shall be required to pave all new subdivision streets contained within said development in conformance with the rules and regulations of the development regulations of the county (see chapter 104). Improvements to existing county-maintained roads or planned county roads which pass through a Planned Unit Development will be handled conditionally at the time of rezoning or at the time of a revision to a development plan. However, in any planned retreat or lodge (PRL), the developer shall be required to provide for all-weather roads, as approved by public works, suitable for the passage of emergency vehicles.

The intent of a Planned Residential Development (PRD) is to encourage creativity and resourcefulness in residential development and to provide open space, parks and recreational facilities for the residents of the development and/or the general public.

Prior to filing this rezoning petition for a PUD-PRD the applicant met with the Zoning Administrator in order to review the general character of the proposed development, including, but not limited to: its scope, nature, and location. At this time, the applicant was fully advised of the rezoning procedures and various information and/or studies which the applicant may need in order to continue with the petition. On April 21, 2016, the Planning Commission held the Pre-Recommendation Meeting to review the Development Plan and the Summary of Intent. The Summary of Intent is a written statement of the character of the development including the proposed uses and minimum standards (see attached.) At this meeting, the applicant provided preliminary data concerning said plan. The Planning Commission requested a traffic study and recommended varied lot sizes and a 100 buffer along the entire east and west boundaries of the development be included. On May 19, 2016, the Planning Commission met with the applicant to discuss the revised Development Plan (see attached).

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

Right-of-Way Requirements

Per Engineering/Public Works, as a Collector, Davis Road requires 80 feet of right-of-way. Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street. No additional right-of-way is required on Ebenezer Church Road.

Access

The Concept Plan submitted indicates one (1) access from Ebenezer Church Road and one (1) access from Davis Road.

E. TRAFFIC AND TRIP GENERATION

A traffic study was submitted by the applicant (see attached). The traffic study indicates the trip generation (see table below):

Rezoning Petition 1257-16							
	AM Peak Hour			PM Peak Hour			24-Hour
	Enter	Exit	2-Way	Enter	Exit	2-Way	2-Way
91 Dwelling Units	18	55	73	61	36	97	962 trips

F. DEPARTMENTAL COMMENTS

Water System

Water Available. 12" Main on Ebenezer Church Road.

Public Works/Engineering

This is a 212.8 acre parcel zoned A-R. Developer is requesting a PUD zoning for 91 lots. A Traffic Study was completed by Marc Acampora, PE on May 10, 2016 at the request of the Planning Commission.

1. New Trips & Distribution – The Traffic Study predicts the subdivision will generate 962 trips per day. Based on information in the Traffic Study and discussions with Mr. Acampora, the Fayette County Engineering Department estimates of the 962 trips per day, 53% (510 trips) will use the Davis Road entrance and 47% (452 trips) will use the Ebenezer Road Church entrance.

2. Ebenezer Church ADT – Fayette County measured the average daily traffic (ADT) on Ebenezer Church Road near Hillred Drive. It was 2,825 vehicles per day (vpd). The additional trips from the subdivision would increase this volume to 3,104 vpd to the west and 2,998 vpd to the east. These estimates are based on the distributions provided in the Traffic Study.

3. Davis ADT – Fayette County measured the average daily traffic (ADT) on Davis Road near the proposed entrance. It was 30 vpd. The additional trips from the subdivision would increase this volume to 367 vpd to the west and 203 vpd to the east. These estimates are based on the distributions provided in the Traffic Study.

4. Roadway Traffic Volumes and Flow – For road volume comparisons, an "A" Level of Service (i.e., free flow conditions) can be maintained for a 45 mph posted road at volumes in excess of 540 vehicles per hour, per lane (based on density of 12 passenger cars per lane-mile). As another benchmark, the American Association of State Highway and Transportation Officials (AASHTO) defines "very low-volume" roads as those having an ADT of 400 vpd or less. These reference values are provided only to demonstrate that the pre and post project volumes are significantly below a two-lane road's operating capacity.

5. Intersections – The traffic study evaluated the impact of the subdivision on the four major intersections surrounding the development during AM and PM peak hours. These intersections are: Ebenezer Road and Davis Road, Lester Road and Davis Road, Ebenezer Road and Ebenezer Church Road, and Ebenezer Church Road and Lester Road. There was minimal impact at any of the locations and the level of service remains at the A or B level. Fayette County's Development Regulations require mitigation when the level of service drops two letter grades (e.g., from B to D) or a drop to E or below. These triggers are not met as a result of the proposed development.

6. Davis Road Entrance – Fayette County's Development Regulations require two entrances for new subdivisions with more than 75 homes. This can be accomplished by having two entrances on Ebenezer Church Road (there is sufficient road frontage to do this), or by placing an entrance on Ebenezer Church Road and Davis Road. Engineering recommends placing the second entrance on Davis in order to promote interconnectivity within the County's road network. This is a stated goal in the 2010 *Comprehensive Transportation Plan* and is important for public safety. In addition, this option more quickly distributes the impact of traffic on the existing, surrounding roads.

   Although placing the second entrance on Ebenezer Church Road technically satisfies the regulation, it does not meet the regulation's intent. Most of the homes within the subdivision would still be dependent on a single access path to their driveways and all traffic would be concentrated Ebenezer Church Road, instead of being split with Davis Road.

7. Maintenance – Increased traffic on Davis will require more gravel road maintenance from the Road Department. Gravel roads are typically scraped once every six to eight weeks in the winter and once every few months in the warm weather. The use of annual dust control has extended the time allowed between road maintenance. For comparison, the Fayette County Engineering Department conducted traffic Counts on Quarters Road during the week of June 13-19. The results were an Average Daily Traffic (ADT) of 319 vpd for the seven day week and 327 vpd for the week days. Fayette County Schools were not open during this period which could have resulted in a higher ADT. It is anticipated that the maintenance needs for Davis Road would be similar to those required for Quarters Road. The Road Department would be able to accommodate this work.

8. Improvements – In addition to increased maintenance as noted above, Public Works proposes to make the following improvements to Davis Road if the project is re-zoned and built as proposed:

   - Replace multiple cross-drains (this work is required regardless of the project and will be completed this summer);
   - Remove (or bury) existing boulders currently exposed on the road;
   - Eliminate a soft spot in a low area;
   - Re-work drainage ditches;
   - Improve gravel base along entire road (estimated material cost of $38,000); and
   - Start dust control application on Davis Road.

9. Paving – Engineering recommends programming Davis Road as a long-term paving project if growth continues in the area similar to the existing Canoe Club at Waterlace Subdivision and this proposed development. If paved, Davis would serve as an alternate east-west route to SR 54 between Peachtree City and Fayetteville.

10. ROW Needs – Davis Road and Ebenezer Church Road are both County Collectors per the Fayette County Thoroughfare Plan. The developer's master plan indicates an existing 80 feet of ROW on Ebenezer Church and shows dedication of land to provide 40 feet of ROW from the centerline of Davis Road.

11. Auxiliary Turn Lanes – The need for auxiliary turn lanes will be evaluated during development of construction plans. A right turn lane on Ebenezer Church Road will be required and possibly a left turn lane. At Davis Road, the focus will be on coordinating alignment with the proposed second entrance into the Canoe Club at Waterlace Subdivision (i.e., Discovery Lake Drive).

12. Other recommended improvements – The Traffic Study identifies several improvements, including addition of stop bars and a right turn lane on Ebenezer Church Road. Engineering agrees with these recommendations and will program them as funding allows, regardless of how this project advances.

Environmental Management

Floodplain The property **DOES** contain floodplain per FEMA FIRM panel 13113C0092E dated Sept 26, 2008. The property **DOES** contain floodplain delineated in the Fayette County 2013 Future Conditions Flood Study. Per Fayette County Floodplain Management Ordinance the elevation of the lowest floor, including basement and building access of any development shall be a least 3 feet above the base flood elevation or one foot above the future–conditions flood elevation, whichever is higher. A Floodplain Management Plan is required if any development activities that are totally or partially within an Area of Special Flood Hazard as defined by the Floodplain Management Ordinance.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. A more detailed study may be required upon staff field inspection. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

Watershed Watershed Protection **DOES** apply. On the east-west perennial stream and state waters within 1000 ft. of this perennial stream the minimum Watershed Protection buffer is 100 ft. from wrested vegetation or 50 ft. from the 100 year floodplain, whichever is greater, and a Watershed Protection setback of 50 ft. measured from the buffer. All other state waters requiring a buffer are subject to a 50 ft. Watershed Protection buffer measured from wrested vegetation and a 25 ft. setback as measured from the buffer.

Groundwater The property **IS** within a groundwater recharge area.

Stormwater This development **IS** subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

No Objections

Fire

Must provide fire hydrants 600 ft. apart.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R and R-40 to PUD-PRD for the purpose of developing Single-Family Residential Subdivision. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Rural Residential (1 Unit/2 to 3 Acres) and Conservation Areas. This request conforms to the Fayette County Comprehensive Plan.

2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

3. The proposed rezoning will not result in a burdensome use of utilities or schools. However, the proposed rezoning has the potential to adversely affect Davis Road based on the County Engineer's estimate for trips on Davis Road (see Public Works/Engineering comments above). The County Engineer recommends a connection to Davis Road to promote interconnectivity within the County's road network. This is a stated goal in the 2010 Comprehensive Transportation Plan and is important for public safety. In addition, this option more quickly distributes the impact of traffic on the existing, surrounding roads. The County Engineer also states that the road department will be able to accommodate the added maintenance of Davis Road and that Davis Road be included as a long-term paving project.

4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH ONE (1) CONDITION.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **PUD-PRD CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

Summary of Intent
Planned Residential Development for Ebenezer Church Rd – 212.8 acres

1. Owner: TSTT Investments LLC, 1950 Spectrum Circle, Ste 360, Marietta, GA 30067

2. The subject property is proposed for a low density Planned Unit Development-Planned Residential Development (PUD-PRD) neighborhood with 91 single-family residential lots. The lots will range in size from 1 acre to over 4 acres in accord with the intent of the PUD-PRD zoning classification to provide a mix of lot sizes (see chart below for details). The overall net density of 1 home per 2 acres is in compliance with the County's Future Land Use Plan ~~Map~~.

   Thirty four acres of open space will be preserved surrounding the lots and interlaced throughout the neighborhood. A large portion of the stream buffers and floodplain are located within the undisturbed open space.

   One hundred foot (100') buffers are provided on the entire east and west boundaries of the development to give adjoining properties outside of the neighborhood a thick layer of privacy The proposed homes are all well over 100' from the boundaries of the development. The one hundred foot (100') buffers shall remain undisturbed with the exception of stormwater management facilities which may be located within the buffer maintaining a fifty foot (50') setback from the east and west boundaries of the development. Stormwater conveyance systems are allowed within the one hundred foot (100') buffer.

   Fifty foot (50') buffers are provided along Ebenezer Church Road and Davis Road. The fifty foot (50') buffers shall remain undisturbed with the exception of the installation of utilities and stormwater conveyance systems.

   Entrances are provided on both Ebenezer Church Rd and Davis Rd, per the request of the County Engineer, to provide for connectivity of the area, as well as, to provide options for emergency access.

   A system of stormwater facilities will be constructed to control stormwater run-off from the site. A 12" water main exists on Ebenezer Church Rd to supply the neighborhood. An easement for connection to the waterline in Waterlace will be provided for future looping of the water system.

3. Site Date Calculations:

Total Site Area:	212. Acres
Less Flood Plain Area:	-8.7 acres
Less pond areas:	-7.1 acres
Less r.o.w areas:	-14.2 acres
NET ACRES:	182.1 acres

Density:
Proposed Density: .5 units/net acre = 91 lots

Lot Size Distribution:
3 ac - +4 ac lot –8 Lots
2 ac to 3 ac lots –13Lots
1 ac to 2 ac lots –70 Lots

Contiguous Area (free and clear of zoning setbacks and buffers, watershed protection buffers and setbacks, 100 year floodplain, jurisdictional wetlands, and easements of any kind):
3 ac and plus – 1.5 ac contiguous area
2 ac to < 3 ac - .9 ac contiguous area
1 ac to < 2 ac - .3 ac contiguous area

Open Space:
Open Space Required: 2500 sf/lot x 91 lots – 227,500 sf = 5.2 ac
Open Space proposed: 34 acres.

Setbacks:
Front setback on Ebenezer Church Road and Davis Road: 60'
Front setback on internal streets: 40'
Side setback: 15' (except where the 100 foot buffer is applicable)
Rear setback: 30' (except where the 100 foot buffer is applicable)

Minimums:
Minimum lot size: 1 ac
Minimum lot width: 125'
Minimum house size: 2300 sf

4. The schedule of development will begin with about 30 lots in the first phase. As sales of lots proceed, we will begin the following phase approximately a year before the sale of the last lot in the previous phase. The ultimate schedule will be determined by market forces as they affect lot absorption.
5. The neighborhood will be governed by a mandatory Home Owners Association with recorded covenants which will own and maintain all common area and stormwater management and conveyance facilities; establish, review, and enforce architectural standards; establish building and property use and maintenance regulations; collect dues for property maintenance, insurance, and property taxes.
6. Amenity – An amenity area will be constructed for neighbors including a playground, Picnic tables or benches, parking, and the mail facility.

Traffic Impact Study

Ebenezer Church Road Single Family Residential Development
Fayette County, Georgia

May 10, 2016

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

Traffic Impact Study

Ebenezer Church Road Single Family Residential Development
Fayette County, Georgia

study prepared for:

Brent Holdings, LLC
270 North Jeff Davis Drive
Fayetteville, Georgia 30214

May 10, 2016

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

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(678) 637-1763

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Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed Ebenezer Church Road development were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Transportation Facilities

Ebenezer Church Road is an east/west two lane rural highway, classified by the Fayette County Thoroughfare Plan as a collector, that extends from Ebenezer Road to Redwine Road. The terrain is gently winding and gently rolling and the posted speed limit is 45 mph. Ebenezer Church Road is stop sign controlled at Ebenezer Road. There is a slight offset to the north, to Spear Road, which then continues to the west. Spear Road is a two lane rural highway with a posted speed limit of 35 mph, and is stop sign controlled on its eastbound approach at Ebenezer Road. The development along Ebenezer Church Road and Spear Road is primarily low-density single family residential and undeveloped land.

Ebenezer Road is a north/south two lane rural highway, classified by the Fayette County Thoroughfare Plan as a minor arterial, that extends from Georgia State Route 54 (SR 54) to Robinson Road, where it changes names to Crosstown Drive and continues to the southwest. The road is gently rolling and winding and has a posted speed limit of 45 mph. Development in the area is primarily low-density single family residential and undeveloped land.

Lester Road is a two lane rural highway, classified by the Fayette County Thoroughfare Plan as a minor arterial, that begins at SR 54 (north of which is becomes Veterans Parkway) and continues to the south to Ebenezer Church Road. Lester Road is side street stop sign controlled at Ebenezer Church Road. Lester Road is gently winding and curving and the posted speed limit is 35 mph. Near Ebenezer Church Road, there is a steep grade on Lester Road downhill toward Ebenezer Church Road. As with the other roads in the area, development is primarily low density residential or undeveloped land.

Davis Road is a narrow two lane road, classified by the Fayette County Thoroughfare Plan as a collector, that connects Ebenezer Road to Lester Road. Davis Road is unpaved (gravel) and is side street stop sign controlled at Ebenezer Road and at Lester Road. There are no stop bars at either stop sign. The road is very gently winding and rolling and most of the land along Davis Road is undeveloped / wooded. The proposed subdivision will have an access onto Davis Road roughly mid-way between Ebenezer Road and Lester Road.

Hillred Drive is a two lane dead end residential road with a posted speed limit of 25 mph. Hillred Drive is stop sign controlled at Ebenezer Church Road, but there is no stop bar present. A future fourth leg at this intersection will provide access to the proposed subdivision.

Photographs 1 through 6 show locations at the intersections evaluated in this traffic study.

Pedestrian, Bicycle, and Transit Accessibility

The area around the proposed subdivision is suburban to rural in character. There are no sidewalks or bicycle lanes along any of the roadways near the project. There is no mass transit service in the vicinity (walking distance) of the project. Therefore, aside from recreational / exercise purposes, essentially all trips to and from the proposed subdivision are anticipated to be made by automobile.

Existing Traffic Volumes

Existing full turning movement traffic volume counts were collected at the following intersections in the vicinity of the proposed development:

1. Ebenezer Road and Davis Road
2. Lester Road and Davis Road

3a. Ebenezer Road and Spear Road
3b. Ebenezer Road and Ebenezer Church Road

4. Ebenezer Church Road at Lester Road
5. Ebenezer Church Road at Hillred Drive

The counts were collected on Tuesday May 3, 2016, from 7:00 a.m. to 9:00 a.m. and from 4:30 p.m. to 6:30 p.m. Fayette County public schools were in standard session on the day on which the counts were recorded. From the count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the typical weekday a.m. and p.m. peak hour traffic volumes at that intersection. The existing a.m. and p.m. peak hour turning movement volumes are shown in Figure 2. The intersection raw count data is found in Appendix A.

In addition to the intersection turning movement counts, Georgia Department of Transportation (Georgia DOT) annual average daily traffic (AADT) volume counts were obtained on nearby roadways for 2014 (the latest year for which volumes are available). Table 3, presented later in this report, shows the historic Georgia DOT counts and the annual growth rates between the counts. The Georgia DOT counts are as follows:

Ebenezer Church Road at Hillred Drive: 2,210 vehicles per day (vpd)
Ebenezer Church Road east of Lester Road: 3,710 vpd
Ebenezer Road between SR 54 and Davis Road: 3,280 vpd

Finally, Fayette County provided a 24-hour two-way volume count for Ebenezer Church Road and for Davis Road. These counts were both collected on Thursday, April 28, 2016 and are summarized as follows:

Ebenezer Church Road: 2,825 vpd
Davis Road: 30 vpd

The County's count on Ebenezer Church Road is comparable to, and slightly higher than, the 2014 Georgia DOT count near Hillred Drive. The count on Davis Road reveals extremely low volumes.

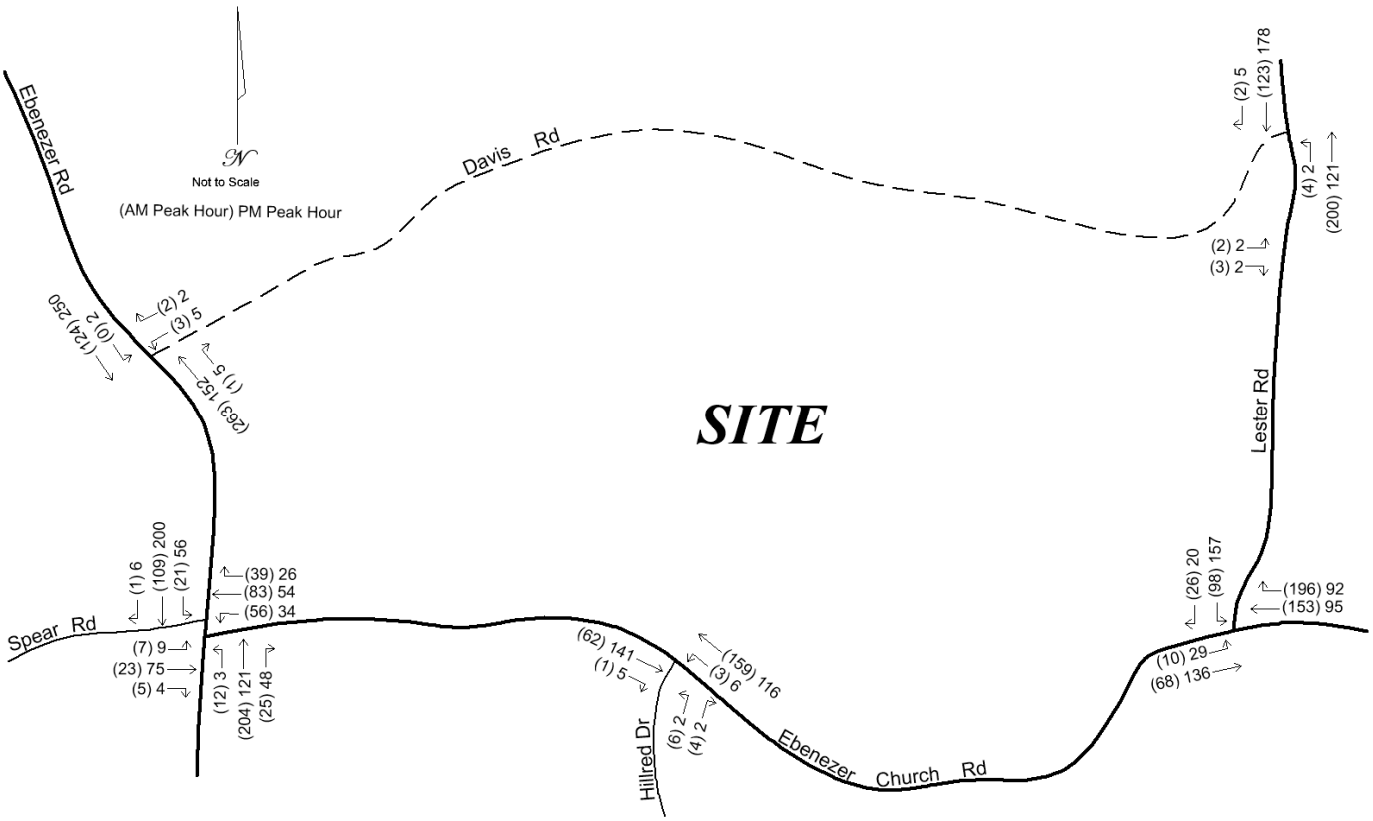

Figure 2 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 8, in accordance with the methodology presented in the Transportation Research Board's 2010 *Highway Capacity Manual* (*HCM 2010*). The *HCM 2010* methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the analysis are located in Appendix C. Levels of service and delays are provided for the overall intersection and for each approach.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Ebenezer Road and Davis Road	A	0.3	A	0.3
southbound left turn	A	7.9	A	7.6
westbound approach	B	10.9	B	11.0
2. Lester Road and Davis Road	A	0.3	A	0.4
northbound left turn	A	7.5	A	7.6
eastbound approach	A	9.8	B	10.1
3a. Ebenezer Road and Spear Road	A	1.1	A	2.0
northbound left turn	A	7.5	A	8.0
eastbound approach	A	9.7	B	11.6
3b. Ebenezer Road and Ebenezer Church Road	A	4.6	A	3.1
southbound left turn	A	7.8	A	7.8
westbound approach	B	12.4	B	11.8
4. Ebenezer Church Road and Lester Road	A	3.4	A	4.7
southbound approach	B	12.7	B	13.4
eastbound left turn	A	8.1	A	7.7
5. Ebenezer Church Road and Hillred Drive	A	0.6	A	0.6
northbound approach	A	9.7	A	9.7
westbound left turn	A	7.4	A	7.5

The analysis of existing conditions, coupled with field observations, reveals excellent existing traffic operations, with all movements at all intersections operating at level of service (LOS) A or B.

It is noted that the westbound right turn from Ebenezer Church Road to Lester Road is relatively high in the morning, with 196 right turners in the a.m. peak hour sharing one lane with 153 through vehicles. Because all competing volumes at the intersection are moderate and this approach is uncontrolled, the delays are not high. While not critical, the County might give consideration to adding an exclusive right turn lane at this location to reduce impedance from the right turners on westbound through traffic. The County should also add a stop bar at the stop sign on Hillred Drive. The west end of Davis Road is unimproved which precludes the ability to provide a stop bars at that stop sign. There is a small section of crumbling pavement on Davis Road at Lester Road. The County may consider repairing this asphalt and then adding a stop bar to accompany the stop sign at this location. No other mitigation is necessary for the existing condition.

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed Ebenezer Church subdivision. Trip generation was calculated using the standard equations from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th edition. ITE Land Use 210 – Single-Family Detached Housing was used. Table 2 presents the trip generation calculations for the project.

Table 2 – Ebenezer Church Subdivision Trip Generation

Land Use	ITE Code	Size	AM Peak Hour			PM Peak Hour			24-Hour
			Enter	Exit	2-Way	Enter	Exit	2-Way	2-Way
Single-Family Detached Housing	210	91 homes	18	55	73	61	36	97	962

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages were developed based on the locations and proximity of likely trip origins and destinations, such as retail and offices in the area, other regional trip attractors and employment centers such as Peachtree City, Fayetteville, Hartsfield Jackson Airport, and the City of Atlanta, and the major routes of travel to those attractors, including State Routes 54, 85, and 74, and Interstate 85. The project trips, shown in Table 2, were assigned to the roadway network based on the trip distribution percentages. The project trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the project, are shown in Figure 4.

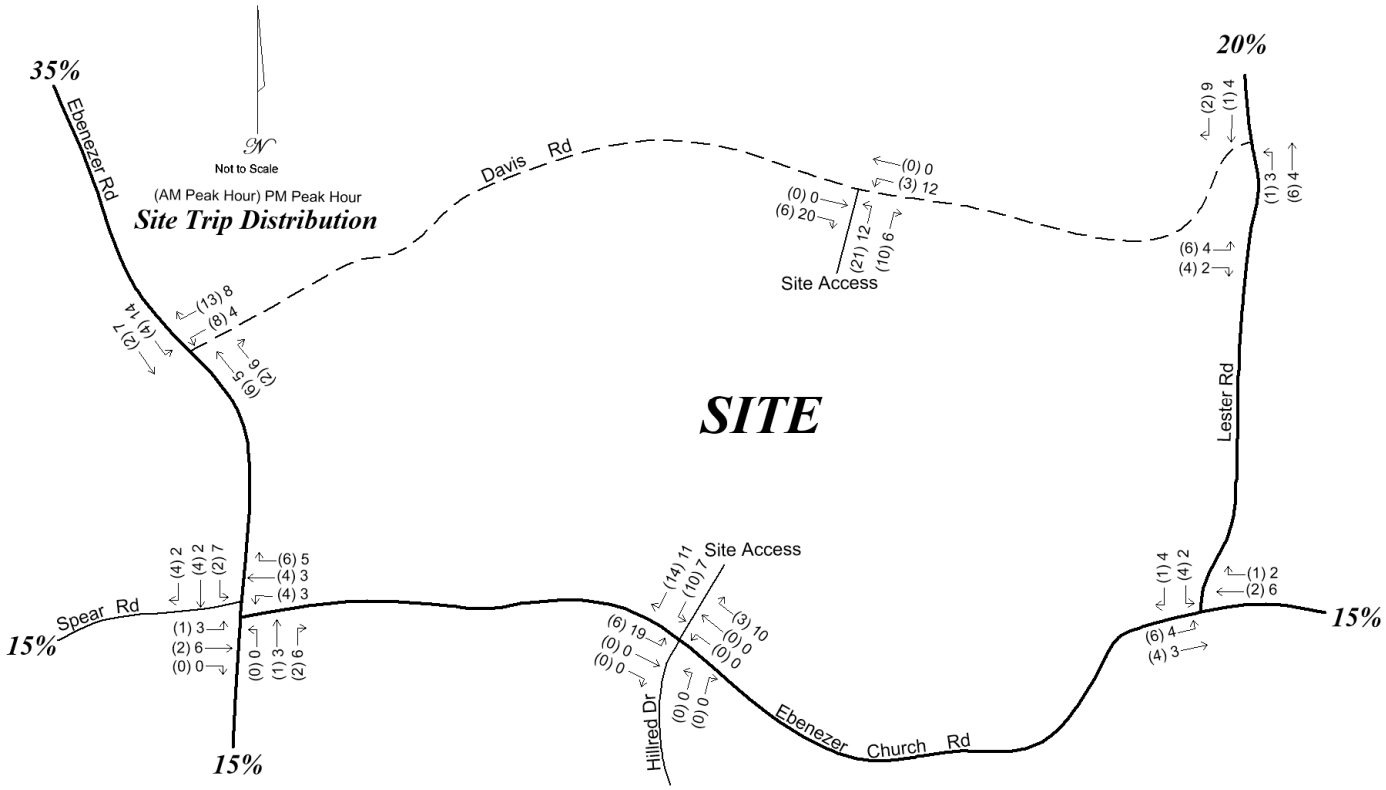

Figure 4 – Project Trip Distribution Percentages and Weekday A.M. and P.M. Peak Hour Trips

Future Traffic Conditions

The proposed subdivision was assumed to take three years to construct, to be completed and operational in 2019. Therefore, 2019 was selected as the future analysis year in this traffic study. Georgia DOT historic traffic volume count data was collected at three GDOT count stations closest to the subject development. The data was obtained for the years 2010 through 2014 (the last year for which data was available at the time this study was performed). This data was used to develop annual growth rates for each year, and an overall growth percentage from 2010 to 2014. Table 3 presents this historic GDOT data and the growth rates.

Table 3 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Ebenezer Church at Hillred	Annual Growth	Ebenezer Church east of Lester	Annual Growth	Ebenezer bet SR 54 and Davis	Annual Growth
Station ID	1130357		1130355		1130172	
2010	2,100		3,670		3,760	
2011	2,070	-1.4%	3,620	-1.4%	3,670	-2.4%
2012	2,070	0.0%	3,610	-0.3%	3,300	-10.1%
2013	2,120	2.4%	3,690	2.2%	3,280	-0.6%
2014	2,120	0.0%	3,710	0.5%	3,280	0.0%
overall annual growth rate		0.2%		0.3%		-3.4%

The data presented in Table 3 reveals very modest growth in traffic volumes in the study area, with the volumes on Ebenezer Road actually experiencing a decrease over the past five years. To be conservative, it was decided to apply a modest 1% annual growth factor to the counted volumes, for each of the three years until anticipated project build-out in 2019. Therefore, the intersection volumes counted for this study were increased by a total of 3% to account for general growth and development that may occur in this area while the proposed subdivision is under construction. The resulting volumes are those that will be at each study intersection in 2019, not including the project traffic.

Then, the trips that will be generated by the proposed subdivision, shown previously in Figure 4, were added to these increased volumes. This produces the future volumes that will be at each study intersection after the proposed subdivision is built and operational. These future volumes are shown in Figure 5. Projections are also included for the new fourth leg at the Ebenezer Church Road / Hillred Drive intersection, which will become a project access, and the project access on Davis Road.

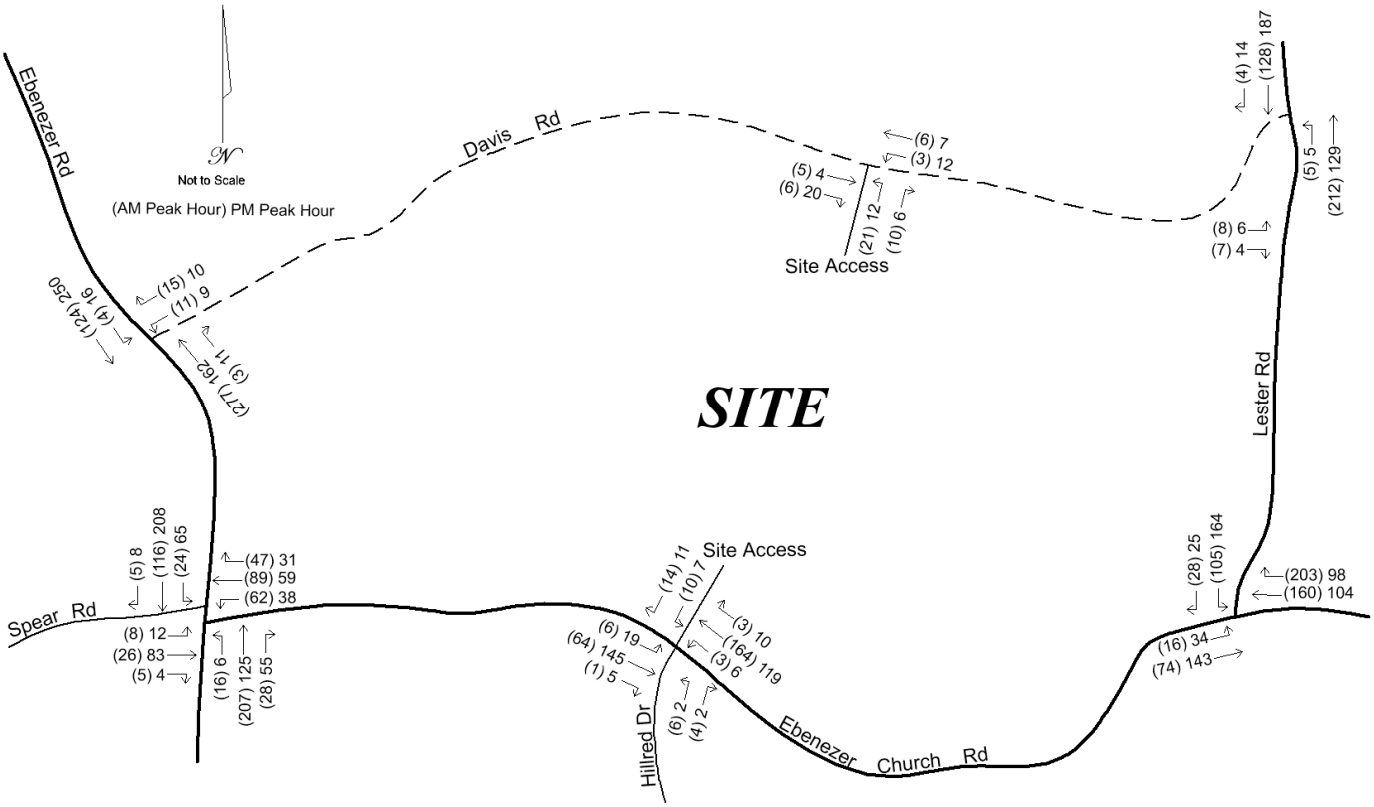

Figure 5 – Future Weekday A.M and P.M. Peak Hour Traffic Volume Projections

Programmed Improvements

Programmed transportation infrastructure projects in the vicinity of the proposed Ebenezer Church Road subdivision were researched. Project data was obtained from the latest Atlanta Regional Commission's (ARC) Regional Transportation Plan (RTP), adopted in March 2016. Two projects were identified in the vicinity. These projects are listed in Table 4 with the detailed project sheets located in Appendix F.

Table 4 – Programmed Transportation Infrastructure Projects

Project	Description	Construction
FA-349	Ebenezer Church Road Bridge Replacement at Whitewater Creek	2019
FA-351	SR 85 Connector, Brooks Woolsey Road and Ebenezer Road Resurfacing	2016

FA-349 will replace the weight-restricted narrow bridge carrying Ebenezer Church Road over Whitewater Creek, east of Lester Road.

FA-351 includes resurfacing Ebenezer Road from Ebenezer Church Road to Robinson Road.

These projects will improve conditions near the proposed development, but will not add capacity at the study intersections. Therefore, no modifications were made in the Synchro model to the study intersections for the future analysis.

Future Intersection Operations

An operational analysis was performed for the 2019 future condition at each study intersection. Table 5 presents the results of this analysis. Computer printouts containing detailed results of the analysis are located in Appendix D.

Table 5 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Ebenezer Road and Davis Road	A	1.4	A	0.(
southbound left turn	A	7.9	A	7.7
westbound approach	B	11.3	B	11.0
2. Lester Road and Davis Road	A	0.7	A	0.9
northbound left turn	A	7.5	A	7.7
eastbound approach	B	10.3	B	10.6
3a. Ebenezer Road and Spear Road	A	1.2	A	2.2
northbound left turn	A	7.6	A	8.1
eastbound approach	A	9.9	B	12.1
3b. Ebenezer Road and Ebenezer Church Road	A	5.0	A	3.4
southbound left turn	A	7.9	A	7.8
westbound approach	B	13.1	B	12.4
4. Ebenezer Church Road and Lester Road	A	3.7	A	5.0
southbound approach	B	13.5	B	14.2
eastbound left turn	A	8.2	A	7.8
5. Ebenezer Church Road and Hillred Drive / Site Access	A	1.5	A	1.6
northbound approach	B	10.2	B	10.2
southbound approach (exiting site)	B	10.2	B	10.0
eastbound left turn (entering site)	A	7.7	A	7.6
westbound left turn	A	7.4	A	7.5
6. Davis Road and Site Access	A	5.5	A	4.0
northbound approach (exiting site)	A	8.7	A	8.8
westbound left turn (entering site)	A	7.3	A	7.3

As with the existing condition, all intersections and movements will operate at either LOS A or LOS B. Both project accesses will operate well, with minimal delays for entering and exiting vehicles. No mitigation is proposed for the future condition. The next section of this report provides a summary of the findings and recommendations of this study.

Summary of Study Findings and Recommendations

The following is a summary of the findings and recommendations of this traffic impact study:

1. Existing operations at all study intersections are excellent, with every intersection and movement operating at level of service (LOS) A or B.

2. While not critical, it is suggested that the County consider adding an exclusive right turn lane on westbound Ebenezer Church Road at Lester Road to reduce impedance from the relatively high a.m. right turn volume.

3. The County should add a stop bar at the stop sign on Hillred Drive at Ebenezer Church Road.

4. The County should add a stop bar to accompany the stop sign on Davis Road at Lester Road. The gravel section on Davis Road at Ebenezer Road precludes the ability to add a stop bar at that stop sign.

5. The proposed Ebenezer Church Road subdivision will generate a moderate volume of new trips to the area, with 73 new trips in the morning peak hour and 97 new trips in the evening peak hour.

6. With the addition of a modest 3% background growth factor and the site trips, the future intersection operations will continue to be excellent, with every intersection and movement operating at LOS A or B.

7. Both site accesses, on Ebenezer Church Road and on Davis Road, will operate well, with minimal delays for entering and exiting vehicles.

8. It is recommended that each site access be constructed with one entering and one exiting lane. The exiting approach at each access should be controlled by stop sign and accompanying stop bar.

9. Lines of sight are clear in each direction at the location of each proposed site access. It is recommended that each access be constructed so as to ensure that sufficient intersection sight distance is provided in each direction at each location. No vegetation or signage should be installed at either access that may impede motorists' lines of sight.

10. The project site engineer is advised to ensure that the design of the site driveways and all site internal streets comply with all applicable design standards.

Appendix A

Traffic Count Data and Volume Worksheets

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 1. Ebenezer Road at Davis Road

Weekday A.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**				**Westbound Davis Road**		
	T	**R**	**Tot**	**L**	**T**	**Tot**		**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	263	1	264	0	124	124		3	2	5
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%			3.0%	3.0%	
No-Build Volumes	**271**	**1**	**264**	**0**	**128**	**124**		**3**	**2**	**5**
Ebenezer Church Road Subdivision	6	2	8	4	2	6		8	13	21
Build Volumes	**277**	**3**	**280**	**4**	**130**	**134**		**11**	**15**	**26**

Weekday P.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**				**Westbound Davis Road**		
	T	**R**	**Tot**	**L**	**T**	**Tot**		**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	152	5	157	2	250	252		5	2	7
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%			3.0%	3.0%	
No-Build Volumes	**157**	**5**	**157**	**2**	**258**	**252**		**5**	**2**	**7**
Ebenezer Church Road Subdivision	5	6	11	14	7	21		4	8	12
Build Volumes	**162**	**11**	**173**	**16**	**265**	**281**		**9**	**10**	**19**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 2. Lester Road at Davis Road

Weekday A.M. Peak Hour	**Northbound Lester Road**			**Southbound Lester Road**			**Eastbound Davis Road**		
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	4	200	204	123	2	125	2	3	5
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes	**4**	**206**	**204**	**127**	**2**	**125**	**2**	**3**	**5**
Ebenezer Church Road Subdivision	1	6	7	1	2	3	6	4	10
Build Volumes	**5**	**212**	**217**	**128**	**4**	**132**	**8**	**7**	**15**

Weekday P.M. Peak Hour	**Northbound Lester Road**			**Southbound Lester Road**			**Eastbound Davis Road**		
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	2	121	123	178	5	183	2	2	4
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes	**2**	**125**	**123**	**183**	**5**	**183**	**2**	**2**	**4**
Ebenezer Church Road Subdivision	3	4	7	4	9	13	4	2	6
Build Volumes	**5**	**129**	**134**	**187**	**14**	**201**	**6**	**4**	**10**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 3a. Ebenezer Road at Ebenezer Church Road / Spear Road

Weekday A.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**			**Eastbound Spear Road**		
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	12	243	255	130	1	131	7	28	35
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes	**12**	**250**	**255**	**134**	**1**	**131**	**7**	**29**	**35**
Ebenezer Church Road Subdivision	4	6	10	6	4	10	1	2	3
Build Volumes	**16**	**256**	**273**	**140**	**5**	**145**	**8**	**31**	**39**

Weekday P.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**			**Eastbound Spear Road**		
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	3	147	150	256	6	262	9	79	88
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes	**3**	**151**	**150**	**264**	**6**	**262**	**9**	**81**	**88**
Ebenezer Church Road Subdivision	3	5	8	9	2	11	3	6	9
Build Volumes	**6**	**156**	**163**	**273**	**8**	**281**	**12**	**87**	**100**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 3b. Ebenezer Road at Ebenezer Church Road / Spear Road

Weekday A.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**				**Westbound Ebenezer Church Road**		
	T	**R**	**Tot**	**L**	**T**	**Tot**		**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	216	25	241	21	114	135		56	122	178
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%			3.0%	3.0%	
No-Build Volumes	**222**	**26**	**241**	**22**	**117**	**135**		**58**	**126**	**178**
Ebenezer Church Road Subdivision	1	2	3	2	4	6		4	10	14
Build Volumes	**223**	**28**	**251**	**24**	**121**	**145**		**62**	**136**	**197**

Weekday P.M. Peak Hour	**Northbound Ebenezer Road**			**Southbound Ebenezer Road**				**Westbound Ebenezer Church Road**		
	T	**R**	**Tot**	**L**	**T**	**Tot**		**L**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	124	48	172	56	204	260		34	80	114
Total Annual Background Growth	3.0%	3.0%		3.0%	3.0%			3.0%	3.0%	
No-Build Volumes	**128**	**49**	**172**	**58**	**210**	**260**		**35**	**82**	**114**
Ebenezer Church Road Subdivision	3	6	9	7	2	9		3	8	11
Build Volumes	**131**	**55**	**186**	**65**	**212**	**277**		**38**	**90**	**128**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 4. Ebenezer Church Road at Lester Road

Weekday A.M. Peak Hour		**Southbound Lester Road**			**Eastbound Ebenezer Church Road**			**Westbound Ebenezer Church Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)		98	26	124	10	68	78	153	196	349
Total Annual Background Growth		3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes		**101**	**27**	**124**	**10**	**70**	**78**	**158**	**202**	**349**
Ebenezer Church Road Subdivision		4	1	5	6	4	10	2	1	3
Build Volumes		**105**	**28**	**133**	**16**	**74**	**90**	**160**	**203**	**362**

Weekday P.M. Peak Hour		**Southbound Lester Road**			**Eastbound Ebenezer Church Road**			**Westbound Ebenezer Church Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)		157	20	177	29	136	165	95	92	187
Total Annual Background Growth		3.0%	3.0%		3.0%	3.0%		3.0%	3.0%	
No-Build Volumes		**162**	**21**	**177**	**30**	**140**	**165**	**98**	**95**	**187**
Ebenezer Church Road Subdivision		2	4	6	4	3	7	6	3	9
Build Volumes		**164**	**25**	**188**	**34**	**143**	**177**	**104**	**98**	**202**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 5. Ebenezer Church Road at Hillred Drive

Weekday A.M. Peak Hour	**Northbound Hillred Drive**				**Southbound Site Access**				**Eastbound Ebenezer Church Road**				**Westbound Ebenezer Church Road**			
	L	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	6		4	10						62	1	63	3	159		162
Total Annual Background Growth	3.0%		3.0%							3.0%	3.0%		3.0%	3.0%		
No-Build Volumes	**6**		**4**	**10**						**64**	**1**	**63**	**3**	**164**		**162**
Ebenezer Church Road Subdivision	0	0	0	0	10	0	14	24	6	0	0	6	0	0	3	3
Build Volumes	**6**	**0**	**4**	**10**	**10**	**0**	**14**	**24**	**6**	**64**	**1**	**71**	**3**	**164**	**3**	**170**

Weekday P.M. Peak Hour	**Northbound Hillred Drive**				**Southbound Site Access**				**Eastbound Ebenezer Church Road**				**Westbound Ebenezer Church Road**			
	L	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**	**L**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)	2		2	4						141	5	146	6	116		122
Total Annual Background Growth	3.0%		3.0%							3.0%	3.0%		3.0%	3.0%		
No-Build Volumes	**2**		**2**	**4**						**145**	**5**	**146**	**6**	**119**		**122**
Ebenezer Church Road Subdivision	0	0	0	0	7	0	11	18	19	0	0	19	0	0	10	10
Build Volumes	**2**	**0**	**2**	**4**	**7**	**0**	**11**	**18**	**19**	**145**	**5**	**169**	**6**	**119**	**10**	**136**

Ebenezer Church Road Subdivision Traffic Impact Study
Fayette County, Georgia

May 2016

Intersection: 6. Davis Road at Site Access

Weekday A.M. Peak Hour	**Northbound Site Access**				**Eastbound Davis Road**			**Westbound Davis Road**		
	L	**R**	**Tot**		**T**	**R**	**Tot**	**L**	**T**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)					5		5		6	6
Total Annual Background Growth					3.0%				3.0%	
No-Build Volumes					**5**		**5**		**6**	**6**
Ebenezer Church Road Subdivision	21	10	31		0	6	6	3	0	3
Build Volumes	**21**	**10**	**31**		**5**	**6**	**11**	**3**	**6**	**9**

Weekday P.M. Peak Hour	**Northbound Site Access**				**Eastbound Davis Road**			**Westbound Davis Road**		
	L	**R**	**Tot**		**T**	**R**	**Tot**	**L**	**T**	**Tot**
Counted Volumes (Tuesday, May 3, 2016)					4		4		7	7
Total Annual Background Growth					3.0%				3.0%	
No-Build Volumes					**4**		**4**		**7**	**7**
Ebenezer Church Road Subdivision	12	6	18		0	20	20	12	0	12
Build Volumes	**12**	**6**	**18**		**4**	**20**	**24**	**12**	**7**	**19**

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TMC Data
Ebenezer Rd @ Davis Rd

7-9am I 4.30-6.30pm

File Name : 38360001
Site Code : 38360001
Start Date : 5/3/2016
Page No : 1

Groups Printed- Cars, Buses, Trucks

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Residential Drwy Eastbound					Davis Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	44	0	0	44	0	19	0	0	19	0	0	0	0	0	0	0	2	0	2	65
07:15 AM	0	76	1	0	77	0	25	0	0	25	0	0	0	0	0	1	0	2	0	3	105
07:30 AM	0	72	0	0	72	0	35	0	0	35	0	0	0	0	0	0	0	0	0	0	107
07:45 AM	0	51	0	0	51	0	33	0	0	33	0	0	0	0	0	1	0	0	0	1	85
Total	0	243	1	0	244	0	112	0	0	112	0	0	0	0	0	2	0	4	0	6	362
08:00 AM	0	64	0	0	64	0	31	0	0	31	0	0	1	0	1	1	0	0	0	1	97
08:15 AM	0	46	3	0	49	0	25	0	0	25	0	0	0	0	0	0	0	2	0	2	76
08:30 AM	0	34	0	0	34	1	37	0	0	38	0	0	0	0	0	0	0	1	0	1	73
08:45 AM	0	47	1	0	48	0	29	0	0	29	0	0	0	0	0	0	0	1	0	1	78
Total	0	191	4	0	195	1	122	0	0	123	0	0	1	0	1	1	0	4	0	5	324
*** BREAK ***																					
04:30 PM	0	31	1	0	32	1	56	0	0	57	0	0	0	0	0	0	0	1	0	1	90
04:45 PM	0	30	1	0	31	1	49	1	0	51	0	0	0	0	0	0	0	0	0	0	82
Total	0	61	2	0	63	2	105	1	0	108	0	0	0	0	0	0	0	1	0	1	172
05:00 PM	0	40	1	0	41	0	63	0	0	63	0	0	0	0	0	0	0	0	0	0	104
05:15 PM	0	44	3	0	47	1	72	0	0	73	0	0	0	0	0	2	0	0	0	2	122
05:30 PM	0	29	1	0	30	0	58	0	0	58	0	0	0	0	0	2	0	0	0	2	90
05:45 PM	0	39	0	0	39	1	57	0	0	58	0	0	0	0	0	1	0	2	0	3	100
Total	0	152	5	0	157	2	250	0	0	252	0	0	0	0	0	5	0	2	0	7	416
06:00 PM	0	26	1	0	27	0	56	0	0	56	0	0	0	0	0	1	0	1	0	2	85
06:15 PM	0	35	2	0	37	3	40	0	0	43	0	0	1	0	1	4	0	0	0	4	85
Grand Total	0	708	15	0	723	8	685	1	0	694	0	0	2	0	2	13	0	12	0	25	1444
Apprch %	0	97.9	2.1	0		1.2	98.7	0.1	0		0	0	100	0		52	0	48	0		
Total %	0	49	1	0	50.1	0.6	47.4	0.1	0	48.1	0	0	0.1	0	0.1	0.9	0	0.8	0	1.7	

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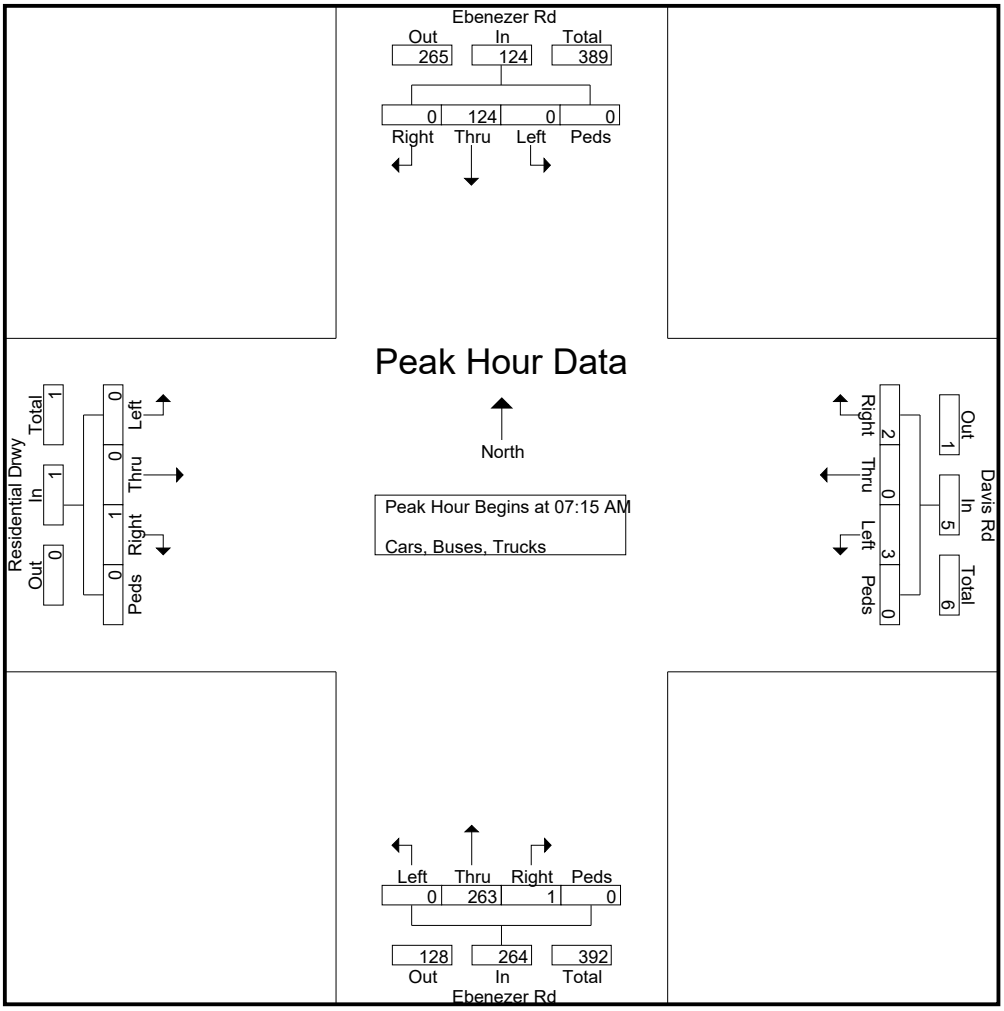
7-9am I 4.30-6.30pm

File Name : 38360001
Site Code : 38360001
Start Date : 5/3/2016
Page No : 2

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Residential Drwy Eastbound					Davis Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	**76**	**1**	0	**77**	0	25	0	0	25	0	0	0	0	0	**1**	0	**2**	0	**3**	105
07:30 AM	0	72	0	0	72	0	**35**	0	0	**35**	0	0	0	0	0	0	0	0	0	0	**107**
07:45 AM	0	51	0	0	51	0	33	0	0	33	0	0	0	0	0	1	0	0	0	1	85
08:00 AM	0	64	0	0	64	0	31	0	0	31	0	0	**1**	0	**1**	1	0	0	0	1	97
Total Volume	0	263	1	0	264	0	124	0	0	124	0	0	1	0	1	3	0	2	0	5	394
% App. Total	0	99.6	0.4	0		0	100	0	0		0	0	100	0		60	0	40	0		
PHF	.000	.865	.250	.000	.857	.000	.886	.000	.000	.886	.000	.000	.250	.000	.250	.750	.000	.250	.000	.417	.921



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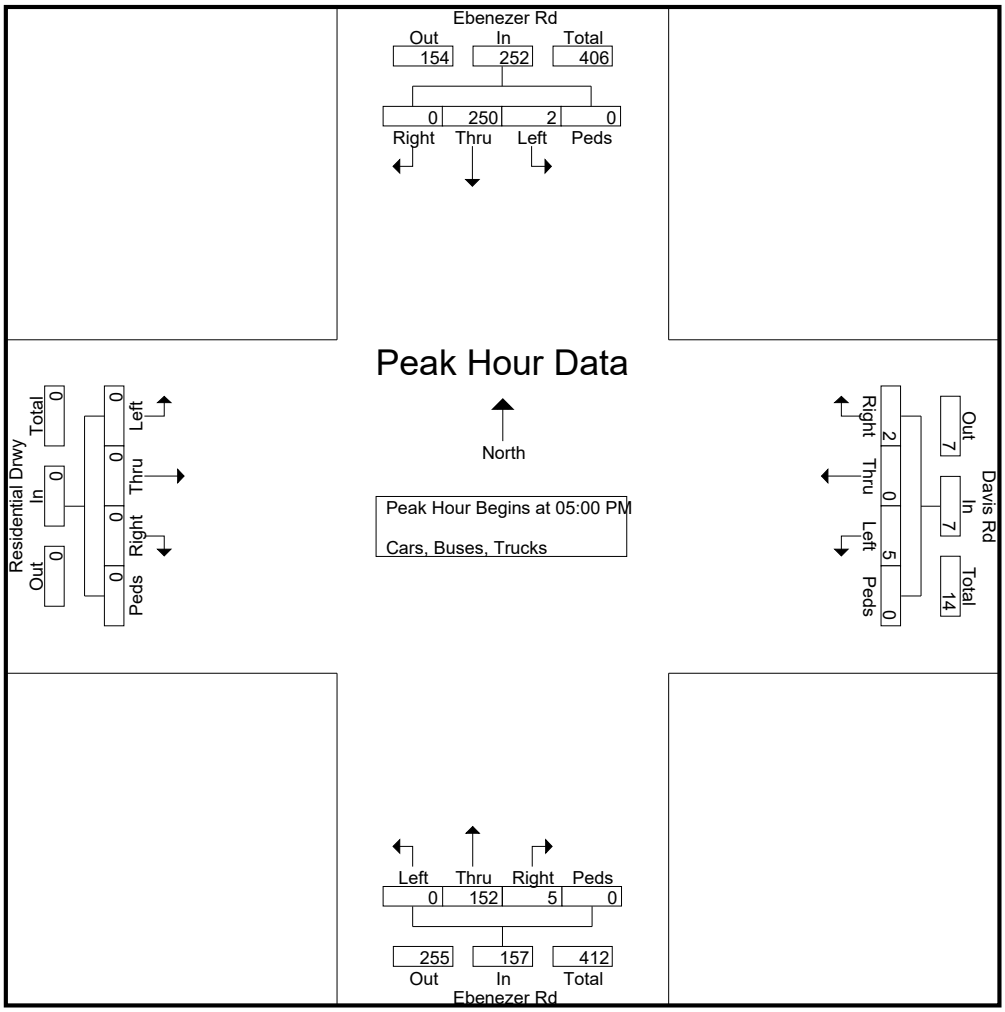
TMC Data
Ebenezer Rd @ Davis Rd

7-9am I 4.30-6.30pm

File Name : 38360001
Site Code : 38360001
Start Date : 5/3/2016
Page No : 3

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Residential Drwy Eastbound					Davis Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 06:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	40	1	0	41	0	63	0	0	63	0	0	0	0	0	0	0	0	0	0	104
05:15 PM	0	**44**	**3**	0	**47**	**1**	**72**	0	0	**73**	0	0	0	0	0	**2**	0	0	0	2	**122**
05:30 PM	0	29	1	0	30	0	58	0	0	58	0	0	0	0	0	2	0	0	0	2	90
05:45 PM	0	39	0	0	39	1	57	0	0	58	0	0	0	0	0	1	0	**2**	0	**3**	100
Total Volume	0	152	5	0	157	2	250	0	0	252	0	0	0	0	0	5	0	2	0	7	416
% App. Total	0	96.8	3.2	0		0.8	99.2	0	0		0	0	0	0		71.4	0	28.6	0		
PHF	.000	.864	.417	.000	.835	.500	.868	.000	.000	.863	.000	.000	.000	.000	.000	.625	.000	.250	.000	.583	.852



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TMC Data
Ebenezer Church Rd @ Hillred Dr

7-9am I 4.30-6.30pm

File Name : 38360003
Site Code : 38360003
Start Date : 5/3/2016
Page No : 1

Groups Printed- Cars, Buses, Trucks

	Hillred Dr Northbound					Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	2	0	0	0	2	0	0	0	0	0	0	13	0	0	13	0	30	0	0	30	45
07:15 AM	1	0	1	0	2	0	0	0	0	0	0	13	0	0	13	0	42	0	0	42	57
07:30 AM	2	0	1	0	3	0	0	0	0	0	0	21	1	0	22	1	50	0	0	51	76
07:45 AM	2	0	2	0	4	0	0	0	0	0	0	13	0	0	13	0	39	0	0	39	56
Total	7	0	4	0	11	0	0	0	0	0	0	60	1	0	61	1	161	0	0	162	234
08:00 AM	1	0	0	0	1	0	0	0	0	0	0	15	0	0	15	2	28	0	0	30	46
08:15 AM	0	0	2	0	2	0	0	0	0	0	0	17	0	0	17	3	22	0	0	25	44
08:30 AM	1	0	1	0	2	0	0	0	0	0	0	13	0	0	13	1	21	0	0	22	37
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	10	0	0	10	0	26	0	0	26	36
Total	2	0	3	0	5	0	0	0	0	0	0	55	0	0	55	6	97	0	0	103	163
*** BREAK ***																					
04:30 PM	4	0	2	0	6	0	0	0	0	0	0	18	0	0	18	2	20	0	0	22	46
04:45 PM	0	0	1	0	1	0	0	0	0	0	0	29	1	0	30	2	21	0	0	23	54
Total	4	0	3	0	7	0	0	0	0	0	0	47	1	0	48	4	41	0	0	45	100
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	34	3	0	37	3	27	0	0	30	67
05:15 PM	2	0	1	0	3	0	0	0	0	0	0	36	0	0	36	2	25	0	0	27	66
05:30 PM	0	0	0	0	0	0	0	0	0	0	0	37	0	0	37	0	37	0	0	37	74
05:45 PM	0	0	1	0	1	0	0	0	0	0	0	34	2	0	36	1	27	0	0	28	65
Total	2	0	2	0	4	0	0	0	0	0	0	141	5	0	146	6	116	0	0	122	272
06:00 PM	1	0	0	0	1	0	0	0	0	0	0	24	2	0	26	1	29	0	0	30	57
06:15 PM	1	0	3	0	4	0	0	0	0	0	0	20	3	0	23	2	24	0	0	26	53
Grand Total	17	0	15	0	32	0	0	0	0	0	0	347	12	0	359	20	468	0	0	488	879
Apprch %	53.1	0	46.9	0		0	0	0	0		0	96.7	3.3	0		4.1	95.9	0	0		
Total %	1.9	0	1.7	0	3.6	0	0	0	0	0	0	39.5	1.4	0	40.8	2.3	53.2	0	0	55.5	

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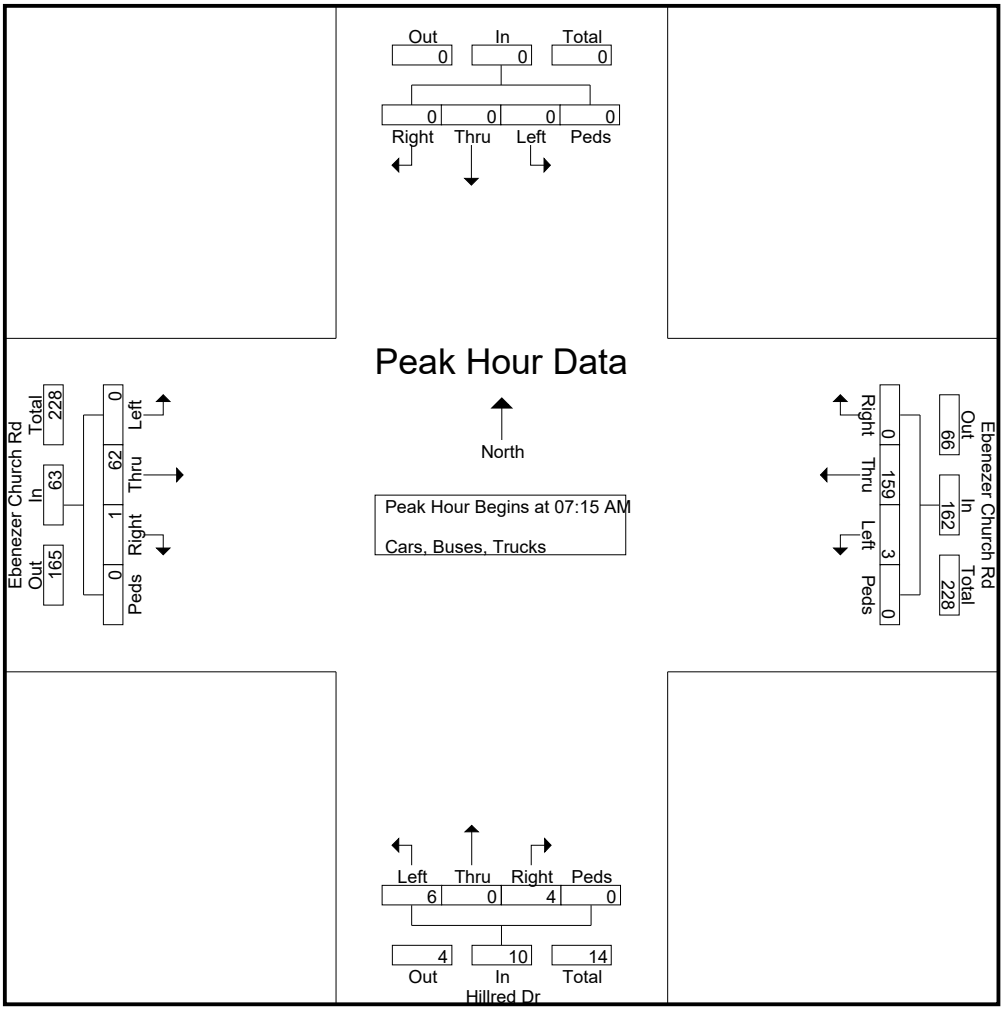
TMC Data
Ebenezer Church Rd @ Hillred Dr

7-9am I 4.30-6.30pm

File Name : 38360003
Site Code : 38360003
Start Date : 5/3/2016
Page No : 2

	Hillred Dr Northbound					Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	1	0	1	0	2	0	0	0	0	0	0	13	0	0	13	0	42	0	0	42	57
07:30 AM	**2**	0	1	0	3	0	0	0	0	0	0	**21**	**1**	0	**22**	1	**50**	0	0	**51**	**76**
07:45 AM	2	0	**2**	0	**4**	0	0	0	0	0	0	13	0	0	13	0	39	0	0	39	56
08:00 AM	1	0	0	0	1	0	0	0	0	0	0	15	0	0	15	**2**	28	0	0	30	46
Total Volume	6	0	4	0	10	0	0	0	0	0	0	62	1	0	63	3	159	0	0	162	235
% App. Total	60	0	40	0		0	0	0	0		0	98.4	1.6	0		1.9	98.1	0	0		
PHF	.750	.000	.500	.000	.625	.000	.000	.000	.000	.000	.000	.738	.250	.000	.716	.375	.795	.000	.000	.794	.773



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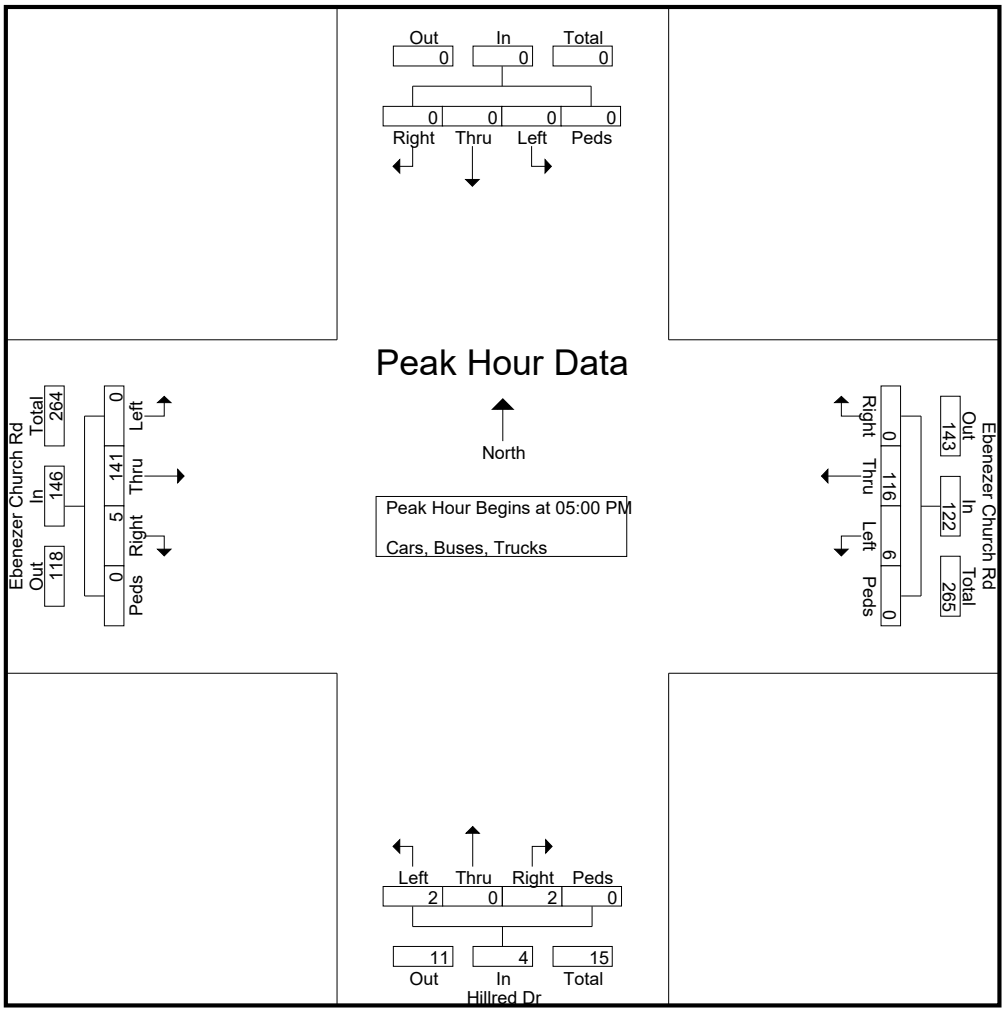
TMC Data
Ebenezer Church Rd @ Hillred Dr

7-9am I 4.30-6.30pm

File Name : 38360003
Site Code : 38360003
Start Date : 5/3/2016
Page No : 3

	Hillred Dr Northbound					Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 06:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	34	**3**	0	**37**	**3**	27	0	0	30	67
05:15 PM	**2**	0	**1**	0	**3**	0	0	0	0	0	0	36	0	0	36	2	25	0	0	27	66
05:30 PM	0	0	0	0	0	0	0	0	0	0	0	**37**	0	0	37	0	**37**	0	0	**37**	**74**
05:45 PM	0	0	1	0	1	0	0	0	0	0	0	34	2	0	36	1	27	0	0	28	65
Total Volume	2	0	2	0	4	0	0	0	0	0	0	141	5	0	146	6	116	0	0	122	272
% App. Total	50	0	50	0		0	0	0	0		0	96.6	3.4	0		4.9	95.1	0	0		
PHF	.250	.000	.500	.000	.333	.000	.000	.000	.000	.000	.000	.953	.417	.000	.986	.500	.784	.000	.000	.824	.919



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TMC Data
Ebenezer Church Rd @ Lester Rd

7-9am I 4.30-6.30pm

File Name : 38360004
Site Code : 38360004
Start Date : 5/3/2016
Page No : 1

Groups Printed- Cars, Buses, Trucks

	Northbound					Lester Rd Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	14	0	9	0	23	4	9	0	0	13	0	33	32	0	65	101
07:15 AM	0	0	0	0	0	15	0	9	0	24	3	14	0	0	17	0	32	54	0	86	127
07:30 AM	0	0	0	0	0	23	0	7	0	30	3	22	0	0	25	0	44	53	0	97	152
07:45 AM	0	0	0	0	0	36	0	6	0	42	3	13	0	0	16	0	42	53	0	95	153
Total	0	0	0	0	0	88	0	31	0	119	13	58	0	0	71	0	151	192	0	343	533
08:00 AM	0	0	0	0	0	24	0	4	0	28	1	19	0	0	20	0	35	36	0	71	119
08:15 AM	0	0	0	0	0	24	0	4	0	28	6	17	0	0	23	0	24	43	0	67	118
08:30 AM	0	0	0	0	0	16	0	2	0	18	2	12	0	0	14	0	20	34	0	54	86
08:45 AM	0	0	0	0	0	14	0	8	0	22	0	12	0	0	12	0	21	29	0	50	84
Total	0	0	0	0	0	78	0	18	0	96	9	60	0	0	69	0	100	142	0	242	407
*** BREAK ***																					
04:30 PM	0	0	0	0	0	33	0	5	0	38	2	24	0	0	26	0	22	23	0	45	109
04:45 PM	0	0	0	0	0	43	0	0	0	43	5	31	0	0	36	0	20	14	0	34	113
Total	0	0	0	0	0	76	0	5	0	81	7	55	0	0	62	0	42	37	0	79	222
05:00 PM	0	0	0	0	0	36	0	7	0	43	8	34	0	0	42	0	22	19	0	41	126
05:15 PM	0	0	0	0	0	45	0	2	0	47	4	34	0	0	38	0	25	19	0	44	129
05:30 PM	0	0	0	0	0	37	0	2	0	39	12	37	0	0	49	0	21	28	0	49	137
05:45 PM	0	0	0	0	0	39	0	9	0	48	5	31	0	0	36	0	27	26	0	53	137
Total	0	0	0	0	0	157	0	20	0	177	29	136	0	0	165	0	95	92	0	187	529
06:00 PM	0	0	0	0	0	20	0	2	0	22	4	23	0	0	27	0	31	13	0	44	93
06:15 PM	0	0	0	0	0	33	0	3	0	36	5	24	0	0	29	0	18	26	0	44	109
Grand Total	0	0	0	0	0	452	0	79	0	531	67	356	0	0	423	0	437	502	0	939	1893
Apprch %	0	0	0	0		85.1	0	14.9	0		15.8	84.2	0	0		0	46.5	53.5	0		
Total %	0	0	0	0	0	23.9	0	4.2	0	28.1	3.5	18.8	0	0	22.3	0	23.1	26.5	0	49.6	

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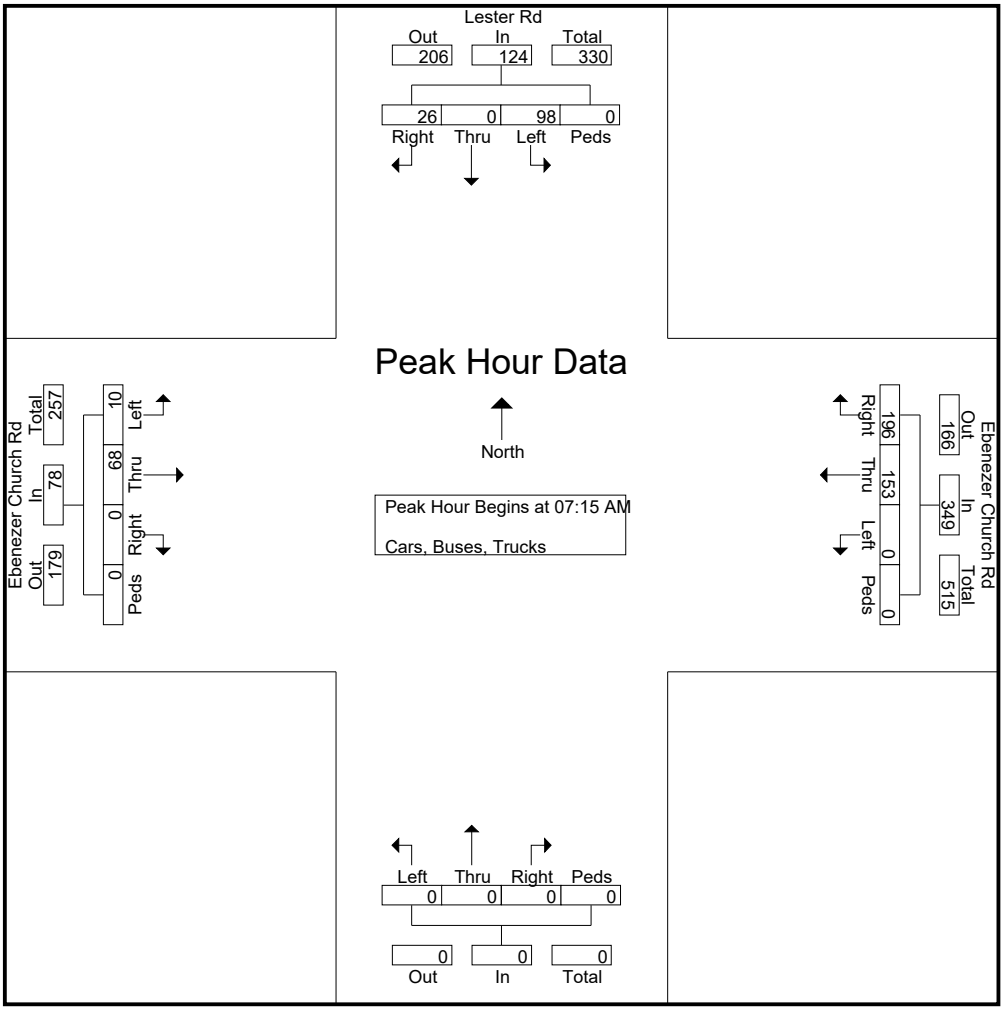
TMC Data
Ebenezer Church Rd @ Lester Rd

7-9am I 4.30-6.30pm

File Name : 38360004
Site Code : 38360004
Start Date : 5/3/2016
Page No : 2

	Northbound					Lester Rd Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	15	0	**9**	0	24	**3**	14	0	0	17	0	32	**54**	0	86	127
07:30 AM	0	0	0	0	0	23	0	7	0	30	3	**22**	0	0	**25**	0	**44**	53	0	**97**	152
07:45 AM	0	0	0	0	0	**36**	0	6	0	**42**	3	13	0	0	16	0	42	53	0	95	**153**
08:00 AM	0	0	0	0	0	24	0	4	0	28	1	19	0	0	20	0	35	36	0	71	119
Total Volume	0	0	0	0	0	98	0	26	0	124	10	68	0	0	78	0	153	196	0	349	551
% App. Total	0	0	0	0		79	0	21	0		12.8	87.2	0	0		0	43.8	56.2	0		
PHF	.000	.000	.000	.000	.000	.681	.000	.722	.000	.738	.833	.773	.000	.000	.780	.000	.869	.907	.000	.899	.900



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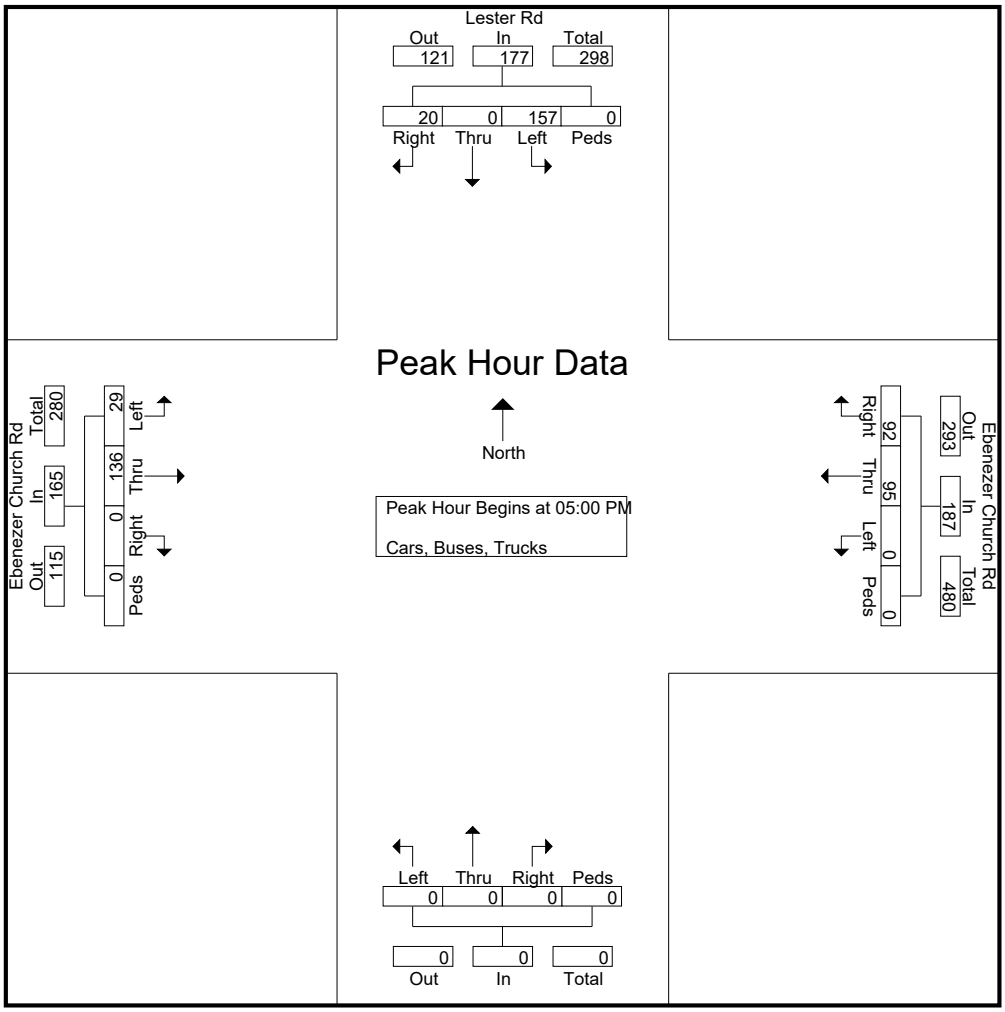
TMC Data
Ebenezer Church Rd @ Lester Rd

7-9am I 4.30-6.30pm

File Name : 38360004
Site Code : 38360004
Start Date : 5/3/2016
Page No : 3

	Northbound					Lester Rd Southbound					Ebenezer Church Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 06:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	36	0	7	0	43	8	34	0	0	42	0	22	19	0	41	126
05:15 PM	0	0	0	0	0	**45**	0	2	0	47	4	34	0	0	38	0	25	19	0	44	129
05:30 PM	0	0	0	0	0	37	0	2	0	39	**12**	**37**	0	0	**49**	0	21	**28**	0	49	**137**
05:45 PM	0	0	0	0	0	39	0	**9**	0	**48**	5	31	0	0	36	0	**27**	26	0	**53**	137
Total Volume	0	0	0	0	0	157	0	20	0	177	29	136	0	0	165	0	95	92	0	187	529
% App. Total	0	0	0	0		88.7	0	11.3	0		17.6	82.4	0	0		0	50.8	49.2	0		
PHF	.000	.000	.000	.000	.000	.872	.000	.556	.000	.922	.604	.919	.000	.000	.842	.000	.880	.821	.000	.882	.965



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TMC Data
Lester Rd @ Davis Rd

7-9am I 4.30-6.30pm

File Name : 38360005
Site Code : 38360005
Start Date : 5/3/2016
Page No : 1

Groups Printed- Cars, Buses, Trucks

	Lester Rd Northbound					Lester Rd Southbound					Davis Red Eastbound					Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	1	35	0	0	36	0	18	0	0	18	1	0	1	0	2	0	0	0	0	0	56
07:15 AM	0	55	0	0	55	0	25	1	0	26	1	0	1	0	2	0	0	0	0	0	83
07:30 AM	1	58	0	0	59	0	29	0	0	29	0	0	0	0	0	0	0	0	0	0	88
07:45 AM	1	55	0	0	56	0	35	1	0	36	1	0	1	0	2	0	0	0	0	0	94
Total	3	203	0	0	206	0	107	2	0	109	3	0	3	0	6	0	0	0	0	0	321
08:00 AM	2	32	0	0	34	0	34	0	0	34	0	0	1	0	1	0	0	0	0	0	69
08:15 AM	0	44	0	0	44	0	20	0	0	20	1	0	0	0	1	0	0	0	0	0	65
08:30 AM	2	33	0	0	35	0	10	0	0	10	0	0	0	0	0	0	0	0	0	0	45
08:45 AM	4	33	0	0	37	0	30	0	0	30	0	0	0	0	0	0	0	0	0	0	67
Total	8	142	0	0	150	0	94	0	0	94	1	0	1	0	2	0	0	0	0	0	246
*** BREAK ***																					
04:30 PM	1	28	0	0	29	0	32	1	0	33	0	0	1	0	1	0	0	0	0	0	63
04:45 PM	0	25	0	0	25	0	47	1	0	48	1	0	0	0	1	0	0	0	0	0	74
Total	1	53	0	0	54	0	79	2	0	81	1	0	1	0	2	0	0	0	0	0	137
05:00 PM	0	27	0	0	27	0	47	1	0	48	0	0	0	0	0	0	0	0	0	0	75
05:15 PM	0	21	0	0	21	0	49	2	0	51	1	0	0	0	1	0	0	0	0	0	73
05:30 PM	2	40	0	0	42	0	40	1	0	41	1	0	2	0	3	0	0	0	0	0	86
05:45 PM	0	33	0	0	33	0	42	1	0	43	0	0	0	0	0	0	0	0	0	0	76
Total	2	121	0	0	123	0	178	5	0	183	2	0	2	0	4	0	0	0	0	0	310
06:00 PM	1	16	0	0	17	0	22	0	0	22	0	0	1	0	1	0	0	0	0	0	40
06:15 PM	2	30	0	0	32	0	36	0	0	36	1	0	0	0	1	0	0	0	0	0	69
Grand Total	17	565	0	0	582	0	516	9	0	525	8	0	8	0	16	0	0	0	0	0	1123
Apprch %	2.9	97.1	0	0		0	98.3	1.7	0		50	0	50	0		0	0	0	0		
Total %	1.5	50.3	0	0	51.8	0	45.9	0.8	0	46.7	0.7	0	0.7	0	1.4	0	0	0	0	0	

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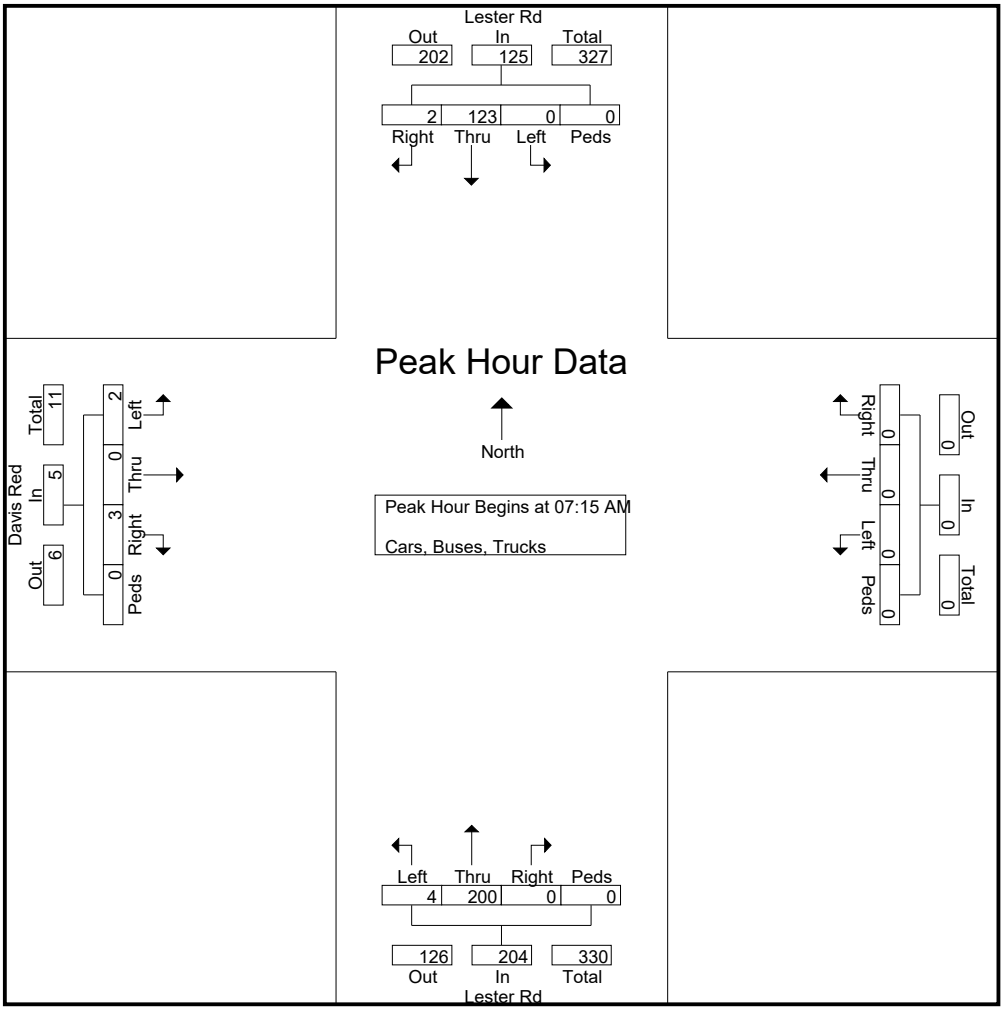
TMC Data
Lester Rd @ Davis Rd

7-9am I 4.30-6.30pm

File Name : 38360005
Site Code : 38360005
Start Date : 5/3/2016
Page No : 2

	Lester Rd Northbound					Lester Rd Southbound					Davis Red Eastbound					Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	55	0	0	55	0	25	**1**	0	26	**1**	0	**1**	0	**2**	0	0	0	0	0	83
07:30 AM	1	**58**	0	0	**59**	0	29	0	0	29	0	0	0	0	0	0	0	0	0	0	88
07:45 AM	1	55	0	0	56	0	**35**	1	0	**36**	1	0	1	0	2	0	0	0	0	0	**94**
08:00 AM	**2**	32	0	0	34	0	34	0	0	34	0	0	1	0	1	0	0	0	0	0	69
Total Volume	4	200	0	0	204	0	123	2	0	125	2	0	3	0	5	0	0	0	0	0	334
% App. Total	2	98	0	0		0	98.4	1.6	0		40	0	60	0		0	0	0	0		
PHF	.500	.862	.000	.000	.864	.000	.879	.500	.000	.868	.500	.000	.750	.000	.625	.000	.000	.000	.000	.000	.888



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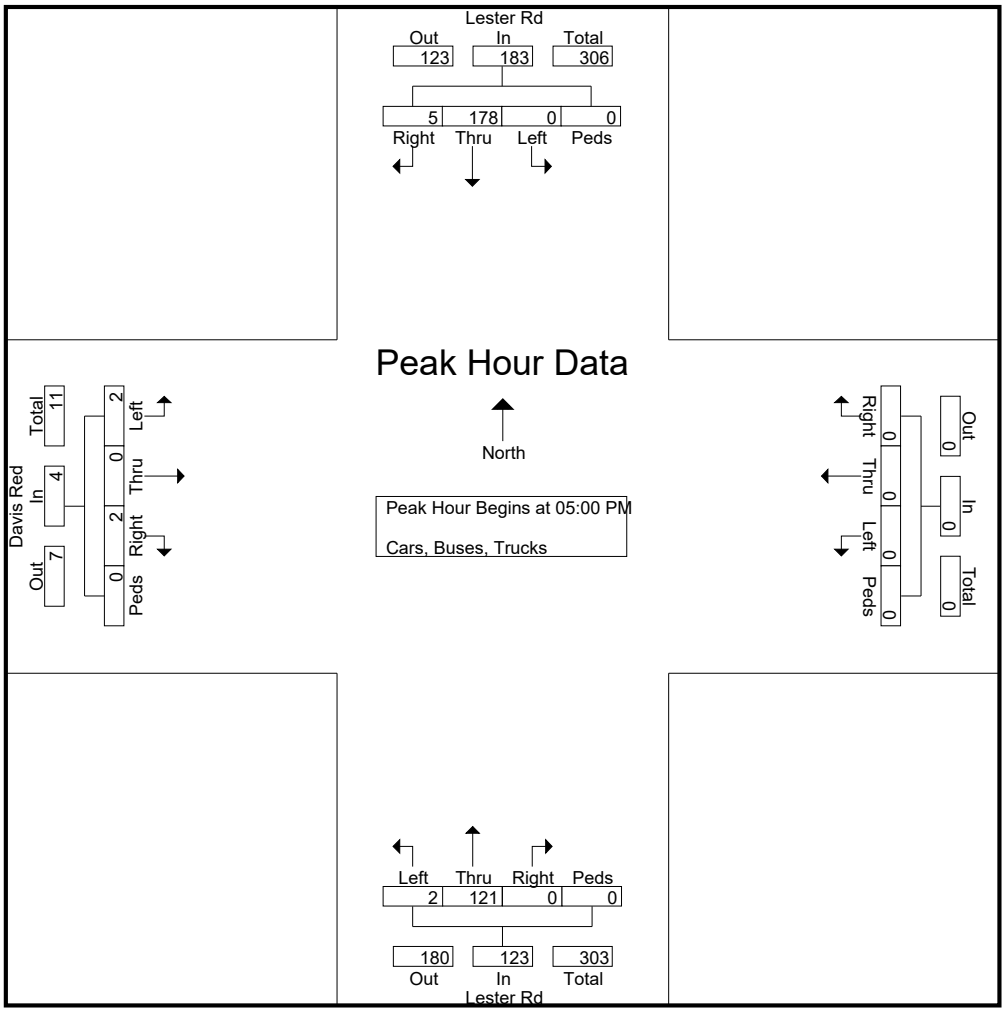
TMC Data
Lester Rd @ Davis Rd

7-9am I 4.30-6.30pm

File Name : 38360005
Site Code : 38360005
Start Date : 5/3/2016
Page No : 3

	Lester Rd Northbound					Lester Rd Southbound					Davis Red Eastbound					Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 06:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	27	0	0	27	0	47	1	0	48	0	0	0	0	0	0	0	0	0	0	75
05:15 PM	0	21	0	0	21	0	**49**	**2**	0	**51**	**1**	0	0	0	1	0	0	0	0	0	73
05:30 PM	**2**	**40**	0	0	**42**	0	40	1	0	41	1	0	**2**	0	**3**	0	0	0	0	0	**86**
05:45 PM	0	33	0	0	33	0	42	1	0	43	0	0	0	0	0	0	0	0	0	0	76
Total Volume	2	121	0	0	123	0	178	5	0	183	2	0	2	0	4	0	0	0	0	0	310
% App. Total	1.6	98.4	0	0		0	97.3	2.7	0		50	0	50	0		0	0	0	0		
PHF	.250	.756	.000	.000	.732	.000	.908	.625	.000	.897	.500	.000	.250	.000	.333	.000	.000	.000	.000	.000	.901



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TMC Data
Ebenezer Rd @ Ebenezer Church Rd/
Spear Rd
7-9am I 4.30-6.30pm

File Name : 38360002
Site Code : 38360002
Start Date : 5/3/2016
Page No : 1

Groups Printed- Cars, Buses, Trucks

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Spear Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	2	35	9	0	46	2	14	0	0	16	1	3	0	0	4	16	17	10	0	43	109
07:15 AM	2	57	6	0	65	4	23	1	0	28	3	4	3	0	10	10	18	8	0	36	139
07:30 AM	7	48	13	0	68	5	30	0	0	35	3	7	1	0	11	17	23	15	0	55	169
07:45 AM	1	46	3	0	50	6	29	0	0	35	1	5	0	0	6	18	26	9	0	53	144
Total	12	186	31	0	229	17	96	1	0	114	8	19	4	0	31	61	84	42	0	187	561
08:00 AM	2	53	3	0	58	6	27	0	0	33	0	7	1	0	8	11	16	7	0	34	133
08:15 AM	1	35	11	0	47	5	17	2	0	24	2	6	0	0	8	8	16	10	0	34	113
08:30 AM	2	28	6	0	36	3	32	0	0	35	2	7	0	0	9	7	13	5	0	25	105
08:45 AM	1	34	4	0	39	2	23	3	0	28	6	8	1	0	15	9	11	6	0	26	108
Total	6	150	24	0	180	16	99	5	0	120	10	28	2	0	40	35	56	28	0	119	459
*** BREAK ***																					
04:30 PM	2	23	8	0	33	7	38	1	0	46	2	12	3	0	17	9	15	6	0	30	126
04:45 PM	1	22	10	0	33	9	36	0	0	45	1	16	1	0	18	6	6	13	0	25	121
Total	3	45	18	0	66	16	74	1	0	91	3	28	4	0	35	15	21	19	0	55	247
05:00 PM	0	31	12	0	43	10	45	0	0	55	4	14	2	0	20	6	11	8	0	25	143
05:15 PM	0	37	13	0	50	25	62	4	0	91	3	25	0	0	28	8	14	6	0	28	197
05:30 PM	1	22	17	0	40	11	48	0	0	59	1	18	2	0	21	10	19	4	0	33	153
05:45 PM	2	31	6	0	39	10	45	2	0	57	1	18	0	0	19	10	10	8	0	28	143
Total	3	121	48	0	172	56	200	6	0	262	9	75	4	0	88	34	54	26	0	114	636
06:00 PM	0	22	7	0	29	8	42	3	0	53	2	10	1	0	13	12	14	8	0	34	129
06:15 PM	1	30	8	0	39	5	41	0	0	46	2	12	1	0	15	9	14	6	0	29	129
Grand Total	25	554	136	0	715	118	552	16	0	686	34	172	16	0	222	166	243	129	0	538	2161
Apprch %	3.5	77.5	19	0		17.2	80.5	2.3	0		15.3	77.5	7.2	0		30.9	45.2	24	0		
Total %	1.2	25.6	6.3	0	33.1	5.5	25.5	0.7	0	31.7	1.6	8	0.7	0	10.3	7.7	11.2	6	0	24.9	

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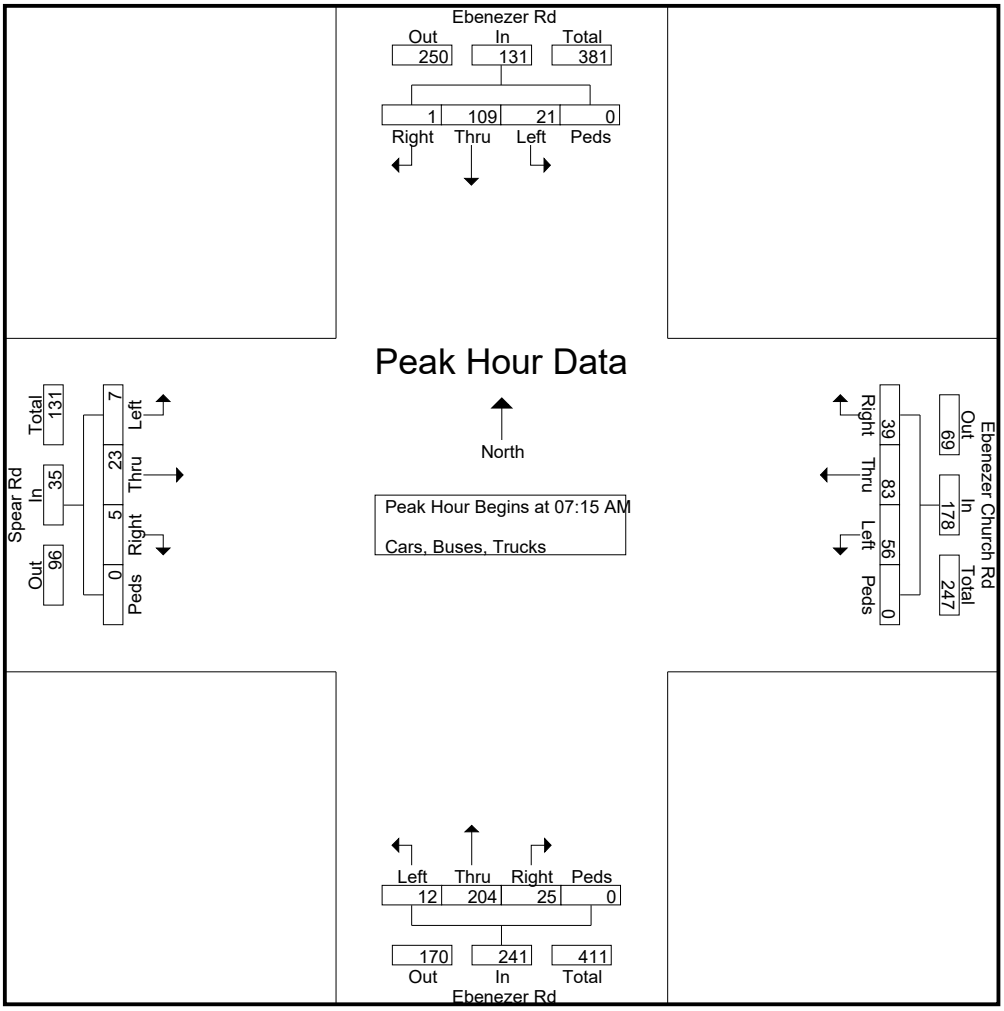
TMC Data
Ebenezer Rd @ Ebenezer Church Rd/
Spear Rd
7-9am I 4.30-6.30pm

File Name : 38360002
Site Code : 38360002
Start Date : 5/3/2016
Page No : 2

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Spear Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	2	**57**	6	0	65	4	23	**1**	0	28	**3**	4	**3**	0	10	10	18	8	0	36	139
07:30 AM	**7**	48	**13**	0	**68**	5	**30**	0	0	**35**	3	**7**	1	0	**11**	17	23	**15**	0	**55**	**169**
07:45 AM	1	46	3	0	50	**6**	29	0	0	35	1	5	0	0	6	**18**	**26**	9	0	53	144
08:00 AM	2	53	3	0	58	6	27	0	0	33	0	7	1	0	8	11	16	7	0	34	133
Total Volume	12	204	25	0	241	21	109	1	0	131	7	23	5	0	35	56	83	39	0	178	585
% App. Total	5	84.6	10.4	0		16	83.2	0.8	0		20	65.7	14.3	0		31.5	46.6	21.9	0		
PHF	.429	.895	.481	.000	.886	.875	.908	.250	.000	.936	.583	.821	.417	.000	.795	.778	.798	.650	.000	.809	.865



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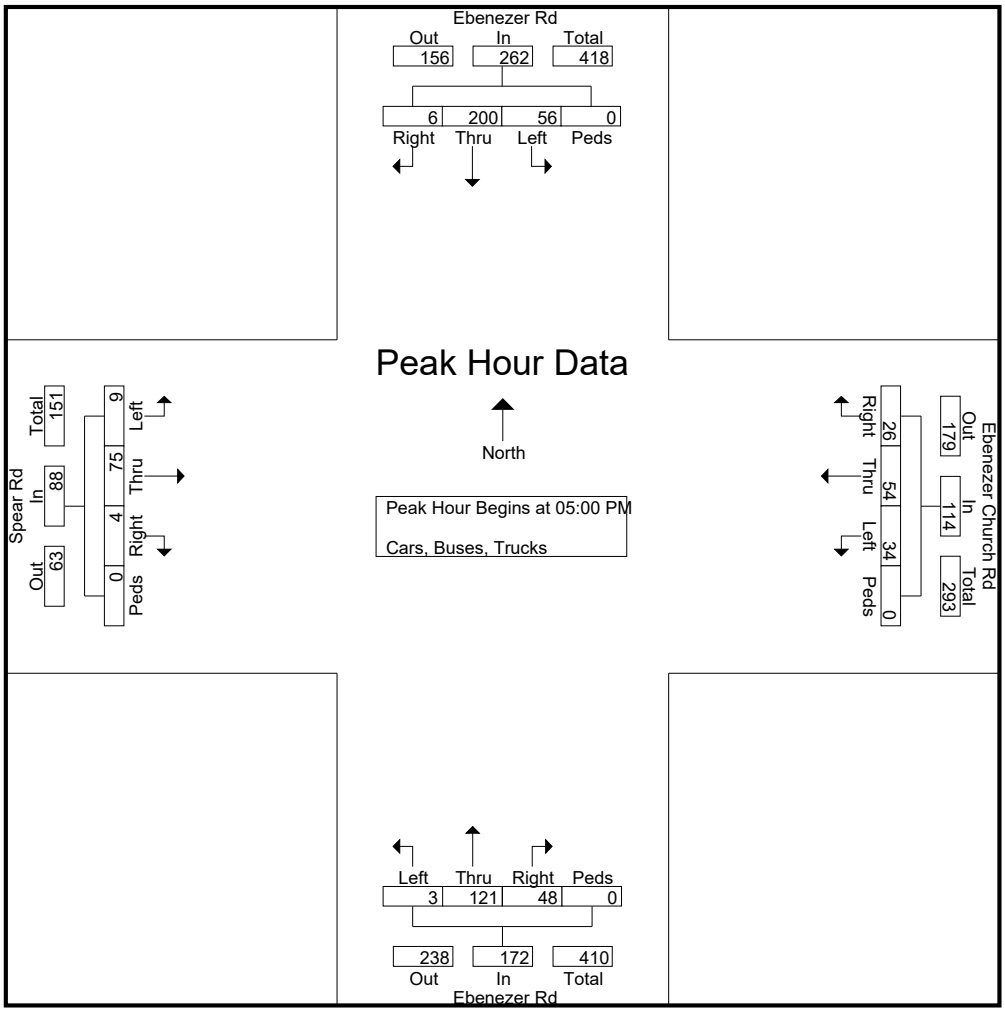
TMC Data
Ebenezer Rd @ Ebenezer Church Rd/
Spear Rd
7-9am I 4.30-6.30pm

File Name : 38360002
Site Code : 38360002
Start Date : 5/3/2016
Page No : 3

	Ebenezer Rd Northbound					Ebenezer Rd Southbound					Spear Rd Eastbound					Ebenezer Church Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 06:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	31	12	0	43	10	45	0	0	55	**4**	14	**2**	0	20	6	11	**8**	0	25	143
05:15 PM	0	**37**	13	0	**50**	**25**	**62**	**4**	0	**91**	3	**25**	0	0	**28**	8	14	6	0	28	**197**
05:30 PM	1	22	**17**	0	40	11	48	0	0	59	1	18	2	0	21	**10**	**19**	4	0	**33**	153
05:45 PM	**2**	31	6	0	39	10	45	2	0	57	1	18	0	0	19	10	10	8	0	28	143
Total Volume	3	121	48	0	172	56	200	6	0	262	9	75	4	0	88	34	54	26	0	114	636
% App. Total	1.7	70.3	27.9	0		21.4	76.3	2.3	0		10.2	85.2	4.5	0		29.8	47.4	22.8	0		
PHF	.375	.818	.706	.000	.860	.560	.806	.375	.000	.720	.563	.750	.500	.000	.786	.850	.711	.813	.000	.864	.807



MetroCount Traffic Executive
Vehicle Counts

VehicleCount-110 -- English (ENU)

Datasets:

Site:	**[0000002] Ebenezer Church at Hillred**
Attribute:	Ebenezer Church Rd
Direction:	8 - East bound A>B, West bound B>A. **Lane:** 0
Survey Duration:	12:49 Wednesday, April 27, 2016 => 15:45 Friday, April 29, 2016,
Zone:	
File:	Ebenezer Church Rd.EC0 (Plus)
Identifier:	JE88NK7K MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm:	Factory default axle (v4.06)
Data type:	Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time:	**12:50 Wednesday, April 27, 2016 => 15:45 Friday, April 29, 2016 (2.12186)**
Included classes:	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Speed range:	5 - 100 mph.
Direction:	North, East, South, West (bound), P = East
Separation:	GapX > 0 sec, Span 0 - 300 ft
Name:	Default Profile
Scheme:	Vehicle classification (Scheme F3)
Units:	Non metric (ft, mi, ft/s, mph, lb, ton)
In profile:	Vehicles = 5049 / 5051 (99.96%)

* Wednesday, April 27, 2016 - Total=1460 (Incomplete) , 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
-	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**0**	**154**	**205**	**250**	**260**	**202**	**157**	**128**	**60**	**27**	**17**	
-	-	-	-	-	-	-	-	-	-	-	-	-	0	0	45	46	63	68	48	28	17	6	7	2
-	-	-	-	-	-	-	-	-	-	-	-	-	0	55	47	71	88	47	36	38	18	3	6	1
-	-	-	-	-	-	-	-	-	-	-	-	-	0	53	65	59	55	39	38	39	11	12	2	1
-	-	-	-	-	-	-	-	-	-	-	-	0	0	46	48	74	54	48	35	23	14	6	2	1

* Thursday, April 28, 2016 - Total=2825, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
5	**5**	**6**	**5**	**12**	**11**	**83**	**228**	**180**	**142**	**153**	**139**	**185**	**160**	**211**	**215**	**230**	**262**	**211**	**148**	**125**	**65**	**31**	**13**	
2	2	3	2	0	1	10	**47**	44	33	34	34	52	43	48	55	53	**65**	51	54	35	19	8	1	4
1	1	0	1	2	1	12	**51**	49	34	45	33	39	47	46	52	50	**65**	53	27	31	21	7	6	3
1	1	1	0	2	7	26	**64**	49	36	43	32	38	40	59	53	68	**75**	64	31	31	18	10	5	5
1	1	2	2	8	2	35	**66**	38	39	31	40	56	30	58	55	**59**	57	43	36	28	7	6	1	5

AM Peak 0700 - 0800 (228), AM PHF=0.86 PM Peak 1645 - 1745 (264), PM PHF=0.88

* Friday, April 29, 2016 - Total=764 (Incomplete) , 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
17	**6**	**3**	**6**	**10**	**23**	**79**	**227**	**173**	**137**	**83**	**0**	**0**	**0**	**0**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	
4	3	2	1	3	3	7	42	**52**	36	34	0	0	0	0	0	-	-	-	-	-	-	-	-	-
3	3	0	3	1	7	11	**54**	41	27	30	0	0	0	0	0	-	-	-	-	-	-	-	-	-
5	0	1	1	4	4	24	**64**	37	38	19	0	0	0	0	0	-	-	-	-	-	-	-	-	-
5	0	0	1	2	9	37	**67**	43	36	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-

AM Peak 0715 - 0815 (237), AM PHF=0.88

MetroCount Traffic Executive
Vehicle Counts

VehicleCount-109 -- English (ENU)

Datasets:

Site:	**[000001] Davis Rd East of Huiet**
Attribute:	Davis Rd
Direction:	8 - East bound A>B, West bound B>A. **Lane:** 1
Survey Duration:	12:45 Wednesday, April 27, 2016 => 15:43 Friday, April 29, 2016,
Zone:	
File:	Davis Rd.EC1 (Plus)
Identifier:	JG19KA2D MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm:	Factory default axle (v4.06)
Data type:	Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time:	**12:46 Wednesday, April 27, 2016 => 15:43 Friday, April 29, 2016 (2.12352)**
Included classes:	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Speed range:	5 - 100 mph.
Direction:	North, East, South, West (bound), P = East
Separation:	GapX > 0 sec, Span 0 - 300 ft
Name:	Default Profile
Scheme:	Vehicle classification (Scheme F3)
Units:	Non metric (ft, mi, ft/s, mph, lb, ton)
In profile:	Vehicles = 61 / 61 (100.00%)

* Wednesday, April 27, 2016 - Total=17 (Incomplete) , 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
-	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**0**	**1**	**6**	**7**	**3**	**0**	**0**	**0**	**0**	**0**	**0**	
-	-	-	-	-	-	-	-	-	-	-	-	-	0	0	3	1	1	0	0	0	0	0	0	0
-	-	-	-	-	-	-	-	-	-	-	-	-	0	0	1	2	1	0	0	0	0	0	0	0
-	-	-	-	-	-	-	-	-	-	-	-	-	0	1	0	2	1	0	0	0	0	0	0	0
-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	2	2	0	0	0	0	0	0	0	0

* Thursday, April 28, 2016 - Total=30, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
0	**0**	**0**	**0**	**0**	**0**	**0**	**3**	**1**	**1**	**2**	**7**	**2**	**4**	**3**	**3**	**3**	**1**	**0**	**0**	**0**	**0**	**0**	**0**	
0	0	0	0	0	0	0	2	0	0	0	**3**	1	**1**	0	1	0	1	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	1	1	**1**	1	**0**	1	1	1	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	**2**	0	**2**	1	0	1	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	1	1	0	**1**	1	0	**1**	1	1	1	0	0	0	0	0	0	0	0

AM Peak 1045 - 1145 (7), AM PHF=0.58 PM Peak 1300 - 1400 (4), PM PHF=0.50

* Friday, April 29, 2016 - Total=14 (Incomplete) , 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
0	**0**	**0**	**0**	**0**	**0**	**0**	**2**	**3**	**5**	**4**	**0**	**0**	**0**	**0**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	
0	0	0	0	0	0	0	1	0	**1**	1	0	0	0	0	0	-	-	-	-	-	-	-	-	-
0	0	0	0	0	0	0	0	0	**2**	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-
0	0	0	0	0	0	0	1	**1**	1	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-
0	0	0	0	0	0	0	0	**2**	1	3	0	0	0	0	-	-	-	-	-	-	-	-	-	-

AM Peak 0830 - 0930 (6), AM PHF=0.75

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2010 edition (HCM 2010). Synchro 8 software, which emulates the HCM 2010 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and stop-sign controlled (unsignalized) intersections.

Signalized Intersections

The criteria for evaluating signalized intersections are capacity and level of service. The capacity analysis of an intersection compares the volume of traffic using the various lane groups at the intersection to the capacity of those lane groups. This produces a volume-to-capacity (v/c) ratio for each lane group. A v/c ratio greater than 1.0 indicates that the volume of traffic has exceeded the capacity available and indicates a temporary excess of demand. The HCM 2010 methodology computes a critical v/c ratio for an intersection based on the critical lane groups or approaches. This critical v/c ratio is an indication of overall intersection sufficiency.

Level of service for a signalized intersection is defined in terms of control delay per vehicle. For signalized intersections, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections

Control Delay (s/veh)	Level of Service by Volume-to-Capacity Ratio	
	≤1.0	>1.0
≤ 10	A	F
> 10 and ≤ 20	B	F
> 20 and ≤ 35	C	F
> 35 and ≤ 55	D	F
> 55 and ≤ 80	E	F
> 80	F	F

Source: Highway Capacity Manual 2010

Unsignalized Intersections

The operations at an unsignalized intersection are defined in terms of levels of service. Level of service (LOS) is a measure of driver discomfort, frustration, fuel consumption, and lost travel time. Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory,

factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream.

Levels of service are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	Level of Service by Volume-to-Capacity Ratio	
	≤1.0	>1.0
0 – 10	A	F
> 10 and ≤ 15	B	F
> 15 and ≤ 25	C	F
> 25 and ≤ 35	D	F
> 35 and ≤ 50	E	F
> 50	F	F

Source: Highway Capacity Manual 2010

Appendix C

Existing Intersection Operational Analysis

Intersection	
Int Delay, s/veh	0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	3	2	263	1	1	124
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	42	42	86	86	89	89
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	5	306	1	1	139

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	448	306	0	0	307	0
Stage 1	306	-	-	-	-	-
Stage 2	142	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	568	734	-	-	1254	-
Stage 1	747	-	-	-	-	-
Stage 2	885	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	567	734	-	-	1254	-
Mov Cap-2 Maneuver	567	-	-	-	-	-
Stage 1	747	-	-	-	-	-
Stage 2	884	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.9	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	624	1254	-
HCM Lane V/C Ratio	-	-	0.019	0.001	-
HCM Control Delay (s)	-	-	10.9	7.9	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	0.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	2	3	4	200	123	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	62	62	86	86	87	87
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	5	5	233	141	2

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	385	143	144	0	-	0
Stage 1	143	-	-	-	-	-
Stage 2	242	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	618	905	1438	-	-	-
Stage 1	884	-	-	-	-	-
Stage 2	798	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	616	905	1438	-	-	-
Mov Cap-2 Maneuver	616	-	-	-	-	-
Stage 1	884	-	-	-	-	-
Stage 2	795	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.8	0.1	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1438	-	762	-	-
HCM Lane V/C Ratio	0.003	-	0.011	-	-
HCM Control Delay (s)	7.5	0	9.8	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0	-	-

Intersection	
Int Delay, s/veh	1.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	7	28	12	243	130	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	89	89	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	9	35	13	273	138	1

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	439	139	139	0	-	0
Stage 1	139	-	-	-	-	-
Stage 2	300	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	575	909	1445	-	-	-
Stage 1	888	-	-	-	-	-
Stage 2	752	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	569	909	1445	-	-	-
Mov Cap-2 Maneuver	569	-	-	-	-	-
Stage 1	888	-	-	-	-	-
Stage 2	744	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.7	0.4	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1445	-	812	-	-
HCM Lane V/C Ratio	0.009	-	0.054	-	-
HCM Control Delay (s)	7.5	0	9.7	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

Intersection	
Int Delay, s/veh	3.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	10	68	153	196	98	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	90	90	74	74
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	87	170	218	132	35

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	388	0	-	0	392	279
Stage 1	-	-	-	-	279	-
Stage 2	-	-	-	-	113	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1170	-	-	-	612	760
Stage 1	-	-	-	-	768	-
Stage 2	-	-	-	-	912	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1170	-	-	-	605	760
Mov Cap-2 Maneuver	-	-	-	-	605	-
Stage 1	-	-	-	-	768	-
Stage 2	-	-	-	-	901	-

Approach	EB	WB	SB
HCM Control Delay, s	1	0	12.7
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1170	-	-	-	632
HCM Lane V/C Ratio	0.011	-	-	-	0.265
HCM Control Delay (s)	8.1	0	-	-	12.7
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	1.1

Intersection	
Int Delay, s/veh	0.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	62	1	3	159	6	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	72	72	79	79	63	63
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	86	1	4	201	10	6

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	86	0	295	86
Stage 1	-	-	-	-	86	-
Stage 2	-	-	-	-	209	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1510	-	696	973
Stage 1	-	-	-	-	937	-
Stage 2	-	-	-	-	826	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1510	-	694	973
Mov Cap-2 Maneuver	-	-	-	-	694	-
Stage 1	-	-	-	-	937	-
Stage 2	-	-	-	-	824	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	9.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	784	-	-	1510	-
HCM Lane V/C Ratio	0.02	-	-	0.003	-
HCM Control Delay (s)	9.7	-	-	7.4	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Intersection	
Int Delay, s/veh	4.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	56	122	216	25	21	114
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	81	81	89	89	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	69	151	243	28	22	121

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	423	257	0	0	271	0
Stage 1	257	-	-	-	-	-
Stage 2	166	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	588	782	-	-	1292	-
Stage 1	786	-	-	-	-	-
Stage 2	863	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	577	782	-	-	1292	-
Mov Cap-2 Maneuver	577	-	-	-	-	-
Stage 1	786	-	-	-	-	-
Stage 2	847	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.4	0	1.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	703	1292	-
HCM Lane V/C Ratio	-	-	0.313	0.017	-
HCM Control Delay (s)	-	-	12.4	7.8	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	1.3	0.1	-

Intersection	
Int Delay, s/veh	0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	5	2	152	5	2	250
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	58	58	84	84	86	86
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	9	3	181	6	2	291

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	479	184	0	0	187	0
Stage 1	184	-	-	-	-	-
Stage 2	295	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	545	858	-	-	1387	-
Stage 1	848	-	-	-	-	-
Stage 2	755	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	544	858	-	-	1387	-
Mov Cap-2 Maneuver	544	-	-	-	-	-
Stage 1	848	-	-	-	-	-
Stage 2	753	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	608	1387	-
HCM Lane V/C Ratio	-	-	0.02	0.002	-
HCM Control Delay (s)	-	-	11	7.6	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	2	2	2	121	178	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	33	33	73	73	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	6	6	3	166	198	6

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	372	201	203	0	-	0
Stage 1	201	-	-	-	-	-
Stage 2	171	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	629	840	1369	-	-	-
Stage 1	833	-	-	-	-	-
Stage 2	859	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	628	840	1369	-	-	-
Mov Cap-2 Maneuver	628	-	-	-	-	-
Stage 1	833	-	-	-	-	-
Stage 2	857	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1369	-	719	-	-
HCM Lane V/C Ratio	0.002	-	0.017	-	-
HCM Control Delay (s)	7.6	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	9	79	3	147	256	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	86	86	72	72
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	11	100	3	171	356	8

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	538	360	364	0	-	0
Stage 1	360	-	-	-	-	-
Stage 2	178	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	504	684	1195	-	-	-
Stage 1	706	-	-	-	-	-
Stage 2	853	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	502	684	1195	-	-	-
Mov Cap-2 Maneuver	502	-	-	-	-	-
Stage 1	706	-	-	-	-	-
Stage 2	850	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.6	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1195	-	660	-	-
HCM Lane V/C Ratio	0.003	-	0.169	-	-
HCM Control Delay (s)	8	0	11.6	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	4.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	29	136	95	92	157	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	84	84	88	88	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	35	162	108	105	171	22

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	213	0	-	0	391	160
Stage 1	-	-	-	-	160	-
Stage 2	-	-	-	-	231	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1357	-	-	-	613	885
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	807	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1357	-	-	-	596	885
Mov Cap-2 Maneuver	-	-	-	-	596	-
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	784	-

Approach	EB	WB	SB
HCM Control Delay, s	1.4	0	13.4
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1357	-	-	-	619
HCM Lane V/C Ratio	0.025	-	-	-	0.311
HCM Control Delay (s)	7.7	0	-	-	13.4
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	1.3

Intersection	
Int Delay, s/veh	0.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	141	5	6	116	2	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	99	99	82	82	33	33
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	142	5	7	141	6	6

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	142	0	298	142
Stage 1	-	-	-	-	142	-
Stage 2	-	-	-	-	156	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1441	-	693	906
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	872	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1441	-	690	906
Mov Cap-2 Maneuver	-	-	-	-	690	-
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	868	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.4	9.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	783	-	-	1441	-
HCM Lane V/C Ratio	0.015	-	-	0.005	-
HCM Control Delay (s)	9.7	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection	
Int Delay, s/veh	3.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	34	80	124	48	56	204
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	86	86	86	86	72	72
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	40	93	144	56	78	283

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	611	172	0	0	200	0
Stage 1	172	-	-	-	-	-
Stage 2	439	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	457	872	-	-	1372	-
Stage 1	858	-	-	-	-	-
Stage 2	650	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	426	872	-	-	1372	-
Mov Cap-2 Maneuver	426	-	-	-	-	-
Stage 1	858	-	-	-	-	-
Stage 2	606	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.8	0	1.7
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	665	1372	-
HCM Lane V/C Ratio	-	-	0.199	0.057	-
HCM Control Delay (s)	-	-	11.8	7.8	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.7	0.2	-

Appendix D

Future Intersection Operational Analysis

Intersection	
Int Delay, s/veh	1.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	11	15	277	3	4	130
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	42	42	86	86	89	89
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	26	36	322	3	4	146

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	479	324	0	0	326	0
Stage 1	324	-	-	-	-	-
Stage 2	155	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	545	717	-	-	1234	-
Stage 1	733	-	-	-	-	-
Stage 2	873	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	543	717	-	-	1234	-
Mov Cap-2 Maneuver	543	-	-	-	-	-
Stage 1	733	-	-	-	-	-
Stage 2	870	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.3	0	0.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	631	1234	-
HCM Lane V/C Ratio	-	-	0.098	0.004	-
HCM Control Delay (s)	-	-	11.3	7.9	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.3	0	-

Intersection	
Int Delay, s/veh	0.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	8	7	5	212	128	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	62	62	86	86	87	87
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	11	6	247	147	5

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	407	149	152	0	-	0
Stage 1	149	-	-	-	-	-
Stage 2	258	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	600	898	1429	-	-	-
Stage 1	879	-	-	-	-	-
Stage 2	785	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	597	898	1429	-	-	-
Mov Cap-2 Maneuver	597	-	-	-	-	-
Stage 1	879	-	-	-	-	-
Stage 2	781	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1429	-	708	-	-
HCM Lane V/C Ratio	0.004	-	0.034	-	-
HCM Control Delay (s)	7.5	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	1.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	8	31	16	256	140	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	89	89	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	10	39	18	288	149	5

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	476	152	154	0	-	0
Stage 1	152	-	-	-	-	-
Stage 2	324	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	548	894	1426	-	-	-
Stage 1	876	-	-	-	-	-
Stage 2	733	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	540	894	1426	-	-	-
Mov Cap-2 Maneuver	540	-	-	-	-	-
Stage 1	876	-	-	-	-	-
Stage 2	722	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.9	0.4	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1426	-	788	-	-
HCM Lane V/C Ratio	0.013	-	0.062	-	-
HCM Control Delay (s)	7.6	0	9.9	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	16	74	160	203	105	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	90	90	74	74
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	95	178	226	142	38

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	403	0	-	0	427	291
Stage 1	-	-	-	-	291	-
Stage 2	-	-	-	-	136	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1156	-	-	-	584	748
Stage 1	-	-	-	-	759	-
Stage 2	-	-	-	-	890	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1156	-	-	-	573	748
Mov Cap-2 Maneuver	-	-	-	-	573	-
Stage 1	-	-	-	-	759	-
Stage 2	-	-	-	-	873	-

Approach	EB	WB	SB
HCM Control Delay, s	1.5	0	13.5
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1156	-	-	-	603
HCM Lane V/C Ratio	0.018	-	-	-	0.298
HCM Control Delay (s)	8.2	0	-	-	13.5
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	1.2

Ebenezer Curch Road Subdivision
5: Hillred/site access & Ebenezer Church

future a.m.

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	6	64	1	3	164	3	6	0	4	10	0	14
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	72	72	72	79	79	79	63	63	63	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	89	1	4	208	4	10	0	6	12	0	18

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	211	0	0	89	0	0	332	325	89	326	323	209
Stage 1	-	-	-	-	-	-	106	106	-	217	217	-
Stage 2	-	-	-	-	-	-	226	219	-	109	106	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1360	-	-	1506	-	-	621	593	969	627	595	831
Stage 1	-	-	-	-	-	-	900	807	-	785	723	-
Stage 2	-	-	-	-	-	-	777	722	-	896	807	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1360	-	-	1506	-	-	604	588	969	619	590	831
Mov Cap-2 Maneuver	-	-	-	-	-	-	604	588	-	619	590	-
Stage 1	-	-	-	-	-	-	895	802	-	780	721	-
Stage 2	-	-	-	-	-	-	758	720	-	885	802	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.6	0.1	10.2	10.2
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	711	1360	-	-	1506	-	-	727
HCM Lane V/C Ratio	0.022	0.006	-	-	0.003	-	-	0.041
HCM Control Delay (s)	10.2	7.7	0	-	7.4	0	-	10.2
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	5.5

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	5	6	3	6	21	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	70	70	70	70	80	80
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	9	4	9	26	12

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	16	0	28	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	17	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1602	-	987	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	1006	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1602	-	984	1070
Mov Cap-2 Maneuver	-	-	-	-	984	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	1003	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2.4	8.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1010	-	-	1602	-
HCM Lane V/C Ratio	0.038	-	-	0.003	-
HCM Control Delay (s)	8.7	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Intersection	
Int Delay, s/veh	5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	62	136	223	28	24	121
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	81	81	89	89	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	77	168	251	31	26	129

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	446	266	0	0	282	0
Stage 1	266	-	-	-	-	-
Stage 2	180	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	570	773	-	-	1280	-
Stage 1	779	-	-	-	-	-
Stage 2	851	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	557	773	-	-	1280	-
Mov Cap-2 Maneuver	557	-	-	-	-	-
Stage 1	779	-	-	-	-	-
Stage 2	832	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	13.1	0	1.3
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	689	1280	-
HCM Lane V/C Ratio	-	-	0.355	0.02	-
HCM Control Delay (s)	-	-	13.1	7.9	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	1.6	0.1	-

Intersection	
Int Delay, s/veh	0.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	9	10	162	11	16	265
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	58	58	84	84	86	86
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	17	193	13	19	308

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	544	199	0	0	206	0
Stage 1	199	-	-	-	-	-
Stage 2	345	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	500	842	-	-	1365	-
Stage 1	835	-	-	-	-	-
Stage 2	717	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	492	842	-	-	1365	-
Mov Cap-2 Maneuver	492	-	-	-	-	-
Stage 1	835	-	-	-	-	-
Stage 2	705	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11	0	0.4
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	630	1365	-
HCM Lane V/C Ratio	-	-	0.052	0.014	-
HCM Control Delay (s)	-	-	11	7.7	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.2	0	-

Intersection	
Int Delay, s/veh	0.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	6	4	5	129	187	14
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	33	33	73	73	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	18	12	7	177	208	16

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	406	216	223	0	-	0
Stage 1	216	-	-	-	-	-
Stage 2	190	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	601	824	1346	-	-	-
Stage 1	820	-	-	-	-	-
Stage 2	842	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	597	824	1346	-	-	-
Mov Cap-2 Maneuver	597	-	-	-	-	-
Stage 1	820	-	-	-	-	-
Stage 2	837	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.6	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1346	-	671	-	-
HCM Lane V/C Ratio	0.005	-	0.045	-	-
HCM Control Delay (s)	7.7	0	10.6	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	12	87	6	156	273	8
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	86	86	72	72
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	110	7	181	379	11

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	580	385	390	0	-	0
Stage 1	385	-	-	-	-	-
Stage 2	195	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	477	663	1169	-	-	-
Stage 1	688	-	-	-	-	-
Stage 2	838	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	474	663	1169	-	-	-
Mov Cap-2 Maneuver	474	-	-	-	-	-
Stage 1	688	-	-	-	-	-
Stage 2	832	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.1	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1169	-	632	-	-
HCM Lane V/C Ratio	0.006	-	0.198	-	-
HCM Control Delay (s)	8.1	0	12.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.7	-	-

Intersection	
Int Delay, s/veh	5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	34	143	104	98	164	25
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	84	84	88	88	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	40	170	118	111	178	27

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	230	0	-	0	425	174
Stage 1	-	-	-	-	174	-
Stage 2	-	-	-	-	251	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1338	-	-	-	586	869
Stage 1	-	-	-	-	856	-
Stage 2	-	-	-	-	791	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1338	-	-	-	567	869
Mov Cap-2 Maneuver	-	-	-	-	567	-
Stage 1	-	-	-	-	856	-
Stage 2	-	-	-	-	765	-

Approach	EB	WB	SB
HCM Control Delay, s	1.5	0	14.2
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1338	-	-	-	594
HCM Lane V/C Ratio	0.03	-	-	-	0.346
HCM Control Delay (s)	7.8	0	-	-	14.2
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	1.5

Ebenezer Curch Road Subdivision
5: Hillred/site access & Ebenezer Church

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Intersection	
Int Delay, s/veh	1.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	19	145	5	6	119	10	2	0	2	7	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	99	99	99	82	82	82	33	33	33	70	70	70
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	19	146	5	7	145	12	6	0	6	10	0	16

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	157	0	0	146	0	0	359	357	146	354	351	151
Stage 1	-	-	-	-	-	-	185	185	-	166	166	-
Stage 2	-	-	-	-	-	-	174	172	-	188	185	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1423	-	-	1436	-	-	596	569	901	601	573	895
Stage 1	-	-	-	-	-	-	817	747	-	836	761	-
Stage 2	-	-	-	-	-	-	828	756	-	814	747	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1423	-	-	1436	-	-	577	558	901	588	562	895
Mov Cap-2 Maneuver	-	-	-	-	-	-	577	558	-	588	562	-
Stage 1	-	-	-	-	-	-	805	736	-	823	757	-
Stage 2	-	-	-	-	-	-	809	752	-	796	736	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.9	0.3	10.2	10
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	703	1423	-	-	1436	-	-	744
HCM Lane V/C Ratio	0.017	0.013	-	-	0.005	-	-	0.035
HCM Control Delay (s)	10.2	7.6	0	-	7.5	0	-	10
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	4	20	12	7	12	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	5	25	15	9	15	8

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	30	0	57	18
Stage 1	-	-	-	-	18	-
Stage 2	-	-	-	-	39	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1583	-	950	1061
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	983	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1583	-	941	1061
Mov Cap-2 Maneuver	-	-	-	-	941	-
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	973	-

Approach	EB	WB	NB
HCM Control Delay, s	0	4.6	8.8
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	978	-	-	1583	-
HCM Lane V/C Ratio	0.023	-	-	0.009	-
HCM Control Delay (s)	8.8	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Intersection	
Int Delay, s/veh	3.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	38	90	131	55	65	212
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	86	86	86	86	72	72
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	44	105	152	64	90	294

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	659	184	0	0	216	0
Stage 1	184	-	-	-	-	-
Stage 2	475	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	429	858	-	-	1354	-
Stage 1	848	-	-	-	-	-
Stage 2	626	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	395	858	-	-	1354	-
Mov Cap-2 Maneuver	395	-	-	-	-	-
Stage 1	848	-	-	-	-	-
Stage 2	577	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.4	0	1.8
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	637	1354	-
HCM Lane V/C Ratio	-	-	0.234	0.067	-
HCM Control Delay (s)	-	-	12.4	7.8	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.9	0.2	-

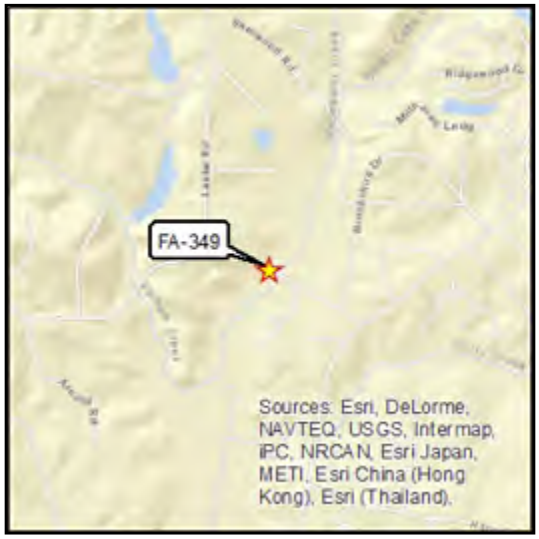
Appendix E

Programmed Transportation Infrastructure Project Sheets

FA-349

Atlanta Region's Plan RTP (2016) PROJECT FACT SHEET

Short Title	EBENEZER CHURCH ROAD BRIDGE REPLACEMENT AT WHITEWATER CREEK
GDOT Project No.	0008598
Federal ID No.	CSBRG-0008-00(598)
Status	Programmed
Service Type	Roadway / Bridge Upgrade
Sponsor	GDOT
Jurisdiction	Fayette County
Analysis Level	Exempt from Air Quality Analysis (40 CFR 93)
Existing Thru Lane	2
Planned Thru Lane	2



Network Year	TBD	
Corridor Length	0.4	miles

Detailed Description and Justification

This project will upgrade the bridge at Ebenezer Church Road at Whitewater Creek.

Phase Status & Funding Information		Status	FISCAL YEAR	TOTAL PHASE COST	BREAKDOWN OF TOTAL PHASE COST BY FUNDING SOURCE			
					FEDERAL	STATE	BONDS	LOCAL/PRIVATE
PE	STP - Urban (>200K) (ARC)	AUTH	2016	**$107,559**	~~$86,047~~	~~$21,512~~	~~$0,000~~	~~$0,000~~
ROW	Local Jurisdiction/Municipality Funds		2018	**$100,000**	$0,000	$0,000	$0,000	$100,000
CST	STP - Statewide Flexible (GDOT)		2019	**$900,000**	$720,000	$180,000	$0,000	$0,000
				$1,107,559	**$806,047**	**$201,512**	**$0,000**	**$100,000**

SCP: Scoping PE: Preliminary engineering / engineering / design / planning PE-OV: GDOT oversight services for engineering ROW: Right-of-way Acquistion
UTL: Utility relocation CST: Construction / Implementation ALL: Total estimated cost, inclusive of all phases

? For additional information about this project, please call (404) 463-3100 or email transportation@atlantaregional.com.

ARC

Report Generated: 2/24/2016

FA-351

Atlanta Region's Plan RTP (2016) PROJECT FACT SHEET

Short Title	SR 85 CONNECTOR, BROOKS WOOLSEY ROAD AND EBENEZER ROAD - RESURFACING
GDOT Project No.	0012623
Federal ID No.	N/A
Status	Programmed
Service Type	Roadway / Operations & Safety
Sponsor	Fayette County,Town of Brooks
Jurisdiction	Fayette County
Analysis Level	Exempt from Air Quality Analysis (40 CFR 93)
Existing Thru Lane	N/A
Planned Thru Lane	N/A

Network Year	TBD	
Corridor Length	9.8	miles

Detailed Description and Justification

This project involves resurfacing three roadways important for mobility with Fayette County and connecting with adjacent jurisdictions. The facilities are: 1) SR 85 Connector, a rural major collector, from Woods Road to the Spalding County Line, a distance of 3.5 miles, 2) Brooks Woolsey Road, a rural major collector, from Antioch Road to Hwy 85 Connector, a distance of 4.1 miles, and 3) Ebenezer Road, an urban minor arterial, from Ebenezer Church Road to Robinson Road, a distance of 2.2 miles. The project is being funded under the Roadway Operations and Safety Program, a regional program defined in PLAN 2040 to make smaller-scale improvements along existing roadways which are the most critical for cross-jurisdictional travel. With the exception of certain system-wide programs with broad benefits across a defined geographic area, eligibility under this program is limited to facilities on the Regional Strategic Transportation System, with additional priority given to those also identified as a Regional Thoroughfare. SR 85 Connector and Brooks Woolsey Road are both on the RSTS. Ebenezer Road is one of two major roads on the east side of Peachtree City that cross Camp Creek (the other is Redwine Road, located at the south end of the City) and is a key north-south corridor for central Peachtree City. Within Peachtree City, Ebenezer Road serves as an extension of Crosstown Drive, the City's primary east-west corridor south of SR 54. The remaining portion of Ebenezer Road received full-depth reclamation a few years ago and this project would complete appropriate maintenance activities for the corridor. Roadway resurfacing is an integral part of Fayette County's pavement preservation program. These roads have all been systematically rated and are in-need of maintenance.

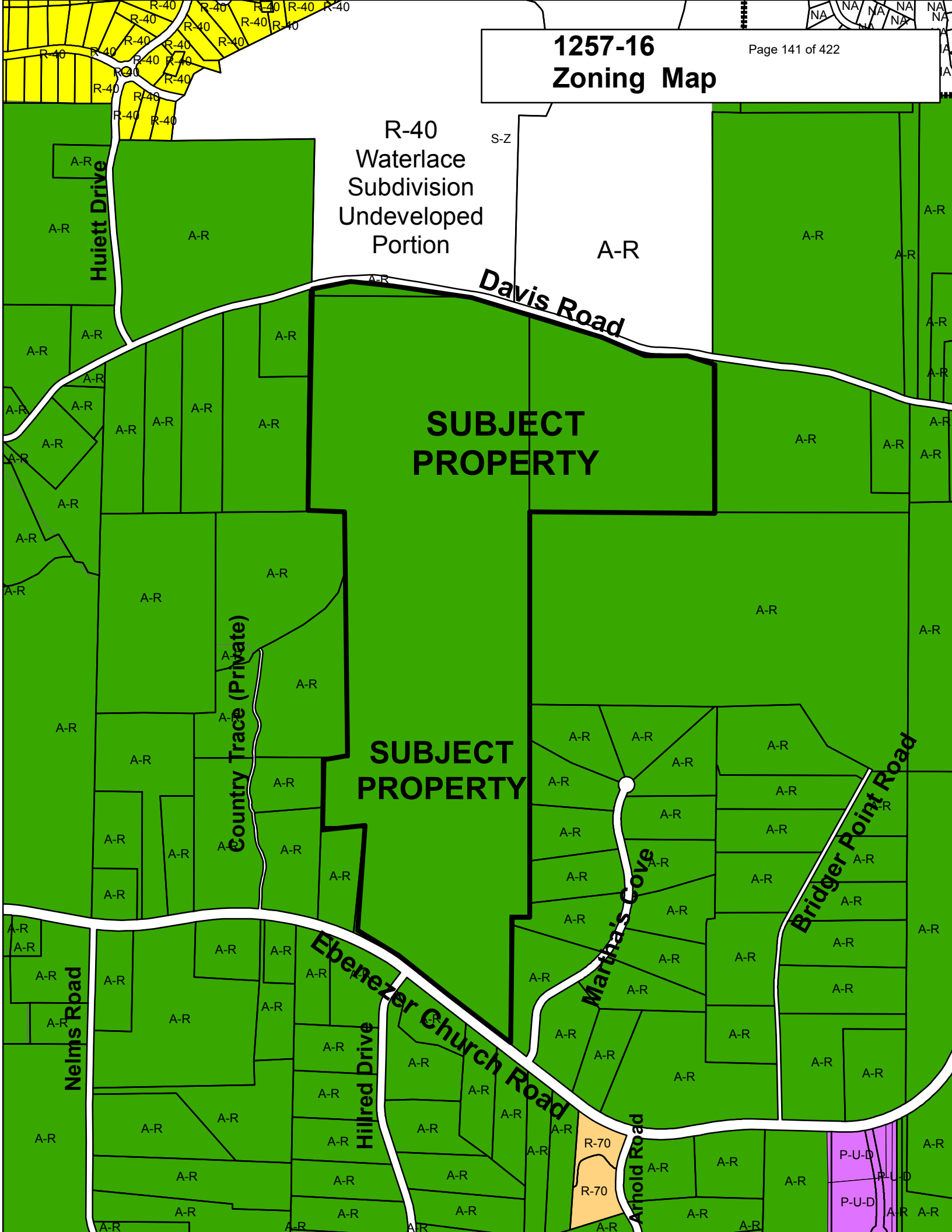
Phase Status & Funding Information		**Status**	**FISCAL YEAR**	**TOTAL PHASE COST**	**BREAKDOWN OF TOTAL PHASE COST BY FUNDING SOURCE**			
					FEDERAL	STATE	BONDS	LOCAL/PRIVATE
PE	STP - Urban (>200K) (ARC)	AUTH	2014	**$50,000**	~~$40,000~~	~~$0,000~~	~~$0,000~~	~~$10,000~~
CST	STP - Urban (>200K) (ARC)		2016	**$882,000**	$705,600	$0,000	$0,000	$176,400
				$932,000	**$745,600**	**$0,000**	**$0,000**	**$186,400**

SCP: Scoping PE: Preliminary engineering / engineering / design / planning PE-OV: GDOT oversight services for engineering ROW: Right-of-way Acquistion
UTL: Utility relocation CST: Construction / Implementation ALL: Total estimated cost, inclusive of all phases

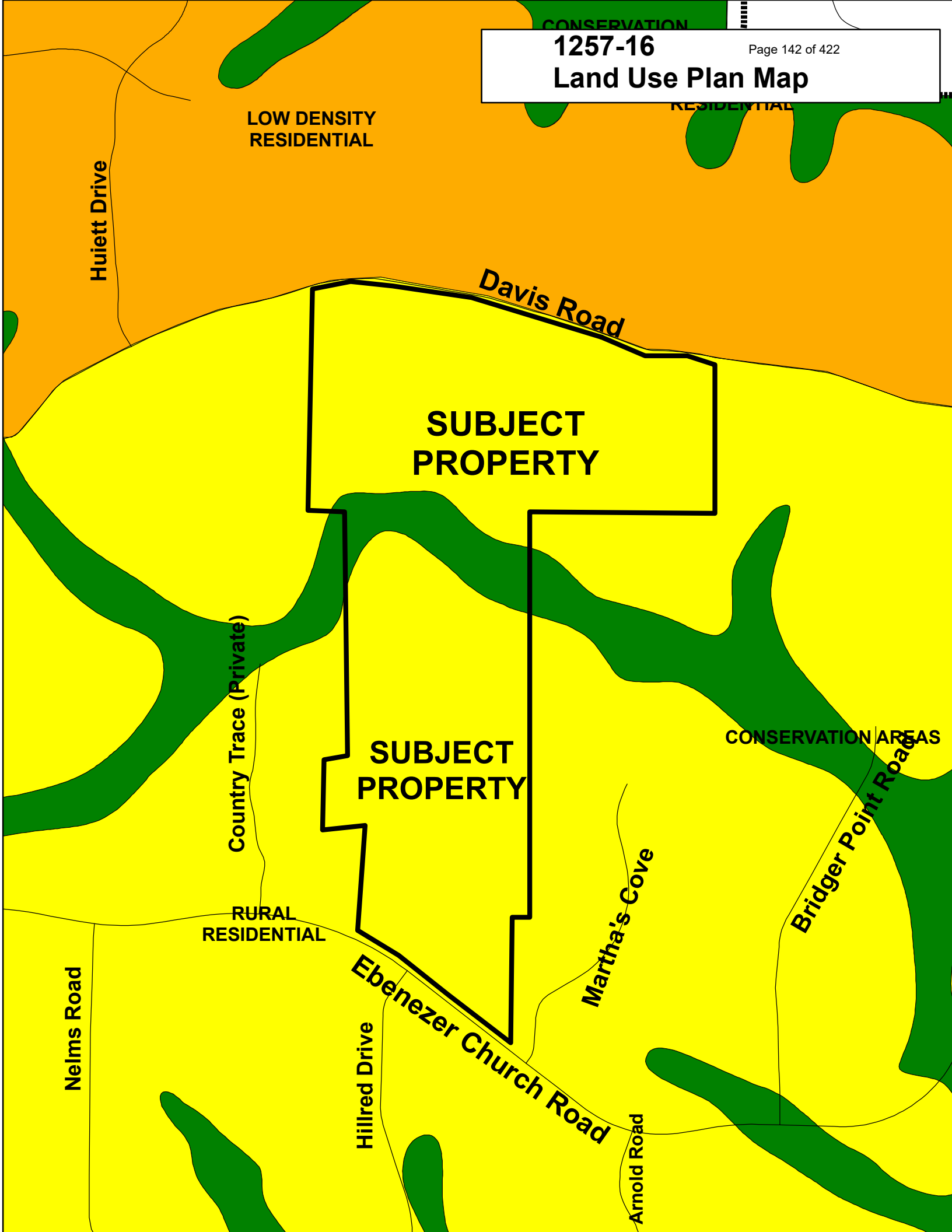
? For additional information about this project, please call (404) 463-3100 or email transportation@atlantaregional.com.

Report Generated: 2/24/2016

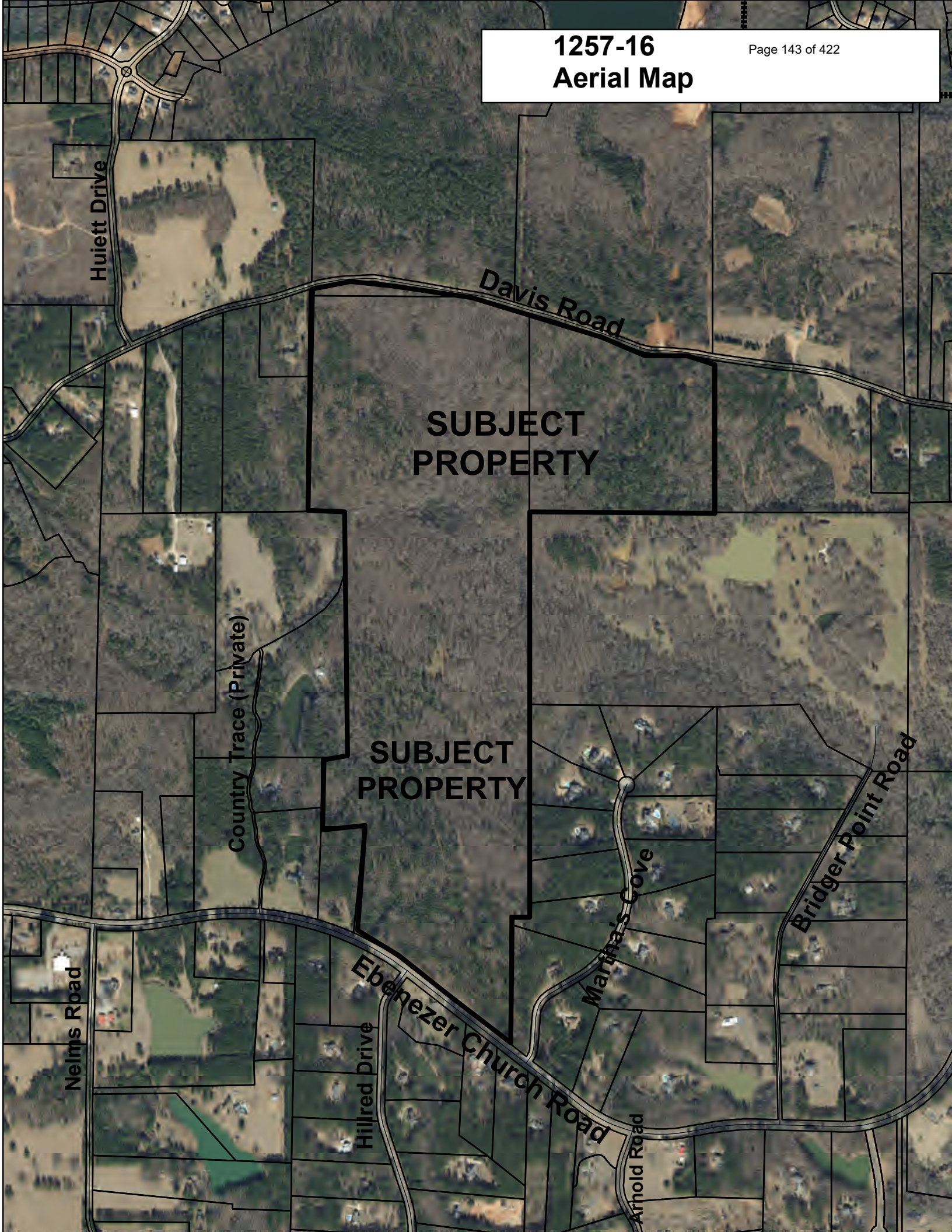
1257-16
Zoning Map



Land Use Plan Map

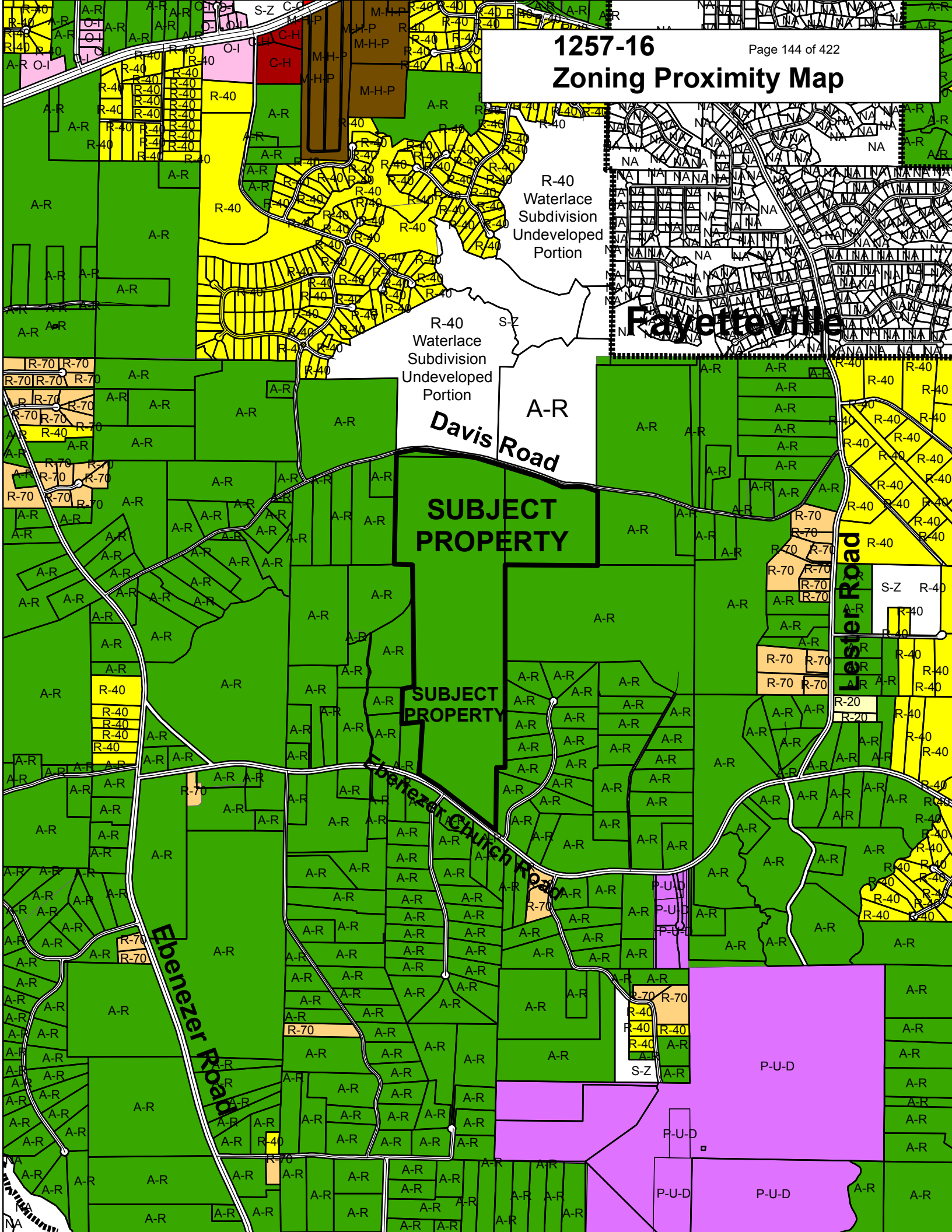


1257-16
Aerial Map



1257-16

Zoning Proximity Map



APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: TSTT INVESTMENTS LLC

MAILING ADDRESS: 1950 Spectrum Circle STE 360, Marietta GA 30067

PHONE: [redacted] E-MAIL: [redacted]

AGENT FOR OWNERS: Brent Holdings, LLC Donna Black, Randy Boyd

MAILING ADDRESS: 270 North Jeff Davis Drive, Fayetteville, GA 30214

PHONE: 770·461·0478 E-MAIL: donna@brent.us

PROPERTY LOCATION: LAND LOT 4 LAND DISTRICT 7th PARCEL 0702005
LAND LOT 5 LAND DISTRICT 7th PARCEL 0703016
28 7th 0703023

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 212.~~77~~ 832

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: PUD/PRD

ZONING OF SURROUNDING PROPERTIES: R-40, AR

PRESENT USE OF SUBJECT PROPERTY: Vacant

PROPOSED USE OF SUBJECT PROPERTY: Single Family Residential

LAND USE PLAN DESIGNATION: 2-3 acres/lot

NAME AND TYPE OF ACCESS ROAD: Ebenezer Church Rd,

LOCATION OF NEAREST WATER LINE: 12" on Ebenezer Church Rd @ property

---

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1257-16

[ ] Application Insufficient due to lack of:

by Staff: Date:

[ ] Application and all required supporting documentation is Sufficient and Complete

by Staff: Date:

DATE OF PLANNING COMMISSION HEARING: June 2, 2016

DATE OF COUNTY COMMISSIONERS HEARING: June 23, 2016

Received from Brent Holding, LLC a check in the amount of $ 550.00 for application filing fee, and $ 340.00 for deposit on frame for public hearing sign(s).

Date Paid: 5/2/16 Receipt Number: 5240435

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

TSTT INVESTMENTS LLC

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0702 005, 0703 016 + 0703 023

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 4, 5, + 28 **of the** 01 **District, and (if applicable to more than one land district) Land Lot(s)** _____ **of the** _____ **District, and said property consists of a total of** 212.79 **acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).**

(I) (We) hereby delegate authority to Randy Boyd & Donna Black **to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.**

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

x _____
Signature of Property Owner 1

_____
Signature of Notary Public

1950 Spectrum Circle, Ste 360, Marietta GA 30067
Address

3/7/16
Date

_____
Signature of Property Owner 2

_____
Signature of Notary Public

_____
Address

_____
Date

_____
Signature of Property Owner 3

_____
Signature of Notary Public

_____
Address

_____
Date

Donna H Black
Signature of Authorized Agent

Dawn M. Wilson
Signature of Notary Public

270 North Jeff Davis Dr
Address Fayetteville, GA 30214

4/26/2016
Date

DAWN M WILSON NOTARY PUBLIC COWETA COUNTY, GEORGIA

Notary Public State of Florida
Nancy Sims Bartlett
My Commission EE 210957
Expires 07/22/2016

DAWN M WILSON
Notary Public, Georgia
Coweta County
My Commission Expires
7-7-2019

NAME: Ebenezer Church Rd Property PETITION NUMBER: _____

ADDRESS: 0 Ebenezer Church Rd

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

TSIT INVESTMENTS LLC affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 550 + 40 to cover all expenses of public hearing. He/She petitions the above named to change its classification to PRD.

This property includes: (check one of the following)

[ ] See attached legal description on recorded deed for subject property or

[✓] Legal description for subject property is as follows: attached

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 7th DAY OF March, 2016.

NOTARY PUBLIC

APPLICANT'S SIGNATURE

Notary Public State of Florida
Nancy Sims Bartlett
My Commission EE 210957
Expires 07/22/2016

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, TSTT INVESTMENTS LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 10' feet of right-of-way along Davis Rd. & addt'l on Ebenezer Church Rd if necessary as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 7th day of March, 20 16.

x B. Tenhen
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Nancy Sims Bartlett
NOTARY PUBLIC

Notary Public State of Florida
Nancy Sims Bartlett
My Commission EE 210957
Expires 07/22/2016

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[✓] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 7th day of March, 2016.

X

APPLICANT'S SIGNATURE

Notary Public State of Florida
Nancy Sims Bartlett
My Commission EE 210957
Expires 07/22/2016

7 of March '16

DISCLOSURE STATEMENT

Please check one:
Campaign contributions - ✓ **No** ____ **Yes (see attached disclosure report)**

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

SITE DATA

TOTAL SITE AREA	212.8 AC.
LESS FLOODPLAIN AREA	-8.7 AC.
LESS POND AREA	-7.1 AC.
LESS R/W AREA	-14.8 AC.
NET SITE AREA	182.2 AC.
ALLOWABLE DENSITY	0.5 UNITS / AC. (NET SITE AREA)
	X 182.2 AC.
LOTS ALLOWED	91.1
LOTS PROPOSED	91
OPEN SPACE REQUIRED	2500 SF / LOT X 91 = 227,500 SF = 5.2 AC.
OPEN SPACE PROPOSED	36.7 AC.
SETBACKS:	
FRONT:	40'
REAR:	30'
SIDE:	15'

NOTE: FINAL LOT LAYOUT MY CHANGE BASED ON FIELD LOCATION OF CREEKS, WETLANDS, FLOOD PLAIN, AND SOIL BOUNDARIES.

GRID NORTH

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

Parcel Name	Acres	Min. CA Rqd. (Ac)	Parcel Name	CA Provided (Ac.)	Difference
LOT AREA			CONTIGUOUS BUILDABLE AREA		
LOT : 1	1.10	0.3	LOT : 1	0.44	0.14
LOT : 2	1.41	0.3	LOT : 2	0.60	0.30
LOT : 3	1.30	0.3	LOT : 3	0.37	0.07
LOT : 4	1.29	0.3	LOT : 4	0.39	0.09
LOT : 5	1.24	0.3	LOT : 5	0.71	0.41
LOT : 6	1.03	0.3	LOT : 6	0.47	0.17
LOT : 7	1.20	0.3	LOT : 7	0.55	0.25
LOT : 8	1.40	0.3	LOT : 8	0.63	0.33
LOT : 9	1.83	0.3	LOT : 9	0.60	0.30
LOT : 10	1.61	0.3	LOT : 10	0.50	0.20
LOT : 11	1.00	0.3	LOT : 11	0.37	0.07
LOT : 12	1.48	0.3	LOT : 12	0.96	0.66
LOT : 13	1.61	0.3	LOT : 13	1.05	0.75
LOT : 14	1.80	0.3	LOT : 14	1.22	0.92
LOT : 15	1.28	0.3	LOT : 15	0.62	0.32
LOT : 16	1.46	0.3	LOT : 16	0.89	0.59
LOT : 17	2.27	0.9	LOT : 17	1.31	0.41
LOT : 18	1.59	0.3	LOT : 18	0.59	0.29
LOT : 19	2.21	0.9	LOT : 19	0.95	0.05
LOT : 20	1.01	0.3	LOT : 20	0.48	0.18
LOT : 21	1.11	0.3	LOT : 21	0.45	0.15
LOT : 22	1.62	0.3	LOT : 22	1.06	0.76
LOT : 23	1.74	0.3	LOT : 23	1.17	0.87
LOT : 24	1.05	0.3	LOT : 24	0.50	0.20
LOT : 25	1.10	0.3	LOT : 25	0.61	0.31
LOT : 26	1.03	0.3	LOT : 26	0.43	0.13
LOT : 27	1.12	0.3	LOT : 27	0.66	0.36
LOT : 28	1.85	0.3	LOT : 28	1.16	0.86
LOT : 29	2.34	0.9	LOT : 29	1.44	0.54
LOT : 30	1.80	0.3	LOT : 30	0.94	0.64
LOT : 31	2.20	0.9	LOT : 31	0.93	0.03
LOT : 32	1.92	0.3	LOT : 32	0.72	0.42
LOT : 33	2.34	0.9	LOT : 33	1.35	0.45
LOT : 34	2.03	0.9	LOT : 34	1.20	0.30
LOT : 35	1.43	0.3	LOT : 35	0.68	0.38
LOT : 36	1.05	0.3	LOT : 36	0.51	0.21
LOT : 37	1.08	0.3	LOT : 37	0.57	0.27
LOT : 38	1.32	0.3	LOT : 38	0.57	0.27
LOT : 39	1.26	0.3	LOT : 39	0.53	0.23
LOT : 40	1.31	0.3	LOT : 40	0.76	0.46
LOT : 41	1.31	0.3	LOT : 41	0.76	0.46
LOT : 42	1.37	0.3	LOT : 42	0.80	0.50
LOT : 43	1.31	0.3	LOT : 43	0.76	0.46
LOT : 44	1.31	0.3	LOT : 44	0.76	0.46
LOT : 45	1.24	0.3	LOT : 45	0.71	0.41

Parcel Name	Acres	Min. CA Rqd. (Ac)	Parcel Name	CA Provided (Ac.)	Difference
LOT AREA			CONTIGUOUS BUILDABLE AREA		
LOT : 46	1.64	0.3	LOT : 46	0.98	0.68
LOT : 47	2.08	0.9	LOT : 47	1.03	0.13
LOT : 48	1.48	0.3	LOT : 48	0.55	0.25
LOT : 49	1.18	0.3	LOT : 49	0.50	0.20
LOT : 50	1.80	0.3	LOT : 50	0.76	0.46
LOT : 51	1.33	0.3	LOT : 51	0.79	0.49
LOT : 52	1.20	0.3	LOT : 52	0.68	0.38
LOT : 53	1.30	0.3	LOT : 53	0.77	0.47
LOT : 54	1.69	0.3	LOT : 54	0.91	0.61
LOT : 55	1.40	0.3	LOT : 55	0.89	0.59
LOT : 56	1.78	0.3	LOT : 56	1.00	0.70
LOT : 57	1.31	0.3	LOT : 57	0.45	0.15
LOT : 58	1.50	0.3	LOT : 58	0.30	0.00
LOT : 59	2.80	0.9	LOT : 59	1.03	0.13
LOT : 60	1.95	0.3	LOT : 60	0.58	0.28
LOT : 61	1.22	0.3	LOT : 61	0.75	0.45
LOT : 62	1.16	0.3	LOT : 62	0.71	0.41
LOT : 63	1.18	0.3	LOT : 63	0.51	0.21
LOT : 64	1.57	0.3	LOT : 64	1.03	0.73
LOT : 65	1.68	0.3	LOT : 65	1.12	0.82
LOT : 66	1.67	0.3	LOT : 66	1.11	0.81
LOT : 67	1.87	0.3	LOT : 67	1.11	0.81
LOT : 68	1.90	0.3	LOT : 68	0.81	0.51
LOT : 69	1.90	0.3	LOT : 69	0.91	0.61
LOT : 70	1.91	0.3	LOT : 70	0.40	0.10
LOT : 71	1.72	0.3	LOT : 71	0.87	0.57
LOT : 72	1.53	0.3	LOT : 72	0.85	0.55
LOT : 73	1.54	0.3	LOT : 73	0.90	0.60
LOT : 74	1.43	0.3	LOT : 74	0.70	0.40
LOT : 75	1.40	0.3	LOT : 75	0.40	0.10
LOT : 76	1.49	0.3	LOT : 76	0.48	0.18
LOT : 77	1.53	0.3	LOT : 77	0.34	0.04
LOT : 78	2.27	0.9	LOT : 78	1.22	0.32
LOT : 79	2.43	0.9	LOT : 79	1.67	0.77
LOT : 80	2.07	0.9	LOT : 80	1.37	0.47
LOT : 81	3.25	1.5	LOT : 81	2.13	0.63
LOT : 82	3.11	1.5	LOT : 82	1.91	0.41
LOT : 83	3.51	1.5	LOT : 83	2.13	0.63
LOT : 84	2.42	0.9	LOT : 84	1.59	0.69
LOT : 85	2.42	0.9	LOT : 85	1.49	0.59
LOT : 86	3.79	1.5	LOT : 86	2.64	1.14
LOT : 87	4.15	1.5	LOT : 87	2.91	1.41
Lot : 88	3.43	1.5	Lot : 88	2.25	0.75
LOT : 89	3.09	1.5	LOT : 89	1.99	0.49
LOT : 90	3.08	1.5	LOT : 90	1.96	0.46
LOT : 91	3.96	1.5	LOT : 91	2.78	1.28

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PROJECT NAME
EBENEEZER CHURCH ROAD PROPERTY
FAYETTE COUNTY, GA

CLIENT NAME
SCARBROUGH & ROLADER
210 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GEORGIA

REVISIONS
04-08-16 - REVISED PER COUNTY COMMENTS - SDM
05-27-16 - REVISED PER COUNTY COMMENTS - SDM
06-20-16 - REVISED PER COUNTY COMMENTS- LJC

MB

EC-BASE5.dwg
ARCHIVE
DATE 04-08-16
FILE #
CONTRACT #
DRAWN BY

The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.

SEAL

SHEET TITLE
CONCEPTUAL MASTER PLAN

SHEET
1.0

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #3

Wording for the Agenda:

Consideration of Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions.

Background/History/Details:

Staff recommends approval of rezoning petition 1259-16 with two (2) conditions.

The Planning Commission recommended approval of rezoning petition 1259-16 with two (2) conditions.

Planning Commission: Arnold Martin made a motion to recommend approval for R-70 zoning of Petition No. 1259-16 with two (2) conditions. John Culbreth seconded the motion. The zoning petition was recommended for approval by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	No

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-70 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Preliminary Plat and Final Plats. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

2. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1259-16

WHEREAS, Shelly M. Godby & Regina D. Godby, Owner, and Rod Wright, Agent, having come before the Fayette County Planning Commission on July 7, 2016, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 38.995 acres from A-R to R-70, in the area of Ebenezer Road, Land Lot 37 & 60 of the 7th District, for the purpose of developing a Residential Subdivsion; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

PC SECRETARY

PLANNING COMMISSION RECOMMENDATION

DATE: July 7, 2016

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1259-16, the application of Shelly M. Godby & Regina D. Godby to rezone 38.995 acres from A-R to R-70, be:

5-0

✓ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

JIM GRAW, CHAIRMAN

ARNOLD MARTIN, III, VICE-CHAIRMAN

JOHN CULBRETH

AL GILBERT

BRIAN HAREN

Remarks:

With the 2 Recommended Conditions

6. Consideration of Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots. This property is located in Land Lots 37 and 60 of the 7th District and fronts on Ebenezer Road and Davis Road.

Chairman Graw stated that the same procedure applies 20 minutes for those in favor and those in opposition.

Rod Wright requesting for the approval of the rezoning as submitted. He stated that he believes he has accommodated two (2) of the Planning Commissions wishes on the last hearing on subject property. He said that he would like to retain the remainder of his time for rebuttal and comments.

Chairman Graw asked if anyone would like to speak in favor of the petition. Hearing none, he asked if anyone would like to speak in opposition.

Jack Smith stated that he does like that they are applying for two (2) acre lots but in the same breath the land use calls for two (2) to three (3) acres. He said that he hadn't seen the layout and doesn't know if they accounted for some larger lots or not. He added that his major concern with it is that R-70 minimum house size is 1500 square feet. He stated that there has not been a 1500 square foot home in Fayette County in over 30 years. He said that a better zoning would be R-72 with a 2100 square foot house.

Chairman Graw asked if there was anyone else who wanted to speak in opposition. Hearing none, he asked Mr. Wright if he wanted to address that.

Rod Wright stated that the zoning is R-70. He said that he hears what the people are saying and understand it because he is a developer; but some of their comments don't pertain to it. He said that he agrees with Jack Smith that a 1500 ft. home has not been built, but most of it deals with setbacks and so forth with that zoning district.

Chairman Graw stated that he would bring it back before the Planning Commission.

Al Gilbert asked Mr. Wright if he saw the two (2) conditions.

Rod Wright replied that he has and he agrees to them.

Al Gilbert reads the two (2) conditions:

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Preliminary Plat and Final Plats. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

2. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

Chairman Graw asked Mr. Wright if he agrees to the two (2) conditions.

Rod Wright replied yes.

Chairman Graw asked if the Planning Commission has any questions for Mr. Wright.

Arnold Martin made a motion to recommend approval for R-70 zoning of Petition No. 1259-16. Motion seconded by John Culbreth. The zoning petition was recommended for approval by a vote of 5-0.

PETITION NO: 1259-16

REQUESTED ACTION: A-R to R-70

PROPOSED USE: Residential Subdivsion

EXISTING USE: Undeveloped Land

LOCATION: Ebenezer Road and Davis Road

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 36, 37, 60 & 61

OWNER: Shelly M. Godby & Regina D. Godby

AGENT: Rod Wright

PLANNING COMMISSION PUBLIC HEARING: July 7, 2016

BOARD OF COMMISSIONERS PUBLIC HEARING: July 28, 2016

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivsion consisting of 17 lots on 38.995 acres.

STAFF RECOMMENDATION

APPROVAL WITH TWO (2) CONDITIONS.

1. **1259-16**

INVESTIGATION

A. PROPERTY SITE

The subject property is a 38.995 acre tract fronting on Ebenezer Road and Davis Road in Land Lot(s) 36, 37, 60 and 61 of the 7th District. Ebenezer Road is classified as a Minor Arterial road and Davis Road is classified as a Collector on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

B. SURROUNDING ZONING AND USES

The general situation is a 38.995 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R and R-70. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	18.2	A-R	Undeveloped	Low Density Residential (1 Unit/1 to 2 Acres)
South & West	5.0 5.0	A-R A-R	Single-Family Residence Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
South (across Davis Road)	12.89 6.32 6.32	A-R A-R A-R	Undeveloped Single-Family Residence Single-Family Residence	
East	7.6 22.0	A-R A-R	Single-Family Residence Undeveloped	Low Density Residential (1 Unit/1 to 2 Acres)
West	2.140 2.414 2.1	R-70 R-70 A-R	Single-Family Residence Single-Family Residence Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
West (across Ebenezer Road)	5.3 109.6	A-R A-R	Single-Family Residence Undeveloped	

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-70 for the purpose of developing a Single-Family Residential Subdivsion.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

Right-of-Way Requirements

Per Engineering/Public Works, Ebenezer Road has an 80 foot right-of-way and the Concept Plan indicates the same. As a Minor Arterial, Ebenezer Road requires 100 feet of right of way. As a Collector, Davis Road requires 80 feet of right-of-way. Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street.

Access

The Concept Plan submitted indicates one (1) access from Ebenezer Road.

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

Deficiencies include, but are not limited to:

Lot 12 -Area along Davis Road is a front yard with a 75 foot setback.
Stormwater detention has to be in a common area owned by the home owners association and not on individual lots.

F. DEPARTMENTAL COMMENTS

Water System Access to 20” main on Ebenezer Road.

Public Works/Engineering

Engineer offers the following comments for rezoning request to R-70:

- ROW dedication of 10' along Ebenezer Rd is accurate for an Arterial;
- ROW dedication of 40' from centerline of Davis is also required along back of lot 12 (Davis is Collector);
- Stormwater Detention must be on commonly-owned property; could impact lot yield.

Environmental Management

Floodplain The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0091E dated Sept 26, 2008.

Wetlands A wetland study may be required upon staff field inspection. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

Watershed Watershed Protection **DOES** apply. All state waters identified are subject to a 50 ft. Watershed Protection buffer measured from wrested vegetation and a 25 ft. setback measured from the Watershed buffer.

Groundwater The property **IS** within a groundwater recharge area.

Stormwater This development **IS** subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

This department has no objection to the proposed rezoning. If approved, this department will need to complete a departmental required Subdivision review which will include the submission of a Level 3 soils report.

Fire

Must connect to Fayette Co. Water System and provide fire hydrants every 600 feet.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 for the purpose of developing Residential Subdivsion. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.

4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH TWO (2) CONDITIONS.**

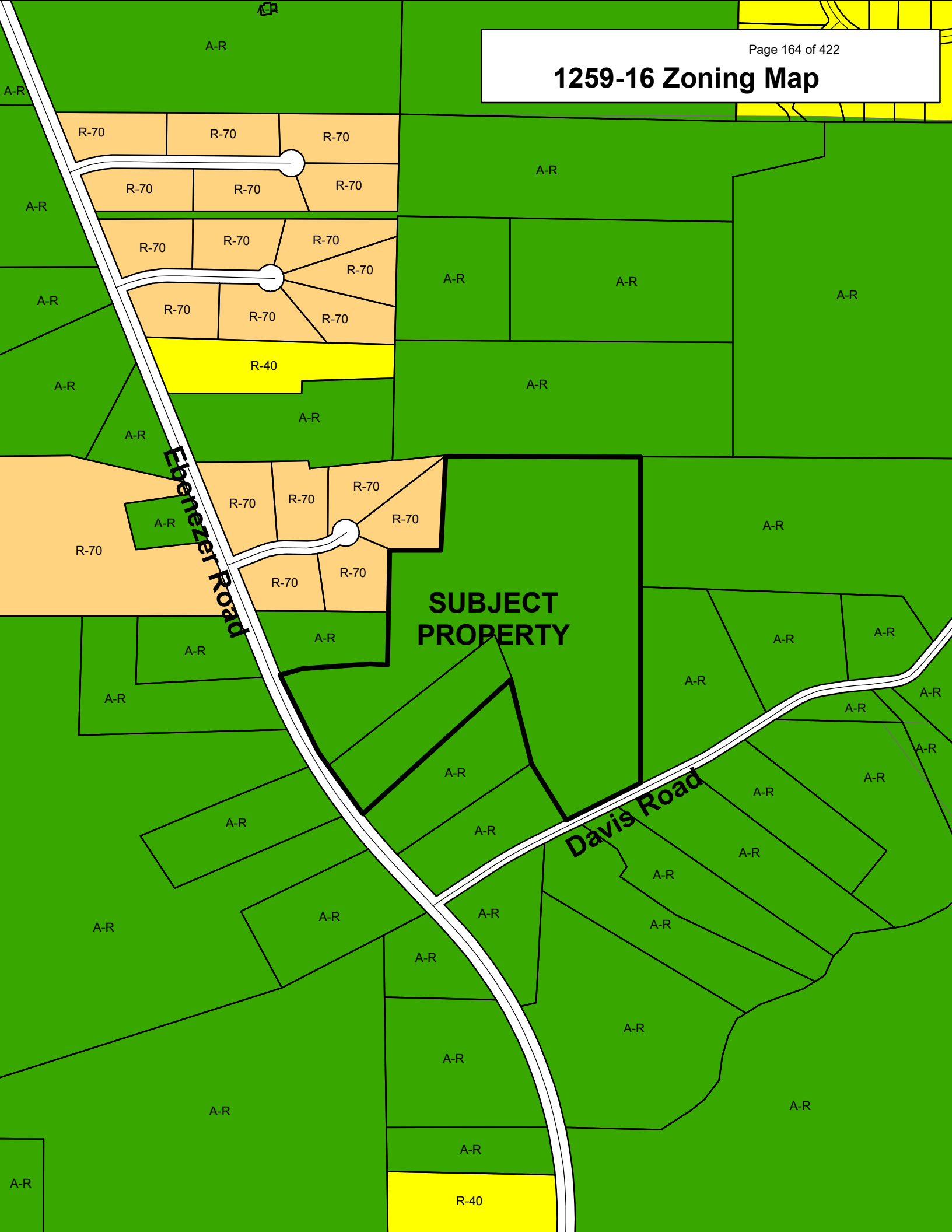
RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-70 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

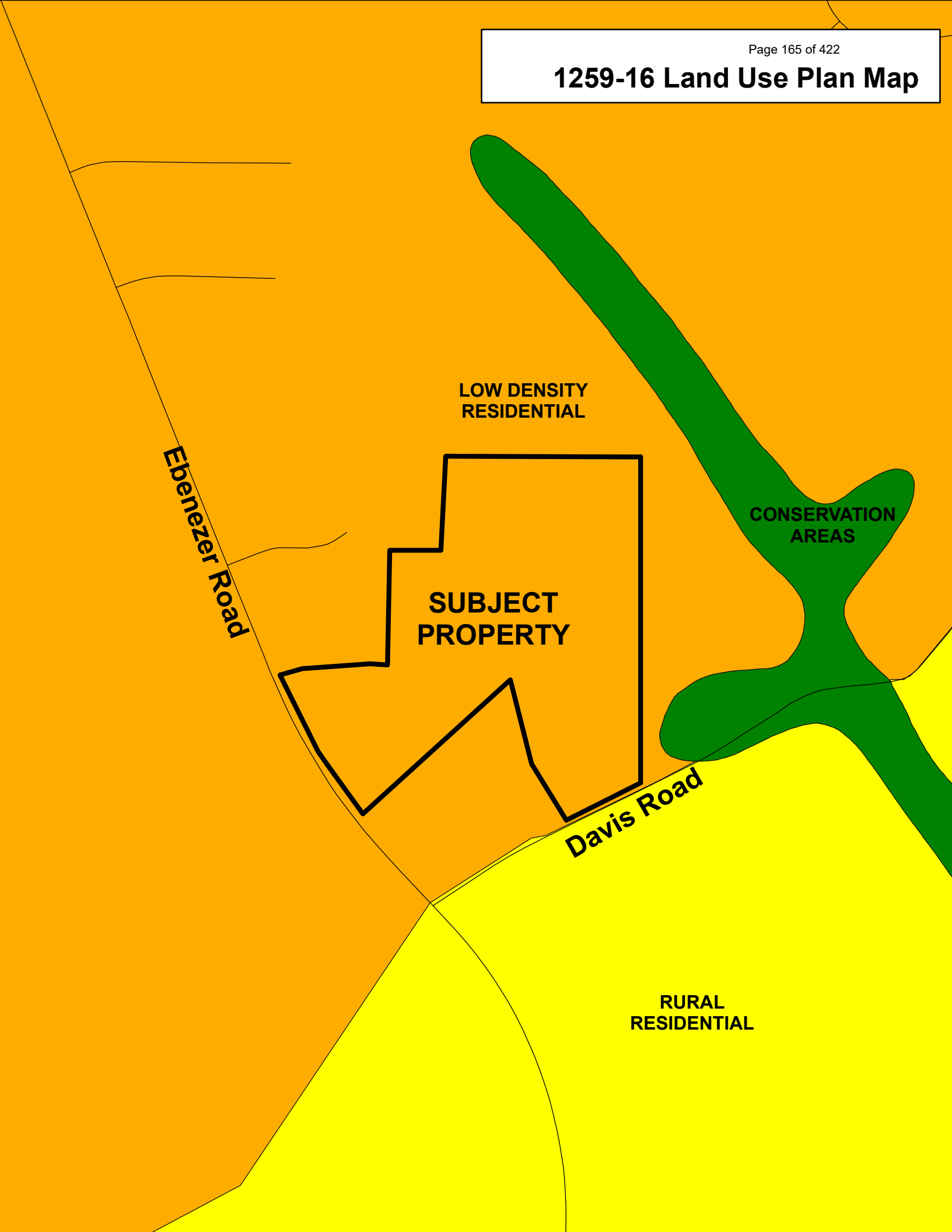
1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Preliminary Plat and Final Plats. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

2. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Davis Road prior to the approval of the Final Plat and said dedication area shall be shown on the Preliminary Plat and Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

1259-16 Zoning Map

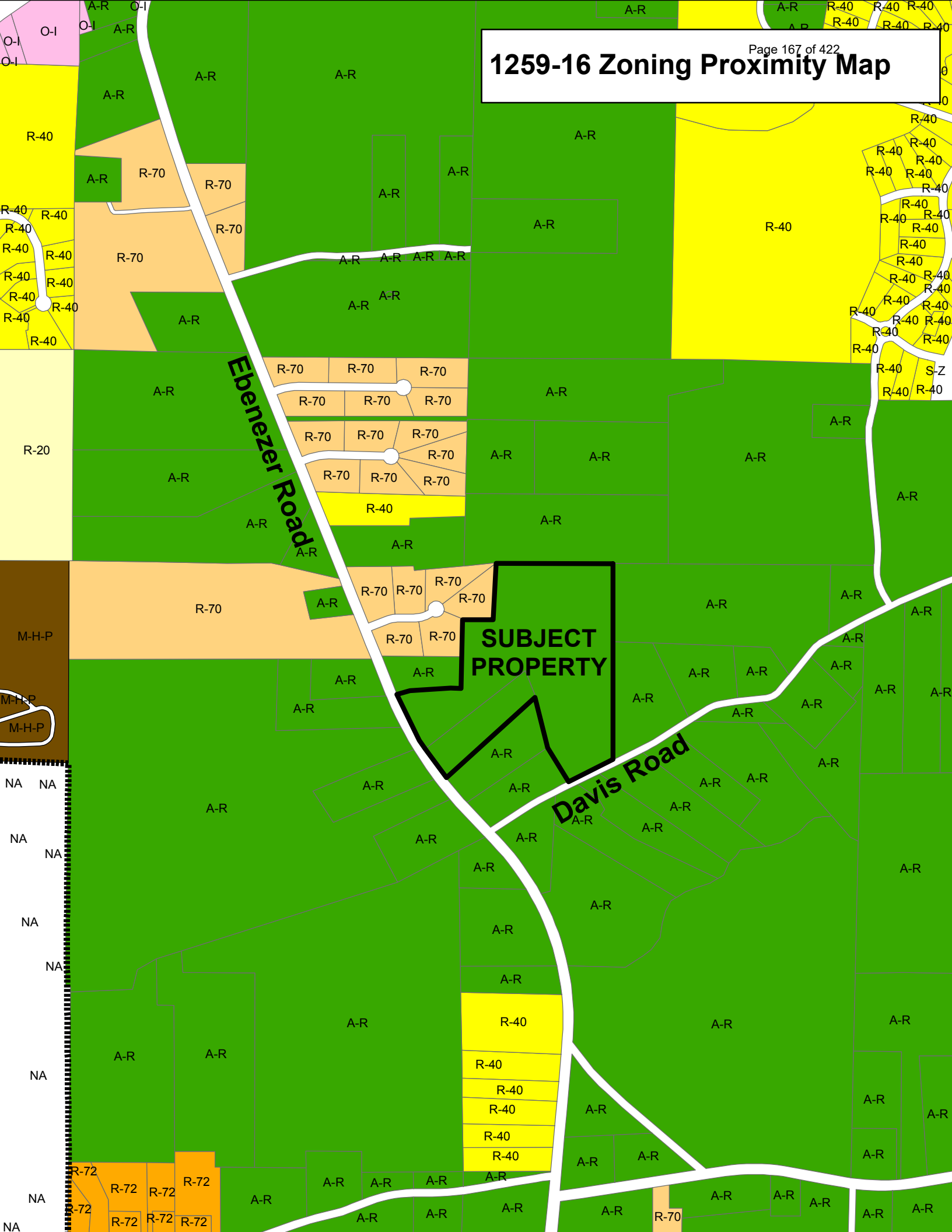


1259-16 Land Use Plan Map



1259-16 Aerial Map

1259-16 Zoning Proximity Map



APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Shelly M. Godby

MAILING ADDRESS: 7595 Old Jonesboro Rd., Fairburn, Ga., 30213

PHONE: _____ E-MAIL: _____

AGENT FOR OWNERS: RodWrightCorp., Rod Wright

MAILING ADDRESS: P.O. Box 629, Fayetteville, Ga. 30214

PHONE: 770-294-7990 E-MAIL: thesubdivider@gmail.com

36 61

PROPERTY LOCATION: LAND LOT 37 & 60 LAND DISTRICT 7th PARCEL 0714 050
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 5.00

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: West-(A-R) & (A-R) North-(A-R) South-(A-R) East-(A-R)

PRESENT USE OF SUBJECT PROPERTY: Undeveloped Land

PROPOSED USE OF SUBJECT PROPERTY: Residential Subdivision

LAND USE PLAN DESIGNATION: Low Density Residential

NAME AND TYPE OF ACCESS ROAD: Ebenezer Road - Minor Arterial

LOCATION OF NEAREST WATER LINE: Ebenezer Road - west side

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: ZA-1259-16

[ ] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: Pete Frisinger Date: 6/1/16

DATE OF PLANNING COMMISSION HEARING: 7/7/16

DATE OF COUNTY COMMISSIONERS HEARING: 7/28/16

Received from Rodwright Corp a check in the amount of $ 450.00/00 for application filing fee, and $ 40.00/00 for deposit on frame for public hearing sign(s).

Date Paid: _____ Receipt Number: 5285902 $470.00
5285907
5285911 $20.00

APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Regina D. Godby

MAILING ADDRESS: 7595 Westbridge Rd., Fairburn, Ga., 30213

PHONE: _____ E-MAIL: _____

AGENT FOR OWNERS: RodWrightCorp., Rod Wright

MAILING ADDRESS: P.O. Box 629, Fayetteville, Ga. 30214

PHONE: 770-294-7990 E-MAIL: thesubdivider@gmail.com

PROPERTY LOCATION: LAND LOT 37 & 60 LAND DISTRICT 7th PARCEL 0714 014
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 33.995

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: West-(R-70) & (A-R) North-(A-R) South-(A-R) East-(A-R)

PRESENT USE OF SUBJECT PROPERTY: Undeveloped Land

PROPOSED USE OF SUBJECT PROPERTY: Residential Subdivision

LAND USE PLAN DESIGNATION: Low Density Residential

NAME AND TYPE OF ACCESS ROAD: Ebenezer Road - Minor Arterial

LOCATION OF NEAREST WATER LINE: Ebenezer Road - west side

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: _____

[ ] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

[ ] Application and all required supporting documentation is Sufficient and Complete

by Staff: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

Received from _____ a check in the amount of $ _____ for application filing fee, and $_____ for deposit on frame for public hearing sign(s).

Date Paid: _____ Receipt Number: _____

NAME: Regina D. Godby PETITION NUMBER: _____

ADDRESS: 7595 Westbridge Rd., Fairburn, Ga., 30213

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

Regina D. Godby affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 470.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-70.

This property includes: (check one of the following)

[ ] See attached legal description on recorded deed for subject property or

[X] Legal description for subject property is as follows:

See Attached

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th day of July, 20 2016 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of July, 20 2016 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31st DAY OF May, 2016

Vicki L. Kastari
NOTARY PUBLIC

Regina D. Godby
APPLICANT'S SIGNATURE

NAME: Shelly M. Godby PETITION NUMBER: _____

ADDRESS: 7595 Old Jonesboro Rd., Fairburn, Ga., 30213

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

Shelly M. Godby affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $~~270.00~~ to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-70.

This property includes: (check one of the following)

[X] See attached legal description on recorded deed for subject property or

See Attached

[ ] Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th day of July, 20 2016 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of July, 20 2016 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31st DAY OF May, 2016

Vicki G. Kaobani
NOTARY PUBLIC

Shelly M. Godby
APPLICANT'S SIGNATURE

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Regina D. Godby
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0714 014

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 37 & 60 of the 7th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 33.995 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Rod Wright to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

* Regina D. Godby **Signature of Property Owner 1**	Vicki L. Kashani **Signature of Notary Public**
2 Parks Ave, Newnan GA 30263 **Address**	May 31, 2016 **Date**
Signature of Property Owner 2	**Signature of Notary Public**
Address	**Date**
Signature of Property Owner 3	**Signature of Notary Public**
Address	**Date**
Signature of Authorized Agent	Sharon E Battle **Signature of Notary Public**
225 Riveroak DR **Address** Fayetteville, GA 30215	6/1/16 **Date**

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Shelly M. Godby
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0714 050

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 37 & 60 **of the** 7th **District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of** 5.00 **acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).**

(I) (We) hereby delegate authority to Rod Wright **to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.**

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Shelly Myrell Godby	Vicki L. Kasbaric
Signature of Property Owner 1	**Signature of Notary Public**
	May 31, 2016
Address	**Date**
Signature of Property Owner 2	**Signature of Notary Public**
Address	**Date**
Signature of Property Owner 3	**Signature of Notary Public**
Address	**Date**
	Sharon E Batta
Signature of Authorized Agent	**Signature of Notary Public**
225 Riverosh Dr	6/1/16
Address Fayetteville GA 30215	**Date**

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Regina D. Godby, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 50 feet of right-of-way along Ebenezer Road as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 31st day of May, 2016.

Regina D. Godby
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Vicki L. Kashani
NOTARY PUBLIC

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, _____, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 50 feet of right-of-way along Ebenezer Road as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 31st day of May, 2016.

Shelly Godby

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Vicki L. Kasbari

NOTARY PUBLIC

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us DRI .

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[X] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 31st day of May, 2016.

APPLICANT'S SIGNATURE

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[X] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 31st day of May, 2016.

APPLICANT'S SIGNATURE

DISCLOSURE STATEMENT

Please check one:
Campaign contributions - ✓ **No** ____ **Yes (see attached disclosure report)**

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

DISCLOSURE STATEMENT

Please check one:
Campaign contributions - ✓ **No** ____ **Yes (see attached disclosure report)**

TITLE 36. LOCAL GOVERNMENT
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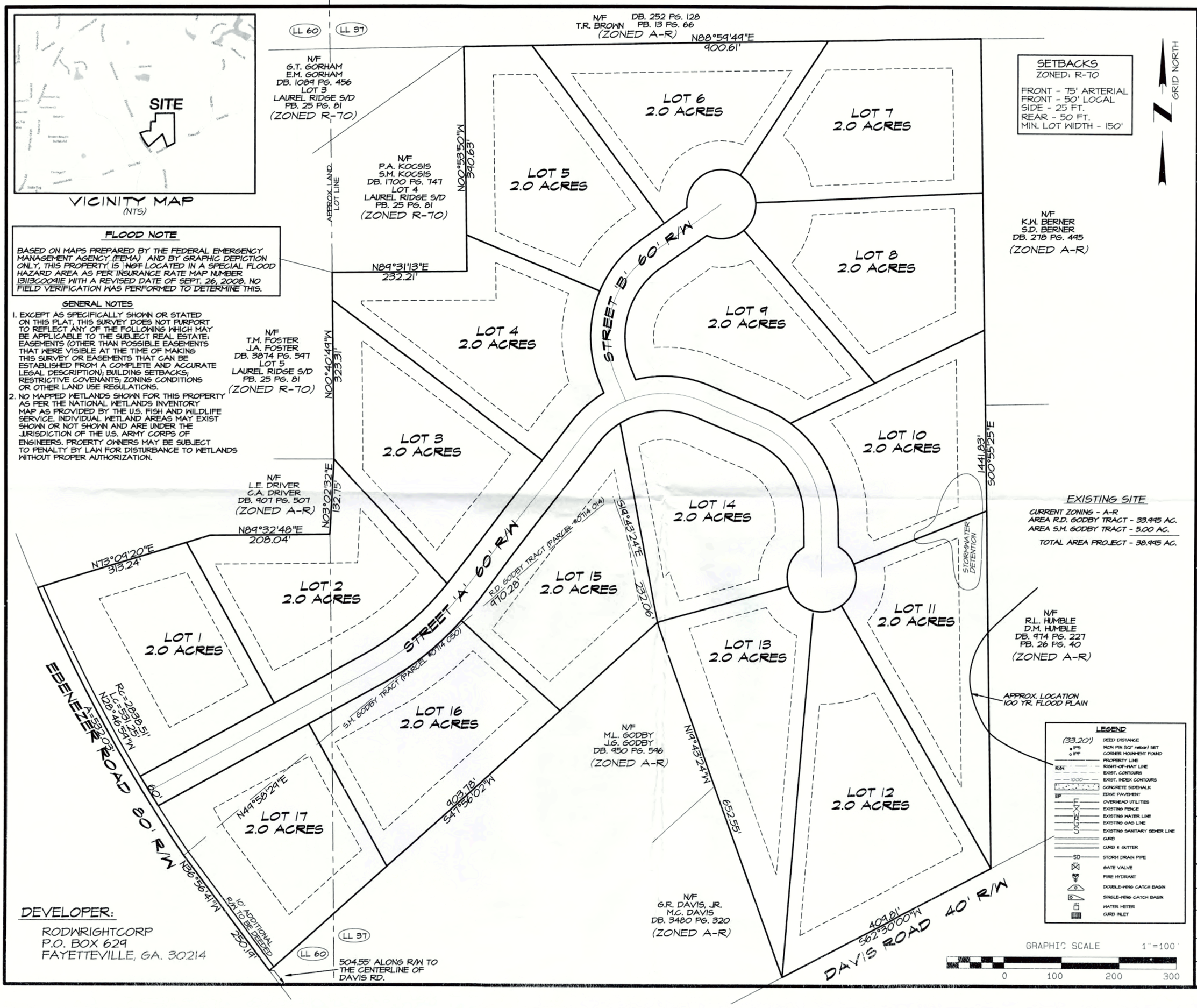


FLOOD NOTE

BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND BY GRAPHIC DEPICTION ONLY, THIS PROPERTY IS ~~NOT~~ LOCATED IN A SPECIAL FLOOD HAZARD AREA AS PER INSURANCE RATE MAP NUMBER 13113C0091E WITH A REVISED DATE OF SEPT. 26, 2008. NO FIELD VERIFICATION WAS PERFORMED TO DETERMINE THIS.

GENERAL NOTES

1. EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS (OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY OR EASEMENTS THAT CAN BE ESTABLISHED FROM A COMPLETE AND ACCURATE LEGAL DESCRIPTION); BUILDING SETBACKS; RESTRICTIVE COVENANTS; ZONING CONDITIONS OR OTHER LAND USE REGULATIONS.
2. NO MAPPED WETLANDS SHOWN FOR THIS PROPERTY AS PER THE NATIONAL WETLANDS INVENTORY MAP AS PROVIDED BY THE U.S. FISH AND WILDLIFE SERVICE. INDIVIDUAL WETLAND AREAS MAY EXIST SHOWN OR NOT SHOWN AND ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO WETLANDS WITHOUT PROPER AUTHORIZATION.

SETBACKS

ZONED: R-70

FRONT - 75' ARTERIAL
FRONT - 50' LOCAL
SIDE - 25 FT.
REAR - 50 FT.
MIN. LOT WIDTH - 150'

EXISTING SITE

CURRENT ZONING - A-R
AREA R.D. GODBY TRACT - 33.995 AC.
AREA S.M. GODBY TRACT - 5.00 AC.

TOTAL AREA PROJECT - 38.995 AC.

LEGEND

(33.20')	DEED DISTANCE
IPS	IRON PIN (1/2" rebar) SET
IPF	CORNER MOUNMENT FOUND
	PROPERTY LINE
R/W	RIGHT-OF-WAY LINE
	EXIST. CONTOURS
1000	EXIST. INDEX CONTOURS
	CONCRETE SIDEWALK
EP	EDGE PAVEMENT
E	OVERHEAD UTILITIES
X	EXISTING FENCE
W	EXISTING WATER LINE
G	EXISTING GAS LINE
S	EXISTING SANITARY SEWER LINE
	CURB
	CURB & GUTTER
SD	STORM DRAIN PIPE
	GATE VALVE
	FIRE HYDRANT
	DOUBLE-WING CATCH BASIN
	SINGLE-WING CATCH BASIN
	WATER METER
	CURB INLET

DEVELOPER:

RODWRIGHTCORP
P.O. BOX 629
FAYETTEVILLE, GA. 30214

PREPARED BY:
s.j. reeves & associates, inc.
P.O. BOX 653 * 11491 HIGHWAY 19 N * ZEBULON, GA. 30295
770-584-5203 * sjreevessurveying@gmail.com (Email)
LAND SURVEYING, PLANNING & SUBDIVISION DESIGN
sjr & associates, inc.

REV.

LANDLOT 37,60	DISTRICT 7th
SCALE 1" = 100'	COUNTY FAYETTE
DATE OF FIELD WORK N/A	
DATE OF PLAT 05/31/2016	
JOB NO.	SHEET NO. 1 OF 1

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #4

Wording for the Agenda:

Consideration of Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110.,Sec. 110-3. , Sec. 110-145., Sec. 110-146., Sec. 110-169. , Sec. 110-173., and Sec. 110-174.

Background/History/Details:

At the June 23, 2016 BOC meeting proposed amendments to the Zoning Ordinance concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone were denied based on the proposed L-C-2, Limited-Commercial (2) District which allows a Convenience commercial establishment and associated gasoline sales. It was the consensus of the BOC that Convenience commercial establishments and associated gasoline sales are not appropriate for the Starr's Mill Historic Overlay District. Staff has rewritten the amendments to the Zoning Ordinance and the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan to only allow the L-C-1, Limited-Commercial (1) District , which does not permit Convenience commercial establishments and associated gasoline sales in the Starr's Mill Historic Overlay District. Staff still proposes to create a L-C-2, Limited-Commercial (2) District zoning and Land Use category but they are not intended for the Starr's Mill Historic Overlay District.

Staff recommends approval of the proposed amendments.

Planning Commission: John Culbreth made a motion to recommend approval of the amendments to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110.,Sec. 110-3. , Sec. 110-145., Sec. 110-146., Sec. 110-169. , Sec. 110-173., and Sec. 110-174.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, June 23, 2016
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

ORDINANCE NO.

2016 -15

AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY'S ZONING ORDINANCE; TO PROVIDE FOR ADDITIONAL DEFINITIONS; TO PROVIDE FOR ADDITIONAL ZONING DISTRICTS; TO AMEND THE CONDITIONAL USE REQUIREMENTS FOR THE LIMITED COMMERCIAL (2) ZONING DISTRICT; TO PROVIDE FOR AN HISTORIC DISTRICT OVERLAY ZONE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY ADOPTED PURSUANT TO THE AUTHORITY THEREOF THAT THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY'S ZONING ORDINANCE BE AMENDED AS FOLLOWS:

Section 1. By adding definitions to Section 110-3 of Article I of Chapter 110 which shall be inserted alphabetically within the aforementioned Section 110-3 as follows:

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, briefcases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and my also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divids or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collaterals.

Pawn establishment means any business that loans money on deposit of personal property and/or a title of ownership.

Transom means a horizontal opening over a door or window.

Section 2. By deleting Section 110-145 from Article I of Chapter 110 in its entirety as it pertains to the Limited Commercial zoning district and by enacting a new Section 110-145 in Article I of Chapter 110 pertaining to the Limited Commercial (1) zoning district to be numbered and to read as follows:

Sec. 110-145. L-C-1, Limited-Commercial (1) District.

(a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:

(1) Antique shop, vintage store, thrift/second hand store, consignment store;

(2) Art and/or crafts studio;

(3) Bakery;

(4) Bank and/or financial institution such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);

(5) Book store;

(6) Card, gift, and/or stationery shop;

(7) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;

(9) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

(10) Florist shop;

(11) Hardware store;

(12) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;

(13) Jewelry shop;

(14) Mail services store;

(15) Medical/dental office (human treatment);

(16) Office (business and/or professional);

(17) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair

removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

(18) Restaurant/restaurant takeout and catering.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Single-family residence and accessory structures and uses (see article III of this chapter); and

(2) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum pitch of 4 ½ inches in one foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of 4 ½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (e.g., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4 ½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 3. By adding a new section to Article I of Chapter 110 pertaining to the Limited Commercial (2) zoning district to be numbered and to read as follows:

Sec. 110-145.5. L-C-2, Limited-Commercial (2) District.

(a) *Intent.* The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services, and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district will discourage the development of a strip commercial building.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-2 zoning district:

(1) Antique shop, vintage store, thrift/second hand store, consignment store;

(2) Art and/or crafts studio;

(3) Bakery;

(4) Bank and/or financial institution such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);

(5) Book store;

(6) Card, gift, and/or stationery shop;

(7) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;

(9) Copy and/or print shop;

(10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

(11) Florist shop;

(12) Hardware store;

(13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;

(14) Jewelry shop;

(15) Mail services store;

(16) Medical/dental office (human treatment);

(17) Office (business and/or professional);

(18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

(19) Restaurant/restaurant takeout and catering.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Convenience commercial establishment;

(2) Single-family residence and accessory structures and uses (see article III of this chapter); and

(3) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum pitch of 4 ½ inches in one foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of 4 ½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (e.g., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4 ½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 4. By deleting paragraph (q) from Section 110-169 of Article V in Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments and by enacting in lieu thereof a new paragraph (q) in Section 110-169 of Article V of Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments to be numbered and to read as follows:

q. Convenience commercial establishment. Allowed in the L-C-2 zoning district.

1. Maximum floor area: 3,500 square feet.

2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.

3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.

4. Underground storage tanks shall be set back at least 20 feet from all property lines.

5. The number of gasoline pumps shall be limited to no more than six (6) with a total of twelve (12) pumping stations.

Section 5. By deleting Section 110-174 from Article V in Chapter 110 pertaining to commercial development standards and by enacting in lieu thereof a new Section 110-174 in Article V of Chapter 110 pertaining to the historic district overlay zone to be numbered and to read as follows:

Sec. 110-174. Historic district overlay zone.

(1) *Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection.* All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use Map shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

a. The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:

1. To maintain the historic character of the area;

2. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;

3. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and

4. To protect existing and future residential areas outside of the intersection.

b. *Access.* Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.

c. *Dimensional Requirements.*

1. All parking areas shall be located at least 50 feet from SR 74, SR 85, or Padgett Road right-of-way.

2. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures shall be 100 feet.

3. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.

4. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.

d. *Architectural Forms and Standards.* All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800s and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay. Architectural examples are on file in the Planning and Zoning Department.

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process. An owner/developer may exercise an architectural review option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay. Elevation drawings, submitted as part of the site plan approval process, shall be reviewed and considered by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

1. Starr's Mill: Starr's Mill is a two-story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood-framed with a grid muntin pattern. Doors are also wood-framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.

(i) Roof: Gable roof with a minimum pitch of 4 ½ inches in one (1) foot. Roofing material shall be grey corrugated metal.

(ii) Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (e.g., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.

(iii) Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two (2)-foot high bulkhead consistent with the Façade Materials above.

(iv) Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a grey corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.

2. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of the front façade is the entrance and

windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

(i) Façade Material: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

(ii) Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion width of four (4) inches. A minimum two (2)-foot high bulkhead consistent with the Façade Materials above shall be required.

(iii) Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four

(4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

3. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically-positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.

(i) Façade Materials: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

(ii) Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2)-foot high bulkhead consistent with the Façade Materials above shall be required.

(iii) Upper Floor Windows: Upper floor windows shall be symmetrically-positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.

(iv) Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

4. Lighting:

(i) All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.

(ii). All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.

5. Within the 50-foot front landscape area, a wall or fence is required to run along a minimum of forty (40%) percent of the frontage. If a wall, the wall shall be a minimum of three (3) feet in height with the appearance of stacked stone. If a fence, the fence shall be a minimum of four (4) feet in height with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinly/plastic, pre-cast concrete and masonry for columns.

6. Color Palette: Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.

7. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.

E, *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:

1. Street Frontage: Landscape area: Fifty (50) feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first twenty-five (25) feet as measured from the right-of-way is for required landscape planting only. The remaining twenty-five (25) feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels.

Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.

2. Side Yard Landscape Area: Ten (10) feet in depth along the side property lines unless adjacent to a residential district where buffer requirements will apply.

f. *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

g. *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.

h. *Special Locational and Spatial Requirements.*

1. No more than fifty (50%) percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.

2. No outside storage allowed.

3. All rooftop heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and

property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

Section 6. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners for Fayette County.

Section 7. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8. If any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By:_____
Charles W. Oddo, Chairman

ATTEST:

_____

Floyd Jones, County Clerk

Approved as to form:

_____

County Attorney

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE, SEC. 110-3. –DEFINITIONS.

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, brief cases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and /or a title of ownership.

Transom means a horizontal opening over a door or window.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE.

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

(a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:

(1) Antique shop, vintage store, thrift/second hand store, consignment store;

(2) Art and/or crafts studio;

(3) Bakery;

(4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);

(6) Book store,

(7) Card, gift, and/or stationery shop;

(8) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, and stockings, umbrellas, or watches.

(9) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

(10) Florist shop;

(11) Gift shop;

(12) Hardware store;

(13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;

(14) Jewelry shop;

(15) Mail services store;

(16) Medical/dental office (human treatment);

(17) Office (business and/or professional);

(18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

(19) Restaurant/restaurant takeout and catering.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Single-family residence and accessory structures and uses (see article III of this chapter); and

(2) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of

4½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

SEC. 110-145. – LIMITED-COMMERCIAL DISTRICT WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

Sec. 110-145.5. L-C-2, Limited-Commercial (2) District.

(a) *Intent.* The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district would discourage the development of a strip commercial building.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-2 zoning district:

(1) Antique shop, vintage store, thrift/second hand store, or consignment store;

(2) Art and/or crafts studio;

(3) Bakery;

(4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, insurance company, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);

~~(5) Barbershop and/or beauty shop:~~

(5) Book store,

(6) ~~Book~~ Card, gift, and/or stationery shop;

(7) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, stockings, umbrellas, or watches.

(9) Copy and/or print shop;

(10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

~~(8) Dance school and/or studio;~~

(11) Florist shop;

~~(10) Gift shop;~~

(12) Hardware store;

(13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;

(14) Jewelry shop;

(15) ~~Laundry and/or dry clean pickup station~~; Mail services store;

(16) Medical/dental office (human treatment); and

~~(15) Music teaching studio;~~

(17) Office (business and/or professional);

(18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

~~(17) Photography studio;~~

(19) Restaurant/restaurant takeout and catering ~~(no drive-through or drive-in allowed)~~.

~~(20) Shoe repair.~~

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Convenience commercial establishment;

(2) Single-family residence and accessory structures and uses (see article III of this chapter); and

(3) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot, and shall be constructed of the same materials or materials

which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements*. The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. ~~The total maximum square footage for all structures combined on the site shall not exceed 8,500 square feet.~~

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

(NOTE: all subsequent sections shall be renumbered as applicable.)

SEC. 110-169. CONDITIONAL USE APPROVAL., Q., WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

q. Convenience commercial establishment. ~~Facility is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly prepared foods for off-site consumption.~~ Allowed in the L-C-2 zoning district.

1. Maximum floor area: 3,500 square feet.
2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
4. Underground storage tanks shall be set back at least 20 feet from all property lines.
5. The number of gasoline pumps shall be limited to no more than six ~~or~~ with a total of 12 pumping stations.

SEC. 110-173. - TRANSPORTATION CORRIDOR OVERLAY ZONE. (3) GENERAL STATE ROUTE OVERLAY ZONE WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

(3) *General state route overlay zone.* All property and/or development which have road frontage and/or access on State routes with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements and other development regulations which apply. This overlay zone specifically excludes SR 54 West, SR 85 North, SR 138 and SR 314 North, Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection and SR 74 North for which other overlay zones have been established herein. ~~The architectural standards of this overlay zone specifically excludes the L-C zoning district, for which other architectural standards have been established.~~

SEC. 110-174. – COMMERCIAL DEVELOPMENT STANDARDS. WILL BE DELETED IN ITS ENTIRETY AND THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE

Sec. 110-174. – Historic district overlay zone

Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection. All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use map shall be subject to the following regulations, in addition to

the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

(1) The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:

a. To maintain the historic character of the area;
b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
d. To protect existing and future residential areas outside of the intersection.

(2) Access.
Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.

(3) *Dimensional Requirements*.
a. All parking areas shall be located at least 50 feet from SR 74, SR 85, and Padgett Road right-of-way.
b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, shall be 100 feet.
c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.

(4) *Architectural Forms and Standards*. All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800's and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay. Architectural examples are on file in the Planning and Zoning Department

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process.

An owner/developer may exercise an architectural option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay. Elevation drawings, submitted as part of the site

plan approval process, shall be reviewed and approved by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

a. Starr's Mill: Starr's Mill is a two story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood framed with a grid muntin pattern. Doors are also wood framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the window and door frames are white, the doors are red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.

    1. Roof: Gable roof with a minimum pitch of 4.5 inches in one (1) foot. Roofing material shall be grey corrugated metal.
    2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (i.e., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.
    3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two foot high bulkhead consistent with the Façade Materials above.
    4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a gray corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.

b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels

on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early - 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.

1. Façade Material: Brick/brick veneer shall be utilized on all

walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.

3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.

4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

d. Lighting:

1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.

2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.

e. Within the 50 foot front landscape area, a wall or fence is required to run along a minimum of 40 percent of the frontage. The wall or fence shall be a minimum three (3) foot high wall with the appearance of stacked stone or a minimum four (4) foot high fence

with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.

f. *Color Palette*. Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.

g. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.

(5) *Landscape Requirements*. In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:

a. *Street Frontage*. Landscape area: 50 feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.

b. *Side Yard Landscape Area*: 10 feet in depth along the side property lines unless adjacent to a residential district where buffer requirements will apply.

(6) *Use of Existing Structure*: When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

(7) *Lighting and shielding standards*. Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.

(8) *Special Locational and Spatial Requirements*.

a. No more than 50 percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.

b. No outside storage allowed.

c. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

PUBLIC HEARING:

1. **Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. A copy of the Introduction to *Public Hearings for the Rezoning of Property*, identified as "Attachment 1," follows these minutes and is made an official part hereof.

This public hearing was originally brought before the Board at the June 9 meeting. Mr. Frisina briefed the Board that a group of citizens at the intersection of State Route (SR) 74, Highway 85 and Padgett Road came to the Planning Commission and requested that the Commission look at the Land Use Plan in the area. The Planning Commission decided to hold off any work at the intersection until SR 74 was completed. Mr. Frisina stated that SR 74 has been completed and, in July of 2015, the Planning Commission staff started working on what is being presented to the Board. He stated that the items include: a zoning ordinance amendment, color and brick pallet options and a Land Use Plan text and future Land Use Plan map amendments. He stated that agenda items #1, #2 and #3 are related to what is being called the Starr's Mill Historic Overlay District and Overlay Zone. Mr. Frisina continued that there is an existing zoning classification called Limited Commercial (LC) which has not been used and the staff and Planning Commission thought it would be a good low-level or low-intensity commercial district for the area. He stated that this area is the gateway to Fayette County, located in the southern portion of the county. He stated that the goal is to maintain the esthetics, the historic aspects of Starr's Mill, and traffic flow. He stated that staff adapted the LC District into an LC-1 and LC-2. He explained that an LC-1 is similar to an LC-2 and that the only difference is a convenience commercial establishment which would be a typical convenience store that sells gasoline. LC-1 does not allow for it and LC-2 does allow it. Mr. Frisina gave a PowerPoint presentation to include visual examples of the overlay district that includes an architectural standard that would be in association with Starr's Mill. He further explained the types of architecture that would be allowed, which in addition to the Starr's Mill characteristic style, would include a 1800's or early 1900's style called a "one-part commercial block" and the third style is a "two-part commercial block" which is a one-part commercial block with a second story floor. He stated that one of the issues that was discovered is that architects do not like being told how to design buildings, so there is an option that if someone does not want to follow the strict architectural standards, they can present a design that is different but still in character, to be heard in a public hearing process with the Planning Commission and then before the Board for final approval. He further explained that Item #2 is what will be used as the official book that will be kept in the Planning and Zoning office as a reference. He stated that Item #3 is the Land Use Plan. The land use is set up with two corners, one of the corners is LC-2, and the other corner is LC-1. There is also an area that is Office Institutional. He showed a map displaying the area to be identified as the Starr's Mill Historic Overlay District. He pointed out the area that is owned by the county.

Vice Chairman Ognio asked what the area is currently land used for. Mr. Frisina replied that it is all residential and is either agriculture-five acre lots or rural residential. He stated that there is no non-residential land use in the area nor any non-residential zoning.

Chairman Oddo asked if there was anyone who wished to speak in favor of this Public Hearing item. No one spoke in favor of this item. Chairman Oddo then asked if anyone would like to speak in opposition of this item. The following individuals spoke regarding this item:

Michael Faulkner: Mr. Faulkner gave accolades for the work done in the area to create a nice gateway. He asked the Board to delay the vote until such time that the Board could make some of the changes to the ordinance. He stated that some of his clients and some of the adjacent property owners, are concerned with the setbacks. He stated that the 100-foot setback becomes confiscatory in the enacting of the ordinance. The other area in the ordinance states that the maximum size of a structure is 3,500 square foot (sq. ft.). He stated that there needs to be more specifics of what the 3,500 sq. ft. is based on. He stated that the ordinance also has a four foot berm that needs to be addressed. He stated that he thinks that will distract from what is trying to be accomplished. He stated that the limitation of 50% parking is also a concern. He stated that depending on the type of company, it may be appropriate to have 50% parking and then it may not be appropriate. He stated that when exercising police powers while doing overlay zonings, the Supreme Court of Georgia requires a balance between the public welfare/benefit and the economics of the individual property owners. He stated that with the 100 foot setback it becomes confiscatory in nature and he does not think an overlay of nine properties is creating a public benefit that out-ways the economic loss of the individual property owners.

Tim Powers: Mr. Powers stated that he would like to have a RaceTrac gas station added to this area. He stated that it is time for the zoning to be changed.

Elaine Powers: Mrs. Powers spoke in opposition of the way the zoning is currently written. She stated that she has been through variances and they are usually not at the benefit of the citizens. She stated that this property would require many variance issues unless everyone sold their property at one time. She stated that she is opposed to the stringent requirements put on four of the property owners at the corner. She stated that the she would like to ask the Board to "re-do" some of the zoning that is included. She stated that the residents that reside there would like to have a convenience store on that end of the county.
Melisa Harris: Ms. Harris stated that she represents the property owners who introduced the area and who proposed the enhancing, protecting and designing and development of the south gateway of Fayette County. She stated that she worked for ten years on the gateway of Peachtree City and that this is in alignment with the south gateway of Fayette County. She stated that she lives in the community and has lived here for fifteen years and it is important to her to protect the area and to make sure it all makes sense when moving forward. She stated that her four property owners are in favor of the ordinance. She shared and explained a rendering of the four properties in the area with the Board. She asked that in regards to the 100-foot buffer, is there not already a Highway 75/85 corridor overlay even if this one is not approved. Mr. Frisina stated that all the State highways have an overlay and have a 100- foot setback for structures.

Michael Faulkner: Mr. Faulkner returned to the podium to state that, from a listing stand point, he represents the Powers. He stated that he was also contacted by some of the other property owners who also wanted him to speak on their behalf. He reiterated that it was just the issues he mentioned that they objected to and not the overall concept.

Dennis Shell: Mr. Shell stated that he actually lives in Meriwether County, but he represents his mother and father who own a portion of the property which is Limited Commercial 2 on the opposite side of Highway 85. He stated that this area had a gas station at one time. He stated that his question is why it is being pushed to the Starr's Mill Historic Overlay District side instead of the Highway 85 connector side where the actual mill is located.

Chairman Oddo closed public comments for this public hearing item.

Vice Chairman Ognio stated that the Board needs to find out about some of the issues before making a motion. He asked if this item was not approved by the Board, could it be taken back to the Planning Commission for further evaluation.

County Attorney Dennis Davenport stated that it is the Board's prerogative to send it back to the Planning Commission for further evaluation. He stated that it is good to give specific direction on why it is being sent back to them. Vice Chairman Ognio asked Mr. Frisina to go over the square footage issue that was mentioned.

Mr. Frisina briefed the Board on the setback and square footage concerns that was mentioned. Mr. Frisina stated that the overlay which would be specific to this intersection and all the State Route overlays have a 100-foot setbacks for structures off the right-a-away. He stated that there is a setback for structures in addition to a 50-foot landscape area and the setback for the building. He stated that it is standard. He continued that the some of the lots are less than an acre. He stated that to develop them on an individual basis is not possible. He stated that an assembly would need to occur in order to make this work. He stated that the convenience commercial establishment is limited to the 3,500 square foot. He stated that the total square footage on the corners is 10,000 square feet.

Commissioner Brown stated that it is in scale with the property and that there would not be a massive rectangular box on a small piece of property with inadequate parking.

Mr. Frisina stated that the parking does not have to be behind the building. He stated that it could be to the side of the building. He stated that the berm is only a prerogative as a condition of zoning and is not required.

Commissioner Brown added that assembling the properties is the only way to make it work. Commissioner Rousseau and Vice Chairman Ognio agreed.

Commissioner Rousseau asked if the issues addressed need to go back before the Planning Commission to incorporate them into the document or if the Board was on "good footing". Mr. Frisina stated that he believed "we are on good footing."

Commissioner Brown stated that his major concern is that he does not want gas stations out there. He stated that a gas station can be placed anywhere else close to the intersection. He stated that over 99% of the real estate has nothing to do with historical significance. He stated that the mill does have a significant historical value. He stated that he has the same feeling for the Highway 85 connector that he has for this property except no one is asking to develop that area. He stated that he has no problem with anything being in those buildings but he does not want the gas stations.

Commissioner Rousseau asked Mr. Davenport if any of the issues that Mr. Faulkner raised, put up a "red flag" for him. Mr. Davenport stated that he would have to consider the context in which the issues where made. He stated that for example, not having a 100-foot buffer versus changing it to a 100-foot buffer could be an area of concern, but by the same token the ordinance is not rezoning a piece of property. The ordinance is establishing a zoning district and an overlay district and the issues discussed are applying to non-residential development. He stated that Mr. Faulkner does raise some good concerns and these are issues the Planning Commission have probably debated over a period of time and what is presented is the result of their debate and Public Hearings. He stated that based on what is presented he does not see anything from his perspective that gives a "red flag" to stop. Commissioner Rousseau stated that he would

like to see a process where citizens can come out and have their questions addressed prior to the document coming before the Board. He stated that he knows it is publicized by Mr. Frisina.

Mr. Frisina stated that he put out a press release, *Fayette County News* published the press release with the map and it was also posted on the County's website.

Commissioner Brown stated that on a one-acre lot, even without the 100-foot setback, by the time the front and rear buffers are included, there is nothing to develop.

Commissioner Barlow asked Mr. Faulkner to come back to the podium. He asked Mr. Faulkner if anyone has ever done a collaboration. He stated that the properties will have to be assembled in order for it to work. Commissioner Barlow shared an example of when he lived in Sedona, Arizona, a gentleman brought in architects and builders from Mexico and built a product called "Tlaquepaque." He stated that the gentleman assembled all the surrounding properties, showed renderings of the area and got everybody on board. He stated that in his humble opinion, if someone were to cobble all the properties together and show what would be developed and everyone was in agreement, that would "fly". Commissioner Brown agreed.

Mr. Faulkner concurred and he stated that assemblage is not his issue. He stated that his issue is some of the things stated in the ordinance. He stated that he is asking the Board to delay the vote and send this back to the Planning Commission.

Chairman Oddo moved to approve Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone. Vice Chairman Ognio seconded the motion. There was further discussion. Commissioner Barlow called the vote. The motion failed 1-3-1 with Chairman Oddo voting to approve, Commissioners Brown, Barlow and Vice Chairman Ognio voting against and Commissioner Rousseau abstaining. Copies of the request and PowerPoint presentation, identified as "Attachment 2," follow these minutes and are made an official part hereof.

Vice Chairman Ognio stated that he would like to pass this agenda item without the gas station. Mr. Frisina stated that if the Board does not want the gas station at the intersections, it can be achieved by changing the land use section. He stated that these zonings do not have any impact on whether the gas station goes on the corner or not. He stated that these zonings will be useful in other areas of the county. He stated that if it is the Board's desire to not allow the gas station, then that can be done by amending the Land Use Plan and making it all LC-1. He concluded that he would have to re-advertise and bring the change back to the Board. The Board agreed.

Mr. Davenport made the correction that the changes will be re-advertised and brought back to the Planning Commission and then back to the Board of Commissioners. He stated that while the Board is bringing up compartmentalized issues, those issues have far-reaching effects in several of the documents. He stated he needs direction regarding the Starr's Mill Overlay District which talks about commercial convenience stores and canopies. He stated that he presumes the direction is to remove anything that talks about gas stations and the Starr's Mill Overlay Zone.

Vice Chairman Ognio and Commissioner Brown stated yes. Commissioner Brown stated that LC-2 could include the convenience store.

Mr. Davenport stated that since the Board has denied the LC-1 and LC-2 rezoning districts, they do not exist. He stated that the only thing left is the LC and that is for items #2 and #3 the Board should note that there is nothing to vote on.

2. Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone.

Commissioner Rousseau moved that the Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone item be deemed moot based on the vote of 1-3-1 on Item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

3. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Commissioner Rousseau moved that the Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road item be deemed moot based on the vote of 1-3-1 on item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

10. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

11. Consideration of the proposed Color Palette and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

12. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road.

Chairman Graw said the BOC had denied the proposed amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He said they would prefer no gas stations and not to have the L-C-2 zoning district designated for this area because this zoning district allows the convenience store with gasoline pumps. He added that the L-C-1 zoning district did not allow the convenience store with gasoline pumps.

Pete Frisina said items 10, 11 and 12 are all related to the Starr's Mill Historical District so he said he would discuss them together. He said the BOC denied the recommended amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He added that he had revised the amendments to only designate the intersection with the L-C-1 zoning district and staff still recommends creating an L-C-2 zoning district but it will not be associated with the Starr's Mill Historical District. He stated that Chairman Graw brought a typo to his attention on the first page of the amendments to the Land Use Text and that is to replace the numeral "2" with the numeral "1" in the parenthesis behind Limited- Commercial (1).

Arnold Martin asked for clarification of what the L-C-1 zoning district allows.

Pete Frisina said it has all of the same uses as L-C-2 with the exception of the convenience store with gasoline pumps.

Al Gilbert asked if you could have the convenience store without the gasoline pumps.

Pete Frisina said no the L-C-1 does not allow a convenience store with or without gasoline pumps.

Brian Haren asked if the BOC was specific that they didn't want the convenience stores.

Al Gilbert said they were specific that they didn't want the gasoline pumps.

Pete Frisina said the BOC used the term “gas station” but the term “gas station” is not used in either L-C-1 or L-C-2. He said when he takes it back to the BOC he would know more then.

Chairman Graw said the Planning Commission has the option to recommend something different but given that the BOC denied the amendments he would suggest that the amendments be sent back to the BOC as is now being recommended.

Chairman Graw asked in terms of item #10 the zoning ordinance amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the text amendment to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #11 the color and brick palette, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

Arnold Martin made a motion to recommend approval of the Color Palette and Brick Palette. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #12 the land use plan amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the amendment to the Fayette County Land Use text with one correction, and the Future Land Use Plan Map. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #5

Wording for the Agenda:

Consideration of Resolution 2016-09 for the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Background/History/Details:

Staff recommends approval of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Planning Commission: Arnold Martin made a motion to recommend approval of the Color Palette and Brick Palette. Brian Haren seconded the Motion . The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2016-09 for the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

RESOLUTION NO.

2016 - 09

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY FOR THE PURPOSE OF APPROVING A COLOR AND BRICK PALETTE FOR THE STARR'S MILL HISTORIC OVERLAY DISTRICT AND OVERLAY ZONE; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE BOARD OF COMMISSONERS OF FAYETTE COUNTY, GEORGIA, AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE COLOR AND BRICK PALETTE FOR THE STARR'S MILL HISTORIC OVERLAY DISTRICT AND OVERLAY ZONE IS HEREBY ADOPTED AS FOLLOWS:

W I T N E S S E T H:

WHEREAS, the Board of Commissioners of Fayette County is the duly enacted governing authority for Fayette County, Georgia; and

WHEREAS, the Board of Commissioners of Fayette County adopted the Starr's Mill Historic Overlay District and Overlay Zone on or about July 28, 2016; and

WHEREAS, the Starr's Mill Historic Overlay District and Overlay Zone refers to a color and brick palette which is on file in the Planning and Zoning Department of Fayette County; and

WHEREAS, it is the responsibility of the Board of Commissioners of Fayette County to approve the color and brick palette to be on file in the Planning and Zoning Department and to be used with the Starr's Mill Historic Overlay District and Overlay Zone.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Fayette County has reviewed the Color and Brick Palette which is attached to this Resolution as Exhibit "A" with said Exhibit "A" being incorporated into this Resolution by this reference thereto.

BE IT FURTHER RESOLVED that upon consideration of the Color and Brick Palette attached as Exhibit "A", the Board of Commissioners of Fayette County hereby and does so approve the Color and Brick Palette attached as Exhibit "A" to be used in conjunction with the development of property within the Starr's Mill Historic Overlay District and Overlay Zone.

BE IT FURTHER RESOLVED that the Planning and Zoning Department is directed to keep this Color and Brick Palette on file upon its approval.

SO RESOLVED this 28th day of July, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By:_____
Charles W. Oddo, Chairman

ATTEST:

_____
Floyd Jones, County Clerk

Approved as to form:

_____
County Attorney

Starr's Mill Historic Overly Color Palette

Starr’s Mill Historic Overly Color Palette

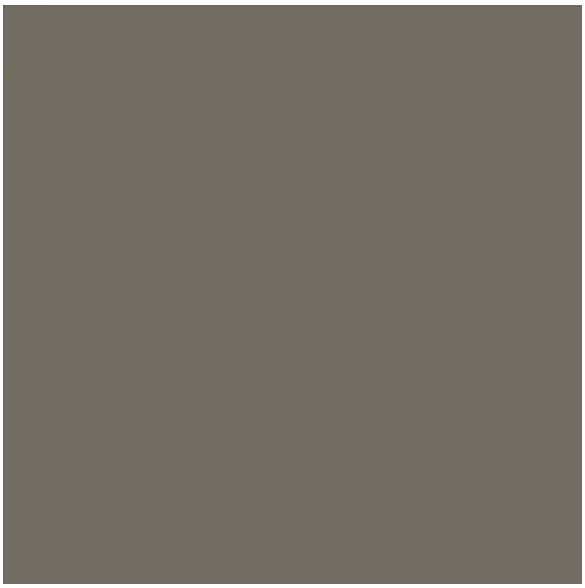
Starr's Mill Historic Overly Color Palette

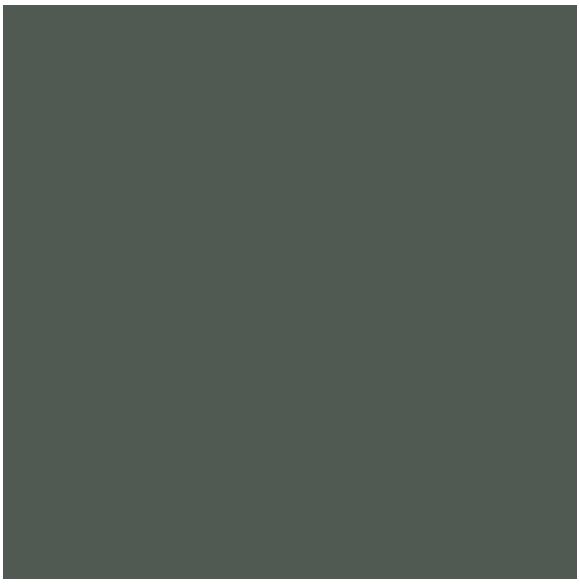
Starr's Mill Historic Overly Color Palette

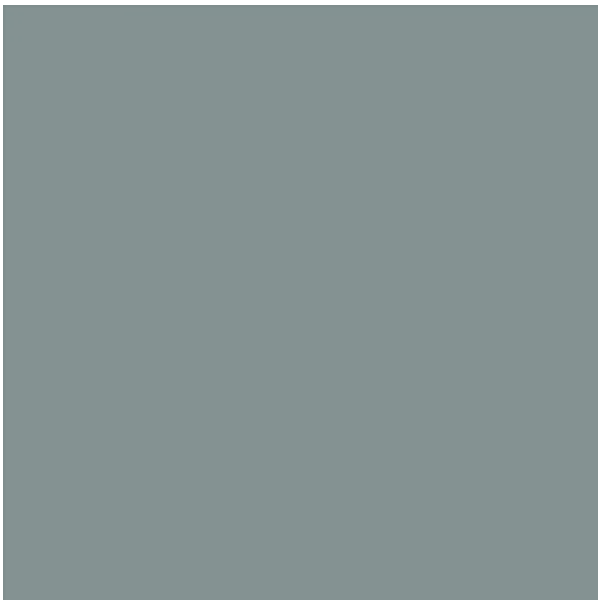
Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overly Color Palette

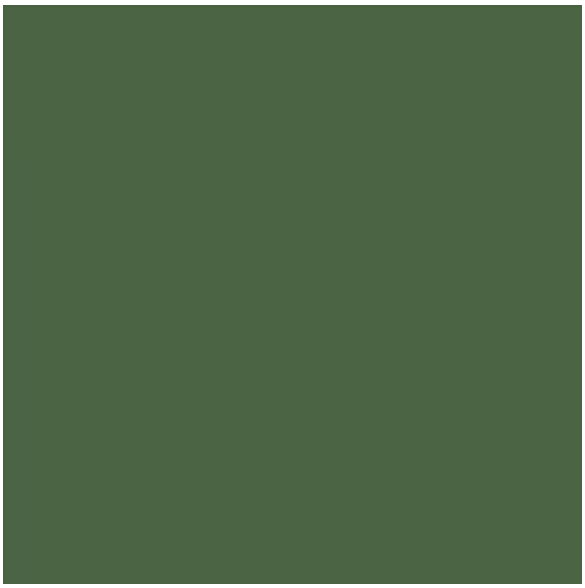
Starr's Mill Historic Overly Color Palette

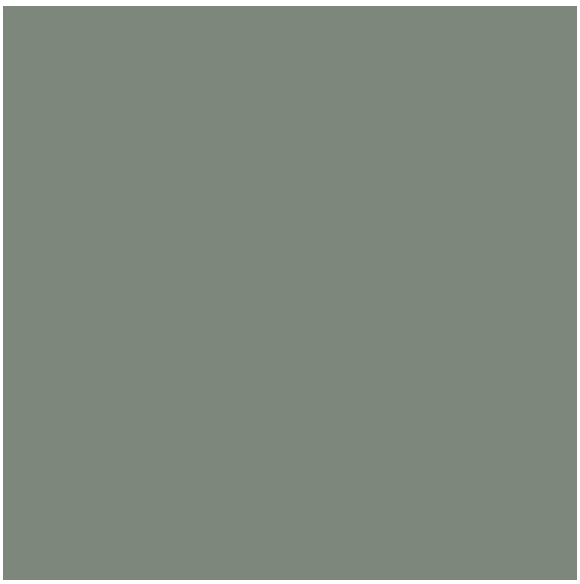


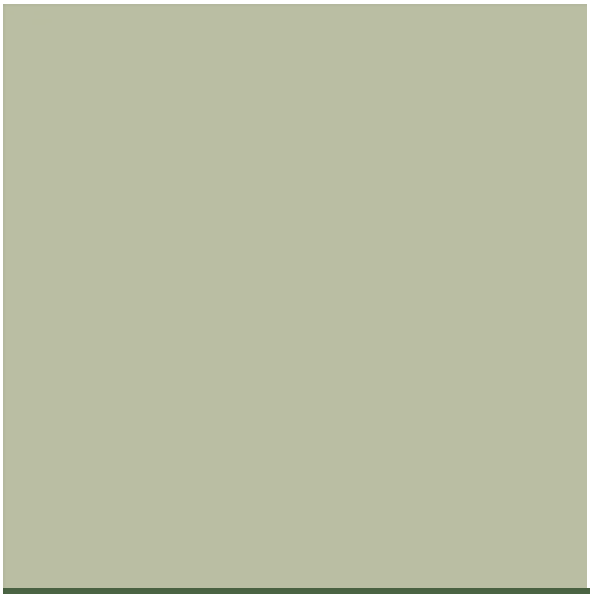


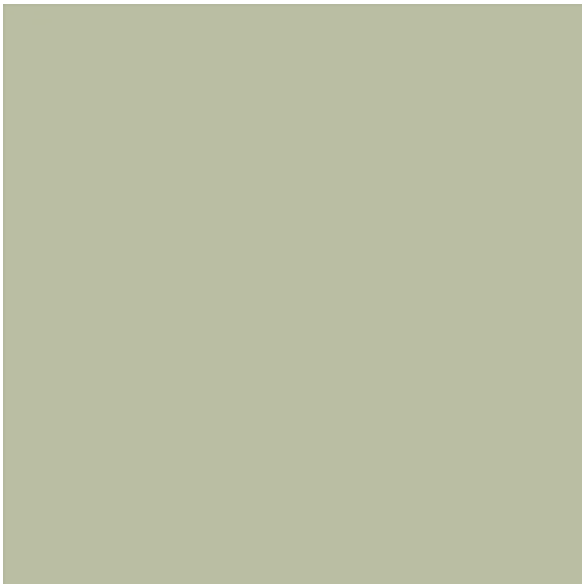


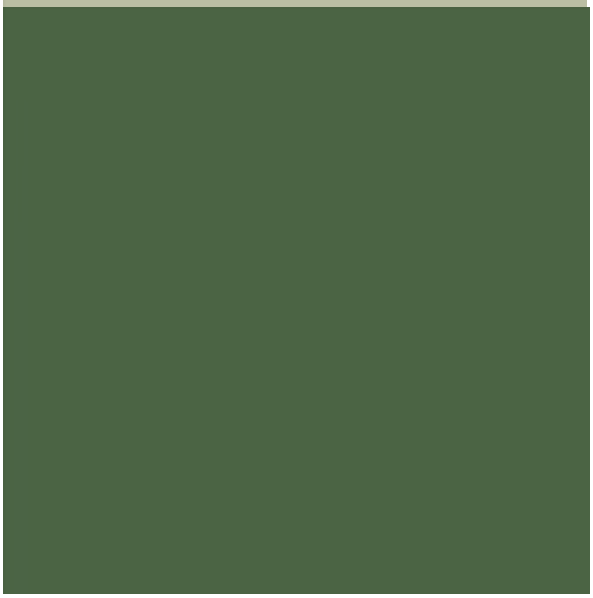
Starr's Mill Historic Overly Color Palette











Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overly Color Palette

Starr's Mill Historic Overlay Brick Palette

Starr's Mill Historic Overlay Brick Palette

Starr's Mill Historic Overlay Brick Palette

Starr's Mill Historic Overlay Brick Palette

PUBLIC HEARING:

1. **Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. A copy of the Introduction to *Public Hearings for the Rezoning of Property*, identified as "Attachment 1," follows these minutes and is made an official part hereof.

This public hearing was originally brought before the Board at the June 9 meeting. Mr. Frisina briefed the Board that a group of citizens at the intersection of State Route (SR) 74, Highway 85 and Padgett Road came to the Planning Commission and requested that the Commission look at the Land Use Plan in the area. The Planning Commission decided to hold off any work at the intersection until SR 74 was completed. Mr. Frisina stated that SR 74 has been completed and, in July of 2015, the Planning Commission staff started working on what is being presented to the Board. He stated that the items include: a zoning ordinance amendment, color and brick pallet options and a Land Use Plan text and future Land Use Plan map amendments. He stated that agenda items #1, #2 and #3 are related to what is being called the Starr's Mill Historic Overlay District and Overlay Zone. Mr. Frisina continued that there is an existing zoning classification called Limited Commercial (LC) which has not been used and the staff and Planning Commission thought it would be a good low-level or low-intensity commercial district for the area. He stated that this area is the gateway to Fayette County, located in the southern portion of the county. He stated that the goal is to maintain the esthetics, the historic aspects of Starr's Mill, and traffic flow. He stated that staff adapted the LC District into an LC-1 and LC-2. He explained that an LC-1 is similar to an LC-2 and that the only difference is a convenience commercial establishment which would be a typical convenience store that sells gasoline. LC-1 does not allow for it and LC-2 does allow it. Mr. Frisina gave a PowerPoint presentation to include visual examples of the overlay district that includes an architectural standard that would be in association with Starr's Mill. He further explained the types of architecture that would be allowed, which in addition to the Starr's Mill characteristic style, would include a 1800's or early 1900's style called a "one-part commercial block" and the third style is a "two-part commercial block" which is a one-part commercial block with a second story floor. He stated that one of the issues that was discovered is that architects do not like being told how to design buildings, so there is an option that if someone does not want to follow the strict architectural standards, they can present a design that is different but still in character, to be heard in a public hearing process with the Planning Commission and then before the Board for final approval. He further explained that Item #2 is what will be used as the official book that will be kept in the Planning and Zoning office as a reference. He stated that Item #3 is the Land Use Plan. The land use is set up with two corners, one of the corners is LC-2, and the other corner is LC-1. There is also an area that is Office Institutional. He showed a map displaying the area to be identified as the Starr's Mill Historic Overlay District. He pointed out the area that is owned by the county.

Vice Chairman Ognio asked what the area is currently land used for. Mr. Frisina replied that it is all residential and is either agriculture-five acre lots or rural residential. He stated that there is no non-residential land use in the area nor any non-residential zoning.

Chairman Oddo asked if there was anyone who wished to speak in favor of this Public Hearing item. No one spoke in favor of this item. Chairman Oddo then asked if anyone would like to speak in opposition of this item. The following individuals spoke regarding this item:

Michael Faulkner: Mr. Faulkner gave accolades for the work done in the area to create a nice gateway. He asked the Board to delay the vote until such time that the Board could make some of the changes to the ordinance. He stated that some of his clients and some of the adjacent property owners, are concerned with the setbacks. He stated that the 100-foot setback becomes confiscatory in the enacting of the ordinance. The other area in the ordinance states that the maximum size of a structure is 3,500 square foot (sq. ft.). He stated that there needs to be more specifics of what the 3,500 sq. ft. is based on. He stated that the ordinance also has a four foot berm that needs to be addressed. He stated that he thinks that will distract from what is trying to be accomplished. He stated that the limitation of 50% parking is also a concern. He stated that depending on the type of company, it may be appropriate to have 50% parking and then it may not be appropriate. He stated that when exercising police powers while doing overlay zonings, the Supreme Court of Georgia requires a balance between the public welfare/benefit and the economics of the individual property owners. He stated that with the 100 foot setback it becomes confiscatory in nature and he does not think an overlay of nine properties is creating a public benefit that out-ways the economic loss of the individual property owners.

Tim Powers: Mr. Powers stated that he would like to have a RaceTrac gas station added to this area. He stated that it is time for the zoning to be changed.

Elaine Powers: Mrs. Powers spoke in opposition of the way the zoning is currently written. She stated that she has been through variances and they are usually not at the benefit of the citizens. She stated that this property would require many variance issues unless everyone sold their property at one time. She stated that she is opposed to the stringent requirements put on four of the property owners at the corner. She stated that the she would like to ask the Board to "re-do" some of the zoning that is included. She stated that the residents that reside there would like to have a convenience store on that end of the county.
Melisa Harris: Ms. Harris stated that she represents the property owners who introduced the area and who proposed the enhancing, protecting and designing and development of the south gateway of Fayette County. She stated that she worked for ten years on the gateway of Peachtree City and that this is in alignment with the south gateway of Fayette County. She stated that she lives in the community and has lived here for fifteen years and it is important to her to protect the area and to make sure it all makes sense when moving forward. She stated that her four property owners are in favor of the ordinance. She shared and explained a rendering of the four properties in the area with the Board. She asked that in regards to the 100-foot buffer, is there not already a Highway 75/85 corridor overlay even if this one is not approved. Mr. Frisina stated that all the State highways have an overlay and have a 100- foot setback for structures.

Michael Faulkner: Mr. Faulkner returned to the podium to state that, from a listing stand point, he represents the Powers. He stated that he was also contacted by some of the other property owners who also wanted him to speak on their behalf. He reiterated that it was just the issues he mentioned that they objected to and not the overall concept.

Dennis Shell: Mr. Shell stated that he actually lives in Meriwether County, but he represents his mother and father who own a portion of the property which is Limited Commercial 2 on the opposite side of Highway 85. He stated that this area had a gas station at one time. He stated that his question is why it is being pushed to the Starr's Mill Historic Overlay District side instead of the Highway 85 connector side where the actual mill is located.

Chairman Oddo closed public comments for this public hearing item.

Vice Chairman Ognio stated that the Board needs to find out about some of the issues before making a motion. He asked if this item was not approved by the Board, could it be taken back to the Planning Commission for further evaluation.

County Attorney Dennis Davenport stated that it is the Board's prerogative to send it back to the Planning Commission for further evaluation. He stated that it is good to give specific direction on why it is being sent back to them. Vice Chairman Ognio asked Mr. Frisina to go over the square footage issue that was mentioned.

Mr. Frisina briefed the Board on the setback and square footage concerns that was mentioned. Mr. Frisina stated that the overlay which would be specific to this intersection and all the State Route overlays have a 100-foot setbacks for structures off the right-a-away. He stated that there is a setback for structures in addition to a 50-foot landscape area and the setback for the building. He stated that it is standard. He continued that the some of the lots are less than an acre. He stated that to develop them on an individual basis is not possible. He stated that an assembly would need to occur in order to make this work. He stated that the convenience commercial establishment is limited to the 3,500 square foot. He stated that the total square footage on the corners is 10,000 square feet.

Commissioner Brown stated that it is in scale with the property and that there would not be a massive rectangular box on a small piece of property with inadequate parking.

Mr. Frisina stated that the parking does not have to be behind the building. He stated that it could be to the side of the building. He stated that the berm is only a prerogative as a condition of zoning and is not required.

Commissioner Brown added that assembling the properties is the only way to make it work. Commissioner Rousseau and Vice Chairman Ognio agreed.

Commissioner Rousseau asked if the issues addressed need to go back before the Planning Commission to incorporate them into the document or if the Board was on "good footing". Mr. Frisina stated that he believed "we are on good footing."

Commissioner Brown stated that his major concern is that he does not want gas stations out there. He stated that a gas station can be placed anywhere else close to the intersection. He stated that over 99% of the real estate has nothing to do with historical significance. He stated that the mill does have a significant historical value. He stated that he has the same feeling for the Highway 85 connector that he has for this property except no one is asking to develop that area. He stated that he has no problem with anything being in those buildings but he does not want the gas stations.

Commissioner Rousseau asked Mr. Davenport if any of the issues that Mr. Faulkner raised, put up a "red flag" for him. Mr. Davenport stated that he would have to consider the context in which the issues where made. He stated that for example, not having a 100-foot buffer versus changing it to a 100-foot buffer could be an area of concern, but by the same token the ordinance is not rezoning a piece of property. The ordinance is establishing a zoning district and an overlay district and the issues discussed are applying to non-residential development. He stated that Mr. Faulkner does raise some good concerns and these are issues the Planning Commission have probably debated over a period of time and what is presented is the result of their debate and Public Hearings. He stated that based on what is presented he does not see anything from his perspective that gives a "red flag" to stop. Commissioner Rousseau stated that he would

like to see a process where citizens can come out and have their questions addressed prior to the document coming before the Board. He stated that he knows it is publicized by Mr. Frisina.

Mr. Frisina stated that he put out a press release, *Fayette County News* published the press release with the map and it was also posted on the County's website.

Commissioner Brown stated that on a one-acre lot, even without the 100-foot setback, by the time the front and rear buffers are included, there is nothing to develop.

Commissioner Barlow asked Mr. Faulkner to come back to the podium. He asked Mr. Faulkner if anyone has ever done a collaboration. He stated that the properties will have to be assembled in order for it to work. Commissioner Barlow shared an example of when he lived in Sedona, Arizona, a gentleman brought in architects and builders from Mexico and built a product called "Tlaquepaque." He stated that the gentleman assembled all the surrounding properties, showed renderings of the area and got everybody on board. He stated that in his humble opinion, if someone were to cobble all the properties together and show what would be developed and everyone was in agreement, that would "fly". Commissioner Brown agreed.

Mr. Faulkner concurred and he stated that assemblage is not his issue. He stated that his issue is some of the things stated in the ordinance. He stated that he is asking the Board to delay the vote and send this back to the Planning Commission.

Chairman Oddo moved to approve Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone. Vice Chairman Ognio seconded the motion. There was further discussion. Commissioner Barlow called the vote. The motion failed 1-3-1 with Chairman Oddo voting to approve, Commissioners Brown, Barlow and Vice Chairman Ognio voting against and Commissioner Rousseau abstaining. Copies of the request and PowerPoint presentation, identified as "Attachment 2," follow these minutes and are made an official part hereof.

Vice Chairman Ognio stated that he would like to pass this agenda item without the gas station. Mr. Frisina stated that if the Board does not want the gas station at the intersections, it can be achieved by changing the land use section. He stated that these zonings do not have any impact on whether the gas station goes on the corner or not. He stated that these zonings will be useful in other areas of the county. He stated that if it is the Board's desire to not allow the gas station, then that can be done by amending the Land Use Plan and making it all LC-1. He concluded that he would have to re-advertise and bring the change back to the Board. The Board agreed.

Mr. Davenport made the correction that the changes will be re-advertised and brought back to the Planning Commission and then back to the Board of Commissioners. He stated that while the Board is bringing up compartmentalized issues, those issues have far-reaching effects in several of the documents. He stated he needs direction regarding the Starr's Mill Overlay District which talks about commercial convenience stores and canopies. He stated that he presumes the direction is to remove anything that talks about gas stations and the Starr's Mill Overlay Zone.

Vice Chairman Ognio and Commissioner Brown stated yes. Commissioner Brown stated that LC-2 could include the convenience store.

Mr. Davenport stated that since the Board has denied the LC-1 and LC-2 rezoning districts, they do not exist. He stated that the only thing left is the LC and that is for items #2 and #3 the Board should note that there is nothing to vote on.

2. Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone.

Commissioner Rousseau moved that the Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone item be deemed moot based on the vote of 1-3-1 on Item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

3. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Commissioner Rousseau moved that the Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road item be deemed moot based on the vote of 1-3-1 on item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

10. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

11. Consideration of the proposed Color Palette and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

12. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road.

Chairman Graw said the BOC had denied the proposed amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He said they would prefer no gas stations and not to have the L-C-2 zoning district designated for this area because this zoning district allows the convenience store with gasoline pumps. He added that the L-C-1 zoning district did not allow the convenience store with gasoline pumps.

Pete Frisina said items 10, 11 and 12 are all related to the Starr's Mill Historical District so he said he would discuss them together. He said the BOC denied the recommended amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He added that he had revised the amendments to only designate the intersection with the L-C-1 zoning district and staff still recommends creating an L-C-2 zoning district but it will not be associated with the Starr's Mill Historical District. He stated that Chairman Graw brought a typo to his attention on the first page of the amendments to the Land Use Text and that is to replace the numeral "2" with the numeral "1" in the parenthesis behind Limited- Commercial (1).

Arnold Martin asked for clarification of what the L-C-1 zoning district allows.

Pete Frisina said it has all of the same uses as L-C-2 with the exception of the convenience store with gasoline pumps.

Al Gilbert asked if you could have the convenience store without the gasoline pumps.

Pete Frisina said no the L-C-1 does not allow a convenience store with or without gasoline pumps.

Brian Haren asked if the BOC was specific that they didn't want the convenience stores.

Al Gilbert said they were specific that they didn't want the gasoline pumps.

Pete Frisina said the BOC used the term “gas station” but the term “gas station” is not used in either L-C-1 or L-C-2. He said when he takes it back to the BOC he would know more then.

Chairman Graw said the Planning Commission has the option to recommend something different but given that the BOC denied the amendments he would suggest that the amendments be sent back to the BOC as is now being recommended.

Chairman Graw asked in terms of item #10 the zoning ordinance amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the text amendment to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #11 the color and brick palette, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

Arnold Martin made a motion to recommend approval of the Color Palette and Brick Palette. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #12 the land use plan amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the amendment to the Fayette County Land Use text with one correction, and the Future Land Use Plan Map. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #6

Wording for the Agenda:

Consideration of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Background/History/Details:

The Staff and Planning Commission restarted this project in July of 2015 to review and recommend Land Use Plan amendments and related Zoning Ordinance amendments for the area at the intersection of State Route (SR) 74, SR 85 and Padgett Road. This project was initiated in response to a request from property owners at the intersection and the four lane widening on SR 74. Staff has rewritten the amendments to the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan to only allow the L-C-1, Limited-Commercial (1) District , which does not permit Convenience commercial establishments and associated gasoline sales in the Starr's Mill Historic Overlay District. Staff still proposes to create a L-C-2, Limited-Commercial (2) District land use category but it is not intended for the Starr's Mill Historic Overlay District.

Staff recommends approval of the proposed amendments.

Planning Commission: John Culbreth made a motion to recommend approval of the amendment to the Fayette County Land Use text with one correction, and the Future Land Use Plan Map. Motion seconded by Al Gilbert. The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

RESOLUTION NO.

2016 - 06

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY FOR THE PURPOSE OF AMENDING THE FAYETTE COUNTY COMPREHENSIVE PLAN LAND USE ELEMENT TEXT AND THE FAYETTE COUNTY FUTURE LAND USE PLAN MAP; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE BOARD OF COMMISSONERS OF FAYETTE COUNTY, GEORGIA, AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE FAYETTE COUNTY COMPREHENSIVE PLAN LAND USE ELEMENT TEXT AND THE FAYETTE COUNTY FUTURE LAND USE PLAN MAP ARE HEREBY AMENDED AS FOLLOWS:

W I T N E S S E T H:

WHEREAS, the Board of Commissioners of Fayette County is the duly enacted governing authority for Fayette County, Georgia; and

WHEREAS, the Board of Commissioners of Fayette County has prepared amendments to the Fayette County Comprehensive Plan Land Use Element text attached hereto as Exhibit "A" with said Exhibit "A" being incorporated herein by this reference, concerning the new Starr's Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office and Low Density Residential (1 Unit/1 to 2 Acres) in the area of State Route 74, State Route 85 and Padgett Road; and

WHEREAS, on the 28th day of July, 2016, the Board of Commissioners of Fayette County conducted a public hearing.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Fayette County has reviewed the prepared amendments in Exhibit "A" and does hereby adopt the prepared amendments in Exhibit "A" to the Fayette County Comprehensive Plan Land Use Element text concerning the new Starr's Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office, Transportation/Communication/Utilities, and Low Density Residential (1 Unit/1 to 2 Acres) in the area of State Route 74, State Route 85 and Padgett Road.

SO RESOLVED this 28th day of July, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By:_____
Charles W. Oddo, Chairman

ATTEST:

_____
Floyd Jones, County Clerk

Approved as to form:

_____
County Attorney

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, COMMERCIAL

Limited Commercial (One & Two)

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into "Limited Commercial One" and "Limited Commercial Two" categories:

Limited Commercial One: This category identifies properties where the L-C-1, (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2, (Limited-Commercial (2) District) is recommended.

SR 74, SR 85, & Padgett Road Intersection (Starr's Mill Historic District): This intersection is in close proximity to historic Starr's Mill. This area represents a newly developing nonresidential node where the L-C-1, (Limited-Commercial (1) District) and O-I, Office-Institutional zoning districts are recommended as depicted on the Future Land Use Plan map. The C-C, (Community Commercial District), C-H, (Highway Commercial District) and L-C-2, (Limited-Commercial (2) District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, FUTURE DEVELOPMENT FACTORS

Historic District

Starr's Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection: Starr's Mill is a significant historic resource and is identified and discussed in the Natural and Historic Resources Element of this Plan. This Overlay District identifies the county's goals and recommendations for the Starr's Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road intersection. Both SR 74 and SR 85 are Major Arterials and serve as commuting routes. SR 74 connects to Peachtree City, Tyrone and Interstate 85 to the north. SR 85 runs through Fayetteville to Clayton County and connections to SR 92, SR 314, and SR 279 can be made along this route. The widening of SR 74 from two to four lanes was completed in early 2012. As a result of this project Padgett Road was realigned to alleviate its offset from SR 74. SR 85 is planned to be widened from two to four lanes in the future.

Historic Resources: Starr's Mill is located to the northeast of this intersection on Whitewater Creek. Starr's Mill is one of the most significant historical structures in Fayette County. The mill and surrounding property containing the mill pond is owned by the Fayette County Water System and serves as a water intake location and passive park. The present mill was built in 1888 and was central to the Starr's Mill Community that also contained a post office, stores, a church, a cotton gin, and a saw mill. These facts are discussed in the Natural and Historic Resources Element of the comprehensive plan.

Also located at the intersection in close proximity to Starr's Mill is the Starr's Mill Baptist Church. It is estimated that the church was constructed in 1887 according to the Natural and Historic Resources Element. The church is owned and utilized by New Hope Baptist Church which is located across SR 74.

Existing Development: Properties at this intersection are residentially zoned and the Future Land Use Plan designates these properties as residential. Most lots contain single-family residences with the exception of a lot of approximately eight acres that contains the aforementioned Starr's Mill Baptist Church. Some of the lots are nonconforming and a few are less than one acre in size. A legal nonconforming commercial structure was removed due to the realignment of Padgett Road.

Several single-family residential subdivisions are located in close proximity to the intersection. These subdivisions include Mill Pond Manor (R-45), Southmill (C-S), Starr's Mill Ridge (R-20), and Starr's Mill Estates (R-20). While Starr's Mill Estates is zoned for one acre lots, the lots range in size from four to eight acres.

Future Development: Due to the improvements to this intersection through the SR 74 widening project and the future widening of SR 85, it is anticipated that property owners at this intersection will pursue nonresidential development. The preferred development pattern is for properties closest to the intersection to contain the more intense uses and land use intensity will generally decrease in intensity as it moves away from the intersection. The maintenance of an efficient flow of traffic at this intersection is essential. The historic character of the area should be taken into consideration in the development of this area.

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Recommendations: The land use of this area associated with this intersection will be depicted on the Future Land Use Plan and corresponding Overlay Zone requirements for nonresidential development will be added to the Zoning Ordinance. The nonresidential land use designations at this intersection will consist of Limited Commercial One and Office. Some fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). The C-C, (Community Commercial District), C-H, (Highway Commercial District) and L-C-2, (Limited-Commercial (2) District) are not designated for this area.

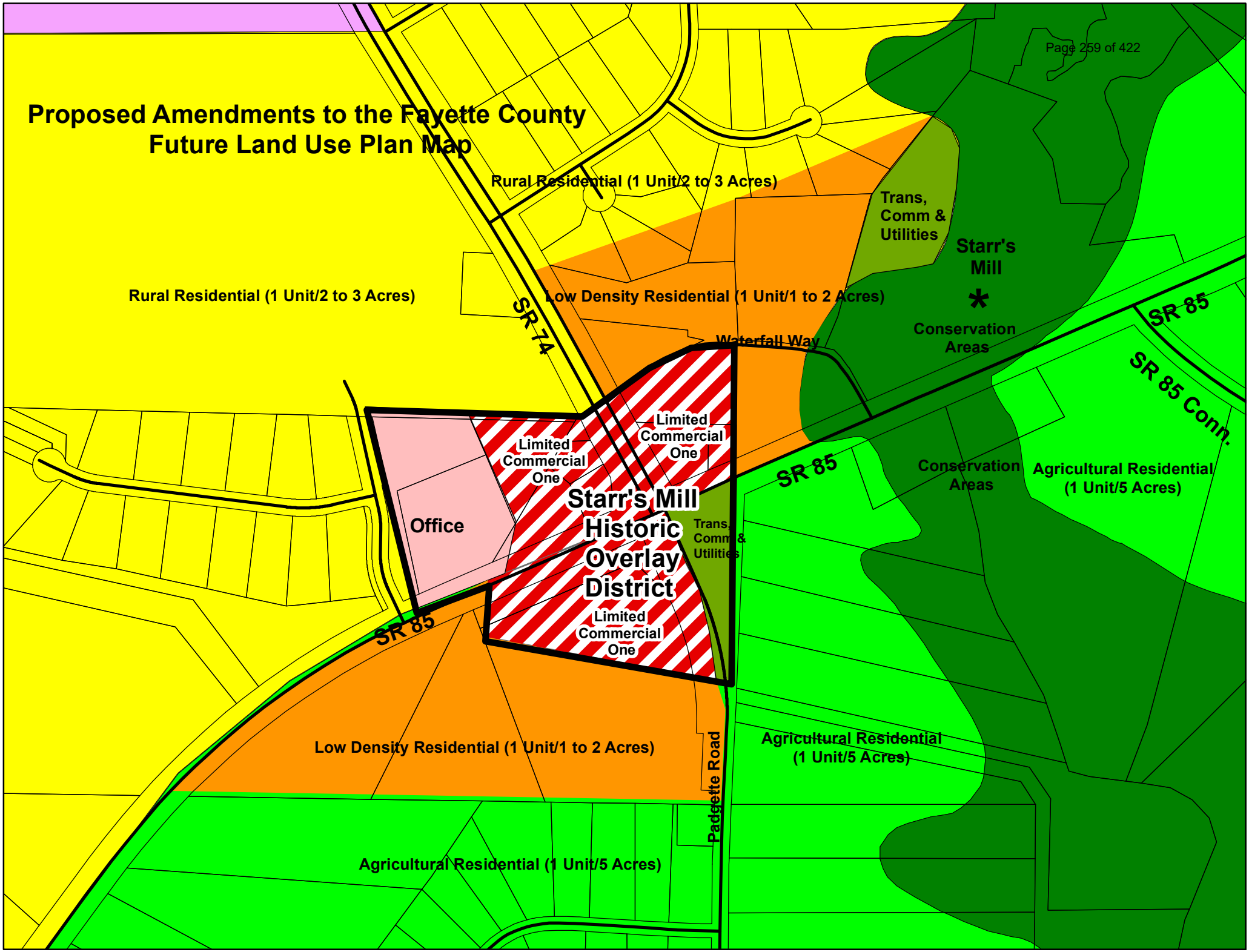
THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE PLAN MAP

Starr's Mill Historic Overlay District and Overlay Zone

Overlay District (see Fayette County Comprehensive Plan, Land Use Element)

Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

Proposed Amendments to the Fayette County Future Land Use Plan Map



PUBLIC HEARING:

1. **Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. A copy of the Introduction to *Public Hearings for the Rezoning of Property*, identified as "Attachment 1," follows these minutes and is made an official part hereof.

This public hearing was originally brought before the Board at the June 9 meeting. Mr. Frisina briefed the Board that a group of citizens at the intersection of State Route (SR) 74, Highway 85 and Padgett Road came to the Planning Commission and requested that the Commission look at the Land Use Plan in the area. The Planning Commission decided to hold off any work at the intersection until SR 74 was completed. Mr. Frisina stated that SR 74 has been completed and, in July of 2015, the Planning Commission staff started working on what is being presented to the Board. He stated that the items include: a zoning ordinance amendment, color and brick pallet options and a Land Use Plan text and future Land Use Plan map amendments. He stated that agenda items #1, #2 and #3 are related to what is being called the Starr's Mill Historic Overlay District and Overlay Zone. Mr. Frisina continued that there is an existing zoning classification called Limited Commercial (LC) which has not been used and the staff and Planning Commission thought it would be a good low-level or low-intensity commercial district for the area. He stated that this area is the gateway to Fayette County, located in the southern portion of the county. He stated that the goal is to maintain the esthetics, the historic aspects of Starr's Mill, and traffic flow. He stated that staff adapted the LC District into an LC-1 and LC-2. He explained that an LC-1 is similar to an LC-2 and that the only difference is a convenience commercial establishment which would be a typical convenience store that sells gasoline. LC-1 does not allow for it and LC-2 does allow it. Mr. Frisina gave a PowerPoint presentation to include visual examples of the overlay district that includes an architectural standard that would be in association with Starr's Mill. He further explained the types of architecture that would be allowed, which in addition to the Starr's Mill characteristic style, would include a 1800's or early 1900's style called a "one-part commercial block" and the third style is a "two-part commercial block" which is a one-part commercial block with a second story floor. He stated that one of the issues that was discovered is that architects do not like being told how to design buildings, so there is an option that if someone does not want to follow the strict architectural standards, they can present a design that is different but still in character, to be heard in a public hearing process with the Planning Commission and then before the Board for final approval. He further explained that Item #2 is what will be used as the official book that will be kept in the Planning and Zoning office as a reference. He stated that Item #3 is the Land Use Plan. The land use is set up with two corners, one of the corners is LC-2, and the other corner is LC-1. There is also an area that is Office Institutional. He showed a map displaying the area to be identified as the Starr's Mill Historic Overlay District. He pointed out the area that is owned by the county.

Vice Chairman Ognio asked what the area is currently land used for. Mr. Frisina replied that it is all residential and is either agriculture-five acre lots or rural residential. He stated that there is no non-residential land use in the area nor any non-residential zoning.

Chairman Oddo asked if there was anyone who wished to speak in favor of this Public Hearing item. No one spoke in favor of this item. Chairman Oddo then asked if anyone would like to speak in opposition of this item. The following individuals spoke regarding this item:

Michael Faulkner: Mr. Faulkner gave accolades for the work done in the area to create a nice gateway. He asked the Board to delay the vote until such time that the Board could make some of the changes to the ordinance. He stated that some of his clients and some of the adjacent property owners, are concerned with the setbacks. He stated that the 100-foot setback becomes confiscatory in the enacting of the ordinance. The other area in the ordinance states that the maximum size of a structure is 3,500 square foot (sq. ft.). He stated that there needs to be more specifics of what the 3,500 sq. ft. is based on. He stated that the ordinance also has a four foot berm that needs to be addressed. He stated that he thinks that will distract from what is trying to be accomplished. He stated that the limitation of 50% parking is also a concern. He stated that depending on the type of company, it may be appropriate to have 50% parking and then it may not be appropriate. He stated that when exercising police powers while doing overlay zonings, the Supreme Court of Georgia requires a balance between the public welfare/benefit and the economics of the individual property owners. He stated that with the 100 foot setback it becomes confiscatory in nature and he does not think an overlay of nine properties is creating a public benefit that out-ways the economic loss of the individual property owners.

Tim Powers: Mr. Powers stated that he would like to have a RaceTrac gas station added to this area. He stated that it is time for the zoning to be changed.

Elaine Powers: Mrs. Powers spoke in opposition of the way the zoning is currently written. She stated that she has been through variances and they are usually not at the benefit of the citizens. She stated that this property would require many variance issues unless everyone sold their property at one time. She stated that she is opposed to the stringent requirements put on four of the property owners at the corner. She stated that the she would like to ask the Board to "re-do" some of the zoning that is included. She stated that the residents that reside there would like to have a convenience store on that end of the county.
Melisa Harris: Ms. Harris stated that she represents the property owners who introduced the area and who proposed the enhancing, protecting and designing and development of the south gateway of Fayette County. She stated that she worked for ten years on the gateway of Peachtree City and that this is in alignment with the south gateway of Fayette County. She stated that she lives in the community and has lived here for fifteen years and it is important to her to protect the area and to make sure it all makes sense when moving forward. She stated that her four property owners are in favor of the ordinance. She shared and explained a rendering of the four properties in the area with the Board. She asked that in regards to the 100-foot buffer, is there not already a Highway 75/85 corridor overlay even if this one is not approved. Mr. Frisina stated that all the State highways have an overlay and have a 100- foot setback for structures.

Michael Faulkner: Mr. Faulkner returned to the podium to state that, from a listing stand point, he represents the Powers. He stated that he was also contacted by some of the other property owners who also wanted him to speak on their behalf. He reiterated that it was just the issues he mentioned that they objected to and not the overall concept.

Dennis Shell: Mr. Shell stated that he actually lives in Meriwether County, but he represents his mother and father who own a portion of the property which is Limited Commercial 2 on the opposite side of Highway 85. He stated that this area had a gas station at one time. He stated that his question is why it is being pushed to the Starr's Mill Historic Overlay District side instead of the Highway 85 connector side where the actual mill is located.

Chairman Oddo closed public comments for this public hearing item.

Vice Chairman Ognio stated that the Board needs to find out about some of the issues before making a motion. He asked if this item was not approved by the Board, could it be taken back to the Planning Commission for further evaluation.

County Attorney Dennis Davenport stated that it is the Board's prerogative to send it back to the Planning Commission for further evaluation. He stated that it is good to give specific direction on why it is being sent back to them. Vice Chairman Ognio asked Mr. Frisina to go over the square footage issue that was mentioned.

Mr. Frisina briefed the Board on the setback and square footage concerns that was mentioned. Mr. Frisina stated that the overlay which would be specific to this intersection and all the State Route overlays have a 100-foot setbacks for structures off the right-a-away. He stated that there is a setback for structures in addition to a 50-foot landscape area and the setback for the building. He stated that it is standard. He continued that the some of the lots are less than an acre. He stated that to develop them on an individual basis is not possible. He stated that an assembly would need to occur in order to make this work. He stated that the convenience commercial establishment is limited to the 3,500 square foot. He stated that the total square footage on the corners is 10,000 square feet.

Commissioner Brown stated that it is in scale with the property and that there would not be a massive rectangular box on a small piece of property with inadequate parking.

Mr. Frisina stated that the parking does not have to be behind the building. He stated that it could be to the side of the building. He stated that the berm is only a prerogative as a condition of zoning and is not required.

Commissioner Brown added that assembling the properties is the only way to make it work. Commissioner Rousseau and Vice Chairman Ognio agreed.

Commissioner Rousseau asked if the issues addressed need to go back before the Planning Commission to incorporate them into the document or if the Board was on "good footing". Mr. Frisina stated that he believed "we are on good footing."

Commissioner Brown stated that his major concern is that he does not want gas stations out there. He stated that a gas station can be placed anywhere else close to the intersection. He stated that over 99% of the real estate has nothing to do with historical significance. He stated that the mill does have a significant historical value. He stated that he has the same feeling for the Highway 85 connector that he has for this property except no one is asking to develop that area. He stated that he has no problem with anything being in those buildings but he does not want the gas stations.

Commissioner Rousseau asked Mr. Davenport if any of the issues that Mr. Faulkner raised, put up a "red flag" for him. Mr. Davenport stated that he would have to consider the context in which the issues where made. He stated that for example, not having a 100-foot buffer versus changing it to a 100-foot buffer could be an area of concern, but by the same token the ordinance is not rezoning a piece of property. The ordinance is establishing a zoning district and an overlay district and the issues discussed are applying to non-residential development. He stated that Mr. Faulkner does raise some good concerns and these are issues the Planning Commission have probably debated over a period of time and what is presented is the result of their debate and Public Hearings. He stated that based on what is presented he does not see anything from his perspective that gives a "red flag" to stop. Commissioner Rousseau stated that he would

like to see a process where citizens can come out and have their questions addressed prior to the document coming before the Board. He stated that he knows it is publicized by Mr. Frisina.

Mr. Frisina stated that he put out a press release, *Fayette County News* published the press release with the map and it was also posted on the County's website.

Commissioner Brown stated that on a one-acre lot, even without the 100-foot setback, by the time the front and rear buffers are included, there is nothing to develop.

Commissioner Barlow asked Mr. Faulkner to come back to the podium. He asked Mr. Faulkner if anyone has ever done a collaboration. He stated that the properties will have to be assembled in order for it to work. Commissioner Barlow shared an example of when he lived in Sedona, Arizona, a gentleman brought in architects and builders from Mexico and built a product called "Tlaquepaque." He stated that the gentleman assembled all the surrounding properties, showed renderings of the area and got everybody on board. He stated that in his humble opinion, if someone were to cobble all the properties together and show what would be developed and everyone was in agreement, that would "fly". Commissioner Brown agreed.

Mr. Faulkner concurred and he stated that assemblage is not his issue. He stated that his issue is some of the things stated in the ordinance. He stated that he is asking the Board to delay the vote and send this back to the Planning Commission.

Chairman Oddo moved to approve Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV.,Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone. Vice Chairman Ognio seconded the motion. There was further discussion. Commissioner Barlow called the vote. The motion failed 1-3-1 with Chairman Oddo voting to approve, Commissioners Brown, Barlow and Vice Chairman Ognio voting against and Commissioner Rousseau abstaining. Copies of the request and PowerPoint presentation, identified as "Attachment 2," follow these minutes and are made an official part hereof.

Vice Chairman Ognio stated that he would like to pass this agenda item without the gas station. Mr. Frisina stated that if the Board does not want the gas station at the intersections, it can be achieved by changing the land use section. He stated that these zonings do not have any impact on whether the gas station goes on the corner or not. He stated that these zonings will be useful in other areas of the county. He stated that if it is the Board's desire to not allow the gas station, then that can be done by amending the Land Use Plan and making it all LC-1. He concluded that he would have to re-advertise and bring the change back to the Board. The Board agreed.

Mr. Davenport made the correction that the changes will be re-advertised and brought back to the Planning Commission and then back to the Board of Commissioners. He stated that while the Board is bringing up compartmentalized issues, those issues have far-reaching effects in several of the documents. He stated he needs direction regarding the Starr's Mill Overlay District which talks about commercial convenience stores and canopies. He stated that he presumes the direction is to remove anything that talks about gas stations and the Starr's Mill Overlay Zone.

Vice Chairman Ognio and Commissioner Brown stated yes. Commissioner Brown stated that LC-2 could include the convenience store.

Mr. Davenport stated that since the Board has denied the LC-1 and LC-2 rezoning districts, they do not exist. He stated that the only thing left is the LC and that is for items #2 and #3 the Board should note that there is nothing to vote on.

2. Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone.

Commissioner Rousseau moved that the Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone item be deemed moot based on the vote of 1-3-1 on Item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

3. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Commissioner Rousseau moved that the Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road item be deemed moot based on the vote of 1-3-1 on item #1. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

10. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

11. Consideration of the proposed Color Palette and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

12. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road.

Chairman Graw said the BOC had denied the proposed amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He said they would prefer no gas stations and not to have the L-C-2 zoning district designated for this area because this zoning district allows the convenience store with gasoline pumps. He added that the L-C-1 zoning district did not allow the convenience store with gasoline pumps.

Pete Frisina said items 10, 11 and 12 are all related to the Starr's Mill Historical District so he said he would discuss them together. He said the BOC denied the recommended amendments to the Zoning Ordinance concerning the Starr's Mill Historical District because they didn't want gasoline stations in the historic district. He added that he had revised the amendments to only designate the intersection with the L-C-1 zoning district and staff still recommends creating an L-C-2 zoning district but it will not be associated with the Starr's Mill Historical District. He stated that Chairman Graw brought a typo to his attention on the first page of the amendments to the Land Use Text and that is to replace the numeral "2" with the numeral "1" in the parenthesis behind Limited- Commercial (1).

Arnold Martin asked for clarification of what the L-C-1 zoning district allows.

Pete Frisina said it has all of the same uses as L-C-2 with the exception of the convenience store with gasoline pumps.

Al Gilbert asked if you could have the convenience store without the gasoline pumps.

Pete Frisina said no the L-C-1 does not allow a convenience store with or without gasoline pumps.

Brian Haren asked if the BOC was specific that they didn't want the convenience stores.

Al Gilbert said they were specific that they didn't want the gasoline pumps.

Pete Frisina said the BOC used the term “gas station” but the term “gas station” is not used in either L-C-1 or L-C-2. He said when he takes it back to the BOC he would know more then.

Chairman Graw said the Planning Commission has the option to recommend something different but given that the BOC denied the amendments he would suggest that the amendments be sent back to the BOC as is now being recommended.

Chairman Graw asked in terms of item #10 the zoning ordinance amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the text amendment to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #11 the color and brick palette, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

Arnold Martin made a motion to recommend approval of the Color Palette and Brick Palette. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

Chairman Graw asked in terms of item #12 the land use plan amendments, is there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth made a motion to recommend approval of the amendment to the Fayette County Land Use text with one correction, and the Future Land Use Plan Map. Al Gilbert seconded the motion. The motion passed by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #7

Wording for the Agenda:

Consideration of Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle.

Background/History/Details:

These amendments involve the establishment of a Deer Processing Facility as a Conditional Use in A-R, the clarification of site plan, parking and landscape requirements for the A-R Wedding/Event Facility and parking of recreational vehicles (housekeeping). In consort with these zoning ordinance amendments, proposed amendments to the Development Regulations are also proposed (next item.) Many of the amendments to the Development Regulations are housekeeping in nature.

Staff recommends approval of the proposed amendments.

Planning Commission: Al Gilbert made a motion to recommend approval of the amendments to the Zoning Ordinance. Arnold Martin seconded the motion. The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle Concerning A-R Wedding/Event Facility, Deer Processing Facility and Recreational Vehicles and Boats.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

ZONING ORDINANCE - SECTION 110-3 DEFINITIONS (the following to be added in its entirety to the list of definitions)

Deer processing facility means a facility where deer is processed into various cuts of venison.

ZONING ORDINANCE - Sec. 110-125. - A-R, Agricultural-Residential District. c. Conditional uses.

(9). *Deer processing facility*.

ZONING ORDINANCE - Sec. 110-169. - Conditional use approval. (the following to be added in its entirety to the list of Conditional Uses in A-R)

r. The facility shall only be utilized for deer processing. The facility shall not be utilized for the processing of livestock or other wild game. Allowed in the A-R zoning district.

1. Minimum lot size: five acres;
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the County Engineer;
3. Sale of the processed venison to the general public shall be prohibited. This provision shall not prohibit the processing of meat in conjunction with the Department of Natural Resources' "Hunters for the Hungry" program;
4. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see Sec, 110-169, u.);
5. The deer processing facility shall have a current Wildlife Storage Permit from the Georgia Department of Natural Resources, Wildlife Resources Division;
6. The deer processing facility shall have a NPDES Permit, as applicable, from the Environmental Protection Division of the Georgia Department of Natural Resources and said permit shall be filed with the Department of Environmental Management;
7. All deer processing waste, not being routed to a rendering plant or other venders, shall be disposed of in compliance with the Guidance Document Disposal of Deer Processing Waste from the Georgia Department of Natural Resources, Environmental Protection Division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in Municipal Solid Waste Landfills (MSWL). The burial of any deer processing waste is prohibited;
8. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations. Graveled parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations, but shall provide the following:

   (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
   (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
   (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

   Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

9. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale, on a survey of the lot depicting all buildings utilized for the processing facility, parking area, drop-off area/circulation pattern and any waste containment facilities/structures shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks, as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a deer processing facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements and Tree Retention, Protection, and Replacement of the Fayette County Development Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.

ZONING ORDINANCE- Sec. 110-169. - Conditional use approval. (the following to be amended as follows)

f. *A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. Allowed in the A-R zoning district.

1. Minimum lot size: fifteen acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations and must be depicted on a sketch, drawn to scale on a survey of the lot. Grassed and gravel parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations. The following is required for gravel parking areas:
   (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
   (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
   (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.
7. All structures utilized for weddings and events shall meet all applicable building and fire codes.
8. Sanitation facilities shall be approved by the environmental health department.
9. Food service shall meet all state and local requirements.
10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility.
11. Tents shall require ~~the~~ county fire marshal approval, as applicable ~~of the county fire marshal~~.
12. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements and Tree Retention, Protection, and Replacement of the Fayette County Development Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.

ZONING ORDINANCE- Sec. 110-91. - (the following to be amended as follows)

- **Sec. 110-91. -Recreational vehicles and boats.**

Camping trailers, ~~recreational vehicles~~, travel trailers, camper pick-up coaches, motorized homes, boat trailers and boats shall not be parked on any residential or A-R lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a principal building except in conjunction with the construction of a principal building for which a building permit has been issued. Application for a permit for the parking of such recreational vehicles shall be made to the zoning administrator. Such a permit shall be issued for a period not to exceed six months and shall not be renewable when associated with the construction of a dwelling. This provision shall not be interpreted as precluding the parking of such recreational vehicles for a period not to exceed 14 days. One recreational vehicle, when utilized for temporary occupancy, shall be allowed to be parked in any zoning district on a lot which contains a single-family dwelling or in A-R or any residential zoning district. The duration shall not exceed 14 days and said duration shall be allowed two times per year. Recreational vehicles shall include camping trailers and travel trailers in addition to self-propelled vehicles which do not exceed 8½ feet in width, when in travel mode, and 45 feet in length, not including the towing vehicle.

3. Discussion of A-R Deer Processing and Wedding /Event Facility.

Dennis Dutton stated that staff was given a charge by a County Commissioner to look into Deer Processing facilities in the A-R district of the County. He said staff researched nearby and out of state jurisdictions ordinances on Deer Processing. He added that Bartow, Harrison, and Newton Counties all have Deer Processing ordinance and Carrollton and Troup Counties are interested in creating their own ordinances. He introduces Johnny Black a Fayette County resident interested in starting his own Deer Processing facility. He added that Johnny Black has contributed valuable information to the proposed ordinance. He stated that the ordinance is comprised of nine (9) items and they all refer back to the Environmental Protection, Department of Natural Resources, landfill, parking, and sketch plans to keep the setting agricultural. He said that the following departments all commented on the ordinance: Marshalls, Environmental Health, and Environmental Management.

Brian Haren said that he was surprised that this wasn't already in the County.

Johnny Black stated that there is one (1) meat packaging facility north of the County off of Roberts Drive.

Al Gilbert stated that there use to be one (1) off of Jeff Davis and they were really busy during deer season.

Johnny Black said that the Deer Processors that were grandfathered in are a dying breed. He added that the new generation is not picking up the activity. He stated that he loves the County and processing deer and would like to help in setting up the ordinance.

Arnold Martin asked Johnny Black what the difference between deer processing and a meat packaging facility.
Johnny Black replied that deer processing is seasonal (September-January) and it keeps the big industries from coming in doing other meats such as beef or pork. He added that the deer processing operation is a smaller scale.

Dennis Dutton stated that Wildlife Processing has to go through the DNR while beef, poultry, and pork go through the USDA.

Arnold Martin asked how people in the County process their deer meet now.

Johnny Black replied that some discard their scraps on the side of the road, some shoot the deer and just leave it there, and others go out the County to have them processed. He stated that he is not making a product and then selling it. He said he is only working on the customers deer that is brought in unlike a meat packaging facility would be mass producing it and selling it to the public.

Brian Haren asked about processing other wild game such as hogs.

Johnny Black said that the regulations for processing hogs are tougher than deer. He stated that he would just stay with deer.

Brian Haren asked if we should instead come up with an ordinance that is geared toward Wild Game.

Johnny Black said if they decide to do that they are opening themselves up to a twelve month a year operation instead of seasonal.

Brian Haren stated that maybe we should create an ordinance that is simpler and encompasses all wildlife.

Johnny Black said that he would just be interested in doing deer processing. He stated that processing wild hogs are a 12 month operation and is not worth the maintenance. He added that at the end of the season for deer processing you can shut down your coolers.

Dennis Dutton said that when the Commissioner brought this to staff it was for deer and hogs.

Chairman Graw asked what other wildlife you would process besides deer.

Johnny Black replied hogs but you have to stay open 12 months a year. He reiterated that at the end of deer season you can shut down your coolers. He stated that it's not worth the power bill to dress five (5) hogs in a month.

Chairman Graw stated that he liked Brian Haren's idea. He added that he would like for the title to be generalize.

Johnny Black said the Commissioner who is working with him on this ordinance did talk about doing for hogs and deer. He added that these were the two (2) big games in the south.

Brian Haren said he had no problems with the ordinance but he was wondering how the other Planning Commissioner's would like to structure it whether it is just deer or deer and hogs.

Chairman Graw asked if the deer processing will be done at Johnny Black's home.

Johnny Black replied yes.

Chairman Graw asked how many accessory structures he can have.

Dennis Dutton replied that he could have two (2) accessory structures and one (1) farm outbuilding.

Chairman Graw stated that he could have five (5) structures on his lot. He said this would include his home, a detached garage, two (2) accessory structures, and a farm outbuilding. He asked Johnny Black could he be able to run his business with the restrictions on accessory structures.

Johnny Black replied yes.

Chairman Graw asked what the square footage was going to be for the processing of the deer accessory structure.

Johnny Black said the square footage for the cutting room will be a maximum of 400 square feet.

Chairman Graw asked if the cutting room will be refrigerated.

Johnny Black replied yes. He stated that you have to keep the cutting room 50 degrees.

Chairman Graw asked would you have a generator just in case the power goes out.

Johnny Black replied yes.

Chairman Graw asked if it would be attached to his home.

Johnny Black replied no.

Dennis Dutton stated that the pattern the driveway will be a circular drive. He said the access will be similar to a daycare drop off driveway. He added that Mr. Black does not want his deer processing business to interfere with his home they will be two separate entities.

Arnold Martin asked if Johnny Black will be coming back before the Planning Commission.

Dennis Dutton stated that this is just a preliminary meeting just to let you know what's going on. He said that staff hasn't set up public hearings on this just yet. He added that this is just an informal meeting to tell them about the ordinance and to get feedback. He said that there will probably be questions for each departmental requirement.

Dennis Dutton said that there were questions on what to do with the hide and scraps. He was told by Johnny Black that there must be permits from the State to discard the waste in a landfill.

Johnny Black said that they considered the deer scraps to be hazardous waste and it can't be dumped at any landfill. He added that he has already received an application from the State.

Al Gilbert asked if he was trying to get started this fall.

Johnny Black replied no.

Chairman Graw asked if it was necessary for the ordinance to have that you must have a freezer and a generator.

Patrick Stough said isn't that a part of the permit process with the State.

Dennis Dutton replied that they must go through the building permit department process as well.

Johnny Black said that he will have a cooler just for the scraps until he gets ready to dispose of it.

Dennis Dutton asked if they wanted to add a cooler for the scraps to the ordinance. He stated that it could be worded that all deer processing waste not being routed to a rendering plant or other vendor shall be disposed in compliance with the guidance document disposal of deer processing waste with the Georgia Department Natural Resources and Environmental Protection Division. He added that the deer processing will be treated as a commercial solid waste and shall be disposed of in a municipal solid waste landfill and the burial of any deer processing waste is prohibited.

Chairman Graw said that doesn't address the dressed meat.

Patrick Stough said that he would look to the DNR regulations because they may require that there be a cooler and they will have to meet those regulations to comply with our zoning ordinance. He added that he doesn't see why we need to add something like that into this. He stated that we might want to look into this to make sure that something like that is already covered.

Johnny Black agreed that a designated cooler for scraps until it's carry off should be stated in the ordinance.

Dennis Dutton stated that he will check and see if that is a requirement that the DNR has.
Arnold Martin asked does this open up for anybody having A-R zoned land to have a deer processing facility.

Dennis Dutton said yes.

Arnold Martin asked if there is any way we can put limitations on the amount of deer processing facilities.

Al Gilbert said he doesn't like the beauty parlor ordinance that was drafted recently but he would never want to limit the amount of beauty parlors in the County. He added that they we're getting into personal taste and thought it to be dangerous.

Brian Haren said this business is self-limited because they are not raising deer to be slaughtered but are only processing what is brought to them.

Al Gilbert stated that the process to have a deer processing facility is not a simple process.

Johnny Black said that he wants the ordinance to be as tough as it needs to be to keep the average person from doing it. He stated that this is not an easy job. He added the hoops you have to cross to do it will discourage a lot of people from doing it.

Chairman Graw stated that he doesn't think there will be a lot of these facilities out there. He added that the market will dictate the amount that's going to be out there.

Arnold Martin said it was a great idea for our area.

Johnny Black stated that the ordinance doesn't limit the amount of livestock on A-R five (5) acre zoned property. He stated he could have a hog farm on his property. He said he would think his neighbors would rather him have a deer processing facility than a hog farm. He said it would be open less time throughout the year.

Arnold Martin asked if staff had a timeline for when they wanted this to go before the Board of Commissioners.

Dennis Dutton stated staff wanted to inform the Planning Commission about this ordinance coming down the pipe and will be having work sessions in the future.

Chairman Graw stated that we could limit the amount of facilities by establishing a minimum lot size. He added that he doesn't think it would be a good idea.

Dennis Dutton stated that the Wedding Facility ordinance has affected the Subdivision Regulations because of paved parking. He stated that we have a plan on the way off of Highway 54 where someone wants to do paved parking. He said that the individuals are going to build a barn and give it a historical appearance. He added that this lot will also have a lake on it. He stated that once you start including paved parking and increasing the square footage of a structure you are required to have landscaping and hydrology studies. He said the first thing staff wants to do add is that paved parking complies with the 10 X 20 requirements for parking. He added that the term "as applicable" has been added for tents for the Fire Marshal. He stated that the Fire Marshal wants to have the discretion to inspect tents and not be forced to inspect tents that are really small, such as 10 X 10 tents.

Al Gilbert stated that we are not changing the initial intent of the ordinance but are saying if someone wants to do a big time development they must adhere to what a normal developer would adhere to, to get approvals.

Dennis Dutton said that the ordinance didn't address the parking.

Brian Haren asked if we put a limit to the amount of events for the Wedding Facility.

Dennis Dutton replied that it's only for the facilities that have non-paved parking and are on local streets. He said that this particular facility would be on S.R. 54 at the old barn near Manassas. He added that since this is in the overlay zone, staff still wants the parking to be 50% around the building. He stated that staff didn't want the facility to comply with the architectural standards of the overlay zone because it's a barn and it wouldn't have a residential character by definition.

Arnold Martin asked if item 12 dealt with storm water.

Dennis Dutton replied yes.

Chairman Graw asked if this had to go to Public Hearing.

Dennis Dutton replied yes.

Chairman Graw asked when staff will want to advertise.

Dennis Dutton replied that he would get with Pete Frisina tomorrow.

Chairman Graw asked how many people have applied for this.

Dennis Dutton replied two (2), but he has had 10 people call about it.

4. Discussion of A-R Deer Processing and Wedding /Event Facility.

Pete Frisina said that he had to expand on the parking requirements under the Deer Processing and Wedding/Event Facility and they are:

8. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations. Graveled parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations, but shall provide the following:

(i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
(ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
(iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

He said that another department said you're allowing for this A-R wedding to go in, but you have this quasi parking area and our ordinance says it has to be landscaped. He stated that gravel parking areas are exempt from the landscaping requirements however; they have to have these minimum shade trees. He added that wedding facility will allow grass, graveled, or paved parking. He stated that the Environmental Management's thing is nothing in the grass, shade trees, and islands in the graveled and if they're doing paved parking they're required to do full-blown landscaping.

Arnold Martin asked if they are requiring similar provisions in the Deer Processing Ordinance too.

Pete Frisina replied that we are requiring an island with one shade tree for gravel and if they want to do paved parking it will have full landscaped. He added that he doesn't think they will do paved parking. He stated that the last wedding facility proposal said they wanted half to be paved parking for heavier use. He said that they're not limited to the 12 events per year, and the parking will be a combination of gravel and paved. He added that there was another proposal that talked about just grass parking.

Pete Frisina said that he is now working on exemptions that were made in the Zoning Ordinance and making the changes in the Development Regulations so everything is coordinated.

Arnold Martin asked if those changes will be brought before the Planning Commission again.

Pete Frisina replied yes. He asked the Planning Commission if they were okay with the changes. He said that the only thing staff has worked on is the parking under Wedding/Event Facility. He added that changes were also made to number 11 under Wedding/Event Facility:

> 11. Tents shall require ~~the~~ county fire marshal approval, as applicable ~~of the county fire marshal~~.

He said that his thing is if it's a tent you go and buy at Wal-Mart there is no need for him to look at it, but if it's a tent you rent from a company he wants to inspect it. He added that is why the ordinance said as applicable so he can make that determination.

Dennis Dutton stated that he talked to Patrick about the outdoor storage for deer waste. He said that he called the DNR and they said they don't get into it for a facility of this size. He added that the only way they get into specifics that the Agricultural Department would have to look at is if they do it as retail. He said that Pete and I reconfirmed that all storage of those renderings will have to be done within the facility. He added that if there is a nuisance complaint Robert Kurbes could possibly go out to the property and investigate it to say that it is unsanitary. He said that it's covered in the ordinance that all waste parts have to be in that building.

Pete Frisina read numbers four (4) and seven (7) under the Deer Processing Ordinance:

> 4. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see Sec, 110-169, u.);
>
> 7. All deer processing waste, not being routed to a rendering plant or other venders, shall be disposed of in compliance with the Guidance Document Disposal of Deer Processing Waste from the Georgia Department of Natural Resources, Environmental Protection Division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in Municipal Solid Waste Landfills (MSWL). The burial of any deer processing waste is prohibited;

Dennis Dutton said that he talked to Johnny Black about it and he was okay with it.

Brian Haren asked if anyone other than Johnny Black expressed interest in the Deer Processing Ordinance.

Dennis replied no.

Chairman Graw asked if there will be a freezer on site.

Dennis Dutton replied no just refrigeration.

Chairman Graw asked if everyone was okay with the Wedding Facility and the Deer Processing Ordinance.

Planning Commission replied yes.

Pete Frisina reiterated that he has to go and work on the development regulations to tie it back into the zoning ordinance. He added that in the process some changes other departments may want to make in the development regulations so we may do them all at the same time.

Chairman Graw asked if we're going to have Public Hearings on all of these.

Pete Frisina stated that they will hold off on the Deer Processing Ordinance but the Solar Farm will go in on next month. He said that the legal ad will go in tomorrow.

7. Discussion of A-R Deer Processing, Wedding /Event Facility and Development Regulations

Pete Frisina stated that everything is staying the same; except for number eight's (8) exemption being put in for these two (2) agricultural uses. He said that when we passed the A-R Wedding/Event Facility we made amendments to the Zoning Ordinance to allow it, but fail to clarify certain things in the Development Regulations. He added that Environmental Management felt that they still needed to apply certain landscaping requirements, site plan requirements, and all these other things we didn't want to apply to an agricultural use but we think that the Deer Processing and the Wedding/Event Facility are fairly similar use. He said what we tried to under number eight (8) is to do these exemptions from a site planning requirements and some of the landscaping parking requirements; under i, ii, and iii we've come up with some different standards for parking in terms of limited landscaping. He added that he is still working with Environmental Management to make sure this is what they want. He stated that they made similar changes to the A-R Wedding/Event Facility. He said that he started to go through the Development Regulations making the acknowledgement of the exceptions saying, as otherwise accepted in the Zoning Ordinance. He added that while he was making changes in the Development Regulations he thought it would be good to make other housekeeping changes too. He stated in the packet under the section Recreational vehicles and boats (red is development regulations and black is the zoning ordinance) he would like to remove the red section and put it in the Zoning Ordinance. He said that it makes more sense to put everything under the zoning ordinance rather than having similar regulations in two (2) documents because you may miss something. He added that the verbiage, as otherwise exempted in the Zoning Ordinance that is

for everything to match up in the Deer Processing and the A-R Wedding. He stated that we are also making a change on page eight Sec. 104-29. He said that the batter board and footing inspection is a practice has been in place since the early 80's. He added that we haven't had any problems with it but it is something that he felt uncomfortable with. He stated that what they are going to do now is go to a straight foundation survey. He said a developer brings in a site plan, we approved the site plan, and the developer sets the buildings on where they need to be based on that site plan. He added that it is the developer's responsibility to lay that foundation based on the site plan that has been approved. He stated that the site plan would have been approved with that foundation meeting all setbacks and buffers whatever else is required. He said that a developer can pour that foundation, but once it's poured a surveyor needs to verify that foundation meets all the requirements of the setbacks and buffers. He added that it is very good practice for that developer to have that surveyor lay that out before he pours the foundation. He stated that their batter boards are set by the surveyors, and gets us out of the position of pulling a tape.

Al Gilbert stated that it was a real problem many years ago and that he never felt comfortable putting a burden on the County.

Pete Frisina stated that many years ago a former Zoning Administrator went out to do a batter board inspection and everything met, but when the concrete guy got out there he said that I need to kick this out a foot or so. He added that buy kicking it out the foundation was over the setback. He said that we are now putting the burden on them and when developers want to build a house in this County they bring to us a site plan and it says here is where I'm building the house. He added that we look at that for the building permit process and we approve the building permit based on the location they have represented to us. He reiterated that once they pour the foundation they must get a surveyor to verify that the foundation meets all setbacks and buffers.

Chairman Graw asked if it's only been one (1) foundation survey that has been done incorrectly.

Pete Frisina replied only one (1) that he is aware of.

Chairman Graw asked what kind of problem did that one (1) cause and how far off was it.

Pete Frisina replied that back then the Zoning Administrator had administrative variance approval. He said the developer dug out a foot more than what was there so he could get the footings a little wider.

Pete Frisina stated another housekeeping change we're making is replacing all Stormwater Management with Environmental Management.

Al Gilbert stated that he would be ready to get this to a public hearing.

Pete Frisina replied that he still needs to get with Environmental Management and Public Works/Engineering to go over the changes. He stated that the sections highlighted in yellow he still needs to get input with the other departments.

Al Gilbert asked if he was just waiting on the items highlighted in yellow.

Pete Frisina replied yes and few house cleaning items.

Chairman Graw asked when the changes to the Wedding/Event Facility and Deer Processing will be coming before them.

Pete Frisina replied that he has to change both ordinances at the same time. He said he would be happy to get it to Public Hearing by July.

Chairman Graw stated that it seems to be a lot of minor changes to the ordinance. He said that the changing of the name to Environmental really doesn't change anything.

Pete Frisina said once he gets input from the other departments he will then bring it back before you and have the Public Hearing meeting in July.

Arnold Martin asked if those comments encompassed number eight (8) as well.

Pete Frisina replied no.

5. Discussion of A-R Deer Processing, Wedding/Event Facility and Development Regulations.

Chairman Graw said that he didn't think anything had changed.

Dennis Dutton stated that Pete still had some concerns with the development regulations. He said that they received input from everybody except Brian Keller. He added that they're not ready to advertise but are still shooting for some time in July.

Chairman Graw asked if they were any questions.

Al Gilbert replied that he was fine with everything.

Brian Haren replied that he is fine with it.

Al Gilbert said they are ready to advertise as soon as Brian Keller finishes his review.

Dennis Dutton said that we had to review the parking and everything that comes in with a site plan has to be treated as commercial; well that's not what we're looking for with Wedding Chapels and neither are we looking for this on our Deer Processing facilities because this is more rural.

Chairman Graw asked Phil Mallon about his input on the Deer Processing Ordinance.

Phil Mallon replied that he was good with it. He said they are moving some things around that use to be in the Parking Section they are moving in here; it makes sense. He added that it's not really new language just a different location.

Chairman Graw asked if the Parking Section was his input.

Phil Mallon replied yes.

Chairman Graw stated that we were not ready for Public Hearing just yet.

Dennis Dutton said that is correct.

7. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-91 Recreational Vehicle, and Section 110-169 Conditional Use Approval Concerning A-R Wedding/Event Facility, Deer Processing Facility and Recreational Vehicles and Boats.

Pete Frisina stated that the first part is to allow a deer processing facility in the A-R area. He said that this is a use that we think is appropriate in A-R and we have a lot of deer hunters in the County. He added that there is an individual who would like to build a deer processing facility in the County, because the nearest one (1) is in Spalding County; hopefully this will be able to take care of our Fayette County hunters. He stated that we have a set of conditions that have to be met to put the facility in such as: meeting the Department of Resources requirements, meeting storage and waste requirements, allowing traffic to come in and leave in a forward manner, allowing for parking on gravel and minimum landscaping in the area. He said if they were to do a paved parking they would have to meet the full standards. He added that part of this discussion deals with the A-R event facility, it is a similar use, and we have very similar requirements. He stated that it came to our attention after they had passed the amendment that another department didn't like the way we did it. He said that a lot of it is housekeeping; we did it right with deer processing as far as parking and landscaping and now we're retrofitting the A-R wedding to have the same requirements. He added that this requirement allows us to go into the development regulations to do some housekeeping. He stated that in Section 110-91 we take what you see in red, which was in the development regulations, and what was in black was already in the zoning ordinance; so we had similar requirements in two (2) ordinances and a lot of times people read the development regulations, and not the zoning ordinance, and vice versa; so we are putting all of that together as one, it's housekeeping only.

Chairman Graw asked if anyone would like to speak in a favor to the code of ordinances. Hearing none he asked if anyone would like to speak in opposition. Hearing none he brought it back to the Planning Commission.

Al Gilbert stated that we have spent a lot of time on these two ordinances the deer hunting and the wedding facilities. He said that there is a gentleman that will be doing the deer processing and he

has answered a lot of his questions to his satisfaction.

Al Gilbert made a motion to recommend approval for text amendment to the Zoning Ordinance. Motion seconded by Arnold Martin. The text amendment to the Zoning Ordinance was recommended for approval by a vote of 5-0.

8. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Section 104-27. Uses and Structures, Section 104-28. Site Plans, Section 104-29. Compliance, Section 104-55. Driveway and Encroachment Control, Section 104-63. Road and Intersection Visibility, Section 104-111. Purpose and Intent, Section 104-113. General Provisions, Section 104-114. Landscape Requirements and Submittals, Section 104-115. Landscape and Buffer Categories, Section 104-152. General Provisions, Section 104-153. Tree Retention, Protection and Replacement Requirements, Section 104-154. Appeals and Variances, Section 104-155. Violations, Enforcement and Penalties, Section 104-212. Reduction of Parking and Maximum Lot Coverage, Section 104-213. Street Access; Curb Cuts in Other Than Residential Districts, Section 104-213. State Highway Department Approval, Section 104-215. Corner Visibility Clearance, Section 104-217. Design Standards, Section 104-218. Location, Section 104-219. Recreational Vehicle Parking, Section 104-220. Minimum Number of Loading Spaces Required, Section 104-221. Number of Parking Spaces, Concerning A-R Wedding/Event Facility, Deer Processing Facility, Nonresidential Construction Permit and Compliance Procedures, Street Design and Specifications, Nonresidential Development Landscape Requirements, Tree Retention, Protection and Replacement, and Off-Street Parking and Service Requirements.

Chairman Graw asked if anyone would like to speak in a favor to the code of ordinances. Hearing none he asked if anyone would like to speak in opposition. Hearing none he brought it back to the Planning Commission.

Al Gilbert stated that this is simply adding to the development regulations what we approved in item number seven (7). Al Gilbert made a motion to recommend approval for amendment to the County Codes. Motion seconded by Brian Haren. The amendment to the County Codes was recommended for approval by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #8

Wording for the Agenda:

Consideration of Ordinance 2016-13, Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Sections 104-27., 104-28., 104-29., 104-55., 104-63., 104-111., 104-113., 104-114., 104-115., 104-152., 104-153., 104-154., 104-155., 104-212., 104-213., 104-215., 104-217., 104-218. 104-219., 104-220., and 104-221.

Background/History/Details:

These proposed amendments are in consort with amendments to the Zoning Ordinance (Ord. 2016-12) concerning Deer Processing Facility, A-R Wedding/Event Facility and general housekeeping amendments.

Staff recommends approval of the proposed amendments.

Planning Commission: Al Gilbert made a motion to recommend approval of the amendments to the Development Regulations. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-13, Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Sections 104-27., 104-28., 104-29., 104-55., 104-63., 104-111., 104-113., 104-114., 104-115., 104-152., 104-153., 104-154., 104-155., 104-212., 104-213., 104-215., 104-217., 104-218. 104-219., 104-220., and 104-221.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

DEVELOPMENT REGULATIONS - ARTICLE II. - NONRESIDENTIAL CONSTRUCTION PERMIT AND COMPLIANCE PROCEDURES

- **Sec. 104-27. - Use and structures.**

Property shall not be used and structures shall not be constructed or modified unless it is shown that a proposed use or storage is in compliance with all county regulations as verified by a certificate of zoning compliance.

(1)
Building permit. Before issuing any type of building permit for the site, the building official must receive a certificate of zoning compliance approved by the zoning administrator.

(2)
Site plan required. Prior to the issuance of the certificate of zoning compliance by the zoning administrator, a site plan must be approved for any new nonresidential structure (including additions), use, and/or a change or expansion of a use, except as otherwise exempted in the Zoning Ordinance. Exemption of the requirement for a site plan approval for a new nonessential storage structure or a minor addition to an existing structure shall be granted by the zoning administrator upon determination that it does not affect septic, stormwater, parking, circulation and/or lot coverage requirements. Exemption of the requirement for a site plan approval for a change or expansion of a use shall be granted by the zoning administrator upon determination of compliance with all of the following criteria:

a.
New structures, additions, and/or expansions are not proposed for the new use, except as otherwise provided herein.

b.
The proposed use is a permitted use in the zoning district (conditional uses not exempt, except as otherwise exempted in the Zoning Ordinance).

c.
The proposed use is a similar or less intensive use than the last authorized use of the property.

d.
Thresholds for water use, septic systems, etc., are similar or less intensive than the last authorized use of the property.

e.
The site complies with the minimum parking requirements for the proposed use and all other existing uses on site.

f.
The site is in compliance with all conditions of approval, and site standard in effect at the time the pervious use was authorized.

Exemption from the site plan approval process for a change of use does not also exempt the requirement for all other necessary permits and inspections.

(Code 1992, § 8-26; Ord. No. 99-08, 6-24-1999; Ord. No. 2001-06, § 1, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

- **Sec. 104-28. - Site plans.**

(a)
Filing of site plan. The site plan shall be submitted in accordance with the schedule of established application deadlines and meeting dates, a copy of which is available in the planning and zoning department. The site plan shall be deemed filed when it has been submitted to the zoning administrator.

(b)
Site plan distribution. Fifteen copies of a 24 inches by 36 inches site plan shall be submitted to the planning and zoning department for distribution and review by the applicable departments.

(c)
Site plan contents. The site plan shall:

(1)
Be prepared by an engineer of architect registered in the state;

(2)
Include a recorded signed and sealed survey indicating metes and bounds; and

(3)
Contain all applicable information as required on the site plan review checklist, a copy of which is available at the planning and zoning department.

(d)
Department approval. Upon completion of site plan review by the required departments, each department will return its comments to the planning and zoning department, who will make the appropriate entries on the site plan review checklist and notify applicant of approval, administrative conditions of approval, or additional requirements.

(e)
Fee. A site plan review and compliance fee as specified in this Code will be collected and a receipt provided at the time of issuance of the certificate of zoning compliance by the zoning administrator and prior to the issuance of a building permit.

(f)
Other plans required. The following plans if applicable shall be submitted at the time of site plan submittal and shall be approved prior to site plan approval:

(1)
Floodplain management plan. Reference article IV of this chapter of the development regulations for applicability and plan requirements (two sets).

(2)
Landscape plan. Reference article V of this chapter for applicability and plan requirements (two sets).

(3)
Tree protection plan. Reference article VI of this chapter for applicability and plan requirements (two sets).

(4)
Soil erosion, sedimentation and pollution control plan. Reference article IX of this chapter for applicability and plan requirements (three sets).

(5)
Grading plan. Required only when a land disturbance permit is not applicable (two sets).

a.

Clearing, grubbing or grading shall not be undertaken until a land disturbance permit has been approved by the ~~stormwater~~ environmental management department. If a land disturbance permit is not required, a grading plan shall be approved prior to any clearing, grubbing, or grading.

b.

No clearing, grubbing or grading involving the use of explosive may be undertaken until a permit has been issued by the fire marshal.

c.

No installation or removal of underground tanks for class I, II, or III flammable liquids shall be undertaken until appropriate permits and inspections have been conducted by the fire marshal.

(6)

Water plan. If required by the water system (two sets).

(g)

Verification of lot. In addition to an approved site plan, an applicant must provide verification that a plat of subdivision has been approved and recorded if required by article XV of this chapter.

(h)

Approval by zoning administrator. Upon approval of the site plan by all the applicable departments, the zoning administrator may approve the certificate of zoning compliance.

(i)

Certification of building official and fire marshal. The applicant will be notified by the zoning administrator's issuance of the certificate of zoning compliance that the site plan has been approved. A copy of the certificate of zoning compliance will be presented to the building official and fire marshal.

(j)

Building construction plans. Two sets of building construction plans including one set in electronic media format known as a PDF (portable document file) format on a CD/RW shall be submitted to the fire marshal for review and approval by both the fire marshal and building official. Construction plans shall not be submitted to the fire marshal prior to the site plan approval process. Building construction plan documents should include:

(1)

One PDF file on CD/RW with project manual PDF (complete set of construction drawings including site plans). Architect/engineer signed/sealed stamp required.

(2)

Two complete sets of architectural construction drawings with appropriate architect/engineer signed/sealed stamp. Architectural drawings—floor plans; elevations; mechanical plans; plumbing plans; fire protection plans—fire extinguishers; alarm; smoke/heat detection; sprinkler plans. Construction type by International Building Code and building square footage should be noted. In addition to the fire marshal's requirements, the permits and inspection department requirements shall include, but not be limited to the following:

a.

COM check; use and occupancy classification; occupant load; electrical panels and panel schedules; ARC fault current calculations and interrupt ratings for equipment; electrical load calculations; structural load packages; engineered trust/joist packages; framing details; statement of special inspections; footing/foundation specifications; gas line isometric details; ventilation, outside air, and makeup air schedules; specific hazardous area details; energy code details/specifications.

b.

Check with the permits and inspections department for specific details/requirements for the project.

c.

If applicable, two sets of project manuals with specifications.

(k)

Site plan changes. Any deviations from an approved site plan must be shown on a revised site plan and approved by the applicable departments. Changes shall be authorized in writing on the revised site plan by the applicable departments. A copy of the revised site plan will then be given to the building official for inclusion in the project file.

(l)

Fire marshal approval. The fire marshal shall approve all construction plans and submit to the building official a written report of compliance with chapter 12, fire prevention. Prior to any building construction, the applicant must obtain a construction permit through the bureau of fire prevention. This permit will not be in lieu of required permits through the building official.

(m)

Certificate of occupancy. In no case shall a certificate of occupancy be issued by the building official unless an as-built condition is reflected on an approved site plan.

(n)

Expiration of certificate of zoning compliance. If no application is made to obtain a building permit from the building official within 12 months of the date of zoning compliance, then said compliance shall be deemed null and void.

(Code 1992, § 8-27; Ord. No. 1986-13, § 2-1, 7-24-1986; Ord. of 3-24-1988; Ord. No. 1997-08, 4-24-1997; Ord. No. 1998-08; Ord. No. 2001-06, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

- **Sec. 104-29. - Compliance.**

(a)

~~*Batter board and footing inspection*~~ *Foundation survey*. A ~~batter board inspection~~ signed and sealed foundation survey by a registered land surveyor shall be required ~~in addition to~~ after the ~~footing inspection~~ foundation is poured. ~~required by the International Building Code~~. ~~A batter board inspection shall be required by the planning and zoning department and the stormwater environmental management management department who shall be notified by the building official whenever a batter board inspection is requested.~~ The planning and zoning department and the ~~stormwater environmental management~~ environmental management department shall ~~inspect~~ review ~~the project~~ each structure's foundation survey for compliance ~~and/or require a surveyor's certification~~. The planning and zoning department and ~~stormwater~~ environmental management department shall certify ~~in writing~~ to the ~~building official~~ permits and inspections department that the building location and ~~other and~~ other aspects of the site comply with the approved site plan. Approval of a foundation survey is required prior to ~~a footing inspection by~~ the ~~building official~~ framing of the structure.

(b)

Final and 80 percent inspections. The building official shall notify the planning and zoning department and the ~~stormwater~~ environmental management department, and the fire marshal whenever a final inspection is requested. The planning and zoning department, the ~~stormwater~~ environmental management department, and the fire marshal shall inspect the project and shall certify ~~in writing~~ to the building official that the site is in compliance, or that proper surety, as provided for in various county ordinances, has been posted. The building official shall not allow a structure to be occupied nor issue a certificate of occupancy prior to receiving certification of approval ~~in writing~~ from the above named county employees. The fire marshal shall be notified directly by the owner or contractor whenever an 80 percent inspection is due.

(c)

Fire marshal inspections. In addition to requesting an 80 percent inspection directly from the bureau of fire prevention, an applicant shall notify the bureau of fire prevention for other scheduled inspections. The fire marshal shall report in writing to the building official any deficiencies noted during the inspections. Certificates of fire safety compliance issued by the fire marshal shall not grant authority to occupy a building until the appropriate certificates have been issued by the building official.

(Code 1992, § 8-27; Ord. No. 2012-01, § 1, 3-22-2012)

- **ARTICLE III. - STREET DESIGN STANDARDS AND SPECIFICATIONS**

- **Sec. 104-55. - Driveway and encroachment control.**

(a)

The latest edition of the GDOT Regulations for Driveway and Encroachment Control is incorporated into this section by reference. The rules and requirements contained within the GDOT document shall apply to county roads and streets unless a regulation is in conflict or superseded by other text in this article. On county roads and streets, the county engineering department shall act as the implementing body in lieu of the state department of transportation.

(b)

In situations where the following provisions: Residential access, nonresidential access, access for new road construction and auxiliary turn lanes, cannot be satisfied due to unusual site characteristics, technical, or legal reasons, the number and location of curb cuts or turn lanes shall be approved by the county engineer with input from the county's technical review committee.

(c)

Residential access.

(1)

Zoning ordinance reference. Every residential lot shall meet the minimum requirements of section 110-67, street frontage for access.

(2)

Driveway application permits. No new driveway to county right-of-way or prescriptive casement shall be made without an approved driveway application permit from the engineering department. Residential developments on internal local roads are exempt from the driveway application permit requirement.

(3)

Numbers of driveways. Residential lots shall have at least one (unless a shared driveway is authorized) and no more than two driveway cuts. Driveways to agricultural-residential (A-R) zoned properties for agricultural or other nonresidential purposes are exempt from the two-per-lot limit but shall meet all other residential access standards.

(4)

Location. Driveways shall be located at least two feet from any side or rear property line.

(5)

Maximum width. The maximum width of any driveway shall not exceed 24 feet at the right-of-way line. For roads with prescriptive casement, the width measurement shall be made 18 feet back from the edge of existing road.

(6)

Multiple road frontage. Residential lots with road frontage on multiple roads shall have the driveways located on the street with the lowest functional classification unless authorized otherwise by the county engineer. Exceptions may be provided if doing so improves safety, minimizes environmental impacts, or is appropriate based on site-specific physical characteristics of the property.

(7)

Sight distance. Minimum sight distances shall be satisfied for all new driveways. Properties on local roads, or any other county road with a posted speed limit of 25 miles per hour or less, shall have a minimum sight distance of 200 feet in either direction. Sight distance requirements and measurements for all other roads shall be per GDOT's Regulations for Driveway and Encroachment Control. ~~The county shall be responsible for removing vegetation within the county right-of-way if the vegetation is restricting sight distance below the required amount. The owner shall be responsible for clearing vegetation or other obstructions, as needed, on private properties.~~

(8)

Shared driveways. A maximum of two residential lots may share a single driveway if the following conditions are satisfied:

a.

The shared driveway is justified by either insufficient sight distance at one of the lots or otherwise authorized by the county engineer because doing so improves safety, minimizes environmental impacts, or is appropriate based on site-specific physical characteristics of the property;

b.

The width of the shared driveway shall be a minimum of 12 feet and constructed of an all-weather surface approved by the engineering department;

c.

The driveway shall have a minimum clear zone of 20 feet that extends, continuous, from the right-of-way to both homes served by the driveway. The purpose of the clear zone is to ensure unobstructed emergency access to the homes;

d.

A permanent cross-access easement shall be recorded and the easement reflected on the plat and deed of both properties; and

e.

The street address of each lot shall be clearly marked at the road and at all forks in the shared driveway.

(9)

Circular driveways. Each lot may have one circular (e.g., a horseshoe drive) if the sight distance requirements can be satisfied for both entrances. Circular driveways may also connect multiple frontages if both streets have the same functional classification. Circular driveways shall count as one driveway cut with respect to limits on the number of driveways per lot.

(10)

Mailing address. Mailing addresses arc issued by the county's building permits and inspections department.

(d)

Nonresidential access.

(1)

Zoning ordinance reference. Every nonresidential lot shall meet the minimum requirements of section 110-67, street frontage for access.

(2)

Driveway application permits. No new driveway to county right-of-way or prescriptive casement shall be made without an approved site plan and/or certificate of zoning compliance from the planning and zoning department. This requirement may be waived by the engineering department if the reason for the new driveway is a result of a county initiated project.

(3)

Numbers of driveways. The number of driveways for nonresidential lots shall be determined by the available road frontage and the minimum spacing criteria established in the GDOT's Regulations for Driveway and Encroachment Control.

(4)

Multiple road frontage. Nonresidential lots with road frontage on multiple roads shall have the driveway located in a manner consistent with GDOT's Regulations for Driveway and Encroachment Control.

(5)

Sight distance. Minimum sight distances shall be satisfied for all new driveways. Properties on local roads, or any other county road with a posted speed limit of 25 miles per hour or less, shall have a minimum sight distance of 200 feet in either direction. Sight distance requirements and measurements for all other roads shall be per GDOT's Regulations for Driveway and Encroachment Control. ~~The county shall be responsible for removing vegetation within the county right-of-way if the vegetation is restricting sight distance below the required amount. The owner shall be responsible for clearing vegetation or other obstructions, as needed, on private properties.~~

(6)

Design criteria. All new or modified nonresidential driveways shall meet all applicable standards as established in the GDOT's Regulations for Driveway and Encroachment Control. Developments with site plans that requires changes to the parking area or internal drives shall improve existing driveways to meet current standards, including addition of left or right turn lanes, as applicable.

(7)

Driveway offset from property line. All driveways for nonresidential lots shall be no closer than 20 feet to any property line.

(8)

Shared driveways. Shared driveways for nonresidential lots are encouraged, although the following criteria shall be satisfied.

a.

The width of the shared driveway shall be a minimum of 24 feet (if two-way) and paved with asphalt or concrete per the approved site plan;

b.

A permanent cross-access casement shall he recorded and the easement reflected on the plat and deed of both properties;

c.

The street address of each lot shall be clearly marked at locations and with markers approved by the fire and emergency services department;

d.

Each lot shall have the minimum required road frontage; and

e.

Shared driveways are exempt from the 20-foot minimum offset from property lines as specified above in (7) ~~section 104-213~~.

(9)

Interparcel access. Interparcel access shall be provided between adjacent nonresidential properties. If the neighboring property does not have an existing stub, parking lot or driveway feasible for tie-in, then a stub shall be constructed to the side or rear property line. Access easements shall be provided, as described in subsection (d)(7) of this section for shared driveways, to allow for through traffic. This requirement may be waived by the county engineer if site circumstances make interparcel access impractical, such as natural grades in excess of 15 percent, sensitive environmental areas, incompatible uses, excessive distances, etc.

(10)

Mailing address. Mailing addresses arc issued by the county's building permits and inspections department.

Sec. 104-63. – Road and intersection visibility.

In order to ensure adequate sight distance on roads and intersections no vegetation or obstruction shall block the view of oncoming traffic. Sight distance requirements and measurements shall be per GDOT's Regulations for Driveway and Encroachment Control. The county shall be responsible for removing vegetation or obstructions within the county right-of-way if sight distance is restricted below the required amount. On private properties, the property owner shall be responsible for removing vegetation or obstructions if sight distance is restricted below the required amount.

DEVELOPMENT REGULATIONS - ARTICLE V. - NONRESIDENTIAL DEVELOPMENT LANDSCAPE REQUIREMENTS

- **Sec. 104-111. - Purpose and intent.**

(a)

The purpose of this article is to establish minimum landscape requirements for ~~landscape area and buffers in the county's~~ nonresidential development ~~zoning districts~~. It is hereby determined that:

(1)

Landscaping preserves the aesthetic character of communities, improves the aesthetic quality of the built environment, and increases property values.

(2)

Trees and landscaping replace vegetative cover lost during land development. Vegetation slows soil erosion, helping to reduce nonpoint source pollution found in stormwater runoff.

(3)

Well-chosen landscaping can improve the compatibility between different types or intensities of land uses by providing a visual buffer.

(4)

Landscaping visually interrupts the barren expanse of large parking lots and provides shade that cools air and surface temperatures helping negate the "heat island" effect of pave parking lots.

(b)

This article seeks to meet that purpose through the following objectives:
(1)
Improve the appearance of the county's nonresidential properties;
(2)
Minimize noise, glare, and erosion;
(3)
Provide a visual separation between incompatible uses;
(4)
Establish measures for water conservation; and
(5)
Reduce the adverse environmental effects of impervious parking areas.
(Code 1992, § 8-156; Ord. No. 2008-08, § II, 9-25-2008)

- **Sec. 104-112. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arterial road means a major arterial or minor arterial in article III of this chapter.

Caliper means a method of measuring the diameter of a tree trunk to determine size, grading, and/or classification of nursery stock. Caliper measurement of the trunk shall be taken six inches above the ground up to and including four-inch caliper size. If the caliper at six inches above the ground exceeds four inches, the caliper should be measured at 12 inches above the ground.

Canopy (overstory) tree means any tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

Collector road is defined as collector road in article III of this chapter.

Deciduous means plants that annually lose their leaves.

Evergreen means plants that retain foliage throughout the year.

Exterior parking aisle means a parking aisle adjoining a property line, required landscape area, and/or zoning buffer along a property line.

Ground cover means a plant with a low-growing, spreading habit, grown specifically to cover the ground, generally not attaining a height of more than two feet.

Interior parking aisle means a parking aisle that does not adjoin a property line, required zoning buffer, or building wall.

Landscape island means a minimum ten by 20-foot island placed in parking lots to guide traffic, preserve vegetation, and increase aesthetic quality.

Landscape plan means a scaled plan that clearly delineates vehicular use areas and displays and describes all landscaping.

Local road means defined as county local or internal local in article III of this chapter.

Native plants means plants indigenous or naturalized to a given area.

Owner means the legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Shrub means a plant with persistent woody stems and a relatively low growth habit, distinguished from a tree by producing several basal stems instead of a single trunk.

Side yard landscape area means the landscape area adjacent to a side lot line.

Street frontage landscape area means the landscape area adjacent to street frontage.

Tree means a self-supporting woody perennial plant that, at maturity, has one or more stems or trunks that attain a diameter of at least three inches; a more or less definitely formed crown of foliage; and a height of ten feet or more.

Zoning buffer is defined in chapter 110, zoning.

(Code 1992, § 8-157; Ord. No. 2008-08, § II, 9-25-2008)

- **Sec. 104-113. - General provisions.**

(a)
Applicability. This article shall be applicable to all nonresidential zoning districts; all nonresidential uses allowed within residential zoning districts; and all existing nonpaved areas that are to be developed into paved parking areas, except as otherwise exempted in the Zoning Ordinance.
(b)
Exemptions. Existing parking areas where additional parking spaces are not required.
(c)
Administration of article. The county ~~stormwater~~ environmental management department shall administer this article.
(d)
Compatibility with other regulations. This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environmental shall control.
(e)
Technical standards. Standards for plant selection and installation listed as follows are incorporated by reference:
(1)
"American Standard for Nursery Stock" (ANSI Z60.1-2004);
(2)
"Manual for Woody Landscape Plants" (Michael Dirr, 2009, Stipes);
(3)

"Principles and Practices of Planting Trees and Shrubs" (Watson and Himelick, 1997, ISA).
(Code 1992, § 8-158; Ord. No. 2008-08, § II, 9-25-2008)

- **Sec. 104-114. - Landscape requirements and submittals.**

(a)
Submittals. Unless specifically exempted by this article, any owner or developer proposing any land development activity, shall submit a landscape plan with the grading plan to the ~~stormwater~~ environmental management department. The ~~stormwater~~ environmental management department shall have a maximum of 14 calendar days from the submittal date, or each resubmittal date, for plan review. If the plan is not approved a deficiency checklist will be submitted back to the applicant.
(1)
Landscape plans shall be prepared by a professional landscape architect, or other licensed professional of similar design discipline.
(2)
Any deviations from the approved landscape plan must be approved by the county ~~stormwater~~ environmental management department prior to installation.
(3)
A final inspection and approval by the county ~~stormwater~~ environmental management department is required prior to the issuance of a certificate of occupancy.
(4)
Trees shall have minimum caliper requirements of 2½ inches measures at six inches above ground at time of planting.
(5)
Plants with vigorous root systems shall not be planted within the dripline area of said plant next to any nitrification field, sanitary sewer, or public water easement including but not limited to the eastern cottonwood, willow, and Lombardy poplar.
(6)
Allow at least 200 square feet of contiguous soil space per overstory tree. No parking space shall be more than 40 feet from a tree.
(7)
Ground covers, flowers, stones, and mulch shall be utilized as needed to meet vegetative ground cover requirements.
(b)
Landscape plan requirements. The landscape plan shall include:
(1)
Project name, design professional's name, and contact information;
(2)
Property boundary lines, all zoning buffer and landscape areas, and entire septic systems;
(3)
Locations of existing plant materials to be retained and/or new plant materials to be installed, with all details drawn at a scale of one inch to 100 feet or greater;
(4)
Plant material list, that shall include: Common and/or botanical names of all proposed plants;
(5)

Plant quantities;

(6)

Spacing;

(7)

Remarks, as necessary, for proper plant selection at installation; and

(8)

Caliper, height, and condition of plants.

(Code 1992, § 8-159; Ord. No. 2008-08, § II, 9-25-2008)

- **Sec. 104-115. - Landscape and buffer categories.**

(a)

Street frontage landscape areas. Landscape areas fronting on county maintained roads shall be measured from the right-of-way, or from where county maintenances stops on prescriptive easements. Trees/shrubs may be planted in groups provided that the required number of trees/shrubs is distributed along the entire length of the area to be landscaped.

(b)

Parking lot landscape areas. Landscape areas shall be provided for every other interior parking aisle. Exterior and interior parking aisles shall be terminated at both ends by a landscape island. Landscape islands shall be provided for each 150 feet of continuous parking length. All trees planted in parking lot landscape areas shall be canopy trees.

(c)

Side yard landscape areas. A landscape area shall be established along the side property lines of all lots. A side-yard landscape area may not be substituted when a zoning buffer landscape area is required.

(d)

Zoning buffer areas. Zoning buffer areas shall be established and maintained subject to the requirements listed as follows:

(1)

Zoning buffer areas shall consist of evergreen plant material planted in staggered double rows that will provide a screen for the purpose of visual privacy. If existing vegetation is requested to count toward the zoning buffer area landscape requirements, such information shall be indicated on the landscape plan as required by the ~~stormwater~~ environmental management department.

(2)

Listed below are suggested evergreen plant combinations characteristic of buffer area plantings. Additional plant choices can be found at the county website under ~~stormwater~~ environmental management.

a.

Trees, shrubs, groundcovers;

b.

Virginia pine, abelia, liriope;

c.

Red cedar, Burfordi holly, euonymus;

d.

Nellie R. Stevens holly, cleyera, wintercreeper;

e.

Cherry laurel, Asiatic jasmine;
f.
Cryptomeria, hetzi juniper, evergreen ferns;
g.
Lusterleaf holly, leucothoe, creeping raspberry;
h.
Loblolly pine, loropetalum, vinca, evergreen dogwood, pfitzer juniper, mondo grass;
i.
Laurel oak, pragense viburnum, asiatic jasmine,
j.
Chinese evergreen, osmanthus;
k.
Oak, wax myrtle;
l.
Leyland cypress, yaupon holly;
m.
Green giant;
n.
Arborbvitae;
o.
Southern magnolia; and
p.
Eastern red cedar.

DEVELOPMENT REGULATIONS - ARTICLE VI. - TREE RETENTION, PROTECTION AND REPLACEMENT

- **Sec. 104-150. - Introduction.**

It is hereby determined that:

(1)
Trees are a valuable asset to the rural/urban environment of the county and can generate such benefits as: the purification of air; moderation of the microclimate; reduction of noise and glare; conservation of energy in terms of heating and cooling; prevention of soil erosion; reduced stormwater management costs; minimization of flood potential; improved water quality; enhancement and stabilization of property values; increased aesthetics; and preservation of the rural character of the unincorporated county.
(2)
Therefore, the county adopts this article to provide requirements to protect the rural and wooded character of unincorporated the county through the preservation and replanting of trees when new development occurs.
(Code 1992, § 8-176; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-151. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certified arborist means an arborist certified by the international society of arboriculture (ISA).

Clearing means an activity that removes or disturbs the vegetative cover including trees.

Critical root zone (CRZ) means the minimum area beneath a tree which must be left undisturbed. The critical root zone shall be equal to 1½ feet of radial distance for every inch of the tree's DBH, with a minimum of eight feet.

Deciduous tree means any tree which drops its leaves at the end of the growing season or a tree that annually loses leaves.

Diameter-at-breast-height (DBH) means standard measure of existing tree size and is the trunk diameter measured in inches at height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, then the trunk is measured at its most narrow point beneath the split. A tree that splits into multiple trunk above 4½ feet is measured as a single tree at 4½ feet.

Dripline means a line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Erosion, sedimentation and pollution control plan means a plan required by the Erosion, Sedimentation and Pollution Control Act, O.C.G.A. § 12-7-1 et seq., that includes, at a minimum, protections at least as stringent as this article.

Evergreen tree means tree that retains its green foliage throughout the year.

Existing density unit (EDU) means a tree density unit assigned for the preservation of existing trees that will remain on site and protected during construction and where EDU is equivalent to inch of DBH when the DBH is a minimum size of four inches.

Land disturbance permit means authorization to conduct a land disturbing activity under the provisions of article IX of this chapter, soil erosion, sedimentation and pollution control.

Land disturbing activity means any land change which may result in soil erosion from water or wind and the movement of sediment into state water or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land, other than federal lands.

Landscape areas means an area set aside for the installation and maintenance of ornamental planting materials.

Landscaping means any additions to the natural features of a plot of ground to restore construction disturbance and to make an area more attractive.

Overstory (canopy) tree means any tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet. Examples include: oak, maple, elm, bald cypress, cryptomeria.

Replacement density unit (RDU) means a tree density unit assigned to a new tree planted to achieve the site density unit (SDU) and is equivalent to the number of inches of trunk diameter measures at six inches above the ground.

Shrub means a plant with persistent woody stems and a relatively low growth habit, distinguished from a tree by producing several basal stems instead of a single trunk.

Site means that portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Site density unit (SDU) means the minimum number of tree density units which must be achieved on a nonresidential site after development and is equal to existing density units (EDU) plus replacement density units (RDU).

Specimen tree or *stand* means any tree or grouping of trees that is determined to be of high value and qualifies for special consideration for preservation because of its species, size, or historical significance.

Tree means a self-supporting woody perennial plant that, at maturity, has one or more stems or trunks that attain a diameter of at least three inches; a more or less definitely formed crown of foliage; and a height of ten feet or more.

Tree density units (TDU) means a unit of measurement for tree density based on the diameter of the tree.

Tree protection area means a barrier constructed around trees at construction sites sufficient to prevent damage or injury to tree trunks, limbs, and roots. The tree protection area shall be either the dripline of the tree or the critical root zone of a tree or clusters of trees to be retained, whichever is greater.

Understory tree means a tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least ten feet, but less than 40 feet. Examples include dogwood, red bud, fringe tree, lusterleaf holly, and red cedar.

Utility means public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, railroads, or other utilities identified by a local government.

Variance means a grant of relief from the CRZ requirements of this article that permits construction in a manner otherwise prohibited by this article.

(Code 1992, § 8-177; Code 1992, § 8-177; Ord. No. 2000-02, 1-27-2000; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-152. - General provisions.**

(a)
Purpose and intent. The purpose of this article is to establish minimum requirements for tree retention, protection and replacement in the county and to protect the rural and wooded character of the county through the preservation and replanting of trees when new development occurs. It is the intent of this article that all site planning and design for development of land be undertaken with a survey of trees on the property and that the grading, final placement of buildings, structures, and roads, utilities, and other features minimizes the removal of existing trees, and insures aesthetic replacement and distribution.

(b)

Applicability. This article shall apply to any activity that requires a preliminary plat, erosion, sedimentation, and pollution control plan or site plan as defined in article II of this chapter (except as otherwise exempted in the Zoning Ordinance). Residential subdivisions without common infrastructure are still required to submit a tree protection plan but are not required to submit tree density units.

(c)

Exemptions.

(1)

Trees determined to be dead, diseased, or infested as determined by the state forestry commission or a certified arborist and approved by the ~~stormwater~~ environmental management department.

(2)

Orchards and tree nurseries in active commercial operation.

(3)

Agricultural operation as defined in article IX of this chapter.

(4)

Nonresidential subdivisions development projects without common infrastructure.

(5)

Public roads as exempted in section 104-266.

(6)

Public utilities, as exempted in section 104-266(10) and (11), including telecommunication towers.

(7)

Commercial forestry operations, including timber harvesting.

(8)

Residential and nonresidential subdivision development projects are exempt from tree density requirements, but are required to submit a TPP.

(d)

Designation of article administrator. The county ~~stormwater~~ environmental management department shall administer this article.

(e)

Compatibility with other regulations. This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environmental shall control.

(f)

Technical standards. Standards for plant selection and installation listed below are incorporated by reference:

(1)

"American Standard for Nursery Stock" (ANSI Z60.1-2004).

(2)

"Manual for Woody Landscape Plants" (Michael Dirr, 2009, Stipes)."

(3)

"Principles and Practices of Planting Trees and Shrubs" (Watson and Himelick, 1997, ISA).

(4)

"American National Standards for Tree Care Operations" (ANSI A300).

(5)

University of Georgia Cooperative Extension Service Bulletin No. 625 Landscape Plants for Georgia.

(Code 1992, § 8-178; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-153. - Tree retention, protection and replacement requirements.**

For all sites with three acres or less, all trees used in the SDU calculation shall be individually inventoried. For all sites over three acres industry standard sampling methods may be used to prepare a tree survey when trees are of such density to make individual tree identification impractical. In such cases the tree surveyor shall show tree stands and provide estimates of size and species on the tree protection plan.

(1)

Site density requirements. The required tree density for each nonresidential site is referred to as the site density unit (SDU). Each property subject to this article shall have a minimum required SDU based on total number of disturbed acres on the project site.

a.

The total SDU required equals existing density units (EDU) plus replacement density units (RDU).

b.

Property subject to this article that is greater than or equal to three acres shall have or exceed an average SDU of 100 TDUs per acre.

c.

Property subject to this article that is less than three acres shall have or exceed an average SDU of 50 TDUs per acre.

d.

Credit will be given to trees retained on a property having a DBH of four inches or more.

e.

At least 50 percent of the EDUs per acre must be located outside of any zoning or watershed protection buffers as referenced in articles V and VII of this chapter.

f.

Palm trees are not acceptable for SDU credit.

(2)

Specimen trees.

a.

Criteria for determination of specimen trees or stands are as follows:

1.

Any deciduous canopy tree whose DBH equals or exceeds 24 inches.

2.

Any evergreen canopy tree whose DBH equals or exceeds 30 inches.

3.

Any understory tree whose DBH equals or exceeds ten inches.

4.

Any tree which has significant historical value and can be documented through historical records or otherwise.

b.

Removal. Any specimen tree removed without prior approval of the ~~stormwater~~ environmental management department will be replaced by trees equaling two times an inch-for inch replacement of the tree removed. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is no evidence of its condition. Such action may result in a stop work order issued by the ~~stormwater~~ environmental management department.

c.

Written justification must be given for any specimen tree designated for removal. The county ~~stormwater~~ environmental management department may require additional information including, but not limited to, a certified arborist's appraisal of the tree's viability and anticipated life span.

d.

Any specimen tree may be removed if it is shown that at least one of the following conditions is met:

1.

The location of the tree prevents the opening of reasonable and necessary vehicular traffic lanes.

2.

The location of the tree prevents the construction of utility lines or drainage facilities which may not feasibly be relocated.

3.

The location of the tree prevents reasonable access to the property, if no alternate exists.

4.

The tree is diseased, dead, or dying to the point that repair or restoration is not practical or the disease may be transmitted to other trees.

5.

There is no reasonable assurance that if the tree is saved with proper construction precautions, it will continue to live as an asset to the site.

e.

Preservation. All reasonable efforts should be made to preserve specimen trees and incorporate them into the design of the project. Specimen trees saved by a specifically designed feature of the building, hardscape, or utilities shall be given EDU credit of two inches per inch of DBH.

(3)

Replacement tree requirements. All trees selected for replacement density units must meet the following requirements:

a.

Trees must be free of disease, injury, or infestation, and must be ecologically compatible with the specifically intended growing area, and planted in accordance with standards established by the international society of arboriculture.

b.

At a minimum, four species mixture of different trees, with at least three being deciduous hardwoods should be utilized.

c.

No more than 30 percent of replacement trees may be of a single species.

d.

A 50 percent mix of overstory and understory trees shall be maintained.

e.

Trees shall have a minimum caliper requirement of 2½ inches in diameter as measured at six inches above the ground at time of planting.

f.

All trees planted to fulfill the replacement tree requirements shall be in place before a certificate of occupancy is granted. In the event that the requirements of this article cannot be met at the time a certificate of occupancy is otherwise granted, refer to "buffer and landscape areas," section 104-117 performance surety, in these development regulations.

g.

All trees planted under the requirements of this article which do not survive for 24 months after issuance of a certificate of occupancy will be replaced as a condition of occupancy. Trees shall be bonded via a maintenance agreement in the amount of 100 percent of their replacement cost. Bonds will be released after the 24-month period has passed, and the health of the trees have been certified and accepted by the county. Refer to section 104-118, pertaining to general maintenance.

h.

See sections 104-115(d)(2) and 104-116 for suggested tree species. For additional tree species, especially understory (small) trees, see University of Georgia Cooperative Extension Service Bulletin No. 625 Landscape Plants for Georgia.

(4)

Tree protection requirements.

a.

A tree protection area shall be maintained around all trees and stands of trees to be retained throughout the duration of construction by tree protection fencing.

b.

The tree protection area of stand-alone trees and stands of trees shall be marked with standard tree protection fencing (orange), chainlink fencing, stakes, and/or continuous engineering tape and "Tree Protection Area" signs. At least two "Tree Protection Area" signs shall be posted at each individual tree protection area.

c.

All tree protection fencing shall be inspected for proper installation by the ~~stormwater~~ environmental management department during the initial erosion and sediment control inspection.

d.

During subdivision street construction, land disturbance allowed by a development permit shall be limited to areas needed for street right-of-way, drainage easements, erosion and sediment control practices and utilities. All other areas shall remain undisturbed for tree protection purposes.

e.

If utilities must run through the tree protection area and the running of those utilities will encroach into the critical root zone CRZ of any trees to be saved, the utility must be tunneled at a depth of 24 inches. When feasible, utilities will run along streets, roadways, driveways, or sidewalks. Reasonable efforts shall be made to save as many trees as possible.

If it is determined that irreparable damage has occurred to a tree or trees within a designated tree protection area, as determined by the county ~~stormwater~~ environmental management department, the state forestry commission, or a certified arborist, it shall be the responsibility of the developer/builder to remove and replace the tree or trees and guarantee survival after the issuance of the certificate of occupancy as references in subsection (3)(g) of this section and article V of this chapter.

(5)

Tree protection plan.

a.

Procedures.

1.

The TPP shall be submitted with the preliminary plat, erosion, sedimentation and pollution control plan or the site plan, whichever is the first submittal required by the county planning and zoning department.

2.

The tree protection plan shall be prepared by either a licensed landscape architect or forester, certified arborist, or other licensed professional of similar design discipline licensed in the state.

3.

The ~~stormwater~~ environmental management department shall have a maximum of 14 calendar days from the submittal date, or each resubmittal date, for plan review. If the plan is not approved a deficiency checklist will be submitted back to the applicant.

b.

Submittal. The tree protection plan shall be submitted on a scale of no less than one inch to 100 feet and shall include project name, design professional's name and contact information, north arrow, graphic scale, and date. The plan should clearly show and label the following:

1.

Tree save areas noting the location, size, DBH, dripline, CRZ, and species name (common name) of each tree that will be retained to fulfill the SDU requirements. Five or more trees whose dripline and CRZ combine into one tree protection area may be outlined as a group with the exception of specimen trees.

2.

Summary table listing the DBH and species name of each RDU and EDU tree used to obtain the required SDU under "Notes."

3.

If a group of trees is outlined on the plan as a tree save area, include a summary table listing the size, DBH and species name of each tree within that group under "Notes."

4.

Location of all new replacement trees including species name and DBH that fulfill RDU requirements.

5.

Location of any specimen tree designated in a tree protection area including the DBH, CRZ and species name even if contained in a group. If construction is limited to streets, drainage easements and utilities the TPP only needs to show all specimen trees located within 100 feet of the centerline of any right-of-way, or drainage/utility easements.

6.

Location of any specimen trees designated for removal during construction including the size, DBH and species name.

7.

Location, depth and height of all existing and proposed utility lines.

8.

Boundaries of property, buffer and landscaped areas, buildings and structures, vehicle use areas, and other impervious areas.

9.

Calculations for meeting all required site density units under "notes." If a scientific method is used to determine the site density units, label all sample areas and provide estimates of trees by size and species as based on sampling method requirements.

10.

Under "notes" state the following: "No land disturbance, construction processes, or storage of equipment or materials shall take place within a designated tree protection area in order to prevent direct physical root damage that occurs during site clearing and grading and can cause transport or feeder roots to be cut, torn, or removed; indirect root damage caused from grade changes; and trunk and crown damage caused by direct contact with land clearing machinery or galling of adjacent trees."

(Code 1992, § 8-179; Ord. No. 2000-02, 1-27-2000; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-154. - Appeals and variances.**

(a)

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this article:

(1)

Requests for variances shall only be given for a reduction in the critical root zone (CRZ).

(2)

Requests for a variance from the CRZ requirements of this article shall be submitted to the ~~stormwater~~ environmental management department. All such requests shall be heard and decided in accordance with procedures to be published in writing by the ~~stormwater~~ environmental management department.

(3)

Any person adversely affected by any decision of the ~~stormwater~~ environmental management department shall have the right to appeal such decision to the county zoning board of appeals as established by the county in accordance with article IX of chapter 110, zoning. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

(4)

Any person aggrieved by the decision of the county zoning board of appeals may appeal such decision to the county state court, as provided in O.C.G.A. § 5-4-1.

(5)

In reviewing such requests, the ~~stormwater~~ environmental management department and the county zoning board of appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this article.

(6)

Variances shall only be considered based on the follow criteria:

a.

Disturbance of the CRZ of less than 30 percent;

b.

A reduction in the CRZ based on industry standards less stringent than outlined in this article.

(7)

Conditions for variances:

a.

A variance shall be issued only when all of the following conditions are met:

1.

A finding of good and sufficient cause; and

2.

A determination that failure to grant the variance would result in exceptional hardship.

b.

Any person to whom a variance is granted shall be given written notice specifying the difference between the current CRZs requirements and the CRZs requested in the variance.

c.

The county ~~stormwater~~ environmental management department shall maintain the records of all appeal actions.

d.

Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the county ~~stormwater~~ environmental management department and the county zoning board of appeals shall deem necessary to the consideration of the request including, but not limited to, a certified arborist's appraisal of the tree's viability and anticipated life span.

e.

Upon consideration of the factors listed above and the purposes of this chapter, the county ~~stormwater~~ environmental management department and the county zoning board of appeals may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this chapter.

1.

Variances shall not be issued "after the fact."

2.

At a minimum, a variance request shall include the following information:

(i)

A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;

(ii)

A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

(iii)

A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside CRZ. The exact area of the CRZ to be affected shall be accurately and clearly indicated;

(iv)

Documentation of unusual hardship should the CRZ be maintained;

(v)

At least one alternative plan, which does not include CRZ disturbance or reduction, or an explanation of why such a site plan is not possible;

(vi)

A calculation of the total area and length of the proposed intrusion;

(vii)

Proposed mitigation, for the intrusion. If mitigation is not proposed, the request must explain why.

f.

The following factors may be considered in determining whether to issue a variance:

1.

The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

2.

The location and extent of the proposed CRZ intrusion;

3.

Whether alternative designs are possible which require less intrusion or no intrusion;

4.

The long-term impacts of the proposed variance; and

5.

Whether issuance of the variance is at least as protective of natural resources and the environment.

(b)

Any applicant who is aggrieved by any decision of the county ~~stormwater~~ environmental management department relating to the application of this article shall have the right to appeal as provided under article IX of chapter 110, zoning.

(Code 1992, § 8-180; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-155. - Violations, enforcement and penalties.**

(a)

Violation of application. Any action or inaction which violates the provisions of this article or the requirements of an approved ~~stormwater~~ environmental management application may be subject to the enforcement actions outlines in this section. Any such action or inaction, which is continuous with respect to time, is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in subsection (c) of this section shall not prevent such equitable relief.

(b)

Notice of violation. If the ~~stormwater~~ environmental management department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved ~~stormwater~~ environmental management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit, the notice of violation shall be served on the owner of the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

(1)

The name and address of the owner or the applicant or the responsible person;

(2)

The address or description of the site upon which the violation is occurring;

(3)

A statement specifying the nature of the violation;

(4)

A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the ~~stormwater~~ environmental management action plan or this article and the date for the completion of such remedial action; and

(5)

A statement of the penalties that may be assessed against the person to whom the notice of violation is directed.

(c)

Penalties. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the ~~stormwater~~ environmental management department shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the ~~stormwater~~ environmental management department may take one or more of the following action or impose any one or more of the following penalties:

(1)

Stop work order. The ~~stormwater~~ environmental management department may issue a stop work order that shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(2)

Withhold certificate of occupancy. The ~~stormwater~~ environmental management department may recommend that the county permits and inspection department refuse to issue a certificate of occupancy for the building other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

(3)

Suspension, revocation or modification of permit. The ~~stormwater~~ environmental management department may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violations or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the ~~stormwater~~ environmental management department may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(4)

Citations. For intentional and flagrant violations of this article, or in the event the applicant or other responsible person fails to take the remedial measures set forth in previously issued notice of violations or otherwise fails to cure the violations within ten days, the ~~stormwater~~ environmental management department may issue a citation to the applicant or other responsible person, requiring such person to appear in state court of the county to answer charges of such violation. Upon conviction, such person shall be punished by a fine not to exceed $1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Code 1992, § 8-181; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

DEVELOPMENT REGULATIONS - ARTICLE VIII. - OFF-STREET PARKING AND SERVICE REQUIREMENTS

- **Sec. 104-211. - Scope of provision.**

Except as provided in this article, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a plot plan showing the required space reserved for off-street parking and service purposes. Occupancy shall not be allowed unless the required off-street parking and service facilities have been provided in accordance with those shown on the approved plan.

(Code 1992, § 8-215; Ord. No. 98-01, § 1, 1-14-1998)

- ~~**Sec. 104-212. - Reduction of parking and maximum lot coverage.**~~

~~Off-street parking spaces for all nonresidential uses shall not be reduced by more than five percent below the minimum required number for the use or facility to which they are assigned. In addition, lot coverage (impervious surfaces) for conditional uses located in residential or A-R zoning districts shall not exceed 50 percent of the total acreage of the lot.~~

(Code 1992, § 8-216; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2000-15, § 1, 10-26-2000; Ord. No. 2001-13, § 1, 10-25-2001)

- ~~**Sec. 104-213. - Street access; curb cuts in other than residential districts.**~~

~~Curb cut for service drives, entrances, exits and other similar facilities on public streets in other than residential zoning districts shall not be located within 50 feet of any intersection or within 40 feet of another curb cut. A curb cut shall be no greater than 50 feet in width and no closer than 20 feet to any property line.~~

(Code 1992, § 8-217; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2001-11, § 1, 7-26-2001)

- ~~**Sec. 104-214. - State highway department approval.**~~

~~All entrances or exits of any street or drive, public or private, from or to any state highway shall be approved by the state highway department prior to the construction of such street or drive, or the issuance of any development permit for any improvement to be served by such street or drive, but permit approval shall not be held longer than 30 days.~~

(Code 1992, § 8-218; Ord. No. 98-01, § 1, 1-14-1998)

- ~~**Sec. 104-215. - Corner visibility clearance.**~~

~~In order to ensure adequate sight distance at intersections formed by two streets, a driveway and a street, or a street and a railroad track, no fence, structure, sign, planting or other obstruction shall be constructed and maintained adjacent to such an intersection in such a manner as to block the view of oncoming traffic~~

~~from a driver stopped at or approaching that intersection. The standards for sight distance are set forth in section 104-54(b).~~

(Code 1992, § 8-219; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-216. - Off-street automobile parking.**

Off-street automobile parking shall be provided in accordance with all applicable provisions of this article.

(Code 1992, § 8-220; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-217. - Design standards.**

All parking facilities, including entrances, exits and maneuvering areas, and access drives shall comply with the following provisions, except as otherwise exempted in the Zoning Ordinance:

(1)
Have access to a public street. Only single-family residences shall be allowed backward egress from a driveway onto a local street. In all other cases, maneuvering and access aisle areas shall be sufficient to permit vehicles to enter and leave the vehicular use area in a forward motion.

(2)
Be graded and paved, and be curbed when needed for effective drainage control; however, due to their limited hours of operation, parking facilities for churches, charitable or nonprofit organizations and other uses as appropriate, need only be graded and have, at a minimum, an all-weather surface approved by the county engineer, whose approval shall be based on compliance with article IX of this chapter, soil erosion and sedimentation control. Use of pervious types of pavement for required parking spaces and overflow parking areas is encouraged. Pervious types of pavement include but are not limited to pervious concrete, gravel with geo-web reinforcement, brick pavers, etc. All pervious types of pavement are subject to compliance with established specifications for that type of material which will be reviewed and approved by the county engineer. All types of pavement, pervious or impervious, are required to be maintained to the original design by the property owners.

(3)
Have all spaces marked with painted lines, ~~curbstones~~ curb stops, or other similar designations.

(4)
Parking area. Parking stalls shall have a minimum width of ten feet and length of 20 feet. For any nonresidential use providing 50 or more spaces, a maximum of ten percent of the required parking spaces may be marked for compact cars, which may be a minimum of nine feet by 18 feet in size. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways shall be at least 24 feet wide where used with 90-degree angle parking, at least 18 feet wide where used with 60-degree angle parking, at least 12 feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least 12 feet wide for one-way traffic movement and at least 24 feet wide for two-way traffic movement.

(5)
Curb return radii shall not exceed 15 feet or be less than ten feet.

(6)
~~Be drained so as to prevent damage to abutting properties or public streets. Runoff from vehicular use areas shall be controlled and treated on site if possible. The drainage design shall include measures based~~

~~on stormwater quality best management practices. Recommended methods for drainage and on-site treatment of parking lot stormwater runoff include the use of vegetated open channels, parking lot perimeter infiltration trenches or sand filter strips, bioretention areas, and dry swales. Parking lot drainage is required to be reviewed by the county engineer; and no permit shall be issued until the drainage design is approved by the county engineer.~~

(7)

~~Be separated from sidewalks and streets by a strip of land at least ten feet wide as measured from the right-of-way, reserved as open space and planted in grass.~~

(8)

~~If a parking area is established within a residential zoning district for a nonresidential use permitted in a residential zoning district, a continuous visual buffer at least four feet in height between the parking area and the abutting residential zoning district property shall be provided on a strip of land at least ten feet wide adjoining the lot uses for residential purposes.~~

(9)

Adequate lighting shall be provided if the facilities are to be used at night. Such lighting shall be arranged and installed so as not to reflect or cause glare on abutting properties.

(10)

~~No parking or loading areas shall be established within the required front yard of any RMF District, provided, however, that the governing authority may at the time of consideration of the application for rezoning include within the zoning or rezoning ordinance, provisions for parking and loading in the front yard in such districts, upon a finding of fact that such front yard parking or loading would not adversely affect the appearance and aesthetic conditions and values of the particular property and upon a further finding of fact that such front yard parking is necessary. Said governing authority shall have the authority to determine the number of front yard parking or loading areas to be allowed in each particular case based upon the space available and safety and aesthetic conditions, and any other provisions of this article to the contrary notwithstanding.~~

(11)

~~No parking or loading area shall be established in the required front yard of any residential zoning district except for a single-family residential use; no more than 35 percent of the required front yard may be used for parking in such case.~~

~~The provisions of subsections (2), (3), (7), (9), and (10) of this section shall not apply to single-family residential uses where three or less spaces are required.~~

(Code 1992, § 8-221; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2000-15, § 2, 10-26-2000)

- **Sec. 104-218. - Location.**

All parking facilities shall be located in accordance with the following provisions:

(1)

The required space shall be provided on the same ~~p~~lot with the use it serves, except as provided herein;

(2)

~~If vehicular parking or storage space required cannot be reasonably provided on the same lot on which the principal use is conducted, the zoning board of appeals may permit such space to be provided on other off-street property provided such space lies within 400 feet of the main entrance to such principal use. Such vehicular parking space shall be associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner; and~~

(3)

The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one may not be assigned to another use at the same time, except that one-half of the parking space required for churches, theaters, or assembly halls whose attendance will be at night or on Sunday may be assigned to a use which will be closed at nights or Sundays.

(Code 1992, § 8-222; Ord. No. 98-01, § 1, 1-14-1998)

- ~~**Sec. 104-219. - Recreational vehicle parking.**~~

~~Camping trailers, recreational vehicles, travel trailers, camper pick-up coaches, motorized homes, boat trailers and boats shall not be parked on any residential or A-R lot that has not been improved with a dwelling nor any nonresidential lot that has been improved with a dwelling nor any nonresidential lot that has not been improved with a principal building except in conjunction with the construction of a principal building for which a building permit has been issued. Application for a permit for the parking of such recreational vehicles shall be made to the zoning administrator. Such a permit shall be issued for a period not to exceed six months and shall not be renewable when associated with the construction of a dwelling. This provision shall not be interpreted as precluding the parking of such recreational vehicles for a period not to exceed 14 days.~~

(Code 1992, § 8-224; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-220. - Minimum number of loading spaces required.**

Industrial, wholesale and retail operations shall provide loading spaces as follows:

(1)
Spaces appropriate to functions. Off-street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.

(2)
Design of loading spaces. Off-street loading spaces shall be designed and constructed so that all maneuvering to park ~~and~~ ~~unpark~~ vehicles for loading can take place entirely within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free and normal movement of vehicles and pedestrians on public rights-of-way.

(3)
Ingress and egress. Ingress and egress to off-street loading spaces shall conform to driveway entrance regulations of the county. Along state highways, ingress and egress may be limited in order to provide for safe access to the development and to provide for maintenance of adequate sight distances. Where frontage drives are required, these may be extended to the side property line in order to permit joint use by adjacent properties.

(Code 1992, § 8-226; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-221. - Number of parking spaces.**

In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this article, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking spaces shall be provided and maintained as called for in the following schedule; the requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient.

(1)

Duplex or multi-family dwelling

Three spaces for each dwelling unit, plus any required spaces for recreation areas, sales office, etc. as required by the zoning ordinance.

(2)

Assembly, public (including auditorium and stage theater):

One space for every 200 square feet in the main assembly room.

(3)

Athletic field:

One space for every four bleacher seats or 30 spaces per field, whichever is greater.

(4)

Automobile sales and repairs:

Three spaces for every service area within the garage, or one space for every service employee, whichever is greater.

(5)

Bowling alley:

Four spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant, etc.

(6)

Care home:

One space for every four beds, plus one space for every employee.

(7)

Car wash (principal use):

One space for each employee plus one space for every 250 square feet of gross floor area

(8)

Church, temple, or place of worship:

One space for every 150 square feet of occupiable floor area.

(9)

Club or lodge:

One space for every 200 square feet of assembly area.

(10)

Combined uses:

Parking spaces shall be the total of the spaces required for each separate use established by this schedule.

(11)

Dance school:

One space for every employee plus one space for every 150 square feet of gross floor area, plus safe and convenient loading and unloading of students.

(12)

Developed residential recreational/amenity areas:

One space for every 250 square feet of clubhouse, pool house, pavilion, and swimming pool water surface area; and

Two spaces for every other amenity provided (including but not limited to tennis, volleyball, basketball, and playgrounds).

(13)
Dry cleaning/laundry plant:
One space for every 10,000 square feet of gross floor area, plus one space for every employee.

(14)
Entertainment, indoor (except bowling alleys):
One space for every 250 square feet of floor area devoted to patron use.

(15)
Entertainment, outdoor:
~~10~~ Ten spaces for every acre.

(16)
Fraternity or sorority:
One parking space for every two residents and one space for every two employees.

(17)
Funeral parlor:
One space for every three seats in the chapel plus space for each funeral vehicle.

(18)
Furniture, appliance, or carpet sales:
One space for every 500 square feet of showroom, plus one space per 750 square feet of indoor storage space.

(19)
Gas station
No parking spaces are required for gas pump uses. All other uses on the site must meet the requirements for retail, service, and repair etc.

(20)
Gas and fuel, wholesale:
One space for each employee ~~every 250 square feet.~~

(21)
Golf course:
Two spaces for every hole and one space for every two employees, plus requirements for any other use associated with the golf course.

(22)
Greenhouse or nursery, retail:
One space for every 10,000 square feet plus one space for every employee.

(23)
Trade school, college, or university:

One space for every two students, one space for every 300 square feet of administrative and educational office space, plus safe and convenient loading of students, plus additional spaces for stadium, gymnasium, and auditorium uses.

(24)
Hospital:
One and one-half spaces for every two beds plus one space for every employee.

(25)
Hotel:
One space for every guest room plus one space for every two employees on the largest shift.

(26)
Industrial facility, manufacturing or processing establishment:
One space for every 1,000 square feet of gross floor area, plus one space for every employee.

(27)
Kennel, commercial:
One space for every 300 square feet of cage and retail area.

(28)
Kindergarten, nursery school, or day care center:
One space for every employee, plus a covered, safe, and convenient transient parking area for the loading/unloading of students.

(29)
Manufactured home park:
Two spaces for every manufactured home.

(30)
Medical or dental office:
One space for every employee, plus one space for every examining room.

(31)
Motel:
One space for every guest room.

(32)
Movie theater:
One space for every five seats.

(33)
Moving and storage:
One space for every 10,000 square feet of gross floor area, plus one space for every employee.

(34)
Museum, art gallery, library, or similar use:
One space for every 400 square feet of gross space to which the public has access.

(35)
Office, business or professional, bank, or similar use:

One space for every 300 square feet of gross floor area.

(36)

Personal service establishment:

One space for every 300 square feet of gross floor area, but not less than two spaces for every employee/operator.

(37)

Printing and copying services:

One space for every 250 square feet of gross floor area.

(38)

Repair services, limited (small items):

One space for every 250 square feet of gross floor area.

(39)

Restaurant or place dispensing food, drink or refreshments:

One space for every two seats provided for patron use.

(40)

Retail stores of all types not mentioned otherwise:

One space for every 300 square feet of gross floor area

(41)

School, elementary and middle:

One space for every employee, and one space for every classroom, plus safe and convenient area for loading and unloading of students.

(42)

School, high:

One space for every two students, plus one space every employee.

(43)

Self service storage facility:

One space for every 75 storage bays plus one space for every employee, plus two customer spaces.

(44)

Shopping center:

One space for every300 square feet of gross floor area.

(45)

Stable, commercial:

One space for every 300 square feet within stable, plus one space per three animal stalls.

(46)

Swimming pool, public:

One space for every 200 square feet of water surface area plus requirements for additional uses in association with establishments such as a restaurant, etc.

(47)

Upholstery shop:

One space for every 250 square feet of gross floor area.

(48)

Vehicle sales and rental:

One space for every 500 square feet of enclosed area, plus one space for every 5,000 square feet of outdoor sales, rental, and display area, plus one space for every service bay, plus one space for every employee.

(49)

Veterinarian office or clinic:

One space for every employee plus one space for every 500 square feet of gross floor area.

(50)

Warehouse and bulk storage facility:

One space for every 2,000 square feet of gross floor area, plus one space for every employee.

(51)

Wholesale, or open yard establishment:

One space for each employee, one space for every 2,000 square feet of gross floor area, and one space for every company vehicle to be stored on the site.

(52)

Woodworking or cabinetmaking:

One space for every 250 square feet of gross floor area.

3. Discussion of A-R Deer Processing and Wedding /Event Facility.

Dennis Dutton stated that staff was given a charge by a County Commissioner to look into Deer Processing facilities in the A-R district of the County. He said staff researched nearby and out of state jurisdictions ordinances on Deer Processing. He added that Bartow, Harrison, and Newton Counties all have Deer Processing ordinance and Carrollton and Troup Counties are interested in creating their own ordinances. He introduces Johnny Black a Fayette County resident interested in starting his own Deer Processing facility. He added that Johnny Black has contributed valuable information to the proposed ordinance. He stated that the ordinance is comprised of nine (9) items and they all refer back to the Environmental Protection, Department of Natural Resources, landfill, parking, and sketch plans to keep the setting agricultural. He said that the following departments all commented on the ordinance: Marshalls, Environmental Health, and Environmental Management.

Brian Haren said that he was surprised that this wasn't already in the County.

Johnny Black stated that there is one (1) meat packaging facility north of the County off of Roberts Drive.

Al Gilbert stated that there use to be one (1) off of Jeff Davis and they were really busy during deer season.

Johnny Black said that the Deer Processors that were grandfathered in are a dying breed. He added that the new generation is not picking up the activity. He stated that he loves the County and processing deer and would like to help in setting up the ordinance.

Arnold Martin asked Johnny Black what the difference between deer processing and a meat packaging facility.
Johnny Black replied that deer processing is seasonal (September-January) and it keeps the big industries from coming in doing other meats such as beef or pork. He added that the deer processing operation is a smaller scale.

Dennis Dutton stated that Wildlife Processing has to go through the DNR while beef, poultry, and pork go through the USDA.

Arnold Martin asked how people in the County process their deer meet now.

Johnny Black replied that some discard their scraps on the side of the road, some shoot the deer and just leave it there, and others go out the County to have them processed. He stated that he is not making a product and then selling it. He said he is only working on the customers deer that is brought in unlike a meat packaging facility would be mass producing it and selling it to the public.

Brian Haren asked about processing other wild game such as hogs.

Johnny Black said that the regulations for processing hogs are tougher than deer. He stated that he would just stay with deer.

Brian Haren asked if we should instead come up with an ordinance that is geared toward Wild Game.

Johnny Black said if they decide to do that they are opening themselves up to a twelve month a year operation instead of seasonal.

Brian Haren stated that maybe we should create an ordinance that is simpler and encompasses all wildlife.

Johnny Black said that he would just be interested in doing deer processing. He stated that processing wild hogs are a 12 month operation and is not worth the maintenance. He added that at the end of the season for deer processing you can shut down your coolers.

Dennis Dutton said that when the Commissioner brought this to staff it was for deer and hogs.

Chairman Graw asked what other wildlife you would process besides deer.

Johnny Black replied hogs but you have to stay open 12 months a year. He reiterated that at the end of deer season you can shut down your coolers. He stated that it's not worth the power bill to dress five (5) hogs in a month.

Chairman Graw stated that he liked Brian Haren's idea. He added that he would like for the title to be generalize.

Johnny Black said the Commissioner who is working with him on this ordinance did talk about doing for hogs and deer. He added that these were the two (2) big games in the south.

Brian Haren said he had no problems with the ordinance but he was wondering how the other Planning Commissioner's would like to structure it whether it is just deer or deer and hogs.

Chairman Graw asked if the deer processing will be done at Johnny Black's home.

Johnny Black replied yes.

Chairman Graw asked how many accessory structures he can have.

Dennis Dutton replied that he could have two (2) accessory structures and one (1) farm outbuilding.

Chairman Graw stated that he could have five (5) structures on his lot. He said this would include his home, a detached garage, two (2) accessory structures, and a farm outbuilding. He asked Johnny Black could he be able to run his business with the restrictions on accessory structures.

Johnny Black replied yes.

Chairman Graw asked what the square footage was going to be for the processing of the deer accessory structure.

Johnny Black said the square footage for the cutting room will be a maximum of 400 square feet.

Chairman Graw asked if the cutting room will be refrigerated.

Johnny Black replied yes. He stated that you have to keep the cutting room 50 degrees.

Chairman Graw asked would you have a generator just in case the power goes out.

Johnny Black replied yes.

Chairman Graw asked if it would be attached to his home.

Johnny Black replied no.

Dennis Dutton stated that the pattern the driveway will be a circular drive. He said the access will be similar to a daycare drop off driveway. He added that Mr. Black does not want his deer processing business to interfere with his home they will be two separate entities.

Arnold Martin asked if Johnny Black will be coming back before the Planning Commission.

Dennis Dutton stated that this is just a preliminary meeting just to let you know what's going on. He said that staff hasn't set up public hearings on this just yet. He added that this is just an informal meeting to tell them about the ordinance and to get feedback. He said that there will probably be questions for each departmental requirement.

Dennis Dutton said that there were questions on what to do with the hide and scraps. He was told by Johnny Black that there must be permits from the State to discard the waste in a landfill.

Johnny Black said that they considered the deer scraps to be hazardous waste and it can't be dumped at any landfill. He added that he has already received an application from the State.

Al Gilbert asked if he was trying to get started this fall.

Johnny Black replied no.

Chairman Graw asked if it was necessary for the ordinance to have that you must have a freezer and a generator.

Patrick Stough said isn't that a part of the permit process with the State.

Dennis Dutton replied that they must go through the building permit department process as well.

Johnny Black said that he will have a cooler just for the scraps until he gets ready to dispose of it.

Dennis Dutton asked if they wanted to add a cooler for the scraps to the ordinance. He stated that it could be worded that all deer processing waste not being routed to a rendering plant or other vendor shall be disposed in compliance with the guidance document disposal of deer processing waste with the Georgia Department Natural Resources and Environmental Protection Division. He added that the deer processing will be treated as a commercial solid waste and shall be disposed of in a municipal solid waste landfill and the burial of any deer processing waste is prohibited.

Chairman Graw said that doesn't address the dressed meat.

Patrick Stough said that he would look to the DNR regulations because they may require that there be a cooler and they will have to meet those regulations to comply with our zoning ordinance. He added that he doesn't see why we need to add something like that into this. He stated that we might want to look into this to make sure that something like that is already covered.

Johnny Black agreed that a designated cooler for scraps until it's carry off should be stated in the ordinance.

Dennis Dutton stated that he will check and see if that is a requirement that the DNR has.
Arnold Martin asked does this open up for anybody having A-R zoned land to have a deer processing facility.

Dennis Dutton said yes.

Arnold Martin asked if there is any way we can put limitations on the amount of deer processing facilities.

Al Gilbert said he doesn't like the beauty parlor ordinance that was drafted recently but he would never want to limit the amount of beauty parlors in the County. He added that they we're getting into personal taste and thought it to be dangerous.

Brian Haren said this business is self-limited because they are not raising deer to be slaughtered but are only processing what is brought to them.

Al Gilbert stated that the process to have a deer processing facility is not a simple process.

Johnny Black said that he wants the ordinance to be as tough as it needs to be to keep the average person from doing it. He stated that this is not an easy job. He added the hoops you have to cross to do it will discourage a lot of people from doing it.

Chairman Graw stated that he doesn't think there will be a lot of these facilities out there. He added that the market will dictate the amount that's going to be out there.

Arnold Martin said it was a great idea for our area.

Johnny Black stated that the ordinance doesn't limit the amount of livestock on A-R five (5) acre zoned property. He stated he could have a hog farm on his property. He said he would think his neighbors would rather him have a deer processing facility than a hog farm. He said it would be open less time throughout the year.

Arnold Martin asked if staff had a timeline for when they wanted this to go before the Board of Commissioners.

Dennis Dutton stated staff wanted to inform the Planning Commission about this ordinance coming down the pipe and will be having work sessions in the future.

Chairman Graw stated that we could limit the amount of facilities by establishing a minimum lot size. He added that he doesn't think it would be a good idea.

Dennis Dutton stated that the Wedding Facility ordinance has affected the Subdivision Regulations because of paved parking. He stated that we have a plan on the way off of Highway 54 where someone wants to do paved parking. He said that the individuals are going to build a barn and give it a historical appearance. He added that this lot will also have a lake on it. He stated that once you start including paved parking and increasing the square footage of a structure you are required to have landscaping and hydrology studies. He said the first thing staff wants to do add is that paved parking complies with the 10 X 20 requirements for parking. He added that the term "as applicable" has been added for tents for the Fire Marshal. He stated that the Fire Marshal wants to have the discretion to inspect tents and not be forced to inspect tents that are really small, such as 10 X 10 tents.

Al Gilbert stated that we are not changing the initial intent of the ordinance but are saying if someone wants to do a big time development they must adhere to what a normal developer would adhere to, to get approvals.

Dennis Dutton said that the ordinance didn't address the parking.

Brian Haren asked if we put a limit to the amount of events for the Wedding Facility.

Dennis Dutton replied that it's only for the facilities that have non-paved parking and are on local streets. He said that this particular facility would be on S.R. 54 at the old barn near Manassas. He added that since this is in the overlay zone, staff still wants the parking to be 50% around the building. He stated that staff didn't want the facility to comply with the architectural standards of the overlay zone because it's a barn and it wouldn't have a residential character by definition.

Arnold Martin asked if item 12 dealt with storm water.

Dennis Dutton replied yes.

Chairman Graw asked if this had to go to Public Hearing.

Dennis Dutton replied yes.

Chairman Graw asked when staff will want to advertise.

Dennis Dutton replied that he would get with Pete Frisina tomorrow.

Chairman Graw asked how many people have applied for this.

Dennis Dutton replied two (2), but he has had 10 people call about it.

4. Discussion of A-R Deer Processing and Wedding /Event Facility.

Pete Frisina said that he had to expand on the parking requirements under the Deer Processing and Wedding/Event Facility and they are:

8. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations. Graveled parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations, but shall provide the following:

(i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
(ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
(iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

He said that another department said you're allowing for this A-R wedding to go in, but you have this quasi parking area and our ordinance says it has to be landscaped. He stated that gravel parking areas are exempt from the landscaping requirements however; they have to have these minimum shade trees. He added that wedding facility will allow grass, graveled, or paved parking. He stated that the Environmental Management's thing is nothing in the grass, shade trees, and islands in the graveled and if they're doing paved parking they're required to do full-blown landscaping.

Arnold Martin asked if they are requiring similar provisions in the Deer Processing Ordinance too.

Pete Frisina replied that we are requiring an island with one shade tree for gravel and if they want to do paved parking it will have full landscaped. He added that he doesn't think they will do paved parking. He stated that the last wedding facility proposal said they wanted half to be paved parking for heavier use. He said that they're not limited to the 12 events per year, and the parking will be a combination of gravel and paved. He added that there was another proposal that talked about just grass parking.

Pete Frisina said that he is now working on exemptions that were made in the Zoning Ordinance and making the changes in the Development Regulations so everything is coordinated.

Arnold Martin asked if those changes will be brought before the Planning Commission again.

Pete Frisina replied yes. He asked the Planning Commission if they were okay with the changes. He said that the only thing staff has worked on is the parking under Wedding/Event Facility. He added that changes were also made to number 11 under Wedding/Event Facility:

> 11. Tents shall require ~~the~~ county fire marshal approval, as applicable ~~of the county fire marshal~~.

He said that his thing is if it's a tent you go and buy at Wal-Mart there is no need for him to look at it, but if it's a tent you rent from a company he wants to inspect it. He added that is why the ordinance said as applicable so he can make that determination.

Dennis Dutton stated that he talked to Patrick about the outdoor storage for deer waste. He said that he called the DNR and they said they don't get into it for a facility of this size. He added that the only way they get into specifics that the Agricultural Department would have to look at is if they do it as retail. He said that Pete and I reconfirmed that all storage of those renderings will have to be done within the facility. He added that if there is a nuisance complaint Robert Kurbes could possibly go out to the property and investigate it to say that it is unsanitary. He said that it's covered in the ordinance that all waste parts have to be in that building.

Pete Frisina read numbers four (4) and seven (7) under the Deer Processing Ordinance:

> 4. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see Sec, 110-169, u.);
>
> 7. All deer processing waste, not being routed to a rendering plant or other venders, shall be disposed of in compliance with the Guidance Document Disposal of Deer Processing Waste from the Georgia Department of Natural Resources, Environmental Protection Division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in Municipal Solid Waste Landfills (MSWL). The burial of any deer processing waste is prohibited;

Dennis Dutton said that he talked to Johnny Black about it and he was okay with it.

Brian Haren asked if anyone other than Johnny Black expressed interest in the Deer Processing Ordinance.

Dennis replied no.

Chairman Graw asked if there will be a freezer on site.

Dennis Dutton replied no just refrigeration.

Chairman Graw asked if everyone was okay with the Wedding Facility and the Deer Processing Ordinance.

Planning Commission replied yes.

Pete Frisina reiterated that he has to go and work on the development regulations to tie it back into the zoning ordinance. He added that in the process some changes other departments may want to make in the development regulations so we may do them all at the same time.

Chairman Graw asked if we're going to have Public Hearings on all of these.

Pete Frisina stated that they will hold off on the Deer Processing Ordinance but the Solar Farm will go in on next month. He said that the legal ad will go in tomorrow.

7. Discussion of A-R Deer Processing, Wedding /Event Facility and Development Regulations

Pete Frisina stated that everything is staying the same; except for number eight's (8) exemption being put in for these two (2) agricultural uses. He said that when we passed the A-R Wedding/Event Facility we made amendments to the Zoning Ordinance to allow it, but fail to clarify certain things in the Development Regulations. He added that Environmental Management felt that they still needed to apply certain landscaping requirements, site plan requirements, and all these other things we didn't want to apply to an agricultural use but we think that the Deer Processing and the Wedding/Event Facility are fairly similar use. He said what we tried to under number eight (8) is to do these exemptions from a site planning requirements and some of the landscaping parking requirements; under i, ii, and iii we've come up with some different standards for parking in terms of limited landscaping. He added that he is still working with Environmental Management to make sure this is what they want. He stated that they made similar changes to the A-R Wedding/Event Facility. He said that he started to go through the Development Regulations making the acknowledgement of the exceptions saying, as otherwise accepted in the Zoning Ordinance. He added that while he was making changes in the Development Regulations he thought it would be good to make other housekeeping changes too. He stated in the packet under the section Recreational vehicles and boats (red is development regulations and black is the zoning ordinance) he would like to remove the red section and put it in the Zoning Ordinance. He said that it makes more sense to put everything under the zoning ordinance rather than having similar regulations in two (2) documents because you may miss something. He added that the verbiage, as otherwise exempted in the Zoning Ordinance that is

for everything to match up in the Deer Processing and the A-R Wedding. He stated that we are also making a change on page eight Sec. 104-29. He said that the batter board and footing inspection is a practice has been in place since the early 80's. He added that we haven't had any problems with it but it is something that he felt uncomfortable with. He stated that what they are going to do now is go to a straight foundation survey. He said a developer brings in a site plan, we approved the site plan, and the developer sets the buildings on where they need to be based on that site plan. He added that it is the developer's responsibility to lay that foundation based on the site plan that has been approved. He stated that the site plan would have been approved with that foundation meeting all setbacks and buffers whatever else is required. He said that a developer can pour that foundation, but once it's poured a surveyor needs to verify that foundation meets all the requirements of the setbacks and buffers. He added that it is very good practice for that developer to have that surveyor lay that out before he pours the foundation. He stated that their batter boards are set by the surveyors, and gets us out of the position of pulling a tape.

Al Gilbert stated that it was a real problem many years ago and that he never felt comfortable putting a burden on the County.

Pete Frisina stated that many years ago a former Zoning Administrator went out to do a batter board inspection and everything met, but when the concrete guy got out there he said that I need to kick this out a foot or so. He added that buy kicking it out the foundation was over the setback. He said that we are now putting the burden on them and when developers want to build a house in this County they bring to us a site plan and it says here is where I'm building the house. He added that we look at that for the building permit process and we approve the building permit based on the location they have represented to us. He reiterated that once they pour the foundation they must get a surveyor to verify that the foundation meets all setbacks and buffers.

Chairman Graw asked if it's only been one (1) foundation survey that has been done incorrectly.

Pete Frisina replied only one (1) that he is aware of.

Chairman Graw asked what kind of problem did that one (1) cause and how far off was it.

Pete Frisina replied that back then the Zoning Administrator had administrative variance approval. He said the developer dug out a foot more than what was there so he could get the footings a little wider.

Pete Frisina stated another housekeeping change we're making is replacing all Stormwater Management with Environmental Management.

Al Gilbert stated that he would be ready to get this to a public hearing.

Pete Frisina replied that he still needs to get with Environmental Management and Public Works/Engineering to go over the changes. He stated that the sections highlighted in yellow he still needs to get input with the other departments.

Al Gilbert asked if he was just waiting on the items highlighted in yellow.

Pete Frisina replied yes and few house cleaning items.

Chairman Graw asked when the changes to the Wedding/Event Facility and Deer Processing will be coming before them.

Pete Frisina replied that he has to change both ordinances at the same time. He said he would be happy to get it to Public Hearing by July.

Chairman Graw stated that it seems to be a lot of minor changes to the ordinance. He said that the changing of the name to Environmental really doesn't change anything.

Pete Frisina said once he gets input from the other departments he will then bring it back before you and have the Public Hearing meeting in July.

Arnold Martin asked if those comments encompassed number eight (8) as well.

Pete Frisina replied no.

5. Discussion of A-R Deer Processing, Wedding/Event Facility and Development Regulations.

Chairman Graw said that he didn't think anything had changed.

Dennis Dutton stated that Pete still had some concerns with the development regulations. He said that they received input from everybody except Brian Keller. He added that they're not ready to advertise but are still shooting for some time in July.

Chairman Graw asked if they were any questions.

Al Gilbert replied that he was fine with everything.

Brian Haren replied that he is fine with it.

Al Gilbert said they are ready to advertise as soon as Brian Keller finishes his review.

Dennis Dutton said that we had to review the parking and everything that comes in with a site plan has to be treated as commercial; well that's not what we're looking for with Wedding Chapels and neither are we looking for this on our Deer Processing facilities because this is more rural.

Chairman Graw asked Phil Mallon about his input on the Deer Processing Ordinance.

Phil Mallon replied that he was good with it. He said they are moving some things around that use to be in the Parking Section they are moving in here; it makes sense. He added that it's not really new language just a different location.

Chairman Graw asked if the Parking Section was his input.

Phil Mallon replied yes.

Chairman Graw stated that we were not ready for Public Hearing just yet.

Dennis Dutton said that is correct.

7. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-91 Recreational Vehicle, and Section 110-169 Conditional Use Approval Concerning A-R Wedding/Event Facility, Deer Processing Facility and Recreational Vehicles and Boats.

Pete Frisina stated that the first part is to allow a deer processing facility in the A-R area. He said that this is a use that we think is appropriate in A-R and we have a lot of deer hunters in the County. He added that there is an individual who would like to build a deer processing facility in the County, because the nearest one (1) is in Spalding County; hopefully this will be able to take care of our Fayette County hunters. He stated that we have a set of conditions that have to be met to put the facility in such as: meeting the Department of Resources requirements, meeting storage and waste requirements, allowing traffic to come in and leave in a forward manner, allowing for parking on gravel and minimum landscaping in the area. He said if they were to do a paved parking they would have to meet the full standards. He added that part of this discussion deals with the A-R event facility, it is a similar use, and we have very similar requirements. He stated that it came to our attention after they had passed the amendment that another department didn't like the way we did it. He said that a lot of it is housekeeping; we did it right with deer processing as far as parking and landscaping and now we're retrofitting the A-R wedding to have the same requirements. He added that this requirement allows us to go into the development regulations to do some housekeeping. He stated that in Section 110-91 we take what you see in red, which was in the development regulations, and what was in black was already in the zoning ordinance; so we had similar requirements in two (2) ordinances and a lot of times people read the development regulations, and not the zoning ordinance, and vice versa; so we are putting all of that together as one, it's housekeeping only.

Chairman Graw asked if anyone would like to speak in a favor to the code of ordinances. Hearing none he asked if anyone would like to speak in opposition. Hearing none he brought it back to the Planning Commission.

Al Gilbert stated that we have spent a lot of time on these two ordinances the deer hunting and the wedding facilities. He said that there is a gentleman that will be doing the deer processing and he

has answered a lot of his questions to his satisfaction.

Al Gilbert made a motion to recommend approval for text amendment to the Zoning Ordinance. Motion seconded by Arnold Martin. The text amendment to the Zoning Ordinance was recommended for approval by a vote of 5-0.

8. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Section 104-27. Uses and Structures, Section 104-28. Site Plans, Section 104-29. Compliance, Section 104-55. Driveway and Encroachment Control, Section 104-63. Road and Intersection Visibility, Section 104-111. Purpose and Intent, Section 104-113. General Provisions, Section 104-114. Landscape Requirements and Submittals, Section 104-115. Landscape and Buffer Categories, Section 104-152. General Provisions, Section 104-153. Tree Retention, Protection and Replacement Requirements, Section 104-154. Appeals and Variances, Section 104-155. Violations, Enforcement and Penalties, Section 104-212. Reduction of Parking and Maximum Lot Coverage, Section 104-213. Street Access; Curb Cuts in Other Than Residential Districts, Section 104-213. State Highway Department Approval, Section 104-215. Corner Visibility Clearance, Section 104-217. Design Standards, Section 104-218. Location, Section 104-219. Recreational Vehicle Parking, Section 104-220. Minimum Number of Loading Spaces Required, Section 104-221. Number of Parking Spaces, Concerning A-R Wedding/Event Facility, Deer Processing Facility, Nonresidential Construction Permit and Compliance Procedures, Street Design and Specifications, Nonresidential Development Landscape Requirements, Tree Retention, Protection and Replacement, and Off-Street Parking and Service Requirements.

Chairman Graw asked if anyone would like to speak in a favor to the code of ordinances. Hearing none he asked if anyone would like to speak in opposition. Hearing none he brought it back to the Planning Commission.

Al Gilbert stated that this is simply adding to the development regulations what we approved in item number seven (7). Al Gilbert made a motion to recommend approval for amendment to the County Codes. Motion seconded by Brian Haren. The amendment to the County Codes was recommended for approval by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Public Hearing #9

Wording for the Agenda:

Consideration of Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use.

Background/History/Details:

At the March 10, 2016 BOC meeting Chairman Oddo said he was in favor of staff and the Planning Commission reviewing the Zoning Ordinance to allow chickens in residential zoning districts. It was the consensus of the BOC for staff and the Planning Commission to proceed.

Staff recommends approval of the proposed amendments.

Planning Commission: Arnold Martin made a motion to recommend approval of the amendments to the Zoning Ordinance. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

NEW SECTION TO BE ADDED IN ITS ENTIRETY.

- **Sec. 110-89. - Keeping of hens in conjunction with residential use.**

The number of hens allowed per principal dwelling unit is limited to three (3) and, starting with a base lot size of one (1) acre, one (1) additional hen for each additional acre to a maximum of five (5) hens shall be allowed in the following zoning districts: EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, M-1, M-2, and BTP. No roosters are allowed. No on-site slaughter is allowed. Hen houses/coops are allowed in side and rear yards only and shall be set back from all property lines a minimum of 50 feet. Hens shall be contained on the lot. The containment area shall be in side and rear yards only and shall be limited to no more than 40 percent of the lot.

3. Discussion of Hens in Conjunction with Residential Use.

Pete Frisina stated that he was approached by a Commissioner about this and on March 10, 2016 Chairman Oddo brought this before the Board. He said that it is something they would like to explore and asked him to figure out how to allow chickens in the residential zoning district. He stated that the rule of thumb for urban chickens is:

- *The number of hens allowed per principal dwelling unit is limited to three (3)*
- *No roosters are allowed.*
- *No on-site slaughter is allowed.*
- *Hen houses/coops are allowed in side and rear yards only and shall be set back from all property lines a minimum of 50 feet.*
- *Hens shall be contained on the lot.*
- *The containment area shall be in side and rear yards only and shall be limited to no more than 40 percent of the lot.*

He showed the Planning Commission a copy of a prefab chicken coop. He said that they would hold up to three (3) chickens per night. He added that there was an email sent to the Planning Commission from the head tax accessor telling them how conservation use works. He said in the letter that if someone comes in and proves to the Board of Tax Accessors that they were using over half of their one (1) acre lot for chickens they may be able to get a conservation tax benefit. He said that he and Chairman Graw talked about containing the chickens x percent of the lot which would be lower than 50. He added that the ordinance would say that the chickens cannot free range more than 40 percent of the lot. He said that it takes that issue out. He added if someone says they're using more than 60 percent of their lot we could say by ordinance you can't do that.

Arnold Martin asked who trumps who the HOA or the county if the HOA says that chicken coops are not allowed.

Al Gilbert said that the HOA has to enforce it the County cannot.

Pete Frisina replied that it is the HOA's responsibility to enforce the covenants. He said that they are both equal to some to degree. He added the covenants cannot allow something we don't allow. He said that the County rules are going to apply as zoning applies so if your covenant allows for something that is in conflict with zoning the zoning still holds to that. He said that if the County allows a use on a piece of property but the covenants don't then the covenants would enforce from the other side.

Brian Haren so the covenants can be more restrictive.

John Culbreth asked why no roosters.

Pete Frisina replied that they make too much noise.

Chairman Graw stated the last time this was brought up they talked about keeping the area clean. He said the ordinance was going to state that the homeowner must clean up the area ever so often.

Pete Frisina said that is why we are requiring that it be 50 feet from everybody. He also stated that we have a nuisance ordinance and it doesn't say you have to clean up after your three (3) dogs.

Brian Haren stated that the other unattended consequence of chickens is that it increases the predators in your area. He said when the chickens go away the predators aren't going to they will just look for alternative food sources such as your little dog or cat.

Pete Frisina said that there are predators everywhere.

Brian Haren stated that you become the drive-through for the neighborhood.

Pete Frisina said that these are just like bee hives the novelty wears off and you eventually get rid of it. He added that we won't be having thousands of people with chickens in their backyards. He said that he may get calls about chickens every two (2) to three (3) months. He reiterated that this is something the Board of Commissioners has asked us to look at again. He said that he is willing to put something together with containment aspects that keeps it below the 40 percent. He added that he would look at some other ordinances. He stated that these ordinance before you are what we have already. He said we have regulations for horses, animals (cats and/or dogs) and bees. He added that under the beekeeping ordinance it talks about the on premise sale of honey, and he said that people don't get beehives to make honey just for themselves. He said that once chicken owners start to get 90 eggs a month they will want to sell them. He asked if he could draft something similar to the beekeeping ordinance that allows for eggs to be sold on the premise.

Chairman Graw stated the reason he brought up chicken manure is because chickens are more apt to have predators such as big cats more than horses and dogs. He reiterated that the smell is awful. He said that his daughter down in Columbus has already lost two (2) chickens due to predators coming on the property. He said that he would like to see something about maintaining the cleanliness of the area just for that purpose.

Pete Frisina said that we can put something in there that says the property has to be maintained and cleaned. He asked what his quantitative measure of clean was.

Chairman Graw replied that is a tough one, because if the Marshal has to go out he needs something to measure it by.

Pete Frisina said that he can add something in the ordinance about keeping the area clean but he doesn't know how to quantify that.

Chairman Graw asked if the Marshals can use their judgement on a case like this.

Patrick Stough said that it would be easier for an animal control officer to be given that kind of leeway. He added that for a zoning standpoint he didn't know if we could build that into the zoning ordinance.

Pete Frisina said that our nuisance ordinance talks about foul smells. He added that he could refer the chicken ordinance to the nuisance ordinance.

Chairman Graw asked if the 50 foot setback for all residential zoning districts including A-R.

Dennis Dutton replied yes and that A-R doesn't need a 50 foot setback because it's already allowed.

Pete Frisina said that he would look at containment area and cleanliness.

Chairman Graw asked about a fence and how high it would be.

Pete Frisina said that he would draft something that addressed the containment area but he doesn't know how high the fence will be. He added that he would talk to someone in extension services and look at the animal ordinance law. He asked if they would like to address the sale of eggs.

Brian Haren said no because of salmonella. He said don't address it.

8. Discussion of Hens in Conjunction with Residential Use.

Pete Frisina stated that we have discussed this at one (1) of our meetings so far. He said we're basically looking to do the urban chicken zoning ordinance amendments. He read from the Keeping of hens in conjunction with residential use ordinance:

> The number of hens allowed per principal dwelling unit is limited to three (3) and one (1) additional hen for each additional acre to a maximum of five (5) hens shall be allowed in the following zoning districts: EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, M-1, M-2, and BTP. No roosters are allowed. No on-site slaughter is allowed. Hen houses/coops are allowed in side and rear yards only and shall be set back from all property lines a minimum of 50 feet. Hens shall be contained on the lot. The containment area shall be in side and rear yards only and shall be limited to no more than 40 percent of the lot.

He said by statue residents will not be able to claim a conservation use for their property. He said if anyone claims that they have more than 50 percent of their property containing hens we can say by ordinance you cannot do it.

Chairman Graw stated that he talked to Pete about the hen ordinance. He told the Planning Commission that the hens will be allowed in the residential districts. He said that his concern is for predators coming on to the property and hunting the hens. He added that he doesn't know the answer to that. He stated that his daughter lost some her chicks by large cats and a hawk. He said you can build a fence, but how big of a fence do you build, and do you even want to put a fence up.

Marcus Pollard stated that you can build a fence a couple of feet underground. He said that any predator that is land based will try and climb over the fence or try and go up under it. He added that the predators will give up trying to get to the chickens when the fence is buried underground. He stated that you can put a top on the fence or a tarp over it to prevent airbase predators from getting into it. He said that if you set up your pin or your 40 percent enclosure for the chickens like the ordinance requiring predators shouldn't be a problem.

Chairman Graw asked do we want to even approach the subject or do you want to consider something like this gentleman mentioned.

Arnold Martin stated that what Marcus Pollard mentioned definitely protects the chickens. He said that his issue is with attracting predators to the general public. He added that we are considering the life of hens but we should also think about children.

Marcus Pollard asked what kind of predators you are concerned about in our area. He stated that coyotes are usually not a danger to humans. He said they are only danger to small house animals. He added that he lived in Iowa for five (5) years and they had a large population of coyotes. He stated that when they saw coyotes on the property no one was afraid. He said the only time you should be fearful of coyotes is when they are roaming in packs or it's a deranged animal. He added that it will not change the risk if we brought chickens into the area.

Chairman Graw asked if foxes go after chickens.

Marcus Pollard replied yes.

Chairman Graw stated that we have a lot of coyotes in the area. He said that we have two (2) options do nothing right now or do something with the fencing.

Brian Haren asked if we can say in the code that the chickens must be housed in a predator resistant enclosure and not worry about defining what that is.

Pete Frisina replied that would be okay until someone asked what a predator resistant enclosure is.

Brian Haren stated that he sees predators as being a casualty of raising chickens.

Marcus Pollard asked why the number three (3) for chickens.

Pete Frisina stated that he saw three (3) in a lot of urban chicken ordinances some of them allow more but he wanted to start slow. He said that if a chicken lays an egg a day then three (3) chickens will lay seventy to eighty eggs a month. He added that it was a lot of eggs and if you're primary purpose is to lay eggs than that will do it. He said that you're not raising eggs for meat specifically; people really want the egg that's what they're raising them for.

Brian Haren asked if there were industry standards that say a chicken requires X amount of space.

Pete Frisina replied yes and it's about three (3) square feet or so, if you wanted to pin them in a tight space.

Marcus Pollard said according to some of the research he has done the bare minimum of space is one (1) square feet He added that it is better to have two (2) to three (3) square feet if you would like for them to roam around. He said that yes three (3) is an adequate number if you're doing egg production but there are other factors involved with owning chickens. He stated that his house is on a downward grade that slopes into a creek and with the water come bugs. He said that he does a lot of gardening and that chicken's help control the bug population. He added that without the chickens his only alternative is to spray chemicals on the grass and trees to decrease the bugs. He said he doesn't want to use the chemicals because they get into the water but it is his only option. He stated that he did a quick cursory overview of four ordinances the City of Atlanta, Clayton County, DeKalb County, and the City of Decatur. He said that the City of Atlanta allows up to 25 turkeys, chickens, bantams, or similar fowl; Clayton County has no limit designated in their County ordinances; DeKalb County allows for one (1) hen per 2,000 square feet of property (22 chickens per acre of land); City of Decatur doesn't specify the amount of chickens you can have but you must have a minimum of four (4) square feet per animal. He added that three (3) seems like an arbitrary number.

Arnold Martin asked if the first two (2) were Atlanta and Clayton County.

Marcus Pollard replied yes. He said that in Atlanta's Ordinance Section 18-7 and 18-8 you can see the maximum number allowed.

Arnold Martin asked if there was any reference to the size of the lot. He said that he would assume it would be related to the size of the lot.

Marcus Pollard replied that it doesn't specify the acreage of the lot but it does say that you must be 50 feet from your neighbor's residence. He said for DeKalb County their minimum lot size is 10,000 square feet.

Chairman Graw asked what the minimum lot size is to have chickens.

Marcus Pollard replied yes and they're the ones that allow you to have one (1) hen per 2,000 square feet. He said the maximum you can have is one (5) hens on 10,000 square feet (the smallest allowable lot size).

Chairman Graw stated that here in Fayette County we have a zoning district called A-R (minimum five (5) acres) and in the A-R zoning the numbers of chickens are unlimited. He said that what they are mentioning tonight is the residential lots (1, 2, 3, and 4 acre lots). He added that this is new to them and what they are trying to do feel their way on this. He said that yes the number is a little arbitrary but we're always open to amending things in the future. He added that we start off usually on a conservative note to see how things work and then if we need to adjust we adjust. He stated that they have done this on numerous occasions and for many different things.

Marcus Pollard stated that he already sees a mistake happening because most people that acquire these chickens are going to go to Tractors, and the minimum number you have to buy is six (6). He asked how you will be able to buy the chickens if the ordinance says that only three (3) are allowed. He added that six (6) should at least be the minimum.

Brian Haren stated that we don't write zoning ordinances based on a commercial establishment package. He said that we have your neighbors to think about and reiterated that A-R lots have an unlimited number on the amount of chickens.

Marcus Pollard stated that out of the four (4) ordinances he has found they have all taken neighbors into consideration by making them a certain distance away from their neighbor's property line or the dwelling. He added that we could adopt some of the jurisdictions language into our ordinance to make sure that the residents are protected.

Chairman Graw asked if anyone else had any questions.

Arnold Martin asked Marcus how many chickens would you like.

Marcus Pollard replied his intent was to just get six (6) he doesn't want to have a farm. He said that he wants the manure for his garden, to kill some of the bugs, egg production, and to not have to use chemicals in his yard. He said 10 would help wipe out the bug population.

Chairman Graw asked if there was anything else. He thanked Marcus for coming in and said that we would be discussing it further in the future.

Chairman Graw asked Pete if we should consider the size of the lot for the number of chickens.

Pete Frisina replied saying we do that with horses. He stated for horses in a residential district you have to have three (3) acres for one (1) horse; and then you have to have an additional acre for every horse after that. He said that Mr. Pollard's question is would we be amenable to more than three (3) and if you wanted to go to something more than that you could go to a graduated schedule. He asked what the ultimate number of chickens we would like to see in a residential neighborhood. He added that this is where he always comes from, and when looking at some of the ordinance three (3) is the lowest range for most of the urban chicken ordinance. He said that he has seen urban ordinances that allow for four (4) and five (5).

Arnold Martin stated that it's about how many chickens are in a neighborhood. He said what if this becomes a trend. He added that this could become a nuisance based upon the amount of chickens in that neighborhood. He stated that we don't have a neighborhood like Serenbe where everything is natural and borderline farm. He said that to him is the bigger picture. He added that he doesn't know if there will be an entity that goes around and counts the number of chickens per neighborhood.

Pete Frisina stated that the Code Enforcement Officers are really excited about this ordinance. He said that in the City of Norcross they have a problem with roosters running all over the town and nobody is claiming whose they are. He added that the cops said that they don't have time to chase roosters all over the town. He said that when he lived in the City of Atlanta his neighbor who owned a five (5) acre parcel had chickens and goats. He added that the chickens for the most part stayed on his property. He stated that the chickens and rooster began to procreate rapidly and roost in neighbors shrubs. He said that the City came out and rounded up all the chickens due neighbor complaints. He added that we are starting slow and can look at using a graduated schedule if they want to; similar to how we do horses.

Al Gilbert said last week on the news a man was wondering a subdivision and was shot by a police officer because he tried to attack him using a rooster and a knife.

Pete Frisina said that is why we're not allowing roosters.

Brian Haren asked if the minimum lot size we're talking about for this is one (1) acre.

Pete Frisina replied the minimum lot size for Fayette County is one (1) acre. He added that within a one (1) acre subdivision you can have lots that are two (2) and three (3) acres because of the floodplain. He said that was number I saw that was the lowest and that is what I suggested as the start.

Chairman Graw stated that he liked the idea of a graduated schedule. He said they could start off with three (3) on one (1) acre; and I don't know what number you would put on two (2), three (3) and four (4) acres. He said that it is fair and we have the same concept with horses.

Marcus Pollard stated that the infestation of chickens in a neighborhood is a nice story, but we are not allowing for any roosters; so there won't be any reproducing. He said that whether or not roosters are playing a big part in the problem is nonexistent. He added that he doesn't want to hear roosters crowing at five (5) in the morning. He said that he is just here for the backyard chickens and there won't be any problems with reproduction from roosters because they are not allowed. He reiterated that three (3) was a very arbitrary number when City's like Atlanta let you have as many as you want. He stated that we are way more rural than the City of Atlanta where there is a lot less one (1) acre lots. He said he doesn't see the connection on how the neighboring counties differ from Fayette County and why three (3) is the maximum when every other counties allow so much more.

Arnold Martin stated that one (1) of thing you will hear so often with being a resident of Fayette County is, "preserving the way of life". He said that the Planning Commission is charge with the commission of figuring out ways to preserve what is very special here in Fayette County. He added that he moved here for a specific reason and it has separated Fayette County (good or bad) from some of the other areas that you mentioned. He stated that his background is in real estate and one of the biggest thing people are very much focused on is property values. He said that he is concerned about the needs of the citizens and want's to create ordinances that do not hinder but protect the people of Fayette County. He added that Mr. Pollard will be hearing more of what he said in various ways from other people as he continues to live in the County.

Chairman Graw stated that we will have more opportunities to discuss this some more. He welcomed Mr. Pollard to join in on those discussions. He asked Pete when they were going to have their next meeting.

Pete Frisina said the next meeting will be on the 18th. He added that he will not attend but Dennis and Chanelle will be there.

Chairman Graw asked will we be discussing the chickens at the next meeting.

Pete Frisina replied yes and maybe the A-R Wedding/Event Facility and Deer Processing will be on there too if he gets some more clarification from the other departments.

Chairman Graw asked him to bring us your recommendation about graduated schedules, lot sizes, and fencing at the next meeting.

Pete Frisina replied I think we should leave the fencing as is. He said the chickens will attract predators no matter what type of fencing you put out there. He added that the fence will prevent the chickens from being eaten but he doesn't have a good idea on that.

4. Discussion of Hens in Conjunction with Residential Use.

Dennis Dutton stated that we are continuing our conversation on hens and are looking at transitioning the number of hens with additional acreage. He said that they're looking at a maximum of five (5) hens, but based on the first acre three (3) hens and one (1) hen per acre thereafter.

Chairman Graw stated that you will start off with three (3) hens for one (1) acre, four (4) hens for two (2) acres, five (5) for three (3) acres plus and unlimited in A-R.

Dennis Dutton said that they are putting a ceiling on the number of hens at five (5) for residential zones not of A-R.

Chairman Graw stated that this is consistent with what they do with horses.

Dennis Dutton stated that horses are a little bit backwards; horses are based on one (1) horse for the first three (3) acres and a horse thereafter for each additional acre.

Chairman Graw asked if it was up to a maximum.

Dennis Dutton replied no.

Brian Haren said that's only in A-R.

Dennis Dutton said no, that's in residential districts.

Marcus Pollard asked how they came up with the graduated scale. He stated that on a one (1) acre lot you can have three (3) chickens; most of the people in these subdivisions have one (1) acre lots. He asked if the intent of the graduated scale was to make sure the majority of people maintain that number of three (3), or was there any thought put into that any more than three (3) on a one (1) acre lot is going to cause x, y, and z problems.

Dennis Dutton replied the maximum number they wanted to go was five (5). He stated that we still have to go before the board on this and we don't know how the board will see it. He said that with Pete Frisina's research they feel comfortable with three (3) hens. He added that down the road there may be issues where they may have to take it out or add additional hens. He reiterated that even with the graduated scale they still did not want to exceed five (5) hens whether it was 20 acres or five (5) acres.

Marcus Pollard asked how the number five (5) for the amount of hens was gathered.

Dennis Dutton reiterated that it will be three (3) hens for the first acre and one (1) more hen for the additional acre.

Marcus Pollard asked again about the research and what was it based off of. He said that he came on last week with four (4) ordinances on Georgia chickens, and I can specifically point on how they did theirs. He asked why they didn't graduate it to being three (3) chickens for each additional acre.

Dennis Dutton asked what is their "scientific study" that allows them to have six (6) chickens on their lot. He said they don't, they come up with a number that is arbitrary to them as well. He added that in New York City they allow it in buildings such as restaurants. He stated that Savannah may allow more hens than they do. He said that Fayette County has always protected their agricultural roots with unlimited livestock. He added that we are slowly moving in with this and the next thing people may want is pigs or llamas. He stated that we allow bees; and the thing that helped the people with this was a large group of people (30-40) coming every night to discuss it. He said that we have had people come up and says something about it and we have had commissioners looking at it and that is where this is coming back from. He added that Mr. Pollard is the only one to come by and discuss it other people have backed out. He stated that he understood what other counties are doing but feels that three (3) is a good starting point for us. He said that we still have to get the board to approve this because they could tell us they don't want it after we have gotten everything together.

Marcus Pollard said you and Pete decided.

Chairman Graw stated that we are working under the premise of hens laying eggs for that family on that lot and not getting into a retail business of selling eggs on that property. He said that it's based on providing eggs for personal use. He added that the Fulton County ordinance that Mr. Pollard presented to them at the last meeting allowed for 22 hens for one (1) acre, and he is not sure if that was just for personal use or retail use. He stated that allowing 22 hens for one (1) acre sounds like a retail business and reiterated that the chickens will only be for personal use in Fayette County. He said that this was new to them and they are looking for a number that will provide what the people want. He added that they are willing to look at the hen ordinance and the amount of hens as time goes by, and if the numbers are insufficient we will increase.

Marcus Pollard said that Dennis said there was no scientific evidence to support three (3) hens per acre is good or a detriment. He added that three (3) is still an arbitrary number. He stated that other counties have thought about the same types of situations that could arise from having chickens. He said that the reason why other counties allow for more hens is because a hen's production is only good for six (6) months, and a hen lives up to 12 years. He added that for him to have three (3) chickens and then they stop producing the egg I now have 12 years without any egg production. He stated that he couldn't get any more chickens unless those other three (3) die or he lets them go.

Al Gilbert stated that we in Fayette County start off very conservative. He said if we can change it in the future we will. He added that this is pretty much going to be adopted by them tonight. He stated that this was not official until they have the public hearing. He suggested that Mr. Pollard get as many people as possible that want to raise chickens with him to address it then, and when they go before the Board of Commissioners. He said that the Board of Commissioners makes the ultimate decision, they only make a recommendation. He added that the more people that are there to argue a valid point the more they are going to listen.

Marcus Pollard said that I am here for the people and that is why you guys invited me out to this.

Al Gilbert stated that this is not a Public Hearing and that is the place where you can address the issue but we don't mind you coming out to a workshop if you will supply us with information.
He said that we're getting to a point where he feels like we are holding a public hearing.
Brian Haren stated that are position on the Planning Commission is to make the best decisions for the County in general. He said that the reason why we we're going into painful detail about contiguous area for the Preliminary Plat for Longboat Subdivision. He added that the developer may want a smaller contiguous area, but we are making a decision for the County in general. He reiterated Al Gilbert's sentiments of always starting off conservatively and then based on experience they would then expand it out. He stated that he understood what other counties are doing but this is Fayette County and our charter is to make what we think is the best decision based on the input from the planning staff. He said he thinks what Pete came forth with was a good compromise between what they initially said "just three (3) chickens". He added that the change allows a little bit more scaling and then based on our experience we may adjust it in a few years if we see no harmful impact has taken place.

Chairman Graw stated that we have to be concerned with your neighbor too. He said that we want to hear what you have to say for you are a proponent of the hens but for every proponent there are 10 opponents out there.

Al Gilbert stated that he thinks we have reached a point where any further discussion will not change anything. He said the next time to address this will be at a Public Hearing.

Patrick Stough stated that this is a workshop and we're discussing a potential thing that will come before Planning Commission's Public Hearing. He said that the Public Hearing is the place where the public can come and give their opinion on whatever that is being considered. He added that you were invited here to give information and the Planning Commission will take that information and will take it into consideration. He added that any further arguments or points he wanted to make would be best said at the Public Hearing.

Marcus Pollard asked why it is on the agenda to be discussed.

Patrick Stough replied because they are discussing it amongst themselves, and they are allowing you to provide information.

Marcus Pollard asked how the Public Hearing meeting will go.

Dennis Dutton replied that staff would present the ordinance, the public's opinion would be heard and the Planning Commission would make recommendation. He added that the Board of Commissioners would have final approval.

Chairman Graw told Dennis that they're ready to advertise the Hen Ordinance and have a Public Hearing.

Dennis Dutton said it should be heard the first Thursday in July for Planning Commission and the fourth Thursday in July for Board of Commissioners.

Phil Mallon stated that it is very common for things to go before the Board of Commissioners and get approved in the favor of public because they speak passionately and have a group of people with them. He said the Board of Commissioners have to balance their own opinion (what they get from the Planning Commission) and the citizens. He added that Mr. Pollard should go before them and give them his best argument.

Marcus Pollard said that he would go before them and speak. He added that he thought this was the place to speak but apparently he was wrong.

Chairman Graw thanked him for coming by.

Al Gilbert stated that he has provided some good information, and he said that he is sorry if he felt like he cut him off. He said that we have gotten to a place in the workshop where he felt they weren't accomplishing anything. He added that what he is trying to address needs to be said before a Public Hearing.

Marcus Pollard stated that he does think he was trying to cut him off. He said that he asked on last meeting if there was an end to the meeting and you said no. He added at that meeting he was told it would be further discussed at this meeting, and now they are saying there is no more discussion to be had.

Brian Haren stated that at the last meeting we felt we had heard both sides adequately. He said that everyone feels like we are in a big circular argument. He added that the next step is to take this before a Public Hearing where he can come back with supporters and we will listen to the input, and then they will make a recommendation for the Board of Commissioners.

Marcus Pollard stated that he wished they would have explained it to them when he came the first time.

Stephanie Smolek asked if the Public Hearing meeting in July just for the amount of hens on a lot or to address the future potential complications of having the hens on the lot. She said for example how people will house them on the lots.

Brian Haren stated that we will talk about the ordinance in its entirety. He said that is what goes before the Board of Commissioners for approval. He added that in the ordinance is the number of hens allowed based on property size; setbacks; the whole package.

9. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use.

Chairman Graw asked if there was anyone who wanted to speak in favor of the amendment. Hearing none he asked if there was anyone who wanted to speak in opposition to the amendment. Hearing none he said he would bring it back to the Planning Commission.

John Culbreth asked how many hens were being recommended.

Pete Frisina said you get three (3) hens with your residence, and starting with a base lot size of one (1) acre, one (1) additional hen for each additional acre to a maximum of five (5) hens.

Arnold Martin made a motion to recommend approval of the text amendment to the Zoning Ordinance. Brian Haren seconded the motion. The motion passed by a vote of 5-0.

COUNTY AGENDA REQUEST

Department:	Finance	Presenter(s):	Mary S Parrott
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Consent #10

Wording for the Agenda:

Approval of staff's request to approve the Resolution for Trustee Change regarding the 98 Lease Pool Program and Resolution for Amendment to Equipment List related to the 98 Lease Pool Program.

Background/History/Details:

Currently, the County is a participant in the 98 GMA Lease Pool, with an approximate $350,000 balance remaining in the pool. The Trustee for the GMA Lease Pool Program is changing from Bank of New York Mellon to Regions Bank. (Resolution for Trustee Change). The second resolution is for the amendment to the equipment list increasing the percentage of software financing from the current level of only 10% of the equipment request up to 50% of the request going forward. (Resolution for Amendment to Equipment List). This percentage increase does not directly impact Fayette County; however, both resolutions need to be approved by the Board and then submitted to the Georgia Municipal Association. The Trustee transition will be in effect for the December 1, 2016 debt service payments.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to approve the Resolution for Trustee Change regarding the 98 Lease Pool Program and Resolution for Amendment to Equipment List related to the 98 Lease Pool Program.

If this item requires funding, please describe:

NA

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA TO AUTHORIZE THE EXECUTION AND DELIVERY OF A SUBSTITUTION OF ESCROW AGENT AND TO AUTHORIZE THE CONSENT TO AN ASSIGNMENT OF MASTER REPURCHASE AGREEMENT AND AN ASSIGNMENT OF REIMBURSEMENT AND INDEMNITY AGREEMENT

WHEREAS, Fayette County, Georgia (the "County") is a legally created, valid and existing political subdivision of the State of Georgia, created and existing under the Constitution and laws of the State of Georgia; and

WHEREAS, the County is a participant in the (GMA) 1998 Georgia Local Government Equipment Loan Program (the "Loan Program"); and

WHEREAS, in connection with the Loan Program, the County entered into (a) an Escrow Agreement, dated as of June 1, 1998, among GMA, The Bank of New York Mellon Trust Company ("BNY Mellon") and the County (the "Escrow Agreement") and (b) a Master Repurchase Agreement, dated as of July 21, 1998, by and among BNY Mellon, as buyer, the County and Societe Generale, New York Branch, as seller (the "Master Repurchase Agreement"); and

WHEREAS, in connection with the Loan Program, GMA entered into a Reimbursement and Indemnity Agreement, dated as of June 1, 1998, by and among GMA, BNY Mellon and National Public Finance Guarantee Corporation (formerly, MBIA Insurance Corporation) ("NPFGC") (the "Reimbursement and Indemnity Agreement"); and

WHEREAS, it is proposed that BNY Mellon be removed from the Loan Program, and all agreements in connection therewith, including, but not limited to, the Escrow Agreement, the Master Repurchase Agreement and the Reimbursement and Indemnity Agreement, and that Regions Bank be appointed in its place; and

WHEREAS, to effect such substitution, the County proposes to authorize the execution and delivery of a Substitution of Escrow Agent, by GMA and the County, as consented to by NPFGC (the "Substitution of Escrow Agent") and to authorize the consent to (a) an Assignment of Master Repurchase Agreement, between BNY Mellon and Regions Bank (the "Assignment of Master Repurchase Agreement") and (b) an Assignment of Reimbursement and Indemnity Agreement, between BNY Mellon and Regions Bank (the "Assignment of Reimbursement and Indemnity Agreement").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fayette county, Georgia, as follows:

Section 1. The execution, delivery and performance of the Substitution of Escrow Agent are hereby authorized. The Chairman of the Board of Commissioners (the "Chairman") is hereby authorized to execute and deliver the Substitution of Escrow Agent on behalf of the County, which Substitution of Escrow Agent shall be in substantially the form attached hereto as

Exhibit A with such minor changes, insertions or omissions as may be approved by the Chairman, and the execution of the Substitution of Escrow Agent by the Chairman as hereby authorized shall be conclusive evidence of any such approval.

Section 2. The execution and delivery of the consent to the Assignment of Master Repurchase Agreement are hereby authorized. The Chairman is hereby authorized to execute and deliver the consent to the Assignment of Master Repurchase Agreement on behalf of the County, which Assignment of Master Repurchase Agreement shall be in substantially the form attached hereto as Exhibit B with such minor changes, insertions or omissions as may be approved by the Chairman, and the execution of the Assignment of Master Repurchase Agreement by the Chairman as hereby authorized shall be conclusive evidence of any such approval.

Section 3. The execution and delivery of the consent to the Assignment of Reimbursement and Indemnity Agreement are hereby authorized. The Chairman is hereby authorized to execute and deliver the consent to the Assignment of Reimbursement and Indemnity Agreement on behalf of the County, which Assignment of Reimbursement and Indemnity Agreement shall be in substantially the form attached hereto as Exhibit C with such minor changes, insertions or omissions as may be approved by the Chairman, and the execution of the Assignment of Reimbursement and Indemnity Agreement by the Chairman as hereby authorized shall be conclusive evidence of any such approval.

Section 4. From the date hereof, the Chairman and such other proper officers, agents and employees of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the purposes of this resolution and are further authorized to take any and all further actions and to execute and deliver any and all further documents and certificates as may be necessary or desirable in connection with the removal of BNY Mellon from the Loan Program and the appointment of Regions Bank. Without limiting the foregoing, if the Chairman is not available to execute the Substitution of Escrow Agent and the consent to the Assignment of Master Repurchase Agreement and the consent to the Assignment of Reimbursement and Indemnity Agreement herein authorized, the Vice-Chairman shall execute such document on the Chairman's behalf.

Section 5. All acts and doings of the officers, agents and employees of the County which are in conformity with the purposes and intents of this resolution shall be, and the same hereby are, in all respects, approved and confirmed.

Section 6. No stipulation, obligation or agreement herein contained or contained in the Substitution of Escrow Agent, Assignment of Master Repurchase Agreement and the Assignment of Reimbursement and Indemnity Agreement shall be deemed to be a stipulation, obligation or agreement of the Chairman or the Clerk of the County in their individual capacity, and neither the Chairman nor the Clerk of the County shall be personally liable under the Substitution of Escrow Agent, Assignment of Master Repurchase Agreement and the Assignment of Reimbursement or Indemnity Agreement or be subject to personal liability or accountability by reason of the issuance thereof.

Section 7. GMA is hereby authorized to provide any notices on behalf of the County as required in connection with the removal of BNY Mellon from the Loan Program and the appointment of Regions Bank.

Section 8. This resolution shall take effect immediately upon its adoption. All resolutions or parts thereof in conflict with this resolution are hereby repealed.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

(SEAL)

By:_____
Chairman

ATTEST:

BY:_____
Clerk

EXHIBIT A

Substitution of Escrow Agent

SUBSTITUTION OF ESCROW AGENT

Pursuant to the terms of the 1998A Escrow Agreement, dated as of June 1, 1998 (the "Escrow Agreement"), among Georgia Municipal Association, Inc. ("Lessor"), Fayette County, Georgia ("Lessee") and The Bank of New York Mellon Trust Company, N.A., as escrow agent, the Lessor and the Lessee hereby remove The Bank of New York Mellon Trust Company, N.A. and hereby appoint Regions Bank as escrow agent under the Escrow Agreement. Such removal of The Bank of New York Mellon Trust Company, N.A. and appointment of Regions Bank, as escrow agent under the Escrow Agreement, shall take effect upon the acceptance of such appointment in writing by Regions Bank.

LESSOR:

GEORGIA MUNCIPAL ASSOCIATION, INC.

By:_____
Executive Director

LESSEE:

FAYETTE COUNTY, GEORGIA

By:_____
Name:
Title:

Attest:_____
Name:
Title:

EXHIBIT B

Assignment of Master Repurchase Agreement

ASSIGNMENT OF MASTER REPURCHASE AGREEMENT

THIS ASSIGNMENT OF MASTER REPURCHASE AGREEMENT (hereinafter referred to as the "Assignment") is made as of this ____ day of _____, 2016, by and between The Bank of New York Mellon Trust Company, N.A. and Regions Bank.

W I T N E S S E T H:

WHEREAS, The Bank of New York Mellon Trust Company, N.A. has entered into a Master Repurchase Agreement, dated as of July 21, 1998 (the "Master Repurchase Agreement"), by and among The Bank of New York Mellon Trust Company, N.A. (formerly, The Bank of New York), as buyer, Fayette County, Georgia, as obligor (the "Obligor") and Societe Generale, New York Branch, as seller (the "Seller"); and

WHEREAS, pursuant to the terms of the Master Repurchase Agreement, The Bank of New York Mellon Trust Company, N.A. desires to assign its interest in the Master Repurchase Agreement to Regions Bank;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt and adequacy thereof being hereby acknowledged, The Bank of New York Mellon Trust Company, N.A. and Regions Bank hereby covenant and agree as follows:

(a) The Bank of New York Mellon Trust Company, N.A. hereby absolutely assigns, transfers, conveys and sets over to Regions Bank all the right, title and interest of The Bank of New York Mellon Trust Company, N.A. in, under, by virtue of the Master Repurchase Agreement. Regions Bank shall be deemed for all purposes the "Buyer" under the Master Repurchase Agreement, and shall have all rights, powers, remedies and responsibilities of Buyer thereunder.

[Signatures on following pages.]

CONSENTED TO BY:

OBLIGOR:

FAYETTE COUNTY, GEORGIA

By:_____
Name:
Title:

SELLER:

SOCIETE GENERALE, NEW YORK BRANCH

By:_____
Name:
Title:

INSURER:

NATIONAL PUBLIC FINANCE GUARANTEE CORPORATION

By:_____
Name:
Title:

EXHIBIT C

Assignment of Reimbursement or Indemnity Agreement

ASSIGNMENT OF REIMBURSEMENT AND INDEMNITY AGREEMENT

THIS ASSIGNMENT OF REIMBURSEMENT AND INDEMNITY AGREEMENT (hereinafter referred to as the "Assignment") is made as of this ____ day of _____, 2016, by and between The Bank of New York Mellon Trust Company, N.A. and Regions Bank.

W I T N E S S E T H:

WHEREAS, The Bank of New York Mellon Trust Company, N.A. has entered into a Reimbursement and Indemnity Agreement, dated as of June 1, 1998 (the "Reimbursement and Indemnity Agreement"), by and among Georgia Municipal Association, Inc., The Bank of New York Mellon Trust Company, N.A. (formerly, The Bank of New York), Fayette County, Georgia and National Public Finance Guarantee Corporation (formerly, MBIA Insurance Corporation); and

WHEREAS, pursuant to the terms of the Reimbursement and Indemnity Agreement, The Bank of New York Mellon Trust Company, N.A. desires to assign its interest in the Reimbursement and Indemnity Agreement to Regions Bank;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt and adequacy thereof being hereby acknowledged, The Bank of New York Mellon Trust Company, N.A. and Regions Bank hereby covenant and agree as follows:

(a) The Bank of New York Mellon Trust Company, N.A. hereby absolutely assigns, transfers, conveys and sets over to Regions Bank all the right, title and interest of The Bank of New York Mellon Trust Company, N.A. in, under, by virtue of the Reimbursement and Indemnity Agreement. Regions Bank shall be deemed for all purposes the "Trustee" and "Servicer" under the Reimbursement and Indemnity Agreement, and shall have all rights, powers, remedies and responsibilities of Trustee and Servicer thereunder.

[Signatures on following pages.]

CONSENTED TO AND APPROVED BY:

FAYETTE COUNTY, GEORGIA

By:_____
Name:
Title:

GEORGIA MUNICIPAL ASSOCIATION, INC.

By:_____
Name:
Title:

NATIONAL PUBLIC FINANCE GUARANTEE CORPORATION

By:_____
Name:
Title:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA TO AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO 1998A MASTER LEASE AND OPTION AGREEMENT

WHEREAS, Fayette County, Georgia (the "County") is a legally created, valid and existing political subdivision of the State of Georgia, created and existing under the Constitution and laws of the State of Georgia; and

WHEREAS, the County is a participant in the (GMA) 1998 Georgia Local Government Equipment Loan Program (the "Loan Program"); and

WHEREAS, in connection with the Loan Program, the County entered into a 1998A Master Lease and Option Agreement Georgia, dated as of June 1, 1998 (the "Lease"), between the County and Georgia Municipal Association ("GMA"), under the terms of which GMA leases to the County various items of Equipment (as defined in the Original Lease) of the types described in Exhibit F of the Original Lease and the County agrees to make certain rental payments to GMA; and

WHEREAS, it is proposed that the County enter into a First Amendment to 1998A Master Lease and Option Agreement (the "First Amendment"), between GMA and the County, the form of which is attached hereto as Exhibit A, to amend Exhibit F of the Original Lease to increase the percentage amount of software that may be acquired and leased pursuant to the Original Lease; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fayette County, Georgia, as follows:

Section 1. The execution, delivery and performance of the First Amendment are hereby authorized. The Chairman of the Board of Commissioners (the "Chairman") is hereby authorized to execute and deliver the First Amendment on behalf of the County, which First Amendment shall be in substantially the form attached hereto as Exhibit A with such minor changes, insertions or omissions as may be approved by the Chairman, and the execution of the First Amendment by the Chairman as hereby authorized shall be conclusive evidence of any such approval.

Section 2. From and after the execution and delivery of the First Amendment herein authorized, the Chairman and such other proper officers, agents and employees of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the provisions of the First Amendment herein authorized and are further authorized to take any and all further actions and to execute and deliver any and all further documents and certificates as may be necessary or desirable in connection with the execution, delivery and performance of the First Amendment herein authorized. Without limiting the foregoing, if the Chairman is not available

to execute the First Amendment herein authorized, the Vice-Chairman shall execute such document on the Chairman's behalf.

Section 3. All acts and doings of the officers, agents and employees of the County which are in conformity with the purposes and intents of this resolution and in furtherance of the execution, delivery and performance of the First Amendment shall be, and the same hereby are, in all respects, approved and confirmed.

Section 4. No stipulation, obligation or agreement herein contained or contained in the First Amendment shall be deemed to be a stipulation, obligation or agreement of the Chairman, the Vice-Chairman or the Clerk of the County in their individual capacity, and neither the Chairman, the Vice-Chairman nor the Clerk of the County shall be personally liable under the First Amendment or be subject to personal liability or accountability by reason of the issuance thereof.

Section 5. This resolution shall take effect immediately upon its adoption. All resolutions or parts thereof in conflict with this resolution are hereby repealed.

ADOPTED this ____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

(SEAL)

BY:_____
Chairman

ATTEST:

BY:_____
Clerk

EXHIBIT A

FIRST AMENDMENT TO 1998A MASTER LEASE AND OPTION AGREEMENT

FIRST AMENDMENT TO 1998A MASTER LEASE AND OPTION AGREEMENT

This FIRST AMENDMENT TO 1998A MASTER LEASE AND OPTION AGREEMENT (this "First Amendment") is entered into as of the 1st day of _____, 2016, between the GEORGIA MUNICIPAL ASSOCIATION, INC., a nonprofit corporation organized and existing under the laws of the State of Georgia (the "Lessor"), and Fayette County, Georgia, a political subdivision of the State of Georgia (the "Lessee").

WHEREAS, the Lessor and the Lessee have previously entered into a 1998A Master Lease and Option Agreement, dated as of June 1, 1998 (the "Original Lease"), pursuant to which the Lessor leases to the Lessee various items of Equipment (as defined in the Original Lease) of the types described in Exhibit F of the Original Lease and the Lessee agrees to make certain rental payments to the Lessor; and

WHEREAS, the Lessor and the Lessee propose to enter into this First Amendment to amend Exhibit F of the Original Lease to increase the percentage amount of software that may be acquired and leased pursuant to the Original Lease; and

WHEREAS, Section 15.04 of the Original Lease provides that the Lessor and the Lessee may amend or supplement Exhibit F of the Original Lease from time to time with the Insurer's (as defined in the Original Lease) written consent, but without the consent of Lessor's assignee.

NOW THEREFORE, in consideration of the premises and the undertakings set forth in this First Amendment, the parties hereto agree as follows:

1.

Exhibit F of the Original Lease is hereby amended by deleting row "e" in its entirety and replacing it with the following:

"e-1. Telecommunications systems, 911 systems, voice or voice-data systems, computer systems and weather warning systems and devices (including (i) operating software and (ii) applications of software acquired in connection with the upgrading or installation which does not represent more than 10% of the total cost of such upgrading or installation) when such equipment constitutes a system-wide or department-wide upgrading or new installation, and when a feasibility study supports the installation of such system.	5 years
"e-2. Telecommunications systems, 911 systems, voice or voice-data systems, computer systems and weather warning systems and devices (including (i) operating software and (ii) applications of software acquired in connection with	3 years"

the upgrading or installation which does not represent more than 50% of the total cost of such upgrading or installation) when such equipment constitutes a system-wide or department-wide upgrading or new installation, and when a feasibility study supports the installation of such system.

2.

Except as herein specifically modified and amended, all of the terms, conditions and provisions of the Original Lease shall remain unchanged and in full force and effect.

3.

Should any phrase, clause, sentence or paragraph herein contained be held invalid or unconstitutional, it shall in no way affect the remaining provisions of this First Amendment, which said provisions shall remain in full force and effect.

4.

This First Amendment may be executed in several counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

5.

This First Amendment shall be construed and enforced in accordance with the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized officers, have caused this First Amendment to be executed in duplicate as of the day and year first above written.

LESSOR:

GEORGIA MUNICIPAL ASSOCIATION, INC.

By: _____
Executive Director

LESSEE:

FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
Title:

Attest:

By: _____
Title:

COUNTY DEPARTMENT AGENDA REQUEST

Department:	Library	Presenter(s):	Chris Snell
Meeting Date:	July 28, 2016	Type of Request:	Consent #11

Wording for the Agenda:

Approval to accept a donation from the Fellowship of Love Church; to increase the 2017 budget donation revenue account by $4,000.00; and to increase the Furniture & Fixtures expense account by $4,000.00 for the purpose of buying tables for the Library's Distance Learning Center.

Background/History/Details:

The Fellowship of Love Church of Fayetteville has provided a donation of $4,000.00 to provide enhancements to the Fayette County Public Library. The Fellowship of Love Church, Pastor BaSean Jackson sent a letter to Arlys Ferrell, president of the Friends of the Library, with their desire to empower the Fayette County Public Library. Their church's vision is to revolutionize the idea and the impact of church. Their church has partnered with the Friends of the Library to provide operational enhancement for things that the library needed that was not covered in the budget.

On June 24, 2016 the Fellowship of Love invited the library staff to attend the Fellowship of Love, "Love Songs Concert" held at the county's Fountain Park. Pastor Jackson presented the check to the Friends of the Library.

What action are you seeking from the Board of Commissioners?

Approval to accept a donation from the Fellowship of Love Church; to increase the 2017 budget donation revenue account by $4,000.00; and to increase the Furniture & Fixtures expense account by $4,000.00 for the purpose of buying tables for the Library's Distance Learning Center.

If this item requires funding, please describe:

Not Applicable.

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	No

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

In a letter from the pastor, BaSean Jackson he stated: ..." we completely believe in the mission and calling of the library and hope that the donations will empower the library in serving the community." Ms. Tucker, Empowerment Team Leader from the church, stated that she and her daughter were frequently in the library when her daughter was in school and they greatly appreciated the library.

Fellowship of Love Church

P.O Box 142013 / Fayetteville, GA 30214 / 770-460-7983
www.fellowshipoflovechurch.org
RECEIVING AND RESPONDING TO GOD'S LOVE BY LOVING GOD, OTHERS AND OURSELVES.
Matthew 22:37-39

Ms. Christeen Snell
Public Library Director
Fayette County Public Library
1821 Heritage Park Way
Fayetteville, GA 30214

Re: Empowerment Package From Fellowship of Love Church

Date: June 24, 2016

Dear Ms. Snell;

It is with great pleasure, active Love, and a profound sense of calling that I present to the Fayette County Public Library (Library) on behalf of Fellowship of Love Church (FOLC)., an empowerment package valued at $4,000. The money is designated for the purchase of 14 tables identified on the Library's wish list. We completely believe in the mission and calling of the Library and hope that the donations will empower the Library in serving the community.

We hope this will serve as a blessing to your organization and as a reflection of what we believe is our calling to live in Love. May God bless and keep you in all of your endeavors.

Humbly in Christ's Love,

Pastor B.A. Jackson

COUNTY AGENDA REQUEST

Department:	Road Department	Presenter(s):	Steve Hoffman
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Consent #12

Wording for the Agenda:

Approval of staff's recommendation to award annual bid #1137-B for Asphalt Concrete to E.R. Snell of Tyrone as the primary vendor and to the three plants of C.W. Matthews as secondary vendors through the end of fiscal year 2017 with a not-to-exceed amount of $911,900.

Background/History/Details:

This contract is used to identify vendors for the procurement of various asphalt mixes during the FY2017 paving season.
The Purchasing Department issued invitiation to Bid (ITB) #1137-B to establish prices for calendar year 2017. Invitations were emailed to 5 vendors. Another 84 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23. Two vendors responded with bids for four quarries.

As a result, this request is to award E.R. Snell of Tyrone as the primary vendor and the secondary vendor as C.W. Matthews who has three plants located in Tyrone, Forrest Park and Griffin, Georgia. This request would allow for either of their three plants to be used as the secondary vendor. The contract is not-to-exceed $911,900.

If approved, this contract will expire on June 30, 2017.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to award annual bid #1137-B for Asphalt Concrete to E.R. Snell of Tyrone as the primary vendor and to the three plants of C.W. Matthews as secondary vendors through the end of fiscal year 2017 with a not-to-exceed amount of $911,900.

If this item requires funding, please describe:

Funds are budgeted annually in the Road Department's O&M budget account 10040220-531171, CIP projects & LMIG projects.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, June 25, 2015
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Yes	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Fayette County

"Where Quality Is a Lifestyle"

Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, Georgia 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: July 28, 2016

Subject: Invitation to Bid #1137-B: Asphaltic Concrete for Fiscal Year 2017

Each year, the Road Department contracts for the purchase of various mixes of asphalt on an as-needed basis. The contracted asphalt mixes are called Superior Performing Asphalt Pavements (Superpave), which was the result in 1993 of research by the U.S. Strategic Highway Research Program.

For last fiscal year (Fiscal Year 2016), the county had contracted with a primary supplier (E.R. Snell Contractor, Inc.), as well as a secondary supplier (C.W. Matthews Contracting Co., Inc.) for when the primary vendor could not supply the needed amount of asphaltic concrete. Both vendors declined to renew the contracts for Fiscal Year 2017, saying that the costs of aggregate and other materials they buy have risen too much for them to continue to hold their prices.

The Purchasing Department issued Invitation to Bid (ITB) #1137-B to establish prices for calendar year 2017. Invitations were emailed to 5 vendors. Another 84 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23. Two vendors responded with bids for four quarries.

Due to the cost of transporting the product, the number of vendors that can compete is limited. The county typically receives bids from two or three companies. The third company that has bid in the past – Baldwin Paving Co., Inc. – said that they just cannot get their prices low enough to compete this time.

Vendors are asked to bid prices assuming various levels of the Asphalt Cement Price Index (ACPI). The Index is produced by the Georgia Department of Transportation, and is updated monthly. The ITB covers a wide range of possible Index values, so that the resulting contract will be valid in case of unusually large fluctuations. However, it is anticipated that the Index will actually stay within a more narrow range that reflected in the pricing range (Attachment 1). Based on recent trends, it is anticipated that the Fiscal Year 2017 Index will fall between $275 and $475 each month.

E.R. Snell Contractor, Inc. submitted the lowest bids (Attachment 2). The Road Department recommends E.R. Snell Contractor for the primary contract. They also recommend C.W. Matthews (all three locations) for a secondary contract, to be available in the event the Road Department needs more

material than the primary vendor can supply. The contracts will be renewable for two additional one-year terms, with the agreement of both parties.

Specifics of the proposed contracts are as follows:

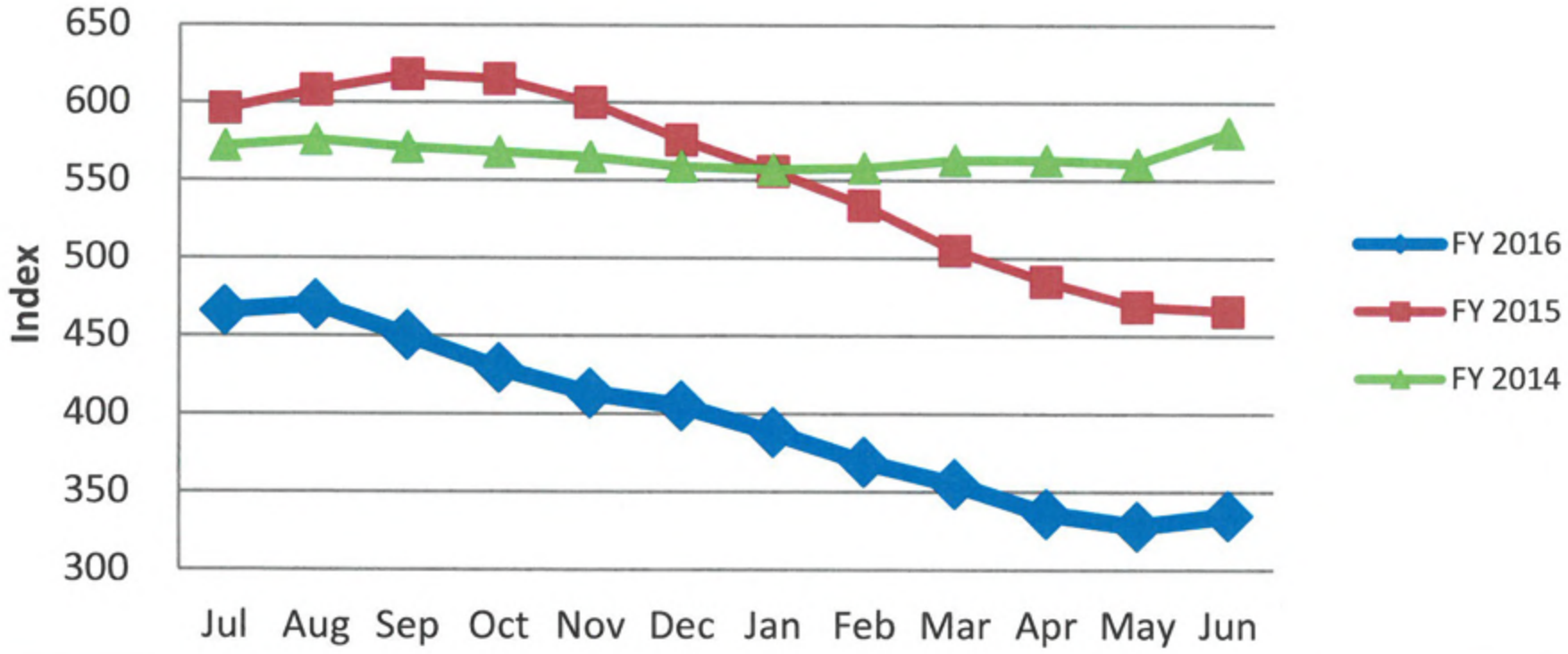
Contract Name	1137-B: Asphaltic Concrete
Type of Contract	Indefinite Quantity, Fixed Price Contract
Vendor:	
Primary Vendor	E.R. Snell Contractor, Inc.
Secondary Vendor	C.W. Matthews Contracting Co., Inc.
Not-to-Exceed Amount	$911,900
Budget:	

Budget Code	**Contract Amount**	**Available Budget**
10040220-531171	$343,855	$971,666
10040220-531171-LMIG5	146,507	148,448
10040220-531171-LMIG7	405,538	417,050
5110B Kiwanis Resurfacing	16,000	16,700
Total Contract	$911,900	$1,553,864

Attachments (2)

Attachment 1

GDOT Asphalt Cement Price Index



Invitation to Bid #1137-B
Asphaltic Concrete

All mixes are GDOT Super Pave Mix Designs (With Lime)

4.75 MM	Previous Contract Price	C.W. Matthews Contracting			E.R. Snell Contractor Inc.	Change 2016 To 2017
		Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone		
150-175	NA	$45.81	$42.41	$36.21	$29.60	NA
176-200	NA	47.13	43.68	37.48	30.83	NA
201-225	28.81	48.45	44.95	38.75	32.02	11%
226-250	30.00	49.77	46.22	40.02	33.21	11%
251-275	31.18	51.09	47.49	41.29	34.40	10%
276-300	32.37	52.41	48.76	42.56	35.59	10%
301-325	33.56	53.73	50.03	43.83	36.78	10%
326-350	34.75	55.05	51.30	45.10	37.97	9%
351-375	35.93	56.37	52.57	46.37	39.16	9%
376-400	37.12	57.69	53.84	47.64	40.35	9%
401-425	38.31	59.01	55.11	48.91	41.54	8%
426-450	39.50	60.33	56.38	50.18	42.73	8%
451-475	40.68	61.65	57.65	51.45	43.92	8%
476-500	41.87	62.97	58.92	52.72	45.11	8%
501-525	43.06	64.29	60.19	53.99	46.30	8%
526-550	44.25	65.61	61.46	55.26	47.49	7%
551-575	45.43	66.93	62.73	56.53	48.68	7%
576-600	46.62	68.25	64.00	57.80	49.87	7%
601-625	47.81	69.57	65.27	59.07	51.06	7%
626-650	49.00	70.89	66.54	60.34	52.25	7%
651-675	50.18	72.21	67.81	61.61	53.44	6%
676-700	51.37	73.53	69.08	62.88	54.63	6%
701-725	52.56	74.85	70.35	64.15	55.82	6%
726-750	53.75	76.17	71.62	65.42	57.01	6%
751-775	54.93	77.49	72.89	66.69	58.20	6%
776-800	56.12	78.81	74.16	67.96	59.39	6%
801-825	57.31	80.13	75.43	69.23	60.58	6%
826-850	58.50	81.45	76.70	70.50	61.77	6%
851-875	59.68	82.77	77.97	71.77	62.96	5%
876-900	60.87	84.09	79.24	73.04	64.15	5%

9.5 MM Type I	Previous Contract Price	C.W. Matthews Contracting			E.R. Snell Contractor Inc.	Change 2016 To 2017
		Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone		
150-175	NA	$46.49	$41.92	$36.30	$29.51	NA
176-200	NA	47.79	43.07	37.45	30.67	NA
201-225	28.72	49.09	44.22	38.60	31.78	11%
226-250	29.83	50.39	45.37	39.75	32.89	10%
251-275	30.95	51.69	46.52	40.90	34.00	10%
276-300	32.06	52.99	47.67	42.05	35.11	10%
301-325	33.17	54.29	48.82	43.20	36.22	9%
326-350	34.28	55.59	49.97	44.35	37.33	9%
351-375	35.40	56.89	51.12	45.50	38.44	9%
376-400	36.51	58.19	52.27	46.65	39.55	8%
401-425	37.62	59.49	53.42	47.80	40.66	8%
426-450	38.73	60.79	54.57	48.95	41.77	8%
451-475	39.85	62.09	55.72	50.10	42.88	8%
476-500	40.96	63.39	56.87	51.25	43.99	7%
501-525	42.07	64.69	58.02	52.40	45.10	7%
526-550	43.18	65.99	59.17	53.55	46.21	7%
551-575	44.30	67.29	60.32	54.70	47.32	7%
576-600	45.41	68.59	61.47	55.85	48.43	7%
601-625	46.52	69.89	62.62	57.00	49.54	6%
626-650	47.63	71.19	63.77	58.15	50.65	6%
651-675	48.75	72.49	64.92	59.30	51.76	6%
676-700	49.86	73.79	66.07	60.45	52.87	6%
701-725	50.97	75.09	67.22	61.60	53.98	6%
726-750	52.08	76.39	68.37	62.75	55.09	6%
751-775	53.20	77.69	69.52	63.90	56.20	6%
776-800	54.31	78.99	70.67	65.05	57.31	6%
801-825	55.42	80.29	71.82	66.20	58.42	5%
826-850	56.53	81.59	72.97	67.35	59.53	5%
851-875	57.65	82.89	74.12	68.50	60.64	5%
876-900	58.73	84.19	75.27	69.65	61.75	5%

9.5 MM Type II	Previous Contract Price	C.W. Matthews Contracting Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone	E.R. Snell Contractor Inc.	Change 2016 To 2017
150-175	NA	$46.08	$42.29	$36.61	$29.73	NA
176-200	NA	47.28	43.41	37.71	30.83	NA
201-225	28.94	48.48	44.53	38.81	31.90	10%
226-250	30.00	49.68	45.65	39.91	32.97	10%
251-275	31.06	50.88	46.77	41.01	34.04	10%
276-300	32.13	52.08	47.89	42.11	35.11	9%
301-325	33.19	53.28	49.01	43.21	36.18	9%
326-350	34.25	54.48	50.13	44.31	37.25	9%
351-375	35.31	55.68	51.25	45.41	38.32	9%
376-400	36.38	56.88	52.37	46.51	39.39	8%
401-425	37.44	58.08	53.49	47.61	40.46	8%
426-450	38.50	59.28	54.61	48.71	41.53	8%
451-475	39.56	60.48	55.73	49.81	42.60	8%
476-500	40.63	61.68	56.85	50.91	43.67	7%
501-525	41.69	62.88	57.97	52.01	44.74	7%
526-550	42.75	64.08	59.09	53.11	45.81	7%
551-575	43.81	65.28	60.21	54.21	46.88	7%
576-600	44.88	66.48	61.33	55.31	47.95	7%
601-625	45.94	67.68	62.45	56.41	49.02	7%
626-650	47.00	68.88	63.57	57.51	50.09	7%
651-675	48.06	70.08	64.69	58.61	51.16	6%
676-700	49.13	71.28	65.81	59.71	52.23	6%
701-725	50.19	72.48	66.93	60.81	53.30	6%
726-750	51.25	73.68	68.05	61.91	54.37	6%
751-775	52.31	74.88	69.17	63.01	55.44	6%
776-800	53.38	76.08	70.29	64.11	56.51	6%
801-825	54.44	77.28	71.41	65.21	57.58	6%
826-850	55.50	78.48	72.53	66.31	58.65	6%
851-875	56.56	79.68	73.65	67.41	59.72	6%
876-900	57.63	80.88	74.77	68.51	60.79	5%

12.5 MM	Previous Contract Price	C.W. Matthews Contracting Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone	E.R. Snell Contractor Inc.	Change 2016 To 2017
150-175	NA	$45.92	$41.77	$35.99	$28.81	NA
176-200	NA	47.07	42.79	37.01	29.81	NA
201-225	28.02	48.22	43.81	38.03	30.77	10%
226-250	28.98	49.37	44.83	39.05	31.73	9%
251-275	29.94	50.52	45.85	40.07	32.69	9%
276-300	30.90	51.67	46.87	41.09	33.65	9%
301-325	31.86	52.82	47.89	42.11	34.61	9%
326-350	32.82	53.97	48.91	43.13	35.57	8%
351-375	33.78	55.12	49.93	44.15	36.53	8%
376-400	34.74	56.27	50.95	45.17	37.49	8%
401-425	35.70	57.42	51.97	46.19	38.45	8%
426-450	36.66	58.57	52.99	47.21	39.41	8%
451-475	37.62	59.72	54.01	48.23	40.37	7%
476-500	38.58	60.87	55.03	49.25	41.33	7%
501-525	39.54	62.02	56.05	50.27	42.29	7%
526-550	40.50	63.17	57.07	51.29	43.25	7%
551-575	41.46	64.32	58.09	52.31	44.21	7%
576-600	42.42	65.47	59.11	53.33	45.17	6%
601-625	43.38	66.62	60.13	54.35	46.13	6%
626-650	44.34	67.77	61.15	55.37	47.09	6%
651-675	45.30	68.92	62.17	56.39	48.05	6%
676-700	46.26	70.07	63.19	57.41	49.01	6%
701-725	47.22	71.22	64.21	58.43	49.97	6%
726-750	48.18	72.37	65.23	59.45	50.93	6%
751-775	49.14	73.52	66.25	60.47	51.89	6%
776-800	50.10	74.67	67.27	61.49	52.85	5%
801-825	51.06	75.82	68.29	62.51	53.81	5%
826-850	52.02	76.97	69.31	63.53	54.77	5%
851-875	52.98	78.12	70.33	64.55	55.73	5%
876-900	53.94	79.27	71.35	65.57	56.69	5%

19 MM	Previous Contract Price	C.W. Matthews Contracting			E.R. Snell Contractor Inc.	Change 2016 To 2017
		Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone		
150-175	NA	$45.64	$40.73	$35.68	$28.13	NA
176-200	NA	46.62	41.60	36.58	28.97	NA
201-225	27.34	47.60	42.47	37.48	29.78	9%
226-250	28.15	48.58	43.34	38.38	30.59	9%
251-275	28.96	49.56	44.21	39.28	31.40	8%
276-300	29.77	50.54	45.08	40.18	32.21	8%
301-325	30.58	51.52	45.95	41.08	33.02	8%
326-350	31.39	52.50	46.82	41.98	33.83	8%
351-375	32.20	53.48	47.69	42.88	34.64	8%
376-400	33.01	54.46	48.56	43.78	35.45	7%
401-425	33.82	55.44	49.43	44.68	36.26	7%
426-450	34.63	56.42	50.30	45.58	37.07	7%
451-475	35.44	57.40	51.17	46.48	37.88	7%
476-500	36.25	58.38	52.04	47.38	38.69	7%
501-525	37.06	59.36	52.91	48.28	39.50	7%
526-550	37.87	60.34	53.78	49.18	40.31	6%
551-575	38.68	61.32	54.65	50.08	41.12	6%
576-600	39.49	62.30	55.52	50.98	41.93	6%
601-625	40.30	63.28	56.39	51.88	42.74	6%
626-650	41.11	64.26	57.26	52.78	43.55	6%
651-675	41.92	65.24	58.13	53.68	44.36	6%
676-700	42.73	66.22	59.00	54.58	45.17	6%
701-725	43.54	67.20	59.87	55.48	45.98	6%
726-750	44.35	68.18	60.74	56.38	46.79	6%
751-775	45.16	69.16	61.61	57.28	47.60	5%
776-800	45.97	70.14	62.48	58.18	48.41	5%
801-825	46.78	71.12	63.35	59.08	49.22	5%
826-850	47.59	72.10	64.22	59.98	50.03	5%
851-875	48.40	73.08	65.09	60.88	50.84	5%
876-900	49.21	74.06	65.96	61.78	51.65	5%

25 MM	Previous Contract Price	C.W. Matthews Contracting			E.R. Snell Contractor Inc.	Change 2016 To 2017
		Plant #4 Griffin	Plant #56 Forest Park	Plant #64 Tyrone		
150-175	NA	$45.01	$40.30	$34.22	$26.83	NA
176-200	NA	45.91	41.12	35.02	27.54	NA
201-225	26.04	46.81	41.94	35.82	28.23	8%
226-250	26.73	47.71	42.76	36.62	28.92	8%
251-275	27.41	48.61	43.58	37.42	29.61	8%
276-300	28.10	49.51	44.40	38.22	30.30	8%
301-325	28.78	50.41	45.22	39.02	30.99	8%
326-350	29.47	51.31	46.04	39.82	31.68	7%
351-375	30.15	52.21	46.86	40.62	32.37	7%
376-400	30.84	53.11	47.68	41.42	33.06	7%
401-425	31.52	54.01	48.50	42.22	33.75	7%
426-450	32.21	54.91	49.32	43.02	34.44	7%
451-475	32.89	55.81	50.14	43.82	35.13	7%
476-500	33.58	56.71	50.96	44.62	35.82	7%
501-525	34.26	57.61	51.78	45.42	36.51	7%
526-550	34.95	58.51	52.60	46.22	37.20	6%
551-575	35.63	59.41	53.42	47.02	37.89	6%
576-600	36.32	60.31	54.24	47.82	38.58	6%
601-625	37.00	61.21	55.06	48.62	39.27	6%
626-650	37.69	62.11	55.88	49.42	39.96	6%
651-675	38.37	63.01	56.70	50.22	40.65	6%
676-700	39.06	63.91	57.52	51.02	41.34	6%
701-725	39.74	64.81	58.34	51.82	42.03	6%
726-750	40.43	65.71	59.16	52.62	42.72	6%
751-775	41.11	66.61	59.98	53.42	43.41	6%
776-800	41.80	67.51	60.80	54.22	44.10	6%
801-825	42.48	68.41	61.62	55.02	44.79	5%
826-850	43.17	69.31	62.44	55.82	45.48	5%
851-875	43.82	70.21	63.26	56.62	46.17	5%
876-900	44.54	71.11	64.08	57.42	46.86	5%

COUNTY AGENDA REQUEST

Department:	Public Works	Presenter(s):	Phil Mallon
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Consent #13

Wording for the Agenda:

Approval of staff's recommendation to allocate $185,000 of the requested 2016 Special Local Maintenance & Improvement Grant (LMIG) against the FEMA/GEMA December 2015 storm flooding projects.

Background/History/Details:

The Georgia Department of Transportation's LMIG program is designed to help local governments make needed improvements to local and state roads. On January 14, 2016, the list of damaged roads, due to the December 2015 storm flooding, was approved. At this same time, the Board of Commissioners approved submitting the Application for the Special LMIG funding. The LMIG Application provides Fayette County with $185,000 in financial assistance, in addition to the potential FEMA and GEMA reimbursement.

The attached documentation demonstrates staff's recommendation of allocating $178,275 of the Special LMIG funds among the ten (10) stormwater projects created as a result of the December 2015 storm flooding. The remaining $6,725 would be allocated against road maintenance on gravel roads.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to allocate $185,000 of the requested 2016 Special Local Maintenance & Improvement Grant (LMIG) against the FEMA/GEMA December 2015 storm flooding projects.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, January 14, 2016
Is Audio-Visual Equipment Required for this Request?	No	Backup Provided with Request?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Stormwater Utility Projects Eligible for FEMA Public Assistance

	Project	FEMA Number	Fayette Number	County Total	FEMA Total	Anticipated Funding				Total
						FEMA (75%)	State (12.5%)	LMIG	County	
1	Canterbury Lane	FAYE01B	6509A	**$101,637**	**$93,973.51**	$70,480.13	$11,746.69	$14,930.88	$4,479.26	**$101,637**
2	Westbridge Circle	FAYE01B	6509B	**$68,420**	**$66,074.40**	$49,555.80	$8,259.30	$8,157.24	$2,447.17	**$68,420**
3	McBride Rd	FAYE03C	6509E	**$41,820**	**$41,820.03**	$31,365.02	$5,227.50	$4,021.00	$1,206.30	**$41,820**
4	Bernhard Road	FAYE03C	6509G	**$44,947**	**$44,947.39**	$33,710.54	$5,618.42	$4,321.86	$1,296.56	**$44,947**
5	Lowery Road	FAYE03C	6509F	**$44,523**	**$44,523.40**	$33,392.55	$5,565.43	$4,281.10	$1,284.33	**$44,523**
6	Bridger Point	FAYE05C	M&O	**$9,192**	**$9,192.04**	$6,894.03	$1,149.01	$887.00	$262.01	**$9,192**
7	Rising Star Road	FAYE07C	6509C	**$449,143**	**$431,177.21**	$323,382.91	$53,897.15	$55,279.13	$16,583.74	**$449,143**
8	Lee's Mill Rd	FAYE06C	6509I	**$511,849**	**$491,374.99**	$368,531.24	$61,421.87	$62,996.79	$18,899.04	**$511,849**
9	Broom Blvd.	FAYE09C	6509L	**$387,880**	**$372,365.08**	$279,273.81	$46,545.63	$23,400.00	$38,660.85	**$387,880**
10	Old Senoia Road	FAYE08C	6509H	**$668,572**	**$222,634.48**	$166,975.86	$27,829.31	$0.00	$473,766.83	**$668,572**
11	Antebellum Lane	Project removed from FEMA Public Assistance	6509D	**$481,581**	**$0.00**	$0.00	$0.00	$0.00	$481,581.14	**$481,581**
				$2,809,564	$1,818,083	$1,363,561.90	$227,260.32	$178,275.00	$1,040,467.22	$2,809,564

Road Department Maintenance on Gravel Roads - Non Stormwater Utility

1	County-Wide Road Repairs	FAYE02C	NA	**$18,845**	**$18,844.79**	$14,133.59	$2,355.60	$1,812.00	$543.60	**$18,845**
2	Gravel Road Pipe Replacement	FAYE04C	NA	**$51,096**	**$51,095.96**	$38,321.97	$6,387.00	$4,913.00	$1,473.90	**$51,096**
				$69,941	$69,941	$52,455.56	$8,742.59	$6,725.00	$2,017.50	$69,941

BOARD OF COUNTY COMMISSIONERS
Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau

FAYETTE COUNTY, GEORGIA
Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

July 14, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the July 14, 2016 Board of Commissioners meeting to order at 6:58 p.m.

Invocation by Commissioner Steve Brown

Commissioner Brown offered the Invocation.

Pledge of Allegiance

Chairman Oddo led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Oddo moved to accept the Agenda as published and to move New Business Item #14 to the first item of New Business. Commissioner Brown seconded the motion. The motion passed unanimously.

PROCLAMATION/RECOGNITION:

1. **Recognition of Fayette County 911 Communications Assistant Director, Peggy Glaze, for her thirty-one years of service in public safety.**

   The Board recognized 911 Communications Assistant Director, Peggy Glaze, for her years of service to Fayette County. 911 Director Bernard Brown presented Mrs. Glaze with a trophy in recognition of her work. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

2. **Recognition of Human Resources Director Lewis Patterson for completing the Georgia Local Government Personnel Association's Certified Human Resource Manager Program.**

   The Board and County Administrator Steve Rapson recognized Mr. Patterson for completing the Georgia Local Government Personnel Association's Certified Human Resource Manager Program. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

Water System Director Lee Pope notified the Board that Fayette County's water recently won a competition where all the award-winning water systems throughout the State of Georgia entered into a taste-tasting competition. He reported that Fayette County won the competition by a landslide.

PUBLIC HEARING:

3. **Public Hearing of staff's recommendation to approve a new 2016 On-Premises Sales Retail License to Tobias Lee Booker, doing business as 524 Bar and Grill, for the purpose of selling alcoholic beverages at 1960 Highway 85 North, Suite J, Fayetteville, Georgia 30214.**

   Community Development Director Pete Frisina briefed the Board on staff's recommendation.

   No one spoke in favor of or in opposition to this recommendation.

   Commissioner Brown moved to approve the new 2016 On-Premises Sales Retail License to Tobias Lee Booker, doing business at 524 Bar and Grill, for the purpose of selling alcoholic beverages at 1960 Highway 85 North, Suite J, Fayetteville, Georgia 30214. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda as written. Commissioner Ognio seconded the motion. The motion passed 5-0.

4. **Approval of the Superior Court's recommendation to amend an existing contract between the court and Judicial Correction Services, Inc. by including a "No Conflict of Interest" paragraph. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.**

5. **Approval of staff's request to renew Contract #923-B- Atlanta Paving & Concrete Construction Inc., for asphalt milling services to be used on various projects, at a recommended not-to-exceed amount of $202,386.80, for said contract to expire on June 30, 2017, and to authorize the Chairman to sign the contract and any related documents. Copies of the request and Contract #923-B, identified as "Attachment 5," follow these minutes and are made an official part hereof.**

6. **Approval of staff's recommendation to award Chemical Bid #1119-B, for twelve months, to five companies who bid on chemicals used by the Fayette County Water System for water treatment, in a cumulative total not-to-exceed $232,520.80, and authorization for the Chairman to sign any contracts or related documents related to this request. Copies of the request and contract, identified as "Attachment 6," follow these minutes and are made an official part hereof.**

7. **Approval of staff's recommendation to approve CH2M Hill's Task Order #FC023- Tank Inspection and Maintenance for an amount not-to-exceed $107,087.00. Copies of the request and task order, identified as "Attachment 7," follow these minutes and are made an official part hereof.**

8. **Approval of the June 23, 2016 Board of Commissioners Meeting Minutes.**

9. **Approval of the June 30, 2016 Board of Commissioners Special Called Meeting Minutes.**

OLD BUSINESS:

There was no item of Old Business.

NEW BUSINESS:

10. Consideration of the proposed Public Participation Program in association with the Full Plan Update of the Fayette County Comprehensive Plan, and appointment of county staff and one member of the Board of Commissioners to the Steering Committee to facilitate the development of the Full Plan Update.

Community Development Director Pete Frisina stated that Fayette County has a Comprehensive Plan and, based on state guidelines for Comprehensive Planning, the plan has to be periodically updated. He explained that the State of Georgia and the Atlanta Regional Commission would ensure that the plan has been updated. He said this request was to start the process and that the first part of the process was to have a procedure for public participation. He said the request outlined the aspects of what would happen through public participation and to look at certain groups and stakeholders to get input. He explained that the process would begin quickly with two public town hall meetings by June 2017. He further explained that staff would place information on the county website, issue press releases, produce public outreach materials, and place information on Channel 23. He added that this effort would also involve Public Hearings both with the Planning Commission and the Board of Commissioners with the results going to the Atlanta Regional Commission and the Georgia Department of Community Affairs for review and eventual adoption by the Board of Commissioners. Mr. Frisina asked for a Steering Committee with someone appointed both from the Board of Commissioners and from the Planning Commission to work with staff and to keep the process on schedule and to help with public outreach.

Commissioner Ognio asked Commissioner Brown be on the Steering Committee. Commissioner Brown agreed to serve on the committee. Mr. Frisina gave further explanation on what would be expected from the committee.

Commissioner Rousseau asked for the Steering Committee to include presidents from the Home Owner's Associations; including the North Fayette Community Association. He said he wanted to see the Home Owner's Associations to be intimately involved with the process since the update would involve zoning matters effecting neighborhoods. Mr. Frisina replied that he did not know how many Home Owners Associations are in the county and he hoped they would come to the county. Commissioner Rousseau asked County Administrator Steve Rapson to begin an effort to determine what Home Owners Associations exist and to determine who the current presidents are of those associations.

Commissioner Brown added he would love to see somebody from a large, rural lot in south Fayette County, representatives from the Home Owners Associations in north Fayette County, and some commercial or retail property owners in order to get a good and even representation from across the county. Commissioner Rousseau agreed.

Commissioner Rousseau moved to approve the proposed Public Participation Program in association with the Full Plan Update of the Fayette County Comprehensive Plan, and appointment of county staff and one member of the Board of Commissioners, namely Commissioner Brown, to the Steering Committee to facilitate the development of the Full Plan Update, and to purposely include Home Owner's Associations presidents and organizations in various quadrants in the county to accomplish the goal. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

11. Consideration of Commissioner Rousseau's recommendation to adopt Policy No. 100.27- Gifts and Memorials.

Commissioner Rousseau reported that some while ago a group of citizens approached him about memorials and gifts. He said he consulted the Policies and Procedures Manual only to find there was no policy giving guidance to the county on accepting, receiving, or for even reaching out for gifts, donations, or memorials. He reported that he talked to both the County Administrator and County Attorney about this need and that the County Attorney had worked closely with him on this issue. He explained that the proposed policy provided parameters and guidelines for times when groups and similar bodies want to do a project that included the use of public space. He said, if adopted, the policy would go into the Policies and Procedures Manual for reference and that final decisions with respect to receiving donations and gifts would ultimately go to the Board of Commissioners for ultimate approval. He emphasized that the policy can always be modified or changed as the Board sees fit, and he closed saying the policy gives specific verbiage on the types of gifts since they can vary.

Commissioner Rousseau moved to adopt Policy No. 100.27- Gifts and Memorials. Commissioner Brown seconded the motion.

Commissioner Brown stated that he had spoken to Commissioner Rousseau about his concerns, but he wanted to make sure efforts were taken to cover liability and indemnification issues on behalf of the county. He added that there needed to be some distinct parameters on what could be allowed. He explained that the Georgia Department of Transportation (GDOT) recently began a program where it could accept volunteer labor from various groups and that the Ku Klux Klan submitted an application for the program. He stated that a judge recently ruled that GDOT needs to accept the application. He said the Board needs to be very careful about how to proceed since he did not find language in the policy that would head those types of issues. Commissioner Brown added that there was another example of when someone donated land to a city in south Georgia only to learn there was toxic waste on the land. He said the Board needed to ensure it was not taking somebody's liability and thereby creating a county liability. Commissioner Rousseau stated that those concerns were addressed in Section 2 of the policy. He said the policy requires adherence to the county's current codes and policies in regards to liability and insurance coverage. Mr. Davenport agreed that the language in Section 2 was sufficiently broad to address Commissioner Brown's concerns. Commissioner Rousseau added that Section 6 also addressed Commissioner Brown's concerns.

Commissioner Ognio stated that the Recreation Department has a current policy for donations, memorials, and gifts and he stated the proposed policy was a massive expansion of the Recreation Commission's policy. He said he was concerned about the future costs to the county. He stated that Section 6 reads that the county is responsible for maintenance and that he was concerned with that. He also expressed concern about the amount of staff time required to fulfil the requirements located in Section 8 of the proposed policy. He said staff time would require additional cost to the county. He stated that it appeared this policy was being rushed and he did not want to adopt it with a lot of errors. Commissioner Ognio mentioned the policy has sections where the County Administrator makes approvals, other approvals are made by the Finance Director, and even other approvals are made by the Board of Commissioners, and he thought that it created inconsistency. Commissioner Ognio expressed concern about ambiguous language addressing plaque and memorial sizes saying the language left the decision wide open. He stated that in Section 4, Item 7 there was a mistake since the last word is "city" and it should read "county." Commissioner Ognio closed asking if the departments and various boards had been vetted since the policy would affect every property in the county including the Justice Center.

Commissioner Rousseau answered that he wanted to be careful not to compare the proposed policy to the Recreation Commissions guidelines since the Board of Commissioners supersedes them. County Attorney Steve Rapson added that he had reviewed the Board of Commissioners policies. He added there are departmental policies that are not sanctioned Fayette County policy so, as long as there is no contradiction, the departments can enforce things at a higher degree. Commissioner Rousseau stated the proposed policy would set the standard for the entire county. Mr. Davenport stated that the proposed policy was an overarching policy and that if there was a conflict between this policy and any departmental policy then the Board's policy would be in control.

Commissioner Ognio agreed with the replies given about the policies but maintained that the draft had "a lot of holes" in it. He said he wanted the policy to be very specific. He referred to the size of a stand-alone plaque stating that what is appropriate for one person may not be for someone else. He said he did not want to rush on this matter but rather that the Board take time to work through the language and make recommendations.

Commissioner Rousseau stated he was open to hear suggestions and incorporate them into the language. Commissioner Ognio asked how detailed staff would need to be involved in the application process and he asked if the work would take a day or a week or a month. He mentioned that the policy provides for a tax credit in Section 7, Item 3, and he asked who determines the value. Mr. Davenport stated that policies have general language in order to capture specific issues. He added that the proposed policy cites to being consistent with tax legislation. He explained that whatever a county may do it can do with this provided language, and he explained how the county could determine the value of a donation. Mr. Davenport added that the county is not obligated to accept a gift. Additional discussion followed with a general understanding that tweaks and amendments could be made to the policy as needed.

Commissioner Rousseau amended his motion to change the word “City” to “County” in Section 4, Item 7. Commissioner Brown seconded the amended motion.

The motion to adopt Policy No. 100.27- Gifts and Memorials and to change the word “City” to “County” in Section 4, Item 7 passed 4-1 with Commissioner Ognio voting in opposition. Copies of the request and Policy No. 100.27- Gifts and Memorials, identified as “Attachment 9,” follow these minutes and is made an official part hereof.

12. Approval of staff's recommendation to accept a donation from private citizens, businesses, and community leaders, in an aggregate amount of $37,487.00, for the installation of a Kenwood Park Monument and Memorial Garden in honor of late Commissioner Pota Estel Coston.

Parks and Recreation Director Anita Godbee briefed the Board on staff’s recommendation and showed a brief YouTube video of the proposed monument and memorial garden. She stated a group of citizens came before her and the Recreation Commissioner desiring to make a donation to Kenwood Park in honor of Commissioner Pota Coston. She stated the group wanted to fully fund the project at a total estimated cost of $37,487.00. She described the types of foliage and features that would be part of the memorial and garden. She added that the citizens had agreed to fully maintain the memorial for three years meaning the county would not be responsible for maintenance for three years. She mentioned that there were two options available to the Board on regarding wording on the monument. Mrs. Godbee stated that this proposal was presented to the Recreation Commission at its July 12, 2016 meeting where it was unanimously recommended for approval by the Recreation Commission.

Chairman Oddo asked who would install the monument. Mrs. Godbee replied that the citizens would install the memorial and garden with oversight from the county’s Buildings and Grounds Department to ensure it is put in per county standards. Chairman Oddo asked how the county would be protected with other than county personnel working on county property. Mrs. Godbee replied that a landscaper would be coming in to install the memorial and garden and she stated that he would have liability insurance.

County Administrator Steve Rapson informed the Board that it would need to pick either Option #1 or #2. Chairman Oddo asked if the option could be picked at some point after the meeting. Mrs. Godbee replied that the citizens would work with the county.

Commissioner Brown stated it was definitely appropriate to have a memorial and garden due to the historic election. He mentioned that Commissioner Coston had been his appointment to the Fayette County Ethics Board. He said he was worried about over 1,000 feet of irrigation and its electrical needs. He said he did not see the plans until earlier in the week and had wanted this request to be formally reviewed in a Recreation Commission setting. He said he was worried about long-term maintenance since it is easy to establish a memorial but much more difficult to maintain. He asked if there was some way to put in temporary irrigation so that if the soil is properly treated and worked it would negate the need for irrigation in the future.

Commissioner Brown further pointed out that the memorial was large and that something would have to be done to ensure that the county is not putting in numbers of very large memorials that have to be maintained. He stated that he was already fighting to get grass cut on the state highways and he did not want to have memorials in Fayette County requiring staff to maintain them. He stressed that the memorials needed to be as maintenance-free as possible. He mentioned that Fayette County has many notable people in the county and he wanted to know how to delineate what is a runaway program and where does it stop.

Mr. Matt Johnson, President of Captive Landscapes, stated that the plants that were selected for the memorial garden were virtually maintenance-free. He stated that the irrigation would have a very shallow installation in the ground and would be operated with a nine-volt battery that would need to be replaced once every one or two years. Commissioner Brown suggested an irrigation system that was over the fabric and under the mulch that could be pulled out without having to be maintained. Mr. Johnson agreed and said that was the proposal.

Commissioner Brown reiterated that if the county began receiving a lot of these requests then it would have to reconsider how to handle them. Commissioner Ognio said he could see more memorials being requested and, if one is approved, then the Board would have little choice but to approve other memorials. He worried about the upkeep of the memorial and garden since, given time, the memorials begin to look bad so that it is not so much an honor but a disaster. He said the county did not want that to happen.

Commissioner Barlow stated that good intentions do not make for success and that no one can legislate someone's desire to do something, but he said knowing the Coston family the way he does, and, knowing how Commissioner Coston benefited his life and others, it seemed to him that the Coston family would not allow the memorial to go unattended. He suggested Mr. Bernie Coston would not call the County Clerk to fix the memorial. He asked Mr. Coston to tell the Board if he preferred Option #1 or #2. Mr. Coston replied that if anything were to be out of place then the Coston family would be committed to take care of it as a family. He stated that the family preferred Option #2. Commissioner Barlow stated he has also wanted Option #2.

Commissioner Rousseau asked Mrs. Godbee if she and the Recreation Commission had vetted the request and was comfortable with the long-term upkeep and staff's ability to make sure the memorial is well maintained. Mrs. Godbee replied she was comfortable with the request. Commissioner Rousseau commended the men and women who dedicated to bring the proposal to the Board. He thanked the Coston family for being at the meeting and he asked everyone who was involved in bringing the matter to the Board to stand. Several people stood. He said he was happy to be a part of this matter and he asked the community to get behind it. Commissioner Rousseau understood his fellow Commissioners' comments, but he emphasized that the citizens had stepped forward for this particular memorial. He stated that the Board could address other memorials as they are offered and requested. He said the memorial was in recognition of someone who was instrumental in the community and was the first African-American to serve as a Fayette County Commissioner. He asked for the Board to favorably consider the request.

Mrs. Stuart Barnes: Mrs. Barnes stated that anything that is going to be done should be written down legally, and that the agreement should be weighted before the vote. She did not believe the county should rush into this vote. She further mentioned that the upkeep should be for eternity and not for just three years.

Frank Gardner: Mr. Gardner said he was on a similar page with Mrs. Barnes. He said maintaining the memorial and garden would require someone to do the work. He said the motion needed to be amended to require people to call the County Administrator if there is a problem.

Chairman Oddo asked Mrs. Godbee how the citizens calculated with the estimate for maintenance. Mrs. Godbee replied that a monument company gave a price quote, the Recreation Department helped with calculating the benches and trash receptacle costs, and that the landscape architect provided planning cost, tree cost, and drip irrigation cost. Chairman Oddo asked if there was any idea how much it would cost to do the maintenance on the plants and flowers yearly. Mr. Rapson stated that Buildings and Grounds Director Carlos Christian worked with the citizens in regard to the landscaping to ensure it is low-maintenance. He said this was request was viewed by staff as a beautification project and as a landscaping enhancement to the park.

Commissioner Brown asked if the County was collecting money to help have a non-sales tax option. Mr. Rapson stated that it was under consideration.

Commissioner Ognio stated that he worried that the pavers needed to be put down properly so that people do not fall down because of them. Mr. Rapson replied that staff would ensure the pavers were installed properly before the county takes ownership of them. Landscape architect Mr. Johnson explained how the pavers would be properly installed and told of the steps to ensure the work is done properly. Commissioner Rousseau asked Mr. Johnson if he would stand behind his work and put a warranty on it and Mr. Johnson replied that he would.

Chairman Oddo said if the request is approved then he would like the option to amend the actual wording on the dedication and for the wording to return to a future meeting for a final review.

Commissioner Barlow moved to accept a donation from private citizens, businesses, and community leaders, in an aggregate amount of $37,487.00, for the installation of a Kenwood Park Monument and Memorial Garden in honor of late Commissioner Pota Estel Coston and for the wording on the back of the monument to be left in abeyance until such time of final approval by the Board of Commissioners. Commissioner Rousseau seconded the motion. The motion passed 5-0. Copies of the request and PowerPoint presentation, identified as "Attachment 10, follow these minutes and are made an official part hereof.

13. Consideration of staff's request of a one-time contribution of $50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue.

County Administrator Steve Rapson stated that the Georgia Department of Driver's Services has been located at a very dangerous intersection for a long time. He stated that the department had worked with the state to get allocations to move to a newer location. He explained that the current building is small and this move would allow the department to expand the building and to hire more staff. He stated that Fayette County has allocated $50,000.00 for a Capital Improvement Plan due to safety concerns for both those parking at the parking lot and for those currently walking across the road to Driver's Services. He said the state was aware of that allocation and, since they have relocation and renovation costs for moving to the new facility, the state was requesting the allocated funds. Mr. Rapson added that it is not unusual for a county to provide a space and leases for other Department of Driver Services sites.

Commissioner Ognio moved to deny the request of a one-time contribution of $50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue. Commissioner Brown seconded the motion.

Commissioner Ognio stated that the state continues to collect money for driver's licenses while it is cutting back the Title Ad Valorem Tax (TAVT) from Fayette County. He said the state needs to fund their own services. He said he was unsure what the state would do without the allocated funding, but that he was unwilling to approve the request.

Commissioner Brown wished the state cared as much about Fayette County as much as Fayette County cares about the state. He explained that the state is withdrawing money from almost every connection they have with the county and now they are asking the county for $50,000.00 more.

Commissioner Rousseau suggested that the state send their mowers down to Fayette County and then they can ask for $50,000.00. Commissioner Brown added that Fayette County had to beg the state to mow its own highways and now the state is asking for $50,000.00. He said he went to the current location in 2013 when the department asked for a new location and he saw that less than half the cars are from Fayette County. He stated that many of the cars are from other Georgia counties and Fayette County is paying for them to get their drivers' licenses. He apologized for getting fired up on the matter but he said it was a festering wound. Commissioner Brown reiterated that they are already getting Fayette's money, they will not cut the grass on their highways, and now they want $50,000.00. Commissioner Ognio added that Fayette County is already furnishing them the buildings for numbers of years for free.

Mr. Rapson stated he is purely the messenger and that he was not in favor of giving money to anyone. Commissioner Rousseau asked if the funding was in the Fiscal Year 2017 budget. Mr. Rapson stated that money was already allocated as a Capital Project so the money is already available. He added that there had been previous discussion about what to do with the building and one of the discussions was to perhaps move Public Works Administration to the building. He suggested that at some point the county would do a renovation to the building or the Fire Department may move Fire Station #4 to the location, or that the parking lot would have to be improved. Commissioner Rousseau suggested that the $50,000.00 could go to the upgrades and renovations of the buildings or be used as leverage for the state to their median strips.

Commissioner Brown stated it was absolute neglect that the state keeps pulling money from the county and then asks for money for a state function that functions for citizens well beyond Fayette County.

Commissioner Rousseau stated that he saw State Representatives Fludd and Jackson in the audience and he asked them to carry the message back to the State of Georgia. He said the state needs to take care of Fayette County since it is in a reciprocal relationship.

The motion to deny the request of a one-time contribution of $50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue passed 5-0. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

14. Discussion concerning whether Fayette County seeks to request a four-year or six-year Special Purpose Local Option Sales Tax.

County Administrator Steve Rapson reminded the Board that during the 2016 Commissioner's Retreat there was discussion to approve the allocation of a four-year Special Purpose Local Option Sales Tax (SPLOST). He stated that since the Retreat there has been a lot of discussions from the municipalities to enact a six-year SPLOST. He explained that a six-year SPLOST would require the County to enter into an Intergovernmental Agreement (IGA) with the municipalities, and he pointed out that the mayors were in attendance in support of a six-year SPLOST. He stated that staff was requesting the Board to make a determination between a four-year or a six-year SPLOST so that staff could take appropriate steps as needed. He explained that staff's original request, which was included in the Agenda package, was to allocate the first $44,903,177 to Stormwater Projects in the amount of $23,741,641, to the E911 Radio System in the amount of $18,211,536 and to Fire Station #4 and Pumper in the amount of $2,950,000. He mentioned that these items were discussed at the Commissioners Retreat held in April 2016. Mr. Rapson stated that, additionally, there were three components that were originally composed. The first was for a Performing Arts Center with the county's share of the allocation being $3,555,559. He stated that the second component was for the Woolsey Community Center in the amount of $223,000. The remaining component was for transportation projects in unincorporated Fayette County in the amount of $15,964,794.

Mr. Rapson stated that subsequent meetings have occurred with Pinewood Studios and, based on feedback he received from members of the Board of Commissioners, the public, and the mayors, he modified staff's recommendation. He explained that the new recommendation would keep the Woolsey Community Center but it would take the proposed funding for the Performing Arts Center and allocate it toward unincorporated Fayette County transportation project, in the amount of $19,520,353, until such time that all the questions still remaining about the Performing Arts Center are worked out. He stated that staff was still excited about the Performing Arts Center and still wants to be a part of that project. He stated that staff had communicated the recommendation and desire to Mr. John Stephens who is on the forefront of those leading the project for Pinewood Forrest. He stated the county, cities, and the school board still want to collaborate with the Performing Arts Center at a later date. He explained that until the questions are answered then staff's recommendation would be to take the $3,555,559 and allocate it, in addition to the transportation project.

Mr. Rapson stated that he is getting questioned a lot about "what's next?" He informed the Board that, if the Board approves the allocation of a six-year SPLOST then the county would immediately begin the process of working on an IGA with the cities. He stated that a letter would be sent to the cities with the intention of calling for a public meeting with the municipalities to discuss the purpose of issuing a six-year SPLOST on August 17. He said county staff would develop a template of the transportation projects that would currently be allocated with the projected $19,520,353 SPLOST funds. Mr. Rapson mentioned that if the county took the $19,520,323 and leveraged it into federal funding then the funding could increase to $97 million. However, there would likely also be some local projects so that could ratchet down the funding; meaning the total county's funds would be somewhere between $19.5 million and $97 million. He reported he would direct staff to begin working on the list in order to provide the information at the next Transportation Committee that will be held on August 2, 2016. He explained that it would be up to Commissioner Ognio, who serves as Chairman of the Transportation Committee, to get the project list fleshed out with recommendations and provided to the Board of Commissioners so that on

August 11, 2016, during a regularly scheduled Board of Commissioners meeting, the Board could sanction the list. He stated that once the Board of Commissioners approved the project list then the county would call the vote for the actual election during September 22, 2016 Board of Commissioners meeting.

Mr. Rapson stated that the mayors of each of the municipalities were in the audience and that they wanted to make statements. He added that representatives for the Performing Arts Center were also in the audience but he did not see the need to move forward with the presentation of the Performing Arts Center since staff's recommendation has changed.

Commissioner Brown moved to approve the six-year SPLOST and to remove the Performing Arts Center for future consideration at another time, and to follow the new distribution for the SPLOST funds as stated on the document available on the dais. Commissioner Ognio seconded the motion.

Chairman Oddo asked for the motion to be amended in order to authorize the County Administrator to issue the letter. Mr. Rapson explained that the letter would be notification from the Chairman to the municipalities to call for the vote.

Commissioner Brown amended his motion as requested. Commissioner Ognio seconded the amended motion.

Chairman Oddo asked the mayors if they wanted to speak on the matter.

Mayor Vanessa Fleisch: Mayor Fleisch, representing the City of Peachtree City, asked if the distribution estimates were based on population. Mr. Rapson stated it was based on the population analysis conducted by the county and already shared with the city mangers. He explained that the allocations have not changed and that it would be the county's share of the allocation. Mayor Fleisch stated the mayors wanted to reiterate their needs as municipalities for a six-year SPLOST. She stated that Peachtree City has a number of projects that initially began with $87 million worth of projects. She said that through the course of fifteen meetings, ten of which were attended by a citizen's committee that fully vetted the projects, the process proved to be very long. She informed the Board that Peachtree City's projects included road resurfacing, cart paths, cart path bridges, and reinforcement of Lake Peachtree Dam. She said the projects also included enhancing a bridge over the spillway to be included in the design that is currently underway for the spillway.

Mayor Eric Dial: Mayor Dial, representing the Town of Tyrone, stated that the Town of Tyrone, to some degree, has a level of ambivalence about whether or not there is a SPLOST. He said the town is in good shape. He stated that the town wants to be good neighbors and that the municipal neighbors are in need. He said what is good for the neighbors is good for Tyrone. He said the town currently has a low-interest loan with the state's Road and Tollway's Authority so one project would be to pay off the loan. He added that the sewer expansion would cost $1.725 million as listed on the six-year SPLOST list. He stated that Tyrone has several resurfacing projects and several stormwater projects, as well as public park improvements and expansions. He reminded the Board that the town is part of the "74 Gateway Coalition," which is intended to preserve the integrity of the State Route 74 corridor. He informed the Board that Tyrone is the largest landowner of the corridor although it is the smallest government of the corridor. He said the town requested some SPLOST funds to help pay for those efforts in order to protect setbacks and landscaping. He said Tyrone wanted to make sure that if someone is traveling from Peachtree City to Atlanta that they could get there as quickly as possible. He stated that the town has some public safety and cart path improvement needs. He said the needs were recommended by the citizens and that have been put off in the past and will continue to be put off if SPLOST does not pass.

Mayor Ed Johnson: Mayor Johnson, representing the City of Fayetteville, stated that he was glad that the Board of Commissioners moved to approve a six-year SPLOST. He said the city had provided a prioritized project list. He said the city had a citizen's advisory committee that worked with staff in order to construct the project list; particularly critical infrastructure roadwork that would be accomplished with the six-year SPLOST. He mentioned that the city intends to "float a bond" immediately once the SPLOST is approved by the citizens. He thanked the Board for its consideration and he understood the decision to remove the Performing Arts Center from consideration. He said this was a critical point of the county and city working together to ensure the municipalities have an opportunity to get things done that absolutely need to be done in a short time.

Mayor Dan Langford: Mayor Langford, representing the Town of Brooks, stated that the town needed the SPLOST to address, repair, and probably replace its aging water system. He said about ten-percent of the SPLOST proceeds would go to address that need. He added that the other need for the Town of Brooks included six transportation projects. He said the town was very excited about the opportunity to put this matter to the public.

Councilman Jack Gilson: Councilman Gilson, representing the Town of Woolsey, stated that Mayor Gary Laggis was unable to attend the meeting so he was standing in place of the mayor. He stated that Woolsey is the smallest municipality if Fayette County. He said there is a dilapidated building on the right side of State Route 92 on the way to Griffin, and that building used to be the Georgia Mercantile Building. He said the building is over one-hundred years old and that the building was donated to the town. He said the town would like to renovate the building as a community center, town hall, and museum. He stated that the town's request was only for $223,000.00 and that the town appreciated the support it had received.

No one from the audience commented on this request.

Chairman Oddo commented that he was and remains excited about that the Performing Arts Center since it would be a wonderful addition to the county. He explained there was some thought that it could be on this SPLOST and it was suggested that it could be on this SPLOST, but it just did not work out since the timing was not right. He said there was still work to do on the matter even though he believed in the concept of the Performing Arts Center. He suggested that the Performing Arts Center would bring Fayette County to another level. He said Fayette County continues to get better and better. He asked that the concept be revisited in the future to help bring the concept to fruition.

The motion to approve the six-year SPLOST and to remove the Performing Arts Center for future consideration at another time, to follow the new distribution for the SPLOST funds as stated on the document available on the dais, and to authorize the County Administrator to issue a letter to the municipalities passed 5-0. Copies of the request and supporting documents, identified as "Attachment 12," follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Dennis Chase: Mr. Chase spoke about the proposed Special Purpose Local Option Sales Tax (SPLOST) saying he was concerned since he has minimal information about why the money is being raised. He said he has concerns about several projects on the list and that they are almost identical with the concerns he expressed with the Stormwater SPLOST. He spoke about how he led a small group in opposition to the Stormwater SPLOST and he said the same thing would occur if minimal information is provided to the citizens again. He said the citizens of Fayette County were burned in 2004 SPLOST when it was passed with little information and with the citizens not paying attention. He asked for as much detail as possible to be provided in order to avoid having groups like his working in opposition to the SPLOST.

Roy Bishop: Mr. Bishop asked for an update concerning the status of Veterans Parkway. He said the Water System is up to par but the road cannot seem to be completed. He stated that an earlier administration was able to get something done but this administration has been working on the matter for six years and cannot get the road done. He said the people on West Bridge Road hoped to see Veterans Parkway completed by the end of summer. He questioned if the county was still working with the original contractor or if it had to be rebid in order to complete the project.

Mrs. Stuart Barnes: Mrs. Barnes stated she was against the Special Purpose Local Option Sales Tax. She agreed with Mr. Chase's comments that more details should be provided before anybody will even consider the SPLOST. She said she read *The Citizen* and became very concerned since there was nothing that would convince her to vote for the SPLOST. She clarified that her stance could change if she is provided information but that she could not vote for a SPLOST given the current level of information she has.

Donald E. Martin: Mr. Martin asked if there was a law enforcement officer in the room. Major Tommy Pope of the Fayette County Sheriff's Office replied that he was available. Mr. Martin stated he has a concealed carry permit and he has been a weapons carrier for the last twenty years. He asked if an officer comes to his vehicle and asks if he has a weapon, and if he tells the officer that he does, where does he need to keep his permit. He stated that he typically keeps his permit with his license and he asked if it has to be somewhere else such as clipped to a sun-visor. Major Pope replied that the concealed carry permit can be carried in a wallet, in a glove box, or in a console. Mr. Martin implored Major Pope for law enforcers to consider that when a licensed carrier informs an officer that they have a license for the officers to consider that the license holder is a good person since they have to pass a background check. He said he was asking his question since he wants to be sure he is right with the law and right in the eyes of the officer.

Terrance Williamson: Mr. Williamson commended the Board for conducting the business of the county. He stated that he is on the Recreation Commission and that as the memorial was being debated by the Recreation Commission each of the members were acting like four or five mini-Steve Browns. He said the Recreation Commission wanted the absolute minimum maintenance for the memorial garden. Mr. Williamson replied to Mr. Martin's comments saying everyone has observed what has happened in the news. He stated that most citizens recognize and appreciate what law enforcement does since they know that without the rule of law there would be pandemonium, confusion, pain, and suffering. He said sometimes the rules are supposed to do one thing but they do not always work out. He said the man killed in Minnesota had a concealed carry permit. He said it remains to be seen but the officer that reacted to the man reaching for his license in his back pocket was not thinking about the rules but rather about getting home. He said the policeman fears for his life on a regular basis. Mr. Williamson stated that it is in one's best interest to do anything possible to diffuse the situation before it happens. He said people should not sit with the permit in a back pocket and to keep hands completely visible. He said people should not give an officer with a question about what they are getting into. He said that needs to be done in the world as it currently is.

Grace Caldwell: Ms. Caldwell stated she was concerned about the economy. She said the presidential election is right around the corner and there are young people fresh out of college who cannot get a job that pays enough to live on their own. She said senior received a 2/10 of a 1% raise in Social Security with medical costs on the rise requiring some seniors to adjust their budgets in order to eat. She said some go without medications. She stated that children live in mobile homes in Fayette County and who chase Good Samaritan trucks and food trucks begging for sandwiches. She said she did not want to see the Special Purpose Local Option Sales Tax to pass since it is time to look at the overall economy and those who are hurting. She mentioned that there was already a tax increase since there was a property value increase. She stated that if the projects are not an emergency then they can be put off.

Linda Flowers: Ms. Flowers thanked the Board for putting the Special Purpose Local Option Sales Tax on the table. She thought that it is needed since there are a lot of projects that were reasonably and responsibly put on hold during the recession. She stated that things cannot be put on hold forever. She mentioned that if a house has a roof leak it is not a good idea to wait until another day to fix the problem since it will cost more money in the future. She agreed with Ms. Caldwell's statement that there are people doing without and she recognized that fact, however, she stated that the SPLOST is not a property tax and it is not an income tax, but, rather, it is a sales tax. She stated that if she buys food at the grocery store it will not have SPLOST on it, but extra clothes or discretionary items will be taxed. She closed by once again thanking the Board.

Commissioner Brown asked if a SPLOST was applicable to food. County Administrator Steve Rapson replied that there were exceptions but he would have to look at the exceptions. Commissioner Ognio suggested that SPLOST is not exempted from all foods.

Lynne Lasher: Ms. Lasher thanked the Board for approving the six-year Special Purpose Local Option Sales Tax and for removing the Performing Arts Center. She stated that those opposed to SPLOST need to recall that this is not about taxing Fayette citizens but about taxing things that are purchased to be taxed. She stated that it would allow shoppers from other counties to help Fayette County out since she is tied of helping out the other counties when she shops in them. She suggested that it is time for the other counties to return the favor.

Bonnie Williamson: Mrs. Williamson said she loves services, hates taxes, but will pay her fair share. She spoke about what is going on the news. She said she is a black mother with two sons who has always taught her children differently. She said that the world her children live in is becoming more visible due to cell phones and videos. She said it is not fair but, at the same time, like everything there will be some bad apples. She said that all law enforcement cannot be classified together since most are putting their lives on the line and doing the right thing. She also commended the fire department saying they are good people. She did not want to see Fayette County get pulled into the mess that is going on and she asked the people to look at ways to deescalate the situation.

ADMINISTRATOR'S REPORTS:

Hospital Authority Meeting: County Administrator Steve Rapson reported that the Hospital Authority would meet at 2:00 p.m. on July 19, 2016. He stated that the meeting would take place at Piedmont Fayette Hospital.

Reply to Public Comments: County Administrator Steve Rapson replied to Mr. Chase's public comments by stating that the county was embracing the concept of providing the details and that is why it was taking so long to get the information out. He replied to Mr. Bishop's comments stating he has spoken to Mr. Waller, who was sitting next to Mr. Bishop, and that he had informed Mr. Waller that the Capital List would be updated for the Board's approval in August. He asked Mr. Bishop to email him for further information.

SPLOST Recap: County Administrator Steve Rapson replied to those who asked for details on the Special Purpose Local Option Sales Tax. He reported that he just received the details earlier in the afternoon. He said he would look at them all weekend and the details would be released early next week. He said staff would begin working on the transportation projects and they would be provided to the Transportation Committee on August 2, 2016.

A. Request for Proposals #1112-P: Target System for Outdoor Shooting Range (The Drennan Company.) A copy of the information, identified as "Attachment 13," follows these minutes and is made an official part hereof.

B. Contract #940-P, Public Works Engineer of Record: Task Order 7- Culvert Designs and Bid Services for Antebellum Road (Tetra Tech, Inc.) A copy of the information, identified as "Attachment 14," follows these minutes and is made an official part hereof.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport notified the Board that he had three items of Pending Litigation and review of the June 23, 2016 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown:

Contract Renewals: Commissioner Brown stated that he would like to see when the Board approves renewals or extensions of contracts that there is something from a corresponding department director that tells the Board about the service or performance of the contractor. He suggested that it would provide the Board with further information for consideration.

Water Guardians Cleaning Lake McIntosh: Commissioner Brown stated that the Water Guardians would be cleaning water reservoirs at Lake McIntosh in Peachtree City, which is located at the end of TDK Boulevard. He said the event would take place August 13, 2016 at 8:30 a.m. He stated there is no alligator in the lake. He said the Water Guardians supply trash bags and trash grabbers, and that they would provide food.

Performing Arts Center: Commissioner Brown stated that the Performing Arts Center was a worthy endeavor. He said the county wanted to work on it but it would require more planning and feedback. He suggested that there should not be a rush on something that has that much expense and magnitude.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Brown said he understood that no one wants to pay more taxes. He noted that with the Stormwater SPLOLST that was proposed last time, two of the five problematic stormwater sites have since failed. He said the roads collapsed and the stormwater infrastructure gave way. He said one of the failures required cutting a road through a woman's yard so people could get out of the subdivision. He said the projects have not changed and the ones that are dangerous and on the verge of failure will collapse. He said the county does not have money set aside and traditionally has not set aside money. He said county created the Stormwater Utility to collect annual stormwater funds, but it is not enough to cover the amount of work required. He explained that PSLOST helps the county catch-up so there should be no other requests for stormwater funds.

Commissioner Ognio:

Reminder of On-going Run-off Election: Commissioner Ognio stated that the run-off election is on-going. He said he was in Spalding County where he talked to one of their commissioners. He said Spalding County has a really good turn-out for this election. He said he did not know how Fayette County's turnout is going but he hoped the people would vote.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Ognio stated there are project on the SPLOST that have to be paid for sooner or later. He said the transportation money is a win-win since the state would issue grants to help counties and municipalizes if there is matching funds. He said if the county gets funds then the $19 million could be increased up to $90 million, which is a good investment for the road system. He understood property values went up, but he reminded everyone that the Board rolled the taxes back. He explained some may still see some increase and some may see a decrease, but that the Board has worked hard to keep property taxes down. He agreed that if the SPLSOT passes, the people in neighboring counties would still come to Fayette County since their taxes would still be higher in their home counties.

State Route 92 / Veterans Parkway Intersection: After Commissioner Barlow gave his comments, Commissioner Ognio stated that the Transportation Committee meets on the first Tuesday of each month. He said citizens are welcome to attend the committee meeting and he stated that the State Route 92 / Veterans Parkway intersection was discussed at the last meeting. He said Commissioner Barlow was exactly right. He said the Georgia Department of Transportation looks at plans and sends them back for changes, but when the changes are made they look at it again and make other changes. He said the plans have been back and forth so many times that he is at a loss. He said it was definitely a GDOT problem that he wished he could fix tomorrow. He said the county had to go through the process with the intention of getting it resolved as soon as possible. He said the meetings would be held in the Public Meeting Room and the next day would be August 2, 2016 at 4:00 p.m.

Commissioner Rousseau:

Personal Congratulations: Commissioner Rousseau congratulated Lewis Patterson and Peggy Glaze for their accomplishments and being recognized earlier in the meeting.

Comments on Current National Unrest: Commissioner Rousseau stated his phone has been ringing off the hook pertaining to the unrest and potential confrontations between some members of the community and law enforcement. He commended the work of law enforcement, and he hoped everyone would find the ability for restraint. He said he had received a number of phone calls from African-American parents who are nervous when their children are being stopped. He explained that no one was actually at the incident but the outcome is dangerous since someone could lose their life. He said there should be a continuous dialog to create an equal system where people deal with best practices and not focus on those areas that divide. He said there is a common issue that no one likes to raise taxes, but he asked if others could discuss the difficult issues that require intimate though, serious dialog, and cultural shifts on both sides of the equation. He stated that there is a lot of work to be done and he asked people to be committed to find something that is wholesome, that benefits community, and makes everyone better. He said there are events that occur where the facts are vague but someone will lose their life. He asked everyone to be careful and

prayerful, and he appreciated the genuine support received from the public overall. Commissioner Rousseau commended law enforcement for the restraint it uses in Fayette County and metropolitan Atlanta. He said tensions are rising and need to be addressed.

Commissioner Barlow:

State Route 92 / Veterans Parkway Intersection: Commissioner Barlow stated that when he attended the Department Head meeting on Tuesday the question was asked about State Route 92 and Veterans Parkway. He explained that the hold-up is coming from the Georgia Department of Transportation and that he has made fifteen submittals to the Georgia Department of Transportation. He said Public Works is doing all they can to get the process completed.

Commendation of Information Technology Director Phil Frieder: Commissioner Barlow stated that Information Technologies Director Phil Frieder reported about how he was making a monumental upgrade to the security of the county's internet. He said he later read *Georgia Trend* where an article read: "One of the truisms of the modern world is you will be hacked sooner or later. It's a matter of when, not if. Everybody's under attack all the time." Commissioner Barlow commended Mr. Frieder for taking the initiative for upgrading the internet system that the county uses.

What Fayette County Does: Commissioner Barlow stated there was an article in *Georgia Trend* magazine about the 20-year anniversary of the Atlanta Olympics. He stated that the article read: "What we really need is equitable development to stabilize existing neighborhoods. Equitable development seeks to create healthy, vibrant, sustainable, and most importantly, inclusive communities where everyone can participate in and benefit from decisions that help shape their neighborhood." He said that is exactly what Fayette County does.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Barlow stated he is on the Mobilization Committee which is a parallel committee to Fayette County's Transportation Committee. He stated that Fayette Chamber of Commerce President Carlotta Ungaro stent out an article entitled *Stuck*. He said the report was published in June 2016 and that it read: "Traffic has become an existential threat. It makes us poorer, angrier, lonelier, sicker, and it will get worse before it gets better. Perhaps much worse. Meanwhile, the existing world of traffic and transit remains underfunded and largely dysfunctional. Until driverless cars can provide salvation, real change will have to come from drivers' own behavioral shifts. A grudging acceptance of higher gas taxes and tolls, more cycling and walking, and an increase of telecommuting." Commissioner Barlow stated that transportation is on everybody's radar and it will have to be dealt as best as possible. He said the most paramount item for him on SPLOST concerns was the stormwater failures that occurred during the Christmas 2015 season. He said some of the failures were listed on the failed 2014 Stormwater SPLOST initiative, and he thought it was short-sighted to constantly criticize the way SPLOST is put forward when 99.99% of the people will benefit from the SPLOST. He said the few people who want to complaint about SPLOST can do so, but he would support SPLSOT and he hoped the citizens would too.

Chairman Oddo:

Sheriff's Training Facility: Chairman Oddo reminded everyone that the Board did approve the new training facility for Sheriff Babb, and he said it would go a long way to help the Fayette community to avoid these national situations. He said training is critical since he believed most incidents do not involve bad police or individuals, but rather involved situations that got out of hand.

Mayors Attend Board of Commissioners Meeting: Chairman Oddo thanked everyone for coming to the meeting. He thanked the mayors for attending the meeting and he noted that was the first time each of the mayors had been in the room together at the same time.

EXECUTIVE SESSION:

Three Pending Litigation Items and Review of the June 23, 2016 Executive Session Minutes: Commissioner Brown moved to enter into Executive Session. Commissioner Barlow seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 9:26 p.m. and returned to Official Session at 10:42 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 15," follows these minutes and is made an official part hereof.

Settlement between Patrick Thompson and Fayette County: County Attorney Dennis Davenport stated he was briefed with an issue earlier in the afternoon that Fayette County has an employee who was injured on the job. He said the employee, named Patrick Thompson, is currently receiving Worker's Compensation benefits. He said terms have been reached for settlement if it meets with the Board's favorable consideration. Mr. Davenport stated that Mr. Thompson suffered a lumbar strain and sciatica, and that he is currently receiving Worker's Compensation benefits in the amount of $419 weekly. Mr. Davenport reported that Mr. Thompson has agreed to the terms and conditions of a settlement that include a release from employment as well as signing a release from any claims he may have with the Board of Commissioners. He said that in exchange for the settlement the County would agree to pay Mr. Thompson $5,500.00.

Commissioner Ognio moved to accept the settlement as told by the County Attorney. Commissioner Brown seconded the motion. The motion passed 5-0.

Approval of the June 23, 2016 Executive Session Minutes: Commissioner Ognio moved to approve the June 23, 2016 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the July 14, 2016 Board of Commissioners meeting. Commissioners Brown seconded the motion. The motion passed 5-0.

The July 14, 2016 Board of Commissioners meeting was adjourned at 10:44 p.m.

_____ _____

Floyd L. Jones, County Clerk Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 28rd day of July 2016. Referenced attachments are available upon request at the County Clerk's Office.

_____

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

Department:	Administration	Presenter(s):	County Administrator Steve Rapson
Meeting Date:	Thursday, July 28, 2016	Type of Request:	Old Business #15

Wording for the Agenda:

Consideration and approval for delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax. This was approved on July 14, 2016 as "Discussion concerning whether Fayette County seeks to request a four-year or six-year Special Purpose Local Option Sales Tax."

Background/History/Details:

The Fayette County Board of Commissioners approved calling for a six-year SPLOST on July 14, 2016, with the expectation of a November election.

However, having the SPLOST on a November cycle creates a time-frame so compressed that there are concerns that adequate notices have not been done. Delaying the SPLOST election and Calling for a Special Called Election creates a better opportunity to educate our residents of these critical projects and to further flesh out project lists to our residents.

In order to keep the integrity of the process the Mayors of Peachtree City, Fayetteville, Tyrone, Brooks, and Woolsey support pushing this important ballot question to a March Election cycle. Additionally, each municipality has agreed to pay their share of the prorated cost for the $60,000 March Special Election, using the 2010 population for distribution as in how the SPLOST proceeds were allocated.

What action are you seeking from the Board of Commissioners?

Consideration and approval for delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

COUNTY AGENDA REQUEST

Department:	Selection Committee	Presenter(s):	Commissioners Ognio and Barlow
Meeting Date:	Thursday, July 28, 2016	Type of Request:	New Business #16

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sission, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

Background/History/Details:

The McIntosh Trail Community Service Board is a public entity created by the Georgia legislature in 1993 to provide for mental health, developmental disability, and addictive disease services to residents living in Butts, Fayette, Henry, Lamar, Pike, Spalding and Upson Counties. the mission of the McIntosh Trail Community Service Board is to offer individuals experiencing symptoms associated with mental illness, addictive disease and/or developmental disability the hope for optimal functioning by providing quality behavioral health serves and supports. The McIntosh Trail Community Service Board is comprised of fifteen members appointed from each of the seven counties of which Fayette County has three members. Two of the Fayette County's members are appointed from the citizenry by the Fayette county Board of Commissioners and the other member is required to be an elected official or designated county appointee.

One available position was advertised and one citizen responded to the advertisement. The Selection Committee reviewed the applicant's application and is making the recommendation to the Board of Commissioners for approval.

Ms. Stepherson was re-appointed to the Hospital Authority on July 19, 2016.

What action are you seeking from the Board of Commissioners?

Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sission, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*		Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

APPLICATION FOR APPOINTMENT
McIntosh Trail Community Service Board

Thank you for your interest in being considered as Fayette County's appointment to the McIntosh Trail Community Service Board.

McIntosh Trail Community Service Board members represent seven counties throughout central-western Georgia to terms which generally last three years. Meetings are typically held once every month anywhere within its seven-county district. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on June, 2016.

If you have any questions, please call (770) 305-5102.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME LAVONIA W. Stephenson

ADDRESS ____ _____

_____

TELEPHONE (day) _____ _____

(evening) SAME

(email address) _____ _____

Lavonia W Stephenson _____ 5/12/16
Signature Date

1 .How long have you been a resident of Fayette County?

Since March, 2013

2 .Why are you interested in serving on the McIntosh Trail Community Service Board?

Throughout my work career I have worked with or provided services for members of our society who have mental health, mental disability issues or behavioral health problems. I am an advocate for public education, delivery of quality professional programs, and services to help all people live mentally healthier lives.

3. What qualifications and experience do you possess for appointment to the McIntosh Trail Community Service Board?

Served

5 years South Georgia Community Service Board (2007-2012)

5 years South Georgia Regional Council (2007-2012)

4. List your current employment experiences to include name of company and position.

WIA Intake Case Manager, AVPRIDE, Youth Workforce Development Program.

I provide support services for all youth 16-21 who meet income requirements or have a disability. The goal is for our students to graduate from high school, obtain a post-secondary education, or graduate from college and become gainfully employed.

5. Do you have any past experience relating to the McIntosh Trail Community Service Board? If so, please describe.

In the past I served 5 years on the Behavioral Health Service of South Georgia Community Board which provided disability services within the counties of Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Tift and Turner. The Board provided a range of services to children, adults and families with mental illness, addictive disease and individuals with Developmental Disabilities.

6. Are you currently serving on a commission/board/authority or in and elected capacity with any government?

No

7. Have you attended any McIntosh Trail Community Service Board meetings in the last two years and, if so, how many?

No

8. Are you willing to attend seminars or continuing education classes at county expense?

Yes

9. What is your vision of the county's future related to the duties of McIntosh Trail Community Service Board?

To provide excellent treatment and services to behavioral health and developmental consumers and their families.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the McIntosh Trail Community Service Board?

No

11. Are you in any way related to a county Elected Official or County employee? If so, please describe.

No

12 .Are you a consumer of services provided by the McIntosh Trail Community Service Board, or, are you a family member of an individual with behavioral health or developmental disabilities?

Yes

13. Describe your current community involvement.

Southside Support Inc. Executive Board

Member Cornerstone Baptist Church

National Alliance on Mental Illness NAMI

Factor

Judicial Review Panel

Piedmont Hospital Authority Board

South Metro Mental Health and Substance Abuse Network

14. Have you been given a copy of the county's Ethics Ordinance?

Yes

15. Is there any reason you will not be able to comply with the County's Ethics Ordinance?

No

Lavonia W. Stepherson

QUALIFICATIONS SUMMARY

Results-oriented professional with twenty-five years of progressive responsibility in health, manufacturing and educational environments. Proficient in developing and implementing programs to quality and outcome standards.

CAREER SKILLS/KNOWLEDGE

Program Coordinator	Case Management	Clinical/Staff Training	Financial Analysis
Cost Management	Employee recruitment	Investigation/Litigation	Networking
Staffing strategies	Benefits administration	Accounts payable/receivable	
Supervision	General Management	Human Growth & Development	

EDUCATION

Wayne State University, Detroit, Michigan
Bachelors of Science, Nursing

Highland Park Community College, Detroit, Michigan
Associate of Science, Nursing

Georgia Academy for Economic Development
Fitzgerald, Georgia
Region Economic and Leadership Development

Boston University Center for Aging and Disability Education and Research
Certificate in Aging and Disabilities

PROFESSIONAL EXPERIENCE

AVPRIDE **2014**
WIA Intake Case Manager

- Conduct customer intake procedures and facilitate intensive services including but not limited to: student case management, assessment, career guidance. Maintain accurate, complete case records based on standards set forth by WIA Guidelines

Director of Certified Literate Community Program (CLCP) **2007-2012**
Wiregrass Georgia Technical College

- Develop ,present and implement strategic and operational plans to CLCP Executive Board of Directors
- Create partnerships with community organizations ,civic leaders ,industry leaders and business owners on behalf of literacy programs
- Establish Executive Board of Directors for Irwin, Ben Hill, Wilcox, Coffee , Atkinson , Berrien, Brooks, Cook, Echols and Lanier counties
- Coordinate and supervise CLCP operations throughout 11 county area

Interim Occupational Health **2005-2006**

Occupational Health Nurse

- Patient Assessments. Yearly health exams, Blood draws
- Administration of medication and treatments
- Emergency management of injury or health problem
- Health promotion and injury prevention teaching
- Managed and provided health services employees with injuries and illness
- Served as a case manager for employees with work related injuries

Dorminy Medical Center **2004 -2005**

Risk Director

- Coordinated investigations of incidents involving actual or potential injury to external and internal customers.
- Coordinated activities of one or more departments in formulating, revising, or administering organizational policies

COUNTY AGENDA REQUEST

Department:	Public Works/Stormwater Utility	Presenter(s):	Phil Mallon
Meeting Date:	Thursday, July 28, 2016	Type of Request:	New Business #17

Wording for the Agenda:

Consideration of staff's recommendation to reduce the General Fund Flood Damage loan to the Stormwater Utility for projects associated with the storm damages (FY2016 December 2015 floods) and revise Stormwater Utility project budgets approved in FY2015 budget.

Background/History/Details:

On January 14, 2016, the BOC approved a loan of $997,529 for the FY2016 allocation to the Stormwater Utility to address emergency needs resulting from the December 2015 floods. Nine projects were identified.

Since that time, five of the nine projects have been completed. In addition, two projects, Bridger Point and Broom Boulevard, have been identified that were not part of the original list presented on January 14, 2016. The attached spreadsheet (Attachment A) reflects adjustments required to the projects due to updated costs for projects in process and actual costs for the five completed projects.

Additionally, five Stormwater Utility project budgets approved in the FY2015 budget by the Board of Commissioners in June 2014 need adjusted. The attached spreadsheet (Attachment A) reflects adjustments required to the projects due to updated costs for projects in process; actual costs for completed projects and removed projects.

The original $6,522,342 budget has been revised to $6,247,128 and includes adding the Broom Boulevard and Bridger Point projects; and revisions of the Emerald Lake Dam; Longview Dam and Lawson Lane budgets resulting in a $275,214 budget reduction.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to reduce the General Fund Flood Damage loan to the Stormwater Utility for projects associated with the storm damages (FY2016 December 2015 floods) and revise Stormwater Utility project budgets approved in FY2015 budget.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, January 14, 2016
Is Audio-Visual Equipment Required for this Request?	No	Backup Provided with Request?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

Staff is in the process of submitting final project reimbursement requests to FEMA for these stormwater disaster declaration projects associated with the December 2015 floods.

History of Stormwater Projects

FY2016 Stormwater Projects (BOC Jan 2016-Flood Projects)

Project #	Project Description	Total Cost	FY2015	Adjustments	FY2016	Adjustments	FY2017	Adjustments	FY2017
6509A	Canterbury Lane-**Completed**	$97,500			$97,500		$97,500	$4,136	$101,636
6509B	Westbridge Circle-**Completed**	$104,000			$104,000		$104,000	($35,581)	$68,419
6509C	Rising Star Road	$633,750			$131,400	$504,222	$635,622	($186,480)	$449,142
6509D	Antebellum Lane (twin)	$776,698			$96,574	$680,124	$776,698	($295,117)	$481,581
6509E	McBride Rd-**Completed**	$93,750			$93,750	$0	$93,750	($51,930)	$41,820
6509F	Lowery Road-**Completed**	$100,404			$100,404	$0	$100,404	($55,881)	$44,523
6509G	Bernhard-**Completed**	$100,404			$100,404	$0	$100,404	($55,457)	$44,947
6509H	Old Senoia Road	$773,438			$153,750	$620,402	$774,152	($105,580)	$668,572
6509I	Lee's Mill Rd	$930,384			$119,747	$808,051	$927,798	($415,950)	$511,848
M&O	Bridger Point	$0						$9,192	$9,192
6509L	Broom Blvd.	$0						$387,880	$387,880
	Grand Total	**$3,610,328**	**$0**	**$0**	**$997,529**	**$2,612,799**	**$3,610,328**	**($800,768)**	**$2,809,560**

FY2015 Stormwater Projects (BOC July 2015-Category I)

Project #	Project Description	Total Cost	FY2015	Adjustments	FY2016	Adjustments	FY2017	Adjustments	FY2017
5509A	Brittany Way-**Completed**	$75,000	$75,000		$75,000		$75,000	($7,568)	$67,432
5509B	Emerald Lake Dam	$1,720,000	$1,720,000		$1,720,000		$1,720,000	$344,000	$2,064,000
5509C	Kozisek Dam	$250,000	$250,000		$250,000		$250,000		$250,000
5509C	Longview Dam	$469,000	$469,000		$469,000		$469,000	$235,907	$704,907
5509D	Lawson Lane-Completed	$65,000	$65,000		$65,000		$65,000	$29,509	$94,509
5509G	Morning Dove Project - Cat II Tier I-**Removed**	$203,100	$203,100	($203,100)	$0		$0		$0
5509G	Engineering Design-**Completed**	$0	$0	$80,000	$80,000		$80,000		$80,000
5509H	Oak Street	$80,000	$80,000	$0	$80,000		$80,000	($1,494)	$78,506
5509I	Replacements/Upgrade-**Completed**	$49,914	$49,914	$48,300	$98,214		$98,214		$98,214
5509J	Merrydale Pipe Replacement-**Removed**	$0	$0	$74,800	$74,800		$74,800	($74,800)	$0
	Grand Total	**$2,912,014**	**$2,912,014**	**$0**	**$2,912,014**	**$0**	**$2,912,014**	**$525,554**	**$3,437,568**

Combined Total	**$6,522,342**	**$2,912,014**	**$0**	**$3,909,543**	**$2,612,799**	**$6,522,342**	**($275,214)**	**$6,247,128**

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, July 28, 2016	Type of Request:	New Business #18

Wording for the Agenda:

Consideration of the Fayetteville annexation of 1373 North SR 85, and the rezoning of said property from A-R (Agricultural-Residential) to C-2 (Community-Commercial).

Background/History/Details:

The City of Fayetteville has notified Fayette County of an application to annex 1373 North SR 85 which consists of 5.89 acres. The City has also notified the County of its intention to rezone the property from A-R (Agricultural-Residential) to C-2 (Community-Commercial).

The county's governing authority may either "object" to the annexation, by majority vote, or choose not to object to the annexation request.

Per Section 36-36-113 of the Georgia Code, Fayette County must deliver their objection to the annexation by certified mail or statutory overnight delivery not later than the end of the thirtieth calendar day following receipt of the notice. The deadline for delivery of an objection is August 10, 2016.

Staff has reviewed the application and finds no grounds for a bona-fide land use objection as the Fayette County Future Land Use Plan designates the subject property as Commercial.

What action are you seeking from the Board of Commissioners?

Approval of the Fayetteville annexation of 1373 North SR 85, and the rezoning of said property from A-R (Agricultural-Residential) to C-2 (Community-Commercial).

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

* *All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.*

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

To: Board of Commissioners

From: Pete Frisina

Date: July 14, 2016

Re: Fayetteville Annexation Request for 1373 SR 85 North, Fayetteville, GA 30214
Property Tax ID#: 05-38-026

Fayetteville has received a request for annexation of the above-referenced property located at 1373 SR 85 North, Fayetteville, GA 30214. The annexation notice from Fayetteville indicates the intent to annex and rezone approximately 5.89 acres to C-2 (Community-Commercial). The subject property is currently zoned A-R (Agricultural-Residential) in Fayette County and contains a single-family residence. The annexation application indicates a Biolife Plasma Services clinic is proposed.

Rezoning History

Current rezoning petition, 1258-16 (A-R to C-H), involves the subject property. This petition was tabled by the Planning Commission to their August 4, 2016 meeting.

General Description

The subject property is located at 1373 SR 85 North. The proposed annexation would not create an island. The subject property abuts the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	2.05 1.38	C-3 (Fayetteville) C-H	Commercial Commercial	Neighborhood Mixed Use (Fayetteville) Commercial
South	1.40 1.00 1.49 1.61 1.00	R-40 C-H C-H C-H C-H	Residential Commercial Commercial Commercial Commercial	Low Density Residential (1 Unit/1 to 2 Acres) Commercial
East	1.00	R-40	Residential	Low Density Residential (1 Unit/1 to 2 Acres)
West (across SR 85)	2.50 1.35	C-2 (Fayetteville) C-2 (Fayetteville)	Commercial Commercial	Highway Commercial (Fayetteville)

Current County Land Use

The subject property is designated as Commercial on the Fayette County Future Land Use Plan map.

DEPARTMENTAL COMMENTS

Planning and Zoning: As the subject property is currently designated Commercial on the Fayette County Future Land Use Plan map, there is no change in land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use (see State Law below).

Fire/EMS: Opposed the annexation due to the loss of Fire Tax revenues.

Water System: Access to water is on the opposite side of S.R 85. 10" C900 water main.

Public Works/Engineering:

Access for this parcel would be controlled by the GDOT. No other Engineering comments with respect to annexation request.

Environmental Health: This department has no objection to the proposed annexation request.

Environmental Management:

Floodplain	The property **DOES NOT** contain floodplain per FEMA FIRM panels 13113C00102E and 13113C00106 dated Sept 26, 2008. The property **DOES NOT** contain floodplain delineated in the Fayette County 2013 Future Conditions Flood Study.
Wetlands	The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. A more detailed study may be required upon staff field inspection. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
Watershed	Watershed Protection **DOES NOT** apply.
Groundwater	The property **IS NOT** within a groundwater recharge area.
Stormwater	This development **IS** subject to the Post-Development Stormwater Management Ordinance.

STATE LAW

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY
CHAPTER 36. ANNEXATION OF TERRITORY
ARTICLE 7. PROCEDURE FOR RESOLVING ANNEXATION DISPUTES

***36-36-113.* Objection to annexation; grounds and procedures**

(a) The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:

(1) The proposed change in zoning or land use;

(2) Proposed increase in density; and

(3) Infrastructure demands related to the proposed change in zoning or land use.

(b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.

(c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.

(d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:

(1) Result in:

(A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or

(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and

(2) Differ substantially from the existing uses suggested for the property by the county’s comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

36-36-114. Arbitration panel; composition and membership

(a) Not later than the fifteenth calendar day following the date the municipal corporation received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.

(b) The arbitration panel shall be composed of five members to be selected as provided in this subsection. The Department of Community Affairs shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than two panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.

(c) Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.

(d) Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available.

(e) At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."

36-36-115. Meetings of arbitration panel; duties; findings and recommendations; compensation

(a) (1) The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than the sixtieth day following such appointment. The meetings of the panel in which evidence is submitted or arguments of the parties are made shall be open to the public pursuant to Chapter 14 of Title 50. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.

(2) In arriving at its determination, the panel shall consider:

(A) The existing comprehensive land use plans of both the county and city;

(B) The existing land use patterns in the area of the subject property;

(C) The existing zoning patterns in the area of the subject property;

(D) Each jurisdiction's provision of infrastructure to the area of the subject property;

(E) Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;

(F) Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and

(G) Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.

(3) The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property.

(4) The county shall bear at least 75 percent of the cost of the arbitration. The panel shall apportion the remaining 25 percent of the cost of the arbitration equitably between the city and the county as the facts of the appeal warrant; provided, however, that if the

panel determines that any party has advanced a position that is substantially frivolous, the costs shall be borne by the party that has advanced such position.

(5) The reasonable costs of participation in the arbitration process of the property owner or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.

(6) The panel shall deliver its findings and recommendations to the parties by certified mail or statutory overnight delivery.

(b) If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.

(c) The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.

(d) The members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.

(e) If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

36-36-116. Appeal

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

36-36-117. Annexation after conclusion of procedures; remedies for violations of conditions

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

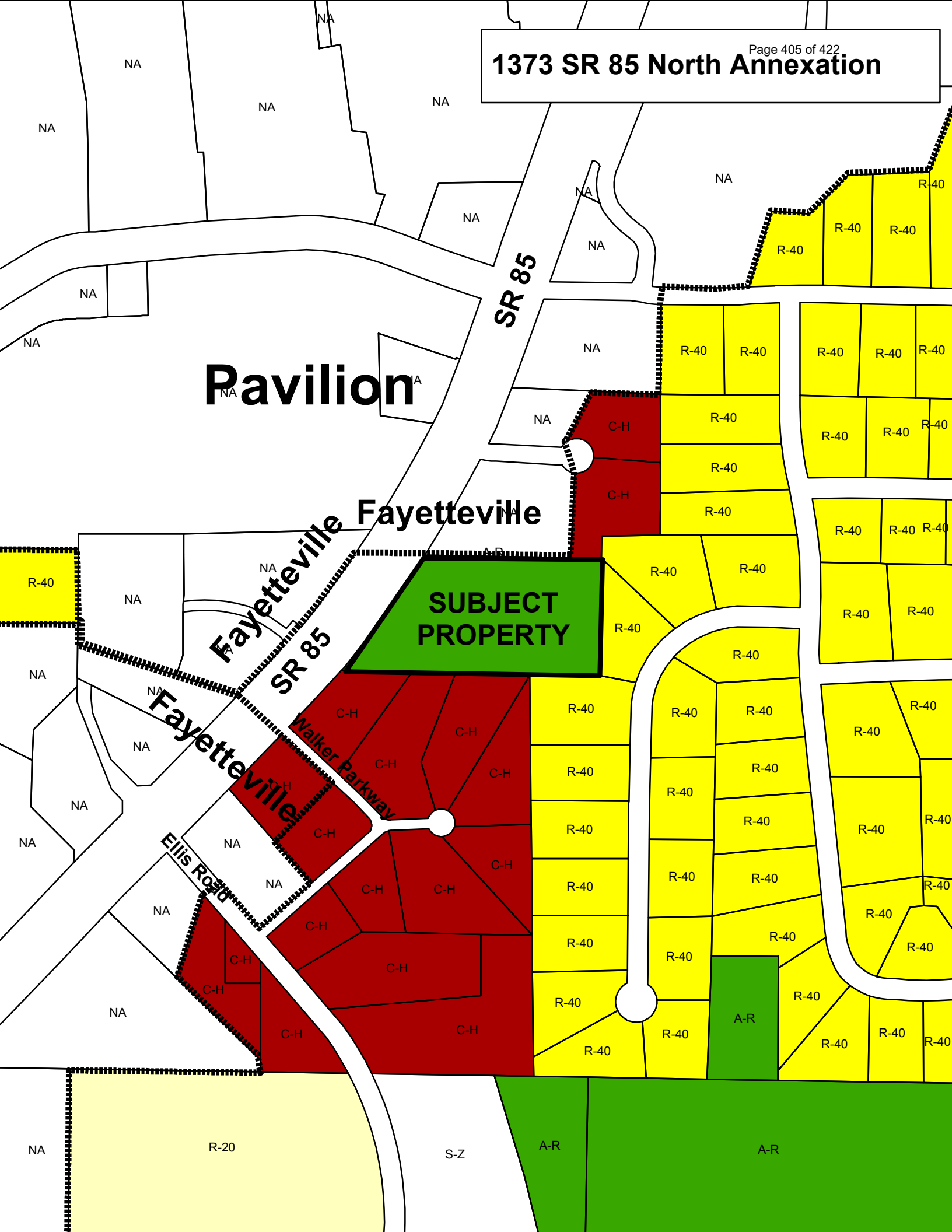
36-36-118. Abandonment of proposed annexation; remedies for violations of conditions

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the one-year period and such annexation may proceed at any time during the one year without any further action or without any further right of objection by the county.

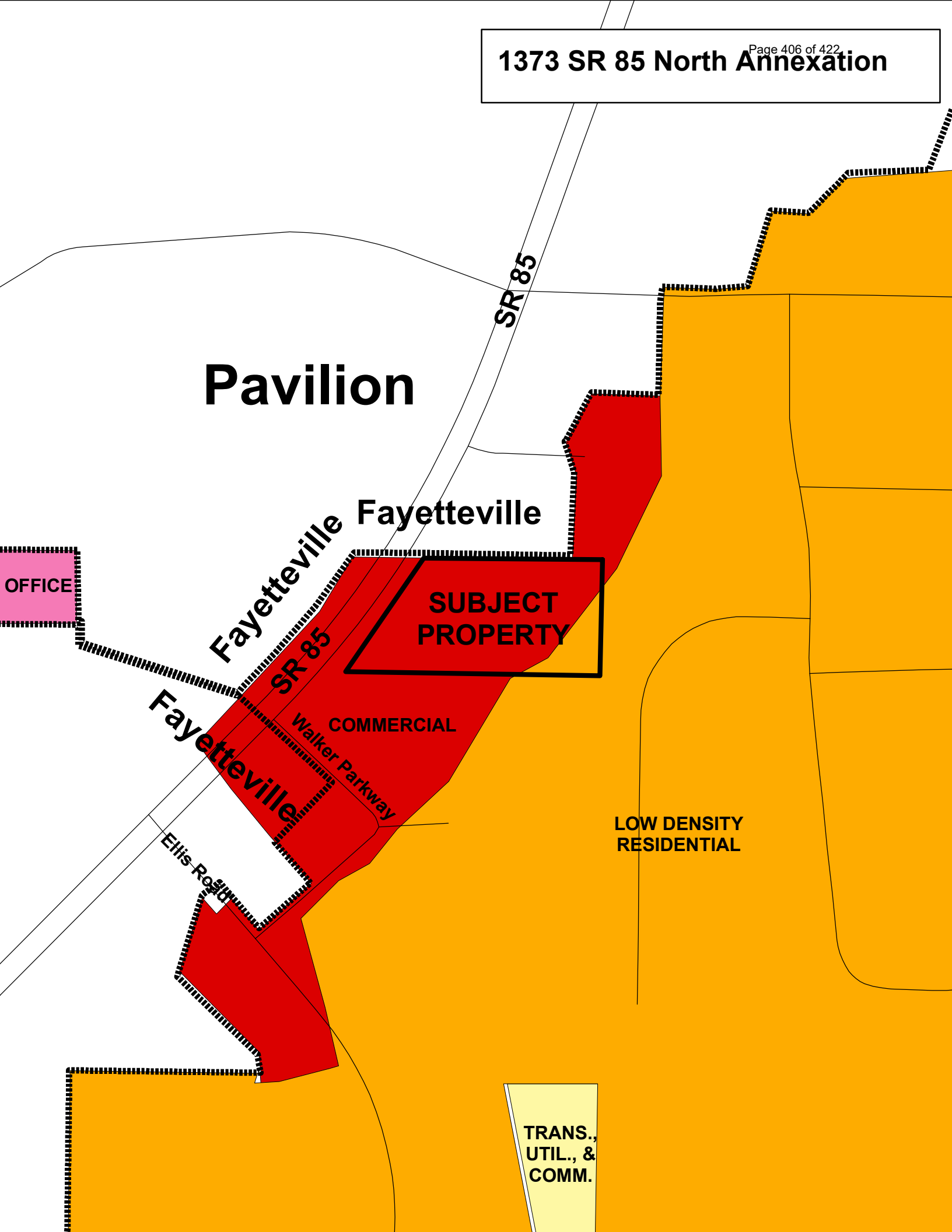
Summary

As the subject property is currently designated Commercial on the Fayette County Future Land Use Plan map, there is no change in land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use. Please note that Fire is opposed due to the loss of tax revenue.

1373 SR 85 North Annexation



1373 SR 85 North Annexation



1373 SR 85 North Annexation

City of Fayetteville

240 Glynn Street South • Fayetteville, Georgia 30214
Telephone (770) 461-6029 • Facsimile (770) 460-4238
www.fayetteville-ga.gov
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MAYOR
Edward J.Johnson, Jr.

COUNCIL
Scott Stacy,
Mayor Pro Tem
Kathaleen Brewer
Paul C. Oddo, Jr.
Harlan Shirley
James B. Williams

CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

July 6, 2016

Certified Mail
No. 7014 0150 0000 8310 5131

Fayette County Board of Commissioners
Attn: Mr. Charles Oddo, Chairman
140 Stonewall Avenue W. Suite 100
Fayetteville, GA 30214

Dear Mr. Oddo:

The City of Fayetteville has recently received an application for the annexation/rezoning of a parcel currently zoned AR (Agricultural -Residential) in Fayette County. The applicants' submittal was verified for accuracy and officially accepted by City staff on July 5, 2016. The applicant is seeking C-2 (Community Commercial) zoning for this property. The property is located at 1373 Highway 85 North. **(parcel 0538 026 See attached location map.)**

I have enclosed a copy of the completed annexation/rezoning application, a legal description of the property, a location map, and a completed Staff Annexation Review Form.

The Planning and Zoning Commission will hold a public hearing on Tuesday, August 23, 2016 to make a recommendation on this application. The Mayor and City Council will hold their public hearing to consider the application on Thursday, September 15, 2016.

Please direct any comments or questions concerning this application to Brian Wismer, Director of Community Development.

Sincerely,

Ray Gibson
City Manager

Cc: Mayor, City Council
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services

RECEIVED
JUL - 1 2016

ANNEXATION & REZONING APPLICATION

File#: 16-025 (to be filled in by City Staff)

TO: The Mayor and Council

The undersigned hereby respectfully requests that the City of Fayetteville Zoning Map be amended as described below:

1. This is a request for:
   (x) Annexation & Rezoning/Zoning Map Amendment
   Fees $1,750.00

ALL LEGAL FEES ASSOCIATED WITH THESE ZONING ACTIONS AND DEVELOPMENT AGREEMENTS WILL BE THE RESPONSIBILITY OF THE APPLICANT ALONG WITH THE REQUIRED APPLICATION FEES.

2. Give exact information to locate the property for which you propose a change:

   Tax District Number: 5th Tax Map Number: 0538 026

   Parcel Number(s): 185 Size of subject property: 4.76 Acres

3. What is the current Fayette County zoning on this property? A-R_____

4. What new zoning do you propose for this property? C-2 Community Commercial

   (Under item 7, explain your reason(s) for your rezoning request)

5. Do you own all of the property proposed for this zoning change? (x) Yes ( ) No
   If no, each property owner must sign an individual application.

6. Is this property subject to an Overlay District? Check those that may apply:
   (x) Corridor Overlay District ( ) Main Street District
   ( ) Historic Preservation District ( ) Ground Water Recharge Area
   ( ) Watershed Protection

- *Applications will not be considered complete until all items have been supplied.* ***Incomplete applications will NOT be placed on the Planning & Zoning Commission agenda and will be returned to the applicant.***
- *All items must be reviewed and approved by Staff & must be in compliance with current City Ordinances.*
- *The City shall have five business days in order check applications for completeness.*

7. Intent of Rezoning / Annexation Request: (Detailed Description of Development) (Attach a separate sheet if necessary)

Proposed 16,486 sf plasma donation center with associated parking. Site to be served by public water, sanitary, and storm.

Staff's Signature: Julie Brown Date: 6.5.16 ~~6.7.16~~

Notary Public: [signature]

Signature of Applicant: Mary Kathryn McCoy

Printed Name: Mary Kathryn ~~Miley~~ McCoy – Executor

Telephone Number: [redacted]

Address: 1373 Hwy 85 N, Fayetteville, GA 30214

Agent: / Owner
(Name/Address/Telephone/E-mail): Becky Crawford, BHHS Georgia Properties; 320 W. Lanier Ave., Ste 110, Fayetteville 30216; 678.480.4387; Becky.crawford@BHHSGeorgia.com

Becky Crawford

STEPHANIE JEAN GOHSMAN NOTARY PUBLIC MY COMM. EXPIRES MAY 20, 2019 FAYETTE COUNTY, GEORGIA

The completed application will be reviewed by the Planning & Zoning Commission at a regularly scheduled monthly meeting, upon which, they will make a recommendation to Mayor and Council. The recommendation will be presented as a public hearing at two consecutive City Council meetings before a vote is taken for approval or denial.

FOR PLANNING & ZONING DEPT. USE ONLY

File No. 16-025 Posting Notice Date:

Amount Received: $1,750.00 Legal Ad Date: 7.20 + 8.3.2016

P&Z Meeting Date: 7.23.2016

City Council 1st Reading: 9.1.2016 City Council 2nd Reading: 9.15.2016

All annexation and rezoning must go to City Council for two readings for final approval or denial.

Date Completed Application Was Received: 7.5.16

RECEIVED JUL 5 2016 (Official Date Stamp)

- *Applications will not be considered complete until all items have been supplied.* ***Incomplete applications will NOT be placed on the Planning & Zoning Commission agenda and will be returned to the applicant.***
- *All items must be reviewed and approved by Staff & must be in compliance with current City Ordinances.*

RECEIVED
JUL - 1 2016

EXHIBIT "A"

ALL THAT TRACT OR PARCEL of land lying and being in Land Lots 168 and 185 of the 4th District of Fayette County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, begin at a monument located on the northeasterly right-of-way line of Ellis Road (80 foot right-of-way) at the point of intersection with the easterly right-of-way line of Georgia State Highway Route 85 (170 right-of-way); running thence northeasterly and northerly along the southeasterly right-of-way line of Georgia State Highway Route 85 aforesaid, 601.10 feet to an iron pin, marking the TRUE POINT OF BEGINNING; running thence and following the bearing of North 89 degrees 31 minutes East, a distance of 797.8 feet to an iron pin; running thence and following a bearing of North 00 degrees 29 minutes West, a distance of 400.0 feet to an iron pin; running thence and following the bearing of South 89 degrees 44 minutes West, a distance of 500 feet to an iron pin located on the southeasterly right-of-way line of Georgia State Highway Route 85 aforesaid; running thence southwesterly along the southeasterly right-of-way line of Georgia State Highway Route 85 aforesaid, a distance of 500.8 feet, more or less, to an iron pin and the POINT OF BEGINNING; said tract is a four sided tract of land comprising 5.89 acres, more or less, and being known as 1373 Georgia Highway 85 North, according to the present system of numbering houses in Fayette County, Georgia.

STAFF ANNEXATION REVIEW FORM

1. Describe the location of the area to be annexed or attach a clear map indicating the location.

   1373 Hwy 85 North / Parcel 0538 026 (See attached map.)

2. How many landowners/parcels will be included?

   One parcel: #0538 026

3. How does the City propose to designate this area on its future land use map and/or zoning map if the annexation occurs?

   C-2/ Community Commercial / Neighborhood Mixed -Use

4. Refer to sections of the city development ordinances that identify permitted uses for this proposed land use classification.

   Sec. 94-166. - Community commercial (C-2).

5. Describe the development plans for the area proposed to be annexed (if the property owner(s) in the area initiated specific development proposals).

   Applicant proposes to develop a Biolife Plasma Services clinic.

Form completed by: Brian Wismer, Director of Community Development

Signature: *Brian Wismer* Date: 7-6-2016

RECEIVED
JUL - 1 2016

EXCEL

PROJECT NARRATIVE
Rezoning of Property at 1373 Highway 85 North
Fayetteville, GA 30214

Date: June 23, 2016

The proposed project is located on a 5.89 acre parcel located at 1373 Highway 85 North; said property is on the "south" side of Highway 85 North in the unincorporated Fayette County, Georgia. The property is currently zoned A-R (Agricultural-Residential District); the request is to annex and rezone the property to C-2 (Community Commercial) within the City of Fayetteville. The existing one-story dwelling with attached carport and detached accessory structure located east of the dwelling will be razed. Thereafter, a 16,686 square foot, single-story plasma donation center containing 72 "beds" is proposed which fits into the medical/dental office category; a permitted use in the C-2 District.

The proposed development will be operated by Biolife Plasma Services. In addition to the subject clinic, stormwater facilities, parking with interior access drives, landscaping, and other required infrastructure is proposed for the subject property. This proposed rezoning and use matches with the existing Highway Commercial Zoning on the adjacent parcels fronting Highway 85.

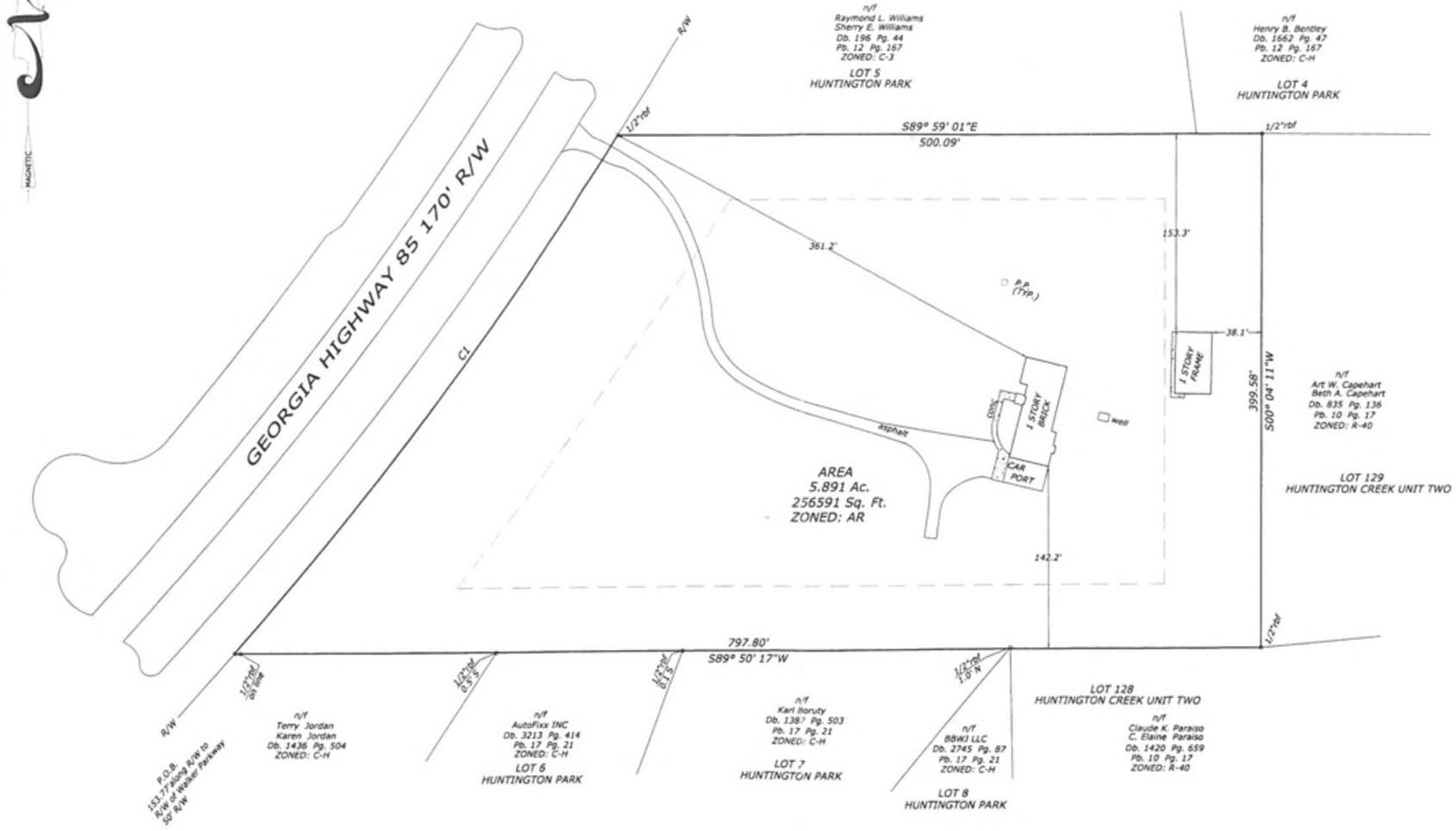
Please contact me if you have any questions or if additional information is required.

Thank you,

Eric Drazkowski
920-322-1678
eric.d@excelengineer.com

Other Select Tools...
Parcels
FAYETTEVILLE
0538 019
0538 115
0538 077
0538 075
0538 130
0538 026
0538 131
0538 081
0538 101
0538 092
0538 080
0538 085
053803007
HUNTINGTON
N HIGHWAY 85
544
205
126
215
217
201
145
135
140
1373
1381
1391
60m
200ft

JUL - 1 2016



CLOSURE DATA

FIELD CLOSURE=1'IN 10,000+
ANGLE POINT ERROR=< 20"
EQUIPMENT USED=E.D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING F.I.R.M. MAP 13113C0106E DATED SEPT. 26, 2008.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.

Curve Table

Curve #	Length	Radius	Bearing	Chord
C1	501.04'	3138.10'	N36° 34' 07"E	500.51'

BUILDING LINES
FRONT - 100'
SIDE - 50'
REAR - 75'

LEGEND
P.P.=POWER POLE
IPF=IRON PIN FOUND
IPS=IRON PIN SET
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE

GRAPHIC SCALE
0 30 60 120

Prepared For:
BIOLIFE PLASMA CENTER

Address: 1373 GEORGIA HIGHWAY 85	
Lot: 00	D.B. 3256 ~ PG. 153
Land Lot: 186	District: 5th
County: FAYETTE, GA	F.W.P.D. 05/25/16
Scale: 1" = 60' Date: 05/25/16	Job No: 16-077

FOUR CORNERS SURVEYING™
P.O. BOX 15
Tyrone, GA 30290
770-560-3910
770-560-6930
FOUR_CORNERS@BELLSOUTH.NET

City of Fayetteville
Planning & Zoning Department
240 Glynn Street South
Favetteville. GA 30214

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UNITED STATES POSTAL SERVICE
PITNEY BOWES
02 1P $ 008.45⁰
0000865100 JUL 08 2016
MAILED FROM ZIP CODE 30214

Rec'd 07-11-2016
tg.

Fayette Co Board of Commissioners
140 Stonewall Ave W. Suite 100
Fayetteville, GA 30214
Attn: Mr. Charles Oddo

Fayette County
PURCHASING DEPARTMENT
140 STOCKWELL AVENUE WEST, STE 204
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5420
www.fayettecountyga.gov

"WHERE QUALITY IS A LIFESTYLE"

Administrator's Report
Procurements: A

To: Steve Rapson

From: Ted L. Burgess

Date: July 14, 2016

Subject: Request for Proposals #1082-P: Road Pavement Consulting Services

Pavement surfaces can be distressed by a number of things, including thermal changes, moisture damage, excessive loading, traffic abrasion, binder aging, loss of bonding, or other factors. An effective pavement management program can help to establish maintenance priorities, determine maintenance and rehabilitation strategies, and predict pavement performance.

The Road Department seeks to bring in a qualified company to inspect and rate 380 miles of county roads. The company will provide information including roadway classification, pavement condition and condition index score, recommended rehabilitation strategy, and estimated costs.

For this purpose, the Purchasing Department issued Request for Proposals #1082-A. Notices of the opportunity to bid were emailed to 18 contractors. Another 68 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23. Nine companies submitted quotes (attached). The Request for Proposals includes a cooperative provision that allows the Towns of Tyrone and Brooks to use the contract to access the same services, at the same prices, and for the same terms and conditions.

An Evaluation Committee reviewed, evaluated, and scored the nine companies. The four with the best scores were short-listed, and invited to participate in a telephone interview. Then negotiations were conducted with the four vendors, which asked for a best and final offer that included (1) setting up MicroPaver7 software with all of the generated pavement data, and (2) adequate training for staff on the new MicroPaver7 software. Evaluation scores for the four short-listed firms were updated to account for phone interview points, and negotiated prices. The Road Department recommends the highest-scoring company, Transmap Corporation, for the contract. Specifics of the proposed contract are as follows:

Contract Name:	1082-P: Road Pavement Consulting Services
Vendor:	Transmap Corporation
Not-to-Exceed Amount:	$79,880.00
Budget:	
Organization Code:	10040220 Road Department
Object Code:	521316 Technical Services
Project Code:	LMIG5 2015 Local Maintenance Improvement Grant
Available Budget:	$260,051.00 Available as of 7/15/2016

Approval Signature _____ Date: 7/14/16

PROPOSAL #1082-P ROAD PAVEMENT CONSULTING SERVICES
EVALUATION SCORES

Summary

SELECTION PROCESS:	MAX POINTS	CONSTRUC-TION MATERIALS SERVICES, INC.	ERES INTERNAT'L, INC. dba ENGINEERING & RESEARCH INTERNAT'L, INC.	FUGRO ROADWARE, INC.	MATERIALS MANAGERS AND ENGINEERS, INC.	MDS TECHNOLOGIES, INC.	MORELAND ALTOBELLI ASSOCIATES, INC.	THE BARNHARDT GROUP, LLC	THE TRANSTEC GROUP, INC.	TRANSMAP CORP.
1 Project Understanding	35	19.3	29.0	29.0	26.0	25.3	20.0	29.7	29.3	30.3
2 Company's Background	25	11.0	18.0	21.3	21.0	19.3	13.3	23.7	16.7	23.7
3 Project Team	20	9.3	14.0	11.3	15.0	12.3	10.7	16.3	13.3	17.3
4 Staff Training	10	4.3	5.0	6.0	5.7	5.7	6.0	7.3	7.7	4.7
5 Proposed Schedule	10	3.3	3.0	8.0	8.3	5.3	3.7	6.3	5.3	8.3
Avg. Technical Score	100	**47.3**	**69.0**	**75.7**	**76.0**	**68.0**	**53.7**	**83.3**	**72.3**	**84.3**
Price - Initial Offer		$119,600	$148,775	$113,440	$48,000	$43,960	$85,230	$86,444	$89,228	$77,680
Technical Merit	70%	33.1	48.3	53.0	53.2	47.6	37.6	58.3	50.6	59.0
Price	30%	11.0	8.9	11.6	27.5	30.0	15.5	15.3	14.8	17.0
		44.2	57.2	64.6	80.7	77.6	53.0	73.6	65.4	76.0

SCORING AFTER TELEPHONE INTERVIEWS OF SHORT LISTED VENDORS, AND BEST & FINAL OFFERS							
Phone Interviews for Short-Listed Companies:							
Rater #1		15.0	5.0		20.0		25.0
Rater #2 (Rater not available for interviews & scoring)		NA	NA		NA		NA
Rater #3		20.0	10.0		18.0		25.0
Avg Interview Score	30	17.5	7.5		19.0		25.0
Avg. Technical plus Phone Interview Score		93.5	75.5		102.3		109.3
Best and Final Offer: Final prices were negotiated to include setting up MicroPaver7 software with county & other data, and additional staff training.		**$67,500.00**	**$37,996.00**		**$94,043.60**		**$79,880.00**
Technical Merit	70%	65.5	52.9		71.6		76.5
Price	30%	16.9	30.0		12.1		14.3
Total Score -With Interviews and Best & Final Offers		**82.3**	**82.9**		**83.8**		**90.8**

Rater #1 - M

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140 Stonewall Avenue West, Ste 204
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Phone: 770-305-5420
www.fayettecountyga.gov

Administrator's Report
Contract Renewal: A

To: Steve Rapson

From: Ted L. Burgess

Date: July 28, 2016

Subject: RFP #916, Renewal 1: Auditing Personal Property Accounts for Compliance

Last year, the Purchasing Department issued Request for Proposals (RFP) #916 to contract with a qualified firm to verify the accuracy of Business Personal Property Tax Reports filed by Fayette County business taxpayers. This resulted in an agreement with Mendola & Associates, LLC to provide audit services through June 30, 2016 with two additional 12-month renewals possible. The not-to-exceed amount of the original contract was $50,000.00.

Mendola & Associates have agreed to renew the contract for Fiscal Year 2017. The Tax Assessor has confirmed that they are satisfied with the work of the contractor, and recommends renewal. Specifics of the contract renewal are as follows:

Contract Name	#P916: Auditing Personal Property Accounts for Compliance
Renewal Number	Renewal #1
Vendor	Mendola & Associates
Not-to-Exceed Amount	$50,000.00
Budget:	
Organization Code	10010550 Tax Assessor
Object Code	521316 Technical Services
Project Code	NA
Available Budget	$50,000.00

7/7/16

1st Renewal of Contract w/ Tax Assessor office via BOC Approved New Budget.

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Administrator's Report
Contract Renewal: B

To: Steve Rapson

From: Ted L. Burgess

Date: July28, 2016

Subject: Contract #976-N, Renewal 2: Methane, Groundwater and Surface Water Monitoring

The county's Northside Landfill and Southside Landfill have been closed. Jacobs Engineering Group has been providing professional services to assist in meeting environmental monitoring requirements, so that the two facilities remain in compliance with Georgia EPD rules for solid waste management. This renewal for monitoring is an exercise of the third and final year of the contract. The not-to-exceed price for the renewal year will remain at $55,520.

Environmental Management has confirmed that they are satisfied with the work of the contractor, and recommend this second renewal.

Specifics of Renewal #2 for the contract renewal are as follows:

Contract Name	976-N: Methane, Groundwater and Surface Water Monitoring 7/6/16
Renewal Number	Renewal #2
Not-to-exceed amount	$55,520 — 2nd Yr Ext Renewal - Decrease of $8,250 of Prior Contract -
Budget:	
Organization code	54040500 Solid Waste & Recycling
Object Code	521320 Closure / Post Closure Expenses
Project Code	N/A
Available budget:	$55,520 in the FY 2017 budget

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Administrator's Report
Contract Renewal: C

To: Steve Rapson

From: Ted L. Burgess

Date: July 28, 2016

Subject: Contract #949-A, Renewal 1: Road Stabilization / Dust Control

The Road Department enters into an annual contract each year for a vendor to provide and apply a road stabilizing and dust control agent to some of the county's unpaved roads. The stabilizer reduces distresses like washboarding (which requires expenditures to remedy) and loss of skid resistance (which is a safety issue). The Road Department has used calcium chloride as a road stabilizer for a number of years. The regional distributor of calcium chloride, AVF Industries in Atlanta, has confirmed to us that they supply only one vendor in this area. The vendor is South Eastern Road Treatment.

The county contracted with South Eastern Road Treatment for calcium chloride application in Fiscal Year 2016 (with two 12-month options to renew). This request is for approval of the first renewal. The Road Department has confirmed that they are satisfied with the work of the contractor, and recommends renewal.

The contracted price is $3,041.28 per mile of road treated. This renewal term will contain a not-to-exceed price of $80,000.00 which will treat approximately 26 miles of road.

Specifics of the proposed contract renewal are as follows:

7/5/16

Contract Name	949-A: Road Stabilization / Dust Control
Renewal Number	Renewal #1
Vendor	South Eastern Road Treatment
Not-to-Exceed Amount	$80,000

1st Year Renewal of BOC Approved 3 yr. Contract – NTE As Needed – Steve

Budget:

Organization Code:	10040220
Object Code:	521316
Project Code:	N/A
Available Budget:	$80,000

Fayette County
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140 STONEWALL AVENUE WEST, STE 204
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Administrator's Report
Contract Renewal: D

To: Steve Rapson

From: Ted L. Burgess

Date: July 28, 2016

Subject: Contract #985-B, Renewal 1: Water System Chemicals for Fiscal Year 2017

The Water System uses annual price contracts for various chemicals needed in the water treatment process. To obtain agreements for Fiscal Year 2016, the Purchasing Department issued Invitation to Bid #985-B. The resulting contracts with seven chemical companies contain provisions for two 12-month renewal terms. Three of the companies agreed to renew the contracts for Fiscal Year 2017, as shown below:

Product	Brenntag Mid-South, Inc	American Development Corp.	Polydine, Inc.
Sodium Chlorite (80%)	$259.30 per drum		
Lime Powder - Bulk	177.42 per ton		
Sodium Silica Fluoride	23.60 per bag		
Aquadene Phosphate		71.00 per pail	
Clarifloc Polimer			405.00 per drum
Contract Not-to-Exceed	**$94,310.00**	**$12,222.00**	**$10,935.00**

The Water System has confirmed that they are satisfied with the work of the contractors, and recommends renewal.

Specifics of the contracts are as follows:

Contract Name	985-B: Water System Chemicals	
Renewal Number	Renewal #1	
Type of Contract	Annual price contract	
Vendors & Not-to-Exceed	Brenntag Mid-South, Inc.	$94,310.00
	American Development Corp.	12,222.00
	Polydine, Inc.	10,935.00
	Total	$117,467.00

7/5/16
1st year Renewal of a BOC Approved Contract w/ 2 year Renewal option - No Rate Increase
Steve

Budget:

	Crosstown	S. Fayette	Total
Organization Code	50543031	50543041	
FY 2017 Budget	$350,000	$150,000	$500,000

Object Code	531182 Chemicals
Project Code	N/A