COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina or Dennis Dutton
Meeting Date:	Thursday, May 23, 2013	Type of Request:	New Business

Wording for the Agenda:

Consideration of the City of Peachtree City's request to annex four (4) properties totaling 7.398 acres located between State Route 54 West and Sumner Road, and to rezone said properties from C-C Conditional (Community- Commercial) and O-I (Office-Institutional) to O-I (Office-Institutional).

Background/History/Details:

The City of Peachtree City has notified Fayette County of an application to annex four (4) properties totalling 7.398 acres located between SR 54 West and Sumner Road. The City has also notified the County of its intention to rezone the property from C-C Conditional (Community- Commercial) and O-I (Office-Institutional) to O-I (Office-Institutional).

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 March 29, 2013.

Staff has reviewed the application and finds no grounds for a bona-fide land use objection.

What action are you seeking from the Board of Commissioners?

Approval of the City of Peachtree City's request to annex four (4) properties totalling 7.398 acres located between State Route 54 West and Sumner Road, and to rezone said properties from C-C Conditional (Community- Commercial) and O-I (Office-Institutional) to O-I (Office-Institutional).

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			

Staff Notes:

Fayette COUNTY

"WHERE QUALITY IS A LIFESTYLE"

140 STONEWALL AVENUE WEST, STE 100
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5200
www.fayettecountyga.gov

May 6, 2013

Honorable Mayor and Council
151 Willowbend Road
Peachtree City, GA 30269

Dear Mayor Haddix and Council Members,

I send this correspondence to extend an invitation for a dialog on your annexation concerns.

It is of the utmost importance that jurisdictional "islands" are not created through municipal annexations. Annexation needs to take place in solid, logical blocks.

Leapfrogging county parcels via annexation creates significant jurisdictional problems in areas like emergency response, public works, etc. The proposed Bradshaw annexation would have created such an island.

Mayor Haddix issued the call for a municipal growth plan. It is fitting to have such plans. However, I would hope that the city would consult with the county on the creation of such plans involving border expansion. It is important to address the relational aspects amongst the various jurisdictions.

In the historical context, Peachtree City traditionally held the position that the municipal boundary would terminate at natural features like creeks, etc., when applicable. If this philosophical approach is subject to change, I stress the importance of actually having a long-term strategy, subject to definition, complete with justification.

As you know from previous correspondence, I questioned the logic of annexing the site on south State Route 74 for residential zoning, effectively capping-off future appropriate corporate growth in that area. The fundamental change for that site without elucidation gave the impression there was no long-term strategy surrounding the significant conversion in land use.

One obvious point at issue is sustainability of the system. The annexation on south State Route 74 brought 90 new residential dwellings to an already beleaguered municipal service delivery area. There is a cost when expanding your service delivery area, necessitating accountability in your planning.

As someone passionate about Peachtree City, I appeal to you to take the necessary steps to be introspective and to investigate a way to turn the tide of deterioration of the built and green spaces in our city. Many jurisdictions fail by believing the elixir of expanded growth cures all that ails us. We

cannot shun the complexity of our problems nor disregard the need for an open dialog on producing solutions.

Refining the existing built environment, preventing decline, is one of the most difficult tasks facing elected officials. There are many examples in metropolitan Atlanta where ignoring existing problems eventually led to significant breakdown in the community.

I appreciate the insight of Councilman Dienhart in citing the Hippocratic Oath related to a proposed development on State Route 54 West, asking that the city at least strive not to allow actions creating more gridlock and pain. As someone who resided deep in the discussions on shaping our city, especially in the State Route 54 West corridor, I can say there are almost no discussions today relevant to the historical planning of the past.

Over the last decade, planning discussions have devolved into microscopic conversations on a parcel by parcel basis with no analysis on the broader scale of transportation corridors, villages and city impacts. It seems the high derived from tweaking someone's specific site development plan and the short-term gratification that accompanies the task, regardless of impact, has overtaken the more arduous process of shaping a community along with crafting a plan and a vision for more long-term results.

The planning discipline and rigor from the Jim Williams and Jerry Peterson era have not been felt in nearly a decade.

Again, I look forward to any discussions you wish to have on creating a more collaborative and productive planning environment in Fayette County.

Best regards,

Steve Brown
Chairman

Cc: Fayette County Board of Commissioners
Pete Frisina, Fayette County
Peachtree City Planning Commissioners

To: Board of Commissioners

From: Pete Frisina

Date: May 9, 2013

Re: Peachtree City Annexation Request for 1975 SR 54 West, 1191 SR 54 West, 1999 SR 54 West and 2011 SR 54 West

[redacted]

Peachtree City has received a request for annexation of the above-referenced properties totaling 7.398 acres located between SR 54 West and Sumner Road. The annexation notice from Peachtree City indicates the intent to annex and rezone the subject properties to O-I (Office-Institutional). The subject properties are currently zoned C-C Conditional (Community-Commercial) and O-I Conditional (Office-Institutional) in Fayette County and contain a multi-tenant medical office building and three (3) single-tenant office buildings.

Rezoning History

1975 SR 54 West
Petition No. 571-86 to rezone 3.72 acres from R-40 to C-C was approved C-C Conditional by the Board of Commissioners on March 27, 1986. See attached Resolution 86-571 for the Conditions.

Petition No. 718-89 to rezone 3.72 acres from C-C Conditional to C-H was approved C-C Conditional by the Board of Commissioners on July 27, 1989. See attached Resolution 89-718 for the Conditions.

Petition No. 1020-99 to rezone 3.564 acres from C-C Conditional to C-C Conditional was approved C-C Conditional by the Board of Commissioners on April 22, 1999. See attached Resolution 1020-99 for the Conditions.

1991 SR 54 West
Petition No. 669-88 to rezone 1.1 acres from A-R to C-C was approved C-C Conditional by the Board of Commissioners on May 26, 1988. See attached Resolution 669-88 for the Conditions.

1999 SR 54 West
Petition No. 651-87 to rezone 1.0 acre from A-R to C-C was approved C-C Conditional by the Board of Commissioners on October 22, 1987. See attached Resolution 651-87 for the Conditions.

2011 SR 54 West
Petition No. 733-89 to rezone 1.0 acre from A-R to C-C was approved O-I Conditional by the Board of Commissioners on October 26, 1989. See attached Resolution 733-89 for the Conditions.

Petition No. 871-95 to rezone 1.0 acre from O-I Conditional to O-I was approved O-I Conditional by the Board of Commissioners on January 26, 1995. See attached Resolution 871-95 for the Conditions.

General Description

The subject properties are located at 1975 SR 54 West, 1991 SR 54 West, 1999 SR 54 West and 2011 SR 54 West. The proposed annexation would not create an island. The subject properties abut the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	1.00 3.50	C-H C-C	Commercial Building Nursing Home	Office Office
East (across SR 54)	2.80 2.71 1.00 1.20	C-H C-H C-H C-H	Office Building Retail Retail Retail	Commercial Commercial Commercial Commercial
West (across Sumner Road in PTC)	10.0 1.37 1.06 1.83	R-43 (PTC) R-43 (PTC) R-43 (PTC) R-43 (PTC)	Single-Family Residential Single-Family Residential Single-Family Residential Single-Family Residential	SFL-Single-family Low (PTC) SFL-Single-family Low (PTC) SFL-Single-family Low (PTC) SFL-Single-family Low (PTC)

Current County Land Use

The subject properties are designated as Office on the Fayette County Future Land Use Plan map.

DEPARTMENTAL COMMENTS

Planning and Zoning: As the subject properties are currently zoned C-C Conditional and O-I Conditional with existing office uses and will be zoned O-I in Peachtree City there is no change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the properties or a change to a significantly different allowable use (see State Law below).

Fire/EMS: The Fire Marshal office Opposes the Annexation of the property's located at 1975 Hwy 54, 1991 Hwy 54, 1999 Hwy 54 and 2011 Hwy 54, due to the loss of Fire Tax Revenues. According to the Fayette County Tax statements the estimated amount is $5,992.33 for all four parcels.

Water System: Water service remains the same.

Public Works/Engineering: Public Works/Engineering has no comments on the proposed annexation noted below. I understand the total area is 7.398 acres and each of the four parcels has existing driveways onto State Route 54. If the parcels remained in the County, we would promote inter parcel connectivity where feasible.

Building Permits and Inspections:

What conditions, over and above the regulations, would you place on this property if it were being developed in the county? **None**

What fees/taxes, if any, will the county lose if this property is annexed? Estimate amount. **None**

Additional comments and/or any other factors to be considered: **None**

Stormwater Management:

What regulations would your Department apply to this property if it were being developed in the county? **Properties met all development regulations required by department during development. Property owner of Peachtree Professional is required to submit an annual Stormwater Inspection Report as required by the Fayette County Post Development Stormwater Management for New Development and Redevelopment ordinance.**

What conditions, over and above the regulations, would you place on this property if it were being developed in the county? **None.**

What fees/taxes, if any, will the county lose if this property is annexed? Estimate amount. **The annual stormwater fees lost would be $546.00**

Additional comments and/or any other factors to be considered: **none.**

Sheriff's Office: No issues.

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 properties are currently zoned C-C Conditional and O-I Conditional with existing office uses and will be zoned O-I in Peachtree City there is no change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the properties or a change to a significantly different allowable use.

STATE OF GEORGIA

COUNTY OF FAYETTE

R E S O L U T I O N

NO. 86 - 571

WHEREAS, Mr. Larry Seabolt, agent for Dr. Joseph D. Giovinco, owner, having come before the Fayette County Board of Commissioners on the 27th day of March, 1986, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 3.72 acres on Highway 54, in Land Lot 69 of the 7th District, Fayette County, Georgia, from R-40 to C-C for the purpose of developing a proposed clinic/doctors office/residence; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved C-C with conditions subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede.

1. To the owner's agreement to restrict the use of the property to office and single-family residential uses.

2. To the owner's agreement to recognize the Georgia D.O.T. proposed west right-of-way as the east property line for the purpose of making all measurements for improvements required by the Zoning Ordinance and other County development regulations.

3. To the owner's acknowledgement of understanding that any new construction or improvements, including expansion of any existing structure, shall comply with all requirements of the Zoning Ordinance. In the event that a structure which existed at the time of this rezoning is removed, demolished or destroyed, any new structure, including parking, must comply with the provisions of the Zoning Ordinance.

4. To the owner's agreement to provide and maintain off-street parking on this property during the entire construction period.

5. To the owner's agreement that exterior illumination shall not exceed 1.2 footcandles along any property line zoned residential or A-R, and light sources shall be screened to

prevent direct visibility from such properties.

6. To the owner's agreement that no access shall be provided to Sumner Road and that the rear buffer shall be in place prior to occupancy.

This decision is based on the recommendation of the Fayette County Planning Commission and County Planner.

SO RESOLVED, this 27th day of March, 1986.

BOARD OF COMMISSIONERS

OF

FAYETTE COUNTY

DENNIS BERKELBAUGH, CHAIRMAN

ATTEST:

Margaret Malone

MARGARET MALONE, CLERK

STATE OF GEORGIA

COUNTY OF FAYETTE

RESOLUTION NO. 89-718

WHEREAS, Mike D. Wood, agent and owner, having come befor the Fayette County Board of Commissioners on the 27th day of July 1989, requesting an amendment to the Fayette County Zoning Ma pursuant to "The Zoning Ordinance of Fayette County, Georgia 1980"; and

WHEREAS, said request being as follows: To rezone 3.72 acre on Land Lot 69 in the 7th District fronting S.R. 54 and Sumner Roa from C-C to C-H for the purpose of developing a retail and offic center; and

WHEREAS, the Fayette County Board of Commissioners having dul convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Boar of Commissioners, that said request be approved C-C CONDITIONA subject to the following enumerated conditions. Where thes conditions conflict with the provisions of the Zoning Ordinance these conditions shall supersede unless specifically stipulated b the Board of Commissioners:

1. That the subject property shall be restricted to the office and personal service uses designated as permitted uses in the C-C District.

2. That the total floor area of all structures shall not exceed 10,000 square feet for the 3.72 acres zoned.

3. To acknowledge the Georgia D.O.T. proposed west right-of-way as the front property line in order to make all improvements which bring the property into compliance with the requirements of the C-C Zoning District.

4. That any source of exterior illumination shall not be directly visible from neighboring properties zone A-R or residential.

5. To Provide a planted buffer measuring at least fifteen (15) feet in depth along the right-of-way of Sumner Road.

6. That no access shall be provided to Sumner Road.

7. To provide and maintain off-street parking on the subject property during the entire construction period.

This decision is based on the recommendation of the Fayett County Planning Commission and the County Planning Staff.

SO RESOLVED, this 27th day of July, 1989.

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY

ATTEST:

Leigh A. Wright, Clerk

George Patton, Chairman

STATE OF GEORGIA

COUNTY OF FAYETTE

RESOLUTION

NO. 1020-99

WHEREAS, Don Cobb, Agent, on behalf of Joseph D. Giovinco, Owner, having come before the Fayette County Board of Commissioners on the 22nd day of April, 1999, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 3.564 acres from C-C Conditional to C-C Conditional to develop one (1) lot with Office Uses. This property is located in Land Lot 69 of the 7th District and fronts on S.R. 54 West and Sumner Road; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request; and

NOW, THEREFORE, be it resolved that the decision of the Fayette County Board of Commissioners on April 22, 1999, was that the request to rezone the subject property be approved.

SO RESOLVED, this 22nd day of April, 1999.

FAYETTE COUNTY BOARD
OF COMMISSIONERS

Harold Bost, Chairman

ATTEST:

Karen Morley, Deputy Clerk

STATE OF GEORGIA

COUNTY OF FAYETTE

1020.99

RESOLUTION NO. ~~89-718~~

WHEREAS, Mike D. Wood, agent and owner, having come before the Fayette County Board of Commissioners on the 27th day of July, 1989, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 3.72 acres on Land Lot 69 in the 7th District fronting S.R. 54 and Sumner Road from C-C to C-H for the purpose of developing a retail and office center; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved C-C CONDITIONAL subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless specifically stipulated by the Board of Commissioners:

1. That the subject property shall be restricted to the office and personal service uses designated as permitted uses in the C-C District.

2. ~~That the total floor area of all structures shall not exceed 10,000 square feet for the 3.72 acres zoned.~~

3. To acknowledge the Georgia D.O.T. proposed west right-of-way as the front property line in order to make all improvements which bring the property into compliance with the requirements of the C-C Zoning District.

4. That any source of exterior illumination shall not be directly visible from neighboring properties zone A-R or residential.

5. To Provide a planted buffer measuring at least fifteen (15) feet in depth along the right-of-way of Sumner Road.

6. That no access shall be provided to Sumner Road.

7. To provide and maintain off-street parking on the subject property during the entire construction period.

This decision is based on the recommendation of the Fayette County Planning Commission and the County Planning Staff.

SO RESOLVED, this 27th day of July, 1989.

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY

ATTEST:

Leigh A. Wright

Leigh A. Wright, Clerk

George Patton

George Patton, Chairman

STATE OF GEORGIA

COUNTY OF FAYETTE

R E S O L U T I O N

No. 88 - 669

WHEREAS, Mr. Walt DeVault, agent, having come before the Fayette County Board of Commissioners on the 26th day of May, 1988, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980; and

WHEREAS, said request being as follows: To rezone 1.1 acres on State Route 54 West and Sumner Road, in Land Lot 69 of the 7th District, from A-R to C-C for the purpose of developing a real estate office; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved C-C Conditional subject to the following 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. That the subject property shall be restricted to office or single-family residential uses.
2. To acknowledge the Georgia D.O.T. proposed west right-of-way of State Route 54 as the front property line in order to make all improvements which bring the property into compliance with the requirements for an office.
3. That any source of exterior illumination shall not be directly visible from adjacent properties zoned residential or A-R.

This decision is based on the recommendation of the Fayette County Planning Commission and County Planning Staff.

SO RESOLVED, this 26th day of May, 1988.

BOARD OF COMMISSIONERS

OF

FAYETTE COUNTY

STATE OF GEORGIA

COUNTY OF FAYETTE

R E S O L U T I O N

No. 87 - 651

WHEREAS, Doctor John Justice, agent for Layla Holloway, owner, having come before the Fayette County Board of Commissioners on the 22th day of October, 1987, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 1 acre on State Route 54 West and Sumner Road, in Land Lot 59 of the 7th District, from A-R to C-C for the purpose of developing a doctor's office; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved C-C CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede:

1. That the subject property shall be restricted to office or single-family residential uses.
2. To acknowledge the Georgia DOT proposed west right-of-way of State Route 54 as the east property line in order to make all improvements which bring the property into compliance with the requirements for an office.
3. That any source of exterior illumination on the property shall not be directly visable from adjacent properties zoned residential or A-R.

This decision is based on the recommendation of the Planning Commission and Acting County Planner.

SO RESOLVED, this 22th day of October, 1987.

BOARD OF COMMISSIONERS

OF

FAYETTE COUNTY

Chuck Watkins

CHUCK WATKINS, CHAIRMAN

ATTEST:

Margaret Malone

MARGARET MALONE, CLERK

STATE OF GEORGIA

COUNTY OF FAYETTE

RESOLUTION NO. 89-733

WHEREAS, Dan Davis of Benchmark Engineering, agent for owner Willie James Fountain, having come before the Fayette County Board of Commissioners on the 26th day of October, 1989, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 1.0 acres on Land Lot 69 in the 7th District from A-R to C-C for the purpose of developing a retail shopping center; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved O-I CONDITIONAL subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless specifically stipulated by the Board of Commissioners:

1. To acknowledge the Georgia D.O.T. proposed west right-of-way of S.R. 54 as the front property line in order to make all improvements which bring the property into compliance with the requirements of the O-I Zoning District.

2. That no new structures shall be allowed on the subject property except additions to the existing single-family dwelling.

3. That no modifications shall be made to the street-facing (S.R. 54) exterior of the existing structure, other than normal maintenance and approved additions which do not alter the residential appearance of the structure.

4. To provide a planted buffer measuring at least fifteen (15) feet in depth along the right-of-way of Sumner Road.

5. That any source of exterior illumination shall not be directly visible from neighboring properties zoned A-R or residential.

This decision is based on the recommendation of the Fayette County Planning Commission and the County Planning Staff.

SO RESOLVED, this 26th day of October, 1989.

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY

ATTEST:

Leigh A. Wright

Leigh A. Wright, Clerk

George Patton

George Patton, Chairman

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 95-871

WHEREAS, Charles W. Golden, Agent, on behalf of Willie J. Fountain, owner, having come before the Fayette County Board of Commissioners on the 26th day of January, 1995, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone .99 acres fronting S.R. 54 West and Sumner Road in Land Lot 69 of the 7th District, Fayette County, from O-I Conditional to O-I for the purpose of developing a bank.

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved O-I with the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. That no access shall be provided to Sumner Road.

2. To provide a planted buffer measuring at least fifteen (15) feet in depth along Sumner Road.

3. To maintain a 55 foot setback from Sumner Road.

This decision is based on the recommendation of the Fayette County Planning Commission and staff's conditions.

SO RESOLVED, this 26th day of January, 1995.

FAYETTE COUNTY BOARD
OF
COMMISSIONERS

Rick Price, Chairman

ATTEST:

Linda Rizzotto

Linda Rizzotto, Deputy Clerk

PEACHTREE CITY
PLAN TO STAY™

PLANNING AND ZONING DEPARTMENT
153 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-5731
FAX: 770-631-2552
WWW.PEACHTREE-CITY.ORG

April 26, 2013

SENT VIA CERTIFIED MAIL

RECEIVED
MAY 01 2013
By

Mr. Steve Brown, Chairman
Fayette County Board of Commissioners
140 Stonewall Avenue, Suite 100
Fayetteville, GA 30214

Re: Foot Pain, LLC annexation and zoning request
Peachtree Professional Center and other tracts (SR 54 East)
Step Two submittal

Dear Mr. Brown:

Mr. Chuck Ogletree of Foot Pain LLC has requested that the City of Peachtree City consider annexing and zoning the 4.398-acre Peachtree Professional Center tract, the 1.0-acre Paper Rose Studio tract, the 1.0-acre Cliff Bost tract, and the 1.0-acre Paletta Group tract on SR 54 East into the city limits of Peachtree City. The property is currently located within unincorporated Fayette County.

The Foot Pain, Paper Rose Studio and Bost tracts are zoned C-C Community Commercial and are designated as OFF Office on the Fayette County Future Land Use Plan. The Paletta Group tract is zoned O-I Office Institutional and is designated as OFF Office on the Fayette County Future Land Use Plan.

Should the annexation be approved, the Applicant is requesting that the property be zoned OI Office Institutional and designated as OFF Office on the city's Land Use Map.

Public Hearings to consider this request have been scheduled for the May 13, 2013 Planning Commission meeting and the June 6, 2013 City Council meeting.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance in accordance with O.C.G.A. §36-36-6 and §36-36-9. I am attaching a copy of the application which includes legal descriptions and boundary surveys of the subject parcels.

I would like to visit with you and your Planning Department Staff prior to the Planning Commission meeting to discuss this proposal and to get your thoughts on the potential of annexing additional parcels within this area. Please contact me at your convenience to schedule this meeting.

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

Sincerely,

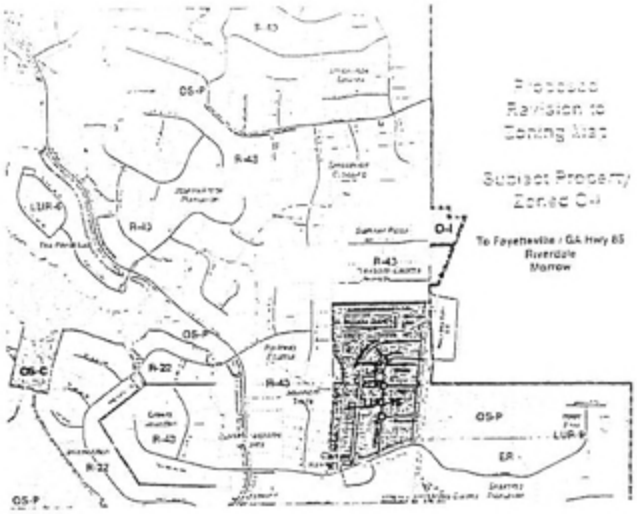
David E. Rast

David E. Rast, ASLA
Planning and Zoning Administrator

Attachments

cc: *Mayor and Council Members*
Planning Commission
Directors and Chiefs
Ted Meeker *City Attorney*
Chuck Ogletree *Foot Pain LLC*
Pete Frisina *Fayette County Planning and Zoning*
file

Annexation and Rezoning Request for Peachtree City, Georgia



Presented by Chuck Ogletree
7.34 Acres, Fayetteville, GA

INTRODUCTION

Our intent is to annex into the City four tracts, totaling 7.36 acres with an O-I Office Institutional zoning classification. The properties are currently in Fayette County and have C-C Community Commercial and O-I Office Institutional zoning designation.

Property 1: 4.36 acres
Property 2: 1 acre
Property 3: 1 acre
Property 4: 1 acre

The reason for this rezoning request is to provide Peachtree City residents with a class A medical facility (Property 1). This project, with its aesthetically pleasing features, has set the bar for future development on the City's border. It provides an attractive buffer from the existing commercial development, currently located in the County, and the City's residential neighborhoods along Sumner Rd. Peachtree Professional Center (PPC) compliments the comprehensive land use plan and lays the ground work for future development in this area.

By annexing into the City, our desire is to access the sewer system located in this area. While our development is currently accessing sewage disposal through our private septic system, we feel that public sewer is a long term benefit that is worth pursuing by enhancing environmental protection to the surrounding areas.

Being a medical office facility, many of the current patients and employees have expressed interest in accessing the development through the cart path system, which gives an alternative to the existing traffic congestion on Hwy 54. By annexing into the City, we would like to explore the option of cart path connection.

While this property is a known entity and cannot be expanded beyond its current capacity, the City can have a clear vision of what type of development they are annexing into the city limits. Along with adding to the current tax base for Peachtree City, it does not add significant strain to the City's current public services.

We've included three additional properties to the South of Property 1 to make the city limit boarder more logical. Annexing these four properties into the City will give the City full control of the type and size of development as well as the buffer adjoining high end residential neighboring properties.

Thank you for your time and efforts towards the annexation of this project. We look forward to this positive addition to the community.

CONTACT INFORMATION

Owner of property 1:	Foot Pain LLC
Mailing address:	1100 Commerce Drive, Suite A
City, State, Zip:	Peachtree City, GA 30269
Telephone:	770-487-4978
Fax:	770-631-6685
E-mail address:	[redacted]

Owner of property 2:	Paper Rose Studio Inc.
Mailing Address:	101 Lantern View
City, State, Zip:	Peachtree City, GA 30269
Telephone:	
Fax:	
E-mail address:	

Owner of property 3:	Bost H. Cliff Jr.
Mailing Address:	1999 Hwy 54 West
City, State, Zip:	Fayetteville, GA 30214
Telephone:	770-631-3822
Fax:	770-486-3515
E-mail address:	

Owner of property 4:	The Paletta Group, LLC
Mailing address:	156 East Peachtree Center 230
City, State, Zip:	Peachtree City, GA 30269
Telephone:	678-364-1140
Fax:	678-364-1150
E-mail address:	

Agent(s) for owner(s):	Chuck Ogletree
Mailing address:	1100 Commerce Drive, Suite A
City, State, Zip:	Peachtree City, GA 30269
Telephone:	770-487-4978
Fax:	770-631-6685
E-mail address:	[redacted]

PROJECT INFORMATION

Gross acreage: 4 Tracts totaling 7.36 acres

Acreage of lakes, floodplain, wetland, streams and associated buffers: 0 acres

Net developed acreage: Approximately 6.4 acres

Current zoning classification: C-C Community Commercial and O-I Office Institutional

Current Land Use designation: Medical, Office, and Commercial

Location of property:
Property 1: 1975 Highway 54 West, Fayetteville, GA 30215
Property 2: 1991 Highway 54 West, Fayetteville, GA 30215
Property 3: 1999 Highway 54 West, Fayetteville, GA 30215
Property 4: 2011 Highway 54 West, Fayetteville, GA 30215

Brief description of the project:

Property 1 is a 45,000 square foot multi-tenant medical facility. Phase 1 of the project, the 25,000 square foot northern side of the facility was completed in 2011. The second phase, a 20,000 square foot addition, was completed on April 1, 2013. Existing tenants include Ankle & Foot Centers of Georgia, Southern Vein Care a Piedmont Physician Service, Southern Spine and Pain Care, Medical Management, Physical Therapy Centers of Georgia, and Piedmont Physicians Peachtree City. The architecture of the project is an aesthetically pleasing style, in keeping with the City's high standards while also complementing the existing businesses and homes.

Property 2 is Linda's Attic, a non-profit thrift store with proceeds going to PanCan-Pancreatic Cancer Action Network. Linda's Attic benefits the local community is a "Thrifty" shopping experience for families and individuals. This site houses a 2,355 square foot, 1½ -story building built in 1983.

Property 3 is Cliff Bost's Chiropractic Clinic, Peachtree City Chiropractic. Dr. Bost's practice has served the community for a number of years. This site contains a 2,262 square foot, 1-story building built in 1982.

Property 4 is the office of The Paletta Group, a commercial and residential real estate firm. This site contains a 2,002 square foot, 1-story building built in 1973.

PROPERTY 1 LEGAL DESCRIPTION

RECORD DESCRIPTION PER SCHEDULE C OF THE ABOVE REFERENCED TITLE COMMITMENT:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 69 OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA, BEING THE REVISED FINAL PLAT OF GIOVINCO CORNERS, CONTAINING 4.398 ACRES, MORE OR LESS, AS SHOWN ON THAT CERTAIN PLAT OF SAID PROPERTY RECORDED IN PLAT BOOK 46, PAGES 1-2, FAYETTE COUNTY, GEORGIA RECORDS.

NEW LEGAL DESCRIPTION:
A NEW LEGAL DESCRIPTION WAS PREPARED TO REFLECT THE RIGHT-OF-WAY TAKEN FROM THIS PARCEL RECORDED IN DEED BOOK 3550, PAGE 651. (REFERENCE 64)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 62 OF THE 7TH DISTRICT, FAYETTE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF GEORGIA STATE HIGHWAY NO. 54 AND THE NORTH LINE OF LAND LOT 69, THENCE SOUTHWESTERLY ALONG THE WESTERLY RIGHT-OF-WAY 610.74 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 89 DEGREES 47 MINUTES 02 SECONDS WEST A DISTANCE OF 6.65 FEET TO A 1/2" REBAR SET ON THE R/W OF GEORGIA STATE HIGHWAY NO. 54 AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 29 DEGREES 01 MINUTES 42 SECONDS WEST A DISTANCE OF 178.99 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 67 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 7.48 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 22 DEGREES 35 MINUTES 45 SECONDS WEST A DISTANCE OF 72.08 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 23 DEGREES 47 MINUTES 09 SECONDS WEST A DISTANCE OF 45.00 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY NORTH 65 DEGREES 16 MINUTES 59 SECONDS WEST A DISTANCE OF 9.09 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 23 DEGREES 03 MINUTES 04 SECONDS WEST A DISTANCE OF 15.95 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 58 DEGREES 02 MINUTES 56 SECONDS EAST A DISTANCE OF 6.93 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 22 DEGREES 33 MINUTES 05 SECONDS WEST A DISTANCE OF 108.27 FEET TO A 5/8" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 88 DEGREES 37 MINUTES 57 SECONDS WEST A DISTANCE OF 325.98 FEET TO A 1/2" REBAR SET ON THE WEST LAND LOT LINE OF LAND LOT 69 AND THE EASTERLY RIGHT-OF-WAY LINE OF SUMMER ROAD (50' RIGHT-OF-WAY). SAID LAND LOT LINE AND RIGHT-OF-WAY LINE ALSO BEING THE DIVIDING LINE BETWEEN FAYETTE COUNTY AND THE CITY OF PEACHTREE CITY; THENCE ALONG SAID LAND LOT LINE AND RIGHT-OF-WAY NORTH 01 DEGREES 09 MINUTES 46 SECONDS EAST A DISTANCE OF 380.31 FEET TO A 1/2" REBAR SET; THENCE CONTINUE ALONG SAID LAND LOT LINE AND RIGHT-OF-WAY LINE NORTH 00 DEGREES 15 MINUTES 53 SECONDS EAST A DISTANCE OF 149.98 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID LAND LOT LINE AND RIGHT-OF-WAY LINE NORTH 89 DEGREES 50 MINUTES 01 SECONDS EAST A DISTANCE OF 239.31 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 07 MINUTES 24 SECONDS EAST A DISTANCE OF 149.90 FEET TO A 1/2" REBAR FOUND; THENCE NORTH 89 DEGREES 47 MINUTES 02 SECONDS EAST A DISTANCE OF 234.61 FEET TO A 1/2" REBAR SET ON THE WESTERLY RIGHT-OF- WAY OF GEORGIA STATE HIGHWAY NO. 54 AND THE TRUE POINT OF BEGINNING; SAID TRACT CONTAINING 4.36 ACRES MORE OR LESS AND BEING SHOWN ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED FOR FOOT PAIN LLC, UNITED COMMUNITY BANK, AND CHICAGO TITLE INSURANCE COMPANY BY W.D. GRAY AND ASSOCIATES, INC. DATED SEPTEMBER 6, 2012.

PROPERTY 2 LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 69 OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE WEST LINE OF LAND LOT 69, WHICH POINT IS LOCATED 1958.7 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LAND LOT, AS MEASURED ALONG SAID LAND LOT LINE; RUNNING THENCE NORTH 00 DEGREES 14 MINUTES EAST 144.6 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES EAST 346.4 FEET TO A POINT LOCATED ON THE EXISTING RIGHT OF WAY OF GEORGIA STATE HIGHWAY NO. 54 (HAVING AN 80 FOOT RIGHT OF WAY AT THE TIME OF PREPARATION OF SAID SURVEY); RUNNING THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY 156.1 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 54 MINUTES WEST 288.3 FEET TO THE POINT OF BEGINNING; SAID PARCEL HAVING A TWO STORY FRAME RESIDENTIAL DWELLING LOCATED THEREON; AS PER PLAT OF SURVEY PREPARED BY KOONS WOOD & ASSOCIATES FOR MCCURDY, WILCOX & REEVES, DATED MAY 21, 1986, REVISED NOVEMBER 26, 1987, JOB NO. 86076.

THERE IS EXCEPTED FROM THE AFORE-DESCRIBED PARCEL THAT PORTION OF THE SAID PROPERTY LYING WITHIN THE BOUNDS AND LIMITS OF GEORGIA STATE HIGHWAY NO. 54.

PROPERTY 3 LEGAL DESCRIPTION

All that certain tract or parcel of land situate, lying and being in Land Lot 69 of the 7th Land District of Fayette County, Georgia, being more particularly described as follows:

To locate the true point of beginning, commence at the point of intersection of Land Lot 68, Land Lot 69, Land Lot 92, and Land Lot 93 of the 7th Land District; thence run in a northerly direction along the common land lot line of Land Lot 69 and Land Lot 92 a distance of 1,777.7 feet to a point; said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING, thence run along said common land lot line North 0 degrees 40 minutes 04 seconds East a distance of 181 feet to a point; thence leaving said common land lot line run South 89 degrees 53 minutes 45 seconds East a distance of 286.4 feet, more or less, to the westerly right-of-way of Highway 54 (80 foot right-of-way); thence run along said right-of-way South 22 degrees 14 minutes 34 seconds West a distance of 201 feet to a point; thence leaving said right-of-way run North 88 degrees 24 minutes 19 seconds West a distance of 212.5 feet, more or less, to a point located on the common land lot line of Land Lot 69 and Land Lot 92, said point being the TRUE POINT OF BEGINNING.

PROPERTY 4 LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 69 of the 7th District of Fayette County, Georgia and being more particularly described as follows:

Beginning at a point located at the intersection of the Northerly right-of-way of Sumner Road with the Northwesterly right-of-way of State Highway #54; thence running Northeasterly along the Northwesterly right-of-way of State Highway #54 a distance of 88.60 feet to an iron pin set and The True Point of Beginning; thence running South 88 degrees 41 minutes 22 seconds west a distance of 75.95 feet to a point located on the Westerly right-of-way of Sumner Road; thence running North 00 degrees 38 minutes 38 seconds west along the said Westerly right-of-way of Sumner Road a distance of 30.79 feet to a R/W monument found; thence running North 01 degrees 08 minutes 08 seconds East along the said Westerly right-of-way of Sumner Road a distance of 284.22 feet to an iron pin found; thence departing said right-of-way and running South 88 degrees 24 minutes 19 seconds East a distance of 200.55 feet to an iron pin set on the Northwesterly right-of-way of State Highway #54; thence running South 24 degrees 14 minutes 46 seconds West along the said Northwesterly right-of-way of State Highway #54 a distance of 131.49 feet to a R/W monument found; thence running South 24 degrees 14 minutes 45 seconds West along the said Northwesterly right-of-way of State Highway #54 a distance of 138.14 feet to a R/W monument found; thence running South 17 degrees 12 minutes 06 seconds West along the said Northwesterly right-of-way of State Highway #54 a distance of 64.69 feet to an iron pin set and The True Point of Beginning; said tract containing 0.969 acres.

REQUEST FOR ANNEXATION FORM

The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:

Peachtree Professional Center, 1975 GA Highway 54 West

I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): Foot Pain LLC Date: _____

Owner (signature): _____

Agent (print): _____ Date: _____

Agent (signature): _____

To be completed by the City of Peachtree City:

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

Date of acceptance: _____

Request number: _____

City Planner: _____ Date: _____

City Clerk: _____ Date: _____

Public Hearing – Planning Commission: Date: _____

Public Hearing – City Council: Date: _____

Peachtree City Annexation and Rezoning Request

REQUEST FOR ANNEXATION FORM

The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:

Property 2: 1991 GA Highway 54 West

I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): Paper Rose Studio Inc. Date: April 25, 2013

Owner (signature): Christine Goodale

Agent (print): _____ Date: _____

Agent (signature): _____

To be completed by the City of Peachtree City:

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

Date of acceptance: _____

Request number: _____

City Planner: _____ Date: _____

City Clerk: _____ Date: _____

Public Hearing – Planning Commission: Date: _____

Public Hearing – City Council: Date: _____

REQUEST FOR ANNEXATION FORM

The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:

Property 3: 1999 GA Highway 54 West

I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): Bost H. Cliff Jr., DC Date: April 29, 2013

Owner (signature): _____

Agent (print): _____ Date: _____

Agent (signature): _____

To be completed by the City of Peachtree City:

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

Date of acceptance: _____

Request number: _____

City Planner: _____ Date: _____

City Clerk: _____ Date: _____

Public Hearing – Planning Commission: Date: _____

Public Hearing – City Council: Date: _____

Peachtree City Annexation and Rezoning Request

REQUEST FOR ANNEXATION FORM

The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:

Property 4: 2011 GA Highway 54 West

I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): The Paletta Group, LLC Date: 4/24/13

Owner (signature): _____

Agent (print): _____ Date: _____

Agent (signature): _____

To be completed by the City of Peachtree City:

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

Date of acceptance: _____

Request number: _____

City Planner: _____ Date: _____

City Clerk: _____ Date: _____

Public Hearing – Planning Commission: Date: _____

Public Hearing – City Council: Date: _____

EVIDENCE PROPERTY IS ELIGIBLE FOR ANNEXATION / METHOD OF ANNEXATION

We feel we are eligible for annexation because these four properties are contiguous to the existing city limits.

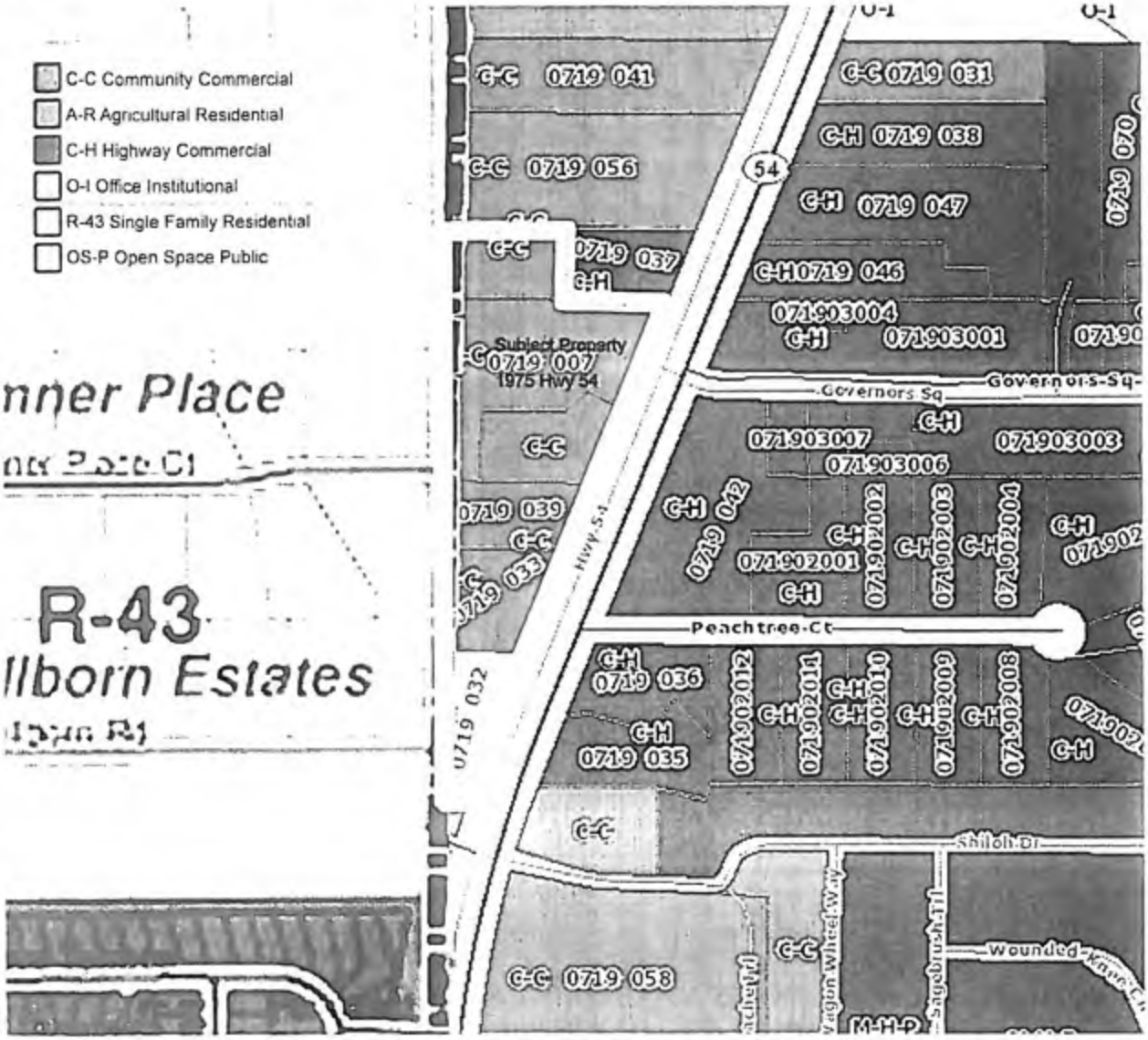
CERTIFICATION OF FAMILIARITY WITH THE CITY'S CODES, PLANS, AND POLICIES

As agent, Chuck Ogletree, Foot Pain, LLC and its ownership group certifies that it is familiar with the Peachtree City Land Use Plan; the Annexation Policy; and all relevant codes and ordinances of the City, especially those pertaining to zoning, land development, site planning, landscaping, and signs.

Please find enclosed copies of the certified boundary survey of the property and legal description.

ZONING CLASSIFICATIONS THAT EXIST ON / ADJACENT TO THE PROPERTY

The subject property is currently zoned C-C Community Commercial and O-I Office Institutional. The property is surrounded predominantly by C-C Community Commercial, C-H Highway Commercial, and R-43 Single Family Residential. Other properties in a 1-mile area are zoned A-R Agricultural Residential, O-I Office Institutional, and OS-P Open Space Public.



PROPERTY OWNERS WITHIN 200' BOUNDARY OF THE PROPERTY

1 Parcel ID: 0719 056
Property Address: 1967 Highway 54 W
Owner: Rsc Peachtree LLC C/O Royal Senior Care LLC
Owner Address: 1660 N E Miami Gardens Drive - Suite #1, Miami, FL33179

2 Parcel ID: 0719 037
Property Address: 1971 Highway 54
Owner: Jaz Properties LLC
Owner Address: 1971 Hwy 54 West, Peachtree City, GA 30269

3 Parcel ID: 0719 046
Property Address: 1968 Highway 54 W
Owner: Ravin Homes Inc Profit Sharing Plan
Owner Address: P O Box 2394, Peachtree City, GA 30269

4 Parcel ID: 071903001
Property Address: Governors Sq
Owner: Mirome LLC
Owner Address: 135 Governors Square Pwy, Fayetteville, GA 30215

5 Parcel ID: 0719 042
Property Address: 1992 Highway 54 W
Owner: Governors Corner LLC
Owner Address: 440 Birkdale Drive, Fayetteville, GA 30215

6 Parcel ID: 0719 036
Property Address: 2006 Highway 54 W
Owner: Miles Charles B
Owner Address: 2006 Hwy 54 West, Fayetteville, GA 30215

7 Parcel ID: 0719 035
Property Address: 2008 Highway 54 W
Owner: Miles Charles & Reid Hutchings
Owner Address: 2006 Hwy 54 West, Fayetteville, GA 30215

8 Parcel ID: 0719 027
Property Address: 319 Sumner Rd
Owner: Mathis Judith M
Owner Address: 319 Sumner Road, Peachtree City, GA 30269

9 Parcel ID: 071915001
Property Address: 307 Sumner Rd
Owner: Jpmorgan Chase Bank Na
Owner Address: 3415 Vision Drive, Columbus, OH 43219

10 Parcel ID: 071903001
Property Address: 101 Sumner Place Ct
Owner: Butler Mathew David
Owner Address: 110 Beaverdam Road, Fayetteville, GA 30214

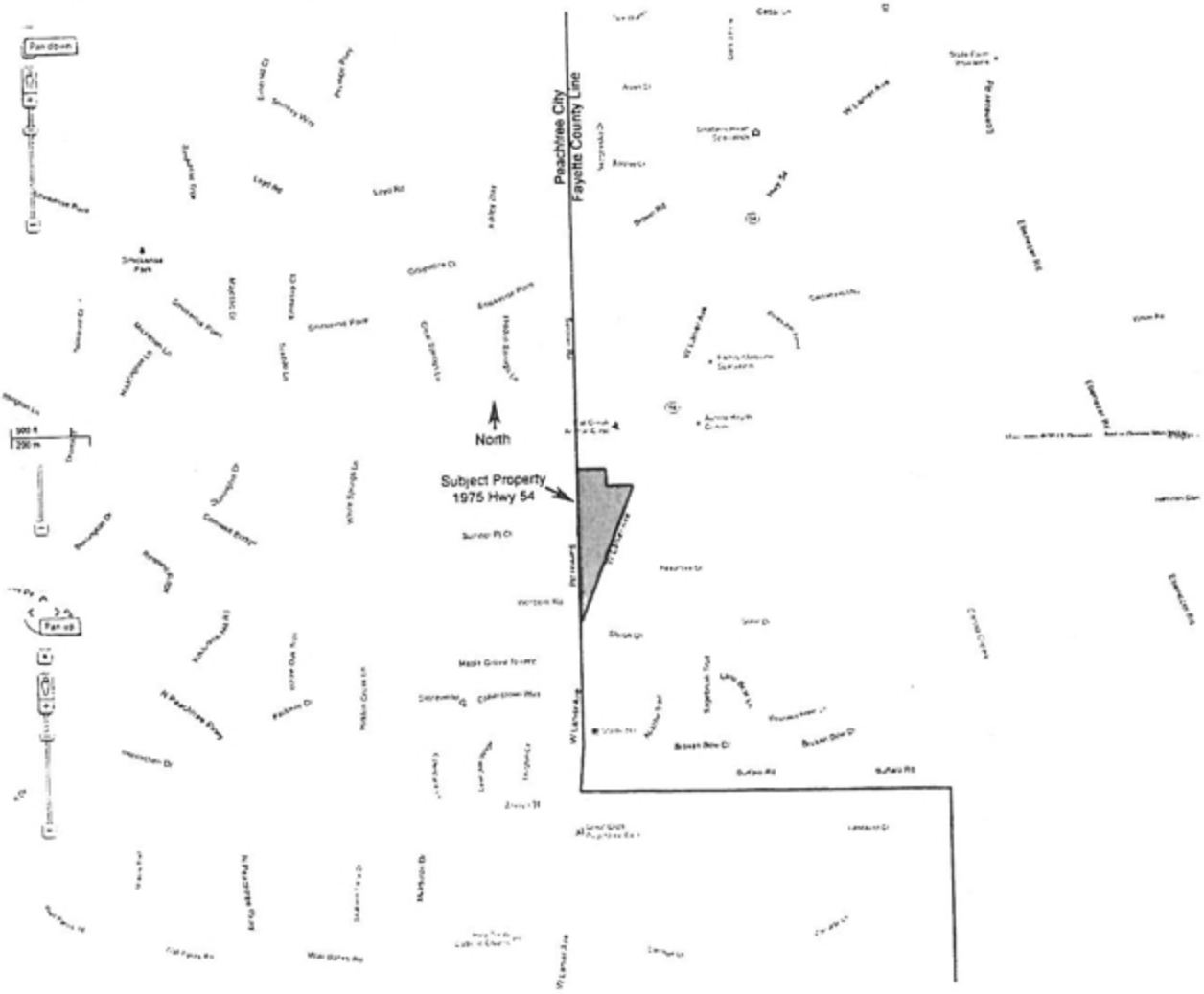
11	Parcel ID: 071923017
Property Address:	100 Sumner Place Ct
Owner:	Atkinson Bobby R Carol
Owner Address:	100 Sumner Place Court, Peachtree City, GA 30269

12	Parcel ID: 0719 023
Property Address:	273 Sumner Rd
Owner:	James John C Lee L Snedeker Family Trust
Owner Address:	255 Sumner Road, Peachtree City, GA 30269

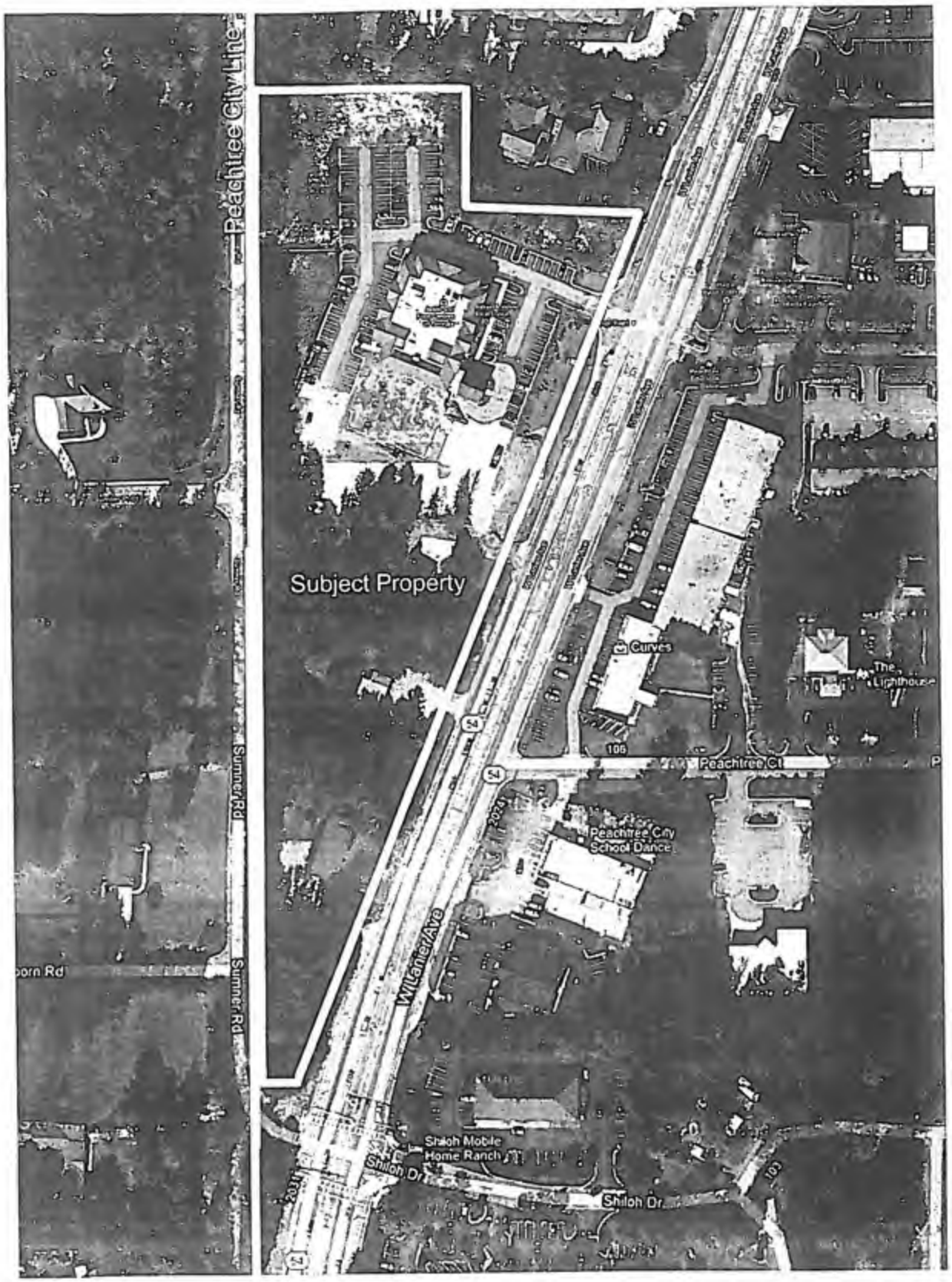
13	Parcel Number: 0719 002
Property Address:	255 Sumner Rd
Owner:	James John C Lee L Snedeker Family Trust
Owner Address:	273 Sumner Rd, Peachtree City, GA 30269

Peachtree City Annexation and Rezoning Request

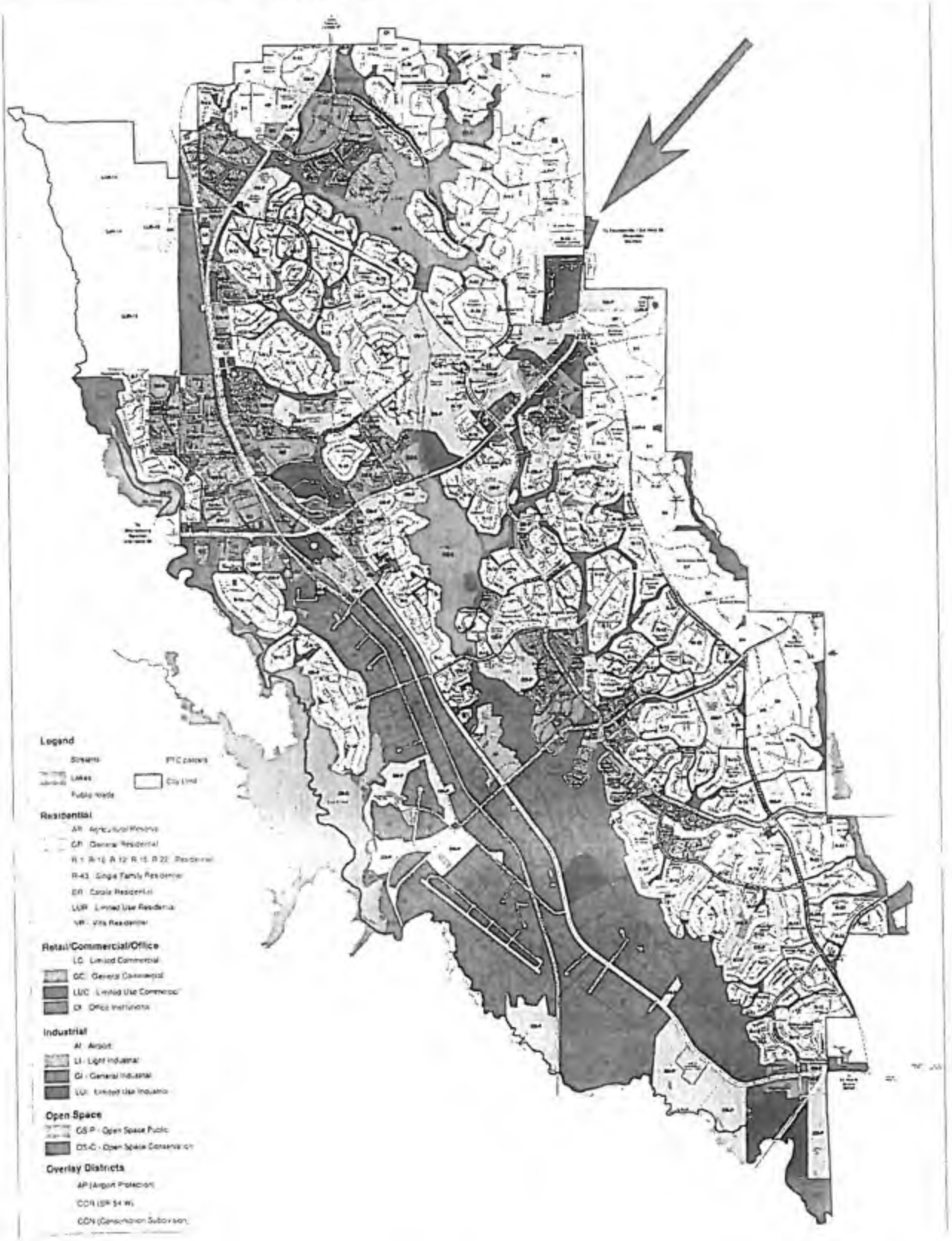
LOCATION MAP SHOWING THE PROPERTY IN RELATION TO THE CITY



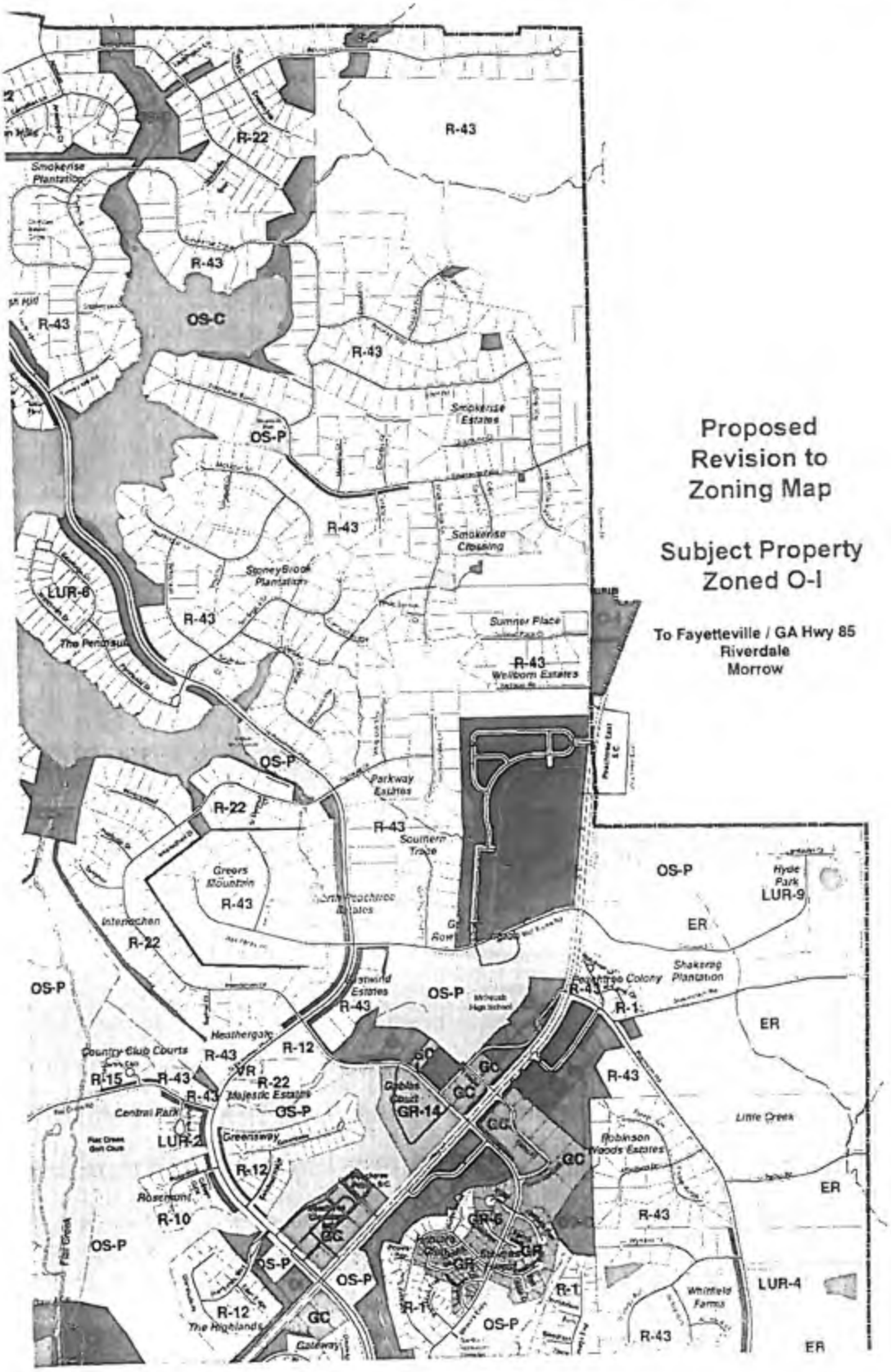
AERIAL OF SUBJECT PROPERTY IN RELATION TO THE CITY



MAP OF PROPOSED NEW CITY ZONING DISTRICTS



CLOSE-UP MAP OF PROPOSED NEW CITY ZONING DISTRICTS



PUBLIC SERVICES AVAILABLE TO THE PROPERTY

PTC Police Department	
PTC Fire and EMS	
Electricity	Coweta/Fayette EMC
Gas	Coweta/Fayette EMC
Telephone	AT&T and Comcast
Television/Cable	Comcast
Sanitation	Waste Management

ACREAGE, PROPOSED DENSITY, AND PROJECTED POPULATION

Property 1 is a 45,000 square foot, 2-story medical office building on a 4.36 acre site. The project was completed April 1, 2013. The building currently houses approximately 88 employees and at full capacity will house as many as 150 employees. There will be no permanent residents.

Property 2 is Linda's Attic, a non-profit thrift store with proceeds going to PanCan-Pancrealic Cancer Action Network. Linda's Attic benefits the local community is a "Thrifty" shopping experience for families and individuals. This 1 acre property houses a 2,355 square foot, 1½ - story building built in 1983. Linda's Attic has several employees and no permanent residents.

Property 3 is Cliff Bost's Chiropractic Clinic, Peachtree City Chiropractic. Dr. Bost's practice has served the community for a number of years. This 1 acre site contains a 2,262 square foot, 1-story building built in 1982. Dr. Bost has several employees and no permanent residents.

Property 4 is the office of The Paletta Group, a commercial and residential real estate firm. This site contains a 2,002 square foot, 1-story building built in 1973. The Paletta Group has numerous agents and employees and no permanent residents.

No future development is currently planned on the four tracts.

HOW TIED INTO CITY'S THOROUGHFARE SYSTEM AND CART PATH SYSTEM

We intend to pursue tying into the existing cart path system located at Sumner Road and GA Highway 54. Location of cart path access has not been determined at this time. The property currently has one curb cut onto GA Highway 54.

HOW THE PROPERTY WILL RELATE TO / COMPLEMENT THE CITY'S LAND USE PLAN

We are requesting the four properties be given the O-I Office Institutional zoning designation which provides a buffer between the residential and commercial properties. The property is currently located in unincorporated Fayette County and zoned as C-C Community Commercial and O-I Office Institutional. The current land use plan at this border of Peachtree City (the West side of this property) is SFL - Single-family Low, however the property to the North, East, and South of the subject property have commercial land uses. We are proposing a land use of OFF

– Office for this development which we feel will create a nice buffer between the residential and commercial areas.

Property 1 (PPC) has followed the village concept adopted by the city. PPC also provides adequate buffers and screening between different land uses by utilizing natural features and defined landscaping buffers. Additionally, PPC will maintain compliance with the ordinances to ensure preservation of environmentally sensitive areas.

HOW THE PROPOSED ANNEXATION WILL AFFECT THE CITY

Tax Base: The proposed annexation would provide for a tax revenue increase for the City of Peachtree City. Based upon the projected assessed value of $3,120,000 for the new improvements of Property 1 and the combined assessed value of $337,356 for properties 2 3 and 4, we estimate the final tax assessed to be approximately $3,458,000.

Public Education: The proposed annexation, as O-I, will have no direct impact on public education, but will contribute due to the additional property taxes paid to the City.

Police and Fire Protection: The proposed annexation would require basic police services. There will be no adverse effect on employment of police personnel. There will be no adverse effect on law enforcement response time and that time is estimated slightly over 5 minutes. Subject property is 5 miles east of the Peachtree City Police Department and 4.6 miles north of the Peachtree City Fire Department.

The building on Property 1 is outfitted with an automatic fire alarm and sprinkler system. The fire alarm is monitored 24/7 by Saturn Systems, Inc. The building construction meets all code with regards to fire rated demising walls, doors, glass, etc.

Emergency Medical Services: The proposed annexation should not require additional emergency medical services over the current requirements. In the event that an individual requires more than basic medical services, subject property is only 3.5 miles west of Piedmont Fayette Hospital.

Transportation Facilities: The proposed annexation would not require any additional transportation facilities. However, we intend to provide for a multi-use cart path connection.

Environmental Protection: The property (Property 1) has its own storm water management system in place. Moreover, the landscape design, in compliance with the city's ordinance, has been a definite environmental enhancement.

Please refer to the enclosed Landscaping Plan.

Recreation Program: The proposed annexation is an O-I development and will have no impact on the recreation programs of the city.

Implementation of the overall development plan:
The request for the proposed annexation PPC will be a positive factor in the city's efforts to implement its overall comprehensive plan and further establish the City's natural growth boundaries. The annexation will also help to establish design and development standards for the adjacent property owners.

Land use: This proposed annexation and zoning request are consistent with the long-range land use designation. Property 1's landscape plan has been designed by professional landscape engineers, in keeping with the City's requirements and with a focus on species selection and placement. This same company is contracted out by the ownership group to provide weekly landscape maintenance and seasonal plantings. There will be no permanent dwelling units on the property. The height of the 45,000 facility is 36' 8".

Please refer to the enclosed Landscaping Plan.

Community Design: Our development (Property 1) upholds the City's principles and standards of community design by fitting into the village concept and meeting all parking, site design requirements of the city as set forth in the city's comprehensive plan.

On property 1, the building's architectural design, signage, landscaping, lighting, and retention of natural vegetation along roadways and property boundaries is in keeping with the City's standards, as well as a great improvement over the site's previous condition.

Economic Development: The proposed use is of several existing county-based business including a podiatry practice, Ankle & Foot Centers of GA; a physical therapy group, Georgia Physical Therapy; a vascular care practice, Southern Vein Care; a pain management practice, Southern Spine and Pain Care, an ambulatory surgical center, a medical book keeping company, Medical Management; a Piedmont Physicians Group internal medicine practice; a non-profit thrift store, Linda's Attic; and a chiropractic clinic, Dr. Cliff Bost.

Potable Water: Fayette County Water currently provides water to the site.

Sewer: The proposed annexation intends to connect Property 1 to the Peachtree City Water and Sewer Authority system. The four buildings are currently using underground septic systems. Properties 2, 3 and 4 will convert to sanitary sewer at a later date. All other utilities are currently available to the development.

Thank you for your time and efforts towards the annexation of these properties. We look forward to this positive addition to the community.