Print Form

COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev

Department Head: Peter A. Frisina

Presenter, if needed: Peter A. Frisina

Preferred Meeting Date: Wednesday, April 1, 2009

Wording for the Agenda:

Consideration of the City of Peachtree City's request to annex 17.819 acres known as the Peachtree East Shopping Center. This property is located in Land Lot 69 of the 7th District, fronts on SR 54 West, Broken Bow Drive, and Shiloh Drive, and is currently zoned Community Commercial (C-C).

Background/History/Details:

The applicant is seeking to rezone the subject property to Limited Use Commercial (LUC) and the proposed land use designation will be Commercial (COM).

The request is scheduled for the Peachtree City Planning Commission on April 13, 2009, and by the Peachtree City City Council on May 7, 2009.

What action are you seeking from the Board of Commissioners?

As required by Georgia State Law, the Board of Commissioners must chose to either "object" or to "not object" to Peachtree City's annexation request within 30 days upon receipt of the annexation request. The 30 days expire on April 4, 2009.

If this item requires funding, please describe:

N/A

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? Yes

STAFF USE ONLY

Approved by Finance? Yes

Reviewed by Legal? Yes

Approved by Purchasing? Yes

Approved by Administrative Staff? Yes

Staff Notes

Administrator's Approval Yes

Confirmed Meeting Date Wednesday, April 1, 2009

- ○ Recognition/ Presentation
- ○ Public Hearing
- ○ Old Business
- ◉ New Business
- ○ Consent
- ○ Report
- ○ Other

MEMORANDUM

To: Jack Smith, Chairman Board of County Commissioners

Through: Carol Chandler, Executive Assistant to County Commissioners

From: Dennis Dutton, Zoning Administrator

Date: March 18, 2009

Re: Staff Comments on Annexation Notification – City of Peachtree City
Requested by: GDC Properties, Inc.
Located at: SR 54 West, Broken Bow Drive, and Shiloh Drive
Property Tax ID#: 07-19-058 (17.819 Acres Zoned C-C)

The City of Peachtree City has received a request for annexation for the above-referenced property located on SR 54 West, Broken Bow Drive, and Shiloh Drive. The subject property consists of 17.819 acres which is currently zoned Community Commercial (C-C) and contains the Peachtree East Shopping Center. The annexation notice from the City of Peachtree City indicates intent to rezone the subject property to Limited Use Commercial (LCU).

General Description:

The subject property is located on SR 54 West, Broken Bow Drive, and Shiloh Drive. The proposed annexation would not create an island. The subject property abuts the following:

- To the West (across SR 54 West): A One (1.00) acre tract containing an ice cream parlor, a two (2.00) acre tract containing a drug store, a two (2.00) acre tract containing a restaurant, and the Lexington Park Subdivision (residential), all located within the city limits of Peachtree City. A one (1.00) acre tract zoned O-I containing a structure, located in unincorporated Fayette County.

- To the North: A one (1) acre tract zoned C-H containing a structure and Shiloh Mobile Home Park, both located in unincorporated Fayette County.

- To the East: Shiloh Mobile Home Park located in unincorporated Fayette County.

- To the South: Shiloh Mobile Home Park located in unincorporated Fayette County and Westminster Gardens Cemetery located within the city limits of Peachtree City.

Current County Land Use

The subject property is designated as Commercial on the Fayette County Land Use Map.

Proposed City Land Use

The City of Peachtree City proposes to designate this area as Commercial (COM) on the City of Peachtree City Future Land Use Map.

DEPARTMENTAL COMMENTS:

Planning and Zoning - The subject property contains the Peachtree East Shopping Center which houses a variety of commercial retail and restaurant uses. The uses listed in the City's Limited Use Commercial (LUC) Zoning District are similar to the uses allowed in the County's C-C Zoning District.

Loss of Licensing/Occupational Fees – If the subject property is annexed, the County will lose $1,500 per year in Alcohol Permit fees and approximately $4,600 in Occupational Tax fees.

Fire/EMS – This property lies within the response area of Fayette County Fire Station #8. Peachtree City does not participate in an Automatic Aid Agreement with the County and the inference that the property is already served by the cities emergency personnel and public safety is misleading and inaccurate.

The tax bill for 2008, totaled $258,605.88. The loss of revenue in fire tax dollars is $16, 035.51 and the loss in EMS tax dollars is $4,413.59. This is based on the millage rate of 1.991 for Fire and 0.548 for EMS.

Continued loss of property means a loss of revenue within the Fire and EMS tax digest.

The possibility of reaching an Automatic Aid Agreement between the County and Peachtree City seems unlikely. Attempts by the County's Public Safety agencies have met with resistance from Peachtree City. During 2008, the incident call volume breakdown for the shopping center was a total of 14 incidents; 10 EMS related and four (4) fire alarm calls.

Water System – The annexation will not change the service area of the Water System. Fayette County Water System will continue to service this development. This property is already connected to the Peachtree City sewer system.

Public Works/Engineering – Broken Bow Drive, Shiloh Drive, and the drives within Shiloh Mobile Home Park are not County maintained; therefore, no Public Works comments. New curb cuts, if needed, would be permitted through the GDOT.

Stormwater – The property does not contain floodplain per FEMA FIRM panel 13113C0091E dated 09/26/08. The property does not contain any wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per the USGS Tyrone Quadrangle, there are no waters of the state subject to the County watershed protection buffers and setbacks. The property is not within the groundwater recharge area, as delineated on the Georgia Department of

Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

Environmental Health – The Environmental Health Department has no comments regarding the annexation since the existing structures are served by the Peachtree City sewer system.

Sheriff's Office – The Sheriff's Office has no comments unique to this request.

State Law

Georgia Code *O.C.G.A. § 36-36-113 (2008),* Title 36. Local Government Provisions Applicable To Municipal Corporations Only, Chapter 36. Annexation Of Territory, Article 7. Procedure For Resolving Annexation Disputes which states:

Objection to annexation; grounds and procedures

(a) The county governing authority may by majority vote 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

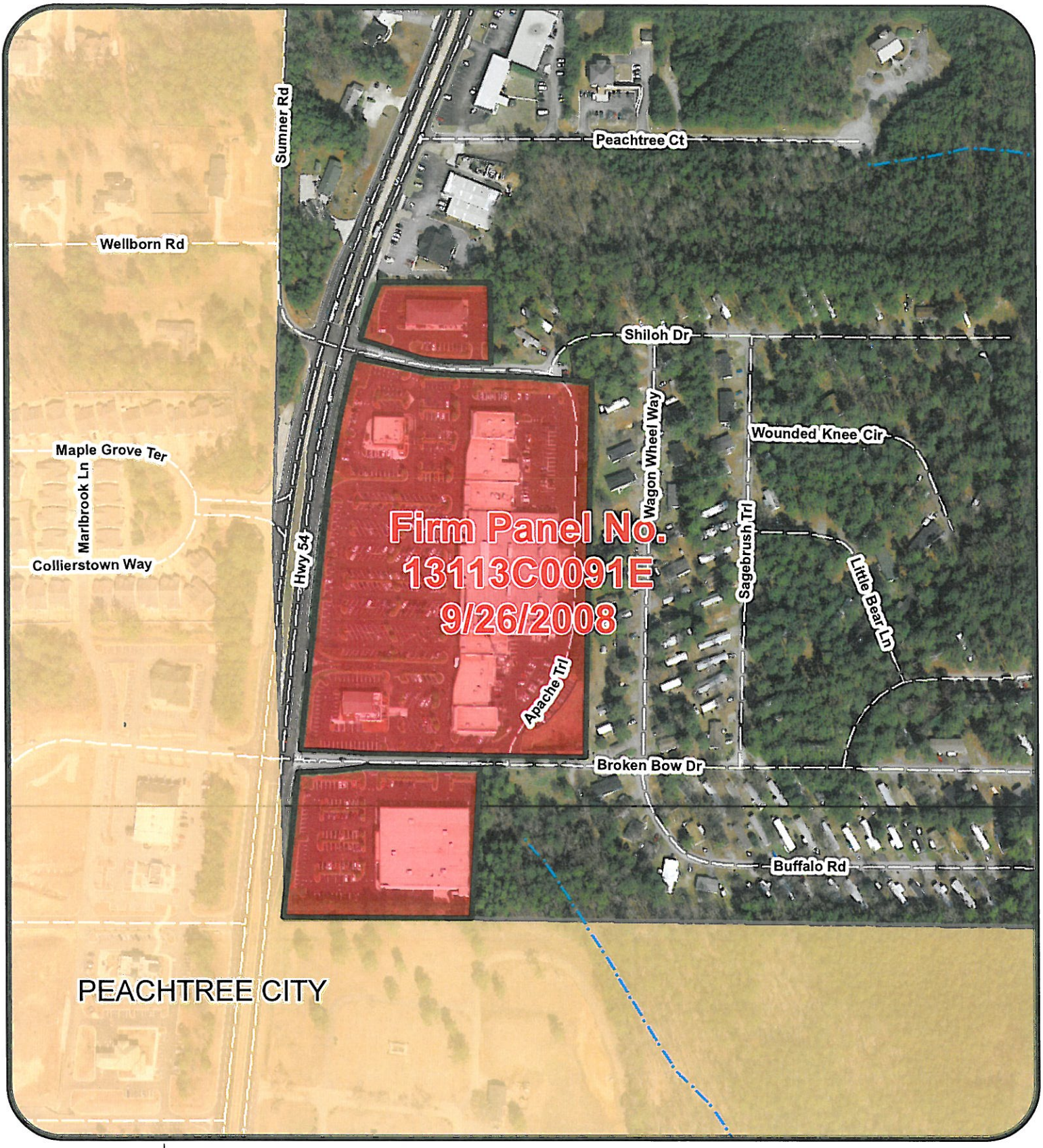
(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and

(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.

Conclusion – The change in zoning/land use from C-C/Commercial to LUC/Commercial would not constitute a substantial change in the allowable uses on the subject property.

The County will lose approximately $26,500 in annual revenue from Occupational Tax fees, Alcohol Permit fees, Fire Tax and EMS Tax, per comments from the various departments, should the subject property be annexed.

07-19-058 ANNEXATION



Fayette County GEORGIA

1 inch = 300 feet

Legend

- Ground Water Recharge Areas
- City_Limits
- Streams
- NWI Wetlands
- 500 Year Storm
- 100 Year Storm Zone A
- 100 Year Storm Zone AE
- 100 Year Storm Zone AE (Floodway)

N W E S

CITY OF PEACHTREE CITY ANNEXATION S.R. 54 West, 17.819 Acres		
REQUIREMENTS	**UNINCORPORATED FAYETTE COUNTY**	**CITY OF PEACHTREE CITY**
ZONING DISTRICT	C-C (Community Commercial) Existing	LUC (Limited Use Commercial) Proposed
CURRENT/PROPOSED USE	Retail Establishments	Retail Establishments
MINIMUM LOT SIZE	One (1) acre minimum lot where a central water distribution system is provided or one-half (.50) acre minimum lot where a central sanitary sewage and central water distribution systems are provided	30,000 Square Feet
MINIMUM LOT WIDTH	125 Feet	150 Feet
TYPE OF THOROUGHFARE	Major Arterial	Major Arterial
MAXIMUM BUILDING HEIGHT	35 Feet	Ten (10) stories, but if over 35 feet, it must be approved by the fire department.
BUILDING SETBACKS	Front 100 Feet Side 15 Feet Rear 15 Feet	Front 40 Feet Side 10 Feet (75 ft. if adjoining a residential lot.) Rear 25 Feet (75 ft. if adjoining a residential lot.)
MAXIMUM IMPERVIOUS AREA	50%	N/A
REQUIRED BUFFERS	50 feet required adjacent to residential or A-R zoning	75 feet required adjacent to residential zoning, not including setbacks
WATERSHED PROTECTION	N/A	N/A

Owner and Parcel Information

Parcel Number:	0719 058	Owner Name:	KEEPORT ASSOCIATES LLC ET AL
Location Address:	HIGHWAY 54 W 100-168	Mailing Address:	245 SAWMILL ROAD
Legal Description:	HWY 54 TRACT I & II		HAWTHORNE, NY 10532
Tax District:	UNICORPORATED	Land Lot 1:	69
Mapping District:	07	Land Lot 2:	
School Exemption:		Subdivision:	PEACHTREE EAST SHOPPING CENTER
Homestead Exemption:		Acres:	18

Current Value Information

Land Total	Building Total	Total Market Value	Total Assessed Value
$3,877,000	$16,258,000	$20,135,000	$8,054,000

Improvement Information

Year Built	Building Size	Building Height	Building Wall
1995	51533	1	BS

Additional Structures

Code	Description	Type	Unit
IF	FLATTED IN BUILDING		000000000

Sales Information

Sale Date	Sale Price	Deed Page	Plat Page
12/06/2005	$24,475,000	2916/375	0/0
/ /	$0		

R-20
O-I
C-H
Shiloh Drive
PEACHTREE CITY
SR 54
SUBJECT PROPERTY
M-H-P
Broken Bow Drive
PEACHTREE CITY

PEACHTREE CITY
PLAN TO STAY™

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

March 2, 2009

SENT VIA CERTIFIED MAIL

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

Re: Notification of receipt of Step Two annexation and rezoning application
Peachtree East retail center (unincorporated Fayette County)

Dear Jack:

This letter is to inform you we are in receipt of a request from GDC Properties to annex and rezone the property known to us as the Peachtree East retail center on SR 54 E. The subject tract is 17.819 acres in size and located within unincorporated Fayette County. Should the property be annexed, the current zoning of C-C Community Commercial would change to an appropriate commercial zoning designation in Peachtree City and the land use designation would be COM Commercial.

Attached is a copy of the application, which is currently being reviewed by City Staff. The Public Hearings to consider this request have been tentatively scheduled for the April 13 Planning Commission and May 7 City Council meetings.

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

Sincerely,

David E. Rast

David E. Rast, ASLA
City Planner/ Zoning Administrator

Attachments

cc: *Mayor and Council Members*
Planning Commission
Directors and Chiefs
City Attorney
Rick Lindsey *Webb, Lindsey & Wade, LLC*
file

Step Two: Annexation request 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:

> The property is located on Highway 54 across form Walt Banks Drive and between Broken Bow Drive and Shiloh Drive. (See attached: Boundary Survey and Legal Description).

This request for annexation is being made for the following reasons:

> The property is located directly on the border of Peachtree City on two sides. Because of the location of the property and the proximity to the fire stations, the property can be better served by the Peachtree City agencies than the county agencies and is already served by the City's emergency personnel through the mutual aid agreement with the county. Also, including the shopping center in Peachtree City will better enable the restaurant tenants to compete in the tough restaurant environment. Additionally, many patrons believe the shopping center is actually located inside the city limits. The annexation of the property will result in Peachtree East being included formally in the City.

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): Keeport Associates, LLC / Greenbriar, LLC / GDC ~~Properties~~ (Pad) / Envoy Associates, LLC — Date: July 16, 2008

Owner (signature): _____

Agent (print): Richard DeMarco — Date: July 8, 2008

Agent (signature): _____

Director of Property Management
GDC Properties, LLC – Management Company

Attorney — July 16, 2008

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: 03-03-09*

Request number: 2008-31

City Planner: David E. Rant Date: 03-03-09

City Clerk: Date: 3/4/09

Public Hearing – Planning Commission: Date: April 13, 2009

Public Hearing – City Council: Date: May 7, 2009

* upon receipt of revised boundary survey/ existing conditions / legal description, etc.

Instructions for submitting an Annexation Request Form

Whenever it is proposed that property be annexed into Peachtree City, it will be the responsibility of the applicant to furnish the City with all information and documents that will be necessary to properly evaluate the request. The required information and documents will include, but not be limited to, the following:

I. A completed and signed "Request for Annexation" form;

Attached.

II. A complete zoning application, including the appropriate application fee;

The applicant is seeking LUC zoning for the property. The formal application will be submitted following the City Council's initial review of the annexation application.

III. Documentation acceptable to the City Attorney that the property is eligible for annexation, along with a detailed explanation of the proposed method of annexation;

The applicant is seeking annexation through OCGA Section 36-36-20. Approximately ½ of the perimeter of the property abuts Peachtree City. The applicant's agent, Richard P. Lindsey, has discussed the proposed annexation with the City Attorney. It is the agent's belief that the City Attorney is of the opinion that the subject property is legally eligible for annexation.

IV. Certification that the applicant 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;

The applicant and its agents are 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.

V. Two copies of a complete and certified boundary survey of the property, along with an accurate legal description;

Attached.

VI. The following supplemental information and documents:

1. A complete and accurate indication of all zoning classifications that presently exist on and adjacent to the property;

   The surrounding zoning classification of the subject property are as follows:

   Peachtree City:
   - i. LUR
   - ii. ER
   - iii. LUC-16
   - iv. R-43
   - v. LUR-9

   Fayette County:
   - i. MHP (Mobile Home Park)
   - ii. CH (Commercial Highway)
   - iii. OI (Office Institutional)
   - iv. CC (Community Commercial)
   - v. R-20 (Single Family Residential)

2. Name and address of all property owners within 200 feet of the boundary of the property (these property owners must be shown on an appropriate map);

   Attached.

3. A location map at a scale of 1" = 800' showing the property in relation to the City;

   A location map will be submitted following the City Council's initial review of the annexation application.

4. A recent aerial photograph which also shows the property in relation to the City;

   Attached.

5. An accurate and detailed map which shows the proposed new City zoning districts at a scale of 1" = 800';

   Attached.

6. An identification of all major natural, geographic, and cultural features which presently exist on or near the property;

The property is located on SR 54 next to the cemetery and across the highway from Lexington Circle.

7. An identification and description of all public services which are presently available to the property;

   The property is connected to the sanitary sewer line and is serviced by the Peachtree City Water and Sewerage Authority. All utilities are available and connected to the property. The property is served by the county and is also served by the City's emergency personnel through the mutual aid agreement.

8. An identification and description of all public facilities which are presently on or near the property, or are proposed to be built on or near the property;

   None.

9. Any development plans, feasibility studies, impact analyses, population projections, or other such planning documents which have been prepared relative to the property;

   Not applicable.

10. A statement as to the acreage of the property, the proposed density of development, and the projected population at build-out;

    17.819 acres; no residential development.

11. A report demonstrating exactly how the property will be tied into the City's major thoroughfare system and cart path system;

    The shopping center has several well positioned access points, including two signalized access points at Broken Bow Drive and Shiloh Drive. There are no planned changes to the ingress and egress of the shopping center.

    The applicant understands that the City is in the planning process for designing multi-use cart paths in the general vicinity of Peachtree East. A possible bridge over SR 54 is also being considered. The applicant will cooperate with the City if it is determined that the bridge should cross SR 54 in front of the shopping center.

12. A report demonstrating exactly how the property will relate to and complement the City's Land Use Plan;

The subject property is adjacent to other commercial properties located in the city limits and in the unincorporated county. The applicant is seeking LUC zoning and is not seeking to increase the density of the current development.

13. A report demonstrating that the proposed annexation will be consistent with the City's annexation policy;

    The property is already developed and is currently served by the City's emergency personnel under the mutual aid agreement along with the county. Annexation will bring the property under the umbrella of the City and will increase the tax base for the City. The shopping center benefits as it will receive full City services in exchange for the additional tax dollars paid to the City.

14. An analysis of how the proposed annexation will affect the City, especially with respect to:

    a) Tax base;
    The shopping center will have an immediate tax revenue increase to Peachtree City. A preliminary calculation based on the 2005 taxes estimates that the taxes would have been $194,944 in that year if the applicant's taxes were based on the Peachtree City rate.

    b) Public education;
    None.

    c) Police and fire protection;
    It is anticipated that the existing shopping center will have limited impact on the police and fire emergency services. Currently, the city's Police and Fire Departments render mutual emergency aid along with the county to the shopping center. If the property is annexed, the City's Police Department will begin patrols of the shopping center and will respond to shoplifting, auto theft, and other such crimes to which it does not currently respond. The Fire Department will also begin monitoring the shopping center for fire safety which it currently does not do. Both departments will respond under automatic aid as opposed to mutual aid to emergency calls. (Please see the attached summary of all 911 calls to the shopping center from January 1, 2003 through August 31, 2006.)

    d) Emergency medical service;

See above.

e) Transportation facilities;
See (11) above.

f) Utilities;
None.

g) Environmental protection;
None; the property already conforms to state and county mandated surface water protection laws.

h) Recreation program;
None.

i) Implementation of the overall development plan.
Not applicable.

A request for annexation shall be submitted to the City Planner, who shall determine whether it is proper and complete. The City Planner shall then review the application with the City Clerk. The application is not considered to be accepted until it is signed by both the City Planner and the City Clerk. Upon acceptance of the application, the appropriate public hearings will be scheduled; and the applicant will be notified in writing of the dates and times.

All materials and fees submitted as a part of the application will become public property and will not be returned once the application is accepted and the public hearings are scheduled.

GDC
PROPERTIES

VIA FEDERAL EXPRESS

July 8, 2008

Mayor Harold Logsdon
City Hall
151 Willowbend Road
Peachtree City, Georgia 30269

Re: Annexation of Peachtree East Shopping Center
130 Peachtree Parkway, Peachtree City

Dear Mayor Logsdon,

We are pleased to be resubmitting our request to annex our Peachtree East Shopping Center into Peachtree City, Georgia. Peachtree East Shopping Center is a first-class neighborhood grocery shopping that lies adjacent to the Peachtree City line and serves many residents within the community.

GDC Properties has retained the firm of Webb, Lindsey & Wade, LLC to assist in the application for annexation into Peachtree City, Georgia. We approve of the annexation request and are hoping to be added to an upcoming City Council schedule for review and approval of this request.

Mr. Richard Lindsey, Esq. with Webb, Lindsey & Wade, LLC can be reached at (770) 631-1811 to discuss questions regarding this annexation you can call me directly at (407) 478-7606.

Sincerely,

GDC PROPERTIES, LLC
agent for Keeport Associates, LLC; GDC Greenbriar, LLC; and Envoy Associates, LLC

Richard DeMarco
Director of Property Management

Cc: Mr. Richard Lindsey, Esq., Webb Lindsey & Wade, LLC.(via email)
Mr. Don Haddix, City Council Post 1 (via email & US Mail)
Mr. Doug Sturbaum, City Council Post 2 (via email & US Mail)
Mr. Steve Boone, City Council Post 3 (via email & US Mail)
Ms. Cyndi Plunkett, City Council Post 4 (via email & US Mail)

RD:rl

245 Saw Mill River Rd
Hawthorne, NY 10532

Tel: 914 747 4000
Fax: 914 747 1237

485 N. Keller Road, Suite 444
Maitland, FL 32751

Tel: 407 478 7600
Fax: 407 478 7601

www.gdcproperties.com

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

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

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

(1006A.2)*Permitted uses:* Any one or more of the following uses may be permitted in any LUC zoning district. (The specific use and any related activity anticipated by the party requesting the rezoning must be delineated in the zoning request.) The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses. The limits of permitted uses of the property, density or intensity of use, and height and size restrictions must have a reasonable relation to the rezoning, and must be in the best interest of public safety, welfare and convenience.

(a) Retail business involving the sale of merchandise on the premises.

(b) Business involving the rendering of a personal service on the premises.

(c) Office for governmental, business, professional or general purposes.

(d) Commercial recreation facility located entirely within a building on the premises.

(e) Publicly owned building, facility or land.

(f) Building, facility or land for the distribution of utility services.

(g) Building, facility, or land for noncommercial park, recreation, thoroughfare or open space purposes.

(h) Private or semiprivate club, lodge or social center.

(i) Building, facility or land for off-street automobile parking.

(j) Hotel or motel.

(k) Restaurant/lounge.

(l) Commercial trade or vocational school.

(m) Radio and/or television station, not including a transmission tower.

(n) Wholesale business involving the sale of merchandise on the premises.

(o) Newspaper publishing facility.

(p) Accessory use: See section 908.

(1006A.3)*Conditional uses:* The following uses shall be permitted in any LUC zoning district on a conditional basis. (The specific use and any related activity anticipated by the party requesting the rezoning must be delineated in the zoning request.) The city council may, in its discretion, approve a zoning request subject to additional conditions so long as those conditions are reasonable and are imposed for the protection or benefit of neighboring land owners to ameliorate the effects of the zoning charge. (The

property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses.)

(a) All conditional uses permitted in section (1005.3) for LC zoning districts, subject to the same conditions.

(b) Dwelling in combination with any use permitted in this district, provided all dwelling units have direct access to a street or other public area.

(c) All uses permitted in section (1004.2) for GR zoning districts, subject to the same requirements.

(d) All conditional uses permitted in section (1004.3) for GR zoning districts, subject to the same conditions.

(e) Open yard for the sale, rental and/or storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.

(f) Commercial recreation facility or land where the use is not located entirely within a building on the premises, on the following conditions:

(1) The zoning lot is not less than one acre in area.

(2) The zoning lot is not adjacent to or across the street from any residential zoning lot.

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

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

(i) Self-service storage facilities (mini-warehouses), permitted subject to the following conditions:

(1) Storage facilities shall be limited to dead storage use only.

(2) No activities other than rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises. (Ord. No. 419, 12-18-1986)

(1006A.4)*Other requirements:* Unless otherwise specified in this ordinance, uses permitted in LUC zoning districts shall conform to the following standards:

(a) Minimum zoning lot area: 30,000 square feet.

(b) Minimum lot width: 150 feet.

(c) Minimum front setback depth:

(1) Building: 40 feet.

(2) Driveway/parking: 20 feet.

(d) Minimum side setback depth: Ten feet. (If adjoining a residential zoning lot, the building setback shall be 75 feet.)

(e) Minimum rear setback depth: 20 feet. (If adjoining a residential zoning lot, the building setback shall be 75 feet.)

(f) Maximum building height: Ten stories, but if over 35 feet, it must be approved by the fire department.

(g) Parking: See section 909.

(h) Signs: See Peachtree City sign ordinance.

Cross references: Sign ordinance, § 66-1 et seq.

(i) Storage: No storage will be permitted on the zoning lot outside a fully enclosed building unless the storage area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above the finished grade. The required fence or wall must provide for a reasonable visual separation between the storage area and any adjoining property.

(j) All zoning lots shall have direct access onto a major thoroughfare, or have access to a major thoroughfare via an access street.

(k) No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.

(l) All parking and service areas must be separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.

(m) No outside loudspeaker systems shall be utilized.

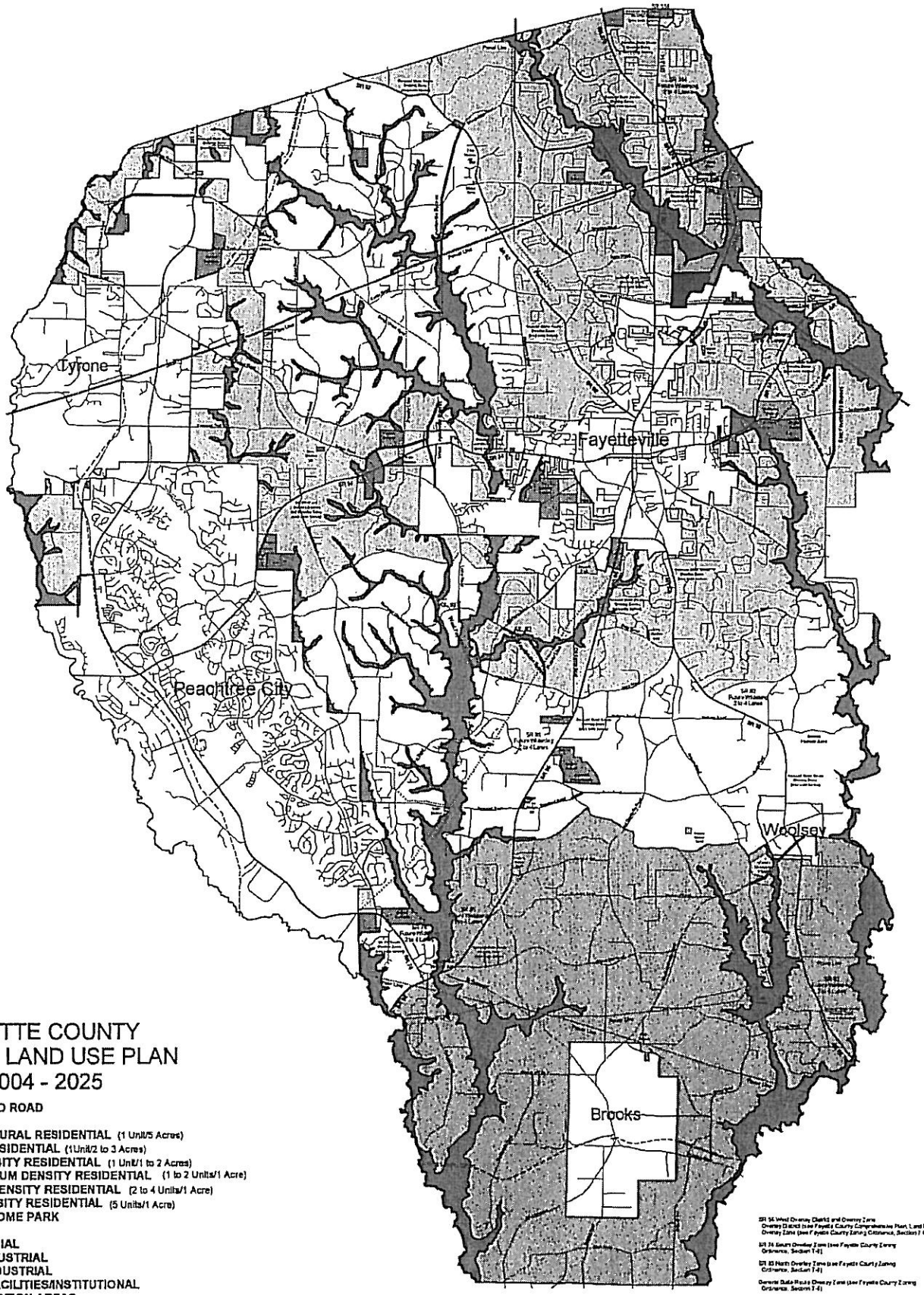
(n) All lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots.

(o) A landscape plan is required for the site, and must be reviewed by a registered landscape architect to be designated by the city and by the planning commission prior to issuance of occupancy permit. If no action is taken or time extended within 30 days from filing, such request shall be considered approved.

The landscape plan shall be fully implemented prior to occupancy and if not completed an occupancy permit will not be issued. If it is infeasible to complete the landscaping due to weather conditions or other extenuating circumstances then the owner shall post a performance bond or other acceptable security in an amount equal to 110 percent of the cost of the landscaping improvements which remain incomplete. The owner shall have a one year period in which to complete the required improvements in a satisfactory manner. The owner shall provide adequate maintenance of the landscaping improvements for a minimum of one year from implementation. The city shall inspect special screening at least once during this period to ensure that the approved plan has been fully implemented and maintained. If it is found that the landscaping, as stated in this section has died within the one-year period such landscaping shall be replaced by the owner.

(p) The limits of permitted usage and/or any conditional uses must be clearly defined. A complete description of each district created, its location, its permitted uses, conditional uses, related activities and special restriction must appear in the appendix of the zoning ordinance. LUC districts shall be listed in this appendix in a numerical sequence related to the order in which they were created. This numerical suffix shall also be shown on the official zoning map, affixed to each district so created.

(Ord. No. 262, 4-8-1982; Ord. No. 366, § 19, 5-22-1985)



FAYETTE COUNTY
FUTURE LAND USE PLAN
2004 - 2025

PROPOSED ROAD

LAND USE

- AGRICULTURAL RESIDENTIAL (1 Unit/5 Acres)
- RURAL RESIDENTIAL (1Unit/2 to 3 Acres)
- LOW DENSITY RESIDENTIAL (1 Unit/1 to 2 Acres)
- LOW MEDIUM DENSITY RESIDENTIAL (1 to 2 Units/1 Acre)
- MEDIUM DENSITY RESIDENTIAL (2 to 4 Units/1 Acre)
- HIGH DENSITY RESIDENTIAL (5 Units/1 Acre)
- MOBILE HOME PARK
- OFFICE
- COMMERCIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PUBLIC FACILITIES/INSTITUTIONAL
- CONSERVATION AREAS
- PARKS AND RECREATION
- TRANS., UTIL., & COMMUNICATIONS

Adopted 4/22/04
Amended 8/26/21

SR 54 West Overlay District and Overlay Zone
Overlay District (see Fayette County Comprehensive Plan, Land Use Element)
Overlay Zone (see Fayette County Zoning Ordinance, Section 7-6)

SR 74 South Overlay Zone (see Fayette County Zoning Ordinance, Section 7-6)

SR 85 North Overlay Zone (see Fayette County Zoning Ordinance, Section 7-6)

Generic State Route Overlay Zone (see Fayette County Zoning Ordinance, Section 7-6)

LAND USE ELEMENT

"Planned growth is more desirable than uncontrolled growth, and more profitable; public and private powers can be joined in partnership in a process to realize the plan."
- Ian Mcharg

INTRODUCTION

The Land Use Element functions as a guide for county officials (both elected and appointed), the general public, the development community, and other interested parties as to the ultimate pattern of development in the unincorporated county. This Element provides the opportunity to inventory existing land use patterns and trends; to illustrate future patterns of growth, based on community needs and desires; and to develop goals, policies, and strategies for future land use that support and reflect the economic, housing, natural and historic resources, community facilities and services, and transportation and goals and policies of the Comprehensive Growth Management Plan.

In practice, this is the most visible and often used element in the Comprehensive Growth Management Plan. Although all general plan elements carry equal weight, the land use element is often perceived as being the most representative of "the general plan." In addition to establishing the county's development policy in broad terms, the land use element plays a pivotal role in the zoning, subdivision, and public works decisions, as these are the primary tools for implementing the land use element.

The Land Use Element focuses on improving quality of life, and providing opportunities to protect and preserve rural character while allowing for reasonable and compatible growth. The policies within this chapter work together with the Future Land Use Plan Map to provide a guide for future development by use, size, density, and location. These plan elements are represented on the Map by color designations. They present a policy guideline for future development within unincorporated Fayette County.

EXISTING LAND USE

The intent of a land use plan is to guide development based on an understanding of the county's current development status and future development trends. A key element in this process is an inventory of existing land use. A knowledge and understanding of how land in the county is presently being used establishes the foundation for the preparation of a land use plan.

Fayette County's total land area is 127, 670 acres. Of this total, approximately 33,406 acres (or - 26 percent) lies within the incorporated limits of Fayette County's five municipalities. The remaining 94,264 acres lie within unincorporated Fayette County. The following section provides an inventory and assessment of existing land use in unincorporated Fayette County.

The county's Geographical Information System, supplemented by windshield surveys and area knowledge, was used to develop existing land use data. This section identifies the products resulting from a typical land use survey: (1) a map showing existing land use (Map L-1); and (2) statistics describing the amount of land in each land use category (Table L-1).

The following land use categories, as defined by the Department of Community Affairs, were used to survey existing land use in unincorporated Fayette County:

_____**Residential:** In unincorporated Fayette County, the predominant use of land within the residential category is for single-family dwelling units. This category is further divided into the following categories: One Acre Minimum Lot, Two Acre Minimum Lot, Five Acre Minimum Lot, and Mobile Home Park

Commercial: This category is for land dedicated to non-industrial business uses, including retail sales, office, service and entertainment facilities. Commercial uses may be located as a single use in one building or grouped together in a shopping center or office building.

_____**Industrial:** This category is for land dedicated to manufacturing facilities, processing plants, factories, assembly operations, warehousing and wholesale trade facilities , mining or mineral extraction activities, or other similar uses.

_____**Public/Institutional:** This category includes certain state, federal or local government uses, and institutional land uses. Government uses include city halls and government installations, etc. Examples of institutional land uses include colleges, churches, cemeteries, hospitals, etc. Facilities that are publicly owned, but would be classified more accurately in another land use category, should not be included in this category. For example, publicly Park/Recreation/Conservation category; landfills should fall under the Industrial category; and general office buildings containing government offices should be placed in the Commercial category.

_____**Transportation/Communication/Utilities:** This category includes such uses as power generation plants, railroad facilities, radio towers, public transit stations, telephone switching stations, airports, port facilities or other similar uses.

_____**Park/Recreation/Conservation:** This category is for land dedicated to active or passive recreational uses. These areas may be either publicly or privately owned and may include playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, recreation centers and similar uses.

_____**Agriculture/Forestry:** This category is for land dedicated to farming (fields, lots, pastures, farmsteads, specialty farms, livestock production, etc.), agriculture, or commercial timber or pulpwood harvesting.

_____**Undeveloped:** This category is for land not developed for a specific use or land that was developed for a particular use but that has been abandoned for that use. This category

includes woodlands or pasture land (not in agricultural crop, livestock or commercial timber production), undeveloped portions of residential subdivisions and industrial parks, water bodies (lakes, rivers, etc.), and locations of structures that have been vacant for some time and allowed to become deteriorated or dilapidated.

Map L-1, provides a generalized picture of how land in Fayette County is currently being used. Table L-1 lists the total estimated acreage of each of the land use categories illustrated on Map L- 1.

TABLE L-1
EXISTING LAND USE DISTRIBUTION, SUMMER 2003
UNINCORPORATED FAYETTE COUNTY

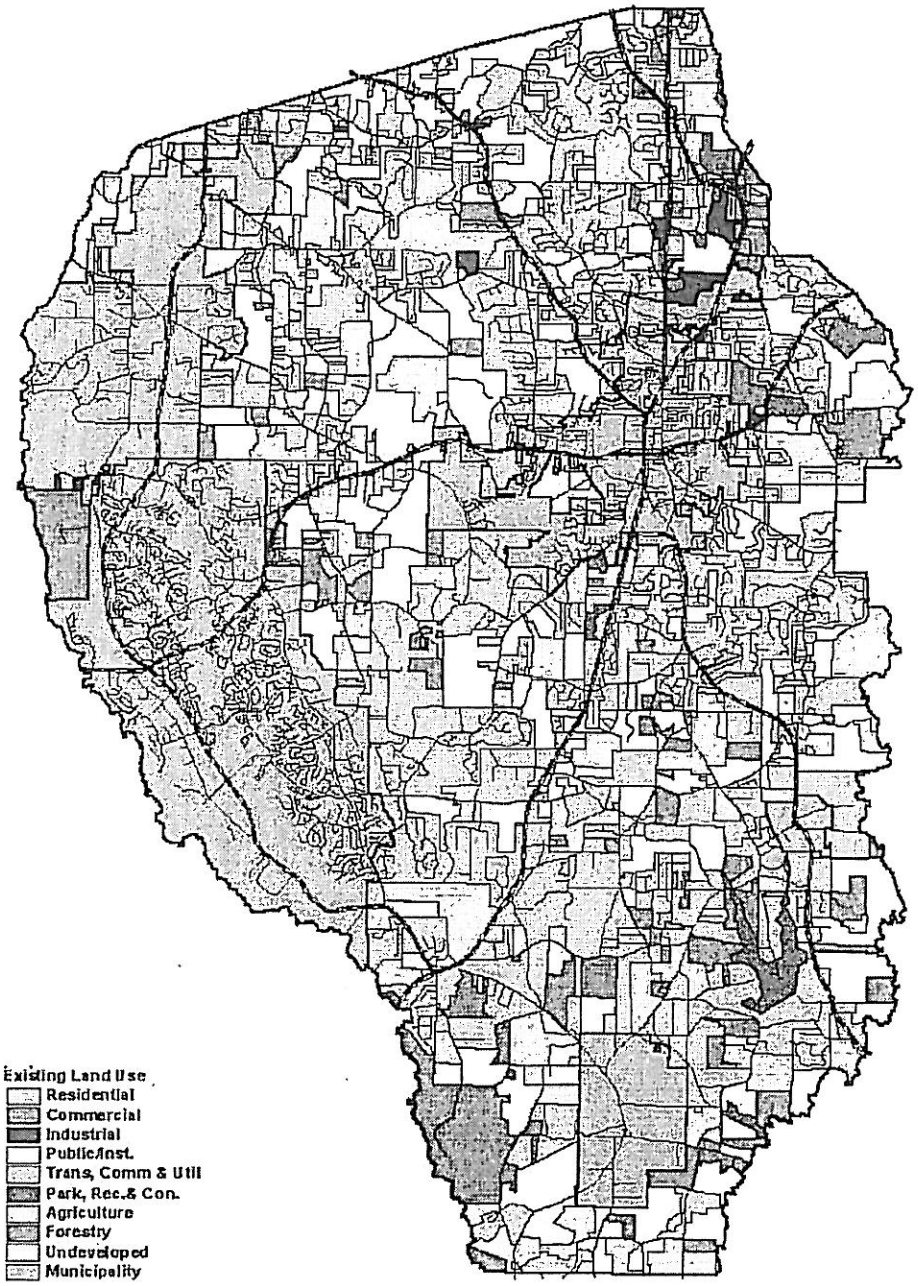
Land Use	Acres	Percent of Area
Residential	42,990	45.61%
Commercial & Office	516	.55%
Industrial	581	.62%
Public/Institutional	2,048	2.17%
Transportation/Communication/Utilities	92	.10%
Park/Recreation/Conservation	1,466	1.55%
Agriculture & Forestry	24,701	26.20%
Undeveloped	21,870	23.20%
Total Acreage	94,264	100.00%

Source: Fayette County Planning Department

As Table L-1 indicates, unincorporated Fayette County's land area totals approximately 94,264 acres, of which 21,870 acres (23.2 percent) are classified as undeveloped.

Residential land use, comprising 46.61 percent of the unincorporated county's developed acreage, is the predominant land use in the unincorporated county. This land use is characterized by single family dwellings on lots ranging from a minimum of one acre to lots of five acres or more. Single family dwellings on lots of a minimum one acre are developed in conjunction with the availability of public water. These areas are concentrated in the vicinity of the various municipalities and in the northern end of the county east of SR 92. Lots that are a minimum of two acres in size are further removed from the urban areas, where county water may or may not be available. Residential land uses in the southern end of the county are characterized by single family dwellings on lots of five acres or larger. This is due not only to the lack of available infrastructure, but to the support and maintenance of the rural environment that is characteristic of this area. There are seven mobile home parks in the unincorporated county. These parks contain approximately 1,460 mobile home pads.

MAP L-1
EXISTING LAND USE



Source: Fayette County GIS

Commercial and Office land uses comprise approximately .55 percent of the total land area. Commercial activity is generally limited to small, neighborhood, convenience-retail centers. These centers are characterized by a gas station/convenience store. Two areas, SR 85 North and SR 54 West adjacent to Peachtree City, contain a mix of small shopping centers, offices and service establishments. Office uses are generally concentrated along SR 85 North and SR 54 West where an overlay zone allows the conversion of existing residences to office uses.

Industrial land use comprises .62 percent of the total acreage. The majority of industrial activity is centered north of Fayetteville along SR 85 North (BFI Landfill property, numerous auto salvage facilities, and Kenwood Business Park) and SR 314 (Lee Center). Major industrial land uses and parks are found within the cities of Fayetteville, Peachtree City and Tyrone.

Public/Institutional land uses, comprising nearly 2.17 percent of the total developed acreage, consist mainly of churches, schools, and county-owned facilities and property. There are over 100 churches in the unincorporated county as well as four existing or planned high schools, four existing or planned middle schools, and four elementary schools. Existing or future water tank sites are located on Ellis Road, SR 92 North Porter Road, and Summerfield Place. A large water treatment plant is located on Antioch Road.

Transportation/Communication/Utilities land uses comprise .1 percent of the land area. Five utility substations are located in the unincorporated area. These substations are located on SR 54 West, Bernhard Road, Ebenezer Church Road, Friendship Church Road, and New Hope Road.

Park/Recreation/Conservation land uses comprise 1.55 percent of the land area and are represented by McCurry Park, Kiwanis Park, Lake Horton Park, Starr's Mill Pak, and future parkland on Kenwood Road. This area also includes the Lake Horton Reservoir and County wetland mitigation sites.

Agricultural/Forestry lands comprise 26.2 percent of the land area. Located throughout the unincorporated county but mainly in the southern end of the county, these lands are generally characterized by small farms, plant nurseries, commercial timber, pulpwood harvesting or large residential lots with associated horse or cattle raising/grazing. All of these properties are participating in the Conservation Use Covenant with the county. Approximately 24,701 acres are under the Conservation Use Covenant.

Undeveloped land comprises 23.2 percent of the land area. Some of these large undeveloped tracts contain agricultural and forest lands but are not participating in the Conservation Use Covenant with the county.

EXISTING LAND USE ASSESSMENT

The existing land use pattern in Fayette County is the result of many individual and policy decisions over many years. These decisions are based on physical constraints and opportunities, and outside market forces. This section discusses the factors leading to the existing pattern of development and the market forces in effect that seek to influence land use decisions.

Factors Leading to the Existing Pattern of Development

Throughout most of its history, Fayette County has had an agricultural-based economy. Farms producing both crops and livestock, dominated the landscape. In less than a generation, Fayette County changed from a rural, farm-oriented county on the far fringes of the Atlanta area to a primarily residential, suburban, bedroom commuter-oriented county. Fayette County's population grew by 115 percent between 1980 to 1990. From 1990 to 2000, the county grew by another 46 percent. This twenty-year period saw the county's population grow from 29,043 residents in 1980 to 91,263 residents in 2000. Just over half (54 percent) of this growth occurred within the county's largest municipalities of Fayetteville and Peachtree City. Map L-2 shows the growth of incorporated areas over the 20 year period. **(Maps L-2 not included at this time - still being developed)**

Transportation Improvements. In the last 20 years, Fayette County saw the widening of SR 85 North, SR 74 North, SR 54 between Peachtree City and Fayetteville, and SR 314 from Fayetteville to SR 279 from two lane roads to four lane divided highways. SR 74 North is the county's nearest access to Interstate 85 and the Atlanta metropolitan area. SR 314 is the county's most direct route to Hartsfield International Airport. Such transportation improvements allowed the movement of vehicles into and out of the county. Fayette County was now within commuting distance of Atlanta and, particularly, Hartsfield International Airport. Besides the influx of new (commuting) residents, increasing numbers of existing Fayette County residents either converted to part-time farming while holding regular jobs to which they themselves commuted, or they sold their farm holdings for subdivision development.

Infrastructure Development. The availability of infrastructure, and the lack thereof, has also contributed to Fayette County's existing land use pattern. While not available county-wide, public water service is provided by the Fayette County Water System to portions of the unincorporated county as well as the municipalities of Peachtree City, Tyrone and Woolsey. Sanitary sewerage service is available only within the cities of Fayetteville and Peachtree City and within limited areas of Tyrone. Such infrastructure availability allows these cities to offer the highest residential densities and to provide for nonresidential uses in the form of office parks, commercial centers, and industrial parks.

No public sewer is available in unincorporated Fayette County. Development in the unincorporated area relies on individual septic systems for on-site sewage disposal. The soil and space requirements of septic systems necessitate a larger development area. Therefore, the unincorporated county is characterized by low density single-family residential lots. Fayette County as a whole, however, is able to offer residents a wide choice of housing opportunities, from smaller lot, high end single family homes, duplexes, and apartments in the cities to larger single-family lots and sprawling farmsteads in the unincorporated county.

Environmental Constraints. Development constraints, associated with environmentally sensitive land, are generally characterized by poor soils, wetlands, and flood plains typical of streams and other water bodies. The county is home to seven major water supply streams (Antioch Creek, Flat Creek, Flint River, Horton Creek, Line Creek, Whitewater Creek, and Woolsey Creek), 16 named tributaries to these water supply streams, and a large number of minor

unnamed streams. Development in the southern end of the county, which serves as the confluence of many of these streams, is impacted by the relatively low topography, poor soils, and a high water table.

Market Forces

Local and regional influences are working to exert pressures on the rural landscape that is unincorporated Fayette County. Land prices continue to rise as residential land uses creep closer and closer to rural areas. As land prices rise, it becomes economically unfeasible to continue to hold land vacant or use it for agricultural purposes.

With the increase in population and income, market forces are working to provide for the prerequisite commercial development, usually in the form of small shopping areas along major highway corridors. Convenience facilities (e.g. the quick stop store located on transportation routes, dispensing gasoline and/or the corner grocery) will continue to request rezonings around the county in response to perceived market demand. Improperly planned and located, such commercial uses can lead to traffic problems, deterioration of neighborhoods, and unsightly developments. The proliferation of these types of stores causes keen competition among them. The nature of such competition is that some stores do not survive. The county is then left with empty storefronts which become eyesores scattered around the county.

FUTURE LAND USE DEMAND

The following table provides projections of the amount of land which will be required for each of the various land uses through the year 2025. The projections are based on the population projections presented in the Population Element of this comprehensive plan. In determining future land use demand, ratios of existing land use per population were calculated and applied to the number of new residents projected to reside in the unincorporated county through the year 2025.

While sufficient undeveloped land exists to accommodate the projected growth, the choice of land is often determined by access to infrastructure and suitable roads, as well as by ownership patterns and owner expectations.

TABLE L-2
PROJECTED LAND USE DISTRIBUTION
UNINCORPORATED FAYETTE COUNTY

Land Use	2025 Acreage	% of 2025 Total
Residential	77,017	82.32%
Commercial & Office	1,352	1.45%
Industrial	591	.63%
Public Facilities/Institutional	992	1.06%

TABLE L-2 Continued
PROJECTED LAND USE DISTRIBUTION
UNINCORPORATED FAYETTE COUNTY

Land Use	2025 Acreage	% of 2025 Total
Parks, Recreation and Conservation Areas	13,512	14.44%
Transportation/Communication/Utilities	96	.10%
Total Acreage*	93,560	100.00%

* Total Acreage does not include Lake Horton (740 acres)
Source: Fayette County Planning Department

FUTURE LAND USE MAP AND NARRATIVE

The Land Use Map for the Comprehensive Plan depicts the proposed general uses of land in the unincorporated portion of Fayette County. It functions as the official county policy on the allocation and distribution of different land uses. Different color shadings are used on the map to indicate different categories of recommended future land use, with the color shadings defined in the map's legend.

The land uses shown on the map generally follow key geographic features, such as roads, streams, open spaces, but in some cases they transition at existing lot lines. Development will normally follow these boundaries. However, the final boundaries may vary according to the merits of a development proposal and whether it meets the intent of the plan's vision as a whole. The county's Zoning Map implements the Comprehensive Plan land use designations by ordinance, at a much more detailed, parcel-specific level. In evaluating a specific development proposal, the direct impacts of the project on adjacent and nearby properties, transportation, the environment, and public facilities will be identified. The resolution of any impacts is critical if a proposal is to receive favorable consideration. In order to achieve the density ranges indicated in the Plan, these direct impacts must be mitigated to the satisfaction of the county.

The Future Land Use Map of this Comprehensive Plan uses eight major land use designations to depict the types of land uses that are allowed in the county: Residential, Commercial, Office, Industrial, Public Facilities/Institutional, Conservation Areas, Parks and Recreation, and Transportation, Communication and Utilities. The following provides a brief description of each of the land use categories illustrated on the Future Land Use Map (see inside back cover).

Residential

This category includes all properties with the principal structure designed for human habitation, Appropriate density ranges, in terms of dwelling units per acre, are recommended in this Plan and are shown on the Land Use Plan Map. The county's residential density pattern has generally developed from one of higher densities in the northern portion to lower densities in the southern portion. This is due to the proximity of the northern county to the higher density development in Clayton County and the availability of public services. The southern portion of the county is more characteristic of the more rural adjacent counties of Spalding and Coweta and offers fewer public services. Transition areas between these two land uses are provided.

The plan's general intent regarding future residential development is to (1) channel higher density development (less than one acre) into areas served by public water and sewer; (2) channel lower density development into areas served by public water; (3) limit development in those areas of the county which lack public facilities.

The residential land use category is broken down into seven sub-categories as described below:

> **Agricultural Residential:** This category identifies areas with lot sizes of five acres or more, often in conjunction with a farming operation. The area has a general lack of public water service, the presence of unpaved and/or unimproved roads, and a long-standing characteristic of large lot residential development, often in conjunction with an agricultural activity. These factors, along with environmental constraints due to the presence of numerous streams and associated poor soils, dictate large lot development. Agricultural Residential land use is shown as occurring in the southern portion of the county where the aforementioned factors exist to the greatest degree in Fayette County.
>
> **Rural Residential:** These are areas which allow a low intensity residential density of one dwelling unit per two to three acres. County water is available in some areas; the

Conservation Subdivision (CS) Zoning District is appropriate in this area. This category offers larger lot development of a residential, rather than agricultural, nature. The Land Use Plan Map generally identifies the Whitewater Creek Drainage Basin and the area between Low Density Residential to the north and Agricultural Residential to the south as appropriate for this land use category.

Low Density Residential: This category identifies areas of intended residential subdivision development in a density range of one dwelling unit per one to two acres. County water is generally available; the Conservation Subdivision (CS) Zoning District is appropriate for this area. Low Density Residential land uses are located in the northern portion of the county and in areas adjacent to the cities of Fayetteville and Tyrone. These areas represent the most urbanized areas of the unincorporated county and offer the greatest number of public services (water, access).

Low Medium, Medium, and High Density Residential: These categories consist of residential uses with more than one unit per acre, from duplexes and ½ acre lots up to five units per acre. There are no areas designated Low Medium, Medium, and High Density Residential at this time due to the lack of public sewer in the unincorporated county.

Mobile Home Park: This category designates mobile homes in mobile home parks.

Office

The Office land use category designates office development which can be located as stand-alone structures or in office parks or centers. Office land use is shown as occurring generally in three areas of the unincorporated county: (1) along the east side of SR 314 between the Fayetteville city limits and the Fernwood Mobile Home Park; (2) along SR 54 between Fayetteville and Peachtree City as an overlay district (see Transportation Corridors) and, in particular, in the vicinity of Fayette Community Hospital; and (3) along SR 54 West just outside the Peachtree City limits between SR 54 West and Sumner Road South.

The area along SR 314 provides a transition area from the commercial and industrial development oriented to SR 85 to the residential uses on the west side of SR 314. The Office use designation in the vicinity of the hospital allows for the location of associated uses. Office uses north of the hospital along Sandy Creek Road terminate at the unnamed stream just north of the hospital entrance; office areas extending west along SR 54 are bounded by the proposed school access road to the north and the area between the proposed high school site and existing hospital property. The Sumner Road area serves as a transition area between the commercial areas to the east across SR 54 and the residential areas to the west in Peachtree City. This area is limited to the area south of Land Lot 70, District 7 and the limits of Peachtree City.

Commercial

This category identifies all property where business and trade are conducted, both retail and wholesale, and accessory use areas, such as parking. The Land Use Plan Map seeks to provide necessary commercial activity within a reasonable distance to unincorporated county residents.

However, county policy recognizes that major commercial facilities should be located within incorporated areas where infrastructure is available and population densities are most concentrated. The county should attempt to discourage additional commercial development along major roadways, as strip commercial development is neither desirable from a safety standpoint nor attractive.

The Land Use Plan Map illustrates the concentration of commercial land uses in various locations throughout the unincorporated area. The land used areas vary from smaller, neighborhood commercial areas to larger, concentrated areas of commercial activity. The following section provides a brief description of these designated commercial areas.

SR 54 and Corinth Road: This area represents existing, zoned commercial land use of a neighborhood convenience nature. The adjacent subdivisions exclude the expansion of this area to the north; Corinth Road on the south side of SR 54 remains an unpaved dirt road. No expansion of the existing commercial zoning is recommended.

SR 85 and Bernhard Road: This area houses a convenience store, a motorcycle shop, a pesticide control company, and a fire station, thus providing neighborhood convenience services to the surrounding area. Located in the less-populated southern portion of the county, no expansion of this area is recommended.

SR 314 and SR 138: As an entrance to Fayette County, this area is a mix of nonresidential developed land and vacant land zoned for commercial uses. The opportunity exists here for infill development and redevelopment of older establishments.

SR 92 and Westbridge Road: This area is a mix of old and new nonresidential development. The opportunity exists here for infill development and redevelopment of older establishments.

SR 54 and Tyrone Road: Long considered a nonresidential node in Fayette County, this area's proximity to Fayette Community Hospital and a new high school site makes it a candidate for nonresidential development. The Land Use Plan supports these future uses by designating a mix of commercial and office uses in this area.

SR 54 and Sumner Road (south): This area is a mix of commercial retail and office uses with well-established boundaries - it is defined by the existing commercially zoned tracts south of Land Lot 70, District 7 and the limits of Peachtree City.

SR 74 and Redwine Road: Currently undeveloped, this area is defined by the existing nonresidential zoning. No expansion beyond the existing zoned areas is recommended.

SR 85 North of Fayetteville: A nonresidential corridor, this area extends from the city limits of Fayetteville north to the county line. It provides for a variety of nonresidential uses including commercial, office, industrial, and service. The area contains opportunity for infill, redevelopment and new development.

SR 54 East of Fayetteville: The existing nonresidential development consists of commercial, office

and industrial uses. Commercial land uses are indicated from the city limits of Fayetteville east to McDonough Road. On the south side of SR 54, this commercial activity is limited to the properties fronting on SR 54 only for a depth necessary to provide adequate acreage for commercial uses. This allows for the coordination of commercial uses along the frontage of SR 54 with residential uses to the rear. Office land uses then continue on the north side of SR 54 opposite McCurry Park.

SR 85 South of Fayetteville: This area extends from the city limits of Fayetteville southward to the northern boundary of Land Lots 59 and 60 of the 5th District. This area is largely undeveloped at this time.

Industrial

This category designates all land dedicated to manufacturing facilities, processing plants, factories, warehousing and wholesale trade facilities, mining or mineral extraction activities, or other similar uses. For more descriptive purposes, industrial land use is subdivided into "Light" and "Heavy" categories:

> **Light Industrial:** Includes non-heavy manufacturing and uses such as trucking terminals, warehousing, and other industrial uses.
>
> **Heavy Industrial:** Designates land uses which heavily impact adjacent land uses such as heavy manufacturing industries, rock quarries, and auto salvage yards.

Industrial land uses are important consideration in any community, due to the unusually large sites they require, the tax and employment base they yield, and the safety, health, or environmental problems they can create. Industrial land uses in the unincorporated county consist primarily of service industries that serve the local economy. The Land Use Plan Map concentrates future industrial activity along SR 85 North and SR 314 where such activity already exists. As with commercial activity, county policy supports the location of major industrial activity, which requires adequate infrastructure and transportation (rail) access, within the existing industrial park in Peachtree City.

Public Facilities/Institutional

Public Facilities/Institutional land uses indicate all land owned by local government for the provision of services (courthouses and jails, government building complexes, schools, fire stations, etc.) and semi-public uses such as churches and their grounds. Representing uses that are considered to be more location-sensitive for proximity (e.g. fire/EMS stations, schools), these uses are scattered throughout the unincorporated county. Both the existing and (known) future locations of public and institutional facilities in the unincorporated county are indicated on the Land Use Plan Map. The location of certain facilities can change the characteristics of an area. Existing and future residents should be aware of such uses and their implication.

Conservation Areas

This category identifies environmentally sensitive areas, containing waterways, watershed protection areas, flood plains, poor soils and steep slopes that are not conducive to development. Conservation Areas are useful as passive recreational areas and wildlife habitat. The Land Use Plan Map shows Conservation Areas concentrated along the county's major water supply streams and their tributaries. These major water supply streams include the Flint River, Whitewater Creek, and Line Creek. The Conservation Areas also generally coincide with the proposed greenspace areas indicated in the Fayette County Community Greenspace Program

Parks and Recreation

Parks and Recreation land use shows all land that is dedicated to active or passive recreational uses, including associated buildings and parking areas. Open space includes parks as well as other undeveloped land designated or reserved for public or private use or enjoyment. The unincorporated county's existing (Kiwanis, McCurry) and future parkland is indicated on the Land Use Plan Map. These are areas that offer both active and passive recreation opportunities.

Transportation/Communication/Utilities

This land use category indicates water system facilities, and other private and public utility land uses such as substations. The location of such facilities is often beyond the control of the local government. The Land Use Plan Map identifies the both the existing and future locations of these facilities as well as the location of railroads, gas pipelines, and electrical transmission lines.

Agricultural/Forestry or Undeveloped

The Land Use Plan Map does not designate any areas as **Agricultural/Forestry** or **Undeveloped.** It is not anticipated that any area will be strictly limited to agriculture of forestry uses or will be required to remain in an undeveloped state during the planning period of this plan.

FUTURE DEVELOPMENT FACTORS

The factors that established the county's existing pattern of development (transportation, infrastructure, and the environment) will continue to influence development decisions in unincorporated Fayette County. The existing **transportation pattern** does not support large scale commercial activity, such as a regional mall or major industrial distribution, warehousing, or fabrication uses. Such uses require more immediate access to an interstate system. Thus, Fayette County will continue to receive interest from smaller commercial and industrial uses.

There will be areas of the unincorporated county that will not have water service within the planning period of this plan; there are no plans at this time to provide sanitary sewer service in the unincorporated county. The cities of Fayetteville and Peachtree City will continue to have both water and sewer service. The Town of Tyrone has water service and limited sewer service. Such

infrastructure availability will allow these cities to accommodate higher residential densities than the unincorporated county and provide for more intense nonresidential uses in the form of large office parks, commercial centers, and industrial parks.

The impacts of **environmentally sensitive land** will continue to affect the development of land through the permitted uses and intensity limitations. Environmental constraints in the form of poor soils, groundwater recharge areas, and significant wetland and flood plain areas will influence future development patterns.

Transition Areas/Incompatible Land Uses

Inevitably, there are occasions when new land uses create disturbances as perceived by adjacent land owners and residents, especially in relatively rural areas that have been buffered in the past by surrounding undeveloped land. In Fayette County, the potential for these conflicts is greatest just outside the incorporated areas where annexation brings new, higher density housing developments which encroach on rural residences. Fayette County tries to ensure an orderly and appropriate pattern of land use whenever a proposed development appears to have the potential to create conflicts with existing adjacent land uses.

Efficient Location of New Development

Locational decisions made by developers take into account the availability of needed infrastructure among other considerations. The incorporated areas of Fayetteville and Peachtree City have the county's only public wastewater treatment systems, both with expansion potential. Development requiring this service is encouraged to locate within the service areas of these systems. Without such infrastructure available, there is little opportunity for the encouragement of larger commercial, much less infill development in the unincorporated area. Nonresidential development tends to be smaller, stand alone facilities catering to the nearby residential areas. For these reasons, county policies encourage larger commercial development to occur within the city limits where proper infrastructure and appropriate population density is available.

Appropriately located retail facilities will allow the community to escape haphazard and blighting strip commercial development. The concentration of such shopping facilities will support the continued commercial growth in a manner that underscores the objectives of this comprehensive plan.

Transportation Corridors

Over the next twenty years, a number of state routes in Fayette County are scheduled to be widened from a two-lane highway to four-lane divided highways. These state routes are the connecting corridors for the incorporated municipalities in Fayette County and neighboring counties. With few exceptions, in the unincorporated areas of the county these roads traverse residential and/or agricultural land uses.

With the widening of these state routes comes the increased pressure for nonresidential development. The County is now in the position where it must balance this demand with its own

growth and transportation policies. These state routes are first and foremost transportation corridors; the efficient flow of traffic must be maintained. Nonresidential land uses are indicated on the Land Use Plan Map where their location and intensity is most appropriate for the surrounding area.

In order to better facilitate the desired development along its transportation corridors, Fayette County has adopted an Overlay District on SR 54 and several Overlay Zones. The particular requirements pertaining to these transportation corridors are discussed below.

SR 54 West Overlay District: With the widening of SR 54 West, the Board of Commissioners adopted the SR 54 West Overlay District. This District identifies the county's goals and recommendations for the corridor and sets out the desired development pattern. SR 54 connects the communities of Fayetteville and Peachtree City, and serves as the only major east-west thoroughfare through the county. The following section defines the District.

Existing Development: Existing **residential development** is scattered along the SR 54 West Corridor. Residential tracts range in size from large agricultural tracts of as much as 200 acres down to minimum one (1) acre subdivisions. Large tracts are still used for agricultural purposes and may or may not contain a single-family residence. These tracts vary in size from approximately five (5) to 200 acres. The majority of the larger tracts are located between Sandy Creek and Tyrone Roads. Single-family residential development consists of smaller lots, varying in size from one (1) to five (5) acres, fronting on SR 54 West or within subdivisions which access SR 54 West. Three single-family residential subdivisions (Newton Estates, Fayette Villa, and The Landings) are developed in this area. These subdivisions are zoned for one (1) acre minimum lots. Fayette Villa and The Landings are located between Flat Creek Trail west to Sumner Road (north) on the north side of SR 54 West. Newton Estates is located west of Huiet Drive on the south side of SR 54 West. Existing **nonresidential development** consists of two commercial areas, one at Tyrone Road and one at Sumner Road (south).

Future Development: SR 54 West is first and foremost a transportation corridor. The efficient flow of traffic must be maintained. High intensity nonresidential uses should be targeted to the major intersection with Tyrone Road and SR 54 West. As one moves away from this node, the intensity of nonresidential development should decrease. The **goals** of the SR 54 West Overlay District are: (1) to maintain the efficient traffic flow of SR 54 West as the County's only major east-west thoroughfare; (2) to maintain a non-urban separation between Fayetteville and Peachtree City; and (3) to protect existing and future residential areas in the SR 54 West Corridor.

If lots which front on SR 54 West are allowed to change from a residential use to a nonresidential use, care must be taken to protect existing or future residential property. This can be accomplished by requiring enhanced landscaping, buffers and berms to protect these residential areas.

Recommendations: The intent of the SR 54 West Overlay District is to offer existing tracts of five +/- acres the option to convert to office uses. Outside of the commercial

designation at Tyrone Road and the commercial and office-institutional designation at Sumner Road (south), these parcels would be considered for the Office-Institutional Zoning District. Conditions should be placed on property at the time of rezoning to address unique situations.

Other Transportation Corridors: Section 7-6 Transportation Corridor Overlay Zone of the Fayette County Zoning Ordinance establishes Overlay Zones on state highways that traverse Fayette County. Regardless of the underlining zoning, any new nonresidential development along these corridors must meet the requirements of the particular Overlay Zone. The Zoning Ordinance establishes Overlay Zones on SR 54 West and SR 74 South, SR 85 North, and a General State Route Overlay Zone on all other state routes.

GOALS, OBJECTIVES, POLICIES, GUIDELINES

The objectives and policies presented in this section provide guidance for an appropriate pattern and pace of development and they indicate how this development should relate to the existing and future community. They also provide a logical framework for land-use decision-making at a conceptual level as well as on an area-wide basis. Uniform application of these objectives and policies should result in a balanced and harmonious community where a high quality of life can be maintained. Since policy areas, whether housing, employment or the environment, achieve physical realization through the land use plan, the development and implementation of sound and consistent land use principles are critical to the realization of county goals.

The following goal, objective, and policy statements provide the basis for dealing with the growth and development which will impact the county over the next 20 years. Following each goal is a listing of objectives and policies which address specific issues. Recommendations, or guidelines, which suggest courses of action for addressing these issues, are also provided.

Goal for Land Use: Growth and development should be consistent with the county's land use plan, which provides for the orderly, balanced, and quality development of all land uses consistent with the physical and economic limitations of the county. Growth should take place in accordance with criteria and standards designed to preserve, enhance, and protect an orderly mix of residential, commercial and/or industrial facilities, and open space without compromising existing residential development.

LAND USE PATTERN

Through most of its recent history, the unincorporated county could be characterized primarily as a residential area. Major nonresidential land uses generally occur within incorporated areas, where infrastructure and higher population densities are located.

It is a policy of the Fayette County Board of Commissioners that the county's residential neighborhoods are the cornerstone of the community. As such, every effort must be made to ensure that these neighborhoods are protected from the negative aspects of growth and development.

As the county has matured, residential development continues to be the dominant land use. The pattern of land use in Fayette County provides a variety of housing choices. The type and density of residential development complements its location within Fayette County. The unincorporated portions of the county, as well as the towns of Brooks and Woolsey, are characterized by agricultural uses and/or low density single-family subdivision residential development with lot sizes ranging from a minimum of one acre up to a minimum of five acres. Higher density residential development can be found in the cities of Fayetteville, Peachtree City; and Tyrone where residents can choose from a variety of housing styles such as apartments, townhouses, row houses, duplexes, and single family homes on smaller lots.

Objective L-1: **The county's land use plan should project a clear vision of an attractive, prosperous, harmonious, and efficient community.**

Policy a. Direct growth and development to occur in locations and in a manner which enhances community identity and can be supported by the availability of public facilities.

Policy b. Maintain the individual character and identity of established communities, neighborhoods, and rural areas.

Policy c. Identify the location of nodes to accommodate nonresidential development and prevent the sprawl of strip development.

Policy d. Allocate a supply of land sufficient to meet the projected land use demands.

Objective L-2: **The county's land use pattern protects, enhances and/or maintains stability in established residential neighborhoods.**

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, density/intensity, and that adverse impacts on public facility and transportation systems, the environment, and the surrounding area will not occur. Note: Infill development is the development of new housing or other buildings on scattered vacant sites in a built-up area.

Policy b. Prevent the encroachment of incompatible land uses, both residential and nonresidential, into established or designated land use areas. Prohibit access to nonresidential uses via residential areas.

The intensity of land use has a direct effect on the ability to provide adequate levels of service for transportation and public facilities. The Comprehensive Plan is the primary mechanism available to the county for establishing appropriate locations for various levels of land use intensity. Through this mechanism, development occurs in accord with the Plan, at intensities that can assist in achieving various county goals. For instance, higher intensity uses will be located in areas of the county where public facilities can best accommodate the demands from such uses, thereby efficiently using county resources.

Objective L-3: **The location and level of development intensity should be utilized as a means to best accommodate the demands on county resources.**

Policy a. The highest level of development intensity should be concentrated in the incorporated areas of Fayette County that offer a full range of infrastructure and a concentration of population densities.

Policy b. Development in the unincorporated areas should be of less intensity than those in the incorporated areas and blend in with the character of the surrounding area.

Policy c. Limit development intensity to that which can be accommodated at acceptable levels of service with consideration of the cumulative, long-term impacts of development on the adequacy of public facilities and transportation systems.

Policy d. Locate and limit development intensity in a manner which will not adversely impact sensitive environmental areas.

Policy e. Ensure that the intensity and type of development will be compatible with the physical limitations of the land; such as soils, slope, topography, etc.

Policy f. Discourage development which would conflict with environmentally sensitive and historic areas of the county.

In the past twenty years, Fayette County has experienced rapid growth and development. Planned development intensities must be appropriate for the level of available public services.

Objective L-4: **The pace of development in the County should be in general accord with the Comprehensive Plan and sustainable by the provision of transportation and public facilities.**

Policy a. Influence the timing of development to coincide with the provision of public facilities.

Policy b. Commit, through the Capital Improvement Program, funding for facilities in general accord with the Comprehensive Plan.

Policy c. Coordinate the zoning of land for nonresidential usage with residential growth patterns, trends, and densities.

Recommendations for land use are depicted on the map entitled "Fayette County Land Use Plan." This guidance assists in determining a property's appropriate use and intensity. Implementation of the Plan will occur through the zoning process which requires an analysis of basic development-related issues which include, but are not limited to, the requested use and intensity of that use, affect on surrounding development, access and circulation, buffering and screening of

adjacent uses, parcel consolidation, and protection of the environment.

Objective L-5: **The county seeks to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental, and other impacts created by potentially incompatible uses.**

Policy a. Promote the adaptive reuse of existing structures in established areas that are compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area.

Policy b. Achieve compatible transitions between adjoining land uses through a step down of land use density and/or intensity and the use of appropriate landscaping, buffering, berms, setbacks, a smooth transition in building height, and consistent architectural design.

Policy c. Stabilize residential neighborhoods adjacent to nonresidential areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.

Policy d. Require additional site design standards when necessary to minimize the affect of nonresidential uses both visually and environmentally.

Policy e. Utilize landscaping and open space along rights-of-way to minimize the impacts of incompatible land uses separated by roadways.

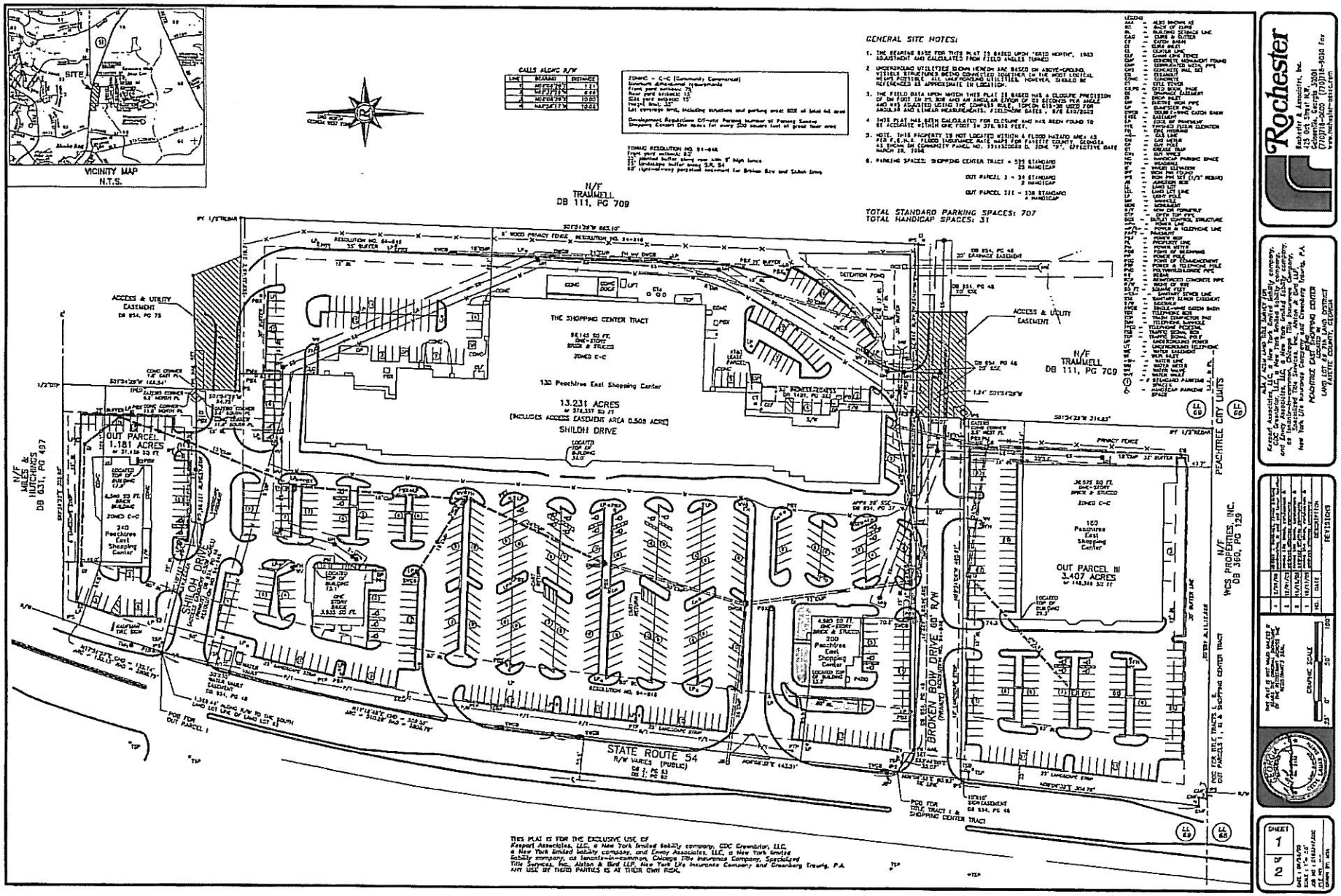
Policy f. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.

Policy g. Use cluster development as a means to preserve open space in conjunction with the Georgia Greenspace Program.

Policy h. Promote nonresidential development which does not produce excessive noise; smoke, dust, or other particulate matter; vibration; toxic or noxious waste materials; odors; fire; and explosive hazards or other detrimental impacts to minimize impacts on any nearby residential property.

Policy i. Anticipate the effects of road widening by increasing setbacks accordingly.

Current


VICINITY MAP
N.T.S.
GENERAL SITE NOTES:
TOTAL STANDARD PARKING SPACES: 707
TOTAL HANDICAP SPACES: 31
N/F TRAMMELL DB 111, PG 709
THE SHOPPING CENTER TRACT
13.231 ACRES
SHILOH DRIVE
OUT PARCEL I 1.181 ACRES
OUT PARCEL III 3.407 ACRES
N/F MILES & HUTCHINGS DB 631, PG 497
N/F WCS PROPERTIES, INC. DB 360, PG 129
PEACHTREE CITY UNITS
BROKEN BOW DRIVE 60' R/W
STATE ROUTE 54
R/W VARIES (PUBLIC)
Rochester
Rochester & Associates, Inc.
Atlanta, Georgia
Columbus, Georgia 31901
(770)718-9600 For
(706)718-9630 Fax
www.rochester-assoc.com
PEACHTREE EAST SHOPPING CENTER
LAND LOT 67 & 68, 4TH DISTRICT
FAYETTE COUNTY, GEORGIA
REVISIONS
DRAWING SCALE
SHEET 1 of 2

LEGAL DESCRIPTION
OUT PARCEL I

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

COMMENCE at an iron pin set (1/2" rebar) at the intersection of the south Land Lot Line of Land Lot 69 with the east right-of-way of State Route 54 (right-of-way varies); thence along said right-of-way North 06°06'29" East, a distance of 1.21 feet to a concrete monument found; thence North 89°32'29" West, a distance of 8.68 feet to a concrete monument found; thence North 06°06'29" East, a distance of 10.00 feet to a concrete monument found; thence North 89°58'17" West, a distance of 10.06 feet to a concrete monument found; thence North 06°06'32" East, a distance of 829.20 feet to a point; thence continuing along said right-of-way 510.28 feet along a curve, said curve having a chord of North 11°18'48" East 509.58 feet and a radius of 2808.79 to an iron pin set (1/2" rebar); being the **POINT OF BEGINNING**; thence leaving said right-of-way South 89°59'22" East, a distance of 302.60 feet to an iron pin found (1/2" open top pipe); thence South 01°54'29" West, a distance of 169.54 feet to a PK nail set; thence North 89°43'54" West, a distance of 171.96 feet to an iron pin set (1/2" rebar); thence North 75°27'43" West, a distance of 171.01 feet to the **POINT OF BEGINNING**.

Said tract contains 1.181 acres.

LEGAL DESCRIPTION
OUT PARCEL III

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

COMMENCE at an iron pin set (1/2" rebar) at the intersection of the south Land Lot Line of Land Lot 69 with the east right-of-way of State Route 54 (right-of-way varies); thence along said right-of-way North 06°06'29" East, a distance of 1.21 feet to a concrete monument found; thence North 89°32'29" West, a distance of 8.68 feet to a concrete monument found; thence North 06°06'29" East, a distance of 10.00 feet to a concrete monument found; thence North 89°58'17" West, a distance of 10.06 feet to a concrete monument found; thence North 06°06'32" East, a distance of 304.76 feet to an iron pin et (1/2" rebar) on the southern right-of-way of Broken Bow Drive (60 ft. right-of-way); thence along said right-of-way South 89°34'06" East, a distance of 460.61 feet to an iron pin set (1/2" rebar); thence South 01°54'29" West, a distance of 314.85 feet to an iron pin found (1/2" rebar) on the south Land Lot Line of Land Lot 69; thence along said Land Lot Line North 89°31'11" West, a distance of 465.02 feet to the **POINT OF COMMENCEMENT.**

Said tract contains 3.407 acres.

LEGAL DESCRIPTION
SHOPPING CENTER TRACT

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

COMMENCE at an iron pin set (1/2" rebar) at the intersection of the south Land Lot Line of Land Lot 69 with the east right-of-way of State Route 54 (right-of-way varies); thence along said right-of-way North 06°06'29" East, a distance of 1.21 feet to a concrete monument found; thence North 89°32'29" West, a distance of 8.68 feet to a concrete monument found; thence North 06°06'29" East, a distance of 10.00 feet to a concrete monument found; thence North 89°58'17" West, a distance of 10.06 feet to a concrete monument found; thence North 06°06'32" East, a distance of 385.69 feet to an iron pin set (1/2" rebar) on the north right-of-way of Broken Bow Drive (60 ft right-of-way), being the **POINT OF BEGINNING**; thence continuing along the east right-of-way of State Route 54 North 06°06'32" East, a distance of 443.51 feet to a point; thence 510.28 feet along a curve, said curve having a chord of North 11°18'48" East 509.58 feet and a radius of 2808.79 feet to an iron pin set (1/2" rebar); thence leaving said right-of-way South 75°27'43" East, a distance of 171.01 feet to an iron pin set (1/2" rebar); thence South 89°43'54" East, a distance of 171.96 feet to a pk nail set; thence South 01°54'29" West, a distance of 54.75 feet to an iron pin set (1/2" rebar); thence South 89°35'49" East, a distance of 219.74 feet to an iron pin found (1/2" rebar); thence South 01°54'29" West, a distance of 865.10 feet to an iron pin set (1/2" rebar); thence North 89°40'48" West, a distance of 219.75 feet to an iron pin set (1/2" rebar); thence South 01°54'29" West, a distance of 1.24 feet to an iron pin set (1/2" rebar) on the north right-of-way of Broken Bow Drive; thence along said right-of-way North 89°34'06" West, a distance of 425.71 feet to a pk nail set; thence North 53°44'00" West, a distance of 35.07 feet to the **POINT OF BEGINNING**.

Said tract contains 13.231 acres.

TITLE LEGAL DESCRIPTION
TRACT I

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

COMMENCE at an iron pin set (1/2" rebar) at the intersection of the south Land Lot Line of Land Lot 69 with the east right-of-way of State Route 54 (right-of-way varies); thence along said right-of-way North 06°06'29" East, a distance of 1.21 feet to a concrete monument found; thence North 89°32'29" West, a distance of 8.68 feet to a concrete monument found; thence North 06°06'29" East, a distance of 10.00 feet to a concrete monument found; thence North 89°58'17" West, a distance of 10.06 feet to a concrete monument found; thence North 06°06'32" East, a distance of 385.69 feet to an iron pin set (1/2" rebar), being the **POINT OF BEGINNING**; thence North 06°06'32" East, a distance of 443.51 feet to a point; thence 642.44 feet along a curve, said curve having a chord of North 12°39'40" East 641.04 feet and a radius of 2808.79 feet to an iron pin set (1/2" rebar); thence leaving said right-of-way South 89°59'22" East, a distance of 302.60 feet to an iron pin found (1/2" open top pipe); thence South 01°54'29" West, a distance of 224.29 feet to an iron pin set (1/2" rebar); thence South 89°35'49" East, a distance of 219.74 feet to an iron pin found (1/2" rebar); thence South 01°54'29" West, a distance of 865.10 feet to an iron pin set (1/2" rebar); thence North 89°40'48"West, a distance of 219.75 feet to an iron pin set (1/2" rebar); thence South 01°54'29" West, a distance of 1.24 feet to an iron pin set (1/2" rebar); thence North 89°34'06" West, a distance of 425.71 feet to a pk nail set; thence North 53°44'00" West, a distance of 35.07 feet to the **POINT OF BEGINNING**.

Said tract contains 14.412 acres.

TITLE LEGAL DESCRIPTION
TRACT II

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

COMMENCE at an iron pin set (1/2" rebar) at the intersection of the south Land Lot Line of Land Lot 69 with the east right-of-way of State Route 54 (right-of-way varies); thence along said right-of-way North 06°06'29" East, a distance of 1.21 feet to a concrete monument found; thence North 89°32'29" West, a distance of 8.68 feet to a concrete monument found; thence North 06°06'29" East, a distance of 10.00 feet to a concrete monument found; thence North 89°58'17" West, a distance of 10.06 feet to a concrete monument found; thence North 06°06'32" East, a distance of 304.76 feet to an iron pin set (1/2" rebar) on the southern right-of-way of Broken Bow Drive (60 ft. right-of-way); thence along said right-of-way South 89°34'06" East, a distance of 460.61 feet to an iron pin set (1/2" rebar); thence South 01°54'29" West, a distance of 314.85 feet to an iron pin found (1/2" rebar) on the south Land Lot Line of Land Lot 69; thence along said Land Lot Line North 89°31'11" West, a distance of 465.02 feet to the **POINT OF COMMENCEMENT.**

Said tract contains 3.407 acres.

911 CALLS – GDC PROPERTIES, INC

TAB	TYPE	2006 *	2005	2004	2003
1.	Abandoned vehicle	4	13	25	13
2.	Animal Case		1	1	1
3.	Assist Motorist		3		
4.	Assist Other Agency			1	
5.	Brush Fire				1
6.	Business Security Check		2	1	2
7.	Check Vehicle Information				1
8.	Child Abuse Reported				1
9.	Commercial Building Fire	2		1	1
10.	Convoy/Escort		4		
11.	Criminal Damage				1
12.	Disorderly Children	2			
13.	Domestic	4	3	1	8
14.	Domestic-Robbery **P**			1	
15.	Drug Racing		1		
16.	Fight **P**				1
17.	Fire Alarm				1
18.	Fire Alarm-Commercial	7	6	1	1
19.	Fuel Spill		1		
20.	Gas Leak/Outside Building		1	1	
21.	Hit and Run - Traffic Accident				1
22.	Hit and Run w/Injuries		1		
23.	Hit and Run		2	5	
24.	Holdup Alarm	2	4	6	2

TAB	TYPE	2006 *	2005	2004	2003
25.	Improperly Parked Vehicle			2	
26.	Information For Officer	1			2
27.	Intoxicated Driver			2	
28.	Intrusion Alarm	26	46	33	42
29.	Keys In Vehicle	17	18	22	16
30.	Lost Property Recovered	1			
31.	Mechanical Breakdown	1		1	2
32.	Medical Call	3	4	6	4
33.	Open/Unsecured Door	3	4	4	2
34.	Person Injured		2	4	1
35.	Public Indecency				1
36.	Safety Inspections		2		
37.	Seizure			1	
38.	Speeding Auto/Reckless D	1		1	1
39.	Suspicious Person/Vehicle	10	20	12	12
40.	Theft	4	7	5	6
41.	Theft **P**			1	
42.	Traffic Accident	5	6	8	3
43.	Vehicle Theft		1		
44.	Vehicle Fire		1		
45.	Wanted Person At...				1
46.	Welfare Check	5	5	3	1
	TOTAL	**98**	**158**	**149**	**137**

* - through August 31, 2006