

**AN ORDINANCE TO AMEND THE  
PEACHTREE CITY ZONING ORDINANCE  
TO REZONE A 379.493-ACRE TRACT OF LAND  
LOCATED WITHIN UNINCORPORATED FAYETTE COUNTY AND  
BORDERED BY UNINCORPORATED FAYETTE COUNTY TO THE NORTH,  
THE CITY OF PEACHTREE CITY TO THE EAST AND SOUTH,  
AND LINE CREEK TO THE WEST,  
FOR A SINGLE-FAMILY DETACHED RESIDENTIAL SUBDIVISION,  
AND FOR OTHER PURPOSES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that a 379.493-acre parcel within unincorporated Fayette County and bordered by unincorporated Fayette County to the north, the city of Peachtree City to the east and south and Line Creek to the west be rezoned from its current designation of A-R Agricultural Residential (Fayette County) to LUR-15 Limited Use Residential (Peachtree City) by amending Section 1013A Specific limited-use residential areas and adding Section 1013A.15 as follows:

(Section 1013A.15) Limited-use residential district no. 15

- (a) A single tract of land described below shall be rezoned from its present zoning classification of A-R Agricultural Residential (Fayette County) to LUR-15 Limited Use Residential (Peachtree City). Said property is more particularly described as follows:

Tract 1

All that tract or parcel of land lying and being in Land Lot 166, 7th District, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at a 1" pipe on the Land Lot Line common to Land Lots 166 and 167, being 1574' East of the Land Lot corner common to Land Lots 166, 167, 183, and 184, being the TRUE POINT OF BEGINNING; thence South 88°51'41" East, a distance of 542.37 feet to a railroad iron; thence South 00°20'17" East, a distance of 1595.01 feet to a 1/4 inch rebar; thence North 89°36'57" West, a distance of 543.36 feet to a 1/4 inch rebar; thence North 00°17'52" West, a distance of 1602.14 feet to a 1 inch pipe, being the TRUE POINT OF BEGINNING.

Said tract contains 19.918 acres or 867636 square feet.

Tract 2

All that tract or parcel of land lying and being in Land Lots 165, 166, 184 & 185 of the 7th District, Fayette County, Georgia and being more particularly described as follows:

BEGINNING at a nail found at the Land lot corner common to Land Lots 157, 158, 164 and 165; thence along the Land Lot line common to Land Lots 164 & 165 North 88°11'34" West, a distance of 1146.31 feet to a 1 inch crimp top pipe found; thence along the Land Lot line common to Land Lots 164 & 165 and 185 & 186 North 88°09'44" West, a distance of 2469.33 feet to a point in the centerline of Line Creek, which is also the Fayette/Coweta County line; thence along the centerline

of Line Creek and the county line the following calls: North 36°58'03" West, a distance of 214.55 feet to a point; thence North 85°36'23" East, a distance of 132.55 feet to a point; thence North 70°13'27" East, a distance of 110.92 feet to a point; thence North 62°50'46" East, a distance of 105.30 feet to a point; thence North 47°26'44" East, a distance of 100.12 feet to a point; thence North 89°34'59" East, a distance of 70.71 feet to a point; thence North 78°16'24" East, a distance of 36.06 feet to a point; thence North 17°26'00" East, a distance of 43.83 feet to a point; thence North 30°51'58" West, a distance of 109.49 feet to a point; thence North 25°41'48" West, a distance of 65.19 feet to a point; thence North 02°51'47" West, a distance of 66.41 feet to a point; thence North 59°57'28" West, a distance of 128.06 feet to a point; thence North 09°59'17" West, a distance of 101.98 feet to a point; thence North 36°03'32" West, a distance of 58.87 feet to a point; thence North 45°11'31" West, a distance of 96.00 feet to a point; thence North 01°17'13" West, a distance of 114.13 feet to a point; thence North 21°34'01" West, a distance of 101.12 feet to a point; thence North 16°03'41" West, a distance of 82.46 feet to a point; thence North 39°11'04" West, a distance of 175.05 feet to a point; thence North 25°26'10" West, a distance of 101.43 feet to a point; thence North 15°10'33" East, a distance of 116.62 feet to a point; thence North 14°07'37" West, a distance of 69.00 feet to a point; thence North 00°29'39" West, a distance of 106.94 feet to a point; thence North 19°25'52" East, a distance of 104.12 feet to a point; thence North 00°44'43" West, a distance of 100.24 feet to a point; thence North 38°43'42" West, a distance of 134.54 feet to a point; thence North 16°12'42" East, a distance of 102.61 feet to a point; thence North 40°29'33" East, a distance of 77.68 feet to a point; thence North 33°02'37" East, a distance of 219.86 feet to a point; thence North 23°23'23" West, a distance of 72.11 feet to a point; thence North 41°02'24" West, a distance of 64.03 feet to a point; thence North 10°30'23" West, a distance of 106.98 feet to a point; thence North 12°34'32" West, a distance of 144.77 feet to a point; thence North 06°14'30" West, a distance of 206.90 feet to a point; thence North 21°00'55" East, a distance of 152.00 feet to a point; thence North 14°58'12" East, a distance of 101.79 feet to a point; thence North 30°35'59" East, a distance of 82.43 feet to a point; thence North 22°11'57" West, a distance of 79.79 feet to a point; thence North 03°11'43" East, a distance of 107.70 feet to a point; thence North 40°24'27" West, a distance of 107.70 feet to a point; thence North 08°57'29" West, a distance of 101.43 feet to a point; thence North 45°10'16" West, a distance of 111.80 feet to a point; thence North 25°53'27" East, a distance of 97.02 feet to a point; thence North 18°49'50" East, a distance of 106.37 feet to a point; thence North 07°36'21" East, a distance of 101.12 feet to a point; thence North 00°11'28" East, a distance of 72.80 feet to a point; thence North 65°32'07" East, a distance of 46.10 feet to a point; thence North 07°36'21" East, a distance of 101.12 feet to a point; thence North 19°09'17" West, a distance of 45.83 feet to a point; thence North 30°59'47" West, a distance of 65.01 feet to a point; thence North 37°26'05" West, a distance of 70.62 feet to a point; thence leaving said creek centerline South 89°39'07" East, a distance of 2347.47 feet to a 1/4 inch rebar found; thence South 01°16'43" East, a distance of 16.15 feet to a 1 inch pipe found; thence North 88°40'53" East, a distance of 543.13 feet to a 1/4 inch rebar found; thence South 00°20'55" East, a distance of 142.69 feet to a 3 inch railroad iron found; thence North 89°51'29" East, a distance of 872.66 feet to a 3 inch railroad iron found on the Land Lot line common to Land Lots 156 & 166; thence along said Land Lot line South 00°12'25" West, a distance of 640.18 feet to a 1 inch pipe found; thence along the Land Lot line common to Land Lots 156 & 166 and 157 & 165 South 00°13'00" West, a distance of 2326.75 feet to a 1/2 inch rebar found; thence along the Land Lot line common to Land Lots 157 & 165 South 00°06'24" West, a distance of 1275.40 feet to a nail found, being the POINT OF BEGINNING.

Said tract contains 359.575 acres or 15,663,081.26 square feet.

- (b) This tract is illustrated on the Boundary and Topography Survey prepared by Rochester & Associates, Inc. (last revised August 14, 2006), a copy of which is attached hereto as Exhibit "A" and incorporated herein by express reference.

It is intended that the LUR-15 zoning district be established specifically for a 450-unit single-family detached residential subdivision to be developed substantially in accordance with the following express conditions:

- (c) *Conformance with master plan.*

Development shall take place in conformance with the master plan prepared by PBS&J (last revised June 12, 2007), a copy of which is attached hereto as Exhibit "B" and incorporated herein by express reference. Any substantive change to this plan or any of the conditions and requirements of this section shall require a new rezoning action.

(d) *Permitted uses.*

1. No more than 475 single-family detached lots with the following dimensions:
  - (a) 54 lots shall measure no less than 55' x 125'
  - (b) 140 lots shall measure no less than 65' x 125'
  - (c) 90 lots shall measure no less than 75' x 130'
  - (d) 134 lots shall measure no less than 90' x 130'
  - (e) 29 lots shall measure no less than 100' x 150'
  - (f) 28 lots shall measure no less than 115' x 200'
2. A clubhouse, including an outdoor pool, tennis courts and other customary accessory uses.
3. General retail uses associated with a neighborhood retail center, located on two tracts of land not to exceed 3 acres each.
4. Publicly owned building, facility or land.
5. Building, facility or land for the distribution of utility services.
6. Building, facility or land for non-commercial park, recreation or open space purposes.
7. Accessory uses (see Section 908).
8. Customary home occupations (see Section 907).

(e) *Conditional uses.*

No conditional uses shall be permitted within this zoning district.

(f) *Other requirements.*

1. Minimum floor area per dwelling unit: 1,500 SF.

2. Minimum zoning lot area: As described herein and shown on the concept plat approved as a part of the rezoning.
3. Maximum number of dwelling units: No more than 475 residential units shall be provided within the overall subdivision.
4. Minimum lot width: As described herein and shown on the concept plat approved as a part of the rezoning.
5. Minimum front building setbacks: 15'; provided that each dwelling unit provides at least two paved parking spaces off the right-of-way; at least one of those spaces must be within a fully enclosed garage, and no part of the garage shall be within 20' of the right-of-way.
6. Minimum side setbacks: 0'; provided that at least a 10' separation is maintained between dwellings, and further provided, that at least one 20' separation is provided between every 10 dwelling units.
7. Minimum rear setbacks: 10'; provided that for those units served by a dedicated alley with garage access in the rear of the homes, at least two paved parking spaces shall be provided off of the alley; at least one of those spaces shall be within a fully enclosed garage, and no part of the garage shall be located less than 20' from the edge of alley.
8. Maximum building height: Two stories, plus a basement.
9. Parking: As set forth within the city's Parking Ordinance.
10. Signs: As set forth within the city's Sign Ordinance.
11. Alley access: Alleys shall be a minimum of 20' in width and shall be paved with a suitable surface to support fire and emergency apparatus.
12. Uses permitted above garages: On those lots where detached garages are located behind homes, the second floor of these buildings shall be limited to storage or home office use only. Garage apartments, granny flats, or other residential uses within these second floor areas shall not be permitted.
13. Tree save and landscape buffers: All tree save and landscape buffers shall be maintained with natural vegetation and/ or enhanced with berming, fencing and landscaping. No vegetation shall be removed from these areas without prior city approval. All tree save areas within the subdivision must be delineated with tree save fencing and approved by the city prior to any land disturbance activities.
14. Greenbelts: A 50' greenbelt shall be provided around the perimeter of the development. A 50' greenbelt shall be provided adjacent to MacDuff Parkway as required by the city's Buffer Ordinance. All greenbelt areas shall be dedicated to the city.

15. Architectural concept: A unified architectural concept for the overall development must be developed and approved by the Planning Commission. The architectural design, building materials and color selections of all buildings and structures on the site must be substantially the same. Each home with a side elevation facing a public street shall include architectural detailing to avoid creating a blank wall facing the public street.
15. Development concept: Development shall take place substantially in conformance with the approved concept plat (Exhibit "B"), as well as the design concepts presented with the zoning request and approved as a part of the concept. Substantial deviation from the approved concept plat or design concepts shall require city council approval.

(g) *The overall development of the tract is subject to the following understandings and conditions:*

1. All transportation enhancements identified within Attachment "A" of GRTA's Notice of Decision (dated December 20, 2006) shall be constructed at no cost to the city and open to the public prior to issuance of the first Certificate of Occupancy for any residential dwelling unit within this development. Such traffic enhancements were imposed as conditions by GRTA on the entire DRI, which included both developments. Accordingly, the enhancements should be constructed based upon an agreement between John Wieland Homes and Neighborhoods and Levitt & Sons, or their successors in interest, and should be based on each party's pro-rata share of traffic generated by each development based upon the information considered by GRTA. Evidence of such agreement between John Wieland Homes and Neighborhoods and Levitt & Sons shall be provided to the City prior to the approval of any plats for the development of the property.
2. MacDuff Parkway shall be designed to city standards as a Community Collector and shall include a 24' wide median with vertical curb and gutter as measured from back-of-curb. The road section shall also include two travel lanes at a minimum width of 16' each, as measured from edge of pavement. The road shall be designed within an 80' right-of-way (minimum).
3. Parallel parking shall not be provided along MacDuff Parkway as proposed by the developer, as this road is designated as a Community Collector. The Applicant is aware that Staff does not support parallel parking on any portion of MacDuff Parkway, and shall continue to coordinate with Staff to determine if this type of parking arrangement might be supported.

4. In accordance with the city's Buffer Ordinance, a continuous 50' wide (minimum) city-owned greenbelt buffer shall be established for any residential development adjacent to a community collector road and a continuous 50' wide tree-save and landscape buffer shall be established for any non-residential development adjacent to a community collector road.
5. The Applicant shall coordinate with City Staff to identify locations of traffic calming devices and incorporate these into the design and construction of MacDuff Parkway at no cost to the city.
6. The Applicant shall coordinate with City Staff to determine if a multi-use path tunnel can be constructed underneath MacDuff Parkway as a part of the road improvements. Should a location be identified, the Applicant shall design and construct the tunnel as a part of the MacDuff Parkway extension at no cost to the city.
7. The Applicant shall coordinate with City Staff to determine locations of multi-use paths throughout the development, and shall provide a multi-use path connection from this development to the existing multi-use path within the adjoining Centennial subdivision.
8. The Applicant shall coordinate with the Fayette County Water Department and the Peachtree City Fire Department to ensure appropriately sized water lines are constructed as a part of the MacDuff Parkway extension. In addition, the Applicant shall be responsible for installing all utilities within the right-of-way of MacDuff Parkway.
9. The Applicant shall coordinate with City Staff and the Fire Department to identify a suitable location for a new fire station to serve the West Village area. This site should be located approximately 3,600 LF to the north of the existing fire station site and dedicated at no cost to the city.
10. The Applicant shall be responsible for installing landscaping within the median and right-of-way of MacDuff Parkway as a part of the road construction and maintaining these areas until the roads are accepted by the city. Following this dedication, the maintenance of the landscaping within the right-of-way shall be the sole responsibility of the Homeowner's Association in perpetuity.
11. There shall be no more than 475 total lots within the overall subdivision. The concept plat submitted as a part of the annexation and rezoning request is illustrative only. The developer shall prepare a detailed development plan, which must be approved by the Planning Commission as a part of the concept plat approval process. It is understood the general layout of the streets and individual lots will be similar to what is shown on the concept plat once final engineering documents are prepared.

12. Existing vegetation within the areas identified as open space on the concept plat must be protected prior to, during and following construction.
13. A 50' wide greenbelt shall be provided between the homes along the southern property boundary separating this development from the proposed school site and the existing homes within the Chadsworth subdivision.
14. Existing vegetation within the 50' buffer around the perimeter of the property shall be preserved to the greatest extent practicable prior to, during and following construction activities. These areas shall be dedicated to the city as greenbelt.
15. The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.
16. The location of the floodplain shall be field located and surveyed prior to preparation of the engineering drawings. Absolutely no development shall be permitted within the floodplain.
17. The maintenance of all internal parks, landscaped areas, signage and subdivision entrances shall be the sole responsibility of the developer and/or the Homeowner's Association.
18. The Applicant shall establish deed covenants for the overall subdivision that shall limit rental units to no more than 20 percent of the total number of dwelling units in the subdivision. The covenants shall provide for the strict enforcement of the limit on rental units, and the developer shall establish the administrative structure for that enforcement prior to sale of the first dwelling unit in the subdivision.
19. The developer shall pay impact fees for each residential lot within the subdivision as identified within the city's Impact Fee Ordinance.
20. The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto. The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.
21. The annexation and rezoning as proposed is conditioned upon the annexation of the Scarborough/ Stillwell tracts to the north.

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

Done, Ratified, and Passed this 3rd day of May 2007.

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Harold K. Logsdon, Mayor

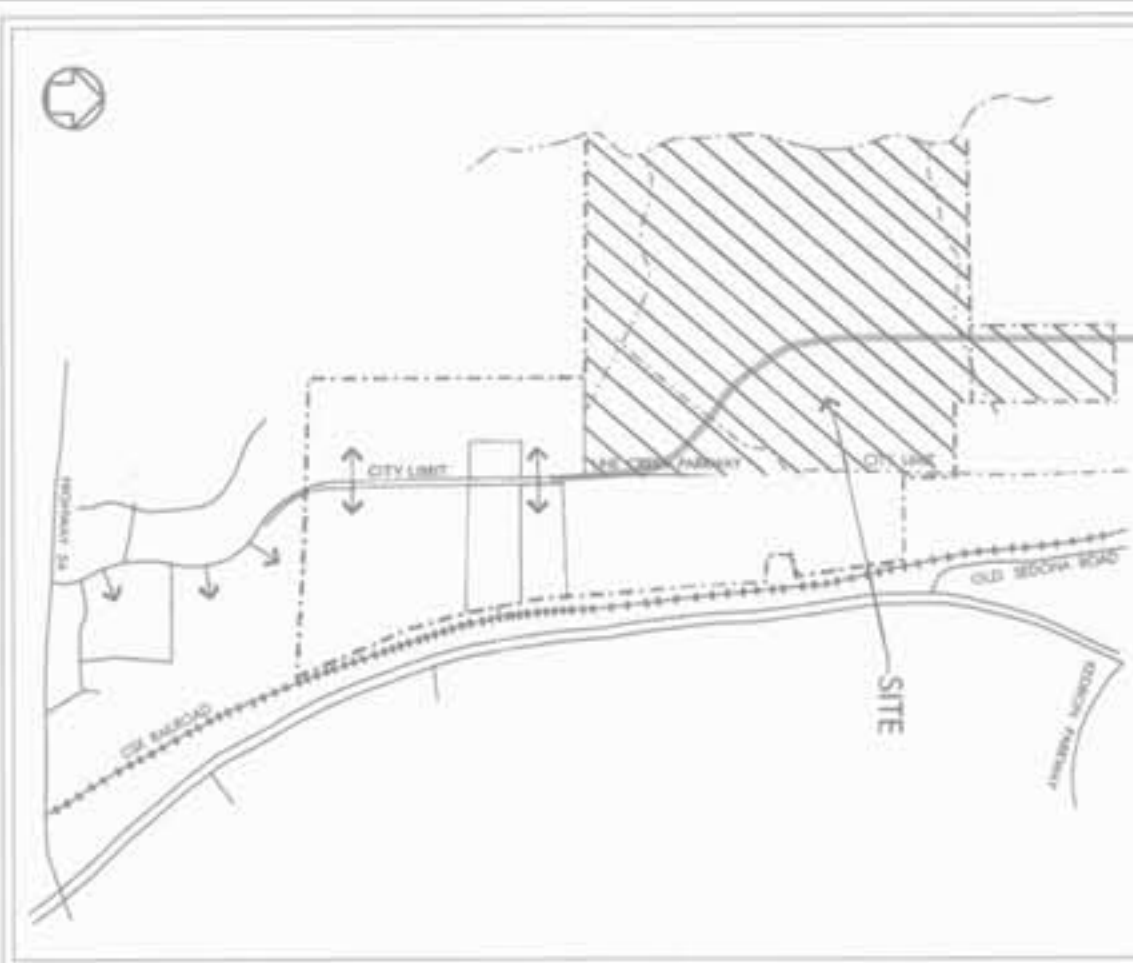
Attest:

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City Clerk



SITE LOCATION



DEVELOPMENT SUMMARY

June 12, 2007

1. Total Gross Acreage for Fayette County Tract: 379.59 AC +/-
2. Total Parkway Acreage: 10.13 AC +/-
3. Power Easement Acreage: 7.29 AC +/-
4. Total Open Space: 151.00 AC +/-
  - A. Developable Open Space: 41.50 AC +/- (Includes Parks and Upland Areas)
  - B. Undevelopable Open Space: 109.50 AC +/- (Includes Stream Buffers, Wetlands, Power Easement, and Flood Plains)
5. Commercial/Service: 2.85 AC +/-
6. Village Retail: 2.75 AC +/-
7. Proposed Number of Units: 475 Units
8. Proposed Number of Units Per Gross Acre: 1.25 DU/AC

- NOTES:
1. PROPERTY LINES, WETLANDS AND TOPOGRAPHY ARE APPROXIMATE.
  2. ALL PROPOSED SUBDIVISION R.O.W. IS 50' TYPICAL.

