

**AN ORDINANCE TO AMEND THE
PEACHTREE CITY ZONING ORDINANCE
TO REZONE A 6.71-ACRE TRACT OF LAND
LOCATED WITHIN THE CITY LIMITS OF PEACHTREE CITY
AND BORDERED BY SR 74/ THE CITY OF PEACHTREE CITY TO THE
NORTH, UNINCORPORATED FAYETTE COUNTY TO THE EAST AND
SOUTH, AND THE CITY OF PEACHTREE CITY TO THE WEST FOR
OFFICE-INSTITUTIONAL, AND FOR OTHER PURPOSES**

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of the same that:

Section 1. Article X, Requirements by District, Section 1005B Property rezoned to OI, of the Peachtree City Zoning Ordinance, be amended to add Section 1005B.7 as follows:

(Section 1005B.7) Starr's Mill Academy Pre-School and Childcare Center, Inc. Tract.

- (a) A single tract of land as described below shall be rezoned from its present zoning designation of A-R Agricultural Residential (unincorporated Fayette County) to OI Office Institutional (Peachtree City). Said property is more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 18 of the 6th District, Fayette County, Georgia, and being more particularly described as follows:

To find the true point of beginning, commence at a point located at the intersection of the southwesterly right of way line of State Highway #74 (100' R/W) and the northwesterly right of way line of Brechin Drive (60' R/W); thence run in a northwesterly direction along the southwesterly right of way line of State Highway #74 a distance of 576.13 feet to an iron pin found; said iron pin is the point of beginning; thence from the point of beginning and leaving said right of way of State Highway #74 and running north 89 degrees 52 minutes 04 seconds west a distance of 606.67 feet to a 1" Solid Rod; thence south 89 degrees 44 minutes 53 seconds west a distance of 248.58 feet to an iron pin found; thence north 00 degrees 01 minutes 33 seconds east a distance of 550.01 feet to an iron pin found; thence south 89 degrees 56 minutes 18 seconds east a distance of 337.46 feet to an

iron pin found at the southwesterly right of way line of State Highway #74; thence along the southwesterly right of way line of State Highway #74 and along the arc of a curve having a radius of 1,490.91 feet (said arc being subtended by a chord having a bearing of south 46 degrees 52 minutes 07 seconds east and a chord length of 212.37 feet) a distance of 212.55 feet to a point; thence continuing along said right of way line and along the arc of a curve having radius of 16,689.81 feet (said arc being subtended by a chord having a bearing of South 41 degrees 51 minutes 06 seconds east and a chord length of 543.40 feet) a distance of 543.42 feet to the point of beginning. Said tract of land contains 333,776 square feet as shown on plat of survey prepared by Solar Land Surveying Company dated September 28, 2002, certified by John W. Stanzillis, Jr., G.R.L.S. No. 2109.

LESS AND EXCEPT that property condemned by the Department of Transportation in Condemnation case styled Department of Transportation vs. 1.0 acres of land, et al, Docket No. 2008V-0921CE, in the Superior Court of Fayette County, Georgia, Order and Judgment dated June 9, 2008, filed June 9, 2008, recorded in Deed Book 3408, Page 355, Fayette County, Georgia records.

- (b) This tract is illustrated on the attached Exhibit "A" and incorporated herein by express reference.

It is intended that the OI zoning district be established in accordance with the following express conditions:

(1005B.7.1) Conditions

1. The Applicant shall be solely responsible for constructing a multi-use path connection from The Gates subdivision to their existing parking lot in a location deemed acceptable by the City Engineer. The path shall be designed and constructed in accordance with the city's multi-use path design standards.
2. The existing signage on the tract will be improved to city standards.
3. The zoning designation of the subject tract shall be OI Office Institutional.
4. The Land Use Designation of the subject tract shall be OFF Office.

(c) *Permitted uses.*

- (a) Use permitted for this tract shall those permitted under the OI zoning district.

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

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

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

Done, Ratified, and Passed this _____ day of _____ 2016.

Vanessa Fleisch, Mayor

Attest: _____
City Clerk