



## **COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Type:** Council - Regular

**Meeting Date:** July 18, 2024

**Agenda Item Type:** Consent Agenda

**Staff Contact:** Devon Boullion

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### **STAFF REPORT**

#### **AGENDA ITEM:**

Consideration to approve 74 South LLC's Stormwater Management Operations and Maintenance Agreement (for 74 South Business Park located at 1400 Senoia Road) with the Town of Tyrone subject to receipt of missing documents prepared to staff's satisfaction.

#### **BACKGROUND:**

Per the Town of Tyrone's Development Regulations, new development and re-development involving the addition or improvement of 5000 square feet of more of impervious surfaces are required to construct and maintain on-site stormwater management facilities to protect the health, safety, and welfare of the Town of Tyrone's residents and water quality in local watersheds. The agreement establishes the property owner's inspection and maintenance responsibilities, as well as the Town's right to inspect the facilities and require maintenance in accordance with the both the agreement and applicable standards from the latest edition of the Georgia Stormwater Management Manual. The missing documents include a final, as-built plat of the easement and a legal description of the easement; these documents shall be provided prior to issuance of the certificate of occupancy.

Pending receipt of finalized documents and Council approval, the agreement shall be recorded among the deed records of the Clerk of the Superior Court of Fayette County and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, heirs, assigns and any other successors in interest.

#### **FUNDING:**

N/A

#### **STAFF RECOMMENDATION:**

Staff recommends authorizing Mayor Dial to execute the Agreement between 74 South LLC and the Town of Tyrone, subject to receipt of finalized documents prepared to staff's satisfaction for the purpose of finalizing the agreement prior to the issuance of the facility's certificate(s) of occupancy.

#### **ATTACHMENTS:**

Stormwater Management Operations and Maintenance Agreement

#### **PREVIOUS DISCUSSIONS:**

None