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COUNCIL MEETING AGENDA

Mike Mason, Mayor

Phil Sadd – Post 1, Council Member
James Lowe – Post 2, Council Member
Alex Wright – Post 3, Council Member

Jeanne Aulbach – Post 4, Council Member
Lorri Christopher – Post 5, Council Member
Weare Gratwick – Post 6, Council Member

March 15, 2016

COUNCIL AGENDA

7:00 PM

PEACHTREE CORNERS CITY HALL
147 TECHNOLOGY PARKWAY, PEACHTREE CORNERS, GA 30092

A) CALL TO ORDER

B) ROLL CALL

C) PLEDGE OF ALLEGIANCE

D) MAYOR'S OPENING REMARKS

E) CONSIDERATION OF MINUTES – February 16, 2016 & February 28, 2016

F) CONSIDERATION OF MEETING AGENDA

G) PUBLIC COMMENTS

H) CONSENT AGENDA

1. **APH 2015-09-029** Consideration of Approval of an Alcoholic Beverage License Application for
(Diana Wheeler) Consumption on Premise, Wine & Malt Beverage License for Pub Ten Inc. at 5270
Peachtree Pkwy, Ste 118B, Peachtree Corners, GA 30092.

2. **APH 2015-09-030** Consideration of Approval of an Alcoholic Beverage License Application for
(Diana Wheeler) Consumption on Premise, Wine & Malt Beverage License for PK International
Food Merchant Inc DBA: Royal Bistro at 6365 Spalding Dr, Ste A, Peachtree
Corners, GA 30092

3. **APH 2015-09-031** Consideration of Approval of an Alcoholic Beverage License Application for
(Diana Wheeler) Retail/Package, Wine & Malt Beverage License for Express Point 2, LLC DBA:
Express Food Mart at 3426 Holcomb Bridge Rd., Peachtree Corners, GA 30092

I) PRESENTATIONS AND REPORTS

1. **P2016-03-12** Proclamation – James Lowe
2. **P2016-03-11** Proclamation – Arbor Day

- 3. **Diana Wheeler** Staff Activity Report
- 4. **Greg Ramsey** Staff Activity Report

J) OLD BUSINESS

- 1. **O2016-02-66**
Diana Wheeler Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to RZ2016-001/ SUP2016-001, South Old Peachtree Rd. Auto Repair, request to rezone and approve a special use permit for an auto repair and storage facility on 6.89 acres at 4285 South Old Peachtree Rd., in District 6, Land Lots 259 and 268, Parcels 016, 373 and 374, Peachtree Corners, GA.

- 2. **O2016-02-67**
Diana Wheeler Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to RZ2015-006 / SUP 2015-005/ V2016-002 Twin Lakes, Request to rezone ten parcels in District 6 of Peachtree Corners, Georgia, to allow commercial, multi-family, and trail development and approve a special use permit for a liquor store and associated variances on a total of 38.73 acres, as follows:
 - Parcel #1 Rezone from M-1, Light Industry, to TO, Trails and Open Space, an 8.87 acre tract located in LL284, parcel 015 at 3550 Engineering Dr.
 - Parcel #2 Rezone from M-1, Light Industry, to C2, Commercial, a 1.9 acre tract LL284, parcel 016 and 018 on Peachtree Parkway at Engineering Dr.
 - Parcel #3 Rezone from M-1, Light Industry, to C2, Commercial, and approve a special use permit for a liquor store on a 4.7 acre tract located in LL284, parcel 018 on Peachtree Parkway at Engineering Dr.
 - Parcel #4 Rezone from M-1, Light Industry, to C2, Commercial, and TO, Trails and Open Space, a 1.23 acre tract located in LL 285, parcel 056 on Technology Parkway near Westech Dr.
 - Parcel #5 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .73 acre tract located in LL284, parcel 040 on Technology Pkwy. near Westech Dr.
 - Parcel #6 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .35 acre tract located in LL284, parcel 041 on Technology Pkwy. near Westech Dr.
 - Parcel #7 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a 4.33 acre tract located in LL285, parcel 010 on Technology Pkwy. near Westech Dr.
 - Parcels #8, #9, #10 Rezone from M-1, Light Industry, to RM-13, Multi-Family Residence, three tracts consisting of 14.03 acres located in LL272, parcels 061, 062, and 064 on Peachtree Industrial Blvd. and 510 and 520 Guthridge Ct.

- 3. **O2016-02-68**
Diana Wheeler Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to V2016-001, Town Center, Request for a stream buffer variance (in conjunction with SUP2015-003 approved 6/9/2015) for a portion of a 19.6 acre property located at Peachtree Parkway near Forum Dr. in District 6, Land Lot 301, Parcel 183, Peachtree Corners, GA.

4. **O2016-01-64
Diana Wheeler** Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Resolution Article XII, pursuant to PH2015-008 by amending Sec. 1310, M-1, Light Industry District, in order to limit permitted uses within the Central Business District.
5. **O2016-02-65
Diana Wheeler** Second Read and Consideration of an Ordinance to amend the Code of Ordinances of the City of Peachtree Corners, Georgia, Article II, Sec. 42-24, Noise, to limit the hours of operation for lawn maintenance equipment and trash hauling vehicles, and extend construction hours.

K) NEW BUSINESS

1. **R2016-03-58
Brandon Branham** Consideration of a Resolution to Approve and Participate in the Georgia Municipal Association Defined Compensation Plan for the City of Peachtree Corners and for Other Purposes.
2. **R2016-02-56
Kym Chereck** Consideration of a Resolution for a call of Election, to announce qualifying dates and fees, and to appoint Election Officials.
3. **Action Item
Diana Wheeler** Consideration of Awarding a Multi-Family Housing Redevelopment Study for the Holcomb Bridge Road Corridor to Bleakley Advisory Group
4. **Action Item
Kym Chereck** Consideration of an Intergovernmental Agreement between the City of Peachtree Corners and the Gwinnett County Board of Registrations and Elections for City Elections Using Election Equipment.
5. **Action Item
Greg Ramsey** Consideration of Awarding a Task Order from the On Call Consulting Contract for a Comprehensive Transportation Plan.
6. **Action Item
Greg Ramsey** Consideration of Awarding a Construction Contract for installation of landscaping in the Peachtree Parkway Median from Medlock Bridge Road to the Chattahoochee River.
7. **Action Item
Bill Riley** Nomination and Election of Mayor Pro tem.

L) WORK SESSION

1. **Alex Wright
Diana Wheeler** Discussion concerning Community Theater
2. **Greg Ramsey** Discussion on Traffic Study for SR 141/Peachtree Parkway intersections
3. **Julian Jackson** Update on Town Center Financing
4. **Judy Putnam** Discussion on Posting Guidelines for Social Media and Community Calendar
5. **Brandon Branham** Update on Multi-Family Housing
6. **Brandon Branham** Update on GIS database

M) EXECUTIVE SESSION

N) ADJOURNMENT

Minutes

2 / 16 / 16

&

2 / 28 / 16



CITY OF PEACHTREE CORNERS
COUNCIL MEETING MINUTES
FEBRUARY 16, @ 7:00PM

The Mayor and Council of the City of Peachtree Corners held a Council Meeting at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. An audible copy of the meeting is available from the City Clerk's office. The following were in attendance:

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	James Lowe – Post 2
Council Member	Alex Wright – Post 3 - Absent
Council Member	Jeanne Aulbach – Post 4
Council Member	Lorri Christopher – Post 5
Council Member	Weare Gratwick – Post 6
City Manager	Julian Jackson
City Clerk	Kym Chereck
Com. Dev. Director	Diana Wheeler
City Attorney	Bill Riley
City Attorney	Joe Leonard
Public Works Director	Greg Ramsey
Comm. Director	Judy Putnam
Finance Director	Brandon Branham

PLEDGE OF ALLEGIANCE: Mayor Mason led the Pledge of Allegiance.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM THE JANUARY 19, 2016 COUNCIL MEETING.

By: Council Member Gratwick

Seconded by: Council Member Christopher

Vote: (6-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Aulbach)

MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 6, 2016 COUNCIL MEETING.

By: Council Member Christopher

Seconded by: Council Member Gratwick

Vote: (6-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Aulbach)

PUBLIC COMMENT: Mr. Bob Howard stated that he had sent an assessment for the Twin Lakes project to the Mayor and Council.

PRESENTATIONS AND REPORTS:

Staff Activity Report – Community Development

Mrs. Diana Wheeler, Community Development Director, provided her report on staff activities that occurred during the period of January 25, 2016 – February 12, 2016. These activities included, among other items, meetings with the Green Committee to coordinate Arbor Day activities, meeting with the Fuqua leasing team to discuss prospective tenant issues, meeting with a developer to discuss trail and open space land contribution, and working with Lord Aeck Sargent to identify tasks to be completed for the March 29th Community Meeting at City Hall.

Staff Activity Report – Public Works

Mr. Greg Ramsey, Public Works Director, provided his report on staff activities that occurred in the period ending with February 16, 2016. These activities included, among other items, attending a concept meeting for the Peachtree Corner Circle projects, attending a meeting concerning the final walk through for the Winters Chapel Road sidewalk project, attending a Town Center pre-submittal meeting, and attending a concept design meeting for Holcomb Bridge Road and Jimmy Carter Boulevard.

OLD BUSINESS:

02016-01-63

Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to SUP2015-006, Adult Day Care Center, for a special use permit to allow an adult day care center in an M-2, Heavy Industry, zoning district on a portion of a 13.1 acre site located at 4350 Peachtree Industrial Blvd. in Dist. 6, Land Lot 268, Parcel 008, Peachtree Corners, GA.

MOTION TO APPROVE O2015-01-63.

By: Council Member Aulbach

Seconded: Council Member Sadd

Vote: (6-0) (Aulbach, Sadd, Mason, Lowe, Christopher, Gratwick)

NEW BUSINESS:

APH 2015-09-028

Consideration of Approval of an Alcoholic Beverage License Application for Wholesaler: Wine, Distilled Spirits & Malt Beverage License for Goodtimes Distribution, LLC, 4995 Buford Hwy, Ste 105, Peachtree Corners, GA 30071.

MOTION TO APPROVE APH-2015-09-028.

By: Council Member Christopher

Seconded: Council Member Gratwick

Vote: (6-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Aulbach)

APH 2015-09-027

Consideration of Approval of an Alcoholic Beverage License Application for Consumption on Premise, Wine & Malt Beverage License for Eastern United Inc DBA: Sushi Osawa at 5270 Peachtree Pkwy, Ste 119, Peachtree Corners, GA 30092.

MOTION TO APPROVE APH-2015-09-027.

By: Council Member Gratwick

Seconded: Council Member Aulbach

Vote: (6-0) (Gratwick, Aulbach, Mason, Sadd, Lowe, Christopher)

APH 2015-09-016

Consideration of Approval of an Alcoholic Beverage License Application for Retail Package: Wine, Distilled Spirits & Malt Beverage for Tortugas Cuban Grill Group LLC at 3466 Holcomb Bridge Rd Suite AA, Peachtree Corners, GA 30092.

MOTION TO APPROVE APH-2015-09-016.

By: Council Member Christopher

Seconded: Council Member Gratwick

Vote: (6-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Aulbach)

R2016-02-52

Consideration of a Resolution to Approve the Multi-Use Trail Study Final Report and incorporate it into the 2033 Comprehensive Plan.

MOTION TO APPROVE THE MULTI-USE TRAIL STUDY FINAL REPORT AND INCORPORATE IT INTO THE 2033 COMPREHENSIVE PLAN.

By: Council Member Gratwick

Seconded: Council Member Aulbach

Vote: (6-0) (Gratwick, Aulbach, Mason, Sadd, Lowe, Christopher)

R2016-02-54

Consideration of a Resolution to Amend the Sale Contract for the Town Center Property.

MOTION TO APPROVE R2016-02-54.

By: Council Member Lowe

Seconded: Council Member Gratwick

Vote: (6-0) (Lowe, Gratwick, Mason, Sadd, Aulbach, Christopher)

R2016-02-55

Consideration of a Resolution to initiate review and consideration by the Peachtree Corners Planning Commission, pursuant to Section 1702, Appendix A, of the Code of Peachtree Corners, of an Ordinance to amend and adopt the City of Peachtree Corners zoning ordinance and ratifying all prior amendments to same; to amend and adopt policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4; to amend and adopt a zoning map for the City of Peachtree Corners and ratifying all prior amendments to same; and to amend and adopt the sign ordinance.

MOTION TO APPROVE R2016-02-55.

By: Council Member Gratwick

Seconded: Council Member Christopher

Vote: (6-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Aulbach)

O2016-02-66

First Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to RZ2016-001/ SUP2016-001, South Old Peachtree Rd. Auto Repair, request to rezone and approve a special use permit for an auto repair and storage facility on 6.89 acres at 4285 South Old Peachtree Rd., in District 6, Land Lots 259 and 268, Parcels 016, 373 and 374, Peachtree Corners, GA. (Second read will be on March 15, 2016.)

02016-02-67

First Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to RZ2015-006 / SUP 2015-005/ V2016-002 Twin Lakes, Request to rezone ten parcels in District 6 of Peachtree Corners, Georgia, to allow commercial, multi-family, and trail development and approve a special use permit for a liquor store and associated variances on a total of 38.73 acres, as follows:

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- Parcel #2 Rezone from M-1, Light Industry, to C2, Commercial, a 1.9 acre tract LL284, parcel 016 and 018 on Peachtree Parkway at Engineering Dr.
- Parcel #3 Rezone from M-1, Light Industry, to C2, Commercial, and approve a special use permit for a liquor store on a 4.7 acre tract located in LL284, parcel 018 on Peachtree Parkway at Engineering Dr.
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- Parcel #5 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .73 acre tract located in LL284, parcel 040 on Technology Pkwy. near Westech Dr.
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- Parcel #7 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a 4.33 acre tract located in LL285, parcel 010 on Technology Pkwy. near Westech Dr.
- Parcels #8, #9, #10 Rezone from M-1, Light Industry, to RM-13, Multi-Family Residence, three tracts consisting of 14.03 acres located in LL272, parcels 061, 062, and 064 on Peachtree Industrial Blvd. and 510 and 520 Guthridge Ct. (Second read will be on March 15, 2016.)

02016-02-68

First Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to V2016-001, Town Center, Request for a stream buffer variance (in conjunction with SUP2015-003 approved 6/9/2015) for a portion of a 19.6 acre property located at Peachtree Parkway near Forum Dr. in District 6, Land Lot 301, Parcel 183, Peachtree Corners, GA. (Second read will be on March 15, 2016.)

02016-02-64

First Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Resolution Article XII, by amending Sec. 1310,

M-1, Light Industry District, in order to limit permitted uses within the Central Business District. (Second read will be on March 15, 2016.)

O2016-02-65

First Read and Consideration of an Ordinance to amend the Code of Ordinances of the City of Peachtree Corners, Georgia, Article II, Sec. 42-24, Noise, to limit the hours of operation for lawn maintenance equipment and trash hauling vehicles, and extend construction hours.
(Second read will be on March 15, 2016.)

O2016-02-69

First Read and Consideration of an Ordinance to amend and adopt the City of Peachtree Corners zoning ordinance and ratify all prior amendments to same; to amend and adopt policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4; to amend and adopt a zoning map for the City of Peachtree Corners and ratify all prior amendments to same. (Second read will be on February 28, 2016.)

O2016-02-70

First Read and Consideration of an Ordinance to amend and adopt the sign ordinance. (Second read will be on February 28, 2016.)

WORK SESSION:

Discussion concerning multi-family housing in the Holcomb Bridge Corridor area.

Mrs. Diana Wheeler, Community Development Director informed the Mayor and Council that she would like to bring before them at the March 2016 meeting, a proposal from Bleakly Advisory Group concerning multi-family housing in the Holcomb Bridge Corridor area. It was determined that the proposal shall come before the Mayor and Council at the March 2016 meeting.

Discussion on consultant proposals for the Comprehensive Transportation Plan.

Mr. Greg Ramsey, Public Works Director, informed the Mayor and Council that he would like to bring before them next month a proposal from Pond and Company for a Comprehensive Transportation Plan. It was determined that the proposal shall come before the Mayor and Council at the March 2016 meeting.

Discussion on GIS user interface

Mr. Brandon Branham, Finance Director, presented an update to the Mayor and Council on the GIS user interface. It was determined that Mr. Branham would come before the Mayor and Council at the March 2016 meeting with a brief presentation on how the GIS user interface would work, and also the cost.

EXECUTIVE SESSION:

MOTION TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A LITIGATION ITEM.

By: Council Member Gratwick

Seconded: Council Member Christopher

Vote: (6-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Aulbach)

MOTION TO COME OUT OF EXECUTIVE SESSION.

By: Council Member Christopher

Seconded: Council Member Gratwick

Vote: (6-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Aulbach)

ADJOURNMENT:

MOTION TO ADJOURN AT 8:29 PM.

By: Council Member Christopher

Seconded by: Council Member Gratwick

Vote: (6-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Aulbach)

Approved,

Attest:

Mike Mason, Mayor

Kymerly Chereck, City Clerk
(Seal)



CITY OF PEACHTREE CORNERS
SPECIAL CALLED COUNCIL MEETING MINUTES
FEBRUARY 28, 2016, @ 4:00PM

The Mayor and Council of the City of Peachtree Corners held a Council Meeting at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	James Lowe – Post 2 - absent
Council Member	Alex Wright – Post 3
Council Member	Jeanne Aulbach – Post 4
Council Member	Lorri Christopher – Post 5 - absent
Council Member	Weare Gratwick – Post 6 - absent
City Manager	Julian Jackson
City Clerk	Kym Chereck
Com. Dev. Director	Diana Wheeler
Finance Director	Brandon Branham
City Attorney	Bill Riley
City Attorney	Joe Leonard

OLD BUSINESS:

O2016-02-69

Second Read, Public Hearing and Consideration of an Ordinance to amend and adopt the City of Peachtree Corners zoning ordinance and ratify all prior amendments to same; to amend and adopt policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4; to amend and adopt a zoning map for the City of Peachtree Corners and ratify all prior amendments to same.

MOTION TO APPROVE O2016-02-69.

By: Council Member Sadd

Seconded: Council Member Aulbach

Vote: (4-0) (Sadd, Aulbach, Mason, Wright)

O2016-02-70

Second Read, Public Hearing, and Consideration of an Ordinance to amend and adopt the sign ordinance.

MOTION TO APPROVE O2016-02-70.

By: Council Member Aulbach

Seconded: Council Member Wright

Vote: (4-0) (Aulbach, Wright, Mason, Sadd)

EXECUTIVE SESSION:

MOTION TO GO INTO EXECUTIVE SESSION.

By: Council Member Sadd

Seconded: Council Member Aulbach

Vote: (4-0) (Sadd, Aulbach, Mason, Wright)

MOTION TO COME OUT OF EXECUTIVE SESSION.

By: Council Member Sadd

Seconded: Council Member Wright

Vote: (4-0) (Sadd, Wright, Mason, Aulbach)

NEW BUSINESS:

Action Item

Consideration and approval of a Letter relating to SUP 2014-004.

MOTION TO APPROVE THE LETTER PRESENTED BY THE CITY ATTORNEY RELATING TO SUP 2014-004.

By: Council Member Wright

Seconded: Council Member Aulbach

Vote: (4-0) (Wright, Aulbach, Mason, Sadd)

R2016-02-57

Consideration and approval of a Resolution terminating within the territorial limits of the City of Peachtree Corners, Georgia, a moratorium upon the application for, or issuance of, rezonings, special use permits, variances, land disturbance permits, building permits, use permits, land use permits, land development permits, clearing or grading permits, sign permits, administrative permits, occupation tax certificates, business licenses, alcoholic beverage licenses, and any and all other permits or licenses dependent upon, or related to, zoning of land, and upon the

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application for, or issuance of, licenses, permits, and/or certificates for businesses described or defined by existing Peachtree Corners, Georgia Code Chapter 14, Businesses, Article XIV: Sexually Oriented Businesses, Article V: Massage Establishments and Spas and Article VIII: Escort and or Dating Services; to provide for severability; to establish an effective date; and for other purposes.

MOTION TO R2016-02-57.

By: Council Member Aulbach

Seconded: Council Member Wright

Vote: (4-0) (Aulbach, Wright, Mason, Sadd)

ADJOURNMENT:

MOTION TO ADJOURN AT 4:23 PM.

By: Council Member Sadd

Seconded by: Council Member Wright

Vote: (4-0) (Sadd, Wright, Mason, Aulbach)

Approved,

Attest:

Mike Mason, Mayor

Kymerly Chereck, City Clerk
(Seal)

APH 2015-09-029



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member
Alex Wright - Post 3, Council Member
Lorri Christopher - Post 5, Council Member

James Lowe - Post 2, Council Member
Jeanne Aulbach - Post 4, Council Member
Weare Gratwick - Post 6, Council Member

**CITY OF PEACHTREE CORNERS
PUBLIC NOTICE
APH 2015-09-029**

PLACE: City of Peachtree Corners City Hall
147 Technology Pkwy Suite 200

DATE & TIME: March 15, 2016
7:00 P.M.

PURPOSE: Consumption on the Premise: Wine, Distilled
Spirits & Malt Beverage

APPLICANT: Pub Ten Inc
5270 Peachtree Pkwy, Ste 118 B
Peachtree Corners, GA 30092

APH 2015-09-030



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member
Alex Wright - Post 3, Council Member
Lorri Christopher - Post 5, Council Member

James Lowe - Post 2, Council Member
Jeanne Aulbach - Post 4, Council Member
Weare Gratwick - Post 6, Council Member

**CITY OF PEACHTREE CORNERS
PUBLIC NOTICE
APH 2015-09-030**

PLACE: City of Peachtree Corners City Hall
147 Technology Pkwy Suite 200

DATE & TIME: March 15, 2016
7:00 P.M.

PURPOSE: Consumption on the Premise: Wine, & Malt
Beverage

APPLICANT: PK International Food Merchant Inc DBA: Royal
Bistro
6365 Spalding Dr, Ste A
Peachtree Corners, GA 30092

APH 2015-09-031



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member
Alex Wright - Post 3, Council Member
Lorri Christopher - Post 5, Council Member

James Lowe - Post 2, Council Member
Jeanne Aulbach - Post 4, Council Member
Weare Gratwick - Post 6, Council Member

**CITY OF PEACHTREE CORNERS
PUBLIC NOTICE
APH 2015-09-031**

PLACE: City of Peachtree Corners City Hall
147 Technology Pkwy Suite 200

DATE & TIME: March 15, 2016
7:00 P.M.

PURPOSE: Retail/ Package: Wine, & Malt Beverage

APPLICANT: Express Point 2, LLC DBA: Express Food Mart
3426 Holcomb Bridge Rd
Peachtree Corners, GA 30092

Proclamation

James Lowe

Proclamation

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA
RECOGNIZING THE ACCOMPLISHMENTS OF JAMES LOWE AND
THANKING HIM FOR HIS CONTRIBUTIONS TO PEACHTREE CORNERS**

WHEREAS, James Lowe has served on the inaugural Peachtree Corners City Council for over four years; and

WHEREAS, James Lowe helped to guide the decisions that resulted in numerous accomplishments including the purchase of land for a town center, the acquisition of Simpsonwood as a dedicated park, and the establishment of a zero millage rate for Peachtree Corners citizens; and

WHEREAS, James Lowe now wishes to serve his community in a larger capacity by seeking a seat in the Georgia House of Representatives; and

WHEREAS, James Lowe's leadership, insight, and good humor will be missed on the Peachtree Corners City Council.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Peachtree Corners that James Lowe is hereby recognized for his dedicated service to our city. It is further proclaimed that the City is grateful to James Lowe for his dedicated service during the City's early years and wishes him much success in the future.

SO PROCLAIMED AND EFFECTIVE, this the 15th day of March, 2016.

Attest:

Approved:

Kym Chereck, City Clerk

Mike Mason, Mayor

Proclamation

Arbor Day

Proclamation

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA
DECLARING MARCH 19, 2016 AS ARBOR DAY**

WHEREAS, the City of Peachtree Corners is committed to celebrating the importance of an urban tree canopy and recognizing the improved care of vital trees; and

WHEREAS, the City of Peachtree Corners recognizes the work of the Green Committee and the need to help the environment through the growth of trees, which remove carbon dioxide from the air and release oxygen into the atmosphere.

WHEREAS, the City of Peachtree Corners recognizes the important value of trees, which offer cooling shade in the summer months, block cold winter winds, increase property values, and reinvigorate neighborhoods.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor of the City of Peachtree Corners that Arbor Day shall be celebrated on March 19, 2016.

SO PROCLAIMED AND EFFECTIVE, this 15th day of March, 2016.

Attest:

Approved:

Kym Chereck, City Clerk

Mike Mason, Mayor

Staff Report

D. Wheeler



Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: March 15, 2016

SUBJECT: Staff Activity Report

The following is a summary of Staff activity during the period of 2/22/16 – 3/11/16.

- A. Meetings with:
1. Consultant to discuss Multi-Family Housing Redevelopment Strategies Study
 2. Attorney to discuss Town Center contract extension
 3. Festival subcommittee to discuss booth setup – 3rd booth to be used for citizen input on Botanical Garden
- B. Worked with TSW on preliminary cost estimate for the Town Green
- C. Prepared preliminary department budget.
- E. The following permits applications were received:

DATE	Permit #	NAME	ADDRESS	TYPE
PP16-0166		THD @ HOME SERVICES	5686 BELLVILLE WAY	REMODEL
PP16-0167		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3874 J	ELECTRICAL
PP16-0168		SHUMATE MECHANICAL	3917 MORRIS CT	HVAC
PP16-0169		MAJESTIC CONTRACTING SERVICE	5365 SPALDING BRIDGE CT	PLUMBING
PP16-0170		MAJESTIC CONTRACTING SERVICE	4822 MILLER FARMS CT	PLUMBING
PP16-0171		CATHERINE COMPTON	5258 MEADOWDALE CT	SHED
PP16-0172		AZTEC STONE EMPIRE	5055 BUFORD HWY	TEMPORARY SIGN
PP16-0173		AZTEC STONE EMPIRE	5055 BUFORD HWY	TEMPORARY SIGN
PP16-0174		OASIS LANDSCAPE	3655 HIGHCROFT CIR	SITE WALL
PP16-0175		SIGN PLANET	5450 PEACHTREE PKWY 7E	PERMANENT SIGN
PP16-0176		SIGN PLANET	6575 PEACHTREE IND BLVD	PERMANENT SIGN
PP16-0177		CORNERSTONE CHRISTIAN ACADEMY	5255 TRIANGLE PKWY/LOWER SCHOOL	DEMO
PP16-0178		CORNERSTONE CHRISTIAN ACADEMY	5255 TRIANGLE PKWY/MIDDLE SCHOOL	DEMO
PP16-0179		CORNERSTONE CHRISTIAN ACADEMY	5255 TRIANGLE PKWY/LOWER SCHOOL	INTERIOR FINISH
PP16-0180		CORNERSTONE CHRISTIAN ACADEMY	5255 TRIANGLE PKWY/MIDDLE SCHOOL	INTERIOR FINISH
PP16-0181		SIGN PLANET	5450 PEACHTREE PKWY 7E	BULL-GOGI
PP16-0182		SIGN PLANET	5270 PEACHTREE PKWY	INTERIOR FINISH
PP16-0183		VINO'S CHICK LLC	5950 CROOKED CREEK RD STE 280	TENANT CHANGE
PP16-0184		JW DESIGN	6121 RACHEL RIGDE	REMODEL
PP16-0185		TRIDENT BUILDING SOLUTIONS, LLC	5550 TRIANGLE PKWY STE 101	INTERIOR FINISH
PP16-0186		J MAC ELECTRIC	3855 SCOTTS MILL RUN	ELECTRICAL
PP16-0187		ADAMSON ROOFING COMPANY	4167 MILL STONE CT	RE-ROOF
PP16-0188		ESTES HEATING AND AIR	508 PEACHTREE FOREST TER	PLUMBING
PP16-0189		TRI/SEPTEM DEV.,INC	3534 SCHILLING RIDGE	DECK
PP16-0190		INEX IMAGE, LLC	3036 NORTHEAST EXPRESSWAY	PERMANENT SIGN
PP16-0191		INNOVATIVE CONSTRUCTION	4239 RIVERVIEW DR	REMOEL
PP16-0192		FINDLAY ROOFING	6586 ROSECOMMON DR	RE-ROOF
PP16-0193		THE GHOLSTON GROUP LLC	4270 RIVER BOTTOM DR	RE-ROOF
PP16-0194		POND CONSTRUCTORS, INC	3500 PARKWAY LN 6TH FLOOR	DEMO
PP16-0195		SIGNS BY TOMORROW	4880 PEACHTREE CORNERS CIR	PERMANENT SIGN

DATE	Permit #	NAME	ADDRESS	TYPE
PP16-0196		DARRYL SKINNER	5005 PEACHTREE PKWY STE 810	INTERIOR FINISH
PP16-0197		BIG MOUTH SIGNS, INC	5440 WEST JONES BRIDGE RD	PICKNEYVILLE MIDDLE SCHOOL
PP16-0198		ASURETY CONSTRUCTION SERVICES	5185 PEACHTREE PKWY STE 102	INTERIOR FINISH
PP16-0199		SHARPE CONTRACTORS	4941 S OLD PEACHTREE RD STE A	INTERIOR FINISH
PP16-0200		STONE-WAY BUILDERS GROUP INC	6520 PEACHTREE IND BLVD BLDG 6482	REMODEL
PP16-0201		T-MOBILE	5855 PEACHTREE COARNERS EAST	CELL SITE
PP16-0202		LANDSCAPE STUDIO GROUP	5115 RIVERLAKE DRIVE	DECK
PP16-0203		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3625 F	ELECTRICAL
PP16-0204		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3866 C	ELECTRICAL
PP16-0205		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3866 G	ELECTRICAL
PP16-0206		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3765 I	ELECTRICAL
PP16-0207		SENOIA ELECTRIC	3655 WESTCHASE VILLAGE LN 3862 B	ELECTRICAL
PP16-0208		APEX SIGNS AND GRAPHICS	6730 JONES MILL CT	PERMANENT SIGN
PP16-0209		BLACK DIAMOND MOTOR SPORTS, LLC	3045 KINGSTON CT STE E	CERTIFICATE OF OCCUPANCY
PP16-0210		DANIEL'S PLUMBING	3655 WESTCHASE VILLAGE LN 3765 I	PLUMBING
PP16-0211		DANIEL'S PLUMBING	3655 WESTCHASE VILLAGE LN 3866 C	PLUMBING
PP16-0212		DANIEL'S PLUMBING	3655 WESTCHASE VILLAGE LN 3625 F	PLUMBING
PP16-0213		DANIEL'S PLUMBING	3655 WESTCHASE VILLAGE 3866 G	PLUMBING
PP16-0214		DANIEL'S PLUMBING	3655 WESTCHASE VILLAGE LN 3862 B	PLUMBING
PP16-0215		PENNY POPE	6798 LOCKRIDGE DR	ADDITION/SHED
PP16-0216		MERIT CONSTRUCTION COMPANY	3550 ENGINEERING DR/LOBBY	INTERIOR FINISH
PP16-0217		MERIT CONSTRUCTION COMPANY	3550 ENGINEERING DR/STE 220	INTERIOR FINISH

Code Enforcement Summary – February 2016

New Cases	98
NOV's issued	64
Citations issued	0
Signs Removed from ROW	58 (approximate)
Citizen Complaints	34
Field Generated Cases:	64
Cases by Type:	

Residential: 52

Commercial: 46

Violations by Type

Property Maintenance	<u>20</u>	Parking Illegally	<u>1</u>
Trash	<u>25</u>	Open Storage	<u>2</u>
RV/ Non-motor vehicle	<u>3</u>	Junk Vehicle	<u>4</u>
High Grass/Weeds	<u>0</u>	Other (Code Enforcement)	<u>4</u>
Illegal Signs	<u>2</u>	Other (Property Violation)	<u>35</u>
No Business License	<u>0</u>	Trees	<u>2</u>
Building w/o Permit	<u>0</u>	Animated Signs	<u>0</u>

Year-To-Date as of 2/29/2016

2016 Cases	<u>194</u>
2016 NOV's issued	<u>147</u>
2016 Citations issued	<u>0</u>
2016 Signs Removed from ROW	<u>135</u>
2016 cases closed with court action:	<u>0</u>

Staff Report

G. Ramsey



MEMO

TO: Mayor & Council
CC: Julian Jackson, City Manager
FROM: Greg Ramsey, P.E., Public Works Director
DATE: March 15, 2016
SUBJECT: Public Works Activity Report

The following is a summary of the Public Works Activities in the monthly period ending 03-15-16:

A. Attended the following meetings:

1. Peachtree Parkway sewer extension, 2-22-16
2. Project kickoff, pedestrian crossings, 2-25-16
3. GCDOT Comprehensive Transportation Plan Stakeholder Meeting, 2-29-16
4. Junior Achievement Finance Park, 3-3-16
5. Meadow Rue community traffic control meeting, 3-3-16
6. SR 141 traffic analysis update, 3-7-16
7. Pedestrian crossings with GCDOT, 3-9-16
8. Holcomb Bridge at Jimmy Carter update, 3-10-16
9. Bridge committee, 3-11-16
10. Quarterly Coordination, GCDWR MS4 reporting, 3-15-16

B. Field Services Operations 02-09-16 thru 03-07-16

1. # of Work Orders Initiated = 95
2. # of Fix It App submittals for PW = 26
3. # of Field Generated Work Orders = 69
4. # of Work Orders Completed = 69
5. # of Work Orders Referred to Other Departments = 14
6. Please see below for summaries of Work Orders & Fix-It App submittals

C. Capital Improvement Project updates

1. 15.06 Peachtree Parkway widening at Peachtree Industrial Blvd, construction letting scheduled for April 2016 by Gwinnett DOT
2. 15.01 Winters Chapel Road sidewalks – project at substantial completion, holding retainage pending growth of seeding and final stabilization
3. 15.05 Technology Parkway sidewalks – construction underway, making good progress
4. 15.03 Holcomb Bridge Road at Jimmy Carter Blvd – survey completed in December, design and traffic analysis underway now, design completion scheduled for end of February
5. 15.08 SR 141 traffic intersection analysis – kicked off in December, nearly 50% complete on analysis
6. 15.11 Roundabout and pedestrian improvements on Peachtree Corners Circle – concepts under development, final survey will be complete this week so final designs can be analyzed

7. 15.15 Street Resurfacing – kickoff meeting with Stewart Brothers, 2-17-16

Work Orders Initiated:

Order Number	Scheduled	Description	Address	Status Type	Completion
16-001559	2/9/2016	Remove Deceased Animal	6332-6458 Spalding Dr	Completed	2/9/2016
16-001560	2/12/2016	Inspect Storm Drain for Sinkhole	4356 Stilson Cir	Completed	2/12/2016
16-001561	2/11/2016	Stormwater Flooding	5343 Wickershire Dr/ 4301 Dovershire Dr	Completed	3/04/2016
16-001562	2/19/2016	Repair Potholes	Mechanicsville Rd / South Peachtree St	In Progress	
16-001563	2/9/2016	Remove Trash in R.O.W.	Wetherburn Wy / Spalding Dr	Completed	2/9/2016
16-001564	2/9/2016	Remove Trash in R.O.W.	Peachtree Corners Cr/ Parton Ct	Completed	2/9/2016
16-001565	2/9/2016	Remove Trash in R.O.W.	PIB North/ Jimmy Carter Blvd	Completed	2/9/2016
16-001566	2/9/2016	Remove Debris in R.O.W.	PIB South / Jones Mill Rd	Completed	2/9/2016
16-001567	2/9/2016	Remove Trash in R.O.W.	Winters Chapel Rd near the Water Plant	Completed	2/9/2016
16-001568	2/10/2016	Replace Traffic Control Sign	Gateway Dr / Amwiler Industrial Dr	Completed	2/10/2016
16-001569	2/10/2016	Remove Trash in R.O.W.	3171 Amwiler Dr	Completed	2/10/2016
16-001570	2/10/2016	Remove Trash in R.O.W.	Spalding Dr / Jay Bird Aly	Completed	2/10/2016
16-001575	2/9/2016	Remove Trash in R.O.W.	6630 Spalding Dr	Completed	2/9/2016
16-001576	2/23/2016	Install Traffic Control Signs	Station Mill Dr	Complete	3/04/2016
16-001577	2/29/2016	Tree Down in R.O.W.	7540 Winters Chapel Rd	Completed	3/1/2016
16-001578	3/2/2016	Remove Trash in R.O.W.	710 Peachtree Corners Cir At Holcomb Bridge Rd	Complete	3/02/2016
16-001579	2/9/2016	Clean Gutter and Storm Drain	5551 Spalding Dr	Completed	2/9/2016

Order Number	Scheduled	Description	Address	Status Type	Completion
16-001580	2/9/2016	Clean Gutter and Storm Drain	5600 Spalding Dr	Completed	2/9/2016
16-001581	2/10/2016	Broken Storm Drain Cover	7025 Amwiler Industrial Dr	Completed	2/10/2016
16-001582	2/11/2016	Cleaned Curb and Gutter	PIB South/ Jimmy Carter Blvd/ Jones Mill Rd Rd	Completed	2/11/2016
16-001583	2/11/2016	Remove Object in R.O.W.	PIB North/ Winters Chape Rd	Completed	2/11/2016
16-001584	2/12/2016	Repair Pothole	Triangle Dr/Spalding Dr	Completed	2/12/2016
16-001585	2/12/2016	Remove Trash in R.O.W.	Hwy 141 / Spalding Dr	Completed	2/12/2016
16-001586	2/16/2016	Remove Debris in R.O.W.	Hwy 141 / Everett Ct	Completed	2/16/2016
16-001587	2/19/2016	Remove Object in R.O.W.	Hwy 141 Southbound/Peachtree Corners Cir	Completed	2/19/2016
16-001588	2/23/2016	Tree Down in R.O.W.	3695 Jay Bird Aly	Completed	2/23/2016
16-001589	2/23/2016	Remove Object in R.O.W.	6050 Peachtree Pkwy	Completed	2/23/2016
16-001590	2/23/2016	Remove Object in R.O.W.	Hwy 141 /Holcomb Bridge Rd	Complete	2/23/2016
16-001591	2/23/2016	Flooding in Street	4500 Peachtree St / Mechanicsville Rd	Completed	2/23/2016
16-001592	2/24/2016	Removed Tree Limbs R.O.W.	3375 Holcomb Bridge Rd	Completed	2/24/2016
16-001593	2/24/2016	Clean Gutter and Storm Drain	Hwy 141 / Peachtree Corners Cir	Completed	2/24/2016
16-001594	2/25/2016	Repair Sidewalk And Curb	5343 Wickershire Dr / Dovershire Dr	Completed	2/25/2016
16-001595	2/29/2016	Tree Down in R.O.W.	Winters Chapel Rd / Spalding Glen Dr	Completed	2/29/2016
16-001596	2/29/2016	Remove Trash in R.O.W.	Hwy 141 / Engineering Dr	Completed	2/29/2016
16-001597	3/1/2016	Install Speed Control Device	Station Mill Dr	Completed	3/1/2016

Order Number	Scheduled	Description	Address	Status Type	Completion
16-001598	2/29/2016	Repair Pothole	Jones Bridge Cir	Completed	2/29/2016
16-001600	2/29/2016	Repair Pothole	4977 Lou Ivy Rd	Completed	2/29/2016
16-001601	3/1/2016	Replace Sign Blades	Winters Chapel Rd / Womack Rd	Completed	3/1/2016
16-001602	3/1/2016	Investigate Incomplete Guard Rail	4765 Peachtree Corners Cir	Completed	3/1/2016
16-001603	2/23/2016	Install Street Signs	47485 Northwoods Pkwy	Completed	2/23/2016
16-001604	2/25/2016	Remove Trash in R.O.W	PIB North	Completed	2/25/2016
16-001605	2/25/2016	Remove Trash in R.O.W	Lou Ivy Rd	Completed	2/25/2016
16-001606	2/25/2016	Remove Trash in R.O.W	South Old Peachtree Rd	Completed	2/25/2016
16-001607	2/26/2016	Edged Medians	River Court	Complete	2/26/2016
16-001608	2/25/2016	Remove Trash in R.O.W.	Jones Mill Rd	Completed	2/25/2016
16-001609	2/25/2016	Remove Trash in R.O.W.	Peachtree Corners Cir	Completed	2/25/2016
16-001610	2/26/2016	Remove Deceased Animal	Medlock Bridge Rd	Completed	2/26/2016
16-001611	2/29/2016	Remove Trash in R.O.W.	PIB Northbound Overpass/ PIB South Bound	Completed	2/29/2016
16-001612	2/29/2016	Remove Trash in R.O.W.	Hwy 141	Completed	2/29/2016
16-001613	2/29/2016	Clean Bridge	PIB Northbound Overpass/ PIB Southbound	Completed	2/29/2016
16-001614	2/29/2016	Remove Trash in R.O.W.	PIB South	Completed	2/29/2016
16-001615	2/29/2016	Remove Deceased Animal	Spalding Dr/Jay Bird Aly	Completed	2/29/2016
16-001616	2/29/2016	Remove Trash in R.O.W.	3240 Peachtree Corners Cir	Completed	2/29/2016

Order Number	Scheduled	Description	Address	Status Type	Completion
16-001617	2/29/2016	Remove Trash in R.O.W.	Jones Mill Rd/ Peachtree Corners Cir	Completed	2/29/2016
16-001618	2/29/2016	Cut Grass	Hwy 141 Peachtree Pkwy	Completed	2/29/2016
16-001619	2/29/2016	Cut Grass	Hwy 141 Peachtree Pkwy	Completed	3/3/2016
16-001620	2/29/2016	Remove Deceased Animal	Spalding Dr	Completed	3/4/2016
16-001621	3/4/2016	Removed Deceased Animal	Holcomb Bridge Rd / Holcomb Way	Completed	3/4/2016
16-001622	2/29/2016	Cut Grass	Jay Bird Aly	Completed	2/29/2016
16-001623	2/29/2016	Cut Grass	PIB Southbound/ Paul Duke Triangle	Completed	2/29/2016
16-001624	3/1/2016	Remove Trash in R.O.W.	Peachtree Corners Cir	Completed	3/1/2016
16-001625	3/1/2016	Remove Trash in R.O.W.	PIB South	Completed	3/1/2016
16-001626	3/1/2016	Remove Deceased Animal	East Jones Bridge Rd	Completed	3/1/2016
16-001627	3/2/2016	R.O.W. Landscape Maintenance	Hwy 141	Completed	3/2/2016
16-001628	3/3/2016	R.O.W. Landscape Maintenance	Hwy 141	Completed	3/3/2016
16-001629	3/4/2016	Remove Trash in R.O.W.	Industrial Park Dr	Completed	3/4/2016
16-001630	3/4/2016	Cut Grass	Peachtree Pkwy / Peachtree Corners	Complete	3/04/2016
16-001631	3/2/2016	Repair Potholes	Peachtree Corners Cir / Morris Ct	Complete	3/04/2016
16-001632	3/2/2016	Repair Potholes	Peachtree Corners Cir	Completed	3/2/2016
16-001633	3/2/2016	Repair Potholes	Lou Ivy Rd / South Old Peachtree Rd	Completed	3/2/2016
16-001634	3/2/2016	Remove Trash in R.O.W.	Peachtree Corners Cir/ Holcomb Bridge Rd	Completed	3/2/2016

Order Number	Scheduled	Description	Address	Status Type	Completion
16-001635	3/2/2016	Repair Potholes	Technology Pkwy	Completed	3/2/2016
16-001636	3/3/2016	R.O.W. Landscape Maintenance	Hwy 141	Completed	3/3/2016
16-001637	3/3/2016	Remove Trash in R.O.W.	Hwy 141	Completed	3/3/2016
16-001638	3/4/2016	Repair Pothole	Industrial Park Dr	Completed	3/3/2016

Work Orders Referred To Other Departments:

Date Created	Request Type	Address	Status Type	Referred To Other Departments
2/11/2016	Water Leak ID# 170415	5141 West Jones Bridge Road	In-process	Gwinnett County DWRS Service Request # 16-001252
2/11/2016	Leaking Water Meter	Vicinity of 4291-4329 Missendell Lane	In-process	Gwinnett County DWRS
2/11/2016	Broken Manhole Cover	Vicinity of 7024 Amwiler Industrial Drive Northwest	In-process	Gwinnett County DWRS Service Request # 16-001253
2/12/2016	Sewer Manhole manhole cap deteriorating to the point of causing a significant pot hole.	Triangle Parkway	In-process	Gwinnett County DWRS
02/16/2016	Sinkhole	4569 Holstein Hill Dr	In-Process	Gwinnett County DWRS Service Request # 16-001374
02/23/2016	Flooding in Street Request ID# 215871	Vicinity of 4500-4580 Peachtree St NW	In-Process	Gwinnett County DWRS Service Request # 16-001611
2/17/2016	Sinkhole	4536 Stilson Circle	In-process	Gwinnett County DWRS Service Request #16-001405

Date Created	Request Type	Address	Status Type	Referred To Other Departments
02/24/2016	(Stormwater) Sink Hole	5672 Wilmer Walk	In-Process	Gwinnett County DWRS Service Request # 16-001614
02/25/2016	Pothole near storm drain Request ID# 216412 -	5655 Peachtree Pkwy on Scientific Drive	In-Process	Gwinnett County DWRS Service Request # 16-001648
02/26/2016	Sunken Storm Drain	6701 Winterbook Court/Winters Chapel Rd Spalding Hills Apartments	In-Process	City of Dunwoody, GA
02/26/2016	Cracked Pavement Request ID# 216699	4910 White Water Dr	In-Process	AT&T
2/29/2016	Sidewalk Sinking and Deteriorating caused by Storm Drain	3515 Grove Park Dr	In-Process	Gwinnett County DWRS Service Request # 16-001729
3/02/2016	Erosion Issue	Turman Drive	In-process	Gwinnett County DWRS
3/7/2016	Storm Drain at this intersection appears to be losing compacting around the pipes and manhole.	3132 Sumac Drive @Lockridge Dr Stormwater Inlet Facility ID #704112	In-process	Gwinnett County DWRS Service Request # 16-002016

02016-02-66

D. Wheeler

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO RZ2016-001/ SUP2016-001, SOUTH OLD PEACHTREE RD. AUTO REPAIR REQUEST TO REXONE AND APPROVE A SPECIAL USE PERMIT FOR AN AUTO REPAIR AND STORAGE FACILITY ON 6.89 ACRES LOCATED AT 4285 SOUTH OLD PEACHTREE ROAD IN DISTRICT 6, LAND LOTS 259 and 268, PARCELS 016, 373 and 374, PEACHTREE CORNERS, GA

WHEREAS: Notice to the public regarding said modification to conditions of zoning has been duly published in The Gwinnett Daily Post, the Official News Organ of Peachtree Corners; and

WHEREAS: Public Hearings were held by the Mayor and City Council of Peachtree Corners on February 16, 2016 and March 15, 2016;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on March 15, 2016 hereby ordain and approve the Zoning Case RZ2016-001/ SUP2016-001, for the above referenced property with the following enumerated conditions:

- 1) Vehicle storage shall not be located within the front yard.
- 2) Vehicle storage shall be screened by a solid wood fence, masonry wall, or slatted chain-link fence at least eight (8) feet high.
- 3) Vehicle storage shall be limited to one automobile per parking space. All vehicles must be parked in designated spaces and no 'tandem' or 'valet' parking shall be permitted. A parking plan shall be submitted to Staff for approval.
- 4) No inoperable (junk/salvage) vehicles shall be stored outdoors.
- 5) No vehicles shall be located on unpaved surfaces.
- 6) Vehicles or materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
- 7) All vehicle maintenance and mechanical work shall be conducted within an enclosed building.
- 8) The existing magnolia trees at the front of the property shall be preserved and no new parking spaces shall be constructed between the existing office structure and South Old Peachtree Road.
- 9) No billboards shall be permitted on the property.
- 10) Dumpsters shall not be located in front of the existing office structure and shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture.
- 11) Outdoor lighting shall be contained in cutoff-type luminaries and shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic.
- 12) Permanent freestanding project signage shall be limited to one monument sign to be located at the front of the property.
- 13) Any outside speakers shall not be audible from adjacent properties.
- 14) All conditions must be met before a business license can be issued.

Effective this 15th day of March, 2016.

So signed and Witnessed

Approved :

this _____ day of _____, 2016
Attest:

Kymberly Chereck, City Clerk

Mike Mason, Mayor

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING AND SPECIAL USE PERMIT ANALYSIS

PLANNING COMMISSION DATE: February 9, 2016

CITY COUNCIL DATE: March 15, 2016

CASE NUMBER: **RZ2016-001/SUP2016-001**
CURRENT ZONING: M-2
PROPOSED ZONING: M-1
LOCATION: 4285 South Old Peachtree Road
MAP NUMBERS: 6th DISTRICT, LAND LOT 259, 268
ACREAGE: 6.89 ACRES
PROPOSED DEVELOPMENT: REZONE FROM M-2 TO M-1 TO ALLOW AN AUTO REPAIR
SHOP AND VEHICLE STORAGE
FUTURE DEVELOPMENT MAP: INDUSTRIAL CORRIDOR

OWNER/APPLICANT/CONTACT: RAFAEL SOTO MORALES
821 HOLLY MEADOW DRIVE
BUFORD, GA 30518
678-755-7965

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DATA:

The applicant is seeking to rezone 6.89 acres at 4285 South Old Peachtree Road from M-2 (Heavy Industry District) to M-1 (Light Industry District), along with a Special Use Permit, in order to allow for an automobile service/repair shop and outdoor storage of vehicles. Outdoor storage is permitted in M-1, so long as certain conditions are met. An automobile service/repair shop is permitted in M-1 with a Special Use Permit. M-2 allows for outdoor storage and automobile or truck storage lot, but it does not permit automobile service/repair shops. The property was previously used as a diesel engine repair shop. No previous zoning cases are associated with the subject property.

The site is located within an industrial area that is bounded by Buford Highway, South Old Peachtree Road, and North Berkeley Lake Road. The Norfolk Southern Railway abuts the property on the northwest side. The properties immediately to the southwest and southeast of the subject property are zoned M-2 and are vacant (wooded) lots. The properties to the northwest (across the railway) are zoned M-2 and are used as warehouses. The remaining properties on the northeast side of the subject property vary from M-1, M-2, and C-2 (General Business) and their uses include an auto/tire center, auto paint shop, and a vacant (paved) lot which is used for vehicle storage.

Light industrial and automotive uses characterize the area to the south across Buford Highway, which is approximately 300 feet from the subject property, in unincorporated Gwinnett County. Several used car dealerships and auto repair shops are located within a mile of the subject property on the north and south sides of Buford Highway.

The applicant has not provided a proposed site plan. The property currently has a building near the front of the site, which has 1,500 square feet of office and 4,800 square feet of industrial space with 7 roll-up service bays. There is a paved parking area to the front of the building, which includes approximately 6 parking spaces for customers. The area to the side and rear of the building is also paved, but not striped. The front portion of the building, which is used for an office, is constructed of stone and corrugated metal. The industrial portion of the building is clad in corrugated metal.

The site is located within the Industrial Corridor Character Area on the Future Development Map. The Industrial Corridor is intended to protect industrial and manufacturing uses. Light industrial, heavy industrial, and commercial/retail uses are considered appropriate, and sidewalks, aesthetic improvements, architectural and design standards, parking behind buildings, and natural buffers are encouraged.

The City's Zoning Resolution requires that an automobile service/repair shop obtain a Special Use Permit to operate in M-I zoning districts. The purpose of the Special Use Permit review is to ensure that any detrimental aspects of the proposed land use are mitigated through site specific conditions.

ZONING STANDARDS:

Zoning Code Section 1702 identifies specific criteria that should be evaluated when considering a zoning decision. These criteria are enumerated as 'A' through 'F', below. Following each item is the applicant's response followed by Staff's comment.

A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

Applicant's Response: No.

Staff's Comment: The subject property is located within the Industrial Corridor Character Area, which is largely characterized by automotive, industrial, and warehouse-type uses. The proposed use of an automobile service/repair shop and vehicle storage would be suitable in this location in view of the use and development of adjacent and nearby properties. Many adjacent and nearby properties have automotive uses and several parcels in the corridor are zoned M-I.

B. Will this proposed rezoning, special use permit, or change in conditions adversely affect the existing use or usability of adjacent or nearby property?

Applicant's Response: No.

Staff's Comment: The City's Comprehensive Plan calls for the preservation of industrial and commercial uses in the Industrial Corridor Character Area. M-I zoning is currently found in several parcels along Buford Highway, and rezoning from a more intense M-2 designation would be likely to have fewer negative impacts on surrounding properties than uses allowable under the current M-2 zoning.

C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

Applicant's Response: Yes. Repair shop will now be available.

Staff's Comment: The property has a reasonable economic use as currently zoned.

D. Will the proposed rezoning, special use permit, or change in conditions result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

Applicant's Response: No.

Staff's Comment: The impacts of an automobile service/repair shop and vehicle storage on streets, transportation facilities, or utilities are unlikely to be excessive or burdensome in comparison to uses allowed under the current M-2 zoning, as M-1 is a less intense zoning designation. There will be no impact on schools. Likewise, the granting of a Special Use Permit for an automobile service/repair at this location is unlikely to result in impacts that would be considered excessive or burdensome.

E. Is the proposed rezoning, special use permit, or change in conditions in conformity with the policy and intent of the land use plan?

Applicant's Response: No.

Staff's Comment: (see *Comprehensive Plan heading, next page.*)

F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?

Applicant's Response: No.

Staff's Comment: The fact that several M-1 properties and automotive uses (including used car dealerships and other auto repair shops) exist along Buford Highway near the subject property would give supporting grounds for approval of the rezoning and Special Use Permit petitions.

COMPREHENSIVE PLAN:

The 2030 City of Peachtree Corners Character Area Map indicates that the property is located within the Industrial Corridor Character Area. Policies for this area encourage light industrial, heavy industrial, and commercial/retail uses, which would include M-1 zoning and an automobile service/repair shop plus vehicle storage. The Comprehensive Plan also calls for "improved aesthetics and transportation management" to be part of corridor redevelopment. Sidewalks

along South Old Peachtree Road are desired as part of redevelopment, and parking lots should be located to the rear of buildings along the roadway whenever possible.

M-I zoning and a Special Use Permit for outdoor storage of vehicles and an automobile service/repair in this location would meet the goals and policies of the Comprehensive Plan, provided that conditions are put in place to ensure that the stream to the front of the property is properly buffered, parking is minimized between the structures on the site and South Old Peachtree, and that adequate pedestrian facilities are constructed along the roadway.

DEPARTMENT ANALYSIS:

The proposed rezoning from the more intense M-2 district to the less intense M-I district and a Special Use Permit for an automobile service/repair would be unlikely to have adverse effects on adjacent and nearby properties, which are typically industrial and automotive uses. While automobile service/repair shops may have negative impacts on less intense commercial areas such as those characterized by office and retail uses, the north side of Buford Highway is characterized by heavy and light industrial and automotive uses. The repair and storage of vehicles on the subject property would be suitable in terms of the use of these adjacent and nearby properties. Properties to the northeast and east with similar or less intense uses would have any potential negative impacts mitigated by the subject property's adherence to current screening regulations.

The proposed rezoning and Special Use Permit would also be in keeping with the goals and policies of the City's Comprehensive Plan, provided that certain conditions of rezoning are put in place. The subject property is located within the Industrial Corridor Character Area, which is intended to encourage heavy industrial, light industrial, commercial, and retail uses along Buford Highway. The intensity of uses along this corridor is typically higher than in commercial areas that are primarily office or retail in use, making the subject property a preferred location for an automobile service/repair shop with vehicle storage within the City of Peachtree Corners. M-I properties make up the majority of this Character Area.

Outdoor storage is permitted under the M-I zoning district so long as it meets the three requirements listed in Section 1310 of the Zoning Ordinance. The storage "shall not be located within a required front yard; it shall be screened by a solid wood fence, masonry wall, or slatted chain-link fence at least eight (8) feet high; and materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence." Conditions should be imposed to reflect these requirements.

The applicant has stated that the physical structure of the building will not change in any way, however, any future changes should apply high standards for architectural design and building materials. No new parking should be located between South Old Peachtree Road and the primary structure.

The number of automobiles on site should also be limited to one per parking space and the outdoor storage of vehicles should be permitted only on paved surfaces. Automobile repair work on the site should be permitted only within enclosed structures. A site plan showing a parking layout will be required.

Therefore, after review of the applicant's proposal and other relevant information, it is recommended that RZ2016-001 and SUP2016-001 be approved with the following conditions:

- 1) Vehicle storage shall not be located within the front yard.
- 2) Vehicle storage shall be screened by a solid wood fence, masonry wall, or slatted chain-link fence at least eight (8) feet high.
- 3) Vehicle storage shall be limited to one automobile per parking space. All vehicles must be parked in designated spaces and no 'tandem' or 'valet' parking shall be permitted. A parking plan shall be submitted to Staff for approval.
- 4) No inoperable (junk/salvage) vehicles shall be stored outdoors.
- 5) No vehicles shall be located on unpaved surfaces.
- 6) Vehicles or materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
- 7) All vehicle maintenance and mechanical work shall be conducted within an enclosed building.
- 8) The existing magnolia trees at the front of the property shall be preserved and no new parking spaces shall be constructed between the existing office structure and South Old Peachtree Road.
- 9) No billboards shall be permitted on the property.
- 10) Dumpsters shall not be located in front of the existing office structure and shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture.
- 11) Outdoor lighting shall be contained in cutoff-type luminaries and shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic.
- 12) Permanent freestanding project signage shall be limited to one monument sign to be located at the front of the property.
- 13) Any outside speakers shall not be audible from adjacent properties.
- 14) All conditions must be met before a business license can be issued.

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF PEACHTREE CORNERS, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>RAFAEL SOTO MORALES</u>	NAME: <u>MARK S. SILVER</u>
ADDRESS: <u>821 HOLLY MEADOW</u>	ADDRESS: <u>227 W MONROE</u>
CITY: <u>BUFORD GA 30518</u>	CITY: <u>CHICAGO</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>IL</u> ZIP: <u>60606</u>
PHONE: <u>678-755-7945</u>	PHONE: <u>312-292-5026</u>
E-MAIL: _____	E-MAIL: <u>MARK.SILVER@RYERSON.COM</u>
CONTACT PERSON: <u>JOHANNA MONROY</u> PHONE: <u>678-462-5492</u>	
CONTACT'S E-MAIL: <u>johannamonroy@kw.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): ~~M2~~ M2 REQUESTED ZONING DISTRICT: M1

LAND DISTRICT(S): 04 LAND LOT(S): 259 & 268 ACREAGE: 6.89

ADDRESS OF PROPERTY: 4285 S. OLD PEACHTREE RD
PEACHTREE CORNERS, GA 30071

PROPOSED DEVELOPMENT: _____

Staff Use Only This Section

Case Number: _____ Hearing Date: P/C _____ C/C _____ Received Date: _____

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

Dwelling Unit Size (Sq. Ft.): _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Bldg. Sq. Ft.: 4,800

Gross Density: _____

FEE SCHEDULE

1. Rezoning, Change-in-Conditions and Special Use Permit Fees – Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

A. For the following single-family residential zoning districts: RA-200, R-140, R-LL, R-100, R-75, RL, MHS.

- 0 - 5 Acres = \$ 500
- > 5 - 10 Acres = \$ 1,000
- > 10 - 20 Acres = \$ 1,500
- > 20 - 100 Acres = \$ 2,000
- > 100 - Acres = \$ 2,500 plus \$40 for each additional acre over 100
- Maximum Fee: \$10,000

B. For the following single and multifamily residential zoning districts: R-TH, RMD, RM-6, RM-8, RM-10, RM-13, R-SR, MH, R-60, R-ZT, R-75 MODIFIED or CSO, and R-100 MODIFIED or CSO.

- 0 - 5 Acres = \$ 850
- > 5 - 10 Acres = \$1,600
- > 10 - 20 Acres = \$2,100
- > 20 - 100 Acres = \$2,600
- > 100 - Acres = \$3,200 plus \$40 for each additional acre over 100

2. Rezoning, Change-in-Conditions and Special Use Permit Fees - Non-Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

For the following office, commercial and industrial zoning districts: C-1, C-2, C-3, O-1, OBP, M-1, M-2, HS, NS.

- 0 - 5 Acres = \$ 850
- > 5 - 10 Acres = \$1,600 ✓
- > 10 - 20 Acres = \$2,100
- > 20 - 100 Acres = \$2,600
- > 100 - Acres = \$3,200 plus \$50 for each additional acre over 100

3. Mixed-Use (MUD and MUO) or High Rise Residential (HRR)

Application Fee – \$1,200 plus \$75 per acre (maximum fee - \$10,000)

- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).

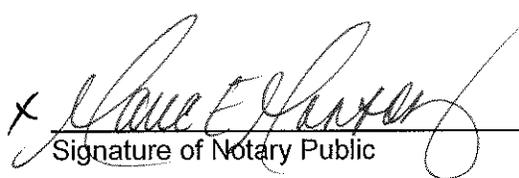
APPLICANT'S CERTIFICATION

The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the city council.

 12-18-15
Signature of Applicant Date

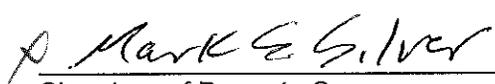
RAFAEL SOTO MORALES
Type or Print Name and Title

**Maria Esmeralda Monroy
Notary Public, Gwinnett County, GA
My Commission Expires February 20, 2019**

x  12-18-15
Signature of Notary Public Date Notary Seal

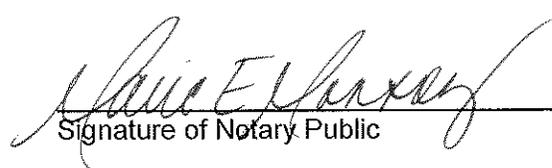
PROPERTY OWNER'S CERTIFICATION

The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the city council. As the property owner, I authorize the above noted applicant to act on my behalf with regard to this application.

 12-19-15
Signature of Property Owner Date

MARK S. SILVER
Type or Print Name and Title

**Maria Esmeralda Monroy
Notary Public, Gwinnett County, GA
My Commission Expires February 20, 2019**

 12/19/15
Signature of Notary Public Date Notary Seal

APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2012 zoning resolution, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

NO

- B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property?

NO

- C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

YES. REPAIR SHOP WILL NOW BE AVAILABLE

- D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

NO

- E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan?

NO

- F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?

NO

**DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS**

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL?

CHECK ONE: YES NO _____
 (If yes, please complete the "Campaign Contributions" section below) Print Name

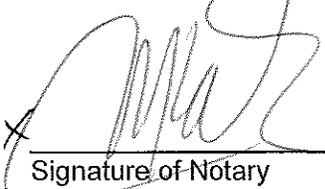
1. CAMPAIGN CONTRIBUTIONS

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
N/A			

2. THE UNDERSIGNED ACKNOWLEDGES THAT THIS DISCLOSURE IS MADE IN ACCORDANCE WITH THE OFFICIAL CODE OF GEORGIA, SECTION 36-67A-1 ET. SEQ. CONFLICT OF INTEREST IN ZONING ACTIONS, AND THAT THE INFORMATION SET FORTH HEREIN IS TRUE TO THE UNDERSIGNED'S BEST KNOWLEDGE, INFORMATION AND BELIEF.

 12/18/15 RAFAEL SOTO MORALES.
 Signature of Applicant Date Type or Print Name and Title

 Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

 12/18/15 **Maria Esmeralda Monroy
Notary Public, Gwinnett County, GA
My Commission Expires February 20, 2019**
 Signature of Notary Date Notary Seal

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 06 - 2599268 R10268-016
(Map Reference Number) District Land Lot Parcel

[Signature] _____ 12/18/15
Signature of Applicant Date

RAFAEL SOTO MORALES
Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

[Signature] _____ TSAI _____
NAME TITLE

12-16-15
DATE

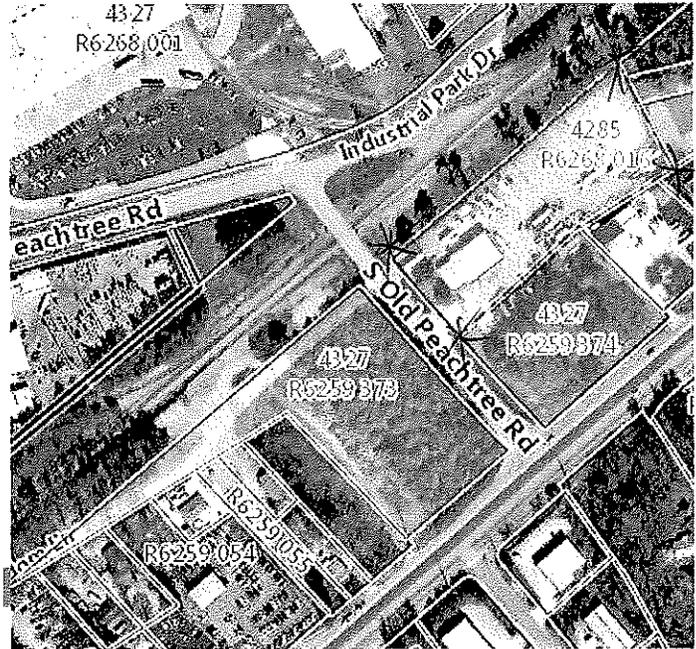


AVAILABLE FOR SALE

4285 S Old Peachtree Rd Norcross, GA 30071

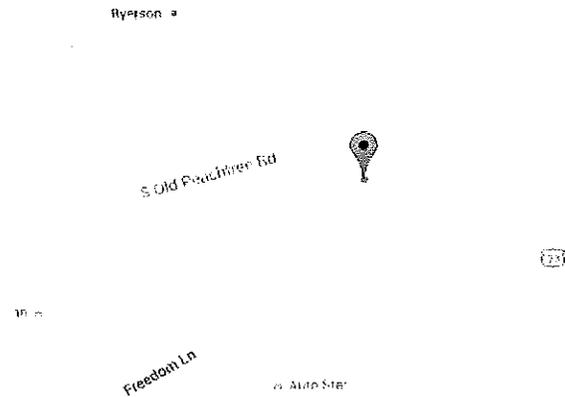
Space Profile

Premises:	6.89 Acres 4,800 SF Industrial Space
Office Space:	1,500 SF
Built:	1973
Zone:	C-7
Ceiling Height:	



Features

- > 6.89 Acres
- > 3 Adjacent land Parcels
- > Road Frontage on S Old Peachtree Rd & Buford Hwy
- > Lots of room to expand



Cresa Atlanta
3475 Piedmont Road, NE
Suite 900
Atlanta, GA 30305
404-257-8866

For more information:

Scott Hardeman
404.446.1863
shardeman@cresa.com

Jim Bob Taylor
404.446.1864
jbtaylor@cresa.com

Cresa is an international corporate real estate advisory firm that exclusively represents tenants and specializes in the delivery of fully integrated real estate services, including: Transaction Management, Project Management, Strategic Services, Corporate Solutions, Site Selection, Lease Administration, Capital Markets, Mission Critical Solutions, Relocation Management, and Facilities Management. For more information, visit www.cresa.com/atlanta

DISTRICT 06 DISTRICT 06 CAMP LOT

4285 S Old Peachtree Rd, Peachtree Corners, GA 30071-1616, Gwinnett County

2598268



N/A	6,300	92,347	\$57,600
Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
N/A	1973	AUTO REPAIR	02/28/1975
Baths	Yr Built	Type	Sale Date

Owner Information

Owner Name:	Blue Ridge Industries Inc	Tax Billing Zip:	60608
Tax Billing Address:	2621 W 15th Pl	Tax Billing Zip+4:	1712
Tax Billing City & State:	Chicago, IL	Owner Occupied:	No

Location Information

Township:	County	Topography:	Flat/Level
Census Tract:	503.09	Traffic:	Sidewalk
Carrier Route:	C088	Location Influence:	Street
Neighborhood Code:	C0418-C0418	Zoning:	AA031

Tax Information

Tax ID:	R6268-016	% Improved:	23%
Parcel ID:	R6268 016	Tax Area:	01
Alt APN:	6-268-016	Tax Appraisal Area:	01
Legal Description:	PEACHTREE RD		

Assessment & Tax

Assessment Year	2014	2013	2012
Assessed Value - Total	\$145,800	\$145,800	\$145,800
Assessed Value - Land	\$112,280	\$112,280	\$112,280
Assessed Value - Improved	\$33,520	\$33,520	\$33,520
YOY Assessed Change (\$)	\$0	\$0	
YOY Assessed Change (%)	0%	0%	
Market Value - Total	\$364,500	\$364,500	\$364,500
Market Value - Land	\$280,700	\$280,700	\$280,700
Market Value - Improved	\$83,800	\$83,800	\$83,800
Tax Year	Total Tax	Change (\$)	Change (%)
2012	\$5,048		
2013	\$6,097	\$1,050	20.79%
2014	\$6,090	-\$7	-0.12%

Characteristics

Land Use - Universal:	Auto Repair	Stories:	1
Land Use - State:	Auto Service Garage	Building Sq Ft:	6,300
Land Use - County:	Auto Service Garage	Gross Area:	6,300
Lot Acres:	2.12	Sewer:	Public Service
Lot Area:	92,347	Water:	Public
# of Buildings:	1	Electric Service Type:	Type Unknown
Building Type:	Auto Service	Condition:	Good
Year Built:	1973		

Features

Feature Type	Unit	Size/Qty	Width	Depth	Year Built
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Courtesy of EDWIN G ALFARO, First Multiple Listing Service

The data within this report is compiled by CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality

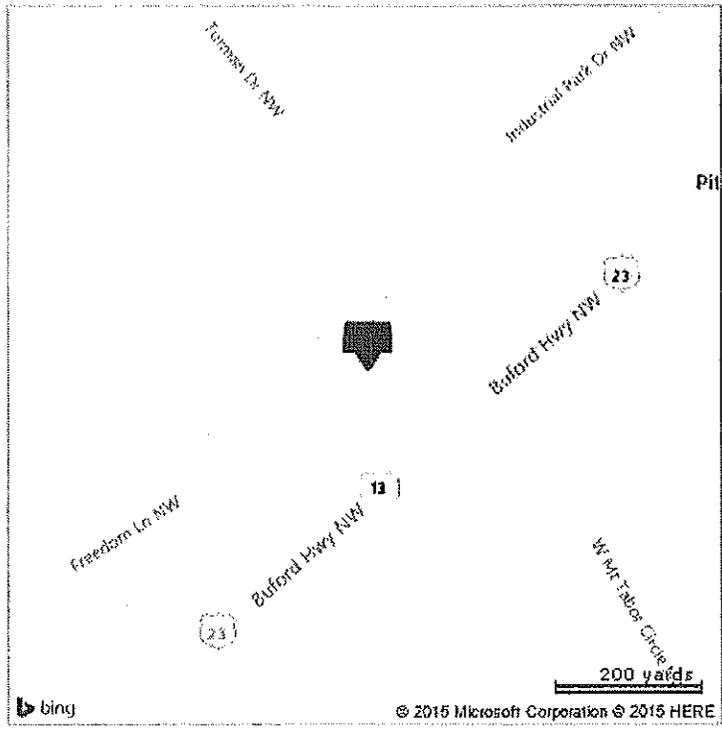
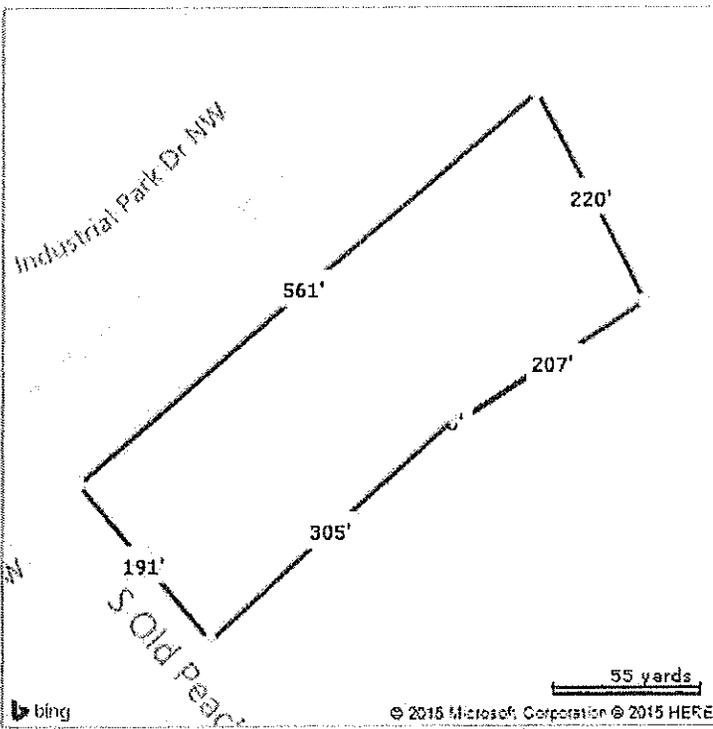
Property Detail

Overhead Dr-	S	192	12	16	
Paving Asphalt	S	6,000			1973

Last Market Sale & Sales History

Settle Date:	02/28/1975	Document Number:	928-53
Sale Price:	\$57,600	Deed Type:	Deed (Reg)
Price Per Square Feet:	\$9.14		
Sale/Settlement Date	02/28/1975		
Sale Price	\$57,600		
Document Number	928-53		
Document Type	Deed (Reg)		
Buyer Name	Blue Ridge Industries Inc		

Property Map



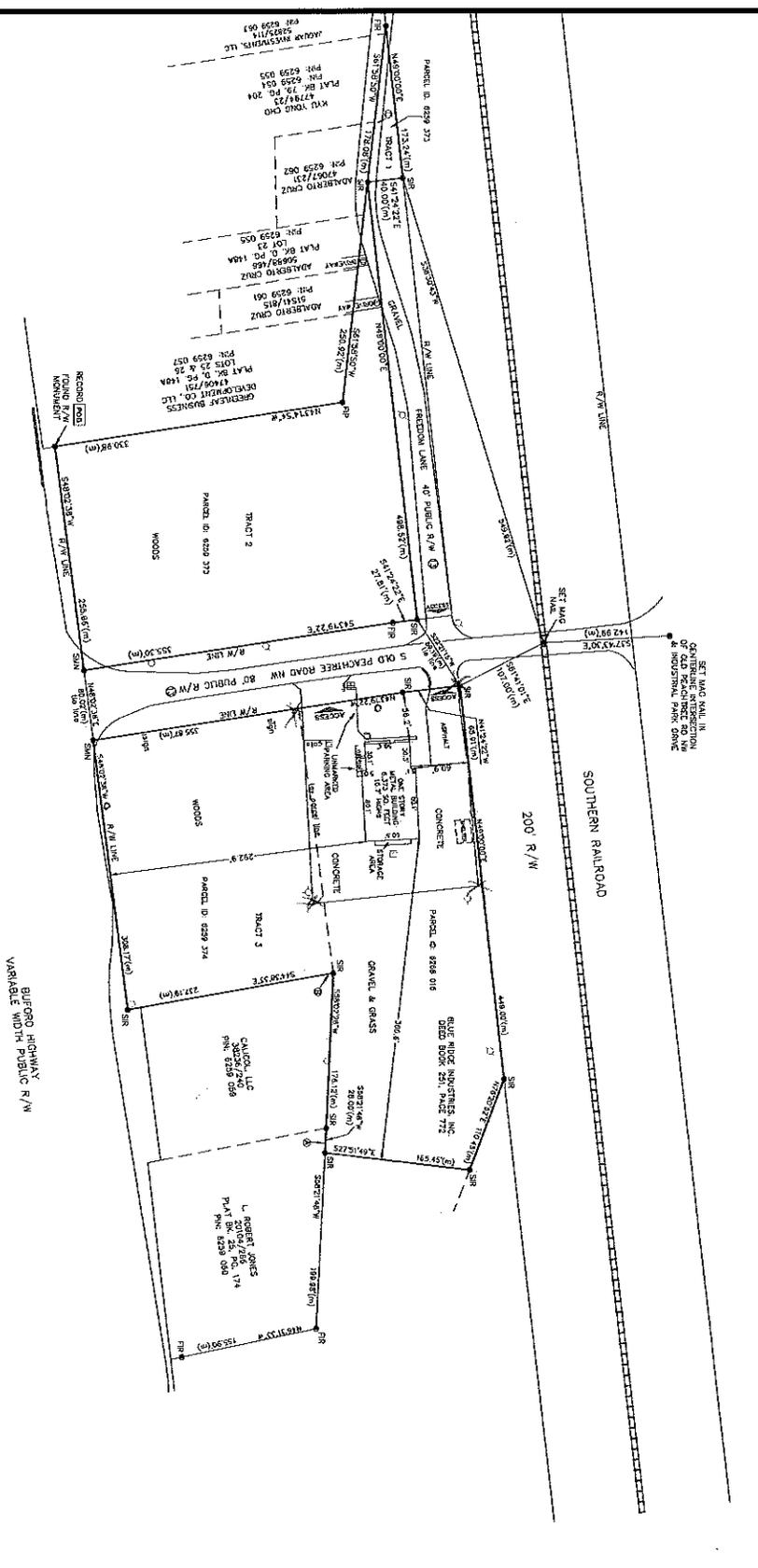
*Lot Dimensions are Estimated

Courtesy of EDWIN G ALFARO, First Multiple Listing Service

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Property Detail

Generated on 12/09/2015
Page 2 of 2



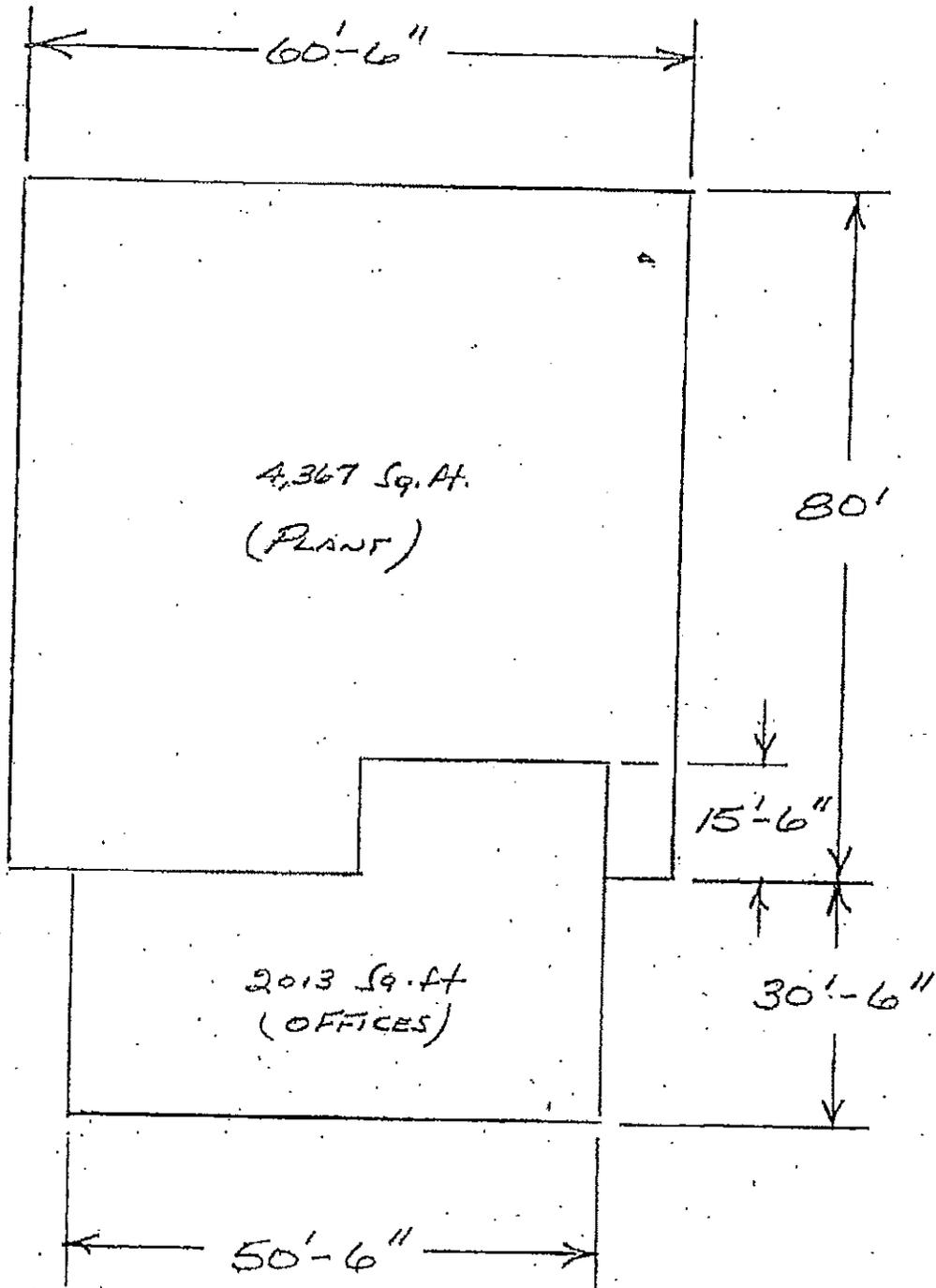
BIFORD HIGHWAY
VARIABLE WIDTH PUBLIC R/W



PLEASE DIRECT ALL INQUIRIES FOR THIS SURVEY TO:
 CRESURVEYS
 EMAIL: INFO@CRESURVEYS.COM
 PHONE: (919) 766-0605
 1 S MAIN ST, SUITE 501, AKRON OH 44308

(919) 766-0605

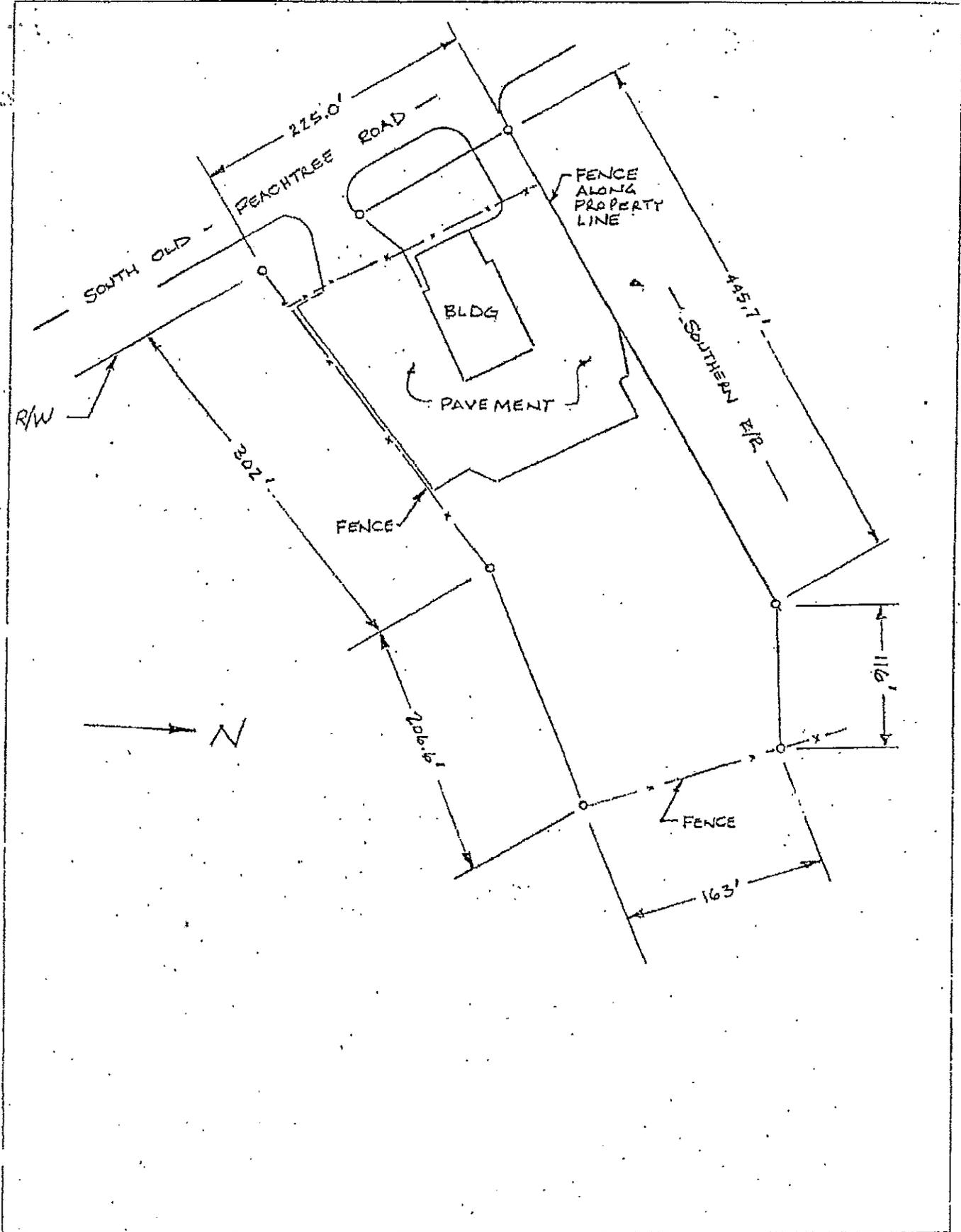
EXHIBIT "A" (2)



Dimensions are all outside to outside
MEASUREMENTS

CELL 2/10/87

EXHIBIT "A" (1)



7-27-1972

BOOK 500 PAGE 1447

STATE OF GEORGIA
COUNTY OF GWINNETT

Affidavit of title drawn pursuant to and in compliance with Georgia Code Annotated Section 38-638
Warranty Deed from J. U. Rolands to J. M. Tull Foundations, dated July 9, 1957, recorded July 22, 1957, at Deed Book 137 page 231, Gwinnett County Records; Warranty Deed from J. M. Tull Foundations to Blue Ridge Industries, Inc., dated March 28, 1966, recorded April 4, 1966; at Deed Book 251, page 772, Gwinnett County records.

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
Jul 28 9 00 AM '72
REC'D IN BK 528
PAGE NO. 1447
DATE 7-27-72
D. HILLARD PEEVY, CLERK

BEFORE me a notary public in and for said State and County, came GEORGE E. SMITH, Secretary-Treasurer of J. M. TULL FOUNDATION, whose address is 285 Marietta Street, N.W., Atlanta, Georgia, 30302, who being duly sworn, deposes and says on oath that this deponent has been familiar over a period of 15 years with a tract of land now owned by Blue Ridge Industries, Inc., described as follows:

ALL that tract or parcel of land lying and being in Land Lots 267 and 268 of the 6th District of Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of a county road at its intersection with the northeast line of property now or formerly owned by Garner, and running thence easterly, northeasterly and northerly along the northerly, northwesterly and westerly side of said county road, and following the curvature thereof, three thousand six hundred five and five tenths (3605.5) feet, more or less, to an iron pin; running thence north 31.25 degrees west along the southwest line of property now or formerly owned by McGhee, five hundred ninety-eight (598) feet to an iron pin; running thence north 59 degrees east along the northwest line of said McGhee property, four hundred eighty-three (483) feet to an iron pin on the southwesterly side of said county road; running thence northwest along the southwest side of said county road, six hundred (600) feet to an iron pin; running thence south 59.25 degrees west along the southeast line of property now or formerly owned by McGhee, one thousand nine hundred seventeen and two tenths (1917.2) feet to an iron pin; running thence north 31 degrees west along the southwest line of said McGhee property, three hundred sixty and five tenths (360.5) feet to an iron pin; running thence south 58.75 degrees west along the southeast line of property now or formerly owned by Parsons two thousand eighty-two and seven tenths (2082.7) feet to an iron pin; running thence south 31 degrees east along the northeast line of property now or formerly owned by Garner, two thousand one hundred thirty-nine and seven tenths (2139.7) feet to an iron pin on the northerly side of a county road and the point of beginning.

WARRANTY DEED

STATE OF GEORGIA

772

COUNTY OF FULTON

THIS INDENTURE, made this 28th day of March, 1966, between WALTER J. THOMAS, POLLARD TURMAN, GEORGE E. SMITH, R. L. MCCONNELL and ALEX P. GAINES and their successors in office as Trustees for the J. M. TULL FOUNDATION under that indenture creating the Trust dated November 7, 1952, of the first part and BLUE RIDGE INDUSTRIES, INC., a Georgia Corporation, of the second part,

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of THREE HUNDRED FIFTEEN THOUSAND AND NO/100 (\$315,000.00) DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, all that tract or parcel of land lying and being in land lots 259 and 268 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the northwest side of Buford Highway (U. S. Highway #23) at its intersection with the northeast line of property now or formerly owned by Wheeler, and running thence north 48 degrees east, along the northwest side of Buford Highway, 650 feet to an iron pin; running thence northwest along the southwest line of property now or formerly owned by Allen, 235 feet to an iron pin on the line separating land lots 268 and 259, said District and County; running thence north 58 degrees east along said land lot line 175 feet to an iron pin; continuing north 58 degrees east along said land lot line 229.3 feet to a stake; running thence southeast along the northeast line of property now or formerly owned by DuVall, 161.25 feet to a stake on the northwest side of Buford Highway; running thence northeast along the northwest side of said Highway, 350 feet to an iron pin; running thence northwest 100.4 feet to an iron pin on said line separating land lots 259 and 268, at said point also being located on the southerly side of a county road; running thence westerly along the southerly side of said county road 60 feet, more or less, to an iron pin located on the southeast side of the Southern Railway right-of-way line; running thence south 49 degrees west along said right-of-way 449 feet to an iron pin on the easterly side of a county road; continuing south 49 degrees

1st rec B/L 525 Page 80
2nd rec B/L 525 Page 83
3rd rec B/L 525 Page 86
4th rec B/L 525 Page 88

778
west along said right-of-way line, crossing said county road 744.9 feet to an iron pin, on the northerly side of said county road; running thence north 62 degrees east, and crossing said county road 429 feet to an iron pin located on the southerly side of said county road; running thence south 44 degrees east, 332 feet to the northwest side of Buford Highway and the point of beginning; also.

All that tract or parcel of land lying and being in land lots 267 and 268 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the northerly side of a county road at its intersection with the northeast line of property now or formerly owned by Garner, and running thence easterly, northeasterly and northerly along the northerly, northwesterly and westerly side of said county road, and following the curvature thereof, 3,605.5 feet, more or less, to an iron pin; running thence north 31.25 degrees west along the southwest line of property now or formerly owned by McGhee, 598 feet, to an iron pin; running thence north 59 degrees east along the northwest line of said McGhee property 483 feet to an iron pin on the southwesterly side of said county road; running thence northwest along the southwest side of said county road 600 feet to an iron pin; running thence south 59.25 degrees west along the southeast line of property now or formerly owned by McGhee, 1,917.2 feet to an iron pin; running thence north 31 degrees west along the southwest line of said McGhee property, 360.5 feet to an iron pin; running thence south 58.75 degrees west along the southeast line of property now or formerly owned by Parsons, 2082.7 feet to an iron pin; running thence south 31 degrees east along the northeast line of the property now or formerly owned by Garner 2,139.7 feet to an iron pin on the northerly side of a county road and the point of beginning; also.

All that tract or parcel of land lying and being in land lot 267 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the northwest side of the Southern Railway right-of-way with the southeasterly side of a county road and running thence northeast along the northwest side of said right-of-way 563 feet to an iron pin; thence north 31.25 degrees west 246 feet to an iron pin located on the southeast side of said county road; running thence southwest along the southeast side of said county road 660 feet to an iron pin at the point of beginning; also.

All that tract or parcel of land lying and being in land lot 268 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

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BEGINNING at an iron pin at the intersection of the northwest side of the Southern Railway right-of-way with the southeasterly side of a county road and running thence southwest along the southeasterly side of said county road 347 feet to an iron pin running thence south 28 degrees east 134 feet to an iron pin on the northwest side of said right-of-way running thence northeast along the northwest side of said right-of-way 353 feet to an iron pin and the point of beginning.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever IN FEE SIMPLE.

And the said parties of the first part, for their heirs, executors and administrators will warrant and forever defend the right to the above described property unto the said party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and affixed their seals the day and year above written.

Signed, sealed and delivered in the presence of:

Joseph B. Jones
April E. Jackson
Notary Public
State of Georgia
My Commission Expires Jan. 6, 1968

Walter J. Thomas (SEAL)
Walter J. Thomas as Trustee for
The J. M. Tull Foundation

Pollard Turman (SEAL)
Pollard Turman as Trustee for
The J. M. Tull Foundation

George E. Smith (SEAL)
George E. Smith as Trustee for
The J. M. Tull Foundation

L. McDonnell (SEAL)
L. McDonnell as Trustee for
The J. M. Tull Foundation

Alex P. Gaines (SEAL)
Alex P. Gaines as Trustee for
The J. M. Tull Foundation

Filed for record April 2 1966 M Records April 14 1966
Attest: L. L. King C.S.C

Rafael Soto Morales
821 Holly Meadow Drive
Buford, Georgia 30518
December 29, 2015

City of Peachtree Corners
417 Technology Parkway, Ste. 200
Peachtree Corners, Georgia 30092

Dear City of Peachtree Corners:

I would like to formally request a change of present zoning district (M2) to (M1) for property located at 4284 South Old Peachtree Road, Peachtree Corners, Georgia 30071 (Land District: 06, Land Lots: 259 and 268, Acreage: 6.89, Parcel Number: R6268-016).

This property will be used for an auto repair shop and vehicle storage. The physical structure of the building will not be modified in any way.

Attached are all of the required application documents and payment of Rezoning, Change-in-Conditions and Special Use Permit Fees.

Sincerely,

Rafael Soto Morales







**TOMMY'S
DIESEL
SERVICE INC.**



770-622-8966



NOTICE
UNAUTHORIZED VEHICLES
ENTERING THIS PROPERTY
AT ANY TIME ARE
CONSIDERED AT THEIR
OWN RISK. THE OWNER
ACCEPTS NO LIABILITY
FOR ANY DAMAGE TO
PROPERTY OR PERSONS
OR VEHICLES.

PROPERTY LOCATION MAP

S. Old Peachtree Rd. Auto Repair



CASE NUMBER:

RZ2016-001/SUP2016-001

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

FEB. 09, 2016

FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

4285 South Old Peachtree Rd

02016-02-67

D. Wheeler

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO RZ2015-006 / SUP 2015-005/ V2016-002 TWIN LAKES, REQUEST TO REZONE TEN PARCELS IN DISTRICT 6 OF PEACHTREE CORNERS, GA TO ALLOW COMMERCIAL, MULTI-FAMILY RESIDENTIAL AND TRAIL DEVELOPMENT, AND APPROVE A SPECIAL USE PERMIT FOR A LIQUOR STORE AND ASSOCIATED VARIANCES ON A TOTAL OF 38.73 acres, AS FOLLOWS:

- Parcel #1** Rezone from M-1, Light Industry, to TO, Trails and Open Space, an 8.87 acre tract located in LL284, parcel 015 at 3550 Engineering Dr.
- Parcel #2** Rezone from M-1, Light Industry, to C2, Commercial, a 1.9 acre tract LL284, parcel 016 and 018 on Peachtree Parkway at Engineering Dr.
- Parcel #3** Rezone from M-1, Light Industry, to C2, Commercial, and approve a special use permit for a liquor store on a 4.7 acre tract located in LL284, parcel 018 on Peachtree Parkway at Engineering Dr.
- Parcel #4** Rezone from M-1, Light Industry, to C2, Commercial, and TO, Trails and Open Space, a 1.23 acre tract located in LL 285, parcel 056 on Technology Parkway near Westech Dr.
- Parcel #5** Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .73 acre tract located in LL284, parcel 040 on Technology Pkwy. near Westech Dr.
- Parcel #6** Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .35 acre tract located in LL284, parcel 041 on Technology Pkwy. near Westech Dr.
- Parcel #7** Rezone from M-1, Light Industry, to TO, Trails and Open Space, a 4.33 acre tract located in LL285, parcel 010 on Technology Pkwy. near Westech Dr.
- Parcels #8, #9, #10** Rezone from M-1, Light Industry, to RM-13, Multi-Family Residence, three tracts consisting of 14.03 acres located in LL272, parcels 061, 062, and 064 on Peachtree Industrial Blvd. and 510 and 520 Guthridge Ct.

WHEREAS: Notice to the public regarding said modification to conditions of zoning has been duly published in The Gwinnett Daily Post, the Official News Organ of Peachtree Corners; and

WHEREAS: Public Hearings were held by the Mayor and City Council of Peachtree Corners on February 16, 2016 and March 15, 2016;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on March 15, 2016 hereby ordain and approve the Zoning Case RZ2015-006 / SUP 2015-005/ V2016-002, for the above referenced property with the following enumerated conditions:

With regard to Parcels #1, 6, and 7 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

1. These properties shall be rezoned T-O, Trails and Open Space

2. Prior to the issuance of the first Certificate of Occupancy on Parcels zoned C-2 or RM-13, Parcel #1 shall be deeded to the City of Peachtree Corners Downtown Development Authority and all the other Parcels zoned T-O shall be placed into a conservation easement to benefit the City of Peachtree Corners for public use and access in perpetuity. The conservation easement documents shall be recorded, conveyed to the city and include, but not be limited to, the following provisions in favor of the city:

- a) The right to unrestricted public access to the property for purposes consistent with T-O zoning regulations.
- b) The right to make improvements to the land consistent with T-O zoning regulations and an adopted Multi-Use Trail plan.
- c) The right to limit signage to way-finding, educational, and other signage associated with the Multi-Use trail system.
- d) The right to prohibit any earth work, filling, dredging, other changes in topography or drainage, or any other changes to the land and the lake that are inconsistent with, or detrimental to, the Multi-Use trail.

The property owner or subsequent developer shall bear the expense of establishing the conservation easement including cost of surveys, title work, appraisals, and legal fees.

3. Pursuant to Ordinance 2015-11-59, Trails and Open Space, the 13.55 acres attributed to the T-O zoned parcels shall be assigned 13 multi-family density unit credits per acre for a total of 176 density units. 113 of the 176 total density units shall be allocated to the multi-family residential development shown on Parcels #8, #9, and #10. The remaining 63 surplus density units shall be credited to an account established for the property owner.

With regard to Parcels #2, 3, 4 and 5 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

4. The properties shall be rezoned C-2, commercial and shall be developed in general conformity with the submitted site plan prepared by Planners and Engineers Collaborative dated 11/15/15 (except as noted in condition #9).

5. A Special Use Permit shall be approved on Parcel #2 for a Liquor Store use.

6. The property owner or subsequent developer shall construct that portion of the Multi-Use Trail on its property and/or within the Colonial Gas line easement between Peachtree Parkway and Technology Park Lake (including parcels #6 and #7). The trail shall be consistent with the trail location and configuration shown in the adopted Multi-Use Trail plan and shall include, at a minimum, a 12 ft. wide paved path, lighting, and a small lake dock. The trail shall be completed prior to the issuance of the first Certificate of Occupancy for the first building constructed on the C-2 or RM-13 zoned parcels.

7. If the Multi-Use Trail winds around back of the convenience store, the right-in only driveway shall be designed to accommodate a trail crossing.

8. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required to construct a new intersection at Engineering Drive and Peachtree Parkway and to extend Engineering Drive to Technology Parkway. These improvements shall include, but not be limited to: traffic light, crosswalks, sidewalks on both sides of the road, bike lane, and, where necessary, deceleration lanes.

9. Development parcels shall be designed to mitigate the amount of impervious surface associated therewith as is reasonably possible in order to retain as much of the existing topography, trees, and stream as reasonably practicable. Retaining walls shall be built to minimize the footprint of the commercial buildings and parking areas. Setback requirements may be reduced if doing so benefits the preservation of trees or stream. However, the landscape strip along Peachtree Parkway required by Overlay Design Standards shall be provided.

10. To retain as many of the natural features at the rear of the properties, surface parking spaces shall be located to the front and sides of the buildings.

11. Architectural elevations for the gas station and liquor store shall be substantially similar to the drawings submitted via letter and dated 1/29/16.

12. Stream setback requirements shall be waived in order to accommodate the developments on C-2 zoned properties. Piping of the stream shall be permitted provided that only the least amount of piping that can be demonstrated to be reasonably necessary is installed.

13. The property owner or subsequent developer shall be responsible for median landscaping (installation and maintenance) in Peachtree Parkway for the length of the median contiguous to the application property. Landscaping plans shall be subject to Staff's approval.

14. Sanitary Sewer line relocation shall be accomplished in the manner that will have the least environmental impact to the site.

15. Detention ponds visible from roadways shall be screened with landscape plantings to be approved by Staff.

With regard to Parcels #8, #9, and #10 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

16. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required at Peachtree Industrial Boulevard and Guthridge Ct. and along Guthridge Ct.

17. The property owner or subsequent developer shall make every reasonable effort to acquire a pedestrian / bicycle access easement between the Guthridge Ct. residential development and Technology Parkway South. The residential development shall include a dedicated pedestrian / bicycle access at the closest point of the easement.

18. Millennial housing development shall not exceed 295 units. The units shall be limited to one and two bedroom floor plans.

19. Site development shall be substantially similar to plans prepared by Planners and Engineers Collaborative dated 11/18/15 except that buildings located along Guthridge Ct. and Peachtree Industrial Boulevard shall maintain a 10 ft. setback from the property line and that 10 ft. strip shall be landscaped with plant material approved by Staff.

20. The owner or subsequent developer shall landscape and maintain the right-of-way immediately in front of the millennial housing project along Peachtree Industrial Boulevard.

21. Site amenities shall include: pedestrian / bike trail; fitness facility, a dog park, an electric car recharge station, and a lake dock; No children's playground equipment shall be permitted.

22. A central mail kiosk and a trash and recycling station shall be designed to match the main buildings and shall be located near Guthridge Ct.

23. Every reasonable effort shall be made to preserve specimen trees near the lakes.

24. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.

25. Interior features for residential units shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2016 and include:

- Stainless appliances
- Gourmet kitchens with granite countertops
- Designer ceramic tile back splashes
- Wood cabinets
- Upscale plank or engineered wood flooring
- Designer lighting
- Granite countertops and ceramic tile tub surrounds in bath
- Nine foot ceilings
- Ceiling fans in primary living space
- Generous closets
- Connections for full size, stackable washer/dryer units
- Walkout balconies

26. Community features for millennial housing shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2016 and include:

- Resort-style pool and courtyard with tanning deck
- Dock with aquatic amenities (i.e. paddle boards and kayaks)
- Expansive clubhouse with cyber café / wi-fi and business center
- Outdoor grilling and entertainment space with fireplace and bocce ball court
- State-of-the-art fitness center

27. The gas pump canopy columns shall be clad in masonry and the design and material approved by the Director of Community Development.

28. Prior to an issuance of a CO, the property owner or owners of the Convenience Store Gas Station and the Wine Store Properties, shall plant an enhanced buffer along the entire frontage of their property on Peachtree Parkway. This buffer shall consist of, at a minimum, double staggered rows of evergreen plants, to be at least 3 feet at maturity, sufficient to prevent, within one year of planting, the view of all pavement surrounding the gas pumps and buildings by passengers in vehicles traveling along Peachtree Parkway. Said buffer shall be approved by the Community Development Director and maintained for this purpose at all times by the property owner.

29. If the multi-use trail extends along Engineering Drive between Peachtree Parkway and Technology Parkway, prior to the issuance of a CO, the property owner or owners of the Wine Store and Convenience Store Gas Station properties shall plant enhanced landscape strips for the developed portion of the property facing the trail system between the two businesses. This buffer shall consist of, at a minimum, double staggered rows of evergreen plants sufficient to reduce by at least 50% within one year of planting, the view of all pavement surrounding the gas pumps and buildings by pedestrians and cyclists using the trail. Said buffer shall be approved by the Community Development Director and maintained at all times by the property owner for this purpose.

30. Applicant shall submit Final Detailed Site and Architectural Plans to the Planning Commission for approval for the Gas Station, Wine Store and Millennial Housing Project.

31. The Millennial Housing Project shall be limited to 30% 2-bedroom units, with the remaining being 1-bedroom units.

Effective this 15th day of March, 2016.

So signed and Witnessed

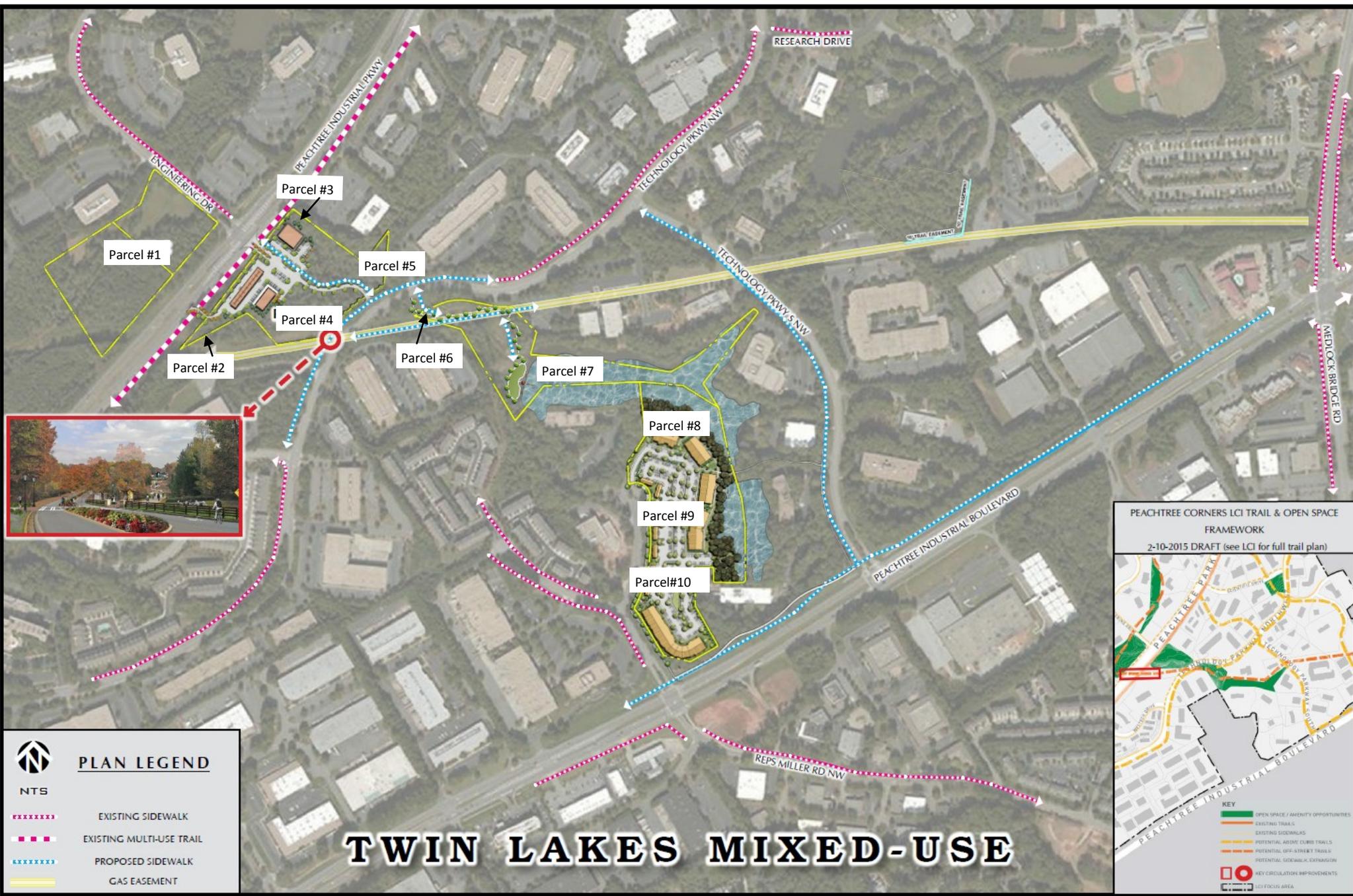
Approved :

this _____ day of _____, 2016

Attest:

Kymerly Chereck, City Clerk

Mike Mason, Mayor



PLAN LEGEND

NTS

	EXISTING SIDEWALK
	EXISTING MULTI-USE TRAIL
	PROPOSED SIDEWALK
	GAS EASEMENT

TWIN LAKES MIXED-USE

PEACHTREE CORNERS LCI TRAIL & OPEN SPACE FRAMEWORK
 2-10-2015 DRAFT (see LCI for full trail plan)

KEY

- OPEN SPACE / AMENITY OPPORTUNITIES
- EXISTING TRAILS
- EXISTING SIDEWALKS
- POTENTIAL ABOVE CURB TRAILS
- POTENTIAL OFF-STREET TRAILS
- POTENTIAL SIDEWALK EXPANSION
- KEY CIRCULATION IMPROVEMENTS
- LCI FOCUS AREA

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING, SPECIAL USE PERMIT, AND VARIANCE ANALYSIS

PLANNING COMMISSION DATE: FEBRUARY 9, 2016

CITY COUNCIL DATE: MARCH 15, 2016

CASE NAME : **TWIN LAKES**
CASE NUMBER : **SUP2015-005 / RZ-2015-006 / V2016-002**
CURRENT ZONING : **M-1**
LOCATION : **VARIOUS LOCATIONS ON PEACHTREE PARKWAY,
PEACHTREE INDUSTRIAL BLVD., TECHNOLOG PARKWAY
AND GUTHRIDGE CT.**
MAP NUMBERS : **6th DISTRICT, LAND LOTS 284, 285, AND 272**
ACREAGE : **38.73 ACRES**
PROPOSED DEVELOPMENT : **REZONE FROM M-1 TO C-2, RM-13, AND T-O
SPECIAL USE PERMIT TO ALLOW A LIQUOR STORE
VARIANCE FOR PROJECT INCLUDING STREAM BUFFER,
BUILDING HEIGHT, AND SETBACKS**
FUTURE DEVELOPMENT MAP: : **PREFERRED OFFICE**
APPLICANT: **MAHAFFEY PICKENS TUCKER, LP
1550 N. BROWN ROAD, STE. 125
LAWRENCEVILLE, GA 30043**
CONTACT: **R. LEE TUCKER, JR.
770.232.0000**
OWNER: **MULTIPLE (SEE APPLICATION)**

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DATA:

The applicant is seeking to rezone ten parcels totaling 38.73 acres. The parcels are located along Peachtree Parkway, Peachtree Industrial Boulevard, Technology Parkway, and Guthridge Ct. These properties would be contiguous if not for their separation by roadways and natural features. In addition to the rezoning, the applicant is requesting a special use approval for one of the retail buildings to be developed as a liquor store along with variances to certain building heights and setbacks, along with a stream buffer variance in order to allow a portion of a stream to be piped.

The applicant would like to develop a gas station and liquor store along Peachtree Parkway and construct a 295 unit millennial housing project off Peachtree Industrial Boulevard. The retail stores would be located on land that is currently undeveloped. The residential project would replace existing, vacant office buildings in an area surrounded by offices and townhomes.

In order to gain the needed density on the residential development site, the applicant proposes to utilize the provisions of the recently adopted T-O, Trails and Open Space Ordinance. The ordinance allows land to be contributed to the Multi-Use Trail system and provides for reimbursement of that contribution with multi-family housing credits. In this case, the existing zoning on the millennial housing site yields 182 units. By contributing 13.55 acres to the Multi-Use Trail system as proposed, the applicant will generate an additional 176 credit units (13.55ac. x 13 units/ac.). Since only 113 additional units are needed for the proposed 295 unit project, the remaining 63 surplus units will be established as a credit. In addition to making a land contribution to the trail system, the applicant also proposes to build that portion of the trail that spans from Parcel #1 to Parcel #7. Therefore, if this application is approved, a significant portion of the first trail segment will be built as a result of this project.

PARCEL DESCRIPTIONS

Parcel #1: This property is an 8.87 acre wooded parcel located on the southwest corner of Peachtree Parkway and Engineering Drive. There are steep slopes on the property and the elevation drops over 30 ft. from Peachtree Parkway to the existing stream which traverses diagonally through the property. In addition to steep terrain and the stream, there are also two specimen hardwood trees identified on the site. The applicant proposes to rezone this property from M-1 to T-O, Trails and Open Space, in order to retain this site as a natural area. The Multi-Use Trail Plan suggests this site could be used as a trail hub to provide convenient access to the trail system. The applicant proposes no development for this site.

Parcels #2, #3, #4, and #5: This property has a total of 8.56 wooded acres located on the southeast corner of Peachtree Parkway and Engineering Drive. This site and all adjacent properties are located within Technology Park and are zoned M-1. Small commercial centers zoned C-2 are located approximately one-half mile to the north and south on the opposite (west) side of Peachtree Parkway. The surrounding area is largely characterized by office uses.

The site plan shows two freestanding retail buildings on two parcels separated by the proposed extension of Engineering Drive. The zoning proposed for both sites is C-2. There are steep slopes, a stream which bisects the property, and eight specimen hardwood trees on the site. The applicant proposes to clear and grade approximately 5 acres in order to accommodate the two retail stores. The southernmost would be a convenience store (5,928 sq. ft.) with gas pumps. Plans show the pump islands located parallel to Peachtree Parkway with the store building further away from the street and parking located on the sides of the property. Access would be from a right-in only turn off Peachtree Parkway and two driveways off the new Engineering Drive extension which would connect Peachtree Parkway to Technology Parkway. This proposed roadway extension would require a new traffic signal and the applicant has applied to GDOT for approval. If the roadway extension and traffic signal are approved, the entire cost of those improvements, including median landscaping on Peachtree Parkway and high-quality pedestrian and bicycle crossing facilities at all intersections, would be the owner / developer's responsibility.

On the opposite side of this new roadway, plans show a retail wine and spirits shop (10,000 sq. ft.). This proposed site meets all City regulations for liquor stores pertaining to distance from schools, churches, parks, and other liquor stores. There are currently no liquor stores within

Peachtree Corners, which previously had a citywide liquor store ban that was ended with the passage of a 2014 referendum. The proposed building on the property is situated perpendicular to Peachtree Parkway and the parking and site access are located along the new Engineering Drive extension. In order to accommodate this development, retaining walls would need to be built, a portion of the existing stream would need to be piped, and a sanitary sewer line (and easement) would need to be relocated. The applicant has already been granted a stream buffer variance from the Georgia Department of Natural Resources Environmental Protection Division in order to pipe the stream. The proposed development also requires a variance to encroach into the City's 50-foot undisturbed stream buffer and additional 25-foot impervious surface setback.

Parcels #6, and #7: This property has a total of 5.4 acres and consists of a small piece of vacant land along Technology Parkway as well as the over 4 acre Technology Park Lake. The lake is a great amenity but, currently, can only be enjoyed by a few people because it is private property and does not offer or even allow public access. The Multi-Use Trail Plan identifies what a valuable resource the lake could be to the community if access were provided and features such as a dock, small pavilion, and picnic tables were included. The applicant proposes to rezone these parcels from M-I to T-O in order to accommodate the trail system and provide public access to the lake.

Parcels #8, #9, and #10: This property has a total of 14.03 acres and is currently developed with two office buildings and parking lots. The property is surrounded by the lake and other office buildings. Access to the site is provided by Guthridge Ct. off Peachtree Industrial Boulevard. Guthridge Ct. splits about 500 ft. from Peachtree Industrial Boulevard. One part of the roadway dead-ends into office parking lots. The other part dead-ends into the Greenwood Townhomes, a subdivision of approximately 110 townhomes located in the City of Norcross.

The applicant is proposing to rezone Parcels #8, #9, and #10 from M-I to RM-13 to accommodate a residential development with 295 millennial housing units. There would be rental units with one and two bedroom floor plans. No larger units would be offered. The plan shows five residential buildings that are 4 and 5 stories in height. The buildings are located along the periphery of the property and parking is shown internal to the site. An amenity area with pool, lake dock, and overlook seating is provided by the lake. The plans also call for a future trail connection to Technology Parkway South and along Peachtree Industrial Boulevard. The applicant provided a traffic report prepared by A&R Engineering. The report compares the trips generated by the two existing office buildings along with a vacant site (Parcel #10) zoned for warehouse/distribution to the proposed millennial housing development. The numbers show that the residential project would generate 49% fewer trips than the office / warehouse uses. Even if the currently vacant site zoned for warehouse were never developed, the trips generated by the residential development would be roughly comparable (1313 average daily trips vs. 1396 average daily trips) to the existing office use alone.

ZONING STANDARDS:

Zoning Code Section 1702 identifies specific criteria that should be evaluated when considering a zoning decision. These criteria are enumerated as 'A' through 'F', on the next page. Following each item is the applicant's response followed by Staff's comment.

A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

Applicant's Response. The proposed rezoning and special use permit would permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development will enhance surrounding properties in a manner consistent with the Future Land Use Plan.

Staff's Comment: The subject property is located within the larger Technology Park area, which is largely characterized by office uses with some light industrial uses also permitted. The City's Comprehensive Plan and Future Development map call for office and commercial uses in this area, with industrial uses discouraged. Rezoning parcels along Peachtree Parkway from M-I to commercial would be suitable in view of the current use of adjacent and nearby properties, and would be suitable in view of the future move from industrial to office, commercial, and mixed-use development. In addition, rezoning property to accommodate millennial housing is consistent with the findings and recommendations of the Town Center LCI study.

B. Will this proposed rezoning, special use permit, or change in conditions adversely affect the existing use or usability of adjacent or nearby property?

Applicant's Response: The requested use of the properties will not adversely affect the existing use or usability of adjacent or nearby property. The proposed development is a complement to the adjacent and nearby property and will enhance the connectivity and walkability of the area.

Staff's Comment: C-2 and RM-13 zoning would not adversely affect the existing use or usability of adjacent or nearby property. City policies call for a move away from industrial uses in the area as allowed under M-I zoning, toward a mix of uses including retail and residential. In addition, the dedication of land to the Multi-Use Trail system creates the amenity that will benefit the new projects as well as the greater community.

C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

Applicant's Response: Given current site conditions, existing development, and market trends, the subject property does not have reasonable economic use without the special use permit nor as currently zoned.

Staff's Comment: The property has a reasonable economic use as currently zoned. Although intended for light industry, the MI zoning classification includes 'offices – professional and business' as permitted uses, and the subject property could be developed in that manner. However, current vacancy rates for office use suggest that new office development would be unlikely to occur in the near future.

D. Will the proposed rezoning, special use permit, or change in conditions result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

Applicant's Response: The proposed rezoning and special use permit will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools. The proposed development will enhance non-vehicular transportation options with the City and the extensive open space provisions will also reduce the infrastructure load.

Staff's Comment: An increase in traffic and utility use can be expected from retail development on currently vacant parcels. However, with the Comprehensive Plan and Future Development Map calling for the development of a more mixed-use Technology Park, the impacts of the proposed development would not be excessive or burdensome. The retail stores are unlikely to affect Peachtree Parkway traffic because many of the stores' customers are already on that roadway. Much of the business generated by both stores is convenience based and those businesses are unlikely to draw customers from remote locations. The submitted traffic report also indicates that the proposed millennial housing project will generate fewer vehicular trips than an active office warehouse use on the property. In addition, there should be little to no effect on schools. In a recent Gwinnett County rezoning case involving 290 multi-family units (including 3 bedroom floor plans), the School Dept. estimated that the project would generate an additional 54 elementary school students, 26 middle school, and 34 high school students. The applicant's proposal should generate significantly fewer students due to the limitation on bedrooms within the units, the lack of child-oriented amenities offered in the development, and the variety of more suitable housing options nearby for families with children.

E. Is the proposed rezoning, special use permit, or change in conditions in conformity with the policy and intent of the land use plan?

Applicant's Response: The proposed rezoning and special use permit is in conformity with the intent of the land use plan. The land use plan encourages open space, infill retail development, and expanded housing options for young professionals – all of which are components of the proposed development.

Staff's Comment: (see Comprehensive Plan heading, next page.)

F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?

Applicant's Response: The proposed Peachtree Corners Town Center and shifting demographics are some of the many existing and changing conditions affecting the use and development of the property which give supporting grounds for approval of the proposed rezoning and special use permit.

Staff's Comment: M-I zoning in this location is less viable than when originally put in place, as the City has enacted policies to encourage the development of a mixed-use Technology Park with limited industrial uses. The long-term vision for the area has evolved since the enactment of M-I zoning, and today the addition of retail and residential zoning to support Technology Park would be more in line with these plans.

COMPREHENSIVE PLAN:

The 2033 City of Peachtree Corners Character Area Map indicates that the property is located within the Central Business District Character Area. Policies for this area encourage “a mix of retail and commercial uses, offices, mixed-use, government and institutional properties”, with a focus on pedestrian access and open space. The Comprehensive Plan calls for the revitalization of Technology Park into a “walkable, mixed-use environment”. In addition, the Town Center LCI study recommended the addition of millennial housing to support work force development within proximity to jobs.

DEPARTMENT ANALYSIS:

The proposed rezoning from M-1 to C-2 and RM-13 is unlikely to have an adverse impact on adjacent and nearby properties. Moving away from industrial uses by adding retail and residential uses within Technology Park would be in keeping with the Comprehensive Plan and the Town Center LCI study.

The proposed development would include extending Engineering Drive southward and eastward across Peachtree Parkway to Technology Parkway. This would require a new traffic signal, and the applicant has applied to GDOT for approval. If the roadway extension and traffic signal are approved, the entire cost of those improvements, including median landscaping on Peachtree Parkway and high-quality pedestrian and bicycle crossing facilities at all intersections, would be the owner / developer’s responsibility.

The proposed development requires a City stream buffer variance. The applicant has already applied for and received a stream buffer variance from the Georgia Department of Natural Resources Environmental Protection Division.

The proposed development offers a community benefit through the contribution of over 13 acres to the Multi-Use Trail system. This contribution includes the construction of the first segment of the Multi-Use Trail path and provides public access to one of the largest lakes in Peachtree Corners.

CONCLUSION:

After reviewing the applicant’s proposal, Staff finds the following:

1. *A rezoning of the property can be justified because commercial and residential use is preferable to industrial use of property at this location and the proposal confirms to adopted city plans.*
2. *A liquor store as shown in this application meets all of the Special Use requirements and should not have any detrimental impacts on surrounding areas.*
3. *The significant impact to the natural features of the retail development, (Parcels #2, 3, #4, and #5) are mitigated by the preservation in perpetuity of 13.55 acres contributed to the Multi-Use Trail system.*

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that SUP2015-005, RZ2015-006 and V2016-002 be approved subject to the following conditions:

With regard to Parcels #1, 6, and 7 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

- 1. These properties shall be rezoned T-O, Trails and Open Space**
- 2. Prior to the issuance of the first Certificate of Occupancy on Parcels zoned C-2 or RM-13, Parcel #1 shall be deeded to the City of Peachtree Corners Downtown Development Authority and all the other Parcels zoned T-O shall be placed into a conservation easement to benefit the City of Peachtree Corners for public use and access in perpetuity. The conservation easement documents shall be recorded, conveyed to the city and include, but not be limited to, the following provisions in favor of the city:**
 - a) The right to unrestricted public access to the property for purposes consistent with T-O zoning regulations.**
 - b) The right to make improvements to the land consistent with T-O zoning regulations and an adopted Multi-Use Trail plan.**
 - c) The right to limit signage to way-finding, educational, and other signage associated with the Multi-Use trail system.**
 - d) The right to prohibit any earth work, filling, dredging, other changes in topography or drainage, or any other changes to the land and the lake that are inconsistent with, or detrimental to, the Multi-Use trail.**

The property owner or subsequent developer shall bear the expense of establishing the conservation easement including cost of surveys, title work, appraisals, and legal fees.

- 3. Pursuant to Ordinance 2015-11-59, Trails and Open Space, the 13.55 acres attributed to the T-O zoned parcels shall be assigned 13 multi-family density unit credits per acre for a total of 176 density units. 113 of the 176 total density units shall be allocated to the multi-family residential development shown on Parcels #8, #9, and #10. The remaining 63 surplus density units shall be credited to an account established for the property owner.**

With regard to Parcels #2, 3, 4 and 5 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

- 4. The properties shall be rezoned C-2, commercial and shall be developed in general conformity with the submitted site plan prepared by Planners and Engineers Collaborative dated 11/15/15 (except as noted in condition #9).**
- 5. A Special Use Permit shall be approved on Parcel #2 for a Liquor Store use.**
- 6. The property owner or subsequent developer shall construct that portion of the Multi-Use Trail on its property and/or within the Colonial Gas line easement between Peachtree**

Parkway and Technology Park Lake (including parcels #6 and #7). The trail shall be consistent with the trail location and configuration shown in the adopted Multi-Use Trail plan and shall include, at a minimum, a 12 ft. wide paved path, lighting, and a small lake dock. The trail shall be completed prior to the issuance of the first Certificate of Occupancy for the first building constructed on the C-2 or RM-13 zoned parcels.

7. If the Multi-Use Trail winds around back of the convenience store, the right-in only driveway shall be designed to accommodate a trail crossing.

8. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required to construct a new intersection at Engineering Drive and Peachtree Parkway and to extend Engineering Drive to Technology Parkway. These improvements shall include, but not be limited to: traffic light, crosswalks, sidewalks on both sides of the road, bike lane, and, where necessary, deceleration lanes.

9. Development parcels shall be designed to mitigate the amount of impervious surface associated therewith as is reasonably possible in order to retain as much of the existing topography, trees, and stream as reasonably practicable. Retaining walls shall be built to minimize the footprint of the commercial buildings and parking areas. Setback requirements may be reduced if doing so benefits the preservation of trees or stream. However, the landscape strip along Peachtree Parkway required by Overlay Design Standards shall be provided.

10. To retain as many of the natural features at the rear of the properties, surface parking spaces shall be located to the front and sides of the buildings.

11. Architectural elevations for the gas station and liquor store shall be substantially similar to the drawings submitted via letter and dated 1/29/16.

12. Stream setback requirements shall be waived in order to accommodate the developments on C-2 zoned properties. Piping of the stream shall be permitted provided that only the least amount of piping that can be demonstrated to be reasonably necessary is installed.

13. The property owner or subsequent developer shall be responsible for median landscaping (installation and maintenance) in Peachtree Parkway for the length of the median contiguous to the application property. Landscaping plans shall be subject to Staff's approval.

14. Sanitary Sewer line relocation shall be accomplished in the manner that will have the least environmental impact to the site.

15. Detention ponds visible from roadways shall be screened with landscape plantings to be approved by Staff.

With regard to Parcels #8, #9, and #10 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

16. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required at Peachtree Industrial Boulevard and Guthridge Ct. and along Guthridge Ct.

17. The property owner or subsequent developer shall make every reasonable effort to acquire a pedestrian / bicycle access easement between the Guthridge Ct. residential development and Technology Parkway South. The residential development shall include a dedicated pedestrian / bicycle access at the closest point of the easement.

18. Millennial housing development shall not exceed 295 units. The units shall be limited to one and two bedroom floor plans.

19. Site development shall be substantially similar to plans prepared by Planners and Engineers Collaborative dated 11/18/15 except that buildings located along Guthridge Ct. and Peachtree Industrial Boulevard shall maintain a 10 ft. setback from the property line and that 10 ft. strip shall be landscaped with plant material approved by Staff.

20. The owner or subsequent developer shall landscape and maintain the right-of-way immediately in front of the millennial housing project along Peachtree Industrial Boulevard.

21. Site amenities shall include: pedestrian / bike trail; fitness facility, a dog park, an electric car recharge station, and a lake dock; No children's playground equipment shall be permitted.

22. A central mail kiosk and a trash and recycling station shall be designed to match the main buildings and shall be located near Guthridge Ct.

23. Every reasonable effort shall be made to preserve specimen trees near the lakes.

24. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.

25. Interior features for residential units shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2016 and include:

- **Stainless appliances**
- **Gourmet kitchens with granite countertops**
- **Designer ceramic tile back splashes**
- **Wood cabinets**
- **Upscale plank or engineered wood flooring**
- **Designer lighting**
- **Granite countertops and ceramic tile tub surrounds in bath**
- **Nine foot ceilings**
- **Ceiling fans in primary living space**
- **Generous closets**
- **Connections for full size, stackable washer/dryer units**

- Walkout balconies

26. Community features for millennial housing shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2016 and include:

- Resort-style pool and courtyard with tanning deck
- Dock with aquatic amenities (i.e. paddle boards and kayaks)
- Expansive clubhouse with cyber café / wi-fi and business center
- Outdoor grilling and entertainment space with fireplace and bocce ball court
- State-of-the-art fitness center

27. The gas pump canopy columns shall be clad in masonry and the design and material approved by the Director of Community Development.

28. Prior to an issuance of a CO, the property owner or owners of the Convenience Store Gas Station and the Wine Store Properties, shall plant an enhanced buffer along the entire frontage of their property on Peachtree Parkway. This buffer shall consist of, at a minimum, double staggered rows of evergreen plants, to be at least 3 feet at maturity, sufficient to prevent, within one year of planting, the view of all pavement surrounding the gas pumps and buildings by passengers in vehicles traveling along Peachtree Parkway. Said buffer shall be approved by the Community Development Director and maintained for this purpose at all times by the property owner.

29. If the multi-use trail extends along Engineering Drive between Peachtree Parkway and Technology Parkway, prior to the issuance of a CO, the property owner or owners of the Wine Store and Convenience Store Gas Station properties shall plant enhanced landscape strips for the developed portion of the property facing the trail system between the two businesses. This buffer shall consist of, at a minimum, double staggered rows of evergreen plants sufficient to reduce by at least 50% within one year of planting, the view of all pavement surrounding the gas pumps and buildings by pedestrians and cyclists using the trail. Said buffer shall be approved by the Community Development Director and maintained at all times by the property owner for this purpose.

30. Applicant shall submit Final Detailed Site and Architectural Plans to the Planning Commission for approval for the Gas Station, Wine Store and Millennial Housing Project.

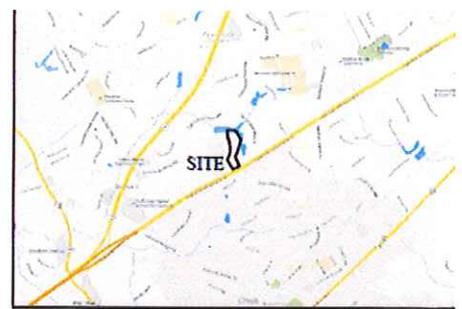
31. The Millennial Housing Project shall be limited to 30% 2-bedroom units, with the remaining being 1-bedroom units.

Attachment 'A' Property Zoning Map 1/2/16

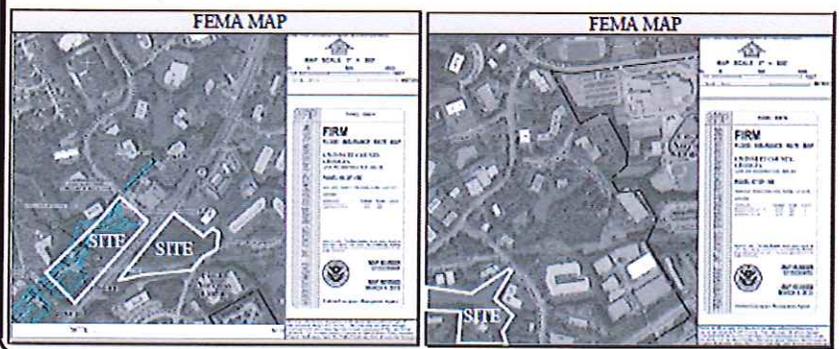
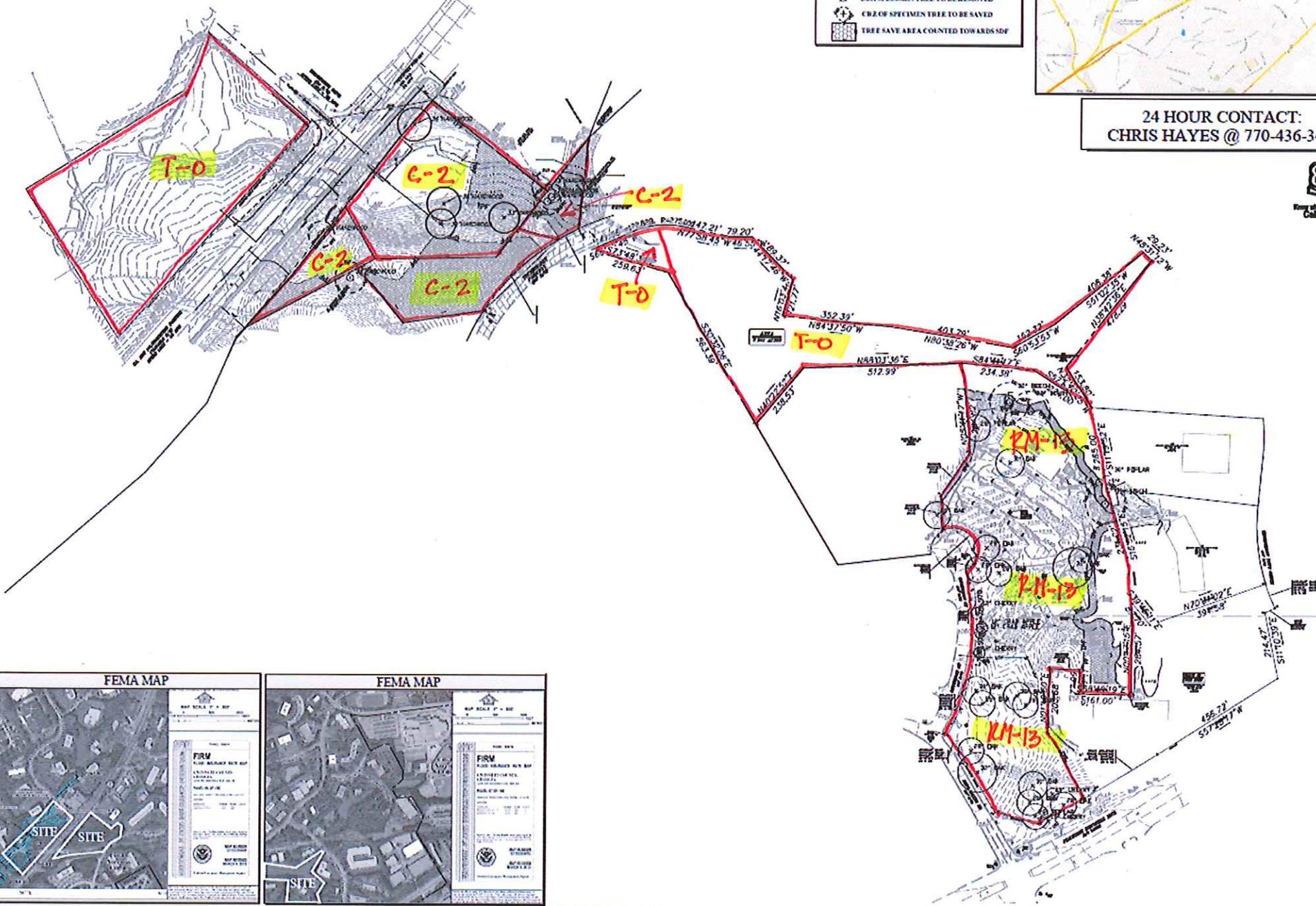
1. SURVEY, TOPOGRAPIHICAL AND EXISTING TREE LOCATION INFORMATION TAKEN FROM SURVEY PERFORMED BY PLANNERS & ENGINEERS, DATED AUGUST 6, 2015.

KEY:

- ⊗ CRZ OF SPECIMEN TREE TO BE REMOVED
- ⊗ DBH SPECIMEN TREE TO BE REMOVED
- ⊕ CRZ OF SPECIMEN TREE TO BE SAVED
- ⊕ TREE SAVE AREA COUNTED TOWARDS SDF



24 HOUR CONTACT:
CHRIS HAYES @ 770-436-3400



Received 11/20/15 [Signature]

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF PEACHTREE CORNERS, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Please see attached</u>
ADDRESS: <u>1550 N Brown Rd, Ste 125</u>	ADDRESS: <u>Please see attached</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Please see attached</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
PHONE: <u>770.232.0000</u>	PHONE: <u>770.232.0000</u>
E-MAIL: <u>ltucker@mptlawfirm.com</u>	E-MAIL: <u>ltucker@mptlawfirm.com</u>
CONTACT PERSON: <u>R. Lee Tucker, Jr.</u> PHONE: <u>770.232.0000</u>	
CONTACT'S E-MAIL: <u>ltucker@mptlawfirm.com</u>	

APPLICANT IS THE:

- OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): M-1 REQUESTED ZONING DISTRICT: TO; C2 w/ SUP; RM-13

LAND DISTRICT(S): 6 LAND LOT(S): 284; 285; 272 ACREAGE: +/- 38.725

ADDRESS OF PROPERTY: Technology Pky; Peachtree Pkwy; Engineering Dr; Peachtree Ind'l Blvd

PROPOSED DEVELOPMENT: Trails and Open Space; Retail; Millennial Housing

Staff Use Only This Section

Case Number: _____ Hearing Date: P/C _____ C/C _____ Received Date: _____

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units 295

Dwelling Unit Size (Sq. Ft.): 675 - 1,300

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 2

Total Bldg. Sq. Ft.: +/- 17,000

Gross Density: _____

FEE SCHEDULE

1. Rezoning, Change-in-Conditions and Special Use Permit Fees – Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

A. For the following single-family residential zoning districts: RA-200, R-140, R-LL, R-100, R-75, RL, MHS.

- 0 - 5 Acres = \$ 500
- > 5 - 10 Acres = \$ 1,000
- > 10 - 20 Acres = \$ 1,500
- > 20 - 100 Acres = \$ 2,000
- > 100 - Acres = \$ 2,500 plus \$40 for each additional acre over 100
- Maximum Fee: \$10,000

B. For the following single and multifamily residential zoning districts: R-TH, RMD, RM-6, RM-8, RM-10, RM-13, R-SR, MH, R-60, R-ZT, R-75 MODIFIED or CSO, and R-100 MODIFIED or CSO.

- 0 - 5 Acres = \$ 850
- > 5 - 10 Acres = \$1,600
- > 10 - 20 Acres = \$2,100
- > 20 - 100 Acres = \$2,600
- > 100 - Acres = \$3,200 plus \$40 for each additional acre over 100

2. Rezoning, Change-in-Conditions and Special Use Permit Fees - Non-Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

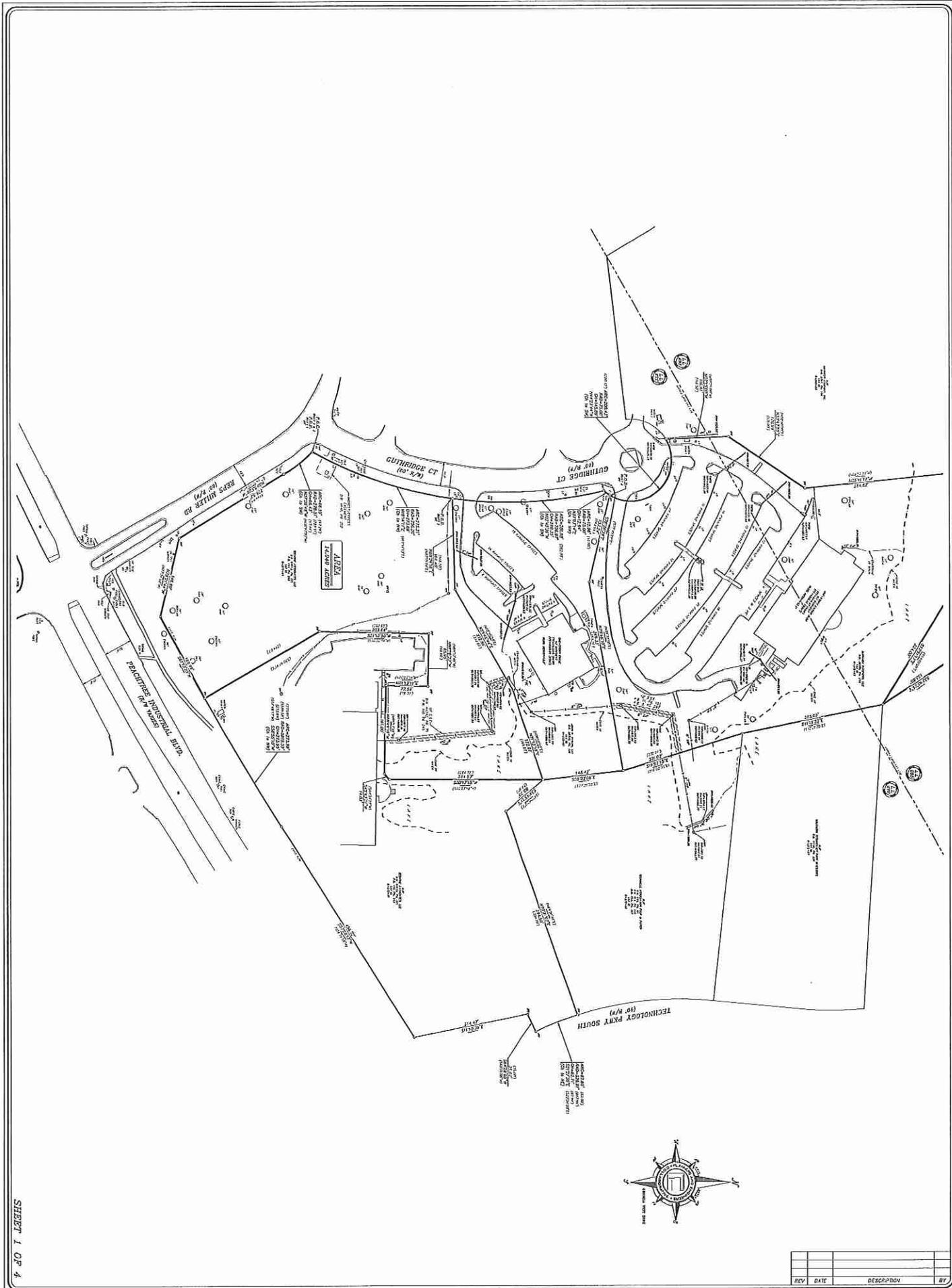
For the following office, commercial and industrial zoning districts: C-1, C-2, C-3, O-1, OBP, M-1, M-2, HS, NS.

- 0 - 5 Acres = \$ 850
- > 5 - 10 Acres = \$1,600
- > 10 - 20 Acres = \$2,100
- > 20 - 100 Acres = \$2,600
- > 100 - Acres = \$3,200 plus \$50 for each additional acre over 100

3. Mixed-Use (MUD and MUO) or High Rise Residential (HRR)

Application Fee – \$1,200 plus \$75 per acre (maximum fee - \$10,000)

- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).



REV	DATE	DESCRIPTION	BY

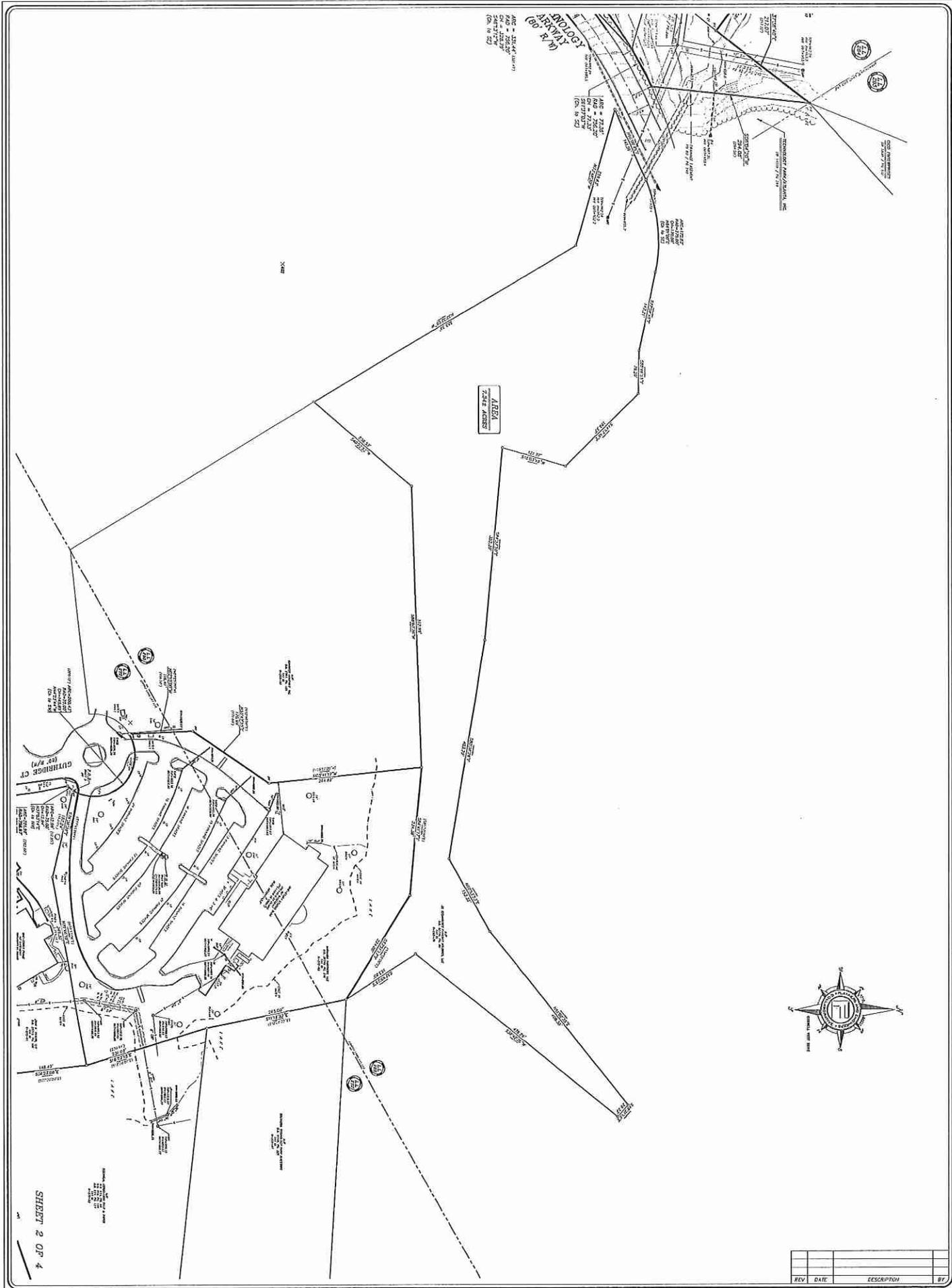
SHEET 1 OF 4

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 300 Peachtree Street - Suite 2000 - Atlanta, Georgia 30303 - (404) 525-1111
 www.pacoll.com

FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

GWINNETT COUNTY
 GEORGIA

ZONING PLAN
 DRAWN BY: JFC
 CHECKED BY: JFC
 FILE NO.: 15031-00
 DATE: 11-10-2015
 SCALE: 1"=60'



BIOLOGY
STATION
 (0) 100
 100' - 120' - 140' - 160' - 180' - 200' - 220' - 240' - 260' - 280' - 300' - 320' - 340' - 360' - 380' - 400' - 420' - 440' - 460' - 480' - 500' - 520' - 540' - 560' - 580' - 600' - 620' - 640' - 660' - 680' - 700' - 720' - 740' - 760' - 780' - 800' - 820' - 840' - 860' - 880' - 900' - 920' - 940' - 960' - 980' - 1000'



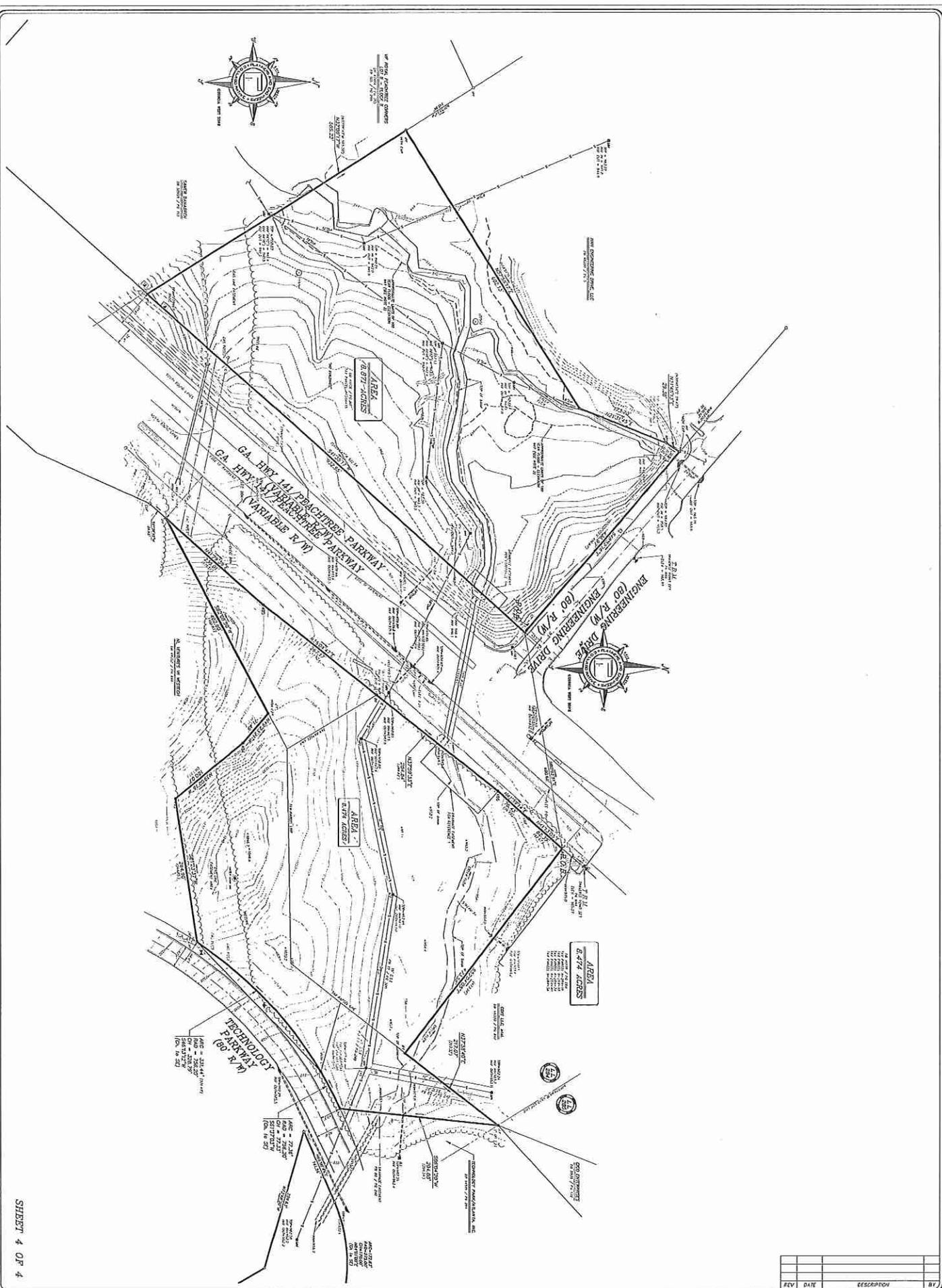
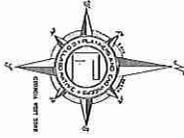
REV	DATE	DESCRIPTION	BY

SHEET 2 OF 4

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FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
 LINDA LOTT, 372 & 385
 DISTRICT 8W
 GWINNETT COUNTY, GEORGIA

ZONING PLAN
 DRAWN BY: J.C.
 CHECKED BY: M.C.
 DATE: 11-17-2015
 SCALE: 1"=60'
 0 20 40 80



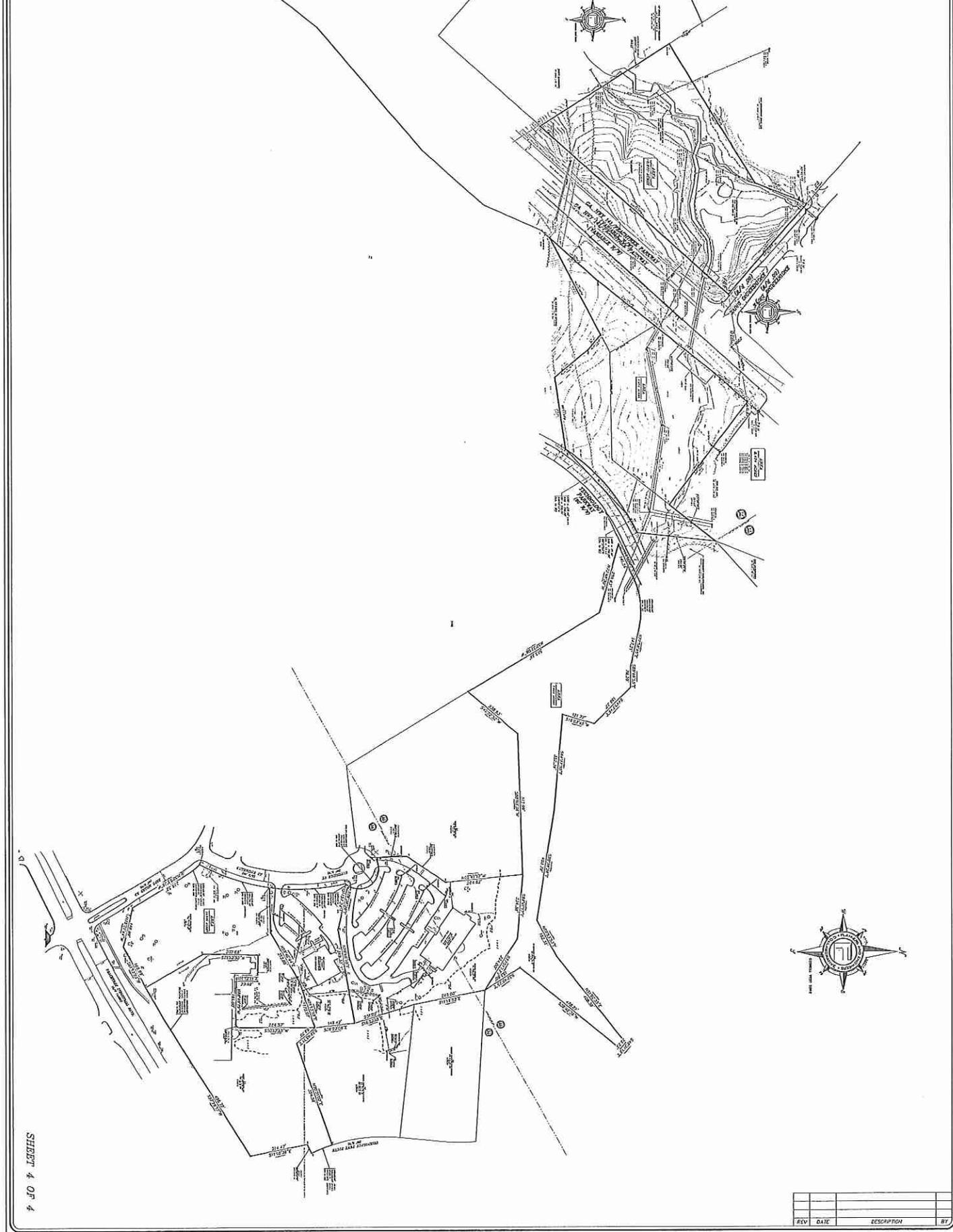
SHEET 4 OF 4

REV	DATE	DESCRIPTION	BY

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 www.pandec.com

TCP
 BELMONT ASSOCIATES, LLC
 FIRST AMERICAN TITLE INSURANCE COMPANY
 CHAMBLEE COUNTY GEORGIA

ZONING PLAN
 DRAWN BY: JWB
 CHECKED BY: MJC
 FILE NO.: 2017-00
 DATE: 11-27-2018
 SCALE: 1"=20'



SHEET 4 OF 4

REV	DATE	DESCRIPTION	BY

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LAND LOTS 272 & 325
 DISTRICT 8M

FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

ZONING PLAN
 DRAWN BY: JPH
 ENGINEER: BRS
 FILE NO.: 1209123
 DATE: 11-18-2015
 SCALE: 1/8" = 1'-0"
 GANNETT COUNTY GEORGIA

**LEGAL DESCRIPTION
NORTHWEST SIDE OF PEACHTREE PARKWAY
PARCEL 1**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 284 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at a iron pin found at the intersection of the southwesterly right-of-way line of Engineering Drive (80' R/W) with the northwesterly right-of-way line of Georgia Highway 141m also known as Peachtree Parkway (Variable R/W); thence along said right-of-way line of Peachtree Parkway South 41 degrees 35 minutes 17 seconds West a distance of 932.95 feet to an iron pin set; thence leaving said right-of-way line North 32 degrees 00 minutes 17 seconds West a distance of 565.22 feet to an iron pin with cap found; thence North 57 degrees 58 minutes 17 seconds East a distance of 602.13 feet to a point; thence North 21 degrees 31 minutes 45 seconds East a distance of 173.70 feet to a point; thence North 31 degrees 45 minutes 13 seconds East a distance of 29.38 feet to an iron pin with cap found on said right-of-way line of Engineering Drive; thence along said right-of-way line South 48 degrees 52 minutes 16 seconds East a distance of 436.97 feet to an iron pin set and the TRUE POINT OF BEGINNING.

Said tract containing 8.871 acres.

TOGETHER WITH:

**LEGAL DESCRIPTION
SOUTHEAST SIDE OF PEACHTREE PARKWAY
PARCELS 2-5**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 284 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

Commencing from a point located at the intersection of the Southwestern Right-of-Way line of Engineering Dr (80' Right-of-Way) and the Northwestern Right-of-Way line of Ga Hwy 141/Peachtree Pkwy (Right-of-Way Varies);

Thence leaving said intersection North 80 degrees 03 minutes 51 minutes East, a distance of 400.68 feet to an iron pin set on the Southeastern Right-of-Way line of Ga Hwy 141/Peachtree Pkwy (Right-of-Way Varies), said pin being the TRUE POINT OF BEGINNING;

Thence leaving said Right-of-Way line, South 52 degrees 04 minutes 05 seconds East, a distance of 473.58 feet to an iron pin found;

Thence North 37 degrees 38 minutes 40 seconds East, a distance of 217.07 feet to an iron pin found (1" otp);

Thence South 06 degrees 04 minutes 20 seconds West, a distance of 294.08 feet to an iron pin found on the Northwestern Right-of-Way line of Technology Pkwy (80' Right-of-Way);

Thence along said Right-of-Way line in a Southwesterly direction, 77.36 feet along an arc of a curve to the left, said curve having a radius of 756.20 feet and a chord bearing and distance of South 61 degrees 37 minutes 03 seconds West 77.33 feet to a point;

Thence along said Right-of-Way line, 331.44 feet along an arc of a curve to the left, said curve having a radius of 756.20 feet and a chord bearing and distance of South 46 degrees 13 minutes 12 seconds West 328.79 feet to an iron pin found;

Thence leaving the Northwestern Right-of-Way line of Technology Pkwy (80' Right-of-Way), South 81 degrees 23 minutes 37 seconds West, a distance of 264.90 feet to a point;

Thence North 39 degrees 02 minutes 16 seconds West, a distance of 160.07 feet to a point;

Thence North 49 degrees 23 minutes 21 seconds West, a distance of 71.49 feet to an iron pin found;

Thence South 62 degrees 08 minutes 50 seconds West, a distance of 402.80 feet to an iron pin found on the Southeastern Right-of-Way line of Ga Hwy 141/Peachtree Pkwy (Right-of-Way Varies);

Thence along said Right-of-Way in a Northeasterly direction, North 41 degrees 29 minutes 39 seconds East, a distance of 239.01 feet to a point;

Thence continuing along said Right-of-Way, North 38 degrees 04 minutes 47 seconds East, a distance of 267.17 feet to an iron pin found;

Thence continuing along said Right-of-Way, North 37 degrees 59 minutes 33 seconds East, a distance of 284.84 feet to a point;

Thence continuing along said Right-of-Way, North 41 degrees 39 minutes 14 seconds East, a distance of 76.43 feet to a concrete monument found;

Thence continuing along said Right-of-Way, North 41 degrees 13 minutes 05 seconds East, a distance of 82.39 feet to an iron pin set, said pin being the TRUE POINT OF BEGINNING.

Said tract containing 8.474 acres.

TOGETHER WITH:

**ZONING DESCRIPTION
PARCELS 6 & 7**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 272 & 285 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from an iron pin found at the intersection of the Northeastern Right-of-Way line of Reys Miller Rd (80' Right-of-Way) and the Southeastern Right-of-Way line of Guthridge Ct (80' Right-of-Way);

Thence leaving said intersection and continuing along said Right-of-Way of Guthridge Ct, 275.21 feet along an arc of a curve to the left, said curve having a radius of 756.20 feet and a chord bearing and distance of North 18 degrees 14 minutes 11 seconds East 273.69 feet to an iron pin found;

Thence continuing along said Right-of-Way, 281.98 feet along an arc of a curve to the left, said curve having a radius of 756.97 feet and a chord bearing and distance of North 02 degrees 45 minutes 36 seconds West 280.35 feet to an iron pin found;

Thence continuing along said Right-of-Way, 12.96 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of North 37 degrees 03 minutes 14 seconds East 12.94 feet to an iron pin found;

Thence continuing along said Right-of-Way, 200.43 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of North 44 degrees 23 minutes 44 seconds West 145.89 feet to an iron pin found;

Thence leaving the Right-of-Way line of Guthridge Ct (80' Right-of-Way), North 02 degrees 15 minutes 00 seconds West, a distance of 116.41 feet to an iron pin found;

Thence North 33 degrees 47 minutes 55 seconds East, a distance of 170.99 feet to an iron pin found;

Thence North 05 degrees 41 minutes 17 seconds West, a distance of 284.82 feet to a point, said point being the TRUE POINT OF BEGINNING; thence South 88 degrees 03 minutes 36 seconds West a distance of 512.99 feet to a point; thence South 40 degrees 22 minutes 52 seconds West a distance of 238.53 feet to a point; thence North 30 degrees 32 minutes 06 seconds West a distance of 563.39 feet to a point; thence North 73 degrees 48 minutes 30 seconds West a distance of 259.63 feet to a point on the southeasterly right-of-way line of Technology Parkway (80' R/W); thence along said right-of-way line North 66 degrees 00 minutes 45 seconds East a distance of 141.56 feet to a point; thence 172.83 feet along an arc of a curve to the right, said curve having a radius of 275.00 feet and a chord bearing and distance of North 84 degrees 01 minutes 00 seconds East 170.00 feet to a point; thence South 77 degrees 58 minutes 45 seconds East a distance of 147.21 feet to a point; thence South 88 degrees 46 minutes 55 seconds East a distance of 79.20 feet to a point; thence leaving said right-of-way line South 44 degrees 17 minutes 46 seconds East a distance of 189.37 feet to a point; thence South 16 degrees 03 minutes 48 seconds West a distance of 121.77 feet to a point; thence South 84 degrees 37 minutes 50 seconds East a distance of 352.39 feet to a point; thence South 80 degrees 38 minutes 26 seconds East a distance of 403.79 feet to a point; thence North 60 degrees 53 minutes 53 seconds East a distance of 152.32 feet to a point; thence North 51 degrees 02 minutes 35 seconds East a distance of 408.38 feet to a point; thence South 48 degrees 31 minutes 12 seconds East a distance of 29.23 feet to a point; thence South 38 degrees 42 minutes 36 seconds West a distance of 478.29 feet to a point; thence South 32 degrees 40 minutes 25 seconds East a distance of 153.80 feet to a point; thence North 57 degrees 51 minutes 17 seconds West a distance of 224.00 feet to a point; thence North 84 degrees 41 minutes 17 seconds West a distance of 234.38 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 7.34 acres, more or less.

TOGETHER WITH:

**ZONING DESCRIPTION – GUTHRIDGE
PARCELS 8-10**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 272 & 285 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at an iron pin found at the intersection of the Northeastern Right-of-Way line of Reps Miller Rd (80' Right-of-Way) and the Southeastern Right-of-Way line of Guthridge Ct (80' Right-of-Way), said pin being the TRUE POINT OF BEGINNING;

Thence leaving said intersection and continuing along said Right-of-Way of Guthridge Ct, 275.21 feet along an arc of a curve to the left, said curve having a radius of 756.20 feet and a chord bearing and distance of North 18 degrees 14 minutes 11 seconds East 273.69 feet to an iron pin found;

Thence continuing along said Right-of-Way, 281.98 feet along an arc of a curve to the left, said curve having a radius of 756.97 feet and a chord bearing and distance of North 02 degrees 45 minutes 36 seconds West 280.35 feet to an iron pin found;

Thence continuing along said Right-of-Way, 12.96 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of North 37 degrees 03 minutes 14 seconds East 12.94 feet to an iron pin found;

Thence continuing along said Right-of-Way, 200.43 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of North 44 degrees 23 minutes 44 seconds West 145.89 feet to an iron pin found;

Thence leaving the Right-of-Way line of Guthridge Ct (80' Right-of-Way), North 02 degrees 15 minutes 00 seconds West, a distance of 116.41 feet to an iron pin found;

Thence North 33 degrees 47 minutes 55 seconds East, a distance of 170.99 feet to an iron pin found;

Thence North 05 degrees 41 minutes 17 seconds West, a distance of 284.82 feet to a point;

Thence South 84 degrees 41 minutes 17 seconds East, a distance of 234.38 feet to a point;

Thence South 57 degrees 51 minutes 17 seconds East, a distance of 224.00 feet to a point;

Thence South 11 degrees 19 minutes 52 seconds East, a distance of 265.00 feet to a point;

Thence South 16 degrees 52 minutes 15 seconds East, a distance of 231.02 feet to a point;

Thence South 06 degrees 23 minutes 08 seconds East, a distance of 148.42 feet to a point;

Thence South 00 degrees 17 minutes 15 seconds West, a distance of 284.57 feet to a point;

Thence South 45 degrees 43 minutes 31 seconds West, a distance of 14.03 feet to a point;

Thence North 88 degrees 49 minutes 19 seconds West, a distance of 161.00 feet to an iron pin found;

Thence North 01 degrees 12 minutes 11 seconds East, a distance of 77.99 feet to an iron pin found;

Thence North 88 degrees 50 minutes 23 seconds West, a distance of 95.95 feet to an iron pin found;

Thence South 01 degrees 10 minutes 50 seconds West, a distance of 203.68 feet to an iron pin found;

Thence South 29 degrees 38 minutes 01 seconds East, a distance of 244.06 feet to an iron pin found on the Northwestern Right-of-Way line of Peachtree Industrial Blvd (Right-of-Way Varies);

Thence continuing along said Right-of-Way, South 61 degrees 13 minutes 23 seconds West, a distance of 169.99 feet to a point on the Northeastern Right-of-Way line of Reps Miller Rd (80' Right-of-Way);

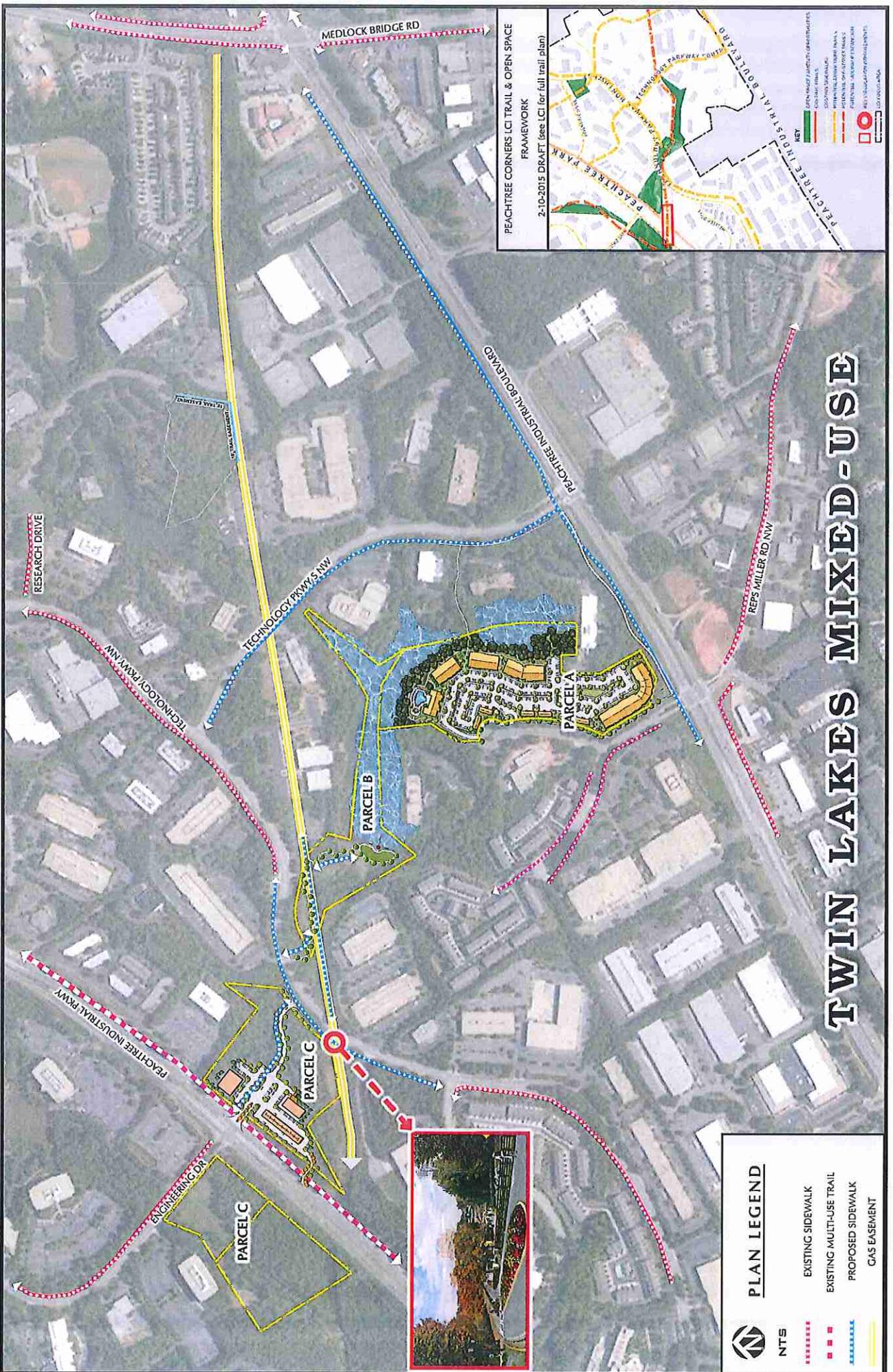
Thence leaving the Northwestern Right-of-Way line of Peachtree Industrial Blvd (Right-of-Way Varies), North 76 degrees 21 minutes 44 seconds West, a distance of 146.90 feet to an iron pin found;

Thence continuing along said Right-of-Way, North 30 degrees 53 minutes 26 seconds West, a distance of 226.52 feet to a point;

Thence continuing along said Right-of-Way, 66.59 feet along an arc of a curve to the left, said curve having a radius of 278.51 feet and a chord bearing and distance of North 37 degrees 36 minutes 48 seconds West 66.43 feet to an iron pin found at the intersection of the Northeastern Right-of-Way line of Reps Miller Rd (80' Right-of-Way) and the Southeastern Right-of-Way line of Guthridge Ct (80' Right-of-Way), said pin being the TRUE POINT OF BEGINNING.

Said tract containing 14.040 acres.

TOTAL AREA = 38.73± acres.



TWIN LAKES MIXED-USE

PEACHTREE CORNERS LCI TRAIL & OPEN SPACE FRAMEWORK
2-10-2015 DRAFT (see LCI for full trail plan)



PLAN LEGEND

- NTS
- EXISTING SIDEWALK
- EXISTING MULTI-USE TRAIL
- PROPOSED SIDEWALK
- GAS EASEMENT





Matthew P. Benson
Alissa L. Cummo
Kelly O. Faber
Amanda F. Henningsen
Christopher D. Holbrook
Joshua P. Johnson
Gerald Davidson, Jr.*

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
*Of Counsel

**LETTER OF INTENT FOR REZONING AND SPECIAL USE PERMIT
APPLICATIONS OF MAHAFFEY PICKENS TUCKER, LLP**

This Letter of Intent is submitted by Mahaffey Pickens Tucker, LLP (the “Applicant”) on behalf of six property owners who own ten parcels of land totaling approximately 38.725 acres along Technology Parkway near Peachtree Parkway (aka Georgia Highway 141) and Peachtree Industrial Boulevard within the City of Peachtree Corners (the “City”). The Rezoning and Special Use Permit applications submitted herewith (collectively, the “Application”), represent a cohesive, unified development that will revitalize a core underutilized area of the City and activate existing infrastructure to create a vibrant community with a strong sense of place and unique recreational amenities.

A list of the property owners involved in this application and a labeled parcel map are set forth, respectively, on Exhibit “A” and Exhibit “B” attached hereto. The property owned by Jettison, LLC (“Parcel 1”) is located at the western corner of the intersection of Peachtree Parkway and Engineering Drive and consists of +/-8.87 acres. Technology Park/Atlanta, Inc. owns four of the parcels included in the application including three adjacent parcels (“Parcel 2”, “Parcel 3”, and “Parcel 4”) which lie between Peachtree Parkway and Technology Parkway NW and one larger parcel (“Parcel 7”) which lies between Technology Parkway NW and Technology Parkway S and consists mostly of a small lake. Westech Associates owns two parcels separated by Technology Parkway NW. The Westech property on the west side of Technology Parkway NW (“Parcel 5”) is 0.73 acres and the Westech property on the east side of Technology Parkway NW (“Parcel 6”) is 0.35 acres.

The property owned by Narmada Partners, LLC (“Parcel 8”) is 6.66 acres and is located off of Peachtree Industrial Boulevard on Guthridge Court adjacent to Parcel 7. The property owned by John K

Taylor, LLC (“Parcel 9”) is 2.49 acres located on Guthridge Court south of Parcel 8. The property owned by Techone Associates, LLC (“Parcel 10”) is 4.88 acres located at the intersection of Peachtree Industrial Boulevard and Reps Miller road adjacent to Parcel 9.

The proposed development includes retail property, including a package store, unique recreational opportunities, as well as 295 units of upscale millennial housing which is designed to meet a growing demand for professional housing options closer to the City’s expanding office centers. This cohesive development will not only increase the recreational opportunities and walkability of Peachtree Corners, but will also infuse the City with an active demographic that will take full advantage of the property’s proximity to the proposed Town Center¹ and all of its amenities and attractions.

The Applicant is proposing to rezone Parcel 1 from M-1 to the City’s new Trails and Open Space zoning classification in order to keep the property as green space or to include some other passive recreational uses such as a trail head for the City’s expanding greenway network. The Applicant is requesting to rezone Parcels 2-5 from M-1 to C-2 in order to construct two retail buildings totaling approximately 20,500 square feet including a convenience store with fuel pumps. The Applicant is also requesting a Special Use Permit for a package store as set forth on the site plan submitted herewith. The Applicant submits that the proposed retail uses are in conformity with the policy and intent of the City’s Comprehensive Land Use Plan (the “2033 Plan”) and will further the goals and objectives of the 2033 Plan in numerous ways. As part of the proposed development on Parcels 2-5, Engineering Drive will be extended across Peachtree Parkway in an Easterly direction creating a key intersection which will be controlled by a traffic signal.

The Applicant is also requesting to rezone Parcel 6 and Parcel 7 from M-1 to the Trails and Open Space zoning classification to preserve the property as open space while activating the potential of the small lake by providing unique recreational opportunities such as fishing, kayaking, bird-watching, and paddle boarding. Additionally, the Applicant’s proposal would provide critical access to a segment of a gas line easement running through the City which would improve pedestrian connectivity from the many

¹ Peachtree Corners Livable Center Initiative, February 2015, page 6.

office buildings in the Technology Parkway area to Peachtree Industrial Boulevard, Peachtree Parkway, Medlock Bridge Road, and north towards the new proposed Peachtree Corners Town Center as indicated in the City's Town Center Livable Center Initiative Study.²

The Applicant is also proposing to rezone Parcels 8-10 from M-1 to RM-13 to create an upscale millennial housing development consisting of 295 one and two bedroom residences. The proposed buildings will feature attractive architecture including brick and/or stone masonry accents with cementitious siding and panels. Additionally, the proposed buildings will include low-pitched roofs with parapet elements in select locations and ventilated internal corridors. The millennial housing development also features a luxurious clubhouse that will include an executive business center and conference room, a cyber café with free Wi-Fi, a state-of-the-art fitness center, a resort-style saltwater pool, pergolas and poolside grilling stations. Additionally, the community will have bocce ball courts and a dock for fishing, boat launching, and other activities on the lake.

The Applicant's proposal furthers the objectives of the 2033 Plan to identify and prioritize retail development opportunities at key intersections to create walkable, livable centers at varying scales. The proposed uses will work together to enhance the vitality of the Central Business District and create a distinct community and sense of place by enhancing housing, shopping, and recreational opportunities in the City. The proposed development would also "amenitize" and further connect some of the City's hidden assets, such as water features, as part of a highly-connected system of walking and biking trails. The proposed development would occur in an area that the recent Peachtree Corners Livable Center Initiative identified as an "opportunity for focus on young professional housing."³ Moreover, the Applicant's proposal specifically furthers Policies 1-B and 1-D of the 2033 Plan to "[a]llow for a broader range of housing options" and "[a]ttract and retain young families." With expanded housing options, the City improves its ability to attract millennials and young professionals as they transition into young families.

² Peachtree Corners Livable Center Initiative, February 2015, pages 35-37.

³ Peachtree Corners Livable Center Initiative, February 2015, pages 32-33.

The Applicant and its representatives welcome the opportunity to meet with the staff of the City of Peachtree Corners Department of Community Development to answer any questions or to address any concerns relating to the matters set forth in this Letter of Intent or the Public Hearing Applications filed herewith.

The Applicant respectfully requests your approval of these applications.

This 17th day of November, 2015.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'R. Lee Tucker, Jr.', is written over a horizontal line. The signature is stylized and cursive.

R. Lee Tucker, Jr.
Attorney for the Applicant

EXHIBIT "A"

Property Owners List

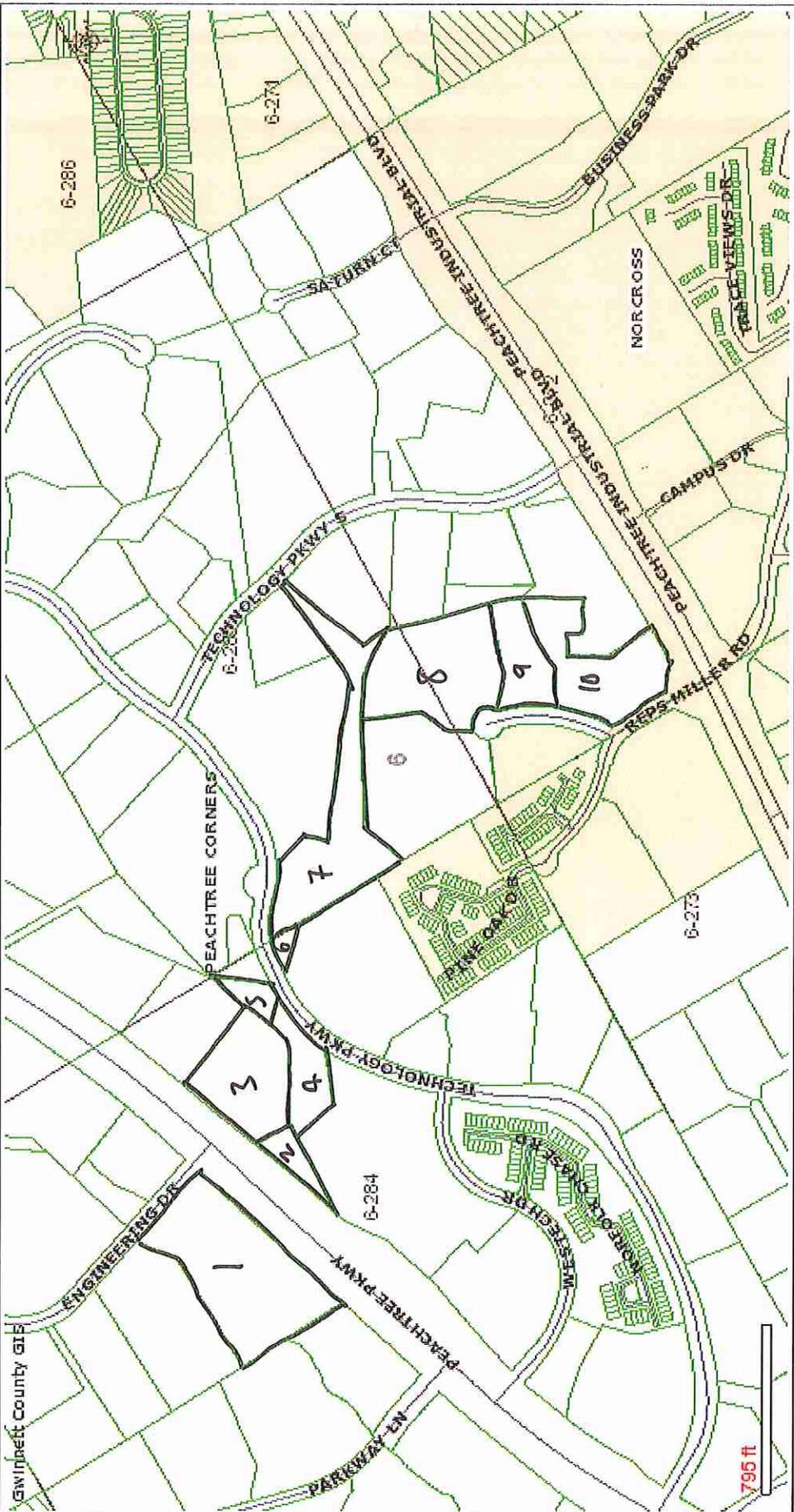
#	Owner	Parcel #	Address
1	Jettison, LLC	6284 015	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
2	Technology Park/Atlanta, Inc.	6284 016	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
3	Technology Park/Atlanta, Inc.	6284 018	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
4	Technology Park/Atlanta, Inc.	6284 056	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
5	Westech Associates	6284 040	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
6	Westech Associates	6284 041	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
7	Technology Park/Atlanta, Inc.	6285 010	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
8	Narmada Partners, LLC	6272 062	520 Guthridge Ct, Ste 200, Norcross, GA 30092
9	John K Taylor, LLC	6272 061	510 Guthridge Ct, Norcross, GA 30092
10	Techone Associates, LLC	6272 064	1002 Cherbury Ln, Alpharetta, GA 30022
	Total		

EXHIBIT B

Gwinnett County GIS Map

Contact

Name: Gwinnett County ITS - GIS
Telephone: 770-822-8036
Website: www.gwinnettcounty.com
Email: gisoffice@gwinnettcounty.com
Address: 75 Langley Drive, Lawrenceville, GA 30046



Map Printed On October 28, 2015

Copyright Gwinnett County GIS

Disclaimer See Terms

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The Genesis of a New City Center

The economic strength and spending power of the City has brought about more demand for higher-end retail developments such as The Forum. Based on Comprehensive Plan recommendations and leadership group discussions, the City purchased over 20 acres of undeveloped land across Peachtree Parkway from The Forum as an anticipated site for a future "Town Center." Once under their ownership control, the City released an Request for Proposals (RFP) for developers that would work to meet the desire for a more community-oriented space. As of early 2015, the first phase of the plan has already been developed with a firm plan in place for retail shops, restaurants, a movie theater, for-sale town homes, and a signature 2-acre green space. As perhaps the City's first true "mixed-use" project, an overarching goal of this LCI study was to leverage and build-upon this important asset of the new City.

CONCEPTUAL SITE PLAN OF FUTURE TOWN CENTER (BY OTHERS)



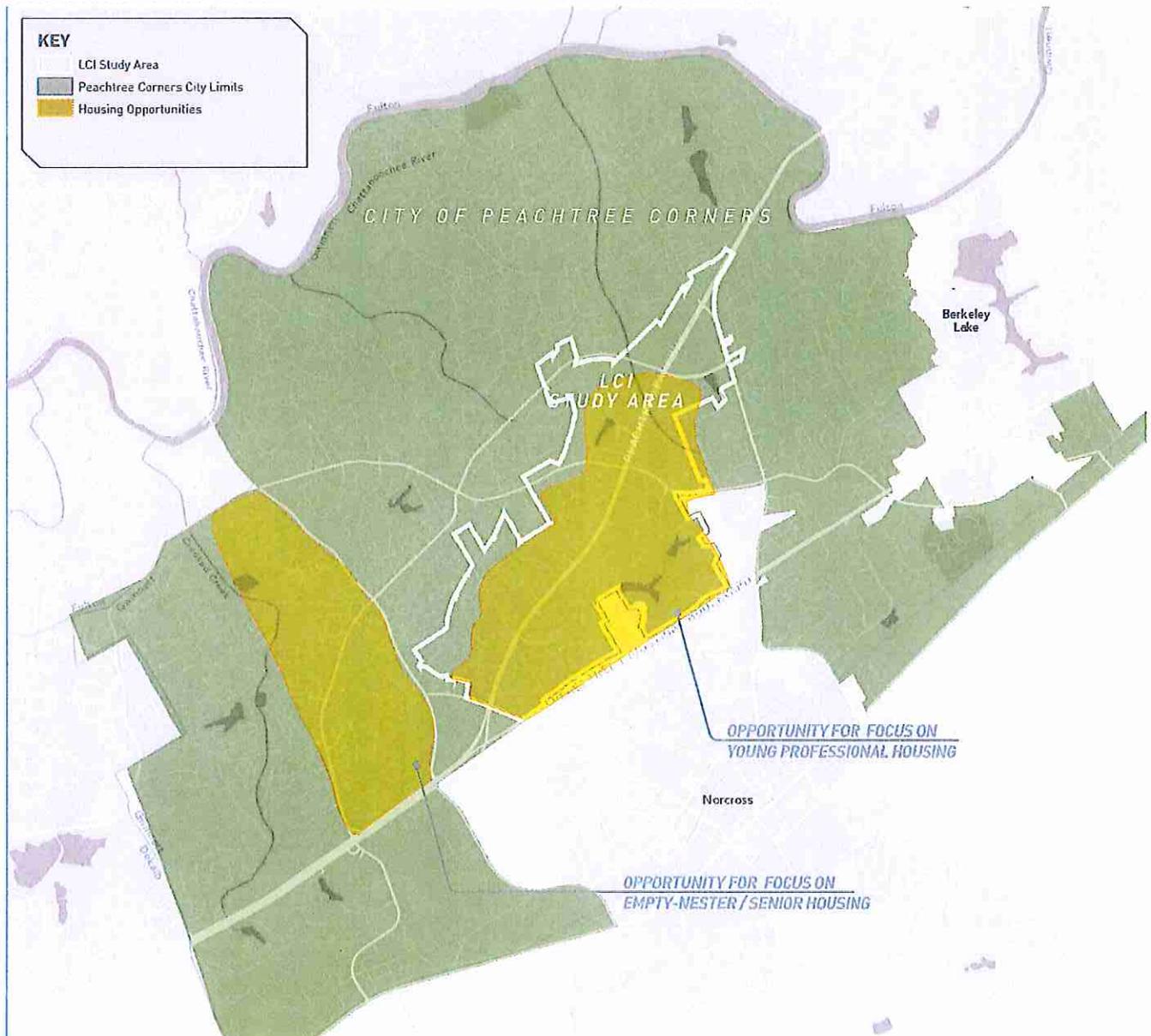
Town Center rendering courtesy of Fuqua Development Group and The City of Peachtree Corners.

Facilitate Housing Choices

The LCI market study revealed that the City's concentration of single family homes and below-market-rate rental housing have created a sizable market gap currently in high demand. As noted earlier, LCI stakeholder interviews with former/current Technology Park stakeholders revealed an overwhelming corporate demand for a variety of housing types for a younger workforce. Given these conditions, the City should make it a major priority to facilitate the development of a wider range of housing types, including senior residences and, most importantly, younger workforce housing. This is especially true of the Technology Park area as if it is to transform into an

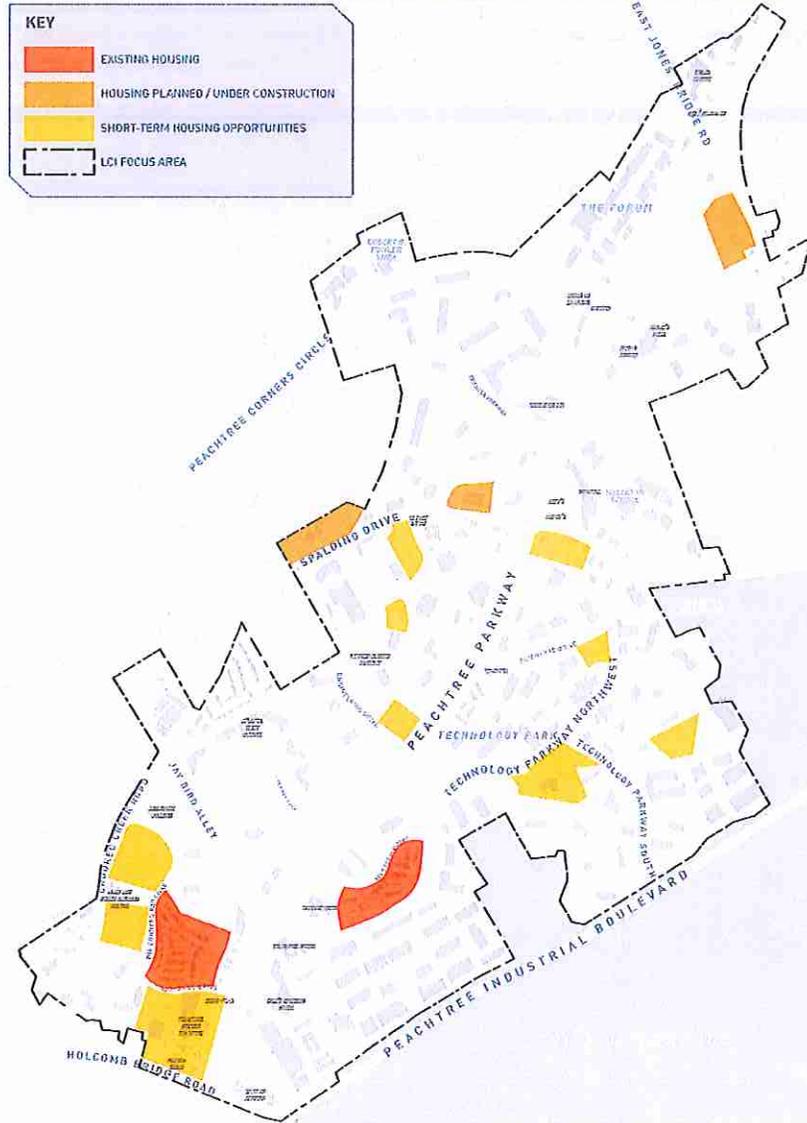
Innovation District offering walkable, mixed-use development for the soon-to-be-dominant "Millennial" generation (ages 10-29). Similarly, there are areas within the LCI where the market demand for empty-nesters and retirees can be met (an opportunity that is already being taken advantage of by developers). The opportunity to meet housing market demands should be approached as a City-wide strategy. However, the first steps of this strategy within the LCI should focus on making adequate changes to the area's current zoning to make it possible to develop market-viable uses "by right" without need for rezonings or variances. Concurrently, revisions should be made to development requirements to allow for more condensed horizontal and vertical mixed-use developments that help promote walkability.

CITY-WIDE POTENTIAL TARGETS FOR INFILL OF HOUSING MARKET DEMAND



NOTE: THESE ARE GENERALIZED AREAS. FURTHER STUDY IS REQUIRED

HOUSING IN LCI AREA: EXISTING, PLANNED & POTENTIAL AREAS



NOTE: THESE ARE PLANNING LEVEL SUGGESTIONS ONLY

NATIONAL TRENDS ON HOUSING

54% of Americans prefer three or more community attributes associated with compact development

71% view home ownership as a good investment

70% place a high value on walkability when choosing a new community

61% would accept a smaller home in exchange for a shorter commute

POSSIBLE HOUSING TYPES TO CONSIDER

MILLENNIALS (10-29)

- rental units in mixed-use settings
- accessory apartments (granny flats)
- moderately-priced town homes
- moderately-priced existing single-family homes

GENERATION X (30-48)

- trade-up single-family, 25% walkable urban places

EMPTY NESTERS / BABY BOOMERS (50-69)

- condominium flats
- rental units in mixed-use settings
- town homes / cluster homes
- small-lot single-family

SILENT GENERATION / BABY BOOMERS (69+)

- active adult communities / developments
- adults-only rental / independent living facilities
- retirement centers

GENERATION PREFERENCES FOR COMPACT COMMUNITIES



REVITALIZED INNOVATION HUB: CONCEPTUAL VIEW SHOWING INTEGRATION OF RESIDENTIAL WITHIN TECHNOLOGY PARK

EXISTING OFFICE CAMPUS WITHIN TECH PARK



POTENTIAL REDEVELOPMENT OPPORTUNITY WITH THE ADDITION OF YOUNG PROFESSIONAL HOUSING



NOTE: NOT AN ACTUAL DEVELOPMENT PROPOSAL - FOR VISIONING PURPOSES ONLY

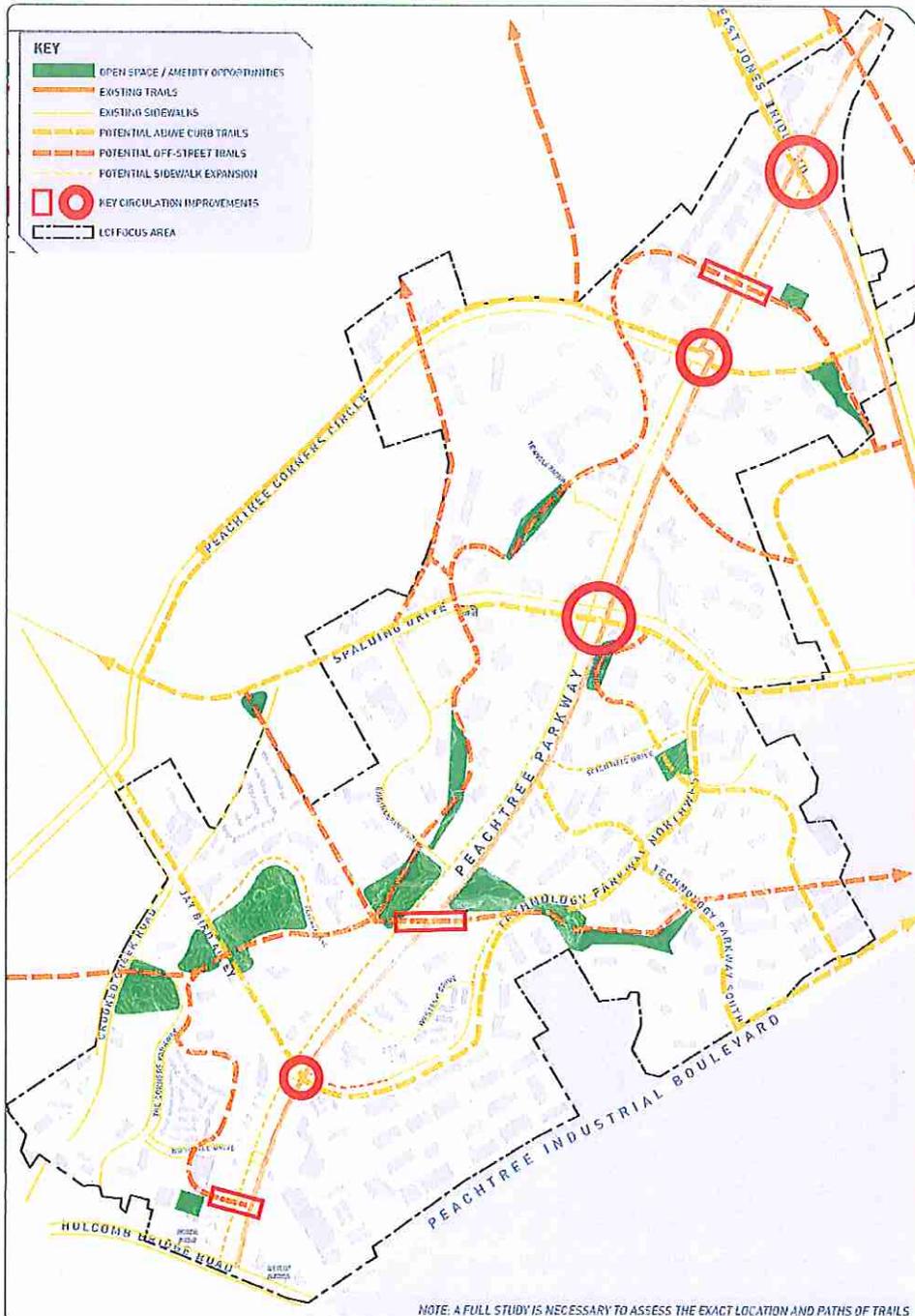
Amenitize & Connect

The LCI area includes a wide array of undeveloped spaces and pristine water features. While these potential assets are for the most part "hidden" from public view they present tremendous opportunities for amenitization as part of a highly connected system of walking and biking trails. The planning team investigated the topographical conditions of the area in order to develop a conceptual trail network focusing on connecting residential neighborhoods to job centers and retail destinations

to these natural amenities. This potential network would connect existing trails, future trails, and even sidewalks as part of an integrated network of pedestrian/bicycle paths. These scenic areas are perfect candidates to establish dedicated open spaces along the trail network and also hold the potential to become small nodes where walkable mixed-use development can cluster.

It is important to note that this trail network is an initial assessment of the potential location of trails and paths. A more detailed analysis is required to determine the exact location of trails and feasibility of construction.

LCI TRAIL & OPEN SPACE FRAMEWORK



UNTAPPED OPPORTUNITIES:

Did you know all of the images below are located within the LCI area? These spaces can be more visible, accessible, and usable for all to enjoy!



ALTERNATIVE MOBILITY IN PEACHTREE CORNERS: POTENTIAL VIEW OF INNOVATION HUB TRAIL AT CROSSING OF TECHNOLOGY PARKWAY EXISTING GAS LINE EASEMENT OPEN SPACE IN TECH PARK



POTENTIAL TRAIL SYSTEM DEVELOPMENT WITHIN GAS LINE EASEMENT



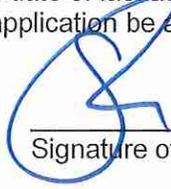
NOTE: NOT AN ACTUAL DEVELOPMENT PROPOSAL - FOR VISIONING PURPOSES ONLY

Twin Lakes
Peachtree Corners, GA



APPLICANT'S CERTIFICATION

The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the city council.



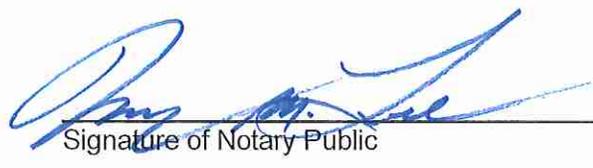
Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

10/28/15

Date



PROPERTY OWNER'S CERTIFICATION

The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the city council. As the property owner, I authorize the above noted applicant to act on my behalf with regard to this application.

Signature of Property Owner

Date

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seal

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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

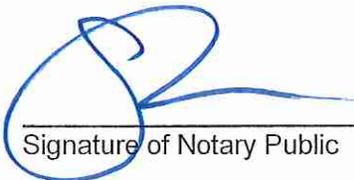
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Signature of Property Owner 10/29/15
Date

R. Lee Tucker, Jr., Attorney for Narmada Partners, LLC

Type or Print Name and Title



Signature of Notary Public 10/29/15
Date Notary Seal



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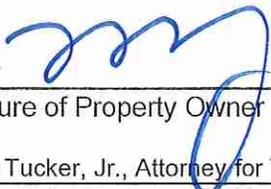
Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

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Signature of Property Owner 10/29/15
Date

R. Lee Tucker, Jr., Attorney for Techone Associates, LLC

Type or Print Name and Title



Signature of Notary Public 10/29/15
Date



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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

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Signature of Property Owner 11/20/15
Date

R. Lee Tucker, Jr., Attorney for Westech Associates

Type or Print Name and Title



Signature of Notary Public 11/20/15
Date Notary Seal



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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

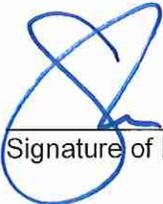
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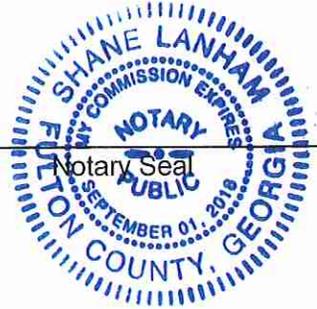
Signature of Property Owner 11/20/15
Date

R. Lee Tucker, Jr., Attorney for Jettison, LLC

Type or Print Name and Title



Signature of Notary Public 11/20/15
Date



APPLICANT'S CERTIFICATION

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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

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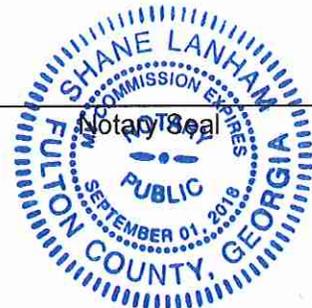
Signature of Property Owner 11/20/15
Date

R. Lee Tucker, Jr., Attorney for Technology Park / Atlanta, Inc.

Type or Print Name and Title



Signature of Notary Public 11/20/15
Date Notary Seal



APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2012 zoning resolution, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

Please see attached.

B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property?

Please see attached.

C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

Please see attached.

D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

Please see attached.

E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan?

Please see attached.

F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?

Please see attached.

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- A. The proposed rezoning and special use permit would permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development will enhance surrounding properties in a manner consistent with the Future Land Use Plan.
- B. The proposed rezoning and special use permit will not adversely affect the existing use or usability of adjacent or nearby property. The proposed development is a complement to the adjacent and nearby property and will enhance the connectivity and walkability of the area.
- C. Given current site conditions, existing development, and market trends, the subject property does not have reasonable economic use without the special use permit nor as currently zoned.
- D. The proposed rezoning and special use permit will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed development will enhance non-vehicular transportation options with the City and the extensive open space provisions will also reduce the infrastructure load.
- E. The proposed rezoning and special use permit is in conformity with the policy and intent of the land use plan. The land use plan encourages open space, infill retail development, and expanded housing options for young professionals—all of which are components of the proposed development.
- F. The proposed Peachtree Corners Town Center and shifting demographics are some of the many existing and changing conditions affecting the use and development of the property which give supporting grounds for approval of the proposed rezoning and special use permit.

DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL?

CHECK ONE: YES NO Mahaffey Pickens Tucker, LLP
 (If **yes**, please complete the "Campaign Contributions" section below) Print Name

1. CAMPAIGN CONTRIBUTIONS

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
N/A	N/A	N/A	N/A

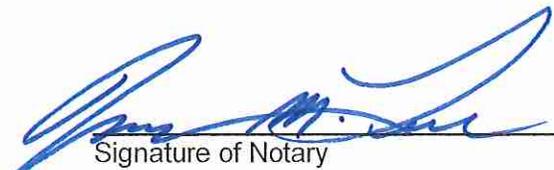
2. THE UNDERSIGNED ACKNOWLEDGES THAT THIS DISCLOSURE IS MADE IN ACCORDANCE WITH THE OFFICIAL CODE OF GEORGIA, SECTION 36-67A-1 ET. SEQ. CONFLICT OF INTEREST IN ZONING ACTIONS, AND THAT THE INFORMATION SET FORTH HEREIN IS TRUE TO THE UNDERSIGNED'S BEST KNOWLEDGE, INFORMATION AND BELIEF.

 Signature of Applicant Date Type or Print Name and Title

 10/28/15 Shane Lanham, Attorney for the Applicant

 Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

 Signature of Notary Date Notary Seal

 10/28/15 Wendy M. Frank, Notary Public, Bennett County, GA



VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 6 - 284 - 016
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

John Howard

NAME

TSA-1

TITLE

10-29-15

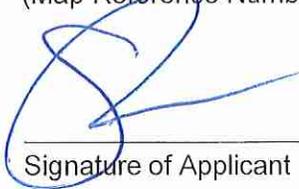
DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 6 - 272 - 062
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

10/28/15

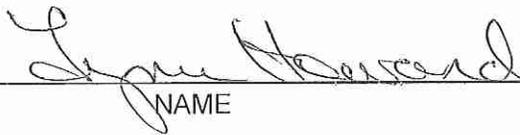
Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)



NAME

TSA-1

TITLE

10-29-15

DATE

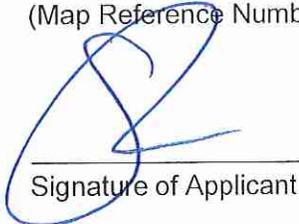
VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER:
(Map Reference Number)

6 - 272 - 064
District Land Lot Parcel


Signature of Applicant

10/28/15
Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Jamal Hayes
NAME

TSA I
TITLE

11-2-15
DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 6 - 285 - 010
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

J. Hayes Jamal Hayes

NAME

TSA I

TITLE

11-2-15

DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF PEACHTREE CORNERS PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL A PUBLIC HEARING APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL I.D. NUMBER: 6 - 272 - 061
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

 Diane Foy

NAME

TSA II

TITLE

11/17/2015

DATE



Matthew P. Benson
Alissa L. Cummo
Kelly O. Faber
Amanda F. Henningsen
Christopher D. Holbrook
Joshua P. Johnson
Gerald Davidson, Jr.*

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
*Of Counsel

**JUSTIFICATION FOR REZONING APPLICATION OF
MAHAFFEY PICKENS TUCKER, LLP**

The portions of the 2012 Zoning Resolution of City of Peachtree Corners (the “Resolution”) which classify or may classify the property which is the subject of this Application (the “Property”) into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Resolution as applied to the subject Property, which restricts its use to the present zoning classification is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the requested zoning classifications with the conditions as requested by the Applicant, and is not economically suitable for development under the present conditions and zoning classifications of the City of Peachtree Corners, Georgia (the “City”). A denial of this Application would constitute an arbitrary and

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NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

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www.mptlawfirm.com

capricious act by the Mayor and City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Mayor and City Council to rezone the Property to the requested zoning classifications with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the requested classifications, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 30th day of October, 2015

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant



Matthew P. Benson
Alissa L. Cummo
Brian T. Easley
Kelly O. Faber
Amanda F. Henningsen
Christopher D. Holbrook
Joshua P. Johnson
Gerald Davidson, Jr.*

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
Kenneth W. Stroud
R. Lee Tucker, Jr.
*Of Counsel

AMENDMENT TO AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF PEACHTREE CORNERS, GEORGIA

APPLICANT: Mahaffey Pickens Tucker, LLP
ZONING CASE NUMBER(S): SUP2015-005
RZ2015-006
V2016-002
PRESENT ZONING DISTRICT: M-1
REQUESTED ZONING DISTRICT: T/O; RM-13; and C-2 with Special Use Permit
PROPOSED DEVELOPMENT: Twin Lakes at Technology Park

The Applicant, Mahaffey Pickens Tucker, LLP, hereby amends its application to amend the official zoning map of the City of Peachtree Corners, Georgia heretofore filed with the Community Development Division of the City of Peachtree Corners, Georgia by the addition of the attached Exhibits to the original application.

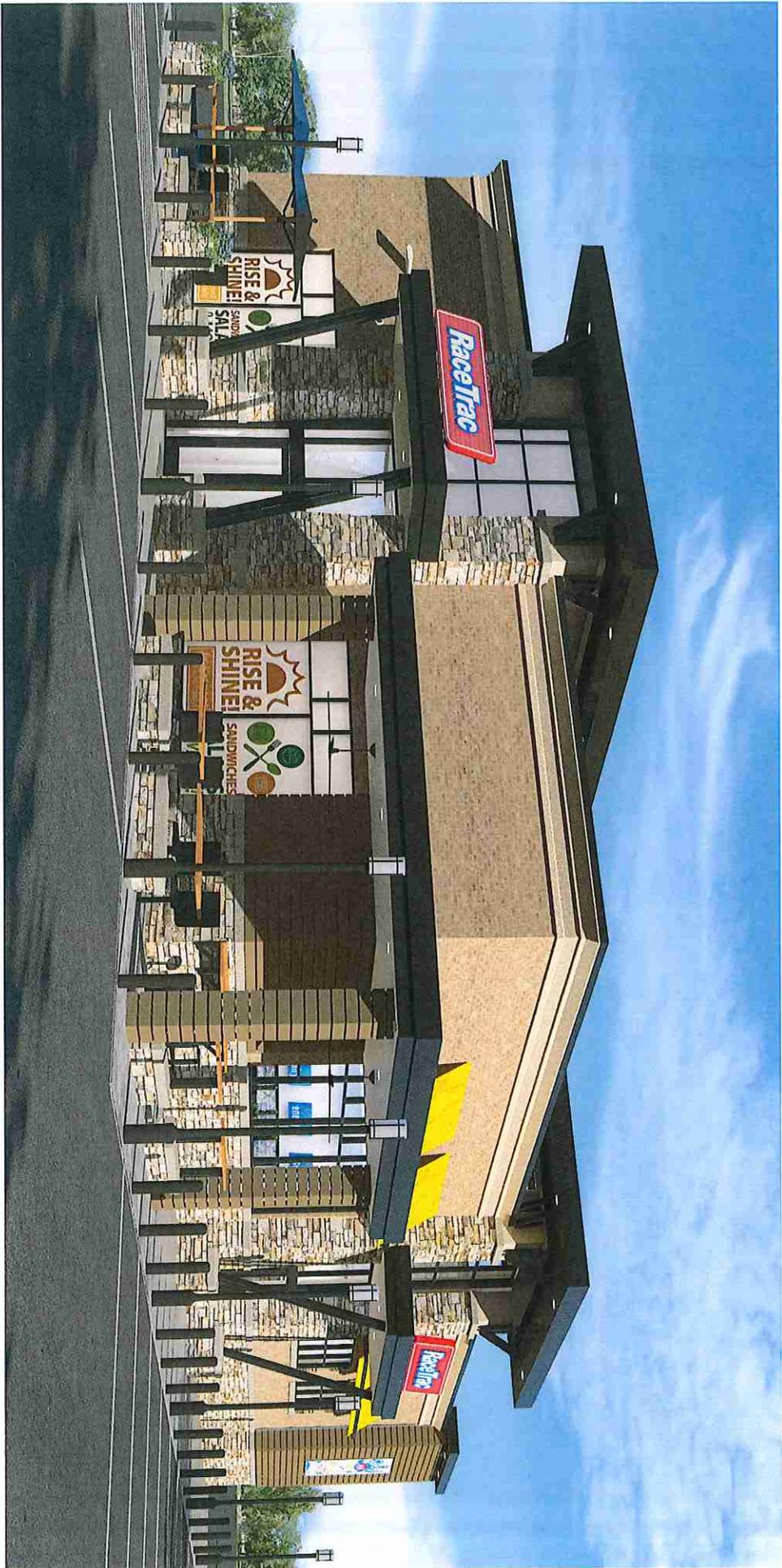
This 29th day of January, 2016.

Respectfully yours,

MAHAFFEY PICKENS TUCKER, LLP



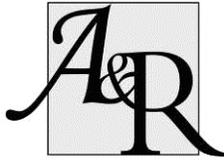
Shane M. Lanham
Attorneys for Applicant



Submitted via
letter dated 11/29/16



Submitted via
letter dated 1/29/16



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

Memorandum

To: Belmont Associates
From: Geoff K. Warr, PE, PTOE
Date: December 21, 2015
Subject: Trip Generation Comparison Memorandum for Twin Lakes at Tech Park Project

The purpose of this memorandum is to determine the trip generation that will result from the proposed Twin Lakes at Tech Park project. Twin Lakes is located in the northeast corner of the intersection of Peachtree Industrial Boulevard and Guthridge Court in Norcross, Georgia. The proposed redevelopment will consist of 295 multi-family apartment units. The two existing office buildings will be demolished for redevelopment. The re-developed site will also occupy the undeveloped lot zoned for 15,000 sf of Warehouse/Distribution. The development will be served by two-full access driveways on Guthridge Court.



Figure 1 – Site Overlay

METHODOLOGY

The Institute of Transportation Engineers has published data sets for estimating trip generation in the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation for the proposed redevelopment of the site is based on the following ITE Land Uses: 220 – *Apartments*. Trip generation estimates for the existing buildings are based on the following ITE Land Uses: 710 – *General Office Building*, 152 – *High-Cube Warehouse/Distribution Center*. In order to calculate the total additional trips generated from the proposed redevelopment, the trips generated by the existing development were subtracted from the new trips generated by the redevelopment.

DATA PROPERTIES

The ITE Trip Generation report states the following for each land use considered:

ITE 220 – Apartment

“Apartments are rental dwelling units located within the same building with at least three other dwelling units, for example, quadraplexes and all types of apartment buildings.” It also states, “The peak hour of the generator typically coincides with the peak hour of the adjacent street traffic.”

ITE 152 – High-Cube Warehouse/Distribution Center

“High-cube warehouses/distribution centers are used for the storage of materials, goods and merchandise prior to their distribution to retail outlets, distribution centers or other warehouses. These facilities are typically characterized by ceiling heights of at least 24 feet with small employment counts due to a high level of mechanization.”

ITE 710 – General Office Building

“A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers and tenant services, such as a bank or savings and loan institution, a restaurant or cafeteria and service retail facilities”.

Trip reductions to account for pass-by trips and internal mixed-use trips do not apply to this single-use residential development.

CALCULATIONS

The trips generated based on ITE methodology mentioned above are shown below in Tables 1A (redevelopment) and 1B (existing development, to be demolished).

TABLE 1								
TRIP GENERATION - EXISTING OFFICE BUILDINGS AND VACANT LOT ZONED FOR DISTRIBUTION WAREHOUSE								
Land Use	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	2-way
General Office Building	58,000	168	23	191	32	158	190	1,313
High-Cube Warehouse/Distribution Center	15,000	63	28	91	32	73	105	1,401
Total with Reductions		231	51	282	64	231	295	2,714

TABLE 2								
TRIP GENERATION - PROPOSED MULTI-FAMILY APARTMENT UNITS								
Land Use	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	2-way
Apartment	295	21	86	107	87	46	133	1,396
Total with Reductions		21	86	107	87	46	133	1,396

TABLE 3								
TRIP GENERATION COMPARISON								
Land Use	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	2-way
Trip Generation - Existing Office & Vacant Lot for Dist. Warehouse		231	51	282	64	231	295	2,714
Trip Generation - Proposed Multi-Family Apartment Units		21	86	107	87	46	133	1,396
Difference (Existing - Proposed Dev.)		-210	35	-175	23	-185	-162	-1,318
		-91%	69%	-62%	36%	-80%	-55%	-49%

As shown in Table 3 above, the amount of daily traffic generated by the proposed development will be 49% less than the traffic generated by existing development.

ADDITIONAL INFORMATION

As part of this memorandum, annual average daily traffic volumes were collected from the Georgia Department of Transportation. These counts are shown below.

Station ID	Location	AADT 2014
1350656	Peachtree Ind. Blvd. (west of Guthridge Ct)	47,700



Figure 2 – Location of Traffic Counter

PROPERTY LOCATION MAP

Twin Lakes



CASE NUMBER:

RZ2015-006/SUP2015-005

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

FEB. 09, 2016

FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

**VARIOUS ALONG PEACHTREE PARKWAY,
PEACHTREE INDUSTRIAL BOULEVARD, AND
GUTHRIDGE CT.**

02016-02-68

D. Wheeler

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO V2016-001, TOWN CENTER, REQUEST FOR A STREAM BUFFER VARIANCE (IN CONJUNCTION WITH SUP2015-003 APPROVED 6/9/2015) FOR A PORTION OF A 19.6 ACRE PROPERTY LOCATED AT PEACHTREE PARKWAY NEAR FORUM DRIVE IN DISTRICT 6, LAND LOT 301, PARCEL 183, PEACHTREE CORNERS, GA

WHEREAS: Notice to the public regarding said modification to conditions of zoning has been duly published in The Gwinnett Daily Post, the Official News Organ of Peachtree Corners; and

WHEREAS: Public Hearings were held by the Mayor and City Council of Peachtree Corners on February 16, 2016 and March 15, 2016;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on March 15, 2016 hereby ordain and approve the Zoning Case V2016-001, for the above referenced property with the following enumerated conditions:

1. An encroachment into the 50 ft. undisturbed buffer and 75 ft. impervious stream setback line shall be permitted for the improvements planned along a portion of the southern property line as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.
2. The face of the Gabion retaining wall shall be vegetated as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.

Effective this 15th day of March, 2016.

So signed and Witnessed

Approved :

this _____ day of _____, 2016

Attest:

Kymerly Chereck, City Clerk

Mike Mason, Mayor

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

VARIANCE ANALYSIS

PLANNING COMMISSION DATE: FEBRUARY 9, 2016
CITY COUNCIL DATE: MARCH 15, 2016

CASE NUMBER :**V2016-001** (IN CONJUNCTION WITH SUP2015-003)
ZONING :C-2
LOCATION :PEACHTREE PARKWAY NEAR FORUM DRIVE
MAP NUMBERS :R6301 183
ACREAGE :19.6 ACRES
REQUEST: :STREAM BUFFER VARIANCE
FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: CITY OF PEACHTREE CORNERS
DOWNTOWN DEVELOPMENT AUTHORITY

CONTACT: DAN GRAVELINE, CHAIRMAN

OWNER: CITY OF PEACHTREE CORNERS
DOWNTOWN DEVELOPMENT AUTHORITY

RECOMMENDATION: APPROVE WITH CONDITIONS

BACKGROUND:

The subject property is a part of a 19.6 acre tract that is planned for the Town Center. The development plans for the property were approved on 6/9/15. Normally, any variances that are needed as part of a planned development are considered at the same time as the Special Use Permit or Rezoning application. However, in this case, the Town Center drawings were not sufficiently developed to determine if any specific site variances would be required by the time of the public hearing last June. As a result, the variances associated with SUP2015-003 are being presented at this time, as follows:

1. Encroachment into the 50 ft. undisturbed buffer to construct a Gabion retaining wall. (A Gabion retaining wall is usually made of stone stacked against the slope that holds up rock wrapped in wire for support and drainage.)
2. Encroachment into the 75 ft. impervious setback to accommodate surface and structured parking, a walkway, and a small portion of building.

The drawing prepared by Hanes Gipson and Associates and labeled 'Stream Buffer Variance Exhibit' (last drawing with application) shows the requested encroachments resulting from the development proposed at the periphery of the Town Center. In particular, the planned parking deck, some of the surface parking, the walkway around the Cinebistro building and the corner

fo the building, itself, encroach into the required stream buffer and setback. The steep topography adjacent to the existing stream necessitates the use of retaining walls. And the wall, along with the area needed to build the wall, trigger the variance request. If this portion of the site had been flat, both the retaining wall and the encroachment would not be needed.

A similar variance application (SUP2015-001) was approved on 4/21/15 for the other side of the stream. In that situation, the encroachment was also the result of a retaining wall adjacent to required parking. To compensate for the buffer loss, the applicant in that case set aside land to be used for green space. In this case, the Downtown Development Authority is developing a two acre town green that will be used as both passive and active open space.

RECOMMENDATION:

Approve V2016-001, subject to the following conditions:

1. An encroachment into the 50 ft. undisturbed buffer and 75 ft. impervious stream setback line shall be permitted for the improvements planned along a portion of the southern property line as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.
2. The face of the Gabion retaining wall shall be vegetated as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.



Case Number: V-2016-001 Received Date: _____ Hearing Date: PC - 2/9/16
CC - 3/15/16

Variance Application from the Zoning Resolution

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Haines, Gipson & Associates, Inc.</u> Address (all correspondence will be mailed to this address): <u>1550 North Brown Road, Suite 100</u> City <u>Lawrenceville</u> State <u>Ga</u> Zip <u>30043</u> Phone <u>770-491-7550</u>	Downtown Development Authority of the City Name <u>of Peachtree Corners</u> Address <u>147 Technology Parkway, Suite 200</u> City <u>Peachtree Corners</u> State <u>Ga</u> Zip <u>30092</u> Phone <u>678-691-1200</u>
Contact Person Name: <u>Luke Ferguson</u> Phone: <u>770-491-7550</u> Email Address: <u>lferguson@hainesgipson.com</u>	
Applicant is the (please check or circle one of the following): <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 5200 Medlock Bridge Road, Peachtree Corners, Georgia

Subdivision or Project Name Peachtree Corners Marketplace **Lot & Block** N/A

District, Land Lot, & Parcel (MRN) 6th District, Land Lot 301, PIN 6301 183

Proposed Development Office/Retail development, including Public Park, and Future Residential

Permit Number (if construction has begun) N/A

Variance Requested Code of Ordinance, Chapter 18, Article III. Encroachment into 50' Undisturbed Buffer & 75' Impervious Setback of ex. creek. ⊕

A complete application includes the following:

- | | |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Application Form | <input checked="" type="checkbox"/> Application Fee |
| <input checked="" type="checkbox"/> Site Plan and/or Boundary Survey | <input checked="" type="checkbox"/> Signed & notarized Certification page |
| <input checked="" type="checkbox"/> Letter of Intent (with variances listed) | <input checked="" type="checkbox"/> Additional Documentation as needed |



CITY OF
**Peachtree
CORNERS**
Innovative & Remarkable

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT**

147 Technology Parkway, Suite 200, Peachtree Corners, GA 30092
Tel: 678.691.1200 | www.cityofpeachtreecornersga.com

Applicant Certification

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608).



Luke Ferguson 1-20-16
Signature of Applicant Date

Luke Ferguson, PE (Associate, Haines, Gipson & Associates)
Typed or Printed Name & Title

Amanda Smith 1/20/16
Signature of Notary Public Date

Property Owner Certification

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608). I, as the property owner, authorize the above noted applicant to represent me with regards to this application.

Dan Graveline 1-21-16
Signature of Property Owner Date

DAN GRAVELINE, CHAIRMAN, DDA
Typed or Printed Name & Title

Kymerly Chereck 1/21/16
Signature of Notary Public Date



Community Development Use Below Only

Fees Paid: N/A By: DW

Related Cases & Applicable Conditions:

SUP 2015-003 (6/9/15)

Variance Description: BUFFER REDUCTION (STREAM)



RANDALL W. GIPSON, P.E.
DANIEL D. CAMPBELL, P.E.
JEFFREY B. STRICKLAND, P.E.
GLENN A. GRAHAM, P.E.
SCOTT E. SAMUEL, P.E.
STONEY C. ABERCROMBIE, P.E.
JEFFREY L. VANDIVER, P.E.
JOSEPH C. MCCOWN, P.E.

R. CLAY LEWIS, P.E.
STEPHEN J. SYWY, P.E.
ROBERT A. MCCANN, P.E.
DAVID A. DOMYSLAWSKI, P.E.
DAVID H. LOVVORN, P.E.
KEVIN M. SOUTHERLAND, P.E.
M. BRUCE BAKER, P.E.
T. LUKE FERGUSON, P.E.

January 22, 2016

City of Peachtree Corners
147 Technology Parkway, Suite 200
Peachtree Corners, Georgia 30092

SUBJECT: Peachtree Corners Town Center
Letter of Intent for Variance

To whom it may concern,

Haines, Gipson & Associates, on behalf of the property owner, Development Authority of the City of Peachtree Corners, is requesting approval for variance from the City's Code of Ordinance, Chapter 18, Article III, Section 18-50 Land Development Requirements. The requested variance and reasoning is as follows:

- Allowance of a 0.26-acre temporary encroachment into the 50-foot Undisturbed Stream Buffer for construction of a permanent pervious Gabion Retaining Wall system and pervious 2:1 slope.
 - Impacts to this portion of the buffer have been minimized as much as feasibly possible by the installation a vertical parking structure to support the surrounding public, retail, restaurant, and office facilities.
 - No impervious surface is proposed within this buffer.

- Allowance of a 0.08-acre permanent encroachment into the 75-foot Impervious Setback along the stream.
 - Impacts to this portion of the buffer have been minimized as much as feasibly possible.
 - Encroachment is required for a portion of the surface parking and vertical parking structure. Stormwater runoff from these areas will be treated to ensure water quality if maintained and excess runoff rates will be controlled onsite, prior to discharging into the existing creek.
 - Encroachment is also required for the connection of a Public Walking Trail that is slated to be installed along the creek and connect to a Public sidewalk, located on the eastern side of the proposed Movie Theater, which will connect to the proposed Public Park.

Thank you for your time and consideration.

Haines, Gipson & Associates

A handwritten signature in blue ink that reads 'Luke Ferguson'.

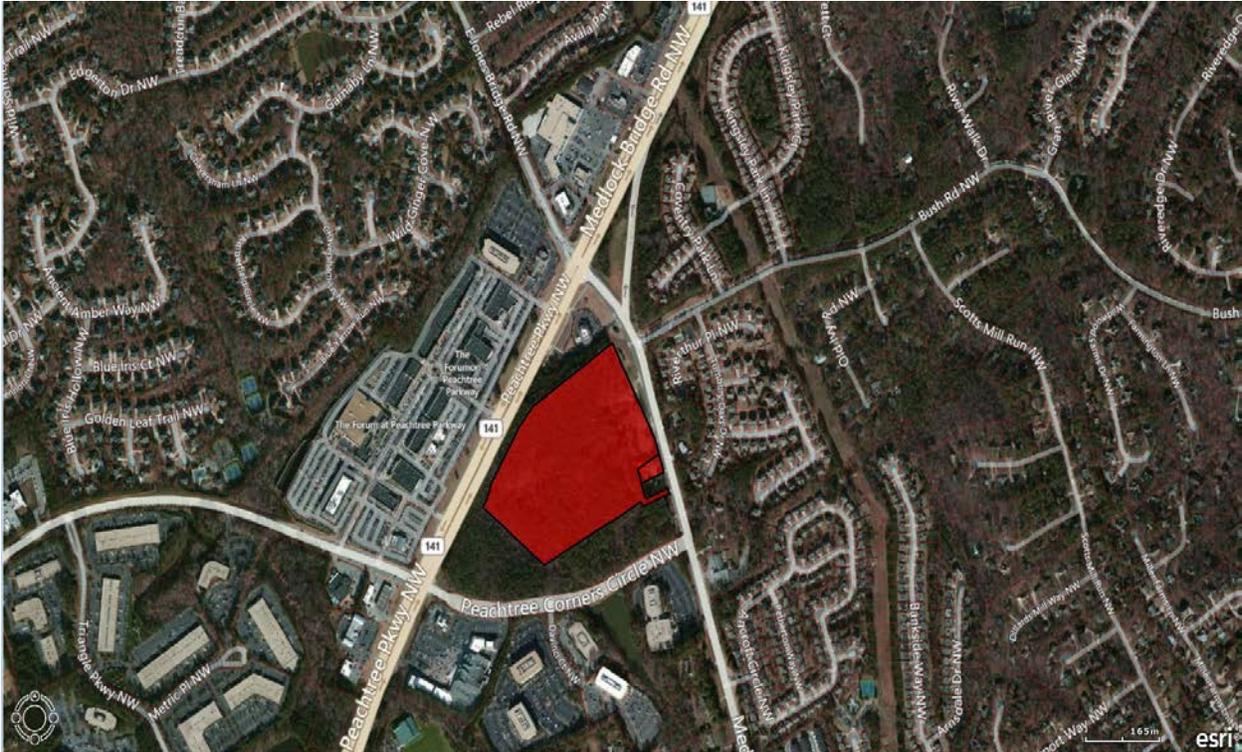
Luke Ferguson, P.E., GSWCC Cert. #72082
Associate

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT**

147 Technology Parkway, Suite 200, Peachtree Corners, GA 30092
Tel: 678.691.1200 | www.cityofpeachtreecornersga.com

PROPERTY LOCATION MAP

Town Center



CASE NUMBER:

V2016-001

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

FEB. 09, 2016

FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

Peachtree Parkway at Forum Drive

02016-02-64

D. Wheeler

**AN ORDINANCE TO AMEND CITY OF PEACHTREE CORNERS ZONING
RESOLUTION ART. XII, BY AMENDING SEC. 1310, M-1, LIGHT INDUSTRY
DISTRICT, IN ORDER TO LIMIT PERMITTED USES WITHIN THE CENTRAL
BUSINESS DISTRICT; REPEALING CONFLICTING REGULATIONS; AND SETTING
AN EFFECTIVE DATE**

WHEREAS, the Mayor and Council of the City of Peachtree Corners are charged with the protection of the public health, safety, and welfare of the citizens of Peachtree Corners; and

WHEREAS, pursuant to Section 1.12(a) of the City Charter, the City is charged with exercising the powers of zoning; and

WHEREAS, the Mayor and Council desire to amend the 2012 Zoning Resolution;

NOW THEREFORE, the Council of the City of Peachtree Corners hereby ordains, as follows:

Section 1: The City of Peachtree Corners 2012 Zoning Resolution shall be amended by adding the following (underlined words):

SECTION 1310 M-1 LIGHT INDUSTRY DISTRICT

Permitted Uses

Only the following uses shall be permitted within the M-1 Light Industry District and no structure shall be erected, structurally altered or enlarged for any use other than as permitted herein with the exception of a) uses lawfully established prior to the effective date of this amendment, b) special uses as permitted herein, c) accessory uses as defined in Article III, Definitions, or d) other uses which are clearly similar to and consistent with the purpose of this district, **or e) limited uses (listed at the end of this section) for property located within the Central Business District (see CBD map).**

Permitted Uses within the Central Business district (see CBD map)

a) **All permitted M-1 uses shall be allowed on M-1 zoned property in the Central Business District except the following:**

Automobile Body Repair Shop
Baking Plant
Cold Storage Plant
Funeral Homes and Crematories
Ice Manufacturing/Packing Plant
Laundry / Dry Cleaning Plant (does not apply to retail pick-up facility)
Maintenance Shop (automobile fleet vehicles)

Mini-Warehouse or Self-Storage facility
Outdoor Storage
Plastics Extrusion Plant
Recovered Materials Processing Facility
Sexually Oriented Businesses
Soft Drink Bottling/ Distribution Plant
Truck Rental or Leasing
Truck Fleet Maintenance Shop

- b) **Businesses with an active business license that operate a use listed in a) shall be considered a legal, non-conforming use and may continue to operate for as long as the business license stays active and the business is not discontinued for six months or longer.**
- c) **Uses listed in a) that were authorized by zoning hearing, building permit, land disturbance permit or other similar approval, shall be void if the use did not become operational as evidenced by the issuance of a business license by 2/16/16.**

Section 2

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed. Effective this 16th day of February, 2016.

Approved by:

Kym Chereck, City Clerk

Mike Mason, Mayor

SEAL

02016-02-65

D. Wheeler

AN AMMENDMENT TO THE CODE OF ORDINANCES, CITY OF PEACHTREE CORNERS, GEORGIA ARTICLE II, SEC. 42-24, NOISE, TO LIMIT THE HOURS OF OPERATION FOR LAWN MAINTENANCE EQUIPMENT AND TRASH HAULING VEHICLES AND EXTEND CONSTRUCTION HOURS; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE AN EFFECTIVE DATE;

WHEREAS, the Mayor and Council of the City of Peachtree Corners, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinance to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Peachtree Corners, Georgia; and

WHEREAS, the regulation of noise serves a public purpose and protects the public interest; and

WHEREAS, the Mayor and Council have determined that excessive noise at inappropriate times is detrimental to the public welfare;

NOW THEREFORE, the Council of the City of Peachtree Corners hereby ordains, as follows:

Section 1: (words ~~struck through~~ are deleted and words underlined are added)

• **Sec. 42-24. - Same—Enumeration.**

The following acts, among others, are declared to be loud, disturbing and unnecessary sounds or noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(1) *Horns, signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in the county, except as a danger warning; the creation of any unreasonably loud or harsh sound by means of this signaling device and the sounding of this device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of this signaling device when traffic is for any reason held up is prohibited.

(2) *Radios, phonographs, similar devices.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to unreasonably disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is reasonably necessary for convenient hearing for the person who is in the room, vehicle or chamber in which this machine or device is operated and who is a voluntary listener thereto. The operation of the set, instrument, phonograph machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the room, building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(3) *Loudspeakers, amplifiers.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or

other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of attracting the attention of the public to any building or structure is prohibited. Announcements over loudspeakers shall only be made by the announcer in person and without the aid of any mechanical device.

(4) *Yelling, shouting, and the like.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence or of any persons in the vicinity, is prohibited.

(5) *Noisy animals or birds.* Anyone who keeps or maintains an animal or bird that unreasonably disturbs the comfort or repose of any person, because the animal or bird is emitting frequent or long-continued sound or noise, and who continues to keep, maintain or allow any animal or bird to so disturb the comfort or repose of any person shall be deemed in violation of this section, provided that the person keeping or maintaining the animal or bird has been first notified in writing, by certified mail, return receipt requested, by the complaining party that this animal or bird being kept by the addressee is unreasonably disturbing his comfort or repose. This section shall be liberally construed to accomplish the objective of the section, and the person making this written notification need not use the exact words of this section to the addressee so long as the notification sufficiently informs the addressee of the nature of the disturbing noise emitted by the animal or bird. Upon receipt of a certified letter notifying the person keeping or maintaining such animal or bird, such person shall be required to immediately comply with this section. This section shall not apply to horses, livestock, poultry or other farm animals, provided they are maintained in accordance with city zoning regulations or ordinances.

(6) *Construction or repair of buildings.* The erection, excavating, demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and between 8:00 AM and 8PM on Saturdays is hereby prohibited, except that the building inspector may determine when the loss or inconvenience that would result to any party in interest is of such a nature as to warrant special consideration, then the building inspector may grant a permit for a period not to exceed ten days or less for this work to be done between the hours of 10:00 p.m. and 7:00 a.m. Saturday construction hours may only be conducted with the approval of the City Manager or his designee. This approval may be rescinded if complaints are received.

(7) *Transportation of metal rails, similar materials.* The transportation of rails, pillars or columns of iron, steel or other material over and along streets and other public places upon carts, drays, cars, trucks, or in any manner so loaded as to cause unreasonably loud noises or as to unreasonably disturb the peace and quiet of those streets or other public places is prohibited.

(8) *Pile drivers, hammers, similar equipment.* The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by unreasonably loud or unusual sounds or noises, is prohibited.

(9) *Blowers and motors.* The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noises due to the explosion of operating gases

or fluids, is prohibited, unless the noise from this blower or fan is muffled and the engine is equipped with a muffler device reasonably sufficient to deaden the noise.

(10) *Sound trucks.* The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles during such hours, and with such unreasonable volume as would constitute a public nuisance, is prohibited.

(11) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler is prohibited, except to give notice of the time to begin or stop work or as a warning of fire or danger upon request of proper authorities.

(12) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, or motor boat is prohibited, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(13) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create unreasonably loud and unnecessary grating, grinding, rattling or other noises is prohibited.

(14) *Loading, unloading, opening boxes.* The creation of unreasonably loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers is prohibited.

(15) *Schools, courts, churches, hospitals.* The creation of any unreasonably excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of the institution, or which disturbs or unduly annoys patients in the hospitals, is prohibited, provided that conspicuous signs are displayed in the streets indicating that it is a school, hospital or court street.

(16) *Hawkers, peddlers, vendors.* The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood is prohibited.

(17) *Noises to attract attention.* The use of any drum or other instrument or device for the purpose of attracting attention is prohibited.

(18) *Operation of motor vehicles.* The operation of motor vehicles, including cars, trucks, motorcycles, upon any parking facility, public or private, vehicle access or pedestrian walkway, or street, public or private, so as to create unreasonable noise and to disturb the peace, quiet and comfort of the inhabitants of the neighborhood is prohibited. **This prohibition includes the operation of trash trucks and garbage vehicles prior to 7:00AM or after 10:PM weekdays and prior to 8:00AM or after 9:00PM on weekends.**

***(19) Operation of Domestic Power Tools and Motorized Lawn Maintenance Equipment.* The operation of domestic power tools and motorized lawn maintenance equipment including grass**

mowers and leaf blowers shall only be conducted between 7:30AM to 9:00PM on weekdays and 9:00AM to 9:00PM on weekends and holidays.

Section 2

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Effective this _____ day of _____, 2016.

Approved by:

Mike Mason, Mayor

Kym Chereck, City Clerk

SEAL

02016-03-58

B. Branham

THE GEORGIA MUNICIPAL ASSOCIATION

401(a) DEFINED CONTRIBUTION PLAN

**Amended and Restated
As of January 1, 2012**

**RESOLUTION AND
ADOPTION AGREEMENT**

CITY OF PEACHTREE CORNERS

**Administered by:
Georgia Municipal Association
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 678-686-6289**

RESOLUTION

WHEREAS, the City of Peachtree Corners, Georgia, (hereinafter referred to as the "Participating Employer") has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a defined contribution plan, funded by employer contributions;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees' saving for retirement by offering matching and/or non-matching contributions;

WHEREAS, the Participating Employer has reviewed the Georgia Municipal Association ("GMA") Defined Contribution Plan, as amended and restated effective as of January 1, 2012 ("Plan");

WHEREAS, the Participating Employer wishes to participate or continue participating in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Participating Employer is an Employer as defined in the Plan;

WHEREAS, the Participating Employer has executed an Adoption Agreement (and, if applicable, an Addendum) for the Plan; and

WHEREAS, the Mayor and Council of the City of Peachtree Corners ("Governing Authority") is authorized by law to adopt this resolution approving the Adoption Agreement (and, if applicable, Addendum) on behalf of the Participating Employer;

Therefore, the Governing Authority of the Participating Employer hereby resolves:

Section 1. The Participating Employer adopts the Plan and the Trust Agreement ("Trust") for the Plan for its Employees.

Section 2. The Participating Employer acknowledges that the Board of Trustees of the GMA Defined Contribution and Deferred Compensation Plan ("Trustees") are only responsible for the Plan and have no responsibility for other employee benefit plans maintained by the Participating Employer.

Section 3.

(a) The Participating Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this resolution. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Trustees of the Plan.

(b) The Participating Employer acknowledges that it may not be able to rely on the volume submitter letter if it makes certain elections under the Adoption Agreement or the Addendum.

Section 4. The Participating Employer hereby authorizes Ice Miller LLP, Legal Counsel, the volume submitter practitioner who sponsors the Plan on behalf of GMA, to amend the Plan on its behalf as provided under Revenue Procedure 2007-44 and Revenue Procedure 2011-49. The Participating Employer understands that the implementing amendment reads as follows:

With the approval of the Trustees, the Practitioner shall amend the Plan on behalf of all Participating Employers, including those Participating Employers who have adopted the Plan prior to this restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Participating Employers.

Notwithstanding the foregoing paragraph, the Practitioner shall no longer have the authority to amend the Plan on behalf of any Participating Employer as of either:

- the date the Internal Revenue Service requires the Participating Employer to file Form 5300 as an individually designed plan as a result of an amendment by the Participating Employer to incorporate a type of Plan not allowable in a volume submitter plan as described in Revenue Procedure 2011-49; or
- as of the date of the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Participating Employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the Participating Employer is conditioned on the Plan receiving a favorable determination letter. In any event, any amendment made by the Practitioner is subject to the approval of the Trustees.

GMA will maintain or have maintained on behalf of the Practitioner a record of the Participating Employers, and GMA on behalf of the Practitioner will make reasonable and diligent efforts to ensure that Participating Employers have actually received and are aware of all Plan amendments and that such Participating Employers adopt new documents when necessary. The provisions of this Section shall supersede other provisions of the Plan to the extent those other provisions are inconsistent.

The Participating Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the volume submitter advisory letter.

Section 5.

(a) The Participating Employer shall abide by the terms of the Plan and the Trust, including amendments to the Plan made under Section 4 and to the Trust made by the Trustees of the Plan, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.

(b) The Participating Employer accepts the administrative services to be provided by GMA and any services provided by a Service Manager as delegated by the Trustees. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' Accounts.

Section 6.

(a) The Participating Employer may terminate its participation in the Plan, including but not limited to, its contribution requirements, if it takes the following actions:

- (i) A resolution must be adopted terminating its participation in the Plan.
- (ii) The resolution must specify when the participation will end.

The Trustees shall determine whether the resolution complies with the Plan, and all applicable federal and state laws, shall determine an appropriate effective date, and shall provide appropriate forms to terminate ongoing participation. However, distributions under the Plan of existing accounts to Participants will be made in accordance with the Plan.

(b) The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.

Section 7. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Trustees to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.

Section 8. This resolution and the Adoption Agreement (and any Addendum) shall be submitted to the Trustees for their approval. The Trustees shall determine whether the resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Trustees may refuse to approve an Adoption Agreement (and any Addendum) by an Employer that does not have state statutory authority to participate in the Plan. The Governing Authority hereby acknowledges that it is responsible to assure that this resolution and the Adoption Agreement (and any Addendum) are adopted and executed in accordance with the requirements of applicable law.

Adopted by the Governing Authority on _____, _____, in accordance with applicable law.

By: _____
Signature

Name and Title

Attest: _____

Date: _____

[Governing Authority should assure that applicable law is followed in the adoption and execution of this resolution.]

GMA 401(a) DEFINED CONTRIBUTION PLAN ADOPTION AGREEMENT

ADMINISTRATOR

Georgia Municipal Association
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 678-686-6289

PARTICIPATING EMPLOYER

Name: City of Peachtree Corners

GOVERNING AUTHORITY

Name: Mayor and Council of the City of Peachtree Corners
Address: 147 Technology Pkwy, N.W. Suite 200, Peachtree Corners, GA
30092
Phone: 678-591-1200
Facsimile: 678-691-1201
E-mail: _____
Person Authorized to receive Official Notices from the Plan or GMA:
City Manager

DISCLOSURE OF OTHER 401(a) PLAN(S)

This Participating Employer does or does not have an existing defined contribution plan(s). If the Participating Employer does have one or more defined contribution plans, the Governing Authority must provide the plan name, name of the provider, and such other information requested by the Administrator.

TYPE OF ADOPTION AND EFFECTIVE DATE

NOTE: This Adoption Agreement, with the accompanying Master Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined contribution plan, and is part of the GMA Defined Contribution and Deferred Compensation Program. Plan provisions designed to comply with certain provisions of the

AA-1

Pension Protection Act of 2006 ("PPA"), Heroes Earnings and Assistance and Relief Tax of 2007 (HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"), the final Treasury regulations under Code Section 415 published on April 5, 2007, and, based on the model amendment provided under Internal Revenue Service Notice 2009-82 are intended as good faith compliance with the requirements of PPA, HEART, and WRERA to be construed in accordance with PPA, HEART, and WRERA and guidance issued thereunder effective for Plan Years set forth herein. Plan provisions designed to comply with certain provisions of additional changes in federal law and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2010-90 (the 2010 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Master Plan Document. By adopting this Adoption Agreement, with its accompanying Master Plan Document, the Participating Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by PPA, HEART, and WRERA and the 2010 Cumulative List with the applicable effective dates.

This Adoption Agreement is for the following purpose **(check one)**:

- This is a new defined contribution plan adopted by the Participating Employer for its Employees effective _____, _____ **(insert effective date of this Adoption Agreement but not earlier than the beginning of the plan year in which the plan is adopted)**, with respect to Contributions as approved by the Board of Trustees below.
- Check this box if any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.
- This is an amendment and restatement of the current GMA 401(a) Defined Contribution Plan or other defined contribution plan of the Participating Employer, the effective date of which shall be **the date of approval by the Governing Authority** **(insert effective date of this Adoption Agreement but not earlier than the first day of the 2007 plan year or the beginning of the plan year in which the plan is adopted)**. This Adoption Agreement is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on July 1, 2012 **(insert original effective date of preexisting plan)**.
 - Check this box if (i) any preexisting plan provisions will be preserved from a superseded non-GMA plan or (ii) any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.
- This is an amendment to be effective as of _____, _____, **(insert effective date of this Adoption Agreement but not earlier than the beginning of the remedial amendment period for such amendment)** of the current GMA 401(a) Defined Contribution Plan previously adopted by the

Participating Employer, which was originally effective _____, _____, as follows (**please specify type below**):

- This is an amendment to change one or more of the Participating Employer's contribution design elections in the Adoption Agreement.
- This is an amendment to add a new Department or a new class of Eligible Employees.
- This is an amendment to discontinue participation in the Plan by one or more Departments or classes of Employees.
- Other (**must specify elective provisions in this Adoption Agreement**):

- Check this box if any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.

PLAN YEAR

Plan Year means the Participating Employer's Fiscal Year. For purposes of the limitations under Code Section 415(c) set forth in Article V of the Master Plan Document, the limitation year means the calendar year.

The Employer's Fiscal Year starts on: July 1 (**insert month and day e.g., July 1**).

COVERED DEPARTMENTS

A Participating Employer may cover all of its departments in the Plan or only those listed (check one):

- All Departments
- All Departments eligible to participate under the Employer's GMEBS defined benefit plan. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Covered Departments (**must specify**): _____

ELIGIBLE EMPLOYEES

Only Employees as defined in the Plan may be covered by the Adoption Agreement. Independent contractors may not participate in the Plan. Subject to other conditions in the Plan and this Adoption Agreement, the following Employees of the Covered Departments are eligible to participate in the Plan, provided that they satisfy any additional eligibility requirements specified under "Other Eligibility Requirements" below (**check one**):

- All
- All with the following exclusions:
 - Municipal Legal Officer
 - Elected or appointed officials
 - Other¹ (**must specify and clearly define the ineligible classification of employees**):

- Only employees in any 457(b) plan of the Employer. Note: This box must be checked if the sole purpose of this Plan is to provide Employer contributions to match Employee contributions to a 457(b) Plan.
- Only employees in the GMEBS defined benefit plan. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Other¹ (**must specify and clearly define the classification of Eligible Employees; Eligible Employees shall not include non-governmental employees, independent contractors, or any other ineligible individuals**):

_____.

No employee may be excluded based on the attainment of a maximum age.

The Employer shall provide the Trustees with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Adoption Agreement.

OTHER ELIGIBILITY REQUIREMENTS

Minimum Hours Per Week -- A Participating Employer may prescribe a minimum number of hours that an Employee must be scheduled and normally work in order to be an Eligible Employee under the Plan. The Employer hereby elects the following (elect either "No Minimum Hours Required" or "Minimum Hours Required" below. If you elect to have a

¹ Do not specify the inclusion or exclusion of a participant by using the name of the employee.

minimum hour requirement you must specify the number of hours required in the space provided below).

- No Minimum Number of Hours Required**
- Minimum Hours Required Per Week (regularly scheduled):**
 - 40 (must not exceed 40 hours/week)
 - Same Minimum Hours Required as provided in GMEBS defined benefit plan. Number of Hours: _____. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Other Minimum Hour Requirement (must specify):** _____

If any Eligible Employee ceases to meet the Minimum Hour Requirement (if any), he or she becomes ineligible for additional contributions until he or she once again meets the requirement. It is the Participating Employer's responsibility to monitor this requirement and to report to the Administrator a change in employee eligibility.

Waiting Period -- A Participating Employer may establish a waiting period before an Eligible Employee may become a Participant in the Plan. The Employer hereby elects the following (elect "no waiting period" or one of the waiting period options below):

- No waiting period.** An Eligible Employee may become a Participant immediately upon meeting the eligibility conditions of the Plan.
- A waiting period described under one of the following options (check one):**

- Minimum Period of Service (please complete items below):**

The waiting period for participation in the Plan shall be _____ (not to exceed 12 months) of service, calculated from the commencement of the Eligible Employee's employment with the Employer.

Eligible Employees who are employed on the date the Plan is adopted
 will be will not be given credit for prior service as an Employee for purposes of satisfying the waiting period.

Different periods of service will be will not be added together to determine whether the waiting period has been satisfied.

- Minimum Period of Contributions to 457(b) Plan (please complete items below):**

The waiting period for participation in the Plan shall be _____ (not to exceed 12 months) of the Eligible Employee's making contributions to the Employer's 457(b) plan(s).

Eligible Employees who are employed on the date the Plan is adopted will be will not be given credit for prior contributions made to the 457(b) Plan for purposes of satisfying the waiting period.

After initially meeting the waiting period, any interruption of employee contributions to the 457(b) plan(s) will will not require the employee to meet another waiting period to qualify for matching contributions.

Different periods of service in which deferrals are made as an Eligible Employee will will not be added together to determine if the waiting period has been satisfied.

EMPLOYER CONTRIBUTIONS

A Participating Employer may make Matching Contributions **and/or** Non-Matching Contributions as specified below. Matching Contributions and Non-Matching Contributions that are tied to Payroll Periods (as defined in this Adoption Agreement) must be remitted to the Administrator no later than 15 business days after the Payroll Period. Annual Contributions must be remitted to the Administrator no later than 15 days after the end of the Plan Year. A Participating Employer may establish one or more classes of employees for contribution purposes in this Adoption Agreement. However, no employee may be excluded from contributions based on the attainment of a maximum age.

The Participating Employer hereby elects to make contributions as follows (**check matching, non-matching, or both as applicable**):

Matching Contributions

Employer Contributions shall be made to match all or a portion of a Participant's contribution to an eligible 457(b) deferred compensation plan, including the GMA Deferred Compensation Plan. The Employer must identify the class or classes of Participants for whom contributions will be made and the contribution formula:

Class A Matching Contributions will be made on the following basis for **Class A** Participants:

Class A Participants are (**check one**):

- All Eligible Employees
- Other (**must specify; any individuals specified must be Eligible Employees**): _____

The Employer elects the following matching contribution formula for Class A Participants (check and complete "Percentage Match," "Flat Dollar Match," or "Other Formula" below):

- Percentage Match:** For each Payroll Period in which the Participant contributed to the GMA 457(b) Deferred Compensation Plan (insert plan name) a 457(b) Plan of the Employer, the Employer will contribute 100% (insert percentage) of the dollar amount contributed to the 457(b) Plan. (For example, if an Employer elects a 50% match, then for every \$10 the Participant contributes to the 457(b) Plan, the Employer will contribute \$5 to this Plan).

Cap on Percentage Match - The Employer may wish to establish a cap on its matching contributions, so that the percentage (%) match amount indicated above cannot exceed a certain amount per Payroll Period. The Employer hereby elects the following cap on its percentage matching contribution (check and fill in \$ or % of compensation limit to apply below, or check "no cap" below):

- Flat Dollar Cap:** In no event will Matching Contributions made on behalf of a Participant exceed a flat dollar amount equal to (complete as applicable):

\$ _____ per weekly Payroll Period
\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

[Note: If the Employer has more than one Payroll Period, you should indicate dollar cap that will apply with respect to each Payroll Period e.g., \$100 per weekly Payroll Period, and \$200 per bi-weekly Payroll Period].

- Cap Equal to Percentage of Total Compensation:** In no event will Matching Contributions made on behalf of a Participant exceed 5% of the Participant's §457(e)(5) includable compensation (gross income from the Employer) per Payroll Period.

No Cap

- Flat Dollar Match:** For each Payroll Period in which the Participant contributed at least \$ _____ (may be \$1 to \$25) to a 457(b) Plan of the Employer, the Participating Employer will contribute a flat dollar amount as shown below (complete as applicable):

\$ _____ per weekly Payroll Period

\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

- Other Formula for Calculating Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):**

[Do not complete following section on Class B Matching Contributions if all Eligible Employees are included in Class A above].

Class B Matching Contributions will be made on the following basis for Class B Participants:

Class B Participants are (must specify; all individuals specified must be Eligible Employees):

The Employer elects the following matching contribution formula for Class B Participants (check and complete "Percentage Match," "Flat Dollar Match," or "Other Formula" below):

- Percentage Match:** For each Payroll Period in which the Participant contributed to _____ (insert plan name) a 457(b) Plan of the Employer, the Employer will contribute _____ % (insert percentage) of the dollar amount contributed to the 457(b) Plan. (For example, if an Employer elects a 50% match, then for every \$10 the Participant contributes to the 457(b) Plan, the Employer will contribute \$5 to this Plan).

Cap on Percentage Match - The Employer may wish to establish a cap on its matching contributions, so that the percentage (%) match amount indicated above cannot exceed a certain amount per Payroll Period. The Employer hereby elects the following cap on its percentage matching contribution (check and fill in \$ or % of compensation limit to apply below, or check "no cap" below):

- Flat Dollar Cap:** In no event will Matching Contributions made on behalf of a Participant exceed a flat dollar amount equal to (complete as applicable):

\$ _____ per weekly Payroll Period
\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period

\$ _____ per monthly Payroll Period

[Note: If the Employer has more than one Payroll Period, you should indicate dollar cap that will apply with respect to each Payroll Period e.g., \$100 per weekly Payroll Period, and \$200 per bi-weekly Payroll Period].

Cap Equal to Percentage of Total Compensation: In no event will Matching Contributions made on behalf of a Participant exceed _____% of the Participant's §457(e)(5) includable compensation (gross income from the Employer) per Payroll Period.

No Cap

Flat Dollar Match: For each Payroll Period in which the Participant contributed at least \$ _____ (may be \$1 to \$25) to a 457(b) Plan of the Employer, the Participating Employer will contribute a flat dollar amount as shown below (complete as applicable):

\$ _____ per weekly Payroll Period
\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

Other Formula for Calculating Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

[Skip to "Payroll Period" below if Employer is not going to make Non-Matching Contributions]

Non-Matching Contributions

The Employer hereby elects to make contributions to the Plan without regard to a Participant's contribution to a 457(b) plan(s). The Employer must identify the class or classes of Participants for whom these contributions will be made and the contribution formula:

Non-Matching Contributions shall be made on the following basis for Class C Participants:

Class C Participants are (check one):

- All Eligible Employees
- Other (must specify; any individuals specified must be Eligible Employees): _____

The Employer elects the following contribution formula for Class C Participants (check one):

- Year-End Contributions: A one-time Plan Year-end contribution of \$ _____ or _____ % of Compensation per Participant.
- 12% of Compensation per Participant for each Payroll Period.
- A flat dollar amount per Payroll Period as shown below (complete as applicable):
 - \$ _____ per weekly Payroll Period
 - \$ _____ per bi-weekly Payroll Period
 - \$ _____ per semi-monthly Payroll Period
 - \$ _____ per monthly Payroll Period
- Other Formula for Calculating Non-Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

[Do not complete the following section on Class D Non-Matching Contributions if all Eligible Employees are included in Class C above].

Non-Matching Contributions shall be made on the following basis for Class D Participants:

Class D Participants are (must specify; all individuals specified must be Eligible Employees): _____.

The Employer elects the following contribution formula for Class D Participants (**check one**):

- Year-End Contributions: A one-time Plan Year-end contribution of \$ _____ or _____% of Compensation per Participant.
- _____% of Compensation per Participant for each Payroll Period.
- A flat dollar amount per Pay Period as shown below (**complete as applicable**):
 - \$ _____ per weekly Payroll Period
 - \$ _____ per bi-weekly Payroll Period
 - \$ _____ per semi-monthly Payroll Period
 - \$ _____ per monthly Payroll Period
- Other Formula for Calculating Non-Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

For purposes of computing non-matching contributions, "Compensation" is defined in the Plan, subject to the limits imposed by Georgia Code Section 47-1-13(b) and Internal Revenue Code Section 401(a)(17), as adjusted for cost-of-living increases under Internal Revenue Code Section 401(a)(17)(B).

COMPENSATION

Compensation Paid After Severance From Employment -- A Participating Employer may elect to include certain post-severance payments in Compensation for purposes of computing contributions under the Plan, but only if these amounts are paid no later than 2½ months after severance from employment or, if later, the end of the calendar year that includes a Participant's severance from employment, and only if it is a payment that, absent a severance from employment, would have been paid to the Participant while the Participant continued in employment with the Participating Employer. The Participating Employer makes the following election with respect to including post-severance payments in Compensation (Note: if the following is not completed, no post-severance payments will be included in Compensation by default):

- No post-severance payments will be included in Compensation for purposes of computing contributions under the Plan (if this box is checked, skip to "Payroll Period" below).

For purposes of calculating contributions under the Plan, the following post-severance payments will be included in Compensation, as long as: 1) they are paid no later than 2½ months after severance from employment or, if later, the end of the calendar year that includes the Participant's severance from employment; and 2) absent a severance from employment, they would have been paid to the Participant while the Participant continued in employment with the Participating Employer (check all that apply):

regular compensation paid after severance from employment for services rendered prior to severance during the Participant's regular working hours

compensation paid after severance from employment for services rendered prior to severance outside the Participant's regular work hours (such as overtime or shift differential), commissions, bonuses, or other similar payments

post-severance payments for unused accrued bona fide sick, vacation or other leave, but only if the Participant would have been able to use the leave if employment had continued

Other: _____

PAYROLL PERIOD

The payroll period of the Participating Employer is:

- Weekly
- Bi-Weekly
- Semi-Monthly
- Monthly

VESTING FOR EMPLOYER MATCHING CONTRIBUTIONS

(Complete if Employer is Making Matching Contributions)

A Participating Employer may establish a vesting schedule for Employer Matching Contributions. This means that if the Participant leaves the Participating Employer's employment prior to completing a specified period of service (not to exceed 5 years), the Participant forfeits all or part of the Employer's Matching Contributions. However, upon Death or Disability or the termination of the Plan, the Participant is 100% vested in the Participant's Employer Matching Contributions, notwithstanding any vesting schedule. If a vesting schedule is established, it is the Employer's responsibility to calculate the Eligible Employee's service and report it to the Administrator. Unless otherwise specified below, for purposes of vesting, service

means the number of years and complete months of service of a Participant as an Eligible Employee of the Employer and the Participant's service begins with the first day of employment as an Eligible Employee. The Employer hereby elects the following (check one):

- Immediate Vesting.** No vesting schedule. Employer Matching Contributions are 100% vested from the time credited to the Participant's Account (**if this option is elected, do not complete the rest of this section**).
- Cliff Vesting.** Employer Matching Contributions are 100% vested after a Participant has been employed as an Eligible Employee for _____ years (**not to exceed 5 years**) (the "Vesting Period"). Matching contributions remain 0% vested until the Participant satisfies the full Vesting Period.
- Graduated Vesting Schedule.** Employer Matching Contributions are vested on the following graduated scale (**insert vesting % for each completed year of service as an Eligible Employee. Note: Maximum waiting period for 100% vesting may not exceed 5 years**):

<u>Completed Years of Service as Eligible Employee</u>	<u>Vested %</u>
1 year	_____ %
2 years	_____ %
3 years	_____ %
4 years	_____ %
5 years	_____ 100 %

Complete the following items if Employer has elected Cliff Vesting or Graduated Vesting:

In determining the Participant's total years of service for vesting purposes, Eligible Employees who are employed on the date the Plan is adopted by the Employer (**check one**): will be will not be given credit for prior service as an Eligible Employee.

In determining the Participant's total years of service for vesting purposes, different periods of employment as an Eligible Employee (**check one**): will be added together will not be added together will be added together if the Participant is reemployed with the Employer before completing a period of separation of _____ years (not to exceed 5 years).

VESTING FOR EMPLOYER NON-MATCHING CONTRIBUTIONS
(Complete if Employer is making Non-Matching Contributions)

A Participating Employer may establish a vesting schedule for Employer Non-Matching Contributions. This means that if the Participant leaves the Participating Employer's employment prior to completing a specified period of service (not to exceed 5 years), the Participant forfeits all or part of the Employer's Non-Matching Contributions. However, upon Death or Disability or the termination of the Plan, the Participant is 100% vested in the Participant's Employer Non-Matching Contributions, notwithstanding any vesting schedule. If a vesting schedule is established, it is the Employer's responsibility to calculate the Eligible Employee's service and report it to the Administrator. Unless otherwise specified below, in calculating the Vesting Period, service means the number of years and complete months of service of a Participant as an Eligible Employee of the Employer, and the Participant's service begins with the first day of employment as an Eligible Employee. The Employer hereby elects the following (**check one**):

- Immediate Vesting.** No vesting schedule. Employer Non-Matching Contributions are 100% vested from the time credited to the Participant's Account (**if this option is elected, do not complete the rest of this section**).
- Cliff Vesting.** Employer Non-Matching Contributions are 100% vested after a Participant has been employed as an Eligible Employee for _____ years (**not to exceed 5 years**) (the "Vesting Period"). Non-Matching Contributions remain 0% vested until the Participant satisfies the full Vesting Period.
- Graduated Vesting Schedule.** Employer Non-Matching Contributions are vested on the following graduated scale (**insert vesting % for each completed year of service as an Eligible Employee. Note: Maximum waiting period for 100% vesting may not exceed 5 years**):

<u>Completed Years of Service as Eligible Employee</u>	<u>Vested %</u>
1 year	_____%
2 years	_____%
3 years	_____%
4 years	_____%
5 years	<u>100%</u>

Complete the following items if the Employer has elected Cliff Vesting or Graduated Vesting:

In determining the Participant's total years of service for vesting purposes, Eligible Employees who are employed on the date the Plan is adopted by the Employer (**check one**): will be will not be given credit for prior service as an Eligible Employee.

In determining the Participant's total years of service for vesting purposes, different periods of employment as an Eligible Employee (**check one**): will be added together

will not be added together will be added together if the Participant is reemployed with the Employer before completing a period of separation of _____ years (not to exceed 5 years).

TREATMENT OF FORFEITURES

If a Participant separates from service, the Participant's non-vested Employer Matching Contributions and/or non-vested Employer Non-Matching Contributions shall be forfeited as of the date of the Participant's Separation from Service. Amounts forfeited during a Plan Year shall be held unallocated until they are used to reduce or otherwise supplement Employer Contributions as of the earliest possible date such contributions are required to be made to the Plan.

MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If a Participating Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Trustees for approval. The amendment of the new Adoption Agreement (or Addendum) is not effective until approved by the Trustees and other procedures required by the Plan have been implemented.

The Administrator will inform the Participating Employer of any amendments made by the Trustees to the Plan.

TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan.

The Administrator will inform the Participating Employer of the discontinuance or abandonment of the Plan by the Trustees.

EXECUTION BY EMPLOYER

This Adoption Agreement (and any Addendum) may only be used in conjunction with The Georgia Municipal Association 401(a) Defined Contribution Plan Master Plan Document approved by the Internal Revenue Service under an advisory letter J593619a dated March 31, 2014.

The failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Master Plan Document and Trust, may result in disqualification of the Plan under the Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS advisory letter should be directed to the

Administrator. The Administrator is the Georgia Municipal Association, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia 30303. The business telephone number is: (404) 688-0472. The primary person to contact is: GMA General Counsel or Deputy Executive Director, Risk Management and Employee Benefits.

The foregoing Adoption Agreement is hereby adopted and approved on the ____ day of _____, _____, by the Mayor and Council of the City of Peachtree Corners, Georgia.

Signed: _____

Printed Name: _____

Title: _____

Date of Signature: _____

TRUSTEES' APPROVAL

The Adoption Agreement is approved by the Board of Trustees of the GMA Defined Contribution and Deferred Compensation Plan.

[Complete the following if the purpose of this Adoption Agreement is to establish a new defined contribution plan or to restate a preexisting defined contribution plan of the Participating Employer (other than a GMA 401(a) Defined Contribution Plan).]

Contributions shall first be remitted as follows:

- within 15 business days after the Payroll Period ending _____, _____.
- On the following prospective date (specify a specific date): _____.

Dated: _____

By: _____

Title: _____
on behalf of the Board of Trustees

R2016-02-56

K. Chereck

**RESOLUTION TO CALL FOR AN ELECTION, ANNOUNCE QUALIFYING DATES
AND FEES AND APPOINT ELECTION OFFICIALS.**

WHEREAS, the Special Municipal Election for the City of Peachtree Corners is scheduled for May 24, 2016; and

WHEREAS, Post 2 has been vacated by James Lowe making it necessary to have a Special Municipal Election scheduled for May 24, 2016; and

WHEREAS, it is necessary for the City Council to establish the qualifying fees for this office and to make other provisions for the municipal election;

WHEREAS, the Georgia Municipal Election Code requires that the Mayor and Council appoint certain officials prior to the election - including a Superintendent, Chief Registrar and Absentee Ballot Clerk, Peachtree Corners City Clerk Kymberly Chereck is hereby appointed to the position of Municipal Superintendent and Registrar; the Gwinnett Board of Registration and Elections is hereby appointed as Chief Registrar; Deputy Clerk Jennifer Davis is hereby appointed as Absentee Ballot Clerk. Poll Workers will be appointed by the Superintendent and/or Poll Manager at a later date.

WHEREAS, The Election Superintendent shall take such action as is necessary to properly call the Special Municipal Election scheduled for May 24, 2016, including, but not limited to, properly publishing a public notice to notify the public of said election. The City Clerk and or the Election Superintendent shall take such other actions as necessary and appropriate to make certain that the election is conducted in accordance with, and in conformity with, the laws of the State of Georgia, the Peachtree Corners City Charter and Peachtree Corners Ordinances.

WHEREAS, If any person whose name is not on the municipal registration list desires to vote at said election, he or she may register on or before 5:00 p.m. April 26, 2016. Registration forms are available in the office of the City Clerk; and

WHEREAS, Any person who is presently registered as a voter in said City but who now resides outside the City limits is not eligible to vote in said election. All duly qualified electors of the City of Peachtree Corners, Georgia, are urged to participate. Those qualified to vote at said election shall be determined in all respects in accordance and in conformity with the laws of the State of Georgia. Information on voter registration may be obtained through the Chief Registrar of Gwinnett County, Georgia; and,

WHEREAS, Polls will open for this May 24, 2016, election at 7:00 a.m. and will close at 7:00 p.m., at the Peachtree Corners City Hall Elections Room, located at 147 Technology Park, Peachtree Corners, GA. Computation of votes cast in the May 24th election will be conducted at the time the polls close. If no candidate receives a majority of the votes cast for

**CITY OF PEACHTREE CORNERS
COUNTY OF GWINNETT, STATE OF GEORGIA**

RESOLUTION 2016-02-56

their position as specified in Section 5.13 of the City Charter, a run-off election shall be held between the candidates receiving the two highest numbers of votes. Such election shall be held not earlier than the twenty-first day after the day of the first election.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Peachtree Corners, Georgia, that: the City of Peachtree Corners will conduct a Special election on Tuesday, May 24, 2016 for the purpose of electing City Council Post 2. The qualifying fee for the City Council is \$240.00 (two hundred forty dollars), which is 3% of the total gross councilmember salary of the preceding year (Georgia Election Code 21-2-131). The qualifying dates will be Monday, March 28, 2016 through Tuesday, March 29, 2016 from 9:00am to 12:00 noon and 1:00pm to 4:00pm, and Wednesday, March 30, 2016 from 9:00am to 12:00 noon. Qualifying shall be conducted in the Office of the City Clerk (Georgia Election Code 21-2-132), 147 Technology Parkway, Suite 200, Peachtree Corners, Georgia 30092.

IT IS SO RESOLVED THIS 15th day of March, 2016.

Mike Mason, Mayor

Kym Chereck, City Clerk

SEAL

Action Item
D. Wheeler
(Bleakley Advisory
Group)



Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: March 15, 2016

SUBJECT: Multi-Family Housing Redevelopment Strategies Study

At Staff's request, Bleakly Advisor Group submitted a proposal to assist the city in developing a set of strategies to help incentivize the redevelopment of aging apartments. The proposal (attached) identifies three primary tasks to be completed:

1. Analyze the Economics of Redevelopment for Four Existing Apartment Projects
2. Test Potential Regulatory and Incentive Policies for Targeted Redevelopment
3. Suggest A Range of Alternative City Policies to Support Targeted Redevelopment of Multifamily Properties

At the completion of this work, the consultant will prepare a final report with his conclusions and recommendations. Bleakly Advisory Group anticipates that the work will take 4 – 5 weeks to complete. The fee to perform the study is \$18,000.

Recommendation

Award the Multi-Family Housing Redevelopment Strategies to Bleakly Advisory Group in an amount not to exceed \$18,000.



BleaklyAdvisoryGroup

March 1, 2016

Diana Wheeler
Community Development Director
City of Peachtree Corners
147 Technology Parkway
Suite 200
Peachtree Corners, GA 30092

Re: Redevelopment Strategies for an Aging Multifamily Housing Inventory

Dear Diana:

This letter proposal is in response to your recent email requesting a proposal to assist the city in developing a set of strategies which could help with the redevelopment of the city's aging rental apartment inventory. You indicated the city is interested in seeing the older complexes transition into either new housing or other land uses which could be of long range benefit to the city.

As you know, as part of the recent Holcomb Bridge Road LCI Master Plan area we took a preliminary look at the substantial inventory of aging multifamily apartment complexes in the that portion of the city. Our research indicated that the Holcomb Bridge Road corridor has over 4,500 apartment units, representing 88% of all area housing units, and 97% of these apartment units are now more than twenty years old. The City of Peachtree Corners is facing a problem common to many established suburban areas of having a number of older apartment complexes which have outlived their economic usefulness and have become areas of low rents, increasing crime, social dysfunction and lagging property values.

Over the next ten years, many of these properties will have the opportunity to transition or redevelop. The City of Peachtree Corners can influence how and when these properties transition. By using a variety of regulatory and financial tools, the City can stimulate redevelopment of properties in targeted areas by helping property owners and development partners to overcome structural and financial challenges. This will stimulate the development of projects which contribute to the City's long-term redevelopment vision and plan, ultimately improving the corridor's economic health and quality-of-life. The City can use its resources to stimulate several "catalyst" projects in targeted areas, including redevelopment, infrastructure and public amenities. These investments will ultimately stimulate other private investment and redevelopment in the corridor.

6000 Lake Forrest Drive • Suite 108 • Atlanta, GA 30328

Tel: 404-845-3550 • Fax: 404-795-0707 • Cell: 404-316-8990 • Email: ken@blagroup.com

In our analysis for the LCI study we outlined several strategies which have been used by other cities to address the issue of aging apartments. The three approaches typically involve some combination of governmental “carrots and sticks” which can be used to accelerate the redevelopment of these units.

The city is interested in building on this initial work to establish a set redevelopment policies which would encourage new investment in these declining assets to reposition them as greater contributors to the city’s tax base and quality of life. We would propose examining this issue using a three part analytic framework:

- **Task 1: Analyze the Economic s of Redevelopment for Four Existing Apartment Projects**—a sample of four apartment projects exhibiting the conditions noted above will be selected for study. For each of the projects we will develop an analytic model that will be used to evaluate the project. We will determine the following for the four projects:
 - What is the current value of the apartment project per unit and per acre?
 - What is the current density of the project?
 - Identify several reuse options for the site
 - What is the economic value of those reuse options, and given that value, what could they pay to acquire the existing site?
 - What redevelopment options work from an economic perspective to justify the cost of redevelopment?
 - If the redevelopment options are not economically feasible, then move to the research included in Task 2.

- **Task 2: Test Potential Regulatory and Incentive Policies for Targeted Redevelopment**--Given the results of the analysis in Task 1, what policy changes could Peachtree Corners adopt which will enhance the probability that these four apartment complexes will be redeveloped in terms of:
 - Zoning and land use changes to promote the desired redevelopment
 - Changes in density and parking standards to support redevelopment
 - Development incentives to support the redevelopment of the sites (i.e., TADs, SPLOST funding of infrastructure, DDA bonds for title, site acquisition/land write-down by DDA, DDA bonding, city wide bonding (Marietta), waiver of development fees, etc.)

- **Task 3: Suggest A Range of Alternative City Policies to Support Targeted Redevelopment of Multifamily Properties**---Based on the results of the initial two Tasks, we will suggest a range of policy changes for consideration by Peachtree Corners that would be designed to achieve the desired targeted redevelopment of a portion of the city’s apartment complexes. These could include:

- Modifications to city zoning and land use regulations which apply to the affected sites
- Creation of a special zoning overlay district for key areas which would include the land use tools to incent the desired redevelopment outcome
- Suggest other city policies which would support the targeted redevelopment of key parcels
- Develop a menu of incentives which could be used to support the redevelopment such as a TAD, BIDA, DDA actions or other mechanisms as appropriate.

Final Report--We will conduct the analysis for each of the three tasks and present our preliminary findings to you at the end of Task 3, to get your initial reaction and interest in possible policies or incentives. We will prepare a written report which summarizes the results of the analysis and makes the final recommendations for future targeted redevelopment policies based on discussions. We will provide you with an electronic version of the report for your use and dissemination. At your direction we will present the findings of the research to the DDA and/or City Council.

Timing and Fee

Based on our knowledge of the rental housing inventory in Peachtree Corners and our experience working with rental housing issues in the region, we anticipate that the study will take approximately 4-5 weeks to complete. Our fee for the assignment is \$18,000. We will invoice you on a monthly basis as the research progresses. Our invoices are due and payable upon presentation. The terms and conditions detailed below will govern our work on the assignment. If this proposal is acceptable to you, please sign and return a copy to me as authorization to proceed.

We look forward to continuing to work with you and the City of Peachtree Corners on this important initiative.

Very truly yours,

Kenneth D. Bleakly, Jr.

Kenneth D. Bleakly, Jr.

President

Accepted by: _____

Date: ____/____/____

Terms and Conditions Governing this Research and Report

Accuracy of Report: Every reasonable effort will be made to insure that the data developed in this assignment reflect the most accurate and timely information possible and is believed to be reliable. This consulting assignment was based on estimates, assumptions and other information developed by Bleakly Advisory Group (“BAG”) from its independent research efforts, general industry knowledge and consultations with the client for this assignment and its representatives. No responsibility is assumed for inaccuracies in reporting by the client, its agents or representatives or any other data source used in preparing or presenting this study. The research and reports are based on information that is current as of the date of the report. BAG assumes no responsibility to update the information after the date of the report. The research may contain prospective financial information, estimates or opinions that represent our view of reasonable expectations at a particular point in time, but such information, estimates or opinions are not offered as predictions or as assurances that a particular outcome will occur. Actual results achieved during the period covered by our prospective analysis may vary from those described on our research and report and variations may be material. Therefore, no warranty or representation is made by BAG that any of the projected values or results contained in the work product from this assignment will actually be achieved.

Usage of Report: The research product may not be used, in whole or in part, in any public or private offering of securities or other similar purpose by the client without first obtaining the prior written consent of BAG.

Termination: Should you determine to terminate this agreement for any reason you agree to so notify BAG via letter and agree to pay for work completed by BAG up to the date of the notification of termination.

Entirety of Agreement: The terms and conditions of this agreement embody the entirety of the agreement and understanding between the parties hereto and there are no other agreements and understandings, oral or written, with reference to the matter hereof that are not merged herein and superseded hereby. No alternation, change or modification of the terms of the agreement shall be valid unless made in writing and signed by both parties.

Dispute Resolution: If a dispute arises out of or related to this agreement, or the breach thereof, the parties will attempt to settle the matter through amicable discussion. If no agreement can be reached, the parties agree to use mediation before resorting to a judicial forum. The cost of the third party mediator will be shared equally by the parties.

Limitation of Liability: The client agrees that as a result of any mediation or legal action resulting from this assignment BAG’s maximum liability is limited to the fees it receives for the assignment.

Governing Law: The agreement shall be governed by the laws of the State of Georgia.

Action Item

K. Chereck

(IGA)

STATE OF GEORGIA

COUNTY OF GWINNETT

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PEACHTREE CORNERS
AND THE GWINNETT COUNTY BOARD OF REGISTRATIONS AND ELECTIONS FOR
CITY ELECTIONS USING ELECTION EQUIPMENT

THIS AGREEMENT entered into between the City of _____, Georgia, a Municipal Corporation, lying within the County of Gwinnett, Georgia, hereinafter referred to as "City" and the Gwinnett County Board of Registrations and Elections, hereinafter referred to as "Board."

WITNESSETH

WHEREAS, the Georgia General Assembly created the Gwinnett County Board of Registrations and Elections having jurisdiction over the conduct of primaries and elections (1988 Ga. Laws, p. 4296, as amended), and provided that the Board was empowered with all the powers and duties relating to the conduct of elections and registration of voters as election superintendent and board of registrars pursuant to the provisions of Title 21 of the Official Code of Georgia; and

WHEREAS, pursuant to 1988 Ga. Laws, p. 4296, as amended, the Board has the authority to contract with any municipal corporation located within Gwinnett County for the holding by the Board of any primary or election to be conducted within the municipal corporation; and

WHEREAS, recommended guidelines of the Secretary of State concerning municipal use of election equipment recommend that cities and counties enter into intergovernmental agreements outlining the responsibilities and obligations of the election superintendent of the city and the election superintendent of the county; and

WHEREAS, the City and the Board, in the performance of their electoral functions, desire to enter into this contract outlining the duties and obligations of each party to this Agreement in the conduct of any 2015 Municipal Elections for the citizens of the City (hereinafter referred to as the "City Election") as hereinafter described; and

NOW, THEREFORE, in consideration of the premises contained herein, the sufficiency of which is hereby acknowledged, it is hereby agreed by the City and the County as follows:

(1) Conduct of City Election

This Agreement shall govern the use of the Board's Election Equipment by the City for the specified City Election. It is the intent of the parties that the use of the Election Equipment in conduct of the City Election shall be in compliance with all applicable federal, state and local legal requirements.

(2) Term of Agreement

The duties and obligations to be performed pursuant to this Agreement shall commence on February 1, 2016 and end on June 1, 2016.

(3) Duties and Responsibilities

As used in this subsection the term "City" shall be construed to include the City's designee, agent, or authorized representative. The term "Board" shall be construed to include the Board's designee, agent, or authorized representative.

(a) City

1. The City will be responsible for ordering any and all ballots from its vendor.
2. The City will be responsible for contracting with State approved vendors for programming election equipment and creating Absentee by mail ballots, Provisional voting ballots, Challenge voting ballots and Election Day voting and Advance in person voting.
3. The City will be responsible for obtaining all material forms for the conduct of the election from the Secretary of State's Election Division.
4. The City shall provide the Board with a written request indicating specifically the number of Direct Record Electronic Voting Units (hereinafter referred to as DRE Units) the City needs to borrow 60 days prior to election date.
5. The City shall be responsible for obtaining, if needed, Optical Scan Voting Units (hereinafter referred to as "OS Units") for use in scanning and tabulation of absentee, challenge, advance in person and provisionally voted ballots.
6. The City shall mark voters on the paper Electors List that is provided by the Board.
7. The City will use a DRE Unit for card creating purposes.
8. The City will be responsible for and will conduct its own Logic and Accuracy Testing on all equipment.
9. The City will be responsible for hiring and training its own poll officials.
10. The City will be responsible for any training of its staff through Kennesaw State University Center for Elections (hereinafter referred to as "KSU") and/or the Secretary of State's Office.
11. The City will be responsible for conducting all aspects of the City Election.
12. The City will be responsible for certifying its own election results using the tapes printed from the DRE Units and the OS Units.

(b) Board and/or Elections Supervisor

1. The Board shall provide the City with a paper Electors List to be used for marking voters.
2. The Board shall provide the City with the specified number of units requested, including peripherals including the voters with disability kit and thermal tape used in the units for tabulation of results.

(c) The Board and the City agree to mutually discuss and schedule dates and times for the City to pick-up the DRE Units. The Board and the City further agree to mutually set a date and time the City will return the DRE Units, to the Board.

(4) Costs

Any and all costs associated with the conduct of the City Election shall be the responsibility of the City.

(5) Legal Responsibilities

To the extent permitted under Georgia Law, the City shall be solely responsible for any liability resulting from any claims or litigation arising from or pertaining to the City Election.

(6) Miscellaneous

- (a) The terms of this Agreement shall not be altered, amended, or modified except in writing signed by duly authorized officers or representatives of the parties.
- (b) This Agreement shall be construed under the laws of the State of Georgia.
- (c) If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not be construed to affect the portions of this Agreement not held to be invalid.
- (d) Any notice of communications hereunder shall be in writing, addressed as follows:

City: _____

Board: Kelvin Williams, Elections Coordinator
75 Langley Drive
Lawrenceville, GA 30046
kelvin.williams@gwinnettcountry.com

- (e) This Agreement shall be exclusively for the benefit of the City and the Board and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action, or other right.
- (f) The performance of either party hereunder shall be excused if such party is reasonably precluded from performance by the occurrence of an Uncontrollable Circumstance, which shall be defined as follows: Any act, event, or condition, or any combination thereof, that is beyond the reasonable control of the party relying on the same and that materially interferes with the performance of the party's obligations, to include, but not be limited to, (a) acts of God; (b) fire, flood, hurricane, tornado, and earthquakes; (c) the failure of any utility provider to provide and maintain utility services through no fault of the party; and (d) the preemption, confiscation, diversion, destruction, or other interference in possession or performance or supply of materials or services, by or on behalf of, or with the authority of, a governmental body in connection with a declared or asserted public emergency by an entity other than one of the parties.
- (g) Each of the individuals who execute this Agreement agrees and represents that he or she is authorized to execute this Agreement on behalf of the respective party.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals this _____ day of _____, 2016.

City of _____:

By: _____, Mayor

Attest:

City Clerk, Seal

Gwinnett County Board of Registrations and Elections:

By: Alice O'Lenick, Chair

Attest:

Lynn Ledford, Elections Supervisor

Action Item
G. Ramsey
(Comprehensive
Transportation
Plan)

January 19, 2016

Gregory Ramsey, P.E.
Director of Public Works
147 Technology Parkway, Suite 200
Peachtree Corners, GA 30092

Subject: Proposal for the Professional Engineering Services Contract Agreement (RFQ #2015-001), Project #15-14 (Comprehensive Transportation Plan)

Dear Mr. Ramsey:

Pond & Company is incredibly excited for the opportunity to prepare the inaugural Comprehensive Transportation Plan (CTP) for the City of Peachtree Corners. We have attached a proposed project schedule and fee, as requested. In addition, we have highlighted the advantages Pond provides, with our experienced staff, including (1) our team's leadership, (2) our familiarity with the City of Peachtree Corners, and (3) our qualifications in preparing transportation plans. Finally, we also include an overview of required services specific to this proposal.

Team Leadership

Recognizing that transportation planning is a niche service requiring specific skills and background, Pond & Company has a specific Transportation Planning & Operations Group. This group is managed by **Richard Fangmann, PE, PTOE**, who will be joined by Senior Project Manager and Transportation Planner **Eric Lusher, AICP** in taking an active role in leading this project. Among the strengths of having these two individuals involved is that both have **extensive successful experience leading transportation plans throughout metro Atlanta and the southeastern United States**, that they complement each other very well with their backgrounds, that their teamwork reflects how a successful CTP needs the insights of **both transportation engineering and planning**, and their understanding of the various agencies and individuals making transportation funding decisions **within Gwinnett County, in the region, and in the State**. Finally, because we have a group dedicated to this specific niche service, **we also offer the advantage that we can perform all of the scope items using internal and local Pond staff**, and do not need to hire outside subconsultants to assist with the work effort.

Our Familiarity

We are very familiar with the various plans and efforts that this CTP will draw from, based on our staff's involvement with the **Gwinnett County's CTP**, **Gwinnett County's Comprehensive Plan**, **Gwinnett County's Five Year Transit Development Plan**, the **City of Peachtree Corners Comprehensive Plan**, the **Winter's Chapel Road LCI Corridor & Traffic Study** and our history working with various Federal and regional planning objectives including **FHWA's eight transportation planning goals** and **ARC's project prioritization process**. Additionally, with our headquarters located in Peachtree Corners, **all of our team members work in the community and live either in or within close proximity to the City** – therefore, all the team members on this project are intimately familiar with the community, its dynamics, and most importantly, its transportation system. **This will not be an abstract exercise for our team**, but rather one that we have a particularly vested interest in – after all, we all drive the streets of Peachtree Corners everyday (or in the case of one member of our group – bike the multi-use path on Peachtree Parkway daily for travel to and from work!

Our Qualifications

Developing CTPs is one of the major services our team offers, and we offer unparalleled understanding of what makes a CTP successful. **Our staff has made leading contributions to many of the ARC funded CTPs (among them Cobb County, North Fulton County, Gwinnett County, and Newton County).** We have also prepared several **federally required Long Range Transportation Plans** for MPOs (GHMPO, DARTS MPO, CPCMPO) and specific **bike/ped plans** (the Brookhaven Bike, Ped, and Trail Plan, and the Georgia Planning Association award winning Columbus Alternative Transportation Study). We have also prepared numerous **municipal level transportation plans** (including the City of Gainesville Transportation Master Plan and the first transportation plans for Sandy Springs and Johns Creek). Our involvement in the Gwinnett County CTP includes the development of a localized version of the ARC travel demand model to better reflect Gwinnett County conditions (**we improved the model's predictive accuracy within Gwinnett County, reducing base year model volume differences from 16 percent to 3 percent**) as well as the use of real-time INRIX traffic data, which we can apply to this CTP effort.

SCOPE OF SERVICES

As a CTP, this project will consist of a broad set of transportation planning and engineering skills and tools. Below is a summary of our understanding and clarification of the scope of services. It should be noted that each task has a variety of reports and deliverable items associated with each task, as indicated in the RFP.

Task 1 – Project Initiation

As discussed in the RFP, we will develop a Project Plan, develop preliminary goals (based on primarily on previous study), and a Community Outreach Plan in the beginning stages of the process. We have also assumed the necessary public and stakeholder meetings will take place as part of this task and believe that three meetings with each group will be appropriate based on the scope of the project. These meetings will take place at the following project milestones:

- Concurrent with Task 2 – Existing Conditions as a means to kick off the requested Public Opinion poll and stakeholder interviews.
- Before completing Task 4 – Assessment of Future Needs
- After completing Task 5 – Recommendations but before beginning Task 6 – Final Recommendations

We anticipate coordinating with the City to determine appropriate participation in the stakeholder group and recommend holding all stakeholder meetings a few weeks prior to general community meetings. All meetings will be organized to include interactive exercises to allow small group discussion to facilitate two-way communication with the community instead of purely informational meetings (one-way communication).

Task 2 – Existing Conditions

As part of this task, we will be working primarily with existing data – and following up with field verification – to understand the state of the existing transportation system and previous planning efforts. This task also includes the development of a Public Opinion poll which we can develop using an online tool such as [surveymonkey.com](https://www.surveymonkey.com), and a series of one-on-one stakeholder interviews in order to gain an understanding of how the community perceives the transportation system and collectively envisions its future.

Task 3 – Visioning and Evaluation Framework

Building off the Public Opinion Poll and Stakeholder Interviews (as well as the first round of stakeholder and public meetings), Pond will help develop a singular vision for the future of transportation in Peachtree Corners. In turn, this vision will help us to develop a consistent and objective evaluation methodology to test different alternatives. We have had great success on similar projects developing evaluation methodologies based on a three tiered system that is able to incorporate a range of quantitative and qualitative measures: (1) the results of technical data, (2) the ability of certain projects and scenarios to meet the overall vision of the community and (3) specific public comment.

Task 4 – Assessment of Future Needs

The assessment of future needs will consist of determining short-term and long-term needs. Short-term needs are more likely to be based on existing or near-future needs and will be based on a combination of field verification and technical analysis (we have assumed traffic modeling of up to 20 intersections) in addition to any specific needs determined by other studies (such as the Winters Chapel Road LCI Corridor & Traffic Study).

Long-term initiatives are more likely to focus on needs determined through the use of a travel demand model and its ability to estimate future regional and localized growth in travel. As mentioned previously, Pond is in the advantageous position of having developed a customized travel demand model being used for the Gwinnett County CTP. This model deviates from the base Atlanta Regional Commission (ARC) travel demand model to better replicate conditions within Gwinnett County. This is important to understand as a review of the base ARC travel demand model's performance within the boundaries of Peachtree Corners indicates that its predictive accuracy overestimates by 40 percent. In contrast, the Gwinnett CTP model's predictive accuracy in Peachtree Corners is within 10 percent of actual conditions. Quite simply, the strength of the long-term recommendations are going to be dependent on the accuracy of the travel demand model. In this case, Pond offers the advantage of having already completed significant work effort to improve the model's local accuracy but also in understanding the importance of performing such a local area calibration.

Finally, this task also includes developing a localized functional classification map as well as an overall environmental screening to evaluate potential projects, an Economic Impact Assessment to understand the benefits of certain projects over others, as well as providing GIS services to integrate all data into a single consistent format.

Task 5 – Recommendations

This task will be used to perform a final assessment of the project recommendations determined as part of the assessment of future needs. In the first step, planning level costs will be developed for each project. In the second step, a project prioritization process will be utilized which will likely be heavily influenced by the establishment of a community vision and evaluation methodology discussed as part of Task 3. Both an aspirations (fiscally unconstrained) and a fiscally-constrained plan will be developed using assumptions regarding inflation and anticipated funding. In turn, the fiscally-constrained version of the plan will be used to develop a specific implementation plan. This implementation plan will identify the general time frame in which each project or initiative should be implemented, likely and possible funding sources, assorted action items, identification of responsible parties and agencies, and will also document any known constructability or environmental issues that may affect implementation.

Task 6 – Final Recommendations

The final recommendations task will be completed to compile all documentation and finalize recommendations following a final series of the stakeholder and public meetings. Pond also anticipates coordination with City staff and Council during this final phase in an effort to have an adopted CTP.

ASSUMPTIONS

Pond & Company will prepare a Comprehensive Transportation Plan for the City of Peachtree Corners. It is assumed that this will not include any design plans, bid documents, environmental permitting, MS4 design, or geotechnical investigations. It is assumed that meeting locations (for stakeholder and public meetings) will be made available or procured by the City of Peachtree Corners.

SCHEDULE

Understanding that a 10 month schedule is desired by the City, Pond & Company has prepared a schedule (attached on the following pages) that assumes an early March 2016 Notice to Proceed. As the 10th month of such a process

would be December 2016, we have prepared a schedule that assumes wrapping up all major project activities in a nine month timeframe to be completed by Thanksgiving 2016. This is to avoid having any public or stakeholder meetings during the busy holidays and month of December 2016. Assuming this, some coordination with City staff and/or Council may be necessary during the month of December 2016 for plan adoption. The proposed schedule is provided as Attachment A.

PROFESSIONAL FEE

Pond proposed to complete the scope of services for indicated in the RFP as described above for a lump sum fee of \$176,000. The fee for the professional services is indicated by task below. A more detailed cost estimate (by subtask) is also provided as Attachment B.

Task 1 – Project Initiation	\$16,000
Task 2 – Existing Conditions	\$12,000
Task 3 – Visioning and Evaluation Framework	\$12,000
Task 4 – Assessment of Future Needs	\$57,000
Task 5 – Recommendations	\$31,000
Task 6 – Final Recommendations	\$8,000
Task 7 – Bicycle and Pedestrian Plan Element	\$40,000
Total	\$176,000

As you can see, we are very excited about this opportunity to serve the City of Peachtree Corners and believe we have the best experience and qualifications to provide an excellent plan. If you have any questions about our proposal, please contact me at 404.748.4816 or osterloh@pondco.com.

Sincerely,



Ronald W. Osterloh, PE
Vice President | Principal-In-Charge

PROPOSED SCHEDULE

Peachtree Corners CTP	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Task 1 Project Initiation (includes stakeholder and public meetings)										
Project Plan	■									
Develop Preliminary Goals		■								
Outreach Plan	■	■								
3 Stakeholder meetings			■			■			■	
3 Public meetings				■			■			■
Task 2 Existing Conditions										
Review Studies		■								
Review Roadway Conditions		■	■							
Review Existing Traffic Info (ADT, lanes, crashes, etc.)		■	■							
Review Transit info		■								
Review Bike/ped locations		■								
Review planned and funded projects			■							
Stakeholder Interviews			■	■						
Public Opinion Poll			■	■						
Task 3 Visioning and Evaluation Framework										
Establish Vision				■	■					
Develop Evaluation Methodology				■	■					
Task 4 Assessment of Future Needs										
Short-Term (up to 20 intersections)					■	■				
Long-Term (modeling)					■	■				
Roadway Classification Map							■			
Environmental Screening							■			
Economic Impact Assessment								■		
GIS Integration									■	■
Task 5 Recommendations										
Develop Planning level costs							■			
Develop prioritization process								■		
Fiscal Constraint									■	
Implementation Plan										■
Task 6 Final Recommendations										
Documentation									■	■
Task 7 Bicycle and Pedestrian Plan Element										
Bike Suitability						■	■			
Ped Suitability						■	■			

DETAILED FEE ESTIMATE

Peachtree Corners CTP

Task 1 Project Initiation (includes stakeholder and public meetings)	\$16,000
Project Plan	\$1,200
Develop Preliminary Goals	\$2,000
Outreach Plan	\$1,200
3 stakeholder meetings, 3 public meetings	\$11,600
Task 2 Existing Conditions	\$12,000
Review Studies	\$1,200
Review Roadway Conditions	\$1,200
Review Existing Traffic Info (ADT, lanes, crashes, etc.)	\$2,400
Review Transit info	\$1,200
Review Bike/ped locations	\$1,200
Review planned and funded projects	\$1,200
Stakeholder Interviews	\$2,000
Public Opinion Poll	\$1,600
Task 3 Visioning and Evaluation Framework	\$12,000
Establish Vision	\$6,000
Develop Evaluation Methodology	\$6,000
Task 4 Assessment of Future Needs	\$57,000
Short-Term (up to 20 intersections)	\$20,000
Long-Term (modeling)	\$15,000
Roadway Classification Map	\$10,000
Environmental Screening	\$5,000
Economic Impact Assessment	\$5,000
GIS Integration	\$2,000
Task 5 Recommendations	\$31,000
Develop Planning level costs	\$8,000
Develop prioritization process	\$10,000
Fiscal Constraint	\$8,000
Implementation Plan	\$5,000
Task 6 Final Recommendations	\$8,000
Documentation	\$8,000
Task 7 Bicycle and Pedestrian Plan Element	\$40,000
Bike Suitability	\$20,000
Ped Suitability	\$20,000
	\$176,000

Work Session

Alex Wright

&

Diana Wheeler



Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: March 15, 2016

SUBJECT: Community Theater

At Councilman Wright's request, Staff has conducted preliminary research into the components and logistics of a community theater. Staff also investigated opportunities for space sharing among community theaters and other facilities such as movie theaters. The purpose of this research is to gain a better understanding of what successful community theaters consist of and how one can be developed in a financially self-sustaining manner.

Often times sharing space with other uses is the only way to make community theaters financially viable. The attached document includes examples of community theaters in other locations and describes the type of spaces they occupy, including co-tenancy. The report also lists some of the components that successful theaters have in common.

Recommendation

The next steps for the development of a community theater involve the preparation of a program scope and a space plan. This type of work can often be done by a citizen committee dedicated to this purpose; however, since there are other arts related needs in the City (public art [sculpture], film, music, etc.) the City Council may want to consider forming and appointing members to an Arts Council. The Arts Council can work on a comprehensive arts program for the City and they can also develop a program and space plan for a community theater that can then be reviewed and approved by the City Council.

To: Diana Wheeler

From: Jennifer Howard

RE: Community Theatre components, space-sharing

Date: Jan. 25, 2016

Regarding the components of a community theatre and the potential sharing of space, I have provided some information on theatres of varying size and use, interviewed a former Cinebistro designer, and identified the common components of a community theatre. I also provided a possible RFP outline.

A community theatre would serve to culturally enrich the lives of the residents of Peachtree Corners and its visitors, stimulate economic growth, and nurture the imagination and social skills of young people. This looks very doable with some community support.

Revenue Stream and Sharing Spaces

Revenue stems from season ticket holders, donors, volunteer assistance (human capital), classes, space rental, and largely from food and beverage sales.

Communities have partnered with a variety of organizations to provide performances. Spaces include: YMCA auditoriums, high school auditoriums, vacant military bases, airport buildings, former churches, former Vaudeville show places (using Historic tax credits), retired gymnasiums, old school classrooms, and shopping center basements.

There are companies, such as Nucor building systems, that provide pre-fabricated buildings for community projects, including theatres. They are not terribly attractive.

The Cary Art Center in Cary, NC was designed to accommodate and meet the needs of community cultural organizations. Currently, the town has a record of nearly 60 cultural organizations. It has 15 resident organizations, including the Cary Players, the Fine Arts League, the Colored Pencil Society and Philharmonic Association. The center includes youth and adult clay and glazing labs.

The **City of Bellevue, WA** has embarked on an impressive youth theatre project which appears to utilize a sloping topography, as part of the structure is underground. There is an interesting architectural flyover at <https://www.bellevuewa.gov/byt-expansion-video.htm>. It has an outdoor amphitheater as well as an indoor theatre.

The Ensemble Stage in Blowing Rock, NC has presented 52 productions and offers theatrical and presentation training. It collaborates with Watauga High School, and has presented “anti-bullying” plays to students.

The **McMenamins Theatre in Portland, OR**, leases space for weddings, meetings and social events. McMenamins hosts bands, variety shows, dinners, tastings, speakers, opera and classical ensembles. They use an eclectic mix of pubs, historic hotels, movie theaters, concert venues. At

the Kennedy School gymnasium (old gym with wood floors and brick walls), one can watch movies, listen to music or hold a business meeting.

I inquired about renting a space for a meeting. The Gymnasium seats groups of 45 to 112 people and rents out space on a food & beverage minimum, meaning as long as you host *at least* the minimum amount in food and beverage service for your guests, there is no rental fee for use of the space. If you fall short of the food & beverage minimum, the *difference* between the food & beverage minimum and what you did spend will be posted to the master bill as a room rental fee. The food and beverage minimum for Monday through Thursday night is \$1,000, for example.



The above photos are the McMenamins- Kennedy School, Portland Oregon

The **Aurora Cineplex** in Roswell hosts parties, mainly for children, and miniature golf. They offer packages that include mini-golf, pizza, snacks and movies for up to 14 people for \$310. The vacant retail space was purchased by Lonnie Mimms and Micheal Pardue, both executives

with Roswell, Ga.-based real estate development firm Mimms Enterprises, Inc. and Wendy Floyd, with the Malon D. Mimms Company.

The **Canton Theatre**, which seats 180 people, in downtown Canton was purchased by an individual in 1994 and restored. It was first used in 1911 to show slides and silent movies. The city acquired the property in 1997 and deeded it to the Downtown Development Authority in order to secure financing for further restoration. It now hosts professional productions and is in its fourth season. It can be rented for weddings, showers, Christmas parties, receptions, class reunions, business meetings and charity fundraisers. An all-day weekday meeting costs \$500. Daily meetings with no food service are \$200, and weddings are \$1,000.

The Blumenthal Performing Arts (Belk) center in Charlotte, NC is home to the Charlotte Symphony, Community School of the Arts, Charlotte Ballet, and Opera Carolina, among others. The theaters and spaces span over three campuses in Uptown Charlotte. The center has restaurant and hospitality partners that advertise on the theatre website and offer reduced ticket prices, a three-course meal for a special price, complimentary parking, or free appetizers with the purchase of an entrée.

The Yancey Theatre in Burnsville, NC offers special events and birthday parties combined with a movie. Also in Burnsville is the **Parkway Playhouse**, which offers shows and junior and high school apprentice programs. The building (1947) is listed on the National Register of Historic Places. The Parkway Playhouse is considered a “Blue Star Theatre,” offering a 20 percent discount off the face value of a full-priced admission to military personnel and their immediate families.



The Parkway Playhouse, Burnsville, NC

The Olathe Civic Theatre in Olathe, KS, has been in existence since the mid-1970s. It is an all-volunteer 501c3 organization. Parking is available off-site and on the street. It does not appear to rent multi-purpose space.

Interview with former Cinebistro designer

Jeff Moore is former project manager with RLS Design Group, which designed Cinebistros (Cobb Theatres) in Georgia, Pennsylvania and Virginia. I found him on LinkedIn. It should be noted that Mr. Moore is no longer working for Cobb Theatres. He is currently with Designform in Birmingham, AL.

According to Mr. Moore, Cinebistro makes its profit through its restaurants and bars. He said it is formula-based. At the Peninsula Town Center in Hampton, VA, Cobb Theatres also operates an adjacent bowling alley. He believes Cobb Theatres would be open to sharing space for performing arts purposes as long as the lobby (concession) is shared. The interior packages are often split for scheduling purposes so there may be an opportunity for Cobb to lease half and another entity, such as a community theatre, to lease the other half and come together in a "knuckle." Mr. Moore also provided the name of another former team member, Ryan Pruett (ryan@designforuminc.com), who worked closely with Cobb Theatres in Cinebistro construction. Mr. Moore was interested in the interior design package (for obvious reasons). He is sending a packet via mail.

Common components of a community theatre:

- Dressing rooms
- Main seating area/auditorium
- ADA accessibility
- Sound proofing
- Acoustics considerations
- Gallery space, gallery storage
- Concessions space
- Box Office
- Restrooms
- Elevator and Stairs
- Multiple tiers
- Lights/sounds system and area
- Orchestra pit
- Fireproof walls and sprinkler system
- HVAC, plumbing and Mechanical

- Loading dock
- Prep kitchen/catering space
- Rehearsal space
- Staff office
- Storage
- Classrooms
- Ice maker
- Portable tables
- Maintenance closet (janitorial)
- Mechanical closet
- Parking considerations
- Movie screen 22X 10 (Canton)
- Power Point capability
- Hi-Def BluRay capability
- Board of Directors

Hiring an expert

Performing arts facilities are among the most difficult building types to design. A range of variables come into play, including operational patterns, critical relationships between functions, technical necessities, economic constraints, technological advancements, and the resolution of often disparate interests. Perhaps we should hire a consultant to ensure we get it right. The RFP may include something like this:

Programming and Conceptual Design

- Identifying building space needs
- Provide conceptual design of performance and ancillary spaces
- Determine cost projections

Auditorium Design

- Provide detailed design and shaping of auditorium and stage
- Provide seating layouts
- Perform sightline analyses
- Identify ADA accommodation

Theatre Planning

- Provide functional planning of front-of-house public spaces and back-of-house support facilities
- Layout performance and production spaces
- Provide detailed design of studio theatres, rehearsal rooms, dressing rooms, control rooms, grids, catwalks, orchestra pits, and stage floor construction

Performance Systems Design

- Provide preliminary performance equipment outlines and budgets
- Create heat and electrical loading reports
- Provide structural loading reports
- Design performance systems, including:
 - Performance lighting systems
 - Sound and communication systems
 - Performance rigging and stage equipment
 - Auditorium seating
 - Adjustable acoustic devices
 - Orchestra Shells

Life-Cycle Analysis

- Prepare sustainability report
- Develop a capital plan
- Prepare budget projections for maintenance, repair, and replacement of critical systems
- Provide detailed report to aid in fundraising campaigns and donor presentations.

Summary

There is an astounding number of performing arts centers and community theatres which appear to be going strong across the country. Sharing spaces is a common theme. Cities and organizations are using a pluralistic approach in accommodating a variety of interests with a single space. McMenamins attempts to create packages for people involving entertainment, dinner, and a place to stay.

Some administration of events is obviously required. The theatres profiled above are of varying size. Each has an administrative staff and many had boards providing direction.

Financing may be available with some involvement from the DDA. Grant funding may also be available from the Shubert Foundation, the National Endowment for the Arts, the Georgia Council for the Arts, the Nora Roberts Foundation, among others.

Cinebistro has partnered with a bowling alley, at least once, and makes its money through food and beverage sales. McMenamins is also satisfied with food and beverage sales above a certain threshold.

By providing a broad range of live theatrical, music and shows, a community theatre could build community cohesiveness, strengthen arts education, and serve as a catalyst for economic growth. Again, this looks doable to me, as long as there is a plan for administrative support. Please let me know if there is something more you need.

Work Session
Judy Putnam

Posting Guidelines

February 29, 2016

Community Calendar and Social Media (i.e. Facebook, Twitter, etc.)

The city's Facebook page is a way to announce events of general public interest in **Peachtree Corners** that are sponsored by non-profit organizations:

- Only submissions by nonprofit organizations will be considered.
- Submissions must be for events open to the public and not just to members of the submitting organization.
- As our jurisdiction is limited to the **City of Peachtree Corners**, supported events must take place in **Peachtree Corners**.
- If an event is approved for posting, it does not constitute endorsement by the City nor give permission to use City resources for the event. Please be advised that a separate facilities or event permit may be required.

As a .gov website, we cannot advertise for private individuals, firms, corporations, or imply in any manner that we endorse or favor any specific commercial product, commodity, service or business. We also cannot promote events considered to be religious or political in nature, or of interest to a specific religion or political party.

We do not list estate or garage sales run by individuals.

We reserve the right to refuse any submission.

Links to external sites

At its discretion, the city may provide links to external sites that fall into one of the following categories:

- Businesses with active **Peachtree Corners** business tax certificates.
- **City of Peachtree Corners** created pages on other social media websites, such as YouTube and Twitter.
- News organizations serving **Peachtree Corners**.
- Non-profit organizations that support the city's strategic or operational goals.
- Organizations that partner with the **City of Peachtree Corners** to meet the city's strategic or operational goals.
- Other governmental agencies.
- Public and private, bona fide educational institutions.
- Utilities that provide service in the city.

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