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COUNCIL MEETING AGENDA

Mike Mason, Mayor

Phil Sadd – Post 1, Council Member

Jeanne Aulbach – Post 4, Council Member

James Lowe – Post 2, Council Member

Lorri Christopher – Post 5, Council Member

Alex Wright – Post 3, Council Member

Weare Gratwick – Post 6, Council Member

April 21, 2015

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 – March 17, 2015

F) CONSIDERATION OF MEETING AGENDA

G) PUBLIC COMMENTS

H) CONSENT AGENDA - No Items

I) PRESENTATIONS AND REPORTS

1. **Mayor Mason** Proclamation for Dan Baker
2. **Mayor Mason** Proclamation for Mark Ogden
3. **Mayor Mason** Proclamation for Earth Day
4. **Diana Wheeler** Staff Activity Report
5. **Greg Ramsey** Staff Activity Report

J) OLD BUSINESS

1. **O2015-03-41
(Diana Wheeler)** Second Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to SUP2015-001, Roberts Properties, request for building elevation approval and variances associated with the development of a 6.47 acre parcel zoned C-2 (Commercial Business) at 5242 Peachtree Parkway in District 6, Land Lot 301, Peachtree Corners, Georgia.

2. **O2015-03-42
(Diana Wheeler)** Second Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, adopting a document entitled 'The City of Peachtree Corners Green Regulations and Policies' in order to codify existing green practices and to identify the City of Peachtree Corners as a Green Community pursuant to the criteria established by the Atlanta Regional Commission.

K) NEW BUSINESS

1. **APH 2015-09-017
(Diana Wheeler)** Consideration of Approval of an Alcoholic Beverage License Application for Retail/Package Wine and Malt Beverage Sales at A-1 Market located at 3330 Peachtree Corners Circle, Peachtree Corners, GA 30092.
2. **APH 2015-09-018
(Diana Wheeler)** Consideration of Approval of an Alcoholic Beverage License Application for Consumption on Premise at The Boiling Crab Market located at 7040 Jimmy Carter Blvd, Ste 1, Peachtree Corners, GA 30092.
3. **APH 2015-09-019
(Diana Wheeler)** Consideration of Approval of an Alcoholic Beverage License Application for Retail/Package Wine and Malt Beverage Sales at La Confianza Mart LLC located at 4939 Winters Chapel Rd, Ste 700, Peachtree Corners, GA 30360.
4. **APH 2015-09-020
(Diana Wheeler)** Consideration of Approval of an Alcoholic Beverage License Application for Consumption on Premise at Enigma Sports Bar & Grill located at 4939 Winters Chapel Rd, Ste 800, Peachtree Corners, GA 30360.
5. **R2015-04-40
(Diana Wheeler)** A Resolution of the Mayor and Council of the City of Peachtree Corners, Georgia approving the Winters Chapel Road Area Study and incorporating it into the 2033 Comprehensive Plan.
6. **O2015-03-43** First Read of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to SUP2015-002 and CIC2015-001, CFW&S Investments, LLC, request for approval of a Liquor Store on a .67 acre lot zoned C-2 and located at 5242 Peachtree Parkway in District 6, Land Lot 301, Peachtree Corners, Georgia (**2nd Read and Public Hearing May 19, 2015**)
7. **Action Item
(Greg Ramsey)** Consideration of Contract Approval for GDOT LMIG with Keck & Wood for sidewalk survey & design on Technology Parkway.
8. **Action Item
(Julian Jackson)** Consideration of Approval Town Center Financing.
9. **Action Item
(Julian Jackson)** Consideration of Approval of an Intergovernmental Agreement between the City of Peachtree Corners and Gwinnett County for the Permitting of County Projects.

L) WORK SESSION

1. **LAS** Overview of Holcomb Bridge Road Corridor Study
2. **Bill Floyd** Presentation on High Speed Internet.
3. **Diana Wheeler** Code amendment to prohibit LED tube lighting in retail windows
4. **Diana Wheeler** Discussion of feature options at Veterans Memorial
5. **Greg Ramsey** Discussion on requirement from EDP/SWMP – Ordinance Worksheet
6. **Greg Ramsey** Discussion on requirement from EPD/SWMP - Construction Site Waste Management Ordinance
7. **Greg Ramsey** Discussion on Street Lighting
8. **Greg Ramsey** Discussion on a Geospatial Survey Project
9. **Julian Jackson** Discussion on IGA with Gwinnett County for Permitting of County Projects

M) EXECUTIVE SESSION

N) ADJOURNMENT

Minutes

03 / 17 / 15

CITY OF PEACHTREE CORNERS
COUNCIL MEETING MINUTES
MARCH 17, 2015, @ 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. 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
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
Public Works Director	Greg Ramsey
Comm. Director	Judy Putnam
Accounting Manager	Brandon Branham

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

MAYOR’S OPENING REMARKS: Mayor Mason invited everyone interested in getting involved with the Veterans Memorial to contact Diana Wheeler at the City of Peachtree Corners.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 17, 2015 COUNCIL MEETING.

By: Council Member Gratwick

Seconded by: Council Member Christopher

Vote: (7-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Wright, Aulbach)

PUBLIC COMMENT: There were no public comments.

PRESENTATIONS AND REPORTS:

Staff Activity Report – Community Development

Diana Wheeler, Community Development Director, provided her report on staff activities that occurred during the period of March 1, 2015 – March 13, 2015. These activities included, among other items, meeting with the Downtown Development Authority to approve land sales contracts, meeting with public hearing applicants, meeting with the ARC to assess best projects for funding, and preparing materials for the Green Committee application.

Staff Activity Report – Public Works

Greg Ramsey, Public Works Director, provided his report on staff activities that occurred in the period ending with March 10, 2015. These activities included, among other items, meeting with Peachtree Elementary concerning outdoor classroom space, meeting with Gwinnett County concerning sewer systems and sewer upgrades and meeting with the ARC concerning the LCI application.

OLD BUSINESS:

O2015-01-40

Second Read and Consideration of an Ordinance to Adopt Regulations for Post-Development Stormwater Maintenance for new Development and Redevelopment.

Mr. Greg Ramsey, Public Works Director, informed the Mayor and Council that this is the same item that was presented last month for first read, and there have been no changes.

Mayor Mason asked for public comment concerning this application. Mr. Tom Herring inquired as to who receives the water run-off fee. Mr. Ramsey replied that Gwinnett County receives the water run-off fee.

MOTION TO APPROVE ORDINANCE 2015-01-40.

By: Council Member Aulbach

Seconded: Council Member Sadd

Vote: (7-0) (Aulbach, Sadd, Mason, Lowe, Wright, Christopher, Gratwick)

O2015-01-39

Second Read and Consideration of an Ordinance Adopting the Stream Buffer Protection Ordinance for the City of Peachtree Corners, Georgia.

Mr. Greg Ramsey, Public Works Director, informed the Mayor and Council that this is the same item that was presented last month for first read, and there have been no changes.

Mayor Mason asked for public comment concerning this item. There were no comments.

MOTION TO ADOPT ORDINANCE 2015-01-39.

By: Council Member Christopher

Seconded: Council Member Gratwick

Vote: (7-0) (Christopher, Gratwick, Mason, Sadd, Lowe, Wright, Aulbach)

NEW BUSINESS

R2015-03-37

Consideration of a Resolution of the City of Peachtree Corners, Georgia in support of an application to the Atlanta Regional Commission requesting grant funding to implement the Town Center Bridge Project.

MOTION TO APPROVE R2015-03-37.

By: Council Member Sadd

Seconded: Council Member Aulbach

Vote: (7-0) (Sadd, Aulbach, Mason, Lowe, Wright, Christopher, Gratwick)

R2015-03-38

Consideration of a Resolution of the City of Peachtree Corners, Georgia in support of an application to the Atlanta Regional Commission requesting grant funding to implement the Peachtree Parkway Joint Transportation Plan Project.

MOTION TO APPROVE R2015-03-38.

By: Council Member Christopher

Seconded: Council Member Sadd

Vote: (7-0) (Christopher, Sadd, Mason, Lowe, Wright, Aulbach, Gratwick)

R2015-03-39

Consideration of a Resolution of the City of Peachtree Corners, Georgia in support of an application to the Atlanta Regional Commission requesting

grant funding to implement the Town Center Pedestrian and Bicycle Path Plan Project.

MOTION TO APPROVE R2015-03-39.

By: Council Member Gratwick

Seconded: Council Member Aulbach

Vote: (7-0) (Gratwick, Aulbach, Mason, Sadd, Lowe, Wright, Christopher)

ACTION ITEM

Consideration of approval for an IGA between the City of Peachtree Corners and the Gwinnett County Board of Registrations and Elections for City Elections Using Election Equipment.

MOTION TO APPROVE AN IGA BETWEEN THE CITY OF PEACHTREE CORNERS AND THE GWINNETT COUNTY BOARD OF REGISTRATIONS AND ELECTIONS FOR CITY ELECTIONS USING ELECTION EQUIPMENT .

By: Council Member Sadd

Seconded: Council Member Aulbach

Vote: (7-0) (Sadd, Aulbach, Mason, Lowe, Wright, Christopher, Gratwick)

ACTION ITEM – PH2015-003

Consideration of approving a Certificate for Development within the Chattahoochee River Corridor in accordance with the provisions of the Metropolitan River Protection Act for a new, single-family residence located at 4324 Ridgeway Drive, Lot 32, Block E, of Riverview Estates Subdivision.

Mrs. Diana Wheeler, Community Development Director, gave a brief overview of the application. Mrs. Wheeler recommended approval with three conditions. The conditions are as follows:

1. Applicant shall file the certificate in the real estate records of Clerk of Superior Court of Gwinnett County.
2. Applicant shall stake limits of land disturbing activity for city approval prior to issuance of the building permit.
3. Applicant shall provide Affidavit confirming as/built conditions prior to issuance of certificate of occupancy.

Mayor Mason opened the floor to anyone wanting to speak in favor or opposition of the application. There was no response.

MOTION TO APPROVE PH2015-003 WITH CONDITIONS STATED BY DIANA WHEELER.

By: Council Member Christopher

Seconded: Council Member Sadd

Vote: (7-0) (Christopher, Sadd, Mason, Lowe, Wright, Aulbach, Gratwick)

ACTION ITEM

Consideration of approval for an IGA with Johns Creek for an ARC Corridor Study on SR141.

MOTION TO APPROVE THE IGA WITH JOHNS CREEK FOR AN ARC CORRIDOR STUDY ON SR 141.

By: Council Member Sadd

Seconded: Council Member Gratwick

Vote: (7-0) (Sadd, Gratwick, Mason, Lowe, Wright, Aulbach, Christopher)

ACTION ITEM

Consideration of an agreement between Georgia Tech Research Corporation and the City of Peachtree Corners pertaining to a Business Incubator Study.

MOTION TO APPROVE THE AGREEMENT BETWEEN GEORGIA TECH RESEARCH CORPORATION AND THE CITY OF PEACHTREE CORNERS PERTAINING TO A BUSINESS INCUBATOR STUDY.

By: Council Member Christopher

Seconded: Council Member Sadd

Vote: (7-0) (Christopher, Sadd, Mason, Lowe, Wright, Aulbach, Gratwick)

O2015-03-41

First Read and Consideration of an Ordinance to amend the City of Peachtree Corners Zoning Map pursuant to SUP2015-001, Roberts Properties, request for building elevation approval and variances associated with the development of a 6.47 acre parcel zoned C-2 (Commercial Business) at 5242 Peachtree Parkway in District 6, Land Lot 301, Peachtree Corners, Georgia. **(Public hearing April 21, 2015)**

O2015-03-42

First Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, adopting a document entitled 'The City of Peachtree

Corners Green Regulations and Policies' in order to codify existing green practices and to identify the City of Peachtree Corners as a Green Community pursuant to the criteria established by the Atlanta Regional Commission. **(Public hearing April 21, 2015)**

WORK SESSION:

Gateway Monuments

Mrs. Diana Wheeler, Community Development Director introduced Mr. Todd Vaught of Sky Design. Mr. Vaught presented four renditions of the gateway monument for the City of Peachtree Corners. After discussion it was determined that the designs would be e-mailed to the Mayor and Council, and they in return would rate the designs and return, their ratings to Diana Wheeler.

Councilman Lowe departed.

Winters Chapel Road Area Study preliminary report

Mrs. Michele Alexander of Pond and Company presented the Mayor and Council with a preliminary report on the Winters Chapel Road Area Study. Mrs. Alexander stated that after meeting with the public at a joint community meeting, a few of Pond and Company's recommendations were to add crosswalks, bus shelters, street furniture, drainage, and to complete the sidewalk network.

Discussion on Financial Transparency

Mr. Brandon Branham discussed with the Mayor and Council software for Financial Transparency. After discussion it was determined that the City did not need to purchase the software and that financials would be placed on the website.

Tree City, USA.

Mrs. Diana Wheeler, Community Development Director, informed the Mayor and Council that in order for the City of Peachtree Corners to become a Tree City, they will need to a) adopt a Tree Ordinance, b) form a Tree Commission, c) make a financial commitment, and c) proclaim an Arbor Day with an Arbor Day Celebration. Mrs. Wheeler recommended that the existing Green Committee members be appointed to the Tree Commission.

Discussion on Award Recommendation for an RFP concerning LMIG Sidewalks for Survey and Design.

Mr. Greg Ramsey, Public Works Director, informed the Mayor and Council that the sidewalk project for Technology Parkway was in the works.

Discussion on Town Center Financing.

Mr. Bill Johnson of Stephens Inc. gave a brief presentation concerning financing for the Town Center. Mr. Johnson explained that the existing financing for the Town Center expires on May 13, 2015, and that a new credit facility should be obtained to extend the upcoming facility expiration and land sale schedule.

ADJOURNMENT:

MOTION TO ADJOURN AT 9:10 PM

By: Council Member Wright

Seconded by: Council Member Gratwick

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

Approved,

Attest:

Mike Mason, Mayor

Kymerly Chereck, City Clerk
(Seal)

Proclamation

Dan Baker

Proclamation

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA
RECOGNIZING THE CONTRIBUTIONS OF DAN BAKER AND THANKING
HIM FOR BEING A FRIEND TO PEACHTREE CORNERS**

WHEREAS, Dan Baker is a longtime member of our community and supporter of Peachtree Corners as well as a founding member and president of the Peachtree Corners Business Association; and

WHEREAS, Mr. Baker has worked in Peachtree Corners for nearly 30 years, has taken an active interest in community events, participates in numerous community activities, and always goes above and beyond to serve his customers; and

WHEREAS, Mr. Baker's assistance through his position as Senior Vice-President of Georgia Commerce Bank helped the City tremendously by providing financial assistance for start-up operations and the acquisition of the Town Center property;

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Peachtree Corners that the City recognizes the contributions of Dan Baker and extends its heartfelt thanks for all that he has done to benefit our community. It is further proclaimed that Dan Baker is recognized as an honored citizen and a true friend to the City of Peachtree Corners.

SO PROCLAIMED AND EFFECTIVE, this the 21st day of April, 2015.

Attest:

Approved:

Kym Chereck, City Clerk

Mike Mason, Mayor

Proclamation

Mark Ogden

Proclamation

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA
RECOGNIZING AND CONGRATULATING MARK OGDEN FOR HIS
DEDICATED SERVICE TO THE PEACHTREE BOOSTER CLUB HOCKEY
PROGRAM**

WHEREAS, Mark Ogden has been the director of the Peachtree Booster Club Hockey program for the past 8 years and will be leaving at the end of this season; and

WHEREAS, Mr. Ogden's passion for hockey combined with his volunteer spirit helped to transform an informal recreational activity into a full-fledged sports program; and

WHEREAS, Mr. Ogden's leadership provided a programmatic framework that now accommodates year around hockey for all age groups;

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Peachtree Corners that Mark Ogden is recognized and congratulated for his dedicated service to the Peachtree Booster Club Hockey program. It is further proclaimed that the City is grateful to Mark Ogden for his volunteer efforts in bringing in-line hockey to our community.

SO PROCLAIMED AND EFFECTIVE, this the 21st day of April, 2015.

Attest:

Approved:

Kym Chereck, City Clerk

Mike Mason, Mayor

Proclamation
Earth Day

Proclamation

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA
SUPPORTING EARTH DAY, APRIL 22, 2015, AND ENCOURAGING ALL
CITIZENS TO CELEBRATE AND PROTECT THE ENVIRONMENT AND
CONTRIBUTE TO A SUSTAINABLE COMMUNITY**

WHEREAS, the global community now faces extraordinary challenges, including global health issues, food and water shortages, and economic struggles; and

WHEREAS, all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth; and

WHEREAS, the citizens of the global community must step forward and take action to create a green economy to combat these global challenges; and

WHEREAS, it is acknowledged that even global initiatives must first be started at the local level in order to effect true change and achieve success;

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council that the City of Peachtree Corners supports Earth Day, April 22, 2015, and encourages all citizens to celebrate and protect the environment and contribute to the sustainability of the City of Peachtree Corners.

SO PROCLAIMED AND EFFECTIVE, this 21st day of April, 2015.

Attest:

Approved:

Kym Chereck, City Clerk

Mike Mason, Mayor

**Staff Activity
Report
D. Wheeler**



Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: April 21, 2015

SUBJECT: Staff Activity Report

The following is a summary of Staff activity during the period of 3/23/15 – 4/17/15.

- A. Meetings with:
 1. Green Committee to review Green Certification materials.
 2. Planning Commission and Zoning Board of Appeals for public hearings.
 3. Pond and Co. and Dunwoody to finalize Winters Chapel Road Area Study.
 4. Earth Fare regarding store signage.
- B. Preliminary Review of potential sites for Gateway Monuments.
- C. Completed and submitted three LCI related grant applications to ARC.
- D. Received location maps and construction guideline documents from Colonial Pipeline regarding the development of a multi-use path within their easement.
- E. Responded to phone calls and e-mails from residents, business people, and others.
- F. The following permits were issued:

DATE	Permit #	NAME	ADDRESS	TYPE
3/23/2015	PP15-0257	ADVOCATE NETWORKS/CLOUD CALL CENTER-PBX SOLUTIONS	6200 THE CORNERS PKWY STE T-100	CERTIFICATE OF OCCUPANCY
3/23/2015	PP15-0258	ACCENT DÉCOR	6550 CARTER BLVD STE A	INTERIOR FINISH
3/23/2015	PP15-0259	ATLANTA'S RELIABLE ROOFING CO	3345 SPRING DRIVE	REROOF
3/23/2015	PP15-0260	YOUNG CONSTRUCTION	6422 DEERINGS LN	REMODEL
3/23/2015	PP15-0261	ARS RESCUE ROOTER PLUMBING	3687 ORCHARD ST	PLUMBING
3/23/2015	PP15-0262	ATLANTA'S RELIABLE ROOFING CO	3345 SPRING DRIVE	REROOF
3/24/2015	PP15-0263	ALL AMERICAN CONSTRUCTION	5933 PEACHTREE INDUSTRIAL BLVD STE 2	RENOVATION
3/24/2015	PP15-0264	FINDLAY ROOFING	4010 WELLINGTON MIST PT	REROOF
3/25/2015	PP15-0265i	INNOVATIVE CONSTRUCTION	4219 ALLENHURST DR	DECK
3/25/2015	PP15-0266	INNOVATIVE CONSTRUCTION	4219 ALLENHURST DR	CARPORT
3/25/2015	PP15-0267	KYLE REID	4989 PEACHTREE PKWY	ELECTRICAL

DATE	Permit #	NAME	ADDRESS	TYPE
3/25/2015	PP15-0268	ART DESIGN INC	3466 HOLCOMB BRIDGE RD STE AA	PERMANENT SIGN
3/25/2015	PP15-0269	PORTIS BUILDERS & INTERIORS	3360 HIGHCROFT CIRCLE	INTERIOR REMODEL
3/25/2015	PP15-0270	ALTAIR SIGN & LIGHT	6690 JONES MILL CT	PERMANENT SIGN
3/25/2015	PP15-0271	NOVA COMMERCIAL INTERIORS	4179 ALLENHURST DRIVE	REMODEL
3/25/2015	PP15-0272	ROBERT FUGATE	4839 JONES BRIDGE CIRCLE	RETAINING WALL
3/25/2015	PP15-0273	HM PEACHTREE CORNERS I LLC	3011 ADRIATIC CT STE A	CERTIFICATE OF OCCUPANCY
3/25/2015	PP15-0274	PETE WITALIS HOMES, INC	4547 RIDGEGATE DR	BASEMENT FINISH
3/25/2015	PP15-0275	ZIRKONZAHN USA, INC	154 TECHNOLOGY PKWY	INTERIOR FINISH
3/25/2015	PP15-0276	PEACHTREE PKWY/ORANGE THEORY	5270 PEACHTREE PKWY STE 105	ELECTRICAL
3/26/2015	PP15-0277	GEORGIA DELTA MECHANICAL, INC	4855 RIVERLAKE DR	PLUMBING
3/26/2015	PP15-0278	ANGELOU KYRAACOU	5350 TRIANGLE PKWY	DEMO
3/26/2015	PP15-0279	MARCO'S PIZZA	5270 PEACHTREE PKWY	TEMPOARY SIGN
3/27/2015	PP15-0280	BIG FROG ELECTRIC	105 TECHNOLOGY PKWY	ELECTRICAL
3/27/2015	PP15-0281	THE DAVEY TREE EXPERT COMPANY	6925 GILLELAND LN	CERTIFICATE OF OCCUPANCY
3/27/2015	PP15-0282	EOCA	5933 PEACHTREE IND BLVD STE D	RACKING
3/27/2015	PP15-0283	HARSHAMAN AND COMPANY	3050 AMWILER RD STE 250	CERTIFICATE OF OCCUPANCY
3/27/2014	PP15-0284	VERITIV-EXPANSION	3091 GOVERNORS LAKE DR STE 350	INTERIOR FINISH
3/27/2015	PP15-0285	ROMANOFF RENOVATIONS	5270 WICKERSHIRE DR	REMODEL
3/27/2015	PP15-0286	ORANGETHEORY	5270 PEACHTREE PKWY	TEMPORARY SIGN
3/27/2015	PP15-0287	ATLANTA STORAGE CONCEPT, INC	2935 AMWILER RD STE C	RACKING
3/30/2015	PP15-0288	SPALDING ANIMAL HOSPITAL	105 TECHNOLOGY PKWY	TEMPORARY SIGN
3/30/2015	PP15-0289	GEORGIA IN HOME SERVICES	4446 EAST JONES BRIDGE RD	DEMO
3/30/2015	PP15-0290	GEORGIA IN HOME SERVICES	4446 EAST JONES BRIDGE RD	REMODEL
3/30/2015	PP15-0291	ARTHUR SEARLES	7050 JIMMY CARTER BLVD 103-C	ELECTRICAL
4/1/2015	PP15-0292	INJURY AND WELLNESS SPECIALISTS	3800 HOLCOMB BRIDGE RD STE D	CERTIFICATE OF OCCUPANCY
4/1/2015	PP15-0293	VERICON CONSTRUCTION/PNC BANK	6141 PEACHTREE PKWY	ADDITION
4/1/2015	PP15-0294	BILL GRANT MANAGEMENT, INC	4299 RIVERVIEW DR	DECK
4/1/2015	PP15-0295	JOSE PARADA	3666 SCOTTS MILL RUN	REMODEL
4/1/2015	PP15-0296	ASSEST CONSTRUCTION	303 RESEARCH DRIVE STE 150, 1ST FLOOR	DEMO
4/1/2015	PP15-0297	SUPERIOR PLUMBING SERVICES, INC	6150 DOVE FIELD CT	PLUMBING
4/1/2015	PP15-0298	AOUS ARAIM AND NADINE KASHLAN	4344 RIDGEGATE DR	REMODEL
4/1/2015	PP15-0299	DRIVETECH AMERICA, LLC	3011 ADRIATIC CT STE C	CERTIFICATE OF OCCUPANCY
4/1/2015	PP15-0300	DRIVETECH AMERICA, LLC	3011 ADRIATIC CT STE C	RACKING
4/1/2015	PP15-0301	GEORGIA DELTA MECHANICAL, INC	4361 DOERUN CT	PLUMBING

**Staff Activity
Report
G. Ramsey**



MEMO

TO: Mayor & Council
CC: Julian Jackson, City Manager
FROM: Greg Ramsey, P.E., Public Works Director
DATE: April 21, 2015
SUBJECT: Public Works Activity Report

The following is a summary of the Public Works Activities in the monthly period ending 04-10-15:

Approximately 2:00 PM Friday, March 20, 2015 the Publics Works Response Team noticed Gwinnett County Police blocking Holcomb Bridge Road, Westbound at Peachtree Corners Circle. An incident caused 1 ½ to 2 Tons of Asphalt to spill on the road. The Gwinnett Police Officer dispatched OPECH's Wrecker Service to start the clearing the roads of the asphalt. Gwinnett County DOT Emergency Response was also dispatched. Jim Price, and three additional PTC Public Works Responders quickly arrived with a dump truck to clean up the spill. Keen vigilance, sense of urgency, and teamwork demonstrated by the PTC Publics Works Response Team made it possible to remove the asphalt within 35 to 40 minutes before Gwinnett County Dot arrived on the scene. The Gwinnett County Police Officer was advised to contact the City Peachtree Corners Public Works Department about future incidents.

Before



After



PTC Publics Works participated in two Allenhurst Phase II Stream Progress Meetings. The team has completed the installation of Coir Wattles along the right bank on the upper section of Tributary 3. Grading along the upper section of Tributary 2 is complete. Stream crossing by Tributary 2 and 3 confluence, and the Rock Filter Dam have been removed. Work on the Slope Stabilization areas along Tributary are in process.

A. Attended the following meetings:

1. Peachtree Elementary – outdoor classroom space, 3-31-15
2. Bush Creek inspection – 3-18-15
3. ARC LCI – 3-20-15
4. Technology Parkway Sidewalks 3-25-15
5. Oglethorpe – 3-26-15
6. Winters Chapel LCI 3-26-15
7. Ingles Market development 3-26-15
8. Speed Limit signs meeting, Triangle Parkway 4-8-15
9. Georgia Power Lighting 4-14-15
10. GC Stormwater Coordination 4-16-15
11. Allenhurst Stream Restoration 4-16-15

B. Field Services Operations 03-11-15 thru 04-10-15

1. # of Work Orders Initiated = 114
2. # of Fix It App submittals for PW = 16
3. # of Field Generated Work Orders = 98
4. # of Work Orders Completed = 95
5. # of Work Orders Referred to Other Departments = 7
6. Please see below for summaries of Work Orders & Fix-It App submittals

Work Orders Initiated:

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000174	1/7/2015	Repair Pothole	4316 Jones Bridge Cir	Completed	3/11/2015
15-000210	1/29/2015	Extend Bollards	5995 Crooked Creek Rd	Completed	3/9/2015
15-000241	2/12/2015	Remove Graffiti	Peachtree Industrial Blvd	Completed	3/6/2015
15-000246	2/19/2015	Remove Debris In R.O.W.	4568 East Jones Bridge Rd	Completed	3/5/2015
15-000263	2/25/2015	Repair Potholes	4661 Jones Bridge Rd	Completed	3/11/2015
15-000264	2/27/2015	Remove Trash In R.O.W.	3387 Meadow Rue Dr.	Completed	3/6/2015
15-000266	3/2/2015	Remove Trash In R.O.W	Jones Mill Rd	Completed	3/3/2015
15-000267	3/3/2015	Repair Street Sign	2925 Colonnades Ct	Completed	3/3/2015
15-000268	3/5/2015	Remove Trash In R.O.W	Peachtree Corners Cir	Completed	3/5/2015
15-000269	3/5/2015	Remove Trash In R.O.W	6280 Meadow Rue Dr	Completed	3/5/2015
15-000270	3/5/2015	Remove Trash In R.O.W	3605 Jones Mill Rd	Completed	3/5/2015
15-000271	3/5/2015	Remove Trash In R.O.W	Florida Ave	Completed	3/5/2015

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000272	3/5/2015	Remove Trash In R.O.W	Peachtree St	Completed	3/5/2015
15-000280	3/9/2015	Remove Deceased Animal	4783 Bush Road	In Progress	
15-000281	3/9/2015	Remove Graffiti	7050 Jimmy Carter Blvd	In Progress	
15-000301	3/2/2015	Cut Tree Limbs	Crooked Creek Rd	Completed	3/2/2015
15-000302	3/2/2015	Remove Trash In R.O.W.	Hwy 141 South	Completed	3/2/2015
15-000303	3/2/2015	Remove Trash In R.O.W	Jones Mill Rd	Completed	3/2/2015
15-000304	3/2/2015	Repair Pothole	Medlock Bridge Rd	Completed	3/3/2015
15-000305	3/5/2015	Remove Trash In R.O.W.	6195 Crooked Creek Rd	In Progress	
15-000306	3/5/2015	Remove Tree Limbs	Peachtree Corners Cir	In Progress	
15-000317	3/2/2015	Remove Trash In R.O.W	Meadow Rue Ln	Completed	3/2/2015
15-000318	3/2/2015	Remove Trash In R.O.W	Medlock Bridge Rd	Completed	3/2/2015
15-000319	3/2/2015	Remove Trash In R.O.W	2200 Montrose Pkwy Medlock Bridge Apts	Completed	3/2/2015
15-000320	3/2/2015	Remove Deceased Animal	420 Technology Pkwy	Completed	3/2/2015
15-000321	3/3/2015	Remove Trash In R.O.W	6490 Appletree Way	Completed	3/3/2015
15-000322	3/3/2015	Remove Tree Limbs	Peachtree Industrial Blvd	Completed	3/3/2015
15-000340	3/12/2015	Street Signs	Eastman Trl	Completed	4/3/2015
15-000341	3/12/2015	Remove Trash In R.O.W.	5184 South Old Peachtree Rd	In Progress	
15-000342	3/13/2015	Repair Pothole	310 Technology Pkwy	In Progress	
15-000343	3/16/2015	Remove Pine Straw	Lou Ivy And Bush Roads	In Progress	
15-000344	3/23/2015	Street Sign Maintenance	4080 Peachtree Corners Cir	In Progress	
15-000345	3/25/2015	Repair Pothole	3400 Holcomb Bridge Rd	In Progress	
15-000346	3/25/2015	Street Signs	Jones Mill Ct	In Progress	
15-000347	3/25/2015	Street Signs	E Technology Pkwy	In Progress	

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000348	3/25/2015	Smooth Out Ruts	5138 S. Old Peachtree Rd	In Progress	
15-000349	3/26/2015	Repair Pothole	Peachtree Corners Cir	In Progress	
15-000353	3/3/2015	Remove Trash In R.O.W	Buford Hwy	Completed	3/3/2015
15-000354	3/3/2015	Removed Tree Limbs	Crooked Creek Rd	Completed	3/3/2015
15-000355	3/3/2015	Remove Trash In R.O.W.	South Old Peachtree Rd	Completed	3/3/2015
15-000356	3/4/2015	Remove Debris In R.O.W.	South Berkeley Lake Rd	In Progress	
15-000357	3/5/2015	Remove Trash In R.O.W.	Buford Hwy	Completed	3/5/2015
15-000358	3/5/2015	Remove Tree Trimmings	Lou Ivy Rd	Completed	3/5/2015
15-000359	3/10/2015	Clean Gutter	South Berkley Lake Rd	Completed	3/10/2015
15-000360	4/3/2015	Repair Pothole	6175 Crooked Creek Rd	In Progress	
15-000361	3/11/2015	Remove Debris In R.O.W.	NW Jones Bridge Rd	Completed	3/11/2015
15-000362	3/12/2015	Remove Tree Limbs	Lou Ivy Rd	In Progress	
15-000363	3/13/2015	Remove Trash In R.O.W.	Lou Ivy Rd	Completed	3/13/2015
15-000364	3/13/2015	Remove Trash In R.O.W.	Buford Hwy	Completed	3/13/2015
15-000365	3/16/2015	Mowed Grass In R.O.W.	S Peachtree Industrial Blvd	Completed	3/16/2015
15-000366	3/17/2015	Mowed Grass In R.O.W.	Peachtree Industrial Blvd	Completed	3/17/2015
15-000367	3/18/2015	Mowed Grass In R.O.W.	Hwy 141	Completed	3/18/2015
15-000368	3/19/2015	Mowed Grass In R.O.W.	PIB and Holcomb Bridge Rd	Completed	3/19/2015
15-000369	3/11/2015	Repair Pothole	Holcomb Bridge Rd	Completed	3/11/2015
15-000370	3/11/2015	Repair Pothole	Peachtree Corners Cir	Completed	3/11/2015
15-000371	3/11/2015	Remove Trash In R.O.W.	Holcomb Bridge Rd	Completed	3/11/2015
15-000372	3/11/2015	Clean Island	N Berkley Lake Rd	Completed	3/16/2015
15-000373	3/11/2015	Repair Potholes	South Old Peachtree Rd	Completed	3/12/2015

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000374	3/16/2015	Install Banners	Technology Pkwy	Completed	3/17/2015
15-000375	3/17/2015	Remove Trash In R.O.W.	Bush Rd	Completed	3/17/2015
15-000376	3/16/2015	Repair Pothole	Holcomb Bridge Rd	Completed	3/16/2015
15-000377	3/16/2015	Remove Litter In R.O.W.	Technology Pkwy	Completed	3/16/2015
15-000378	3/17/2015	Install Signs	4240 Old Bridge Ln	Completed	3/18/2015
15-000379	3/18/2015	Repair Pothole	Medlock Bridge Rd	Completed	3/18/2015
15-000380	3/19/2015	Clean Island	S Peachtree Industrial Blvd	Completed	3/20/2015
15-000381	3/20/2015	Remove Asphalt From R.O.W.	Holcomb Bridge Rd	Completed	3/20/2015
15-000382	3/20/2015	Remove Debris In R.O.W.	Holcomb Bridge Rd	Completed	3/20/2015
15-000383	3/20/2015	Remove Trash In R.O.W.	Jay Byrd Aly	Completed	3/20/2015
15-000384	3/24/2015	Remove Trash In R.O.W.	Spalding Dr	Completed	3/24/2015
15-000385	3/26/2015	Remove Trees In R.O.W.	Jones Mill Rd	In Progress	
15-000386	3/12/2015	Remove Trash In R.O.W.	Medlock Bridge Rd	Completed	3/12/2015
15-000387	3/12/2015	Remove Trash In R.O.W.	Mechanicsville Rd	Completed	3/12/2015
15-000388	3/12/2015	Remove Trash In R.O.W.	Bush Rd	In Progress	
15-000389	3/18/2015	Remove Sign	Peachtree Corners Cir	Completed	3/18/2015
15-000390	3/18/2015	Remove Trash In R.O.W.	Technology Pkwy	Completed	3/18/2015
15-000391	3/30/2015	Remove Trash In R.O.W.	Hwy 141	Completed	3/30/2015
15-000392	3/30/2015	Remove Object In R.O.W.	N Peachtree Industrial Blvd	Completed	3/30/2015
15-000393	3/31/2015	Remove Tree Limbs	Mary Walk	Completed	3/31/2015
15-000394	3/19/2015	Clean Gutter	Jimmy Carter Blvd	Completed	3/19/2015
15-000401	3/4/2015	Remove Deceased Animal	5814 Crooked Creek Rd	Completed	3/4/2015
15-000402	3/5/2015	Removed Trash In R.O.W.	Peachtree Corners Cir	Completed	3/5/2015

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000403	3/5/2015	Remove Trash In R.O.W.	Medlock Bridge Rd	Completed	3/5/2015
15-000404	3/6/2015	Removed Trash In R.O.W.	6405 Peachtree Industrial Blvd	Completed	3/6/2015
15-000405	3/9/2015	Remove Deceased Animal	4680 Bush Rd	Completed	3/9/2015
15-000406	3/9/2015	Remove Deceased Animal	5815 Crooked Creek Rd	Completed	3/9/2015
15-000407	3/10/2015	Removed Trash In R.O.W.	Hunters Ridge Ln	Completed	3/10/2015
15-000408	3/10/2015	Removed Debris In R.O.W.	6767 Peachtree Industrial Blvd	Completed	3/10/2015
15-000409	3/10/2015	Remove Trash In R.O.W.	Marla Blvd	Completed	3/10/2015
15-000410	3/16/2015	Remove Trash In R.O.W.	7131 Peachtree Industrial Blvd	Completed	3/10/2015
15-000411	3/10/2015	Remove Trash In R.O.W.	6950 Peachtree Industrial Blvd	Completed	3/10/2015
15-000412	3/19/2015	Clean Gutter	Jimmy Carter Blvd	Completed	3/19/2015
15-000413	3/19/2015	Remove Deceased Animal	147 Technology Pkwy	Completed	3/19/2015
15-000414	3/19/2015	Repair Pothole	Spalding Dr	Completed	3/19/2015
15-000415	3/23/2015	Remove Trash In R.O.W.	6649 Peachtree Corners Cir	Completed	3/23/2015
15-000416	3/23/2015	Remove Trash In R.O.W.	6583 Peachtree Corners Cir	Completed	3/23/2015
15-000417	3/26/2015	Remove Trash In R.O.W.	4684 S Berkley Lake Rd	Completed	3/26/2015
15-000418	3/26/2015	Remove Deceased Animal	2200 Montrose Pkwy	Completed	3/26/2015
15-000419	3/26/2015	Remove Trash In R.O.W.	22200 Montrose Pkwy	Completed	3/26/2015
15-000420	3/26/2015	Remove Debris In R.O.W.	6649 S Peachtree Industrial Blvd	Completed	3/26/2015
15-000421	3/30/2015	Remove Debris In R.O.W.	6950 N Peachtree Industrial Blvd	Completed	3/30/2015
15-000422	4/2/2015	Remove Deceased Animal	Holcomb Bridge Rd	Completed	4/2/2015
15-000423	4/3/2015	Remove Deceased Animal	Peachtree Corners Cir	Completed	4/3/2015
15-000424	3/26/2015	Mow Grass In R.O.W.	Holcomb Bridge Rd	Completed	3/20/2015

Order Number	Entry Date	Description	Address	Status Type	Completion
15-000425	3/20/2015	Remove Trash In R.O.W.	Buford Hwy	Completed	3/20/2015
15-000426	3/23/2015	Remove Trash In R.O.W.	Medlock Bridge Rd	Completed	3/23/2015
15-000427	3/23/2015	Remove Debris In R.O.W.	N Berkley Lake Rd	Completed	3/23/2015
15-000428	3/23/2015	Remove Debris In R.O.W.	E Peachtree St	Completed	3/23/2015
15-000429	3/23/2015	Remove Debris In R.O.W.	Spalding Dr	Completed	3/23/2015
15-000430	3/24/2015	Remove Debris In R.O.W.	Jay Byrd Aly	Completed	3/24/2015
15-000431	3/26/2015	Remove Debris In R.O.W.	Buford Hwy	Completed	3/26/2015
15-000432	4/9/2015	Repair Pothole	6260 The Corners Pkwy	In Progress	
15-000433	4/7/2015	Remove Standing Water	Peachtree Industrial Pkwy	Completed	4/7/2015
15-000434	4/8/2015	Install Traffic Control Device	Triangle Pkwy	Completed	4/8/2015
15-000435	4/7/2015	Mow Grass In R.O.W.	Hwy 141	Completed	4/7/2015

Work Orders Referred to other Departments:

Date Created	Request Type	Address	Status Type	Referred To Other Departments
3/11/2015	Running Water at intersection	intersection of Crooked Creek Rd & Holcomb Bridge Rd	Closed	Gwinnett Co. Water Resources
3/13/2015	No Water Pressure	3365 Norfolk Chase Drive (West Chase Commons Subdivision)	Closed	Gwinnett Co. Water Resources
3/16/2015	Unsecure Fire Hydrant, Ditch, & Water Pipe	4256 Gilleland Lane	Closed	Gwinnett Co. Water Resources
3/25/2015	Broken Sidewalk	Klinect Court 3 blocks going towards Holcomb Bridge Road on the left	Closed	Gwinnett Co. Water Resources
03/30/2015	Repair Pothole	6500 Peachtree Industrial Boulevard	Closed	Gwinnett Co. Water Resources
4/02/2015	Downed Utility cable	South of Spalding Glen Drive	In Process	ATT Comcast Charter
4/03/2015	Water & Sewerage Leaks	4513 & 4515 Georgia Ave	Closed	Gwinnett Animal Control

02015-03-41

Roberts Properties

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO SUP2015-001, ROBERTS PROPERTIES, REQUEST FOR BUILDING ELEVATION APPROVAL AND VARIANCES ASSOCIATED WITH THE DEVELOPMENT OF A 6.47 ACRE PARCEL ZONED C-2 (COMMERCIAL BUSINESS) AT 5242 PEACHTREE PARKWAY IN DISTRICT 6, LAND LOT 301, PEACHTREE CORNERS, GEORGIA

WHEREAS: Notice to the public regarding said requests and public hearing have 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 March 17, 2015 and April 21, 2015;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on April 21, 2015 hereby ordain and approve SUP2015-001, Roberts Properties, for the above referenced property with the following enumerated conditions:

Gwinnett County Original Conditions (as modified):

- I. To restrict the use of the property as follows:
 - A. All uses and special use permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; tattoo and piercing parlors; adult bookstores or entertainment; drive-thru fast food service; automotive car wash, automotive parts store; billboards (as provided in Section 1113.1); building, electrical or plumbing contractors; funeral homes or mausoleums; furniture rental establishments; convenience food stores with or without fuel pumps, emission inspection stations; equipment rental; hotels and motels; on-site laundry or dry cleaning establishments, self-service or coin operated laundries; liquor stores; mobile buildings, parking lots and garages; plant nursery sales facility; recreation facilities which exceeds 3500 square feet (but may be up to 4000 square feet for Spa Sydell type use); recovered materials processing facility, taxidermist, yard trimmings composting facility; clubs, lodges, fraternal institutions and meeting halls; caretaker or watchman quarters; auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps; building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental; mini-warehouse storage facilities; mobile home or mobile building leasing or sales lots, taxi cab or limousine services and no outdoor storage of any type; pest control businesses; pet shops or grooming establishments; lounges; and any temporary uses.

- B. This is a concept specific zoning. Project is to be generally developed as a forum/avenues style development and should include office elements similar in “look and feel” to the existing development immediately across Peachtree Parkway from this property and currently known as “The Forum”, or as set forth in the elevations presented to the Board of Commissioners as prepared by Wakefield, Beasley & Associates and the site plan prepared by LAI Engineering Wood & Partners, Inc. dated October 5, 2007 **January 20, 2015**. A forum/avenues type of development shall be defined as a retail development of small shops similar in design and concept to “The Forum”. The landscape plan and architectural plans shall be submitted to the Gwinnett County Planning Commission and approved by the Community Development Director prior to any permits being issued.
- C. Drive-through businesses shall be prohibited, except for banks/financial institutions which may include a drive-through facility as an integrated part of the primary banking operation if the following provisions are met. Any such drive-through facility shall be structurally attached to the bank/financial institution building. Any person-to-person communication shall be conducted only through a sealed (non-operable) window (which may include an associated bank deposit tray and/or tube) and speaker system. The volume control for the speaker system shall be set so that sound shall not be audible more than 10-feet from any such speaker. Any in-person “reach-through” opening and/or the passing of food through such opening shall be prohibited. To the extent that any allowed structure ceases to be used as a bank/financial institution, then the drive-through facility associated therewith shall be demolished.
- D. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District).
- E. The dimensions of any bank/financial institution drive-through facility shall be constructed in general conformity with the site plan prepared by Wakefield, Beasley and Associates, dated October 17, 2008, and submitted for the record at the Planning Commission’s October 21, 2008 meeting. Specifically, the drive aisle width at the drive-through entrance and exit shall be a maximum width of 24 feet and shall taper in accordance with the configuration depicted in the aforementioned site plan.
2. To satisfy the following site development considerations:
- A. Provide a 50-foot wide natural buffer adjacent to residential zoning. The developer shall be allowed to grade 20-feet into the buffer in order to reduce/eliminate retaining walls in accordance with the three buffer plan drawings

prepared by Bilson and Associates, dated September 9, 2008, and submitted for the record at the Planning Commission's October 21, 2008 meeting. The graded area of the buffer shall be replanted in accordance with the buffer plan drawings with native Georgia trees including Tulip Poplar, Maple, Cryptomeria and Pine Trees in equal distribution to provide an effective visual screen. In no event will there be less than a 75-foot setback adjacent to the stream depicted on the site plan. The developer shall place the portion of the subject property within the stream buffer in a conservation easement.

- B. Provide bike racks within the development in accordance with the overlay standards.
- C. Provide internal access to any outparcel development. No direct access to Peachtree Parkway other than the shopping center entrance per Department of Transportation approval.
- D. Entrance/exits shall be allowed onto Peachtree Corners Circle per Department of Transportation approval.
- E. No billboards are permitted.
- F. Dumpsters shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture, and with a gated entry. Pick-up for dumpsters shall be limited to between the hours of 8:00 a.m. and 6:00 p.m.
- G. Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco **comparable in design and appearance to 'The Forum'**. All sides shall have a 32-inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the materials **plans presented to and approved by the City Council at its April 21, 2015 meeting.** ~~October 16, 2007 meeting, and final plans will be submitted to the Planning Commission and approved by the Director of Planning and Development.~~ All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with the building architecture.
- ~~H. All buildings shall provide a variation in roof line similar to that of 'The Forum', which consists of a mixture of flat, pitched, pyramidal, conical, or mansard roof design. Corner/end unit towers shall incorporate a pyramidal or conical roof design consistent with a Forum style development.~~

- ~~I. Architectural design elements such as dormer windows shall be incorporated into the building roof line for structures larger than 4,000 square feet.~~
- J. All street or walkway pavers internal to the development shall be of brick, stone, or paving material comparable in appearance and be limited to grey or natural-tone colors, which will coordinate with building architecture.
- K. Provide landscaped islands through the parking area, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-foot wide landscaped island for each 225-feet of continuous bay length, or alternate plan as may be approved by the Community Development Director.
- L. Provide or relocate and reconstruct sidewalks, as required, a minimum of five feet in width adjacent to Peachtree Parkway (U.S. Hwy. 141) and Peachtree Corners Circle. Sidewalks may meander along these roads where feasible and per DOT approval. Provide internal sidewalks connecting office, retail, and outparcel development. Submit pedestrian access plan for review and approval of the Community Development Director.
- M. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties nor to create a hazard for passing automobile traffic. Any lights located on the rear of the building must be directed downward.
- N. Multi-tenant buildings shall be limited to wall signage only. Project signage shall be limited to one monument sign per road frontage except for one subdivision entrance sign and one primary ground sign adjacent to Peachtree Parkway. Monument signs shall coordinate with building architecture.
- O. Any detention ponds shall be visibly screened with landscape plantings to be approved by the Community Development Director.
- P. No outside speakers shall be allowed other than on a bank usage, if any, or a Muzak system may be allowed provided no shrill or excessive noise and vibrations, amplified live entertainers, outside paging systems, phone bells, or loudspeakers will be allowed. Any Muzak system shall have downward facing speakers and shall be inaudible ten feet from the speakers.
- Q. Business hours are to be limited to Monday through Thursday from 7:00 a.m. to 12:00 midnight and Friday through Sunday from 7:00 a.m. to 2:00 a.m., **(unless further restricted by other regulations)**. Business hours for a coffee/bagel

shop and any specialty gourmet food store(s) shall be 6:00 a.m. to 2:00 a.m. seven days a week.

- R. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors as determined by the Community Development Director.
- S. ~~Development shall provide a temporary 20-foot natural buffer, except for utility crossings, along the right-of-way of Peachtree Parkway and Peachtree Corners Circle. Temporary buffer may be removed upon issuance of a building permit.~~
- I. Truck delivery shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
- II. No overnight parking or idling of delivery trucks shall be allowed.
- T. Operation of parking lot cleaning machinery or other maintenance equipment that emits noise shall be limited to the hours of 8:00 a.m. to 9:30 p.m.
- U. Prior to any grading or clearing, all buffers shall be clearly marked with bright orange tree save fencing to insure that no improper or accidental buffer intrusions occur.

Peachtree Corners Additional Conditions:

- V. A tree survey showing the location of specimen trees on the property shall be submitted prior to Land Disturbance Permit application.
- W. An encroachment into the 50 ft. undisturbed buffer and 75 ft. impervious stream setback line shall be permitted for the installation of a reinforced pervious slope along a portion of the northern property line as shown on LAI Engineering drawings dated 1-30-15.
- X. All Variances requested shall be approved subject to the following:
 - 1. Landscaping along the property frontage shall, at a minimum, match and be a continuation of the landscaping at Chase Bank. In addition, the developer shall sod and maintain the right-of-way in front of his property in the same fashion as his own property so as to maintain the same appearance. At such time as a property owners association exists, they shall assume that landscape maintenance responsibility.
 - 2. The landscape strip for the entire frontage of Peachtree Parkway shall include a staggered double row of evergreens at least three

feet in height at time of installation with spacing to be determined by Staff to screen the parking lot from vehicle view on Peachtree Parkway. Landscaping to be approved by Staff to insure this condition is met.

3. Temporary disturbance area shown on the Peachtree Retail Master Plan dated 2/27/15 shall be replanted as approved by the City Arborist.
 4. Internal landscape strips and parking areas shall be developed substantially as shown on the Peachtree Retail Master Plan dated 2/27/15. In addition, the internal landscape strip between the two buildings fronting Peachtree Parkway shall be heavily planted with hardwood trees which are 12ft. – 15 ft. in height at time of installation. The tree planting shall have a boulevard type effect and the tree spacing shall be approved by Staff.
 5. Pervious pavers shall be installed as shown on the Peachtree Retail Master Plan dated 2/27/15.
- Y. Building Elevations shall be approved subject to the following:
1. Exterior building materials shall be primarily brick or stone on all building sides.
 2. Appearance of the buildings shall substantially conform to the drawings prepared by HOK and Wakefield Beasley and Associates dated 2/27/15.
 3. Planters with vegetation approved by the City Arborist shall be placed along the building exterior or, as an alternate, climbing plant material shall be installed at the base of the buildings or next to trellises or arbors.
 4. All mechanical equipment (roof top and on the ground) shall be screened from ground view.
- Z. A minimum of .9 acres of land located at the northeast corner of the property shall be dedicated to the DDA toward the development of a pedestrian trail system along the stream. However, this area shall be counted towards the applicant's open space and tree density requirements.
- AA. A property owners association shall be established in order to assume responsibility for common area maintenance and other property related issues.
- BB. At least one pedestrian access location shall be identified on the plan. This location shall serve as the place where pedestrians can cross the stream and traverse from the subject property to the Town Center property.

- CC. The developer shall be responsible for his proportionate share of the cost of design and construction of the pedestrian bridge that spans from the parking lot of the developer's property to the parking lot of the Town Center property at specific locations determined by Staff. If all of the developer's property has been sold at the time that the bridge is built, the Property Owners Association shall be required to assume the developer's responsibility.
- DD. Grading may be done internal throughout the site; however, where no plans have been permitted for specific building development, a 75 ft. undisturbed tree buffer shall remain along the adjacent roadway frontage in order to minimize the view of disturbed land.
- EE. Graded land that becomes inactive (no building permits pending) for more than 6 months shall be stabilized, seeded and shall meet all other ordinance requirements for graded property. Additional landscaping may also be required to be added in order to mitigate the appearance of the land disturbance.
- FF. Cross access and parking easements will be established between all of the individually owned parcels.

Effective this 21st day of April, 2015.

So signed and Witnessed

Approved :

this _____ day of _____, 2015

Attest:

Kymberly Chereck, City Clerk

Mike Mason, Mayor

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

SPECIAL USE PERMIT ANALYSIS

PLANNING COMMISSION DATE: MARCH 17, 2015

CITY COUNCIL DATE: APRIL 21, 2015

CASE NUMBER :**SUP2015-001**

ZONING :C-2

LOCATION :5242 PEACHTREE PARKWAY

MAP NUMBERS :R6301 031

ACREAGE :6.47 ACRES

PROPOSED DEVELOPMENT :REQUEST APPROVAL OF BUILDING ELEVATIONS PURSUANT TO CONDITION 2G OF CIC-08-021 AND ASSOCIATED VARIANCES

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: LEE TUCKER, MAHAFFEY PICKENS TUCKER, LLP
1550 NORTH BROWN ROAD, STE. 125
LAWRENCEVILLE, GA 30043

CONTACT: LEE TUCKER PHONE: 770.232.0000

OWNER: ROBERTS PROPERTIES PEACHTREE RETAIL, LLC
375 NORTHRIDGE RD, STE. 330
ATLANTA, GA 30350

RECOMMENDATION: APPROVE WITH CONDITIONS

BACKGROUND:

The subject property is a 6.47 acre tract of land located at the northeast corner of Peachtree Parkway and Peachtree Corners Circle. The 0.993 acre tract of land at the corner of the site is not included in this request as the property is developed as a Chase Bank. The subject property was approved pursuant to CIC-08-021 for commercial uses and to be developed in general conformity to the original approved concept plan or similar to a 'forum/avenue style' development. The approved conditions of zoning required implementation of a specific design concept for the proposed development. The applicant was required to submit final building elevation/plans for review and approval by the Planning Commission as stipulated in condition 2G:

Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco. All sides shall have a 32-inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the materials presented to the Planning Commission at its October 16, 2007 meeting, and final plans will

be submitted to the Planning Commission and approved by the Director of Planning and Development. All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with the building architecture.

ELEVATIONS:

The original approved concept plans (attached) for the development consisted of Mediterranean architectural elements such as barrel tile roofing material and heavy use of stucco as the primary building façade. The building elevations are highlighted by arched entryways and windows, large balcony, colonnade, and decorative chimney designs. Retail uses would appear to have been concentrated on the ground floor with office uses located to the top floor, and parking provided centrally and adjacent to each building. Additional parking would have been provided in a 2-level parking deck at the northern end of the property and along each road frontage. The overall intent of the design was to provide a small scale commercial development with distinctive character and feel similar to a small town center with a centralized fountain serving as the focal point for the development.

The applicant decided not to pursue the Mediterranean themed development and in April, 2013, another proposal was submitted for the property. That plan (attached) was approved and included a more 'Forum-like' architecture primarily consisting of stone and stucco. However, that development was also not pursued and new plans have been submitted.

The currently submitted site plan and elevations provide a different layout and building elevation from either of the previously approved plans. The site plan shows that the proposed development would incorporate the same large building as the Mediterranean plan to the rear of the site and two, free-standing buildings facing Peachtree Parkway. Parking is located centrally and internally to the development and a parking deck is included at the back of the property. A fountain element will be incorporated into the overall development as was shown on the original proposal.

Elevation approval is only being requested for the two buildings along the front. The larger building at the back of the site has not been designed and drawings will need to be submitted in the future for consideration of those elevations. The most current elevations (attached) would be more characteristic of and comparable with the 'Forum/Avenue style' appearance than the original approved elevations. The proposed elevations have a more contemporary aesthetic than either the original plans or the Forum. The exterior of the buildings have a primarily stone and brick appearance with stucco accent bands along cornice lines. The elevations show a flat roofline and the visual diversity in building height is provided by taller elements at the entrance to the buildings.

Except for the proposed roof line, the building elevations, as currently provided, most closely resemble a 'Forum type' development in appearance, layout, and building type. The use of awnings, variations in fenestration, and enclosed outdoor seating areas are similar to elements used at the Forum. Other Forum-like elements such as planters next to buildings and along walkways have not been included, but can be added as a condition of approval. In summary, the submitted plans appear to meet the intent of a 'Forum type' development as required in the original Gwinnett County zoning case.

VARIANCES REQUESTED:

1. Applicant's Request: No internal building setbacks to be required in connection with the subdivision of property.

Staff Comment: The original plan for the property called for the construction of multiple buildings as a single development under one ownership. Now, the applicant would like to subdivide and sell the property into separate development parcels. However, each parcel should have the appearance of being part of a unified development. Therefore, this variance is necessary to give the overall development a cohesive, unified appearance. Without this variance, zoning code requirements would impose distances between buildings and parking areas and give each parcel the appearance of being an independent, free-standing outparcel instead of part of a master planned development.

2. No landscape strips or landscape buffers along internal property lines in connection with the subdivision of property.

Staff Comment: Same as #1, above. Without this variance, zoning code requirements would generate double landscape strips between buildings and parking areas and give each parcel the appearance of being an independent, free-standing outparcel.

3. External landscape along Peachtree Parkway to be a minimum of 5 feet in width.

Staff Comment: The applicant would like to extend the reinforced pervious slope into a portion of the front yard which would reduce the required landscape strip in that location from 10 ft. to 5 ft. The landscape strip in front of both the Chase Bank and the Sprouts retail center is 10ft. in width. So, if this variance is granted, the applicant should ensure that the same trees and plant material installed at those other two locations can be accommodated at this site in order to maintain a uniform street front appearance.

4. Reinforced pervious slopes and temporary disturbance allowed to encroach into 50 ft. and 75 ft. stream buffer per submitted plan.

Staff Comment: The applicant would like to install a reinforced pervious slope (picture attached) instead of a retaining wall along the northern property line. This type of engineered wall will have a more natural appearance near the stream and is preferable to a standard retaining wall. However, in order to make the site plan work, the applicant needs to encroach into the existing stream buffer. To compensate for this intrusion, the applicant is willing to dedicate .9 acres of land (approx. 4 times the area of intrusion) to be added to the Town Center trail system and preserved as green space. This .9 acres is in a significantly strategic location between the applicant's property and Peachtree Corners Circle. It will benefit the Town Center project to have this additional land for the planned pedestrian trail.

RECOMMENDATION:

Approve Special Use Permit(s) SUP2015-001, subject to the following Gwinnett County conditions (which are copied and / or modified as shown from CIC-08-021 with additions in **Bold** and Deletions in ~~striketthrough~~) followed by **Applicant's request in red** and then Peachtree Corners specific conditions:

Gwinnett County Original Conditions (as modified):

- I. To restrict the use of the property as follows:
 - A. All uses and special use permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; tattoo and piercing parlors; adult bookstores or entertainment; drive-thru fast food service; automotive car wash, automotive parts store; billboards (as provided in Section 1113.1); building, electrical or plumbing contractors; funeral homes or mausoleums; furniture rental establishments; convenience food stores with or without fuel pumps, emission inspection stations; equipment rental; hotels and motels; on-site laundry or dry cleaning establishments, self-service or coin operated laundries; liquor stores; mobile buildings, parking lots and garages; plant nursery sales facility; recreation facilities which exceeds 3500 square feet (but may be up to 4000 square feet for Spa Sydell type use); recovered materials processing facility, taxidermist, yard trimmings composting facility; clubs, lodges, fraternal institutions and meeting halls; caretaker or watchman quarters; auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps; building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental; mini-warehouse storage facilities; mobile home or mobile building leasing or sales lots, taxi cab or limousine services and no outdoor storage of any type; pest control businesses; pet shops or grooming establishments; lounges; and any temporary uses.
 - B. This is a concept specific zoning. Project is to be generally developed as a forum/avenues style development and should include office elements similar in "look and feel" to the existing development immediately across Peachtree Parkway from this property and currently known as "The Forum", or as set forth in the elevations presented to the Board of Commissioners as prepared by HOK dated Feb. 27, 2015, and Wakefield, Beasley & Associates dated Feb. 27, 2015 and the site plan prepared by **LAI Engineering** ~~Wood & Partners, Inc.~~ dated ~~October 5, 2007~~ **January 20, 2015**. A forum/avenues type of development shall be defined as a retail development of small shops similar in design and concept to "The Forum". The landscape plan and architectural plans

shall be submitted to the ~~Gwinnett County~~ Planning Commission and approved by the Community Development Director prior to any permits being issued.

Applicant Request: drawings prepared by HOK, dated March 24, 2015, and Wakefield, Beasley & Associates, dated March 25, 2015, and the site plan prepared by LAI Engineering, dated March 25, 2015.

- C. Drive-through businesses shall be prohibited, except for banks/financial institutions which may include a drive-through facility as an integrated part of the primary banking operation if the following provisions are met. Any such drive-through facility shall be structurally attached to the bank/financial institution building. Any person-to-person communication shall be conducted only through a sealed (non-operable) window (which may include an associated bank deposit tray and/or tube) and speaker system. The volume control for the speaker system shall be set so that sound shall not be audible more than 10-feet from any such speaker. Any in-person “reach-through” opening and/or the passing of food through such opening shall be prohibited. To the extent that any allowed structure ceases to be used as a bank/financial institution, then the drive-through facility associated therewith shall be demolished.
 - D. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District).
 - E. The dimensions of any bank/financial institution drive-through facility shall be constructed in general conformity with the site plan prepared by Wakefield, Beasley and Associates, dated October 17, 2008, and submitted for the record at the Planning Commission’s October 21, 2008 meeting. Specifically, the drive aisle width at the drive-through entrance and exit shall be a maximum width of 24 feet and shall taper in accordance with the configuration depicted in the aforementioned site plan.
2. To satisfy the following site development considerations:
- A. Provide a 50-foot wide natural buffer adjacent to residential zoning. The developer shall be allowed to grade 20-feet into the buffer in order to reduce/eliminate retaining walls in accordance with the three buffer plan drawings prepared by Bilson and Associates, dated September 9, 2008, and submitted for the record at the Planning Commission’s October 21, 2008 meeting. The graded area of the buffer shall be replanted in accordance with the buffer plan drawings with native Georgia trees including Tulip Poplar, Maple, Cryptomeria and Pine Trees in equal distribution to provide an effective visual screen. In no event will there be less than a 75-foot setback adjacent to the stream depicted on the site plan. The developer shall place the portion of the subject property within the stream buffer in a conservation easement.

Applicant Request: Delete in entirety.

- B. Provide bike racks within the development in accordance with the overlay standards.
- C. Provide internal access to any outparcel development. No direct access to Peachtree Parkway other than the shopping center entrance per Department of Transportation approval.
- D. Entrance/exits shall be allowed onto Peachtree Corners Circle per Department of Transportation approval.
- E. No billboards are permitted.
- F. Dumpsters shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture, and with a gated entry. Pick-up for dumpsters shall be limited to between the hours of 8:00 a.m. and 6:00 p.m.
- G. Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco **comparable in design and appearance to 'The Forum'**. All sides shall have a 32-inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the materials **plans presented to and approved by the City Council at its April 21, 2015 meeting.** ~~October 16, 2007 meeting, and final plans will be submitted to the Planning Commission and approved by the Director of Planning and Development.~~ All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with the building architecture.
- ~~H. All buildings shall provide a variation in roof line similar to that of 'The Forum', which consists of a mixture of flat, pitched, pyramidal, conical, or mansard roof design. Corner/end unit towers shall incorporate a pyramidal or conical roof design consistent with a Forum style development.~~
- ~~I. Architectural design elements such as dormer windows shall be incorporated into the building roof line for structures larger than 4,000 square feet.~~
- J. All street or walkway pavers internal to the development shall be of brick, stone, or paving material comparable in appearance and be limited to grey or natural-tone colors, which will coordinate with building architecture.
- K. Provide landscaped islands through the parking area, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-

foot wide landscaped island for each 225-feet of continuous bay length, or alternate plan as may be approved by the Community Development Director.

- L. Provide or relocate and reconstruct sidewalks, as required, a minimum of five feet in width adjacent to Peachtree Parkway (U.S. Hwy. 141) and Peachtree Corners Circle. Sidewalks may meander along these roads where feasible and per DOT approval. Provide internal sidewalks connecting office, retail, and outparcel development. Submit pedestrian access plan for review and approval of the Community Development Director.
- M. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties nor to create a hazard for passing automobile traffic. Any lights located on the rear of the building must be directed downward.
- N. Multi-tenant buildings shall be limited to wall signage only. Project signage shall be limited to one monument sign per road frontage except for one subdivision entrance sign and one primary ground sign adjacent to Peachtree Parkway. Monument signs shall coordinate with building architecture.
- O. Any detention ponds shall be visibly screened with landscape plantings to be approved by the Community Development Director.
- P. No outside speakers shall be allowed other than on a bank usage, if any, or a Muzak system may be allowed provided no shrill or excessive noise and vibrations, amplified live entertainers, outside paging systems, phone bells, or loudspeakers will be allowed. Any Muzak system shall have downward facing speakers and shall be inaudible ten feet from the speakers.
- Q. Business hours are to be limited to Monday through Thursday from 7:00 a.m. to 12:00 midnight and Friday through Sunday from 7:00 a.m. to 2:00 a.m., **(unless further restricted by other regulations)**. Business hours for a coffee/bagel shop and any specialty gourmet food store(s) shall be 6:00 a.m. to 2:00 a.m. seven days a week.
- R. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors as determined by the Community Development Director.
- ~~S. Development shall provide a temporary 20-foot natural buffer, except for utility crossings, along the right-of-way of Peachtree Parkway and Peachtree Corners Circle. Temporary buffer may be removed upon issuance of a building permit.~~
 - I. Truck delivery shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
 - II. No overnight parking or idling of delivery trucks shall be allowed.

- T. Operation of parking lot cleaning machinery or other maintenance equipment that emits noise shall be limited to the hours of 8:00 a.m. to 9:30 p.m.
- U. Prior to any grading or clearing, all buffers shall be clearly marked with bright orange tree save fencing to insure that no improper or accidental buffer intrusions occur.

Peachtree Corners Additional Conditions:

- V. A tree survey showing the location of specimen trees on the property shall be submitted prior to Land Disturbance Permit application.
- W. An encroachment into the 50 ft. undisturbed buffer and 75 ft. impervious stream setback line shall be permitted for the installation of a reinforced pervious slope along a portion of the northern property line as shown on LAI Engineering drawings dated 1-30-15.

Applicant request: approximate locations as shown in the LAI plan dated 3-25-15

- X. All Variances requested shall be approved subject to the following:
 - 1. Landscaping along the property frontage shall, at a minimum, match and be a continuation of the landscaping at Chase Bank. In addition, the developer shall sod and maintain the right-of-way in front of his property in the same fashion as his own property so as to maintain the same appearance. At such time as a property owners association exists, they shall assume that landscape maintenance responsibility.
Applicant Request: Applicant will sod and maintain the right-of-way along Peachtree Parkway in the same fashion as its own property, and the continuing maintenance of such area shall be provided for by the property owner's association for the entire property.
 - 2. The landscape strip for the entire frontage of Peachtree Parkway shall include a staggered double row of evergreens at least three feet in height at time of installation with spacing to be determined by Staff to screen the parking lot from vehicle view on Peachtree Parkway. Landscaping to be approved by Staff to insure this condition is met.

3. Temporary disturbance area shown on the Peachtree Retail Master Plan dated 2/27/15 shall be replanted as approved by the City Arborist.
Applicant Request: LAI plan dated 3-25-15
 4. Internal landscape strips and parking areas shall be developed substantially as shown on the Peachtree Retail Master Plan dated 2/27/15. In addition, the internal landscape strip between the two buildings fronting Peachtree Parkway shall be heavily planted with hardwood trees which are 12ft. – 15 ft. in height at time of installation. The tree planting shall have a boulevard type effect and the tree spacing shall be approved by Staff.
Applicant Request: LAI plan dated 3-25-15
 5. Pervious pavers shall be installed as shown on the Peachtree Retail Master Plan dated 2/27/15.
Applicant Request: LAI plan dated 3-25-15
- Y. Building Elevations shall be approved subject to the following:
1. Exterior building materials shall be primarily brick or stone on all building sides.
 2. Appearance of the buildings shall substantially conform to the drawings prepared by HOK and Wakefield Beasley and Associates dated 2/27/15.
Applicant Request: HOK plan dated 3-24-15 and Wakefield Beasley and Associates dated 3-25-15
 3. Planters with vegetation approved by the City Arborist shall be placed along the building exterior or, as an alternate, climbing plant material shall be installed at the base of the buildings or next to trellises or arbors.
 4. All mechanical equipment (roof top and on the ground) shall be screened from ground view.
- Z. A minimum of .9 acres of land located at the northeast corner of the property shall be dedicated to the DDA toward the development of a pedestrian trail system along the stream. However, this area shall be counted towards the applicant's open space and tree density requirements.
Applicant Request: However, this area may be utilized by the applicant in connection with any and all development, density and/or construction related calculations and/or code requirements (including, for example, and without limitation, open space and tree density requirements).

- AA. A property owners association shall be established in order to assume responsibility for common area maintenance and other property related issues.
- BB. At least one pedestrian access location shall be identified on the plan. This location shall serve as the place where pedestrians can cross the stream and traverse from the subject property to the Town Center property.
- CC. The developer shall be responsible for his proportionate share of the cost of design and construction of the pedestrian bridge that spans from the parking lot of the developer's property to the parking lot of the Town Center property at specific locations determined by Staff. If all of the developer's property has been sold at the time that the bridge is built, the Property Owners Association shall be required to assume the developer's responsibility.
Applicant's Request: Prior to the issuance of the first Certificate of Occupancy for a building on the subject property, the applicant shall contribute \$75,000 to the City as its proportionate share of the cost of the design and construction of a pedestrian bridge that spans from the parking lot of the applicant's property to the parking lot of the Town Center property at a location and of a design mutually agreed between the City and the applicant.
- DD. Grading may be done internal throughout the site; however, where no plans have been permitted for specific building development, a 75 ft. undisturbed tree buffer shall remain along the adjacent roadway frontage in order to minimize the view of disturbed land.
Applicant's Request: Due to the hardship of the sloping topography on the property, grading may be done internal throughout the site pursuant to a grading permit in accordance with the Precision Planning topography exhibit dated 3-25-15. In the event that development has not commenced on the eastern half of the property within 12 months after the issuance of the first certificate of occupancy for the two buildings to be constructed along the property's frontage on Peachtree Parkway, then applicant shall install a 5 foot tall wooden screening fence and single row of evergreen hedges along the property's frontage on Peachtree Corners Circle. If installed, the fence and plant material shall be approved by City staff.
- EE. Graded land that becomes inactive (no building permits pending) for more than 6 months shall be stabilized, seeded and shall meet all other ordinance requirements for graded property. Additional landscaping may also be required to be added in order to mitigate the appearance of the land disturbance.
- FF. Cross access and parking easements will be established between all of the individually owned parcels.

- GG. The landscape strip along the property's frontage along Peachtree Parkway shall be planted with a staggered, double row of evergreens at least 3 feet in height at the time of installation with spacing to be determined by staff so that such plant material screens the adjacent parking lot from vehicle view from Peachtree Parkway. This landscaping shall be inspected by staff post-installation to insure that it meets this condition.
- HH. The landscape strip along the entrance driveway from Peachtree Parkway shall be planted with hardwood trees which are a minimum of 12 feet tall at the time of planting and are spaced on 25 foot centers in order to create a boulevard effect for the entrance drive.
- II. The entire development shall have a cohesive landscape plan which shall be approved by staff.
- JJ. The applicant shall receive an easement from the City in order to allow applicant's storm water system outfall line to discharge within City property in the area identified for such purpose in the LAI plan dated 3-25-15.

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
<small>Roberts Properties Peachtree Retail, LLC</small> NAME: <u>c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Roberts Properties Peachtree Retail, LLC</u>
ADDRESS: <u>1550 North Brown Rd, Ste 125</u>	ADDRESS: <u>375 Northridge Rd, Suite 330</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30350</u>
PHONE: <u>770-232-0000</u>	PHONE: <u>770-232-0000</u>
E-MAIL: <u>ltucker@mptlawfirm.com</u>	E-MAIL: <u>cr@robertsproperties.com</u>
CONTACT PERSON: <u>Lee Tucker / Wes Turner</u> PHONE: <u>770-232-0000</u>	
CONTACT'S E-MAIL: <u>ltucker@mptlawfirm.com or wturner@mptlawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): C-2 REQUESTED ZONING DISTRICT: C-2

LAND DISTRICT(S): 6 LAND LOT(S): 301 ACREAGE: 6.470

ADDRESS OF PROPERTY: 5242 Peachtree Pkwy, Peachtree Corners 30092

PROPOSED DEVELOPMENT: Site Plan Approval for a Commercial/Retail Development

Staff Use Only This Section

Case Number: SUP 2015-001 -
 Hearing Date: P/C 3/10/15 C/C 3/17/15
 Received Date: 4/2/15
 Fees Paid: \$11600
 By: WES TURNER

Related Cases & Applicable Conditions:

 Description: _____

RESIDENTIAL DEVELOPMENT

NON-RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

No. of Buildings/Lots: 2

Dwelling Unit Size (Sq. Ft.): _____

Total Bldg. Sq. Ft.: 13,733

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).



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

Joshua P. Johnson
 Jeffrey R. Mahaffey
 Steven A. Pickens
 Andrew D. Stancil
 Kenneth W. Stroud
 R. Lee Tucker, Jr.
 Wesley C. Turner
 *of Counsel

**ROBERTS PROPERTIES PEACHTREE RETAIL, LLC'S
 REQUEST FOR SITE PLAN APPROVAL AND RELATED VARIANCES**

Mahaffey Pickens Tucker, LLP submits this Public Hearing Application on behalf Roberts Properties Peachtree Retail, LLC (the "Owner") in order to pursue approval of (i) the enclosed site plan (the "Site Plan") which will govern the Owner's proposed development of the subject property (the "Property"), (ii) the enclosed building elevations for the initial components of the development (the "Building Elevations") and (iii) approvals associated with the Site Plan which are necessitated by the Owner's anticipated subdivision of the Property (collectively, the "Approvals").

The Property is zoned C-2 and its use and development is governed by CIC-08-021 (the "Zoning Conditions") which was approved by the Gwinnett County Board of Commissioners prior to the incorporation of the City of Peachtree Corners (it is important to note that the Owner does not seek any zoning map amendment in connection with this Public Hearing Application). The Zoning Conditions provide, among other matters, that the Owner must submit its Site Plan and building elevations to the appropriate governing body for review and approval. Due to the requests set forth herein and in an effort to clarify the conditions pursuant to which the Owner may develop the Property, the Owner is requesting a public hearing before the City's Planning Commission and City Council in its pursuit of the Approvals.

Site Plan and Building Elevations

The Owner submits the Site Plan which presents the initial phase of the development of the Property's frontage along Peachtree Parkway, is consistent with the Zoning Conditions and is economically feasible based on current market conditions. Similarly, the Owner submits the Building Elevations for proposed buildings 1 and 2 which are compliant with the City's overlay standards as set forth in Section 1315 of the zoning ordinance (together with the City's other development-related ordinances such as the Buffer, Landscape and Tree Ordinance, the "Ordinance") and are compatible with the existing buildings in the immediate vicinity of the Property. In conjunction with its development of the Property, the Owner is excited to bring "Black Walnut" restaurant to the City of Peachtree Corners.

Site Specific Approvals Associated with the Site Plan

Considering the nature of the development of the Property and the fact that the Owner anticipates attracting national restaurant and retail tenants for the Property who will desire to own their respective building pads within the project (such as Black Walnut), the Owner needs to subdivide the Property. The Ordinance contains several provisions which inhibit the Owner's ability to subdivide the Property but which would not otherwise apply to the Property if it were to continue to be owned as a single tract and be developed in accord with the Site Plan.

When considered in the context of the development of the entire Property, the Site Plan adheres to the provisions of Section 1315.2(3)(3.D) of the Ordinance which encourage that parking be focused to the sides and rear of projects consisting of buildings which exceed 7,500 square feet of space. Buildings 1 and 2 consist of 13,733 square feet of restaurant and retail space (building 1 contains 7,033 square feet and building 2 contains 6,700 square feet). The proposed number of parking spaces provided for buildings 1 and 2 are consistent with the allowances provided in the Ordinance for these types of uses. The Site Plan reflects 93 impervious parking spaces and 19 pervious parking spaces.

The anticipated subdivision of the Property will create internal property lines (and related setbacks/buffers) that would not otherwise exist within the development. The Zoning Conditions and the Ordinance require inter-parcel access and the Site Plan complies with these requirements. Additionally, it is customary for commercial property lines to be situated within driveway infrastructure. That being the case, the Site Plan reflects building configurations which are based upon a unified development of the Property rather than individual lots.

The Property is adjacent to a stream (as depicted in the Site Plan) which requires the imposition of a 50 foot undisturbed stream buffer and 75 foot impervious surface setback (inclusive of the 50 foot buffer). In order to develop the Property and provide the green space reflected in the Site Plan, the Owner seeks approval to install a reinforced pervious slope (and, a limited amount of curb and gutter infrastructure) along the Property's northern property line (an example of the proposed slope is enclosed with this letter). Due to the Property's steep topography along the stream, the reinforced pervious slope is a means by which the Owner can stabilize the development in the subject area while maintaining environmentally friendly best management practices. Similarly, the internal sidewalks within the development will be adjacent to the curb structure in order to facilitate pedestrian accessibility.

In light of the foregoing, the Owner requests approval of the following items which are reflected in the Site Plan, would be applicable to the development of the Property as a single tract and shall apply in the event of a subdivision of the Property:

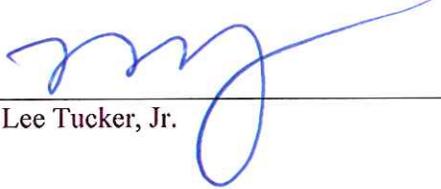
- Allowance that the parking orientation for the individual buildings reflected in the Site Plan may be configured as set forth in the Site Plan;

- Allowance that outdoor seating and dining shall be allowed for the individual buildings within the Property;
- Allowance that internal building and/or structure setbacks shall not be required in connection with the subdivision of the Property;
- Allowance that landscape strips/buffers along internal property lines shall not be required in connection with the subdivision of the Property;
- Requirement that the external landscape strip along Peachtree Parkway shall be a minimum of 5 feet in width;
- Allowance of the reinforced pervious slope as depicted in the Site Plan;
- Allowance of a temporary encroachment into the 50 foot stream buffer as depicted in the Site Plan with any such disturbed area to be returned to its natural state immediately after development;
- Allowance of a permanent encroachment into the 75 foot impervious surface setback along the stream as depicted in the Site Plan;
- Requirement that any encroachment into the impervious surface setback along the stream be offset by the incorporation of twice as much pervious area within the balance of the Property as is subject to said encroachment;
- Requirement that structures internal to the development, such as dumpsters and mechanical equipment, must be screened as required by the Ordinance but may be located as depicted in the Site Plan;
- Allowance that internal sidewalks may adjoin the curbing for the Property's internal driveway and parking infrastructure, as applicable; and
- Allowance for a medium bronze colored metal standing seam roof (mansard roof) as depicted in the Black Walnut elevations attached hereto.

This ^{2nd} day of February, 2015.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



R. Lee Tucker, Jr.

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?

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?

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?

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?

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?

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?

See Attached

Applicant's Response
Standards Governing the Exercise of the Zoning Power

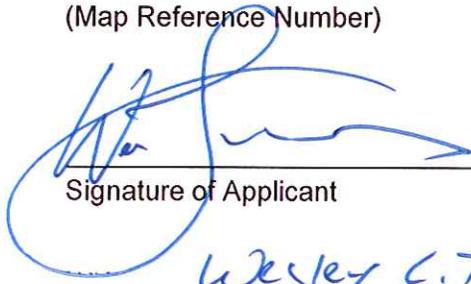
- (A) Yes, the proposed Site Plan Approval Request will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the requested Site Plan Approval Request will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) The property which is the subject of the requested Site Plan Approval Request does have reasonable economic use as currently zoned; however, such economic use is enhanced with the approval of the requested Site Plan. Applicant therefore submits the highest and best use of the subject tract is for C-2 with the associated land use entitlements.
- (D) No, the requested Site Plan Approval 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.
- (E) Yes. The requested Site Plan Approval is in conformity with the intent of the 2033 Comprehensive Plan and the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the Site Plan.

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 - 301 - 031
(Map Reference Number) District Land Lot Parcel



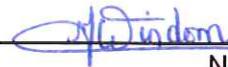
Signature of Applicant

2/2/15
Date

Wesley C. Turner, Attorney for 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

Tax Service Associate
TITLE

2/2/2015
DATE

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.

David M Phillips 1/30/15
Signature of Applicant Date

DAVID M PHILLIPS - VP of DEVELOPMENT
Type or Print Name and Title

Sarah Roberts 1-30-15
Signature of Notary Public 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.

Roberts Properties Peachtree Retail, LLC

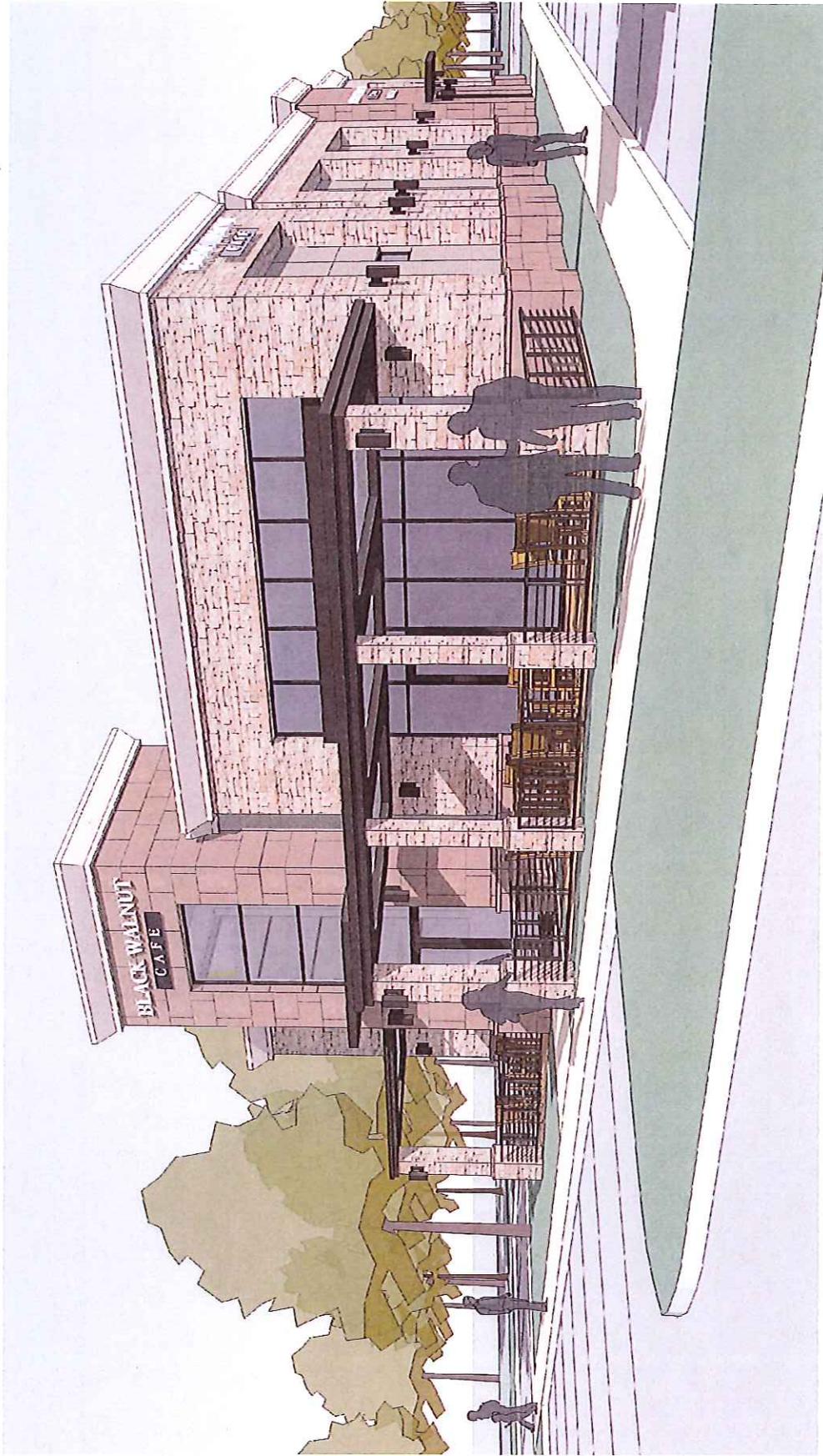
David M Phillips 1/30/15
Signature of Property Owner Date

DAVID M PHILLIPS - VP of DEVELOPMENT
Type or Print Name and Title

Sarah Roberts 1-30-15
Signature of Notary Public Date

Notary Seal





BLACK WALNUT CAFÉ

2/27/15



ROBERTS PROPERTIES, INC.
770-594-6000 - www.robertsproperties.com

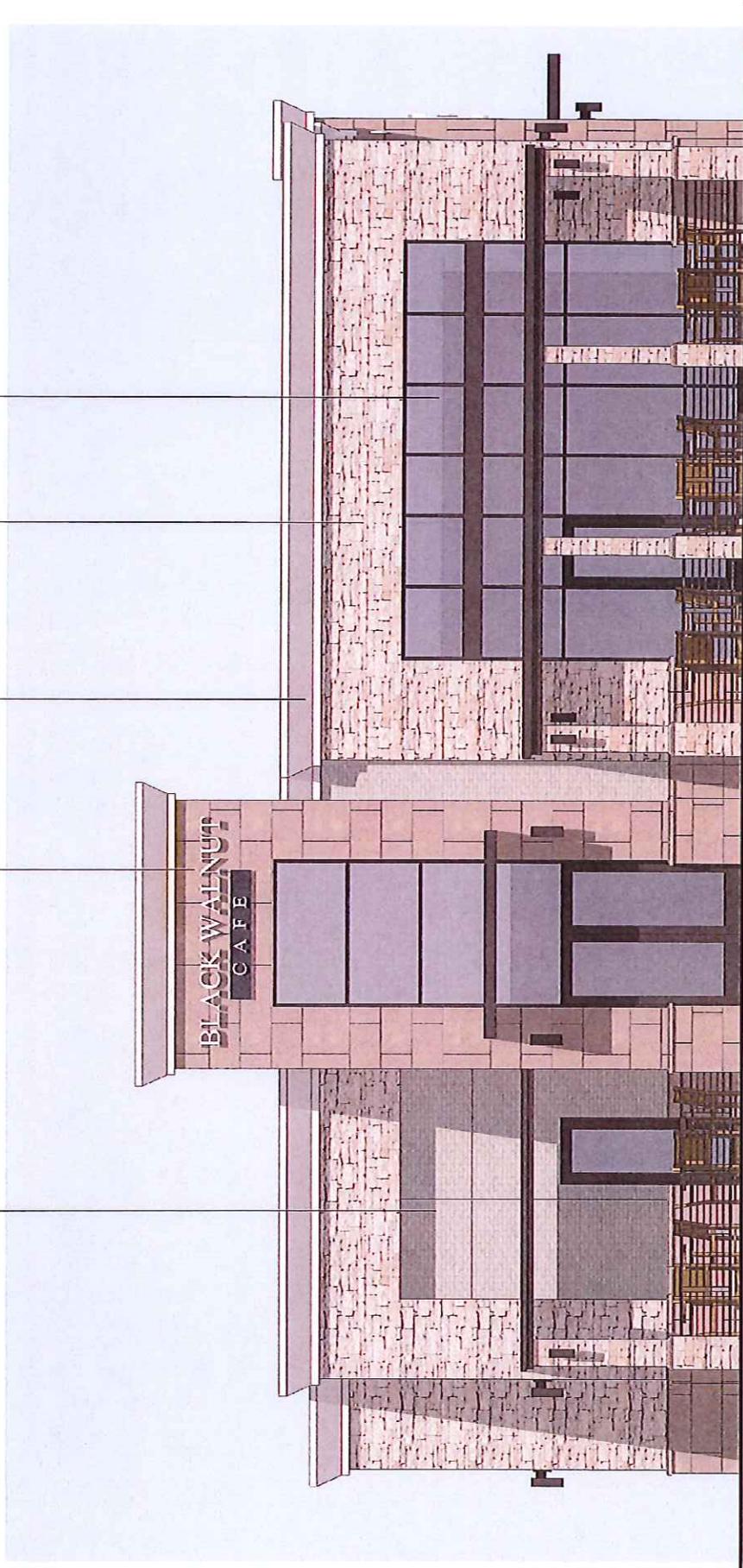
PEACHTREE PARKWAY RETAIL

PEACHTREE CORNERS · GEORGIA

creating communities for tomorrow's lifestyle



BRICK
CAST STONE
EIFS CORNICE
STONE
GLASS



BLACK WALNUT CAFÉ

FRONT ELEVATION 2/27/15



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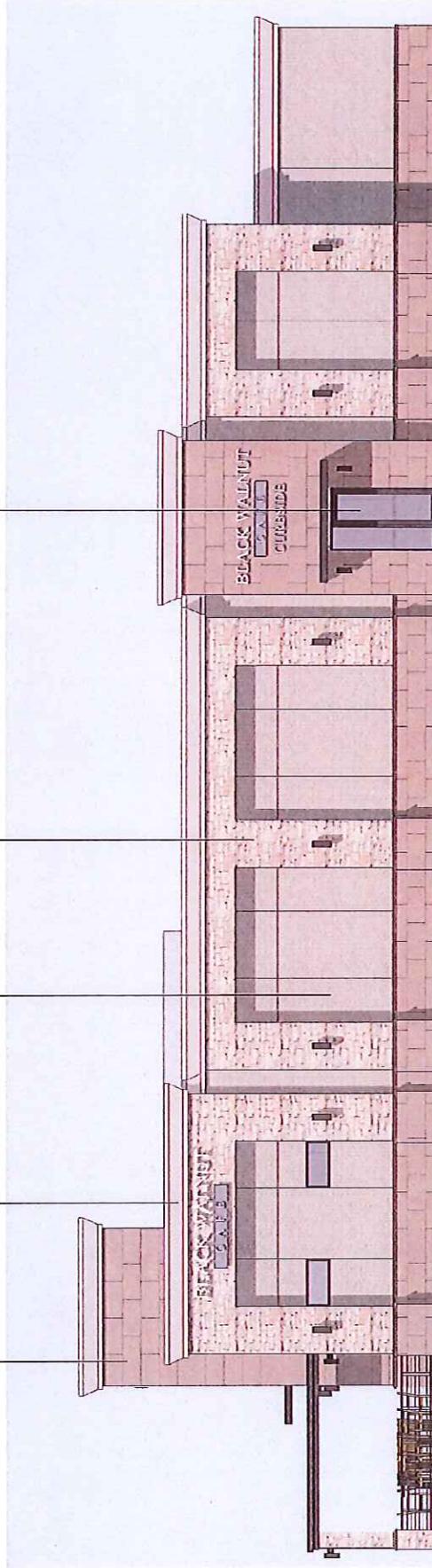
PEACHTREE PARKWAY RETAIL

PEACHTREE CORNERS · GEORGIA

creating communities for tomorrow's lifestyle



CAST STONE
EIFS CORNICE
BRICK
STONE
GLASS



BLACK WALNUT CAFÉ

SIDE ELEVATION SOUTH

2/27/15



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PEACHTREE PARKWAY RETAIL

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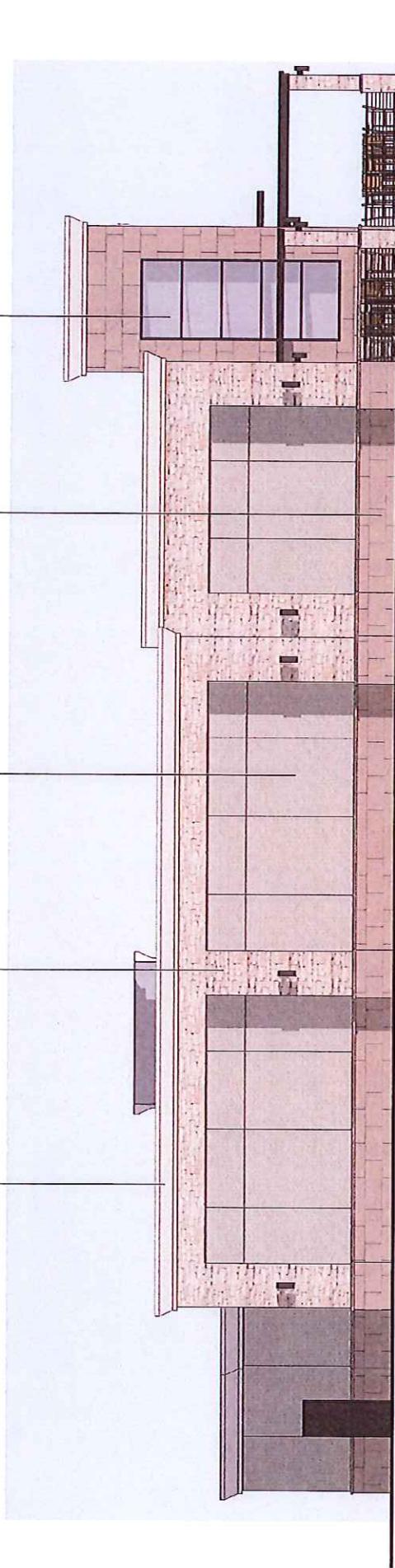
EIFS
CORNICE

STONE

BRICK

CAST
STONE

GLASS



BLACK WALNUT CAFÉ

SIDE ELEVATION NORTH

2/27/15



ROBERTS PROPERTIES, INC.
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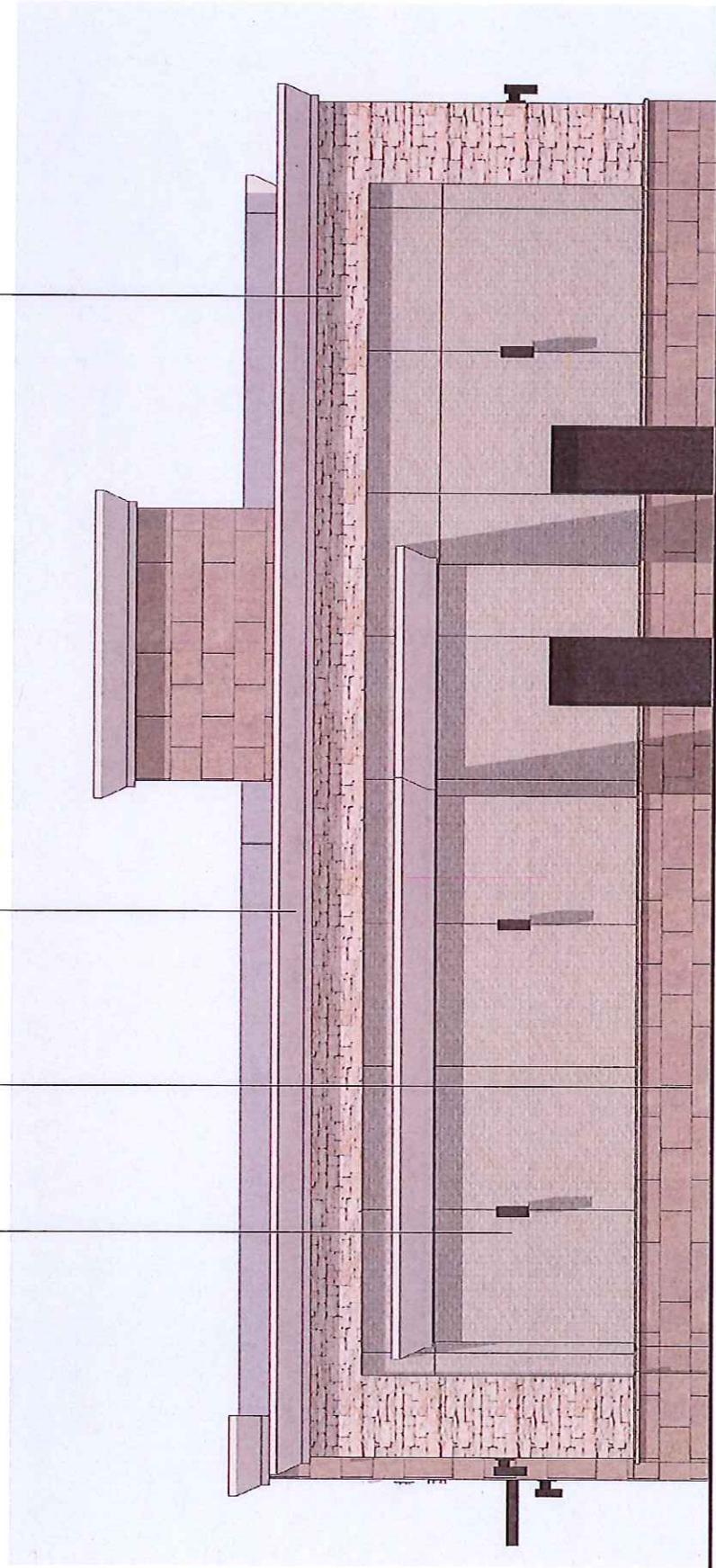
PEACHTREE PARKWAY RETAIL

PEACHTREE CORNERS • GEORGIA

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BRICK
CAST
STONE
EIFS
CORNICE
STONE



BLACK WALNUT CAFÉ

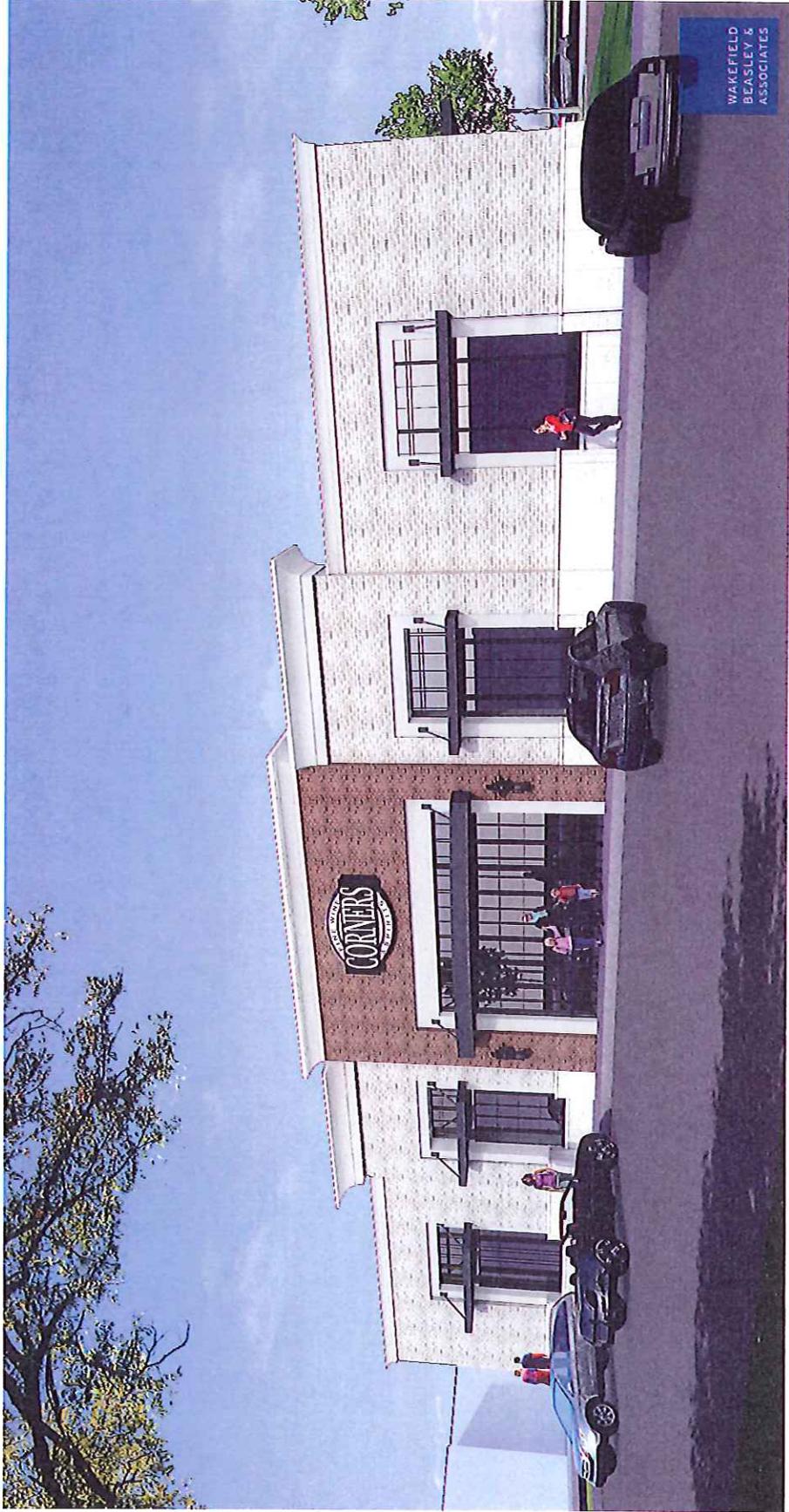
REAR ELEVATION 2/27/19



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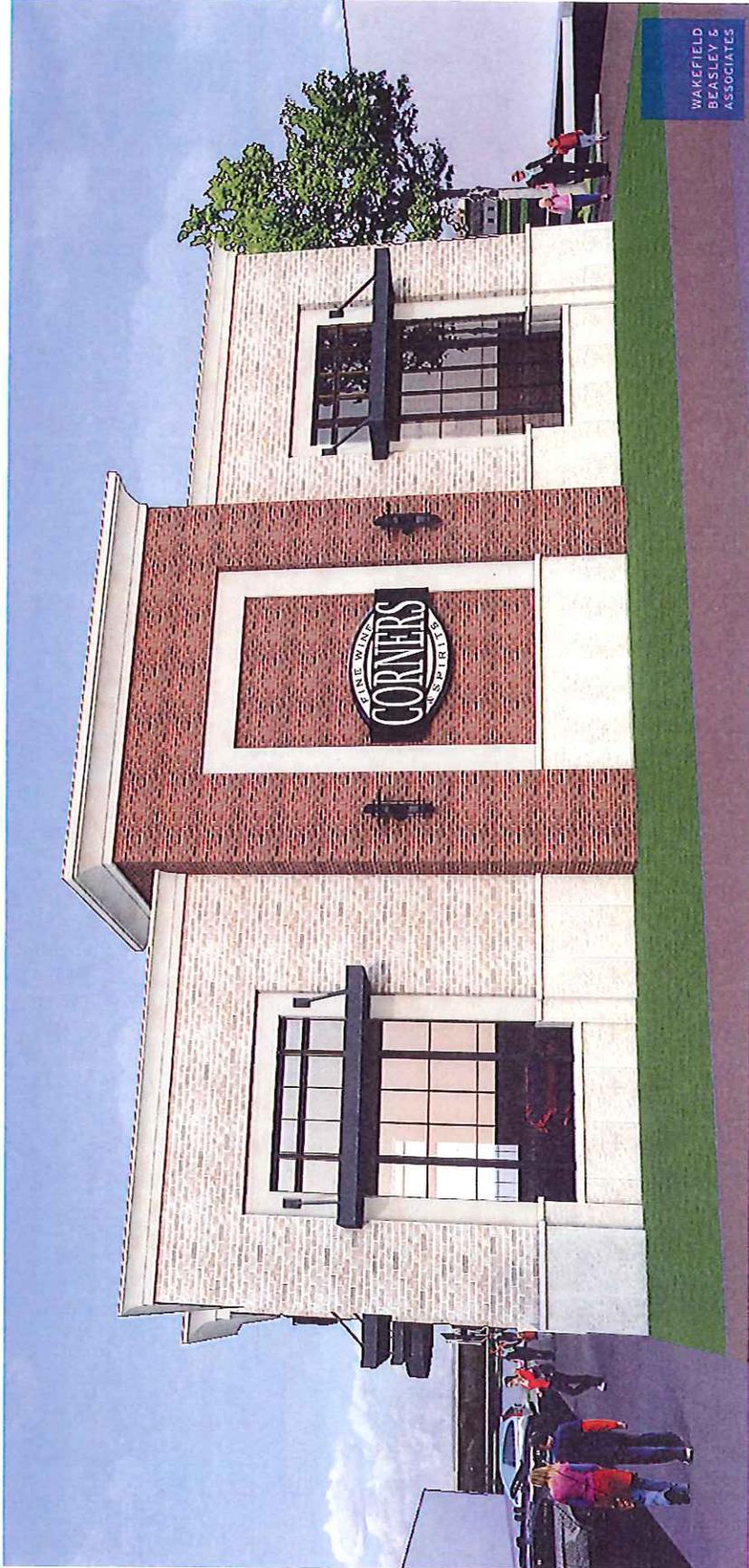


WAKEFIELD
BEASLEY &
ASSOCIATES

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 301 of the 6th Land District, Gwinnett County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF COMMENCEMENT, begin at the Intersection of the Northerly Right-of-Way of Peachtree Corners Circle (Right-of-Way Varies) and the Easterly Right-of-Way of Peachtree Parkway a.k.a. State Route 141 (Right-of-Way varies) if extended to form a Point; THENCE leaving said Intersection along a curve to the right having a radius of 11459.16 feet and an arc length of 12.26 feet and being subtended by a chord of North 28 degrees 40 minutes 36 seconds East for a distance of 12.26 feet to a Point on the aforesaid Right-of-Way of Peachtree Parkway; THENCE along a curve to the right having a radius of 11459.16 feet and an arc length of 193.28 feet, being subtended by a chord of North 29 degrees 11 minutes 25 seconds East for a distance of 193.28 feet to an Iron Pin Set, said point being THE POINT OF BEGINNING.

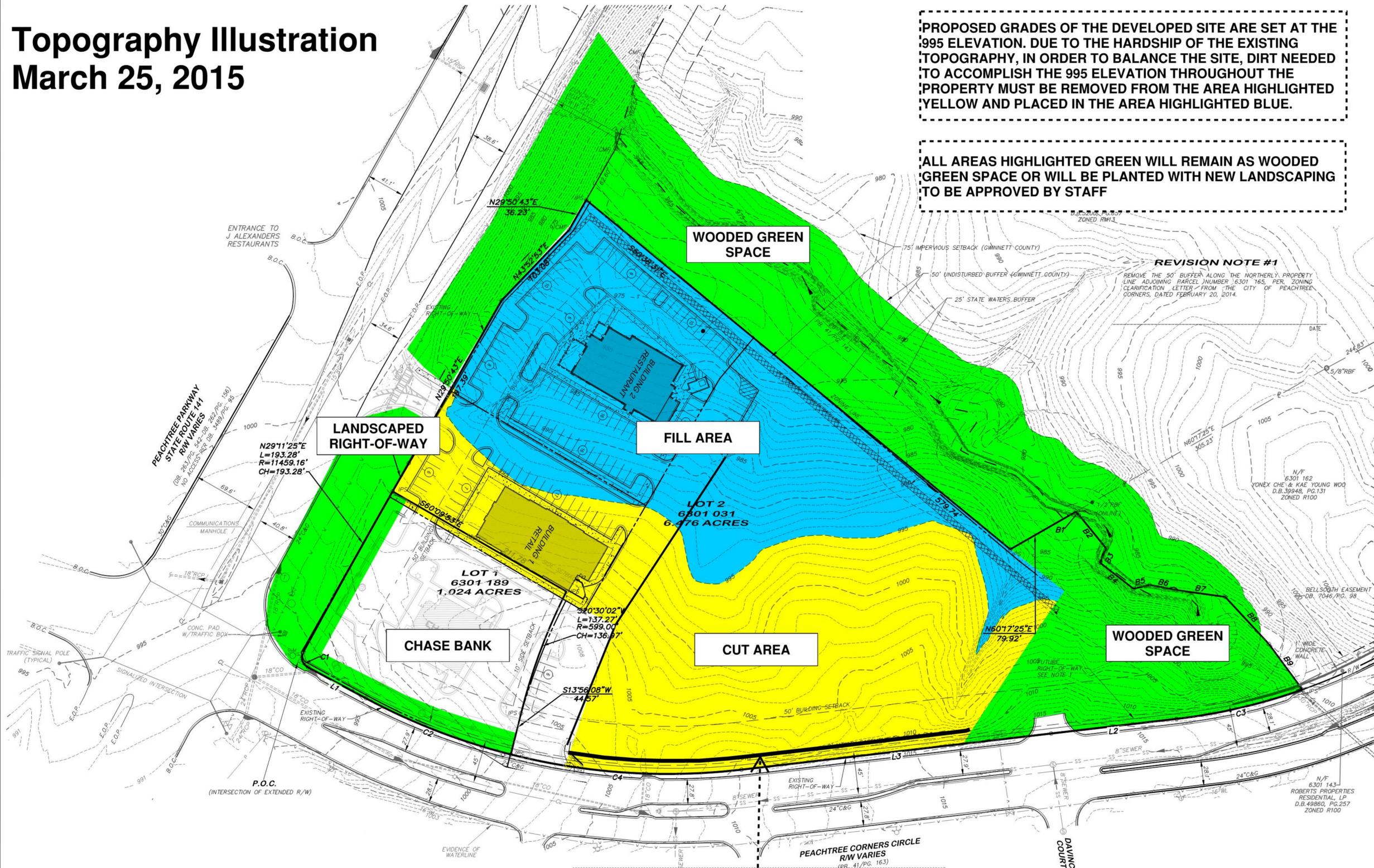
THENCE from said point as thus established and continuing along said Right-of-Way of Peachtree Parkway a.k.a. State Route 141, along a curve to the right having a radius of 11459.16 feet and an arc length of 34.18 feet, being subtended by a chord of North 29 degrees 45 minutes 33 seconds East for a distance of 34.18 feet to a Point; THENCE North 29 degrees 50 minutes 43 seconds East for a distance of 197.39 feet to a Point; THENCE North 43 degrees 52 minutes 53 seconds East for a distance of 103.08 feet to a Concrete Monument Found; THENCE North 29 degrees 50 minutes 43 seconds East for a distance of 36.23 feet to an Iron Pin Set; THENCE Leaving said Right-of-Way, South 50 degrees 38 minutes 31 seconds East for a distance of 579.74 feet to an Iron Pin Set; THENCE North 60 degrees 17 minutes 25 seconds East for a distance of 79.92 feet to a Point; THENCE South 43 degrees 20 minutes 32 seconds East for a distance of 4.57 feet to a Point; THENCE South 39 degrees 18 minutes 20 seconds East for a distance of 45.68 feet to a Point; THENCE South 24 degrees 20 minutes 32 seconds West for a distance of 16.31 feet to a Point; THENCE South 52 degrees 04 minutes 36 seconds East for a distance of 45.03 feet to a Point; THENCE North 76 degrees 10 minutes 24 seconds East for a distance of 17.53 feet to a Point; THENCE South 78 degrees 56 minutes 48 seconds East for a distance of 28.11 feet to a Point; THENCE South 82 degrees 06 minutes 50 seconds East for a distance of 52.83 feet to a Point; THENCE South 42 degrees 59 minutes 22 seconds East for a distance of 67.80 feet to a Point; THENCE South 36 degrees 25 minutes 57 seconds East for a distance of 59.65 feet to an Iron Pin Set, said Point being along the Northerly Right-of-Way of Peachtree Corners Circle (Right-of-Way Varies); THENCE continuing along said Right-of-Way along a curve to the right having a radius of 612.50 feet and an arc length of 136.89 feet, being subtended by a chord of South 76 degrees 58 minutes 13 seconds West for a distance of 136.61 feet to a point; THENCE South 83 degrees 22 minutes 24 seconds West for a distance of 133.45 feet to a point; THENCE South 83 degrees 22 minutes 24 seconds West for a distance of 329.56 feet to a point; THENCE along a curve to the right having a radius of 678.00 feet and an arc length of 245.66 feet, being subtended by a chord of North 86 degrees 14 minutes 47 seconds West for a distance of 244.32 feet to an Iron Pin Set; THENCE leaving said Right-of-Way, North 13 degrees 56 minutes 08 seconds East for a distance of 44.57 feet to an Iron Pin Set; THENCE along a curve to the right having a radius of 599.00 feet and an arc length of 137.27 feet, being subtended by a

chord of North 20 degrees 30 minutes 02 seconds East for a distance of 136.97 feet to an Iron Pin Set;
THENCE North 60 degrees 09 minutes 53 seconds West for a distance of 211.78 feet to an Iron Pin Set,
said point being THE POINT OF BEGINNING.

Said property contains 6.476 acres.

Topography Illustration

March 25, 2015



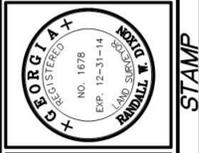
PROPOSED GRADES OF THE DEVELOPED SITE ARE SET AT THE 995 ELEVATION. DUE TO THE HARDSHIP OF THE EXISTING TOPOGRAPHY, IN ORDER TO BALANCE THE SITE, DIRT NEEDED TO ACCOMPLISH THE 995 ELEVATION THROUGHOUT THE PROPERTY MUST BE REMOVED FROM THE AREA HIGHLIGHTED YELLOW AND PLACED IN THE AREA HIGHLIGHTED BLUE.

ALL AREAS HIGHLIGHTED GREEN WILL REMAIN AS WOODED GREEN SPACE OR WILL BE PLANTED WITH NEW LANDSCAPING TO BE APPROVED BY STAFF

REVISION NOTE #1
 REMOVE THE 50' BUFFER ALONG THE NORTHERLY PROPERTY LINE ADJOINING PARCEL NUMBER 6301 165, PER ZONING CLARIFICATION LETTER FROM THE CITY OF PEACHTREE CORNERS, DATED FEBRUARY 20, 2014.

In the event development has not commenced on the eastern half of the property within 12 months after the first certificate of occupancy is issued for either Black Walnut or the wine store, the developer agrees to install a 5 ft wooden screening fence and a single row of evergreen hedges along the north side of Peachtree Corners Circle, both of which are subject to Staff approval.

PRECISION PLANNING, INC.
 ALL RIGHTS RESERVED.
 THESE CONSTRUCTION DOCUMENTS, IN WHOLE OR IN PART, ARE INSTRUMENTS OF PROFESSIONAL SERVICE. UNLESS OTHERWISE AGREED TO, THEY SHALL NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF PRECISION PLANNING, INC.



Precision Planning, Inc.
 planners, engineers, architects & surveyors
 P.O. Box 2210
 400 Pike Boulevard
 Lawrenceville, GA 30046-2210
 (770) 338-8000
 (770) 822-5990 Fax



ROBERTS PROPERTIES PEACHTREE RETAIL, LLC
 LOCATED IN THE CITY OF PEACHTREE CORNERS, LAND LOT 307 OF THE 6TH LAND DISTRICT OF GWINNETT COUNTY, GEORGIA SCALE 1"=50'

SHEET TITLE	
FIELD	D+5
DRAWN	MTW
CHECKED	DEJ

DATE	DESCRIPTION

DATE	JOB NUMBER	FILE NUMBER

STAMP

PROJECT

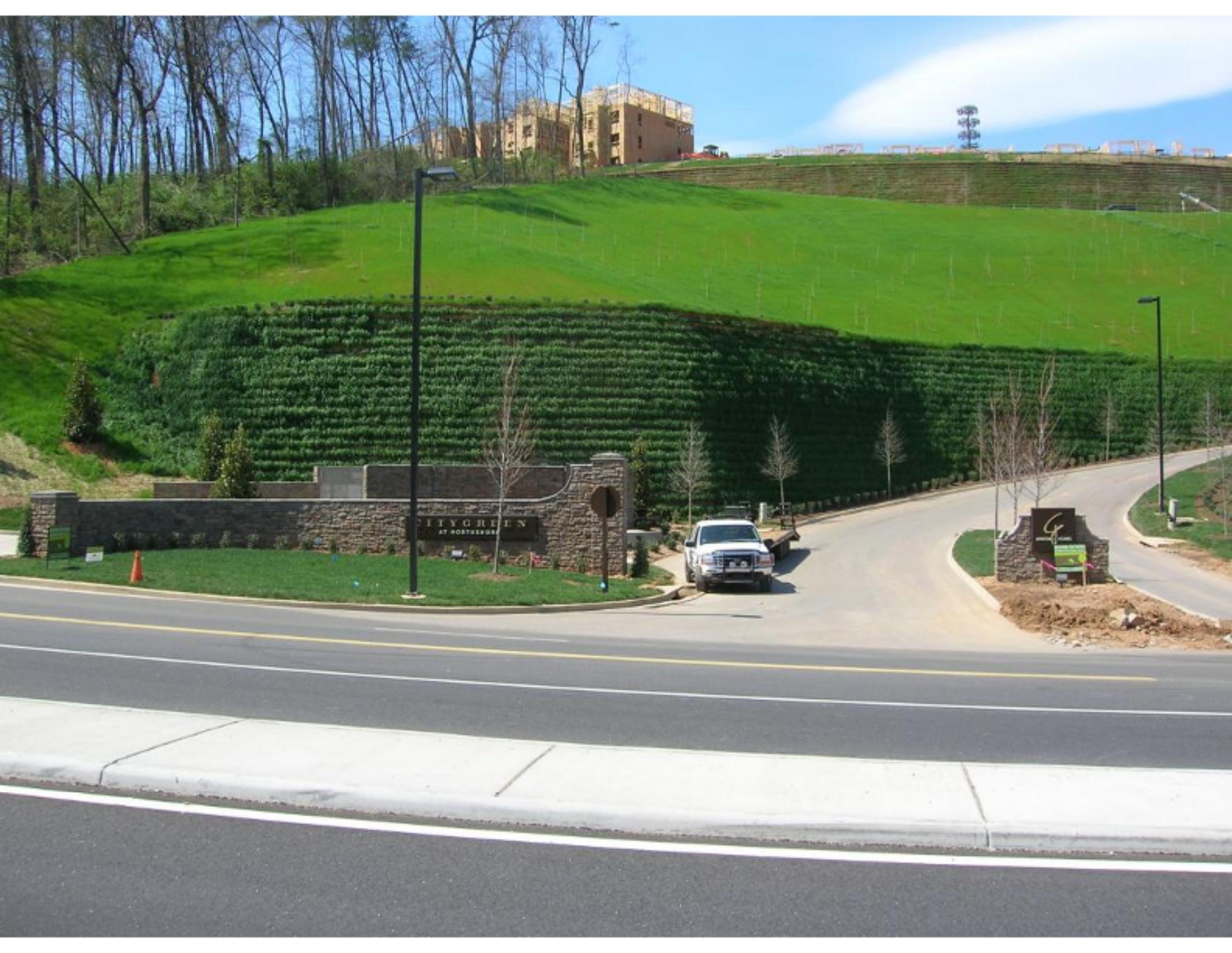
REVISION

SHEET











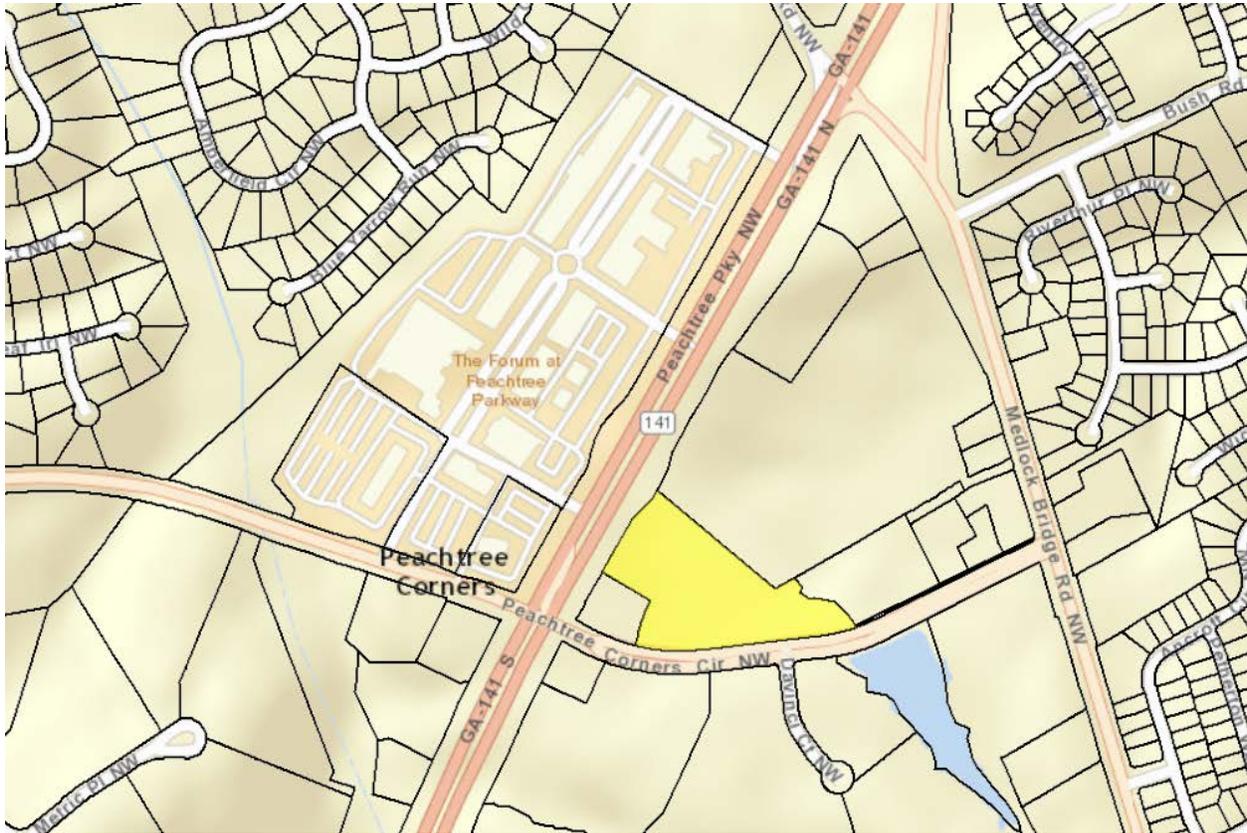
FEB 21 2006



13 3:43 PM

PUBLIC HEARING

Roberts Properties



CASE NUMBER: SUP2015-001

HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	3/10/2015	3/17/2015	4/21/15

PROPERTY ADDRESS: 5242 Peachtree Parkway

02015-03-42

Green Regulations



Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

SUBJECT: Green Policies

The Atlanta Regional Commission's Green Communities Certification program includes ten environmental initiative categories that must be addressed as part of each application:

1. Green Building
2. Energy Efficiency
3. Green Power
4. Water Use Reduction and Efficiency
5. Trees and Green Space
6. Transportation and Air Quality
7. Recycling and Waste Reduction
8. Land Use
9. Education
10. Innovation

Most of these initiatives require associated policies in order to implement the specific projects outlined in each section. The attached policies have been reviewed by the City's Green Committee and are forwarded to the Council with the Committee's request for approval.

AN ORDINANCE OF THE CITY OF PEACHTREE CORNERS, GEORGIA, ADOPTING A DOCUMENT ENTITLED 'THE CITY OF PEACHTREE CORNERS GREEN REGULATIONS AND POLICIES' IN ORDER TO CODIFY EXISTING GREEN PRACTICES AND TO IDENTIFY THE CITY OF PEACHTREE CORNERS AS A GREEN COMMUNITY PURSUANT TO THE CRITERIA ESTABLISHED BY THE ATLANTA REGIONAL COMMISSION.

WHEREAS, The City of Peachtree Corners values the harmonious balance between the natural and built environment as evidenced by years of thoughtful development throughout the community; and

WHEREAS, The City of Peachtree Corners wishes to encourage and promote sustainable practices throughout the community; and

WHEREAS, The City of Peachtree Corners has taken a leadership role with green initiatives such as offering recycling through its trash collection service and establishing an electric car recharge station at City Hall; and

WHEREAS, The City of Peachtree Corners would like to demonstrate its continued commitment to sustainable practices by participating in the Atlanta Regional Commission's Green Communities Program;

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF PEACHTREE CORNERS HEREBY ORDAIN AS FOLLOWS:

Section 1. That the attached document entitled *The City of Peachtree Corners Green Regulations and Policies* is hereby adopted.

Section 2. That the regulations and policies contained within *The City of Peachtree Corners Green Regulations and Policies* shall become effective immediately upon adoption.

Section 3. That *The City of Peachtree Corners Green Regulations and Policies* document may be modified from time to time, if needed, without requiring an amendment to this ordinance.

Section 4. That any ordinance or parts of ordinances in conflict herewith are hereby repealed.

SO ORDAINED AND EFFECTIVE, this ___ day of _____, 2015.

STATE OF GEORGIA
COUNTY OF GWINNETT
CITY OF PEACHTREE CORNERS

ORDINANCE 2015- 03 -42

Approved:

ATTEST:

Mike Mason, Mayor

_____(SEAL)
Kymberly Chereck, City Clerk

VOTE: YNA Sadd / YNA Lowe / YNA Wright / YNA Mason / YNA Aulbach / YNA Christopher / YNA Gratwick

*The City of Peachtree Corners
Green Regulations and Policies*

1. Green Building

1. All new buildings constructed and owned by the City of Peachtree Corners which have 5000 square feet or greater of occupied space shall be LEED certified (Leadership in Energy and Environmental Design for New Construction (LEED-NC)).
2. All new buildings constructed and owned by the City of Peachtree Corners which are not LEED certified shall be certified for New EnergyStar or EarthCraft Light Commercial construction.
3. All new buildings renovated by the City of Peachtree Corners shall be EnergyStar certified or follow LEED guidelines.
4. All new projects owned or developed by the City of Peachtree Corners shall provide space and resources for a public community garden. The community garden shall be a minimum of 500 square feet for commercial projects. Residential and multifamily projects shall be provided with a minimum of 10 square feet per dwelling unit.
5. The City of Peachtree Corners shall offer expedited plan review, plans processing and permitting for LEED, EarthCraft, and EnergyStar certified projects.
6. The City of Peachtree Corners shall offer expedited building and site inspections for LEED, EarthCraft, and EnergyStar certified projects.
7. Peachtree Corners shall offer expedited building and site inspections to affordable and workforce housing entities for EarthCraft House, EarthCraft Multifamily, EnergyStar or LEED for Homes certified projects.

2. Energy Efficiency

1. Power down / Lights out. It is the policy of the City of Peachtree Corners to turn non-emergency lights out and power down electronic equipment at the end of each work day. Therefore, all employees and building maintenance staff shall be required to turn off lights and all other non-essential electronic equipment when space within any city building is expected to be out of use for four or more hours.
2. Consolidated Meetings. In order to conserve resources, whenever there are four or fewer non-emergency or non- time sensitive items for consideration on a regularly scheduled meeting agenda, those items shall be incorporated into the next regularly

scheduled meeting agenda and the first meeting shall be canceled.

3. **Lighting.** New light fixtures shall be installed with energy efficient bulbs and existing light fixtures shall utilize energy efficient bulbs when bulbs are replaced. LED lamps, or higher efficiency, shall be utilized in traffic signals.

1. **Night Sky requirements.** It is the City's intent to permit reasonable uses of outdoor lighting for nighttime safety, productivity, enjoyment and commerce while limiting the use of excess lighting which unnecessarily wastes energy and degrades the nighttime visual environment.

- A. **Applicability.** For all new commercial developments and buildings that require a permit, all outdoor lighting fixtures shall meet the requirements of this policy. All building additions or modifications of twenty-five (25) percent or more in terms of additional dwelling units or gross floor area shall also comply with these requirements.

- B. **Exempt Lighting.** The following luminaries and lighting systems are exempt from these requirements:

- a) Lighting for pools used at night.
- b) Underwater lighting used for the illumination of swimming pools and fountains;
- c) Temporary holiday lighting;
- d) Lighting required and regulated by the Federal Aviation Administration, or other federal, state or local agency;
- e) Emergency lighting used by police, fire, or medical personnel, or at their direction;
- f) All outdoor light fixtures producing light directly from the combustion of fossil fuels, such as kerosene and gasoline;
- g) Security lighting controlled and activated by a motion sensor device for duration of 10 minutes or less.
- h) Special event lighting
- i) Outdoor performance lighting

- C. **Prohibited Lighting.** The following lighting systems are prohibited:

- a) Aerial lasers;
- b) Searchlight style lights;
- c) Other very intense lighting, defined as having a light source exceeding 200,000 lumens or intensity in any direction of 2 million candelas or more;

- D. **Minimum Requirements: Outdoor Lighting Standards.** All nonexempt outdoor lighting fixtures shall meet the following criteria:

- a. Fixtures shall have a BUG rating (per IESNA TM-15) where the U value = 0 and the G value = 3 or less, placed so as to allow no light

above the horizontal as measured at the luminaire, except for period fixtures or as otherwise noted herein.

- b. Fixtures shall be located, aimed or shielded so as to minimize stray light spilling over property boundaries and into the public right-of-way, and the lighting layout shall be designed so as not to exceed the standards in Tables 'A' and 'B'.

TABLE 'A'

Spill Light at Property Lines, Including Rights-of-Way:	Initial Maximum Footcandles (fc) (see Sec. 4.f.)
Abutting a residential, green space, or agricultural use	0.5
Abutting an office or institutional use	1.0
Abutting a commercial or industrial use	1.0

TABLE 'B'

Maintained* Illuminance Values at Grade					
Off-Street Parking Lot Types:	Minimum Footcandles (fc)	Average Footcandles (fc)	Maximum Footcandles (fc)	Avg to Min Ratio	Max to Min Ratio
Residential areas	0.2	0.8	3.0	4:1	15:1
Office areas	0.25	1.0	3.75	4:1	15:1
Commercial & Light industrial	0.5	2.0	7.5	4:1	15:1
* Use the source-specific LLD provided by lamp or luminaire manufacturer. To compare multiple source types, use the LLD factor for each source that corresponds to the number of rated life hours of the source with the shortest life. Use appropriate LDD, LATF, and BF values for the specific product and application.					

- a) Flood or spot lamps must be positioned no higher than 45 degrees above straight down (half-way between the vertical and the horizontal) when the source is visible from any off-site residential property or public roadway.
- b) All light fixtures that are required to be shielded shall be installed and maintained in such a manner that the shielding is effective as described herein for fully shielded fixtures.
- c) Multi use development lighting must conform to the standards of its respective

uses.

- d) Illumination levels are measured from any height and orientation of the measuring device at any location along the property line, except the lighting of parking lots shall be measured at grade with the meter sensor held horizontally on the surface.
- e) Special Uses. All lighting not directly associated with the special use areas designated below shall conform to the lighting requirements described above.
- f) Outdoor Sports or Recreation Fields. Lighting of outdoor recreational facilities (public or private), such as, but not limited to, outdoor athletic fields, courts, and tracks shall meet the following requirements:

Facilities designed for municipal leagues, elementary to high school levels of play and training fields for recreational or social levels of play, college play, semi-professional, professional or national levels of play shall utilize luminaries with minimal uplight consistent with the illumination constraints of the design. Where fully shielded fixtures are not utilized, acceptable luminaires shall include those which:

- a. Are provided with internal and/or external glare control louvers or lenses, and are installed so as to minimize uplight and offsite light spillover and glare; and
 - b. Are installed and maintained so as to avoid aiming no more than 2.5 times the mounting height.
 - c. Illumination levels shall not exceed 1.0 foot-candles at any location along any non-residential property line, and 0.5 foot-candles at any location along any residential property line.
 - d. Curfew. All events shall be scheduled so as to complete all activity no later than 11:00 p.m. Illumination of the playing field, court or track shall be permitted after the curfew only to conclude a scheduled event that was unable to conclude before the curfew due to unusual circumstances. Field lighting for these facilities shall be turned off within 30 minutes after the last event of the night.
 - e. Setback. All light poles shall be set back the greater of fifty feet or one foot for every foot in height from any residential property line or right-of-way.
- b) Service Station Canopies.
- a. All luminaries mounted on or recessed into the lower surface of service station canopies shall be fully shielded and utilize flat lenses.
 - b. The total light output of luminaries mounted on the lower surface, or recessed into the lower surface of the canopy, and any lighting within signage or illuminated panels over the pumps, shall not exceed 15 foot-candles.
 - c. The total light output of illuminated areas of a service station other than as detailed in b. above shall not exceed 10 foot-candles.
 - d. Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.
- c) Parking Garages/Structures
- 1. All luminaries mounted on or recessed into the ceiling of parking structures shall be fully shielded and utilize flat lenses.
 - 2. Illuminance levels for the interior of all parking structures shall conform to the IESNA recommendation (RP-20). Luminance levels for the interior of parking structures, where interior lighting is visible from outside

the structure, shall also conform to the IESNA recommendation (RP-20).

3. RECOMMENDED CRITERIA (Optional; projects with lighting designs proven to meet the Recommended Criteria will receive expedited permits and inspections):

a. Lighting fixtures shall have:

1. A nominal CCT between 3000 and 4000 K, with actual CCT verified to be within Lighting Facts tolerances.
2. A nominal CRI of 70 or greater.
3. Delivered efficacy of 85 lumens per watt (lpw) or greater, based on actual input wattage (not nominal wattage).
4. Less than 125W input wattage (not nominal wattage).
5. Lumen maintenance of 80% or greater at 100,000 operating hours in a 25°C ambient (L80+/100,000 hours, 25°C), as tested per IESNA LM-80-08 and projected per IESNA TM-21-11.
6. Electronic driver(s) with a power factor >90%, THD <20%, and an expected life of 100,000 hours.
7. An option for an integral motion/daylight sensor, with luminaire dimming capabilities, to maximize performance and energy efficiency in the parking structure. (Selection or usage of the option is at the discretion of the project manager, but option must be available.)
8. A 5-year product warranty.

b. Submittals shall include:

1. Specification sheets for all luminaire types used in the parking structure application, to include substantiating details on all criteria in the preceding section (5.c.3.a.).
2. Point-by-point calculations (with measurements on a 5' x 5' grid) for both initial and maintained performance ($L_x/100,000$ hrs, 25°C, where $x \geq 80$), both showing adherence to the criteria in IESNA RP-20 using the specified fixtures.

j) Security Lighting.

- a. Security lighting shall be directed toward the targeted area.
- b. Sensor activated lighting must be located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and the light shall not be triggered by activity off the property.

k) Pedestrian Path Lighting.

- a. Lighting post shall not exceed 16 feet in height from the finished grade. Illuminance levels (horizontal and vertical) shall conform to the IESNA recommendation (RP-33) for the respective type of walkway and application (commercial, residential, etc.).

l) Architectural Accent Lighting.

- a. Fixtures used to accent architectural features, materials, colors, style of

buildings, landscaping, or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill into the dark night sky in conformance with the luminaire standards.

- b. Lighting fixtures shall not generate glare, or direct light beyond the facade onto a neighboring property, streets or into the night sky.
- m) Commercial Parking Areas.
 - a. All lighting fixtures servicing parking lots, except floodlights, shall be cutoff fixtures, directed downward and not toward buildings or other areas. The ratio of the average illumination to the minimum illumination shall not exceed 4:1.
 - b. Floodlights should be aimed or shielded to minimize uplight.
 - c. Light poles used in parking lots shall not exceed 35 feet in height.
- n) Street lights
 - a. The minimum level for new street lighting is 1 foot-candle, or as approved by an engineer on behalf of the city.
- o) Commercial Signage. Each lighted sign shall be eligible for a 10% square footage increase subject to meeting the following requirement:
 - a. The sign shall have a timer installed such that it will turn off the sign's illumination no later than two hours after close of business or midnight, whichever is latest. In the case of a business open past midnight, the timer shall turn off the sign's illumination at the close of business. The timer shall also activate the sign's illumination no earlier than one hour before sunset. LED lamps, or higher efficiency, shall be utilized.
- p) Special Security Locations
 - 1. Special consideration may be given to applications requiring deviation from the Minimum Requirements for enhanced security purposes. Such applications must be included in IESNA G-1, "Guideline on Security Lighting for People, Property, and Public Spaces" and shall conform to the respective illuminance and uniformity criteria detailed there, after review and approval from the City.
 - 2. Point-by-point calculations (with measurements on a 5' x 5' grid) for both initial and maintained performance, both showing adherence to the criteria in IESNA G-1 using the specified fixtures, must be submitted to the City for review and consideration.

3. Green Power

The City of Peachtree Corners shall offer expedited development and building plan review and site inspections for projects utilizing solar energy. The city Overlay requirements shall not apply to solar panels, except that materials and colors shall comply to the extent possible.

4. Water Use Reduction and Efficiency

a. **High Efficiency Fixtures** such as WaterSense certified toilets, urinals and faucets shall be used in all new public building installations.

— b. The City of Peachtree Corners shall offer expedited development and building plan review and site inspections to developers and homeowners for WaterSense certified projects.

5. Trees and Greenspace

a. **Benchmarks.** Peachtree Corners shall continue to provide balanced growth by preserving greenspace and adding trees and landscaping wherever possible in every development.

b. **Special Places and Events.** Peachtree Corners shall continue to support the development of community gardens, community trails, and other special places that promote environmentally friendly resources to the community.

6. Transportation and Air Quality

a. **Commute Options.** It is Peachtree Corners' policy to support commute options for both municipal employees and private business employees.

Therefore, Peachtree Corners shall continue to do the following:

1. work with commercial land owners such as Technology Park to identify available land to set aside for public transportation alternatives and private vehicle transportation alternatives.
2. explore the viability of an internal shuttle system that connects the business and shopping areas of City of Peachtree Corners to the Doraville Marta Station.
3. develop a trail way and path plan in order to offer greater opportunity for alternative commutes.
4. ensure that each development is built with sidewalks so that in cases where distance is not a deterrent, walking is a viable and safe option.
5. support flex time and varied work schedules so that employees can take advantage of the most favorable commuting options.
6. encourage ride sharing and car-pooling by working with the business community to develop incentives for employees.

b. **Green Fleet policy.** The City shall give preference to the purchase and use of fuel efficient and lowest emission vehicles and equipment (collectively the "Fleet") that both meet the intended use of the Fleet and are reasonably cost competitive over its useful life (e.g. life cycle cost). Additionally, the

City will implement strategic fleet management practices to further reduce both the emissions and environmental impact of the Fleet. Through implementation of this policy, the City shall seek to decrease total emissions and the environmental impact of the Fleet.

Section I: Green Fleet Procurement:

A. Decrease Fleet Emissions

a. The City shall procure the lowest-emission and/or Hybrid/Alternative-fuel Fleet when it is in alignment with the intended use of the Fleet and is reasonably cost competitive over its useful life (e.g. life cycle cost).

b. "Clean" fuels (such as compressed natural gas, ethanol, electricity and biodiesel) shall be used when feasible. Feasibility assessment will include considerations of vehicles or equipment able to utilize the "clean" fuel, vehicle costs, fuel availability, and the ability to utilize existing fueling infrastructure.

c. The life-cycle cost analysis, which will include fuel, maintenance, and operational costs over the projected life of the vehicle, will be performed prior to procurement and will be communicated in the corresponding bid process as appropriate.

Section II: Green Strategic Fleet Management:

A. Optimize Fleet Size

a. The City shall seek to optimize its Fleet and consider the following for removal or reassignment:

b. Light duty vehicles (passenger cars, light duty pick-up trucks and vans) that are driven less than 4,800 miles annually; and

c. Equipment that is used less than 240 hours annually. The availability of rental equipment to be used in place of such equipment will be taken into consideration.

B. Fleet reduction or reassignment will be performed according to the on-going operational needs of the user departments. The determination of which Fleet are to be reassigned shall be at the discretion of the Procurement

Official working in cooperation with user departments.

C. Decrease Vehicle Size

1. The City shall encourage the selection of vehicles of a smaller class-size whenever possible to achieve greater fuel efficiency and lower emissions. User departments shall select the smallest possible vehicle that will achieve its intended use.
2. Focus on Minimizing Vehicle Miles Travelled
3. Route optimization shall be employed, when applicable, to reduce travel time, distance, and fuel usage.
4. Encourage meetings at centralized locations to reduce necessary travel.
5. Encourage and enable alternate meeting methods, such as conference calls, to reduce the number of necessary trips.

c. No Idling policy. When using City vehicles, employees should strive to conserve fuel and reduce emissions by avoiding unnecessary idling. Therefore, except in traffic or on routine stops, employees should make every effort to prevent city vehicles from idling in excess of three minutes.

d. Complete Streets policy. The City of Peachtree Corners shall expand new street requirements to create complete streets where appropriate. Complete street standards include shared use paths or bike lanes in addition to the current pedestrian sidewalk requirements. Pedestrian signals, signs, street furniture, and lighting may also be included. The city's consulting traffic engineer has identified streets shown as "Collector" as the most appropriate category for utilization of complete street design standards.

e. Bike and Pedestrian Friendly Design policy. Peachtree Corners shall continue to encourage bicycle and pedestrian options citywide by ensuring the following:

1. the interconnectivity of developments for safer bicycle and pedestrian access.
2. the placement of bicycle racks at locations throughout the city.
3. the requirement of bicycle racks at all new community facilities including ball fields, parks and city hall.
4. the construction of sidewalks throughout the City of Peachtree Corners
6. the coordination of these efforts with adjoining jurisdictions.

7. Recycling and Waste Reduction

- a. **Green Purchasing policies.** It is the policy of the City of Peachtree Corners to purchase products which are recyclable or reusable or contain recycled materials if the quality and fitness of such products are equal to un-recycled products, including a price preference not to exceed 10% over the lowest price quoted by suppliers of comparable un-recycled products as determined by the user department. The product price comparison shall include life cycle cost considerations, when applicable. Each user department shall make every reasonable effort to purchase and use recycled products or those with recycled content whenever feasible to the extent such use does not adversely affect health, safety, or operational efficiency and effectiveness as determined by each user department, including but not limited to the items indicated on Attachment 1, next page. The term "recycled products" shall be construed to mean products which contain recycled materials or are reusable or recyclable, provided however, that recycled paper products must contain recycled materials.
1. Each user department shall ensure that all purchases of copy, computer, and fax paper will contain a minimum of 30% recycled content (10% cap on price preference is not applicable). Furthermore, each user department shall strive to purchase paper products containing a minimum of 30% recycled content whenever feasible.
 2. Each user department shall consider, where feasible, the ability of products and/or their packaging to be reused, reconditioned, or recycled.
 3. Each user department shall purchase, where feasible, products which minimize waste and toxic by-products in their manufacture, use, recycling, and disposal.
 4. Included in this policy is a preference for EnergyStar rated appliances and equipment.
 5. The 10% price preference shall be granted only if the fitness and quality of recycled products are at least equal to un-recycled products as determined solely by the user department. Product price comparison shall include life cycle cost considerations, when applicable.

Attachment 1: Recycled Product Listing

Plastic	Paper	Rubber
Carpet	Business cards	Dock bumpers
Construction wall coverings	Computer paper	Floor tiles
Corrugated drain pipe	Corrugated boxes	Retread tires
Culverts	Copier paper	Rubberized asphalt
Curbside recycling containers	Cover stock	Trailer bumpers
Dollies	Envelopes	Wheel chocks
Fence posts	Facial tissue	
Fire engine cab mats	Fax paper	
Garbage can liners	Legal pads	
Ice scrapers	Letterhead	
Indoor/outdoor furniture	Linerboard	
Landfill caps & liners	Loose-fill packaging	
Benches	Mailing tubes	
Lumber	Napkins	
Pallets	Newsprint	
Parking bumpers	Padded mail bags	
Plastic bags	Paper towels	
Playground equipment	Poster board	
Refuse carts	Toilet tissue	
Shower dividers	Typing paper	
Speed bumps		
Traction mats		
Truck bed mats		
Urinal screens		

Other Materials
Acoustic ceiling tiles
Cellulose fiber insulation
Compost
Fly ash/concrete mixtures
Glassphalt
Reflective road striping
Re-refined lubricating oil
Road signs
Roofing shingles

b. Community Involvement policy. In order to be effective, recycling must be a community wide effort and not just a government initiative. However, in its leadership role, government should not only set the recycling example, but should also institute programs that will provide the community with maximum recycling participation opportunities. Therefore, the City of Peachtree Corners shall continue the following:

1. to offer curbside recycling to all residents.
2. to coordinate with the GCCB to offer regularly scheduled events at the Recycling center for items such as large household appliance, scrap lumber and technology products.
3. to offer opportunities to recycle paper products such as telephone books and newspapers.
4. to offer opportunities to recycle seasonal products such as Christmas trees.

5. to encourage waste reduction through the use of rewards for recycling.

8. Land Use

a. **Incentives.** In order to create efficiency and facilitate the most sustainable use of land, the City of Peachtree Corners shall encourage mixed-use development and redevelopment where appropriate. The City shall continue to identify opportunities to provide incentives, as well as institute specific zoning conditions, when warranted, that recognize the benefit of environmentally advantageous development projects.

9. Education

a. Information Sharing policy.

1. The City shall educate its employees about the green policy measures contained herein so that the employees will become active participants in the Green City Program, thereby, ensuring its maximum effectiveness.
2. The City shall work with Gwinnett Clean and Beautiful to extend environmental education to school children in order to encourage recycling and conservation and to bring awareness to the Green City Program.

APH 2015-09-017

A-1 Market



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

To: Mayor and City Council
Cc: Julian Jackson, City Manager
From: Diana Wheeler, Community Development Director
Date: April 21, 2015 City Council Meeting

Agenda Item: APH 2015-09-017- Approval of Alcoholic Beverage License Application for A-1 Market at 3330 Peachtree Corners Circle, Peachtree Corners GA 30092. Applicant is Alkesh Patel for Retail/Package Wine and Malt Beverage License.

Staff Recommendation:

Approve the application for Retail/Package Wine and Malt Beverage License for A-1 Market at 3330 Peachtree Corners Circle, Peachtree Corners GA 30092.

Background:

Applicant submitted a completed application on February 13, 2015. Required advertising for the application will be accomplished in the legal organ of the City on March 20th and March 27th, applicant has passed the background investigation and meets all requirements.

Discussion:

New Business
Staff has reviewed this application and recommends approval.

Alternatives:

None

APH 2015-09-018

The Boiling Crab



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

To: Mayor and City Council
Cc: Julian Jackson, City Manager
From: Diana Wheeler, Community Development Director
Date: April 21, 2015 City Council Meeting

Agenda Item: APH 2015-09-018- Approval of Alcoholic Beverage License Application for The Boiling Crab Market at 7040 Jimmy Carter Blvd, Ste 1, Peachtree Corners GA 30092. Applicant is Thai Ho for Consumption on Premise Malt Beverage License.

Staff Recommendation:

Approve the application for Consumption on Premise Malt Beverage License for The Boiling Crab Market at 7040 Jimmy Carter Blvd, Ste 1, Peachtree Corners GA 30092.

Background:

Applicant submitted a completed application on December 9th. Required advertising for the application will be accomplished in the legal organ of the City on March 20th and March 27th, applicant has passed the background investigation and meets all requirements.

Discussion:

New Business
Staff has reviewed this application and recommends approval.

Alternatives:

None

APH 2015-09-019

La Confianza Mart



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

To: Mayor and City Council
Cc: Julian Jackson, City Manager
From: Diana Wheeler, Community Development Director
Date: April 21, 2015 City Council Meeting

Agenda Item: APH 2015-09-019- Approval of Alcoholic Beverage License Application for La Confianza Mart LLC at 4939 Winters Chapel Rd, Ste 700, Peachtree Corners GA 30360. Applicant is Noordin Bhimani for Retail/ Package Wine & Malt Beverage License.

Staff Recommendation:

Approve the application for Retail/ Package Wine & Malt Beverage License for La Confianza Mart LLC at 4939 Winters Chapel Rd, Ste 700, Peachtree Corners GA 30360.

Background:

Applicant submitted a completed application on March 10th. Required advertising for the application will be accomplished in the legal organ of the City on March 20th and March 27th, applicant has passed the background investigation and meets all requirements.

Discussion:

New Business
Staff has reviewed this application and recommends approval.

Alternatives:

None

APH 2015-09-020

**Enigma Sports Bar
& Grill**



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

To: Mayor and City Council
Cc: Julian Jackson, City Manager
From: Diana Wheeler, Community Development Director
Date: April 21, 2015 City Council Meeting

Agenda Item: APH 2015-09-020- Approval of Alcoholic Beverage License Application for Enigma Sports Bar & Grill at 4939 Winters Chapel Rd, Ste 800, Peachtree Corners GA 30360. Applicant is Guillermo Zavala applying for Consumption on Premise Wine, Malt Beverage, and Distilled Spirit License.

Staff Recommendation:

Approve the application for Consumption on Premise Distilled Spirits, Wine & Malt Beverage License for Enigma Sports Bar & Grill at 4939 Winters Chapel Rd, Ste 800, Peachtree Corners GA 30092.

Background:

Applicant submitted a completed application on August 1st, 2014. Required advertising for the application will be accomplished in the legal organ of the City on March 20th and March 27th, applicant has passed the background investigation and meets all requirements.

Discussion:

New Business
Staff has reviewed this application and recommends approval.

Alternatives:

None

R2105-04-40

**Winters Chapel
Road Area Study**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEACHTREE CORNERS, GEORGIA APPROVING THE WINTERS CHAPEL ROAD AREA STUDY AND INCORPORATING IT INTO THE 2033 COMPREHENSIVE PLAN.

WHEREAS, the City of Peachtree Corners 2033 Comprehensive Plan identified the need for detailed evaluation of the Winters Chapel Road Area; and

WHEREAS, after thorough analysis and public participation, the City of Peachtree Corners with assistance from its consultants has completed the Winters Chapel Road Area Study; and

WHEREAS, this study was prepared as a multi-jurisdictional effort and incorporated comments from Dunwoody, Sandy Springs and Peachtree Corners;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Peachtree Corners, Georgia, that the Winters Chapel Road Area Study is hereby approved as presented. It is further resolved that the Winters Chapel Road Area Study shall be incorporated into the 2033 Comprehensive Plan as an appendix to the original document.

SO RESOLVED AND EFFECTIVE, this the 21st day of April, 2015.

Approved:

Mike Mason, Mayor

Attest:

Kym Chereck, City Clerk

Seal

02015-03-43

Liquor Store

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO SUP2015-002 AND CIC2015-001, CFW&S INVESTMENTS, LLC, REQUEST FOR APPROVAL OF A LIQUOR STORE FOR A .67 ACRE LOT ZONED C-2 AND LOCATED AT 5242 PEACHTREE PARKWAY IN DISTRICT 6, LAND LOT 301, PEACHTREE CORNERS, GEORGIA

WHEREAS: Notice to the public regarding said requests and public hearing have 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 April 21, 2015 and May 19, 2015;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on May 19, 2015 hereby ordain and approve SUP2015-002 and CIC2015-001, CFW&S Investments, LLC, for the above referenced property with the following enumerated conditions:

Gwinnett County conditions (which are copied and / or modified as shown from CIC-08-021 with additions in **Bold** and Deletions in ~~strikethrough~~) followed by Peachtree Corners specific conditions:

I. To restrict the use of the property as follows:

- A. All uses and special uses permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; tattoo and piercing parlors, adult bookstores or entertainment, drive-thru fast food service, automotive car wash, automotive parts store; billboards (as provided in Section 1113.1); building, electrical or plumbing contractors; funeral homes or mausoleums; furniture rental establishments; convenience food stores with or without fuel pumps, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments, self-service or coin-operated laundries; **liquor stores**, mobile buildings, parking lots and garages, plant nursery sales facility, recreation facilities which exceed 3500 square feet (but may be up to 4000 square feet for a Spa Sydell-type use), recovered materials processing facility, taxidermist, yard trimmings composting facility, clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters, auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps, building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, mini-warehouse storage facilities, mobile home or mobile building leasing or sales lots, taxi cab or limousine services, and outdoor storage of any type; pest control businesses; pet shops or grooming establishments; lounges; and any temporary uses.

- B. Project shall be developed in general conformity with the building elevations submitted with the application package for SUP2015-002 / CIC2015-001, and shall be developed as a forum/avenues-style development and shall include elements similar in "look and feel" to the existing development immediately across Peachtree Parkway from the subject property currently known as "The Forum", and shall be developed in general conformity with the site plan prepared by Wakefield, Beasley & Associates and the site plan prepared by LAI Engineering dated January 20, 2015 . The landscape plan and architectural plans shall be submitted to the Peachtree Corners Director of Planning and Development prior to any building permits being issued.
 - C. Drive-through businesses shall be prohibited, except for banks/financial institutions which may include a drive- through facility as an integrated part of the primary banking operation if the following provisions are met. Any such drive-through facility shall be structurally attached to the bank/financial institution building. Any person-to-person communication shall be conducted only through a sealed (non-operable) window (which may include an associated bank deposit tray and/or tube) and speaker system. The volume control for the speaker system shall be set so that sound shall not be audible more than 10-feet from any such speaker. Any in-person "reach-through" opening and/or the passing of food through such opening shall be prohibited. To the extent that any allowed structure ceases to be used as a bank/financial institution, then the drive-through facility associated therewith shall be demolished.
 - D. Abide by all Overlay District requirements.
 - E. The dimensions of any bank/financial institution drive-through facility shall be constructed in general conformity with the site plan prepared by Wakefield Beasley and Associates, dated October 17, 2008, and submitted for the record at the Planning Commission's October 21, 2008 meeting. Specifically, the drive aisle width at the drive-through entrance and exit shall be a maximum width of 2 feet and shall taper in accordance with the configuration depicted in the aforementioned site plan.
 - F. Liquor stores shall conform to all state and local alcohol regulations.
2. To satisfy the following site development considerations:
- A. Provide shared inter-parcel access and implement shared parking agreements with adjacent properties.
 - B. Provide a 50-foot-wide natural buffer adjacent to residential zoning. The developer shall be allowed to grade 20-feet into the buffer in order to reduce/eliminate retaining walls in accordance with the three buffer plan drawings prepared by Bilson

and Associates, dated September 9, 2008, and submitted for the record at the Planning Commission's October 21, 2008 meeting. The graded area of the buffer shall be replanted in accordance with the buffer plan drawings with native Georgia trees including Tulip Poplar, Maple, Cryptomeria and Pine trees in equal distribution to provide an effective visual screen. In no event will there be less than a 75-foot setback adjacent to the stream depicted on the site plan. The developer shall place the portion of the subject property within the stream buffer in a conversation easement .

- C. Provide bike racks within the development in accordance with the overlay standards.
- D. Provide internal access to any outparcel development. No direct access to Peachtree Parkway other than the shopping center entrance per Department of Transportation approval.
- E. Entrance/exits shall be allowed onto Peachtree Corners Circle per Department of Transportation approval.
- F. No billboards shall be permitted.
- G. Dumpsters shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture, and with a gated entry. Pick-up for dumpsters shall be limited to between the hours of 8:00 a .m. and 6:00 p.m.
- H. Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco. All sides shall have a 32- inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the ~~materials presented at the October 16, 2007 meeting~~ **plans presented to and approved by the City Council at its May 19, 2015 meeting.** All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with building architecture.
- I. Provide landscaped islands throughout the parking area, including a minimum ten-foot-wide landscaped island at the end of each parking bay and a minimum six-foot-wide landscaped island for each 225 feet of continuous by length, or alternate plan as may be approved by the Director of Planning and Development.
- J. Provide or relocate and reconstruct sidewalks, as required, a minimum of five feet in width adjacent to Peachtree Parkway (U.S. Hwy. 141) and Peachtree Corners Circle. Sidewalks may meander along these roads where feasible and per DOT approval. Provide internal sidewalks connecting office, retail, and outparcel development.

- Submit pedestrian access plan for review and approval of the Director of Planning and Development.
- K. 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 nor to create a hazard for passing automobile traffic. Any lights located on the rear of the building must be directed downward.
 - L. Multi-tenant buildings shall be limited to wall signage only. Project signage shall be limited to one monument sign per road frontage except for one subdivision entrance sign and one primary ground sign adjacent to Peachtree Parkway. Monument signs shall coordinate with building architecture.
 - M. Any detention ponds shall be visibly screened with landscape plantings to be approved by the Director of Planning and Development.
 - N. No outside speakers shall be allowed other than on a bank usage, if any, or a Muzak system may be allowed provided no shrill or excessive noise and vibrations, amplified live entertainers, outside paging systems, phone bells, or loudspeakers will be allowed. Any Muzak system shall have downward-facing speakers and shall be inaudible ten feet from the speakers.
 - O. Business hours are to be limited to Monday through Thursday from 7:00 a.m. to 12:00 midnight and Friday through Sunday from 7:00 a.m. to 2 a.m. Business hours for a coffee/bagel shop and any specialty gourmet food store(s) shall be 6:00 a.m. to 2 a.m. seven days a week.
 - P. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors as determined by the Director of Community Development.
 - Q. Developer shall provide a temporary 20-foot natural buffer, except for utility crossings, along the right-of-way of Peachtree Parkway and Peachtree Corners Circle. Temporary buffer may be removed upon issuance of a building permit.
 - R. Truck delivery **shall be made at the rear of the building** and limited to the hours of 8:00 a.m. to 10:00p.m.
 - S. No overnight parking or idling of delivery trucks shall be allowed.
 - T. Operation of parking lot cleaning machinery or other maintenance equipment that emits noise shall be limited to the hours of 8:00 a.m. to 9:30 p.m.

U. Prior to any grading or clearing, all buffers shall be clearly marked with bright orange tree save fencing to ensure that no improper or accidental buffer intrusions occur.

V. Building Elevations shall be approved subject to the following:

1. Exterior building materials shall be primarily brick or stone on all building sides.

2. Appearance of the buildings shall substantially conform to the drawings prepared by Wakefield Beasley and Associates dated 2/27/15.

3. Planters with vegetation approved by the City Arborist shall be placed along the building exterior or, as an alternate, climbing plant material shall be installed at the base of the buildings or next to trellises or arbors.

4. Roof parapets shall be the same height along the entire roof line and all mechanical equipment (roof top and on the ground) shall be screened from ground view.

Effective this 19th day of May, 2015.

So signed and Witnessed

Approved :

this _____ day of _____, 2015
Attest:

Kymerly Chereck, City Clerk

Mike Mason, Mayor

Action Item

GDOT LMIG



MEMO

TO: Mayor & Council
CC: Julian Jackson, City Manager
FROM: Greg Ramsey, P.E., Public Works Director
DATE: April 21, 2015
SUBJECT: LMIG Sidewalk Survey & Design Contract

Peachtree Corners received Award Authorization in January from the Georgia Department of Transportation (GDOT) for a grant of \$242,023.85 from their Local Maintenance Improvement Grant (LMIG) Program. As discussed previously, the City submitted an application for several sidewalk projects, including Technology Parkway from State Route 141 to Westech Drive.

In order to move forward with this project, Public Works advertised a Request for Proposals (RFP) from qualified firms to perform survey, design & construction bid document services. The RFP is attached.

Staff performed a review of the six proposals that were received according to the guidelines provided in the RFP. The highest ranking firm from that review is Keck & Wood. The contract for survey & design services is attached for your consideration.

AGREEMENT
BETWEEN
THE CITY OF PEACHTREE CORNERS, GEORGIA
AND
KECK & WOOD, INC.

THIS AGREEMENT made and entered into as of the ____ day of _____, 2015 between the City of Peachtree Corners, Georgia, (hereinafter called "Owner") and Keck & Wood, Inc. (hereinafter called "Engineer"). WITNESSETH, that whereas the OWNER intends to construct Technology Parkway Sidewalks (hereinafter called "Project").

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings set forth herein and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledges, the parties hereto consent and agree as follows:

1. Engineer agrees to perform the following engineering services for the Project:
 - A. General: The Engineer shall serve as the Owner's professional representative in the planning and the supervision of construction of the Project, and shall give consultation and advice to the Owner during the performance of his services.
 - (1) Copyright of Patent Infringement: The Engineer shall defend actions or claims charging infringement of any copyright or patent by reason of the use of adoption of any designs, drawings or specifications supplied by him, and he shall hold harmless the Owner from loss or damage resulting there from, providing however, that the Owner within five (5) days after receipt of any notice of infringement or of summons in any action therefore shall have forwarded the same to the Engineer in writing. The Owner shall have the right to approve or reject any settlement offer pursuant to this section, and such approval shall not unreasonably be withheld.
 - (2) Insurance: The Engineer shall secure and maintain such insurance as will protect him from claims under the Workers' Compensation Acts and from claims for bodily injury, death, or property damage which may arise from the performance of his services under this Agreement. Engineer shall name Owner as an additional insured on all applicable insurance policies related to and for the purposes of the Project.
 - B. Basic Services of the Engineer:
 - (1) Contract Documents: The Engineer shall prepare working drawings, specifications, and other Contract Documents completely describing the material and workmanship required and procedures to be followed for the construction of the Project including the following:
 - (a) Design: The Engineer will design the proposed improvements for the Project for the Owner.

(2) Receipt of Proposals: The Engineer shall furnish drawings and specifications for the use of Bidders in submitting Proposals. The Engineer shall assist the Owner in securing proposals from Bidders, in analyzing such Proposals, and in preparing the Agreement for execution by any Contractor(s).

(3) The Engineer shall perform all services with professional skill and care and shall prepare preliminary plans and specifications for the Project and forward to the Owner for review. Upon completion of the review, the final plans and specifications shall be prepared and forwarded to Owner. This schedule shall not, except for reasonable cause, be exceeded by the Engineer.

C. Extra Services of the Engineer: Shall include the following when authorized in writing by the Owner:

(1) Contract Documents: Revisions to drawings and/or specifications previously approved and preparation of Contract Documents for alternate proposals and change orders.

D. Reimbursable Services of the Engineer: Shall include the following items when authorized in writing by the Owner: Transportation and subsistence of principals and employees on special trips to the Project or to other locations; long distance telephone and telegraph calls as required to expedite the work of the Contractor; reproduction of drawings and specifications in addition to those specified in Article 1.B(2) of the Agreement; soil borings and tests; and work of special consultants when required by the complex nature of the Project.

2. Owner agrees to provide the Engineer with complete information concerning the requirements of the Project and to perform the following services:

A. Access to the Work: The Owner shall guarantee access to make all provisions for the Engineer to enter upon public and private lands as required for the Engineer to perform such work as surveys and inspections in the development of the Project.

B. Consideration of the Engineer's Work: The Owner shall give thorough consideration to all reports, sketches, estimates, drawings, specifications, proposals, and other documents presented by the Engineer, and shall inform the Engineer of all decisions within a reasonable time so as not to delay the work of the Engineer.

C. Legal Requirements: The Owner shall hold promptly all required special meetings, serve all required public and private notices, receive and act upon all protests and fulfill all requirements necessary in the development of the Project, and pay all costs incident thereto.

D. Proposals: The Owner shall advertise for Proposals from Bidders, open the Proposals at the appointed time and place and pay costs incident thereto.

E. Protection of Markers: The Owner shall protect to the best of his ability, all stakes

and other markers set by the Engineer prior to the assumption of such responsibility by the Contractor. Replacement of markers or stakes which have been damaged, moved or removed shall be paid for by the Owner as extra services of the Engineer.

- F. Standards: The Owner shall furnish the Engineer with a copy of any design construction standards he shall require the Engineer to follow in the preparation of Contract Documents for the Project.
- G. Owner's Representative: The Owner shall designate in writing, by appendix to this Agreement, a single person to act as Owner's Representative with respect to the work to be performed under this Agreement. The person designated as Owner's Representative shall have complete authority to transmit instructions, receive information, interpret and define Owner's policy and decisions, with respect to the materials, equipment, elements and systems pertinent to the work covered by this Agreement.

3. Payment:

- A. Abandoned or Suspended Work: If any work performed by the Engineer is abandoned or suspended in whole or in part by the Owner other than for default by the Engineer, the Engineer shall be paid for services performed prior to receipt of written notice from the Owner such abandonment or suspension in an amount equal to the work performed as of the date of abandonment or suspension.
- B. Progress Payments: Once each month, the Owner shall pay the Engineer for professional services performed under this Agreement in proportion to services performed during the period as verified by statements of services.
- C. Payments for Basic Services of the Engineer: The Owner shall pay the Engineer for the services described in Article 1.B of this Agreement as described in Attachment "A".
- D. Payment for Extra Services of the Engineer: For extra services defined in Article 1.C the Owner shall pay the Engineer on an hourly basis in accordance with the schedule of charges attached hereto.
- E. Payments for Engineer's Reimbursable Services: The Engineer shall be reimbursed at cost for the reimbursable services outlined under Article 1.D.

4. Miscellaneous terms and conditions:

- A. Termination for Cause: This Agreement may be terminated for cause by either party, in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party, by written notice of such termination and specifying the effective date thereof, at least ten (10) days before the effective day of such termination.

If termination is due to the fault of others than the Engineer, the Engineer shall be paid for services satisfactorily performed to the date of termination, including reimbursements then due.

If the Engineer shall violate any of the covenants, agreements, or stipulations of this Contract, the Owner thereupon shall have the right to terminate this Contract by giving written notice as detailed above, and the Engineer shall be paid for the value of services performed satisfactorily to the date of termination, such value as determined by the Owner.

In the event that termination of this Contract by the Owner shall be for violation or breach of any Contract terms on the part of the Engineer, the Owner shall have full recourse to such administrative, contractual, or legal remedies, together with such necessary and reasonable sanctions and penalties against the Engineer.

- B. Termination for Convenience: The Owner may terminate this contract at any time for any reason by giving at least thirty (30) days notice in writing to the Engineer. If the contract is terminated by the Owner as provided herein, the Engineer will be paid a fair payment as negotiated with the Owner for the work completed as of the date of termination.
 - C. Ownership of Documents: The original completed tracings as master specification sheets shall remain the property of the Engineer, insofar as permissible under law. One set of reproducible record drawings shall be furnished to the Owner.
 - D. Disputes: In the case of a dispute, it will be settled using a process agreeable to both parties. It is proposed that disputes which cannot be settled between the parties be referred to mediation under the then current Construction Industry Mediation Rules of the American Arbitration Association. Agreement to attempt mediation will not in any respect surrender the right of either party to arbitration or if they ultimately deem it necessary to institute litigation.
 - E. The total liability, in the aggregate, of Consultant and Consultant's directors, officers, employees, agents, associates or subcontractors, and any of them, to Client or anyone claiming by, under or through you are Client, for any and all injuries, claims, losses, expenses, including attorney's fees, expert fees or court costs and damages whatsoever arising out of or in any way related to Consultant's Services under this Agreement, from any cause or causes whatsoever, including but not limited to, negligent acts or omissions, professional negligence, breach of contract, strict liability, errors or omissions of Consultant, or the employees, directors, officers, agents, associates or subcontractors of Consultant, or any of them, will be limited to Consultant's fee (including changes).
5. **SUCCESSORS AND ASSIGNS:** This Agreement and all of the covenants hereof shall inure to the benefit of and be binding upon the Owner and Engineer respectively and his partners, successors, assigns and legal representatives. Neither the Owner nor the Engineer shall have the right to assign, transfer or sublet his interest or obligations hereunder without written consent of the other party.
6. **SPECIAL PROVISIONS:** The Owner and the Engineer mutually agree that this Agreement shall be subject to the following Special Provisions which shall supersede other conflicting provisions of the Agreement.

- A. Owner shall pay Engineer for additional services rendered under Article 1.C at the hourly rates stated on the attached Schedule of Hourly Rates:
 - B. Engineer shall develop contract drawings and specifications to comply with minimum requirements of all Federal, State and Local Regulatory Agencies.
 - C. Engineer shall submit upon request an Affirmative Action Plan which clearly demonstrates how compliance will be obtained with Title 6 of the Civil Rights Act of 1964 and the President's Executive Order Numbers 11246 and 11375 which prohibit discrimination in employment regarding race, creed, color, sex, age or national origin.
 - D. Any dispute concerning the agreement or claims hereunder shall be subject to the jurisdiction of the Gwinnett County Superior Court, State of Georgia.
7. EQUAL OPPORTUNITY: In carrying out this Contract, the Engineer shall comply in full with all applicable requirements of Executive Order 11246, entitled *Equal Employment Opportunity*, as amended by Executive Order 11375 and as supplemented in U.S. Department of Labor regulations (41 CFR Par 60), and all other applicable state and federal laws and regulations addressing equal employment opportunity.
8. EMPLOYMENT OF LOCAL RESIDENTS: In the event that the Engineer finds it necessary to employ additional staff to accomplish the activities required under this Contract, every reasonable effort will be made to secure such additional staff from among residents of the City of Peachtree Corners, provided applicants with the necessary qualifications as established by the Engineer can be identified. In any case, final decisions regarding employment of such staff shall be the sole responsibility of the Engineer. Details regarding the requirements of this *Section 3 Clause* are set forth in Attachment "C", which is made a part of this Contract.

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Peachtree Corners has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with the subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

64376

Federal Work Authorization User Identification Number

10/29/07

Date of Authorization

Keck & Wood, Inc.

Name of Contractor

Technology Parkway Sidewalks

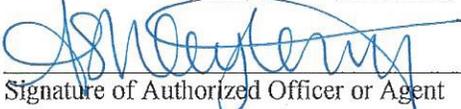
Name of Project

City of Peachtree Corners

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on the 27th date of March, 2015 in Duluth (city), GA (state).

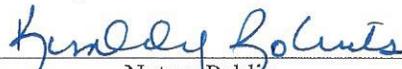


Signature of Authorized Officer or Agent

Ashley Terry, Accounting Assistant

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 27th DAY OF March 2015.


Notary Public



Aug. 4, 2016
My Commission Expires:

Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Peachtree Corners has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with the subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

213914
Federal Work Authorization User Identification Number

7.3.12
Date of Authorization

Anderson Design Inc.
Name of Subcontractor

Technology Parkway Sidewalks
Name of Project

City of Peachtree Corners
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on the 1 date of April, 2015 in Lawrenceville (city), GA (state).

[Signature]
Signature of Authorized Officer or Agent

John Anderson President
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS 1 DAY OF April, 2015
Kimberly Roberts
Notary Public
AUG. 4 2016
MY COMMISSION EXPIRES Aug. 4, 2016
My Commission Expires:



Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Peachtree Corners has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with the subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

608236

Federal Work Authorization User Identification Number

10-12-2012

Date of Authorization

John W. Abercrombie

Name of Subcontractor

Technology Parkway Sidewalks

Name of Project

City of Peachtree Corners

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on the 1 date of April, 2015 in Duluth (city), GA (state).

John W. Abercrombie
Signature of Authorized Officer or Agent

John W. Abercrombie
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 1st DAY OF April 2015.

Kimberly Roberts
Notary Public



Aug. 4, 2016
My Commission Expires:

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement the day and year first written above:

OWNER: THE CITY OF PEACHTREE CORNERS, GEORGIA

Mike Mason, Mayor

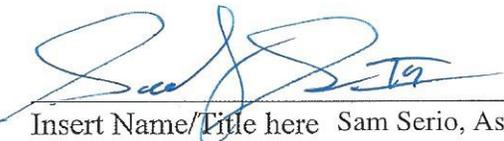
Date: _____

Attest:

Kym Chereck, City Clerk

(SEAL)

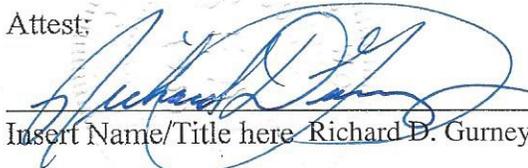
ENGINEER: Keck & Wood, Inc.



Insert Name/Title here Sam Serio, Associate Vice President

Date: March 27, 2015

Attest:



Insert Name/Title here Richard D. Gurney, Vice President / Secretary

Sworn and subscribed before me
this 27th day of March, 2015



Notary Public
My commission expires Aug. 4, 2016



ATTACHMENT "A"

Alternate Approach

For very similar projects performed by Keck & Wood in the past we have had good success using a faster, simpler, less costly approach. We recommend Peachtree Corners consider this approach on this project and have included an alternate fee budget for your consideration.

The alternate approach includes performing field surveying only where truly needed and field-location of utilities, rather than by SUE. GIS and other available data will also be used to prepare schematic drawings. Otherwise, complete bidding and construction documents will be fully utilized. We will perform two site visits per week during construction as a minimum to review utility locates and to provide field engineering direction for the contractor.

MANHOUR & FEE ESTIMATE

Peachtree Corners
RFP ST15.05
Technology Parkway Sidewalks
Fm SR 141 to Westech Drive



Keck & Wood, Inc.
2750 Premiere Parkway, Suite 900
Duluth, Georgia 30097

ALTERNATE PROPOSAL - USING SCHEMATIC DRAWINGS AND FIELD ENGINEER THE PROJECT
Due to minimal impacts (no utility impacts & less than 1 acre of disturbance) we offer the following LUMP SUM FEE

Task	Design Phase	Principal	Eng. IV	Eng. III	Eng. II	Eng. I	Admin	Total MH	Direct	Task Cost	Phase Sub
	Hourly Rates	\$190	\$150	\$130	\$110	\$98	\$65				
1	Concept Validation Phase - not required										
TOTAL	Concept Validation Phase - not required	0	0	0	0	0	0	0	\$0	\$0	\$0
2	Survey Phase										
	Field Survey - only at SR 141 - GDOT Encroachment Permit							0	\$3,000	\$3,000	
	Mange, coordinate, review			1		1		2		\$228	
TOTAL	Survey Phase	0	0	1	0	1	0	2	\$3,000	\$3,228	\$3,228
3	Design Development										
	Cover sheet, index & general notes sheet	1		1		1		2		\$228	
	Two sections	1		1		1		2		\$228	
	Construction plan sheets	1		3		12		15		\$1,566	
	Retaining Wall envelopes & limits inside GDOT R/W	1		1		4		5		\$522	
	Utility coordination (no-conflict letters)	0		1		8		9		\$914	
	Std & Constr Det Sheets	2				1		1		\$98	
	Landscaping Plans (none - field coord w/ owners)	0						0		\$0	
	Erosion Control Plans On construction sheets	0						0		\$0	
	QC/QA Review		1	1		2		4		\$476	
	Cost Estimate		1	1		2		4		\$476	
	Field Plan Review with City			3				3		\$390	
	Prepare, address encroachment permit requirements	0	1	2		4		7		\$802	
	Mange, coordinate, review, submit, print		1	2		2		5	\$50	\$655	
TOTAL	Design Development	6	0	4	16	0	37	0	\$50	\$6,356	\$6,356
4	Construction Documentation & Bidding										
	Prepare spec book			4		4	4	12		\$1,172	
	address bidder's questions			2		2		4		\$456	
	attend bid opening; prepare bid tab			4			2	6		\$650	
	Mange, coordinate, prepare, print, submit bid ready package		1	2		2		5	\$100	\$704	
TOTAL	Construction Documentation & Bidding	0	1	12	0	8	6	27	\$100	\$2,984	\$2,984
5	Construction Observation - not in contract										
	Pre-construction meeting			4			1	5		\$585	
	Keck & Wood addressing construction questions			2			2	4		\$456	
	Construction Observation (2 half day site visits per week for 1 mo. with reports)			8		32		40		\$4,176	
	Review of 1 final pay request - qty verify			3		4		7		\$782	
	Project Closeout (2 site visits plus reports)			6		3		9		\$1,074	
TOTAL	Construction Observation - not in contract	0	0	23	0	41	1	65	\$0	\$7,073	\$7,073
	Total Manhours	0	5	52	0	87	7	151	\$3,150	\$19,641	\$19,641
	Cost/Hour	\$190	\$150	\$130	\$110	\$98	\$65				
TOTAL	Total All Phases	\$0	\$750	\$6,760	\$0	\$8,526	\$455	\$16,491	\$3,150	\$19,641	\$19,641
	LUMP SUM FEE									\$19,641	

Action Item
Town Center
Financing

City of Peachtree Corners DDA Town Center Property			
	<u>Acres</u>	<u>Amount</u>	<u>Cost/Acre</u>
Cost of Land (Does not include Closing Costs and Interest Carry)	20.609	\$ 11,500,000	\$ 558,009
Purchase By Fuqua Acquisitions II	<u>12.05</u>	<u>6,723,900</u>	<u>558,000</u>
Balance	<u>8.559</u>	<u>\$ 4,776,100</u>	<u>\$ 558,021</u>
Estimated Closing Cost and Interest Carry (Through end of loan period)	<u>\$ 865,033</u>		

<u>Closing Date</u>	Georgia Commerce Bank (Extension Expires November 9, 2015) (From May 14, 2015)			<u>Difference vs GCB</u>
	<u>Commitment Fee</u>	<u>Interest Expense</u>	<u>Total</u>	
Purchase Contract Date	Monday, March 16, 2015			
End of Investigation Period (Normal Closing)	Monday, June 15, 2015	\$ 28,750	\$ 31,743	\$ 60,493
First 60 Day Extension (Saturday, August 15, 2015 Plus weekend)	Monday, August 17, 2015	\$ 28,750	\$ 93,182	\$ 121,932
Second 60 Day Extension	Thursday, October 15, 2015	\$ 28,750	\$ 154,620	\$ 183,370
SDA and REA Extensions (10 Days) (Extended Closing)	Monday, October 26, 2015	\$ 28,750	\$ 165,884	\$ 194,634

<u>Closing Date</u>	2.25% Bank 2 (Extension Expires November 9, 2015) (From May 14, 2015)			<u>Difference vs Bank 2</u>
	<u>Commitment Fee</u>	<u>Interest Expense</u>	<u>Total</u>	
Purchase Contract Date	Monday, March 16, 2015			
End of Investigation Period (Normal Closing)	Monday, June 15, 2015	\$ 10,000	\$ 21,976	\$ 31,976
First 60 Day Extension (Saturday, August 15, 2015 Plus weekend)	Monday, August 17, 2015	\$ 10,000	\$ 64,510	\$ 74,510
Second 60 Day Extension	Thursday, October 15, 2015	\$ 10,000	\$ 107,045	\$ 117,045
SDA and REA Extensions (10 Days) (Extended Closing)	Monday, October 26, 2015	\$ 10,000	\$ 114,842	\$ 124,842

<u>Closing Date</u>	1.85% Bank 3 (Extension Expires May 12, 2016) (From May 14, 2015)			<u>Difference vs Bank 2</u>	<u>Difference vs Bank 3</u>
	<u>Commitment Fee</u>	<u>Interest Expense</u>	<u>Total</u>		
Purchase Contract Date	Monday, March 16, 2015				
End of Investigation Period (Normal Closing)	Monday, June 15, 2015	\$ 10,000	\$ 18,069	\$ 28,069	\$ (32,424)
First 60 Day Extension (Saturday, August 15, 2015 Plus weekend)	Monday, August 17, 2015	\$ 10,000	\$ 53,042	\$ 63,042	\$ (58,890)
Second 60 Day Extension	Thursday, October 15, 2015	\$ 10,000	\$ 88,014	\$ 98,014	\$ (85,355)
SDA and REA Extensions (10 Days) (Extended Closing)	Monday, October 26, 2015	\$ 10,000	\$ 94,426	\$ 104,426	\$ (90,208)

Action Item
**IGA for Permitting
of County Projects**

INTERGOVERNMENTAL AGREEMENT

This INTERGOVERNMENTAL AGREEMENT is made and entered into as of the ____ day of April, 2015, by and between the CITY OF PEACHTREE CORNERS, GEORGIA, a municipal corporation in the State of Georgia (the “City”), and GWINNETT COUNTY, GEORGIA, a political subdivision of the State of Georgia (the “County”).

W I T N E S S E T H:

WHEREAS, the City possesses the authority to perform inspections and to issue permits related to the enforcement of building, electrical, plumbing, gas, housing, land disturbance, erosion control, storm water management and other similar codes and regulations for projects that are located within its corporate limits; and

WHEREAS, the County is exempt from City zoning ordinances, which regulate by classifying property into separate districts, but is not exempt from complying with building, electrical, plumbing, gas, housing, land disturbance, erosion control, storm water management and other similar codes and regulations applicable to projects that are located within the City’s corporate limits; and

WHEREAS, the County currently owns and maintains buildings that are located within the corporate limits of the City; and

WHEREAS, the County may, from time to time, desire to construct new buildings, construct additions to existing buildings, make renovations to existing buildings, or otherwise undertake projects, including but not limited to, water, sewer, stormwater and stream restoration projects, on properties that are located within the City’s corporate limits; and

WHEREAS, the County and the City desire for the County to perform all inspections and issue all permits related to the enforcement of building, electrical, plumbing, gas, housing, land disturbance, erosion control, storm water management and other similar codes and regulations for renovations and improvements performed by the County on existing buildings, for new construction owned by the County, and for other County projects on properties that are located within the City’s corporate limits; and

WHEREAS, the City desires to waive all inspection and permitting fees for renovations and improvements performed by the County on existing buildings, for new construction owned by the County, and for all other County projects on properties that are located within the City’s corporate limits.

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the County do hereby agree as follows:

Section 1

Term

This Agreement shall become effective upon the date of execution and shall continue in full force and effect for an original term of two (2) years. After the original term of this Agreement, said Agreement shall automatically renew for an additional term of two (2) years unless either party provides written notice to the other party at least one hundred twenty (120) days prior to the expiration of the original term.

Section 2

Inspection and Permitting by the County

The City and the County agree that the County shall perform all inspections and issue all permits related to the enforcement of building, electrical, plumbing, gas, housing, land disturbance, erosion control, storm water management and other similar codes and regulations for renovations and improvements performed by the County on existing buildings, for new construction owned by the County, and for all other County projects on properties that are located within the City's corporate limits. The County shall be responsible for ensuring that all improvements and renovations comply with all relevant state and federal laws.

Section 3

Waiver of Inspection and Permitting Fees

The City and County further agree that the City shall waive all inspection and permitting fees for renovations and improvements performed by the County on existing buildings, for new construction owned by the County, and for all other County projects on properties that are located within the City's corporate limits pursuant to the terms of this Agreement.

Section 4

Roads and Rights of Way

Notwithstanding any other provision contained in this Agreement, the City reserves the right to inspect, approve and enforce those portions of projects that physically impact road and right of way property of the City. Such approval, inspection, and enforcement shall be predicated on, including but not limited to, reinstallation of decorative landscaping, dressing of affected rights of way, and the restoration of roadways to City, State, Federal, and industry standards.

Section 5

Governing Law

This Agreement shall be deemed to have been made and shall be construed and enforced in accordance with the Constitution and the laws of the State of Georgia.

Section 6

Entire Agreement

This Agreement expresses the entire understanding and agreement between the parties hereto and supersedes all prior agreements, negotiations, and communications between the parties hereto.

Section 7

Severability

The invalidity of any one or more phrases, sentences, clauses or sections contained in this Agreement shall not affect the remaining portions of this Agreement or any part thereof.

Section 8

Hold Harmless

To the extent allowed by law, and subject to any other limitations contained in this Agreement, each of the parties to this Agreement agrees to save and hold harmless and defend the other party from and against all claims and liability for loss, damage, injury, or death arising out of the parties' obligations pursuant to this Agreement as contemplated herein, including any lawsuits, appeals and Petitions for Writ of Certiorari, whether in State or Federal Court.

Notwithstanding any other provision contained in this Agreement, the City shall not save and hold harmless and defend the County from and against all claims and liability for loss, damage, injury, or death arising out of the City's decision to enter into this Agreement and delegate the authority contemplated herein as requested by the County.

Section 9

Amendments or Modifications

No waiver, amendment, release, or modification of this Agreement shall be effective unless made in writing and executed by both parties hereto.

IN WITNESS WHEREOF, the County and the City, acting by and through their duly authorized agents, have caused this Agreement to be executed on the date indicated herein.

CITY OF PEACHTREE CORNERS, GEORGIA

By: _____
Mike Mason, Mayor

Attest: _____
Kym Chereck, City Clerk

(City Seal)

GWINNETT COUNTY, GEORGIA

By: _____
Charlotte J. Nash, Chairman
Gwinnett County Board of Commissioners

Attest: _____
County Clerk or Assistant County Clerk

(County Seal)

Work Session

LED Lighting

Proposed Amendment to Zoning Code Overlay Standards (highlighted) 4/21/15

Section 1315. Activity Center/ Corridor Overlay District Requirements

Section 1315.2 Design Requirements

4. Signage; Temporary Uses; Peddling; Commercial Lighting

4a. Except as contained herein, sizes and amount of signage shall not exceed the requirements of the Sign Ordinance.

4b. Oversized Signs or Billboards shall not be permitted.

4c. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.

4d. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

4e. Peddlers shall be prohibited.

4f. Flexible tube lighting or any form of strip lighting around commercial windows, store fronts, or commercial signage shall be prohibited.

Work Session
Veterans
Memorial

Veterans Memorial Features Matrix

Features	City				
	Johns Creek (Veterans Memorial Walk)	Milton (Freedom Park)	Snellville	Lawrenceville (Gwinnett Fallen Hero Memorial)	Atlanta History Center (Veterans Memorial Park)
Flags	X (7)	X (9)		X (13)	X
Fountain			X		X
Bench / Seating	X	X		X	X
Commemorative Bricks	X		X		
Monuments	X	X		X	X
Sculpture / Art				X (bronze eagle)	Seals on the ground representing each branch of military
Meandering Walkway	X	X			
Decorative Wall	X				X
Picnic tables					X
Wi-Fi					X
Grass Lawn area	X				X
Gazebo	X				
Unique Features		Includes .15 mile fitness trail	eternal flame		Panels with QR codes access video files and oral history
Approx. Size	4 acres	½ acre	1000 sq. ft.	2000 sq. ft.	1 acre

Veterans Memorials



Johns Creek



Snellville



Milton



Atlanta History Center

Work Session

EDP/SWMP

Ordinance

Worksheet

CITY OF PEACHTREE CORNERS

STATE OF GEORGIA

ORDINANCE NO:

AN ADDITION TO THE CODE OF ORDINANCES, CITY OF PEACHTREE CORNERS, GEORGIA TO PROVIDE CONSTRUCTION SITE WASTE MANAGEMENT; TO PROVIDE FOR CODIFICATION; TO PROVIDE SEVERABILITY; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, The duly elected governing authority 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 duly electing governing authority of the City of Peachtree Corners, Georgia is the Mayor and Council thereof; and

WHEREAS, Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

WHEREAS, The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

WHEREAS, Localities in the State of Georgia are required to comply with a number of both State and Federal laws, regulations and permits which require a locality to address the stormwater runoff quality and nonpoint source pollution; and

NOW, THEREFORE, BE IT ORDAINED, BY THE GOVERNING AUTHORITY OF THE CITY OF PEACHTREE CORNERS, GEORGIA:

Section 1. The Construction Site Waste Management Ordinance is hereby adopted to read as follows:

City of Peachtree Corners Construction Site Waste Management Ordinance

Table of Contents

- **Section 1. Discarded Building Materials and Construction Waste Disposal Requirements**
- **Section 2. Storage and Disposal of Construction Site Waste**
- **Section 3. Disposal of Hazardous Materials**
- **Section 4. Maintenance Requirements**
- **Section 5. Violations**

Section 1. Discarded Building Materials and Construction Waste Disposal Requirements

Discarded building materials, concrete truck washout, chemicals, paint washout, litter, sanitary waste, and other construction site wastes must be properly managed and disposed of to reduce the risk of pollution from materials such as surplus or refuse building materials or hazardous wastes.

Practices such as trash disposal, recycling, proper material handling, and spill prevention and clean up measures must be implemented to reduce the potential for storm water runoff to mobilize construction site wastes and contaminate surface or ground water.

The proper management and disposal of wastes should be practiced at all construction sites to reduce stormwater runoff.

1. Waste management practices must be used to properly locate refuse piles.
2. Cover materials that may be displaced by rainfall or stormwater runoff.
3. Prevent all spill and leaks of hazardous wastes.

Guidelines for the proper handling, storage, and disposal of construction site waste must be posted in storage and use areas on site.

Section 2. Storage and Disposal of Construction Site Waste

Designate a waste collection area onsite that does not receive a substantial amount of runoff from upland areas and does not drain directly to a water body.

Designate areas for concrete trucks and equipment to be washed down so that it will not flow into storm drains or become surface water runoff that would lead to the storm drains. Under no circumstances should concrete truck wash out be conducted in the road or directly into storm drains.

Designate areas for paint cans and equipment to wash down that will not flow into storm drains or become surface water runoff that would lead to the storm drains or ground water recharge areas. Under no circumstances should excess paint be washed out in the road or directly into storm drains.

Ensure that containers have lids so they can be covered before periods of rain. Keep containers in a covered area whenever possible.

Schedule waste collection to prevent containers from overflowing, which would prevent them from being able to be covered.

Clean up spills immediately. For hazardous materials, follow cleanup instructions on the package. Use an absorbent material such as sawdust or cat litter to contain the spill.

1. During the demolition phase of construction, provide extra containers and schedule more frequent pick-ups.
2. Collect, remove, and dispose of all construction site waste at authorized disposal areas.

Section 3. Disposal of Hazardous Materials

Steps must be taken to ensure the proper disposal of hazardous materials:

Local waste management authorities must be consulted about the requirements of disposing of hazardous materials.

A hazardous waste container must be emptied and cleaned before it is disposed of to prevent leaks.

The original product label must never be removed from the container as it contains important safety information. Follow manufacturer's recommended method of disposal, which should be printed on the label.

If excess products need to be disposed of, they must never be mixed during disposal unless specifically recommended by the manufacturer.

Consult State and local solid waste regulatory agencies and private firms to ensure the proper disposal of contaminated soils that have been exposed to and still contain hazardous substances.

The following practices must be used to reduce risks associated with pesticides or to reduce the amount of pesticides that come in contact with stormwater:

1. Follow all federal, state, and local regulations that apply to the use, handling, and disposal of pesticides.
2. Do not handle the materials any more than necessary.
3. Store pesticides in a dry, covered area.
4. Construction curbs or dikes to contain pesticides in case of spillage.
5. Follow the recommended application rates and methods.
6. Have equipment and absorbent materials available in areas where pesticides are stored and used in order to contain and clean up any spills that occur.

The following management practices must be followed to reduce the contamination risk associated with petroleum products:

1. Store petroleum products and fuel for vehicles in dry, covered areas with construction curbs or dikes to contain any spills.
2. Immediately contain and clean up any spills with absorbent materials.
3. Have equipment available in fuel storage areas and in vehicles to contain and clean up spills.

Section 4. Maintenance Requirements

Containers or equipment that may malfunction and cause leaks or spills must be identified through regular inspection of storage and use areas.

Equipment and containers must be inspected regularly for leaks, corrosion, support or foundation failure, or any other signs of deterioration and should be tested for soundness. Any found to be defective must be repaired or replaced immediately.

If failures to the onsite BMPs occur, such as sediment build up in the road way, this must be shoveled by hand or with a road sweeper. Under no circumstances should this sediment be washed down into the storm drainage system or the creeks and streams.

Section 5. Violations

Violations will be handled according to the City of Peachtree Corners' ordinances as they relate to stormwater management, erosion control, and illicit discharge or illegal connections.

Except as modified herein, The Code of the City of Peachtree Corners, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

This ordinance shall become effective immediately upon second and final reading.

FIRST READING HELD ON THE ___ DAY OF _____, 2015.

PASSED AND ADOPTED ON THE SECOND AND FINAL READING THIS ___ DAY OF _____, 2015.

Mike Mason, Mayor

ATTEST:

Kym Chereck, City Clerk

Work Session
Construction Site
Waste
Management
Ordinance

CODE AND ORDINANCE WORKSHEET

About the Adobe Acrobat Form

Note: Acrobat Reader will not save the information entered into a form. Saving changes is only possible with a full version of Acrobat.

- The blue fields indicate that an answer is required.
- The gray fields are for notes and are not required, but highly recommended.
- The green fields will automatically summarize the points – no input is needed here.

To fill out a form:

1. Select the hand tool .
2. Position the pointer inside a form field, and click. The I-beam pointer allows you to type text. If your pointer appears as a pointing finger, you can select an item from a list (i.e., YES or NO).
3. After entering text or making a selection, press Tab to accept the form field change and go to the next or previous field.
4. Once you have filled in the appropriate form fields, do both of the following:
 - Choose File > Export > Form Data to save the form data in a separate FDF file. Type a filename and click save.
 - Print the form so that you have a hard copy for your records.

And Most Importantly...

Send CWP a copy! Let us know how you did!

The Code and Ordinance Worksheet allows an in-depth review of the standards, ordinances, and codes (i.e., the development rules) that shape how development occurs in your community. You are guided through a systematic comparison of your local development rules against the model development principles. Institutional frameworks, regulatory structures and incentive programs are included in this review. The worksheet consists of a series of questions that correspond to each of the model development principles. Points are assigned based on how well the current development rules agree with the site planning benchmarks derived from the model development principles.

The worksheet is intended to guide you through the first two steps of a local site planning roundtable.

Step 1: Find out what the Development Rules are in your community.

Step 2: See how your rules stack up to the Model Development Principles.

The homework done in these first two steps helps to identify which development rules are potential candidates for change.

PREPARING TO COMPLETE THE CODE AND ORDINANCE WORKSHEET

Two tasks need to be performed before you begin in the worksheet. First, you must identify all the development rules that apply in your community. Second, you must identify the local, state, and federal authorities that actually administer or enforce the development rules within your community. Both tasks require a large investment of time. The development process is usually shaped by a complex labyrinth of regulations, criteria, and authorities. A team approach may be helpful. You may wish to enlist the help of a local plan reviewer, land planner, land use attorney, or civil engineer. Their real-world experience with the development process is often very useful in completing the worksheet.

Identify the Development Rules

Gather the key documents that contain the development rules in your community. A list of potential documents to look for is provided in Table 1. Keep in mind that the information you may want on a particular development rule is not always found in code or regulation, and maybe hidden in supporting design manuals, review checklists, guidance document or construction specifications. In most cases, this will require an extensive search. Few communities include all of their rules in a single document. Be prepared to contact state and federal, as well as local agencies to obtain copies of the needed documents.

Table 1: Key Local Documents that will be Needed to Complete the COW
Zoning Ordinance
Subdivision Codes
Street Standards or Road Design Manual
Parking Requirements
Building and Fire Regulations/Standards
Stormwater Management or Drainage Criteria
Buffer or Floodplain Regulations
Environmental Regulations
Tree Protection or Landscaping Ordinance
Erosion and Sediment Control Ordinances
Public Fire Defense Masterplans
Grading Ordinance

Identify Development Authorities

Once the development rules are located, it is relatively easy to determine which local agencies or authorities are actually responsible for administering and enforcing the rules. Completing this step will provide you with a better understanding of the intricacies of the development review process and helps identify key members of a future local roundtable. Table 2 provides a simple framework for identifying the agencies that influence development in your community. As you will see, space is provided not only for local agencies, but for state and federal agencies as well. In some cases, state and federal agencies may also exercise some authority over the local development process (e.g., wetlands, some road design, and stormwater).

USING THE WORKSHEET: HOW DO YOUR RULES STACK UP TO THE MODEL DEVELOPMENT PRINCIPLES?

Completing the Worksheet

Once you have located the documents that outline your development rules and identified the authorities responsible for development in your community, you are ready for the next step. You can now use the worksheet to compare your development rules to the model development principles. The worksheet is presented at the end of this chapter. The worksheet presents seventy-seven site planning benchmarks. The benchmarks are posed as questions. Each benchmark focuses on a specific site design practice, such as the minimum diameter of cul-de-sacs, the minimum width of streets, or the minimum parking ratio for a certain land use. You should refer to the codes, ordinances, and plans identified in the first step to determine the appropriate development rule. The questions require either a yes or no response or specific numeric criteria. If your development rule agrees with the site planning benchmark, you are awarded points.

Calculating Your Score

A place is provided on each page of the worksheet to keep track of your running score. In addition, the worksheet is subdivided into three categories:

- Residential Streets and Parking Lots (Principles No. 1 - 10)
- Lot Development (Principles No. 11 - 16)
- Conservation of Natural Areas (Principles No. 17 - 22).

For each category, you are asked to subtotal your score. This “**Time to Assess**” allows you to consider which development rules are most in line with the site planning benchmarks and what rules are potential candidates for change.

The total number of points possible for all of the site planning benchmarks is 100. Your overall score provides a general indication of your community's ability to support environmentally sensitive development. As a general rule, if your overall score is lower than 80, then it may be advisable to systematically reform your local development rules. A score sheet is provided at end of the Code and Ordinance Worksheet to assist you in determining where your community's score places in respect to the Model Development Principles. Once you have completed the worksheet, go back and review your responses. Determine if there are specific areas that need improvement (e.g., development rules that govern road design) or if your development rules are generally pretty good. This review is key to implementation of better development: assessment of your current development rules and identification of impediments to innovative site design. This review also directly leads into the next step: a site planning roundtable process conducted at the local government level. The primary tasks of a local roundtable are to systematically review existing development rules and then determine if changes can or should be made. By providing a much-needed framework for overcoming barriers to better development, the site planning roundtable can serve as an important tool for local change.

Table 2: Local, State, and Federal Authorities Responsible for Development in Your Community			
Development Responsibility	State/Federal	County	Town
Sets road standards	Agency:		
	Contact Name:		
	Phone No.:		
Review/approves subdivision plans	Agency:		
	Contact Name:		
	Phone No.:		
Establishes zoning ordinances	Agency:		
	Contact Name:		
	Phone No.:		
Establishes subdivision ordinances	Agency:		
	Contact Name:		
	Phone No.:		
Reviews/establishes stormwater management or drainage criteria	Agency:		
	Contact Name:		
	Phone No.:		
Provides fire protection and fire protection code enforcement	Agency:		
	Contact Name:		
	Phone No.:		
Oversees buffer ordinance	Agency:		
	Contact Name:		
	Phone No.:		
Oversees wetland protection	Agency:		
	Contact Name:		
	Phone No.:		
Establishes grading requirements or oversees erosion and sediment control program	Agency:		
	Contact Name:		
	Phone No.:		
Reviews/approves septic systems	Agency:		
	Contact Name:		
	Phone No.:		
Review/approves utility plans (e.g., water and sewer)	Agency:		
	Contact Name:		
	Phone No.:		
Reviews/approves forest conservation/ tree protection plans	Agency:		
	Contact Name:		
	Phone No.:		

1. Street Width

What is the minimum pavement width allowed for streets in low density residential developments that have less than 500 daily trips (ADT)? _____ feet

*If your answer is between **18-22 feet**, give yourself **4 points L***

At higher densities are parking lanes allowed to also serve as traffic lanes (i.e., queuing streets)? YES/ NO

*If your answer is **YES**, give yourself **3 points L***

Notes on Street Width (include source documentation such as name of document, section and page #):

2. Street Length

Do street standards promote the most efficient street layouts that reduce overall street length? YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Notes on Street Length (include source documentation such as name of document, section and page #):

3. Right-of-Way Width

What is the minimum right of way (ROW) width for a residential street? _____ feet

*If your answer is **less than 45 feet**, give yourself **3 points L***

Does the code allow utilities to be placed under the paved section of the ROW? YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Notes on ROW Width (include source documentation such as name of document, section and page #):

4. Cul-de-Sacs

What is the minimum radius allowed for cul-de-sacs? _____ feet

*If your answer is **less than 35 feet**, give yourself **3 points L***

*If your answer is **36 feet to 45 feet**, give yourself **1 point L***

Can a landscaped island be created within the cul-de-sac? YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Are alternative turnarounds such as “hammerheads” allowed on short streets in low density residential developments? YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Notes on Cul-de-Sacs (include source documentation such as name of document, section and page #):

5. Vegetated Open Channels

Are curb and gutters required for most residential street sections?

YES/ NO

*If your answer is **NO**, give yourself **2 points L***

Are there established design criteria for swales that can provide stormwater quality treatment (i.e., dry swales, biofilters, or grass swales)?

YES/ NO

*If your answer is **YES**, give yourself **2 points L***

Notes on Vegetated Open Channel (include source documentation such as name of document, section and page #):

6. Parking Ratios

What is the minimum parking ratio for a professional office building (per 1000 ft² of gross floor area)?

_____ spaces

*If your answer is **less than 3.0 spaces**, give yourself **1 point L***

What is the minimum required parking ratio for shopping centers (per 1,000 ft² gross floor area)?

_____ spaces

*If your answer is **4.5 spaces or less**, give yourself **1 point L***

What is the minimum required parking ratio for single family homes (per home)?

_____ spaces

*If your answer is **less than or equal to 2.0 spaces**, give yourself **1 point L***

Are your parking requirements set as maximum or median (rather than minimum) requirements?

YES/ NO

*If your answer is **YES**, give yourself **2 points L***

Notes on Parking Ratios (include source documentation such as name of document, section and page #):

7. Parking Codes

Is the use of shared parking arrangements promoted?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Are model shared parking agreements provided?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Are parking ratios reduced if shared parking arrangements are in place?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

If mass transit is provided nearby, is the parking ratio reduced?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Notes on Parking Codes (include source documentation such as name of document, section and page #):

8. Parking Lots

What is the minimum stall width for a standard parking space?

_____ feet

If your answer is **9 feet or less**, give yourself **1 point L**

What is the minimum stall length for a standard parking space?

_____ feet

If your answer is **18 feet or less**, give yourself **1 point L**

Are at least 30% of the spaces at larger commercial parking lots required to have smaller dimensions for compact cars?

YES/ NO

If your answer is **YES**, give yourself **1 point L**

Can pervious materials be used for spillover parking areas?

YES/ NO

If your answer is **YES**, give yourself **2 points L**

Notes on Parking Lots (include source documentation such as name of document, section and page #):

9. Structured Parking

Are there any incentives to developers to provide parking within garages rather than surface parking lots?

YES/ NO

If your answer is **YES**, give yourself **1 point L**

Notes on Structured Parking (include source documentation such as name of document, section and page #):

10. Parking Lot Runoff

Is a minimum percentage of a parking lot required to be landscaped?

YES/ NO

If your answer is **YES**, give yourself **2 points L**

Is the use of bioretention islands and other stormwater practices within landscaped areas or setbacks allowed?

YES/ NO

If your answer is **YES**, give yourself **2 points L**

Notes on Parking Lot Runoff (include source documentation such as name of document, section and page #):

@ Time to Assess: Principles 1 - 10 focused on the codes, ordinances, and standards that determine the size, shape, and construction of parking lots, roadways, and driveways in the suburban landscape. There were a total of **40** points available for Principles 1 - 10. What was your total score?

Subtotal Page 5 ____ + Subtotal Page 6 ____ + Subtotal Page 7 ____ =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

11. Open Space Design

Are open space or cluster development designs allowed in the community?

YES/ NO

*If your answer is **YES**, give yourself **3 points L***

*If your answer is **NO**, skip to question No. 12*

Is land conservation or impervious cover reduction a major goal or objective of the open space design ordinance?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Are the submittal or review requirements for open space design greater than those for conventional development?

YES/ NO

*If your answer is **NO**, give yourself **1 point L***

Is open space or cluster design a by-right form of development?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Are flexible site design criteria available for developers that utilize open space or cluster design options (e.g., setbacks, road widths, lot sizes)

YES/ NO

*If your answer is **YES**, give yourself **2 points L***

Notes on Open Space Design (include source documentation such as name of document, section and page #):

12. Setbacks and Frontages

Are irregular lot shapes (e.g., pie-shaped, flag lots) allowed in the community?

If your answer is **YES**, give yourself **1 point L**

YES/ NO

What is the minimum requirement for front setbacks for a one half (1/2) acre residential lot?

If your answer is **20 feet or less**, give yourself **1 point L**

_____ feet

What is the minimum requirement for rear setbacks for a one half (1/2) acre residential lot?

If your answer is **25 feet or less**, give yourself **1 point L**

_____ feet

What is the minimum requirement for side setbacks for a one half (1/2) acre residential lot?

If your answer is **8 feet or less**, give yourself **1 points L**

_____ feet

What is the minimum frontage distance for a one half (1/2) acre residential lot?

If your answer is **less than 80 feet**, give yourself **2 points L**

_____ feet

Notes on Setback and Frontages (include source documentation such as name of document, section and page #):

13. Sidewalks

What is the minimum sidewalk width allowed in the community?

If your answer is **4 feet or less**, give yourself **2 points L**

_____ feet

Are sidewalks always required on both sides of residential streets?

If your answer is **NO**, give yourself **2 points L**

YES/ NO

Are sidewalks generally sloped so they drain to the front yard rather than the street?

If your answer is **YES**, give yourself **1 point L**

YES/ NO

Can alternate pedestrian networks be substituted for sidewalks (e.g., trails through common areas)?

If your answer is **YES**, give yourself **1 point L**

YES/ NO

Notes on Sidewalks (include source documentation such as name of document, section and page #):

14. Driveways

What is the minimum driveway width specified in the community?

If your answer is **9 feet or less (one lane) or 18 feet (two lanes)**, give yourself **2 points L**

_____ feet

Can pervious materials be used for single family home driveways (e.g., grass, gravel, porous pavers, etc)?

YES/ NO

*If your answer is **YES**, give yourself **2 points** **L***

Can a “two track” design be used at single family driveways?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Are shared driveways permitted in residential developments?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Notes on Driveways (include source documentation such as name of document, section and page #):

15. Open Space Management

Skip to question 16 if open space, cluster, or conservation developments are not allowed in your community.

Does the community have enforceable requirements to establish associations that can effectively manage open space?

YES/ NO

*If your answer is **YES**, give yourself **2 points** **L***

Are open space areas required to be consolidated into larger units?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Does a minimum percentage of open space have to be managed in a natural condition?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Are allowable and unallowable uses for open space in residential developments defined?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Can open space be managed by a third party using land trusts or conservation easements?

YES/ NO

*If your answer is **YES**, give yourself **1 point** **L***

Notes on Open Space Management (include source documentation such as name of document, section and page #):

16. Rooftop Runoff

Can rooftop runoff be discharged to yard areas?

YES/ NO

*If your answer is **YES**, give yourself **2 points** **L***

Do current grading or drainage requirements allow for temporary ponding of stormwater on front yards or rooftops?

YES/ NO

*If your answer is **YES**, give yourself **2 points** **L***

Notes on Rooftop Runoff (include source documentation such as name of document, section and page #):

@ Time to Assess: Principles 11 through 16 focused on the regulations which determine lot size, lot shape, housing density, and the overall design and appearance of our neighborhoods. There were a total of **36** points available for Principles 11 - 16. What was your total score?

Subtotal Page 8 ____ + Subtotal Page 9 ____ + Subtotal Page 10 ____ =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

17. Buffer Systems

Is there a stream buffer ordinance in the community?

YES/ NO

*If your answer is **YES**, give yourself **2 points L***

If so, what is the minimum buffer width?

_____ feet

*If your answer is **75 feet or more**, give yourself **1 point L***

Is expansion of the buffer to include freshwater wetlands, steep slopes or the 100-year floodplain required?

YES/ NO

*If your answer is **YES**, give yourself **1 point L***

Notes on Buffer Systems (include source documentation such as name of document, section and page #):

18. Buffer Maintenance

If you do not have stream buffer requirements in your community, skip to question No. 19

Does the stream buffer ordinance specify that at least part of the stream buffer be maintained with native vegetation?

YES/ NO

*If your answer is **YES**, give yourself **2 points L***

Does the stream buffer ordinance outline allowable uses?

YES/ NO

*If your answer is **YES**, give yourself **1 point***

Does the ordinance specify enforcement and education mechanisms?

YES/ NO

*If your answer is **YES**, give yourself 1 point **L***

Notes on Buffer Systems (include source documentation such as name of document, section and page #):

19. Clearing and Grading

Is there any ordinance that requires or encourages the preservation of natural vegetation at residential development sites?

YES/ NO

*If your answer is **YES**, give yourself 2 points **L***

Do reserve septic field areas need to be cleared of trees at the time of development?

YES/ NO

*If your answer is **NO**, give yourself 1 point **L***

Notes on Buffer Maintenance (include source documentation such as name of document, section and page #):

20. Tree Conservation

If forests or specimen trees are present at residential development sites, does some of the stand have to be preserved?

YES/ NO

*If your answer is **YES**, give yourself 2 points **L***

Are the limits of disturbance shown on construction plans adequate for preventing clearing of natural vegetative cover during construction?

YES/ NO

*If your answer is **YES**, give yourself 1 point **L***

Notes on Tree Conservation (include source documentation such as name of document, section and page #):

21. Land Conservation Incentives

Are there any incentives to developers or landowners to conserve non-regulated land (open space design, density bonuses, stormwater credits or lower property tax rates)?

YES/ NO

*If your answer is **YES**, give yourself 2 points **L***

Is flexibility to meet regulatory or conservation restrictions (density compensation, buffer averaging, transferable development rights, off-site mitigation) offered to developers?

YES/ NO

*If your answer is **YES**, give yourself 2 points **L***

Notes on Land Cons. Incentives (include source documentation such as name of document, section and page #):

22. Stormwater Outfalls

Is stormwater required to be treated for quality before it is discharged?

YES/ NO

If your answer is **YES**, give yourself **2 points L**

Are there effective design criteria for stormwater best management practices (BMPs)?

YES/ NO

If your answer is **YES**, give yourself **1 point L**

Can stormwater be directly discharges into a jurisdictional wetland without pretreatment?

YES/ NO

If your answer is **NO**, give yourself **1 point L**

Does a floodplain management ordinance that restricts or prohibits development within the 100-year floodplain exist?

YES/ NO

If your answer is **YES**, give yourself **2 points L**

Notes on Stormwater Outfalls (include source documentation such as name of document, section and page #):

Code and Ordinance Worksheet

Subtotal Page 13

@ Time to Assess: Principles 17 through 22 addressed the codes and ordinances that promote (or impede) protection of existing natural areas and incorporation of open spaces into new development. There were a total of 24 points available for Principles 17 - 22. What was your total score?

Subtotal Page 11 ____ + Subtotal Page 12 ____ + Subtotal Page 13 ____ =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

To determine final score, add up subtotal from each **@Time to Assess**

Principles 1 - 10 (Page 8)

Principles 11 - 16 (Page 11)

Principles 17 - 22 (Page 13)

TOTAL

SCORING (A total of 100 points are available):

Your Community's Score

90- 100		Congratulations! Your community is a real leader in protecting streams, lakes, and estuaries. Keep up the good work.
80 - 89		Your local development rules are pretty good, but could use some tweaking in some areas.
79 - 70		Significant opportunities exist to improve your development rules. Consider creating a site planning roundtable.
60 - 69		Development rules are inadequate to protect your local aquatic resources. A site planning roundtable would be very useful.
less than 60		Your development rules definitely are not environmentally friendly. Serious reform of the development rules is needed.