

**CITY OF PEACHTREE CORNERS**  
**PLANNING COMMISSION**  
**MARCH 10, 2015**

The City of Peachtree Corners held a Planning Commission meeting. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Planning Commission: Matt Houser, Chairman, Post D  
Alan Kaplan, Post A  
Mark Middleton, Post B - Absent  
Mark Willis, Post C  
Italia Metts, Post E - Absent

Staff: Diana Wheeler, Community Development Director  
Kym Chereck, City Clerk

**MINUTES:**

**MOTION TO APPROVE THE MINUTES FROM THE JANUARY 13,  
2015 PLANNING COMMISSION MEETING.**

**By: Alan Kaplan**

**Seconded by: Mark Willis**

**Vote: Passed 3-0 (Kaplan, Willis, Houser)**

**OLD BUSINESS:** (None)

**NEW BUSINESS:**

**1. SUP2015-001**

Request approval of site plan revisions, building elevations, and associated variances pursuant to condition 2G of Gwinnett County case CIC-08-021 for a 6.47 acre retail center development located at 5242 Peachtree Parkway (Corner of Peachtree Parkway and Peachtree Corners Circle); 6th District ; Land Lot 301; Parcel 31.

Mrs. Diana Wheeler, Community Development Director, presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant is requesting approval of site plan revisions, building elevations and associated variances pursuant to condition 2G of Gwinnett County case CIC-08-021. This request is for a 6.47 acre tract of land located at the northeast corner of Peachtree Corners Circle. Site plans and proposed conditions were provided in the Commission's packets and can be obtained at the City Clerk's office. Staff recommended approval of 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 ~~strikethrough~~) followed by Peachtree Corners specific conditions:

**Gwinnett County Original Conditions (as modified):**

1. 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 match and be a continuation of the landscaping at Chase Bank.
  - 2. Temporary disturbance area shown on the Peachtree Retail Master Plan dated 2/27/15 shall be replanted as approved by the City Arborist.
  - 3. Internal landscape strips and parking areas shall be developed substantially as shown on the Peachtree Retail Master Plan dated 2/27/15.
  - 4. 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 applicant shall be responsible for construction of the pedestrian access from his property to the stream trail. If all of the applicant's property has been sold at the time that the stream trail is built, the Property Owners Association shall be required to have the pedestrian access built.
- 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.

Mr. Lee Tucker of Mahaffey Pickens Tucker, LLP represented the applicant. The applicant, Mr. Charlie Roberts and Mr. Tucker presented the case to the Commission.

Chairman Houser opened the floor for public comment. Mr. Bob Howard, a Peachtree Corners resident, expressed concern with the height of the retaining wall and materials to be used on the retaining wall, and access from the Black Walnut restaurant to the Town Center.

A motion was made after discussion concerning access to the Town Center, the height of the proposed retaining wall and building materials.

**MOTION TO APPROVE SUP2015-001 WITH STAFF CONDITIONS, BUT WITH THE FOLLOWING CHANGES OR ADDITIONS, NUMBER ONE, THAT THE APPLICANT WILL SOD AND MAINTAIN THE RIGHT-OF-WAY IN THE SAME FASHION AS THEIR OWN PROPERTY, SO AS TO MAINTAIN THE SAME APPEARANCE AS THEIR OWN PROPERTY, AND AT SUCH TIME A PROPERTY ASSOCIATION EXISTS THEY WOULD TAKE OVER THAT RESPONSIBILITY; NUMBER TWO, ON THE LANDSCAPE STRIP FOR THE ENTIRE FRONTAGE OF PEACHTREE PARKWAY, THE APPLICANT SHALL AT A MINIMUM PLANT 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, AND THAT THIS LANDSCAPING SHALL BE APPROVED BY STAFF POST INSTALLATION TO INSURE THAT IT MEETS THE CONDITION; NUMBER THREE, THE MODIFICATION TO RECOMMENDED CONDITION CC TO READ *THE APPLICANT SHALL BE RESPONSIBLE FOR HIS PROPORTIONATE SHARE OF THE COST OF DESIGN AND CONSTRUCTION OF A PEDESTRIAN BRIDGE THAT SPANS FROM THE PARKING LOT OF THE APPLICANTS PROPERTY TO THE PARKING LOT OF THE TOWN CENTER PROPERTY AT SPECIFIC LOCATIONS DETERMINED BY STAFF. IF ALL OF THE APPLICANT'S PROPERTY HAS BEEN SOLD AT THE TIME THAT THE STREAM TRAIL IS BUILT, THE PROPERTY OWNERS ASSOCIATION SHALL BE REQUIRED TO HAVE THE PEDESTRIAN ACCESS BUILT, AND NUMBER FOUR, THAT THE LANDSCAPE STRIP INTERNAL TO THE PROPERTY BETWEEN THE TWO BUILDINGS, WHICH IS ALONGSIDE OF THE PARKING AND DRIVE FROM PEACHTREE PARKWAY SHALL BE HEAVILY PLANTED WITH HARDWOOD TREES WHICH ARE 12 - 15 FOOT AT PLANTING AND THE SPACING TO BE APPROVED BY STAFF, AND SAID LANDSCAPING SHALL HAVE A BOULEVARD TYPE EFFECT, THIS AND THE ENTIRE LANDSCAPE PLAN FOR THIS DEVELOPMENT SHALL BE APPROVED BY STAFF.***

**By: Alan Kaplan**

**Seconded: Mark Willis**

**Vote: (3-0) (Kaplan, Willis, Houser)**

**CITY BUSINESS ITEMS:**

Winters Chapel Road Area Study preliminary report presented by Pond + Company.

Mrs. Diana Wheeler, Community Development Director, informed the Commission that this was a joint study with Dunwoody, Sandy Spring and

Peachtree Corners. Ms. Andrea Greco of Pond and Company gave a brief overview of the preliminary report concerning the Study. Ms. Greco stated that after meeting with the public at a joint community meeting, Pond and Company's recommendations were to add crosswalks, bus shelters, street furniture, drainage, and to complete the sidewalk network. After discussion the Commission recommended a multi-use trail for residential use.

The Planning Commission meeting concluded at 8:51 PM.

Approved,



Matt Houser, Chairman

Attest:



Kym Chereck, City Clerk

