



PLANNING COMMISSION AGENDA

February 9, 2016
7:00 PM
CITY HALL

- A. Roll Call
- B. Approval of January 12, 2016 Minutes
- C. Old Business: (None)
- D. New Business:
 1. RZ2016-001/ SUP2016-001, South Old Peachtree Rd. Auto Repair Request to rezone and approve a special use permit for an auto repair and storage facility on 6.89 acres at 4285 South Old Peachtree Rd., in District 6, Land Lots 259 and 268, Parcels 016,373 and 374, Peachtree Corners, GA
 2. RZ2015-006 / SUP 2015-005/ V2016-002 Twin Lakes, Request to rezone ten parcels in District 6 of Peachtree Corners, Georgia, to allow commercial, multi-family, and trail development and approve a special use permit for a liquor store and associated variances on a total of 38.73 acres, as follows:
 - Parcel #1 Rezone from M-1, Light Industry, to TO, Trails and Open Space, an 8.87 acre tract located in LL284, parcel 015 at 3550 Engineering Dr.
 - Parcel #2 Rezone from M-1, Light Industry, to C2, Commercial, a 1.9 acre tract LL284, parcel 016 and 018 on Peachtree Parkway at Engineering Dr.
 - Parcel #3 Rezone from M-1, Light Industry, to C2, Commercial, and approve a special use permit for a liquor store on a 4.7 acre tract located in LL284, parcel 018 on Peachtree Parkway at Engineering Dr.
 - Parcel #4 Rezone from M-1, Light Industry, to C2, Commercial, and TO, Trails and Open Space, a 1.23 acre tract located in LL 285, parcel 056 on Technology Parkway near Westech Dr.
 - Parcel #5 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .73 acre tract located in LL284, parcel 040 on Technology Pkwy. near Westech Dr.
 - Parcel #6 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .35 acre tract located in LL284, parcel 041 on Technology Pkwy. near Westech Dr.

- **Parcel #7** Rezone from M-1, Light Industry, to TO, Trails and Open Space, a 4.33 acre tract located in LL285, parcel 010 on Technology Pkwy. near Westech Dr.
 - **Parcels #8, #9, #10** Rezone from M-1, Light Industry, to RM-13, Multi-Family Residence, three tracts consisting of 14.03 acres located in LL272, parcels 061, 062, and 064 on Peachtree Industrial Blvd. and 510 and 520 Guthridge Ct.
3. **V2016-001**, Town Center, Request for a stream buffer variance (in conjunction with SUP2015-003 approved 6/9/2015) for a portion of a 19.6 acre property located at Peachtree Parkway near Forum Dr. in District 6, Land Lot 301, Parcel 183, Peachtree Corners, GA

E. City Business Items:

1. **Multi-Use Trail Study Final Report -**

Lord, Aeck, Sargent

F. Comments by Staff and Planning Commissioners.

G. Adjournment.



CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
January 12, 2016

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

Staff: Diana Wheeler, Community Development Director
Jennifer Davis, Deputy City Clerk

MINUTES:

**MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 8, 2015
PLANNING COMMISSION MEETING.**

By: Mark Willis

Seconded by: Italia Metts

Vote: Passed 4-0 (Willis, Metts, Houser, Kaplan)

OLD BUSINESS: (None)

NEW BUSINESS:

- 1. SUP2015-006 Adult Day Care Center. Request for a special use permit to allow an adult day care center in an M-2, Heavy Industry, zoning district on a portion of a 13.1 acre site located at 4350 Peachtree Industrial Blvd. in Dist. 6, Land Lot 268, Parcel 008, Peachtree Corners, GA.**

DRAFT COPY

Mrs. Diana Wheeler, Community Development Director, presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant requests a Special Use Permit on a portion of a 13.1-acre parcel, currently zoned M-2 (Heavy Industry District), to allow an Adult Day Care Center. The property is located on the southwest corner of Peachtree Industrial Boulevard and Turman Drive, and currently has Special Use Permits granted by Gwinnett County in 2007 for a church and a private school. The applicant has stated that the building is currently being used for a part-time school. The site plan provided by the applicant shows the proposed Adult Day Care Center located in an existing suite near the north side of the structure. The letter of intent indicates the proposed hours of operation for the Adult Day Care Center would be from 8:00am through 2:00pm. The Center would serve up to 112 guests and staff, and is currently pending State licensing. An Adult Day Care Center would add to the diversity of businesses in the Character Area and would serve as an amenity to nearby residential areas.

After review of the applicant's proposal and other relevant information, it is recommended that SUP2015-006 be approved with the following conditions:

1. The Adult Day Care Center shall be developed in general accordance with the site plan submitted with this application. The proposed use shall be limited to space within the existing structures on the subject property.
2. The Adult Day Care Center shall be limited to a maximum of 112 guests and staff at any time.
3. Hours of operation shall be limited to 8:00am to 2:00pm, seven days per week.

A representative on behalf of Good Fortune, LLC spoke briefly regarding the Special Use Permit request and answered questions from the board.

Chairman Houser opened the floor for public comment. There was no public comment. A motion was made after discussion concerning extending the applicants requested operating hours.

MOTION TO APPROVE SUP2015-006 WITH STAFF CONDITIONS AS PRESENTED WITH EXCEPTION OF AN AMENDMENT TO CHANGE THE HOURS FROM 8 AM – 2 PM TO 8 AM – 5PM.

By: Mark Willis

Seconded: Alan Kaplan

Vote: (4-0) (Willis, Kaplan, Houser, Metts)

CITY BUSINESS:

1. **PH2015-008 M1 Uses in CDB.** Request to amend the list of M-1 permitted uses within the CBD.

Mrs. Diana Wheeler, Community Development Director, informed the

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Commission of the amendment to the Zoning Code prohibiting the M-1 uses listed below within the Central Business District. Included in the Commission's packets was a draft Ordinance for review and proposed list of prohibited M-1 uses within the Central Business District.

Chairman Houser opened the floor for public comment. There was no public comment.

MOVE TO RECOMMEND PH2015-008 TO COUNCIL FOR APPROVAL.

By: Mark Willis

Seconded: Italia Metts

Vote: (4-0) (Willis, Metts, Houser, Kaplan)

2. Congratulation to Alan Kaplan and Mark Middleton on their reappointment to the Planning Commission.

3. Election of Planning Commission Chairman and Vice-Chairman.

MOTION TO ELECT MATT HOUSER AS CHAIRMAN OF PLANNING COMMISSION.

By: Alan Kaplan

Seconded: Mark Willis

Vote: (4-0) (Kaplan, Willis, Houser, Metts)

MOTION TO ELECT ALAN KAPLAN AS VICE-CHAIRMAN OF PLANNING COMMISSION.

By: Mark Willis

Seconded: Italia Metts

Vote: (4-0) (Willis, Metts, Houser, Kaplan)

COMMENTS BY STAFF AND PLANNING COMMISSIONERS:

Mrs. Diana Wheeler, Community Development Director, gave updates on current and future city projects.

The Planning Commission meeting concluded at 7:45 PM.

Approved,

Attest:

Matt Houser, Chairman

Jennifer Davis, Deputy City Clerk

RZ2016-001/ SUP2016-001
South Old Peachtree Rd. Auto Repair

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING AND SPECIAL USE PERMIT ANALYSIS

PLANNING COMMISSION DATE: February 9, 2016

CITY COUNCIL DATE: March 15, 2016

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

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

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DATA:

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

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

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

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

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

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

ZONING STANDARDS:

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

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

Applicant's Response: No.

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

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

Applicant's Response: No.

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

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

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

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

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

Applicant's Response: No.

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

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

Applicant's Response: No.

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

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

Applicant's Response: No.

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

COMPREHENSIVE PLAN:

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

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

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

DEPARTMENT ANALYSIS:

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

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

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

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

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

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

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

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

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

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

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

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

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

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

PROPOSED DEVELOPMENT: _____

Staff Use Only This Section

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

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

Dwelling Unit Size (Sq. Ft.): _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Bldg. Sq. Ft.: 4,800

Gross Density: _____

FEE SCHEDULE

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

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

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

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

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

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

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

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

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

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

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

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

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

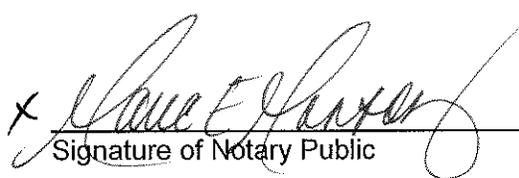
APPLICANT'S CERTIFICATION

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

 12-18-15
Signature of Applicant Date

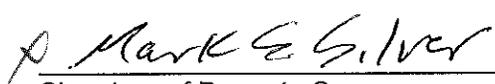
RAFAEL SOTO MORALES
Type or Print Name and Title

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

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

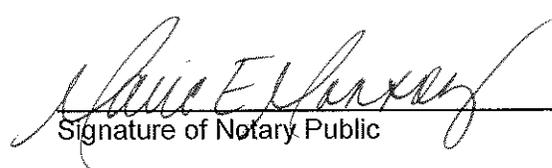
PROPERTY OWNER'S CERTIFICATION

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

 12-19-15
Signature of Property Owner Date

MARK S. SILVER
Type or Print Name and Title

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

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

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

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

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

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

NO

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

NO

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

YES. REPAIR SHOP WILL NOW BE AVAILABLE

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

NO

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

NO

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

NO

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

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

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

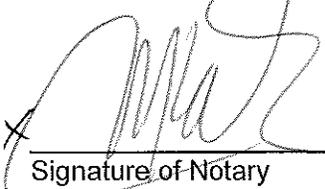
1. CAMPAIGN CONTRIBUTIONS

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

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

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

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

 12/18/15 Notary Seal
 Signature of Notary Date Notary Seal

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

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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

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

RAFAEL SOTO MORALES
Type or Print Name and Title

Tax Commissioners Use Only

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

[Signature] _____ TSAI _____
NAME TITLE

12-16-15
DATE

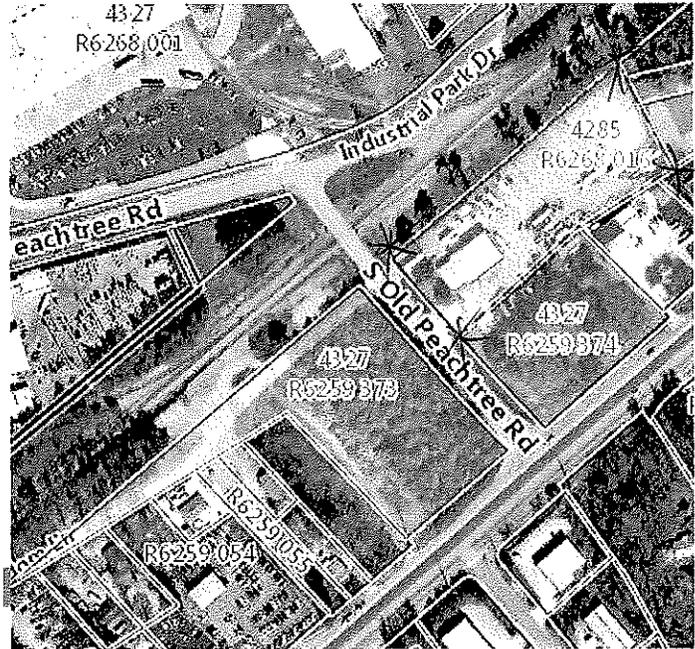


AVAILABLE FOR SALE

4285 S Old Peachtree Rd Norcross, GA 30071

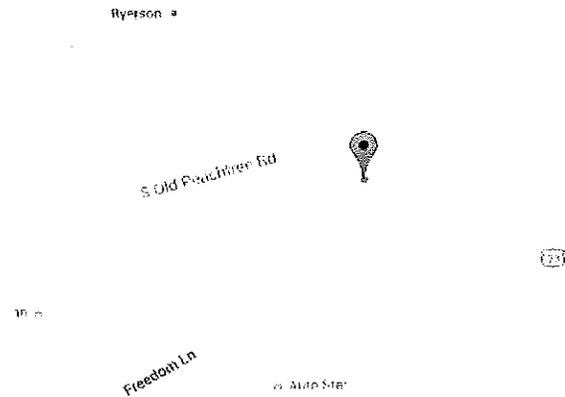
Space Profile

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



Features

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



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

For more information:

Scott Hardeman
404.446.1863
shardeman@cresa.com

Jim Bob Taylor
404.446.1864
jbtaylor@cresa.com

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

DISTRICT 06 DISTRICT 06 CAMP LOT

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

2598268



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

Owner Information

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

Location Information

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

Tax Information

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

Assessment & Tax

Assessment Year	2014	2013	2012
Assessed Value - Total	\$145,800	\$145,800	\$145,800
Assessed Value - Land	\$112,280	\$112,280	\$112,280
Assessed Value - Improved	\$33,520	\$33,520	\$33,520
YOY Assessed Change (\$)	\$0	\$0	
YOY Assessed Change (%)	0%	0%	
Market Value - Total	\$364,500	\$364,500	\$364,500
Market Value - Land	\$280,700	\$280,700	\$280,700
Market Value - Improved	\$83,800	\$83,800	\$83,800

Tax Year	Total Tax	Change (\$)	Change (%)
2012	\$5,048		
2013	\$6,097	\$1,050	20.79%
2014	\$6,090	-\$7	-0.12%

Characteristics

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

Features

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

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

Property Detail

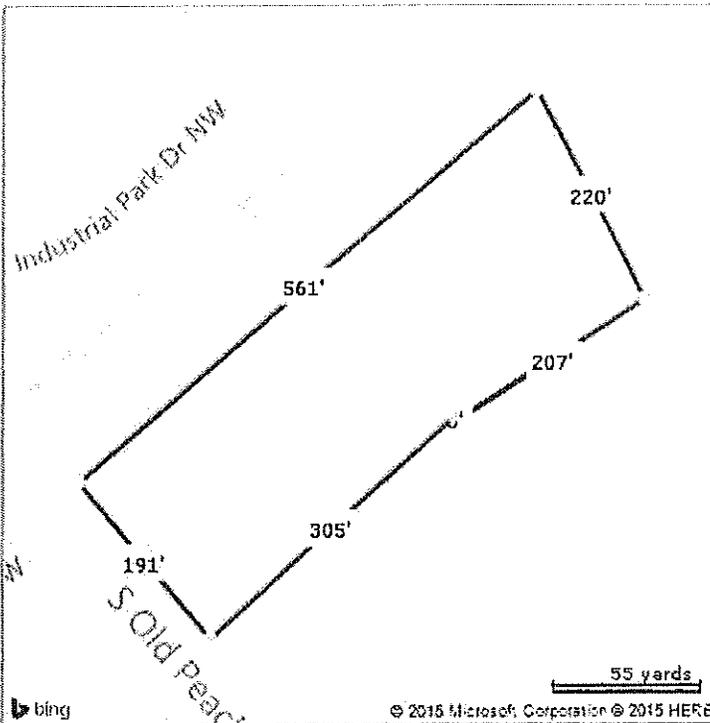
Overhead Dr-	S	192	12	16	
Paving Asphalt	S	6,000			1973

Last Market Sale & Sales History

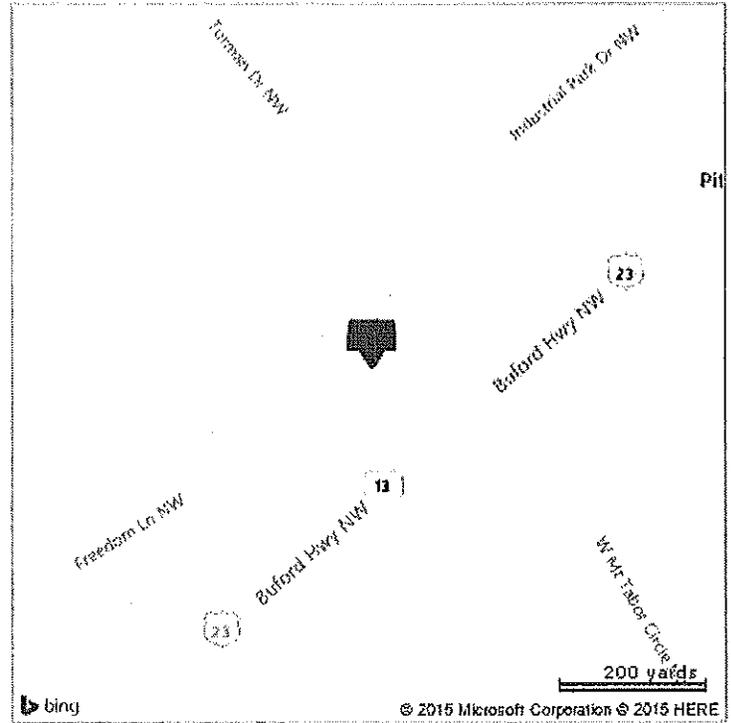
Settle Date: **02/28/1975** Document Number: **928-53**
 Sale Price: **\$57,600** Deed Type: **Deed (Reg)**
 Price Per Square Feet: **\$9.14**

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

Property Map



*Lot Dimensions are Estimated



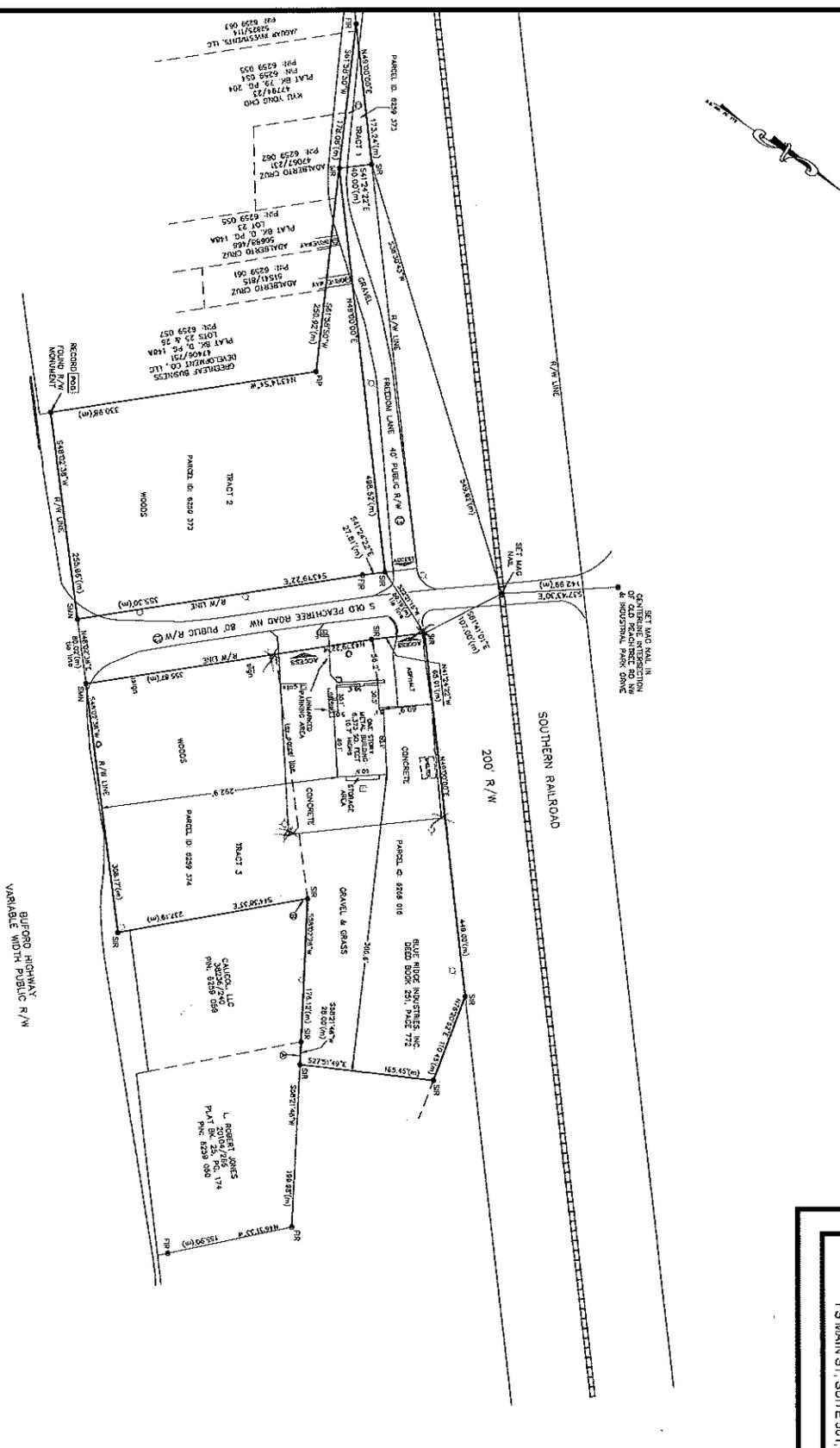
Courtesy of EDWIN G ALFARO, First Multiple Listing Service

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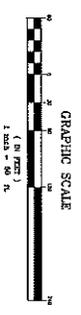
Property Detail

Generated on 12/09/2015

Page 2 of 2



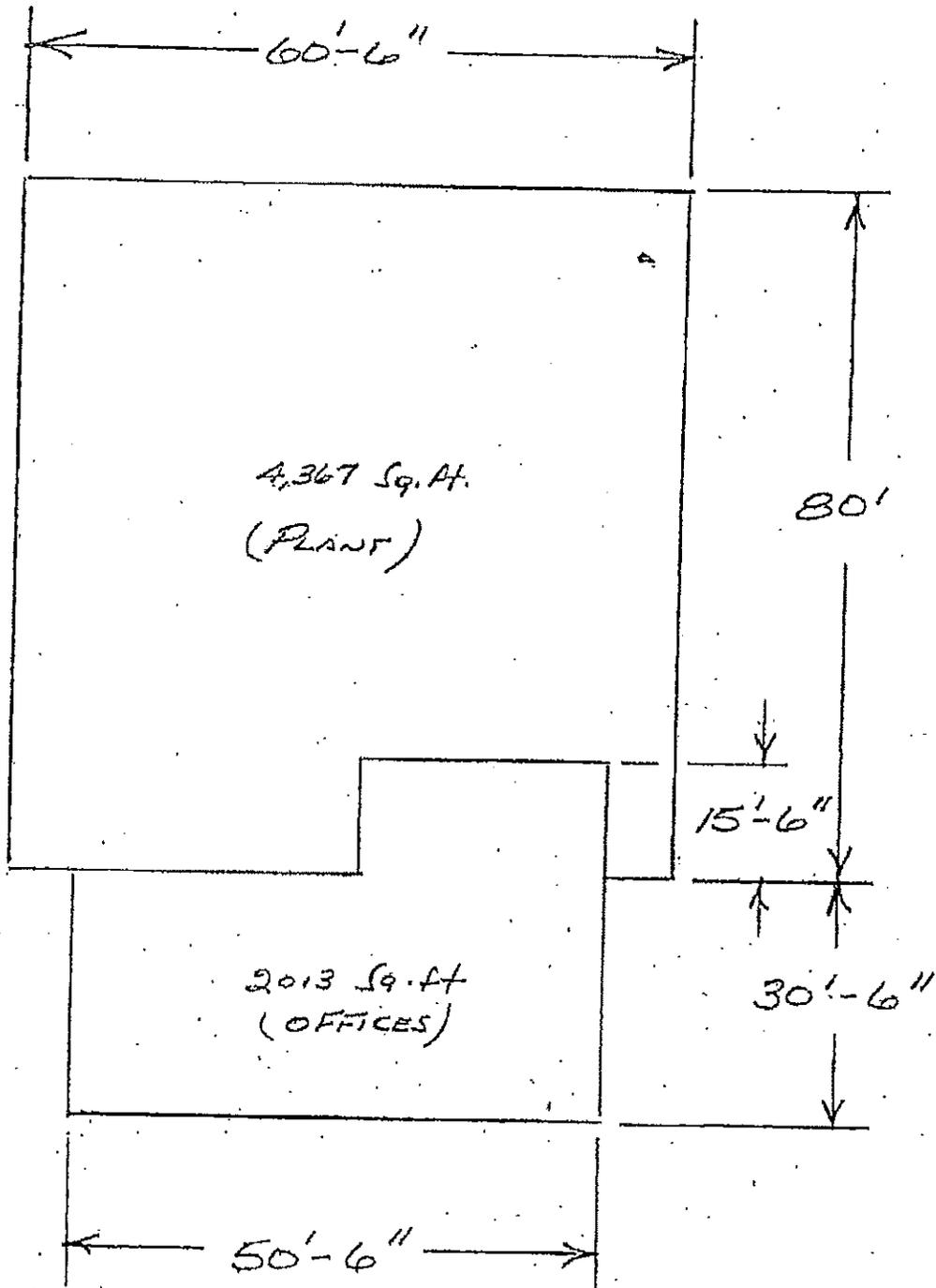
BIFORD HIGHWAY
VARIABLE WIDTH PUBLIC R/W



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

(919) 766-0605

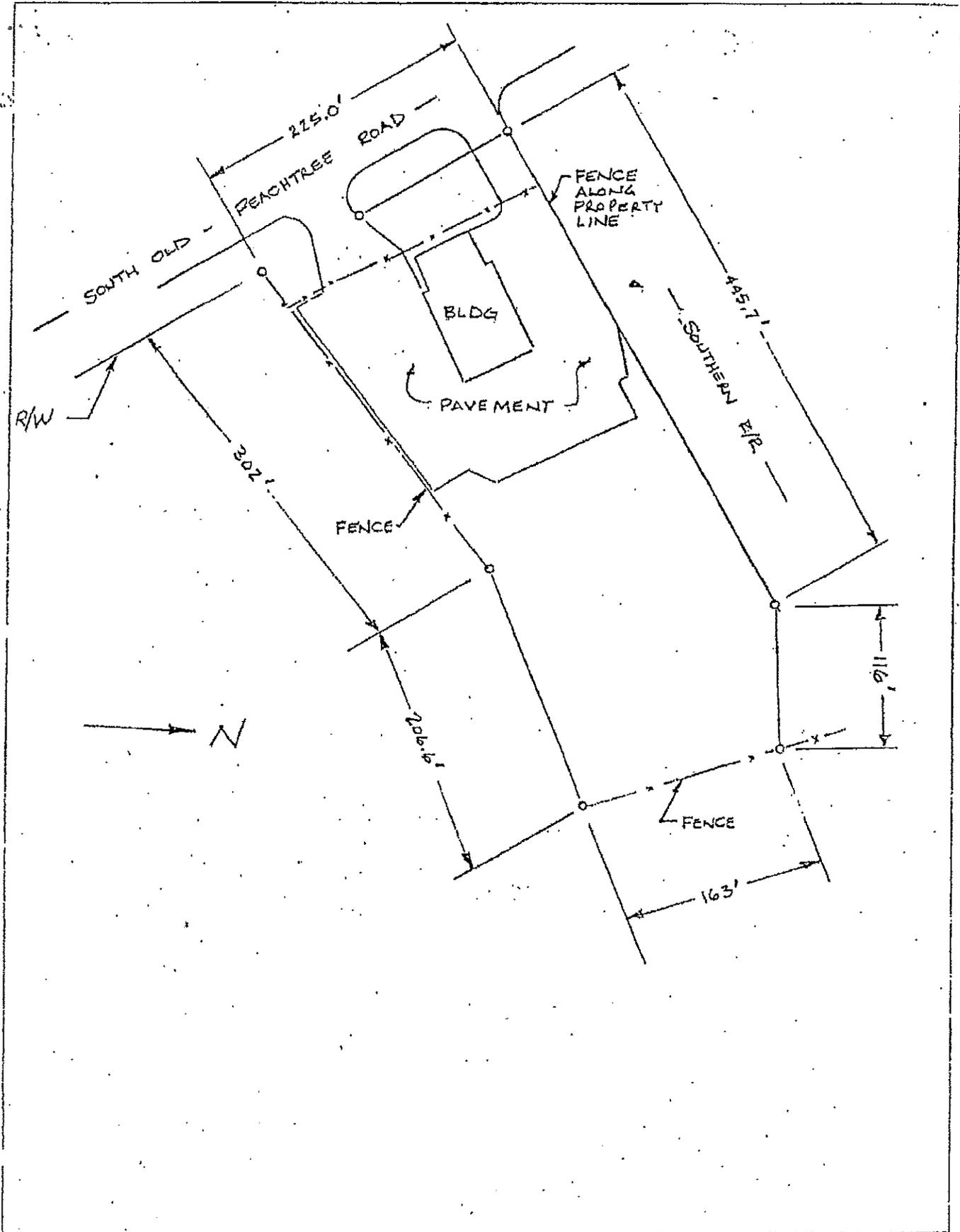
EXHIBIT "A" (2).



Dimensions are all outside to outside
MEASUREMENTS

CELL 2/10/87

EXHIBIT "A" (1)



7-27-1972

BOOK 500 PAGE 1447

STATE OF GEORGIA
COUNTY OF GWINNETT

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

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

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

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

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

WARRANTY DEED

STATE OF GEORGIA

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COUNTY OF FULTON

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

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of THREE HUNDRED FIFTEEN THOUSAND AND NO/100 (\$315,000.00) DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, all that tract or parcel of land lying and being in land lots 259 and 268 of the 5th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the northwest side of Buford Highway (U. S. Highway #23) at its intersection with the northeast line of property now or formerly owned by Wheeler, and running thence north 48 degrees east, along the northwest side of Buford Highway, 650 feet to an iron pin; running thence northwest along the southwest line of property now or formerly owned by Allen, 235 feet to an iron pin on the line separating land lots 268 and 259, said District and County; running thence north 58 degrees east along said land lot line 175 feet to an iron pin; continuing north 58 degrees east along said land lot line 229.3 feet to a stake; running thence southeast along the northeast line of property now or formerly owned by DuVall, 161.25 feet to a stake on the northwest side of Buford Highway; running thence northeast along the northwest side of said Highway, 350 feet to an iron pin; running thence north-west 100.4 feet to an iron pin on said line separating land lots 259 and 268, at said point also being located on the southerly side of a county road; running thence westerly along the southerly side of said county road 600 feet, more or less, to an iron pin located on the southeast side of the Southern Railway right-of-way line; running thence south 49 degrees west along said right-of-way 449 feet to an iron pin on the easterly side of a county road; continuing south 49 degrees

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

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

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

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

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

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

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

774

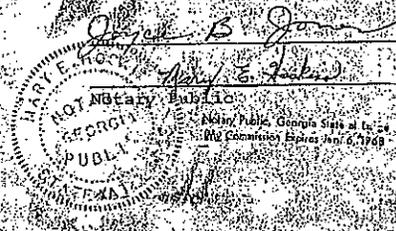
BEGINNING at an iron pin at the intersection of the northwest side of the Southern Railway right-of-way with the southeasterly side of a county road and running thence southwest along the southeasterly side of said county road 347 feet to an iron pin running thence south 28 degrees east 134 feet to an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

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

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

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

Signed, sealed and delivered in the presence of:



Walter T. Thomas
Walter T. Thomas as Trustee for The J. M. Tull Foundation

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

Pollard Turman
Pollard Turman as Trustee for The J. M. Tull Foundation

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

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

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

L. McDonnell
L. McDonnell as Trustee for The J. M. Tull Foundation

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

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

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

Filed for record April 2 1966 M Records April 14 1966
Attest Mark E. Jordan C.S.C.

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

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

Dear City of Peachtree Corners:

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

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

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

Sincerely,

Rafael Soto Morales







**TOMMY'S
DIESEL
SERVICE INC.**



770-622-8966



NOTICE
UNAUTHORIZED VEHICLES
ENTERING THIS PROPERTY
AT ANY TIME ARE
CONSIDERED AT THEIR
OWN RISK. THE OWNER
AND COMPANY ASSUME
NO LIABILITY FOR
DAMAGE TO OR
LOSS OF ANY VEHICLE
ENTERING THIS PROPERTY.

PROPERTY LOCATION MAP

S. Old Peachtree Rd. Auto Repair



CASE NUMBER:

RZ2016-001/SUP2016-001

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

FEB. 09, 2016

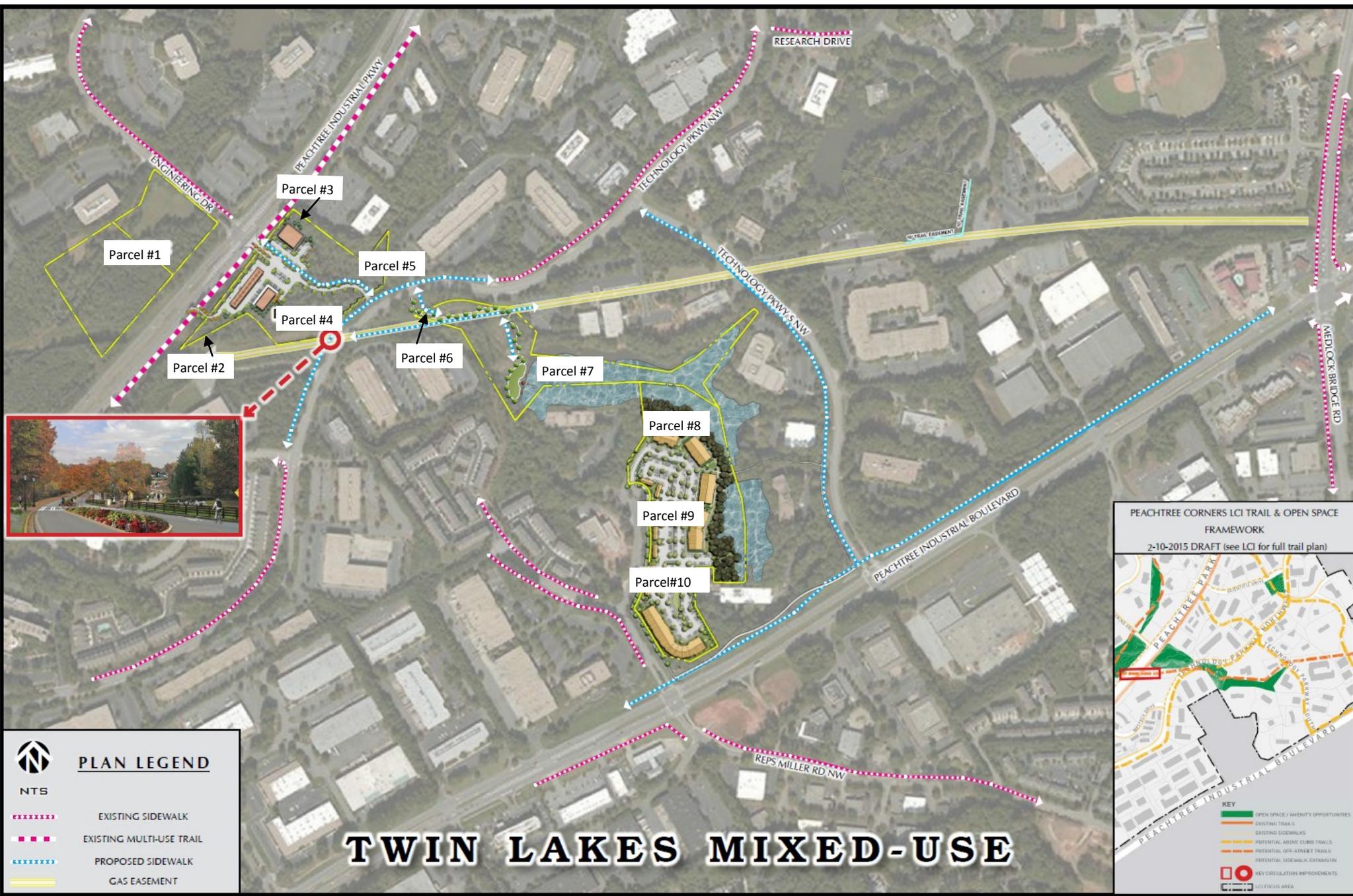
FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

4285 South Old Peachtree Rd

**RZ2015-006 / SUP 2015-005/
V2016-002
Twin Lakes**



PLAN LEGEND

NTS

	EXISTING SIDEWALK
	EXISTING MULTI-USE TRAIL
	PROPOSED SIDEWALK
	GAS EASEMENT

TWIN LAKES MIXED-USE

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

KEY

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

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING, SPECIAL USE PERMIT, AND VARIANCE ANALYSIS

PLANNING COMMISSION DATE: FEBRUARY 9, 2016

CITY COUNCIL DATE: MARCH 15, 2016

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

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DATA:

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

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

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

PARCEL DESCRIPTIONS

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

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

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

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

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

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

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

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

ZONING STANDARDS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN:

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

DEPARTMENT ANALYSIS:

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

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

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

The proposed development offers a community benefit through the contribution of over 15 acres to the Multi-Use Trail system. This contribution includes the construction of the first segment of the Multi-Use Trail path and provides public access to one of the largest lakes in Peachtree Corners.

CONCLUSION:

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

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

RECOMMENDATION:

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

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

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

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

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

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

4. The properties shall be rezoned C-2, commercial and shall be developed in general conformity with the submitted site plan prepared by Planners and Engineers Collaborative dated 11/15/15 (except as noted in condition #9).
5. A Special Use Permit shall be approved on Parcel #2 for a Liquor Store use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

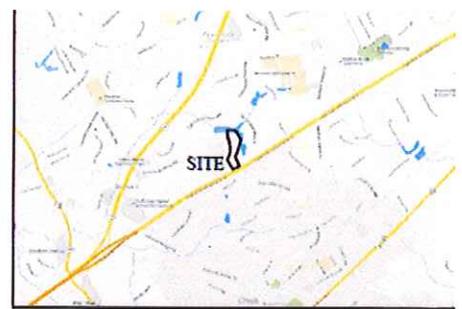
24. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.

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

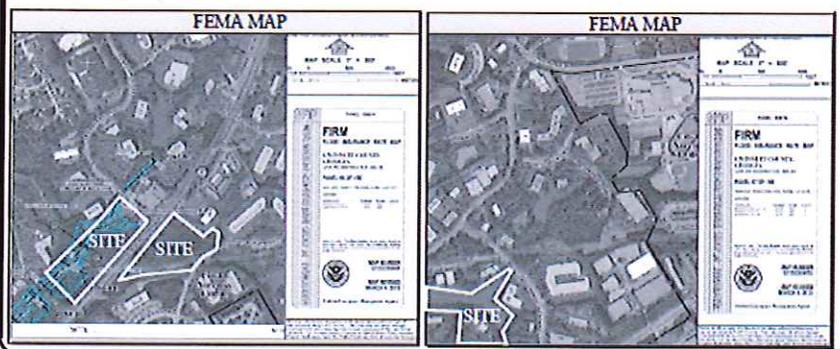
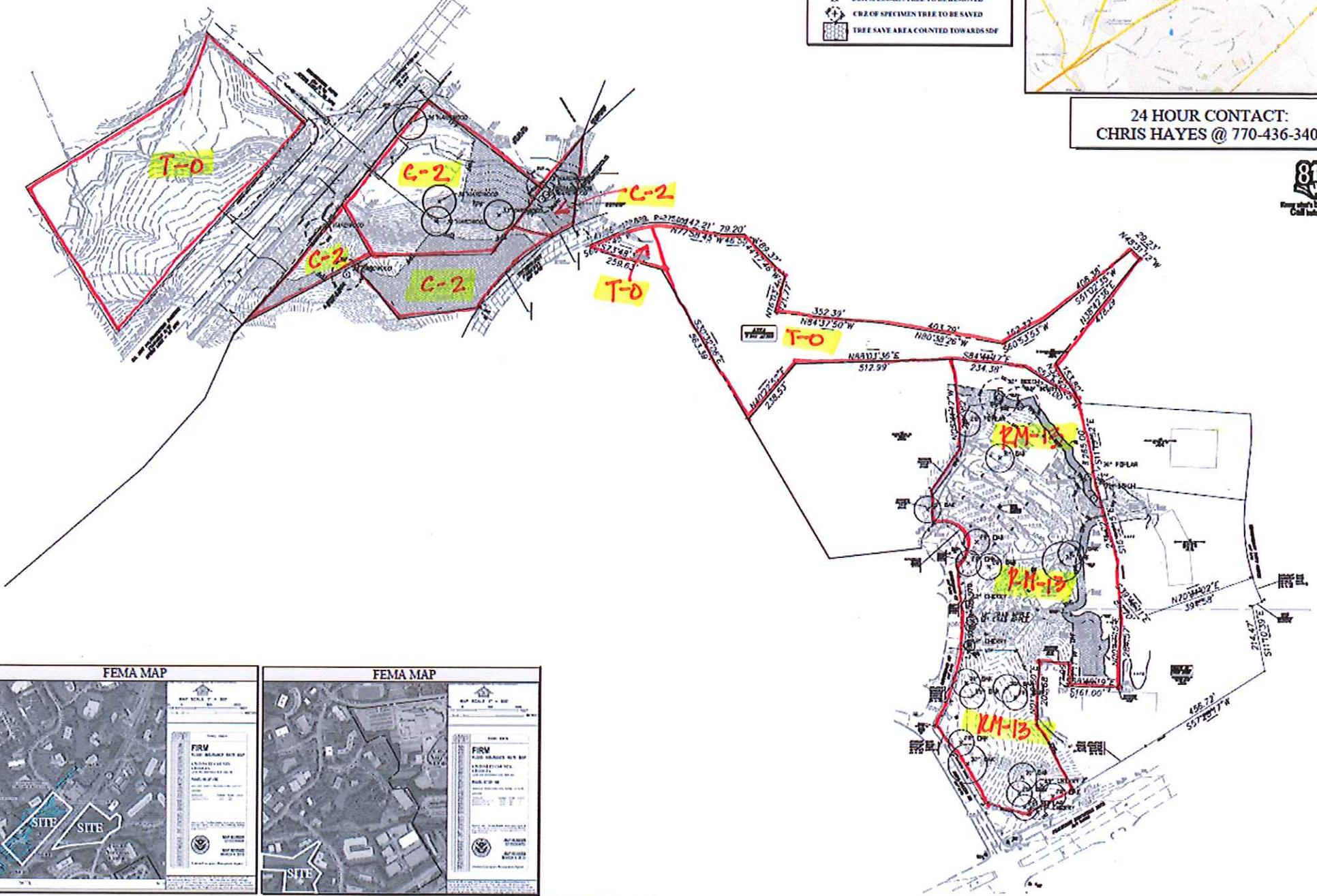
1. SURVEY, UTILITIES AND EXISTING TREE LOCATION INFORMATION TAKEN FROM SURVEY PERFORMED BY PLANNERS & ENGINEERS, DATED AUGUST 6, 2015.

KEY:

-  CRZ OF SPECIMEN TREE TO BE REMOVED
-  DNH SPECIMEN TREE TO BE REMOVED
-  CRZ OF SPECIMEN TREE TO BE SAVED
-  TREE SAVE AREA COUNTED TOWARDS SDF



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



Received 11/20/15 [Signature]

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

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

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

APPLICANT IS THE:

- OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

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

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

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

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

Staff Use Only This Section

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

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units 295

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

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 2

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

Gross Density: _____

FEE SCHEDULE

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

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

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

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

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

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

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

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

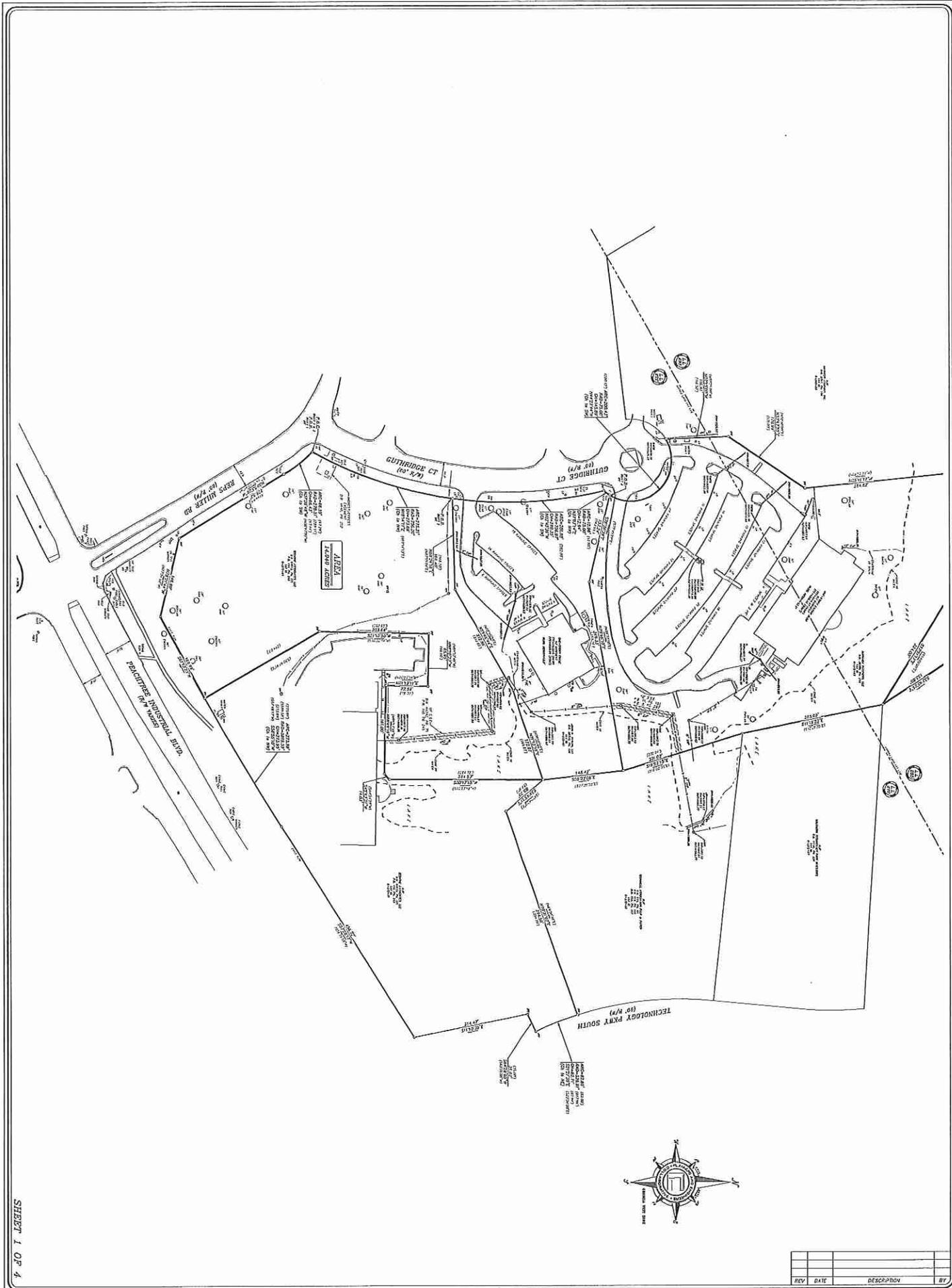
For the following office, commercial and industrial zoning districts: C-1, C-2, C-3, O-1, OBP, M-1, M-2, HS, NS.

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

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

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

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



SHEET 1 OF 4

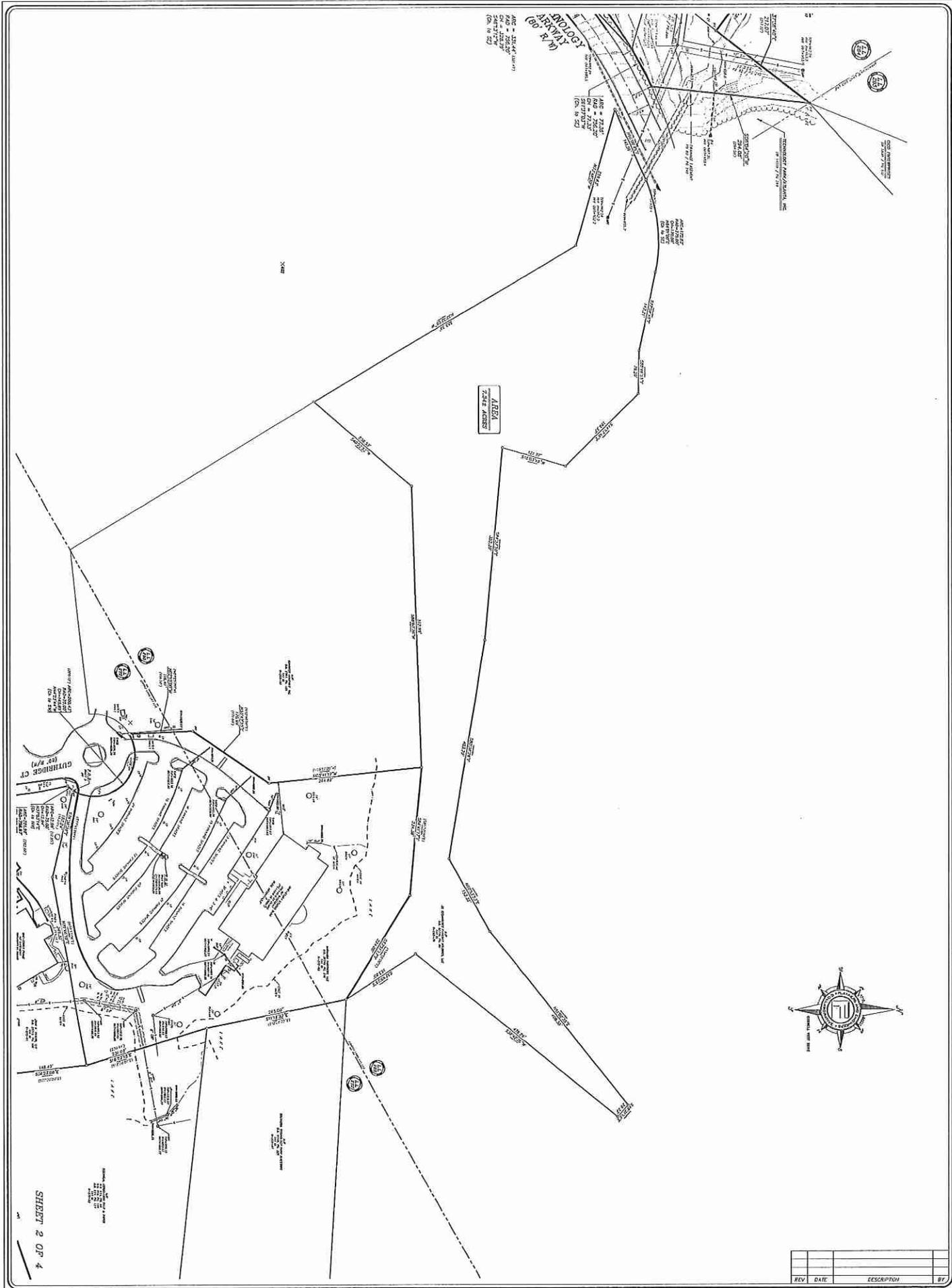
REV	DATE	DESCRIPTION	BY

PLANNERS AND ENGINEERS COLLABORATIVE
 "WE PROVIDE SOLUTIONS"
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 300 Peachtree Street - Suite 2000 - Atlanta, Georgia 30303 - (404) 525-1111
 www.pacoll.com

FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

GWINNETT COUNTY
 GEORGIA

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



SHEET 2 OF 4

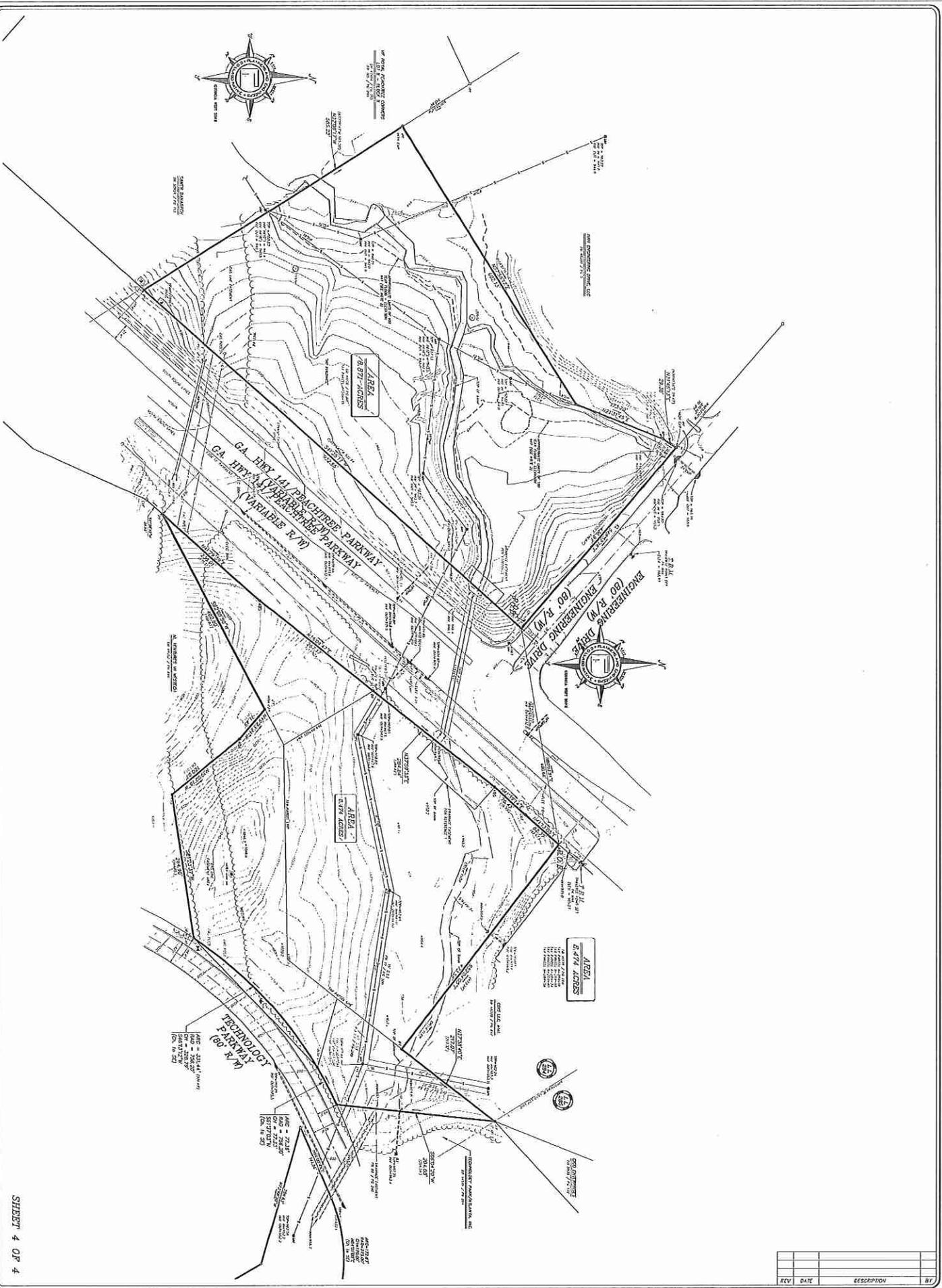
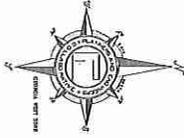


REV	DATE	DESCRIPTION	BY

PLANNERS AND ENGINEERS COLLABORATIVE
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 200 Peachtree Street, Suite 1000, Atlanta, Georgia 30309
 Phone: 404.525.1100 Fax: 404.525.1101
 www.pacoll.com

FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
 LOTS 272 & 285
 DISTRICT 8W
 GWINNETT COUNTY, GEORGIA

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



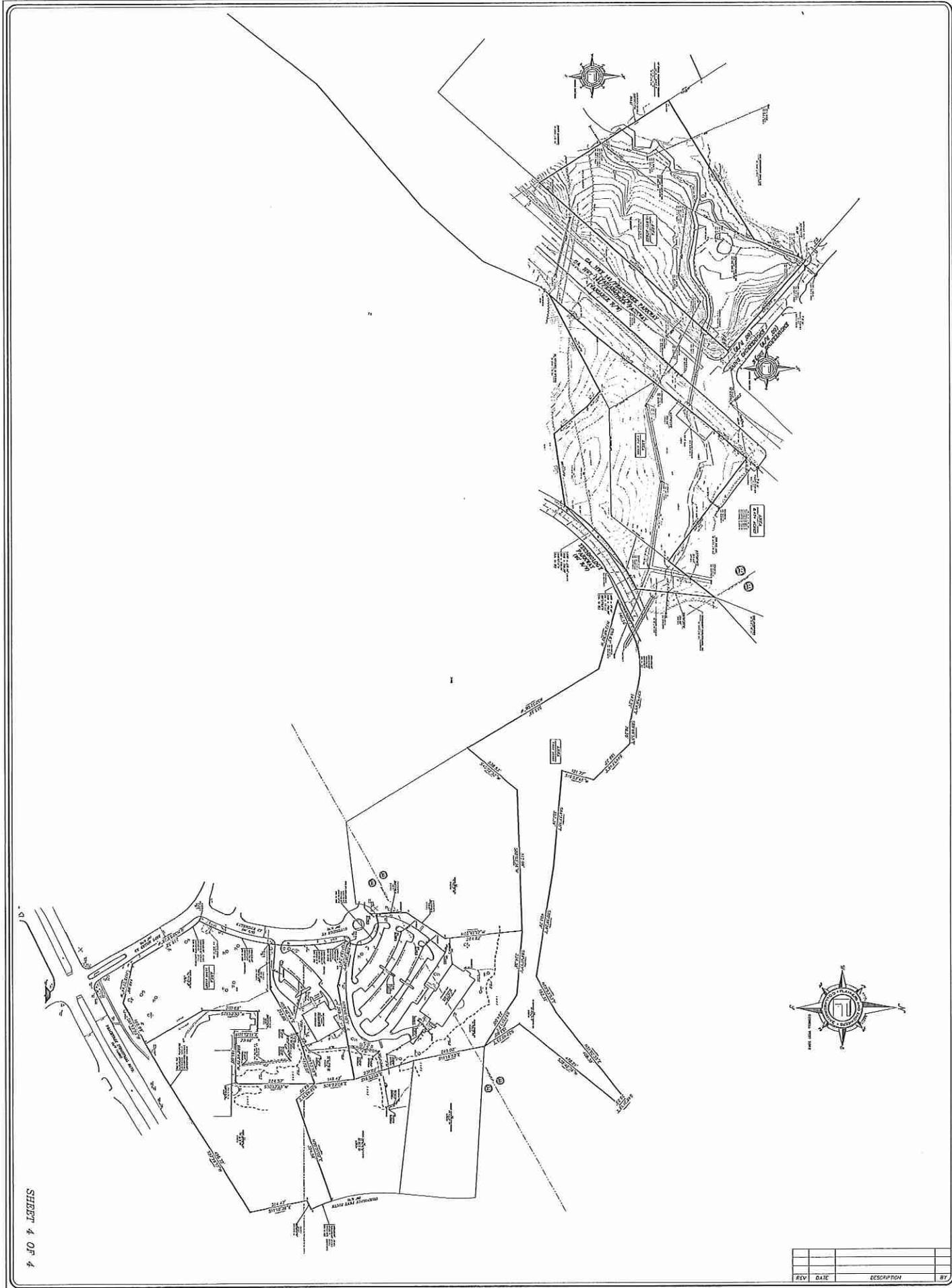
SHEET 4 OF 4

REV	DATE	DESCRIPTION	BY

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 305 Roswell Road - Roswell, Georgia - 30075 - (770) 401-2746
 www.pandec.com

TOR
 BELMONT ASSOCIATES, LLC
 FIRST AMERICAN TITLE INSURANCE COMPANY
 CHAMBLEE, GEORGIA

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



SHEET 4 OF 4

REV	DATE	DESCRIPTION	BY

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 www.collab.com

FOR
BELMONT ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

LAND LOTS 272 & 325
 DISTRICT 8M

GANNETT COUNTY
 GEORGIA

ZONING PLAN

DRAWN BY: JPH
 ENGINEER: BWS
 FILE NO.: 12091.03
 DATE: 11-18-2015
 SCALE: 1/8" = 1'-0"

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

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

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

Said tract containing 8.871 acres.

TOGETHER WITH:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Said tract containing 8.474 acres.

TOGETHER WITH:

**ZONING DESCRIPTION
PARCELS 6 & 7**

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

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

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

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

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

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

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

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

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

Said tract containing 7.34 acres, more or less.

TOGETHER WITH:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

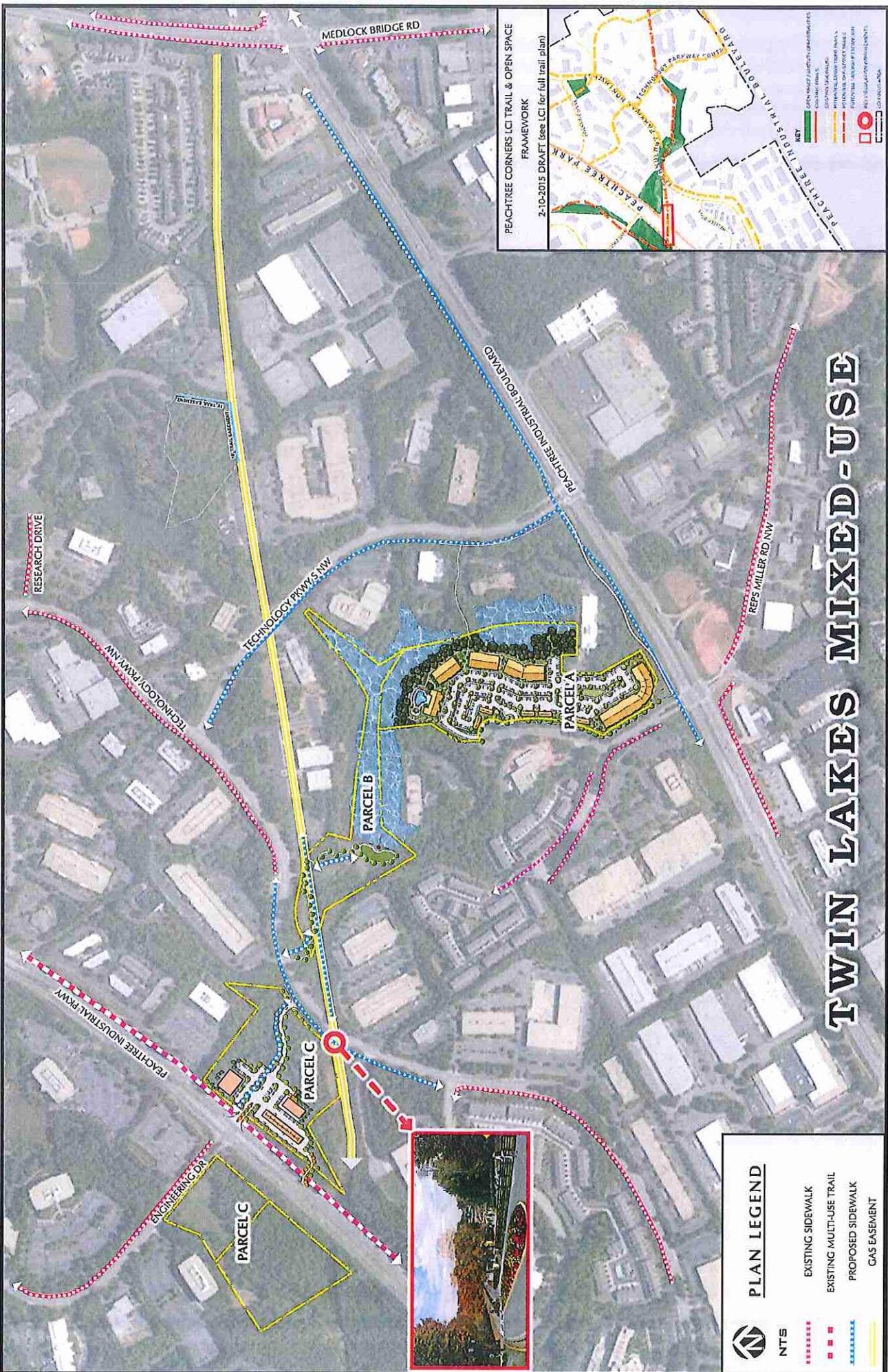
Thence leaving the Northwestern Right-of-Way line of Peachtree Industrial Blvd (Right-of-Way Varies), North 76 degrees 21 minutes 44 seconds West, a distance of 146.90 feet to an iron pin found;

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

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

Said tract containing 14.040 acres.

TOTAL AREA = 38.73± acres.



TWIN LAKES MIXED-USE

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



PLAN LEGEND

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



RESEARCH DRIVE
TECHNOLOGY PARK NW
PEACHTREE INDUSTRIAL PARKWAY
MEDLOCK BRIDGE RD
PEACHTREE INDUSTRIAL BOULEVARD
GRANDTROP BOULEVARD
PEACHTREE PARK
PARCEL A
PARCEL B
PARCEL C
ENGINEERING COR
REPS MILLER RD NW

TWIN LAKES AT TECH PARK

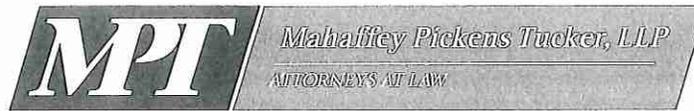
AMENITY LEGEND	
A	AMENITY POOL
B	CABANAS & GRILL
C	DOG PARK
D	BOCCE BALL & ARBORS
E	CAZEBO
F	ORGANIC GARDEN
G	OVERLOOK PORCH SWINGS
H	OUTDOOR AMENITY PATIO
I	FUTURE DOCK LOCATION
J	MAIL KIOSK
K	JOGGING PATH



BELMONT ASSOCIATES, LLC
 350 RESEARCH COURT
 NORCROSS, GEORGIA 30092
 PHONE: 404-307-8389

PLANNERS AND ENGINEERS COLLABORATIVE





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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Applicant respectfully requests your approval of these applications.

This 17th day of November, 2015.

Respectfully submitted,

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

R. Lee Tucker, Jr.
Attorney for the Applicant

EXHIBIT "A"

Property Owners List

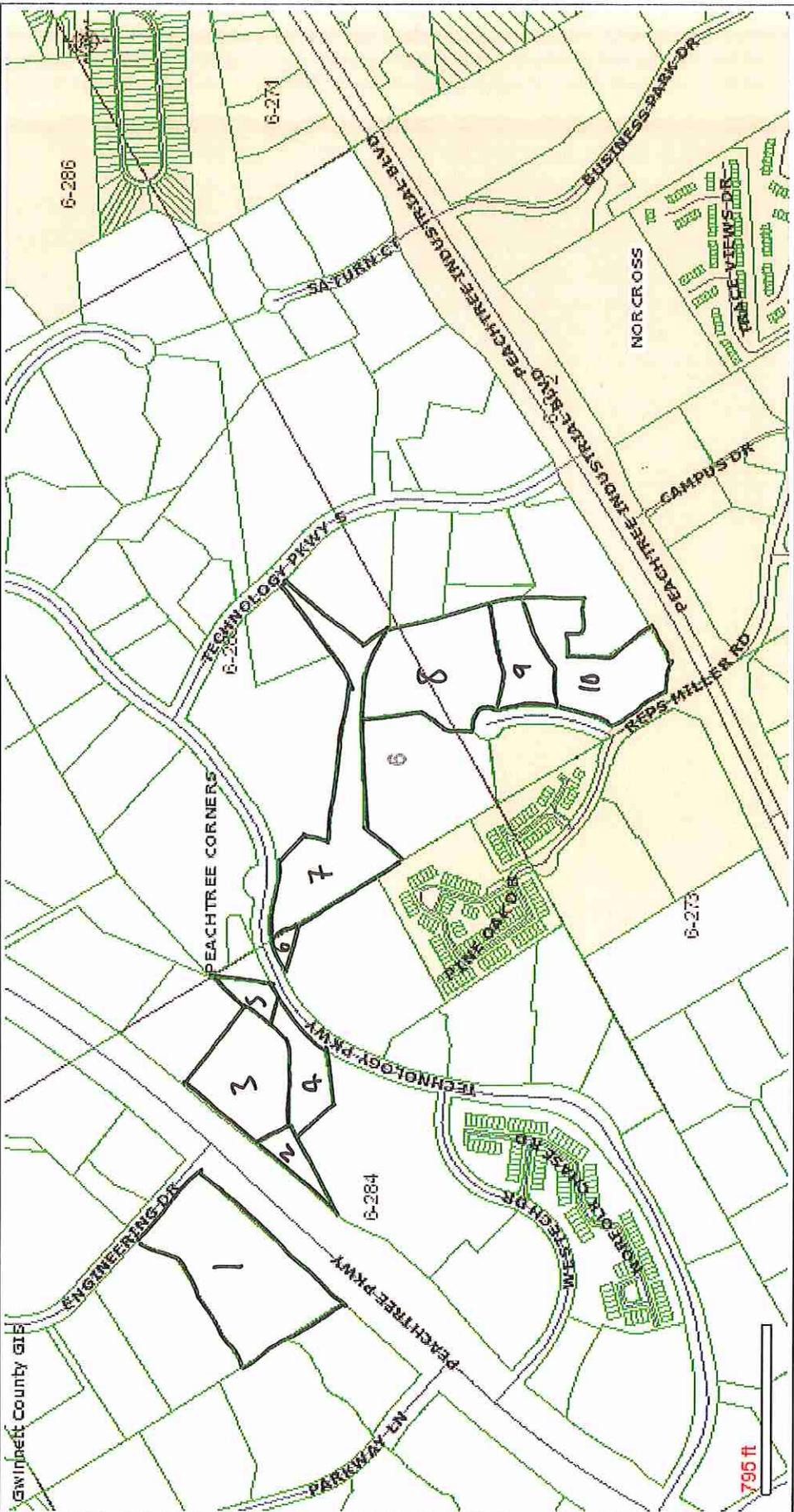
#	Owner	Parcel #	Address
1	Jettison, LLC	6284 015	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
2	Technology Park/Atlanta, Inc.	6284 016	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
3	Technology Park/Atlanta, Inc.	6284 018	3350 Riverwood Pkwy, Ste750, Atlanta, GA 30339
4	Technology Park/Atlanta, Inc.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

EXHIBIT B

Gwinnett County GIS Map

Contact

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



Map Printed On October 28, 2015

Copyright Gwinnett County GIS

Disclaimer See Terms

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The Genesis of a New City Center

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

CONCEPTUAL SITE PLAN OF FUTURE TOWN CENTER (BY OTHERS)



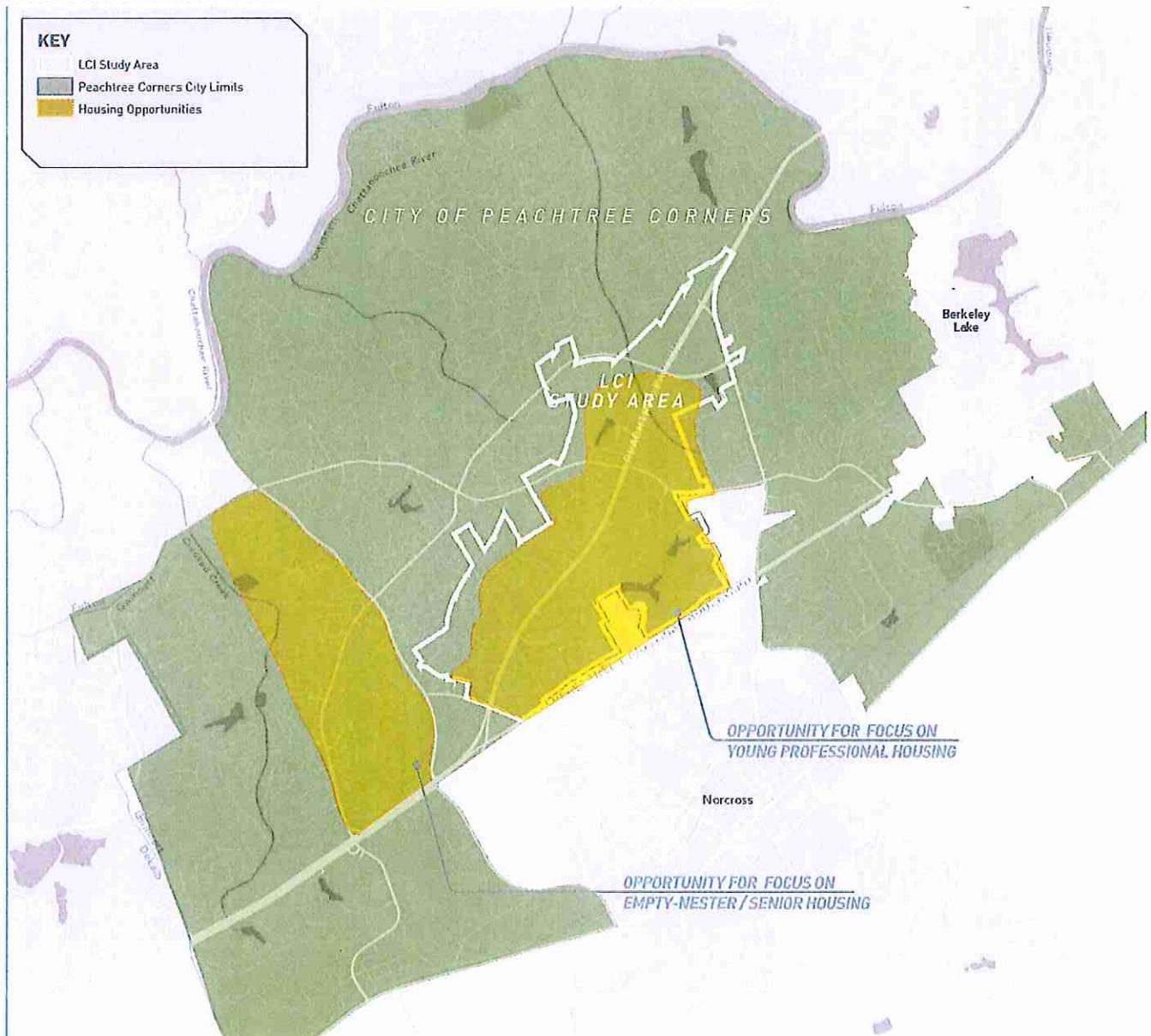
Town Center rendering courtesy of Fuqua Development Group and The City of Peachtree Corners.

Facilitate Housing Choices

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

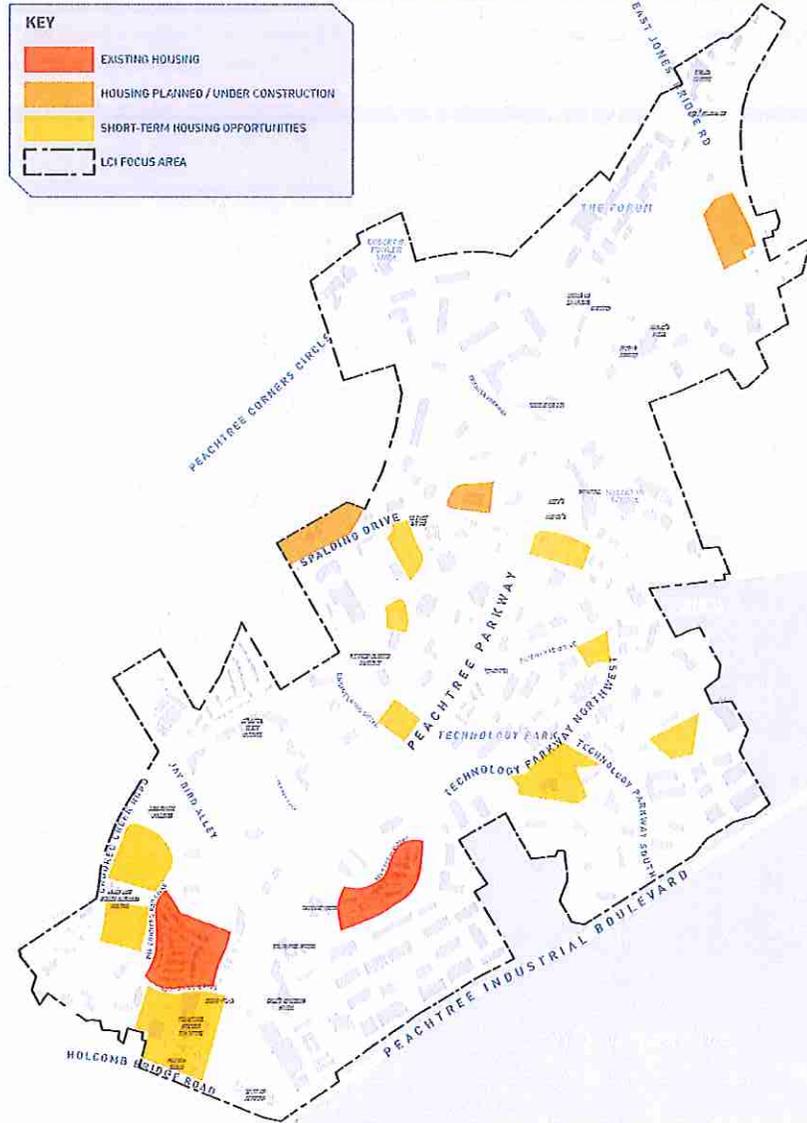
Innovation District offering walkable, mixed-use development for the soon-to-be-dominant "Millennial" generation (ages 10-29). Similarly, there are areas within the LCI where the market demand for empty-nesters and retirees can be met (an opportunity that is already being taken advantage of by developers).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

CITY-WIDE POTENTIAL TARGETS FOR INFILL OF HOUSING MARKET DEMAND



NOTE: THESE ARE GENERALIZED AREAS. FURTHER STUDY IS REQUIRED

HOUSING IN LCI AREA: EXISTING, PLANNED & POTENTIAL AREAS



NOTE: THESE ARE PLANNING LEVEL SUGGESTIONS ONLY

NATIONAL TRENDS ON HOUSING

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

71% view home ownership as a good investment

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

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

POSSIBLE HOUSING TYPES TO CONSIDER

MILLENNIALS (10-29)

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

GENERATION X (30-48)

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

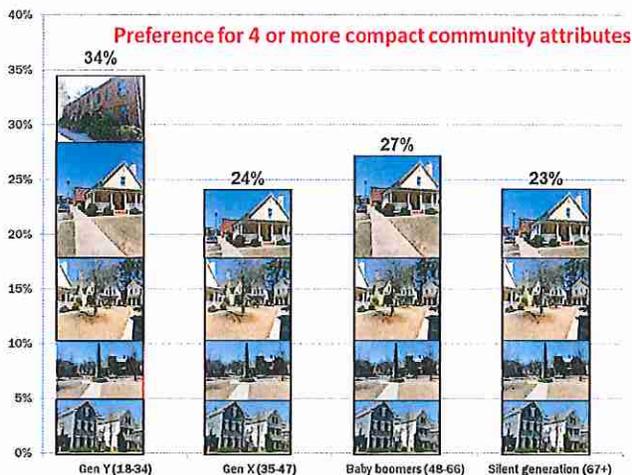
EMPTY NESTERS / BABY BOOMERS (50-69)

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

SILENT GENERATION / BABY BOOMERS (69+)

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

GENERATION PREFERENCES FOR COMPACT COMMUNITIES



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

EXISTING OFFICE CAMPUS WITHIN TECH PARK



POTENTIAL REDEVELOPMENT OPPORTUNITY WITH THE ADDITION OF YOUNG PROFESSIONAL HOUSING



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

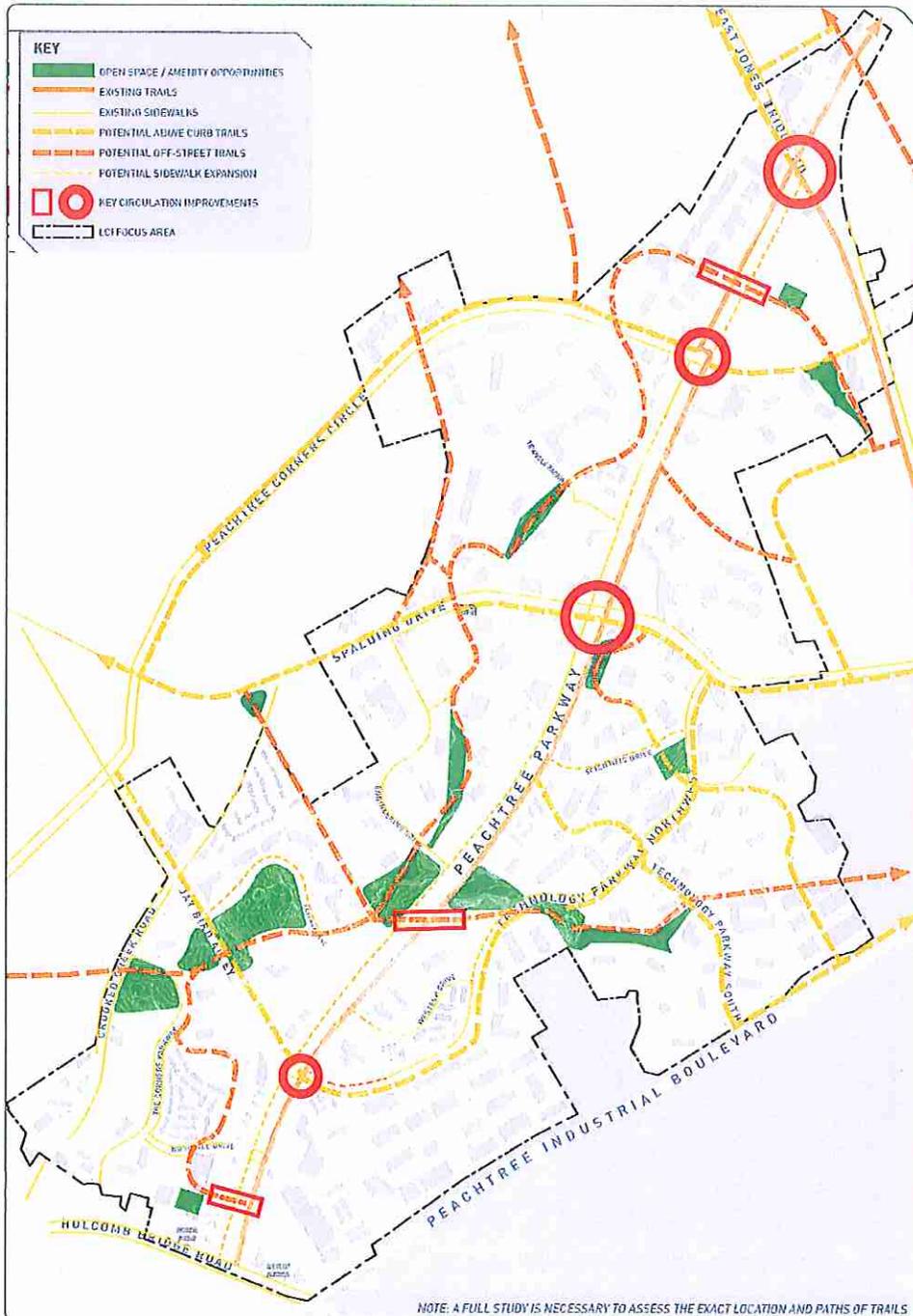
Amenitize & Connect

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

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

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

LCI TRAIL & OPEN SPACE FRAMEWORK



UNTAPPED OPPORTUNITIES:

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



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



POTENTIAL TRAIL SYSTEM DEVELOPMENT WITHIN GAS LINE EASEMENT



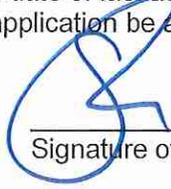
NOTE: NOT AN ACTUAL DEVELOPMENT PROPOSAL - FOR VISIONING PURPOSES ONLY

Twin Lakes
Peachtree Corners, GA



APPLICANT'S CERTIFICATION

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



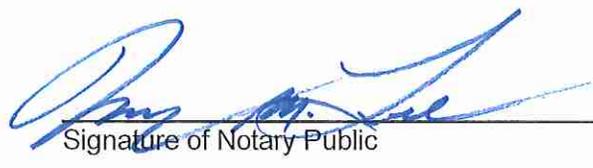
Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

10/28/15

Date



PROPERTY OWNER'S CERTIFICATION

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

Signature of Property Owner

Date

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seal

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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

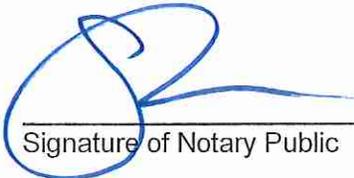
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Signature of Property Owner 10/29/15
Date

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

Type or Print Name and Title



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



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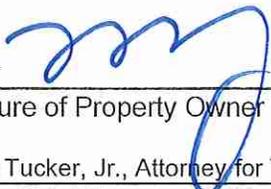
Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

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Signature of Property Owner 10/29/15
Date

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

Type or Print Name and Title



Signature of Notary Public 10/29/15
Date



APPLICANT'S CERTIFICATION

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Signature of Applicant Date

Type or Print Name and Title

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Signature of Property Owner 11/20/15
Date

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

Type or Print Name and Title



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



APPLICANT'S CERTIFICATION

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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

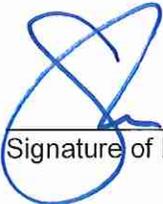
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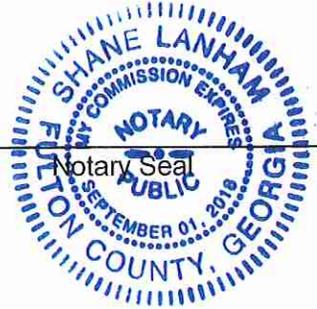
Signature of Property Owner 11/20/15
Date

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

Type or Print Name and Title



Signature of Notary Public 11/20/15
Date



APPLICANT'S CERTIFICATION

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Signature of Applicant Date

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

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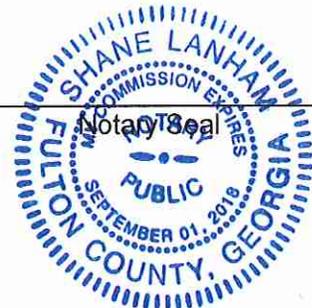
Signature of Property Owner 11/20/15
Date

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

Type or Print Name and Title



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



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

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

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

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

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

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

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

John Howard

NAME

TSA-1

TITLE

10-29-15

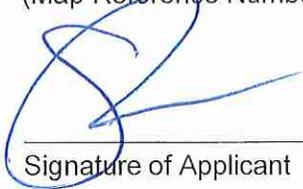
DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

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



NAME

TSA-1

TITLE

10-29-15

DATE

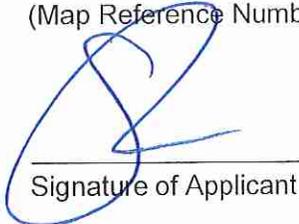
VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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

6 - 272 - 064
District Land Lot Parcel


Signature of Applicant

10/28/15
Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

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

Jamal Hayes
NAME

TSA I
TITLE

11-2-15
DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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



Signature of Applicant

 10/28/15

Date

 Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

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

 J. Hayes Jamal Hayes

NAME

 TSA I

TITLE

 11-2-15

DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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



Signature of Applicant

10/28/15

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Tax Commissioners Use Only

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

 Diane Foy

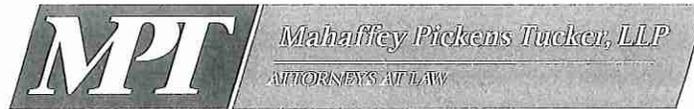
NAME

TSA II

TITLE

11/17/2015

DATE



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

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

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

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

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

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

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

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www.mptlawfirm.com

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

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

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

This 30th day of October, 2015

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Attorneys for Applicant



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

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

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

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

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

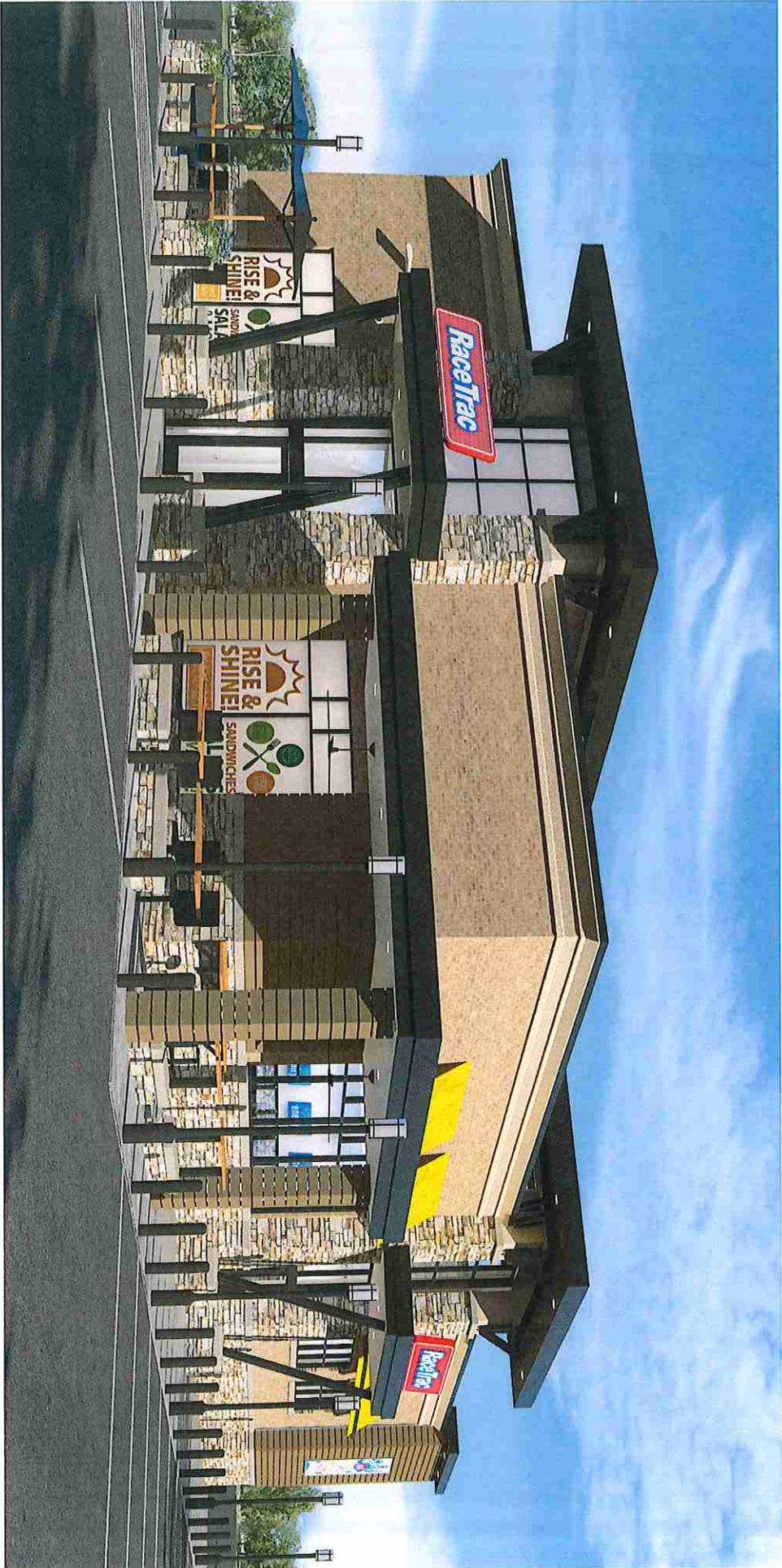
This 29th day of January, 2016.

Respectfully yours,

MAHAFFEY PICKENS TUCKER, LLP



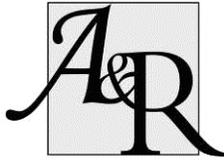
Shane M. Lanham
Attorneys for Applicant



Submitted via
letter dated 1/29/16



Submitted via
letter dated 1/29/16



A&R Engineering Inc.

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

Memorandum

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

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



Figure 1 – Site Overlay

METHODOLOGY

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

DATA PROPERTIES

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

ITE 220 – Apartment

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

ITE 152 – High-Cube Warehouse/Distribution Center

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

ITE 710 – General Office Building

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

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

CALCULATIONS

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

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

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

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

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

ADDITIONAL INFORMATION

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

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



Figure 2 – Location of Traffic Counter

PROPERTY LOCATION MAP

Twin Lakes



CASE NUMBER:

RZ2015-006/SUP2015-005

HEARING DATES:

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

FEB. 09, 2016

FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

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

V2016-001
Town Center

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

VARIANCE ANALYSIS

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

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

APPLICANT: CITY OF PEACHTREE CORNERS
DOWNTOWN DEVELOPMENT AUTHORITY

CONTACT: DAN GRAVELINE, CHAIRMAN

OWNER: CITY OF PEACHTREE CORNERS
DOWNTOWN DEVELOPMENT AUTHORITY

RECOMMENDATION: APPROVE WITH CONDITIONS

BACKGROUND:

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

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

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

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

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

RECOMMENDATION:

Approve V2016-001, subject to the following conditions:

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



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

Variance Application from the Zoning Resolution

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

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

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

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

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

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

Permit Number (if construction has begun) N/A

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

A complete application includes the following:

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



CITY OF
**Peachtree
CORNERS**
Innovative & Remarkable

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT**

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

Applicant Certification

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



Luke Ferguson 1-20-16
Signature of Applicant Date

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

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

Property Owner Certification

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

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

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

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



Community Development Use Below Only

Fees Paid: N/A By: DW

Related Cases & Applicable Conditions:

SUP 2015-003 (6/9/15)

Variance Description: BUFFER REDUCTION (STREAM)



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

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

January 22, 2016

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

SUBJECT: Peachtree Corners Town Center
Letter of Intent for Variance

To whom it may concern,

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

- Allowance of a 0.26-acre temporary encroachment into the 50-foot Undisturbed Stream Buffer for construction of a permanent pervious Gabion Retaining Wall system and pervious 2:1 slope.
 - Impacts to this portion of the buffer have been minimized as much as feasibly possible by the installation a vertical parking structure to support the surrounding public, retail, restaurant, and office facilities.
 - No impervious surface is proposed within this buffer.
- Allowance of a 0.08-acre permanent encroachment into the 75-foot Impervious Setback along the stream.
 - Impacts to this portion of the buffer have been minimized as much as feasibly possible.
 - Encroachment is required for a portion of the surface parking and vertical parking structure. Stormwater runoff from these areas will be treated to ensure water quality if maintained and excess runoff rates will be controlled onsite, prior to discharging into the existing creek.
 - Encroachment is also required for the connection of a Public Walking Trail that is slated to be installed along the creek and connect to a Public sidewalk, located on the eastern side of the proposed Movie Theater, which will connect to the proposed Public Park.

Thank you for your time and consideration.

Haines, Gipson & Associates

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



LOCATION MAP

EXAMPLE PICTURES



TOP OF GABION RETAINING WALL

GRASS GROWING FROM FACE OF WALL

BOT. OF GABION RETAINING WALL



TOP OF GABION RETAINING WALL

GRASS GROWING FROM FACE OF WALL

BOT. OF GABION RETAINING WALL



APPROVE 0.04 ACRES OF ENCROACHMENT INTO 50' UNDISTURBED BUFFER TO ALLOW FOR PERVIOUS GABION RETAINING WALL TO ACCOUNT FOR GRADE DIFFERENTIAL

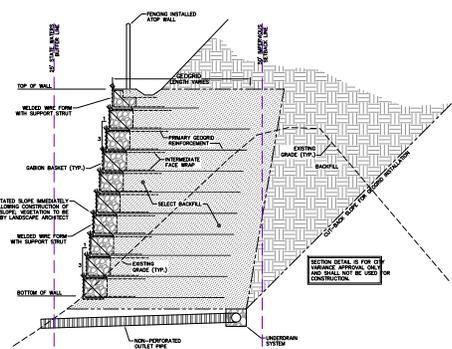
APPROVE 0.05 ACRES OF ENCROACHMENT INTO 75' IMPERVIOUS SETBACK TO ALLOW FOR OPEN 3-LEVEL PARKING DECK

APPROVE 0.22 ACRES OF ENCROACHMENT INTO 50' UNDISTURBED BUFFER TO ALLOW FOR PERVIOUS GABION RETAINING WALL TO ACCOUNT FOR GRADE DIFFERENTIAL

APPROVE 0.05 ACRES OF ENCROACHMENT INTO 75' IMPERVIOUS SETBACK TO ALLOW FOR A PORTION OF THE MOVIE THEATER BUILDING & SIDEWALK, WHICH WILL ULTIMATELY CONNECT TO THE CITY OWNED PEDESTRIAN WALKING PATH

LEGEND

	Existing Creek Centerline
	Excess of Weeded Vegetation
	Stream Buffers / Setbacks
	75-foot Impervious Setback
	75-foot Impervious Setback Encroachment (Total = 11.01 acres)
	50-foot Undisturbed Buffer
	50-foot Undisturbed Buffer Encroachment (Total = 11.26 acres)
	25-foot State Waters Buffer (Also Encroachment Proposed)



TYPICAL SECTION OF PERVIOUS GABION RETAINING WALL SYSTEM N.T.S.

GEORGIA811
Utility Protection Center, Inc.
Protecting Georgia's Utilities
Call 811
Or Call 800-282-7411
The location of all buried lines or any other underground utility lines is not guaranteed. It is the responsibility of the user to verify the location of all buried lines or any other underground utility lines before excavation. For more information, please contact your local utility company or the Georgia 811 website at www.georgia811.com.

STREAM BUFFER VARIANCE EXHIBIT

GRAPHIC SCALE
0 50 100 150 200
IN FEET
1 Inch = 50 Ft.

HAINES GIBSON & ASSOCIATES
CONSULTING ENGINEERS
CIVIL & STRUCTURAL SERVICES
1000 W. PEACHTREE CORNERS BLVD., SUITE 100
PEACHTREE CORNERS, GEORGIA 30092
TEL: (770) 948-7700

HGA

PROJECT NO. 16-0000000000

DATE: 01/28/2016

DRAWN BY: TLP/ACL
CHECKED BY: RCL

SHEET TITLE: STREAM BUFFER VARIANCE EXHIBIT

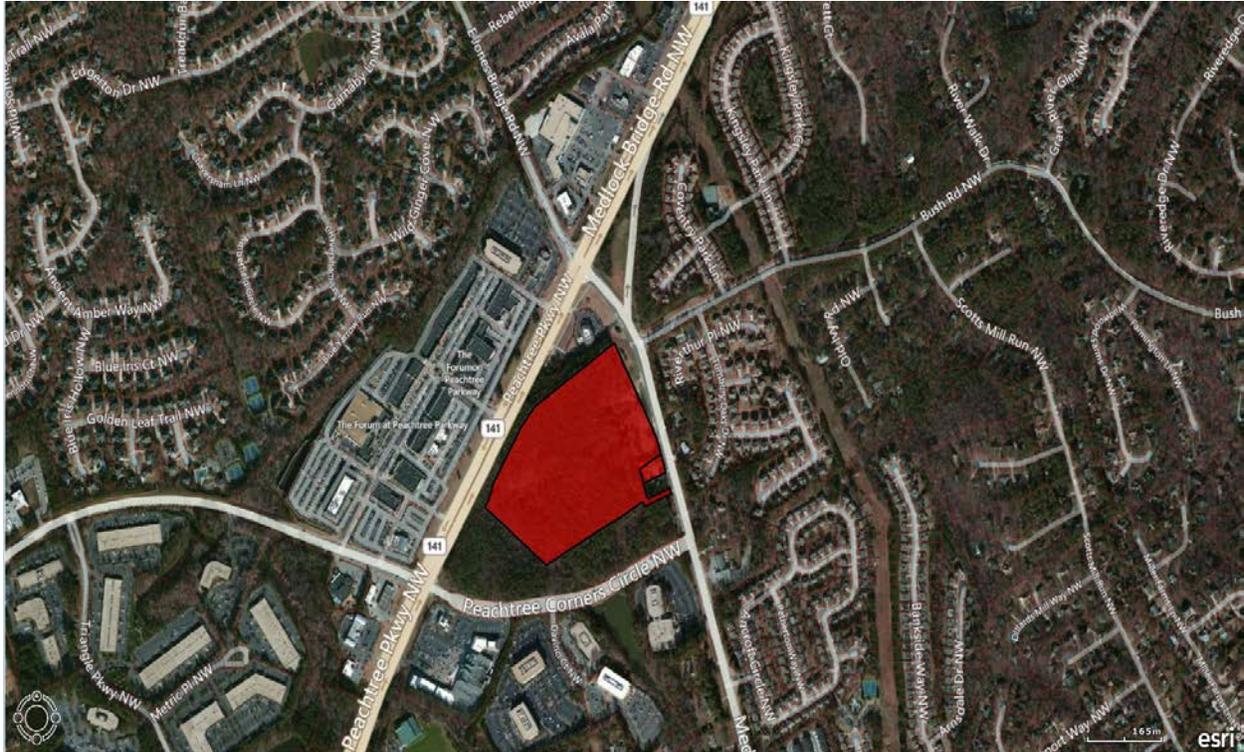
SHEET NUMBER: EXH.

PEACHTREE CORNERS TOWN CENTER
CITY OF PEACHTREE CORNERS, GEORGIA
NORTHEAST CORNER OF PEACHTREE BLVD. & PEACHTREE CORNERS CIRCLE

PLANNING & DEVELOPMENT

PROPERTY LOCATION MAP

Town Center



CASE NUMBER:

V2016-001

**PLANNING
 COMMISSION**

**CITY COUNCIL
 1ST READING**

**CITY COUNCIL
 2ND READING**

HEARING DATES:

FEB. 09, 2016

FEB. 16, 2016

MARCH 15, 2016

PROPERTY ADDRESS:

Peachtree Parkway at Forum Drive