



## **PLANNING COMMISSION AGENDA**

**March 14, 2017  
7:00 PM  
CITY HALL**

- A. Roll Call**
- B. Approval of January 10, 2017 Minutes**
- C. New Business:**
  - 1. RZ2017-001 / V2017-001. Atlanta Paving. Request to rezone four parcels consisting of .65 acres from R-75 to M-1 along with associated variances to accommodate renovation and new construction at an existing business located at 6120 Second St. and 4500 Peachtree St, Dist. 6, Land Lot 251, Peachtree Corners, GA**
  - 2. RZ2017-002 / V2017-003. Atlanta Paving. Request to rezone a 3.5 acre parcel from R-75 to M-2 along with associated variances to accommodate an equipment storage and parking lot located near the 6100 and 4500 blocks of Florida Ave., Dist. 6, Land Lot 251, Peachtree Corners, GA**
- D. Old Business: (None)**
- E. City Business Items: Update on Peachtree Corners Circle Multi-use Trail**
- F. Comments by Staff and Planning Commissioners.**
- G. Adjournment.**



**CITY OF PEACHTREE CORNERS**  
**PLANNING COMMISSION MINUTES**  
**January 10, 2017**

The City of Peachtree Corners held a Planning Commission meeting on Tuesday, January 10, 2016. 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  
Mark Willis, Post C  
Italia Metts, Post E

Staff: Diana Wheeler, Community Development Director  
Rocio Monterrosa, Deputy City Clerk

**MINUTES:**

**MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 13, 2016 PLANNING COMMISSION MEETING WITH TWO CHANGES.**

**By: Mark Willis**

**Seconded by: Italia Metts**

**Vote: Passed 5-0 (Willis, Metts, Houser, Kaplan, Middleton)**

**NEW BUSINESS:**

**PH2016-008 Holcomb Bridge Road Corridor Redevelopment Overlay.** Consideration of amending the zoning code in order to add Sec. 1320 to establish regulations for the redevelopment of property within the Holcomb Bridge Road Corridor.

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

**MOTION TO APPROVE AMENDING THE ZONING CODE IN ORDER TO ADD SEC. 1320 TO ESTABLISH REGULATIONS FOR THE**

**REDEVELOPMENT OF PROPERTY WITHIN THE HOLCOMB RIDGE ROAD CORRIDOR.**

**By: Alan Kaplan**

**Seconded: Mark Willis**

**Vote: (5-0) (Kaplan, Metts, Houser, Willis, Middleton)**

**OLD BUSINESS:** (None)

**CITY BUSINESS ITEMS:**

**1. Preliminary trail design options for Peachtree Corners Circle.**

Matt Cherry, Senior Associate with Lord Aeck Sargent, gave a presentation on preliminary trail design options and how it fits with the budget. Pedestrian safety and crossings was also discussed.

**COMMENTS BY STAFF AND PLANNING COMMISSION:**

Diana Wheeler, Community Development Director, informed the Commission that there would be no meeting for the month of February.

Commissioners asked for update on Fiserv building (unknown if it's in foreclosure), Twin Lakes (demolition completed), Town Center (closing on February 28, 2017), New construction (LA Fitness, restaurant and dental center).

The Planning Commission meeting concluded at 8:11 PM.

Approved,

Attest:

\_\_\_\_\_

\_\_\_\_\_

Matt Houser, Chairman

Rocio Monterrosa, Deputy City Clerk

**RZ2017-001 / V2017-001**  
**Atlanta Paving**

**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**REZONING AND VARIANCE ANALYSIS**

PLANNING COMMISSION DATE: MARCH 14, 2017

CITY COUNCIL DATE: APRIL 18, 2017

CASE NAME: **ATLANTA PAVING**

CASE NUMBER: **RZ-2017-001/ V2017-001**

CURRENT ZONING: R-75

LOCATION: 6120 SECOND STREET AND 4500 PEACHTREE STREET

MAP NUMBERS: 6<sup>th</sup> DISTRICT, LAND LOT 25 I

ACREAGE: .65 ACRES

PROPOSED DEVELOPMENT: REZONE FROM R-75 TO M-1 TO ACCOMMODATE  
RENOVATION AND NEW CONSTRUCTION AT AN EXISTING  
BUSINESS ALONG WITH ASSOCIATED VARIANCES

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: ATLANTA PAVING & CONCRETE CONSTRUCTION,  
INC. C/O ANDERSON, TATE, & CARR, PC  
1960 SATELITE BLVD., STE. 4000  
DULUTH, GA 30097

CONTACT: MARIAN C. ADEIMY  
678.518.6855

OWNER: ATLANTA PAVING & CONCRETE CONSTUCTION,  
INC.  
6120 SECOND STREET, NW  
PEACHTREE CORNERS, GA 30360

**RECOMMENDATION: APPROVE WITH CONDITIONS**

## PROJECT DATA:

The applicant is seeking to rezone four parcels totaling .65 acres. The 4 parcels are located along Peachtree Street and Second Street, they are adjacent to two existing M-I zoned parcels, owned by the Atlanta Paving Company. These properties would be contiguous if not for their separation by roadways and natural features. In addition to the rezoning, the applicant is requesting several variances to allow for smaller undisturbed buffers and setbacks.

The applicant requests to rezone the above mentioned parcels along Peachtree Street and Second Street to allow for the expansion of Atlanta Paving Inc. The proposed office building would be located on land where the existing Atlanta Paving office is located, to the west of Second Street. The proposed office will front Peachtree Street and will be expanded to approximately 5,260 square feet. Additional parking spaces would be provided along the eastern and western sides of the building. Access to the proposed office would be from two curb cuts along Peachtree Street. The two parcels proposed to be rezoned will provide another access point to the property, as well as provide more parking to accommodate increasing needs.

The rezoning of the parcels to the east of Second Street will allow for the expansion of the Atlanta Paving maintenance shop. These parcels would provide additional parking spaces for the maintenance shop, as well as a larger buffer between the M-I zoned parcels and the adjacent R-75 parcels. Currently, the site is being used by Atlanta Paving as vehicle and equipment storage.

## PARCEL DESCRIPTIONS

(refer to attached colored drawing titled 'Atlanta Paving Projects' dated 2/2/17.)

**Parcel #1:** This property is a 1.17 acre Industrial zoned parcel located at the northwest side of Peachtree Street and Second Street. There is an existing office building on the northeastern portion of the property with approximately five parking spaces. To the south, adjacent to Peachtree Street, is a large parking and equipment area, with access from Peachtree Street. The northern portion of the property, along Georgia Avenue, is densely covered with trees. The proposed site plan shows this parcel to house a new office for Atlanta Paving, with additional parking, and no maintenance storage. Access will be from the existing curb cut along Peachtree Street.

**Parcels #2 and #3:** These parcels are approximately .23 acres and located immediately west of Parcel #1. The properties are currently zoned R-75 and there is a single-family residential dwelling with access from Peachtree Road on Parcel #2. To the rear of the sites are large trees. The surrounding area is largely characterized by single-family residential dwellings. The site plan shows this area is planned to be used as parking for the new Atlanta Paving office. The existing curb cut will remain as additional access to the proposed office. The applicant is requesting a variance to allow for disturbance along the rear property line, in order to increase the parking area. Parcel #3 consists of a small strip of vacant land that will be used to buffer the proposed parking lot from the surrounding single-family residential dwellings.

**Parcel #4:** This property has a total of 1.45 acres and consists of a large pad of concrete used by Atlanta Paving for the storage of vehicles and equipment. The site is currently zoned M-I and is located at the northeast corner of Peachtree Street and Second Street. The site has large trees along the northern and eastern property lines to buffer surrounding and adjacent properties. Access is from Peachtree Street. The applicant is proposing a 6,000 square foot maintenance shop on the southwest corner of the property, with parking in the rear, towards Georgia Avenue. No new curb cuts will be needed, as Peachtree Street will still serve as the point of entry. The applicant is requesting a variance for reduction in the required front setback from 50-feet, to 20-feet. In doing this, the building would be closer to the street and the parking would be located behind the building.

**Parcels #5 and #6:** These parcels are .34 acres in size, combined, and are located to the east of Second Street, and immediately east of Parcel #4. The more southern parcel, Parcel #5, is zoned R-75 and has a curb cut from Peachtree Street, as well as a single-family dwelling, and large canopy trees. On the northern parcel also sits a single-family dwelling. This property however, is more densely covered in trees. The applicant is requesting to rezone both parcels from R-75 to M-I along with variances to disturb within the required 50-foot buffer. Disturbance in this area would allow for a larger maintenance area for Atlanta Paving. The site plan shows that these parcels will be disturbed, but will still be used as buffers to the single-family dwellings to the west.

#### ZONING HISTORY:

The zoning history on the property currently zoned M-I (Parcels # 1 and #4), dates back to 3/27/84 when the parcels were rezoned from residential to light industrial. In January, 2008, Gwinnett County Commission authorized the use of a contractor's office on the property. That application was approved with the following conditions:

1. To restrict the use of the property as follows:
  - A. Limited to a new contractor's office consistent with the site plan and building elevation presented at the January 15, 2008 Planning Commission meeting.
  - B. Construction shall be glass, brick, and/or stone.
  - C. Obtain all necessary development and building permits, and bring the site up to all applicable standards.
  - D. Any outdoor storage shall be prohibited.
  - E. Equipment, work vehicles and materials must be parked/stored within the fenced storage area.

2. To satisfy the following site development considerations:
  - A. Provide a 20-foot wide landscape strip along the frontage of Peachtree Street, Georgia Avenue and Second Street. Landscape strip to be planted with a double staggered row of American Holly, Foster's Holly, Nellie R. Stephens Hollies, and Eastern Red Cedar a minimum of 6-feet in height and planted 10-feet on center.
  - B. Provide a 30-foot replanted buffer adjacent to all residentially zoned property.
  - C. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung or strung on the site. Yard and/or bandit signs shall be prohibited.
  - D. Ground signs shall be limited to a single externally illuminated monument type sign with a maximum height of five feet.
  - E. Billboards shall be prohibited.
  - F. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
  - G. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned properties.
  - H. No outdoor loudspeakers shall be allowed.
  - I. Hours of operation shall be limited from 7 A.M. to 7 P.M.

#### 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:* Yes. The subject property is located on and around a fully accessible, existing office and industrial site, currently occupied and operated by the Applicant. A large portion of the subject property was also previously zoned M-1, as rezoned in 2008 by Gwinnett County, and are surrounded by similarly-zoned property and uses. As reflected in

Comprehensive Plan for Gwinnett County and Future Land Use Map for the City of Peachtree Corners, the addition of a business office and accessory uses is consistent with the designation of this area for "preferred office". Accordingly, the requested uses, zoning and conditions are suitable in view of the use and development of the adjacent and nearby property.

*Staff's Comment:* The parcels requesting to be rezoned are adjacent to existing M-I parcels and would be suitable in view of the use and development of adjacent and nearby properties. The four parcels being rezoned from R-75 to M-I would allow for the expansion of Atlanta Paving, but would also provide a greater buffer between the industrially zoned properties and surrounding single-family dwellings.

**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. The current zoning and surrounding industrial uses make the requested uses and conditions compatible with the existing uses and usability of the adjacent and nearby property.

*Staff's Comment:* M-I zoning already exists at this location. The addition of .65 acres for the expansion of Atlanta Paving would accommodate a higher quality new office building and greater buffers adjacent to the residentially zoned properties nearby.

**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:* No. The current mixture of R-75 and M-I zoning designations do not allow for a reasonable economic use as currently zoned and conditioned.

*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. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares, highways and interstate. The development is consistent with the area and Comprehensive Plan, with no impact on schools. Due to the existing and surrounding operations, the proposed redevelopment and office plans will not cause excessive use of existing streets, transportation facilities or utilities.

*Staff's Comment:* The proposed zoning and variances will not cause a greater use of existing streets, transportation facilities, or utilities than the current conditions. This development will have no impact on schools.

**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:* Yes. The Comprehensive Plan and zoning precedent and history identifies the subject property as an appropriate location for a contractor's office, parking, storage and the existing industrial/maintenance uses, and will positively impact the City's industrial and commercial tax-base, and is consistent with the prior zoning and uses permitted on the subject property.

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

**F. Are there 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:* Yes. The Applicant and property owners seek to consolidate their office and business operations, with over \$35 million in annual revenue, from Gwinnett County to the City of Peachtree Corners to operate in conjunction with the existing maintenance shop use, already zoned and operated in the City.

*Staff's Comment:* The long term vision for this area is single-family residential, however the expansion of Atlanta Paving would protect surrounding single-family dwellings with the buffers that will surround the property.

**COMPREHENSIVE PLAN:**

The 2033 City of Peachtree Corners Character Area Map indicates that the property is located within the Village Residential Character Area. Policies for this are encourage “a variety of single-family attached housing options and a transition in density between low-scale single family development and commercial areas.”

**DEPARTMENT ANALYSIS:**

The proposed rezoning from R-75 to M-I for the four small properties that make up the rezoning request is unlikely to have an adverse impact on adjacent and nearby properties. The two larger parcels (Parcel #1 and #4) are already zoned M-I and have been accommodating light industrial uses for 33 years. Only variances are requested for these larger parcels in order to allow a new office building and parking lot. The four parcels, not currently zoned M-I will primarily be used as buffers for the adjacent single-family properties.

The proposed development requires no additional curb cuts and will keep access and vehicle patterns as they currently exist.

The applicant is requesting several variances to allow for disturbance within required buffers. These variances will benefit the surrounding properties, as they will provide extra buffer to the single-family dwellings adjacent to the subject property. The proposed expansion of Atlanta Paving offers a community benefit through the cushion that will be provided between the M-I use and R-75 zoning district. Currently, there is no buffer between the surrounding properties and Atlanta Paving. .

## RECOMMENDATION:

**After review of the applicant's proposal and other relevant information, it is recommended that RZ2017-001 and V2017-001 be approved subject to the following conditions:**

- 1. Parcels #2,3,5 and 6 (as shown on the Atlanta Paving Projects Overall Proposed Zoning Exhibit dated 2/2/2017) shall be rezoned M-1, light industry, and shall be developed in general conformity with the submitted site plan dated January 31, 2017.**
- 2. Architectural elevations shall be substantially similar to the drawings submitted on January 31, 2017.**
- 3. Access to the subject properties shall only be from Jones Mill Rd. and Peachtree Street. No commercial vehicles shall access the properties from Second St., Third St., Florida Ave., Georgia Ave., or Virginia Ave.**
- 4. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.**
- 5. The following Gwinnett County zoning conditions (from RZC 2008-00035 dated 1/22/2008) shall be required:**
  - A. Provide a 20-foot wide landscape strip along the frontage of Peachtree Street, Georgia Avenue and Second Street. Landscape strip to be planted with a double staggered row of American Holly, Foster's Holly, Nellie R. Stephens Hollies, and Eastern Red Cedar a minimum of 6-feet in height and planted 10-feet on center.
  - B. Provide a 30-foot replanted buffer adjacent to all residentially zoned property.
  - C. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung or strung on the site. Yard and/or bandit signs shall be prohibited.
  - D. Ground signs shall be limited to a single externally illuminated monument type sign with a maximum height of five feet.

- E. Billboards shall be prohibited.
- F. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- G. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned properties.
- H. No outdoor loudspeakers shall be allowed.
- I. Hours of operation shall be limited from 7 A.M. to 7 P.M.
- J. Obtain all necessary development and building permits, and bring the site up to all applicable standards.
- K. Outdoor storage shall be prohibited.
- L. Equipment, work vehicles, and materials must be parked and/ or stored within a fenced storage yard.

**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>Atlanta Paving &amp; Concrete Construction, Inc.</u> c/o Andersen, Tate & Carr, PC ADDRESS: <u>1960 Satellite Blvd., Ste. 4000</u> CITY: <u>Duluth</u> STATE: <u>GA</u> ZIP: <u>30097</u> PHONE: <u>(770) 822-0900</u> E-MAIL: <u>madeimy@atclawfirm.com</u>	NAME: <u>Atlanta Paving &amp; Concrete Construction, Inc. et al.</u> ADDRESS: <u>6120 Second Street, NW</u> CITY: <u>Peachtree Corners</u> STATE: <u>GA</u> ZIP: <u>30360</u> PHONE: <u>(770) 220-0228</u> E-MAIL: <u>dlpaving@yahoo.com</u>
CONTACT PERSON: <u>Marian C. Adeimy, Attorney</u> PHONE: <u>(678) 518-6855</u>	
CONTACT'S E-MAIL: <u>madeimy@atclawfirm.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT       PROPERTY OWNER       CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): R-75 REQUESTED ZONING DISTRICT: M-1

LAND DISTRICT(S): 6 LAND LOT(S): 251 ACREAGE: .65

ADDRESS OF PROPERTY: 6120 2nd. Street, 4500 Old Peachtree Rd., and adjacent parcels

PROPOSED DEVELOPMENT: Renovation of existing maintenance shop and office relocation with related buffer and setback variances as further outlined in the Letter of Intent submitted herewith.

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*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: 2

Total Bldg. Sq. Ft.: Office: 9,265 sq. ft.  
Maintenance shop: 6,000 sq. ft.

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)

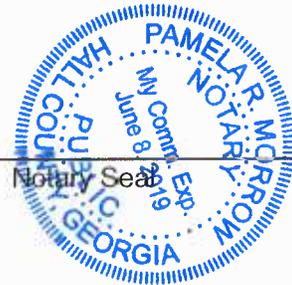
- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).

**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.

Donna Lopez 1/31/17  
Signature of Applicant Date  
Donna Lopez, Officer/Secretary  
Type or Print Name and Title

Pamela R. Morrow 1-31-17  
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.

Donna Lopez 1/31/17  
Signature of Property Owner Date  
Donna Lopez, Officer/Secretary  
Type or Print Name and Title

Pamela R. Morrow 1-31-17  
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?

Yes. See Exhibit "B".

- 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. See Exhibit "B".

- 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?

No. See Exhibit "B".

- 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. See Exhibit "B".

- 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?

Yes. See Exhibit "B".

- 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?

Yes. See Exhibit "B".

# ANDERSEN TATE CARR

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## EXHIBIT "B"

### ATLANTA PAVING - APPLICANT'S AND OWNERS' RESPONSES IN SUPPORT OF ZONING AND VARIANCE REQUESTS

- A) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The subject property is located on and around a fully accessible, existing office and industrial site, currently occupied and operated by the Applicant. A large portion of the subject property was also previously zoned M-1, as rezoned in 2008 by Gwinnett County, and are surrounded by similarly-zoned property and uses. As reflected in Comprehensive Plan for Gwinnett County and Future Land Use Map for the City of Peachtree Corners, the addition of a business office and accessory uses is consistent with the designation of this area for "preferred office". Accordingly, the requested uses, zoning and conditions are suitable in view of the use and development of the adjacent and nearby property.

- B) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The current zoning and surrounding industrial uses make the requested uses and conditions compatible with the existing uses and useability of the adjacent and nearby property.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED AND CONDITIONED:

No. The current mixture of R-75 and M-1 zoning designations do not allow for a reasonable economic use as currently zoned and conditioned.

- D) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/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. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares, highways and interstate. The development is consistent with the area and Comprehensive Plan, with no impact on schools. Due to the existing and surrounding operations, the proposed redevelopment and office plans will not cause excessive use of existing streets, transportation facilities or utilities.

- E) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The Comprehensive Plan and zoning precedent and history identifies the subject property as an appropriate location for a contractor's office, parking, storage and the existing industrial/maintenance uses, and will positively impact the City's industrial and commercial tax-base, and is consistent with the prior zoning and uses permitted on the subject property.

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS.

Yes. The Applicant and property owners seek to consolidate their office and business operations, with over \$35 million in annual revenue, from Gwinnett County to the City of Peachtree Corners to operate in conjunction with the existing maintenance shop use, already zoned and operated in the City.

**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      Atlanta Paving + Concrete  
(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

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.

Donna Lopez      1/31/17      Donna Lopez, Officer/Secretary  
 Signature of Applicant      Date      Type or Print Name and Title

[Signature]      1/31/17      Marian Adams  
 Signature of Applicant's Attorney or Representative      Date      Type or Print Name and Title

Pamela R. Morreim      1/31/17      \_\_\_\_\_  
 Signature of Notary      Date      Notary Seal



**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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

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

PARCEL I.D. NUMBER: 6 - 251 B - 005  
(Map Reference Number) District Land Lot Parcel

Donna Lopez \_\_\_\_\_ Date 1/31/17  
Signature of Applicant

Donna Lopez, Officer/Secretary \_\_\_\_\_  
Type or Print Name and Title

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*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)

Ph B \_\_\_\_\_  
NAME

BA II \_\_\_\_\_  
TITLE

1-31-17 \_\_\_\_\_  
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 - 251 B - 004  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant 1/31/17 Date

Donna Lopez, Officer/Secretary  
Type or Print Name and Title

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*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)

R. B.  
NAME

T. A. J.  
TITLE

1 - 31 - 17  
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 - 251B - 073  
(Map Reference Number) District Land Lot Parcel

Donna Lopez \_\_\_\_\_  
Signature of Applicant Date 1/31/17

Donna Lopez, Officer/Secretary \_\_\_\_\_  
Type or Print Name and Title

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*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)

R. B. \_\_\_\_\_  
NAME

TSA # \_\_\_\_\_  
TITLE

1-31-17 \_\_\_\_\_  
DATE

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**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 - 251 B - 008  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant Date 1/31/17

Donna Lopez, Officer/Secretary  
Type or Print Name and Title

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*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]  
NAME

TR II  
TITLE

1-31-17  
DATE

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**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 - 251B - 009  
(Map Reference Number)      District      Land Lot      Parcel

Donna Lopez      1/31/17  
Signature of Applicant      Date

Donna Lopez, Officer/Secretary  
Type or Print Name and Title

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*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)

R. B.  
NAME

TBA II  
TITLE

1-31-17  
DATE

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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 - 251 B - 021  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant 1/31/17 Date

Donna Lopez, Officer/Secretary  
Type or Print Name and Title

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*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)

Rm Bn  
NAME

TRIA II  
TITLE

1-31-17  
DATE

# ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.  
ONE SUGARLOAF CENTRE  
1960 SATELLITE BOULEVARD, SUITE 4000  
DULUTH, GEORGIA 30097  
(770) 822-0900  
FACSIMILE: (770) 236-9754  
[www.atclawfirm.com](http://www.atclawfirm.com)

MARIAN C. ADEIMY  
Attorney at Law

E-mail: [madeimy@atclawfirm.com](mailto:madeimy@atclawfirm.com)

February 1, 2017

## ***VIA HAND-DELIVERY AND E-MAIL***

City of Peachtree Corners  
147 Technology Parkway NW,  
City Hall, Ste. 200  
Peachtree Corners, GA 30092

**RE: LETTER OF INTENT FOR REZONING AND VARIANCE REQUESTS  
FOR ATLANTA PAVING & CONCRETE CONSTRUCTION, INC.**

Dear Mayor, Council and staff:

This firm represents Atlanta Paving & Concrete Construction ("Atlanta Paving" and/or the "Applicant") with regard to the rezoning and related variance applications and requests for the collective property, being seven parcels located at or near Old Peachtree Road and Second Street, in the 6<sup>th</sup> District, Land Lot 251 of Gwinnett County, located in the Peachtree Corners City limits, Parcel Nos. 6251B 004, 6251B 005, 6251B 073, 6251B 008, 6251B 008, 6251B 021, and 6251B 060 (collectively, the "Subject Property").

Atlanta Paving is a successful, family-owned business that has operated on and around the Subject Property for over twenty (20) years. The Company provides asphalt paving, milling, soil stabilization, concrete and related services to public and private institutions. Revenue is generated from highway and road construction, commercial parking lots, residential street construction, and related projects. The Applicant and its related entities saw overall revenues increase from \$14 million in 2009, to \$35 million in 2016.

The company specializes in remediation work. They currently have 6 local business and office employees, and employ over 100 workers throughout Georgia. They complete over 500 projects per year. Atlanta Paving's office location is currently located in unincorporated Gwinnett; however, they are seeking to relocate their office operations to Peachtree Corners, in conjunction with the existing maintenance shop and property owned at and near 6120 2<sup>nd</sup> Street, Peachtree Corners (Doraville), GA 30360.

## **I. Zoning and Variance Requests**

The Subject Property includes and the Applicant is submitting the following rezoning and variance requests:

1. Office Rezoning: The Applicant requests to rezone the approximately .6 acres from R-75 to M-1, to allow for the proposed building layout, buffers and screening, in addition to the requested variances on the existing M-1 property. Atlanta Paving currently owns the 1.16 acre parcel, located at 4500 Peachtree Street, Parcel No. 6251B 005, and the adjacent maintenance shop, both which are zoned M-1, as rezoned by Gwinnett County in 2008, consistent with the surrounding Mechanicsville and Buford Highway area.

As part of the rezoning request, Atlanta Paving seeks to add and rezone the two adjacent parcels on either side of its existing property, Parcel Nos. 6251B 004 and 6251B 073, from R-75 to M-1, in order to adequately redevelop, landscape, and locate its successful office operations. A rendering of the proposed office building and design is submitted with these zoning and variance applications. If the two adjacent parcels are not added, those properties will be without a reasonable economic use. The office design will then require parking in front, will lack symmetry and connectivity between the office and maintenance buildings, and will result in an overall, less desirable layout.

The proposed design includes the location of the brick, historic-modeled office building to be placed at the front of the property, to be landscaped with parking along the sides, and to include a 5 ft. sidewalk and matching landscaping at the new maintenance building. As previously approved by Gwinnett County and shown on the site plan submitted herewith.

2. Office/Buffer Variances: As part of the rezoning request, a buffer variance is also needed. The Applicant plans to maintain the 30 ft. replanted buffer conditioned to that site, and proposes a replanted 30 - 50 ft. buffer on certain portions of the adjacent parcels to allow for redevelopment and the demolition of existing structures, and consistent with the existing 30 ft. replanted buffer on the larger M-1 office parcel.
3. Maintenance Shop Rezoning: Atlanta Paving is also requesting to rezone two smaller parcels, Parcel Nos. 6251B 009 and 6251B 021, both of which are adjacent to their existing maintenance shop, zoned M-1 and located at 6120 2<sup>nd</sup> Street, and immediately across from the proposed office location. The addition and rezoning of those proposed redevelopment and building design, to match the new office building, will allow for a quality business to continue operating within the City limits.
4. Maintenance Shop Variances: In order to accomplish the proposed redevelopment plan, the Applicant requests two related variances, to reduce the front and side setbacks to 20 ft., for Parcel No. 6251B 008, and to disturb and replant the two 50 ft. buffers on the two adjacent parcels. The variances will allow the redevelopment of a brick, historic-designed maintenance shop building to be constructed at the front of the property, to improve aesthetics and to screen parking at the back of the shop.
5. Parking (M-2) Rezoning: As a separate rezoning request, and as part of its overall relocation plan and assemblage, the Applicant also owns the 3.5 acre property located immediately down the street from its current operations, Parcel 6251B 060, at or near the 6100 and 4500 block of Florida Ave (near Doraville, Ga.). That property is immediately up the street from the proposed office and maintenance property.

The Applicant seeks to rezone that property from R-75 to M-2 in order to provide limited employee and business truck and equipment parking. The property lies adjacent to existing M-1 and industrial uses with similar equipment parking and operations, consistent with the proposed uses.

The road and driveway to that property would be improved and designed to provide direct access to Buford Highway, minimizing any potential impact on the surrounding streets. The property and parking area would be screened, buffered, and landscaped as reflected on the site plan submitted herewith. The Applicant also owns property off of Georgia Ave., in between the proposed sites. The location will allow the Applicant to complete the road and improve the overall appearance of the streets in that area.

6. Parking Variances: For the parking area, the Applicant also requests certain buffer variances, for Parcel No. 6251B 060, from the 100 ft. buffer required between M-2 and residential parcels, to 50 ft. and 75 ft. The requested variances will allow for access, due to the lack of available access in order to provide for a reasonable economic use of the subject property, with screening and landscaping as on the Site Plan submitted herewith.

## **II. Supporting information**

If these zoning and variance requests are not approved, as the owner of the subject property, Atlanta Paving will be forced to redevelop its maintenance shop in a less desirable layout on the existing industrial-zoned property. Based on the recent purchase of the surrounding parcels, and if not zoned for compatible industrial uses, the only available residential uses are for less desirable workforce housing.

The Subject Property is located directly across Buford Highway, from several parcels zoned for M-1 light industrial use and directly across Second (2<sup>nd</sup>) Street from a parcel zoned for M-1 light industrial use that is also owned by the Owner/Applicant. There are also several other properties in the immediate vicinity zoned M-2 for heavy industrial use. The location and proximity to Buford Highway makes this an ideal location for a contractor's office and business uses. While a majority of their trucks and paving equipment remain on-site, this redevelopment plan provides access to major highways, ample screening, and parking. Like the existing maintenance shop and current route to the highways, there would be little to no impact on the surrounding properties.

Consistent with the proposed and existing uses, the City of Peachtree Corners' Future Land Use Plan and Map identify this area as preferred for office and mixed-uses. The Comprehensive Plan notes that a majority of the property in the Mechanicsville area remains vacant, due to the lack of viable business uses. The prior industrial zoning approvals and the Gwinnett County 2020 Land Use Plan designated this area as a business and industrial corridor. Consistent with that plan, Gwinnett County previously approved similar industrial uses on these and nearby properties. Based on its proximity to Buford Highway and I-85, the Subject Property has absolutely no reasonable economic use as currently zoned R-75. It would be all but impossible to develop and/or market the property for low density or detached residential uses due to the property's configuration, size and its location within one of the most significant and intensive commercial/industrial corridors in Gwinnett County.

The redevelopment of an existing, quality industrial business will improve the area and continue to support the City's overall tax base. Approval of this request will not only turn this property into something much better than what it is today but it will also turn it into something that can be a real asset to the Peachtree Corners community. The development of the property as a contractor's office is appropriate to the subject tract and is entirely consistent with the zoning, use and development of the adjacent and surrounding properties.

## **III. Constitutional Objections**

In order to preserve their constitutional objections, the Applicant and property owners of all Subject Property further state and reserve those objections herein. The portions of the Peachtree Corners' Zoning Resolution (the "Zoning Ordinance") which classify or condition the Subject Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owners are and would be unconstitutional in that they would destroy the Applicant's and property owners' property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of

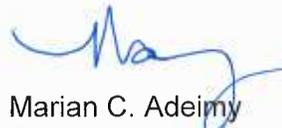
the Constitution of the State of Georgia of 1983, the Equal Protection and Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Peachtree Corners to approve the requested rezonings and related variances, with only such additional conditions as agreed to by the Applicant and property owners, so as to permit the only feasible economic use of the Subject 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 Due Process and Equal Protection Clause of the Fourteenth Amendment to the Constitution. A denial of the requested rezoning will deny the Applicant and property owners' economically viable uses of the Subject Property while not substantially advancing legitimate state and City interests.

The Applicant, property owners, and their representatives welcome the opportunity to meet with the City and its representatives to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

Respectfully submitted,

**ANDERSEN, TATE & CARR, P.C.**

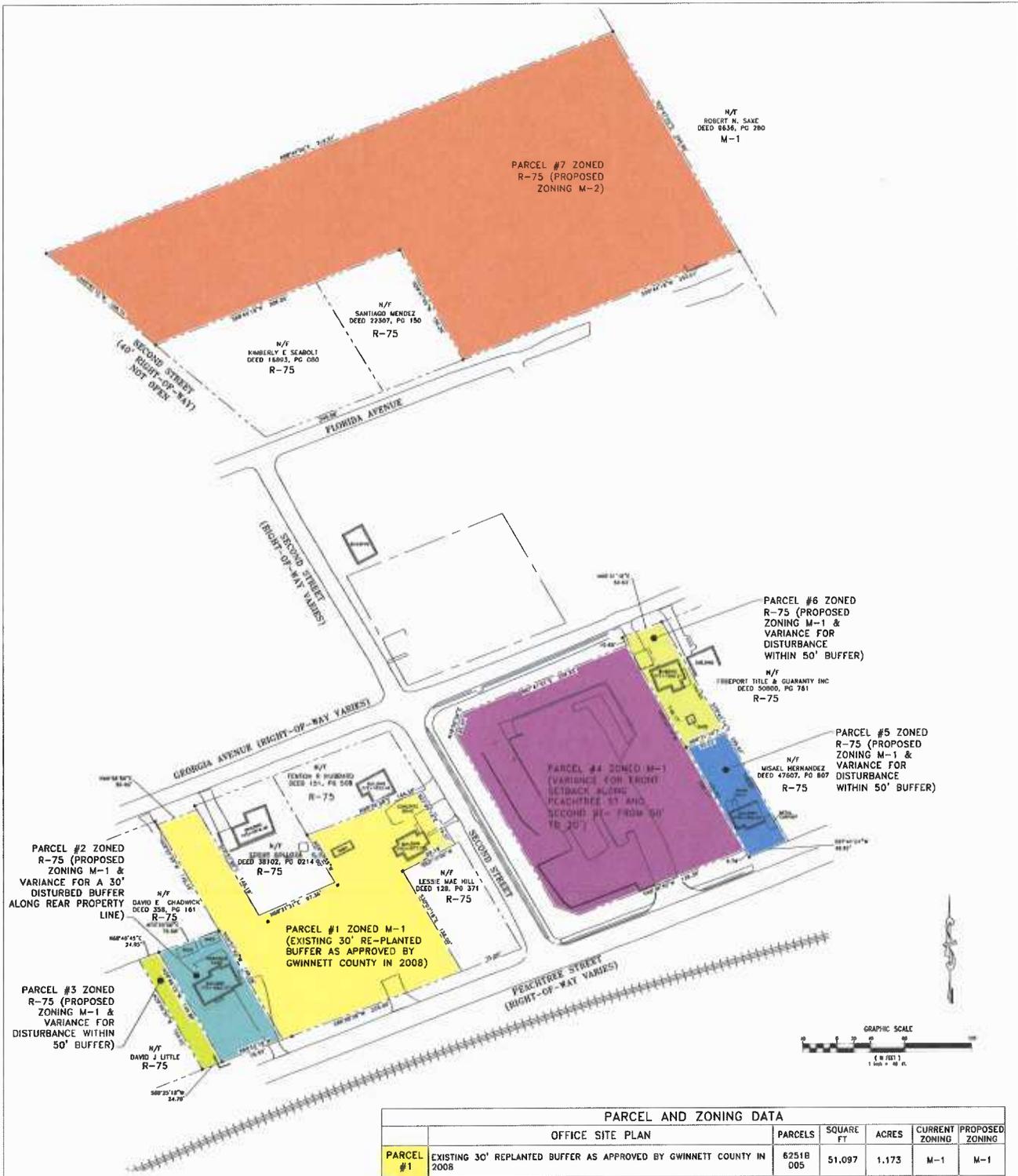


Marian C. Adeimy  
Attorney for the Applicant/Owners

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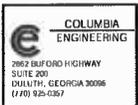
*Enclosures:*

Zoning Applications and exhibits



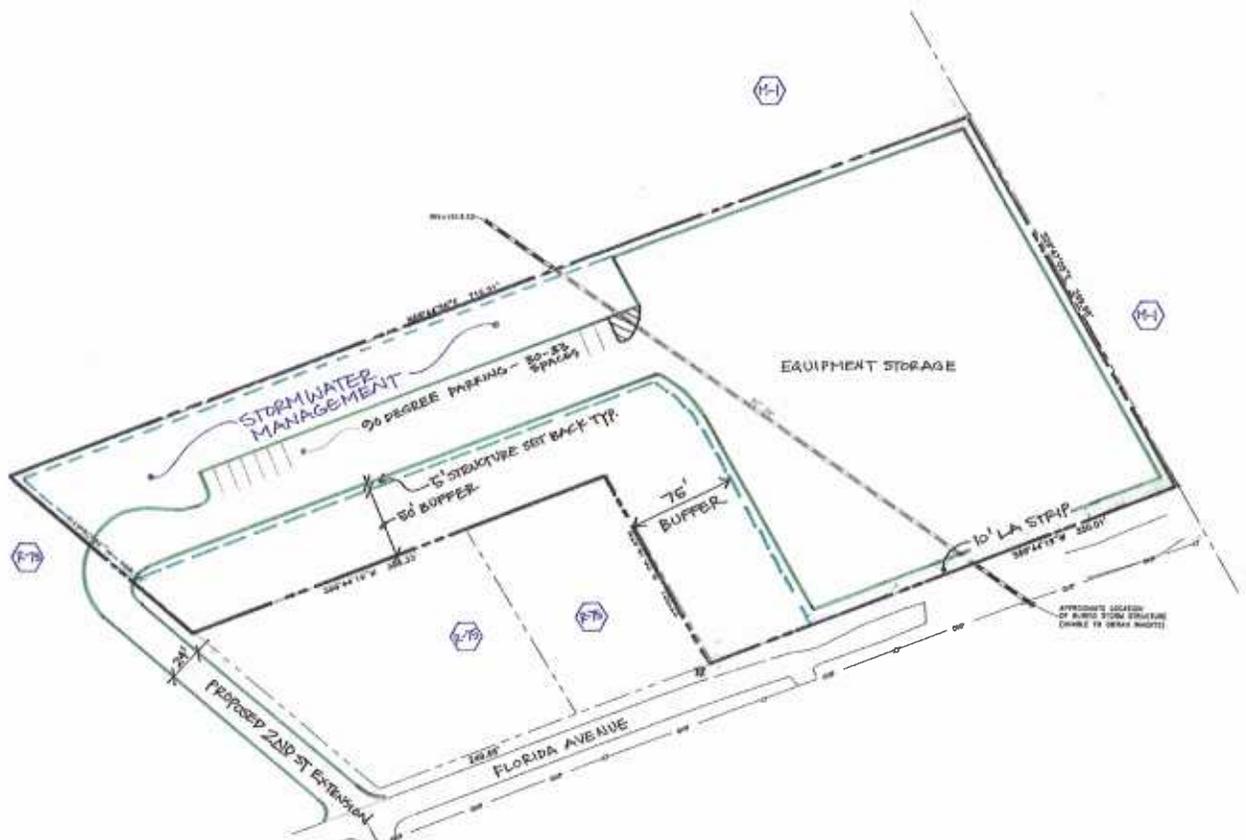
ATLANTA PAVING PROJECTS  
OVERALL PROPOSED ZONING EXHIBIT

SK-9 2/2/2017



CES# 4761.00

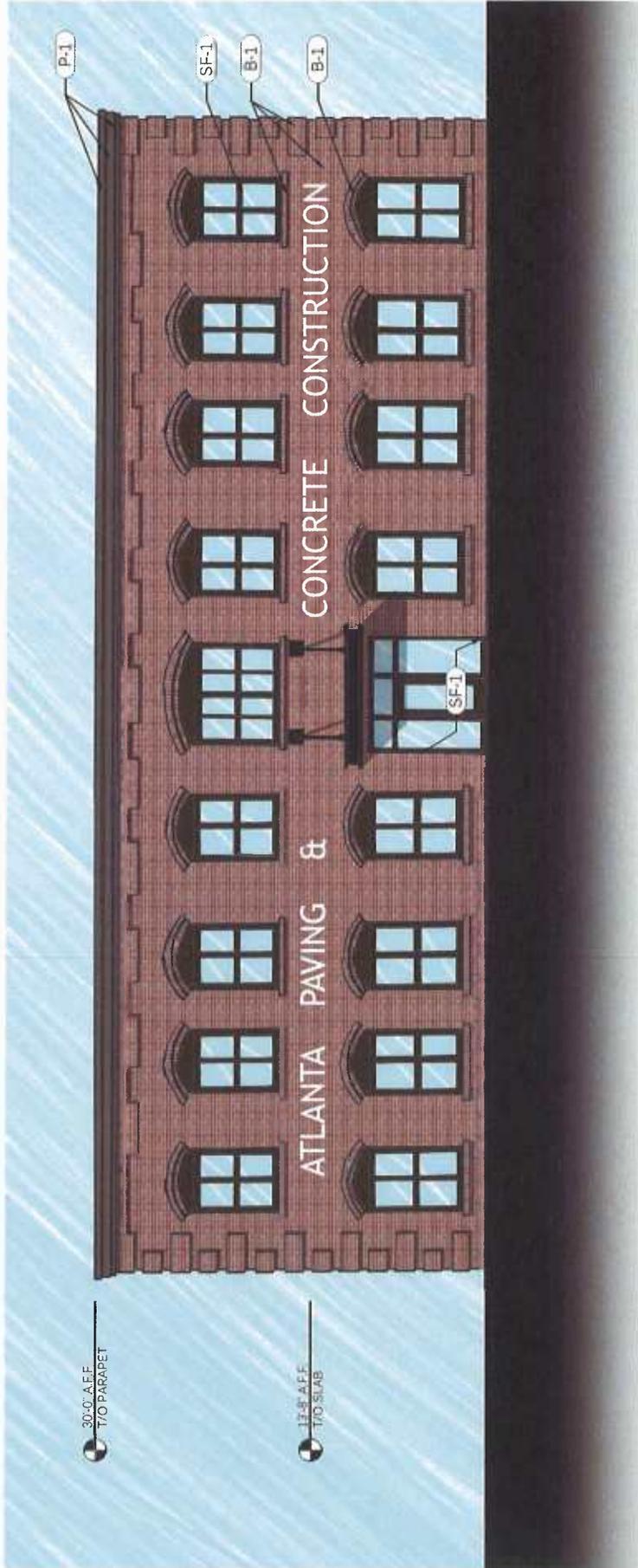
PARCEL AND ZONING DATA						
	OFFICE SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008	6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE	6251B 004	11,147	0.225	R-75	M-1
PARCEL #3	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 073	3,689	0.084	R-75	M-1
MAINTENANCE SHOP PLAN						
PARCEL #4	VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 2ND ST FROM 50' TO 20'	6251B 008	62,991	1.446	M-1	M-1
PARCEL #5	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 009	7,395	0.170	R-75	M-1
PARCEL #6	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 021	7,468	0.171	R-75	M-1
EQUIPMENT STORAGE YD						
PARCEL #7	NO VARIANCE NEEDED	6251B 060	153,870	3.532	R-75	M-2



PARCEL AND ZONING DATA					
DEDC SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1 (EXISTING 30' REPLANTED TREE AS APPROVED BY DAWSON COUNTY IN 2004)	62518 000	51,097	1.173	M-1	M-1
PARCEL #2 (VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE)	62518 004	11,147	0.255	R-75	M-1
PARCEL #3 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	62518 073	3,469	0.084	R-75	M-1
MAINTENANCE SHOP PLAN					
PARCEL #4 (VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 2ND ST FROM 50' TO 30')	62518 008	82,991	1.946	M-1	M-1
PARCEL #5 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	62518 009	7,395	0.170	R-75	M-1
PARCEL #6 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	62518 021	7,488	0.171	R-75	M-1
EQUIPMENT STORAGE YD					
PARCEL #7	62518 060	183,870	4.232	R-75	M-1



**ATLANTA PAVING PROJECTS  
OVERALL ZONING SITE PLANS**  
SK-8 1/31/2017



FRONT ELEVATION

EXTERIOR FINISH SCHEDULE

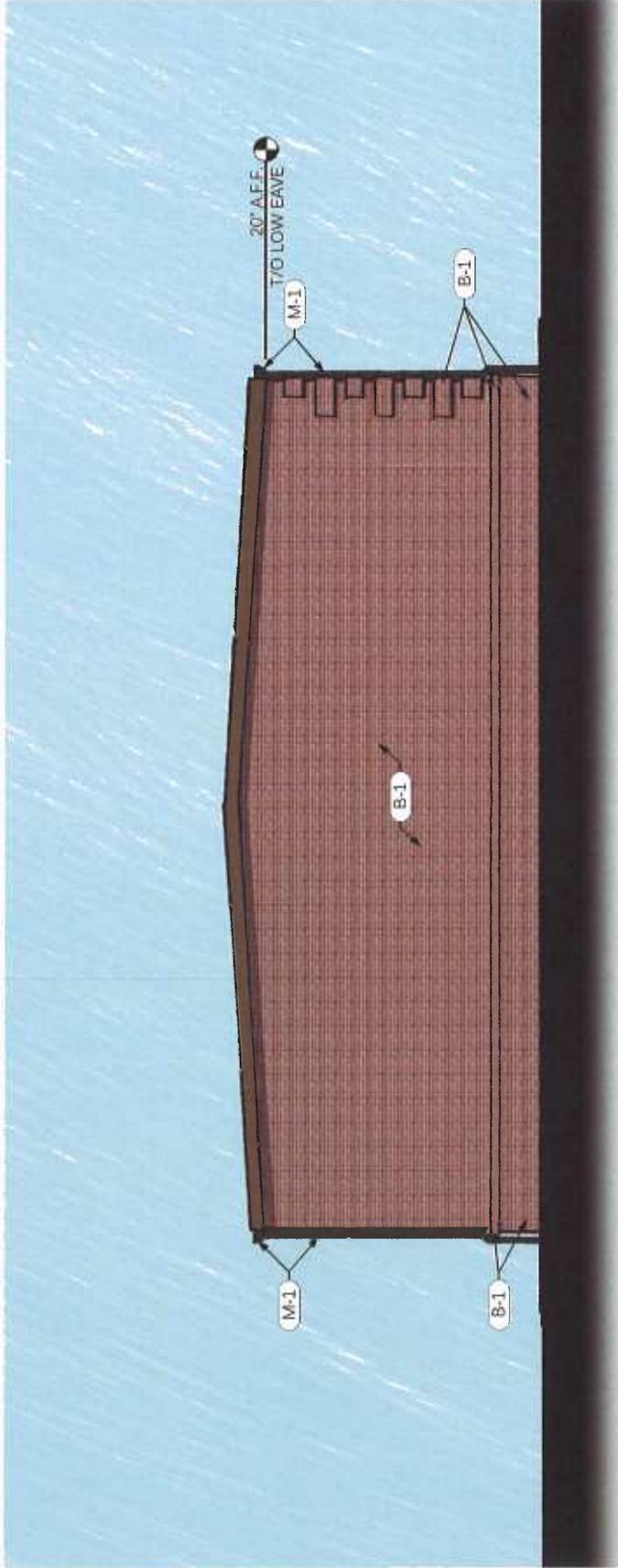
MARK	CATEGORY	MANUFACTURER	DESCRIPTION / FINISH
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 URBAN BRONZE
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMENTGREY MORTAR, TOOLED JOINTS
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: DARK BRONZE

DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

01 AUGUST 2016



SIDE ELEVATION

EXTERIOR FINISH SCHEDULE			DESCRIPTION / FINISH
MARK	CATEGORY	MANUFACTURER	
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMEX "GREY" MORTAR, TOOLED JOINTS
M-1	METAL	T.B.D.	DOWNSPOUT, COLOR: "DARK BRONZE"
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 "URBANE BRONZE"
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: "DARK BRONZE"
SF-2	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: "CLEAR ANODIZED ALUMINUM"

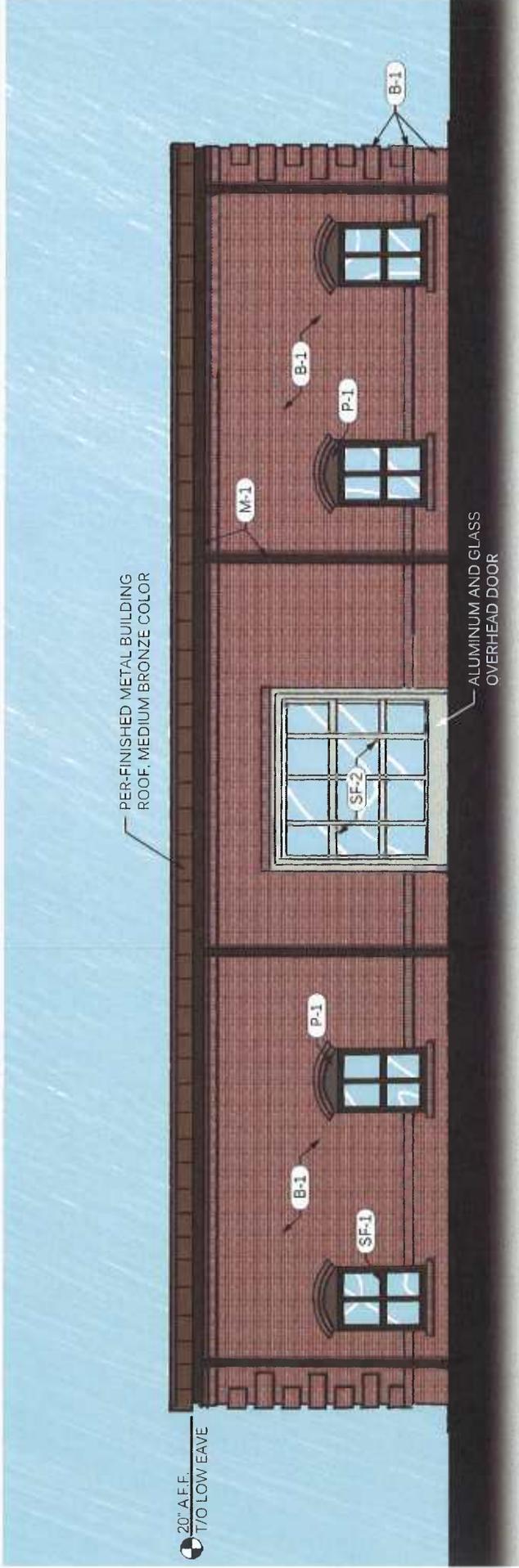
DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

29 SEPTEMBER 2016





**OLD PEACHTREE ROAD ELEVATION**

**EXTERIOR FINISH SCHEDULE**

MARK	CATEGORY	MANUFACTURER	DESCRIPTION / FINISH
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMEX "GREY" MORTAR, TOOLED JOINTS
M-1	METAL	T.B.D.	DOWNSPOUT, COLOR: "DARK BRONZE"
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 "URBANE BRONZE"
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: "DARK BRONZE"
SF-2	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: "CLEAR ANODIZED ALUMINIUM"

DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

29 SEPTEMBER 2016





LAND DESCRIPTION 1

Parcel ID 6251B 005

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

BEGINNING at a capped ½" rebar set S69°08'30"W a distance of 75.00' from the intersection of the westerly Right-of-Way Third Street and the northerly Right-of-Way of Peachtree Street; thence along Peachtree Street S69°08'30"W a distance of 225.00' to a ½" rebar found; thence leaving Peachtree Street N29°57'43"W a distance of 149.09' to a ½" rebar found; thence N29°57'55"W a distance of 145.19' to a capped ½" rebar set on the new Right-of-Way of Georgia Avenue (being 25' from centerline); thence along the new Right-of-Way N68°58'58"E a distance of 50.02' to a capped ½" rebar set; thence leaving Georgia Avenue S29°57'55"E a distance of 145.19' to a capped ½" rebar set; thence N66°21'31"E a distance of 97.36' to a capped ½" rebar set; thence N29°57'55"W a distance of 65.00' to a 1" OTP found; thence N68°58'58"E a distance of 144.28' to a capped ½" rebar set on the new Right-of-Way (being 25' from centerline) of Third Street; thence along the new Right-of-Way of Third Street S31°39'13"W a distance of 74.37' to a capped ½" rebar set; thence leaving the new Right-of-Way S63°00'00"W a distance of 69.16' to a ½" rebar found; thence S30°07'18"E a distance of 138.00' to the capped ½" rebar AT THE POINT OF BEGINNING.

LAND DESCRIPTION 2

Parcel ID 6251B 004

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

BEGINNING at a capped ½" rebar set S69°08'30"W a distance of 300.00' from the intersection of the westerly Right-of-Way Third Street and the northerly Right-of-Way of Peachtree Street; thence along Peachtree Street S69°55'19"W a distance of 75.93' to a ½" iron pin found; thence leaving Peachtree Street N29°46'25"W a distance of 149.89' to a 3/8" rebar found; thence N70°35'00"E a distance of 75.58' to a ½" rebar found; thence S29°57'43"E a distance of 149.09' to a ½" rebar found AT THE POINT OF BEGINNING.

LAND DESCRIPTION 3

Parcel ID 6251B 073

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

COMMENCE at a the westerly Right-of-Way of Third Street and the westerly Right-of-Way of Peachtree Street; thence S69°08'30"W a distance of 300.00' to a capped ½" rebar set; thence along Peachtree Street S69°55'19"W a distance of 75.93' to a ½" iron pin found TO THE TRUE POINT BEGINNING; thence along Peachtree Street S68°25'18"W a distance of 24.78' to a ½" rebar found; leaving Peachtree Street N29°49'57"W a distance of 150.02' to a ½" rebar found; thence N68°40'45"E a distance of 24.95' to a 3/8" rebar found; thence S29°46'25"E a distance of 149.89' to a ½" rebar found AT THE TRUE POINT OF BEGINNING.

LAND DESCRIPTION 4

Parcel ID 6251B 008

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

BEGINNING at the southeasterly end of the miter of the westerly Right-of-Way of Peachtree Street and the easterly Right-of-Way of Third Street; thence along the miter N70°25'30"W a distance of 30.32' to a point at the northwesterly end of the miter on the easterly Right-of-Way of Third Street; thence along said R/W N29°43'09"W a distance of 235.86' to a point on the southwesterly end of a miter of the westerly Right-of-Way of Third Street and the southerly Right-of-Way of Georgia Avenue; thence along the miter N18°58'56"E a distance of 26.40' to a point on the southerly Right-of-Way of Georgia Avenue; thence along said R/W N67°41'01"E a distance of 209.83' to a capped ½" rebar set; thence leaving said R/W S29°43'14"E a distance of 280.17' to a capped ½" rebar set on the Right-of-Way of Peachtree Street; thence along Peachtree Street S68°39'55"W a distance of 139.39' to THE POINT OF BEGINNING

LAND DESCRIPTION 5

Parcel ID 6251B 009

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

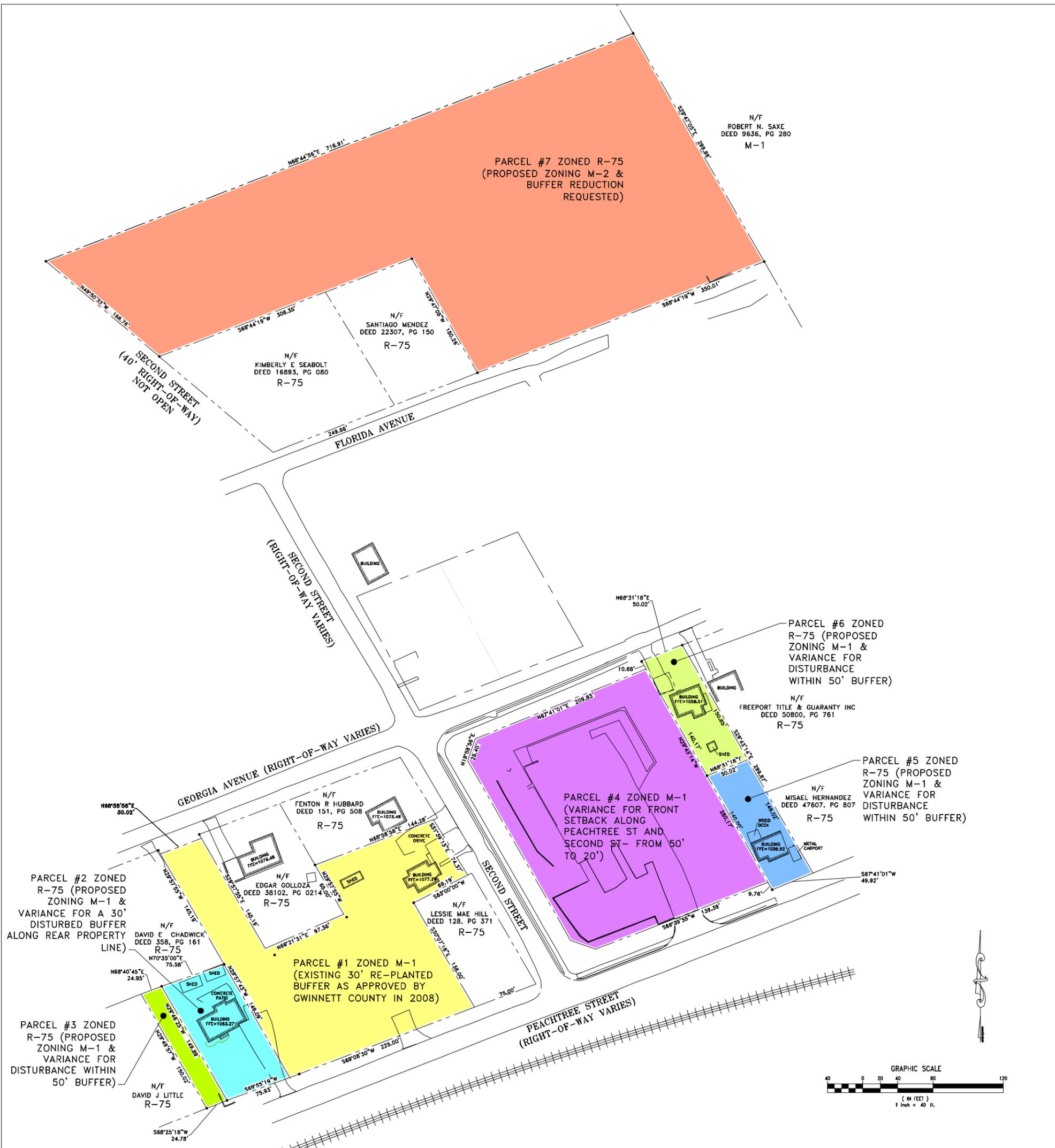
COMMENCE at the southeasterly end of the miter of the northerly Right-of-Way of Peachtree Street and the easterly Right-of-way of Third Street; thence N68°39'55"E a distance of 139.39' to a capped ½" rebar set AT THE TRUE POINT OF BEGINNING; thence leaving said R/W N29°43'14"W a distance of 140.00' to a 1" CTP found; thence N68°31'18"E a distance of 50.02 to a point; thence S29°43'14"E a distance of 149.02' to a capped ½" rebar set on the Right-of-Way of Peachtree Street; thence along said R/W S67°41'01"W a distance of 49.92' to a 1/2" rebar found; thence leaving said R/W N29°43'14"W a distance of 9.76' to THE TRUE POINT OF BEGINNING.

LAND DESCRIPTION 6

Parcel ID 6251B 021

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

COMMENCE at the southeasterly end of the miter of the northerly Right-of-Way of Peachtree Street and the easterly Right-of-way of Third Street; thence N68°39'55"E a distance of 139.39' to a capped ½" rebar set; thence leaving said R/W N29°43'14"W a distance of 140.00' to a 1" CTP found AT THE TRUE POINT OF BEGINNING; thence N29°43'14"W a distance of 150.85' to a 1/2" OTP found on the Right-of-Way of Georgia Avenue; thence along said R/W N68°31'18"E a distance of 50.02' to a ½" OTP found; thence leaving said R/W S29°43'14"E a distance of 150.85' to a point; thence S68°31'18"W a distance of 50.02' to a 1" CTP at THE TRUE POINT OF BEGINNING.



**ATLANTA PAVING PROJECTS  
OVERALL PROPOSED ZONING EXHIBIT**

SK-9 2/2/2017



CES# 4761.00

PARCEL AND ZONING DATA						
	OFFICE SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008	6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE	6251B 004	11,147	0.225	R-75	M-1
PARCEL #3	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 073	3,689	0.084	R-75	M-1
MAINTENANCE SHOP PLAN						
PARCEL #4	VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 2ND ST FROM 50' TO 20'	6251B 008	62,991	1.446	M-1	M-1
PARCEL #5	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 009	7,395	0.170	R-75	M-1
PARCEL #6	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 021	7,468	0.171	R-75	M-1
EQUIPMENT STORAGE YD						
PARCEL #7	BUFFER REDUCTION REQUESTED	6251B 060	153,870	3.532	R-75	M-2

## PROPERTY LOCATION MAP

### Atlanta Paving



**CASE NUMBER:**

**RZ2017-01 / V2017-001**

**PLANNING  
COMMISSION**

**CITY COUNCIL  
1<sup>ST</sup> READING**

**CITY COUNCIL  
2<sup>ND</sup> READING**

**HEARING DATES:**

**MAR. 14, 2017**

**MAR. 21, 2017**

**APRIL 18, 2017**

**PROPERTY ADDRESS:**

**6120 Second St. and 4500 Peachtree St.**

**RZ2017-002 / V2017-003**  
**Atlanta Paving**

**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**REZONING AND VARIANCE ANALYSIS**

PLANNING COMMISSION DATE: MARCH 14, 2017

CITY COUNCIL DATE: APRIL 18, 2017

CASE NAME: **ATLANTA PAVING**

CASE NUMBER: **RZ2017-002/V2017-003**

CURRENT ZONING: R-75

LOCATION: SECOND ST. AND FLORIDA AVE.

MAP NUMBERS: 6<sup>th</sup> DISTRICT, LAND LOT 25 I

ACREAGE: 3.5 ACRES

PROPOSED DEVELOPMENT: REZONE FROM R-75 TO M-2 TO ACCOMMODATE EMPLOYEE AND TRUCK PARKING AND STORAGE ALONG WITH ASSOCIATED VARIANCES

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: ATLANTA PAVING & CONCRETE CONSTRUCTION, INC. C/O ANDERSON, TATE, & CARR, PA  
1960 SATELITE BLVD., STE. 4000  
DULUTH, GA 30097

CONTACT: MARIAN C. ADEIMY  
678.518.6855

OWNER: ATLANTA PAVING & CONCRETE CONSTRUCTION, INC.  
6120 SECOND STREET, NW  
PEACHTREE CORNERS, GA 30360

**RECOMMENDATION: DENIAL**

**PROJECT DATA:**

The applicant is seeking to rezone a 3.5 acre parcel located to the northeast of the intersection of Second Street and Florida Avenue from R-75 to M-2. The subject property is owned by the Atlanta Paving Company and is approximately two blocks north of their existing business location. In addition to the rezoning, the applicant has requested a variance to allow for an encroachment into the buffer between residential and industrial uses. The variance would accommodate an access drive off Second St. by reducing the required buffer adjacent to existing single family homes.

Atlanta Paving would like to utilize this site that they own and is currently vacant for additional employee, truck and equipment parking. The proposed parking area will be accessible from Second Street. The applicant has stated that the road and driveway to the property would be improved and designed to provide direct access to Buford Highway. This site would provide greater convenience to the company than their current situation which requires vehicle parking and truck storage at a remote site.

The site plan, submitted on January 31, 2017, shows approximately 33 proposed parking spaces adjacent to Second Street. To the rear of the property, adjacent to Florida Avenue, is the proposed area for equipment storage.

**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:* Yes. The subject property is located on and around a fully accessible, existing office and industrial site, currently occupied and operated by the Applicant. A large portion of the subject property was also previously zoned M-1, as rezoned in 2008 by Gwinnett County, and are surrounded by similarly-zoned property and uses. As reflected in Comprehensive Plan for Gwinnett County and Future Land Use Map for the City of Peachtree Corners, the addition of a business office and accessory uses is consistent with the designation of this area for "preferred office". Accordingly, the requested uses, zoning and conditions are suitable in view of the use and development of the adjacent and nearby property.

*Staff's Comment:* The parcels requesting to be rezoned are adjacent to existing R-75 parcels and would not be suitable in view of the use and development of adjacent and nearby properties. This site was not part of the previous Gwinnett County rezoning case and is located well within the residential part of the area. It is dissimilar to Atlanta Paving's other property which is located along the periphery of the residential area. The location of this site requires large trucks to bisect a residential neighborhood.

**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. The current zoning and surrounding industrial uses make the requested uses and conditions compatible with the existing uses and usability of the adjacent and nearby property.

*Staff's Comment:* M-2 zoning could adversely affect the existing use or value of adjacent properties. Truck parking with reduced setbacks could negatively impact quality of life for the residentially zoned properties nearby. City policies do not call for industrial uses at this location, as this area is identified for residential use.

**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:* No. The current mixture of R-75 and M-1 zoning designations do not allow for a reasonable economic use as currently zoned and conditioned.

*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. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares, highways and interstate. The development is consistent with the area and Comprehensive Plan, with no impact on schools. Due to the existing and surrounding operations, the proposed redevelopment and office plans will not cause excessive use of existing streets, transportation facilities or utilities.

*Staff's Comment:* This development will have no impact on schools; however, the proposed use of the property for truck storage and vehicle parking will cause a burdensome use of existing residential streets.

**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:* Yes. The Comprehensive Plan and zoning precedent and history identifies the subject property as an appropriate location for a contractor's office, parking, storage and the existing industrial/maintenance uses, and will positively impact the City's industrial and commercial tax-base, and is consistent with the prior zoning and uses permitted on the subject property.

*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:* Yes. The Applicant and property owners seek to consolidate their office and business operations, with over \$35 million in annual revenue, from Gwinnett County to the City of Peachtree Corners to operate in conjunction with the existing maintenance shop use, already zoned and operated in the City.

*Staff's Comment:* There are no other existing or changing conditions affecting the use and development of the property.

**COMPREHENSIVE PLAN:**

The 2033 City of Peachtree Corners Character Area Map indicates that the property is located within the Village Residential Character Area. Policies for this are encourage "a variety of single-family attached housing options and a transition in density between low-scale single family development and commercial areas."

The Mechanicsville neighborhood on Buford Highway is designated as Village Residential. This historic neighborhood, one of the oldest in Gwinnett County, also houses the Mechanicsville School House, which is on the National Register of Historic Places and Peachtree Corner's only designated historic structure. While some of the homes and lots in this neighborhood are in need of investment, the community values the importance of protecting the neighborhood's legacy and historic development patterns. It is particularly important to protect this neighborhood from surrounding industrial uses, as some industrial uses have encroached into the neighborhood.

**DEPARTMENT ANALYSIS:**

The proposed rezoning from R-75 to M-2 is likely to have an adverse impact on adjacent and nearby properties. While improving the condition of existing industrial properties is encouraged, expanding beyond the periphery of the Mechanicsville area would likely be detrimental to the existing residential properties. The industrial businesses currently located in this area are accessed from main roads and do not require the use of residential streets. Locating an industrial use that is only accessible from residential streets would likely have a negative impact on residential quality of life. The non-residential traffic driving through this small community to access the paving company parking lot may jeopardize pedestrian safety on the smaller roads that were no designed for larger vehicles.

**RECOMMENDATION:**

**After review of the applicant's proposal and other relevant information, it is recommended that RZ2017-002/V2017-003 be denied.**

**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>Atlanta Paving &amp; Concrete Construction, Inc.</u> c/o Andersen, Tate & Carr, PC ADDRESS: <u>1960 Satellite Blvd., Ste. 4000</u>	NAME: <u>Atlanta Paving &amp; Concrete Construction, Inc. et al.</u> ADDRESS: <u>6120 Second Street, NW</u>
CITY: <u>Duluth</u>	CITY: <u>Peachtree Corners</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30360</u>
PHONE: <u>(770) 822-0900</u>	PHONE: <u>(770) 220-0228</u>
E-MAIL: <u>madeimy@atclawfirm.com</u>	E-MAIL: <u>dlpaving@yahoo.com</u>
CONTACT PERSON: <u>Marian C. Adeimy, Attorney</u> PHONE: <u>(678) 518-6855</u>	
CONTACT'S E-MAIL: <u>madeimy@atclawfirm.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT       PROPERTY OWNER       CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: M-2

LAND DISTRICT(S): 6 LAND LOT(S): 251 ACREAGE: 3.5

ADDRESS OF PROPERTY: Near the 6100 and 4500 blocks of Florida Ave., NW (Doraville 30360)

PROPOSED DEVELOPMENT: Use as employee and screened equipment/truck parking for nearby paving business, with the buffer variances reflected in the Letter of Intent submitted herewith.

---

*Staff Use Only This Section*

Case Number: \_\_\_\_\_ Hearing Date: P/C \_\_\_\_\_ C/C \_\_\_\_\_ Received Date: \_\_\_\_\_

Fees Paid: \_\_\_\_\_ By: \_\_\_\_\_

**Related Cases & Applicable Conditions:**

\_\_\_\_\_

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**RESIDENTIAL DEVELOPMENT**

No. of Lots/Dwelling Units \_\_\_\_\_

Dwelling Unit Size (Sq. Ft.): \_\_\_\_\_

**NON-RESIDENTIAL DEVELOPMENT**

No. of Buildings/Lots: \_\_\_\_\_

Total Bldg. Sq. Ft.: \_\_\_\_\_

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.

Donna Lopez 1/31/17  
Signature of Applicant Date  
Donna Lopez, Officer/Secretary  
Type or Print Name and Title

Pamela R. Morrow 1-31-17  
Signature of Notary Public Date



**PROPERTY OWNER'S CERTIFICATION**

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

Donna Lopez 1/31/17  
Signature of Property Owner Date  
Donna Lopez, Officer/Secretary  
Type or Print Name and Title

Pamela R. Morrow 1-31-17  
Signature of Notary Public Date



**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?

Yes. See Exhibit "B".

- 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. See Exhibit "B".

- 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?

No. See Exhibit "B".

- 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. See Exhibit "B".

- 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?

Yes. See Exhibit "B".

- 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?

Yes. See Exhibit "B".

# ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.  
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MARIAN C. ADEIMY  
Attorney at Law

E-mail: [madeimy@atclawfirm.com](mailto:madeimy@atclawfirm.com)

## EXHIBIT "B"

### **ATLANTA PAVING - APPLICANT'S AND OWNERS' RESPONSES IN SUPPORT OF ZONING AND VARIANCE REQUESTS**

- A) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The subject property is located on and around a fully accessible, existing office and industrial site, currently occupied and operated by the Applicant. A large portion of the subject property was also previously zoned M-1, as rezoned in 2008 by Gwinnett County, and are surrounded by similarly-zoned property and uses. As reflected in Comprehensive Plan for Gwinnett County and Future Land Use Map for the City of Peachtree Corners, the addition of a business office and accessory uses is consistent with the designation of this area for "preferred office". Accordingly, the requested uses, zoning and conditions are suitable in view of the use and development of the adjacent and nearby property.

- B) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The current zoning and surrounding industrial uses make the requested uses and conditions compatible with the existing uses and useability of the adjacent and nearby property.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED AND CONDITIONED:

No. The current mixture of R-75 and M-1 zoning designations do not allow for a reasonable economic use as currently zoned and conditioned.

- D) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/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. This property is located in an area with public water and sewer availability, and direct access to two major thoroughfares, highways and interstate. The development is consistent with the area and Comprehensive Plan, with no impact on schools. Due to the existing and surrounding operations, the proposed redevelopment and office plans will not cause excessive use of existing streets, transportation facilities or utilities.

- E) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The Comprehensive Plan and zoning precedent and history identifies the subject property as an appropriate location for a contractor's office, parking, storage and the existing industrial/maintenance uses, and will positively impact the City's industrial and commercial tax-base, and is consistent with the prior zoning and uses permitted on the subject property.

- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS.

Yes. The Applicant and property owners seek to consolidate their office and business operations, with over \$35 million in annual revenue, from Gwinnett County to the City of Peachtree Corners to operate in conjunction with the existing maintenance shop use, already zoned and operated in the City.

**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      Atlanta Laying + Concrete  
 (If **yes**, please complete the "Campaign Contributions" section below)      Print Name

1. CAMPAIGN CONTRIBUTIONS

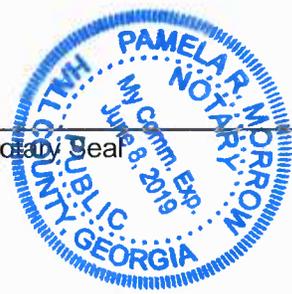
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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.

Donna Lopez      1/31/17      Donna Lopez, Officer/Secretary  
 Signature of Applicant      Date      Type or Print Name and Title

Marian Adams      1/31/17      Marian Adams  
 Signature of Applicant's Attorney or Representative      Date      Type or Print Name and Title

Pamela R. Morrow      1/31/17      \_\_\_\_\_  
 Signature of Notary      Date      Notary Seal



**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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

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

PARCEL I.D. NUMBER: 6 - 251B - 060  
(Map Reference Number) District Land Lot Parcel

Donna Lopez \_\_\_\_\_  
Signature of Applicant Date

Donna Lopez, Officer/Secretary \_\_\_\_\_  
Type or Print Name and Title

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*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] \_\_\_\_\_  
NAME

T. B. J. \_\_\_\_\_  
TITLE

1-31-17 \_\_\_\_\_  
DATE

# ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.  
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February 1, 2017

## ***VIA HAND-DELIVERY AND E-MAIL***

City of Peachtree Corners  
147 Technology Parkway NW,  
City Hall, Ste. 200  
Peachtree Corners, GA 30092

**RE: LETTER OF INTENT FOR REZONING AND VARIANCE REQUESTS  
FOR ATLANTA PAVING & CONCRETE CONSTRUCTION, INC.**

Dear Mayor, Council and staff:

This firm represents Atlanta Paving & Concrete Construction ("Atlanta Paving" and/or the "Applicant") with regard to the rezoning and related variance applications and requests for the collective property, being seven parcels located at or near Old Peachtree Road and Second Street, in the 6<sup>th</sup> District, Land Lot 251 of Gwinnett County, located in the Peachtree Corners City limits, Parcel Nos. 6251B 004, 6251B 005, 6251B 073, 6251B 008, 6251B 008, 6251B 021, and 6251B 060 (collectively, the "Subject Property").

Atlanta Paving is a successful, family-owned business that has operated on and around the Subject Property for over twenty (20) years. The Company provides asphalt paving, milling, soil stabilization, concrete and related services to public and private institutions. Revenue is generated from highway and road construction, commercial parking lots, residential street construction, and related projects. The Applicant and its related entities saw overall revenues increase from \$14 million in 2009, to \$35 million in 2016.

The company specializes in remediation work. They currently have 6 local business and office employees, and employ over 100 workers throughout Georgia. They complete over 500 projects per year. Atlanta Paving's office location is currently located in unincorporated Gwinnett; however, they are seeking to relocate their office operations to Peachtree Corners, in conjunction with the existing maintenance shop and property owned at and near 6120 2<sup>nd</sup> Street, Peachtree Corners (Doraville), GA 30360.

## **I. Zoning and Variance Requests**

The Subject Property includes and the Applicant is submitting the following rezoning and variance requests:

1. Office Rezoning: The Applicant requests to rezone the approximately .6 acres from R-75 to M-1, to allow for the proposed building layout, buffers and screening, in addition to the requested variances on the existing M-1 property. Atlanta Paving currently owns the 1.16 acre parcel, located at 4500 Peachtree Street, Parcel No. 6251B 005, and the adjacent maintenance shop, both which are zoned M-1, as rezoned by Gwinnett County in 2008, consistent with the surrounding Mechanicsville and Buford Highway area.

As part of the rezoning request, Atlanta Paving seeks to add and rezone the two adjacent parcels on either side of its existing property, Parcel Nos. 6251B 004 and 6251B 073, from R-75 to M-1, in order to adequately redevelop, landscape, and locate its successful office operations. A rendering of the proposed office building and design is submitted with these zoning and variance applications. If the two adjacent parcels are not added, those properties will be without a reasonable economic use. The office design will then require parking in front, will lack symmetry and connectivity between the office and maintenance buildings, and will result in an overall, less desirable layout.

The proposed design includes the location of the brick, historic-modeled office building to be placed at the front of the property, to be landscaped with parking along the sides, and to include a 5 ft. sidewalk and matching landscaping at the new maintenance building. As previously approved by Gwinnett County and shown on the site plan submitted herewith.

2. Office/Buffer Variances: As part of the rezoning request, a buffer variance is also needed. The Applicant plans to maintain the 30 ft. replanted buffer conditioned to that site, and proposes a replanted 30 - 50 ft. buffer on certain portions of the adjacent parcels to allow for redevelopment and the demolition of existing structures, and consistent with the existing 30 ft. replanted buffer on the larger M-1 office parcel.
3. Maintenance Shop Rezoning: Atlanta Paving is also requesting to rezone two smaller parcels, Parcel Nos. 6251B 009 and 6251B 021, both of which are adjacent to their existing maintenance shop, zoned M-1 and located at 6120 2<sup>nd</sup> Street, and immediately across from the proposed office location. The addition and rezoning of those proposed redevelopment and building design, to match the new office building, will allow for a quality business to continue operating within the City limits.
4. Maintenance Shop Variances: In order to accomplish the proposed redevelopment plan, the Applicant requests two related variances, to reduce the front and side setbacks to 20 ft., for Parcel No. 6251B 008, and to disturb and replant the two 50 ft. buffers on the two adjacent parcels. The variances will allow the redevelopment of a brick, historic-designed maintenance shop building to be constructed at the front of the property, to improve aesthetics and to screen parking at the back of the shop.
5. Parking (M-2) Rezoning: As a separate rezoning request, and as part of its overall relocation plan and assemblage, the Applicant also owns the 3.5 acre property located immediately down the street from its current operations, Parcel 6251B 060, at or near the 6100 and 4500 block of Florida Ave (near Doraville, Ga.). That property is immediately up the street from the proposed office and maintenance property.

The Applicant seeks to rezone that property from R-75 to M-2 in order to provide limited employee and business truck and equipment parking. The property lies adjacent to existing M-1 and industrial uses with similar equipment parking and operations, consistent with the proposed uses.

The road and driveway to that property would be improved and designed to provide direct access to Buford Highway, minimizing any potential impact on the surrounding streets. The property and parking area would be screened, buffered, and landscaped as reflected on the site plan submitted herewith. The Applicant also owns property off of Georgia Ave., in between the proposed sites. The location will allow the Applicant to complete the road and improve the overall appearance of the streets in that area.

6. Parking Variances: For the parking area, the Applicant also requests certain buffer variances, for Parcel No. 6251B 060, from the 100 ft. buffer required between M-2 and residential parcels, to 50 ft. and 75 ft. The requested variances will allow for access, due to the lack of available access in order to provide for a reasonable economic use of the subject property, with screening and landscaping as on the Site Plan submitted herewith.

## **II. Supporting information**

If these zoning and variance requests are not approved, as the owner of the subject property, Atlanta Paving will be forced to redevelop its maintenance shop in a less desirable layout on the existing industrial-zoned property. Based on the recent purchase of the surrounding parcels, and if not zoned for compatible industrial uses, the only available residential uses are for less desirable workforce housing.

The Subject Property is located directly across Buford Highway, from several parcels zoned for M-1 light industrial use and directly across Second (2<sup>nd</sup>) Street from a parcel zoned for M-1 light industrial use that is also owned by the Owner/Applicant. There are also several other properties in the immediate vicinity zoned M-2 for heavy industrial use. The location and proximity to Buford Highway makes this an ideal location for a contractor's office and business uses. While a majority of their trucks and paving equipment remain on-site, this redevelopment plan provides access to major highways, ample screening, and parking. Like the existing maintenance shop and current route to the highways, there would be little to no impact on the surrounding properties.

Consistent with the proposed and existing uses, the City of Peachtree Corners' Future Land Use Plan and Map identify this area as preferred for office and mixed-uses. The Comprehensive Plan notes that a majority of the property in the Mechanicsville area remains vacant, due to the lack of viable business uses. The prior industrial zoning approvals and the Gwinnett County 2020 Land Use Plan designated this area as a business and industrial corridor. Consistent with that plan, Gwinnett County previously approved similar industrial uses on these and nearby properties. Based on its proximity to Buford Highway and I-85, the Subject Property has absolutely no reasonable economic use as currently zoned R-75. It would be all but impossible to develop and/or market the property for low density or detached residential uses due to the property's configuration, size and its location within one of the most significant and intensive commercial/industrial corridors in Gwinnett County.

The redevelopment of an existing, quality industrial business will improve the area and continue to support the City's overall tax base. Approval of this request will not only turn this property into something much better than what it is today but it will also turn it into something that can be a real asset to the Peachtree Corners community. The development of the property as a contractor's office is appropriate to the subject tract and is entirely consistent with the zoning, use and development of the adjacent and surrounding properties.

## **III. Constitutional Objections**

In order to preserve their constitutional objections, the Applicant and property owners of all Subject Property further state and reserve those objections herein. The portions of the Peachtree Corners' Zoning Resolution (the "Zoning Ordinance") which classify or condition the Subject Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owners are and would be unconstitutional in that they would destroy the Applicant's and property owners' 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, the Equal Protection and Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Peachtree Corners to approve the requested rezonings and related variances, with only such additional conditions as agreed to by the Applicant and property owners, so as to permit the only feasible economic use of the Subject 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 Due Process and Equal Protection Clause of the Fourteenth Amendment to the Constitution. A denial of the requested rezoning will deny the Applicant and property owners' economically viable uses of the Subject Property while not substantially advancing legitimate state and City interests.

The Applicant, property owners, and their representatives welcome the opportunity to meet with the City and its representatives to answer any questions or to address any concerns. Applicant respectfully requests your approval of this Application.

Respectfully submitted,

**ANDERSEN, TATE & CARR, P.C.**

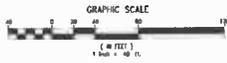
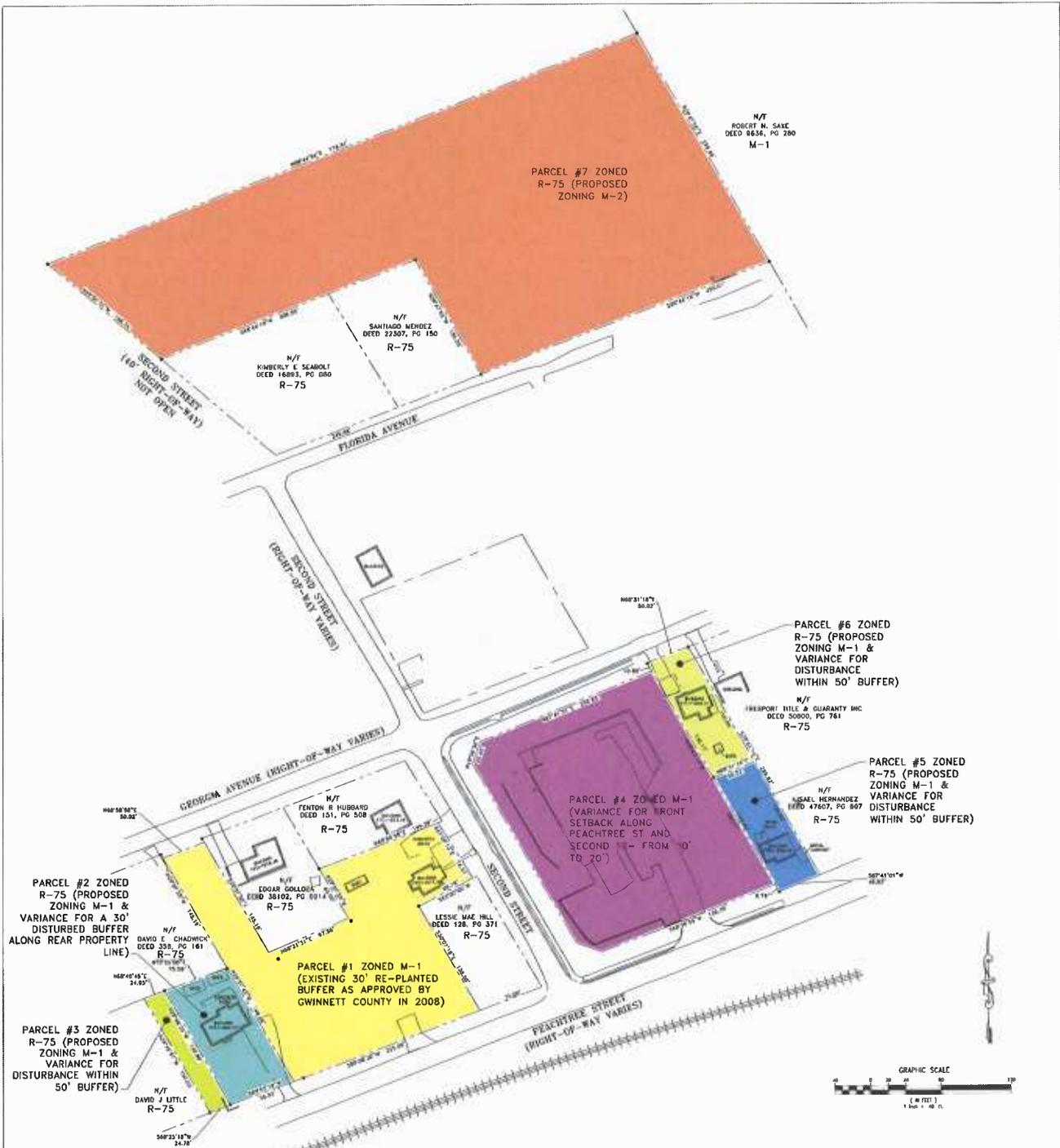


Marian C. Adeimy  
Attorney for the Applicant/Owners

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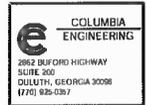
*Enclosures:*

Zoning Applications and exhibits



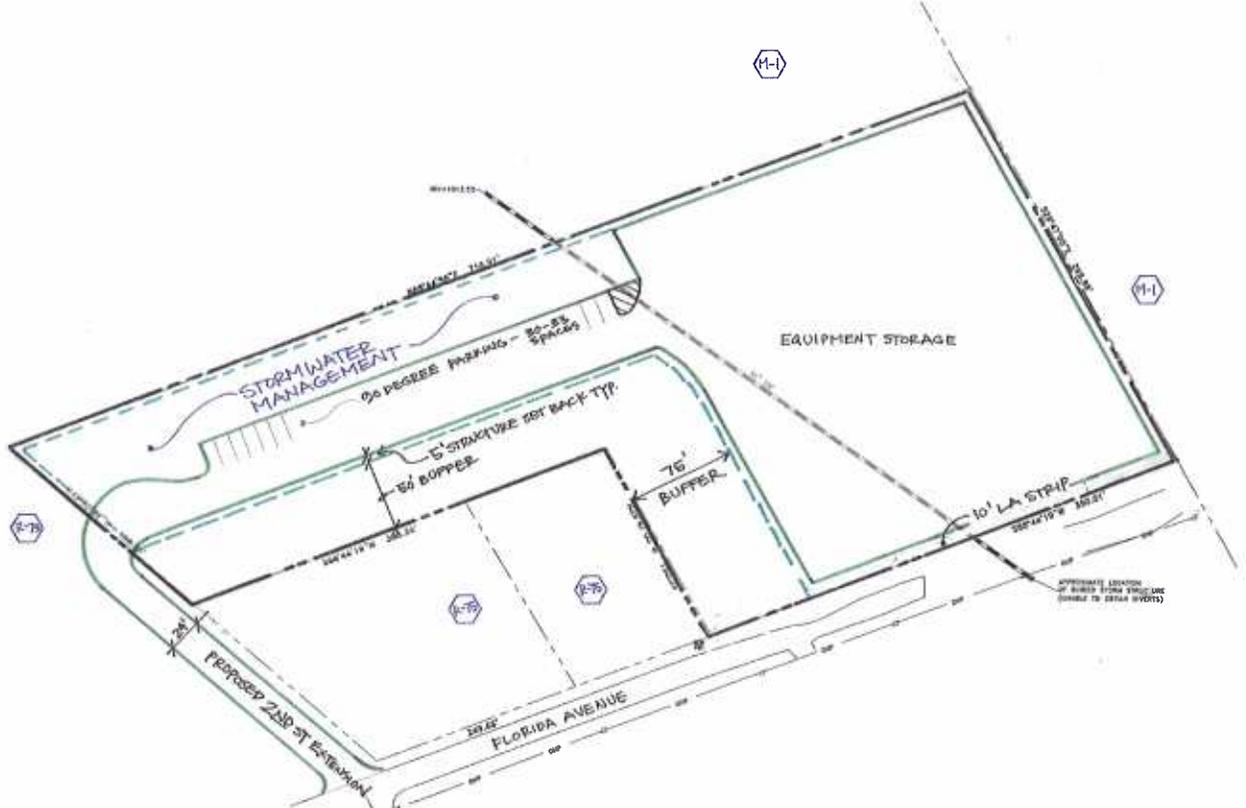
**ATLANTA PAVING PROJECTS  
OVERALL PROPOSED ZONING EXHIBIT**

SK-9 2/2/2017

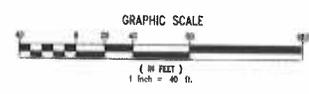
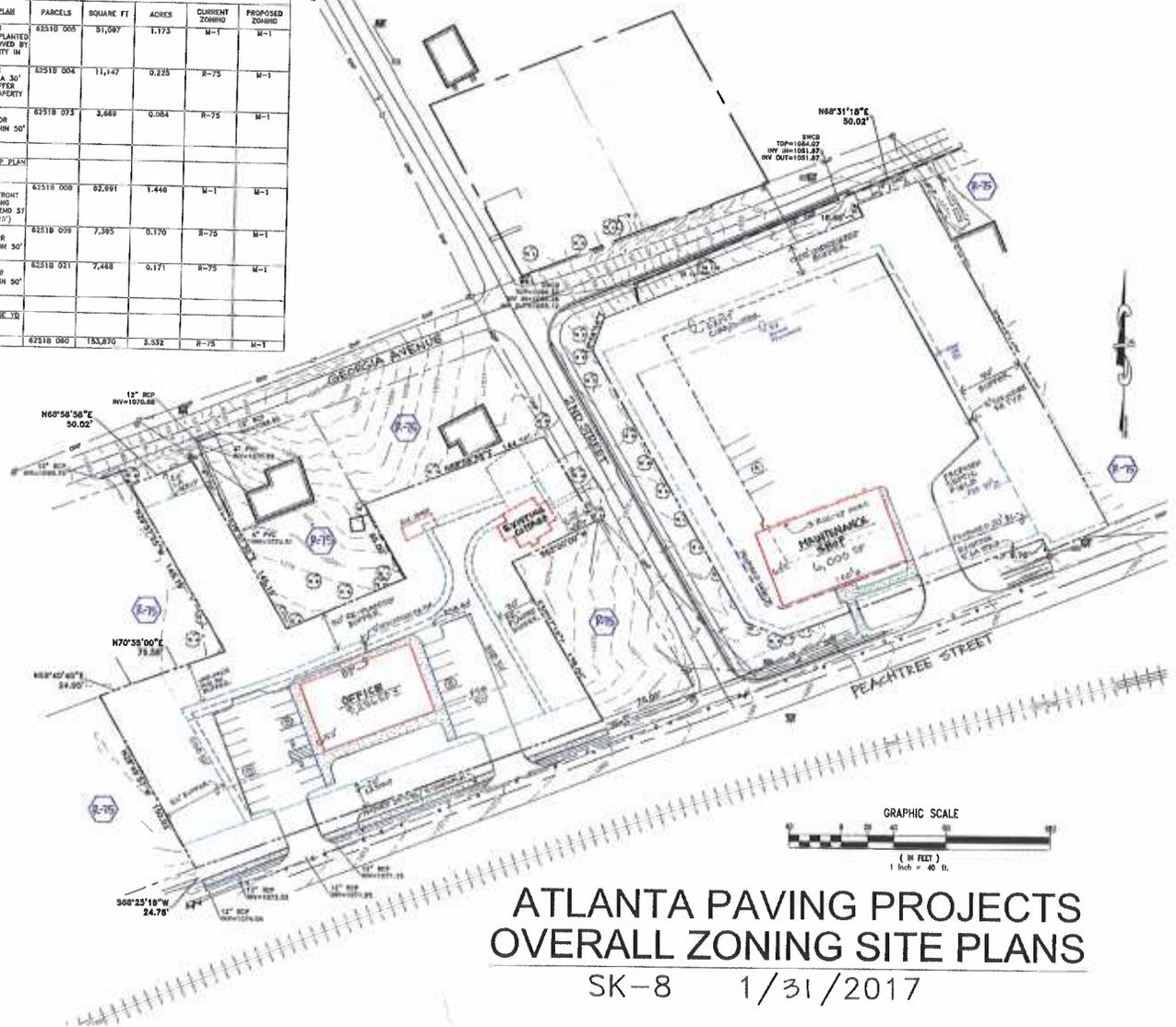


CES# 4761.00

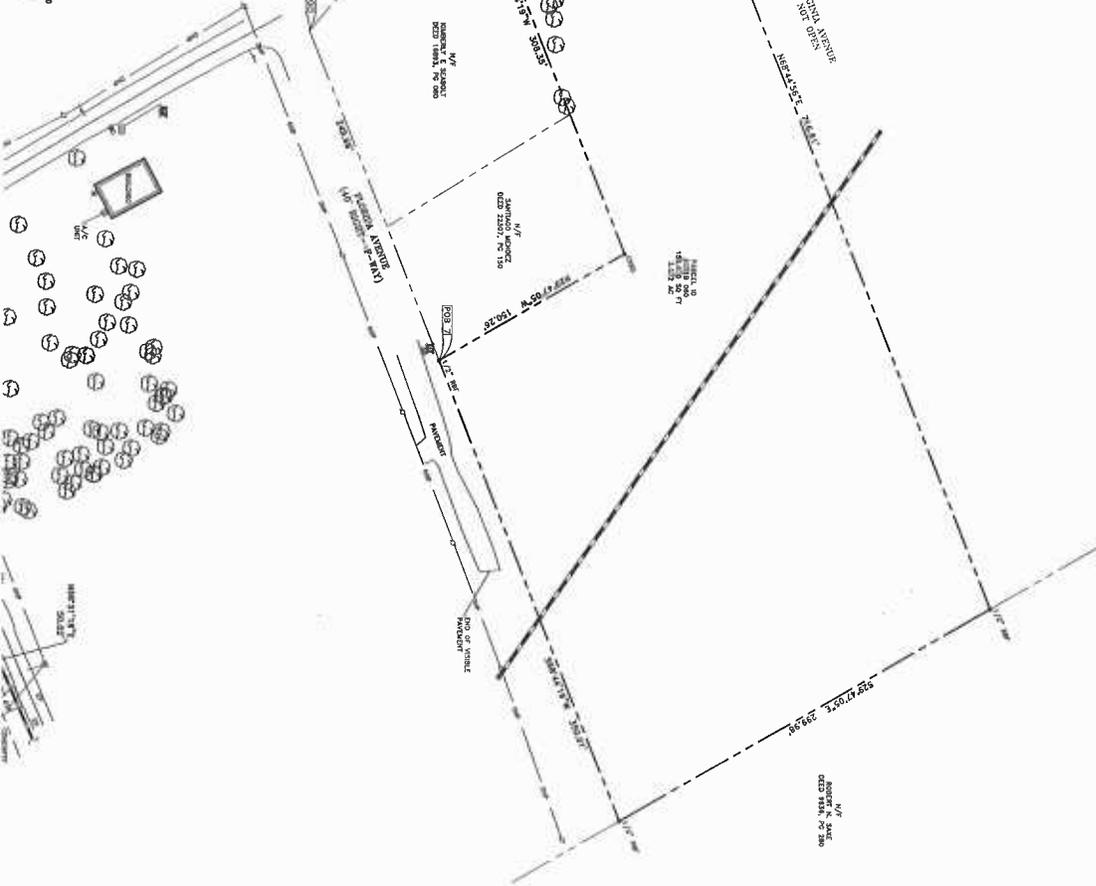
PARCEL AND ZONING DATA							
	OFFICE SITE PLAN		PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
<b>PARCEL #1</b>	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008		6251B 005	51,097	1.173	M-1	M-1
<b>PARCEL #2</b>	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE		6251B 004	11,147	0.225	R-75	M-1
<b>PARCEL #3</b>	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER		6251B 073	3,689	0.084	R-75	M-1
MAINTENANCE SHOP PLAN							
<b>PARCEL #4</b>	VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 2ND ST FROM 50' TO 20'		6251B 008	62,991	1.446	M-1	M-1
<b>PARCEL #5</b>	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER		6251B 009	7,395	0.170	R-75	M-1
<b>PARCEL #6</b>	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER		6251B 021	7,468	0.171	R-75	M-1
EQUIPMENT STORAGE YD							
<b>PARCEL #7</b>	NO VARIANCE NEEDED		6251B 080	153,870	3.532	R-75	M-2



PARCEL AND ZONING DATA						
OFFICE SITE PLAN	PARCELS	SQUARE FT	ADRES	CURRENT ZONING	PROPOSED ZONING	
PARCEL #1 (EXISTING 30' REPLANTED BUFFER AS APPROVED BY CHROMEY COUNTY IN 2008)	82518 005	51,087	1.173	M-1	M-1	
PARCEL #2 (VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE)	82518 004	11,147	0.225	R-75	M-1	
PARCEL #3 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	82518 075	3,889	0.084	R-75	M-1	
MAINTENANCE SHOP PLAN						
PARCEL #4 (VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 23RD ST FROM 50' TO 20')	82518 008	82,891	1.448	M-1	M-1	
PARCEL #5 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	82518 009	7,385	0.170	R-75	M-1	
PARCEL #6 (VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER)	82518 021	7,448	0.171	R-75	M-1	
EQUIPMENT STORAGE Y8						
PARCEL #7	82518 080	183,870	3.552	R-75	M-1	



**ATLANTA PAVING PROJECTS  
OVERALL ZONING SITE PLANS**  
SK-8 1/31/2017

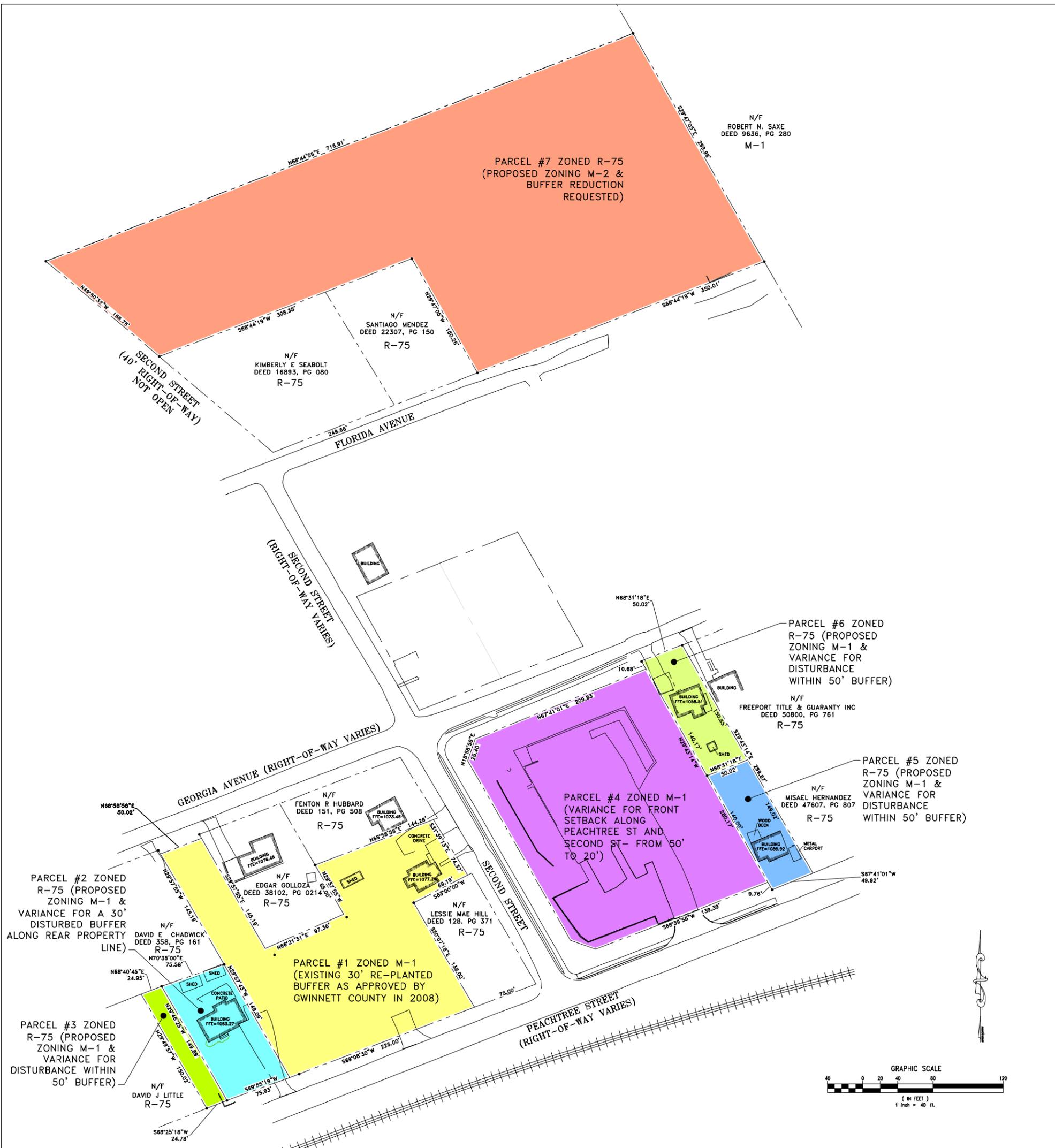


LAND DESCRIPTION 7

Parcel ID 6251B 060

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

BEGINNING at a ½" rebar found on the northerly Right-of-Way of Florida Avenue (40' R/W) being N68°44'19"W a distance of 249.66' from the easterly Right-of-Way of Second Avenue (40' R/W); thence leaving said R/W N29°47'05"W a distance of 150.26' to a capped ½" rebar set; thence S68°44'19"W a distance of 308.35' to a ½" rebar found on the Right-of-Way of Second Street (not open, 40' R/W); thence along said R/W N49°50'32"W a distance of 168.76' to a ½" rebar found at the southerly R/W of Virginia Avenue (not open, 40' R/W); thence along said R/W N68°44'56"E a distance of 716.91' to a ½" rebar found; thence leaving said R/W S29°47'05"E a distance of 299.98' to a ½" rebar found on the northerly R/W of Florida Avenue (40' R/W) thence along said R/W S68°44'19"W a distance of 350.01' to a ½" rebar found at the POINT OF BEGINNING.



# ATLANTA PAVING PROJECTS OVERALL PROPOSED ZONING EXHIBIT

SK-9 2/2/2017



CES# 4761.00

PARCEL AND ZONING DATA						
	OFFICE SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008	6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE	6251B 004	11,147	0.225	R-75	M-1
PARCEL #3	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 073	3,689	0.084	R-75	M-1
MAINTENANCE SHOP PLAN						
PARCEL #4	VARIANCE FOR FRONT SET BACK ALONG PEACHTREE ST & 2ND ST FROM 50' TO 20'	6251B 008	62,991	1.446	M-1	M-1
PARCEL #5	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 009	7,395	0.170	R-75	M-1
PARCEL #6	VARIANCE FOR DISTURBANCE WITHIN 50' BUFFER	6251B 021	7,468	0.171	R-75	M-1
EQUIPMENT STORAGE YD						
PARCEL #7	BUFFER REDUCTION REQUESTED	6251B 060	153,870	3.532	R-75	M-2

## PROPERTY LOCATION MAP

### Atlanta Paving



**CASE NUMBER:**

**RZ2017-02 / V2017-003**

**PLANNING  
COMMISSION**

**CITY COUNCIL  
1<sup>ST</sup> READING**

**CITY COUNCIL  
2<sup>ND</sup> READING**

**HEARING DATES:**

**MAR. 14, 2017**

**MAR. 21, 2017**

**APRIL 18, 2017**

**PROPERTY ADDRESS:**

**the 6100 and 4500 blocks of Florida Ave.**