



PLANNING COMMISSION AGENDA

June 13, 2017
7:00 PM
CITY HALL

A. Roll Call

B. Approval of April 11, 2017 Minutes

C. Old 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 (Tabled from 4/11/17)
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 (Tabled from 4/11/17)
3. **PH2017-003.** Town Center Building Elevations. Request to approve building elevations for retail and restaurant buildings located at the Town Center in the 5400 Block of Peachtree Parkway, Dist. 6, Land Lot 301 , Peachtree Corners, GA (Tabled from 4/11/17)

D. New Business:

1. **CIC2017-001.** North Atlanta Volleyball Club. Request to remove a condition of Gwinnett County rezoning case RZ63-81 that limited the property to office/warehouse uses only to accommodate construction of a new indoor recreation facility located at 3130 Northwoods Pl., Dist. 6, Land Lot 271, Peachtree Corners, GA
2. **CIC2017-002.** Ingles Gas Station. Request to remove a condition of Gwinnett County rezoning case RZ1996-134 that prohibited convenience stores with gas pumps and to remove a condition that prohibited more than 5 outparcels to accommodate construction of a new gas station located at the Ingles shopping center at 5075 Peachtree Pkwy., Dist. 6, Land Lot 318, Peachtree Corners, GA

E. City Business Items

F. Comments by Staff and Planning Commissioners

G. Adjournment.



CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
April 12, 2017

The City of Peachtree Corners held a Planning Commission meeting on Tuesday, April 12, 2017. 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
Kym Chereck, City Clerk
Jeff Conkle, Planning and Zoning Administrator

MINUTES:

**MOTION TO APPROVE THE MINUTES FROM THE JANUARY 10, 2017
PLANNING COMMISSION MEETING.**

By: Mark Middleton

Seconded by: Mark Willis

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

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.

Diana Wheeler, Community Development Director, gave a brief overview of the application and explained that staff is recommending approval of the application with 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 5 ft.
 - e. Billboards shall be prohibited on the property.
 - 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 7AM to 7PM.

- 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.

The applicant was represented by Mr. Matt Reeves of Andersen, Tate & Carr, P.C. Mr. Reeves gave a brief presentation and responded to the recommended conditions. Mr. Reeves stated that he had 15 letters recommending approval of this application and that he would like to change conditions 1- 5 to what is stated below:

- 1. Turn off or not use, reverse beeping features from 7 p.m. to 7 a.m.
- 2. Complete/improve Virginia Avenue right-of-way from the subject property to Jones Mill Road.
- 3. Acquire or obtain acquisition of 2,600 square feet from landowner at the intersection of Jones Mill Road and Virginia Avenue for road improvements.
- 4. Landscape buffer/visual screen the equipment storage area from adjacent residential properties.
- 5. Install opaque fence around equipment storage area.

Chairman Houser opened the floor for public comment. There were five people who spoke in opposition to the application and one person who spoke in support. The opposition expressed concern with noise, litter, the safety of children on the streets contending with truck traffic, and the lack of privacy.

Chairman Houser recommended that this item be deferred until the next item is heard.

- 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

Diana Wheeler, Community Development Director, gave a brief overview of the application and explained that staff is recommending denial of the application.

The applicant was represented by Mr. Matt Reeves of Andersen, Tate & Carr, P.C. Mr. Reeves gave a brief presentation and stated that the two applications would need to be approved for the applicant to build what he is requesting. Mr. Reeves stated that there are no Code Enforcement issues with the site.

Chairman Houser opened the floor for public comment. Two people spoke in opposition.

A motion was made after discussion requesting that the applicant work with the residents on the staff's conditions.

MOTION TO TABLE RZ2017-001 / V2017-001 ATLANTA PAVING & RZ2017-002 / V2017-003 ATLANTA PAVING UNTIL THE JUNE 13, 2017 PLANNING COMMISSION MEETING.

By: Mark Middleton

Seconded: Alan Kaplan

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

3. **PH2017-003 Town Center Building Elevations.** Request to approve building elevations for retail and restaurant buildings located at the Town Center in the 5400 Block of Peachtree Parkway, Dist. 6, Land Lot 30, Peachtree Corners, GA.

Diana Wheeler, Community Development Director, gave a brief overview of the application and explained that staff is recommending approval of the application.

The applicant, Fuqua Development, gave a brief presentation of the elevations along with material samples and elevation depictions, which were available in the Commission's packets.

Chairman Houser opened the floor for public comment. Mr. Charlie Roberts expressed concern with materials used on the side of the parking deck facing his property and the City's trail. Mr. Roberts stated that he would like the wire removed from the ramp area and replaced with something more pleasing to the eye, (3' panels) especially since that elevation will be viewed by people from his property and the trail. Mr. Roberts also expressed concern with the lighting on the property and would like to ensure that it is screened and facing downward, and that the concrete on the parking deck will be painted, and then repainted every 3 to 5 years.

MOTION TO APPROVE BUILDING ELEVATIONS FOR RETAIL AND RESTAURANT BUILDINGS LOCATED AT THE TOWN CENTER WITH THE EXCEPTION THAT THE REAR ELEVATION OF THE PARKING DECK (FACING THE TRAIL) BE RETURNED FOR FURTHER REVIEW.

By: Alan Kaplan

Seconded: Mark Willis

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

4. **PH2017-004 Chuy's at Town Center Building Elevations.** Request to approve building elevations for restaurant building located at the Town Center in the 5400 Block of Peachtree Parkway, Dist. 6, Land Lot 301, Peachtree Corners, GA.

Diana Wheeler, Community Development Director, gave a brief overview of the application and explained that staff is recommending approval of the application.

The applicant, Chuy's, gave a brief presentation of the elevations along with depictions, which were available in the Commission's packets.

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

A motion was made after discussion concerning adding landscaping.

MOTION TO APPROVE THE ELEVATION WITH THE EXCEPTION OF THE LANDSCAPE REQUIREMENT; FOR THE APPLICANT TO COME BACK WITH A MORE DETAILED LANDSCAPE PLAN TO ADDRESS THE CONCERN OF THE LARGE WALL ON THE SIDE BETWEEN THE LARGE PARCEL AND ALSO, FOR THE DUMPSTER SCREENING.

By: Alan Kaplan

Seconded: Italia Metts

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

OLD BUSINESS: There was no old business.

CITY BUSINESS ITEMS: Update on Peachtree Corners Circle Multi-Use Trail

Matt Cherry, Senior Associate with Lord Aeck Sargent, gave an update on the Peachtree Corners Multi-Use Trail. Pedestrian safety and crossings were also discussed. It was determined by the Commission that the bus shelters would be placed closer to the road and not on the other side of the trail, ensuring the safety of bus riders.

COMMENTS BY STAFF AND PLANNING COMMISSION:

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

The Planning Commission meeting concluded at 9:53 PM.

Approved,

Attest:

Matt Houser, Chairman

Kym Chereck, City Clerk

RZ2017-001 / V2017-001
Atlanta Paving

ANDERSEN | TATE | CARR

R. Matthew Reeves
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Direct Dial: 770.236.9768
Direct Fax: 770.236.9778

May 24, 2017

Via U.S. Mail and Email to iconkle@peachtreecornersga.gov

Mr. Jeff Conkle
Planning & Zoning Administrator
City of Peachtree Corners
147 Technology Parkway, Suite 200
Peachtree Corners, GA 30092

Re: Atlanta Paving RZ2017-001/V2017-001; RZ2017-002 / V2017-003

Dear Mr. Conkle:

This letter is written on behalf of Applicant Atlanta Paving in response to your request for a status report by today, for the upcoming Planning Commission meeting.

Atlanta Paving listened carefully to the feedback from the City's Planning Commission, the City's Staff, and neighbors, and if Atlanta Paving can obtain approval of RZ2017-001/V2017-001 with acceptable conditions, they are willing to withdraw/have denied without prejudice RZ2017-002 / V2017-003.

If Atlanta Paving can obtain approval of RZ2017-001/V2017-001 with acceptable conditions for construction of a new office building and new maintenance shop with the ability to park vehicles and equipment in the maintenance shop property, they are prepared to use other property not included in the applications to do most of their lowboy trailer loading and unloaded, and also to park most of their construction vehicles and equipment. They would still need to park some construction vehicles and equipment on the maintenance shop property, but would only occasionally bring in empty lowboy trailers for service, and would only occasionally bring vehicles or equipment in need of service to the maintenance shop via lowboy trailer.

This would deliver the two new brick buildings on Peachtree, and maintain the status quo on the 3.5 acre lot on Virginia Avenue.

Enclosed are redlines to the City's Staff conditions for RZ2017-001/V2017-001 which reflect the Applicant's current request. The Applicant is glad to discuss these issues with the City's Staff before the Planning Commission hearing.

The Applicant refers to the many letters of support from neighbors presented at the Planning Commission hearing. The Applicant reached out to other neighbors following the last

Planning Commission hearing, and addressed feedback heard at or before the Planning Commission hearing in many ways.

Sincerely,

ANDERSEN, TATE & CARR, P.C.



R. Matthew Reeves

RMR:tfb

Enclosures

cc: Atlanta Paving
Columbia Engineering
Ms. Diana Wheeler
Melody Glouton, Esq.

APPLICANT'S REQUESTED REVISIONS TO STAFF 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, except for customer and employee vehicles to and from Peachtree Street to and from the existing "cottage" driveway on Second Street. *Staff comment: The intent of this condition was to keep commercial vehicles out of the residential area. Customer and employee vehicles are not commercial vehicles.
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-foot in height and planted 10-foot on center.~~
*Staff comment: If the applicant is proposing alternate plantings, such plantings should be specified in the condition
 - 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, except for parking of vehicles and equipment pursuant to the Condition immediately below.
- L. Equipment, work vehicles, and materials must be parked and/ or stored within a fenced storage yard.
- ~~M. Upon approval of this Application with conditions agreed to by the Applicant, RZ2017-002 / V2017-003 will be withdrawn/denied without prejudice.~~

*Staff comment: "Outdoor storage" means storage of materials and supplies, not vehicles or equipment which is addressed below

*Staff comment: This condition should be deleted as these are two separate applications

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING AND VARIANCE ANALYSIS

PLANNING COMMISSION DATE: JUNE 13, 2017

CITY COUNCIL DATE: JULY 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: 6th 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 UPDATE:

At the April meeting, this case was tabled to the June meeting in order to give the applicant and surrounding neighbors an opportunity to meet and try to resolve issues. Staff requested an update from the applicant regarding additional community outreach efforts during the intervening time. The applicant's attached response letter was received by staff on May 24, 2017. This letter addresses both Atlanta Paving rezoning cases; although, each case is separate and should be evaluated on its own merits. No changes are proposed to this application or the documents associated with this specific case. However, the applicant has requested changes to the Staff recommended conditions. Those changes are included in the May 24th letter and Staff has added a comment after each requested change.

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-I, 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-I, 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 ft. wide landscape strip along the frontage of Peachtree St., Georgia Ave., and Second St. Landscape strip to be planted with a double staggered row of American Holly, Foster's Holly, Nellie R. Stephens Hollies, and Easter Red Cedar, a minimum of 6 ft. in height at installation 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 5 ft.**
- e. Billboards shall be prohibited on the property.**
- 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 7AM to 7PM.**
- 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 & 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 & 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.

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)

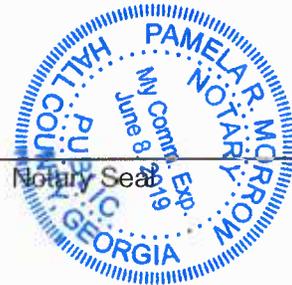
- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).

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

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

MARIAN C. ADEIMY
Attorney at Law

E-mail: 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 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



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

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

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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

Tax Commissioners Use Only

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R. B.
NAME

TSA 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 - 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

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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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 _____ Date 1/31/17
Signature of Applicant

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

Tax Commissioners Use Only

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

[Signature] _____
NAME

BN II _____
TITLE

1-31-17 _____
DATE

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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

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

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

MARIAN C. ADEIMY
Attorney at Law

E-mail: 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 6th 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 2nd 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 2nd 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 (2nd) 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

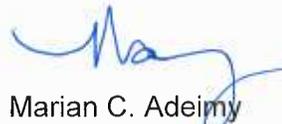
the Constitution of the State of Georgia of 1983, the Equal Protection and Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

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.

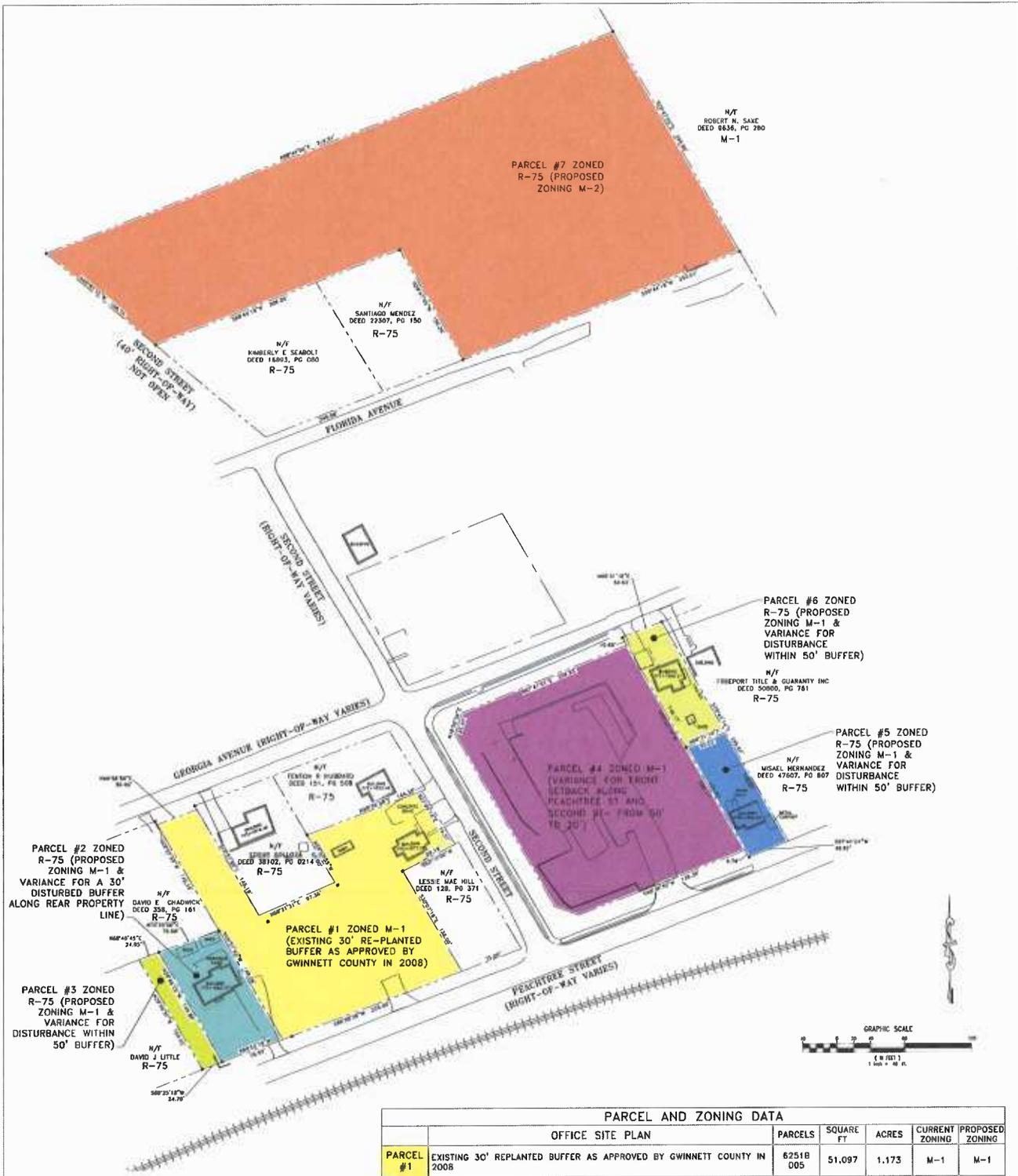


Marian C. Adeimy
Attorney for the Applicant/Owners

2838726_1.DOC

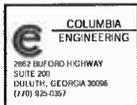
Enclosures:

Zoning Applications and exhibits



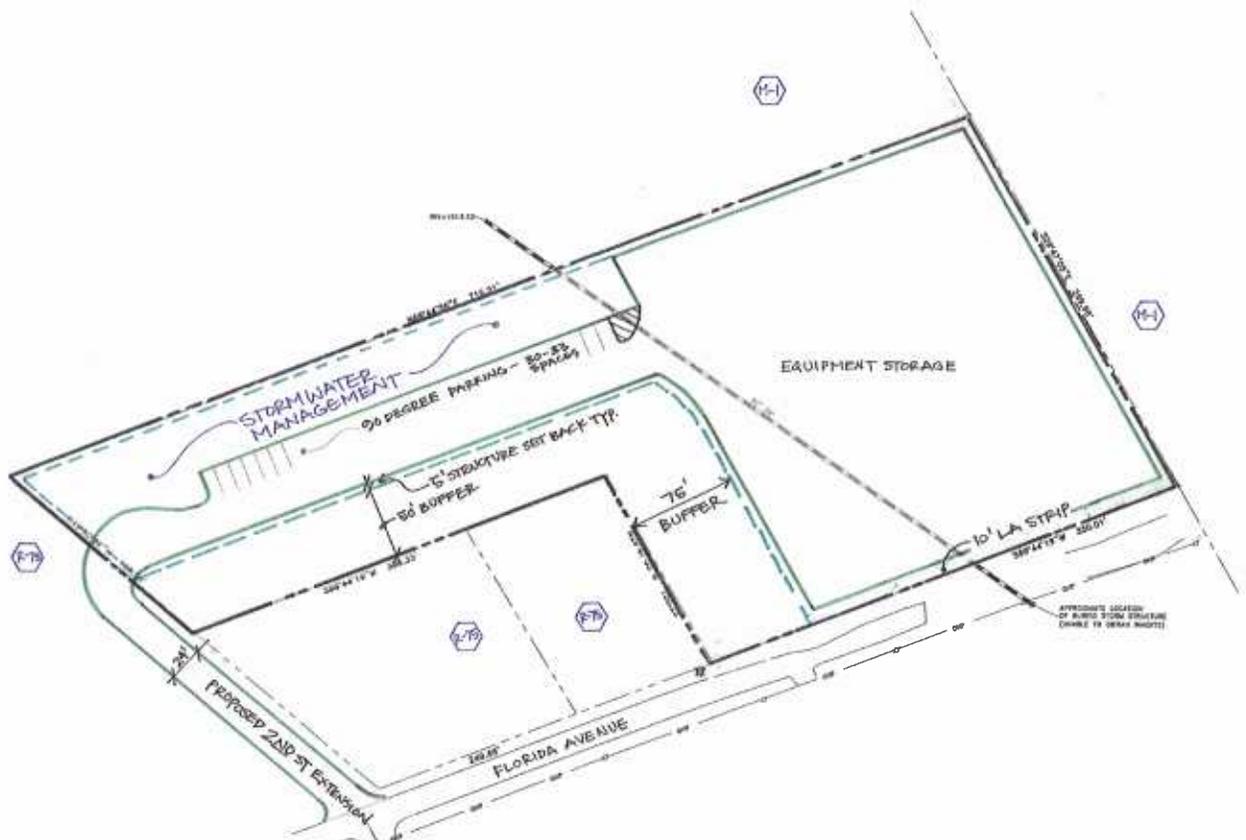
ATLANTA PAVING PROJECTS
OVERALL PROPOSED ZONING EXHIBIT

SK-9 2/2/2017



CES# 4761.00

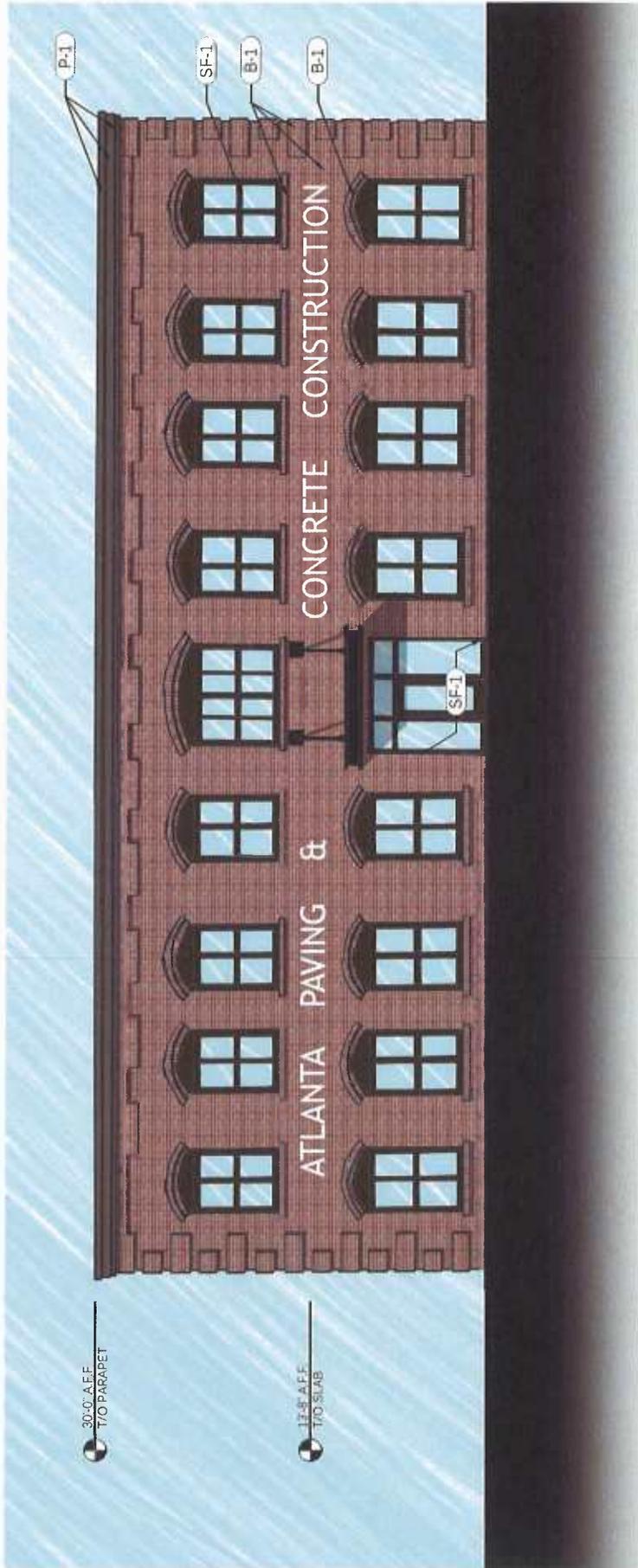
PARCEL AND ZONING DATA						
	OFFICE SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008	6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE	6251B 004	11,147	0.225	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	51,787	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

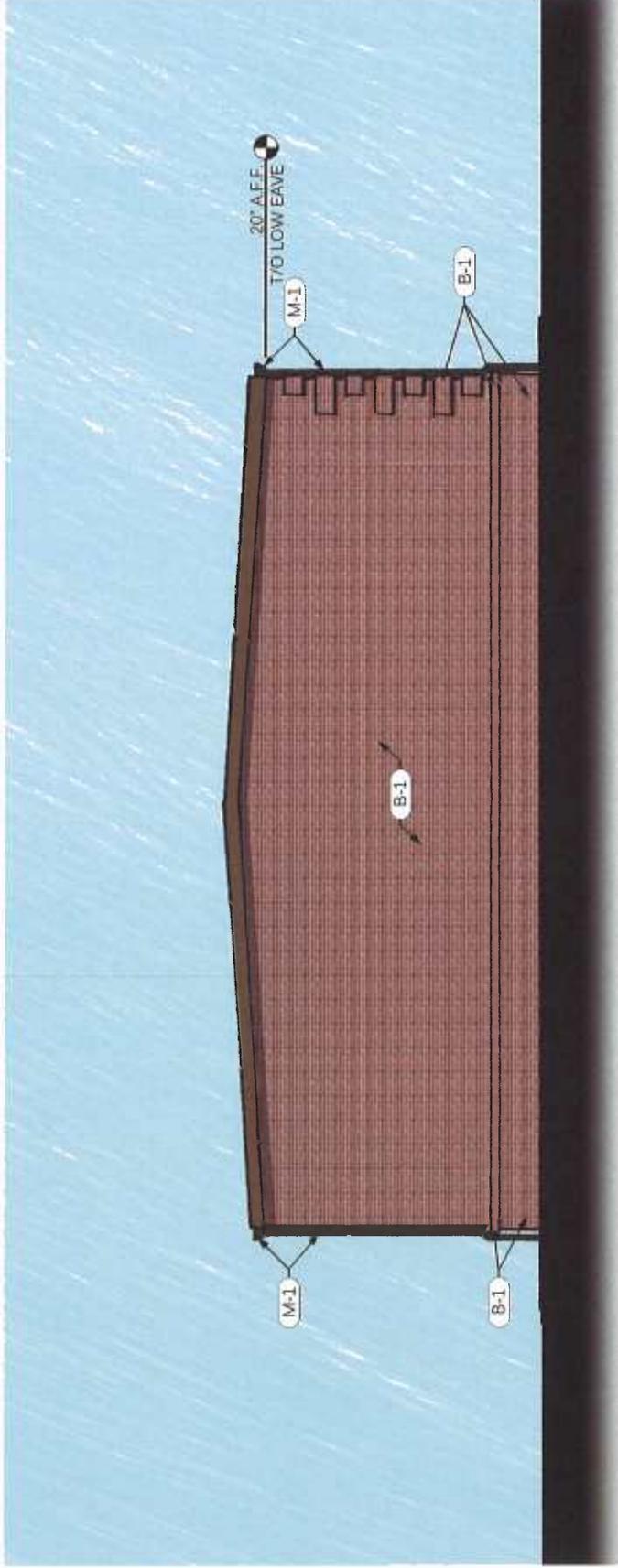
MARK	CATEGORY	MANUFACTURER	DESCRIPTION / FINISH
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 URBAN BRONZE
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMENTGREY MORTAR, TOOLED JOINTS
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: DARK BRONZE

DEVELOPED BY:

ATLANTA PAVING & CONCRETE
CONSTRUCTION COMPANY
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project
D16-127

01 AUGUST 2016



SIDE ELEVATION

EXTERIOR FINISH SCHEDULE

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 ALUMINUM"

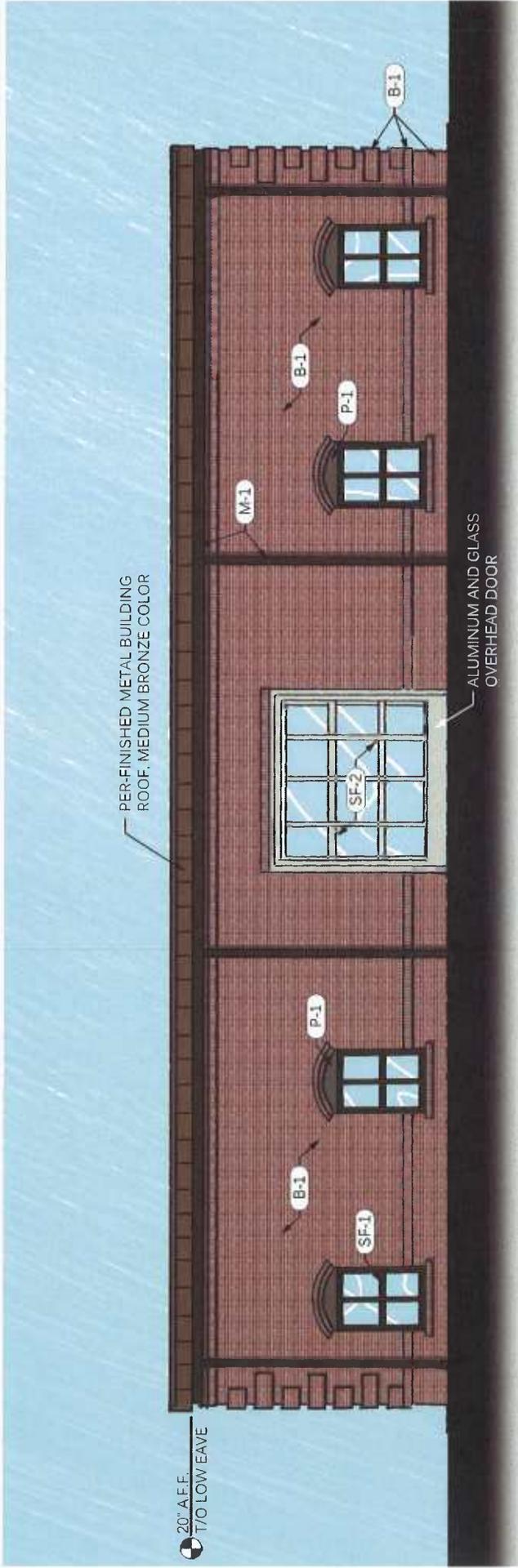
DEVELOPED BY:

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"

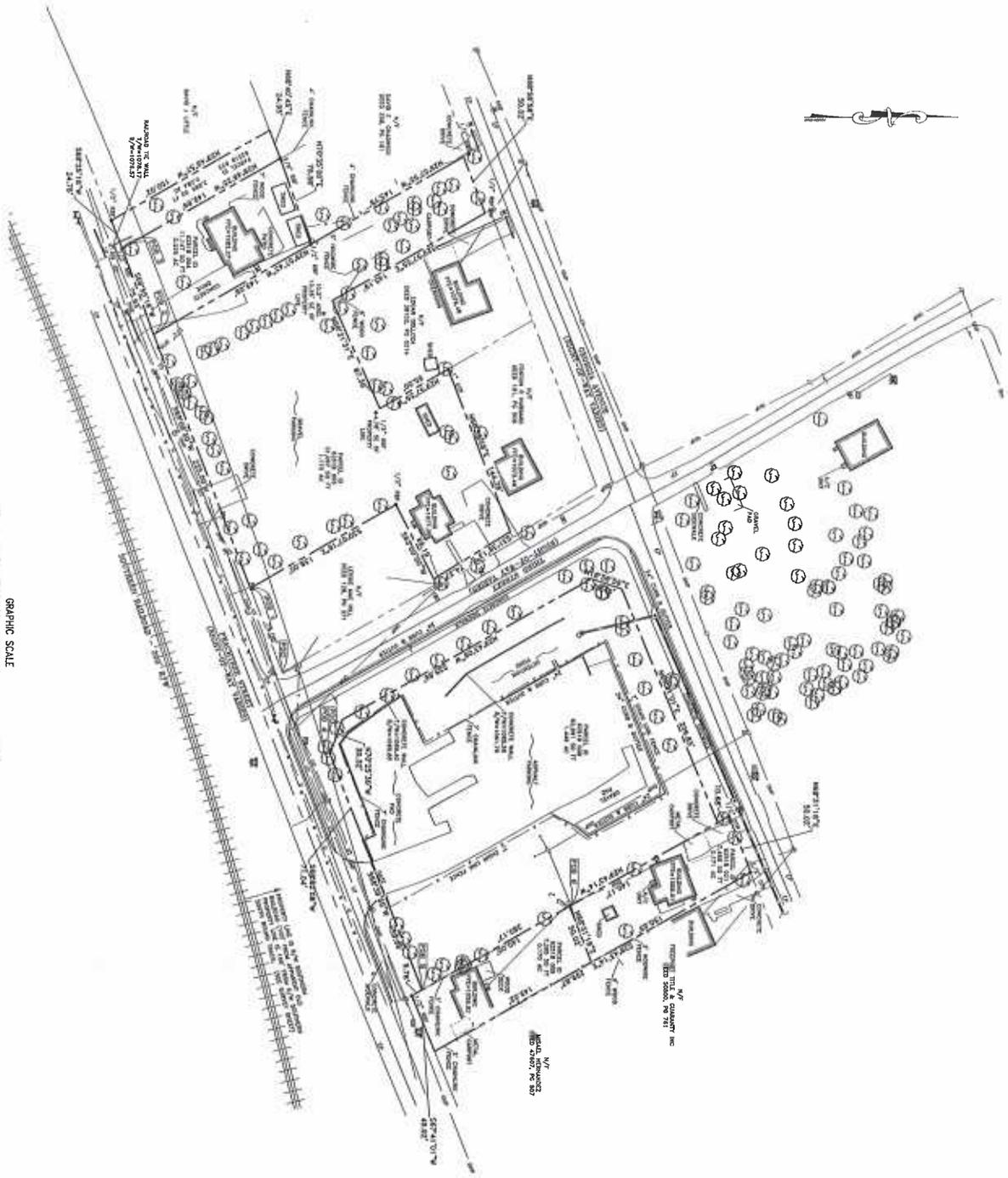
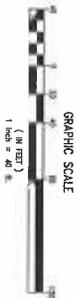
DEVELOPED BY:

ATLANTA PAVING & CONCRETE
CONSTRUCTION COMPANY
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project
D16-127

29 SEPTEMBER 2016





SITE

GENERAL NOTES

1. THE FOLLOWING SURVEY, DRAWINGS, AND SECTIONS WERE PREPARED BY PROFESSIONAL REGISTERED SURVEYORS FOR ATLANTA PAVING, PREPARED BY MANUALLY A PATRICK CARO FOR THE FARMINGTON CITY, GEORGIA PROJECT, 2017, PART 5, SHEET 44. SITE PLAN FOR NO. 100, VICTORIA, & 8th AVENUE PREPARED BY W/S CONSULTANTS, INC. DATED MAY 13, 1988, TYP. 20, PAGE 5.
2. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
3. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
4. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
5. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
6. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
7. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
8. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
9. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
10. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
11. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
12. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
13. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
14. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.
15. THE LOCATION OF THE SUBDIVISION PLAT IS SHOWN AS 2017, PART 5, SHEET 44.

SURVEY LEGEND	
STATION MARK	—
WATER MAIN	—
WATER VALVE	—
WATER METER	—
EDGE OF PAVEMENT	—
OVERHEAD POWER	—
OVERHEAD CABLE	—
OVERHEAD LIGHT	—
FIRE HYDRANT	—
COMMUNICATION MAST POLE	—
POWER POLE	—
THEE	—
ELECTRIC METER	—
CAPTOP 1/2" REBAR SET	—
REBAR FOUND	—
CHAMP TOP POLE	—
MALIBOX	—
COMMUNICATION FERTILIZER	—
GAS METERS	—
SINGLE WING CATCH BASIN	—
DOUBLE WING CATCH BASIN	—
REINFORCED CONCRETE PIPE	—

CIVIL ENGINEERS • LAND PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

BOUNDARY SURVEY FOR
ATLANTA PAVING
LAND LOT 251, 6TH DISTRICT
GWINNETT COUNTY, GEORGIA

DATE	09/27/17	
REVISIONS		
NO.	DATE	DESCRIPTION
1	09/27/17	ISSUED FOR PERMIT

DRAWING TITLE
BOUNDARY SURVEY

DATE
09/27/17

PROJECT NO.
S-1

PROJECT NO. / SHEET NO.
S-1

DATE
09/27/17

1 OF 2

COLUMBIA
ENGINEERING

2882 BUCKINGHAM
DUBLIN, GEORGIA 30098
(770) 952-0387



LAND DESCRIPTION 1

Parcel ID 6251B 005

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

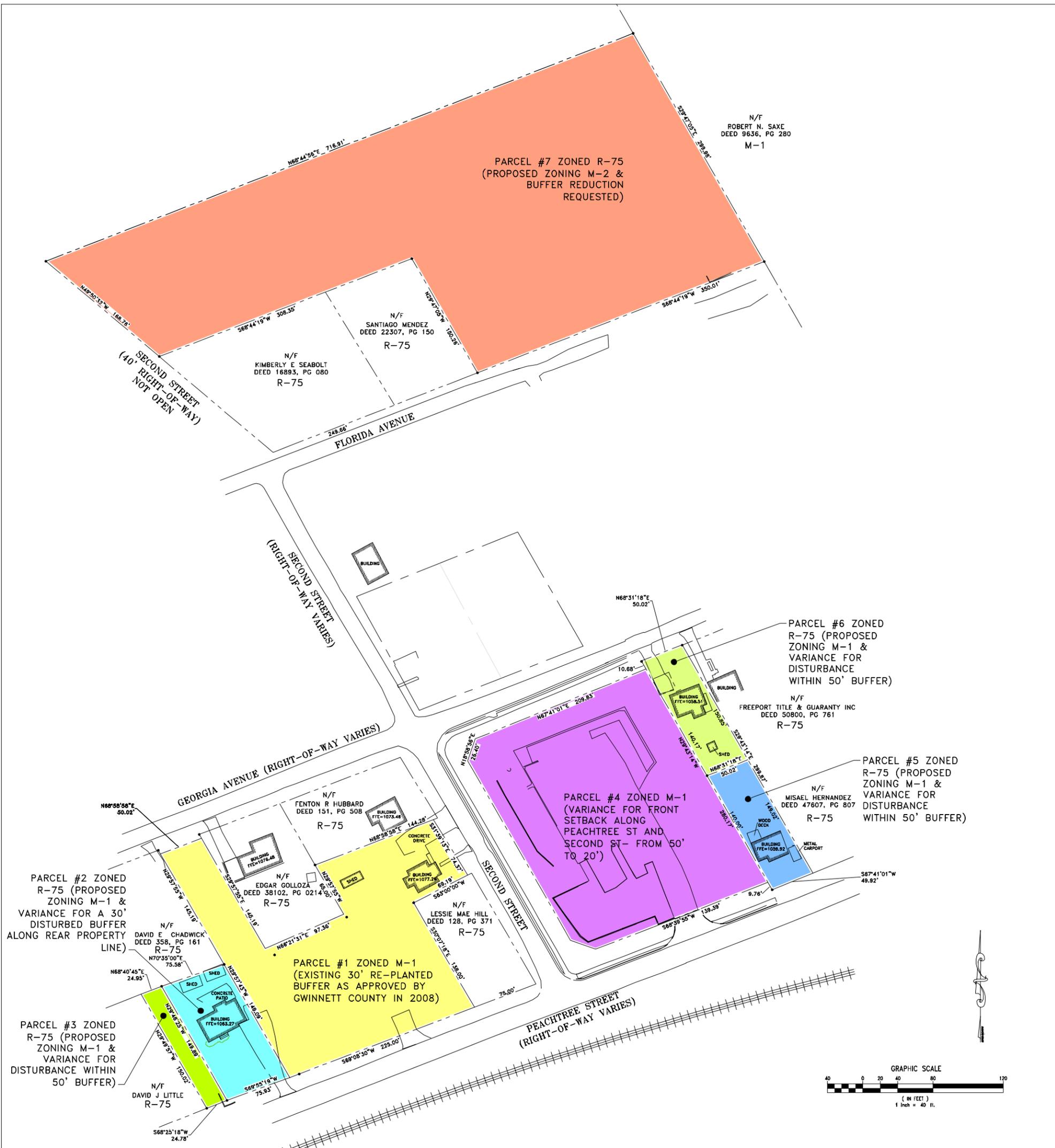
COMMENCE at the southeasterly end of the miter of the northerly Right-of-Way of Peachtree Street and the easterly Right-of-way of Third Street; thence N68°39'55"E a distance of 139.39' to a capped ½" rebar set AT THE TRUE POINT OF BEGINNING; thence leaving said R/W N29°43'14"W a distance of 140.00' to 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 6th 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



- Properties owned by Atlanta Paving
- Properties in support of the project, 16 total
- Properties in opposition to the project, 10 total
- Properties uncommitted, 28 total

APRIL 21, 2017

GWINNETT COUNTY PLANNING & ZONING
& THE CITY OF PEACHTREE CORNERS

(16)

ATTACHED ARE LETTERS FROM THE RESIDENTS IN THE MECHANICSVILLE COMMUNITY SAYING THAT WE ARE AGAINST THE REZONING FOR ATLANTA PAVING & CONCRETE---DONNA LOPEZ. THE LETTERS ARE FROM HIS CURRENT NEIGHBORS ON SOUTH OLD PEACHTREE ROAD, THIRD STREET AND GEORGIA AVENUE.

THANKS FOR YOU TIME,

RONNIE & PAULA GARMON

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I RONNIE GARMON AM A HOME OWNER RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 3935 THIRD STREET IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,



APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY

PLANNING AND ZONING

I PAULA GARMON AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 3935 THIRD STREET IN DORAVILLE, GEORGIA.

I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

Paula Garmon

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I Rosarely Morgado AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 3961 THIRD STREET IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I DEBBIE EDMONDS AM A HOME OWNER RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 3931 THIRD STREET IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

Debbie Edmonds

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I Charles Nash AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4478 S OLD PEACHTREE ROAD IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

A handwritten signature in black ink, appearing to read "Charles Nash". The signature is written in a cursive style with a large, sweeping initial "C".

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I Juanita Nash AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4478 S OLD PEACHTREE ROAD IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

Juanita Nash

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I David J. Little AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4482 S OLD PEACHTREE ROAD IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY

PLANNING AND ZONING

PASCUAL JESUS RIVAS BUSTAMANTE AM A HOME OWNER RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4523 GEORGIA AVENUE IN DORAVILLE, GEORGIA.

I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.


THANK YOU.

Misael Hernández Díaz

4516 Peachtree Street NW

Peachtree Corners, GA 30360

April 16, 2017

Council Members:

Through this letter, I want to express my opposition to the construction of the new building and mechanical workshop.

Therefore, I ask that this be residential neighborhood again.

For all acts of Atlanta Paving ~~illicit~~s, has become very dangerous street and unlivable.

Thank you!

Misael Hernandez Diaz

Eveline Estopiñán-Summerson

4516 Peachtree street NW
Peachtree Corners, GA 30360

April 16, 2017

Dear Council Members:

I would like to express my complete opposition to the construction of the new building and mechanic workshop.

Indeed, I ask the ~~essential~~ need to restructure this neighborhood in residential only.

Contaminated water (oil & quimical), constant truck last 36,000 pounds, illegal parking of trucks on the street over night, tires, hundreds of plastic and glass bottles, trash all along Peachtree street N.W are some of the issues that have made this neighborhood very UNSUITABLE to live.

Truly,
Eveline.

Abel Jesús Llerena

4516 Peachtree St Nw Peachtree Corners

GA 30360

April 16, 2017

Estimated Council Members:

I have been in this neighborhood since November 2013. I also lived at 4514 Peachtree St Nw and now live at the actual address.

I have experience truck noise at only random time, Even at night time, truck speeding over the posted speed, leaving huge dust when they pass through the loud music on their cars disturbing the wellbeing of neighbors, and no respect for ill people. Employees think they have the right to be out loud in all sense, and they cannot be corrected.

Contaminated water mix with asphalt running down the Peachtree St Nw into the front of the house and driveways.

For all this reasons stated above, I refuse to have Atlanta Paving as neighbors, and them making further expands in this residential area, and I request this area to be a residential only.



Mineko Llerena

4/14/17

FROM: MARIA P. POSADO
4518 Peachtree St. N.W
ATLANTA, GA 30360

TO: Council Members of the City of Peachtree
CORNERS

Dear Council Member:

I, Maria of Pils Road OPPOSE //
to the request from Atlanta Paving to RESONE
ON THE Request RZ2017-001/V3017-001 to
RESONE FROM R-75 to M1 of RZ2017-002-12017-
003. R-75 to M2

→ We are located on the back part of
Peachtree and 99% of all Atlanta Paving trucks
PASS OUR FRONT, THIS CHANGES WILL ONLY INCREASE
MORE TRAFFIC, STRANGERS IN OUR NEIGHBOORHOOD
PLEASE HONOR OUR REQUEST THEY ARE DESTROYING
OUR NEIGHBOORHOOD

Sincerely,



4/14/17.

From: Alberto J. Rodriguez
4548 Peachtree St. N.W.
Atlanta, GA 30360

To: Council Members City of Peachtree
CORNERS

Dear Council members:

I, Alberto J. Rodriguez **oppose!**
to the request from Atlanta Parking ^{rooming}
request. R22017-001-12012-001. AND
R22017-002/12017-003.

We have had a lot of trouble with this
company noises, droobres, DAMAGES & outside
of hours, employees playing loud music,
there is so many thing I have in video pictures
We need you to hear our request to oppose
PLEASE.

Thank you for the opportunity

Sincerely,



4/14/17.

FROM: Michael Reyes

4518 Peachtree St. N.W.

ATLANTA, GA 30360.

TO: Council Members of
THE City of Peachtree Corners

Dear Members:

I Michael Reyes Oppose to the
applicant's request to rezone from R 75
to M1-1 and R75 to M2

① RZ2017-001 / U2017-001. Atlanta paving

② RZ2017-002 / U2017-003. Atlanta paving

This will bring more traffic, more noise and
on more people to our peaceful community. Besides
the big Riggs and loud noise already caused
by Atlanta paving is to much but thats enough

Sincerely,



APRIL 17, 2017

CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I Concepcion AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4498 GEORGIA AVENUE IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

APRIL 17, 2017

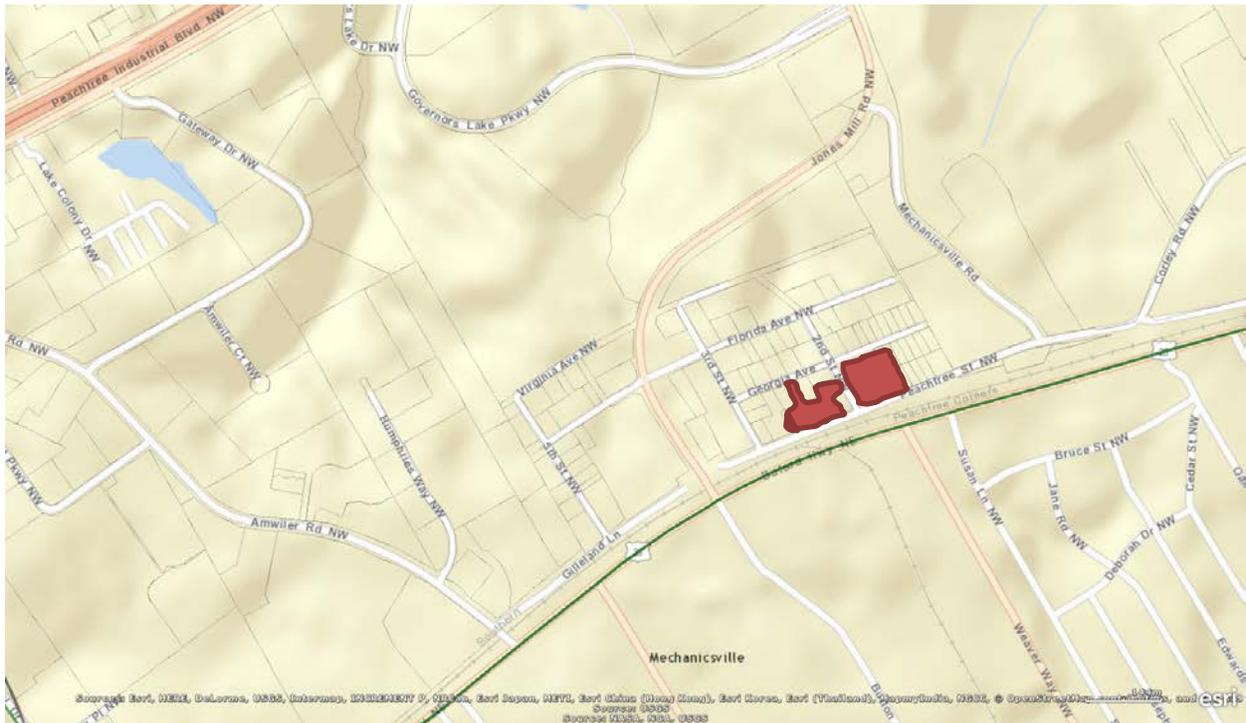
CITY OF PEACHTREE CORNERS/GWINNETT COUNTY
PLANNING AND ZONING

I Marisa Spruit AM A HOME OWNER/RENTER IN THE MECHANICSVILLE
COMMUNITY AND I LIVE AT 4498----- GEORGIA AVENUE IN DORAVILLE, GEORGIA.
I AM AGAINST THE REZONING FOR ATLANTA PAVING AND CONCRETE—DONNA LOPEZ IN OUR
NEIGHBORHOOD. I HOPE YOU WILL LISTEN TO OUR CONCERNS ON THIS MATTER.

THANK YOU,

PROPERTY LOCATION MAP

Atlanta Paving



CASE NUMBER:

RZ2017-01 / V2017-001

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

JUNE 13, 2017

JUNE 20, 2017

JULY 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: JUNE 13, 2017

CITY COUNCIL DATE: JULY 18, 2017

CASE NAME: **ATLANTA PAVING**

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

CURRENT ZONING: R-75

LOCATION: SECOND ST. AND FLORIDA AVE.

MAP NUMBERS: 6th 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 UPDATE:

At the April meeting, this case was tabled to the June meeting in order to give the applicant and surrounding neighbors an opportunity to meet and try to resolve issues. Staff requested an update from the applicant regarding additional community outreach efforts during the intervening time. The applicant's attached response letter was received by staff on May 24, 2017. This letter addresses both Atlanta Paving rezoning cases; although, each case is separate and should be evaluated on its own merits. The applicant's letter states that if the other Atlanta Paving case is approved, the applicant would be willing to withdraw this application.

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 Virginia Ave. by reducing the required buffer adjacent to existing single family homes.

Atlanta Paving would like to utilize this vacant site that they own for additional employee, truck and equipment parking. The application originally showed this property accessed from Second Street. However, an amendment to the application was submitted to show an alternate route along Virginia Ave. The applicant has stated that Virginia Avenue, currently unimproved, would be upgraded and built to accommodate Atlanta Paving's vehicles including dump trucks that weigh 26,500 pounds, employee vehicles, and equipment trailers. 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 not designed for larger vehicles. Improving Virginia Ave. to provide access would reduce commercial trips on other neighborhood streets, but could not guarantee that all those commercial trips would be eliminated. There are currently signs posted that prohibit heavy commercial vehicle access through the residential neighborhood; however, those signs are often ignored.

In addition, the applicant's proposal to improve Virginia Ave. relies on their ability to acquire a 2600 sq. ft. piece of property located at the road's intersection with Jones Mill. This land is needed to provide the turning radius for the vehicles as well as the visibility at the corner. However, this land has not yet been acquired and assurances cannot be offered that the land will be purchased. If the property owner does not want to sell, the applicant does not have the means to compel a sale.

RECOMMENDATION:

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

ANDERSEN | TATE | CARR

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(770) 822-0900
FACSIMILE (770) 822-9680
www.atclawfirm.com

R. Matthew Reeves
Direct Phone: (770) 236-9768
Direct Fax: (770) 236-9778

Email: mreeves@atclawfirm.com

March 24, 2017

Via U.S. Mail and Email to dwheeler@peachtreecornersga.gov

Ms. Diana Wheeler
Community Development Director
City of Peachtree Corners
147 Technology Parkway, Suite 200
Peachtree Corners, GA 30092

**Re: Amendment to Atlanta Paving's application in RZ2017-002 / V2017-003,
3.5 acre tract on Florida Avenue**

Dear Ms. Wheeler:

This letter is written on behalf of Applicant Atlanta Paving in response to your email dated March 15, 2017, to amend application numbers RZ2017-002 / V2017-003 to provide more details on a proposal to improve the currently unused Virginia Avenue public right of way. The Applicant identified the unused/uncompleted Virginia Avenue right of way in response to your Staff Report and outreach to neighbors, many of whom have provided support for the Applicant's proposals.

Enclosed is a Storage Yard Access Route Exhibit prepared by Columbia Engineering which shows the proposed improvements/completion of Virginia Avenue, the location of the proposed access point to the subject property, and the modifications to be made at the intersection of Jones Mill Road and the currently unimproved Virginia Avenue right of way. In addition to the new roadway construction shown on the exhibit, the existing paved roadway of Virginia Avenue will be improved to handle the proposed vehicular traffic generated by Atlanta Paving equipment.

The number, type, and weight of vehicles expected to utilize Virginia Avenue daily during the morning and afternoon peak hours are as follows: several dump trucks which weigh approximately 26,500 pounds each, and approximately fifteen employee vehicles (cars, pickups, and SUV's) which weigh approximately 10,000 pounds or less. The Applicant plans to turn off or not use reverse beeping features, from 7 pm to 7 am.

March 24, 2017

Page 2

Approximately weekly, the Applicant uses lowboy trailers to transport paving equipment such as pavers, bobcats, rollers, milling machines, and other equipment or vehicles, with approximate weights of 4,000 pounds to 26,500 pounds. The Applicant leaves most of its equipment and vehicles on jobsites.

The Applicant believes that acquisition/utilization of 2,600 square feet from an adjacent neighbor at the intersection of Jones Mill Road and Virginia Avenue would be beneficial to this road completion. The Applicant has contacted this neighbor about the 2,600 square feet and hopes to hear back soon about this facet of the proposal.

The Applicant, its engineers and I are glad to meet with you and other applicable City or other officials to discuss this facet of the Applications, or other matters relating to the Applications. Thank you for your continued review of the matter.

Sincerely,

ANDERSEN, TATE & CARR, P.C.

Matt Reeves /JTB

R. Matthew Reeves

RMR:tfb

cc: Atlanta Paving & Concrete Construction

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 & Concrete Construction, Inc.</u> c/o Andersen, Tate & Carr, PC ADDRESS: <u>1960 Satellite Blvd., Ste. 4000</u>	NAME: <u>Atlanta Paving & 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: _____

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

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MARIAN C. ADEIMY
Attorney at Law

E-mail: 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

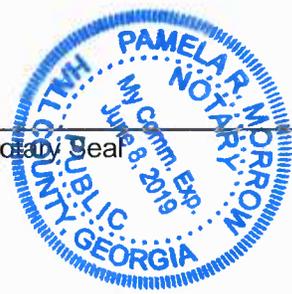
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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 1/31/17 Date

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

Tax Commissioners Use Only

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

[Signature]
NAME

[Signature]
TITLE

1-31-17
DATE

ANDERSEN | TATE | CARR

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

E-mail: 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 6th 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 2nd 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 2nd 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 (2nd) 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.

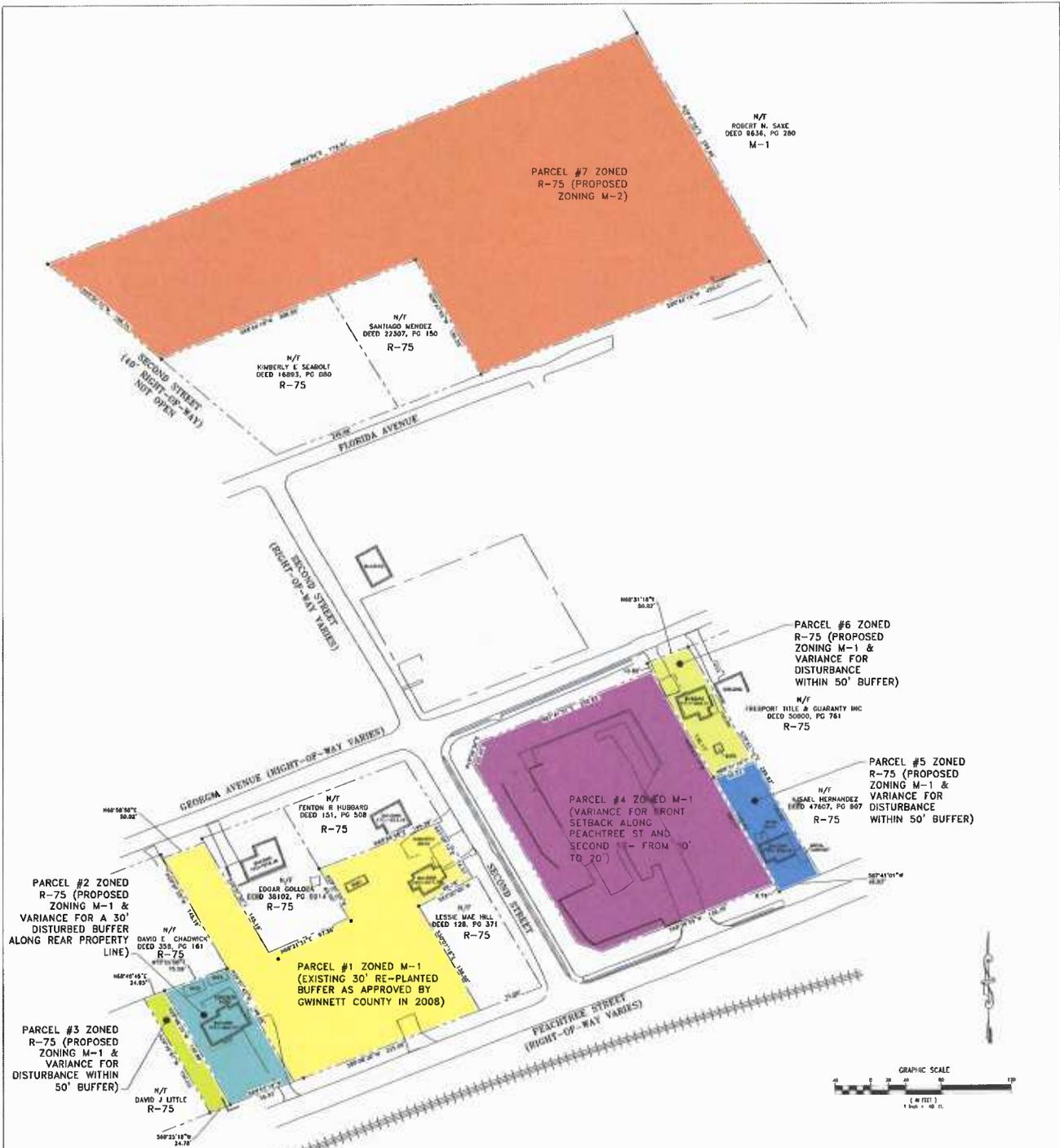


Marian C. Adeimy
Attorney for the Applicant/Owners

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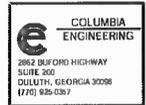
Enclosures:

Zoning Applications and exhibits



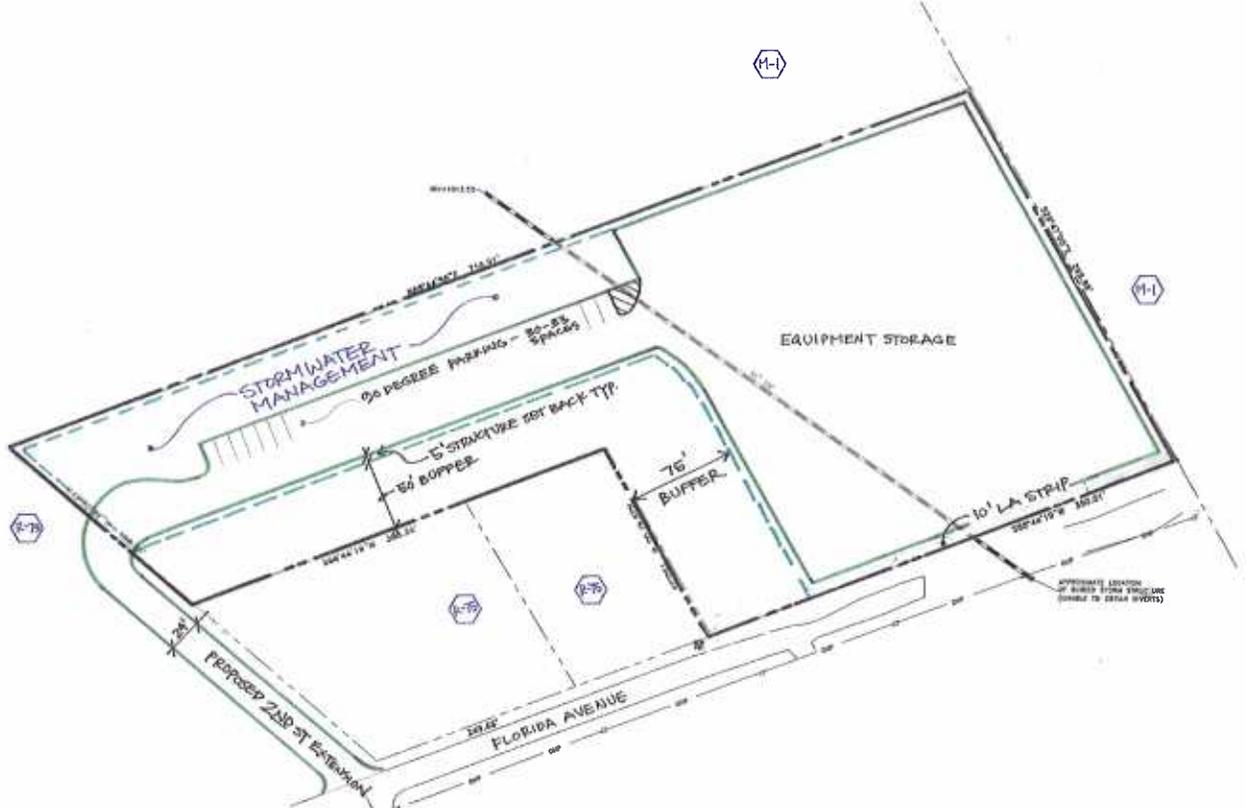
**ATLANTA PAVING PROJECTS
OVERALL PROPOSED ZONING EXHIBIT**

SK-9 2/2/2017

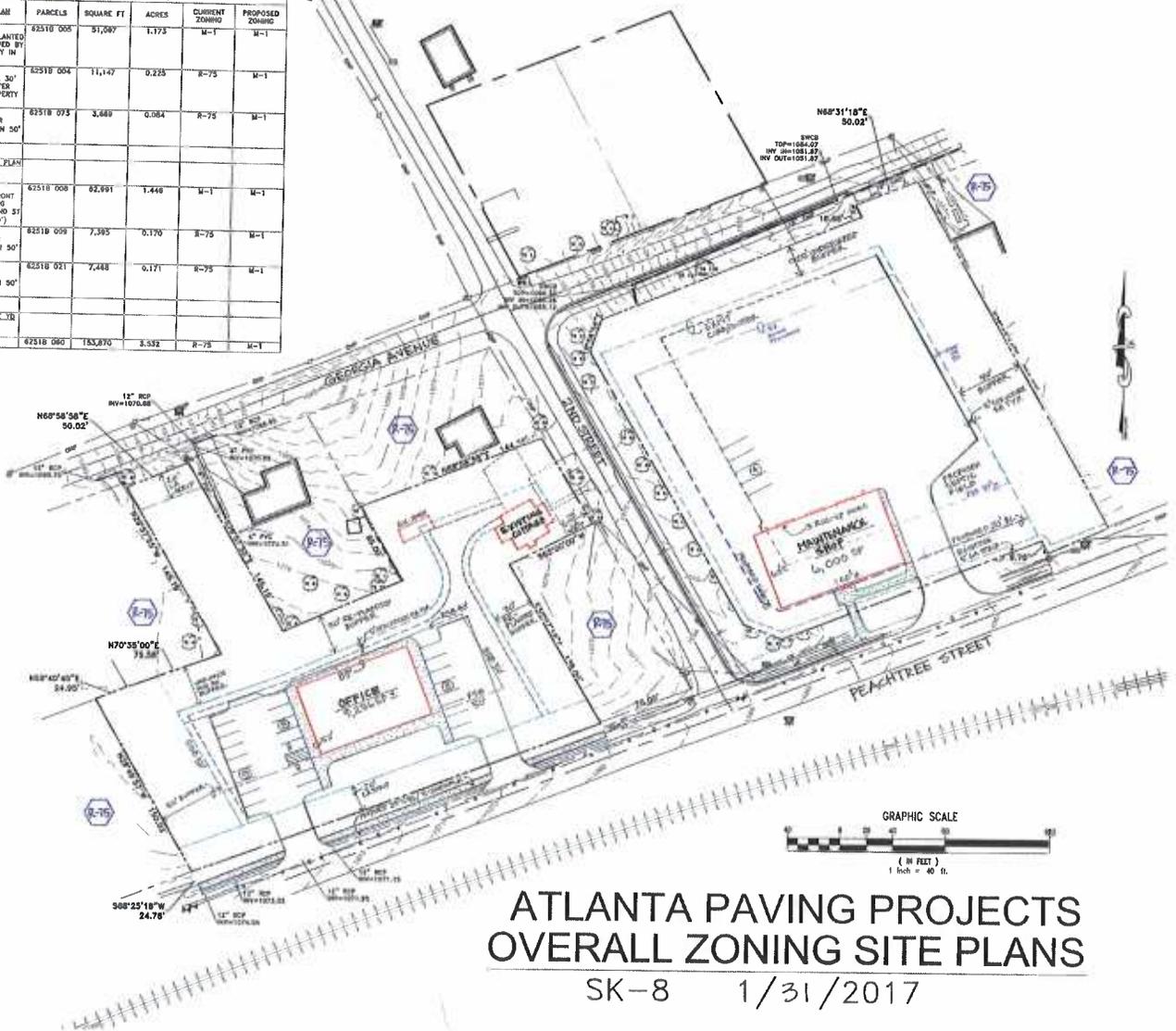


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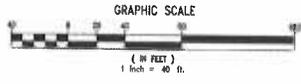
PARCEL AND ZONING DATA							
	OFFICE SITE PLAN		PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008		6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE		6251B 004	11,147	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 080	153,870	3.532	R-75	M-2

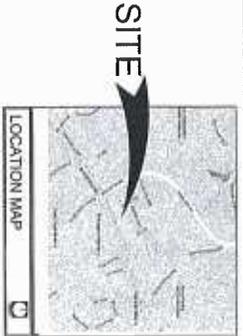
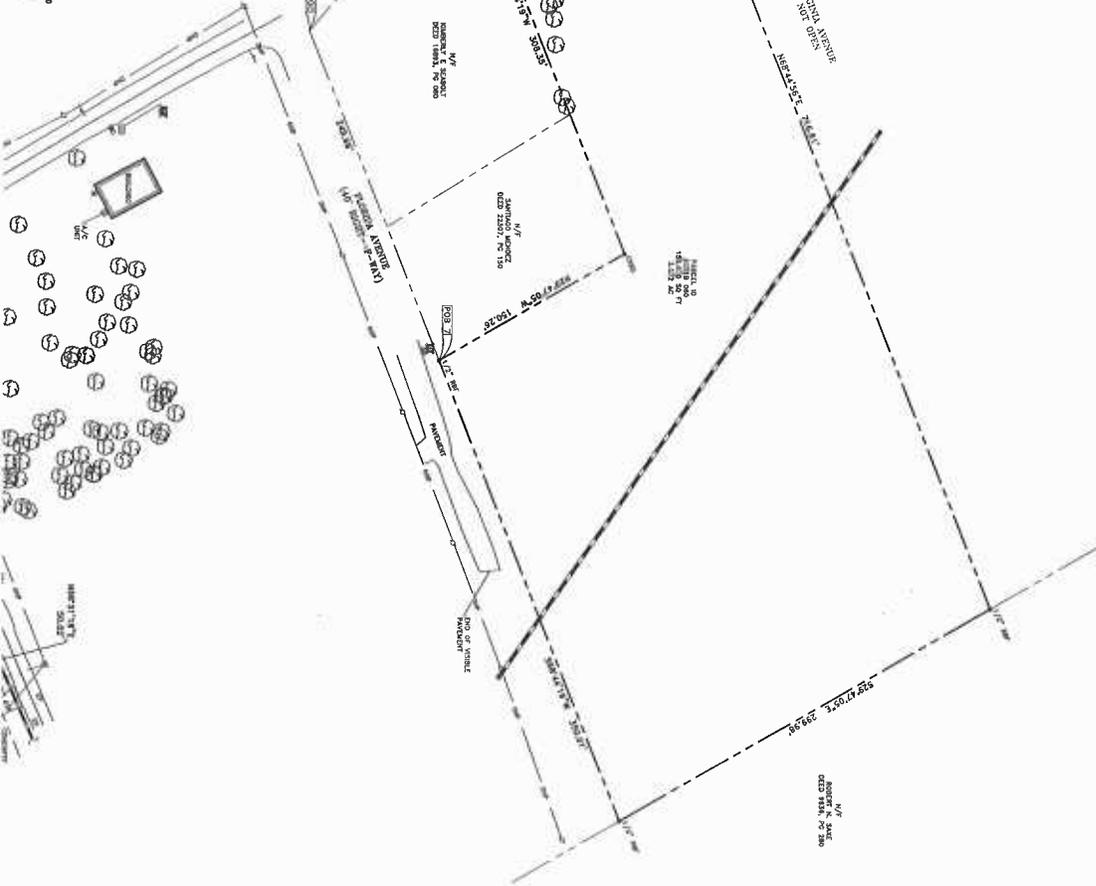


PARCEL AND ZONING DATA						
OFFICE SITE PLAN	PARCELS	SQUARE FT	ADRES	CURRENT ZONING	PROPOSED ZONING	
PARCEL #1 (EXISTING 30' REPLANTED BUFFER AS APPROVED BY CHROMEY COUNTY IN 2008)	82518 005	51,087	1.173	M-1	M-1	
PARCEL #2 (VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE)	82518 004	11,147	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 & 2ND 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





GENERAL NOTES

1. THE FOLLOWING SURVEY, DRAWINGS, AND NOTES WERE PREPARED BY MEASURING THIS PROPERTY AND THE ADJACENT PROPERTY, PREPARED BY HUNTER & HUNTER, CIVIL ENGINEERS, INC., AND THE ADJACENT PROPERTY, PREPARED BY HUNTER & HUNTER, CIVIL ENGINEERS, INC., ON MAY 15, 1988, PLAT # 49, PAGE 8.
2. THE LOCATION OF THE ADJACENT PROPERTY, PREPARED BY HUNTER & HUNTER, CIVIL ENGINEERS, INC., IS SHOWN ON PLAT # 49, PAGE 8.
3. THE LOCATION OF THE ADJACENT PROPERTY, PREPARED BY HUNTER & HUNTER, CIVIL ENGINEERS, INC., IS SHOWN ON PLAT # 49, PAGE 8.
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SURVEY LEGEND	
STORM DRAIN	---
WATER MAIN	---
FENCE	---
WATER VALVE	○
WATER METER	○
EDGE OF PAVEMENT	---
OVERHEAD POWER	---
UNDERGROUND POWER	---
WIRE	---
THE HEIGHT	---
COMMUNICATION WIRE	---
POWER POLE	---
TREE	---
LECTING METERS	---
COVERED 1/2" REBAR SET	---
STEEL ROAD	---
OPEN TOP PIPE	---
SEWER TOP PIPE	---
WALKWAY	---
COMMUNICATION FERTILIZER	---
DAY LETTER	---
SHIELD WING CATCH BASIN	---
ROUNDER WING CATCH BASIN	---
REINFORCED CONCRETE PIPE	---
COMBUSTIBLE METAL PIPE	---

CIVIL ENGINEERS * LAND PLANNERS
LANDSCAPE ARCHITECTS * SURVEYORS

BOUNDARY SURVEY FOR
ATLANTA PAVING
LAND LOT 251, 6TH DISTRICT
GWINNETT COUNTY, GEORGIA

REVISIONS	DATE
1.0	02/27/14

BOUNDARY SURVEY

DRAWN BY	JR	CHECKED BY	DM
PROJECT NO.	431133	DATE	02/27/14
FIELD DATE	02/27/14	SCALE	1" = 40'
PLOT DATE	02/27/14		

COLUMBIA
ENGINEERING
2882 BLUFORD HIGHWAY
DUBLIN, GEORGIA 30098
(770) 955-0287

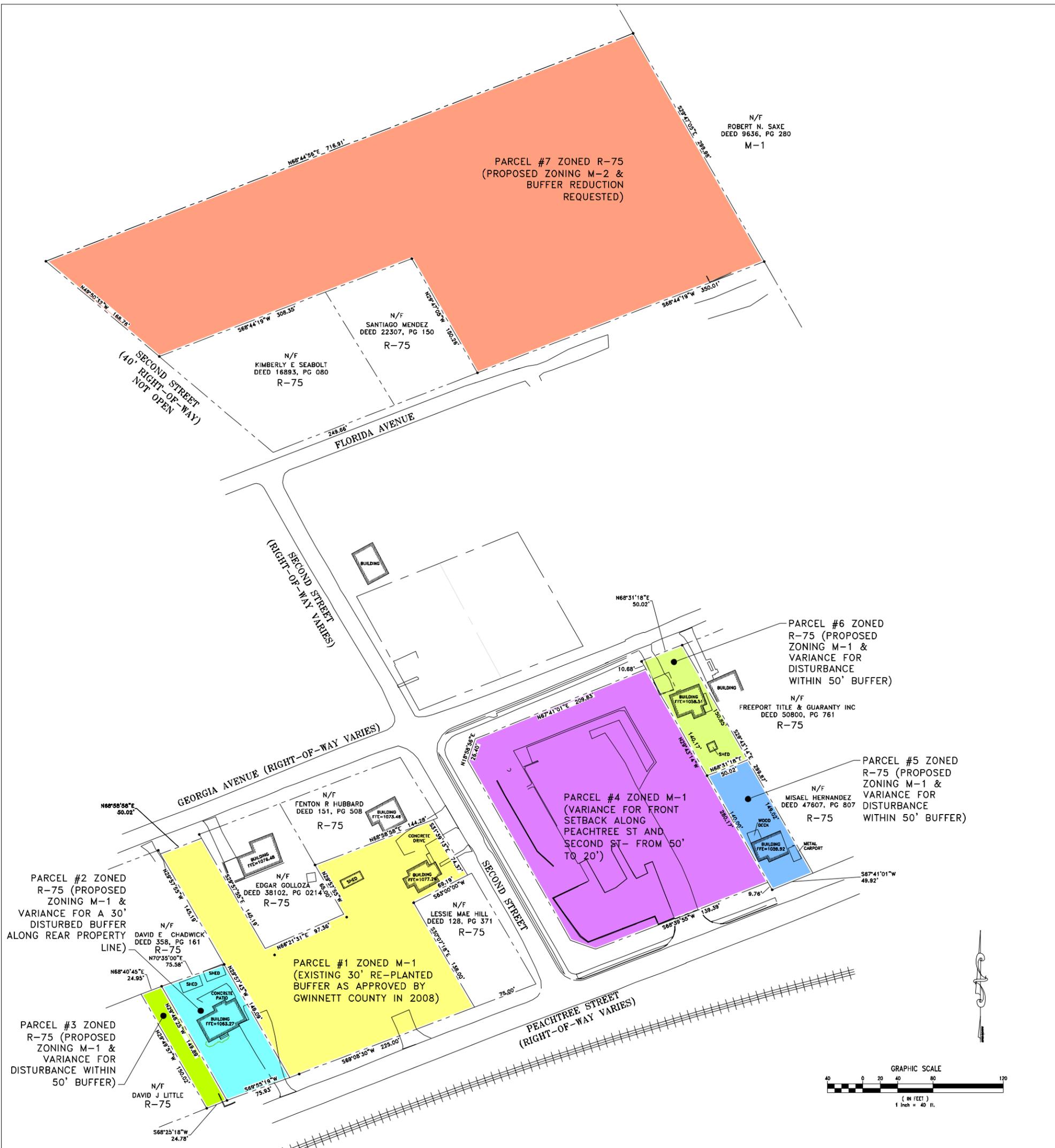


LAND DESCRIPTION 7

Parcel ID 6251B 060

ALL THAT TRACT or parcel of land lying and being in land lot 251 of the 6th 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						
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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
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

JUNE 13, 2017

JUNE 20, 2017

JULY 18, 2017

PROPERTY ADDRESS:

the 6100 and 4500 blocks of Florida Ave.

PH2017-003
Town Center
Building Elevations

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

PUBLIC HEARING ANALYSIS

PLANNING COMMISSION DATE: APRIL 11, 2017

CITY COUNCIL DATE: MAY 16, 2017

CASE NAME: **TOWN CENTER BUILDING ELEVATIONS**

CASE NUMBER: **PH2017-003**

CURRENT ZONING: MUD (MIXED USE DEVELOPMENT)

LOCATION: 5400 BLOCK OF PEACHTREE PARKWAY

MAP NUMBERS: 6th DISTRICT, LAND LOT 301

ACREAGE: 5.1 ACRES

PROPOSED DEVELOPMENT: NEW BUILDINGS AT TOWN CENTER

APPLICANT: FUQUA BCDC PEACHTREE CORNERS
3575 PIEDMONT RD.
ATLANTA, GA 30305

CONTACT: KEVIN FLOYD
404-907-1709

OWNER: FUQUA BCDC PEACHTREE CORNERS
3575 PIEDMONT RD.
ATLANTA, GA 30305

RECOMMENDATION: APPROVE

PROJECT UPDATE:

This application was deferred at the April 11th Planning Commission meeting in order for the parking deck designer to address the screening of the deck adjacent to the creek and the future Botanical Garden. In response, the designer has submitted a proposal to attach a printed mesh screen to the exterior of the deck's rear elevation. Since the mesh material can be printed with virtually any design, Staff suggested a tree and leaf pattern to reflect the Botanical Garden aesthetic. Three design options have been submitted (attached after the staff report) for the Planning Commission's consideration. The preferred choice would be added to the rear and theater side elevations of the parking deck.

PROJECT BACKGROUND:

The concept plans for the Town Center were approved July 21, 2015 with the adoption of Ordinance 2015-06-49. This Ordinance (attached) identifies specific appearance standards for all the buildings in the Town Center. Criteria for building elevations listed in the ordinance address items such as building walls, roof lines, parapets, building materials, and landscaping. In addition to this ordinance, Table 'B', the development regulations for the Town Center, (attached) also includes building requirements.

The submitted site plans shows buildings that are numbered as follows:

- Bldg. #100 is the first building on the right upon arrival into the Town Center and consists of two restaurant spaces.
- Bldg. #200 is the second building on the right and consists of four tenant spaces.
- Bldg. #300 is the second level of Bldg. #200 and consists of office and retail spaces (and includes the parking deck).
- Bldg. #400 is a stand-alone restaurant building facing the Town Green.
- Bldg. #500 consists of two restaurants facing the Town Green.
- Bldg. #600 is the building on the left upon arrival into the Town Center.

In addition to these buildings, there are other buildings that are not a part of this application, but will be considered separately in the future:

- Building #700, the CineBistro building.
- The buildings on the two outparcels facing Peachtree Parkway.

PLAN REVIEW:

The intent of the Town Center regulations is to ensure that the buildings for this project are similar in appearance to The Forum. Therefore, the Town Center regulations address the elements that make The Forum distinctive such as varied roof heights, masonry materials, landscaping and a European inspired architectural style. Staff compared the submitted Town Center building elevations designed by Lyman Davidson, Dooley, Inc., architects, to the requirements stipulated in Ordinance 2015-06-49 and Table 'B'.

The submitted plans were found to meet the stipulated criteria by providing the following:

- Walls that are at least $\frac{3}{4}$ brick or stone
- Varied roof lines
- Taller building elements at the corners
- Awnings throughout
- Landscaping on or immediately adjacent to the buildings

Since the plans are not yet fully detailed, two of the requirements could not be evaluated but would still need to be incorporated into the final plans:

- I. Requirement to screen rooftop mechanical equipment

2. Requirement to include decorative elements such as rooftop finials and window planter boxes

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that PH2017-003 be approved.



TEXTURE EXAMPLE



MOVIE THEATER / EAST SIDE



BOTANICAL WALK / SOUTH SIDE

GARAGE SCREEN: OPTION 1



TEXTURE EXAMPLE



MOVIE THEATER / EAST SIDE



BOTANICAL WALK / SOUTH SIDE

GARAGE SCREEN: OPTION 2



TEXTURE EXAMPLE



MOVIE THEATER / EAST SIDE



BOTANICAL WALK / SOUTH SIDE

GARAGE SCREEN: OPTION 3



MARK	MATERIAL	MANUFACTURER	COMMENTS
SP1	SHINGLES	DAVITA	DAVITA
SP2	BRICK	DAVITA	DAVITA
SP3	BRICK	DAVITA	DAVITA
SP4	BRICK	DAVITA	DAVITA
SP5	BRICK	DAVITA	DAVITA
SP6	BRICK	DAVITA	DAVITA
SP7	BRICK	DAVITA	DAVITA
SP8	BRICK	DAVITA	DAVITA
SP9	BRICK	DAVITA	DAVITA
SP10	BRICK	DAVITA	DAVITA
SP11	BRICK	DAVITA	DAVITA
SP12	BRICK	DAVITA	DAVITA
SP13	BRICK	DAVITA	DAVITA
SP14	BRICK	DAVITA	DAVITA
SP15	BRICK	DAVITA	DAVITA
SP16	BRICK	DAVITA	DAVITA
SP17	BRICK	DAVITA	DAVITA
SP18	BRICK	DAVITA	DAVITA
SP19	BRICK	DAVITA	DAVITA
SP20	BRICK	DAVITA	DAVITA
SP21	BRICK	DAVITA	DAVITA
SP22	BRICK	DAVITA	DAVITA
SP23	BRICK	DAVITA	DAVITA
SP24	BRICK	DAVITA	DAVITA
SP25	BRICK	DAVITA	DAVITA
SP26	BRICK	DAVITA	DAVITA
SP27	BRICK	DAVITA	DAVITA
SP28	BRICK	DAVITA	DAVITA
SP29	BRICK	DAVITA	DAVITA
SP30	BRICK	DAVITA	DAVITA
SP31	BRICK	DAVITA	DAVITA
SP32	BRICK	DAVITA	DAVITA
SP33	BRICK	DAVITA	DAVITA
SP34	BRICK	DAVITA	DAVITA
SP35	BRICK	DAVITA	DAVITA
SP36	BRICK	DAVITA	DAVITA
SP37	BRICK	DAVITA	DAVITA
SP38	BRICK	DAVITA	DAVITA
SP39	BRICK	DAVITA	DAVITA
SP40	BRICK	DAVITA	DAVITA
SP41	BRICK	DAVITA	DAVITA
SP42	BRICK	DAVITA	DAVITA
SP43	BRICK	DAVITA	DAVITA
SP44	BRICK	DAVITA	DAVITA
SP45	BRICK	DAVITA	DAVITA
SP46	BRICK	DAVITA	DAVITA
SP47	BRICK	DAVITA	DAVITA
SP48	BRICK	DAVITA	DAVITA
SP49	BRICK	DAVITA	DAVITA
SP50	BRICK	DAVITA	DAVITA
SP51	BRICK	DAVITA	DAVITA
SP52	BRICK	DAVITA	DAVITA
SP53	BRICK	DAVITA	DAVITA
SP54	BRICK	DAVITA	DAVITA
SP55	BRICK	DAVITA	DAVITA
SP56	BRICK	DAVITA	DAVITA
SP57	BRICK	DAVITA	DAVITA
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SP98	BRICK	DAVITA	DAVITA
SP99	BRICK	DAVITA	DAVITA
SP100	BRICK	DAVITA	DAVITA



CLIENT: Peachtree Corners Town Center
 ARCHITECT: LHM
 DATE: 10/1/12

ARCHITECTURE
PLANNING
INTERIOR DESIGN

LHM
Lester
Davidson
Charles, Inc.

100 Peachtree Road
Atlanta, GA 30309
404.525.1100
www.lhm.com

ATLANTA
GA

PROJECT
Peachtree Corners Town Center

DATE
10/1/12

SHEET
A120

SCALE
AS SHOWN



MARK	MATERIAL	COMMENTS
SP1	SHINGLES	DAVITA
SP2	SHINGLES	DAVITA
SP3	SHINGLES	DAVITA
SP4	SHINGLES	DAVITA
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SP6	SHINGLES	DAVITA
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SP99	SHINGLES	DAVITA
SP100	SHINGLES	DAVITA



CLIENT: Peachtree Corners Town Center
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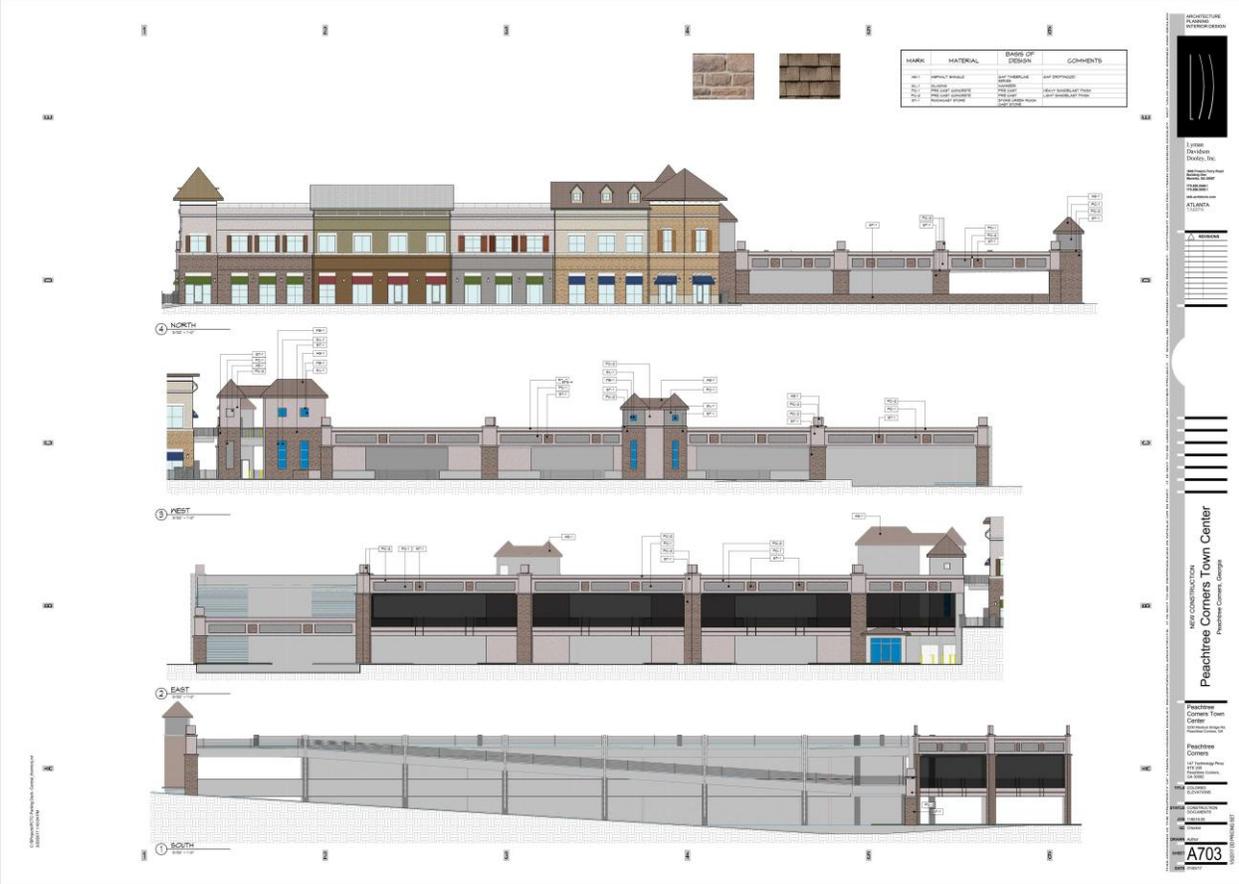
PROJECT
Peachtree Corners Town Center

DATE
10/1/12

SHEET
A704

SCALE
AS SHOWN





Town Center Standards

Table 'B'

Development Regulations

Regulation	Residential Development	Commercial Development
Height	Townhouse – 50 ft. max. Condominium – 70 ft. max.	retail/office bldg. – 20 ft. min./70 ft. max. restaurant, theater – 40 ft. max. hotel – 70 ft. max.
Stories	Townhouse- 4-stories max. Condominium – 5-stories max.	retail/ office bldg.. – 2- stories (or 2 stories in appearance) min. / 4- stories max. free-standing restaurant, theater – 2 stories max. hotel – 5-stories max.
Unit size	Townhouse – 2000 sq. ft. min. Condominium – 1000 sq. ft. min.	
Setback: Front	Townhouse- 10 ft. min. next to ext. rd. 5 ft. min. next to int. rd. Condominium- 20 ft. (ext. rd.) 10 ft. (int. rd.)	retail/office- 20 ft. (ext. rd.); 0 ft. (int. rd.) restaurant – 20 ft. (ext. rd.); 0ft. (int. rd.) hotel – 20 ft. (ext. rd.); 0 ft. (int. rd.) theater – 20 ft. (ext. rd.); 0 ft. (int. rd.)
Side	Townhouse – 5 ft. min. on non-attached side 10 ft. min. between Buildings Condominium – 10 ft. min.	outparcels - 20 ft. from property line all others – 10 ft. between buildings
Rear	All development – 10 ft. min.	
Lot Width	Townhouse- 22 ft. min.	outparcels – 75 ft. min.
Building Facing	All buildings located along an external road must face, or appear to face, that road.	
Building Aesthetic	Traditional European inspired style similar in appearance to the Forum and as approved by the Planning Commission.	
Walls	Primarily brick or stone with stucco accents (and glass store fronts in commercial bldgs.)	
Roof: Color Materials	earth tones medium shades of browns and greys (charcoal, dark gray, black prohibited) slate, tile or architectural shingles with a slate or tile appearance. Commercial roofs must incorporate breaks and change in material or color at least every 40 ft.	
Pitch	Townhouse- min. 4:12 Condominium and Office/retail buildings to match roof pitch at the Forum.	
Signage	Sign package (incl. materials, sizes, colors, font types, location, number) to be approved by Planning Commission	
Landscaping	10 ft. wide strip along parking lots and external roadways. Street trees along internal and external streets and parking lot islands as per Overlay Standards (Zoning Code Sec. 1315). Commercial and condominium buildings shall incorporate live plant material growing immediately in front of or directly on the building.	
Lighting / street furnishings	– per Zoning Code regulations and subject to Planning Commission approval.	
Parking	per Zoning Code regulations	
Screening	per Zoning Code regulations	

AN ORDINANCE TO APPROVE TOWN CENTER DEVELOPMENT DRAWINGS AND PERMITTED RESTAURANTS, AND AMEND SPECIFIC TOWN CENTER REGULATIONS PURSUANT TO SUP2015-003, TOWN CENTER / DDA PROPERTY FOR 20.6 ACRES OF PROPERTY LOCATED IN THE 5200 BLOCK OF PEACHTREE PARKWAY.

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

WHEREAS: Public meetings were held by the Mayor and City Council of Peachtree Corners on June 16, 2015 and July 21, 2015;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on July 21, 2015 hereby ordain and approve Zoning Case SUP2015-003 for the following:

1. Approve the architecture of the commercial and residential buildings.
2. Amend the Town Center Standards, Table 'A' to expand the type of restaurants permitted.
3. Amend the Town Center Standards, Table 'B', to allow Townhouses to be 4 stories with a maximum height of 50 ft. (instead of 3 stories and 40 ft.)
4. Amend the Town Center Standards, Table 'B, to allow the width of Townhouses to be 22 ft. instead of 24 ft.
5. Amend the height standards for retail / office buildings to allow a minimum of 2 stories or 2 stories in appearance.

These approvals shall be subject to the following conditions:

I. With regard to Building Elevations:

A. Project shall be developed in general conformity with the renderings submitted with the application package for SUP2015-003, and commercial property shall be developed with a similar level of detail as the Forum Shopping Center including the following:

1. Walls visible from streets or walkways shall be at least 3/4 brick or stone (excluding window area).
2. Pitched roofs shall be slate, tile, or dimensional architectural shingle in brown, beige, taupe, or light gray color. (Dark gray, charcoal, and black roof colors are prohibited.)
3. Parapets on free standing buildings shall be placed around the entire perimeter of the roof and shall screen rooftop mechanical equipment.
4. Parapets on end units of multi-tenant buildings shall be placed around the entire perimeter of the end unit roof that is visible to pedestrians.
5. Corners of the retail / office buildings shall incorporate taller elements with pyramidal or conical roofs similar to Barnes and Noble at the Forum.
6. A change in roof style, material, color or roof plane shall occur at least every 40 ft. (for changes in roof plane, a minimum 18" offset shall be provided)

7. Each commercial building shall incorporate at least one room (accessible from the rear) for the collection of trash and storage of dumpsters, compactors, and recycling bins.
8. Commercial buildings surrounding the parking deck shall be designed to screen the parking deck, cars, and people on the highest level of the deck from ground views.
9. Plant material shall be incorporated along front and side elevation of buildings, as approved by Staff.
10. Heavy landscaping shall be placed between commercial buildings and the stream buffer.
11. Contrasting accent bands on walls, water tables at base of buildings, roof top finials, window box planters, and other decorative elements shall be utilized to enhance the building aesthetic.
12. Awnings shall be provided throughout the commercial areas to protect pedestrians from inclement weather.

- B. Residential buildings shall be at least 3/4 brick or stone on all sides.
- C. Residential buildings located on the Town Green shall be designed to face the Town Green and have upper level decks or balconies overlooking the Town Green.
- D. Each residential building located on the Town Green shall be separated from the Town Green by a landscaped front yard surrounded by a 4 foot wrought iron (or similar) fence with decorative gate.
- E. Residential buildings shall face (or appear to face) the main roads on which they are located including Medlock Bridge Rd. and the main internal project road.
- F. Fences in residential areas shall be limited to decorative wrought iron (or similar material) and, if located in the front yard, fences shall not exceed 4 ft. in height.
- G. No backyard type appliances or storage (i.e. barbeque grills, bicycles, garbage cans, play equipment) shall be located in the front yard or visible from the Town Green.

2. With regard to amending Town Center Standards Table 'A', the list of permitted uses shall be modified as follows:

Within 'Commercial'

Designated Area: Ground Floor: Retail, ~~Chef-driven Restaurants, (Special Use approval required for chain restaurants),~~ Cinema with dining, bakery and confectionary, Music venue, Performing Arts venue, boutique hotel, ~~and C-1 and C-2 permitted uses except as noted in Prohibited Uses,~~ below, and Restaurant uses as follows:

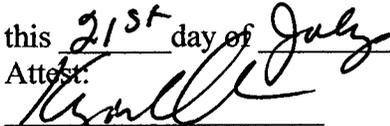
1. Chef-driven dining concepts; local chain restaurants; regional chain restaurants; and national chain restaurants
2. National chain restaurants cannot exceed 50% of the total number of all restaurants

3. Local chain restaurants, regional chain restaurants, and national chain restaurants, combined, cannot exceed 85% of the total number of all restaurants
 4. No more than two restaurants shall be permitted in any food category (i.e. Mexican, Thai, French)
 5. The Community Development Director shall determine compliance with requirements numbered 2, 3, and 4 listed above.
3. With regard to Town Center Standards, 'Table B':
- A. Regulations shall be amended to allow townhomes up to 4 stories with a maximum height of 50 ft.
 - B. Regulations shall be amended to allow retail / office buildings to be a minimum of 2 stories or have a 2 story appearance.
 - C. Townhouse width shall be amended to allow 22 ft. units.
4. With regard to remaining Town Center development:
- A. Commercial buildings located on the Town Green (not including the theater) shall be developed as restaurants.
 - B. At a minimum, those restaurants located on the Town Green shall provide roof top dining overlooking the Town Green.
 - C. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors.
 - D. Decorative string lights shall be hung across the main boulevard for the length of that roadway from the commercial buildings closest to the traffic circle to the Town Green.
 - E. Pedestrian walkways and crosswalks shall incorporate decorative paving treatments, as approved by Staff.
 - F. All mechanical equipment shall be screened from view. Screening shall coordinate with building architecture.
 - G. No 'back of house' activities or equipment such as loading docks and dumpsters shall be visible from the Town Green.
 - H. Bike racks, electric vehicle recharge station, and car pool spaces shall be provided.
 - I. Applicant shall submit sign package, lighting standards, street furnishings, landscaping plan, theater building elevations, and outparcel building elevations for review and approval by Planning Commission and Council.

Effective this 21st day of July, 2015.

So Signed and Witnessed

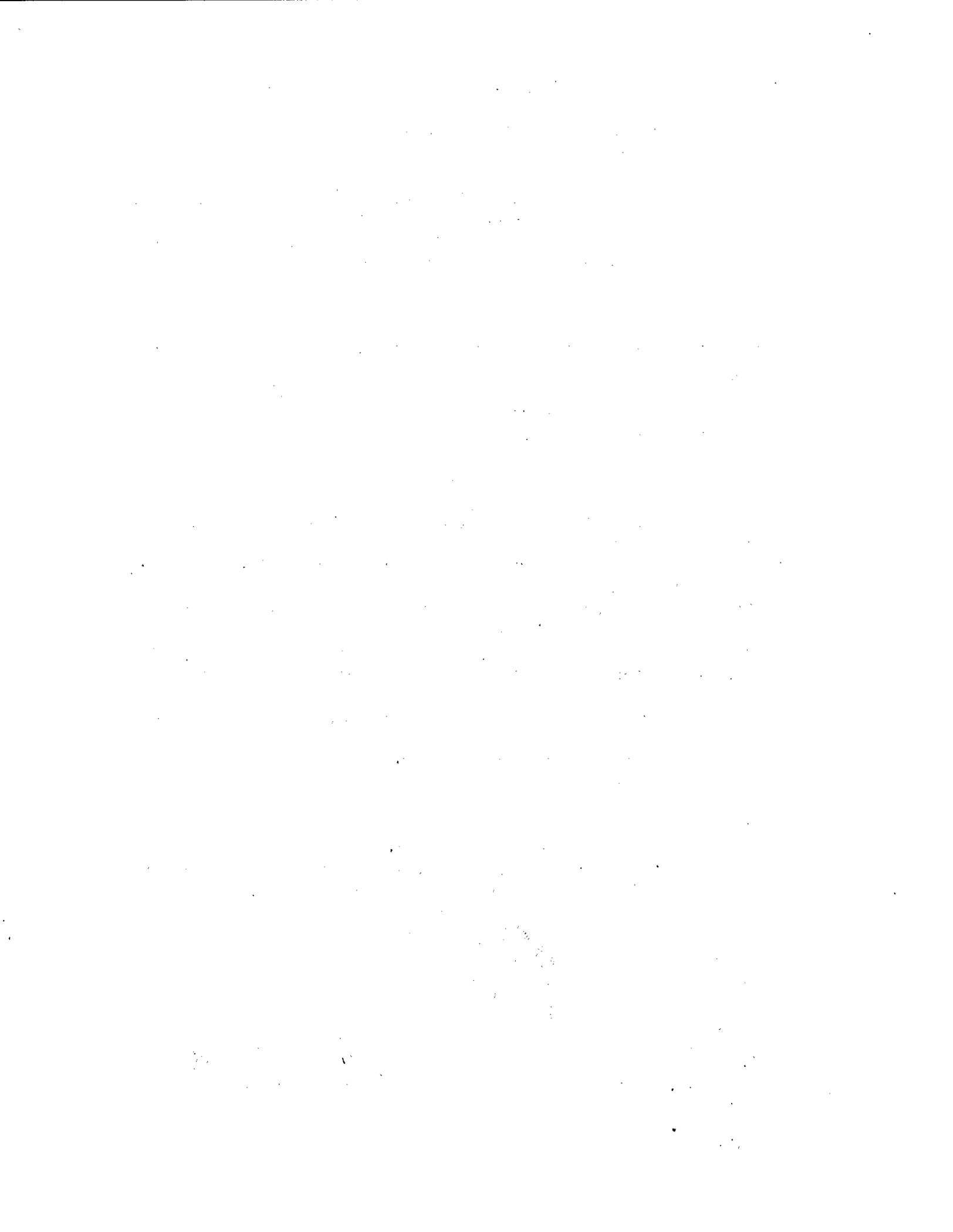
this 21st day of July, 2015
Attest:


Kimberly Chereck, City Clerk



Approved :


Mike Mason, Mayor





PUBLIC HEARING APPLICATION

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

A properly completed application and fees are due at the time of submittal. **An incomplete application will not be accepted.** Original signatures are required for the Application.

REQUIRED ITEMS	NUMBER OF COPIES	CHECK
Completed Application Form	• 10 Copies	<input checked="" type="checkbox"/>
Boundary Survey with Legal Description	• 10 Copies	<input type="checkbox"/> N/A
Site Plan	• 2 full size Copies • 10- 8-1/2" x 11" or 11" x 17" reductions	<input checked="" type="checkbox"/>
Letter of Intent	• 10 Copies	<input type="checkbox"/> N/A
Applicant Certification with Notarized Signature	• 10 Copies	<input checked="" type="checkbox"/>
Property Owner Certification with Notarized Signature	• 10 Copies	<input checked="" type="checkbox"/>
Standards Governing Exercise of the Zoning Power	• 10 Copies	<input type="checkbox"/> N/A
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	• 10 Copies	<input checked="" type="checkbox"/>
Verification of Paid Property Taxes (most recent year)	• One (1) Copy (for each tax parcel included)	<input type="checkbox"/> N/A
Electronic copy of all of the above	• One (1) copy	<input checked="" type="checkbox"/>
Application Fee	• Make checks payable to the City of Peachtree Corners	<input checked="" type="checkbox"/>
ADDITIONAL EXHIBITS (IF REQUIRED)		
Additional site plan requirements for R-TH, R-ZT, Modified, CSO, OBP, HRR, R-SR, MUD or MUO rezoning requests	• 10 Copies	<input type="checkbox"/> N/A
Traffic Study	• 10 Copies	<input type="checkbox"/> N/A
Development of Regional Impact Review Form	• 2 Copies	<input type="checkbox"/> N/A
Building Compliance Inspection	• 2 Copies	<input type="checkbox"/> N/A

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>Fuqua BCDC Peachtree Corners Project Owner, LLC</u>	NAME: <u>Fuqua BCDC Peachtree Corners Project Owner, LLC</u>
ADDRESS: <u>3575 Piedmont Road, NE</u>	ADDRESS: <u>3575 Piedmont Road, NE</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30305</u>	STATE: <u>Georgia</u> ZIP: <u>30305</u>
PHONE: <u>(404) 907-1709</u>	PHONE: <u>(404) 907-1709</u>
E-MAIL: <u>jeff.fuqua@fuquadev.com</u>	E-MAIL: <u>jeff.fuqua@fuquadev.com</u>
CONTACT PERSON: <u>Kevin Floyd</u> PHONE: <u>(404) 907-1709</u>	
CONTACT'S E-MAIL: <u>kevin.floyd@fuquadev.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): MUD REQUESTED ZONING DISTRICT: N/A

LAND DISTRICT(S): 6TH LAND LOT(S): 301 ACREAGE: 5.102

ADDRESS OF PROPERTY: 5200 Medlock Bridge Road, Peachtree Corners, GA 30092

PROPOSED DEVELOPMENT: Peachtree Corners Town Center

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 N/A

Dwelling Unit Size (Sq. Ft.): N/A

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 6

Total Bldg. Sq. Ft.: 57,380

Gross Density: N/A

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).

5.102 ACRES X 75 \$/ACRE +
\$1,200 = \$1582.65

APPLICANT'S CERTIFICATION

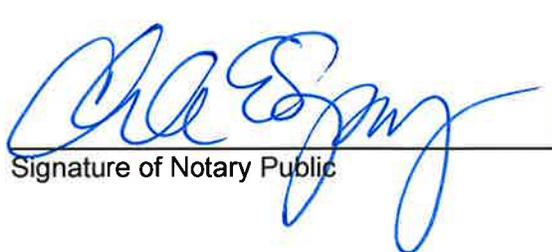
The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In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



Signature of Applicant
Jeffrey S. Fuqua / Managing Member

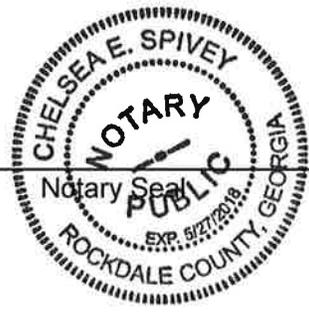
Type or Print Name and Title

Date
March 20, 2017



Signature of Notary Public
3/20/17

Date



PROPERTY OWNER'S CERTIFICATION

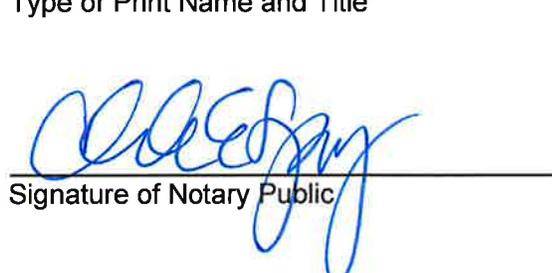
The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In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



Signature of Property Owner
Jeffrey S. Fuqua / Managing Member

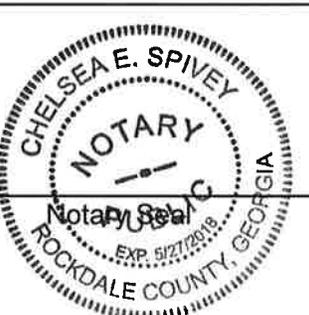
Type or Print Name and Title

Date
March 20, 2017



Signature of Notary Public
3/20/17

Date



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 Jeffrey S. Fuqua
(If **yes**, please complete the "Campaign Contributions" section below) Print Name

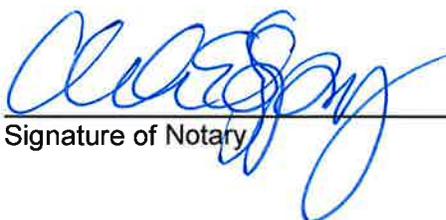
1. CAMPAIGN CONTRIBUTIONS

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

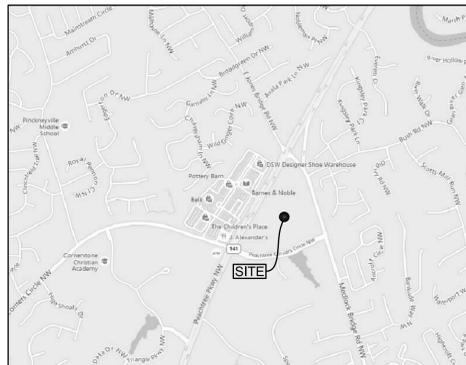
2. THE UNDERSIGNED ACKNOWLEDGES THAT THIS DISCLOSURE IS MADE IN ACCORDANCE WITH THE OFFICIAL CODE OF GEORGIA, SECTION 36-67A-1 ET. SEQ. CONFLICT OF INTEREST IN ZONING ACTIONS, AND THAT THE INFORMATION SET FORTH HEREIN IS TRUE TO THE UNDERSIGNED'S BEST KNOWLEDGE, INFORMATION AND BELIEF.

 March 20, 2017 Jeffrey S. Fuqua
Signature of Applicant Date Type or Print Name and Title

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

 3/20/17
Signature of Notary Date





LOCATION MAP

THIS "OVERALL" PLAN SHEET IS FOR REFERENCE PURPOSES & CONSTRUCTION NOTES ONLY. PLEASE REFER TO THE PARTIAL PLAN SHEETS FOR DETAILED DESIGN INFORMATION.

1. DEVELOPER — FLOQUA DEVELOPMENT, LP
 FIFTEEN PIEDMONT BUILDING
 3575 PIEDMONT ROAD, NE | SUITE 800
 ATLANTA, GEORGIA 30305
 CONTACT: MR. GREER SCOGGINS
 PHONE: 404-907-1709

2. CIVIL ENGINEER — HAINES GIPSON & ASSOCIATES, INC.
 1550 NORTH BROWN ROAD, SUITE 100
 LAWRENCEVILLE, GA 30043
 PHONE: (770) 491-7650
 FAX: (770) 491-7750



#2242 PEACHTREE PKWY.
 N/2 PROPERTY OF
DIRK LAUKIEN
 DEED BOOK 53636 / PAGE 262
 ZONED C2

TRACT AREAS DATA CHART

CITY PARCELS	ACRES
ROADS, ROW ACCESS EASEMENTS	3.211
TOTAL DEVELOPMENT AREAS	3.211
DD PARCELS	2.018
PARK	2.412
TRAILS AND CREEK AREA	1.759
PARKING STRUCTURE	6.189
TOTAL DEVELOPMENT AREAS	6.189
DEVELOPMENT PARCELS	ACRES
OUTPARCEL 1	0.958
OUTPARCEL 2	1.248
THEATER LEASE PREMISES	4.833
RETAIL	5.026
RESIDENTIAL	12.209
TOTAL DEVELOPMENT AREAS	12.209
TOTAL TRACT AREA	21.609

SITE PARKING CHART

BUILDING AREA (SQ. FT.)	PARKING REQUIREMENTS PER CITY CODE (MIN. RATIO)	PARKING PROVIDED (RATIO)	SPACES	SPACES
NORTH RETAIL & RESTAURANT DEVELOPMENT				
RESTAURANT	2,000	13	27	
RESTAURANT	3,600	24	86	
RESTAURANT	2,400	16	32	
RESTAURANT	4,750	28	56	
RESTAURANT	6,500	43	87	
RESTAURANT	2,800	19	37	
RETAIL	980	2	5	
RETAIL	2,250	1.0 / 500 sq. ft.	11	
TOTAL	24,780	6.1 / 1,000 sq. ft.	150	179
SOUTH RETAIL, RESTAURANT, THEATER, & OFFICE DEVELOPMENT				
OUTPARCEL #1 (Restaurant)	8,000	53	107	
OUTPARCEL #2 (Restaurant)	6,000	44	88	
RESTAURANT	3,600	24	48	
RESTAURANT	3,800	1.0 / 150 sq. ft.	25	
RESTAURANT	6,800	10	50	
RESTAURANT	1,500	10	20	
RESTAURANT	3,300	22	44	
RETAIL	800	2	4	
RETAIL	3,600	1.0 / 500 sq. ft.	7	
RETAIL	4,000	8	20	
OFFICE	3,500	1.0 / 500 sq. ft.	8	
THEATER (P&S Seater)	41,000	1.0 / 3.0 seats	328	655
TOTAL	64,500	6.6 / 1,000 sq. ft.	567	679
OVERALL DEVELOPMENT				
RESTAURANT	52,900	1.0 / 150 sq. ft.	353	706
RETAIL	11,600	1.0 / 500 sq. ft.	23	58
OFFICE	3,500	1.0 / 500 sq. ft.	7	23
THEATER (P&S Seater)	41,000	1.0 / 3.0 seats	328	655
TOTAL	109,000	6.9 / 1,000 sq. ft.	712	842
TOTAL SPACES WITHIN PARKING STRUCTURE LIMITS: 678				

GENERAL NOTES:

- SITE IS LOCATED IN THE CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA, LAND LOT 301, 6th DISTRICT, PIN 6301 183.
- ALL NEW CONSTRUCTION SHALL CONFORM TO THE AMERICAN DISABILITIES ACT (A.D.A.) AND THE GEORGIA ACCESSIBILITY ACT (G.A.A.), CURRENT EDITIONS, SEE ARCHITECTURAL DWG'S FOR STRUCTURE COMPLIANCE.
- SITE IS ZONED M.U.D. (MIXED USE DEVELOPMENT).
- TOTAL SITE AREA = ±21.61 ACRES (INCLUDING ±3.29 ACRES OF R.O.W.). TOTAL DISTURBED AREA = ±21.6 ACRES (INCLUDING R.O.W. WORK).
- ALL CONSTRUCTION TO CONFORM TO CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, AND THE STATE OF GEORGIA WHETHER OR NOT REVIEW COMMENTS WERE MADE.
- ALL DIMENSIONS TO / FROM FACE OF CURB UNLESS NOTED OTHERWISE.
- ALL UTILITIES IN AREAS OF CONSTRUCTION TO BE FIELD LOCATED AND VERIFIED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR TO MAINTAIN MINIMUM COVER OVER EXISTING AND PROPOSED UTILITIES IN RIGHT-OF-WAY AS REQUIRED BY THE LOCAL GOVERNING AUTHORITY OR THE GEORGIA DEPARTMENT OF TRANSPORTATION.
- CONTRACTOR TO COORDINATE RELOCATION/MODIFICATION OF EXISTING UTILITIES IN RIGHT-OF-WAY AS REQUIRED BY THE LOCAL GOVERNING AUTHORITY HAVING JURISDICTION.
- EROSION CONTROL MEASURES ARE TO BE ACCOMPLISHED PRIOR TO ANY OTHER CONSTRUCTION ON THE SITE AND BE MAINTAINED UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
- ALL SILT BARRIERS MUST BE PLACED AS SHOWN AND/OR AS DIRECTED BY THE PROJECT ENGINEER AND/OR MUNICIPAL INSPECTOR.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA, THE MAP NUMBER FOR THIS AREA IS 13130C007G, DATED MARCH 4, 2013.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY OF PEACHTREE CORNERS AND GWINNETT COUNTY REGULATIONS AND CODES AND D.S.I.A. STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- ALL ISLANDS WITH CURB & GUTTER SHALL BE LANDSCAPED, THOSE ISLANDS ARE TO HAVE 24" CURB & GUTTER. ALL REMAINING ISLANDS ARE TO BE STRIPED AS SHOWN.
- ALL CURBED RADI ARE TO BE 3' UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS AND RADI ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY, ALL COST SHALL BE INCLUDED IN BASE BID.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
- ALL EXISTING INFORMATION DEPICTED HEREIN IS PER THE SURVEY ENTITLED "TOPOGRAPHIC SURVEY FOR FLOQUA DEVELOPMENT", PREPARED BY GEOSURVEY, LTD. DATED NOVEMBER 11, 2015.
- WETLANDS ARE NOT LOCATED WITHIN THE BOUNDARY LIMITS OF THE SUBJECT SITE.
- REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLANS.
- THE SITEWORK FOR THIS PROJECT SHALL MEET OR EXCEED ALL TENANT STANDARD SITEWORK SPECIFICATIONS.
- ALL STRIPING IN THE RIGHT-OF-WAY SHALL BE THERMOPLASTIC.
- ALL WORK WITHIN GOVT R/W SHALL BE GOVERNED BY THE GA D.O.T. PERMITS.
- CONTRACTOR TO HAVE A REGISTERED SURVEYOR SET A BENCH MARK FOR THE PROJECT. THIS IS TO BE USED FOR ALL CONSTRUCTION STAKING AND SETTING FINISH FLOOR ELEVATIONS ON SITE. CONTROL TO BE SET AND PROTECTED.
- SEE LANDSCAPE AND HARDSCAPE PLANS FOR EXACT BUILDING DIMENSIONS AND DETAILS. ANY BUILDING DIMENSIONS SHOWN ON THIS PLAN ARE FOR GENERAL COORDINATION PURPOSES ONLY AND SHOULD NOT BE USED TO LAYOUT THE BUILDING OR ITS APPURTENANCES (STAIRS, DOORS, DOCKS ETC.).

UTILITY AND CROSS ACCESS EASEMENTS BETWEEN THE TWO SEPARATE TRACTS ARE TO BE RECORDED AFTER CONSTRUCTION AND SHOWN ON THE FINAL PLAT

SIDEWALK PAVERS NOTE:

- AS REQUIRED BY THE CITY OF PEACHTREE CORNERS ZONING ORDINANCE 2015-06-49, ITEM 4.G, PEDESTRIAN WALKWAYS AND CROSSWALKS SHALL INCORPORATE DECORATIVE PAVING TREATMENTS, AS APPROVED BY STAFF.
- IN ACCORDANCE WITH THIS REQUIREMENT, HARDSCAPE PLANS WILL BE DESIGNED BY T.S.W. AND SUBMITTED UNDER SEPARATE COVER FOR CITY APPROVAL.
- SAID HARDSCAPE PLANS SHALL ALSO INCORPORATE ALL OTHER REQUIRED SITE AMENITIES, SUCH AS BICYCLE RACKS, TRASH RECEPTACLES, ETC.
- UPON APPROVAL OF THE SAID HARDSCAPE PLANS, DESIGN SHALL BE INCORPORATED INTO THIS SET OF DOCUMENTS FOR THE PURPOSE OF COORDINATION DURING CONSTRUCTION.

LEGEND

EXISTING EDGE OF PAVEMENT	---
EXISTING CURB & GUTTER	---
EXISTING BUILDING	---
PROPOSED CONCRETE CURB & GUTTER	---
PROPOSED BUILDING	---
PROPOSED RETAINING WALL	---
PROPERTY LINES	---
PROPOSED DUMPSTER ENCLOSURE	---
PROPOSED PAINTED CROSSWALK	---
PROPOSED DECORATIVE CROSSWALK	---
FIRE LANE SIGNAGE/MARKINGS	---
PROPOSED SIGNAGE	---
PROPOSED SIGNAGE SYMBOLS	---
PROPOSED HANDICAP RAMPS	---
PROPOSED CONCRETE SIDEWALKS (CONCRETS SHALL INCORPORATE DECORATIVE PAVING; SEE "SIDEWALK PAVERS NOTE")	---
PROPOSED HEAVY DUTY CONCRETE	---
PROPOSED STANDARD DUTY ASPHALT	---
PROPOSED HEAVY DUTY ASPHALT	---
PROPOSED GWINNETT COUNTY D.O.T. ASPHALT	---

SIGHT DISTANCE CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON MEDLOCK BRIDGE ROAD IS 40 MPH. THE DRIVEWAYS HAVE THE SIGHT DISTANCE VISIBILITY AS FOLLOWS. THE SIGHT DISTANCE LENGTH IS MEASURED FROM THE CENTERLINE OF THE DRIVEWAY IN BOTH DIRECTIONS ALONG THE RIGHT-OF-WAY LINE OF THE INTERSECTED STREET. THE SIGHT DISTANCE NOTED BELOW IS FOR AN OBJECT 3.5 FEET ABOVE THE INTERSECTED STREET VIEWED FROM THE CENTERLINE OF THE INTERSECTED DRIVEWAY AT AN EYE HEIGHT OF 3.5 FT. ABOVE THE GROUND.

DRIVEWAY No.1 (NORTHERN DRIVEWAY - SIGNALIZED):
 SIGHT DISTANCE = ±520 FEET TO THE LEFT & ±1,800 FEET TO THE RIGHT

DRIVEWAY No.2 (SOUTHERN DRIVEWAY - FULL ACCESS):
 SIGHT DISTANCE = 605 FEET TO THE LEFT & 1,200 FEET TO THE RIGHT

THE REQUIRED SIGHT DISTANCE LEFT IS 500' FOR 2 AND 3 LANES.

SIGNED: *J. O. Baker, Engineer*

OVERALL SITE PLAN

GRAPHIC SCALE
 0 60' 120' 240'
 1 inch = 60 ft.



CAUTION-NOTE TO CONTRACTOR

THE LOCATION OF ALL UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE AND BASED ON RECORDS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNING AUTHORITY AND THE STATE OF GEORGIA.

HAINES GIPSON & ASSOCIATES
 CONSULTING ENGINEERS
 CIVIL & STRUCTURAL SERVICES
 1550 NORTH BROWN ROAD, SUITE 100
 LAWRENCEVILLE, GEORGIA 30043
 PHONE: (770) 491-7650
 FAX: (770) 491-7750



PEACHTREE CORNERS TOWN CENTER
 5200 MEDLOCK BRIDGE ROAD
 CITY OF PEACHTREE CORNERS, GEORGIA
 6th DISTRICT, LAND LOT 301, PIN 6301 183

DESCRIPTION

NO.	BY	DATE	DESCRIPTION
1	TLF	06/01/16	BID DOCUMENTS
2	TLF	10/26/16	OWNER / REVIEW COMMENTS
3	TLF	01/19/17	BID DOCUMENTS
4	TLF	02/02/17	CITY RESUBMITTAL
5	TLF	02/21/17	CITY / COUNTY RESUBMITTAL

NO.	BY	DATE	DESCRIPTION
1	TLF	06/01/16	BID DOCUMENTS
2	TLF	10/26/16	OWNER / REVIEW COMMENTS
3	TLF	01/19/17	BID DOCUMENTS
4	TLF	02/02/17	CITY RESUBMITTAL
5	TLF	02/21/17	CITY / COUNTY RESUBMITTAL

DRAWN BY TLF/RCL
CHECKED BY RCL

DATE
 02/08/2016

SHEET TITLE
 SITE PLAN

SHEET NUMBER
 C-10

CIC2017-001
Indoor Recreation Facility

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

CHANGE IN CONDITIONS ANALYSIS

PLANNING COMMISSION DATE: JUNE 13, 2017

CITY COUNCIL DATE: JULY 18, 2017

CASE NAME: **INDOOR RECREATION FACILITY**

CASE NUMBER: **CIC2017-001**

CURRENT ZONING: M-1

LOCATION: 3130 NORTHWOODS PLACE

MAP NUMBERS: 6th DISTRICT, LAND LOT 271

ACREAGE: 4.97 ACRES

PROPOSED DEVELOPMENT: CHANGE IN CONDITIONS TO REMOVE A CONDITION OF
GWINNETT COUNTY REZONING CASE RZ63-81 THAT LIMITED
THE PROPERTY TO OFFICE/WAREHOUSE USES ONLY

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: ATLANTA SPORT HOUSE
558 HIGHLAND AVE NE
ATLANTA, GA 30312

CONTACT: DAMIEN SCOTT
714-813-7070

OWNER: DAVID JONES
5887 GLENRIDGE DR #250
ATLANTA, GA 30328

RECOMMENDATION: APPROVE WITH CONDITIONS

SUMMARY:

The applicant is seeking to change the conditions of a past rezoning case at an undeveloped parcel totaling 4.97 acres. The parcel is located at the end of the Northwoods Place cul-de-sac just off of Northwoods Circle in the Northwoods Atlanta industrial park. The property is surrounded by other M-I properties.

The applicant requests to change a condition of past rezoning case RZ63-81. This condition states that the only permitted use of the property is office/warehouse. The applicant is proposing an indoor recreation facility, primarily for volleyball courts.

The proposal includes a 35,000-square-foot building with 153 parking spaces. Additional overflow parking will be sought from surrounding property owners. Access to the facility is via an entrance from Northwoods Place with a potential internal connection to the adjoining property to the south at 3100 Northwood Place.

ZONING HISTORY:

The property was rezoned from R-75 to M-I in 1981 (Case RZ63-81). At that time, a condition was placed on the property which reads as follows: "Approved with the stipulation that it be approved for office/warehouse distribution only."

DEPARTMENT ANALYSIS:

The proposal for an indoor recreation facility is consistent with standard M-I zoning. This facility is unlikely to be a detriment to surrounding properties which have similarly-scaled office, manufacturing, and warehouse buildings.

Additionally, the recreation facility's peak hours are in the evenings and on weekends, opposite that of standard working hours and thus having little impact on traffic flow. While the site will accommodate the required parking for this use, the applicant also plans to reach agreements with nearby businesses to use their parking lots during special events which may attract a larger crowd than is typical.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that CIC2017-001 be approved subject to the following conditions:

- 1. The development shall be built in general conformity to the submitted site plan dated May 8, 2017.**
- 2. The development shall abide by all requirements of Section 1315 of the zoning ordinance (Activity Center/Corridor Overlay District).**

- 3. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.**
- 4. Outdoor lighting shall be contained in cutoff-type luminaries, shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic, and shall only be as bright as needed for safety on the site.**
- 5. The applicant shall secure parking permission from adjacent property owners to accommodate sufficient nearby parking for special events on the applicant's property.**



PUBLIC HEARING APPLICATION

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

A properly completed application and fees are due at the time of submittal. **An incomplete application will not be accepted.** Original signatures are required for the Application.

REQUIRED ITEMS	NUMBER OF COPIES	CHECK
Completed Application Form	• 1 original	<input checked="" type="checkbox"/>
Boundary Survey with Legal Description	• 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction	<input checked="" type="checkbox"/>
Site Plan	• 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction	<input checked="" type="checkbox"/>
Letter of Intent	• 1 copy	<input checked="" type="checkbox"/>
Applicant Certification with Notarized Signature	• 1 copy	<input checked="" type="checkbox"/>
Property Owner Certification with Notarized Signature	• 1 copy	<input checked="" type="checkbox"/>
Standards Governing Exercise of the Zoning Power	• 1 copy	<input checked="" type="checkbox"/>
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	• 1 copy	<input checked="" type="checkbox"/>
Verification of Paid Property Taxes (most recent year)	• One (1) Copy (for each tax parcel included)	<input checked="" type="checkbox"/>
Electronic copy of all of the above	• One (1) copy	<input type="checkbox"/>
Application Fee	• Make checks payable to the City of Peachtree Corners	<input checked="" type="checkbox"/>
ADDITIONAL EXHIBITS (IF REQUIRED)		
Additional site plan requirements for R-TH, R-ZT, Modified, CSO, OBP, HRR, R-SR, MUD or MUO rezoning requests	• 1 copy	<input type="checkbox"/>
Traffic Study	• 1 copy	<input type="checkbox"/>
Development of Regional Impact Review Form	• 1 copy	<input type="checkbox"/>
Building Compliance Inspection	• 1 copy	<input type="checkbox"/>

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 Sport House</u>	NAME: <u>David Jones</u>
ADDRESS: <u>558 Highland Ave NE</u>	ADDRESS: <u>5887 Glenridge Dr Suite 250</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30312</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>714-813-7070</u>	PHONE: <u>404-975-0035</u>
E-MAIL: <u>AtlantaSportHouse@gmail.com</u>	E-MAIL: <u>DavidJones@m3companies.com</u>
CONTACT PERSON: <u>Damien Scott</u> PHONE: <u>714-813-7070</u>	
CONTACT'S E-MAIL: <u>DScottVB10@yahoo.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): _____ REQUESTED ZONING DISTRICT: _____

LAND DISTRICT(S): 6th LAND LOT(S): 271 ACREAGE: 4.97

ADDRESS OF PROPERTY: 3130 Northwoods Place

PROPOSED DEVELOPMENT: Indoor Recreational

Staff Use Only This Section

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

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

Dwelling Unit Size (Sq. Ft.): _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Bldg. Sq. Ft.: 45,000

Gross Density: _____

FEE SCHEDULE

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

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

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

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

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

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

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

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

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

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

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

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

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



Letter of Intent

The facility will be a multi-use sport facility for volleyball and basketball. North Atlanta Volleyball Club, founded in 1991 is the longest running Junior Olympic girls volleyball program in Atlanta. The facility will be utilized for volleyball and/or basketball practices and tournaments as well as community events in the Peachtree Corner area.

- Practices will occur Monday-Thursday evenings 6:00 pm-10:00 pm December-June
- Tournaments will occur on weekends Friday night-Sunday January-June

The facility is being constructed as a multi-use facility with loading docks in the event the facility needs to be converted into a office/distribution facility.

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

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

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

1. CAMPAIGN CONTRIBUTIONS

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

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.

 5/9/17 Damien Scott President, Atlanta Sport House
 Signature of Applicant Date Type or Print Name and Title

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

Marcia C Shearer May 9, 2017
 Signature of Notary Date



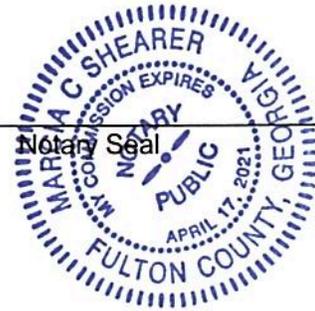
APPLICANT'S CERTIFICATION

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

[Handwritten Signature] _____
Signature of Applicant Date 5/9/17

Damien Scott President, Atlanta Sport House
Type or Print Name and Title

Marcia C Shearer _____
Signature of Notary Public Date May 9, 2017



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.

[Handwritten Signature] _____
Signature of Property Owner Date 5/9/2017

J DAVID JONES _____
Type or Print Name and Title Member

Marcia C Shearer _____
Signature of Notary Public Date May 9, 2017



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
- B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property?
No
- C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?
Yes
- D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?
No
- E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan?
Yes
- 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?

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: 6th - 271 - 053
(Map Reference Number) District Land Lot Parcel


Signature of Applicant

5/9/17
Date

Damien Scott President, Atlanta Sport House

Type or Print Name and Title

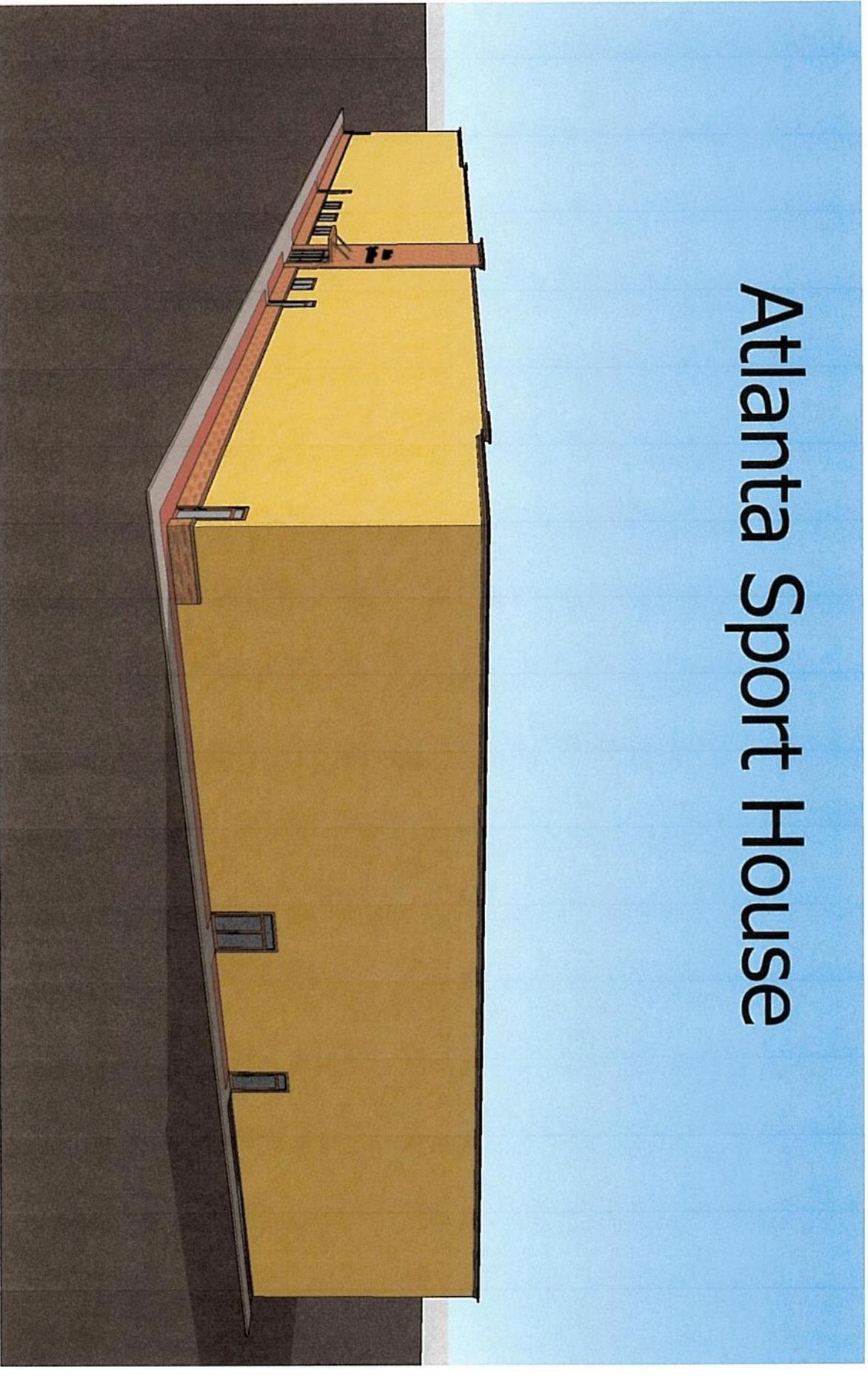
Tax Commissioners Use Only

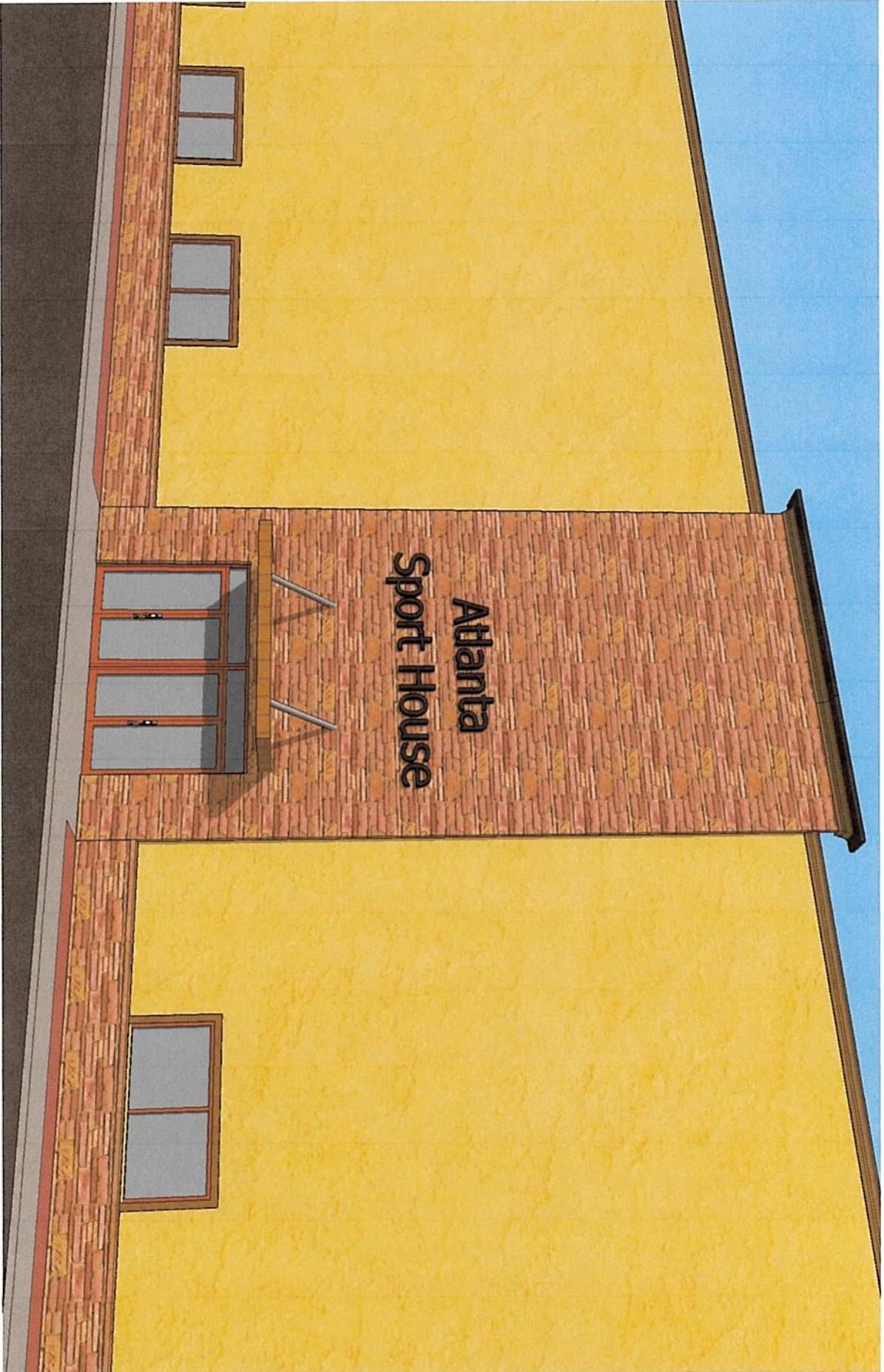
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME TITLE

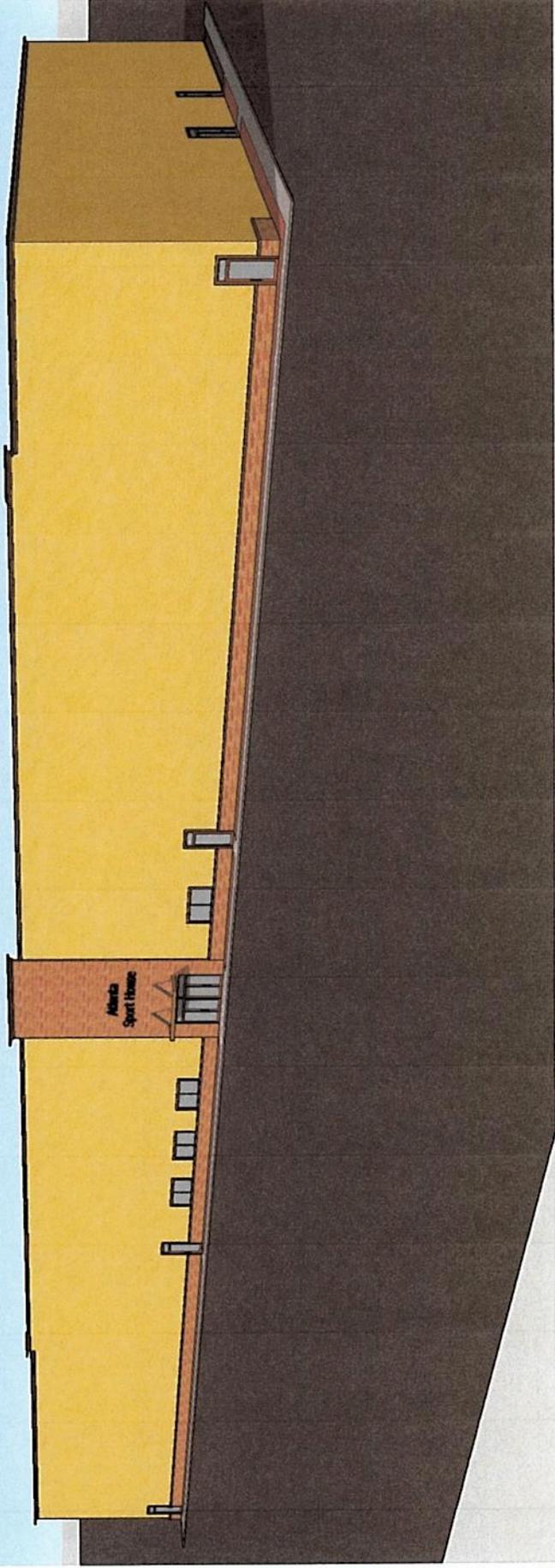
DATE

Atlanta Sport House





Atlanta Sport House





Public Hearing Application Certification

Complete application received on: 9 MAY 2017

Fee received \$ 850.00

SUP # _____

CIC# 2017-001

RZ# _____

V# _____

PH# _____

Property Address 3130 Northwoods Pl.

Application Request REMOVE CONDITION OF GWINNETT COUNTY RZ63-81 THAT LIMITED THE PROPERTY TO OFFICE/WAREHOUSE USES ONLY

Sign Pick up date May 22, 2017

Sign Posting* date no later than May 26, 2017

Planning Commission**
Hearing Date (attendance required) June 13, 2017

City Council** Hearing Date
(1st Reading – attendance not required) June 20, 2017

City Council**+ Hearing Date
(2nd Reading – attendance required) July 18, 2017

Zoning Board of Appeals** Hearing Date _____

*E-mail photo of posted sign to dwheeler@peachtreecornersga.gov

**Hearing held at City Hall, 147 Technology Pkwy., Suite 200, 7:00PM

RECEIPT

No. 762241

DATE 9 MAY 2017

FROM DAMIEN SCOTT

\$ 850.00

DOLLARS

FOR RENT
 FOR 3130 NORTHWOODS PL PUBLIC HEARING

ACCT.	850.00
PAID	850.00
DUE	0.00

- CASH
- CHECK #1108
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY *DAMIEN SCOTT*

A-1152
T-4161



CIC2017-001 Site Photo

PROPERTY LOCATION MAP

North Atlanta Volleyball Club



CASE NUMBER:	CIC2017-001		
	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
HEARING DATES:	JUNE 13, 2017	JUNE 20, 2017	JULY 18, 2017
PROPERTY ADDRESS:	3130 Northwoods Pl.		

CIC2017-002
Ingles Gas Station

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

CHANGE IN CONDITIONS ANALYSIS

PLANNING COMMISSION DATE: JUNE 13, 2017

CITY COUNCIL DATE: JULY 18, 2017

CASE NAME: **INGLES GAS STATION**

CASE NUMBER: **CIC2017-002**

CURRENT ZONING: C-2

LOCATION: 5075 PEACHTREE PARKWAY

MAP NUMBERS: 6th DISTRICT, LAND LOT 318

ACREAGE: 16.45 ACRES: ENTIRE SHOPPING CENTER
8.63 ACRES: GROCERY STORE PARCEL

PROPOSED DEVELOPMENT: CHANGE IN CONDITIONS TO ALLOW A NEW GAS STATION
AT AN EXISTING SHOPPING CENTER BY REMOVING
CONDITIONS RELATED TO PROHIBITED USES AND MAXIMUM
NUMBER OF OUTPARCELS

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: INGLES MARKETS, INC.
2913 US HWY 70 E
BLACK MOUNTAIN, NC 28711

CONTACT: PAUL HARRELL
770-674-2600

OWNER: ICM VI JONES BRIDGE SQUARE LP
445 BISHOP ST NW #100
ATLANTA, GA 30318

RECOMMENDATION: APPROVE WITH CONDITIONS

SUMMARY:

The applicant is seeking to change the conditions of a past rezoning case at a shopping center property totaling 16.45 acres. The properties consist of a main shopping center parcel containing an Ingles grocery store and five outparcels containing a mix of retail, restaurant, educational, and medical office uses. These parcels are located on the west side of Peachtree Parkway just north of Jones Bridge Road. These properties are adjacent to R-75 single-family properties to the rear.

The applicant requests to change two conditions of past rezoning case RZ1996-134. The first condition relates to use of the property. This condition states that a gas station is a prohibited use. The second condition relates to the total number of outparcels permitted. This condition states that there shall be no more than five outparcels. The creation of a parcel for the gas station, which is to be separated from the main grocery store parcel, would create a sixth outparcel.

The proposed gas station will front Peachtree Parkway and occupy a proposed 0.76 acre parcel. The current use of the land is for parking in conjunction with the shopping center. The loss of 70 parking spaces will not cause the shopping center to fall below the minimum parking required by the zoning ordinance. Primary access to the gas station would be through one of the existing right-in-right-out driveways in front of the Ingles store. Access is also possible through other entrances via internal shopping center driveways.

ZONING HISTORY:

The entire 16.45-acre property was rezoned from C-1 and O-1 to C-2 in 1993 (Case RZ1993-079). A subsequent rezoning (Case RZ1996-134) allowed for a change to conditions for the construction of the McDonald's restaurant on one of the outparcels. At that time, additional conditions were placed on the property, two of which the applicant is seeking to change. Both read as follows:

- A. All uses and special uses permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; automotive car wash; automotive parts stores; billboards; building, electrical or plumbing contractors; convenience stores with or without gas pumps; funeral homes or mausoleums; furniture rental establishments; equipment rental; hotels or motels; self service or coin operated laundries; liquor stores; mobile buildings; parking lots and garages; pest control businesses; pet shops or grooming establishments; lounges; recovered materials processing facility; yard trimmings composting facility; any temporary uses; and, any special uses, including auto body repair shop; auto repair shops or

tire stores; automotive sales lots; automotive service stations; building material sales with outdoor storage; contractor's offices or the outside storage of equipment or materials; heavy equipment or farm equipment rental, sales or service; lawnmower repair shops; machine or welding shops; mini-warehouse storage facilities; mobile home or mobile home building, leasing or sales; recreational facilities (i.e., miniature golf courses, water slides, bowling facilities); residential or community shelters; and, taxi cab or limousine services.

- B. Outparcel developments shall be limited to no more than five parcels for the shopping center including the McDonald's site and the existing CVS pharmacy site. The northern most outparcel on Peachtree Parkway is restricted to uses authorized under the office/institutional (O-I) district.

DEPARTMENT ANALYSIS:

The proposal for a gas station is consistent with standard C-2 zoning and would be located along a major arterial street in area that is already home to numerous automobile-oriented commercial establishments, including a QuikTrip gas station located 0.6 miles away at the southwest corner of Peachtree Parkway and Peachtree Corners Circle.

Additionally, the location of the proposed gas station is approximately 450 feet from the nearest residential property line on Avala Park Lane (behind the Ingles grocery store) and will be shielded from this neighborhood by Ingles and the adjoining strip shopping center. The residential neighborhood on Coventry Park Lane across Peachtree Parkway from the proposed gas station is about 275 feet away at its nearest point. This neighborhood is located behind an existing stand of tall evergreen trees.

The addition of another outparcel should have minimal impact on surrounding properties since it does not alter circulation patterns or the access to the other sites. Further, the parking to be displaced by the addition of a gas station constitutes excess spaces not required by code that are often vacant. The proposed gas station facility would, therefore, replace unused parking spaces with a retail service that could benefit Ingles' customers. Provided that the building, canopy and pump islands are designed with quality materials, the proposed facility could be an enhancement to the existing property.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that CIC2017-002 be approved subject to the following conditions:

1. The development shall be built in general conformity to the submitted site plan dated February 8, 2017.
2. Gwinnett County case RZ1996-134 condition 'A' shall be amended to remove "convenience stores with or without gas pumps" as a prohibited use; and condition 'B' shall be amended to allow six parcels on the property instead of five.
3. The development shall abide by all requirements of Section 1315 of the zoning ordinance (Activity Center/Corridor Overlay District). In addition:
 - a. The gas canopy support columns shall be faced in their entirety with brick and/or stone, and subject to staff approval.
 - b. The gas canopy roof shall be pitched with standing-seam metal roof in a color allowed in the Overlay District
 - c. The cashier/convenience kiosk shall be faced on all four sides with brick or stone to match the columns and be subject to staff approval.
4. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.
5. Outdoor lighting shall be contained in cutoff-type luminaires, shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic, and shall only be as bright as needed for safety on the site. Canopy lighting shall also be only as bright as needed for safety.
6. In accordance with Chapter 54 of the City Code, signage shall be limited to the following:
 - a. Two signs per canopy face with a maximum of eight square feet per sign.
 - b. Spreader bars (signs located under canopy over pumps islands) shall be limited to no more than two signs per spreader bar, not to exceed four square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.



PUBLIC HEARING APPLICATION

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

A properly completed application and fees are due at the time of submittal. **An incomplete application will not be accepted.** Original signatures are required for the Application.

REQUIRED ITEMS	NUMBER OF COPIES	CHECK
Completed Application Form	<ul style="list-style-type: none"> • 1 original 	<input checked="" type="checkbox"/>
Boundary Survey with Legal Description	<ul style="list-style-type: none"> • 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction 	<input checked="" type="checkbox"/>
Site Plan	<ul style="list-style-type: none"> • 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction 	<input checked="" type="checkbox"/>
Letter of Intent	<ul style="list-style-type: none"> • 1 copy 	<input checked="" type="checkbox"/>
Applicant Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 	<input checked="" type="checkbox"/>
Property Owner Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 	<input checked="" type="checkbox"/>
Standards Governing Exercise of the Zoning Power	<ul style="list-style-type: none"> • 1 copy 	<input checked="" type="checkbox"/>
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	<ul style="list-style-type: none"> • 1 copy 	<input checked="" type="checkbox"/>
Verification of Paid Property Taxes (most recent year)	<ul style="list-style-type: none"> • One (1) Copy (for each tax parcel included) 	<input checked="" type="checkbox"/>
Electronic copy of all of the above	<ul style="list-style-type: none"> • One (1) copy 	<input checked="" type="checkbox"/>
Application Fee	<ul style="list-style-type: none"> • Make checks payable to the City of Peachtree Corners 	<input checked="" type="checkbox"/>
ADDITIONAL EXHIBITS (IF REQUIRED)		
Additional site plan requirements for R-TH, R-ZT, Modified, CSO, OBP, HRR, R-SR, MUD or MUO rezoning requests	<ul style="list-style-type: none"> • 1 copy 	<input type="checkbox"/>
Traffic Study	<ul style="list-style-type: none"> • 1 copy 	<input type="checkbox"/>
Development of Regional Impact Review Form	<ul style="list-style-type: none"> • 1 copy 	<input type="checkbox"/>
Building Compliance Inspection	<ul style="list-style-type: none"> • 1 copy 	<input type="checkbox"/>

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>Ingles Markets, Incorporated</u>	NAME: <u>ICM VI - Jones Bridge Square LP</u>
ADDRESS: <u>2913 US Hwy 70 East</u>	ADDRESS: <u>445 Bishop St., Suite 100</u>
CITY: <u>Black Mountain</u>	CITY: <u>Atlanta</u>
STATE: <u>NC</u> ZIP: <u>28711</u>	STATE: <u>GA</u> ZIP: <u>30318</u>
PHONE: <u>828-669-2941</u>	PHONE: <u>470-235-3510</u>
E-MAIL: <u>pkendall@ingles-markets.com</u>	E-MAIL: <u>spatton@icmgroup.net</u>
CONTACT PERSON: <u>Paul Harrell</u> PHONE: <u>770-674-2600</u>	
CONTACT'S E-MAIL: <u>pharrell@rlrpc.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

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

LAND DISTRICT(S): 6th LAND LOT(S): 318 ACREAGE: 8.62 acres

ADDRESS OF PROPERTY: 5075 Peachtree Parkway, Peachtree Corners, GA 30092

PROPOSED DEVELOPMENT: Ingles Markets Gas Express

Staff Use Only This Section

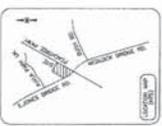
Case Number: _____ Hearing Date: P/C _____ C/C _____ Received Date: _____

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

INGLES MARKETS INC.
 LAND LOT 312 8th DISTRICT
 COUNTY OF GWINNETT
 GEORGIA
 DRAWING SCALE: 1" = 100'



NOTE: THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION.

1. ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Area	Area (Acres)	Area (Sq. Ft.)
INGLES	0.82	35,500
CVS PHARMACY	1.23	53,000
McDONALD'S	1.14	49,000
THE GOODHART SCHOOL	1.49	64,000

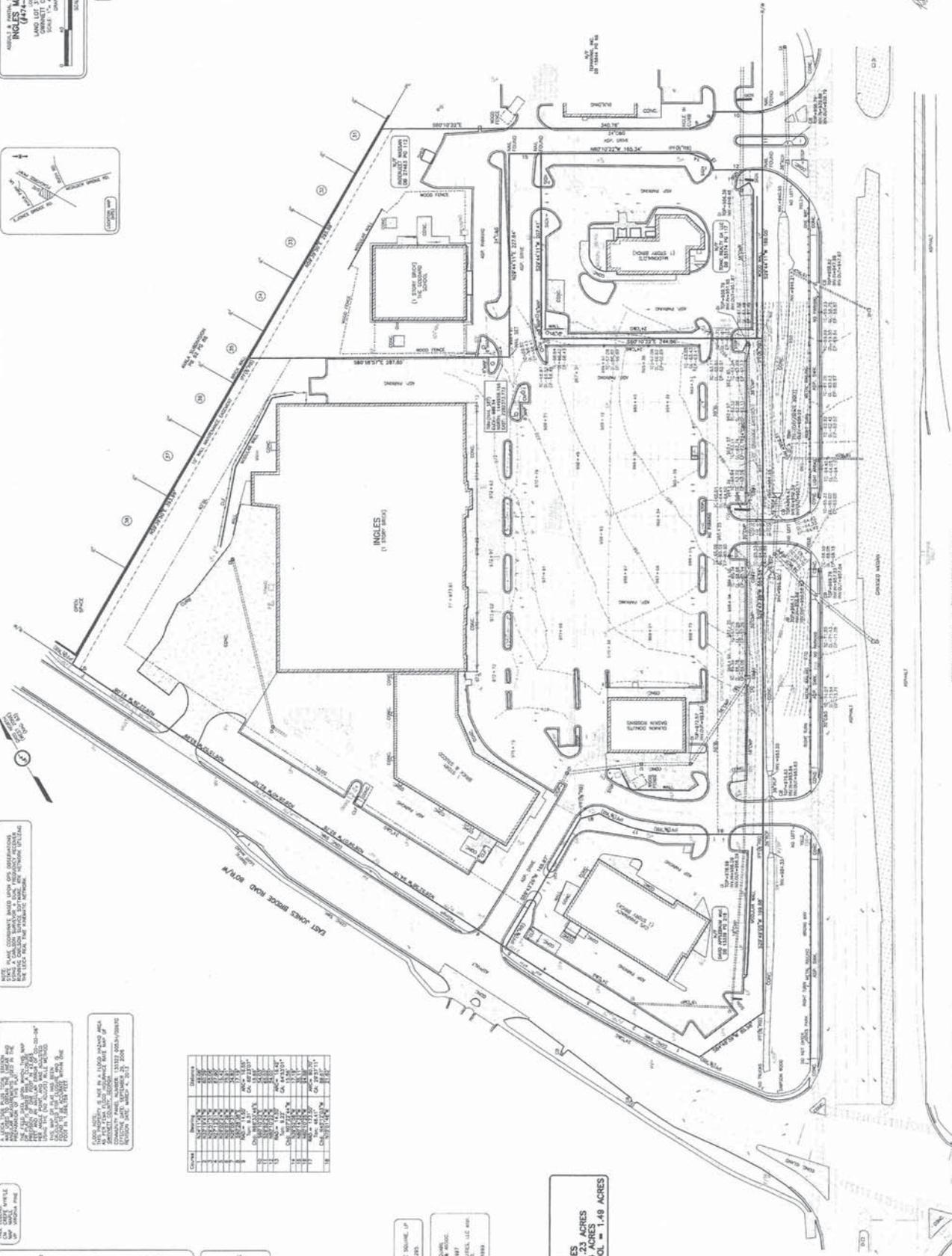
PROPERTY AREAS
 INGLES = 0.82 ACRES
 CVS PHARMACY = 1.23 ACRES
 McDONALD'S = 1.14 ACRES
 THE GOODHART SCHOOL = 1.49 ACRES

DATE: 10/15/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]



LONDON LAND SURVEYING
 1000 W. BROAD ST.
 ATLANTA, GA 30309
 (404) 525-1111

THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION.



GEORGIA HIGHWAY 141/BEACHTREE PARKWAY
 R/W NW/ES

UTILITIES PROTECTOR CENTER
 CALL FREE
 1-800-877-8777

CONSTRUCTION SCHEDULE FOR THIS PLAN AREA
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Legal Description

All that tract or parcel of land lying and being in Land Lot 318, 6th District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at the right of way intersection of the Northwest right of way of Georgia Highway 141(a.k.a. Peachtree Parkway)(R/W varies) with the Southeast right of way of East Jones Bridge Road(R/W varies) and at an iron pin found ($\frac{5}{8}$ " rebar); Thence along the Northwest right of way of Georgia Highway 141(a.k.a. Peachtree Parkway) N29°49'05"E 199.88' to an iron pin found ($\frac{1}{2}$ " rebar), said point being the True Point of Beginning; Thence leaving said right of way and with the property of David Applebaum etal. N60°10'25"W 94.88' to an iron pin found ($\frac{5}{8}$ " rebar); Thence a chord bearing of N45°12'03"W a chord distance of 89.67' with an arc distance of 90.70' and having a radius of 173.50' to an iron pin found ($\frac{5}{8}$ " rebar); Thence N75°01'46"W 21.62' to an iron pin found ($\frac{5}{8}$ " rebar); Thence S59°43'26"W 165.87' to an iron pin found ($\frac{5}{8}$ " rebar) on the Southeast right of way of East Jones Bridge Road; Thence along said right of way the following courses; N26°57'39"W 75.91'; N26°52'58"W 94.18'; N26°59'07"W 92.78'; N26°28'40"W 92.10'; N26°15'52"W 93.99'; N26°22'39"W 91.08'; N26°05'37"W 34.82' to an iron pin found ($\frac{1}{2}$ " rebar); Thence leaving said right of way and with the property of Avala Subdivision N59°39'50"E 393.99' to an iron pin found ($\frac{1}{2}$ " rebar); Thence with the property of Inderjeet Wassan S60°18'57"E 287.85' to a nail set in an asphalt drive; Thence N29°44'11"E 227.84' to a nail found in an asphalt drive; Thence S60°14'32"E 35.11' to a nail found in curb; Thence with the property of Tonic Realty Ga LLC S29°44'11"W 207.41'to an iron pin set ($\frac{1}{2}$ " rebar); Thence S60°10'22"E 244.86' to an iron pin found ($\frac{1}{2}$ " rebar) on the Northwest right of way of Georgia Highway 141(a.k.a. Peachtree Parkway); Thence along said right of way S29°47'38"W 554.54' to an iron pin found ($\frac{1}{2}$ " rebar), said point being the True Point of Beginning. Said tract contains 8.62 acres.

TOGETHER WITH any Easements and/or Restrictive Covenants which are of record.

London Land Surveying & Associates, Inc.
167 East Jarrard Street
Cleveland, Georgia 30528





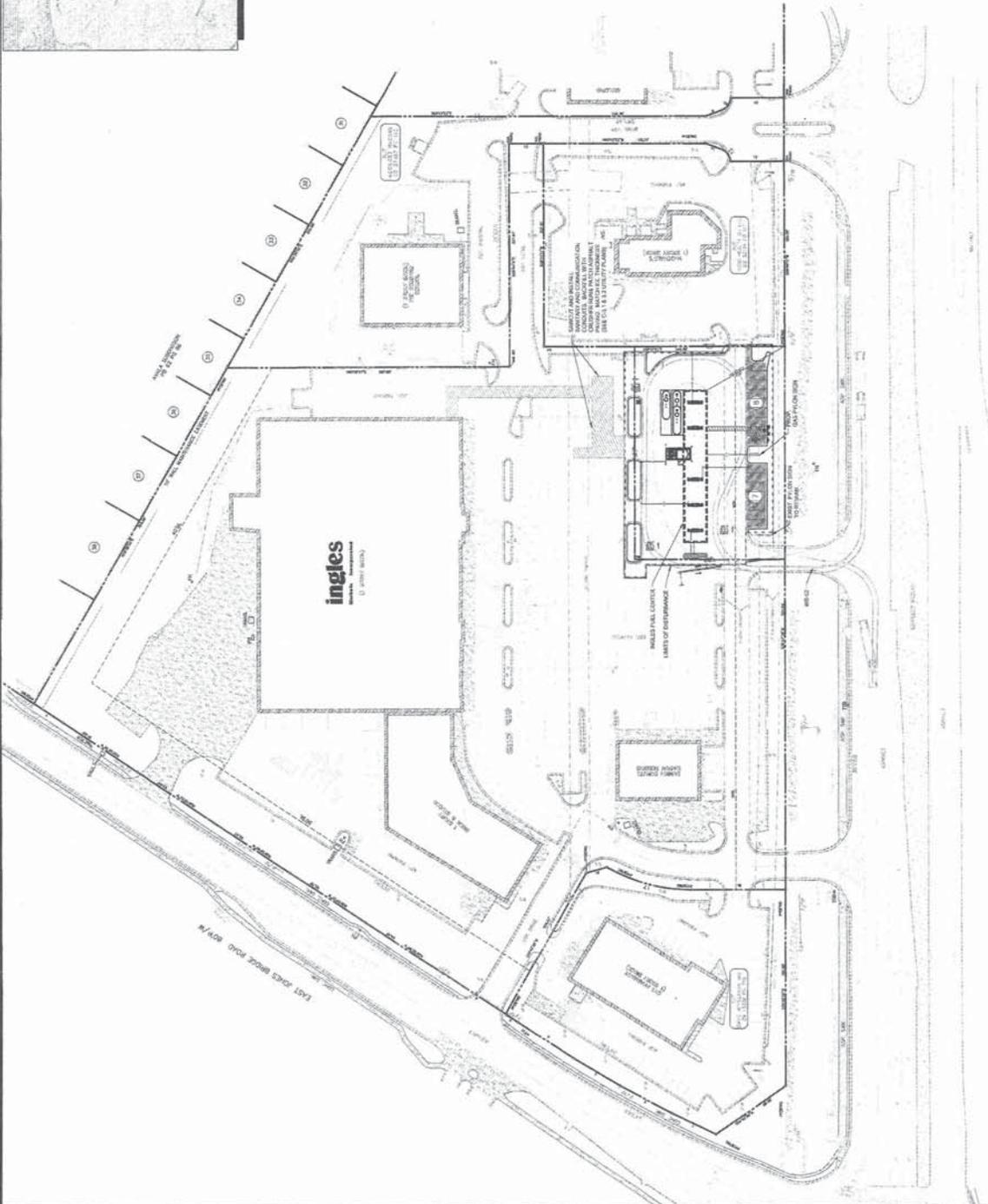
DATE	02-08-17
PROJECT NUMBER	14-289
SHEET NUMBER	C-1.1

OVERALL SITE PLAN



VICINITY MAP
 SCALE: NONE

- SITE NOTES**
1. THE AREA BEYOND THE SCOPE OF FUEL CENTER CONSTRUCTION SHALL BE MAINTAINED AS AN OPEN SPACE. THE LOCATION OF THE FUEL CENTER SHALL BE SHOWN ON THE LOCATION MAP. THE LOCATION OF THE FUEL CENTER SHALL BE SHOWN ON THE LOCATION MAP. THE LOCATION OF THE FUEL CENTER SHALL BE SHOWN ON THE LOCATION MAP. PLEASE REFER TO SHEETS C-1.2, C-1.3, AND C-1.4 FOR FUEL CENTER CONSTRUCTION INFORMATION.
 2. THE TRUCK ROUTE SHOWN IS W/400



OVERALL SITE PLAN
 SCALE: 1" = 20'
 0 20 40 60 FEET
 GEORGIA HIGHWAY 40/PEACHTREE PARKWAY
 8 7/8 MILES

811
 IF YOU DIG GEORGIA...
 CALL US FIRST!
 UTILITIES PROTECTION CENTER
 IT'S THE LAW
 Know what's below.
 Call before you dig.

THIS DOCUMENT IS THE PROPERTY OF ROBERTSON LOIA ROOF ARCHITECTS & ENGINEERS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR DISTRIBUTION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF ROBERTSON LOIA ROOF ARCHITECTS & ENGINEERS IS STRICTLY PROHIBITED. © 2017 ROBERTSON LOIA ROOF ARCHITECTS & ENGINEERS. ALL RIGHTS RESERVED.

SPIELMAN & HICKS, LLC

W. Daniel Hicks, Jr.
Direct Dial: 678-648-2022
Direct Fax: 678-815-1552
dhicks@spielmanhicks.com

April 28, 2017

VIA HAND DELIVERY

Ms. Diana Wheeler
Community Development Director
City of Peachtree Corners
147 Technology Parkway
Suite 200
Peachtree Corners, Georgia 30092

Re: Application of Ingles Markets, Incorporated, regarding SUP for Property at 5075 Peachtree Parkway, Peachtree Corners, Georgia, to permit installation of an Ingles "Gas Express"

Dear Ms. Wheeler:

We represent Ingles Markets, Incorporated, a North Carolina corporation ("Ingles"), and we have been authorized and directed to provide this correspondence on behalf of Ingles in connection with an application being submitted by Ingles concurrently with delivery of this letter to request a Special Use Permit and change in zoning conditions as necessary to allow expansion of Ingles' existing supermarket operation on property located at 5075 Peachtree Parkway in Peachtree Corners, all so as to permit development, construction, operation and use of a so-called "Gas Express" fueling facility at the front of the shopping center in which Ingles' store is located.

As you likely are aware, installation of a complimentary stand-alone fueling facility for the benefit of customers is becoming an industry norm in the high-end supermarket business, and Ingles has begun rolling out its own version of that concept, dubbed an "Ingles Gas Express", at many of its over 200 store sites throughout the southeast. The addition of a fueling center provides additional conveniences to Ingles' customers, as well as benefits associated with Ingles' customer loyalty program and increased traffic at Ingles' stores and surrounding shopping center businesses.

At this time, and to remain competitive in the Peachtree Corners market, Ingles is proposing to construct, open and operate a "Gas Express" at its store located at 5075 Peachtree Parkway. The proposed facility will include a total of five (5) pump islands

housing (in the aggregate) ten (10) pumps, all under canopy and serviced by a manned cashier's kiosk. While limited snacks, beverages and the like may be available at the cashier's kiosk, customers do not enter into the kiosk (instead merely approaching it from a window), and the cashier's kiosk is not considered a "convenience store."

Ingles understands that the Property is currently zoned to permit uses set forth the C-1 and C-2 zoning classifications under the Peachtree Corners Zoning Ordinance, except for certain specific uses that either are not permitted upon the property at all or, alternatively, are permitted only if a Special Use Permit has been issued. Per the C-1 zoning, "[c]onvenience stores with or without fuel pumps" are allowed only if a Special Use Permit has been obtained. Per the C-2 zoning, "[a]utomotive service stations, with or without fuel pumps" likewise are allowed only if a Special Use Permit has been obtained.

Ingles further understands that, despite those provisions of the C-1 and C-2 zoning classifications permitting fuel pumps upon receipt of Special Use Permits, certain zoning conditions (the "McDonald's Zoning Conditions") imposed upon the subject property virtue of Zoning Resolution adopted in Zoning Case Number RZ-96-134 (issued in connection with zoning necessary to permit construction and opening of a McDonald's at the Shopping Center containing the Ingles supermarket) altogether preclude use of the subject property for "convenience stores with or without fuel pumps" and "auto service stations". In like manner the McDonald's Zoning Conditions limit the number of "outparcels: at the Shopping Center to the current number of parcels.

While Ingles does have an "iMarket" convenience store facility that it constructs and operates in tandem with its Gas Express fueling operation in certain locations, Ingles has no plan for construction and operation of its convenience store package in Peachtree Corners. As a result, it may be that the Gas Express operation itself does not constitute a prohibited "convenience store" under the McDonald's Zoning Conditions. In like manner, Ingles' Gas Express is not a full-service auto service station, such that it may be that the McDonald's Zoning Conditions would not preclude construction and operation of a Gas Express as a stand-alone fueling station at the Peachtree Parkway Store. Nevertheless, should it be determined that the McDonald's Zoning Conditions in any way limit or preclude Ingles' proposed Gas Express, Ingles desires relief from such restrictions in order to allow its proposed Gas Express project to proceed. In any event, Ingles asks that the limitation on the number of outparcels at the Shopping Center be lifted so as to permit development of the Gas Express upon a separate parcel.

In light of all of the foregoing, Ingles respectfully requests that it be issued a Special Use Permit as necessary to permit construction and operation of its proposed Gas Express upon

Ms. Diana Wheeler
April 28, 2017
Page 3 of 3

the Peachtree Parkway property under its present zoning classification, that the limitation on the number of outparcels in the Shopping Center under the McDonald's Zoning Conditions be lifted so as to permit Ingles' proposed development and that, to any extent that the McDonald's Zoning Conditions otherwise limit or preclude the proposed Gas Express, the McDonald's Zoning Conditions be terminated or modified as necessary to allow the proposed Ingles Gas Express project to proceed.

Very truly yours,

SPIELMAN & HICKS, LLC


W. Daniel Hicks, Jr.

WDH/ans

xc. Mr. Randy Jameson (via email)

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.

Ronald Freeman

Signature of Applicant

April 27, 2017

Date

Ronald Freeman, CFO

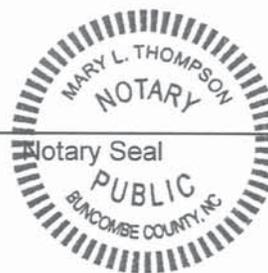
Type or Print Name and Title

Mary L. Thompson

Signature of Notary Public

April 27, 2017

Date



PROPERTY OWNER'S CERTIFICATION

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

Signature of Property Owner

Date

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seal

APPLICANT'S CERTIFICATION

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

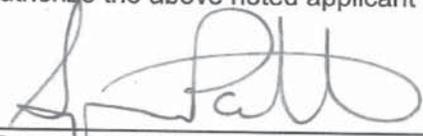
Signature of Applicant Date

Type or Print Name and Title

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.

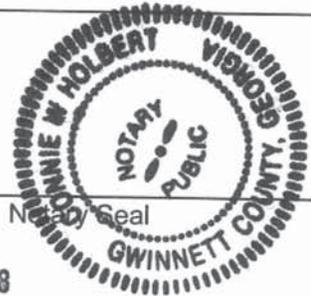


Signature of Property Owner 4-27-2017
Date

Spencer Patton - Member
Type or Print Name and Title



Signature of Notary Public 4-27-2017
Date Notary Seal



MY COMMISSION EXPIRES 8/31/18

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

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

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

- A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?
SEE ATTACHED (Item A)
- B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property?
SEE ATTACHED (Item 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?
SEE ATTACHED (Item C)
- D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?
SEE ATTACHED (Item D)
- E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan?
SEE ATTACHED (Item E)
- F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?
SEE ATTACHED (Item F)

INSERTS TO APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

(Application of Ingles Markets, Incorporated, regarding SUP for Property at 5075 Peachtree Parkway, Peachtree Corners, Georgia, to permit installation of an Ingles "Gas Express")

- A. Yes. Installation of a fueling facility for the benefit of customers is becoming an industry norm in the high-end supermarket business, and is typically well received by the surrounding community. There would appear to be at least five (5) fueling stations located within a radius of approximately two (2) miles of the subject site, with those sites being also located either on Peachtree Parkway or on other comparable arterial thoroughfares. Operation of another such facility at the Ingles location would be consistent and suitable in view of use and development of adjacent and nearby property.
- B. No. Opening and operation of an Ingles "Gas Express" at Ingles' supermarket on Peachtree Parkway would have no adverse affect on existing uses in the Shopping Center of which the Ingles store is a part. Instead, Ingles' belief is that, by including a fueling center in its operation on the Peachtree Parkway property, there will be a great draw of traffic to the center, which will likely work to the advantage of other occupants of the shopping center. In like manner, a Gas Express operation at Ingles' Peachtree Parkway site should not adversely affect the usability of other nearby properties.
- C. The property that is the subject of Ingles' application has been operating generally in its current configuration for well in excess of a decade and, as such, has a reasonable economic use currently. Inclusion of a Gas Express operation on the Peachtree Parkway location, however, will make for greater economic efficiency and should improve the viability and value of the shopping center as a whole.
- D. While operation of a Gas Express at the Peachtree Parkway site may have some incremental impact upon overall traffic coming to and from the Ingles site, the Company does not believe that any additional traffic coming and going to and from the fueling facility would result in any excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- E. Yes. The area at issue is considered part of the Central Business District per the City's Comprehensive Plan, and is zoned generally to permit C-1 and C-2 uses, which would include the currently proposed use upon issuance of a Special Use Permit. Construction and operation of a Gas Express facility to compliment Ingles' supermarket business would be a use consistent with the intent of the land use plan.
- F. As indicated previously, installation and operation of a complimentary fueling facility by a supermarket is becoming increasingly common, and is thought to be a convenience of benefit to grocery shoppers that allows for certain time efficiencies by, in effect, allowing for "one-stop shopping" for groceries and gas, two essentials of suburban life. The addition of greater convenience for surrounding and nearby residents and businesses would weight in favor of permitting the requested special use, already contemplated by the zoning ordinance as permissible within the zoning classification at issue upon issuance of a special use permit.

DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS

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

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

Ingles Markets, Inc.
 Print Name

1. CAMPAIGN CONTRIBUTIONS

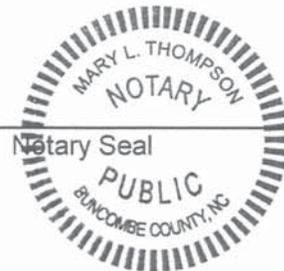
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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.

Ronald Freeman 4/27/2017 Ronald Freeman, CFO
 Signature of Applicant Date Type or Print Name and Title

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

Mary L. Thompson 4/27/2017
 Signature of Notary Date



VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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

Peachtree Corners - RL6318005
District Land Lot Parcel



Signature of Applicant

April 27, 2017
Date

Ronald Freeman, CFO

Type or Print Name and Title

Tax Commissioners Use Only

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

NAME

TITLE

DATE



BILL DETAIL

[View/Pay Your Taxes](#) / [Account Detail](#) / [Bill Detail](#)

Tax Account

Mailing Address:

ICM VI JONES BRIDGE SQUARE LP
PO BOX 76592
ATLANTA , GA 30358-1592

SITUS:

5075 NE PEACHTREE PKW

Tax District:

PEACHTREE CORNERS

Parcel ID

R6318 005

Property Type

Real Property

Last Update

10/19/2016 11:16:32 AM

Legal Description

E JONES BRIDGE RD

Tax Values

Description	Market Value	Assessed Value
Land	\$3,759,300.00	\$1,503,720.00
Improvement	\$5,189,500.00	\$2,075,800.00
Total	\$8,948,800.00	\$3,579,520.00

Class Codes 343-Nbhd Shopping Ctr

Assessments

Operation	Net Tax	Savings
<u>School Taxes</u>	\$70,874.50	\$0.00
<u>STATE OF GEORGIA TAXES</u>	\$0.00	\$0.00
<u>City of Peachtree Corners</u>	\$0.00	\$0.00
<u>County Incorporated with Police</u>	\$45,016.03	\$0.00
Sub Total	\$115,890.53	\$0.00
Bond	Net Tax	Savings
<u>School Taxes</u>	\$7,338.02	\$0.00
<u>County Incorporated with Police</u>	\$859.08	\$0.00
Sub Total	\$8,197.10	\$0.00
Special Assessment	Net Tax	Savings
<u>Stormwater Service Fee</u>	\$7,161.06	\$0.00
Sub Total	\$7,161.06	\$0.00
Total Tax	\$131,248.69	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	22799262	10/15/2016	2016	\$0.00	\$0.00	\$0.00	\$0.00

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2016	22799262	B16.87727	\$131,248.69	10/13/2016

Select Language ▼



CIC2017-002 Site Photo

PROPERTY LOCATION MAP

Ingles Gas Station



CASE NUMBER:

CIC2017-002

HEARING DATES:

**PLANNING
COMMISSION**

JUNE 13, 2017

**CITY COUNCIL
1ST READING**

JUNE 20, 2017

**CITY COUNCIL
2ND READING**

JULY 18, 2017

PROPERTY ADDRESS:

5075 Peachtree Pkwy.