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## COUNCIL MEETING AGENDA

Mike Mason, Mayor

Phil Sadd – Post 1, Council Member  
Eric Christ – Post 2, Council Member  
Alex Wright – Post 3, Council Member

Jeanne Aulbach – Post 4, Council Member  
Lorri Christopher – Post 5, Council Member  
Weare Gratwick – Post 6, Council Member

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July 18, 2017

### COUNCIL AGENDA

7:00 PM

PEACHTREE CORNERS CITY HALL

147 TECHNOLOGY PARKWAY, PEACHTREE CORNERS, GA 30092

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#### A) CALL TO ORDER

#### B) ROLL CALL

#### C) PLEDGE OF ALLEGIANCE

#### D) MAYOR'S OPENING REMARKS

#### E) CONSIDERATION OF MINUTES – June 5, 2017 & June 20, 2017

#### F) CONSIDERATION OF MEETING AGENDA

#### G) PUBLIC COMMENTS

#### H) PRESENTATIONS AND REPORTS

1. **Interns** Student Government Interns present their final project.

#### I) CONSENT AGENDA

1. **APH 2017-07-056** Approval of Alcoholic Beverage License Application for Corona Restaurant & Bar at Winters Chapel, 4939 Winters Chapel Rd, Ste 800. Applicant Edgar Yobans Espinoza – Flores is applying for Consumption on Premise, Beer, Wine, Distilled Spirits and Sunday Sales License.
2. **APH 2017-07-057** Approval of Alcoholic Beverage License Application for Liu & Ren, Dba Sushi Osawa, 5270 Peachtree Pkwy, Ste 119. Applicant Fangming Lin / Jiasi Ren are applying for Consumption on Premise, Beer, Wine, and Sunday Sales License.
3. **APH 2017-07-058** Approval of Alcoholic Beverage License Application for LSAA, LLC dba Sam's Mart #514, 5500 Spalding Dr. Applicant LSAA, LLC / Adnan Mahmoud Jazairi are applying for Packaged, Beer, Wine, and Sunday Sales License.

## **J) PUBLIC HEARING**

1. **O2017-04-85** Second Read and Consideration of RZ2017-001 / V2017-001. Atlanta Paving request to rezone four parcels consisting of .65 acres from R-75 to M-1 along with associated variances to accommodate renovation and new construction at an existing business located at 6120 Second St. and 4500 Peachtree St, Dist. 6, Land Lot 251, Peachtree Corners, GA.
2. **O2017-04-86** Second Read and Consideration of 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. **(WITHDRAWN BY APPLICANT)**
3. **O2017-04-87** Second Read and Consideration of 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.
4. **O2017-06-95** Second Read and Consideration of CIC2017-002. Ingles Gas Station. Request to remove conditions of Gwinnett County rezoning case RZ1996-134 in order 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.
5. **O2017-07-96** First Read and Consideration of Stormwater updates per the Metropolitan North Georgia Water Planning District. (Second Read on August 15, 2017)
6. **PH2017-005** Consideration of Accepting a 0.116-acre Final Plat for the Terraces at Peachtree Corners Subdivision located on Parkway Lane in the 6th District, Land Lot 284, City of Peachtree Corners, GA.

## **K) ITEMS FOR CONSIDERATION**

1. **R2017-07-80** Consideration of a Resolution to Call for an Election, Announce Qualifying Dates and Fees and appoint Election Officials.

## **L) CITY MANAGER UPDATES**

## **M) EXECUTIVE SESSION**

## **N) ADJOURNMENT**

# **Council Meeting Minutes**



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Mike Mason, Mayor

Phil Sadd – Post 1, Council Member  
Eric Christ – Post 2, Council Member  
Alex Wright – Post 3, Council Member

Jeanne Aulbach – Post 4, Council Member  
Lorri Christopher – Post 5, Council Member  
Weare Gratwick – Post 6, Council Member

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June 5, 2017

**WORK SESSION MINUTES**

7:00 PM

PEACHTREE CORNERS CITY HALL – Training Room  
147 TECHNOLOGY PARKWAY, PEACHTREE CORNERS, GA 30092

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The Mayor and Council of the City of Peachtree Corners held a Work Session at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

Mike Mason  
Phil Sadd – Post 1  
Eric Christ – Post 2  
Alex Wright – Post 3  
Jeanne Aulbach – Post 4  
Lorri Christopher – Post 5  
Weare Gratwick – Post 6

City Manager  
Deputy City Clerk  
City Attorney  
City Attorney  
Public Works Director  
Planning & Dev. Mgr.  
Community Dev. Director

Brian Johnson  
Rocio Monterrosa  
Bill Riley  
Joe Leonard  
Greg Ramsey  
David Chastant  
Diana Wheeler

- 1. Staff Activity Report – No updates**
- 2. Autonomous Vehicles Discussion – Suzanne Murtha (Atkins, Inc. - Alexandria, VA) – Presentation by Atkins, Inc. on current automated and connected vehicles and devices that are being developed and what options are available for a Smart City initiative.**
- 3. Peachtree Corners Circle Trail Update (presented by LAS/Pond) – LAS gave an update on the trail at Jones Mill Road up to Holcomb Bridge Road. Discussed trail design, safety and cost.**
- 4. Tech Park Trail Update (presented by LAS) – LAS presented updates on trail alignment, sections and character along Technology Park.**

5. **Arts Master Plan Draft (presented by Sizemore Group)** – *Sizemore presented market analysis, recommendations, funding strategies and next steps for Arts Master Plan. Presentation will move forward to the June Council Meeting.*
6. **Comcast Franchise Agreement** – *New Comcast agreement was presented and will move forward to the June Council Meeting since current agreement expires June 30, 2017. This is a standard agreement created by GMA and used by Georgia municipalities. However, there is nothing in the contract that stipulates how Comcast will return property back to its original state. GMA is currently working on contract wording, but may not be ready by end of the month.*
7. **City Manager Updates** – *a brief update was given on the 310 Renovation RFQ award, sidewalks on Tech Park change order, update to Ch2M’s contract to include building services and a proposed rule on monthly ethics reporting to the Ethics Commission and how it could affect both City Council and City Clerk.*
8. **Executive Session** – *No executive session*
9. *Work session adjourned at 9:48 PM.*

Approved,

Attest:

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Mike Mason, Mayor

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Rocio Monterrosa, Deputy City Clerk  
(Seal)



**CITY OF PEACHTREE CORNERS**  
**COUNCIL MEETING MINUTES**  
**JUNE 20, 2017 @ 7:00PM**

The Mayor and Council of the City of Peachtree Corners held a Council Meeting at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. An audible copy of the meeting is available from the City Clerk's office. The following were in attendance:

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	Eric Christ – Post 2
Council Member	Alex Wright – Post 3
Council Member	Jeanne Aulbach – Post 4
Council Member	Lorri Christopher – Post 5
Council Member	Weare Gratwick – Post 6
City Manager	Brian Johnson
City Clerk	Kym Chereck
City Attorney	Bill Riley
City Attorney	Joe Leonard
Com. Dev. Director	Diana Wheeler
Finance Director	Brandon Branham
Public Works Director	Greg Ramsey

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

**MAYOR'S OPENING REMARKS:** Mayor Mason commended the Festival Committee for a successful event, exceeding expectations.

**MINUTES:**

**MOTION TO APPROVE THE MINUTES FROM THE MAY 16, 2017 COUNCIL MEETING.**

# DRAFT COPY

**By: Council Member Christopher**  
**Seconded by: Council Member Aulbach**  
**Vote: (7-0) (Christopher, Aulbach, Mason, Sadd, Christ, Wright, Gratwick)**

## **MOTION TO APPROVE THE MINUTES FROM THE JUNE 5, 2017 WORK SESSION.**

**By: Council Member Gratwick**  
**Seconded by: Council Member Aulbach**  
**Vote: (7-0) (Gratwick, Aulbach, Mason, Sadd, Christ, Wright, Christopher)**

**CONSIDERATION OF MEETING AGENDA:** There were no changes.

**PUBLIC COMMENT:** There was no public comment.

**PRESENTATIONS AND REPORTS:** Mayor Mason presented a Proclamation to Principal Kara Dutton, Peachtree Elementary School thanking her for her years of service and wishing her well in her new endeavor.

## **CONSENT AGENDA:**

### **APH 2017-06-055**

Approval of Alcoholic Beverage License Application for Jai Girija Pati Atl, LLC, dba Homewood Suites by Hilton ATL-Peachtree Corners, 450 Technology Parkway.

### **MOTION TO APPROVE APH 2017-06-055.**

**By: Council Member Christopher**  
**Seconded by: Council Member Sadd**  
**Vote: (7-0) (Christopher, Sadd, Mason, Christ, Wright, Aulbach, Gratwick)**

### **ACTION ITEM**

Change Order for construction of a multi-use trail along Technology Parkway for project PTC 16.04, LMIG funded sidewalks.

### **MOTION TO APPROVE THE CHANGE ORDER FOR CONSTRUCTION OF A MULTI-USE TRAIL ALONG TECHNOLOGY PARKWAY FOR PROJECT PTC 16.04, LMIG FUNDED SIDEWALKS.**

# DRAFT COPY

**By: Council Member Christopher**  
**Seconded by: Council Member Sadd**  
**Vote: (7-0) (Christopher, Sadd, Mason, Christ, Wright, Aulbach, Gratwick)**

## ITEMS FOR CONSIDERATION:

### **ACTION ITEM**

Consideration of Adopting an Innovation Hub Master Plan for the City of Peachtree Corners (*Presentation by MXD*).

### **MOTION TO ADOPT THE INNOVATION HUB MASTER PLAN FOR THE CITY OF PEACHTREE CORNERS.**

**By: Council Member Christ**  
**Seconded: Council Member Christopher**  
**Vote: (7-0) (Christ, Christopher, Mason, Sadd, Wright, Aulbach, Gratwick)**

### **ACTION ITEM**

Consideration of Adopting an Arts Master Plan for the City of Peachtree Corners (Presentation by Sizemore Group).

### **MOTION TO ADOPT THE ARTS MASTER PLAN FOR THE CITY OF PEACHTREE CORNERS.**

**By: Council Member Sadd**  
**Seconded: Council Member Christopher**  
**Vote: (7-0) (Sadd, Christopher, Mason, Christ, Wright, Aulbach, Gratwick)**

### **ACTION ITEM**

Consideration of approval for the CH2M Community Development, Public Works, and Administrative Services Contract.

### **MOTION TO APPROVE THE CH2M COMMUNITY DEVELOPMENT, PUBLIC WORKS, AND ADMINISTRATIVE SERVICES CONTRACT.**

**By: Council Member Gratwick**  
**Seconded: Council Member Christopher**  
**Vote: (7-0) (Gratwick, Christopher, Mason, Sadd, Christ, Wright, Aulbach)**

# DRAFT COPY

## **ACTION ITEM**

Consideration of awarding a Design-Build contract for the renovation of 310 Technology Parkway.

## **MOTION TO AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE A DESIGN-BUILD CONTRACT FOR THE RENOVATION OF 310 TECHNOLOGY PARKWAY.**

**By: Council Member Sadd**

**Seconded: Council Member Gratwick**

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

## **PUBLIC HEARING**

### **O2017-04-85**

First Read and Consideration of RZ2017-001 / V2017-001. Atlanta Paving request to rezone four parcels consisting of .65 acres from R-75 to M-1 along with associated variances to accommodate renovation and new construction at an existing business located at 6120 Second St. and 4500 Peachtree St, Dist. 6, Land Lot 251, Peachtree Corners, GA (2<sup>nd</sup> Read and Public Hearing July 18, 2017)

### **O2017-04-86**

First Read and Consideration of 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. (2<sup>nd</sup> Read and Public Hearing July 18, 2017)

### **O2017-04-87**

First Read and Consideration of 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 (2<sup>nd</sup> Read and Public Hearing July 18, 2017)

### **O2017-06-95**

First Read and Consideration of CIC2017-002. Ingles Gas Station. Request to remove conditions of Gwinnett County rezoning case RZ1996-134 in order to accommodate construction of a new gas station located at the Ingles shopping center at 5075 Peachtree Pkwy., Dist. 6, Land Lot 318,

# DRAFT COPY

Peachtree Corners, GA (2nd Read and Public Hearing July 18, 2017)

## **O2017-05-94**

Second Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, adopting the amended fiscal year 2017 operating budget for each fund of the City of Peachtree Corners, Georgia.

Mayor Mason opened the floor for public comment. There was no public comment.

### **MOTION TO APPROVE O2017-05-94.**

**By: Council Member Gratwick**

**Seconded: Council Member Aulbach**

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

## **O2017-05-95**

Second Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, adopting the fiscal year 2018 operating budget and capital improvement budget for each fund of the City of Peachtree Corners, Georgia.

Mayor Mason opened the floor for public comment. There was no public comment.

### **MOTION TO APPROVE O2017-05-95.**

**By: Council Member Aulbach**

**Seconded: Council Member Gratwick**

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

**CITY MANAGER UPDATE:** There were no updates. Brian Johnson stated that he would return at a later date with information concerning the Comcast Franchise Agreement.

**EXECUTIVE SESSION:** There was no executive session.

**ADJOURNMENT:** 9:45 PM

# DRAFT COPY

**MOTION TO ADJOURN AT 9:45 PM.**

**By: Council Member Sadd**

**Seconded by: Council Member Aulbach**

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

Approved,

Attest:

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Mike Mason, Mayor

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Kymberly Chereck, City Clerk  
(Seal)

# **Consent Agenda**



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member  
Alex Wright - Post 3, Council Member  
Lorri Christopher - Post 5, Council Member

Eric Christ - Post 2, Council Member  
Jeanne Aulbach - Post 4, Council Member  
Weare Gratwick - Post 6, Council Member

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To: Mayor and City Council  
Cc: Brian Johnson, City Manager  
From: Diana Wheeler, Community Development Director  
Date: July 18<sup>th</sup>, 2017, City Council Meeting

Agenda Item: APH 2017-07-056 Approval of Alcoholic Beverage License Application for Corona Restaurant & Bar at Winters Chapel, 4939 Winters Chapel Rd, Ste 800. Applicant Edgar Yobans Espinoza – Flores is applying for Consumption on Premise, Beer, Wine, Distilled Spirits and Sunday Sales License.

**Staff Recommendation:**

Approve the application for Consumption on Premise, Beer, Wine, Distilled Spirits and Sunday Sales Beverage License for Edgar Yobans Espinoza – Flores, 4939 Winters Chapel Rd, Ste 800.

**Background:**

Applicant submitted a completed application on June 15<sup>th</sup>, 2017. Required advertising for the application was published in the Gwinnett Daily Post on June 23<sup>rd</sup>, and June 30<sup>th</sup>. Applicant has passed the background investigation and meets all requirements.

**Discussion:**

New Business  
Staff has reviewed this application and recommends approval.

**Alternatives:**

None



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member  
Alex Wright - Post 3, Council Member  
Lorri Christopher - Post 5, Council Member

Eric Christ - Post 2, Council Member  
Jeanne Aulbach - Post 4, Council Member  
Weare Gratwick - Post 6, Council Member

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To: Mayor and City Council  
Cc: Brian Johnson, City Manager  
From: Diana Wheeler, Community Development Director  
Date: July 18<sup>th</sup>, 2017, City Council Meeting

Agenda Item: APH 2017-07-057 Approval of Alcoholic Beverage License Application for Liu & Ren, Dba Sushi Osawa, 5270 Peachtree Pkwy, Ste 119. Applicant Fangming Lin / Jiasi Ren are applying for Consumption on Premise, Beer, Wine, and Sunday Sales License.

**Staff Recommendation:**

Approve the application for Consumption on Premise, Beer, Wine, and Sunday Sales Beverage License for Fangming Lin / Jiasi Ren, 5270 Peachtree Pkwy, Ste 119.

**Background:**

Applicant submitted a completed application on June 22nd, 2017. Required advertising for the application was published in the Gwinnett Daily Post on June 30th, and July 7th. Applicant has passed the background investigation and meets all requirements.

**Discussion:**

New Business  
Staff has reviewed this application and recommends approval.

**Alternatives:**

None



Mike Mason, Mayor

Phil Sadd - Post 1, Council Member  
Alex Wright - Post 3, Council Member  
Lorri Christopher - Post 5, Council Member

Eric Christ - Post 2, Council Member  
Jeanne Aulbach - Post 4, Council Member  
Weare Gratwick - Post 6, Council Member

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To: Mayor and City Council  
Cc: Brian Johnson, City Manager  
From: Diana Wheeler, Community Development Director  
Date: July 18<sup>th</sup>, 2017, City Council Meeting

Agenda Item: APH 2017-07-058 Approval of Alcoholic Beverage License Application for LSAA, LLC dba Sam's Mart #514, 5500 Spalding Dr. Applicant LSAA, LLC / Adnan Mahmoud Jazairi are applying for Packaged, Beer, Wine, and Sunday Sales License.

**Staff Recommendation:**

Approve the application for Packaged, Beer, Wine, and Sunday Sales Beverage License for LSAA, LLC dba Sam's Mart #514, 5500 Spalding Dr.

**Background:**

Applicant submitted a completed application on June 28th, 2017. Required advertising for the application was published in the Gwinnett Daily Post on July 7th, and July 14th. Applicant has passed the background investigation and meets all requirements.

**Discussion:**

New Business  
Staff has reviewed this application and recommends approval.

**Alternatives:**

None

**02017-04-85**

**AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO 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**

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

**WHEREAS:** Public Hearings were held by the Mayor and City Council of Peachtree Corners on June 20, 2017 and July 18, 2017;

**NOW THEREFORE, IT IS HEREBY ORDAINED** by the governing authority of the City of Peachtree Corners, Georgia while in Regular Session on July 18, 2017 that Zoning Case RZ2017-001/ V2017-001, Atlanta Paving, is hereby approved for the above referenced property with the following enumerated 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- ft. wide landscape strip along the frontage of Peachtree St., Georgia Ave., and Second St. Landscape plans to be approved by the Community Development Director.
  - 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.
- m. No vehicle washing or detailing can take place on parcels 1 – 6 as shown on Exhibit ‘A’.

Effective this 18th day of July, 2017.

So Signed and Witnessed

Approved :

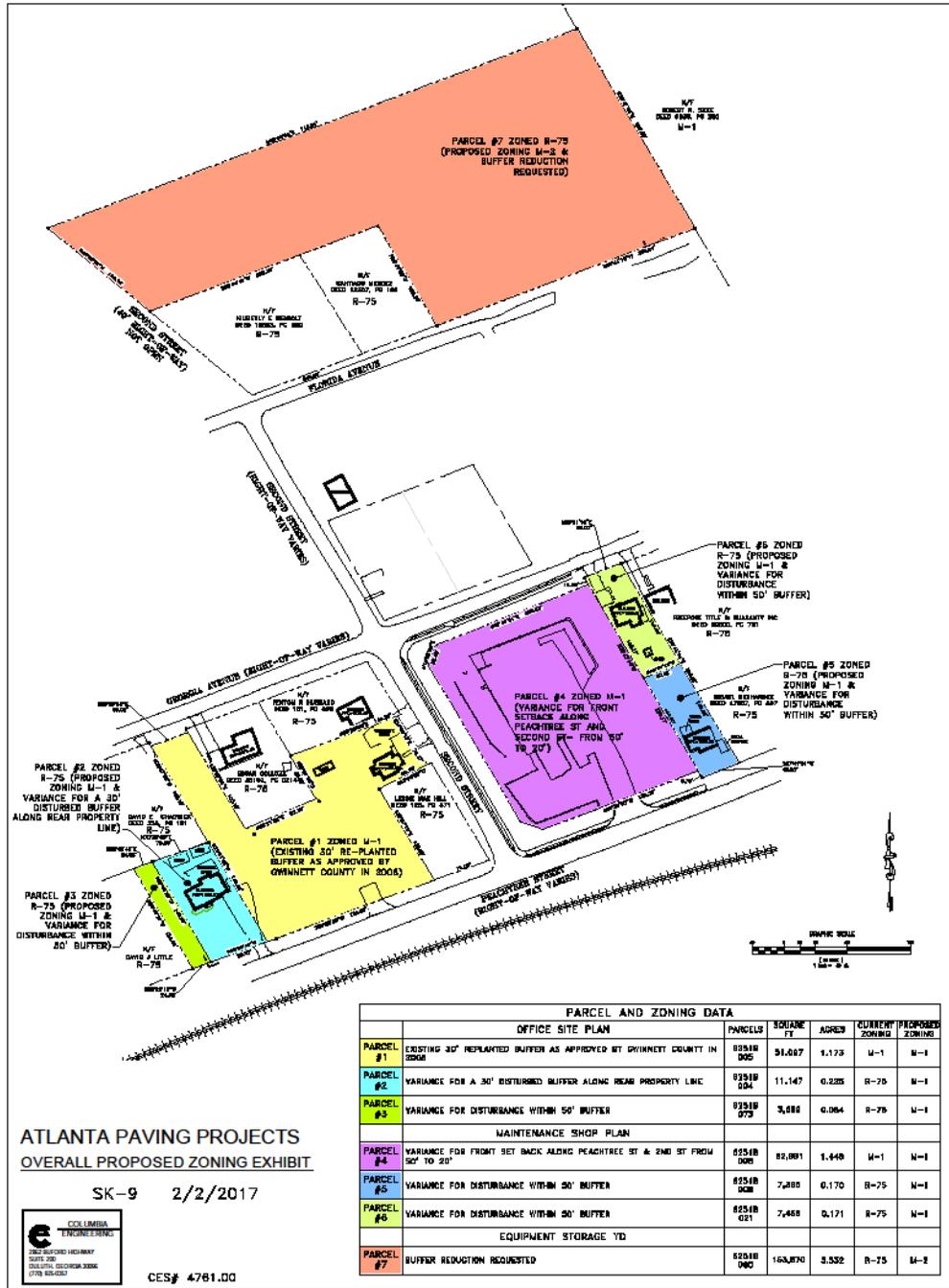
this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Attest:

\_\_\_\_\_  
Kymberly Chereck, City Clerk

\_\_\_\_\_  
Mike Mason, Mayor

Exhibit 'A'



ATLANTA PAVING PROJECTS  
OVERALL PROPOSED ZONING EXHIBIT

SK-9 2/2/2017



CES# 4761.00

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

ACREAGE: .65 ACRES

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

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

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

CONTACT: MARIAN C. ADEIMY  
678.518.6855

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

**RECOMMENDATION: APPROVE WITH CONDITIONS**

## PROJECT 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 24<sup>th</sup> letter and Staff has added a comment after each requested change.

The Planning Commission considered this matter at their 6/13/17 meeting and found that the new building proposed would be an upgrade to the existing property; however, there were concerns expressed about the manner in which the site was currently being maintained, the hours of operation, truck access through the neighborhood, and other matters that were then addressed in the conditions.

## PROJECT DATA:

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

The applicant requests to rezone the previously 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 area 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-1 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.

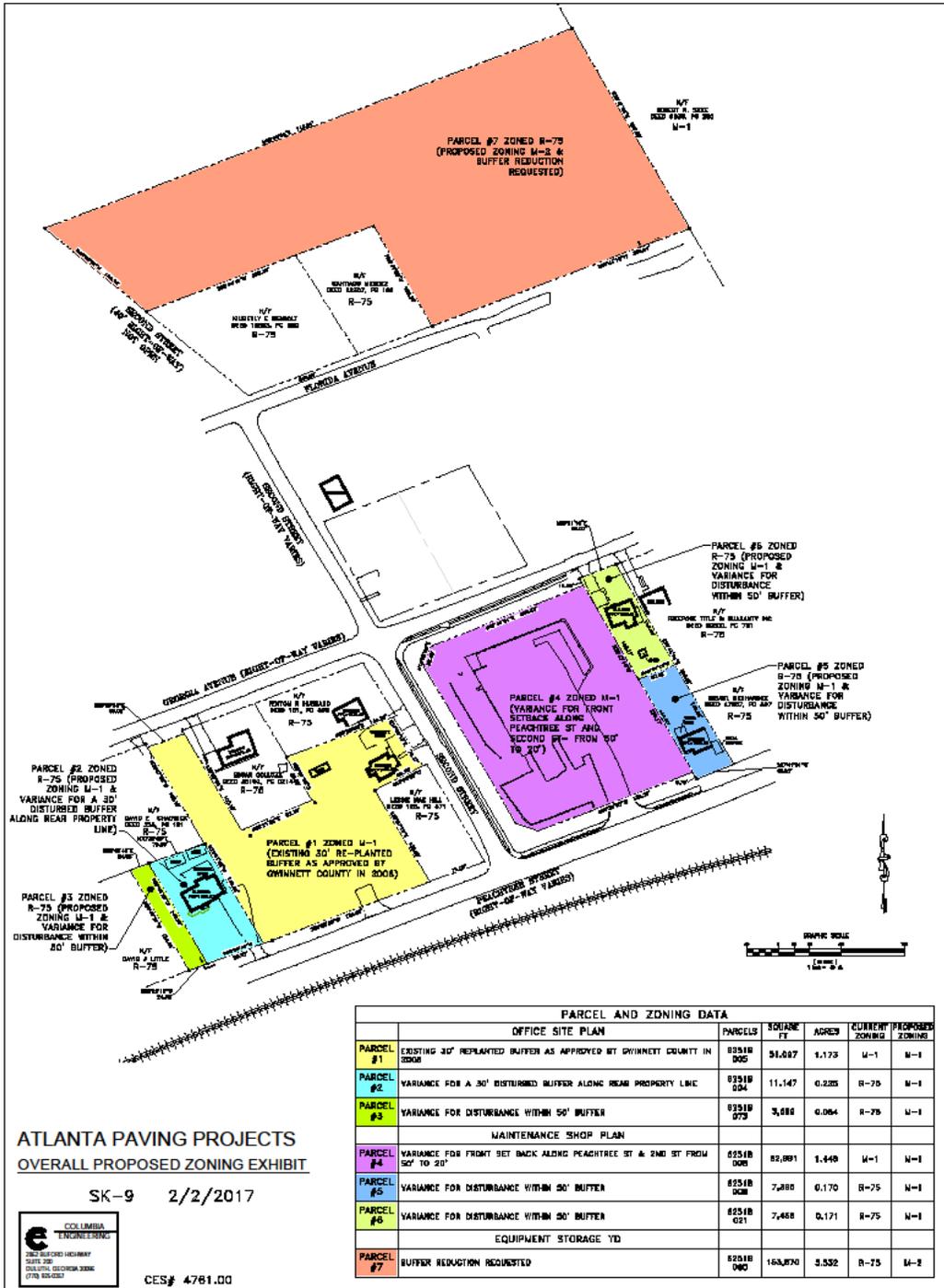
RECOMMENDATION:

**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 plans to be approved by the Community Development Director.**
  - 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.**
- m. No vehicle washing or detailing shall take place on parcels 1 – 6, as shown on Exhibit 'A'.**

# Exhibit 'A'



# ANDERSEN | TATE | CARR

R. Matthew Reeves  
Email: [mreeves@atclawfirm.com](mailto:mreeves@atclawfirm.com)

Telephone: 770.822.0900  
Direct Dial: 770.236.9768  
Direct Fax: 770.236.9778

May 24, 2017

**Via U.S. Mail and Email to [iconkle@peachtreecornersga.gov](mailto: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

**REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION**

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

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

**APPLICANT IS THE:**

OWNER'S AGENT       PROPERTY OWNER       CONTRACT PURCHASER

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

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

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

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

---

*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)

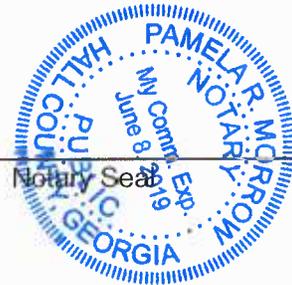
- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).

**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  
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FACSIMILE: (770) 236-9754  
[www.atclawfirm.com](http://www.atclawfirm.com)

MARIAN C. ADEIMY  
Attorney at Law

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

## EXHIBIT "B"

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

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

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

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

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

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

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

- D) WHETHER THE REQUESTED REZONING, SPECIAL USE PERMIT, AND/OR CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

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

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

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

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

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

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

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

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

1. CAMPAIGN CONTRIBUTIONS

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

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

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

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

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



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

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

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

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

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

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

---

---

*Tax Commissioners Use Only*

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

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

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

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

---

---

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

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 - 004  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant 1/31/17 Date

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

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*Tax Commissioners Use Only*

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

R. B.  
NAME

T. A. J.  
TITLE

1 - 31 - 17  
DATE

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

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

PARCEL I.D. NUMBER: 6 - 251B - 073  
(Map Reference Number) District Land Lot Parcel

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

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

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*Tax Commissioners Use Only*

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

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

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

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

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

PARCEL I.D. NUMBER: 6 - 251 B - 008  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant Date 1/31/17

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

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*Tax Commissioners Use Only*

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

[Signature]  
NAME

TR II  
TITLE

1-31-17  
DATE

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

PARCEL I.D. NUMBER: 6 - 251B - 009  
(Map Reference Number)      District      Land Lot      Parcel

Donna Lopez      1/31/17  
Signature of Applicant      Date

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

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*Tax Commissioners Use Only*

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

R. B.  
NAME

TBA II  
TITLE

1-31-17  
DATE

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

PARCEL I.D. NUMBER: 6 - 251 B - 021  
(Map Reference Number) District Land Lot Parcel

Donna Lopez Signature of Applicant 1/31/17 Date

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

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*Tax Commissioners Use Only*

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

Rm Bn  
NAME

TRIA II  
TITLE

1-31-17  
DATE

# ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.  
ONE SUGARLOAF CENTRE  
1960 SATELLITE BOULEVARD, SUITE 4000  
DULUTH, GEORGIA 30097  
(770) 822-0900  
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MARIAN C. ADEIMY  
Attorney at Law

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

February 1, 2017

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

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

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

Dear Mayor, Council and staff:

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

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

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

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

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

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

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

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

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

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

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

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

## **II. Supporting information**

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

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

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

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

## **III. Constitutional Objections**

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

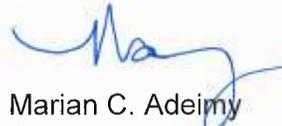
the Constitution of the State of Georgia of 1983, the Equal Protection and Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Peachtree Corners to approve the requested rezonings and related variances, with only such additional conditions as agreed to by the Applicant and property owners, so as to permit the only feasible economic use of the Subject Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Due Process and Equal Protection Clause of the Fourteenth Amendment to the Constitution. A denial of the requested rezoning will deny the Applicant and property owners' economically viable uses of the Subject Property while not substantially advancing legitimate state and City interests.

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

Respectfully submitted,

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

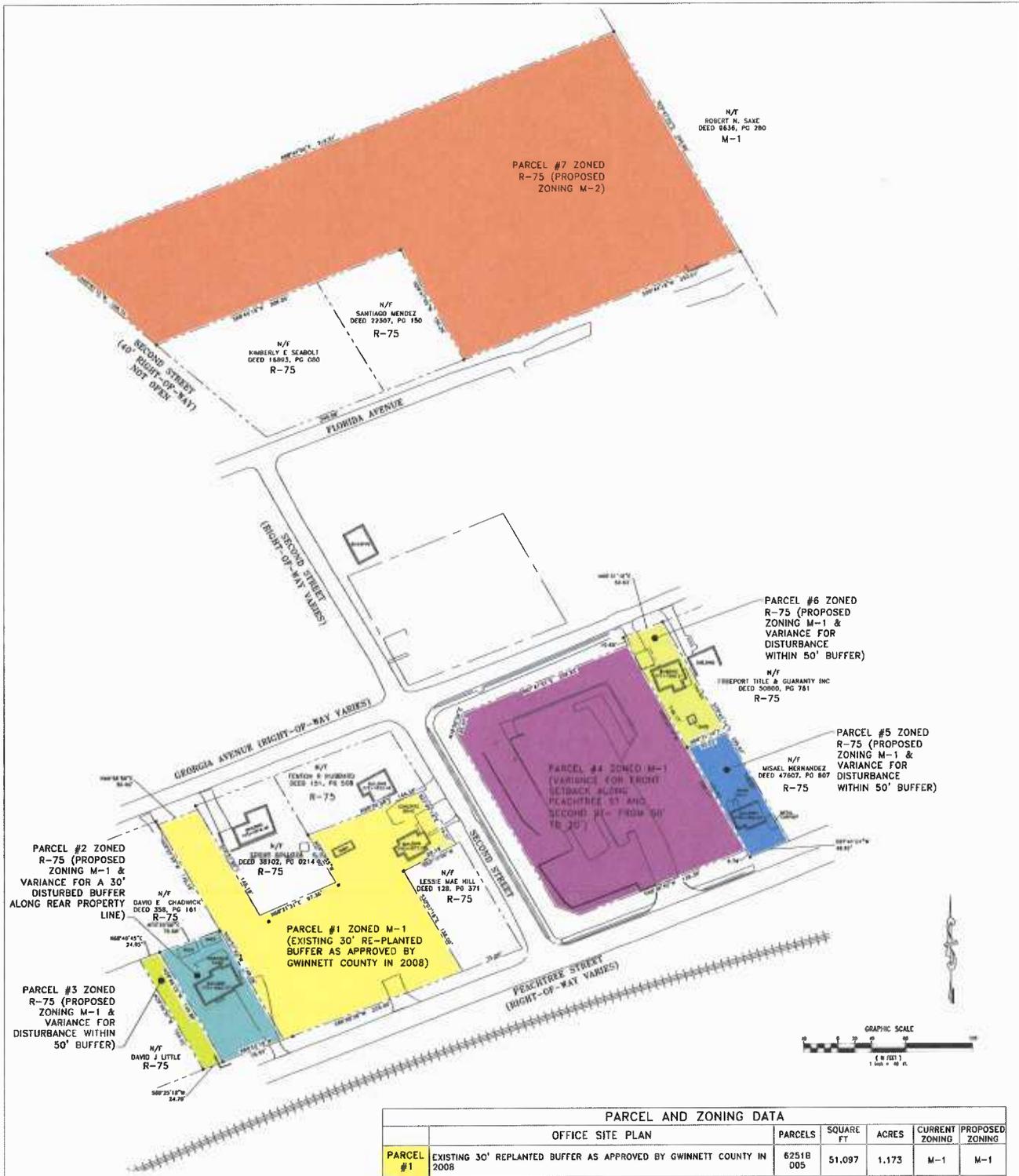


Marian C. Adeimy  
Attorney for the Applicant/Owners

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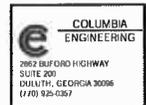
*Enclosures:*

Zoning Applications and exhibits



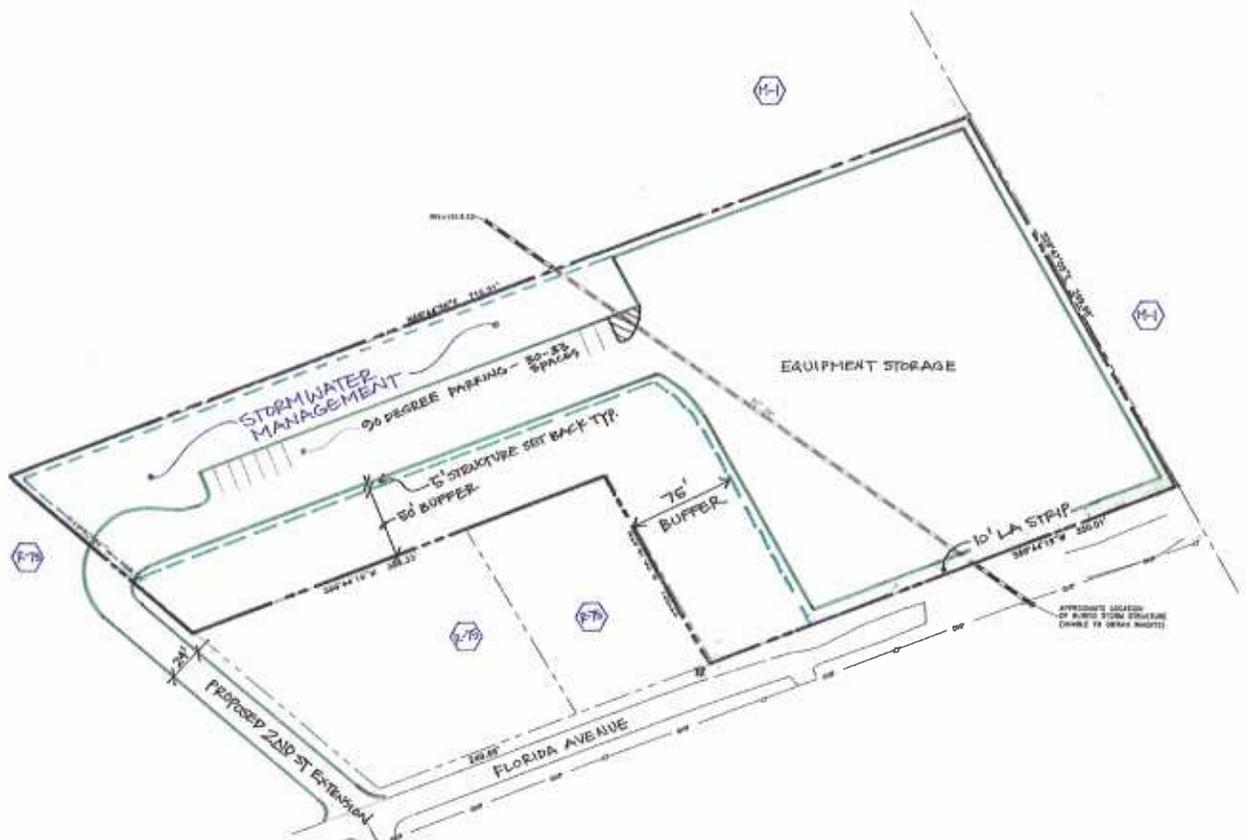
ATLANTA PAVING PROJECTS  
OVERALL PROPOSED ZONING EXHIBIT

SK-9 2/2/2017



CES# 4761.00

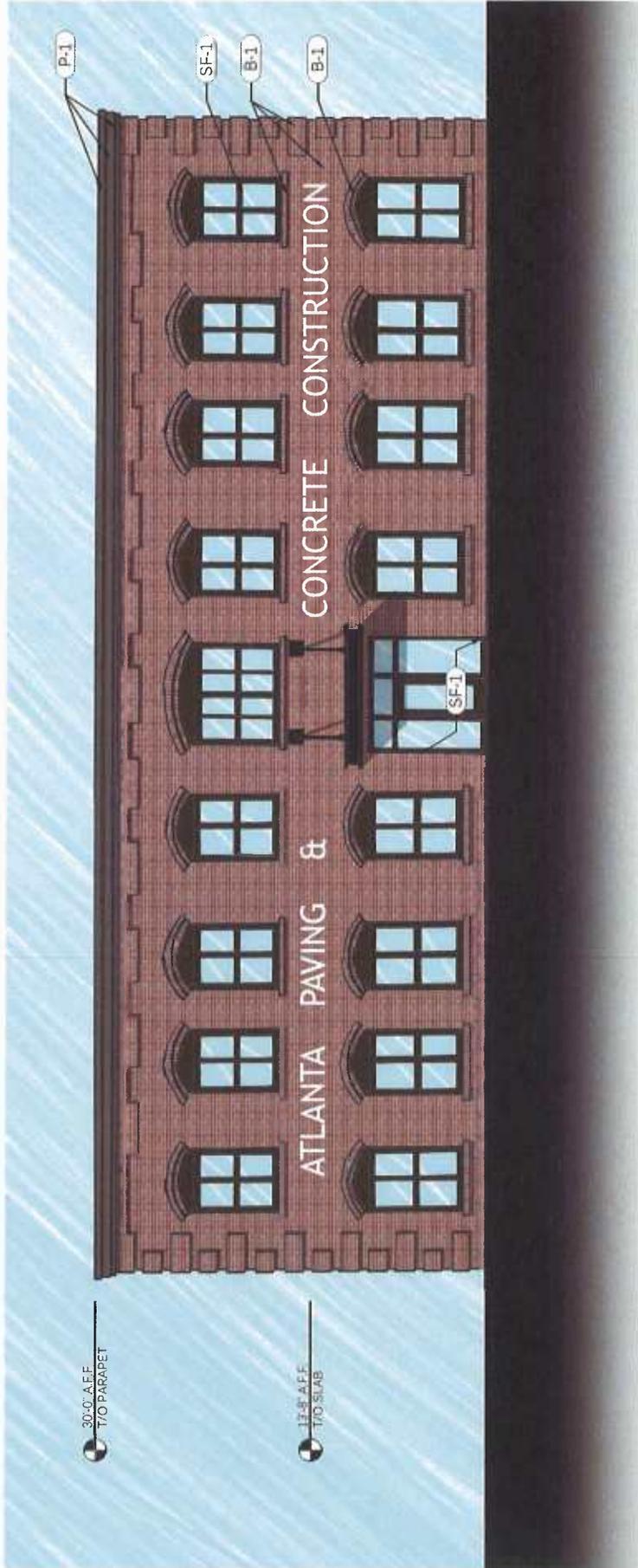
PARCEL AND ZONING DATA						
	OFFICE SITE PLAN	PARCELS	SQUARE FT	ACRES	CURRENT ZONING	PROPOSED ZONING
PARCEL #1	EXISTING 30' REPLANTED BUFFER AS APPROVED BY GWINNETT COUNTY IN 2008	6251B 005	51,097	1.173	M-1	M-1
PARCEL #2	VARIANCE FOR A 30' DISTURBED BUFFER ALONG REAR PROPERTY LINE	6251B 004	11,147	0.225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



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



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



FRONT ELEVATION

EXTERIOR FINISH SCHEDULE

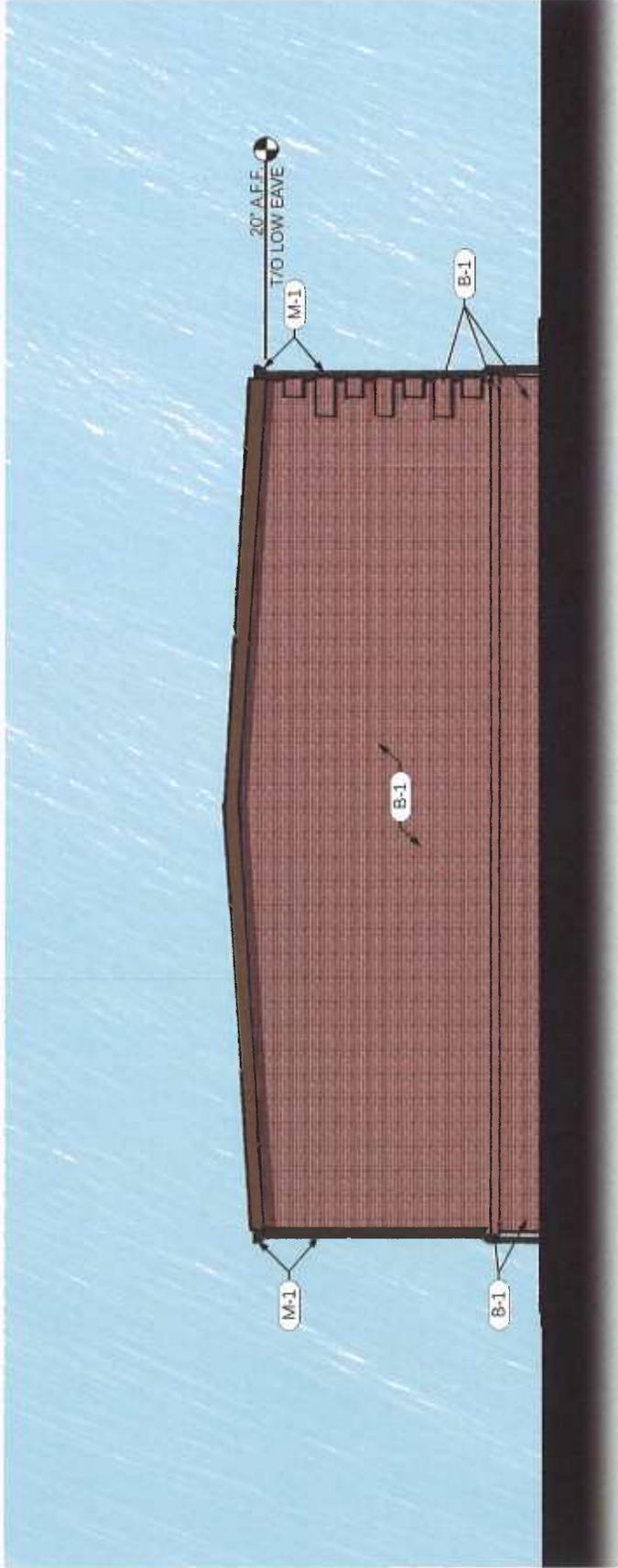
MARK	CATEGORY	MANUFACTURER	DESCRIPTION / FINISH
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 URBAN BRONZE
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMENTGREY MORTAR, TOOLED JOINTS
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: DARK BRONZE

DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

01 AUGUST 2016



SIDE ELEVATION

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

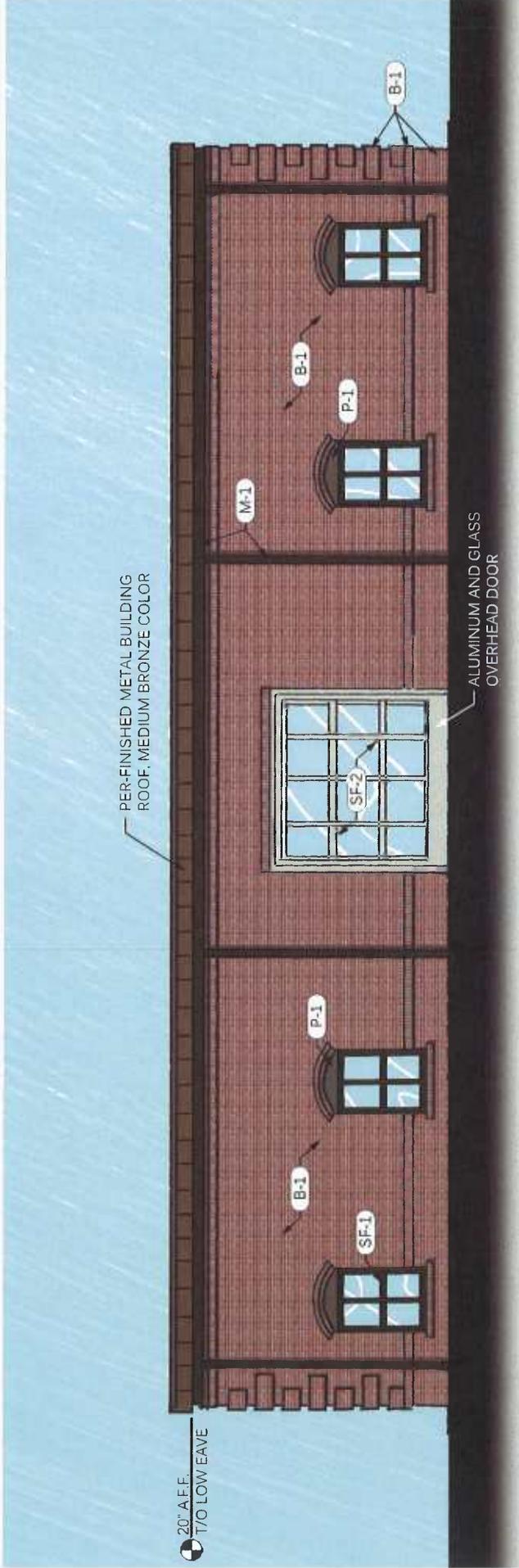
DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

29 SEPTEMBER 2016





**OLD PEACHTREE ROAD ELEVATION**

**EXTERIOR FINISH SCHEDULE**

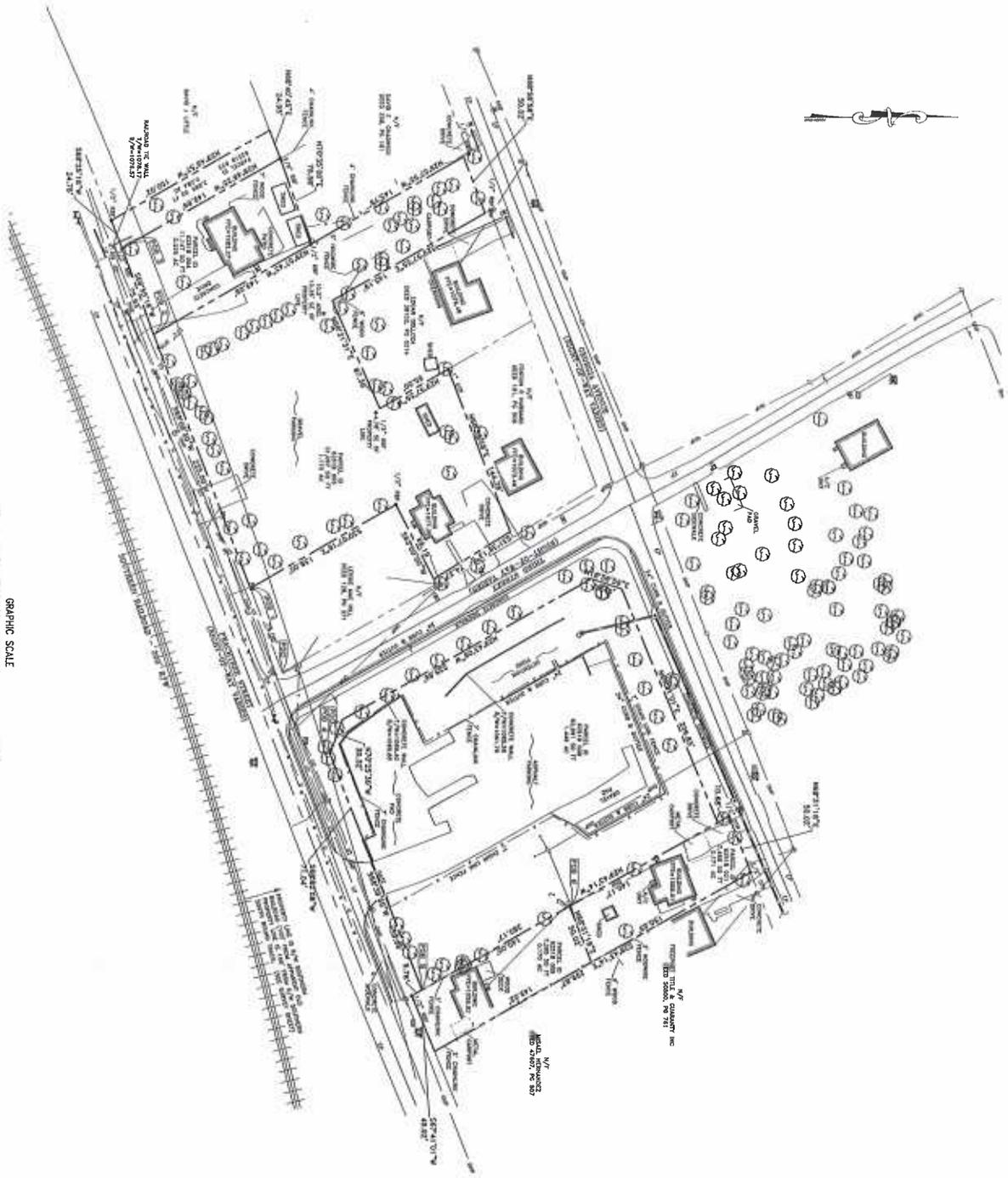
MARK	CATEGORY	MANUFACTURER	DESCRIPTION / FINISH
B-1	BRICK	BORAL	COLOR: CONCORD W/ CEMEX "GREY" MORTAR, TOOLED JOINTS
M-1	METAL	T.B.D.	DOWNSPOUT, COLOR: "DARK BRONZE"
P-1	PAINT	SHERWIN WILLIAMS	PAINT, COLOR TO MATCH: SW 7048 "URBANE BRONZE"
SF-1	STOREFRONT	YKK	STOREFRONT SYSTEM, COLOR: "DARK BRONZE"
SF-2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

DEVELOPED BY:

ATLANTA PAVING & CONCRETE  
CONSTRUCTION COMPANY  
PEACHTREE CORNERS, GEORGIA

MaxDesign Group Project  
D16-127

29 SEPTEMBER 2016



GENERAL NOTES

1. THE FOLLOWING SURVEY DATA, AND SECTIONS REFERRED TO HEREIN, HAS BEEN OBTAINED FROM THE RECORDS OF THE GWINNETT COUNTY, GEORGIA, PLAT BOOK FOR PLAT NO. 103, VOLUME 8, AND MATTER REFERRED TO BY V/S CONSULTANT, INC. DATED MAY 13, 1988, PLAT NO. 103, PAGE 44.
2. THE LOCATION OF THE SURVEY POINTS SHOWN AS "X" MARKS ON THIS PLAN IS AS SHOWN ON THE RECORDS OF THE GWINNETT COUNTY, GEORGIA, PLAT BOOK FOR PLAT NO. 103, VOLUME 8, AND MATTER REFERRED TO BY V/S CONSULTANT, INC. DATED MAY 13, 1988, PLAT NO. 103, PAGE 44.
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13. THE LOCATION OF THE SURVEY POINTS SHOWN AS "X" MARKS ON THIS PLAN IS AS SHOWN ON THE RECORDS OF THE GWINNETT COUNTY, GEORGIA, PLAT BOOK FOR PLAT NO. 103, VOLUME 8, AND MATTER REFERRED TO BY V/S CONSULTANT, INC. DATED MAY 13, 1988, PLAT NO. 103, PAGE 44.
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15. THE LOCATION OF THE SURVEY POINTS SHOWN AS "X" MARKS ON THIS PLAN IS AS SHOWN ON THE RECORDS OF THE GWINNETT COUNTY, GEORGIA, PLAT BOOK FOR PLAT NO. 103, VOLUME 8, AND MATTER REFERRED TO BY V/S CONSULTANT, INC. DATED MAY 13, 1988, PLAT NO. 103, PAGE 44.



SITE

SURVEY LEGEND	
STATION MARKS	—
WATER MAIN	—
WATER VALVE	—
WATER METER	—
EDGE OF PAVEMENT	—
OVERHEAD POWER	—
OVERHEAD CABLE	—
PIPE	—
PIPE HOOKUP	—
COMMUNICATION MARK HOLES	—
POWER POLE	—
THEE	—
ELECTRIC METERS	—
CAPTOP 1/2" REBAR SET	—
REBAR FOUND	—
CHAMP TOP PIPE	—
MALIBOX	—
COMMUNICATION FERTILIZER	—
GPS 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	DATE
DESIGNED BY	08/20/18
DRAWN BY	08/20/18
PROJECT NO.	18-000000
FIELD DATE	08/20/18
PLAT DATE	08/20/18
PLAT NO.	103
PLAT VOLUME	8
PLAT PAGE	44
PLAT SHEET	S-1
PLAT TOTAL	1 OF 2

COLUMBIA  
ENGINEERING  
2882 BUFORD HIGHWAY  
DUBLIN, GEORGIA 30096  
(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 6<sup>th</sup> land district of Gwinnett County, Georgia and within Peachtree Corners and more particularly described as follows:

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

LAND DESCRIPTION 2

Parcel ID 6251B 004

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

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

LAND DESCRIPTION 3

Parcel ID 6251B 073

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

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

LAND DESCRIPTION 4

Parcel ID 6251B 008

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

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

LAND DESCRIPTION 5

Parcel ID 6251B 009

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

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

LAND DESCRIPTION 6

Parcel ID 6251B 021

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

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



- 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

**PROPERTY LOCATION MAP**

**Atlanta Paving**



**CASE NUMBER:**

**RZ2017-01 / V2017-001**

**PLANNING  
 COMMISSION**

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

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

**HEARING DATES:**

**JUNE 13, 2017**

**JUNE 20, 2017**

**JULY 18, 2017**

**PROPERTY ADDRESS:**

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

**02017-04-87**

**AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO 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**

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

**WHEREAS:** Public Hearings were held by the Mayor and City Council of Peachtree Corners on June 20, 2017 and July 18, 2017;

**NOW THEREFORE, IT IS HEREBY ORDAINED** by the governing authority of the City of Peachtree Corners, Georgia while in Regular Session on July 18, 2017 that Public Hearing Case PH2017-003, Town Center Building Elevations, is hereby approved for the above referenced property.

Effective this 18th day of July, 2017.

So Signed and Witnessed

Approved :

this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Attest:

\_\_\_\_\_  
Kymberly Chereck, City Clerk

\_\_\_\_\_  
Mike Mason, Mayor

**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**PUBLIC HEARING ANALYSIS**

PLANNING COMMISSION DATE: JUNE 13, 2017

CITY COUNCIL DATE: JULY 18 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: 6<sup>th</sup> 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 11<sup>th</sup> 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 were submitted (attached after the staff report) for the Planning Commission's consideration. The preferred choice identified was screen print #2. It is proposed to 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

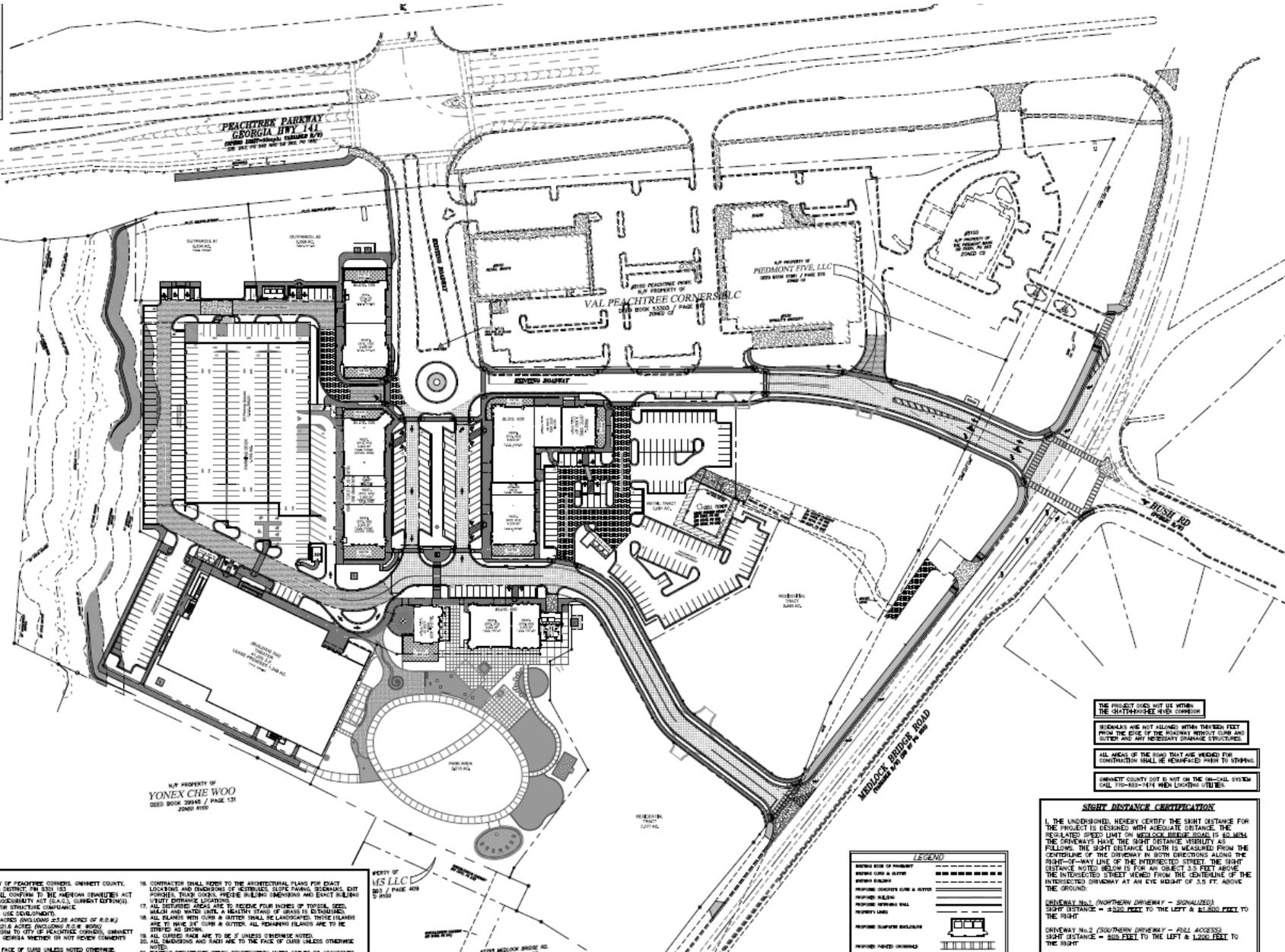
2. Requirement to include decorative elements such as rooftop finials and window planter boxes

RECOMMENDATION:

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



**LOCATION MAP**



**AREAS DATA CHART**

DESCRIPTION	ACRES
TOTAL ACRES	3.211
LAND COVER AREA	2.019
WATER	0.000
ROADS	1.192
UTILITIES	0.000
LANDSCAPE	0.000
STREET LIGHTS	0.000
LANDSCAPE	0.000
TOTAL	3.211

**SITE PARKING CHART**

TYPE	SPACES	AREA (SQ. FT.)	AREA (SQ. YD.)
RESTAURANT DEVELOPER	10	1,000	73
OFFICE	100	10,000	730
RETAIL	100	10,000	730
TOTAL	210	21,000	1,533

**GENERAL NOTES:**

1. SITE IS LOCATED IN THE CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA. LAND USE ZONING IS G-1 (GENERAL OFFICE).
2. ALL NEW CONSTRUCTION SHALL CONFORM TO THE AMERICAN SMOKELESS ACT (ASL) AND THE GEORGIA SMOKELESS ACT (GSL).
3. ALL STRUCTURES SHALL BE CONSTRUCTED TO THE CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA. ALL STRUCTURES SHALL BE CONSTRUCTED TO THE CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA.
4. TOTAL SITE AREA = 3.211 ACRES (ENVELOPING 2.019 ACRES OF R.O.M.).
5. TOTAL OFFICE AREA = 201,900 SQ. FT. (2.019 ACRES).
6. ALL CONSTRUCTION TO CONFORM TO CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA. ALL CONSTRUCTION TO CONFORM TO CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA.
7. ALL DIMENSIONS TO / FROM FACE OF CURB UNLESS NOTED OTHERWISE.

**GENERAL NOTES:**

16. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF UTILITIES. SLOPE PAVING, SIGNAGING, SIGNAGE, TRUCK DOORS, PRESSURE WASHING, AND EXISTING BUILDING SHALL BE MAINTAINED.
17. ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
18. ALL ISLANDS WITH CURB & GUTTER SHALL BE LANDSCAPED. THOSE ISLANDS ARE TO HAVE ONE CURB & GUTTER. ALL ISLANDS ISLANDS ARE TO BE DISTRICT AS SHOWN.
19. ALL CURBS SHALL BE TO BE 4" UNLESS OTHERWISE NOTED.
20. ALL DIMENSIONS AND SIZES ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.

THE PROJECT DOES NOT FIT WITHIN THE CHATTAHOOCHEE RIVER CORRIDOR.

ISLANDS ARE NOT ALLOWED WITHIN THIRTY FEET FROM THE EDGE OF THE DRIVEWAY WITHOUT CURB AND GUTTER AND ANY NECESSARY CHANGING STRUCTURES.

ALL AREAS OF THE ROAD THAT ARE NEEDED FOR CONSTRUCTION SHALL BE RECONSTRUCTED PRIOR TO STARTING.

GWINNETT COUNTY DOT IS NOT ON THE 90-CALL OVERSEEN. CALL 770-902-7474 WHEN LOCATING UTILITIES.

**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 35 MPH. THE DRIVEWAY HAVE THE SIGHT DISTANCE VISIBLE 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 FEET ABOVE THE GROUND.

DRIVEWAY No.2 (SOUTHWEST DRIVEWAY) - SIGNALIZED  
SIGHT DISTANCE = 2500 FEET TO THE LEFT & 2500 FEET TO THE RIGHT

DRIVEWAY No.3 (SOUTHWEST DRIVEWAY) - FULL ACCESS  
SIGHT DISTANCE = 200 FEET TO THE LEFT & 200 FEET TO THE RIGHT





3 BLDG 200 N  
5/32" = 1'-0"



1 BLDG 200 W  
5/32" = 1'-0"



2 BLDG 200 E  
5/32" = 1'-0"



4 BLDG 200 S  
5/32" = 1'-0"

5

MARK	MATERIAL	COMMENTS
AB-1	SHINGLES DRIFTWOOD	GAP TIMBERLINE SHINGLES
AB-2	SHINGLES WHITE	GAP TIMBERLINE SHINGLES
AB-3	SHINGLES SWANSHOOD	GAP TIMBERLINE SHINGLES
AV-1	FABRIC APNING	SUNBRELLA - OCEAN BLUE SURROUND - BASE
BK-2	BRICK AUTUMN SMOKE	CHERRIDGE BRICK AND TILE
BK-3	BRICK BROOKHAVEN	CHERRIDGE BRICK AND TILE
EFS-1	EFS ARMY GREEN MATIA	DRIVIT
EFS-2	EFS DOVER SKY F204	DRIVIT
EFS-3	EFS BACKSKIN MAIR	DRIVIT
ST-1	ASHLAR STONE CREME BUFF	ROCKCAST - ASHLAR PATTERN, GIBBELED
ST-2	CALIZA STONE STONE CREEK	ROCKCAST - ASHLAR PATTERN, GIBBELED
ST-3	CALIZA STONE GRIS	ROCKCAST - SMOOTH FINISH
TR-1	CHINA WHITE	TRM COLOR



SHINGLES-GOLDEN AMBER AS-1



SHINGLES-WHITE AS-2



SHINGLES-DRIFTWOOD AS-3



BRICK-AUTUMN SMOKE BR-2



BRICK-BROOKHAVEN BR-3



EFS-ARMY GREEN EFS-1



EFS-DOVER SKY EFS-2



EFS-BACKSKIN EFS-3



ASHLAR STONE-CREME BUFF ST-1



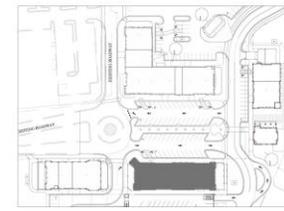
CALIZA STONE-STONE CREEK ST-2



CALIZA STONE-GRIS (SMOOTH) ST-3



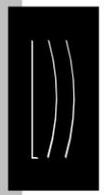
PAINT-CHINA WHITE TR-1



KEY PLAN

5

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN



Lyman  
Davidson  
Dooley, Inc.

1640 Powers Ferry Road  
Marietta, GA 30067  
770.862.8444  
770.868.9567  
ladd@ladd.com  
ATLANTA  
TAMPA

REVISIONS

New Construction  
**Peachtree Corners  
Town Center**  
Peachtree Corners, GA

Peachtree Corners Town  
Center  
3200 Heron Bridge  
Rd. Peachtree Corners,  
GA

ladd.com/developments  
3575 Piedmont Road  
Suite 800  
Atlanta, Georgia 30305

TITLE Unissued

STATUS Design Development

JOB 110518.01

QC Checker

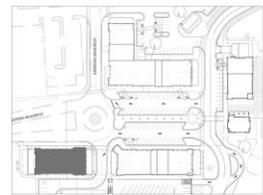
DRAWN Author

SHEET **A704**

DATE 01/25/2017



MARK	MATERIAL	COMMENTS
	FABRIC FINISHES	
AB-1	SHINGLE FEATHERED GRAY	SHANDRELLA OCEAN BLUE BURGANDY BASE
AB-2	SHINGLE SILVER GRAY	SHIP ROYAL ROYALGRIN
AB-3	SHINGLE GOLDEN CEDAR	SHIP ROYAL ROYALGRIN
EPS-1	EPS - ASH GREEN AYTA	DRYVIT
EPS-2	EPS - DOVER SKY AYTA	DRYVIT
SF-1	ASHLAR STONE - CREME BUFF	ROCKCAST; ASHLAR PATTERN; GIBBELD FINISH
SF-2	CALIZA STONE - STONE CREEK	ROCKCAST; ASHLAR PATTERN; GIBBELD FINISH
SF-3	CALIZA STONE - GRIS (SMOOTH)	FINISH
TK-1	SHIN WHITE	ROCKCAST; SMOOTH FINISH TRIM AROUND BUILDING



KEY PLAN



1 BLDG 500 E  
1/8" = 1'-0"



2 BLDG 500 S  
1/8" = 1'-0"

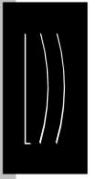


3 BLDG 500 W  
1/8" = 1'-0"



4 BLDG 500 N  
1/8" = 1'-0"

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN



Lyman  
Davidson  
Dooley, Inc.  
1661 Poplar Ferry Road  
Building One  
Marietta, GA 30067  
770.486.8881  
www.lymandavidson.com  
ATLANTA  
TAMPA

REVISIONS

New Construction  
**Peachtree Corners  
Town Center**  
Peachtree Corners, GA

**Peachtree Corners  
Town  
Center**  
5205 Mableton Bridge  
@ Peachtree Corners,  
GA

STATUS Project Status  
JOB 110318.01  
QC Checker  
DRAWN Author  
SHEET **A703**  
DATE 01/19/2017

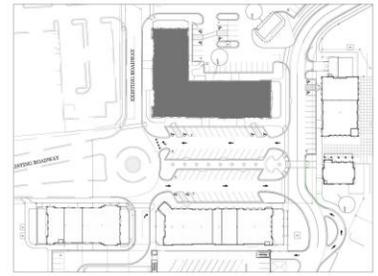


1 BLDG 600 E  
3/8" = 1'-0"



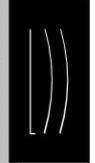
2 BLDG 600 S  
3/8" = 1'-0"

ABBREV	MATERIAL, COLOR	MANUFACTURER
AD-1	SHINGLES, SHAMPOO	S&P - TANDOLINE SERIES
AD-2	SHINGLES, WHITE	S&P - TANDOLINE SERIES
AD-3	SHINGLES, GREY	S&P - TANDOLINE SERIES
BK-1	BRICK, OLD MISSISSIPPI	CHARONNE BRICK AND TILE
BK-2	BRICK, ALTAMON SMOKE	CHARONNE BRICK AND TILE
BK-3	BRICK, BROOKHAVEN	CHARONNE BRICK AND TILE
EPF-1	EPS - ARMY GREEN MATIA	ORNOFF
EPF-2	EPS - COVER SKY TON	ORNOFF
TR-1	PAINT - CHINA WHITE	ROCCALAST
TR-2	ASHLAR STONE - CREEK BLUFF	ROCCALAST
TR-3	CALLAZA STONE - STONE CREEK	ROCCALAST
TR-4	CALLAZA STONE - GRIS SMOOTH	ROCCALAST
TR-5	PAINT - CHINA WHITE	TRIM AROUND BUILDING



KEY PLAN

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN



Lyman  
Davidson  
Dooley, Inc.  
1448 Powers Ferry Road  
Marietta, GA 30067  
770.948.9000  
770.948.9001  
atlantafirm.com  
ATLANTA  
TAMPA

REVISIONS

Project Scope  
**Peachtree Corners  
Development**  
Peachtree Corners, GA

Peachtree  
Corners  
Development  
600 Peachtree Ridge  
Plz, Peachtree Corners,  
GA

FLUQUE DEVELOPMENT

3075 Peachtree 6th NE  
Suite 600  
Atlanta, GA 30305

TITLE: ELEVATION WITH MATERIAL

STATUS: Design Development

DATE: 10/18/2017

DESIGNER: Author

CHECKER: Author

SHEET: A625

DATE: 01/18/2017

P:\11001800 Peachtree Corners Retail Development\dwg\171717.dwg  
 PLOT DATE: 01/18/2017 11:46 AM  
 PLOT BY: J. W. WOOD

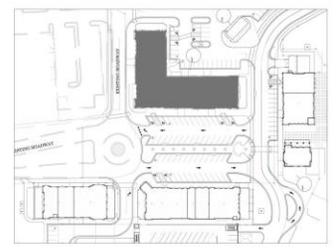


2 BLDG 600 W  
3/32" = 1'-0"



1 BLDG 600 N  
3/32" = 1'-0"

ELEVATION FINISH SCHEDULE			
ABBREV.	MATERIAL, COLOR	MANUFACTURER	
AD-1	SHINGLES, GOLDEN AMBER	GAFF THEORLINE SERIES	
AD-2	SHINGLES, WHITE	GAFF THEORLINE SERIES	
AD-3	SHINGLES, DRIFTWOOD	GAFF THEORLINE SERIES	
BK-1	BRICK, OLD MISSISSIPPI	CHERKNER BRICK AND TILE	
BK-2	BRICK, AUTUMN SMOKE	CHERKNER BRICK & TILE	
BK-3	BRICK, BROOKHAVEN	CHERKNER BRICK & TILE	
EPS-1	EPS, ARMY GREEN MATX	DRYVIT	
EPS-2	EPS, DOVER SKY FROG	DRYVIT	
ST-1	ASHLAR STONE - CREME BUFF	ROCKCAST ASHLAR PAT. CHISELED FINISH	
ST-2	CALIZA STONE - STONE CREEK	ROCKCAST ASHLAR PAT. CHISELED FINISH	
ST-3	CALIZA STONE - GRIS	ROCKCAST SMOOTH FINISH	
TR-1	PAINT, CHINA WHITE	TRIM AND/OR BUILDING	



KEY PLAN

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN

Lyman  
Davidson  
Dooley, Inc.

1660 Powers Ferry Road  
Building One  
Marietta, GA 30067

770.893.8484  
770.564.8381

lmd-architect.com  
ATLANTA  
TAMPA

REVISIONS

Project Scope  
Peachtree Corners  
Development  
Peachtree Corners, GA

Peachtree  
Corners  
Development  
8200 Marlowe Bridge  
Rd. Peachtree Corners,  
GA

FUQUE  
DEVELOPMENT

3575 Piedmont Rd. NE  
Suite 800  
Atlanta, GA 30305

TITLE ELEVATIONS WITH  
MATERIALS

STATUS Design Development

JOB 116218.01

QC Checker

DRAWN Author

SHEET A624

DATE 8/18/2017

THIS DRAWING IS THE PROPERTY OF LYMAN DAVIDSON DOOLEY INCORPORATED ARCHITECTS. IT IS NOT TO BE REPRODUCED IN WHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT. IT SHALL BE RETURNED UPON REQUEST. COPYRIGHT © AS NOTED. LYMAN DAVIDSON DOOLEY. NOT VALID UNLESS SIGNED AND SEALED.

P:\116218 Peachtree Corners Retail Development\CD\dwg\17\AMP\A1\_REV11\_MODEL\0011-03-20-2017 Model\BLDG 600 Retail Central.rvt  
2/20/2017 2:48:23 PM





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

# 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	

**02017-06-95**

**AN ORDINANCE TO DENY 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 IN ORDER 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**

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

**WHEREAS:** Public Hearings were held by the Mayor and City Council of Peachtree Corners on June 20, 2017 and July 18, 2017;

**NOW THEREFORE, IT IS HEREBY ORDAINED** by the governing authority of the City of Peachtree Corners, Georgia that CIC2017-002, Ingles Gas Station, is hereby denied for the above referenced property.

Effective this 18th day of July, 2017.

So Signed and Witnessed

Approved :

this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Attest:

\_\_\_\_\_  
Kymberly Chereck, City Clerk

\_\_\_\_\_  
Mike Mason, Mayor

**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: 6<sup>th</sup> 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: DENIAL**

## 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.

#### ANALYSIS:

The proposal for a gas station is inconsistent with standards set by Rezoning Case RZ1996-134. During that rezoning process, specific uses that were identified as undesirable to surrounding residential neighborhoods were excluded from future use on the site. Residents of the surrounding neighborhoods today still feel that this use is inappropriate for this area.

At their 6/13/17 meeting, the Planning Commission heard neighbor comments and expressed their own concerns about the proposed gas station's impact on site access, circulation, and pedestrian safety. The plan, as proposed, presents opportunities for pedestrian and vehicular conflicts. In addition, the existing driveway and on-site circulation require improvement which were not offered by the applicant. If modifications were made to the plan and neighbor concerns were adequately addressed, the addition of a gas station facility at this location could be a benefit to the shopping center. However, changes would first need to be made to the gas station plan and the shopping center, itself, in order to accommodate the proposed use.

In this case, an acceptable plan would be one that meets the Comprehensive Plan's goal for activity centers by accommodating pedestrian circulation and creating a "walkable network so people can get around...without a car."

#### RECOMMENDATION:

**After review of the applicant's proposal and other relevant information, it is recommended that CIC2017-002 be denied.**



## 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"> <li>• 1 original</li> </ul>	<input checked="" type="checkbox"/>
Boundary Survey with Legal Description	<ul style="list-style-type: none"> <li>• 1 full size copy</li> <li>• 1- 8-1/2" x 11" or 11" x 17" reduction</li> </ul>	<input checked="" type="checkbox"/>
Site Plan	<ul style="list-style-type: none"> <li>• 1 full size copy</li> <li>• 1- 8-1/2" x 11" or 11" x 17" reduction</li> </ul>	<input checked="" type="checkbox"/>
Letter of Intent	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input checked="" type="checkbox"/>
Applicant Certification with Notarized Signature	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input checked="" type="checkbox"/>
Property Owner Certification with Notarized Signature	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input checked="" type="checkbox"/>
Standards Governing Exercise of the Zoning Power	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input checked="" type="checkbox"/>
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input checked="" type="checkbox"/>
Verification of Paid Property Taxes (most recent year)	<ul style="list-style-type: none"> <li>• One (1) Copy (for each tax parcel included)</li> </ul>	<input checked="" type="checkbox"/>
Electronic copy of all of the above	<ul style="list-style-type: none"> <li>• One (1) copy</li> </ul>	<input checked="" type="checkbox"/>
Application Fee	<ul style="list-style-type: none"> <li>• Make checks payable to the City of Peachtree Corners</li> </ul>	<input checked="" type="checkbox"/>
<b>ADDITIONAL EXHIBITS (IF REQUIRED)</b>		
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"> <li>• 1 copy</li> </ul>	<input type="checkbox"/>
Traffic Study	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input type="checkbox"/>
Development of Regional Impact Review Form	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<input type="checkbox"/>
Building Compliance Inspection	<ul style="list-style-type: none"> <li>• 1 copy</li> </ul>	<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

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*Staff Use Only This Section*

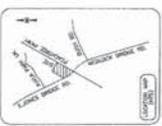
Case Number: \_\_\_\_\_ Hearing Date: P/C \_\_\_\_\_ C/C \_\_\_\_\_ Received Date: \_\_\_\_\_

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

**Related Cases & Applicable Conditions:**

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

INGLES MARKETS INC. (A77-4000000)  
 LAND LOT 313 8th DISTRICT  
 COUNTY OF GWINNETT  
 GEORGIA  
 DRAWING SCALE: 1" = 100'  
 DATE: 11/15/11



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 ON THIS PLAN ARE BASED ON RECORD DRAWINGS 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

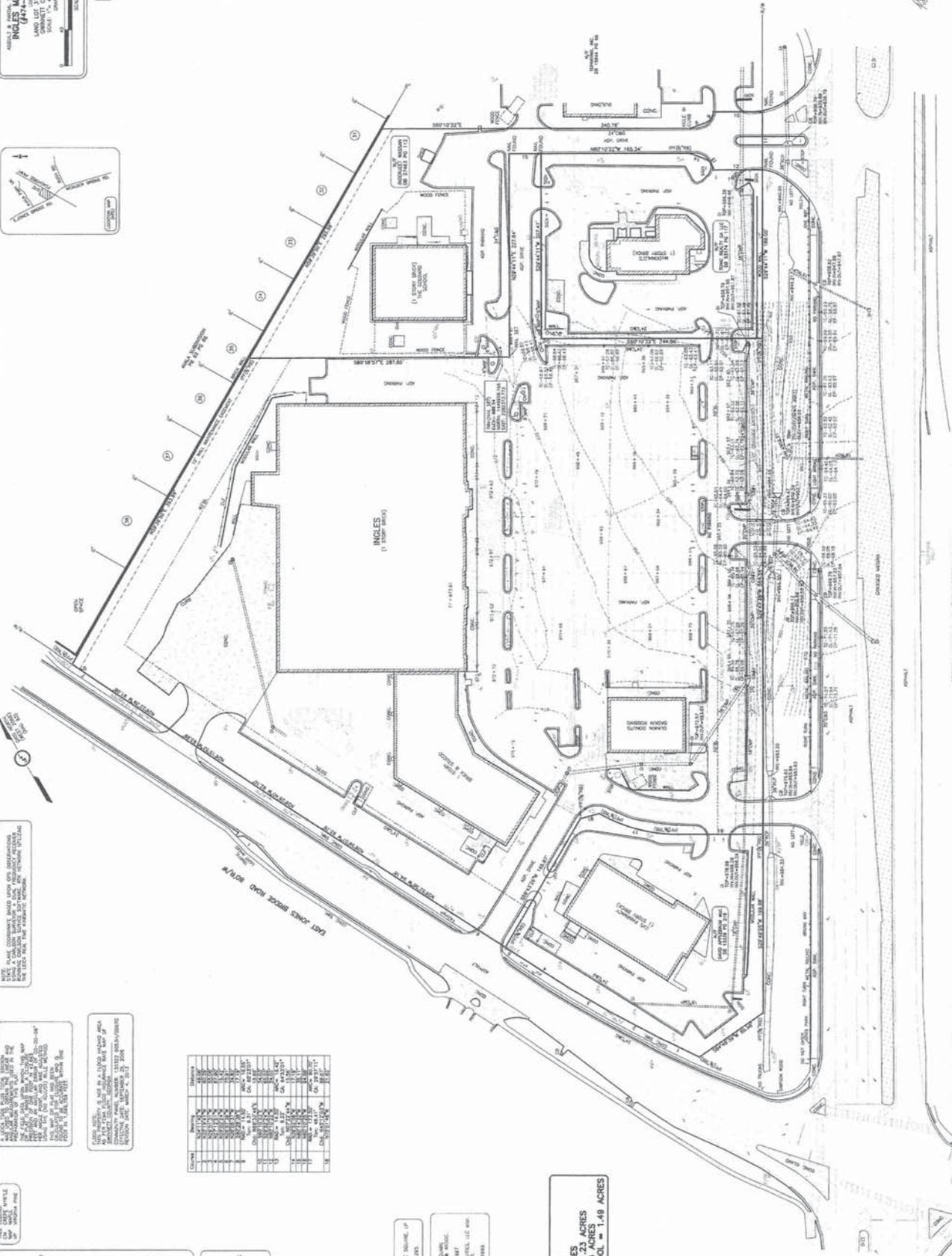
PROPERTY AREAS  
 INGLES = 0.82 ACRES  
 CVS PHARMACY = 1.23 ACRES  
 MCDONALD'S = 1.14 ACRES  
 THE GOODHART SCHOOL = 1.49 ACRES

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



LONDON LAND SURVEYING  
 1000 W. BROADWAY, SUITE 1000  
 ATLANTA, GA 30309  
 PHONE: 404.525.1234  
 FAX: 404.525.1235  
 WWW: WWW.LONDONLANDSURVEYING.COM

THIS PLAN AND ANY INSTRUMENTS HERETO RELATED SHALL BE VOID WITHOUT THE SIGNATURE OF THE SURVEYOR. THE SURVEYOR'S SEAL AND SIGNATURE SHALL BE PLACED ON THIS PLAN AT THE TIME OF RECORDATION. THE SURVEYOR'S SEAL AND SIGNATURE SHALL BE PLACED ON THIS PLAN AT THE TIME OF RECORDATION.



GEORGIA HIGHWAY 141/SEACREEK PARKWAY  
 R/W MARKS

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

CONSTRUCTION SHALL BE IN ACCORD WITH THE PLAN AND ALL APPLICABLE CODES AND REGULATIONS. 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, 6<sup>th</sup> 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







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# SPIELMAN & HICKS, LLC

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---

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

A handwritten signature in cursive script, appearing to read "W. Daniel Hicks, Jr.", written in dark ink.

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*

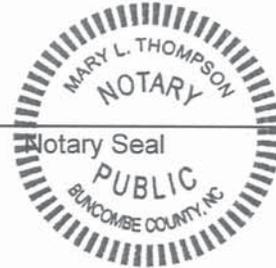
Type or Print Name and Title

*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.

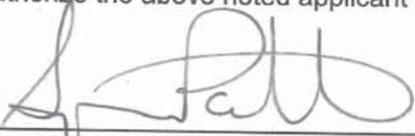
\_\_\_\_\_  
Signature of Applicant Date

\_\_\_\_\_  
Type or Print Name and Title

\_\_\_\_\_  
Signature of Notary Public Date Notary Seal

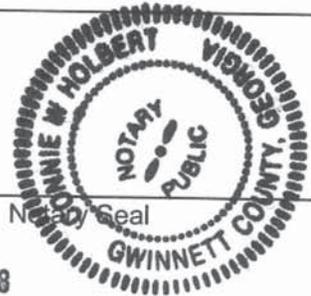
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\_\_\_\_\_  
Signature of Property Owner 4-27-2017  
Date

\_\_\_\_\_  
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 - RL6318'005  
District Land Lot Parcel



Signature of Applicant

April 27, 2017  
Date

Ronald Freeman, CFO

Type or Print Name and Title

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*Tax Commissioners Use Only*

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

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DATE

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## 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
<b>Total Due:</b>				\$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

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Select Language ▼

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CIC2017-002 Site Photo

## PROPERTY LOCATION MAP

### Ingles Gas Station



**CASE NUMBER:**

**CIC2017-002**

**HEARING DATES:**

**PLANNING  
COMMISSION**

**JUNE 13, 2017**

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

**JUNE 20, 2017**

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

**JULY 18, 2017**

**PROPERTY ADDRESS:**

**5075 Peachtree Pkwy.**

**02017-07-96**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEACHTREE CORNERS, GEORGIA TO AMEND ARTICLE VI (UTILITIES AND EASEMENTS) OF CHAPTER 34 (LAND DEVELOPMENT REGULATIONS) OF THE CODE OF THE CITY OF PEACHTREE CORNERS, GEORGIA; TO ESTABLISH GUIDELINES AND DEFINITIONS RELATING TO WATER SYSTEMS FOR COMMERCIAL CONVEYOR CARWASHES; TO ESTABLISH A DEFINITION AND VIOLATION FOR WATER WASTE FOR OUTDOOR WATER USE; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the Mayor and Council of the City of Peachtree Corners (“City Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Peachtree Corners; and

**WHEREAS**, the City Council has determined that it is appropriate from time to time to modify the Code of Ordinances of the City of Peachtree Corners (the “Code”) to further protect the public health, safety, and welfare of the citizens of Peachtree Corners.

**IT IS HEREBY ORDAINED** by the governing authority of the City of Peachtree Corners, Georgia that the City’s Code of Ordinances is amended as follows:

**SECTION I:** Article VI of Chapter 34 of the Code is amended by adding the following provision regulating commercial conveyor carwashes and will read as follows:

**Sec. 34-156. - Water system and fire hydrants.**

- (a). Connection of public water main required. The developer shall install or have installed a system of water mains connected to a public water supply system in accordance with the requirements of the authority having jurisdiction.
- (b). Water, fire hydrants, etc., to be designed according to applicable standards, and plans and specifications. All water mains, fire hydrants and appurtenances shall be designed in accordance with the policies, standards, plans and specifications of the city fire prevention ordinance and the water system having jurisdiction. Where jurisdiction resides with the city water system, the public water mains and appurtenances shall be designed by the city water system upon submittal of the development plans for the project.
- (c). Water mains to be installed after curbs but before paving. Within the city water system jurisdiction, water mains and appurtenances shall be installed after installation of the curbs and gutters and before paving, or after staking of the curblines and submission to the water system of an as-graded survey of the street profile accompanied by a certification executed by the owner as required by the water system that the subgrade will not change. Water

mains shall be relocated as necessary to meet water system regulations prior to approval of development conformance, if improperly located to final curb line or grade.

(d). All new commercial conveyor car washes, permitted and constructed after July 18, 2017 must install operational recycled water systems. A minimum of 50% of water utilized will be recycled. A conveyor car wash means a commercial car wash where the car moves on a conveyor belt during the car wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.

(e). Outdoor water waste is prohibited. Outdoor water waste means the excessive application of water that results in water flowing down any curb and gutter, street or storm drain or onto an adjacent property, and shall include the unnecessary loss of water through improper application or failure of an outdoor irrigation or plumbing system resulting in excessive runoff. Activities subject to a violation include without limitation:

- 1) A broken irrigation system (missing heads, broken pipes, etc.)
- 2) Excessive runoff such as water running down the driveway, street or sidewalk.
- 3) A hose running unattended without a shutoff nozzle.
- 4) A visible and unrepaired leak more than one gallon per minute.

**SECTION II:** It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Peachtree Corners, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

**SECTION III:** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION IV:** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

**SECTION V:** This Ordinance shall become effective immediately upon adoption.

**SO ORDAINED** this 18<sup>th</sup> day of July, 2017.

CITY OF PEACHTREE CORNERS, GEORGIA

By: \_\_\_\_\_

Mike Mason, Mayor

Attest:

\_\_\_\_\_

Kym Chereck, City Clerk

(SEAL)

**PH2017-005**



# Memo

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TO: Mayor and Council

CC: Brian Johnson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: July 18, 2017

SUBJECT: PH2017 005 Terraces at Peachtree Corners Subdivision

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In accordance with the Peachtree Corners' Development Regulations, the Terraces at Peachtree Corners Subdivision final plat has been submitted for final acceptance.

City Staff has completed the required review and inspections, and has released the project.

Performance and maintenance bonds have been provided to the City. The road improvements along Parkway Lane have been completed, the installation of the trail as required by the zoning conditions will be complete prior to issuance of the first certificate of occupancy (CO) for the first home constructed. The streets are private and will be maintained by the Homeowner's Association.

Once approved, the attached plat will be filed and recorded with the Clerk of the Superior Court of Gwinnett County. The City Council's 'final acceptance' is a procedural step required by code to acknowledge completion of this phase of development and does not encumber the City with any additional responsibilities.

**SUBDIVISION PLAT ACCEPTANCE**

**NAME: TERRACES AT PEACHTREE CORNERS SUBDIVISION**  
**LOCATION: PARKWAY LANE**  
**LEGAL DESCRIPTION: 6TH DISTRICT, LAND LOT 284**

The Mayor and City Council of the City of Peachtree Corners, while in Regular Session on July 18, 2017, ratified the acceptance of all dedications for the Terraces at Peachtree Corners Subdivision (PH2017 005); as required by the Peachtree Corners Development Regulations Article 11.1.4. (l)

**Approved:**

\_\_\_\_\_  
Mike Mason, Mayor

ATTEST:

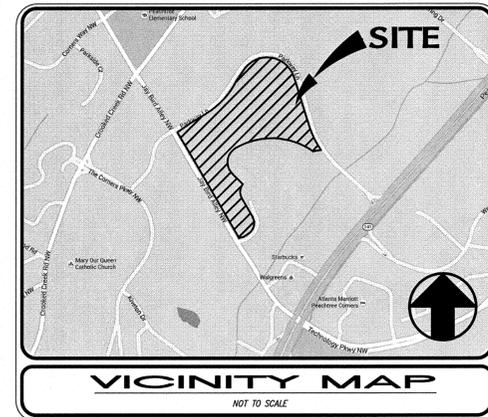
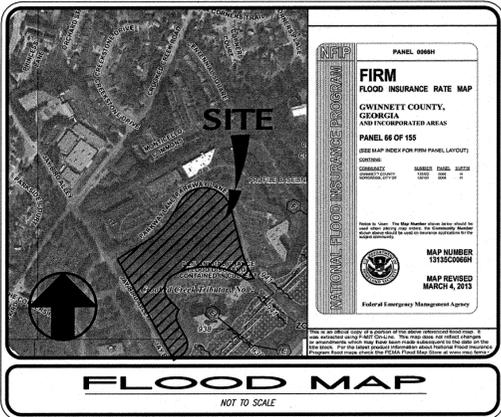
\_\_\_\_\_(SEAL)  
Kym Chereck, City Clerk

# FINAL PLAT TERRACES AT PEACHTREE CORNERS

LAND LOT 284, 6th DISTRICT, CITY OF PEACHTREE CORNERS,  
GWINNETT COUNTY, GEORGIA

SPD NO: 2016-00006

PARCEL NO. 6284 054



### GENERAL NOTES:

- NOTE: GWINNETT COUNTY OR THE CITY OF PEACHTREE CORNERS DO NOT ENFORCE PROTECTIVE COVENANTS. IT IS THE RESPONSIBILITY OF THE HOMEOWNERS TO ENSURE COMPLIANCE WITH THE PROTECTIVE COVENANTS.
- NOTE: PERMANENT STRUCTURES AND TREES NOT ALLOWED IN SANITARY SEWER EASEMENTS ACCORDING TO CURRENT GWINNETT COUNTY POLICY.
- NOTE: CLEANOUTS TO BE MAINTAINED AT GRADE, AND ARE THE PROPERTY OWNER'S RESPONSIBILITY TO INSURE ACCESSIBILITY AT ALL TIMES.
- NOTE: MAINTENANCE OF THE OPEN SPACE INCLUDING REPLACEMENT AND TRIMMING OF TREES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, PER THE GUIDELINES LISTED IN THE ASSOCIATION BY LAWS.
- NOTE: THE SOIL, EROSION, AND SEDIMENT CONTROL ORDINANCE REQUIRES THAT A 25-FOOT BUFFER ADJACENT TO ALL STATE WATERS BE MAINTAINED (ARTICLE 4, SECTION 4.3, PARAGRAPH 15). AN EXCEPTION IS GRANTED TO HOMEOWNERS WHO PERFORM MINOR LAND DISTURBING ACTIVITIES SUCH AS HOME LANDSCAPING, HOME GARDENS, REPAIRS AND MAINTENANCE WORK (ARTICLE 3, SECTION 3.1, PARAGRAPH 3).
- NOTE: A HOUSE LOCATION PLAN SHALL BE REQUIRED TO BE APPROVED BY THE DEPARTMENT PRIOR TO ISSUANCE OF A BUILDING PERMIT ON ALL LOTS. A HOUSE LOCATION PLAN IS A SCALE DRAWING SUBMITTED BY THE BUILDER AT THE TIME OF PERMIT. IT IS NOT REQUIRED THAT THIS PLAN BE PREPARED BY A LAND SURVEYOR OR PROFESSIONAL ENGINEER. THE PURPOSE OF THIS PLAN IS TO ENSURE THAT THE HOUSE IS PROPERLY LOCATED ON THE LOT. PLEASE CONTACT THE CITY OF PEACHTREE CORNERS DEPARTMENT OF PLANNING AND DEVELOPMENT FOR FURTHER INFORMATION.
- FLOOD HAZARD NOTE**  
THERE IS NO FLOODPLAIN ON THIS PROPERTY FROM A WATER COURSE WITH A DRAINAGE AREA EXCEEDING 100 ACRES OR FLOODPLAIN PER FIRM PANEL 13135C0066H DATED MARCH 4, 2013.
- WETLANDS NOTE**  
THERE ARE NO WETLANDS BEING DISTURBED ON THIS SITE.
- NOTE: OPEN SPACE AND COMMON AREA TO BE DEEDED TO AND MAINTAINED BY A QUALIFIED HOMEOWNERS ASSOCIATION.
- NOTE: 1/2" REBARs TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED. FOR LOTS THAT HAVE CORNERS WHICH FALL ON THE CENTERLINE OF A ROAD OR ALLEY, REFERENCE PINS WILL BE SET DIRECTLY BEHIND THE CURB ALONG THE LOT LINE.
- HOPE PIPE SHALL CONFORM TO THE REQUIREMENTS OF AASHTO M-294 AND AASHTO M7, TYPE S & D. CONNECTIONS SHALL BE RUBBER GASKET, WHICH CONFORMS TO ASTM F-477. INSTALLATION SHALL BE IN ACCORDANCE WITH ASTM RECOMMENDED PRACTICE SECTION 33, OR WITH SECTION 553 OF THE GEORGIA DOT STANDARD SPECIFICATIONS, CONSTRUCTION OF ROADS AND BRIDGES.
- NOTE: PUBLIC WATER AND SANITARY SEWER TO BE PROVIDED BY GWINNETT COUNTY
- NOTE: ARCHITECTURAL ELEVATIONS FOR EACH LOT SHALL BE SUBMITTED FOR DIRECTOR'S APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- ALL UTILITIES TO BE LOCATED UNDERGROUND
- ALL STREET TREES, SIDEWALKS AND HANDICAP RAMPS SHALL BE INSTALLED BY THE LOT BUILDER ON A LOT BY LOT BASIS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- ALL BUFFERS AND TREE SAVE AREAS SHALL BE CLEARLY IDENTIFIED WITH TREE PROTECTION FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE
- DECIDUOUS TREES SHALL BE AT LEAST 2 INCHES IN DIAMETER AND EVERGREEN TREES SHALL BE AT LEAST 6 FEET IN HEIGHT AT TIME OF PLANTING.
- NOTE: TOPPING OF TREES IS NOT ALLOWED. TREES REMOVED OR HAVING THEIR TOPS CUT AFTER COMPLIANCE WITH THIS ORDINANCE SHALL BE REPLACED WITH THE EQUIVALENT INCHES OF REMOVED TREES.
- NOTE: STREET TREES SHALL BE LOCATED OUTSIDE OF THE RIGHT-OF-WAY, WITHIN THE FIRST FIVE (5) FEET OF THE PROPERTY LINE.
- NOTE: A SEPARATE BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION FOR EACH SITE RETAINING WALL (WHICH EITHER EXCEEDS 4 FEET IN HEIGHT OR WHICH HAS BACKFILL SLOPE GREATER THAN 1 FOOT RISE IN 3 FEET HORIZONTAL) AND FOR EACH DETENTION POND WALL (DAM) IN ACCORDANCE WITH GWINNETT COUNTY CONSTRUCTION CODE SECTION 103.1.1. A CERTIFICATE OF COMPLETION SHALL BE ISSUED BY GWINNETT COUNTY BUILDING INSPECTIONS SECTION FOR ALL WALLS PERTINENT TO THE PROJECT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY USABLE STRUCTURE ON THE SITE AND PRIOR TO APPROVAL OF THE FINAL SUBDIVISION PLAT (AS APPLICABLE).

- ### DRAINAGE NOTES:
- PEACHTREE CORNERS ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT. PEACHTREE CORNERS DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS.
  - STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.
  - STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.
  - IT IS THE RESPONSIBILITY OF THE HOMEOWNERS OF THE STORM WATER MANAGEMENT FACILITY TO KEEP THE ACCESS DRIVE FREE OF OBSTRUCTIONS AND TO MAINTAIN THE FACILITY FREE OF OBSTRUCTIONS, SILT AND DEBRIS, AND OPERATIONAL PURSUANT TO COUNTY REQUIREMENTS.
  - AN APPROVED RESIDENTIAL DRAINAGE PLAN (RDP) IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT ON ALL LOTS. AN APPROVED HOLD AND RELEASE AFFIDAVIT IS REQUIRED ON THOSE LOTS LABELED "RDP" OR RESIDENTIAL DRAINAGE STUDY (RDS). AN ELEVATION CERTIFICATE IS REQUIRED ON LOTS LABELED "RDP-E" OR "RDS-E".

### GENERAL NOTES:

- ### SIDEWALK NOTES:
- DEVELOPER SHALL INSTALL SIDEWALKS ON ABUTTING EXTERNAL STREETS, PASSIVE RECREATION AREA LOTS AND OPEN SPACE LOTS PRIOR TO FINAL PLAT APPROVAL. LOT BUILDERS SHALL INSTALL INTERSECTION RADIUS CURB RAMPS AT NEW STREET INTERSECTIONS, AND L-SHAPED MID-BLOCK RAMPS (IF REQUIRED) AT CUL-DE-SAC TURNAROUNDS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
  - SIDEWALKS AND CURB RAMPS, WHERE REQUIRED, SHALL BE INSTALLED ON NEW INTERNAL STREETS (BOTH SIDES INCLUDING EYEBROW TURNAROUNDS AND CUL-DE-SACS) AND ON ABUTTING EXTERNAL STREETS. (UDO 900.90.2.A)
  - SIDEWALKS ON "ACTIVE" RECREATION AREA LOTS SHALL BE INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
  - HOMEOWNERS SHALL INSTALL SIDEWALKS, AND CURB RAMPS NOT REQUIRED TO BE INSTALLED BY DEVELOPERS, ON BUILDING LOTS PRIOR TO RELEASE OF THE CERTIFICATE OF OCCUPANCY.
  - DEVELOPERS SHALL INSTALL SIDEWALKS ON ANY VACANT LOTS REMAINING BETWEEN DEVELOPED LOTS (I.E. DWELLING UNDER CONSTRUCTION OR COMPLETED) PRIOR TO RELEASE OF THE SUBDIVISION MAINTENANCE SURETY
- NOTE: LOT LAYOUT PLAN IS REQUIRED ON EACH LOT TO BE APPROVED BY THE DEPARTMENT PRIOR TO A BUILDING PERMIT BEING ISSUED. THIS LOT LAYOUT PLAN MUST BE DRAWN TO SCALE ON A COPY OF A CERTIFIED BOUNDARY SURVEY OF THE LOT. IT MUST SHOW ALL PROPOSED IMPROVEMENTS AND EASEMENTS ON THE LOT AND MUST INDICATE COMPLIANCE WITH THE REQUIREMENTS OF THE ZONING RESOLUTION OR CONDITIONS OF ZONING APPROVAL. IT SHALL BE THE BUILDER'S RESPONSIBILITY TO ENSURE THAT THE HOUSE IS STAKED OUT ON THE SITE TO MATCH THE APPROVED LOT LAYOUT PLAN.

- ### SURVEY REFERENCE
- BOUNDARY AND TOPOGRAPHIC INFORMATION WAS TAKEN FROM THAT BOUNDARY AND TOPOGRAPHIC SURVEY FOR TAYLOR MORRISON OF GEORGIA, LLC, PREPARED BY GUNNIN LAND SURVEYING, LLC, DATED SEPTEMBER 17, 2015.
  - THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEM AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTION. THE HORIZONTAL REFERENCE FRAME IS THE NORTH AMERICAN DATUM OF 1983 (NAD83)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS THE NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

### FINAL SURVEYOR'S CERTIFICATE:

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION. THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THE PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 33,143 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 188,800 FEET.

*[Signature]* 6-9-17  
BY: BARRON M. DUNN  
REGISTERED GEORGIA LAND SURVEYOR  
REG. NO. 3351  
DATE OF EXPIRATION: 12/31/18

### CITY OF PEACHTREE CORNERS FINAL PLAT APPROVAL:

THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT CERTIFIES THAT THIS PLAT COMPLIES WITH THE ZONING RESOLUTION AND DEVELOPMENT REGULATIONS. THIS PLAT IS APPROVED SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS PROJECT BETWEEN THE OWNER AND THE CITY OF PEACHTREE CORNERS.

CITY OF PEACHTREE CORNERS COMMUNITY DEVELOPMENT DEPARTMENT  
DATE:

### OWNER'S ACKNOWLEDGMENT:

STATE OF GEORGIA  
CITY OF PEACHTREE CORNERS

THE OWNER OF RECORD OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THEREIN IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES TO THE PUBLIC, AS NOTED BELOW, THE COMPLETE OWNERSHIP AND USE OF ALL IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED IN ACCORDANCE WITH THIS PLAT, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER THE FOLLOWING:

TO GWINNETT COUNTY:  
PUBLIC SEWER/WATER EASEMENTS 0.154 ACRES  
PUBLIC STREET RIGHT-OF-WAY 0.000 ACRES

TO THE CITY OF PEACHTREE CORNERS:  
DRAINAGE EASEMENTS \_\_\_\_\_ ACRES  
PUBLIC PARKS \_\_\_\_\_ ACRES  
PUBLIC ACCESS/PEDESTRIAN EASEMENT \_\_\_\_\_ ACRES  
PUBLIC STREET RIGHT-OF-WAY 0.116 ACRES

*[Signature]* 6/12/17  
TAYLOR MORRISON OF GEORGIA, LLC  
TYPE: NAME OF SUBDIVIDER  
DATE: 6/12/17

*[Signature]* 6/12/17  
TAYLOR MORRISON OF GEORGIA, LLC  
TYPE: NAME OF OWNER OF RECORD  
DATE: 6/12/17

### SIGHT DISTANCE NOTE

THE UNDERSIGNED, HEREBY CERTIFY THAT THE PROPOSED DRIVEWAY FOR TERRACES AT PEACHTREE CORNERS PROJECT IS DESIGNED WITH ADEQUATE CORNER SIGHT DISTANCE FOR EACH INTERSECTION. THE REGULATED SPEED LIMIT FOR SPALDING DRIVE IS 40 MPH. THE MINIMUM SIGHT DISTANCE REQUIRED IS 445 FEET TO THE LEFT AND 475 TO THE RIGHT. AVAILABLE SIGHT DISTANCE IN BOTH DIRECTIONS EXCEEDS THE SIGHT DISTANCE REQUIRED IN THE UNIFIED DEVELOPMENT ORDINANCE. THE REGULATED SPEED LIMIT FOR INTERIOR STREETS IS 25 MILES PER HOUR. THE SIGHT DISTANCE FOR ALL INTERSECTIONS MEETS OR EXCEEDS 280 FEET IN EACH DIRECTION. SIGHT DISTANCE IS MEASURED WITH THE DRIVER'S EYE HEIGHT OF 3.5 FEET AT A DISTANCE OF 15 FEET FROM THE NEAREST THROUGH LANE TO THE CENTER OF EACH TRAVEL LANE.

*[Signature]*  
Signed and Sealed  
T. Michael Maddox, P.E. No. 32237  
For the firm Travis Pruitt & Associates, Inc.  
Date: 6/9/2017

### DATUM:

CONTROL IS BASED ON GEORGIA WEST STATE PLANE COORDINATES, NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD83) AND NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) MEASURED IN US SURVEY FEET.

### COVENANTS NOTE:

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) ATTACHED HERETO DATED JANUARY 9, 2017, RECORDED IN DEED BOOK 54858, PAGES 353-412, GWINNETT COUNTY RECORDS, WHICH HEREBY BECOME A PART OF THIS PLAT, AND WHICH WERE RECORDED AND SIGNED BY THE OWNER.

### SURVEYOR CERTIFICATIONS

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Barron M. Dunn, Georgia RLS No. 3351 Date: \_\_\_\_\_

### OWNER/DEVELOPER

**TAYLOR MORRISON OF GEORGIA, LLC**  
6845 Shiloh Rd. E., Suite D-3  
Alpharetta, Ga 30005  
(770) 622-2522

24 HOUR EMERGENCY CONTACT  
Thad Higgins  
(810) 459-9755

### SHEET INDEX

SHEET No.	DESCRIPTION
1	COVER
2	NOTES
3	OVERALL
4-6	FINAL SUBDIVISION PLAT

### SITE AREA:

OVERALL GROSS AREA: 15.75 Ac  
OVERALL NET AREA: 15.75 Ac

### DISTURBED AREA:

±11.1 ACRES

### SITE ZONING: R-TH (RZ 2015-004/V2015-009)

### BUILDING SETBACK LINES:

FRONT YARD: 8 FEET FROM BACK OF SIDEWALK, PROVIDED THAT DIRECT PEDESTRIAN ACCESS IS IN PLACE BETWEEN THE FRONT OF UNITS ALONG THE PERIMETER OF THE SITE AND PARKWAY LANE.  
SIDE YARD: 20 FEET BETWEEN BUILDINGS  
REAR YARD: N/A  
INTERNAL YARD: 20 FEET GRASSED OR LANDSCAPE STRIP BETWEEN ALL BUILDING AND INTERIOR DRIVEWAYS/STREETS

### LOT SUMMARY:

NUMBER OF LOTS: 100  
LOT WIDTH: NO MINIMUM WITH TOWNHOUSE  
LOT AREA: NO MINIMUM WITH TOWNHOUSE  
MINIMUM UNIT WIDTH: 22 FEET  
MIN. LOT SIZE: NO MINIMUM WITH TOWNHOUSE  
GROSS DENSITY: 6.35 UNITS/ACRE  
NET DENSITY: 6.35 UNITS/ACRE

### BUILDING SUMMARY:

MAXIMUM BUILDING HEIGHT: 36 FEET FOR TOWNHOUSE  
MINIMUM HEATED FLOOR AREA: 2,400 SF

### LEGEND

	HEADWALL
	MANHOLE
	JUNCTION BOX
	DROP INLET
	CATCH BASIN
	DRAINAGE EASEMENT
	SANITARY SEWER EASEMENT
	ACCESS EASEMENT
	LANDSCAPE STRIP
	SANITARY SEWER LINE
	RIGHT OF WAY
	WATER LINE
	BUILDING SETBACK LINE
	STORM LINE
	CENTERLINE
	POINT OF BEGINNING
	INDIVIDUAL LOT PLAN
	TEMPORARY BENCH MARK
	WATER VALVE
	FIRE HYDRANT
	HANDICAP RAMP
	WATER EASEMENT
	BACK OF CURB
	MINIMUM FINISHED FLOOR ELEV.
	WATER SURFACE ELEVATION

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THESE DRAWINGS AND THEIR REPRODUCTIONS ARE THE PROPERTY OF THE ENGINEER AND MAY NOT BE REPRODUCED, PUBLISHED, OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS ENGINEER.

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4317 Park Drive, Suite 400  
Norcross, Georgia 30095  
Phone: (770) 416-7511  
Fax: (770) 416-6759  
www.travispruitt.com

Contact Person: John Merder  
Certificate of Authorization Number 613

Cover Sheet

TERRACES AT PEACHTREE CORNERS

LAND LOT 284, 6th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA



For The Firm  
Travis Pruitt & Associates, Inc.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17  
FIELD DATE: 3/21/17  
SCALE: N/A  
LBY: COVER SHEET  
JUN: 1-15-0496  
EN: 1-61-D-164  
Sheet No. 1 of 6

AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO RZ2015-004 / V2015-009, JAY BIRD ALLEY TOWNHOMES, REQUEST TO REZONE FROM M-1, LIGHT INDUSTRY, TO R-TH, TOWNHOME, AND APPROVE ASSOCIATED VARIANCES ON A 15.76 ACRE SITE LOCATED ON JAY BIRD ALLEY AND PARKWAY LANE, DISTRICT 6, LAND LOT 284, PARCEL 54, PEACHTREE CORNERS, GEORGIA

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 Hearings were held by the Mayor and City Council of Peachtree Corners on October 20, 2015 and November 17, 2015;

NOW THEREFORE, The Mayor and City Council of the City of Peachtree Corners while in Regular Session on November 17, 2015 hereby ordain and approve the Zoning Case RZ2015-004 / V2015-009, for the above referenced property with the following enumerated conditions:

- 1. The site shall be limited to 100 attached single-family townhomes with a minimum of 2,400 square feet of heated floor area.
2. The townhome units shall be developed in general conformance with the site plan submitted with this application and prepared by Watts and Browning Engineers dated 8/24/15 (with revisions to meet these conditions and zoning and development regulations).
3. Development shall include no more than one (1) full-access driveway on Parkway Lane as shown on the submitted site plan.
4. Developer shall construct on-site stormwater detention facilities to meet the standards of the Gwinnett County Stormwater Ordinances.
5. All stormwater facilities shall be owned and maintained by the Homeowner's Association in accordance with the Gwinnett County Stormwater Ordinances.
6. The developer shall provide minimum five-foot-wide publicly accessible sidewalks along the entire right-of-way along Jay Bird Alley and Parkway Lane.
7. The developer shall provide a minimum five-foot-wide internal sidewalk network that provides access from all buildings on the property to the external sidewalk network along Parkway Lane and Jay Bird Alley, along with pedestrian access to the adjacent parcel to the southeast.
8. The developer shall provide a minimum 10-foot-wide multi-use trail for the entire length of the Colonial Pipeline easement that is located on the developer's property. This path shall include infrastructure for safe bicycle and pedestrian crossing of Parkway Lane, Jay Bird Alley, and the stream in the southern portion of the property.
9. The developer shall provide a central mail box for the subdivision with adequate parking and pedestrian access.
10. A minimum 18" offset shall be provided between the front building elevations and roof lines of adjoining units. No more than four units within a single building grouping shall have the same front setback or roof line.
11. Front elevation materials and colors shall be varied so that none of the units within a single building grouping repeat the same combination of materials and colors.
12. Building setbacks may be reduced to five feet from the back of the sidewalk, provided that direct pedestrian access is in place between the front of units along the perimeter of the site and Parkway Lane.
13. All townhome units located along Parkway Lane shall face (or be designed to appear to face) Parkway Lane. The backs of units shall not be visible from adjoining roadways.
14. Townhome units and clubhouse building shall utilize brick, stone and/or stucco on all building sides.
15. Except at the entryway to the subdivision, all fences shall be black wrought iron (or equivalent).
16. A tree survey showing the type and location of specimen trees shall be provided and every effort shall be made to preserve specimen trees.
17. Walking trails located within the undisturbed creek area (not including the cleared easement area) shall be soft paths. No heavy equipment shall be used within the undisturbed areas.
18. Construction entrance for the project shall be established on Parkway Lane.
19. If construction does not commence within 24 month, then the zoning reverts from R-TH to M-1.

Effective this 17th day of November, 2015.

So signed and Witnessed

Approved:

this 17th day of November 2015

Attest:

Kyberly Shereck, City Clerk

Mike Mason, Mayor



Lot Chart tables showing Lot #, Sq. Ft., and Acres for lots 1 through 60.

Lot Curve Table showing Curve #, Radius, Length, Chord Length, and Chord Direction for curves C1 through C40.

Lot Curve Table showing Curve #, Radius, Length, Chord Length, and Chord Direction for curves C41 through C79.

Common Area Chart showing Lot, Sq. Ft., and Acres for COMMON AREA A through H.

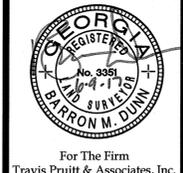
Line Table showing Line No., Direction, and Length for lines L1 through L4.

Centerline Road Line and Curve Table showing Number, Street, Start Sta., End Sta., Radius, Arc, Chord Direction, and Chord Length for curves CL108 through CL114.

25-YR Pipe Chart and 100-YR Pipe Chart showing detailed stormwater management data including InletID, Junction, Drainage Area, Runoff Coeff, Total Area, Inlet Time, Inlet, Inflow, Known Q, Flow Rate, Vel/Ave, Invert Dn, Invert Up, Line Size, Line Length, Line Slope, HGLDn, HGLUp, HGLJct, Gnd/RmE lev Dn, Gnd/RmE lev Up, n-value, Pipe Material, and 10-yr Gutter Spread.

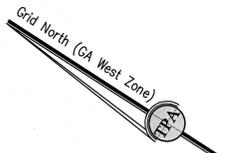
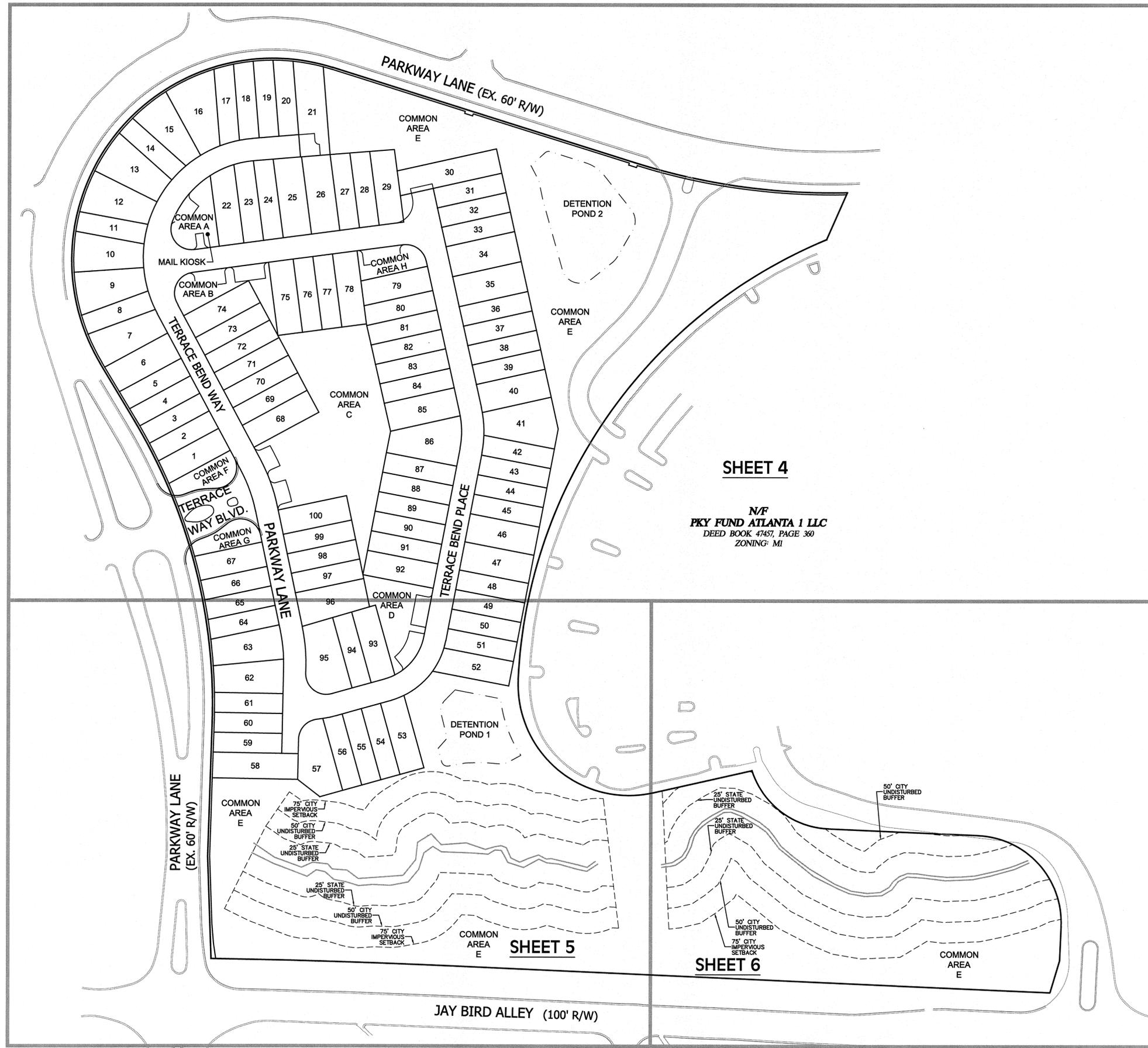
REVISIONS table with columns for NO., DATE, and DESCRIPTION. Includes contact information for Travis Pruitt & Associates, Inc.

TERRACES AT PEACHTREE CORNERS. LAND LOT 284, 4th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA. Notes section.



For The Firm Travis Pruitt & Associates, Inc. This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17
FIELD DATE: 3/2/17
SCALE: N/A
L.V.: NDB
J.N.: 1-15-0496
E.N.: 1-15-0496
Sheet No. 2 of 6



**SHEET 4**

N/F  
 PKY FUND ATLANTA 1 LLC  
 DEED BOOK 4747, PAGE 360  
 ZONING: M1

**SHEET 5**

**SHEET 6**

NO.	DATE	DESCRIPTION	BY
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**REVISIONS**

4317 Park Drive, Suite 400  
 Norcross, Georgia 30093  
 Phone: (770) 416-7511  
 Fax: (770) 416-6759  
 www.travispruit.com

Contact Person: John Merder  
 Certificate of Authorization Number 613

Overall

**TERRACES AT PEACHTREE CORNERS**

LAND LOT 284, 6th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA

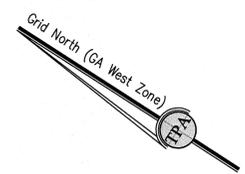
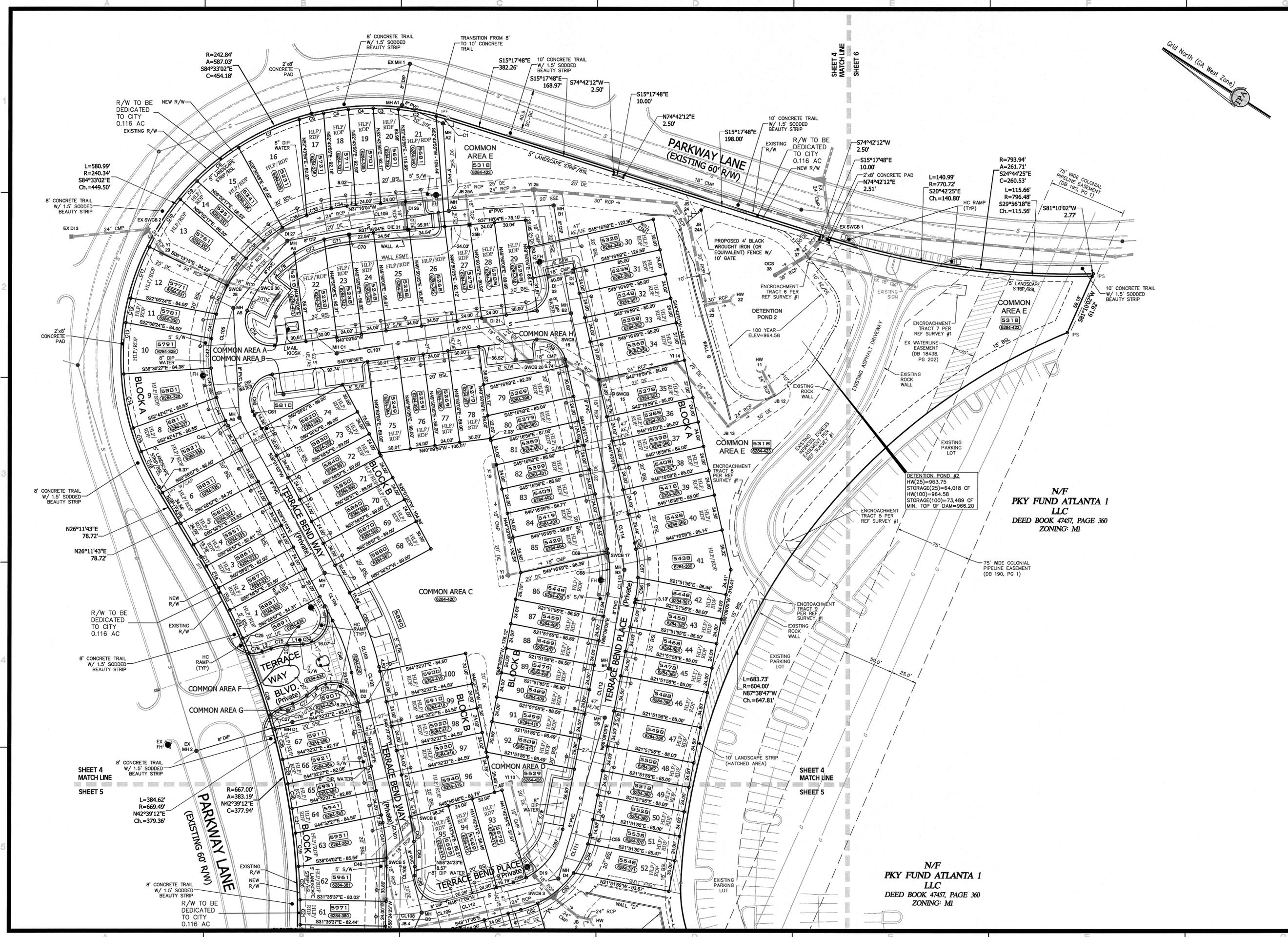
GRAPHIC SCALE: 30 0 60 120 180 240 IN FEET



For The Firm  
 Travis Pruitt & Associates, Inc.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17  
 FIELD DATE: 3/2/17  
 SCALE: 1"=60'  
 LSV: DVERALL  
 JN: 1-15-0496  
 EN: 1-61-D-164



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**REVISIONS**

4317 Park Drive, Suite 400  
 Norcross, Georgia 30093  
 Phone: (770) 416-7511  
 Fax: (770) 416-6759  
 www.travisprutt.com

**Travis Prutt & Associates, Inc.**  
 LANDSCAPE ARCHITECTS

Contact Person: John Merder  
 Certificate of Authorization Number: 613

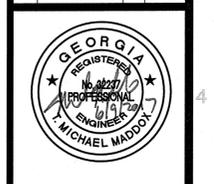
Final Subdivision Plat

**TERRACES AT PEACHTREE CORNERS**

LAND LOT 284, 6th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA

GRAPHIC SCALE - IN FEET

0 80 120 160



For The Firm  
 Travis Prutt & Associates, Inc.

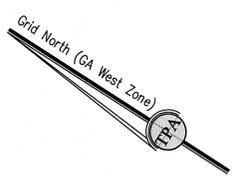
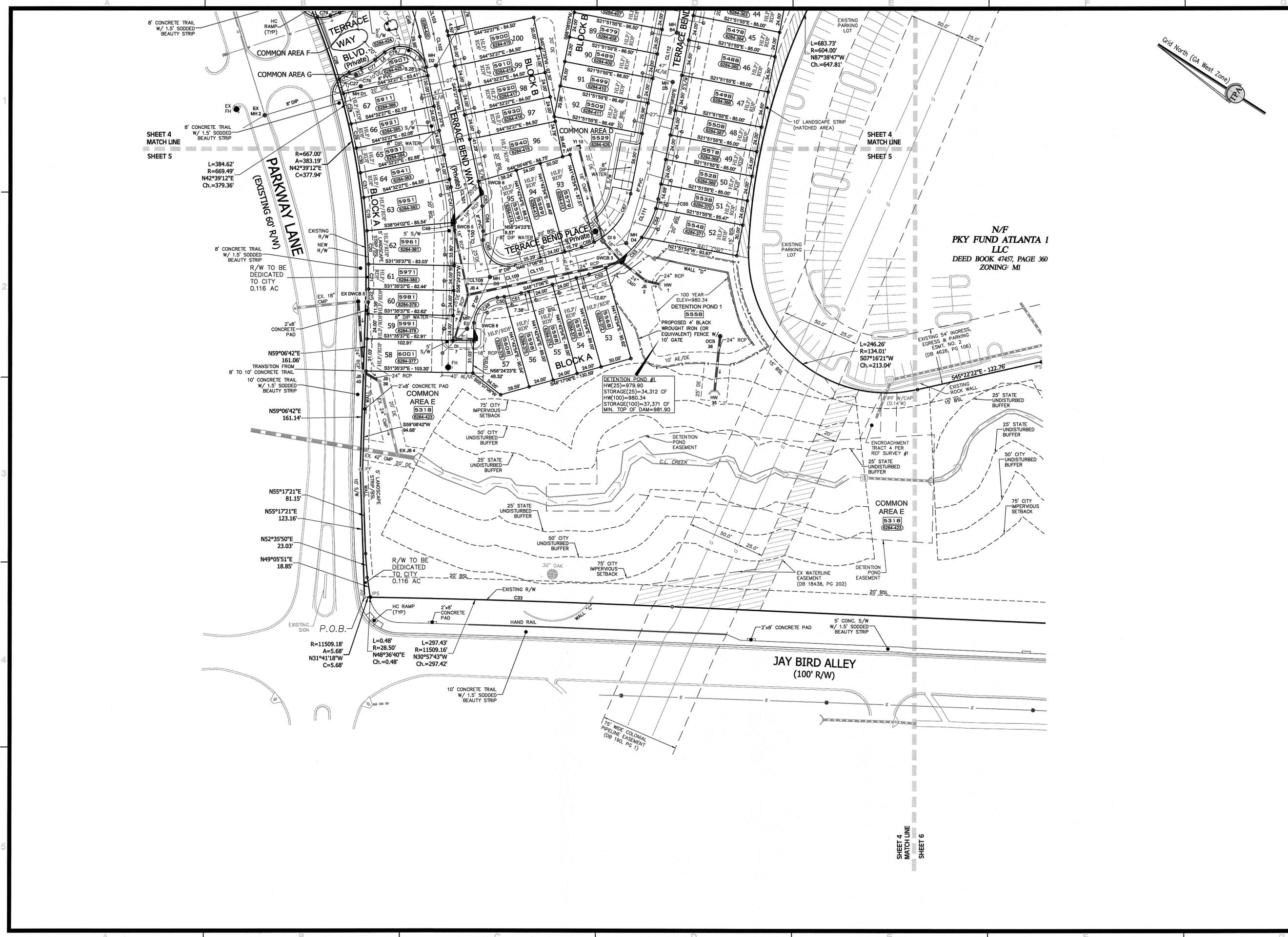
This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17  
 FIELD DATE: 3/2/17  
 SCALE: 1" = 40'  
 LSV: FINAL PLAT  
 JN: 1-15-0496  
 EN: 161-D-164

Sheet No. 4 of 6

N/F  
**PKY FUND ATLANTA 1 LLC**  
 DEED BOOK 4747, PAGE 300  
 ZONING: MI

N/F  
**PKY FUND ATLANTA 1 LLC**  
 DEED BOOK 4747, PAGE 300  
 ZONING: MI



SHEET 4  
MATCH LINE  
SHEET 5

SHEET 4  
MATCH LINE  
SHEET 5

N/E  
PKY FUND ATLANTA 1  
LLC  
DEED BOOK 4747, PAGE 360  
ZONING: MI

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4317 Park Drive, Suite 400  
Norcross, Georgia 30095  
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Travis Pruitt & Associates, Inc.  
SURVEYORS • ENGINEERS • LANDSCAPE ARCHITECTS

Contact Person: John Mender  
Certificate of Authorization Number 613

Final Subdivision Plat  
**TERRACES AT PEACHTREE CORNERS**  
LAND LOT 284, 4th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA

GRAPHIC SCALE: 80 IN FEET

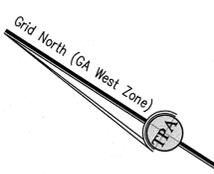
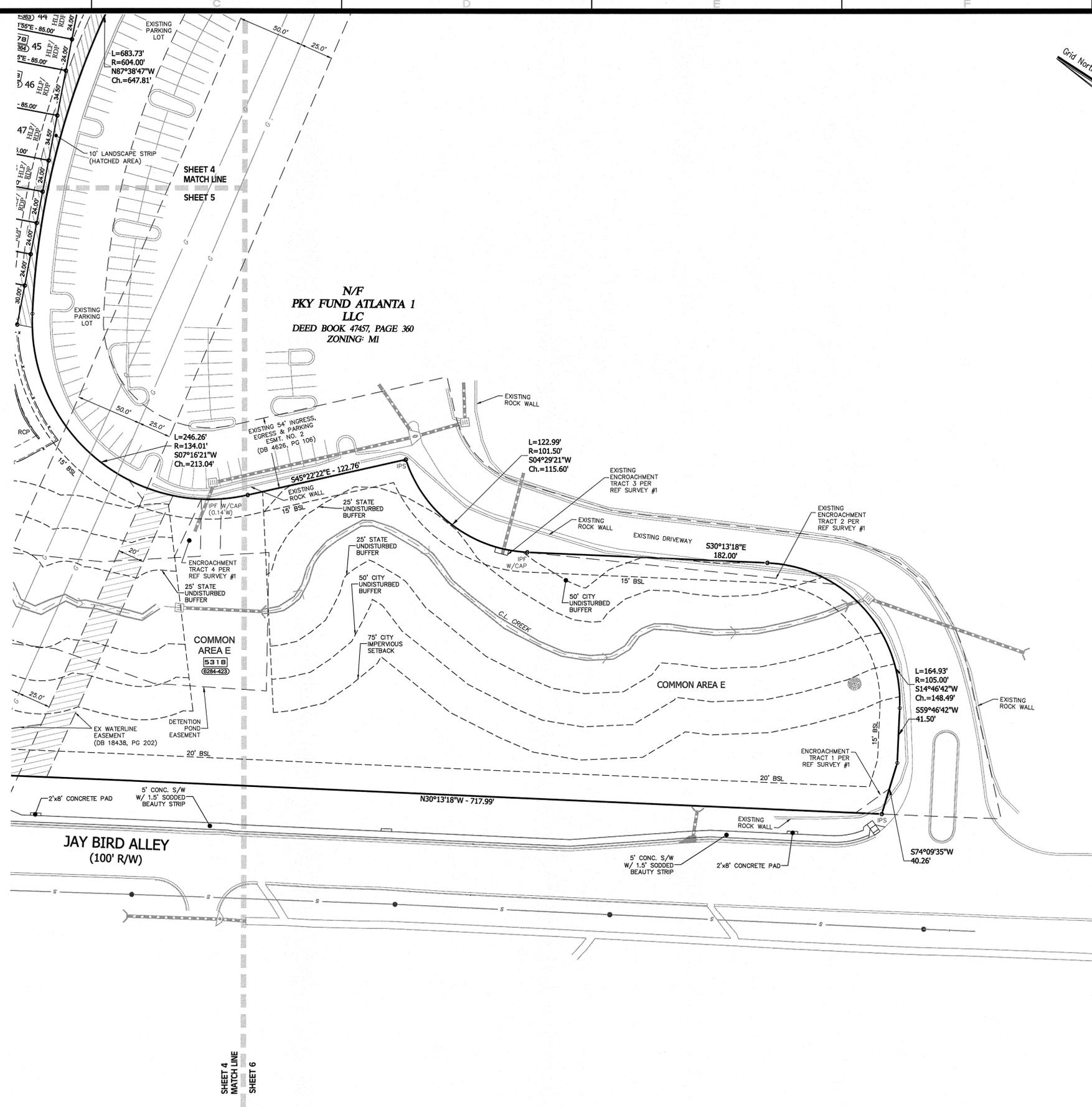


For The Firm  
Travis Pruitt & Associates, Inc.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17  
FIELD DATE: 3/2/17  
SCALE: 1"=40'  
LSV: FINAL PLAT  
JN: 1-15-0496  
FN: 1-61-D-1-64

Sheet No. 5 of 6



N/F  
PKY FUND ATLANTA 1  
LLC  
DEED BOOK 47457, PAGE 360  
ZONING: MI

SHEET 4  
MATCH LINE  
SHEET 5

SHEET 4  
MATCH LINE  
SHEET 6

NO.	DATE	DESCRIPTION	BY
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4317 Park Drive, Suite 400  
Norcross, Georgia 30093  
Phone: (770) 416-7511  
Fax: (770) 416-6759  
www.travispruitt.com

Contact Person: John Merder  
Certificate of Authorization Number 613

Final Subdivision Plat  
**TERRACES AT PEACHTREE CORNERS**  
LAND LOT 284, 6th DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA

GRAPHIC SCALE: 0 20 40 60 80 100 120 140 160 IN FEET



For The Firm  
Travis Pruitt & Associates, Inc.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

DATE: 3/6/17  
FIELD DATE: 3/2/17  
SCALE: 1" = 40'  
LSV: FINAL PLAT  
JN: 1-15-0496  
EN: 1-61-D-164

Sheet No. 6 of 6

**R2017-07-80**

**RESOLUTION TO CALL FOR AN ELECTION, ANNOUNCE QUALIFYING DATES  
AND FEES AND APPOINT ELECTION OFFICIALS.**

**WHEREAS**, the General Municipal Election for the City of Peachtree Corners is scheduled for November 7, 2017: and

**WHEREAS**, the purpose of the General Municipal Election is to elect three (3) members of City Council; and

**WHEREAS**, it is necessary for the City Council to establish the qualifying fees for this office and to make other provisions for the municipal election; and

**WHEREAS**, the City Council posts to be voted on are Post 2, Post 4 and Post 6; and

**WHEREAS**, the Georgia Municipal Election Code requires that the Mayor and Council appoint certain officials prior to the election - including a Superintendent, Chief Registrar and Absentee Ballot Clerk, Assistant Absentee Ballot Clerk and Poll Manager; and

**WHEREAS**, Peachtree Corners City Clerk Kymberly Chereck is hereby appointed to the position of Municipal Election Superintendent; the Gwinnett Board of Registration and Elections is hereby appointed as Chief Registrar; Deputy Clerk Rocio Monterossa is hereby appointed as Absentee Ballot Clerk, Furnika Durkin is appointed as Assistant Absentee Ballot Clerk, and Carole Hays is appointed as Poll Manager. Poll Workers will be appointed by the Superintendent and/or Poll Manager at a later date; and

**WHEREAS**, The Election Superintendent shall take such action as is necessary to properly call the General Municipal Election scheduled for November 7, 2017, including, but not limited to, properly publishing a public notice to notify the public of said election. The Election Superintendent shall take such other actions as necessary and appropriate to make certain that the election is conducted in accordance with, and in conformity with, the laws of the State of Georgia, the Peachtree Corners City Charter and Peachtree Corners Ordinances; and

**WHEREAS**, If any person whose name is not on the municipal registration list desires to vote at said election, he or she may register on or before 5:00 p.m. October 10, 2017. Registration forms are available in the office of the City Clerk; and

**WHEREAS**, Any person who is presently registered as a voter in said City but who now resides outside the City limits is not eligible to vote in said election. All duly qualified electors of the City of Peachtree Corners, Georgia, are urged to participate. Those qualified to vote at said election shall be determined in all respects in accordance and in conformity with the laws of the State of Georgia. Information on voter registration may be obtained through the Chief Registrar of Gwinnett County, Georgia; and

**WHEREAS**, Polls will open for this November 7, 2017, election at 7:00 a.m. and will close at 7:00 p.m., at the Peachtree Corners City Hall Elections Room, located at 147 Technology Park, Peachtree Corners, GA. Computation of votes cast in the November 7, 2017 election will be conducted at the time the polls close. If no candidate receives a majority of the votes cast for their position as specified in Section 5.13 of the City Charter, a run-off election shall be held between the candidates receiving the two highest numbers of votes. Such election shall be held not earlier than the twenty-first day after the day of the first election.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Peachtree Corners, Georgia, as follows:

1. The aforesaid recitals are not mere recitals, but are material portions of this Resolution and incorporated herein by this reference as though restated in their entirety.
2. That the City of Peachtree Corners will conduct a General Municipal Election on Tuesday, November 7, 2017 from 7:00 a.m. to 7:00 p.m. at the Peachtree Corners City Hall Elections Room located at 147 Technology Park, Peachtree Corners, Georgia, for the purpose of electing three (3) members of City Council.
3. The City Council posts to be voted on are Post 2, Post 4 and Post 6.
4. The qualifying fee for a candidate to the office of City Councilmember is \$240.00 (two hundred forty dollars), which is 3% of the total gross salary of the office paid in the preceding calendar year (Georgia Election Code 21-2-131).
5. The qualifying dates will be Monday, August 21, 2017 through Wednesday, August 23, 2017.
6. The hours of qualifying will be from 9:00am to 12:00 noon, and 1:00pm to 4:00pm and shall be conducted in the Office of the City Clerk (Georgia Election Code 21-2-132), 147 Technology Parkway, Suite 200, Peachtree Corners, Georgia 30092.
7. The within Resolution shall become effective upon its adoption.

**IT IS SO RESOLVED AND EFFECTIVE THIS 18<sup>th</sup> day of July 2017.**

\_\_\_\_\_  
Mike Mason, Mayor

\_\_\_\_\_  
Kym Chereck, City Clerk

SEAL