



PLANNING COMMISSION AGENDA

**August 8, 2017
7:00 PM
CITY HALL**

- A. Roll Call**
- B. Approval of July 11, 2017 Minutes**
- C. Old Business:**
- D. New Business:**
 - 1. CIC2017-003. Passion Fur Pups. Request to remove a condition of Gwinnett County rezoning case RZ1996-134 that prohibited pet shops and grooming establishments at the Jones Bridge Square shopping center at 5075 Peachtree Pkwy., Dist. 6, Land Lot 318, Peachtree Corners, GA**
- E. City Business Items:**
 - 1. Discussion of zoning code amendments**
- F. Comments by Staff and Planning Commissioners.**
- G. Adjournment.**



CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
June 13, 2017
7:00 PM

The City of Peachtree Corners held a Planning Commission meeting on Tuesday, April 12, 2017. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

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

Staff: Diana Wheeler, Community Development Director
Rocio Monterrosa, Deputy City Clerk
Jeff Conkle, Planning and Zoning Administrator

MINUTES:

**MOTION TO APPROVE THE MINUTES FROM THE APRIL 11, 2017
PLANNING COMMISSION MEETING.**

By: Mark Willis

Seconded by: Italia Metts

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

OLD BUSINESS:

1. **RZ2017-001 / V2017-001 Atlanta Paving.** Request to rezone four parcels consisting of .65 acres from R-75 to M-1 along with associated variances to accommodate renovation and new construction at an existing business located at 6120 Second St. and 4500 Peachtree St, Dist. 6, Land Lot 251, Peachtree Corners, GA.

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

DRAFT COPY

1. Parcels #2,3,5 and 6 (as shown on the Atlanta Paving Projects Overall Proposed Zoning Exhibit dated 2/2/2017) shall be rezoned M-1, light industry, and shall be developed in general conformity with the submitted site plan dated January 31, 2017.
2. Architectural elevations shall be substantially similar to the drawings submitted on January 31, 2017.
3. Access to the subject properties shall only be from Jones Mill Rd. and Peachtree Street. No commercial vehicles shall access the properties from Second St., Third St., Florida Ave., Georgia Ave., or Virginia Ave.
4. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.
5. The following Gwinnett County zoning conditions (from RZC 2008-00035 dated 1/22/2008) shall be required:
 - a. Provide a 20-foot wide landscape strip along the frontage of Peachtree Street, Georgia Avenue and Second Street. Landscape strip to be planted with a double staggered row of American Holly, Foster's Holly, Nellie R. Stephens Hollies, and Eastern Red Cedar a minimum of 6-feet in height and planted 10-feet on center.
 - b. Provide a 30-foot replanted buffer adjacent to all residentially zoned property.
 - c. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar materials shall be displayed, hung or strung on the site. Yard and / or bandit signs shall be prohibited.
 - d. Ground signs shall be limited to a single externally illuminated monument type sign with a maximum height of 5 ft.
 - e. Billboards shall be prohibited on the property.
 - f. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - g. lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into nearby residentially zoned properties.
 - h. No outdoor loudspeakers shall be allowed.
 - i. Hours of operation shall be limited from 7AM to 7PM.

- j. Obtain all necessary development and building permits, and bring the site up to all applicable standards.
- k. Outdoor storage shall be prohibited.
- l. Equipment, work vehicles, and materials must be parked and/ or stored within a fenced storage yard.

Alan Kaplan asked if applicant was in compliance with the 2008 rezoned set of conditions from Gwinnett County. Mrs. Wheeler stated that to her knowledge, the applicant was not in compliance.

The applicant was represented by Mr. Matt Reeves of Andersen, Tate & Carr, P.C. Mr. Reeves gave a brief presentation and responded to the recommended conditions. The purpose of adding a new office building on one parcel is to enhance the attractiveness of the area that is visible from the rail road tracks on Buford Hwy. and by planting an initial 6-foot row of landscape will hinder the visibility of the architectural upgrade design. Mr. Reeves stated that his client, Atlanta Paving, has heard the residents concern and will honor the working hours 7AM – 7PM and up keep of landscaping.

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

A motion was made after discussion on how the improvements will be positive for the area, but issue of not being a good neighbor is concerning. Commissioners urged applicant to keep maintenance of the outside of the building while building positive relationships with surrounding neighbors.

MOTION TO APROVE RZ2017-001 / V2017-001 ATLANTA PAVING WITH STAFF RECOMMENDATIONS EXCEPT FOR SECTION 5a: LANDSCAPING PLAN AS TO BE APPROVED BY THE DIRECTOR AND INCLUDE CONDITION M: NO VEHICLE WASHING OR DETAIL SHOULD TAKE PLACE ON PARCELS 1-6

By: Mark Middleton

Seconded: Mark Willis

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

- 2. **RZ2017-002 / V2017-003 Atlanta Paving.** Request to rezone a 3.5 acre parcel from R-75 to M-2 along with associated variances to accommodate an equipment storage and parking lot located near the 6100 and 4500 blocks of Florida Ave., Dist. 6, Land Lot 251, Peachtree Corners, GA

**MOTION TO DENIED THE APPLICATION RZ2017-002 / V2017-003
ATLANTA PAVING WITHOUT PREJUDICE**

By: Matt Houser

Seconded: Mark Middleton

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

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

Diana Wheeler, Community Development Director, gave a brief update of the application and provided three options for the board to approve the parking deck design that faces the trail. The preferred choice would be added to the rear and theater side elevations of the parking deck.

**MOTION TO APPROVE BUILDING ELEVATIONS FOR RETAIL AND
RESTAURANT BUILDINGS LOCATED AT THE TOWN CENTER WITH
THE SCREENING OPTION 2 AS PRESENTED BY STAFF.**

By: Alan Kaplan

Seconded: Mark Willis

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

NEW BUSINESS:

1. **CIC2017-001. North Atlanta Volleyball Club.** Request to remove a condition of Gwinnett County rezoning case RZ63-81 that limited the property to office/warehouse uses only to accommodate construction of a new indoor recreation facility located at 3130 Northwoods Pl., Dist. 6, Land Lot 271, Peachtree Corners, GA

Applicant withdrew application

2. **CIC2017-002. Ingles Gas Station.** Request to remove a condition of Gwinnett County rezoning case RZ1996-134 that prohibited convenience stores with gas pumps and to remove a condition that prohibited more than 5 outparcels to accommodate construction of a new gas station located at the Ingles shopping center at 5075 Peachtree Pkwy., Dist. 6, Land Lot 318, Peachtree Corners, GA

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

1. The development shall be built in general conformity to the submitted site plan dated February 8, 2017.

DRAFT COPY

2. The development shall abide by all requirements of Section 1315 of the zoning ordinance (Activity Center/Corridor Overlay District). In addition:
 - a. The gas canopy support columns shall be faced in their entirety with brick and/or stone.
 - b. The gas canopy roof shall be pitched with standing-seam metal roof in a color approvable in the Overlay District
 - c. The cashier/convenience kiosk shall be faced on all four sides with materials compliant with the Overlay District
3. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.
4. Outdoor lighting shall be contained in cutoff-type luminaires, shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic, and shall only be as bright as needed for safety on the site.
5. In accordance with Chapter 54 of the City Code, signage shall be limited to the following:
 - a. Two signs per canopy face with a maximum of eight square feet per sign.
 - b. Spreader bars (signs located under canopy over pumps islands) shall be limited to no more than two signs per spreader bar, not to exceed four square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.
6. The following amended zoning conditions form RZ1996-134:

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 recycling facilities; yard trimmings composting 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.

DRAFT COPY

The applicant was represented by Mr. Preston Kendall. Mr. Kendall gave a brief presentation stating that they had a neighborhood meeting and received feedback. Mr. Kendall also stated that the main reason that they would like to put a gas station is for the convenience of their customers and will be able to meet the staff's recommendations.

Chairman Houser opened the floor for public comment. There were six people who spoke in opposition to the application stating increase in traffic, lighting, noise, walkability and environmental concerns were reasons for opposing the gas station.

MOTION TO DENY THE REMOVAL OF A CONDITION OF GWINNETT COUNTY REZONING CASE RZ1996-134 THAT PROHIBITED CONVENIENCE STORES WITH GAS PUMPS AND TO REMOVE A CONDITION THAT PROHIBITED MORE THAN 5 OUTPARCELS TO ACCOMMODATE CONSTRUCTION OF A NEW GAS STATION LOCATED AT THE INGLES SHOPPING CENTER AT 5075 PEACHTREE PKWY., DIST. 6, LAND LOT 318, PEACHTREE CORNERS, GA

By: Mark Willis

Seconded: Italia Metts

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

CITY BUSINESS ITEMS: There were no city business items.

COMMENTS BY STAFF AND PLANNING COMMISSION:

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

The Planning Commission meeting concluded at 9:12 PM.

Approved,

Attest:

Matt Houser, Chairman

Rocio Monterrosa, Deputy City Clerk

CIC2017-003
Passion Fur Pups

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

CHANGE IN CONDITIONS ANALYSIS

PLANNING COMMISSION DATE: AUGUST 8, 2017
CITY COUNCIL DATE: SEPTEMBER 19, 2017

CASE NAME: **PASSION FUR PUPS**

CASE NUMBER: **CIC2017-003**

CURRENT ZONING: C-2

LOCATION: 5075 PEACHTREE PARKWAY

MAP NUMBERS: 6th DISTRICT, LAND LOT 318

ACREAGE: 16.45 ACRES: ENTIRE SHOPPING CENTER
8.63 ACRES: THIS PARCEL

PROPOSED DEVELOPMENT: CHANGE IN CONDITIONS TO ALLOW PET GROOMING AT AN
EXISTING SHOPPING CENTER BY REMOVING A CONDITION
PROHIBITING PET SHOPS AND GROOMING ESTABLISHMENTS

FUTURE DEVELOPMENT MAP: PREFERRED OFFICE

APPLICANT: SYLVIA WHITE
2451 INVERLOCH CIR
DULUTH, GA 30096

CONTACT: BUDDY SMALL
404-202-0012

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

RECOMMENDATION: APPROVE WITH CONDITIONS

SUMMARY:

The applicant is seeking to change the conditions of a past rezoning case at a shopping center property totaling 16.45 acres. The properties consist of a main shopping center parcel containing an Ingles grocery store as well as numerous smaller retail shops and restaurants 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 a condition of past rezoning case RZ1996-134. This condition states that pet shops and grooming establishments are prohibited uses.

The pet grooming establishment occupies a 1700-square-foot space known as Suite 106. The groomer plans to operate Tuesday through Saturday. The hours of operation are 8:30 a.m. to 4:00 p.m. weekdays and 10:00 a.m. to 4:00 p.m. Saturdays.

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, one of which the applicant is seeking to change. The condition reads 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.

DEPARTMENT ANALYSIS:

The proposal for pet grooming is consistent with standard C-2 zoning and would be located in a shopping center that is already home to numerous neighborhood-serving commercial establishments, including a grocery store, numerous restaurants, a pharmacy, a tutoring center, a dentist office, a music shop, and a dry cleaner amongst others.

Additionally, the location of the grooming establishment is approximately 250 feet from the nearest residential rear property line across Jones Bridge Road (these homes are on Wild Ginger Cove). It is also approximately 325 feet from the nearest residential property line on Avala Park Lane (behind the Ingles grocery store). The residential neighborhood on Coventry Park Lane across Peachtree Parkway from the grooming establishment is 650 feet away at its nearest point. This neighborhood is located behind an existing stand of tall evergreen trees.

Staff confirmed that the applicant's business is licensed by the state Department of Agriculture. The Health Department does not regulate grooming shops nor require any distance between grooming shops and other uses such as the nearby restaurants and grocery store.

The applicant started the pet grooming business without a city business license. The application for a license had been submitted, but had not been received when the shop opened to customers. The applicant is now attempting to correct an outstanding code violation by pursuing this public hearing application. However, in the intervening month since the pet grooming business has been operational, there have been no neighbor complaints about any aspects of the business and staff has had an opportunity to assess the daily activities.

Staff observed the site on five separate occasions once a day from Monday, July 17 through Friday, July 21, 2017 at various times of the business day. Staff observed both the front and rear of the tenant space and the surrounding parking areas, sidewalks, and landscaping. Each of the five visits resulted in the same observations:

- No noise from dogs, other animals, equipment, or any other source could be heard in the service area behind the building nor in the public area in front of the shop.
- No smells from any dog waste or grooming by-products were noticeable behind the shop nor in the front.
- No refuse, inventory, or any other objects were stored in the area behind the building nor in the front.
- No dog waste was observed in the landscaped islands in the parking lot.

Staff also toured the shop during business hours and found it to be clean and free of odors, waste, debris, or other undesirable conditions. During the visit, two dogs were in the process of being groomed and no excessive noise was heard.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that CIC2017-003 be approved subject to the following conditions:

1. **Gwinnett County case RZ1996-134 condition 'A' shall be amended to remove "pet shops or grooming establishments" as a prohibited use.**
2. **The applicant shall ensure that the parking lot, sidewalks, and landscaped areas within 100 feet of the business in all directions shall be maintained free of dog waste.**
3. **No overnight stays or kennel-type business is permitted.**
4. **Signage shall be in conformance with Chapter 54 of the City Code and the Activity Center/Corridor Overlay District standards.**



PUBLIC HEARING APPLICATION

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

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

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

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: <u>Sylvia White</u>	NAME: <u>ICM VI Jones Bridge Square LP</u>
ADDRESS: <u>2451 Interloch Cir</u>	ADDRESS: <u>445 Bishop Street, Ste 100</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30096</u>	STATE: <u>GA</u> ZIP: <u>30318</u>
PHONE: <u>4708482344</u>	PHONE: <u>678-642-3986</u>
E-MAIL: <u>info@passionfulps.com</u>	E-MAIL: <u>spattou@icmgroup.net</u>
APPLICANT CONTACT, IF DIFFERENT THAN ABOVE	
CONTACT PERSON: <u>Buddy Small</u>	PHONE: <u>404.202.0012</u>
CONTACT'S E-MAIL: <u>bsmall@pointerce.com</u>	

APPLICANT IS THE:

PROPERTY OWNER ^{TENANT} CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): C-2 REQUESTED ZONING DISTRICT: C-2 (CHANGE CONDITION)

LAND DISTRICT(S): 6 LAND LOT(S): 318 ACREAGE: _____

ADDRESS OF PROPERTY: 5075 Peachtree Parkway, Suite 106, Norcross, GA 30092

PROPOSED DEVELOPMENT: _____

Staff Use Only This Section

Case Number: CIC 2017-003 Hearing Date: PIC 8/8 CIC 9/19 Received Date: 21 JUN 2017

Fees Paid: _____ By: JC

Related Cases & Applicable Conditions:

Description:

RESIDENTIAL DEVELOPMENT

NON-RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

No. of Buildings/Lots: _____

Dwelling Unit Size (Sq. Ft.): _____

Total Bldg. Sq. Ft.: _____

Gross Density: _____

FEE SCHEDULE

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

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

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

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

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

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

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

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

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

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

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

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

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

June 20, 2017

City of Peachtree Corners
Zoning Department
147 Technology Pkwy NW #200, Peachtree Corners, GA 30092

Letter of Intent: To Whom It May Concern:

Sylvia White and Alyssa Peterson are submitting this Letter of Intent on behalf of Passion Fur Pups, LLC.

5075 Peachtree Parkway (Suite 106) is a 1,700 square foot space and is located in the Jones Bridge Square Plaza. The Suite is currently used for the purpose of grooming and washing dogs. Our intent is to occupy this space as a tenant to serve the public and their pets grooming needs.

The salon will have up to 4 operating groomers with 2 bathers. They will operate Tuesday through Friday from 8:30 a.m. to 4:00 p.m. Saturday 10:00 am to 4:00 pm. As part of the animal community this business is fully invested in canine volunteerism and commerce. We offer a service no other grooming salon in our area can provide; accessibility and convenience for our canine owners of this community. We believe this area needs a high quality, safe, healthy environment for pets and their people.

Sylvia White has been selected as the co-owner per her affiliation with up to date animal medicine and expertise in canine health as a Oncology Technician for small animals and years of training in zoonotic disease. Alyssa Peterson also selected for co-ownership per her 7 years of professional grooming experience and background in canine health.

Since the commencement of Passion Fur Pups, LLC the company has received enumerable positive feedback and support from all previous client, walk in, and local animal affiliated businesses. Passion Fur Pups , LLC would like to continue providing this much needed and desired public service.If you have any questions about our services or business model you can contact Sylvia White or Alyssa Peterson at (770) 685-1234 or (470) 848-2344/ (678) 927-8775.

Sincerely,

Sylvia White/ Alyssa Peterson

**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)

Sylvia White
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.

Sylvia White 6/20/17 Sylvia White Owner
Signature of Applicant Date Type or Print Name and Title

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

Signature of Notary Date Notary Seal

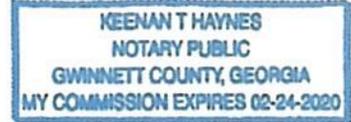
APPLICANT'S CERTIFICATION

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.

Sylvia White 6/20/17
Signature of Applicant Date

Sylvia White CO-owner - Passin Fur Pops, LLC
Type or Print Name and Title

[Signature] 6/20/17
Signature of Notary Public Date



Notary Seal

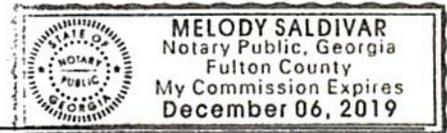
PROPERTY OWNER'S CERTIFICATION

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.

[Signature] 6-21-2017
Signature of Property Owner Date

Spencer Patton Vice President
Type or Print Name and Title

[Signature] 6/21/17
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*
- B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property? *no*
- C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned? *yes*
- D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? *no*
- E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan? *yes*
- F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions? *no*

JONES BRIDGE SQUARE

5075 Peachtree Pkwy • Peachtree Corners, GA • 30092



SUITE	TENANT	SQUARE FEET
1	Ingles	62,603
2	MUSIC DO RE MI	1,750
3	Passion Fur Pups	1,750
4	Columbia Dental Group	3,355
5	Tequerie Del Mar	2,855
6	Kumon Math & Reading Center	1,400
7	AVAILABLE	1,400
8	Pro Nails	1,150
9	Riverside Pizza	2,000
10	Hi-Tech Cleaner	1,200
11	Subway	1,200
12	Dunkin Donuts	1,800
TOTAL		83,363





Public Hearing Application Certification

Complete application received on: 21 JUN 2017

Fee received \$ 850.00

SUP # _____

CIC# 2017-003

RZ# _____

V# _____

PH# _____

Property Address 5075 PEACHTREE PKWY #106

Application Request CHANGE IN CONDITIONS TO ALLOW PET GROOMING

Sign Pick up date JULY 17-21, 2017 ANY DAY

Sign Posting* date BY JULY 21, 2017

Planning Commission**
Hearing Date (attendance required) AUGUST 8, 2017

City Council** Hearing Date
(1st Reading - attendance not required) AUGUST 15, 2017

City Council**+ Hearing Date
(2nd Reading - attendance required) SEPTEMBER 19, 2017

Zoning Board of Appeals** Hearing Date _____

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

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



RECEIPT NUMBER

00004064

CITY OF PEACHTREE CORNER

147 TECHNOLOGY PARKWAY SUITE 200
Peachtree Corners, GA 30092
Ph: (678) 691-1200 Fax: (678) 691-1201

Paid By

PASSION FUR PUPS
5075 PEACHTREE PKWY STE 106
PEACHTREE CORNERS, GA 30092

DATE PAID
06/21/2017

Type	Record	Category	Description	Amount
PZE Process	CIC2017-003	Standard Item	Non-Resi Zoning Districts Up	\$ 850.00

Property Address: 5075 PEACHTREE PKWY STE 106

Total \$ 850.00

Cash

Check

Credit \$ 850.00

Transferred

Tendered \$ 850.00

Change \$ 0.00

To Overpayment \$ 0.00

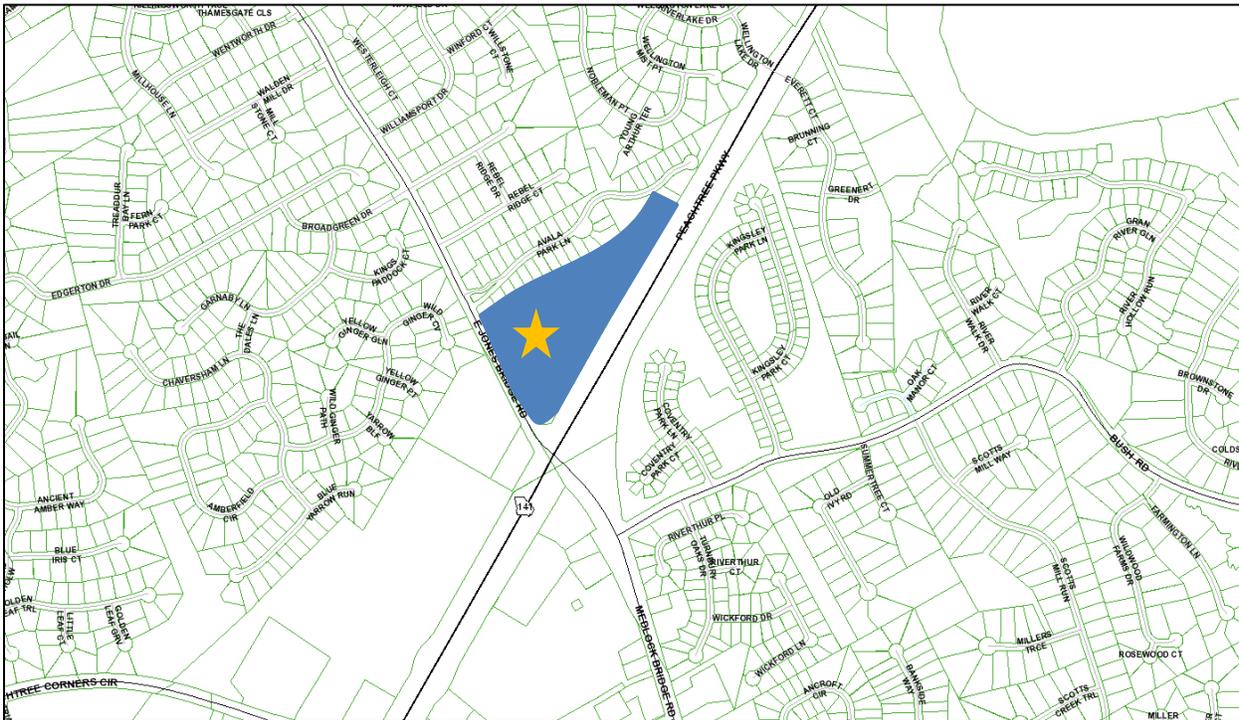
Date Printed
06/22/2017



Passion Fur Pups

PROPERTY LOCATION MAP

Passion Fur Pups



CASE NUMBER:

CIC2017-003

HEARING DATES:

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

AUG. 8, 2017

AUG. 15, 2017

SEP. 19, 2017

PROPERTY ADDRESS:

5075 Peachtree Pkwy.

5075 NE PEACHTREE PKY

CASE NUMBER RZ-96-134

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>NAY</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. MUISE, which carried 4-1, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) by MCDONALD'S CORPORATION for the proposed use of DEVELOPMENT OF DRIVE-THRU RESTAURANT on a tract of land described by the attached legal description, which

CASE NUMBER RZ-96-134

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 22, 1997, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 22ND day of APRIL, 1997, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property 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.
2. To satisfy the following site development considerations:
- A. Provide a ten-foot wide landscaped strip outside the new dedicated right-of-way of Peachtree Parkway and adjacent to the shopping center entrance drive.
 - B. Provide a five-foot wide landscaped strip adjacent to internal property lines of any outparcel development.
 - C. Provide internal access to any outparcel development. No direct access to Peachtree Parkway other than the shopping center entrance.
 - D. No billboards are permitted.
 - E. Dumpsters shall be screened by a fence or wall.
 - F. Buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco; or submit alternate architectural plans for approval of the Planning Commission prior to issuance of a building permit.

- G. Provide landscaped islands throughout the parking area, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-foot wide landscaped island for each 225-feet of continuous bay length, or alternate plan as may be approved by the Director of Planning and Development.
- H. Provide sidewalks adjacent to Peachtree Parkway.
- I. Maintain existing berm along westerly boundary and on or before December 31, 1997, landscaping shall be installed according to the Buffer/Landscape Plan and Buffer Sections dated January 28, 1997, prepared by Hughes, Good, O'Leary & Ryan, with the following modifications: Replant the existing double row of trees to a single-row with the addition of forty-seven (47) matching trees.
- J. For the northern most outparcel on Peachtree Parkway:
- (1) The landscape buffer on the northern boundary shall be undisturbed, except for approved utility crossings and shall be increased from 40-feet to a minimum of 50-feet; and,
 - (2) The landscape buffer on the western boundary shall be 40-feet, and if disturbed, replanted and enhanced with the addition of a planting of Leyland Cypress, planted in a double row on six-foot staggered centers at a minimum height of six feet.
- K. Only outparcel B, containing 1.20 acres, more or less, per site plan for Jones Bridge Square by Travis Pruitt & Associates, P.C., may be developed as a drive-thru, fast-foot restaurant, provided the following conditions are met:
- (1) Site to be developed as a McDonald's restaurant according to the architectural finish, elevations and signage, substantially identical to that McDonald's restaurant located in the John's Creek development on Georgia Highway 141 in Forsyth County, Georgia;

- (2) There shall be no mechanical noise makers of any kind regarding the operation of the drive-thru component, including, but not limited to, bells, alarms, buzzers, outside speakers, microphones, and the like;
 - (3) The drive-thru window will be located and oriented on the southern side of the building;
 - (4) All drive-thru windows shall be served by individual restaurant employees, providing order placement and deliver by way of face-to-face service;
 - (5) Access shall be provided by a way of a reciprocal inter-parcel access agreement which shall be served by the access points to Georgia Highway 141 (Peachtree Parkway), as shown on the above-referenced site plan;
 - (6) If construction for the McDonald's restaurant is not commenced within twelve (12) months from the date of the final approval of this rezoning request, then this approval shall expire;
 - (7) There shall be no outside playground area;
 - (8) An electrostatic precipitator air pollution control system for restaurants shall be installed to accomplish an elimination of a minimum of 95% of all cooking and food preparation aroma to the exterior environment;
 - (9) Hours of operation shall be limited to the hours of six (6) a.m. to twelve (12) midnight.
- L. The main shopping center may contain no more than one additional drive-thru/pick-up window for a food service establishment. Such establishment shall be confined to a bagel/coffee shop or bakery and shall also be subject to conditions 2.K.(2) and 2.K.(4) stated above.

CASE NUMBER RZ-96-134

- M. All roof top equipment shall be screened from view on all sides of all buildings.
 - N. All ground signs shall be monument type signs.
 - O. Natural vegetation shall remain on the property until the issuance of a development permit. Any clearing prior to the issuance of a development permit shall be limited to small trees (less than two inches in caliper dbh) and underbrush.
3. To abide by the following requirements, dedications and improvements:
- A. The development shall be limited to a total of two driveways adjacent to East Jones Bridge Road.
 - B. The driveways to East Jones Bridge Road shall be no closer than 300 feet to the extended right-of-way line of Peachtree Parkway.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: *F. Wayne Hill*
F. Wayne Hill, Chairman

Date Signed: 5-2-97

ATTEST:

Brenda Maddox
Deputy Clerk

ALSTON & BIRD

One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424

404-881-7000
Fax: 404-881-7777

T. Michael Tennant

Direct Dial: 404-881-7838

Internet: mtennant@alston.com

February 20, 1997

VIA HAND DELIVERY

Michael Williams, Director
Gwinnett Planning and Development Department
Gwinnett County Justice and Administration Center
75 Langley Drive
Lawrenceville, Georgia 30245

FEB 27 1997

Re: Our Client: James H. Cowart
Application No.: RZ-96-134
Applicant: McDonald's Corporation
Owner: Daniel B. Cowart
Subject Property: 15.217 Acres, Land Lot 318, 6th District, Gwinnett County, Georgia
Requested Zoning: C-2 to C-2 with Modification of Conditions

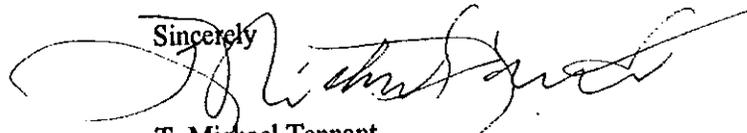
Dear Mr. Williams:

Enclosed herewith please find a copy of a correspondence to the Gwinnett County Board of Commissioners along with exhibits. Please enter this correspondence and exhibits into the permanent records as evidence in regard to the above-referenced matter.

If you have any questions in regard to this matter, please do not hesitate to contact me.

With every good wish, I am,

Sincerely



T. Michael Tennant
Attorneys for James H. "Jim" Cowart

TMT:ccl
Enclosures

cc: Chairman Wayne Hill
Commissioner Tommy Hughes
Commissioner Kevin Kenerly
Commissioner Patricia Muise
Commissioner Judy Waters
James H. Cowart
George Berkow

601 Pennsylvania Avenue, N.W.
North Building, Suite 250
Washington, D.C. 20004-2601

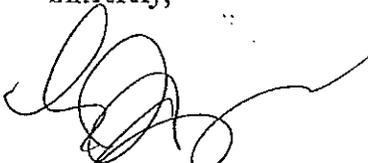
December 27, 1996

Wayne Hill
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, Georgia 30235-6900

Dear Commissioner Hill,

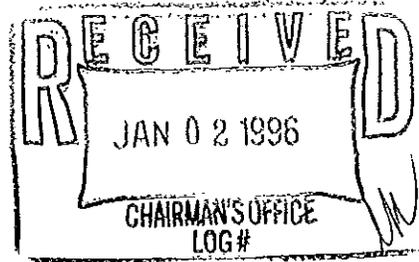
I urge you to deny the change to RZ-96-134 that would allow drive-through restaurants. I do not want this precedent set in our area. Considerable county directed negotiation has previously been established and agreed upon by all parties, including the developer now requesting the change. Please uphold your original determination on this case and protect the validity of this and all future attempts to find fair solutions to all parties who negotiate in good faith.

Sincerely,



Ellen D. Stringer

Frank & Ellen D. Stringer
5300 Edgerton Dr.
Norcross, Ga. 30092



P.D.: Planning / Reg.

Discussion Item
Zoning Code Amendments



Memo

TO: Planning Commission

FROM: Diana Wheeler, Community Development Director

DATE: August 8, 2017

SUBJECT: Code Amendments

Staff has identified a number of key issues in the Zoning Ordinance which continue to be problematic and need to be addressed through appropriate code amendments. The following list of issues contains those which are the most important:

1. Additional standards for residential accessory structures

Zoning Code Art. VI, Section 600 stipulates the requirements for residential accessory structures as follows:

Section 600. - Accessory Uses or Structures.

Accessory structures shall be permitted only in rear yards, except as otherwise provided in this Resolution. In an R (residence) district, accessory uses customarily located within front or side yards of residences may include but shall not be limited to the following: walls and fences as permitted in Section 700, mailboxes, driveways, walkways, lamp posts, landscaping, vegetable gardens provided they do not exceed 30 percent of the front yard, signs meeting the standards of the City Sign Ordinance and basketball goals adjacent to driveways. No accessory uses or structures, except driveways, mailboxes or landscaping shall be located within a public right-of-way.

Accessory uses customarily located within rear yards of residences may include but shall not be limited to the following: storage buildings, patios, swimming pools, dog runs, dog pens and houses, detached garages, tennis courts, playground equipment, fences and walls as permitted in Section 700. Any accessory use or structure, except walls, fences, driveways and landscaping, shall be set back not less than five (5) feet from any lot line, except as otherwise provided within the R-TH and R-ZT zoning districts, and except for permitted encroachments as authorized in Section 705.

- Concern is that there is currently no maximum size for residential accessory structures which could lead to a detached accessory structure dwarfing the size of the primary structure. A rear yard shed, for example, is currently not prohibited from being larger than the main house on a residential property.

- Research indicates that Gwinnett County limits the size of accessory structures to 50% of the main structure; Duluth limits the size to 20%; Johns Creek limits the size to 33%; and Norcross limits the size to 50%.
- Staff proposes to limit the size of accessory structures to no more than 20% of the size of the primary structure on a residential lot.

2. Administrative variances for residential fence height

- Residential properties are currently limited to the following fence heights: 4' in the front yard and 8' in the side and rear yards.
- Occasionally, circumstances arise when a property's front yard is directly adjacent to and surrounded by other properties' side and rear yards. In this scenario, the first property's front yard is limited to a 4' high fence which could adjoin fences of up to 8' in height, leading to an inconsistent streetscape along the public right-of-way.
- Staff proposes that an administrative variance option be added to Zoning Code Section 1610, Administrative Variances, to allow Staff the opportunity to facilitate fence height consistency when such requests are made. Currently, no administrative variances for fence heights are allowed.

3. Additional permissions for car rental facilities

- Currently car rental facilities are permitted only in the C-3, M-1, and M-2 districts.
- New and used car sales are a special use in the C-2 district.
- Gwinnett County permits this use in the C-2 district; Duluth permits this in the Highway Commercial district (similar to Peachtree Corners' C-3 district); Johns Creek permits this in C-2; and Norcross does not permit this use.
- There are several long-standing car rental businesses in Peachtree Corners located in C-2 districts. These businesses were authorized by Gwinnett County prior to the city's incorporation.
- Staff proposes that car rental facilities be added as a special use to the C-2 district.