



**PLANNING COMMISSION AGENDA
JUNE 11, 2013,
7:00 PM
CITY HALL**

- A. Roll Call
- B. Approval of May 14, 2013 Minutes
- C. Old Business: (None)
- D. New Business:
 - 1. **SUP2013-006 – REQUEST TO ALLOW THE ADDITION OF CHECK CASHING, MONEY ORDERS AND SIMILAR SERVICES AT A SHELL GAS STATION ZONED C-2 AND LOCATED AT 6405 PEACHTREE INDUSTRIAL BLVD; DISTRICT 6, LAND LOT 275; 1.47 ACRES.**
 - 2. **RZ2013-002 - REQUEST TO REZONE A PORTION OF PROPERTY FROM C-2 TO M-1 IN ORDER TO ACCOMMODATE A CLIMATE CONTROLLED SELF STORAGE FACILITY AT 4779 PEACHTREE CORNERS CIRCLE; DISTRICT 6; LAND LOT 301; .7 ACRES**
 - 3. **RZ2013-003 – REQUEST TO REZONE PROPERTY FROM RM AND RM-13 TO M-U-D IN ORDER TO ACCOMMODATE A MIXED-USE DEVELOPMENT ON PROPERTY LOCATED IN THE 5100 BLOCK OF PEACHTREE PARKWAY; DISTRICT 6; LAND LOT 301; PARCEL 165**
- E. City Business Items: (None)
- F. Comments by Staff and Planning Commissioners.
- G. Adjournment.

CITY OF PEACHTREE CORNERS
PLANNING COMMISSION
MAY 14, 2013

The City of Peachtree Corners held a meeting on Tuesday, May 14, 2103 at 7:00pm. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

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

Staff: Diana Wheeler, Community Development Director
Kym Chereck, City Clerk

MINUTES:

**MOTION TO APPROVE THE MINUTES FROM THE APRIL 9, 2013
PLANNING COMMISSION MEETING.**

By: Mark Middleton

Seconded by: Mark Willis

**Vote: Passed 4-0-1 (Middleton, Willis, Houser, Metts)
(Kaplan abstained)**

NEW BUSINESS: There was no new business.

CITY BUSINESS:

Michelle Alexander of Pond and Company led a Comprehensive Plan Workshop and discussion concerning character areas, redevelopment areas, property across from the Forum, and opportunities for connectivity and community enhancements. Open discussion was executed by all of the Commissioners. Among other details, it was suggested that the property located across from the Forum incorporate an amphitheater, community gathering space, water feature, boutique hotels, green space and public art. Ms. Alexander informed the Commission that the next open house for the Comprehensive Plan will be held on July 25, 2013, and that the Planning Commission should receive a draft copy of the Comprehensive Plan at their August 2013 meeting.

The Planning Commission meeting concluded at 8:40 PM.

Approved,

Attest:

Matt Houser, Chairman

Kym Chereck, City Clerk

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

SPECIAL USE PERMIT ANALYSIS

CASE NUMBER :**SUP2013-006**
ZONING :C-2
LOCATION :6400 BLOCK OF PEACHTREE INDUSTRIAL BOULEVARD
:6900 BLOCK OF JIMMY CARTER BOULEVARD
MAP NUMBERS :R6275 039
ACREAGE :1.47 ACRES
PROPOSED DEVELOPMENT :CHECK CASHING

FUTURE DEVELOPMENT MAP: **MIXED HOUSING TYPES**

APPLICANT: NADEEM RAZA
2300 ONE WORLD COURT
LAWRENCEVILLE, GA 30043

CONTACT: NADEEM RAZA PHONE: 404.906.2223

OWNER: NADIYA ALIBHAI
247 MT. PARAN ROAD NW
ATLANTA, GA 30327

RECOMMENDATION: APPROVE

PROJECT DATA:

The applicant requests a Special Use Permit on a 1.47-acre parcel zoned C-2 (General Business District), to allow the ability to provide check cashing services within an existing convenience store. The subject property, also known as Convenience Square shopping center, is located at the southwest quadrant of the intersection of Peachtree Industrial Boulevard and Jimmy Carter Boulevard. The property is developed with a 5,567 square-foot strip center occupied by a convenience store with fuel pumps (Shell gas station) and attached retail shops with various retail uses including TitleMax, a title pawn establishment. The property has two right-in / right-out access points; one onto Jimmy Carter Boulevard and another onto Peachtree Industrial Boulevard.

The applicant's letter of intent states that the convenience store seeks to diversify services provided at their current location to include check cashing, money order/transfer, and bill payment. Additionally, the applicant has expressed that no modification to the existing building or property would be required as part of this request. The Department would note that the existing wall and monument signs associated with the convenience store advertise the availability of check cashing and Western Union money order/transfer services.

ZONING HISTORY:

The property was zoned M-1 in 1970. The property was rezoned from M-1 to RM in a 1972 area-wide rezoning. The property was rezoned from RM to C-2 in a second area-wide rezoning in 1978. Gwinnett County denied a special use permit application for automobile sales in 2002 (SUP-02-082) and a request for coin laundry in 2009 (SUP-09-010), which included an expansion of the existing commercial strip center.

GROUNDWATER RECHARGE AREA:

No comment.

WETLANDS INVENTORY:

The subject property does not contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

No comment.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

No comment.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

No comment.

BUILDING CONSTRUCTION SECTION COMMENTS:

No comment.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

No comment.

DEPARTMENT ANALYSIS:

The subject property is a 1.47-acre site located at 6405 Peachtree Industrial Boulevard, southwest of its intersection with Jimmy Carter Boulevard. The site is currently developed as a 5,567 square-foot commercial strip center comprised of a Shell gas station and various retail uses permitted under the C-2 zoning district.

The property is located at an existing commercial node and the surrounding area is characterized by a mixture of industrial, institutional, and office uses east of Peachtree Industrial Boulevard and a conglomeration of commercial, and multi-family and transitional single-family residential uses west of Peachtree Industrial Boulevard. South of the subject property is Ashby at Peachtree Corners apartments, zoned RM (Multi-Family Residence District). Directly adjacent to the west is La Plazita shopping center, zoned C-2, and Hidden Cove subdivision, an attached single-family development, zoned RM. Further west is a large scale community shopping center anchored by LA Fitness, zoned C-2, with an existing ACE Cash Express providing check cashing and payday loan services. To the north and northwest of the property are restaurant establishments, an automotive service center, a carwash, and several hotels and an extended stay motel. To the east, across Peachtree Industrial Boulevard, are World Changers International Church, a vacant industrial zoned parcel formerly occupied by BJ's wholesale club, and various industrial uses.

The 2030 Unified Plan Future Development Map indicates that the parcel lies within the Mixed Housing Types Character Area. The specified Character Area supports non-residential uses that provide goods and services that would meet the needs of nearby residential developments. The proposed check cashing service would be an incidental use associated with an existing convenience store and could be considered a neighborhood convenience for the residential properties located outside of the commercial node. The Special Use Permit request could be consistent with the policies of the Character Area and with the existing zoning and surrounding uses.

Given the intensity of zoning, commercial development pattern, and diversification of commercial/retail uses along this segment of Jimmy Carter Boulevard, and the prevalence of high-density multi-family uses nearby, a convenience store with check cashing services could be considered consistent with the area and suitable at this location. Additionally, there is an existing TitleMax establishment located on the subject property that would further support the suitability of the proposed use at this location.

In conclusion, the requested Special Use Permit to allow check cashing as an incidental use as part of the existing convenience store would be consistent with established commercial uses on the property and the surrounding area.

Therefore, after review of the applicant's proposal, it is recommended that the request, SUP2013-006, to allow check cashing, money orders and similar services to be added as an incidental use to an existing Shell gas station be approved.

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>NADEEM RAZA</u>	NAME: <u>NADIYA ALIBHAI</u>
ADDRESS: <u>2300 ONE WORLD CT</u>	ADDRESS: <u>247 Mt PEARSON RD NW</u>
CITY: <u>LAWRENCEVILLE</u>	CITY: <u>ATLANTA</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30327</u>
PHONE: <u>404-906-2223</u>	PHONE: <u>404-542-1258</u>
E-MAIL: <u>MNRAZA@AOL.COM</u>	E-MAIL: <u>nadiya.alibhai@yahoo.com</u>
CONTACT PERSON: <u>NADEEM RAZA</u> PHONE: <u>404-906-2223</u>	
CONTACT'S E-MAIL: <u>MNRAZA@AOL.COM</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): C2 REQUESTED ZONING DISTRICT: SUP

LAND DISTRICT(S): 6 LAND LOT(S): 275 ACREAGE: 1.46

ADDRESS OF PROPERTY: 6405 PEACHTREE INDUSTRIAL BLVD NORCROSS GA 30092

PROPOSED DEVELOPMENT: CHECK CASHING, MONEY ORDER MONEY TRANSFER

Staff Use Only This Section

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

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description: _____

LETTER OF INTENT

Date April 29, 2013

Dear Sir/Madam,

This letter of intent is for the property located on 6405 Peachtree Industrial Blvd Norcross GA 30092 known as (Shell Gas Station). Property is currently zoned C-2 for Gas station and convenient store. We are applying SUP to add more services like Check Cashing, Money Transfer, Bill Payment, and Money Order.

There will be no change to the existing building or its parking lot.

We are highly appreciate for your consideration.

Sincerely,



Nadeem Raza

2300 One world Ct Lawrenceville

GA 30043

404-906-2223

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 we believe there is no conflict with adjacent businesses.

- 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 SUP will not affect the existing use.

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

SUP aligns with the property and surrounding areas.

- 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 The proposed SUP will not cause and excessive or burdensome use of the existing streets.

- 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 The SUP is in conformity with the intent of the city of Peachtree Corners

- 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?

it will help the existing business.

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.

M. Raza - M 4-30-2013
Signature of Applicant Date

NADEEM RAZA
Type or Print Name and Title

Wanda Denise White 4/30/13
Signature of Notary Public Date Notary Seal

WANDA DENISE WHITE
NOTARY PUBLIC
DOUGLAS COUNTY, GEORGIA
MY COMM. EXPIRES
07/26/2016

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] 04/30/13
Signature of Property Owner Date

NADIYA ALIBHAI
Type or Print Name and Title

Wanda Denise White 4/30/13
Signature of Notary Public Date Notary Seal

WANDA DENISE WHITE
NOTARY PUBLIC
DOUGLAS COUNTY, GEORGIA
MY COMM. EXPIRES
07/26/2016

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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

6 - 275 - 39
District Land Lot Parcel

Nadeem Raza
Signature of Applicant

4-25-2013
Date

NADEEM RAZA

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)

Sandra D. Ullman
NAME

GWINNETT COUNTY
TITLE
TAX COMMISSIONER

4/25/13
DATE

SITE PLAN

THERE IS NO CHANGE TO THE EXISTING BUILDING

ALTA/ACSM SURVEY AND TOPOGRAPHY FOR
PIB JCB NORCROSS, LLC.
SOUTHTRUST BANK
FIDELITY NATIONAL TITLE COMPANY OF NEW YORK.

LAND LOT 275, 6th DIST., 1st SEC.
 GWINNETT COUNTY, GEORGIA

REFERENCES:

- (1) DEED BOOK 14850, PAGE 44
- (2) DEED BOOK 2187, PAGE 186
- (3) DEED BOOK 2197, PAGE 185
- (4) DEED BOOK 5224, PAGE 110
- (5) DEED BOOK 13082, PAGE 17
- (6) ALTA/ACSM SURVEY FOR SAAD, INC. LAWYER TITLE INSURANCE CORPORATION, AND FIDELITY NATIONAL BANK PREPARED BY PRECISION PLANNING, INC DATED 9/23/97.
- (7) PLAT BOOK 15, PAGE 272 A
- (8) PLAT BOOK 15, PAGE 272 B

NOTE: ELEVATIONS ARE FROM ASSUMED DATUM.

PARKING CHART

REGULAR SPACES = 38
 HANDICAP SPACES = 2
 TOTAL SPACES = 40

To: PIB JCB NORCROSS, LLC., SOUTHTRUST BANK, FIDELITY NATIONAL TITLE COMPANY OF NEW YORK.
 This is to certify that this map or plan and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1997, and include hereof Table A, hereof, and pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) of a "Survey".

March 31, 2006

JACK A. PAGE, JR.
 REGISTERED PROFESSIONAL SURVEYOR NO. 1894
 DATE OF EXPIRATION: 12-31-09

BOUNDARY TRAVERSE BY TORCON TOTAL STATION
 POSITION CLOSED: 17.05 MM
 ANGLE ERROR: 2" PER STA
 GRANDVILL ADJUSTMENT
 MEAN ERROR: 0.0001"

ACCORDING TO CURRENT FIRM MAPS THIS PROPERTY IS NOT IN A FLOOD HAZARD ZONE.

- AI INDICATES ANGLE IRON
- RB INDICATES REBAR
- OT INDICATES OPEN TOP PIPE
- DT INDICATES OPEN TOP PIPE
- CM INDICATES CONC. MON.
- MP INDICATES POWER POLE
- W/W INDICATES RIGHT-OF-WAY
- P.L. INDICATES PROPERTY LINE
- DA INDICATES DRAINAGE LINE
- FD INDICATES FENCE
- CB INDICATES CATCH BASIN
- WM INDICATES WATER METER
- WH INDICATES WATER HYDRANT
- CP INDICATES END OF PAVING
- BCG INDICATES BACK OF CURB
- LL INDICATES LAND OFF LINE

GRAPHIC SCALE



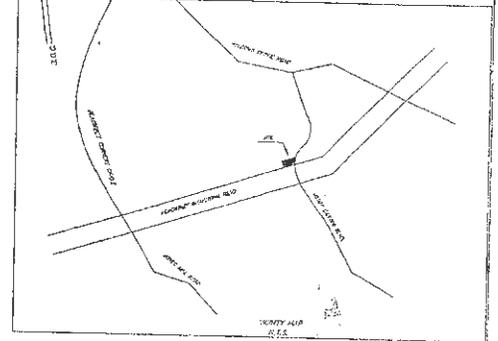
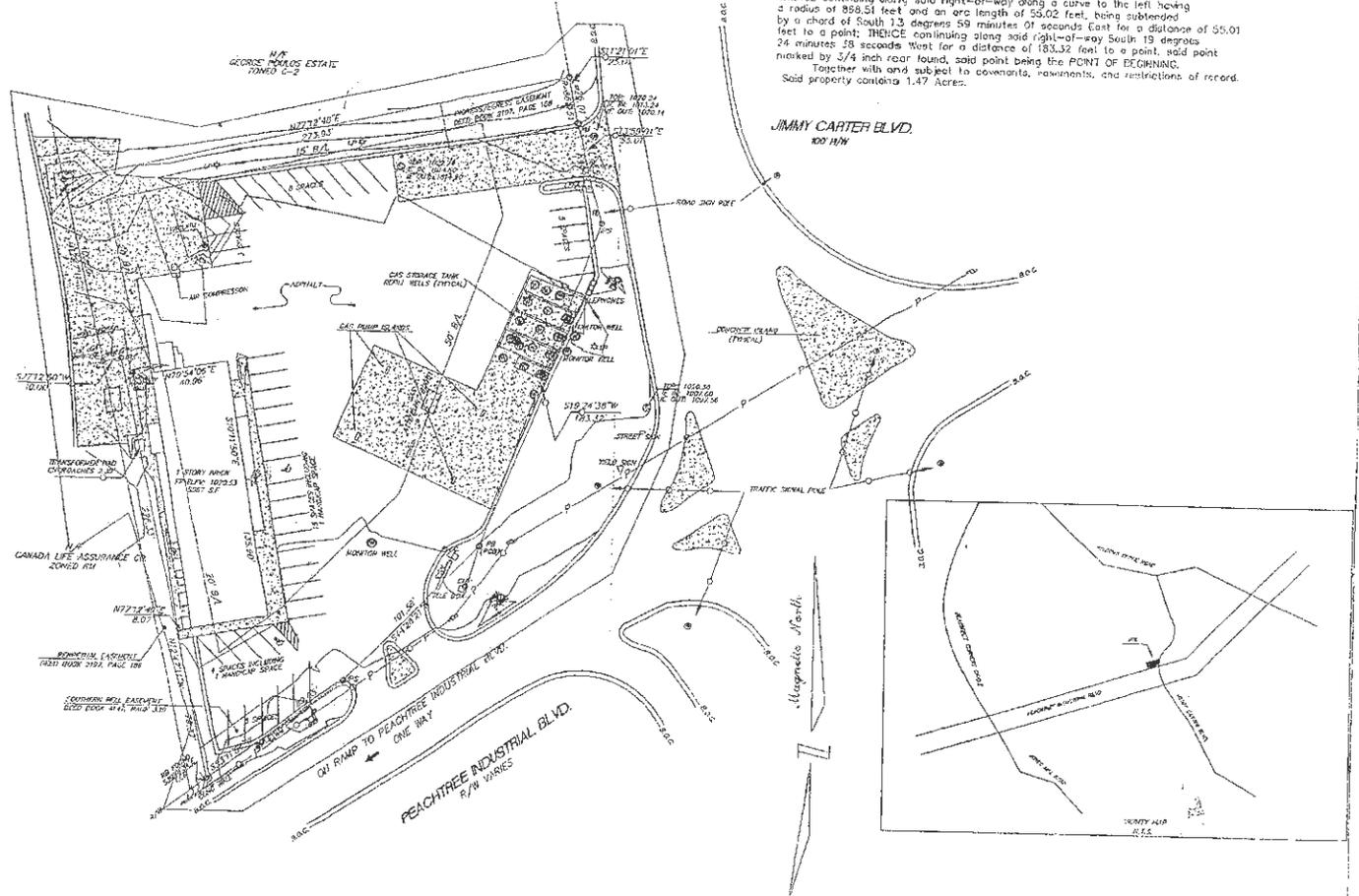
INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS INFORMATION AND IT SHALL BE CONSIDERED BY THE OWNER, HIS EMPLOYEES, AND STRUCTURES NOT SHOWN MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE INACCURATE. THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OF EMPLOYEES OF THIS INFORMATION.

NOTE: Tank locations are based on drawing produced by CATLIN ENGINEERS AND SCIENTISTS, dated September 25, 1997.
 4 TANKS @ 15,000 GALLONS,
 1 TANK @ 8,000 GALLONS.

All that tract or parcel of land lying and being in Land Lot 275 of the 6th Land District of Gwinnett County, Georgia, being more particularly as follows:

Beginning of a point formed by the intersection of the northwesterly right-of-way of Peachtree Industrial Boulevard (right-of-way width) and the westerly right-of-way of Jimmy Carter Boulevard (100' right-of-way), said point marked by a 3/4 inch rebar pin found, said point being the POINT OF BEGINNING; THENCE along said right-of-way of Peachtree Industrial Boulevard South 44 degrees 28 minutes 21 seconds West for a distance of 101.58 feet to a point; THENCE continuing along said right-of-way South 53 degrees 50 seconds West for a distance of 89.05 feet to a point; THENCE leaving said right-of-way North 12 degrees 47 minutes 11 seconds West for a distance of 236.33 feet to a point; THENCE North 77 degrees 12 minutes 48 seconds East for a distance of 100.0 feet to a point; THENCE North 77 degrees 12 minutes 48 seconds East for a distance of 273.93 feet to a point on the westerly right-of-way of Jimmy Carter Boulevard to a point; THENCE along said right-of-way along a curve to the left having a radius of 858.51 feet and an arc length of 25.01 feet, being subtended by a chord of South 11 degrees 11 minutes 09 seconds East for a distance of 75.01 feet to a point, said point marked by a 1/2 inch rebar; THENCE continuing along said right-of-way along a curve to the left having a radius of 858.51 feet and an arc length of 55.02 feet, being subtended by a chord of South 13 degrees 59 minutes 01 seconds East for a distance of 55.01 feet to a point; THENCE continuing along said right-of-way South 19 degrees 24 minutes 58 seconds West for a distance of 183.32 feet to a point, said point marked by 3/4 inch rebar found, said point being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 1.47 Acres.



J.A. PAGE and ASSOCIATES
 5610 CROW ROAD
 CUMMING, GEORGIA 30041
 PH: (770) 889-0281
 No. 20709

PUBLIC HEARING

Shell Gas Station



CASE NUMBER:

SUP2013-006

HEARING DATES:

**PLANNING
COMMISSION**

6/11/2013

**CITY COUNCIL
1ST READING**

6/18/2013

**CITY COUNCIL
2ND READING**

7/2/2013

PROPERTY ADDRESS:

6405 Peachtree Industrial Boulevard

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

CASE NUMBER	: RZC2013-002
ZONING CHANGE	:M-1 & C-2 TO M-1
LOCATION	:4700 BLOCK OF PEACHTREE CORNERS CIRCLE
ACREAGE	:.72 ACRES OF A 6.78 ACRE TRACT
PROPOSED DEVELOPMENT REQUEST	:SELF-SERVICE STORAGE FACILITY : REZONE A PORTION OF THE PROPERTY TO ACCOMMODATE A PROPOSED CLIMATE CONTROLLED SELF-STORAGE FACILITY

FUTURE DEVELOPMENT MAP: **PREFERRED OFFICE**

APPLICANT: D.D.B.C., INC.
3740 DAVINCI COURT, SUITE 460
NORCROSS, GA 30093

CONTACT: BEN COWART PHONE: 770.416.0800

OWNER: D.D.B.C., INC.
3740 DAVINCI COURT, SUITE 460
NORCROSS, GA 30093

RECOMMENDATION: **APPROVE WITH CONDITIONS**

PROJECT DATA:

The applicant requests rezoning of a .72-acre portion of property from C-2 (General Business District) to M-1 (Light Industry District). This property is the eastern side of a larger, 6.78 acre parcel currently zoned M-1. The purpose of the rezoning is to better accommodate the construction of an 87,000 square-foot, climate controlled self-service storage facility with associated office space and owner apartment. The proposed building would be constructed with three stories on a basement. The subject property is located on the south side of Peachtree Corners Circle, west of its intersection with Peachtree Parkway. The site has been partially cleared and graded in anticipation of development, while the balance of the site is currently wooded with pine and evergreen vegetation, in addition to Farrell Creek and its associated stream buffer occupying a significant portion of the property. The subject site is located within the Peachtree Corners Overlay District and is subject to those requirements.

A mix of uses characterizes the surrounding area. To the north, directly across Peachtree Corners Circle is the Forum, zoned C-2. Further northwest of the subject property is Amberfield subdivision, zoned R-75 (Single Family Residence District) and YMCA at the corner of Peachtree Corners Circle and West Jones Bridge Road, zoned O-1 (Office-Institutional

District). To the east is Crème De La Crème daycare, zoned M-1, and Quiktrip gas station, zoned C-2. Adjacent to the west and south is Spalding Triangle industrial office park, zoned M-1. To the southeast is Peachtree Parkway village, a commercial strip development composed of various retail uses and a standalone restaurant, zoned C-2.

As stated in the applicant's letter of intent, approximately 0.72 acres of the site is currently zoned C-2, with the remainder of the property zoned M-1. The existing C-2 portion of the site was originally rezoned from M-1 in 2001 (RZ-00-159), and the area was designated for installation of an access drive to provide access to Peachtree Corners Circle from the Peachtree Parkway Village plaza which fronts along Peachtree Parkway. As part of the conditions of approval, a prohibition was placed on mini-warehouse storage facility from being developed within the C-2 zoning. The applicant had initiated development of the site and received a variance to encroach into the stream buffer (SBV2013-00001) and an approved Commercial Development Permit (CDP NO: 2012-00186) from Gwinnett County to construct the climate controlled self-storage facility only within the M-1 portion of the property. These approvals occurred prior to the City's permitting being in place. The development plans associated with those approvals show the proposed building located entirely within the portion of the property already zoned M-1. However, in an effort to reduce the development impact on the stream and to relocate the access driveway further away from the neighboring daycare's driveway, the applicant is requesting to rezone the C-2 zoned portion of property to M-1 and relocate the proposed building further east from where it is currently approved to be built.

The submitted site plan indicates the facility would be situated along the eastern property line with the loading area on the west side of the building. Sixteen on-site parking spaces are provided for the development; however, nineteen would be required for the proposed 87,000 square-foot facility. Therefore, some minor modifications would have to be made to the plan or a variance sought. In addition, the minimum required side yard setback for M-1 zoning is 20 feet; however, the site plan proposes a reduction in the side yard setback adjacent to the east property line to 15 feet. A setback variance would also be required. Access to the property would be provided by a single ingress/egress off Peachtree Corners Circle. The submitted building elevation shows a combination of what appears to be stucco, glass, and brick on all sides which is consistent with overlay standards.

ZONING HISTORY:

The subject property was zoned M-1 in 1970. In 2001, a portion of the site was rezoned to C-2, pursuant to RZ-00-159 as part of the Peachtree Parkway Village rezoning.

GROUNDWATER RECHARGE AREA:

The Development would be served by sanitary sewer, resulting in minimal impact.

WETLANDS INVENTORY:

The subject property does contain areas, streams, and/or bodies of water depicted as wetlands on the U.S. Department of Interior, Fish, and Wildlife Service – National Wetlands Inventory map on file with the Gwinnett Department of Planning and Development.

DEVELOPMENT REVIEW SECTION COMMENTS:

The Buffer, Landscape and Tree Ordinance require a ten-foot wide landscape strip adjacent to all street rights-of-way for non-residential developments.

The Buffer, Landscape and Tree Ordinance require submittal and approval of a Tree Preservation and Replacement Plan prepared by a professional landscape architect prior to securing a Land Disturbance permit.

Section 606.3 of the 2012 Zoning Resolution requires screening of dumpsters and loading/unloading facilities.

Parking lots and interior driveways shall be designed in accordance with the Zoning Resolution.

Project access and required improvements along State routes or U.S. Highways (i.e., number and design of driveways, deceleration lanes, median breaks, etc.) will be subject to review and approval of the Georgia Department of Transportation.

Section 6.13 of the Development Regulations requires construction of five-foot wide sidewalks along all exterior roadways adjoining the project, and four-foot wide sidewalks adjacent to both sides of all interior public streets (excluding cul-de-sac turnarounds).

Section 606.6 of the Zoning Resolution requires an additional five-foot setback for all structures (parking lots, driveways, detention ponds, retaining walls, etc.) adjacent to required buffers.

The developer must submit detailed site development plans, including a landscape and tree preservation/replacement plan, for review and approval of the Community Development Department prior to any construction.

Section 8.2.1 of the Development Regulations requires submittal of a Storm Water Management Report for the project prior to obtaining a Land Disturbance or Development Permit.

This project lies within an Activity Center/Corridor Overlay District, and is subject to all requirements set forth in Section 1315 of the Peachtree Corners Zoning Resolution.

STORMWATER REVIEW SECTION COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Standard deceleration lanes with appropriate taper and adequate right-of-way will be required.

Prior to the issuance of a Development Permit, a sight distance certification shall be provided. The number and locations of driveways are subject to Gwinnett County D.O.T. approval.

GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

No comment.

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES COMMENTS:

Due to the possibility of unforeseen circumstances, the Department of Water Resources makes no guarantees as to the minimum pressures or volumes available at a specific point within its system. Demands imposed by the proposed development may require reinforcements or extensions of existing water mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the developer and will not be provided by this department.

Developer shall provide easements for future sewer connection to all locations designated by DWR during plan review.

As-built information for this department is dependent upon outside entities to provide record drawings for the utilities. Therefore this department does not guarantee the accuracy of the information provided.

Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies and Gwinnett County's ordinances. Proceeding design, construction, inspection, and final acceptance of the required utilities, service to these utilities would then become available under the applicable utility permit rate schedules.

BUILDING CONSTRUCTION SECTION COMMENTS:

Building Plan Review has no objections under the following conditions:

1. The applicant shall submit civil site drawings to the Community Development Department for review and approval.
2. The applicant shall submit architectural, structural, mechanical, electrical and plumbing drawings for each building for review and approval by the Community Development Department.
3. Propose building shall comply with the height and area limitations of Table 503 and the fire resistive and horizontal separation requirements of Table 601 and 602 of the 2006 International Building Code with Georgia state amendments based on occupancy group classification, type of construction, and location of building from property lines and other buildings.
4. Architectural design of the proposed building renovation shall incorporate the requirements of the Activity Center/Corridor Overlay District, Section 1315 of the Peachtree Corners Zoning Resolution.

5. Upon completion of plan review approvals, the applicant shall obtain a building permit for each building and achieve satisfactory field inspections for issuance of a Certificate of Occupancy.

GWINNETT COUNTY FIRE SERVICES COMMENTS:

Fire Plan Review has no objections to the rezoning request, under the following conditions:

1. Applicant submits civil drawings to Fire Plan Review for review and approval.
2. Applicant submits architectural drawings to Fire Plan Review for review and approval.
3. Upon completion of plan review approvals, applicant successfully achieves a satisfactory Fire field inspection, for issuance of a Certificate of Occupancy - Business Operation.

For assistance, contact (678) 518-6000, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The subject property is located on south side of Peachtree Corners Circle, west of its intersection with Peachtree Parkway. The property has been partially cleared and graded, while the balance of the site is wooded and undeveloped.

The 2030 Unified Plan Future Development Map indicates that the property lies within a Preferred Office Character Area. Although not consistent with the Unified Plan, a climate controlled self-storage facility is a permitted use as currently zoned on the larger portion of the property and could be built there without the requested rezoning. However, not approving the rezoning would result in the placement of the proposed facility's driveway closer to the daycare's existing driveway making for a less safe situation. The greater separation between driveways reduces the risk of vehicular conflict between the adjacent businesses. In addition, moving the proposed storage facility closer to the property's eastern property line provides more room for the building on the site with less impact to the existing creek. rezoning the entire site to M-1 would allow for the reconfiguration of the site to orient the self-storage facility closer to the road and away from the stream, and to design a more functional development with a loading/unloading area that, in conjunction with the relocation of the entrance driveway away from the adjoining daycare facility, would provide for improved distribution of traffic and safe access to both parcels. Additionally, the largest part of the development site has been zoned M-1 since 1970 without conditions to control for future development of the site. Rezoning a portion of the site with similar conditions to those established on nearby industrial/office and commercial developments in the area would ensure consistency of development standards near a highly visible and established commercial node.

In conclusion, the proposed rezoning to M-1 to accommodate the construction of a climate controlled self-storage facility would be consistent with the existing zoning and, with

appropriate conditions, would ensure the compatibility of the property with surrounding commercial and industrial/office developments.

Therefore, after review of the applicant's proposal, it is recommended that the request, RZC2013-002, to accommodate a climate controlled self-storage facility be approved with conditions:

RECOMMENDED CONDITIONS

Approve rezoning of the .72 acre property from C-2 to M-1 for a climate controlled self-storage facility, subject to the following conditions:

1. That the use and development of the property be restricted to a climate controlled self-storage facility.
2. All requirements of Section 1315 (Activity Center/Corridor Overlay District) shall be met.
3. The height of the building shall be limited to three (3) stories above grade.
4. No disturbance or impervious area shall be located within the 25-foot stream buffer without prior consent and approval from the State of Georgia, Environmental Protection Division of the Department of Natural Resources.
5. The placement of billboards or oversized signs shall be prohibited on the property.
6. Dumpsters shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture, and with a gated entry. Pick-up for dumpsters shall be limited to between the hours of 6:00 a.m. and 6:00 p.m.
7. Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco. All sides shall have a 32-inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the applicant submitted building elevations prepared by Gary Johnson and dated 5/16/13.
8. All mechanical appurtenances and equipment and/or ductwork shall be screened from ground view. Screening shall coordinate with the building architecture.
9. Sidewalks shall be a minimum of five feet in width and shall be constructed or relocated along the length of the property contiguous with Peachtree Corners Circle.
10. Parking lot lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or create a hazard for passing automobile traffic. Any lights located on the rear of the building must be directed downward. Decorative fixtures shall be utilized on the portions of the building visible from the road.
11. Ground signage shall be limited to a monument type sign with a minimum two-foot high brick or stacked stone base. The ground sign shall not exceed six feet in height.
12. Any detention ponds visible from roadways shall be screened with landscape plantings to be approved by the Director.
13. No overnight parking or idling of trucks shall be allowed.

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>D.D.B.C., Inc.</u>	NAME: <u>D.D.B.C., Inc.</u>
ADDRESS: <u>3740 DaVinci Court, Suite 460</u>	ADDRESS: <u>3740 DaVinci Court, Suite 460</u>
CITY: <u>Norcross</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30093</u>	STATE: <u>GA</u> ZIP: <u>30093</u>
PHONE: <u>(770) 416-0800</u>	PHONE: <u>(770) 416-0800</u>
E-MAIL: <u>bencowart@aol.com</u>	E-MAIL: <u>bencowart@aol.com</u>
CONTACT PERSON: <u>Mr. Ben Cowart</u> PHONE: <u>(770) 416-0800</u>	
CONTACT'S E-MAIL: <u>bencowart@aol.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): M-1 & C-2 REQUESTED ZONING DISTRICT: M-1

LAND DISTRICT(S): 6 LAND LOT(S): 301 ACREAGE: 6.78

ADDRESS OF PROPERTY: 4779 Peachtree Corners Circle

PROPOSED DEVELOPMENT: Self Storage, Office Space, and Owner Apartment

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: one building

Total Bldg. Sq. Ft.: 87,000 sf

Gross Density: 12,832 sf / acre

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

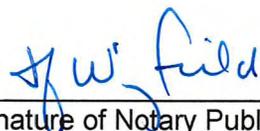
The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In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



Signature of Applicant 4-30-2013
Date

Benjamin Cowart, Vice President

Type or Print Name and Title



Signature of Notary Public 4.30.13
Date



PROPERTY OWNER'S CERTIFICATION

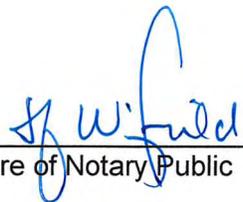
The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In 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 4-30-2013
Date

Benjamin Cowart, Vice President

Type or Print Name and Title



Signature of Notary Public 4.30.13
Date



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

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

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

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

The proposed use will be suitable relative to the existing uses on adjacent property

- 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?

Approval of the proposed rezoning and special use permit will not adversely affect the existing uses on adjacent property of the usability of adjacent property

- 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?

Because of the two different zoning categories on the property and existing conditions on the C-2 portion of the site, the property does not have reasonable economic as currently zoned.

- 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?

Approval of the proposed rezoning and special use permit will not result in a use which will cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools

- 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?

Per the Future Development Map, the site is located within the Preferred Office Character Area. The proposed does not fall within the encouraged uses or the discouraged uses. The storage facility will be situated to serve existing professional offices and residences located nearby.

- 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?

The proposed development will have a minimal impact on streets, transportation, utilities and schools. The current zoning for the majority of the property is M-1 in which office, mini warehouse, and caretaker's quarters are allowed. Approval of the proposed rezoning and special use permit will create a zoning more consistent with surrounding current development.

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

PARCEL I.D. NUMBER: (Map Reference Number)	6	-	301	-	049
	District		Land Lot		Parcel

Signature of Applicant

Date

Benjamin Cowart, Vice President

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)

Michelle Webb

NAME

Asst Tax Services Manager

TITLE

4/8/13

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: 6 301 049
(Map Reference Number) District Land Lot Parcel



4-30-2013

Signature of Applicant

Date

Benjamin Cowart, Vice President

Type or Print Name and Title

Tax Commissioners Use Only

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

NAME

TITLE

DATE

April 30, 2013

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

**RE: Peachtree Corners Self Storage
4779 Peachtree Corners Circle
Rezoning Application – Letter of Intent**

Dear Ms. Wheeler:

We are submitting the attached rezoning application package for consideration by the City to rezone the C-2 portion of the above referenced property to M-1. We propose to develop the site as a three story building on a basement with required parking and access drives. We propose the primary use of the building to be a climate controlled self storage facility with office space and an owner apartment.

The total acreage of the site is 6.78 acres. Approximately 0.72 acres of the site currently is zoned C-2 with the remainder of the property, approximately 6.06 acres, existing as M-1. A Commercial Development Permit for construction of a climate controlled self storage facility was issued by Gwinnett County Planning and Development in March 2013. On the approved site plan, the proposed storage building is located only on the M-1 portion of the site. Approval of the requested rezoning would permit a revision of the site plan resulting in an improved layout:

- The site development would result in less impact on the stream and stream buffers.
- The driveway to the site would be relocated to the west of the currently approved location, moving it away from the existing driveway to the daycare center.

Approval of this zoning application will allow us to incorporate the remaining 10% of our property into our ongoing project and reconfigure the proposed improvements to design a safer, more attractive development with less impact on the natural features existing on the site.

Thank you for your consideration of this application. Please let me know if you have any questions or if additional information is needed to complete the review of the request.

Best Regards,
D.D.B.C., Inc.

Benjamin Cowart

**DESCRIPTION OF
Peachtree Corner Tract**

All that tract or parcel of land lying and being in Land Lot 301 of the 6th District, City of Peachtree Corners, Gwinnett County, Georgia and being more particularly described as follows:

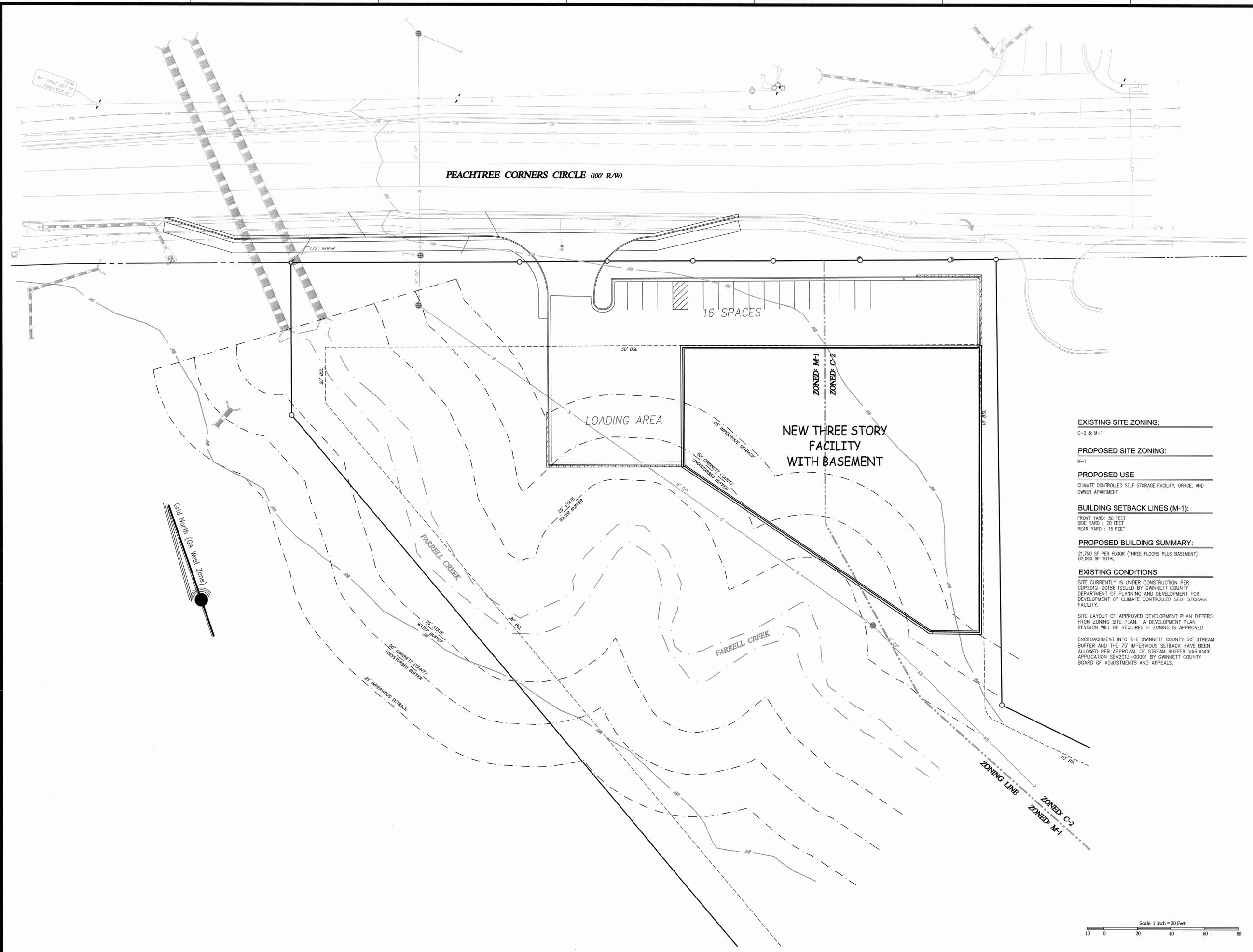
COMMENCING at a point at the intersection of the western right of way of U.S. Highway 141 (250' right of way) and the southern right of way of Peachtree Corners Circle (100' right of way); **THENCE** leaving said intersection of the western right of way of U.S. Highway 141 (250' right of way) and the southern right of way of Peachtree Corners Circle (100' right of way) following the southern right of way of Peachtree Corners Circle (100' right of way) North 71 degrees 03 minutes 18 seconds West a distance of 218.07 feet to a point; **THENCE** continue following said right of way North 71 degrees 03 minutes 28 seconds West a distance of 24.49 feet to a point; **THENCE** continue following said right of way along a curve to the left with a radius of 9745.51 feet and an arc length of 149.23 feet, said curve having a chord bearing of North 71 degrees 29 minutes 37 seconds West and a chord distance of 149.23 feet to a point; **THENCE** continue following said right of way North 71 degrees 55 minutes 57 seconds West a distance of 138.75 feet to a point; **THENCE** continue following said right of way along a curve to the left with a radius of 15671.17 feet and an arc length of 7.53 feet, said curve having a chord bearing of North 71 degrees 55 minutes 06 seconds West and a chord distance of 7.53 feet to a point at the intersection of the southern right of way of Peachtree Corners Circle (100' right of way) and the property line of Now or Formerly Creme Properties, LP (Deed book 13919, page 61), said point being the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** following said The property line of Now or Formerly Creme Properties, LP (Deed book 13919, page 61) South 18 degrees 17 minutes 02 seconds West a distance of 263.23 feet to a point; **THENCE** continue following said property line of Now or Formerly Creme Properties, LP (Deed book 13919, page 61) South 45 degrees 26 minutes 03 seconds East a distance of 69.96 feet to a point at the intersection of the property line of Now or Formerly Creme Properties, LP (Deed book 13919, page 61) and the property line of Now or Formerly DDCB, Inc (Deed book 3004, page 244); **THENCE** following said property line of Now or Formerly DDCB, Inc (Deed book 3004, page 244) South 04 degrees 50 minutes 33 seconds West a distance of 149.51 feet to a point; **THENCE** continue following said the property line of Now or Formerly DDCB, Inc (Deed book 3004, page 244) South 24 degrees 49 minutes 39 seconds East a distance of 210.30 feet to a point at the intersection of the property line of Now or Formerly DDCB, Inc (Deed book 3004, page 244) and the property line of Now or Formerly Joseph K. Lockwood (Deed book 41836, page 6); **THENCE** following said property line of Now or Formerly Joseph K. Lockwood (Deed book 41836, page 6) South 05 degrees 13 minutes 45 seconds West a distance of 196.89 feet to a point; **THENCE** continue following said the property line of Now or Formerly Joseph K. Lockwood (Deed book 41836, page 6) South 73 degrees 13 minutes 14 seconds East a

distance of 147.65 feet to a point at the intersection of the property line of Now or Formerly Joseph K. Lockwood (Deed book 41836, page 6) and the western right of way of U.S. Highway 141 (250' right of way); THENCE following said western right of way of U.S. Highway 141 (250' right of way) along a curve to the left with a radius of 11584.20 feet and an arc length of 384.72 feet, said curve having a chord bearing of South 23 degrees 03 minutes 20 seconds West and a chord distance of 384.70 feet to 1/2" rebar at the intersection of the western right of way of U.S. Highway 141 (250' right of way) and the property line of Now or Formerly Grand Prix Atlanta (Peachtree Corners) LLC (Deed book 48159, page 860); THENCE following said property line of Now or Formerly Grand Prix Atlanta (Peachtree Corners) LLC (Deed book 48159, page 860) North 68 degrees 39 minutes 58 seconds West a distance of 187.86 feet to a point at the intersection of the property line of Now or Formerly Grand Prix Atlanta (Peachtree Corners) LLC (Deed book 48159, page 860) and the property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229); THENCE following said property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) North 18 degrees 12 minutes 39 seconds East a distance of 370.00 feet to 1/2" rebar; THENCE continue following said property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) North 71 degrees 53 minutes 32 seconds West a distance of 100.00 feet to a point; THENCE continue following said property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) North 38 degrees 38 minutes 27 seconds East a distance of 36.31 feet to a point; THENCE continue following said property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) North 21 degrees 05 minutes 37 seconds West a distance of 858.23 feet to a point; THENCE continue following said property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) North 18 degrees 44 minutes 01 seconds East a distance of 89.93 feet to a point at the intersection of the property line of Now or Formerly Atlanta Lakeside Real Estate, LP (Deed book 15644, page 229) and the southern right of way of Peachtree Corners Circle (100' right of way); THENCE following said southern right of way of Peachtree Corners Circle (100' right of way) South 71 degrees 15 minutes 57 seconds East a distance of 135.40 feet to 1/2" rebar; THENCE continue following said right of way South 71 degrees 40 minutes 04 seconds East a distance of 51.90 feet to a point; THENCE continue following said right of way South 71 degrees 12 minutes 14 seconds East a distance of 50.95 feet to a point; THENCE continue following said right of way South 71 degrees 06 minutes 10 seconds East a distance of 47.61 feet to a point; THENCE continue following said right of way South 71 degrees 27 minutes 42 seconds East a distance of 51.57 feet to a point; THENCE continue following said right of way South 71 degrees 20 minutes 38 seconds East a distance of 53.14 feet to a point; THENCE continue following said right of way South 71 degrees 48 minutes 05 seconds East a distance of 27.38 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 295384 square feet or 6.78 acres.

The above described property is shown on a Boundary Survey for Ben Cowart, dated December 11, 2012, prepared by Travis Pruitt and Associates.



EXISTING SITE ZONING:
C-2 & M-1

PROPOSED SITE ZONING:
M-1

PROPOSED USE
CLIMATE CONTROLLED SELF STORAGE FACILITY, OFFICE, AND OWNER APARTMENT

BUILDING SETBACK LINES (M-1):
FRONT YARD : 50 FEET
SIDE YARD : 20 FEET
REAR YARD : 15 FEET

PROPOSED BUILDING SUMMARY:
21,750 SF PER FLOOR (THREE FLOORS PLUS BASEMENT)
87,000 SF TOTAL

EXISTING CONDITIONS
SITE CURRENTLY IS UNDER CONSTRUCTION PER CDP2012-00186 ISSUED BY GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT FOR DEVELOPMENT OF CLIMATE CONTROLLED SELF STORAGE FACILITY.
SITE LAYOUT OF APPROVED DEVELOPMENT PLAN DIFFERS FROM ZONING SITE PLAN. A DEVELOPMENT PLAN REVISION WILL BE REQUIRED IF ZONING IS APPROVED
ENCROACHMENT INTO THE GWINNETT COUNTY 50' STREAM BUFFER AND THE 75' IMPERVIOUS SETBACK HAVE BEEN ALLOWED PER APPROVAL OF STREAM BUFFER VARIANCE APPLICATION SV2013-00001 BY GWINNETT COUNTY BOARD OF ADJUSTMENTS AND APPEALS.

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)16-7511
Fax: (770)16-6759
www.travispruitt.com



ZONING SITE PLAN

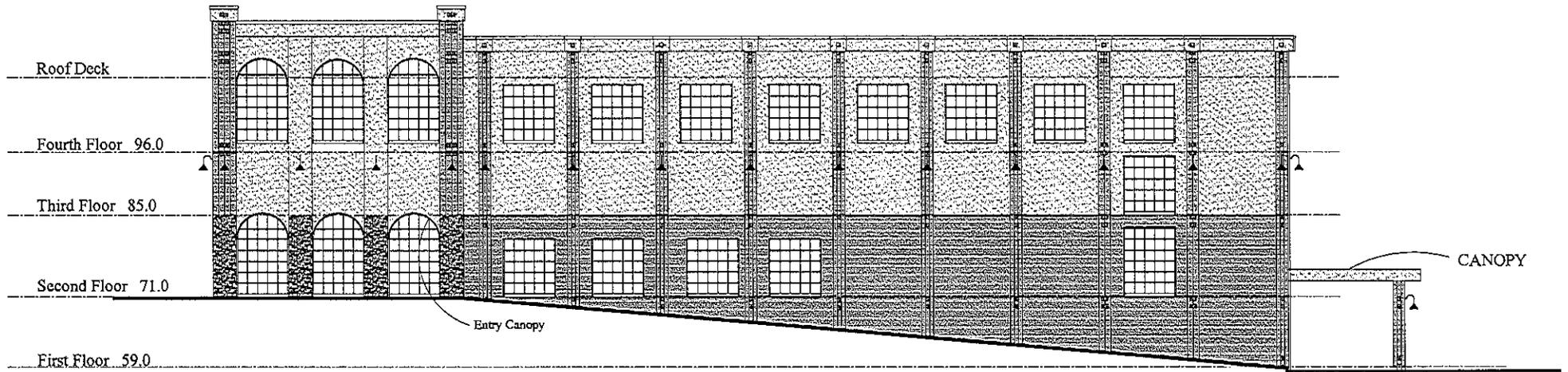
Peachtree Corners Self Storage Facility

LAND LOT 301 - 6th DISTRICT - CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE: NOVEMBER 16, 2012
SCALE: 1"=20'
CN: 110065R21
LSV: RZ
JN: 1-11-0065
FN: 209-E-166

Sheet No. 1 of 1



NORTH ELEVATION -- PEACHTREE CORNERS CIRCLE

PEACHTREE CORNERS SELF STORAGE

A Development by BDCB Inc.

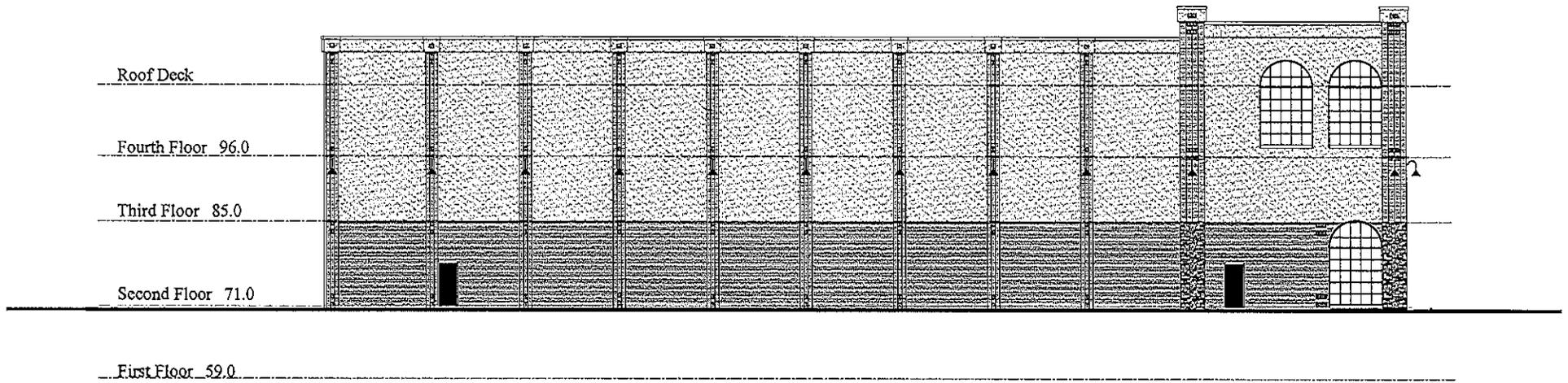
4779 Peachtree Corners Circle

Norcross, GA

Gary W. Johnson, AIA Architect



3 May 2013



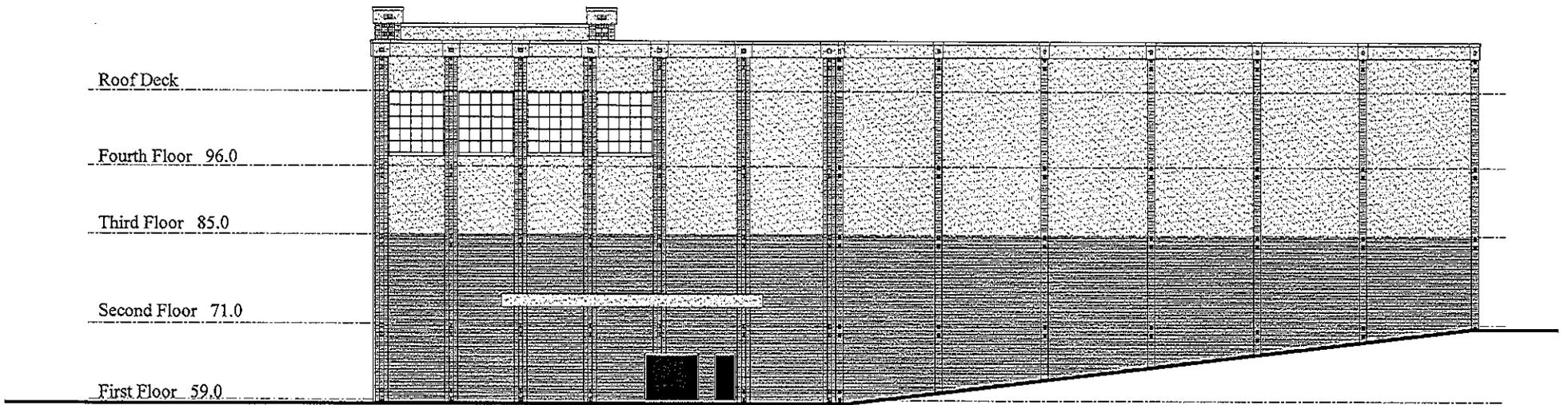
EAST ELEVATION

PEACHTREE CORNERS SELF STORAGE

A Development by BDCB Inc.
4779 Peachtree Corners Circle
Norcross, GA
Gary W. Johnson, AIA Architect



3 May 2013



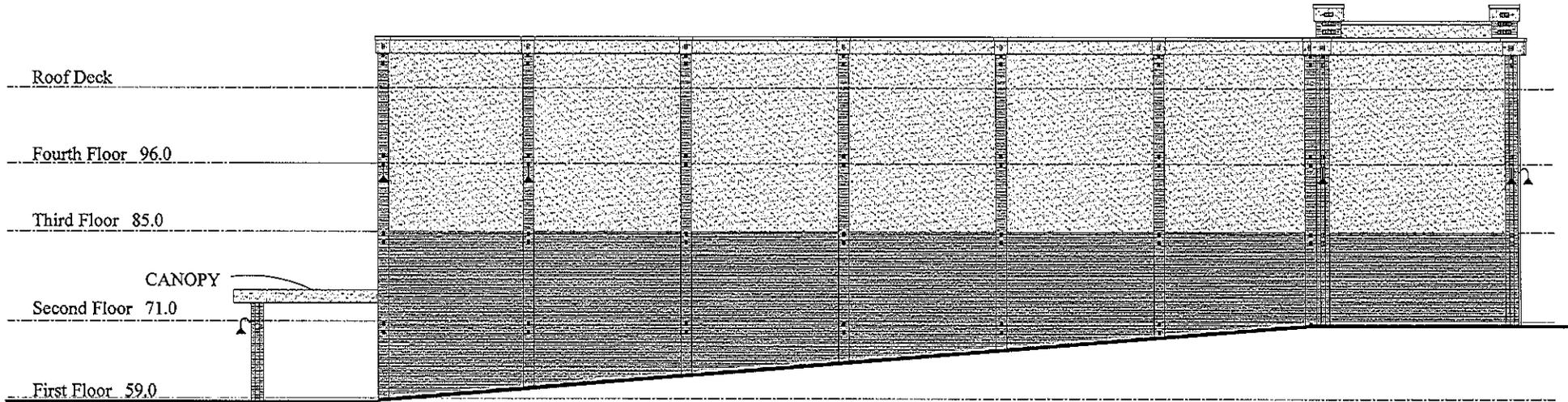
WEST ELEVATION

PEACHTREE CORNERS SELF STORAGE

A Development by BDCB Inc.
4779 Peachtree Corners Circle
Norcross, GA
Gary W. Johnson, AIA Architect



3 May 2013



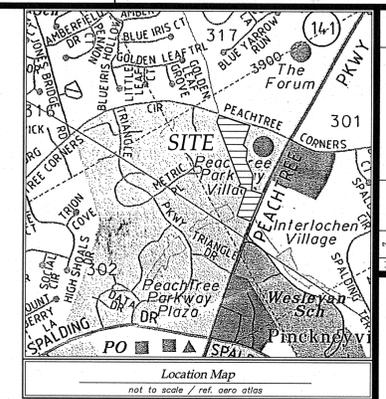
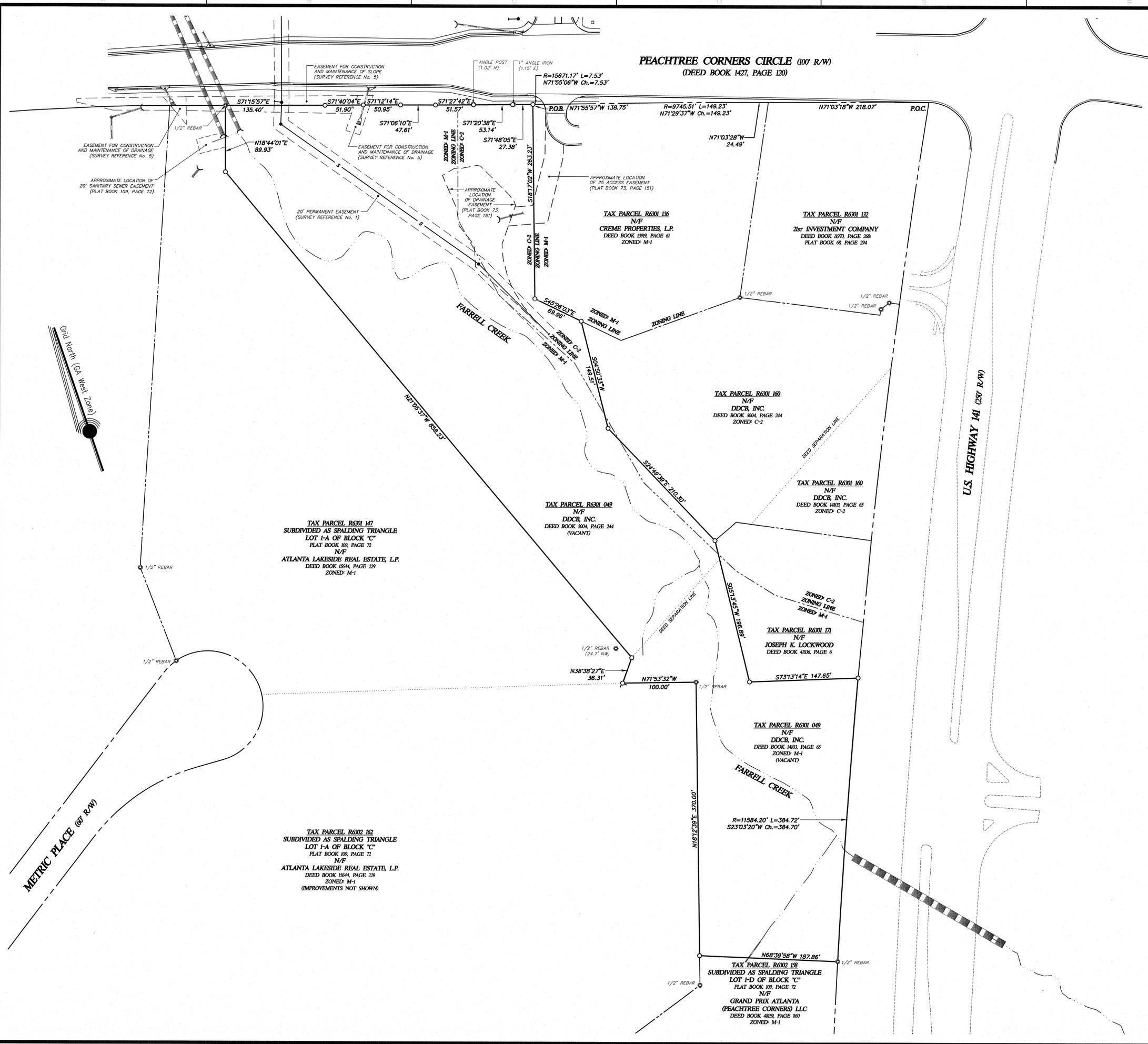
SOUTH ELEVATION

PEACHTREE CORNERS SELF STORAGE

A Development by BDCB Inc.
4779 Peachtree Corners Circle
Norcross, GA
Gary W. Johnson, AIA Architect



3 May 2013



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 Travis Pruitt & Associates, Inc.
 These drawings and their reproductions are the property of the surveyor and may not be reproduced, or used in any way without the written permission of this surveyor.

This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.

Utilities:
 There may be existing underground utilities and structures not shown on this survey.

Flood Hazard Note:
 By graphic plotting only, this property does not lie within a 100 year flood hazard zone and is depicted as zone X as defined by the F.E.M.A Flood Insurance Rate Map of Gwinnett County, Georgia and incorporated areas map number 13135C0067, effective date September 29, 2006.

The survey shown hereon was prepared without benefit of any abstract of title; therefore, Wayne A. Powers and Travis Pruitt & Associates, Inc. make no guarantees or representations regarding information shown hereon pertaining to easements, rights of way, setback lines, agreements, reservations, and other similar matters.

Survey fieldwork performed on: October 30, 2012.
 This survey was authorized by: Mr. Ben Cowart.

Certification:
 This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 46,834 feet, and an angular error of 1" per angle point, and was adjusted using the least squares method. Angular and linear measurements were made using a Trimble S603 Robotic Total Station. This map or plat has been calculated for closure and is found to be accurate within one foot in 334,860 feet.

Wayne A. Powers
 Georgia Reg. Land Surveyor No. 2851
 For the Firm Travis Pruitt & Associates, Inc.

Pursuant to Rule 180-6.09 of the Georgia State Board of Registration for Professional Engineers and Land Surveyors, the term "certify" or "certification" relating to land surveying services shall mean a signed statement based on facts and knowledge known to the land surveyor and is not a guarantee or warranty, either expressed or implied.

Site Address:
 4779 Peachtree Corners Circle NW
 Norcross, GA 30092

Area Summary: 6.78 acres
 Zoning: M-1 & C-2
 (RZ-00-159)

City of Peachtree Corners Overlay District
 Front Yard Setback: 50'
 Side Yard Setback: 10' (C-2) / 20' (M-1)
 Rear Yard Setback: 15'
 This information is reported from public information obtained from Gwinnett County records. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

Survey References:
 1. Record drawings of existing sanitary sewer for Farrell Creek/Chattahoochee River Interceptor prepared by Hayes, James & Associates, Inc., dated February 23, 1984.
 2. Final Plat for Creme Properties, L.P., recorded in Plat Book 73, Page 151.
 3. Final Plat for Spalding Triangle Unit One recorded in Plat Book 109, Page 72.
 4. Subdivision Plat for Peachtree Parkway Village recorded in Plat Book 109, Page 215.
 5. Gwinnett County Department of Transportation right of way plan Project No. 7124 sheet 10 (drawing No. R-08) and sheet 11 (drawing No. R-09) dated February 4, 1997.

Survey Note:
 1. Interior improvements on subject property and adjoining lots are not shown.

- LEGEND**
- IRON PIN FOUND (AS NOTED)
 - PROPERTY CORNER
 - △ CATCH BASIN
 - JUNCTION BOX
 - HEADWALL
 - ▭ FLARED END SECTION
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - N/F NOW OR FORMERLY
 - R/W RIGHT OF WAY
 - SANITARY SEWER LINE
 - STORM SEWER LINE

Scale 1 Inch = 50 Feet

NO.	DATE	DESCRIPTION
1		
2		
3		
4		

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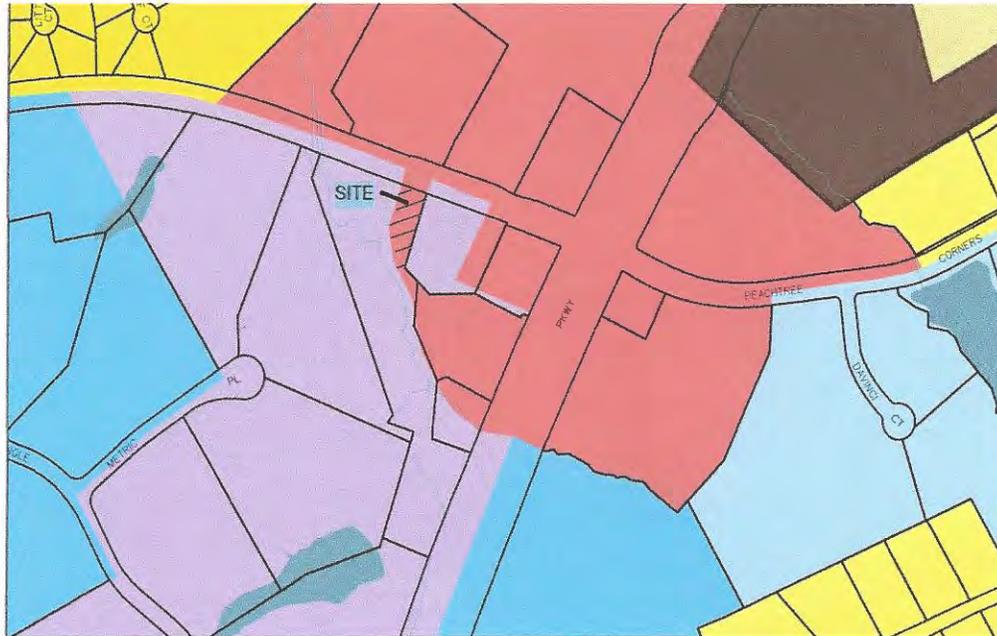


BOUNDARY SURVEY FOR
Peachtree Corners Tract
 LAND LOT 301 - 6th DISTRICT - CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA



DATE: DECEMBER 11, 2012
SCALE: 1"=50'
CN: 120345.608.1B
LSV: BT
JN: 1-12-0345.608.1
TN: 209-E-175
Sheet No. 1 of 1

PUBLIC HEARING
COWART SELF-STORAGE FACILITY



CASE NUMBER: RZ2013-002

HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	6/11/2013	6/18/2013	7/2/2013

PROPERTY ADDRESS: 4779 Peachtree Corners Circle

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

CASE NUMBER : RZ2013-003

ZONING : RM, RM-13

LOCATION : 5200 BLOCK OF PEACHTREE PARKWAY

ACREAGE : 20.6 ACRES

PROPOSAL : Rezone to M-U-D, Mixed-Use Development

FUTURE DEVELOPMENT MAP : Preferred Office

APPLICANT : City of Peachtree Corners
Downtown Development Authority

CONTACT : Dan Graveline, Chairman

OWNER : City of Peachtree Corners
Downtown Development Authority

**RECOMMENDATION : APPROVE WITH THE CONDITION THAT
CONCEPT PLANS AND ASSOCIATED
REGULATIONS FOR THE DEVELOPMENT OF
THE SUBJECT PROPERTY BE REVIEWED BY
THE PLANNING COMMISSION AND
APPROVED BY THE CITY COUNCIL**

PROJECT DATA:

The applicant requests a zoning change from RM and RM-13, multi-family, to M-U-D, Mixed-use development, in order to accommodate a future development that incorporates a variety of uses including retail, restaurant, hotel, office, residential, and civic spaces. A request for development proposals has been issued for the subject property and a proposal to acquire and develop the property is expected to be approved this summer. A rezoning of the property does not guarantee approval of a specific development plan; however, having an M-U-D zoning designation on the property directs the type of development that can ultimately take place. Currently, the only type of development that the existing zoning allows on the property is for apartments. Since every effort has been made to avoid apartment development on this site, it would be counterproductive to sell the property with the existing zoning attached to it.

ZONING HISTORY:

In the early 1970s the property was zoned RM, multi-family. A portion of the property was later zoned O-I, Office Institutional. In 1998, the property owner at that time filed an application with Gwinnett County to rezone the O-I portion of the property to RM-13 for apartments. In February, 1999, Gwinnett County denied the rezoning request. The property owner then filed suit against Gwinnett County seeking apartment zoning and additional compensation. On Oct. 22, 2001, a consent order was issued by the US District Court for the Northern District of Georgia mandating that the property be rezoned RM-13 specifically for apartments.

DEPARTMENT ANALYSIS:

The subject property is a 20.6 -acre site located in the 5200 Block of Peachtree Parkway across from The Forum Shopping Center. The site is vacant except for an existing antenna tower on approximately 900 sq. ft. of land located toward the northern portion of the property. This antenna has a long-term lease and is expected to remain. Much of the southern boundary of the property is delineated by an existing creek. The property immediately adjoining the subject site to the south and located at the corner of Peachtree Parkway and Peachtree Corners Circle is also vacant; however, it is zoned C-2, commercial, and a Chase Bank was recently approved for development on the corner of this site. The northwest corner of the block is developed with Piedmont Bank. Four additional commercial parcels were approved for development earlier this year adjacent to the bank. The remainder of the block consists of a few individual, single family home properties. It is likely that in the future, these parcels will be assembled into one of the larger tracts on the block and rezoned for mixed-use or commercial development.

The entire triangular block is surrounded by residential development on two sides and commercial development along its longest, Peachtree Parkway side. Although the Future Land Use map calls for Preferred Office on this site, the surrounding uses suggest that a mixed use development with commercial uses toward Peachtree Parkway and residential uses closer to the rear of the property would be appropriate and help create a transition between the existing commercial and residential areas.

Height, density, setbacks, and other development regulations for mixed use zoning are established in Zoning Code Section 1318. These regulations were developed for use county-wide, so the standards may exceed what is appropriate for a particular site. Therefore, the development standards for a mixed-use project at this location will depend upon the property's surroundings and circumstances. Those site specific standards will be established at the same time as the concept plan and will accommodate the development that is approved through the public hearing process. While, normally, a rezoning application requires a development plan for review as part of the rezoning process, the unusual circumstances associated with the subject property necessitate a two-step public hearing process. At this hearing, only the appropriateness of M-U-D zoning on the subject property will be considered. At a future hearing, the development plan and accompanying regulations will be considered.

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>City of Peachtree Corners Downtown Development Authority</u>	NAME: <u>[SAME]</u>
ADDRESS: <u>147 Technology Parkway</u>	ADDRESS: _____
CITY: <u>Peachtree Corners</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30092</u>	STATE: _____ ZIP: _____
PHONE: <u>678-691-1200</u>	PHONE: _____
E-MAIL: _____	E-MAIL: <u>dgraveline7@gmail.com</u>
CONTACT PERSON: <u>Dan Graveline</u> PHONE: _____	
CONTACT'S E-MAIL: <u>dgraveline7@gmail.com</u>	

APPLICANT IS THE:

- OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): RM+RM13 REQUESTED ZONING DISTRICT: MUD

LAND DISTRICT(S): 6 LAND LOT(S): 301 ACREAGE: 20.609

ADDRESS OF PROPERTY: 5100 Block of Peachtree Parkway

PROPOSED DEVELOPMENT: Mixed Use Development

Staff Use Only This Section

Case Number: RZ2013-003 Hearing Date: P/C 6.11.13 C/C 7.2.13 Received Date: 5/13/13

Fees Paid: N/A By: _____

Related Cases & Applicable Conditions:

Description: _____

APPLICANT'S CERTIFICATION

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

Signature of Applicant

Date

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seal

PROPERTY OWNER'S CERTIFICATION

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

Dan Graveline

Signature of Property Owner

5-20-13

Date

Dan Graveline, Chairman, City of Peachtree Corners Downtown Development Authority

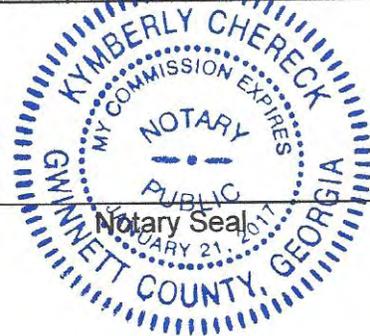
Type or Print Name and Title

Kimberly Chereck

Signature of Notary Public

05-20-13

Date



Section 1318. Mixed-Use Development (MUD) District.

1. Purpose.

The purpose of the Mixed-Use Development District is to promote the development of properties in a manner that integrates commercial and/or office with residential land uses, promotes pedestrian accessibility among uses, reduces automobile trips, provides a livable environment for project residents, and enhances the value and aesthetics of the surrounding community. MUD's utilize connective streetscapes to promote an environment conducive to human activity through the provision of landscaping, street/shade trees, street furniture and sidewalks to unify and interconnect varying uses.

2. Applicability.

A Mixed-Use Development may only be permitted within a Major Activity Center as designated in the Gwinnett County Comprehensive Plan, on tracts of land or assemblages of land located adjacent to or having immediate access to major thoroughfares, where infrastructure is available to support the intensity of such a use.

Application for such a development is contingent upon being granted rezoning approval by the City Council after receiving a recommendation from the Director of Planning and Development and pursuant to Public Hearings before the Planning Commission and the City Council.

Applications for rezoning not located within a Major Activity Center shall not be accepted for processing by the Department of Planning and Development.

3. Rezoning Site Plan Requirements & Design Criteria.

All MUD projects shall be governed by an approved Concept Plan. The Concept Plan shall be submitted, reviewed and approved in accordance with applicable 2012 Zoning Resolution and Development Regulation requirements. Upon approval of the Concept Plan, individual pods of the development project may be undertaken through the Development Permit and Subdivision Platting process contained in the Development Regulations. MUD projects may be constructed as a single phase, or may be constructed in multiple phases, in accordance with the approved Concept Plan.

Notwithstanding the forgoing, the City Council may require the Concept Plan to be submitted to the City Council for review and approval. Such requirements shall be established at the time of the rezoning.

4. Required Exhibits.

As part of the application for rezoning, the following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects and submitted to the Department of Planning and Development. No application for a Mixed-Use Development shall be accepted for processing without these required exhibits.

A. A location map indicating the existing zoning on the site and the adjacent areas and the boundary of the Major Activity Center within which it is located.

B. A Concept plan drawn no smaller than one (1) inch equals 100 feet showing the proposed mix of

uses, pods and phases of development, and including the following information:

- Lot lines and setbacks;
- Location, shape, size and height of proposed buildings, common areas, plazas, and other amenities;
- Lakes, ponds and floodplains and the source of floodplain data;
- Stormwater detention areas;
- Proposed landscaping;
- Recreation facilities (if applicable);
- Location of off-street parking.

C. A design palette governing, pedestrian amenities, and building architecture.

D. Architectural elevations of proposed buildings, indicating exterior treatments.

E. Information indicating the following:

- Gross and net acreage, and density (see definition of density);
- Lot sizes, if applicable (dimensions and square footage);
- Building heights and stories;
- Amount of common open space in square feet;
- Tree areas to be retained and street trees and landscape features to be added;
- Such other architectural and engineering data as may be required to evaluate the project.

5. Density, Building Height, and Minimum Project Size.

Residential density shall be based upon gross project acreage, and may be developed up to a maximum of 32 units per acre. Maximum building height shall be limited to a maximum of 25 stories, not to exceed

300 feet. The City Council may reduce maximum project density and building height on a case-by-case

basis at the time of rezoning. The City Council shall establish maximum project density on a case-by-case basis at the time of rezoning. The City Council may increase maximum building height on a case-by-case basis by Special Use Permit.

MUD projects shall contain a minimum of five (5) contiguous acres of land area; except that expansion of an existing or approved MUD project may contain less land area. Residential uses may occupy no more than 70% of the gross site acreage (exclusive of required Common Area).

6. Permitted Uses and Structures.

MUD projects shall incorporate residential uses with office and/or commercial uses and shared common area(s). Residential uses may include single-family detached, single-family attached, multi-family, and residential/business dwellings.

MUD requires the mixing of uses horizontally and/or vertically, as specified below.

A. Single-Family Detached Pods (Individual Lots)

1. Single-Family Detached Dwellings, except Manufactured Homes.
2. Zero Lot Line Single-Family Detached Dwellings.

B. Single-Family Attached Pods

1. Townhouses or villas.

C. Residential/Business Dwelling Pods

1. Residential/Business Dwellings. Business activities shall be limited to those allowed within the C-1 or O-I Zoning District provided:

- a) Only one (1) business may be operated from the residence.
- b) No more than 50% of the dwelling unit may be used for conducting the business.

D. Multi-family Residence Pods

1. Multi-family Dwellings, Lofts, Condominiums.

E. Commercial/Office/Residential Pods

1. All uses permitted in the O-I, Office-Institutional District.
2. All uses permitted in the C-1, Neighborhood Business District.
3. All uses permitted in the C-2, General Business District, including temporary uses. Recovered Materials Processing and Yard Trimmings Composting are not permitted.
4. Mixed-Use Commercial/Office Buildings, which also include Multi-family Dwellings, Lofts or Condominiums.
5. Residential/Business Dwellings.

7. Design Criteria.

A. Single-Family Detached on Individual Lots:

1. Minimum lot area: No minimum, except that each building envelope shall contain at least 1,000 square feet outside the 100-year floodplain elevation.
2. Minimum lot width: The minimum lot width of all building lots shall be at least 40 feet.
3. Minimum Road Frontage per lot: 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac turnarounds or “eyebrow” cul-de-sacs.
4. Minimum front yard (from streets interior to the development): 5 feet.
5. Minimum side yard: 5 feet per side (single-family detached); or 10 ft. one side / 0 ft. opposite side (zero lot-line).
note: (zero lot-line will require 8-ft. access/ maintenance easement on the adjoining lot.)
6. Minimum rear yard: 5 feet.
7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum Garage Required: Two-(2)-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50% of all dwelling units. Where garages are front entry, the garage façade shall be recessed a minimum of 4 additional feet from the building line.
11. All new or relocated utilities shall be placed underground.

B. Attached Townhomes or Villas:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Minimum Road Frontage per lot: 0 feet.
4. Minimum front yard (from streets interior to the development): 0 feet.
5. Minimum side yard: None.
6. Minimum rear yard: None.
7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.

8. Sodded yards: All grassed areas shall be sodded.

9. Minimum garage required: Townhomes: One-(1)-car garage. Villas: Two-(2)-car garage

10. The required garage and off-street parking for townhomes must be located to the rear of at least 50% of all dwelling units.

11. Firewalls: A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth (4th) attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of Peachtree Corners.

12. All new or relocated utilities shall be placed underground.

C. Residential/Business Dwellings:

1. Minimum lot area: None.

2. Minimum unit width: None.

3. Minimum Road Frontage per lot: 0 feet.

4. Minimum front yard (from streets interior to the development): 0 feet.

5. Minimum side yard: 0 feet.

6. Minimum rear yard: 0 feet.

7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.

8. Sodded yards: All grassed areas shall be sodded.

9. Minimum garage required: One-(1)-car garage.

10. The required garage and off-street parking must be located to the rear of at least 50% of all dwelling units.

11. The businesses shall have direct entry from the street frontage sidewalk.

12. All new or relocated utilities shall be placed underground.

13. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

D. Multi-family Residences:

1. Minimum lot area: None.

2. Minimum lot width: None.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet, except when Common Area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
9. Minimum building height: 2 floors/stories.
10. Sodded yards: All grassed areas shall be sodded.
11. Parking shall be provided in designated lots/ decks subject to review and approval of the Director of Planning and Development.
12. All new or relocated utilities shall be placed underground.
13. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

E. Commercial/Office/Residences:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet except when Common Area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.

9. Sodded yards: All grassed areas shall be sodded.

10. Dwellings may be constructed on floors/stories above first (1st) floor non-residential uses.

11. All new or relocated utilities shall be placed underground.

12. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

8. Common Area.

Common area shall be provided according to the following standards:

A. At least twenty percent (20%) of the gross project acreage (excluding 100-year floodplain and wetland areas) shall be designated on a recorded plat as Permanent Common Area for the use of the residents and visitors to the development.

B. Sidewalks and associated amenities may be credited toward Common Area calculations, if the sidewalk is constructed at a width of 8-feet or greater and the streetscape is enhanced with decorative, commercial quality street furniture, fountains, planters, public seating, amenities within the project that encourage pedestrian connectivity between uses such as plazas, arcades, greenways and/or similar improvements that are clearly intended as gathering spaces or that act as connectors to adjacent buildings or uses may be counted toward the twenty (20) percent common area requirement (subject to review of streetscape design or other required submittals by the Department of Planning and Development).

C. Landscaped strips along internal or external streets may be credited toward Common Area calculations, if the landscaped strip is constructed at a continuous width of 25 feet or greater.

D. Offsite sidewalks, greenways, bike trails, and similar improvements providing inter-parcel access along with associated landscape strips constructed as part of the Mixed-Use Development may be counted toward the twenty (20) percent Common Area requirement, subject to the filing of appropriate reciprocal access agreements between property owners.

E. Wetland and floodplain areas shall be preserved in their natural state except for the installation of required detention facilities and stormwater BMP's. However, these areas do not count toward the Common Area requirement.

F. Stormwater facilities may be located within Common Area, if designed and improved as an amenity, subject to review and approval of the Director of Planning and Development.

G. Common areas shall be distributed throughout the project to provide linkages, amenities and visual appeal for the development. Final Common Area design shall include provision of at least one (1) centrally located public gathering area (with related amenities and improvements) in the form of a town green, amphitheater, landscaped plaza, or similar approved element.

H. Common Area Ownership.

Common areas, stormwater facilities, floodplain and wetland areas shall be owned in fee-simple by a mandatory property owner's association or approved entity, which administers a reciprocal access and maintenance agreement for the project; or other entity approved in advance by the City Council, during their normal course of business. The developer shall record the deed to the Common Area prior to, or concurrent with, the recording of the first Final Subdivision Plat or Certificate of Occupancy. An access easement following the alignment of future public streets is acceptable. However, "pocket parks" or "greens" may be deeded concurrent with the unit or phase of the Final Subdivision Plat of which it is a part.

I. Property Owner's Association.

The property owner's association bylaws or covenants, at a minimum, shall contain the following provisions:

1. Governance of the association by the Georgia Property Owner's Association Act (OCGA Section 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
2. Responsibility for maintenance of common areas.
3. Responsibility for insurance and taxes.
4. Automatic compulsory membership of all property owners and subsequent lot purchasers and their successors; and compulsory assessments.
5. Conditions and timing of transferring control of the association from the developer to the property owners.
6. Guarantee that the association will not be dissolved without the advance approval of the City Council.
7. Restrict the time of deliveries to commercial businesses and dumpster pick-up to between 7:00am and 9:00 pm.

J. Maintenance.

The property owner's association, or other entity approved in advance by the City Council, shall be responsible for the continuous maintenance of buffers, common areas and recreation areas.

9. Buffer and Landscaping Requirements.

A. A naturally vegetated, undisturbed buffer, replanted where sparsely vegetated and supplemented by an eight-foot (8') high solid opaque wall or fence along the interior of the buffer, shall be provided adjacent to external residential properties. Where adjacent properties are zoned or developed for single-family residential uses a buffer of 75-feet in width shall be provided, and where adjacent properties are zoned or developed for

fee-simple townhouse/condominium uses a buffer of 50-feet in width shall be provided. These minimum buffer widths may be adjusted by the City Council at the time of rezoning. Buffers shall not be required adjacent to adjoining property zoned for or developed as office, institutional, commercial, industrial or multifamily uses.

B. The development shall comply with the requirements of the Buffer, Landscape and Tree Ordinance (BLT) with the following exceptions:

1. Buffers shall not be required between nonresidential uses and residential uses internal to the mixed-use development.
2. The ten (10) foot wide landscape strip shall only be required on external roadways, and planted with approved understory trees.
3. All required parking lot trees shall be native straight-trunked hardwood shade trees.
4. Each phase or Pod within the Mixed-Use District shall provide, at a minimum, 20 Tree Density Units per acre for the entire development.
5. Street trees shall be required along both sides of all internal and external streets spaced every 50 feet on center. Each tree shall be a minimum 4-inch caliper (dbh) at time of planting and shall be a native straight-trunked hardwood shade tree species or similar tree suitable to this region.

C. Above ground planters may not be used to fulfill tree planting or tree density requirements.

10. Parking Structures.

A. Parking structures must be designed so that the only openings at street-level are those to accommodate vehicle entrances and pedestrian access to the structure, as follows:

1. Any openings for ventilation, service or emergency access located on the first (1st) floor-level in the building façade must be decorative and must be an integral part of the overall building design.
2. The balance of the street frontage of a parking structure must be either occupied by retail/office space or designed to screen the parking areas utilizing decorative elements such as grill-work, brick, louvers, or a vegetative screen.
3. Deck floors located above the first (1st) floor-level of a parking structure must be screened from view from the street utilizing decorative elements such as grill-work, brick or louvers (minimum 42" in height). In no instance will cabling alone be sufficient to meet this screening requirement.

B. Off-street parking areas shall be screened from adjacent roadways and sidewalks by an opaque decorative fence or wall, berm or vegetative screen at least 30-inches in height. Fence or wall shall be of similar design and materials to the surrounding buildings. Screening shall be installed between the parking area and the sidewalks. Perpendicular driveway crossings and

pedestrian paths are allowed through the screening.

11. Signage.

A Unified Signage Plan shall govern all signage within the development. Signs and the amount of signage shall be subject to the requirements of the Sign Ordinance with the following exceptions:

A. Oversized or billboard signs shall be prohibited.

B. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.

C. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

D. Internally illuminated wall signs may not be located within 150-feet of adjacent property developed for single-family residential uses.

12. Street/Pedestrian Lighting and Street Furniture.

A. Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered, 150 feet on center, along both sides of the street. Pedestrian scale lighting shall be provided every 50 feet along both sides of the street. The lamps of streetlights shall be directed down and capped. Pedestrian lighting shall utilize fixtures designed to accommodate a shielding plate.

B. Decorative, commercial-quality bike racks, benches, and trash receptacles shall be provided throughout the development, in accordance with the approved Pedestrian Access Plan.

13. Architectural Design.

Architectural design of all buildings shall comply with the following:

A. For single-family detached residences: front facades shall have architectural treatments of brick, stone, stucco or wood shake. The balance of each elevation may be wood, wood shake or fiber-cement siding.

B. For attached townhouses, villas and residential/business dwellings: front facades shall have architectural treatments of brick, stone or stucco. The balance of each elevation may be wood, wood shake or fiber-cement siding.

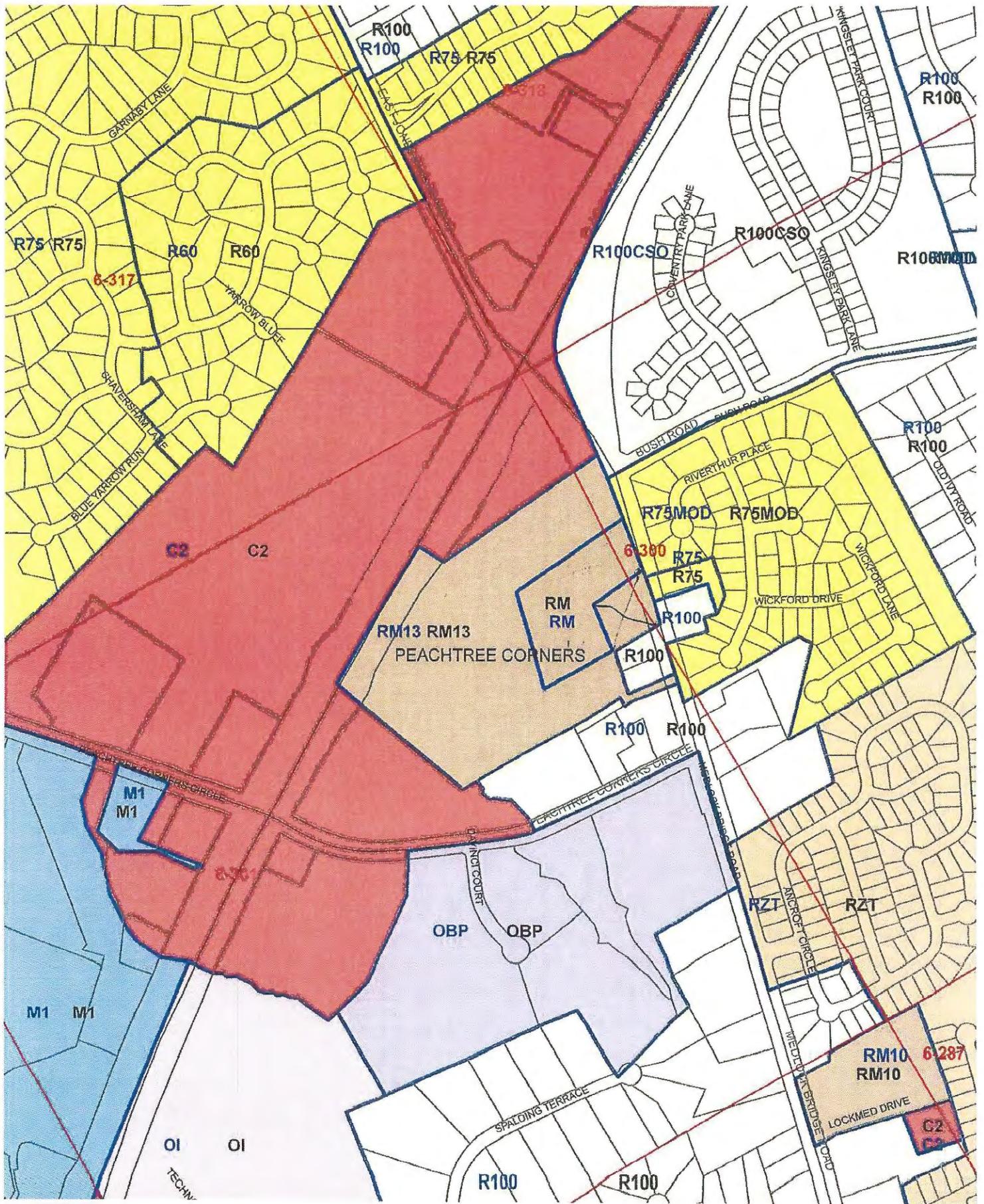
C. For multifamily residential buildings: architectural treatments of each building elevation shall be a minimum 50% brick, stone or stucco. The balance of each elevation may be wood, wood shake, or fiber-cement siding.

D. For Non-Residential and Mixed-Use buildings: architectural treatments shall be of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete, wood, wood shake, fiber-cement siding or architectural metal may be used subject to review and approval of the Director of Planning and Development.

Additionally:

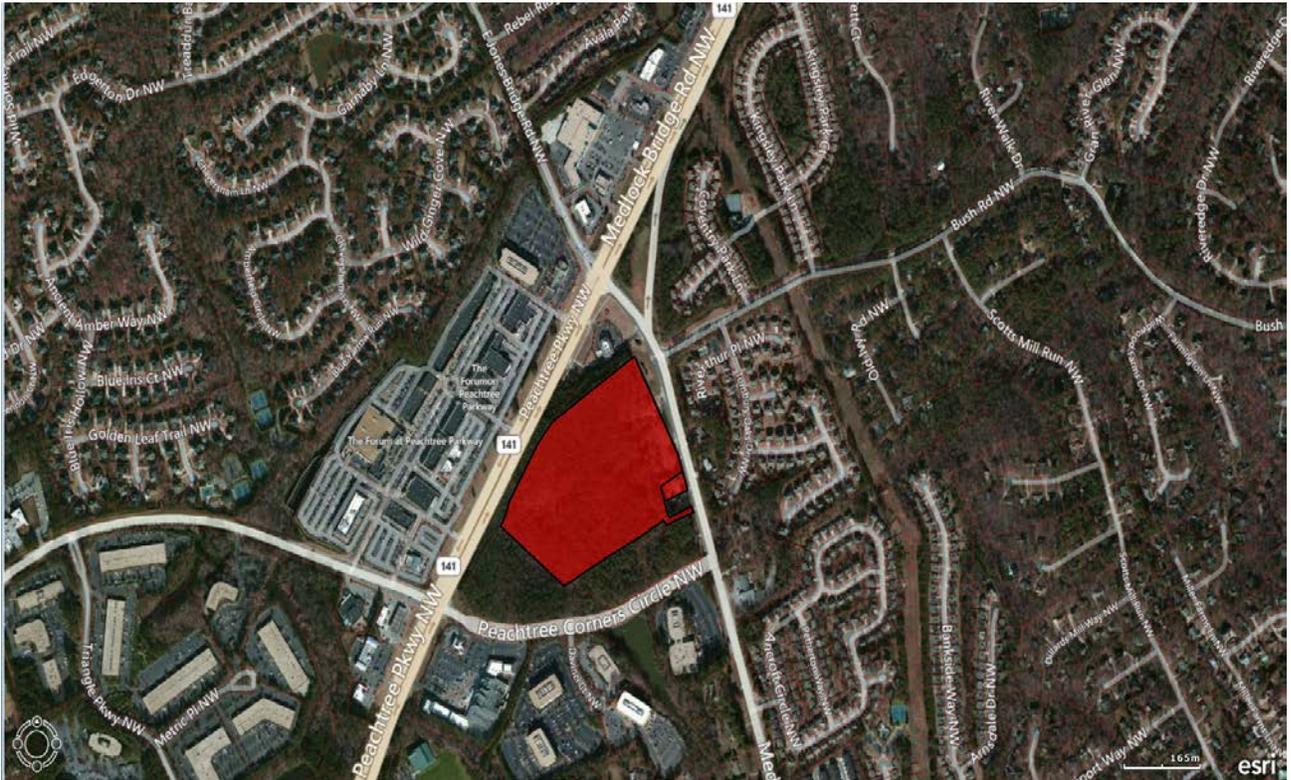
1. In order to encourage and complement street level pedestrian activity, the street-level façade of non-residential buildings facing public or private streets shall incorporate varying edifice details such as trellises, windows or recessed panels suggestive of windows, door or colonnade openings, or storefronts every 20-30 linear feet.
 2. Contrasting accent colors of any wall, awning or other feature (other than a neutral color) shall be limited to no more than 15% of the total area for any single facade.
 3. Metal or portable buildings shall be prohibited.
 4. Buildings shall incorporate live plant material growing immediately in front of or on the building.
 5. Non-residential buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4:12. Portions of the roof structure may be flat to accommodate vents, mechanical systems or similar appurtenances, if adequately screened, subject to review and approval of the Director.
 6. Roofing materials for pitched or mansard roofs shall be limited to the following:
 - * Metal standing seam of red, green or silver in color.
 - * Tile, slate or stone.
 - * Wood shake.
 - * Architectural shingles with a slate, tile or metal appearance.
 7. Parapets of flat-roofed buildings shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one (1) foot, and may be provided in height offset or facade projections such as porticoes or towers. The rear of parapet articulations visible from street level view (within 300 feet) shall be finished to match the exterior architectural treatment.
 8. Design of flat-roofed buildings shall include minimum one-(1)-foot deep cornices, extending along the entire front of the building and the sides of the building for a depth of at least ten (10) feet.
 9. Building design shall include a minimum one-(1)-foot high contrasting base, extending along the entire front of buildings and the sides of buildings for a depth of at least ten (10) feet.
 10. All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.
 11. Accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall be of commercial quality, and complement the building design and style.
- E. Building plans shall be subject to review and approval of the Director of Planning and

Development, or his/her designee, prior to the issuance of a Building Permit. Designs which are inconsistent with these performance guidelines may be denied. Alternate designs which have been denied by the Director may be submitted for review and approval of the City Council.



PUBLIC HEARING

DDA PROPERTY



CASE NUMBER: RZ2013-003

HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	6/11/2013	6/18/2013	7/2/2013

PROPERTY ADDRESS: 5200 Block of Peachtree Parkway

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT**

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