



www.peachtreecornersga.org

## COUNCIL MEETING AGENDA

Mike Mason, Mayor

Phil Sadd – Post 1, Council Member  
James Lowe – Post 2, Council Member  
Alex Wright – Post 3, Council Member

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

---

---

April 15, 2014

### COUNCIL AGENDA

7:00 PM

PEACHTREE CORNERS CITY HALL

147 TECHNOLOGY PARKWAY, PEACHTREE CORNERS, GA 30092

---

---

#### A) CALL TO ORDER

#### B) ROLL CALL

#### C) PLEDGE OF ALLEGIANCE

#### D) MAYOR'S OPENING REMARKS

#### E) CONSIDERATION OF MINUTES – March 18, 2014

#### F) CONSIDERATION OF MEETING AGENDA

#### G) PUBLIC COMMENTS

#### H) CONSENT AGENDA - No Items

#### I) PRESENTATIONS AND REPORTS

1. **P2014-04-16** A Proclamation of the City of Peachtree Corners, Georgia recognizing the efforts of the *United Peachtree Corners Civic Association* and declaring May 10, 2014 as Clean and Beautiful Day in Peachtree Corners.
2. **Diana Wheeler** Staff Activity Report

#### J) OLD BUSINESS

1. **Action Item** Consideration of PH2014-002, Application of Reliance Development for final plat acceptance of Peachtree Reserve, located in Land Lot 300 of the 6<sup>th</sup> Land District of Gwinnett County Georgia. **(This item was Tabled at the March 18, 2014 meeting.)**
2. **O2014-03-24** Second Read and Consideration of a request for a Special Use Permit to add church and community uses to an existing 3.79 acre school facility zoned R-10 and located at 5505 Winters Chapel Road in Land Lots 311 and 312, 6<sup>th</sup> District, Gwinnet County, Georgia.

## **K) NEW BUSINESS**

- 1. Action Item** Consideration of Alcoholic Beverage License Application for Marathon Food located at 5175 S. Old Peachtree Road, Peachtree Corners, GA 30092. Applicant is Shahid Mahmood for retail package wine and malt beverage sales.
- 2. Action Item** Consideration of Alcoholic Beverage License Application for Don Julio Mexican Grill located at 5510 Spalding Drive, Ste. C, Peachtree Corners, GA 30092. Applicant is Pablo Vargas for consumption on premises of beer, wine and distilled spirits.
- 3. R2014-04-24** A Resolution of the City of Peachtree Corners, Georgia establishing an Ethics Policy for Elected and Appointed Officials.
- 4. R2014-04-25** A Resolution of the City of Peachtree Corners, Georgia awarding a Town Center Livable Centers Initiative Study consultant contract pursuant to an Atlanta Regional Commission (ARC) Grant; and authorizing the Mayor to execute contracts with the selected Consultant and the ARC.
- 5. O2014-04-26** First Read and Consideration of an Ordinance to amend Chapter 6 (Alcoholic Beverages”) of the Code of the City of Peachtree Corners, Georgia, in order to add Sec. 6-55 to allow the issuance of an Alcoholic Beverage Caterers License.

## **L) WORK SESSION**

- 1. Pam Ledbetter** Review of Communications Strategy.
- 2. Steve Pohlmann** Update – GIS Mapping and Data
- 3. Diana Wheeler** Request by GDOT to approve Memorandum of Agreement concerning street lights on Peachtree Parkway.
- 4. Tom Black** Update – IGA Re-Surfacing
- 5. Tom Black** Update – IGA Route Maintenance
- 6. Brandon Branham** Presentation on new Community Development Software.
- 7. Brandon Branham** Update on Solid Waste.

## **M) EXECUTIVE SESSION**

## **N) ADJOURNMENT**

**DRAFT**

**Council Minutes**

**CITY OF PEACHTREE CORNERS**  
**COUNCIL MEETING**  
**March 18, 2014, @ 7:00PM**

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

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	James Lowe – Post 2
Council Member	Alex Wright – Post 3
Council Member	Jeanne Aulbach – Post 4
Council Member	Lorri Christopher – Post 5
Council Member	Weare Gratwick – Post 6
City Manager	Julian Jackson
City Clerk	Kym Chereck
Com. Dev. Director	Diana Wheeler
City Attorney	Bill Riley

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

**MAYOR'S OPENING REMARKS:** Mayor Mason informed the public that the City Limit signs were starting to be put in place, there will be 28 signs in all. The Mayor stated that a new business, United Arab Shipping Company, would be relocating to Peachtree Corners. The Mayor welcome the City's new Communications Director, Judy Putnam, and also extended a sincere thank you to the Gwinnett Police Department for their hard work last week with their search for Kelsey Lee.

**MINUTES:**

**MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 18, 2014 COUNCIL MEETING.**

**By: Council Member Christopher**

**Seconded by: Council Member Gratwick**

**Vote: (6-0) (Christopher, Gratwick, Mason, Lowe, Wright, Aulbach)**

**CONSIDERATION OF THE MEETING AGENDA:**

There was no change to the agenda.

**PUBLIC COMMENT:**

Mrs. Debbie Mason stated that on Monday, March 24, 2014, the UPCCA (United Peachtree Corners Community Association) would be hosting a City wide COPS meeting. Mrs. Mason stated that there will be 20 HOA's represented, and that it is open to anyone in the City who would like to attend.

**PRESENTATIONS AND REPORTS:**

Mrs. Diana Wheeler, Community Development Director, provided her report on staff activities that occurred during the period of February 14, 2014 – March 14, 2014. These activities included, among other items, receiving five responses to the Town Center LCI request for Proposals from: Robert and Company, Sizemore Group, Lord Aeck and Sargent, TSW, and Pond and Company.

**NEW BUSINESS:**

**O2014-03-24**

First Read and Consideration of a request for a Special Use Permit to add church and community uses to an existing 3.79 acre school facility zoned R-10 and located at 5505 Winters Chapel Road in Land Lots 311 and 312, 6<sup>th</sup> District, Gwinnet County, Georgia. *(Second Read and public comments will be heard on April 15, 2014.)*

**ACTION ITEM**

PH2014-002

Consideration of PH2014-002, Application of Reliance Development for final plat acceptance of Peachtree Reserve, located in Land Lot 300 of the 6<sup>th</sup> Land District of Gwinnett County Georgia.

**MOTION TO TABLE PH2014-002 UNTIL NEXT MONTH.**

**By: Council Member Wright**

**Seconded: Council Member Aulbach**

**Vote: (6-0) (Wright, Aulbach, Mason, Lowe, Christopher, Gratwick)**

**RESOLUTION**

R2014-2-22

Consideration of a Resolution to authorize and apply for a GateWay grant for property located at the convergence of Peachtree Parkway and

Peachtree Industrial Boulevard pursuant to the requirements of the Georgia Department of Transportation GateWay grant program.

**MOTION TO APPROVE R2014-2-22.**

**By: Council Member Aulbach**

**Seconded: Council Member Christopher**

**Vote: (6-0) (Aulbach, Christopher, Mason, Lowe, Wright, Gratwick)**

**ACTION ITEM**

Consideration of approving the GMA Agreement with the City of Peachtree Corners for GMA to collect taxes from Insurance Companies.

**MOTION TO APPROVE THE GMA AGREEMENT WITH THE CITY OF PEACHTREE CORNERS FOR GMA TO COLLECT TAXES FROM INSURANCE COMPANIES.**

**By: Council Member Christopher**

**Seconded: Council Member Gratwick**

**Vote: (6-0) (Christopher, Gratwick, Mason, Lowe, Wright, Aulbach)**

**ACTION ITEM**

Consideration of approving the CitySourced Mobile Application customer agreement.

Mr. Brandon Branham, Accounting Manager/Clerk of Court, gave a brief presentation on CitySourced. A motion was made after discussion.

**MOTION TO APPROVE THE CITYSOURCED MOBILE APPLICATION CUSTOMER AGREEMENT.**

**By: Council Member Christopher**

**Seconded: Council Member Gratwick**

**Vote: (6-0) (Christopher, Gratwick, Mason, Lowe, Wright, Aulbach)**

**WORK SESSION:**

**Review of Budget for City Elections**

Mr. Gary Smith, Election Consultant presented the Mayor and Council with a budget for a City Election. The budget estimate is \$40,575.

**Presentation/Discussion of Catering Ordinance**

Mr. Brandon Branham, Accounting Manager/Clerk of Court, presented a draft Catering Ordinance. After discussion, including the cost of a Catering License

of \$100 per year, it was decided that this item would be presented for approval at the April 2014 Council Meeting.

**Review of Draft - Ethics Ordinance**

Mrs. Diana Wheeler, Community Development Director, presented the draft Ethics Ordinance. After discussion it was determined that a Hearing Officer would be used for review of ethics complaints. This item will move forward for approval to the April 2014 Council Meeting.

**Discussion – IGA Routine Maintenance**

Mr. Tom Black of CH2MHILL presented the Mayor and Council with a list of points for a potential Intergovernmental Agreement with Johns Creek for Public Works Services. The maintenance services the City could chose would include road maintenance, right-of way maintenance, stormwater maintenance and emergency services. After discussion it was determined that Mr. Black would come back before the City with a cost breakdown for the various services offered by Johns Creek.

**Discussion – 2014 Re-Surfacing**

Mr. Tom Black of CH2MHILL presented the Mayor and Council with an updated list of Peachtree Corners streets that will be included in the Gwinnett County Resurfacing Project.

**Discussion – SPLOST – Joint Project Update**

Mr. Tom Black of CH2MHILL presented the Mayor and Council with a list of projects to be presented to the Citizens Project Selection Committee on Monday, Marcy 24, 2014. The Peachtree Corners list includes:

<b>Project Name</b>	<b>Improvement Type</b>	<b>Estimated Cost</b>
Peachtree Parkway @ Peachtree Industrial Boulevard (SR 141)	Operational Improvement	\$3,500,000
Buford Highway @ Jimmy Carter Boulevard	Operational Improvement – Design & ROW Phase	\$14,500,000
Holcomb Bridge Road @ Jimmy Carter Boulevard	Intersection Improvements	\$500,000
Spalding Drive	Capacity & Pedestrian Safety	\$3,000,000

Council Member Sadd arrived at this time.

**EXECUTIVE SESSION:**

**MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION OF ONE (1) REAL ESTATE MATTER.**

**By: Council Member Christopher**

**Seconded by: Council Member Aulbach**

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

**MOTION TO COME OUT OF EXECUTIVE SESSION.**

**By: Council Member Sadd**

**Seconded by: Council Member Aulbach**

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

**ADJOURNMENT:**

**MOTION TO ADJOURN AT 8:43 PM.**

**By: Council Member Sadd**

**Seconded by: Council Member Wright**

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

Approved,

Attest:

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

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

(Seal)

**Proclamation**

**P2014-04-16**

**UPCCA**

# *Proclamation*

**A PROCLAMATION OF THE CITY OF PEACHTREE CORNERS, GEORGIA  
RECOGNIZING THE EFFORTS OF UNITED PEACHTREE CORNERS CIVIC  
ASSOCIATION AND DECLARING MAY 10, 2014 AS CLEAN AND  
BEAUTIFUL DAY IN PEACHTREE CORNERS.**

**WHEREAS, both the City of Peachtree Corners and the United Peachtree Corners Civic Association are committed to protecting the environment and enhancing the quality of life in the City; and**

**WHEREAS, the City of Peachtree Corners works in partnership with UPCCA on various projects that engage the community in environmental sustainability and beautification; and**

**WHEREAS, UPCCA is organizing and leading volunteers for the Great American Cleanup, and this year May 10<sup>th</sup> is dedicated specifically to Peachtree Corners as a clean-up day; and**

**WHEREAS, the City of Peachtree Corners supports these efforts in public area maintenance, litter prevention, recycling, and neighborhood improvement that are made possible through the dedicated service of citizen volunteers and community sponsors.**

**NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Peachtree Corners that May 10, 2014 shall be known in Peachtree Corners as CLEAN AND BEAUTIFUL DAY and all businesses, organizations and citizens are encouraged to demonstrate their environmental stewardship and pride in Peachtree Corners on this special day and throughout the year.**

**SO PROCLAIMED AND EFFECTIVE, this the 15<sup>th</sup> day of April, 2014.**

**Attest:**

**Approved:**

---

**Kym Chereck, City Clerk**

---

**Mike Mason, Mayor**

**Staff Activity  
Report  
Diana Wheeler**



# Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: April 15, 2014

SUBJECT: Staff Activity Report

The following is a summary of Staff activity during the period of 3/31/14 – 4/11/14.

- A. Meetings with:
  1. DDA to short list Town Center RFP candidates (Lord, Aeck, Sargent; Pond +Co.; Sizemore Group) conduct interviews, and forward a recommendation to City Council.
  2. Festival Planning Committee to strategize about City's booth.
  3. Vendor concerning electric car charging stations.
- B. Established Friday, May 9<sup>th</sup> at noon as the date for the first Green Community Meeting.
- C. Placed monthly new business licenses on website and will continue to update monthly.
- D. Processing plans for Earth Fair, a new grocer that will move into the current Office Max space.
- E. Reviewed plans for various development projects.
- F. Responded to phone calls and e-mails from residents, business people, and others.

**Processed the following permit applications:**

3/31/2014	1282-14	SUPERIOR PLUMBING SERVICES, INC	25 TECHNOLOGY PKWY	ELECTRICAL
3/31/2014	1283-14	BELL ELECTRIC	3466 HOLCOMB BRIDGE RD	ELECTRICAL
3/31/2014	1284-14	WEEKS MAINTENANCE SYSTEMS	6689 PEACHTREE IND BLVD STE A	CERTIFICATE OF OCCUPANCY
3/31/2014	1285-14	SUPERIOR PLUMBING SERVICES, INC	6264 APPLGATE COURT	PLUMBING
4/1/2014	1286-14	EXTERIOR DESIGN & DECKING INC	4325 MISSEDELL LN	ADDITION
4/1/2014	1287-14	PETE WITALIS	4448 RIVERVIEW DRIVE	ADDITION
4/1/2014	1288-14	DECKSOUTH	5258 BROADWOOD AVENUE	ADDITION
4/2/2014	1290-14	TOSHIBA BUSINESS SOLUTIONS (USA) INC	6025 THE CORNERS PKWY STE 207	CERTIFICATE OF OCCUPANCY
4/2/2014	1291-14	BARRINGTON HILLS S APARTMENTS	3352 CHELSEA PARK LN	TEMPORARY SIGN
4/2/2014	1292-14	COOL AIR MECHANICAL	5672 CREEKSIDE DRIVE	HVAC
4/2/2014	1293-14	COOL AIR MECHANICAL	4992 BRIDGEPORT LN	HVAC
4/2/2014	1294-14	COOL AIR MECHANICAL	4825 NATCHEZ TRACE CT	HVAC
4/2/2014	1295-14	COOL AIR MECHANICAL	3744 WEDGEWOOD CHASE	HVAC
4/2/2014	1296-14	COOL AIR MECHANICAL	4263 GLEN MEADOW DR	HVAC
4/2/2014	1297-14	COOL AIR MECHANICAL	3535 HIGHCROFT CIRCLE	HVAC
4/2/2014	1298-14	COOL AIR MECHANICAL	4977 DILLARDS MILL WAY	HVAC
4/2/2014	1299-14	COOL AIR MECHANICAL	3330 AVOCET COURT	HVAC
4/2/2014	1300-14	COOL AIR MECHANICAL	3260 WYNTREE DRIVE	HVAC
4/2/2014	1301-14	COOL AIR MECHANICAL	4650 POMARINE CIRCLE	HVAC
4/2/2014	1302-14	COOL AIR MECHANICAL	6756 WINTERS HILL COURT	HVAC

4/2/2014	1303-14	VERIZON WIRELESS	4511 JONES BRIDGE CIRCLE	CELL SITE
4/2/2014	1304-14	WESLEYAN SCHOOL	5405 SPALDING DRIVE	TEMPORARY SIGN
4/2/2014	1305-14	WESLEYAN SCHOOL	5405 SPALDING DRIVE	TEMPORARY SIGN
4/2/2014	1306-14	WESLEYAN SCHOOL	5405 SPALDING DRIVE	TEMPORARY SIGN
4/3/2014	1307-14	KIN KWOK'S SUCCESS CONSTRUCTION	7094 PEACHTREE IND BLVD	INTERIOR FINISH
4/3/2014	1308-14	E SYSTEMS	5000 SOUTH PEACHTREE STREET	ELECTRICAL
4/3/2014	1309-14	THE MARCUS CORPORATION	3784 HUNTERS CHASE COURT	ADDITION
4/3/2014	1310-14	FOLEY CONSTRUCTION CORPORATION	2 SUN CT STE 220	INTERIOR FINISH
4/4/2014	1311-14	QUIK TRIP CORPORATION	3229 PEACHTREE CORNERS CIRCLE	NEW BUILDING
4/7/2014	1312-14	LEE'S SIGNS	4815 BUFORD HWY	PERMANENT SIGN
4/7/2014	1313-14	D & H ELECTRIC, INC	5150 PEACHTREE PKWY #400	ELECTRICAL
4/7/2014	1314-14	D & H ELECTRIC, INC	5150 PEACHTREE PKWY #300	ELECTRICAL
4/7/2014	1315-14	D & H ELECTRIC, INC	5150 PEACHTREE PKWY #200	ELECTRICAL
4/7/2014	1316-14	D & H ELECTRIC, INC	5150 PEACHTREE PKWY #100	ELECTRICAL
4/7/2014	1317-14	LIFELINE MEDICAL CENTER	3330 PEACHTREE CORNERS CIR	TEMPORARY SIGN
4/7/2014	1318-14	SAFIYA PIRANI	3300 PEACHTREE CORNERS CIR	PERMANENT SIGN
4/7/2014	1319-14	MITEC	350 TECHNOLOGY PKWY STE 100	ELECTRICAL
4/8/2014	1320-14	BARDI HEATING, COOLING AND PLUMBING	5924 PEACHTREE CORNERS EAST	PERMANENT SIGN
4/8/2014	1321-14	MAKE THE CONNECTION	1 SOUTH TECHNOLOGY PKWY	ELECTRICAL
4/8/2014	1322-14	BUCKHAVEN CONSTRUCTION SERVICES	6753 JONES MILL CT STE A	INTERIOR FINISH
4/8/2014	1323-14	MERIT CONSTRUCTION	6525 THE CORNERS PKWY	TW TELECOM
4/8/2014	1324-14	GEORGIA ATLANTA PROPERTY MANAGEMENT, LLC	6251 SMITHPOINTE DRIVE	CERTIFICATE OF OCCUPANCY
4/8/2014	1325-14	STAR SIGN	5450 PEACHTREE PKWY STE B	PERMANENT SIGN
4/8/2014	1326-14	RED TAG ENERGY/FIX-R-US	3281 HIDDEN COVE CIRCLE	PLUMBING
4/9/2014	1327-14	PHILLIPS ELECTRICAL	2909 LANGFORD ROAD	ELECTRICAL
4/9/2014	1328-14	CONSUMERS SECURITY SERVICES, INC	6325 SPALDING DRIVE	ELECTRICAL
4/9/2014	1329-14	FANTASTIC NAILS	3380 HOLCOMB BRIDGE RD STE 2	CERTIFICATE OF OCCUPANCY
4/9/2014	1330-14	QUIK TRIP CORPORATION	3225 PEACHTREE CORNERS CIRCLE	RETAINING WALL

**Action Item**  
**PH2014-002**



# Memo

---

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: March 18, 2014

SUBJECT: PH2014 002 Peachtree Reserve

---

In accordance with the Peachtree Corners Development Regulations, the Peachtree Reserve subdivision final plat has been submitted for final acceptance.

The Gwinnett County Development and Planning staff has completed the required review and inspections, and has released the project. Performance and maintenance bonds have been provided to the City. The entrance landscaping as required by the zoning conditions will be complete prior to issuance of the first certificate of occupancy for the first home constructed. The streets are private and will be maintained by the Homeowner's Association.

The attached plat has been recorded in the Gwinnett County Real Estate records. The 'final acceptance' is a procedural requirement to acknowledge completion of this phase of development and does not encumber the City with any additional responsibility.

**SUBDIVISION PLAT ACCEPTANCE**

**NAME: PEACHTREE RESERVE**  
**LOCATION: BUSH ROAD**  
**LEGAL DESCRIPTION: 6TH DISTRICT, LAND LOT 300**

The Mayor and City Council of the City of Peachtree Corners, while in Regular Session on March 18, 2014, ratified the acceptance of all dedications for Peachtree Reserve subdivision (PH2014 002); as required by the Peachtree Development Regulations Article 11. 1.4. I

**Approved:**

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

ATTEST:

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

**LEGEND**

- IPS-Iron Pin Set With Cap
- OTI-Open Top Pipe Found
- RIF-Iron Pin Found
- CMF-Concrete Monument Found
- CTF-Crimp Top Pipe Found
- SRF-Solid Rod Found
- N/S-Nail Set
- MG-Magnetic Nail
- TBM-Benchmark
- TP-Tax Parcel Number
- P/L-Property Line
- C/L-Centerline
- R/W-Right Of Way
- B/L-Building Line
- B/C-Back Of Curb
- T/C-Top Of Curb
- LL-Land Lot
- LL-Land Lot Line
- N/F-Now Or Formerly
- D.B./P.G.-Deed Book/Page
- P.B./P.G.-Plat Book/Page
- P.O.B.-Point Of Beginning
- T.P.O.B.-True Point Of Beginning
- S.S.E.-Sanitary Sewer Easement
- D.E.-Drainage Easement
- S.S.-Sanitary Sewer
- R.C.P.-Reinforced Concrete Pipe
- C.M.P.-Corrugated Metal Pipe
- P.V.C.-Polyvinyl Chloride Pipe
- C.O.-Clean Out
- M.-Manhole
- D.W.C.B.-Double Wing Catch Basin
- S.W.C.B.-Single Wing Catch Basin
- C.B.-Catch Basin
- D.I.-Drop Inlet
- G.I.-Grate Inlet
- J.B.-Junction Box
- P.P.-Utility Pole
- W.V.-Water Valve
- F.H.-Fire Hydrant
- W.M.-Water Meter
- G.M.-Gas Meter
- G.V.-Gas Valve
- M.W.-Monitoring Well
- C.C.-Concrete
- S.F.-Square Feet
- C&G-Curb And Gutter
- P.O.E.-Point Of Entry
- E.P.-Edge Of Paving
- O.S.D.-Outside Dimension
- R.H.-Recorded Deed Measure
- P.S.-Parking Space Count
- L.P.-Light Pole
- P.I.V.-Post Indicator Valve
- C.T.V.-Cable Television
- F.I.M.-Firm Insurance Rate Map
- D.Y.L.-Double Yellow Line
- S.Y.L.-Single Yellow Line
- W.L.-White Line
- R.F.-Rail Fence
- C.L.F.-Chain Link Fence
- P.W.F.-Power Line
- W.-Water Line
- T.-Telephone Line
- C.T.L.-Cable Television Line
- S.S.L.-Sanitary Sewer Line
- G.L.-Gas Line
- S.D.-Storm Drain
- P.B.X.-POWER BOX

**SETBACK DATA:**

FRONT YARD: 25'  
REAR YARD: 30'  
SIDE YARD: 15' COMBINED

Lot	Land Vulnerability			
	D'	D'	E'	E'
Lot 1	10,808	4,745	0	0
Lot 2	8,587	4,684	0	0
Lot 3	8,757	4,596	0	0
Lot 4	3,336	336	6,795	4,888
Lot 5	0	0	12,275	4,787
Lot 6	0	0	10,138	4,851
Lot 7	0	0	8,690	4,633
Lot 8	3,008	654	6,857	3,972
Lot 9	954	36	7,384	4,656
Lot 10	0	0	6,046	3,197
Lot 11	0	0	951	0
Lot 12	306	0	0	0
Streets/ Right-of-Way in co	25,231	13,010	1,534	606
Recreation Area	0	0	0	0
Total Used	60,987	28,041	60,670	31,580
Total Allowed Sq. Ft.	57,587	34,540	66,093	33,046
*Reserves prior to transfer	-3,114	5,005	5,423	1,466
**Reserves after transfer	5,021	5,005	0	1,466

\*Land Vulnerability Category 'D' has 3,114 sq. ft. of clearing in reserves. Land Vulnerability Category 'E' has an additional 5,423 sq. ft. of clearing in reserves.  
\*\*Transfer of 5,423 sq. ft. of clearing in Land Vulnerability Category 'E' at 1:0 to 1:5 ratio to Land Vulnerability Category 'D' in the amount of 8,135 sq. ft. equals 5,021 sq. ft. of clearing in Land Vulnerability Category 'D'.

	Land Vulnerability Categories for Disturbed Areas					
	A	B	C	D	E	F
Total Area (acreage)				2.64	5.06	
Total Area (sq. ft.)				115,134	220,309	
Allowed Percentage				50%	30%	
Allowed Clearing (sq. ft.)				57,567	66,093	
Allowed Percentage				30%	15%	
Allowed Impervious (sq. ft.)				34,540	33,046	

- NOTES:
- REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 28720, PAGE 105 AND PLAT BOOK 94, PAGE 264 OF GWINNETT COUNTY RECORDS.
  - NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 1313SC 0067F, DATED 9/29/2006.
  - THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
  - NO ABSTRACT OF TITLE, TITLE COMMITMENT, OR RESULTS OF TITLE SEARCHES WERE SUPPLIED TO THE SURVEYOR. THERE MAY BE OTHER MATTERS OF RECORD THAT AFFECT THIS PROPERTY.
  - TOPOGRAPHIC INFORMATION SHOWN HEREON IS TIED TO NAVD83 AND MEAN SEA LEVEL.
  - ARC MRPA CATEGORY LINES SHOWN HEREON WERE TAKEN FROM A SITE PLAN PREPARED BY PLANNERS AND ENGINEERS COLLABORATIVE.
  - TOPPING TREES IS NOT ALLOWED. TREES REMOVED OR HAVING THEIR TOPS CUT AFTER COMPLIANCE WITH THIS ORDINANCE SHALL BE REPLACED WITH THE EQUIVALENT INCHES OF REMOVED TREES.

SHEET 2 OF 4

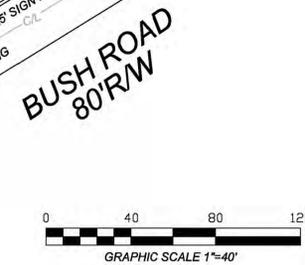
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND THE REQUIREMENTS OF THE LAW.

GARY S. HARVIN, JR. RLS 3105

**FINAL PLAT FOR:**  
**PEACHTREE RESERVE**  
4885 BUSH ROAD  
LAND LOTS 300 & 318, 6TH DISTRICT, CITY OF PEACHTREE CORNERS, GWINNETT COUNTY, GEORGIA  
TAX PARCEL ID# 6300 449, 6300 007A, 6300 009

DATE	SCALE	NO.	ISSUE	DESCRIPTION	DATE
SEPTEMBER 17, 2013	HORIZ 1"=40'	1	ADDRESS COUNTY COMMENTS		11-4-2013
		2	ADDRESS COUNTY COMMENTS		12-5-2013

DISTRICT: 6TH SECTION  
CITY: PEACHTREE CORNERS  
COUNTY: GWINNETT STATE: GA  
SURVEYED: MSG DRAWN: GSH  
CHECKED: GSH APPROVED: GSH  
PROJECT #: 12144



- STATEMENTS FROM ZONING CASE NUMBER SUP2012-00020
- COMMON AREA # 1 AND # 2 IS TO REMAIN AS PASSIVE NATURAL RECREATION AREA.
  - HOMES ON LOTS ABUTTING BUSH ROAD SHALL NOT BE PAINTED IN BRIGHT COLORS, BUT SHALL BE PAINTED IN EARTH TONE COLORS TO BE APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT.
  - CERTAIN AREAS WITHIN THE SUBDIVISION ARE PLATTED AND PRESERVED AS PERMANENT UNDISTURBED OPEN SPACE AND THAT THESE AREAS SHALL NOT BE DISTURBED.

Density Chart for Modified Development						
Unit/Pod/Phase Number	Total Acreage	Total Number of Lots	Gross Density (include all the land excluding nothing) (units per acre)	Amount of Flood Plain (in square feet)	Amount of area within power or gas easement or r/w (in square feet)	Net Density (excluding 50% of flood plain and area within power or gas easement or r/w) (units per acre)
Total Development	9.907	16	1.61	0	0	1.80
Totals To Date	9.907	16	1.61	0	0	1.80

**02014-03-24**

**Special Use  
Permit**

**AN ORDINANCE TO AMEND THE CITY OF PEACHTREE CORNERS ZONING MAP PURSUANT TO SUP2014-001 REQUEST FOR A SPECIAL USE PERMIT ON A 3.79 ACRE PARCEL ZONED R-100 (SINGLE FAMILY RESIDENTIAL) TO ALLOW THE ADDITION OF CHURCH AND COMMUNITY USES TO AN EXISTING SCHOOL FACILITY LOCATED IN DISTRICT 6, LAND LOTS 311 AND 312, PARCEL 004A AT 5505 WINTERS CHAPEL ROAD; APPLICANT: SEIGAKUIN SCHOOL**

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

**WHEREAS:** Public Hearings were held by the Mayor and City Council of Peachtree Corners on March 18, 2014 and April 15, 2014;

**NOW THEREFORE,** The Mayor and City Council of the City of Peachtree Corners while in Regular Session on April 15, 2014 hereby ordain and approve the Zoning Case SUP2014-001, Seigakuin School, for the above referenced property with the following enumerated conditions:

1. Permitted uses shall be limited to school, educational, church and community uses.
2. Community uses shall not include commercial activities such as retail sales.
3. Community uses shall be conducted solely within the building.
4. All events on the property shall end by 9:00 PM with clean-up completed by 10:00 PM.
5. No outside sound or speaker systems shall be permitted.
6. Alcoholic beverages, except for religious use, shall be prohibited.
7. The maximum number of cars allowed on site is 130 and the maximum number of people on the property is 250.
8. Activities generating a greater parking demand than can be accommodated on site shall not be permitted.
9. Permanent signage advertising any of the additional uses or tenants shall not be permitted; however, temporary directional signage shall be permitted.
10. Approval shall be subject to reconsideration if more than three complaints are received within any 12 month period.
11. The school shall require and verify that the parking lot gates are secured after each use by any group.

Effective this 15th day of April, 2014.

So signed and Witnessed

Approved :

this \_\_\_\_\_ day of \_\_\_\_\_, 2013

Attest:

\_\_\_\_\_  
KyMBERly Chereck, City Clerk

(SEAL)

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

**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**SPECIAL USE PERMIT ANALYSIS**

PLANNING COMMISSION DATE :MARCH 11, 2014  
CITY COUNCIL DATE :APRIL 15, 2014

CASE NUMBER :**SUP2014-001**  
APPLICATION REQUEST :ADD CHURCH AND COMMUNITY USES  
TO EXISTING SCHOOL  
LOCATION :5505 WINTERS CHAPEL ROAD  
PROPERTY SIZE :3.790 ACRES  
ZONING :R-100  
FUTURE DEVELOPMENT MAP :SUBURBAN NEIGHBORHOOD  
MAP NUMBERS :6-312-004A (Land Lots 311 and 312)

APPLICANT / OWNER :SEIGAKUIN ATLANTA INTERNATIONAL SCHOOL  
5505 WINTERS CHAPEL ROAD  
PEACHTREE CORNERS, GA 30360

CONTACT :MINAKO AHEARN PHONE: 770.730.0045

**RECOMMENDATION: APPROVE WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on a 3.79-acre parcel zoned R-100 (Single Family Residence District) to add church and community uses to an existing school. The Seigakuin Atlanta International School currently occupies the property. No additions or alterations to the existing buildings or site are being proposed.

The applicant's letter of intent states that the school currently uses their facility during normal school hours and would like to expand the use of the facility by leasing space to a church on Sundays for worship and Sunday school. They would also like to rent the space to community groups for evening classes on weeknights and Saturdays. The letter of intent further states that the School will pre-screen the candidates carefully and the lease contract will state specifically that programs will end by 9:00 PM and clean up needs to be completed by 10:00 PM; the parking lot will be used solely to park cars in designated areas and it will not be used for parties; alcoholic beverages, except for ceremonial use, are not allowed while renting the school's facilities; the maximum number of cars permitted on site is 130; the maximum number of people in the hall is 250 (170 adults and 80 children).

**ZONING HISTORY:**

The subject property has been zoned R-100 (Single Family Residence district) since 1970. In 2002, the property was granted a Special Use Permit (SUP-02-073) by Gwinnett County to permit a school. In 2006 a Change-In-Conditions (CIC-06-015) allowed the demolition of an existing one story residential structure and construction of a two story building within the same footprint.

**DEPARTMENT ANALYSIS:**

The subject property is a 3.79-acre site located at 5505 Winters Chapel Road, on the east side of Winters Chapel Road across from Spalding Lane. The site is currently used as a Japanese School, but was formerly a church. There are three buildings on the property: a one-story stucco school building, a two-story stucco school building, and a small accessory metal building. A mature landscaped screen exists along the north property line. Mature trees exist along the rear (east) property line, as well. The site increases in elevation along the right of way before sloping toward the rear of the property.

The character of the area is residential with single family residential development adjacent to all sides of the site and across from the site on Winters Chapel Road. The surrounding residential use is established and stable.

The 2033 Comprehensive Plan indicates that the parcel lies within the Suburban Neighborhood character area. This Character Area encourages institutional uses such as churches and schools provided they are located on a primary street. Winters Chapel Road is a primary street. This request to add church and community uses to an existing school could be consistent with the policies of the Character area and compatible with surrounding uses provided appropriate conditions are applied.

**SUMMARY:**

The applicant would like to maximize the use of their existing facility by accommodating other activities during times when school is not in session. Adding a church use should not be a concern since a church existed on the subject property previously with no history of complaint or problem. However, the activities of community groups during evenings and Saturdays are not as clearly understood and may vary widely. In order to ensure that such activities don't have a negative impact on surrounding residential properties or place an excess burden on existing roadway traffic, careful consideration needs to be given to prospective renters and parameters for the use of the facility should be established.

**Therefore, after review of the applicant's proposal, it is recommended that the request for a Special Use Permit to allow the addition of church and community uses at 5505 Winters Chapel Road, SUP2014-001, be approved with the following conditions:**

1. Permitted uses shall be limited to school, church and community uses.
2. Community uses shall not include commercial activities such as retail sales.
3. Community uses shall be conducted solely within the building.
4. All events on the property shall end by 9:00 PM with clean-up completed by 10:00 PM.
5. No outside sound or speaker systems shall be permitted.
6. Alcoholic beverages, except for ceremonial use, shall be prohibited.
7. The maximum number of cars allowed on site is 130 and the maximum number of people on the property is 250.
8. Activities generating a greater parking demand than can be accommodated on site shall not be permitted.
9. Signage advertising any of the additional uses or tenants shall not be permitted.
10. Approval shall be subject to reconsideration if more than three complaints are received within any 12 month period.

## PUBLIC HEARING APPLICATION

### REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

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

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

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

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Minako Ahearn</u>	NAME: <u>Minako Ahearn</u>
ADDRESS: <u>5505 Winters Chapel Road</u>	ADDRESS: <u>5505 Winters Chapel Road</u>
CITY: <u>Peachtree Corners</u>	CITY: <u>Peachtree Corners</u>
STATE: <u>GA</u> ZIP: <u>30360</u>	STATE: <u>GA</u> ZIP: <u>30360</u>
PHONE: <u>770-730-0045</u>	PHONE: <u>770-730-0045</u>
E-MAIL: <u>m.ahearn@seigakuin.us</u>	E-MAIL: <u>m.ahearn@seigakuin.us</u>
CONTACT PERSON: <u>Minako Ahearn</u> PHONE: <u>770-730-0045</u>	
CONTACT'S E-MAIL: <u>info@seigakuin.us/m.ahearn@seigakuin.us</u>	

**APPLICANT IS THE:**

OWNER'S AGENT       PROPERTY OWNER       CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): \_\_\_\_\_ REQUESTED ZONING DISTRICT: \_\_\_\_\_

LAND DISTRICT(S): 6th LAND LOT(S): 311 & 312 ACREAGE: 3.79

ADDRESS OF PROPERTY: 5505 Winters Chapel Road

PROPOSED DEVELOPMENT: Seigakuin Atlanta International School

---

*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: 3

Total Bldg. Sq. Ft.: 17,000 SQUARE FEET

Gross Density: \_\_\_\_\_

**FEE SCHEDULE**

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

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

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

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

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

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

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

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

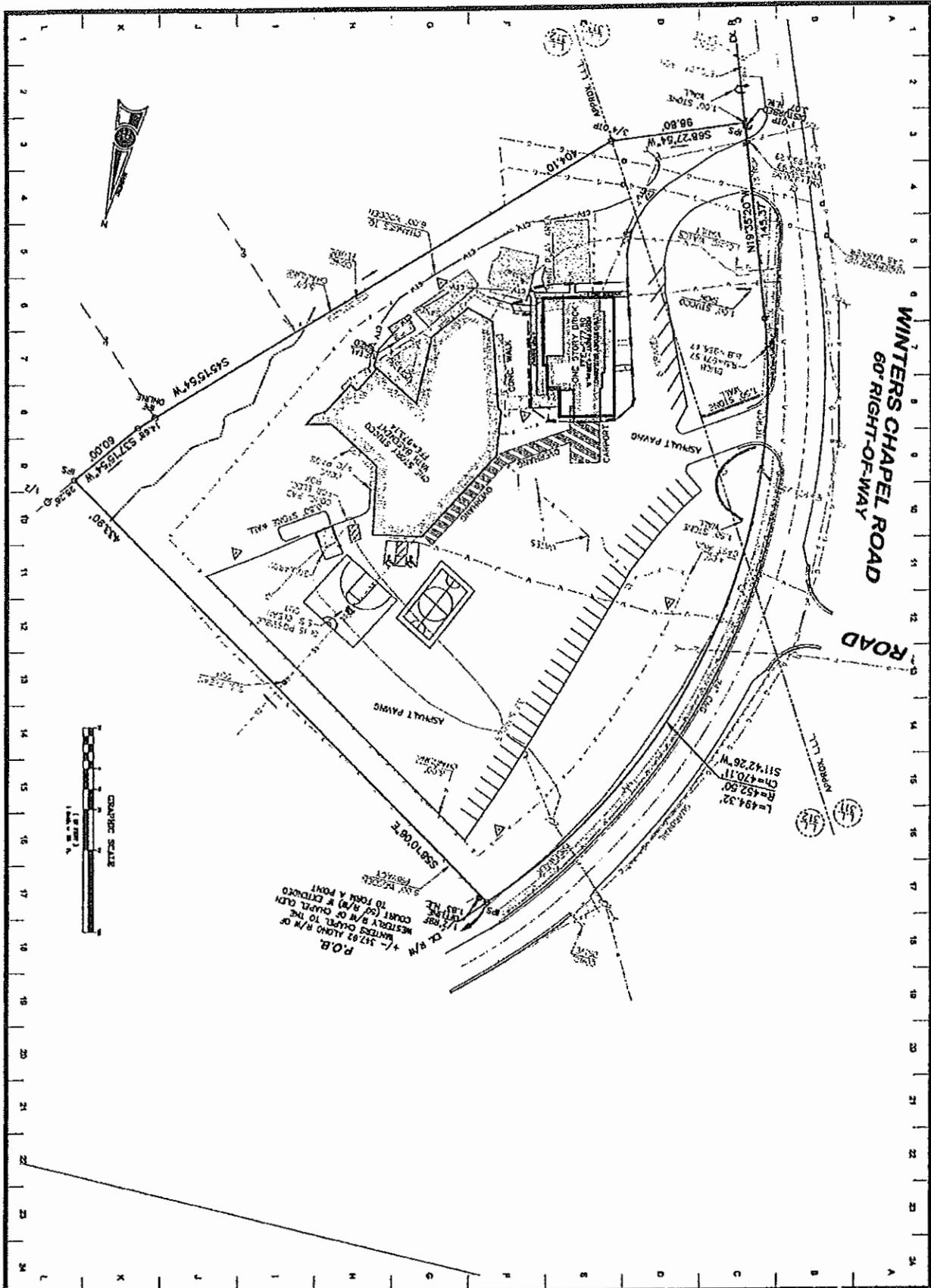
For the following office, commercial and industrial zoning districts: C-1, C-2, C-3, O-1, OBP, M-1, M-2, HS, NS.

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

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

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

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



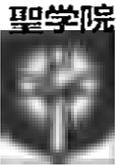
1 of 1	DATE AND DESCRIPTION	CONCEPT PLAN	<b>Seigakuin Atlanta International School</b> <small>Winters Chapel Road                  Land Lot 111 of 46 4th District                  DeKalb County, Georgia</small>	 <b>Precision Planning, Inc.</b> <small>planners, engineers, architects &amp; surveyors</small> P.O. Box 2210 620 P.O. Boulevard Lawrenceville, GA 30046-2210 (770) 330-9000 (770) 332-3199 Fax www.ppinc.com	© 2002 All rights reserved. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Precision Planning, Inc.
	DATE: _____ DESCRIPTION: _____ FILE NUMBER: COS-319 PROJECT NUMBER: _____ FILE NUMBER: _____				

**Legal Description**

(5505 Winters Chapel Road, Doraville, Gwinnett County, Georgia)

All that tract or parcel of land lying and being in Land Lots 311 and 312 of the 6<sup>th</sup> District, Gwinnett County, Georgia, as more particularly described as follows:

To find the true point of beginning commence at the common intersection of Land Lots 306, 307, 311 and 312 and proceeding northwesterly along the northeastern line of Land Lot 311 and the southwestern line of Land Lot 312 north 32 degrees 00 minutes 00 seconds west a distance of 539.50 feet to an iron pin found and the TRUE POINT OF BEGINNING; thence proceeding south 67 degrees 05 minutes 00 seconds west a distance of 98.80 feet to a nail set along the easterly right-of-way of Winters Chapel Road (a 60' right-of-way); thence proceeding along said easterly right-of-way of Winters Chapel Road north 20 degrees 58 minutes 14 seconds west a distance of 145.37 feet to a point; thence proceeding along an arc of a curve to the right along said easterly right-of-way of Winters Chapel Road an arc distance of 178.63 feet to a point, said arc having a radius of 452.50 feet and being subtended by the chord bearing north 10 degrees 19 minutes 32 seconds east a distance of 470.11 feet; thence continuing along said arc of a curve to the right an arc distance of 494.33 feet to an iron pin found, said arc having a radius of 452.50 feet and being subtended by the chord bearing north 10 degrees 19 minutes 32 seconds east a distance of 470.11 feet; thence leaving said right-of-way of Winters Chapel Road and proceeding south 59 degrees 33 minutes 00 seconds east a distance of 433.90 feet to an iron pin found; thence proceeding south 35 degrees 53 minutes 00 seconds west a distance of 60.00 feet to an iron pin found; thence proceeding south 43 degrees 53 minutes 00 seconds west a distance of 14.60 feet to an iron pin found; thence continuing south 43 degrees 53 minutes 00 seconds west a distance of 119.80 feet to an iron pin found; thence continuing south 43 degrees 53 minutes 00 seconds west a distance of 404.10 feet to an iron pin found and the TRUE POINT OF BEGINNING, being improved property containing 3.79 acres, more or less, all as shown on that certain survey prepared for The First Romanian Baptist Church, Inc., NationsBank, N.A. and Lawyers Title Insurance Corporation, drawn by Perry E. McClung, G.R.L.S. No. 1541 of McClung Surveying, Inc.



January 23, 2014

BY HAND DELIVERY

Ms. Lynn Pierson  
Zoning Administrator  
City of Peachtree Corners  
147 Technology Parkway  
Suite 200,  
Peachtree Corners, GA 30092

RE: Application by Seigakuin Atlanta International School for a Change in Condition ("*Application*") relating to SUP-02-073, an approximately 3.79-acre parcel located at 5505 Winters Chapel Road, Peachtree Corner, Georgia (the "*Property*")

Dear Ms. Pierson,

This letter of intent is submitted by Seigakuin Atlanta International School (the "*School*") with respect to the referenced Application to describe the Application.

In 2002, the School applied for and was granted a special use permit (SUP-02-073) to allow operation of a private school on the Property. The Property is an approximately 3.79-acre parcel that is zoned R-100 (Single-Family Residence District) and located on the east side of Winters Chapel Road, across from Spalding Lane. At the time the School made its application for SUP, the Property was being used as a church facility. The SUP application was approved with a number of conditions. A copy of the Gwinnett County Departments' analysis of the SUP Application, which includes the approved SUP with conditions, is enclosed.

There are three buildings on the Property: a one-story stucco school building, a two-story stucco school building, and a small accessory metal building. The property has parking spaces for approximately 130 cars including outside and inside the fenced area. The assembly hall has seating capacity as follows: 170 adult size chairs plus 80 children size chairs. The enrollment is well within the maximum population of 110 set by the existing SUP. There will be no change to the existing buildings.

The School's request is limited to the following:

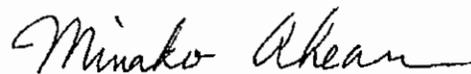
- A. To lease the existing space to a church on Sundays for worship and Sunday school;
- B. To rent the existing space to community groups for evening classes on weeknights and Saturdays;
- C. School will pre-screen the candidates carefully. The lease contract will state specifically that
  - Programs need to end by 9:00 pm and clean up needs to be completed by 10:00pm;
  - The parking lot will be used solely to park cars in designated area and it will not be used for parties;
  - Alcoholic beverages, except for ceremonial use, are not allowed while renting our facilities;
  - The maximum number of cars is 130. The maximum number of people in the Hall is 250 (170 adult + 80 children).

In support of this Application, the School submits the following:

- (1) Application Form
- (2) Boundary Survey with Legal Description
- (3) Site Plan
- (4) Letter of Intent
- (5) A copy of the Gwinnett County Departments' analysis of the SUP Application, which includes the approved SUP with conditions
- (6) Applicant Certification with Notarized Signature
- (7) Property Owner Certification with Notarized Signature
- (8) Standards Governing Exercise of the Zoning Power
- (9) Disclosure Report Form (Conflict of Interest Certification/ Campaign Contributions)
- (10) Verification of Paid Property Taxes (most recent year)
- (11) Electronic copy of all of the above
- (12) Application Fee

The School respectfully requests that the Peachtree Corner City grants the approval of the change in conditions as requested by the Application. The School is happy to answer any questions or provide any information that you may have with regards to the application. Please feel free to call us if you have any questions.

Sincerely,



Minako Ahearn  
Managing Director of the Board  
Principal  
Seigakuin Atlanta International School

GWINNETT COUNTY PLANNING AND DEVELOPMENT DEPARTMENT  
SPECIAL USE PERMIT ANALYSIS

CASE NUMBER : SUP-02-073  
ZONING : R-100  
LOCATION : 5500 BLOCK OF WINTERS CHAPEL ROAD  
MAP NUMBER : 6-312-004A  
ACREAGE : 3.790 ACRES  
PROPOSED DEVELOPMENT : PRIVATE SCHOOL  
UNITS/SQUARE FEET : 17,000 SQUARE FEET  
COMMISSION DISTRICT : (2) NASUTI

LAND USE PLAN RECOMMENDATION: INSTITUTIONAL / PUBLIC

APPLICANT: SEIGAKUIN ALTANTA INTERNATIONAL  
3007 HERMANEE DRIVE  
ATLANTA GA 30319

CONTACT: MINAKO AHEARN PHONE: 770.476.1335

OWNER: FIRST ROMANIAN BAPTIST CHURCH  
5505 WINTERS CHAPEL ROAD  
DORAVILLE GA 30340

DEPARTMENT RECOMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests approval of a Special Use Permit for a private school on a 3.79-acre parcel zoned R-100 (Single-Family Residence District). The property is located on the east side of Winters Chapel Road, across from Spalding Lane. Presently the site is utilized as a church facility. The proposed school would not be affiliated with the church, and the church would be moved to a new location. The applicant anticipates enrollment at the school would be approximately 100 students. Access to the site is gained by three entrance/exits onto the property from Winters Chapel Road.

The site contains a single-story brick residential structure, a one-story stucco church building, and a small accessory metal building. The applicant should note that if the residential structure is to be used for the operation of the business and has not previously been converted for non-residential uses, then a Building Compliance Inspection and building code improvements would be required. The site plan indicates a small expansion of

SUP-02-073 (GB)

the parking lot would occur in the northwestern portion of the site. A decorative fence is proposed along Winters Chapel Road and enclosing the majority of the parking area. The decorative fence would connect with an existing fence and a proposed fence along the rear property lines. Two playground areas have been indicated on the plan, one located in the northeastern corner (rear) of the site and the other in the southern portion of the site.

**ZONING HISTORY:**

The subject property has been zoned R-100 (Single-Family Residence District) since 1970.

**GROUNDWATER RECHARGE AREA:**

The subject property is not located within an identified Significant Groundwater Recharge Area. The Georgia Department of Community Affairs and Department of Natural Resources have mandated that Significant Groundwater Recharge Areas be identified and that minimum lot sizes for septic tanks be increased in these resource areas. Please contact the Gwinnett County Board of Health for septic system information and/or Gwinnett Department of Public Utilities regarding availability of sanitary sewer for this site.

**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.

**OPEN SPACE AND GREENWAY MASTER PLAN:**

There are no adopted or proposed greenway/bikeway routes affecting this property at this time.

**DEVELOPMENT REVIEW SECTION COMMENTS:**

Parking spaces shall be provided at a minimum ratio of two spaces per classroom for elementary.

SUP-02-073 (GB)

## GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION COMMENTS:

Winters Chapel Road is a minor arterial and 40 feet of right-of-way is required from centerline, with 50 feet required within 500 feet of an intersection.

Prior to occupancy as a school, the applicant must certify sight distance in accordance with the Development Regulations for all of the existing driveways at the site. Any drives that do not have the minimum required sight distance must be removed and/or relocated. Any reconstructed driveways must meet all requirements of the Development Regulations.

## GWINNETT COUNTY ENVIRONMENTAL HEALTH COMMENTS:

Contact Gwinnett County Environmental Health Department concerning septic involvement. Must submit 3 soil report and detailed site plan with 2 foot topo and soils transposed onto plat. Food service requirements will also need to be addressed.

## GWINNETT COUNTY DEPARTMENT OF PUBLIC UTILITIES COMMENTS:

The available utility records show that the subject development is currently in the vicinity of an 8-inch water main located on the eastern right-of-way of Winters Chapel Road.

Due to the uncontrollable variables, the Department of Public Utilities 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 development and will not be provided by this department.

The available utility records show that the subject development is currently in the vicinity of an 8-inch sanitary sewer main line located approximately 75 feet northeast of the property in the right-of-way of Chapel Glenn Court.

The subject development is located within the Crooked Creek service area. There are currently no connection restrictions within this service area. Treatment capacity within this basin is presently available on a first come-first serve basis.

SUP-02-073 (GB)

Demands imposed by the proposed development may require reinforcements or extensions of existing sewer mains. Any cost associated with such required reinforcements or extensions will be the responsibility of the development and will not be provided by this department.

As-built information for this department is dependent upon outside entities to provide the 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 to this special use permit request under the following conditions:

1. Applicant shall submit to Building Plan Review the architectural, structural, mechanical, electrical, and plumbing drawings for each existing building in addition to a detailed description of the intended use for each room within the building. Upon review of plans, Building Plan Review will identify all applicable code compliance items, if any, that shall be addressed prior to commencing the desired operation.

For assistance, you may contact this office at <sup>678-518-6000</sup>~~770-822-7500~~ Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.

**GWINNETT COUNTY FIRE SERVICES DEPARTMENT COMMENTS:**

The Fire Marshal's office has no objections to the above rezoning requests, under the following conditions:

1. Applicant submits civil drawings to the Fire Marshal's Office for review and approval.

SUP-02-073 (GB)

2. Applicant submits architectural drawings for review and approval by the Fire Marshal's Office.
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, you may contact this office at (770) 866-7690, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m.

DEPARTMENT ANALYSIS:

The property is a 3.79-acre parcel located on Winters Chapel Road, across from Spalding Lane. A church presently utilizes the property, and it contains a single-family residential structure, one-story church building and accessory building.

The Gwinnett County 2020 Land Use Plan map indicates the property is suitable for Institutional/Public uses, while the Area Plan Policy map indicates the site is located within a Major Activity Center. A private school would be consistent with these recommendations.

The character of the area is primarily residential in nature. Adjacent to all sides of the subject site and across Winters Chapel Road, properties are zoned R-100. Further south, in DeKalb County, there are additional residential properties, as well as a commercial strip center and a water treatment facility. North of the site, in Fulton County, there are additional residences. The proposed private school would be consistent with the adjacent and nearby developments. Provided conditions are established to maintain the character of the area, adverse impacts would not be anticipated.

In conclusion, the proposed private school would be compatible with the surrounding development of the area and would be consistent with the policies of the Land Use Plan and Area Plan. Therefore, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of this request.

SUP-02-073 (GB)

PLANNING AND DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS

Approval of a Special Use Permit for a private school subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Allow a private school as a Special Use within the existing structures. Bring all structures into compliance with applicable codes prior to a certificate of occupancy.
  - B. Any additions to existing buildings or new construction shall be constructed with exteriors of brick, stacked stone, or stucco.
2. To satisfy the following enumerated site development considerations:
  - A. Provide a 20-foot natural and undisturbed buffer adjacent to residentially zoned property, excluding existing structures. Interior to the buffer, construct a 100% opaque, six-foot high wooden fence.
  - B. Signage shall be limited to a single monument-type sign not to exceed six feet in height. The base of the sign shall be brick, stacked stone or stucco, matching the exterior of the existing buildings.
  - C. Dumpsters shall be enclosed by a 100% opaque brick wall. Hours of dumpster pick-up shall be limited to between 7:00 A.M. and 7:00 P.M.
3. To abide by the following requirements, dedications and improvements:
  - A. Prior to occupancy as a school, the applicant must certify sight distance in accordance with the Development Regulations for all of the existing driveways at the site. Any drives that do not have the minimum required sight distance must be removed and/or relocated. Any reconstructed driveways must meet all requirements of the Development Regulations.

SUP-02-073 (GB)

Continued use of the driveways shall be subject to review and approval of Gwinnett Department of Transportation. Removal or reconstruction of one or more of the existing driveways may be required.

SUP-02-073 (GB)

PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDATIONS  
STANDARDS GOVERNING THE EXERCISE OF ZONING

SUITABILITY OF USE

The approval of a Special Use Permit for a private school at this location would be considered suitable with the surrounding development in the area.

ADVERSE IMPACTS

Adverse impacts would be minimized with the provided conditions.

REASONABLE ECONOMIC USE AS ZONED

The property has a reasonable economic use as presently zoned.

IMPACT ON PUBLIC FACILITIES

Minimal impacts would be anticipated as a result of the approval of the request, primarily from increased traffic during peak drop off/pick up times for children and with utility demand.

CONFORMITY WITH POLICIES

The request is in conformance with the policies of the Land Use Plan and Area Plan Policy.

CONDITIONS AFFECTING ZONING

The property is presently used as a church facility, which is an institutional use. The proposed use would place a private school on the site, which is also an institutional use.

CASE NUMBER SUP-02-073

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

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

Present

VOTE

Wayne Hill, Chairman  
 Marcia Neaton-Griggs, District 1  
 Albert Nasuti, District 2  
 John Dunn, District 3  
 Kevin Kenerly, District 4

AYE  
AYE  
AYE  
AYE  
AYE

On motion of COMM. NASUTI, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by

SEIGAKUIN ATLANTA INTERNATIONAL

for the proposed use of

PRIVATE SCHOOL

on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

CASE NUMBER SUP-02-073

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on September 24, 2002 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24th day of September, 2002 that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. Allow a private school as a Special Use within the existing structures. Bring all structures into compliance with applicable codes prior to a certificate of occupancy.
  - B. Any additions to existing buildings or new construction shall be constructed with exteriors of brick, stacked stone, or stucco.

CASE NUMBER SUP-02-073

2. To satisfy the following enumerated site development considerations:

- A. Provide a 20-foot buffer adjacent to residentially zoned property, existing pavement within the 20-foot buffer shall be removed. Where the buffer is sparsely vegetated it shall be replanted to buffer standards to include the planting of a double row of Leyland Cypress, minimum 6-feet tall at time of planting, 10-feet on center. Interior to the buffer, construct a 6-foot high chain link black vinyl-coated fence. The landscape enhancement and fence requirement shall not be required within the Colonial Pipeline easement or within the front building setback. Final landscape enhancement plan and fence location plan to be submitted to Director of Planning and Development prior to the issuance of any permits or Certificate of Occupancy.
- B. Signage shall be limited to a single monument-type sign not to exceed six feet in height. The base of the sign shall be brick, stacked stone or stucco, matching the exterior of the existing buildings. There shall be no sign on the building façade.
- C. Dumpsters shall be enclosed by a 100% opaque brick wall. Hours of dumpster pick-up shall be limited to between 7:00 A.M. and 7:00 P.M. Food services and other pickup and deliveries to the school shall be limited to the same hours.
- D. Provide permanent closure of the northern most driveway if recommended and approved by the Director of the Gwinnett Department of Transportation. Construct a deceleration lane at the middle driveway, and restrict traffic to right-in/right-out traffic flow. This condition shall be reviewed by the Department of Transportation for safety and further recommendations. Removal or reconstruction of one or more of the driveways shall be subject to review and approval of the Director of the Gwinnett Department of Transportation.

CASE NUMBER SUP-02-073

E. The applicant shall request the inspection of existing septic system and make necessary improvements as may be required prior to the issuance of any permits or Certificate of Occupancy.

3. To abide by the following requirements, dedications and improvements:

A. Prior to occupancy as a school, the applicant must certify sight distance in accordance with the Development Regulations for all of the existing driveways at the site. Any drives that do not have the minimum required sight distance must be removed and/or relocated. Any reconstructed driveways must meet all requirements of the Development Regulations. Continued use of the driveways shall be subject to review and approval of Gwinnett Department of Transportation. Removal or reconstruction of one or more of the existing driveways may be required.

B. The school shall be limited up to sixth grade.

C. The school shall be limited to a student population of no more than 110.

D. There shall be no overnight stays or residential use of the house or school buildings on the property other than for specific school-related functions allowable up to six nights per year. There shall be no boarding of students, dormitories or like use of the property.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: Oct. 4, 2002

ATTEST:

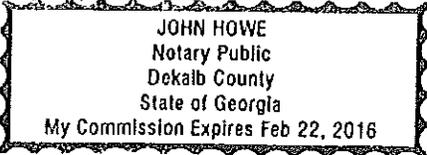
*Brenda Maddox*  
County Clerk

**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.

Minako Ahearn Dec. 3, 2013  
Signature of Applicant Date

Minako Ahearn, Managing Director of the Board / Principal  
Type or Print Name and Title

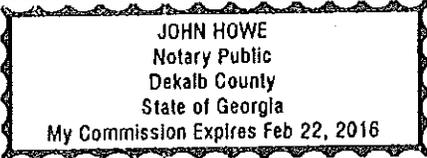
[Signature] 12/3/2013   
Signature of Notary Public Date Notary Seal

**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.

Minako Ahearn Dec. 3, 2013  
Signature of Property Owner Date

Minako Ahearn, Managing Director of the Board / Principal  
Type or Print Name and Title

[Signature] 12/3/2013   
Signature of Notary Public Date Notary Seal

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

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

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

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

---

See attached.

---

- B. Will this proposed rezoning, special use permit, or change in conditions will adversely affect the existing use or usability of adjacent or nearby property?

---

See attached.

---

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

---

See attached.

---

- D. Will the proposed rezoning, special use permit, or change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

---

See attached.

---

- E. Will the proposed rezoning, special use permit, or change in conditions is in conformity with the policy and intent of the land use plan?

---

See attached.

---

- F. Are there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning, special use permit, or change in conditions?

---

See attached.

---

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

A.

*This proposed use is compatible with the neighborhood and the current existing use of the property as a school. Until 2002, this location was permitted to be used as a church under SUP from Gwinnett County. Churches and schools are considered, from a land use perspective, to be compatible with residential areas and are therefore generally located in residential areas thus making them more accessible to the students that live in the surrounding area. This standard is favorable to the granting of the Application.*

B.

*As stated above, the proposed change in the current Special Use Permit the school holds is compatible with the use and development of the surrounding residentially zoned property. The evening classes and the Sunday church services and Sunday schools will be housed entirely within the existing facilities. In fact, the availability of facilities for evening classes and Sunday school and church space could be considered a positive effect on the surrounding neighborhood.*

C.

*The use of the property as a church or evening classes does not impart any unique or specific benefit to the economic value of the property. The proposed additions will have reasonable economic use as currently zoned.*

D.

*The proposed use will result in a minimal increase of traffic in the area, as the peak traffic impact will be on Sunday mornings and evening hours on weekdays. There will be no significant impact on utilities.*

E.

*As stated above, schools and churches are normally located in residential areas where families live. This use of the property will be in conformity with the intent of the land use plan and greatly favors the granting of the Application.*

F.

*This proposed use would not involve the construction of any new buildings.*

The applicant believes these factors greatly favor the granting of the Special Use Permit - Change in Conditions and respectfully requests the City Council to approve this application as submitted.

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

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

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

1. CAMPAIGN CONTRIBUTIONS

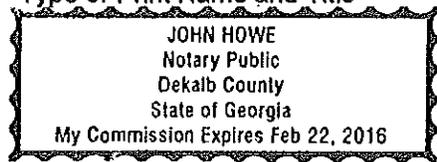
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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

Minako Ahearn      Dec. 3, 2013      Minako Ahearn, Managing Director/ Principal  
 Signature of Applicant      Date      Type or Print Name and Title

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

[Signature]      Dec. 3, 2013  
 Signature of Notary      Date



Notary Seal





**GWINNETT COUNTY**

**Board of Assessors Office**

**(770)822-7200**

**TDD #(770)822-7875**

February 5, 2003

Seigakuin Atlanta Int School  
c/o Minako Oki Ahearn  
3007 Hermance Drive  
Atlanta, GA 30319

RE: R6312 004A

Dear Minako Oki Ahearn:

The Gwinnett County Board of Assessors has reviewed your application for exempt status on the above referenced parcels.

The Board has determined that the property does meet the qualifications set forth in O.C.G.A. 48-5-41 and is hereby granted exempt status in Gwinnett County. Your exempt status begins with the tax year of 2003 and will be reviewed again in two (2) years.

Our wishes for continued success are with you.

Sincerely,

Steve Pruitt  
Secretary Board of Assessors

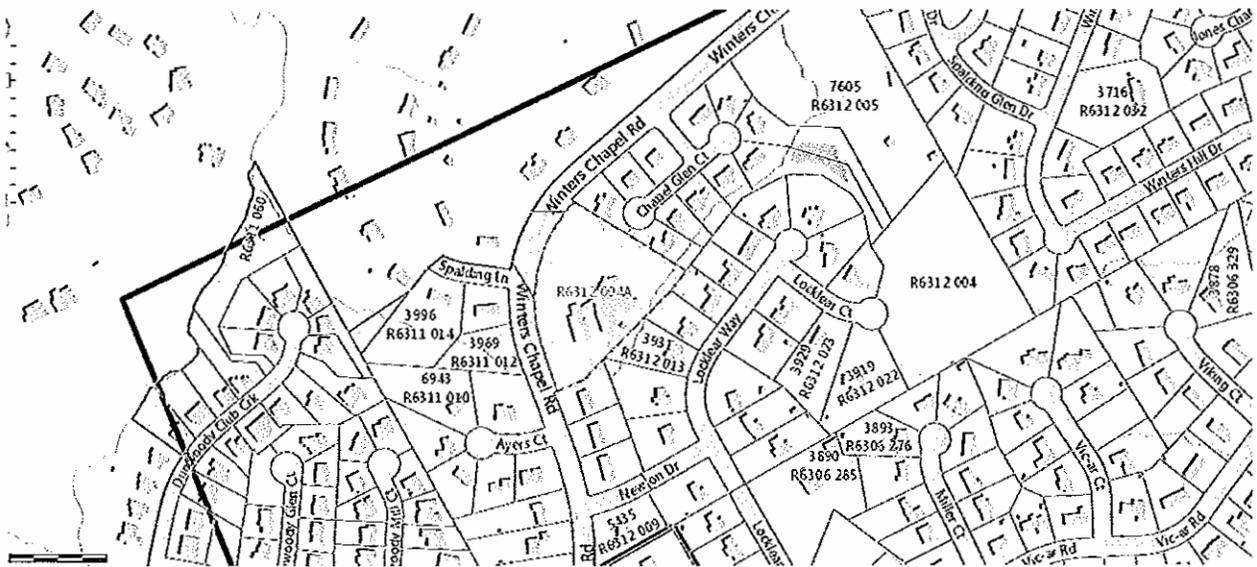
SP/gr





## PUBLIC HEARING

### Seigakuin Atlanta International School



**CASE NUMBER:**

**SUP2014 001**

PLANNING  
COMMISSION

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

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

**HEARING DATES:**

**MARCH 11,  
2014**

**MARCH 18,  
2014**

**APRIL 15, 2014**

**PROPERTY ADDRESS:**

**5505 WINTERS CHAPEL ROAD**

**Action Item**  
**Alcoholic**  
**Beverage License**  
**Marathon Food**



Mike Mason, Mayor

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

James Lowe - Post 2, Council Member  
Jeanne Aulbach - Post 4, Council Member  
Weare Gratwick - Post 6, Council Member

---

To: Mayor and City Council  
Cc: Julian Jackson, City Manager  
From: Diana Wheeler, Community Development Director  
Date: April 15, 2014 City Council Meeting

Agenda Item: APH 2013-09-007- Approval of Alcoholic Beverage License Application for Marathon Food Mart at 5185 S. Old Peachtree Rd, Peachtree Corners GA 30092. Applicant is Shahid Mahmood for Retail/Package Wine and Malt Beverage License.

**Staff Recommendation:**

Approve the application for Retail/Package Wine and Malt Beverage License for Marathon Food Mart at 5185 S. Old Peachtree Rd, Peachtree Corners GA 30092.

**Background:**

Applicant submitted a completed application on March 14, 2014. Required advertising for the application was published in the legal organ of the City on April 4<sup>th</sup> and April 11<sup>th</sup>. The applicant has passed the background investigation and meets all requirements.

**Action Item**  
**Alcoholic**  
**Beverage License**  
**Don Julio**



Mike Mason, Mayor

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

James Lowe - Post 2, Council Member  
Jeanne Aulbach - Post 4, Council Member  
Weare Gratwick - Post 6, Council Member

---

To: Mayor and City Council  
Cc: Julian Jackson, City Manager  
From: Diana Wheeler, Community Development Director  
Date: April 15, 2014 City Council Meeting

Agenda Item: APH 2013-09-008- Approval of Alcoholic Beverage License Application for Don Julio Mexican Grill at 5510 Spalding D., Ste. C, Peachtree Corners GA 30092. Applicant is Pablo Vargas for Retail/Package Wine and Malt Beverage License.

**Staff Recommendation:**

Approve the application for Retail/Package Wine and Malt Beverage License for Don Julio Mexican Grill at 5510 Spalding Dr., Ste. C, Peachtree Corners GA 30092.

**Background:**

Applicant submitted a completed application on March 10, 2014. Required advertising for the application was published on April 4<sup>th</sup> and April 11<sup>th</sup>. The applicant passed the background investigation and meets all requirements.

**R2014-04-24**

**Ethics Policy**

**RESOLUTION BY THE CITY OF PEACHTREE CORNERS, GEORGIA, SETTING  
OUT ETHICS PRINCIPALS AND PLEDGES FOR PURPOSES OF BEING  
DESIGNATED AS CERTIFIED CITY OF ETHICS**

**WHEREAS,** the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and,

**WHEREAS,** the City of Peachtree Corners, Georgia, wishes to be certified as a Certified City of Ethics under the GMA Program; and,

**WHEREAS,** part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board;

**NOW THEREFORE BE IT RESOLVED** by the governing authority of the City of Peachtree Corners, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- \* Serve Others, Not Ourselves
- \* Use Resources with Efficiency and Economy
- \* Treat All People Fairly
- \* Use the Power of Our Position for the Well Being of Our Constituents
- \* Create an Environment of Honesty, Openness And Integrity

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

\_\_\_\_\_  
Phil Sadd, Councilmember

\_\_\_\_\_  
James Lowe III, Councilmember

\_\_\_\_\_  
Alex Wright, Councilmember

\_\_\_\_\_  
Jean Aulbach, Councilmember

\_\_\_\_\_  
Lorri Christopher, Councilmember

\_\_\_\_\_  
Weare Gratwick, Councilmember

ATTESTED BY CITY CLERK:

\_\_\_\_\_  
Kym Chereck

**R2014-04-25**

**Town Center**

**Livable Centers**

**Initiative**



# Memo

---

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: April 15, 2014

SUBJECT: Town Center LCI consultant recommendation

Acting as the Steering Committee for the upcoming Town Center LCI study, the Downtown Development Authority reviewed the five consultant proposals that were submitted in response to the City's RFP. The DDA then short-listed three of the five firms and conducted interviews.

After the interviews, the DDA expressed unanimous praise for all three firms. All three were found to have qualified team members, excellent experience, and proven ability to deliver a quality product. The DDA assessed the merits of each proposal based on the criteria established in the RFP and after thoughtful consideration and discussion, the DDA recommends the following ranking:

1. Lord, Aeck, and Sargent
2. Pond and Co.
3. Sizemore Group

**A RESOLUTION OF THE CITY OF PEACHTREE CORNERS, GEORGIA  
AWARDING A TOWN CENTER LIVABLE CENTERS INITIATIVE STUDY  
CONSULTANT CONTRACT PURSUANT TO AN ATLANTA REGIONAL  
COMMISSION (ARC) GRANT; AND AUTHORIZING THE MAYOR TO EXECUTE  
CONTRACTS WITH THE SELECTED CONSULTANT AND THE ARC**

**WHEREAS,** the Atlanta Regional Commission awarded the City of Peachtree Corners a Livable Centers Initiative study grant to develop a Town Center plan; and

**WHEREAS,** the City sought proposals from qualified consultant teams to assist with the design of the Town Center plan; and

**WHEREAS,** the Downtown Development Authority, acting as the Steering Committee for the Town Center project, reviewed consultant proposals, short-listed candidates, and conducted interviews; and

**WHEREAS,** the Downtown Development Authority has forwarded their consultant recommendation in ranked order of preference;

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council that:

1. the Town Center LCI consultant contract be awarded to

- 
2. the Mayor is hereby authorized to execute a contract on the City's behalf with both the project consultant and the Atlanta Regional Commission in order to fulfill the requirements of the LCI grant.

**SO RESOLVED AND EFFECTIVE,** this the 15th day of April, 2014.

Approved:

Attest:

---

Mike Mason, Mayor

---

Kym Chereck, City Clerk  
Seal

**02014-04-26**

**Catering  
Ordinance**

**AN ORDINANCE TO AMEND CHAPTER 6 (“ALCOHOLIC BEVERAGES”) OF THE  
CODE OF THE CITY OF PEACHTREE CORNERS, GEORGIA, IN ORDER TO  
ADD SEC. 6-55 TO ALLOW THE ISSUANCE OF AN ALCOHOLIC BEVERAGE  
CATERERS LICENSE.**

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

**WHEREAS,** Chapter 6 (“Alcoholic Beverages”) of The Code of the City of Peachtree Corners currently does not allow licensed establishments to provide full catering services to their customers; and

**WHEREAS,** the Mayor and Council desire to allow licensed establishments to offer full catering services as defined herein;

**NOW THEREFORE,** the Council of the City of Peachtree Corners hereby ordains, as follows:

**Section 6-55. - Alcoholic beverage caterers.**

(a)

*License requirements for resident caterers.*

(1)

Any caterer who possesses a valid license from the city to sell or otherwise dispense malt beverages, wine or distilled spirits at a fixed location within the city may apply for an off-premises license that permits sales at a catered event or function as authorized herein.

(2)

Each off-premises catering license, authorized herein, shall be valid only for the event or function for which the license is issued. The fee for each license shall be set by resolution of the city council, and this fee amount shall remain in effect until modified or amended by subsequent resolution adopted by the city council.

(3)

It shall be unlawful for any person to engage in, carry on, or conduct the sale or distribution of alcoholic beverages off-premises in connection with a catered event or function without first having obtained a license as provided herein.

(b)

*Permit requirements for nonresident caterers.*

(1)

A nonresident alcoholic beverage caterer shall submit an application for an off-premises event permit to the city manager or designee. The fee for each such permit shall be \$50.00 as authorized by O.C.G.A. § 3-11-3 (or such fee as may be authorized by any future amendment or revision thereto).

(2)

An application for an event permit shall include the name of the caterer, the date, address, time, and name of the event and the quantity and type of alcoholic beverages to be transported from the licensee's primary location to the location of the applied-for catered event or function.

(3)

The original event permit shall be kept in the vehicle transporting the alcoholic beverages to the catered event or function.

(4)

It shall be unlawful for a licensed alcoholic beverage caterer to distribute, sell, or otherwise dispense alcoholic beverages off-premises without an event permit as authorized herein.

(c)

*Limitation on license.* A licensed alcoholic beverage caterer may sell or otherwise dispense only that which is authorized by his alcoholic beverage license. For example, if the alcoholic beverage caterer possesses a valid license to sell malt beverages, he may sell or otherwise dispense only malt beverages at the authorized catered event or function.

(d)

*Sunday sales.* An alcoholic beverage caterer wishing to cater an event or function on Sunday must possess a valid Sunday sales license and comply with the requirements of state law with respect to the service of alcoholic beverages on Sunday.

(e)

*Tax on sales by resident caterers.* Excise taxes are imposed upon the sale of alcoholic beverages by a resident caterer as provided in Article IX of this chapter.

(f)

*Tax on drinks served by nonresident caterers.* Excise taxes are imposed upon the total of individual alcoholic beverage drinks served by a nonresident caterer in the amounts set forth in article IX of this chapter and shall be paid within 30 days after the conclusion of the catered event or function.

Effective this 20<sup>th</sup> day of May, 2014.

Approved by:

---

Mike Mason, Mayor

---

Kym Chereck, City Clerk

SEAL

**Diana Wheeler**  
**Request by DOT**



# Memo

---

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

DATE: April 15, 2014

SUBJECT: Workshop discussion: GDOT Memorandum of Agreement

The Georgia Department of Transportation has requested that the City Council approve a standard agreement they utilize with local jurisdictions and others that have some authority over right-of-ways. This agreement indemnifies GDOT against liability and any responsibility that might be attributed to them for street lights. In this case, the street lights are new ones being installed by Chase Bank (currently under construction) and located along Peachtree Parkway.

The agreement stipulates that the City shall "install, locate, provide the energy, operate, and maintain" the street lights. In reality, the City delegates most of these responsibilities to others including Chase Bank and Georgia Power. The expense to the City associated with the street lights primarily comes from the utility bill that will be assessed by Georgia Power. The cost of the light fixtures, themselves, and their installation will be paid by Chase Bank.

If the City does not consent to the Memorandum of Agreement, then GDOT will not allow new light poles to be placed within the Peachtree Parkway corridor. These lights are required by the City's Overlay standards. In addition, the illumination adds to the vehicular safety of the roadway, as well as the safety of Chase Bank customers using the bank facility after hours.

Keith Golden, P.E., Commissioner



GEORGIA DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW  
Atlanta, Georgia 30308  
Telephone: (404) 631-1000



District One Office Address:  
2505 Athens Hwy, S.E.  
Gainesville, GA 30507

April 3, 2014

Ms. Lynn Pierson  
Zoning Administrator  
**CITY OF PEACHTREE CORNERS**  
147 Technology Pkwy, Ste. 200  
Peachtree Corners, Georgia 30092

**Re: MOA, City of Peachtree Corners, SR 141, Gwinnett County, GUPS # 1109430**

Dear Ms. Pierson,

We are in possession of a permit request from Georgia Power to provide pedestrian lighting along SR 141 at 5252 Peachtree Parkway, in Gwinnett County. As a requirement for approval of these permit requests, a Memorandum of Agreement is required between the Department of Transportation and the party responsible for the upkeep of these lighting facilities.

Enclosed you will find three (3) copies of the Memorandum of Agreement covering this location. All three copies of this MOA must be signed by an authorized representative, notarized, and returned to our office in order to proceed with the permit approval process. Please mail them to Georgia Department of Transportation, Attn: Utilities Office, P.O. Box 1057, Gainesville, Georgia 30503.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil A. Kantner".

Neil A. Kantner  
District Utilities Engineer  
770-532-5510  
Email: [nkantner@dot.ga.gov](mailto:nkantner@dot.ga.gov)

NAK:lg  
w/ attachments

**MEMORANDUM OF AGREEMENT**

**FOR**

**ROADWAY LIGHTING ON STATE ROUTE 141 / Peachtree Parkway**

**CONSISTING OF**

2 New Street Lighting Structures by Permit No. 1109430 along State Route 141/Peachtree Parkway at 5252 Peachtree Parkway, Peachtree Corners, Georgia in Gwinnett County.

**BETWEEN**

The City of Peachtree Corners, acting by and through its City Council, hereinafter called the **CITY**, and the Department of Transportation, an agency of the State of Georgia, hereinafter called the **DEPARTMENT**.

**RELATIVE TO**

The **City** is requesting to install 2 new street lighting structures on Permit No. 1109430 on and along Route 141/Peachtree Parkway at 5252 Peachtree Parkway, Peachtree Corners, Georgia in Gwinnett County.

**I. IT IS THE INTENTION OF THE PARTIES:**

A. That the **CITY**, only to the extent that it may be bound by contracts which may hereafter be entered into, shall be responsible for the following:

1. The **CITY** shall Install, Locate, Provide the Energy, Operate, Maintain and Design additional roadway lighting in accordance with the Georgia Department of Transportation's Design Policy Manual, along the existing roadway of State Route 141/5252 Peachtree Parkway, Peachtree Corners, Georgia in Gwinnett County.

2. The **CITY**, in its operation and maintenance of the lighting systems, shall not in any way alter the type or location of any of the

various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

3. The CITY shall at all times indemnify and save harmless the DEPARTMENT and the State of Georgia, to the extent allowed by law, from any and all responsibility for damages or liability, or both, which may result from the installation, construction, reconstruction, operation, maintenance or repair, or any combination of any of the foregoing.

4. The CITY assumes full responsibility for the requirements of the Georgia Utility Facility Protection Act.

II. IT IS FURTHER AGREED, that the DEPARTMENT, only to the extent that it may be bound by contracts which may hereafter be entered into, shall reserve the right to remove the aforementioned lighting upgrades in the event that the CITY elects to de-energize or fails to properly maintain any individual component within the systems or the complete system(s) including poles, mast arms, luminaires, foundations and associated wiring. In addition the DEPARTMENT reserves the right, at its sole discretion, to remove or replace any lighting upgrades where the public safety is at any time compromised by the actions or inactions of the CITY.

III. IT IS FURTHER AGREED, that this Agreement shall remain in effect for a period of fifty (50) years.

IV. IT IS FURTHER AGREED, the covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

This document is a Memorandum of Agreement expressing the present intentions of the parties. Nothing contained herein shall require the undertaking of any act, project, study, analysis, or any other activity by any party until a contract for such activity is executed. Nor shall this document require the expenditure of any funds by any party until a contract authorizing such expenditure is executed.

However, nothing contained herein shall be construed to prohibit any party's undertaking any act, project, study, analysis, or any other activity, which the party is required by law to contract to undertake as part of any other program, which fulfills some function shown herein as intended to be performed by the party undertaking such act, project, study, analysis, or any other activity.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement to be executed by their duly authorized officials, and their respective seals attached hereto.

Signed and delivered  
this \_\_\_\_\_ day of \_\_\_\_\_,  
201\_, in the presence of:

GEORGIA DEPARTMENT OF TRANSPORTATION  
\_\_\_\_\_  
STATE UTILITIES ENGINEER

\_\_\_\_\_  
WITNESS

-----  
REQUESTED BY: CITY OF PEACHTREE CORNERS, GEORGIA

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

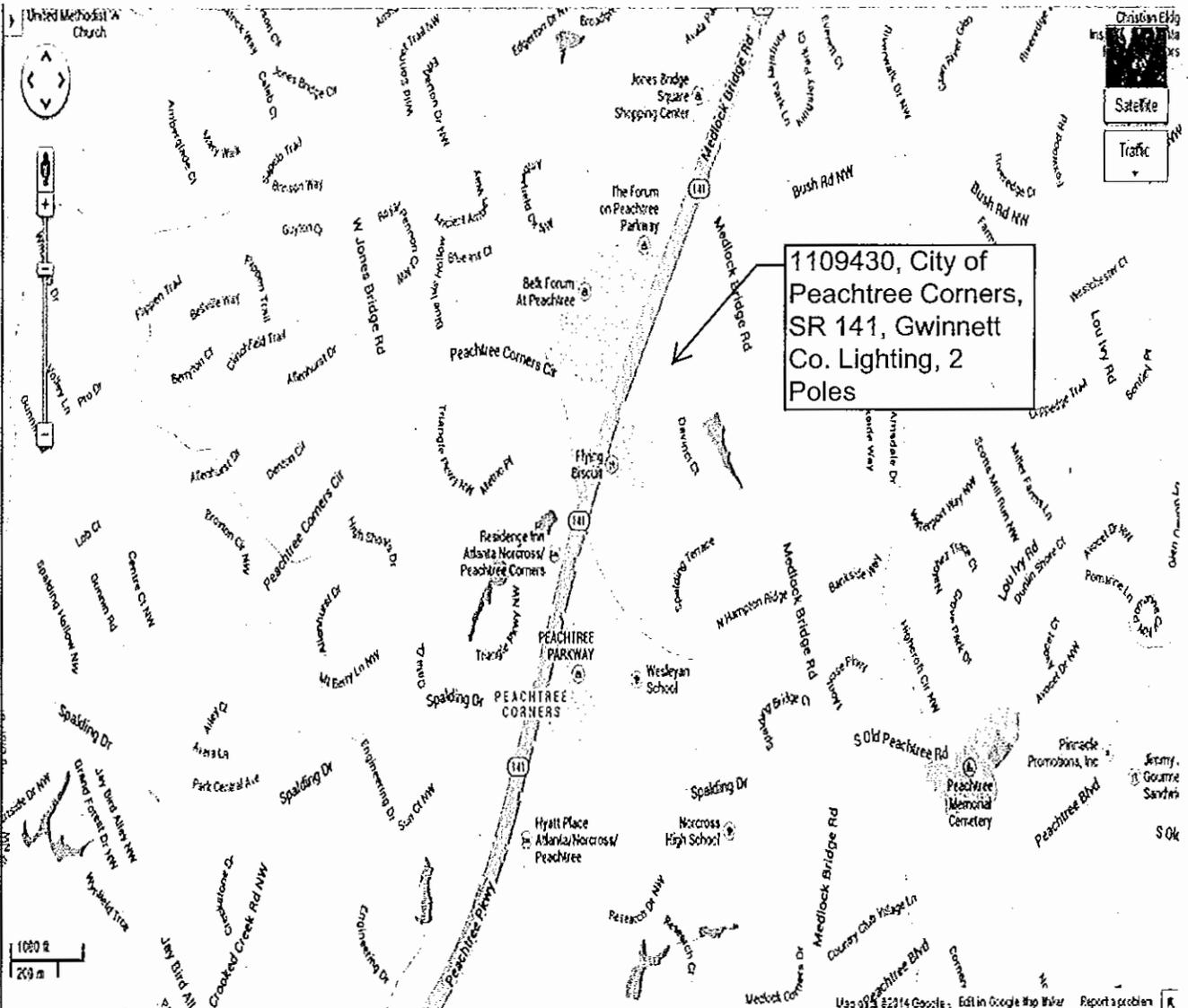
BY: \_\_\_\_\_  
WITNESS

BY: \_\_\_\_\_ (OFFICIAL SEAL OF CITY OF PEACHTREE CORNERS)  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE  
ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
201\_.

This Agreement approved by the  
City Counsel at a meeting held  
at \_\_\_\_\_ on  
the \_\_\_ day of \_\_\_\_\_, 201\_.

Attest:  
  
BY: \_\_\_\_\_  
City Clerk



1109430, City of  
 Peachtree Corners,  
 SR 141, Gwinnett  
 Co. Lighting, 2  
 Poles