

CITY OF PEACHTREE CORNERS
PLANNING COMMISSION
September 10, 2013

The City of Peachtree Corners held a meeting on Tuesday, September 10, 2013 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 AUGUST 13,
2013 PLANNING COMMISSION MEETING.**

By: Alan Kaplan

Seconded by: Mark Willis

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

NEW BUSINESS:

1. SUP2013-007 Title King

Request to allow a title loan business on property zoned C-2 and located at 7094 Peachtree Industrial Boulevard; District 6, Land Lot 277; 1.05 Acres.

Diana Wheeler presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant is requesting a Special Use Permit for a title loan business to be located at 7094 Peachtree Industrial Boulevard. The title loan business would occupy a unit within 'Building 1' of the Peachtree Executive Office Park. The applicant's letter of intent states that the proposed business would conduct auto title loan transactions only, and no other pawn transactions would be offered. The proposed business hours would be 9am to 7pm, Monday through Friday, and 10am to 4pm on Saturdays. Additionally, the applicant has indicated that pawned vehicles would not be stored on the premises and will be assisted by a third-party vendor to transfer and store vehicles at an off-site location. Mrs. Wheeler provided photographs of the site depicting property maintenance

issues such as broken light fixtures, a boat trailer, broken asphalt, and a fallen sign. The 2030 Unified Plan Future Development Map indicates that the parcel lies within the Preferred Office Character Area which encourages office professional uses and discourages retail uses. The proposed title loan business would provide title lending services but would not include a retail component. After review, Staff recommended approval of the application with the following seven conditions:

1. A title loan business as a special use shall be limited in location to Building 1 only.
2. Hours of operation for the title loan business shall be limited to 9:00 a.m. to 7:00 p.m.
3. The title loan business shall provide auto title loan services only, and purchasing or retail/sales of merchandise shall be prohibited.
4. Outdoor sales, storage, vehicle maintenance or display of vehicles (or merchandise) shall be prohibited.
5. Neon, LED or blinking window signs or wall signs shall be prohibited.
6. Peddlers and/or parking lot sales or events are prohibited.
7. No streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.

The applicant, Mr. Jeffrey Canouse, presented the Commission with a copy of his tenant approval. Mr. Canouse explained that there would possibly be two other tenants in this building which will complement his business. The applicant stated that there will be no cars parked at this site overnight.

Chairman Houser asked for public comment concerning this application. Mr. Craig Thornton explained to the Commission that he represents the LLC which owns the neighboring office park and is in opposition of this application. Mr. Thornton stated that the site the applicant is proposed to move to is in disrepair, and also that this is not the type of business which would be complementary to the executive businesses which are located in his buildings.

There being no other public comments, Chairman Houser closed the public comment portion of the meeting and asked the Commission for a motion.

After discussion concerning the Code violations on the site and the business use the Commission took the following action:

MOTION TO DEFER A DECISION IN THIS CASE UNTIL SUCH TIME THAT EITHER THE OWNER OF THE PROPERTY OR THE OWNER'S REPRESENTATIVE ADDRESS THE PROPERTY VIOLATIONS THAT WERE NOTED, AND THAT UNTIL SUCH TIME THAT A PLAN OF ACTION TO PROPERLY MAINTAIN THE BUILDINGS AND COMMON AREAS GOING FORWARD IS IN PLACE, AND IT IS RECOMMENDED THAT THE APPLICANT, WHEN THEY DO COME BACK, BRING WITH

THEM THE PROPERTY OWNER OR PROPERTY MANAGER TO SPEAK TO THE PLAN OF ACTION.

By: Alan Kaplan

Seconded: Mark Middleton

Vote: (4-1) (Kaplan, Middleton, Willis, Metts) (Houser opposed)

2. SUP2013-008 Peachtree Parkway Market

Request to review and approve building elevations pursuant to RZC 2013-001 condition '2F' for property located in the 5100 Block of Peachtree Parkway; District 6, Land Lot 301; 5.46 Acres.

Diana Wheeler presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request stating that the subject property was approved pursuant to RZC2013-00001 for a commercial development originally shown as four subdivided lots with a building located on each lot. The approved conditions of zoning required implementation of specific architectural treatments for the proposed development, and the applicant was required to submit final building elevation/plans for review and approval of the Planning Commission as stipulated in condition 2F: *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 buildings located within the Forum on Peachtree Parkway, and final plans shall be approved by the Planning Commission. All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with the building architecture.* Site plans were provided to the Commission. Although the elevations are similar in appearance to the Forum, and the conceptual site plan mirrors the form and layout of buildings to the Forum, Staff felt that there were a few things on the elevations which could be improved. After review, Staff recommended approval with the following additions and deletions:

Additions in **Bold**

Deletions in ~~strikethrough~~

Approval of Special Use Permit SUP2013-008, subject to the following enumerated conditions (which are copied and / or modified as shown from RZC2013-00001):

1. To restrict the use of the property as follows:
 - A. All uses and special uses permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; tattoo and piercing parlors, adult bookstores or entertainment, fast food restaurants with or without drive-thru window (pick-up /to go windows at non-fast food

restaurants permitted), automotive car wash, automotive parts store; billboards; building, electrical or plumbing contractors; funeral homes or mausoleums; furniture rental establishments; convenience food stores with or without fuel pumps, emission inspection stations, equipment rental, hotels and motels, on-site laundry or dry cleaning establishments, self-service or coin operated laundries; liquor stores, mobile buildings, parking lots and garages, plant nursery sales facility, recreation facilities which exceed 3,500 square feet, recovered materials processing facility, taxidermist, yard trimmings composting facility, clubs, lodges, fraternal institutions and meeting halls, caretaker or watchman quarters, auto body repair shops, auto repair shops or tire stores, automotive service stations with or without fuel pumps, building material sales with outdoor storage, contractors offices or the outside storage of equipment or materials, heavy equipment and farm equipment sales and service and truck rental, mini-warehouse storage facilities, mobile home or mobile building leasing or sales lots, taxi cab or limousine services and no outdoor storage of any type; pest control businesses; pet shops or grooming establishments; lounges; day care center; and any temporary uses.

- B. Drive-thru businesses shall be prohibited, except for a coffee shop, (defined as a business that derives at least 80% of its revenues from the sale of coffee, tea, and similar beverages), and banks/financial institutions which may include a drive-through facility as an integrated part of the primary banking operation if such drive-through facility is structurally attached to the bank/financial institution building. To the extent that any allowed structure ceases to be used as a bank/financial institution, then the drive-through portion of the facility shall be demolished.
- C. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District).

2. To satisfy the following site development considerations:

- A. Provide a 20-foot wide landscape strip to serve as a buffer adjacent to residential zoning. Any graded area of the buffer shall be replanted with American Elm and native Georgia trees such as Tulip Poplar, Maple, and Cryptomeria.
- B. To the extent possible, coordinate with the adjoining residential property in order to accommodate at least three points of vehicular and pedestrian connection between the properties and to coordinate landscape treatments along common property lines.
- C. Provide bike racks within the development in accordance with the overlay standards.

- D. Billboards or oversized signs shall be prohibited.
- E. 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 8:00 a.m. and 6:00 p.m.
- F. 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 buildings located within the Forum on Peachtree Parkway and ~~final plans shall be approved by the Planning Commission.~~ **with the submitted elevations included with the application dated 8/9/13 along with the following modifications:**
- For Natural Foods Store building-**
- 1. Pediment above entrance shall have architectural treatment on all sides (not just front) in order to protect southbound views on Peachtree Parkway.**
 - 2. Where there are large wall expanses, pergolas or trellises with live plant material and benches shall be incorporated between pilasters. Ornamental landscape treatment similar to the Forum shall be provided and landscape treatment shall complement the scale of the building.**
- Retail Building-**
- 3. Stone facing shall be added to both corner towers similar to facades at the Forum.**
 - 4. Parapet (flat roof section) shall screen all roof utilities, including HVAC, vents, etc.**
 - 5. Ornamental landscape treatment similar to the Forum shall be provided and include elements such as container plants and accent trees in front of pilasters.**
- G. Provide or relocate and reconstruct sidewalks, as required, a minimum of five feet in width adjacent to Peachtree Parkway (U.S. Hwy. 141) and Medlock Bridge Road. Sidewalks may meander along these roads where feasible and per DOT approval. Provide internal sidewalks connecting outparcel development. Submit pedestrian access plan for review and approval of the Director.
- H. Outdoor 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.
- I. Ground signage shall be limited to monument type sign(s) with a minimum two-foot high brick or stacked stone base. Ground sign(s) shall not exceed six feet in height.

- J. Any detention ponds shall be visibly screened with landscape plantings to be approved by the Director.
- K. No outside speakers shall be allowed other than on a coffee shop or bank usage, if any, or a Muzak system may be allowed provided no shrill or excessive noise and vibrations, amplified live entertainers, outside paging systems, phone bells, or loudspeakers will be allowed. Any Muzak system shall have downward facing speakers and shall be inaudible ten feet from the speakers.
- L. Business hours are to be limited to Monday through Thursday from 7:00 a.m. to 12:00 midnight and Friday through Sunday from 7:00 a.m. to 2 a.m. Business hours for a coffee/bagel shop and any specialty gourmet food store(s) shall be 6:00 a.m. to 2 a.m. seven days a week.
- M. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors as determined by the Director.
- N. Truck delivery, parking lot cleaning machinery and any other equipment that emits noise shall be limited to the hours of 6:00 a.m. to 9:00 p.m.
- O. No overnight parking or idling of delivery trucks shall be allowed.
- P. Prior to any grading or clearing, all buffers shall be clearly marked with bright orange tree save fencing to insure that no improper or accidental buffer intrusions occur.
- Q. No tents, canopies, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard signs, sign-walkers and sign-twirlers shall be prohibited.
- R. Peddlers and/or parking lot sales shall be prohibited.
- ~~S. The main entrances into the buildings located along Peachtree Parkway shall be designed to face, or appear to face, Peachtree Parkway. The main entrance into the building located along Medlock Bridge Road shall be designed to face, or appear to face Medlock Bridge Road.~~
- T. If the building located along Medlock Bridge Road is developed as a multi-tenant building, then tenant access shall be provided through an interior lobby.
- U. The building located along Medlock Bridge Road shall have no exterior stairs, stairwells or 2nd floor balconies that connect building floors to the outside.

- V. The building located along Medlock Bridge Road shall be developed with a first floor finish elevation that approximately matches the first floor elevation of Piedmont Bank.

Mr. Greer Soggins, Director of Construction for Fuqua Development, and Ms. Jennifer Bala Dzenis, Project Manager for Wakefield Beasley & Associates, represented the applicant. The applicant explained that they are striving to mimic the architectural details from the Forum onto this proposed site. Material samples were presented to the Commission. The applicant noted that Staff recommended trellises on the rear elevations, and expressed concern with vines located on the trellises creeping onto the building. The applicant stated that they would be happy to add landscaping (shrubbery or trees), but not vines which would locate onto the building. The Commission expressed concern with viewing the vast parking area. The applicant stated that the 10 foot landscape strip should provide an appropriate buffer. The Commission suggested adding shrubbery and trees to aid in blocking the view of the parking lot between the grocery store and retail stores from Peachtree Parkway. The applicant stated that they had no objections to Staff's conditions with the exception of adding vines that would attach to the buildings.

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

MOTION TO APPROVE THE RECOMMENDATION FROM STAFF, WITH THE MODIFICATION OF NOT STRIKING THE SECOND SENTENCE IN CONDITION 'S', CONDITION 'S' SO THAT IT WILL READ *THE MAIN ENTRANCE INTO THE BUILDING LOCATED ALONG MEDLOCK BRIDGE ROAD SHALL BE DESIGNED TO FACE, OR APPEAR TO FACE MEDLOCK BRIDGE ROAD.*

By: Mark Willis

Seconded: Italia Metts

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

MOTION TO FURTHER REFINE THE STAFF'S CONDITION UNDER ITEM 'F', UNDER THE PARAGRAPH NATURAL FOODS STORE, NUMBER '2', THAT THE FIRST SENTENCE BE REVISED TO DELETE THE VERBIAGE *TRELLIS*, AND TO ADD THE VERBIAGE *TREES*, THE SENTENCE WILL READ *WHERE THERE ARE LARGE WALL EXPANSES, PERGOLAS WITH LIVE PLANT MATERIAL OR TREES AND BENCHES SHALL BE INCORPORATED BETWEEN PILASTERS*; AND TO REVISE CONDITION 'F3' UNDER RETAIL BUILDING BY ELIMINATING THE VERBIAGE *BOTH* SO THAT THE CONDITION WILL READ *STONE FACING SHALL BE ADDED TO CORNER TOWERS SIMILAR TO FACADES AT THE FORUM*; THAT WILL ALSO APPLY TO THE NATURAL FOODS STORE BUILDING.

By: Matt Houser

Seconded: Alan Kaplan

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

MOTION TO ADD CONDITION 'W' TO STATE THAT THE APPLICANT SUPPLEMENT THE LANDSCAPE STRIP ALONG PEACHTREE PARKWAY TO SCREEN THE VIEW OF THE PARKING AREA BETWEEN THE GROCERY STORE AND THE RETAIL BUILDING, AND TO SUFFICIENTLY SCREEN THE VIEW OF THE PARKING LOT WHILE NOT IMPEDING THE VIEW BEYOND THAT, AND THAT THE LANDSCAPING BE APPROVED BY STAFF TO ENSURE THAT IT SUFFICIENTLY SCREENS THE PARKING AREA TO MAKE A MORE ESTHETIC VIEW FROM THE ROAD.

By: Alan Kaplan

Seconded: Matt Houser

Vote: (4-1) (Kaplan, Houser, Willis, Metts) (Middleton opposed)

The Planning Commission meeting concluded at 8:20 PM.

Approved,



Matt Houser, Chairman

Attest:



Kym Chereck, City Clerk