



ZONING BOARD OF APPEALS AGENDA

April 17, 2013

7:00 PM

CITY HALL

- A. Roll Call**
- B. Approval of Minutes (None)**
- C. Old Business: (None)**
- D. New Business: (All to be presented as one case)**
 - 1. Request by Chase Bank for variances associated with the development of a branch bank facility on property located at 4900-5000 block of Peachtree Corners Circle and 5200 block of Peachtree Parkway as follows:**
 - i. V2013-0001 – INCREASE ALLOWABLE PARKING SPACES FROM 18 TO 26 SPACES**
 - ii. V2013-0002 – ALLOW MORE THAN 20% OF PARKING TO BE LOCATED IN THE FRONT AND SIDE OF THE BUILDING**
 - iii. V2013-0003 – ELIMINATION OF 4:12 PITCHED ROOF (ARCHITECTURAL DESIGN) REQUIREMENT IN AN OVERLAY DISTRICT.**
- E. City Business Items: Election of Chairman and Vice Chairman**
- F. Comments by Board Members.**
- G. Adjournment.**

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

ZONING VARIANCE ANALYSIS

CASE NUMBER(S) : V2013-0001, V2013-0002 & V2013-0003
ZONING : C-2 (GENERAL BUSINESS DISTRICT)
LOCATION : 4900-5000 BLOCK OF PEACHTREE CORNERS CIRCLE
: 5200 BLOCK OF PEACHTREE PARKWAY
MAP NUMBER : R6301 031
PROPOSED DEVELOPMENT : BANK/FINANCIAL SERVICES INSTITUTION
VARIANCE REQUESTED : V2013-0001 – INCREASE ALLOWABLE
PARKING SPACES FROM 18 TO 26 SPACES

V2013-0002 – ALLOW MORE THAN 20%
OF PARKING TO BE LOCATED IN THE
FRONT AND SIDE OF THE BUILDING

V2013-0003 – ELIMINATION OF 4:12
PITCHED ROOF (ARCHITECTURAL DESIGN)
REQUIREMENT IN AN OVERLAY DISTRICT

APPLICANT: CHASE BANK
240 EAST PALMETTO PARK ROAD
BOCA RATON, FL 33432

CONTACT: BRIAN PELHAM
EMAIL: brianp@laiengineering.com
PHONE: 770.423.0807 x110

OWNER: ROBERTS PROPERTIES PEACHTREE RETAIL, LLC
450 NORTHBRIDGE PARKWAY, STE. 300
ATLANTA, GA 30350

RECOMMENDATION: APPROVE WITH CONDITIONS V2013-0001 and V2013-0002;
DENY V2013-0003.

I. BACKGROUND

The subject property is located at the northeast corner of Peachtree Parkway and Peachtree Corners Circle on a 1.10 acre tract, zoned C-2 (General Business District). The site is currently undeveloped and densely wooded with mature evergreens. The applicant proposes to develop the property with a Chase Bank.

Adjacent to the north of the property are undeveloped parcels of land zoned RM-13 and RM (Multi-Family Residence District), and further north at the intersection of Peachtree Parkway and Medlock Bridge Road is an existing financial services institution, The Piedmont Bank, also zoned C-2. To the east are additional undeveloped tracts, zoned R-100 (Single-Family Residence District). Across Peachtree Corners Circle, to the south, is an existing commercial shopping center and standalone restaurant, zoned C-2. To the west of the subject property, across Peachtree Parkway, is The Forum and QuikTrip, zoned C-2.

II. ANALYSIS

The applicant has requested three variances for development of the 3,500 square-foot Chase Bank building to be located at the northeast corner of Peachtree Parkway and Peachtree Corners Circle. The applicant seeks variances to exceed the maximum allowable parking spaces from 18 to 26 spaces (V2013-0001); to allow more than twenty percent of the parking spaces for the bank to be located in the front and side of the building (V2013-0002); and to eliminate the pitched roof requirement for buildings within the Peachtree Corners overlay district (Activity Center/Corridor Overlay District architectural design requirement for a 4 by 12 pitched roof - V2013-0003).

The applicant states in their letter of intent that the limitation of 18 parking spaces, the maximum number of parking spaces currently allowed, creates a hardship for the proposed bank because 2/3 of the spaces would be occupied daily by the bank's 10- 12 employees. In order to provide sufficient parking for both employees and visitors, the bank needs 26 parking spaces.

The applicant would also like to maintain and promote a similar style of development as The Forum due to its close proximity to that shopping center and orient the building toward Peachtree Parkway. This orientation would necessitate that the drive-thru be located at the rear of the proposed site. By locating the drive-thru at the rear of the property, the bank structure would provide an effective screen of the drive-thru and help maintain the aesthetic quality of the corridor. However, the placement of the drive-thru to the rear of the site forces the bulk of the parking spaces (77%) to be located at the front of the property. This triggers a variance requirement since the overlay standards place a limitation of 20% for parking at the front of the site. Clearly, though, aesthetics would be better served with the placement of more parking along the front than the drive-thru facility. In addition, more parking in front provides greater security and ease of access to the ATM which is situated at the front entrance.

Chase Bank also seeks to eliminate the overlay district requirement for a pitched roof in order to mount mechanical equipment on the roof and provide screening of the equipment with a parapet roofline. BB&T and The Piedmont Bank are two financial service institutions located in close proximity to the subject property and within the Peachtree Corners Overlay District. While both banks appear to have exceeded the maximum allowable off-street parking and have the majority of their parking located in the front and sides of the building, they were both able to comply with the pitched roof requirement. Additionally, the various buildings that make up The Forum development and that have been constructed at a larger scale than the proposed Chase Bank also have applied a pitched roof design or a combination roof. Further, research shows that Chase Bank corporate does not adhere to a singular architectural style. Some branch bank facilities are

contemporary in design with flat roofs and elevations, while others are traditional in design with pitched roofs, gables, dormers, and columns.

III. CONCLUSION

In conclusion, the development of adjacent financial services institutions with more than the maximum number of off-street parking spaces and more than 20% of parking located in the front and side of the building suggest that these features are necessary to a bank facility and variances are warranted. Further justification for these first two variance requests are provided by the aesthetic benefit of placing the drive-thru on the back of the building and the practical benefit of providing more spaces to meet both employee and customer needs. However, a hardship has not been demonstrated to support a flat roof in place of the required pitched roof. The architectural style of the building appears to be a preference rather than a specific, use-driven need. In addition, a flat roof, contemporary building will likely have a less harmonious appearance when surrounded by other development that is overlay compliant. Finally, the proposed bank is the first piece of a larger development at this location. A variance from the aesthetic standards without a hardship on this site may set a precedent for the adjacent, undeveloped property.

Therefore, it is recommended that only V2013-0001 and V2013-0002 be approved with the following conditions:

1. No more than seventy-seven percent (77%) of the total number of parking spaces may be located along Peachtree Parkway.
2. The subject property shall be limited to a maximum number of 26 off-street parking spaces.

IV. SUPPLEMENTAL INFORMATION

APPLICABLE CODE REQUIREMENTS:

City of Peachtree Corners Zoning Resolution; Article X: Off-Street Automobile Parking and Loading and Unloading Spaces; Section 1002: Number of Off-Street Parking Spaces Required.

Use/Development Category	Minimum Parking Spaces	Maximum Parking Spaces
Bank, Credit Union	1 per 500 sq. ft.	1 per 200 sq. ft.

City of Peachtree Corners Zoning Resolution; Article XIII: Use Provisions; Section 1315: Activity Center/Corridor Overlay District Requirements; Section 1315.2: Design Requirements; Subsection 3: Parking/Yard, Height & Setback.

- 3.C. Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less shall provide no more than 20% of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20% of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).

City of Peachtree Corners Zoning Resolution; Article XIII: Use Provisions; Section 1315: Activity Center/Corridor Overlay District Requirements; Section 1315.2: Design Requirements; Subsection 5: Architectural Design.

- 5.A.(5) Buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4 in 12.

VARIANCE REQUIREMENTS:

In an effort to assist the Zoning Board of Appeals in considering the application and its merits, staff has included specific conditions that must be considered for a variance to be granted, as provided in Section 1605 of the City of Peachtree Corners Zoning Resolution. Those considerations include:

- A. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography, and
- B. The application of the Resolution to this particular piece of property would create an unnecessary hardship, and
- C. Such conditions are peculiar to the particular piece of property involved, and
- D. Such conditions are not the result of any actions of the property owner, and
- E. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.

gwinnettcounty

Department of Planning and Development



446 West Crogan Street • Lawrenceville, GA 30046-2440
(tel) 678.518.6000
www.gwinnettcounty.com

Variance Application from the Zoning Resolution
(Both Zoning Board of Appeals & Administrative)

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please TYPE or PRINT and sign in BLUE ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>CHASE BANK</u>	Name <u>ROBERTS PROPERTIES PEACHTREE RETAIL, LLC</u>
Address(all correspondence will be mailed to this address) <u>240 E. FAUDETTO PARK ROAD</u>	Address <u>450 NORTHRIDGE PKWY, STE 300</u>
City <u>BOCA RATON</u>	City <u>ATLANTA</u>
State <u>FL</u> Zip <u>33432</u>	State <u>GA</u> Zip <u>30350</u>
Phone <u>561-544-3200</u>	Phone <u>770-394-6000</u>
Contact Person Name: <u>BRIAN PELHAM</u> Phone: <u>770-423-0807</u> x110	
Email Address: <u>brianpelham@engineering.com</u>	
Applicant is the (please check or circle one of the following):	
<input type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Contract Purchaser	

Address of Property NEC INTERSECTION OF PEACHTREE PKWY & PEACHTREE CORNERS CIR.

Subdivision or Project Name _____ Lot & Block _____

District, Land Lot, & Parcel (MRN) 6th DIS. LL 301

Proposed Development CHASE BANK

Building Permit Number (if construction has begun) BLD NA

Variance Requested RELIEF FROM SECTION 1002 OF THE ZONING ORDINANCES FROM 18 SPACES TO 26 SPACES AND A VARIANCE FOR SECTION 1315.2, 3, C REGARDING PERCENTAGE OF PARKS

LOCATED IN FRONT OF THE BUILDING. REQUEST INCREASE FROM 20% TO 54% RELIEF FROM 1315.5, A.5 PITCHED ROOF REQUIREMENTS.

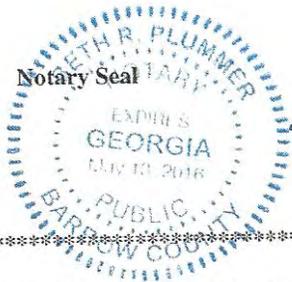
• Please attach a LETTER OF INTENT explaining the proposed use and the justification or hardship for this variance.

Applicant Certification

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

E. Michelle Rothmeier Feb. 1, 2013
Signature of Applicant Date

E. Michelle Rothmeier, Attorney-in-fact
Typed or Printed Name & Title for Chase Bank



[Signature] 2/1/13
Signature of Notary Public Date

Property Owner Certification

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Signature of Property Owner Date

Notary Seal

Typed or Printed Name & Title

Signature of Notary Public Date

Planning & Development Use Below Only

Date Received _____ Received By _____
MRN _____ Variance Type _____
Code Section _____
Zoning District _____ Zoning/SUP Case No _____
Commission District _____ Hearing Date (if applicable) _____

Case No. _____



February 1, 2013

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

Re: Chase Bank - Intent of Variance Request

Ms. Wheeler:

Chase Bank emphasizes the importance of location during the site selection process. This project site is located on the northeast corner of the intersection of Peachtree Parkway and Peachtree Corners Circle. Based on the City's layout and the proximity to the existing "Forum" development, this site is considered to be a premiere location for Chase Bank's further growth in the area.

Based on preliminary planning for the project, it appears that the development of this corner will require multiple variances to achieve Chase Bank's development goals and to provide the best quality development for the city.

Based on Section 1605 of the Gwinnett County Zoning Ordinance, the developer respectfully requests three variances to the zoning ordinance to develop the aforementioned property as desired for the use as a bank. The granting of the requested variances will allow Chase to develop the project in a manner more consistent with current Chase Quality Standards. In addition, this will also allow Chase to provide a building and development closer to the intent of the Peachtree Corners Overlay requirements.

Per section 1002 of the Gwinnett County Zoning Ordinance, for the use, the parking space count is limited to a maximum of one space per two-hundred square feet of building area. This will yield a maximum of 18 allowable spaces based on the current square footage. Per section 1004 of the Zoning Ordinance, an administrative variance of up to 30-percent is permitted. Per Chase prototypical standards, a desired number of 26 spaces for this building size is desired. This yields a 45-percent increase in parking. It should be noted that Chase has applied for a variance for parking numbers and were approved on two additional projects in Gwinnett County. Additionally, the typical Chase daily staff is approximately 10-12 employees. With the addition of a loan closing that may contain six or more members, the entire parking lot will be populated with only one transaction.

Per section 1315.2.3.C of the Gwinnett County Zoning Ordinance the site is limited to a maximum of 20-percent of the parks located in the front of the building. Based on the proposed site plan, approximately 54-percent of the total parks is to be located in the front of the building. The developer respectfully requests a variance to the zoning Ordinance Section 1315.2.3.C to allow 54-percent of parks in the front of the building for the following reasons:

A.) The proposed use of the project is for a bank. As such the building contains an ATM on the front of the building. To install an ATM on the front and to put the parks in the rear of the building is against Chase policy and would be a security risk.

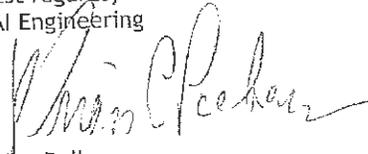
B.) Per the Change in Zoning Condition No. CIC-08-021 Dated October 28, 2008, the approved site plan shows a 7,500 sq. ft. bank building with a total of 45 parking spaces. Approximately 17 parking spaces are located in the front of the building. This yields approximately 38-percent of the spaces. This is greater than the currently allowed 20-percent. The precedent for this particular site and use was approved previously.

C.) Finally, because of the nature of the Peachtree Corners Overlay and the desire to promote "The Forum" style development, the developer intends to move the drive-thru from the side of the project to the rear of the site. This will screen the drive thru from the main traffic corridor and provide a more aesthetically pleasing building. The developer believes that this will more closely adhere to the original spirit and intent of the overlay.

Chase typically roof mounts much of the required mechanical equipment on their projects. This is typically screened with the parapet roofline. Per Section 1315.5.A.5, all buildings must be designed with a 4:12 pitched roof. Chase requests relief from this requirement due to the unsightly mechanical equipment. Should this regulation be imposed, the equipment will be ground mounted. This will require additional unsightly screening along the northern side of the building and detract from the desired aesthetics the city is trying to maintain.

If you have any concerns regarding these variance requests for the development of this project, please feel free to give me a call at your earliest convenience. Thank you for your consideration in this matter.

Best regards,
LAI Engineering



Brian Pelham
Project Manager

CASE NUMBER CIC-08-021
GCID 2008-2508

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.

	VOTE
<u>Present</u>	
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>ABSENT</u>

On motion of COMM. NASUTI, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 by QUAIL HOLLOW CAPITAL, INC. for a CHANGE IN CONDITIONS OF ZONING on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 28, 2008 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of OCTOBER 2008, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. All uses and special uses permitted within the C-1 zoning district. All uses permitted within the C-2 zoning district, except for the following: animal hospitals or veterinary clinics; tattoo and piercing parlors, adult bookstores or entertainment, drive-thru fast food service, automotive car wash, automotive parts store; billboards (as provided in Section 1113.1); 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 3500 square feet (but may be up to 4000 square feet for a Spa Sydell type use), 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; and any temporary uses.

- B. This is a concept specific zoning. Project is to be generally developed as a forum/avenues style development and should include office elements similar in "look and feel" to the existing development immediately across Peachtree Parkway from this property and currently known as "The Forum", or as set forth in the elevations presented to the Board of Commissioners as prepared by Wakefield, Beasley & Associates and the site plan prepared by Wood & Partners, Inc. dated October 5, 2007. A forum/avenues type of development shall be defined as a retail development of small shops similar in design and concept to "The Forum". The landscape plan and architectural plans shall be submitted to the Gwinnett County Planning Commission and approved by the Director of Planning and Development prior to any permits being issued.
- C. Drive-through businesses shall be prohibited, except for banks/financial institutions which may include a drive-through facility as an integrated part of the primary banking operation if the following provisions are met. Any such drive-through facility shall be structurally attached to the bank/financial institution building. Any person-to-person communication shall be conducted only through a sealed (non-operable) window (which may include an associated bank deposit tray and/or tube) and speaker system. The

volume control for the speaker system shall be set so that sound shall not be audible more than 10-feet from any such speaker. Any in-person "reach-through" opening and/or the passing of food through such opening shall be prohibited. To the extent that any allowed structure ceases to be used as a bank/financial institution, then the drive-through facility associated therewith shall be demolished.

- D. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District).
 - E. The dimensions of any bank/financial institution drive-through facility shall be constructed in general conformity with the site plan prepared by Wakefield Beasley and Associates, dated October 17, 2008, and submitted for the record at the Planning Commission's October 21, 2008 meeting. Specifically, the drive aisle width at the drive-through entrance and exit shall be a maximum width of 24 feet and shall taper in accordance with the configuration depicted in the aforementioned site plan.
2. To satisfy the following site development considerations:
- A. Provide a 50-foot wide natural buffer adjacent to residential zoning. The developer shall be allowed to grade 20-feet into the buffer in order to reduce/eliminate retaining walls in accordance with the three buffer plan drawings prepared by Bilson and Associates, dated September 9, 2008, and submitted for the record at the Planning Commission's October 21, 2008 meeting. The graded area of the buffer shall be replanted in accordance with the buffer plan drawings with native Georgia trees including Tulip Poplar, Maple, Cryptomeria and Pine Trees in equal distribution to provide an effective visual screen. In no event will there be less than a 75-foot setback adjacent to the stream depicted on the site plan. The developer shall place the portion of the subject property within the stream buffer in a conservation easement.

- B. Provide bike racks within the development in accordance with the overlay standards.
- C. Provide internal access to any outparcel development. No direct access to Peachtree Parkway other than the shopping center entrance per Department of Transportation approval.
- D. Entrance/exits shall be allowed onto Peachtree Corners Circle per Department of Transportation approval.
- E. No billboards are permitted.
- F. 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.
- G. Buildings shall be finished with architectural treatments containing a mixture of glass, brick, stone and/or stucco. All sides shall have a 32-inch or greater water table of brick or stone, except where full length glass or doors are located. The elevations of the buildings shall be in general conformity with the materials presented to the Planning Commission at its October 16, 2007 meeting, and final plans will be submitted to the Planning Commission and approved by the Director of Planning and Development. All mechanical appurtenances and equipment and/or ductwork shall be screened from view. Screening shall coordinate with the building architecture.
- H. Provide landscaped islands throughout the parking area, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-foot wide landscaped island for each 225-foot of continuous bay length, or alternate plan as may be approved by the Director of Planning and Development.

- I. Provide or relocate and reconstruct sidewalks, as required, a minimum of five feet in width adjacent to Peachtree Parkway (U.S. Hwy. 141) and Peachtree Corners Circle. Sidewalks may meander along these roads where feasible and per DOT approval. Provide internal sidewalks connecting office, retail, and outparcel development. Submit pedestrian access plan for review and approval of the Director of Planning and Development.
- J. 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 nor to create a hazard for passing automobile traffic. Any lights located on the rear of the building must be directed downward.
- K. Multi-tenant buildings shall be limited to wall signage only. Project signage shall be limited to one monument sign per road frontage except for one subdivision entrance sign and one primary ground sign adjacent to Peachtree Parkway. Monument signs shall coordinate with building architecture.
- L. Any detention ponds shall be visibly screened with landscape plantings to be approved by the Director of Planning and Development.
- M. No outside speakers shall be allowed other than on a 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.
- N. 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.

- O. All food service facilities on the property, including outparcels, shall install odor scrubbers which remove 95% of cooking odors as determined by the Director of Planning and Development.
- P. Developer shall provide a temporary 20-foot natural buffer, except for utility crossings, along the right-of-way of Peachtree Parkway and Peachtree Corners Circle. Temporary buffer may be removed upon issuance of a building permit.
 - i.) Truck delivery shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
 - ii.) No overnight parking or idling of delivery trucks shall be allowed.
- Q. Operation of parking lot cleaning machinery or other maintenance equipment that emits noise shall be limited to the hours of 8:00 a.m. to 9:30 p.m.
- R. 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.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 11/16/08

ATTEST:


County Clerk/Deputy County



LEGAL DESCRIPTION
PEACHTREE PARKWAY PROPERTY - TRACT B

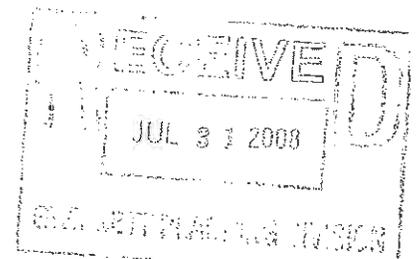
ALL THAT TRACT OF LAND IN LAND LOT 301 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

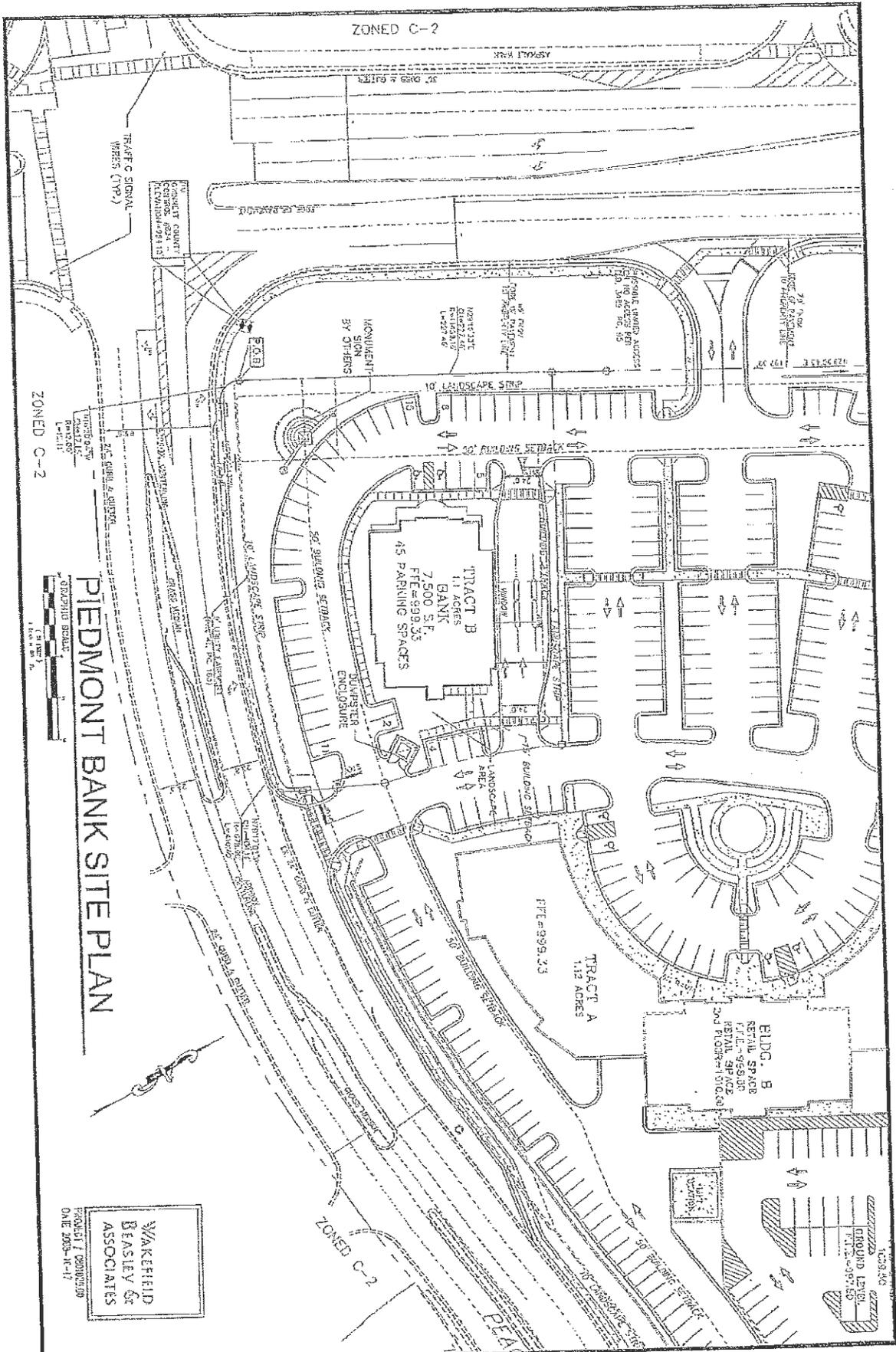
BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERN MITERED RIGHT-OF-WAY LINE OF PEACHTREE CORNERS CIRCLE (RIGHT-OF-WAY VARIES) AND THE SOUTHEAST RIGHT OF WAY LINE OF PEACHTREE PARKWAY (A.K.A. STATE ROAD 141, RIGHT OF WAY VARIES), SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHEAST RIGHT OF WAY LINE OF PEACHTREE PARKWAY (STATE ROAD 141) THE FOLLOWING COURSES AND DISTANCES: (1)ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,459.00 FEET AND AN ARC LENGTH OF 227.46 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 29 DEGREES 16 MINUTES 33 SECONDS EAST, A DISTANCE OF 227.46 FEET TO A 5/8 INCH REBAR SET; (2)NORTH 29 DEGREES 50 MINUTES 43 SECONDS EAST, A DISTANCE OF 197.39 FEET TO A CONCRETE MONUMENT FOUND; (3)NORTH 43 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 103.08 FEET TO A CONCRETE MONUMENT FOUND; (4)NORTH 29 DEGREES 50 MINUTES 43 SECONDS EAST, A DISTANCE OF 36.23 FEET TO A 5/8 INCH REBAR SET; THENCE LEAVING SAID SOUTHEAST RIGHT OF WAY LINE OF PEACHTREE PARKWAY, SOUTH 50 DEGREES 38 MINUTES 31 SECONDS EAST, A DISTANCE OF 579.74 FEET TO A 5/8 INCH REBAR SET; THENCE NORTH 60 DEGREES 17 MINUTES 25 SECONDS EAST, A DISTANCE OF 80.25 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 39 DEGREES 18 MINUTES 20 SECONDS EAST, A DISTANCE OF 50.18 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 24 DEGREES 20 MINUTES 32 SECONDS WEST, A DISTANCE OF 16.31 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 52 DEGREES 04 MINUTES 36 SECONDS EAST, A DISTANCE OF 45.03 FEET TO A 5/8 INCH REBAR SET; THENCE NORTH 76 DEGREES 10 MINUTES 24 SECONDS EAST, A DISTANCE OF 17.55 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 78 DEGREES 56 MINUTES 48 SECONDS EAST, A DISTANCE OF 28.11 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 82 DEGREES 06 MINUTES 50 SECONDS EAST, A DISTANCE OF 52.83 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 42 DEGREES 59 MINUTES 22 SECONDS EAST, A DISTANCE OF 67.80 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 36 DEGREES 25 MINUTES 57 SECONDS EAST, A DISTANCE OF 59.65 FEET TO A 5/8 INCH REBAR SET, SAID POINT BEING ON NORTHERN RIGHT OF WAY LINE OF PEACHTREE CORNERS CIRCLE; THENCE ALONG SAID NORTHERN RIGHT OF WAY LINE OF PEACHTREE CORNERS CIRCLE THE FOLLOWING COURSES AND DISTANCES: (1)ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 612.50 FEET, AND AN ARC LENGTH OF 136.89 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 76 DEGREES 58 MINUTES 13 SECONDS WEST, A DISTANCE OF 136.61 FEET TO A 5/8 INCH REBAR SET; (2)SOUTH 83 DEGREES 22 MINUTES 24 SECONDS WEST, A DISTANCE OF 463.01 FEET TO A 5/8 INCH REBAR SET; (3)ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 678.00 FEET, AND AN ARC LENGTH OF 410.40 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 79 DEGREES 17 MINUTES 09 SECONDS WEST, A DISTANCE OF 404.16 FEET TO A 5/8 INCH REBAR SET; (4)NORTH 61 DEGREES 56 MINUTES 43 SECONDS WEST, A DISTANCE OF 69.28; (5)ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND AN ARC LENGTH OF 19.10 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 16 DEGREES 20 MINUTES 04 SECONDS WEST, A DISTANCE OF 17.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 7.500 ACRES MORE OR LESS.

018 000 21





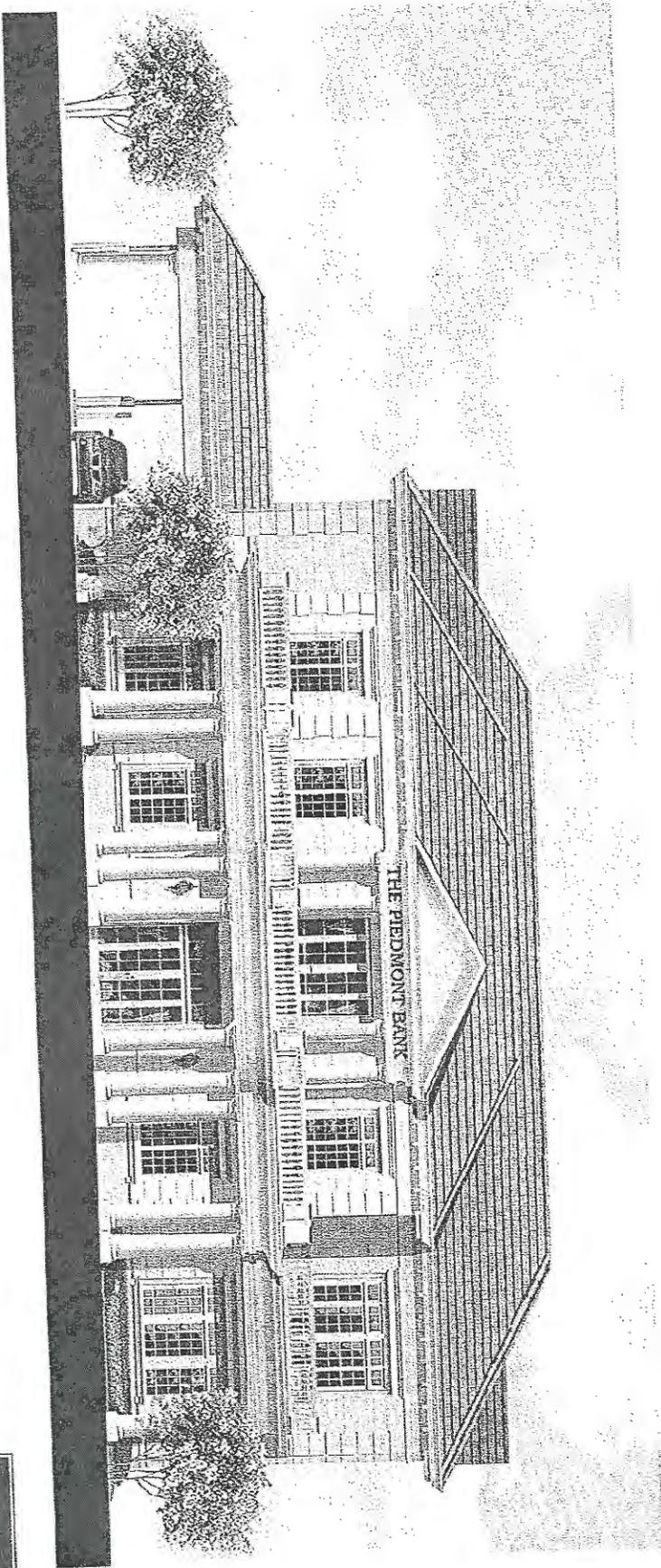
PIEDMONT BANK SITE PLAN

MARKFIELD
BEASLEY &
ASSOCIATES

PROJECT / 050102309
DATE 2009-11-17

C1C-08-021
PC Record 10/21/08

THE
PIEDMONT
BANK



WAKFIELD
BEASLEY &
ASSOCIATES
October 21, 2008

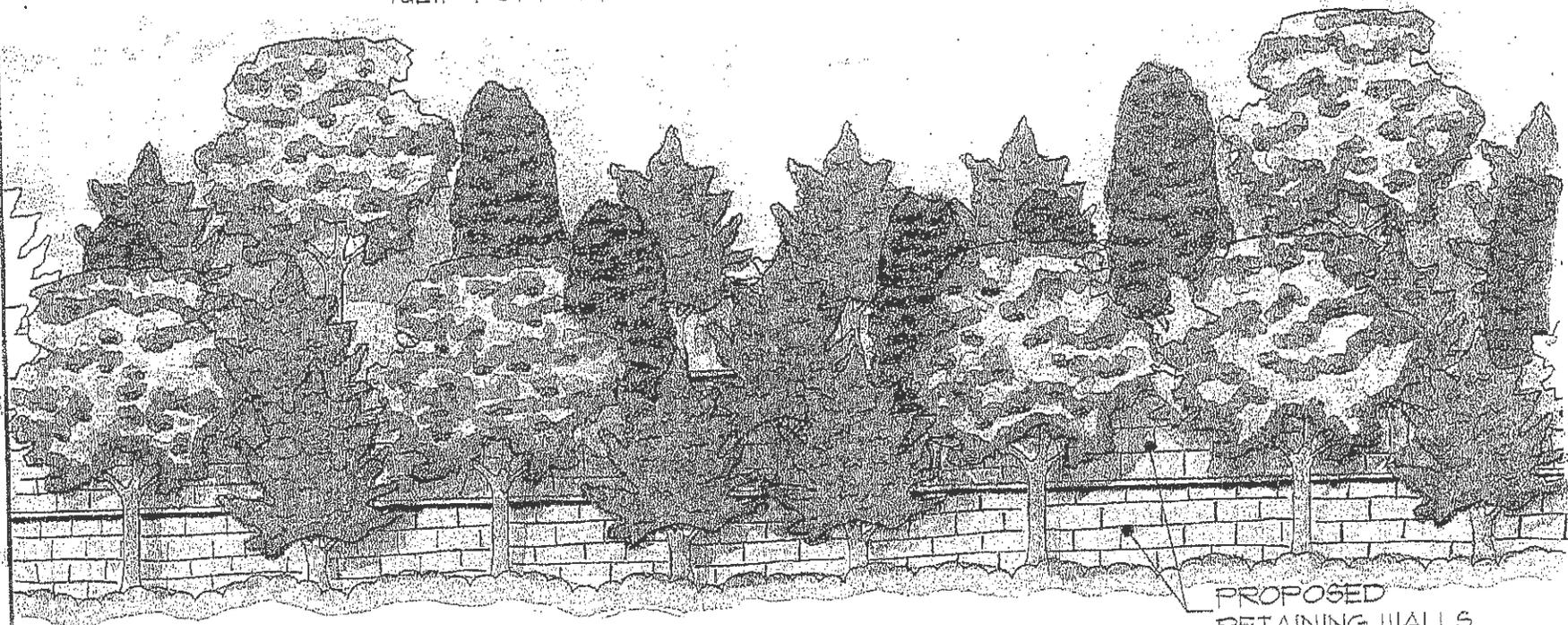
CIC-08-021
Building Elevation
October 28, 2008

CIC-08-021

PC Review?
10/21/08

SCALE: 1/4" = 1'-0"

NOTE: PROPOSED LANDSCAPED BUFFER AREA TO BE PLANTED AS A "NATURAL BUFFER" WITH A MIX OF NATIVE GEORGIA TREES AND ORNAMENTAL EVERGREEN TREES INCLUDING: TULIP POPLAR, MAPLE, CRYPTOMERIA AND PINE.



PROPOSED
RETAINING WALLS

TYPICAL BUFFER ELEVATION VIEW FROM CREEK
PEACHTREE PARKWAY RETAIL
GWINNETT COUNTY, GEORGIA

PREPARED FOR:
ROBERTS PROPERTIES
PEACHTREE RETAIL, LLC



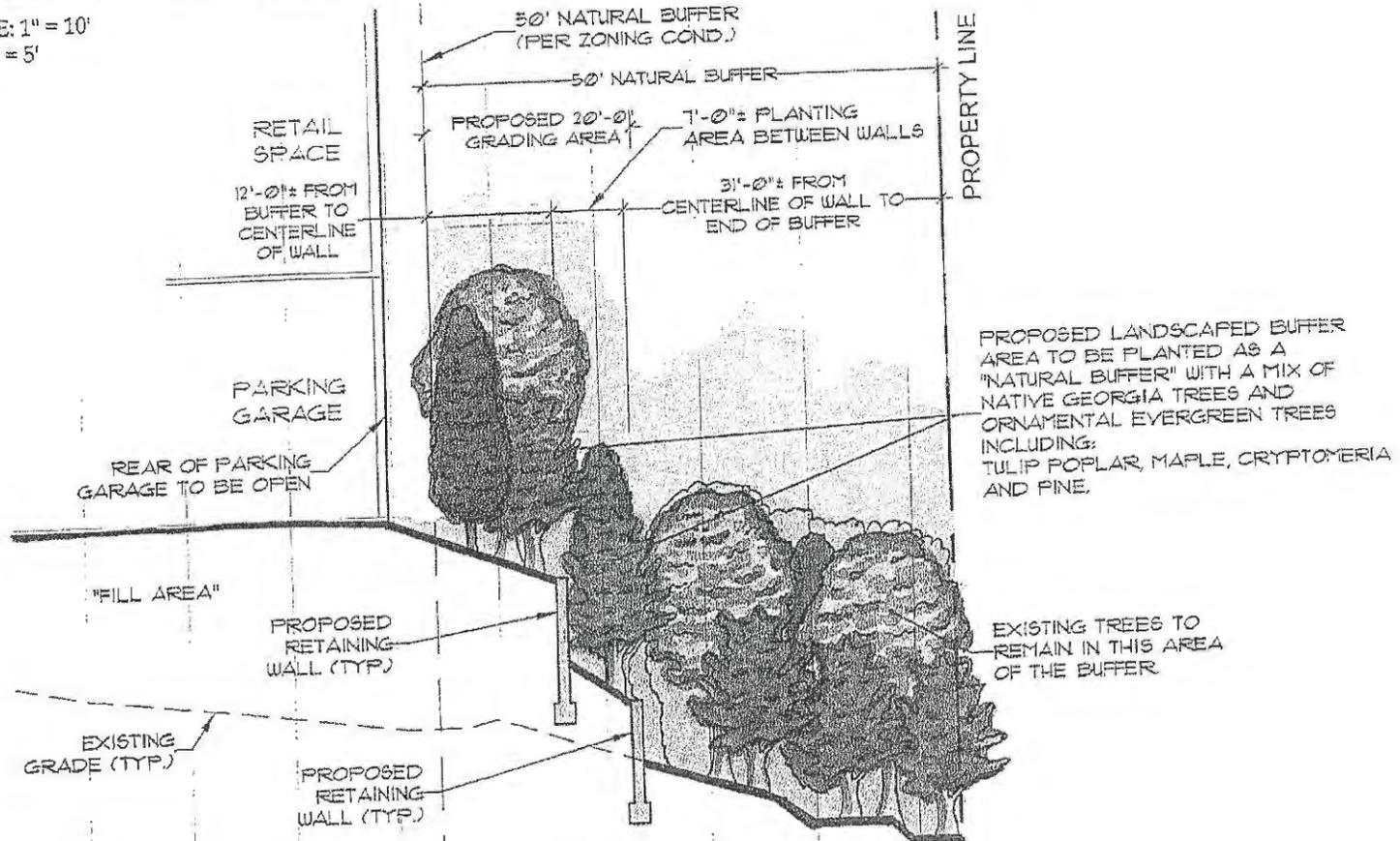
Dilson & Associates

LANDSCAPE ARCHITECTS & LAND PLANNERS
40 POWERSMARKING ST. SUITE 100, DALLAS, TX 75218
PHONE 972-419-6666 FAX 972-419-6661

DATE: SEPTEMBER 9, 2008

PL Handout
C11-08-021 10/2/08

HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 5'



TYPICAL BUFFER SECTION VIEW
PEACHTREE PARKWAY RETAIL
GWINNETT COUNTY, GEORGIA

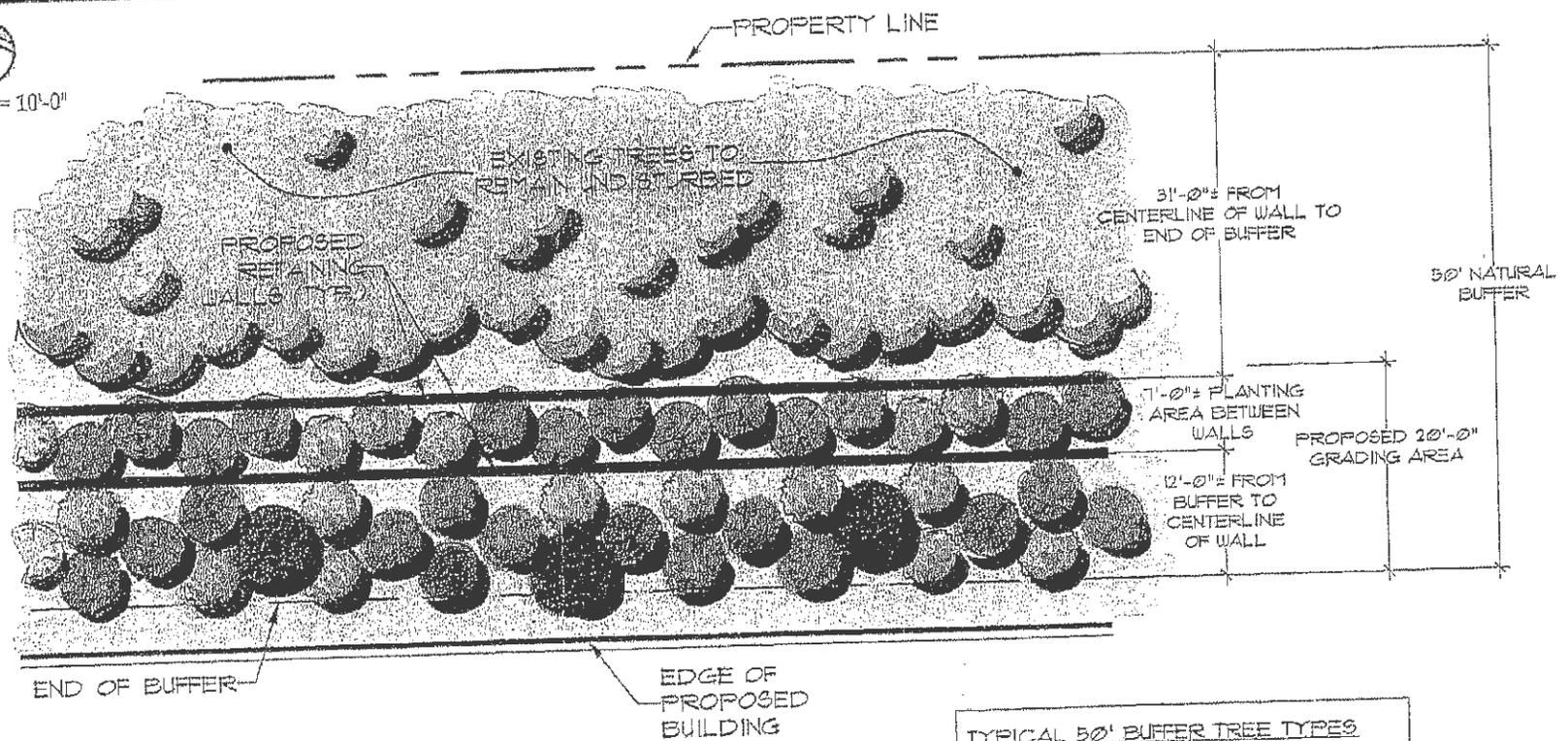
PREPARED FOR:
ROBERTS PROPERTIES
PEACHTREE RETAIL, LLC

 **Dilson & Associates**
LANDSCAPE ARCHITECTS & LAND PLANNERS
40 POWDER MILL CIRCLE, MARIETTA, GA 30066
PHONE 770-444-9501 FAX 770-444-9502
DATE: SEPTEMBER 9, 2008

PC Redout
 C11-08-021 10/21/08



SCALE: 1" = 10'-0"

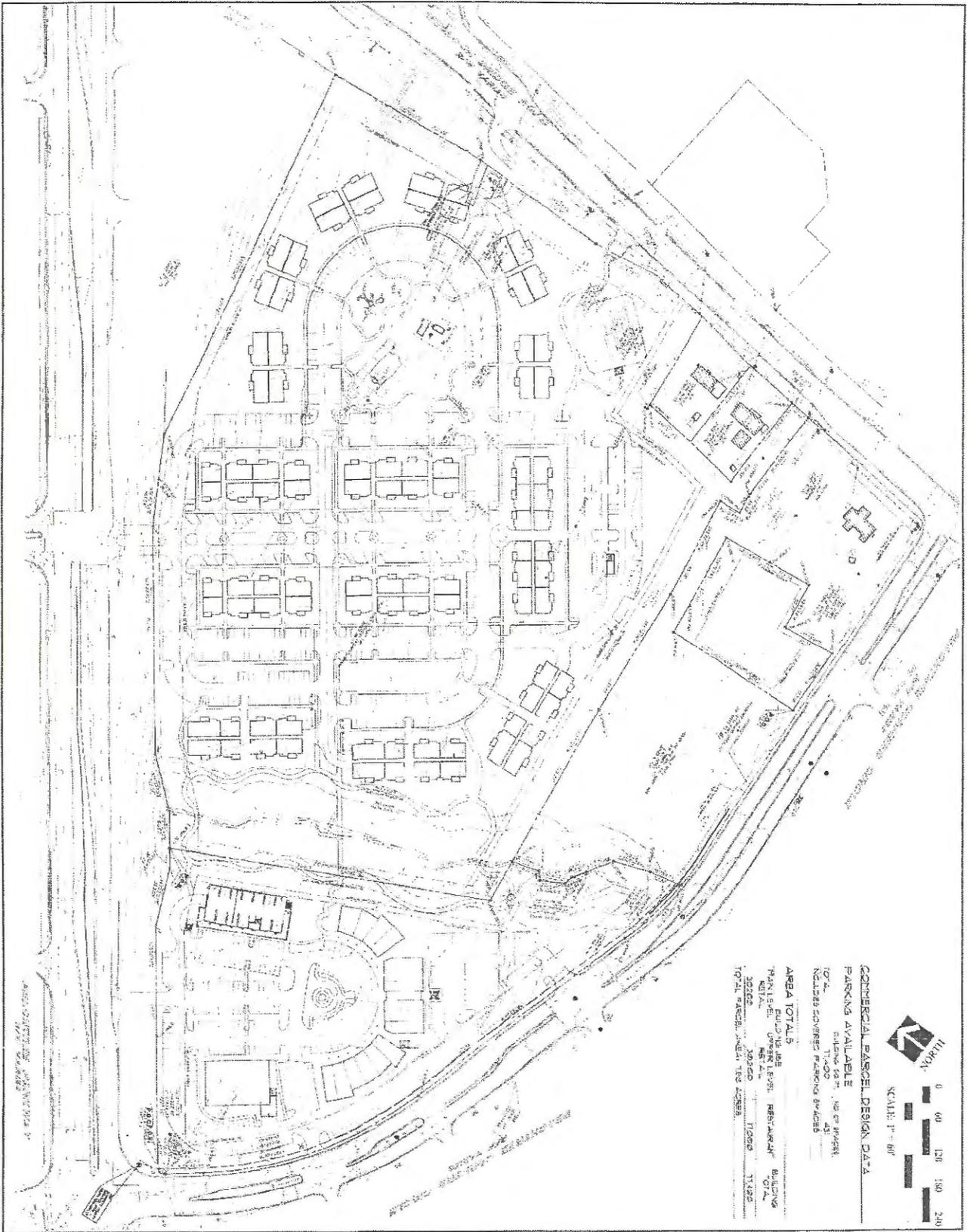


- TYPICAL 50' BUFFER TREE TYPES**
- MAPLE (15" CALIPER, MINIMUM 5' HEIGHT)
 - TULIP POPLAR (15" CALIPER, MINIMUM 5' HEIGHT)
 - PINE (MINIMUM 5 GALLON)
 - CRYPTOMERIA (MINIMUM 5' HEIGHT)

TYPICAL BUFFER PLAN VIEW
PEACHTREE PARKWAY RETAIL
 GWINNETT COUNTY, GEORGIA

PREPARED FOR:
 ROBERTS PROPERTIES
 PEACHTREE RETAIL, LLC

Ditson & Associates
 LANDSCAPE ARCHITECTS & LAND PLANNERS
 48 DOWD STREET, SUITE 101, LAWRENCEVILLE, GA 30046
 PHONE 770-962-5055 FAX 770-962-5174
 DATE: SEPTEMBER 9, 2008



SHEET NUMBER
 1
 OF
 1

SITE PLAN
 FOR
PEACHTREE PARKWAY
 PREPARED FOR
ROBERTS PROPERTIES, INC
 NORCROSS, GEORGIA

Wood+Partners Inc. WPI
 Landscape Architects
 2814 Peachtree Dunwoody Rd. #400
 Atlanta, GA 30328
 404.414.1111