PLANNING COMMISSION AGENDA

October 15, 2019
7:00 PM
CITY HALL

A. Roll Call

B. Approval of September 17, 2019 Minutes

C. Old Business:

D. New Business:

1. **RZ2019-003 & V2019-005 Chabad Gwinnett.** Request to rezone 0.485 acres from R-100 to O-I with associated variances to allow for a new religious facility and adjacent parking lot at 5815 Crooked Creek Rd., Dist. 6, Land Lot 303, Peachtree Corners, GA.

E. City Business Items: None

F. Comments by Staff and Planning Commissioners.

G. Adjournment.

CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
September 17, 2019
7:00 PM

The City of Peachtree Corners held a Planning Commission meeting on Tuesday, September 17, 2019. The meeting was held at City Hall, 310 Technology Parkway, Peachtree Corners, GA, 30092. The following were in attendance:

Planning Commission:	Matt Houser, Chairman, Post D Alan Kaplan, Post A - *absent* Shanga White, Post B - *absent* Mark Willis, Post C Jim Blum, Post E Joseph Collins, Alternate - *absent* Lance Campbell, Alternate - *voting*
Staff:	Diana Wheeler, Community Development Director Jeff Conkle, Planning and Zoning Administrator Rocio Monterrosa, Deputy City Clerk

MINUTES:

MOTION TO APPROVE MINUTES FROM THE AUGUST 20, 2019 PLANNING COMMISSION MEETING.
By: **Mark Willis**
Seconded: **James Blum**
Vote: **4-0 (Willis, Blum, Houser, Campbell)**
Action: **Minutes Approved**

OLD BUSINESS:

None

NEW BUSINESS:

1. **RZ2019-002 & V2019-004 The Revive Land Group.** Request to rezone 12.487 acres from M-1 and R-75 to R-TH with associated variances to allow for a new townhouse development in the Mechanicsville area of the city, generally bounded by Jones Mill Road, Third Street, Florida Avenue, and Mechanicsville Road, Dist. 6, Land Lot 251, Peachtree Corners, GA.

Diana Wheeler, Community Development Director, stated that the applicant is requesting the rezoning of 12.487 acres from M-1 (Light Industry) and R-75 (Single Family Residence) to R-TH (Single Family Residence Townhouse) to construct 85 attached single-family townhomes along with variances to permit encroachment into the stream buffer for the townhome units labeled numbers 1 through 5 and 81 through 85; to permit a reduced front yard setback for the townhomes along Jones Mill Road; to permit a reduced side yard setback for the side property lines; and to permit a reduced landscape strip between units and interior streets.

The property, which is currently a mixture of wooded and undeveloped property and existing single-family homes, is located on the southeast side of Jones Mill Road, between the intersections of Mechanicsville Road and Virginia Avenue.

There is an existing 298 ft. high cell tower on an adjacent piece of property that affects this site. The required 'fall zone' for the cell tower prevents the development of any units within 298 ft. of the cell tower. The site plan submitted by the applicant indicates two points of entry into a non-gated development. One entrance is located on Jones Mill Road, the other entrance is located on Virginia Avenue, providing access to the signalized intersection of Jones Mill Road and Florida Avenue (via 3rd Street). No access is provided directly from Florida Avenue, 2nd Street, or 3rd Street within the existing Mechanicsville neighborhood.

Internal streets are to be private, with townhomes arranged to face Jones Mill Road on the north side while the remainder face the internal street network. Properties located immediately to the north and east of the subject property are zoned M-1, while parcels to the south and west are zoned R-75. The area is largely characterized by a mixture of industrial uses and older single-family residential properties.

A key consideration is the impact that the proposed development will have on the natural features of the site. While it would be challenging, if not impossible, to build the proposed development without grading the site and removing trees, effort should be made to preserve tree groupings where possible. The applicant submitted a specimen tree survey which shows that a large grouping of trees occurs along Florida Avenue and other parts of the north and east boundaries of the site.

The applicant has agreed to disturb a minimal amount of the trees' critical root zone, allowing the trees to remain as an amenity on the site which also provides a buffer for both the future and existing residents. The site also has a great deal of grade variation. The topography at the front of the site along Jones Mill Road is significantly higher than the internal portions of the site. In order to develop the property, the applicant intends to 'balance the site' by removing the dirt at the front and distributing it throughout the site. This will reconfigure the property and alter its character. It will also impact all the trees that are not protected in advance.

After review of the applicant's proposal and other relevant information, it is recommended that RZ2019-002/V2019-004 be approved with the following conditions:

1. The property shall be rezoned from M-1 and R-75 to R-TH.
2. Variances shall be approved so that the front yard setback for buildings along Jones Mill Road and Virginia Avenue shall be a minimum of 10 ft. and the Units #1-5 and 81-85 may encroach into the stream buffer if all relevant jurisdictional bodies also grant such approvals. Internal landscape areas may be reduced to 5 ft. where needed.

3. Setbacks, buffers, and tree preservation plan shall be in accordance with the drawing labeled "Setbacks, Buffers & Tree Preservation Plan" prepared by Planners and Engineers Collaborative dated September 10, 2019.
4. The site may be developed with up to 85 attached single-family townhomes and amenity areas. However, the final number of units is dependent upon site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.
5. The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Planners and Engineers Collaborative dated September 10, 2019 (with revisions to meet these conditions and zoning and development regulations).
6. Development shall include no more than the one access point on Jones Mill Road and one access point at the termination of the public portion of Virginia Avenue, as shown on the submitted site plan.
7. Developer shall construct on-site stormwater detention facilities to meet the standards of the Gwinnett County Stormwater Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site.
8. Prior to issuance of an LDP, approvals must be received from all agencies having jurisdiction over stream piping, modifications, and encroachments.
9. All stormwater facilities shall be owned and maintained by the Homeowner's Association in accordance with the Gwinnett County Stormwater Ordinances.
10. The developer shall provide minimum five-foot-wide publicly accessible sidewalks along the entire rights-of-way of all streets, public or private, except Florida Avenue.
11. The developer shall provide a central mail box for the subdivision with adequate parking and pedestrian access.
12. A minimum 18" offset shall be provided between the front building elevations and roof lines of adjoining units. No more than four units within a single building grouping shall have the same front setback or roof line.
13. Building elevations shall be at least 50% brick or stone.
14. Front elevation materials and colors shall be varied so that the units within a single building grouping do not repeat the same combination of materials and colors more often than every 5 units.
15. The garage of each unit shall be located at least 20 ft. from the adjacent sidewalk.
16. Specimen trees highlighted in yellow on document labeled 'Tree Preservation and Buffer Plan' shall be incorporated into the overall site development and shall be preserved.
17. The areas shown as 'Undisturbed Buffer' on the "Setbacks, Buffer & Tree Preservation Plan" document shall all be platted as common area and shall not become part of individual fee-simple lots.
18. Prior to the issuance of an LDP, tree protection fencing shall be installed, and the city shall confirm that all trees to be preserved have been included within the protected areas.
19. Prior to the issuance of the building permit for the 50th unit, the developer shall conduct a traffic assessment to determine if existing traffic signal timing needs to be adjusted in order to avoid vehicular back-ups and optimize traffic circulation efficiency. The developer shall be responsible for any costs associated with the study and its findings.
20. Construction access shall only be permitted off Jones Mill Road or Virginia Avenue. No construction access or traffic shall be permitted on Florida Avenue, 2nd Street or 3rd Street.
21. Construction hours shall be limited to weekdays from 7:00AM to 8:00PM.

22. Approval of the development plan is subject to the applicant's successful acquisition of land that is currently designated as public right-of-way, (the unimproved portions of Virginia Avenue, Florida Avenue, and Second Street).
23. The developer shall incorporate a percentage cap of 15% on rental units within the development which shall become part of the homeowners' association covenants.

The applicant, Neville Allison, gave a brief description of the project and stated that they had to request a new rezoning and variance due to bad soil on a portion of the property. In the new plan, the nearest unit to the industrial property line is now 250 feet. There are two items that they are still trying to work out with staff: one is the undisturbed buffer around the specimen trees, the other is the 34-inch maple along Florida Avenue. As a compromise, the applicant is proposing to only disturb 12.5% of the critical root zone of the specimen trees. Regarding the maple, their arborist does not believe that this is a specimen tree because it is in poor condition and would ask that this tree not be required to remain on the property.

Chairman Houser opened the floor for public comments. There were no public comments. After review, the Commissioners moved forward with a recommendation of support for RZ2019-002 & V2019-004.

MOTION TO APPROVE RZ2019-002 & V2019-004 THE REVIVE LAND GROUP. REQUEST TO REZONE 12.487 ACRES FROM M-1 AND R-75 TO R-TH WITH ASSOCIATED VARIANCES TO ALLOW FOR A NEW TOWNHOUSE DEVELOPMENT IN THE MECHANICSVILLE AREA OF THE CITY, GENERALLY BOUNDED BY JONES MILL ROAD, THIRD STREET, FLORIDA AVENUE, AND MECHANICSVILLE ROAD, DIST. 6, LAND LOT 251, PEACHTREE CORNERS, GA WITH STAFF RECOMMENDED CONDITIONS AND MODIFICATIONS AS FOLLOWS

By: Matt Houser
Seconded: Mark Willis
Vote: 4-0 (Houser, Willis, Blum, Campbell)
Action: Approved

1. The property shall be rezoned from M-1 and R-75 to R-TH.
2. Variances shall be approved so that the front yard setback for buildings along Jones Mill Road and Virginia Avenue shall be a minimum of 10 ft. and the Units #1-5 and 81-85 may encroach into the stream buffer if all relevant jurisdictional bodies also grant such approvals. Internal landscape areas may be reduced to 5 ft. where needed.
3. Setbacks, buffers, and tree preservation plan shall be in accordance with the drawing labeled "Setbacks, Buffers & Tree Preservation Plan" prepared by Planners and Engineers Collaborative dated September 10, 2019.
4. The site may be developed with up to 85 attached single-family townhomes and amenity areas. However, the final number of units is dependent upon site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.
5. The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Planners and Engineers Collaborative dated September 10, 2019 (with revisions to meet these conditions and zoning and development regulations).
6. Development shall include no more than the one access point on Jones Mill Road and one access point at the termination of the public portion of Virginia Avenue, as shown on the submitted site plan.

7. Developer shall construct on-site stormwater detention facilities to meet the standards of the Gwinnett County Stormwater Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site.
8. Prior to issuance of an LDP, approvals must be received from all agencies having jurisdiction over stream piping, modifications, and encroachments.
9. All stormwater facilities shall be owned and maintained by the Homeowner's Association in accordance with the Gwinnett County Stormwater Ordinances.
10. The developer shall provide minimum five-foot-wide publicly accessible sidewalks along the entire rights-of-way of all streets, public or private, except Florida Avenue.
11. The developer shall provide a central mail box for the subdivision with adequate parking and pedestrian access.
12. A minimum 18" offset shall be provided between the front building elevations and roof lines of adjoining units. No more than four units within a single building grouping shall have the same front setback or roof line.
13. Front building elevations shall be at least 50% brick or stone.
14. Front elevation materials and colors shall be varied so that the units within a single building grouping do not repeat the same combination of materials and colors more often than every 5 units.
15. The garage of each unit shall be located at least 20 ft. from the adjacent sidewalk.
16. Specimen trees highlighted in yellow on document labeled 'Tree Preservation and Buffer Plan' shall be incorporated into the overall site development and shall be preserved by ensuring that grading encroachment does not extend into more than 12.5% of the critical root zone of any tree to be preserved.
17. The areas shown as 'Undisturbed Buffer' on the "Setbacks, Buffer & Tree Preservation Plan" document shall all be platted as common area and shall not become part of individual fee-simple lots.
18. Prior to the issuance of an LDP, tree protection fencing shall be installed, and the city shall confirm that all trees to be preserved have been included within the protected areas.
19. Prior to the issuance of the building permit for the 50th unit, the developer shall conduct a traffic assessment to determine if existing traffic signal timing needs to be adjusted in order to avoid vehicular back-ups and optimize traffic circulation efficiency. The developer shall be responsible for any costs associated with the study and its findings.
20. Construction access shall only be permitted off Jones Mill Road or Virginia Avenue. No construction access or traffic shall be permitted on Florida Avenue, 2nd Street or 3rd Street.
21. Construction hours shall be limited to weekdays from 7:00AM to 8:00PM.
22. Approval of the development plan is subject to the applicant's successful acquisition of land that is currently designated as public right-of-way, (the unimproved portions of Virginia Avenue, Florida Avenue, and Second Street).
23. The developer shall incorporate a percentage cap of 15% on rental units within the development which shall become part of the homeowners' association covenants.

CITY BUSINESS ITEMS:

No new City business

COMMENTS BY STAFF AND PLANNING COMMISSION:

Jeff Conkle informed the commissioners that there will be a meeting in October.

The Planning Commission meeting concluded at 7:31 PM.

Approved,

_____
Matt Houser
Chairman

Attest:

_____
Rocio Monterrosa
Deputy City Clerk

RZ2019-003/V2019-005
Chabad Gwinnett

CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT

REZONING ANALYSIS

PLANNING COMMISSION DATE:	OCTOBER 15, 2019
CITY COUNCIL DATE:	NOVEMBER 19, 2019
CASE NAME:	**CHABAD GWINNETT**
CASE NUMBER:	**RZ2019-003 & V2019-005**
CURRENT ZONING:	R-100
LOCATION:	5815 CROOKED CREEK ROAD
MAP NUMBERS:	6th DISTRICT, LAND LOT 303
ACREAGE:	0.485 ACRES
PROPOSED DEVELOPMENT:	REZONING FROM R-100 TO O-I WITH ASSOCIATED VARIANCES TO ALLOW A NEW RELIGIOUS FACILITY
FUTURE DEVELOPMENT MAP:	VILLAGE RESIDENTIAL CHARACTER AREA
APPLICANT:	MAHAFFEY PICKENS TUCKER LLP 1550 N BROWN RD STE 125 LAWRENCEVILLE GA 30043
CONTACT:	SHANE LANHAM 770-232-0000
OWNER:	CHABAD ENRICHMENT CENTER 3604 PARKMONT CT PEACHTREE CORNERS GA 30092
RECOMMENDATION:	**APPROVE WITH CONDITIONS**

SUMMARY:
The applicant is requesting the rezoning of 0.485 acres from R-100 (Single Family Residence) to O-I (Office-Institutional) to convert an existing single-family residence into a synagogue with associate parking on an adjacent parcel already zoned O-I. Associated variances include requests to reduce the required 50' rear buffer to 15' for a portion of the rear and 35' for the remainder of the rear behind the existing home; to reduce the required 50' buffer to 25' adjacent to the parking area; and a setback reduction from 40' to 20' along a portion of the rear to permit additions to the existing home, as depicted on the site plan.

The property, which is currently a single-family home built in the 1980s, is located on the west side of Crooked Creek Road, just south of the intersection with Spalding Drive.

The site plan submitted by the applicant indicates that the existing point of entry to the residential property will remain in place. The adjacent O-I property with have a parking lot with two points of entry: one on Crooked Creek Road and one on Spalding Drive.

Properties located immediately to the east, south, north and northwest of the subject property are zoned R-100, while parcels to the southeast are zoned RM-8 (Multifamily Residence). The adjacent property owned by the applicant to the northeast is zoned O-I. The area is largely characterized by a mixture of single-family residential properties and townhome condominiums.

The subject property is located within the Village Residential Character Area on the Peachtree Corners Character Areas Map. This area encourages "a variety of high-quality housing options to families at all stages of life" and is also an area where institutional uses such as religious facilities and schools are appropriate.

ZONING HISTORY:
There is no history of zoning cases on this property.

ZONING STANDARDS:
Zoning Code Section 1702 identifies specific criteria that should be evaluated when considering a zoning decision. These criteria are enumerated as 'A' through 'F', below. Following each item is the applicant's response followed by Staff's comment.

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?

Applicant's Response: The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development will enhance surrounding properties in a manner consistent with the Future Land Use Plan.

Staff Comments: Conversion of a single-family residence to a religious facility is unlikely to have an adverse effect on the use and value of adjoining and nearby property. The property faces a busier street and combines with a corner lot on a primary thoroughfare thus limiting the desirability of single-family residential uses on the property.

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

Applicant's Response: The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The proposed development is a complement to the adjacent and nearby property.

Staff Comment: The proposed use would not negatively affect the existing usability of adjacent or nearby property. The property will have setbacks and buffers to provide screening to the remaining adjacent residential properties.

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?

Applicant's Response: Given current site conditions, existing development, and market trends, the applicant respectfully submits that subject property does not have a reasonable economic use as currently zoned.

Staff Comment: The site has a reasonable economic use as currently zoned. However, certain institutional uses such as churches and schools are appropriate in predominantly residential areas and provide a transition from existing single-family home to the busy intersection of Spalding Drive and Crooked Creek Road.

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

Applicant's Response: The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing street, transportation facilities, utilities, or schools. The proposed development will enhance this neighborhood by providing current residents of the Jewish community with a place of worship in Peachtree Corners.

Staff Comment: The applicant is proposing a parking lot that exceeds the required number of spaces for the proposed synagogue. However, during holidays, parking may be insufficient.

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

Applicant's Response: The proposed rezoning is in conformity with the policy and intent of the land use plan. The land use plan encourages appropriate institutional uses, such as churches, in this village residential character area. The proposed development would thus be deemed an appropriate use by providing a place of worship to current residents.

Staff Comment: See "Comprehensive Plan" section analysis below.

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?

Applicant's Response: The demand for a variety of religious institutions open to families in all practices of faith and shifting demographics are some of the many existing and changing conditions affecting the use and development of the property, which give supporting grounds for approval of the proposed rezoning.

Staff Comment: The City's Comprehensive Plan expressly encourages institutional uses such as schools and religious facilities within the Village Residential area.

COMPREHENSIVE PLAN:

The Peachtree Corners Comprehensive Plan lists the subject property in the Village Residential Character Area. This area provides a "variety of single-family attached housing options" and is located along major corridors. The area "also serves as a transition in density between low-scale single-family development and commercial areas."

The Comprehensive Plan also states that institutional uses such as religious facilities and schools are desirable in the Village Residential areas.

DEPARTMENT ANALYSIS:

The proposed development is located on Crooked Creek Road just south of Spalding Drive. The site is currently zoned R-100, though the adjacent parcel owned by the applicant is already zoned O-I. The R-100 parcel was not the subject of any past zoning cases.

The Peachtree Corners Comprehensive Plan shows the property located in the Village Residential Character Area, indicating that the location is near existing, smaller-scale residential development but near major roads and areas of commercial and institutional activity. In this case, townhome condominiums, a retirement community, and religious facilities are found throughout and adjacent to the single-family neighborhoods nearby. The requested use of a synagogue is not out of character for this area.

Additionally, the proposed use meets the Comprehensive Plan's vision for the Village Residential Character Area. This area encourages "a variety of high-quality housing options to families at all stages of life" and also identifies religious and other institutional uses as appropriate for the area.

The applicant has also requested variances to permit additions to the existing home to encroach into the rear setback and buffer as well as for the proposed parking lot on the adjacent property to encroach into the buffer. Given the compact nature of these lots and their lack of desirability for residential use because of the busy nature of the streets on which they front, the strict application of the standard is not well suited to this area. These observations support the applicant's variance request.

The site plan calls for sufficient parking to meet zoning requirements and the parking shown should be enough to meet daily needs. However, there will likely be a few times during the year when the parking will not meet the congregation's needs. For those occasions, the synagogue should make off-site accommodations for attendees.

A key consideration is the impact that the proposed development will have on the three adjoining single-family residences. The applicant has agreed to leave an undisturbed buffer along the parking lot and to add a replanted buffer along the rear of the existing building lot to maintain a buffer between this use and the adjacent properties. Additionally, a community meeting was scheduled for October 7, 2019 to allow for input from interested neighbors.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that RZ2019-003/V2019-005 be approved with the following conditions:

1. The property shall be rezoned from R-100 to O-I.
2. Variances shall be approved so that the rear yard setback for the building is reduced to 40' along the southwest portion of the rear and 20' along the northwest portion of the rear. Additionally, a variance shall be approved so that the rear buffer area is reduced to 35' along the southwest portion of the rear and 15' along the northwest portion of the rear. The buffer adjacent to the parking lot shall also be reduced to 25'.
3. The development shall be in substantial conformance with the plan labeled "Plan of Chabad Gwinnett" dated August 30, 2019.
4. Development shall include no more than the three access points shown on the plan: the existing driveway at the house, the proposed parking lot driveway along Crooked Creek Road and the proposed parking lot driveway along Spalding Drive.
5. Applicant shall install a replanted buffer along the rear of the existing building's lot consisting of double staggered rows of evergreens that are no less than 6 feet in height at time of planting plus additional shrubs that are no less than 3 feet in height at the time of planting to ensure a fully-vegetated buffer.
6. Applicant shall leave the buffer adjacent to the proposed parking lot undisturbed. Areas that are sparse with vegetation shall be supplemented by plantings to ensure a fully-vegetated buffer.
7. The synagogue shall make provisions for off-site parking when events are expected to generate a greater need for parking than the site can accommodate. In addition, an off-duty officer shall be utilized to manage traffic, if needed, in order to avoid traffic impacts to Spalding Drive.

CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT
310 Technology Parkway, Peachtree Corners, GA 30092
Tel: 678.691.1200 | www.peachtreecornersga.gov

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	REQUIRED	PROVIDED
Completed Application Form	• 1 original	☐	☐
Boundary Survey with Legal Description	• 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction	☐	☐
Site Plan	• 1 full size Copy • 1- 8-1/2" x 11" or 11" x 17" reduction	☐	☐
Letter of Intent	• 1 copy	☐	☐
Applicant Certification with Notarized Signature	• 1 copy	☐	☐
Property Owner Certification with Notarized Signature	• 1 copy	☐	☐
Standards Governing Exercise of the Zoning Power	• 1 copy	☐	☐
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	• 1 copy	☐	☐
Verification of Paid Property Taxes (most recent year)	• One (1) Copy (per tax parcel)	☐	☐
Electronic copy of complete package	• One (1) copy	☐	☐
Application Fee	• Make checks payable to the City of Peachtree Corners	☐	☐
ADDITIONAL EXHIBITS (IF REQUIRED)			
Additional site plan requirements for R-TH, R-ZT, Modified, CSO, OBP, MUD or MUO rezoning requests	• 1 copy	☐	☐
Traffic Study	• 1 copy	☐	☐
Development of Regional Impact Review Form	• 1 copy	☐	☐
Community Information Meeting Certification	• 1 copy	☐	☐

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: The Chabad Enrichment Center, Inc. C/O Mahaffey Pickens Tucker, LLP	NAME: The Chabad Enrichment Center, Inc. C/O Mahaffey Pickens Tucker, LLP
ADDRESS: 1550 North Brown Road Suite 125	ADDRESS: 3604 Parkmont Ct
CITY: Lawrenceville	CITY: Peachtree Corners
STATE: GA ZIP: 30043	STATE: GA ZIP: 30092
PHONE: (770) 232-0000	PHONE: (770) 232-0000
E-MAIL: slanham@mptlawfirm.com	E-MAIL: slanham@mptlawfirm.com

APPLICANT CONTACT, IF DIFFERENT THAN ABOVE

CONTACT PERSON: Shane Lanham PHONE: (770) 232-0000

CONTACT'S E-MAIL: slanham@mptlawfirm.com

APPLICANT IS THE:

☐ OWNER'S AGENT ☑ PROPERTY OWNER ☐ CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: O-I

LAND DISTRICT(S): 6 LAND LOT(S): 303 ACREAGE: 0.485

ADDRESS OF PROPERTY: 5815 Crooked Creek Road NW Peachtree Corners, Georgia 30092

PROPOSED DEVELOPMENT: Synagogue

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: 1

Total Bldg. Sq. Ft.: 5972

Gross Density: 21126.6 sq.ft

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-I00, 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-I0, 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-I, C-2, C-3, O-I, OBP, M-I, 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 Hiqh Rise Residential (HRR)

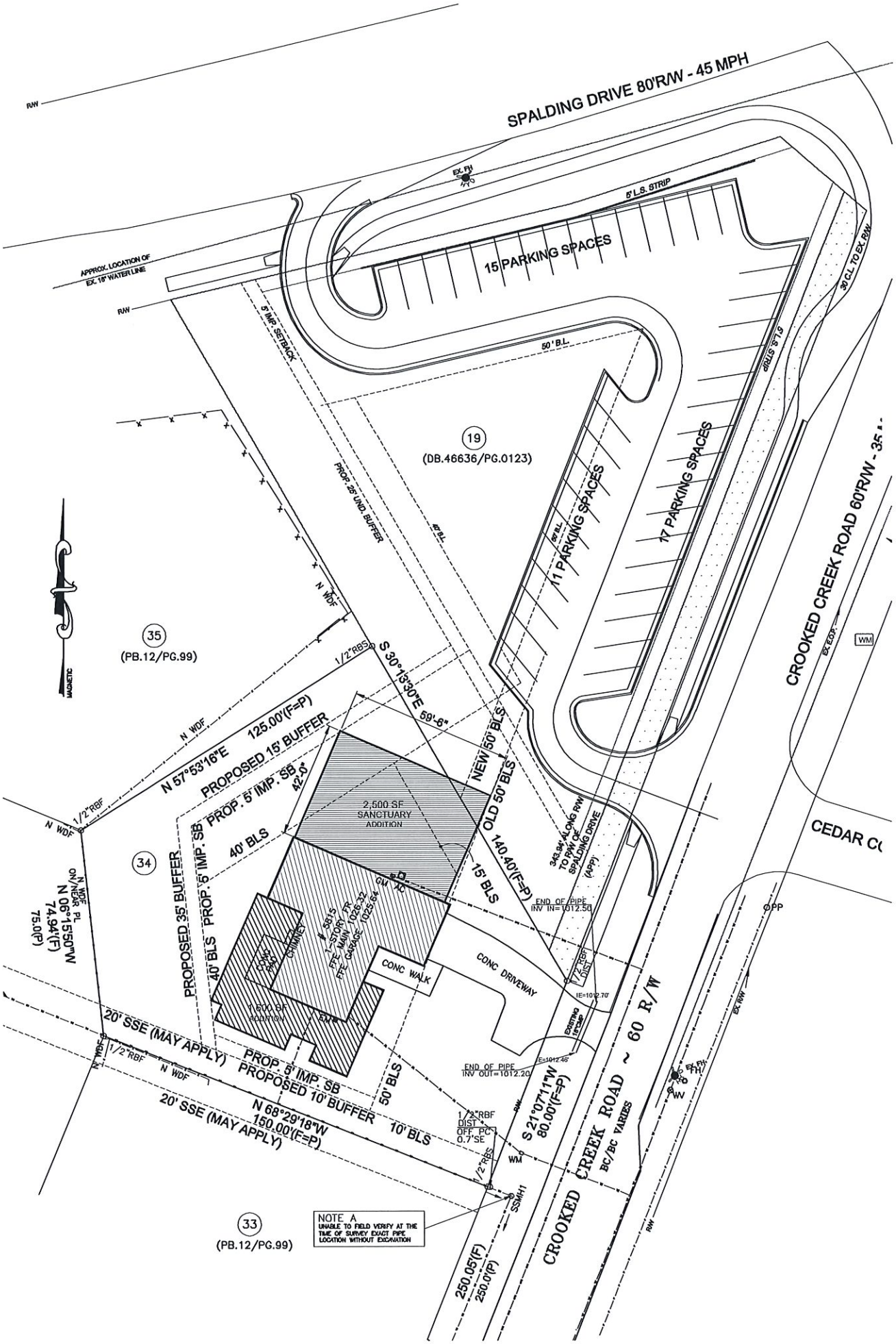
Application Fee – $1,200 plus $75 per acre (maximum fee - $10,000)

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).

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 303 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found located in the westerly right of way of Crooked Creek Road (a 60' right-of-way), said point also being located at the northeast corner of that certain property owned by Eyal Levi and Haddassa E. Levi (now or formerly) (as such property is more particularly depicted in Plat Book 12, Page 99, Gwinnett County, Georgia records); thence leaving the aforesaid right-of-way, North 68° 29′ 18′′ West, a distance of 150 feet to a 1/2 inch rebar found; thence North 06° 15′ 50′′ West, a distance of 74.94 feet to a1 /2 inch rebar found; thence North 57° 53′ 16′′ East, a distance of 125 feet to a 1/2 inch rebar set; thence South 30° 13′ 30′′ East, a distance of 140.40 feet to a 1/2 inch rebar found in the westerly right-of-way of Crooked Creek Road; thence, with the aforesaid right-of-way, South 21 ° 07' 11West, a distance of 80.00 feet to a one-half inch rebar found, said point being the POINT OF BEGINNING, and being commonly referred to as 5815 Crooked Creek Road, Peachtree Corners, Georgia, according to the present system of numbering houses in Gwinnett County Georgia.



SPALDING DRIVE 80'R/W - 45 MPH
R/W
EX. FH
5' L.S. STRIP
15 PARKING SPACES
APPROX. LOCATION OF EX. 18" WATER LINE
5' IMP. SETBACK
50' B.L.
30 C.L. TO EX. R/W
5' L.S. STRIP
19
(DB.46636/PG.0123)
PROP. 25' UND. BUFFER
40' B.L.
11 PARKING SPACES
17 PARKING SPACES
CROOKED CREEK ROAD 60'R/W - 35
EX. E.O.P.
WM
35
(PB.12/PG.99)
N WDF
1/2"RBS
S 30°13'30"E
59'-6"
MAGNETIC
N 57°53'16"E
125.00'(F=P)
PROPOSED 15' BUFFER
PROP. 5' IMP. SB
42'-0"
NEW 50' BLS
OLD 50' BLS
2,500 SF SANCTUARY ADDITION
40' BLS
15' BLS
140.40'(F=P)
343.94' ALONG R/W TO R/W OF SPALDING DRIVE (APP)
CEDAR C
34
N WDF ON/NEAR PL
N 06°15'50"W
74.94'(F)
75.0(P)
PROPOSED 35' BUFFER
PROP. 5' IMP. SB
40' BLS
GM
AC
END OF PIPE INV IN=1012.50
1-STORY FR FFE MAIN 1026.32 FFE GARAGE 1025.64
CHIMNEY
CONC PAD
CONC WALK
CONC DRIVEWAY
1/2"RBF DIST
IE=1012.70'
EXISTING 18"CMP
1,500 SF ADDITION
20' SSE (MAY APPLY)
PROP. 5' IMP. SB
PROPOSED 10' BUFFER
50' BLS
END OF PIPE INV OUT=1012.20
E=1012.46'
S 21°07'11"W
80.00'(F=P)
CROOKED CREEK ROAD ~ 60 R/W
BC/BC VARIES
EX. R/W
EX. FH
WV
PP
N 68°29'18"W
150.00'(F=P)
20' SSE (MAY APPLY)
10' BLS
1/2"RBF DIST OFF PC 0.7'SE
WM
SSMH1
33
(PB.12/PG.99)
NOTE A
UNABLE TO FIELD VERIFY AT THE TIME OF SURVEY EXACT PIPE LOCATION WITHOUT EXCAVATION
250.05'(F)
250.0'(P)

Mahaffey Pickens Tucker, LLP
ATTORNEYS AT LAW

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Shane M. Lanham

Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits the attached rezoning application (the "Application") on behalf of The Chabad Enrichment Center, Inc. (the "Applicant"), relative to an approximately 0.485 acre tract (the "Property") located along Crooked Creek Road NW near Spalding Drive within the City of Peachtree Corners (the "City"). The Applicant is proposing to rezone the property to the O-I (Office Institutional) zoning classification in order to develop the Property for use as a place of worship. The property is designated as within the Village Residential character area of the City of Peachtree Corners 2040 Comprehensive Plan (the "2040 Plan").

The Applicant is a non-profit, religious organization committed to serving the growing Jewish population in the City and surrounding communities in Gwinnett County. The Applicant owns the Property and is also the owner of the parcel immediately adjacent to the Property to the north at the corner of Spalding Drive and Crooked Creek Road NW. The Applicant proposes to ultimately combine the parcels and develop them to accommodate the synagogue. The proposed place of worship would accommodate regular religious services typically held on Saturdays as well as certain other activities that are customarily components of a religious institution. For example, the proposed place of worship could accommodate youth groups, study groups,

weddings, and religious counseling. The proposed development would complement the existing uses of adjacent and nearby property and is in line with the types of institutional uses the City encourages in the Village Residential character area as set forth in the 2040 Plan. Shiloh Baptist Church and Christ the King Lutheran Church are both within a mile of the proposed development and Peachtree Corners Presbyterian Church is located less than 1,000 feet to the west.

The proposed use would also expand religious and civic opportunities for residents and would help meet significant demand for religious institutions in the community. Currently, Gwinnett County holds a Jewish population of over 10,000 families which are significantly underserved relative to the availability of places of worship. The City has recognized the importance of religious institutions through the policies of the 2040 Plan which help to foster a strong sense of community for a growing diverse population.

The Applicant proposes to keep the current structure located on the Property intact and renovate it to meet its primary use of being a place of worship, including adding classrooms and offices that members of the community can use during worship services and community events. The Applicant is also planning to add approximately 1,600 square feet of space on the southerly side of the existing building and approximately 2,500 square feet of the northerly side for use as a sanctuary accommodating approximately 100 seats. The Applicant also requests approval of variances to certain of the City of Peachtree Corners development standards as depicted on the site plan submitted with this Application in order to facilitate the proposed development.

Specifically, the Applicant is requesting the reduction or elimination of certain buffers and building setback lines to accommodate the proposed additions to the existing structure.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Peachtree Corners Community Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

This 3rd day of September, 2019.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham
Attorneys for the Applicant
1550 North Brown Road
Suite 125
Lawrenceville, Georgia 30043
(770) 232-0000

APPLICANT'S CERTIFICATION

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

Signature of Applicant — Date: 8/12/19

JOSEPH LERMAN - RABBI DIRECTOR

Type or Print Name and Title

Amanda Mosley — Date: 8/12/19

Signature of Notary Public — Date — Notary Seal

AMANDA MOSLEY NOTARY PUBLIC Exp. Oct. 3, 2022 GWINNETT COUNTY, GA

PROPERTY OWNER'S CERTIFICATION

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

Signature of Property Owner — Date: 8-12-19

JOSEPH LERMAN - RABBI DIRECTOR

Type or Print Name and Title

Amanda Mosley — Date: 8/12/19

Signature of Notary Public — Date — Notary Seal

AMANDA MOSLEY NOTARY PUBLIC Exp. Oct. 3, 2022 GWINNETT COUNTY, GA

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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.

9/3/2019

Signature of Applicant — Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Amanda Mosley 9/3/19

Signature of Notary Public — Date — Notary Seal

AMANDA MOSLEY
NOTARY PUBLIC
GWINNETT COUNTY, GA
EXP. Oct. 3, 2022

PROPERTY OWNER'S CERTIFICATION

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Signature of Property Owner — Date

Type or Print Name and Title

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?

Please 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?

Please 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?

Please 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?

Please 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?

Please 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?

Please see attached.

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

A. The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development will enhance surrounding properties in a manner consistent with the Future Land Use Plan.

B. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The proposed development is a complement to the adjacent and nearby property.

C. Given current site conditions, existing development, and market trends, the Applicant respectfully submits that subject property does not have reasonable economic use as currently zoned.

D. The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed development will enhance this neighborhood by providing current residents of the Jewish community with a place of worship in the City of Peachtree Corners.

E. The proposed rezoning is in conformity with the policy and intent of the Future Land Use Plan. The Future Land Use Plan encourages appropriate institutional uses, such as churches, in this village residential character area. The proposed development would thus be deemed an appropriate use by providing a place of worship to current residents.

F. The demand for a variety of religious institutions open to to families in all practices of faith and shifting demographics are some of the many existing and changing conditions affecting the use and development of the property, which give supporting grounds for approval of the proposed rezoning.

JUSTIFICATION FOR REZONING APPLICATION OF THE CHABAD ENRICHMENT CENTER, INC.

The portions of the 2016 Zoning Resolution of City of Peachtree Corners (the "Resolution") which classify or may classify the property which is the subject of this Application (the "Property") into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Resolution as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the requested zoning classifications with the conditions as requested by the Applicant, and is not economically suitable for development under the present conditions and zoning classifications of the City of Peachtree Corners, Georgia. A denial of this Application would constitute an arbitrary and capricious act by the Mayor and City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth

Amendment to the Constitution of the United States.

A refusal by the Mayor and City Council to rezone the Property to the requested zoning classifications with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the requested classifications, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 3rd day of September, 2019

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

_____

Shane Lanham
Attorney

DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS

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

CHECK ONE: ◯ YES ☑ NO

(**If yes**, please complete the "Campaign Contributions" section below)

The Chabad Enrichment Center, Inc.
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.

8-12-19

Signature of Applicant | Date | Type or Print Name and Title

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

Amanda Mosley 8/12/19

Signature of Notary | Date | Notary Seal

AMANDA MOSLEY
NOTARY PUBLIC
GWINNETT COUNTY, GA
Exp. Oct. 3, 2022

DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS

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

CHECK ONE: ○ YES ☑ NO

(**If yes**, please complete the "Campaign Contributions" section below)

Mahaffey Pickens Tucker, LLP
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.

Signature of Applicant | Date | Type or Print Name and Title

9/3/19

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

Amanda Mosley 9/3/19

Signature of Notary | Date | Notary Seal

AMANDA MOSLEY
NOTARY PUBLIC
EXP. Oct. 3, 2022
GWINNETT COUNTY, GA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

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

District	Land Lot	Parcel
6	303	183

Signature of Applicant

9/3/2019
Date

Attorney Shane Lanham
Type or Print Name and Title

Tax Commissioners Use Only

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

Julie Smith
NAME

TSA II
TITLE

8-27-19
DATE

CHABAD GWINNETT BUILDING FUND
3855 HOLCOMB BRIDGE ROAD SUITE 400
PEACHTREE COR GA 30092-2391

1035

64-5/610 GA
15432

Date 6/24/19

Pay To The Order of Peachtree Corners $ 850.00

Eight hundred fifty dollars and 00/100 Dollars

Security Features Details on Back.

Bank of America

ACH R/T 061000052

For

MP

⑈001035⑈ ⑆061000052⑆ 3340445414 98⑈

CHABAD GWINNETT BUILDING FUND
3855 HOLCOMB BRIDGE ROAD SUITE 400
PEACHTREE COR GA 30092-2391

1009

64-5/610 GA
15432

Date 8-29-19

Pay To The Order of $ 750.00

SEVEN HUNDRED AND FIFTY Dollars

Security Features Details on Back.

Bank of America

ACH R/T 061000052

For

MP

⑈001009⑈ ⑆061000052⑆ 3340445414 98⑈

Invitation to Public Participation Forum

Monday, October 7, 2019 @ 7:00 PM
Location: 5815 Crooked Creek Road
Norcross, GA 30092

Dear Neighbors,

Chabad Enrichment Center, Inc. has filed a Rezoning Application with the City of Peachtree Corners relative to property located at 5815 Crooked Creek Road at the intersection of Spalding Drive and Crooked Creek Road. The Applicant is requesting to rezone the property from R-100 to O-I for use as a Synagogue/Place of Worship.

Our plans are to update and expand the existing structure to include a new sanctuary and classrooms. We would be delighted to answer any questions you may have at the Public Participation Meeting at 5815 Crooked Creek Road Norcross, GA 30092 on Monday, October 7, 2019 at 7:00 PM.

Please also feel free to call us at 770-232-0000 or email us with any questions.

Best,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Other Public Meetings

The official zoning hearings will be held at the City of Peachtree Corners
310 Technology Parkway
Peachtree Corners, GA 30092

October 15, 2019 - The City of Peachtree Corners Planning Commission 1st Hearing, 7:00 PM
November 19, 2019 - The City of Peachtree Corners City Council 2nd Hearing, 7:00 PM

Name and Address of Sender
Shane Lanham, Esq.
Mahaffey Pickens Tucker LLP
1550 N. Brown Road, Suite 125
Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
- ☐ COD
- ☐ Delivery Confirmation
- ☐ Express Mail
- ☐ Insured
- ☐ Recorded Delivery (International)
- ☐ Registered
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation

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PITNEY BOWES
US POSTAGE
Correction
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0001182006
$ 003.28⁰
SEP 26 2019
MAILED FROM ZIP CODE 30043

Article Number	Addressee (Name, Street, City, State, & Zip Code)	Postage	Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender If COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	ALDRICH AUDREY B 3683 CEDAR CORNERS TRL PEACHTREE CORNERS, GA 30092-2401											
2.	AMERICAN RESIDENTIAL LEASING COMPANY AMERICAN HOMES 4 RENT AGOURA HILLS, CA 91301-2148											
3.	BISHOP THOMAS FRANKLIN 3694 CREEKSTONE PL PEACHTREE CORNERS, GA 30092-2461											
4.	BONDARENKO MARINA 3682 CEDAR CORNERS PL PEACHTREE CORNERS, GA 30092-2413											
5.	CARROLL JENNIFER HOPE 3706 VILLAGE WALK DR PEACHTREE CORNERS, GA 30092-6213											
6.	CHABAD ENRICHMENT CENTER INC 3604 PARKMONT CT PEACHTREE CORNERS, GA 30092-2327											
7.	CHU JIA 5972 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7623											
8.	CRIBBS RHONDA 5888 SPALDING DR PEACHTREE CORNERS, GA 30092-2450											

BOGGS RD. POSTAL STATION
SEP 26 2019
DULUTH, GA 30096-5519

Delivery Confirmation
Signature Confirmation
Special Handling
Restricted Delivery
Return Receipt

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)	See Privacy Act Statement on Reverse
8	8		

PS Form **3877**, February 2002 *(Page 1 of 2)* **Completed by Typewriter, Ink, or Ball Point Pen**

1

CHABAD ENRICHMENT CENTER, LLC
c/o Mahaffey Pickens Tucker, LLP
RZ2019-003, v2019-005
3645-0001

Name and Address of Sender
Shane Lanham, Esq.
Mahaffey Pickens Tucker LLP
1550 N. Brown Road, Suite 125
Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
- ☐ COD
- ☐ Delivery Confirmation
- ☐ Express Mail
- ☐ Insured
- ☐ Recorded Delivery (International)
- ☐ Registered
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation

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PITNEY BOWES
US POSTAGE
Correction
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SEP 26 2019
MAILED FROM ZIP CODE 30043

BOGGS RD. POSTAL STORE
SEP 26 2019
DULUTH, GA 30096-5519

Article Number	*Addressee (Name, Street, City, State, & Zip Code)*	Postage	Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender If COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	CUELLAR MARTIN R 5673 PARK CENTRAL AVE PEACHTREE CORNERS, GA 30092-6218											
2.	CUPIDO DONN 3646 CORNERS CT PEACHTREE CORNERS, GA 30092-2416											
3.	DENG YUAN WEI 5804 CROOKED CREEK RD PEACHTREE CORNERS, GA 30092-2418											
4.	DONAHUE DAVID P & ELLIN F 3672 CEDAR CORNERS PL PEACHTREE CORNERS, GA 30092-2413											
5.	ELSLEY MELODY G 5835 CROOKED CREEK RD PEACHTREE CORNERS, GA 30092-2419											
6.	ENGLAND J SHANNON 4166 LANTERN LN S MOBILE, AL 36693-3667											
7.	FISHER AARON 5848 SPALDING DR PEACHTREE CORNERS, GA 30092-2450											
8.	FISHER HOKE L 5981 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-2601											

Delivery Confirmation
Signature Confirmation
Special Handling
Restricted Delivery
Return Receipt

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8	8	

See Privacy Act Statement on Reverse

PS Form **3877,** February 2002 *(Page 1 of 2)*

Completed by Typewriter, Ink, or Ball Point Pen

2

CHABAD ENRICHMENT CENTER, LLC
c/o Mahaffey Pickens Tucker, LLP
RZ2019-003, v2019-005
3645-0001

Name and Address of Sender
Shane Lanham, Esq.
Mahaffey Pickens Tucker LLP
1550 N. Brown Road, Suite 125
Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
- ☐ COD
- ☐ Delivery Confirmation
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Postmark and Date of Receipt

PITNEY BOWES
US POSTAGE
Correction
02 1P
$ 003.28⁰
0001182006 SEP 26 2019
MAILED FROM ZIP CODE 30043

Article Number	Addressee (Name, Street, City, State, & Zip Code)	Postage	Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender If COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	HACKETT JAY W 5868 SPALDING DR PEACHTREE CORNERS, GA 30092-2450											
2.	HAMMOCK DAVID N 5816 SPALDING DR PEACHTREE CORNERS, GA 30092-2404											
3.	HENRY CHARLOTTE & JAMIE 3747 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2484											
4.	JENNER WAYNE J 3726 SPALDING PARK DR PEACHTREE CORNERS, GA 30092-2632											
5.	JOHN EDWARD LUMPKINS TRUST 3716 VILLAGE WALK DR PEACHTREE CORNERS, GA 30092-6213											
6.	JUNG HYUN JU 5814 CROOKED CREEK RD PEACHTREE CORNERS, GA 30092-2418											
7.	KAMIKI SANAE 3692 CEDAR CORNERS PL PEACHTREE CORNERS, GA 30092-2413											
8.	KELLEY MARISA A & SCOTT P 3758 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2463											

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CHABAD ENRICHMENT CENTER, LLC
c/o Mahaffey Pickens Tucker, LLP
RZ2019-003, v2019-005
3645-0001

Name and Address of Sender
Shane Lanham, Esq.
Mahaffey Pickens Tucker LLP
1550 N. Brown Road, Suite 125
Lawrenceville, Georgia 30043

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1.	LEVI EYAL 5825 CROOKED CREEK RD PEACHTREE CORNERS, GA 30092-2419											
2.	LIN YU-SHIU 3705 VILLAGE WALK DR PEACHTREE CORNERS, GA 30092-6214											
3.	LOTT SAM 6032 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7624											
4.	LUNGWITZ KRISTY R 3660 ORCHARD ST PEACHTREE CORNERS, GA 30092-2382											
5.	MALONEY WILLIAM 3715 SPALDING PARK DR PEACHTREE CORNERS, GA 30092-2633											
6.	MEADOWS DOROTHY MARIAN 30 N OAK TERR ARDEN, NC 28704-2945											
7.	MILLS JASON R 5845 CROOKED CREEK RD PEACHTREE CORNERS, GA 30092-2419											
8.	MINAR REBECCA M 3685 CREEKSTONE PL PEACHTREE CORNERS, GA 30092-2461											

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1.	MURPHY PATRICIA ANNE 5858 SPALDING DR PEACHTREE CORNERS, GA 30092-2450											
2.	NA KYUNG SUNG 3778 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2463											
3.	NGUYEN WINN 6001 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-2601											
4.	PATEL HEMAL 6022 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7624											
5.	POMMER ROBERT JR ETAL PO BOX 920266 NORCROSS, GA 30010-0266											
6.	PROPERTY OWNER 3666 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
7.	PROPERTY OWNER 3653 MONTICELLO CMNS PEACHTREE CORNERS, GA 30092											
8.	PROPERTY OWNER 3662 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											

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1.	PROPERTY OWNER 3655 MONTICELLO CMNS PEACHTREE CORNERS, GA 30092											
2.	PROPERTY OWNER 3657 MONTICELLO CMNS PEACHTREE CORNERS, GA 30092											
3.	PROPERTY OWNER 3654 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
4.	PROPERTY OWNER 3660 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
5.	PROPERTY OWNER 3658 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
6.	PROPERTY OWNER 3664 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
7.	PROPERTY OWNER 2654 THURLESTON LN DULUTH, GA 30096											
8.	PROPERTY OWNER 4915 GLENWHITE DR DULUTH, GA 30096											

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1.	RAINISCH REUBEN 5982 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7623											
2.	PROPERTY OWNER 3656 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092											
3.	RICHER RONALD ETAL 3728 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2463											
4.	RICKER THOMAS G ETAL 3653 CEDAR CORNERS TRL PEACHTREE CORNERS, GA 30092-2401											
5.	RIVIERE STEVEN T 3767 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2484											
6.	ROBERTS LISA GAYE 1255 RUSTIC RIDGE DR NE BROOKHAVEN, GA 30319-1517											
7.	SEARS JOHN CAVADA & JANE M 3656 CORNERS CT PEACHTREE CORNERS, GA 30092-2416											
8.	SHAUGHNESSY WILLIAM K 3717 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2484											

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Mahaffey Pickens Tucker LLP
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1.	SIN MEICHING 5704 PARK CENTRAL AVE PEACHTREE CORNERS, GA 30092-6207											
2.	SMITH KEVAN 3676 CORNERS CT PEACHTREE CORNERS, GA 30092-2416											
3.	SPALDING PARK PL HOMEOWNERS AS PO BOX 920623 NORCROSS, GA 30010-0623											
4.	SPALDING PARK PLACE HOA INC PO BOX 920623 NORCROSS, GA 30010-0623									Special Handling	Restricted Delivery	Return Receipt
5.	SPALDING PARK PLACE I HOA INC 7742 SPALDING DR STE 398 PEACHTREE CORNERS, GA 30092-4207							Delivery Confirmation	Signature Confirmation			
6.	SPALDING SQUARE CONDO 3650 CENTENNIAL SQ PEACHTREE CORNERS, GA 30092-2480											
7.	TARPLEY JOHN H 3694 CEDAR CORNERS TRL PEACHTREE CORNERS, GA 30092-2440											
8.	THEODORIDIS LITSA 1 BROWN ST UNIT 1814 PHILADELPHIA, PA 19123-3360											

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1.	TREINIS PAVEL 3664 CEDAR CORNERS TRL PEACHTREE CORNERS, GA 30092-2415											
2.	TREMBLAY PHILIPPE 3666 CORNERS CT PEACHTREE CORNERS, GA 30092-2416											
3.	TRILLO INGRID 3738 CREEKSTONE DR PEACHTREE CORNERS, GA 30092-2463											
4.	TU BEI 11203 SUMMERWOOD LN ALPHARETTA, GA 30005-3520											
5.	TUCKER BARNEY L 6042 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7624											
6.	WALKER JOHN 7742 SPALDING DR STE 115 PEACHTREE CORNERS, GA 30092-4207											
7.	WILCHER MARTHA FRANCES & PAUL 5878 SPALDING DR PEACHTREE CORNERS, GA 30092-2450											
8.	WINSTON PHILIP B 6012 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7624											

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1.	YI EUN Y 6052 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7624											
2.	YOO HELEN CHO 3715 VILLAGE WALK DR PEACHTREE CORNERS, GA 30092-6214											
3.	ZHANG KAIWEN 5992 SPALDING PARK PL PEACHTREE CORNERS, GA 30092-7623											
4.	ZUMPANO JAMES F 3675 CREEKSTONE PLACE PEACHTREE CORNERS, GA 30092-2461											
5.												
6.												
7.												
8.												

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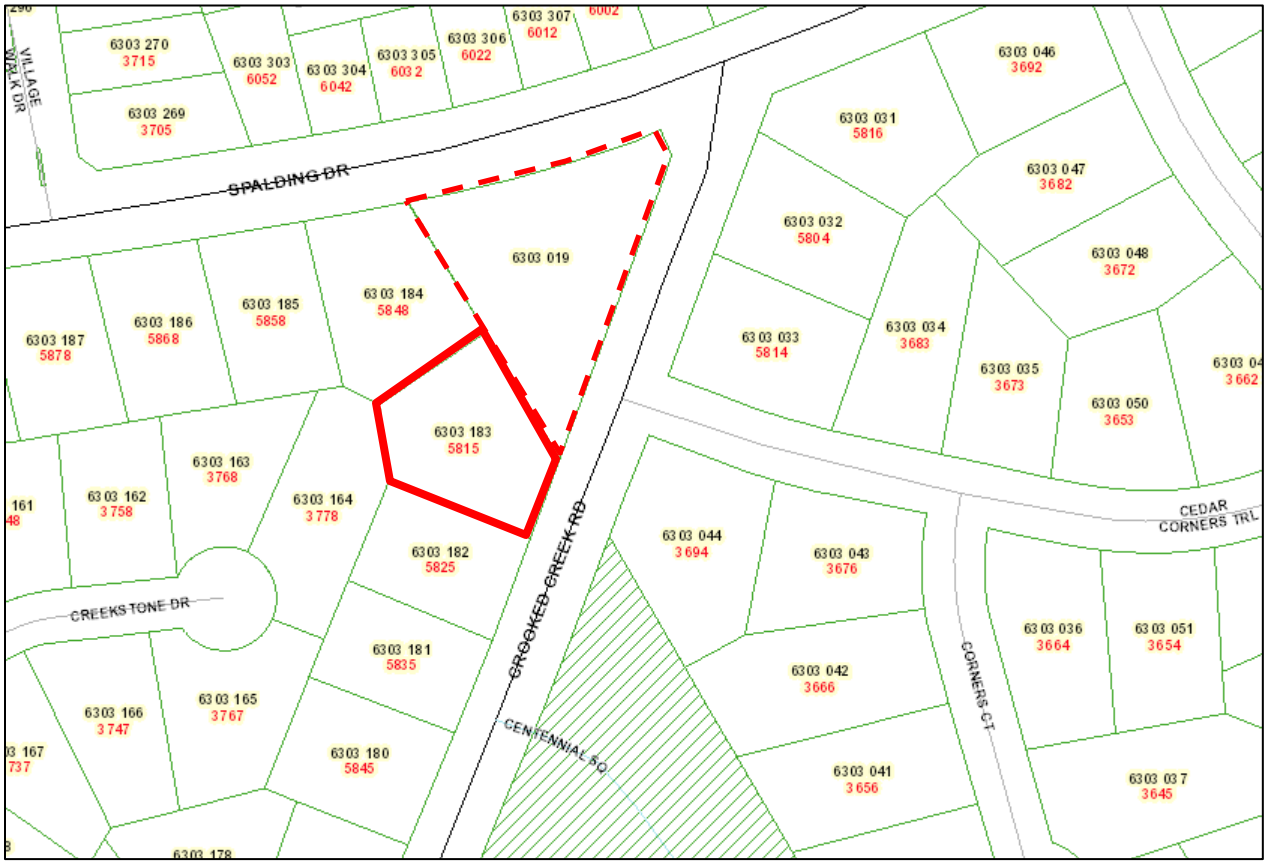
CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT
310 Technology Parkway, Peachtree Corners, GA 30092
Tel: 678.691.1200 | www.cityofpeachtreecornersga.com

PROPERTY LOCATION MAP

Chabad Gwinnett



CASE NUMBER:	**RZ2019-003/V2019-005**		
	PLANNING COMMISSION	**CITY COUNCIL 1ST READING**	**CITY COUNCIL 2ND READING**
HEARING DATES:	**OCT. 15, 2019**	**OCT. 22, 2019**	**NOV. 19, 2019**
PROPERTY ADDRESS:	5815 Crooked Creek Road		