



PLANNING COMMISSION AGENDA

July 21, 2020
7:00 PM
CITY HALL

A. Roll Call

B. Approval of February 18, 2020 Minutes

C. Old Business:

D. New Business:

1. **CIC2020-001. East Jones Bridge LLC.** Request to amend the conditions of a previously-approved special use permit to accommodate a retirement community at 4411 and 4583 East Jones Bridge Rd. (former Fiserv property), Dist. 6, Land Lots 331, 348, and 349, Peachtree Corners, GA.
2. **RZ2020-002, V2020-005 & PH2020-004 3700 Medlock Bridge.** Request to rezone 3.08 acres from R-100 to RM-13 with associated variances and to amend the Comprehensive Plan Character Area Map to change the subject property from Suburban Neighborhood to Central Business District to allow for a new condominium-townhome community at 3700 Medlock Bridge Road, Dist. 6, Land Lot 300, Peachtree Corners, GA.
3. **SUP2020-001 Peachtree Farm.** Request to approve a special use permit to accommodate an assisted living facility at a vacant parcel on Research Ct., Dist. 6, Land Lot 285, Peachtree Corners, GA.

E. City Business Items:

F. Comments by Staff and Planning Commissioners.

G. Adjournment.



CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
FEBRUARY 18, 2020
7:00 PM

The City of Peachtree Corners held a Planning Commission meeting on February 18, 2020. The meeting was held at City Hall, 310 Technology Parkway, Peachtree Corners, GA, 30092. The following were in attendance:

Planning Commission: Alan Kaplan, Chairman, Post A
Shanga White, Post B
Mark Willis, Post C
Vacant, Post D
Jim Blum, Post E
Joseph Collins, Voting Alternate
Lance Campbell, Non-voting Alternate

Staff: Diana Wheeler, Community Development Director
Jeff Conkle, Planning and Zoning Administrator
Rocio Monterrosa, Deputy City Clerk

MINUTES:

**MOTION TO APPROVE MINUTES FROM THE NOVEMBER 13, 2019
PLANNING COMMISSION MEETING AS AMMENDED.**

By: James Blum

Seconded: Mark Willis

Vote: 5-0 (Willis, Blum, Kaplan, White, Collins)

Action: Minutes Approved

OLD BUSINESS:

None

NEW BUSINESS:

1. **RZ2020-001, V2020-001 & PH2020-001 Governors Lake Townhomes.** Request to rezone 28.454 acres from M-1 to R-TH with associated variances and to amend the Comprehensive Plan Character

Area Map to change the subject property from Industrial Corridor and Employment Corridor to Village Residential to allow for a new townhome community along Jones Mill Road and Governors Lake Parkway, Dist. 6, Land Lot 251, Peachtree Corners, GA.

Diana Wheeler, Community Development Director, informed the Commissioners the property is located on the northwest side of Jones Mill Road and along both sides of Governors Lake Parkway west of its intersection with Jones Mill Road, approximately one-half mile southeast of Peachtree Industrial Boulevard. The site is currently zoned M-1 and was the subject of several past zoning cases, including proposed apartment and townhome uses, none of which were approved. A private school campus was approved for the site but never constructed.

The Peachtree Corners Comprehensive Plan shows the property located in the Employment Corridor and Industrial Corridor Character Areas, indicating that the location is near existing industrial and commercial development and near major roads and other transportation networks such as the rail line along Buford Highway. While the property across Jones Mill Road in the Mechanicsville area was just rezoned to allow for a similar townhome development, that property is identified as Village Residential in the Comprehensive Plan, giving support to the request.

The Employment Corridor Character Area is envisioned to “connect Peachtree Corners north through Gwinnett County and south into Atlanta. Future land uses will include both light industrial, such as warehousing, and office-professional uses, primarily in office parks.” The area also contains “Governors Lake Parkway, one of the greatest potential development sites in the County.” Appropriate uses include office, light industrial, small-scale retail at major nodes, and mixed-use development. Discouraged uses include standalone residential. The Industrial Corridor Character Area is envisioned to “protect the legacy and economic viability of industrial uses.” The Industrial Corridor will also “continue to co-exist with Peachtree Corners’ established and growing residential neighborhoods and employment centers. These areas are, for the most part, separated from residential uses, but natural buffers should be used to minimize the impacts resulting from heavy industrial uses, like smell and noise.” Appropriate uses include light industrial, heavy industrial, and commercial/retail. Discouraged uses include all residential uses and mixed-use development.

The site in question is also subject to environmental restrictions because of its proximity to a creek that flows through the Governors Lake development. The restrictions include a 75’ stream buffer which the applicant is asking to disturb through grading of the site. Additional effort can be made to avoid disturbance of any of the stream buffers.

The subject property is also located in an established office and light industrial area and would directly adjoin several warehouse uses, including those with active loading docks. The applicant is requesting to reduce the required 75’ buffer between dissimilar uses to 50’ to accommodate the townhomes on the smaller northern piece of property. These homes would back up to the active loading docks of properties on Bay Circle, affecting residential quality of life and creating potential conflicts.

Finally, the site has been the subject of numerous zoning requests over the past several decades. Each of the cases that involved residential uses were denied, withdrawn, or tabled indefinitely.

In 1997, a request was made to rezone the property to RM-13 to accommodate an apartment complex. This request was withdrawn by the applicant prior to a final decision by the County Board of Commissioners.

In 2000, a similar request to rezone to RM-13 for apartments was made. This rezoning was ultimately denied by the County Board of Commissioners.

In 2003, special use permit approval was granted by the County to allow for a private school campus on the site. However, this project was never built, and the property remained undeveloped.

The final request for rezoning was made in 2006. This was a proposed rezoning to R-TH to allow townhomes and villa-style homes. This item was heard by the County Board of Commissioners but was tabled indefinitely and never acted upon further. In conclusion:

1. The proposal is inconsistent with the Comprehensive Plan and there are no compelling reasons to modify the Comprehensive Plan.
2. There are environmental concerns because the proposed plan doesn't adequately protect the natural features of the site.
3. Existing uses immediately adjacent to the site are incompatible with the proposed residential use of the property.
4. There is historical precedent by Gwinnett County of non-support for residential use on the property.
5. Changing the land use on this site will limit the future potential of this largest remaining vacant tract in Peachtree Corners.

After review of the applicant's proposal and other relevant information, it is recommended that RZ2020-001 / V2020-001 / PH2020-001 be denied.

The applicant representative, Neville Allison, gave a brief description of the project and explained the reason this project will fit in the area. He stated that he has the support of the surrounding neighbors and he believes that bringing these townhomes will benefit the working class that lives in Peachtree Corners.

Chairman and Commissioners expressed concern about the development being a single use and how it could affect the development of the rest of the surrounding land not included in this application. The Commissioners expressed concern about amending the Comprehensive Plan.

Chairman Kaplan opened the floor for public comment. There were no public comments.

After review, the Commissioners moved forward with staff recommendation to deny the request. The Commissioners also expressed an interest in re-evaluating the Comprehensive Plan and speaking with the property owner to see if he would be willing to develop a master plan for the entire area.

MOTION TO DENY RZ2020-001, V2020-001 & PH2020-001 GOVERNORS LAKE TOWNHOMES. REQUEST TO REZONE 28.454 ACRES FROM M-1 TO R-TH WITH ASSOCIATED VARIANCES AND TO AMEND THE COMPREHENSIVE PLAN CHARACTER AREA MAP TO CHANGE THE SUBJECT PROPERTY FROM INDUSTRIAL CORRIDOR AND EMPLOYMENT CORRIDOR TO VILLAGE RESIDENTIAL TO ALLOW FOR A NEW TOWNHOME COMMUNITY ALONG JONES MILL ROAD AND GOVERNORS LAKE PARKWAY, DIST. 6, LAND LOT 251, PEACHTREE CORNERS, GEORGIA.

By: Mark Willis

Seconded: Joseph Collins

Vote: 4-1 (Willis, Collins, Kaplan, White- approve) (Blum – opposed)

Action: Denied

CITY BUSINESS ITEMS:

PH2020-002 Electronic Message Signs. Consideration of an amendment to City Code Chapter 54 – Signs to permit electronic message signs under certain criteria.

Diana Wheeler, Community Development Director, presented an ordinance to amend the zoning code that would allow electronic sign boards in the Entertainment District.

Chairman Kaplan opened the floor for public comment. There were no public comments.

MOTION TO APPROVE PH2020-002 ELECTRONIC MESSAGE SIGNS. CONSIDERATION OF AN AMENDMENT TO CITY CODE CHAPTER 54 – SIGNS TO PERMIT ELECTRONIC MESSAGE SIGNS UNDER CERTAIN CRITERIA AND INCLUDE THE APPROVAL OF SECTION 54-24 b (3) ADDING THE LANGUAGE “AND A PERMANENT EASMENT OF THE LAND FOR THE SIGN SHALL BE DONATED TO THE CITY” AND ADDING AN ADDITIONAL AMENDMENT FOR SIGN REQUEST TO BE APPROVED BY THE PLANNING COMMISSION.

By: Mark Willis

Seconded: Jim Blum

Vote: 5-0 (Willis, Blum, Kaplan, White, Collins)

Action: Approved with amendments.

COMMENTS BY STAFF AND PLANNING COMMISSION:

Jeff Conkle informed the Commissioners that there will be no meeting in March.

Jeff Conkle informed the Commissioners that the ARC will hold a training session for Planning Commissioners.

The Planning Commission meeting concluded at 8:32 PM.

Approved,

Attest:

Alan Kaplan
Chairman

Rocio Monterrosa
Deputy City Clerk

CIC2020-001
East Jones Bridge

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

CHANGE IN CONDITIONS ANALYSIS

PLANNING COMMISSION DATE: JULY 21, 2020
CITY COUNCIL DATE: AUGUST 25, 2020

CASE NAME: **East Jones Bridge, LLC (formerly FiServ)**

CASE NUMBER: **CIC2020-001**

CURRENT ZONING: O-I

LOCATION: 4411 & 4583 EAST JONES BRIDGE ROAD

MAP NUMBERS: 6th DISTRICT, LAND LOTS 331, 348, 349

ACREAGE: 83.49 ACRES

PROPOSED DEVELOPMENT: CHANGE IN CONDITIONS TO AN APPROVED SPECIAL USE PERMIT TO ALLOW A RETIREMENT COMMUNITY

FUTURE DEVELOPMENT MAP: CHATTAHOOCHEE RIVER AREA

APPLICANT: SHAUN ADAMS
ANDERSEN, TATE, & CARR, PC
1960 SATELLITE BLVD., STE. 4000
DULUTH, GA 30097

CONTACT: SHAUN ADAMS
770-822-0900

OWNER: EJB RIVER HOLDINGS, LLC
11340 LAKEFIELD DR., STE. 250
JOHNS CREEK, GA 30097

RECOMMENDATION: DENY

PROJECT UPDATE:

In 2018, the City Council approved a Special Use Permit (SUP) to allow for a retirement community at this location. The Planning Commission had previously recommended approval of the SUP as well. While there was great interest from the surrounding community and there were numerous public speakers who voiced concern about impacts to the neighborhood, most felt that a retirement community would be the least impactful use of others that might have been permitted on the site.

Accordingly, the SUP approval contained 18 conditions to ensure, among other things, that the site would be developed as a retirement community with a mix of housing types, each of which would have age restrictions to ensure the “retirement” component of the plan.

SUMMARY:

The applicant is now seeking to modify several of the approved conditions. In particular, the proposed changes relate to the age restriction of the community and the phasing of the development.

As shown on the applicant’s exhibit, the request for Condition #2 is to remove the age restriction language while adding a new Condition #3 stating that the intent of the development is for the stacked flats, independent living, assisted living, and memory care housing types to be inhabited by those age 55 and over.

Additionally, Condition #16 is proposed to remove the timing of the assisted living and memory care housing types to allow for the totality of those to be constructed at the end of the development rather than at a midpoint as Council required in the adopted condition.

ZONING HISTORY:

The property was rezoned to O-1 from R-100 by Gwinnett County in 1972 (Case RZ1972-111) and had been used as office space since the construction of the first buildings in 1975 until the buildings became vacant in the mid-2010s. In 2018, the City granted approval of a Special Use Permit with 18 conditions to allow for a retirement community on the site.

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: Yes. The proposed retirement community is consistent with the residential and nearby commercial uses in the area and the requested change in conditions will have no impact on adjacent or nearby property.

Staff’s Comment: Given the existing single-family residential uses nearby, the retirement community was previously deemed to be in character with the surrounding area. However, the loss of the age restriction condition essentially creates a community without the guarantee of the “retirement” component of the development.

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: No. The proposed change in conditions will have no impact on the use or usability of adjacent property as it does not change the use or site plan already approved by SUP on May 22, 2018.

Staff's Comment: As noted previously, the retirement community use is appropriate. However, removal of the age restriction condition creates an issue whereby the use is no longer restricted to "retirement community."

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: The property which is the subject of these applications does not have reasonable economic use as currently zoned and the applicant's requested change in conditions to the SUP will allow for the continued development of the senior oriented community as adopted by SUP on May 22, 2018.

Staff's Comment: The property has a reasonable economic use as currently zoned.

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 change in conditions will have no impact on schools and will not cause excessive use of existing streets, transportation facilities, utilities, or water and sewer infrastructure.

Staff's Comment: The initial proposal's traffic study shows that traffic counts will be less with a retirement community than if the existing office space was to be reused for new office tenants. Given that the site is already developed and the driveway connections to East Jones Bridge Road are not changing, impacts on infrastructure should remain unchanged. However, removal of the age restriction condition of the proposed retirement community means there could be impact on schools.

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: Yes, the proposed change in conditions will provide a more suitable use within the current zoning for the surrounding area, while fulfilling a need stated in the 2040 Comp Plan relating to housing opportunities for empty nesters and senior adults that promotes a live, walk and play lifestyle.

Staff's Comment: (see Comprehensive Plan heading, next page.)

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: Yes. The proposed use is entirely appropriate in light of emerging needs for the citizens of Peachtree Corners and land uses in the surrounding area. The requested special use permit is necessary to enable the applicant to operate at this location.

Staff's Comment: The zoning ordinance permits retirement communities in the O-I district with a special use permit,, however, removal of the age-restriction condition creates a problem whereby the property can be developed with housing not restricted to those age 55 and over.

COMPREHENSIVE PLAN:

The 2040 City of Peachtree Corners Character Area Map indicates that the property is located within the Suburban Neighborhood Character Area. Policies for this area encourage the fostering of housing options for Peachtree Corners families while maintaining the natural feel of the area. Institutional uses are appropriate for this area if located on primary streets and large-scale new development is encouraged to provide generous open space and amenities such as trails and greenways.

DEPARTMENT ANALYSIS:

When the Special Use Permit for this property was approved, a retirement community was deemed consistent with O-I zoning and was viewed as a use that can blend well into the existing single-family neighborhoods nearby. Ordinarily, defining a 'retirement community' by including an age restriction is not necessary because most retirement communities are built at one time as one project. However, due to the size of this project and the extended time frame for the build-out, age restrictions and development phasing milestones were included in the conditions as safeguards to ensure that the project resulted in the development of a retirement community.

However, the applicant's request for a change in conditions causes concern because they would remove all the safeguards. First, the proposal to remove the age restriction on the community essentially strips the development of the "retirement community" use. Although it is understood that the applicant intends to construct the same project as previously approved, the lack of age restriction creates no legal mechanism to enforce the intent. Even if the project were marketed exclusively to seniors, there would be nothing preventing the units from being sold to young families. And since the only units being designed and planned for construction at this time are townhomes, the housing type would not be a deterrent to young buyers.

Additionally, the applicant's request to remove the timing condition means that instead of having to construct the assisted living/memory care units midway through the project's construction, the property could now be developed entirely of non-age-restricted housing with a final phase of construction for assisted living/memory care perhaps coming at the end of the project's timeline, if ever. Without the zoning conditions, there is no assurance that these crucial pieces of the whole would ever be constructed.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that CIC2020-001 be denied.

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: <u>EJB River Holdings, LLC c/o Andersen, Tate & Carr, P.C.</u>	NAME: <u>EJB River Holdings, LLC</u>
ADDRESS: <u>1960 Satellite Blvd. Suite 4000</u>	ADDRESS: <u>11340 Lakefield Dr., Suite 250</u>
CITY: <u>Duluth</u>	CITY: <u>Johns Creek</u>
STATE: <u>GA</u> ZIP: <u>30097</u>	STATE: <u>GA</u> ZIP: <u>30097</u>
PHONE: <u>770-822-0900</u>	PHONE: _____
E-MAIL: <u>sadams@atclawfirm.com</u>	E-MAIL: _____
APPLICANT CONTACT, IF DIFFERENT THAN ABOVE	
CONTACT PERSON: <u>Shaun R. Adams, Esq.</u>	PHONE: <u>770-822-0900</u>
CONTACT'S E-MAIL: <u>sadams@atclawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): 01 REQUESTED ZONING DISTRICT: N/A

LAND DISTRICT(S): 6 LAND LOT(S): 331, 348 and 349 ACREAGE: 83.49

ADDRESS OF PROPERTY: 4411 and 4583 East Jones Bridge Rd. Peachtree Corners, GA 30092

PROPOSED DEVELOPMENT: Retirement community

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 ^{N/A} _____

Dwelling Unit Size (Sq. Ft.): ^{N/A} _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: _____

Total Bldg. Sq. Ft.: _____

Gross Density: _____

FEE SCHEDULE

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

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

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

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

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

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

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

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

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

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

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

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

- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).
- 7. Comprehensive Plan Amendment - \$1,000

ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

June 1, 2020

VIA HAND DELIVERY

City of Peachtree Corners
Attn: Diana Wheeler, Community Development Director
310 Technology Parkway NW
Peachtree Corners, Ga 30092

RE: Letter of Intent and Amendment to Conditions of Special Use Permit for Applicant, EJB River Holdings, LLC, and Property Located at 4411 & 4583 East Jones Bridge Road, Peachtree Corners, Ga 30092 (O-I Zoning District)

Dear Mayor, Council, Director and Staff:

The Applicant, EJB River Holdings, LLC (hereinafter "Applicant"), submits this request to amend certain conditions of the Special Use Permit issued on May 22, 2018 ("SUP") for a senior oriented community located on an approximately 115 acre tract of land (hereinafter "Property"), located at 4411 & 4583 East Jones Bridge Road, Peachtree Corners, Ga 30092 (the "Subject Property"), located on the north side of East Jones Bridge Road, between Riverfield Drive and Sunburst Drive. The SUP covers the following three (3) parcels, totaling 83.49 acres, that are currently zoned O-I: R6331-006, R6349-001, R6348-001.

We are respectfully requesting amendments to certain conditions of the SUP for the purpose of clarifying their intent in light of recent impacts to senior oriented communities due to COVID-19. A copy of the proposed amendments is attached as *Exhibit A* to this letter. The current pandemic has adversely impacted the financial markets related to the funding of senior oriented communities as well as institutional care communities due to economic and health uncertainty surrounding the target market. As a result, financial institutions are seeking more clarity and certainty with regard to entitlements granted to senior oriented communities before funding projects. In some cases, such as institutional care, developers and operators are finding it difficult to secure funding for anything beyond improvements to existing projects.

As directed under the SUP, the development continues to be intended as a senior oriented community that allows residents to age in one community, with on-site access to healthcare services and a transition to greater levels of care over time. Additionally, the proposed changes have no effect on the site plan previously approved by Council as part of the land disturbance permit.

The proposed amendments to the conditions would have no impact on the surrounding properties and the senior oriented development continues to be a more suitable use within the current O-I zoning for the surrounding area and is consistent with the stated needs of the 2040

Comprehensive Plan which include opportunities for empty-nester and senior oriented residential housing and live/walk/play communities.

The Applicant welcomes the opportunity to meet with the staff of the City of Peachtree Corners Department of Planning & Development to answer any questions or to address any concerns relating to this letter or the requested amendments to conditions of the SUP. The Applicant respectfully requests your approval of the Application.

Respectfully Submitted,

ANDERSEN, TATE & CARR, P.C.

A handwritten signature in blue ink, appearing to read 'S. Adams', is written over the printed name.

Shaun R. Adams

Exhibit A

1. The special use permit approval shall be limited to the properties currently zoned O-I.
2. The use of the property shall be limited to a senior oriented community ~~intended for occupancy by persons 55 years of age and older where, at the time of purchase or lease, each unit is occupied by at least one person who is 55 or older as per the HOA bylaws and covenants~~ that allows residents to age in one community, with on-site access to healthcare services and a transition to greater levels of care over time. The facilities may include single-family detached, villa-style attached, townhome and/or stack-flat type residential units and facilities which provide distinct levels of care such as independent living in which residents live on their own and have access to a wide array of amenities; assisted living, which provides help with daily tasks such as bathing and dressing; and, 24-hour nursing home-style care.
3. The unit types listed under 6a, 6b, and 6g below shall be intended for occupancy by persons 55 years of age and older where, at the time of purchase or lease, each unit is occupied by at least one person who is 55 or older as per the HOA bylaws and covenants.
4. The property shall be developed in general conformance with the DRI Concept Plan #2783 prepared by AEC dated 3-15-2018.
5. Property development shall not exceed 916 units.
6. The type and number of living units shall be permitted according to the following:
 - a. Stacked flats and Independent Living (combined): minimum - 200 units; maximum - 500 units
 - b. Assisted living and memory care: minimum- 75 units;
 - c. Detached cottage homes: minimum of 53 units
 - d. Duplex cottage homes: minimum of 22 units
 - e. Townhomes: minimum of 65 units
 - f. Townhome lofts: minimum of 6 units
 - g. Reuse of the Simmons building: minimum of 30 and maximum of 80 units
7. Brick, stucco and stone shall be the Primary Facing material that shall account for 51% or greater of the aggregate sum of all Elevation Surfaces of all residential buildings located outside of Height Zones 2 and 3 as defined in item #8 below and on Exhibit 'A'.

For the purposes of this condition, the term Elevation Surfaces shall be defined as the square footage of the surface area for each material on all exterior vertical surfaces, which includes but is not limited to the front, side, and rear elevations as well as the stoops, gables and foundation walls. However, all doors, windows and roofing shall not be considered an Elevation Surface as defined herein and for the calculations of the aggregate sum.

The aggregate sum shall be calculated by adding the sum of all Primary Facing materials for all residential buildings and dividing by the sum of all the Elevation Surfaces for all residential units, which shall equal 51% or greater. This means that some residential buildings may be 100% brick, stone, or stucco while others may be 100% siding, cedar, or other materials. No vinyl siding shall be permitted as an exterior material.

8. The centerline of the existing road located along the property's southeastern boundary as noted in Exhibit 'E' shall not be moved any closer to the existing residences in the Riverfield Subdivision. Additionally, the centerline of the existing road located along the property's southwestern boundary also shown on Exhibit 'E' shall not be moved closer to the existing residences on Sunburst Drive.
9. Building heights, as measured from the main front entry threshold to the peak of the roof, shall be no more than 3 stories or 45 ft. for the entire development except as shown on Exhibit 'A', incorporating three height zones as follows:
 - a. Zone 1: In the area which lies northwest of the line 330 feet from the Land Lot line between Land Lot #348 and #331 running parallel to the Land Lot line, as depicted in exhibit "A" Building heights of up to 65 ft. shall be permitted.
 - b. Zone 2: In the area which lies northwest of the line 450 feet from the Land Lot line between Land Lot #348 and #331 running parallel to the Land Lot line, as depicted in exhibit "A" Building heights of up to 85 ft. shall be permitted.
 - c. Zone 3: In the area which lies northwest of the line 900 feet from the Land Lot line between Land Lot #348 and #331 running parallel to the Land Lot line, as depicted in exhibit "A" Building heights of up to 120 ft. shall be permitted.
10. The existing buffer along the property's southeastern and southwestern boundaries shall be preserved and enhanced and a landscape screening shall be installed on the southwestern and southeastern sides of the property to provide screening for the adjacent single-family homes in Riverfield and on Sunburst Drive as shown in the enhanced buffer landscaping plan illustrated in exhibit 'B'.
 - a. The buffer shall be planted with a mixture of tree and shrub material with at least 75% to be evergreen and spaced appropriately for each buffer section (A-D). The planting size and quantities of materials shall be sufficient to provide a buffer that achieves a 75% opacity after three years.
 - b. A 3-year landscape maintenance bond shall be provided in an amount equal to 100% of the landscape buffer costs. At the end of one year, two years, and three years of the initial planting landscape buffer, the buffer shall be assessed by City Staff to identify any of the buffer trees need to be replaced due to death, disease or hazard (DDH) and if any additional trees need to be added due to DDH of existing trees that may now be present or if areas are identified as areas where the existing buffer plantings will not be able to achieve the 75% opacity standards at end of the bond period. The additional plantings shall be installed by the developer and funded by the maintenance bond. Any bond funds remaining at the end of the third year shall be refunded to the developer.
 - c. Any tree with a trunk of less than 1.5" in diameter may be removed.
 - d. If a walking trail is constructed, it shall be made of mulch or other natural pervious material.
11. The existing wood fence along the northern property line abutting the Riverfield subdivision shall be replaced by an 8' tall wood privacy picket rail fence as depicted in exhibit "C."
12. The installation of the landscape screening required in condition #9 shall be completed prior to the issuance of the first building permit for a new residence.
13. A tree survey shall be provided which shows the location of all specimen trees located 100ft. and more from the Chattahoochee River. Where possible, building footprints shall be adjusted to accommodate specimen trees.

14. The developer shall comply with City Public Works roadway improvement requirements which may include, but is not limited to, the following:
 - a. provide a deceleration lane at the East Jones Bridge Road project entrance.
 - b. Modify configuration of existing driveway aprons at roadway.
 - c. If a one-way drive is used, install 'Exit Only' sign at the exit driveway.
 - d. Accommodate vehicle turn-around prior to security gate.
15. As required by the Atlanta Regional Commission via the Development of Regional Impact (DRI) review, the project shall incorporate rain gardens, bio-swales, and other low-impact storm water facilities wherever possible.
16. ~~No more than 450 residential units shall be completed prior to construction commencing for the assisted living/memory care facility shall be completed in the final phase of the project. Completion of the 450 residential units shall be determined by issuance of a certificate of occupancy and no additional residential building certificate of occupancy shall be issued until the assisted living/memory care building has passed its foundation inspection.~~
17. All streets shall be private and shall be maintained by the Homeowners' Association established for the development. Sidewalks shall be provided along the property frontage at E. Jones Bridge Rd.
18. The design, development and construction of single-family homes on this property shall be governed by the following Design Criteria and Zoning Districts. If there is a conflict between the zoning districts and the Design Criteria, the Design Criteria shall govern.
 - a. Zoning Districts: TND, R-SR Detached Homes, R-SR Attached villas, R-TH, R-ZT and TND (Gwinnett County).
 - b. Design Criteria:
 - i. No minimum lot size
 - ii. Zero setbacks on Public Ways which shall include but not limited to roads, lanes, alleys, streets, parks and greenways.
 - iii. 42" projections from stoops, stairs and overhangs into Public Ways.
 - iv. Minimum 5" distance between buildings or interior lot lines
 - v. 20" first lanes clearances with 30" inside turning radius
19. The new urbanism street design criteria as outlined and defined in Exhibit "D" attached can be used by the Owner/Applicant in the design and development of this project subject to staff approval. The street design shall include, but not limited to, no requirement for curb or gutter for internal roads, parking groves and crushed slate or pea gravel for alleys, street parking, and other areas for car.

ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

June 1, 2020

VIA HAND DELIVERY

City of Peachtree Corners
Attn: Diana Wheeler, Community Development Director
310 Technology Parkway NW
Peachtree Corners, Ga 30092

RE: Justification for Change in Conditions to the Special Use Permit (“SUP”) Issued on May 22, 2018 for Applicant EJB River Holdings, LLC for Property Located at 4411 and 4583 East Jones Bridge Road, Peachtree Corners, Ga 30092

Mayor, Council, Director and Staff:

This letter is written on behalf of EJB River Holdings, LLC. (the “Applicant”), in connection with the change in conditions application for property located at 4411 and 4583 East Jones Bridge Road, Peachtree Corners, Georgia, (the “Subject Property”).

Constitutional Objections

The portions of “The 2012 Zoning Resolution of City of Peachtree Corners” (the “Ordinance”) which classify or may classify the Subject Property which is the subject of the change in conditions application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and 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, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Ordinance, 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 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, Paragraphs I and 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 any economically viable use of the Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the Ordinance in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.¹

¹ *Lathrop v. Deal*, 301 Ga 408, 880-881 S.E. 2d 867 (2017)

The Subject Property is presently suitable for development under the SUP with changes to conditions as requested by the Applicant and is not economically suitable for development under the present requirements of the SUP and the Ordinance. A denial of the requested change in conditions would constitute an arbitrary and capricious act by the Mayor and Council of the City of Peachtree Corners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and 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 Council of the City of Peachtree Corners to change certain conditions tied to the Subject Property, as requested by the Applicant, so as to permit the only feasible economic use of the Subject 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.

Any change in conditions of the Subject Property which are different from the requested conditions by the Applicant, who may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

Accordingly, the Applicant respectfully requests that the change in conditions application submitted by the Applicant relative to the Subject Property be granted and that the Subject Property be permitted to proceed under the SUP with the changes to conditions as shown on the respective application.

Respectfully,

ANDERSEN, TATE & CARR, P.C.

A handwritten signature in blue ink, appearing to read "S. Adams", written over a horizontal line.

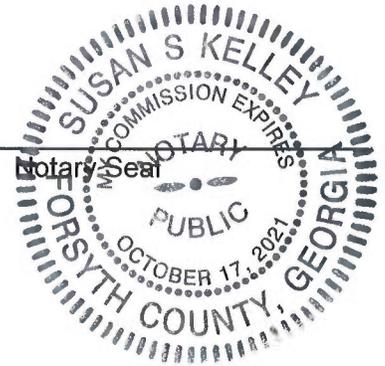
Shaun R. Adams, Esq.
Attorney for the Applicant

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.

Warren S. Jolly 5/22/20
Signature of Applicant Date
Warren S. Jolly, EJB River Holdings, LLC, Manager
Type or Print Name and Title

Susan S. Kelley 5/22/2020
Signature of Notary Public Date

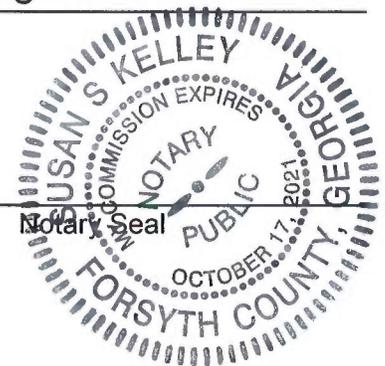


PROPERTY OWNER'S CERTIFICATION

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

Warren S. Jolly 5/22/20
Signature of Property Owner Date
Warren S. Jolly, EJB River Holdings, LLC, Manager
Type or Print Name and Title

Susan S. Kelley 5/22/2020
Signature of Notary Public Date



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

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

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

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

Yes. The proposed senior oriented community is consistent with the residential and nearby commercial uses in the area and the requested change in conditions will have no impact on adjacent or nearby property.

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

No. The proposed change in conditions will have no impact on the use or usability of adjacent property as it does not change the use or site plan already approved by SUP on May 22, 2018.

- 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?

The property which is the subject of these applications does not have reasonable economic use as currently zoned and the Applicant's requested change in conditions to the SUP will allow for the continued development of the senior oriented community as adopted by SUP on May 22, 2018.

- 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?

The proposed change in conditions will have no impact on schools and will not cause excessive use of existing streets, transportation facilities, utilities or water and sewer infrastructure.

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

Yes. The proposed change in conditions will provide a more suitable use within the current zoning for the surrounding area, while fulfilling a need stated in the 2040 Comp Plan relating to housing opportunities for empty nesters and senior adults that promotes a live, walk, and play lifestyle.

- 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?

Yes. The proposed use is entirely appropriate in light of emerging needs for the citizens of Peachtree Corners and land uses in the surrounding area. The requested change in conditions is necessary to enable the Applicant to operate at this location.

**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)

Warren S. Jolly
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.

Warren S. Jolly 5/22/20 Warren S. Jolly, Manager
Signature of Applicant Date Type or Print Name and Title

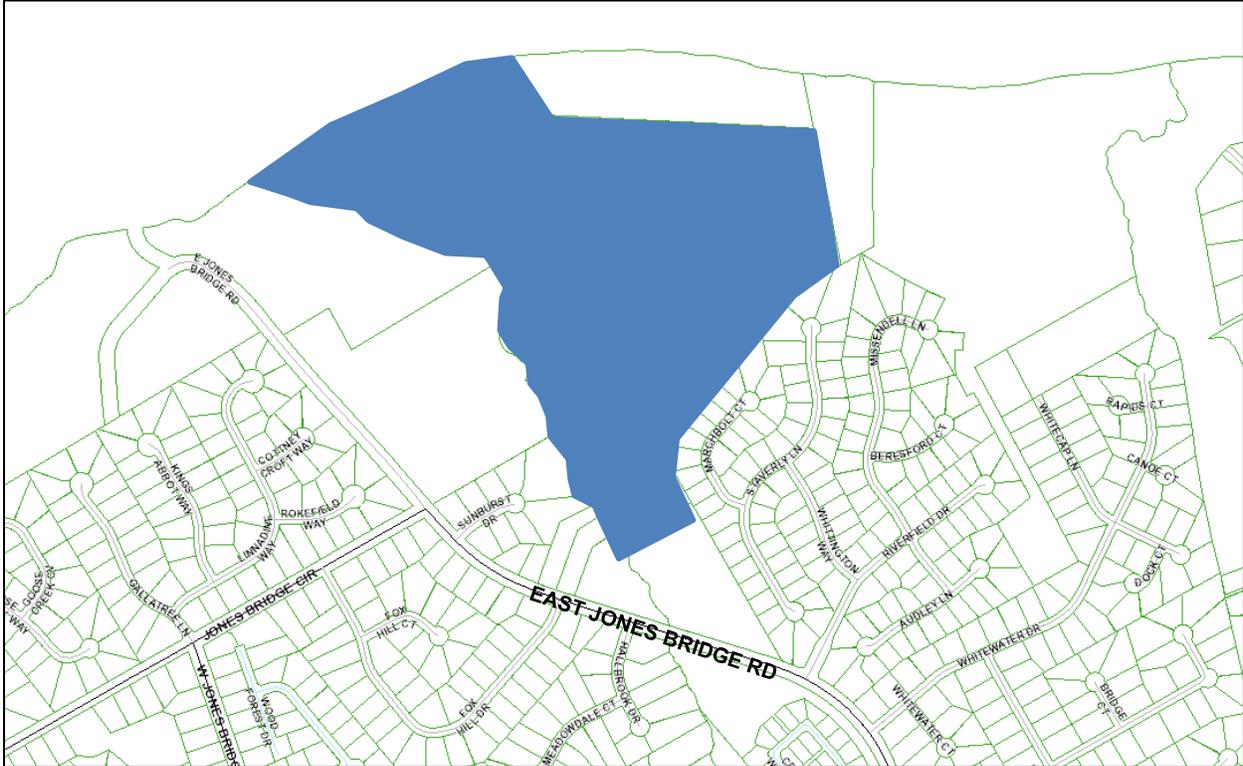
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Susan S. Kelley 5/22/2020 Notary Seal
Signature of Notary Date



PROPERTY LOCATION MAP

East Jones Bridge



CASE NUMBER:	CIC2020-001		
HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	Jul. 21, 2020	Jul. 28, 2020	Aug. 25, 2020
PROPERTY ADDRESS:	4411 East Jones Bridge Road		

**RZ2020-002 / V2020-005 /
PH2020-004
3700 Medlock Bridge Road**

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

PLANNING COMMISSION DATE: JULY 21, 2020

CITY COUNCIL DATE: AUGUST 25, 2020

CASE NAME: **3700 MEDLOCK BRIDGE**

CASE NUMBER: **RZ2020-002 / V2020-005 / PH2020-004**

CURRENT ZONING: R-100

LOCATION: 3700 MEDLOCK BRIDGE ROAD

MAP NUMBERS: 6th DISTRICT, LAND LOT 300

ACREAGE: 3.08 ACRES

PROPOSED DEVELOPMENT: REZONING FROM R-100 TO RM-13 WITH ASSOCIATED VARIANCES AND TO AMEND THE COMPREHENSIVE PLAN CHARACTER AREA MAP TO CHANGE THE SUBJECT PROPERTY FROM SUBURBAN NEIGHBORHOOD TO CENTRAL BUSINESS DISTRICT TO ALLOW A NEW CONDOMINIUM DEVELOPMENT

CHARACTER AREA MAP: SUBURBAN NEIGHBORHOOD

APPLICANT: PEACHLAND HOUSING GROUP
2494 JETT FERRY ROAD, SUITE 201
DUNWOODY, GA 30338

CONTACT: SHAUN ADAMS
678-518-6855

OWNER: PEACHTREE CORNERS CHURCH OF CHRIST
2 SUN COURT, SUITE 220
PEACHTREE CORNERS, GA 30092

RECOMMENDATION: APPROVE WITH CONDITIONS

SUMMARY:

The applicant is requesting the rezoning of 3.08 acres from R-100 (Single Family Residence District) to RM-13 (Multifamily Residence District) to construct 40 condominium units along with variances to reduce the rear and side buffers from 50' to 20' and to increase the permitted height of the structures from 40' to 45'. The applicant is also requesting a comprehensive plan amendment to change the Character Area designation of this property from Suburban Neighborhood to Central Business District.

The property, which is currently developed as a church with associated parking, is located on the northeastern side of Medlock Bridge Road at its roundabout intersection with Peachtree Corners Circle, approximately 750' from Town Center Boulevard.

The site plan submitted by the applicant indicates one point of entry into a gated development from Medlock Bridge Road with the southwesternmost buildings having their fronts facing Medlock Bridge Road.

Properties located immediately adjacent to the subject property are zoned a mix of R-100, R-75, and R-ZT single family residential while the parcels across Medlock Bridge Road are zoned OBP Office-Business Park. The Medlock Bridge corridor is largely characterized by a mixture of offices, townhomes and single-family homes.

The subject property is located within the Suburban Neighborhood Character Area on the Peachtree Corners Character Area Map. This area encourages single-family detached residential as well as institutional uses like schools and churches when located on primary streets.

The applicant held a community meeting with the surrounding neighborhood on June 25, 2020 with 16 members of the community in attendance.

On July 13, 2020 staff received a compilation of emails from residents of the adjacent Belhaven and Turnbury Oaks neighborhoods via the Belhaven HOA president. Those have been included with the packet. The majority are in opposition to the proposal.

DENSITY:

The site plan shows 40 units with a central landscape area located near the center-rear of the property. The RM-13 zoning designation permits a maximum density of 13 dwelling units per acre. The proposed development results in 12.98 dwelling units per acre.

ZONING HISTORY:

This property was the subject of several special use permit requests in Gwinnett County prior to the incorporation of Peachtree Corners. These cases related to the use of the property as a religious facility along with several requests for temporary modular buildings, all of which were approved. The modular buildings have since been removed from the 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: Yes. The proposed condo community is consistent with the nearby residential and mixed uses and will provide needed residential density for Town Center that promotes walkability.

Staff Comments: Condominium residential uses are appropriate in the vicinity of the Town Center. While this property is identified as Suburban Neighborhood in the Character Area Map, it is directly adjacent to two properties identified as Central Business District in the Character Area Map. With an amendment to the Comprehensive Plan to change this property to Central Business District, the proposed use is in alignment with the plan.

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: No. The proposed use as a condo community would be completely contained within the existing property with appropriate buffers and will enhance the area without adversely affecting adjacent and nearby properties. There would be little to no impact on adjacent and nearby properties.

Staff Comment: Residential uses are not out of character with the mixed residential nature of the Medlock Bridge corridor. However, appropriate buffering will be required to ensure a suitable transition exists from the proposed development to the single-family homes along the property's periphery.

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: No. The affected property does not have economic use as currently zoned and the Applicant's proposal will allow a more suitable development of the property that fills a need identified in the City's 2040 Comprehensive Plan.

Staff Comment: The site has a reasonable economic use as currently zoned.

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: No. The unit count in the proposed development will have little to no impact on schools and will not cause excessive use of existing streets, transportation facilities, utilities, or water and sewer infrastructure.

Staff Comment: Given the relatively small number of units proposed here and the newly-constructed turn lanes into the existing church site from Medlock Bridge Road, it is unlikely that transportation facilities would be overburdened by the proposed development.

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: Yes. The proposed rezoning will provide a more suitable use within its proximity to the Town Center while fulfilling a need stated in the 2040 Comprehensive Plan relating to for sale housing options for all stages and income levels that promote a live/walk/play lifestyle.

Staff Comment: The proposed rezoning conflicts with the character area and goals of the Comprehensive Plan. However, this application also includes a request to amend the Comprehensive Plan to include this property in the Central Business District where condominiums would be in alignment with the plan. (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?

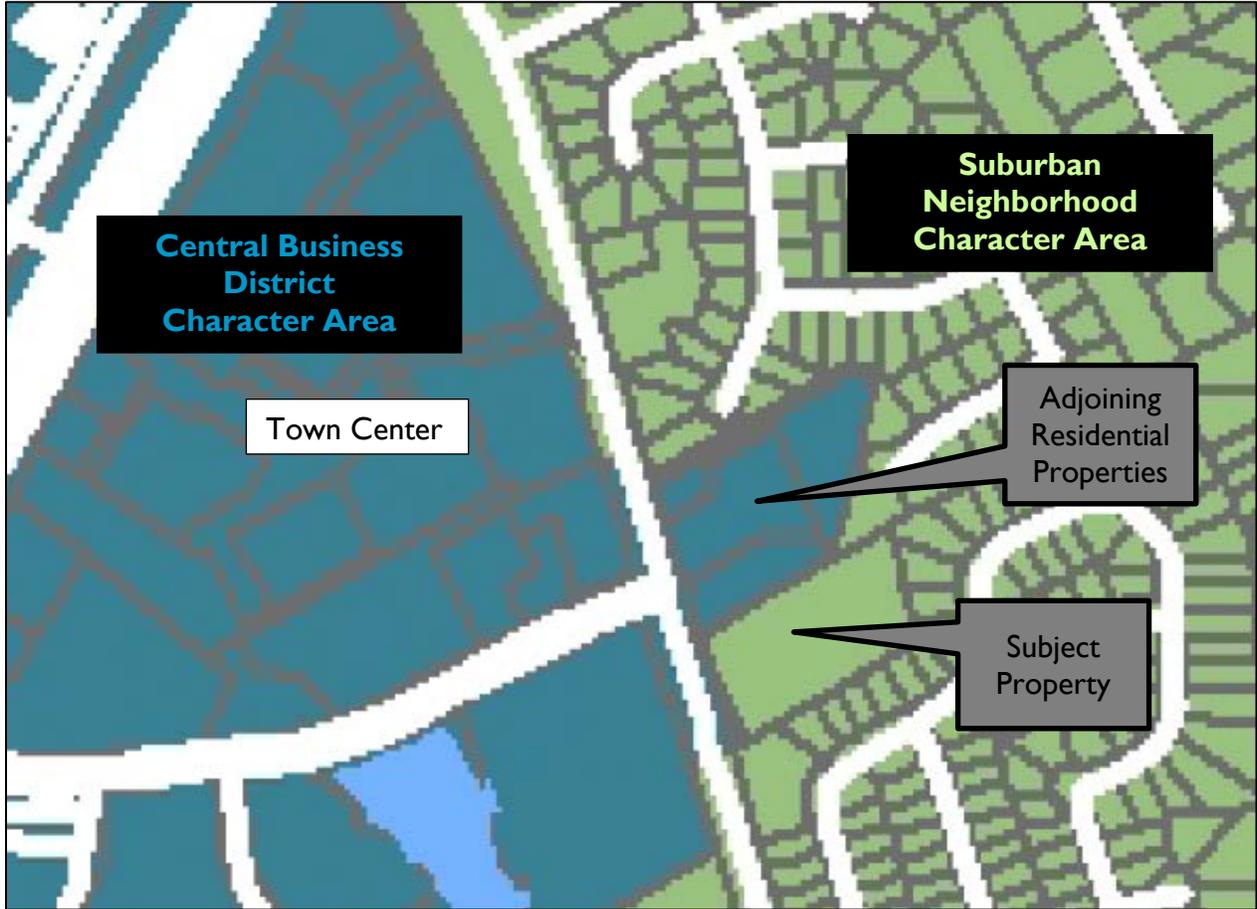
Applicant's Response: Yes. The proposed use is entirely appropriate in light of emerging needs for the citizens of Peachtree Corners and land uses in the surrounding area. The requested rezoning and associated variances are necessary to enable the Applicant to operate at this location.

Staff Comment: The City's Comprehensive Plan identified adjacent R-100 sites as being appropriate for the Central Business District but did not identify this property in particular. Staff believes it is appropriate to change the Character Area designation from Suburban Neighborhood to Central Business District in light of the Town Center and the expanding townhome and commercial nature of the nearby development.

COMPREHENSIVE PLAN:

The Peachtree Corners Comprehensive Plan lists the subject property in the Suburban Neighborhood Character Area. This area encourages single-family detached residential as well as institutional uses like schools and churches when located on primary streets.

The applicant is requesting to change this designation from Suburban Neighborhood to Central Business District to facilitate the rezoning request and the development of the site. Staff supports this request as it is in alignment with the neighboring large lot residential parcels fronting Medlock Bridge Road. At the time of the Comprehensive Plan adoption, it was not envisioned that the church would be available for redevelopment, so it was left in the Suburban Neighborhood area rather than being added to the Central Business District along with the adjoining properties (see map below). The busy nature of Medlock Bridge Road makes it unlikely that single-family homes will continue to front the street in the longer term.



DEPARTMENT ANALYSIS:

The property is located on the northeastern side of Medlock Bridge Road at its roundabout intersection with Peachtree Corners Circle, approximately 750’ from Town Center Boulevard. The site is currently zoned R-100 (Single Family Residence District) and was the subject of Special Use Permit approvals for the existing church use by Gwinnett County prior to the City’s incorporation.

The Peachtree Corners Comprehensive Plan shows the property located in the Suburban Neighborhood Character Areas, indicating that the location is in proximity to a mostly single-family residential area. However, the property is directly adjacent to properties within the Central Business District Character Area which envisions a much wider range of uses, including multifamily and townhome development.

The small size of the subject property and its location on a busy road makes it an unlikely candidate for new single-family residential development. Additionally, the proximity to the Town Center and adjoining Central Business District Character Area properties, plus the existing mixed residential nature of the Medlock Bridge Road corridor, lend support to the

request to change the property's designation in the Comprehensive Plan from Suburban Neighborhood to Central Business District.

The proposal for condominiums at this location is suitable given the proximity to the Town Center. However, several issues will have to be addressed by the applicant, including parking, tree preservation, and architectural design.

The parking requirement is 1.5 spaces per unit, which equals 60 spaces on the site. The plan shows parking both within garages and on adjacent driveways as well as a few on-street spaces scattered throughout the community. The driveway spaces are of particular concern as these are not easily shared by other residents or their guests. Additionally, the driveway spaces are not labeled as to location or size, so staff is unable to determine whether they meet the parking size requirement.

The site has several specimen trees, none of which were shown to be preserved in the submitted site plan. Given the need to redesign the site to accommodate additional parking, the applicant should redesign to save particular trees as well. This includes two large trees near the rear of the property which, with thoughtful layout, can serve as focal points in the design of the community.

Based on the site constraints, parking requirements, and trees to be preserved, it is extremely unlikely that 40 units can be accommodated on the site, especially since site engineering considerations such as detention have not yet been addressed.

The applicant did not submit architectural elevations as part of the rezoning request, so staff is unable to evaluate the proposed design. Given the higher-density nature of the plan and its proximity to the Town Center, the buildings should be modern urban in character, utilizing brick as the primary building material along with elements including flat roofs, roof decks, and painted brick features.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that RZ2020-002 / V2020-005 / PH2020-004 be approved with the following conditions:

1. The Comprehensive Plan shall be amended to show this property as part of the Central Business District Character Area.
2. The property shall be rezoned from R-100 to RM-13.
3. Variances shall be approved so that the buffer along the sides and rear property lines is reduced to 20'. The buffer shall be fully revegetated with evergreen plantings to fully screen the adjacent residential properties.
4. The site may be developed with up to 40 condominium units. However, the maximum number of units is dependent on site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations, incorporate trees to be preserved, and require no parking variances.

5. The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by AEC dated May 29, 2020 (with revisions to meet these conditions and zoning and development regulations).
6. Development shall include no more than the one access point on Medlock Bridge Road, as shown on the submitted site plan.
7. In addition to the 40 parking spaces provided in garages, a total of 20 shared parking spaces shall be provided in common areas or along streets. Driveway spaces shall not count toward this requirement and driveways must be at least 18 ft. in length to ensure that vehicles do not overhang sidewalks.
8. 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.
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 sidewalks along all internal streets and provide a pedestrian sidewalk connection from the development onto the public sidewalk along Medlock Bridge Road.
11. The termination point of the private street shall conclude with a cul-de-sac or loop meeting the design requirements of the Public Works Department.
12. The developer shall provide a central mailbox for the community with adequate pedestrian access.
13. 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.
14. Building elevations shall be at least 50% brick or stone and buildings shall be designed in a contemporary urban style.
15. Building elevations shall be approved by the Planning Commission.
16. Trees highlighted on document labeled 'Exhibit A- Staff Tree Save Plan' shall be incorporated into the development and preserved.
17. 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.
18. Construction hours shall be limited to weekdays from 7:00AM to 8:00PM. No weekend construction shall be permitted.

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: <u>Peachland Housing Group, Inc</u>	NAME: <u>Peachtree Corners Church of Christ, Inc.</u>
ADDRESS: <u>2494 Jett Ferry Road, Ste 201</u>	ADDRESS: <u>2 Sun Court, Ste 220</u>
CITY: <u>Dunwoody</u>	CITY: <u>Peachtree Corners</u>
STATE: <u>GA</u> ZIP: <u>30338</u>	STATE: <u>GA</u> ZIP: <u>30092</u>
PHONE: <u>678-961-0435</u>	PHONE: <u>770-778-6062</u>
E-MAIL: <u>ty.white@peachlandhomes.com</u>	E-MAIL: <u>larry.campbell@cornersoutreach.com</u>
APPLICANT CONTACT, IF DIFFERENT THAN ABOVE	
CONTACT PERSON: <u>Shawn Adams</u> PHONE: <u>678-518-6855</u>	
CONTACT'S E-MAIL: <u>sadams@atclawfirm.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: RM-13

LAND DISTRICT(S): 6300 LAND LOT(S): 218 ACREAGE: 3.080

ADDRESS OF PROPERTY: 3700 Medlock Bridge Road

PROPOSED DEVELOPMENT: Residential

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 40

Dwelling Unit Size (Sq. Ft.): _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: _____

Total Bldg. Sq. Ft.: _____

Gross Density: _____

FEE SCHEDULE

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

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

A. For the following single-family residential zoning districts: RA-200, R-140, R-LL, R-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 High Rise Residential (HRR)

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

- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).
- 7. Comprehensive Plan Amendment - \$1,000

Property Legal Description

All that tract or parcel of land laying and being in Land Lot 300 and 301 of 6th District, City of Peachtree Corners, Gwinnett County, Georgia and being more particularly described as follows:

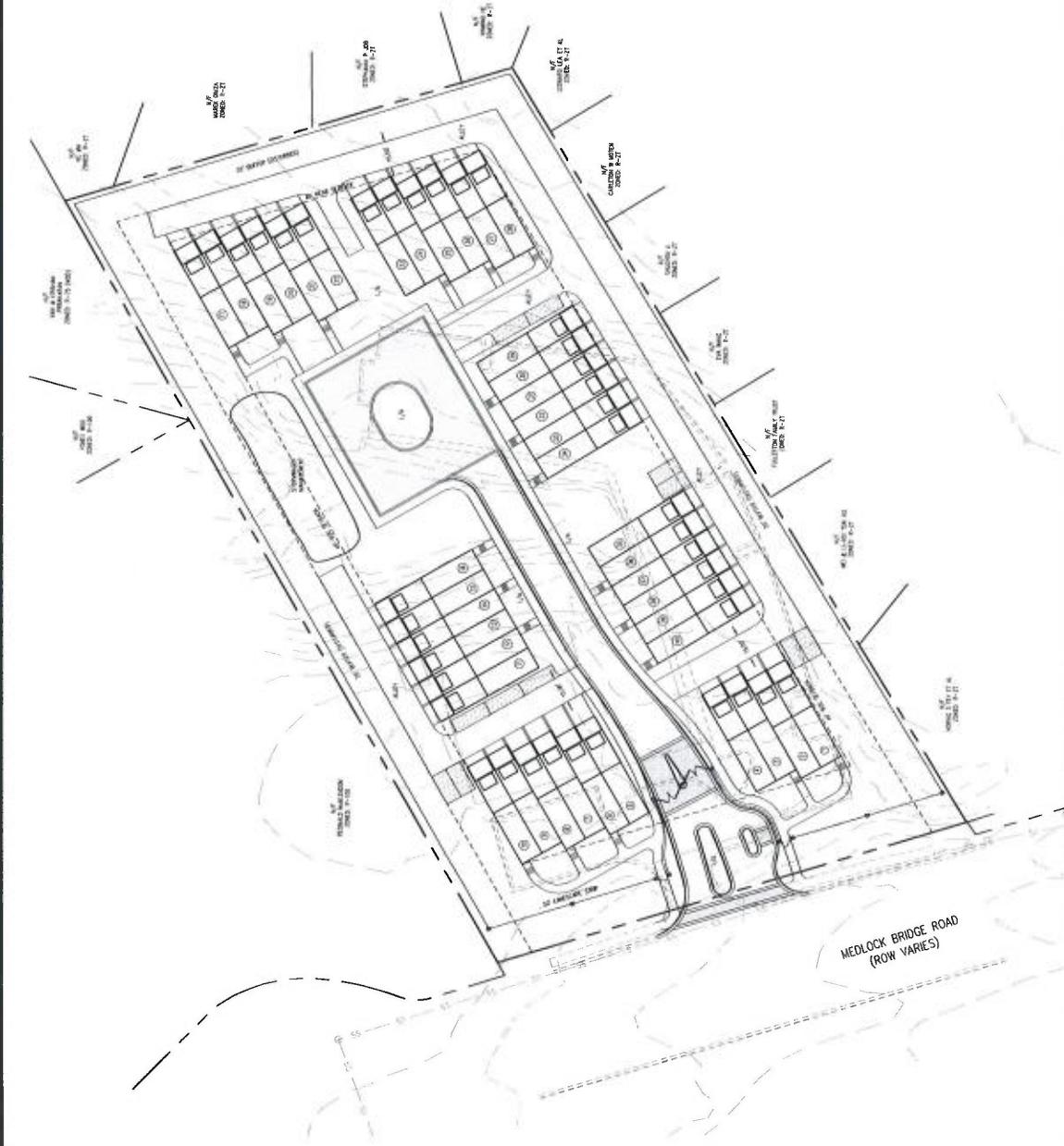
Commencing at the intersection of the eastern Right of Way (ROW) of Medlock Bridge Road and the Norther Right of Way of South Old Peachtree Road, said point being the **Point of Beginning**; thence continuing North along the eastern right of way of Medlock Bridge Road a distance of 3150.6 feet to an iron pin, said point being on the subject property's southwest corner and is the **True Point of Beginning**:

Thence continuing along the ROW of Medlock Bridge Road, N 16° 38' 21" W for a distance of 279.86' feet to a point on a line. Thence, departing said ROW N 60° 36' 51" E for a distance of 503.82 feet to a point on a line. Thence, S 16° 30' 39" E for a distance of 266.65 feet to a point on a line. Thence, S 59° 08' 28" W for a distance of 506.32 feet to a point on the ROW of Medlock Bridge Road, said point being the **True Point of Beginning**.

Said tract of land contains 3.080 acres (134,161 square feet) and is based upon the survey for Peachtree Corners Church of Christ by Busbee & Poss Land Surveying Company dated June 3, 2019.



LOCATION MAP



SITE DATA:

PROJECT NO. 20-000
 PROJECT NAME: PEACHTREE CORNERS CHURCH
 LANDLOT: 200.001
 AS DISTRICT: 10
 TAX MAP ID: 1000.001
 TOTAL ACRES: 1.0000
 DISTRICT ZONING: R-100
 PREVIOUS ZONING: R-100
 PROPERTY OWNER: PEACHTREE CORNERS CHURCH
 PROPERTY LOT ID: 200.001
 PROPERTY LOT AREA: 1.0000
 ACTUAL LOT AREA: 1.0000
 STREETS: 1000.001
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APPLICANT:
 PEACHTREE CORNERS CHURCH
 1000.001
 CONTACT: [REDACTED]

- NOTES:**
1. ALL DIMENSIONS SHOWN ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS SHOWN ARE TO THE CENTERLINE OF THE ROAD.
 3. ALL DIMENSIONS SHOWN ARE TO THE CENTERLINE OF THE ROAD.
 4. ALL DIMENSIONS SHOWN ARE TO THE CENTERLINE OF THE ROAD.
 5. ALL DIMENSIONS SHOWN ARE TO THE CENTERLINE OF THE ROAD.

PROJECT INFORMATION

PROJECT NO. 20-000
 DATE: MAY 25, 2020
 SCALE: 1" = 30'
 FILE NAME: 1000.001.dwg
 DESIGNER: [REDACTED]

**PEACHTREE CORNERS CHURCH
 of CHRIST TRACT**
 PEACHTREE CORNERS, GEORGIA

PRELIMINARY SITE PLAN



AEC
 CIVIL ENGINEERING - PLANNING - LANDSCAPE ARCHITECTURE
 50 West Spring Creek
 Atlanta, Georgia 30328
 (770) 441-1147
 www.aecatl.com

ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

June 1, 2020

VIA HAND DELIVERY

City of Peachtree Corners
Attn: Diana Wheeler, Community Development Director
310 Technology Parkway NW
Peachtree Corners, Ga 30092

RE: Letter of Intent for Applicant, Peachland Housing Group, Inc., to Rezone Property Located at 3700 Medlock Bridge Road, Peachtree Corners, GA 30092

Mayor, Council, Director and Staff:

Andersen, Tate & Carr, P.C. submits this Letter of Intent and attached Rezoning and Variance Application (“Application”) on behalf of the Applicant, Peachland Housing Group, Inc. (the “Applicant”) for the purpose of requesting a rezoning from R-100 to RM-13 with associated variances on approximately 3.08 acres located on the southeastern side of the Medlock Bridge and Peachtree Corners Circle roundabout and identified as 3700 Medlock Bridge Road, Peachtree Corners, Ga 30092 (“Subject Property”). The Parcel ID for the Subject Property is R6300 218.

The Subject Property currently contains an approximately 9,600sf building with associated paved parking spaces and is used as a church for the Peachtree Corners Church of Christ. The Applicant intends to redevelop the site for use as a gated 40-unit, for sale, condominium community with a mix of multi-story and single-story units. The proposed development would include single car garages with alley access and roof top terraces consistent with the adjacent townhomes located at Town Center. The Applicant is requesting a buffer reduction from 50 feet to 20 feet for the northern boundary as depicted on the site plan dated May 29, 2020 and enclosed with this Application. The remaining setbacks and buffers are proposed in accordance with Sections 606 and 1401 of the City’s Zoning Ordinance. Additionally, the Applicant is requesting a height variance from 40 feet to 45 feet for the proposed buildings which will allow for the roof top terraces consistent with the townhomes in Town Center.

The proposed redevelopment fills an identified need in the City of Peachtree Corners 2040 Comprehensive Plan (“Comprehensive Plan”) by providing an innovative, for sale, housing product that will serve various life stages and income levels while being walkable to the Town Center. The proposed redevelopment will provide an opportunity for many frontline workers to have ownership and live in the community in which they serve. The Comprehensive Plan expressly references a need for more housing options for empty-nesters, condominiums, and low maintenance communities, while also promoting mixed use developments in key locations that promote a live/walk/play lifestyle. Additionally, the Comprehensive Plan seeks to “stay

remarkable and innovative” as the City refines its plans moving forward. While the Subject Property currently resides in the Suburban Neighborhood Character Area, its proximity across the newly constructed roundabout from Town Center, along with the adjacent property’s designation in the Central Business District, provides an opportunity to “complete the circle” by addressing the housing needs of the community while providing needed residential density that promotes a live/walk/play lifestyle at the heart of the City’s retail and entertainment district.

There are limited opportunities for redevelopment around Town Center to add additional residential density that promotes a live/walk/play lifestyle beyond what has already been planned. The Subject Property is one of few key locations remaining to add needed residential density to support Town Center and the Forum while promoting walkability. The proposed redevelopment will act as an extension to the surrounding mixed uses in Town Center and the Forum by bringing the additional residential density to the area that is needed to support the surrounding retail and restaurants.

The Subject Property is in an appropriate location for the proposed development and would be a down zoning from the planned future office designation in the Future Land Use Map, resulting in little to no impact to the surrounding properties or schools. The Subject Property sits on a major thoroughfare with easy access to state routes and has access to sewer.

The Applicant welcomes the opportunity to meet with the staff of the City of Peachtree Corners Department of Planning & Development to answer any questions or to address any concerns relating to this letter or the requested rezoning. The Applicant respectfully requests your favorable consideration of this Application.

Respectfully Submitted,

ANDERSEN, TATE & CARR, P.C.



Shaun R. Adams, Esq.
Attorney for the Applicant

ANDERSEN | TATE | CARR

Shaun R. Adams
Email: sadams@atclawfirm.com

Telephone: 770.822.0900
Direct Dial: 678.518.6855
Direct Fax: 770.236.9702

June 1, 2020

VIA HAND DELIVERY

City of Peachtree Corners
Attn: Diana Wheeler, Community Development Director
310 Technology Parkway NW
Peachtree Corners, Ga 30092

**RE: Justification to Rezone Property Located at 3700 Medlock Bridge Road,
Peachtree Corners, GA 30092 for Applicant, Peachland Housing Group, Inc.**

Mayor, Council, Director and Staff:

This letter is written on behalf of Peachland Housing Group, Inc. (the "Applicant"), in connection with the rezoning application for property located at 3700 Medlock Bridge Road, Peachtree Corners, Georgia, (the "Subject Property").

Constitutional Objections

The portions of "The 2012 Zoning Resolution of City of Peachtree Corners" (the "Ordinance") which classify or may classify the Subject Property which is the subject of the rezoning and variance application into any more or less intensive zoning classification, development and/or conditions other than as requested by the Applicant are, and 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, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Ordinance, 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 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, Paragraphs I and 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 any economically viable use of the Subject Property while not substantially advancing legitimate state interests. Under *Lathrop v. Deal*, the application of the Ordinance in a way that constitutes a taking shall be deemed a waiver of sovereign immunity.¹

¹ *Lathrop v. Deal*, 301 Ga 408, 880-881 S.E. 2d 867 (2017)

The Subject Property is presently suitable for development under the RM-13 classification as requested by the Applicant and is not economically suitable for development under its present R-100 zoning classification of under the Ordinance. A denial of the requested rezoning would constitute an arbitrary and capricious act by the Mayor and Council of the City of Peachtree Corners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and 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 Council of the City of Peachtree Corners to rezone the Subject Property to the RM-13 zoning classification, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Subject 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.

Any rezoning of the Subject Property to the RM-13 classification, subject to conditions which are different from the requested 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 utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

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

Respectfully,

ANDERSEN, TATE & CARR, P.C.

A handwritten signature in blue ink, appearing to read 'Shaun R. Adams', is written over the typed name.

Shaun R. Adams, Esq.
Attorney for the Applicant

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.

Ty White

5/27/2020

Signature of Applicant

Date

Ty White, President

Type or Print Name and Title

Rhoda E. Stewart

05/27/2020

Signature of Notary Public

Date

Notary Seal



PROPERTY OWNER'S CERTIFICATION

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

Signature of Property Owner

Date

Larry Campbell, CEO

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seal

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
Ty White, President

Type or Print Name and Title

Signature of Notary Public Date Notary Seal

PROPERTY OWNER'S CERTIFICATION

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

Larry Campbell 5/28/2020

Signature of Property Owner Date
Larry Campbell, CEO

Type or Print Name and Title

Angela Gratz 5-28-2020 Notary Seal

Signature of Notary Public Date



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

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

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

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

Yes. The proposed condo community is consistent with the nearby residential and mixed uses and will provide needed residential density for Town Center that promotes walkability.

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

No. The proposed use as a condo community would be completely contained within the existing property with appropriate buffers and will enhance the area without adversely affecting adjacent and nearby properties. There would be little to no impact on adjacent and nearby 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?

No. The affected property does not have economic use as currently zoned and the Applicant's proposal will allow a more suitable development of the property that fills a need identified in the City's 2040 Comprehensive Plan.

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

No. The unit count in the proposed development will have little to no impact on schools and will not cause excessive use of existing streets, transportation facilities, utilities, or water and sewer infrastructure.

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

Yes. The proposed rezoning will provide a more suitable use within its proximity to the Town Center while fulfilling a need stated in the 2040 Comprehensive Plan relating to for sale housing options for all stages and income levels that promote a live/walk/play lifestyle.

- 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?

Yes. The proposed use is entirely appropriate in light of emerging needs for the citizens of Peachtree Corners and land uses in the surrounding area. The requested rezoning and associated variances are necessary to enable the Applicant to operate at this location.

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)

Ty White
 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.

Ty White 5/27/2020 Ty White, President
 Signature of Applicant Date Type or Print Name and Title

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

Rhoda E. Stewart 5/27/2020 _____
 Signature of Notary Date Notary





OFFICE OF COMMUNITY DEVELOPMENT
Diana Wheeler | *Community Development Director*

COMMUNITY INFORMATION MEETING CERTIFICATION

Case# RZ2020-002; V2020-005; PH2020-004

Property Address Medlock Bridge Road, Peachtree Corners, Ga 30092

Application Request Rezoning from R-100 to RM-13 for a 40-unit condominium community

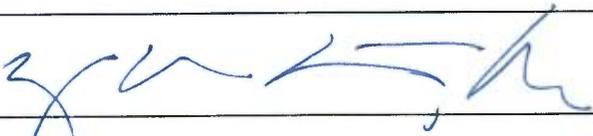
Date range of required meeting June 1st-June 30th

TO BE COMPLETED BY APPLICANT:

Date & time meeting held June 25, 2020 from 7-8:30pm

Location of meeting Community Chest Room at City Hall (310 Technology Parkway)

Summary of meeting See Attached

Applicant's signature 

(See back for meeting sign-in sheet)

PTC Community Meeting Summary for 3700 Medlock Bridge Road

Case Number: RZ2020-002; V2020-005; PH2020-004

Summary of Meeting: Approximately 15 members from Belhaven and one from Turnbury Oaks attended the meeting. The Applicant provided a 20-30 minute visual presentation of the proposed development which included an overview of how the development compliments Town Center and promotes the live/walk/play environment as identified by the Comp Plan.

The Applicant reviewed the site plan, elevations, and provided examples of the proposed enhanced buffer between their properties and the development.

Much of the conversation centered around traffic concerns, parking, and buffer. The Belhaven community was not in consensus about what they would like to see with the buffer and whether or not they wanted fencing. The adjacent property owners each had their own specific issues related to trees on their side of the property and opinions of whether they wanted a fence. This resulted in their President, or spokesperson (Richard Reed) suggesting that the community convene a separate meeting to review the plans and attempt to reach consensus on the buffer and fence. The Applicant has committed to working with the community on a buffer and fence plan that is acceptable to all parties.

The tone of the meeting was cordial, informative, and interactive. The community has the Applicant's contact information and all parties agreed to remain in contact through the process to answer any questions or address additional concerns that may arise.

Community Information Meeting Sign-in Sheet

Name

Address

Robert M. Williams

2494 SOTT FERRY RD DUNWOODY, GA

Ty WHITE

2494 SOTT FERRY RD #202, DUNWOODY GA

Shaun Adams

5081 Staverly Lane Peachtree Corners, GA

LC Johnson

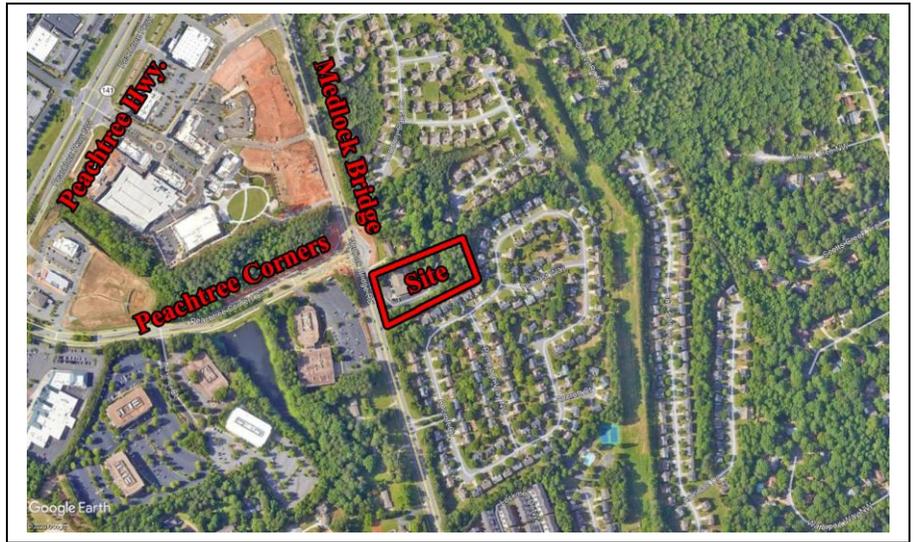
Tombury Oaks

Richard Reed

Belhaven

20-05-18-01 Church of Christ Arborist Report Peachtree Corners

Reference Unified Development Code
City of Peachtree Corners, Georgia
Version: March 12, 2020



Location Map
Not to Scale

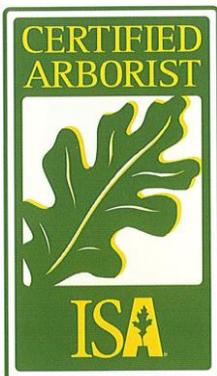
All of the following information is based upon visual field observations and 30 years of practical horticultural experience. No scientific or lab tests have been performed. I certify that all information in this report is true and inclusive to the best of my knowledge and is prepared in good faith.

Scott Hall, RLA, Certified Arborist

On Site Specimen Evaluation Date: May 19, 2020

Report Date: May 20, 2020

Revised Date: June 22, 2020



Outdoor Spaces, LLC
Scott Hall, Owner
RLA, Certified Arborist
Certificate Number: SO-5434A
404-328-6561 Cell
678-965-4784 Fax
scottandcyrena@bellsouth.net

Warranty Disclaimer:

Although, this report will determine whether or not a tree is a specimen; it is provided as best judgment opinion. Ultimately, the governing body's (City of Peachtree Corners) arborist or representative shall determine whether a tree is classified as a specimen or not.

All specimen tree locations shall be approximate. The provided tree locations shall NOT be GPS located and in no manner shall the provided tree location plan be used or represented as a tree survey. It is the sole responsibility of the OWNER to have all tagged specimen trees located by a Certified Land Surveyor.

No warranties express or implied are made with respect to the report of aforementioned specimen trees. It is understood the OWNER makes use of this report by the ARBORIST at OWNER's sole risk and that the report is provided as best judgment opinion. In no manner does this report guarantee the life or imply any length of life span of the trees that are determined to be specimens.

Arborist Note:

Due to certain species and undesirable traits, some trees shall be considered in poor condition if the following is true. Numerous trees grown in a native setting may appear to grow as multi-trunk; however this is not desirable in most trees. Most trees that have multi-trunks at the base are usually created when two separate trees grow together or the tree branches off at an early age and they become Co-Dominate Leaders. Either scenario is an undesirable condition for most trees because they both create weak crotches, included bark and/or a prime place for debris and water to get trapped that will always cause decay. In this case these trees become a life safety issue and cannot be considered specimen trees.

Some trees are an exception to this rule, such as, but not limited to:

Crape Myrtles, Birches, Wax Myrtles, Red Buds, Fringe Trees, Dogwoods, Hollies, Cedars, Sourwoods, Sweet Bay Magnolias, Red Bays and Live Oaks.

These are an exception because they naturally create sucker growth from the roots and/or trunk or do not typically have the life safety issues because they are not large growing trees.

Reference: Sinclair, Wayne A., 1936. Diseases of Trees and Shrubs / Wayne A. Sinclair and Howard H. Lyon.-2nd Ed. Published 2005

One of the most common locations for the aboveground portion of a tree to fail is at the junction of two or more codominant stems. Due to the frequency of failures at this point, a study was undertaken to get a better understanding of the mechanical strength of this point and to determine if included bark reduces the strength of the union. Eighty-four codominant stems were removed from 26 felled maple trees. These crotches were securely anchored and split apart using measured force. Breaking force varied from 64 to 2,363 kg. The regression line produced from the comparison of stem diameter and force required for breaking the union when there was no included bark was $\text{Force} = \text{Diameter} * 613 - 1388$, $r^2 = 0.92$. When only those unions with included bark were analyzed, the regression line was $\text{Force} = \text{Diameter} * 537 - 1285$, $r^2 = 0.76$. There was a significant difference between the regression lines ($p < 0.05$). Codominant stems that have bark trapped in the union are significantly weaker than those that do not have bark included. The differences appear to be greater with smaller-diameter stems than with larger stems.

Smiley, E.. (2003). Does included bark reduce the strength of codominant stems?. Journal of Arboriculture 29.

Unified Development Code - City of Peachtree Corners, Georgia

Chapter 50 Planning and Development

ARTICLE II. - BUFFER, LANDSCAPE AND TREES

DIVISION 1. - GENERALLY

Sec. 50-30. - Definitions of words and phrases.

Canopy tree: means a tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

Diameter, tree: means the diameter of a tree measured as follows:

- (1) For existing preserved trees, at a point 4.5 feet above the ground;
- (2) For new replaced trees, at a point six inches above the ground.

Hardwood tree: means any tree that is not coniferous (cone bearing) or needle bearing.

Softwood tree: means any coniferous (cone bearing) tree.

Specimen tree: means any tree that meets one or more of the identification criteria listed in section 50-119. It is based on the tree's size, type, condition, location or historical significance. See section 50-119 for specific criteria defining specimen trees.

Tree: means any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than three inches at any point and a height of over ten feet.

Understory tree: means a tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least ten feet but less than 40 feet.

DIVISION 3. - LANDSCAPE REGULATIONS

Sec. 50-119. - Specimen trees.

(2) A specimen tree survey plan is required to be submitted with the concept plan and shall be prepared by a certified arborist, authorized registered professional, or urban forester. Any tree that meets the following criteria is considered a specimen tree and shall be shown on the specimen tree survey plan. Identification criteria (meeting both of the following):

a. **Tree size.**

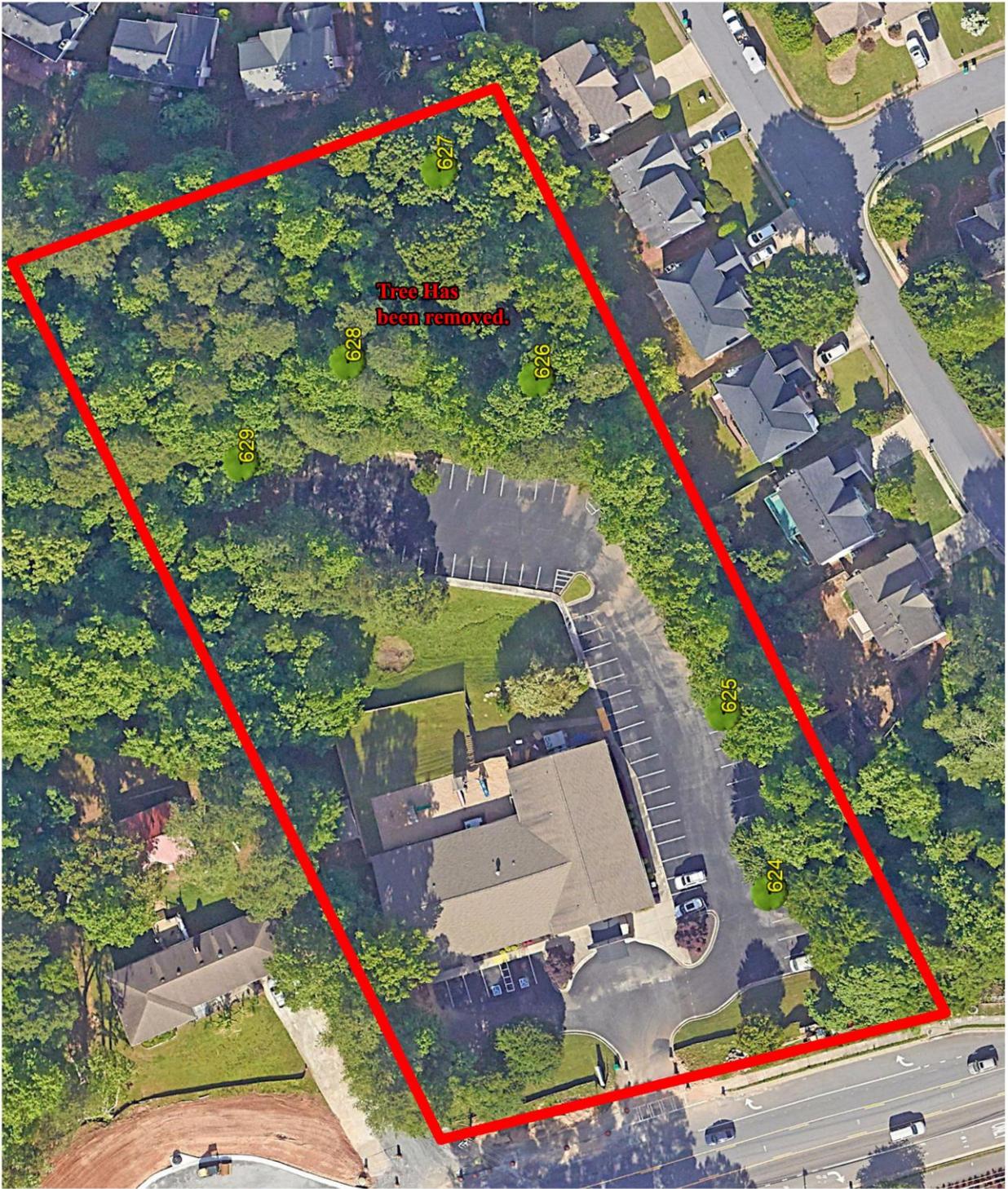
Large hardwood: 28-inch diameter or larger

Large softwood: 30-inch diameter or larger

Small native flowering: 12-inch diameter or larger

b. **Condition.**

1. A life expectancy of greater than ten years.
2. A sound and solid trunk with no extensive decay or hollow, and less than 20 percent radial trunk dieback.
3. No more than one major and three minor dead limbs (hardwoods only).
4. No major insect problem.
5. No major pathological problem (fungus, virus etc.).
6. Small native flowering tree if considered a rare species.
7. Exceptional quality.
8. Of historical significance.



Notes:

-All tree locations are approximate and have not been field surveyed. Refer to survey for locations.



Tree Location



North

Not To Scale

**Specimen
Location Plan**

20-05-18-01 Church of Christ Arborist Report Peachtree Corners

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	City of Peachtree Corners' Assessment
624	17" Flowering Peach	Poor	Poor	No	Non-Native species and is not considered a specimen per code. Numerous cavities with decay. Was a 3 Co-Dominate leader tree with middle leader removed improperly, which will eventually cause decay in crotch. There is a split between the remainder two and severe decay from missing leader. Several main limbs gone/ dead	1-3	
625	14" Serviceberry	Poor	Poor	No	3 Co-Dominate Leaders with Fire Blight on 1 with severe splitting along trunk. Several small cavities with decay in crotch.	4-6	
626	29" Tulip Poplar	Fair	Poor	No	Deep hollow cavity at base of tree. Barbwire grown through trunk. 2 Co-Dominate Leaders 40' up with 1 dead/ gone. Due the species, a multi-stem tree is undesirable and could be a life safety issue.	7-8	
627	34" Scarlett Oak	Good	Fair	Yes	Canopy is one-sided. Barbwire grown through trunk.		
628	29" Tulip Poplar	Good	Revised to Poor	Revised to No	Tree has been removed. Stumps remains. The tree did have 6"-8" of rot in the center of trunk and should have been considered a non-specimen tree.		
629	12" Sourwood	Fair	Poor	No	Tulip Poplar is growing into trunk and will overtake tree.	9	



Photo 1



Photo 2



Photo 3

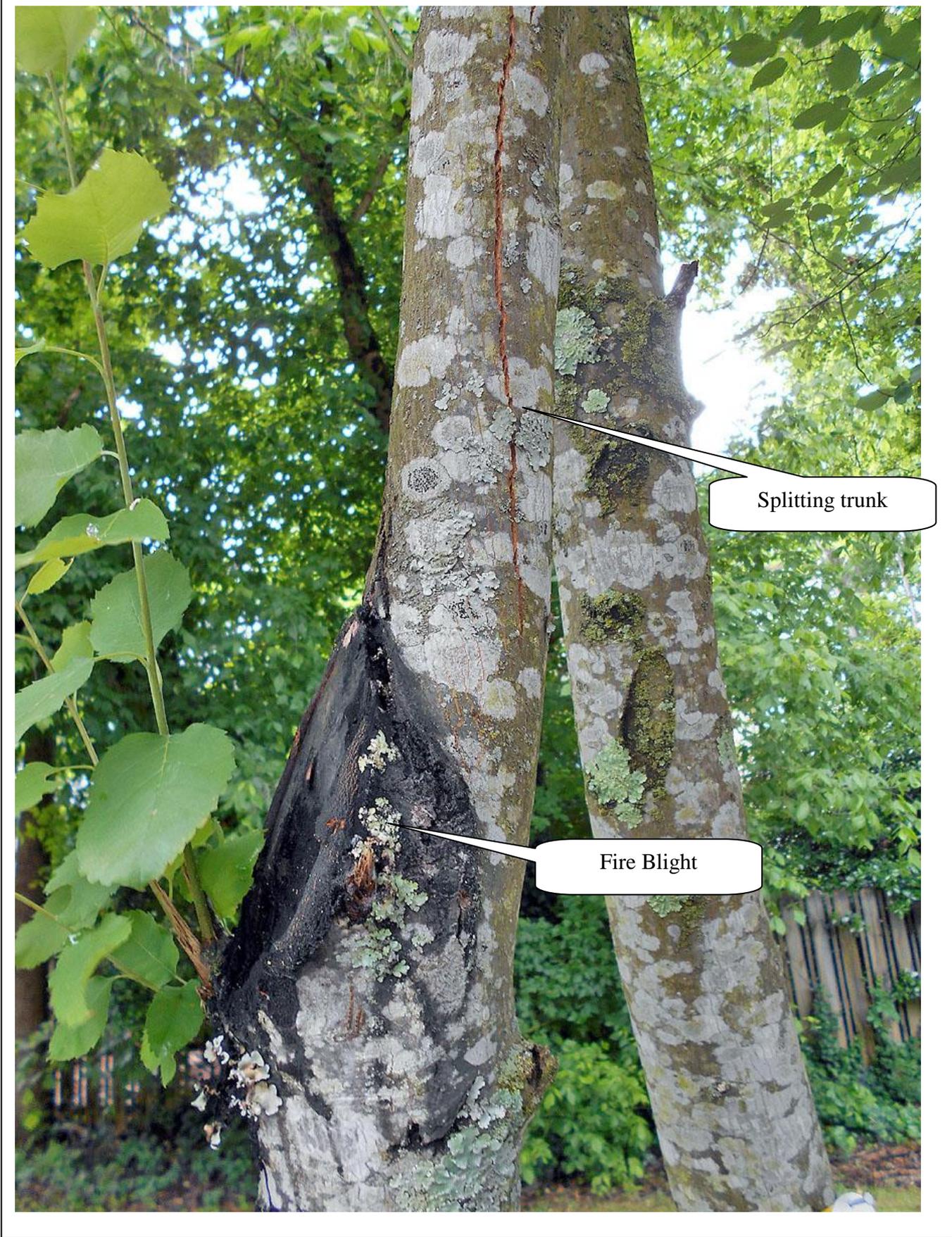


Photo 4

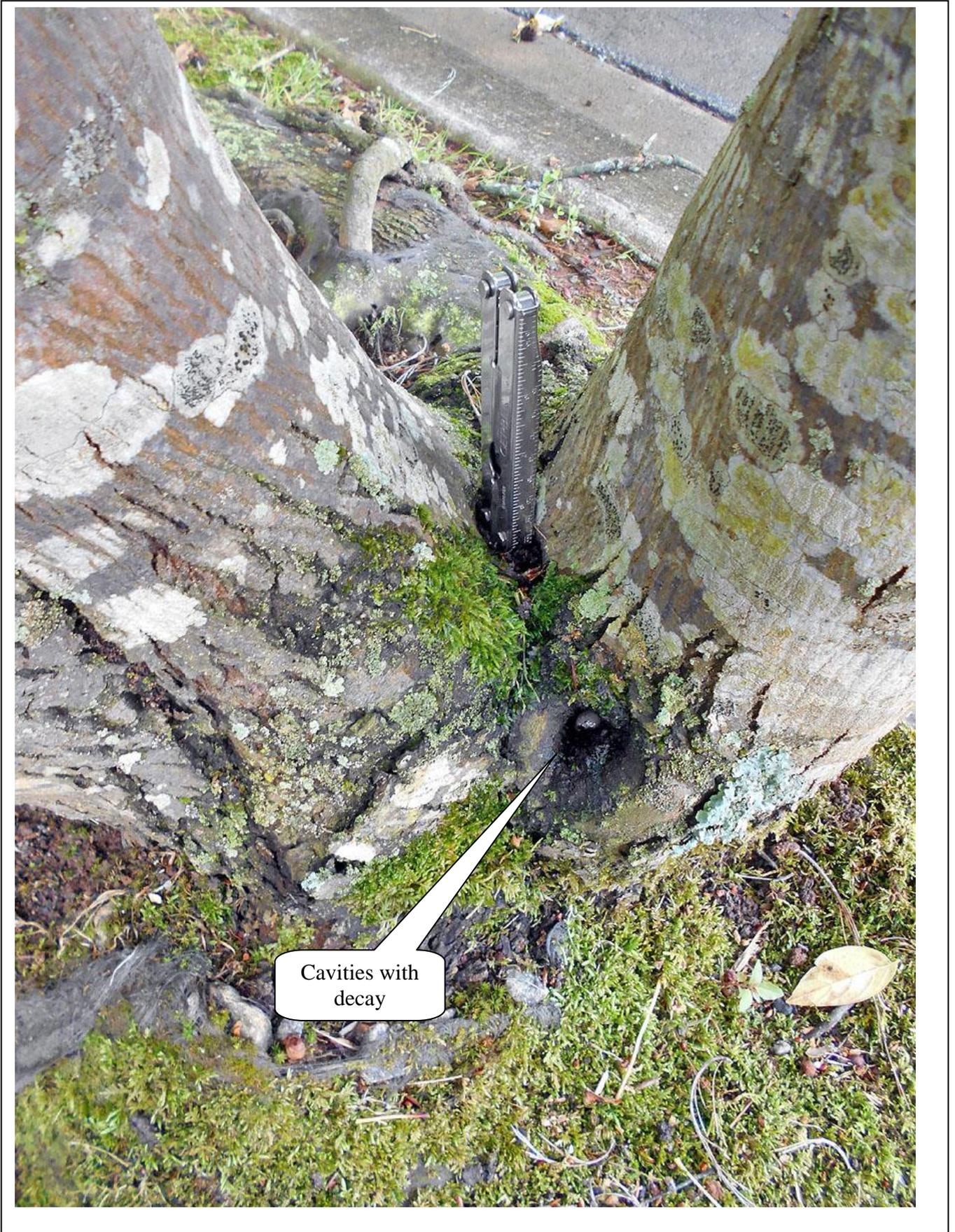


Photo 5



Photo 6



Photo 7

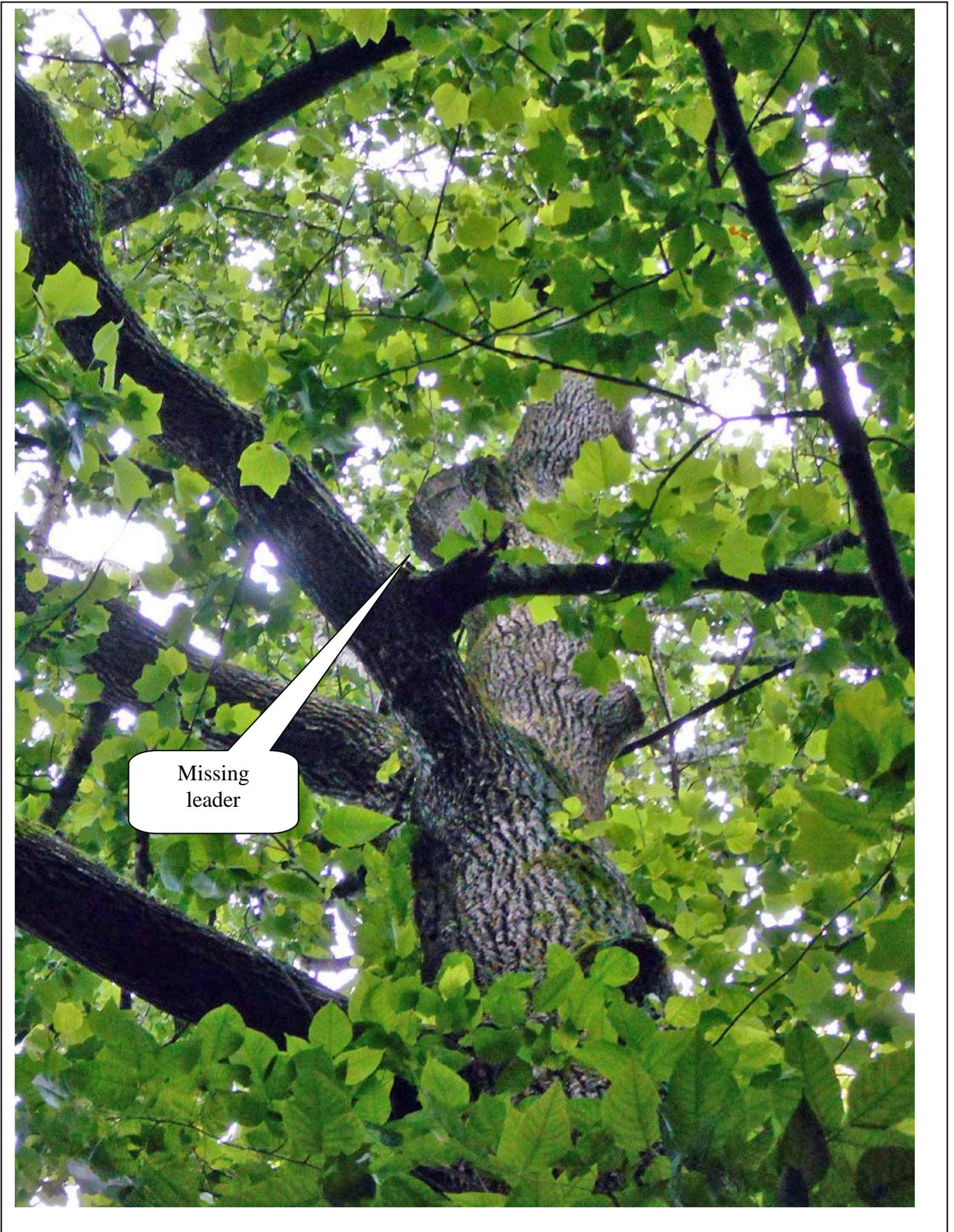


Photo 8



Tulip Poplar grown into trunk

Photo 9

EXHIBIT A – STAFF TREE SAVE PLAN



Notes:
-All tree locations are approximate and have not been field surveyed. Refer to survey for locations.



Tree Location



North

Not To Scale

Specimen
Location Plan

City of Peachtree Corners,

The residents in the Belhaven and Regency at Belhaven communities, are opposed to the rezoning application of 3700 Medlock Bridge Rd (Corners Church of Christ). We respectfully ask for no zoning change on this parcel. This is not because we are anti-growth, but because we are enthusiastic supporters of smart, planned development. The most compelling reasons include the following:

Infrastructure concerns

We already have issues getting in and out of our neighborhoods due to the amount of traffic on Medlock Bridge Rd. This traffic concern has been already been exasperated by the development of Stonington, which a vast majority of the community did not take part to oppose. Unfortunately, this traffic issue is also a problem for the Town Center due to its location.

Additional multi-unit housing added since 2015.

Between the City Town Center (70 home sites) and Stonington (30 home sites) we have 100 residential units that have been added to Medlock Bridge Rd since 2015. Including the development currently happening at Spalding Dr, the rate of growth in terms of construction and re-development since 2015 is quite significant.

We believe that this increase in traffic, as well as the overcrowding of the town center, will greatly impact over 500 residents on Medlock Bridge road. With the current pandemic going on, I think we can all agree that overcrowding is something we all want to avoid.

Lastly, the 2040 Comprehensive plan discusses the topic of transitional growth and where that should occur. It is widely thought that the growth needs to happen in the Holcomb Bridge Corridor and Peachtree Industrial Boulevard. Yet, it seems that all of the current redevelopment efforts are occurring in our city, especially around or on Medlock Bridge Rd.

We would like to request the city to try to entice the property developers to concentrate their efforts around the Holcomb Bridge Corridor and the Peachtree Industrial Boulevard areas. It is important that we all work together to make PTC a viable and thriving city that entices customers to the Town Center while keeping an attractive and healthy environment in which to live; More housing redevelopment does not always mean to be better without the proper infrastructure and amenities.

Thank you.

Belhaven HOA



Richard Reed <reedrg82@gmail.com>

FW: **3700 Medlock Bridge Rezoning Request**

1 message

Krishnan Prabakaran <kprabakaran@hotmail.com>

Fri, Jul 3, 2020 at 9:15 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>, Tohoa Hoa <tohoahoa@ymail.com>

Dear TOHOA and Belhaven HOA,

I share the boundary of this property and concerned. However, developer's justification of development and support rationale for businesses in the town center cannot be overlooked.

I think we can voice to reduce the density, instead of multi storied condo, may be 20 Town homes in conformance with the development opposite side, and address the parking and traffic issues. Insist on proper fencing to protect our homes, and better management of the Creek and not the least, Deer wildlife habitat. I think working with Belhaven HOA, we can bring these conversations together.

Just my thoughts, and thanks for your representation in this rezoning process.

Krishnan Prabakaran
Owner of 3663 Wickford lane.
Turnbury Oaks Subdivision



Richard Reed <reedrg82@gmail.com>

(no subject)

1 message

KATHY L WELLS <kwells50@bellsouth.net>

Fri, Jul 3, 2020 at 12:53 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Good Morning,

My name is Kathy Wells my address is 5125 Riverthur Pl.

I am most definitely opposed to the building of any more condos on Medlock B. We moved here because of the beautiful trees and serenity in this area. With more condo units congestion and over crowding of businesses and roads will undoubtedly occur. In addition, as result of the construction on Medlock B. the condos and the turn around in this area we are experiencing even more water run off in to our yards. I look forward to letting my voice be heard concerning the construction. Thank you for this information please continue to share.

KW

Sent from Mail for Windows 10



Richard Reed <reedrg82@gmail.com>

Vote against

1 message

Shelley Katzeff <shelleykatzeff@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 3:31 PM

shelley & Anthony Katzeff
4770 Bankside Way, Peachtree Corners GA 30092



Richard Reed <reedrg82@gmail.com>

Medlock Bridge rezoning request

1 message

Veronica Ryan <vryan310@yahoo.com>

Sun, Jul 12, 2020 at 12:18 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Hi there,

I would like to add my name to the list of residents opposing this project.

Veronica Ryan
5121 Bankside Way,



Richard Reed <reedrg82@gmail.com>

Re: *Urgent Action Required-Please Vote on Medlock Bridge Rezoning Request*

1 message

shoeb hasan <shoebdev@yahoo.com>
 To: Belhaven HOA <administrator@belhavenhoa.com>

Sun, Jul 12, 2020 at 12:13 PM

4831 Bankside Way

Hi,

Where is the attachment you are talking about? I dont see it. Can you please forward me the attachment?

Thanks
 Shoeb

On Sunday, July 12, 2020, 7:56:25 AM EDT, Belhaven HOA <administrator@belhavenhoa.com> wrote:

Dear Neighbor,

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the project to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

Some of the initial concerns brought up in the meeting include parking, traffic, sewer controls and design. The property is about 3 acres and it appears to be impractical to construct 40 condominium units on the property (see slide 13 in presentation for proposed layout). As for parking, each unit has 1 parking space and there doesn't appear to be adequate parking for any additional vehicles or visitors. Another key concern is traffic. The Developer anticipates prospective buyers to only have one vehicle and because of the proximity of the Town Center and Forum they will walk instead of drive. The Board does not see this as realistic and with the entrance to the property right at the heart of the round-about, this will create even greater traffic issues. There are also concerns about the impact on the creek and detention pond at the lower end of the church property.

The Belhaven HOA may not be able to stop this project, but if it is the desire of our community we will make every effort to oppose it. If the project moves forward, the next best outcome would be to work with the developer to ensure our concerns are addressed. The next step in the process is the public hearing with the city's planning and zoning committee on July 21, 2020. Any petitions, documents or correspondence may be included in the project packet and there will also be an opportunity to address the committee as well.

Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Medlock Bridge Rezoning Request*

1 message

Yolanda Gomez <ygomez@ajcfood.com>

Sun, Jul 12, 2020 at 9:06 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

I'm voting against this project.

I'm Yolanda Gomez at 4800 Bankside Way, Peachtree Corners.

Yolanda Gomez
4045587033



Richard Reed <reedrg82@gmail.com>

Re: *Urgent Action Required-Please Vote on Medlock Bridge Rezoning Request*

1 message

Weijian Zhang <weijian_zhang@hotmail.com>

Sun, Jul 12, 2020 at 9:03 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

I vote against this rezoning request.

Weijian Zhang
4820 Bankside Way
Norcross, GA 30082

From: Belhaven HOA <administrator@belhavenhoa.com>**Sent:** Sunday, July 12, 2020 7:56 AM**To:** weijian_zhang@hotmail.com <weijian_zhang@hotmail.com>**Subject:** *Urgent Action Required-Please Vote on Medlock Bridge Rezoning Request*

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: *Urgent Action Required-Please Vote on Medlock Bridge Rezoning Request*

1 message

Abhijit Bhatawadekar <b_abhijit@yahoo.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 8:32 AM

I am against this project in its current form.
It may be ok to put in maybe 6 residential units at the most. No more.

Abhijit Bhatawadekar
4790 Bankside Way

On Sun, Jul 12, 2020 at 7:56 AM -0400, "Belhaven HOA" <administrator@belhavenhoa.com> wrote:

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Vote for new condominiums

1 message

Felicia Hiner <feliciahiner@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 8:25 AM

We vote against the proposed condominiums.
Thanks
Drew and Felicia Wendel

Sent from my iPhone

5030 Bankside Way



Richard Reed <reedrg82@gmail.com>

Rezoning vote

1 message

Emily Qiu <emilyqiu09@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 8:09 AM

Dear board,

I am the owner of 4881 backside way, and I vote against the request for rezoning.

Thank you,

Yu(Emily) Qiu



Richard Reed <reedrg82@gmail.com>

Re: *Urgent Action Required-Please Vote on Medlock Bridge Rezoning Request*

1 message

Chanceity Robinson <lilchance@gmail.com>

Sun, Jul 12, 2020 at 8:08 AM

To: administrator@belhavenhoa.com

I am voting against rezoning request !

Thanks

Neighbor

4720 bankside way

Sent from my iPhone

On Jul 12, 2020, at 7:56 AM, Belhaven HOA <administrator@belhavenhoa.com> wrote:

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Richard Reed <reedrg82@gmail.com>

****3700 Medlock Bridge Rezoning Request****

1 message

Danalyn Robinson <danalynkr@yahoo.com>

Thu, Jul 2, 2020 at 5:59 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

I oppose the development.

Danalyn Robinson
5151 Bankside way



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

kwame asamo <kasamoa@hotmail.com>

Thu, Jul 2, 2020 at 7:10 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Thanks for sharing the report.
The 1 parking space is very problematic.
Traffic congestion will be inevitable.
I am against the project.

*5161
Barkside
Way*

From: Belhaven HOA, Inc. <noreply@topsssoft.com>

Sent: Thursday, July 2, 2020 8:41 PM

To: kasamoa@ <hotmail.com kasamoa@hotmail.com>

Subject: **3700 Medlock Bridge Rezoning Request**

Belhaven HOA, Inc.

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3700 Medlock Bridge Rezoning Request

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Richard Reed <reedrg82@gmail.com>

****3700 Medlock Bridge Rezoning Request** vote**

1 message

Rouslan Scherbina <winwin4all@gmail.com>
To: administrator@belhavenhoa.com

Thu, Jul 2, 2020 at 9:03 PM

Rouslan Chtcherbina
4771 Bankside way
P.C. 30092

My vote is a strong NO

It will definitely be a mess with the car situation. 40 units and only one car per unit is unrealistic. Even if hypothetically there will be 40 single people in that area, are you really expecting all these people to not have anyone visit them? Where will people be parking? At Forum parking? No, they will be circling around and park anywhere they can. But I strongly doubt that there will be 40 single people occupying these condos.

Secondly, our Medlock bridge is already packed with traffic and there will be additional pressure from the newly built subdivision next to the Bellhaven and the new townhouses which are still in construction. Builders don't care, they just want to get the money and go to the next land parcel.

We are getting our trees cut every time for the exchange of these newly built houses and stores in this area and this makes me sad.

--

Life is Love!



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge Rezoning Against

1 message

Rene O'Connor <troconnor@comcast.net>

Fri, Jul 3, 2020 at 8:13 AM

To: administrator@belhavenhoa.com

Cc: Teena Rene' O'Connor <troconnor@comcast.net>

Please apply my vote, against the rezoning of 3700 Medlock Bridge Road.

Teena O'Connor
4710 Bankside Way, Peachtree corners GA 30092
Regency at Belhaven
770 668 4955

Sent from my iPhone



Richard Reed <reedrg82@gmail.com>

Condominiums on church property at Medlock Bridge

1 message

KEELEY M CARTER <keeley_carter@bellsouth.net>
To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Fri, Jul 3, 2020 at 12:03 PM

I am opposed to this condo project.

Keeley Carter
Regency at Belhaven
5021 Bankside Way
30092



Richard Reed <reedrg82@gmail.com>

****3700 Medlock Bridge Rezoning Request****

1 message

Chris Hudson <chrischudson@gmail.com>

Mon, Jul 6, 2020 at 11:54 PM

To: administrator@belhavenhoa.com

Christopher Hudson

4860 Bankside Way

I vote **against** the project.

Thank you,



Richard Reed <reedrg82@gmail.com>

Proposed 3700 Medlock Bridge Condos

1 message

James Weir <jweir01@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 7:29 PM

Our family strongly opposes the proposed condo development at 3700 Medlock Bridge.

Thank you for working on our behalf.

Toni & Jim Weir
4951 Bankside Way, Peachtree Corners, GA 30092



Richard Reed <reedrg82@gmail.com>

(no subject)

1 message

4740 Bankside Way

Tara Matuza <TGMatuza@outlook.com>

Thu Jul 2, 2020 at 5:09 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Against.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution smartphone
Get Outlook for Android



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

Juan Roldan <jsroldan89@gmail.com>
To: administrator@belhavenhoa.com

5080 Bankside Way

Wed, Jul 8, 2020 at 5:32 PM

No to project unless revised to reflect community concerns. Thank you

On Tue, Jul 7, 2020, 4:17 PM Belhaven HOA <administrator@belhavenhoa.com> wrote:

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Please review the information and respond with your vote for or against the project to administrator@belhavenhoa.com. Please respond by Thursday, July 9, 2020 and include your name and property address when responding.

Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: *Urgent Action Needed-Please Vote on Medlock Bridge Rezoning Request*dige

1 message

Sandy Walker <smw2007@live.com>

Sun, Jul 12, 2020 at 11:32 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Hello,

I vote against this project.

Sandra Walker
3685 Kentford Lane
Peachtree Corners, GA 30092

From: Belhaven HOA <administrator@belhavenhoa.com>**Sent:** Sunday, July 12, 2020 7:59 AM**To:** smw2007@live.com <smw2007@live.com>**Subject:** *Urgent Action Needed-Please Vote on Medlock Bridge Rezoning Request*dige

Dear Neighbor,

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Fw: **3700 Medlock Bridge Rezoning Request**

1 message

Gina Irvin <ginamirvin@yahoo.com>

Sun, Jul 5, 2020 at 7:52 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

I would like to vote against this project.

Gina Irvin
3635 Kentford Lane

----- Forwarded Message -----

From: Belhaven HOA, Inc. <noreply@topsssoft.com>

To: "ginamirvin@yahoo.com" <ginamirvin@yahoo.com>

Sent: Thursday, July 2, 2020, 04:41:22 PM EDT

Subject: **3700 Medlock Bridge Rezoning Request**

Belhaven HOA, Inc.

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TOPS [ONE]

3700 Medlock Bridge Rezoning Request

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

Some of the initial concerns brought up in the meeting include parking, traffic, sewer controls and design. The property is about 3 acres and it appears to be impractical to construct 40 condominium units on the property (see slide 13 in presentation for proposed layout). As for parking, each unit has 1 parking space and there doesn't appear to be adequate parking for any additional vehicles or visitors. Another key concern is traffic. The Developer anticipates prospective buyers to only have one vehicle and because of the proximity of the Town Center and Forum they will walk instead of drive. The Board does not see this as realistic and with the entrance to the property right at the heart of the round-about, this will create even greater traffic issues. There are also concerns about the impact on the creek and detention pond at the lower end of the church property.

The Belhaven HOA may not be able to stop this project, but if it is the desire of our community we will make every effort to oppose it. If the project moves forward, the next best outcome would be to work with the developer to ensure our concerns are addressed. The next step in the process is the public hearing with the city's planning and zoning committee on July 21, 2020. Any petitions, documents or correspondence may be included in the project packet and there will also be an opportunity to address the committee as well.

Please review the information and respond with your vote for or against the project to



Richard Reed <reedrg82@gmail.com>

Condos

1 message

gwasea@att.net <gwasea@att.net>
To: administrator@belhavenhoa.com

Thu, Jul 2, 2020 at 6:10 PM

Based upon the information given, this project is not feasible and would devalue our home in Belhaven also the results would be unfavorable for the long-term. Therefore, our vote is NO.

Garvin W. Abernathy, Jr.

Sarah E. Abernathy

3579 Lamberth Court

Peachtree Corners, GA 30092

770.843.4928



Richard Reed <reedrg82@gmail.com>

Re: Urgent Action Needed-Please Vote on 3700 Medlock Bridge Rezoning Request

1 message

Christina Jeong <cjwho501@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 2:24 PM

Hi,

Please put Christina & Paul Jeong at 5050 Felhurst Way as **opposed** to the project.

Thank you,

-Christina Jeong

On Sun, Jul 12, 2020 at 8:07 AM Belhaven HOA <administrator@belhavenhoa.com> wrote:

Dear Neighbor,

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the project to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge rezoning request

1 message

Ray Wang <wang_ray@yahoo.com>

Thu, Jul 2, 2020 at 9:12 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

To Belhaven HOA Board,

My vote is to oppose this re-zoning request.

Name: Hsiang-Jui (Ray) Wang

address: 3652 Arnsdale Drive, Peachtree Corners, GA 30092

Thanks

Ray



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

Ryan Hughes <rshughes@gmail.com>

Thu, Jul 2, 2020 at 10:01 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

We are against this project.

Ryan/Jacquie Hughes
3632 Arnsdale Dr

On Thu, Jul 2, 2020 at 4:41 PM Belhaven HOA, Inc. <noreply@topsoft.com> wrote:

Belhaven HOA, Inc.

Powered By
TOPS [ONE]

3700 Medlock Bridge Rezoning Request

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Please review the information and respond with your vote for or against the project to administrator@belhavenhoa.com. Please respond on or before July 6, 2020 and include your name and property address when responding.



Richard Reed <reedrg82@gmail.com>

Condo project

1 message

Jordan Wilson <jwilson.ksu@gmail.com>
To: administrator@belhavenhoa.com

Thu, Jul 2, 2020 at 11:32 PM

I vote against the project.

Thanks,

Jordan Wilson
3672 Arnsdale Dr Peachtree Corners GA 30092



Richard Reed <reedrg82@gmail.com>

Against the 3700 Medlock Bridge Rezoning project

1 message

Feng Tseng <tseng420@hotmail.com>

Fri, Jul 3, 2020 at 9:28 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Name: Feng-Ju Tseng

Property address: 3733 Arnsdale Dr.



Richard Reed <reedrg82@gmail.com>

Vote against rezoning.

1 message

Jkim1805 Gmail <jkim1805@gmail.com>
To: administrator@belhavenhoa.com

Thu, Jul 2, 2020 at 4:47 PM

Hello

This is John Kim. 3965 Ancroft circle. We would like to vote against the new rezoning. John 404-590-3778



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge Rezoning

1 message

Andrzej Switka <aswitka@hotmail.com>

Thu, Jul 2, 2020 at 4:57 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Hello,

We are against the project.

We think that office building would be a better option.

Ewa Switka
Andrzej Switka
4975 Ancroft Ct.

Thanks,
Andrzej.



Richard Reed <reedrg82@gmail.com>

4220 ancroft circle

1 message

Staci Lastinger <lastinger.staci@yahoo.com>
To: administrator@belhavenhoa.com

Thu, Jul 2, 2020 at 7:55 PM

We are not in favor of the condos to be built.

Thank you! Staci and Robert Lastinger

Sent from Yahoo Mail for iPhone



Richard Reed <reedrg82@gmail.com>

VOTE - 3700 Medlock Bridge Rezoning Request

1 message

Leonard Leo <lchleo@bellsouth.net>

Thu, Jul 2, 2020 at 10:40 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Thank you all for your hard work in this matter.

We vote AGAINST the project.

Leonard and Christina Leo
3760 Ancroft Circle, Peachtree Corners, GA.



Richard Reed <reedrg82@gmail.com>

Fw: **3700 Medlock Bridge Rezoning Request**

1 message

bin lin <binlin_binlin@yahoo.com>

Fri, Jul 3, 2020 at 8:33 PM

Reply-To: bin lin <binlin_binlin@yahoo.com>

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>, "binlin_binlin@yahoo.com" <binlin_binlin@yahoo.com>

Dear Belhaven HOA:

We vote against this project as is described below.

Bin Lin and An Jin
3925 Ancroft Circle
Peachtree Corners, GA 30092

Ph# 678-718-5728

----- Forwarded Message -----

From: Belhaven HOA, Inc. <noreply@topsoft.com>**To:** "binlin_binlin@yahoo.com" <binlin_binlin@yahoo.com>**Sent:** Thursday, July 2, 2020, 04:41:23 PM EDT**Subject:** **3700 Medlock Bridge Rezoning Request****Belhaven HOA, Inc.**Powered By
TOPS [ONE]****3700 Medlock Bridge Rezoning Request****

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Richard Reed <reedrg82@gmail.com>

Condo Rezoning

1 message

johnbud@comcast.net <johnbud@comcast.net>

Sun, Jul 5, 2020 at 7:16 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Against

John and Amy Shea
3685 Ancroft Circle

Best regards,

John Shea
404.234.4117



Richard Reed <reedrg82@gmail.com>

****3700 Medlock Bridge Rezoning Request****

1 message

Marek Gimza <marekgimza@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 5, 2020 at 9:17 PM

Hi,
My vote for the Rezoning is: NO

Name: Marek Gimza
Address: 3810 Ancroft circle , Peachtree Corners, GA 30092.

Regards,
Marek



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge Rezoning

1 message

Norman, Robert <robert.norman@vs.state.ga.us>

Mon, Jul 6, 2020 at 8:29 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Cc: "NORMAN, ROBERT E." <ROBERT.NORMAN2@va.gov>, "Norman, Robert" <robert.norman@vs.state.ga.us>

Dear Administrator Belhaven HOA:

I vote opposed to the new condo development at 3700 Medlock Bridge Rezoning.

FYI/per E-mail.

Thank you.

ROBERT E. "BOB" NORMAN

4095 Ancroft Circle

Belhaven

Peachtree Corners, GA 30092-2660

Cell phone: (404) 704-7191

Work Phone: (404) 232-7263

E-mail address: robert.norman@vs.state.ga.us or robert.norman2@va.gov



Richard Reed <reedrg82@gmail.com>

Opposition to proposed condominiums

1 message

Holly F. Kelly <hollyfk@comcast.net>

Mon, Jul 6, 2020 at 8:54 AM

To: Belhaven Hoa <administrator@belhavenhoa.com>

Good morning,

My mother has asked me to email you the following. She and her friend are seniors who do not use computers. Any questions, please let me know. Holly Fullerton Kelly

Please add the following names and addresses to the list of those opposing the proposed condominiums.

Helen Fullerton
3720 Ancroft Circle

Carol Edwards
3665 Ancroft Circle



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge Rezoning Request

1 message

Deborah Shapiro <deborahshapirohd@gmail.com>

Mon, Jul 6, 2020 at 9:26 AM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Hello

The homeowners at 4265 Ancroft Circle both vote against the project.

Thank you

Deborah Shapiro and Brett Levine



Richard Reed <reedrg82@gmail.com>

Project at 3700 Medlock Bridge (Rezoning)

1 message

Daniell, Jennifer <Jennifer.Daniell@fultoncountyga.gov>
To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

Mon, Jul 6, 2020 at 4:24 PM

I would like to vote against the project, which would put 40 units right next to our homes and add lots of traffic to the traffic circle and Medlock Bridge Road. Also I can't imagine where they will park if they are only allowed 1 space per unit. There is no way they will not have more than 1 car or have visitors with nowhere to park.

Thanks

Jennifer Daniell

Belhaven Homeowner

3890 Ancroft Circle

Peachtree Corners, GA 30092

Jennifer Daniell
Library Associate
Fulton County Library System
East Roswell Library
2301 Holcomb Bridge Rd.
Roswell, GA 30076
Phone: 404 613-4067
Email: Jennifer.daniell@fultoncountyga.gov



Connect with us!





Richard Reed <reedrg82@gmail.com>

Vote Against Rezoning Request Project

1 message

Megan MacQueen <megansdavis1121@gmail.com>

Tue, Jul 7, 2020 at 5:48 PM

To: administrator@belhavenhoa.com

Good Evening,

I am writing to provide my vote ***against*** the rezoning request project. My name is Megan Davis and I live at 3875 Ancroft Circle, Peachtree Corners, Georgia, 30092.

Thank you,
Megan Davis
(706) 897-9068



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

HappyLease <happylease@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 5:06 PM

Thank you for your efforts.

Vote against.

John Kim
3965 ancroft circle

404-590-3778

On Jul 7, 2020, at 4:18 PM, Belhaven HOA <administrator@belhavenhoa.com> wrote:

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Please review the information and respond with your vote for or against the project to administrator@belhavenhoa.com. Please respond by Thursday, July 9, 2020 and include your name and property address when responding.

Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

Zack Bennett <zack.bennett56@gmail.com>

Tue, Jul 7, 2020 at 4:23 PM

To: administrator@belhavenhoa.com

Appreciate you all handling this issue for the community.

Me and my wife (Zack and Kelly Bennett) vote against the proposed re-zoning. Our address is 3870 Ancroft Circle, Peachtree Corners GA 30092

On Tue, Jul 7, 2020 at 4:17 PM Belhaven HOA <administrator@belhavenhoa.com> wrote:

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

Angelina Whitaker <angelinakim@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 4:20 PM

Jon and Angelina Whitaker
3955 Ancroft Cir, Peachtree Corners, GA 30092

Vote AGAINST the proposed project

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: **3700 Medlock Bridge Rezoning Request**

1 message

Vinh Pham <viqph@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 5:47 PM

Hi,

This is Vinh Pham of 3875 Ancroft Circle. We are against the project.

Thanks.

On Tue, Jul 7, 2020 at 4:17 PM Belhaven HOA <administrator@belhavenhoa.com> wrote:

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

3700 medlock

1 message

Carolyn McCord <carolyn.mccord1@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 7:22 PM

We are against this project. Thank you!
Carolyn and Harrison McCord
4070 Ancroft circle

Sent from my iPhone



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge

1 message

Jonathan King <jkingsnake@gmail.com>
To: administrator@belhavenhoa.com

Wed, Jul 8, 2020 at 12:42 PM

Hello,

My wife (Sarah) and I live at 3780 Ancroft Cir, and would like to vote against the project at 3700 Medlock Bridge.

Thanks,
Jonathan King



Richard Reed <reedrg82@gmail.com>

RE: *Urgent Action Needed-Please Vote on 3700 Medlock Bridge Rezoning Request

1 message

Scott Cauthen <Scott.Cauthen@comcast.net>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 3:47 PM

I know very little about zoning, so take that into account with my response.

It would not seem to harm us that their plans are flawed with too little parking. In fact, I could envision it as a selling point for Belhaven that we have ample parking.

I am more concerned that they get initial approval for reduced traffic demand, then later amend their plans to include more parking. In essence, might they be low-balling parking initially to appease traffic concerns. Then once everybody has bought in, they can update their plans to less objections.

I would urge efforts to make sure they are not trying to play such games. Beyond that, I'm fine with what other more knowledgeable folks in our community wish to do.

Scott Cauthen

4025 Ancroft Circle

404-441-0667

From: Belhaven HOA [mailto:administrator@belhavenhoa.com]
Sent: Sunday, July 12, 2020 7:46 AM
To: scott.cauthen@comcast.net
Subject: *Urgent Action Needed-Please Vote on 3700 Medlock Bridge Rezoning Request

Dear Neighbor,

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the rezoning request to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

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Richard Reed <reedrg82@gmail.com>

Rezoning in Bellhaven

1 message

Sally Krise <krisessally@gmail.com>
To: administrator@bellhavenhoa.com

Sun, Jul 12, 2020 at 1:44 PM

We vote no to rezoning.

James Krise
Sally Krise

AD65 Aircraft Circle



Richard Reed <reedrg82@gmail.com>

Fwd: *Urgent Action Needed-Please Vote on 3700 Medlock Bridge Rezoning Request

1 message

Bassam Najjar <ibnajjar@yahoo.com>

Sun, Jul 12, 2020 at 9:40 AM

To: administrator@belhavenhoa.com

We are against the rezoning.

Bassam and Sarah Najjar

3680 Ancroft Cir.

Regards,

Begin forwarded message:

From: Belhaven HOA <administrator@belhavenhoa.com>**Date:** July 12, 2020 at 7:46:21 AM EDT**To:** ibnajjar@yahoo.com**Subject:** *Urgent Action Needed-Please Vote on 3700 Medlock Bridge Rezoning Request**Reply-To:** administrator@belhavenhoa.com**Dear Neighbor,**

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the rezoning request to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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The Belhaven HOA may not be able to stop this project, but if it is the desire of our community we will make every effort to oppose it. If the project moves forward, the next best outcome would be to work with the developer to ensure our concerns are addressed. The next step in the process is the public hearing with the city's planning and zoning committee on July 21, 2020. Any petitions, documents or correspondence may be included in the project packet and there will also be an opportunity to address the committee as well.

Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Against Rezoning

1 message

Jennifer Elliott <jenbelliott@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 10:27 AM

Hello,

My name is Jennifer Sattanathan (3670 Ancroft Circle) and my husband, Harsha, and I are against the rezoning of the property for condominiums.

Thanks,
Jennifer



Richard Reed <reedrg82@gmail.com>

Against Rezoning

1 message

rrvv <rrvv@bellsouth.net>

Sun, Jul 12, 2020 at 9:32 AM

To: administrator@belhavenhoa.com

Agree with traffic congestion and too many townhomes- couple of those under construction in the same price range on medlock bridge road.

R.Natarajan
4980 Ancroft Ct
Belhaven

Sent via the Samsung Galaxy S7 edge, an AT&T 4G LTE smartphone



Richard Reed <reedrg82@gmail.com>

Re: Urgent Action Require-Please Vote on 3700 Medlock Bridge Rezoning Request*

1 message

Mike Lee <myungs2006@yahoo.com>

Mon, Jul 13, 2020 at 9:14 AM

To: Belhaven HOA <administrator@belhavenhoa.com>

Hi Dear,

My name is Myung. S. Lee as a resident at 3678 petherton way, peachtree corners, GA30092.

I want to vote against the project.

Thank you, have a great day.

Lee, Myung S.

On Sunday, July 12, 2020, 08:05:43 AM EDT, Belhaven HOA <administrator@belhavenhoa.com> wrote:

Dear Neighbor,

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the project to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Re: Urgent Action Require-Please Vote on 3700 Medlock Bridge Rezoning Request*

1 message

GMAIL <sjain83@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 8:06 AM

Against

3633 Petherton way

Regards,
Shallesh

Sent from my iPhone

On Jul 12, 2020, at 8:05 AM, Belhaven HOA <administrator@belhavenhoa.com> wrote:

Dear Neighbor,

It is not too late to have your voice be heard. Please review the information below and respond with your vote for or against the project to administrator@belhavenhoa.com. We need your response immediately and include your name and property address when responding.

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

Vote on 3700 Medlock Bridge Rezoning Request

1 message

Jared Kranendonk <kranendonkjared@gmail.com>
To: administrator@belhavenhoa.com

Mon, Jul 13, 2020 at 8:26 AM

We both vote against the project at 3700 Medlock Bridge.

Thanks,
Jared & Kaela Kranendonk
3663 Petherton Way NW, Norcross, GA 30092



Richard Reed <reedrg82@gmail.com>

Against

1 message

Kevin Seim <kevinseim1@gmail.com>
To: administrator@belhavenhoa.com

Sun, Jul 12, 2020 at 11:26 AM

3680 Petherton Way

3648 Petherton Way vote

1 message

Mary Mansfield <mommysmansfield@gmail.com>

Sun, Jul 12, 2020 at 2:23 PM

To: "administrator@belhavenhoa.com" <administrator@belhavenhoa.com>

We are against this project. Thanks.

Cliff and Mary Mansfield



Richard Reed <reedrg82@gmail.com>

Fwd: **3700 Medlock Bridge Rezoning Request**

1 message

Ryan Newman <ryannewman1129@gmail.com>
To: administrator@belhavenhoa.com

Tue, Jul 7, 2020 at 5:53 PM

To Whom This May Concern,

Ryan and Madison Newman vote **FOR** the project.

Best,
Ryan A. Newman
(919) 600-1687

*4190
ancraft*

----- Forwarded message -----

From: **Belhaven HOA** <administrator@belhavenhoa.com>
Date: Tue, Jul 7, 2020 at 4:18 PM
Subject: ****3700 Medlock Bridge Rezoning Request****
To: <ryannewman1129@gmail.com>

As a follow-up to the community meeting regarding the rezoning request of the property at 3700 Medlock Bridge, attached are the meeting notes and the presentation from the Developer. At a high level the developer's value proposition to PTC is providing additional critical mass to support business in the Town Center and Forum. The current zoning is R-100 Single Family Residence District, which is not in compliance for the condominiums, thus the request for the zoning change. The developer is of the opinion that the condominiums would attract young professional, first time homeowners that desire a walkable lifestyle experience. The units are classified as condominiums and their initial site plans contemplate 40 three story units at 1100-1400 sq ft. The units would have a rooftop patio and a 1-car garage. The projected sales price is \$310K-\$390K.

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Please review the information and respond with your vote for or against the project to administrator@belhavenhoa.com. Please respond by Thursday, July 9, 2020 and include your name and property address when responding.

Town Center Overlook Meeting Notes



Richard Reed <reedrg82@gmail.com>

3700 Medlock Bridge

1 message

Wei Hu <weiandlucyhu@gmail.com>

Sat, Jul 4, 2020 at 12:23 PM

To: administrator@belhavenhoa.com

Hi, our vote is yes with the conditions that (1) the builder will build a new 8 feet double-sided fence which goes all the way to Medlock Bridge road, meeting its proposed metal fence facing the road, and (2) that the builder will discuss with the Bellhaven neighbors regarding treatment of existing trees within 3 feet of the new fence on a tree-by-tree basis, and cut, retain or modify existing trees only with the neighbor's consent..

The reasons to vote yes are two-fold - (1) the church parking lot, unattended, may become a safety hazard, and (2) if we don't negotiate the terms with the builder now, we may end up getting nothing if rezoning is granted..

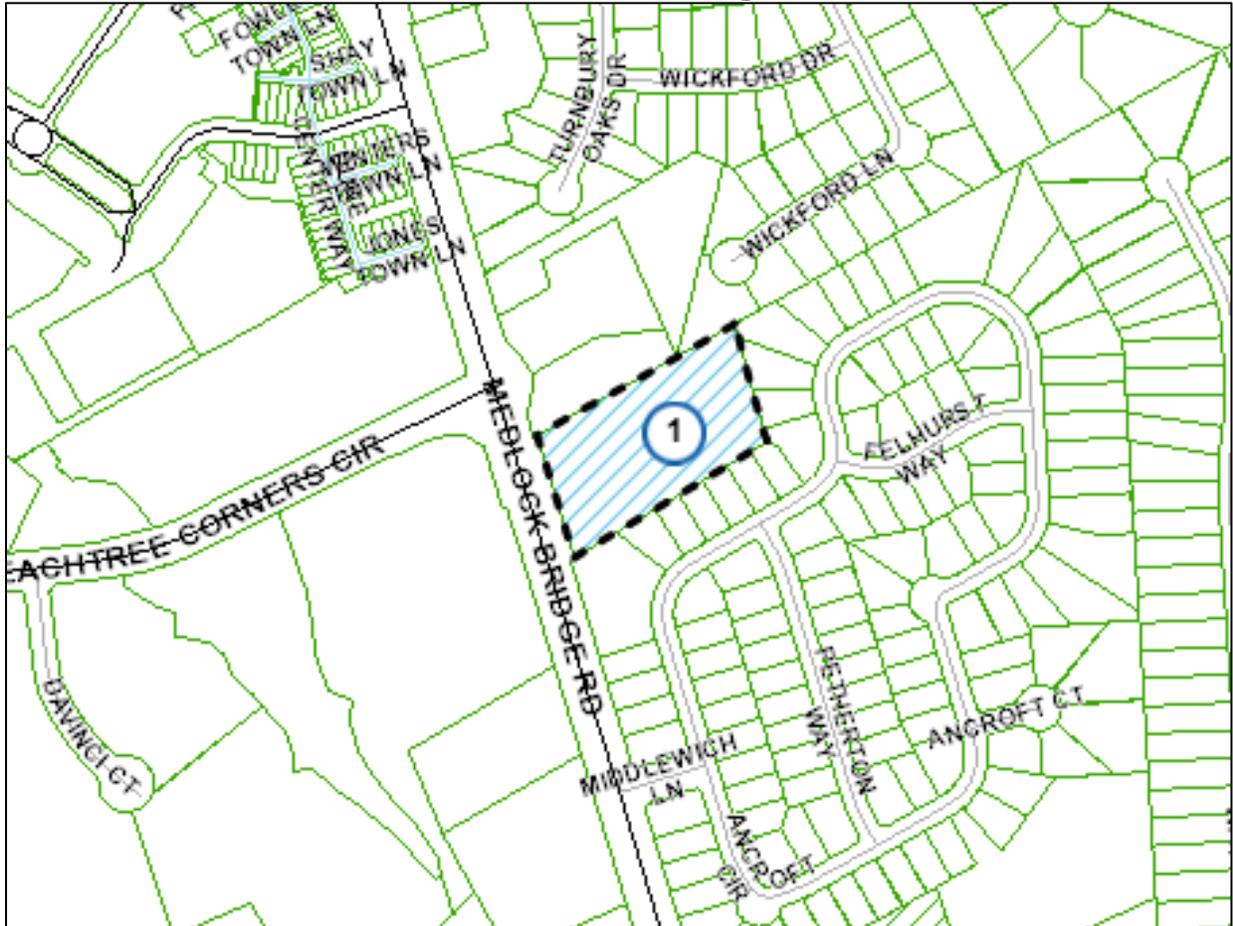
Best regards,
Wei and Lucy Hu
3710 Ancroft Circle.



3700 Medlock Bridge Road

PROPERTY LOCATION MAP

3700 Medlock Bridge Rd



CASE NUMBER:

RZ2020-002, V2020-005 &
PH2020-004

**PLANNING
COMMISSION**

**CITY COUNCIL
1ST READING**

**CITY COUNCIL
2ND READING**

HEARING DATES:

Jul. 21, 2020

Jul. 28, 2020

Aug. 25, 2020

PROPERTY ADDRESS:

3700 Medlock Bridge Rd

SUP2020-001
Peachtree Farm

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

SPECIAL USE PERMIT ANALYSIS

PLANNING COMMISSION DATE: JULY 21, 2020
CITY COUNCIL DATE: AUGUST 25, 2020

CASE NAME: **Peachtree Farm**

CASE NUMBER: **SUP2020-001**

CURRENT ZONING: M-I

LOCATION: RESEARCH COURT, PARCEL 6285 104

MAP NUMBERS: 6th DISTRICT, LAND LOT 285

ACREAGE: 4.19 ACRES

PROPOSED DEVELOPMENT: APPROVE SPECIAL USE PERMIT TO ALLOW AN ASSISTED LIVING FACILITY

CHARACTER AREA MAP: CENTRAL BUSINESS DISTRICT

APPLICANT: PEACHTREE FARM
350 RESEARCH CT, STE 250
PEACHTREE CORNERS, GA 30092

CONTACT: MIKE TWINER
404-822-8590

OWNER: CROSSING PARK II LLC
350 RESEARCH CT, STE 100
PEACHTREE CORNERS, GA 30092

RECOMMENDATION: APPROVE WITH CONDITIONS

SUMMARY:

The applicant is seeking approval of a special use permit to allow for development of an assisted living community with accessory uses on a vacant parcel in Technology Park. The property is located at the cul-de-sac of Research Court, accessed via Research Drive from Technology Parkway. The property is surrounded by M-I zoning. While the term ‘assisted living’ is most commonly used in reference to a facility for elderly residents, this facility is intended for special needs young adults and their caregivers. The intent is for the special needs residents to grow and maintain vegetables as a source of income to support the facility.

The existing M-I zoning permits assisted living with an approved special use permit.

The applicant is proposing a maximum of 15 residential units, all with two or three bedrooms. Additionally, accessory uses to support the needs of the residents include a laboratory to teach life skills, a greenhouse to grow fruits and vegetables, a barn to house a small number of animals as well as provide service dog training areas, and a nature trail connecting the accessory uses.

ZONING HISTORY:

The property has no history of zoning cases.

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 use is suitable and has the support of Technology Park Association and many of the surrounding neighbors.

Staff’s Comment: The proposed use is permitted in this district with a Special Use Permit. Given the surrounding office-type uses, there is no anticipation of conflict with the proposed use.

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 use will enhance the community and will not affect the ability of the adjacent properties to use or redevelop their property.

Staff’s Comment: As noted previously, the surrounding development does not pose an issue for this proposal nor will the proposal conflict with existing office uses.

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: The property is zoned M and the property owner has owned the property for over 10 years. There has been no interest from the development community to develop new office space or industrial space on the property. The rents in the office park coupled with historical high vacancy rates make the existing zoning difficult to generate an economic use. There has been significant interest over the years to develop the property as residential, thus make our proposed use relevant.

Staff's Comment: The property has a reasonable economic use as currently zoned.

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 use will have no excessive or burdensome impact on the streets, transportation facilities, utilities, or schools. In fact, the special use permit will enhance and provide a benefit to the community by providing jobs for those with developmental disabilities and who otherwise may be a burden on the system.

Staff's Comment: The small scale of this development will have minimal impact on infrastructure.

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 special use permit will not change the underlying zoning and is a compatible use inside Technology Park. This development continues to diversify the product type inside the park and creates a mixed use and unique development that will enhance the community.

Staff's Comment: (see Comprehensive Plan heading, next page.)

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 project is supported by Technology Park Associates and will provide jobs for adults with special needs. It will also meet the demand from the community for healthy farm to table local grown and locally sourced food. The community's overall image and reputation as well as the tax base will be enhanced because the development will also encourage tourism. The development will be a model for other communities to look towards when they consider how to help the special needs community and how to bring fresh produce to an urban environment.

Staff's Comment: The zoning ordinance permits assisted living in the M-I district with a special use permit, and, while different than the existing developments nearby, this use is generally compatible with those around it.

COMPREHENSIVE PLAN:

The 2040 City of Peachtree Corners Character Area Map indicates that the property is located within the Central Business District Character Area. Policies for Technology Park within this area encourage mixed-use development that may include housing and retail uses. Specifically, the plan states that appropriate uses include “mixed-use,” “residential as part of a mixed-use development” and “retail, preferably in a mixed-use development.”

DEPARTMENT ANALYSIS:

The proposal for an assisted living community is consistent with M-I zoning and is a use that can blend well into the office-type uses nearby. Given the residential character of the proposal, it is unlikely to be a detriment to surrounding properties, especially with the wooded feel of the developed properties adjacent to the site and the minimal amount of traffic that will be generated.

The proposal will also provide for a type of housing that does not exist in the City and fulfill a need for supportive housing for individuals with disabilities.

RECOMMENDATION:

1. The special use permit approval shall be limited to this property (Parcel 6285 104).
2. The property shall be developed in substantial conformance with the site plan titled Conceptual Site Plan by HydroPro Engineering & Construction dated February 25, 2020.
3. The property line between this parcel and adjoining 350 Research Court (Parcel 6285 035) shall be adjusted so that the required parking amount of 12 spaces for the laboratory building is fully within this parcel or the parking lot shall be redesigned to fit the required 12 spaces on the existing parcel.
4. Architectural elevations shall be in substantial conformance with the submittal titled Magnolia Drive Project by Stephen Fuller dated April 26, 2018.
5. At least 75% of the tenants of the residential units shall be adults with disabilities.
6. The accessory greenhouse shall not exceed 12,500 square feet.
7. The accessory laboratory building shall not exceed 5,700 square feet.
8. The accessory barn building shall not exceed two stories with 3,200 square feet total.
9. The development shall be a gated community with automated access gates at the entrance/exit. The gate system shall be maintained in operable condition at all times with repairs made within one week.
10. Owner shall repaint or repair graffiti or vandalism that occurs on the property within 72 hours.



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

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: <u>Peachtree Farm</u>	NAME: <u>Crossing Park II LLC</u>
ADDRESS: <u>350 Research Ct Suite 250</u>	ADDRESS: <u>350 Research Ct. Suite 100</u>
CITY: <u>Norcross</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30092</u>	STATE: <u>GA</u> ZIP: <u>30092</u>
PHONE: <u>404 822 8590</u>	PHONE: <u>404 822 8590</u>
E-MAIL: <u>MIKE@myhydropro.com</u>	E-MAIL: <u>MIKE @ myhydropro.com</u>

APPLICANT CONTACT, IF DIFFERENT THAN ABOVE

CONTACT PERSON: MIKE TWINON PHONE: 404 822 8590

CONTACT'S E-MAIL: MIKE @ myhydropro.com

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): M REQUESTED ZONING DISTRICT: M

LAND DISTRICT(S): 285 LAND LOT(S): 16 ACREAGE: 4.19 Acres

ADDRESS OF PROPERTY: adjacent to 350 Research Ct.

PROPOSED DEVELOPMENT: MIXED USE

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 15

Dwelling Unit Size (Sq. Ft.): varies

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Bldg. Sq. Ft.: 5700

Gross Density: _____

FEE SCHEDULE

1. Rezoning, Change-in-Conditions and Special Use Permit Fees – Residential Zoning Districts
(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

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

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

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

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

2. Rezoning, Change-in-Conditions and Special Use Permit Fees - Non-Residential Zoning Districts
(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

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

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

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

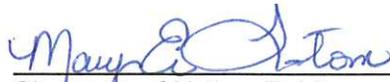
Application Fee – \$1,200 plus \$75 per acre (maximum fee - \$10,000)

- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).
- 7. Comprehensive Plan Amendment - \$1,000

APPLICANT'S CERTIFICATION

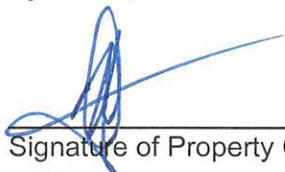
The undersigned below states under oath that they are authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the city council unless waived by the city council. In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

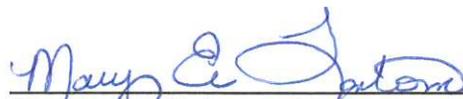

Signature of Applicant 2-27-2020
Date
Michael Twinn managing member
Type or Print Name and Title


Signature of Notary Public 2-27-2020
Date
Notary Seal 

PROPERTY OWNER'S CERTIFICATION

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


Signature of Property Owner 2-27-2020
Date
Michael Twinn
Type or Print Name and Title


Signature of Notary Public 2-27-2020
Date
Notary Seal 

APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

2-25-20

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

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

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

The proposed use is suitable and has the support of the Technology Park Association and many of the surrounding neighbors.

- 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?

The proposed use will enhance the community and will not affect the ability of the adjacent properties to use or redevelop their property.

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

The property is zoned M and the property owner has owned the property for over 10 years. There has been no interest from the development community to develop new office space or industrial space on the property. The rents in the office park coupled with historical high vacancy rates make the existing zoning difficult to generate an economic use. There has been significant interest over the years to develop the property as residential, thus making our proposed use relevant.

- 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?

The proposed use will have no excessive or burdensome impact on the streets, transportation facilities, utilities or schools. In fact the special use permit will enhance and provide a benefit to the community by providing jobs for those with developmental disabilities and who otherwise may be a burden on the system.

- 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?

The proposed special use permit will not change the underlying zoning and is a compatible use inside of Technology Park. This development continues to diversify the product type inside the park and creates a mixed use and unique development that will enhance the community.

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

The project is supported by Technology Park Associates and will provide jobs for adults with special needs. It will also meet the demand from the community for healthy farm to table local grown and locally sourced food. The community's overall image and reputation as well as the tax base will be enhanced because the development will also encourage tourism. The development will be a model for other communities to look towards when they consider how to help the special needs community and how to bring fresh produce to an urban environment.

**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)

Michael Turner
Print Name

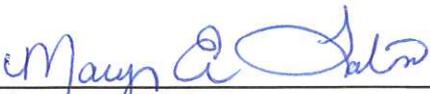
1. CAMPAIGN CONTRIBUTIONS

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.

 2-27-2020 Michael Turner
Signature of Applicant Date Type or Print Name and Title

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

 2/27/2020 Mary Erin Fantom
Signature of Notary Date Notary Seal



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: 6th 285 - 285 - _____
(Map Reference Number) District Land Lot Parcel

R 6285 104

Signature of Applicant Date 2-27-2020

Michael Turner
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)

Ingrid Espinal _____
NAME TITLE TSA II

2/24/2020
DATE



Peachtree Farm's Letter of Intent

2-25-2020

The location of Peachtree Farm is 350 Research Ct., Peachtree Corners, GA, 30092, inside the prestigious Technology Park office park and is zoned M-1. The property consists of 4.2 acres and the parcel Id is R6285 104.

Peachtree Farm will provides opportunities for adult with disabilities to work with typical adults in an inclusive agricultural setting. In addition, Peachtree Farm will provide creative housing that will be leased to adults with disabilities.

The Farm will grow high-quality specialty crops utilizing state of the art technology to boost yields. The sale of produce will create enough income to allow the nonprofit to be self-sustaining.

In addition to the greenhouse jobs, Peachtree Farm will create jobs that include construction, property maintenance, tourism, sales, equipment maintenance, and animal care! These will be meaningful jobs that give adults with disabilities a purpose-filled career.

1. To restrict the use of the property as follows:

- A. The property will be developed in phases. Phase 1 will consist of the 5,700 sf office building, one greenhouse, and associated infra structure. The total built development shall consist of and be restricted to the following maximum uses:

Fifteen - Residential Cottages

60 % of the tenants in the residential units shall be adults with disabilities.

Cottages and freestanding attached dwellings shall be constructed of a combination of fiber-cement siding and shake. The Architectural design and style shall be similar to the Architectural floor plans and elevations prepared by Stephen Fuller Architects.

One – 5,700 square foot laboratory building.

Interior features include:

A. A commercial kitchen which will be used as a demonstration area to highlight our farm products, teach cooking skills, and sell prepared food to the public. The kitchen will also be leased to local companies that employ or support adults with disabilities. Features that Kitchen the promote are:

- Cold and frozen storage
- Professional worktable
- Open shelves of supplies
- Stainless tables and shelves
- White subway tile
- Utensil rack
- Mop sink and service door
- Rolling butcher block cart & marble-topped islands

B. Office space.

C. Bathroom and changing areas.

D. Distribution and retail sales area for farm products markets.

Five - Gutter Connect Greenhouse Facility.

Interior features include:

- A maximum of 12,500 square feet of green house.
- Frame of galvanized steel, with 10' high extruded aluminum gutters, column posts on 8' centers, bows on 4' centers.
- Embossed steel clad entrance door with aluminum casing included
- Rated for a 20 lb snow load and 90 mph wind load.
- Plant Support
- Greenhouse Covering
- The greenhouse is covered with two layers of 4-year, 6 mil greenhouse film; one IR for insulation and one UVA for even light disbursement
- Cooling System
- Power Vent Door
- Air Circulating System

- Overhead Unit Heaters
- If Computerized Environmental Controls
- Electrical Panel
- Testing and Miscellaneous Equipment
- Growing Supplies
- Shade Cloth
- Insect Exclusion System
- Bato Bucket Hydroponic System

One-Ecotourism trail

A 10 foot wide all weather foot path will be constructed that will facilitate access to interesting parts of the farm and be used as an educational component. Features along the Eco tour trail will include:

- Chicken house used to house 36 chickens. No roosters are allowed.
- Colorful and architectural stylish bee houses. 36 bee houses total.
- A service dog training area. The Farm may have up to 8 dogs on the farm, excluding service, therapy, and comfort dogs that live with the residences.
- A goat enclosure with no more than 12 goats.
- An outdoor demonstration garden.

One-A two story Barn with a 1,600 square foot per floor.

2. To satisfy the following site development considerations:

- A. Provide a 10-foot wide landscaped strip outside the right-of-way of Technology Park South. The 10 foot strip shall contain a single row of evergreen trees planted on 10 foot centers. The evergreen trees shall be planted in groupings of 5 and also contain an equal distribution of Thuga Green Giants, Tree Form Hollies and Southern Magnolias that are 8 feet all at time of planting.
- B. The owner or subsequent developer shall landscape the right-of-way immediately in front of the project along Technology Park South. The maintenance of the right- of –way is the responsibility of the office park management
- C. Ground sign shall be limited to externally illuminated, monument type signs with a brick base of at least 2 feet in height, and limited to a height of not more than 5 feet. Only one ground sign shall be permitted.
- D. Oversized signs shall be prohibited.
- E. Natural vegetation shall remain on the property until the issuance of a development permit and submittal of building plans.

- F. Dumpsters shall be screened by a brick wall of at least six (6) feet in height with an opaque gate enclosure.
- E. All utilities shall be placed underground.
- F. Temporary signage shall be prohibited.
- G. Parking shall be limited to the minimum amount allowable under the Gwinnett County Zoning Resolution. Further reduction through the variance process is encouraged.
- H. Development parcels shall be designed to mitigate the amount of impervious surface associated therewith as is reasonably possible in order to retain as much of the existing topography, trees, and stream as reasonably practicable. Retaining walls shall be built to minimize the footprint of the commercial buildings and parking areas. Setback requirements may be reduced if doing so benefits the preservation of trees or stream. Curb and gutter is not be required throughout the development and will only be used when needed in areas to control drainage. Parking spaces using pervious pavers are encouraged and at least 6 spaces shall use pervious pavers.
- I. Architectural elevations for the houses, Laboratory building, and greenhouses shall be substantially similar to the drawings attached to this application.
- J. Stream setback/buffer requirements shall be 25 feet from the edge of the lake's normal pool elevation.
- K. Detention is provided in the Technology Park's lake system, however the development will be required to provide water quality devices that meet the City's water quality requirements.
- L. Site development shall be substantially similar to plans prepared by Hydropro Engineering dated 2-28-2020.
- M. Interior features for residential units include:
- Stainless appliances
 - Gourmet kitchens with granite countertops
 - Designer ceramic tile back splashes
 - Wood cabinets
 - Upscale plank or engineered wood flooring
 - Designer lighting
 - Granite countertops and ceramic tile tub surrounds in bath
 - Nine foot ceilings
 - Ceiling fans in primary living space
 - Generous closets

- Connections for full size, stackable washer/dryer units
- N. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
- O. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
- P. In the event of residential tenant eviction, any belongings of the tenant will be placed on an area of the subject property that is not visible from the street right-of-way of Research Court unless otherwise required by law.
- Q. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- R. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

LEGAL DESCRIPTION TRACT 2

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 285 of the 6TH District, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from an iron pin set, said point being 501.19 feet southeasterly along the southwesterly right-of-way line of Research Court (80' R/W) from the intersection of the southeasterly right-of-way line of Research Drive (80' R/W), thence along said right-of-way line of Research Court 103.51 feet along an arc of a curve to the right, said curve having a radius of 480.87 feet and a chord bearing and distance of South 37 degrees 40 minutes 00 seconds East 103.31 feet to an iron pin set; thence South 31 degrees 30 minutes 00 seconds East a distance of 64.20 feet to an iron pin set; thence 230.83 feet along an arc of a curve to the right, said curve having a radius of 220.43 feet and a chord bearing and distance of South 01 degrees 30 minutes 00 seconds East 220.43 feet to an iron pin set; thence South 28 degrees 30 minutes 00 seconds West a distance of 41.19 feet to an iron pin set; thence 142.57 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of South 31 degrees 50 minutes 15 seconds West 122.05 feet to an iron pin found and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING, as thus established, thence 79.03 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet and a chord bearing and distance of South 52 degrees 48 minutes 36 seconds East 75.43 feet to an iron pin found; thence leaving said right-of-way line of Research Court South 07 degrees 01 minutes 27 seconds West a distance of 294.29 feet to an iron pin found; thence South 80 degrees 34 minutes 44 seconds West a distance of 301.08 feet to an iron pin found; thence North 54 degrees 19 minutes 45 seconds West a distance of 350.00 feet to an iron pin set; thence North 20 degrees 33 minutes 35 seconds West a distance of 181.32 feet to a point; thence South 78 degrees 14 minutes 45 seconds East a distance of 283.41 feet to an iron pin found; thence North 55 degrees 39 minutes 43 seconds East a distance of 140.73 feet to an iron pin found; thence South 80 degrees 18 minutes 46 seconds East a distance of 178.27 feet to an iron pin found; thence North 67 degrees 24 minutes 41 seconds East a distance of 55.81 feet to an iron pin found and the TRUE POINT OF BEGINNING.

Said tract containing 4.199 acres and being Tract 2 as shown on that certain ALTA/ACSM Land Title Survey of 350 & 360 Research Court for Planners and Engineers Collaborative dated March 4, 2004.



Firm Mailing Book For Accountable Mail

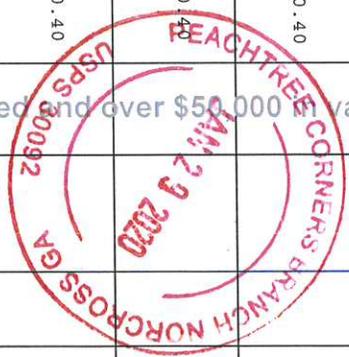
Name and Address of Sender
 Planners and Engineers
 350 Research Ct,
 Suite 200
 Peachtree Corners, GA 30092

Check type of mail or service

<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Priority Mail	

Affix Stamp Here
 (for additional copies of this receipt).
 Postmark with Date of Receipt.

Michael 01-29-2020



USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	SOUTHERN TECHNOLOGY PARK INV 12 KINGS CIR NE ATLANTA, GA 30305-4234	0.50	0.40											
2.	SOUTHERN UNION CONFERENCE ASSOCIATIO PO BOX 923868 NORCROSS, GA 30010-3868	0.50	0.40											
3.	HM PEACHTREE CORNERS II LLC 400 PLAZA DR SECAUCUS, NJ 07094-3605	0.50	0.40											
4.	ZIRKONZAHN USA 6577 PEACHTREE INDUSTRIAL BLVD PEACHTREE CORNERS, GA 30092-3757	0.50	0.40											
5.	CONTINENTAL CHATTANOOGA LLC 1907 WAYZATA BLVD STE 250 WAYZATA, MN 55391-2069	0.50	0.40											
6.	22 TECHNOLOGY PARKWAY LLC 22 TECHNOLOGY PKWY S PEACHTREE CORNERS, GA 30092-9807	0.50	0.40											
7.	CROSSING PARK LLC 350 RESEARCH CT STE 200 PEACHTREE CORNERS, GA 30092-3451	0.50	0.40											
8.	TECHNOLOGY PARK/ATLANTA 3350 RIVERWOOD PKWY SE STE 750 ATLANTA, GA 30339-3392	0.50	0.40											

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

Total Number of Pieces Listed by Sender 8

Total Number of Pieces Received at Post Office

Postmaster: Per (Name of receiving employee)



Firm Mailing Book For Accountable Mail

Name and Address of Sender
 Planners and Engineers
 350 Research Ct,
 Suite 200
 Peachtree Corners, GA 30092

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Affix Stamp Here
 (for additional copies of this receipt),
 Postmark with Date of Receipt.

WLD 01-29-2020



USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	333 RESEARCH LLC A GEORGIA LIMITED 7320 MCGINNIS FERRY RD SUWANEE, GA 30024-1269	0.50	0.40											
2.	CHANG WINSTON D 46 TECHNOLOGY PKWY S STE 200 PEACHTREE CORNERS, GA 30092-2906	0.50	0.40											
3.	150 TECH LLC 5481 CHAMBLEE DUNWOODY RD ATLANTA, GA 30338-4114	0.50	0.40											
4.	20 TECHNOLOGY PARKWAY SOUTH HOLDINGS 7501 WISCONSIN AVE STE 500 BETHESDA, MD 20814-6519	0.50	0.40											
5.	30 TECH PARK LLC 5404 WISCONSIN AVE STE 1150 CHEVY CHASE, MD 20815-3573	0.50	0.40											
6.	RUBICON CAPITAL PARTNERS LLC 330 RESEARCH CT PEACHTREE CORNERS, GA 30092-2999	0.50	0.40											
7.	CEO HOLDINGS LLC 170 LUDWELL CT JOHNS CREEK, GA 30022-6083	0.50	0.40											
8.	NTN BEARING CORP OF AMERI 1600 BISHOP CT STE E MT PROSPECT, IL 60056-6033	0.50	0.40											
Total Number of Pieces Listed by Sender <i>8</i>		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee)										

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.



Firm Mailing Book For Accountable Mail

Name and Address of Sender
 Planners and Engineers
 350 Research Ct,
 Suite 200
 Peachtree Corners, GA 30092

Check type of mail or service:
 Adult Signature Required
 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted Delivery
 Collect on Delivery (COD)
 Insured Mail
 Priority Mail
 Priority Mail Express
 Registered Mail
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted Delivery

Addressee (Name, Street, City, State, & ZIP Code™)

Affix Stamp Here
 (for additional copies of this receipt)
 Postmark with Date of Receipt
 JAN 29 2020
 PEACHTREE CORNERS BRANCH
 NORCROSS

UNITED STATES POSTAL SERVICE
 PITCHNEY BOWERS
 \$002.80
 02 1P
 0000677085 JAN 29 2020
 MAILED FROM ZIP CODE 30092

Michael 01-29-2020

USPS Tracking/Article Number	Address	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	TRAVELERS INDEMNITY CO THE 385 WASHINGTON ST SAINT PAUL, MN 55102-1309	0.50	0.40											
2.	125 TECH PARK PARTNERS LLC 1427 MAYSON ST NE ATLANTA, GA 30324-3903	0.50	0.40											
3.	SEQUENCE CENTER LLC 4125 OLD MILTON PKWY ALPHARETTA, GA 30005-4443	0.50	0.40											
4.	RASHEED IMRAN 3284 SATURN CT PEACHTREE CORNERS, GA 30092-3017	0.50	0.40											
5.	TECH PARK SOUTH LLC 3990 FLOWERS RD STE 560 ATLANTA, GA 30360-3198	0.50	0.40											
6.	NINGLANTA INDUSTRY INC 3264 SATURN CT PEACHTREE CORNERS, GA 30092-3017	0.50	0.40											
7.	OPTIMUS REALTY LLC 130 TECHNOLOGY PKWY PEACHTREE CORNERS, GA 30092-2908	0.50	0.40											
8.		0.50	0.40											

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

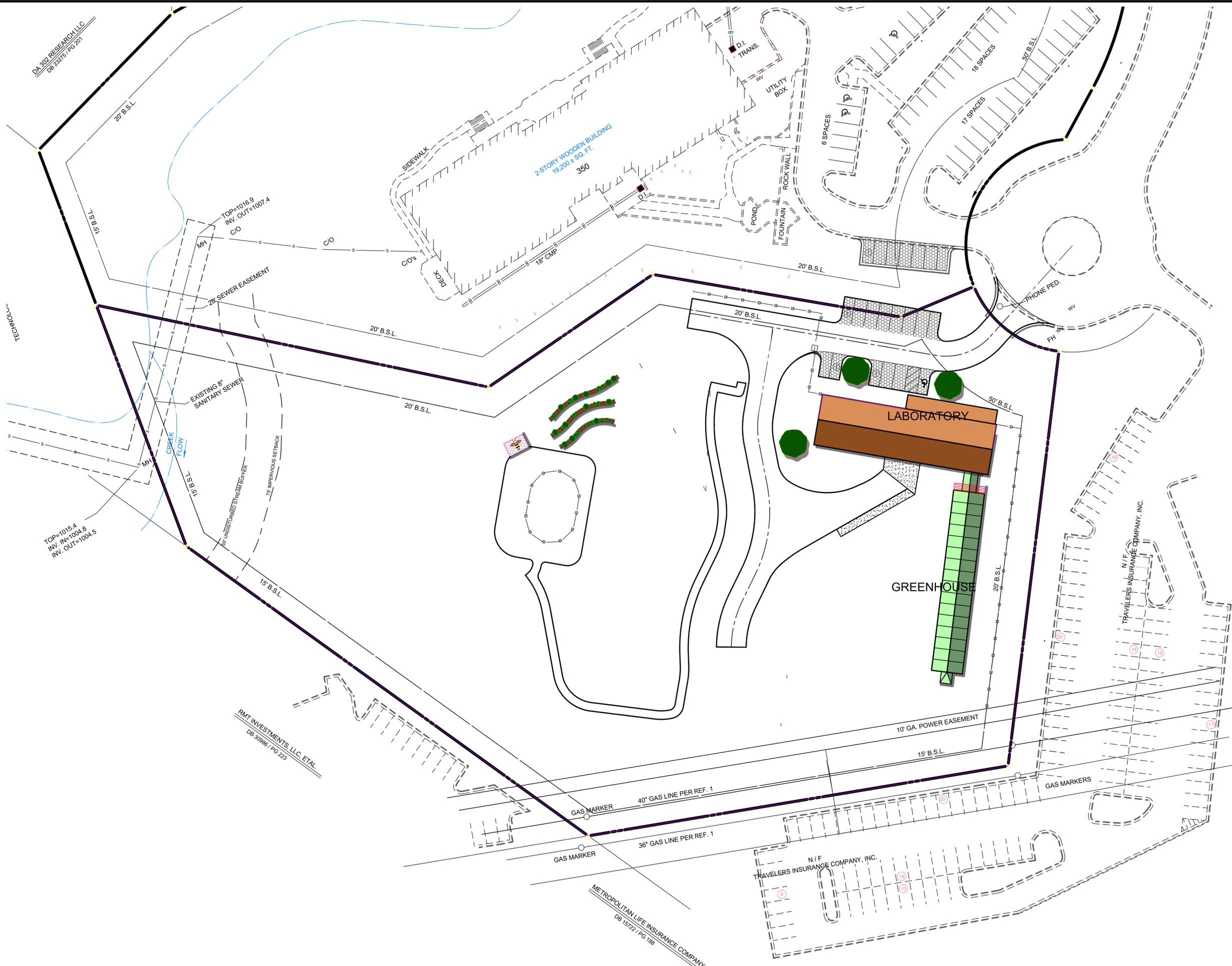
Signature Confirmation Restricted Delivery

Special Handling

Total Number of Pieces Listed by Sender: *7*

Total Number of Pieces Received at Post Office: _____

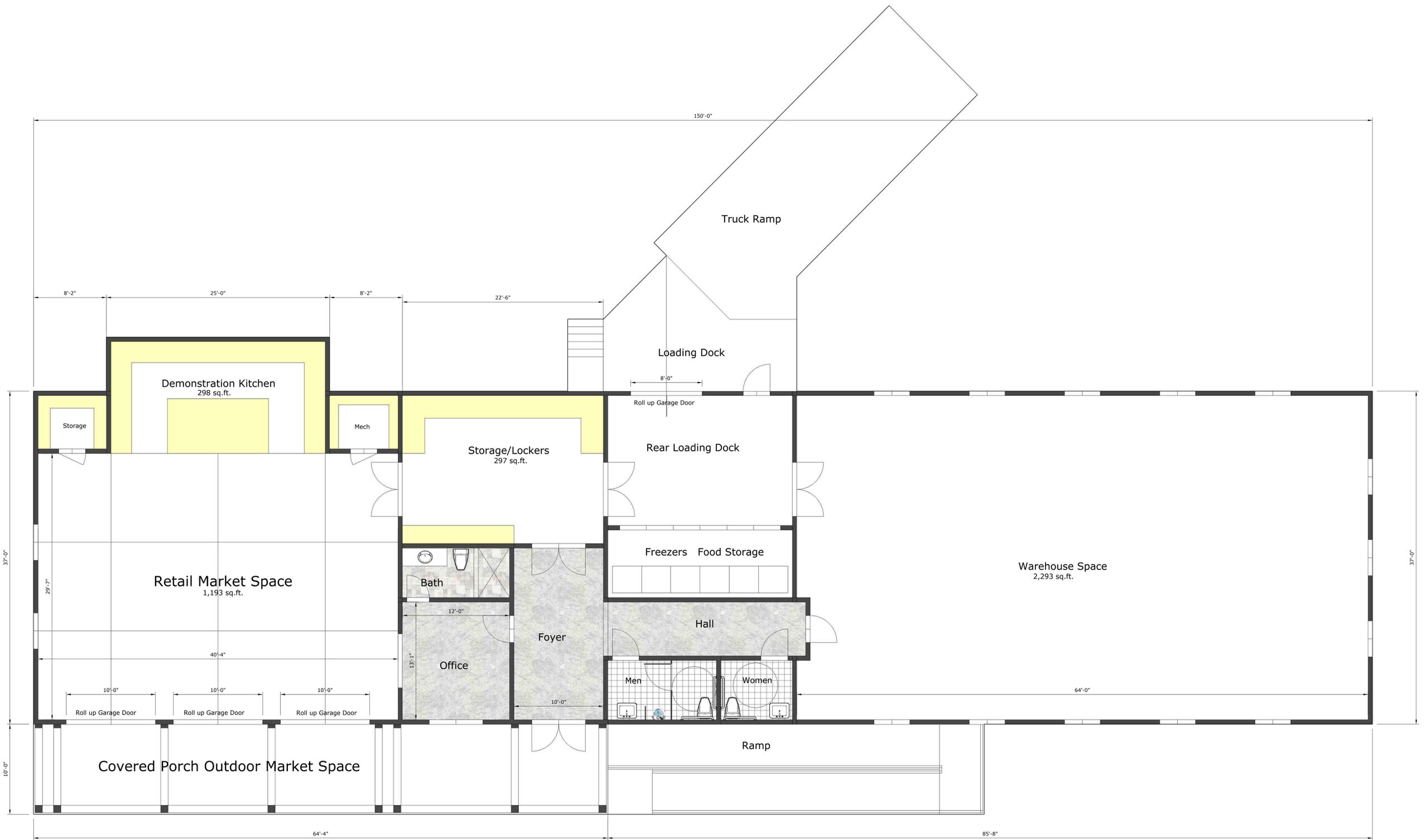
Postmaster: Per (Name of receiving employee)



PHASE I
CONCEPTUAL
SITE PLAN



SCALE: 1" = 30'
DATE: 2-28-2020





Peachtree Farm site

From: Lucie Cartaya <lcartaya@veexinc.com>

Sent: Thursday, July 9, 2020 2:35 PM

To: Kymberly Chereck <kchereck@peachtreecornersga.gov>; dwheeler@peachtreecornersga.gov

Cc: Paul Chang <kchang@veexinc.com>

Subject: Vote against special use permit - Unable to attend 7/21 Plannint Commission Meeting

To Whom It May Concern;

Please note that the **owner of the property below is against granting a special use permit to accommodate an assisted living facility** as noted on the attached notice.

We feel that the Technology Park - Atlanta neighborhood/community should remain focused on providing resources to the technology industry and as such maintain or improve property values.

Please let me know how to proceed to register our vote since we cannot be there in person.

Warm Regards,

Lucie Cartaya - Office Manager - Atlanta - VeEX inc

46 Technology Pkwy S, Ste 200, Peachtree Corners GA 30092

M 404 989 9245 O 510 897 8876

www.veexinc.com

PROPERTY LOCATION MAP

Peachtree Farm



CASE NUMBER:	SUP2020-001		
HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	Jul. 21, 2020	Jul. 28, 2020	Aug. 25, 2020
PROPERTY ADDRESS:	Unaddressed adjacent to 350 Research Court		