



PLANNING COMMISSION AGENDA

September 15, 2020
7:00 PM
CITY HALL

A. Roll Call

B. Approval of July 21, 2020 Minutes

C. Old Business: None.

D. New Business:

1. **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.
2. **SUP2020-002 & V2020-006 Atlanta Auto Sales.** Request to approve a special use permit and associated variance to permit used car sales at 4279 Buford Hwy., Dist. 6, Land Lot 259, Peachtree Corners, GA.
3. **RZ2020-003 & PH2020-006 Governors Lake Master Plan.** Request to rezone 75.61 acres from C-3, M-1 and R-75 to MUD and to amend the Comprehensive Plan Character Area Map to change a portion of the subject property from Industrial Corridor to Employment Corridor to allow for a new mixed-use commercial and residential development along Governors Lake Parkway south of Peachtree Industrial Boulevard and west of Jones Mill Road, Dist. 6, Land Lots 251 and 276, Peachtree Corners, GA.

E. City Business Items: None.

F. Comments by Staff and Planning Commissioners.

G. Adjournment.



CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
JULY 21, 2020
7:00 PM

The City of Peachtree Corners held a Planning Commission meeting on July 21, 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 - *absent*

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

MINUTES:

**MOTION TO APPROVE MINUTES FROM THE FEBRUARY 18, 2020
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

CITY BUSINESS ITEMS:

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.

Chairman Kaplan stated that the applicant requested to defer the application in order to have more time to address community concerns and staff recommendations.

MOTION TO DEFER RZ2020-002 & 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. UNTIL THE SEPTEMBER 15, 2020 PLANNING COMMISSION MEETING.

By: Alan Kaplan

Seconded: Mark Willis

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

Action: Approved

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.

Diana Wheeler, Community Development Director, informed the Commissioners that 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.

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. 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.

The property was rezoned to O-I 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.

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

The applicant’s representative, Melody Carr, explained that due to current economic climate financing is hard to obtain financing for senior oriented communities. She stated that the site plan will continue to be the same. The applicant, Warren Jolly, state that the age restriction is affecting lending and that they will continue to advertise as a senior living community but would need to build the first phase of the development without the restriction.

Chairman Kaplan opened the floor for public comment. There were four comments in opposition to the request questioning if the applicant did in fact have the financing stating and although the applicant has good intentions to promote to senior residents, if approved it would bring younger families.

MOTION TO DENY 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

By: Mark Willis

Seconded: Jim Blum

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

Action: Denied

CITY BUSINESS ITEMS:

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.

Jeff Conkle, Planning & Zoning Administrator, informed the Commissioners that 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-1 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-1 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. The proposal for an assisted living community is consistent with M-1 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.

The applicant, Mike Twiner, gave a brief description of the project and stated that he had no issues with staff recommendations.

Chairman Kaplan opened the floor for public comment. There was one comment in favor of the request.

After review the Commissioners moved forward with a recommendation of support for SUP2020-001 Peachtree Farm.

MOTION TO APPROVE 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. WITH STAFF RECOMMENDATIONS.

By: Shanga White

Seconded: Jim Blum

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

Action: Approved with staff recommendations.

COMMENTS BY STAFF AND PLANNING COMMISSION:

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

The Planning Commission meeting concluded at 8:17 PM.

Approved,

Attest:

Alan Kaplan
Chairman

Rocio Monterrosa
Deputy City Clerk

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

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

PLANNING COMMISSION DATE: SEPTEMBER 15, 2020

CITY COUNCIL DATE: OCTOBER 27, 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?

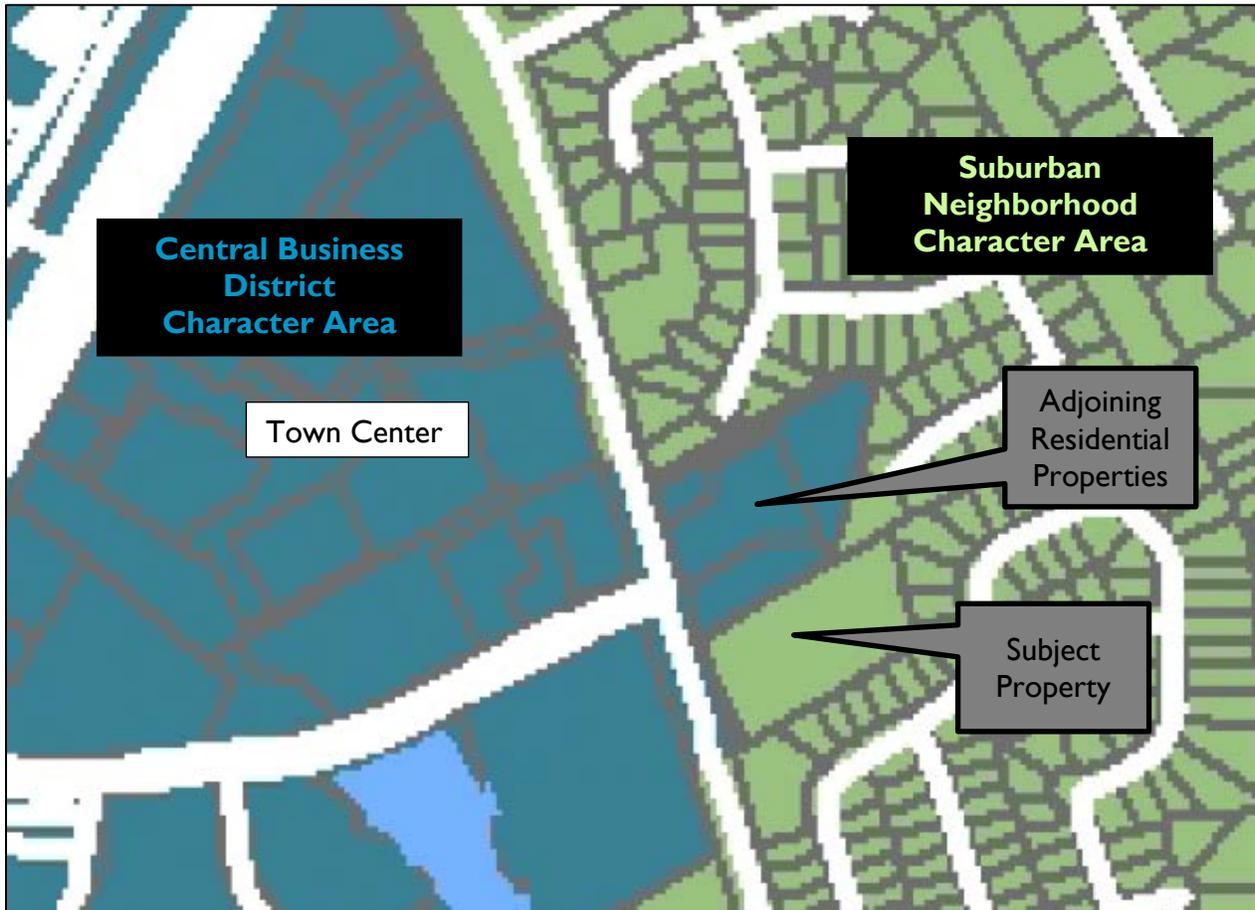
Applicant's Response: Yes. The proposed use is entirely appropriate in light of emerging needs for the citizens of Peachtree Corners and land uses in the surrounding area. The requested rezoning and associated variances are necessary to enable the Applicant to operate at this location.

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 preserve existing vegetation and be supplemented with evergreen plantings where sparse 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. A minimum of 60 parking spaces shall be provided internal to the development. Driveways must be at least 18 ft. in length to ensure that vehicles do not overhang sidewalks, streets, or alleys.
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)

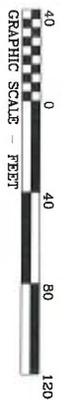
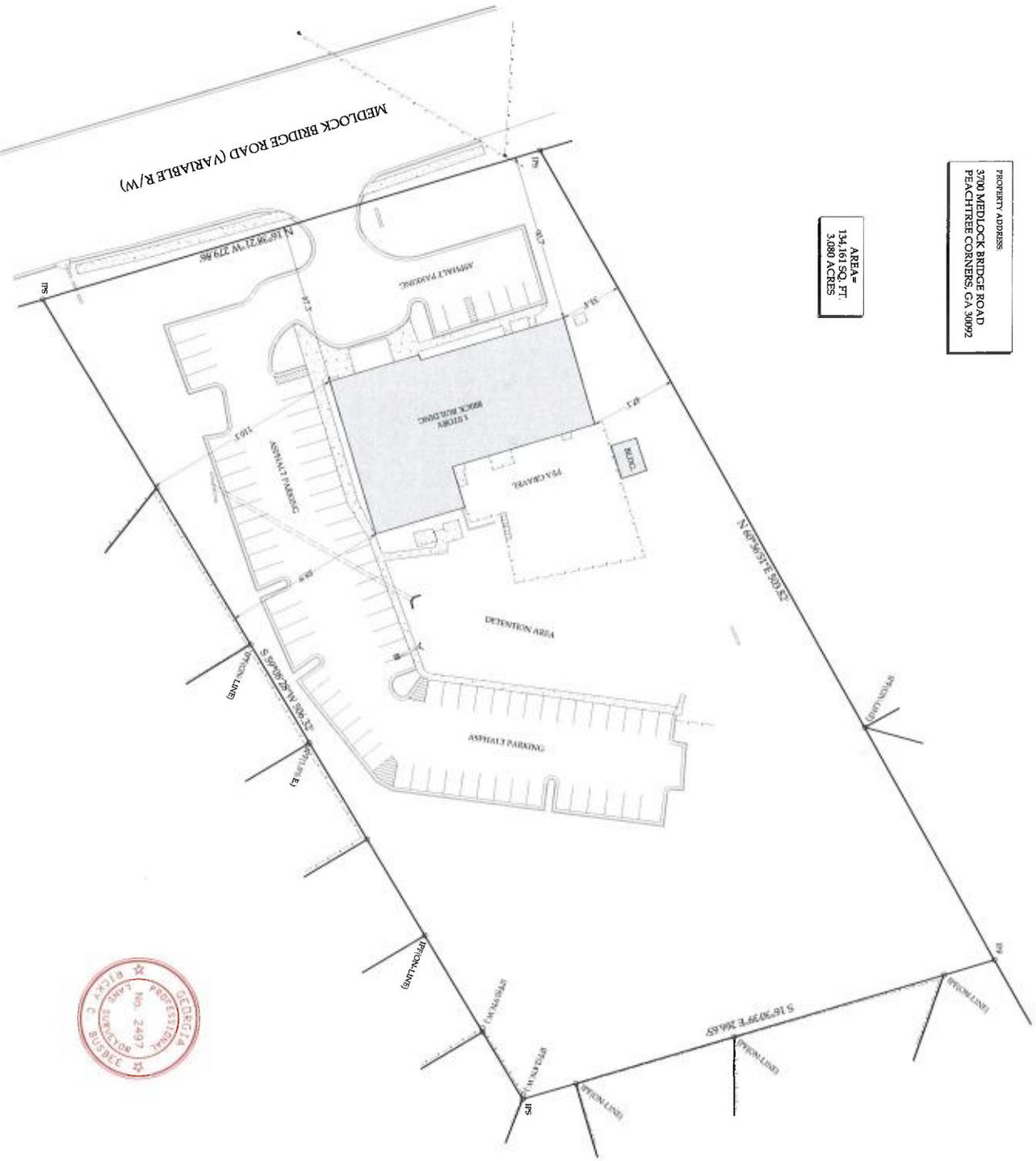
- 4. Chattahoochee Corridor Review (involving a public hearing) - \$150.
- 5. Buffer Reduction (Greater than 50%) Application Fee - \$500.
- 6. Zoning Certification Letter - \$100 (per non-contiguous parcel).
- 7. Comprehensive Plan Amendment - \$1,000

LEGEND

1	PROPERTY LINE
2	ADJACENT PROPERTY LINE
3	EXISTING CONCRETE DRIVE
4	EXISTING ASPHALT DRIVE
5	EXISTING ASPHALT DRIVE
6	EXISTING ASPHALT DRIVE
7	EXISTING ASPHALT DRIVE
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PROPERTY ADDRESS
 5700 MEDLOCK BRIDGE ROAD
 PEACHTREE CORNERS, GA 30092

AREA =
 134,161 SQ. FT.
 3.080 ACRES



DATE: _____
 REVISION NOTES: _____

BUSBEE & POSS
 LAND SURVEYING COMPANY
 3408 HOWELL STREET, SUITE A
 DULUTH, GEORGIA 30096
 770.497.9866
 FAX: 770.497.9881
 www.busbeelandposs.com

SURVEY FOR:
PEACHTREE CORNERS CHURCH OF CHRIST
 DEED BOOK 731, PAGE 155
 LAND LOTS 308 & 301, 4th DISTRICT
 CITY OF PEACHTREE CORNERS, WINNETT COUNTY, GEORGIA
 SCALE: 1"=40' DATE: JUNE 3rd, 2019

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13067C0067 C, DATED MARCH 4th 2013, ZONE "X".

RICKY C. BUSBEE - PLS 2497 - LST 2056 - MICHAEL W. POSE, JR. - PLS 2287
 THIS SURVEY WAS PREPARED IN CONJUNCTION WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYING IN GEORGIA AS SET FORTH IN CHAPTER 100-7 OF THE BOARD RULES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PRACTICE ACT (OCGA 13-6-14).
 THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.
 THIS TRAVERSE HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET EQUIPMENT USED: TOPCON GTS-209
 FIELD WORK - RB/DG-5/13/19 DRAWN BY MP J.N. BF13465

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.

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 below.

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

Signature of Notary Public Date Notary Seal



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

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

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

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

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

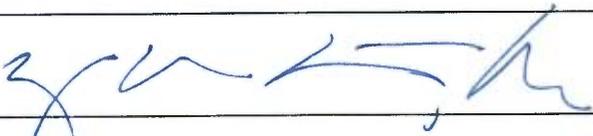
Date range of required meeting June 1st-June 30th

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

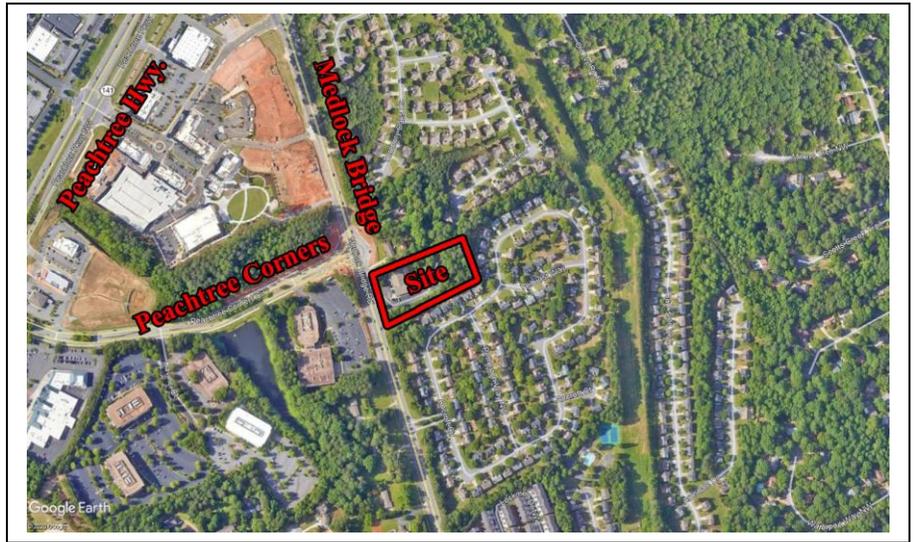
Tombury Oaks

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

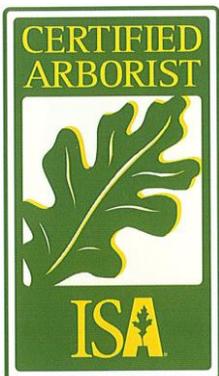
All of the following information is based upon visual field observations and 30 years of practical horticultural experience. No scientific or lab tests have been performed. I certify that all information in this report is true and inclusive to the best of my knowledge and is prepared in good faith.

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.**

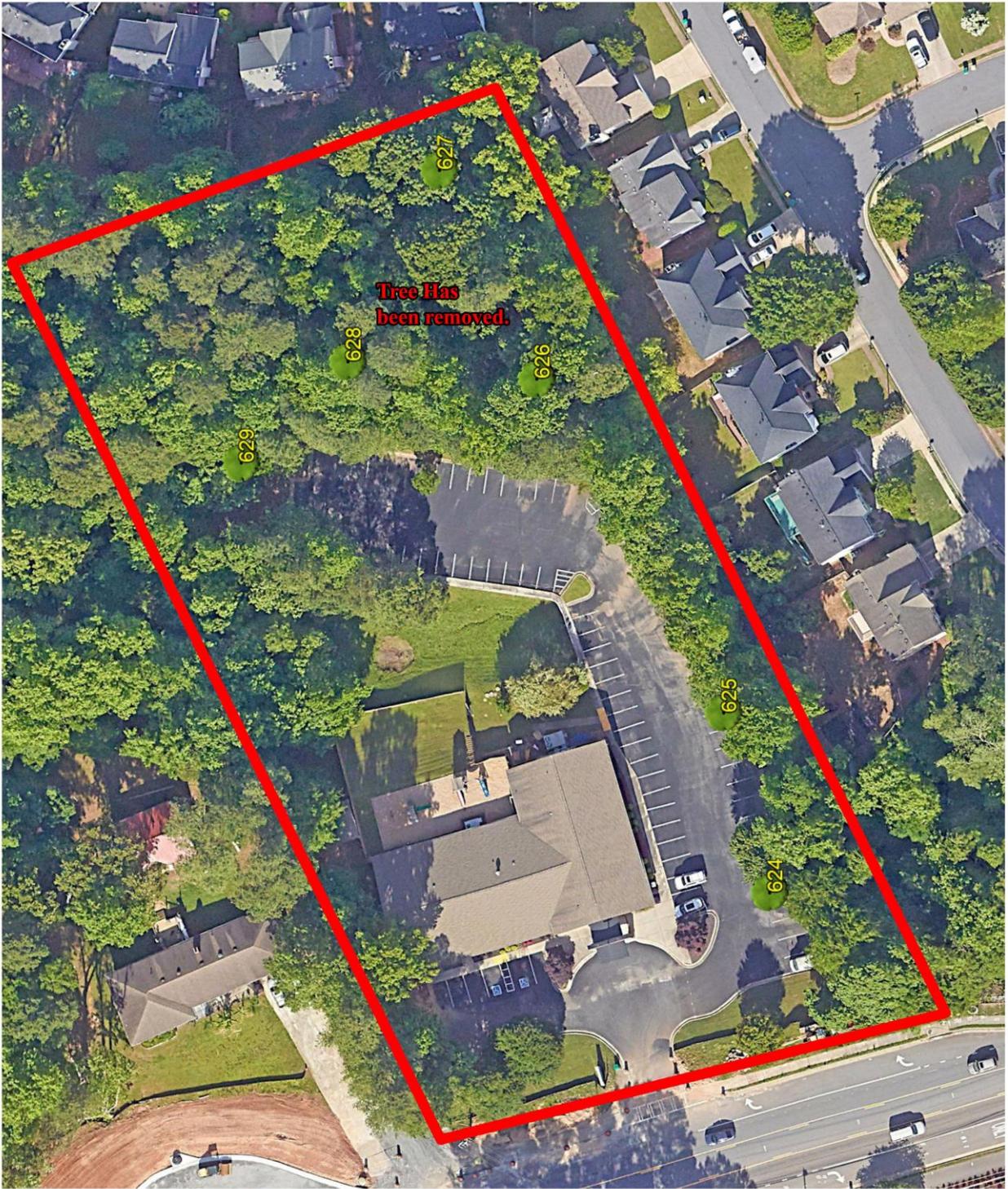
Large hardwood: 28-inch diameter or larger

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	



Cavity with decay

Photo 1



Photo 2



Photo 3

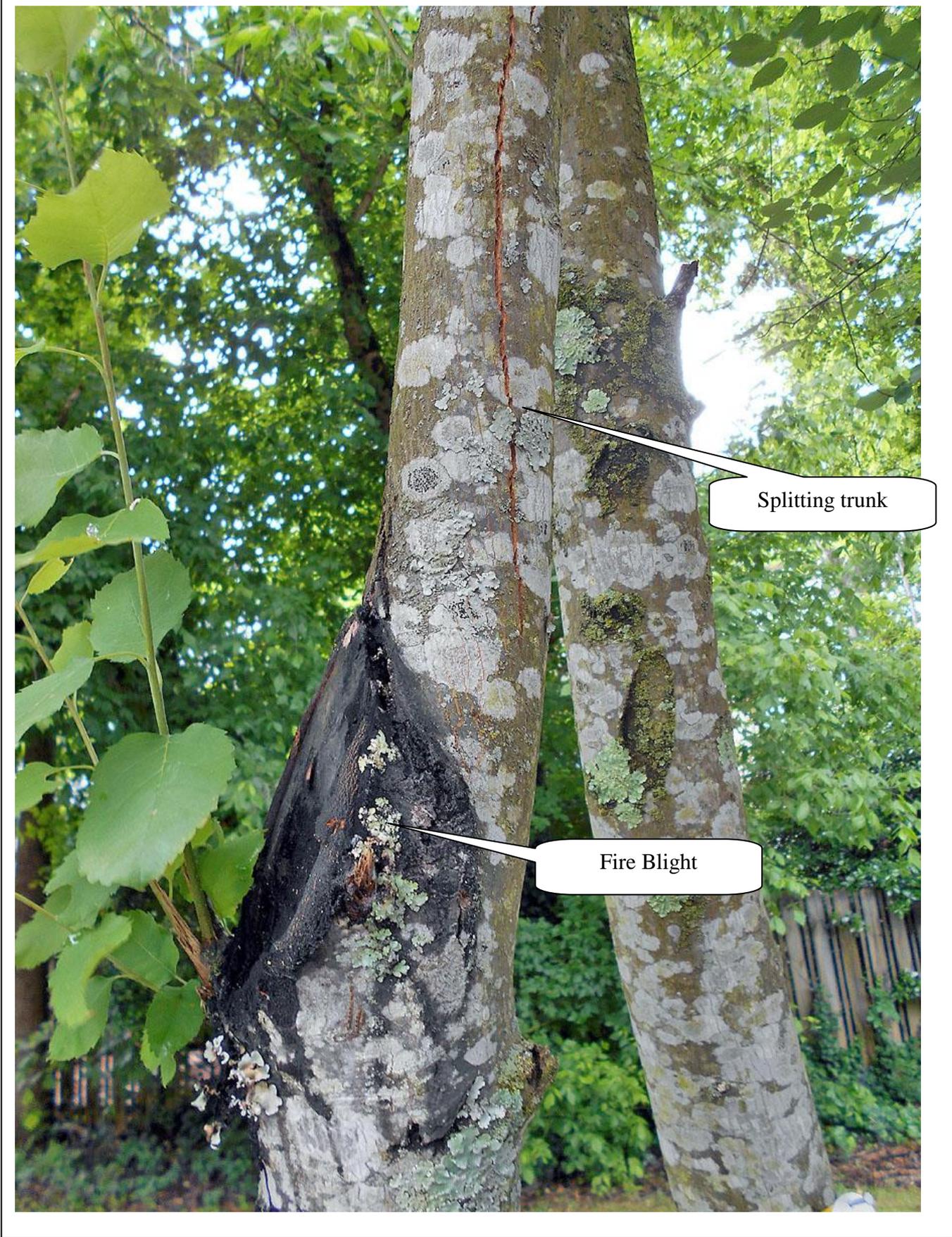


Photo 4

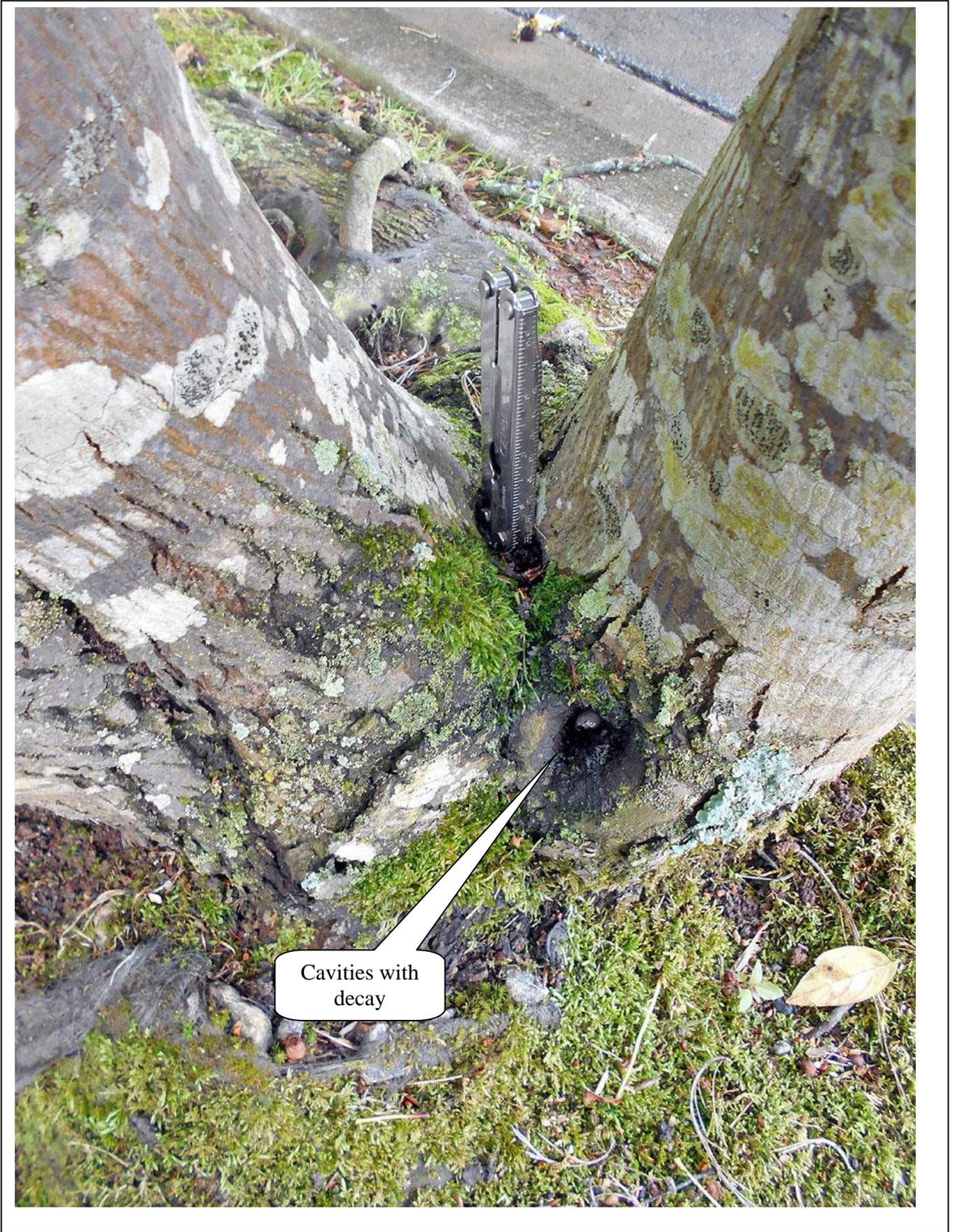


Photo 5



Photo 6



Photo 7

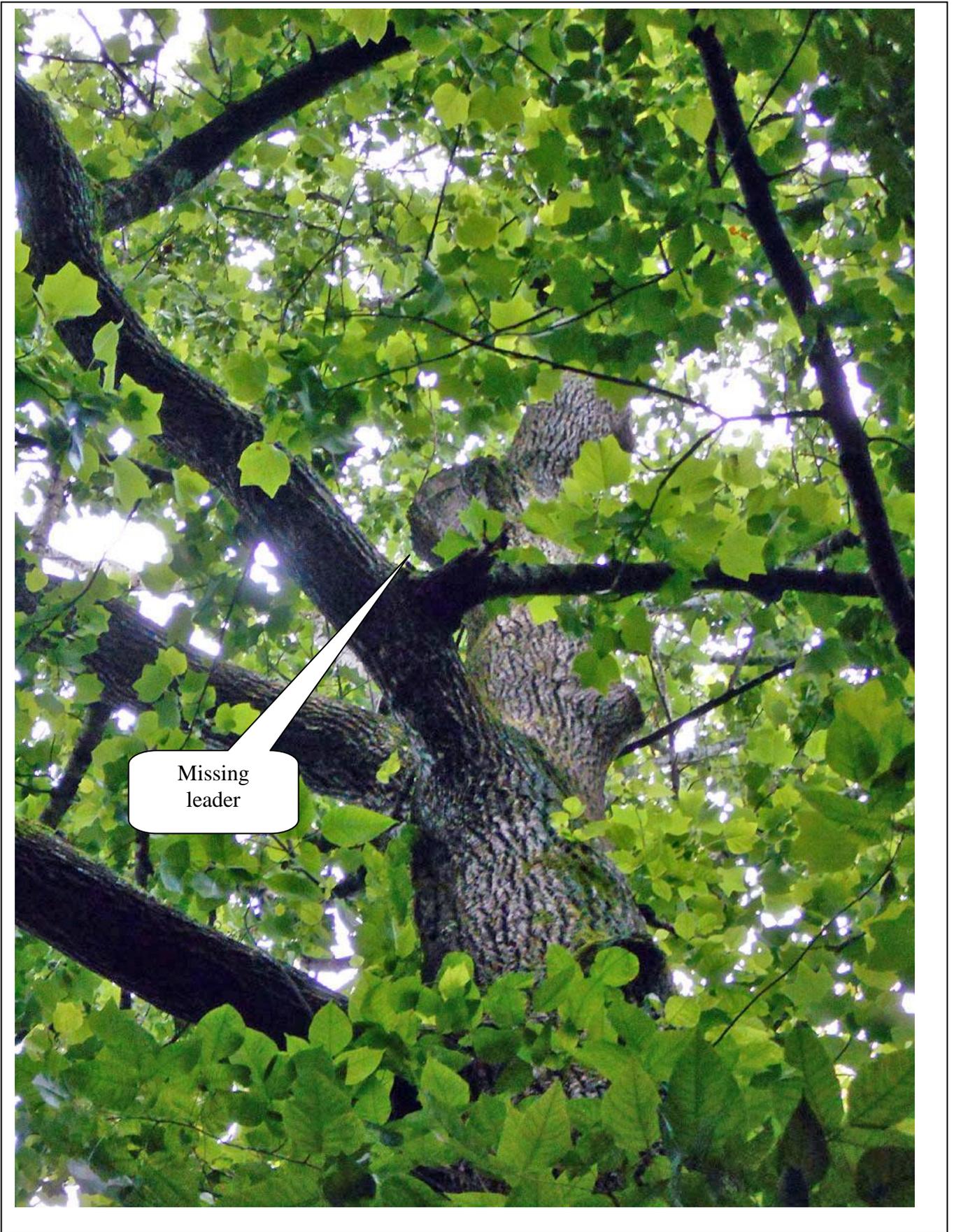


Photo 8



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.

Powered By
TOPS [ONE]

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>

Fri, Jul 3, 2020 at 12:03 PM

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

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

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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>

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.

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



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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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

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

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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>

Wed, Jul 8, 2020 at 12:42 PM

To: administrator@belhavenhoa.com

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.

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



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 Najar <ibnajar@yahoo.com>

Sun, Jul 12, 2020 at 9:40 AM

To: administrator@belhavenhoa.com

We are against the rezoning.

Bassam and Sarah Najar

3680 Ancroft Cir.

Regards,

Begin forwarded message:

From: Belhaven HOA <administrator@belhavenhoa.com>**Date:** July 12, 2020 at 7:46:21 AM EDT**To:** ibnajar@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.

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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 <jenbellott@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>

Sun, Jul 12, 2020 at 8:06 AM

To: administrator@belhavenhoa.com

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.

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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..

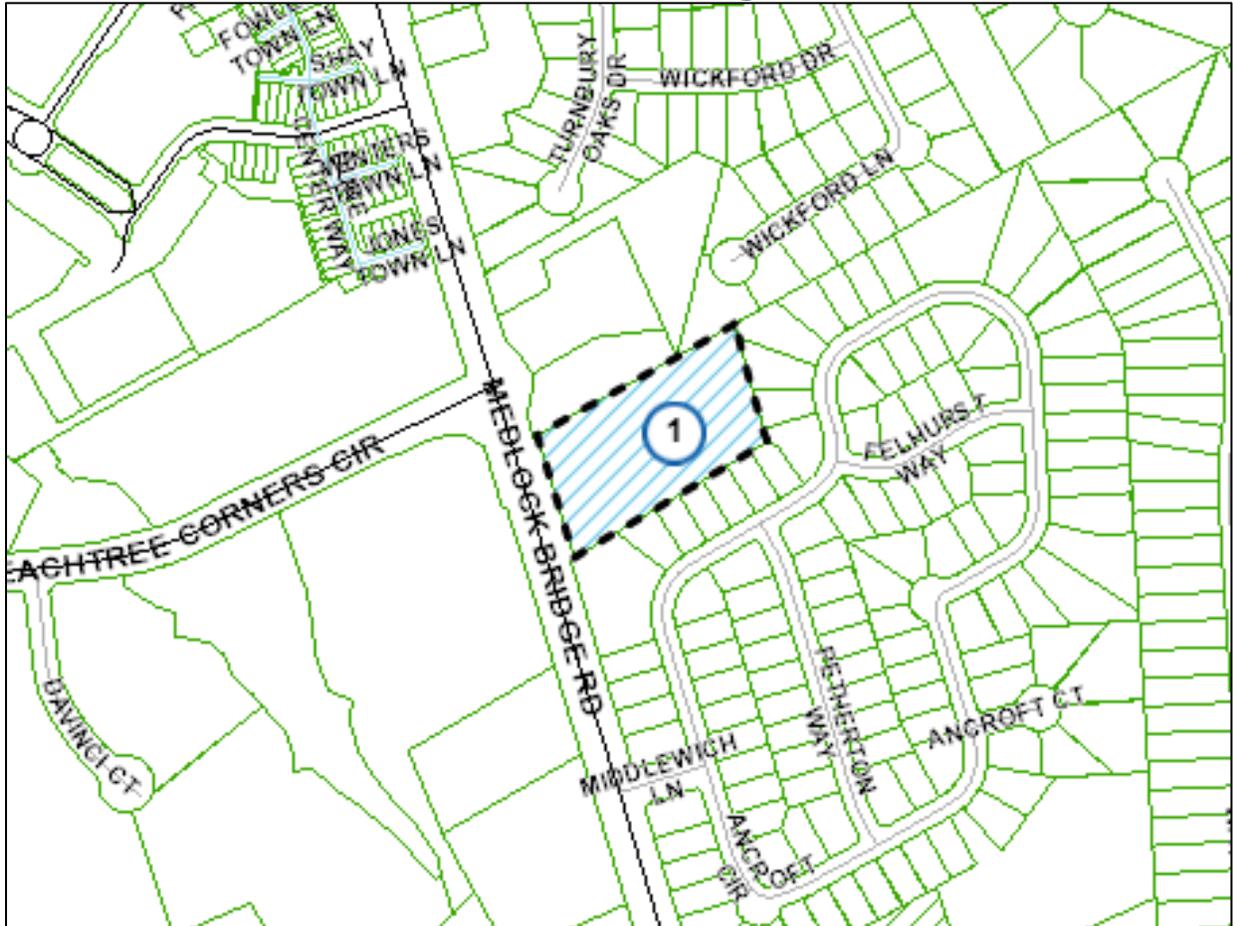
Best regards,
Wei and Lucy Hu
3710 Ancroft Circle.



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

SUP2020-002 / V2020-006
Atlanta Auto Sales

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

SPECIAL USE PERMIT ANALYSIS

PLANNING COMMISSION DATE: SEPTEMBER 15, 2020

CITY COUNCIL DATE: OCTOBER 27, 2020

CASE NAME: **ATLANTA AUTO SALES**

CASE NUMBER: **SUP2020-002/V2020-006**

CURRENT ZONING: C-2

LOCATION: 4279 BUFORD HIGHWAY

MAP NUMBERS: 6th DISTRICT, LAND LOT 259

ACREAGE: 0.85 ACRES

PROPOSED DEVELOPMENT: APPROVE SPECIAL USE PERMIT AND ASSOCIATED VARIANCE
TO ALLOW USED AUTO SALES AT AN EXISTING COMMERCIAL
SITE

FUTURE DEVELOPMENT MAP: INDUSTRIAL CORRIDOR

APPLICANT: ZACHARY HOLMES
840 PLEASURE IVES CT
AUBURN GA 30011

CONTACT: ZACHARY HOLMES
770-325-6028

OWNER: LEE JONES
7070 BUFORD HWY
DORAVILLE GA 30340

RECOMMENDATION: DENY

SUMMARY:

The applicant is seeking approval of a special use permit to allow for used auto sales at an existing building and property along Buford Highway just northeast of the intersection with South Old Peachtree Road. The property adjoins other C-2 zoning across Buford Highway in unincorporated Gwinnett County. It also adjoins C-2 zoning in Peachtree Corners to the southwest but is otherwise surrounded by M-2 zoning.

The existing C-2 zoning permits used auto sales on at least 1.5 acres with an approved special use permit. The property is 0.85 acres in size, thus necessitating the variance request that is part of this application.

ZONING HISTORY:

The property has always been used for automobile-related uses. In 1999, Gwinnett County approved a rezoning and special use permit for auto repair. Prior to that, the county denied a request to operate a towing and wrecker facility on the property in 1991. There are no minimum lot sizes for these approved uses.

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, across the street is another open car lot.

Staff's Comment: Given the existing auto-related uses nearby, the use is in character with the surrounding area, however, the site does not meet the minimum lot size for this type of 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: No, they are selling a different low end product. We are selling a higher end vehicle and offering service.

Staff's Comment: The proposal is similar to others approved uses nearby and is generally consistent with the uses in the area.

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: Yes it will be an increase of economic status for Peachtree Corners, the more we sell and service, the more tax we pay Peachtree Corners.

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: No, my location has a decel lane.

Staff's Comment: Given that the building and site are already existing and there is sufficient parking, impacts on infrastructure should remain unchanged. There will be no 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: No, we are doing the same of what's existing, in zoning but adding dealer location.

Staff's Comment: (see Comprehensive Plan heading, 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, right now we are zoned for auto broker which limits myself selling cars and barely growing. If I have a special use permit and open lot, I will sell more automobiles which will generate more tax for Peachtree Corners which will beautify the community more. Also my property will be a beautiful car lot and nice high end vehicles.

Staff's Comment: The city permits used auto sales in this district with an approved special use permit on sites with at least 1.5 acres. While this area is already home to numerous auto-oriented businesses, the property does not meet the minimum size and the applicant has not demonstrated a hardship to justify a variance.

COMPREHENSIVE PLAN:

The 2040 City of Peachtree Corners Character Area Map indicates that the property is located within the Industrial Corridor Character Area. Policies for this area encourage industrial and commercial uses appropriate to the Buford Highway transportation corridor which provides good automobile access to adjacent properties.

DEPARTMENT ANALYSIS:

The proposal for used auto sales is consistent with C-2 zoning and the Character Area along Buford Highway. However, this use is required to be on a site of at least 1.5 acres in size. The applicant's property is 0.85 acres.

The applicant describes their hardship as being unable to expand the property to meet the minimum size. However, the property was this size and configuration prior to the applicant being involved. Variances are based on hardship which are identified in the zoning code as follows:

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

Based on Staff's analysis, none of the hardship criteria has been met.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that SUP2020-002/V2020-006 be denied.

If the Planning Commission is inclined to approve the application, staff recommends the following conditions:

1. The special use permit approval shall be limited to the 0.85 acres located at 4279 Buford Hwy.
2. All vehicle maintenance and repair work shall be conducted indoors.
3. All vehicle parking areas shall be paved, and vehicles shall be parked in designated paved parking spaces with adjacent drive aisles which meet the requirements of the Zoning Ordinance.
4. Vehicles shall not be parked in landscape areas and shall not be stacked or stored in such a way that vehicles are not readily moveable or accessible.
5. No inoperable vehicles shall be stored on the property.
6. Existing landscaping along the street frontages shall be maintained and enhanced with evergreen hedge plants which shall be 3 ft. tall at installation and spaced 5 ft. apart.
7. The dumpster shall be placed in an enclosure made primarily of brick and approved by Staff.
8. The property shall be maintained in a clean and sanitary manner.
9. Conditions 6 and 7 shall be met prior to the issuance of a business license.
10. Monument signs shall be no greater than 10 ft. in height.
11. No billboards shall be permitted on the property.



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 type="checkbox"/>	<input checked="" type="checkbox"/>
Site Plan	• 1 full size Copy • 1- 8-1/2" x 11" or 11" x 17" reduction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Letter of Intent	• 1 copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Applicant Certification with Notarized Signature	• 1 copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Property Owner Certification with Notarized Signature	• 1 copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Standards Governing Exercise of the Zoning Power	• 1 copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	• 1 copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Verification of Paid Property Taxes (most recent year)	• One (1) Copy (per tax parcel)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Electronic copy of complete package	• One (1) copy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Application Fee	• Make checks payable to the City of Peachtree Corners	<input type="checkbox"/>	<input checked="" 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>Zachary Holmes / Atlanta Auto Sales</u>	NAME: <u>Lee Jones</u>
ADDRESS: <u>840 Pleasure Ines Ct</u>	ADDRESS: <u>7070 Buford Hwy</u>
CITY: <u>Auburn</u>	CITY: <u>Doraville</u>
STATE: <u>GA</u> ZIP: <u>30011</u>	STATE: <u>GA</u> ZIP: <u>30340</u>
PHONE: <u>770-375-6028</u>	PHONE: <u>404-797-7768</u>
E-MAIL: <u>zholmes31@yahoo.com</u>	E-MAIL: <u>burtbrotimealig@bellsouth.net</u>
APPLICANT CONTACT, IF DIFFERENT THAN ABOVE	
CONTACT PERSON: <u>Zachary Holmes</u> PHONE: <u>770-375-6028</u>	
CONTACT'S E-MAIL: <u>zholmes31@yahoo.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): 6th REQUESTED ZONING DISTRICT: _____

LAND DISTRICT(S): 6th LAND LOT(S): 259 ACREAGE: ~~0.002~~ 0.882

ADDRESS OF PROPERTY: 4279 Buford Hwy Peachtree Corners, Ga 30071

PROPOSED DEVELOPMENT: Open car lot

Staff Use Only This Section

Case Number: SUP 2020-002 Hearing Date: P/C _____ C/C _____ Received Date: 7/9/20

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description:

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.

Zach Holmes
Signature of Applicant _____ Date _____

Zachary Holmes Owner
Type or Print Name and Title _____

Stephanie Hawkins 5-1-20
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.

Lee Jones
Signature of Property Owner _____ Date _____

Lee Jones Property owner
Type or Print Name and Title _____

Stephanie Hawkins 5-1-20
Signature of Notary Public _____ Date _____



Visitors can check wait times in advance [here](#).



Chat



BILL DETAIL

[View/Pay Your Taxes](#) / [Account Detail](#) / [Bill Detail](#)

Tax Account

Mailing Address:
JONES & SONS LLC
1900 CALVIN DR
DULUTH , GA 30097-5113

SITUS:
4279 BUFORD HWY

Tax District:
PEACHTREE CORNERS

Parcel ID	Property Type	Last Update
R6259 060	Real Property	7/8/2020 7:59:14 AM

Legal Description

BUFORD HWY

Tax Values

Description	Market Value	Assessed Value
Land	\$296,200.00	\$118,480.00

Description	Market Value	Assessed Value
Improvement	\$446,300.00	\$178,520.00
Total	\$742,500.00	\$297,000.00
Class Codes	332-Auto Service Garage	

Chat

Assessments

Operation	Net Tax	Savings
<u>School Taxes</u>	\$5,850.90	\$0.00
<u>STATE OF GEORGIA TAXES</u>	\$0.00	\$0.00
<u>City of Peachtree Corners</u>	\$0.00	\$0.00
<u>County Incorporated with Police</u>	\$3,848.82	\$0.00
Sub Total	\$9,699.72	\$0.00
Bond	Net Tax	Savings
<u>School Taxes</u>	\$564.30	\$0.00
<u>County Incorporated with Police</u>	\$0.00	\$0.00
Sub Total	\$564.30	\$0.00
Special Assessment	Net Tax	Savings
<u>PEACHTREE CORNERS STORMWATER FEES</u>	\$538.74	\$0.00
Sub Total	\$538.74	\$0.00
Total Tax	\$10,802.76	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	23797223	10/15/2019	2019	\$0.00	\$0.00	\$0.00	\$0.00
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2019	23797223	B19.32782	\$10,802.76	9/4/2019

Chat

Select Language ▼

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? ~~no~~ **yes across the street is another open car lot**
- 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, they are selling a different low end product, we are selling higher end vehicles and offering service.**
- 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~~ **yes it will be a increase of economic status for the Peachtree corner area, more we sale and service more tax we pay Peachtree corner.**
- 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, my location have a D-cell lane existing which give or weaken in street traffic**
- 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~~ **no we doing the same of whats existing in zoning but adding open dealer location.**
- 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, right now we are zone for Auto broker which limit my self, selling cars, and barely growing, If I have special use permit and Open Lot was Approve, I will sale more automobiles, which will generate more tax for the community of Peachtree corner, which will beautify the community more. Also my property will be a beautiful carlot and nice high End vehicles,**
thanks Zeck Hol

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units 1

Dwelling Unit Size (Sq. Ft.): 7500

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: 1

Total Bldg. Sq. Ft.: 7500

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

**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)

Zachary Holmes

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.

Zachary Holmes _____ *Zachary Holmes Owner.*
Signature of Applicant Date Type or Print Name and Title

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

Stephanie M Hawkins *5-1-20* _____
Signature of Notary Date Notary Public





June 30, 2020

Peachtree Corners Planning and Zoning
310 Technology Parkway
Peachtree Corners, GA 30092

Re: Letter of Intent
4279 Buford Highway SUP
DCD Project UFH003

To Whom It May Concern:

Please accept this as our Letter of Intent for the Special Use Permit (SUP) Variance for the property at 4279 Buford Highway. The intended use of the property is for automotive sales and service.

1. *Any extraordinary and exceptional conditions pertaining to the subject because of its size, shape or topography.*
The current zoning code (Sec. 1308.E.4) allows for automotive sales and service in C2 zoning if the property has a minimum lot size of 1.5 acres. The property is 0.88 acres and the existing development was designed and used for automotive service. No changes to the property size or usage is proposed or reasonably available.
2. *How the application of the Zoning Code standards would create an unnecessary hardship.*
The property is 0.88 acres and cannot be reasonably enlarged to the 1.5-acre minimum requirement.
3. *How such conditions are unique to the property involved.*
The property is 0.88 acres and cannot be reasonably enlarged.
4. *How such conditions are not the result of any actions of the property owner.*
The owner did not create the parcel smaller than the code requirement nor can he reasonably adjust the property size to meet the code requirement.
5. *Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code?*
Granting this variance will have no significant adverse effect on the surrounding parcels, traffic flow or zoning code.

Regards,

A handwritten signature in black ink, appearing to read 'Richard Breedlove'. The signature is stylized and somewhat cursive.

Richard Breedlove, PE MASCE
Principal
Dovetail Civil Design, Inc.



CITY OF
**Peachtree
CORNERS**
Innovative & Remarkable

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

Case Number: V2020-006 Received Date: 7/9/20 Hearing Date: _____

**Variance Application from the Zoning Resolution
(Zoning Board of Appeals)**

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

Applicant Information	Property Owner Information
Name <u>Atlanta Auto Sales and Service</u>	Name <u>Lee Jones</u>
Address (all correspondence will be mailed to this address): <u>4279 Buford Hwy</u>	Address <u>1900 Calvin Drive</u>
City <u>Peachtree Corners</u>	City <u>Duluth, Ga 30097</u>
State <u>Ga</u> Zip <u>30092</u>	State <u>Ga</u> Zip <u>30097</u>
Phone <u>770-375-6028</u>	Phone <u>404-797-7768</u>
Contact Person Name: <u>Zachary Holmer</u> Phone: <u>770-375-6028</u>	
Email Address: <u>zholmes31@yahoo.com</u>	
Applicant is the (please check or circle one of the following): <input checked="" type="radio"/> Property Owner <input type="radio"/> Owner's Agent <input type="radio"/> Contract Purchaser	

Address of Property 4279 Buford Hwy
 Subdivision or Project Name Atlanta Auto Sales Lot & Block _____
 District, Land Lot, & Parcel (MRN) 259 Land Lot District 5 R 6259.060
 Proposed Development _____
 Permit Number (if construction has begun) _____
 Variance Requested 7/9/2020

A complete application includes the following:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Application Form (1 original and 1 electronic copy) | <input checked="" type="checkbox"/> Application Fee |
| <input type="checkbox"/> Site Plan and/or Boundary Survey (1 original, 1 8 1/2"x11" or 11"x17" reduction and 1 electronic copy.) | <input type="checkbox"/> Adjacent owner(s) written support (1 original and 1 electronic copy) |
| <input checked="" type="checkbox"/> Letter of Intent (1 original and 1 electronic copy) | <input type="checkbox"/> Additional Documentation as needed |
| <input type="checkbox"/> Signed & notarized Certification page | |



CITY OF
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Tel: 678.691.1200 | www.peachtreecornersga.gov

Applicant Certification

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608).

Notary Seal 

Signature of Applicant Zach Holms Date 7/9/2020
 Typed or Printed Name & Title Zachary Holms Owner
 Signature of Notary Public [Signature] Date July 9, 20

Property Owner Certification

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608). I, as the property owner, authorize the above noted applicant to represent me with regards to this application.

Notary Seal 

Signature of Property Owner [Signature] Date 7/9/2020
 Typed or Printed Name & Title Lee June E
 Signature of Notary Public [Signature] Date July 9, 20

Community Development Use Below Only

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Variance Description: _____

UPR003
 SUP EXHIBIT
 5/29/20



DOVETAIL
 CONSULTING ENGINEERS
 3631 Mares Hill Road
 Suite 1800
 Walnut Creek, CA 94597
 Office: (925) 726-3300
 Fax: (925) 934-8174
 www.dovetail.com

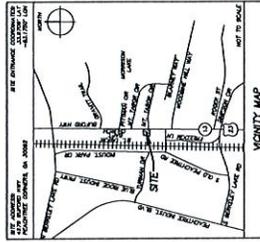
NO.	DATE	DESCRIPTION
1	5/29/20	SPECIAL USE PERMIT EXHIBIT

4279 Buford Highway
 SPECIAL USE PERMIT
 DEVELOPER INFORMATION
 4279 BUFORD HIGHWAY
 ALAN H. AUTO SALES AND SERVICE
 CONTACT PERSON: ZAGARY HOUDES, (770) 375-0028
 24-HR CONTACT: ZAGARY HOUDES, (770) 375-0028

PROJECT NUMBER	200003
SHEET NUMBER	1
DATE	5/29/20
DESIGNED BY	DOVETAIL
CHECKED BY	DOVETAIL

SUP EXHIBIT

C1

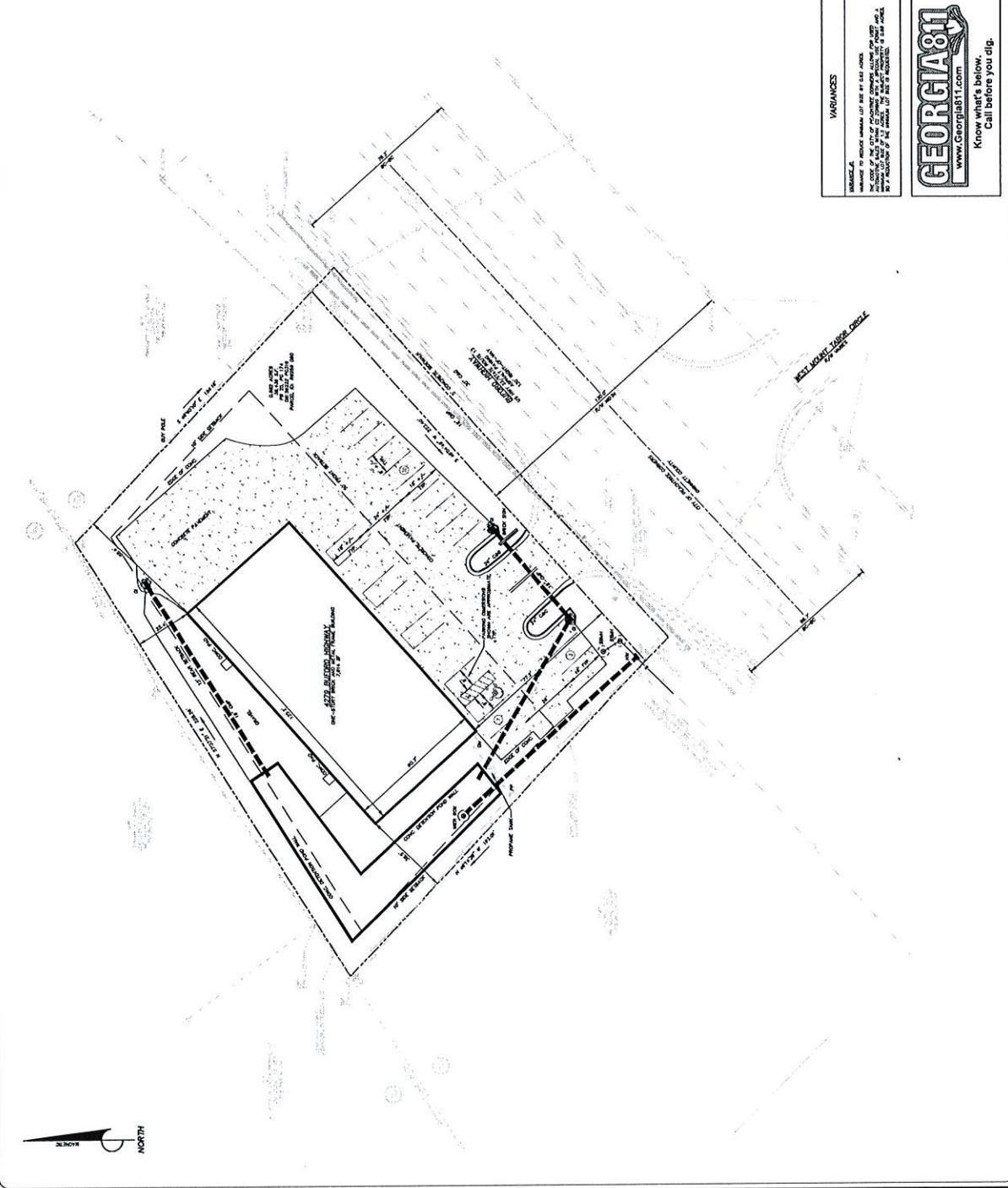


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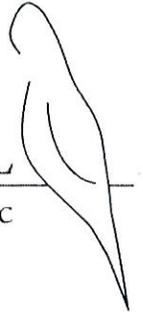
PROJECT NOTES
 1. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE CITY OF PEACHTREE CORNERS.
 2. THE SITE IS LOCATED IN ZONING DISTRICT S-1.
 3. THE PROPOSED USE IS CONSISTENT WITH THE ZONING DISTRICT S-1.
 4. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS GENERAL ORDINANCE 10-1.
 5. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.
 6. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.
 7. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.
 8. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.
 9. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.
 10. THE PROPOSED USE IS CONSISTENT WITH THE CITY OF PEACHTREE CORNERS SUBDIVISION MAP ACT.

CITY OF PEACHTREE CORNERS INSPECTIONS
 THE CITY OF PEACHTREE CORNERS INSPECTIONS AT 4279 BUFORD HIGHWAY ARE BEING PERFORMED BY THE CITY OF PEACHTREE CORNERS INSPECTION DEPARTMENT. THE INSPECTIONS WILL BE PERFORMED AT THE FOLLOWING DATES AND TIMES:
 1. INSPECTION DATE: 5/29/20
 2. INSPECTION TIME: 8:00 AM - 4:00 PM
 3. INSPECTION LOCATION: 4279 BUFORD HIGHWAY, PEACHTREE CORNERS, GA 30092

UTILITY CONSTRUCTION NOTE
 THE UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE UTILITIES SHOWN ON THIS PLAN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE LOCATION OR DEPTH OF THE UTILITIES. THE UTILITIES SHOWN ON THIS PLAN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE LOCATION OR DEPTH OF THE UTILITIES.



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June 30, 2020

Peachtree Corners Planning and Zoning
310 Technology Parkway
Peachtree Corners, GA 30092

Re: Letter of Intent
4279 Buford Highway SUP
DCD Project UFH003

To Whom It May Concern:

Please accept this as our Letter of Intent for the Special Use Permit (SUP) Variance for the property at 4279 Buford Highway. The intended use of the property is for automotive sales and service.

1. *Any extraordinary and exceptional conditions pertaining to the subject because of its size, shape or topography.*
The current zoning code (Sec. 1308.E.4) allows for automotive sales and service in C2 zoning if the property has a minimum lot size of 1.5 acres. The property is 0.88 acres and the existing development was designed and used for automotive service. No changes to the property size or usage is proposed or reasonably available.
2. *How the application of the Zoning Code standards would create an unnecessary hardship.*
The property is 0.88 acres and cannot be reasonably enlarged to the 1.5-acre minimum requirement.
3. *How such conditions are unique to the property involved.*
The property is 0.88 acres and cannot be reasonably enlarged.
4. *How such conditions are not the result of any actions of the property owner.*
The owner did not create the parcel smaller than the code requirement nor can he reasonably adjust the property size to meet the code requirement.
5. *Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code?*
Granting this variance will have no significant adverse effect on the surrounding parcels, traffic flow or zoning code.

Regards,

A handwritten signature in black ink, appearing to read 'Richard Breedlove'.

Richard Breedlove, PE, MASCE
Principal
Dovetail Civil Design, Inc.



Atlanta Auto Sales

RZ2020-003 / PH2020-006
Governors Lake Master Plan

**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT DEPARTMENT**

REZONING ANALYSIS

PLANNING COMMISSION DATE: SEPTEMBER 15, 2020

CITY COUNCIL DATE: OCTOBER 27, 2020

CASE NAME: **GOVERNORS LAKE MASTER PLAN**

CASE NUMBER: **RZ2020-003 / PH2020-006**

CURRENT ZONING: R-75, C-3 & M-1

LOCATION: GENERALLY LOCATED ALONG GOVERNORS LAKE PARKWAY SOUTH OF PEACHTREE INDUSTRIAL BOULEVARD AND WEST OF JONES MILL ROAD

MAP NUMBERS: 6th DISTRICT, LAND LOTS 251 and 276

ACREAGE: 75.61 ACRES

PROPOSED DEVELOPMENT: REQUEST TO REZONE 75.61 ACRES TO THE M.U.D. (MIXED USE DEVELOPMENT) ZONING DISTRICT AND TO AMEND THE COMPREHENSIVE PLAN CHARACTER AREA MAP TO CHANGE A PORTION OF THE SUBJECT PROPERTY FROM INDUSTRIAL CORRIDOR TO EMPLOYMENT CORRIDOR TO ALLOW FOR A NEW MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT

CHARACTER AREA MAP: EMPLOYMENT CORRIDOR & INDUSTRIAL CORRIDOR

APPLICANT: LAWSON FANNEY
KIMLEY-HORN
11720 AMBER PARK DR STE 600
ALPHARETTA GA 30009

CONTACT: LAWSON FANNEY
678-333-3387

OWNER: MJE & WG 75 PARTNERSHIP
669 ATLANTA COUNTRY CLUB DRIVE
MARIETTA, GA 30067

RECOMMENDATION: APPROVED WITH CONDITIONS

SUMMARY:

The applicant is requesting the rezoning of 75.61 acres from R-75, C-3 and M-1 to MUD (Mixed Use Development) to adopt a master plan of the properties for future construction of a mixed-use development consisting of commercial and residential components on the majority of the undeveloped land within the Governors Lake business park.

The properties, which are mostly wooded and undeveloped, is generally 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 master plan submitted by the applicant indicates the total acreage will be broken into “pods” for development. Each pod contains a mix of uses, including recreational and entertainment facilities, offices, retail and restaurants, hotels, multi-family residential and single-family residential spread across the 75 acres. Access points to the development would be on existing streets such as Governors Lake Parkway, Governors Lake Drive, and Jones Mill Road.

Properties located immediately to the north, east and west of the subject property are zoned M-1, while the parcels to the south, across Jones Bridge Road, were recently rezoned to R-TH for a townhome development. The Governors Lake area is largely characterized by a mixture of office, hotel, and light industrial uses as well as a significant amount of undeveloped land.

The subject property is located within the Industrial Corridor and Employment Corridor Character Areas on the Peachtree Corners Character Areas Map. Both areas encourage “diverse employment- and revenue-generating businesses.” The Employment Corridor also envisions mixed uses. The Industrial Corridor encourages and heavy industrial uses because of the proximity to major transportation corridors and the rail line.

ZONING HISTORY:

Some of the parcels included in this larger area were the subject of numerous zoning requests prior to the incorporation of Peachtree Corners.

The portion along Jones Mill Road as it curves south then east towards Mechanicsville has a long history. First, in 1997, a request was made to rezone the property from M-1 to RM-13 for an apartment complex. This request was withdrawn during the public hearing process. Later, in 2000, another request was made to rezone the property to RM-13 for apartments; this request was denied. In 2003, a special use permit was granted to allow for a private school campus which was never constructed. The final zoning request was in 2006 for a rezoning to R-TH for a townhome community. This request was tabled indefinitely by Gwinnett County.

The portion at Peachtree Industrial Boulevard and Governors Lake Drive was the subject of a rezoning approval by the City in 2018 for an indoor recreational facility to accommodate a regional volleyball club. However, the project was never constructed.

Earlier this year, the Planning Commission evaluated a rezoning request for townhomes, but the item was ultimately withdrawn by the applicant. While reviewing the application, the City Council had expressed a desire to see an overall master plan for the entire site in order to understand how that proposed development would fit it with the remainder of the property. There was concern that the development of Governors Lake in a piecemeal fashion without a 'game plan' for the overall site would not produce the best results. So, the property owner withdrew that application and has now submitted a master plan for the entire Governors Lake area.

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 use will be suitable with adjacent and nearby property.

Staff Comments: The addition of a mixed-use development to the Governors Lake area is in alignment with the goals of the Comprehensive Plan which identifies the majority of the property as Employment Corridor. While the Industrial Corridor Character Area that covers a portion of the site does not anticipate mixed use development, the applicant is asking for a Comprehensive Plan Amendment to bring the entire development into the Employment Corridor.

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 zoning will not adversely affect the adjacent properties.

Staff Comment: Mixed used development is appropriate for this area which is largely undeveloped but located strategically at a highly visible gateway to the City and surrounded by arterial streets to serve the development.

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 rezoning will provide additional economic use than as currently zoned.

Staff Comment: The site has a reasonable economic use as currently zoned. A wide variety of office and light industrial uses are permitted in the existing M-I zoning. While this area has not seen a lot of development in the past, it remains a valuable and strategic property to grow the city's employment base.

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 not cause an excessive use on existing streets, transportation facilities, utilities, or schools.

Staff Comment: The details of the development, including points of access, traffic circulation, and number of residential units has not yet been determined. Staff has drafted conditions that can help alleviate any negative impact, including a requirement for a traffic study.

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 mixed use is in alignment with the employment corridor and the portion of the property inside the industrial corridor will be amended to the employment corridor.

Staff Comment: The proposed rezoning is in conflict with the Industrial Corridor Character Area; however, the applicant is seeking to amend 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: This rezoning will allow development of currently undeveloped property into a mixed-use development.

Staff Comment: The City's Comprehensive Plan generally encourages mixed use development in this area. Additionally, the strategic location of this property gives rise to the desire to create a signature project at the southern gateway to the City.

COMPREHENSIVE PLAN:

The Peachtree Corners Comprehensive Plan lists the subject property in the Industrial Corridor and Employment Corridor Character Areas.

The employment area provides a "location for diverse employment- and revenue-generating businesses, both professional and industrial, along attractive gateway thoroughfares" and specifically identifies Governors Lake Parkway as "one of the greatest potential development sites in the County...strategically marketing and developing this site is a significant opportunity for Peachtree Corners." It also envisions "mixed-use development where land use conflicts would be at a minimum."

The industrial area "protects the legacy and economic viability of industrial uses" near Buford Highway and is "well suited for heavy industrial uses like manufacturing" especially with the rail

line nearby. It also envisions “commercial/retail” uses but does not encourage mixed use development.

DEPARTMENT ANALYSIS:

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. The site is currently zoned almost entirely M-1 but includes small pieces of R-75 and C-3 and was the subject of several past zoning cases, including proposed apartment and townhome uses, none of which were approved. A private school campus and an indoor volleyball facility were both approved 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. The property across Jones Mill Road in the Mechanicsville area that was just rezoned to allow for a townhome development is identified as Village Residential in the Comprehensive Plan. The re-designation of the applicant’s Industrial Corridor portion to Employment Corridor would provide a smoother transition in land uses across Jones Mill Road from new residential, thus giving support to the request for a Comprehensive Plan amendment.

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 mixed-use development.

The site in question will be subject to environmental restrictions because of creeks that flow through the Governors Lake development. Evaluation of the buffers and adherence to such will come at the site plan phase of development.

The subject property is also located in an established office and light industrial area and would directly adjoin several warehouse uses. Some of the applicant’s properties have been the subject of numerous zoning requests over the past several decades. Each of the cases that involved solely residential uses were denied, withdrawn, or tabled indefinitely.

The new concept for mixed use development is more in character for the area. This plan would allow for a range of uses and the anticipated conflict between single-use residential property and single-use industrial property will be avoided by the mixture of uses proposed and thoughtfully laid out to minimize non-compatible land use impacts. While the 'pod' format of the master plan is not building specific, there is sufficient detail (between the application and staff report) to guide future development of the entire Governors Lake area.

RECOMMENDATION:

After review of the applicant's proposal and other relevant information, it is recommended that RZ2020-003 / PH2020-006 be approved, subject to the following conditions:

1. The property shall be rezoned from R-75, C-3 and M-1 to MUD.
2. The Comprehensive Plan Character Area Map shall be amended to show the entirety of this property within the Employment Corridor.
3. The site shall be developed in general conformance with the document labeled *Site Pod Plan* submitted with this application and prepared by Kimley-Horn dated 8/27/2020 (with revisions to meet these conditions and zoning and development regulations) and in conformance with Tables A and B, attached.
4. A traffic study shall be completed prior to the issuance of the first land disturbance permit (LDP) in conjunction with development of property within the master plan area.
5. Construction hours shall be limited to weekdays from 7:00AM to 8:00PM.
6. Roadway modifications shall be implemented in accordance with the submitted traffic study and in conjunction with the review and approval of the Public Works Department.
7. Prior to the issuance of an LDP for each Pod, a specimen tree survey shall be submitted for that Pod. Specimen trees shall be taken into consideration when designing site improvements for each Pod and every effort shall be made to retain specimen trees as part of the final design. Tree protection fencing shall be installed, and the city shall confirm that all trees to be preserved have been included within the protected areas.
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. Prior to issuance of an LDP, approvals must be received from all agencies having jurisdiction over stream piping, modifications, and encroachments.
10. All stormwater facilities shall be owned and maintained by the Property Owner's Association in accordance with the Gwinnett County Stormwater Ordinances.
11. Water quality BMPs shall be located outside the 75' impervious setback with no retaining walls or structures within the 75' impervious setback. All new stormwater ponds, including pond-like water quality BMPs, should have at least a single row of evergreen trees, 6ft. tall at time of planting, outside of the 10 ft. access easement around the BMP.
12. The developer shall provide minimum five-foot-wide publicly accessible sidewalks along the entire rights-of-way of all streets, public or private.

- 13.** No more than 450 residential units shall be developed prior to the commencement of construction (as evidenced by the issuance of a building foundation permit) for a primary structure in Pod 'A' or Pod 'B'.

Governors Lake Standards

Table 'A'
Permitted Uses

	Pod A	Pod B	Pod C	Pod D	Pod E	Pod F	Pod G	Pod H
Entertainment		✓						
Recreational	✓			✓		✓		✓
Institutional	✓			✓		✓		✓
Civic	✓							
Retail		✓						
Restaurant		✓	✓	✓				✓
Hotel		✓		✓				✓
Office	✓		✓	✓		✓		✓
Multifamily Residential					✓		✓	
Single-family Attached Residential					✓			

Governors Lake Standards

Table 'B' Development Regulations

Pods A, B, C, D, F, H

1. Setback Minimum:
 - Front: Exterior Road: 20'
Interior Road: 0'
 - Side: Exterior Road: 20'
Interior Road: 0'
Between Buildings: 10'
 - Rear: 10'
2. Height Maximum: 75'
3. Stories Maximum: 5
4. Building Facing: All buildings located along an external road must face, or appear to face, that road.
5. Landscaping: 10 ft. wide strip along parking lots and external roadways. Street trees along internal and external streets and parking lot islands as per Overlay Standards. Buildings shall incorporate live plant material growing immediately in front of or directly on the building.
6. Lighting, Parking, Screening: Per Zoning Ordinance

Pods E, G

1. Setback Minimum:
 - Front: Exterior Road: 10'
Interior Road: 5'
 - Side: Exterior Road: 10'
Interior Road: 5'
Between Non-attached Buildings: 10'
 - Rear: 10'
2. Height Maximum: 60'
3. Stories Maximum: 5
4. Density Maximum:
 - Pod E: 16 units per acre
 - Pod G: 21 units per acre
5. Dwelling Unit Size Minimum:
 - Single-family Attached: 1500 square feet
 - Multifamily: 800 square feet (2- bedroom maximum per unit)
6. Dwelling Unit Lot Width Minimum:
 - Single-family Attached: 22'

- For any townhome units:
 - 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.
 - Front building elevations shall be at least 50% brick or stone.
 - Front elevation materials and colors shall be varied so that the units within a single building grouping do not repeat the same combination of materials and colors more often than every 5 units.
 - The garage of each unit shall be located at least 20 ft. from the adjacent sidewalk.
- 7. The developer shall provide central mailbox kiosks with adequate parking and pedestrian access.

All Pods

1. Building Facing: All buildings located along an external road must face, or appear to face, that road.
2. Landscaping: 10 ft. wide strip along parking lots and external roadways. Street trees along internal and external streets and parking lot islands as per Overlay Standards. Buildings shall incorporate live plant material growing immediately in front of or directly on the building.
3. Lighting, Parking, Screening, and Signage: Per Zoning Ordinance.
4. 75 ft. buffer between residential and non-residential uses.
5. Building elevations to be contemporary in style and approved by the Planning Commission.
6. Location, configuration, and requirements for roadways, driveways, and access points as determined by the Public Works Dept.



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	<ul style="list-style-type: none"> • 1 original 		
Boundary Survey with Legal Description	<ul style="list-style-type: none"> • 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction 		
Site Plan	<ul style="list-style-type: none"> • 1 full size Copy • 1- 8-1/2" x 11" or 11" x 17" reduction 		
Architectural Elevations	<ul style="list-style-type: none"> • 1 copy 		
Letter of Intent	<ul style="list-style-type: none"> • 1 copy 		
Applicant Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 		
Property Owner Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 		
Standards Governing Exercise of the Zoning Power	<ul style="list-style-type: none"> • 1 copy 		
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	<ul style="list-style-type: none"> • 1 copy 		
Verification of Paid Property Taxes (most recent year)	<ul style="list-style-type: none"> • One (1) Copy (per tax parcel) 		
Electronic copy of complete package	<ul style="list-style-type: none"> • One (1) copy 		
Application Fee	<ul style="list-style-type: none"> • Make checks payable to the City of Peachtree Corners 		
Community Information Meeting Certification	<ul style="list-style-type: none"> • 1 copy 		
Specimen Tree Survey	<ul style="list-style-type: none"> • 1 copy 		
ADDITIONAL EXHIBITS (IF REQUIRED)			
Additional site plan requirements for the RM Districts, R-TH, R-ZT, Modified, CSO, OBP, MUD or MUO rezoning requests	<ul style="list-style-type: none"> • 1 copy 		
Traffic Study	<ul style="list-style-type: none"> • 1 copy 		
Development of Regional Impact Review Form	<ul style="list-style-type: none"> • 1 copy 		
Other Information Needed to Review Application (as determined by Community Development staff)	<ul style="list-style-type: none"> • _____ • _____ 		

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: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY: _____	CITY: _____
STATE: _____ ZIP: _____	STATE: _____ ZIP: _____
PHONE: _____	PHONE: _____
E-MAIL: _____	E-MAIL: _____

APPLICANT CONTACT, IF DIFFERENT THAN ABOVE
CONTACT PERSON: _____ PHONE: _____
CONTACT'S E-MAIL: _____

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

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

LAND DISTRICT(S): _____ LAND LOT(S): _____ ACREAGE: _____

ADDRESS OF PROPERTY: _____

PROPOSED DEVELOPMENT: _____

Parcel IDs: [R6276057](#), [R6251026](#), [R6251002](#), [R6276077](#)

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

NON-RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

No. of Buildings/Lots: _____

Dwelling Unit Size (Sq. Ft.): _____

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

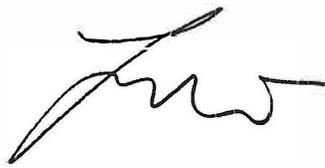
3. Mixed-Use (MUD and MUO) or High Rise Residential (HRR)

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

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 _____ Date **8/26/2020**
Lawson Fanney, Senior Vice President

Type or Print Name and Title



Signature of Notary Public _____ Date **8/26/20** Notary Seal 

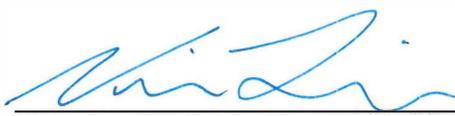
PROPERTY OWNER'S CERTIFICATION

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.

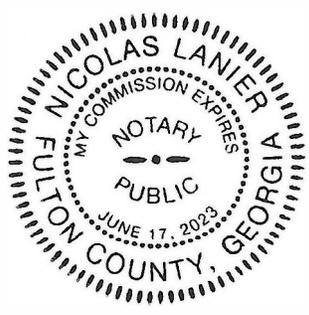


Signature of Property Owner _____ Date **8/26/20**
John Mansour/Mansour Properties, LLC

Type or Print Name and Title



Signature of Notary Public _____ Date **8/26/2020** 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 ID: R6251026
PARCEL I.D. NUMBER: _____ - _____ - _____
(Map Reference Number) District Land Lot Parcel

Signature  _____
Date

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)

NAME TITLE

DATE

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 ID: R6251002

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

_____ -
District

_____ -
Land Lot

Parcel

Signature



Date

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)

NAME

TITLE

DATE

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 ID: R6276077

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

District

Land Lot

Parcel

Signature



Date

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)

NAME

TITLE

DATE



Below is the list of property ownership entities and the parcels they own.

MJE Corp & WG-75 Partnership, LP.
669 Atlanta Country Club Dr SE
Marietta, GA 30067
Parcel Owned: R6276057, R6251002, and R6276077
Mansour@ayoubmansour.com

Lifestyle Family, LP.& Mansour Properties, LLC.
1560 Warsaw Road
Suite 105C
Roswell, GA 30076
Parcel Owned: R6251026
Mansour@ayoubmansour.com



August 28, 2020

Peachtree Corners Community Development Department
310 Technology Parkway
Peachtree Corners, GA 30092

RE: *Governor's Lake Parkway – Rezoning Letter of Intent*

This letter of intent is to accompany the rezoning application for parcels R6276057, R6251026, R6251002, and R6276077 along Governor's Lake Parkway. Two additional parcels, owned by others, R6276056 and R6251005 include future development but are not part of this rezoning application.

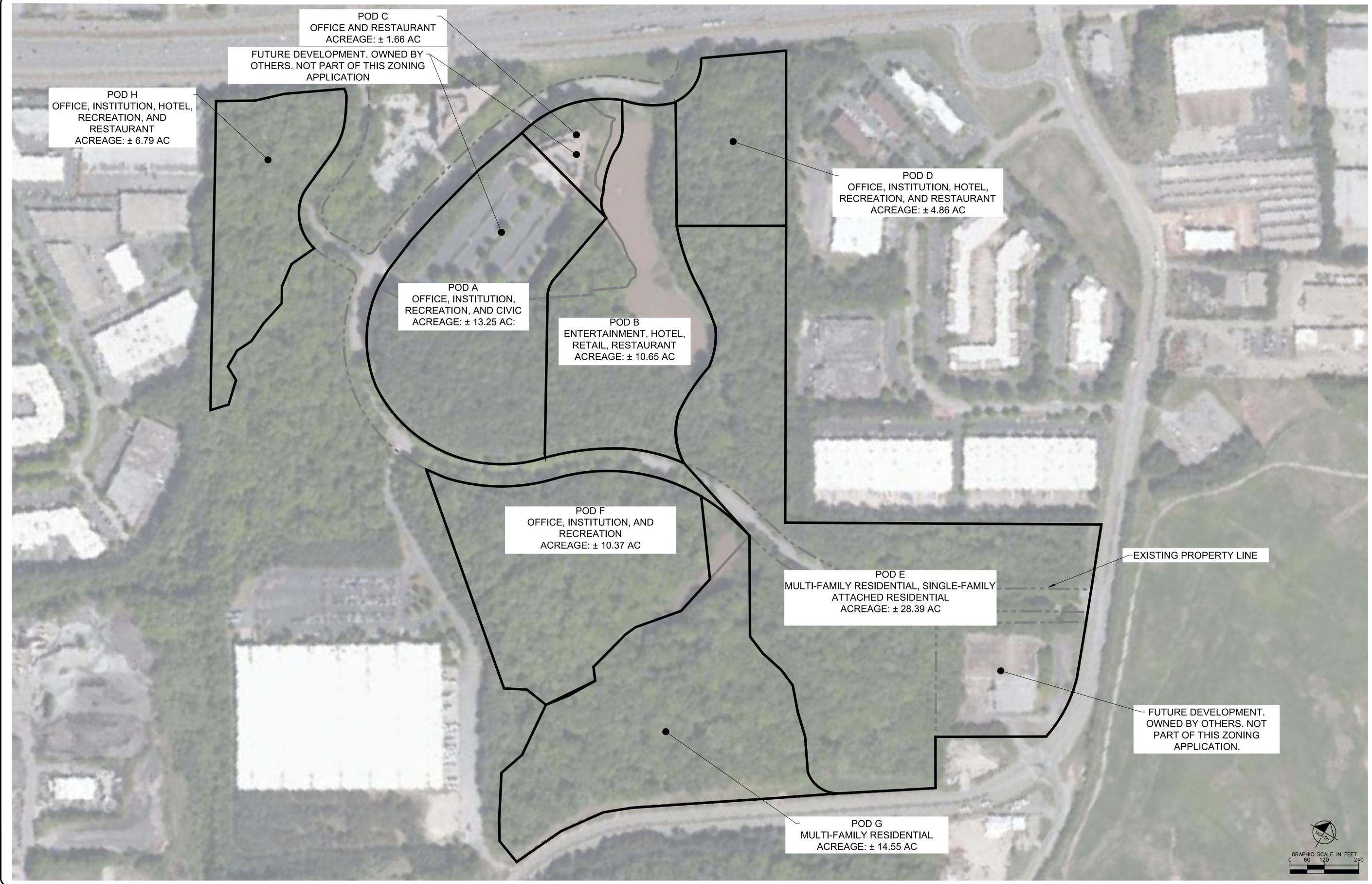
The intent of the application is to amend the Comprehensive Plan character area designation from the Industrial Corridor to the Employment Corridor and Rezone +/- 90.0 acres from M-1 and R-75 to MUD, Mixed Use Development.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawson Fannee".

Lawson Fannee, P.E.
Senior Vice President

K:\ALP_PR\014168000_Governors Blvd_PTC\CAD\Exhibits\2020-08-26 Development Pods.dwg Aug 27, 2020 7:49pm by: Lauren Klingel



TITLE:
SITE POD PLAN

PROJECT:
GOVERNOR'S LAKE PKWY

DATE:
08/27/2020

JOB NUMBER: 014168000
 SCALE: 1" = 120'
 SHEET: **EXHIBIT A**

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC. COPYRIGHT KIMLEY-HORN AND ASSOCIATES, INC. 2017

K:\ALP_PRJ\014168000_Governors Blvd_PTC\CAD\Exhibits\2020-08-26_Development_Pods\Survey.dwg Layout1 Aug 28, 2020 8:32am by: Lauren.Klingel

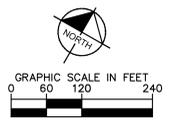
PARCEL 4
PARCEL ID: R6276077

PARCEL 1
PARCEL ID: R6276057

PARCEL 2
PARCEL ID: R6251026

PARCEL 3
PARCEL ID: R6251002

PROPERTY LINE



TITLE:
SURVEY

PROJECT:
GOVERNOR'S LAKE PKWY

DATE:
08/28/2020

JOB NUMBER:
SCALE: 1" = 120'
DATE: 08/28/2020
SHEET: **SURVEY**

PARCEL 1 – Parcel ID # R6276057

Starting at the North West corner of the intersection of Jones Mill Road NW and Governors Lake Parkway NW

Thence running N 21° 05' 29.00" W a distance of 219.37'

Thence running S 60° 20' 49.00" W a distance of 569.86'

Thence running S 60° 22' 51.00" W a distance of 534.92'

Thence running N 29° 41' 00.00" W a distance of 1470.90'

Thence running N 32° 21' 02.00" W a distance of 189.16'

Thence running S 55° 02' 23.00" W a distance of 296.05'

Thence curving along the Governor's Lake Parkway NW with radius 154.50' and Length 297.48'

Thence running S 75° 18' 05.00" W a distance of 30.46'

Thence curving along the Governor's Lake Parkway NW with a radius 399.55' and length 178.69'

Thence running S 75° 20' 35.00" E a distance of 83.31'

Thence running S 27° 01' 18.00" E a distance of 56.13'

Thence running S 10° 30' 56.00" E a distance of 131.41'

Thence running S 19° 56' 14.00" E a distance of 92.00'

Thence running S 38° 47' 29.00" E a distance of 53.84'

Thence running S 08° 05' 10.00" W a distance of 3.33'

Thence running S 31° 54' 09.00" E a distance of 304.79'

Thence running S 56° 36' 33.00" W a distance of 615.68'

Thence running S 89° 23' 39.00" W a distance of 140.00'

Thence curving along the Governor's Lake Parkway NW with radius 424.92' and length 569.71'

Thence curving along the Governor's Lake Parkway NW with radius 492.31' and length 454.81'

Thence running N 46° 16' 16.00" E a distance of 100.00'

Thence curving along the Governor's Lake Parkway NW with radius 703.17' and length 699.42'

Thence running S 76° 44' 17.00" E a distance of 125.00'

Thence curving along the Governor's Lake Parkway NW with radius 804.58' and length 607.64'

Thence curving along the Governor's Lake Parkway NW with radius 2237.48' and length 149.28'

Thence curving along the Governor's Lake Parkway NW with radius 2257.47' and length 150.61'

Thence running N 59° 59' 34.21" E a distance of 260.88' to the point of beginning of this description.

Containing an area of 1566983.84 square feet, or 35.973 acres more or less.

PARCEL 2 – Parcel ID # R6251026

To locate the starting point:

Starting at the South West corner of the intersection of Jones Mill Road NW and Governors Lake Parkway NW

Thence running S 59° 59' 27.00" W a distance of 245.19'

Thence curving along the Governor's Lake Parkway NW with radius 2237.53' and length 150.61'

Thence curving along the Governor's Lake Parkway NW with radius 2237.53' and length 149.28'

Thence curving along the Governor's Lake Parkway NW with radius 884.56' and length 668.05'

Thence running N 76° 44' 17.00" W a distance of 38.77'

From the starting point:

Thence running S 12° 01' 54.95" W a distance of 356.76'

Thence running S 40° 07' 53.49" W a distance of 168.72'

Thence running S 24° 05' 42.46" W a distance of 44.09'

Thence running S 10° 55' 10.91" W a distance of 79.19'

Thence running S 18° 00' 36.61" W a distance of 80.05'

Thence running S 36° 57' 18.93" E a distance of 49.90'

Thence running S 30° 43' 02.53" W a distance of 74.88'

Thence running S 31° 00' 07.64" W a distance of 32.52'

Thence running S 38° 12' 32.33" W a distance of 96.09'

Thence running S 05° 00' 00.00" E a distance of 195.00'

Thence running S 19° 00' 00.00" W a distance of 95.00'

Thence running S 28° 00' 00.00" E a distance of 240.00'

Thence running S 69° 30' 32.00" E a distance of 99.06'

Thence running N 81° 00' 00.00" W a distance of 85.00'

Thence running S 64° 38' 17.95" W a distance of 78.88'

Thence running N 49° 25' 09.00" W a distance of 828.14'

Thence curving along the Governor's Lake Parkway NW with radius 572.31' and length 420.11'

Thence running N 46° 21' 38.31" E a distance of 103.43'

Thence running N 52° 25' 09.46" E a distance of 119.62'

Thence curving along the Governor's Lake Parkway NW with radius 623.17' and length 619.85'

Thence running S 81° 24' 49.64" E a distance of 102.88'

Thence running S 76° 45' 59.67" E a distance of 86.91' to the point of beginning of this description.

Containing an area of 1016158.23 square feet, or 23.328 acres more or less.

PARCEL 3 – Parcel ID #R6251002

Starting at the South West corner of the intersection of Jones Mill Road NW and Governors Lake Parkway NW

Thence running S 59° 59' 27.00" W a distance of 245.19'

Thence curving SE along the Governor's Lake Parkway NW with radius 2237.53' and length 150.61'

Thence curving SE along the Governor's Lake Parkway NW with radius 2237.53' and length 149.28'

Thence curving E along the Governor's Lake Parkway NW with radius 884.56' and length 668.05'

Thence running N 76° 44' 17.00" W a distance of 38.77'

Thence running S 12° 01' 54.95" W a distance of 356.76'

Thence running S 40° 07' 53.49" W a distance of 168.72'

Thence running S 24° 05' 42.46" W a distance of 44.09'

Thence running S 10° 55' 10.91" W a distance of 79.19'

Thence running S 18° 00' 36.61" W a distance of 80.05'

Thence running S 36° 57' 18.93" E a distance of 49.90'

Thence running S 30° 43' 02.53" W a distance of 74.88'

Thence running S 31° 00' 07.64" W a distance of 32.52'

Thence running S 38° 12' 32.33" W a distance of 96.09'

Thence running S 05° 00' 00.00" E a distance of 195.00'

Thence running S 19° 00' 00.00" W a distance of 95.00'

Thence running S 28° 00' 00.00" E a distance of 240.00'

Thence running S 69° 30' 32.00" E a distance of 99.06'

Thence curving NE with a radius 776.200' and length 514.94'

Thence running N 56° 00' 18.28" E a distance of 1009.00'

Thence running N 29° 49' 20.83" W a distance of 581.53'

Thence running N 60° 13' 58.00" E a distance of 517.69'

Thence running N 21° 05' 29.00" W a distance of 30.91' to the point of beginning of this description.

Containing an area of 563706.63 square feet, or 12.941 acres more or less.

PARCEL 4 – PARCEL ID # R6276077

Starting at the southwest corner of the intersection of Peachtree Industrial Boulevard NW and Governor's Lake Drive NW.

Thence running S 55 50' 26.00" W a distance of 210.79'

Thence running S 46 04' 55.00" W a distance of 103.10'

Thence running S 59 59' 42.00" W a distance of 143.40'

Thence running S 29 01' 52.00" E a distance of 977.93'

Thence running S 30 36' 42.00" E a distance of 130.66'

Thence running N 42 26' 42.00" E a distance of 85.74'

Thence running N 13 01' 22.00" W a distance of 90.00'

Thence running N 61 00' 00.00" W a distance of 55.00'

Thence running N 00 00' 00.00" E a distance of 65.00'

Thence running N 26 00' 00.00" E a distance of 60.00'

Thence running N 04 00' 00.00" E a distance of 75.00'

Thence running N 12 00' 00.00" E a distance of 95.00'

Thence running N 29 00' 00.00" W a distance of 60.00'

Thence running N 07 00' 00.00" W a distance of 85.00'

Thence running N 25 00' 00.00" E a distance of 88.88'

Thence curving along Governor's Lake Drive NW with radius 169.96' and length of 271.54'

Thence running N 07 34' 53.00" E a distance of 96.69'

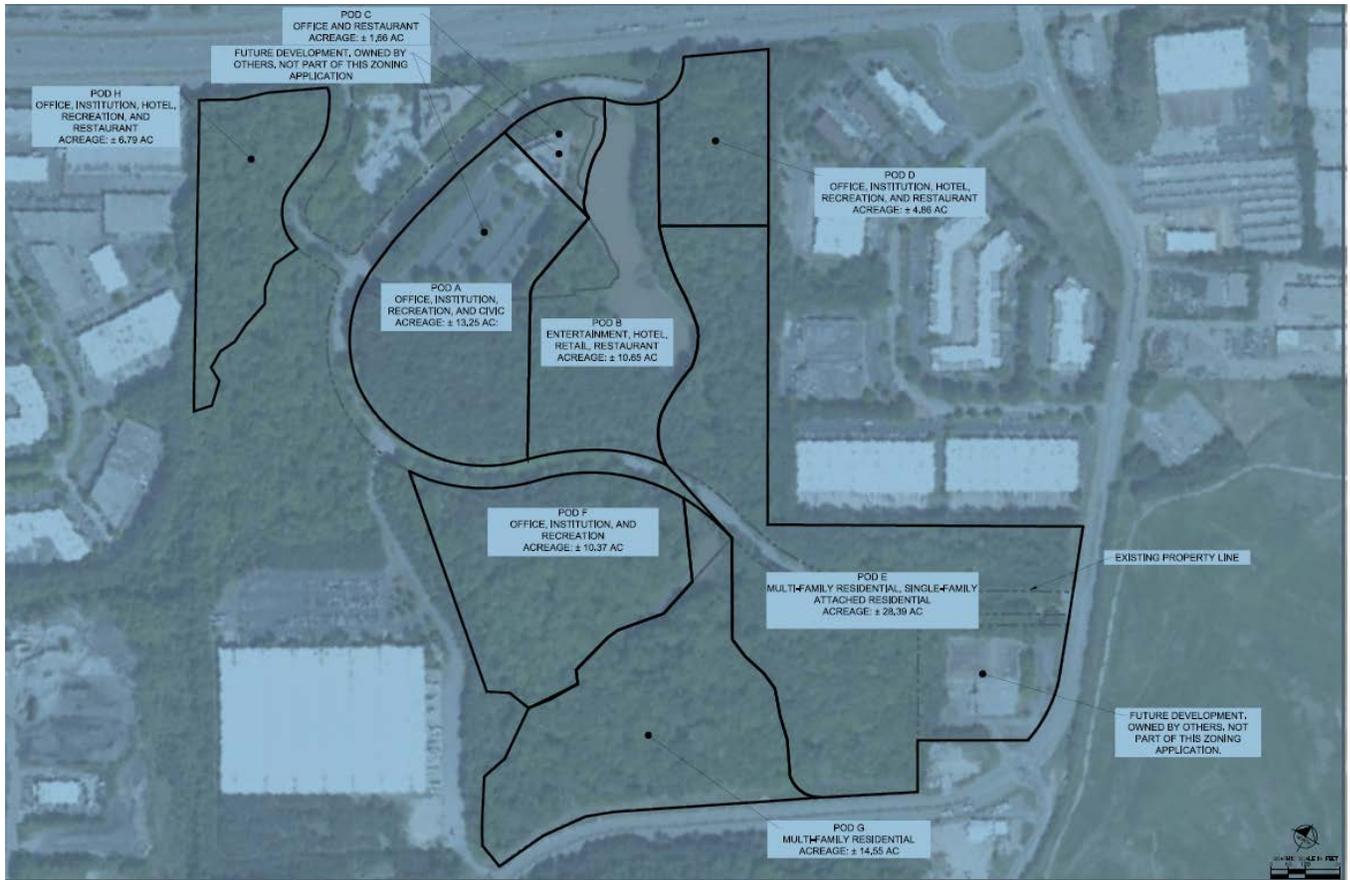
Thence curving along Governor's Lake Drive NW with radius 349.99' and length of 257.02'

Thence running N34 29' 42.00" W a distance of 19.09' to the point of beginning of this description.

Containing an area of 3132236.72 square feet, or 7.191 acres more or less.

PROPERTY LOCATION MAP

Governors Lake Master Plan



CASE NUMBER:	RZ2020-003 / PH2020-006		
HEARING DATES:	PLANNING COMMISSION	CITY COUNCIL 1ST READING	CITY COUNCIL 2ND READING
	Sep. 15, 2020	Sep. 22, 2020	Oct. 27, 2020
PROPERTY ADDRESS:	Various parcels in Governors Lake		