



ATLANTA REGIONAL COMMISSION 40 COURTLAND STREET, NE ATLANTA, GEORGIA 30303

I certify that I am a duly elected and acting Assistant Secretary of the Atlanta Regional Commission; and I do further certify that the attached copies are true and correct copies of documents from ARC files relating to the review of the Mall of Georgia.

A handwritten signature in cursive script that reads 'Beverly Rhea'.

Beverly Rhea
Assistant Secretary

1/20/00

Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, Georgia 30327-2809



Harry West
Director

January 22, 1997

Honorable Wayne Hill, Chairman
Gwinnett County Commission
75 Langley Drive
Lawrenceville, GA 30245

RE: Development of Regional Impact
Mall of Georgia & Related Development

Dear Wayne:

I am writing you to officially transmit the resolution that was adopted by the Commission today concerning the Development of Regional Impact (DRI) of the Mall of Georgia and Related Development. Since you were present at the meeting, you know that the Commission's finding was that this DRI is in the best interest of the State. You are also aware that the finding is conditioned on the implementation of the changes which were agreed to by the developer and also conditioned on the implementation of the County's proposed actions relating to the Comprehensive Plan, which is subject to review by the Commission.

Enclosed with this letter are copies of comments we received during the review.

Please feel free to call me if you have any questions or need further information.

Sincerely,

Harry West
Director

Enclosures

c Mr. Michael Williams, Gwinnett County
Mr. Ben Carter, Buford Acquisition Company, LLC
Mr. Wayne Shackelford, GDOT
Mr. Harold Reheis, GEPD
Mr. Rick Brooks, GDCA
Ms. Carolyn Hatcher, The Georgia Conservancy

Hon. Gary Webster, City of Sugar Hill
Hon. Hildred Waits, Barrow County
Hon. Barrow Jenkins, City of Lawrenceville
Mr. Ken Garvin, CRNRA
Ms. Sally Bethea, Upper Chattahoochee Riverkeeper

INTRODUCTION CONCERNING THE MALL OF GEORGIA AND RELATED DEVELOPMENT

The Development of Regional Impact (DRI) review of the proposed Mall of Georgia and Related Development is no doubt a vivid precursor to the kinds of difficult, thoughtful and courageous decisions that will be required of the Board of the Atlanta Regional Commission and other regional partners this year and beyond. We have entered a new era in the Atlanta Region--one where circumstances dictate that every decision be weighed more carefully than ever before to ensure our region's future viability, sustainability and position of strength in the global marketplace.

The proposed Mall of Georgia and Related Development presents Gwinnett County, the Atlanta Region and the State of Georgia with an opportunity to rethink region-forming development practices of the past and begin to firmly embrace some of the neo-traditional development concepts introduced by the "Blueprints for Successful Communities" symposia held over the past year and a half.

The ARC planning staff initially found this development as submitted to not be in the best interest of the State. Subsequent amendments and commitments by the developer and the county presented at a joint meeting of the Transportation and Air Quality Committee and the Environment and Land Use Committee allowed ARC staff to find that the development was in the best interest of the State provided such commitments were implemented. The Mall of Georgia and Related Development proposal, with the implementation of these new changes and commitments, has the potential to provide a city-center for a new order of development that embraces the pedestrian-friendly, multi-use, regionally linked, quality communities needed for future success.

The joint committees then recommended *conditional* approval of the attached, reworded resolution, contingent on the action of the Gwinnett County Commission to adopt proposed changes in its long-range land use plan that would support and promote the cohesive development of a range of housing, recreational, retail, office and institutional facilities, as well as pedestrian-friendly transportation options as a part of the proposal.

**RESOLUTION BY THE ATLANTA REGIONAL COMMISSION
CONCERNING THE MALL OF GEORGIA & RELATED DEVELOPMENT**

WHEREAS, pursuant to the Georgia Planning Act of 1989 and DCA Rules for Review of Developments of Regional Impact (DRI's), the Atlanta Regional Commission has reviewed the Mall of Georgia and related development proposed on 495 acres near the intersection of I-85 and Georgia Highway 20 in Gwinnett County; and

WHEREAS, the original proposal was for a 1.8 million sq. ft. regional mall, 1.8 million sq.ft. of additional retail development, two hotels totaling 500 rooms, and a nature park; and

WHEREAS, it is recognized that commercial and retail use is recommended in the local future land use plan for the relevant site; and

WHEREAS, during the review, comments were received from numerous agencies (see attachment #1); and

WHEREAS, the ARC staff analysis concluded that the development as presented would continue past land use patterns which have led to sprawl, dependence on single-occupant vehicle travel, and air quality problems which are not in the best interest of the State;

WHEREAS, however, it was recognized that with some changes to the mall and related development and additional planning for surrounding areas, the proposed mall and related development could serve as the city center for a neo-traditional community that offers a quality place for citizens to live, work, shop and recreate with innovative transportation modes to other parts of the region; and

WHEREAS, the developer agreed to make certain changes to the proposed development (see attachment #2), most significantly to change 29 acres of the development from retail to office and institutional use and to change 30 acres of the development to multi-family development of 300 units; and

WHEREAS, the County proposed actions related to the update of the Comprehensive Plan in order to promote a well-planned, cohesive mixed-use environment designed to encourage pedestrian modes of transportation, reduce commercial sprawl and establish elevated design standards for future development in the area (see attachment #3);

NOW, THEREFORE, BE IT RESOLVED that the Atlanta Regional Commission finds that the project as amended and as supplemented by the County's proposed actions relating to the Comprehensive Plan and as further defined by the ARC attachment (#4) is in the best interest of the State; and

BE IT FURTHER RESOLVED that this favorable finding is conditioned upon implementation of the changes agreed to by the developer and also is conditioned upon the implementation of the County's proposed actions relating to the Comprehensive Plan, which is subject to review by the Atlanta Regional Commission; and

BE IT ALSO FURTHER RESOLVED that the Commission offers its staff assistance to the developer and the County in furthering these efforts.

DEVELOPMENTS OF REGIONAL IMPACT

Comments from Affected Parties Form

Project I.D.: Mall of Georgia
(From Request for Comments Form)

Name of Commenting Organization: City of Lawrenceville

Address: P.O. Box 2200
Lawrenceville, GA 30246

Contact Person: Bartow Jenkins

Telephone Number: (770) 963-3-1-

Do you believe your jurisdiction will be affected by the proposed development? X Yes No

Please describe the effects (positive and/or negative) the proposed project could have on your jurisdiction:
Effects will be positive. County has transportation system planned
and funded. City should receive peripheral economic benefits.

(Attach Additional Pages if Necessary)

Form Completed By: Bartow Jenkins

Title: Mayor

Signature: Bartow Jenkins

Date: 12/11/96

RETURN TO: ATLANTA REGIONAL COMMISSION
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, Ga. 30327
ATTENTION: REVIEW OFFICE

FAX NO. 404-364-2599

DOA/CCP/1079

VII-A-2 p.3



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-8718

December 27, 1996

Beverly Rhea
Atlanta Regional Commission
Atlanta, Georgia

Re: DRI: Mail of Georgia
Via Facsimile

Dear Ms. Rhea:

We appreciate the opportunity to comment regarding the above referenced project. The City of Sugar Hill welcomes future commercial development with the addition of the Mail of Georgia subject to the widening of Highway 20 from two lanes to four lanes within the municipal limits of Sugar Hill.

Heavy traffic would be generated from Georgia 400 and I85. Please consider our comments carefully. Best Wishes for the new year.

Sincerely,

Warren P. Nevad
City Manager

cc: Mayor/City Council



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President and
Chief Executive Officer

* Executive Committee Member
Printed in recycled paper

January 3, 1997

Beverly Rhea
Atlanta Regional Commission
200 Northcreek, Suite 500
3715 Northside Parkway
Atlanta, Georgia 30327

Re: Mall of Georgia Development of Regional Impact Analysis

Dear Beverly:

The Georgia Conservancy appreciates the opportunity to comment on the Development of Regional Impact analysis for the Mall of Georgia. *As proposed, the Conservancy believes the project is not in the best interest of the state.* Our primary concerns are air quality, transportation congestion, stormwater management, soil erosion, wetlands protection, housing and the region's overall growth pattern. Some of these concerns are due to the lack of sufficient information on the developer's stormwater plan, wetland plan, and soil erosion control plan.

Air Quality

The 13-county Atlanta region is classified as a "serious" nonattainment area for ground-level ozone. In 1996, the ARC's Transportation Improvement Program (TIP) failed to meet air quality standards because of the region's severe over-reliance on road building to address transportation needs and an irresponsible predisposition towards low-density, segregated use land planning.

At its best, this site and adjacent properties could be the location for a new city that is pedestrian-oriented and transit-supportive, thereby contributing to needed air quality improvements. As proposed, the project will yield yet another automobile-dependent, sprawl-inducing activity center that will exacerbate many of the region's problems.

The transportation study for the proposed development shows that traffic will reach unacceptably high levels on state route 20 and 324 by generating approximately 92,000 week day trips. As proposed, the development would repeat the mistakes of the Perimeter Center and Cumberland-Galleria areas. Both areas have established transportation management associations to mitigate traffic problems that resulted from inefficient land use planning.



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA
1978 Island Ford Parkway
Atlanta, GA 30350-3400

13215 (CHAT)

DEC 20 1986

Ms. Beverly Rhea
Review Coordinator
Atlanta Regional Commission
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, Georgia 30335

Dear Ms. Rhea:

In response to your request for comments on the Development of Regional Impact-Mall of Georgia, we offer the following:

The Chattahoochee River National Recreation Area does not specifically oppose this development as presented since it does not appear to have a direct adverse affect on the purposes for which the park was created. However, we remain concerned over the difficult-to-measure accumulative affect of rapid continual development in the river corridor.

Sincerely,

Marvin Madry
Marvin Madry
Superintendent

$$\hat{V}_{1,1} = \bar{V}_{1,1} = 0, \quad \hat{V}_{1,2} = \bar{V}_{1,2} = 0, \quad \hat{V}_{2,1} = \bar{V}_{2,1} = 0, \quad \hat{V}_{2,2} = \bar{V}_{2,2} = 0,$$

Beverly Rhea
Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, Georgia 30327

Dear Beverly:

Ivey Creek is a major tributary to Suwanee Creek, which itself is a significant tributary to the Chattahoochee River. According to the state's Water Quality in Georgia 1994-1995 Report, Suwanee Creek does not support its designated use due to urban runoff. The Riverkeeper organization is very concerned about the water quality impacts to Ivey Creek, Suwanee Creek and the Chattahoochee River which can be expected from this massive construction project.

We recommend that the developer's detailed plans to control erosion and sedimentation include the following components, in addition to other requirements of the law: (1) staged clearing and grading plans to reduce the area of disturbed land which is

Joyce M. Nuszbaum, Esq.
1537 Brandon Square
Lawrenceville, GA 30044

December 31, 1996

Ms. Beverly Rhea
ATLANTA REGIONAL COMMISSION
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, GA 30327

Re: Proposed Mall of Georgia, at Interstate 85 and Highway 20

Dear Ms. Rhea:

Please accept this package as comments from affected parties in connection with the DRI for the above-referenced project.

We believe that the proposed development would have the following negative effects on Gwinnett County unless protective measures are required by the ARC:

1. Gridlock on Highway 20. The realignment of Georgia 20 may or may not handle existing traffic after twelve curb cuts and standard entrances are added for the mall. Please consider in your review whether grade separations, limits on curb cuts, and redesign of internal access to the outparcels would help prevent future traffic congestion.
2. Clearcutting rather than using any parking decks. The developer's present plans to clearcut the site and rely on a standard asphalt lot with 8,600 parking spaces will unnecessarily expose Ivy Creek to excessive run-off and pollution. The present clearcutting plan could only worsen Gwinnett County's air quality situation.
3. Mall sprawl on adjacent properties. Unless ARC recommends immediate implementation of a new type of zoning, approval of the mall development will inevitably result in unsightly, vehicle-intensive commercial rezonings spreading out from this intersection (with the exception of the wastewater treatment site). It is extremely likely that the mall will result in a Pleasant Hill type development and congestion problem on old Highway 20. The developer's planned covenant restrictions for the property on either side of new Highway 20 will not control this problem.
4. Zoning approval without details concerning hydrology or nature center plans. This is discussed in more detail in the enclosed newsletter, but, for example, Mr. Carter assured a group of homeowners that he planned to retain for a 25-year storm even though he (and many developers) are under the impression that they are only required to retain for a

Comments on the Update of Gwinnett County Comprehensive Plan
Citizens Project Selection Committee

1. Ivy Creek could suffer serious damage. The program to protect the creek from erosion and sedimentation and for water detention during the construction phase apparently is incomplete. Further, the plan to permanently protect Ivy Creek from significant degradation is not completed, according to Ben Carter Properties.
2. The deforestation that will occur from clearing 400 or more acres of forest will reduce the region's inventory of trees and will have a significant negative impact on air quality and the environment of Gwinnett County and the surrounding area.
3. Current plans to enlarge Highway 20 seem likely to replicate the gridlock that chokes the Pleasant Hill corridor past Gwinnett Place. A transportation computer model, contracted by Gwinnett County, currently is underway but not completed. This model may forecast significant traffic growth and need for relief from congestion around the area of the proposed mall.
4. A regional mall that is 40% larger than Gwinnett Place will generate single occupant vehicle (SOV) use with regional implications for air quality. This is particularly true since Atlanta's average daily SOV use is greater than that of any other major city in the world, according to federal studies.

A major retail magnet, configured as a segregated or isolated enclave such as the proposed Mall of Georgia, necessitates significant SOV use, particularly when not served by public transit. High density development in Gwinnett County must be designed to promote alternative means of reaching retail nodes - so that SOV isn't the only way to get there - and to better integrate retail with other land uses for easier access and less environmental destruction.

These comments are submitted by:

Terma Cantrell (770)945-0698 - William D. McEwen, P.E. (770)717-7054
Homeowner Representatives for the Citizens Review Committee of
Update of the Gwinnett County Comprehensive Plan

Tom Marney (770)339-9750
Homeowner Representative to the Citizens Project Selection Committee

Joyce Nuszbaum (770)806-8300
Communications Alternate for the Citizens Review Committee and the
Citizens Project Selection Committee

Carol Hassell (770)945-3111
Working member of the Citizens Review Committee and the
Citizens Project Selection Committee

Project ID: ZE-97-013, ZE-97-014 and
SUP-97-014


Nordson.

Nordson Corporation
Customer Service Center
11475 Lakefield Drive
Duluth, Georgia 30136-1511
(800) 241-8777
FAX (404) 497-3733

TO: ATLANTA REG. COMMISSION FAX # 404-364-2599
FROM: Jo Canipelli / Ext. 3165 FAX # (770) 497-3733
DATE: 1-21-97
NUMBER OF PAGES (including this cover sheet): 1

** ** ** ** **
TO: HARRY WEST, DIRECTOR/ARC

Please let this serve as opposition to the current proposed Mall of Georgia construction in Gwinnett County. This County is already plagued with traffic gridlock trying to get across I-85 and other side streets. Our water supply is overly taxed to keep up with current developments and in fact the water department has just implemented a progressive rate increase. The gas department of Sugar Hill has just enacted "no further developments" due to gas shortages in that area (close to mall site). We currently are faced with raised taxes to accommodate further increases in our County school systems. The air pollutants, drain on natural resources, and traffic gridlocks (adding to increased lack of quality of life for all citizens within this area) is enough to vote against this proposal.

It is plain that Gwinnett Countians cannot be in full favor of this proposal due to all the aforementioned and we do not stand to gain in the quality of life as we know it today. With the construction of the Mall, the only thing that can be seen is another mass exit of the area as has been done in other counties where people hoped to escape overcongested areas.

The best interest of our County cannot be at stake with this proposal. If our government had our best interest at heart, they would try to resolve the issues at hand and not create new ones to add to the problems that already exists.

Genilla Wright Canipelli

Eui Peters

Linda J. Boone

James S. Leanne

Land Mark

James S. Leanne

Patricia L. Curtis

David Cantor

Rainey Lee

Andy Jones
Andy Beddell

DEPARTMENT RECOMMENDED CONDITIONS (AMENDED)
RZ-97-013, RZ-97-014 & SUP-97-014
January 7, 1997

Approval as C-2, O-I and RM-10 with a Special Use Permit to allow a height increase for the C-2 and O-I portions of the site, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses for C-2 zoned properties. The O-I and RM-10 portions of the site shall be located to the south of the proposed South Connector Road, and shall contain approximately 59 acres. No more than 30 acres shall be zoned RM-10. Applicant shall submit revised legal descriptions for the O-I and RM-10 districts within thirty days of approval.
 - B. Limit the height of the mall complex to a height not to exceed 150 feet. Any hotel or office buildings shall be limited to a height of no more than eight stories.
2. To satisfy the following site development considerations:
 - A. Provide a 75-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings, and replantings where sparsely vegetated adjacent to residentially-zoned property.
 - B. Provide a 25-foot wide natural buffer adjacent to the right-of-way of the proposed Outer Perimeter Highway. The buffer may be converted to a landscaped strip subject to submission to the Department of Planning and Development of an acceptable landscape design and enhancement plan for the Outer Perimeter frontage.
 - C. Provide a ten-foot wide landscaped strip outside the dedicated rights-of-way of all road frontages.
 - D. Provide a five-foot wide landscaped strip adjacent to all internal property lines.

Mall of Georgia

Update of the Comprehensive Plan/Economic & Recreational Opportunities

If the mall is to be developed, the county's vision for the future of this area should adapt to promote a well-planned, cohesive mixed-use environment designed to encourage pedestrian modes of transportation, reduce commercial sprawl and establish elevated design standards for future development in the area. To achieve these goals, the following recommendations and objectives are offered:

- * On Tuesday, January 2, 1997, the Planning Commission forwarded a recommendation and set of conditions for the Board of Commissioner's consideration. Among the recommendations is that approximately 59 acres originally requested for commercial zoning be reserved for professional office (O-I zoning) and high density residential (RM-10 zoning) development.
- * Additionally, the Planning Commission has forwarded a recommendation to the Board of Commissioners and the Citizen Review Committee for the major update of the Comprehensive Plan. The recommendation is that the new Land Use Plan reflect a wide variety of uses in the vicinity of the mall.
- * It is expected that the future mix of uses in the immediate area will include medium and high density residential as well as professional, light industrial and office/distribution/technology uses. The land use plan now being formulated will also reflect more institutional/public uses and park/recreation/conservation areas where industrial uses are currently indicated.
- * This mixed use area is envisioned as a cohesive, focal point for future development in northeastern Gwinnett County. By focusing intense commercial uses within this limited geographic area, surrounded by a logical mix of non-residential and residential uses, it is anticipated that conventional commercial sprawl may be avoided.
- * Recommendations for the proposed mall include development of a comprehensive plan to ensure high quality architectural controls and landscaping, and consistent signage. The incorporation of such standards for the mall property will establish a clear precedent for requiring consistency of design for adjacent and nearby properties through Board imposed conditions and private restrictive covenants.
- * The resulting regional scale mix of uses will support economic development efforts and result in a more balanced tax base for the County through additional sales tax revenue and a substantial increase in non-residential property taxes.
- * Approximately 550 acres of the new Advanced North Gwinnett Water Reclamation Facility, will be left in its natural state as a green space and passive recreation area. Plans for the mall indicate the preservation of 80 acres of land as a nature preserve for recreational and educational opportunities. This offers a unique opportunity for a linked public-private recreational and educational amenity associated with a large scale commercial development.

4. Establishing Transportation Management Associations (TMAs) to address the specific transportation needs in the area. TMAs are partnerships of businesses implementing transportation solutions. They are formal organizations of employers, developers, and other businesses working together, often with public agencies, on local transportation concerns. Most are incorporated nonprofit organizations with structured business operations. Although many TMAs receive public funding and offer some services to the general public, they are primarily private membership organizations supported by, and attuned to, the specific needs of their members. The vast majority of TMAs are located in employment settings and focus on the travel needs of employees and employers. The development of a properly conceived, efficiently operated and adequately funded TMA can be an important component of an area's efforts to combat traffic congestion and shift people out of their drive alone habits.

5. Encouraging employers in the proposed development to establish Employee Commute Options programs. Commute Options programs are employer-based programs that provide a variety of commuting alternatives and programs to reduce single occupant vehicle trips to a particular worksite. The programs are specialized for each employer based upon the work schedules, policies and needs of that particular employer and its employees. The package of commuting options may range from ridesharing to suggestions on flex hours, flextime, guaranteed ride home and telecommuting as well as many others. ARC's Commute Connections Program is available to work with individual employers in the region to establish such a program free of charge.

6. Using private sector resources to subsidize transit service to employees of this and other major developments in the area.

7. Identifying and supporting the development of air quality beneficial projects to reduce congestion on main access routes to proposed development. The proposed development does not include provisions for alternative ways of accessing the site other than by vehicle. Options such as express lanes and various forms of transit should be considered feasible given the developments proximity to major thoroughfares and its high density. Transit options can range from shuttle service within the development to express bus routes connecting to existing rail stations, park and ride lots, and bus stops to direct rail and bus service. These connections to the site allow trips to be made by some mode other than the car and thus reduce the number of trips and consequently emissions attributable to the development.