

MACON-BIBB COUNTY PLANNING & ZONING COMMISSION

682 Cherry Street, Suite 1000, Macon, Georgia 31201

COMMISSIONERS:

Sarah Gerwig-Moore Kamal Azar Vice Chairman Jeane H. Easom Bryan W. Scott Ashok Patel

ADMINISTRATIVE STAFF

James P. Thomas

Dennis B. Brill

Andrea Holden

D. Elaine Smith Human Resources Director

Planning Office 478-751-7460

Planning Fax: 478-751-7467

Zoning Office 478-751-7450

Zoning Fax: 478-751-7448 September 29, 2014

Mr. E. Baxter Evans Baxter Evans and Company 111 Piedmont Circle Forsyth, GA 31029

Re: 3765(3769) Bloomfield Rd. & 3729/3737/3745 Stacy Drive - Macon, GA

Dear Mr. Evans:

The above referenced property can be found on Bibb County Tax Map M084-0124 / 0125/ 0126/0129 and is zoned PDC, Planned Development Commercial District. All uses are conditional in a PDC District, and must be approved by the Macon-Bibb County Planning and Zoning Commission at a public hearing. Regulations for the PDC district can be found in chapter 19 of the Comprehensive Land Development Resolution, available in its entirety at www.maconbibbpz.org. Please see the enclosed zoning map for the abutting zoning districts.

The PDC district allows the applicant the opportunity to apply for any desired property use; basically the applicant can "ask" for any use that they choose. The Macon-Bibb County Planning and Zoning Commission will review the application at a public hearing and decide if the proposed use is acceptable for the site and surrounding properties. Setbacks, buffers, land use, etc. are all subject to Commission approval. Any uses that are approved and any Zoning restrictions imposed on the property are at the sole discretion of the Macon-Bibb County Planning and Zoning Commission.

In 2004 and 2005 permits were issued for a shopping center expansion at this site but the project was never started. Several permits were issued in the past for 3765 Bloomfield Rd (see attached list) but the site is currently vacant. No service requests or zoning violations currently exist on the property. To obtain information regarding building code violations or certificate of occupancy, please contact The Bureau of Inspection and Fees at (478)-803-0470.

If you have any questions, please feel free to contact me at (478) 751-7473.

Respectfully,

Ethan Tonn

Development Review Officer

Macon-Bibb County Planning & Zoning Commission



ZONING COMPLIANCE

MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION

Suite 1000 Southern Trust Bldg., 682 Cherry St., Macon, Georgia 31201 Planning Office 478-751-7460 Zoning Office 478-751-7450 Fax 478-751-7448

PERMIT NO:

04-0542

DATE OF ISSUE:

2/26/2004

ISSUED TO:

CUNNINGHAM & CO ENGINEERS

OWNERS NAME: BAXTER EVANS

PROPOSED USE: GRADING & SITE PREPARATION FOR FUTURE DEVELOPMENT

ADDRESS OF PROPOSED USE: 3769, 3843 BLOOMFIELD RD

NEW BUILDING

IN CITY

MAP NO: M8-4

DISTRICT: PDC, PDR

CODE:

LOT:

419, 419B

PERMIT ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

As per application & plans on file - grading and site preparation. Per City Engineer approval of land disturbance activity. Property to be stabilized with seed and plantings after disturbance is complete. Per Commission approval on October 14, 2002. Grading and site preparation only, no construction allowed by this permit. No signage allowed by this permit.

NOTE: IF CONSTRUCTION OR USE IS NOT BEGUN BY 8/26/2004, THIS PERMIT IS NULL AND VOID.

APPROVED BY: Bridgett B. Manson

NOTE: This permit is issued subject to the rules and regulations of the Macon-Bibb County Health Department, City of Macon or Bibb County Building Inspector, and any other governmental agency whose regulations may be applicable. Care should be given to comply with any deed restrictions applicable to the above property as the Macon-Bibb County Planning and Zoning Commission does not authorize the violation thereof, nor can it be held responsible for said violation.

The Macon-Bibb County Planning and Zoning Commission assumes no responsibility for correct location of property lines. It is the responsibility of the applicant to insure proper placement of any structures on the premises.

All construction or use relating to this permit must strictly comply with site plans or other plans submitted to the Macon-Bibb County Planning and Zoning Commission and on file in its office. This permit expires six months from date issued unless construction or use is begun.

THIS CERTIFICATE OF ZONING COMPLIANCE MUST BE POSTED.



ZONING COMPLIANCE

MACON-BIBB COUNTY PLANNING AND ZONING COMMISSION

Suite 1000 Southern Trust Bldg., 682 Cherry St., Macon, Georgia 31201
Planning Office 478-751-7460 Zoning Office 478-751-7450 Fax 478-751-7448

PERMIT NO:

05-019

DATE OF ISSUE:

2/4/2005

ISSUED TO:

CUNNINGHAM & COMPANY ENGINEERS

OWNERS NAME: BAXTER EVANS & CO

PROPOSED USE: SHOPPING CENTER EXPANSION

ADDRESS OF PROPOSED USE: 3769, 3843 BLOOMFIELD RD

NEW BUILDING

IN CITY

MAP NO:

DISTRICT:

PDC

CODE:

LOT:

416A, 415, 41

PERMIT	ISSUED SUE	BJECT TO THE F	OLLOWING	CONDITIONS:

M8-4

NOTE: IF CONSTRUCTION OR USE IS NOT BEGUN BY , THIS PERMIT IS NULL AND VOID.

APPROVED BY:

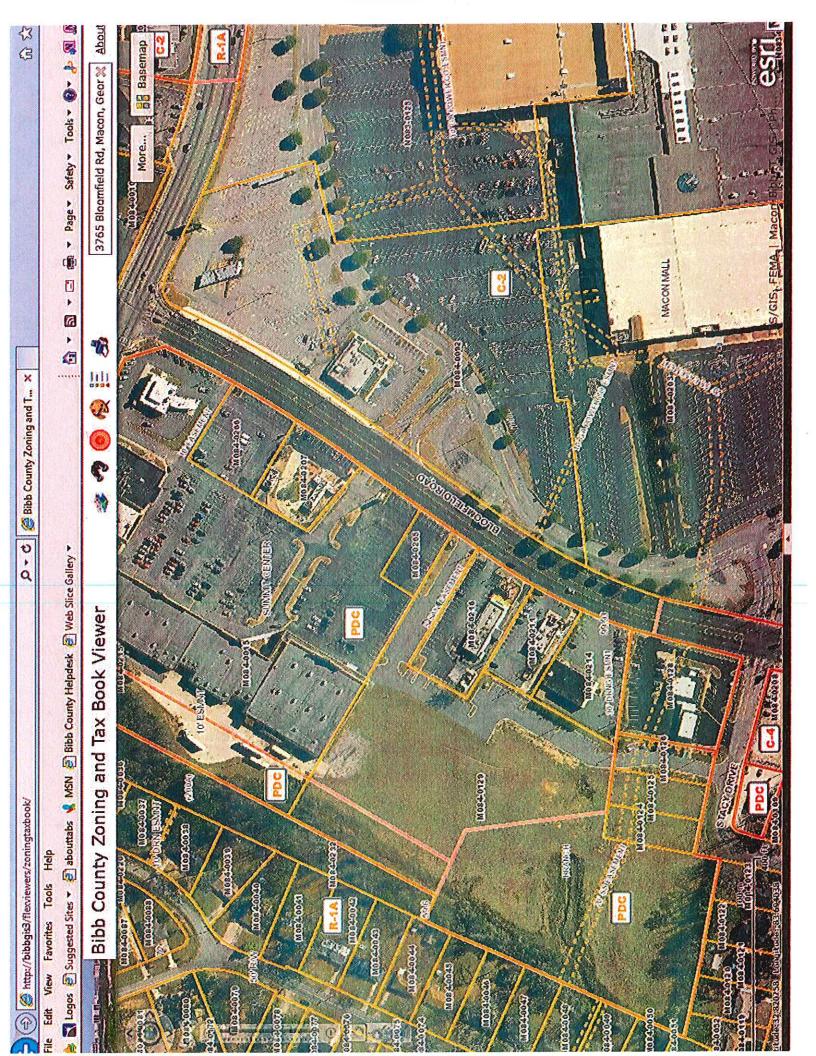
NOTE: This permit is issued subject to the rules and regulations of the Macon-Bibb County Health Department, City of Macon or Bibb County Building Inspector, and any other governmental agency whose regulations may be applicable. Care should be given to comply with any deed restrictions applicable to the above property as the Macon-Bibb County Planning and Zoning Commission does not authorize the violation thereof, nor can it be held responsible for said violation.

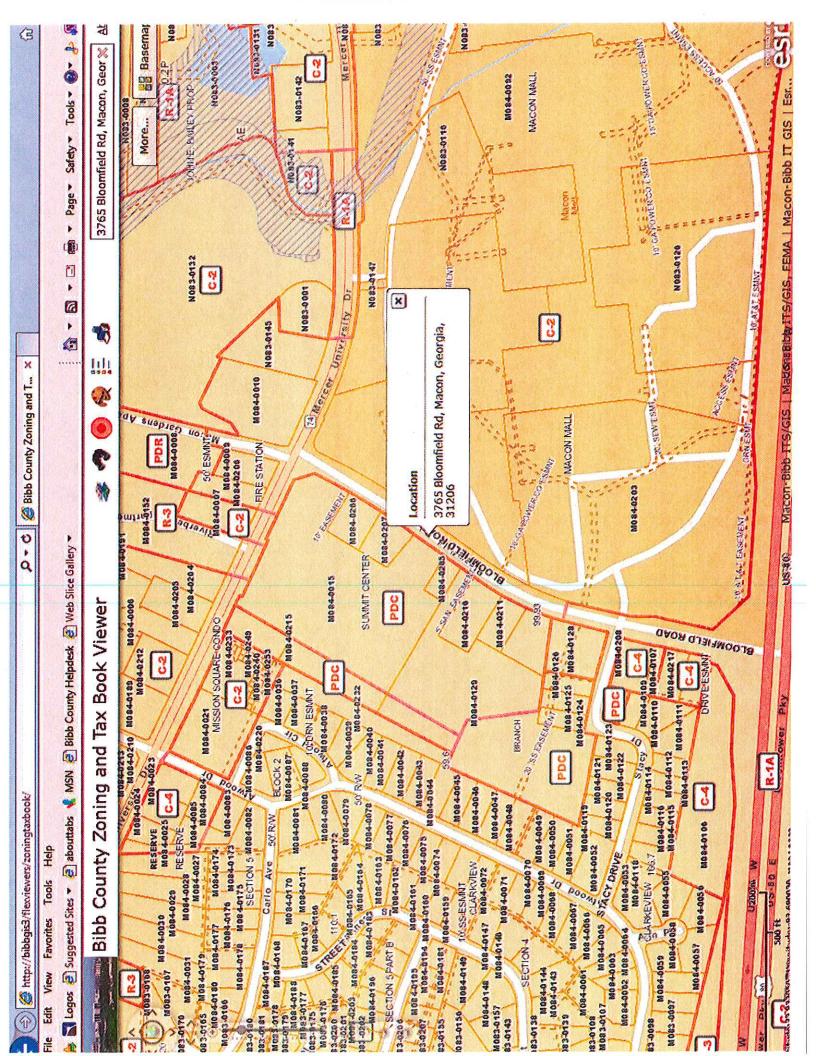
The Macon-Bibb County Planning and Zoning Commission assumes no responsibility for correct location of property lines. It is the responsibility of the applicant to insure proper placement of any structures on the premises.

All construction or use relating to this permit must strictly comply with site plans or other plans submitted to the Macon-Bibb County Planning and Zoning Commission and on file in its office. This permit expires six months from date issued unless construction or use is begun.

THIS CERTIFICATE OF ZONING COMPLIANCE MUST BE POSTED.

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82-1416	8/13/1982	3765	3765 BLOOMFIELD RD	SALE OF TROPICAL PLANTS	PATRICK SHERLOCK	PU	COMMERCIAL	_ z		
81-0214	2/3/1981	3765	3765 BLOOMFIELD RD	SIGN	PEACOCK SIGNS	SIGN SIGN	SIGN	z		
76-1744	10/8/1976 C	3765	10/8/1976 C 3765 BLOOMFIELD RD	RESTAURANT	PEPES MEXICAN RESTAURANT		COMMERCIAL	_		





Chapter 19

PDR, PDC, PDI AND PDE-PLANNED DEVELOPMENT DISTRICTS

Section 19.01. Intent of districts.

The purpose of this chapter is to provide greater design flexibility in the development of land consistent with the comprehensive development plan. The use of planned development zoning classifications should be encouraged when they promote a harmonious variety of uses, provide for an economy of shared services and facilities, are compatible with surrounding areas, and foster the creation of attractive, healthful, efficient, and stable environments for living, shopping or working.

The planned development district regulations and procedures may apply to the development of presently open or vacant lands and may apply to parcels of relatively small size as well as large scale development, depending upon the nature of the proposed use and improvements and their relationship with other surrounding uses and the overall characteristics of the area in which they are located.

Planned development district regulations are intended to encourage innovations in land development techniques so that the changing demands of the community may be met with greater flexibility and variety in type, design, and layout of sites and buildings and by the conversion and more efficient use of open spaces and other amenities generally enhancing the quality of life.

Planned development projects should also encourage a more efficient use of land which reflects changes in the technology and economics of land development so that resulting economies may accrue to the benefit of the community at large.

PDR, PDC, PDI and PDE districts differ from each other in the nature of the uses permitted.

Section 19.02. Eligibility requirements for planned development districts.

In determining the eligibility of an area of land or development for designation as a planned development district, the commission must find that one (1) or more of the following conditions exists:

- [1] More than one (1) principal use of land or separate uses of land, which would not be permitted to locate within the same district, are proposed for development on a parcel(s) under single ownership or unified control;
- [2] Development standards contained elsewhere in these regulations would not permit the proposed development; and
- [3] Controlled development of a parcel(s) of land is necessary to reduce the adverse impact of a proposed use on neighboring properties.

Section 19.03. Uses allowed and development standards for each planned development district.

Listed below by district are the uses allowed and development standards for each district. All uses allowed hereunder shall be treated as a conditional use. (Amended October 24, 1988, ZA88-10-02)

- [1] PDR—Planned Development Residential. This district is intended primarily for residential development, emphasizing flexibility in design to permit varying densities as circumstances may require. Limited retail sales and services may be allowed.
 - (a) Uses allowed:
 - (i) All residential uses in residential districts. (Amended October 24, 1988, ZA88-10-02)
 - (ii) Multifamily developments.
 - (iii) Residential cluster developments.
 - (iv) Retail and service uses limited to the following: convenience stores, bakeries, confectioneries, drug stores, barber and beauty shops, branch post offices, and laundromats. Such uses are to be designed for the service and convenience of the population living within the PDR.
 - (v) Recreation areas and structures, including private clubs.
 - (vi) Public utility structures and uses excluding communication towers and antennas. (Amended October 13, 1997, ZA97-10-01)
 - (vii) Public and private schools and libraries.
 - (viii) Kindergartens, playschools, and day care centers, provided the requirements in Section 23.13 are met. (Amended July 23, 2007, ZA07-07-03)
 - (ix) Churches and other places of worship.
 - (x) Accessory buildings and uses customarily incident to any use allowed in this district.
 - (xi) Group personal care homes, supportive living homes, nursing homes and similar uses. (Added December 8, 1986, ZA86-12-01)
 - (xii) Communication towers and antennas subject to the requirements of Section 23.27. (Added October 13, 1997, ZA97-10-01)
 - (xiii) Day care home, provided the requirements of Section 23.30 are met. (Added July 23, 2007, ZA07-07-03)
 - (b) Development standards:
 - (i) The size of the proposed PDR district shall be approved by the commission.
 - (ii) Not less than eighty (80) percent of the interior floor area of all buildings to be included in the development shall be used for residential dwellings or customary accessories to such dwellings.

- (iii) Not more than five (5) percent of the interior floor area of all buildings shall be used for commercial purposes as defined in Section 19.03[1](a)(iv).
- (iv) Multifamily dwelling units shall be connected to public sewer and be arranged to provide an access for fire fighting as certified by the Macon-Bibb County Fire Department.
- (v) Residential cluster developments shall be developed in accordance with Section 23.02.
- (vi) Development within the district shall maintain a harmonious relationship with adjacent uses and between uses within the district.
- (vii) Lot size, density, yard requirements, height requirements, parking, and other development standards shall be established by the commission.
- (viii) Only business signs two (2) feet square in area are permitted and no neon or other self-illuminated signs shall be used either on the exterior or in windows, and all signs shall be attached flat to the face of the building.
- [2] PDC—Planned Development Commercial. This district is intended primarily for commercial or other nonresidential uses, emphasizing flexibility in design.
 - (a) Uses allowed:
 - Any commercial use in any commercial zoning district under this resolution, except residential uses.
 - (ii) Theaters (indoor).
 - (iii) Public utility buildings and structures, excluding communication towers and antennas. (Amended October 13, 1997, ZA97-10-01)
 - (iv) Churches and other places of worship.
 - (v) Private and public schools and libraries.
 - (vi) Kindergartens, playschools, and day care centers, provided the requirements in Section 23.13 are met. (Amended July 23, 2007, ZA07-07-03)
 - (vii) Recreation areas and structures including private clubs, bowling alleys, skating rinks, and the like.
 - (viii) Places of assembly including auditoriums, stadiums and coliseums.
 - (ix) Motels when located on a state or federal highway.
 - (x) Shopping centers containing uses which are otherwise allowed in this section.
 - (xi) Communication towers and antennas subject to the requirements of Section 23.27. (Added October 13, 1997, ZA97-10-01)
 - (b) Development standards:
 - (i) The size of the proposed PDC district shall be approved by the commission.
 - (ii) Development within the district must maintain a harmonious relationship with adjacent areas and between areas within the district.

(iii) Lot size, density, yard requirements, height requirements, signs, parking, and other development standards as approved by the commission.

[3] PDI—Planned Development Industrial:

- (a) Uses allowed: Manufacturing and industrial uses and such commercial uses as reasonably relate to the support or convenience of the intended industrial uses or their occupants. Communication towers and antennas shall be subject to the requirements of Section 23.27. (Amended October 13, 1997, ZA97-10-01)
- (b) Development standards:
 - (i) The size of the proposed PDI district shall be approved by the commission.
 - (ii) Not less than eighty (80) percent of the interior floor area of all buildings to be included in the development shall be used for industrial or manufacturing purposes or such accessory uses customarily relating to industrial uses.
 - (iii) Lot size, density, yard requirements, height requirements, signs, parking, and other development standards as approved by the commission.
- (c) Special exceptions.
 - (i) Adult entertainment establishments provided such establishment is in compliance with the performance standards set out in Section 23.25.

[4] PDE—Planned Development Extraordinary:

- (a) Uses allowed: Any use allowed in PDR, PDC and PDI districts. To be eligible for this district, a development plan must not be otherwise distinguishable under any previous planned development classification. Communication towers and antennas shall be subject to the requirements of Section 23.27. (Amended October 13, 1997, ZA97-10-01)
- (b) Development standards:
 - (i) The size of the proposed PDE district shall be approved by the commission.
 - (ii) Development within the district must maintain a harmonious relationship with adjacent areas and between areas within the district.
- (iii) Lot size, density, yard requirements, height requirements, signs, parking, and other development standards as approved by the commission.

(Amended July 22, 2002, ZA02-07-03)

Section 19.04. Two-step procedure required for planned development districts.

Creation of planned development districts requires, first, the approval of the commission to rezone the land in question from its present zoning classification to a planned development classification and, second, site plan approval by the commission, which approval permits issuance of a special zoning permit allowing construction to begin.

Section 19.05. Reserved.

Editor's note—Ord. No. ZA97-04-04, adopted May 27, 1997, repealed Section 19.05, which pertained to origination of application for PD designation; who may originate. See the Comparative Table.

Section 19.06. Application procedures for rezoning to planned development districts.

It is the intention of this section of the land development resolution that proposals for planned development be of such community significance and concern that they be made at the early planning stages in order to allow time for full evaluation and orderly processing, to consider alternative plans or methods of development, to assess the full impact and consequences of the proposal, to formulate modifications or conditions that may be necessary, and to provide ample opportunity to determine the best means for implementation. The planning and zoning commission may, from time to time, promulgate such guidelines, rules and regulations as may be deemed necessary for the orderly presentation and processing of such proposals in addition to those contained in this section, which guidelines may also establish permanent or temporary priorities on the type, location or scale of the development proposed.

- [1] Submission of application. Application for a planned development district shall be submitted to the commission through its zoning enforcement officer or designated staff member.
- [2] General requirements:
 - (a) An application for a planned development district shall conform to all requirements of Chapter 28, except as may otherwise be required by this section. Applications shall be submitted thirty (30) days prior to the date of the hearing at which the application will be heard by the commission.
 - (b) An application for a planned development district shall indicate the requested category and shall be accompanied by a conceptual plan for the development of the site.
- [3] Submission requirements for the conceptual plan. The conceptual plan shall consist of text, maps, drawings and any other information which the applicant may deem necessary to support his application. The application shall clearly describe how the proposed development of the site will meet the standards and purposes of the planned development district. Such text, maps and drawings may be conceptual and shall include the following information:
 - (a) A graphic representation of existing topography, major vegetative growth, floodplains, significant water bodies, landfills, rock outcroppings and areas of historic significance.
 - (b) A land use plan indicating: the location and use of all buildings, which will include, where applicable, the numbers and types of dwelling units; the location and type of community and recreational facilities; open spaces, including devel-

- oped open spaces, and those to be preserved in their existing state; location of land to be dedicated to public use; and points of access to the site, pedestrian and vehicular circulation ways, and parking spaces.
- (c) A statement and analysis demonstrating the manner in which the proposed development will result in a more efficient and desirable development than could be accomplished by the use of conventional zoning categories.
- (d) Statements relating to proposed restrictions, agreements or other documents indicating the manner in which any land intended for common or quasi-public use but not proposed to be in public ownership will be held, owned and maintained in perpetuity for the indicated purpose.
- (e) A list of proposed development standards consisting of lot area or size, yard setbacks, lot widths at building lines, building heights, maximum lot coverage of buildings and structures, distances between all structures and buildings and parking requirements.
- (f) Such other material as the applicant may consider of importance in the evaluation of the plan or as the commission may require in order to evaluate the proposed planned development with the requirements and purposes of the planned development district.

Section 19.07. Action of zoning enforcement officer upon submission of application for planned development district.

The zoning enforcement officer shall process the application utilizing the following procedures:

- [1] The zoning enforcement officer shall review the proposal to determine if it meets the requirements of these regulations.
- [2] The zoning enforcement officer shall transmit the application and any accompanying material to the planning staff for review. The planning staff shall prepare a professional opinion regarding:
 - (a) The verification of data shown on the application or in accompanying materials;
 - (b) The proposed development's relationship with existing zoning regulations and with the comprehensive development plan;
 - (c) The compatibility of the proposed development with surrounding development; and
 - (d) Such other factors or considerations as may be appropriate considering the merit of the proposed development.
- [3] Upon completion of the application procedure and the requirements of Sections 19.07[1] and [2], the matter will be placed on the agenda for rezoning by the commission in accordance with the provisions of Chapter 28.

Section 19.08. Action of the commission on application for planned development district.

- The commission will hear the application in accordance with the procedures outlined in Section 28.06.
- [2] Approval of the application by the commission will be by amendment to the official zoning maps reflecting the planned development classification approved. Such approval is land use approval only and shall not constitute approval of any site plan submitted with the application.
- [3] In the event the commission rezones the property, it shall have the power to approve the rezoning subject to such restrictions, conditions, or limitations as it may deem appropriate.
- [4] The approval of the conceptual and/or final site plan for a planned development shall not expire until two (2) years after approval of the same, but may be amended upon application to the commission. (Added November 14, 2011, ZA11-004)
- [5] Any use which conforms to the approved planned development conceptual and/or final site planned design standards may be approved by staff without further action of the Commission. (Added November 14, 2011, ZA11-004)
- [6] A conceptual and/or final site plan may be approved to include permitted uses. (Added November 14, 2011, ZA11-004)

Section 19.09. Procedures after rezoning.

Following approval by the Commission of the rezoning and general conceptual plan application, the applicant will submit to the zoning enforcement officer a conditional use application for a detailed conceptual site plan approval. The detailed conceptual plan shall include development densities, street patterns, lot area and width and setbacks.

The zoning enforcement officer shall process the site plan utilizing the following procedures:

- [1] The zoning enforcement officer shall review the site plan to determine if the plan meets the requirements of these regulations and the conditions of the previously approved rezoning and general conceptual plan application.
- [2] The staff shall prepare a professional opinion regarding:
 - (a) The verification of data shown on the site plan or in the accompanying materials;
 - (b) The site plan's relationship with existing zoning regulations and with the comprehensive development plan;
 - (c) The compatibility of the site plan with surrounding development; and
 - (d) Building plans showing the architectural layout for all floors and architectural elevations.
 - (e) Such other factors or considerations as may be appropriate considering the merit of the site plan.

- [3] Upon completion of the application procedure and the requirements of Sections 19.09[1] and [2], the matter will be placed on the Commission agenda for detailed conceptual plan approval.
- [4] Once a zoning permit is issued for the detailed conceptual plan, subsequent applications for final site plan approval for various portions of the project can be issued at staff level provided the final site plan is consistent with the detailed conceptual plan approved by the Commission. Submission of an application for final site plan approval shall include agreements, deed restrictions, and/or covenants to ensure that functions, and facilities as approved are provided, operated, or maintained without public (city or county) expense, and all applicable departmental approvals.

If the proposed plan is not consistent with the previously approved detailed conceptual plan, the application must be placed on a Commission agenda and must be heard at a public hearing.

(Amended November 14, 2011, ZA11-004)

Section 19.10. Requirements for site plan.

Each site plan shall become a part of the initial application and shall include the following requirements (if not previously incorporated within the conceptual plan):

- [1] Be in accordance with the conceptual plan, or as it may have been amended by the commission, to include stated development standards;
- [2] Include all of the information required for the submission of a preliminary subdivision plan, as set forth in Chapter 29 of this resolution;
- [3] Include a grading plan, showing the existing topography and proposed grading of the site at contour intervals of not more than five (5) feet;
- [4] Show water runoff drawings, calculations, and plans for soil erosion and sedimentation control, both during and after construction, pursuant to Chapter 31;
- [5] Show existing vegetation, tree line, and other natural features, rock outcroppings, bodies of water and watercourses, and the hundred-year floodplain;
- [6] Show location, height, ground coverage, and use of all structures and location and areas of open spaces, parking facilities and areas dedicated to public spaces. Calculations of building coverage, numbers of parking spaces, and areas devoted to open spaces shall also be indicated;
- [7] Show all utility service lines, and all easements and rights-of-way, existing or proposed;
- [8] Show adjacent highways and streets serving the site, noting centerlines, widths of paving, grades, and median break points;
- [9] Show the location, dimensions, and grades of all roads, streets, driveways, parking facilities, loading areas, points of access surrounding streets, and pedestrian walks and pathways;

- [10] Provide building plans showing the architectural layout for all floors and architectural elevations;
- [11] Show, for each residential structure, the number and type of dwelling units;
- [12] Floor areas of all nonresidential buildings shall be shown;
- [13] Contain a landscaping and screening plan, showing all man-made features and the location, size, and species of all planting materials;
- [14] Contain an exterior lighting plan, covering all parking areas, driveways, and pedestrian ways, and including the height, number, and type of fixtures to be installed;
- [15] Show the location of all public schools, parks, and other community recreational facilities, indicating the location and use of all land to be dedicated to public use;
- [16] Provide documents indicating in detail the manner in which any land intended for common or quasi-public use, but not proposed to be in public ownership, will be held, owned, and maintained in perpetuity for the indicated purposes;
- [17] If a detailed site plan is one of a number of detailed site plans within a planned development, each detailed site plan shall show how it is related to and coordinated with other detailed site plans, either completed, under construction, or yet to be submitted; and
- [18] Contain any additional information which may be required by the commission in order to enable it to evaluate the detailed site plan.

Section 19.11. Binding nature of rezoning to planned development district.

- [1] All terms, conditions, safeguards, and stipulations made or imposed at the time of rezoning to a planned development district shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirement, condition, or safeguard without commission approval shall constitute a violation of these zoning regulations. Any proposed amendment, change, or deviation from the approved developments must be approved by the commission under the provisions of Section 19.09.
- [2] Where a planned development project is proposed in phases and the commission finds that the development of all phases is necessary for the development of any part to be approved, the commission may require that the applicant agree to the following:*
 - (a) Proceed with the proposed development according to the provisions of these zoning regulations and the proposed development plan for the area and such conditions as may be attached to the rezoning of the land to a planned development district;
 - (b) Provide agreements, contracts, deed restrictions, and sureties acceptable to the commission for completion of the development according to the plans approved at

^{*}Editor's note—The word "that" was added by the editors.

- the time of rezoning to PD and for continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated, or maintained at public expense; and
- (c) Bind their successors in title to any commitments made under (a) and (b) preceding.

All such agreements and evidence of unified control shall be examined by the commission attorney and no rezoning of land to a planned development classification shall be adopted without a certification by the commission attorney that such agreements and evidence of unified control meet the requirements of these zoning regulations.

PAYMENT DATE 09/16/2014

COLLECTION STATION

Test

RECEIVED FROM

Baxter Evans/Bloomfield

Retail Properties

DESCRIPTION

Certification Letter-3765 Bloomfield Rd

Macon-Bibb County PO Box 247 700 Poplar St Macon, GA 31202 BATCH NO. 2015-03000434 RECEIPT NO. 2015-00003090 CASHIER Jacqueline West

MACON-BIBB CO PLANNING & ZONING COMMISSION 682 CHERRY ST - SUITE 1000 MACON GA 31201

PAYMENT CODE		RECEIPT DESCR	RIPTION	TRANSACTION AMOUNT
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